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PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, FIRST SESSION

SENATE

WEDNESDAY, JUNE 21, 1967

(Legislative day of Monday, June 12, 1967)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, Thou hast ordained that in the leadership of the nations the care of the many must ever rest upon the shoulders of the few. We beseech Thee, give understanding, humility, and charity to them who, in Thy name and for the Nation's sake, are entrusted here in this Chamber with the power of governance.

In this troubled and uncertain day when the seamless robe of a common humanity is rent by inner strife and outward fears, teach us to be anxious for nothing but to do our best. And when, day by day, we have done faithfully the work Thou givest us to do, in quietness and in confidence may we leave the result to Thy unerring judgment: in the dear Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1432) to amend the Universal Military Training and Service Act, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the amendment of the House to the bill (S. 16) to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TEAGUE of Texas, Mr. DORN, Mr. HALEY, Mr. BARING, Mr. ADAIR, and Mr. AYRES were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the bill (S. 66) for the relief of Dr. Alfredo Roboredo-Newhall, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1619. An act for the relief of Rene Hugo Heimann;

H.R. 1724. An act for the relief of Hwang Duk Hwa;

H.R. 1818. An act for the relief of Marina Panagiotis Restos;

H.R. 3007. An act for the relief of Mrs. Aranka Mlinko;

H.R. 3471. An act for the relief of Francesco Corigliano;

H.R. 4952. An act for the relief of Annunziata Di Carluccio;

H.R. 7043. An act to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges; and

H.R. 10480. An act to prohibit desecration of the flag, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 617. An act to authorize the States of North Dakota, South Dakota, Montana, and Washington to use the income from certain lands for the construction of facilities for State charitable, educational, penal, and reformatory institutions;

S. 1649. An act authorizing the change in name of certain water resource projects under jurisdiction of the Department of the Army;

H.R. 5424. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; and

H.J. Res. 601. Joint resolution extending for 4 months the emergency provisions of the urban mass transportation program.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 1619. An act for the relief of Rene Hugo Heimann;

H.R. 1724. An act for the relief of Hwang Duk Hwa;

H.R. 1818. An act for the relief of Marina Panagiotis Restos;

H.R. 3007. An act for the relief of Mrs. Aranka Mlinko;

H.R. 3471. An act for the relief of Francesco Corigliano;

H.R. 4952. An act for the relief of Annunziata Di Carluccio; and

H.R. 10480. An act to prohibit desecration of the flag, and for other purposes; to the Committee on the Judiciary.

H.R. 7043. An act to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges; to the Committee on Commerce.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Tuesday, June 20, 1967, was approved.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore (Mr. METCALF). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 151 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge

Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from North Carolina [Mr. JORDAN], are absent because of illness.

I also announce that the Senator from Indiana [Mr. BAYH] and the Senator from Georgia [Mr. RUSSELL], are necessarily absent.

I further announce that the Senator from Rhode Island [Mr. PASTORE], is absent because of the death of his mother.

The PRESIDING OFFICER (Mr. HARRIS in the chair). A quorum is present.

THE DODD CENSURE RESOLUTION

The Senate resumed the consideration of the resolution (S. Res. 112) relative to censure of Senator THOMAS J. DODD.

Mr. MANSFIELD. Mr. President, the problem of proceeding to a vote on the pending resolution contains the following aspects:

First. Senator DODD would prefer to vote on section (b), the so-called double billing, before voting on section (a), having to do with campaign finances.

Second. The Committee on Standards and Conduct does not, apparently, want to change the order of voting, although its mind is open, unless it has assurances of disposing of the entire resolution.

It has been said on the floor of the Senate that if the order of the sections is reversed and double billing is voted upon, and if that section is eliminated, then there might be a temptation to stretch out the proceedings on the consideration of section (a)—campaign financing—in the hope of watering it down by wearing down the Senate.

Third. Some Senators may not want any specific time limitation that would require a vote at a time certain.

Fourth. Some Senators do not want a time limitation on amendments unless they know what the amendments are.

Under these circumstances, after discussing this matter with the distinguished minority leader, it appears that a possible accommodation would be to proceed immediately with the consideration of any amendments to section (a), campaign financing. The leadership will ask for no limitation on amendments, but would appreciate their being offered as expeditiously as possible.

When no further amendments are to be offered, the leadership then may offer a unanimous-consent request to reverse the order of section (a) and section (b), and include in that unanimous-consent request the condition that no further amendments are to be in order upon the reversal of the sections. Agreement with this proposal would effect the same result as third reading of a bill. In other words, a vote on section (a) would immediately follow section (b), if such a proposal were agreed to.

Mr. LONG of Louisiana. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. LONG of Louisiana. May I say to the distinguished majority leader that I applaud him for his efforts to try to accommodate all people and bring this matter to a vote.

Senator DODD and those who agree with him would like to do that just as soon as the issues are understood. We do not want to prejudice the Senator's case by making any agreement that might be regretted later.

We know what our parliamentary rights are, and we are not here to complain. I think we should get on with section (a) and we will discuss that and, in due course, when it is appropriate, we will start offering amendments.

Mr. MANSFIELD. The Senator is aware of the fact that the joint leadership was not making a unanimous-consent request but was laying before the Senate for its consideration a possible proposal by means of which the impasse could be broken and this matter brought to a head, at the same time considering very seriously the request of the distinguished Senator from Connecticut [Mr. DODD] that section (b) be considered before section (a). The suggestion contemplates the consideration and disposition of amendments to section (a) at this time and then to give serious consideration to a one-two vote on section (b) and section (a), in that order, with, of course, the consent of the Senate.

Mr. LONG of Louisiana. Let me say to the distinguished majority leader that I appreciate his problem. I have acted in his place on occasion and I understand what his problem is. Any majority leader or any bill manager usually wants to get the matter to a vote as soon as he thinks the issues have been discussed. That is what is being sought here and so far as we are concerned, we want to cooperate.

I do not think we are wasting time except insofar as we have spent a great deal of time speaking on agreements we could not get. We know what our rights are, and we will proceed accordingly. The issues have to be discussed anyway. They have been discussed at length on part (b). We will go on and discuss part (a) and, in due course, we will vote on it.

Mr. ANDERSON. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. ANDERSON. Has the leadership given any thought to a cloture motion?

Mr. MANSFIELD. No, sir.

Mr. ANDERSON. It is about time, I would think. I am not criticizing here.

Mr. MANSFIELD. I thank the Senator.

Mr. ANDERSON. I think that something should be done quickly. This could go on for another 2 weeks, and no useful result would be accomplished.

Mr. MANSFIELD. If it goes on for another 2 weeks, both the Senator from Connecticut and the Senate as a whole will, I think, suffer considerably.

Mr. LONG of Louisiana. Let me say, with all deference to my beloved colleague from New Mexico that section (b) has been adequately discussed. I am satisfied that it has. We are ready to vote. With regard to the charge involved in section (a), those for censure have adequately explained their side. They have attempted to document and support it. Those of us who are opposed to the conclusions of the committee, however, do not believe that we have done justice to our position yet and we will do it within a day or so, I promise the Senator.

Mr. ANDERSON. I realize it has been stated that we are going to make some headway shortly, but the Senator from Connecticut has been asking for a vote. I think he is the master of his own fate. If he wants a vote, he should be given it, I believe.

Mr. MANSFIELD. Yes. I think the Senator from Connecticut, of all Members of this body, should be given first and prior consideration as to what is appropriate and orderly.

May I ask the Senator from Connecticut what he would wish to do?

Mr. DODD. I wanted to vote yesterday. I would like the vote to come as rapidly as possible.

Mr. MANSFIELD. I would hope that the Senate as a whole, and Senators individually, would keep in mind the request of the Senator from Connecticut, who is most affected by the pending resolution.

Mr. STENNIS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. STENNIS. May I have the attention of the Senator from Louisiana [Mr. LONG]? I think I clearly and fully understood the Senator from Louisiana, but I just want to preclude any chance of not understanding him.

The Senator just said that in his opinion, on the pending matter, the thing to do was to continue debate on it and present the side in favor of the Senator from Connecticut [Mr. DODD].

Mr. LONG of Louisiana. Yes.

Mr. STENNIS. I heartily concur with that. The committee itself feels, except for summing up as a whole, that it has presented this matter.

But, of course, we are free to answer points, as are other Senators.

Mr. LONG of Louisiana. May I say that, in my judgment, the case in chief for censure on part (a) has been adequately presented, as the Senator has indicated. The cases for censure and against censure on part (b) have been adequately presented. However, on part (a) the case for the defense and against censure has not been adequately presented, and we propose now to present it.

The PRESIDING OFFICER. The question is on the first part of the resolution.

Mr. LONG of Louisiana. Mr. President——

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. LONG of Louisiana. Is the Senator from Connecticut ready to go ahead?

Mr. DODD. My speech has not arrived. It is on the way over.

Mr. LONG of Louisiana. Mr. President, the Senator from Connecticut was going to go ahead with his speech. It will be here in a moment. I will briefly outline the case.

Mr. DODD. It will be here in a minute.

Mr. LONG of Louisiana. While the Senator's speech is on its way, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 152 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the first part of the pending resolution.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HICKENLOOPER. Has the resolution been officially divided?

The PRESIDING OFFICER. The resolution has previously been ordered divided. The question is on the adoption of part 1, or the first part of the resolution.

Mr. STENNIS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. STENNIS. If I understood the Chair correctly, he said that the resolution has been divided. The Chair means by that, does he not, that for the purpose of voting on paragraph (a) and paragraph (b), there has been a division ordered?

The PRESIDING OFFICER. The Senator is correct. The first question is on the adoption of lines 1 through 10 down to and including the word "campaign," on page 1, and lines 3 through 6, inclusive, on page 2.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays.

Mr. STENNIS. If the Senator will permit me to finish, as I understand the Chair, it happens that the resolution is written in such a way that there can be a division without having it rewritten?

The PRESIDING OFFICER. The Senator is correct.

Mr. HICKENLOOPER. Mr. President, reserving the right to object, I am not sure I understand the technical situation. When the Chair announced that the question was on part (a), did he mean that the resolution had been divided into part (a) and part (b)?

The PRESIDING OFFICER. The Senator is incorrect. The Chair did not state that the question is on part (a), but on the first part of the resolution. The Chair was alluding to the question as just stated.

Mr. HICKENLOOPER. What is part (a), then? Is that the second part of the resolution?

The PRESIDING OFFICER. The first part of the resolution to be voted upon would be on those lines which the Chair has stated. The remainder of the resolution would be the second question to be voted upon.

Mr. TOWER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TOWER. Mr. President, am I correct in understanding that, in dividing the resolution, it is as if there were two separate and distinct resolutions, one containing paragraph (a) and omitting paragraph (b), and the other containing paragraph (b) and omitting paragraph (a), so that in effect we will be voting on two separate resolutions?

The PRESIDING OFFICER. In effect, the Senator is correct. The question is on agreeing to the first part of the resolution.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate will be in order.

Will the Senate suspend momentarily until we have order in the Chamber? The Senate will be in order.

Mr. YOUNG of Ohio. Mr. President, it had been my wish and preference to remain silent during the course of the presentation of the report adopted unanimously by members of the Senate Select Committee on Standards and Conduct. It had been my wish and hope to remain silent but attentive in the Senate Chamber throughout the entire period of the discussion of the evidence given before the Senate committee and of the conclusions unanimously adopted by the six committee members.

Frankly, however, I resented receiving a communication yesterday from a fellow who termed himself general counsel of some so-called committee. No doubt all Senators have received a similar communication.

The communication to which I particularly refer makes unfair and untruthful comments assailing two members of the Senate Committee on Standards and Conduct.

I repudiate the outlandish allegations contained in the communication. I do not like, frankly, some of the other messages that I have received and that undoubtedly other Senators have received. I am certain that they carry no weight with Senators.

It is here in this forum that we Senators should and will reach our conclusions based on the evidence and the arguments.

The members of the Select Committee on Standards and Conduct are six of the most eminent Senators of the United States. Each is highly respected for his integrity. Every Senator in the Chamber knows, without exception, that the six members of the committee were carefully selected.

Their total years of service in the U.S. Senate is impressive. Each of the committee members has proved himself over the years to be a fine, dedicated public servant with a background of distinguished service to his State and to the Nation.

No bias or prejudice can possibly be suggested, and should not be suggested. The three distinguished members of the majority party and the three distinguished members of the minority party deserve the gratitude of all Senators and of the country for devoting many hours and, in fact, many days to the performance of a necessary but highly distasteful duty.

Without a doubt, every one of these great and eminent Senators entered into his committee duties some 14 months ago with an open mind and without any prejudice whatsoever. Then, following months of careful study and the devotion of hours and days to their duties, all six of them came to the conclusion that there was clear and convincing proof that there had been some misconduct on the part of our colleague, the senior Senator from Connecticut.

Mr. President, appreciation dinners have been adverted to in the course of these proceedings, and sometimes in a rather snide manner.

I digress for a moment to express my view that the holding of such fundraising affairs is just about the best method and, in fact, perhaps the only method for a U.S. Senator who is a candidate for reelection in the party of which I am a member to raise a campaign fund to help him defray the expense of renomination and reelection.

In 1958, when I was a candidate for election against Senator John W. Bricker, it never occurred to me to have a fundraising dinner. Since my election in 1958, one fundraising dinner, and only one, was held for me. In fact, in 1956 when I was defeated in Ohio as Democratic nominee for attorney general, and in 1958 when I was fortunate to be the Democratic nominee for U.S. Senator, I never even thought of or knew about appreciation dinners, so called.

On September 14, 1963, an appreciation dinner was held for my benefit in Cleveland. This was the only money-raising affair held for me anywhere at any time. Frankly, I participated with members of my campaign committee in making arrangements for the dinner and the speaking program. Former President Harry S. Truman very generously came from Independence, Mo., and was the featured speaker. I remember President Truman was asked:

> Does Senator Young expect to be a candidate for Senator next year?

President Truman replied:

> Of course I expect so. I would not be here otherwise.

Approximately $78,000 was raised from this dinner. It was difficult to find in

Cleveland the president of a bank who also was a Democrat, but we found one. George Hertzog, chairman of the board of the Union Commerce Bank of Cleveland, became treasurer of this fund. The entire proceeds of the dinner, $78,000, were deposited in a checking account in his bank. All checks later issued required the signatures of George Hertzog and two others. I was not to be a cosigner and was not a cosigner of any of these checks. Not 1 cent of this was received by me or to pay any of my personal obligations. The entire amount was spent in 1964 for legitimate campaign purposes. All expenditures were in time duly and properly accounted for.

I never even considered using any of this money for personal debts, and I had some then just as I have now.

It seemed to me then, and it seems to me now, that this is the logical and proper way to conduct a fundraising affair for a political candidate. I knew I had no right whatever to appropriate any of that money for my own uses and purposes. Frankly, if I regarded such a substantial fund or one-third of it or one-tenth of it as a personal gift to me, I would have been dishonest had I not reported it as income and paid the taxes on such money.

There is another portion of this report of the Select Committee on Standards and Conduct that I now desire to advert to.

This portion, however, really has little relevance to the question before us, which is whether the Senate should censure the Senator from Connecticut [Mr. Dodd] for his conduct or misconduct.

I refer to the statement that the "unauthorized removal of papers from a Senator's office by employees and former employees is reprehensible" and "is a threat to the orderly conduct of business of a public office."

In this connection, it is interesting to note some similarity between this case and certain aspects of another case involving an official of the State Department, about which all of us have read some reference from time to time. I refer to Otto Otepka. It is alleged that this employee in the State Department rifled the desk of a superior officer and removed confidential documents in violation of a Presidential order and gave these documents to the Senate Internal Security Subcommittee. It is alleged that he mutilated these documents by clipping off classified labels before turning them over to the Senate Internal Security Subcommittee. In addition, it is alleged he gave to Senators on this subcommittee a list of questions on security procedures to ask his State Department superiors. For allegedly doing these things, Otepka was dismissed. Whether these allegations against Otepka are true or untrue is something about which I do not know.

However, in 1963 the senior Senator from Connecticut [Mr. Dodd] praised Otto Otepka for removing from State Department files of a superior officer, for purposes of public scrutiny, classified or confidential documents concerning the actions and views of his superiors. In the Senate on November 5, 1963, the senior Senator from Connecticut [Mr. Dodd], referring to legislative inquiry concerning alleged irregularities in the State Department action regarding Otepka, stated, and I refer to volume 109, part 16, page 21094 of the Congressional Record of the first session of the 88th Congress:

> If the legislative branch cannot inquire about irregularities or illegalities in Government departments, who will inquire?
>
> If any Government employees is barred from giving vital information to a congressional committee, Senate or House, how will we ever learn of malfeasance or wrongdoing in the Government?
>
> If the reward for coming forward and honestly telling Members of the Senate and the House of Representatives of wrongdoing is dismissal, something terrible has happened in our country, and we had better move before it is too late.

It is interesting and worthy of mention that in connection with criticisms of actions of certain witnesses who appeared before the Select Committee on Standards and Conduct, the Congressional Record discloses the fact that the Senator from Connecticut [Mr. Dodd] praised and commended similar actions by a Federal employee. It would seem to me that no Senator of the United States would wish to establish a double standard of ethical conduct—one for employees of the executive branch of the Government and another for Congress.

Much has been mentioned regarding the fact that standards of conduct of a Senator have never been defined, that no standards or guidelines or specific rules of conduct for a Senator have been laid down, and that this entire inquiry has been wrong, and this is an ex post facto operation.

In my considered judgment, honesty is easy to define. Surely, it is not difficult to define. Neither is dishonesty difficult to define. Thousands of years ago, the Almighty gave Moses the Ten Commandments, establishing for all time proper and adequate rules of conduct.

Mr. President, I am certain that no group of 100 men and women in the United States, whether in industry or serving as directors of great institutions or members of boards of trustees, or in any field of endeavor, or serving in any capacity in our Nation, is more trustworthy or has greater honesty and a higher sense of responsibility and duty than have Members of the U.S. Senate.

I have carefully read and studied the two-volume record of the hearings and the unanimous report of this select committee in connection with the charges brought against the senior Senator from Connecticut [Mr. Dodd]. I have been present in this Chamber throughout these proceedings and have listened attentively to all the arguments and statements made by my colleagues, including those that were merely repetitions of statements made on previous occasions by the same Senator.

As Senators, we are now approaching the hour of judgment. It is certain that each of the 99 Senators called on, as we are, to pass judgment on a colleague are in a most unhappy situation. Yet, we have a grievous duty and a heavy responsibility that we cannot evade.

The Senator from Louisiana [Mr. Long], assistant majority leader, recently stated, according to newspaper reports, he would present "dramatic new evidence which hasn't been hinted at," "evidence which the distinguished Senator from Louisiana [Mr. Long] said, "would blow the roof off the Dodd case." Therefore, the junior Senator from Ohio will withhold making any decision at this time. I shall reach no final judgment until all of the arguments have been made and the clerk commences to call the roll. Then, of course, I will do my duty and vote according to my judgment and conscience as to whether the report of the Senate Select Committee on Standards and Conduct has been sustained by clear and convincing proof.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. HRUSKA. Did I correctly hear the Senator from Ohio say that in the case of Otto Otepka, Otto Otepka rifled the desk of his superior to get certain records that were classified in nature?

Mr. YOUNG of Ohio. I made no assertion that this was a fact.

I referred to "alleged" irregularities in the State Department regarding Otepka, and I stand by that statement. I said that he allegedly took papers from the desk of a superior officer. I do not know him, and I was very careful to say "allegedly" because I do not know the facts.

Mr. HRUSKA. The Senator's record as a lawyer would indicate that he would always approach such a matter with caution when he said it was alleged that there were three documents which Otepka was charged with taking. It is my recollection as a member of the subcommittee which held hearings that two documents were taken to the subcommittee and disclosed to the Senate by Otepka. Two were of his own origination. He did not have to rifle anything or anybody's desk to get them. The third document was one addressed to Mr. Otepka and it was not necessary to rifle the files of anybody's desk to get that. The two documents he originated had attachments on them which rendered them classified. When he made them available to the subcommittee he did not make the attachments available to the subcommittee.

I thought in fairness to Mr. Otepka, who had been kicked about quite a little, this should appear in the Record, notwithstanding the care with which the Senator related the matter.

Mr. YOUNG of Ohio. The junior Senator from Ohio is not a member of the Committee on the Judiciary or the subcommittee, so I tried to make it clear that I know nothing of the facts. Furthermore, from what I have read in the newspapers, after Otto Otepka was dismissed he appealed to the Civil Service Commission, as was his right. There then followed some six postponements, requested by his counsel, and granted; and recently there has been a hearing held, about which I know nothing.

Therefore, it would be highly improper for me to state as a fact something I do not know regarding a matter that is now pending in a department of the Government.

I yield the floor.

Mr. DODD. Mr. President——

The PRESIDING OFFICER. (Mr. HOLLINGS in the chair). The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I wish to address myself in my remarks today to part (a) of the resolution of censure.

Mr. MONRONEY. Mr. President, may we have order? It is difficult to hear the Senator.

The PRESIDING OFFICER. The Senator is correct. The Senator from Connecticut will suspend momentarily until there is order in the Chamber.

The Senator from Connecticut may proceed.

RESPONSES TO SOME QUESTIONS THAT HAVE BEEN RAISED IN THE COURSE OF THE CENSURE DEBATE

Mr. DODD. Mr. President, I wish to address myself in my remarks today to part (a) of the resolution of censure, which charges that I used certain funds raised through political testimonials and a political campaign, for personal purposes. The question is a complicated one, and I know it has been disturbing to many of my colleagues. I hope that I will be able to clarify some of the issues for them in the course of my remarks.

Now that the debate is approaching a close, may I say how gratified I have been by the openminded attitude displayed by most of the Senators who have thus far taken the floor. I have been pleased to note, too, that one or two members of the Ethics Committee have indicated that they now think that perhaps the double billings were not intentional after all.

The openminded attitude displayed by the Senate and the apparent willingness of at least certain members of the Committee to reconsider their findings on the matter of double billings, encourages me to hope that I may be able to persuade my colleagues, including the members of the Ethics Committee, of other things in the course of this debate.

I want to repeat again what I said in my opening statement: I have the greatest respect for the Senators who compose the Ethics Committee, and in challenging their judgment in my case, I do not for a minute challenge their basic fairness and integrity.

I make my challenge to their findings, rather, in the spirit of Senator Watkins' historic statement of November 10, 1954, in reporting to the Senate on the McCarthy investigation.

> The Committee claims no infinite wisdom—

He said.

> All human individual judgments are, at best, fallible. We, therefore, make no pretense that our collective decision is infallible.

In dealing with part (a) of the Ethics Committee resolution, I wish, first of all, to correct a number of misunderstandings of fact which I have noted during the course of the present debate; and, second, I wish to attempt to define more clearly the issue which remains before the Senate.

THE FALSE FIGURES AND THE REAL FIGURES

The report of the Ethics Committee lumps together the gross intake from my 1964 campaign with the gross intake of my testimonial affairs, to come up with a finding that between 1961 and 1965 I received a grand total of $450,273; and that, of this sum, I spent $116,083 for personal purposes.

But it seems to me that this approach is both confusing and misleading. The Senators, I am certain, will understand my position better if they consider the question of my campaign funds in isolation from my testimonial funds.

The combination of my campaign funds and testimonial funds in this manner is misleading in the first place because, as I pointed out in my opening statement, we actually spent more on my 1964 campaign than was taken in. I admitted frankly that a few thousand dollars in campaign funds had inadvertently been used for the payment of personal bills, but 98 percent of the committee's charge had to do with testimonial funds rather than campaign funds. It is to the question of testimonial funds, therefore, that I intend to address myself.

If one looks closely at the stipulation, it becomes apparent that the net amount raised at my testimonials was approximately $170,000. This, essentially, is the money at issue and not the meaningless grand total of $450,000 to which the committee refers in its conclusion.

Essentially, what the Senate is being asked to decide is whether these funds were properly raised and properly spent.

I would like to correct the impression that my defense is limited to the argument that the funds raised at these testimonial affairs were personal gifts to me.

It is true that I said this.

But if the Senators reexamine my remarks, they will find that I also said that I would not consider it proper for a man in political office to use testimonial funds for the purpose of enriching himself or for the purpose of living lavishly; that I myself have not done so; and that, if one examines the picture whole, then I have spent no testimonial funds or campaign funds for personal purposes.

I refer you again to the chart in the back of the room which presents the basic arithmetic of my position. It shows that I have put out of pocket for political purposes some $50,000 more than I received from the testimonials.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. DODD. I yield.

Mr. LONG of Louisiana. It shows that the Senator from Connecticut put out $55,000 more than he received in testimonials and campaign contributions.

Mr. DODD. Yes, that is true. I said $50,000; I suppose it is about $55,000.

WHAT IS A TESTIMONIAL?

It seems to me that a lot of confusion has been generated by the failure to establish at the outset what is meant by the word testimonial.

The Webster's New International Dictionary, Unabridged, Second Edition, on page 1886, definies testimonials in these words:

> A gift raised by subscription in acknowledgment of an individual's services or as a token of respect for his worth, presented to him in the form of a sum of money, piece of plate, his portrait, or the like.

Let me submit for the consideration of my colleagues the proposition that, within the meaning of this definition, there can be different types of testimonials.

If a testimonial were described as a campaign testimonial—and I have heard of a number of such affairs—the meaning would be clear that its purpose was to raise funds to be presented to the candidate who is being honored, "as a token of respect for his worth," for the express purpose of helping him in his campaign. If a testimonial is held in the midst of a campaign, I think its meaning is similarly clear.

But if nothing is said about "campaigns," if an affair is simply described as a "testimonial," and if it takes place either after a campaign or long before a campaign gets underway, then I think the meaning is equally clear that its purpose has nothing to do with campaigns, but is, rather, to raise funds to be presented to the object of the testimonial "as a token of respect for his worth." In short, its purpose is to turn over funds to him as a gift for use at his discretion.

The committee, if I understand its position, is apparently arguing that, where an elected official is concerned, a testimonial, in order to qualify as a personal testimonial must be completely bipartisan. According to its reasoning, if a Senator is honored by a testimonial where the attendance is partisan or largely partisan, the testimonial ceases to be a personal testimonial and becomes, instead, a political testimonial, the proceeds of which can only be used for political purposes.

Now, with the exception of the 1965 testimonial, the testimonials which were organized in my behalf were explicitly and overwhelmingly nonpartisan in nature. None of them took place during the campaign period. In the case of the 1965 testimonial, it is true that the invitation letter spoke of the dinner as a "victory dinner." But the fact is, nevertheless, that there were a substantial number of Republicans in attendance, many of whom had supported me in my campaign and who were willing to join in celebrating my victory.

However, even if there had not been a single Republican present, would this necessarily mean that the affair was a political testimonial as opposed to a personal testimonial?

If testimonials are permissible, should it not be possible for Democrats and Republicans to come together to honor and assist a party leader whom they esteem by giving him a gift of a purse to be used at his personal discretion?

If there is any definition of the word testimonial that prohibits this interpretation, I do not know of it. And believe me I have searched for it.

Nor am I aware of any law or rule which says that if the audience in attendance at a testimonial is partisan in nature, then the proceeds cannot be used for personal purposes but only for political purposes.

In short, I think the committee has established a meaningless criterion for which no justification can be found—in the dictionary or in the laws of this country, or in the rules of the Senate, or in the traditional semantics of politics.

May I say before going further that I have always been uneasy at testimonial affairs organized in my honor. It is a source of embarrassment to be obliged to sit and listen to good men praise me in front of several hundred people. It has been an even greater source of embarrassment to feel that I was in the position of a mendicant accepting the support of my friends.

I consoled myself with the thought, however, that this was the only possible way in which I could meet the costs I had incurred in obtaining office and the additional cost of maintaining office.

I agreed to the testimonials, and I accepted their proceeds. But I am not prepared to accept the deception of the public for any purpose. Despite the statements that have been made by my critics, it is my firm conviction that the public was not deceived.

I come back to the charge that the testimonials organized in my behalf were somehow not legitimate because the letters of invitation failed to spell out that the proceeds were gifts to be used at my discretion. Since this charge has been repeated over and over again, I want to repeat what I said in my speech last Wednesday.

I have seen a lot of invitations to testimonial dinners in my time, and I cannot remember a single one which said anything more than that there was going to be a testimonial to honor Mr. Jones or Mr. Smith. That is all they said. There is no rule and no law requiring that they say more. And I do not see how a man can be found guilty of violating a nonexistent rule. This runs counter to every concept of civilized justice.

Why do testimonial invitations not spell out in more detail the purpose of the function? I think the explanation has been stated in a brutally frank manner by a national columnist who said, I quote:

> It is in the nature of most testimonial dinners that you do not rub into the nose of the beneficiary the mendicancy of his presence there.

In any event, in my entire experience, I have never seen one that said any more than those in which I was involved. Nevertheless, there are those who appear to argue that in failing to specify the precise nature of the testimonials I was departing from some accepted political norm. Here again I believe the burden of proof should be on those who say that. From my own experience, I am convinced that the letters of invitation to the affairs held in my behalf were in line with the accepted norms.

I do not know how one determines what the accepted norm is with respect to anything, particularly a matter of this kind, except by making an inquiry. How do we know it otherwise?

The committee appears to argue that, in failing to specify the precise nature of the testimonials, I was departing from accepted political norms. Here, again, I believe the burden of proof should be on the committee—because, from my own experience, I am convinced that the letters of invitation to the testimonial functions were in line with accepted norms.

Nowhere in the committee's report is it indicated that the committee conducted a survey of all testimonial affairs organized in behalf of present or past Members of the Senate; that they examined the invitations to these functions; and that they were thus able to determine what the accepted norms were.

The wording of the invitation to the reception and dinner in Connecticut in 1963 were—as I have frankly stated—open to challenge. But this was the only letter of its kind—although it was sent out without my knowledge, I accept responsibility for it.

But I come back to the point that I cannot be judged on the basis of one letter or one function. The Senators must look at the picture whole. In the absence of any proof of any kind—I repeat, any proof of any kind that the letters of invitation to the five other testimonials organized in my behalf were in conflict with the accepted norms, in the absence of any significant evidence that the participants in these testimonials were misled, I submit that the committee has failed to provide even a semblance of the kind of proof that would be required to sustain such a charge in a court of law.

Let me present the facts about the other testimonials.

THE 1961 DINNER

The testimonial affair to which I gave the greatest personal attention, was quite understandably the first one, the 1961 testimonial dinner.

I am familiar with the solicitation letter which was written in connection with that affair and I approve of it. I was familiar, too, with the major publicity put out in connection with this affair and I also approve of this.

The 1961 dinner was organized by a group of my friends, two of whom testified before the committee, Mr. Matthew Moriarty and Mr. Arthur Powers.

Regarding the purposes of the 1961 dinner, Mr. Moriarty testified as follows:

> Senator Monroney. But as far as you were concerned this was not necessarily to raise money to take up any deficit.
>
> Mr. Moriarty. No, Sir.
>
> Senator Monroney. That was unmanageable.
>
> Mr. Moriarty. No Sir, I felt all the time it was for Tom Dodd's own use. Gentlemen, I want to reiterate that we can't conceivably have the type of men in office that we want, unless they are assisted. A man can't come here, and maintain a home in his State, and maintain a home in Washington and put several children through college, if that is the type of man we want, and do it on the salary that a Senator gets. Now, the only way that we can operate is to assist these men through testimonials and get monies through masses of people and leave them unfettered and without obligations to any individual. Now if we don't do that, then we are going to expose those men to a few individuals who will support them and own them. We can't afford that in our democracy. Or we can have wealthy men who can afford to come here and be on order as Senators, and I question whether all of those men will have a feeling of the needs of the average citizen. If he has never suffered any need himself or never been deprived of anything, how is he going to have a complete understanding of the average individual who has to struggle through life to make a livelihood for family? Under our present society I firmly believe this is the only answer to our problem. (Hgs. p. 631)

Similarly, Mr. Powers stated:

> Mr. Fern. What was your understanding of the purpose of the dinner at the time you sent this letter out?
>
> Mr. Powers. Well, it was my understanding in that it was 3 years after he had been elected, and certainly about 3 years before he would have to run again, that it was a dinner in his honor, the funds of which could be given to Senator Dodd for his use as he saw fit. (Hgs. p. 635)

The solicitation letter left no doubt as to the nonpolitical quality of the 1961 testimonial dinner. It read as follows:

> Dear Friend: On November 4th, 1958, the people of Connecticut elected Tom Dodd to the Senate of the United States.
>
> The wisdom of their choice is apparent as evidenced by his outstanding record.
>
> Senator Dodd has served his State and his Nation courageously and with great ability.
>
> His stature in the Senate is acclaimed by his colleagues on both sides of the aisle.
>
> Senator Dodd's friends have appropriately decided to honor him in the middle of his term. Their recognition will be in the form of a testimonial dinner to be held on Monday, November 20th, 1961, at the Statler Hotel in Hartford.
>
> The testimonial will be a non-partisan tribute. The Vice President of the United States, Lyndon Johnson, and Senator Styles Bridges, the senior Republican in the Senate, have already signified their intentions of being with us, and we would like very much to have you come.
>
> A table may be reserved in the name of the person sponsoring a group of ten or more. Please list the names of your guests for the program and seating arrangements.
>
> Your participation will be appreciated.
>
> Sincerely,
>
> Arthur B. Powers,
> *Treasurer.*
>
> Hartford, Conn.

And so on. Well, Senator Bridges was coming. He told me himself that he wanted to come, and that he would be there. I was, of course grateful to him for that generous attitude. I think I told the Senate I had attended a testimonial dinner for Senator Bridges in New Hampshire, because I liked him. I had been asked by the people up there arranging the dinner to do so, and I did. But in any event, that is the letter for the 1961 dinner.

I think any fair reading of that letter will clearly show that it was a testimonial dinner, that it was not in a campaign year, or even near one, and it was described, in part, as "a nonpartisan tribute." So it was intended, and many persons of both political parties attended it.

Before this letter was sent out, before any plans were finalized for that affair, I did what I thought was the prudent thing to do, when I asked a lawyer, who I believed then and I believe now is one of the best we have. Certainly, in our State, and perhaps far beyond its boundaries, he is one of the best for his advice as to whether or not I should participate in this affair, whether it was all right. His advice was, "Certainly it is all right."

THE 1965 DINNER

I would like to take up the 1965 affair next and will take up the 1963 dinner later.

The committee's conclusions totally

exclude all of the favorable evidence. The committee's report can only point to the newspaper articles in an effort to sustain the proposition that the 1961 testimonial dinner was a political campaign fundraising affair.

Let us look at these newspaper articles. They will be found at pages 888 through 892 of the record. The three newspaper articles at page 888 each describe the affair as "nonpartisan." The extended article at page 889 states in part that the principal speaker, then Vice President Lyndon Johnson, "also stood for more than half an hour with Mr. and Mrs. Dodd to shake hands with the Democrats, Republicans, and independents who attended the nonpartisan dinner."

The same article also identifies some of the prominent Republicans who were present at the affair.

The article on page 890 identifies the dinner a "nonpartisan testimonial dinner."

The article on page 891 identifies the dinner as a "testimonial," identifies the prominent Republicans who were present, but notes that most of the participants were Democrats. It also states that it had been reported that "some of the money raised at the dinner would be used to clear up a deficit outstanding since Senator DODD's 1958 campaign."

The final newspaper article from the New Britain Herald found on page 892 identifies the dinner as a "testimonial" and attributes to Arthur Powers, the treasurer of the dinner, the statement that the proceeds of the dinner would help Senator DODD meet "his campaign deficit." These last two articles contain the only references to a campaign in any of the newspaper articles.

And, incidentally, Mr. Powers testified that—

> I don't recall a statement to the New Britain Herald. I know the man who put that in there, Mr. Covini from the New Britain Herald, and I think he was just filling in space. I don't recall ever saying that it was to be used for a campaign deficit. (635–636)

Furthermore, the report at page 14 states that neither the solicitation letter nor the return envelope "disclosed the intended use of the dinner proceeds." However, an examination of the solicitation letter and the return envelope discloses the following facts:

First. The letter uses the word "testimonial" twice in the text.

Second. It was written on a printed letterhead captioned "Testimonial Dinner for Hon. THOMAS J. DODD."

Third. The letter nowhere referred either to past or future campaigns.

Fourth. The letter did contain a statement of purpose: "to honor him in the middle of his term."

Fifth. The letter referred to the dinner as a nonpartisan tribute.

Sixth. The letter specifically refers to the fact that "Senator Styles Bridges, the senior Republican in the Senate" had already accepted.

Mr. President, I submit that the facts establish beyond a reasonable doubt that the proceeds of this dinner were not restricted in any sense and that no donor was or, indeed, could have been deceived as to the purpose of the affair.

In the case of the 1965 testimonial, the committee has argued that it could not have been a personal testimonial for two reasons: first, because one of the three letters of invitation referred to a campaign deficit; and second, because the letter of invitation referred to a partisan connotation and because, in their judgment, the attendance was partisan.

The committee has also argued that the amount received was far in excess of the $6,000 deficit listed in the report I filed with the secretary of state of Connecticut.

I have already explained why the second argument—that is the argument that the affair was partisan in nature—would have absolutely no significance, even if it were true, in determining whether or not the testimonial was personal or political in nature.

As for the first argument, I offer these observations:

First. Only one of the three invitation form letters referred to a campaign deficit. The other two simply described the affair as a testimonial.

Second. At the time this report was filed on November 30, 1964, the Dodd for Senator Committee and the Dollars for Dodd Committee had between them received $175,000. The bookkeeping, however, was far from complete. Both contributions and bills came in for some time after November 30. Delayed contributions ultimately brought total receipts for the two committees up to $220,000—a difference of $45,000. But the bills which came in after November 30 were more than adequate to consume the additional income. In general, the bills came in before the delayed contributions—so that there may very well have been a time when it looked as though I might wind up with a net deficit of $25,000 or $30,000 or more. The final deficit turned out to be about $7,000.

Third. At the time the dinner was organized, I was still burdened by substantial debts which had their origins in my nonstop campaigns of 1956 through 1958. Indeed, after the dinner I paid some $80,000 remaining from this period, so that for the first time since I entered the Senate I had my nose above water financially. I do not see how any fault can be found with using any money that remained after retiring my campaign deficit for the purpose of liquidating the balance of the political debts which I had contracted between 1956 and 1958.

THE DISTRICT OF COLUMBIA RECEPTION

In the case of the District of Columbia reception in September 1963, the word "campaign" did not appear anywhere, while the ticket for the reception clearly spelled out that it was a "testimonial reception." Moreover, the committee could point to no publicity which might have been considered misleading.

THE DODD DAY 1963 AFFAIR

The only serious questions that have been raised about the testimonials organized in my behalf have to do with the so-called Dodd Day affairs in Connecticut in October 1963.

There were four affairs on this occasion: a breakfast, a luncheon, a dinner, and a reception, the income from which was combined.

A good deal had been said about some of the newspaper articles that appeared dealing with Dodd Day.

As my colleagues know, newspaper articles are notoriously unreliable, and, for this reason, they are not accepted as evidence in a court of law.

By themselves, the articles in question, despite the fact that they talk about the Dodd campaign, certainly do not establish beyond a reasonable doubt that those who came to the dinners were misled. Actually, those who attend testimonials for political figures almost invariably do so in response to invitations that are sent to them.

When I was asked at the hearing whether John Doe might not have been misled by some of the publicity, I replied that John Doe did not attend these affairs—that, by and large, the people who came to them were friends and acquaintances who knew me in one degree or another, and knew something of my circumstances, and wanted to help me. I think it is far more important to look at the literature put out in connection with these affairs, because this is something for which the sponsors have a demonstrable responsibility, and because it played an infinitely larger role than did the newspaper articles in promoting the events.

The pattern of the literature and publicity was far from uniform.

The breakfast, for example, was clearly labeled a testimonial breakfast in the invitations that were sent out. The invitation read—I quote from page 910 of the hearing record:

> DEAR FRIEND: On November 4th, 1958, the people of Connecticut elected Tom Dodd to the Senate of the United States.
>
> The wisdom of their choice is apparent as evidenced by his outstanding record.
>
> Senator Dodd has served his State and his Nation courageously and with great ability.
>
> His stature in the Senate is acclaimed by his colleagues on both sides of the aisle.
>
> Vice President and Mrs. Lyndon Johnson would like very much to have you join them and other friends of Senator Dodd at a testimonial breakfast to be held on Saturday, October 26, 1963, at the Hartford Club in Hartford, at 9:00 a.m.
>
> A table may be reserved in the name of the person sponsoring a group of ten or more. Please list the names of your guests for the program and seating arrangements.
>
> Your participation will be appreciated.
>
> Sincerely,
>
> MATT MORIARTY,
> *Treasurer.*
>
> POST OFFICE BOX 843
> *Hartford, Conn.*

The reply cards addressed to Matthew M. Moriarty, treasurer, Dodd Testimonial Breakfast, reads as follows:

> MATT: As a friend of Tom's I want to contribute to the success of the testimonial breakfast for him. I enclose a check for —— dollars. Please send —— admission ticket(s).

It is true that Mr. Paul V. McNamara, in a letter of invitation written to one person, an acquaintance of McNamara's, asked him to contribute to my campaign. In the nature of things, I could not possibly have seen such a letter, and I would not have approved it if I had seen it. But I accept responsibility for it. Mr. McNamara's friend, Howard Siegrist, incidentally, did not come to the dinner and did not contribute.

In connection with this affair, I was asked about a letter to then Vice President Johnson, the text of which was printed in the New York Times on May 28, 1967, 6 weeks after it was printed in Drew Pearson's column. Let me read this text to you and give you my commentary on it:

> AUGUST 5, 1963.
>
> DEAR LYNDON: First of all allow me to thank you again for your generous offer to come to Connecticut to assist me in my forthcoming campaign. Since receiving definite word from your office that you will be available on October 26 for the entire day, I have scheduled a variety of activities that will cover the principal centers of the State.
>
> I wish I could convey to you how enthusiastic everyone is about your visit and how much it will assist us in getting my campaign drive underway.
>
> Our schedule of activities for October 26 is as follows: 9 a.m. breakfast in Hartford. Noon-luncheon in New Haven, 4 or 5 p.m.—dedication of the new Municipal Stadium in Bridgeport, 7 p.m. dinner in Bridgeport.
>
> Your visit will come a week before the municipal elections in most of the large cities of Connecticut. There are some hotly contested elections and while, of course, no one expects you to become involved in any of them, your presence in the State at that time will be a great boost to the Democratic cause.
>
> Everywhere I go to make arrangements for your visit, people express the hope that your gracious wife, Lady Bird, will be with you when you come to Connecticut. We are counting on her, too, and are planning some entertainment for her.
>
> Your visit means more to me than I can say, Lyndon, and I shall never forget it.
>
> Sincerely yours,
>
> THOMAS J. DODD.

I want to call the Senators' attention particularly to the first sentence of this letter. Let me read it again:

> First of all allow me to thank you again for your generous offer to come to Connecticut to assist me in my forthcoming campaign.

It is demonstrably faulty logic to conclude that just because I referred to my "forthcoming campaign" in this letter, I, therefore, considered the testimonial dinner at which the Vice President would speak as a campaign fundraising dinner.

What I was saying in my letter was nothing more than that the Vice President's coming into the State in my behalf would help me tremendously. The prestige gained by his visit would help me. The mere fact that he was in the State and I was seen with him was bound to help me. If the Vice President came to my house for dinner, it would help me politically, and it would help me in any future campaign.

Look closely at the letter, and you will see that I was emphasizing his mere presence in the State as being helpful in a number of ways. For example, I referred in the letter to the forthcoming municipal elections, and I said that his "presence in the State will be a great boost to the Democratic cause."

The letter was written more than a year before the campaign. It was written, in short, at a time when, according to my understanding, it would have been a violation of the law for me to raise funds for my reelection in 1964. Indeed, I have in my files several letters returning to people campaign contributions they sent in to me only a few days after I wrote to the President—I returned a proffered campaign contribution to a Mr. John Pepping of Los Angeles in a letter that closed with these words:

> However, since my campaign will not get under way for some time yet, I think it would be better for you to hold your check until a later date.

I ask unanimous consent that the full text of this letter be printed at this point in the RECORD.

And in 1962 I remember I was trying to help two rabbis in connection with their concern over Soviet persecution of the Jews. Each of them sent me campaign contributions—and I returned their contribution because, as I told them, my campaign did not get underway until 1964.

I ask for unanimous consent that these letters be inserted at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. DODD. Mr. President, in attempting to prove that President Johnson was deceived about the Dodd Day affairs, the committee report at two points said the following:

> President Johnson recently stated publicly that he never knew that any dinner he attended was to raise funds for anyone's personal use (p. 893, Hgs).

This paraphrase is excerpted from the President's statement at his press conference of April 22, 1966, in a manner which, I feel, does not truthfully convey the President's full position.

The report refers the reader to page 893 of the record. But how many readers have the time to turn to page 893 of the record? If you do, however, and I ask you to, you will find the following paragraph which the committee's report paraphrased:

> The PRESIDENT. I have had no information about any dinners held for anyone to obtain funds for personal use, none that I have ever attended that I knew were being held for that purpose.

The report, regrettably, made no reference of any kind to the succeeding paragraph in which the President made the following statement:

> I always understood that they were having an appreciation dinner or testimonial dinner but I didn't know that it was for personal, or political, or local campaign or national.

I think it is clear from this last paragraph that the President was saying, not that he was deceived by me, but that he was apparently unaware of the precise nature of many of the functions he has attended.

This half quotation from President Johnson is in the nature of a half-truth—a prejudicial and damaging half-truth, to boot. It is so patently unfair that I fail to understand how six eminently fair-minded Senators could have approved the excerpt which appeared in the report as an accurate representation of what President Johnson actually said.

LACK OF EVIDENCE THAT DONORS WERE DECEIVED

The committee has argued that the donors who contributed money to my testimonials were deceived. It is my conviction that they were not deceived and that they could not possibly have been misled by the invitations and literature attendant on the 1961 testimonial, the District of Columbia reception for DODD, the Dodd Day breakfast in Connecticut, and the 1965 testimonial.

The only affairs where the attendant invitations and literature might conceivably have been misleading are the Dodd Day reception in Fairfield and the dinner in Bridgeport.

On the luncheon, there is not enough information in my files and there is certainly not enough information in the committee's record to permit any judgment about the language used in the invitation and luncheon documents.

But if the committee is to sustain the burden of proof, it is not enough to argue that some of the donors at the 1963 dinner and reception might have been misled by the invitation and literature and publicity attendant on these two affairs.

The question that has to be decided is: does the evidence indicate that the donors were in fact misled?

The Internal Revenue Service has said repeatedly that it is the intent of the donor that determines the nature of a contribution. In short, if the donor considers his contribution to be a gift, it is a gift; while, if he considers it to be a political contribution, it is a political contribution.

We have presented overwhelming evidence that the people who organized these dinners and the people who came to them regarded the contributions as gifts.

There is both positive evidence and negative evidence.

The positive evidence consists of the fact that almost 435 people who bought tickets to these several testimonials have submitted sworn statements stating that they considered their contributions to be gifts, to be used at my discretion. A substantial number of these people attended two dinners. Some of them attended two dinners. Some of them attended three dinners. Many of them, moreover, bought two tickets, while some bought tables. In terms of total attendance at all the testimonial functions, the 435 affidavits, therefore, represent a majority of those who came to the affairs and who could be reached in the brief time available.

In terms of total attendance at all these testimonial affairs, the 435 affidavits represent a majority of those who came to the affairs and who could be reached in the brief time available—and it was brief.

Let me say about this that I felt there was perhaps some implied criticism because my lawyers had had a form made up and printed. I do not know how else affidavits could be obtained in a State as small, geographically, as my State. I think I explained that the other day on the floor of the Senate. It is quite a task to get around the State. These people come from all over the State. They are busy people. They are at work. They have many things to do. Before they could sign an affidavit, they had to get a notary public to witness it. That is not easy to do. The fact that they were prepared to do so does not, to me as a human being and as a lawyer, detract one whit from their value. I do not see how anything that was said here was intended to convey that impression, but I think perhaps it did. I think it is unfair to the people of Connecticut who executed these affidavits. Our people are as good as the people anywhere else in this land. They do not sign fraudulent affidavits or fake affidavits. I have one in my hand. It reads:

> State of Connecticut, County of Hartford.
> I, Frederick W. Beach—

Freddie Beach, by the way, has been one of the most active Republicans in the State of Connecticut. There is no finer human being who lives in Connecticut or anywhere else. I am fortunate to have him for my friend. He has been one for a good many years. Since we are talking about the bipartisan atmosphere of these affairs, he made an affidavit and said:

> Between 1961 and 1965, I was a participant in testimonial affairs honoring Senator Thomas J. Dodd in the year 1965. In this connection, I donated funds to Senator Dodd. These funds were intended by me as a personal gift to Senator Dodd and were motivated by my admiration and respect for him. It was my intention that Senator Dodd use these funds in any way he saw fit. They were not intended as a political contribution, because I am a life-long Republican.

The affidavit is signed "Frederick W. Beach." Mr. Beach is one of the most prominent lawyers in our State. So one of the most active members in his own party happens to be my friend. I am glad he is. I am proud of his friendship.

I neglected to call the attention of the Senate to the fact that the affidavit from Fred Beach is identical with the affidavit that my counsel drew up, except for the words that Mr. Beach added: "because I am a lifelong Republican." Other than that, the affidavit is the same as the one that everybody else got. Mr. Beach typed those words in himself, or had them typed in.

This was not the only one. There were others, and I think the Senate ought to hear about it. One was from George Lamb, whom I have known 20 years or more. He also happens to be a Republican. He says:

> I, George P. Lamb, being duly sworn, depose and say that I have been a personal friend of Senator Thomas Dodd since 1934. I was acquainted with him at the time he was an FBI agent, when he was in the private practice of the law in Hartford, Connecticut, when he was a member of the House of Representatives, and as a Senator. I have always admired his humanitarianism, his interest in difficult issues which face the country and his forthrightness in dealing with them.
>
> I have made contributions to Senator Dodd on several occasions. Being a member of the Republican Party of the District of Columbia, in making my contribution I did it primarily with the idea that he could use the funds in whatever manner would best assist him in his service to the country.

It is signed. By the way, this is not a form affidavit. He made up his own and sent it in.

Here is one from Judge Gwiazda, in my State of Connecticut, in which he says:

> I, Henry J. Gwiazda, being duly sworn, depose and state that in the years 1961, 1963 and 1965 I was proud to be a participant in testimonial affairs given in honor of Senator Thomas J. Dodd which were given during these years. In this connection the contributions that I made to Thomas J. Dodd were individually as a gift and in no way had anything to do as a political contribution. From my own experience I know the difficulties encountered by a candidate and for that reason I made no reservations upon my contributions. Whatever Senator Dodd wished to do with my contribution, whether it be to buy a fur coat for his wife or in any other manner use this money as he saw fit was perfectly all right with me because it was with this intention that I presented him with these funds. My contributions were not intended in any way as a political contribution. Political contributions are made to a political committee.
>
> I shall be happy to assist in any other manner that I may be called upon to clarify the attempted character assassination of the Senator by a treasonable former employee.

This obviously is not a form. There is another one from a friend in Bridgeport, Morton Weiss, which reads:

> I, Morton Weiss, being duly sworn do depose and say:
>
> I reside in the City of Bridgeport, County of Fairfield and State of Connecticut, and am an Attorney at Law with an office at 955 Main Street, Bridgeport, Conn.
>
> I attended a dinner in honor of Senator Thomas J. Dodd in October of 1963 at which dinner the then Lyndon B. Johnson as Vice-President, was in attendance.
>
> I do not recall who sold me the ticket nor who was present at my table, but I recall distinctly that I was told when I purchased the ticket and also in a general discussion at the table that Senator Dodd was in poor financial circumstances and was on the verge of bankruptcy, and that his friends were trying to help him out. My attendance at the dinner was motivated by my respect for him having had the occasion to meet him several times, and because of my desire to be of some help to him. I had assumed at the dinner that he would be given a purse from the proceeds, which apparently was not done, but it was my intention that any contribution I made would be used for his own purposes.

It was done.

That again is not a form affidavit.

I have one from Frank Fitzpatrick, of Ansonia. He says:

> I, Frank P. Fitzpatrick, make the following statement in affidavit form.
>
> As a citizen of the State of Connecticut and also one of the thousands of Senator Dodd's admirers, I have had the opportunity on several occasions to make a financial contribution when a party or testimonial was being held in his honor.
>
> As a former mayor of the City of Ansonia, I know of the many financial burdens placed on our public servants and consider myself fortunate to be able, in a small way, to make personal gifts from time to time to be used to lighten the burden in any manner of those who are making a financial sacrifice to serve us.

It is signed by him. That is not a form.

The negative evidence lies in the fact of the negative response to my announcement—which was carried prominently over every Connecticut radio and TV station and in page 1 headlines in every Connecticut newspaper—that, if anyone who contributed to a testimonial function on my behalf had been misled into thinking they were contributing to my campaign, I would return his money immediately.

It has now been 3 months since I made that offer. I have repeated it several times. I have seen to it that it got the widest possible publicity in Connecticut. It has also received wide publicity in Washington. And, as I informed you previously, to date there has been only one request from a man with a motel address in Connecticut who asserted he had contributed $25 to my 1961 testimonial dinner because he personally understood that this was a campaign contribution. I mailed him my personal check in the amount of $25.

This is the evidence on my side.

On the other hand, despite their claim that I deceived the hundreds of friends and acquaintances who came to these dinners, the committee has not presented a single item of evidence—I repeat, not a single item of evidence—from those who came to these testimonial affairs that they regarded their contributions as political contributions.

I am charged not with defrauding the Government, but with deceiving those who came to my dinners. But I must ask: Who has come forward to complain that he was deceived in the manner implied by the committee? And the answer is: one minor contributor—and it was my offer and not the committee's efforts that brought him to light.

I believe the committee has failed completely in meeting the burden of proof in the case of this charge.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. MANSFIELD. How much more does the Senator have to read, other than the letter which is now on his stand, and other letters?

Mr. DODD. Does the majority leader mean the affidavits?

Mr. MANSFIELD. Yes, the letter-type affidavits.

Mr. DODD. I do not wish to bore the Senate by reading any great number of them. I think I can cut those down, and put some of them in the RECORD. I think they all cover the same subject matter.

Mr. MANSFIELD. What I was trying to do is find a reasonable breaking point for the Senator; and if the Senator will do that, I ask unanimous consent that the Senate stand in recess until 2 o'clock p.m. I understand that the Senator wants these other letters put in the RECORD at this time.

Mr. DODD. I have not gone through all of them. Could I put them in immediately when the Senate reconvenes?

Mr. MANSFIELD. Yes.

ERRONEOUS NEWS ACCOUNTS

Mr. WILLIAMS of New Jersey. Mr. President, two newspapers in my State have published stories stating that I have already decided to vote against the resolution to censure the senior Senator from Connecticut.

I simply want the RECORD of this proceeding to show that I had not decided how I am going to vote on the resolution at the time the stories were published and, *in fact, I have not yet decided how I will vote.*

The judgment can only be made after a complete hearing of the entire case. I would not, and I could not, judge this case before hearing all the evidence and all the arguments.

Mr. MANSFIELD. Mr. President, I repeat my unanimous-consent request that the Senate stand in recess until 2 o'clock p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

At 12 o'clock and 50 minutes p.m., the Senate took a recess until 2 o'clock p.m. the same day.

At 2 o'clock p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. KENNEDY of New York in the chair).

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, but before I do, I understand that the distinguished Senator from Connecticut [Mr. DODD] has the floor.

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. And I suggest the absence of a quorum without his losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 153 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, would the Senator from Connecticut yield to me without losing his right to the floor?

Mr. DODD. I yield to the majority leader.

Mr. MANSFIELD. Mr. President, it is my understanding that the speech which the distinguished senior Senator from Connecticut is giving will be completed within one-half hour to an hour. It is the further understanding of the joint leadership, after talking the matter over *with the distinguished Senator from Louisiana [Mr. LONG], that it is his intention* at that time, upon the completion of the speech of the Senator from Connecticut, to offer a substitute motion. It is my further understanding, insofar as can be ascertained, that that will be the only motion he intends to offer.

Therefore, we would request Senators to be on hand all afternoon, if they possibly could, and to be in their seats or as close to them as possible. We know that they will be called out from time to time to meet with constituents and accomplish other matters.

I would say, and I look to the Senator from Louisiana [Mr. LONG] for corroboration, that there is a possibility for the Senate to come to a final vote tonight.

Mr. LONG of Louisiana. Mr. President, I say to the distinguished majority leader, just feeling the parliamentary situation, as I try to feel it, and not being able to guarantee anything, and without asking anyone to prejudice his rights, or the rights of the Senator from Connecticut to prejudice his rights, the way I feel the pulse is that there is no reason why we should not come to a vote on subsection (a) and, for that matter, it seems to me that the chances are extremely good that we could come to a vote on subsection (b) and finish the entire matter today.

I cannot guarantee that because no one can tell what others might do or how the Senate is going to vote, or things of that nature. But I think there is a chance that we might finally dispose of the entire matter today. At least, I would hope we would dispose of subsection (a).

I have one amendment in mind. It is an amendment in the nature of a substitute which does contain considerable of the language that is in the committee proposal, but amends it in a number of respects. It is being drafted. I will present it as soon as it is available.

It contains most of the points I showed the Senator from Mississippi, in somewhat different language, but it has different points. I thought I would offer it as an amendment in the nature of a substitute for the first part of the censure resolution. As far as I am concerned we would be ready to vote on it as soon as it is offered.

If it is not agreed to, perhaps those of us who are for Senator DODD might want to take another look. I cannot state precisely what our position will be at that time, but we will know pretty much where we stand after we vote on it. That might be the decisive vote. The amendment is now being drafted and I will make it available as soon as I have it.

Mr. MANSFIELD. Mr. President, on behalf of the Senate, I wish to express our appreciation to the Senator from Louisiana for the encouraging statement he has just made.

Mr. LONG of Louisiana. I do not anticipate speaking any more than 15 minutes at the most, after the Senator from Connecticut has spoken. I would hope that Senators would listen to the Senator from Connecticut, because he is presenting his case, a case which I believe the Senate certainly should hear before it votes, and much of which has not been heard.

Mr. MANSFIELD. We ask the membership to remain on the floor as much as possible to hear what the distinguished Senators have to say, and to be prepared for the possibility that this matter might be concluded this evening, even if it takes a little time.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

The Senate will please be in order.

Mr. DODD. I thank you, Mr. President. I believe that when we recessed for the luncheon period, I had been reading some affidavits. I do not want to delay the Senate unnecessarily by reading any great number of them. They are all of the same content, and all of the same intent, so I ask unanimous consent to have these affidavits—I believe there are a half a dozen, something like that—printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. THURMOND. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. Will the Senator indulge me for another unanimous consent request?

Mr. THURMOND. Indeed so.

Mr. DODD. Mr. President, I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a list of names of over 435 persons who have submitted affidavits.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. LONG of Louisiana. Mr. President, will the Senator from Connecticut yield to me at that point?

Mr. DODD. I yield.

Mr. LONG of Louisiana. I know the parliamentary problem, but a considerable portion of what the Senator from Connecticut has to say has not yet been heard. Senators will not have the opportunity to read it in the RECORD. I observe that we have a bare quorum present in the Chamber at the present moment. Therefore, I would like to urge the leadership, on both sides of the aisles, to cooperate with us in trying to get Senators to stay in their seats at least to hear the Senator from Connecticut for the next hour.

I do not suggest the absence of a quorum but simply urge that everything possible be done to ask Senators to come into the Chamber at least to hear the defendant.

Mr. MANSFIELD. Mr. President, the Senator from Louisiana raises a most valid point. I agree with him. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Connecticut yield for that purpose?

Mr. DODD. I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 154 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. LONG of Louisiana. Mr. President, will the Senator yield to me?

Mr. DODD. I yield.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment in the nature of a substitute, which I propose to offer——

The PRESIDING OFFICER. Does the Senator from Connecticut yield for that purpose?

Mr. DODD. Will the Senator repeat his purpose?

Mr. LONG of Louisiana. Will the Senator yield to me so that I may make a brief statement?

Mr. DODD. Yes.

Mr. LONG of Louisiana. Mr. President, in due course I have in mind offering an amendment in the nature of a substitute. While I would prefer that nothing be voted at all, if it be the will of the Senate that something be voted in regard to the charge in section (a), it would appear to me that the substitute would be more appropriate, particularly in view of the fact that the original resolution charges the Senator with two courses of conduct, as a result of which censure is recommended. It is my contention that the first charge is neither malum prohibitum—that is, against the law—nor malum in se—that is, evil as such. In that case, censure would be a harsh punishment with reference to subsection (a), particularly in view of the defense the Senator from Connecticut has made.

This is how my motion reads:

Beginning with the word "That" in line 1, page 1, strike out all to and including "campaign," in line 10, page 1;

Beginning with line 3, page 2, strike out all to and including line 6, page 2; and insert in lieu thereof the following: "That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, has engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator to obtain, and use for his personal benefit, funds from the public through testimonial functions and campaign fund raising events, in order to retire indebtedness which had its beginning when Senator Thomas J. Dodd sought election to the United States Senate in 1956 and 1958.

"SEC. 2. The Select Committee on Standards and Conduct is highly commended for its diligent efforts, in its investigation into the conduct of Senator Thomas J. Dodd of Connecticut, to promote higher standards of ethics on the part of Members of the Senate.

"SEC. 3. In order further to promote high standards of ethics for Members of the United States Senate, the Select Committee on Standards and Conduct is urged to prepare a Code of Ethics of the Senate of the United States to govern the conduct of the Members of the Senate, and to submit such Code to the Senate for its approval prior to the end of the first sessions of the Ninetieth Congress.

"SEC. 4. Pending the adoption of a Code of Ethics of the Senate of the United States, the Senator from Connecticut, Thomas J. Dodd, is admonished to avoid any and all conduct which might be construed in any way as being in derogation of the high standards of ethics by which a Member of the Senate of the United States should be governed."

This is the only amendment I have in mind offering at this time. I would hope it would be agreed to. If it is, I will not offer any more.

I believe we had better Xerox this amendment rather than print it, so we can have it available for Senators.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, for the benefit of Senators who were not here a few minutes ago, I had said that I believed that at the lunch hour I had read and later this afternoon asked unanimous consent to insert in the RECORD copies of certain affidavits and a list of some 435 affiants in Connecticut who submitted the affidavits.

Now I would like to complete, as quickly as I can, what I have to say about subsection (a). I had said, before the recess for lunch, that there was both positive and negative evidence, and I have dealt as well as I thought I could with some of that.

I now turn to the negative evidence. The negative evidence lies in the fact of the negative response to the announcement which I told the Senate I made some 3 months ago, in which I offered to refund his money to anyone who had bought a ticket to any of these affairs if he felt he had been misled.

As I told the Senate, this announcement by me was carried prominently over every Connecticut radio and television station and was published in front-page headlines in, I believe, almost every Connecticut newspaper. About 3 months have passed since I made that offer, and I have repeated it several times, at almost every opportunity that was presented to me. I tried to give it the widest publicity in Connecticut. I have continued to try. It has received, I think, some wide publicity across the country. I reiterate that to this hour I have received only one request for a return of money, and that was from a man who said he contributed $25 in 1961. So I sent him my own check, as I told the Senate. I consider it evidence on my side.

On the other hand, despite the claim that I deceived the hundreds of friends and acquaintances who came to these affairs, I do not know of a single item of evidence—I repeat, not a single item of evidence—from those who attended these affairs that they regarded their contributions as political contributions.

I am aware that under this count, as I would call it, I am not charged with defrauding the Government, but with deceiving those who attended these affairs. So it seems to me that I must ask, Who has come forward to complain that he was deceived in the manner implied in the committee report? To my knowledge, the answer is: one—one minor contributor. In that case, it was my offer that brought him to light.

I do not charge the committee with any dereliction of duty, or anything of that sort; but on this point, I would be interested to know whether the committee has in its possession any sworn statement from any donor which bears on this intention, that has not been made a part of the record. If there is such, I should like to know about it. I have never heard of any. I think that in all fairness I should know, and I think the Senate should know, whether, after all this time, one person has come forward, when about 450, I guess the number now is, have come forward on the other side. Does anybody know of anyone else who says he was misled or deceived? I do not know what more I could have done. If the committee has any such statement available, I think it only fair that it be presented to the Senate.

Senators will recall that the RECORD now contains, at page 15689, the statement of William H. Mortensen, a former Republican mayor of Hartford.

On this point, I would be interested in knowing whether the committee has in its possession any sworn statement from any donor which bears on his intention that has not yet been made a part of the RECORD.

SUPPRESSION OF EVIDENCE

The RECORD now contains at page 15689 the statement of Mr. William H. Mortensen, the former Republican mayor of Hartford.

Bill Mortensen is a Republican and he is a friend of mine. He attended several of these testimonial affairs and in his statement, which is now a part of the RECORD, he made it clear that the funds he donated were intended as an unrestricted gift to me and were not intended as a political contribution. The committee's report contains no reference to either Mr. Mortensen or his statement, although, in fact, the statement was submitted to them by Mr. Mortensen. I received a copy of the statement from Mr. Mortensen, or I would never have known of it.

Last Friday, the chairman of the committee explained to the junior Senator from Louisiana why it was this statement had not been referred to by the committee. As I read his remarks on page 16129 of the RECORD, the basic response is that the committee had not solicited this affidavit; it was voluntarily given.

I find this answer baffling.

Is a statement less reliable because voluntarily given? Is it not entitled to weight because the committee did not seek it?

Actually, my information is that the statement in question was submitted at the committee's request after Mayor Mortensen was interviewed by the committee staff.

The failure to use Mayor Mortensen's affidavit is significant in another way. It indicates to me that the committee erroneously focused attention on what was described as the "atmosphere" rather than attempting to determine the specific intention of the donor.

Because of its pertinence to my present remarks, I ask unanimous consent that the letter from Mayor Mortensen which Senator LONG put into the RECORD previously be inserted into the RECORD again at this point.

I think it should be placed in the RECORD again at this point. Nobody will be harmed by it, and I think it will make more clear the point I am trying to make.

Therefore, Mr. President, I ask unanimous consent that the letter from Mayor Mortensen be printed again in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT

I, William H. Mortensen, 22 Wampanoag Drive, West Hartford, Connecticut, do voluntarily make the following statement to the Select Committee on Standards and Conduct of the United States Senate. I realize that I am not required to make this statement and do so willingly without duress or promise of reward.

I attended a dinner in Hartford, Connecticut in November, 1961 for the purpose of honoring Senator Thomas J. Dodd. The dinner was held in the Statler Hotel. I received an invitation to the dinner in the form of a letter I think was signed by Matthew Moriarty or a Mr. Powers of Berlin but I no longer have a copy of that letter. I don't believe that the letter mentioned the purpose for which the funds were being raised, but I personally did not regard the dinner as a political gathering and I did not care what use was made of my $100 contribution. As far as I know all tickets were sold for $100 per person. I recall that there were approximately 900 to 1,000 persons present at the dinner. Most of the persons in attendance were Democrats but there were also some well-known Republicans present—for instance Edward N. Allen, former Lieutenant Governor, as I recall.

I had no discussions concerning the proceeds of the dinner with Senator Dodd or any of his staff. It is my opinion that the dinner was intended to be a personal testimonial for Senator Dodd. Testimonial dinners have been fairly common in Connecticut and I believe they are generally held as personal tributes rather than political or campaign purposes. As a Republican I would have felt out of place at a dinner which was solely a Democratic fund raising affair.

I also attended a $100 a plate dinner for Senator Dodd in March, 1965 at the Statler Hotel in Hartford. I was given a ticket to the dinner by someone, whom I honestly do not recall and so did not contribute $100 myself. I recall receiving a letter from Matthew Moriarty, Treasurer or perhaps Arthur Barbieri of New Haven, inviting me to the dinner in 1965 and I believe that the letter emphasized the testimonial aspect of the dinner and did not mention any fund raising aspects, as I recall. The letter did not specify any particular use for the proceeds of the dinner to my recollection. I would estimate that the proceeds from the 1965 dinner would have reached $80,000 based on the number of persons present.

In particular, I recall seeing Henry Nielsen, office—122 Washington Street, Hartford, home—Ridge Road, Wethersfield; Herman Wolfe, office and home: 20 Turkey Hill Circle, Greens Farms, Connecticut; Mervyn Lenz and Samuel Lenz (Brescomb Distributors) 230 Locust Street, Hartford, at the 1965 dinner, the latter three at my table.

I do not have any letters, programs, correspondence or other documents relating to either the 1961 or the 1965 dinner in my possession.

WILLIAM H. MORTENSEN.

Subscribed and sworn to before me this —— day of ——, 1966.

——— ———,
Notary Public.

Mr. DODD. And I respectfully ask the chairman of the committee, when he has time, to let us know if there were any other statements sent in, and if there were, to let us have a chance to see them, and have them put before the Senate.

Mr. President, I followed the chart presentation last week of the very distinguished Senator from Mississippi as intently as I could, and I have studied it since; but I must confess that I am still confused as to the purpose of it. I do not blame this confusion on the Senator from Mississippi. Perhaps I am to blame for my failure to keep these funds separated, or see that they were separated, a matter about which I spoke, I thought, as frankly as I could last week. I did not deny that certain personal expenses had been paid out of testimonial funds, although I did take issue with what I considered the arbitrary manner in which the committee had tried to break down my expenditures. But I have pointed out, on the other hand, that it is a fact that I paid out of my personal pocket $101,000 over a period of 8 years for unreimbursed costs of office, and I am confident that I may not be the only Member of the Senate who is confused by that chart the committee has presented.

I raised some question about what I considered the arbitrary manner in which the committee had tried to break down my expenditures. I guess I had gotten beyond this. I pointed out that I had paid out $101,000 over a period of 8 years, and I said it seemed to me that others may have been confused by that chart, also.

I particularly take exception to certain items in the chart—for example, the final line leading left from "1964 political campaign contributions $240,290." It says that I deposited $85,818 in campaign funds to my testimonial account. This would clearly create the impression that in the confusion resulting from the temporary commingling of those two accounts there was a net diversion of almost $86,000 for personal uses. But, that is not so.

In addition to depositing campaign funds in the testimonial bank account, Mr. Sullivan was paying campaign bills out of this account. I remember talking to him about it afterward, and he said, "Well, we didn't have any money, and I thought it would be all right to use those funds which were given to you until contributions for the campaign came in." After I discovered this commingling on October 14, I said, "Stop that." He did the arithmetic, computing both what had been received in campaign funds and what had been spent.

So I say again, when the net figures are considered, there was no diversion of campaign funds to the testimonial account. In fact, the contrary is the case. If there was any diversion, it was of testimonial funds to the campaign account; and I think it is regrettable that the chart—to me, anyway—was misleading on this point.

The facts I have presented, it seems to me, are blurred and concealed by the statement which appears in the column headed on the chart "1965 dinner gross receipts," that I paid out of this account $127,925 for "political purposes." But it does not make clear that most of this amount was for campaign purposes and that what was paid out for campaign purposes was at least as much as what was deposited to the testimonial account from the campaign account.

But even if I were to concede the accuracy of every figure given in the chart, I still say that it is confusing and proves nothing.

I also wish to comment on the calculation made by the Senator from Kentucky [Mr. COOPER] which appears on page 16019 of the RECORD for June 15. As I read it, the Senator said:

> I simply point out that the $116,000 considered to be personal expenditures . . . added to the $211,000, or $150,000, which indebtedness was incurred before 1960; that $211,000 or $150,000 plus the cost of the 1964 campaign—would still be within the scope of, and could be paid from the $450,000 which the committee found, without question, was the net proceeds of the seven fund-raising events, and the 1964 campaign fund reported.

Here, again, I find myself confused about the essential figures involved. The Senator from Kentucky, as I read it, states that if the $116,000, which the committee considered to be personal, is added to either the $211,000 or the $150,000 of debt mentioned in paragraph 1 of the stipulation, and this sum is then added to the cost of the 1964 campaign, the total sum could still be paid from the $450,000 which is the result of all the testimonials and the campaign. Well, this is a mistake. As I understand the figures, in the first place, it seems to me that the Senator is adding minus figures and plus figures, which should in the normal scheme of things cancel each other out.

Beyond that, it seems impossible to follow this—I say this without rancor—novel calculus which involves the addition and subtraction of unrelated numbers. To add an amount of alleged personal expenditures of $116,000 to a portion of the plainly political expenses of $211,000, or $150,000, or even $120,000 which I claim to be the pre-1960 politically connected campaign expenses, is plainly as meaningless as—how shall I say it—adding apples to oranges.

It seems to me the resulting figure cannot be compared to anything. These calculations are mentioned for the purpose of illustrating—and I think they do graphically—that not all members of the committee fully understood the situation.

I want to answer questions, but I wish I could complete what I have to say, and then I shall be glad to answer them and encourage them, because I am getting into some of the arithmetic here and I would like to finish.

One central fact that I think deserves the attention of Senators, putting aside the entire 1963 affair, even putting that aside I am charged with a diversion of $116,000 for personal use. I say this is untrue and I say even if it were true, the proceeds of the 1961 and the 1965 testimonial affairs—and I think it is clear that they were testimonials—everything one could take into account, amounted to $118,000.

How can you fault me with $116,000? The net income from the testimonials, I think, was about $170,000 over these several years. It is true that I paid $120,000 to liquidate political debts, that I incurred between 1956 and 1958. I did pay out $101,000 for reimbursed costs of office, a figure which works out to an average of $12,500 a year.

So against the $170,000 received from all of these affairs which my friends held to help me, I paid out $221,000 for political purposes. This leaves me with a net deficit of about $50,000.

What is the point? The point is that all of this adds up to the fact that in order to liquidate the political debts which I had with me when I came into office, and in order to cover my unreimbursed costs in seeking to enter the Senate, I have had to pay out of my pocket $50,000. That is the fact of the matter. How all of this got so confused, I do not know.

The second fact of the matter which no one can deny—it just is not deniable—is that I have not enriched myself from public office. I think conclusively demonstrated that fact in my statement of net worth which I have given the Senate on the first day in March, but I cannot give it often enough because I think it has great bearing on your judgment of me in my situation.

What does this amount to? Is this a Senator lining his pockets with money out of testimonials or campaign funds, or is he not? There has been talk about all of this atmosphere, newspaper articles, and all of these extraneous matters, but when you come right down home, what is important? Have I got the dough?

Have I got the "dough" or not? I do not have it. I should think that would be the principal basis for making a judgment about me. If I had it, I would get out. My total net worth, when I made the statement in March, according to the accountants, was about $54,000. It is shameful that I have to do all this in public. That included the cash value of all my insurance and retirement, some of which I have had for 30 years.

I said then, and I say now, that I have no interest in any business or concern. I have no hidden assets, nor has any member of my family. I do not own stocks or any bonds or any securities of any kind anywhere in the world. The only real estate I own is the home I have had in Connecticut before I came here, and the one I have in Washington because I came here. Both of them have sizable mortgages. If I were out "trimming," or lining my pockets, I would have paid off those mortgages in one fashion or another and gotten rid of that, with all its burdensome interest. But I have not been able to do that.

I come back and plead with you to consider that this is the basis for any judgment you should make about me.

Now, Mr. President, I want particularly to say in regard to a question which was raised about the chart on my left, that everything on that chart is based upon the stipulation, except the $101,353 figure covering the unreimbursed costs. That comes from a firm of certified public accountants, and from a letter which I believe I have inserted in the RECORD, telling me that after having gone over all my books and having audited them, that is what the accountants found. That is their finding and I believe it is accurate.

What I am asking you to do is take a look at the whole picture of me and my affairs in order to understand my position.

I say again, there is no question that certain of the testimonial funds were spent for personal purposes. On the other hand, there is also no question that I covered many of my political expenses out of my own pocket over an 8-year period. The testimonial funds were used on personal expenses. That they were used that way is true only in the narrowest sense of the term—that is, one could trace directly the disposition of testimonial funds to the payment of personal loans and other personal expenditures.

But, in the substantive sense, it is my position—and I know I am right about it—that no testimonial funds or campaign funds, except in the few instances where obviously a mistake was made, were spent on what I would call a truly personal item.

Thus, while the committee was able to formally assert that some of the testimonial funds were spent on personal items, I say that such a charge is not well founded. It is baseless. It is baseless since it is based on form and not on substance. Undoubtedly my personal position would have been better understood. I said before, and I say again, that if there had not been for that commingling up there in Hartford, if that had been kept in separate accounts, I think it would have been better understood. As a matter of fact, I have been told that had that been so handled, then no one could have found fault. But, so far as I know, regrettable as the commingling is—and it is regrettable—there is no law, no rule against it, provided there is no fraud involved.

What would the net effect or result have been on me? Just trouble. No one got cheated out of anything. I wound up in the hole. I have not gained a cent from that commingling, as it is called. Indeed, I am exactly where I would have been financially had my personal funds and testimonial funds been kept carefully separated.

Mr. LONG of Louisiana. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield, just briefly.

Mr. LONG of Louisiana. May I say that all the Senator is really guilty of, in my judgment, on both counts, is not having had a good bookkeeper to handle that money for him; otherwise, he would not be in any trouble at all.

Mr. DODD. We have been over that a good many times. It is obviously so. If I had had better people to take care of these accounts, I am sure that would have been so. However, I have paid a very heavy price for it.

Nevertheless, it made my position so much more difficult to explain and for others to understand.

Mr. President, I keep coming back to the point, because it is a valid and a truthful one, that you cannot understand this unless you look at the whole thing, that it is necessary to weigh the net figure rather than excerpts from bookkeeping records, and that it is necessary, above all, for Senators to ask themselves whether I have enriched myself.

I think that is what the American people are concerned about. I do not think they are greatly concerned about the fact that a man made a mistake in Hartford, or down here, and mixed the accounts.

What really counts is: Was this man on the level? Did he get money out of it, or did he not? I did not get it. There are no sets of figures in the world that can establish that I did. I think that is the point. I wish you would consider it so. I think it is the only valid basis upon which your judgment can be based.

Let me repeat, even if you accept the contention of the committee—which I want you to know I do not—that every single penny contributed to the testimonial affairs was a political contribution, I say, even if you accept that, which is not so, it is still demonstrable from the basic arithmetic, from the figures themselves, that I am "out" myself $50,000 and somewhat more for political purposes than I received from the testimonials.

To put it more simply, for every dollar I received from testimonial funds, I spent more than $1 for political purposes; and that is how it comes out. I have gone over it and over it. I have had accountants go over it. And that is how they come out.

In the course of this discussion some Senators have pointed out that there are no rules or regulations governing the solicitation of funds for testimonial affairs. I have said it time and time again. I think it is true that I have never heard it challenged. The point has been made, however, by some Senators that the report of the committee has some of the qualities of what has been described as ex post facto proceedings, of an attempt to judge me in the absence of rules or regulations. I know that has been challenged. The very able and distinguished Senator from Kansas last week challenged the argument that there were no rules or regulations. I believe he did. He said that if the Senate were wrong now, it had been wrong on five previous censure cases, spread over the past century, because none of these cases, as he saw the matter, referred back to any known standard of rule or regulation.

I went and looked it up myself, as Senators would expect me to do. I say the five previous cases are completely different from the one now before the Senate. I am well aware that article I of the Constitution authorizes each House to punish its Members for disorderly conduct. And the fact is, and I think I read this correctly, that in each of the five cases there was involved misconduct by a Senator in the course of the performance of his duties which went against the orderly disposition of Senate business.

There was, in short, a standard established in the Constitution against which these five cases were judged; and everybody was on notice about it. Certainly, every Senator who sat in the Senate knew what the Constitution said.

There is no such standard in this case, nor can I conceive of anyone arguing that the fact that I received funds through certain testimonials in my behalf has in any way gone against the orderly disposition of Senate business.

It seems to me that few people would question the right of the Senate to censure in the five cases cited by the distinguished Senator from Kansas. Each one of these cases related directly to the performance of Senate duties or to the orderly disposition of the Senate's business.

Those cases speak for themselves, as I read about them.

The first one involved the release of confidential information to a newspaper in violation of an express Senate order.

How can it be more related to Senate business?

The second and third involved a fist fight on the floor of the Senate during a Senate debate.

How could anything be more directly and intimately related to Senate business?

The fourth one involved the use of a lobbyist as a tax advisor in secret committee meetings. Again, directly related to Senate business.

The last one involved an abusive and contemptuous attitude of a Senate committee in the course of its conduct in a Senate investigation.

I think that was directly related to Senate business.

It seems to me, as I tried to use whatever power of reason I have, that those five previous cases have absolutely no relevance to the case before the Senate today.

Far more relevant to this proceeding, I think, is the language of the 1950 Senate report in the case of Senator Butler, I was not here then, but I have read about it. The allegations against Senator Butler charged him with unfair election practices and violations of Federal and State election laws. In declining to recommend any action, the Senate report said:

> No specific standards or improper campaign conduct or acts have been set up as guideposts. Only the provisions of the Federal Corrupt Practices Act exist and these deal principally with the financial phase of campaigning. Since no standards exist it would be grossly unfair now to formulate those standards after the fact for retroactive application and unseat Senator Butler on the basis of those "after the fact" formulated standards.

I believe that this finding by a previous Senate committee is applicable on every single point to the case now before the Senate.

No one that I have heard has suggested that there are any rules governing the holding of testimonials. Indeed, spokesmen for the committee have been quite frank in admitting there are no such rules.

In the absence of such rules, I guess the Senate can find against me under article I, but I say it can only do so if it finds that the holding of testimonials derogated from the performance of my duties as a Senator, or if it establishes that testimonials per se are injurious to the orderly disposition of Senate business and amount to disorderly conduct.

How could that be so? How could one reason so?

On the very day the report was issued the distinguished Senator from Minnesota, according to the press, said:

> Since no formal or official code of ethics for the Senate has yet been established, it was difficult to move in the area of ethical and moral standards. The Committee did attempt to pass a fair judgment on the basis of what it considered to be the generally accepted standards and also on the basis of the rules and standards which it anticipated may be recommended and eventually accepted by the Senate.

It has been suggested that possibly I should be censured simply because funds were raised for my personal use at testimonial affairs. But in the debate last week the great and distinguished Senator from Kentucky said that, although this was not the charge, he found that such fundraising affairs reflect adversely on the Senate. I think that is in the RECORD.

Until now it certainly has never been understood in the Senate that testimonials per se were wrong; and if I understood the Senator from Minnesota properly, he for one was willing to concede that, under certain circumstances, he considered certain testimonials to be proper.

It seems to me if the Senate now wishes to adopt a rule prohibiting personal testimonials for Senators, well, all right, that is one thing. But in good reason, it seems to me, it is an altogether different thing to punish a Member for being the beneficiary of a testimonial or testimonials prior to the adoption of such a rule. This does seem to be an ex post facto judgment.

I have tried to think this out as clearly as my limited capacity allows. It occurred to me that if the charge involved moral turpitude, if, for example, it was charged that I had intentionally deceived the people who contributed to these affairs, I would not be arguing that the committee's finding represented an ex post facto judgment, because anyone understands it is wrong to willfully deceive people.

But, as the chairman of the committee said last Friday in his colloquy with the Senator from Iowa, the charges does not involve malice or willfulness or maliciousness in the sense of an intent to do wrong.

I am grateful to him for that statement, and I hope it will help everybody else to better understand, because if moral turpitude and willful deceit are both ruled out, what is left is a clear after the fact ruling involving the propriety of testimonials and the wording of testimonial invitations.

If the committee does not consider it—and I thank God if they do not, because I did not willfully deceive—then that is the situation, and I do not know how it could be considered otherwise.

Again I say, look at the whole picture; because focusing on any one of the vast number of little details in this situation, Senators will find themselves in the position of the man who could not see the forest for the trees.

Try as best I can, it seems to me that my situation can be reduced to a series of simple questions. I asked them of myself last night.

First, I asked myself, is there any law or rule of the Senate which prohibits the holding of testimonials for personal purposes?

If there is, I do not know of it. It seems to me that the answer to that first question has to be "No."

Is there any law or rule of the Senate which requires that the invitations from such testimonials must not only bear the word "testimonial" but must carry and explicit statement that the proceeds are intended as a gift to the person being honored?

I never heard of it if there is such a rule, in the Senate or without it. Again, the answer, in good sense and good judgment and in sheer logic, it seems to me, has to be "No."

Then I asked myself, is there anything to indicate that those who came to the testimonials were misled, as the committee alleges? My answer to that is that the committee has not presented or even attempted to present any evidence to prove that this was so. I do not know of any witness who appeared before the committee, in person or by affidavit, who said so. If such there be, he never appeared at the hearings; I was at every one of them. I believe that had such an affidavit been submitted, it would have been presented. So there is nobody complaining that he was misled. On the other hand, there is a mountain of available evidence to indicate that those who came to my testimonial affairs in Connecticut did understand their nature and intended their contribution as gifts.

Some effort, I have felt, was made to minimize the fact that there are only some 435 affidavits. This is a sizable number of all those who attended. Six years have passed since the first one. People have died, they have moved away; I do not know what has happened to some of them. But this figure represents a high proportion, a high percentage of those who could be located.

Then we come to the ultimate question that I asked myself: Have I used the testimonials to enrich myself or to live lavishly?

Well, I know the answer to that, and everybody who knows me knows it, too. The answer to that question is an emphatic "No." There are men now present on the floor of the Senate who know very well how the Dodds live. We would have entertained more of you in our home if we could have afforded to do so. We have entertained very little, because we just did not have the means to do so. But those few who have been there know very well the circumstances in which we have lived. They know that my family have not lived lavishly; and, as the chart at the back of the room here demonstrates, after paying off all of the political debts and those costs of office which I had to carry, I am in the hole.

That is where I rest. I do not know how I will get out. It has occurred to me that when we authorized the establishment of this committee, I guess nobody ever thought of the plight of a Senator such as I.

My lawyers have not charged me any legal fees—only their out-of-pocket expenses, which have amounted to thousands of dollars. How will I ever pay for it? If it happened to anybody else in this Chamber—I am not charging anyone with any negligence; I should have thought of it, too. But it is an added burden to the cross, which has been heavy enough.

THE URGENT NEED FOR A CODE OF ETHICS

I wish we had a code of ethics. I think on every occasion when there has been a vote taken in the Senate, I have voted for such. I have voted for disclosure. I have voted down the line, time and again.

The Supreme Court in a recent decision said that no person should be required to speculate or to guess whether a course of action violates a standard of conduct; and it said further that to apply a newly adopted standard to past conduct "is at war with the fundamental concepts of the common law."

I guess for about 200 years there has been recurrent talk in the Senate about the need to formulate a code of ethics for the guidance of Senators. Up to date, we do not have one. I know the committee is working on it. But the debate in which we are now engaged will serve little purpose if it results only in the condemnation—or, I hope, the exoneration—of a single Senator. The time we have spent on this debate will, I fear, have been completely wasted, unless we learn the larger lessons implicit in it, and move as rapidly as possible to the adoption of a carefully defined code of ethics for the first time in the Senate's history.

I have talked about ex post facto justice—but this is no ex post facto wisdom on my part, because, as I have said, every time I have had the chance since I have been here I have voted for the establishment of an ethics committee, or for other measures that I thought would give guidance to Senators, and give us all some guidelines, in the belief, I might say, that it was one of the best things we could do. I was with the minority on the votes for full financial disclosure, on the several occasions when that issue has been raised.

But whatever happens to me, it is certainly my hope that the Senate—this place I love for the years I have been privileged to be among you—will move without further delay to the adoption of a clearly defined standard of conduct. I think it is this that the people want, and I am certain they want it rather than the punishment of a single Senator that leaves the Senate still ungoverned by standards of which the public will approve.

I do not think the public wants my head. If the public understood all of the facts involved in this travail, it would realize that the adoption of the standards the committee is working on would be clearly in the public interest and also in the interest of the Senate as a whole, every one of us.

I think it would remove public doubt where doubt exists and augment confidence where confidence needs to be augmented. It would, among other things, in the future protect Senators from the kind of harrowing ordeal I have gone through over the past 18 months.

I hope it never happens to any one of you, as it happened to me. The best way I know of to make sure of that is to have our code as soon as we can.

My final plea to you on this charge or section is that you do look at the whole picture and ask yourselves that basic question: "Has this man enriched himself? Did he get money out of it? Did he get anything out of it?"

It seems to me that is the basic question that must be asked and that everything else is relatively not so important.

So, on this subject, this is all I have had to say because of the time which I had available to prepare myself to say it to the best of my ability.

I may have overlooked some things in the need for hurry. However, before I close, I noted that the junior Senator from Ohio [Mr. Young] referred to a telegram which each Senator received from the so-called National Committee for Justice for Dodd.

I just want the Record to show that I did not see that wire until later. I did not have anything to do with it. I did not know it was written. I would not have authorized its being sent if I had ever heard of it.

I do not approve of it, and it does not in any sense reflect my position .

I have had an unusual time with friends trying to help me and critics trying to hurt me. It all came out pretty cruelly for me in the end.

I do not question the intent of those who sent such a wire, but how could it do anything else than offend others.

I think I have better sense than to send such a wire to Members of the Senate. I would not have approved it or authorized it or had anything to do with its being written.

I want the Senate to know that I did not even know about it until I received a copy of it. It came to me, by the way, well after it went to all other Members of the Senate.

(The following colloquy occurred during the delivery of Mr. Dodd's address, and is printed here at the conclusion of his address by unanimous consent.)

Mr. LONG of Louisiana. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. LONG of Louisiana. I hold in my hand the latest issue of Newsweek magazine, date June 26, 1967. It contains an article regarding a Massachusetts dinner for former Governor Peabody, the opponent in last year's Massachusetts Senate contest of Edward Brooke, who is making such a magnificent record here in this body.

Might I just read one paragraph from that story, Senator?

> After his unsuccessful Senate race, Chub's—

I guess that is his familiar name—

> first accounting showed that he had finished the campaign just $26 in the black. But a later review put his debts at about $150,000, and to defray them he blandly announced a few weeks ago that he was staging a $100 a plate testimonial.

Let me ask the Senator from Connecticut, is that not about the same amount the Senator was in debt after he had made two races for the Senate?

Mr. DODD. Yes.

Mr. LONG of Louisiana. If this former Governor had not been an honest man, he would never have been $150,000 in debt; but he is an honest man and the son of a minister. I can understand that this fellow was deeply in debt and that the people of his State would want to put on a testimonial to help him get out of debt.

The article then refers to former Senator Paul Douglas, the first chairman of an Ethics Committee here, who went to Massachusetts for the dinner and said that testimonial dinners were still " the most effective and decent device" for raising political funds. This was clearly to get a man out of debt. I would ask the Senator, is that not a parallel to what his problem was?

Mr. DODD. I am not intimately familiar with Peabody's situation. I like and admire him, and know him to some extent. I assume it was, but I cannot categorically state "yes" because I do not know the facts that way.

Mr. LONG of Louisiana. Were not those debts incurred two ways; one, because of loss of income when a talented and able man assumes a public office that pays a comparatively meager salary and, two, because of the expenses that go beyond what the job pays?

Mr. DODD. Well, that is what it seems like to me, because of my own experience.

Mr. LONG of Louisiana. Plus the cost of campaigning?

Mr. DODD. Yes.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DODD. Yes.

Mr. LONG of Louisiana. As the committee so correctly spells out in its report, the court decisions as well as the committee view is that any person on trial for any misconduct before the Senate is entitled to due process; and due process, I submit, as was stated and agreed by the senior Senator from Minnesota, includes the presumption of innocence until he has been found guilty. So, in effect, there is a burden on somebody to prove the Senator guilty of some misconduct. I do not depart from my views in the colloquy of yesterday. I think the Senator from Ohio and the Senator from North Carolina very well spelled it out; but Senators should not vote to find the Senator guilty of anything unless they have been convinced that this presumption of innocence has been overcome.

Mr. DODD. I thank the Senator for his observation. I think I touch on that a little further on.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DODD. Yes.

Mr. LONG of Louisiana. Might I urge upon the Senator that he suggest that Senators turn to page 885 of the record of the hearings to see the letter to which he referred. Sometimes what one sees is more readily believed than what one hears.

Mr. DODD. Yes; I am grateful for the suggestion. I should have pointed that out.

Mr. LONG of Louisiana. Senators can see it, and they can judge the language.

Mr. DODD. Yes, that is right. It is at page 885.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. DODD. I yield.

Mr. LONG of Louisiana. Is it not true that during the brief period when the Republicans held control of the Senate, the late Senator Styles Bridges was its President pro tempore?

Mr. DODD. Yes, I am confident that that is so. I was not here at the time, but I know it is so.

Mr. LONG of Louisiana. Mr. President will the Senator yield?

Mr. DODD. I yield.

Mr. LONG of Louisiana. In view of the committee having twice quoted that one sentence out of context, would the Senator quote a second time, beginning with the words "I always understood"?

Mr. DODD. I do not mind——

Mr. LONG of Louisiana. The committee stated the first sentence twice in its report, and I suggest that the Senator read the second sentence a second time.

Mr. DODD. If the Senator wishes me to do so, I shall do it.

I am referring to page 893 of the record: The first quotation is:

> I have had no information about any dinners held for anyone to obtain funds for personal use, none that I have ever attended that I knew were being held for that purpose.

The second part not quoted where the first part is quoted was:

> I always understood that they were having an appreciation dinner or testimonial dinner but I didn't know that it was for personal, or political, or local campaign or national.

I say that when you read that in context with that first paragraph, which was the only one quoted, you get a different impression of what was being said. It seems to me—and I do not think I am laboring it at all or torturing it—that the President was saying not that he was deceived but that he was unaware of the precise nature of many of the functions he attended.

This half quotation, I say, is in the nature of a half truth and it is a damaging half truth, to boot. I think it is unfair to me. I do not understand how that happened. I have had numbers of people ask me about it. I have said: "Read that record and look at that other page and you may get a different impression or you may have a better understanding."

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. LONG of Louisiana. I have attended all sorts of fundraising functions and I never did know precisely for what use the money raised was put. I have gone to considerable effort with respect to some Louisiana dinners to find out what happened and I have not found out yet.

If the Vice President was in the dark it does not surprise me, for I certainly have been in the dark as to precisely where the money was going. I have sometimes asked the national committee to please find out how much of the money is going to the national committee. They have reported back: "That is a matter of States rights and home rule and there is nothing we can do about it; if we inquire further it might be resented, and we are not going to ask that."

Mr. DODD. That has been my experience. I did not know exactly, or care one way or the other. It may be someone I knew or was interested in, or some affair and that is why I was there. I think that is true of a great many people.

In any event, that matter has distressed me. I do not know why in the world both sentences could not have been quoted together, because I think people would have a better understanding about that portion of the record.

Maybe it was a mistake. I do not charge there is anything sinister about it, but it made it difficult for me. When I say, "maybe," it was a mistake. I am confident it was. I do not want to leave any doubt about that. I am not suggesting it was anyhing more than that.

Mr. LONG of Louisiana. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. LONG of Louisiana. Here is a case, *Commissioner* v. *Duberstein*, 363 U.S. 278, in which the Supreme Court held that in determining whether or not a particular receipt constituted income or a gift to the recipient, the donative intent of the donor is determinative.

The Tax Court applied the Duberstein rule in construing the taxability of certain amounts raised at a testimonial dinner on behalf of a labor leader. (Max Kralstein, 38 T.C. 810 (1962)).

The Tax Court opinion stated the rule of the Duberstein case as follows:

> Recently in *Commissioner* v. *Duberstein*, 363 U.S. 278, the Supreme Court discussed and restated the applicable principles to be applied in determining whether or not a specific transfer to a taxpayer in fact amounts to a gift to him within the meaning of the statute. Quoting with approval language in the dissenting opinion of the earlier case of *Bogardus* v. *Commissioner*, 302 U.S. 34, 43, the Court indicated that "what controls is the intention with which payment, however voluntary, has been made." *Commissioner* v. *Duberstein, supra at 286*. If the transfer proceeds from a "detached and disinterested generosity," "out of affection, respect, admiration, charity or like impulses," it is a gift in the statutory sense. If, on the other hand, the transfer proceeds primarily from "the constraining force of any moral or legal duty" or from "the incentive of anticipated benefit of an economic nature," it is not a gift. *Commissioner* v. *Duberstein, supra at 285*.

Mr. President, let me say that what the Senator from Connecticut is saying is the law, has been repeatedly declared by the Supreme Court to be the law, and was testified to by the Senator from Illinois [Mr. DIRKSEN] in the Stratton case in a lower Federal court. It is the law.

Mr. DODD. I thank the Senator for his statement. He knows much more about it than I do.

Mr. LONG of Louisiana. The tax law is within the jurisdiction of the committee of which I have the privilege to serve as chairman.

Mr. DODD. I know it. That is what I meant when I said the Senator knows much more about it than I do. But, in any event, it has been my understanding that that was the rule or regulation policy of the Internal Revenue Service. That is why I made the statement I did. I am not so familiar, by any means with the case as is the Senator from Louisiana.

Mr. LONG of Louisiana. I do not know everything there is to know about tax law but I have served as chairman of the Senate Committee on Finance, I have served as chairman of the Joint Committee on Internal Revenue Taxation and I have also served on the Democratic senatorial campaign committee, year in and year out.

I am happy to say that that latter burden has now been taken over by the distinguished Senator from Maine [Mr. MUSKIE]. I welcome him to that job. He is entitled to it. It is an interesting job. One is bound to learn something he did not know before he took the job. While I do not claim to know everything about tax law, the Finance Committee and the Joint Committee on Internal Revenue Taxation are staffed with experts—lawyers, economists, statisticians, and accountants—who are quite proficient. When they tell us what the law is, we can be sure that that is what it is. So the staff has advised me with regard to the matter of donative intent that I recited.

Mr. DODD. I thank the Senator for his further observation.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. DODD. Yes.

Mr. LONG of Louisiana. Assuming the people who signed affidavits, particularly those who knew what they were signing and who read them and understood TOM DODD was $150,000 in debt, which he had incurred in seeking office, were available to come to the committee and testify that their contributions could be used to cover so-called personal expenses, as the committee has documented some of them, why does anyone have any basis for complaint?

Mr. DODD. I do not know. I do not know of anyone who was at the dinner who complained.

Mr. LONG of Louisiana. Assume two persons came to a dinner costing $1,000 apiece. Suppose Mr. A wanted to help TOM DODD. He did not want to help the Democratic Party. He did not even want to help reelect TOM DODD. He knew TOM DODD was in debt and he put up the

$1,000. Then suppose Mr. B was interested only in having his $1,000 meet campaign expenses. If Tom Dodd spent the $1,000 that Mr. A put up for essential personal expenses—which were in large measure a case of the butcher stepping into the shoes of the sound truck driver and that sort of thing—would that not be all right since Mr. A had not attached any strings to that $1,000? If Tom Dodd had spent Mr. B's $1,000 for personal purposes, Mr. B might have a right to question it and say, "Wait a minute. I did not understand it that way. I wanted my money spent in the campaign."

But if money spent for so-called personal expenses were put up by people who are content to help him with a personal problem and personal debts, why should others complain if their money is spent to cover political expenses?

Mr. DODD. I agree with the Senator. There is only one person I know of who asked for his money back, after I announced that if anyone felt he was deceived I would return the money to him.

Mr. LONG of Louisiana. Twenty-five dollars, as I understand.

Mr. DODD. Yes. I wish the Senator from California were here. I got my canceled check back the other day, and I saw where it was cashed in Anaheim, Calif.

But in any event, he is the only one I have heard from out of the hundreds of people who attended these affairs.

I remind Senators that when I made that announcement, it was on the front page of every Connecticut newspaper, and on every radio and television station, not once but several times, and he is the only one I have heard from.

I do not wish to belabor this issue, or burden the Record, or bore Senators. I am trying to give what I think is an accurate picture of what was in the minds of the people who attended these affairs. I do not know of any better way to do it than to have Senators hear and read into the Record what they said themselves, in these affidavits. Obviously I cannot read 435 of them, and I would not try to. Many of them are identical in form. But some of these people are significant people, in the sense that they are not Democrats, and they were not making contributions to me because I was one. They were buying tickets to these affairs for another reason.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. DODD. Yes.

Mr. THURMOND. As I construe charge (a), the heart of it is that the funds were raised on the theory of political testimonials and a political campaign, and then used for personal benefit. As I construe the committee's implication—and if I am wrong, I hope the chairman of the committee will correct me on this point—the thought was that these dinners were held on the theory that the money would be used for campaign purposes, when in reality it was diverted for personal use—in other words, in this way the public was deceived.

Mr. DODD. That is right.

Mr. THURMOND. That they were deceived in being led to feel that they were contributing to a political campaign, when the funds were diverted to the Senator's personal use.

I have not understood clearly from the committee whether they consider testimonial dinners per se improper, or not. But as I construe from the responses to the questions I propounded Friday afternoon and, I believe, day before yesterday, no question was raised on that issue as the issue itself was never reached. The Senator from Kentucky [Mr. Cooper], I believe, did go so far as to say that if dinners of that kind were held, there should have been some affirmative statement made that they were for the Senator's personal benefit. But I believe there has been no conflict, or no point raised, about testimonial dinners, if the public understood and were not deceived. So the onus, as I see it, from the charge contained in (a), is that there was deception practiced on the public.

Mr. DODD. That is as I understand it.

Mr. THURMOND. Who were led to believe that they were attending a dinner in the Senator's honor and giving money to him for political purposes, that he then later used for his personal use.

I should like to inquire of the Senator—because I think this is important, to try to get at the real intent, because, as I perceive it, that is the heart of the problem—whether the people who attended the testimonials were deceived. If they were actually deceived, and thereby defrauded, if deception was practiced, then it seems to me that there would be grounds for censure. If the contributing public was not deceived, then that is another story.

Now, will the Senator capsule for us very briefly just a brief résumé of what was done that could have possibly deceived the public? I realize he has presented affidavits here, more than 400 of them, of people who attended these dinners, who indicated that they understood it was for the Senator personally to use the money as he pleased. If people understood that, that is one thing. If they were deceived, that is another.

As I understood, there was a letter written by a gentleman named—is it Mr. Barbieri?

Mr. DODD. Barbieri.

Mr. THURMOND. Whatever his name is, saying that it was a dinner to be held to raise campaign money for the Senator. That would indicate that the purpose of the affair was to raise campaign money.

Did the Senator approve that letter? Did he know about it, or what position does he take on that letter? I would like for him to go over the other bits of evidence—I am not asking him to try to convict himself, but I would like to have a résumé of the evidence strictly against the Senator, and let him very briefly explain it.

Mr. DODD Let me take up the last point, the Barbieri letter, first.

I never saw the letter. Mr. Barbieri testified at the hearings that I had never seen it. I did not know there was such a letter until this year. Yet it is, I feel, being used to demonstrate that I knew, and that this was a deceptive thing worked on other people.

I will say about it what I said about the other two letters: I suppose one could say I should have known. Well, that is an easy thing to say, and a more difficult thing to do. I did not know about it. I did not know about any of the letters except the 1961 letter, which I did see.

Mr. THURMOND. I ask the Senator this question at that point: Did he see that letter before it went out? Did he approve that letter, have knowledge of it?

Mr. DODD. I never laid eyes on it. Mr. Barbieri testified at the hearing that he had never shown it to me. I do not know what his exact words were; I do not have the transcript before me. But I know what the sense of his testimony was, and I tell the Senator from South Carolina that I never saw that letter, and so it was with the others, except the one from 1961.

Mr. THURMOND. Would the Senator have approved that letter if he had seen it?

Mr. DODD. No. I think it was poorly drafted, and it could have confused or misled people. I do not think it did, because of the fact that the people who went to these affairs knew what they were about. They knew me, and they were not misled. But a better letter could have been written.

Mr. THURMOND. So the Senator's answer, then, as to that particular letter, is that he did not see it before it went out, he did not approve it, and he would not have approved it if he had seen it, since it might have been calculated to mislead people into believing they were contributing to a campaign, when some of the funds were diverted to the Senator's personal use?

Mr. DODD. I would say it might have been misunderstood, or could have been, but I do not think it was. I never saw it.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DODD. Yes.

Mr. LONG of Louisiana. For the benefit of those who were not here, let me say that I put in the Record a memorandum showing that the Supreme Court has decided twice, on that matter, that it is the intention of the donor that controls; and that is consistent with what the distinguished minority leader [Mr. Dirksen] has testified, when he was asked to discuss the matter under oath and in court.

That is the law. The Supreme Court has so ruled twice, and so has the tax court.

Mr. DODD. Mr. President, it just occurred to me that the Senator from South Carolina had asked me to yield, and I failed to do so. If he has a question, I shall be glad to answer it.

Mr. THURMOND. Mr. President, at the time of the beginning of the luncheon hour, I was propounding some questions on charge (a), the use of funds obtained from the public.

If I understood the Senator's position, it was this: That these testimonial dinners were held for his personal benefit, and he did nothing, by word or deed, to indicate otherwise to the public.

The committee charges that these funds, in effect, were obtained from the public on the theory of campaign expenses, and then used for his personal benefit.

I asked about the Barbieri letter, the type letter he wrote, because he wrote a letter, I believe, and circularized the people, and said the funds were for campaign purposes. I wonder if the Senator would explain that now.

Mr. DODD. The letter?

Mr. THURMOND. That was the Barbieri letter.

Mr. DODD. I told the Senate before the recess this noon that I never saw that letter, and that I knew nothing about it. That is a fact.

That is the truth of the matter. I thought Mr. Barbieri said so at the hearing. However, I certainly did, and I am sure that if he were asked, he would say so himself.

I did not write that letter. I never saw that letter. I would not have approved it if I had seen it, because I would have thought it could be possibly misunderstood, and I would not have wanted that kind of letter to go out.

Mr. THURMOND. As I understand the position of the Senator, then, he would favor testimonial dinners but he went on the theory that the dinners were to raise money for him personally and that the public knew that. Is that a correct statement?

Mr. DODD. The Senator is correct.

Mr. THURMOND. The money was being raised from the public for the Senator's personal use for campaign expenditures or anything else that he saw fit to use for it. Is that the position of the Senator?

Mr. DODD. Yes, it is. And I have tried to explain as best I can that there is nothing unusual about this in the area of the country in which I live. That was all that was ever talked about by the people who organized these affairs.

That is why I took the matter up with an experienced lawyer, when the first affair was planned or talked about. That has been my understanding of it all the time. That is, of course, how I felt about it.

Mr. THURMOND. The committee takes the position that these funds were obtained from the public on the pretext that they would be for campaign or political purposes, but that they were used for the Senator's own benefit.

As I construe the charge by the committee, it in effect states that the Senator from Connecticut received funds from the public for campaign or political purposes and use them for his own personal benefit.

Is that the way the Senator understands it?

Mr. DODD. The Senator is correct. That is how I understand it.

Mr. THURMOND. I questioned members of the committee several days ago. I do not believe they are at odds with that interpretation. If they are, I would be very pleased to hear from them.

If that is so, if the Senator by word or deed obtained money from the public purportedly for campaign or political purposes and used it for his personal benefit, there would be grounds for censure in my judgment.

If, on the other hand, he did not do so himself and had taken part with anyone else in doing so and did not give approval to any such procedure, that would be another question.

I should like to ask the Senator a few questions along this line, and it may appear that I am taking sides against the Senator. I am taking neither side at this time.

Mr. DODD. I understand.

Mr. THURMOND. I have not decided how I am going to vote, in spite of what some newspapers have said. I will vote for what I think is right, regardless of any extraneous considerations.

Mr. DODD. I understand and appreciate that.

Mr. THURMOND. I want to propound some questions concerning the Barbieri letter.

Just why does the Senator think Barbieri wrote such a letter stating that a dinner would be held to raise campaign funds if that was not the case?

I believe later he did testify or make the statement that he knew the funds were for the Senator's use.

Mr. DODD. I think he did. That is my recollection.

Mr. THURMOND. It is my understanding that he did. However, on what theory does the Senator feel that Barbieri wrote such a letter, saying that these funds would be used for the Senator's campaign?

Mr. DODD. I can only tell you what I understand from him. He is a political leader in our State.

I think he probably had in mind—and he did not have all the facts, obviously—the wiping out of any deficit that existed or making it possible for me to wipe out the deficit.

In our community when a campaign is over and debts are unpaid, the only way they can be paid is by having the individual concerned pay them himself.

I am not sure that was what was in his mind. That has happened time and time again, and I think that is probably what caused him to write that kind of letter.

Mr. THURMOND. Is it the opinion of the Senator that Mr. Barbieri knew the Senator owed a lot of political debts and that he possibly wrote the letter on that theory?

Mr. DODD. He probably did.

Mr. THURMOND. However, if the Senator had been writing that letter himself—I believe the Senator said that he did not know of it or see the letter before it had been sent out—would the Senator have approved of such a letter if he was going to use those funds for his own benefit?

Mr. DODD. I would have written a more careful letter, like the 1961 letter. And from what I know now, it would be vastly different from that letter or any other letter. I would make it very clear what this was all about.

So my answer is that I would not have written the letter this way. I think it could have been written better.

I like Mr. Barbieri. He is a friend of mine but he wrote it, and I did not have anything to do with it.

Mr. THURMOND. The question is whether the Senator, by word or deed, either by himself or working with others, approved or conspired to take any steps to take any money from the public on the theory that it was for campaign purposes and then use it for his personal benefit.

I ask a question now concerning the articles that appeared in the newspapers prior to the time these dinners were held, not afterwards, because they would not be relevant to show any possible deception.

Were the people in the Senator's area deceived by articles that came out in the paper, and did they buy tickets on that theory? Did articles which appeared prior to these affairs state that the purpose of them was for campaign or testimonial purposes?

Mr. DODD. Well, if there were any, I never saw them. I do not know of any. The Senator is talking about articles published before?

Mr. THURMOND. Before the dinner, and saying that the dinners were going to be held for political fundraising purposes.

Mr. DODD. If there were any, I did not see them. I never saw them. I do not know about them. I think the articles that appear in the record were published after the affair, but I could be in error on that.

Mr. THURMOND. Are there any articles that would throw light on this subject? Does the chairman of the committee or any of the members of the committee have articles that were published prior to the time the dinners were held which articles would indicate that they were campaign dinners or that the money would be for the Senator's personal benefit?

Mr. DODD. I cannot answer that, because I do not have any, and I do not recall seeing any.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. THURMOND. I do not have the floor.

Mr. PERCY. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. PERCY. I ask the Senator from Connecticut to give his interpretation of an article which was published in the Hartford Courant on October 26, 1963. It appears on page 919 of the record and is entitled: "For Dodd War Chest—Ham, Eggs With Lyndon Lure for Democrat $$." The article was written by Jack Zaiman.

It seems to me that this is a clear indication to the people who participated in any of these affairs that it is for political purposes.

The first paragraph reads:

> Ham and eggs at the Hartford Club this morning will cost $100, and if you like having a cocktail at the home of State Sen. Gloria Schaffer in Woodbridge about 1 p.m., it'll cost you another $100.

All the way through this article is the implication that one can come to any one of these functions, and if you want to pay only $1.50 you can come to a tea.

The article further states that the Vice President and his entourage would be there and the indication is that this was certainly for campaign purposes.

It states in part of the article that it is to help raise a war chest for his renomination and reelection campaign the next year.

That is the thought I get from every single article I read that were part of the hearings.

Mr. DODD. I think that article appeared on the day of the affair.

Mr. PERCY. Here is an article that was published in the Hartford Times.

Mr. DODD. Let us clear up the first one that the Senator read from.

Was that not the day of the breakfast?

Mr. PERCY. The Senator is correct. The one I just read from was published on the day of the event.

However, this other article is an article which would appear to me to have been put out by a couple of publicity people to attract the people and create a larger crowd so as to bring in as much money and create as much excitement about the affairs as possible.

Mr. DODD. There were no publicity people. I do not believe there was any publicity person or committee or anything of the kind.

I refer the Senator to part 2, page 699. It reads:

> Senator PEARSON. Do you know of any statement to the public at any time prior to this dinner which set forth the purposes for which you intended the money to be used?
>
> Mr. BARBIERI. Well, I know that the papers reported it as a campaign deficit dinner.
>
> Senator PEARSON. Where did the papers get their information?
>
> Mr. BARBIERI. I have no idea.
>
> Senator PEARSON. Did you ever have a press conference?
>
> Mr. BARBIERI. No.
>
> Senator PEARSON. Did you have a publicity chairman?
>
> Mr. BARBIERI. No.
>
> Senator PEARSON. Was there any spokesman for your committee at all?
>
> Mr. BARBIERI. With the press?
>
> Senator PEARSON. Yes.
>
> Mr. BARBIERI. No.
>
> Senator PEARSON. So they picked it up as just a matter of general information, that it was a deficit dinner?
>
> Mr. BARBIERI. That is my opinion.
>
> Senator PEARSON. Do you think the public might have gotten the same idea?
>
> Mr. BARBIERI. If they believed what the papers said, I would say so, yes.

Mr. PERCY. I ask the Senator for his comment on how he would interpret an article that appeared 5 days before the dinner—page 891 of volume 2—in the Hartford Times, November 21:

> Officials of the dinner said that Senator DODD actually was presented with a blank check. However, they estimated that after expenses are paid the amount he will receive will be $40,000 to $45,000. Some of the money, it was reported—

This is by the officials of the dinner—

> will be used to clean up a deficit outstanding since Mr. DODD's 1958 campaign.

On the following page, 892:

> First Selectman Arthur B. Powers, treasurer of the committee, said the money will help Sen. DODD meet his campaign deficit.

Mr. DODD. Yes. The Senator from Illinois is aware that Mr. Powers said that he never made any such statement. That is part of the record. I referred to it here this morning.

In any event, I should like to continue, if I may, and I will touch on this matter.

Mr. PERCY. May I just point out one further reference to the question of the Senator from South Carolina [Mr. THURMOND] as to whether articles appeared before the affair.

Beginning on page 917 there are "12 newspaper reports of 1963 Connecticut events."

This is from the Hartford Courant, October 20, 1963: "$100-a-Plate Breakfast Will Be First for State."

Here it was clearly labeled as a political breakfast for $100, with Lyndon Johnson as the chief attraction, and so forth. It talks about—well, anyone can read the article. Certainly, the implication to the public is that it is a fundraising affair, clearly for political purposes.

Mr. DODD. This article throws me off with respect to the remarks I have prepared. I will handle it in due course.

I was talking about something else, and I was trying to answer the Senator from South Carolina; and I would have said to him what I have now said to the Senator from Illinois—perhaps if he would wait until I get into that part of my remarks, I may be able to answer it better.

I had started to talk about the chart which was presented, I believe, last week. I said I could not understand it, that I was confused by it. I said I did not blame the confusion on him, but I blame myself, perhaps, for not having known that these funds were unseparated; and I did not deny that personal expenses had been paid out of testimonial funds.

Mr. COOPER. I spoke to the Senate last Thursday for a short time before the Senator from Louisiana, and I based my remarks on the stipulations. I pointed out, that the first stipulation shows that the Senator from Connecticut's personal indebtedness was $150,000 at the end of 1959. We assumed that it all might be for political indebtedness, but during the debate the Senator from Connecticut has said that only $120,000 would be attributable to political indebtedness.

Mr. DODD. Yes, because——

Mr. COOPER. The stipulations also showed that over $450,000 had been collected from all sources.

Mr. DODD. Yes, but a large part of that money was contributed to the political campaign and had nothing to do with these testimonial affairs.

Mr. COOPER. My point on the stipulation is that it showed the indebtedness in 1959 of $150,000; $211,000 was referred to in the stipulation, as the total amount until 1959 that you had borrowed but $150,000 was the amount owed in 1959, according to the stipulation, before the fundraising events occurred.

In my remarks, I pointed to the stipulation showing that from the fundraising events and the campaign of 1964 $450,000, approximately, had been collected.

Mr. DODD. That had not been; that is the important point.

Mr. COOPER. It is shown to be in the stipulation——

Mr. DODD. You put altogether the political contributions that came in for *the political campaign and added that* to the testimonial. It is not the same at all.

Mr. COOPER. But it is the total amount stipulated, both the collection for campaign expenses in 1964 and the funds derived from the seven testimonial dinners and other events.

I was pointing out that that total amount collected was sufficient to pay the camapign indebtedness of $150,000 at the close of 1959, to pay the cost of the 1964 campaign, and the personal expenses of $116,000 found by the committee.

That was the purpose of my statement.

Mr. DODD. I understand the Senator, but——

Mr. COOPER. I know the Senator from Connecticut differs.

Mr. DODD. It is not an accurate figure. I do not know how they got all mixed up; but what I have said is right.

The Senator will see that from the testimonials there was $167,000 and from the campaign contributions $246,000, and they total $413,000. That is $55,670 less than the political figures.

Mr. COOPER. Those figures did not appear in the stipulation, which I spoke from. We did not have those figures.

Mr. DODD. They are the figures.

Mr. COOPER. The Senator brought them into evidence first during this debate.

Mr. DODD. I do not have that stipulation in front of me but I know they are the right figures. Maybe that is what caused the confusion, but these figures are correct and that leads me to what I consider to be perhaps the most important thing I want to say, the most important argument I would like to make. It is an argument, if I may use that term, which is completely separated from the question of whether the testimonials were political or personal in nature, whether the invitations were properly worded, or the newspaper articles misleading, and whether the donors understood the nature of the function. It is apart from all of that. I think it is an argument that is completely valid, even if I accepted the committee's position, and I do not. We think it is erroneous.

That position is that all of the testimonials were political in nature and the proceeds, therefore, could only be spent for political purposes.

In order to understand my position I contend Senators must look into what I described heretofore as the basic arithmetic of my position which I presented a few days ago and which, I think, is of the greatest importance.

(This marks the end of the colloquy that occurred during the delivery of Mr. DODD's address.)

EXHIBIT 1

AUGUST 9, 1963.

Mr. JOHN PEPPING,
Pepping Realty,
Los Angeles, Calif.

DEAR MR. PEPPING: Thank you for your kind recent letter and the enclosed check for ten dollars which I am returning herewith.

I appreciate your kind words concerning my work in the Senate, and also your consideration in sending along a contribution for my campaign. However, since my campaign will not get underway for some time yet, I think it would be better for you to hold your check until a later date.

With best wishes.

Sincerely yours,

THOMAS J. DODD.

EXHIBIT 2

AUGUST 30, 1962.

Mr. MOSES I. FEUERSTEIN,
New York, N.Y.

DEAR MR. FEUERSTEIN: Thank you very much for your kind letter of August 29.

I greatly enjoyed the meeting with you and I look forward to another one soon.

I am returning your very generous check because I am not running for election this year and will not be doing so until 1964. I appreciate the sentiment behind this kind offer and I am sure you will appreciate my reason for returning it.

I talked to Secretary Goldberg this afternoon. I think I should say Justice Goldberg, and he will be very happy to see you. As a matter of fact, he was willing to see you tomorrow but, of course, this is out of the question since you are not in town.

Mr. Foy Kohler, our new Ambassador to the Soviet Union is coming by tomorrow and I intend to talk to him about the situation.

With all good wishes,

Sincerely yours,

THOMAS J. DODD.

EXHIBIT 3.

WATERBURY, CONN.,
March 8, 1967.

To Whom It May Concern:

I, Joseph F. McNellis, a citizen of Connecticut, do hereby swear that I have contributed to Senator Thomas J. Dodd, and to many candidates for public office, over a period of years.

Having been Mayor of the City of Waterbury, I am aware of the many problems that confront any candidate running for office.

I have never questioned the use for which contributions were made by me, nor have I ever requested that they be used for a specified purpose. They were to be used in any manner Senator Dodd or any other candidate saw fit to use them.

I have known Senator Dodd personally for many years. Any contributions made to him, were because of my admiration and respect for him.

JOSEPH F. MCNELLIS.

Subscribed in my presence and sworn to before me this 8th day of March, 1967.

HAROLD D. COLEMAN.

AFFIDAVIT

STATE OF CONNECTICUT
County of Hartford, ss:

I, Martin J. O'Meara, being duly sworn, make the following statement.

I have been acquainted with Senator Thomas J. Dodd for over 20 years and have always held him in the highest esteem both in the conduct of his public and personal affairs. I have always understood him to be of modest means and have always had complete trust in his integrity.

Upon occasion, it was my pleasure to assist Mr. Dodd by joining with his supporters in testimonial fund raising dinners. It was my impression that the proceeds from these affairs were to be given to Mr. Dodd for use in defraying his personal expenses without qualification.

I was happy to be able to attend these fund raising affairs because I sincerely believe that this is the only way we voters can expect men of modest means to be attracted to serve in the legislature. There should be little doubt that a man of Mr. Dodd's ability if directed to his private practice of law would have resulted in substantial personal rewards.

Forsaking this type of financial support from those who receive the benefit of representation, the service to the public at this level would be the domain of the wealthy who in my opinion may not reflect the attitude or thinking of the typical voter.

MARTIN J. O'MEARA,
East Hartford, Conn.

TORRINGTON, CONN.

To Whom It May Concern:

This is to certify that in 1965, I, Francis W. Hogan, of Torrington, Connecticut, purchased a dinner ticket for a testimonial dinner in honor of United States Senator Thomas J. Dodd, I usually do not attend state wide dinners of a political nature and attended this one only as a tribute to an old friend, the gift to be used by Senator Dodd as he saw fit.

FRANCIS W. HOGAN.

Subscribed in my presence and sworn to before me, this 8th day of March 1967.

RICHARD J. FUDAY,
Notary Public.

AFFIDAVIT

BRIDGEPORT, *March 9, 1967.*

STATE OF CONNECTICUT
County of Fairfield, ss:

I, Raymond J. Doyle, Jr., being duly sworn hereby make the following statement.

To the best of my recollection the first time I had the honor of meeting Senator Thomas J. Dodd personally was sometime in 1960. To the best of my recollection I was not personally approached with regards to participating in any testimonal affairs honoring Senator Dodd prior to 1963. I was a participant in a testimonal affair honoring Senator Dodd in 1963.

In this connection, I was offered a free ticket to the affair, but my own personal impression of Senator Dodd was such that I held him in very high esteem and still do. As a young attorney who could have easily accepted a free ticket to the affair, I personally wanted the cost of my ticket to be a personal gift to Senator Dodd. This affidavit truly indicates that I was motivated by my admiration and respect for him. However, that same admiration and respect promotes me to disregard the form affidavit and sincerely indicate that it was my intention that Senator Dodd use the money in anyway he saw fit. I certainly do not think that this can be considered as intending that the money be used as a political contribution.

Dated at Bridgeport, Connecticut, this 9th day of March, 1967.

RAYMOND J. DOYLE, Jr.

Subscribed and sworn to before me this 9th day of March, 1967.

RONALD H. FORD,
Notary Public.
(My Commission expires April 1, 1967).

AFFIDAVIT

STATE OF CONNECTICUT
County of Hartford, ss: BRISTOL.

I, Frederick W. Beach, being duly sworn, make the following statement.

Between 1961 and 1965, I was a participant in testimonial affairs honoring Senator Thomas J. Dodd held in the following years: 1965. In this connection, I donated funds to Senator Dodd. These funds were intended by me as a personal gift to Senator Dodd and were motivated by my admiration and respect for him. It was my intention that Senator Dodd use these funds in any way he saw fit. They were not intended as a political contribution, because I am a lifelong Republican.

FREDERICK W. BEACH.

Subscribed in my presence and sworn to before me this 2nd day of March, 1967.

GAIL P. GREENLEE,
Notary Public.
My Commission Expires 4-1-70.

EXHIBIT 4

NAMES OF PERSONS WHO SUPPLIED SWORN AFFIDAVITS TO SENATOR DODD

Thomas P. Cody, Franco, Richard; O'Hara, Francis; Charrott, Edwin T.; Davey, Patrick J.

Acunzo, Louis F.; Abrams, Joseph; Adams, Raymond K.; Agins, Marvin L.; Albrecht, A. S.; Altschuler, David A.; Ambrogio, William P.; Amenta, Paul; Annunziata, Edward C.; Annunziata, Joseph; Antollino, Thomas; Antinozzi, Daniel; Arganese, Ralph R.; Arcudi, John A.; Arpino, Mariano; Artell, Florence.

Astaire, Theodore G.; Atwood, W. E., Jr.; Banever, Marshall; Banks, Goodman; Barbarito, A. Mark; Barone, Harry G.; Barone, Joseph A.

Barr, Joseph C.; Barrett, Richard A.; Barrett, Walter; Barry, Alfred B.; Beach, Frederick, W.; Beck, Louis; Beckwith, Rose V.; Belard, Ruth.

Bell, Robert C., Jr.; Bellin, Edward; Bender, Jack; Bennett, Carl; Bennett, James V.; Bero, Frank.

Berta, Joseph J.; Billings, Walter; Birbarie, Louis; Boczar, Laura J. (Stopka); Boland, Christopher T.; Borg, Victor R.; Borrelli, Neal; Bove, Anthony E.

Borysewicz, Walter; Bozzuto, Adam; Brannegan, Daniel; Braffman, Gerald H.; Brannegan, Mary; Breithaupt, Harry J., Jr.; Buckly, Mary Jo; Buononno, Josephine A.

Burke, Donald S.; Buononno, Bernard V.; Burke, Olive M.; Caldwell, J. Edward; Calvocoressi, John L.; Capone, John; Carlin, Earl P.; Cavagnaro, Stephen J.

Carocci, Arnold B.; Carroll, William; Carr, George E.; Casico, Peter.; Cass, John F., Jr.; Cassella, Dominic R.; Catapano, Anthony; Cavallaro, James J.; Cespinwall, James H.; Chieppo, Angelo.

Ciarcia, George; Ciarcia, Mrs. George; Ciarcia, John N.; Ciarcia, Mrs. John; Claffey, Robert F.; Clark, Roger; Clarkson, Norman; Coclin, A. D.

Clarkson, Thomas; Cohen, Rubin; Cohn, Lester J.; Cohn, Marcus; Cohn, Robert S.; Coles, Albert L.; Condon, Margaret; Conetta, Louis D.; Cohen, David.

Conklin, George W.; Connole, William R.; Connor, Richard J.; Coonan, Thomas M.; Cosgrove, Dan; Cotrone, Jerry C.; Craig, Elsie F.; Crane, Richard P.

Crimmins, John D.; Cummings, Harold J.; Cummings, John H.; Cummings, Ted; Cuombo, Salvatore; Curry, Beverly M.; Curry, William E.; Cwikla, Walter J.

D'Addario, F. Francis; Daly, James J. A.; Daly, T. F. Gilroy; Dawson, James F.; DeAngelis, Daniel; Dedda, Luca F.; FeFala, Anthony.

Delany, Frank J.; DeLucia, F. Arthur; Del Vecchio, Frank M.; De Matteo, Gene; DeLeo, Samuel; Denehy, Edward J.; Denuzze, Andrew P.; De Tullio, Mrs. William; DeLeo, Eugene.

Di Fazio, Mrs. Edith A.; Di Fazio, Pasquale A.; Di Napoli, S. George; Diorio, Rocco; Di Rienzo, Mary; Dober, Eliot; Doel, Gilbert H.; Dolan, Thomas J.

Donahue, A. J.; Donnell, Hugh; Donohue, F. Joseph; Doolan, Elizabeth B.; Doran, John C.; Dowd, Francis D. (Mr. and Mrs.); Doyle, Joseph A.; Doyle, Raymond J., Jr.; Drakos, Louis; Dubar, Walter.

Duffy, Allen H.; Dugan, Raymond G.; Dugas, Joseph A. Dr.; Dully, Frank E.; Dunbar, David; Durkin, Francis J.; Dwyer, Mrs. Philip M.

Jaser, George J.; Johnson, Ernest L.; Johnson, James R.; Johnson, Louis W.; Johnson, Wilfred X.; Julianelle, William R.; Jame, Jerome R.

Eagan, Thomas E.; Eagan, F. Owen; Eagan, Joan; Elliott, Stephen K.; Eills, Sidney; Elman, Nathan A.; Elston, Harold R.; England, W. Harry; Engeler, Mrs. Robert D.

Farrell, John; Farrington, Dan; Fay, John E.; Federico, Dominic; Feeley, Francis B.;

Ferrara, Dominick H.; Ficca, Anthony A.; Fitch, Ralph H.

Fitzgerald, James M.; Fitzgerald, W. H. G.; Fitzpatrick, Frank P.; Fitzpatrick, John T.; Ford, William F., Jr.; Forst, Mary Ellen; Fortuna, Carl P.; Fosbrink,, Roy L.

Fossi, Louis J.; Franco, Salvatore A.; Frank Rudy; Frascatore, Michael A.; Friedler, Jack R.; Frione, D. V.; Fuoco, Michael.

Gallagher, Walter E.; Garofalo, Ralph; Garrity, Harold W.; Gebauer, Charles; Gelormino, Anthony C.; Gemski, Joseph F.; Genovese, Phil; Genovese, Restituta B.

Giarelli, Andrew F.; Gildea, George; Gill, John; Giorgio, Thomas; Goldstein, Daniel M.; Gollinger, David; Goodin, Alvin R.

Grant, Ralph J.; Grills, Leo J.; Guzzi, Ralph J.; Gwiazda, Henry J.

Hamill, Agnes M.; Hamill, Mary I.; Hamill, Clare; Hammer, Harry; Hannafin, Mrs. Lawrence; Hardwick, Donald; Harris, Eugene H.; Hatheway, Harriet R.

Healy, Jack P.; Hegarty, John F.; Henchel, Charles; Hermanowski, Leo E.; Hess, Victor J.; Hewitt, Norman; Heyman, Lazarus S.; Higgins, Edwin J.

Hine, William L.; Hirth, Emanuel; Hochberg, Benjamin; Hogan, Francis W.; Hogan, Patrick J.; Huerstel, Maurice C.; Hulton, Marion E.; Hyman, George.

Idarola, Robert A.; Iovine, Andrew R.; Isacs, Herman III.

Kane, Joseph E.; Kaplan, Seymour B.; Keating, John G.; Keller, William L.; Kelly, Edward J., Sr.; Kelly, J. Michael; Kelly, Peter R.; Kenny, Kevin B.

Keyes, Thomas F., Jr.; King, Elizabeth L.; Kloss, Walter; Knott, Joseph W.; Koskoff, Theodore I.; Kovacs, E. Paul; Kovacs, Julia B.; Kovacs, Robert G.; Kronheim, Milton.

Lally, Thomas C.; Lansky, Michael J.; Lamb, George P.; Later, A. H.; Lathrop, Cecil, Sr.; Lennon, James H.; Levett, Arthur; Lipman, Morris.

Lippman, Abraham; Lubell, Arthur; Lucertini, Annette; Luckart, John J.; Luria, Sidney; Luzzo, Marie R.

Mainiero, Nicholas; Maloney, Donald M.; Marak, Charles E.; Margoles, Constantine; Markham, James; Marinan, James T., Jr.; Marino, Benjamin A.; Marino, Phyllis.

Marks, Richard J.; Marra, Fred; Martin, Edward; Masnik, David; Matthews, Alwyn F.; Maturo, John C.; Mauro, Edward; Mayo, Glendon R.; Mazza, A. P.

Mazza, Frank E.; McCabe, Eugene L.; McCallum, E. J. Jr.; McCarthy, John F.; McCue, William D.; McDonough, Charles E.

McDonough, E. Merritt; McDonough, Joseph M.; McDonough, Mrs. Joseph M.; McGee, Frank S.; Guinness, John J.; McKane, Edward B.; McKay, James.

McKenna, William F.; McNellis, Joseph F.; McWalter, Anne; Mechlin, Thomas B.; Medvedow, Leon A.; Merrick, Paul R.; Miko, Joseph; Migliaro, John C.; Miner, Francis E.

Minogue, Thomas E.; Monoco, Peter; Mongillo, Albert J.; Montano, Paul C.; Morano, Albert P.; Morgan, Harry E.; Morgan, Mrs. Harry.

Moriarty, Julia S.; Moriarty, Matthew M.; Mulcahy, J. Frank; Mulcahy, John F., Jr.; Murphy, Albert G.; Murphy, Richard B.; Murphy Timothy J., Jr.

Nagle, John F.; Narden, Mrs. John; Neiditz, Moses J.; Nichols, Peter; Noonan, James F.; Northrop, Curtis J.

Northrop, Mrs. Richard (Harriet); Nosal, Charles; Nowitz, James Robert; Nucci, Ella Mae; Nugent, Arthur J.; Nunes, Myron A.

O'Brien, William J.; O'Connell, James J.; O'Connell, William T.; O'Connor, Dennis P.; O'Connor, James D.; O'Keefe, Arthur B.; O'Meara, Martin J.; Opper, Charlotte.

Parseliti, Frank; Pearson, Baldwin; Perlmutter, Irving H.; Perrotti, Frank; Perry, Robin L.; Piccolo, Frank A.; Piscitelli, Clement N.; Pomerantz, Paul J.

Porter, Henry A.; Powell, Norman; Powers, Arthur B.; Powers, W. Sherman; Pozzi, Paul E.; Prevedini, Val; Prezioso, Emil; Purcell, Harry B.

Quinn, Timothy A.; Ramsey, William B.; Randall, Wilbur W.; Rees, William H. H.; Reynolds, Edward M.; Rheame, Alton V.; Riccio, Frank H.;

Roberto, Fred J.; Robinson, John F.; Robinson, Peter C.; Rogers, Alfred R.; Rogers, James; Rosenberg, Abner; Rothstein, Harold; Rothstein, Mrs. Harold.

Rubens, Raymond B.; Rutenberg, Gideon; Salerno, George A.; Saslow, Irving; Schatz, Walter B.; Schroeder, Frank; Serletti, Albert;

Shanley, Francis Shapiro, Harold; Shea, Cornelius D.; Shea, Cornelius J.; Shearer, Frederick F.; Siegel, Jay; Sigal, Jules H.;

Silberman, Samuel H.; Simko, Vincent M.; Smith, Edmund S.; Smith, Ralph; Smith, John F., Jr. (Jack); Sprague, Ralph E.; Stackowitz, Kathryn McG.;

Stambol, Angelo; Starr, S. Leger; Stein, Louis; Sullivan, E. F.; Sullivan, Howard J.; Sullivan, Irene; Sullivan, Mary T.

Talsky, Jack B.; Tamburri, William A.; Taneszio, Anthony T.; Tarca, John W.; Tarpinian, Charles S.; Tenin, Herman B.; Tercyak, Rosemary; Thornton, William B.

Tilney, Bradford S.; Toner, Joseph V.; Tormey, Ronald G.; Tucker, Frank W.; Ursini, John.

Vece, Toby; Velleca, Neil A.; Venus, Richard E.; Venus, Marie B.; Verinis, Constantine P.; Vetti, Manuel W.; Villano, Vincent; Vogel, Robert M.

Wade, Charles G.; Wall, Thomas J.; Waxgiser, Joseph; Weinstein, Daniel; Weiss, Morton; Welch, Maurice; Werner, Charlotte H.; Whelan, Francis.

Wickert, William G.; Winters, John T.; Wilkerson, Mrs. Ogden; Wilson, Ab; Woltch, Samuel H.; Zampano, Anthony N.; Zampano, Dorothy M.; Zimmerman, Louis.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. DODD. I yield for a question.

Mr. LONG of Louisiana. The Senator has told what his net worth is as of now. He said that it was about $50,000, including the house he has had for as long as 30 years.

Mr. DODD. I think it is less now, but I will accept that figure.

Mr. LONG of Louisiana. Will the Senator tell me what his net worth would have been in 1961, prior to this first testimonial dinner that was held to relieve the Senator of some of the debts he had?

Mr. DODD. It would not have been very much. I do not know how to calculate that quickly, but it would have been pretty low.

Mr. LONG of Louisiana. Would it have been less than the $50,000 as of today?

Mr. DODD. Obviously.

Mr. LONG of Louisiana. The Senator mentioned that he does not live lavishly.

He has told about everything else about his life, or had it investigated.

Would the Senator mind telling me who does the cooking in his household?

Mr. DODD. Well, Mrs. Dodd does it. She has for all of our married life.

Mr. LONG of Louisiana. All of it?

Mr. DODD. Oh, we have a girl that comes in 2 days a week part time to do some cleaning, but she does not do any cooking. My wife does it.

Mr. LONG of Louisiana. The Senator has a person come in to help out with the housework twice a week.

Mr. DODD. That is correct; to clean. Maybe that is lavish. I would not think so. It is not anything new with us, either.

It has never been much different. I am embarrassed even to answer the question or have it raised, but I said before that my bones are bare anyway. It does not make much difference any more.

My wife, whom some of you know, has raised six children. She has done her own work, made her own clothes, cooked our food.

Among the darts and arrows, the meanest of all is the charge that we lived lavishly—not so much for me, but as against her.

I yield the floor.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. THURMOND. Did the Senator approve of any publication in the paper or any notices to the public, or did he have any part in approving any notice to the public that would lead the public to believe that these dinners were held for campaign purposes and not as testimonials to him, from which he would receive any personal benefits?

Mr. DODD. No. I did not at any time. I did not even see them until long after they were printed. I do not recall having seen them.

You may ask me: "You didn't see any of them? You didn't see one of them?"

That could very well have been so, and I think the point was raised with me: "What did you do about it?"

Well, I did nothing. I have been in public life for 30 years, and from time to time I see all kinds of things and misstatements and misunderstandings. And they are made honestly, I guess, but I have not made it a practice to challenge everything that I read.

You may ask: "Well, was this not more important than other things you might find fault with?"

It was not to me, because I thought everybody knew. I do not recall anywhere ever seeing those articles, either at the time they were published or thereafter and for some considerable time thereafter.

Mr. THURMOND. I have another question, and possibly the committee might like to answer this question.

It is alleged that the Senator from Connecticut wrote a letter to the President, I believe, thanking him for coming up there.

I understand the Senator to say this morning that he did not write such a letter.

Mr. DODD. The Senator misunderstood me. I am sure I did not say that.

Mr. STENNIS. May we have quiet, Mr. President? I cannot hear the Senator from South Carolina very well.

The PRESIDING OFFICER. Let there be order in the Senate.

Mr. THURMOND. The letter to which I refer began: "Dear Lyndon," and I believe it thanked him for coming up to the dinner.

Mr. DODD. I said I never said I did not write it. What bothered me was the salutation. Maybe there were other letters about that time. But the general principle maybe came to my mind later.

I know I certainly have not in a long time addressed a Vice President or President by his first name. But I did not say that I did not write that letter.

Mr. THURMOND. I wonder if the committee has such a letter. Does the chairman of the committee care to respond?

Mr. DODD. I think I can help you.

Mr. THURMOND. As I understood, the Senator from Connecticut said he did not remember writing such a letter and that he was not accustomed to addressing the Vice President as "Dear Lyndon." He said that he would write him as "Dear Vice President."

Mr. DODD. What I said is that I had some doubt about the letter because of the salutation.

I did not say this morning, and I am not saying now, that I did not write the letter.

Mr. THURMOND. I wonder if some member of the Senator's staff could have written the letter and signed the Senator's name, as sometimes happens.

I would like to ask the chairman if the committee has such a letter in its possession.

Mr. STENNIS. Yes. We do have the letter. We did not use the letter because it was taken along with other letters that were taken from the file.

Mr. HOLLAND. Mr. President, we cannot hear the Senator.

Mr. THURMOND. Did the committee ask the Senator whether he signed a copy of the letter?

Mr. STENNIS. We gave him a copy of it months ago, and he covered it very completely this morning in his speech, I thought.

Mr. DODD. When the Senator asked me about it, he pointed out that it was published in the New York Times. I have not raised any question about its validity. I remarked in passing that it struck me as a little strange at the time.

Mr. STENNIS. If the Senator from Connecticut will yield to me, did the Senator from Florida say that he did not hear me? I was a little hoarse.

Mr. HOLLAND. I could not hear exactly what the Senator's answer was to the question propounded by the Senator from South Carolina. If he would mind restating it——

Mr. STENNIS. The Senator from South Carolina asked me if I had the letter that has been talked about, which was written to Vice President Lyndon Johnson, the letter of thanks. Senator Dodd spoke about it this morning. I said yes, the committee has the letter, and has had it all this time. It came out of the papers taken from Senator Dodd's office. We did not use it as affirmative evidence. We gave Senator Dodd, though, a copy of that letter, together with all those other papers before there was any testimony taken, sometime early in 1966.

Mr. THURMOND. If I can inquire from the Senator from Connecticut as to just how this money was handled—was this money deposited in his personal bank account or campaign bank account or some to both, or was it put in the testimonial account and later divided and distributed?

Mr. DODD. The last part of the Senator's statement was correct. It was put into a testimonial account and afterward distributed, as I believe the Senator put it, to me. Unfortunately, it was mingled with campaign funds—I do not know for how long a period of time.

I do not know whether I covered this, but those moneys were used for campaign purposes during that year; and I said, "Well, all right. You don't have to give it to me right away. If you haven't received any contributions"—and we had not, in the early part of 1964—"go ahead and use it," and they did. I think that is how it came to be commingled.

I pointed out this morning that in 1963 I received contributions which I returned and said, "I am not running until 1964." I received them as early as 1962, and I returned them. I have the letters, and the people are easily identified. I believe they can be readily found. I said, "No, I am not running, and I cannot take any campaign contributions." I returned their money. I never thought that one could take any campaign funds in any year except an election year. Perhaps I was under a gross misapprehension, and I have wondered about it for some time. Perhaps the law is not clear, but that is the way I always understood it—that the only time you could collect campaign contributions was in an election year. I have read and reread that section of the code, and that is the way I understand it.

So I was not collecting campaign funds in 1963. What sense would it make for me to be returning them to some people and taking them from others? It did not happen. These were not campaign fund-raising affairs.

Mr. THURMOND. Under the ruling of the Internal Revenue Commissioner, I believe any funds collected for campaign purposes, to pay present campaign expenses or future campaign expenses, are exempt from taxes, and the tax would have to be paid on any funds used for personal purposes. I am wondering whether the Senator had in mind that he would be responsible for any of the funds that he used for personal use and if he is contemplating paying such taxes.

Mr. DODD. If I have misused any, I certainly would. If anything like that happened, of course, I would pay it.

That reminds me—something, I thought, was made of the fact that I paid back the $1,700 only a few days ago. I got the inference, "Why did the fellow wait so long?" Well, there was a first good reason—the money.

Second, I was hoping that I could get together the data necessary for reimbursement for my travel to and from my home State. I had the feeling that whoever was speaking at the time thought it was of some significance that I did not put in for what I was owed. This goes back 6 years. I do not know whether I went by automobile or by train or by airplane, and I am trying to find out, and I have had some people working on it. But it is not an easy thing to do, unless you keep a daily diary of everything you do, and I have not done that. It makes quite a difference in the final account submitted.

Mr. THURMOND. I was not going into that part of it.

Mr. DODD. I know the Senator was not, but he just reminded me and I do not believe I explained it to the Senate.

Mr. THURMOND. It is my understanding that the Senator takes the position that he collected $170,000 from campaign dinners and paid out $221,000, which was $51,000 more than he had taken in. Are those the correct figures?

Mr. DODD. Yes, except for one word. They were not campaign dinners.

Mr. THURMOND. From testimonials, then.

Mr. DODD. Yes.

Mr. THURMOND. Collected $170,000 from testimonials and spent $221,000 on political expenses.

Mr. DODD. Well, we took the figure on that chart of $167,000 of testimonials, because that is taken from the committee report, and from the stipulations.

What was the Senator's question?

Mr. THURMOND. I just wanted to verify that amount. As I understood from the Senator's speech, he took in $170,000 from these testimonials.

Mr. DODD. I would use that round figure.

Mr. THURMOND. And he spent $220,000

Mr. DODD. The Senator is correct.

Mr. THURMOND. Which is $51,000 more than the testimonials brought in.

Mr. DODD. The Senator is correct.

Mr. THURMOND. Which means that he spent $51,000 out of his pocket.

Mr. DODD. Yes, around $50,000, or something more than that.

Mr. THURMOND. For political purposes.

Mr. DODD. Yes, I did.

Mr. THURMOND. I thank the Senator.

The PRESIDING OFFICER. The question is on the first part of the resolution.

Mr. LONG of Louisiana. Mr. President, if no other Senator desires to respond to the Senator from Connecticut, I should like to make a brief statement, at the conclusion of which I would propose my amendment which is on the desk of the Senators. I will yield to others, if they wish to speak.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MONRONEY. The distinguished Senator from Mississippi [Mr. Stennis] is momentarily off the floor. I should like the opportunity to notify him.

Mr. LONG of Louisiana. I suggest that the Senator send for him. I am not going to suggest the absence of a quorum, because we have such good attendance at this moment, and we will have less by the time the roll is called. I will speak for a few minutes. If the Senator from Mississippi or someone else desires to respond to Senator Dodd, I will yield at this time. Otherwise, I would make my speech and hope that I might offer my amendment, and that we might vote on it.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. STENNIS. I thank the Senator for his kindness and his thoughtfulness in yielding.

The Senator from Louisiana plans to offer this substitute, and in the event it is not adopted, the plan is to proceed then on the argument on (a). Is my understanding correct?

Mr. LONG of Louisiana. I would not foreclose the possibility of offering some other amendment, but if the amendment is agreed to, I would certainly want to go ahead and adopt it. But as it stands now, all that I have in mind is just to offer the amendment.

I want it understood that I do not want to foreclose the opportunity of offering something that might attract a few more votes, in the event that I had a substantial vote for my amendment.

Mr. STENNIS. I am sure I understand the Senator. I thank him. The Senator from Mississippi has in mind making an additional speech on the resolution that we filed, Senate Resolution 112.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I shall yield in a moment if the Senator will pardon me for just a moment.

With all deference, my judgment now is that that speech would best come later in the debate. If the Senator wishes to offer his resolution, I would be delighted.

Mr. LONG of Louisiana. I shall speak to the subject.

Mr. DODD. Mr. President, will the Senator yield to me?

Mr. LONG of Louisiana. I yield.

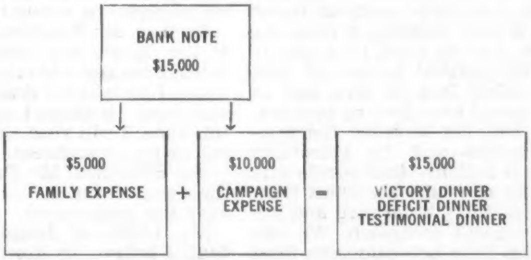
Mr. DODD. I want to make it clear to the Senator and everybody else that I hope we can vote as soon as possible.

Mr. LONG of Louisiana. I understand.

Mr. President, I have asked that a chart which I prepared be placed on its supports and held high enough for Senators to see it. To me it illustrates clearly the ethical problem we have here. I believe it can be seen across the room.

Mr. President, with that chart before the Senate, I ask that a copy of it, copied as nearly as possible, be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:



Mr. LONG of Louisiana. Mr. President, I want to illustrate that there is nothing immoral or unethical about people raising money to pay for personal expenses that are associated with running for office under proper circumstances, nothing whatever; there is no moral or ethical problem involved. I am not talking about the tax problem, I am talking about the moral and ethical problem that some people do not seem to understand.

I am assuming that an ordinary plant worker wants to run for mayor of his hometown. It is not a large town. Perhaps it is about the size of the town where I live, about 200,000 people. In running for office he needs money to pay expenses, so he goes down and borrows $15,000 from the bank. It might be an unsecured loan, it might result from his giving a mortgage on his home, or he might have an endorsement from his friends, but he borrows $15,000. He borrows $15,000 so that he can have a chance to win.

In order to win he has to campaign full time. Therefore, he quits his job at the plant and he is going to need $5,000 for the family to live on while he is making the campaign. The other $10,000 he spends in campaign expenses. He has $5,000 in loss of income which he needs to support the family and he has $10,000 of campaign expenses.

When he is elected, that man holds a victory dinner and all of his friends turn out. They buy tickets to a victory dinner; they hold a celebration for him; and they raise $15,000.

I do not care if you call that a victory dinner, a deficit dinner, a testimonial dinner, or whatever you wish to call it. The fellow could not afford $15,000. Had he lost the election he would have been many years making it up out of his meager income, but by winning he did get to have a victory dinner and get out of the hole so that he would be as well off as when he started running for the job. There is no moral or ethical problem involved in that. That is ordinary, every day, run-of-the-mill politics. That is the case whether the man is running for sheriff, county commissioner, mayor, or whatever he may be running for.

The revenue people will argue with him about that $5,000 personal family expense. They will undertake to contend that that is no more deductible than would that same expense be deductible had he had earned income, which would have been the alternative. If he had not quit at the plant he would have had $5,000 in income with which to feed the family.

I am so familiar with this problem because I have seen it so many times in politics and I am accustomed to it.

A short time ago a friend of mine told me he was called by a young man who wanted to run for Governor in a State where it can cost a million dollars from the time he announces his candidacy, through the primary, and up to the election. The election is about 2 years off, and one needs to start 2 years before if he is running against a strong candidate or an incumbent Governor. He said, "I must have $100,000 right away if you want to support me and see me have a chance to win." They said, "Why do you need that much money now?" He said, "I must eat. I have a wife, I have children, and I have family expenses. If I am going to have any chance to win, I have to close down my law office. I can make $100,000 a year in the law office, but when I close it down and go all around the State on a full-time basis, trying to build support all over the State to have a chance to win, that is going to cost me $100,000. You fellows will have to find that much money or I cannot make the race with a chance to win. Do you want me to run or not? Let's decide that."

Mr. President, I am not quarreling about tax problems. I am saying that if supporters of a candidate want to help him find enough money to run for office it is their privilege to raise enough funds to pay for his living expenses as well as to pay for campaign expenses; and, if, when the campaign is over, he wants to raise money to pay off all of his debts, he can hold a dinner, pay them all off, making no profit, and get back in the same position he was in when he started running.

There is nothing unethical or immoral about that. Some pepole do not seem to understand that. Please do not confuse it with the tax problem. The money that goes to pay for expenses is taxable, in my judgment, although some contend otherwise.

I have before me the speech which former Senator Paul Douglas made the other night. Senator Paul Douglas is loved and admired by all of us, including the Senator who defeated him in the last election for the Senate, and who is a credit to this body. Senator Paul Douglas was one of our great Senators, a man of high moral standards, who wrote a book on ethics. He was the first chairman of our Ethics Committee. The other evening he attended a dinner for former Governor Peabody who ran unsuccessfully in Massachusetts, and who wound up $150,000 in debt.

Governor Peabody's friends were not too much concerned about how deeply he got in debt. But of one thing they were convinced: If Governor Peabody had been a crook, if he had been a thief, if he had stolen enough money so that he would not have needed to have that testimonial dinner to get back the $150,000 for which he was in debt.

So Paul Douglas went up to speak at the testimonial dinner which was held to raise that money. Do Senators believe that the people who went there and put up the money for Peabody were too much concerned about whether he had got $150,000 in debt because he was not receiving income from his chosen profession while he was running for office? Do Senators believe that they were concerned as to how to break down the amount to show how he got in debt? The point is that it was a politically oriented debt. If Peabody had not been in politics, he would not have been $150,000 in debt.

Take the ordinary run-of-mill case that I mentioned. A fellow who decides to run for mayor finds that he is going to have to raise $15,000. He risks the chance that he will not be elected and will have a $15,000 debt. Multiply that amount by 10, and that is the case of former Governor Peabody, a candidate for the U.S. Senate. Multiply that case by 10, and it is the case of Tom Dodd. It is just an everyday political problem.

If Senator Dodd had undertaken to urge his friends to have some victory dinners or fundraising dinners when he was first elected to the U.S. Senate, there would be no problem here whatsoever—just none. There would be no moral problem and no political problem. Senator Dodd would have something of a tax problem for the reason that some of the proceeds represent part of his lost income. He was making about $60,000 a year as a lawyer. That breaks down to about $200 a day for every working day. So every day he was out of this law office, we might say that he was failing to earn, on the average, $200 that he would have earned had he been in his office. After 2 years of nonstop campaigning for the Senate—more nearly 2½ years—the man finally became a Senator and was $150,000 in debt.

When I studied the facts of this case, I found myself saying, "This man, with these meager resources, must really have wanted to be a U.S. Senator. He must have wanted to serve here so badly that he would make any sacrifice on earth to be a U.S. Senator. He reminds me of me. That is how badly I wanted to be a U.S. Senator."

Tom Dodd really wanted to be a Senator. I suppose that there was a time in my life when I would have given one of my arms if someone could have promised me that I would be a U.S. Senator someday. This man really wanted to be a Senator and made any sacrifice necessary. He would have had no problem whatever—never—ever—no problem—if immediately after that campaign was over he had undertaken to have victory dinners, like former Governor Peabody who had a deficit dinner, to raise money to pay for the deficit.

But Senator Dodd did not do it in that way. He spent 3 years trying to carry all of this debt out of his meager income and what little came in from his previous law practice, from fees he had earned in previous years, and from what he could earn on his salary of $22,500, while maintaining two homes and paying taxes on them for his wife and six children. He did what he could to manage. But he had a $150,000 debt structure, and when he got around to paying it off, it worked out this way:

He spent his personal income to retire politically oriented debts. I am talking about debts that occur in two ways, both from the expense of running his office and also debts which occurred in order to meet living expenses because of a reduction in income since he was not practicing law or making money to any extent during the 2 years he was running nonstop for the U.S. Senate.

Then some man would complain that he had not been paid for a political debt, and so he would pay this man—with his personal funds. When he did that, he would not then have the money to pay the personal debts that should be paid; so he would borrow some money from a friend to pay some of these debts. When he got around to paying such loans off, it looked in many respects as though he was using political money to pay off personal debts. But there would never have been any problem there if he had been able to pay those debts off in the beginning with political money, but having used personal money to pay political debts, he then found it necessary eventually to use some political money to pay off personal debts.

But the amount of personal money he paid on the political debts greatly exceeded the amount of political money he paid on personal debts. In other words, on balance, he was in the red, as the chart has demonstrated, by at least $55,000. So he put a lot more of his personal money in than he received back out of politics. Under those circumstances, he had a problem which could well have been avoided had he had a better bookkeeper. It seems to me on both counts, but this one in particular, that what this man is really guilty of is not having had a good bookkeeper from the beginning, so that he could have clearly identified the political nature of that $150,000 in debts. Had he been able to do so, there would have been no problem.

Now the Internal Revenue Commissioner recognizes—and he recognizes this because it is right—that people who are in politics can take a surplus from one campaign, carry it forward and use it in a subsequent campaign. We can take a surplus from one campaign fund and use it to pay the expenses over and beyond the reimbursable items toward getting ourselves reelected later on.

I have heard it said many times that sometimes an expenditure a year or two before an election will do 10 times as much good as a similar expenditure during election year. I know what I am talking about on that. Furthermore, one can take a campaign surplus in a subsequent campaign and use it to retire a campaign debt from a previous campaign.

Now no one has discussed here yet the fact that Senator Dodd had the moral right, and it was proper, if need be, as he sought to raise money for the 1964 campaign, to pay off obligations which were left over from the 1958 campaign.

Let me give the Senate one good example.

Here is a man who runs a whiskey store—Tom Dodd, who is trying to make good and ingratiate himself with people in a community puts on a party—and the man in the whiskey store sells him a case of liquor. After the campaign is over, and the man still has not been paid for the liquor, and he spends 3 years in that community telling everyone that comes into his store that Tom Dodd is a "deadbeat" and does not pay his bills.

So, before Tom Dodd, in running for office again, can buy liquor somewhere else to entertain a group of his constituents, he had better go back and pay that liquor bill. Because the man in the liquor store is hurting him far worse than any cocktail party could help him.

Such things put people in the position of saying, "If we are going to elect Tom Dodd, we are going to have to get him out of the hole. He is in the hole by $150,000. We are going to have to pay some of that off and reduce that indebtedness. If we wait 3 years before election, we are not going to get him out of the hole much less raise money for the next campaign." This is what he is up against. I find nothing wrong with that.

All this talk about bringing the Senate into disrepute is not Tom Dodd's doing. Far more disgraceful is the fact that thieves came by night and stole this man's documents in an effort to destroy him. Far more disgraceful is the fact that sensational newspaper columnists took those documents, and distorted, twisted, and misrepresented the facts—and, yes, wrote outright lies for 18 months running. These are the type of things that tend to bring the Senate into disrepute.

If we are to punish Tom Dodd for that, then we will be punishing the wrong person. The persons who should be punished are those who stole and lied and deceived in an effort to portray an honorable Senator as a conniving, petty thief.

Even so, Mr. President, if it be the will of the Senate that something must be voted, I am going to offer an amendment which I have at the desk; but if the Senator from Mississippi wants to speak at this time, I will yield the floor and then call up the amendment.

Mr. STENNIS. Mr. President, I thank the Senator, but I just yield to him to offer the amendment.

Mr. LONG of Louisiana. Mr. President, I believe my amendment is at the desk and I call it up to be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The Legislative Clerk. Amendment intended to be proposed by Mr. Long of Louisiana to Senate Resolution 112, a resolution relative to censure of Senator Thomas J. Dodd:

Beginning with the word "That" in line 1, page 1, strike out all to and including "campaign," in line 10, page 1; beginning with line 3, page 2, strike out all to and including line 6, page 2; and insert in lieu thereof the following:

"That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, has engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator to obtain, and use for his personal benefit, funds from the public through testimonial functions and campaign fund raising events, in order to retire indebtedness which had its beginning when Senator Thomas J. Dodd sought election to the United States Senate in 1956 and 1958.

"Sec. 2. The Select Committee on Standards and Conduct is highly commended for its diligent efforts, in its investigation into the conduct of Senator Thomas J. Dodd of Connecticut, to promote higher standards of ethics on the part of Members of the Senate.

"Sec. 3. In order further to promote high standards of ethics for Members of the United States Senate, the Select Committee on Standards and Conduct is urged to prepare a Code of Ethics of the Senate of the United States to govern the conduct of the Members of the Senate, and to submit such Code to the Senate for its approval prior to the end of the first session of the Ninetieth Congress.

"SEC. 4. Pending the adoption of a Code of Ethics of the Senate of the United States, the Senator from Connecticut, Thomas J. Dodd, is admonished to avoid any and all conduct which might be construed in any way as being in derogation of the high standards of ethics by which a Member of the Senate of the United States should be governed."

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG].

Mr. LONG of Louisiana. Mr. President, first, I wish to correct something I said for the RECORD so that we will have it straightened out. I meant to say Senator THOMAS DODD was $55,000 in the red, as far as his expenditures from his personal funds for political and campaign purposes were concerned. I did not mean in the clear, as the statement may have inferred.

Mr. President, it seems to me it is well to ask, what precisely are we finding fault with? Is it that the funds were commingled? If that is the case, they can be separated. The Senator wants to do what is right. Or do we find fault because somebody may not have fully understood? Or do we find fault because a man did not have a good bookkeeper to keep his records straight so he could identify those obligations as being political in their incipiency?

There are all sorts of suggestions of fault the committee could make. Perhaps the way the man did business would be one. But, in any event, we are not finding fault because he violated any law in connection with the (a) charge. No one charges that any law was violated here. So it means that he did not commit an act malum prohibitum; that is, he should not be punished because he violated a law. Nor is charge (a) an act malum in se; that is a bad thing in and of itself. There is no rule in this area. Everybody does the best he can, and sometimes that is not very good.

It would seem to me we should keep in mind also that the censure charge that first came in was a proposal that THOMAS DODD be censured because he doubled billed the Government, as charged in (b), and because of the way he handled his funds as charged in (a). The sum total was that it had brought the Senate into disrepute, and he should be censured.

I want to address a parliamentary inquiry to the Chair, to be on the safe side.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. LONG of Louisiana. Do I understand that what I have here is a substitute for part (a), or censure charge 1, which relates only to the handling of campaign funds and testimonials, and has nothing whatever to do with the double billing charge?

The **PRESIDING OFFICER.** That is correct.

Mr. LONG of Louisiana. So we have a substitute for the first of the so-called censure proposals, and this does not in any way affect the second of the so-called censure charges?

The **PRESIDING OFFICER.** That is correct.

Mr. LONG of Louisiana. I would point out that the first charge involves something that is not against the law. It cannot even be held to be against good moral standards. It is a practice about which we should have some standards. That is what my substitute seeks to obtain, a standard, something to which an honorable man can look for guidance.

It does have this language in it. I am not wedded to this language, but to me that this is as much punishment as deserved. I do not think further punishment is justified. I myself am reluctant to vote even this much, but it does say that the Senator is admonished. It says:

> Pending the adoption of a Code of Ethics of the Senate of the United States, the Senator from Connecticut, Thomas J. Dodd, is admonished to avoid any and all conduct which might be construed in any way as being in derogation of the high standards of ethics by which a Member of the Senate of the United States should be governed.

Here is how Webster's Dictionary defines "admonish":

> 1. To warn or notify of a fault; to reprove gently or kindly, but seriously; to exhort—

I do not mean "exhort" in this connection; I mean the other definitions—

> also, to put (one) in mind of something forgotten, disregarded, or neglected, by means of a warning, reproof, or exhortation—

I do not include "exhortation" in my definition—

> as, to admonish an offender for tardiness; he was admonished not to go.
>
> 2. To urge or enjoin by means of a warning; as, to admonish silence.

We should bear in mind the many things with which we are dealing. For example, we are seeking to punish a man by a means which in some respects is ex post facto in nature. We are talking about something where traditions vary, people in Connecticut doing things one way and people in Louisiana doing them in an entirely different way. I am not sure we should have uniform standards, but that is something for the Committee on Ethics to decide. Furthermore, we are dealing with a situation in which a man is telling people they are entitled to get their money back. In addition, the tax laws recognize that one can exclude such money from income when it is used for political expenses.

Also involved here is the use of the fruit of the poisonous tree; stolen documents while not used directly by the committee nevertheless have furnished the leads by which much of this information was obtained. We also have the question of due process which is involved not only in the fruit-of-the-poisonous tree issue, but also in objective subcommittee hearings where testimony was taken and the Senator from Connecticut was not present to confront or cross examine those who were testifying.

We also have something else that should be considered. This man has already been punished for anything he might have done, in my judgment.

We have the fact that there were over 400 affidavits available to the Senate from 400 witnesses. If I had been pleading that case and the committee did not care to stipulate what the 400 witnesses would have testified, I would have asked for 400 subpenas to bring those 400 witnesses in here.

I admit that my proposal is mild, but I am reluctant to vote for anything. It does seem to me that if something is to be voted, this is as far as the Senate ought to go; and on that basis I submit it.

Mr. DODD. Mr. President, I have a unanimous-consent request. I am well aware that my presence here if a vote is taken on this amendment may well embarrass my fellow Senators. I do not wish to do that. I think it might be well, if the Senate will agree to permit it, for me to refrain from voting on this amendment; and, secondly, if the Senate will permit me, to absent myself while the vote is taken.

The **PRESIDING OFFICER** (Mr. MONTOYA in the chair). Is there objection?

Mr. LONG of Louisiana. I object. Mr. President, I am willing to permit the Senator, if he wishes to do so, to withhold his vote. I am not willing to permit him to absent himself.

Mr. DODD. I have a reason. I think it is a good one, and I wish the Senator would not object.

Mr. LONG of Louisiana. I withdraw my objection.

Mr. DODD. I know all these gentlemen, and I do not wish to embarrass any of them.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

Mr. STENNIS. Mr. President, I shall be quite brief on this matter, but I have just a word to add, and I hope the Senator from Louisiana will stay here for a few minutes, anyway.

Much has been said about the term "due process of law" or the lack of it, particularly with reference to some preliminary investigative hearings by various subcommittees consisting of two members of our six-man committee. The witnesses were brought in, in executive session, without Senator DODD being present, and identified, their demeanor judged, their credibility judged, and various preliminary questions asked to see if the committee thought they knew enough to put on as witnesses, or were fit to put on as witnesses, and all such related matters.

That is all that was done along that line. I shall state the details of who they were in a few minutes. For those Senators who do not already know, this practice is considered to be in compliance with what is called the rule of responsibility or rule of caution by investigating committees. It is frequently followed on Capitol Hill, by both the House of Representatives and the Senate, and is done over and over.

In our committee, we adopted the practice very reluctantly, but there was so much said about the former staff members of Senator DODD that I told the chief counsel that I wanted to see them, look them over, talk to them, and see what they would say under oath.

So we brought those witnesses in—Senator BENNETT and I were the subcommittee on that matter—but let me doubly assure the Senate again, as perhaps some Senators did not hear me the first time, that none of the testimony taken under those circumstances was ever used in any way, or considered by the committee. Anything that we learned from them that was not brought out before Senator Dodd was ignored. As a matter of fact, they did not tell us anything in these hearings that was not readily brought out otherwise. Such witnesses included the four discharged employees, beginning with Mr. Boyd.

Another was this witness Bomstein, whom we summoned ourselves. He was supposed to be a special friend of Senator Dodd. The other was Mr. McNamara, to whom Senators have heard so many references today, also a special friend of Senator Dodd, and chairman of one of the fundraising dinners. Of course, those two witnesses both testified later at open hearings. The committee summoned them; they were not testifying for the committee as such, but they were connected with these fundraising events; and they testified in the open hearings, as did all the four discharged employees.

There were four other witnesses who were examined to some degree in the two-man committees: Miss Pinson, Mr. Gildea, Mr. Perkins, and Mr. Gutwellig.

Mr. Gutwellig was a publisher who we thought had some information others did not have, but, as it turned out, that was not the case.

Mr. Gildea was called with reference to loans, but he was an elderly gentleman and his memory was confused. He was never used any further.

Miss Pinson was called, but her information turned out to be very limited, not material, and was passed by. She was never called back, nor thought of again, so far as that is concerned.

There had been some talk about the possible transfer of some money that Mr. Perkins was supposed to have known about, but he did not know anything about it, so he was forgotten.

That is the whole record about all this alleged lack of due process of law with reference to the hearings.

The Senator made reference again a minute ago to the poisonous tree. I will again go over the alleged poisonous tree very briefly. The facts have just come out here today, Mr. President, about the letter Senator Dodd says he wrote to the then Vice President, Lyndon Johnson, thanking him for agreeing to come to the testimonial dinners in Connecticut in 1963. The Senator said he wrote that letter, and went on to comment on it, explaining it, this morning.

That letter was among the papers taken from the files of Senator Dodd, and we got those papers—we think all of them—and Senator Dodd requested us to let him have copies, which we did. That was satisfactory all the way around, and Senator Dodd was very much pleased with it.

But the committee ruled, in preparing this matter, that we were not going to base matters primarily upon those documents. As a consequence, I never heard of that letter—Mr. Fern, the chief counsel, had it, together with the other papers—until I saw it in the New York Times one morning while I was flying to Atlanta. No other member of the committee, I think, knew anything about it. That illustrates that our minds were not influenced by material of that kind. We just left it out.

As a part of that very picture, though, as this matter developed and we began going into the financial arrangements along the lines that have been presented here, I told Mr. Fern to go after those loans. We had asked if Senator Dodd and his attorney wanted to file any figures with us, and they did not, which was all right.

But I knew the loans and the finances were going to be a major part of this whole case. And when I said to go after them, I meant to go after the facts. In their hard work, these three staff members, in working on the matter and getting information wherever they could, did run across a memorandum or a ledger from which they got some names involved in some loans.

They developed all the evidence ab initio; they sought out the lenders and attempted to find out how much each loan was, when it originated, and when and how it was paid.

Every single one of those items, handled in that way, was agreed to in the stipulation as being correct. No objection was made.

So all of that testimony referred to in the five items in Senator Dodds brief is in the stipulated record.

Some were material, and some were not so important. But they were all agreed to in the stipulation. So, certainly no harm was done in that way.

I speak with great respect to our friend, the friend of all of us and my friend, the Senator from Louisiana, but I think, Members of the Senate, that to adopt the substitute resolution of the Senator from Louisiana would be a ridiculous thing for the Senate to do. We would be running away from the real issue.

The substitute does not say anything. It is just a lot of words. I do not mean in an immoral sense, but it is a lot of double talk. Yes and no, and no and yes.

I appreciate personally the words the Senator expressed concerning the membership of the committee. But officially that statement has no business in the substitute measure.

I think it would be ridiculous for the Senate to adopt a course of commending six of its Members because they had worked on some evidence, instead of meeting the issue head on.

The issue is: Tom Dodd is entitled to a verdict on (a) and (b). Yes or no.

If you want to vote down both of them in the high privilege and responsibility that you have as Senators occupying these seats, that is entirely all right with the committee. You do it that way, but do not come dragging in something like this substitute.

The substitute does not meet the issue for Senator Dodd. It does not meet the issue for a single one of the 100 Senators. It does not meet the issue for the countless millions of people who are interested in this matter.

I say with great respect and deference for the Senator from Louisiana that this matter cannot be seriously considered, much less agreed to by the Senate.

Every Senator here knows what the issue is. Every Senator knows what issue must be met. And every Senator knows that it must be met directly.

I do not say this in humor. I do not have much humor about me, maybe, but in section 4, Senator, why would you admonish Senator Dodd to avoid all conduct that might be construed wrongly? Why not so admonish all of us?

Why pick him out any more than anyone else if this thing is going to be settled here by a mere admonition for everybody to continue to observe a high state of ethics?

Why say that the committee ought to get together some rules when we announced here through the chairman on the 27th day of April at the time the report was filed:

> Speaking for the committee, the next order of business of the committee will be to make recommendations to the Senate after hearings concerning regulations for Senators and staff members, including the question of disclosure.

With all due deference to our friend, the Senator from Louisiana, it is a sheer mockery to be agreeing to a resolution directing the committee to do something that 2 months ago it unanimously reported here that it was going to try to do.

It would brand the entire substitute measure, with great deference to the Senator, as not going to the issue or to any issue.

It is, therefore, entitled, in my humble opinion, to be rejected.

It is not a trial vote. It is no indication of what our lady Senator and the men Senators think the issue is.

I have been here for 7 days looking into the faces of the membership of the Senate. And if I know anything about character and countenance and concern and responsibility, I have read in the faces of every one of you Senators that you consider this to be a grave and serious matter.

No matter how you may vote, I know you will continue to consider it of the utmost importance and gravity for Senator Dodd, for us, and for the country, and that you will dispose of it accordingly—either yes or no—no substitute.

Mr. President, I yield the floor.

Mr. BENNETT. Mr. President, I fear that what I may say will be very anticlimatic to what the chairman has said. However, I cannot resist the temptation to read the language of this resolution and let you see what I get out of it

In order to do that, I will start with the second section and then read the third section.

The second section states:

> The Select Committee on Standards and Conduct is highly commended for its diligent efforts . . .

It seems to me that is saying:

> Little man, you have had a busy day. We are glad to see that you have worked so hard. Of course, we are going to reject your findings because, after all, all you have been on is a detour. We told you to write a set of standards and conduct, and you have been out in left field investigating Senator Thomas J. Dodd of Connecticut when you should have been working on the other busi-

> ness. So, of course, we reject your findings because they have no point.

Section 3 says in part:

> In order further to promote high standards of ethics for Members of the United States Senate, the Select Committee on Standards and Conduct is urged to prepare a code of ethics—

You instructed us to do that when you appointed us. We promised that we would do it. As the chairman says, we will get back on the job and get it done, if we can.

Section 3 further states:

> and to submit such Code to the Senate for its approval prior to the end of the First Session of the 90th Congress.

You have our pledge on that.

This, it seems to me, says: "Get back to your business. Don't bother the Senator from Connecticut. Get back to writing a code of ethics."

Now, looking at the rest of the resolution, beginning with section 1, it reads, in part:

> That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, has engaged in a course of conduct over a period of 5 years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator to obtain, and use for his personal benefit, funds from the public—

That has been admitted.

It reads further—

> through testimonial functions and campaign fund-raising events—

There is no suggestion here that this is wrong. It is evident that he has done it. So, the Senate will resolve that he did these things.

It then reads—

> in order to retire indebtedness which had its beginning when Senator Thomas J. Dodd sought election to the United States Senate in 1956 and 1958.

If you accept that, you believe that all he was doing was retiring indebtedness and that none of these funds were spent for current personal living expenses or for any other current thing.

It does not say whether it is right or wrong, but it does tie the Senate down to the assumption that all of this money was raised to retire indebtedness, and that it is right to obtain funds from the public through campaign fundraising events for personal benefit.

That is not the way the words are placed in order, but that is the effect of it.

It then states, and this I think is the climax:

> Pending the adoption of a code of ethics of the Senate of the United States, the Senator from Connecticut, Thomas J. Dodd, is admonished to avoid any and all conduct—

That presumably includes the kind of conduct he has been carrying on for 5 years—

> which might be construed in any way as being in derogation of the high standards of ethics by which a Member of the Senate of the United States should be governed.

Now, you accuse us of proceeding without a code of ethics, but you admonish Senator Dodd: "Now, there still isn't a code of ethics, and until you get one, be careful that you don't do anything that might get the Senate into trouble."

What it does not say is, "After the code is adopted, you are free to do anything you darn please; but just be careful until the code is adopted."

In other words, "You are on probation until the code is adopted, and then you are free to go back and do anything you please."

I cannot believe that the Members of the Senate would adopt this language as a substitute for the work the committee spent 14 to 18 months doing and the very carefully prepared language which expressed its findings and its recommendations.

I think the Senate would be the laughing stock of the people of the United States if it adopted this kind of resolution. I hope that the Senate will vote quickly, clearing the way, and let us get back to the problem we really face.

Mr. LONG of Louisiana. Mr. President, it is the intent of this resolution to say that we believe the code of ethics likely to emerge from this committee will preclude in the future what has happened in this case, and on that basis we admonish Senator Dodd, which means: "We find fault with you. We warn you that you should be most circumspect in your conduct, particularly in this regard, until you see what this code of ethics says. So conduct yourself accordingly."

This amendment proposes that we should move perspectively, at the same time finding fault—and one can find fault in a number of respects. Was it because the man did not have a good bookkeeper? Was he careless in the way he conducted his business? Did he deliberately do something wrong? You can decide for yourself. We are finding fault. We are saying here that we believe the code of conduct that will emerge from this is very likely to preclude some of the things that have been discussed here. This proposal seeks further to express our high regard for the committee members as being men of the highest honor in this body.

Mr. President, I have sought every step of the way to express my complete admiration for the devotion, the sincerity, and the high conduct of the members of the committee, and I believe they deserve that, since it has been suggested that the committee is on trial. The committee is not on trial.

I wish the approach here had been the same as the approach of former Senator Watkins of Utah, who was the acting chairman of the committee that recommended censure of the late Senator Joseph McCarthy.

When he addressed the Senate, he said, in effect: "Here is how it would look to me, based on the investigation that has been conducted. If it does not look this way to you, then vote according to your own conscience and your own conviction. I am not asking you to vote censure merely to uphold the honor of my committee."

And I think that is the basis upon which the majority of the committee would probably like it—I certainly hope so: That one would not feel that we voted censure on a man simply because we admire the committee, any more than one would want to feel the jury voted a man guilty simply because it had a high regard for the district attorney or for the presiding judge.

Mr. President, I have heard it said in this Chamber that censure is a mild remedy, inasmuch as a man may continue to serve in the Senate and retain all the rights of a Senator. I do not agree with that.

As far as I am concerned, censure is a terrible thing to inflict upon a man who has performed with honor for an entire lifetime, and who has been willing to make any sacrifice on earth to be a Member of this body, on the basis of wrongdoings which were not intentional, because perhaps of a fault of others, because his documents were stolen, because he was lied about, or because of any series of circumstances.

Blame him or find some fault with him, if you wish. But censure is a very sad thing to do to a man who has been the soul of honor all his life, who has sought to set an example for his children and grandchildren, who has wanted to serve in this body so that he would be known even by his great-grandchildren as one who served his country with honor.

I believe it is too harsh a punishment. For that reason, I would hope that those who differ with me, if they think of something that carries out the spirit of what I seek to do, but perhaps needs some change in the letter, will let me have their thoughts. For I believe this would be a much better answer to the charge that has been made.

If the Senator did commit what is charged in the second censure resolution—if he deliberately cheated, stole, or defrauded—then he violated the law. It is something that everybody agrees is wrong.

I ask Senators to think for one moment. We are not all perfect. I am not. I have not had the same problem that Senator Thomas J. Dodd has had. But I suppose that if I ever reach the Pearly Gates, it will have to be based on the parable in the Bible about Pharisee and the publican. It will have to be based on the old story of the man who went up to the temple and said, in effect, "Lord, I am proud I am so perfect. I do everything right. I say my prayers. I go to church when I should go. I go through all the motions. I am glad I am not as other men or such as that publican over there."

The other man, the publican, said, in effect, "Lord, I know you probably cannot forgive me, because you know me for what I am. But I beg your forgiveness. I do hope that you will understand why I am what I am."

The Bible says that the Lord seemed to think better of the publican. Since I am one of those who is not without sin, I can understand what the Bible means when it says, "Let him who is without sin cast the first stone."

Mr. President, this man has done no grievous wrong, no intentional wrong, certainly nothing to the extent of what he is being charged with.

For that reason, I hope the resolution will be agreed to.

Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. Bayh] and the Senator from Georgia [Mr. Russell] are necessarily absent. I also announce that the Senator from Hawaii [Mr. Inouye] and the Senator from North Carolina [Mr. Jordan] are absent because of illness.

I further announce that the Senator from Rhode Island [Mr. Pastore] is absent because of the death of his mother.

I further announce, that the Senator from Connecticut [Mr. Dodd] was excused from voting and permitted to absent himself from the Chamber by leave of the Senate.

I further announce that, if present and voting, the Senator from Rhode Island [Mr. Pastore] would vote "nay."

The result was announced—yeas 2, nays 92, as follows:

[No. 155 Leg.]

YEAS—2

Long, La.
Ribicoff

NAYS—92

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—6

Bayh
Dodd
Inouye
Jordan, N.C.
Pastore
Russell

So the amendment of Mr. Long of Louisiana was rejected.

Mr. MANSFIELD. Mr. President——

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, if the leadership may have the attention of the Senate, would the distinguished Senator from Louisiana be prepared to state to the Senate the request which he made of the joint leadership?

Mr. LONG of Louisiana. Yes. Let me say to the distinguished majority leader that I have been advised that Senator Dodd has asked that we go over until tomorrow, before we finally dispose of this matter. It is on his behalf that I make that request. I would hope that the leadership would see fit to recess until whatever time he wants tomorrow.

Mr. MANSFIELD. Mr. President, of course we will agree to the request of the distinguished Senator from Connecticut.

ORDER FOR RECESS UNTIL 12 O'CLOCK NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent at this time that when the Senate completes its business this afternoon—and let me urge the entire Senate to stay, because the distinguished chairman of the committee, the Senator from Mississippi [Mr. Stennis], has some remarks to make—it stand in recess until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? Hearing none, it is so ordered.

Mr. FULBRIGHT. Mr. President, reserving the right to object——

Mr. STENNIS. Mr. President——

Mr. FULBRIGHT. May I ask, Is that not subject to unanimous consent?

Mr. MANSFIELD. I asked unanimous consent.

Mr. FULBRIGHT. I mean on voting.

Mr. MANSFIELD. Oh, no, there is no agreement as to how or when we will vote.

Mr. FULBRIGHT. Is there an understanding about voting tomorrow?

Mr. MANSFIELD. None at all, but in view of the request of the Senator from Connecticut, the leadership feels that the only courteous thing to do is to accede.

I would hope, if I may get away from this subject matter for a moment, in line with the meeting held with the chairman of committees today, that tomorrow morning would be used to the best possible advantage by committees in considering legislation which may have been delayed.

I thank the Senator for his attention.

Mr. STENNIS. Mr. President, if the Senator will yield to me, I will take only 2 minutes to refer to the remarks that have been made here about the committee having certain affidavits in its file. Members of the committee had to follow up a great deal of information on these loans and many other financial matters that we had to look into. From the beginning a number of affidavits were taken from people, some in Connecticut and elsewhere. Many of the affidavits related to authenticating documents and background information and were never used as evidence. I do not know anything about those affidavits unless they were referred to in briefings that were made to me as to the nature of the hearings coming up. From all of those affidavits, only eight were from people saying that the contributions to the testimonials were intended as personal gifts. These statements of intent were really incidental to the other information being sought and contained in the affidavits. Of those eight affidavits who made some statement regarding intent, four of them were called in to testify at open hearings. They were friends of Senator Dodd. The committee called them as witnesses.

That is all there is about the affidavits with respect to the purposes of the dinner and the use of the money.

I thank the Senator for yielding to me in order to make the statement and to be fair about it.

The PRESIDING OFFICER. Does the Senator from Montana relinquish the floor?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, now that the Senate has concluded its consideration of Senate Resolution 112 for the day, I ask unanimous consent that there be a brief period for the transaction of routine business, under the usual limitation.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Projects To Be Undertaken for the Army Reserve

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on projects to be undertaken for the Army Reserve, at Petaluma, Calif., Lexington, Ky., Louisville, Ky., Pontiac, Mich., Zanesville, Ohio, and Clinton, Okla.; to the Committee on Armed Services.

Report on Projects To Be Undertaken for Army National Guard

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, on projects to be undertaken for the Army National Guard, at Juncos, Puerto Rico, and Arcadia, Fla.; to the Committee on Armed Services.

Report of Foreign Claims Settlement Commission

A letter from the Chairman, Foreign Claims Settlement Commission of the United States, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the 6-month period ended December 31, 1965 (with an accompanying report); to the Committee on Foreign Relations.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for compliance with the Truth-in-Negotiations Act of 1962 in award of construction contracts, Department of Defense, dated June 1967 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint memorial of the Legislature of the State of Oregon; to the Committee on Interior and Insular Affairs:

"HOUSE JOINT MEMORIAL 1

"(Sponsored by Representative Robert Smith, Senator Cook, Representatives Bedingfield, Ouderkirk, Wilson, Senators Fadeley, Hallock.)

"To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

"We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas the economy of this state is heavily dependent upon timber harvests, and employment in the forest industry represents not less than half of all employment in manufacturing in this state; and

"Whereas this state is the leading timber producer in the United States, and a robust forest industry in this state contributes greatly to the economic well-being of the entire nation; and

"Whereas a majority of the timber reserves in this state stand upon lands now under the jurisdiction of the National Forest Service and the Bureau of Land Management; and

"Whereas the Oregon Legislative Interim Committee on Public Lands has reported to us that in the course of its studies of policies regarding the harvest of timber on federal lands, reliable specialists stated that the natural mortality rate of old timber on such lands is approximately equal to the rate of harvest allowed on such lands; and

"Whereas the interim committee has concluded that an accelerated program of harvesting old-growth timber not only will reduce loss through natural mortality but also will encourage the developing of reserves of vigorous, youthful timber; and

"Whereas reputable scholars have asserted that the even-flow concept governing timber harvesting practices may in some instances impound vast capital resources; now, therefore,

"Be It Resolved by the Legislative Assembly of the State of Oregon:

"(1) The Congress of the United States is memorialized to cause a study to be made of practices and policies of federal agencies regulating the allowable harvest of timber on federal lands administered by such agencies. It is urged that this study be conducted on a priority basis, in view of the urgency and gravity of the question, and that it consider especially whether the concepts employed in deriving timber-harvest allowances are best suited under contemporary circumstances to produce the highest ultimate sustained yield of timber products, while benefiting to the greatest extent practicable those localities economically dependent upon the forest industry.

"(2) The clerk shall cause copies of this memorial to be sent to the presiding officer of the Senate and of the House of Representatives of the United States and to each member of the Oregon Congressional Delegation.

"Adopted by House February 3, 1967

"——— ———,
"Chief Clerk of House.
"F. F. MONTGOMERY,
"Speaker of House.

"Adopted by the Senate April 6, 1967

"E. D. 'DOBBS' POTTS,
"President of Senate."

A joint memorial of the Legislature of the State of Oregon; to the Committee on Public Works:

"HOUSE JOINT MEMORIAL 5

"(Sponsored by Representatives Bennett, Bradley.)

"To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

"We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas the Columbia and Williamette Rivers are the major waterways in the Northwest open to seagoing commerce; and

"Whereas there is a complex of facilities now under construction, known as the Rivergate Project, and possibly others, that will greatly increase demands made upon these rivers as avenues for marine transportation; and

"Whereas seagoing vessels are being built much larger, with consequently greater demand for deeper and wider channels; and

"Whereas the present channel depth of the Columbia and Williamette Rivers does not accommodate these largest vessels of today; now, therefore,

"Be It Resolved by the Legislative Assembly of the State of Oregon:

"(1) The Congress of the United States is memorialized expeditiously to provide for the deepening and widening of the ship channels in the Columbia and Williamette Rivers to such extent as will accommodate larger vessels, so that the economy of the nation may be benefited and the prosperity of the Northwest and its ports be continued and promoted.

"(2) The Chief Clerk of the House of Representatives shall cause a copy of this memorial to be sent to the President of the United States, to the presiding officer of each house of Congress and to each member of the Oregon Congressional Delegation.

"Adopted by House March 21, 1967

"——— ———,
"Chief Clerk of House.

"F. F. MONTGOMERY,
"Speaker of House.

"Adopted by Senate May 9, 1967

"E. D. 'DOBBS' POTTS,
"President of Senate."

A joint resolution of the Legislature of the State of Illinois; to the Committee on Appropriations:

"SENATE JOINT RESOLUTION 67

"(Offered by Senators Collins, Ozinga, Arrington, Peterson, Coulson, McGloon and Dixon.)

"Whereas, The tornado is the most violent of all storms; and

"Whereas, In the most recent such storm disaster involving the northeastern section of the State of Illinois, the tornado dipped its death dealing spout over the communities of Belvidere and Oak Lawn killing fifty-nine and causing property damage which mounted in the hundreds of millions of dollars; and

"Whereas, since the Federal government is spending billions of dollars on national defense, space research and development, and a multitude of various welfare programs, it is appalling that so little of the taxpayer's dollar is spent on research and development in the area of weather forecasting; and

"Whereas, The Federal government has pre-empted the area of weather forecasting, and it has failed in discharging its responsibility; and

"Whereas, A relatively small amount is spent for research and development in this vitally important area; and

"Whereas, there was no warning given to the residents of Belvidere and Oak Lawn of the imminent disaster; and

"Whereas, Now after dozens of tornadoes have inflicted grievous loss and destruction on life and property, and thus far we have not found a way to control weather, there is an obvious need for the Federal government to push more vigorously in the research and development of weather forecasting so as to facilitate effective warning systems that will protect the people from disaster; therefore, be it

"Resolved, By the Senate of the Seventy-Fifth General Assembly of the State of Illinois, the House of Representatives concurring herein, that we respectfully petition the Congress of the United States to expand its efforts in research and development of weather forecasting by substantially increasing the appropriation to the Environmental Science Service Administration, which has charge of the U.S. Weather Bureau so as to discharge fully its fiscal responsibility for the safety and well being of the people; be it further

"Resolved, That a copy of this Resolution be immediately transmitted by the Secretary of State of Illinois to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this State.

"Adopted by the Senate, May 15, 1967.

"SAMUEL H. SHAPIRO,
"President of the Senate.
"EDWARD E. FERNANDES,
"Secretary of the Senate.

"Concurred in by the House of Representatives, May 26, 1967.

"——— ———,
"Speaker of House of Representatives.
"FREDERICK B. SELCKI,
"Clerk of House of Representatives."

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

Two hundred and seventy postmaster nominations.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

My Mr. MAGNUSON:

S. 1977. A bill to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission authority to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which cause harmful interference to radio reception; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HATFIELD (for himself and Mr. YOUNG of North Dakota):

S. 1978. A bill to authorize the Secretary of Agriculture to cooperate with the States in providing for the prevention and suppression of structural and wild fires in rural areas; to the Committee on Agriculture and Forestry.

By Mr. SMATHERS:

S. 1979. A bill for the relief of Carlos Fernandez; to the Committee on the Judiciary.

By Mr. HART:

S. 1980. A bill for the relief of Mrs. Fernande M. Allen; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 1981. A bill to provide judicial reforms for courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

S. 1982. A bill to amend sections 332 and 333 of title 28, United States Code, relating to the Judicial Council and the Judicial Conference of the District of Columbia Circuit; to the Committee on the Judiciary.

(See the remarks of Mr. TYDINGS when he introduced the above bills, which appear under a separate heading.)

By Mr. HARTKE:

S. 1983. A bill to eliminate the requirement that the Federal Reserve banks maintain certain reserves in gold certificates against Federal Reserve notes; to the Committee on Finance and, when reported by that committee, to be referred to the Committee on Banking and Currency.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

REGULATIONS FOR DEVICES WHICH CAUSE HARMFUL INTERFERENCE TO RADIO RECEPTION

Mr. MAGNUSON. Mr. President, I am introducing today a bill that would amend the Communications Act of 1934 by adding a new section that would give the Federal Communications Commission authority to prescribe regulations for the manufacture, sale, or use of devices which cause harmful interference to radio communications or are capable of causing harmful interference to radio reception.

This bill is similar to S. 1015 of the 89th Congress. Hearings were held on this legislation, considered by the Senate Commerce Committee, reported favorably and passed by the Senate on June 2, 1966. Unfortunately, because of the lateness of the session, action was not completed in the House of Representatives.

This legislation is necessary in order to improve the quality and efficiency of communications services in the industrial radio band and most importantly to eliminate serious threat to safe air regulation and control.

I am hopeful that the committee will take early action on this legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1977) to amend the Communications Act of 1934, as amended, to give the Federal Communications Commission authority to prescribe regulations for the manufacture, import, sale, shipment, or use of devices which cause harmful interference to radio reception, introduced by Mr. MAGNUSON, was received, read twice by its title, and referred to the Committee on Commerce.

IMPROVED JUDICIAL MACHINERY FOR THE COURTS OF THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, on March 15, 1966, the Judicial Council of the District of Columbia Circuit appointed a Committee on the Administration of Justice to make recommendations designed to enhance the quality of the legal process in this jurisdiction. In the course of its study, the committee, composed of outstanding members of the legal community, was particularly troubled by the mounting backlog both in civil and criminal cases, the lack of adequate supporting services for the courts and the urgent need to develop improved procedures for the day-to-day administration of court business. Drawing upon the knowledge of judges, court personnel, the bar, experience in other jurisdictions, and the practical experience of its members, the committee reached and now has issued its initial recommendations. These initial proposals have been endorsed by the Judicial Council, and they were presented to the public recently with a request for immediate action.

Some of the recommendations can be implemented by the courts on their own initiative. Others would require congressional action. With that in mind, I am introducing today two companion bills embodying those recommendations of the committee that would require changes in the District of Columbia Code.

No doubt hearings will cast light on the details of the proposals, but I am convinced that the recommendations contained in the bills are eminently worthy of our dedicated attention. Let me outline some of the major features.

The bills respond to the needs of the courts both in terms of facilities and personnel. They would direct the Commissioners of the District of Columbia to undertake a preliminary study to plan a new courthouse for the District of Columbia court of general sessions, the District of Columbia court of appeals and the juvenile court. Moreover, they propose five new judges for the court of general sessions and would furnish a law clerk for each judge of that court. They would also authorize the court to appoint a coordinator for matters arising under the Criminal Justice Act of 1964. The bills implement the recommendation, as well, that the salaries of general sessions judges be increased so as to bring them into line with salaries in comparable municipal jurisdictions.

In a similar vein, this legislation would expand the number of judges on the District of Columbia Court of Appeals and raise the salaries of its members. And it would enable that court to dispose of more cases by authorizing it to sit in panels of three.

With respect to the juvenile court, the legislation would require that tribunal to prepare and to periodically revise a manual explaining court policies and procedures. The child's right to retained or appointed counsel at every stage of the proceedings against him, and counsel's right of access to the social records relevant to the case, are also established. Moreover, under this legislation, no child may be detained beyond the next court day without an appropriate hearing, and provision is made to house neglected children separately from children charged or adjudicated as delinquents. Amendments to the District of Columbia Code are also included that would transfer jurisdiction over adult nonsupport and paternity cases from the juvenile court to the domestic relations branch of the court of general sessions.

The bills contain other provisions that command our close scrutiny. I mention only the major provisions, since in my view they are sufficient to sound the call for congressional action now.

One of the most significant of the committee's recommendations is its proposal that a management study of this community's courts be conducted. In the long run, such a scientific analysis of the administrative needs of the courts will enable us to arrive at more refined estimates of what congressional action is called for. I cannot endorse more vigorously the suggestion for a management study of the courts. But that should not lead us to ignore the role that Congress can play in meeting the pressing needs of the courts in this locality now. These areas of need ought not to remain unheeded until the results of a long-range management survey can be obtained. Moreover, these initial recommendations are consistent with the scope and purposes of such a study.

It is my hope that hearings on the committee's proposals can begin without delay. Some of the most distinguished citizens of the District of Columbia have called for our immediate help in evaluating and implementing some concrete recommendations, and we should respond promptly to that plea.

I therefore introduce the bills for appropriate reference, and ask unanimous consent that they be printed at this point in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD.

The bills, introduced by Mr. TYDINGS, were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

S. 1981. A bill to provide judicial reforms for courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

SECTION 1. Section 11–902(a) of the District of Columbia Code is amended by striking out "twenty" and inserting in lieu thereof "twenty-five".

(b) Section 11–902(d) is amended by striking out "$24,000" and inserting in lieu thereof "$28,000", and by striking out "$23,500" and inserting in lieu thereof "$27,500".

(c) Section 15–714(a) of the District of Columbia Code is amended to read as follows:

"(a) The fees and travel allowances to be paid any witness attending in a criminal case in the District of Columbia court of general sessions shall be the same as those paid to witnesses who attend before the United States District Court for the District of Columbia.".

(d) Section 11–908 of the District of Columbia Code is amended to read as follows:

"§ 11–908. Clerks for judges—Compensation.

"(a) Each judge of the District of Columbia Court of General Sessions may appoint and remove a personal law clerk and shall fix his compensation in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates.

"(b) The chief judge of the District of Columbia Court of General Sessions shall have the authority to assign each personal law clerk to a judge, other than the appointing judge, whenever such assignment is necessary to expedite the business of the court.

"(e) Subchapter II of chapter 9 of title 11 of the District of Columbia Code is amended—

"(1) by adding at the end thereof the following new section:

"§ 11-936. Administration of the Criminal Justice Act of 1964

"(a) The District of Columbia Court of General Sessions may appoint and remove a coordinator to assist the court in matters arising under the Criminal Justice Act of 1964 (18 U.S.C. 3006A). The court shall fix the compensation of the coordinator in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates.

"(b) Subject to the approval of the chief judge, the coordinator may appoint and remove a deputy coordinator and such other personnel as he deems necessary. The chief judge shall fix the compensation of such personnel in accordance with provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates."

(2) by adding at the end of the analysis of such subchapter the following new item:

"§11-936. Administration of the Criminal Justice Act of 1964."

PATERNITY PROCEEDINGS; DUTIES OF CORPORATION COUNSEL

SEC. 2. (a) Section 11-1141(a) of the District of Columbia Code is amended (1) by inserting immediately before the semicolon in clause (3) a comma and the following: "including illegitimate children"; (2) by inserting immediately before the semicolon in clause (5) a comma and the following: "including illegitimate children"; (3) by striking out "and" immediately following the semicolon in clause (10); (4) by striking out the period at the end of clause (11) and inserting in lieu thereof a semicolon and the word "and"; and (5) by adding at the end thereof the following new clause:

"(12) civil actions to determine paternity of any child alleged to have been born out of wedlock and to provide for his support."

(b) Section 11-1141 of the District of Columbia Code is amended by adding at the end thereof the following new subsections:

"(c) The Corporation Counsel of the District of Columbia (or any of his assistants) is authorized to bring in the Domestic Relations Branch of the District of Columbia Court of General Sessions a civil action on behalf of any wife in necessitous circumstances or any child to enforce support of such wife or child under this section.

"(d) Proceedings under clause (12) of subsection (a) of this section to establish paternity and provide for the support of a child born out of wedlock may be instituted after four months of pregnancy or within two years after the birth of the child, or within one year after the putative father has ceased making contributions for the support of the child. The time during which the respondent is absent from the jurisdiction shall be excluded from the computation of the time within which complaint may be filed."

(c) Section 11-1589 of the District of Columbia Code is amended by deleting the following: "moneys collected for fines and support of legitimate and illegitimate family members,".

(d) Section 16-2314(a) of the District of Columbia Code is amended by deleting the following: "11-1555 or 11-1556,".

(e) Section 11-1583(a) of the District of Columbia Code is amended to read as follows:

"(a) The Corporation Counsel of the District of Columbia or any of his assistants shall:

"(1) assist the Juvenile Court in hearings arising under section 11-1551; and

"(2) prosecute cases arising under section 11-1554 and the sections specified by section 11-1557, in which a person 18 years of age or over is charged with an offense."

(f) Section 16-2316 of the District of Columbia Code is amended by deleting "and (a)(3)" and inserting in lieu thereof "and (a)(2)".

(g) The following provisions of law are hereby repealed;

(1) section 11-1555 of the District of Columbia Code;

(2) section 11-1586(e) of the District of Columbia Code;

(3) sections 16-2341 through 16-2356 of the District of Columbia Code; and

(4) section 16-2381 of the District of Columbia Code.

(h) Subchapter IV of chapter 11 of title 11 of the District of Columbia Code is amended—

(1) by adding at the end thereof the following new section:

"§ 11-1162. Confidentiality of Paternity Proceeding Records.

"Except on order of the court, the records or proceedings in a case arising under section 11-1141 (a) (12) may not be open to inspection by anyone other than the defendant or counsel of record. The court, upon proper showing, may authorize the clerk to furnish certified copies of the records or portions thereof to the defendant, the mother, or custodian of the child, a party in interest, or their duly authorized attorneys. The clerk may furnish certified copies of the records or portions thereof, upon request, to the United States Attorney for the District of Columbia for use as evidence in nonsupport proceedings as provided by the first section of the Act of March 23, 1906 (34 Stat. 86), as amended (D.C. Code, sec. 22-903), and section 11-523."

(2) by adding at the end of the analysis of such subchapter the following new item:

"11-1162. Confidentiality of Paternity Proceeding Records."

NONSUPPORT OF WIFE OR MINOR CHILD

SEC. 3. (a) The first section of the Act of March 23, 1906 (34 Stat. 86), as amended (D.C. Code, sec. 22-903), is amended to read as follows:

"That (a) any person in the District of Columbia who shall without just cause, desert or willfully neglect or refuse to provide for the support and maintenance of his wife in destitute or necessitous circumstances, or any person who shall without just excuse, desert or willfully neglect or refuse to provide for the support and maintenance of his or her minor child (including an illegitimate child when paternity has been established judicially or when paternity has been directly acknowledged by the putative father under oath, or indirectly acknowledged by voluntarily making contributions to the support of the child) under the age of sixteen years in destitute or necessitous circumstances, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than $500 or by imprisonment in the workhouse of the District of Columbia for not more than twelve months, or by both such fine and imprisonment. Any fine so imposed may be directed by the court to be paid (in whole or in part), in the case of a person who neglects or refuses to provide support and maintenance of his wife, to the wife, and in the case of a person who neglects or refuses to provide for the support and maintenance of his or her minor child, to the other parent or to the guardian or custodian of the minor child; except that before the trial, with the consent of the defendant, or after conviction, instead of imposing the punishment hereinbefore provided, or in addition thereto, the court, in its discretion, having regard to the circumstances and to the financial ability or earning capacity of the defendant, shall have the power to make an order, which shall be subject to change by it from time to time as circumstances may require, directing the defendant, in a case involving his failure to so support and maintain his wife, to pay a certain sum weekly for the space of one year to the wife, or in a case involving the failure of a defendant to provide such support and maintenance to his or her minor child, to pay a certain sum weekly for the space of one year to the other parent or to the guardian or custodian of the minor child. Upon the issuance of such an order, the court is authorized to release the defendant from custody on probation for the period of one year upon such defendant entering into a recognizance, with or without sureties, in such sum as the court may direct. The condition of the recognizance shall be such that if the defendant shall make his or her personal appearance in court whenever ordered to do so within the year, and shall further comply with the terms of the order and of any subsequent modification thereof, when the recognizance shall be void, otherwise of full force and effect.

"(b) If the court be satisfied by information and due proof, under oath, that at any time during the year the defendant has violated the terms of such order, it may forthwith proceed with the trial of the defendant under the original charge, or sentence the defendant under the original conviction, or enforce the original sentence, as the case may be. In case of forfeiture of a recognizance and enforcement thereof by execution, the sum recovered may, in the discretion of the court, be paid (in whole or in part), in a case involving the nonsupport of a wife, to the wife, and in a case involving the nonsupport of a minor child, to the other parent or to the guardian or custodian of such child. The United States District Court for the District of Columbia is hereby given original and exclusive jurisdiction of all cases arising under this Act."

(b) Section 3 of such Act is amended to read as follows:

"SEC. 3. (a) It shall be the duty of the superintendent in charge of the workhouse of the District of Columbia in which any person is confined on account of a sentence under this Act to pay, out of any funds available, in any case involving the nonsupport of a wife, over to the wife, or in any case involving the nonsupport of a minor child, over to the other parent or to the guardian or custodian of such child, for the support of any such wife or child, a sum equal to 50 cents for each day of the sentence served by such person so confined.

"(b) Notwithstanding any other provision of this Act, any payments ordered to be made under this Act may be made to an organization or individual approved by the court as trustee."

(c) Section 16-2314(b) of the District of Columbia Code is amended by inserting immediately after "section 11-1551" a comma and the following: "other than clause (E), (F), or (G) of subsection (a)(1) thereof."

(d) Section 11-523 of the District of Columbia Code is amended by deleting the following: ", concurrently with the Juvenile Court of the District of Columbia,".

(e) Sections 11-1556 and 16-2308(b) of the District of Columbia Code are hereby repealed.

(f) The proviso contained in the Act of May 18, 1910 (36 Stat. 374, 403; D. C. Code, sec. 22-906), under the heading "COURTS" and the sub-heading "JUVENILE COURT", is hereby repealed.

DISTRICT OF COLUMBIA COURT OF APPEALS

SEC. 4. (a) Section 11–702(a) of the District of Columbia Code is amended by striking out "two" and inserting in lieu thereof "five".

(b) Section 11–702(d) of the District of Columbia Code is amended by striking out "$25,000" and inserting in lieu thereof "$29,000", and by striking out "$24,500" and inserting in lieu thereof "$28,500".

(c) Subchapter I of chapter 7 of title II of the District of Columbia Code is amended—

(1) by adding between section 11–702 and section 11–703 the following new section:

"§ 11–702a. Assignment of judges-divisions-hearings-quorum.

"(a) Judges of the court shall sit on the court and its divisions in such order and at such times as the court directs.

"(b)(1) Cases and controversies shall be heard and determined by divisions of the court unless a hearing or rehearing before the court in banc is ordered. Each division of the court shall consist of three judges.

"(2) A hearing before the court in banc may be ordered by a majority of the judges of the court in regular active service. The court in banc for a hearing shall consist of the judges of the court in regular active service.

"(3) A rehearing before the court in banc may be ordered by a majority of the judges of the court in regular active service. The court in banc for a rehearing shall consist of the judges of the court in regular active service, except that a retired judge may sit as a judge of the court in banc in the rehearing of a case or controversy if he sat on the court or a division of the court at the original hearing thereof.

"(4) Two judges shall constitute a quorum of a division of the court, and four judges shall constitute a quorum of the court sitting in banc."

(2) by inserting between section 11–702 and section 11–703 of the analysis of such subchapter the following new item:

"11–702a. Assignment of judges—divisions—hearings—quorum."

(3) by striking out subsection (c) of section 11–703.

(4) by amending section 11–703 of the analysis of such subchapter to read as follows:

"11–703. Absence, disability, or disqualification of judges—Vacancies."

(d) Section 17–301(b) of the District of Columbia Code is amended—

(1) by striking from the first sentence "the chief judge and the associate judges" and inserting in lieu thereof "three judges".

(2) by striking from the fourth sentence "all the judges are of the opinion that an" and inserting in lieu thereof "the three judges are of the opinion that the".

SERVICE OF RETIRED JUDGES

SEC. 5. Section 11–1701(a)(3) of the District of Columbia Code is amended to read as follows:

"(3) If a judge retires prior to the expiration of his term and receives retirement salary under the provisions of this subsection or under the provisions of this section as it existed immediately prior to its amendment by the District of Columbia Judges Retirement Act of 1964, he may perform such judicial duties as may be requested by the chief judge of the District of Columbia Court of General Sessions, or the chief judge of the District of Columbia Court of Appeals, or the chief judge of the Juvenile Court of the District of Columbia, in any of such courts. The said retired judge may be requested to perform judicial duties only through the day that his appointment would have expired had he not retired prior to the end of his term. Any such judge so receiving such retirement salary shall be entitled, for any period for which he performs full-time judicial duties under this paragraph, to receive the salary of the office in which he performs such duties, but there shall be deducted from such salary an amount equal to his retirement salary for such period. No deduction shall be withheld for health benefits, Federal employee's life insurance, or retirement purposes from any salary paid to any such judge while performing full-time judicial duties under this paragraph. The performance of such duties shall not operate to create an additional retirement, change a retirement, or create an annuity for or in any manner affect the annuity of any survivor."

SEPARATION OF DEPENDENT AND DELINQUENT CHILDREN

SEC. 6. (a) The Act of July 26, 1892 (27 Stat. 269), as amended (D. C. Code, sec. 3–117) is amended by inserting immediately before the semicolon in clause (1) a comma and the following: "except that no such child may be placed in an institution primarily for the care and treatment of minors committed under section 11–1551(a)(1)(A)".

(b) The first sentence of section 16–2302 of the District of Columbia Code is amended by inserting immediately after "person" a comma and the following: "including an agency to which a child has been committed,".

(c) The second sentence of section 16–2306 of the District of Columbia Code is amended to read as follows: "If not so released, the child shall be placed in the custody of a probation officer or other person designated by the court, or taken immediately to the court or to a place of detention or shelter specified by the court, and the officer taking him shall notify the court and shall file a petition when directed to do so by the court."

(d) Section 16–2308 (a) (2) of the District of Columbia Code is amended by inserting immediately after "public;" the following: "except that no child committed under clauses (B), (C), (D), (H), or (I) of section 11–1551 (a) (1) shall be placed in an institution primarily for the treatment of minors committed under clause (A) of such section without specific court approval, and no child committed under clause (E), (F), or (G) of such section shall be placed in an institution primarily for the care or treatment of minors committed under clause (A) of such section unless the court has formally adjudicated such child a delinquent under clause (A) of such section;".

(e) Section 16–2309 of the District of Columbia Code is amended—

(1) by inserting "(a)" at the beginning of the first paragraph thereof;

(2) by inserting "(b)" at the beginning of the second paragraph thereof; and

(3) by inserting at the end thereof the following new subsection:

"(c) Any agency or institution to which a child has been committed under clauses (B) through (I) of section 11–1551 (a)(1) may petition the court for transfer of that child to an institution primarily for the treatment of minors committed under clause (A) of such section, by filing a petition alleging that his or her presence is seriously detrimental to the welfare of the applicant institution or other persons in its care. Upon a showing of such detriment, the court may order such transfer."

JUVENILE COURT OF THE DISTRICT OF COLUMBIA

SEC. 7. (a) Section 11–1586 (b) of the District of Columbia Code is amended by adding immediately after the first sentence the following new sentence: "Upon adjudication that the status of a child is within the jurisdiction of the court, the counsel representing the said child shall be allowed access to the social records in connection with the disposition of the child."

(b) Section 16–2306 of the District of Columbia Code is amended—

(1) by adding at the end of subsection (a) the following new sentence: "In no event shall a child be detained beyond the next court day without being brought before the court for either a detention hearing or an initial hearing.";

(2) by striking from subsection (c) the last sentence thereof.

(c) Subchapter I of title 16 of the District of Columbia Code is amended—

(1) by inserting between sections 16–2302 and 16–2303 the following new section:

"§ 16–2302a. Right to counsel.

"Immediately upon the filing of a petition under section 16–2302, or preceding the initial appearance of the juvenile in court under section 16–2306, whichever occurs first, the child and his parent, guardian, or custodian shall be advised that the child has a right to be represented by counsel at every stage of the proceedings. Counsel may be retained by the child or his parent, guardian, or custodian. If the child, parent, guardian, or custodian does not retain counsel, the court shall assign counsel to represent the child, and, when the child, parent, guardian, or custodian is financially able, the court shall assess reasonable attorney fees for such counsel."

(2) by inserting between section 2302 and section 2303 of the analysis of such subchapter the following new item:

"16–2302a. Right to counsel."

(d) Subsection (c) of section 16–2313 of the District of Columbia Code is amended by adding at the end thereof the following new sentence: "In providing such detention facilities, such Board of Commissioners shall provide facilities for those children taken into custody and detained solely under clause (E), (F), or (G) of section 11–1551(a)(1) of the District of Columbia Code separate from facilities used for children otherwise taken into custody."

(e) Subchapter IV of chapter 15 of title 11 of the District of Columbia Code is amended—

(1) by adding at the end thereof the following new section:

"§11–1590. Court manual.

"(a) The court shall prepare and revise from time to time, so as to keep current, a manual to guide court personnel on policies and procedures.

"(b) The court shall prepare and revise from time to time, so as to keep current, an abridgment of the manual described in subsection (a) of this section. Copies of such abridgment shall be available at the court for the guidance of parents, guardians, custodians, and counsel."

(2) by adding at the end of the analysis of such subchapter the following new item:

"11–1590. Court manual."

SEC. 8. (a) The amendments made by section 2 of this Act shall not affect any proceedings in the Juvenile Court of the District of Columbia to determine paternity of any child alleged to have been born out of wedlock or to provide for his support pending in such court on the date of the enactment of this Act.

(b) The amendments made by section 3 of this Act shall not affect any proceedings in the Juvenile Court of the District of Columbia arising out of section 11–1556, 16–2308 (b), or 16–2314 of the District of Columbia Code pending on the date of enactment of this Act, or any order issued by such court prior to such date in connection with any such proceedings.

PRELIMINARY STUDY FOR A NEW COURTHOUSE

SEC. 9. The Commissioners of the District of Columbia are authorized and directed to undertake a preliminary study to plan a new courthouse to provide facilities for the District of Columbia Court of General Sessions, the District of Columbia Court of Appeals, and the Juvenile Court for the District of Columbia.

S. 1982. A bill to amend sections 332 and 333 of title 28, United States Code, relating to the Judicial Council and the Judicial Conference of the District of Columbia Circuit; to the Committee on the Judiciary:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of section 332 of title 28 of the United States Code is amended by adding immediately at the end thereof the following new sentences: "The Judicial Council of the District of Columbia Circuit is also authorized to make such orders for all courts established or continued in the District of Columbia. The judges of such courts in the District of Columbia shall promptly carry into effect all orders of the Judicial Council of the District of Columbia Circuit."

SEC. 2. Section 333 of title 28 of the United States Code is amended by adding immediately at the end of the first paragraph the following new sentence: "The chief judge of the District of Columbia Court of General Sessions, the chief judge of the District of Columbia Court of Appeals, and the chief judge of the Juvenile Court of the District of Columbia shall be summoned annually to attend the Judicial Conference of the District of Columbia Circuit in order to participate in the business of such Judicial Conference pertaining to their respective courts."

REMOVING THE GOLD COVER FOR FEDERAL RESERVE NOTES

Mr. HARTKE. Mr. President, among the continuing problems with which this Nation is faced is the growing question of our gold reserves. Our total gold reserves have been diminishing year after year. During the past year, the usage of gold in industrial and ornamental manufacture exceeded the amount of the world's production.

The time has come, Mr. President, to help meet the needs of the situation by abolishing the requirement of a 25-percent gold cover for Federal Reserve notes. I am introducing a bill today for that purpose.

As of June 7, the total U.S. Treasury gold supply had decreased to $13,109,000,000. Of that amount, $9,917,000,000 is, under the present statutes, required to be held as cover for the nearly $40 billion in Federal Reserve notes in circulation. This leaves a free gold amount, available for international balance of payments and other usage, of only $3,192,000,000. Such a level is dangerously low. By freeing the gold cover requirement, we can make available the entire sum of more than $13 billion.

The action I propose is needed to forestall far more serious difficulty in the foreseeable future. As the economy grows, and with it the need for currency, the amount of Federal Reserve notes in circulation necessarily increases. How long will it take by this route alone to tie up another billion in gold? Only a 10-percent rise in the value of the Federal Reserve notes in circulation will do that. In addition, there is the continuing balance-of-payment deficit and the gold conversions which continue to drain the total gold figure and further narrow the gap between the statutory reserve and the dwindling supply. Restrictive measures, such as efforts to decrease U.S. travel abroad and to place voluntary curbs on foreign investment, even at fullest effectiveness are not sufficient.

The soundness of the dollar, Mr. President, does not depend on its backing by gold. As a matter of fact, the 25-percent gold backing for our paper currency is meaningless, since no one can redeem his money for gold anyway. Gold is no more than a shibboleth in this situation. The solidity of our economy, the total overall soundness of our policies, the fully warranted confidence in the dollar by our own people and the other peoples of the world—these are the true backing we need, and this is the true backing which we have. It is no more useful to the needs of the world for gold, and to our own need for greater free gold reserves, to hoard the billions used in backing these notes than it is for the individual to stuff money in a mattress rather than putting it to work in a bank or other investment. The gold backing may give a feeling of security, but it is only a feeling—the real security is another matter.

To continue the policy of gold cover and the guaranteed price for gold will lead inevitably to problems we can only postpone if we fail to deal with them now. For if we continue on our course as at present, as the price of gold on the world market rises in expectation of our increasing monetary difficulty for the United States, we will no longer be able to buy gold at the $35-per-ounce fixed price, thus losing the stabilizing force that policy has so long had in international exchange. We will then face two alternatives. One would be to raise the official $35 price to a level which will bring a supply for Treasury purchase—which would be, in effect, devaluation with its consequent inflationary risk. The other and more desirable would be to do at that late date, after suffering world uncertainties about our crisis response, just what I here propose. To remove the gold cover now will aid in forestalling that process.

Just now, while discussion continues toward the necessary goal of an international monetary exchange unit to take the excessive burden from the dollar and gold as a means of providing international reserves, we need to buy time. Not everyone is convinced that the proposals for a currency reserve unit must be effected—and it takes time to convince them and to work out the details. While we are involved in the expenditures of Vietnam, the urgency is lessened, as our outpouring of dollars continues to shoulder the international exchange burden. But what happens if in the meantime our slender $2.7 billion of free gold shrinks from both international need and Federal-Reserve-backing need until it is wiped out? The time to act is before that happens.

The dollar stands on its own as the strongest and most widespread medium of international exchange. Its strength is not in its convertibility to gold but in the economic strength of the Nation, which is based on our tremendous productive capacity. The repeal of the cover requirement emphasizes that fact. It would emphasize that the dollar stands on its own without need of a metal prop. The release of gold for international use would be an assurance of its availability for such uses as strengthening the economic growth and social progress of other nations. It would still the fears of others that they may be left with dollars which cannot be converted when the free gold reserve, already at such low ebb, melts completely. The demand for convertibility of dollars by persons or governments abroad may be, and I believe it is, as much a shibboleth as our own reservation for currency cover. But while we cannot affect the policies of others, we can do this which is within our own power, demonstrating the fact that the base of the dollar's value has nothing to do with the ancient customs, no longer needed, which still pervade practice after their meaning has ceased.

The benefits this action would secure include—besides the evidence of our faith in the dollar as such—a lessening of the need for restrictive measures to cut off overseas investment; a lessening of our fears over balance-of-payments deficits; and, perhaps the biggest boon of all, a most desirable impact on our efforts to develop reserve assets to supplement gold and the dollar, a measure which must be accepted before the international currency reform we need can be attained.

Mr. President, these are compelling reasons for enacting this bill and for doing so now. Senator SPARKMAN has given leadership in the demonetization of silver, and I congratulate him for it. I hope we may now apply this same wisdom and understanding in taking the first step toward demonetization of gold by enacting this bill.

Mr. President, I now introduce the bill, and ask unanimous consent that it be referred to the Committee on Finance, and that when it is reported by that committee, it be referred to the Committee on Banking and Currency. I also ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1983) to eliminate the requirement that the Federal Reserve banks maintain certain reserves in gold certificates against Federal Reserve notes, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1983

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Subsection (c) of section 11 of the Federal Reserve Act (12 U.S.C. 248(c)) is amended by striking both provisions, and by striking the last sentence, in such subsection.

SEC. 2. The first sentence of section 16 of the Federal Reserve Act (12 U.S.C. 391) is amended by striking "and the funds provided in this Act for the redemption of Federal Reserve notes".

SEC. 3. That part of the third paragraph of section 16 of the Federal Reserve Act (12 U.S.C. 413) which precedes the last two sentences of such paragraph is amended to read:

"Federal Reserve notes shall bear upon their faces a distinctive letter and serial number which shall be assigned by the Board of Governors of the Federal Reserve System to each Federal Reserve bank."

SEC. 4. (a) The first sentence of the fourth paragraph of section 16 of the Federal Reserve Act (12 U.S.C. 414) is repealed.

(b) The sentence which, prior to the repeal made by this section, was the second sentence of such paragraph is amended by inserting immediately after "The Board" the following: "of Governors of the Federal Reserve System".

SEC. 5. The sixth paragraph of section 16 of the Federal Reserve Act (12 U.S.C. 415) is repealed.

SEC. 6. The fourth sentence of the paragraph which, prior to the amendments made by this Act, was the seventh paragraph of section 16 of the Federal Reserve Act (12 U.S.C. 416) is repealed.

SEC. 7. The paragraph which, prior to the amendments made by this Act, was the eighteenth paragraph of section 16 of the Federal Reserve Act (12 U.S.C. 467) is repealed.

SEC. 8. Section 6 of the Gold Reserve Act of 1934 (31 U.S.C. 408a) is amended by striking ", and the reserve for Federal Reserve notes shall be maintained in gold certificates, or in credits payable in gold certificates maintained with the Treasurer of the United States under section 16 of the Federal Reserve Act, as heretofore and by this Act amended".

SEC. 9. There are hereby repealed the sentences of subsection (a) of section 43 of the Act of May 12, 1933 (48 Stat. 31, 52; 31 U.S.C. 821(a)), which read: "No suspension of reserve requirements of the Federal Reserve banks, under the terms of section 11(c) of the Federal Reserve Act necessitated by reason of operations under this section, shall require the imposition of the graduated tax upon any deficiency in reserves as provided in said section 11(c). Nor shall it require any automatic increase in the rates of interest or discount charged by any Federal Reserve bank, as otherwise specified in that section.".

SEC. 10. The Committee on Finance is directed to make a study and report to the Senate on the effect of the enactment of this Act on international trade relations and the balance of payments.

CHANGE OF REFERENCE

Mr. SPARKMAN. Mr. President, S. 1971, a bill to amend the Consolidated Farmers Home Administration Act of 1961 to authorize loans to certain cooperatives serving farmers and rural residents, and for other purposes, has been referred to the Banking and Currency Committee.

It is our opinion that it should have been referred to the Committee on Agriculture and Forestry.

I ask unanimous consent that the Banking and Currency Committee be discharged from further consideration of the bill and that it be rereferred to the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Mr. HRUSKA. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania [Mr. SCOTT] be added as a cosponsor of the bill (S. 1540) to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIBLE. Mr. President, I ask unanimous consent that, at the next printing of the bill which I introduced (S. 1935) to require an act of Congress for public land withdrawals in excess of 5,000 acres in the aggregate for any facility of the Government, the names of the Senator from Colorado [Mr. ALLOTT], the Senator from Wyoming [Mr. HANSEN], and the Senator from Oregon [Mr. MORSE] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at its next printing, the name of the senior Senator from Nebraska [Mr. HRUSKA] be added as a cosponsor of the bill (S. 159) to provide for the temporary transfer to a single district for coordinated or consolidated pretrial proceedings of civil actions pending in different districts which involve one or more common questions of fact, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON THE NATIONAL COURT ASSISTANCE ACT—S. 1033

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce a hearing for the consideration of S. 1033. This bill would provide for the establishment of an Office of Judicial Assistance.

The hearing will be held at 9:30 a.m., on June 27, 1967, in the Judiciary Committee hearing room, room 6200, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

NOTICE OF HEARING ON EDUCATION AMENDMENTS

Mr. MORSE. Mr. President, I wish to announce that the Education Subcommittee of the Senate Committee on Labor and Public Welfare on Friday, June 23, 1967 at 10 a.m., in the committee hearing room, room 4232 of the New Senate Office Building, will take testimony on title V of the Higher Education Amendments of 1967, S. 1126, and part E of title I of S. 1125, the Elementary and Secondary Education Amendments of 1967.

I regret the very short notice being given both to the administration witnesses and to public witnesses. I have asked the staff of the subcommittee to alert as many organizations who are interested in this area as possible by telephone. We hope to have a hearing record made on Friday which will allow us to consider at a very early date in executive session many of the programs in education whose statutory authorities at present expire as of June 30, 1967.

Therefore, in addition to the major portions of the measures I have already indicated, it would be my hope that witnesses would be prepared to present the subcommittee with their views on programs such as the temporary provisions of Public Law 815, the temporary provisions of the Elementary and Secondary Education Act of 1965 relating to Indian children and to Department of Defense schools overseas; the School Disaster Act, Public Law 89–313, whose authorities expire on June 30, and other educational programs which may be in the same situation.

We will open our hearing with the administration testimony. We hope to conclude this portion of the hearings that day and for this reason we are requesting that witnesses file with the committee their complete full statements, but we are asking that their oral presentations be limited to 8 to 10 minutes.

Individuals and organizations which desire to file material with the committee are requested to telephone the office of the subcommittee on 225–5375, so that their materials may be entered into our hearings record.

Mr. President, since it is my understanding that the House Committee on Education and Labor has reported a bill, H.R. 10943, which is concerned with both Teacher Corps and the Education Professions Development Act, should witnesses desire to address themselves to the provisions of this bill the subcommittee will be pleased to have their testimony.

Mr. President, in connection with the notice of hearing I have just made, I should like to announce for the benefit of Senators that it is my intention as chairman of the Education Subcommittee to move with dispatch after the July Fourth recess in scheduling hearings on other provisions of S. 1125, the elementary and secondary education amendments, and the House companion measure, H.R. 7819, which is now before the Committee on Labor and Public Welfare, as well as S. 1126, the Higher Education Amendments of 1967, and any companion measures which may then be before the Senate from the House of Representatives.

These hearings will provide an ample opportunity for interested individuals and organizations to be heard on each of the provisions of these measures.

What we are hearing Friday is testimony on provisions of existing legislation which will expire unless further extended by June 30.

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

Benjamin H. Oehlert, Jr., of Georgia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

THE SUPERSONIC TRANSPORT AND SONIC BOOM

Mr. ALLOTT. Mr. President, on June 1, Senator WILLIAM PROXMIRE made a statement on the floor expressing his views on the development of a supersonic transport. I would like to make a brief comment on one point raised by Senator Proxmire concerning sonic boom and to place in the Record a short article from the June 3 edition of the Denver, (Colo.) Post, titled "Proxmire Too Loud on 'Boom'."

I share with Senator Proxmire and other thoughtful Senators a very real concern about the problem of sonic boom, and its possible effect on the use of an SST over land. But I believe the article in the Denver Post makes a very cogent point in that the contractor that won the right to move ahead in development and construction of an SST is, and must be, equally concerned with the sonic boom problem. This is a very large undertaking, commercially and scientifically, and the Boeing Co., by necessity will be bending every effort to assure that the SST they develop will have the widest possible market, and we all know that if the sonic boom from supersonic flight of the plane is not at an acceptable level for flights over land, then the markets for this plane will be seriously curtailed and the profit to the Boeing Co. and the paybacks to the Government will be adversely affected. Senator Proxmire has criticized the Federal Aviation Agency for allegedly leaving the Boeing Co. free to ignore the sonic boom effects by not setting out sonic boom overpressure limits in their contract with the Boeing Co.

Mr. President, this article, which I now send to the desk, points out that it is just as much in the interests of the Boeing Co., and, I might say, probably more so, than it is in the interests of our Government that an SST be developed that can fly between the principle cities of this country.

I ask unanimous consent that the editorial to which I have referred be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Denver (Colo.) Post, June 3, 1967]

Proxmire Too Loud on "Boom"

We're not certain of all that Sen. William Proxmire, D-Wis., had in mind when he criticized the Federal Aviation Administration this week for its role in contracting for America's first two supersonic transports, but we think he missed the point when he talked about the sonic boom problem.

It's a problem, all right. The shuddering crack produced by huge transport aircraft flying faster than the speed of sound may well prove eventually to be intolerable to people on the ground. It's a question of nerve strain as well as property damage.

Proxmire charges that the FAA, which once approved sonic boom intensity limits that many experts considered too high, now "has had the audacity to draw up a contract with no sonic boom limits whatsoever."

He says the FAA has "abdicated its responsibility" in its contract with the Boeing Co. by leaving Boeing free to "ignore" the boom effects.

Perhaps the limit specifications should have been left in the contract for one reason or another, but we don't believe the manufacturer, whether it is free to do so or not, is going to ignore one of the most frustrating engineering problems faced by developers of the supersonic transport. The manufacturer can't afford to ignore it.

If the sonic boom problem turns out to be unsolvable—or only partially solvable—the long-awaited SST may be feasible only as a trans-oceanic vehicle, with terminals restricted to opposite coasts. In that case, domestic airlines are reported to be interested in ordering only a limited number of the giant planes—perhaps a maximum of 500.

If the SST can be engineered so that the boom effect is minimized, the airlines are said to be ready to order three times that many over the next decade or so because then the planes can be routed over land areas.

From just the standpoint of simple economics, it seems to us that Boeing is going to put every conceivable effort into licking the sonic boom problem—whether the FAA specifies limits or not. And we hope Boeing is successful, both scientifically and commercially.

The two categories are interdependent, a fact we believe Senator Proxmire overlooked.

THE RAILROAD LABOR DISPUTE

Mr. YARBOROUGH. Mr. President, Senate Joint Resolution 81 has been returned with a House amendment, which has not been agreed to, and I ask the Chair to lay before the Senate the amendment of the House.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the joint resolution (S.J. Res. 81) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees which was, to strike out all after the resolving clause and insert:

That there is hereby established a Special Board for the purpose of assisting the parties in the completion of their collective bargaining and the resolution of the remaining issues in dispute. The Special Board shall consist of five members to be named by the President. The National Mediation Board is authorized and directed (1) to compensate the members of the Board at a rate not in excess of $100 per each day together with necessary travel and subsistence expenses, and (2) to provide such services and facilities as may be necessary and appropriate in carrying out the purposes of this resolution. For the purpose of any hearing conducted by the Special Board, it shall have the authority conferred by the provisions of sections 9 and 10 (relating to the attendance and examination of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 26, 1914, as amended (15 U.S.C. 49, 50).

Sec. 2. The Special Board shall attempt by mediation to bring about a resolution of this dispute and thereby to complete the collective bargaining process.

Sec. 3. If agreement has not been reached within thirty days after the enactment of this resolution, the Special Board shall hold hearings on the proposal made by the Special Mediation Panel, in its report to the President of April 22, 1967, in implementation of the collective bargaining contemplated in the recommendation of Emergency Board Numbered 169, to determine whether the proposal (1) is in the public interest, (2) is a fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case, (3) protects the collective bargaining process, and (4) fulfills the purposes of the Railway Labor Act. At such hearings the parties shall be accorded a full opportunity to present their positions concerning the proposal of the Special Mediation Panel.

Sec. 4. The Special Board shall make its determination by vote of the majority of the members on or before the sixtieth day after the enactment of this resolution, and shall incorporate the proposal of the Special Mediation Panel with such modifications, if any, as the Board finds to be necessary to (1) be in the public interest, (2) achieve a fair and equitable settlement within the limits of the collective bargaining and mediation efforts in this case, (3) protect the collective bargaining process, and (4) fulfill the purposes of the Railway Labor Act. The determination shall be promptly transmitted by the Board to the President and to the Congress.

Sec. 5. The provisions of the final paragraph of section 10 of the railway Labor Act (45 U.S.C. 160), as heretofore extended by law, shall be hereby extended until 12:01 o'clock antemeridian of the ninety-first day after enactment of this resolution with respect to the dispute referred to in Executive Order 11324, January 28, 1967.

Mr. YARBOROUGH. Mr. President, the Senate not having agreed to the House amendment, I move that the Senate disagree to the House amendment and appoint conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. Yarborough, Mr. Morse, Mr. Randolph, Mr. Pell, Mr. Nelson, Mr. Kennedy of New York, Mr. Williams of New Jersey, Mr. Javits, Mr. Prouty, Mr. Fannin, and Mr. Griffin conferees on the part of the Senate.

MOVING MEMORIAL TRIBUTE BY JUDGE DONALD P. LAY

Mr. HRUSKA. Mr. President, during the Memorial Day recess it was my privilege to participate in the annual memorial services conducted by the Omaha Bar Association. This is always a most solemn and moving experience as the members of the bar gather to honor the memory of their colleagues.

This year's address was one of the most profoundly inspiring it has been my privilege to hear during the many years I have attended these services.

It was prepared by the Honorable Donald P. Lay, circuit judge of the U.S. Court of Appeals, eighth circuit.

I ask unanimous consent, Mr. President, that the text of Judge Lay's remarks be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Memorial Services Address

(Complete text of Judge Donald P. Lay's address given at the Omaha Bar Association's Memorial Services Friday in Court Room No. 1)

"I hope I do not break the Fifth Commandment if I conceive that I may love my friend before the nearest of my blood, even those to whom I owe the principles of life. I have loved my friend as I do virtue, my soul, my God. From whence methinks I do conceive how God loves man—what happiness there is in the love of God."

These immortal words, written many years ago by the 17th Century author and physician Sir Thomas Browne, speak out for each of us today as we observe this fitting memorial to our breathren who have crossed the bar on the downward path to the crown of life itself.

Perhaps after I have absorbed the cloth and breathed the air of judicial wisdom still another day I can achieve mastery of thought and word to express one's innermost feelings on an occasion such as this. Yet I wonder if years from now I will but still feel the tremendous sense of inadequacy of prose to pay honor to those whom we love.

But we err if we substitute condolence for comfort for we know that this is not the end. In their parting is there not a transcendency of joy and hope, rather than sorrow and despair? To deny this postulate is to ignore the true meaning of their lives and the golden heritage of us all this very day. We need not seek to appraise their lives nor ask what has been accomplished for it is self evident. For to them we owe the rich inheritance of the law itself.

But you may respectfully say, so what is this—and not I would answer, but borrowing from a wisdom greater than mine, would repeat: "Without it we cannot live; only with it can we insure the future which by right is ours. The best of mans hopes are enmeshed in its success; when it fails they must fail."

For to these departed brothers we are indebted for our knowledge and the wisdom of the law. As lawyers and judges we have appropriated to ourselves their recorded experience and their faith that we thus may be as wise and as just. No—I am sure they would reply in unison—with their faith that we may be wiser and more just than they before. Because what is man's destiny if it be not a continuing search as a light into the darkest chasm for greater truth and greater justice?

For as the poet writes:

"It is a pleasure to stand upon the shore, and to see ships tossed upon the sea; a pleasure to stand in the window of a castle, and to see a battle and the adventures thereof below: but no pleasure is comparable to the standing upon the vantage ground of truth (a hill not to be commanded, and where the air is always clear and serene), and to see the errors, and wanderings, and mists, and tempest, in the vale below; so always that this prospect be with pity, and not with swelling or pride. Certainly, it is heaven upon earth, ..."

Was not our Gospel of Justice, though beautifully conceived by Jefferson in the Declaration of Independence still based upon philosophies of men of another time, Plato, Locke, Montesquieu, Rosseau and Voltaire. Where is the end now? Where is your sadness and despair?

It is written in Ecclesiasticus, chapter 44:

"Let us now praise famous men, and our fathers that begat us. The Lord hath wrought great glory by them through his great power from the beginning.

"Such as did bear rule in their kingdoms, men renowned for their power, giving counsel by their understanding, and declaring prophecies:

"Leaders of the people by their counsels, and by their knowledge of learning meet for the people, wise and eloquent in their instructions.

"All these were honoured in their generations, and were the glory of their times.

"There be of them, that have left a name behind them, that their praises might be reported.

"And some there be, which have no memorial; who are perished, as though they had never been born; and their children after them. But these were merciful men, whose righteousness hath not been forgotten.

"The people will tell of their wisdom, and the congregation will show forth their praise."

In modern history it is with refreshing facility to recall famous personnages of the law as: Daniel Webster, Abraham Lincoln, John Marshall or Holmes, Brandeis and Frankfurter to say only a few. Their individual deeds and words are now firmly written in the sands of time, never to be erased. Their rules for the betterment of man through the administration of justice will be read and reread for generations by those who aspire to good government, to dream and guide our destiny by. Their towering personalities now join in history with the mighty lawgiver, Moses, and the greatest of prophets, the aristocratic Isaiah.

But the great many names of men and women in the law will remain unknown. For as Learned Hand once spoke: "Most of a lawyer's time consists of activity which seems to have small value and small bearing on the greater issues of the community in which he lives. True it concerns the individuals whom he touches oftentimes in their deepest interests, but it is hard to believe that the results are important more largely."

Yet is not the very existence of the human race conditioned upon learning to accommodate "conflicting interests of others, to learn to live in a social world?" So it is here as Judge Hand has said that the true scope and meaning of our work as lawyers "raises it out of the duty routine of gaining our living." Truly, "Their righteousness hath not been forgotten."

As the present becomes history we remember cases such as *Marbury* v. *Madsion* and the great Chief Justice who wrote it, declaring for all time in our Republic that our Constitution shall have supremacy over any other conflicting law in our land. And we are not prone to forget *Brown* v. *Board of Education* in 1954 declaring the doctrine of "separate and equal" is of itself inherently unequal. But what of the lawyers who gathered the facts, who wrote the briefs and argued the case? Do you recall their names? Yet it is among these unnamed legions that our departed friends have joined. For although they may not find their names on the cover those we honor today have contributed works which compose the endless pages of a great and continuing volume dealing with man's best effort to live together. For these are men and women who have fought for mercy and goodness and made a continuing plea for truth against prejudice and fate. Their written wisdom and learning in wills, deeds, and other papers have enabled man to protect his individual rights; their eloquence has rendered justice in civil controversy; their skill has fought for the freedom of men accused. As in Plato's dialogue we can ask:

"What is there greater than the word that persuades judges in their courts or the senators in the councils, or the citizens in the assembly, or at any other political meeting?"

"God send us men with heart's ablaze
All truth to love all wrong to hate
These are the patriots nations need
These are the bulwarks of the state."

But what of this *law*, they who have bid farewell have entrusted to us? Do we receive it as a precious gift, with reverence and pride, and with Justice Holmes' faith in its creative possibilities, or as its guardian now, do we too join the cynics of the day and begin to doubt its worth? If their eternal sage could now cry out it would echo this concern. Do we, the keepers of its light, weigh lightly the credulity of the skeptics? Do we see perceptively only as far as we want to see? Do we take refuge in the comment that: "Justice is not a cloistered virtue: she must be allowed to suffer the scrutiny and respectful, even though outspoken comments of ordinary men." Do we turn away from criticism of the courts and the law itself because of vanity and shrug it off as unjustified and of little significance?

Such skepticism, as Justice Holmes once said, should be taken philosophically, but he added: "We should try to see what we can learn from hatred and distrust," for "the attacks upon the court are merely an expression of the unrest that seems to wonder vaguely whether law and order pay."

Have those we loved left behind only that which is to be ephemeral? Are we content to pay verbal homage and then let their lives simply be dust exchanged for dust, "a vapor that appeareth for a little time and then vanisheth away"? This now depends upon us. Are we not all students of the legal and juridical personality? Do we not have special training to understand the law and its intricate machinery? Do we not daily profess greater knowledge in it than laymen? Yet, laymen, ordinary men, if you will, cannot give obedience to the law if they do not feel it is revered and loved by those who claim to know its esoteric values. Is it not true that those who are taught to doubt, do so because they do not safely know what to believe? We must publicly renew the faith of our forefathers and departed brothers of the Bar in the law itself and its institutions. Our allegiance and love for it must find a new acceptance and favor in the same way you would want to proudly cherish, fondle and protect a new born son.

Some truly say the people of the world will soon annihilate themselves, others doubt it but say it makes little difference since there is such moral decay and degradation everywhere. I do not share the seeds of these sowers of doom. As each day goes by I rejoice and am assured with greater optimism that the world is a better place in which to live. I know this, for one assurance, all who have gathered here have been affected by the individual and collective goodness that has been left to us by those to whom we pay tribute today. I know this because our lives have been enriched by our pledge that their life work and example will have vibrant meaning in our own. But I also rejoice because of my zealous love and reverence for the glorious country in which I live and for the great and good democratic government which we all enjoy. But I think above all else I rejoice because of our rich heritage which has given me a simple faith for a deep and continuing respect for the law and the courts of this land. For, I know, with the love of God, as our departed-members of the Bar have now done, we will seek and win the ultimate triumph. And I pray that it may be said for us, as we now can say for them:

"Servant of God, well done.
Thy Glorious warfare's past,
The battle's fought, the race is won
And thou are crowned at last."

DONALD P. LAY,
Circuit Judge, United States Court of Appeals Eighth Circuit.

THE QUEST FOR PEACE

Mr. MORSE. Mr. President, on Sunday, June 11, the Senator from Pennsylvania [Mr. CLARK] delivered what I consider to be a powerful commencement speech at Franklin & Marshall College in Lancaster, Pa. The speech was "In Quest of Peace: A Pragmatic Vision."

I wish to pay tribute to the position th's great Senator from Pennsylvania has taken in the field of American foreign policy. He has been one of the leaders in our country who has been urging our Government and the American people to recognize, before it is too late, that all the nations of the world must come to an understanding that our only hope for permanent peace is the substitution of the rule of law for the settlement of threats to the peace of the world, instead of resort to the jungle law of military might. It is the same jungle law of military might, whether it is practiced by Russia in the Congo and in the

Middle East or by the United States in the jungles of Vietnam.

This eloquent commencement speech delivered by Senator CLARK does present a clear, pragmatic vision of the all-important issue of our time, which is the *need of all nations to engage in a determined* quest for permanent peace before mankind bombs itself into a revived stone age.

The idealism of Senator CLARK's commencement speech spells out the practicality of ideals. Time will tell whether the leaders of the nations of the world are going to come to their senses in time to bring about universal and enforceable disarmament, which obviously is essential if a third world war is to be averted.

Senator CLARK's plea for a revision and reorganization of the United Nations Charter should not be ignored, because unless the charter is amended so as to provide for the universal membership of all nations and the elimination of the right of veto by one nation or a minority controlled by a few nations, this international organization brought into being from the dreams of Franklin Roosevelt will vanish from the face of the earth as an instrumentality for promoting permanent peace.

Senator CLARK's plea to the grading class at Franklin & Marshall College should be made to all the young people of the world. If permanent peace is to replace the nationalistic march toward war of so many nations in our time, then Senator CLARK's plea should be heeded by both the young and the old in all the countries of the world to "dream dreams of a warless world and make them come true. For, as has been well said: 'The world is now too small for anything but the truth and too dangerous for anything but brotherhood.' "

Mr. President, I ask unanimous consent that this inspiring commencement speech of Senator JOSEPH CLARK be inserted in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

IN QUEST OF PEACE: A PRAGMATIC VISION

(Commencement address by Senator Joseph S. Clark, Democrat, of Pennsylvania, at Franklin & Marshall College, Lancaster, Pa., June 11, 1967)

Last Sunday, at church, the young people of our congregation took over for youth; they gave their elders something to think about in terms of the so-called much discussed "generation gap".

When they got through I was pretty well convinced that there is no greater gap between the thinking of most people of your generation and most people of mine, than there was between my contemporaries and those of my father's generation back in the 1920's.

When you finish listening to what I have to say today, I would like to know if you agree.

These young people, last Sunday, said what they wanted out of life was love, freedom, peace and joy. Back in the early 20's, when I was in college, that is what I wanted, too, and, what is more, I still do; although it is just possible that your views about love today are slightly less timid than mine were then.

These young people said they did not think their elders were making much progress in *achieving these goals*—and again I agree. But neither did my mother and father, or their contemporaries, in the days of Harding, Coolidge and Hoover, right after World War I. But I came to appreciate that, in their somewhat befuddled way, my parents tried very hard, just as my generation is trying hard now. So, in an effort to think our way through some of the chronic and persistent befuddlement of men and women of every age today, I would like to think aloud with you about the problems of peace in the world.

Why is peace so elusive? Why do we never seem to be able to catch that dove, or at least to protect the doves of peace from the hawks who keep stalking them, whether in Vietnam or in the Middle East?

Is it the inherent cussedness of man, aptly described as the most quarrelsome of the apes? Is it our educational systems which glorify war and make heroes of the admirals, the generals and the airmen, or is it the indifference of people in democratic societies and the belligerence of the leaders in totalitarian societies? Is it a failure to think clearly through the problems? Is it the inadequacy of international institutions or, most likely of all, it is a combination of all these things?

Preliminarily, I wonder if you would agree that there is not much chance of getting peace in the world unless the peoples and those who govern them can be taught to love and not to hate, or, in terms of the current slogan of some of the young, a determination to make love instead of making war.

In more pragmatic terms, don't we have to substitute international cooperation based on mutual trust for international conflict based on fear and suspicion? How to do it is, of course, a larger question.

And I wonder again whether you are enough the sons of your American ancestors—and I suspect you are—to agree that freedom is very important indeed, and to define freedom in two ways: First, as Franklin Roosevelt did, freedom of speech, freedom of religion, freedom from want, and freedom from fear; but add to your definition freedom to do whatever you damn please so long as you don't interfere with the similar rights of everybody else.

Finally, would you not agree that there is not much chance for joy in the world until we have first established love, freedom and peace. Of course, I am speaking collectively, Some of us can perhaps shuck off our responsibilities and retire to islands in the sun, giving and sharing love, having all the freedom we need or want, at peace with ourselves and the world as long as we are left alone by the bombs and, indeed, living lives of joy. But there aren't too many of us hedonists left and I suggest the number is shrinking year by year.

Let us contemplate the major obstacles to peace in the world today. Of course there is Vietnam and now the Middle East; different views on the future of Germany still disrupt permanent peace in Central Europe. The growing might of Communist China, now with a nuclear capability of its own, is some think, the worst threat to peace of all. Looming over the horizon is the widening of the gap between the rich nations of the Northern Hemisphere and the poor nations of the Southern Hemisphere, where the revolution of rising expectations is in full swing.

In all of this the United Nations, for which all of us had such high hopes in 1945, seems to have lost its way.

Let me say a word or two about each of these six areas:

First, let us deal with Vietnam. A year ago at Haverford College I said: "The United States should get out of Vietnam as soon as it can with decency. * * * A mature American foreign policy should be above dealing in status symbols. Face saving is an Oriental, not a Western, requirement.

"We should never have gone on to the land mass of Asia with a huge ground army. Neither national security nor national honor required us to do so. The cost in American lives, mounting every day, is too high a price to pay for the dubious check on Chinese and Communist expansion said to be required."

But I *also said*: "Yet it *is* important now that we are there to make clear to Hanoi and Peking that force is no longer an acceptable method of solving political problems. So we cannot afford to be driven into the sea, or to withdraw unilaterally, surrendering all of South Vietnam to the unquestioned terrorism of the Viet Cong and their Northern Vietnamese allies."

The situation is worse today than it was a year ago; but I have had no reason to change my views. I deplore the escalation, both on the ground and in the air. I am gravely concerned that the ever mounting intensity of the air war in the North is counter productive, tending to heal the breach between Russia and China. I deplore the reliance the President has placed on the military advice of the Joint Chiefs of Staff and General Westmoreland, advice which has turned out to be wrong in almost every instance. *It has brought us only stalemate and ever increasing casualties, not the promised military victory.*

I believe that, as the strongest military nation in the world, with ethical standards on which we pride ourselves, we should be walking an extra mile to get the shooting stopped and negotiations begun. And I suggested towards the end of March on the floor of the Senate that we should do several things immediately:

1. Stop the bombing of the North without requiring a quid pro quo from Hanoi.
2. Announce that American troops in South Vietnam would fire only if fired upon.
3. Persuade General Ky and his South Vietnamese Army to do the same.
4. Exercise every possible diplomatic pressure through our allies, through the Russians, through the United Nations, to persuade not only Hanoi but also the Viet Cong to come to the conference table and discuss what modifications, if any, of the Geneva agreements of 1954 are necessary to re-establish peace in Viet Nam.

This proposal was endorsed by U Thant. It was met by silence from the White House and Foggy Bottom. I renewed it ten days before the Buddhist truce of May 23. Again the policy makers ignored it. I say again, as I have said before, that I have measured optimism that if we would take the initiative along the lines just suggested, we would find, in relatively short order, that *the shooting would stop and the talking begin*. And my measured optimism is not based on fantasy. It results from good hard talks with Eastern Europeans, Russians, and the staff of the United Nations. Call it visionary if you will, but I, for one, am satisfied it is a pragmatic vision. And can we not afford to take a calculated risk to gain that peace we all desire?

Second, it would be a rash man who would speak to you today about where the war in the Middle East now happily ended by an agreement to cease fire in accordance with the resolution of the Security Council has taken the world in general and the United States in particular. But two months ago I wrote a report to the Foreign Relations Committee, based on a study mission I made to Greece, the United Arab Republic, Jordan and Israel last December. It is titled "War or Peace in the Middle East". Here are a few of my recommendations:

The overriding necessity in the eastern Mediterranean area is for peace and disarmament.

Peace and disarmament require an agreement between the United States and its allies, on the one hand, and the Soviet Union and its allies, on the other hand, to stop the arms race in the Middle East. Peace also requires an internationally enforced guarantee of national boundaries participated in by the United States and the Soviet Union. Some of those boundaries may be changed as a result of the hostilities.

And, finally, of course the United States should continue to uphold the political independence and territorial integrity of the State of Israel.

One section of my report dealt with Egypt. I call it Egypt, rather than the United Arab Republic, because it is neither united with anybody else, nor Arab since the Egyptians are not Arabians, nor a republic, but rather a dictatorship. You will recall from your study of medieval European history the joke to the effect that the Holy Roman Empire was neither holy, Roman, nor an empire. As of the moment it looks like Nasser has met the fate of Nkrumah in Ghana and Sukarno in Indonesia. Now it is crucial that the Middle East be marked off as a region where general and complete disarmament is established and internationally enforced. The Israelis have always favored disarmament. I doubt that Russia will be anxious to pour another $2 billion of armaments into the Arab nations of the Middle East. Disarmament has suddenly become feasible. If there are to be further hostilities in that area let the combatants fight with bows and arrows.

Third on my list comes Germany and indeed all of Europe including Russia. There let us be grateful. The situation seems, for the time being, to be stabilized. As I said a year ago at Haverford: "Germany is, if more than a pawn, yet no more than bishop in the chess game between the Soviet Union and the United States. As that game progresses, it is becoming increasingly clear that stalemate rather than checkmate is the best result either player can expect."

I believe then, and I believe now, that the overriding objective of the foreign policy of the United States should be a wide ranging detente with Russia, arrived at, to be sure, after appropriate consultation by both of the superpowers with their NATO and Warsaw Pact allies. Such a detente clearly requires a settlement of the German question. The broad outlines of such a settlement were set forth in the report of the Committee on Arms Control and Disarmament to the White House Conference on the International Cooperation Year in November of 1965. That report recommended (1) a nonaggression pact between NATO and the Warsaw Pact nations; (2) balanced reductions of U.S. and Soviet troops and weapons in Central Europe; (3) direct arrangements between ourselves and East Germany covering matters such as trade and the movement of persons, which could lead ultimately to some kind of confederation of East and West Germany.

Last October 7 President Johnson made his famous speech advocating the building of bridges between East and West, particularly in the area of trade. I am satisfied that the more we trade with the Soviet bloc, the more tensions will be relaxed. On returning from a study mission to Warsaw, Moscow, Belgrade, and Prague last fall at the request of the Foreign Relations Committee, I wrote in "East of the Elbe," a report to the Foreign Relations Committee of the Senate of this study mission that "If we are to improve relations with the Soviet Union and the Eastern European countries, the most important fundamental foreign policy decision we can take is to decide that our relations with West Germany will not have priority over our relations with the Soviet Union and Eastern Europe. This does not mean that our relations with the East need have priority over our relations with West Germany. The two policies should be pursued hand in hand."

Further, I urged a more aggressive American initiative towards:

1. A nonproliferation of nuclear weapons agreement with the Soviet Union;

2. Further investigation into the suggestion made by many competent scientists, both in our country and abroad, that a comprehensive test ban treaty, including underground testing, can now safely be made without requiring on-site inspection.

3. The President should revitalize our own rather moribund disarmament activities by appointing the Vice President, formerly Chairman of the Subcommittee on Disarmament of the Senate Foreign Relations Committee, as American Disarmament Coordinator to demonstrate the importance with which the Johnson Administration regards disarmament matters.

4. The United States should enter into negotiations with the Soviet Union at the highest possible level, with the aim of reaching agreement on a moratorium on the deployment of anti-ballistic missile systems.

While some of these recommendations have been approved in principle by the White House we have few concrete results to show.

The Subcommittee on Disarmament of the Senate Foreign Relations Committee, of which I am a member, has conducted executive hearings dealing with the matter of an agreement with Russia not to deploy anti-ballistic missile systems. Based on the testimony I heard—the testimony of experts—I have come to the conclusion that President Johnson and Secretary McNamara are right. No possible gain can come to either country from the deployment of anti-ballistic missile systems because, quite candidly, the systems are no good. At best they could deter a light attack. There isn't a shadow of a doubt that the Soviet Union's missiles could destroy New York tomorrow and our missiles Moscow before the end of the day, and there is nothing in prospect in the foreseeable future which would result in an anti-ballistic missile system which could protect either our own missile sites or our cities from a devastatingly successful attack by the Soviet Union if it chose to utilize its available force. We in turn have the same capability.

Here, as everywhere else, the war in Vietnam is poisoning the quest for peace. Its termination is the first priority of a successful quest for peace.

Fourth, there is the widening gap between the rich nations of the North and the poor nations of the South. Here the situation is worse today than it was a year ago, for the poor nations are getting poorer while the rich nations become richer. Whether we speak of famine in India or population growth exceeding the potential of the ability to feed it in Latin America, or the problem of skilled manpower and education in Africa, the result is the same. The requirements to bridge the gap between affluence and misery are not being met. We had better increase our pace and see that the other affluent nations of the world do the same if we really want to pursue peace. If we were to devote 1% of our Gross National Product to a sensible plan to assist the underdeveloped nations of the world, and if other affluent nations would do the same, we could really start the lower half of the world on the road to achieving and maintaining freedom and peace. Thus the teeming millions of Latin America, South Asia and Africa would have at least some hope for joy for their children, if not for themselves.

This brings me to China, and here I do not share the pessimism of many. Communist China is close to chaos. Fundamentally, it doesn't, in my judgment, have the capability of vastly expanding its borders. To be sure, if the opportunity afforded itself, as the Chinese erroneously thought it did in a number of African countries, in the Dominican Republic, and elsewhere in Latin America, the Chinese would take what they could get in terms of expanding Mao's peculiar brand of Communism. But China has suffered a series of crushing defeats outside its borders. Indonesia is perhaps the most conspicuous. The Vietnams, North and South alike, are determined to remain independent of the government in Peking.

Chinese military power is largely based on a huge land army with little capability of moving very far outside its own boundaries. Its nuclear potential is still primitive, although it may be expected to grow in the next few years. I would hope that, long before China becomes a major nuclear power, some sensible arrangement will have been entered into by the Russians and ourselves to eliminate nuclear weapons through the disarmament process. China has already committed itself to completely eliminate such weapons if others do the same.

The calculated belligerence of the talk of the Communist Chinese is seldom backed up by belligerent action. One of the wisest of our China watchers, Professor John K. Fairbank of Harvard, recently said, and I agree: Mainland China is in trouble, first, because Mao's fanaticism and impractical idealism have alienated enormous masses of his fellow countrymen. Second, the country is too big and logistically too primitive to be well governed. Decentralization of power to provincial chiefs, whether Communists or warlords makes very little difference, weakens the central government to the point of impotence and historically always has. And, third, the continuous emphasis on politics is ruining any chance of developing a viable economy.

Personally, I would take China into the United Nations if only to subject her to the thinking of the rest of the world, and also because, in my view, if the United Nations is to be meaningful, it would do better if it is universal. I would also recognize China as soon as China is willing to recognize us. And then, I would wait and pray.

So, finally, we come to the problem of how to build viable international institutions which can help keep the peace. And here I turn pessimist. No one has been a stronger supporter of the United Nations than I. But, as Vietnam and the Middle East crisis have made clear, that institution is no better than its quarreling nation-states.

Moreover any significant action by the U.N. in the international politics arena depends on agreement between the Soviet Union and the United States. It is the understatement of the year that this is often hard to come by although it is encouraging to note it was finally achieved last week in the cease-fire resolutions of the Security Council directed to the Arab-Israel War.

The lofty principles of the Charter are little more than a catechism of broken hopes and shattered dreams.

Why have the aspirations of the U.N. Charter been broken, why has the dream of a just and lasting peace been shattered? I think the answer is clear: The original Charter is as hopelessly outmoded as were the Articles of Confederation at the time the Founding Fathers drafted the Constitution of the United States. And the nation-states have been unwilling to yield to the international institution they created that modest amount of national sovereignty which is essential to an effective United Nations.

The United Nations, as presently constituted, is incapable of providing the international guidance and control required to monitor and enforce general and complete disarmament under enforceable world law, which in my judgment is a requirement of any lasting peace. The rule of one nation—one vote in the General Assembly, the veto in the Security Council, inadequate fiscal powers and the absence of a strong executive are its major disabilities. Accordingly either the Charter of the United Nations must be drastically revised or new international institutions must be born out of the Geneva Disarmament Conference or some other international body where the above disabilities do not apply. It is high time the United States took the initiative along these lines.

I began by speaking of the "generation gap". But the real gap today is not one which lies between the generations, older and younger. It is the gap which separates millions of Americans into one group which believes in a better future and another group which doesn't. In both groups are people of every age, many races, many creeds. Some would say it was a gap between cynics and idealists. Others, a gap between the apathetic and the actionists.

Somehow, some way, that gap must be closed by a triumph of pragmatic vision in the quest for peace. Somehow we must manage to make idealistic realism not only respectable, but predominant in the thinking of America

Many of your elders, frozen in the conventional thinking, have, through the ages, produced an unremitting round of wars and terror. It may be too late for those of us who have "drunk our cup a round or two before" to do much to change this pattern. But for you now starting your journey as adults in the age which opens up before you, there is still time. In the words of George Bernard Shaw "other people see things and say 'why'? But I dream things that never were; and I say 'why not?' " Although some of you may not believe it, there are many people over 30 who share your dreams. You can, and I suggest you must, dream dreams of a warless world and make them come true. For, as has been well said: "The world is now too small for anything but the truth and too dangerous for anything but brotherhood." You have a chance, in your lifetime, to achieve that love, freedom, peace and joy we all so ardently desire. Good luck to you.

PSYCHOLOGICAL HABITUATION TO WAR

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an article printed in the American Journal of Orthopsychiatry for April 1967 on the subject of "Psychological Habituation to War: A Sociopsychological Case Study," by Dr. Isidore Ziferstein, research psychiatrist, Psychiatric and Psychosomatic Research Institute, Mount Sinai Hospital, Los Angeles, Calif.

It is a very interesting article because it discusses "the techniques employed by government to reduce opposition to the war in Vietnam, relying heavily on psychological habituation by gradual involvement. Each small new step in the escalation is presented as a logical, unavoidable result of a commitment made by a previous small step. The result is acquiescence by the individual, with no feeling that his right to disagree is being suppressed."

There being no objection, the article was ordered to be printed in the RECORD as follows:

PSYCHOLOGICAL HABITUATION TO WAR: A SOCIOPSYCHOLOGICAL CASE STUDY

(By Isidore Ziferstein, M.D., research psychiatrist, Psychiatric and Psychosomatic Research Institute, Mount Sinai Hospital, Los Angeles, Calif.)

In a comprehensive essay on adolescence, George E. Gardner lists as a major and most difficult task confronting the child as he enters adolescence, the giving up of the security that is predicated upon the "all-knowingness" and the "all-powerfulness" of his mother and father. In this connection Gardner emphasizes ". . . the extreme vulnerability of all adolescents (or of adults who are still essentially adolescent) to the cry and to the seductive voice of the false leader or the leader with the false ideology or intent. That adolescents (of whatever chronological age) are appealed to—and respond to—such leaders, is accounted for by the fact that the latter always promise, among other things, an omniscient who can do their thinking and an omnipotent who will be their power.[10]

There is a parallelism between these growing pains of adolescence and the growing pains of a developing democratic society. In both instances, there is the danger of regression to an earlier phase of development, where security is sought by relying on an omniscient and omnipotent authority. The success of the democratic process requires citizens who are psychologically ready and willing to think creatively, to make choices, to make decisions as adults, not only in their family and other interpersonal relations but also in matters affecting their community and the nation. The democratic process, to be successful, also requires elected representatives who are able to resist the occupational hazards of their positions of leadership—the temptation to feel and act omniscient and omnipotent.

Too often there is a polarization, a division of labor, a division of society into two castes: the leaders and the led. Too often the ordinary citizen, beset by the cares and demands of everyday living, is relieved and content to leave the business of governing to the leaders. And too often the professional "governors" are men who are attracted to this profession by their need to wield power, the need to feel and be omnipotent.

One of the situations that bring this division into sharp relief is the state of war. The men who govern in time of war quite openly arrogate to themselves special powers over the governed. The reason given for this arrogation is the need to "maintain unity on the home front in time of crisis." This phrase means simply that the government feels it can not tolerate, in wartime, expressions or actions that may turn public opinion against the war effort.

In past wars, our government, like other governments, has employed forceful means and appeals to jingoism to achieve the required suppression of dissent. For example, in 1917, during World War I, the Congress enacted a Sedition Act under which more than 1,900 persons were convicted for such crimes as ". . . making a movie of the American Revolution showing Britain and America at war; saying that war drove men mad; urging people to vote against Congressmen who had voted for conscription; and writing a pamphlet which said that war is contrary to the teachings of Christ." [12]

In an upsurge of superpatriotism, an interest in anything German was considered unpatriotic. Sauerkraut became liberty cabbage; opera companies stopped performing Wagner; and symphony orchestras eliminated works by German composers from their repertories.

The current war in Vietnam has to date been relatively free of such phenomena. In fact, high government officials, including the President, Vice President, and Secretary of State, have made a point on several occasions of defending the right of dissenters to protest. They have even pointed with pride to these proofs of freedom of speech in an America at war.

It may be that the government is not employing the gross techniques of suppression of former wars because there has not been a declaration of war by Congress. The government might therefore be on precarious legal ground if it attempted to invoke wartime powers of suppression. A more likely explanation, however, is that the gross suppressive techniques of previous wars have been replaced by more subtle methods which are effective without being offensive, methods whose effectiveness is enhanced by the refinements of the new "science" of public relations and by the all-pervasiveness of the mass media.

A major element in the new, "public relations" approach is the very gradual escalation of the war effort. In this process of graduated escalation, each new step toward greater involvement is in itself small and seemingly insignificant. Each step appears to evolve as a logical consequence of a previous small and seemingly insignificant step toward greater involvement. And the new step equally logically prepares the ground for the next small and seemingly insignificant step.

The smallness of each step, and its logical evolution out of previous steps, make it acceptable. The gradualness of the process produces a habituation to the involvement. The end result is that the people find themselves deeply committed to large-scale war, without being able to tell how it came about, when and how it all began.

This point was dramatically illustrated at the hearings on the war in Vietnam of the Senate Foreign Relations Committee. On February 17, 1966 the following interchange took place:

"Senator HICKENLOOPER. When was the commitment made for us to actively participate in the military operations of the war with American personnel?

"General MAXWELL TAYLOR. Insofar as the use of our combat ground forces are concerned, that took place, of course, only in the spring of 1965. In the air, we had been participating more actively over two or three years." [23]

The fact that General Taylor, who was personal military representative of President Kennedy in 1961–62, Chairman of the Joint Chiefs of Staff in 1962–64, Ambassador to South Vietnam in 1964–65, and now Special Consultant to the President, could only say vaguely, "In the air we had been participating more actively over two or three years" is characteristic of the confusion and uncertainty produced by this kind of gradual escalation.

At this juncture, with the nation already deeply involved in actual fighting, other seemingly cogent arguments take over; e.g.: The nation is in danger. Our boys are fighting and dying. Now is not the time for doubting, questioning, hesitating, debating. We must give full support to our boys at the front. Those who refuse full support, or who hesitate, give comfort to the enemy and are directly responsible for unnecessary deaths at the front. All we can do now is to rally 'round the flag, support our Commander-in-Chief, etc.

Under these conditions, there is no longer any need for direct suppressive measures to guarantee a pro-war consensus. Instead one can employ appeals to "maturity," to concern for one's country, to concern for our boys fighting and dying at the front.

A classic example of this technique appears in a *New York Times* report of a speech delivered by President Johnson on May 17, 1966:

"President Johnson, in his most outspoken attacks on the opponents of his Vietnam policy so far, called on all Americans to unite behind him.

"Mr. Johnson, gibing at 'nervous Nellies,' seemed almost to call for an end to criticism of the Administration's action in Vietnam and to question his critics' patriotism.

"Mr. Johnson said, 'I ask you and I ask every American to put our country first if we want to keep it first. . . . Put away all the childish divisive things if you want the maturity and the unity that is the mortar of a nation's greatness. I do not think that those men who are out there fighting for us tonight think we should enjoy the luxury of fighting each other back home.' " [13]

Here the President skillfully appeals to the

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regressive wish of his audience to be good little children and surrender their critical faculties, but couches it as an appeal to maturity. He is lecturing his audience as a benevolently despotic father might lecture a naughty child. In the process, the democratic responsibility of the mature citizen to question, to examine, to criticize, is stood on its head and gibed at as the "childish divisive things" indulged in by "nervous Nellies."

These latter-day techniques are far more difficult to counteract psychologically than are techniques of direct suppression. The individual no longer experiences the suppression as coming from outside himself. The suppression seems rather to come from within, as a logical response to the situation that the country is in. The individual citizen himself, in response to the President's appeals for unity and maturity, suppresses any wish he may have to think critically to evaluate objectively, to dissent. The suppressing forces are no longer regarded as ego-alien.

This tendency to self-censorship is reinforced by another factor. Since he does not understand how the country got so deeply involved in the war, and feels quite confused about it, the average citizen concludes that the problems of war and peace in general, and of the Vietnam war in particular, are much too complicated for his average mind to encompass. This self-depreciation facilitates a regressive process, where the confused and helpless infant-citizen finds comfort in leaving all decisions to the father-figures, the all-powerful President and his all-knowing expert advisers.

Once the citizen has accepted the policy of war, psychological processes come into play which induce him to distort reality by ignoring or minimizing those facts which contradict the policy, while giving undue weight to facts which tend to validate the policy. Charles E. Osgood has described these processes under his "congruity hypothesis" as the strain toward consistency.[20 21] Leon Festinger has described them as "the reduction of cognitive dissonance."[7 9] These theories submit the proposition that when people know things that are not psychologically consistent with one another, they will try to make them consistent by various means. Osgood points out that the individual is most likely to change that element in the incongruity to which he has the least intense attachment and will maintain that element about which he has the most intense conviction.

To illustrate: When Stephen Decatur made his famous toast "My country right or wrong," he was in fact saying that he was capable of tolerating the cognitive dissonance between the strong positive valence of "my country," and the negative valence of "wrong." The average citizen cannot tolerate the dissonance and must change the positive valence of one of the elements to a negative one, or vice versa. He will find it extremely difficult to go through the emotionally painful reevaluation of values and the enormous intellectual efforts that would be involved in admitting to consciousness the idea that his country is engaged in policies and actions that are basically wrong. He will find it easier to eliminate the dissonance by justifying, for example, the bombing and napalming of enemy civilians on such grounds as: the enemy, even civilians, are cruel, ruthless, cunning, fanatical and none of them can be trusted.

Having achieved this regressive reduction or elimination of dissonance, the citizen experiences a sense of relief from anxiety and from the pressure of having to think about these complex questions. Henceforth, even if it may seem to him at times that his government's policies are palpably wrong, he can fall back on the comforting thought that there must be some top-secret information to which he has no access, and to which he is not entitled to have access, which can explain everything and make everything all right; and that the father-figures surely know what they are doing.

It seems clear to the behavioral scientist that this situation of habituation, confusion, self-devaluation, and regression to an infantile state of helplessness is unhealthy and should be corrected. Some behavioral scientists also feel that their life-long training and professional skills should enable them to make a contribution toward ameliorating or "curing" this state of sociopathological ill health. Unfortunately, the situation becomes much less clear when the specific questions are asked: What can behavioral scientists do? What contribution can they make?

Jules Masserman concludes an essay on "Psychological Medicine and World Affairs" (in which he writes prophetically as early as 1948 about "the dread prodromata of war") with the question: "What, then, can we as scientists, physicians and men of good will do?" After apologizing for the fact that "as is usual in medical treatises, the section on therapy must be regrettably brief," Masserman answers his own question:

"First, let us raise our voices to cry havoc and, since our puny professional and academic 'securities' would in any case become meaningless should catastrophe break, dare to use every means of communication at our command to rouse the world to its danger. (And second,) let us leave our crumbling ivory towers and use every podium and influence we have to secure a voice on policy-making and governing bodies."[16]

The writer agrees with Masserman's two proposals. He would suggest, in addition, a third way that a contribution could be made by behavioral scientists. In the case described in this paper of the public habituation to war, an effort could be made to counteract it by confronting the public with the existence of habituation and helping the average citizen gain insight into its genesis. The gaining of intellectual and emotional insight is an important tool in dynamic psychotherapy. It should be tried in sociotherapy. Perhaps the average citizen can be helped to feel less bewildered, less helpless, if he is helped to understand, step by step, how the present confused situation came about. Perhaps he can gain confidence in his own ability to think and to understand if he can be helped to perceive the subtle techniques by which his ability to think has been undermined. Perhaps, as in individual psychotherapy, a gaining of insight into the processes, external and intrapsychic, which led to the citizen's regression, may be the first step toward developing greater maturity and self-confidence.

What follows is offered as a sample of an attempt at such elucidation—an effort at counteracting the habituation to war by retracing some of the early steps in the gradual escalation by which the habituation was established.

HABITUATION BY GRADUAL INVOLVEMENT—A CASE STUDY

It is not easy to determine just when, how, and why the United States became committed to intervene in Vietnam. The involvement began quite indirectly, and seemingly without premeditation or intent. It began as an indirect consequence of the efforts of the United States government, under the Marshall Plan, to help the countries of Europe recover from the devastation of World War II.

The French became recipients of Marshall Plan aid soon after World War II ended. When, in 1946, the French began their war against the Viet Minh in an effort to reestablish their colonial rule in Indochina, Marshall Plan dollars enabled the French government to release francs for expenditures in that war.[11] This first indirect involvement, and the sympathy of American government officials for the role of the French as "the defenders of the cause of human freedom" in Southeast Asia,[4] led inexorably (although in steps barely visible to the unaided human eye) to the present full-scale involvement with over 400,000 American ground troops and all the latest paraphernalia of war.

The indirect involvement continued from 1946 until 1950. Then it became direct. This next step was taken in May 1950, with the announcement that the U.S. would give direct economic aid and military equipment to the French in Vietnam and to the emperor Bao Dai, who had been appointed by the French to rule Vietnam under their tutelage.[1] This step seemed insignificant at the time (merely a shift from indirect aid to direct aid), and logical (since the French were our NATO allies).

The sending of American military equipment to Indochina led logically to another step—the sending of American experts to teach the French how to use the equipment. This was another fateful step—the first commitment of American manpower. President Eisenhower wrote in his memoirs:

"It is true that certain legislators have expressed uneasiness concerning any use of American maintenance personnel in Indochina. They fear that this may be opening the door to increased and unwise introduction of American troops into that area. [As indeed it proved to be. I. Z.] The administration has given assurances to guard against such development."[5]

By May 1954, when the French suffered their conclusive defeat at Dienbienphu, there were 684 such American experts, maintenance personnel, and advisers. The French left (in April 1956) but the Americans stayed on, to build up the army of Bao Dai, later of Diem, and still later of the succession of military juntas that followed the overthrow and assassination of Diem.

These American advisers not only stayed on but multiplied, although very slowly at first. At the end of the Eisenhower Administration in 1960, there were about 750 American military personnel in South Vietnam.[24] Although they were military men, they wore civilian clothes, because the Geneva Accords of 1954 forbade "the introduction into Vietnam of any troop reinforcements and additional military personnel."[27]

The next step was also a seemingly unimportant one, but it was perhaps crucial. The American advisers began to appear on the streets of Saigon in American military uniforms. This "surfacing" of the American military in Vietnam was also very gradual. Here, for the first time, was established a palpable, visible American military presence in South Vietnam. Once this was established, all that followed seemed logical and inevitable.

The increase in American troop involvement was considerably accelerated during the Kennedy Administration. By the end of 1961, the newly elected President had more than quadrupled the number of troops to over 3,000. This number tripled in 1962; and by October 1963 there were about 17,000 American "advisers" in South Vietnam. Many of them accompanied their South Vietnamese "advisees" on combat missions, and they were authorized "to fire when fired upon."

In retrospect it is clear that at this stage of the involvement, Americans were engaging in combat—killing and being killed. But this was glossed over by public assurances that there had been "no change in the quality of our support, but only an increase in the quantity of it," and that American military personnel were serving, and would continue to serve, in South Vietnam in a purely advisory and training capacity.[25]

Furthermore, on October 2, 1963 Secretary of Defense Robert McNamara and General Maxwell Taylor made the reassuring an-

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nouncement that "the major part of the U.S. military task can be completed by the end of 1965, although there may be a continuing requirement for a limited number of training personnel." This was backed up by a statement that 300 American troops would leave Vietnam by December 3, while another 1,000 would depart before the end of the year.[28]

Despite these assurances, American involvement continued to increase, in numbers, in intensity, and in overtness. But by this time, the habituation had taken hold. As late as November 1964, with more than 20,000 American ground troops in South Vietnam and with total American casualties close to 2,000, the American people still believed they were voting for a President who had kept us out of war.

A story in the *Los Angeles Times* in April 1965 described the satisfaction of American airmen that "the wraps have at long last been taken off the Air Force." Previously, every American helicopter pilot had to be accompanied by a South Vietnamese "even if the South Vietnamese was a mail clerk," so that in case the helicopter crashed or was shot down, it could be claimed that the Vietnamese mail clerk was the pilot and the American pilot was only an adviser. All this pretense could now finally be discarded, the report in the *Los Angeles Times* continued with obvious satisfaction.

It took 19 years of very gradual escalation for our involvement to reach the point where "the fight is now predominantly an American war," as Walter Lippmann points out. But it should be noted that in the past two years, since "the wraps have been off" and all pretense finally discarded, the escalation has been accelerated precipitously. By November 1965 there were more than 150,000 American soldiers in South Vietnam. In November 1966 there were 360,000 American fighting men on Vietnamese soil.

One might ask whether the gradual escalation was deliberately planned by government leaders as a subtle and effective public relations technique, or was the haphazard result of historical factors outside the control of our government. Since both history and human motivation are never a matter of black-or-white, the question can be posed more meaningfully as follows: to what extent was the gradual habituation deliberately planned and predetermined, and to what extent did it just happen?

It is doubtful that anyone, including the leaders themselves, could answer these questions categorically. However, the weight of the historical evidence goes to show that the government of the United States was determined, from the very beginning, to do everything it could to keep Ho Chi Minh and the Viet Minh from coming to power in Vietnam. For example, Chalmers W. Roberts, Chief of the National News Bureau of the *Washington Post and Times-Herald*, reported on March 25, 1954 the National Security Council took a firm position that the United States could not afford the loss of Indochina to the Communists, and that if it were necessary to prevent the loss, the United States would intervene in the war. This decision was approved by President Eisenhower.[22] On April 16, 1954 Vice President Nixon sent up a public trial-balloon in a speech before the American Society of Newspaper Editors, in which he said:

"If to avoid further Communist expansion in Asia and Indochina, we must take the risk now by putting our boys in, I think the Executive has to take the politically unpopular decision and do it." [6]

A few days previously, on April 3, 1954, Secretary of State John Foster Dulles and Admiral Arthur W. Radford, Chairman of the Joint Chiefs of Staff, had urged upon a secret meeting of eight leaders of the Senate and the House the necessity of a joint resolution by Congress to permit President Eisenhower to use air and naval power in Indochina. Admiral Radford's plan was to relieve the French at Dienbienphu by striking at the Vietminh forces with hundreds of American planes from Navy carriers and from the Philippines. Roberts writes:

"Some of those at the meeting came away with the feeling that if they had agreed that Saturday to the resolution, *planes would have been winging toward Dienbienphu without waiting for a vote of Congress—or without a word in advance to the American people.*" [Italic mine, I.Z.]

Secretary Dulles tried to interest some of America's allies in his plans. "In these talks Dulles ran into one rock of opposition—Britain." [23] The reaction of another ally is described by Roscoe Drummond and Gaston Coblentz in their book about Secretary of State John Foster Dulles, *Duel at the Brink.* They write:

"The main figure with whom he [John Foster Dulles] negotiated in Paris, shortly before the [Geneva] conference and during its early weeks, was [French] Foreign Minister Georges Bidault.

"As the collapse of Dienbienphu approached, Dulles told Bidault that a battle lost was not a war lost. The discouraged Bidault replied that General de Gaulle had said the same thing in 1940, but that it was something one says in the first year of a war, not in the eighth, as in Indochina.

"Bidault's recollection of the talks, as recounted to these reporters, introduces into the Dulles record a new element which, at present, reposes solely on the French statesman's testimony. *Bidault understood Dulles, on two spearate occasions, to have offered him the use of American atomic bombs by French forces in the Indochina war.*

"By Bidault's account both offers were made before the fall of Dienbienphu; prior, that is, to the Geneva Conference. According to Bidault, both offers were made to him personally by Dulles in Paris.

"The first is recalled by Bidault as an offer of one or more atomic bombs to be dropped on Communist Chinese territory near the Indochina border in a countermove against the Chinese supply lines to the Vietminh Communists.

"The second is recalled as an offer of two atomic bombs against the Vietminh forces at Dienbienphu.

"Bidault, by his account, declined both offers. He told Dulles that it would be impossible to predict where the use of nuclear weapons against Red China would end, that it could lead to Russian intervention and a world-wide holocaust. In the case of the second offer, he considered the French and Vietminh forces to be by then too closely engaged at Dienbienphu to permit the use of atomic weapons.

"There is no doubt in Bidault's mind that these offers were made to him by Dulles" [3] [Emphasis mine. *I.Z.*]

These facts point to the conclusion that the Administration would have plunged the United States into the Indochina war much more precipitously if it could have. But it encountered two obstacles: Our Allies, especially Britain and France refused to go along. And Nixon's trial-balloon brought forth an avalanche of negative letters and telegrams to the President, and a great deal of negative reaction in the press. The time was not ripe for total intervention. The American people would have to undergo a prolonged process of habituation before they would be ready for total intervention.

It is, of course, quite likely that, having embarked on a course of gradual escalation, the leaders themselves became conditioned and habituated—they became the victims of their own techniques. The strain toward consistency and elimination of cognitive dissonance described by Osgood, Festinger, and others applies not only to ordinary citizens but also to leaders. The leaders are constrained to find rationalizations which will justify their decisions to themselves, as well as to their followers. Former President Eisenhower recently exemplified one such technique in high places, a technique to justify the killing of civilians in underdeveloped nations. In a televised speech on September 18, 1966, he argued against "the fear of using a weapon [nuclear] that the free world might need in some outlying place where people or life seems to be cheap, and they want to have their way." [26]

It is also probable that the original planners of our Southeast Asia strategy did not anticipate in 1950–54 either the duration or the extent of the ultimate involvement. They grossly underestimated the determination, stamina, and dedication of the guerrillas. The performance of the Viet Minh against the French should have alerted our decisionmakers, but here another factor entered, which is operative to this day. The American leaders felt vastly superior both to the French and to their rag-tag guerrilla opponents. The leaders were the victims of the parochial tendency to feel that "one American is as good as any 10 foreigners," (especially if the foreigners are non-white).

Since then, much habituation has taken place. In June 1954 a Gallup Poll showed that 72% of the American people opposed sending American troops to Indochina. By 1966, 60–70% were going along with the Administration policy. The process of habituation has been eminently successful. It has achieved a 180 degree shift in American public opinion in the space of 12 years.

The habituation has been reinforced by techniques of news management and manipulation of public opinion. The President's televised press conference of July 28, 1965 is a classic example. It furnishes an instructive case study of the psychological preparation and manipulation of the American public:

Several weeks before the press conference took place, Secretary of Defense McNamara made a highly dramatized and thoroughly publicized "fact-finding" tour of South Vietnam. Newspaper dispatches stressed the dangerous nature of this mission. The Viet Cong, it was reported, spared no efforts to "get" McNamara. On one occasion, a mine was discovered in the nick of time under a bridge that McNamara was to cross. (No one asked why such a dangerous mission was given so much advance publicity. Would it not have been safer for Mr. McNamara to slip into Vietnam incognito and with no fanfare?)

Upon his return from Vietnam to Washington, Secretary McNamara and his fact-finding mission continued to capture the headlines. For several days, these front page stories in the news media reported that the President was closeted with Mr. McNamara and several top-level advisers in day-long, continuous top-secret consultations. The purpose of these conferences was to determine, on the basis of Mr. McNamara's findings, the future course of the war. Strangely enough, at the end of each day's "secret" session information was "leaked" to the news media which indicated that there would be a very rapid increase in U.S. combat forces in Vietnam, a marked rise in draft quotas, mobilization of the reserves, and a request that the Congress make a supplemental war appropriation of 12 billion dollars. With each day, as preparations were reported for a Presidential press conference, tension rose and public apprehension mounted that the country would be placed on a total war footing.

So well was the public prepared by the press "leaks" to expect the worst, that there was a general expression of relief when, on July 28, the President asked for "only" 1.7 billion dollars, a draft quota of "only" 35,000 by November, an increase in troop strength to "only" 125,000, and greatest concession of all, did not call out the reserves. However,

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the *Wall Street Journal* of August 4, 1965, reported that ". . . the President had announced one plan for public consumption, but was pushing, behind the scenes, for a much larger involvement in the war."

In connection with this concealed program, the *Wall Street Journal* continued, Secretary of Defense McNamara appeared before a closed session of the Senate Armed Services Committee to project a far heavier commitment of manpower and funds.

By January 20, 1966, the *Los Angeles Times* was reporting that the President "appeals to Congress to provide $12 billion more to support expanded Vietnam action." (The precise figure mentioned in the press leaks of July 1965.) By February 12, 1966, the President was stating that the time may come when he will have to summon the reserves. Several months after that, a bill was passed giving the President authority to do so. And, of course, the number of combat troops rapidly rose above the 125,000 figure projected in the July 28 press conference.

It is clear, in retrospect, that the skillfully stage-managed, televised press conference of July 28, 1965 marked a new phase of open, headlong escalation of the war—now that the "wraps were off." But an adverse public reaction to this new development was averted by skillful manipulation of information. The formula is simple, but effective: First step: highly alarming rumors about escalation are "leaked." Second step: the President officially and dramatically sets the anxieties to rest by announcing a much more moderate rate of escalation, and accompanies this announcement with assurances of the government's peaceful intentions. Third step: after the general sigh of relief, the originally rumored escalation is gradually put into effect, after all.

This technique of psychological backing and filling has two effects: (1) By the time the originally leaked figure of, say, $12 billion, is officially presented by the President in January 1966, the citizen has the comfortable feeling of familiarity with it, of being knowledgeable about it. Somewhere, sometime he has seen and heard this figure before, as indeed he had—in July 1965. It has been robbed of its shock effect. The citizen has become habituated to it. (2) The succession of "leaks," denials of leaks, and denials of denials, thoroughly confuses the individual. He is left bewildered, helpless, apathetic.

The habituation is further reinforced by what is politely called "news management," but what some newsmen have referred to more frankly as the withholding of information or the giving out of misinformation by the government. In February 1965, U.N. Secretary General U Thant bluntly stated that the American people were not getting the true facts about the war in Vietnam, particularly about peace feelers from Hanoi.[18] Australian correspondents in Vietnam have charged American military public relations men with misrepresenting casualty figures in order to make them less stark for the American public.[19] American newsmen have similarly complained about misleading news and misinformation. In a front page news article headed "U.S. Command Less Than Candid in Reporting Vietnam Battle Action," Jack Foisie, Bureau Chief in Saigon for the *Washington Post* and the *Los Angeles Times*, writes:

"Even in a minor defeat, or a minor error in contrast to the bigness of the war, spokesmen try to minimize the setback, distort the fact. They do their best to sweep the dirt under the tent." [14]

Professor Thomas A. Bailey writes in the *New York Times* about President Johnson's "warping, sugar-coating or falsification of the news." [2]

News management is not a new phenomenon. It is probably as old as politics itself. In the United States, as Professor Bailey puts it, "news management dates back to George Washington's Administration." [3] What is new, in our democracy, is the quantity, the degree of news management. What is new is the fact that high government officials openly admit it, and that the large majority of the American people have accepted it as one of the facts of life. William Touhy, the *Los Angeles Times* correspondent in Saigon, writes:

"Sylvester [Assistant Secretary of Defense for Public Affairs Arthur Sylvester] has said he favors government news management, including lying to the press in times of crisis. On a trip to Vietnam, he declared the press ought to be the handmaiden of the government, as far as reporting the war went.[15]

And *Newsweek* quoted the official spokesman for the United States mission in Saigon as stating: "My directive says that our policy is one of minimum candor." [17]

The open advocacy by governmental leaders of policies of "minimum candor" and lying to the people undermines "the right to know." The restrictions on his right to know the truth mesh neatly with the citizen's regressive wish to remain unknowing, and further facilitate his regression to the preadolescent phase of seeking security in the omniscience and omnipotence of the authority figures.

CONCLUSIONS

The techniques employed by government to reduce opposition to the war in Vietnam rely heavily on psychological habituation by gradual involvement. Each small new step in the escalation is presented as a logical, unavoidable result of a commitment made by a previous small step. The result is acquiescence by the individual, with no feeling that his right to disagree is being suppressed.

The acquiescence resulting from psychological habituation to the war could prepare the ground for eventual acceptance of the use of nuclear weapons, if such use developed as a "logical" next step. Senator Richard B. Russell, Chairman of the Senate Armed Services Committee, has advocated using small nuclear weapons in Vietnam, increasing the size of the nuclear bombs when necessary. This foreshadows a kind of nuclear escalation similar to the gradual escalation described above.

The gradual habituation, the "management" of news and information, and the manipulation of public opinion produce in the American people a sense of confusion. They undermine the average American's confidence in his own ability to think clearly and cope with important issues. They foster in the average American a feeling of helplessness and passivity. All this bodes ill for the democratic process: an ill-informed and misinformed people may be unable to participate intelligently in decision-making. It bodes ill for the prospects of human survival: a habituated people may be unable to stop the drift toward a third, thermonuclear, world war. It bodes ill for the emotional health of the American people.

And all this is a matter of serious concern to behavioral scientists, as citizens and as specialists.

FOOTNOTES

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THE LATIN AMERICAN ARMAMENT RACE

Mr. MORSE. Mr. President, this morning's Washington Post carries an editorial entitled "Shakedown in Peru." I ask unanimous consent that the editorial, the sentiments of which I heartily endorse, be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, as the editorial indicates, the Peruvian military forces are seeking the purchase from France of supersonic jet airplanes. The cost will raise the percentage of the Peruvian budget spent on armed forces from 14.7 percent last year to 18.9 percent this year. Not unexpectedly, Peru is asking the United States to come through with economic aid called a "program loan," which amounts to making up the Peruvian deficit with American aid.

Thus, indirectly, the American taxpayers are really asked to underwrite Peru in its armament race, when we all know that the standard of living of its people is exceedingly low, and when we all know that what Peru ought to be spending its money for is the benefit of the mass of its people, and not to maintain the prestige of a military oligarchy.

I say with some familiarity with the subject that if we surrender to this perversion of American aid, the Alliance for Progress will be as dead as a doornail, insofar as its original purposes are concerned. It is already staggering. It has already lost the inspiration and the vision that brought it into being. It is increasingly becoming a cold mechanism for moving American commodities into Latin America, with no regard for the purposes to be served thereby or the effect upon the lives and futures of the people who live there. Its impact upon the bankbooks of the wealthy in Latin America is looming larger all the time as the chief standard of its success, as they, in turn, follow the common practice of flight of capital, depositing more and more hundreds of thousands of dollars in Swiss banks.

Last year, when the foreign aid bill was before the Foreign Relations committee, I brought up this subject with Secretary McNamara. For the record, I ask that the discussion that took place about the sale of American aircraft to Argentina, be printed in the Record at the conclusion of my remarks. It was that sale which stimulated the other air forces in Latin America to demand more airplanes until they are getting into the supersonic class.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. MORSE. Secretary McNamara repeated the familiar Pentagon rationale that any arms it makes available to other countries represents a "controlling" of the arms race; whereas when other countries sell or give weapons, that is an arms race.

Our sale of planes to Argentina set off a race among the air forces of Latin America to upgrade their planes. Peru is not the only country that is in it. It is to the credit of the Secretary of Defense that it is not the United States that is giving or selling these planes to Peru. Apparently, the administration has taken at least that part of my advice delivered to the Secretary last year that when these countries threaten to go somewhere else to make their purchases, we wish them Godspeed.

I should have added then, as I do now, that we should not pay the cost of that military hardware bought in France, or Russia, or Britain, through our economic aid program, either.

A few months ago, I said that American support of the military junta in Brazil is turning the Alliance for Progress into an alliance for progressive militarism. The Peruvian aircraft purchase, and its relationship to American aid, will be another turning point for the Alliance.

I promise to do all I can in my capacity as a Senator, and as chairman of the Latin American Subcommittee of the Senate, to oppose and prevent further degeneration of the Alliance into an economic prop for militarism in the hemisphere.

I say to my many friends in Latin America that I can continue to be counted upon to do what I can do to obtain deserved economic aid, but only—and I stress "but only"—after governments of Latin America cut out their attempt for an arms race in country after country in Latin America, entrenching deeper and deeper their military oligarchies which in turn help keep down freedom.

For some years in the Committee on Foreign Relations we have been able to whittle back military aid a little more each year, only to have much of our progress lost over on the House side or in conference. Sometimes after a bill has been passed, we find the administration seeking to arrange for loans of military equipment to Latin American governments. The word "loans" ought to be in quotation marks.

So, from the floor of the Senate this afternoon I declare again that this year I shall fight even harder to cut back on military aid to Latin America, because military aid to Latin America is bespoiling our Alliance for Progress program.

I shall also seek the means of preventing the use of economic aid to underwrite arms bought elsewhere.

I was standing by the birth bed of the Alliance for Progress program when it was born, for it came out of my committee when the then Senator from Massachusetts, Jack Kennedy, was a member of that committee. He and I were the ones that made the motion. I moved the motion that brought into being the very birth of the whole concept of an Alliance for Progress program. Senator Kennedy seconded it.

Let me say on the floor of the Senate again today that was an economic program and not a military program.

The Alliance for Progress program did not contemplate the sending of a single tank, a single military airplane, a single weapon into Latin America as any part of the Alliance for Progress program.

We have had this great economic program developing only to have it thwarted and stifled by a military aid program that has succeeded in building up, one military dictatorship after another, one military junta after another, and entrenching military oligarchies until the people of Latin America are suffering more and more from the standpoint of receiving the satisfaction they should receive in regard to economic aid to them.

And it must stop or we will stand convicted of once again trampling freedom under foot when the cause of freedom is being fought in Latin America.

It is being trampled underfoot because military dictators using American military weapons hold down the advance of freedom in various parts of Latin America.

Mr. President, I am sorry that I feel the situation warrants a speech as emphatic and as strong as I am making this afternoon, but now is the time, may I say from this floor, for the leaders of the governments of Latin America to know that in the Senate Foreign Relations Committee this year they are going to see a fight put up in opposition to any increase in military aid to Latin America, a fight against a government which seeks to buy these super military planes from France and then at the same time has the audacity to come forward and ask the American taxpayers for more economic aid, which is only an indirect way of asking the taxpayers to pay for the planes.

That program must stop, and this is the year to start stopping it.

Exhibit 1

[From the Washington Post, June 21, 1967]

Shakedown in Peru

Last year the military in Peru got $130 million, which was 14.7 percent of the budget and far more than the country's security requires. The salt in this financial wound was the fact that the budgetary deficit was $160 million. Meanwhile Peru's economy, one of the more stable in Latin America, entered on harsh times. The population last year rose more than 3 percent.

So this year the military is getting $196 million, or 18.9 percent of the budget, an appalling, intolerable increase which tells all too much about the armed forces' hunger for hardware and about the political deterioration which permits the military to take a bigger bite. Peru's security needs have not changed a whit in the last year. The military, whose year-long seizure of power in 1962 is in the back of every politician's mind, simply took advantage of the country's distress to grab itself more toys.

Even more distressing is the military's new appetite for supersonic jets. No other Latin air force has them and their acquisition by Peru would quite likely set the continent's other irresponsible airmen to clamoring for them too. The United States and, at American bidding, Britain had refused to sell supersonic aircraft to Peru but France, irresponsibly practicing an independent policy, has reportedly decided to make the sale.

Peru is running a huge budgetary deficit this year and wants Washington to help bail it out with a "program loan," the aid euphemism for a bundle of cash. The United States absolutely should not underwrite the Peruvian military's backmail, or the French armaments industry. To do so would be to damage the aims of the Alliance for Progress and give every tinpot flyboy in Latin America an incentive to shake down his own government.

Exhibit 2

Is the United States Fostering an Arms Race in Latin America?

Mr. Secretary, the Aviation Secretary of the Argentine is quoted in the press in recent hours as having told a press conference in Argentina that it will soon receive 50 subsonic Vulcan A4–B planes, 2 DC–6B transport planes, and 3 C–130 transport planes under the military aid program from the United States, is this true?

Secretary McNamara. Yes, that is correct. But not under the military grant aid program. Most of it represents sales, some of which were financed initially by funds from the military aid program.

Senator Morse. Do you think, in fact and in effect, there is any difference as to whether or not a country receives such military equipment from the United States through grant or purchase?

Secretary McNamara. I do, Senator Morse; but I shall put that aside for the minute.

I think the basic question—one in which you have been interested for a long time, and one which I think is very important and well worth asking and I hope I can answer—is this: Is not our military aid program, either grant aid or sales, fostering an arms race in Latin America? I think that is a fundamental question; and if I may take about 3 minutes of your time, I shall like to try to answer it.

Senator Morse. I will give it to you.

Secretary McNamara. I think the answer is "No." In 6 years, 1962 through 1967—the years during which I have been responsible for military assistance—we have supplied about $435 million worth of grant aid to 20 Latin American countries.

During that time, and of that $435 million, $13 million has been for combat aircraft, combat navy ships, and artillery. No tanks. It includes $200,000 worth of artillery, $10 million worth of ships, and $4 million worth of aircraft, which is very, very little. I can go into the individual items if you wish.

In addition to that grant aid we have entered into sales agreements with Latin American countries over that period of time. The most important is the one you mentioned with Argentina for 50 aircraft. Other sales include 3 destroyers in 1962 and 60 M–41 tanks planned in 1966 for Argentina; 3 destroyers to Brazil in 1966; 100 M–41 tanks planned for Brazil in 1966; 6 F–86–F aircraft to Peru in 1962; and an overhaul of a submarine planned for Venezuela. The important point I want to leave with you, Senator Morse, is this: That our small program of military aid to Latin America—$74 or $75 million in grant aid, plus the military sales—has resulted in our being able to help control a potential arms race and dampen it down to the point where there are no other groups of countries in the world comparable to those Latin American countries, with a total population of 200 million, which have gross national products adequate to support military operations and have such small military forces.

Ten of the nineteen countries to which we give aid spend less than 10 percent of their governmental budgets on defense. Eleven of them spend less than 2 percent of their gross national product on defense. None of them, with one exception, has as many men in uniform per unit of population as does any nation in Europe other than Switzerland.

I don't think there is any question but what we have used our bargaining power, if you will, brought about by the military aid program to hold down defense forces, the defense expenditures and foreign exchange expenditures in Latin America. If I could take just 30 seconds more, let me read to you from a memo of conversation that I had with an ambassador from one of those countries within the past 30 days.

"The ambassador used the first 15 minutes to lay out a case for additional military assistance to country E, a Latin American country. His points were that country E has a history of difficulties with her neighbors, although in recent years the difficulties have been limited to border incidents. That all guns in country E are for peace but that the power ratio of country E vis-a-vis her neighbors has gone from bad to worse and country E, being unable to obtain military ships and aircraft from the United States, plans to buy them from Europe. And Latin American countries have a history of buying them from Europe over the years. McNamara responded he was shocked that country E was expending her wealth on a basis such as this. He said he was aware of some of the proposals under consideration, and he said he thoroughly disagreed with them. He said he thought they involved much more than the population of country E desired and the strategic situation required. He added that he so far as he could affect the situation, he would not tolerate an arms race in E or country X."

And I stated they could not depend on our military grant aid from us if they were to misuse their resources as they proposed.

Senator Morse. Mr. Secretary, you and other administration spokesmen over the years have been pointing out that the military aid that we give to Latin America is necessary and we ought to look at it from the standpoint of its use to maintain internal security.

ARGENTINE PLANE PURCHASES

Will you tell the committee what these planes that the Argentines are seeking have to do with internal security of the Argentine because, as you know, my position has been our military aid ought to be limited to that type of aid necessary to put down threatened Communist coups.

Secretary McNamara. The answer is nothing—absolutely nothing.

Senator Morse. Of course not.

Secretary McNamara. But, what was the alternative, Senator Morse? The alternative was that the Argentine would accept the offer of another nation to sell 50 airplanes, at a much higher price which would involve a much greater diversion from her economic resources. We were able to prevent that from happening. These planes didn't bring us any foreign exchange to speak of. They were sold at a very low price because they were used aircraft. But we did achieve the net result of avoiding a large diversion of economic resources from economic development of the Argentine to an unneeded military weapon.

Senator Morse. You know, Mr. Secretary, that I have rejected that argument for years. It is nothing but an argument of international blackmail on the part of these Latin American countries. When they say "You either do it or we will go to Russia or to France, to someone else," our answer ought to be "Godspeed."

I don't think we have any justification being a party to either granting or selling to these Latin American countries this military equipment when the money ought to be spent to raise the standard of living of the people so they don't engage in Communist coups. That is why I made it clear at the beginning in my rejection of your major premise, that our military assistance program has not been a success.

In my judgment it creates a situation that threatens the freedom in these countries where we use it. It threatens a war between Greece and Turkey and a war between India and Pakistan. In my judgment it has done much to get us into the terrific loss of life that is taking place in Vietnam. And those are the differences between us. That is why it is so important that we get it on the record.

OTHER PROPOSED PURCHASES

I would like to have in the record, Mr. Chairman, if the Secretary would supply it, what the present status is of the request of other Latin American countries for military equipment, either by grant or by purchase. In my judgment, much of it has nothing to do with internal security in their country. That is one of the reasons, not the only reason, but one of the major reasons, why in my judgment we are contributing to a growing turmoil in Latin America and when we get out of South Vietnam we will be down there.

Secretary McNamara. Senator Morse, I couldn't agree with you more as to your basic premise that a military assistance program contributing to a diversion of scarce resources from a country's economy and the development of that economy—and it can only be through economic development that developing countries can be strong and stable in the future—that a military assistance program which diverts scarce resources from economic growth to unneeded military force is unwise. If that is what this program is, cancel it.

But the facts won't support that contention and I am very anxious to put into the record all of the pertinent facts on this issue.

(The information referred to follows:)

"STATUS OF U.S. MILITARY ASSISTANCE TO LATIN AMERICA

"The present status of U.S. military assistance to Latin America is shown in the summarization of the proposed fiscal year 1967 programs for grant aid and sales. The proposed grant aid program for fiscal year 1967 totals $71.9 million for individual country programs. Of this amount, the major component is for internal security. Including training, this category amounts to $47.7 million, or 64 percent of the total; $10.3 million, or 14 percent of the total, is for equipment and training associated with civic action. Internal security, civic action, training and supply operations together account for approximately 92 percent of the country programs. The remaining 8 percent of the program is for support of the maritime defense-ASW mission in the larger South American countries including five aircraft but consists primarily of spare parts, maintenance equipment and training munitions. The grant program does not contain tanks, artillery, fighter aircraft, or combat ships. The emphasis is on vehicles, transport aircraft and helicopters for mobility, communications equipment for better control in-country, specialized counterinsurgency, propeller driven aircraft to improve support of antiguerrilla operations, patrol and small craft to improve coastal and river surveillance, and spare parts, tools and equipment for maintenance of existing inventories.

"Sales requests also emphasize internal security items with about two-thirds of the program in this category. Sales requests do not include additional tanks, artillery, or combat ships. About one-third represents expenditures by the larger South American countries for overhaul and repair of ships on hand and equipment for in-country construction of one ship.

"Attached is a classified list of items by category, including both grant aid and sales programs.

"(The list referred to is on file with the committee.)"

Secretary McNamara. Let me point out to you gentlemen that after 15 years of military assistance program, the Latin American nations are spending less of their budgets and less of their gross national product on defense, and have fewer of their people in military service, than any other group of nations in the world.

The total number of combat aircraft in Latin America is 547, which is fewer than the combat aircraft of North Korea. The total number of tanks in Latin America is 974. That is 60 percent as many as a single country—Bulgaria—has.

I don't think you can support the argument that our military assistance program has contributed to the unreasonable growth of military forces in Latin America. If it has, I don't want to see it supported in the future.

Senator Morse. I know you don't want to see it supported in the future but you and I disagree on the facts. You are proposing and proposed last year, too, $75 million; the amount you are proposing this year ought to be halved. If you only had 50 percent of it, you would supply them all they need for internal security. You are using military assistance really for diplomatic relations.

I don't want to see military aid used for that purpose. I don't think we have any right to yield to the blackmail argument: "If you don't sell it to us we will go somewhere else and buy it."

Tell them to go ahead and buy it. They might find themselves in a little difficulty with their people.

The Chairman. The Senator's time is up.

Senator Aiken.

DISTRICT OF COLUMBIA SCHOOL SYSTEM

Mr. BYRD of West Virginia. Mr. President, yesterday a decision was reached in the U.S. district court in the case of Hobson against Hansen, et al. This decision, as I have read it in the press, in terms of the operation of the schools of our Nation's Capital, is so far reaching that I earnestly hope that the U.S. Court of Appeals and, in turn, the U.S. Supreme Court—in the event that the U.S. Court of Appeals should uphold the decision of Judge Wright—will have the opportunity to pass on this case.

If this opportunity is not afforded, in my judgment, grave and irreparable damage to the school system in the District of Columbia could be the result.

I ask unanimous consent to have printed at this point in the RECORD an article which appeared in the June 20, 1967, edition of the Washington Evening Star, entitled "Busing Is No Answer in District of Columbia, Passow Says."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BUSING IS NO ANSWER IN DISTRICT OF COLUMBIA, PASSOW SAYS—SCHOOLS STUDY CHIEF CITES RACIAL RATIO, ALSO DISPUTES FINDING ON SPENDING

(By Ernest Holsendolph)

To try to integrate the District's schools by busing or any other method when only 10 per cent of the students are white would be token integration at its worst, Dr. A. Harry Passow told a press conference yesterday.

He spoke two hours after Judge J. Skelly Wright released his decision indicting "de facto" segregation in the public schools here.

Reporting his findings in detail for the first time since the $240,000 Columbia Teachers College study began a year ago, Passow also took issue with findings in the Hobson case that the District consistently spends less per pupil to educate Negroes than whites.

Racial integration of schools is important, but quality education can be achieved without it in the District through proper instructional materials, specially trained teachers and cultural enrichment, he said.

BACKS END OF TRACKS

Passow concurred with the court opinion in Hobson v. Hansen that the track system should be abolished, to be replaced by flexible grouping which would make teaching easier and more effective.

"Young children should not be grouped until we have found some substantial basis for it," Passow said. He urged that during the early years stronger efforts be made to identify retarded boys and girls and children with physical defects so they may be provided special education.

Passow urged that a research unit on new buildings be established in an effort to design structures particularly for young children.

He denied the assertion in the Hobson case that there is a pattern of socio-economic discrimination in educational expenditures in District schools.

POORLY EQUIPPED

"We found that schools, some in poor areas and others in middle-class neighborhoods, were poorly equipped," he said.

Passow urged that there be a staff development center for more in-service training for teachers to equip them to serve inner-city schools.

He reiterated recommendations made earlier that the present Headstart program for 650 children be expanded to include 14,000 youngsters aged 3 and 4 as part of the regular school enrollment.

Passow noted Dr. John Fischer, president of Teachers College, heads a special task force which will report on long-range policy on racial integration, presumably on a metropolitan basis as recommended in the Hobson case.

In a paper written for the U.S. Civil Rights Commission's report, "Racial Isolation in the Public Schools," Fischer discussed a metropolitan school park system, with school parks arranged in a ring around the periphery of the city. The educational parks would draw Negro children from the inner city and white youngsters from adjoining suburbs.

Elsewhere in the report, Fischer wrote that attempts to desegregate schools often end in resegregation, but he concluded:

"The discouraging sense that desegregation won't work leads to the conclusion that the ghetto child's only hope lies in improving his segregated school. For the immediate future this may, indeed, be the only course open in some situations. But for the long run, neither school management nor public policy can be based on any assumption so completely contrary to the principles of an open society."

Mr. BYRD of West Virginia. I also ask unanimous consent to have printed in the RECORD at this point an editorial which appeared in this afternoon's Washington Evening Star, entitled "Wright's Wrong Way."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WRIGHT'S WRONG WAY

Near the end of his blistering attack on the District school system, Judge J. Skelly Wright observed that the preferable place to seek a better balance of educational opportunities in Washington schools would be in some "political arena" other than the courts. It is a great pity that the judge gave this sensible thought only passing attention.

His decision arrives, ironically, almost on the eve of the completion of the $240,000 Passow study. This year-long investigation, conducted on the basis of educational expertise, not sociolegal theory, is evolving practical new ways to cope with precisely those school conditions, found in the midst of de facto segregation and socio-economic deprivation, which Judge Wright now has ruled to be unconstitutional. The preliminary proposals by the Passow group seem to us thoroughly encouraging. From all accounts, the District school board is delighted. Had Judge Wright exercised more restraint, in his own role. It is possible that he might have abetted the healthy community effort already begun.

Restraint, however, is not Wright's style—on this subject, at least. Having expressed his revolutionary views as to what is legally wrong with the District school system, the judge proceeded to appoint himself the sole arbiter of what is educationally as well as legally right.

Thus, the track system "simply must be abolished"—with no encouragement for any type of alternative ability grouping in our schools, although total abolition would surely lead to total chaos. A "substantial" integration of the District faculty, ordained the judge, is to begin in September—and never mind how many of the 23 percent of District teachers who happen to be white are still left, when that job is finished, to integrate. A further erosion of the sound concept of neighborhood schools, through new means of pupil assignment, is likewise to begin in the fall.

We will be commenting further on the impact of these and other provisions of the decision in the days ahead.

One thing which seems to us perfectly clear at the outset, however, is that Judge Wright's ruling should be speedily appealed. If this unprecedented interpretation of the Constitution is to stand up, its validity should be established, and its impact clarified, as soon as possible, for the sake of school districts not only in Washington, but everywhere. Judge Wright's strictures as to the weight which schools must give "economic segregation" introduces a far-reaching new line of legal thought. As to de facto racial segregation it is conceivable, we suppose, that he may have been looking beyond the District of Columbia. For any effort to attack this problem in meaningful terms through the schools in Washington today is simply farcical. Dr. A. Harry Passow summed it up very well by saying that to try to integrate a school population already 93 percent Negro, by busing or any other method, would amount to token integration at its worst.

Let us restate our own position. We are convinced that the most extraordinary efforts are required to upgrade schools in poor neighborhoods. This means allocating to the worst schools specialized services of all kinds, and spending on them far more money than is spent in affluent neighborhoods. It means attracting to those schools the best possible teachers. But it also means attracting them on the basis of such positive incentives as extra pay—and the assurance of an atmosphere of innovation. It means attacking the problem where it is—not following Wright's will-o-the-wisp theories of educational equality, which could well lead, under conditions existing in the District, to nothing more than an equality of mediocrity.

Judge Wright's decision, in all its interminable, demagogic splendor, comes as no great surprise. The judge had personally dedicated himself, on the record, to the concept of court intervention in situations of de facto school segregation long before he heard this case. This District government should, by all means, seek a judicial review of his remarkable line of reasoning.

A MEETING BETWEEN PRESIDENT JOHNSON AND PREMIER KOSYGIN

Mr. SCOTT. Mr. President, I believe a useful purpose would be served if Soviet Premier Alexei N. Kosygin would meet with President Johnson while the Soviet head of state is in the United States. It would be unfortunate, indeed, if Premier Kosygin, having come all the way to New York for the United Nations meeting, left without making some attempt to meet the President.

Both Nations have a stake in bringing about peaceful conditions which are of concern not only to us but to all the people of the world, and neither nation can ignore the new evidence of Chinese possession of a hydrogen weapon.

MUTUAL FUND COMMISSIONS

Mr. SPARKMAN. Mr. President, as Senators may already know, the Investment Company Amendments Act of 1967, currently pending before the Banking and Currency Committee, is a most controversial piece of legislation. The proposal recommended by the SEC which has caused the most controversy is the one limiting commissions charged on the purchase of mutual fund shares to 5 percent of the purchase price.

An alternative proposal which has been suggested to the committee would, rather than setting a statutory ceiling on mutual fund commissions, give primary jurisdiction in this area to the National Association of Securities Dealers—a self-regulatory body which has had many years of successful experience in similar areas.

The suggested proposal would vest primary jurisdiction in determining whether mutual fund commissions are reasonable under rules and regulations to be promulgated by the National Association of Securities Dealers, with the SEC having secondary oversight. The concept of self-regulation has in the past been highly successful in the securities industry. I am, therefore, most gratified by the response that this proposal has received from the National Association of Securities Dealers, the New York Stock Exchange, and the American Stock Exchange, all of whom have participated over the years in the established pattern of cooperative self-regulation. I am also looking forward to continued discussions on this matter with the Investment Company Institute and the Investment Bankers Association.

So that all Senators may have the benefit of the suggested proposal and the responses given by the National Association of Securities Dealers, the New York Stock Erchange, the American Stock Exchange, the Investment Company Institute and the Investment Bankers Association, I ask unanimous consent that this correspondence be printed in the Record.

There being on objection, the correspondence was ordered to be printed in the Record, as follows:

June 6, 1967.

Mr. Robert W. Haack,
President, National Association of Securities Dealers, Inc., Washington, D.C.

Dear Mr. Haack: As you know, there is substantial opposition in the securities industry to the provision now contained in S. 1659 to eliminate the existing authority of the National Association of Securities Dealers with respect to sales loads contained in the present Section 22(b) of the Act, and to place a statutory ceiling of 5 percent on sales loads subject to the Security Exchange Commission's authority to grant exemptions in appropriate situations. It has been suggested that as an alternative, your Association might be given statutory responsibilities for the mutual fund sales load structure. The Association, as well as the Commission, has statutory authority in this general field under existing law. However, I am told that the standard for its exercise, the prevention of sales loads which are "unconscionable or grossly excessive" creates difficulties.

The alternative suggestion would replace this by a standard to be implemented in the first instance by rules to the general effect that sales charges shall not be "unreasonable." The alternative would also be consistent with the general pattern of the Securities Exchange Act which gives to the industry self-regulatory bodies initial jurisdiction with respect to commission rates and other sales charges.

Accordingly, I would appreciate receiving the benefit of your views regarding this including particularly an indication of whether this Association would be prepared to assume the major responsibilities which this would entail. I certainly recognize that the task would be a difficult one and that its performance would no doubt require careful study and the exercise of informed judgment in the interest both of the public and of the securities industry. On the other hand if the Association was willing to assume these responsibilities and exercise them with the degree of care and concern which the public importance of the matter calls for, this might well provide an equitable plan to meet the needs both of the public and of the securities industry and to resolve the current controversy with respect to mutual fund sales charges.

As you know, hearings on this legislation before the Senate Committee on Banking and Currency are scheduled to commence on June 19, 1967, and I would greatly appreciate it if we could have your reply somewhat in advance of the hearings, perhaps by June 12.

Sincerely,

John Sparkman,
Chairman.

National Association of Securities Dealers, Inc.,
Washington, D.C., June 16, 1967.

Hon. John J. Sparkman,
Chairman, Committee on Banking and Currency, U.S. Senate, New Senate Office Building, Washington, D.C.

Dear Senator Sparkman: This will acknowledge your letter of June 6, 1967 in which you inquire as to the willingness of the National Association of Securities Dealers to accept major responsibility in the field of regulation of the mutual fund sales charge structure. You also ask our views as to the suggestion that the Investment Company Act of 1940 be amended so that the standard for judging sales charges would be "unreasonable" instead of "unconscionable or grossly excessive". The Board of Governors of this Association is aware of the problems that have been presented as a result of the legislative proposals of the Securities and Exchange Commission which are embodied in S. 1659. In addition, it has considered the proposal in your letter that it accept the difficult and complex task of regulating the sales charge structure.

Because it believes that supervision of the levels of sales charges continues to be an appropriate and desirable function of a self-regulatory organization, the Board is willing to undertake the responsibility suggested by you in this area. However, because of the complexity and diverseness of this problem it is believed that careful consideration should be given to the manner in which this is to be accomplished.

The SEC report is seriously lacking in economic data upon which enlightened judgments could be made as to appropriate sales charge levels. Therefore, the Association would, in good faith, initiate the necessary study and develop, in cooperation with all interested parties, effective guidelines for mutual fund sales charges taking into account the needs and interests of the public as well as broker/dealers, bearing in mind that the results of such objective study cannot be predicted in advance.

Prior to such an undertaking, however, it would be both desirable and necessary to effect certain changes in the statutes. Among the more important are the following:

(A) Rather than the standard being specified as "unreasonable" we are of the opinion that is should be "excessive" which could be accomplished simply by deleting "unconscionable or grossly" from Section 22(b).

(B) Section 22(c) of the 1940 Act now provides for SEC authority as to sales loads, which authority, if exercised, would supersede any previously exercised Association authority. We believe that duplicate authority should be eliminated in this area and that Commission oversight can be accomplished, as is the case to other Association rules, by an appropriate amendment to Section 15A(k)(2) of the 1934 Act.

(C) An amendment would be required to Section 15A(b)(8) which prohibits the Association from establishing price schedules since the results of Association activity in fulfilling any responsibility as to the sales load structure could be deemed to be in violation of this Section.

(D) It would be necessary to make clear that Section 15A(b)(n), commonly referred to as the Association's anti-trust exemption, be deemed to apply to the responsibility suggested.

(E) Problems are presented in respect to legislation which would revise Section 27 of the 1940 Act which now prohibits more than a 9% sales load on periodic payment plans, and also prohibits deduction of more than 50% of such load during the first year of a plan since not only mutual funds but also variable annuities are affected.

(F) An additional area of concern as to the 1934 Act relates to Sections 15(b)(8), (9) and (10), enacted in 1964, requiring broker/dealers that are not members of a national securities association to conform to regulation by the SEC which is similar to that exercised by the NASD, and it would appear necessary to consider the relationship of sales charge regulation for such broker/dealers to that which would be provided under the suggestion for NASD members.

The above considerations are among the more important of those which would necessarily have to be resolved and to accomplish that objective we would welcome the opportunity to confer with you relative to them, to visit with you concerning the drafting problems presented, and to discuss certain other questions bearing upon this subject.

Very truly yours,

Robert W. Haack,
President.

New York Stock Exchange,
New York, N.Y., June 15, 1967.

Hon. John J. Sparkman,
Chairman, Committee on Banking and Currency, Old Senate Office Building, Washington, D.C.

Dear Senator Sparkman: Many thanks for your letter of June 7. We appreciate the opportunity to comment on the suggestion that the National Association of Securities Dealers be given the statutory responsibilities for the mutual fund sales load structure.

The expansion of self-regulatory authority over sales charges is not only a constructive approach but also is one that is totally in the public interest. We are deeply concerned with the proposal presently included in Section 12 of S. 1659 as we find it difficult to reconcile the imposition of a 5% statutory maximum sales charge and rate-making authority conferred in the SEC with the public interest. No showing is made that self regulation cannot work in this area. No showing is made that investment funds are in truth public utilities and hence must have their rates regulated by a government agency. No showing is made that there has been a detailed analysis of the economic consequences of the 5% maximum.

On the other hand, self regulation has deep roots in the securities industry. It has worked well in other segments of the industry and we know of no reason why it cannot work equally well in the investment company area.

For these reasons, the Exchange strongly endorses the approach of strengthening self regulation in the area of mutual fund sales charges.

Again, thank you for the opportunity to comment on this suggestion.

Sincerely,

G. Keith Funston.

American Stock Exchange,
New York, N.Y., June 15, 1967.

Hon. John Sparkman,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Senator Sparkman: Thank you for your letter of June 7 requesting the Exchange's views concerning a possible alternative in connection with certain provisions in S. 1659 relating to sales charges.

In its present form, S. 1659 would eliminate the existing authority under Section 22(b) of the Act of a securities association registered under Section 15A of the Securities Exchange Act with respect to mutual fund sales charges and would impose a statutory maximum of 5% on such charges. Under the alternative proposal you describe, the National Association of Securities Dealers would retain statutory responsibility over the level of sales charges.

We believe that a provision of this nature vesting the initiative and primary responsibility in a securities association registered under Section 15A of the Exchange Act would be consistent with the philosophy of the federal securities laws. It would recognize the practical value to public investors and the securities industry of giving to a self-regulatory association, with its broad experience in the field, the initial jurisdiction with respect to sales charges, while at the same time providing a power of review in the Securities and Exchange Commission.

As you mention in your letter, in discharging its responsibility under such a statutory power, the association would have to make a careful study of all pertinent factors in the interests of both the public and the securities industry. We believe that an association experienced in the field can make the requisite studies and exercise an informed judgment in this area of appropriate sales charges.

Your consideration in advising us of the proposal and in affording us this opportunity to express our views is much appreciated.

Sincerely,

RALPH S. SAUL.

INVESTMENT COMPANY INSTITUTE,
New York, N.Y., June 15, 1967.
Hon. JOHN SPARKMAN,
Chairman, Committee on Banking and Currency, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: I have your letter of June 7, 1967 referring to the substantial opposition in the securities industry to the proposed 5% sales charge limitation in S. 1659 and asking for our views concerning an alternative which would give the National Association of Securities Dealers statutory responsibility to implement a standard that mutual fund sales charges shall not be "unreasonable".

I have discussed the suggested alternative with the Institute's Executive Committee and this letter reflects their thinking as well as my own.

Our reaction to the suggested alternative is naturally tempered by the strong belief that the SEC has produced no economic data to justify either the proposed 5% limitation or its underlying premise that sales charges are too high. SEC dissatisfaction with sales charges is based, according to its Report, on a comparison of commissions on the sale of mutual fund shares with commissions on listed and over-the-counter securities. This invalid comparison ignores the basic differences between the nature of a mutual fund share (essentially a long-term investment program involving many services) and other securities, and the differences between the time, effort and manner in which they are sold. The costs of participation in mutual funds are determined by sharp competition in the open market place. This competition has brought about improved services and a lower overall rate of sales charges to the investing public and, we believe, will continue to do so.

We, therefore, wonder about the need for seeking an "alternative" to a proposal and premise which, in the view of so many, is so lacking in justification.

We believe that the testimony which will be presented at the forthcoming hearings will persuade your Committee that the current structure and level of sales charges is appropriate in the light of the costs of the distribution system and necessary to bring mutual funds to the investing public. In the event your Committee should feel that it needs further information or further analysis after you have heard all the testimony, we would be glad to explore with you and your staff, together with the SEC, the need for application of the principle of self-regulation to sales charges in the mutual fund industry. This should involve a careful study of costs and compensation at the level of the salesman, the dealer and the underwriter, to determine what changes, if any, are in the public interest. We anticipate that the conclusion from such a study would be that on the facts there is no need to change the existing structure of sales charges. If, however, the study should show that present sales charges are unreasonable in the light of all the facts we would support a form of self-regulation.

Should the need for self-regulation develop, many problems such as SEC jurisdiction in any such new scheme would have to be carefully considered. Review jurisdiction by the SEC over the NASD would bear consideration instead of the concurrent SEC jurisdiction with the NASD such as now exists under Sections 22(b) and 22(c). In addition, there would be the problem of applying the principle of self-regulation to those mutual fund underwriters who are not NASD members. For example, would the NASD or some separate organization composed of people in the mutual fund industry itself be the more appropriate body to carry out any such activity?

We are convinced these problems are complex and difficult, involving many diverse elements in the securities business. We would, of course, be glad to explore them at your convenience.

We appreciate this opportunity to comment in advance on the alternative raised in your letter and look forward to presenting our position at the forthcoming hearings before your committee.

Sincerely yours,

ROBERT L. AUGENBLICK,
President.

INVESTMENT BANKERS
ASSOCIATION OF AMERICA,
Washington, D.C., June 15, 1967.
Hon. JOHN SPARKMAN,
Chairman, Senate Committee on Banking and Currency, Senate Office Building, Washington, D.C.

DEAR SENATOR SPARKMAN: This is in response to your letter of June 7th requesting my views regarding the possibility, as an alternative to the proposal to place a statutory ceiling of 5% on sales loads on mutual funds, of giving the NASD statutory responsibilities for the mutual fund sales load structure to the general effect that such sales charges shall not be "unreasonable".

We frankly believe that the SEC has failed to establish that the present structure of sales charges on mutual funds is unreasonable or excessive, or any valid reason why they should be subject to a 5% ceiling. Accordingly, we believe that the proposal for the 5% ceiling should be rejected and that there is no need to consider any alternative to the present sales charges which are the result of vigorous competition, are fully disclosed in a prospectus delivered to each purchaser and are lower than the *undisclosed* sales charges in most other industries.

Vigorous competition is apparent in over 250 competing mutual funds. Attempts to dismiss that competition by peremptory statements that investors are not aware of competitive alternatives ignore the facts that a large number of knowledgeable investors compel competitive sales charges and that there are broadly distributed compilations showing comparative sales charges.

The S.E.C. has contended that section 22(d) of the Investment Company Act (requiring a dealer to sell a mutual fund share at the current public offering price described in the prospectus) has prevented competition from operating to reduce sales loads. The facts indicate that vigorous competition between different mutual funds has operated to reduce sales charges. An analysis of sales and commissions on fund shares representing about 85% of total industry sales shows that the overall sales charge rate *declined* between 1956 and 1966 from 7.00% to 5.73%, a decline of 18.2%—during a period of sharply rising costs of doing business. The general decline in the overall rate of sales charges is due largely to the progressively more liberal scales of quantity discounts, to the increasing number of purchases which qualify for such discounts, and to the recent development of quantity discounts on purchases over an indefinite period of time.

The IBA strongly supports the concept of self-regulation in our Federal system of securities regulation. If it were demonstrated, after considering (i) the broad consequences for investors, securities markets and small business and (ii) the undisclosed sales charges in other industries, that the present sales charges for mutual funds are unreasonable or excessive, we would support the alternative of self-regulation of sales charges as preferable to any statutory ceiling. However, if it were found necessary to give the NASD additional statutory responsibilities for the mutual fund sales charge structure, we would strongly recommend that (a) the standard for the exercise of such authority be "excessive" rather than "unreasonable"; (b) it be made clear that the S.E.C. does not have authority to establish the rate structure under that standard; and (3) the exact language of such an alternative proposal be worked out carefully by the staff of your committee and technicians from the securities industry and the S.E.C., with the understanding that any such new responsibility by the NASD would be exercised only after a careful study of the effect of a proposed rate structure on investors, securities markets and the securities industry.

We appreciate very much your affording us an opportunity to comment on the suggested alternative and we will welcome the opportunity to present our further views to you at the hearings on June 22nd.

Respectfully,

H. LAWRENCE BOGERT.

FROM ISOLATION TO INTERDEPENDENCE

Mr. SCOTT. Mr. President, a remarkable American, Milton Stover Eisenhower, will soon retire as president of the Johns Hopkins University. Dr. Eisenhower can look back with pride on a career of excellence in Government and education which included service in my Commonwealth as president of the Pennsylvania State University.

In his commencement address last week at the Homewood campus of the Johns Hopkins University, Dr. Eisenhower assessed the significance of the scientific and technological revolution which, in little more than a half century, has transformed human relations from isolation to interdependence. He pointed out that scientific and technological development has far outstripped political development with the consequence that men are not mentally prepared to fashion the institutions and attitudes which will enable them to live together harmoniously in an interdependent world. As a first step toward peace in this new world, Dr. Eisenhower calls for expansion of the NATO concept to all free nations as a means of buying the time "so desperately needed by men everywhere, whether mutual fund commissions are reasonable under rules and regulations to be promulgated by the National Association of Securities Dealers, with the SEC having secondary oversight. The concept of self-regulation has in the past been highly successful in the securities industry. I am, therefore, most gratified by the response that this proposal has received from the National Association of Securities Dealers, the New York Stock Exchange, and the American Stock Exchange, all of whom have participated over the years in the established pattern of cooperative self-regulation. I am also looking forward to continued discussions on this matter with the Investment Company Institute and the Investment Bankers Association.

So that all Senators may have the benefit of the suggested proposal and the responses given by the National Association of Securities Dealers, the New York Stock Erchange, the American Stock Exchange, the Investment Company Institute and the Investment Bankers Association, I ask unanimous consent that this correspondence be printed in the Record.

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President, National Association of Securities Dealers, Inc., Washington, D.C.

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The alternative suggestion would replace this by a standard to be implemented in the first instance by rules to the general effect that sales charges shall not be "unreasonable." The alternative would also be consistent with the general pattern of the Securities Exchange Act which gives to the industry self-regulatory bodies initial jurisdiction with respect to commission rates and other sales charges.

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As you know, hearings on this legislation before the Senate Committee on Banking and Currency are scheduled to commence on June 19, 1967, and I would greatly appreciate it if we could have your reply somewhat in advance of the hearings, perhaps by June 12.

Sincerely,

John Sparkman,
Chairman.

National Association of Securities Dealers, Inc.,
Washington, D.C., June 16, 1967.

Hon. John J. Sparkman,
Chairman, Committee on Banking and Currency, U.S. Senate, New Senate Office Building, Washington, D.C.

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Because it believes that supervision of the levels of sales charges continues to be an appropriate and desirable function of a self-regulatory organization, the Board is willing to undertake the responsibility suggested by you in this area. However, because of the complexity and diverseness of this problem it is believed that careful consideration should be given to the manner in which this is to be accomplished.

The SEC report is seriously lacking in economic data upon which enlightened judgments could be made as to appropriate sales charge levels. Therefore, the Association would, in good faith, initiate the necessary study and develop, in cooperation with all interested parties, effective guidelines for mutual fund sales charges taking into account the needs and interests of the public as well as broker/dealers, bearing in mind that the results of such objective study cannot be predicted in advance.

Prior to such an undertaking, however, it would be both desirable and necessary to effect certain changes in the statutes. Among the more important are the following:

(A) Rather than the standard being specified as "unreasonable" we are of the opinion that is should be "excessive" which could be accomplished simply by deleting "unconscionable or grossly" from Section 22(b).

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(F) An additional area of concern as to the 1934 Act relates to Sections 15(b)(8), (9) and (10), enacted in 1964, requiring broker/dealers that are not members of a national securities association to conform to regulation by the SEC which is similar to that exercised by the NASD, and it would appear necessary to consider the relationship of sales charge regulation for such broker/dealers to that which would be provided under the suggestion for NASD members.

The above considerations are among the more important of those which would necessarily have to be resolved and to accomplish that objective we would welcome the opportunity to confer with you relative to them, to visit with you concerning the drafting problems presented, and to discuss certain other questions bearing upon this subject.

Very truly yours,

Robert W. Haack,
President.

New York Stock Exchange,
New York, N.Y., June 15, 1967.

Hon. John J. Sparkman,
Chairman, Committee on Banking and Currency, Old Senate Office Building, Washington, D.C.

Dear Senator Sparkman: Many thanks for your letter of June 7. We appreciate the opportunity to comment on the suggestion that the National Association of Securities Dealers be given the statutory responsibilities for the mutual fund sales load structure.

The expansion of self-regulatory authority over sales charges is not only a constructive approach but also is one that is totally in the public interest. We are deeply concerned with the proposal presently included in Section 12 of S. 1659 as we find it difficult to reconcile the imposition of a 5% statutory maximum sales charge and rate-making authority conferred in the SEC with the public interest. No showing is made that self regulation cannot work in this area. No showing is made that investment funds are in truth public utilities and hence must have their rates regulated by a government agency. No showing is made that there has been a detailed analysis of the economic consequences of the 5% maximum.

On the other hand, self regulation has deep roots in the securities industry. It has worked well in other segments of the industry and we know of no reason why it cannot work equally well in the investment company area.

For these reasons, the Exchange strongly endorses the approach of strengthening self regulation in the area of mutual fund sales charges.

Again, thank you for the opportunity to comment on this suggestion.

Sincerely,

G. Keith Funston.

American Stock Exchange,
New York, N.Y., June 15, 1967.

Hon. John Sparkman,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

Dear Senator Sparkman: Thank you for your letter of June 7 requesting the Exchange's views concerning a possible alternative in connection with certain provisions in S. 1659 relating to sales charges.

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We believe that a provision of this nature vesting the initiative and primary responsibility in a securities association registered under Section 15A of the Exchange Act would be consistent with the philosophy of the federal securities laws. It would recognize the practical value to public investors and the securities industry of giving to a self-regulatory association, with its broad experience in the field, the initial jurisdiction with respect to sales charges, while at the same time providing a power of review in the Securities and Exchange Commission.

As you mention in your letter, in discharging its responsibility under such a statutory power, the association would have to make a careful study of all pertinent factors in the interests of both the public and the securities industry. We believe that an association experienced in the field can make the requisite studies and exercise an informed judgment in this area of appropriate sales charges.

Your consideration in advising us of the proposal and in affording us this opportunity to express our views is much appreciated.

Sincerely,

RALPH S. SAUL.

INVESTMENT COMPANY INSTITUTE,
New York, N.Y., June 15, 1967.

Hon. JOHN SPARKMAN,
Chairman, Committee on Banking and Currency, U.S. Senate, New Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: I have your letter of June 7, 1967 referring to the substantial opposition in the securities industry to the proposed 5% sales charge limitation in S. 1659 and asking for our views concerning an alternative which would give the National Association of Securities Dealers statutory responsibility to implement a standard that mutual fund sales charges shall not be "unreasonable".

I have discussed the suggested alternative with the Institute's Executive Committee and this letter reflects their thinking as well as my own.

Our reaction to the suggested alternative is naturally tempered by the strong belief that the SEC has produced no economic data to justify either the proposed 5% limitation or its underlying premise that sales charges are too high. SEC dissatisfaction with sales charges is based, according to its Report, on a comparison of commissions on the sale of mutual fund shares with commissions on listed and over-the-counter securities. This invalid comparison ignores the basic differences between the nature of a mutual fund share (essentially a long-term investment program involving many services) and other securities, and the differences between the time, effort and manner in which they are sold. The costs of participation in mutual funds are determined by sharp competition in the open market place. This competition has brought about improved services and a lower overall rate of sales charges to the investing public and, we believe, will continue to do so.

We, therefore, wonder about the need for seeking an "alternative" to a proposal and premise which, in the view of so many, is so lacking in justification.

We believe that the testimony which will be presented at the forthcoming hearings will persuade your Committee that the current structure and level of sales charges is appropriate in the light of the costs of the distribution system and necessary to bring mutual funds to the investing public. In the event your Committee should feel that it needs further information or further analysis after you have heard all the testimony, we would be glad to explore with you and your staff, together with the SEC, the need for application of the principle of self-regulation to sales charges in the mutual fund industry. This should involve a careful study of costs and compensation at the level of the salesman, the dealer and the underwriter, to determine what changes, if any, are in the public interest. We anticipate that the conclusion from such a study would be that on the facts there is no need to change the existing structure of sales charges. If, however, the study should show that present sales charges are unreasonable in the light of all the facts we would support a form of self-regulation.

Should the need for self-regulation develop, many problems such as SEC jurisdiction in any such new scheme would have to be carefully considered. Review jurisdiction by the SEC over the NASD would bear consideration instead of the concurrent SEC jurisdiction with the NASD such as now exists under Sections 22(b) and 22(c). In addition, there would be the problem of applying the principle of self-regulation to those mutual fund underwriters who are not NASD members. For example, would the NASD or some separate organization composed of people in the mutual fund industry itself be the more appropriate body to carry out any such activity?

We are convinced these problems are complex and difficult, involving many diverse elements in the securities business. We would, of course, be glad to explore them at your convenience.

We appreciate this opportunity to comment in advance on the alternative raised in your letter and look forward to presenting our position at the forthcoming hearings before your committee.

Sincerely yours,

ROBERT L. AUGENBLICK,
President.

INVESTMENT BANKERS
ASSOCIATION OF AMERICA,
Washington, D.C., June 15, 1967.

Hon. JOHN SPARKMAN,
Chairman, Senate Committee on Banking and Currency, Senate Office Building, Washington, D.C.

DEAR SENATOR SPARKMAN: This is in response to your letter of June 7th requesting my views regarding the possibility, as an alternative to the proposal to place a statutory ceiling of 5% on sales loads on mutual funds, of giving the NASD statutory responsibilities for the mutual fund sales load structure to the general effect that such sales charges shall not be "unreasonable".

We frankly believe that the SEC has failed to establish that the present structure of sales charges on mutual funds is unreasonable or excessive, or any valid reason why they should be subject to a 5% ceiling. Accordingly, we believe that the proposal for the 5% ceiling should be rejected and that there is no need to consider any alternative to the present sales charges which are the result of vigorous competition, are fully disclosed in a prospectus delivered to each purchaser and are lower than the *undisclosed* sales charges in most other industries.

Vigorous competition is apparent in over 250 competing mutual funds. Attempts to dismiss that competition by peremptory statements that investors are not aware of competitive alternatives ignore the facts that a large number of knowledgeable investors compel competitive sales charges and that there are broadly distributed compilations showing comparative sales charges.

The S.E.C. has contended that section 22(d) of the Investment Company Act (requiring a dealer to sell a mutual fund share at the current public offering price described in the prospectus) has prevented competition from operating to reduce sales loads. The facts indicate that vigorous competition between different mutual funds has operated to reduce sales charges. An analysis of sales and commissions on fund shares representing about 85% of total industry sales shows that the overall sales charge rate *declined* between 1956 and 1966 from 7.00% to 5.73%, a decline of 18.2%—during a period of sharply rising costs of doing business. The general decline in the overall rate of sales charges is due largely to the progressively more liberal scales of quantity discounts, to the increasing number of purchases which qualify for such discounts, and to the recent development of quantity discounts on purchases over an indefinite period of time.

The IBA strongly supports the concept of self-regulation in our Federal system of securities regulation. If it were demonstrated, after considering (i) the broad consequences for investors, securities markets and small business and (ii) the undisclosed sales charges in other industries, that the present sales charges for mutual funds are unreasonable or excessive, we would support the alternative of self-regulation of sales charges as preferable to any statutory ceiling. However, if it were found necessary to give the NASD additional statutory responsibilities for the mutual fund sales charge structure, we would strongly recommend that (a) the standard for the exercise of such authority be "excessive" rather than "unreasonable"; (b) it be made clear that the S.E.C. does not have authority to establish the rate structure under that standard; and (3) the exact language of such an alternative proposal be worked out carefully by the staff of your committee and technicians from the securities industry and the S.E.C., with the understanding that any such new responsibility by the NASD would be exercised only after a careful study of the effect of a proposed rate structure on investors, securities markets and the securities industry.

We appreciate very much your affording us an opportunity to comment on the suggested alternative and we will welcome the opportunity to present our further views to you at the hearings on June 22nd.

Respectfully,

H. LAWRENCE BOGERT.

FROM ISOLATION TO INTERDEPENDENCE

Mr. SCOTT. Mr. President, a remarkable American, Milton Stover Eisenhower, will soon retire as president of the Johns Hopkins University. Dr. Eisenhower can look back with pride on a career of excellence in Government and education which included service in my Commonwealth as president of the Pennsylvania State University.

In his commencement address last week at the Homewood campus of the Johns Hopkins University, Dr. Eisenhower assessed the significance of the scientific and technological revolution which, in little more than a half century, has transformed human relations from isolation to interdependence. He pointed out that scientific and technological development has far outstripped political development with the consequence that men are not mentally prepared to fashion the institutions and attitudes which will enable them to live together harmoniously in an interdependent world. As a first step toward peace in this new world, Dr. Eisenhower calls for expansion of the NATO concept to all free nations as a means of buying the time "so desperately needed by men everywhere, to do all the multitude of things which must be done to build the *positive* peace that will give peoples everywhere the assurance of a better life with dignity, justice, and equality."

I ask unanimous consent that Dr. Eisenhower's thought-provoking address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COMMENCEMENT ADDRESS BY PRESIDENT MILTON S. EISENHOWER, JOHNS HOPKINS UNIVERSITY, JUNE 13, 1967

I consider it a singular honor to have been invited by the Class of 1967 to present the commencement address today.

In at least one sense, it is most appropriate that I join you graduates, for I, too, am completing my formal tenure at Johns Hopkins—and mine, too has been an educational experience, I assure you.

I can think of no better way to climax a long and fulfilling career in government and education that to bid God's speed to a new generation.

I must disappoint you at the outset, however. Tradition decrees that the commencement speaker should provide the graduates with a vision of the future. But I must confess that the future has become more obscure to me with each passing year.

The speaker is also expected to impart sage advice on how you graduates should cope with the problems and opportunities that lie ahead. I am afraid that I have more questions than answers. In fact, it perplexes me that I had more solutions to life's problems at my own commencement than I have today at yours.

Part of the reason for this, I suppose, is that more awesome changes have taken place in my lifetime than in any previous period and, I sometimes feel, in all of man's earlier time on this earth. And it is not only change that confounds us, it is the pace of change, the swiftness with which events move. The more we know, the faster we go. The faster we go, the less we know.

How often have you heard someone say, "You're rushing so fast that you are going to meet yourself coming back." Well, that is the way I often think of this age we live in. And with what the physicists now tell us about anti-matter, we may, indeed, meet ourselves coming back.

II

Occasionally when I contemplate this bewildering era, I reflect upon an earlier time and indulge in the luxury of nostalgia. Then I see in the sleepy town of Abilene, Kansas, a cozy white house, surrounded by colorful hollyhocks, a flourishing orchard, and a generous vegetable garden. My brothers and I sit on the front porch in rocking chairs, observing the drift of the seasons and the passing of the small segment of the world we know. There is no war, no domestic turmoil, no protest marches, no complex problems to bother us. We, like others in our town, are isolated. Our community is self-contained economically, physically, socially. We have not heard of world interdependence. All is peaceful and we are quite content.

But the essence of nostalgia is an awareness that what has been will never be again. The streams of history may be likened to the ceaseless flow of a giant river. Man can work with the river, building dams and dikes, seeking to have its enormous energy serve the good of man rather than to destroy. But he cannot stop the waters from reaching the ocean. So it is with the currents of history which in our time have reached flood stage.

Most of my generation have witnessed these raging currents with astonishment, often in confusion and with serious misgivings.

In Abilene, we had rude awakenings as we came to understand the nature and consequences of modern change.

We had supposed that our economic welfare depended solely upon weather conducive to crop growth and upon hard work, but suddenly, despite perfect weather and efficient work, we found our farmers going broke because Italy raised its tariff on wheat and later because Britain devalued the pound. Soon, and not unrelated to our difficulty, the United States suffered its worst depression. Abilene's economic self-containment—and that of the nation, too—was gone forever.

Our physical isolation also disappeared. I was a freshman in high school before I ventured so far away as Kansas City, Missouri, one hundred and sixty miles down the Union Pacific tracks; alone, I had serious misgivings on that strange trip, and when I got off the train, I was sure Kansas City was the largest metropolitan area in the world and quite possibly a den of iniquity. But in a few years thereafter I was traveling to most of the nations of the world, with greater physical comfort, less fear of the unknown, and in not much more time than I experienced on that first trip away from Abilene.

And our social self-containment was viciously destroyed, for we of Abilene found ourselves in one war caused, not seemingly by anything we of my town had done, but by an explosion in the Balkans; in a few more years we were in another conflict, due to an infamy at Pearl Harbor, and the insane ambitions of a corporal in Germany.

We were forced to recognize that the streams of events were toward the unification of our world, a unification which, to succeed, required genuine intercultural understanding, juridicial equality of nations, mutuality in human relations, and a global willingness to forego lesser and more selfish purposes in order to concentrate successfully on the transcendent goal of positive peace and rising levels of well-being for all, wherever they lived, whatever their color, nationality, or basic philosophy.

This was an historical imperative confronting us—as promising as life itself and as inevitable as death. But unhappily, we, as human beings, were not ready for this imperative.

Changes in every circumstance of life have accelerated, but human attitudes have remained generally inflexible. And so, in most of this century the world has lived in chaotic revolution of manifold phases and significance.

III

At the core of revolutionary change are science and technology, in which change is so rapid as to confound all but the most sophisticated. When I was a youngster, there was not a single industrial research laboratory in the United States and fundamental research in our universities was in its infancy. Now we are essentially dominated by scientific and technological developments. Ninety percent of all scientists who ever lived are alive today. Their achievements are monumental. Human knowledge doubles every ten years. Indeed, in a single year, biological and physical scientists alone publish nearly 1,400,000 monographs, technical articles, and books, and the new knowledge is put into use almost instantly. Thus eighty percent of the drugs administered in our hospitals today were unknown a decade ago, and half the products of some of our leading industries have been conceived in industrial research laboratories in the past fifteen years. But the most dramatic example is in the field of national security. For thousands of years a weapons system was valid for five hundred years. In the latter part of the nineteenth century a system was good for fifty years. Now an entire system is essentially obsolete before it is fully operational. Science and technology, penetrating atoms and genes, exploring space, and mechanizing civilizations, are changing how we work, how we organize, how we think, and how we live. They are profoundly affecting our relations with other free nations, dominating our relations with the center of international communism, and insistently posing the critical question of our time: *Will expanding knowledge and powerful new instruments lead us to the Golden Age which has eluded man since creation, or to mutual annihilation?*

Science, with all its wonders, does not supply the answer. Science tells us what is *possible,* not what is *right.* Science tells us what we *can* do, not what we *should* do. The answer lies not with scientific man, but with all of us—with social man.

A significant sub-element in modern technological change involves rapid transportation, buttressed by world-wide instantaneous communication. These have shrunk the earth, brought peoples closer together. They have enhanced economic interdependence, so much so that today the plants in our great industrial empire would cease to belch smoke, and millions would be out of work, if we could not import vital primary commodities from sixty different nations, and in payment, could not ship to them and others vast quantities of food, fibre, and manufactured goods.

And, needless to say, economic interdependence has made essential solid and dependable political and human relations. *But here is the rub!* The imperative has come too soon. It has preceded mental preparation for it. Most of the peoples of the world grossly misunderstand the United States—its social structure, its philosophy, its global purposes. And our conceptions of others are not much more valid than theirs of us. So, too often, decisions, profoundly important decisions, are made by us and by other nations not on the basis of what really is, but on the basis of what, in prejudice and ignorance, people think it is. While understanding would not itself guarantee the peaceful conditions modern life demands, it is surely true that there will not be positive peace without better mutual understanding than now prevails.

Concurrently with these measurable changes, and partly because of them—all, I emphasize within one short lifetime—a human revolution has suddenly arisen to confound and haunt us. We are most familiar with the moral conflict between East and West. But in Latin America, where for centuries a few lived amidst fabulous riches while oceans of illiterates lived in squalor, there is at this moment the certainty of massive revolt. The sole question is whether it will be bloody or characterized by rapid, democratic, social change. Radio and television, modest products of the scientific revolution, have reached the minds of the masses who cannot read but can see and hear. So, overnight, they have come to understand that human degradation is neither universal nor inevitable. After a long sleep, the giants of Latin America, Africa, the Middle and Far East, are awake, angrily shaking the archaic social structures that have oppressed them.

Already they have all but eliminated imperialism in the free world, thus reversing several hundred years of history for European nations, about fifty years for us. Unfortunately, this change in the free world, meriting applause, has been paralleled by the development of a new, more vicious imperialism in Eastern Europe and the Far East, involving a third of the three billion persons who inhabit the earth.

These and manifold other rapidly moving historic forces are carrying us to the very brink of critical decision at a time, as I have said, when the minds of men are not prepared to cast out prejudice and to reason together in mutual understanding and respect.

As I seek to shape my own views on these issues, I honestly at moments would welcome a return to the isolation, contentment, and certainties of my youth. Of course I know the futility of such passing thoughts. So I try to consider things as they are now and, without implying any criticism of any action now under way or policy now in effect, I must in candor say that I am persuaded that the time is here when we should reappraise our posture and our methods in the world.

Since World War II, four national administrations have adhered to the policy of opposing, by force when necessary, the coercive spread of communism. This is morally right. But I fear the policy is doomed to ultimate failure unless the other free nations of the world join us in every critical situation in the application of this policy. I believe that the achievement of a dependable alliance, confederation, or transnational compact is the most important single obligation upon statesmen at this moment.

I am also persuaded that foreign aid, as we have conceived and practiced it for a quarter of a century, is little more than a palliative, sometimes self-defeating. But given consistent concerted action by all free nations and especially the industrial nations, I can foresee a successful check upon imperialistic communism, and a type of foreign aid, multilaterally financed and administered, that will help the peoples of the less advanced nations gradually improve their well-being in a world of assured security.

Where do we begin? Highest priority, in any reappraisal of our posture and methods, must in my judgment begin with power: Peace, wherever it exists—in Baltimore, in the United States, or in the larger world around us—is partly the product of power. No one nation possesses sufficient power to enforce peace, nor would its exercise by a single power, even if possessed in abundance, be acceptable to others. So we must, I suggest, moderate preconceptions about absolute sovereignty and address ourselves to the methods by which nations, all believing in human dignity, mutuality in human relations, and the free choice of peoples, may pool their power, or create new power, to enforce global peace. This has been achieved to a limited extent by the United Nations and by NATO. The need now is to expand the NATO concept, which is transnational rather than multinational, to all free nations and eventually, to every country of the world.

This *negative* approach—for that is obviously what it is—must yield us the time so desperately needed by men everywhere to foster education and genuine mutual understanding; to improve health and increase productivity; to develop more enlightened trade, aid, and credit relationships; to do all the multitude of things which must be done to build the *positive* peace that will give peoples everywhere the assurance of a better life with dignity, justice, and equality.

This is, as one statesman has said, the century of the common man. The valid aspirations of the oceans of common peoples of all nationalities, colors, religions and circumstances, can be achieved only in a world at peace. The common peoples of East and West, of the advanced and underdeveloped nations, instinctively want to live in a world free of conflict; but governments, influencing the thinking of citizens, stubbornly cling to the outmoded strategy of competitive power, thus dangerously postponing acceptance of the modern imperative.

The awesome task in the years ahead, then, is to preserve the peace until the mind of man is ready to accept the historical imperative.

Can we do it? Or I should ask, "Can *you* do it?" For this is the dubious legacy that my generation makes to yours.

There is a frightening irony at work here. The very scientific revolution that has created the imperative, that has provided mankind with the means to a Golden Age of Peace and Plenty, is at the same time the greatest obstacle to your achieving this objective.

As individual citizens, you will find it increasingly difficult to understand and cope with the incredibly complex problem that this onrushing era is creating. How can you be expected to understand the important facts, circumstances, and complexities of such vital issues as the disarray of the Atlantic Alliance, the conflicts created by divided nations, the population explosion, the dangers of catastrophic war born of sheer religious differences, air pollution, imbalance of international payments, space exploration, urban blight, civil rights and the depersonalization of automation? How, indeed, can you expect your elected representatives to know enough about all of them to act wisely?

These are problems greatly compounded by the knowledge explosion and the population explosion, and we have no precedents for dealing with these unique and profound forces.

This situation can easily lead to apathy and a sense of despair. Not long ago I said: "There is a dangerous myth abroad in this land that an ordinary citizen can do nothing to influence the destiny of his country and the world. I have not decided whether this is a rationalization or an epitaph."

Now I see that there may be some substance to that myth. Perhaps the *ordinary* citizen is an anachronism in this perilous age. Perhaps the hope for the future lies in our ability to produce the *extraordinary* citizen—a new breed of Americans who will devote as much time and energy to being good citizens as they do to being good physicists or good doctors or good engineers.

I like to think that *you* are the New Americans the world so desperately needs. I certainly pray that you are.

I close with an anecdote I have told before, for it is most relevant to the phenomenon of accelerating change and to the concept of the New American.

Destiny came down to an island many centuries ago and summoned three of its inhabitants before him.

"What would you do," Destiny asked, "if I told you that tomorrow this island would be inundated by an immense tidal wave?"

The first man, who was a cynic, said, "why I would eat, drink, and carouse all night long."

The second man, who was a mystic, said, "I would go to the sacred groves with my loved ones and make sacrifices to the gods and pray without ceasing."

And the third man, who loved reason, thought for a while, confused and troubled, and then said, "Why I would assemble our wisest citizens and begin at once to study how to live under water."

This, with poetic license, symbolizes the challenge to you who are receiving a degree today. You must be prepared to cope with change, to deal with problems that have no precedent, to live under a tidal wave of swift moving and bewildering events.

May you go forth from this campus with the courage, the conviction, and the wisdom to meet this challenge. The best wishes of your University and the hopes of mankind go with you.

FOOD FOR THE FUTURE

Mr. BARTLETT. Mr. President, perhaps the greatest threat to continuing peace throughout the world of the future lies in the way population increases are outstripping gains in the methodology of increasing food production. We pour huge sums of money into the exigencies of the moment, putting patch upon patch upon our own defenses and those of our allies, and increasing at a most fearsome rate our offensive capability—for, as everyone knows, "the best defense is a good offense." In the heat of immediate problems we are busily engaged in neglecting the long-term hopes of the world: research into the means of increasing food production.

Such a situation is not new. With a few exceptions man is a practical creature who lives from day to day and can always be counted upon to forgo, when it appears necessary, the painful plodding of research, the hope of the future, in favor of stark immediacy. No field of man's endeavor is immune to such a rationale. History is replete with examples of delays in progress that are the direct result of such thinking. Viewed in a large perspective the results have been, until now, mere inconveniences, momentary pauses in the advance of man and his civilization.

But we stand now at a point high enough for us to see the explosive potential in a world in which many nations can afford the means of total destruction, but in which only relatively few have enough to eat. The responsibility for conducting the basic research that is absolutely necessary if all mankind is to have food 50 or 100 years from now is not an equal responsibility. It falls most heavily on those nations that have the capability—and we, in the United States, most assuredly do have that. We have the scientific know-how and we have the money for programs of our own. We need only to put them together. We have the machinery in our economic aid programs to help those countries who are willing to make the effort to achieve self-sustaining growth. We need only pursue this aspect with intelligent advice, the necessary funds, and insistence that the effort be not diverted.

We may have to make some sacrifices if we spend the money on such research—certainly all the things that all our people want cannot be granted at any one point in time. However, when we neglect for the exigencies of the moment the search for the knowledge without which mankind cannot survive the not-so-far-off future, we practice a form of spending our capital that we cannot afford.

The President's Science Advisory Committee last week released a report that could be the basis for world peace in the future. It could provide the impetus for nations to turn aside from the turmoil of today's militant self-interest and embark on a form of self-interest that has as its goal the uplifting of all mankind rather than the rise of one nation at the expense of another. It proposes that the United States and other advanced non-Communist nations of the free world join in a multibillion dollar economic development program for poor developing countries. It proposes a mobilization of capital and technical resources never before attempted. We in the Congress of the United States will have this proposal before us soon. Believing as I do that such a proposal presents the best hope we have for the future, I suggest we give it our most serious consideration.

Last year the President's Science Advisory Committee published a report calling for technological studies to expand the yield of food from the sea. The Congress this year has responded with appropriations for pilot plants to produce fish protein concentrate and with funds to get the new program of sea-grant colleges on its way. These are first steps, healthy starts, but the need for research on food from the sea is so great that they can be considered only as scratches on the surface.

To date our work in biological oceanography has been concerned principally with the taking of what is there naturally. Little thought has been given to management—other than by means of regulation or control of harvest—of its vast resources. A few scientists predict that there is great potential in "sea farming," that the plant and animal resources of the sea can be manipulated in such a manner as to increase harvests of desirable species. We need also to investigate the feasibility of utilizing those of the sea's resources that are now considered worthless or of little value. It is in such inventive areas as this that we should invest a small share of our current wealth in order that we may reap a harvest of plenty in the future.

I would like to close by noting that the wealth of the sea, as is also the case with the land, is available only to those who have knowledge of it. The coast and geodetic surveys, the studies of ocean currents and the topography of its floor, the research submarines, the basic biological research that to us today appears to have no usefulness, are all first steps to the plenty of the future. Neglect one of them and it is almost sure to reappear later as the limiting factor, the hurdle to get over before other pieces of the puzzle can be put together with it to form the master design.

I ask unanimous consent that two articles from the New York Times of June 18 and June 19, 1967, and one article from the New York Times magazine of June 18, all dealing with development of marine resources, be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times Magazine, June 18, 1967]

AGRICULTURE

Man, for centuries a random hunter of the sea, is developing ways to farm it. Confronted by the increasingly acute food shortage on land and visualizing much richer harvests than conventional agriculture can produce, pioneers in the new science of agriculture, or mariculture, have plans to raise fish, shellfish and even plants by plowing the sea, warming areas by atomic energy, fertilizing and weeding the ocean, fencing off underwater farms electronically. Only a few years ago such ideas seemed mere "raptures of the deep" but today they are taken seriously.

The President's Science Advisory Committee last year published a report calling for technological studies to expand the yield of food from the sea. The National Academy of Sciences, issuing its own study, also underscored the need for scientific sea farming. And Congress passed the Marine Resources and Engineering Development Act, establishing a Cabinet-level Council on Marine Resources, headed by Vice President Humphrey. Racing a deadline for 1968 Federal budget allocations, the council recently turned over an interim report to the President in time for him to ask Congress to finance several high-priority projects.

Leading the list was a program to produce fish protein concentrate—a low cost, odorless substance made from whole fish that can be used as a plentiful substitute for flour. Two pilot production plants will be built in the United States and three more in foreign countries to be selected. Also receiving high priority was the concept of "sea-grant colleges," patterned after the land-grant colleges of the last century which did so much to develop agricultural technology. With new Federal financial aid, sea-grant colleges would train sorely needed oceanographers, create regional marine development centers and forge a partnership between scientists and fishermen to apply the fruits of research, much as agricultural experts helped farmers boost the nation's food output.

Summarizing the urgency of increasing worldwide food production, Earl Butz, dean of the School of Agriculture at Purdue University, recently noted that it took mankind hundreds of centuries to develop the capacity to sustain some 3.5 billion people, many only meagerly. Now we need to develop the capacity to feed almost double that number "in the short term of one-third of a century . . . at a time when nearly all the virgin lands of the world have been brought into production and when we face increasing inroads on arable land by urban sprawl."

While the world food supply has been increasing by 1 per cent a year, world population has been rising 1.8 per cent. The result has been a steady decrease in average individual caloric intake. If present trends continue, by the year 2000 the average number of calories available for a world population of about 7.4 billion will be 1,340 a day—below the absolute starvation level, which is pinpointed by nutritionists at 1,350 calories.

Quite apart from the obvious need for higher gross food production is the particular need for protein and protein components in the diet, those essential basic constituents of body tissue and body fluid. (Protein deficiency, according to various studies, may also permanently damage the learning ability of infants and children.) Yet many authorities agree with Dr. William M. Chapman, research director of the Van Camp Sea Food Company, that "the world ocean is producing more fish and animal protein than a human population of 3.5 billion persons can use and it appears to be capable of producing somewhat more than 30 billion would need."

The trouble is, man is not exploiting the resources of the sea, or else he is exploiting them destructively. The annual worldwide fish catch is now 50 million tons, more than double the 1953 catch of 23 million tons, but still a tiny fraction of the possible haul. At the same time, the hunt for fish has been concentrated in areas known to be lucrative, which has led to the depletion of valued stocks.

Sea farming would eliminate such waste and recklessness. The concept, embracing all waters where tides ebb and flow, shares the goal of land agriculture: to control the growth of organisms in order to increase productivity beyond the level possible in harvesting a wild crop.

In their effort to farm the sea, many marine scientists believe that the best start might lie in inshore waters and the intensive cultivation there of three common forms of aquatic life: algae, mollusks and crustaceans.

Marine algae are plants that range from single-celled forms visible only under a microscope to gigantic growths 100 feet long. For centuries in the Orient, kelp, sea lettuce and seaweed—all algae—have been used in making soups and condiments. The plants are cultivated in shallow estuaries on bamboo poles sunk in muddy bottoms or on ropes strung in bays or inlets. On the California coast, where kelp production is big business, some 160,000 tons are harvested annually. Kelp beds are leased to harvesters for extended periods, providing the incentive to farm and husband the crop.

Such algae cultivation is only a beginning, however. "The bulk of the earth's vegetation grows under water," points out Athelstan Spilhaus, dean of the University of Minnesota's Institute of Technology and the man credited with originating the proposal for sea-grant colleges. "Some estimates place ocean vegetation at 4,000 tons per square mile. Ocean plants could be cultivated in much the same way our wild grasses were cultivated to give us wheat, barley and other grains."

Microscopic algae would be nutritious as a human food, or food for cattle and chickens, since the plants often consist of more than 50 per cent protein after they are dried. In the opinion of Jean A. Gross of the Illinois Institute of Technology, "algae could be developed for direct consumption by man and become as normal for human use as potatoes or rice."

Although the taste of algae may not tempt the American palate, the Japanese use one type, Chlorella, whose flavor is similar to lima beans, as an additive to noodles, rice crackers, soups and even jelly beans. Green-colored vanilla ice cream, containing algae powder, is considered a delicacy by many Japanese. In the New World the Aztec inhabitants of Tenochtitlán (now Mexico City) ate large amounts of a blue-green algae with a flavor like cheese which the Spaniards learned to find palatable.

Algae can be grown in large open basins excavated by bull-dozers to about a 3-foot depth or in long tubes of transparent plastic that allows sunlight to penetrate. Fertilizers can be injected into the tubes, as well as chemicals, to prevent contamination by undesirable organisms. The Government's Bureau of Commercial Fisheries laboratory at Milford, Conn., has pioneered in mass-producing algae and studying their use. One promising possibility: food for shellfish, but since 10,000 species of algae are known to exist in sea water, the possibilities are almost endless. The need, says Victor L. Loosanoff of the Bureau of Commercial Fisheries, is to develop hybrid strains of the best species, "as it is done in agriculture and cattle breeding."

Compared with algae cultivation, the farming of mollusks such as mussels and oysters is well-developed. In the Dutch Waddenzee, for example, the mussel catch rose from 37 million pounds in 1950 to 154 million pounds in 1961—and the system of intensive scientific farming that produced the increase utilized only 30 square miles of the 540-square-mile area.

Each Waddenzee mussel farmer has a plot that ranges from 12 to 25 acres of sea bottom. Mussel seed is transported from "banks" to the plots in autumn or spring when the seed is an inch long, then tended until it is 2½ inches long and ready for market. Natural predators such as starfish are controlled by dredging up both mussels and starfish. The starfish soon die, out of the water, but the mussels are unaffected and can be put back safely to grow.

Oysters, anyone? The Japanese are getting 32,000 pounds an acre, using a "raft" technique in which long ropes, strung with full-size oysters or scallop shells to which the young oysters cling, are suspended in the water. Loss from predators is reduced, growth rates are increased and harvesting is simplified. The result is a 50-fold increase over ancient methods of oyster production, which produced, at best, 600 pounds an acre.

In this country, biologists in the Government's Milford laboratory and elsewhere have achieved a series of notable successes during the last 20 years. One of the most impressive advances has been their ability to grow laboratory-ripe ready-to-spawn mollusks the year round. The natural spawning season for oysters, clams and most other bivalve mollusks that dwell in Long Island Sound, for example, is during two and a half summer months. Bivalves brought to the Milford lab in midwinter are subjected to gradually increased temperatures and are ready to spawn in three weeks. With ripe spawners available throughout the year, small oysters and clams hatched in winter can be planted outdoors as soon as the water is warn enough for them to grow; the period of extra growth during the first season can shorten the time needed to reach marketable size by as much as a full year. And to suit the taste of different bivalve larvae, scientists have also mass-produced special algae food which can be stored by means of a new freeze-drying process and used by hatchery operators whenever the need arises.

A popular crustacean delicacy—shrimp—may become more easily and cheaply available as the result of new forms of cultivation. Robert Lunz, of Bears Bluff Laboratories in South Carolina, has demonstrated the feasibility of creating shrimp farms in marsh ponds. The ponds can be built for as little as $35, and considering the cost of a modern, ocean-going shrimp trawler the incentive for further research into shrimp ponds is powerful indeed.

The U.S. Public Health Service has identified 10 million acres as suitable for shellfish farming. Even at a production rate of 600 pounds an acre, the output of 6 billion pounds would be equal to our entire fish catch at present. Within the next 25 years, some marine scientists believe, shellfish farms could be commonplace in the U.S. "Atomic reactors for electric power and desalination plants," says David H. Wallace, director of marine fisheries of New York State, "will supply a cheap source of warmed brackish water for these aquaponds, [even] in northern areas, on a 12-month basis."

Pointing toward another aspect of marine research, Wallace predicts that genetic studies leading to selective breeding for fast-growing and maturing stock will stimulate industrialization of shellfish cultures. "Oysters, ready for market in 12 months or less, should be the attainable goal when trained technicians control the systems," Wallace says.

Such genetic juggling is by no means a distant dream. Nor are such experiments restricted to creatures that live in shallow inshore waters.

Almost 20 years ago, Lauren Donaldson of the University of Washington culled the best female Chinook salmon he could find in Soos Creek, near Tacoma. Then he removed their eggs, fertilized them with sperm from choice male Chinooks, and let the eggs mature in laboratory trays. Once hatched in local ponds, the fingerlings were marked (by snipping off a small fin) and dumped into a nearby lake to start their migration through Puget Sound to Alaska. In hopeful expectation of the Chinooks' return, Donaldson dug a ditch from the lake to the ponds, which was promptly labeled "Donaldson's Folly." Four years later, right on schedule, the salmon returned—big, healthy and in large numbers. They were called "Donaldson's Dandies."

Since then, Donaldson has reduced the age at which they reproduce from four years to two years. Moreover, 30 times as many Donaldson Dandies survive the rigors of migration as do ordinary Chinook. Donaldson is now experimenting with another species. By crossing a select breed of rainbow trout with steelhead trout, he is growing fish that are virtually full grown in less than a year.

In addition to selective breeding, more prolific breeding also seems feasible. Two biologists at the Max Planck Horticultural Institute in Hamburg, Reinhold von Sengbusch and Christophe Meske, are experimenting with hormones on special fast-growing carp. Carp normally breed once a year, in the spring. With hormone injections, they are expected to spawn every five months, regardless of the season.

Some mariculturists are confident that within 25 years fish will be raised in offshore pens, tended by divers living for months at a time in undersea houses. Japan—unquestionably the world leader in salt water farming—is already moving in that direction. In 1965 the Government established a sea farm in Okachi Bay, some 200 miles northeast of Tokyo, at a depth of approximately 65 feet. About 4,400 salmon and trout are raised in nylon net cages, fed enriched food pellets and chopped raw sardine through a "chimney" net leading to the surface and inspected once a month by diver-keepers.

The farm has been remarkably successful, in large measure because the deeper water is less polluted than shallower water and circulates more freely. (A shallow farm stocked with salmon and trout, built to compare results with farming at greater depths, had a disastrous mortality rate.) Encouraged by the experiment, the Japanese are preparing to move into depths of 100 feet and more as diving equipment and techniques improve.

Farming at even greater depths may well become possible before long. Says Dr. Milner B. Schaefer, director of the University of California's Institute of Marine Resources: "Already, Yves Cousteau's aquanauts in the Mediterranean and our aquanauts from Sea Lab II, off California, have been able to live and work in depths of 300 feet. It is almost certain that this limit will soon be extended to 1,000 feet. With pressure protection for deeper habitations, men will certainly be able to operate, within the next decade, anywhere on the bottom of the ocean and through the overlying waters."

The new horizons will open vast opportunities. "Once people can work and live at 1,000 feet," predicts Athelstan Spilhaus, "the whole of the continental shelf, an area of 10 million square miles—larger than North America—will be opened up as a new continent for our use. Oil drilling, mining, salvage and even fish farming can be done by people down there and not, as now, on the end of the string from a wobbly surface."

The ocean is a huge sump, a repository for all the nutrient chemicals that have washed off the land from the beginning of time. But chemicals are generally useful for plant production only when they lie within about 300 feet of the surface, where sunlight is adequate for photosynthesis. And as plants grow and are eaten by animals which die or are eaten by other animals, the chemicals continually drift downward.

But nutrient-rich deep waters can be raised toward the surface. Natural winds that plow the ocean already help bring them up. Some scientists suggest that the same results could be achieved artificially by installing a nuclear reactor at the ocean bottom to heat up deeper water layers so they would rise to the top. Economical? Perhaps not, if heating water were the only purpose of a reactor. "But," argues Dean Spilhaus, "the waste heat from nuclear reactors used for other purposes may well be used in this way." Among the cost-spreading other purposes would be oil drilling and mineral mining on the sea floor.

The answer to the problem of fertilizing stretches of ocean lies in what are known as trace elements, or micronutrients—chemicals such as iodine, zinc, boron and cobalt which are found in minute quantities in plant and animal tissue but which are essential to life processes. Parts of the sea, as well as areas of land, may lack the necessary micronutrients, but to correct the deficiency may be easier than many people think. As Harvard's Roger Revelle, one of the nation's most distinguished oceanographers, points out:

"In Australia, for example, there is a deficiency of cobalt, a basic substance of one of the vitamin B compounds. By simply flying over sheep ranges in an airplane and spraying a thin layer of cobalt-containing material, sheep production can be greatly increased. Apparently exactly the same kind of deficiency occurs in the sea. Substances present in very, very small amounts—a few parts per billion—exercise a controlling effect on the productivity of the sea. But it may be possible, by spreading a few thousand tons of micronutrients off the coasts of the world, for us to greatly increase the harvest of the sea."

Mariculturists also visualize two other analogues to land farming: weeding and fencing.

"By using what the marine scientists know about the food chain," Spilhaus told a recent National Conference on Sea-Grant Colleges, "we can eliminate some of the unnecessary and less useful species; that is, intervene in a way that might be called 'weeding the sea.'" Even simpler would be dragging with nets.

Proposals for fences include barriers of air bubbles and electronic impulses. Recently, Paul M. Fye, president of Woods Hole (Mass.) Oceanographic Institution, told of discovering a natural underwater fence during a dive in a tiny research submarine.

"As we went across the coral sandy reef close to New Providence Island," Fye said, "we crossed what might be considered a barren desert in the ocean—no plants, no fish, almost nothing of any kind. Suddenly, we came into an area with a great profusion of fish, the likes of which I hadn't imagined existing in the ocean. Yet just across the width of the submarine—a six-foot sphere—looking out the other window, there wasn't a single fish.

"For two hours I observed an invisible fence in the ocean as sharp as you could possibly draw it. Why was it there? How did nature create such a fence? Is it one we could reproduce for our own convenience?"

Though this and other mysteries suggest that marine research is still in its infancy, enthusiasts are already making plans for the future. Suppose, for example, fishermen decided to farm a 10,000-square-mile section of the sea off Cape Cod. The area could be fenced by means of perforated air hoses on the ocean floor that would send streams of bubbles to the surface, preventing the cultivated fish from wandering. (If necessary, chemicals could be introduced into the bubble curtain to make it more effective.) With the fish fenced in, their growth could be stimulated by raising nutrient-rich water from lower levels and by adding fertilizing trace elements from the top. By periodic dragging with nets, the area could be weeded and trash fish removed so that the cultivated fish would get all the nutrients.

"One of the most fascinating future possibilities," says Frank Hester of the Bureau of Commercial Fisheries, "is the use of marine animals as 'sheepdogs' to tend fish and run errands." As if to underscore the possibility, Navy scientists recently reported that dolphins have been trained to attach wires to torpedoes and missiles lying on the ocean floor to simplify recovery operations; the dolphins are so domesticated that even though they are swimming freely in the open sea they swim back to their base when their job is done.

Encouraged by some recent successes in training fish. Hester also suggested that killer whales might be trained to herd schools of blue whales, whose massive bodies of red meat grow bigger and faster than any Black Angus. A blue whale doubles its birth weight in a week; it grows from two tons to 20 tons in six months—about 200 pounds a day. And if the killer whales prove to be poor herdsmen, Gifford Pinchot, a John Hopkins biology professor, offers another plan. He proposes raising mammoth blue whales in lagoons on a diet of enriched plankton (algae and other organisms) for harvesting when the creatures reach their adult weight of 130 tons.

Consumers, of course, may not care for blue whale steak—or seaweed vinaigrette or algae soufflé. Tastes in food are difficult to change, and it may take a while until they reach the status of sought-after delicacies. Yet, educated to the high protein content, even relatively well-fed people may be induced to include more products from the sea in their diet. After all, smoked shark fillets have become a British delicacy. In Russia, whale meat is now blended in beef and pork sausages. Japanese tuna hot dogs taste like the original but cost much less.

The technical and scientific obstacles to large-scale sea farming are more to the point, perhaps. And not the least set of problems will stem from the attempt to change man's natural environment. No one can closely predict the effect on land temperatures of a nuclear reactor that heats part of an ocean, for example, but it might be that a warm-water fish farm in the Bering Sea, say, would change the prevailing weather pattern in the area near Seattle.

Nevertheless, man's instinct for inventive exploration, sharpened by the prospects of a worsening food shortage for a rising world population, promises to make sea farming not only necessary and feasible but inevitable.

[From the New York Times, June 19, 1967]

DEEPSTAR

(By John Noble Wilford)

GRAND ISLE, LA.—Peering through the porthole of a squat little submarine, scientists have seen in recent weeks a world on the bottom of the Gulf of Mexico never before seen by man.

In a series of diving expeditions aboard a pressurized vehicle called Deepstar, the scientists discovered a range of craterlike depressions on the floor of the Gulf, great communities of mud mounds like giant anthills and clues to the existence of previously unidentified marine life.

What they saw was only a brief preview of the unexplored realm awaiting discovery by oceanographers going down to the depths in a new and versatile type of miniature submarine, the so-called deep submergence research vehicles.

About 20 such experimental craft are now in operation in the world. Some are long and streamlined like tiny submarines. Others, spherical like Deepstar or shaped like some metallic sea monster, appear to be right out of science fiction.

Deep submergence vehicles have been called on to patrol underwater telephone cables, chart the meandering Gulf Stream and, in 1965, recover the missing hydrogen bomb off the coast of Spain.

DEEPER DIVES PLANNED

Some are capable of plunging 15,000 feet, far deeper than the range of ordinary submarines and staying for a day or two.

On the drawing boards are plans for nuclear-powered craft for long-duration dives and a vehicle capable of going 20,000 feet—thereby opening up about 98 per cent of the ocean floor to on-the-spot exploration.

Such vehicles, launched by private industry, marine explorers and navies have now logged some 5,000 dives lasting a total of about 10,000 hours. They usually have room for a pilot and one or two passengers.

The three-man Deepstar, built by the Westinghouse Electric Corporation, has just completed more than a dozen test dives on the continental slope off Panama City, Fla., into the abyss of the DeSoto Canyon off Pensacola, Fla., and in the Mississippi Trough off this desolate island community.

"We carried scientists deeper than the Gulf has ever been explored," said Dr. Roy D. Gaul, manager of the Westinghouse Ocean Research Laboratory in San Diego, who directed the operations. The scientists were from several universities and oceanographic research centers.

"One of the things we learned was how misleading have been the samples of sediment from the ocean floor that we have been scooping up in the past from surface ships," Dr. Gaul said. "There's more variety down there than you can imagine."

SPEED OF THREE KNOTS

Deepstar's dives ranged from 600 to 2,500 feet. The 18-foot-long, 8,000-pound Deepstar has plunged 4,000 feet on earlier tests, staying there several hours and moving laterally at speeds up to three knots. The hull is made of steel and the cabin pressurized with oxygen and nitrogen.

Trouble with one of the craft's two maneuvering operations early. The craft was sent ashore for repairs.

"These are experimental vehicles," Dr. Gaul explained. "And we still have lots of work to do on them."

The crafts are drooped off a surface support ship or barge, with which the vehicle mantains constant telephone contact.

Like the other deep submergence vehicles, Deepstar makes a powerless descent because of weights attached to its front and back. Once it is cut loose from the surface ship, Deepstar begins a slow spiraling descent at a speed of about 60 to 100 feet a minute.

One set of weights is dropped to make the craft buoyant and, therefore, able to hover at the desired depth. The two battery-powered motors enable the craft to move about laterally. A 2,500-watt spotlight is switched on so that the passengers can see through their plexiglass portholes into the darkness of the depths.

For the return trip, the pilot jettisons the other ballast and the craft slowly rises to the surface. There are three different ways to release the ballast manually in case the automatic triggering device fails.

Deepstar is a direct descendant of the pioneering deep submergence vehicle, the Soucoupe of Capt. Jacques Yves Cousteau, the French underwater explorer. His saucer made its first dive in 1960, and Captain Cousteau was a technical adviser to Westinghouse in building the Deepstar.

Previously, underwater exploration was confined to the deepdiving balloons such as the Trieste, built in 1958 by the Swiss father-and-son exploring team. Auguste Piccard and his son, Dr. Jacques Piccard. With the bathyscaph Trieste, men have gone as deep as 35,800 feet in the Mariana's Trench in the Pacific.

But oceanographers call them "elevator rides"—little more than a down-and-up operation. The newer craft have the key advantage of maneuverability once they sink to the depths.

Both private industry and the United States Navy are laying plans to expand the nation's fleet of deep submergence vehicles. They were spurred on, in part, by the successful hydrogen-bomb detective work of the Alvin, the 21-foot-long submergence vehicle built by Litton Industries for the Woods Hole Oceanographic Institution in Woods Hole, Mass.

In a report on the bomb recovery operations, released a month ago, the Navy recommended the development of an ocean bottom search and recovery system, using a fleet of deep-submergence craft with attachments for picking up objects.

The Navy Deep Submergence Systems Project, begun in 1963, has a $100-million program under way to build six larger diving craft to be used primarily for rescue purposes.

Dr. John P. Craven, the project manager, said that the first craft should be ready by mid-1968. It will be a 43-foot, 25-ton vessel; and will be equipped to attach itself to a stricken submarine and rescue the crew. Its range is expected to be about 20,000 feet.

The Electric Boat Company, a division of General Dynamics, is building a nuclear-powered diving craft for the Navy. The company's own smaller vehicle, Star III, is being used by the Navy to conduct underwar sound experiments at depths of 2,000 feet.

Star III has even attracted the attention of Soviet scientists who wrote the company last year that they wanted to buy one. The cost would have been about $900,000. But the State Department vetoed the deal, presumbaly because the craft's sophisticated hull design and navigation system might have given the Russians some of the secrets of American submarine technology.

SOVIET HAS VESSEL

The Russians are known to have at least one research submarine, a converted military boat called the Severyanka. It has been used primarily to study the habits of fish.

In one of the more ambitious diving projects, Dr. Piccard of Switzerland is building a deep submergence vehicle for a drifting underwater voyage next year in the Gulf Stream. The 2,000-mile, five-week trip is expected to extend from Miami to Nova Scotia.

With the help of the Grumman Aircraft Engineering Corporation, Dr. Piccard is building a 100-ton submarine capable of carrying a crew of five at a depth of 1,000 feet. The craft will move without power so that scientists can get a relatively undisturbed view of marine life.

Another builder of deep submergence vehicles, the Lockheed Missiles and Space Company, has a four-man submarine that was built for dives up to 6,000 feet. But a recent test showed that the Deep Quest, the Lockheed craft, could withstand the pressures encountered at 8,500 feet.

Lockheed's entry into ocean engineering is typical of many major aerospace companies. The exploration of the sea, it has been estimated, has already become a multi-billion business.

[From the New York Times, June 18, 1967]

PRESIDENTIAL PANEL URGES WORLD DRIVE TO AVERT STARVATION

(By Felix Belair Jr.)

WASHINGTON, June 17—A Presidential study group proposed today that the United States and other advanced non-Communist nations of the free world join in a multi-billion-dollar economic development program for poor developing countries to avert impending mass starvation and its threat to world peace.

To double food production and curb population growth within a framework of increased economic activity in the underdeveloped two-thirds of the world, the blue ribbon panel proposed a mobilization of capital and technical resources on a scale never attempted in time of peace.

Without fixing any ceiling on the combined capital outlay to do the job, the study estimated that to realize a 4 per cent annual increase in food supply and demand in the developing countries would require an annual investment of $12-billion more than the 1965 "input" level of about $45-billion.

The United States' contribution toward this additional investment requirement would be about $7-billion, assuming a continuation of its 58 per cent share in the total economic development contribution by non-Communist nations in recent years.

Private capital investment would reduce the amount of Federal funds required, but this would indicate an economic foreign aid request to Congress of about $6-billion a year.

These estimates were given at a news briefing on a three-volume report setting forth conclusions from a year-long investigation by more than 100 experts and consultants enlisted by the President's Science Advisory Committee from the universities, industry, foundations and Federal agencies.

The only indication of the Administration's intentions concerning the long list of recommendations by the panel had to be read between the lines of President Johnson's foreword in the first volume of the report.

MUST JOIN WITH OTHERS

"The world food problem is one of the foremost challenges of mankind today. The dimensions of the challenge will define the dimension of our response and the means for that response.

"We must join with others in a massive effort to help the less fortunate of the earth to help themselves. I am making this report public because of its significance for the American people and people all over the world."

Dr. Ivan L. Bennett, Jr., deputy director of the White House Office of Science and Technology, told the briefing session that it had not been possible to brief members of the Senate and House prior to publication. He said it was hoped that this could be done later.

There was no indication that the far-reaching proposals would be brought to bear on the President's pending economic aid request for $2.5-billion in the fiscal year beginning July 1. However, some of them, such as a drastic overhaul of the administrative organization for development aid and the asserted need for a national commitment to such development for the rest of this century, are certain to figure in the floor debates on the request.

Two related concepts ran through the report. One was that the increased food production needed to meet the calorie-protein requirements of developing countries must take place almost entirely within these countries. The other was that the food-population imbalance cannot be solved by successful programs of family planning alone.

It was emphasized, however, that this did not mean that population control measures were defective or in any way secondary in importance to increasing food production.

SOBERING AND ALARMING

The panel pictured economic development prospects in the poor and hungry nations as "both sobering and alarming."

"By the year 2000, if present rates of growth continue, there will be more than four times as many people in the developing countries as are in the developed nations," said the report.

"To avoid a threat to the peace of the world as well as to our own national security," it said, "we cannot afford to be too little and too late with our development assistance. It is to be hoped that some measure of their ambitions can be realized by peaceful means."

The report made no attempt to minimize the task involved in trying to make the poor countries reasonably self-sufficient in food. It mentioned "the necessity of capital investments of almost staggering proportions."

But the panel said that since the main hope for increasing total food production in the poor countries was through increased yield per unit of land, there could be no substitute for this higher investment in improved seed, fertilizers, pesticides, machinery and water for irrigation.

EDUCATION AND TRAINING

Even more difficult would be the vast educational and training programs required to create, distribute and properly use modern crop production input and the transportation to distribute, process and market the output of farms, the panel concluded.

Stressing the need for the earliest possible beginning of the economic and agricultural development effort, the report observed that "even under the most favorable circumstances, the interval between the inauguration of such programs and their realization in the form of increased production of crops will be at least 5 to 10 years."

"It is by no means certain that this task (modernization of traditional farming) can be accomplished to the extent or at the rate needed to meet food requirements during the next two decades, even with a 'war-like' mobilization of the developed countries," the panel concluded.

A maximum effort would be required from all nations, developing and developed alike, said the report, "if the pangs of hunger are to be alleviated, if the irreparable damages of infant and childhood malnutrition are to be prevented, and if the growing threat of mass starvation is to be turned aside."

The panel experts saw the United States faced with two choices in trying to spur lagging economic development in hungry countries. One was to continue providing capital assistance and private investment to poor countries willing to make the self-help effort to achieve self-sustaining growth.

They said this course might bring about some improvement in the status quo but would not meet the food problem "because, for all its economic resources, the United States cannot possibly accomplish the immense task of alleviating the world food problem alone."

"The other alternative is for the United States to take the lead in mounting a global effort in concert with other developed nations and with international organizations that will bring to bear the technical skills and capital resources needed to reverse the downward trend of the developing countries and to restore the chance of their people for a better life.

"We are unanimous in the belief that the United States must assume leadership of the free world and all its international institutions in a coordinated, long-range development strategy for raising the economic level of the poor nations, thereby meeting the threat of hunger, increasing the volume of world trade and economic activity and contributing to the achievement of the goal of ultimate importance, a lasting peace."

SENATE SHOULD RATIFY CONVENTION ON THE POLITICAL RIGHTS OF WOMEN—XCIII

Mr. PROXMIRE. Mr. President, since its inception the United Nations has been concerned with the political rights of women. The establishment of the Commission on the Status of Women as a functional commission of the Economic and Social Council, and the preamble of the U.N. Charter which states the prinicple of equal political rights for men and women are examples of this concern.

During the first session of the General Assembly in December 1946, that world forum adopted a resolution which noted that not all countries had granted women equal political rights with men. They recommended that all nations take steps to do so.

At the third session of the Commission on the Status of Women, a resolution was adopted noting the signing of the Inter-American Convention on the Granting of Political Rights of Women at Bogota in May 1948, and requesting the Secretary-General to examine the possibility of proposing a similar convention to assist countries which had not granted women equal political rights. The subsequent report noted that as of 1950, 20 countries still denied women political rights.

As a result of the Secretary-General's report, the U.N. Commission on the Status of Women began to prepare a draft convention on the political rights of women, which was finally adopted by the General Assembly in December of 1952.

This Convention on the Political Rights of Women provides that women shall be entitled to vote in all elections, to be eligible for election to all publicly elected bodies established by national law, and to hold public office and exercise all public functions established by national law "on equal terms with men and without discrimination."

On July 22, 1963, President John Kennedy transmitted this convention to the Senate, recommending that we advise and consent to ratification. This document was then referred to the Committee on Foreign Relations, where it remains today.

There exists no reason in American domestic law or policy for our failure to ratify the Convention on Political Rights of Women. Our own Constitution securely guarantees these same rights. There is no conflict, no logical opposition. Let us reaffirm the wisdom of our own national experience by ratifying the Convention on Political Rights of Women.

SYSTEMS MANAGEMENT: A PERSPECTIVE FOR RESEARCH

Mr. SCOTT. Mr. President, I invite the attention of Members of Congress to a research and study forum on "Systems Management: A Perspective for Research," sponsored by and held at the School of Business Administration of Temple University in Philadelphia, Pa., this week. I was greatly honored with an invitation to present the keynote speech at this significant conference.

The Temple University forum, to which key representatives of the business, academic, and government communities were invited, had three objectives: to examine the validity of the assumption that the science of systems management has developed to the point where it can provide at least a partial aid in solving national and community problems in the nondefense sector, to define the strengths and weaknesses of the present "state of the art" to meet these challenges, and to identify areas of research and development which are necessary to cope with the expanding demands for application.

To accomplish these objectives, the forum was divided into the following major topic areas: First, the "Challenge to Systems Management"; second, "Systems Management Methods Today"; third, "Nondefense Management Application"; fourth, "Technology Development Needs"; and, fifth, "The Research Challenge."

I ask unanimous consent to have printed in the RECORD the program of the Temple University forum and the text of the remarks which I prepared for delivery there.

There being no objection, the program and address were ordered to be printed in the RECORD, as follows:

PROGRAM

MONDAY, JUNE 19, 1967

Introduction of theme, 11:00 a.m.

Dr. Seymour L. Wolfbein, Dean, School of Business Administration, Temple University.

Chairman: Dr. Millard E. Gladfelter, President, Temple University.

Speaker: The Honorable Hugh Scott, United States Senator, Pennsylvania.

Topic: "The Challenge to Systems Management" (Bill S #467—Creation of a National Commission on Public Management).

Luncheon, 12:30–1:45.

Forum: Aerospace management technology today, 2:00 p.m.–5:30

Chairman: Mr. Jack Phillips, Manager, Systems Analysis, Customer Requirements & Support Department, the Boeing Company—Vertol Division.

Presentations: "Program Management", Major General Gerald F. Keeling, Deputy Chief of Staff, Procurement and Production, Air Force Systems Command.

"Systems Engineering Methodology," Mr. George F. Viehmeyer, Jr.—Division Engineer, Lockheed Corporation—Georgia Division.

"Administrative Management," Col. Hubert Waldman, Office of the Assistant Secretary of Defense (Comptroller).

Social hour, 6:00 p.m.

Dinner, 7:00 p.m.

Chairman: Mr. Dwight A. Stewart, Coordinator, Business Service Programs, School of Business Administration, Temple University.

Speaker: Mr. John Campbell, Editor, Space Aeronautics.

TUESDAY, JUNE 20, 1967

Forum: non-defense management technology today, 9:00 a.m.–12:00 Noon

Opening Remarks

Chairman: Theodore M. Kostos, Esq., Stassen, Kephart, Sarkis & Kostos, and Chairman of the Council on Government Contracts and Industry, Federal Bar Association.

Presentations:

City Government: Dr. Nachman Bench, Consultant & Acting Deputy City Administrator, City of New York.

Non-Defense Industry: Mr. Fred H. Lambrou, Director, Systems and Data Processing, Allis Chalmers Manufacturing Company.

Federal Legislation: Robert L. Chartrand, Legislative Reference Service, Library of Congress.

Academia: Dr. Adrain McDonough, Professor of Industry, Wharton School of Business, University of Pennsylvania.

Luncheon, 12:15 p.m.

Forum: Technology and systems management, 1:30 p.m.

Chairman: Dr. William C. Stewart, Professor of Statistics, School of Business Administration, Temple University.

Presentations: "Marginal Analysis and Selection of Optimal Designs," Dr. Ingrid Rima, Associate Professor of Economics, School of Business Administration, Temple University.

"Simulation," Dr. David Fox, President, Fox Computor Company.

"Hypothesis for Total Systems Management," Mr. Ernest Hahne, Federal Systems Division, International Business Machine Corporation.

WEDNESDAY, JUNE 21, 1967, 9:00 A.M.–12:00 NOON

Chairman: Dr. Samuel M. Wilson, Professor of Management, School of Business Administration, Temple University.

Presentations: "The Challenge to Industry," Mr. Arthur Cooper, Vice President, Federal Systems Division, International Business Machines Corporation.

"The Challenge to Government," Dr. John Haldi, Chief, Program Evaluation Staff, U.S. Bureau of Budget.

"The Challenge to Academia," Dr. Seymour L. Wolfbein, Dean, School of Business Administration, Temple University.

Discussion: Led by Dr. Sidney Axinn, Professor of Philosophy, College of Liberal Arts, Temple University.

Luncheon, 12:00 Noon

Chairman: Dr. Seymour L. Wolfbein, Dean, School of Business Administration, Temple University.

Speaker: "The Challenge of Technology and Society," Dr. Emmanuel G. Mesthene, Executice Director, Program on Technology and Society, Harvard University.

THE CHALLENGE TO SYSTEMS MANAGEMENT

(Opening remarks by U.S. Senator HUGH SCOTT, June 19, 1967)

The byword of this generation is progress. For the past 25 years the citizens of this Nation, the most richly endowed of any in the history of man, have been witness to a cascading array of technological achievements. Nuclear power, satellites and space probes, the electronic computer—each of these has left an indelible imprint upon every sector of society.

With these evidences of ingenuity and industry also have come problems. The population of these United States continues to increase in complexity and size. Also, the mobility of its inhabitants has begun to pose difficult problems for all levels of Government responsible for their welfare. One recent survey indicated that 12 million men, women, and children had moved during a two-year period.

The leadership of the Nation—government, industry, commerce, the academic world—must remain highly flexible and innovative if our national goals are to be attained. Not only must national security be assured, but continued emphasis must be placed on an ever-rising standard of living for all Americans. And so we stand today: on the one hand supported by the most impressive technological resources imaginable, and on the other beset by new, perplexing social and economic problems.

Although important advances have been made in such vital areas as pollution control, planned urban development and renewal, public health, housing and education, and the preservation of our national resources, governing bodies at all levels accurately recognize that their work is just beginning. The magnitude of these numerous problems forces us to acknowledge that traditional solutions alone cannot furnish the requisite relief. Each facet of our culture must be challenged to produce new techniques, devices, and procedures to overcome the problems of the 1960 decade and the years ahead. No thinking person doubts that American business acumen, creativity, and teamwork can produce the necessary corrective capabilities.

The membership of the United States Congress, you can be assured, is increasingly aware that dynamic, innovative steps are required to sustain the remarkable progress made by this Nation since its founding. The scientific bent of such founding fathers as Thomas Jefferson and Benjamin Franklin is reflected many thousand-fold on the contemporary scene, but the need for systematic analysis of existing problems also is commensurately greater.

As the result of research and development by private industry, governmental laboratories, and the universities, an appreciable amount of new, meaningful knowledge and information has been accrued. Furthermore, and of equal importance, an essential appreciation for new equipments and man-machine procedures is developing. We have seen new techniques of management analysis—often termed the "systems approach"—developed, tested, and incorporated into the mainstream of industrial activity. While this work traditionally has been associated with projects under the auspices of the National Aeronautics and Space Administration, the Department of Defense, and the Atomic Energy Commission, attention most recently has commenced to focus on the application of the systems approach to the problems in the public domain which I earlier identified.

All of us have become poignantly aware as the result of widespread debate and analysis that while the United States is a wealthy Nation, its resources are not unlimited. The decision-makers in the highest councils of government must judge how, where, and at what rate these precious assets are to be expended. No longer can we afford to expend 90% of all Federal research and development monies on space, defense, and nuclear energy developmental projects. Furthermore, the responsibility for increasing expenditures in improving ways and means of effecting pollution control, solid waste disposal, and controlled allocation of recreation, parks, and housing areas should reside not only with the Federal authorities, but with State and local groups as well.

The magnitude of the problems facing the Nation forces us to acknowledge that traditional means alone cannot furnish solutions. I believe systems management techniques can help to solve these problems.

Let us face the issue squarely. What realistic, feasible measures can be taken to overcome the specters of disaster now posed by urban sprawl, unclean air and water, and glutted living areas and highways? We in the Congress are studying a proposal introduced both in the Senate and in the House of Representatives which calls for the creation of a National Commission on Public Management.

My bill, S. 467, which I introduced in the 90th Congress with 15 Republican co-sponsors, provides for a study of "the manner in which modern systems analysis and management techniques may be utilized to resolve problems relating to unemployment, public welfare, education, and similar national and community problems in the non-defense sector."[1] Upon the occasion of the bill's introduction in the Senate, I underscored the fact that the mandate of the Commission would be to answer two fundamental questions: "Can the systems approach contribute to the solution of these problems; and, if so, how best can it do the job?"[2]

Six phases[3] would evolve in the Commission's work which bear repeating to this audience:

First. Define a social and economic problem to which the application of the systems approach appears to hold promise.

Second. Examine the many modern management techniques currently being used in the aerospace industry to ascertain which are best suited for application to these problems and what modifications may be required.

Third. Determine the proper relationship between public and private investment in these areas, including the degree of public involvement and the best procedures for governmental support and funding.

Fourth. Decide on the optimum organizational relationships among several levels of governmental authorities.

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[1] Scott, Hugh. National Commission on Public Management. Remarks in the Senate. CONGRESSIONAL RECORD, Jan. 18, 1967, p. 843.

[2] Ibid.

[3] Ibid

Fifth. Explore the roles of small business and organized labor in the application of these new management techniques.

Sixth. Assess the potential contribution of the universities toward resolving public management problems.

Let us examine for a moment the result of the projected two and one-half years of activity of the proposed National Commission on Public Management. Its final report would outline explicit plans, featuring case examples, for applying particular management technology to specific public problems. In addition, recommendations would be set forth calling for "legislative and administrative action at all levels of government to facilitate the application of these techniques."[4]

At this point some of you might well ask whether the national and community problems which we have been discussing can indeed be solved through the use of the often experimental systems and management procedures. I say that we must examine most fully the potential of every known technique, and the application of every proven piece of hardware, in order that an accurate determination can be made as to the tools which are available for use by public and private planners and program managers.

The federal government has taken several important steps to ensure better allocation of tax dollars, manpower, and other national resources. Government learned from industry and the not-for-profit organizations with the appointment of Charles J. Hitch as Comptroller of the Department of Defense in 1961. Systems management on a national scale came into its own with the creation of the "Planning-Programming-Budgeting System" (PPBS) which now has been extended to all Executive Branch agencies and departments.[5] Let me repeat for you the definition of "systems analysis" which Charles Hitch likes to use:

"Systems analysis at the national level . . . involves a continuous cycle of defining military objectives, designing alternative systems to achieve these objectives, evaluating these alternatives in terms of their effectiveness and cost, questioning the objectives and the other assumptions underlying the analysis, opening new alternatives, and establishing new military objectives."[6]

For our purposes, the definition is very useful when the military connotation is removed.

Our national problems are now so great that every element of society must become oriented to the value of the systems approach in the civil sector. The Commission would call upon the experience of leaders from labor, education, business, and government. A full-time staff would be on hand to sharpen objectives, prepare study guidelines, work with outside consultants, and finally present the full Commission with specific alternatives for intensive scrutiny and assessment.

What have we learned so far about the applicability of these tools and techniques, originally conceived and tested (for the most part) in the aerospace field? A few initial endeavors have been undertaken, such as in the State of California where specific subject studies were made by four aerospace firms[7] of such problem areas as crime prevention, transportation, waste management, and data handling. East firm was charged with developing rationale, guidelines, and feasible *modus operandi* wherein systems analysis, operations research, econometrics, simulation and modeling, and automatic data processing might prove useful in addressing the specified task areas.

The State of California took yet another innovative step. It hired the Systems Development Corporation to monitor the efforts of the four aerospace firms, since the State did not have the resident capability to do so. Here was an example of government-business partnership that will have to be repeated many times, on many projects, as government employs the systems approach as an aid to cope with the problems associated with our accelerated urbanization.

Let us consider what was learned from the California experiment. First, the systems approach, if properly used, can be put to use in attacking public problems. Second, modifications of existing techniques and procedures *will* be required more often than not. Third, there is a clear need for a widespread program of education both for government and industrial personnel concerning the role of the systems approach.

Those of us who believe that the proposed National Commission on Public Management will fill a real need in determining how the United States faces its future—and the plethora of public problems reviewed here today—want to communicate the importance of this undertaking.

There is no room for a parochial, "I'll-go-my-own-way" philosophy in the world in which we live. We need to stretch our thinking to include the utilization of equipment and techniques still on the drawing boards. Not only must the scientists and technicians render imaginative concepts, but lawmakers and bureaucrats must be induced to try out the untried. As Petter F. Drucker commented in his "Long-Range Planning: Challenge to Management Science:"

"While it is futile to try to eliminate risk, and questionable to try to minimize it, it is essential that the risks taken be the *right risks.*"[8]

Change will come to many existing organization and societal elements, as the new, imposing problems are faced. Dr. Emmanuel G. Mesthene, Executive Director of the Harvard University Program on Technology and Society, put it this way:

"In government, agencies designed for earlier purposes must devise new mechanisms to deal effectively with such problems as the beauty of the environment and the livability of cities, the use and misuse of water and air, and the management of science for public purposes."[9]

Our national goals will not be achieved—whether we speak in terms of master plans for urban development or the precise planning of transportation networks or natural resources management—without many agonizing reappraisals of current policies and programs, and the development of solutions based on compromise.

I shall say today as I did on the floor of the Senate:

"The requirements of this age—reflected in the broad spectrum of issues facing the Congress—can be coped with only by the utilization of all available human and technological resources."[10]

The importance of this research and study forum cannot be overemphasized. The scientists, administrators, interdisciplinarians, here this week will benefit in ways both tangible and subtle, immediate and long-range, comforting and disturbing. The challenge of the age looms large, and we must respond. The systems approach should not be viewed as a panacea for the problems of society—this must be clearly understood. It does represent, however, a significant mechanism by which the decision-makers may match the needs of society with the resources of the Nation. Good luck in your deliberations.

SHOULD THE VOTING AGE BE LOWERED TO 18?—WINNING ESSAYS IN McGEE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGee Senate Internship Contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "Should the Voting Age in the United States Be Lowered to 18?" and each year I am impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Robin Rider of Cheyenne, Wyo., and Douglas L. Jones of Casper, Wyo., which received honorable mention in the McGee Senate Internship Contest, be printed in the Record.

There being no objection, the essays were ordered to be printed in the Record, as follows:

Should the Voting Age in the United States Be Lowered to 18?

(By Robin Rider, Cheyenne, Wyo.)

Controversies over the proper age for suffrage have arisen throughout American history, and the demand to lower the voting age to 18 has often been voiced. One incident of our past that is emphasized particularly by proponents of this movement occurred during the 1864 presidential election. The votes of common soldiers in the Civil War camps were being collected, yet the vote of one competent regimental commander, 19-year-old Colonel Arthur MacArthur, was rejected.[1] Thus appears the historical basis for one widely-accepted argument for lowering the voting age—if you can fight for your country, you should also be able to vote in it. Another contention often heard today is that modern youth are better educated than the preceding generation, entitling them to vote at an earlier age than their parents. Yet a careful analysis of these arguments reveals some basic fallacies in reasoning, flaws that significantly weaken the case for lowering the voting age.

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[4] Ibid.

[5] Executive Office of the President. Bureau of the Budget. Planning-Programming-Budgeting. Bulletin No. 66-3 to the heads of executive departments and establishments. Washington, October 12, 1965. 13 p.

[6] Hitch, Charles J., Plans, Programs and Budgets in the Department of Defense. In Operations Research, Jan.-Feb. 1963. p. 8.

[7] U.S. Congress. Senate. Committee on Labor and Public Welfare. Special Subcommittee on the Utilization of Scientific Manpower. Scientific manpower utilization, 1965–66. Hearings before the Special Subcommittee (89th Cong., 1st sess., Nov. 18, 1965). p. 6–139.

[8] Drucker, Peter F. Long-range planning: Challenge to Management Science. *In* Management Science, v. 5, April 1959. p. 240.

[9] Mesthene, Emmanuel G. An experiment in Understanding. *In* Technology and Culture, v. 7, n. 4, Fall 1966. p. 486.

[10] Scott, Hugh. Remarks in the Senate during debate on the Legislative Reorganization Act of 1967. Congressional Record, Feb. 16, 1967, p. 3732.

[1] "Who Should Vote?" *Today's Health,* August 1964, p. 20.

Recent youthful casualities in Vietnam seemingly reinforce President Eisenhower's somewhat emotional belief that the voting age of 21 is "sacrifice without representation."[2] However, service in the armed forces does not necessarily provide the important qualities vital for intelligent voting. The maturity and judgment required for logical political decisions are not guaranteed by military training. Rather, excellent physical condition and the ability to obey commands are sometimes the only products of an Army "hitch." However, if this criterion of military service is applied to voting more extensively, somewhat absurd consequencies may be viewed. A man physically incapable of serving his nation in war would be denied franchise. Those citizens beyond the age limit for joining the armed forces would similarly be excluded from the voting public. And conceivably, women could also be denied the right to vote, simply because they are not subject to the draft call. In other words, ". . . the physical qualities that make a man a better soldier at 18 than at 40 do not necessarily imply mature judgment,"[3] and consequently a demand to lower the voting age on this basis should be rejected.

Many individuals feel that the rising quality of education for our young people also warrants changing the voting age. However, here again are two basic fallacies. The first, according to the report of a presidential commission on voting, is that "American education has placed too little emphasis on subject matter that will provide a broad understanding of our system of government."[4]

Thus, even though today's curricula are greatly improved over those of a generation ago, such changes are not sufficient to supply our youth with the judgment and maturity necessary if the right to vote is to be exercised effectively. It is a rare civics or government course in which enough emphasis is placed on the evaluation of current events. More fortunate students, such as those engaged in speech work or debating, perhaps receive a better basis for understanding the important issues facing voters. However, from personal experience in debate, I've found that extensive work is needed for a fairly accurate understanding of a topic. This type of preparation would be unfeasible and nearly impossible for each issue that should be examined. Thus, even if the opportunity to participate in a program such as debate could be given to every student, it would not be sufficient to justify lowering the voting age.

Of course there are those who argue that such extensive knowledge, if it is actually needed, could not be acquired within a three year period: "The years between 18 and 21 are not a magic time during which maturity emerges in full-blown perfection."[5] However, in this interval many young Americans pursue a college degree, and thousands of others join the adult working world for the first time in their lives. These two experiences, more than anything else, provide the basis for intelligent voting. Till the age of 18, most Americans are still in school and are influenced politically in most cases by parents and teachers, who represent the primary link to a mature atmosphere. Yet to use wisely the right to vote requires a broader knowledge of varying ideas about the political scene. This exposure to a variety of beliefs is best and most quickly accomplished by higher education or participation in the adult working force. Hence, ". . . intelligent voting requires more workaday experience than most teenagers have."[6]

It is obvious then that these two arguments of military service and better education are not valid and do not warrant lowering the voting age. Both contain serious flaws in logic and comprehension of the problem, first in the suitable criteria for voting and second in the role of a high school education in developing judgment.

Naturally there are exceptions to any generalization—those under 21 who are qualified to vote and those over 21 who are not. Yet to ensure that our destiny will be wisely shaped, the American electorate must be comprised of men and women who, collectively, will make the most mature decisions. Because more adults are likely to assume this responsibility than minors, the voting age must not be lowered. 18-year-olds should not receive the right to vote!

Should the Voting Age in the United States Be Lowered to 18?

(By Douglas L. Jones, Casper, Wyo.)

Demetrius once said, "Men having often abandoned what was visible for the sake of what was uncertain, have not got what they expected, and have lost what they had." In analyzing any type of situation a person must be familiar with the facts, the arguments, and the logical conclusions. The resolution to lower the voting age should also be confronted in this same manner. With this idea in mind the basic arguments for both viewpoints will be discussed with the hope that the facts can lead us to a valid hypothesis.

There are four fundamental reasons for allowing eighteen-year-olds to vote. The first and undoubtedly the most frequent argument is that if an American is old enough to fight for his country he certainly is old enough to cast a ballot. In a joint resolution to lower the voting age to eighteen in January of 1967 Senator Mike Mansfield, the majority leader, made this statement: "Where is the rationale in considering an American old enough to fight in Vietnam but not old enough to vote in selection of those who determine the basic commitments in Vietnam? . . . There is a single and compelling reason for that arbitrary selection. Eighteen is the age when Americans become liable for compulsory military service. If they are old enough to face a bullet, they are old enough to cast a ballot." The crux of the issue then can be expressed with this statement. If democracy is to demand loyalty, responsibility, and the supreme sacrifice of life from an eighteen-year-old citizen then surely this same democracy should bestow its most valuable privilege, the privilege to vote.

The second major reason for allowing our younger citizens to vote is that the level of their education has greatly increased. The late Adlai Stevenson, delegate to the United Nations, said, "The eighteen-year-old of today is more aware of national and world events than ever before." A brief look at the figures shows that the percentage of students attending schools has more than doubled since 1920. Thus it becomes evident that this age group clearly comprises an intelligent and well informed constituency.

The third reason for lowering the voting age is that this age bracket does have an interest in public affairs. Familiar examples of their personal dedication are characterized in such voluntary programs as VISTA and the Peace Corps. Even in our own state it was the student senate of Sheridan College which was responsible for the introduction of the voting age bill into the last session of the legislature. Certainly many of the students do have an interest in their world and in their right to vote.

The fourth reason for a reduction in the voting age is that a more equitable balance of the electorate would be created. As the life expectancy rises, the number of older voters increases daily. "Government needs the idealism and candor of youth" says Ellis G. Arnall, who was governor of Georgia at the time the voting age of that state was reduced to eighteen. This country needs a blending of old ideas and new ideas to arrive at the right ideas.

These then are the four major arguments in favor of lowering the voting age. The opposing viewpoints are based on the fallacious aspects in these same arguments.

The idea that if one is old enough to fight he is old enough to vote is purely an emotional argument. It overlooks the fact that servicemen are told what to do and that there is very little thinking in military discipline. The voter however is expected to question every candidate and arrive at his own conclusions. It must be apparent that the physical qualities that make a man a better soldier at eighteen than at forty do not necessarily imply mature judgment. While there are many qualifications to determine the basis for franchise, muscular resilience is not among them. Therefore this appears to be a specious argument.

The argument that this age bracket is better educated is undeniably true. These student however are not necessarily ready to apply the knowledge with the wisdom and maturity which one gains in a workaday adult world. It is during this three-year period from 18 to 21 years that many citizens will marry, get a full-time job for the first time, and leave the sheltered environments of their parents' home. The years between 18 and 21 are not a magic time during which maturity emerges in full-bloom perfection. Rather it is an interval during which some of our young people will complete their practical education with experience and maturity.

Many instances have been given to show that the interest of students in public affairs has led to misuse. In the Panama Canal Zone American high school students, believing they were doing a patriotic act, helped to disrupt United States foreign affairs. Many of the revolts which have taken place in Latin America, Asia and the Middle East have been sparked by student activity, either upper high school or college level. Often these students have been goaded into action by the Communists who, under a guise of nationalism, take advantage of the students' genuine concern for political problems as well as their lack of experience. It should be noted that the tyrants of this century—Mao Tse-tung of Red China, Stalin of the U.S.S.R., Hitler of Germany, Mussolini of Italy—all rode to power by capturing the youth of their countries and then misusing them. Congressman Emanuel Celler also pointed out that, "It is significant that Hitler and Mussolini lowered the voting age to help create their dictatorships." Thus it becomes evident that interest in public affairs, unless governed by maturity, becomes chaos.

The idea to lower the voting age in order to create a more equitable balance of the electorate is a specious argument. An electorate should be composed of the most responsible, mature, well-informed voters possible regardless of age. To permit any age bracket to vote without reference to these factors would be to degrade the electorate and to invite trouble. The validity of this argument then must depend on the previous three arguments. The fight-vote argument appears to be a specious one. This age bracket is better educated but lacks experience and maturity. These citizens often have interest in public affairs but it is easily misused. For these reasons their usefulness in equalizing the electorate appear weak.

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[2] "Should 18-Year-Olds Vote?" *Senior Scholastic*, February 14, 1964, p. 38.

[3] George Hecht, "Should We Lower the Voting Age?" *Parents' Magazine* (March, 1964), p. 39.

[4] "Who Should Vote?" p. 20.

[5] George Hecht, p. 20.

[6] "Should 18-Year-Olds Vote?" p. 39.

The analysis of the facts has now been concluded and a decision must be made. Change depends on facts, logic and the probability of success. Doubt plays too big a roll in this question for me to rationalize the need for a change. The voting age should not be lowered to eighteen.

THE THREATENED RAILROAD STRIKE

Mr. FANNIN. Mr. President, I am appalled by the situation in which this body again finds itself—faced for the third time in recent weeks with the prospect of a nationwide railroad strike. If this experience has taught us anything at all, if this senseless interruption of the legislative process is not to continue habitually, it should have demonstrated the need for permanent legislation to deal with strikes and walkouts that adversely affect the national interest. As I have said before, the practice of having Congress settle each labor dispute as it arises can only weaken the normal process of collective bargaining, much to the disadvantage of labor, management, and the public generally.

A railroad strike would affect the Nation to a degree few men can contemplate. As the President himself has said, the economy would suffer, workers would lose their jobs, the public would be inconvenienced, and the Nation's defense effort in Vietnam would be affected. I ask unanimous consent to have printed at this point in the RECORD the full remarks of the President concerning the impact of a railroad strike.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE IMPACT OF A STRIKE

The differences which remain in this dispute are important. But they are slight when compared with the price to the country and to these parties from a suspension of rail service.

The purpose of this Message and of this proposal is to impress upon the parties and to make clear to the Nation what is at stake here.

The cost of a nation-wide railroad strike would be incalculable. I urge you to consider these facts:

On the first morning of the strike three-quarters of a million rail commuters in New York, Chicago, and Philadelphia alone would be unable to take their trains to work.

Shipments of perishable foodstuffs to many major cities would be halted at once.

Actual food shortages could soon occur in several cities.

Some health hazards would develop. For example, supplies of chlorine used to purify community water supplies would grow short.

The coal mining industry, with 140,000 workers, would cease operations almost at once.

Many other industries which rely heavily on the railroads—such as metal mining, steel, chemicals—would be badly crippled and soon begin to close down.

For a week or more most factories could operate from their inventories. Soon, shortages and bottlenecks would begin to curtail production drastically. A spreading epidemic of lost production and lost jobs would sweep through the Nation.

A one-month strike would reduce the gross national product by 13 percent. That would be nearly four times as great as the total decline that occurred in the Nation's worst post-war recession. It would drive the unemployment rate up to 15%—for the first time since 1940—putting millions of workers out of jobs.

In short, a railroad strike would affect every man, woman and child in this Nation. It would increase the cost of living. Each day the strike continued would bring pyramiding losses in goods, services and income—losses which can never be fully regained. A prolonged strike could well break the back of the Nation's stable prosperity for some period to come.

Beyond this, there remains the impact of a rail strike on defense production, and particularly on our 500,000 brave servicemen in South East Asia.

For example:

Forty percent of the total freight shipped by the Defense Department is moved by the Nation's railroads. A strike would materially disrupt these vital operations.

Shipments of ammunition will be critically affected. During April, 210,000 tons of ammunition are scheduled to move to ports for overseas shipment. About 175,000 tons are going by rail.

Production of ammunition will be hindered. Sulphuric acid, a key ingredient for ammunition, moves only by rail car.

The movement of gasoline and jet fuel for our combat and transport aircraft heavily depends on railroads.

The M-48 tank and other heavy military equipment used in Vietnam, can be shipped only by rail.

Strategic missiles such as Polaris and Minuteman are moved by specially equipped rail cars.

Mr. FANNIN. Mr. President, but there is another important factor involved, and that is the effect of a strike on the railroad industry itself. Within a relatively short period of time one or more of the railroads would have to declare bankruptcy, thereby damaging the public interest in the same manner as did the loss recently of a leading New York City newspaper. The railroad industry simply is not in the position to withstand a costly, prolonged strike. In fact, as illustrated by the chart I would like inserted in the RECORD at this point, the working capital of class I railroads is only $478 million, down from $1.6 billion just 21 years earlier. Even these figures are misleading, however. When taken as a whole, they do not reveal the fact that the majority of railroads are not well off financially, and therefore cannot survive a strike.

There being no objection, the table was ordered to be printed in the Record, as follows:

NET WORKING CAPITAL

Working capital of Class I railroads at the close of 1966 was down to $478 million, equivalent to less than three weeks' cash requirements for operating expenses, taxes and operating rents.

Net working capital, as shown below, is calculated as of December 31 by deducting current liabilities from current assets (exclusive of material inventories). The amounts shown are before deduction of impending maturities of funded debt. At the close of 1966 equipment obligations and other debt due within one year total $527 million.

[In thousands of dollars]

	United States	Eastern district	Southern district	Western district
1945	1,643,114	549,537	247,654	845,923
1946	1,256,674	343,517	193,418	719,739
1947	867,655	188,628	151,093	527,934
1948	754,204	192,189	168,859	393,156
1949	645,097	152,367	134,473	358,257
1950	805,889	197,204	146,812	461,873
1951	530,583	97,009	93,647	339,927
1952	678,698	121,314	117,882	439,502
1953	604,815	106,713	139,472	358,630
1954	809,214	230,437	172,358	406,419
1955	933,751	262,786	190,658	480,307
1956	683,629	170,049	125,218	388,362
1957	555,332	135,052	92,878	337,402
1958	806,537	193,812	151,306	461,419
1959	798,402	211,940	152,963	433,499
1960	577,873	112,202	134,763	330,908
1961	510,927	38,189	125,461	347,277
1962	646,807	37,751	136,424	472,632
1963	827,787	60,110	147,077	620,600
1964	730,771	40,500	113,783	576,489
1965	636,250	113,061	81,710	441,478
1966	478,367	67,792	54,277	356,299

Mr. FANNIN. Mr. President, also, a strike would cost $12 million a day, $6 million in operating revenue and $6 million in unemployment benefits. It should be pointed out that the railroad industry alone pays unemployment compensation during a strike. Thus, by law the railroads are forced to finance strikes against themselves.

It should be obvious to everyone that some form of compulsory arbitration is the only solution to the labor problem in this industry, as these facts make clear: There is no true collective bargaining in the railroad industry because, as a regulated industry, the scales of justice are weighted heavily in favor of the unions; the railroads must seek rate increases from the Interstate Commerce Commission, which in the past has not been overly sympathetic to the appeals; the railroads cannot prepare for a strike in the manner open to most other industries, which are product—rather than service—oriented. Thus, the impact of the strike is immediate.

Nor are there any compelling arguments in this instance against compulsory arbitration. Labor disputes are one of the few areas where the parties are left to their own devices to settle their disputes. In most other cases courts of law and other agencies are able to determine disputes for the participants. I submit that in view of all the circumstances the national interest requires some form of compulsory arbitration, some type of permanent answer. In fact, in this situation there is no alternative.

In closing, Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from today's Wall Street Journal. It is an excellent statement of the problem.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal,
June 21, 1967]

NO WAY TO RUN THE RAILROADS

Though railroads in most major nations are state-owned, the U.S. long ago opted for regulated private enterprise—an idea sound in principle but faulty in execution.

Its shortcoming shows up plainly in the industry's sadly messed-up labor relations. At the moment Congress once again is trying to decide what to do about the threat of a crippling national rail strike, and many lawmakers obviously would prefer to do nothing at all.

Things have come to this pass partly through Governmental efforts to build up union power, on the railroads as everywhere else. While other private firms at least have some chance to fight their way to half-way reasonable wage contracts, it's not so on the railroads any more. With pro-union bias widely regarded as good politics, rail labor leaders usually can count on Federal intervention to give them just about all they ask.

Unlike other private companies, moreover, the railroads can't always move to offset excessive wage costs by adopting new and more efficient methods. The Interstate Commerce Commission firmly governs railroad change, and it's so saddled with legislative red tape that change at times can be practically impossible.

The ICC's heavy-handed control made more sense three-quarters of a century ago, when the railroads had a good deal of monopoly power and weren't always reluctant to abuse it. The Commission's rigidity is much less justifiable now, when rail lines must constantly face stiff competition from trucks, airlines and other means of transportation.

In the depressing circumstances, perhaps it is not surprising that rail managers sometimes have hardly seemed to act like private enterprisers, eager to woo the public with better service and lower prices; on occasion, in fact, they have functioned almost like the most lethargic of Federal bureaucrats. The result of all this is that the public has been denied the full benefits that could come from freer competition in rail and other transportation.

One person who came to see that fact was the late President Kennedy, and he pushed unsuccessfully for a thorough overhaul of the antiquated regulatory apparatus. The same realization underlay initial proposals for the new Department of Transportation, but there has proved to be a large gap between the past plan and the present reality.

If the Department were really to be expected to accomplish much, it would have to be able not only to devise a coordinated, even-handed Federal policy toward transportation but also to administer it. But political pressures so stripped the agency of power that Transportation Secretary Boyd can do little more than think about the general subject.

Even those thoughts aren't always especially helpful. The other day, for example, Mr. Boyd urged the ICC (completely outside his control) to consider the possible inflationary impact of proposed rail rate increases. This was of course in line with the Administration's notion that price increases by private enterprises, not Governmental deficits and easy money, are the root of inflation; in that logic, price boosts are the prime cause of price boosts.

The nation's rail system has somehow survived this sort of mishandling for a long time, and perhaps it could struggle on in much the same way for a good many years more. Certainly the system is essential to the nation; even the Congressmen who are trying to head off the strike threat without unduly offending the unions at least see that railroads are vital.

Present Federal methods of control, however, are surely weakening the railroads' long-term outlook. And since this control gives the nation few of the advantages of private enterprise anyway, someone eventually may decide that Washington might as well move to outright nationalization.

That's a prospect that should be unappealing to rail management, unions, Government and the public. Yet the way things are going it's an outcome that could all too easily materialize.

TIMES-INDEPENDENT EDITORIAL SUPPORTS CANYONLANDS

Mr. MOSS. Mr. President, the Times-Independent, the dynamic newspaper published at Moab, Utah, in the heart of the Canyonlands country, is one of the most influential of our weekly journals. It is edited by Sam Taylor, a Republican member of the Utah State Senate.

I was gratified, therefore, when the newspaper recently came out editorially for the bill I am sponsoring to expand the boundaries of the Canyonlands National Park.

Earlier in the session, when I introduced my bill to push back these boundaries, the Times-Independent withheld support. Now, however, after considering carefully the areas which would be added, and their potential for recreation as measured against other possible uses, editor Taylor has decided that three of the four proposed additions should unquestionably be made.

He questions only the fourth—Dead Horse Point State Park. This area was included in the bill at the specific request of the Utah State Park and Recreation Commission which administers it. I am of an open mind on it. I am certainly willing to consider the views of the people in Utah as to whether they want this area incorporated into the park, or would prefer to have it remain under its present administration. The bill can be amended to remove this area, if this is the consensus.

The tenor of the Times-Independent editorial gives me hope that there will be extensive support for expansion of the Canyonlands boundaries when the bill is considered. I ask unanimous consent that the editorial, which is entitled "We Think It Is Justified," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WE THINK IT IS JUSTIFIED

Approval this week by the National Parks Advisory Board, of addition of some 102,000 acres to Canyonlands National Park, removes one last roadblock prior to official action on the increase by Congress.

Remaining now is approval by the Secretary of Interior, and then consideration of the proposal by Congress itself, of a bill introduced late last year by Senator Frank E. Moss, the original sponsor of the Canyonlands National Park Bill.

Four major portions of scenic and historically-rich land are involved in the proposal. With the exception of one (the small acreage extension which would take over Dead Horse Point from the State Park Commission—an objection we have fully explained in the past) we favor the proposed addition.

Primary area sought for Canyonlands, and the one involving the most acreage, is the Maze area, west of the confluence of the Green and Colorado rivers. The Maze, while similar in nature to the Needles section of Canyonlands, is unique in that it can be viewed all along its length by a parallel promentory, which would be easily accessible to passenger car travel with minimal road building. Now accessible by jeep, horseback or hiking (unless you happen to be a Washington official with access to a helicopter), it will provide limited jeeping and hiking opportunities and a chance to see some very unique Indian pictographs. In addition, it is all wrapped up in the early livestock and outlaw history of Southeastern Utah, being immediately adjacent to the famed Robbers Roost country.

The second largest recommended addition, is the Indian ruin-rich canyon country between Squaw Flat and Indian Creek, including Lavendar and Cottonwood Canyons. This area should definitely have been added to Canyonlands when the bill was first considered, because it contains some of the best Indian ruins in the park, and is in need of the close protection the National Park Service can provide.

A small extension on the northwest corner of the park would include all of Taylor Canyon, west of the Neck. This boundary change makes sense, because presently the line runs down the bottom of the Canyon, and makes supervision difficult.

The final section recommended for addition is in question. That is the Dead Horse Point property, first offered to the Federal government by the State Park Commission, which later withdrew the offer when local opposition developed. We are opposed to this portion of the expansion plan, because the State of Utah has invested considerable money in development; is nearly through with the job; and is managing the park in an excellent manner. The State Park laws also provide for multiple use—which could be important in the Dead Horse area.

Although mineral possibilities in the Canyonlands areas can never be discounted, due to lack of exploration, efforts have been made (at least in the west side extension) to steer clear of mineral potential. The French Seep tar sands areas would not be affected by the enlargement.

Despite the fact that the requested enlargements would amount to about a 50 per cent increase in the size of Canyonlands, for the most part, they make good sense to us. After a long winter of taking issue with plans of Utah's junior U.S. Senator, we commend his plan for Canyonlands as being in the best interests of good park management, and wish him success in passage.

THE ALLOWABLE HARVEST OF TIMBER ON FEDERAL LANDS

Mr. HATFIELD. Mr. President, on behalf of my colleague from Oregon [Mr. MORSE], and myself, I ask unanimous consent to have printed in the RECORD enrolled House Joint Memorial 1 adopted by the 54th Legislative Assembly of the State of Oregon.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

HOUSE JOINT MEMORIAL 1

(Sponsored by Representative Robert Smith, Senator Cook, Representatives Bedingfield, Ouderkirk, Wilson, Senators Fadeley, Hallock.)

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the economy of this state is heavily dependent upon timber harvests, and employment in the forest industry represents not less than half of all employment in manufacturing in this state; and

Whereas this state is the leading timber producer in the United States, and a robust forest industry in this state contributes greatly to the economic well-being of the entire nation; and

Whereas a majority of the timber reserves in this state stand upon lands now under the jurisdiction of the National Forest Service and the Bureau of Land Management; and

Whereas the Oregon Legislative Interim Committee on Public Lands has reported to us that in the course of its studies of policies regarding the harvest of timber on federal lands, reliable specialists stated that the natural mortality rate of old timber on such lands is approximately equal to the rate of harvest allowed on such lands; and

Whereas the interim committee has concluded that an accelerated program of harvesting old-growth timber not only will reduce loss through natural mortality but also will encourage the developing of reserves of vigorous, youthful timber; and

Whereas reputable scholars have asserted that the even-flow concept governing timber harvesting practices may in some instances impound vast capital resources; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized to cause a study to be made of practices and policies of federal agencies regulating the allowable harvest of timber on federal lands administered by such agencies. It is urged that this study be conducted on a priority basis, in view of the urgency and gravity of the question, and that it consider especially whether the concepts employed in deriving timber-harvest allowances are best suited under contemporary circumstances to produce the highest ultimate sustained yield of timber products, while benefiting to the greatest extent practicable those localities economically dependent upon the forest industry.

(2) The clerk shall cause copies of this memorial to be sent to the presiding officer of the Senate and of the House of Representatives of the United States and to each member of the Oregon Congressional Delegation.

THE PEACE CORPS—SIX YEARS LATER

Mr. McGEE. Mr. President, a week ago Sunday, the Washington Post carried an illuminating article on the Peace Corps and its position now, 6 years after its founding by the late President Kennedy. Staff writer Anthony Astrachan, with the help of Post correspondents abroad, summed up by saying that the Corps, if it has lost some of its early flamboyance, is still exciting and still works. I ask unanimous consent that the report, "The Peace Corps Is 'Rechanneling Its Bubbles'," be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Peace Corps Is "Rechanneling Its Bubbles"

(By Anthony Astrachan)

(Note.—*This article by Staff Writer Anthony Astrachan is based on his own reporting in Washington and reports by Washington Post correspondents John M. Goshko in Latin America, Donald H. Louchheim in Africa and Warren Unna in India, and special correspondent Roberta Roth in Thailand.*)

The Peace Corps was one of John F. Kennedy's most sparkling ideas. Rumor has it that six years of reality have made it go flat.

In Washington, you hear that it's no longer an adventure to work for the Peace Corps. Abroad, you hear a man like President Julius Nyerere of Tanzania say that the Volunteers seem to have lost their idealism. Everywhere you hear that the Corps Corps is becoming bureaucratically musclebound.

When you look at the evidence, you get a different picture—one that agrees with the Peace Corps official who says, "We haven't lost our effervescence. We're just rechanneling the bubbles."

Reports from every area in which the Peace Corps operates agree that while much of the flamboyance of the early days is gone, the Peace Corps is still exciting—and it works. The reports say:

The 28,189 Volunteers who have been sent out since 1961 represent America's potentially most effective instrument for social change and economic development.

There have been plenty of failures, but they are outweighed by the successes. In addition, the Peace Corps learns more from its trials and errors than most Government agencies and many private ones.

A host of problems remain, but the Peace Corps makes a continuing effort to recognize and solve them.

A NEW HELMSMAN

The comparative blandness of the Peace Corps today is denied by many PC veterans who insist that their palates are just as sensitive as they were in 1961. So far as blandness does exist in contrast to the early days, it has three discernible causes.

One is the contrast between Jack Hood Vaughn, now director of the Peace Corps, and his more charismatic predecessor, Sargent Shriver, now head of the Office of Economic Opportunity. Vaughn is a quiet-spoken man who has spent more than half his adult life abroad for the Government. To him, the field is the basic reality.

Some Peace Corps veterans simplify to the point of saying that Vaughn is concerned with the substance while Shriver was concerned with the image that he sold to the country and Congress in a whirlwind of activity. One of Vaughn's favorite aphorisms is to say that he wants to make the Peace Corps as good as Shriver said it could be.

Vaughn himself puts today's blander flavor down to the second cause: the Peace Corps' working experience. "It's always more exciting when you don't know what you're doing and plunging into the unknown," he says. "Now we do know what we're doing, how to get from point X to point Y. If I were flying by the seat of the pants, it would be more exciting."

He adds, "When you lose the status of being controversial, you lose some of your zip."

TRYING FOR DIVERSITY

The third reason why the Peace Corps seems less flamboyant is that there is a little less diversity among Volunteers and staff. Most Volunteers have middle-class backgrounds; 85 per cent have college degrees and 96 per cent have attended college. Most come fresh from the campus and there is less age difference than in the early days.

Special efforts are made to recruit from other backgrounds, however—such as Negro colleges. Labor unions are finally being asked to help recruit blue-collar workers in all categories, the selection teams look for what they call "high-risk, high-gain" candidates—the oddballs who, if they make good, will make the Corps better.

The staff here and overseas is a bit less diverse because it has more veterans and is less flamboyant because these veterans' imaginations are constrained by what they have learned. Yet it retains an amateur spirit.

PC staff is recruited from lawyers, doctors, teachers, newspapermen and businessmen. Many would be making more money on the outside. Their common denominator is that they are more adult versions of the Volunteer (and are frequently former Volunteers): restless, idealistic, a bit romantic. They combine qualities of the missionary, the Boy Scout leader, the social worker, the army staff officer, the executive—an unlikely mixture held together by a talent for existing on a shoestring.

A 5-YEAR LIMIT

The Peace Corps has a rule that nobody may work for it in a salaried position for more than five years, which may prevent it from ever becoming fully professional. It is also a rarity among Government agencies in having the power to get rid of misfits who elsewhere are protected by Civil Service.

While the number of Volunteers has increased 150 per cent since 1963, the overseas official staff has increased a bit more than 100 per cent and the Washington staff has actually decreased since 1963. The ratio of overseas staff to Volunteers has always hovered in the neighborhood of one to 30.

More staff usually means more bureaucracy. Vaughn tries to avoid this by such measures as eliminating all his associate directors and maintaining a high degree of decentralization. Peace Corps staffers say they have a lot of autonomy in planning programs.

A career Foreign Service officer on loan to the Peace Corps as a country director says: "I like the Peace Corps better than anything I've done in the Foreign Service. They let me run things the way I want to. I can finally do what nobody ever let me do before: delegate responsibility and tell a man it's up to him to make good or fail."

The Washington guidelines are felt, however. For one thing, the Peace Corps has become cost-conscious. Countries compete in reducing unit costs. Vaughn talks about saving nearly $8 million by such devices as substituting charter flights for commercial flights. The Corps says the cost per Volunteer was cut from $7865 in 1966 to $7400 in 1967 this way.

Washington also makes PC country directors plan programs up to five years in advance, a real change from the seat-of-the-pants days. Like other Government agencies, the Peace Corps must follow the budgetary system ordered by President Johnson: identify what you hope to accomplish, quantify it and estimate its cost.

Estimating the cost isn't too hard, but the field people tend to snicker at "quantification." Arthur Purcell, PC director in Bolivia who is now taking over the Philippines, said, "We reported we had vaccinated so many people in the public health program, our teachers had so many students in English classes. In Bolivia, we said, we had affected 125,000 people. But we don't know how much we've affected them or whether it's a good or bad effect."

The effect depends partly on the people of the "host country" but primarily on the Volunteer. In the Peace Corps, the emphasis is always on the Volunteer.

His continuing idealism has been questioned. But reporters who talk to the Volunteers and see them at work say the dedication, the sense of service, the idealism are still there.

Today's Volunteer may be younger; he may be unused to working for a large organization. But a former PC evaluator who interviewed more than 1000 Volunteers in Africa sums it up for all regions: "The new Volunteer is better qualified, better trained and for the most part gets more satisfaction out of his tour than his predecessor."

A CRITICAL CREW

The Volunteers complain, of course. They gripe about the Peace Corps' defects, about host country defects, about American policy, about "creeping bureaucracy" and "big brotherism." Most of all, they criticize their own shortcomings. Almost every one you meet feels that his personal performance, has fallen short of what it should have been.

The Peace Corps is apolitical by design, but the Volunteers have opinions. Most tend to join as liberals, "the sort that thought Jack Kennedy was the greatest," as one put it. Some PC officials think that Volunteers become more conservative as a result of their experience, perhaps because they learn that change does not come overnight. A few decide that revolutions against the established order might be a good thing.

Volunteers in Latin America have a reputation for being more outspoken than those elsewhere. They tend to dislike Latin dictatorships and U.S. support for them. Volunteers in the Dominican Republic during the 1965 civil war tended to side with the rebels and condemn the U.S. intervention.

Volunteers tend to be doves about Vietnam, but paradoxically or perversely, those closest to the scene—in Thailand, Malaysia, the Philippines—seem to have the least to say about the war there and the U.S. role in it. There is no Peace Corps in Vietnam.

But the Volunteers have a lot to say about the American military presence in a country like Thailand. They don't like it. Everything about the military style conflicts with the PC style.

The military believes in materiel; the Peace Corps in people. The military tries to help civilans through counterinsurgency from above; the Peace Corps through community development by self-help from below. The soldiers' PX style of living contrasts with the Volunteers' effort to fit in with the Thai way of life, and girl Volunteers usually refuse to date GIs, provoking charges of snobbery.

AGAINST "GOING NATIVE"

The way the Volunteers live is a key to both image and reality in the Peace Corps. Many do live in mud huts and wear "native" dress. But the prevailing standard is for Volunteers to live in the same style as their "counterparts"—host-country citizens doing the same kind of job. This can mean anything from a dirt-floored house and a distant well to running water in a concrete building.

Gary Brennaman of Oakland, Calif., who works in a poultry project in India, says: "The Indians know I am not an Indian and there is no sense trying to pretend it by going without window screens and so on. I can make my impression in other ways."

The Peace Corps, however, has always wanted Volunteers to show their hosts that there is no loss of status in working with your hands, a real problem among the intellectuals of developing countries. Thomas Quimby, the PC regional director for Africa, says: "We'd like to devalue the elitist attitude. It's not a question of living like counterparts, but of living simply." Window screens, however, are a health measure, not an elitist gimmick.

A decision connected with this idea caused a celebrated incident in Nigeria last year. Jack Vaughn decided to get rid of PC hostels—houses rented by the Corps in 26 large countries where traveling Volunteers could stay overnight at minimum cost. Vaughn had two objections; this was the kind of fringe benefit that the Peace Corps shouldn't provide itself, and it encouraged the Volunteers to seek each other's company and get away from their villages.

THE LAST STRAW

When the decision reached Nigeria, some Volunteers there threatened to strike, and press reports made it seem as though the supposedly idealistic Volunteers were preoccupied with their personal comfort.

There was a lot more to it than that, however. Two bloody army coups had put a severe strain on the Volunteers' relations with the Nigerians. In addition, most Volunteers in Nigeria were teaching and in the throes of a major debate about the relative value of classroom work and community development. Also, the Peace Corps had cut other fringe benefits and basic living allowances.

To many Volunteers, the hostel decision was just one more proof that Washington didn't know what was going on in the field.

The stew had two more ingredients: the PC staff in Nigeria in 1966 was inexperienced and undermanned. It either did not know how the Volunteers felt or did not make Washington understand it. And the hostel directive, PC officials now admit, was one of the most tactless instructions ever sent out. Among other things, it called the Volunteer-run hostels "colonialist."

The outcry from the field was so great that Vaughn flew to Nigeria to explain things and find out how the Volunteers really felt. He succeeded in persuading them to accept the elimination of hostels and prevented the threatened strike. A further proposed cut in living allowances was canceled.

"The Nigerian 'revolt' was probably the most important thing that ever happened to the Peace Corps," says a PC official who was involved in it, because it embodied the problems that will determine the ultimate success or failure of the Peace Corps: host-country expectations and the effect of host-country politics; what kind of programs the Peace Corps should follow in working for development, and how to focus on the Volunteer.

AN OVERRIDING RESULT

The Peace Corps, by law, has three goals: to help underdeveloped countries meet their needs for trained manpower; to help promote better understanding of the American people in those countries; to help promote better understanding of other peoples by the American people.

The third goal is often transmuted into another: to make the Volunteers better people and better citizens. "Better" can mean more mature; better equipped to face human or institutional challenges; better equipped to help solve America's problems.

To many Volunteers, the last goal seems more important, and more often achieved, than the first, David Elliott, PC director in India, says, "At our completion of service conferences, the Volunteers are unanimous in saying, 'We've learned more than we've taught.' "

Vaughn agrees: "The Peace Corps is now confident enough to say that what happens to the Volunteer as a person, as a citizen, as a professional, is the most important goal. He has to be the main winner."

To some Volunteers, this is an admission of defeat. They feel that they haven't done enough to get their village or their country on the road to development. But any significant change takes from two to 50 years to become visible, so most Volunteers are bound to leave before the see the effect, if any, of what they have done.

TWO DIFFERENT GOALS

The Corps has not fully resolved the question of what kind of effect it intends, a physical change or an attitude change. The first is measurable in terms of the number of wells dug, children taught, people vaccinated. The second is hard to measure, but people do develop ideas about changing their environment, their social structure, themselves.

PC directors in Africa see the fundamental role of the Volunteers as ending the colonial-inspired divorce between an instructor and his students, an official and his "clients." They tend to consider the Volunteers' performance off the job as important as his development role in working hours.

In Latin America, Volunteers say that the physical accomplishments, while important, are only the visible part of the much bigger iceberg known as community development. To melt the whole iceberg, they feel that they have to create a new frame of mind and set examples that will be followed long after they are gone.

The same feeling is found elsewhere in the world. It is a big reason for the discernible shift in Peace Corps programs away from classroom teaching, though that is still the major activity in many areas, and toward work in agriculture, public health and community development.

An example is India's shift in priority from education to food production and family planning at the village level. In Peru's urban slums, the trend is away from day nurseries and construction efforts to things like vocational education, to give rural adults who flock to the cities the skills they need to cope with urban life.

A PRISTINE CANVAS

Of course, there are still many areas where the emphasis remains on the physical and institutional.

Most countries, however new, have some kind of institutional base for development and some reasonably qualified officials, but not such a place as the U.S. trust territory of Micronesia, a scattering of Pacific islands. This makes it attractive to Ross Pritchard, the PC regional director for East Asia and the Pacific.

The Volunteers, operating in a near-vacuum, can do more and innovate more than they can elsewhere—not merely to change attitudes, but to create services, institutions and such physical facilities as health centers. in short, they can create an administration.

In Bolivia, a Volunteer came up with an idea for a school to teach construction laborers how to build roads, buildings, electric plants and other needed facilities. He talked AID into financing the equipment and got the Bolivian army, the La Paz municipality and the local community to agree. The Volunteers for it will come from labor union recruiting, the Peace Corps hopes.

Even such a "physical" program has its attitude-changing side. Changing the host individual as well as the host country means understanding how people's minds work, gaining their trust, working on projects they are eager to have, foreseeing the consequences of one's actions in a society whose logic may be different from yours.

In the fertile Casamance region of Senegal, for instance, Volunteers worked with a tribe that grew rice but refused to market it because it had religious significance. The Volunteers tried to break down the religious aspect to help end Senegal's need for imported rice. But they discovered that once they succeeded, the tribesmen stopped growing rice. They no longer had the motivation.

A HANDY SACRIFICE

A different kind of culture-gap problem faced a Volunteer in Kenya. He was present at a village meeting where much resentment against government policies was expressed. Several villagers suggested that the best way to demonstrate discontent would be to kill a white man.

The Volunteer, who spoke a smattering of Luo, looked around the room, discovered he was the only white man there and tried to fade into the mud wall. Cooler heads prevailed, however, and the villagers decided to dramatize the protest in a different way.

The shift to attitude-changing and "rural transformation" can make it more difficult to work with the officials, who find still more reason for dismay at the intangible nature of PC goals and at what they consider the loss of status from working with one's hands.

At higher levels, host governments may be skeptical of the value of community-involved programs, or unable to finance their share. Some are also skeptical about the Volunteers' technical qualifications for this kind of program. Several countries have asked for higher technical skills in these fields than the Peace Corps feels it can or should provide.

In India, director David Elliott thinks that the Volunteers make good catalysts because of their enthusiasm and dedication. "They don't come over here with 30 years' experience in agriculture" he says. "But our point is that it's not what you know about agriculture or family planning, but what you can impart . . . Getting people with more technical qualifications might be our downfall. Why transform us into another AID when we have done so much better in many ways?"

Generally, the Peace Corps feels that its vaunted "BA generalists" can learn enough in three months training to understand what the technical expert has discovered and then do what the expert cannot: translate it into terms that the peasant—even more of a layman than the Volunteer—can understand.

AN "AID SYNDROME"

As Elliott suggested, the desire for higher technical skills can be part of an "AID syndrome," since many host-country officials are more familiar with foreign aid concepts than with the Peace Corps programs.

Under a presidential directive for all Government agencies overseas to work together, the Peace Corps is trying to have Volunteers use AID equipment or spread knowledge provided by AID experts. The problem is that many Volunteers feel that when AID provides "goodies," it tends to devalue the Volunteer himself in the eyes of the host country.

In Ethiopia, for example, AID provided typewriters for a vocational training school and a Volunteer was sent in to teach typing. The host government did nothing to maintain the machines and within six months they stopped working. The Volunteer feels that his job is pointless. If the government had really been interested in training typists, he says, it would have bought the machines itself and kept them in repair.

Resentment of a program initiated by the donor rather than by the host country is an old bugaboo of foreign aid. The Peace Corps, like AID, officially responds only to host country requests, but such initiatives can be stimulated.

In India, for example, the number of Volunteers shot up from about 750 to 1271 as a result of an announcement by President Johnson during Prime Minister Indira Gandhi's visit to Washington last year. The Peace Corps insists that the President was only responding to a request by Mrs. Gandhi, but the influx came as a surprise in New Delhi, where the PC staff was hard put to handle the growth in terms of both logistics and programs.

Director Elliott insists that the Volunteers work "on ongoing Indian programs. We don't develop our own." But a Peace Corps evaluator told Warren Unna that was not strictly true, certainly not in the case of the programs devised to occupy last year's spate of new people.

A LUXURY PROGRAM

The Corps went into French-speaking Africa with heavy programs for teaching English, a third language that few students needed or wanted, giving the impression that the main desire was to establish a Peace Corps presence. Later, the programs in many of these countries were reconsidered.

In Niger, C. Payne Lucas went in as director and showed the government officials their need for help in agriculture, public health and community development. The Niger program is now considered a roaring success both by Americans and the people of Niger.

In Bolivia, director Arthur Purcell went into tin mining areas that had produced two revolutions and found several needs the Peace Corps could fill to help the Indian miners recover and develop. He stimulated the Bolivian development. The Niger program is now vocational education, athletics (which the people love) and public health, using unions and other community groups as agencies rather than the government mining corporation.

Washington planners objected to this program, which had revolutionary implications since the miners had long left-wing traditions. Vaughn overruled them and approved it. Asked if the military-dominated Bolivian government was not alarmed, Purcell said, "Hell, no. Some officials like it, and the ones that might not don't take the Peace Corps seriously enough to worry about it."

A CIA TAINT

Another kind of taint has attached to the Peace Corps, however—the CIA smear. It has been a serious problem in India, Pakistan, Tanzania, Kenya and a few other countries, through it has never appeared in Latin America.

In India, much of the CIA sensitivity grew out of the recent exposure of the CIA connection with the National Student Association here and with the defection of Svetlana Alliluyeva, Stalin's daughter.

The concern is widespread. An Indian businessman, for example, started a conversation on a plane by asking, "What do you think about the CIA and the Peace Corps?" He then provided his own answer: "I know about 12 Peace Corps people here and I don't think they are CIA. But one of them told me even he thinks there may be CIA in the Peace Corps, not among the Volunteers, but maybe among the staff."

The Indian government says there is no evidence to support the CIA charges. So far as the U.S. Government is concerned, the CIA is forbidden by law to use the Peace Corps in any way. PC officials say they check repeatedly to make sure the CIA is sticking by the rules.

The CIA fear was, however, an explicit element in the decision of the Indian state of Kerala to ask for the withdrawal of 28 Volunteers working in poultry development. Kerala and Pakistan, which has also ended its Peace Corps program, also said they wanted higher skills than the Volunteers have, but the official American community think both cases were political.

Other countries that have asked the Peace Corps to leave for political reasons include Ceylon (where a new government has invited it back); Indonesia under Sukarno, and Mauritania in the current Middle East crisis.

A FAIRER IMAGE

In a way, it is their loss, but in another way, it is America's. What Donald Louchheim said about Africa is true of the world as a whole:

"Where the image of the United States is a composite of scraps of Technicolor celluloid and sleek, usually irritable expatriates, the Peace Corps Volunteer is the only tangible sign that the United States is more than a remote, glittering stage set with big cars, washing machines and broadloom carpets, peopled with cowboys and women with cardboard hair.

"Throughout the continent, there is no concept that the developed world is as frail as the developing world, or any awareness that it ever developed itself. The European and American presence in Africa merely reinforces this ignorance and lack of confidence. The U.S. Information Service and AID are unwittingly the worst offenders.

"The Peace Corps, at least, holds out the possibility of showing another, and perhaps the most important, dimension of the United States."

LAND EXCHANGES IN OREGON

Mr. HATFIELD. Mr. President, on behalf of my colleague from Oregon [Mr. MORSE] and myself, I ask unanimous consent to have printed in the RECORD Enrolled House Joint Memorial 2 adopted by the 54th Legislative Assembly of the State of Oregon.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

HOUSE JOINT MEMORIAL 2

(Sponsored by Representative Robert Smith, Senator Cook, Representatives Bedingfield, Ouderkirk, Wilson, Senators Fadeley, Hallock.)

To the Public Land Law Review Commission, created by the Act of September 19, 1964 (43 U.S.C. §§ 1391 to 1400):

We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas the vigorous pursuit of a program of exchanging lands in this state owned by the Federal Government for lands owned by this state is essential to full realization of the benefits of modern land-management techniques based upon amalgamation of scattered holdings; and

Whereas the Oregon Legislative Interim Committee on Public Lands has reported to us its finding that federal-state land exchanges are not being consummated at a rate that will permit an early realization of such benefits; and

Whereas the Public Land Law Review Commission was directed by Congress to recommend such modifications in existing laws, regulations, policies and practices as in its judgment will best serve to carry out the policy of Congress that the public lands of the United States shall be retained and managed or disposed of in a manner to provide the maximum benefit for the general public; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The Public Land Law Review Commission is memorialized to give priority to its studies of federal-state land exchanges so that recommendations may be framed by it with regard to this urgent problem at the earliest date. Specifically, the commission is urged to consider the feasibility of:

(a) Using, in each projected transaction, a single appraiser appointed jointly by the Federal Government and by this state to determine for both parties the values of the lands proposed to be exchanged.

(b) Appraising lands on the basis of their fair market value as of the time of such appraisal.

(c) Liberalizing the rules for land exchanges in so far as they now require only that a demonstrable advantage accrue to the Federal Government as a result of each such exchange.

(2) The clerk shall cause copies of this memorial to be sent to the President of the United States of America, the Chairman of the Public Land Law Review Commission, the presiding officer of the Advisory Council to such commission, the Secretary of Agri-

culture, the Secretary of the Interior and each member of the Oregon Congressional Delegation.

DANGERS OF URANIUM MINING

Mr. KENNEDY of New York. Mr. President, the recent deaths of uranium miners because of unnecessary exposure to radon gas and its byproducts is testimony to our failure in this area of occupational health. It is clear now that industry, States, and the Federal Government did not meet their responsibilities to those who were employed in our uranium mines. And as a result of their failure, over a thousand men may die or have their productive years shortened.

This loss is particularly tragic because it did not have to happen. A number of groups and individuals had pointed out the hazards associated with mining radioactive ores and had recommended that certain steps be taken to avoid these hazards. But because no one had died in American uranium mines, these warnings were ignored. The cost of taking preventive measures was cited as a reason for delaying their use. And the uncertainties connected with this new hazard were used to excuse a lack of action.

There is little we can do for those who have already been exposed to these poison gases other than to insure that their families are provided for. But we can insist that no miner is exposed to this danger again. I understanding that the Department of Labor is currently involved in this task.

The actuarial firm of Woodward & Fondiller, Inc. of New York City, recently completed a study of the number of cases of lung cancer that can be expected as a result of the failure of the Government and the uranium mining industry to take the necessary precautions. I ask unanimous consent that this report be published in the RECORD, and I call it to the attention of those who are concerned with problems of environmental and occupational health.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

WOODWARD & FONDILLER, INC.,
New York, N.Y., February 2, 1967.

Mr. ROBERT S. PALMER,
Executive Director, Mining Industrial Development Board, State of Colorado, Denver, Colo.

DEAR SIR: We are pleased to submit, herewith, our report entitled "Probable Numbers and Costs Through 1985 of Lung Cancer Cases Among Uranium Miners." The report is in five sections, as follows:

I. Introduction.
II. Projected Costs.
III. Financing of Costs.
IV. Conclusion.
V. Exhibits.

We appreciate the cooperation extended to us by members of your Board, by the Bureau of Mines and by the U.S. Public Health Service in making essential data available to us.

Sincerely yours,
LEWIS H. ROBERTS,
Vice President and Actuary.

I. INTRODUCTION

The occurrence of lung cancer among uranium miners had been under study for many years before the magnitude of the hazard was recognized in the United States as being sufficient to necessitate precautions adopted on an increasing scale since 1961. (1) Delay in recognizing the hazard may well have been due to the small number of cases (only 40) reported through 1961 among the several thousand miners employed.

The number of cases was too few, considering the average expectation of lung cancer (estimated at 3% in the general population) to demonstrate any special hazard associated with uranium mining. In cases of delayed effects following injurious exposure, a characteristic of all slow poisoning, fewness of cases during the years immediately following large scale exposure is illusory. The cases seen so far are only a sample of those to follow, even without additional exposure.

By the end of 1966, a total of 98 cases among all uranium miners had been recorded by the U.S. Public Health Service. Although this compilation was intended to be complete, there is no certainty in that regard and it seems likely that at least a few cases may have escaped the record. There has been no determination of which cases were caused by mining exposure and which arose from other causes. Indeed, it seems to us that such a determination is not possible, at cept on a probabilistic basis. It has been shown (1) that undifferentiated small cell types of cancer (oat, round and polygonal) least on the basis of present knowledge, exaccounted for 29 out of 51 cases of known cell type, or 57%, for uranium miners vs. 24 out of 158 cases, or 15%, for non-miners. (Exhibit 2.) This, however, proves nothing about the causation of any particular case. The identification of a given cancer as of the oat cell type, therefore, at best implies a degree of likelihood that it was induced by a known exposure to radon and radon daughter products in the course of uranium mining. A corresponding but lesser probability should be inferred for other cell types.

We have found some correlation between Pb_{210} in bone tissue and past exposure to radon in the cases of lung cancer for which Pb_{210} content has been determined, as shown in Exhibit 3. Again, however, no proof of causation is implied. The usefulness of such correlation lies in the possibility of inferring the amount of exposure, where adequate records have not been kept, from Pb_{210} measurements.

According to our calculations, the 89 cases reported to date where uranium mining started in 1937 or later define a curve under which a total of 1,150 cases will have appeared by the end of 1985. On the basis of the 1966 geographical distribution of miners, 37% of these, or 425, would be chargeable to Colorado. This calculation is predicated upon the assumption that all cases reported so far are due to radon exposure *and that there will be no further exposure after 1966.* That is, our present calculations are limited to those cases expected to arise out of operations conducted prior to January 1, 1967.

The first assumption—that all cases are due to radon exposure—is a simplifying approximation based upon so far unpublished U.S. Public Health Service Studies showing only 3% of deaths occurring during the period of observation for a group of nonminers were due to lung cancer. This assumption merits further investigation, particularly in the light of studies relating lung cancer to smoking and considering that at least 94 out of 98 cases were cigarette smokers.

The doctrine of "last injurious exposure" is not sufficiently precise, in our opinion, to provide a useful criterion for the chargeability of a case to an employer. No basis has been found for establishing a limit below which a lesser non-zero degree of exposure is without effect. Hence, some degree of harm theoretically arises from even a single atom of radon or radon daughter product deposited in the lungs. Obviously, such a criterion is of no practical usefulness.

We think it important that sufficient study be given to measurement of the manner in which the probability of lung cancer varies for an individual, on the average, with increasing amounts of exposure. This information would provide the basis for a ruling that exposure below a given level is harmless. Such a ruling, while necessarily arbitrary to some extent, could be based upon some reasonable concept like, for example, the amount of exposure necessary to double one's naturally occurring probability of getting lung cancer.

We believe it important that such studies be undertaken at once before precedents are set leading to the general presumption that all cases of lung cancer among uranium miners are compensable.

II. PROJECTED COSTS

Exhibit 1 shows actual and theoretical numbers of lung cancer cases among uranium miners by five-year periods from 1936 through 1966, also theoretical numbers for 1967 through 1986 and Colorado's estimated share of cases and costs through 1985. The rationale of these calculations will now be explained.

The weighted index of the number of miners surviving each period was calculated from the following reported data:

1. Numbers of miners employed.
2. Rates of turnover in employment.
3. Average working levels of radiation exposure, by year.
4. Distribution of miners by age.

We assumed mortality among the mining population to be satisfactorily approximated for these calculations by the American Men's experience table. While mortality in this table is somewhat higher than current national averages, the same would be true of uranium miners due to not only lung cancer but also, as for miners generally, above-average accident rates.

The weighting employed is based upon exposure to radon. The index, therefore, represents not simply lives but working-level man months of surviving men. Following the hypothesis advanced by Dr. Archer (2), the expected number of lung cancer cases is proportional to this quantity irrespective of how exposure may be distributed among individuals.

For lack of corresponding exposure data, the actual number of lung cancer cases used by us excludes nine miners who began uranium mining before 1937. Hence our calculations pertain only to cases arising among those who started uranium mining in 1937 or later. We have not estimated how much our projections should be increased to include the small additional percentage who started earlier. For whatever it may imply, we note that the 9 excluded cases are 9.2% of the total 98 cases reported.

We derived the theoretical numbers of cases for each five-year period by weighting the exposure measured in working-level man months of miners surviving from each earlier period by the corresponding percentage of cases anticipated, on the basis of experience so far, to arise 0–5, 5–10, 10–15, etc. years after the start of uranium mining. The good correspondence between theoretical numbers and actual numbers of cases lends some authority to the numbers projected through 1986. The latter values were calculated by applying the same formula to index numbers of surviving miners for 1967–1986 as had been applied to these indices in arriving at the theoretical values for 1936–1966.

Inasmuch as it has proved possible to derive these projections objectively from the given data, we consider them to be reasonable and essentially free of subjective bias. This should not be taken to imply, however, that our projections necessarily provide close approximations of future costs. There are several reasons why such costs cannot be precisely estimated, even in principle, at this time. Most important of these is statistical uncertainty due to the relatively small number of cases so far reported.

Any estimate of the number of future cases unavoidably must depend upon the number and pattern of cases already reported. It is evident that the exact number actually occurring in any given period is subject to chance fluctuation. Chance operates here in the same manner as characterizes other random phenomena such as the number of radioactive distintegrations occurring in a particular time. Thus, for example, if 60 disintegrations (or 60 cases of lung cancer) are theoretically expected in a given length of time, the actual occurrence of 56 or fewer or of 64 or more during any particular observational period would have a probability of about 40%. Because of the "leverage" involved in long-range projections, a small chance fluctuation in the actual number of cases causes a large distortion in the projected number. Thus, for example, if the actual numbers of cases had been as shown below under "Hypothetical Alternative Number," the projection curve would have been altered sufficiently to increase our projection from 1,193 to 1,410, or 217 more. In the foregoing example only the pattern of cases—not the total number—has been varied. Any chance variation in the total number would, of course, have a proportionate effect upon the projected numbers.

Period	Actual number	Hypothetical alternative number
1936-41	0	0
1942-46	1	0
1947-51	3	1
1952-56	6	6
1957-61	23	22
1962-66	56	60
Total	89	89

This problem, of course, is inherent in all attempts to learn much from little. The 98 cases reported so far, or the 89 used in our calculations, are only the tail of the animal, so to speak, and it is difficult to judge the size of an unknown animal from a piece of its tail.

Obviously, more accurate projections will become possible as more cases are reported.

Apart from purely statistical considerations, certain other sources of possible bias must also be recognized:

1. We have been unable to obtain a fully satisfactory estimate of the total number of miners. Although 4,797 miners were reported by the Colorado Bureau of Mines since 1961, the average number employed during the past three years was only between 700 and 800. Rates of turnover and the degree of mobility between states implied by these figures are difficult to believe without further evidence.

2. Radiation levels estimated for the earlier years are of dubious accuracy.

3. All but four cases are reported to have been cigarette smokers. (Smoking habits of one of these four were unknown). Unless a corresponding percentage of all miners smoke, any tendency for smoking to enhance the possibility of cancer would bias our estimate of projected cases upward.

4. For the sake of mathematical convenience, and because comprehensive historical records are unavailable, we found it necessary to assume a simplified mathematical model representative of turnover rates in employment. Fair agreement between this model and reported turnover data suggests that bias due to this source is small. (The only relevance of this factor lies in its effect upon the age distribution and normal mortality of the mining population, under the assumption that the expected number of cases is independent of the distribution of exposure among miners.)

5. The hypothesis that the total number of cases depends only upon the total number of working-level man months, not upon individual exposures except as they contribute to this total, deserves further study. We have adopted this hypothesis as a working assumption partly on Dr. Archer's authority and partly on the basis of our own *a priori* analysis of its reasonableness. We doubt that any probable refinement upon this hypothesis would materially alter expectations.

6. We have counted all cancer cases regardless of cell type. In the event that liability were limited to certain cell types, e.g., oat cell, projected costs would be materially reduced. (See Exhibit 2.)

7. We have included 11 cases in which much or most of the exposure was recorded as not connected with uranium mining.

8. We have not been able to classify miners so as to calculate projections separately by amount of exposure. A small bias results here due to differences depending upon the magnitude of the extra likelihood of death due to lung cancer, in the operation of normal mortality.

9. We have not tried to reflect possible variation in rates of lung cancer by age nor by smoking habits. The effect of smoking may be additive or stronger in conjunction with exposure to radiation, but knowledge of smoking habits among miners who did not develop lung cancer would be needed. Without such knowledge we can only make the subjective observation that proportions of cigarette smokers as high as 94 or 95 out of 98, as observed among the cancer cases, seem unlikely. As previously remarked, to the extent that smoking may enhance susceptibility to lung cancer and if fewer than, say, 96% of the miners smoke cigarettes, then the number of cases to be anticipated will be correspondingly smaller than we have calculated.

10. We have given no consideration to the occurrence of lung cancer in other than full-time underground miners nor for miners exposed to radiation in kinds of mining other than reported to us as uranium.

11. The assumption of $20,000 cost per case is to some degree arbitrary, being substantially higher than the average cost per case settled to date. This is less, however, than the maximum cost awarded in the case of Shirden G. Blood, a Union Carbide employee (I.C. No. 1-905-297, S.F. No. 153654) which amounted to $19,358 plus medical not to exceed $3,500. Considering possible future benefit increases, an assumed value of $20,000 average per case may be too low but we have not attempted to project the cost of future legislation.

12. Colorado's share of the total number of cases, taken here at 37%, is based upon the 1966 distribution of miners by state. The proportion of cases, ultimately chargeable to Colorado employers, under the present system of charging the employer responsible for the "least harmful exposure" will depend upon future geographical distributions and levels of hazard.

III. FINANCING OF COSTS

Obviously, the economic cost of uranium mined to date includes a large element not considered in the setting of prices charged to the U.S. Atomic Energy Commission for the product. That element, of course, is the subject of calculations made herein.

Its possible magnitude obviously far exceeds the ability of the Colorado State Compensation Insurance Fund to pay out of existing surplus. Hence, if we assume that these claims will be paid, it is evident that the money must be found elsewhere. We think that since the mining of uranium until now has been conducted almost exclusively for purposes of national defense, the full cost of such mining should be borne by the country as a whole. It follows that we believe the Federal government should assume these costs as they arise. This might be accomplished, for example, through the enactment of special legislation authorizing the reimbursement of state insurance funds (perhaps indirectly through their respective state governments) for payments made on lung cancer cases involving uranium miners. We are not attempting, of course, to recommend this or any other particular procedure but merely urge Federal assumption of these costs in principle.

Failing Federal assumption of liabilities, we believe costs should be distributed as widely as otherwise possible, i.e., by the State of Colorado. This might be achieved through an undertaking by the state legislature to reimburse the State Compensation Insurance Fund for the costs of such claims as they are paid. Without such backing or other relief, we must consider the solvency of the Fund to be gravely jeopardized.

If costs of as high as $8,500,000 through 1985 were to be met by assessment as paid, the peak burden upon employers for cases considered here would be felt in about 1979 with approximately 40 cases arising. Alternatively, if reserves to cover anticipated costs were built up in advance, the burden of meeting payments of the peak years would be substantially reduced, not only through averaging over the earlier years, in which payments will be low, but through the earning of investment income on reserves.

We do not consider it reasonable or practicable to finance these costs through insurance payments or other assessments to be levied upon the mining industry alone. We believe that to the extent that the Fund can obtain relief in other ways, customary rate making procedures should be correspondingly amended to avoid charging the full costs of these claims against the employers involved.

Whatever method of financing may be adopted, the immediate problem to be faced lies in the inability of the Fund to reserve now or in the foreseeable future for additional liability of the magnitude seen here as possible.

Although Section 74[81—12—7](4) of the Workmen's Compensation Act provides that "The sums provided for the 'subsequent injury fund' as herein created by this section shall be used to make compensation payments as may be required by the provisions of the Colorado Occupational Disease Disability Act," that fund would be unable to pay any substantial portion of the cases considered here without large additional revenues. Similarly large income would be needed to finance any special fund that might be created specially for this purpose.

IV. CONCLUSION

While not yet possible to estimate closely, it is evident that the cost of lung cancer cases among uranium miners will be very considerable if future cases conform to the pattern so far observed. This is particularly true if all cases that may arise are deemed to be compensable. Unless a substantial percentage of cases are to be denied, costs will seriously jeopardize the solvency of the State Compensation Insurance Fund. Indeed, potential costs of claims that may arise from exposures already incurred through 1966 far exceed the surplus of the Fund.

If all or most of these claims are to be paid—without considering claims that may arise out of future exposures—it is evident that the Fund will need assistance. We think such assistance should be provided by the Federal Government since these costs arise out of a national defense activity. Failing this, we believe relief through legislation by the State of Colorado is necessary, not only as the next most equitable solution to the problem, but to assure the continued solvency of the State Compensation Insurance Fund.

Finally, we believe further study should be given to the question of causation and to the relationship between amount of exposure and the probability of lung cancer. Without such information, rational bases are difficult to find for the determination of compensability and for the allocation of liability between employers.

References

(1) "Lung Cancer of Uranium Miners on the Colorado Plateau," G. Saccomanno, V. E. Archer, R. P. Saunders, L. A. James and P. A. Beckler; Health Physics, Pergamon Press, 1964.

(2) Letter dated January 16, 1967 and Memorandum dated January 13, 1967 reproduced here as Exhibit 4.

Other sources, not mentioned in the text of this report, are:

(3) "Radiation Protection in Uranium Mines and Mills (Concentrators)", American Standards Association, 1960.

(4) "Analysis of Recommended Standards for Workmen's Compensation for Radiation Injury", U.S. Atomic Energy Commission, 1965.

(5) "Cancer of the Lung: the Cytology of Sputum Prior to the Development of Carcinoma," G. Saccomanno, R. P. Saunders, V. E. Archer, O. Auerbach, M. Kuschner and P. A. Beckler. Acta Cytologica, Vol. 9, No. 6, 1965.

(6) "Concentration of Carcinoma or Atypical Cells in Sputum," G. Saccomanno, R. P. Saunders, H. Ellis, V. E. Archer, B. G. Wood and P. A. Beckler. Acta Cytologica, Vol. 7, No. 5, 1963.

(7) "Control of Radon Gas and Daughters in Uranium Mines and Calculations on Biologic Effects," D. A. Holaday, D. E. Rushing, R. D. Coleman, P. F. Woolrich, H. L. Kusnetz and W. F. Bale, U.S. Public Health Service, 1957.

(8) "Environmental Status of Uranium Mines for Calendar Year 1966," C. M. Phelan, U.S. Public Health Service, Salt Lake City, Utah, 1966. (Unpublished report.)

(9) "Environmental Status of Uranium Mines as of the Third Quarter 1965" by the same author as (8).

(10) "Memorandum Concerning Lung Cancer Due to Randon Gas", H. C. Thompson, Colorado State Compensation Insurance Fund, November 28, 1966. (Unpublished report.)

(11) "Digest of Lung Cancer Cases Filed with the State Compensation Insurance Fund," by the same author as (10) and of approximately the same date.

(12) "The Incidence, Nature and Adjudication of Workmen's Compensation Claims Involving Radiation Exposure and Delayed Injury," T. J. O'Toole (Studies in Workmen's Compensation and Radiation Injury, Vol. II, U.S. Dept. of Labor and the Atomic Energy Commission.

V. EXHIBITS

EXHIBIT 1

Actual and theoretical numbers of lung cancer cases among uranium miners, 1936–1986, and projected cost of Colorado's share

Period	Weighted index of the number of miners surviving each period	Number of lung cancer cases diagnosed [1]		
		Actual	Theoretical	
			Rounded	Before rounding
1936–41	25	0	0	0
1942–46	123	1	1	.4
1947–51	240	3	2	2.0
1952–56	474	6	8	7.7
1957–61	888	23	23	23.4
1962–66	1,000	56	55	55.5
Subtotal, 1936–66		89	89	89.0
1967–71	1,000		84	
1972–76	856		267	
1977–81	725		527	
1982–86	616		315	
Subtotal, 1967–86			1,193	
Subtotal, 1967–85			[2] 1,150	
Colorado's share, at 37 percent			425	
Colorado's cost, at $20,000 per case			$8,500,000	

[1] 9 cases, where mining started prior to 1937, have been excluded.

[2] Interpolated from graph.

EXHIBIT 2*

TABLE 1.—*Summary of 276 cases of cancer of the lung among uranium miners and other men, 1948–63*

Cell type	Resident in 15 counties				Nonresident	
	Group 1—Uranium miners		Group 2—Other resident males		Group 3—Nonresident males	
	Number	Percent	Number	Percent	Number	Percent
Epidermoid [1]	19	37.2	89	73.6	25	67.6
Undifferentiated small cell types: [2]						
Oat	22	43.1	11	9.1	2	5.4
Round	1	2.0	2	1.7	1	2.7
Polygonal	6	11.8	5	4.1	3	8.1
Large cell (undifferentiated)	0	0	4	3.3	1	2.7
Adenocarcinoma	1	2.0	6	5.0	3	8.1
Combined adenoepidermoid	1	2.0	4	3.3		0
Alveolar cell	1	2.0		0	2	5.4
Total known cell type	51		121		37	
Unknown cell type	3		28		36	
Total cases	54		149		73	
	Range	Median	Range	Median	Range	Median
Age (entire group)	39–76	54	31–88	63	36–93	65
Age (known cell type)	39–76	54	31–81	62	36–78	64
Pack-years, cigarettes	[3] 10–75	35	[4] 0–125	40	[5] 0–122	40

[1] The difference between group 1 and group 2 is at the 0.01 level of significance.

[2] The difference between small cell undifferentiated types of group 1 is different from groups 2 and 3 at the 0.01 level of significance.

[3] All smoked cigarettes, 1 not known.

[4] 4 nonsmokers, 6 pipe or cigar smokers only, 19 not known.

[5] 4 nonsmokers, 2 pipe smokers only, 27 not known.

TABLE 2.—*Summary of cell types of lung cancer of uranium miners matched with other men by age and smoking habit*

Cell type	Age-smoking matched		1 to 360 WL Mo. UGU [1]		361 to 1,200 WL Mo. UGU [1]		1,200+ WL Mo. UGU [1]		Combined UGU groups	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Epidermoid	32	62.1	8	61.5	8	42.1	3	[2] 15.8	19	37.2
Undifferentiated small cell types [3]										
Oat	4	7.8	5	[4] 38.5	7	[4] 36.8	10	[5] 52.6	22	[5] 43.1
Round	2	3.9	0	0	0	0	1	5.3	1	2.0
Polygonal	3	5.9	0	0	2	10.5	4	21.0	6	11.8
Large cell (undifferentiated)	3	5.9	0	0	0	0	0	0	0	0
Adenocarcinoma	5	9.8	0	0	1	5.3	0	0	1	2.0
Combined adenoepidermoid	2	3.9	0	0	0	0	1	5.3	1	2.0
Alveolar cell	0	0	0	0	1	5.3	0	0	1	2.0
Total cases	51		13		19		19		51	

[1] WL Mo. UGU—Working-level months in underground uranium mines. This term gives relative cumulative exposure to airborne radon daughters.

[2] The fraction of epidermoid types among the 1,200+ WL Mo. group is significantly lower ($p < 0.05$) than in the matched control group.

[3] The fraction of small cell undifferentiated types among the 1,200+ WL Mo. and the combined UGU groups is significantly higher ($p < 0.01$) than in control group. This comparison is not significant for the 1 to 360 WL Mo. group, but is ($p < 0.05$) for the 361 to 1,200 WL Mo. group.

[4] The fraction of oat cell type among the 1 to 360 and 361 to 1,200 WL Mo. groups is significant by higher ($p < 0.05$) than in control group.

[5] The fraction of oat cell type among the 1,200+ WL Mo. group and the combined UGU groups is significantly higher ($p < 0.01$) than in control group.

* Reproduced from reference 1.

EXHIBIT 3

Comparison of accumulated working-level months and Pb^{210} in 26 lung cancer cases

Case No.	Pb^{210}	Working-level months
1	4.76	1,871
2	2.22	1,366
3	2.05	2,328
4	.69	150
5	10.00	1,843
6	.74	687
7	1.97	5,135
8	4.47	3,664
9	.95	600
10	15.50	3,643
11	5.80	1,432
12	1.43	1,800
13	4.10	4,354
14	2.50	2,868
15	9.40	2,892
16	1.34	1,778
17	5.30	2,864
18	2.94	851
19	.84	1,260
20	.03	383
21	.006	112
22	.77	920
23	5.23	4,310
24	.04	400
25	.36	1,200
26	.92	1,510
Total	84.36	50,221
Average	3.25	1,932

Note.—Coefficient of correlation, working-level months on Pb^{210}: 0.52. The coefficient of correlation of 0.52 can be interpreted to mean that approximately ¼ of the average squared difference between individual and average working-level months can be accounted for by variation in Pb^{210} content. Pb^{210} content is based upon bone samples.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, U.S. PUBLIC HEALTH SERVICE,
January 16, 1967.

Mr. HAROLD CLARK THOMPSON,
State Compensation Insurance Fund,
Denver, Colo.

DEAR MR. THOMPSON: Our Washington Headquarters recently asked me to work out predictions of lung cancers that would occur among uranium miners.

The result of my efforts are enclosed. Even though this applies to the entire industry, I felt it might be of interest to you. I would have no objections if you wish to send this to Mr. Adler.

Sincerely yours,
VICTOR E. ARCHER, M.D.,
Medical Director.

PREDICTION OF LUNG CANCER AMONG URANIUM MINERS IN FUTURE

January 13, 1967.

Mr. Henry Doyle, Division of Occupational Health, Washington, D.C.

Victor E. Archer, M.D., Medical Director, OHFS, Salt Lake City, Utah

We now know of 96 lung cancers among uranium miners; the ones being diagnosed since 1954 are plotted in Figure 1 to give an "appearance curve". . . . Since the greatest number of men were exposed to rather high concentrations of radon daughters in the 1958–1960 period, and since the average time between start of mining and lung cancer is about 20 years, I have assumed that the present slope of the "appearance curve" will hold until about 1978 or 1980 at which time a peak will be reached and the rate of appearance of lung cancers will start to fall. Using this extrapolated graph one could predict the following number of cancers by 2 year periods for the period 1966–1979: 28, 32, 36, 39, 42, 44, 44. From 1980 through 1991, (which is more tenuous because it involves predicting the rate of fall) one might obtain the following numbers for 2 year periods: 44, 43, 42, 40, 38, 37. If we have actually missed many lung cancers (and we have undoubtedly missed some), then the slope of the curve will be a little steeper with resultant numbers being somewhat larger. Another factor which may make this curve underestimate the lung cancers is that the mining population was constantly increasing until about 1961. This method of extrapolating the curve is the simplest and crudest method, and probably represents a minimal estimate.

Another approach to the problem of estimating lung cancers in the future is to multiply the average number of men employed each year by 12 months and by the average Working Level Exposure for that year to obtain Working Level man months, calculate the expected number of lung cancers based on the graphs in my unpublished paper, and then calculate the time of appearance by assuming an average time between start of mining and lung cancer. Calculations for this method are shown on the enclosed Data sheet 1. Resultant predicted cancers and their time of appearance are graphed in Figure 2. Of the two curves on Figure 2, Curve A bears a much closer resemblance to the observed portion and extrapolated portion of the curve in Figure 1 than does the other one. I suspect that the peaks shown for both Curve A and B are sharper than they should be because of the simplified model used in their calculation.

The data and assumptions used in these calculations are as follows:

1. That there is no threshold for the production of lung cancer by exposure to radon daughters.

2. That the dose-response relationship between exposure to radon daughters is a linear one from zero to 10,000 Working Level Months.

From the above two assumptions (which are partially supported by data presently in hand) it follows that exposure of 100 men to 1000 WLM, each is equivalent to 1000 men exposed to 100 WLM each. This situation can be expressed as Working Level Man Months (WLMM) and is useful in the calculations.

3. In my unpublished paper the relative risk curve indicates that about 10,000 WLMM is required to produce a lung cancer. The incidence curve indicates that only about 5,000 WLMM is required. Consequently, in Data Sheet 1, and in Figure 2, both values are used. As indicated above, the value of 5,000 WLMM to produce 1 lung cancer appears to be more consistent with actual observation made on uranium miners to date.

4. That the median time from start of mining to lung cancer is 20 years with a normal distribution on either side of this midpoint. In calculating data in Data Sheet 1, to keep things simple, I have assumed that ½ of the induced cancers will appear during the 20th year after start of mining, and that ¼ of them will appear on the 15th year, and that ¼ of them will appear on the 25th year. This simplification may distort the shape of the resulting curves somewhat, but not greatly. As indicated above, I suspect that this simplification is responsible for the sharpness of the peaks in Curves A and B in Figure 2. Preliminary work has indicated that as the average intensity of exposure falls, the time from start of mining to lung cancer lengthens, so that we can expect this average time to be 30 or 35 years when the average exposure is in the range of 1 and 2 Working Levels. Disregarding of this factor will have little effect on the curves in Figure 2, except possibly in the period beyond 1980. Consideration of this factor might make the lung cancer rates beyond 1980 fall a little faster than indicated.

The above assumptions and calculations indicate that between 150 and 400 lung cancers will appear among uranium miners between January 1966 and January 1980, with the most probable number being about 300. A number nearly as large will appear after 1980 as a result of exposure already received by uranium miners.

A third (and much more complicated) approach could be used for predicting lung cancers which will appear in the future. This is an actuarial approach, which would use total numbers of men involved in mining over the period of interest, use the age of each, would use turnover rates and normal death rates to calculate in and out times for each man in an attempt to obtain average exposures. This method would then have to use the same or similar assumptions and data as that used above to calculate the number and time of appearance of lung cancers. This is, of course, potentially a more precise method, but the input data (ages and turnover rates) varies from year to year, and would require more estimates than are used in the other two methods.

The information and assumptions used in the above calculations are readily applicable to the problem of predicting lung cancers which will be induced, and their appearance among future uranium miners. Table 2 gives an estimate of the underground miners who will be working between 1967 and 1996. These are based on AEC estimates (taken from the FRC report), and assume that a plateau will be reached after 1980. The numbers in Table 2 are made on the assumption that radiation levels in all mines are maintained constantly at 1 W.L. and that 5,000 SLMM produces 1 lung cancer. For the 30 years (1967–96), this predicts 1,164,636 Working Level Man Months, which would be expected to ultimately produce about 233 lung cancers (*disregarding competing causes of death*).

In Table 2 are given the number of cancers that would be induced annually under these conditions. *The appearance of these cancers is calculated on the assumption that the mean time from start of mining to lung cancer is 28 years for this group.* The appearance of cancers was calculated by assuming that 1/6 appear at 15 years after start, 1/6 appear at 20 years after, that 1/3 appear at 28 years after, that 1/6 appear at 35 years after and that 1/6 appear at 40 years after start. The appearance of the first portion of these cancers is graphed in Figure 3, which indicates that a plateau would be reached by about 2008. Actually, the plateau might be reached at a slightly lower level because this computation does not consider competing causes of death, and the 20 year old men who started in 1967 would now be past 50 so that competing causes of death would be starting to become fairly important.

One can readily modify Table 2 and Figure 3 for different assumptions. For instance, if one wishes to predict the cancers if the level were maintained at 2 W.L. instead of 1 W.L., then the appropriate numbers can be doubled. If one wishes to use the alternate assumption that it requires 10,000 WLMM to produce one lung cancer, then the appropriated numbers should be divided by two.

Figure 4 is a composite of curves from Figures 2 and 3, assuming that 5,000 WLMM produces 1 cancer, and that Working Levels are maintained at the present level.

Using this method, *it makes no difference to the calculations whether the same men keep working for 20 years, or the turnover is fairly rapid. The same number of cancers would be predicted.*

The cancers predicted above are in addition to the normal "background" amount, so for absolute numbers of lung cancers, one would have to add the predicted number for the proper age group.

I have just noticed that *the number of underground miners I have used is a little smaller than the numbers used in the FRC document*. I really don't know why the difference. I had assumed that they would have used our numbers. Possibly one reason for the difference is in the estimate of men who are "underground". Some of our censuses failed to distinguish between surface and underground. Men who worked parttime underground were not always treated in the same way. My numbers were derived from our consensus, supplemented by estimates where necessary.

I hope this will serve your purpose.

UNREGULATED FOREIGN FISHING OFF THE WEST COAST

Mr. HATFIELD. Mr. President, on behalf of my colleague from Oregon [Mr. Morse], and myself, I ask unanimous consent to have printed in the Record Enrolled House Joint Memorial 6 adopted by the 54th Legislative Assembly of the State of Oregon.

There being no objection, the memorial was ordered to be printed in the Record, as follows:

> House Joint Memorial 6
>
> (Sponsored by Representatives Hanneman, Bedingfield, Boe, Detering, Elder, Gwinn, Holmstrom, McGilvra, McKenzie, Ouderkirk, Senators Chapman, Naterlin.)
>
> *To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled, the Secretary of the Interior, and the President of the United States:*
>
> We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:
>
> Whereas unregulated foreign fleets are fishing stocks of fish off the West Coast historically regulated by the United States, without conforming to this country's laws and regulations with respect to type of gear, permissible size of fish and other conservation techniques; and
>
> Whereas 33 nations have subscribed to the "Continental Shelf" concept for protection of their respective native fisheries, and similar action by this country will conserve and perpetuate the great fisheries resources off the West Coast for domestic consumption and world-wide use of fish protein concentrate; now, therefore,
>
> *Be It Resolved by the Legislative Assembly of the State of Oregon:*
>
> (1) We urge the Congress of the United States to give full consideration to the value of ocean fisheries to the West Coast, and to the Nation as a whole, and to take additional action necessary to preserve this resource. Specific attention is hereby drawn to the fishery procedures of foreign nations.
>
> (2) A copy of this memorial shall be transmitted to the President of the United States, to the Secretary of the Interior and to each member of the Oregon Congressional Delegation.

THE DRAFT SHOULD BE ABOLISHED

Mr. GRUENING. Mr. President, an excellent article entitled "The Draft Should Be Abolished" by our able colleague, Senator Mark Hatfield of Oregon, appears in the current, July 1, issue of the Saturday Evening Post. Senator Hatfield properly terms the draft "inherently unfair, monstrously inefficient, and pernicious in its invasion of the individual liberty that eight generations of Americans have fought to preserve." Senator Hatfield states forthrightly that he believes the draft to be "basically wrong" and that "we should get rid of it."

I share Senator Hatfield's view and voted against the draft. Particularly do I share his view since all attempts through amendments to make the draft more equitable have been defeated.

I particularly agree with Senator Hatfield's characterization of the draft as "pernicious in its invasion of the individual liberty that eight generations of Americans have fought to preserve" because our young draftees are subject to a unique discrimination not imposed on the men in the regular armed services—a distinction which I stressed when I offered my amendment to forbid the sending of draftees into Southeast Asia without their consent. That distinction is that when a man enlists in one of the regular armed services—Army, Navy, Air Force, or Marine Corps—he knows at the time of his voluntary enlistment that he will be subject to the orders of the Commander in Chief and must go where he is sent.

While many in the armed services and an increasing number, indeed, are revolted by the many inexcusable aspects of our military involvement in Southeast Asia, they voluntarily committed themselves to go where they were sent when they enlisted. The draftees have no such choice.

In short, they are subject to involuntary servitude—in itself a basic contradiction of all our allegations of freedom and democracy—compelled to go and fight people against whom they have no grievance who indeed are fighting for the independence of their country—and to be killed or maimed in the process.

It is particularly nauseating to see this slaughter going on, with the needless sacrifice of the flower of our youth in a civil war which the United States was largely responsible for creating.

The undeniable fact is that the United States was not attacked, and nevertheless unilaterally invaded an area where we had no vital interest, and when we began bombing north and south in violation of all existing treaties became the aggressor. So far this has resulted in over 11,000 fine young Americans killed in combat to date, over 60,000 wounded, many crippled for life—armless, legless, blinded—while we have slaughtered tens of thousands of civilians—men, women, and children—burning them with napalm, blasting them indiscriminately from the air, destroying their homes, making a wasteland out of their countryside—all this in the name of seeking peace and instilling democracy. Meanwhile the staggering cost of the war—over $2½ billion a month and going up—is eroding our vital and overdue domestic programs: health, education, pollution abatement, resource development, housing, slum clearance, the war on poverty, the war on crime and much else.

Over 3 years ago, in my Senate speeches in opposition to our folly in Southeast Asia, I gave my view that all South Vietnam was not worth the life of a single American boy. Gen. David M. Shoup, the retired Commandant of the Marine Corps, winner of the Congressional Medal of Honor for service above and beyond the call of duty in World War II, who has served in Southeast Asia and knows it well, went me one better by saying at a public gathering in California a year ago:

> I want to tell you I don't think the whole of Southeast Asia, as related to the present and future safety and freedom of the people of this country, is worth the life or limb of a single American.

His views and my views have been echoed by another combat marine officer whose letter was recently inserted in the Congressional Record by Senator Fulbright. He wrote:

> Since returning from Vietnam ten months ago I have been following your public statements concerning Vietnam with considerable interest. I went to Vietnam, a hard charging Marine 2nd Lieutenant, sure that I had answered the plea of a victimized people in their struggle against communist aggression. That belief lasted about two weeks. Instead of fighting communist aggressors I found that 90% of the time our military actions were directed against the people of South Vietnam. These people had little sympathy or for that matter knowledge of the Saigon government. They are fighting for their nationalistic independence and whether they are communist or not does not detract from the fact that they are fighting for a cause that they believe in not because, as our government and newspapers would lead us to believe, because they are terrorized into fighting by the Viet Cong. People fighting against their will could not fight against such tremendous odds and bear up under continued hardship and privation. It might be interesting to note that the South Vietnamese has a miserbale fighting record despite weapons and logistics superiority. We are engaged in a war in South Vietnam to pound a people into submission to a government that has little or no popular support among the real people of South Vietnam. By real people I mean all those Vietnamese people who aren't war profiteers or who have sold out to their government or the United States because it was the easy and/or profitable thing to do.
>
> Much has been written about the terror tactics used by the Viet Cong in South Vietnam. May I suggest to you, that the real terrorists in Vietnam are the Americans and their allies rather than the Viet Cong! Of course I don't deny that some of the accusations levied against the Viet Cong are true but *from my own experiences the terror and havoc that we spread across Vietnam makes the Viet Cong look like a girl scout picnic.* Can you imagine what an isolated village looks like after it has been hit by over 500–750 pound bombs in a matter of seconds. Women, children, old men, cattle and every living thing is struck down without ever knowing from where their destruction originated. This particular village ceased to exist because it was in a Viet Cong dominated area and intelligence reports said it might have been used as a North Vietnamese regiment headquarters. *We never found any dead soldiers but*, as is the custom in Viet Cong controlled area, *all the dead found in the area were listed as Viet Cong killed in action in the official battle reports.* From time to time a story breaks about civilians getting killed in bombing accidents etc. but this represents a minute fraction of the total number of civilians that are actually killed. They forfeit their lives by living in Viet Cong controlled areas and resisting a government that has never done a thing for them. During my tour in South Vietnam I personally saw several hundreds of dead and wounded civilians; all had been wounded by U.S. Personnel or South Vietnamese soldiers. So who are the real terrorists in Vietnam?
>
> I also saw thousands of pounds of rice dumped in rivers and otherwise destroyed simply because some small unit commander decided that there was too much rice in this particular village for the number of people living there and therefore the surplus must be going to the Viet Cong. Here is some 2nd Lieutenant with a degree in Literature from Joe Dokes teachers college suddenly making himself an expert on Asian agriculture and family consumption patterns. These people had worked for months to bring in a rice harvest and their "defenders" had come along and destroyed it in a matter of minutes simply because they lived in a hostile area. Can anyone doubt who those little Vietnamese boys will be shooting at when

they grow up. When they are good and hungry and it's month before the next harvest they certainly aren't going to be thinking of us as saviors. This scene was repeated dozens of times during my tour and I'm sure it is still going on but on a much larger scale.

I would like to know why we are really fighting in Vietnam. The official views expounded by our government can't seriously be considered by any one familiar with Vietnamese history or who has viewed the situation first hand with an open mind. We are not defending a free people. Who can honestly say that the South Vietnamese people were ever really free under Diem or Ky? We have taken sides in a civil war and the only possible reason I can think of is that we have this paranoid fear of communism, no matter what shape, size, or form it comes in and we are rallying to support any government that opposes communism no matter how unpopular that government is among it's own people. Certainly I am not a pro-communist. But if that is what the people of Vietnam want who are we to deny them their choice?

So far in Vietnam over 9,000 Americans have given their lives. Magnify that number by a factor of ten or twenty and we might come close to the number of Vietnamese, both North and South, that have died. If this were truly a noble struggle to defend a free people then the loss of American lives and the casualties we are causing in both Vietnams could be accepted. But this is not the case and every American who dies in Vietnam has died in vain.

The truth about this terrible tragedy and horrible war must be told to the American public. Someone must speak up in the face of the lies and deliberate fabrications currently coming forth from our government. This brings me around to the real purpose of this letter; I'm sure that none of what I have told you about my own experiences is new to you. But I wanted to tell you that there are many, many of us in the military who oppose this war and appreciate your efforts to bring out the truth and get this thing stopped. We are not very vocal in our support because, as you know, it is perfectly all right for a military man to speak out in support of the war but to speak out in opposition would subject us to very serious repercussions. As I said there are many of us who are against our intervention in Vietnam—at the present scale; all three of my friends who went to Vietnam with me came away sharing my feelings.

At one time I thought I would make the military my career. But I could not live with myself if I stayed in the service of my own free will and was sent to Vietnam again to brutalize those poor people. I went voluntarily the first time; I could never go there again. The high number of resignations among junior officers, I think, could be a reflection of this widespread feeling.

It is gratifying to note that despite the tremendous impact of official propaganda and the more or less overwhelming support given by most of the press to our course in Southeast Asia, 24 Senators—just one less than one-quarter of the total membership—were recorded as voting against the conference report on the draft, and in the House 29 Members voted against the bill, which then went to the President for signature.

All honor to the 24 Senators and 29 Members of the House of Representatives. They will carry with them the reward of conscience, of knowing that they did not approve of compelling our young men without their consent to kill and be killed in an undeclared, illegal, immoral, totally unjustified, and monstrous war. Their fellow citizens will, I am confident, increasingly appreciate their courageous stand.

I ask unanimous consent that the article written by the junior Senator from Oregon [Mr. Hatfield] be inserted in the Record at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Draft Should Be Abolished

(By Senator Mark O. Hatfield)

For many years the merits and deficiencies of the draft have been debated by both the public and by Congress. On June 30 the law expires. It now seems certain that we will extend it—with some modifications—for another four years.

In doing so, we are consenting to a system that is inherently unfair, monstrously inefficient, and pernicious in its invasion of the individual liberty that eight generations of Americans have fought to preserve. I believe the draft is basically wrong; we should get rid of it.

With our nation at war in Vietnam, many will be horrified by this suggestion. But the facts are that, even with 3.4 million men under arms today, we do not need a draft; we can afford not to have a draft; we are long overdue in ending this invasion of the liberties of our young men.

The inequities of the draft are obvious. Critics have pointed to deferments that discriminate in favor of the wealthier and brighter young men who can go to college. Less-privileged groups suffer—including even people from other countries. I was shocked to learn recently that several young Peruvians who were here as students or on work permits had been drafted, and that three of them had been killed in Vietnam.

The nature of Selective Service itself has produced inequities. There are more than 4,000 local draft boards, each with wide latitude in interpreting and administering draft regulations. Indeed, there are no clear, uniform standards as to which boy is to be called up and which is to be left free.

Several years ago, when I was dean of students at Willamette University in Oregon I also served as military adviser. I could see how some draft boards differed. The members of one board, for example, felt that as long as a student was a warm body in a college classroom, he could keep his deferment. For the members of another board, it was a different story. The moment a student fell one one-hundredth of a grade point below the accepted line, away he went.

The most basic inequity of the current system is the fact that a smaller and smaller minority of our young men is carrying the burden of national defense. The principle of "universal sharing" of the national-defense effort—the principle on which the system was sold to the public years ago—is a transparent falsehood today. As President Johnson has admitted to Congress, "The unavoidable truth is that complete equity can never be achieved when only some must be selected and only some must serve."

Currently, only about 46 percent of the men reaching the age of 26 have seen military service. By 1974—at pre-Vietnam war levels—that figure will shrink to 34 percent. Even under today's crisis conditions, the military services draft only about 300,000 men a year out of a draft-eligible pool that totals nearly 12 million. I submit that we cannot tolerate a system that capriciously requisitions two years out of the lives of some young men while allowing others their liberty.

The draft has long been accepted on the theory that it is the only practical method of providing the military with the necessary quantity of men. This justification has served for too long to excuse national complacency. To be sure, the draft does provide the necessary *number* of young men. But the "success" of this system must be measured against its costs and inefficiencies.

According to the Pentagon's own figures, the current turnover rate among draftees ranges between 92 and 95 percent. Men who did not want in are naturally eager to get out. They are replaced by other men who do not want in. All these men go through the same cycle of training and assignment. Since it costs at least $6,000 just to train the average foot soldier, the total training cost for draftees now in uniform—men who will leave the service the moment their two-year hitches expire—approximates three billion dollars.

Even this sum cannot buy fighting men of the quality we now need. Since the peacetime draft was instituted in 1940, the nature of military strategy and technology has undergone radical change. No longer do we merely require large masses of GI's. Weapons have become more sophisticated, and so we need a higher percentage of specialized personnel who, in turn, require extensive training. The draft is not designed to satisfy this need. In fact, it frustrates it. The high turnover rate produced by the draft ties down many of the services' most experienced personnel, at least 10 percent of them, in training new recruits. Some 70 percent of the Army's enlisted men have less than two years' experience. At any given time, the equivalent of as many as 14 infantry divisions (210,000 men) may be categorized as students, trainees or transients. As Brig. Gen. Lynn D. Smith has noted: "As soon as we are able to operate as a unit, the trained men leave and we have to start all over again."

For more than 25 years we have accepted the draft as an immutable fact of life. Our keen sense of the value of liberty has been dulled by habit. Simply stated, conscription is involuntary servitude. It is complete usurpation by the Government of an individual's freedom of choice. As Daniel Webster put it—in speaking against a draft proposal in 1814—"The question is nothing less than whether the most essential rights of personal liberty shall be surrendered and despotism embraced in its worst form."

To my way of thinking, there should be one and only one circumstance when a free nation should condone the draft—and then reluctantly. That is when preserving the liberties of us all requires the sacrifice of liberty by some; when it is clear beyond any reasonable doubt that military manpower needs are so great that only coercion can produce the necessary numbers of men.

For personal liberty is not a privilege. It is not a concession granted by Government that must be paid for by military service. It is the guaranteed right of democracy. It must not be compromised.

The deprivation of individual liberty is not the only danger of conscription. There is also the danger that the Government may be unable to resist the temptation to indoctrinate hundreds of thousands of young men with ideas inimical to the workings of a free society. This attitude has been demonstrated by no less an authority than Lt. Gen. Lewis Hershey, director of the Selective Service System. Testifying before a House committee in June, 1966, he made this remarkable statement in defending the draft and opposing a volunteer army:

"I do not want to go along on a volunteer basis. I think a fellow should be compelled to become better and not let him use his discretion whether he wants to get smarter, more healthy or more honest. . . ." Now who is going to decide what is "better" for each recruit? The Federal Government? That is not the American way. That sounds like Russia.

For the past three years, the Johnson Administration has conducted a seeming endless series of studies on the draft. Last March the President sent his recommendations to Congress. Under the President's plan, deferments for all graduate students (except those preparing to be doctors, dentists and ministers) would be abolished. The age priorities for induction would be reversed; 19-year-olds would be drafted before 26-year-olds. The manpower requirements of the services would be met through a lottery.

A lottery! The Administration calls this scheme FAIR (for Fair and Impartial Random) selection. A colleague of mine points out that FAIR is really an acronym for Futile and Irresponsible Roulette.

The lottery approach does not remedy the basic inequity of the draft—the injustice of forcing one man to serve while allowing another man his liberty. As Bruce Chapman asks in his book, *Wrong Man in Uniform:* Is injustice handed out by a machine any more tolerable than injustice handed out by other men? Nor does the lottery method reduce the inefficiency of the draft, increase the quality of military personnel, or alter the fact that forcing young men into uniform contradicts our belief in the right of the individual to freedom from governmental interference. The lottery just makes the denial of personal liberty a little more arbitrary.

Obviously, the U.S. requires a sizable military force. The question is which system of manpower recruitment best meets our needs. The ideal system should provide the maximum amount of individual liberty; it should be fair; it should supply the services with the necessary quantity—and quality—of men as economically as possible. In my opinion, an all-volunteer military would satisfy these requirements far better than the draft.

Many argue that a voluntary system could not provide enough men at reasonable cost. The evidence is to the contrary. Despite the war in Vietnam, the Marines needed few draftees in 1966, and the Air Force, Navy and Coast Guard none at all. The only service dependent upon conscription is the Army. And of its 1.45 million men, about 60 percent are volunteers.

Critics of a volunteer military like to cite a Pentagon study which shows that 38 percent of all volunteers entered service only because they felt the draft was breathing down their necks. Even if this is true, the fact remains that we still have more men in our manpower pool than the military can possibly handle. Each year more than 1.9 million men reach draft age. Of these, even under war conditions, only about 300,000 must be drafted. Surely, with reasonable pay scales, fringe benefits and a progressive recruitment program, the military could induce that many men to enlist.

Another step that might be taken to insure the success of a voluntary system would be to accept many men who now try to volunteer but who are rejected because of "deficiencies." As General Hershey has stated, "the volume of requests . . . indicates to me that significant numbers of young men not qualified for military service really want to serve."

Don't misunderstand me, I am not suggesting that we lower our standards for combat duty. I simply feel that by adjusting our present mental and physical standards and by providing special training, we could enable thousands of "unqualified" young men who want to become members of the armed services to have that chance.

It also seems to me that the number of volunters actually required by the military could be reduced by substituting civilians for servicemen in many jobs. According to the Pentagon's own figures, only a small percentage of men are involved in combat. More than 50 percent are listed as "mechanics and repairmen, administrative and clerical, crafts and services." In June, 1966, Assistant Secretary of Defense Thomas D. Morris said that the Pentagon had already filled 74,000 such positions with civilians. We can do better. I'm convinced that we could hire a civilian as a bartender at an officers' club, or as a clerk-typist, for less than the estimated $18,000 a year that it costs to maintain the average foot soldier—the man who often performs these jobs.

Finally, under a voluntary system, the services would need to recruit fewer men simply because the turnover rate (which ranges between 62 and 95 percent among draftees) would be drastically reduced. Using Defense Department figures, Prof. Walter Oi of the University of Washington has computed that if all recruits were "true" volunteers, the turnover rate would plummet to 16.9 percent. An all-volunteer force would enjoy increased status, and this would encourage many to enlist without further inducements.

Some members of Congress are currently being influenced by a study submitted to the President last March. This report rejected the idea of a voluntary military force primarily because it supposedly lacked "flexibility." I submit that a voluntary, professional military force, coupled with a strengthened reserve system, could respond to a crisis more quickly, more effectively, indeed more "flexibly" than any force composed of draftees. As Brig. Gen. Lynn D. Smith has pointed out, 43 percent of the Army at any given time has less than one year's experience, meaning they are raw recruits. In the past, when confronted with crises that demanded an *immediate* build-up, the Pentagon has declined to rely upon draftees. During the Korean War, for example, more than 600,000 World War II veterans were called back into service while 1.6 million potential draftees were ignored. During the Berlin crisis, approximately 150,000 reservists were called back to duty.

Critics have also claimed that under a voluntary system, we would find ourselves with an all-Negro military. That argument has racist overtones. It implies that Negroes have different goals from whites. It denies all the progress that has been made in recent years to raise the standards of the Negro. Critics also say that a voluntary system would lead tc the development of a military elite and would thus be a threat to civilian control. The danger of military elitism comes primarily from senior officers who are and always have been professionals. At the top we have and will continue to have civilian control.

The question is no longer whether a voluntary military is feasible or desirable but rather whether we can afford it. The Pentagon cannot say: Its cost estimates range from $4 billion to $17.5 billion. Dr. Oi has estimated that we would have to allocate roughly $8 billion for the salary increases to attract such a force. This sum must be measured against the economies that would inevitably result from a reduction in the turnover rate. The savings in training costs, material and maintenance, would be significant—perhaps billions of dollars. It seems to me that the economics of ending conscription may not be as terrible an obstacle as the draft's defenders insist.

We must have the foresight to accept logic over habit, reason over the retarding security of tradition. We must dispel the myth that the draft, besides being undesirable, is also inevitable. Again and again Congress will be asked to extend the draft. Our committees will provide one "study" after another. But the time for studies is over. In my opinion, Congress should enact legislation immediately to provide for an orderly transition to a volunteer military. It is never too late to start moving away from the draft—and toward the restoration of liberty, equity and military efficiency that a truly volunteer military would bring.

LSD AND OTHER HALLUCINOGENIC DRUGS

Mr. CURTIS. Mr. President, we have all read various articles in newspapers and magazines about the use of LSD and other hallucinogenic drugs, particularly by young people. I have paid particular attention to these articles and to the efforts of public and private agencies to deal with the problems of illicit use of these drugs because I served on the Executive Reorganization Subcommittee of the Government Operations Committee which conducted hearings into these matters a year ago.

As a result of an inquiry I received from a constituent and a subsequent inquiry which I made to the Federal Food and Drug Administration, I feel duty-bound to call to the attention of the Senate at this time an incredible lack of factual information in this whole problem area. We have practically no solid information upon which to base any judgments in dealing with the problems of these drugs. I feel the time has come when we must act to correct this.

The evidence which I have at hand is clear.

About a year ago, when the Executive Reorganization Subcommittee under the acting chairmanship of the distinguished Senator from New York, Mr. ROBERT KENNEDY, was conducting hearings on the use of LSD, I requested Mr. Jerome Sonosky, then staff director and general counsel of the subcommittee, to obtain additional information for me on illicit traffic in LSD and on control methods which were contemplated. Mr. Sonosky sent me the following letter, which is dated June 6, 1966:

COMMITTEE ON GOVERNMENT OPERATIONS, SUBCOMMITTEE ON EXECUTIVE REORGANIZATION,
June 6, 1966.

Hon. CARL T. CURTIS,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR CURTIS: Thank you for your letter of recent date. A fair review of our record to date indicates both a sad lack of accurate figures on the extent of illicit traffic in LSD and, at the same time certain exaggerated myths related to it. One of the myths, for instance, relates to the ease of manufacture. Testimony presented to the Subcommittee by FDA Commissioner Goddard and others indicates that the manufacture of LSD is a complex and sophisticated procedure (see page 114 of the transcript).

Dr. Goddard pointed out that while it is possible to produce the drug in a college lab setting it is hardly probable that the student would have access to the necessary equipment for the necessary length of time. It is imperative for college officials to supervise the use of laboratories to guard against this possible source of LSD. The problem of the relative ease of manufacture, however, does relate to those individuals who would establish illegal laboratory facilities for the purpose of large scale production. There were no accurate figures presented to the Subcommittee on the amount of LSD currently being produced in such manner.

The absence of facts about the illicit manufacture, distribution and use of LSD seems to be one of the few areas of complete agreement developed during the hearings. There was general agreement that LSD is easily obtained, especially in large urban centers. (See testimony of Cohen and Jackson.) Every witness agreed, however, that there was a lack of reliable data on the extent of abuse. Beyond that no research was produced which shed any light on why students are turning to drugs. The implication is that research efforts have been confined to a description of the therapeutic use, to the exclusion of the "social side effects" which are attendent to these discoveries. The basic question asked throughout the hearings was whether the Federal government was organized in a way to enable it to meet and deal with scientific innovations and their social implications.

In an effort to obtain some reliable data Acting Chairman Kennedy asked the medical directors of 100 large universities to report the incidence of use as well as the adverse side effects. The summary of their reports is attached. You will note that the estimated use is less than one percent of the student population. We feel the reliability of these reports is reduced by the fact that they are made on personal college records with the consequence that the students have a tendency *not* to utilize college facilities. There is also the possibility that college administrators tend to minimize drug problems on their campuses. We feel, however, that these estimates are more valid than those made by the very antagonistic or protagonistic (whose estimates maybe self-serving).

With regard to the controls over bootleg manufacturing and distribution, the general tenor of the testimony leaned toward giving our present laws a chance to work (the Drug Abuse Amendments of 1965 just became applicable to LSD on May 17, 1966) before any move is made against individuals for possession. Many witnesses suggested that laws punishing possession would work to keep the college student away from the physician if he was having problems after taking LSD.

It appears that the FDA, under the leadership of Dr. Goddard, will move to control illicit manufacture and distribution. He testified that the present framework of the law gives him the necessary tools to bring this situation under control, and the Subcommittee will be overseeing the results of these efforts as the weeks pass.

Thank you for your inquiry. While we have no plans for further hearings specific to LSD, the Subcommittee's undertaking a broader view of Federal programs for the handicapped. We will continue to review the programs of all agencies as they seek to cope with the problems specific to LSD and to these broader considerations.

Sincerely,

JEROME SONOSKY,
Staff Director, General Counsel, Subcommittee on Executive Reorganization.

You will note that in the next to the last paragraph of his letter Mr. Sonosky stated it appears the Food and Drug Administration, under Commissioner James L. Goddard's leadership, would move to control illicit manufacture and distribution. Mr. Sonosky further pointed out that Dr. Goddard testified the present framework of the law gave the Food and Drug Administration the necessary tools to bring the situation under control. Mr. Sonosky said that—

> With regard to the controls over bootleg manufacturing and distribution, the general tenor of the testimony leaned toward giving our present laws a chance to work (the Drug Abuse Amendments of 1965 just became applicable to LSD on May 17, 1966) before any move is made against individuals for possession.

On the basis of Mr. Sonosky's letter nearly a year earlier, I wrote to Dr. Goddard on May 22 this year and requested a progress report. I sent Dr. Goddard a copy of Mr. Sonosky's letter and requested Dr. Goddard to give me his comments and opinions based on the FDA's experience of the past year. I further requested any additional factual information which Dr. Goddard could provide on the illicit manufacture, distribution, and use of LSD, since Mr. Sonosky's letter nearly a year earlier had reported the "absence of facts" seemed to be one of the few areas of complete agreement developed during the hearings.

Following is the very detailed and comprehensive reply which I received, under date of June 8, 1967, from my inquiry to Dr. Goddard:

FOOD AND DRUG ADMINISTRATION,
Washington, D.C., June 8, 1967.

Hon. CARL T. CURTIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CURTIS: This is in answer to your letter of May 22, 1967, giving you a progress report on the drug, LSD.

1. LSD USE IN TERMS OF AVAILABLE STATISTICS

Unfortunately, we do not have reliable statistics on the amount of LSD used throughout the nation or in specific areas. While we have seen various figures quoted in the popular press in which the estimated national LSD abuse population ranges from one to four million, we know of no reliable information upon which such estimates can be based. The use of LSD and other hallucinogenic drugs is not a violation of Federal statutes, but their possession and use violates many State laws. Our experience shows that, generally, the individual users of the hallucinogenic drugs make every effort to hide their use from enforcement officials. They normally came to the attention of the authorities only when they seek treatment for adverse reactions to the drugs, or when their use has resulted in suicides, homicides, traffic accidents, or other antisocial activities. In addition, the illicit distribution of LSD and other hallucinogenic drugs is also an underground activity in which both the seller and the purchaser of the drugs take great effort to insure that their activities remain hidden from enforcement authorities, making collection of information extremely difficult.

We have not yet had time to design and implement a program whereby local and State authorities would report statistical data to us so that national figures on the magnitude of such abuse could be produced. We recognize that such a cooperative reporting program is needed to develop meaningful statistics on the extent of the misuse of these drugs.

While we do not have reliable statistical information on the general prevalence of the use of LSD and other hallucinogenic drugs, we do have enforcement statistics bearing on the abuse problem.

From May 1, 1966, through April 30, 1967, the Bureau of Drug Abuse Control made 94 arrests for hallucinogenic violations. This represents over 36 percent of the total arrests made by the Bureau during this period. Eighty-eight of the arrests involved LSD and six involved other hallucinogens.

From May 1, 1966, to April 30, 1967, the Bureau of Drug Abuse Control opened 460 investigations which involved the illicit manufacture and/or distribution of the hallucinogenic drugs.

From May 11, 1966, through April 30, 1967, the Bureau of Drug Abuse Control seized hallucinogenic drugs in illicit channels of distribution equal to over 1.6 million dosage units having an estimated illicit value of over $2,000,000.

2. TRENDS OF LSD USE

Even though we have no reliable statistics on abuse, we believe there has been a significant increase in the use of LSD over the past year.

We also believe that there is a trend toward more frequent and scheduled abuse of LSD and the other hallucinogenic drugs. Although there does not appear to be a standard pattern from the standpoint of frequency of use, our experience tends to indicate an increase in the regular use of the drugs, e.g., weekly or monthly, as opposed to a previous pattern of only occasional use. We occasionally hear of the daily use of LSD by misguided individuals attempting to remain under the influence of the drug for weeks at a time.

We believe that there is also a trend towards the concurrent use of several drugs or their use on a rotation basis. We have encountered the use of LSD combined with other drugs such as marihuana or amphetamines. We have also encountered LSD and other drugs such as dimethyltryptamine, mescaline, marihuana, and amphetamines being used in a haphazard rotation fashion to suit the circumstance of the user's mood.

We are encountering an increasing number of clandestine laboratories in which the hallucinogenic drugs are being produced, indicating that the increased use of the hallucinogenic drugs is creating an underground drug manufacturing "industry." These laboratories range in nature from the very crude to the more sophisticated. For example, we have recently encountered several varieties of LSD tablets which have been manufactured in clandestine laboratories. The LSD tablets are being manufactured under bootleg conditions to satisfy the desire of users for a product they can purchase with some assurance that the drug has not been adulterated or "cut" during its movement through the illicit channels of distribution.

On March 31, 1967, a 1948 International truck with cab and insulated van was stopped by the Colorado Highway Patrol when it failed to stop at a truck-weighing station near the Utah border. This truck matched the description of a truck which was observed in Craig, Colorado, in the vicinity of a drug store that was burglarized. The Sheriff of Moffat County, Colorado, was notified of the arrest of the truck's occupants. The Sheriff obtained a search warrant for the truck to look for fruits of the drug store burglary. During the search of the cab of the truck, the Sheriff found a plastic bag containing a powdered substance. The Sheriff requested assistance from Agents of the Denver Field Office of the Bureau of Drug Abuse Control. The powdered substance found in the cab of the truck, upon analysis, was found to contain 800 milligrams of LSD. In the body of the truck were found 550 LSD tablets; dimethyltryptamine (DMT); diethyltryptamine (DET); mescaline; the precursor for mescaline; and 20 pounds of powder which was identified as material one step removed in the synthesis of dimethyltryptamine. The contents of the truck consisted of various laboratory equipment, glassware, chemicals, and literature containing information regarding the chemical synthesis and pharmacological properties of stimulant, depressant, and hallucinogenic drugs. Some of the equipment in this mobile laboratory was permanently attached to the vehicle. Agents of the Denver Field Office, in effecting the executive seizure of the production equipment, also seized the truck. It is currently stored at a General Services Administration facility in Denver, Colorado. The occupants of the truck were arrested for violation of the Drug Abuse Control Amendments to the Federal Food, Drug, and Cosmetic Act.

3. EFFECTIVENESS OF CONTROLS

BDAC is mobilizing the support of State and local law enforcement agencies to help combat the problems of drug abuse. We are using our Law Enforcement Institutes to help orient police officers to these problems, as well as the *BDAC Bulletin*, copies of which are enclosed.

The control measures we are using are both direct and indirect. The direct methods, the enforcement activities, have been described above. The powerful but indirect and long range educational activities will take greater time to make their effect known, but we feel they are just as important as the criminal investigative procedures. Some of these educational measures are:

(1) The college deans program, which is a contract between FDA and the National Association of Student Personnel Administrators. A national conference was held for 70 deans last November and these educators then returned to their seven NASPA regions to plan regional conferences which have just been completed. Approximately 1,500 college deans were reached through this program, and we feel that they are now better equipped to handle the problem of drug abuse on campus.

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(5) We are now preparing an extensive brochure on LSD for widespread distribution and feel that it will be an effective educational tool. It will cover psychology, pharmacology, the law, and provide a great deal of information while highlighting the hazards and dangers of abuse of the hallucinogenic drugs.

(6) We are also developing our own research program into the social psychological aspects of LSD abuse, especially among young people. We are vitally concerned with what seems to make these borderline or "hippie" groups tick and the role LSD plays in their culture. An understanding of their makeup will allow us to tailor educational efforts directly to them, increasing the effectiveness of our educational programs and providing a better understanding of such groups for our agents and other enforcement personnel.

4. NEW LEGISLATIVE MEASURES

Legislative measures currently in progress, or completed, are the following:

Some states have currently enacted, or are considering, their own bills for controlling traffic in LSD, among which are New York, California, Louisiana, Minnesota, Mississippi, and New Jersey. FDA offers assistance when requested in deliberations on such legislation and has proposed a Model State Drug Abuse Control Act similar to the Federal legislation, which states may use to pattern their bills after, if they so desire. A copy and a summary of this model control act are enclosed.

5. NEED FOR NEW LAWS

May I assure you that the FDA is watching the LSD situation very closely and continually studying the need for possible changes in the level of controls, sanctions, and penalties against both hallucinogenic traffic and individual users. At the present time, however, we do not feel we should recommend any changes in this area until we are able to determine the effect of the recent measures and programs set up under existing legislation.

Thank you for your interest in the problem of drug abuse control. If we may provide you with additional information, please let us know and we shall be pleased to forward it to you.

Sincerely yours,

PAUL A. PUMPIAN,

Director, Office of Legislative and Governmental Services.

As you can see, there is still a woeful lack of reliable information on the extent and use of LSD and other hallucinogenic drugs.

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First, the Food and Drug Administration should begin at once to compile detailed information on just how much LSD and other hallucinogenic drugs are being used, particularly on college campuses and in other places where young people congregate.

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As I understand it, these drugs are not habit forming in the sense that heroin is. But there is a growing body of evidence that indicates they may be psychologically habit forming—that is, that habitual users lean on them as they would a psychological crutch. Therein lies a potential danger.

I have been told that as many as 4 million young Americans are using LSD either on a sporadic or regular basis. But there is no confirmation of this, no real evidence of the numbers involved and the amounts involved—either in drugs or dollars.

And there is no national assessment of the damage these drugs may already have done.

When I asked for factual information on the use of LSD and similar drugs a year ago, I was told that a nationwide survey would have to be made and I was under the definite impression that such a survey would be undertaken. A year later we are told again a survey will have to be made to assemble the required data.

I am highly pleased that, in response to my inquiry to the Food and Drug Administration, I received an open and frank letter from the agency detailing what information is available and admitting honestly that not enough evidence has been gathered to date.

It is time, Mr. President, that we stop talking about the need for a survey and start doing such a survey. Without exact information we very easily could be stampeded into taking action we might later regret. Conversely, without such precise information the Congress might remain inactive while use of such drugs became a national health hazard. In either event, we cannot act wisely without such information.

Some idea of the magnitude of the problem is indicated in the FDA letter to me. For example, from May 1, 1966, to April 30, 1967, 94 arrests were made in connection with hallucinogenic drug violations. During the same period, FDA opened 460 inquiries into the illicit manufacture and/or distribution of such drugs. During that year aproximately 1.4 million dosages of the drugs, with a value estimated at $2 million, were confiscated.

An underground drug manufacturing "industry" is springing up as the result of increased use of LSD and other hallucinogenic drugs, the FDA believes.

The evidence indicates there is widespread, illegal manufacture of LSD and other hallucinogenic drugs in the United States. In some instances, the drugs were manufactured in modern, well-equipped laboratories, while in other cases the laboratories were jerry built and poorly equipped.

FDA reported instances of mobile laboratories being found. One such mobile unit was stopped near the Colorado-Utah border because of a reported truck theft. The county sheriff found a bag of white powder inside the truck and called FDA in Denver. It was found the truck was a laboratory producing LSD for distribution in the Rocky Mountain area.

This type of cooperation between local law enforcement agencies and FDA is a hopeful sign. I believe that until we do get solid information upon which to base action, FDA is doing everything within its power to enforce laws already on the books.

At this point, I do not know whether new legislation is needed or not. There appear to be strong State laws and FDA appears to be doing a good job of enforcing the laws already on the books.

What we really need is a lot more information. We need to know all there is to be known about LSD, its potential hazards and its potential for helping the mentally ill. We need to know whether the drug has become a real danger or whether the threat has been overdramatized because of our lack of solid knowledge. We need to know how widespread the use really is, the approximate amount being manufactured and sold illicitly, the extent of use among college and other youth groups, and the future impact on our social system.

CLERGYMEN SUPPORT ISRAEL

Mr. CANNON. Mr. President, more than 50 clergymen, representing Protestant, Jewish, Catholic, Greek Orthodox, and Mormon faiths met recently in Las Vegas and agreed unanimously on a resolution on behalf of the State of Israel.

In a letter which accompanied the resolution, Rabbi Aaron S. Gold, of Temple Beth Sholom, expressed the fervent hope that our Government will act with courage in supporting freedom and justice for Israel.

This can be done only by guaranteeing Israel rights of access to the Suez Canal, the Gulf of Aqaba, the Mediterranean Sea, and the Straits of Tiran as a member of the world community of nations.

Certainly, in its heroic efforts to survive as a nation, Israel merits the admiration and support of all of us for its courage and tenacity.

The resolution to which I referred, Mr. President, was read at two mass rallies in Las Vegas, attended by more than 1,500 Christians and Jews. It was greeted with standing ovations.

I urge all Senators to read this resolution of support for Israel which has the unanimous support of the more than 50 clergymen who declared that they "cannot be neutral where an issue of freedom and justice is involved." I ask unanimous consent that the resolution be printed at this point in the Record.

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1. We, as clergymen, cannot be neutral where an issue of freedom and justice is involved. We, therefore, raise our voices to state unequivocally that we believe the cause of Israel is just and right.

2. We favor direct peace negotiations and not an armistice between Israel and her Arab neighboring states, and that these negotiations are to be based on the fact that Israel is a sovereign state, meeting with Arab sovereign states, all participants having full rights and responsibilities in the international community. We further favor a permanent peace settlement as an outgrowth of these negotiations.

3. We favor that the old city of Jerusalem remain under the sovereign jurisdiction of Israel, thus insuring free access to all faiths, at all times, to the holy places located there.

4. We are in favor of Israel's borders becoming viable and defensible.

5. We hold that the following waterways should be international waterways: The Mediterranean Sea, The Suez Canal, The Gulf of Aqaba and the Straits of Tiran, and we favor free and unmolested passage through them to all nations, including Israel.

Father James Adams, St. John's Greek Orthodox Church; Rev. Marion Bennett, Zion Methodist Church; Dr. Aaron S. Gold, Rabbi, Temple Beth Sholom; Rev. Douglas Harrell, First Methodist Church and President, Clark County Ministerial Association; Rev. Joseph Kohn, Cantor, Temple Beth Sholom; Father Tally H. Jarrett, Christ Episcopal Church; Father Patrick Toomey, St. Viator's Catholic Church; Mr. Reed Whipple, President, Stake of Church of Jesus Christ of Latter Day Saints, Resolution Committee.

OREGON DUNES NATIONAL RECREATIONAL AREA

Mr. HATFIELD. Mr. President, on behalf of my colleague from Oregon [Mr. Morse] and myself, I ask unanimous consent to have printed in the Record Enrolled House Joint Memorial 7 adopted by the 54th Legislative Assembly of the State of Oregon.

There being no objection, the memorial was ordered to be printed in the Record, as follows:

House Joint Memorial 7

(Sponsored by Representatives Elder, Bedingfield, Gwinn, Hanneman, Kennedy, Leiken, McKenzie, Martin, Richards, Skelton, Wilson, Senators Husband, Stadler.)

Whereas establishment of an Oregon Dunes National Recreation Area under the administration of the United States Forest Service would end a controversy over the proper treatment of this area that has continued for nearly a decade; and

Whereas establishment of such recreation area would avoid condemnation of private property and the absorption of tax-paying lands by the Federal Government, which would deprive local government and schools of part of their support; and

Whereas establishment of such recreation area would permit continuation of revenues received by the United States Forest Service from the sale of timber therein, which would be discontinued if such area were under the jurisdiction of the National Park Service; and

Whereas establishment of such recreation area at an early date would permit the United States Forest Service and the State of Oregon to proceed with plans for additional campsites and other tourist facilities now delayed because of the uncertain future of this area; and

Whereas establishment of such recreation area would stabilize conditions in the Florence-Reedsport-Coos Bay area by removing uncertainty as to the future ownership of lands in and near the dunes; now, therefore,

Be it Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized to enact legislation placing under the United States Forest Service the area to be known as the Oregon Dunes National Recreation Area, located south of the Siuslaw River and north of Tenmile Creek. The Congress is memorialized further to insure the unqualified continuation of domestic and industrial water supplies within such area.

(2) A copy of this memorial shall be sent to the presiding officer of each chamber of the Congress, to the Secretary of Agriculture, to the Secretary of the Interior and to each member of the Oregon Congressional Delegation.

FEDERAL COURT UPSETS WELFARE RESIDENCY REQUIREMENT

Mr. HARTKE. Mr. President, on June 15 I introduced a bill (S. 1949) which calls for a Federal statute to require discontinuance of State laws imposing residency requirements up to one year before applicants for welfare assistance to the blind are considered.

In a decision handed down by a three-judge Federal court in Hartford, Conn., on June 19 it has now been ruled that residency requirements—such as my bill would outlaw for the blind—are unconstitutional. The decision applied to a closely related area, that of aid to dependent children. If the State of Connecticut should appeal to the Supreme Court and the decision is upheld, it is likely that the objective of this bill will be attained through such court action. Whether or not that occurs, the weight of the decision is very strong as indicating the basic correctness of the view embodied in the bill. State residency restrictions are hampering, unnecessary, and inequitable as well as being, in the view of the Federal judges, unconstitutional.

In the majority opinion of Judges N. Joseph Blumenfeld and J. Joseph Smith, "the right of interstate travel also encompasses the right to be free of discouragement of interstate movement." As I said in my statement last Thursday, the purpose of my bill was based on the same outlook, i.e., "to remove unnecessary hardship for those blind persons who find it necessary or desirable to move from one State to another."

Mr. President, it is my sincere hope that the views of the court in the Hartford case may serve as convincing argument to my colleagues for the consideration and passage of my bill. I ask unanimous consent that the text of a dispatch reporting the case, appearing in the New York Times for June 20, may be reproduced in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Connecticut Welfare Law Held Unconstitutional—One-Year Residency Statute Overturned in U.S. Court—39 Other States Affected

Hartford, June 19.—A Federal court ruled today that a one-year residency requirement for payments under Connecticut's aid to dependent children law is unconstitutional.

The majority opinion of the three-judge panel said the law was unconstitutional because the requirement violated the right of interstate travel.

The case arose after the Connecticut Welfare Commissioner, Bernard Shapiro, denied benefits to Vivian Marie Thompson last Nov. 1, because she had not lived in this state for a year. Miss Thompson has two children. She had been receiving assistance in Massachusetts before moving here about a year ago.

PURPOSE OF AID CITED

In its 2–1 decision, the court said "the intent of the law was to exclude from benefits those who came into the state for the primary purpose of seeking welfare assistance and it should be so construed and interpreted." The minority opinion was written by Judge T. Emmett Clarie.

The majority opinion, written by Judges N. Joseph Blumenfeld and J. Joseph Smith said "the right of interstate travel also encompasses the right to be free of discouragement of interstate movement. Denying . . . even a gratuitous benefit because of her exercise of her constitutional right effectively impedes the exercise of that right," the majority opinion said. Judge Clarie, in his dissent, said that 40 states, including Connecticut, have one-year residency requirements in their welfare laws.

ONE-MILLION DOLLARS IN AID INVOLVED

Francis McGregor, counsel for the State Welfare Department in the Thompson case, said he had not yet received a copy of the court's decision, but he believed that the welfare laws of the other 39 states would probably be affected by the decision.

Ten states, including New York, New Jersey and Rhode Island, do not have residence requirements in their welfare laws, Mr. McGregor said.

Mr. McGregor, who is an assistant state attorney general, said that during the course of the trial Commissioner Shapiro testified that more than $1-million in welfare funds in Connecticut would be affected by the court's decision.

He said "it is possible" the state may appeal the case to the United States Supreme Court. The welfare commissioner Shapiro is on vacation.

The majority opinion held that Connecticut states quite frankly that the purpose of the law is to protect it from "those who come needing relief."

Brian Hollander, Miss Thompson's lawyer, said that under the decision "no state would have a residence law in the area of welfare."

STRATEGIC INSTRUMENT MAY BE SHIPPED TO POLAND

Mr. MUNDT. Mr. President, just how far our Government is going in its ill-conceived bridge building to Eastern Europe through the suicidal formula of selling and shipping supplies to the enemy has been demonstrated anew by the Department of Commerce in a recent letter

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Mr. President, it is my sincere hope that the views of the court in the Hartford case may serve as convincing argument to my colleagues for the consideration and passage of my bill. I ask unanimous consent that the text of a dispatch reporting the case, appearing in the New York Times for June 20, may be reproduced in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Connecticut Welfare Law Held Unconstitutional—One-Year Residency Statute Overturned in U.S. Court—39 Other States Affected

HARTFORD, June 19.—A Federal court ruled today that a one-year residency requirement for payments under Connecticut's aid to dependent children law is unconstitutional.

The majority opinion of the three-judge panel said the law was unconstitutional because the requirement violated the right of interstate travel.

The case arose after the Connecticut Welfare Commissioner, Bernard Shapiro, denied benefits to Vivian Marie Thompson last Nov. 1, because she had not lived in this state for a year. Miss Thompson has two children. She had been receiving assistance in Massachusetts before moving here about a year ago.

PURPOSE OF AID CITED

In its 2-1 decision, the court said "the intent of the law was to exclude from benefits those who came into the state for the primary purpose of seeking welfare assistance and it should be so construed and interpreted." The minority opinion was written by Judge T. Emmett Clarie.

The majority opinion, written by Judges N. Joseph Blumenfeld and J. Joseph Smith said "the right of interstate travel also encompasses the right to be free of discouragement of interstate movement. Denying . . . even a gratuitous benefit because of her exercise of her constitutional right effectively impedes the exercise of that right," the majority opinion said. Judge Clarie, in his dissent, said that 40 states, including Connecticut, have one-year residency requirements in their welfare laws.

ONE-MILLION DOLLARS IN AID INVOLVED

Francis McGregor, counsel for the State Welfare Department in the Thompson case, said he had not yet received a copy of the court's decision, but he believed that the welfare laws of the other 39 states would probably be affected by the decision.

Ten states, including New York, New Jersey and Rhode Island, do not have residence requirements in their welfare laws, Mr. McGregor said.

Mr. McGregor, who is an assistant state attorney general, said that during the course of the trial Commissioner Shapiro testified that more than $1-million in welfare funds in Connecticut would be affected by the court's decision.

He said "it is possible" the state may appeal the case to the United States Supreme Court. The welfare commissioner Shapiro is on vacation.

The majority opinion held that Connecticut states quite frankly that the purpose of the law is to protect it from "those who come needing relief."

Brian Hollander, Miss Thompson's lawyer, said that under the decision "no state would have a residence law in the area of welfare."

STRATEGIC INSTRUMENT MAY BE SHIPPED TO POLAND

Mr. MUNDT. Mr. President, just how far our Government is going in its ill-conceived bridge building to Eastern Europe through the suicidal formula of selling and shipping supplies to the enemy has been demonstrated anew by the Department of Commerce in a recent letter which responds to my questioning an export authorized on February 1, 1967. The article approved for export is a Worden type gravimeter valued at $10,200, a pittance compared with the value it could conceivably contribute to Soviet missile experts who would undoubtedly have access to the instrument.

Because this exchange of correspondence strikingly illustrates the ineffective manner in which our export control program is being administered, I ask unanimous consent that the correspondence be printed in the Record.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

June 6, 1967.

Mr. Lawrence C. McQuade,
Acting Assistant Secretary for Domestic and International Business, Department of Commerce, Washington, D.C.

Dear Mr. McQuade: This is in regard to the Department of Commerce release containing a list of export licenses approved for February 1, 1967.

One of the items contained in that release indicates that an export license has been granted authorizing the shipment of a gravity meter valued at $10,200 and parts to Poland. I would appreciate receiving complete detailed information concerning the granting of this license. This should include:

(1) The date application was made.

(2) Complete information as to the type of installation or institution which will utilize the instrument. The city or cities in Poland to which shipment is to be made.

(3) Detailed information concerning the accuracy of registration; that is milligals.

(4) Inasmuch as geodetic instruments are a source of data of value to guided missile trajectory determinations, I would appreciate knowing whether the gravity meter exported in this instance would qualify for such application.

If, in fact, this instrument is of military application, I would appreciate your advising me as to the rationale of the Department of Commerce in granting the license for export.

Sincerely yours,

Karl E. Mundt,
U.S. Senator.

U.S. Department of Commerce,
Bureau of International Commerce,
Washington, D.C., June 3, 1967.

Hon. Karl E. Mundt,
U.S. Senate,
Washington, D.C.

Dear Senator Mundt: Your letter of June 6, 1967, to Mr. McQuade requested certain information about an export license granted for shipment of one gravity meter and parts valued at $10,200 to the USSR.

The information is as follows:

1. The application was received October 6, 1966.

2. The Worden type gravity meter was to be shipped to the Institute of Geodesy and Cartography located in Warsaw, for use in Poland in connection with a geodetic mapping project sponsored by the International Association of Geodesy.

3. The reading accuracy of the Worden meter is 0.01 milligals.

4. As you state, geodetic instruments are a source of data of value to guided missile trajectory determinations, particularly when supplemented by earth satellite derived gravity data. The major military gravity requirements today, however, are concerned with the effects of gravity on seaborne inertial navigation and seaborne fire control systems. The subject meter, however, is not a seaborne type; it is used only on land. The necessary geodetic information for land-based military systems also can be determined by Russian instruments already in Poland or by Canadian gravity meters comparable to the Worden meter.

Subsequent to the issuance of this license, and based on information supplied by intelligence sources, the applicant was requested on February 16, 1967 to return the license to the Office of Export Control. Currently, the license is pending further consideration. The meter has not been shipped to Poland.

Sincerely yours,

Rauer H. Meyer,
Director, Office of Export Control.

Mr. MUNDT. Mr. President, it is heartening to learn that the Department is now belatedly reconsidering its mistake. What I cannot understand is how the application can even be given any further consideration in light of the admission that intelligence information conflicts with the decision to allow shipment. As I understand it, assembly of an instrument of this caliber is such a difficult and exacting science that fewer than a score of sufficiently competent technicians can be found in all the world and that all these artisans are now employed by one or two companies here in the United States. I am very skeptical that equivalent instruments are produced in the U.S.S.R. or Poland. If they are, why would they be buying one from us?

I am deeply concerned that in all too many instances vital military and strategic goods are leaking through the sieve of our so-called export control program. Something must be done to mend our ways, particularly in these times when the arms and supplies of Communist nations feed the flames of war all over the world.

If this administration really wants to shorten the war in Vietnam and to restore an enduring peace in the Mideast is should summarily and definitely suspend, while the war continues and our American casualties continue to pyramid, all shipments of American supplies to the Communist countries who are giving aid and comfort to our enemy.

SCHOOL BOARD RESPONSIBILITY

Mr. KENNEDY of New York. Mr. President, the challenge to our educational system provided by the disadvantaged child is a tremendous one.

There is the financial challenge—where will we find the resources to provide every child with a first-rate education? There is the challenge of personnel—how do we develop a community of teachers equipped to meet the special educational needs of the disadvantaged child? There is the programing challenge—what instructional techniques and material can most effectively develop the intellectual potential of all children?

And finally, there is the challenge of outlook—when will local school boards understand they must provide compensatory programs to insure the quality of educational opportunity for all?

Mr. Bernard Lang, vice president of the board of education in Farmingdale, N.Y., thoughtfully addressed himself to this last challenge in a paper delivered recently to the National School Boards Association's 27th annual conference in Portland, Oreg. Mr. President, I ask unanimous consent that the full text of Mr. Lang's paper be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

A Challenge to School Board Responsibility

(By Bernard Lang)

The disadvantaged child in our community presents a challenge to us which expressed in terms of his need is a plea to school boards and to teachers: "Listen to me . . . Look at me . . . Pay attention to me . . . Care about me!" *Care about me!* Do we really care?

Every school system in this country has always been educating disadvantaged children in a general sense. The educational, social and human imperatives inherent in the need to eradicate racial discrimination and the onslaught against the effects of poverty added a new dimension to what we had been doing. We were challenged to take a fresh look—and with this new vision to change our approach towards the education of the disadvantaged youth of our communities.

At the outset I must emphasize my agreement with those who believe that compensatory education is no substitute for integrated schools. The term "disadvantaged" however is not synonymous with ethnic identity. Those who are doubly disadvantaged because of racial discrimination present a special problem which can only be ameliorated by compensatory education.

The disadvantaged children who are or should be the concern of school boards include the racial and ethnic minorities, include those whose families meet the federal government's very limited definition of disadvantage—but also must include *all* children whose self concept, social skills and attitude towards school and society consign them to a cycle of defeat, resignation and dulling conformity. The child who comes from a broken home or the culturally deprived product of our intellectual wasteland may be disadvantaged regardless of level of family income.

All of these are the children who challenge us. How do we react?

Special programs for the gifted children in our communities usually elicit enthusiastic support from local boards of education. These programs are often status symbols. In encouraging our more able learners positive results are readily apparent. Programs for gifted children have the additional appeal of relatively lower cost. Intuitively we know that even if our curriculum is not meeting their needs the children involved cannot be hurt too much. The gifted, advantaged child will usually learn and progress almost despite some of our educational programs.

School boards have a more difficult problem with disadvantaged youth programs. These programs are invariably expensive. Positive results are not always apparent. The programs do not always improve the image of the board in the eyes of the majority of the taxpayers. And too often discouraging results can be the outcome of large expenditures of money and effort. Yet I am convinced that the accomplishments of boards of education must be evaluated by the degree of their support of and sponsorship of programs of compensatory education for disadvantaged children.

School boards must demonstrate that the principles and concepts underlying the special needs of disadvantaged children have worked their way into their day by day thinking and that the boards have the vision and the courage to respond.

There are boards of education who have refused to approve programs because to be effective class size would have to be limited to 15 or 20 children. These boards express their sympathy for the needs of disadvantaged youngsters but would not approve reduced class sizes without a corresponding reduction of all class sizes throughout the school system—which was obviously not very feasible. In other instances boards will only approve programs to the extent that they are federally financed. For practical purposes this limits their programs in many cases to "headstart" activities. I could cite many similar board responses but these are typical enough to illustrate the need for a deep and compassionate understanding of the problem. From such understanding must emerge an honest determination to meet and to try to solve the problem.

I am well aware of the large financial commitment involved when a board of education establishes a program for disadvantaged children. Federal assistance is limited in scope, hopelessly tangled in administration, and makes it difficult for school boards to effectively institute long range planning. A board may initiate a program one year with federal funds, meeting 90% of the costs, only to find that the following year federal support may be reduced to 80%, or possibly withdrawn completely. Federal aid should be expected by us, larger amounts should be allocated directly to local boards, and should be made available for an over-all curriculum. These funds should not be tagged for a specific purpose year by year. [Title I funds and programs gave many of us the impetus to get started and pointed us in the right direction. The implementation of Title I is unnecessarily restrictive especially in those school districts which have demonstrated a bold approach to curriculum revision.] But to return to the deplorable formula which equates children with dollars, it is apparent that despite the financial burden to the local districts and the inadequacies of federal and state support—the school board has a responsibility to the children of its community. This responsibility demands a complete program for disadvantaged youth from pre-kindergarten through the 12th grade—and this program must win the support of the community including the willingness to pay for the program.

Having said this I ask myself which programs and curricular a board should support or sponsor. There is no easy answer—if there is an answer at all. The literature on the subject of educating the disadvantaged is mountainous and the mountains are surrounded by hills of controversy. Techniques lie in the realm of educators—psychologists—sociologists—and are not the province of a lay school board member. Certain guidelines are visible, however, and have particular relevance to our discussion.

One of the conclusions of a Racine, Wisconsin pilot project is perhaps the most significant because in one form or another it is becoming generally accepted. This conclusion is summarized in these words: "One shot compensatory programs would seem to be a waste of time and money . . . revision over the entire school curriculum is a necessary part of any lasting solution."

Pre-kindergarten programs are essential but they serve only to bring the child up to the point where he can start kindergarten on an equal basis with his more advantaged peers. Too many school boards put all of their disadvantaged eggs in the pre-school basket. Unless special programs are continued at least through kindergarten and the elementary grades the all too familiar patterns of failure and frustration will again emerge.

There seems to be a gerat deal of evidence that compensatory programs to achieve maximum success should include some "more-advantaged" children in the classroom. The implementation of this technique is primarily a school board problem and not exclusively that of the educator since it again entails community understanding, zoning issues, busing problems and of course extra cost.

In my own school district I attended a meeting to hear a report on some of the methods being employed in teaching our disadvantaged children. It was most encouraging to hear that at the junior high level a program wherein a reading teacher was involved in instruction in each departmentalized area had proven successful. I was further encouraged by the result of a project which seemed to demonstrate that two teachers working as a team with 30 children were infinitely more successful than were classes of 20 children with a single teacher. However my enthusiasm was dampened when the dollar-child equation again appeared. The report concluded with the words—"Can we afford to continue these programs?" And we apparently could not! Perhaps less costly programs might be as effective but while we argue this question we lose the children who give us only a single opportunity to reach them and teach them. Unfortunately a twelve year old boy or girl is 12 years old just once.

There are many promising programs being implemented throughout the country but I particularly want to refer to one part of the curriculum which is rarely included in programming for disadvantaged youth and is scarcely mentioned in the literature on the subject. In many respects disadvantaged children can meet all other children as equals in the fields of music and art. This is true in the creative and performing aspects if not in what is normally and inappropriately called "appreciation." While education in the basic skills is essential we would be neglecting an important element in the education of deprived children if we minimized the arts. In my school district we have seen children who came from disadvantaged backgrounds learn to create—to write music which was then performed by instrumental groups—a dramatic change from the pattern of failure, frustration and non-recognition. In the arts the disadvantaged child will often contribute to the accomplishment of the group as an equal. I am aware of instances wherein musical or aristic proficiency was the key to educating the disadvantaged child—where a college scholarship was the reward instead of the more familiar rejection.

In the overall approach to a solution of the problem we are discussing this morning school boards have a further obligation. We cannot continue to do business as usual. When the geographic borders of a school district create lack of balance as to population or financial resources we should be receptive to and initiate changes which would improve education in areas beyond the scope of our existing school districts. We should explore cooperative programs with neighboring systems. We must not wait for citizens and parents to come to us in their wrath but encourage greater participation through citizen's committees whose recommendations will become an integral part of the board's decision-making. These are not easy tasks but nevertheless must be undertaken boldly and imaginatively.

In the literature, at the meetings and conferences, in the reports on educating the disadvantaged we are warned against being unduly optimistic as the result of apparent gains by pupils in pilot projects. On the other hand we are warned against undue pessimism as to programs which do not immediately bring significant results. It is all very well to weight the "should-wes/shouldn't wes" of a project—but I believe that it is even more important for boards to adapt and adopt an old slogan—"Don't just sit there—do something!"

We cannot await for eternal truths—these will never appear. The only ideal program is the one which seems to be the most suitable right now for the children we are teaching and helping today.

School boards must recognize that their main concern really is to assist each child reach his maximum potential. We must put an end to complacent and conservative attitudes—we must do less talking about meeting the needs of the individual child and more doing. We must be more concerned with children than with dollars. Only then will we be answering not some amorphous need—but we will be responding to the individual child—the disadvantaged child—the deprived child—when he calls out to us—the educational leaders of the community:

Listen to me.
Look at me.
Pay attention to me.
Care about me.

PRESIDENT JOHNSON, THURGOOD MARSHALL, AND AMERICAN OPPORTUNITY

Mr. HART. Mr. President, the appointment of Thurgood Marshall to the Supreme Court by President Johnson should, on its very merits alone, be the occasion for unanimous congratulations on a splendid choice.

Yet, because Thurgood Marshall is a Negro, because he has been associated with the cause of civil rights, because we live in a time of the opportunity revolution, Mr. Marshall's appointment has taken on added symbolic significance.

Thurgood Marshall's rise to the Supreme Court means that, in America, it is still what you are, and not who you are, that counts.

His appointment means that a fine intellect, love of the law, stamina, courage, and dedication can bring a man to the top of his profession.

His appointment means that the American Negro is part of American society and not outside of it.

His appointment highlights the intensive "opportunity effort" which President Johnson has carried on for almost 4 years.

His appointment is a model and inspiration to other members of "minority" groups in America.

In short, as President Johnson said when he announced Mr. Marshall's appointment to the Court: Mr. Marshall was the right man in the right place at the right time.

At long last the United States is breaking the color barrier to service on our highest court.

There is no need for such a barrier to exist in our country, and we must still do much to abolish it completely in all areas. But much of our progress in making this Nation colorblind must go to President Johnson who has been the most effective civil rights President this Nation has known since Abraham Lincoln.

As one who served on the committee which conducted the hearing on the nomination of Thurgood Marshall as judge of the second circuit and was privileged to report the favorable action on that nomination for the Committee on the Judiciary. I hope the Senate will act promptly on this nomination.

I ask unanimous consent to insert in the Record excellent and thoughtful editorials from the Detroit Free Press the Detroit News, and the Washington Post which praise the appointment of Mr. Marshall.

I know that all right-thinking Americans share that praise.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Detroit Free Press, June 15, 1967]

Mr. Marshall's Nomination Is Both Fitting and Just

The court of public opinion will never believe that race played no part in President Johnson's nomination of Thurgood Marshall to become the first Negro justice of the United States Supreme Court. Nor should it.

Mr. Marshall's race undeniably played a part.

Doubtless the President, ever the canny politician, understood that Mr. Marshall's nomination would win favor among the Negro community and it has. The whole spectrum of Negro leadership is jubilant.

But Mr. Marshall's race more surely played a part in another way, for it was his race which drove him into an intense study of the Constitution. Combing precedents and finding them wanting, he probed the essence of the Constitution and poured new meaning into some of its forgotten and ignored provisions. Due process of law. Equal protection of the law. He breathed new life into these previously limp 14th Amendment phrases.

As chief attorney for the National Association for the Advancement of Colored People, he relied on the spirit of the Constitution and the Declaration of Independence as well as the conscience of the American people to convince the high court that a Jim Crow interpretation of constitutional provisions may have been acceptable in earlier times but was acceptable no more.

Mr. Marshall won the original school desegregation case. He won a case forbidding restrictive covenants in the sale of homes and a case that opened primary elections in the South to Negroes and another which ruled Negro teachers must receive the same pay as white teachers.

Perhaps more as a result of his efforts than those of any other American, a largely segregated society was changed into a largely integrated society and Negroes acquired fundamental protections of full citizenship and found whole new areas of challenges and opportunities opening up for them.

So, race did play a part in President Johnson's nomination of Mr. Marshall.

And it is fitting that the man who opened a new world for the Negro in America by gaining precedent-shattering court decisions should personally shatter another by becoming the first Negro to sit on the highest court in the land. His work as an attorney and his later experience as a member of the circuit court and as the solicitor general fully qualify him for elevation to the Supreme Court.

The Constitution, as one of his predecessors on the court once said, is what the judges say it is and the judges in recent years have repeatedly said it to be what Mr. Marshall convinced them it ought to be. Our basic compact of government is not really the work of a small group of men and it was not actually struck off at any one time, contrary to popular notion. It is a living Constitution which has been altered many times by the people through the amendment process and many more times by the courts which interpret it to meet the nation's needs. In influencing some of these interpretations Mr. Marshall has already had as large a role in writing the Constitution as many of those the history books call the Founders.

It is not only fitting that Thurgood Marshall now becomes a member of the Supreme Court. It is just. Undeniably a Negro, he is undeniably one of the nation's foremost constitutional lawyers.

[From the Detroit News, June 14, 1967]

Marshall Steps Up to High Court

It was appropriate that Thurgood Marshall, who has made a career out of smashing racial barriers, should become the first Negro justice nominee of the United States Supreme Court.

Two years ago President Johnson appointed Marshall as the first Negro solicitor general, the third highest post in the Justice Department. Back in 1961, President Kennedy had named Marshall to the Court of Appeals for the second circuit covering New York, Connecticut and Vermont.

Marshall has been breaking new racial trails ever since he graduated from Howard University's law school. His first civil rights victory came soon after he entered private law practice when he won a case compelling admission of a Negro law student to the University of Maryland—which had refused Marshall's own admission.

But it was as chief counsel for the National Association for the Advancement of Colored People that Marshall made his principal legal reputation. From that post he argued 32 civil rights cases before the U.S. Supreme Court—and won 29 of them. The most famous was Brown vs. Board of Education, the school desegregation case which repealed the "separate but equal" doctrine and opened the way for the integration of schools throughout the United States.

Because of his long record with the NAACP, Marshall is better known as an advocate than as a judge. Yet in nearly four years in the relative obscurity of the appeals bench, he wrote more than 100 opinions, not one of which was reversed by the Supreme Court. And if he's an excellent advocate (as some of his colleagues also were at their appointment), he now will have the opportunity to prove he can become an excellent Supreme Court justice as well.

One thing is certain: His appointment ought to be quickly confirmed. There should be no repetition of the disgraceful delay over confirmation that Southern senators caused before permitting approval of Marshall's nomination as a federal judge in 1962. The quick confirmation of his 1965 appointment to the solicitor general's post ought to set the pattern for this year's action.

Marshall's appointment once more confirms President Johnson's words when Marshall was sworn in as solicitor general: ". . . our nation has now progressed to the point—in large measure because of what Thurgood Marshall has done—that race no longer serves as a bar to the exercise of experience and skill."

In fact, Marshall's appointment is further proof of a fact to which his earlier civil rights triumphs has testified: Justice now is colorblind in this country.

[From the Washington Post, June 14, 1967]

At Long Last

Thirty years ago, no one would have thought of suggesting that a Negro be appointed to the Supreme Court of the United States. Twenty years ago, such an appointment would have been inconceivable. Even five years ago, politicians generally agreed that the President who made such an appointment would be subjecting his political future to the gravest kind of risk.

But no President has put more Negroes into high office than Lyndon B. Johnson and his appointment yesterday of Thurgood Marshall to the Supreme Court was almost inevitable. It is a measure of the maturing of race relations in recent years that this nomination is not likely to be opposed, except in a few scattered places. And this should serve as a demonstration of just how rapidly race relations have improved to those Negro leaders who argue that their people can get their rights only through violence.

For President Johnson, the nomination is another indication of his desire to bring able Negroes into the highest levels of Government. He has prevously appointed the first Negro to a position carrying Cabinet rank. He has named two Negroes to the sub-Cabinet level in major departments, eight to Ambassadorships, 11 to judgeships, and dozens of others to major posts.

For Mr. Marshall, the nomination is the climax of a distinguished career. For many years he has been the Nation's leading Negro lawyer, challenged for the label in the past only by Judge William Henry Hastie, and in the present only by a rising group of young lawyers, too inexperienced yet to be considered for the Nation's highest court. Mr. Marshall was an outstanding advocate for civil rights in his years as head of the NAACP's Legal Defense and Educational Fund. His horizons were broadened beyond civil rights when he was appointed to the Second Circuit Court of Appeals by President Kennedy. And his years as Solicitor General have certainly helped to give him the exposure to the many aspects of law that a Justice needs.

We hope the Senate will quickly confirm the nomination.

STOP THE STATES FROM TAKING SOCIAL SECURITY BENEFITS MEANT FOR THE POOR

Mr. HARTKE. Mr. President, in the 1965 Social Security Amendments the Congress included legislation enabling the States to disregard up to $5 per month in computing the resources of persons in need of public welfare assistance. Yet it is a shocking fact that more than 900,000 of these people—people so poor that they must have public assistance—instead of receiving even the small amount Congress thus intended for them, have instead been contributing the difference to their State treasuries involuntarily. A cynic might say that the 39 States which do this are robbing the poor. John Edelman of the National Council of Senior Citizens put it more politely when he said, in recent testimony before the Subcommittee on Employment and Retirement Incomes, that such States "believe in economizing at the expense of their poorest citizens."

Mr. President, I speak up today on this topic in order to make clear the full import of the legislation which I introduced on Friday, S. 1965. Let me first spell out the details of the shameful situation which is involved, the situation which demands some such remedy as the mandate to the States which my bill contains.

S. 1965, by coincidence, has its roots in the result of the Social Security Amendments of 1965. In that bill, the Congress provided for a 7-percent increase in social security benefit payments, with a minimum increase of $4 per month—sufficient for even the minimum beneficiary to cover, at least in theory, the $3 charge for part B coverage under medicare. It is difficult for many Americans, especially though enjoying property, to realize what a difference even $4 per month can make in the lives of the very poor. I recall letters from individuals, who felt that they could not spare the $3 for the part B premiums, needing the small cash income even more.

In passing that bill, we in the Congress made it clear that we expected to help such persons, not to replenish the coffers of State treasuries. We included in the bill a provision which allowed—but did not mandate—the States to pass along up to $5 per month of added social security benefits to individuals by excluding it from income calculated as the base of old age assistance, blind assistance, and other Federal-State welfare programs based on need.

What has been the result?

At the present time, to the best of my information, only 16 States are passing along those benefits, intended to alleviate life a little for the very poorest. Of those 16 some do not allow the full $5 per month: Arkansas sets the figure at $3, Georgia at $4. I am proud to say that my own State of Indiana is one of those few which allows the full amount of $5 as an exclusion. Let me illustrate how this has worked, because the law does not mandate the States and is permissive only.

Let us suppose that a social security beneficiary has qualified for the minimum $40 payment in effect before the 1965 change. This elderly person's State—and States fix their own standards of need, which vary widely—has set a minimum need for such a person at $100. However, as President Johnson pointed out in his January 23, 1967, message on older Americans, and I quote:

> Twenty-seven states do not even meet their own minimum standards for welfare payments.

He also stated, incidentally, that in nine States the average amounts paid for old-age assistance are as low as $50 a month or less.

Let us suppose that this State, with its $100 per month standard, is one of the 27, so that in fact it allows its very poor, who must apply for public assistance, only $85. This means that, with no resources other than $40 social security per month, the poor person applies for old-age assistance, funds for which are also provided under the welfare section of the social security law on a Federal-State basis. The State, therefore, out of these funds provides another $45 of monthly payments for the $85 total, even though by its own admission it takes $100 for such a person to be minimally provided for.

Now the increase brings social security checks for $44 instead of $40. Theoretically, it was our intention that this would make it possible for every person even at the lowest levels to pay the $3 for part B medicare insurance without penalizing his already minimal income. Certainly that was, in part, the reason for the permission to disregard up to $5 in structuring welfare payments. But we did not require it, only permitted it. So what happens?

The States, which no one denies are pressed for funds, decide that since it is not mandatory, they will refuse to exempt any of the increased social security from the income base to which welfare payments are added. Now the $85 remains exactly the same; the only difference is that out of it the State welfare agency pays $41 instead of $45. In effect, the State has itself taken the $4 intended for its poor person as a nice Federal gift for its treasury. The poor person, rather than having the $4 out of which to pay medicare, winds up—if he is to be in the program at all—cutting down still further on food, clothes, or any other little expense he can live with in order to dig up that monthly $3. More likely, already cut to the bone—and remember that the total in nine States is $50 or less—he can not afford to join the program and so forgoes medical care when it is later needed.

This, I submit, is not far from robbing the poor. Certainly it is not in keeping with the intent of Congress in passing the improvements of 1965. It was never our intention to subsidize State treasuries out of these social security increases.

I have been speaking of a case involving the very minimum. The increase at other levels was 7 percent, which in some cases on welfare means considerably more per individual than the $4. The case of the State of Illinois illustrates the extent of the windfall to the States. With an annual budget of public aid amounting to $350,000,000, half is supplied by the Federal Government. The gain to Illinois by not passing on the $5 exclusion amounts to $110,000 per month, or $1,320,000 in the course of a year. Do the States need this money more than their poor? Where is the justice in this kind of action?

You will recall that the increase was made retroactive to January 1, 1966, so that when the first checks were issued to the recipients of social security raises they were lump-sum amounts for the accumulated benefits. In five States a quarter of a million persons had their public assistance payments reduced by exactly the same amount as their 8-month accumulation of benefits. One of these States later corrected the situation, however.

How many people are we thus penalizing? While the figure has moved up to 16 States which had adopted the income exclusion privilege by the beginning of this year, some indication may be had from an earlier figure cited by Mr. Edelman in committee testimony. In February 1966, when 11 States only were excluding the increases, the total number of persons in the country receiving both social security payments and welfare assistance was 1,014,000. In the 11 States which, so to speak, were wearing the white hats of the good guys, there were 138,360 such cases. That means that some 910,000 persons throughout the Nation were then receiving none of the intended benefits of the social security increases, not even the $3 increase which would pay part B medicare. The figure is somewhat smaller now, perhaps, but doubtless still around the three-quarter million mark.

At the time the change was made, a Wall Street Journal reporter, Kenneth G. Slocum, investigated the impact in St. Petersburg, Fla., where 28 percent of the population is 65 or older, as compared with the national average of 9 percent. Here are some comments, in which the meaning of the small additional income is poignantly evident. I quote from that article, which appeared on September 22, 1965, under a heading which read in part "Checks for Retroactive Boost Go for Clothes, Food, Rent":

> Gifford Adams, a former bookkeeper, will use his (retroactive payment) check "to put some new rags on the old frame."
>
> And a frail old couple here will use the money to change hotel rooms. "Instead of a $10-a-week room with cockroaches on First Street we're getting a clean $13-a-week room on Sixth Street. . . ."
>
> On Saturday, the prescription drug department at Webb's City reported business was 15% above normal, "indicating that some of these people had been unable to pay for prescriptions until the retroactive checks arrived," says James Webb, executive vice president.

If this is the meaning of the small increases for people who were not confined to the minimums set for welfare subsistence levels, how much greater the meaning for those who are—but who have been deprived of any increase by the loophole in the law to which I have referred.

It is out of this background that my bill has grown. We must not let such an occurrence take place again. Included in those for whom no gains were made are great numbers of the 380,000 estimated blind persons who are not gainfully employed and self-supporting.

My bill, Mr. President, would correct the situation by simply requiring that States must—not may—disregard increases in social security payments dating back to January 1, 1966, and including increases to be passed hereafter, when calculating income for purposes of determining welfare assistance payments under the Federal-State provisions of the social security law. We talk about the need for eliminating poverty, but when we pass a measure to upgrade the poorest of our citizens a little bit in this way we leave a loophole that gives the benefits to the States instead of the poor.

Mr. President, we must do better. We must not let it happen again. We must correct the inequities by passage of this bill, or one which will achieve the same objectives. To do less is intolerable.

URBAN AMERICA, INC.

Mr. MONDALE. Mr. President, the Federal Government has been so active in the field of urban affairs in the past few years that this activity has tended to overshadow the work that has been done by private groups.

One of the most dynamic private groups has been Urban America, Inc., with headquarters in Washington. This organization has attempted to assist cities that are planning for the future, and for a better physical, social, and economic environment in urban areas.

Urban America, Inc., was established in 1965 with the help of a grant from the Taconic Foundation. Later that same year it merged its activities with those of the Action Council for Better Cities. Its success has been due to James Rouse, its president, and this success will be enhanced by the recent appointment of William Slayton as executive director. Mr. Slayton was formerly the Administrator of the Federal Urban Renewal Administration and is one of the leading experts in the urban field.

Urban America, Inc., operates in five areas and seeks to improve: The quality of architecture, the exchange of information between cities, the governmental policies in urban affairs, the interest of the business community in urban programs, and the quality of low-income housing. One of its most significant activities has been in providing technical assistance to nonprofit sponsors of FHA section 221(d)(3) below the market interest rate insured loans for the construction of units for those of low or moderate income. It has done this by providing technical assistance and information to nonprofit sponsors through its Nonprofit Housing Center. Its publications include Architectural Forum, one of the best magazines in the design and environmental field.

This month Urban America, Inc., has launched a new publication, City, which will be published bimonthly. This periodical is designed to improve the range of knowledge to the reader by emphasizing the full spectrum of problems which face the city. Its first issue is devoted to an excellent review of the important events of the last year which have affected our cities. I wish to congratulate Mr. Rouse and Bill Slayton for developing this vital publication, and wish them success on this publication as well as in their other activities.

Mr. President, I ask unanimous consent that a section of the first issue of City be printed in the Record. The section deals with the activities and purposes of the organization and the role City will play in them.

There being no objection, the section was ordered to be printed in the Record, as follows:

Urban America, Inc., last September welcomed some 1,000 specialists and citizens to its Washington conference on "Our People and Their Cities." Several of the speakers, in turn, welcomed Urban America as what one termed "a catalytic force" for improvement of the urban environment. The conference was called, in part, to bring new ideas and insights into Urban America's developing program. It marked a midpoint in the transition from organization to direct involvement in urban problems, a transition now nearly complete.

Urban America began with Stephen R. Currier's concern with the quality of life in cities. It was formed under a Taconic Foundation grant in February, 1965, through the joining of Mr. Currier's goals to the American Planning and Civic Association. In December, 1965, it merged with the Action Council for Better Cities.

Urban America's first 18 months were spent in a wide-ranging examination of urban problems for the points at which intervention could have most effect. By mid-1966, Urban America's program had begun to take both substance and a definite style. In June, William L. Slayton, former commissioner of the federal Urban Renewal Administration, was appointed executive vice president, and began to build the professional staff.

Urban America has been organized in five centers of activity. Three of the centers—for policy, design, and information—were established as key elements of the program early in its planning. The other two, for nonprofit housing and for business and development, grew from the Action merger.

Each center has its own staff and its own particular constituency. But the lines of responsibility are thoroughly interlaced. Urban America has been made a flexible instrument, responsive to the changing problems and opportunities presented by the cities. The following are some to which Urban America responded in its first full year of operation.

DESIGN

In a remarkable appendix to the Logue report on the development functions of New York City, Architect-Planner David Crane of University of Pennsylvania examined with surgical precision the reasons design quality is so low on the list of concerns of those who build cities. Simply stated, the reasons were two: first, that design is regarded as an optional extra and has no established place on the agenda of developmental decision-making; and second, that designers are untrained and unpracticed in working at bigger-than-building scale.

The Urban Design Center, now in the process of completing its staff, will direct its program to the removal of both these obstacles. It will not itself undertake design, but will work to inject design concern into the decision-making structure. It will seek to develop new techniques, and refine old ones, for the selection and application of design talent to urban-scale projects. At the same time, it will encourage the preparation of designers, and of the design process, to deal competently with these larger and vastly more complicated tasks.

Architectural design and its application to the urban scene were, of course, the subjects of the first project undertaken by Urban America, Inc.: publication of The Architectural Forum. The relationship between Forum and Urban America is a unique one. The magazine enjoys complete editorial independence, within the broad charter of helping prepare the architectural profession for a more effective role in shaping the urban environment. It has used that independence to become a lively, often controversial editorial force—and the nation's most thoroughly read and respected journal of architectural and urban design.

In addition to presentation and criticism of major buildings, Forum regularly covers broader environmental issues. Thus, in the past year, it was the first national magazine to examine—and deplore—the single-mindedness of the Bay Area Rapid Transit System's planners. "Unless changes are made in its procedures," said Forum, "BART's shiny trains will pass through an environment that is worse, not better, for its presence." Two months later BART's design consultants resigned, making some of the same charges in their departing statements.

Forum also published the first detailed report on the Summer Study on Science and Urban Development, sponsored by HUD and others at Woods Hole, Mass. Its continuing series of analyses of significant urban design projects ranged from the Lower Manhattan Plan and Philadelphia's Market East to what it termed a "mini-core" for the small community of Rockville, Md. Forum's reach also extended to the social problems of the city: in November, it found a direct link between design and the conflict that surrounded the opening of Intermediate School 201 in Harlem over the issues of integration and community control.

DEVELOPMENT

At its mid-January meeting, Urban America's Board of Trustees approved creation of a Business and Development Center as an expansion of the Redevelopment Division that had been part of Action. More than just a minor matter of organization, the change signified the current search for new forms of private involvement in urban development. Previously, private capital had entered the city-building process mainly through the urban renewal program and the activities of their developers. Now other corporations were entering the process in other ways.

A prospectus outlining the need for the new Center recognized "the infusion of new resources into the job of building and rebuilding America: large amounts of capital and managerial and research talent from large corporations." The prospectus said that the Center's program of analyses, publications, and information services would attempt to show how the needs of cities could be made a market for business innovation. The objective would be "to build bridges between planning and development, private initiative and governmental power, the technician and the layman, the profit and nonprofit operation."

The agenda of the Center's annual development forum in January suggested the scope of its activities. At that two-day session, more than 120 delegates got a glimpse of the "state of the art" of new town building, plus insight into techniques for adapting the systems approach to community development. George Bogard of General Electric described the rationale for his company's decision to build new cities of 100,000 population; John Eberhard made a strong appeal to industry to help broaden the research base for the next stage of technological development and thus enhance the physical plant we leave for the next generation; investment banker John G. Heimann suggested how new sources might be tapped to take the peaks and dips out of the flow of money for housing loans.

Early in 1966, the Center organized a task force to review FHA procedures on multifamily mortgage insurance. Task force members visited 11 FHA local offices, and produced eight recommendations for streamlining the agency's procedures.

The Center held lecture-workshops last year at Berkeley, Calif., and Princeton, N.J., that were attended by more than 300 builders, developers, lawyers, architects and representatives of nonprofit organizations. These sessions provided briefings by authorities on the intricacies of financing housing for lower-income families under the federal 221d3 and rent supplement programs and on public-housing innovations such as the turnkey and leased-housing programs. Superior urban design for renewal projects was the goal of a separate lecture-workshop at Princeton.

Administrative responsibility for the National Action Council also belongs to the Business and Development Center. The Council, made up of more than 100 prominent business and professional men, was established as a forum for the debate of national urban issues.

POLICY

Last November, the electorate took a sharp turn to the right. Analysts added up the projectable attitudes of the 90th Congress, and concluded that the model cities and rent supplement programs, were they to be introduced this year rather than last, would have virtually no chance of passage. Prospects for the funding of these programs and the launching of new ones seemed glum; only the nation's mayors were talking determinedly about pressing for further urban advances, and they were vulnerable to the charge of special pleading.

In January, Urban America invited the mayors of a cross-section of major cities to a series of Washington meetings from which emerged two plans for action. One was for the formation of an urban coalition, composed of groups that share a major stake in cities. The other was for the creation of an Urban Economic Council which would examine and evaluate the impact of economic policies on urban areas.

Urban America is now working with a steering committee of mayors to bring together spokesmen for components of the coalition—business, education, civil rights groups, labor unions, and religious organizations. Meetings with each of these groups are aimed at developing an agenda for an increased national commitment—federal, state, and private—to the cities.

The Urban Economic Council will be made up of three nationally recognized economists. It will be asked to establish a two-way channel between national and local economic policies. On one hand, it will provide a detailed analysis of urban needs and propose the necessary administrative and budgetary measures to meet them. On the other hand, it will translate the potential effects of alternative national policies on local programs.

The Council will appraise the allocation of economic resources and priorities for federal expenditures, assigning the relative importance of urban programs to other national needs. It also will appraise the economic importance of the programs and expenditures of local governments to the national economy, and the potential impact of business fluctuations on cities.

The Council's first report, to be prepared by an established private, nonprofit agency, will provide quantitative estimates to 1975 of urban expenditures and urban requirements under a variety of possible situations. The study will trace historical trends of federal, state, and local expenditures on programs that are totally urban, such as mass transit; those that are totally non urban, such as defense; and those that have characteristics of both, such as highways.

Reports of the Council will be issued from the Urban Policy Center, which will coordinate the research and writing with assistance from consultants. The Policy Center, last of Urban America's components to be staffed, will focus attention on other major issues as well. It might, for example, seek ways to channel metropolitan development in coherent patterns; or propose policies to encourage urban growth in optimal locations; or ask publicly how it might be possible to achieve equitable distribution of population in metropolitan areas by race and income. Through seminars and papers, the Center will invite to such issues national discussion and debate.

HOUSING

Steadily, in recent years, the flow of federal encouragement to nonprofit sponsors of low- and moderate-income housing has increased. Today, nonprofit sponsors have a wide and flexible range of assistance programs to use in building, and they are using them: some 60 percent of all housing constructed under the Section 221d3 program of low-rate mortgage loans is the work of nonprofit sponsors. Some have become expert in the process, or have readily available expertise they can tap. Others, particularly first-time sponsors, are lost in the jungle of complications surrounding housing development.

The prime objective of the Nonprofit Housing Center is to help the latter group, and help it does: in the period covered by its latest bimonthly report, it responded to 170 letters asking information or technical assistance. A growing number were from communities interested in organizing private development funds or nonprofit housing corporations.

The Center was created in 1965 as the Local Development Services Division of ACTION under a Ford Foundation grant that was renewed last fall. In October, it entered into an agreement with the United Church of Christ, the United Presbyterian Church in the U.S.A., the Protestant Episcopal Church, and the Methodist Church to encourage and assist religious groups interested in housing sponsorship, with each denomination contributing $25,000.

The Nonprofit Housing Center is the most fully operational of Urban America's components, with four regional offices in addition to its headquarters staff. Requests for its technical assistance come from a wide range of organizations in major metropolitan areas—and also from places such as Mercedes, Texas (population 15,000), where the Roman Catholic diocese is sponsoring a 100-unit rent supplement project. In the Watts area of Los Angeles, the Center is working with a group of nonprofit sponsors on a development plan and program for construction of new housing on a vacant 116-acre site.

In addition to local church and community groups, the Center's clientele extends from the National Association of Manufacturers to the Southern Christian Leadership *Conference headed by Dr. Martin Luther* King. NAM's Center for Independent Action asked assistance in studying the feasibility of a privately financed rehabilitation program in Indianapolis, Indiana. For Dr. King's organization, the Nonprofit Housing Center is investigating the possibility of establishing a Southeastern Housing Development Corporation to sponsor low-income dwellings in an eight-state area. Preliminary discussions also are being held with the Appalachian Regional Commission on a multistate housing program, and with the Office of Economic Opportunity on its efforts to form housing development corporations with direct involvement of the poor themselves in their operation.

To extend its assistance beyond what a single staff can provide on a project-by-project basis, the Center maintains a program of publications and conferences. It is about to begin a series of six regional meetings of potential nonprofit sponsors, with cooperation of the Federal Housing Administration. The sessions will deal with a variety of new housing tools, and will include case studies on local projects.

To expand the nation's stock of expertise, the Nonprofit Housing Center and the church-supported Urban Training Center of Chicago are investigating the possibility of holding one-week orientation sessions and intensive two-week seminars in federal housing programs. The Nonprofit Housing Center and the U.S. Office of Education also are exploring the prospect of developing a national training program for nonprofit housing sponsors and corporations, in cooperation with several universities across the country.

INFORMATION

The services that the city requires of its professionals increasingly are cross-disciplinary services. The model cities program, with its demands for the melding of social concern with physical planning and design, only formalizes a trend toward realization that one set of skills is not sufficient in dealing with the complexity of development problems. But collaboration among disciplines requires that each know the thinking, the mode of practice, the state of research in the others. There are at present few effective means of exchanging this information, except under the pressures of the problem at hand.

In an attempt to fill this need, the Urban Information Center will launch City, a bimonthly review of urban affairs. This annual report is, in a sense, the first issue of City, introducing its size, typography, tone, and range of content. The annual report is more heavily illustrated, however: City's plus-or-minus 24 pages per issue will consist mainly of relatively brief reports and summaries, organized by sections.

City will be the major headquarters publication of Urban America, reporting its activities in the context of urban events and thought, and prime outlet for the information-gathering function that is the Center's basic task. The Center also will continue Urban America's series of special reports, which in the past year have included a *Chart Book* of graphically depicted statistics on the urban environment; *Five Speeches*, reproducing in permanent form major addresses from the September conference; *The Troubled Environment*, the paperback proceedings of an important 1965 symposium; and a series of guidebooks and analyses produced by the Nonprofit Housing Center.

Issued concurrently with this annual report are Wilfred Owen's colorful *Fable* on urban transportation; and John G. Heimann's paper *The Necessary Revolution in Housing Finance* from the January forum of the Business and Development Center. In preparation are publications on topics ranging from *open space, to the reorganization of urban governments, to the design and work*ings of fountains, to case histories of low- and moderate-income housing, to a colloquy on urban design that was part of the legislative history of model cities.

These publications, and City, are mainly directed to urban specialists. To increase and inform the interest of the general public, the Center acts as a reference service for the press, radio, and television. Regular contact is maintained with urban affairs editors and writers on newspapers throughout the nation. The reference function of the Center also serves as a resource for Urban America's 80 Local Group Associates, the citizens' and business organizations that are on the firing line of urban issues. Plans are now under way both to increase the number of these affiliates and the exchange of information among them through Urban America.

THE PROGRESSIVE MAGAZINE

Mr. NELSON. Mr. President, one of the finest journals of public opinion in the United States is the Progressive magazine. Founded in 1909 by the late Robert M. La Follette, it has continued to be unruffled by the—at times—more popular majority view. It has continued to serve for almost 60 years as a source of independent, thoughtful, and responsible comment on public issues facing our Nation.

I am proud to say that the Progressive, ably edited by Mr. Morris H. Rubin, is still published in Madison, Wis. Through the publication of its editorials and articles the Progressive magazine has certainly lived up to the tradition endorsed by the late Senator La Follette as stated at the beginning of each lead editorial: "Ye shall know the truth and the truth shall make you free."

In the July issue appear articles worthy of being read by my colleagues. "War and Peace in the Middle East" is a brilliant editorial analysis of the Arab-Israel conflict. I suggest that an article by my distinguished colleague, Senator YOUNG of Ohio, entitled "The New Democracy in Vietnam," should be read by the entire Senate. A short editorial entitled "Morgan Moves Up" calls attention to the loss of Edward P. Morgan to the radio networks. Mr. Morgan leaves a void which will not be easily filled when he moves to National Education Television on a 2-year leave of absence. The Progressive correctly states that his 12 years of broadcasting for the AFL–CIO stand as "models of perception, clarity, and courage."

I ask unanimous consent that these articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Progressive magazine, July 1967]

WAR AND PEACE IN THE MIDDLE EAST

Hostilities in the Middle East had come to an end as this was written. Israel arms were brilliantly triumphant on every front. Greatly outnumbered and forced to fight simultaneously on three or four fronts, the Israelis destroyed much of the shiny new military hardware given the Arabs by the Soviets and, in the process, shattered the morale of the Arabs who, only a few days before, had been whipped into a frenzied mob clamoring for a holy war to exterminate Israel.

The speed and scope of the Israeli triumph stunned the whole world. Now comes the hard and heavy task of building a peace—a peace that may be more difficult to achieve as a result of the very magnitude of Israel's victory. Bitterness and hate are everywhere. Despair and devastation dominate the Arab countryside. None of the basic causes of conflict has been resolved by the success of Israel's arms.

This is the moment when the leaders and people of Israel must exercise extraordinary restraint, as some are. Some hot-headed Israelis, however, may continue to demand the spoils of victory, but the only meaningful fruit of military success for Israel is a peace settlement that makes possible the patient pursuit of reconciliation with the Arab world. As the late Albert Einstein once said: "Peace cannot be kept by force. It can only be achieved by understanding."

When hostilities broke out June 5, each side accused the other of firing the first shot. We tend to agree with Tom Wicker of the strongly pro-Israeli *New York Times* that while history may never be able to make an exact determination, "the presumptive evidence is that the Israelis launched the actual fighting."

This is not to brand Israel as the aggressor on the basis of the evidence available to us up to now. If she did fire the first shot, it was only after intense and deliberate provocation by Arab leaders—and several weeks of fruitless haggling by the Great Powers and frustrating paralysis in the United Nations. Encircled by a bitterly hostile Arab world vowing her destruction, confronted with hastily rigged military alliances between previously feuding Arab nations, faced with total Arab mobilization after the expulsion of the United Nations Emergency Force from Egypt, denied innocent passage to and from her vital port of Elath, convinced that her very survival was at stake, and left largely alone in her agony by the rest of the world—Israel showed great and commendable restraint until the guns went off.

In longer-range terms, none of the three actors in the current crisis—the Great Powers, Israel, and the Arab world—came into the court of world opinion with spotless hands. Each contributed some of the matches and the tinder that ignited the fire which threatened for a time to run out of control. Consider the roles each has played:

One. The Great Powers, expressing shock and dismay at first over the war hysteria and then over the war itself that swept through the Middle East, were guilty of massive hypocrisy. For it was they who had raced each other to provide the arms, without which a military confrontation would have been impossible. The Soviet Union had poured hundreds of millions of dollars worth of weapons into the trigger-happy hands of the Egyptians and the Syrians. France had sold a sizable arsenal to the understandably anxiety-ridden Israelis. Great Britain had deposited nearly a quarter of a billion dollars worth of military hardware in the oil-rich country of Saudi Arabia. And the United States, true to its tradition of free enterprise, had supplied mountains of arms to *both* sides. Altogether, a recent *London Times* study showed, the nations of Europe and North America have poured almost *$3 billion* in armaments into this highly inflammable region since World War II.

All the Great Powers, moreover, were guilty of failing, despite repeated warnings, to come to grips, either in the United Nations or through Four Power talks, with the basic issues which almost everyone knew must one day explode in violent confrontation. The Soviets played an especially dangerous game in encouraging Nasser and other Arab adventurers. And the United States, obsessed as always with deepening escalation in Vietnam, ignored the danger signals flashing in the Middle East. Indeed, for nearly six months President Johnson left vacant the key post of Assistant Secretary of State for the Near East. When he finally filled the position by giving the job to his ambassador to the UAR, he left Cairo without an American ambassador for eleven weeks just at the time Nasser was brewing his new crisis.

Two. Israel, obliged by hostile encirclement to play a lonely game, has overplayed her hand on occasion. She refused, for example, for reasons that seem to us false pride, to permit a United Nations presence on her side of the border after the war of 1956, although Egypt, too weak and defeated to resist, consented to such a presence until the current crisis exploded. Had Israel consented to a U.N. presence in 1956, the withdrawal of U.N. forces from Egypt, demanded and obtained by Nasser, would still have left a United Nations buffer force on the Israeli side of the border and possibly might have barred the way to hostilities.

Israel, moreover, has unwisely walked out of—or failed to attend—meetings of the Mixed Armistice Commissions established by the United Nations to resolve specific disputes. There have been occasions over the past decade, too, as the United Nations has determined, when Israel violently over-reacted to border incidents.

For example, the Israelis over-reacted to Arab provocations late last fall and this past spring shortly before the current explosion—and, in the judgment of some competent observers, may have set fire to the tinderbox the Arabs had provided. In a demilitarized zone of Jordan, Israel retaliated to an unusually severe terrorist attack on her border by burning forty Jordanian homes—although, to be sure, not until the inhabitants had been warned. In April this year Israeli aircraft shot down six Soviet-built Syrian MIGs *over Jordanian and Syrian territory*. Far more significant, perhaps, was the May declaration by the highest Israeli officials, including the usually mild-mannered and peace-committed Prime Minister Eshkol, that further border raids from Syria would result in the invasion of that country, the seizure of Damascus, and the overthrow of the Syrian government.

The jittery, unstable government of Syria—there have been a dozen changes in Syria's government in eleven years—immediately appealed to Egypt to honor her military alliance in the face of this grave threat from Israel. President Nasser, who had often proclaimed his implacable hostility to Israel and had long waited in the wings to reassert his claim to leadership of the Arab world, bounced onto the stage, ordered the United Nations peace-keeping forces out of his country, mobilized his own forces on the border, declared the Gulf of Aqaba closed to Israeli shipping, and, doubtless much to his own surprise at the swift pace of events, found himself acclaimed, in the Arab world, as the hero and savior who had parlayed a couple of Israeli mistakes into a brief political triumph over Israel—a triumph that was soon, however, to be reversed by the spectacular military success of the Israelis.

A final grievance against Israel held by many western students of the region who deeply believe in her right to live as a free and independent nation is her long-standing failure to deal humanely and comprehensively with the vexing problem of the estimated 800,000 to 1,000,000 Arab refugees who were uprooted or who uprooted themselves when the Israelis took over their portion of Palestine two decades ago. Little or nothing has been achieved in all these years in working out a decent settlement of the claims of Palestinian Arabs who lost their lands and homes to Israel.

Three. The Arab World, led by Nasser's Egypt, rates the decisive share of the blame for the current crisis. The conflict over the Strait of Tiran and the Gulf of Aqaba was an important factor but not the governing consideration. The heart of the matter was and is the refusal of the Arab world to accept the very existence of Israel, which was created through the partition of Palestine in 1947–1948, with the blessing of both the Soviet Union and the United States. Shortly thereafter the new nation was recognized by and accepted as a member of the United Nations.

It is understandable that the Arabs passionately resent the transfer of the land that is now Israel to the Jews—a transfer made without Arab consent and over their bitter and violent objections. But time, tradition, and international agreement have sealed the settlement of 1947–1948, and the implacable, vengeance-motivated insistence of the Arab leadership that Israel must be destroyed, if persisted in, could only result in chaos and disaster for all the peoples of the Middle East. The strident competition among Arab leaders to spew the most hateful epithets on Israel—and their shrill call for a holy war—did much to inflame Arab public opinion to the boiling point.

"Arab children are born with psychological scars," an articulate, well-informed Egyptian told us recently. "They are indoctrinated from the first moment of understanding," he noted with approval, "with the conviction that their great mission in life is to redeem the portion of Palestine arbitrarily handed to the Zionists by the Great Powers—and to reopen that land to the Arab refugees now living in hunger and despair."

This strikes us as a criminal incitement to permanent warfare. Israel, on the map, represents an almost invisible island in the vast Arab world. The obliteration of Israel would solve none of the social, economic, and political problems that torment the Arabs today; indeed, the contrived concentration of Arab concern on the presence of tiny Israel provides Arab leaders with a device to shift public attention away from their own inability to solve their social and economic problems.

President Nasser has been described to us in somewhat contradictory terms by correspondents whose judgment we usually respect. One American newsman who saw him in action at close range during the past year or two called him an irresponsible adventurer who has acquired a Messianic complex. Another correspondent emphasized that Nasser is basically a shrewd, sophisticated leader who has sought to forge a more progressive program at home than the royalist reactionaries in some of the other areas of the Middle East.

The results, however, have not been impressive—in significant measure because the increase in population is outrunning the gains in technology. The great Aswan Dam, for example, which is rising on the Nile with massive Soviet assistance, will add two million acres of arable land to the present total of six million. But when the time comes that Egypt can hope to reap the gains of this increase, the population will have increased to the point where per capita food production will actually drop below the level of January, 1960, when construction of the dam began.

Given this fact of domestic despair, given the further fact that Nasser's enemies in the Arab world were taunting him—although he was long a leader in hostility to Israel—with cries of "coward" and "paper tiger" in the face of his relatively moderate response to Israel's over-reaction to border incidents, given the additional fact that his ill-conceived campaign against the royalists has been bogged down for months in Yemen, and given the final fact that the Soviets stood at his side with guns, planes, money, and a desire to improve their bargaining position with the United States in the war in Vietnam—given all these considerations, Nasser's recent moves assume a sort of twisted logic of their own: the desperate design by a leader in urgent need of a major diversion.

His insistence that the end of Israel was his real goal brought—for the moment—an end to domestic conflict in Egypt and his enthronement—again for only the moment—as the unchallenged leader of the Arab world. "We will never accept co-existence with Israel," he cried to the hysterical mobs. "Those who stand by Israel are our enemies and those who stand with us are our friends." A day or two later, before war broke out, Nasser described Egyptians as "hotter than burning coals in awaiting the battle with Israel." Hearing the clangorous call for a holy war against Israel, Nasser must have realized at this point, just before the guns went off, that he had mounted a tiger he could not ride.

The wave of criticism that beat down on U.N. Secretary-General U Thant for withdrawing the United Nations Emergency Force (UNEF) from the Egyptian side of the 117-mile frontier with Israel strikes us as largely unjustified. Our considerable confidence in him is unshaken.

U Thant did not "shoot from the hip" as some of his critics have contended. He consulted for hours with his advisers in the Secretariat, including Ralph Bunche, who advised the Secretary-General that he had no alternative but to comply with Egypt's demand.

It is true that Thant might have stalled for a day or two, but with results that would doubtless have been much the same, except that there might have been bloodshed if runaway mobs of emotionally-charged Egyptians had attacked the lightly-armed UNEF forces.

Moreover, two of the nations with the largest contingents in the UNEF, India and Yugoslavia, whose troops constituted nearly half the force, were unwilling to maintain them against Egypt's wishes and demanded the immediate withdrawal of their men, which they had every right to do.

The UNEF, it must be remembered, was placed on Egyptian soil in 1956 solely with Egypt's consent. Israel had refused at the time to permit a similar force on her side of the frontier. This, too, made U Thant's position extremely difficult and delicate, if not untenable, when Nasser demanded immediate withdrawal of the UNEF.

"It may be pointed out in passing," Mr. Thant said afterwards, "that over the years UNEF dealt with numerous infiltrators coming from the Israeli as well as from the United Arab Republic side of the line.

"It would hardly be logical," the Secretary-General continued, "to take the position that, because UNEF has maintained relative quiet along the line for more than ten years, due in large measure to the cooperation of the United Arab Republic authorities, the UAR government should now be told that it cannot unilaterally seek the removal of the force."

It has only lately been revealed, by a source James A. Wechsler described in *The New York Post* as one "whose integrity is beyond challenge," that in the tense hours preceding his decision to pull the UNEF out of Egypt, Thant addressed an urgent secret plea to Israel to allow the transfer of the UNEF contingent to the Israeli side of the border. Israel rejected Thant's plea. We suspect that when all the facts are known, U Thant will be acclaimed for his even-handed statesmanship in pursuing peace, which is what his job is all about.

It is reassuring that some of those who first lashed out at U Thant, including some Israeli spokesmen, have now greatly moderated their position and understand the undeviating commitment of the Secretary-General to world peace and the integrity of the United Nations. U.S. Ambassador Arthur J. Goldberg spoke for many thoughtful observers when he urged that "we should at all costs avoid wasteful recrimination" on this subject. Goldberg then went on to praise U Thant's pursuit of a peaceful solution.

This pursuit of peace in the Middle East will be extraordinarily difficult. No peaceful settlement can hope to endure, it seems to us, that does not include at least these principal ingredients:

One. The Arab world must accept the fact of Israel as a free, independent, sovereign nation. Isarel is a child of international agreement and United Nations decision. Even the Soviet Union, which armed the Arabs for their recent adventures against Israel, does not dispute her legitimacy. Without Arab recognition of Israel's national personality, there can be no basis for a peace settlement to replace the rickety, long battered, and now smashed armistice of 1949. And recognition clearly must encompass Israel's untrammeled right to free and innocent passage of both the Gulf of Aqaba and the Suez Canal.

This recognition, understandably, will be a bitter pill for the Arabs to swallow, but history reminds us that countless "irreconcilable conflicts" have yielded to the healing powers of time and tolerance and reason—and a willingness to live and let live.

Two. The government of Israel, perhaps with the economic assistance of the Great Powers, must take prompt, decisive, and generous steps to indemnify the Arabs who lost their homes and their lands when Israel was created. This problem has been neglected far too long, despite repeated pleas to Israel by the United Nations for just compensation.

In November, 1962, Mrs. Golda Meir, then Israel's foreign minister, suggested that her country would be willing to negotiate a compensation settlement for the Arab refugees—but only as part of a package deal for a general peace agreement to replace the shattered armistice of 1949. That proposal should be urgently revived now.

The Progressive does not suggest that Israel take back all, or nearly all, of the refugees who fled or were expelled two decades ago. This would place an intolerable strain on this tiny country's precarious economy, and it would, moreover, create a critical security problem for Israel—with a million or so dissident, revenge-minded Arabs on her soil. Reasonable compensation to the refugees would enable them to resettle permanently on the friendly soil of their Arab cousins.

Three. This time, unlike 1956, *both* sides should be obliged to accept a substantial and effective United Nations' presence on their borders or in neutral, demilitarized zones—at least until tempers cool and passions subside. Given the harsh facts of life in the Middle East, Israel must discard the false notion that the presence of U.N. peace-keeping forces on her soil is somehow a reflection on the nation's virility and an affront to its sovereignty. What is also needed are positive reaffirmations by the United Nations and the Great Powers of the territorial integrity of Israel *and* her Arab neighbors.

Four. The great powers must agree, for their own self-interest if for no loftier purpose, to end the arms race in the Middle East by refusing to sell or give arms to *any* country in the region. Instead, working through the United Nations, the wealthier and more powerful countries should join forces to provide significant economic assistance to *all* nations in the Middle East.

There is doubtless much more that needs doing, including the internationalization of Jerusalem, so holy to three great religions. But these four proposals, we are convinced, lie at the heart of the problem of taking the first patient steps toward transforming this region of constant conflict and wretched poverty into one of peace and hope.

[From the Progressive magazine, July 1967]

THE NEW "DEMOCRACY" IN VIETNAM

(By Senator STEPHEN M. YOUNG [1])

In 1965, from September 28 to October 19, I visited Southeast Asia on a mission for the Senate Committee on Armed Services. During that time, I visited every Air Force base in Vietnam and also spent a number of days in Thailand.

Before I visited Vietnam, I had believed implicitly the statements of Secretary of State Dean Rusk that we were engaged in Vietnam because of Communist aggression from the North. I believed that even though I had known, because I had read the Geneva accords, that historically there never were any such countries as North Vietnam and South Vietnam, and that the Geneva agreements, which the United States approved but did not sign, specifically stated that the separation of Vietnam into North Vietnam and South Vietnam was not to be regarded as a boundary but as a temporary demarcation line. Nevertheless, I was taken in by the repeated statements of the Secretary of State about aggression from the North, until I talked at some length with General Westmoreland in Saigon.

In the course of our conversation, General Westmoreland told me that the bulk of the Vietcong who were fighting us in the Mekong Delta, south and west of Saigon, were men who had been born and reared in the Mekong Delta.

Following that, when I was in Thailand, I was informed by General Richard Stilwell, second in command of the American forces in Southeast Asia, that eighty per cent of the Vietcong fighting us in the Mekong Delta were born and reared in the Mekong Delta.

I said to him, "General, this, then, is a civil war in which we are involved."

He replied, "It is an insurrection."

If there remains any doubt as to the nature of the regime we are supporting in South Vietnam, recent developments should dispel them. Premier Ky, who was born in Hanoi, is definitely a Vietnamese "Tory," having fought on the side of the French during the war in Vietnam following World War II, when France sought to reestablish her lush Indochinese colonial empire. Our forefathers would have called him a Tory because he fought on the side of the colonial power.

Now, through his performance as Premier of South Vietnam—a position which he obtained not through elections but through a military coup engineered by ten generals, nine of whom were born in North Vietnam and had fought on the side of the French colonial oppressors against their own nationals seeking independence—he proves daily that his interests lie closer to those who have oppressed the Vietnamese people for centuries than to any real desires and needs of the people he rules.

The United States has furthered this travesty on democracy by giving it an appearance of respectability. Whom are we trying to fool by advertising the regime we are defending as "free" or "democratic"? Whom can we convince that South Vietnam is on its way to becoming a representative democracy since the Constituent Assembly made public its constitution?

I suggest we examine this proposed constitution more closely. First of all, who are its authors? As the result of a discriminatory election law, not only members of the National Liberation Front but also neutralists, so-called, and militant Buddhists were prohibited last fall from running for election to the Constituent Assembly.

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[1] Stephen M. Young, U.S. Senator from Ohio, is a much decorated veteran. In World War I he served in field artillery; in World War II he was in combat service for thirty-seven months in North Africa and with the Fifth Army in Italy.

The fact is, the Constituent Assembly is composed primarily of representatives of the landowning and wealthy classes and close supporters of the military junta that now rules South Vietnam. To illustrate this fact, when a genuine agrarian reform law was proposed earlier this year only three out of 117 members of the Assembly voted in favor of it. A number of these "representatives" are themselves military men. They can hardly be expected to put up a strong opposition to the Ky dictatorship.

As for the new Constitution itself, the provisions which appear to guarantee basic human rights are granted with one hand and taken away with the other. For example, Article twelve, section two reads:

"Censorship will be abolished except for motion pictures and plays."

Yet, section three of Article twelve states:

"Press regulations will be subscribed by law."

According to Article twelve, section one:

"The state respects freedom of thought, speech, press, and publishing as long as it does not harm personal honor, national security, or good morals."

Who will decide what constitutes a danger to personal honor, national security, or good morals? The answer is, of course, the same rulers who until now have shown little or no respect for fundamental civil liberties.

Article nine guarantees religious freedom to all citizens "as long as it does not violate the national interest and is not harmful to public safety and order or contrary to good morals." This gives the government virtually *carte blanche* authority to restrict the free exercise of religion. Is this the sort of religious freedom we would consider adequate in our country? This provision in the South Vietnamese constitution makes a mockery of the phrase "freedom of religion." Similarly, the rights to join labor unions and to strike, to organize political parties, and to meet and form associations are guaranteed "in accordance with conditions and procedures prescribed by law." What sort of bill of rights is this? It sounds more like the fiat of a medieval monarch.

On one point, at least, the Constitution is straightforward: Article five prohibits "every activity designed to propagandize or carry out Communism." As we have seen in the past, this type of prohibition could be extended to almost any form of political opposition to the government whether from Communists, neutralists, or militant Buddhists. More than likely it would apply to any political group whose thinking did not coincide with that of the ruling regime.

Interestingly, the one right which is guaranteed unconditionally is the right of private property in Article nineteen. The Constitution bears the stamp of the landowners who drew it up, and assures that their interests will remain secure. In effect, Article nineteen promises them that no thoroughgoing land reform could be carried out without complete compensation to those who have for centuries prospered at the expense of the landless peasants.

I definitely do not consider this to be a document which is even a step toward democracy or toward a republic in South Vietnam. Indeed, how can there be any progress while a war disrupts civilian life and while we support and perpetuate a military dictatorship in Saigon? What can the Vietnamese peasant expect from Western democracy when it is presented to him through our collaborators in Vietnam—the dictatorial Premier Ky, who was serving in the French Air Force in Vietnam during the years 1946 to 1954, seeking to help restore French colonial oppression of its Indochinese empire, and an oligarchic Constituent Assembly?

Administration leaders would do well to heed the advice of retired Marine Commandant, General David Shoup, one of the nation's great military leaders. General Shoup said:

"It must be a bit confusing, to, to read and hear about fighting for freedom. Supposedly, we have it, and I don't think anyone is going to take it away from us by playing cops and robbers in Southeast Asia. Even so, we urge others to fight for freedom. There may be a little confusion here. We insist they should sacrifice arms and legs and their lives for freedom. In the history of their ancestors they've never experienced what we expect them to understand and fight for. . . .

"These masses of people and their ancestors have always lived where the few have everything. Everything that is produced by the burdensome labor of the many. And the many have nothing except for the barest subsistence and not always that. . . .

"I believe that if we had and would keep our dirty, bloody, dollar-crooked fingers out of the business of these nations so full of depressed, exploited people, they will arrive at a solution of their own that they design and want; that they fight and work for. And if unfortunately their revolution must be of the violent type because the 'haves' refuse to share with the 'have-nots' by any peaceful method, at least what they get will be their own, and not the American style, which they don't want, and above all don't want crammed down their throats by Americans."

If real and honest elections were to be held I doubt whether those elected would choose to prolong the civil war that is now raging and has been raging since 1946 in Vietnam when the French commenced to reestablish their empire. If the real voice of South Vietnam could be heard, it would be asking for peace, not military victory.

[From the Progressive magazine, July 1967]

Vietnam's New "Democracy"

Even before the new "democracy" becomes operative in South Vietnam Premier Ky has given the world some indication of what he meant by a "free government." An Associated Press dispatch from Vietnam May 15 quoted Ky as threatening to close Vietnamese newspapers that "create dissension" among the people during the approaching presidential election.

"I want to point out to the press that from now until election day any newspaper article creating dissension between the people—military or civilian—will be censored."

An even more startling concept of the "new freedom" turned up in an Associated Press dispatch from Vietnam May 14, in which Ky, who is himself a candidate for president, announced that he might respond "militarily" if a civilian whose policies he disagreed with won the election.

"If he is a Communist or if he is a neutralist, I am going to fight him militarily," said the disciple of freedom in Vietnam.

[From the Progressive magazine, July 1967]

Morgan Moves Up

Not since Edward R. Murrow went off the air have the broadcasting industry and the listening public experienced so great a loss as they now do with the end of Edward P. Morgan's news commentary over the American Broadcasting Company network. For twelve years, with the sponsorship of the AFL–CIO, Morgan has provided millions of Americans each weekday night with analyses of the news that will stand as models of perception, clarity, and courage.

Morgan has taken a two-year leave of absence from ABC to join the Public Broadcast Laboratory of National Educational Television. He will undertake a weekly series of two- or three-hour programs to be seen over 100 non-commercial stations. The programs will be financed by a $10 million Ford Foundation grant. Meanwhile, it is regrettable that the AFL–CIO has no present plans to continue its radio news program with another commentator of comparable caliber.

NET announced that in addition to being a reporter on its new series, Morgan will be "involved in investigative reports, incisive commentary, interviews, and in the development of the innovative and experimental techniques of bringing relevant information to the public. . . ." We expect that Morgan will develop programs for NET that will be provocative, illuminating, and superior to most "public affairs" programs on commercial television. If his programs expand the audiences of non-commercial television stations, and increase public demand for more such stations, Mr. Morgan's contribution to public enlightenment may be even greater in the future than in the past.

PAYMENTS MADE IN NATION'S FARM PROGRAMS

Mr. TALMADGE. Mr. President, recently we have heard comments in the Senate on the Nation's farm program to the effect that these programs involve payments of more substantial size to some farmers than to others. It is argued that big payments go to big farmers who do not need them, while little farmers get only little payments.

For more than 30 years it has been basic national farm policy to provide a continuously adequate supply—but not a burdensome excess—of food and fiber products at stable prices fair to both producers and consumers, without undue public cost considering the vital objective of this policy.

If all the vast U.S. land resources are used in farm production, and the advancing technology we command is applied, our farmers can, and would, produce more than U.S. consumers want, or foreign markets will buy, at prices in line with the level of production costs which American farmers must pay.

It is certainly not in the national interests to waste land, labor, and production costs in turning out unneeded products which then cost still more to store. Moreover, excess supplies bring ruinous prices which threaten national prosperity—ruinous prices for all producers alike.

Nevertheless, the individual farmer cannot prevent excess production and ruinous prices in the market by letting his land and resources go unused, or partly used. By doing so alone, he only further reduces the income of his family and the chance of return upon the capital he has invested to create an efficient farming enterprise.

So on the one hand we have, to be served, the interest of all producers, and a national interest in orderly production and marketing. And on the other, the necessity of each individual producer to earn a fair return for his capital, his skill and his family's labor. And we have a certain conflict which public policy must find a way to reconcile.

Mandatory cutbacks, by force of law, would sacrifice the individual to the national interest, unless the individual is compensated in ratio to the income-earning opportunities so denied to him. With compensation through price supports, but only when over two-thirds of the voting growers approve, mandatory quotas can be applied to certain crops—

cotton, tobacco, peanuts, rice. And the growers do vote to approve, with rare exceptions from time to time.

In voluntary programs for wheat, feed grains and for further reduction of cotton surpluses, payments are compensations which, added to price supports at about world price levels, enable individual producers to join with each other in limiting the total land and other resources employed, and thus the output, of the commodity in question.

This compensation is in ratio to the income-earning possibilities each grower gives up, just as his marketing income has always been in proportion to the size of his operation and the volume of his output.

The points which we must emphasize here, which opponents of these programs seem unable or unwilling to understand, are these:

First, the payments which make it practicable for individual farmers to take part in the programs are not welfare handouts, not an unearned dole to relieve the poverty of some farmers who are less well off than other farmers may be. They are an earned compensation proportionate to the contribution the individual has made to the realization of established goals of national policy.

Second, the program in which the payments are a logical and justified means benefit all producers—not just big producers, not just little producers—but all producers, each in proportion to the size of his resources and his operations.

Third, the purpose of the programs is to bring about adjustment of total production of the commodity in question to the actual needs of the marketplace, expressed in prices which are fair and acceptable returns to efficient producers, thus avoiding waste of manpower, capital, and land resources of the Nation.

It is perfectly clear to anyone who will see, Mr. President, that if we are to adjust production, we must do so where the production takes place. The programs must therefore deal with the fewer big producers as well as with the many little producers.

Efficient family farms, in these days when modern machinery and methods enable one family to handle steadily enlarging operations, are enterprises of substantial size and require very substantial investment and operating capital. They are growing in number, and in proportion of the total of our farms. They are the mainstay of America's marvelously productive agriculture.

Would such producers participate in programs to limit total output to the market's real demands if they are denied compensation in ratio to their cutbacks in income-earning use of land and other resources? If they do not do so, because of some notion of arbitrary limitation upon their compensatory program payments, total output will increase.

The increased output of the big producers would swell the volume in commercial channels, while the output of small growers participating in the program would be forced into Government hands under the price-support loans.

Prices and returns for everyone would decrease, while program costs would be likely to continue. Would either little or big growers, or the public, be better off? It is clear that they would not be.

The Secretary of Agriculture summed this up very well, Mr. President, in speaking last March to the Midcontinent Farmers Association in St. Louis:

> The man who works 40 hours a week for $3 an hour expects to be paid twice as much as one who works 20 hours a week for $3 an hour. The farmer who diverts 100 acres from surplus production expects to be paid about twice as much as his next door neighbor, with comparable land, earns for 50 acres of diversion. And why not?
>
> Commodity program payments are not welfare grants. To be effective in balancing production they must fit into the free-enterprise concept that a man is rewarded in terms of the value of his contribution.
>
> All farmers, large and small, should fight vigorously against being lured into a trap that would quickly erode, then destroy, their commodity programs.

THE PROPOSED PERMANENT NATO NAVAL FORCE

Mr. SPONG. Mr. President, on Saturday, June 17, 1967 Adm. Thomas H. Moorer discussed a plan to convert the Matchmaker Squadron into a permanent multinational NATO naval force, with headquarters in Norfolk, Va. Admiral Moorer, who was giving up his post as NATO's Supreme Allied Commander, Atlantic, to become Chief of Naval Operations in August, said the proposal was agreed to in principle by the NATO defense ministers at their last meeting. This is the first public endorsement of such a plan by a high-ranking member of the U.S. military or civilian command.

I welcome this initiative and urge the U.S. Government to begin at once the review necessary for official approval of the plan. I also urge the U.S. Government to move forward in consultations with the governments of the other NATO nations to encourage their official approval of the plan.

The Matchmaker Fleet, consisting of destroyers from the NATO maritime nations consolidated as a single force, has participated in various joint operations and exercises during the past 3 years. The command of the force has rotated among the participating nations, but the force has been under the overall direction of the Supreme Allied Command Atlantic, Norfolk, Va. Instead of existing continuously, however, the fleet has been organized for a few months and then disbanded in each of the 3 years of its being.

Establishment of the fleet as a permanent force could not but help strengthen both the Allied Command Atlantic and the entire NATO maritime structure. It would serve as a major response to the increasing growth in Russian naval power and would help overcome the weakened geographical position of NATO which resulted from the withdrawal of France from the alliance. The standing force would also permit the NATO nations to react in a more flexible manner to aggression and other threats to peace and to plan naval strategy on a more advanced schedule.

Finally, within the NATO alliance itself, the creation of the standing force should promote new cooperation and coordination. Although the ships are to be volunteered and manned by the participating nations, the permanent staff will have personnel from all participating nations and the squadron command will continue to alternate among the participating nations.

The proposed fleet would be the world's first permanent multinational naval force. Although, like the Matchmaker, the force would consist mostly of destroyer-type vessels, other ships such as aircraft carriers and cruisers would participate in certain exercises, and the force eventually would probably become substantially larger than the Matchmaker fleet has ever been.

I am hopeful that Admiral Moorer's proposal will receive immediately the consideration which it deserves.

Admiral Moorer, who sponsored the third Matchmaker maneuver, discussed the standing NATO naval plan, in a June 17 speech on the occasion of the change of the NATO Supreme Allied Atlantic Command. The U.S. Naval Institute Proceedings has published articles describing the value of the Matchmaker I—1965—and II—1966—efforts. I ask unanimous consent that they be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Speech by the Supreme Allied Commander Atlantic, Adm. Thomas H. Moorer, U.S. Navy, on the Occasion of the Change of Command Ceremonies, Norfolk, Va., June 17, 1967

Admiral Holmes, Admiral Clutterbuck, General De Cumont, distinguished guests, ladies and gentlemen:

It is a great pleasure for me to be able to see so many of my good friends here today, not only the officers of my staff, and their families, and my many Norfolk friends, but also senior officers of a number of NATO countries. I am most grateful to you all for honoring me with your attendance: It is not often that I am given the opportunity to speak to such a distinguished captive audience, so I intend to take full advantage of the occasion!

As I look back over my last two years as the Supreme Allied Commander Atlantic I realize how meaningful, how personally rewarding, they have been to me! They are full of memories of many challenges that faced our alliance and how we met them. They are particularly full of the warm recollections of my many friends and colleagues within NATO, with whom I have continuously worked to strengthen our alliance. Without their support and confidence, my task as SACLANT would have been impossible to carry out. Many are here today. I would like to particularly recognize my close friend, General De Cumont, chairman of the Military Committee, and the permanent representatives to the Military Committee who have traveled here from Washington for this occasion. I am deeply honored. I sincerely appreciate their coming.

There is no question that the North Atlantic Treaty Organization has faced many problems—diverse challenges—these last two years. They have ranged the spectrum from the withdrawal of France from the integrated military structure of NATO to the need for a revision of overall NATO strategy to the problem of various organizational changes within the alliance. All of these challenges have been met or are being positively addressed.

The relocation of SHAPE and NATO headquarters to Belgium and various other subordinate headquarters to elsewhere in Europe has proceeded or is proceeding right on schedule. The move to Belgium has been cited as a "miracle" and I believe it is deserving of that accolade.

Only a little over a month ago at the North Atlantic Council ministerial meeting in Paris a major step was taken, moving toward a more flexible NATO strategy which is responsive to the changing world in which we live. A strategy which provides for alternative courses of action rather than a single all or nothing strategy of all out nuclear war. Various other dynamic, affirmative steps have been taken within NATO in recent months which attest as well to the vitality and viability of the alliance.

Organizational changes have involved the the dissolution of the standing group and the establishment of the international military staff under the military committee. Despite its short period of existence this staff has already demonstrated its expertise in producing highly professional support for the military committee. Here again NATO has moved ahead positively and effectually.

Of all the areas of direct concern to SACLANT, the one which has concerned me most these last two years has been what I detect as a major shift in Soviet strategy—toward the use of the open seas to gain their continually reiterated goal of communist world domination. This poses a major new challenge to SACLANT and to the entire maritime side of the NATO defense structure. I believe that we here at SACLANT headquarters have been successful in sounding the alarm within NATO and among the various capitals of NATO countries as to the significance of this challenge. We believe that there is clear evidence that the Soviet leadership has finally appreciated the value of an old, old book by Alfred Thayer Mahan—"The Influence of Seapower on History."

Recognizing the challenge this shift in Soviet strategy could represent to NATO, we have resolved on various implementing measures in support of a new NATO maritime strategy to answer the challenge. They are all we believe feasible, practicable and readily available to NATO. They are not all inclusive, but do point in the direction we should go at this time. Of all of them, my proposal to establish a standing naval force Atlantic—a NATO naval force in being—could be one of the most significant. I am happy to be able to announce that this proposal has now been approved in principle within NATO and it is my hope and confident belief that such a force will be established in the very near future. It will provide to NATO a valuable and flexible military tool which can be used with important politico-military effect in behalf of the alliance. It will permit NATO ships flying the flags of many nations—but consolidated as a single NATO force in being—to play an important part in the overall, basic mission of NATO to deter war.

When I first entered on my duty as Supreme Allied Commander, Atlantic, I made a vow that I would solve, somehow, a nagging command problem that had plagued NATO, and particularly the Allied Command, Atlantic, for many years. The Iberlant command, encompassing one of the most critical portions of my area of responsibility—including the vital Western approaches to the Mediterranean through Gibraltar, had never been established. This void in my command arrangements, so necessary to carrying out of my mission, had to be filled. With the cooperation and support of the military committee, my fellow major NATO commanders—Saceur and the Commander in Chief, Channel—and very importantly the national authorities of Portugal, all obstacles were overcome and the Iberlant command was activated in Lisbon just four months ago. I, frankly, was pleased and proud to see this accomplished "on my watch."

Therefore, as I look back, at this moment of relinquishing my duties as Supreme Allied Commander, Atlantic, I have the satisfaction of seeing NATO not only having weathered some rough seas but also moving ahead dynamically and effectively in various areas. I am proud to have played a part in this critical period of NATO history.

And now, before I turn over my command to my good friend Admiral Holmes, I would like to express my most sincere thanks to my NATO staff officers. You have all worked hard to achieve the goals which have been set for us, and I congratulate you upon your outstanding contributions to the Allied Command, Atlantic. I have learned much from you and I hope our paths continue to cross in the future. You, and your wives and families from many NATO nations, are a great asset to the Norfolk community; you have given Americans an opportunity to learn about your countries and your customs, which we much appreciate. More than this, we consider you all to be our very close friends; and it is this feature of my change of command which I most regret—having to leave you and your families. To my entire staff, and to my many Norfolk friends, I would like to say—not goodby—but rather that I hope that Mrs. Moorer and I will have many opportunities to see you in the years ahead.

Exercise Match Maker

(By Captain D. V. M. Macleod, D.S.C., Royal Navy, Commander, Match Maker Squadron)

Since the formation of the North Atlantic Treaty Organization in 1949, ships of member nations have only operated together for up to three weeks during planned exercise periods. In November 1963, the Commander-in-Chief Eastern Atlantic proposed an extended exercise for a small NATO task group. The Standing Group approved this exercise on 5 March 1964, and planning went ahead during the summer of 1964. Four destroyer-type ships were organized into this so-called Match Maker Squadron: HMS *Leander*, HMCS *Columbia*, HNMS *Overijssel*, and the USS *Hammerberg* (DE–1015).

The mission of the four ships was to gain experience in the problems, especially those of logistics and maintenance, arising from the operation of ships of several NATO nations for an extended period during peacetime.

In order to fulfill this mission the ships were to operate together for five months, take part in selected NATO exercises that were scheduled for that period, carry out a training program comparable to that which the ships would have while under national control, and visit ports of NATO countries in order to make use of the differing maintenance and logistic facilities.

The program was virtually cut and dried before the squadron formed, and it was designed to include the maximum number of scheduled NATO exercises and four periods of base maintenance—one each in the United Kingdom, France, Canada, and the United States. Generous allowance was made for weapons training and ASW practice outside of the scheduled NATO exercises. Emphasis was placed, naturally, on use of NATO publications and procedures, and if there was a conflict between NATO and national procedures, the NATO procedure was to be used. The four ships were organized as a task group, and the task group commander (Commander, Match Maker Squadron) was free to ride in any of the ships in the exercise.

Detailed orders for administration were produced by the squadron commander immediately prior to the formation of the squadron. These orders were kept brief and were based on the concept of each ship operating, as much as possible, in accordance with her own national customs. The orders covered the normal points of ship safety and gave guidance on ASW tactical doctrine, communications, logistics, etc. No attempt was made to achieve standardization of dress or appearance of the ships; the squadron commander's policy was to achieve enough common practice between the ships to demonstrate squadron solidarity.

Bearing in mind that Match Maker was primarily a logistic exercise, a squadron logistic policy was established. This laid down the following supply methods:

Primary method: cross-serving within the squadon.

Secondary method: dockyard assistance in NATO ports of call.

Tertiary method: use of national logistic agencies.

The documentation of the primary and secondary methods involved the use of the standard demand formats. Resort was made to the tertiary method only when the other two had failed; in this last case normal national accounting procedures were used.

The system worked well for readily identifiable stores such as cordage, paint, and cleaning materials, but some difficulty was experienced in identifying more complex electronic and mechanical items. There is no common NATO stores catalogue, and not all ships carry the U.S. Federal Stock Book of Stores or national catalogues other than their own. There is also a completely inadequate system of cross-references in the national stores catalogues. While it is appreciated that its preparation would be a monumental task, there is no doubt that there is an urgent requirement for a NATO stores catalogue or stock book. The provision of this book would achieve great savings in time and transport costs and would allow full use to be made of the provisions of STANAG 1062 (Standard Procedures for Services Rendered and Supply Transfer between NATO Navies).

Apart from the difficulties experienced in identify specialized stores, the greatest problem encountered by the squadron was that of ammunition supply. Little progress seems to have been made beyond national supply arrangements and recommendations have been made to attempt to improve this situation.

The ships of the squadron were experienced in underway replenishment and use was made of tankers and store ships of all the participating navies. No insuperable incompatibilities of rig were encountered, but the little differences of practice and gear that were experienced called for considerable ingenuity, first-class seamanship, and a lot of hard work. Most of this could have been avoided if navies would ensure that ATP 16—replenishment at sea—is kept amended and up to date as new techniques are developed and incorporated in the equipment of allied tankers. Apart from the almost universal incidence of minor modifications to standard gear, the biggest snag encountered was the failure of oilers in the Eastern Atlantic area (Eastlant) to provide an easily used adaptor for use with the open-trunk system. The Canadian replenishment ship *Provided* was greatly admired, and her self-tensioning winchs put her in a class of her own. The development of the probe system of fueling should be a great advance over current practice. The only other significant difference in this field between the two sides of the Atlantic was the apparent reluctance of Western Atlantic area (Westlant) replenishment ships to alter course during replenishment.

On 18 February 1965, the four Match Maker ships met in Rosyth on the east coast of Scotland. The formation of the squadron coincided with the start of NATO Exercise Pilot Light, so there was no time to worry about minor difficulties. Fortunately, very few problems arose: some cross-servicing was necessary to ensure that every ship had the right crystals to meet the Eastlant communications plan and when one or two defects had been rectified by Rosyth Dockyard the squadron was ready.

The initial phase of Pilot Light was an intensive weapons training period which allowed the Match Maker ships to practice the ASW tactical doctrine laid down in the squadron orders. By the end of Pilot Light, the four ships formed a unit which was a squadron in spirit as well as in name.

All ships had an enormous enthusiasm for the project. This established a capital of goodwill which paid a continuous dividend of cheerful pride in the squadron throughout its corporate existence. A new concept is bound to be more exciting than the humdrum normal, and this, coupled with a proper professional pride, ensured a 100 per cent output from each ship. In a very short space of time friendly rivalry was balanced by real respect for colleagues in other ships in the squadron. It was fairly early in the operation that an enlisted man from the *Hammerberg* overheard a Bristish rating, who was not in the squadron, criticize a *Leander* rating; the U.S. sailor's immediate reaction was to defend the reputation of his British colleague in the most forceful way he knew.

In order to get the maximum benefit from the different customs and equipment in each ship, every officer, chief petty officer, and petty officer was made an honorary member of the mess of his opposite number in each ship of the squadron. This encouraged intership visiting in harbor and promoted a lively exchange of views and operating experiences which broadened the horizons of everyone concerned. It also sowed the seeds of friendships which show every sign of lasting even now that the squadron has been disbanded.

The anticipated language barrier never materialized. The Royal Netherlands Navy practices English on its own voice circuits and, apart from the tendency of the English (or more normally the Irish, Welsh, and Scot) communicators to talk too fast on voice circuits, no real difficulties were encountered. The worst offender was probably the squadron commander whose idiomatic signals were sadly misinterpreted on one or two occasions, and *not* by the Dutch ship at that.

After Pilot Light, the Match Maker Squadron underwent a three-week course at the Joint Antisubmarine School at Londonderry, Northern Ireland. This intense period of ASW training consolidated the techniques that had been developed to gain maximum advantage of the fine variety of sonar equipment in the four ships. A weakness was revealed in electronic warfare, and to improve this the Royal Netherlands Navy provided an enlisted specialist whose skill in this art did much to improve the standard of all four ships. A further period of training with the British nuclear-powered submarine *Dreadnought* and two fast conventional submarines at the end of April rounded off a fine initial training phase.

The arrangements for base maintenance in Portsmouth, Brest, Halifax, and Norfolk worked well. Four separate periods were really too many in five months, but the program was justified by the experience gained in the different ports. Particularly well commented on were the high standards of work carried out in Brest by the French Navy.

The month of May was devoted to visiting Copenhagen, Rotterdam, Brest, and Lisbon. Great interest was displayed in the Match Maker Squadron, both by the navies and by the general public. A heavy program of exercises was carried out on passage between these ports, and British and French facilities were used for further weapons training.

The passage across the Atlantic, which included a fueling stop in the Azores, was used to exercise Westlant ASW techniques and the Westlant communications plan. Contact was made in dense fog with the U.S. and Canadian ships taking part in NATO Exercise Pole Star. This was a convoy exercise where, for the first time, the Match Maker Squadron was split up among the other screening forces and temporarily lost its squadron identity. This was unavoidable, and involved the sacrifice of one of the great assets of a worked-up ASW squadron—the intimate knowledge of the likely intentions and the capabilities of the other ships of the unit.

In Halifax, the Match Maker ships received a warm welcome and willing, skilled assistance with maintenance problems. Both the *Columbia* and *Hammerberg* found their national squadrons in company—in fact the gentlest of hints had to be dropped to both squadrons that these two ships were now NATO and not national and so were not available for national domestic chores.

After passage of the Cape Cod Canal in perfect weather, the four ships enjoyed the hospitality of New York City for four days. The squadron was honored by a visit by the Supreme Allied Commander Atlantic, and close contact was made with Commander Carrier Division 18 and his ships with whom the squadron was to exercise for the next eight days.

This period of hunter-killer operations was an interesting finish to Exercise Match Maker and, after a brief visit to Norfolk, the Match Maker ships reverted to national control on 19 July 1965.

The exercise provided a fascinating five months for every officer and enlisted man who took part in it. Much was learned from the logistic problems that arose under these circumstances. Five months of continuous operations with excellent training facilities allowed an unusually high standard of ASW proficiency to be achieved. The combination of four widely differing sets of equipment gave the squadron a unique tactical flexibility. Each ship started the exercise with the conviction that her own methods of operation were the best; each ship finished the exercise with a new respect for her colleagues and with a very much broader approach to common naval problems.

Most important of all, the exercise has made NATO live for 1,000 officers and enlisted men. Allies who previously were just names are now friends who will be remembered with real affection and respect for years to come. There should be annual opportunities for other NATO units to do the same.

Captain E. F. Gallagher, U. S. Navy—Evidently the recommendation of Commodore Macleod that "There should be annual opportunities for other NATO units to do the same," i.e., participate in a Match Maker-type exercise, received a fair wind, for the four nations which took part in Match Maker I, have, from January to June 1966, participated in Match Maker II.

While the Match Maker I squadron consisted of four ships and emphasized logistic and repair support under NATO standardized procedures, the Match Maker II squadron consisted of six ships and was keyed to the formulation of new NATO tactics and the evaluation of existing tactics.

Commencing 22 January, the squadron engaged in intensive training at the Atlantic Fleet Weapons Range near Roosevelt Roads, Puerto Rico, and participated in the U.S. Atlantic Fleet's annual training exercise, Operation Springboard. The Springboard training was most beneficial in developing the squadron's capability to operate as an integrated team and as a tune-up for special NATO exercises conducted in June. The concept of cross-pollination where crew members of ships of different nationalities are exchanged in order to give the officers and enlisted personnel an opportunity to familiarize themselves with how the other men live, work, operate, and think, has been continued and expanded from the scheme employed in Match Maker I.

Cross-pollination is a favorite idea with the men and the concept has heightened their interest and enthusiasm in the exercise. It also pays off in a better understanding of mutual problems and develops co-operation, team work, and mutual respect.

The six ships participating in Match Maker II were HMS *Agincourt*, a British radar picket destroyer; HNethMS *Drenthe*, a Dutch antisubmarine destroyer; HMCS *Annapolis*, HMCS *Skeena*, and HMCS *Restigouche*, Canadian destroyer escorts; and the USS *Garcia* (DE–1040), a new U.S. escort ship. This year's commodore of the Match Maker squadron was Captain Parker B. Armstrong, U.S. Navy, whose flagship for the most part was the *Garcia*. Like its predecessor, the Match Maker II squadron was particularly oriented toward antisubmarine warfare training.

Not only has Match Maker II again demonstrated the feasibility of the concept of ships of different nationalities operating together as a group, but it has come to represent a NATO sea force in being. There is a tremendous growth potential here which could encourage greater participation by other NATO countries than in the past. This is particularly so at this time because of the forced revisions to NATO resulting from the French decision to withdraw from the organization. Fortunately, there is sea room to the west and north which facilitates the natural expansion and development of NATO toward the sea.

Perhaps there should be an Allied Command Atlantic (ACLant) Mobile Sea Force—built upon the Match Maker concept—to complement the existing Allied Command Europe (ACEur) Mobile Force. The NATO maritime nations could provide forces according to the availability of their assets and in phase with a schedule of varying types of ships, including destroyers, submarines, mine sweepers, and patrol craft, each type to operate together for from four to six months.

In this way the Match Maker squadron could become a permanent unit of ACLant and could be the nucleus of the Mobile Sea Force. Depending on the availability of resources, the ships of one period might be mine sweepers, next submarines, then fast patrol boats, and finally destroyers. The cycle could then be repeated or be varied if necessary. By varying the types from time to time, the cross-pollination concept could be extended and nations could be brought more in tune with each other than ever before.

But most important, a permanent Match Maker would foster the development of NATO forces at sea, in being—the ACLant Mobile Sea Force. The sea has a great deal to offer toward the future growth of military strength in NATO. The land and air spaces of continental Europe are filled to the point where new training areas are needed. Yet the sea is wide open and offers no national barriers or problems of sovereignty. Here is the place for NATO to grow.

ADDRESS BY VICE PRESIDENT HUMPHREY ON TECHNOLOGICAL AND HUMAN PROGRESS

Mr. MONDALE. Mr. President, on May 8, Vice President Hubert H. Humphrey addressed the 23d Convention of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express, and Station Employees in Minneapolis. The remarks of the Vice President on this occasion are instructive to all Americans, for Mr. Humphrey speaks as a man with many years of significant achievement in the public service.

His address on this occasion reviewed both the technological and human progress we have experienced in recent decades. It also looked forward to the work that lies ahead. The Vice President's buoyant optimism renews our confidence for we have, he reminds us, an excellent record as a people capable of meeting and surmounting a vast array of difficult problems. He believes we have built a strong society, one capable of meeting and surmounting remaining problems despite the challenge which changes always pose.

Mr. President, the Vice President's remarks on this occasion are particularly valuable because they give us a sense of perspective, a measured and objective appraisal of where we have been and where we now are. Above all, they provide a balanced sense of direction to guide us toward tomorrow. I commend the Vice President's remarks to the attention of my colleagues, and ask unanimous consent that his address be printed in its entirety at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Proceedings of the 23d Regular and Ninth Quadrennial Convention of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, Held at Minneapolis, Minnesota Convention Hall, Monday, May 8, 1967

MONDAY MORNING SESSION

Grand President C. L. Dennis: Sisters, Brothers, Delegates, visitors and friends, it is about the greatest honor of my life to introduce to this great Convention the Vice President of the United States, whom we all love dearly—Hubert Humphrey. (Prolonged applause)

Vice President Hubert H. Humphrey: Thank you. Thank you very much.

(The Delegates' attention was drawn to the Official Photographer at the rear of the Auditorium, who then took a Convention Photograph.)

Vice President Humphrey: President Dennis and President-Emeritus Harrison—old friend George—and George Gibbons, Grand Secretary-Treasurer; the many Vice Presidents, of whom I will have something to say in just a moment; and members of the Board; and Delegates here to the great Convention—I believe it is your 23rd, am I correct?—of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes; and anyone else we can organize (laughter and applause).

You know, when I heard that voice coming from the back of the hall a while ago, I said, "Well, it's just like it has been at these recent meetings I have been attending. Somebody intended to give the speech instead of me." (Laughter) Then, when I came in here and saw three podiums from which to speak, I said, "Well, this is the first convention in which I have ever been able to sing in a trio." (Laughter) I thought possibly we were going to have George Harrison over here and President Dennis over here and the Vice President in the middle as usual. (Laughter)

But I see they are going to let me have it all alone for a little while. And I do want to thank you.

First, may I say how pleased all of us are, of course, to have you in this great City of Minneapolis. I know the Mayor of Minneapolis already has given you a warm welcome. If you have not heard from the distinguished Mayor of St. Paul, Mayor Byrne, you will. Mayor Naftalin of Minneapolis and Mayor Byrne of St. Paul are both very, very good mayors, both of them the leaders of great cities, and both of them Democrats. I just thought I would toss that in. (Laughter and applause)

This is strictly a non-partisan gathering. That is the way I thought I would start. (Laughter)

I noticed the Brotherhood of Railway Clerks has a very, very impressive roster of officers. I really feel sorry for President Dennis, according to what President Johnson tells me about Vice Presidents. He only has one, and look at the trouble he is in. (Laughter) President Dennis has nine. Or, there is another way of putting it: I am overworked. (Laughter) If it takes nine vice presidents for this great labor organization, I think you will agree that just to be one Vice President of the United States means that you are really sort of a member of a "company union"; you are being overworked all the time. (Laughter)

Truly, I am highly honored to be at your Convention. This is not my first experience with you, and it is a very singular pleasure for me to come back and to greet you in my home city, to say a few words to you about our country, to talk with you just a little bit about our common concerns, and to share with you a few minutes of friendship and fellowship.

First, I want to take this opportunity to express a very sincere thanks to your Officers, to your Board members, to the membership of this growing and spendid organization for your support, not only in recent years, but throughout all of the years of my public life. I am ever grateful.

I can remember the days when your President Emeritus would come here and speak for me and help me, always speaking up and working for social and economic and progressive democracy. I considered it a high honor to enjoy the friendship of and to be privileged to share in the friendship of your distinguished President, Grand President Dennis. He is a good man. He represents the best in American Labor, and I salute you for him. (Applause)

I want to express, too, our thanks to the Chairman of this Convention, Chairman Heidenreich for his arrangements and for all the effort that has gone into making this Convention what it will be. You have a big program ahead of you.

My goodness, I am glad I got on while you are still fresh. (Laughter) But you will enjoy it here. I am sure the weather will improve every day. (Laughter) We will try to keep the Minnesota Twins around occasionally. They have been doing all right until they were derailed yesterday. (Laughter) I don't know whether it had anything to do with your coming to town or not. (Laughter)

It is a good ball club, and I am an enthusiastic supporter.

I think I should let you know, though, that when I first became Vice President, I was so enthusiastic about the local ball team that I kept talking about it wherever I went. Then, when the Twins were the champs in the American League, I supported them, of course, in the World's Series. I received a letter from a lady in Los Angeles—and you may recall the Los Angeles Dodgers were the opposition in that series—and the victors—and I received a letter that read like this:

"Mr. Vice President: I am a Democrat, and I voted for you and President Johnson. But I did not vote for you to be Vice President of Minnesota. I voted for you to be Vice President of the United States. I am for the Dodgers, and why don't you shut up?" (Laughter and applause)

So I have to be exceedingly careful now about my parochialism of interest. I have to remind my fellow Minnesotans when I am back here that if I say a good word about California, New York or Texas, or Maine or Florida, don't think that I am any less faithful to Minnesota. It is just that I have wider responsibilities, and I ought to tend to them, which I try to do.

Now, this morning I want to talk to you about not your union as such, because you know how to run your union. I do not think you need to have people come to you from outside and tell you how to organize, to tell you how to tend to your business. You have done very well with it. You represent high quality citizenship. You represent experienced, long experienced, trade unionism, and you represent a bulwark of strength in this country. We are grateful to you for your responsibility and your sense of civic service. You represent a great industry, a tremendous industry, the transportation industry. It is a growing industry.

I think one out of every five dollars of our economy relates to transportation, and you represent an industry, if I have been properly informed by your President, that is a growing industry in terms of the handling of freight—tonnage of freight. You represent an industry that is one of the largest employers in the railroad industry. There are today almost seven hundred and fifty thousand—I think seven hundred and thirty-seven thousands—employes in the railroad industry.

To those who have any dismal pictures to paint and feel that the world is not what it ought to be and look with a degree of pessimism upon the future, I think we ought to point out about the railroad industry, of which you are an integral part, that the railroads have reduced the cost of freight handling by fifteen per cent since 1958, and that in 1965 railroads handled seven hundred and five billion tons of freight, which compared with six hundred and fifty billion ton miles in 1956.

Seven hundred and five billion ton miles of freight in 1965 compared to six hundred fifty billion ton miles in 1956. This doesn't represent retardation. It doesn't represent regression. It represents progress. And a few years ago everybody was predicting that the passenger service on railroads would be all over. Well, now what do you think is happening?

As we study the problems of communication in the metropolitan areas, as we study the problems of communication on the Eastern Seaboard, for example, communication and transportation, it is now pretty well agreed that the future of mass movement in transportation is rail transportation.

In late 1965, the President of the United States signed legislation calling for a $90 million experiment—a three-year study of high-speed rail transportation in the so-called Northeast Corridor from Boston to Washington, Boston-New York to Washington, Boston to Providence. I know you are very familiar with this. The first demonstration run between Washington and New York will come soon. I believe it will be a success. In fact, quite frankly, it has to be a success!

You know, any nation that plans on putting a man on the moon and bringing him back ought to be able to get him from New York to Washington in less than a week—don't you think? (Laughter and applause)

So we have our challenges before us and we have our problems, but I think we have the people that know what to do about it.

I have heard your President speak about the new technological and scientific advances that are taking place in transportation. I know of his concern and your concern about automation. I know of his concern and your about the computers that make some of the decisions that control some of the movement of men and materials on rails. But I also know that President Dennis said that it is members of this union that run the computers. And as long as you keep it that way, you can look upon the computers as a friend and not as an enemy.

As a matter of fact, a growing economy—that this is what we have and that is what we are going to have—is going to require more man hours, and it is going to require more people, no matter how much we mechanize. Needless to say, we will mechanize. It is inevitable, and in the long run, it is desirable. But the purpose of automation and mechanization is not to deny people the benefits of a good life. The purpose is to make possible the good life.

That is why when we look down the road the next twenty years, we look to a shorter work week. When we look down the road the next twenty to twenty-five years, and even less than that, we must look in terms of collective bargaining in negotiation and wage and price policy, in terms of a shorter week and a higher wage, the better use of leisure time, and the improved standard of living.

I heard Tom Watson, the President of IBM, International Business Machines, speak not long ago in Washington. He predicted by the year 1980 a twenty-five hour work week would be characteristic of the American work scene.

And then he said, "The question is, what will we do with the time that we have available?" And that is why today we plan a much richer, an enriched culturally, educationally better life for our people, and that is why we are so interested in the education of our young. That is why we are so interested in the development of community programs, because trade union members are not just members of a great union. Trade union members are also members of families, churches, fraternal orders; they are members of veterans' organizations; they are members of a host of civic organizations. And the purpose of America was well stated in the Declaration of Independence, and it was a bold purpose, a revoluntionary purpose, at the time it was uttered, and it still is one, and that purpose is life—a life with liberty, which makes possible the pursuit for happiness.

This is the first time that an organized society ever proclaimed *such high ideals. Not* just survival, but life in its full meaning. Not just some grants or gratuities that some monarch would give to us, but individual liberty without license; individual freedom with responsibility. And the purpose of it all: the pursuit of happiness, the happiness that comes not so much with things as it comes with satisfactions, as it comes with understanding that things are as you want them for your loved ones, for yourself, and for your country.

These are high ideals and noble objectives, but I am here to say that we have done a good deal to achieve them, and to obtain them. And I ask this audience, for the moment that I have with you today, to look to the future.

I know that every one of us can be very, very pessimistic about all of the things that we hear of contemporary life if all you want to concentrate on are the racial tensions, the riots, the disturbances, the crime, the corruption, the war. You can soon lose faith as to man's ability and capacity to govern himself, or as to his purpose here on earth. But I ask you to lift your eyes to a broader scene and to new horizons. Keep your feet on the ground, but gaze at the stars, because there is a brighter future and there is a great deal that is going on today that is simply fantastic, incredibly good.

I spoke to a young group last night—honor students up at Chisholm, Minnesota. One-third of the total graduating class were honor students, under the highest standards. One-third of the graduating class—47 honor students, A students and B students, every one of them going on to college. Every one of them was the son or a daughter of a working man or a shopkeeper; not the son or daughter of a privileged or unusually rich family in the entire group. And what a great opportunity they have ahead of them, and yet what great challenges. But what tremendous resources they represent in terms of human ability and energy and capacity. And I feel that that young generation that is now taking off, so to speak, leaving its high schools this year, and leaving college, the high school graduate and the college graduate of this year, while he faces a very uncertain future, he is better equipped to manage that future than any other before him, and there is literally opportunity unlimited—unlimited opportunities.

He lives in the space age. He lives in the age of nuclear technology. He lives in the age of fantastic scientific and technological development. He lives in a time when life will be extended. He lives at a time when more children will be educated than ever before. And he lives at a time when men have created the instruments of total destruction. And yet, those same men that create these implements of total destruction, if they are properly motivated, if they have high enough ethical standards, if they are sufficiently moral, can change that same power for destruction into power for construction, power for good, power to tame and conquer disease; power, if you please, to change even and control the weather; power to move men and material to new heights of achievement and accomplishment.

It is here, and I made up my mind a long time ago that I was not a natural born pessimist. There are some people who are never so happy as when they are unhappy, and they are never so unhappy as when they are happy. I am not one of those. I leave pessimism to other people who seem to enjoy that more than I do. I am essentially and basically an optimist. Yes, I hope a realistic, cautious optimist, but I have seen enough in my lifetime to know that you can make progress. I have seen enough in my lifetime to know that you can have a better life, despite all of the terrible things that happen, despite wars and despite depressions and natural calamities. I have lived to see an America *that is more prosperous than ever before. I* have tried to see a world that has recovered from a tragic World War II. I have lived to see a world today where the cause of freedom is not in retreat, but where totalitarianism and dictatorship is in retreat, and I know that much of this is due to the great achievements of the American people. And as the Vice President of this country, the second-highest office within the gift of the American people, I feel prayerfully grateful and humbly proud—prayerfully grateful for the blessings that are ours, and humbly proud of the accomplishments that are ours, because never in the history of all the world have so few done so much to influence so many for social and economic progress and basic good as the American people have been able to do in the 20th Century. I think this a a remarkable thing! (Applause)

Now let me just remind you for a moment of some of the current things. I am in government, and I speak primarily of the work of government. I am not unaware of the fact that America is more than government. Most of the things that happen in our lives are not government. They are what happen at our home and our community, and where we live. But government has a role to play, and the role of government today is not to dominate, but to cooperate. The role is to be a partner and not a boss. And every one of us in public life needs to remember that. Sometimes we forget it.

And there is a new partnership today in America which has been very real. We are beginning to grow up. We have a partnership of government at all levels of government. It used to be the pattern of the day that if you were a mayor of a city or the governor of a state, if you had any troubles, you blamed the Federal Government, and if you were in the Federal Government and you had troubles, you blamed the state and local government. Well, that day is all over. People are too smart to listen to that demagoguery, because that is just a coverup. If we have problems today, the fact is we are all guilty, and we all have responsibilities, and today the partnership is between Federal, state and local government, and we are asking each one of those partners to get updated, to be ready to work together, not to be a drag on the other.

And then there was a time when you had people in government who spent all of their time talking about labor bosses and labor crooks, or somebody else would talk about economic royalists. I hope that day is over, too, because it wasn't fair. And today there is a better working relationship between government, and labor, and management. Not the perfect one, not the one that doesn't have its difficulties, as we well know—but it is better. And I will tell you why it is better. Because it has to be. We can't afford division—at least deep division—in our country.

So we have this new partnership, and the reason is that every single problem that we face today is so big that it requires the best of us. How can we rebuild our cities, where over eighty per cent of the American people will live by the year 1975? How can we do it unless we work together? And yet our cities today are sick in many areas. They need curative treatment. Many of them need to be remodeled, redesigned. But we can do it.

You know, I have said so many times that any nation that can afford to put a man on the moon—and we will and we can—that that same country and that same nation can afford to help put a man on his feet right here on earth. (Applause) We can do it. (Applause)

Because—make no mistake of it—very few of you are going to the moon. There are some people who are suggesting that I should make the trip. (Laughter) I have some candidates of my own for that. (Laughter) Most *of us are going to live right here, and there*fore we had better make the most out of what we have here.

I have quite a time joking with our President about this. I am Chairman of the Space Council in Washington, handling all of these activities of outer space—at least coordinating them between the civilian and the military. The Congress gave me that responsibility, to be Chairman of the activities in space. I am also Chairman of what we call the Council on Marine Resources, that is oceanography, dealing with the oceans, the fish life, the tides, the currents, the minerals, the gas, the oil, everything that goes into the seas, and the government and private industry working together to develop those resources.

I told the President one day, I said, "Mr. President, you know, I looked at the map and I find that 71 per cent of the earth's surface, the surface of the globe, is water; 29 per cent is land; and of the 29 per cent you have about 4 per cent of it that is under your jurisdiction."

I said, "Mr. President, did you ever realize who is doing the most work?" (Laughter) "Here I am with 17 per cent (laughter) of the waters of the earth, and you with just about 4 or 5 per cent of the 29 per cent of the land surface of the earth." And I said, "What is more, Mr. President, my fish cause me less trouble than your people." (Laughter and applause)

Somebody said to me not long ago, they said, "Well, they must not think much of you down in Washington, Mr. Vice President."

I said, "Why is that?"

They said, "Every time the Congress gives you something to do, first of all it was the space agency, secondly it was oceanography. Whenever Congress gives you something to do, they show what they think of you. They give you a job out of this world, or in the bottom of the ocean." (Laughter)

But I will tell you what these two jobs have done for me. They have given me some sense of perspective as to what there is to do, and some sense of understanding of the meaning of science and technology, and its impact upon humankind.

So, to revert to my theme, the wonderful things what lie ahead, the things that we can do, and the things that we ought to be doing, and the necessity of all of us trying to pull our share of the load, and this is why the effort is being made in this country, and we must make it around the world to harness the human, and physical and material resources for building purposes, nation building, and to try to get people to understand that if we are going to rebuild our cities, if we are going to make efforts towards world peace, if we are going to be able to keep our water systems clean, if we are going to meet the problems of communication and transportation, it is going to take a tremendous effort.

Government cannot do it alone. You cannot do it alone. Management cannot do it alone. Private industry cannot do it alone. We have to do it together, and we have to do it in freedom, because the choices are getting to be pretty clear. Either it will be done as the communists try to do it with a totalitarian state system in which you have no rights, and in which everything, human beings and material things, are managed and directed by the State and that does work—not well, but it is being done—or it will be done by a system of freedom in which each of us preserves our own identity, in which each of us has our own area of freedom, but we also have our area of responsibility, in which we preserve our identity in cooperation, in which we preserve our freedom in responsibility. And we have to make our choice one way or another, because the day in which everybody can go at his own, without regard to the other fellow, the day in which a person in public life thinks these problems can be handled by government alone, or a man in private life that thinks the government has no role to play, and it ought to be handled privately all alone, that day is all over, and those are the days for demagogues, not the day for people who are realistic and who love their country, and have something that they want to do for their fellow man.

Well, we have been busy everywhere. People are working hard these days, and people are concerned.

This is the period of rapid change. There has been more change that has taken place in the last twenty-five years, or the last fifty years, let us put it that way, than the preceding 5,000. No doubt about it.

There is more change in science and technology in the last fifty years than the preceding five thousand; there are more scientists living today than in all of previous recorded history; more doctors living today than in the preceding 300 years; more teachers at work today than the preceding 100 years all added together.

So we are changing, and changing rapidly. I can remember only a few years ago when we used to talk about the possibility of a $100 billion economy. Last year it was $750 billions. The United States of America, with six per cent of the world's population, produced over forty per cent of all the wealth of the world last year.

Our country, the United States of America had—well, let's put it this way—all of Europe put together last year, all of Europe, exclusive of the Soviet Union, all of Western Europe produced about two-thirds as much as the United States did; $475 billion, we, $750 billion. Unbelievable economic growth, movements of people, tremendous social changes, racial changes.

Who would ever have believed fifteen years ago, ten years ago, that we would have had the legislation we have on the statute books today relating to Civil Rights? Who would ever have believed that we would have been doing what we are doing in education?

I introduced the first bill in 1949, in the Congress of the United States for Medicare. May 17, 1949. And my bill was entitled "Hospital and Nursing Home Care under terms of Social Security for Persons aged 65 and over." (Applause) And they almost ran me out of Congress.

I said, and I meant it, they almost ran me out of Congress. I sent a letter home to some of my constituents that month, in 1949, and I said, "What do you think of this bill?" And they told me. I have never dared let my wife read the letters. (Laughter) I have never received such a lacing down in my life.

Nevertheless, we kept at it, and we have gained a victory. Tremendous change. The 89th Congress, I think, was one of the great break-through Congresses of all times. And I just listed down a few things that happened in that 89th Congress, and I don't want you to think that we are content with that, because I learned something in public life. People are not interested in what you did, as much as they are interested in what you are going to do. It does not do a great deal of good just to talk about where you have been. People want to know where you are going to go. Some people have some good suggestions, too. (Laughter)

But at least, to get some idea of what you are going to do for tomorrow, and where you ought to go, you ought to know what you have done, and where you have been. That is the purpose of history. It does not mean that it guides you. It means that it gives you a sense of direction.

Well, what did we do in these last few years?

We have done great things in the field of education. We have provided medical and hospital care for senior citizens. And we have a billion dollars worth of research underway right now in such diseases as heart, and cancer and stroke. And I want to make a prediction here that before the year 2000 arrives—in fact, in the next fifteen years—heart disease, cancer and stroke will have the same category on the disease charts as polio and some others that we have conquered. We are close now to making fundamental breakthroughs, and what a blessing that will be, because when I look over this audience, I know that the statistics tell me that one out of every three will have some form of cancer, and I also know that the statistics tell me that one out of five will die of it. That is the average audience.

And I want to tell you that I can think of nothing that would be more important to the health and the happiness and the pursuit of happiness to the American family than if every woman in this audience would know that her life would never be afflicted by cancer. And if every mother and father would know that it would never strike their family. It has struck mine. I know of what I speak. And what a day that will be.

And then think of heart disease and stroke, and we are learning so much, and we are pouring in resources to do something about it. And we are making progress towards a cleaner and a more beautiful America. Here we are in the state of 10,000 lakes. I think it would be good if you would ask sometime some of the public officials of this state how many of your lakes are clean, or have the people defiled them? How many rivers are unpolluted? Can your children go to swim safely in them?

The problem of water supply. We are beginning to do something about it. We have made the beginnings, and remember, the longest journey is the first step. And we have made that first step. When I hear people say, "Well, I don't think you, Mr. Humphrey, and your President, Lyndon Johnson, I don't think you two have done much"—and I hear that plenty—I say, "Well, I am sure we haven't done enough, but the beginnings are what count."

It was the first union that was organized, it was the first day that we passed Social Security, the first Minimum Wage law was only twenty cents an hour. The beginnings.

Once we get the beginnings, we can build on it. But it is the break-through, it is the start, and I have seen too many people in my life who never wanted to make the beginnings, because they were not sure what the endings would be like, or I have seen all of these highly intelligent people who say, "We have to wait for more facts." And they died while they were waiting.

Somebody once said, "What's the difference in the short run and the long run?"

I believe in the long run, but I want to tell you I also believe even more emphatically in the short run. The difference is that in the long run you are all dead; and it is the short run that we are working on. It is the starts, the beginnings that will help you achieve the long run.

We are making progress, and improving our highways, and the beautifictaion of our countryside, and recreation for a population that will soon be over 200 million. And why shouldn't we? We are entitled to have parks, and forests, and wilderness areas, and lakes and campsites.

As an urbanized population becomes the pattern of the day, we need more of the out of doors, and it requires men in public life to have the courage, the fortitude, to resist the special interests who want to take all the land and use it for commercial purposes.

We need to protect this great heritage, because your grandchildren, your great grandchildren deserve a chance for a day in a canoe in a clean lake. They deserve a chance to go to a national park; they deserve a chance to have wholesome, clean outdoors. God did not intend that the atmosphere be polluted by man's machines. And air pollution, and water pollution are indefensible, and your Government is doing something about it—beginning.

We are doing something about revitalizing our cities, and we need your help. Modernization of our cities, the establishment of a new department of urbanization and urban development. We are doing something about human relations. A great revolution is taking place in this country in human relations. If it seems turbulent at times, remember that every change is turbulent.

I fly a great deal, and I looked at the map this morning, and I noticed that the weather between here and the Appalachians was clear. I noticed that the man who was talking about the weather and showed me the map on the television this morning said that there was a front, on the eastern seaboard. It is the bad weather that moved through here. It moved towards the East.

Now I know just as sure as I am talking to you now that when we pass through that front, from one system into another, that we will hit a period of turbulence. And we also wonder, don't we, if the pilot is capable, if the craft in which we fly, or in which we move is strong enough to weather that tension, and that strain.

Well, my dear fellow Americans, we are moving from one old system into another, a system of segregation into integration. We are moving from a system where we had two kinds of citizenship, a citizenship for the whites, and another kind for the blacks, and we are moving out of that into one citizenship for one people, one nation under God, indivisible, with liberty and justice for all. (Applause)

And I know that when we move into that system, when we move through these two social forces, we are going to have some turbulence, and all we have to hope and pray is that we have built a society strong enough to take it. And we have to hope that we have people who are managing things, who are directing things, like a pilot who knows his business, and has fortitude and courage and training, and can bring us through.

And just as surely as I stand before you, if we have those two things, and faith in ourselves, we are going to come out in clear skies. And you know what it is like after a storm passes through. The air is better than ever. You have been there, you have seen it. After those storms pass through, it is just crystal clear, and the air that you breathe literally just is perfumed with cleanliness and wholesomeness.

That is exactly what is happening in America if we can last it out. The greatest single social experiment that any nation has even tried, to have one citizenship for one people. To have a nation that is not divided, but a nation that is united.

It was Lincoln who told us, "We are testing to see whether this nation or any other nation that has a government of the people, by the people and for the people can long endure." He told us that over a hundred years ago, and he said to us that we are being tested as to whether we will meanly lose or nobly save the last best hope on earth.

He was right then, and that was a hundred years ago. He is still right today. That is what makes Lincoln great. He was immortal. He was a man for all seasons and all time. He understood the verities of life.

So we are building and building. We even have built a new Department of Transportation, which your great union supported. It was long overdue. We are making progress.

What has this meant? I am not going to keep you any longer, except to be specific. Generalities are not enough for pragmatic and sensible people, even though we need to have ideals and goals. People say, "Well, for instance, what have you done?" Many people think what we are engaged in today is a war on poverty, and I guess that is a good way to describe it. The President has said that what we are trying to do is build a Great Society. Franklin Roosevelt said it was a New Deal. Woodrow Wilson called it a New Freedom. Theodore Roosevelt called it a Square Deal. Harry S. Truman called it a Fair Deal. John Kennedy spoke of it as the New Frontier. Lyndon Johnson speaks of it as the Great Society.

I would like to call it, in my own words, An Adventure in Opportunity.

I will tell you why.

What everybody really wants is a chance to be himself. What everybody wants is a chance to live and to work. As that poet and author of the 1930's, Thomas Wolfe, put it, he wants a chance to make something of himself. Every man seeks to combine together those qualities that will permit him to make the most of his life. This is the promise of America.

We are in a great adventure. We are doing something with it. No other people on the face of the earth are doing as much.

This Adventure in Opportunity did not start with Lyndon Johnson or Hubert Humphrey. It started early in our country; but it has had new impetus.

Franklin Roosevelt was a part of it with Social Security and Minimum Wage and the National Labor Relations Act, just to mention three. It includes the Full Employment policies of Harry S. Truman, and it includes a host of legislative enactments of the Kennedy and Johnson Administrations, a policy to create an environment of trust and of confidence.

The War on Poverty or this Adventure in Opportunity includes Medicare, the Economic Development Administration, Aid to Elementary and Secondary Schools, the Office of Economic Opportunity. So when I speak to you now of the achievements that we have made thus far, I am not speaking of one little segment of our activity. I am speaking of this whole spectrum of activities that all of you are familiar with in one way or another.

What are these programs and policies achieving and what have they achieved? Because we have so many people telling you what has not been done, maybe you ought to know what is being done. Not that you should be satisfied. I hope you never are satisfied. It is so that you can properly judge whether or not the policies that are being pursued show any promise of fulfillment. I think they do.

Let me give you a few facts. Five million more Americans are at work today than a year ago. That's not bad. Wages are the highest in our history, and unemployment is the lowest in 13 years.

More than one million persons are receiving job training under Federal programs today, compared to none only six years ago. Think of that. We are reaching down into the hard core of the unemployed. We are reaching down into the jobless youth. We are reaching down into that Negro boy in the ghetto whose heart is filled with bitterness and hatred, who has never had a job in his life, who comes from a broken family, who lives in a dilapidated neighborhood, who has had little or no education, who has never known what it is to have responsibility.

My fellow Americans, we are reaching down and finding those Americans, and a million of them are getting trained this morning—one million. Six years ago none of them were, and there were more of them than there are now that needed training.

I know that a million is not enough; but I know, too, that it is a million more than other people did, a million more than anybody else dared to dream of or dared to do anything about.

I have been to these urban centers. I have been to these training programs. I know what it means. When I hear the critics say, "Well, you are not doing much," I said, "Where were you when the fight was on, you Monday morning quarterback? Where were you? You were sitting off in the bleachers while the battle was going on in the field, an armchair general, unwilling to get into the smoke and the din of battle."

We have had to do it the hard way, by trial and error. We have made mistakes. The only way not to make mistakes is to be totally paralyzed, inactive or dead. (Applause.)

There are six million young Americans in college today, and there are one million of them there because your Federal Government, through its Aid to Education programs, is helping them, in work study programs, scholarships and fellowships.

There were five million people that received Medicare help since last July 30th, in hospital and nursing home care. Three and a half million of the elderly received doctor's care. The hospitals received $2 billion in payments. The doctors have received over $200 million in payments. The five million that went to a hospital went to the hospital of their choice. The three and a half million that received medical care went to a doctor of their choice, and their bills were paid by their Government under a social insurance program called Medicare.

I think that's progress. (Applause)

A million and a half children, ages 3 to 5, pre-schoolers, have been in Project Head Start in the last two and a half years. Some of them for the first time in their lives have had a decent meal. Some of them for the first time in their lives have had a medical checkup. And some of them for the first time in their lives have had a chance for a wholesome environment. Project Head Start—all of you here, the mothers particularly—know of what I speak. It is a wonderful experience, not only for the children, but, as it is said, a little child shall lead them, and if you follow the chid back home, you will find out what the problem is. It is not the child that is wrong. We are finding out in Project Start, by working with the parents, the depth of our social problem, going back into the community.

We have 900,000 young people in the Neighborhood Youth Corps programs, youngsters that never have had a job, that are today doing good work and learning something about work. Thirty-five thousand young people from the slums of our cities, from the poor schools, youngsters that were tested and found to have a high I.Q., yet youngsters that were lost, young men and women that were bitter, young men and women that had no intention of going on to school. Thirty-five thousand of them.

My fellow Americans, they have been lifted out of that depravity, frustration and bitterness, and they are on to universities today, in this day and age, 1967. They are at Minnesota, Michigan, Yale, Duke, in California; they are all over America. Thirty-five thousand of them in Project Upward Bound.

How do you know but amongst those 35,000 will be found the doctor or the scientist that will discover the cure that we look for in the field of disease, or will make some great achievement? All I know of is that these are 35,000 of the brightest young Americans that were lost, just as lost as if they had been drowned, and they had been rescued, and they are on to universities and colleges.

No other country in the world has ever done anything like that.

And there are 50,000 graduates of Job Corps Centers, and 35,000 more are in training.

The Job Corps gets a lot of heat. Everytime you want to get a good news story, go and find something wrong in a Job Corps Center.

I want to let you in on the Job Corps Center. I am the author of the legislation, and I know of what I speak. The Job Corps Center and the youngsters that go to the Job Corps in the main, the overwhelming majority, over 95 per cent of them were dropouts before they ever went. They were in trouble with the law, many of them. They were referred to the Job Corps by social workers or juvenile judges or a school authority, because this was their last chance. They are ages 16 to 20, and 95 per cent of them were poorly educated. Five per cent of them had had jobs. The average wage of the 5 per cent that had a job was 70 cents an hour.

What do you think has happened to the 50,000 that have graduated? Their average wage is $1.91 an hour. Seventy per cent of the graduates got good jobs. Twenty per cent of the graduates went back to school. Ten percent of the graduates joined the American Armed Forces.

Now, I ask you: Wasn't it worth it? Wasn't it worth it to have 50,000 young men and women make something out of their lives, rather than to be sources of disappointment to themselves and their community? I think so. I don't think America will ever impoverish itself by investing in its people. I think we will be better. (Applause)

Finally, may I say that eight million youngsters are getting an education this year that never had it before in elementary and secondary education because of Aid to Education—Federal aid to education. We used to kill every Federal aid to education program on the issue of race or religion. You would pass it in the Senate, and they would kill it in the House. You would pass it in the House the next year, and they would kill it in the Senate. It was like a sort of ping pong game or tennis match, and the "education ball" hit the net every other time you hit it, and it failed.

Finally, you got a President who was a country school teacher, who taught in a Mexican-American school down in Texas. That President said, "Well, what about making Federal Aid to Education to the child? Why don't we talk about the children? Why don't we identify the Government of the United States and its services with people rather than with states or churches or districts? Let's talk about people."

Today we have a tremendous program of

aid to education. We have tripled the Federal Government's investment in education in less than four years.

What has it meant? It has meant that America is being better educated. It has meant that millions of youngsters that never had a chance in their lives, for the first time have a chance.

My fellow Americans, you either believe what you say or you don't. If you believe that this is one nation under God and indivisible, you believe it or you are a hyprocrite if you don't practice it. If you believe in liberty and justice for all, the word means exactly what it says. I happen to believe that we do believe it. I think we have to act on those beliefs. But I also know that we need everybody today. I know that we can't afford to have one-sixth of our people out of the mainstream of American life. I know that we can't afford to continue to have lawlessness and violence in our streets. I know that we must enforce the law, but I know we must also make possible opportunity. That is what we are trying to do.

We are engaged in a mighty enterprise. We are not working on the easy things any more. Jobs are available to most people. Education is available to most people. Health is available to most people. But the test of a Great Society is not only what you do for most people but what do you do for the least of these.

Franklin Roosevelt once said that it is not the duty of government to see to it that those who already have too much have more. But it is the responsibility of government to see to it that those who have too little have enough.

Thomas Jefferson said that the only legitimate objective of government is the health, the education, and the happiness of the people. And I am proud to work in a government and be a part of a government, and prouder yet to be a citizen of a nation, that believes that the highest priority of every service is the enrichment of the lives of our fellow citizens. And I am proud to come before a great union that has done so much for its own members. Your lives are better because of your union. America is better because of this union. The railroads are better because of this union. The communities are better because of this union.

I know of no force in America that has done more for the uplifting of the standard of living in America than organized labor. And I have been proud all of my public life to be called a friend of labor. I have been proud and valued the support of labor and I am exceedingly proud this morning to have been your invited guest to this, your 23rd Convention, because I know that I am in the household of good people. I know that I speak to good citizens. I know that I speak to people who will not only admire and respect their union and its leadership, but, more importantly, you are patriots. You love your country. You have given of yourself and your sons and your daughters. You have a sense of dedication to what this nation believes in and stands for.

So permit me to say goodbye on that note and to thank you so much for letting me in this house to share these thoughts with you, my fellow Americans. Good morning.

(The delegation arose and there was prolonged applause.)

Vice President Humphrey: Thank you.

A CHANCE FOR THE RURAL POOR

Mr. NELSON. Mr. President, for too many years the rural poor have been largely forgotten in the Nation's efforts to combat poverty and unemployment. Millions of dollars have been poured into our teeming cities to provide education, training, and jobs; but relatively little attention has been paid to the severe manpower crisis in our vast rural areas.

As a result, millions of impoverished individuals and families have abandoned the farms and small towns to seek better opportunities in the cities. There they have all too often found continued economic frustration and deprivation, and have only intensified the problem facing the cities' already overburdened education, welfare, and employment programs.

A. Philip Randolph succinctly posed the issue in a recent statement submitted to the President's Commission on Rural Poverty:

> In the generation from 1940 to 1965, some 25 million people left agriculture. Is this not one of the great migrations in the world's history? Yet in all that quarter of a century, we have seen no coherent plan or program or social purposes either to help these millions remain on the land or prepare them for the changed environment of the cities into which they thronged.

In the past year, the Federal Government has given increased emphasis to programs meeting the challenge of rural poverty. Community action programs have now been developed and launched in over 1,500 rural counties. Through work experience programs such as the community betterment and beautification program, which I had the privilege to sponsor, thousands of rural poor have been provided useful, productive employment.

Much, of course, remains to be done. But a start has at least been made. Indicative of the ferment and progress in the Nation's rural areas are the many program developments documented monthly in Rural Opportunities, an information bulletin published by the community action program of the Office of Economic Opportunity. Its pages reflect the promising changes that are now underway in rural America. In order that these achievements may receive more widespread notice, I ask unanimous consent that the bulletins for April and May be printed in the RECORD.

There being no objection, the bulletins were ordered to be printed in the RECORD, as follows:

[From the April 1967 issue of Rural Opportunities]

NEIGHBORHOOD YOUTH CORPS—A CHANCE FOR RURAL YOUTH

Rural poverty is deceptive. It is undramatic but intense. Its victims are often apathetic but proud. Its isolation sets up obstacles that are major barriers to assistance.

The record of the U.S. Labor Department's Neighborhood Youth Corps in rural areas is good: some 40% of the 1.8 million youth eligible for the Neighborhood Youth Corps live in rural areas. During the first two years of NYC operation, slightly less than half of the 3,104 projects were in rural areas; 31% of the 1 million job opportunities were for rural youth and 48 states had rural projects.

With the passage of the Economic Opportunity Amendments Act of 1966, we have additional tools that make it possible to launch even more effective work-training and job creation programs in rural areas.

As the result of these amendments and agreements between the Office of Economic Opportunity and the United States Department of Labor, the Labor Department will set up the Bureau of Work Programs to administer youth and adult work experience programs. They include: the Neighborhood Youth Corps (Title 1, Part B), Adult Work-Experience Training Programs (Title II, Sec. 205d); New Careers (Title II, Sec. 205e), and Special Impact (Title 1, Part D).

With the exception of Special Impact, which has a strictly urban orientation, all of these programs can play a significant part in dissipating rural poverty.

And—as has been the case with the Neighborhood Youth Corps—the Bureau of Work Programs welcomes the support and resources of rural Community Action Agencies in these efforts. The Secretary of Labor and the Director of the Office of Economic Opportunity have agreed that projects under these programs will be developed by or with CAAs. Sponsorship by other than CAAs will take place only when there is no available CAA or when there exists a compelling argument against such sponsorship.

The recent legislative amendments affecting NYC have particular implications for rural youth. Under the new legislation the age requirements for in-school youth, formerly set at 16–21, have been lowered. Eligibility is now geared not only to students attending the 9th through the 12th grades but also to those attending elementary school who are the age of those in grades 9–12.

Aware of both the growing migration of young people from rural areas to the cities and the need to create new opportunities for work in rural areas, the NYC has emphasized to its sponsors the necessity for work-experience that can lead to permanent jobs in the hometown areas as well as work-experience that is transferable. NYC enrollees have served as aides in many employment fields, such as pollution control, drafting, clerical work, food services, research, surveying, education, health and landscaping.

Under the new legislation, enrollees are no longer limited to work-assignments with public and private non-profit agencies but may be assigned to work stations with private employers. This makes it possible to broaden the exposure and experience of enrollees and can have two results particularly important for rural youth: It can prepare and motivate these youths to enter, on a career basis, new industries that may be developing in their home-areas; and, for those who move to an urban locality, it can help provide a desperately needed orientation on available urban jobs.

Location of a project in a rural area or town will be one of the priority considerations in approving proposals for Adult Work-Experience Training Programs. To be approved by the Bureau of Work Programs, proposals must include, as their prime objective, training for permanent jobs in the competitive job market. The employing agency is urged to provide permanent employment opportunities for and to hire those persons who receive work-training and who qualify for such jobs. A substantial portion of the Fiscal Year 1967 funds appropriated for this program, which was formerly administered by OEO, have been committed. As part of planning for the future, the Bureau of Work Programs will, at a later date, review and evaluate these on-going programs for their consistency with the new guidelines. The New Careers programs will emphasize focus on the creation of additional and permanent jobs as support personnel in public service. Rural areas are eligible for inclusion in the program which will initially operate on demonstration and selective basis. Projects will be authorized only in those communities where there is opportunity for upward mobility and where the wage-rate is equivalent to the Federal or State minimum or the prevailing wage in the area—whichever is highest.

The New Career projects can lead the way in demonstrating how rural communities can solve some of their most serious problems, such as shortages of available professional personnel; limited community services and lack of employment opportunities.

Not all of these problems can be solved through legislation. Some will depend for their solution on human creativity. The Bureau of Work Programs looks forward to maximizing cooperative creative efforts with rural CAAs directed at elimination of rural poverty.

Jack Howard,
Administrator, Bureau of Work Programs, U.S. Department of Labor.

HEAD START WORKSHOP IN MISSISSIPPI

Eager to talk about their Head Start program, Amite, Pike, and Wilkinson County, Mississippi, citizens filled the big courtroom in Magnolia, February 17 and 18. For two hours Friday evening, February 17, interested individuals poured out their complaints and registered their disapprovals against what they felt was wrong.

Chester Sims, analyst, Atlanta, OEO; Bob Golter, consultant, Nashville; and Joseph Bradford, Rural Services Division, Washington, OEO, listened and attempted to provide some answers. Unable to give all the answers, the three workshop directors grouped complaints and questions into four categories: Employment Practices and Procedures; Recruitment and Enrollment of White Children; Center Locations; and, Board Reconstitution and Reorganization—for further discussion.

Returning in full force Saturday morning, the audience divided into four groups, each taking one of the four topics for discussion and recommendations. The groups pored over complaints and questions and tried to come up with answers and procedures to resolve their numerous problems.

The two-session workshop proved to be an exercise in community action such as had never occurred in the three-county Community Action Agency previously. Although all complaints were not satisfied, nor all questions answered, greater measures of information and understanding were provided.

CAP Board and staff members, delegate agency board and staff, Head Start Center and staff members, together with many community representatives, shared the sessions.

Follow-up Committees on Recruitment of white children and involvement of white parents, and Reconstitution and Reorganization of delegate agency boards, were appointed.

HUMPHREY URGES CO-OPS TO BANISH RURAL POVERTY

Throwing out a challenge to "banish poverty from rural America," Vice President Hubert H. Humphrey set the theme for the 25th annual meeting of the National Rural Electric Cooperative Association when more than 8,000 members met in San Francisco in February.

Revitalization of rural areas was stressed in speeches and panel discussions throughout the convention, and the Association passed a unanimous resolution to accelerate efforts in rural development. The resolution also urged its member systems to assume leadership in rural development. Many rural electric systems are already participating in local anti-poverty and economic development programs.

Secretary of Agriculture Orville Freeman encouraged the rural electric delegates to use "the concept of the larger community" in order to accomplish "exciting and meaningful development." He pointed out that "formal political subdivision of county, township and municipality are being replaced by functional boundaries determined in practice by the commuting distance to jobs, availability of services within driving range, and other factors relating to present-day transportation and communication."

Jack T. Conway, former Deputy Director of OEO and now executive director, Industrial Union Department, urged the cooperatives to develop programs for "people-erosion control." Other speakers who stressed the urgency of improving rural life were Rural Electrification Administrator Norman M. Clapp; Hugh B. O'Hara, director of Rural Areas Development for REA; and B. H. Jarman, an educator from Middletown, Virginia, who urged that opportunities be created for young people to assume leadership roles in the rural community.

PRESIDENT'S COMMISSION ON RURAL POVERTY CLOSES HEARINGS IN WASHINGTON

Testimony, continued in Washington and given by Federal officials, organization representatives, individuals and the poor, confirmed the reports the Commission heard at its recent hearings held in Tucson and Memphis: that the array of anti-poverty programs on the American scene are still not solving the problem of the rural poor. Those problems are just piling up.

Agriculture Secretary Orville L. Freeman, testifying, said he hoped the Commission's hearings would impress "one indelible fact" on the national conscience. He stated that the Nation would pay for poverty, one way or the other, either through "endless generations of welfare payments," more crime and violence or through programs that trained, educated and provided work for the rural poor.

A. Philip Randolph, vice-chaiman of the National Sharecroppers Fund, who could not be present at the hearings, had his statement read. "We have enough committees, enough commissions, enough conferences. We need action."

"In the generation from 1940 to 1965, some 25 million people left agriculture. Is this not one of the great migrations in the world's history? Yet in all that quarter of a century, we have seen no coherent plan or program or social purposes either to help those millions remain on the land or prepare them for the changed environment of the cities into which they thronged."

Racial discrimination in U.S. sponsored farm programs was cited by William L. Taylor, staff director of the Civil Rights Commission. He told the President's Commission that there have been improvements in some programs in the past two years but while "some integration" has occurred in State Extension offices in the South, "to this day, no Negro holds a supervisory position at the county level." Services provided by these offices "are still carried on largely on a segregated basis."

The three-day hearings took in some 50 witnesses, among them, Bernard L. Boutin, Administrator of Small Business Administration; Undersecretary of Labor Millard Cass; Richard W. Boone of the Citizens Crusade Against Poverty; John Short, a former coal miner now living in the city; W. B. Murphy, President of Campbell Soup Company; and, Robert E. Simon, developer of the new town of Reston in nearby Virginia.

James G. Patton, past-President of the National Farmers Union offered a sweeping program in his testimony. Mr. Patton's plan included free education from the cradle to the grave, guaranteed income, a new "homestead act" providing land to anyone who wanted to farm, and the construction of "350 new three-level cities of 150,000 population right out in the middle of rural America."

The President's Commission is now in the process of sifting through and evaluating all the written and oral testimony submitted. Its report to President Johnson is due in September.

Excerpts from the testimony of Sargent Shriver, Director of the Office of Economic Opportunity, given February 17, 1967, to the President's National Advisory Commission on Rural Poverty

"I am here today to plead . . . the conservation of our rural people.

"We view the Community Action Program concept as a dynamic and ever-changing idea, which it must be in order to serve the needs of poor people in a dynamic and ever-changing economy.

"In some areas, race discrimination, long entrenched 'court house' stand-patism, or simply the lack of any community organization on which to build have kept community action from even getting off the ground. There are no simple solutions here. The fact that you as a Presidential Commission are devoting your time and talents to seeking solutions to rural poverty is adequate evidence of this.

"It will not surprise you to hear me say that the shortfall of funds is our most critical problem. . . . We are hopeful that the President's request for $2.1 billion in FY 1968 is treated more generously by the Congress than was the case last year. With these funds we can look forward to strengthening existing CAA's and creating at least 50 more in rural areas. . . ."

Recommendations made by Mr. Shriver

Grouping of CAA's into multi-county CAP agencies. Federations of Community Action Agencies.

Demonstration programs in pilot rural area for health, education, welfare and training.

Extension of legislation dealing with minimum wages, labor standards, unemployment insurance, and labor-management relations to all agricultural workers.

Extension of the U.S. Employment Service to rural areas, and inclusion of functions of Farm Placement Service as part of U.S.E.S.

Membership on Farmers Home Administration county committees more representative of the borrowers served by the various loan categories.

Reassessment by Federal agencies of their fund allocation procedures to insure an equitable share of program resources to rural areas.

Comprehensive financial assistance and counseling for rural poor who wish to seek urban employment.

EXTENSION SERVICE LOW-INCOME WORK

(Editor's Note.—This is the first in a series of columns in *Rural Opportunities* highlighting current Extension Service work and accomplishments with low-income families and groups. CAA staffs and Extension workers can complement each other's efforts to assist low-income individuals, families, and communities attain self-sufficiency.)

During the past few years the Cooperative Extension Service has greatly intensified its work with low-income families and groups. A 1966 study of how Extension workers spend their time shows that 28.6 percent is devoted to working with low-income families; 50.8 percent is spent working with farm families, of which 21.7 are classified by current standards as low-income. Some 28.9 percent of Extension's time is spent with rural nonfarm families of which 11.1 percent are low-income; and 20.3 percent is working with families living in areas of over 2,500 population of which 5.8 percent are low-income.

In its youth programs, Extension is working with 700,000 boys and girls from low-income families—one-third of its total 4-H enrollment. In relation to their distribution in the total U.S. population, a higher percentage of non-white youth are being served through 4-H white youth.

Some highlights

Following are some brief highlights of Extension work with Community Action Programs and with other low-income families and groups:

With the passage of the Economic Opportunity Act in 1964, the Extension Service undertook a massive educational effort to inform rural people of the provisions of the Act and to help them organize Community Action Programs.

Extension helped organize 781 CAP's, some of which were later combined into multi-county CAP's.

Extension workers helped develop and implement hundreds of component CAP projects, and are currently assisting with 1,742 such projects, both rural and urban.

Extension currently is supervising 4,057 professional and subprofessional workers assigned to OEO and related low-income projects.

In the past six months, Extension workers assisted in establishing 941 MDTA and other job training programs involving 28,552 participants.

Extension is currently working with some 3,152 community resource development committees, and 562 multi-county committees, on a wide range of projects ranging from job training and job development, housing, health, education, recreation, and other beneficial services.

The University of Missouri Extension Division recently completed an OEO-funded 12-month training program for rural CAP directors and staffs. Part I of the program was a series of 13 two-week workshops attended by 356 trainees from 46 states. Part II was the field follow-up of the training staff who worked individually with participants in their home areas on local problems. Regional follow-up conferences with participants was a part of this phase of the project.

The Federal Extension Service has prepared a series of 50 publications especially designed for low-literacy, low-income mothers and families. Copies are available from the Superintendent of Documents, Government Printing Office, Washington, D.C.

The Federal Extension Service and the Cooperative Extension Services of Alabama and Arkansas have teamed up in developing two pilot projects for the developing more effective methods of reaching and teaching hard-core low-income families and youth. Subprofessionals have been trained in a variety of skills to work directly with these families and individuals with striking results.

Extension home economists in 332 counties participating in the Food Stamp Program as of October, 1966, have assisted 142,555 participating families with nutrition education programs aimed at helping them make more effective use of the Food Stamp purchases.

Some 759,500 families in 1,565 counties participating in the program of direct distribution of food for needy families are being taught by Extension home economists how to use the food in preparing nutritious meals.

From July, 1965, through October of 1966, Extension Workers trained 9,711 nonprofessional aides for other agencies. During the same period, 745 nonprofessional aides were trained and supervised by Extension to work directly with low-income families.

During the past two summers, Extension has employed or supervised 6,721 low-income youth in various programs such as NYC and college work-study.

BRYAN PHIFER,
Federal Extension Service.

WAR-ON-RURAL POVERTY EXHIBIT SET FOR USDA PATIO, APRIL 10–21

"The Forge of Progress" will be the theme for a joint OEO–U.S. Department of Agriculture exhibit that will show with pictures, words and objects how low-income rural people benefit from the Economic Opportunity loan program, administered by the Farmers Home Administration, and other anti-poverty programs of the Office of Economic Opportunity and USDA.

Vice-President Humphrey has been invited to participate in the opening ceremonies for the event at the USDA on April 10.

Orville L. Freeman, Secretary of Agriculture, and R. Sargent Shriver, director of the Office of Economic Opportunity have been invited to join Vice-President Humphrey in the opening ceremony.

COAHOMA YOUTH HAPPY WITH LIFE IN JOB CORPS

Job Corps boys home on Christmas leave in Coahoma County, Mississippi, had visits from outreach workers of the Coahoma Opportunities CAA to discuss their Job Corps experiences.

Geographically, the 12 young Mississippians have gone a long way. Some are on the West Coast, some in mid-U.S.A., and some near the East Coast. They expressed conviction that they are also going a long way in their education and training. Some are learning welding, other such courses as carpentry, auto body repair, mechanics, heavy equipment operation, cooking, electronics, bricklaying, painting, and truck driving.

Generally the boys agreed that "Job Corps is a nice place to be." A typical comment came from 20-year-old James Riley, stationed at Poplar Bluff, Missouri: "I will be glad when the time comes to go back. I think other boys who are not going to school would do well to go into the Job Corps."

MOUNTAIN CRAFT TRAINING AND MARKETING PROGRAM

The mountain craft training and marketing program of W.A.M.Y.—a community action component—is designed to provide means by which low-income families and individuals can supplement their income. In each of the four counties, there is a crafts specialist who arranges for craft production training and assists the craftsmen in finding markets.

In the last quarter of 1966, October through December, 147 craftsmen in the four county area earned a total of $5,000. Many are learning to set up their own bazaars, make their own market contacts and will, eventually, become independent of the crafts specialist.

HOME DYEING NOT DEAD IN W.A.M.Y.

A crafts teacher and marketing specialist working for W.A.M.Y. Community Action in four North Carolina mountain communities—Watauga, Avery, Mitchell, Yancey—found Elsie Trivette in the mountain hamlet of Beech Mountain, near Banner Elk.

Mrs. Trivette makes her own dyes in the same way her mother did, using natural materials such as black walnut hulls and onion skins.

Now 55, Elsie Trivette was the youngest of 8 children and only 2 years old when her father died. "My mother taught all of us to dye and hook rugs and knot bedspreads. We supported ourselves."

Then, with 6 children of her own and a husband who was confined to a State hospital in 1938, once again Elsie Trivette turned to rug making for some income. Her children are grown now and she supports herself, living 21 miles from where she was born and raised.

The crafts specialist calls Elsie Trivette "one of the few true craftsmen in the mountains . . . she takes raw materials, creates designs and colors and turns out high quality finished products . . . the cross design came from studying her churn dashers . . . her rugs have beautifully muted colors because she dyes the burlap sacks before she ravels the material."

Making home dyes requires time and skill. Here is how Mrs. Trivette explains the process:

"I get my brown dyes from black walnut hulls. If I boil them inside a kitchen pan, I get a lighter shade than if I boil them outside in an old iron pot. Some of that iron in that old pot seems to mix with the dye." Onion hulls produce a yellow or orange dye when boiled. Apple tree bark produces a different shade of yellow; sumac burrs gives deep red and wine shades. Polk berry juice is good for making designs on burlap.

After the dye is made, Mrs. Trivette puts the burlap bags into the boiling dye and adds vinegar and salt to set the dye in the material. She gets the bags free from the neighboring farmers.

After the burlap is dyed, she ravels the material and hooks it into another burlap sack stretched on a frame. It takes 24 hours to complete a rug that sells for $15.00.

Mrs. Trivette takes orders for rugs. Write to: W.A.M.Y. Community Action, Inc., P.O. Box 552, Boone, North Carolina—28601.

FARMERS LEARN THROUGH DEMONSTRATIONS

Alabama's Cooperative Extension Service (District 11) took a "grassroots" approach in solving low-income family problems. Made up of 17 counties in southeast Alabama, the area is known as the Wiregrass Area and the principal crops are peanuts, cotton and livestock. Extension staffs conducted 256 low-income demonstrations during 1966. The demonstrations were kept simple and the emphasis was on increasing farm income and home food supply.

There were garden, corn, peanut, cotton and home meat supply demonstrations set up for the family units. One county took up commercial cucumber growing. The aim of the demonstrations was to show by example the value of those methods that would increase production, income and home food supply.

Assisting low-income families was designated the top priority item in the 1966 Extension program. County agents made regular visits to the low-income farmers and kept a record of their progress.

One of the most pleased demonstrators is George Rogers of Ozark, Alabama. Rogers had almost a complete crop failure in 1965. He made only 14 tons of peanuts on 50 acres—about one-third of the county's average yield. This year, through the help of the Extension Agent, he almost tripled his 1965 yields and sold 23 tons from a planted acreage of 32.

"Extension has been the difference," says Rogers, "operating money until my crops were harvested . . . coming by and reminding me of jobs that needed to be done . . . advising me on taking soil samples, planting dates, insect control and how and when to cultivate. I'm going to pay off my debts this year."

What about Rogers' neighbors? "They've watched my operation all year," reports Rogers, "and everyone of them says he is going to try to do the things I did to up his yields and income."

A Bullock County family of 11 received help from Extension and had good success increasing its food supply.

Mrs. Nettie B. Robbins knew she had to do some planning to properly feed her 10 children. Advice from the Extension Home Agent helped her decide the size garden she needed and size laying flock to supply enough eggs for eating and baking. "We ate about 500 pounds of fresh vegetables and put over 500 quarts in our freezer," says Mrs. Robbins. "This was a saving of over $500 for us."

"I'm well satisfied with our program in District 11," says District Extension Chairman J. C. Bullington. "We plan to expand next year by taking in more families and using this year's demonstrators as leaders in their respective communities.

"There is no doubt in my mind but that this program is going to spill over into hundreds of families and create better living conditions, and improve the State's economy and educational level in the process."

FREE BUS WILL BRING ELDERLY FOLKS TO CENTER

A free bus for elderly people in the Windham Area of Connecticut will make it possible for rural folks to enjoy the special services of a new CAA-sponsored Senior Citizens Center in Willimantic.

The Windham Area Community Action

Program is the first CAA in Connecticut to get a grant from the State Commission on Services to Elderly Persons for a senior citizens center. The community is making a $16,200 "in kind" contribution to match the Commission's $27,700 grant.

Free daily bus service throughout a ten-town area will enable rural people to participate in the Center's activities, as well as get to medical and dental care, to shops, and to the homes of their friends and relatives.

The center will be open five days a week. Among its services will be an information and referral center, social activities, and a senior citizen employment center. Geraldine Novotny, a gerontology specialist at the University of Connecticut, is director of the new center.

The Windham CAA recently merged with the neighboring Quinebaug Valley Action Committee. The new CAA, covering 20 towns, will retain the WACAP title. William Olds is the executive director of the agency.

NORTH CAROLINA MOUNTAIN COMMUNITY SOLVES WATER PROBLEM

The people of this mountain community in Avery County have got together to effect a minor miracle in their cove. And they did it by hard work in cooperation with their local community action agency.

First of all, what is Blevins Creek? It's a mile-long community of about thirty families whose houses are strung out along the namesake creek.

"Up until last year, the basic living wage per year would run somewhere between six hundred and a thousand dollars per family," says Walter Vance, a community leader who spearheaded the community's recent improvement drive.

"The basic income is from pulling off galax leaves," says Vance, who works in in a greenhouse which uses the leaves of the galax plant for floral decorations. A few people have found jobs with industries that have come in the past few years, but Blevins Creek is still one of the poorer sections of Avery County, Vance says.

Vance was instrumental in getting people together for a meeting on community problems. They soon discovered that one thing was on the people's minds: water.

"Only two or three families had water in their house," Vance explains. "And in the late fall, when our watershed was low, it was really rough for us to get water."

"Even in winter, when the watershed was high, there was snow, and the people still had to carry water, sometimes a quarter to a half a mile."

Generations of cove residents had trudged down mud paths to springs and shivered while the water slowly trickled into two-gallon buckets. Finally, the people of Blevins Creek had had enough, and they solved the problem—but it took a helping hand.

The help came from W.A.M.Y. Community Action, Inc., the local anti-poverty organization. "We called, and Mr. Jeffrey McArthur from W.A.M.Y. came," says Vance. "He helped us organize and got us ready to go see the man at the F.H.A."

The Farmer's Home Administration agreed to lend the group $12,000, a sum much larger than any single family could possibly have afforded. In addition, W.A.M.Y. made a $900 grant to the community group.

Vance explains that the men of Blevins Creek did much of the work themselves: "We contacted the construction people and got estimates and prices," he says, "and we made numerous trips to try to get all of our supplies ready and get the system set up to work efficiently."

W.A.M.Y.'s role didn't stop with helping the group organize. The Neighborhood Youth Corps program sponsored by the community action agency provided the labor force for laying part of the water lines.

Youth Corps enrollees—high school dropouts from low-income families—wielded picks and shovels, gouging out a pathway for the water through the rock-studded mountain earth. These enrollees, while earning money, also were receiving academic courses to help them finish their education.

The value of united action is shown by the relative ease with which the Blevins Creek residents will be able to repay their loan.

"We've set up a base pay of four dollars per month for each family to use the water," Vance says. "The four dollars will also go toward upkeep of the electrical part of the water system."

Community cooperation in Blevins Creek hasn't stopped with getting water lines. "We're fixing up the roads to our cemetery so we can get up there in bad weather," Vance says. "After that we're going to try to beautify our highway and get the trash off the sides of the road."

The people of Blevins Creek knew their problem, worked on it, and—with a helping hand—solved it. Their success is a lucid example of what the W.A.M.Y. people call "involvement of the poor." This means letting the poor decide what needs to be done and, as much as possible, letting them work on their own problems.

The people of Blevins Creek don't talk much about the "war on poverty"; instead, they speak of their community group and their local anti-poverty agency, W.A.M.Y. But, the new water lines in this mountain community are the evidence that the war on poverty is neither a "giveaway program" nor a "paper war."

CAP POSITION OPENINGS

Three positions are open in W.A.M.Y. Community Action, Inc., North Carolina. Apply to Ernest D. Eppley, Executive Director, W.A.M.Y., Box 552, Boone, North Carolina 28607; phone 704–264–2421:

Human Resources Planning Director. $12,000–$13,000. Master's degree or equivalent in planning, public administration or economics, strong background in social sciences; 3 years' professional experience including 1 year directive. To organize, direct staff of 5, pioneering in Appalachian anti-poverty planning on OEO demonstration grant.

Resources Specialist-Planner. $9,000–$10,000. Master's degree or equivalent in Planning, Public Administration or economics, familiarity with Federal assistance programs. To provide resource information inputs in comprehensive plan for 4-county Appalachian area; help plan, draft proposals to funding agencies.

Planning Intelligence Specialist. $9,000–$10,000. Master's degree or equivalent in social sciences. Experience in designing, operating continuous data collection systems; interpreting social, economic data. To provide population needs and program progress information for comprehensive anti-poverty planning process; also help evaluate programs draft plan.

Five positions are open in Community Action for Improvement, Inc., Georgia. Apply to P.O. Box 479, La Grange, Georgia 30240. Telephone 404–882–2946. Positions are:

Executive Director for 7-county CAA. Coordinate, direct programs. Experience, high degree of flexibility necessary. $12,000. Start immediately.

Co-op Director. Two positions open. To expand Farmers' Cooperative into unserved county. $7,200. To start April 1, subject to grant approval.

Center Director, Assistant Director. To develop, operate multi-purpose center in community of 7,000. Director, $7,800; Assistant Director, $7,200. To start April 1, subject to grant approval.

BRIEFS

The Citizens Crusade Against Poverty, a privately operated organization headquartered in Washington, D. C., is setting up a National Grievance and Information Center to help facilitate community action programs. The Center will work to expedite program proposals through government channels, and provide information to community groups about sources of funds. Representatives of welfare, industry, labor, religious organizations, civil rights groups, Indians and Mexican-American groups are on the 14-man steering committee for the Center.

RURAL CAP GRANTS [1]
(204–205–206–207)

February 28, 1967:

Cumulative grants to rural CAA's and single-purpose agencies: $227 million.

Fiscal Year '67 rural grants: $44.1 million.

Rural CAA's: 613.[2]

Rural counties funded: 1,536 (2,464 total).

Program Development grants: 666.

Conduct & Administration grants: 1,547 [3].

Demonstration, Training, Technical Assistance grants: 60.

[From the May 1967 issue of Rural Opportunities]

THE OUTLOOK FOR RURAL COMMUNITY ACTION

President Johnson's recent Poverty message and the current Congressional hearings on the War on Poverty are generating many questions about the status of rural community action. What is it doing? Where is it headed? And what can we do to move faster toward the goals of the War on Poverty?

The statistics can be stated very briefly: after two and a half years of CAP, 1,540 counties are organized in some 620 rural CAA's, with programs ranging from a single-county Program Development survey to a multicounty operation covering a dozen or more community activities.

The significance is not only in the numbers. It is in what the existence of these CAA's tells us—that a new force is at work in rural America today. By existing, and by conducting programs, these CAA's are demonstrating the potential of creativity and capability of the rural people.

In my short time in the Community Action Program, I have been impressed by the significant number of meaningful efforts rural communities are making to get at the roots of the problem of poverty. That we have not moved fast enough or hard enough is no reflection on the board members and others who have taken the time to study their communities and identify the means which must be used to solve the dilemma of local poverty.

We all recognize that rural areas have only made a beginning toward what needs to be done. In the coming year, the Rural Services Devision anticipates strong OEO support for rural community action. The thrust will be toward providing the rural poor with services and opportunities *where they are.* This will make it possible for them to remain in their own communities if they wish rather than being forced, by lack of services and opportunities, to migrate to a city.

To provide support to rural community action, we are projecting the following plans for CAP in the coming fiscal year:

Organization of 350 rural counties into 50 new CAA's. A massive buildup of managerial and technical competence in rural CAA's through technical assistance, training, and cooperation between rural areas and nearby urban centers.

Appointment of a rural specialist in each

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[1] Excluding grants for Migrant and Indian Programs.

[2] Adjusted total resulting from multicounty consolidations.

[3] Excluding Summer Head Start.

Regional office, to deal exclusively with programs for the rural poor.

Publication of a guideline handbook for rural community action. (This is now in preparation.)

Additional single-purpose agencies in areas where it is difficult to establish a broad-based CAA.

Increased use of the rural resource center or neighborhood service center to deploy services more effectively to rural poor.

Stepped-up use of the New Career program to train non-professionals in rural areas.

Increased interaction of rural agencies, including CAA's, for multi-county planning and economic development.

Improved liaison of Headquarters CAP with other Federal agencies to assure availability of programs to rural poor. This will include joint training programs, with U.S. Department of Agriculture and other agencies, conducted at the local level to focus team effort on solution of rural poverty problems.

A research and demonstration project in the field of rural transportation.

Community action has become a part of the life of rural America. Although it is now OEO-related by reasons of its funding, this relationship will change as CAA's become stronger and more self-reliant, and more interrelated with other community agencies.

Knowledge can indeed be power, and knowing how to plan and coordinate, how to use the interaction of agencies and programs, and how to develop local leadership and citizen participation—all this knowledge is developing a new dimension within the CAA areas, as rural people use community action to improve their lives.

IRA KAY,
Director, Rural Services Division.

CAREERS OPENING FOR DISADVANTAGED

A quiet revolution has taken place in Missouri, led by C. B. "Brice" Ratchford, vice president of the University of Missouri for Extension. Dr. Ratchford served on the original task force that studied ways to fight poverty in the months before the creation of the Office of Economic Opportunity.

The revolution brought about by his leadership in the area that is most meaningful to the disadvantaged—from 25 to 50 jobs will be opened up this year for non-professional employees in the Missouri Extension Service.

Dr. Ratchford credits OEO with showing that benefits could be gained from hiring disadvantaged persons. "Until we got involved in the War on Poverty, we never thought of hiring disadvantaged persons to work with our staff people. Now, we feel that they can provide the most effective way for us to accomplish our mission. They have unique skills, especially in being able to communicate with a hard-to-reach segment of rural Missourians. In certain cases they are much more effective than our usual professionals," Dr. Ratchford said.

Begin hiring July 1

The first year, according to Dr. Ratchford, the ratio of non-professionals to professionals may reach one-to-ten. "We have 385 professionals on our field staff now," he said, "and beginning July 1 we'll begin to hire trainees to work with our current employees. Starting salaries in most cases will be at least $260 per month, and salaries will probably be raised by 25 percent in six months. We'll be recruiting from the areas where the people will be working, and we'll offer upgrading to individuals who are currently employed in OEO projects. In most cases, we'll have four or five non-professionals working under the direction of one professional."

Favorable results have been reported from a preliminary study made of the employability of non-professionals after working in OEO programs delegated to the local Extension Service. "About 70 of those who left these programs are now working on full-time jobs." Dr. Ratchford said. "About a third of those who are working have found employment on other OEO projects, but private industry and other organizations are employing the other two-thirds. It looks as if there is a significant increase in employability for those who take part in these programs.

Study favorable

Another source of support for hiring non-professionals has come from a study by Dr. Darrell Hobbs, a professor of sociology at the University. Dr. Hobbs' study has shown that low-income and middle-income residents respond more positively to home visits and field work conducted by non-professionals than to those by professional outreach workers.

According to Dr. Ratchford, a number of other State cooperative extension services have been using non-professional employees on a trial basis with generally favorable results.

Two years ago, at the outset of Missouri Extension's involvement in OEO programs, Dr. Ratchford assigned Mrs. Catherine Zimmerman, a nationally-known consumer education and home economics expert, to coordinate the programs within Missouri. She is still hard at work on every level, especially on training of non-professionals.

Dr. Ratchford is eager to share the experience of Missouri Extension Service in reaching and serving disadvantaged rural poor, and in the use of non-professional employees. His address is Whitten Hall, University of Missouri, Columbia, Missouri 65201.

NEW BULLETIN OUT

"Storing Vegetables and Fruits in Basements, Cellars, Outbuildings and Pits" is the title of a new bulletin now available to those who wish to store these foods without refrigeration. Single copies are available from the Office of Information, U.S. Department of Agriculture, Washington 25, D.C. Ask for House and Garden Bulletin No. 119.

OKLAHOMA, COMMUNITIES IN ACTION SUMMARY

(NOTE.—Taken from the overall report by State Coordinator for Economic Opportunity, Robert L. Haught.)

"Community Action is not a new idea in Oklahoma. Indian tribes which populated the territory prior to statehood built schools for their children and formed governments to administer to common needs. Pioneer settlers faced and conquered the hardships of frontier life by helping one another. The struggle to survive united families together in a common bond. Those who homesteaded the area represented many nationalities and races and widely varied economic and social backgrounds. . .

The first OEO grant for Community Action in Oklahoma was approved by the Governor on April 14, 1965. It provided Program Development funds for Oklahoma County. About one month later, the first rural grant was made, to Pawnee County. By the end of 1965, a total of 23 counties had been funded.

During the first six months of 1966, the total rose to 54 counties with funded Community Action Agencies.

The funded CAA's include one which covers three counties and two which cover two counties each, for a total of 50 operating agencies. These 50 agencies are serving more than 90 percent of the low-income population of the state. . .

Governing the activities of the 50 CAA's are around 1,200 board members—local citizens who contribute their time and talents without compensation. Of the total, some 350 are representatives of the poor. About one-fourth of the board members come from minority groups.

Among the CAA staffs are many from the low-income group who have become employed as directors, assistant directors, secretaries or neighborhood workers. The meaning of such a job is expressed . . . by a woman employee:

" 'In the time I have been (working) in the CAP office, I have . . . a deep feeling of accomplishment . . . I know the feeling of going to bed hungry and the embarrassment of going to school without a decent pair of shoes to wear . . . since being with Community Action I have found that the people in the big offices downtown have more feeling and desire toward the poorer class than I ever dreamed it was possible.

Community Action has come so far in (our) county . . . if OEO should close our office . . . Community Action would not die . . . too many people have seen the ray of light, and they want to get a little closer to that cloud of prosperity and self-respect.' "

Oklahoma Community Action may be summarized as follows:

Head Start—During the first year, summer of 1965, Oklahoma had 184 centers in 44 counties serving 7,237 children. In 1966, there were 332 centers in 51 counties serving 7,497 children.

Upward Bound—Five educational institutions served 500 students in 41 counties.

General Youth Programs—Nine counties have child day care centers, youth recreation and other such programs serving 19,145 children.

Multi-Service Centers—Centers are located at Picher in Ottawa County, Muskogee, Chickasha and Idabel, and they serve approximately 40,320 low-income citizens.

Legal Services—Oklahoma has two programs, one at Oklahoma City, the other in Delaware County. The latter is the first rural county to be funded. Together these programs serve 99,243 low-income citizens.

Health Programs—Family Planning programs have been funded in six counties. Two counties—Coal and Johnston—have county-wide health programs, and Hughes County has a program for dental care and eyeglasses. Oklahoma has a unique Indian dietary program. A total of 14,865 low-income citizens are served by these programs.

Migrant Programs—An Adult Basic Education and job training program for 125 members of migrant families was funded for Harmon, Jackson and Greer Counties.

Oklahomans helping themselves

A Cherokee Indian, who made his living by cutting and hauling wood, was stopped one day while driving his pickup truck without a license. He was ordered to quit driving until he got a license, thus halting his source of income. He walked from his home in a remote part of the county to the county seat to take the driver's test. Because of the language barrier, and because he was lacking in reading ability, he had to make the trip three times before he could pass the written examination and qualify for a license. Through a Community Action driver's education program, others like him are now learning the skills necessary to pass the driver's test.

Oklahomans helping their communities

The once-wealthy mining town of Picher all but died when the lead and zinc mines closed down a few years ago. Members of the Picher's Lions Club took the lead in putting the community back on its feet. With an Economic Opportunity grant, a multi-purpose neighborhood center was created, offering educational, health, housing, employment and social services.

EXTENSION SERVICE LOW-INCOME WORK

This column by the Federal Extension Service is a regular feature of *Rural Opportunities*. It tells how CAA staffs and Extension workers complement each other's efforts to assist low-income people in rural areas.

Last month's column provided a broad overview of many Extension Service activities with low-income families and groups. These ranged from job training and job development to teaching better uses of donated foods, and included work with many different organizations and agencies serving the poor. This month's column features some of the results of Extension work with low-income groups and communities, and may provide ideas that you will find useful.

Indian women operate successful cooperative

The Rocky Boy Reservation in Montana offers limited job opportunities to the 900 Chippewa and Cree Indians who live there.

In an effort to provide work and income, a two-month MDTA training course in leather decorating was conducted in 1965. This proved to be the start of a productive and profitable venture.

The Hill County Extension Service home economist, Mrs. Elinor Clack, was asked to be in charge of the school. Two Indian women were selected to be instructors. Twenty women took the course and decided to form a cooperative, the Chippewa-Cree Craft Guild. They asked Mrs. Clack to serve as their advisor.

During the last week of the school the women sold their beadwork at a bazaar to gain experience in meeting the public and in pricing items. They donated the proceeds to the Guild. Mrs. Clack entered samples of their work in the Indian Exhibition in Charlotte, North Carolina, where they rated an "honorable mention." This was the encouragement the Indians needed to continue.

Bank shows faith

Their first contract—really a subcontract to furnish 1,150 sets of beaded purses, bracelets, pins and earrings—was for the Cheyenne Arts and Crafts at St. Labre Mission. It took courage, faith and much hard work to accept a contract costing several thousand dollars when the cooperative bank balance was only $110.90. The Havre Bank had enough faith in the venture to approve a loan. In less than four months the order was filled, the loan repaid, and $67 left in the cooperative bank account. The women were paid $6,000. This is an impressive record, but the women recognized there was much yet to learn about production, advertising, management and salesmanship.

The future of this cooperative effort now looks quite promising. Last year the cooperative:

Had a contract with Guild Arts and Crafts of Farmington, New York, and Ashland, Montana, for 475 *dozen pairs* of modern earrings.

Developed a nationwide mail order business.

Supplied several shops with crafts for tourist trade.

Managed to get Rocky Boy Yo-Yo's featured by an Ohio firm.

Provided special quill work for a client in California.

Made beaded ties for a New York outlet.

The Indian women have become very versatile. They can copy lodge insigni and brands, and make rug designs. They enjoy expanding their craft to serve their customers' needs, as well as providing traditional Indian crafts. Moreover, their cooperative is financially solvent and they look forward to expanding their business.

Agents Assist CAP's

In addition to the Indian cooperative, Mrs. Clack and Extension Agent R. A. Roush also are helping with several CAP projects. Under the Nelson amendment, 18 Indian women were trained and employed to make dolls and quilts. The dolls were sold to purchase materials for the quilts which, in turn, are donated to needy elderly people.

Mrs. Clack and Mr. Roush also conducted weekly training meetings over a six-month period for both Indian men and women employed under Nelson amendment funds and for NYC enrollees. This training ranged all the way from developing job skills to teaching money management, health, sanitation, nutrition, grooming and other personal habits.

The latest project which the Rocky Boy Indians are trying to develop with Extension and OEO assistance is a pole furniture and upholstering industry. Some 30 women already are enrolled in training classes in preparation for launching this industry.

Any reader of Rural Opportunities who wishes to purchase Indian crafts from the Chippewa-Cree Craft Guild or who would like to serve as a sales outlet should write to the Guild in care of Box 707, Havre, Montana 59501.

BRYAN PHIFER,
Federal Extension Service.

ADAMS-BROWN COUNTIES, OHIO, SALUTE NYC

A special issue of News Notes & Observations, the newsletter put out by Adams-Brown Counties Office of Economic Opportunity, has been dedicated to the Neighborhood Youth Corps Program . . . "to all who have shared in the success and failures of a year's involvement . . . the staff, the employer, the teacher, the enrollee, and the general public."

Naming their NYC program "Operation Bootstrap" the CAP lists and salutes user agencies and organizations who have given a lift to the 400 NYC youth in the 16 through 21 age group in the year's program.

The West Union High School was singled out for special praise in offering space and equipment for weekly classes for the NYC enrollees studying courses such as: office routine, general business, typing, and operating complicated office equipment.

The County Home Extension Agent came in to teach the girls money management, health and hygiene, and homemaking. A church in Georgetown organized a commercial class for nine girls, mainly special handicapped NYC enrollees.

In closing their salute, the CAP newsletter states: "As with any program operating in unmapped territory, NYC has had to feel its way. Statistics can be used to prove anything. We can proudly boast that at least 50 percent of the enrollees who complete the six months training period have permanent employment. But can we not also count many others as at least partial success? We've set new values that are bound to clash with old standards . . ."

NATIONAL CONFERENCE ON RURAL YOUTH SET FOR WASHINGTON

President Lyndon B. Johnson has announced that a National Outlook Conference on Rural Youth will be held in Washington, D.C., October 23 to 26. The event will be sponsored jointly by five federal agencies—the Departments of Agriculture, Interior, Labor, Health, Education, and Welfare, and the Office of Economic Opportunity.

The theme of the three-day meeting will be "New Prospects for Rural Youth." The sessions will focus on the economic, social, health, educational, and employment conditions affecting rural youth. It is hoped that the Conference will encourage State and local groups to conduct programs to meet the needs of rural youth.

A factbook of material relating to rural youth, situations, trends, problems and opportunities is being compiled by the five participating agencies.

About 750 persons from public and private organizations and agencies, and interested individuals throughout the Nation will be invited to take part.

SPOKANE COUNTY YOUTH WILL BE FOSTER FARMERS

Boys and girls in Spokane County, Washington, will have an opportunity this summer to become Foster Farmers, living and working for wages on nearby farms.

The Rural Neighborhood Development Program of the Community Action Council developed the Foster Farmers program. Youth from the city and from rural areas will be recruited and screened through the Spokane Youth Opportunity Center.

Each Foster Farmer will become part of the family on the farm where he works. The Pomona Grange will locate farms on which the youth will be placed. Result: needed farm labor for the farmers, work experience and income for the boys and girls, and better mutual understanding of city and rural people.

GILBERT CREEK FOLKS GET THEIR OWN STORE

When the people along Gilbert Creek decided they were tired of "owing their souls to the company store," they knew how to go about solving their problem—through community action. Mingo County, West Virginia, Economic Opportunity Corporation has organized 30 communities for community action, and the Gilbert Creek group is one of these.

The tiny community consists of frame and tarpaper homes strung out along a mine-residue-polluted stream. Although the area is described as a "billion dollar coal field," most family heads are unemployed. Like families everywhere, the folks in the Gilbert Creek Community Action Group have felt the pinch of rising prices. Last fall they came up with an answer—a community-owned low-profit grocery store.

No Federal funds

On their own—and with not a penny of Federal funds—the group formed a corporation and sold 543 shares of stock at $10 a share. The community group kept a majority of the stock. With working capital in hand, it proceeded to rent a small cinder-block building on the creek bank, and renovate it for a store—hundreds of man-hours went into this.

Then they began to line up their suppliers—not an easy job. They had expected to be able to buy on consignment, but wholesalers would not agree to this, so capital had to be invested in stock for the store. Truckers were suspicious of this new kind of enterprise, and at first refused their services.

By December, however, in spite of all obstacles, the store was in business, and has been gaining in volume steadily. December sales were $2,700, March sales $8,000.

The business operates on a 10 percent markup, and employs two people fulltime and one parttime. Seventeen wholesalers supply the store, and trucking service is no longer a problem.

Handle food stamps

Hostile at first, merchants in the area are beginning to temper their opposition. The U.S. Department of Agriculture questioned the suitability of the store for Food Stamp participation, but after investigation permitted it to handle stamp sales.

The people of Gilbert Creek are happy to have a store close at hand, and to have their food prices cut. They give their store credit for bringing down prices in other area stores too. Now they are exploring a plan to set up a credit union, with their store providing the initial capital.

Charles W. Cline, the elementary school principal, who is president of the new corporation, feels the store is a success. "Foodstuff on the table is what this is all about," he says. "Nobody's getting rich, but the people aren't being taken either."

KIDS GET DENTAL CARE IN OHIO CAA PROGRAM

"Look, Ma, no cavities" may well be the feeling of 900 children who are getting dental care—their first, for many youngsters—through the Dental Treatment and Educational program of the Tri-County Community Action Program Committee in Ohio. The CAA covers Athen, Hockin, and Perry Counties.

In Athens County 11 children from one family—including three sets of twins—are receiving their first dental care through the program.

Schools and the county health and welfare departments are assisting in the program. Low-income families were informed of it through the schools.

Ninety percent of the dentists in the three-county area are participating. Each child sees the dentist an average of four times, for cleaning and fillings, extractions and fluoride treatment as needed. Average cost per child is $40.

In addition to the dental care, the tri-county program is providing dental education through films, talks, and demonstrations.

JOB CORPS EARNS THANKS

The 890 citizens of Golconda, Illinois of Pope County have a special affection for the men of the Golconda Job Corps.

Twenty-two Job Corpsmen pitched in and helped restore the First Presbyterian Church, a landmark since 1869, after a fire had demolished the structure.

While the officers of the church were meeting to try to decide how to remove the debris from their house of worship, the telephone rang and Wayne Bell, 32, director of the Golconda Job Corps, said his men were anxious to help.

The Job Corps members put on their working clothes, protective helmet, rolled up their sleeves, and went about the business of removing several tons of debris. A church spokesman said: "Working at a rapid pace, they finished the job in a remarkably short time."

JOINT OEO–TV PROGRAM

WBIR–TV, Knoxville, Tenn., has completed the showing of six original War on Poverty TV programs drawn directly from CAA's in Tennessee, Kentucky, North Carolina and Virginia counties covered by the station.

Pete Fennelly, Program Director of WBIR–TV says that he isn't through, that there is more to tell about the wonderful achievements of the poverty program. He aims to bring in two more shows on the Economic Opportunity Loans which are administered by the Farmers Home Administration showing what they have meant to the low-income farmers.

FEEDER PIG PROGRAM PAYS DIVIDENDS IN SOUTH CAROLINA

The Williamsburg County Division of the Williamsburg-Lee Counties (South Carolina) Economic Opportunity Council, Inc. completed work on the pastures, fences and houses of 16 low-income farmers early enough this year for the farmers to make some profit on their pig raising.

James Wilson, one of the four families that sold pigs, is a typical example.

Wilson's expenses for buying 6 Bred Gilts, fencing, houses, equipment, pastures, planting and feed amounted to $1150. In the 6 month period, he sold 48 pigs, kept 2 pigs for home use, received a rebate on fence construction and pasture planting—all this totalling $943.

Mr. Wilson still has his fencing, houses, equipment, pastures, as well as many pigs (five of his brood sows farrowed 62 pigs) for future yields on his investment.

The FHA has approved more Economic Opportunity loans for additional low-income farmers who will soon be joining the Feeder Pig Project. The County Agent, FHA, Soil Conservation Service, and Agricultural Stabilization Service have all pitched in with valuable advice in making this a successful program.

"WHERE TO TURN"

Fond du Lac (Wisc.) Area Economic Opportunity Committee, Inc. has an attractive pamphlet out titled "Where To Turn"— listing all the community facilities available for the senior citizen: health resources, social activities, financial help, employment, counseling and advice, and learning.

The material for the pamphlet was compiled by the community action agency, the format arranged by a volunteer committee of senior citizens, and the printing was donated by a local manufacturer—a good example of how a community action agency can get the resources of the community together to help a segment of its population.

Ten thousand copies were printed. For a copy, write to: Fond du Lac Area Economic Opportunity Committee, Inc., 146 Forest Ave., Fond du Lac, Wisc. 54935.

CAP POSITION OPENING

Executive director of Franklin Community Action Corporation, Inc., Greenfield, Massachusetts. Résumé to Gerald F. McCarthy, Vice-President, 39 Federal Street, Greenfield, Mass.

VERMONT TRAINS OLDER AMERICANS

A pilot project for the aging, part-time library aides, has proven to be an enthusiastic success if judged by the many requests coming in from libraries in the 3 Vermont counties of Orleans, Caledonia and Essex.

The model program, funded by the Administration On Aging of the Department of Health, Education, and Welfare, and sponsored by the CAA—Orleans County Council of Social Agencies—has been in operation since January.

Believed to be the only program of its kind in the country, this demonstration project is intended to provide meaningful employment for the older American as well as opportunity for libraries to expand their services through the additional assistance. The program will last 12 months and will be evaluated by a team from the University of Vermont to judge its effectiveness.

So far, 13 library aides are working in St. Johnsbury, Hardwick, Canaan, Troy, Derby, Gilman, Barnet, Barton, Danville, Craftsbury, Concord, Lunenburg, and Island Pond. There are three libraries on the waiting list and the program will have to expand to meet the requests.

The aides receive $1.50 an hour and work a half week, earning $20. This is in line with Social Security regulations. To most of them the money is important, but just as important is the feeling of usefulness as expressed by one 67-year-old library aide when she said: "I feel as though I have just rejoined life."

Their one-week formal training included: care of the book collection, cataloging and processing of books, circulation systems, reference work, and general library management. While working in the library, the aides continue with in-service training.

Rural libraries, which were only open 4 hours a week, have now been able to expand their hours because of the library aide services. The advantage of expanding hours in library service makes it possible for the library to be eligible for State support in the request for more books for its readers.

Donald H. Donnelly, head of the pilot project, said that since the program has been in effect, he hasn't "ceased to be surprised" at just how much it has done for the aging in bringing them back into the life of the community. They have only one male library aide—69-year-old R. Dale Sleeper from Danville who used to manage a general store. The others go up to 84 years of age.

RURAL CAP GRANTS[1]

(March 31, 1967)

Cumulative grants to rural CAA's and single-purpose agencies: $248 million.

Fiscal Year '67 rural grants: $64.8 million.
Rural CAA's: 615.
Rural counties funded: 1,539 (2,464 total).
Program Development grants: 673.
Conduct & Administration grants: 1,755[2].
Demonstration, Training, Technical Assistance grants: 65.

BRIEFS

Martin County Community Action, Inc., in Williamston, North Carolina, is making good use of the local air waves. Through the courtesy of radio station WIAM, the CAA has a weekly broadcast every Thursday afternoon telling about its activities. Recent programs were about homemaker aides, small business loans to low-income people, and PACE—Plan Assuring College Education.

QUINCO Economic Opportunity Agency, Inc.—Marion, Monroe, Ralls, Shelby, and Pike Counties, Missouri, has Mobile Dental Units operating in the area. The Dental Unit examines and treats youngsters 6, 7, and 8 years of age whose parents are among the low-income citizenry. These Mobile Units operate throughout Missouri with about 50% of the funds being supplied from OEO.

An encouraging start on a Comprehensive Manpower Development Center has been made by West Central Development Corporation, Iowa (Crawford, Harrison, Monona and Shelby Counties). The Center has had 482 walk-in clients, 33 cases have been before the reviewing panel, 67 persons have had counseling, 8 placements have been completed. The center has processed 26 NYC applicants and placed them in work stations, and has placed one youth in on-the-job training and another in vocational training. Six youths have signed up for Job Corps. The Division of Vocational Rehabilitation is working with 21 people.

Residents of Eight-CAP, Inc., Michigan (Isabella, Montcalm, Gratiot, and Ionia Counties) are serving on a group of committees to formulate programs. The committees are: Education, Housing, Health and Welfare, Employment and Manpower, Programs for the Aged, Rural Farm Programs, and Area Residents.

Books have arrived on the Standing Rock Indian Reservation in North Dakota—ten tons of them, collected by a friend of "Tracy the VISTA," delivered through the generosity of North American Van Lines of Fort Wayne, Indiana, and unloaded at Cannonball by Job Corps men from the Lewis and Clark Center in Bismarck. The books are being divided up for distribution to the community center libraries on the reservation. Another 500 books have been received from the University of Utah student body and library.

Clay-Wilkins Opportunity Council, Minnesota, was recently refunded for its health program for prevention and treatment of alcoholism. Families and individuals receive counseling, and referrals are made to hospitals and Alcoholics Anonymous. There is also an educational program.

ARGUMENTS IN FAVOR OF SST IGNORE LARGER SOCIAL AND ECONOMIC COSTS

Mr. PROXMIRE. Mr. President, if Congress approves the $198 million appropriation the Federal Aviation Administration wants in order to carry on with the development of a supersonic transport, it will have made a regrettable decision—a decision that may well prove irrevocable in spite of the intolerable social and economic costs that now seem likely to result.

If the SST prototypes, which this appropriation would finance, are built, I fear there will be no turning back. The pressure of past expenditures in this venture—as in so many others in which the Federal Government has become involved—will push us, however unwilling, into the production stage. And then—make no mistake about it—the SST's will fly. They will fly even though the initial cost per plane and the daily cost of operating them may be so incredibly high that many airlines may be driven into bankruptcy or merger or total Government takeover. They will fly even though they may bring in their wake an undesirable concentration—or even a monopoly—in the aircraft manufacturing industry. And they will fly—over both land and sea—even if a way to muffle the disturbing, destructive, and incessant sonic boom has not been found.

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[1] 204–205–206–207 grants, excluding grants to Migrant and Indian programs.

[2] Excluding Summer Head Start.

We must realize before it is too late—as Karl M. Ruppenthal of Stanford University has said—that "political, economic, and social questions of considerable magnitude have yet to be assessed." We have totally ignored them so far. We have plunged into the SST adventure based on an equation in which much weight is given to elements of national pride and technical leadership and to a spurious argument that the plane will somehow reap enormous benefits for our balance-of-payments position. Nowhere in this equation is any weight given to what the SST would do to the quality of life on this globe.

It is always possible, of course, that those who care about the quality of life will win out over the hell-for-leather, speed-at-any-cost advocates. It is possible that those who value a modicum of peace and quiet, those who, by some oversight, have failed to ensconce themselves in homes, or offices or factories designed—like Frank Lloyd Wright's Imperial Hotel—to withstand the veritable earthquake of SST booms in tightly woven carpets of pandemonium across the country, will bring enough political pressure to ban SST flights over populated land areas. Several foreign governments have already indicated they will bar supersonic flights over their countries if the sonic boom proves disturbing. The shipping and fishing industries may win a similar ban over sea lanes and fishing grounds. And then where will the SST be? All may not be lost. The call for supersonic service between Nome and the Sandwich Islands may have picked up considerably by then. The more likely outcome, however, is a $4 billion loss to the American taxpayer. He is the only one taking any sizable risk in this venture. And when he loses, he is going to ask questions. Was there no logical point along the way, he will ask, when we could have abandoned this nonsensical contraption and have spent our money on something of value? Mr. President, we are now at that point. The time to stop it is now. We cannot afford it. We have serious domestic problems to attend to. We are fighting a war. Our budget deficit is spiraling, which has a deleterious effect on the health and stability of our economy. With all of this, let us not allow our attention and our money to be diverted into a senseless game of chance in which the prize is a booby trap.

Mr. President, there is already evidence that thoughtful citizens are organizing in determined opposition to the SST. A group, made up mostly of scientists, has been organized in Cambridge, Mass., called the Citizens League Against the Sonic Boom. The league purchased a half-page advertisement in the June 16, 1967, edition of the New York Times in which 21 pertinent questions about the SST were answered. A news article describing the league appeared in the June 18, 1967, edition of the Times. I ask unanimous consent that both the advertisement and the article be printed at this point in the Record.

There being no objection, the advertisement and article were ordered to be printed in the Record, as follows:

[From the New York Times, June 16, 1967]

The Threat of the SST and Its Shattering Sonic Boom—Questions and Answers Concerning the Proposed Supersonic Transport Plane and the Sonic Boom It Would Produce—Material Prepared by Scientists of the Citizens League Against the Sonic Boom

1. What is a supersonic plane?

One that travels faster than sound, i.e., more than about 700 miles per hour. The proposed Boeing supersonic transport is designed to fly at about 1800 mph, or about 2½ times the speed of sound.

2. Does the proposed SST have any advantage over convention jet planes?

Yes: speed. On a flight from New York to London it would save the passengers about 3 hours.

3. Has it any disadvantages?

Yes. Many. It is extremely expensive (about $35 million each). It will require higher fare than on the principal competing planes, the so-called jumbo jets which will be in use quite soon. Its cruising range will be shorter. It poses many new safety problems. But *its worst feature is the inevitable sonic boom.*

4. Just what is a sonic boom?

A very loud, very sudden *bang,* something like the "bang" produced by a moderate size explosion a block away. The bang is the result of an intense shock-wave produced by the SST as it hurtles through the air.

5. Where does this boom occur?

It occurs *everywhere along the entire supersonic flight path.* That is, it follows along behind the plane *all the way,* striking every house and every person along this path.

6. How wide is the bang-zone?

About 50 miles wide, when the plane is at cruising altitude. If an SST flies across USA, the sonic boom would strike every one in an area about 50 miles wide by 2000 miles long—an area more than ten times the area of Massachusetts. Every man, woman and child in this area could be struck by the boom from a *single* SST.

7. Does this mean that a single SST could deliver its bone-shaking jolt to a million people?

Worse: more like 20,000,000 people. Consider this: In about five minutes time a single SST could boom *everyone* on Long Island—all 5,000,000, people, all animals, all schools, all hospitals.

8. How much does the sonic boom bother people?

Very much. In a five-month-long series of sonic boom tests conducted in Oklahoma City in 1964 with supersonic military planes, government investigators found that a large fraction of the population hated the boom. 15,000 persons complained to authorities. More than 4,000 filed formal damage claims. A poll taken near the end of the test series showed that more than one quarter of the population were so startled and so annoyed by the booms that they declared they would never learn to live with it. Laboratory tests of various kinds have shown that a large fraction of persons find booms to be extremely annoying; an appreciable fraction show a sudden increase in rate of heartbeat when struck unexpectedly by the boom. Harm done to babies, to nervous people, to heart patients, etc., has not yet been evaluated satisfactorily.

9. Does the boom bother animals?

Yes. It can cause panic and stampedes among large animals. It can cause mink to kill their offspring.

10. Why does the sonic boom bother people if they are already used to city noises of all kinds?

Because it is so sudden, and there is no warning. The effect can be very startling; disrupting; sometimes even terrifying.

11. Will the boom annoy me less when I am indoors?

Tests have shown that, often, it is *more* annoying indoors, perhaps because of reverberation effects and the shaking of the whole house.

12. How about damage to houses: Can the sonic boom do serious harm?

Yes. In the Oklahoma City tests mentioned above, a single house was virtually split in two, and a court awarded the owner $10,000 in damages. Many other houses suffered damage amounting to thousands of dollars each. In all, more than 4,000 damage claims were submitted. (Many of the homeowners could not *prove* that the damage was done by the boom, and even after years of effort have not received any reimbursement.) An analysis of damage payments resulting from sonic boom tests in Chicago and St. Louis indicates that if a fleet of 150 SST's were in routine use over USA, day and night, the amount of damage they would do to windows, plaster, etc., would be about $1 million per *day.*

13. But if the SST's fly very high, can the boom still reach the ground?

Yes. Even when the proposed Boeing SST is flying at an altitude of 70,000 ft. (almost 14 miles), the boom reaches the ground easily.

14. Can scientists find a way of eliminating the boom?

They have been trying, for years. And failed. The boom is an immutable fact of nature, like gravity.

15. Has the Federal Aviation Administration (FAA) banned supersonic flight over land?

No.

16. Has it banned supersonic flight over large cities?

No.

17. Why not?

We do not know. We have inquired of the FAA many times, and have received vague answers about not wanting to hurt the economic prospects of the SST. The potential harassment of millions of our citizens is seldom mentioned in FAA speeches, news releases, etc. The FAA seems infatuated with the idea of supersonic travel and dazzled by dreams of prestige and financial profit this country might gain.

18. What about profits: Will they be large?

The FAA says so. But reports by several independent groups of economists cast doubt on this. There are many circumstances under which the project could be a financial disaster—a gigantic *boondoggle.* The taxpayers could suffer a great financial loss.

19. Why mention the taxpayer? What has he got to do with it?

The U.S. Government, through the FAA, has already contributed many millions of taxpayer dollars to the airplane builders involved. It is considering pouring in hundreds of millions more. Eventually the sum may run to several *billions.* The airplane builders and several airlines are contributing to the program, but the lion's share is to be paid by our Government, i.e., by the taxpayers.

20. What about competitors of the SST? Will the jumbo jet really compete?

Definitely. The jumbo jet, which creates no boom at all, could sweep the field. A jumbo jet will hold 400 to 1000 passengers, two or three times as many as the SST. It can fly 6000 miles nonstop, about 50% farther than the SST. Jumbo jets are expected to be carrying passengers routinely in 1971, about four years before the Boeing SST is expected to be in routine use. Because of its much greater passenger capacity, the jumbo jet would require far fewer take-offs and landings per million passengers carried. The jumbo jet is relatively cheap—far less than the SST. The fares to be charged are expected to be well below today's fares and well below SST fares. The jumbo jet is of conventional design, hence presents few novel safety problems; whereas the SST presents a host of new and difficult problems. The *jumbo jet produces no sonic boom at all!* It is free to travel almost anywhere: over land, over the sea, over great cities. Its prospects are so bright that the aviation industry itself is glad to pay the development costs; there is no billion-dollar reach into the taxpayer's pocket.

21. If Britain and France are already building an SST, don't we have to build one also?

The British and French are already worried by the poor prospects of their *Concorde* SST. Compared to the jumbo jets, it has a very small capacity and a very short range. Development costs have exceeded the estimates again and again. An extra-high fare must be charged. The plane will produce a severe boom, and many countries are already considering prohibiting supersonic flight over their territory. The number of Concordes ordered to date is embarrassingly small.

OUR CONCLUSION

The Citizens League Against the Sonic Boom concludes that the proposed SST has few of the hallmarks of a truly worthwhile project. Its sole virtue is a modest saving in time, which, relative to delays in reaching the airport, checking in, waiting for runway clearance, etc., may not prove to be of major significance; and in any case the public may prefer to travel in the longer-range, lower-fare, boomless jumbo jets. The drawbacks of the SSTS are impressive: the sonic boom, the huge expense, the greater cluttering of airports, the uncertain safety. In our opinion the sonic boom alone is sufficient ground for halting the SST program. The SST would create a new kind of pollution—a world-wide sonic pollution. Hour after hour, day and night, week-days and holidays, it would inflict its startling bang on literally hundreds of millions of defenseless persons, with no place of refuge. While helping a few, the plane would plague millions. Scientific progress is fine; but a major new source of pollution cannot be called progress. Prestige is fine; but the sonic boom would reap a harvest of discontent and protest. Aviation should be the servant of man, not his scourge.

OUR PLEA

We urge all who value peace and quiet to write now, before it is too late, to their Senators and Representatives, to the President, to their newspapers and TV commentators, urging that the SST program be halted. Write often, and urge your friends to write.

We invite you to send contributions to us, to help us intensify our increasingly effective campaign to alert the public and the Congress to this serious, and totally unnecessary, threat to civilized living. Send checks payable to Citizens League Against the Sonic Boom, 19 Appleton St., Cambridge, Mass. 02138. Also, we invite you to become a member of this very active League. Send name, address (with zip code), occupation. No dues. Contributions welcomed.

NATIONAL COMMITTEE

Professor John Borden Armstrong, historian; J. Henderson Barr, architect; William Brower, professor of speech; Prof. Bernard D. Davis, Head of Dept. of Bacteriology and Immunology at Harvard Medical School; Murray N. Fairbank, mechanical engineer; W. H. Ferry, Vice President of Center for the Study of Democratic Institutions; Mrs. Ferdinand Fetter, housewife; David C. Forbes, attorney and trustee; Dr. John H. Gibbon, Jr., professor of surgery; C. Edward Graves, conservationist and writer; Dr. Herbert I. Harris, psychiatrist; Mrs. Franz J. Ingelfinger, artist; Mrs. Francis C. Lowell, conservationist; Dr. J. H. Meier, engineer; Mrs. Sara Owen, writer; Mrs. J. H. Parker, conservationist; Mrs. W. T. Pohlig, housewife; Dr. J. Reece Roth, engineering physicist; John M. Sayward, research chemist; John M. Swomley, professor of Christian ethics; Robert J. Varga, teacher; Dr. Donald O. Walter, aerospace medical researcher.

Citizens League Against the
Sonic Boom.
Dr. William A. Shurcliff,
Physicist, Director.
Prof. John T. Edsall,
Biochemist, Deputy Director.

[From the New York Times, June 18, 1967]

League Against Sonic Boom Works To Stop Building of High-Speed Jets

Cambridge, Mass., June 17.—A group that calls itself the Citizens League Against the Sonic Boom has organized a campaign to stop the construction of a United States supersonic transport.

The campaign, which has scientists, educators and conservationists among its major supporters, is being directed by Dr. William A. Shurcliff, a Harvard University physicist.

Dr. Shurcliff said today that the league had about 230 members in 18 states, plus "a few in Canada and one in England." He said the scientists accounted for about one-quarter of the membership, which he said also included "many writers, professors and conservationists and a good many housewives."

They are linked, he said, "as human beings who don't like to be hit over our heads without our permission being asked."

The campaign, which began quietly three months ago, has been stepped up through newspaper advertisements appealing for support to all "who value peace and quiet."

"Our main approach in intensifying the campaign," Dr. Shurcliff said, "will be to have our members and others writing like mad to their Senators and Representatives and other influential people." He said that donations to the league would be used for additional advertising.

Dr. Shurcliff said the league had decided, "somewhat reluctantly," that it would be necessary to oppose the "very existence" of the supersonic transport, known as the SST.

"Just as the only way to get rid of the smell of the skunk is to eliminate the skunk," he said, "we propose to attack the sonic boom by eliminating the SST."

Aircraft flying faster than sound, as the SST would, build up pressure shock waves that reach the ground in varying intensity. The strength of the sound wave, or boom, depends on such circumstances as the size, shape and weight of the aircraft, its altitude and atmospheric and wind conditions.

The league's position has not been softened by reports that the SST will be limited to overwater routes, unless technology can substantially reduce the effects of the sonic booms.

"For one thing," Dr. Shurcliff said, "the Federal Aviation Administration, in letters to me, insists that there is no ban."

"Once they start flying, they're going to want to fly them everywhere," Dr. Shurcliff said. "Usually, they say they will be flown only over water and less populated areas. The 'less populated areas' sound like a foot in the door."

"Anyway, we object to overwater routes," he said. "You'll find that there will be something like 4,000 people hit by the boom, as near as we can estimate, on a typical trans-Atlantic flight. These will be people on fishing vessels, on pleasure boats of all kinds, on freighters, tankers and, of course, on the big passenger ships."

Dr. Shurcliff said the league would attack the SST program in Congress, which must allocate the funds for the project.

President Johnson gave the go-ahead on April 29 to the Boeing Company and the General Electric Company for the construction of test models. It has been expected that these prototypes of the 1,800-mile-an-hour, 350-passenger aircraft would be flying by 1970 and that commercial service could start by late 1974.

"The amount of money provided thus far by Congress is less than one-quarter of what is needed to get a protype in the air," Dr. Shurcliff said. "The government must put about $1.1 billion together, and to date Congress has only supplied $200 million or $299 million."

"I think our chances of stopping the program are good," he added. "If you ask me when, I'm not so sure, but every year the public will become more aware of the problem."

"The trend today is against pollution of all kinds, and here we have the Government paying $1 billion to create sonic pollution," he said.

Mr. PROXMIRE. Mr. President, I also ask unanimous consent that the third in a three-part series of articles about the SST by Karl M. Ruppenthal, which appeared in the June 19, 1967, edition of the Nation, be included as a part of my remarks. The first two articles in the series were included as a part of my remarks on the SST on May 31. Mr. Ruppenthal was an active airline pilot for 25 years and is an attorney and director of the transportation management program at Stanford University. His articles have done a great deal to put the SST dilemma in which we are now mired into perspective. I commend them to the attention of Senators. The third article shows how questionable is one of the assumptions which seems to be fueling the race to build an American SST; namely, that the Anglo-French SST, the Concorde, will be such a great new advance that it will destroy our aircraft industry and wreck our balance-of-payments position unless we build a plane to compete with it. Ruppenthal points up the serious problems the British and French are having with the Concorde. Prime Minister Wilson, in fact, was on the verge of withdrawing his Government's participation in the project because he was convinced the market for the plane had been "wildly overestimated and that the project was unduly expensive." The British stayed with the project, says Ruppenthal, only because of pressure from the French.

There being no objection, the article was ordered to be printed in the Record, as follows:

Blind Stakes in the Poker Game

(By Karl M. Ruppenthal)

(Note.—This article concludes Mr. Ruppenthal's discussion of the problems surrounding the projected supersonic airline. The previous articles in the series were "Billion-Dollar Dilemma," May 22, and "Heat, Cold, Radiation & the Boom," May 29.)

Impressive technical obstacles must be overcome, large amounts of money must be spent, and economic risks of unknown dimensions must be assumed before the United States can produce a supersonic transport that will cruise at Mach 3, that is, at three times the speed of sound. One set of technical problems stems from the fact that presently developed aluminum alloys will not tolerate the high temperatures that would be developed at such speeds. That being the case, why must the plane go so fast? What would happen if the United States should content itself with craft that would fly, say, in the range of Mach 2 or Mach 2.2?

That same question was asked by the British-French combine when it first entertained thoughts of building an SST, and early studies convinced them that they should content themselves with an aircraft capable of flying at a little more than twice the speed of the present subsonic jets. They came to that conclusion principally because aircraft speeds on the order of Mach 2 will produce the highest surface temperatures that existing aluminum alloys can accept over long periods of time.

Once the builders of the Concorde decided to limit its speed, a host of troublesome problems were eliminated. They did not have to learn how to fabricate titanium or other exotic metals. They did not have to worry about using large amounts of heavy stainless steel. Because of its size, configuration and speed, the sonic boom that the Concorde will produce may be somewhat less intense than must be anticipated by the builders of the Mach 3 SST. Since it would cruise at a lower altitude (probably 60,000 feet instead of 80,000 feet), radiation hazards may be reduced. The risks of explosive depressurization would be a little smaller, and a lighter, less expensive back-up system for pressurizing the cabin will therefore be acceptable.

There is no doubt that from a technical standpoint it would be a great deal easier for the U.S. aircraft industry to build a Mach 2 transport than it will be to build one for Mach 3. But it is not at all certain that such an aircraft could be an economic success.

Probably the most impressive argument for not building a plane that will cruise on the order of Mach 2 is that the Concorde will get there first. The British-French combine began to develop their aircraft several years before studies of supersonic commercial flight were undertaken in this country. And even with its time advantage there is no assurance that the British-French Concorde will be an economic success. When the initial Anglo-French agreement was signed in November, 1962, it was estimated that the taxpayers of each country would be required to contribute on the order of $225 million. But as the plane went from the drawing board to a secondary state, the cost estimate rose and within two years they had almost doubled. In July, 1964, the best estimates indicated that development costs would approach $800 million.

The public knows little about the efforts made in Britain and in France to broaden the base of the project and thus share the risks. Some of the proponents of the airplane thought that it might become a full-fledged NATO venture. Others hoped for cooperation at least from the United States. But no strong expressions of interest came from either the American Government or the American aircraft industry. Both the Italian and the German Governments made polite responses to overtures, but they showed no active interest. The net result of the various talks was that Britain and France decided to carry the burden by themselves.

When his government took office in England, Harold Wilson was faced with a host of problems including inflation, unemployment, a balance-of-payments deficit, and severe pressure on the pound. Although there was no simple answer to England's complex problems. Wilson knew that the country could not afford to spend money on projects that were ill conceived or unduly expensive. He was concerned that the Concorde project could be classified in both categories.

Wilson and his advisers studied the Concorde project carefully in 1964, and satisfied themselves that the market for the plane had been wildly overestimated, that the project was unduly expensive, and that Britain could not afford it. Many members of Parliament believed that the aircraft had little economic potential. Because of its limited range, there were severe doubts that the plane could even fly nonstop from Paris to New York with a full load of passengers (the specifications of the plane have since been somewhat modified). Because its range would be far less than that of the subsonic jets, its usefulness would be limited.

The plane was originally scheduled to sell for about $16 million but better cost estimates indicated that if there were to be any possibility of recovering the tremendous investments, an additional $5 million or $6 million should be added to the price tag of each plane. But even at $20 million per plane, there was considerable doubt that enough of them could be sold for the project ever to break even.

Said James Gallaghan, Chancellor of the Exchequer: "1964 was a year of reckoning for a decade of mistaken policies and false pride." The British Minister of Aviation, Roy Jenkins, concurred: "If we were convinced that the investment in Concorde from our point of view and from the French point of view would help pay our way in the world consistent with the amount of money spent on it, then of course, we would have to go ahead. But at the moment we have our doubts."

As one move to stop wasteful expenditures and prop up a shaky economy, the Wilson government decided to cancel the project. The London *Observer* wrote an obituary that American proponents of the SST might do well to read thoughtfully today: "The simplest reason for cancelling the Concorde is that its chances of commercial success have become extremely slender. It is already bigger, heavier, noisier, and far more expensive than when it was first conceived. . . . The odds are that, having paid for its construction, the taxpayer would have to subsidize its operations and put up with its sonic boom as well. The aircraft industry will not be restored to economic health by being paid to develop an unsuccessful aircraft."

The British announcement reverberated far beyond the aviation community. There were clear indications that cancellation would result in major damage to already fragile Anglo-French relations. *The Wall Street Journal* thought "it would be considered by France's de Gaulle as a stab in the back and as proof that Britain still wants to behave as a non-European island. The French President undoubtedly would charge that the British walkout would amount to sabotage and would leave the door open to American domination of Europe's aviation for years to come. Already the Labour government has had to deny rumors prevalent here and in France that it entered into a 'deal' with the U.S. to back out of the Concorde project in return for U.S. support of the 15 per cent surcharge it recently imposed on imports of manufactured goods."

There were reports that de Gaulle was prepared to retaliate in other areas. There might be unusual construction delays in the long proposed tunnel beneath the English Channel. Britain's application to join the Common Market might be put on ice. The fact of the matter was that France could not afford to go it alone.

"France is barely on speaking terms with Britain as a result of Mr. Wilson's handling of the 'Concorde Affair,'" reported the *U.S. News & World Report*. "Without sounding out the French, the British made a spectacular announcement indicating that they had decided to write off the Concorde supersonic airliner. . . . Mr. Wilson is having second thoughts about that decision, inasmuch as the French have threatened to go to the World Court and seek heavy damages from Britain for violating a contract that has no cancellation clause."

In the face of this pressure from its partner England reversed its decision, but the fact remains that the British economists were undoubtedly correct. While there is some chance that the Concorde may be able to pay its own immediate costs of operation—fuel, maintenance wages and the like—there is virtually no possibility that the project as a whole will be self-liquidating or that the British and French taxpayers will be repaid for their investment. And Sir William Hildred, for years director general of the International Air Transport Association, predictions of the SST engineers could wreck the economic picture. Should there be restrictions on night operations or should circuitous routings be required because of the noise, the projected solvency of SST operations could quickly convert into losses. Hildred worries that "such problems promise headaches for an industry which scarcely makes 2 per cent on its invested capital."

The financial risks involved in the development of any supersonic transport, be it Mach 2 or Mach 3, are so large that no single aircraft company could undertake them. Karl G. Harr, Jr., president of the Aerospace Industries Association, has stated that the development would be impossible without substantial government assistance, and that view is shared by almost every responsible financial executive who has yet spoken on the subject. Indeed the cost is so large and the risks are so great that neither Britain nor France seriously thought of the SST as a single-nation project. Of all the countries in the world, probably only the United States and Russia have the requisite resources to produce the SST on their own. That fact raises interesting questions concerning the appropriate role of the United States Government in the project.

While the federal government has always indicated interest in advancing the nation's transport facilities by subsidies of one kind or another, never before in history has an agency of the government undertaken such an important role in a transport project of this magnitude. It is clear already that if the SST is to be built in the United States within the next decade, the principal financial backers of the project will not be a consortium of financial institutions and Wall Street bankers but the taxpayers. It also seems inevitable that some government agency—probably the FAA—will be the general contractor on the project. After all, it was the Federal Aviation Agency (and not the airlines that will buy the planes) which decided that the supersonic transport should be assembled by Boeing and its engines produced by General Electric. And while the various airlines have advised on the specifications for the aircraft, the FAA will have the final say. Thus, it might be said that the government has already become the project's banker and its general contractor. Now it is about to become architect for the project as well. Through the CAB, the government already has the power to determine fare levels, and as the principal investor the FAA may well set the price that will be paid for the plane.

There are also indications that in some respects the FAA is the principal promoter. On March 2, 1967, *The Wall Street Journal* reported that President Johnson might request additional funds for the project so that it could proceed closer to Phase III—the actual building of two test models and a flight test program of 100 hours. But before requesting an addition $200 million, said the *Journal*, Mr. Johnson wanted the airlines to indicate greater interest in the project through a contribution to research and development costs. "In a surprise move the FAA began early last month [February, 1967] to try persuading them to contribute $1 million of risk capital for each of the 57 planes they've tentatively ordered."

In a report to its stockholders, dated March 24, TWA stated the matter as follows: "TWA has made down payments of $1,000,000 to the Federal Aviation Agency for the purpose of reserving delivery positions for ten supersonic transport aircraft to be built by United States manufacturers under a program sponsored by the United States Government. . . . At the request of the Federal Government, TWA has agreed . . . to participate in a plan for financing the development of two U.S. supersonic transport prototype aircraft. The agreement provides that in the event the Government and The Boeing Company enter into contract before December 1, 1967 for such research and development work. TWA will pay [$10,000,000 to Boeing] . . . . The funds to be paid by TWA wil be at a total risk. These amounts will not under any circumstances be returned to TWA. . . . Other U.S. carriers holding delivery positions have been requested to make similar commitments. . . ."

This position may well be typical for the industry; however, World Airways, which has placed tentative orders for three of the SSTs, declined to follow suit. Edward J. Daley, president, said in a letter to FAA Administrator General William F. McKee that if World were to set aside $3 million of its funds now as "risk capital" for SST development, its present subsonic jet acquisition program could be seriously hampered.

Following up on the story, *The Wall Street Journal* reported: "A large carrier is said to have entered the talks [with the FAA] with a list of qualifications, including a request that the Government accept a formula whereby the airlines would receive $3 million eventually for each $1 million invested, if the plane were successful." The attractiveness of this proposed arrangement may not be evident to the principal backers—the taxpayers of the United States.

Not yet fully explored is the government's role as a possible insurer of the supersonic craft. As long as the plane remains on the ground, insurance questions are relatively mundane. It is simply a matter of determining how much insurance should prudently be provided against various hazards that are known to be possible. Such an insurance policy would be large, but portions of the risk could be sold to various companies.

But once the plane is in the air there is as yet no real measure of the risks to which the operating airline may be exposed. It would be difficult enough to handle passengers' claims for alleged injury through radiation, faulty pressurization and other phenomena. But what about possible claims that may arise from aircraft accidents and the effects of the sonic boom? The dimensions of this problem are so widespread that several unorthodox solutions have been suggested.

One is that claims for damage resulting from sonic boom be severely restricted by legislation—a course of action that would be unpopular, to say the least. Another proposal is that the government simply underwrite the risks. Should that course of action be followed, the Government of the United States would automatically, and perhaps inadvertently, find itself in the insurance business, and in a very substantial way.

As the day of supersonic decision approaches, the level of government in-fighting has increased. While most of the early government-generated publicity came from protoganists of the SST, some of their detractors are now on the stage. Their position was reported by Fred L. Zimmerman in *The Wall Street Journal:*

"'It is remarkable that this project has got as far as it has,' complains an economist familiar with the project. Part of the explanation, he asserts, is that most public and Congressional discussion so far has been based on pro-SST material widely circulated by the FAA, while government critics of the program have been 'placed under constraint.'

"Few administration SST experts still believe the FAA's claim of total objectivity about the project. This claim has long irritated SST critics, who have argued there is a basic conflict of interest, in that the FAA is running the project and yet will have responsibility for certifying that the SSTs are safe for passenger service. In effect, charges one critic, 'the FAA will be asked to certify that it has spent its money wisely and that its own technical judgment is sound.'"

While economic questions in themselves are not always simple, aircraft economics are also intertwined in balance-of-payments questions. Roy H. Nickerson, vice president in charge of the Aerospace and Electronics Department of the First National City Bank, said at a banking forum in 1965 that a failure of the U.S. to get a supersonic transport into the air by 1972 could add a staggering $10 billion to our balance of payments deficit in the 1970s. As an aside, he pointed out that the aerospace and electronics industries had met favorable trade balances of some $1.7 billion in 1964.

"That could be wiped out if the U.S. fails to deliver a supersonic jet market within two years after the British-Concorde begins flying. A longer lead than that, some industry experts fear, would siphon off much of the business that the U.S. might normally get," said Dennis Duggan in the now defunct New York *Herald Tribune.*

But the SST detractors are not satisfied with these figures. They suspect that considerable double counting is involved, that SST proponents may rest their predictions on the assumption that without the SST U.S. aircraft exports would nose-dive. They contend that if the United States exports many supersonic craft, it may find itself substituting them for subsonic transports, which are at present an export item of considerable importance. Also largely ignored in the calculations is the fact that if the SST manages to induce large numbers of passengers to fly to the far corners of the earth, many of those passengers will be Americans.

The amount of money brought in by the sale of supersonic aircraft could be far overshadowed by the dollars that U.S. travelers would spend abroad.

Zimmerman, reporting again in *The Wall Street Journal,* became acidic:

"Economic studies done by several outside research concerns and just delivered to the FAA are so critical of the project's optimistic financial assumptions—including those about market demand, likely fare levels, and the balance-of-payments effect—that the FAA has decided to keep them secret.

"When the FAA commissioned the studies last year at a cost of more than $650,000, it is understood to have said it would make them public when completed. But as it began receiving the reports and discovered almost all conclusions were unfavorable to the SST, it quickly stamped them 'for official use only.'

"'Anything that's been done in this area is for controlled distribution only,' explains an FAA spokesman in refusing to let a reporter see the studies. 'This means the reports are available only to people who establish a need to know.' It's believed that in the past few days the FAA decided this 'need to know' didn't extend to several Congressmen, including some members of the House Appropriations Committee, and at least one powerful Democratic Senator, all of whom were denied access to the reports."

Zimmerman quoted one person in the Administration as saying: "We all agree there's absolutely no economic justification for building this plane." "This thing could become the FAA's Edsel," said another. "Among those to whom this may come as a shock," said Zimmerman, "are the members of Congress who have appropriated $511 million since 1962 for developing the plane, partly because of unequivocal assurances from the FAA that the SST would be a bonanza for the U.S. balance-of-payments position, while being highly profitable for the airlines to operate. . . ."

Several months after *The Wall Street Journal* complained of the official secrecy surrounding the project, the FAA made public several of the studies that had previously been classified. Now that there is less uncertainty concerning probable costs, a gigantic poker game is beginning to take shape. Participants include the U.S. aircraft industry, the Anglo-French builders of the Concorde, the conservationists, property owners on the boom paths and the taxpayers. Some of the players hold impressive cards and an imposing stack of chips. Others, less well heeled, are skillful players who seldom lose in this game. Some players are eager, while others have been reluctantly drawn into the game. And sitting quietly in the background another potential participant, Russia, silently eyes the table.

The stakes are high: several billion dollars in government contracts, billions of dollars in wages and several thousand jobs. At stake, too, are elements of national pride and technical leadership.

But also to be considered are important questions about the living qualities of the earth: how much noise should be tolerated, and who is competent to set the levels? What would be the impact of the supersonic transport upon all of the peoples of the world? And who is to decide whether it would be desirable? The full importance of the supersonic decision is just beginning to unfold. Far more is involved than the aircraft industry itself, or travel itself. Political, economic and social questions of considerable magnitude have yet to be assessed. Far more discussion is indicated before we undertake a project that promises literally to shake the world.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have printed at this point in my remarks an article by Bo Lundberg, director general of the Aeronautical Research Institute of Sweden, about the unexplored problems posed by sonic boom disturbance at sea and at night, published in the New York Times of June 17, 1967. All sonic boom tests thus far have been conducted during the day and over land areas.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE BOOM OVER THE SEA

(By Bo Lundberg)

The boom tests over Oklahoma City in 1964 indicated that supersonic flight over land of the British-French Concorde as well as the United States Boeing supersonic transport (SST's) will be hard to take. Although the average boom intensity beneath the flight path was never more than 1.6 pounds per square foot, considerable damage to buildings occurred. Fewer than 27 per cent of Oklahoma citizens who were polled declared they could not "learn to live" with eight daytime booms per day. No booms at night were produced (the really critical test), but practically all day sleepers were awakened. The 7 A.M. boom was widely used as an alarm clock!

UNACCEPTABLE SITUATIONS

Both the International Civil Aviation Organization and the International Air Transport Association have already, by implication, condemned the SST.

I.C.A.O. demands that "the SST's must be able to operate without creating unacceptable situations due to sonic boom." Surely, regular sleep disturbance is unacceptable. I.A.T.A. demands that "economic operation at supersonic speed must be practicable over inhabited areas at any time of the day or night."

Yet the United States Congress is expected to grant funds for building prototypes of the Boeing SST—on the totally unsupported hope that the sonic boom will be acceptable to people at sea.

Building prototypes of the American SST would throw mankind into the Sonic Boom Age. It would encourage Britain and France to launch quantity production of the Concorde. A few years later this would result in quantity production of the American SST.

No doubt a sonic boom of a given strength will usually be of less concern for people at sea. But why assume that people on ships can accept booms many times stronger than the level acceptable to people on land? Surely it would be ruthless to consider people at sea an insignificant minority.

The SST's will produce a "nominal" boom of 2.5 pounds per square foot in supersonic climb over water. Due to focusing effects the intensity will often exceed five or six pounds per square foot. By reflection close to cabin walls, the intensity could exceed ten or even fifteen pounds. Such booms are exceedingly frightening and potentially dangerous to people with heart disease.

The disturbance, fright and danger will, of course, be especially pronounced in areas with heavy concentrations of both SST's and ship traffic, in particular south of Nova Scotia and Newfoundland. Conservative calculations suggest that there will be, every year, many thousands of cases of people on boat decks being struck by booms exceeding five pounds per square foot (disregarding wall reflection).

TESTS AT SEA

I wish to make a plea that boom tests on different types of ships—from sailboats to ocean liners—be conducted before the final decision on building prototypes of the American SST's. All nations and representatives of people at sea should be invited to send observers, who would be subjected to the booms on the test vessels. As magnified booms are the most significant ones, the overflights should be at a low altitude yielding an average boom intensity of, say, four pounds per square foot, whereby a considerable number of booms, of five to six pounds, would be obtained relatively cheaply by a few hundred overflights.

ECONOMIC RISKS

Clearly, adequate boom tests on ships are in the best interest of civil aviation in general. If such tests are not made before the Western world proceeds further on the supersonic road, there is a staggering risk of an economic disaster. People at sea will certainly find ways and means of putting an end to supersonic over-water flight—once the activity has reached such a scale that the incessant boom thunder has become unbearable and there have been a number of cases of serious incidents or fatal accidents, such as heart attacks. These would mean that most of the many hundreds of SST's then flying would have to be scrapped.

Supersonic flying—over land *and* sea—requires fresh study of its effects on people.

TRIBUTE TO REPRESENTATIVE YOUNGER

Mr. KUCHEL. Mr. President, it is a sad duty for my colleague from California [Mr. MURPHY] and me to announce to the Senate the untimely passing of the late Honorable J. ARTHUR YOUNGER, a Representative from the 11th District of the State of California in the House of Representatives.

The appropriate resolution will be offered by us tomorrow after the House has first agreed to the resolution required by custom.

Meanwhile, I ask unanimous consent that the biographical sketch of the late Representative YOUNGER appearing in the Congressional Directory be printed at this point in the RECORD.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

J. ARTHUR YOUNGER, Republican, of San Mateo, Calif.; born in Albany, Oreg., April 11, 1893; married Norma W. Younger; graduated from the University of Washington in 1915, and served as graduate manager of athletics until 1917; was called into service with the Washington National Guard CAC during First World War, and went overseas with the Forty-eighth Artillery CAC; discharged as a captain in June 1919; life member and past commander of Seattle Post, American Legion; served as vice president, director and manager of the mortgage loan department, Seattle Title Trust Co., 1920–30; president Seattle Mortgage Loan Co., 1930–34; served as regional appraiser of the HOLC, assistant appraiser-adviser Home Loan Bank Board, and Chief of the Savings and Loan Division, Federal Home Loan Bank Board, Washington, D.C., 1934–37; executive vice president Citizens Federal Savings & Loan Association, San Francisco, since 1937; moved to San Mateo in December 1937; member: Rotary Club, Congregational Church, Delta Upsilon Fraternity, Islam Temple, A.A.O.N.M.S., Newcomen Society, Commonwealth Club of California, Menlo Country Club, and Congressional Country Club; elected to the 83d Congress November 4, 1952; reelected to the 84th, 85th, 86th, 87th, 88th, 89th and 90th Congresses.

Mr. KUCHEL. In the long years of public service in the Congress, during which both Senators from California have dealt with the late Representative YOUNGER on many occasions, we found that he was a man of great courage, great intellect, and a man who possessed a great desire to serve the people of this country.

He called them as he saw them.

On behalf of my wife, Mrs. Kuchel, and myself, we express our heartfelt condolences to the widow, Mrs. Younger.

Mr. MURPHY. Mr. President, I join with my colleague in expressing my heartfelt condolences to Mrs. Younger on the death of her husband, the late Representative YOUNGER.

I have had the great privilege of knowing and working with the late Representative YOUNGER over many years.

He was unquestionably one of the finest gentleman I have ever known. He was respected, and highly respected, not only in his own district but also throughout the State of California.

He was a charming companion, and the fact that he served his district well is reflected by the fact that he had been reelected seven times and was now serving eighth term as a Representative.

We shall miss him greatly. We shall miss him as a statesman from our great State of California.

We shall miss him as a great friend.

I should like most sincerely to have the RECORD show that Mrs. Murphy and I join with Senator and Mrs. Kuchel in expressing our heartfelt condolences to the family of the late J. ARTHUR YOUNGER.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. MORSE. I join with the Senators from California in expressing my deep sympathy to the family of Representative YOUNGER.

Representative YOUNGER was born in Albany, Oreg.

His family left the State when he was a young boy, I think 11 years of age.

When we were faced with Pacific coast problems in the legislative field in Congress, it was always my pleasure to be associated with Representative YOUNGER over the years in the normal objective of doing those things necessary to advance our part of the country.

Representative YOUNGER was a very sincere and exceedingly able conservative. He would be so labeled, I believe. However, he was a man whose integrity was beyond question, whose statesmanship, I think, was very high.

I consider that I have lost a very cooperative associate in Congress, that the people of my State have lost a very good friend to the State of Oregon, and that the State of California has lost a great servant of the State of California.

Mr. MURPHY. Mr. President, I thank the Senator for his remarks.

The reflection of the truth of the statement of the Senator from Oregon is in the fact that I do not think anybody ever thought of running against Representative YOUNGER. He was too highly regarded.

He represented his constituents in a completely nonpartisan manner. He was a fine gentleman and was held in great regard in the Congress of the United States.

We shall miss him deeply.

Mr. KUCHEL. Mr. President, on behalf of my colleague from California, I ask unanimous consent that, as a further mark of respect to the memory of the late Representative J. ARTHUR YOUNGER, when the Senate stands in recess today, it do so in memory of him.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. BYRD of West Virginia. Mr. President, as a further mark of respect to the memory of the late distinguished Representative from California, J. ARTHUR YOUNGER, and in accordance with the order previously entered, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 6 o'clock and 3 minutes p.m.) the Senate, as a further mark of respect to the memory of the late Representative YOUNGER, took a recess until 12 o'clock noon tomorrow.

NOMINATIONS

Executive nominations received by the Senate June 21 (legislative day of June 12), 1967:

DIPLOMATIC AND FOREIGN SERVICE

Benjamin H. Oehlert, Jr., of Georgia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan.

Public Health Service

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR PERMANENT PROMOTION

To be medical directors

Victor E. Archer
George R. Bock
Charles J. Buhrow
William H. Cope
Ernest Cotlove
Martin Flavin, Jr.
Samuel M. Fox III
Hector P. Gutierrez
Harvey A. Itano
Charles A. Jarvis
Thomas J. Kennedy, Jr.
Jamens R. Lewis
J. Robert Lindsay
George Moore
Alfred S. Nelson
Edward J. O'Rourke
Paul D. Pedersen
Seymour M. Perry
Claire F. Ryder
Charles F. Sparger
Richard B. Stephenson

To be senior surgeons

Gordon Allen
James E. Banta
William B. Barr
Tom D. Y. Chin
David J. Crosby
William T. Davis
John L. Fahey
Harold S. Frederiksen
Donald L. Fry
Murray Goldstein
William D. Hawley
Warren P. Jurgensen
Donald E. Kayhoe
Leonard Laster
Edward J. Leonard
Enrico A. Leopardi
Philip E. Morgan
William E. Newby
Michael Potter
David P. Rall
Jacob Robbins
Roy P. Sandidge, Jr.
Robert T. Scholes
William M. Smith
Frederick Snyder
Richard H. Thurm
Donald L. Toker
Donald P. Tschudy
Martha Vaughan
John T. West
Tamarath K. Yolles

To be surgeons

William J. Atkinson
Arthur F. Budge
Daniel H. Buller
Henry J. Cabeceiras, Jr.
Allen W. Cheever
Harold T. Conrad
Anthony N. Danato
George W. Douglas, Jr.
Frederick V. C. Featherstone
Roger A. Feldman
J. Kenneth Fleshman
Donald D. Funk
Frank P. Greene
Robert J. Griep
Robert L. Hampton
Joseph S. Handler
Roger W. Haskell
David C. Kay
Harry R. Keiser
Donald J. Lawler
James O. Mason
Clayton H. McCracken, Jr.
Glenn L. Momberger
George D. Monda
Will L. Nash
Paul G. Pechous
John C. Scott
George S. Walter
Robert J. Warren
Richard D. Zonis

To be dental directors

Dean W. Darby
John W. Heck
Alfred Popper
Quentin M. Smith
Reuben L. Turner

Te be senior dental surgeons

Joseph Abramowitz
William O. Engler
Collie H. Millsap, Jr.
Donald M. Phillips

To be dental surgeons

Lawrence I. Carnes
Sherman L. Cox
Charles O. Cranford
Ronald Dubner
Glen D. Elliott
T. Edwin Evans, Jr.
Louis R. Feese
Donald W. Johnson
Merlyn B. Johnson
Thomas L. Louden
Robert E. Mecklenburg
Stewart H. Rowberry
Lowell W. Smith

To be sanitary engineer directors

William B. Page
Earl V. Porter
Robert L. Stenburg

To be senior sanitary engineers

Howard E. Ayer
Delbert S. Barth
Frank A. Bell, Jr.
Joseph M. Dennis
Theodore Jaffe
Charles C. Johnson, Jr.
Donald M. Keagy
Leland J. McCabe, Jr.
William H. Megonell
Frederick Nevins
Albert L. Platz
James P. Sheehy
George R. Shultz

To be sanitary engineers

Richard J. Anderson
Robert G. Bostrom
Jules B. Cohen
Donald P. Dubois
John A. Eckert
John A. Eure
John E. Regnier
Edgar F. Seagle
Albert V. Soukup
John C. Villforth
Gerald G. Vurek

To be senior assistant sanitary engineers

Wayne A. Blackard
Dennis E. Body
Fred O. Bridges
James W. Carpenter, Jr.
Clyde J. Dial
Donald J. Dunsmore
Walter W. Liberick, Jr.
Edwin C. Lippy
George L. Pettigrew
Leroy C. Reid, Jr.
Milbourn Smith
Walter S. Smith
Morris G. Tucker
Lynn P. Wallace
James E. Warren

To be assistant sanitary engineers

Edward M. Beck
Gerald K. Falin
Billy F. Pearson
Allan M. Shapiro
John F. Steiner, Jr.

To be pharmacist directors

Allen J. Brands
Cornelius B. Kelly, Jr.
Milton W. Skolaut

To be senior pharmacists

Adelbert E. Briggs
Felix A. Conte
Paul H. Honda
Boris J. Osheroff
Lowell R. Pfau
Edward J. Vesey

To be pharmacists

William H. Briner
Gerald L. Eugene
Paul O. Fehnel, Jr.
James R. Grigdesby
Robert E. McKay
Lowell F. Miller
Lawrence D. Smith
Edward S. Thompson
Jesse P. Walker, Jr.

To be senior assistant pharmacists

Frederick J. Abramek
John G. Beauregard
Ronald C. Becker
Richard J. Bull
William R. Francis
Richard M. Gallant
Daniel Hausman
Richard A. Moss
Lawrence R. Ulrich
Thomas J. Walker
Stephen T. Werelus
James C. Yatsco

To be scientist directors

Robert K. Gerloff
Robert R. Omata
Heber J. R. Stephenson

To be senior scientists

Norman A. Clarke
George J. Hermann
Margaret A. Howell
John W. McDowell
Max D. Moody
Myron J. Willis

To be scientists

John R. Bagby, Jr.
Sotiros D. Chaparas
Carleton M. Clifford, Jr.
Robert L. Elder
Burton R. Evans
Arthur D. Flynn
Vincent J. Sodd

To be sanitarian directors

Clarence E. Calbert
Charles E. Gerhardt
Samuel M. Rogers
Harold E. Thompson, Jr.

To be senior sanitarians

Warren S. Dobson
Charles J. Hart
Irving H. Schlafman

To be sanitarians

Willard N. Adams
Gerald J. Karches
Thomas C. Sell
Jack Womack

To be senior assistant sanitarians

Gene P. Burke
Richard J. J. O'Connor
Walter R. Payne
Robert E. Sanders

To be veterinary officer directors

U.S. Grant Kuhn III
Robert L. Rausch

To be senior veterinary officers

Keith T. Maddy
Andrew C. Wheeler

To be veterinary officers

Philip H. Coleman
John E. Holman, Jr.
Charles W. McPherson
James L. McQueen
Richard A. Tjalma

To be nurse directors

Faye G. Abdellah
Margaret T. Delawter
Kathryn M. Fritz
Vivian L. Gibson
Dorine J. Loso
Mary F. Luvisi
Marie D. Grant
Elizabeth J. Haglund
Elsie K. Y. Ho
Elizabeth C. Kuhlman
Elinor D. Stanford
Florence J. Ullman

To be senior nurse officers

Elizabeth A. Casper
Eileen M. Coviello
Janet L. Fitzwater
Marian E. Haij
Helen M. Hanlon
E. Arline Heath
Phyllis B. Hullum
Eileen G. Jones
Mildred Jones
Mary B. Krause
Sara K. Marsh
Lydia K. Oustaian
Loretta C. Parsons
Ruth E. Shvedoff
Mary K. Wade
Arlene M. Waldhaus

To be nurse officer

Jean A. McCollum

To be dietitian directors

Jeanne L. Tillotson
Margaret V. Vance
Suzane C. Van Leuzen
Dorothy M. Youland

To be senior dietitians

Merme Bonnell
Jean M. Pope
Charlotte E. Smith

To be dietitian

Lois R. Seidler

To be therapists

Peter D. Cline
Lamont B. Smith

To be senior assistant therapists

George H. Hampton
Donald S. Henderson
Anthony M. Morreale

To be health services directors

George A. Amundson
Margaret E. Heap
Stanley I. Hirsch
William H. Redkey
Evelyn Walker

To be senior health services officers

Jess L. Benton, Jr.
Leah Bigalow
Mary P. Byrd
Earl P. Floyd
Mary A. Fugitt
James C. McCullough

To be health services officers

Charles L. Cox
Kenneth F. Hunt

To be senior assistant health services officers

William J. Brown
Paul E. Lehman
Allan C. Tapert
John B. Wiggins, Jr.

HOUSE OF REPRESENTATIVES

Wednesday, June 21, 1967

The House met at 12 o'clock noon.

Rabbi Harvey Waxman, Congregation Beth Medrosh Elyon, Monsey, N.Y., offered the following prayer:

We open this session with thanks and prayer.

In our hearts, we citizens of America utter thanks each moment for this great Hall of laws—wherein is exercised the free will of the people to legislate the law of our land. We thank the Almighty for that priceless right, the freedom to speak, to debate and to be governed through our own duly elected representatives. The gifts of freedom were not easily won nor are they easily maintained. In our generation the price of freedom has been the supreme sacrifice by so many of our bravest and noblest heroes.

We humbly beseech the Almighty for the justice of thought and deed, the strength of truth and understanding, soundness of mind and body so that we be enabled to enjoy our sacred liberties and preserve them for the generations to come. We pray for the guidance and power to insure the blessing—that: "A government of the people, by the people, and for the people shall not perish from this earth."

May G-d give strength to this Nation. May G-d bless our Nation with the peace of Shalom.

O G-d, our Father, in this hour of sorrow we pray for our beloved companion who has gone into Thy nearer presence. We thank Thee for him, for the contribution he made to this body and to our country. May the comfort of Thy spirit rest upon his family and upon us all. Help us to trust Thee, to know that love and life are everlasting and that Thy mercy never fails. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

THE LATE HONORABLE J. ARTHUR YOUNGER

The SPEAKER. The Chair recognizes the gentleman from California [Mr. Lipscomb].

Mr. LIPSCOMB. Mr. Speaker, it is with great sorrow that I announce to the House of Representatives that our beloved colleague, the gentleman from California, J. Arthur Younger, passed away last night.

Congressman Younger died at 9:20 p.m., June 20, 1967, at the Walter Reed Hospital, Washington, D.C.

Memorial services will be held Friday morning, June 23, at 11 o'clock at the Chevy Chase Presbyterian Church located at 1 Chevy Chase Circle NW.

Funeral services have been scheduled for 1 p.m., Sunday, June 25, in San Mateo, Calif. The services will be held at the Congregational Church of San Mateo which is located at Tilton Avenue and San Mateo Drive in San Mateo.

It has been suggested that expressions of sympathy may be in the form of donations to the Cancer Fund of San Mateo County.

The time for eulogies by Members of the House for Mr. Younger will be arranged soon and an announcement will be made.

Mr. Speaker, I ask unanimous consent that the House do now recess out of respect to our colleague until 1 p.m.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RECESS

The SPEAKER. The House will stand in recess, out of respect for the memory of our late beloved colleague, until 1 o'clock.

Accordingly (at 12 o'clock and 6 minutes p.m.) the House stood in recess until 1 o'clock p.m.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1 o'clock p.m.

GENERAL PERMISSION TO EXTEND REMARKS

Mr. ALBERT. Mr. Speaker, without making a precedent, I ask unanimous consent that all Members may extend their remarks in the body of the Record and include extraneous material for today only.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TO AUTHORIZE THE CONVEYANCE OF CERTAIN LANDS OWNED BY THE UNITED STATES TO THE STATE OF TENNESSEE

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4717) to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn., with the Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Resolved, That the bill from the House of Representatives (H.R. 4717) entitled "An Act to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tennessee", do pass with the following amendments:

Page 1, line 7, after "constituting" insert: *"a portion of"*.

Page 1, line 10, strike out "146" and insert: *"129"*.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. ADAIR. Mr. Speaker, reserving the right to object, I simply want to say this matter has been cleared with the minority side, and we are in complete accord with the proposed action.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

REQUEST FOR PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may sit while the House is in session during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALL. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PUBLIC DEBT LIMIT

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 597 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 597

***Resolved,* That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10867) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.**

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the minority member on the committee, the distinguished gentleman from Nebraska [Mr. Martin], and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 597 provides a closed rule with 4 hours of debate on H.R. 10867 to increase the public debt limit. The only amendments which can be offered will be committee amendments.

H.R. 10867 provides a permanent debt limitation of $358 billion effective on July 1, 1967. This limitation, an increase of $22 million, will be in effect for the entire fiscal year 1968. Beginning with fiscal year 1969, this debt limitation will be increased temporarily by $7 billion during the course of each fiscal year, but the debt limit will fall back to the permanent $358 billion limit on the last day—June 30—of each fiscal year. The additional intra-annual allowance is provided beginning with fiscal year 1969 in recognition of the seasonal fluctuations in the level of the debt subject to limitation. The debt normally reaches a peak in the late spring and then recedes to a lower yearend level.

The bill further provides that the face amount of any Federal National Mortgage Association—FNMA—participation certificates issued during fiscal year 1968 is to be taken into account, as long as the certificates are outstanding, in determining the debt subject to limitation.

Under present law, the overall debt limitation is scheduled to fall from the present temporary limitation of $336 billion to the permanent limitation of $285 billion effective July 1, 1967. It is expected that the debt outstanding at that time will total approximately $327 billion.

The bill also permits the Treasury Department to issue Treasury notes with a maturity of up to 7 years rather than up to 5 years as is presently authorized. These notes are not subject to the 4¼ percent interest rate ceiling applying to bonds. This will facilitate better debt management by permitting the Treasury Department to take steps to reduce further shortening in the average maturity of the debt in periods when the interest rate on longer term debt exceeds the 4¼-percent ceiling on the rate of interest which may be paid on Treasury bonds.

I would now like to repeat what I stated here on June 7 regarding H.R. 10328:

> I am not going to take the responsibility for denying them (our men in Vietnam) whatever is necessary to defend themselves and win this war . . .
>
> Let us assume our responsibility here. . . . (I)f this country is worth fighting and dying for over there in the bogs of the ricelands, then it is worth fighting for here on the home-front.
>
> Let us here and now, conscious of our responsibility, resolve to put our fiscal house in order lest we lose this young Republic on the home front while these precious boys are dying for it on the foreign front.

When this bill in a slightly different form was before us for our consideration several days ago, I made rather extended remarks about the need for fiscal responsibility, for a retrenchment, and for economy in our nondefense spending. But at the same time, I announced to the House that because we are engaged in a bloody war in Vietnam where our boys are being maimed and are dying by the thousands, I was supporting the debt ceiling increase for the first time; and that I could not and would not take the responsibility for denying these boys—even for a day—the needed guns and other materials of warfare.

Mr. Speaker, my position today is the same as it was then. Certainly nothing has happened in the meantime to change my mind.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The Chair recognizes the gentleman from Nebraska [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this resolution, House Resolution 597, as explained by the able chairman of the Committee on Rules, provides for a closed rule with 4 hours of debate and for a recommital motion.

This is a resolution making in order consideration of H.R. 10867 to increase the permanent debt limit. It is approximately the same legislation that was before the House 2 weeks ago but we will be told that there are considerable changes in the legislation from what we considered 2 weeks ago.

But, Mr. Speaker, I submit to you that this is an illusionary statement, to say that there are any changes as compared to the legislation that was previously before us.

Let me tell you what this proposes to do now. This bill proposes to increase the permanent debt ceiling of our country to $358 billion through fiscal year 1968. Effective July 1 in fiscal year 1969 a temporary debt ceiling increase would be allowed under this bill of $7 billion, bringing it up to $365 billion, the same amount of the debt ceiling as proposed in the legislation that we considered 2 weeks ago.

Now, there is one little gimmick in here. There is one little change—where it can be said that there is a difference—and I want to point that out to you.

This temporary increase in the debt ceiling of $7 billion takes effect beginning in the fiscal year 1969 and thereafter for 364 days out of the year, but on June 30 of each fiscal year the debt ceiling drops $7 billion for a 24-hour period to $358 billion.

What is the purpose of that? Its purpose is to make it illusionary, as I have already pointed out, that there is a great change in this legislation from what we considered 2 weeks ago.

If you will take a look at table No. 2 on page 3, you will find that receipts of the Federal Government reach a peak on June 30 of each year. In fact, these estimates in table 2 predict that the public debt on June 30 of this year will be $324.3 billion, rising to a high point next March 15 of $345.2 billion, and then decreasing from March 15 until June 30 of next year, 1968, to $335.3 billion.

When we are talking about billions of dollars and similar astronomical figures, it is difficult for any human being to comprehend the amount of money that is involved. I want to translate this into the situation of a small business. Let us take a retail business. I happen to be in the retail field. To give you a good illustration of what we are doing here with this proposition, let us assume a retail business is doing $15,000 worth of business, total net sales in a 30-day period. That particular retailer makes purchases of $10,000 during the 30-day period. Those invoices allow him to pay for this merchandise up to the 10th of the following month, and perhaps give him a 2 percent cash discount.

As a consequence, during the month he does $15,000 worth of business. His cash position increases because he has had cash coming in from his sales. He does not write his checks until the ninth or 10th of the following month, and consequently his cash position is at a peak at the end of the month and the first few days following, until he sends out his checks paying for his invoices.

That is exactly what happens in regard to the debt of the Federal Government as far as June 30 is concerned.

This legislation, which is practically the same legislation that we considered two weeks ago, was defeated on the floor of the House by a vote of 210 to 197. In view of the fact that we are today considering practically the same piece of legislation which we considered 2 weeks ago, the Members are only being consistent to vote exactly the same way as they did previously.

I want to call one other fact to your attention. This morning in my mail I received a notice from the chairman of the Banking and Currency Committee that he was going to make an effort to defeat the previous question. We went through this 2 weeks ago. I hope that the House and the Members do not have to go through this same procedure again today. I want to warn you that this will probably be brought up again today, an effort to defeat the previous question. I urge the Members to vote "aye" in favor of the previous question.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding. A few moments ago mention was made of fiscal responsibility. Does the gentleman know of any outstanding demonstration of fiscal responsibility that has been given in the House since the debt ceiling bill was voted upon previously?

Mr. MARTIN. I will say to the gentleman in regard to that point that the distinguished chairman of the Committee on Ways and Means was asked that question at our hearings in the Rules Committee yesterday morning, and his reply was negative. No communication has come up from the Administration or the Bureau of the Budget downtown in regard to this matter.

Mr. GROSS. So that it will be most difficult to predicate a vote in favor of increasing the debt ceiling on the fact that there had been a demonstration of fiscal responsibility in the interim between the vote on June 7 and the vote that will be taken today. Is that correct?

Mr. MARTIN. That is correct.

I would like to make one other point, and that is according to this table to which I have referred, table 2 on page 3, if the permanent debt ceiling is retained at $336 billion—the temporary debt ceiling is $336 billion at the present time—that will adequately take care of us, according to table 2, until October 31. This would give the administration, in answer to the question of the gentleman from Iowa, and the Bureau of the Budget time to come up to the Congress and give us some idea of some reviews of our nondefense spending programs and set some priorities wherein we could cut back in the nondefense areas and alleviate the serious situation that exists today in this country with the deficit that is predicted for the coming fiscal year.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. MARTIN. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I assume the gentleman can recall, as I do, the statement that was made in 1965, when Federal taxes were reduced, that Congress would have to take—particularly the House of Representatives—in exchange for the tax reduction, the high road to economy. Does the gentleman agree with me that instead of taking the high road to economy and reduced expenditures, the House has taken the low road to more spending and debt?

Mr. MARTIN. That is exactly correct.

Mr. GROSS. Piling that additional debt on the backs of the coming generation.

Mr. MARTIN. The gentleman is entirely correct.

Mr. GROSS. So that the admonition to the House that it had to take the high road to economy, that it could not possibly be responsible and take the low road to extravangance and spending, did not mean very much; did it?

Mr. MARTIN. That is correct.

Mr. COLMER. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana [Mr. WAGGONNER].

THE WASHINGTON POST IS STALKING ANOTHER VICTIM

(By unanimous consent, Mr. WAGGONNER was allowed to speak out of order.)

Mr. WAGGONNER. Mr. Speaker, now that the career and reputation of the senior Senator from Connecticut appears doomed, the Washington Post is stalking another victim. This time they have picked a southerner to insult and harass. The paper's personal and unprovoked attacks upon the junior Senator from Louisiana were started some weeks ago and are now moving into that vicious phase that the Post has refined to such a fine art through so much practice.

The Post's motives in attacking the Senator are just as obscure as its methods are unfair. A general tone of disapproval of the Senator's personality and family heritage are mingled with ridicule, innuendo, and petty sarcasm. The Post does not even make a serious effort to argue with the Senator's politics, only throwing in an occasional reference to him as a "segregationist" or a representative of "the oil interests." The Post simply does not like the man, and seems determined that no one else should, either. They seem to find it inconceivable that an important position could be held by someone like the Senator, a southerner who does not treat the Post's philosophy as holy writ. And if his manner, in their opinion, is not as polished as some of his colleagues, then the Post would have us believe this is a crime.

I have previously pointed out the Washington Post's blatant hypocrisy in incessantly baiting the senior Senator from Connecticut while at the same time bemoaning the fate of the Representative from Harlem, a man who has flagrantly and continually offended both the ethics of the Congress and the morals of the public. Yet the Post continues to set itself up as an omniscient watchdog, judging whoever it pleases, and with almost no attention to such trivial details as honor, fairness, and truth.

The Post does not care what a person does, just as long as he thinks the same way it does. Could it be that the Senator from Louisiana is just a little too conscious of principle, of reality, and of fair play to suit them? The Washington Post is acting like a spoiled child who tries to destroy everything it does not like. The paper's efforts border on libelous character assassination, and far exceed even the broadest limits of good taste and simple courtesy.

Let there be no doubt as to what their position would be had he chosen to defend the former Representative from Harlem—he would be the "apple of their eye" and praised for his courage.

Mr. MARTIN. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. ANDERSON].

THE 200 BEV ACCELERATOR

(By unanimous consent, Mr. ANDERSON of Illinois was allowed to speak out of order.)

Mr. ANDERSON of Illinois. Mr. Speaker, along with other Members of the House, I received a letter this morning from the industrial union department of the AFL-CIO, signed by Mr. Leo Goodman, secretary of the atomic energy technical committee.

This I believe is one of the most amazing letters I have ever received, because it suggests that the 200 Bev accelerator which was recently authorized by the Joint Committee on Atomic Energy ought to be deferred.

But this time another assault has been launched. They suggest that because nonproliferation treaty negotiations are going on in Geneva, Switzerland, at the present time and since the successful conclusion of that treaty would require the nonnuclear nations to make certain sacrifices, the only way we can expect to get these countries to go along with a nonproliferation treaty is to offer them something, and in this case we ought to offer to construct jointly with other countries a proton accelerator of this kind, and therefore we should proceed to defer this project already authorized by the Joint Committee on Atomic Energy.

This bill will shortly be before the House of Representatives. I certainly hope that no Member will be misled into thinking that the success or nonsuccess of the nonproliferation treaty negotiations, now going on in Geneva, have any connection at all with a decision to construct the 200 Bev accelerator.

The writer of this letter even says in his letter:

> There are no military applications known to high energy physics to which construction of this project can contribute.

This is a research tool in the field of high energy physics. It has nothing to do with the military use of the atom. Why anyone should want to confuse the issue by suggesting we defer construction of the accelerator because of negotiations on a nonproliferation treaty which have already gone on for years I simply have not the remotest idea.

May I also point out that Dr. Paul McDaniel of the Atomic Energy Commission in testimony before the House Public Works Appropriation Subcommittee has said that the United States is negotiating possible use of the 70 Bev accelerator located in the Soviet Union in exchange for Soviet use of the 200 Bev accelerator at Weston, Ill., once it has been constructed. In other words this research facility will promote the very joint scientific cooperation with other nations in which Mr. Goodman professes to be interested. It should also be noted that Dr. McDaniel further testified that all the data in connection with the use of the accelerator are unclassified and bear no direct relationship to military security.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the distinguished vice chairman of the Joint Committee on Atomic Energy.

Mr. HOLIFIELD. I should like to have my thoughts expressed in accord with what the gentleman has said. I have not seen the letter, but I have heard of it from others.

This is another example, in my opinion, of a completely illogical and rash statement. I might say, it is not the first unfounded statement which has come from the writer of that particular letter.

There is no opposition on the House side of the Joint Committee on Atomic Energy either on the Republican or the Democratic side, to this particular project. It is a scientific tool. It has been asked for by the scientists for many years. The committee has seen fit to authorize it.

The selection of the site is not in the hands of the committee, but in the hands of the Commission. It was a unanimous decision.

They rejected my State of California, along with many other States of the Union; 49 States, I believe, in all, had applications.

The members of the committee have unanimously gone along with the selection, on the justification which was put before us by the Atomic Energy Commission.

As far as I know, we have no troubles in the House on this particular matter, but there lately has been raised the specter of not allowing this project to go to the State of Illinois because of the fact that they do not have a State open housing law.

Now, I want to say right now the way I stand on this particular point is this: I stand on it the same way as I stood on the Powell amendment which was offered to various and sundry bills to destroy the purpose of the bill. I voted against the Powell amendment. I certainly would not accept the same principle of the Federal Government trying to blackjack a State into passing State laws in order to obtain a Federal facility.

I point out to my friends in the Congress that if this type of principle should be adopted we would have to deny 30 States in the Union every future Federal facility. We will go into some detail on that untenable premise, when we come to legislate on the Atomic Energy authorization bill.

Mr. ANDERSON of Illinois. Mr. Speaker, I thank the gentleman from California for his contribution. There is no man in the House who has any more knowledge or expertise in this field than he. He agrees wtih my feeling that this issue is completely extraneous to the issue we will be considering when we consider the authorization bill.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I appreciate what the gentleman from Illinois [Mr. ANDERSON] is saying and what the gentleman from California [Mr. Holifield] has just stated with respect to the atomic facility which we trust will be installed in Illinois. Opposition which has suddenly grown up to this installation being placed in my State is one of the worst blackjack operations I have ever heard of in the history of this country. Illinois has been selected and no outside issue should now deny to our State the completion of the plant at Weston.

Mr. COLMER. Mr. Speaker, I yield 5 minutes to the distinguished chairman of the Committee on Banking and Currency [Mr. Patman].

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, that bill is before us under a closed rule. I would like to introduce an amendment to it. The only way this amendment would be in order would be for the previous question to be voted down. Then an amendment would be in order. I expect to offer an amendment which would provide:

That the Secretary of Treasury be prohibited from paying any obligation of the U.S. Government more than once;

That the Secretary of Treasury be prohibited from paying interest on any obligation of the U.S. Government that has already been paid in full.

Now, why should any Member be opposed to that amendment? In the New York Federal Reserve Bank there are $45 billion in U.S. Government bonds that have been paid for once. We are paying interest on those bonds now at the rate of $1.9 billion a year although they have been paid for in full. This is shown from the testimony of the chairman of the Federal Reserve Board, the former chairman of the Federal Reserve Board, Mr. Eccles, the presidents of the Federal Reserve banks, and many others. There is no dispute about it.

Mr. Speaker, the $45 billion worth of paid-up bonds are a national disgrace—a national scandal. Unless this Congress does something about it, we may have a scandal that will make Teapot Dome look like a smalltime racket.

Each year the Federal Reserve System demands and receives from the Treasury $1.9 billion in interest on these bonds that have been paid for once. They use this huge sum to finance the operations of the farflung Federal Reserve System.

Unfortunately, no one—not the Congress nor the executive branch—knows exactly where this money is used or for what purposes. This is true despite the fact that we—the Members of Congress—are public servants charged with the responsibility of watching over the activities of the Federal Government and to prevent the waste of the taxpayers' money. Yet, none of us can tell our constituents what happens to the money that the Federal Reserve receives from the Treasury in interest on these $45 billion worth of bonds.

FEDERAL RESERVE NOT AUDITED

As my colleagues know, the Federal Reserve is not audited. The Federal Reserve and its lobbying ally, the American Bankers Association, have consistently opposed an audit by the General Accounting Office. The GAO cannot look at the books of the Federal Reserve despite the fact that it audits every other Government department and agency. Does it not seem strange that the Federal Reserve—with all of this huge sum of money—is exempt from the scrutiny of the GAO? Does that not raise questions in the minds of every Member of this House?

Of course, the $1.9 billion of unaudited funds provides the Federal Reserve with a huge slush fund. This money is not appropriated; it is just paid by the U.S. Treasury as interest on those paid-up bonds.

There are many on this floor who jealously guard the Congress prerogatives in the area of appropriations. Most of us regard the appropriations process as an important means by which the Congress can serve as a watchdog over the Federal Government and its use of the people's money. Yet, we abandon the people and refuse to serve as an overseer of the use of money—the people's money—by the Federal Reserve. We abdicate our role and again, I say this is a fact that would be hard to explain to most American voters.

How do we justify letting a Government agency—the Federal Reserve System—use $1.9 billion without the remotest kind of check by this Congress? It is obvious that we are not doing our duty.

FEDERAL RESERVE DUES TO ABA

Through the years, I have been able to discover a few of the activities for which the Federal Reserve has been using the people's money. For example, I have discovered in hearings that the Federal Reserve spends $90,000 in dues to State, local, and national banking associations each year. In other words, the Federal Reserve uses the people's money—taxpayers' funds—to pay the American Bankers Association to come up here and lobby the Congress.

They pay the ABA to come to Capitol Hill and lobby to keep the books of the Federal Reserve unaudited and to keep this slush fund flowing into their coffers. They pay to have the ABA lobby against the cancellation of the $45 billion worth of paid-up bonds.

To my knowledge, the Federal Reserve System is the only Government agency that is given money to pay a lobbying organization. The Federal Reserve is the only agency of our Government that is a dues-paying, card-carrying member of a full-fledged lobby.

Mr. Speaker, the $90,000 to the American Bankers Association and the other lobbying organizations is only a small part of the wasteful expenditures of the Federal Reserve System. In 1964, the Banking and Currency Committee had extensive hearings under the general title of "The Federal Reserve System After 50 Years." I quote from the staff report on these hearings of August 25, 1964:

> In addition, testimony given before the Subcommittee indicated that despite the System's internal audits and reviews of same, its remarkable freedom from any external public audit has led to many questionable expenditures. A random sample by the committee staff of the System's expenditure vouchers reveals such items as $4,697.61 for an employees' dinner, including $125 for a comedian and $435 for an orchestra; $462.59 for an employees' bowling banquet; a contribution of over $5,000 to a local chapter of the American Institute of Banking; and $5,350.35 for a luncheon given by the New York Federal Reserve Bank for the New York Bankers Association at the Waldorf-Astoria. No expenditures of these kinds without congressional approval would be allowed in the case of other Government activities subject to the Budget and Accounting Act.

Mr. Speaker, this is what happens when we allow the Federal Reserve System to continue to draw massive interest on the $45 billion worth of paid-up bonds. We cannot justify such a system and we should face up to our responsibility and cancel these bonds.

SHOULD INTEREST BE PAID ON BONDS THAT HAVE BEEN PAID IN FULL?

Mr. Speaker, can anyone on this floor support the idea of paying interest on an obligation that has been completely paid up? I know of no parallel anywhere. Does anyone continue to pay interest to their bank after they have paid for their automobile in full?

This is an absurd situation which the Congress has allowed to develop through the years. Mr. Speaker, it would indeed be difficult for any Member of this body to explain to the American voters just why we have allowed this to go on. I do not think there is a congressional district in this country where the people—regardless of their political leanings—would approve of paying a debt twice.

This is just like an individual who engages a broker to pay off his mortgage, and then finds that the broker, after paying the mortgage holder, has retained the mortgage for himself, continuing to collect the interest, and asserting the right to come around and collect the principal again when the mortgage matures.

To my knowledge, no one has questioned the obvious—that these bonds have been paid for once.

Mr. Speaker, no one can deny this fact—they have been paid for. I give you no greater authority than William McChesney Martin himself, and I quote from a Banking and Currency Committee hearing, dated July 6, 1965:

> Mr. Martin. The bonds were paid for in the normal course of business.
>
> The Chairman. That is right.
>
> Mr. Martin. And that is the only time they were paid for.
>
> The Chairman. Just like we pay debt with checks and credit.
>
> Mr. Martin. Exactly.
>
> The Chairman. In the normal course of business they were paid for once. You will admit that, will you not? They were paid for once and that's all?
>
> Mr. Martin. They were paid for once and that's all.
>
> The Chairman. That's right.

I also quote from hearings before the Subcommittee on Economic Stabilization of the Joint Economic Committee, December 10 and 11, 1956. At that time, the total sum of paid-up bonds was smaller, but the facts surrounding their purchase are the same. I quote:

> Chairman Patman. And every one of those notes that you trade for those bonds of the

Government says on its face that it is an obligation of the United States Government?

Mr. MARTIN. That is correct.

Chairman PATMAN. And that is what makes it good.

Mr. MARTIN. That is right.

Chairman PATMAN. Now then, whenever you take that Government obligation from the Bureau of Engraving and Printing and you trade it for $24 billion worth of bonds which you have, and you have those bonds now, you draw interest on those bonds, do you not?

Mr. MARTIN. We do.

Chairman PATMAN. About $600 million a year; and, although you traded one Government obligation for it, you keep the bonds and you do not cancel them. They pay interest, and you use that $600 million in any way that is allowed by law, for administrative purposes in the operation of the Reserve banks. And then, of course, after all the deductions have been made, why, you pay 90 per cent of the remainder into the Treasury of the United States?

Mr. MARTIN. That is correct.

Mr. Speaker, I quote further from this same hearing in which we questioned several Federal Reserve officials, including Robert G. Rouse, manager of the Federal Reserve System's open market account:

Chairman PATMAN. But the truth is, all the bonds that you have—and you have about $25 billion worth of bonds, do you not?

Mr. ROUSE. Something less than that; yes, sir.

Chairman PATMAN. Every one of those bonds have been bought, not on the resources of the Federal Reserve banks, but on the credit of the Nation by exchanging Federal Reserve notes for them, have they not?

Mr. ROUSE. Yes; they are bought by the—out of Federal Reserve funds.

Chairman PATMAN. No; you are mistaken there, are you not? You do not say that they are bought with Federal Reserve funds. The money is created by those bonds. Do you not understand that?

Mr. ROUSE. It is created—yes, indirectly.

Chairman PATMAN. Well, directly.

In other words, if you buy bonds, you must pay for them, and those $24 billion worth of bonds were paid for, but not by Federal Reserve bank funds; they were paid for by Federal Reserve notes.

Now, I will not insist on your answering that. I will ask Mr. Martin to answer that.

Is that not correct, Mr. Martin?

Mr. MARTIN. It would be the same thing, sir.

Mr. Speaker, I also quote from a hearing by the Joint Economic Committee in February 1952, in which Senator Douglas questioned Mr. Martin:

Senator DOUGLAS. When the Open Market Committee buys Government bonds, how are these bonds paid for?

Mr. MARTIN. They are paid for by a check, by deposit.

Senator DOUGLAS. You mean that the banks, the Federal Reserve banks, create credit——

Mr. MARTIN. That is right, sir.

Senator DOUGLAS (continuing). With which they buy Government bonds from private parties.

Mr. MARTIN. That is right, sir.

NO ONE DENIES BONDS HAVE BEEN PAID

Mr. Speaker, no one has brought forth a shred of evidence to refute the obvious—that these bonds have been paid for once.

Without question these bonds should be canceled and the $45 billion subtracted from the national debt. We can justify no other action of this issue.

Mr. Speaker, if the Congress would provide for the cancellation of these bonds, then we could free additional funds for badly needed domestic programs. We could free additional funds to meet our commitments in the Vietnamese war.

Mr. Speaker, the cancellation of these $45 billion worth of bonds and the subtraction of this total from the national debt would mean a tremendous boost to programs like education, housing, sewage and water plants, school lunch programs, and other needed projects. Mr. Speaker, we all realize that the Federal Government faces an extremely tight budget and we should do everything possible in the Congress to alleviate this squeeze. The cancellation of this $45 billion worth of bonds would be of tremendous help.

Mr. Speaker, I have attempted—in recent weeks—to acquaint my colleagues with the facts surrounding this $45 billion worth of paid-up bonds. I have made this effort so that the House might face this issue squarely when the debt ceiling bill was up for consideration. I have written my colleagues on numerous occasions and I place in the RECORD letters which I sent to all Members of the House on Monday, June 19, and Tuesday, June 20, 1967:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 19, 1967.

To: All Members of the House.
Subject: An opportunity to lower the national debt by $45 billion.
From: Wright Patman.

Again this week, the House will be asked to consider an increase in the national debt ceiling (H.R. 10867). A hearing is scheduled before the Rules Committee Tuesday morning and Floor action may come as early as Wednesday.

Once again, we have a great opportunity to lower the national debt by $45 billion. This can be done by cancelling and retiring the $45 billion worth of bonds being held in the New York Federal Reserve Bank as part of the Federal Open Market Committee's portfolio.

These are bonds that have been paid for once. Yet the Federal Reserve continues to demand and receive $1.9 billion each year in interest on the bonds and insists that the American people pay for the bonds again.

The $45 billion worth of paid-up bonds should be cancelled and subtracted from the national debt.

In order to accomplish this, we will need to amend the debt ceiling bill (H.R. 10867) on the Floor. We can open the bill to amendments by voting down the previous question when a closed rule is offered. I urge you to vote against the previous question so that we can open the way for amendments.

If we are successful in defeating the previous question, I will offer an amendment to cancel the $45 billion worth of bonds and have them subtracted from the national debt. I hope that all Members who are opposed to the American people being forced to pay a debt twice will join in this fight. We can lower the national debt and at the same time correct a basic injustice.

In considering the cancellation of the $45 billion worth of bonds we should ask ourselves three questions:

Why should the American taxpayers be compelled to pay interest on bonds that have already been paid for in full?

Why should the American taxpayers be required to pay for these bonds again?

Why should these bonds continue to be charged against the national debt when they have already been paid in full?

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 20, 1967.

To: All Members of the House.
Subject: Vote against previous question on closed rule on debt ceiling bill (scheduled for floor action on Wednesday, June 21).
From: Wright Patman.

Urgent.—We must vote down the previous question on the closed rule so that the following amendment may be offered to the debt ceiling bill (H.R. 10867):

That the Secretary of Treasury be prohibited from paying any obligation of the United States Government more than once;

That the Secretary of Treasury be prohibited from paying interest on any obligation of the United States Government that has already been paid in full.

However, the previous question must be defeated before this amendment can be offered. *Therefore, I urge my colleagues to vote against the previous question on the rule.*

The majority of the House, I feel sure, agrees that no debt of the United States Government should be paid twice, or that interest should continue to be paid on any bonds that have been paid for in full. Certainly in approving a record permanent debt ceiling of $358 billion, we can give the American taxpayers this kind of protection.

My amendment, of course, would require that the U.S. Treasury cease to pay $1.9 billion annually in interest on $45 billion worth of bonds being held in the Federal Reserve Bank of New York. These bonds are part of the Federal Open Market Committee's portfolio and they have been paid for in full once.

The American people should not be required to pay for these bonds again and they should not be required to continue to pay interest on them. Also, there is no reason why these bonds—that have been paid for once—should continue to be charged against the national debt.

Again, I urge you to vote against the previous question so that we may deal in a responsible manner with the question of these $45 billion worth of paid-up bonds.

Mr. Speaker, I hope that we will vote down the previous question so that the debt ceiling bill may be amended to prohibit the Secretary of the Treasury from paying debts twice and from paying interest on any obligations that have already been paid in full.

In considering this step, I hope my colleagues will consider every angle concerning the $45 billion worth of paid-up bonds. This, as I have said earlier, is a national scandal.

BONDS HELD IN NEW YORK FEDERAL RESERVE BANK

All of these bonds are being held in the Federal Reserve Bank of New York—an institution that operates outside of the auditing procedures of our Federal Government. Yet, they are entrusted with this $45 billion worth of bonds. And let me remind my colleagues that six of the nine directors of the Federal Reserve Bank of New York—where these bonds reside—are selected by the commercial banks. So, in effect, we have entrusted these $45 billion worth of bonds to the commercial banking industry without requiring audits.

Of course, I realize that whenever we attempt to do anything that affects the Federal Reserve System we are certain to hear opposition from the commercial banks and their lobby, including the American Bankers Association. The commercial banking industry puts up a tremendous fight to protect all of the tremendous advantages it has with the present Federal Reserve.

The Federal Reserve has, of course, been highly lenient toward the commercial banking community in recent years. And it is understandable that the commercial banking industry would want to protect its benefactor.

This becomes more understandable when it is realized that the Federal Reserve, under William McChesney Martin, has actually cost the American people more than $200 billion in excess interest charges over the past 15 years. These are excess interest charges that the banks have received through the high interest, tight money policies followed by the Federal Reserve. It is understandable that the banks would not want the system changed.

Mr. Speaker, this amounts to $14.5 billion a year in excess interest charges piled on the backs of the American people. The high interest charges are one of the reasons why we are facing the necessity of raising the debt ceiling again. Interest charges on the national debt will amount to $14.2 billion in the new fiscal year and this sum is second only to defense expenditures.

This sum—$14.2 billion—is nearly twice what the interest charges would be on the national debt if interest rates had been maintained at the levels prevailing when President Truman left office in 1953.

Mr. Speaker, I place in the RECORD a chart that shows exactly how the American people have paid more than $211 billion in excess interest charges over the past 15 years:

TABLE I.—*Net public and private debt, total interest paid, and average rate of interest in the United States, 1951–66*

Year (1)	Total debt (billions) (2)	Interest paid (billions) (3)	Computed average interest paid (3÷2) (4)	Interest costs figured at 1951 computed rate (5)
1951	$524.0	$17.8	3.397	$17.8
1952	555.2	19.7	3.548	18.9
1953	586.5	21.9	3.734	19.9
1954	612.0	23.7	3.873	20.8
1955	672.3	26.0	3.867	22.8
1956	707.5	29.8	4.212	24.0
1957	738.9	34.0	4.601	25.1
1958	782.6	36.0	4.600	26.6
1959	846.2	40.8	4.821	28.7
1960	890.2	45.7	5.134	30.2
1961	947.7	48.4	5.107	32.2
1962	1,019.3	53.4	5.238	34.6
1963	1,096.9	59.8	5.452	37.3
1964	1,174.3	66.5	5.663	39.9
1965	1,270.3	74.0	5.825	43.2
1966 [1]	1,368.3	82.7	6.044	46.5
Total		680.2		468.5

[1] Estimated.

Note.—See the following table:

Total col. 3	$680.2
Less total col. 5	−468.5
Excess cost	211.7

Source: Economic Report of the President, 1967.

Mr. Speaker, I also place in the RECORD a second chart showing the excess interest charges that have been imposed on the national debt:

TABLE II.—*Total Federal debt and interest paid, fiscal 1951–68*

Fiscal year	Total Federal debt (millions)	Total interest paid (millions)	Computed annual interest rates	Computed interest cost at 1951 rate (millions)
1951	$255.3	$5.7	2.233	$5.7
1952	259.2	5.9	2.276	5.8
1953	266.1	6.6	2.480	5.9
1954	271.3	6.5	2.396	6.1
1955	274.4	6.4	2.332	6.1
1956	272.8	6.8	2.493	6.1
1957	270.6	7.3	2.698	6.0
1958	276.4	7.7	2.786	6.2
1959	284.8	7.7	2.704	6.4
1960	286.5	9.3	3.246	6.4
1961	289.2	9.0	3.112	6.5
1962	298.6	9.2	3.081	6.7
1963	306.5	10.0	3.263	6.8
1964	312.5	10.7	3.424	7.0
1965	317.9	11.4	3.586	7.1
1966	320.4	12.1	3.777	7.2
1967 [1]	327.3	13.5	4.125	7.3
1968 [1]	335.4	14.2	4.234	7.5
Total		160.0		116.8

[1] Estimated.

Source: Economic Report of the President, 1967.

Again, Mr. Speaker, I hope my colleagues will vote against the previous question so that we may face the question of these $45 billion worth of paid-up bonds squarely.

Surely, there is no one in the House who would oppose an amendment prohibiting the Secretary of the Treasury from paying a debt twice and prohibiting the Secretary of the Treasury from paying interest on any obligation that has been paid for.

Mr. MARTIN. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I take the floor to oppose the rule, although I want to make it quite clear that in my opinion this matter must be brought to the floor of the House for its consideration.

I simply believe that a closed rule is inappropriate. I might say that I see no objection to letting the gentleman from Texas [Mr. PATMAN] present his amendment here. I suspect that it probably is not germane and probably would be ruled out on a point of order, but let it be debated. I do not think that there is any question as to what will happen to it. It will get defeated. So, that is not the issue.

Mr. Speaker, the reason I am here to ask for an open rule is in order to permit the Republican side to offer the alternative to the proposal that will be considered, the proposal as offered by the majority party.

Of course, we can offer, as we will, a motion to recommit, with instructions which will incorporate an alternative. But, inasmuch as there is so much confusion throughout the country, as well as in the Congress, as to what a motion to recommit with instructions is and with the technicalities involved, it is my opinion that it is much better to debate a matter as an alternative, or a substitute resolution. Certainly the Committee on Rules should have accommodated the minority side of the House in its request that this rule be opened up, at least so that the minority could offer its substitute motion, which simply is to make the permanent debt ceiling $336 billion.

Mr. Speaker, the practical effect of that is that the administration can continue for the next 2 months—probably until September 15, 1967—without altering in any way its present program.

Mr. Speaker, already scheduled before the Joint Economic Committee is the midterm review of the budget which will be submitted by the Director of the Budget at that time.

The difficulty in which the Committee on Ways and Means finds itself, as it was when we presented the debt ceiling legislation before—is that the administration has not given us firm figures either on the revenue side or on the expenditure side.

Therefore, it is really impossible for the Committee on Ways and Means to recommend to the House what the permanent long-term figure should be—whether it should be $358 billion, $350 billion, or whatever.

It is going to have to be, I want to assure everyone, something more than $336 billion for fiscal 1968.

Further, I believe it is important for the administration to make this determination whether it is going to ask that all of this deficit be financed through selling new bonds, or whether some of it will be taken up by requesting an increase in taxes.

The administration avoids this subject, even though in the budget message of January it clearly set out an additional $5.5 billion in revenue to be derived from increased taxes to be effective July 1, 1967.

I believe the House of Representatives and the Congress as well as the people have been put in an impossible position by the executive. The executive witnesses in effect have said we are not going to give you the information which you need. They refused to review their budget figures that were given to us in January even though they recognized what the chairman of the Committee on Ways and Means had suggested, that the contingencies could create a $29 billion deficit rather than the $8 billion deficit they projected in January, or the $11 billion deficit they concede now. They have accepted the figures of the committee but, frankly, the Committee on Ways and Means is not in a position, as the executive is, to give full evaluation to what our revenue anticipations are in the immediate months ahead, or the expenditures. The executive has great control over whether the expenditure program will be $135 billion for fiscal 1968 or whether it could not be cut, as I am sure it could be, to $130 billion or possibly $125 billion.

As long as the executive takes this position I believe those who are interested in preserving the integrity of the Congress are going to have to go along, and should go along, with the Republican motion.

Again, as I say, this is a discussion of the rule, and I believe the rule is unnecessarily tight. There is no reason for a closed rule, and there is no reason why the House should not work its will in orderly debate on the Republican alternative which would force the administration to give to the Congress and the people realistic expenditure and revenue figures for fiscal 1968 and so permit the Congress to exercise an intelligent judgment on how large the deficit should be and how much of the deficit should be financed by debt and how much by additional tax.

Mr. COLMER. Mr. Speaker, does the distinguished gentleman from Nebraska have any further requests for time?

Mr. MARTIN. Mr. Speaker, I have no further requests for time.

Mr. COLMER. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question.

The **SPEAKER.** The question is on ordering the previous question.

The question was taken; and on a division (demanded by Mr. Patman) there were—ayes 59, noes 15.

So the previous question was ordered.

The **SPEAKER.** The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10867) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 146]

Ashley
Blanton
Brademas
Brown, Calif.
Conable
Dingell
Edwards, Calif.
Fino
Ford, William D.
Goodell
Gray
Gubser
Howard
Jones, N.C.
Kluczynski
Long, Md.
McDonald, Mich.
Madden
Moore
O'Hara, Mich.
Resnick
Roush
St. Onge
Sisk
Thompson, N.J.
Vander Jagt
Williams, Miss.
Willis
Wilson, Charles H.

The **SPEAKER.** On this rollcall 403 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PUBLIC DEBT LIMIT

Mr. MILLS. Mr. Speaker, I renew my motion that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10867) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10867, with Mr. Fascell in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The **CHAIRMAN.** Under the rule, the gentleman from Arkansas [Mr. Mills] will be recognized for 2 hours and the gentleman from Wisconsin [Mr. Byrnes] will be recognized for 2 hours.

The Chair recognizes the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, I yield myself 23 minutes.

Mr. Chairman, we are becoming quite well informed on the particular subject matter involved in the bill presently pending before the Committee—the debt ceiling. It will be recalled that 2 weeks ago to the day the House rejected a bill that the Committee on Ways and Means had reported which would have provided a permanent ceiling of $365 billion.

Mr. Chairman, we in the committee proposed that ceiling because of the contingencies which we discovered to exist. I must say, as we present this bill to you today, that those same contingencies continue to exist for the fiscal year 1968. I think they are just as real now as they were when we had the bill before us 2 weeks ago.

We have, however, reported on this occasion—thinking it was in keeping with the wishes of the House—a bill that does not provide for a $365 billion ceiling, but a bill that provides in section 1 for a permanent ceiling of $358 billion.

The other provisions of the bill, with the exception of section 3; that is, sections 2 and 4—are identical to the bill that was pending before the House 2 weeks ago.

In section 1, we have returned with a substantially lower debt ceiling. The bill before the House today provides a permanent debt ceiling for fiscal year 1968 which is $7 billion less than the limitation in the bill which the House considered 2 weeks ago.

This means that in fiscal year 1968, $7 billion less will be available to meet the numerous and serious contingencies that confront us. The House must face the fact that the allowance for contingencies provided by the limitation of $358 billion proposed in this bill may not be adequate. For example, this ceiling assumes that a tax increase will be enacted in fiscal year 1968 that will produce $2.2 billion less than the $5.5 billion increase proposed by the administration. But it is not certain today that a tax increase will be enacted.

If the contingencies develop adversely, we will have to revisit this subject of debt limitations before the end of that fiscal year. In my estimation, although we are taking a chance, there is a good possibility that the $358 billion will meet our needs for fiscal year 1968. I will show later by a specific compilation of the contingencies why I think this may be true.

On the other hand, if we were to establish a debt ceiling significantly below $358 billion, I would not make this statement. In that case, I think it would be almost certain that we would have to consider this matter once again before the end of the fiscal year.

I should also like you to know that the figure of $358 billion for fiscal year 1968 not only is $7 billion below the figure we brought to the floor last time but it also is, in effect, $12 billion below what the administration originally requested. This is true because, as in the last bill, we have included participation certificates to be issued by FNMA in fiscal 1968 under the debt ceiling.

Let no one tell you that what we have brought out for fiscal year 1968 is not substantially below the ceiling we presented last time and still further below the ceiling sought by the administration.

The ceiling applicable under the bill in fiscal year 1969 and in subsequent fiscal years also is demonstrably lower than the ceiling which would have been provided under the earlier bill. It is difficult for me to understand how anyone could fail to recognize this.

Mr. Chairman, sections 2 and 4 of this bill are identical with the provisions contained in H.R. 10328, which we considered on June 7. As I have mentioned, FNMA participation certificates issued during fiscal year 1968 will have to be included in the debt subject to the limitation. The certificates issued in fiscal year 1968 will have to be included in the debt limitation as long as they remain outstanding. This is provided in section 2.

This action does not affect the way these participation certificates are to be accounted for in the budget accounts. Nor does it imply any final judgment by the committee as to the proper way to handle these certificates in the future. It simply removes a source of uncertainty in the outlook for the debt. We know that these amounts will be included within the debt subject to limitation whether the funds are raised through the sale of FNMA participation certificates or whether they are raised through the sale of regular Government securities.

Section 4 of the bill provides that the Treasury can issue notes with a period to maturity of as long as 7 years, rather than the 5-year period now provided. These notes, of course, are not affected by the 4¼-percent ceiling on the interest rate which the Treasury can pay on its bonds, which presently includes all debt with a maturity of over 5 years.

This provision will allow the Secretary of the Treasury greater flexibility in managing the debt. As the Members know, the average maturity of the outstanding debt has been falling to dangerously low levels recently. This provision will aid the Secretary in his efforts to prevent or lessen still further shortening in the average maturity of the debt in the period ahead.

At the same time, this minor change in the definition of what constitutes notes and bonds will not by itself have any effect on interest rates generally. The Committee on Ways and Means did not go along with the administration's request to raise the interest rate ceiling on $2 billion of bonds and did not extend the definition of notes to include debt with securities of up to 10 years, because—rightfully or wrongfully—this would have been viewed by some as an endorsement of a high interest rate policy.

There is one section in this bill that was not in the bill before the House on the previous occasion, and that is section 3.

I want to dissipate any doubt that is in anybody's mind about the meaning of section 3. Section 3 is in the bill to become effective beginning on July 1, 1968, and for all fiscal years thereafter. A permanent ceiling of $358 billion at the end of each and every future fiscal year, as well as fiscal 1968, is provided by section 1, but during the course of fiscal years beginning with fiscal year 1969 and thereafter provision is made for a temporary increase in that ceiling. The need for this arises from the fact that Federal expenditures tend to be distributed evenly during a fiscal year but Federal receipts are proportionately heavier at the end of each fiscal year. The debt, therefore, tends to reach a peak around March 15 and April 15 and then fall to a lower yearend level. This is shown in every detailed debt tabulation the Treasury has ever presented to us.

Look, for example, at the debt projected by the Treasury in table 2 in the committee report for the fiscal year 1968, which is based upon an $11 billion deficit. You will see the March 15 figure is $9.9 billion above the June 30 figure.

The Treasury Department was asked to compute the average variation from the peak to the yearend level in the past several years. On the basis of this record, it appears that the $7 billion allowances for seasonal fluctuations will be adequate for this purpose.

Mr. Chairman, this is a significant change in our approach to the public debt, contrary to what was said by one speaker earlier today, who stated that it is the same bill we had before except for 1 day out of the fiscal year. Well, of course, that can be said, but it does not tell the whole truth.

While the debt limitation during fiscal year 1969, or any subsequent fiscal year, may exceed the permanent debt limitation by as much as $7 billion, it must be brought back down to $358 billion on the last day of the fiscal year unless Congress in that year acts to raise the debt ceiling.

Under the bill previously reported, the debt could have been $365 billion on the last day of fiscal year 1969. Accommodation of a debt of $365 billion on the last day of the year suggests a still larger debt during the following year because the rate of expenditures tends to be greater, early in a fiscal year, than the rate at which revenues are received. Accommodation of a debt of $358 billion on the last day of fiscal year 1969 therefore suggests a much lower buildup of debt in the following year.

Certainly this latter course means a lower debt trend than the earlier bill, for 1969 and subsequent years, as well as in 1968. So let us lay to rest the claim that this is the same old limit in a new dress.

This bill also means that if the Secretary of the Treasury is not able to reduce the outstanding public debt by any temporary amounts that he may have issued in excess of the $358 billion limit, say, in 1969 or 1970, he will have to come back to the House and request a new limit because the amount of debt he has authority to have outstanding on June 30 of any year is only $358 billion.

It is a real change, in my opinion, compared to the bill we had before. While the bill does provide that degree of flexibility during fiscal year 1969 and during later fiscal years—through the use of both a permanent and temporary ceiling—that was in the previous bill, it provides for a lower ceiling at the end of these years. Furthermore, it does not even provide the same flexibility with respect to fiscal year 1968—I want to make that clear. I will admit we run the risk, if all of the contingencies and no tax increase is voted by the Congress, that before the end of the 1968 fiscal year we might have to be back to adjust this ceiling.

To understand the reason I say that, I ask you to look at table 2 on page 3 of the committee report. It is one the Secretary of the Treasury submitted to us back in May in the public hearings.

It projects what the debt would be at given dates in fiscal year 1968, if the deficit is $11 billion and if we assume that there is a constant $4 billion of cash on hand.

If you look at the table in connection with the information on page 5 of the report, you will see how the committee arrived at the conclusion that $358 billion is the amount that must be provided in this bill for the permanent debt limit.

First, the administration's estimate of an $11 billion deficit for the coming fiscal year includes the assumption that the 6-percent surcharge on individual and corporate income taxes will be effective on July 1—less than 2 weeks from now. It is clear now that a surcharge will not be enacted in time to be effective by July 1. I do not mean to imply necessarily that it will be enacted at any time. This remains to be seen. However, should we subsequently decide to enact a surcharge, we could make it effective on January 1—or an earlier or a later date. Using the January 1 date as the basis for estimating the contingency, we find that receipts in fiscal year 1968 would still be $2.2 billion less than the estimate the Treasury took into account in its determination of the $11 billion deficit.

Second, this bill, like its predecessor, requires that all FNMA participation certificates issued in fiscal year 1968 be included in the debt ceiling. The administration plans to issue $5 billion of participation certificates in fiscal 1968, most of them through FNMA. By the time of the peak debt limit in March 1968, it is projected that $3.5 billion of this amount will have been issued, or if Congress does not permit the issuance of participation certificates, other debt issues equal to that amount will have been issued.

Third, the revenue outlook is uncertain because the economy is not as buoyant as it was last year. The administration reduced its January estimates of revenue by $1.5 billion when Secretary Fowler and Director Schultze appeared before the Committee on Ways and Means in May. The Joint Committee on Internal Revenue Taxation estimates that receipts will be $2.5 billion below this reduced administration estimate, and the administration has stated that this represents a reasonable quantification of this contingency. By the time of the March 1968 peak in the debt, the impact of this lower estimate of receipts should be about $1.1 billion.

Fourth, the most important contingency is the required level of military expenditures in Vietnam. We have to be prepared to respond to the moves made by the enemy. If he steps up his campaign, we have to step up ours. Any increase in military activity has been and will continue to be expensive. When we are engaged in a military struggle, we have no choice other than the prudent choice to provide for the possibility that it may be necessary to increase expenditures over the initial estimates. However, for this purpose, this bill assumes a $3 billion increase up to the time of the peak debt rather than the $4 to $6 billion increase assumed previously.

These four contingencies show a need for a total contingency allowance of $9.8 billion. If we relate these four contingencies to the debt pattern projected on the basis of an $11 billion deficit, plus the normal peacetime contingency allowance of $3 billion, we arrive at the figure of $358 billion as the minimum realistic ceiling for fiscal year 1968.

We begin the calculation with table 2 in the committee report, which assumes an $11 billion deficit, a constant $4 billion cash balance, and no allowance for contingencies. This table projects a peak debt of $345.2 billion on March 15, 1968. We then add to this peak total the normal $3 billion peacetime allowance for contingencies and the $9.8 billion of special contingencies I have just referred to. These figures total to $358 billion.

The contingencies allowed for under this debt limitation have been set at minimum levels. It would have been more realistic to include larger allowances. But, because these allowances are minimums, there is no room for any other contingency, such as a substantial increase in nondefense expenditures.

That is the best judgment as to what our needs will be.

I am hoping that the ceiling will take care of the situation not only in 1968 fiscal year but that it may serve—with the provision of the temporary $7 billion—to take care of the situation for sometime in future fiscal years.

A great deal has been said about the use of the ceiling as an effective method of holding down on spending. The way we have used it in the past has not achieved, in my opinion, one whit of genuine control over expenditures. What we have done in the past, when we provided a temporary ceiling, is to pattern a ceiling to meet an existing already submitted budget. That is, we patterned the ceiling in each instance to fit a budget which had been submitted.

If—and I hope I can get my friends to see this point—if we ever get a realistic permanent ceiling in the law, then it will have an effect on the rate of spending. Why? Because when the administration plans budgets in the future, beginning with the fiscal year 1969, it will be faced with a permanent ceiling of $358 billion. We think this will put pressure upon them to pattern their budgets so as to fit the debt ceiling, they will not be able to pattern the debt ceiling to meet a budget.

In the event the House does not want this measure, frankly I do not know what I could suggest. I do not know what the committee could come up with, very frankly. This is a serious problem. The public debt limit has, I think, been treated as a political matter, when it should not be a political matter. My good friend from Wisconsin, Mr. BYRNES—and I quoted this once before—pointed out in connection with a debt ceiling bill in 1958 just what would happen if we did not increase that ceiling.

He said on August 5, 1958:

> (CONGRESSIONAL RECORD, vol. 104, pt. 12, p. 16238): Let me remind those of my friends who say that all you have to do is refuse to increase the debt limit—if you want to put in jeopardy the credit of the United States of America, then that is the way to do it. I fear for all of us and all of our people when I contemplate the tragedy that will follow from lack of confidence in the credit and integrity of the Government of the United States, because when that day comes there will not be a bank in the United States that will be worthy of its name and there will not be an insurance company or an insurance policy worthy of its name, and your whole system of Government will go down with it—make no mistake about that.

What he said is just as true today as it was then. The only difference between the gentleman and me is that I have said it every time in connection with the debt ceiling.

What would happen? Let me just point out to you what would happen. But first let me say that do not think for one minute that you can hide behind the excuse that the Ways and Means Committee can come up with something else. I cannot guarantee it to you. We would make every effort to do so, but there is no way I can guarantee to you that we could come up with something that a majority of you on the left side of the aisle would vote for.

Let me point out to you why we must enact this bill and provide for a new debt limit. Under existing law, the present temporary limit of $336 billion will expire on June 30 and the debt limit will fall to $285 billion—the current permanent limit—on July 1.

If we allow this to happen, the Treasury Department will be unable to issue any new Government securities after June 30. They will not be able to do so because the level of the debt will be nearly $45 billion above the debt ceiling. Not only will they be unable to issue securities that would increase the size of the debt, but they will also be unable to replace outstanding issues when they mature.

Has anyone thought about what would happen then? Does anyone think that any human being as Secretary of the Treasury could perform a miracle? Has anyone thought what you would force upon the Secretary of the Treasury if he could not issue any securities in July?

You would force on him the necessity of using $10.7 billion of cash to pay securities now outstanding that will come due in the month of July alone. There would not be a penny on hand certainly by the end of July, and I think the funds would be exhausted by the middle of July—on the basis of information that I have. As a result, Government payments would have to be stretched out or delayed.

Just where the delay or stretchout in Government payments would occur cannot be definitely determined now. It is definite that such delay or stretchout would have to take place. It could be that payments under Government contracts might have to be delayed. Or payments of salaries to Government employees. Or payments under the various loan and benefit programs, including grants to the States. While some of those affected might be able to afford to wait for the payments due them, others would experience severe hardships. Their hardships would be transmitted to the merchants and other businessmen in the areas in which they live. Hardships would be most widespread in those areas where the persons who would be directly affected are concentrated. These could be areas where there are large numbers of Government employees or where there are large numbers of people working under Government contracts.

The results of such an experience would be felt long after an adequate debt limit was provided, which surely it would be. For example, it would be difficult to restore the operation of the payroll savings plans which would be disrupted during the time the Treasury could not issue bonds to participants. There would also be heavy adjustment costs for the banking system, since Government deposits would have to be withdrawn during the period of stringency.

What is the alternative? My good friends on the committee in the minority, after the bill was defeated 2 weeks ago, promptly introduced a bill to make permanent the present $336 billion ceiling. Let us not be kidded into believing that this is an alternative. The gentleman from Missouri [Mr. CURTIS], my respected friend, said that for the entire fiscal year it would have to be raised to more than $336 billion. We all know that. There is no argument about it.

What is involved? Do you want to give the Secretary of the Treasury this continuing authority so that he can refinance the existing debt, and not have to exhaust his cash for that purpose? If he has to use his cash for this purpose, how long will it take him to go down the road? If our figures are correct, and I think they are, he cannot go far.

The administration has projected the issue of $1 billion of participation certificates by the end of July. The shortfall in revenue as estimated by the joint committee staff will be $100 million by mid-August. Administration revenue estimates will fall short by an additional $500 million by the end of August because those estimates are based on the assumption that the 6-percent surtax would have gone into effect on July 1.

When we add in all of these things that we know about—and they are not contingencies—when we add them into table 2 on page 3 of the committee report, we very quickly find that it is doubtful whether a $336 billion limit will last until September 15 or even September 1.

Before that time we would have to have hearings. We have to begin legislating on these matters well in advance of the last day before the limit is reached. We have to give the Senate time to consider these matters. We would have to begin hearings by the 1st of August, and we would bring back something almost identical to what we have today, if not identical, to take care of the balance of the fiscal year.

We are talking about perhaps 30, 40, or 45 days—45 days at the very most—before we would be coming back again—and we would be coming back again—with another debt ceiling. Everybody knows we would need to do that. Is that any way to legislate? I do not think it is.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Chairman, I quickly confess my confusion and frustration over the debt limit. Veteran organizations have asked me what happens to veterans' compensation and other payments if we do not increase the debt limit? I asked this of the Secretary of the Treasury and the Bureau of the Budget. I would like to ask the gentleman from Arkansas and the gentleman from Missouri and the gentleman from Wisconsin the same question. In short, Mr. Schultze says:

> Failure to extend the debt limit would require either wholesale default on Government securities or stoppage of practically all Government activities including payments to veterans.

Would the gentleman answer that question?

Mr. MILLS. Yes. Let me assure the gentleman and every veteran in the United States that even though the House defeated the debt limit proposal the last time, I cannot conceive this House permitting a situation—as the gentleman described—to develop that would leave the Secretary of the Treasury without any cash on hand on the 13th or 15th or 31st of July. We are not going to let this Government go bankrupt because of failure to meet its obligations.

But I also want the House to understand that unless we take action to increase this debt ceiling now and have it in effect by the first of the month or shortly thereafter, the Secretary of the Treasury will encounter a situation in July where he will not be able to pay veterans. He also will not be able to pay grants-in-aid to the States, or to pay contractors, or anybody else, because he is without authority to issue new obligations, and because he will not have the amount of cash on hand he needs. The cash will not come in fast enough at the start of the fiscal year. I do not know precisely what will happen, but I do know that if we ever get to that point, not only will we have unpaid bills, but we will have destroyed the confidence of the world in our ability to meet our obligations.

Nobody in this House is going to let that happen.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Chairman, first on this point, it is true if there were no debt ceiling increase—but that is not in issue—for a motion to recommit with instructions would take care of that.

Mr. MILLS. But only for a very short period of time.

Mr. CURTIS. That is true. This is why I asked the gentleman to yield. He said this would mean the Ways and Means Committee would have to, on August 1, start holding hearings. The difference is that the administration has finally agreed to submit a midterm review of the budget.

Mr. MILLS. In October.

Mr. CURTIS. No. In the latter part of July. We have hearings scheduled in the Joint Economic Committee on it. This is the difference and the issue. The administration has told Congress it is not going to give us any more information. This is the issue; we need this information.

Mr. MILLS. In the first place, the administration has not told you or anybody else they are not going to give us any more information.

Mr. CURTIS. The gentleman is wrong in that.

Mr. MILLS. They have never said that. They said they were not going to submit a new budget at the request of the gentleman. That is all they said.

Mr. CURTIS. This is a promise that they were going to have a midterm review in the latter part of July, and Senator PROXMIRE, in the Joint Economic Committee has issued a statement on it to the effect that this is the kind of data we need.

Mr. MILLS. Let me get to that point. The gentleman says—and he has said it repeatedly—that unless we hold the ceiling down tight, there will not be any reduction in spending anywhere along the line.

I call the gentleman's attention to exactly what has happened.

In 3 of the past 4 years, under temporary debt ceilings that were based upon budgets submitted by the administration, the actual deficit was lower than the predicted deficit. In 1964, with a debt ceiling to accommodate a deficit of $11.9 billion, the deficit was only $8.2 billion.

In 1965, with a debt ceiling to accommodate a $4.9 billion deficit, the deficit was $3.4 billion. In 1966, with a debt ceiling to accommodate a $5.3 billion deficit, the deficit actually was $2.3 billion.

That is why I tell the gentleman, and everyone else, that the debt ceiling is not responsible for reductions in spending. It is not. I will insert at this point in my remarks a table on estimated and actual deficits for a period of years:

Estimated and actual deficits

[Dollars in billions]

Fiscal year	Administrative budget expenditures	Original estimate of deficit or surplus	Actual deficit or surplus	Difference between estimate and actual	Difference as a percent of total expenditures
1957	$69.0	+$0.4	+$1.6		
1958	71.4	+1.8	−2.8		
1959	80.3	+.5	−12.4		
1960	76.5	+.1	+1.2		
Eisenhower total	297.2	+2.8	−12.4	$15.2	5.1
1961	81.5	+4.2	−3.9		
1962	87.8	+1.5	−6.4		
1963	92.6	+.5	−6.3		
Kennedy total	261.9	+6.2	−16.6	22.8	8.7
1964	97.7	−11.9	−8.2		
1965	96.5	−4.9	−3.4		
1966	107.0	−5.3	−2.3		
1967	126.5	−1.8	−10.5		
Johnson total	427.7	−23.9	−24.4	.5	.1

What happened in January of this year? The administration reached the ceiling. It needed more money. What did we do? The House agreed to increase the debt ceiling on a temporary basis by $6 billion.

What we want to continue, I hope, is not a situation where in the future we will have to pattern a ceiling to fit a budget. Let us try the permanent approach, and let them pattern their budgets to fit the ceilings that we fix here in the Congress.

The debt limitation provided in this bill is a tight limitation. It is lower for both 1968 and for subsequent fiscal years than the limitation provided in the earlier bill. For 1968 it is $7 billion below the limit provided in the earlier bill. It is $12 billion below what the administration originally requested. For years after 1968, the limit is also below that provided in the earlier bill since the debt must be brought back down by the end of each of those subsequent fiscal years to the $358 billion level.

The bill will not open the doors to any increase in nondefense spending. In view of the contingencies which relate to the war in Vietnam, revenues, and the state of the economy, the limitation contains no reason for an increase in nondefense spending above the levels now budgeted.

I think we should review the various expenditure programs to see whether their cost-benefit ratios justify the expenditures under the present situation. I have introduced a resolution to set up a Commission to help to carry out this purpose. But we cannot expect to be successful in holding down spending in 1968 by imposing a low debt limitation, after commitments have already been made for the expenditures.

Let me conclude with a note on my view of fiscal responsibility. I believe that nondefense spending should be cut. I am in favor of realistic efforts to cut this spending. The permanent ceiling provided in this bill will provide the dike against which the Executive and the Congress can measure these expenditures in the future before the budget has been prepared and the Congress has acted on appropriations bill. I believe, however, that a debt ceiling should be realistic—it should provide, at the least, for the contingencies which appear probable.

Fiscal responsibility to me does not mean voting against a realistic debt limit just because I did not favor some of the expenditures the Congress has voted. It is not in my view fiscally responsible to act in a manner that will make it impossible for the Government after June 30 to meet obligations to which it has already committed itself. Fiscal responsibility to me in this case means voting for this debt limitation.

Mr. Chairman, the House should accept this variation from what we had before. I certainly hope it will.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I am going to be very brief.

We had an extensive debate on this matter on June 7. At that time we rejected H.R. 10308, a bill providing a debt ceiling of $365 billion. Nothing has changed since that debate on June 7.

Frankly, I do not have anything to add to the arguments I made on June 7 against providing additional borrowing authority of $29 billion. I have no new arguments.

Perhaps I can use this time to clarify the issues. Some of my colleagues on the other side apparently misunderstood the issues debated and the significance of the vote on June 7.

At that time we were asked to provide a ceiling of $365 billion. Now we are asked to provide a debt ceiling of $358 billion, with the authority to borrow an additional $7 billion for fiscal years after 1968. However, on June 30, 1969, and each succeeding June 30, the ceiling reverts to $358 billion.

When we start out with $358 billion and add $7 billion, we are still confronted with the same proposal to increase the debt ceiling. In the arithmetic I was taught, that still adds up to $365 billion. That is the ceiling which is authorized by this bill before the House. If this bill is passed, the Federal Government's borrowing authority will be increased by $29 billion.

We have had prior experience with a "sliding" debt ceiling. We enacted legislation for fiscal year 1963 providing a "sliding" ceiling. We provided a ceiling of $308 billion effective from July 1, 1962, to March 1, 1963, and a ceiling of $305 billion from April 1 until June 24. On June 25 the ceiling was to be reduced to $300 billion.

What actually happened? The ceiling did not revert to $305 billion nor to $300 billion. When the administration was provided with $308 billion in borrowing authority, they borrowed up to that limit and spent the money. Congress had to provide a $307 billion ceiling from May 29 to June 30, and also increased the ceiling for the succeeding fiscal year. The "sliding" ceiling was simply an invitation to spend and borrow to the limit. Since the bills had been incurred, the ceiling was never reduced to the figures contemplated. Congress had to maintain the ceiling at the limit and shortly thereafter increase it further. We have been increasing it ever since then.

As the chairman has said, we have to provide a new debt ceiling. But the sliding scale feature of this bill is not going to change the overall authority to borrow or the attitude of the administration. If I thought, as the chairman does, that this bill would compel the administration to develop its budget to remain within the debt ceiling set by this Congress, I would be more optimistic. I would be hopeful that the $7 billion additional "sliding" authority provided by this bill might have some effect.

Frankly, though, all we have to do is examine the experience of 4 years ago to realize that the highest figure in a "sliding" ceiling is, as a practical matter, the actual cost ceiling authorized. The official budget figures are still the same as they were on June 7 when we debated this matter: expenditures are $136.5 billion for the coming fiscal year; receipts are $125.4 billion; the estimated deficit is $11.1 billion.

During the executive hearings that we held last week, we renewed our efforts to get the Secretary of the Treasury and the Director of the Bureau of the Budget to reexamine the expenditures they are planning which comprise this $136.5 billion figure. We urged them to consider postponements and revisions and to establish a new order of priorities in order to avoid the necessity of a deficit of $29 billion in this next fiscal year. Would he do it? Would he give us any encouragement at all? Absolutely not. My colleagues, I wish that it was possible for me to open to you the record of our executive session and let you see for yourselves the adamant position of this administration to any change in its plans.

The administration is determined to incur every expenditure that is currently contemplated, including the expenditures listed by the chairman as contingencies not included in the estimated deficit of $11.1 billion. The administration will not alter their plans by a single penny. That is the issue today and it was the issue that we faced on June 7.

In other words, Mr. Chairman, are we going——

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. Yes; I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. The gentleman is one of the most able Members of this House. He is a very delightful gentleman and he is very knowledgeable on this subject. However, the gentleman has been speaking about the administration not changing its position. I wonder why the gentleman will not change his position, in view of his own previous position during the Eisenhower administration, or does the gentleman not expect anything to change?

I am unable to understand why the gentleman is not for this legislation, when he supported the Eisenhower administration's proposed raising of the debt ceiling and proposed increases in spending?

Mr. BYRNES of Wisconsin. I would be glad to respond to the statement of the gentleman from Tennessee, but I do not think any purpose would be served by going into the economy efforts of the Eisenhower administration. Probably, I could quote from the speeches that the gentleman from Tennessee and his Democrat colleagues were making during the Eisenhower administration. The gentleman, like the great majority of his Democrat colleagues, was criticizing the administration for its frugality. They said that the administration was heartless, because it would not spend money for a garden variety of programs urged by the Democrats. Those were the issues presented at that time.

You cannot say that the Eisenhower administration did not make attempts to reduce government expenditures, because it did.

But please let me go ahead and complete my statement.

Mr. EVINS of Tennessee. The gentleman well knows the increases which were requested at that time——

Mr. BYRNES of Wisconsin. Mr. Chairman, I refuse to yield further to the gentleman from Tennessee, because I do not feel that it will contribute anything toward meeting the current fiscal problems.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 additional minutes.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 additional minutes.

Mr. BYRNES of Wisconsin. Mr. Chairman, no useful purpose is served by arguing over events of 10 years ago. We must find a solution to the immediate problem that we have before us. We are faced with the largest deficit since World War II. We are being asked to grant the greatest increase in borrowing authority that has been considered since World War II. That is the current problem. We must face up to it now and not worry about what happened in 1956, 1957, or 1958. It is an obligation of all of us to resolve this problem rather than burying it in the dust of former years.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Chairman, the gentleman from Wisconsin forgot to suggest that the frugality of the Eisenhower administration resulted in a period during which we had the alltime peacetime record budget deficit.

Mr. BYRNES of Wisconsin. You have broken that already; you have broken that peacetime deficit right now.

Mr. BURKE of Massachusetts. We have not broken it now. Your party holds the alltime record, the alltime peacetime record——

Mr. BYRNES of Wisconsin. Well, now, the gentleman is playing politics.

Mr. BURKE of Massachusetts. You are playing political football and Russian roulette and you have played it long enough. You have been playing a political football game. Let us get down to the real facts.

Mr. BYRNES of Wisconsin. That is what I would like to do.

Mr. BURKE of Massachusetts. I think the minority party has a responsibility here.

Mr. BYRNES of Wisconsin. I would like to answer the question of the gentleman, but let us put the record straight. We are incurring the record peacetime deficit in the current fiscal year, which ends in a few days—on June 30th. Your administration and its representatives told us just 3 weeks ago that even after expenditures are artificially reduced $4 billion through participation sales gimmick, the deficit for fiscal year 1967 is 11.1 billion.

You have an $11 billion deficit now, and if you kept your books like the Eisenhower administration, instead of reducing expenditures through participation sales gimmickry, your deficit in fiscal year 1967 would be $15 billion. You know that is true.

I just saw the chairman shake his head. But will the chairman not agree with me that if we currently used bookkeeping procedures corresponding with the bookkeeping that was used in the Eisenhower administration, the budget would show a deficit in 1967 of $15 billion?

Mr. MILLS. If the gentleman will yield, the fact is it would be just the reverse in 1967, it would not be $11 billion, it would be less than that.

Mr. BYRNES of Wisconsin. Then the gentleman has something that shows the administration has changed its minds in the last 2 weeks, because Mr. Schultz said this.

Mr. MILLS. I know he said it, but it will not be that much. Is the gentleman not pleased that it will be less than that?

Mr. BYRNES of Wisconsin. I really am.

Again, my colleagues, to show you what we are confronted with, we cannot even trust the figures given to us by the administration from one week to the next concerning the Government's fiscal posture.

That is why we should not rubber stamp the administration's request for borrowing authority and sign a blank check. They tell us they want $29 billion of additional borrowing authority so they can keep on spending with no concern for the consequences.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield further?

Mr. BYRNES of Wisconsin. No; I am not going to yield any further because the gentleman simply wants to rehash the past. I want to deal with the fiscal problem that we are confronted with today.

Mr. EVINS of Tennessee. I merely wanted the gentleman to reconcile his position.

Mr. BYRNES of Wisconsin. I will tell you what my position is—do not make any mistake about that—and I told you my position on June 7.

Mr. Chairman, I hoped to make my remarks brief, because I discussed these points on June 7. I hoped that my colleagues would try to understand the issues confronting us, and why many of us oppose this legislation, but apparently there is an unwillingness to focus on the real issues at stake.

Let me outline what is really at stake here. We are insisting on a review, a revision, a reappraisal, and a reassessment of our expenditure needs and our revenues requirements to reflect the current fiscal facts instead of the outdated facts of the January budget. If we wish to avoid a deficit of $29 billion, this must be accomplished.

Are we going to sign a blank check for $29 billion, or are we going to insist on a review and revision establishing priorities based on current data and realistic estimates? Those of us who oppose this legislation are insisting on this review before giving the administration the green light.

In voting against the proposed ceiling we will be insisting that the administration provide us with accurate figures and realistic estimates. The chairman has indicated just now that the administration has new figures. The Ways and Means Committee was in executive session last Wednesday on this legislation. Did they inform the committee of any new changes in the deficit posture, Mr. Chairman? Absolutely not. If they have gone into the chairman's office and told him events have taken a turn for the better, then they do not need $29 billion in additional borrowing authority. If the fiscal situation since May has improved by a billion dollars, then you have at least $1 billion too much in the $29 billion authority that you are asking for.

Mr. Chairman, the administration asks us to take responsible action on the basis of an incomplete and inaccurate factual record. They are keeping us in the dark. How can you be responsible unless you have facts on which to make an informed judgment?

Mr. Chairman, this Congress has not been given the facts. The American people have not been given the facts. We were not given the facts last year when we asked for them. They misled us in May. We were misled again in September. The administration led us down the road of fake optimism for one whole year. Not until January of this year did they tell us that the budget submitted one year earlier was completely inaccurate, that the deficit was five times as large as the original estimate, and that Vietnam expenditures had been understated by 100 percent.

In September of last year, the administration was adhering to the 9-month-old estimates for fiscal 1967—expenditures of $112.8 billion and a deficit of $1.8 billion. Only 4 months later, they submitted a budget to Congress showing expenditures of $126.7 and a deficit of $9.7 billion. The situation did not deteriorate that badly in only 4 months—we were simply being deprived of the facts.

Two or 3 weeks ago we were told that the fiscal 1967 deficit estimate is over $1 billion higher—$11.1 billion. Now we are informed by the chairman of the committee that within the last week he has been told it is not going to be quite that bad.

But what is it going to be? How can we act here without knowing what it is going to be? I say to you that we will be acting irresponsibly on this record if we sign a blank check for the highest deficit since World War II.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, we on this side are not the only ones who see dangers in the current economic picture and in the fiscal policies that are being pursued.

The Joint Economic Committee apparently shares that viewpoint. It apparently is not a partisan issue with that committee. The Joint Economic Committee has decided to make a review of the whole fiscal picture.

I have the statement released by the chairman of the Joint Economic Committee. From a review of past history you will not find that he and I have agreed too often even though we both come from the same State.

Let me read just a little bit of what the chairman of the Joint Economic Committee said in his release last week announcing the hearings to begin next Tuesday on the current economic outlook and its policy implications.

This is what he said:

> The Joint Economic Committee is and has been very much concerned about the state of the economy and the growing prospects that the nation faces the largest budget deficit since World War II in the coming fiscal year. Although we do not yet have completely revised official estimates for the fiscal year 1968, unofficial and semi-official statements . . . indicate that the administrative deficit is likely to run somewhere between $16 billion and $29 billion; the cash deficit between $12 and $20 billion; and even on the national income account basis, which excludes transactions in capital items, the estimates of the deficit run between $9- and $17 billion.

Here is what the chairman of that committee, not a member of my party, but a member of the Democrat Party, says about the problems that confront us today and some of the things that we should do about them. He said:

> Deficits of these magnitudes, if realized, coming on top of the built-in cost-push inflationary pressure caused by wage and price increases over and above the guidelines, would in all probability bring about a return of excessively high interest rates and tight money conditions similar to, if not worse than, last year.

Is that not what I have been saying, that deficits of these magnitudes should make us stop, look, and take note of where we are going? But he says—rolling up these deficits is the "meat-ax approach" to the problems of the Nation. It could produce great harm to those sections of the economy least able to bear these burdens—consumers, small businessmen, farmers, and home buyers. That is why we are calling for restraint instead of the "meat-ax approach." By granting the authority to borrow $29 billion and run up these huge deficits without the benefit of accurate facts, the majority is proposing "a meat-ax approach." I share the Joint Economic Committee's opposition to this approach and the concern it expressed over the consequences of a $29 billion deficit. In expressing this concern, the release stated:

> In the light of these worsening prospects, the committee believes it desirable that Congress have the benefit of a fresh review of the economic situation and outlook in order to obtain a proper basis for the reassessment of Government fiscal and monetary policies.

What are we doing today? The level and composition of the debt is an integral part of fiscal policy. The Joint Economic Committee says we should demand a review and reassessment of these fiscal policies. And that is what we are asking you to do before voting $29 billion of additional borrowing authority. We are proposing to make the temporary $336 billion debt ceiling permanent in order to prevent the problems that would be incurred on July 1 if we should do nothing.

I know we are going to have to provide an increase beyond that amount, probably in September, and I will support the needed increase. But how much increase is needed—that is the issue here. I do not want to increase the debt ceiling by $29 billion, but if necessity dictates it, that is what we will have to do. But I think a review of our fiscal situation will demonstrate that we can cut back on some items and postpone others, and if we can, an increase in this magnitude is not required.

We will propose in our motion to recommit that the present ceiling of $336 billion be made permanent. I would point out that the debt is presently substantially below $336 billion. Mr. Chairman, I understand that you have later figures of what the fiscal situation is, so maybe you can tell me how much the public debt will be on June 30. At one time, we were told it would be $324 billion.

Mr. MILLS. That was in relation to cash on hand. What the gentleman wants to know is this: We always end up the fiscal year with more than that. It is in the neighborhood of $9 or $10 billion of cash, as I recall.

But it would be considerably under the $336 billion. I do not know what the figure would be.

Mr. BYRNES of Wisconsin. Yes. According to the Treasury's own tables—and the chairman has agreed—the $336 billion will accommodate their borrowing needs at least until September 1. The contingencies mentioned in the committee report are not items that would have a significant impact within the next 3 months. If we had had a tax increase on July 1, the additional revenue that would have been produced between July and September would not have been appreciable. None of these items require a $3 billion contingency as long as we have allowed for $4 billion in cash on hand in computing the borrowing authority included in our motion to recommit. The figures of the administration themselves indicate they would have no difficulty until September 1 at the earliest.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. Yes; I yield to the gentleman from Arkansas.

Mr. MILLS. But even if they could get to September 1 or 15, under the proposal of the gentleman, we would have to begin our work in hearings thereon at an earlier date. My friend would have to admit that.

Mr. BYRNES of Wisconsin. Yes.

Mr. MILLS. Some time in August.

Mr. BYRNES of Wisconsin. Yes. At least it would give us a month, Mr. Chairman, to procure accurate figures and current data. The Joint Economic Committee hearings would be available, and we would have more information than we have now. It is perfectly apparent that we are being asked to sign a blank check by an administration completely unwilling to review their outdated expenditure plans.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, would my friend not agree with me, however, that regardless of what may take place before some joint committee without authority to legislate, that what is taking place in the Appropriations Committee and what is taking place in the House and the Senate is a better mark for us to look at and a better situation for us to consider? The gentleman from Texas some 2 weeks ago said he hoped on the basis of what was presently transpiring that the budget would be reduced from $2 to $3 million. That is authorizations to spend. That would not affect this cash flow, which is in 1968. Those are the things that I believe are more challenging to us than some hearing that is going to take place somewhere else.

Mr. BYRNES of Wisconsin. All I am suggesting, and I think the chairman realizes this, is that we can get some help from the hearings of the Joint Economic Committee. Another committee in the Congress is saying the same thing we are saying, that we do not have enough facts on which to base reasonable judgments in establishing fiscal policies. If we pass this bill, we will condone additional borrowing of $29 billion, regardless of the consequences for the fiscal and economic policies of this country.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Chairman, I would also point out that the fiscal year ends June 30, and then a lot of statistics will become available which are not presently available. They will be coming in during the next 2 or 3 weeks. This will give us greater insight than we have now. The administration is aware of this and would confirm this point.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, the gentleman refers to a $29 billion increase. That is not the reason for the increase in fiscal year 1968.

Mr. BYRNES of Wisconsin. I appreciate that. The total does provide the same $29 billion over the same period. But the gentleman is correct. It does not provide that much borrowing authority for fiscal year 1968. They have cut back to that extent, so maybe some favorable consequences resulted from the defeat of the bill on June 2. I believe we will have further benefits if we defeat this bill today. That is why I shall vote against this bill today and I recommend that we adopt the motion to recommit that I will offer.

Mr. MILLS. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, it was not my intention to participate in the debt ceiling debate, but the events of the last several weeks prompt me to speak out on this vital issue.

First of all, I observe that many votes for or against the debt ceiling are politically motivated. Members of the minority party oppose the debt ceiling because of the political advantage created by repetition of the debt ceiling issue. The extension of the debt ceiling issue into next year's presidential election is viewed by some as a master stroke of strategy. For similar political reasons, it would be desirable for administration supporters to dispose of the issue this year in a manner which would remove the debt ceiling vote from next year's legislative business.

Somewhere between these two political motivations lies the course of propriety. Is the present level of the permanent debt of the United States realistic and proper? Obviously not. The present permanent debt limit of the United States has been impractical since 1959.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. VANIK. I yield to the distinguished Speaker.

Mr. McCORMACK. On the question of political motivation, may I say that during the 8 years of former President Eisenhower, when he was our Chief Executive, every time an increase in the debt ceiling came up the Democrats supported the bill and supported President Eisenhower by a vote of anywhere from two to two and a half to one. That was the record, through the 8 years. We recognized the question of responsibility.

We on the Democratic side overwhelmingly voted—I repeat again—by a vote of anywhere from two to two and a half to one, on every rollcall for the increase. On one or two occasions it went through the House without even a rollcall, when the Democrats were in control.

Mr. VANIK. I thank the distinguished Speaker. I want to point out that on all of those issues, every time it came before the House, I supported the increase in the debt ceiling that was presented by the then Republican administration.

Those who question the President's request for a new debt ceiling have the burden of disproving his claim by concrete facts which discredit the evidence which the administration has provided.

There are many who attack the debt ceiling on the ground that the approaching breach of the legal ceiling is the proximate result of new spending programs in the civil administration sector—such as Federal expenditures to conduct the war against poverty, poor housing, and urban blight. These areas of Federal activity are singled out as though they are the sole cause of rising governmental costs.

I live in a community which has recently been declared a target city by militant and vocal leaders who are incensed with the neglect of human problems. Although 883,400 persons are fully employed in the Cleveland labor market area, 27,400 are registered among the unemployed with, perhaps, an additional 15,000 unreported among the despondent unemployed. Most of the unemployed are in the central city. The tinderbox is set for trouble. In these circumstances, the interest of the Federal Government in these programs constitutes the best hope of my community. The Headstart, Job Corps, the Neighborhood Youth Corps, and the spectrum of antipoverty programs have provided community involvement at levels never before anticipated.

Mr. Shriver's programs are widely acclaimed and appreciated by most of the people in my community. Our newspapers applaud these programs, convinced of their worth. The Federal efforts of job training and retraining are costly—but, they are rewarding. For example, while Federal programs are providing over 6,000 summer jobs for the needy, unemployed young people in Cleveland, the private business sector has responded to the call by providing 180 jobs in a comparable effort. These figures do not prove that the business sector has been indifferent. For, indeed, many leaders in the private business sector have given countless days of work in the cause. We hope that results will improve. More significantly, these figures prove that the burden for achievement in the summer employment programs must be assumed by the Federal Government until such time as the private business sector can profitably adjust to undertake a greater responsibility.

The continued oversight of these critical urban problems can only multiply the cost of their solution. The cutback of these vital Federal programs would bring almost sudden death to urban communities which can yet be spared and revitalized with Federal programs and a little patience. This is all we ask.

In my city, trouble may erupt this summer—as it can in any major city in the United States. No large city—no town—is exempt from reactions to urban despair and desolation. No part of America can consider itself exempt or excused from an obligation to help solve urban problems which are national and which affect the entire Nation. With these Federal programs, I can at least believe that America has at last physically expressed a concern for the problems which overwhelm us. With these Federal programs, we are making new starts toward better cities, better urban life. Over the years, we have been legislating for the benefit of the businessman, the farmer, the worker, and the professional man. Our legislative history documents these efforts to help the businessman, the professional man, the machine worker, the cotton farmer, the textile mill, the airplane, and even the duck hunter. We are almost 180 years behind in our efforts to help the city and those who must live in it.

Every Member of this Congress can draw up a first-rate list of nonessential Government spending. It wouldn't trouble my constituents one bit if my vote were instrumental in striking down crop insurance programs, agriculture marketing programs, the Commodity Credit Corporation, the farm home construction program, or the water conservancy programs under which the Federal Government pays for water retention on private lands and then stocks the lake for the owners' personal fishing. Nor would my constituents complain if my vote struck down merchant marine subsidies, airline subsidies, or the privilege of second- and third-class postage rates. Nor would my constituents complain if I were to support reduced tariffs on the importation of milk, beef, hams, or the importation of oil which would reduce the cost of living.

Every Member of Congress faces difficult problems which result from our varied constituencies. We are here in the common purpose of solving the problem of every other constituency in America. We take the same oath. We share the same obligations wherever we live.

When drought and neglect of our land created a huge dustbowl which forced millions of Americans from the soil of their birth, our country developed massive approaches to the problems of the migrant and the restoration of productivity to their abandoned lands. Today, the cities are in crisis. The population of the central cities are on the move—out and away from the burden that remains. My city is suffering a reduction of population from 914,808 in 1950, to 876,050 in 1960, to 810,858 in 1965. We are currently suffering a loss of almost 25,000 citizens a year. This exodus involved the more affluent who can afford relocation. The ratio of the unemployed and the distressed to the self-sufficient becomes more and more acute. Gradually, our central cities are becoming concentration camps for the needy. If the needs of these people are not met in the city, then some alternate plan must be established to encourage the relocation of these unfortunate people to areas in which they will not be concentrated and in which their needs and adjustment to gainful employment can be brought about.

These new Federal programs which have rekindled urban hope are essential and ways must be found to continue them. These new programs did not make our huge Federal debt.

Some of our current debt results from policies of tax reduction since 1961, which have cost our Federal Treasury over $23 billion. But the great accumulation of Federal debt can be shown to result from our conduct of wars and military expeditions to preserve the peace. Few people here would renounce these commitments. Only the hard at heart would insist that we stop feeding the hungry populations of the poor parts of the world until they have developed some means of fending for themselves. Therefore, we must face other solutions.

Perhaps we should explore restricted and underdeveloped areas of Federal taxation to meet our current financial crisis. Perhaps, we should endeavor to reach the sanctuaries which shield the so-called smart money from the tax collector. The imposition of capital-gains-at-death tax would bring in about $4 billion annually. The reinstatement of the telephone and motor vehicle excise tax scheduled for reduction next April would bring in $2½ billion each year of this emergency. A 5-percent increase in the air travel tax with the proceeds going into a commercial aircraft development fund could create a trust fund for the Federal contribution for the development costs of the supersonic plane which should be shouldered by aircraft users in proportion to their use and need rather than by general taxpayers who may never benefit. This would spare the general taxpayer and the Treasury from billions of dollars of expenditure.

Today, billions of dollars of income of American citizens and residents within the country and abroad totally escape the tax collectors audit because income is tax free by law and tax free by gimmickry. Income on some of these tax-free earnings might be reached by the imposition of a net worth tax based on an individual's wealth. A 1-percent tax on the net worth—tangible and intangible—in excess of $50,000 held by a citizen or resident of America or by a citizen abroad would probably yield about $3 billion a year. The owners of such untaxed wealth enjoy the protection of our Government. Many of our costly foreign programs are instituted to protect such investments abroad. The holders of tax-free securities would be brought into the fold and included among those who help America survive, prosper, and grow.

Yesterday, we talked about the flag and provided stern penalties to those who would bring it into desecration. Today, we talk about our Government's line of credit. Some seriously consider a renunciation of our obligation to pay off our legally contracted obligations. We should not countenance this attack upon the faith and credit of the United States of America. If we fail to pay our bills, our defense contractors and our suppliers will be forced to despair with payment delays. Defense policies might be altered to provide an accommodation. Pressures will develop for the unwise and untimely disposition of Federal assets. Despair might overtake our farms and our cities.

The desecration of the national faith and credit can be more costly to America than we can imagine. We must not tamper with or threaten those who provide the trust upon which we survive.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. GILBERT].

Mr. GILBERT. Mr. Chairman, the report of the minority members of the House Ways and Means Committee on the debt limit made much of the fact that the public debt has been increasing during the past few years. To be sure this is true. But this fact must be placed in some perspective. It is also true, for example, that the recent increases in the debt are less than the increases in expenditures which have occurred to meet the costs of Vietnam, now running in excess of $20 billion annually. And it is also a fact that during the years since World War II, the Federal debt has, with minor exceptions, steadily declined in relation to our Nation's economy. In other words, measured in terms of its burden, the debt has been decreasing during this period.

Immediately after World War II, the public debt amounted to $269.9 billion, one and one-third times our gross national product, which then stood at only $201.6 billion. By 1960 the debt had risen to $286.5 billion, but was then 57.8 percent of the gross national product. At the end of fiscal year 1967, the ratio of the debt to gross national product is estimated at 42.9 percent compared to the 133.9 percent of 1946. Thus, it is clear that the Federal debt has risen at a much slower rate than the economy and, by this measure, should be less of a strain on the economy than in earlier postwar years. And, in the last few years, this has occurred despite extraordinary military demands.

To illustrate this point further, let us compare the ratio of debt to gross national product for the periods 1955 through 1960 and 1964 through 1967. The last years of the 1950's were peacetime years following the end of the Korean war. In contrast, the more recent period is one in which, as I have noted, expenditures have risen rapidly because of the demands placed on the Government by our military actions in Vietnam.

Now, given these contrasting situations, reason would suggest that we should expect a substantial improvement in our debt position during the 1955–60 period and, perhaps, a worsening of that position in the 1964–67 period when the Government is making extraordinary military expenditures. The facts indicate just the opposite. During 1955–60, the public debt averaged almost two-thirds of gross national product. In comparison, the debt has been reduced to less than half of the gross national product during 1964–67 despite our extraordinary military expenditures.

Looking again at the longer sweep of the post-World War II period, we find that the Federal debt increased by 27 percent between the end of calendar year 1946 and the end of calendar year 1966. During these same 20 years, the debt of other borrowers—State and local governments, private businesses, and individuals—increased to between five to eight times their 1946 levels. As a result, the Federal share of total indebtedness in the country has declined from 58 percent at the end of 1946 to only 22 percent at the end of last year.

The burden of Federal debt per individual has also been sharply reduced since 1946. Debt per capita dropped from $1,909 in 1946 to $1,628 in 1966.

These facts speak clearly for themselves. The debt cannot be viewed in the abstract. The fact that it has increased under administrations of both major parties is not in itself the vital question before us. We must keep in mind that in terms of all reasonable measures the burden of the public debt has been reduced during the past two decades. And in the years of the present administration, the debt has declined to less than half of our gross national product. I think this record warrants a vote of confidence which we can give by enacting the measure now under consideration.

17. Government expenditures and gross national product, calendar years 1929–65

[Dollar amounts in billions]

Year	Gross national product	Government expenditures [1]					
		Amount [2]			As a percentage of gross national product		
		Total	Federal	State and local	Total	Federal	State and local
1929	$103.1	$10.2	$2.6	$7.6	9.9	2.5	7.4
1930	90.4	11.1	2.8	8.3	12.3	3.1	9.2
1931	75.8	12.4	4.2	8.2	16.4	5.5	10.8
1932	58.0	10.6	3.2	7.4	18.3	5.5	12.8
1933	55.6	10.7	4.0	6.7	19.2	7.2	12.0
1934	65.0	12.9	6.4	6.5	19.8	9.8	10.0
1935	72.2	13.3	6.5	6.8	18.4	9.0	9.4
1936	82.5	16.0	8.6	7.4	19.4	10.4	9.0
1937	90.4	15.0	7.4	7.6	16.6	8.2	8.4
1938	84.7	16.8	8.6	8.2	19.8	10.2	9.7
1939	90.5	17.5	8.9	8.6	19.3	9.8	9.5
1940	99.7	18.5	10.0	8.5	18.6	10.0	8.5
1941	124.5	28.8	20.5	8.3	23.1	16.5	6.7
1942	157.9	64.0	56.1	7.9	40.5	35.5	5.0
1943	191.6	93.2	85.8	7.4	48.6	44.8	3.9
1944	210.1	103.0	95.5	7.5	49.0	45.4	3.6
1945	212.0	92.7	84.6	8.1	43.7	39.9	3.8
1946	208.5	45.5	35.6	9.9	21.8	17.1	4.7
1947	231.3	42.4	29.8	12.6	18.3	12.9	5.4
1948	$257.6	$50.3	$34.9	$15.4	19.5	13.5	6.0
1949	256.5	59.1	41.3	17.8	23.0	16.1	6.9
1950	284.8	60.8	40.8	20.0	21.3	14.3	7.0
1951	328.4	79.0	57.8	21.2	24.0	17.6	6.4
1952	345.5	93.6	71.0	22.6	27.1	20.5	6.5
1953	364.6	101.2	77.0	24.2	27.8	21.1	6.6
1954	364.8	96.7	69.7	27.0	26.5	19.1	7.4
1955	398.0	97.6	68.1	29.5	24.5	17.1	7.4
1956	419.2	104.1	71.9	32.2	24.8	17.2	7.7
1957	441.1	114.9	79.6	35.3	26.0	18.0	8.0
1958	447.3	127.2	88.9	38.3	28.4	19.9	8.6
1959	483.6	131.0	91.0	40.0	27.1	18.8	8.3
1960	503.8	136.1	93.0	43.1	27.0	18.4	8.6
1961	520.1	149.0	102.1	46.9	28.6	19.6	9.0
1962	560.3	159.8	110.2	49.6	28.5	19.7	8.8
1963	590.5	167.0	113.9	53.1	28.3	19.3	9.0
1964	631.7	175.5	118.1	57.4	27.8	18.7	9.1
1965	681.2	185.9	123.4	62.5	27.3	18.1	9.2

[1] Expenditures on income and product account. They are on an accrual basis, include trust account transactions with the public, and exclude capital transactions that do not represent current production, etc. (See introductory notes.)

[2] Federal data include expenditures for grants-in-aid to State and local governments. These amounts have been excluded from State and local expenditures to avoid duplication.

Source: Department of Commerce, Office of Business Economics.

Mr. MILLS. Mr. Chairman, I yield to the gentleman from Virginia [Mr. ABBITT] such time as he may consume.

Mr. ABBITT. Mr. Chairman, I appreciate very much the chairman of the Committee on Ways and Means yielding me this time.

Mr. Chairman, I intend to vote for the legislation which we are considering now. Today is June 21, only 10 days before the end of fiscal year 1967. On July 1 the debt ceiling will revert to $285 billion. The actual debt subject to the ceiling has not been at that level since July 7, 1959. We are faced with an emergency, and we are at war. We must act responsibly.

My constituents and the Members of this House are well aware that I have voted against many of the spending programs which have been enacted during the past several years. I have voted not only against the authorizing legislation but also against the appropriations bills themselves. Had enough Members joined me in opposition to these measures year after year, there would have been some balanced budgets, reductions in the national debt, and possibly some meaningful reductions in the heavy taxes our citizens have to pay.

It must be evident to all that those of us who have tried to apply this concept to Government spending have been in the minority. We have been called parsimonious when we have said that some desirable, but not urgently needed programs must wait until the budget is brought under control.

Likewise, and consistent with that record, during recent years as a protest against unnecessary and wasteful spending, I have not voted for the proposed increases in the public debt ceiling.

I have in the past voted against these proposed debt ceiling increases because I thought it might serve to arouse the Members of the House and our citizens generally to the vast increases which have transpired in recent years in the level of Federal expenditure, and in the increasing public debt at the Federal level. It has been my thought, Mr. Chairman, that if this House could once defeat a debt ceiling bill it would serve the very laudable purpose of arousing the administration and country to what has been happening in this area in the recent past and to the need for expenditure control. Mr. Chairman, 2 weeks ago we made the point; but, having made the point, we must act responsibly in providing a realistic debt ceiling for the forthcoming fiscal year which begins in less than 2 weeks so that the Secretary of the Treasury can pay the obligations of the Government. To do otherwise would, in my judgment, be irresponsible behavior on our part.

Mr. Chairman, I do not need to remind this House that we are at war in Vietnam. The bills for the military hardware and for the payment of our fighting men in Vietnam are being presented daily to the Government. It would be unthinkable to leave the Secretary of the Treasury in a posture just a few weeks from now wherein he is not able to honor Government obligations which are presented to him and which we in this Congress have voted on at least twice—once in the authorizing legislation and again in the appropriating legislation. I cannot believe that the Congress could permit this legislation to go by the board and leave the country in that chaotic posture. In my judgment, it would be irresponsible, and it would be breaking faith with our fighting men.

The legislation now pending before us is tighter and more restrictive for fiscal year 1968 than the bill on which we voted 2 weeks ago. This bill is $7 billion lower for fiscal year 1968 than the bill which the House rejected and which I voted against 2 weeks ago. Moreover, this legislation provides a tighter permanent debt ceiling for the future than did the bill which we rejected 2 weeks ago.

Mr. Chairman, I believe the legislation before us can become an effective method of expenditure control for the future. I say this because for fiscal years beginning with 1968 and into the future, the administration will have a limitation in the law which is realistic and which is permanently set and which they can reasonably expect the Congress to abide by. This will enable those in positions of power to so establish the budgets in the departments that the limitations contained in this ceiling will be observed. In this regard, it can become an effective instrument or tool for control over Federal spending. I know from the comments which the distinguished chairman of the Committee on Ways and Means, Mr. MILLS, has made that this is the firm intention of the Committee on Ways and Means, and it will be the firm intention of this House if we enact this legislation. It is so stated in the committee report and it has been made unquestionably clear in the explanation of the distinguished committee chairman. I support those statements, and I support the legislation for the reasons which I have just set forth. I shall vote for the bill believing it is necessary if we are to preserve fiscal responsibility and I just hope that a majority of those present will join me in voting for fiscal responsibility of another kind in the future.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. BURLESON].

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BURLESON. Mr. Chairman, in the 20 or more years I have been a Member of this House this is about the 20th time we have faced this issue. As I recall, part of that time the action has been a return to its permanent ceiling, and then it was found necessary to raise it to a higher temporary level.

Before someone mentions that I have been on all sides of this issue, let me say that if there is a side I have not been on, it has not been brought up. If that is an inconsistency, let me remind you that. William Randolph Hearst, Jr., said that it is better to be inconsistent than to be incorrect, or to put it in another way, it was better to be correct than to always be consistent.

He also said that a man who practices consistency absolutely is not always correct. He is not always right because times change and he does not.

I feel that times have changed. Times when I have supported this legislation, it was because of changes which, in my opinion, demanded support. I feel this is such a time.

I address my remarks particularly to my colleagues who, for lack of a better word, are more on the conservative side, and point out, as did the gentleman from Virginia who preceded me, in the past 20 years I have been a Member of this body, there has not been a year that I have not voted against from $3.5 billion to $13½ billion. The record will so prove. So this is not, as has been repeatedly stated here, a matter of economy. I know those of you who have a similar record feel an inner satisfaction that since you are not responsible for the necessity of raising the debt ceiling, you should not be called upon to support this legislation. I share that feeling and understand it. However, it is a comfort we cannot now afford. Our present obligation is too great. The time to practice economy is when we have before the House authorization and appropriation measures. This is not economy. It is simply a measure which would enable our Government to meet its obligations.

Incidentally, let me say to those of you who have been here a great number of years and who have served under the various conditions as have I, that it is considerably easier to serve in the minority. The responsibility is not as great and politics is a luxury. I doubt I will ever have that pleasure again, but if I ever do, I will know how to enjoy it more.

But I think we come to a time when we have to stand up and be counted for those things we know are correct. I am afraid not to support this legislation, because we have great responsibilities in front of us, the great imponderables that we do not know, that may be going to happen in just a few months, and on down the line. They would cause me to shrink from the self-satisfaction of voting against this measure. We have to know that our Government is able to meet its financial obligations without default, and, more importantly, without shaking confidence in our financial structure.

I would have guessed when this effort was defeated 2 weeks ago, there would probably have been some shudders going through the financial machinery of this country, but I believe probably the stir in the Mideast may have diverted it. I believe today, if we do not act, we are going to feel some reverberations through our financial structure, simply because there may be a shaking of confidence, a feeling that we may not have the courage to meet the c.o.d.'s which we have incurred, and especially to be certain we meet the great obligations we have in Vietnam.

I hope Mr. Chairman there will be strong and clear support for this proposal.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. HAGAN].

Mr. HAGAN. Mr. Chairman, I am certainly grateful to the distinguished chairman for granting me this time.

Mr. Chairman, my distinguished friend, the gentleman from Virginia [Mr. ABBITT], a few moments ago said we are at war. The United States is today fighting a bloody and difficult war in Vietnam. American soldiers are losing their lives and American resources are being expended at a great rate. This is being done to protect the integrity of the United States and to preserve freedom in the world.

During the Easter recess, as a member of a special committee which was designated by my chairman, Hon. MENDEL RIVERS, to travel to Vietnam, I made an extensive and intensive inspection of that theater of war. I know the problems we face and the valor displayed by our fighting men there.

Under these circumstances, in my judgment, it would be the height of irresponsibility, bordering on criminal action, if we in this Congress by our failure to take favorable action on this debt ceiling legislation should cause any delay or slowdown in the delivery of one rifle, or one case of shells, or one helicopter, or any type of military equipment needed by our fighting forces in Vietnam. I do not know that failure to enact this bill will necessarily result in delay; we, however, cannot take any such chance.

I agree 100 percent with the statement of John Davis, national commander of the American Legion, that this controversy over the public debt ceiling must not be permitted to affect the national security of the United States of America or essential programs relating to veterans of either this or past wars. I agree with him that the costs of war, including the benefits to disabled veterans, are essential obligations of the U.S. Government which absolutely must be met. If there is the slightest question—I repeat, the slightest question—that any controversy surrounding the point at which the public debt ceiling shall be fixed would affect the payment of those essential obligations, then we must all vote for the legislation which will fix the ceiling at a point where that question is removed. This is not a political question; this is a moral, a legal, an ethical question; it involves the very integrity of the fiscal and security processes of this Government.

My constituents in the First Congressional District of Georgia are familiar with my voting record and I do not have to remind them that I have stood in the forefront of the fight to reduce unnecessary Government spending and to eliminate wasteful and undesirable Federal Government programs. I have repeatedly voted against the legislation which proposes and places on the books this type of program, and I have again subsequently voted against the bills to appropriate money to fund such programs. My record is clear; it is consistent; it is not subject to challenge on this point. I have likewise voted against debt ceiling legislation for the simple reason that I felt it would serve the useful purpose of notifying those in the administration who formulate these programs that they must be stopped.

Today, however, we face an entirely different situation. We are at war. It is only 10 days until the debt ceiling of the United States will revert to $285 billion. We have not had an actual Federal debt at that level since July of 1959. To permit the temporary legislation under which the Government is now operating to expire on June 30 and bring into force the unrealistic debt ceiling of $285 billion which has actually been exceeded since 1959 would be, in my judgment, the height of irresponsible action. Those of us in this Congress are Members of the Government; we all have an individual responsibility to see to it that the Government pays its debts. Those who know me, know that I pay my personal debts. The Government must never be put in a position where it can be accused for not paying its debts. Its fiscal integrity must be maintained.

Mr. Chairman, I believe the legislation before us can become an effective method of expenditure control for the future. I say this because for fiscal years beginning with 1968 and into the future, the administration will have a limitation in the law which is realistic and which is permanently set and which they can reasonably expect the Congress to abide by. This will enable those in positions of power to so establish the budgets in the departments that the limitations contained in this ceiling will be observed. In this regard, it can become an effective instrument or tool for control over Federal spending. I know from the comments which the distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], has made that this is the firm intention of the Committee on Ways and Means, and it will be the firm intention of this House if we enact this legislation. It is so stated in the committee report and it has been made unquestionably clear in the explanation of the distinguished committee chairman. I support those statements, and I support the legislation for the reasons which I have just set forth.

I intend to vote for this legislation to assure the flow of equipment to our fighting men in Vietnam; to maintain the fiscal integrity of the U.S. Government; and to impose a measure of control on the establishment of future budgets by whatever administration may be in office in future years.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia [Mr. Broyhill].

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in opposition to H.R. 10867. This bill is, in essence, no different than H.R. 10328, which the House rejected on June 7. In voting down H.R. 10328, the House rejected a proposal to make the permanent debt ceiling $365 billion. This bill, H.R. 10867, would establish a permanent debt ceiling of $358 billion for fiscal 1968. In fiscal 1969 the debt limitation would be increased $7 billion—to $365 billion—but would revert to $358 billion on June 30 of each year.

Reducing the debt to $358 billion on June 30, 1969, does not, as a practical matter, alter the borrowing authority provided for fiscal year 1969. While expenditures are relatively stable from month to month, there is a higher concentration of receipts accruing on and after April 15 of each fiscal year. Due to this, the debt normally reaches its peak on March 15, and then declines after that date. As long as the $365 billion authority is provided throughout most of the year, it is meaningless to reduce the borrowing authority on the last day of the fiscal year. Table 2 on page 3 of the committee report, for example, shows that the projected debt for fiscal year 1968 decreases $10 billion—from $345.2 billion to $335.4 billion—between March 15 and June 30.

Thus, the bill presents essentially the same issues for the Congress as H.R. 10328, the bill we rejected on June 7. The administration has not made a comprehensive reappraisal of expenditures, revenues, and the proposed level of debt financing. The Secretary of the Treasury and the Director of the Budget Bureau are still relying on the outdated January budget figures with very slight modifications. Congress would be abdicating its responsibilities in raising the permanent debt ceiling $70 billion on this sorry record.

The January budget projections are no longer an adequate basis for planning the Nation's fiscal affairs. In fiscal 1968, Vietnam expenditures will be $4 billion to $6 billion higher; revenues will be $2.5 billion or more less than projected; the administration did not recommend the tax increase included in the January budget figures; and the deficit will be between $20 and $30 billion—about twice the original projection.

In view of these changes, the administration must come forward with a complete reappraisal of the fiscal picture so that Congress can take responsible action based on the current facts to put this Nation's fiscal affairs in order. When we are engaged in a major military effort in Vietnam, Congress must, if necessary, increase taxes, reduce expenditures, and provide additional borrowing authority—but it cannot act in the dark.

The Joint Economic Committee has recognized this. In a release dated January 14, the committee expressed its concern "about the state of the economy and the growing prospects that the Nation faces the largest budget deficit since World War II in the coming fiscal year."

The release further noted:

> Deficits of these magnitudes, if realized, coming on top of the built-in cost-push inflationary pressures caused by wage and price increases over and above the guidelines, would in all probability bring about a return of excessively high interest rates and tight money conditions similar to, if not worse than, last year. This is a "meat-ax" approach to the solution of the problems of the Nation which could produce great harm to just those sections of the economy least able to bear its burdens; namely, consumers, small businessmen, farmers, and home buyers.
>
> In the light of these worsening prospects, the committee believes it desirable that Congress have the benefit of a fresh review of the economic situation and outlook in order to obtain a proper basis for the reassessment of Government fiscal and monetary policies. We shall have before the committee representatives of the administration as well as outside experts to provide the most up-to-date information on the state of the economy and the relative desirability of alternative means of dealing with the situation which their analysis reveals.

In addition to this information that will soon become available, the Budget Department will be providing the Congress shortly after July 1 with a midyear budget review. The House should have the benefit of this current information in making a decision to greatly expand the permanent debt ceiling. I urge the House to support the Republican proposal to establish a permanent ceiling of $336 billion. According to the Treasury's own figures, reproduced on page 3 of the committee's report, this will be adequate to carry them through September. In the interim, the joint economic study will become available, the midyear budget review will be provided to the Congress, and the administration can develop a more realistic expenditure estimate for Vietnam as well as a new order of priorities in domestic programs.

Mr. Chairman, my remarks in connection with H.R. 10328, which the House voted down on June 7, are applicable to this bill. But since then the international situation has grown more serious. In addition to continued involvement in Vietnam, the Middle East crisis has deepened, and China has exploded a hydrogen bomb which may require the development of an antiballistic missile defense system. This is no time for the Congress to be basing fiscal decisions on outdated information. I urge the House to support the Republican substitute.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. Bush].

Mr. BUSH. Mr. Chairman, just 2 weeks ago the House rejected a bill (H.R. 10328) to provide for an increase in the debt ceiling to $365 billion. Those of us who opposed that bill did so, not because we did not recognize that an increase was necessary, but because the magnitude of the increase sought by the administration indicated that the Congress and the people were not being told the truth.

The administration was talking about a deficit of $11 billion for fiscal 1968—but was seeking to finance a deficit of $29 billion. Which was the correct figure?

I would interpret the vote 2 weeks ago as a mandate by the House. If the vote meant anything, it meant that we were asking the administration to take another look at its budget and to come back to the Congress with better estimates, both of revenues and expenditures. The administration refuses to do this—that is the issue facing us today.

Our debt is already costing us about $15 billion a year in interest alone. Interest is the largest nondefense expenditure of the Government. Before committing the American people to another $29 billion of debt—an additional interest cost of almost $1½ billion a year—we had better take another look at the budget.

Those who would look to the growth in the GNP—a large part of which is represented by inflation—and say that this is a rich nation and that we can afford anything had better take their heads out of the sand. We cannot do everything at once.

If you want to look at it that way, you had better look at the other obligations, to which the Government is committed, and which also constitute a claim on the additional tax revenues which stem from a growth in GNP.

If you want to look at the whole picture—just how much of our future tax revenues have been dedicated for a specific purpose—the additional debt measured in those terms is several times the amount of the conventional public debt.

For example, the Government is obligated to provide retirement benefits under social security, the civil service retirement program, the military service retirement program, and to our veterans in the form of pensions. If you want to look ahead, $1.651 trillion of the Government's resources will be paid out in the form of those benefits over the next 33 years. This means an average of $50 billion a year has already been dedicated to the payment of retirement benefits.

If we were obliged to fund our liability for those benefits—as would any conventional insurer—we would as of today have to set aside a total of almost $700 billion.

In addition, there are other social programs which when enacted were intended to meet a need which would diminish in time. The contrary has resulted.

We hear a lot about the great period of prosperity, for which the Democrats take much credit. I do not hear them mention the fact that notwithstanding this great prosperity the number of those receiving public assistance has increased not only absolutely, but as a percentage of the population. We have 650,000 relief recipients in the city of New York alone, 436,000 of whom qualify under the aid-to-dependent-children program. The number is ever increasing.

During this period of great prosperity, Federal aid to the poor—as classified in the President's budget—has increased from less than $10 billion in fiscal 1960, to more than $25½ billion for fiscal 1968.

A few years ago, the people were being told that all we had to do was to inflate the economy, to accelerate the growth of our gross national product, and the need for relief and aid would diminish. The same administration today claims credit, not for diminishing aid, but for the fact that aid has increased more than 2½ times during this period of high economic growth.

There is a widespread feeling of concern over where our fiscal policies—and the attitude that we have unlimited resources—may be taking us, a concern which is shared not only by my Republican colleagues, but by the gentleman from Arkansas, the chairman of our committee. He has not only proposed that a special Commission be appointed in order to assist the Congress in establishing effective controls over Federal spending, the gentleman has introduced an excellent bill (H.R. 10520) to establish such a Commission. Next week I will also introduce similar legislation.

Recently, in addressing the graduating class at Columbia University, Dr. Grayson Kirk, president of the university, urged the academic community to get into the debate; to bring about an awareness of the limitations of our resources; the priorities of guns and butter, or urban rejuvenation and foreign aid.

Dr. Kirk said:

> The academic community should remind the American people that there are, in fact, limits to our national competence to achieve so many goals at the same time. There are, and there must be, priorities among all these demands upon our fiscal resources. Someone must ask the awkward questions.

Faced with a potential deficit of $29 billion—and believe me that is implicit in this bill—I think it is the duty of the Congress to ask some "awkward" questions and to insist upon some responsive answers from the administration.

The first question is, Just what are the administration's spending plans for fiscal 1968? How reliable is the budget submitted only 6 months ago, and how reliable the present official estimates for a deficit of $11 billion? Is this realistic?

Second, in the face of a potential deficit of $29 billion—and I am pretty confident that that is what the facts will show—what are the choices open to us, and what are the consequences?

Let us take a look at the budget. Last January, the administration proposed expenditures of $135 billion for fiscal 1968. Do we have any better estimates today?

On the expenditures side of the ledger, the administration had taken credit for the sale of some $5 billion of participation certificates. This money would be spent but would not show as an expenditure.

For fiscal year 1968—when we take into account the proposed sale of participation certificates—we find that the administration proposed to spend a total of $140 billion.

That is what the administration said it would spend—$140 billion.

When the Secretary of the Treasury appeared before the committee last week, he stated that expenditures would be about $1.5 billion in excess of the figure in the January budget. This brings us to $141.5 billion. If we include the participation certificates, that is the amount the administration now stands on.

On the revenue side, the budget submitted by the President last January estimated total administrative budget receipts would amount to $126.9 billion. How good is that figure?

First, the estimate of $126.9 billion included $5.5 billion in revenues from the proposed 6-percent surcharge on individual and corporate taxes, and the speedup in certain corporate tax collections. The budget presupposed that Congress would enact the legislation needed to raise this additional revenue in time to take effect on July 1, 1967. On this assumption, the administration showed an increase in revenues of $5.5 billion for fiscal 1968.

Does anyone believe that the Congress will enact a tax increase effective next week? That is what the administration's budget presupposes.

What has happened to the proposed tax increase?

The President has not sent up the customary message to the Congress recommending the enactment of tax legislation.

When the Secretary of the Treasury was before the committee in connection with the debt increase, he refused to discuss the administration's plans.

After taking credit for $5.5 billion in the January budget, the administration has been satisfied to let the matter rest there.

If we take the situation as we find it today—and the administration steadfastly refuses to take a position—we must assume that there will be no tax increase and that revenues will be $5.5 billion less than estimated in the January budget. This would reduce the administration's revenue estimate to $121.4 billion.

In addition, the administration's revenue estimates were predicated on certain rosy economic forecasts which have not panned out. Business is not as good as the administration said it would be. As a result, there will be a shortfall in revenue collections from existing tax rates. The administration now estimates that this shortfall will amount to $1.5 billion. This reduces the revenue estimate to $119.9 billion.

Now, the staff of the Joint Committee on Internal Revenue Taxation has made an independent estimate of revenues. After taking a new look at business—and particularly corporate profits—the joint committee staff estimates that the existing taxes will produce revenues of only $117.4 billion for fiscal 1968, $2½ billion less than the administration's lowest estimates.

If we take the estimates by the staff—which have proved more reliable in the past—we get down to an estimate of revenues of $117.4 billion for fiscal 1968.

The Treasury does not challenge these estimates. In fact, without coming right out and disaffirming the administration's estimates—in seeking a debt limit—the Secretary of the Treasury indicated he would accept the estimates made by the staff of the joint committee.

Where does this bring us? Based on the facts which we know at this time, expenditures—without any additional cost for Vietnam—will be $141.5 billion, and revenues—without a tax increase—will be $117.4 billion. We are facing a deficit of more than $24 billion unless something is done, and by "something" I do not mean just raising the debt limit so that the Treasury can borrow the money. Unless the administration—and the Congress—adopt measures to reduce expenditures, or to increase revenues, we are facing a deficit for fiscal 1968 of at least $24 billion. I think that the administration, and my chairman, will admit to this much.

But this is not the whole story. In addition, everyone is assuming that there is going to be some increase in defense expenditures over the amount in the January budget. Estimates of this increase run as high as $8 billion. I can understand perhaps the difficulty in attempting to pinpoint the amount. Let us just take a middle figure, which is $5 billion. If we add this to the deficit we are already facing, we get a deficit of more than $29 billion for fiscal 1968.

The bill before us today is designed to finance that deficit.

It is still a $29 billion debt increase.

Because of the seasonality in revenues—more than 60 percent of the revenues come in during the second half of the fiscal year—it will finance a $29 billion deficit for fiscal 1968 just as readily as the bill which this body voted down 2 weeks ago. The changes made in the bill accomplish nothing.

I said last time—and I say again today—that before accepting a deficit of this magnitude, before being willing to risk the consequences of such a deficit, we had better tell the administration again to take another look at their figures and come back to the Congress with some constructive proposal for reducing the amount of the deficit.

Rejection of the bill before you is our only hope. If we do not take that action today, the administration is not going to face up to the facts. You are going to have a $29 billion deficit.

What are the consequences of such a deficit?

I would like to quote what the Joint Economic Committee had to say in a recent announcement of hearings to review our fiscal posture. Here is what they said:

> Deficits of these magnitudes, if realized, coming on top of the built-in cost-push inflationary pressures caused by wage and price increases over and above the guidelines, would in all probability bring about a return of excessively high interest rates and tight money conditions similar to, if not worse than, last year. This is a "meat-ax" approach to the solution of the problems of the Nation which could produce great harm to just those sections of the economy least able to bear its burdens; namely, consumers, small businessmen, farmers, and home buyers.

Now, the Joint Economic Committee has scheduled hearings to begin June 27, less than a week from today. The administration is committed to come up with some new budget figures at those hearings. Leading economists will be called upon to testify.

Before enacting this bill, we had better wait and see what the administration is prepared to offer, and what the "experts"—the economists—have to say about the situation. The risks are too great to continue on our present course.

I fully realize that time is running out. Unless Congress takes some action, the debt ceiling will revert to the permanent figure of $285 billion on July 1. We should not let this happen. We will not let this happen.

I and my Republican colleagues on the committee—in conjunction with the Republican leadership in the House—introduced a bill (H.R. 10661) to make permanent the present debt ceiling of $336 billion. We will offer that bill as an amendment to section 1 of H.R. 10867 in the motion to recommit. I am hopeful that it will have your support.

The alternative which we will offer—to hold the debt ceiling to $336 billion—will give the Congress, and the administration, an opportunity to appraise our fiscal situation in a more realistic atmosphere, to consider alternative solutions, and to decide under the circumstances how much the Government should borrow, how much the Government should raise through taxes, and how much can be relied upon through the sale of assets.

I think that we will fail in our duty to the American people if we enact this bill today—increasing the debt to $365 billion—without taking a closer look. To borrow another $29 billion to finance the deficit may be the easy way out. I am not convinced that it is the best way.

A majority of the House was not prepared to tolerate a $29 billion deficit 2 weeks ago, and I hope that a majority of us are of the same mind today. If so, the only course left to us is again to reject the $365 billion debt limit, to adopt the alternative offered in the motion to recommit which will make permanent the present $336 billion debt ceiling.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I intend to support the motion to recommit.

Mr. Chairman, last June 7, I voted against the legislation to increase the legal debt limit ceiling by $29 billion to $365 billion. Now, today, 2 weeks later, after the defeat of that proposal, the House has before it almost an identical bill, the difference being that a new gimmick has been added. The limit would be $365 billion for all but 1 day of the year. On June 30, the limit could only be $358 billion. So, the bill is now called a $358 billion limit with an extra $7 billion during part of the year. I cannot see the difference between that and the original bill.

Meanwhile, there are no new changes. The administration has refused to change its spending plans. It insists on every dollar for which it asked.

Therefore the Republicans will offer an alternative program with a future limit of $336 billion, the same as we have now. There would be plenty of time under such a $336 billion limit for a review, looking toward an improved financial picture.

The prospect of a $29 billion deficit calls for cuts, and I might add, of consideration of obtaining increased Government revenue. This will take time and a $336 billion limit would be adequate.

So, Mr. Chairman, I intend to vote against the Democratic proposal of increasing the debt ceiling $29 billion. Instead, I support the Republican alternative to be contained in a motion to recommit continuing the $336 billion limit.

Mr. Chairman, I oppose spending on the scale included in the President's domestic programs. I know of no other way to force economies than to keep the lid on the public debt.

Mr. BENNETT. Mr. Chairman, although I have not personally been a party to the extravagant spending of this and the last Congress, and although I am a strong advocate of spending only within our means, I have never felt that a vote against raising the debt limit would cut expenditures. I have always felt that it would only be at best a protest matter, without any effectiveness for economy.

In this I have had strong support from leaders of the Republican Party, including former Minority Leader CHARLES HALLECK, of Indiana, who has said:

> The debt limit is not some sort of magic formula that keeps expenditures down.

I believe that the way to keep expenditures down is to vote against tax-supported authorization and appropriations bills. Raising the debt limit is not the same thing as raising Federal expenditures. It comes as a result of expenditures. The raising of the debt limit is a step to keep this country from having to default on its bills.

To vote against the debt limit at this time would not actually save money, but would possibly hinder the progress of the war in South Vietnam.

I wrote Secretary of the Treasury Henry H. Fowler and asked him:

> What will happen if the Congress fails to pass legislation to increase the debt limit?

Secretary Fowler replied:

> The simple and direct answer is that the United States Government would not be able to pay its bills or repay all of its maturing debt after June 30, 1967 . . . that would mean no payments on defense supplies, no payments of government salaries, no payments of government pensions, social security unemployment benefits. . .

George Humphrey, President Eisenhower's first Secretary of the Treasury, said in 1953 if the Government was unable to pay its bills he believed it would "cause near panic." The ranking minority member of the powerful House Ways and Means Committee, JOHN W. BYRNES of Wisconsin, said in 1962:

> Mark this, if something is not done between now and June 30 about the public debt limit we will not be able to honor many of these bills. We will have to default—an intolerable situation, and I am sure no member of this House would want to be responsible for the situation that would exist if we did nothing about the debt limit.

We had our largest peacetime deficit in history in 1958, $12 billion, and had three increases in the debt limit within a period of 18 months under President Eisenhower's leadership. At that time, 21 Republicans now serving in the 90th Congress supported debt limit increases in 1958 and 1959. I mention this partisan aspect because it seems that the Republican Party now seeks to appear fiscally conservative because of the issue of the debt limit.

> The more proper place to exert pressure to cut spending is in the appropriations committee where the authorizations to spend are made and given to the executive branch of the government—

Secretary Humphrey said in a speech in 1953. Such is the course we should take in 1967.

I have on occasion in my 19 years in Congress voted against raising the debt limit, but have always stated that it was merely a protest vote. But today many Members who have a record of voting against practically all cuts in appropriations are among the debt protestors. Their protest is hollow indeed. Especially when we are fighting a war in Vietnam that will cost at least $20 billion in this coming fiscal year.

It is paradoxical, indeed, that of the 210 Members of the House who voted against the increase in the public debt limit on June 7 this year, 98 of them voted in favor of the Elementary and Secondary Education Act. Two years ago there was not an Elementary and Secondary Education Act, and now today we have added an authorization of $9.7 billion to our tax burden through the enactment of this act, which as attractive as it may be for humanitarian reasons, is our country's greatest leap toward centralization of power since the founding of our Nation. Of the 98 who voted against the debt limit increase and also for the Federal Aid to Education Act, 85 votes were cast by Republicans. Consistency, it would seem, especially for fiscal responsibility, does not appear to be a cardinal virtue for the other side of the aisle.

I have voted against many of the recent huge and new spending programs although some of them I believe to be very dramatic, progressive, and challenging. But we are in a time of national sacrifice in Vietnam and should be fiscally conservative, and allow our progressive interests to take a back seat until the war is over and our deficits curtailed. To do otherwise is to trifle with the security of our country and the welfare of the next generation.

Mr. Chairman, I have introduced several bills which I believe will directly help the fiscal integrity of our country, saving money for the taxpayers.

One is the item veto, which would give the President the power to approve and disapprove any appropriation or provision in an appropriation bill. I am certain the adoption of this proposal would save the taxpayers millions of dollars. Over 40 States allow their Governors to veto individual items in appropriations bills, and my legislation would allow the President to make cuts where he thought there was a waste of tax moneys. Parenthetically, some say limiting the debt will result in an item veto; but this substitute for an item veto if it could be done, would be a veto without any power in Congress to override. That would truly be a congressional abdication to the Chief Executive.

Another bill I have introduced would

require all authorizing committees to make a 5-year estimate of the cost of proposed programs before approving them for passage. Expanding social and other programs to unnecessary proportions without any logical planning will harm the people the programs seek to help. This has been too true in recent years when we have added some $70 billion in new programs to the already burdened taxpayer. The question is: How long can the country afford the luxury of paying for all sorts of projects whose price tags are blank checks for spending? It is the taxpayer, not the Government, who pays the bills.

A third bill would provide for a congressional Budgetary Information Service, to promote fiscal responsibility in the Federal Government. This Service would advise Congress on the cost effectiveness of proposed programs and give us a computerized analysis on our $100 billion annual budget. This is essential in today's modern society.

When we are supporting over 400,000 young Americans in our struggle to contain Communist aggressors in Vietnam, to vote against the debt limit would be a national calamity threatening our security. It might give the President dictatorial power to control appropriations made by Congress and seriously harm the stability and health of the country. There is no evidence that it would reduce the burden of the taxpayers. It seems that only reducing authorizations and appropriations can do that.

Mr. MILLER of Ohio. Mr. Chairman, just 2 weeks ago, this body issued a call for fiscal responsibility in the Federal Government by rejecting a bill similar to the one now under consideration.

Since that time, I have hoped that the administration would undertake a comprehensive review both of expenditures and revenues in order to reduce the need for a $29 billion increase in the national debt ceiling.

This has not been done. Instead, we are being asked to pass another bill which is substantively no different from the prior bill (H.R. 10328). The figures have been juggled to make it look different.

Until a comprehensive review is undertaken, I will continue to vote against an increase in the debt ceiling.

Mr. LANGEN. Mr. Chairman, it is hoped that this body will stand firm on its decision of exactly 2 weeks ago when we said "No" to the administration's request to increase the debt limit by $29 billion. The reasons for reiterating that decision remain exactly the same, because the bill before us has not changed one bit, except in language designed to deceive us and the public.

The victory we scored 2 weeks ago against the current fiscal policies should have put everyone on notice that a majority of the House considers the skyrocketing national debt, caused by uncontrolled and mounting deficits, a threat to our economic survival. As I have stated so many times whenever the national debt ceiling issue has come before us, someone, somewhere, has to start paying attention to this growing problem. We struck the first blow in the battle for sanity in this Nation's monetary policies. It is hoped that we will now remain firm in our resolve and will force a complete review of the current policy that adds up to nothing except spend, spend, spend, regardless of its impact on the economy.

Mr. Chairman, we are kidding no one by the bill before us. To say that we would increase the permanent debt ceiling by $22 billion for fiscal 1968 and then to give the administration "temporary" permission to increase it by another $7 billion whenever needed after the end of that fiscal year is to again present a bill that provides a blank check. We should know from past experience that whenever a "sliding scale" debt ceiling is enacted, it is never allowed to drop back to the amount scheduled in the original proposal.

This was brought to mind earlier this year when the administration came up here and successfully managed to increase the ceiling by $6 billion. You can be sure that whenever the new "temporary" ceiling is in danger of reverting to a lower level, the Secretary of the Treasury and the Director of the Bureau of the Budget storm up the Hill and cry that they will not be able to pay their current bills. In this particular case, continuous deficit spending and Federal borrowing have gone on so long that even the trust funds were endangered, such as social security, disabled veteran, and civilian retirement funds.

Mr. Chairman, I still want to see the administration review both expenditures and revenues and come up with some realistic priorities before we sign any kind of check for them, blank or otherwise. This is not too much to expect, considering what a $29 billion deficit might do to our economy.

What we need to do now is reject this bill and come forth with another that would hold the debt at the present temporary $336 billion, since we obviously cannot permit the ceiling to slip back to the old and unrealistic figure of $285 billion.

A freeze on the debt would force the administration to at least recognize that there are alternatives to uncontrolled spending. It might even result in Members of Congress taking a temporary reduction in salary until proper priorities are set by the Government, but I consider the situation so alarming that we cannot afford to take any course less than on an emergency basis.

This Nation has never been able to carry on any sizable war and still go on at home as though we were not at war at all. All of us know that—and, Mr. Chairman, we are at war. If we try to continue "business as usual" here at home, the proposed debt ceiling before us today, bad as it is, may not even be sufficient to carry us through this upcoming fiscal year.

The important thing now is for the administration to send its departmental representatives back to Capitol Hill with a complete reappraisal of the domestic and nondefense spending programs. And they should come up with some positive recommendations in regard to the priorities they consider important so that proper reductions can be made in some programs and even some programs that could be deferred might be eliminated. This administration has talked of priorities, but apparently only for public consumption. When the representatives come before the committees of Congress, we hear little, if anything, about either priorities or reduced expenditures.

Mr. Chairman, two administration spokesmen who need to provide us with some answers to our questions are the Secretary of the Treasury and the Director of the Bureau of the Budget. These two gentlemen have been before the Appropriations Committee and the Ways and Means Committee of this House on numerous occasions in recent years, providing us with consistently wrong estimates on spending. One can only guess that their faulty, though extensive, testimony to gain new spending authority must be the result of very bad advice within the administration.

Back in January of 1966, the Secretary of the Treasury appeared before the House Appropriations Committee and promptly showed his inability or unwillingness to understand the Nation's fiscal problems by stating:

> I think the point that is obvious to us all, and I have tried to delineate this in my statement, is that were it not for the special expenditures in Vietnam the 1967 budget could have been a budget of surplus in a near full employment economy.

He was promptly and appropriately reminded by committee members that his statement completely disregarded the fact that thousands of our men were overseas, employed in the armed services, and that the Secretary had not taken into consideration the effect of the stepped-up war and the increased spending on the domestic front which stimulates business activity. The Secretary then admitted that it was impossible to make such a statement.

The Secretary failed to learn his lesson during the year that followed—year that saw the deficit estimate of $1.8 billion rise to $9.7 billion or more for the current fiscal 1967. On February 7 of this year, the Secretary of the Treasury was again before the House Appropriations Committee, singing the same tune:

> Were it not for the special programs associated with our Vietnam effort, this budget would show a surplus of $8.8-billion.

Just weeks later the administration announced that the current deficit would rise to $11.1 billion. When you match performance against what they say, one wonders at the reliability of any of their predictions.

Mr. Chairman, the Secretary of the Treasury also told us this year:

> The projected budget deficits resulting mainly from increased defense costs will again require the Federal debt to rise. There is no question, however, of the capacity of our economy to carry the extra burden.

Hog-wash, Mr. Chairman. As pointed out in the minority report on this bill, the administration and the Congress have had ample warnings from the financial community and from the Nation's economists that deficits of the size currently predicted could produce disastrous consequences.

This same Secretary of the Treasury,

again accompanied by the Director of the Bureau of the Budget, appeared recently before the House Ways and Means Committee, seeking the $29 billion debt ceiling increase that we rejected on June 7. Neither gentleman would even discuss priorities in domestic spending, if they actually had any. They were not even prepared to discuss the proposed tax increase as an alternative to further debt. In other words, give the administration what it wants and ask questions later. It was my hope that our action of 2 weeks ago would have convinced them that Congress wants the answers sooner.

Earlier this year, on January 30, the Treasury Secretary appeared before the Ways and Means Committee asking for the $6 billion increase in the debt ceiling that was subsequently approved. At that time there was an inadvertent revelation in the Secretary's testimony when he admitted:

> Three billion dollars (of the deficit) reflects the impact of tight money markets which have raised our interest costs and impeded the sale of financial assets.

What the Secretary failed to say, or did not understand, was that the increasing deficits were causing the tight money policies that he blames for $3 billion of the increased deficit for fiscal 1967.

This was realistically brought forth by the chairman of the Joint Economic Committee last week when he announced hearings on the state of the economy. In noting that the Nation could expect a deficit in the next fiscal year up to $29 billion, he said:

> Deficits of these magnitudes, if realized, coming on top of built-in cost-push inflationary pressures caused by wage and price increases over and above the guidelines, would in all probability bring about a return of excessively high interest rates and tight money conditions similar to, if not worse than, last year. This is a "meat-ax" approach to the solution of the problems of the Nation which could produce great harm to just those sections of the economy least able to bear its burdens; namely, consumers, small businessmen, farmers, and home buyers.

The chairman of the Joint Economic Committee went on to state that the committee believes it desirable that Congress have the benefit of a fresh review of the economic situation and outlook in order to obtain a proper basis for the reassessment of Government fiscal and monetary policies. I join with the Republican members of the Ways and Means Committee in requesting that the debt limit should at least be held to the present $336 billion until Congress has the advantage of the results of the joint committee's work.

Interest costs become most important when you consider that the second largest item in our national budget, exceeded only by national defense, is the interest we pay on the national debt. It has steadily risen in recent years and now totals over $14 billion a year. This is over a billion dollars a month. If we approve raising the debt limit by another $29 billion—and that is exactly what this bill would do—we will encourage a deficit of the same amount, necessitating an additional annual interest payment of $1.5 billion. This is based on current interest rates, and there is no assurance that such rates would not go even higher due to the effects on the money market of that very deficit.

Therefore, the annual interest payment could rise well beyond the projected $15.5 billion. If the administration would just sharpen its collective pencils, it would soon see how such increases affect the general public. For instance, an increase of $1.5 billion in the annual interest payment would cost an average family of five almost $40 a year in extra taxes just to pay the added interest. And to raise the indebtedness by $29 billion would be to raise the per capita indebtedness to $1,840—or an increase of about $145 for every man, woman, and child in the Nation.

The record over the past 7 years is anything but inspiring, showing an increase in the annual interest payment of $5.1 billion. If you add on the $1.5 billion that would be possible under this bill, the interest increase would total $6.6 billion, up 75 percent since 1961.

As the great bulk of our people are asked to go further into debt or pay increased taxes to finance uncontrolled domestic spending, another segment of the economy gets fat at the public expense. It is a situation that provides a burden on the poor with a bonanza for the rich. As interest rates continue to go up, and as the administration is successful in getting extensions on the maturity dates of Government securities, the money lenders see a great opportunity to double and possibly triple their income through loans to the Federal sector.

Back in 1945, interest rates averaged at 1.9 percent for the interest-bearing public debt. In April of 1967, it had risen to an average of over 4.1 percent, with the newer borrowing costing even more. This represents an increase of well over 100 percent in a little over 20 years—a doubling of the income for those who clip coupons. Actually, the average interest rates on the public debt hit the 3-percent level for the first time in 1960, and has increased well over 1 percent in the few short years since that time. And please remember that an increase from 3 to 4 percent in the interest rate actually is a 33⅓-percent increase in actual interest. One percent for the average homeowner with a $20,000 home loan would cost him an extra $4,734 over 30 years. The same principle applies to the Federal Government, only the homeowners of the Nation would not only pay more for their mortgages, but would also help pick up the Government's tab through taxes.

Mr. Chairman, inflation, tight money, high interest rates—all caused by mounting deficit Government spending—are threatening the Nation with fiscal catastrophe. Current spending policies will make these conditions worse, until the sheer weight of them breaks the bank, and the American people. The only alternative is for the Government to reverse these trends before the trends exert their own unalterable pressures.

I sincerely agree with the Republican conclusions as stated in their separate views on the debt limit bill before us 2 weeks ago, and reiterated in the report on the bill now before us, that before enacting an additional increase of $29 billion in the debt limit—making a total of $35 billion since the first of the year—the administration and the Congress have the solemn duty and obligation to reappraise the priority of domestic and foreign expenditures—and to consider additional sources of revenue—in order to reduce the need for an increase of this magnitude in the Government's borrowing authority.

I further agree that we absolutely cannot give the administration a "blank check" to run up a deficit of $29 billion. In fact, I would take it even further in denying them a blank check in any amount.

It is obvious to all but the naive or those who are not concerned over deficit spending, that the bill before us, in substance, is the same bill we voted down on June 7. It still calls for a rise in the debt ceiling of $29 billion. I urge my colleagues to supply the second half of the one-two punch by again voting down this unrealistic legislation. Then, let us again extend the invitation to the administration to return to the Hill at the earliest opportunity, armed with alternatives instead of demands.

Mr. GOODLING. Mr. Chairman, when legislation raising the national debt limit to the legal limit of $365 billion was previously before the House of Representatives, it was defeated by an overwhelming vote of this House. I was one of those who voted against the bill at that time, pointing out that high national debt holds the seeds of economic troubles and can—all depending on how it is financed—create either deflation or inflation, each of which can visit harm upon our economy.

Now this same wolf stands before us again today, a quick and rather fruitless effort having been made to dress him up in something resembling lamb's clothing. But his teeth are showing, for the legislation now before the House provides for an eventual increase of borrowing power for the Treasury of $365 billion. The object of the legislation we are now dealing with is the same as that which we previously defeated, the only difference being that the end of a $365 billion limit is cleverly cloaked with some ingenious gimmicks.

The real truth of the matter is that the administration needs this magnanimous legal debt limit in order to work itself out of the hole it has placed itself in through irresponsible fiscal conduct. For instance, it is estimated that on a conservative basis, the deficit for fiscal 1968 will be $29 billion—some estimates place this deficit in the area of $40 billion. The $29 billion would, of course, be neatly accommodated by the debt limit figure of $365 billion recommended today by the legislation before us.

Mr. Chairman, I feel confident that the House of Representatives acted wisely when, just a few weeks ago, it defeated a bill that was twin to this bill before us. At that time, an editorial in the June 11, 1967, New York Times stated as follows:

> There is sound basis for criticizing the Administration's handling of the debt. Its estimates for the new fiscal budget are clearly unrealistic; spending will be well above estimates, largely because of Vietnam, while receipts will be lower, largely because of the

> slowdown in domestic business activity. . . . The Administration ought to present a revised Budget.

These deficits are bad, Mr. Chairman, because they can promote deflation, if financed a certain way, thereby bringing harm to the whole economy. If, however, as is usually the case, these deficits encourage inflation, then the resultant flood of money would prompt high prices, elevated interest rates, and tight money—all of these conditions work real hardships on those in our society least able to bear the burden; that is, the consumers of small or moderate income, the small businessmen, farmers, and home buyers.

Mr. Chairman, there is an alternative, and that is to continue our debt limit at $336 billion. Such a debt limit would permit the financing of our Government expenditures through September 30, 1967, This would provide time in which the administration could gain an understanding of the pitfalls of fiscal folly, and, hopefully, an appreciation of prudence in fiscal affairs.

Mr. ANDREWS of North Dakota. Mr. Chairman, today marks the sixth time during the Johnson administration that Congress has been asked to increase the limitation on our public debt. This time, as in the past, we will hear many different figures designed to illustrate more meaningfully the huge size of this debt.

We will be told, for instance, that by the end of 1968 the Government's official debt will amount to approximately $1,700 per person, or $6,800 per average family.

Federal taxes take a big chunk of the earnings of the average American. It has been estimated that the average worker puts in more than 2 hours every day to earn enough to pay his taxes, before he starts to earn his take-home pay. And, this does not include the additional tax and higher prices caused by inflation. Those of us who have consistently opposed increases in the public debt maintain it is irresponsible and unjust to embark on vast, and in many cases inefficient and wasteful, spending programs which leave future generations little more than the unpaid bill. It is a lot like an individual using somebody else's charge account, because they are unwilling or unable to pay their own way.

There is no excuse, except in time of national emergency declared so by Congress, for a country to engage in deficit financing. If this administration was forced to pay its way many of the most inefficient and wasteful programs of the Great Society would undoubtedly be eliminated to the great benefit of the majority of the American people.

Mr. Chairman, 2 weeks ago in an historic vote the House showed itself in favor of standing up for the best interest of the American people instead of taking the easy political way out and turned down a request for an increase of $29 billion in the debt ceiling by the Johnson administration. In reviewing the events leading up to that historic vote, I have become convinced that the minority views expressed in the report of the Committee on Ways and Means was a most influential factor in this decision by the House.

I should like at this time to commend the members of the committee who put this report together, because these views bear so heavily on the future stability of our great Nation. I include a portion of this report with my remarks so that concerned Americans everywhere may have a chance to more thoroughly study them. I sincerely hope also, Mr. Chairman, that financing of wasteful programs by mortgaging the income of future generations at such a tremendous cost will come to a sudden stop, and I am sure the vast majority of the Americans agree with me.

EXCESSIVE DOMESTIC SPENDING REAL THREAT TO THE ECONOMY—NOT VIETNAM

A Democrat administration and a Democrat-controlled Congress have proceeded on the assumption that there was no deficiency in our society which the Federal purse and the heavy hand of Federal regulation could not cure. We have seen each piece of legislation beget more legislation, each new expenditure by the Federal Government beget other expenditures.

The level of domestic spending in the administrative budget alone—wholly apart from our defense requirements in the war in Vietnam—has increased from about $46 billion for fiscal 1965 to approximately $66 billion for fiscal 1968. Two-thirds of the $28.3 billion increase in Federal expenditures from calendar 1963 through 1966—as measured in the national income accounts—is accounted for by nondefense spending. Moreover, as projected in the January 1967 budget message, over half of the proposed $37 billion increase in outlays from fiscal 1966 through fiscal 1968 is to be in nondefense programs.

To finance the expansion of its so-called Great Society—in the face of ever-increasing costs of the war in Vietnam—the administration proposes that the Federal Government go deeper and deeper into debt. This policy has resulted, not only in this proposal to increase the Government's borrowing authority by $35 billion in just 3 months, but inflation at home, an ever-increasing deficit in our balance of payments, disruptive pressures on the financial markets at home, and a concern over the integrity of the American dollar abroad. The American public is being called upon to pay for the administration's profligacy through higher prices, higher interest charges, tight money, and the jeopardy of the future of our economy.

DEBT INCREASE NOT ATTRIBUTABLE TO VIETNAM COSTS

While the proponents of the bill argue that the $29 billion additional debt increase is brought about solely on account of the war in Vietnam, the facts belie that claim. During the past 3 years—which encompass the period of the Vietnam escalation—Federal tax revenues have increased sufficiently to more than offset any costs attributable to the war. The administration seeks this debt increase notwithstanding its estimate that Federal revenues in fiscal 1968, even without a tax increase will exceed by $28 billion tax collections for fiscal 1965. If the administration had held the line on the domestic front, the increased tax revenues—which are partly attributable to the "feedback" resulting from defense expenditures—would be more than adequate to finance all present and projected costs of the war.

The Secretary of the Treasury told the committee that the Vietnam war was a "costly war." But a budget was submitted by the administration for fiscal 1967, and again for fiscal 1968, on the assumption that we could fight this costly war and at the same time continue unrestrained spending on the domestic front. That is what this bill is intended to finance. It is the direct result of the administration's policy of "guns, butter, and jam."

ADMINISTRATION OFFERS NO ALTERNATIVE TO DEBT FINANCING

Before asking the Congress for a debt increase of $29 billion—superimposed on a debt increase of $6 billion only 3 months ago—the administration should be prepared to offer to the Congress constructive alternatives. The priorities of domestic expenditures should be reappraised in the light of the magnitude of the deficit. However, neither the Secretary of the Treasury nor the Director of the Bureau of the Budget were willing or prepared to discuss any reasonable alternative.

Under interrogation by the committee, the Secretary of the Treasury steadfastly refused to consider a reappraisal of the priorities of domestic expenditures. He was not even prepared to discuss the proposed tax increase as an alternative to further debt.

Mr. RHODES of Arizona. Mr. Chairman, we are opposed to H.R. 10867. It is in substance and effect the same bill which was rejected by the House of Representatives on June 7, 1967. It would eventually increase the borrowing authority of the Treasury to a maximum of $365 billion. Cleverly camouflaged by step increases and a "sliding scale" debt ceiling, the proposed bill is again designed to accommodate prospective deficits of $29 billion. It represents on the part of the Johnson-Humphrey administration an arrogant demand that the House repudiate its earlier position and, without any additional information, sanction the administration's dangerous and irresponsible approach to Federal spending and budget deficits.

The vote on the earlier debt-ceiling bill reflected a strong sentiment on the part of the American people that ever-rising deficits must be curbed. Despite this fact, the Johnson-Humphrey administration has refused to heed the request of House Republicans to revise its 1968 budget, and to cut back on nonessential spending. It has once again resorted to juggling and gimmickry, evasiveness and fiscal sleight-of-hand.

Following the rejection of the earlier request for a $29 billion increase in the debt ceiling, a member of the Federal Reserve Board cautioned that spending on the war in Vietnam "undoubtedly" would exceed the figure contained in President Johnson's budget.

An editorial in the June 11, 1967, New York Times pointedly stated:

> There is sound basis for criticizing the Administration's handling of the debt. Its estimates for the new fiscal budget are clearly unrealistic; spending will be well above estimates, largely because of Vietnam, while receipts will be lower, largely because of the slowdown in domestic business activity . . . The Administration ought to present a revised Budget.

A June 14, 1967, release by the chairman of the Joint Economic Committee warned:

> The Joint Economic Committee is and has been very much concerned about the state of the economy and the growing prospects that the Nation faces, the largest Budget deficit since World War II in the coming fiscal year.
>
> Deficits of these magnitudes, if realized, coming on top of the built-in cost-push inflationary pressures caused by wage and price

increases over and above the guidelines, would in all probability bring about a return of excessively high interest rates and tight money conditions similar to, if not worse than, last year. This is a meat-axe approach to the solution of the problems of the Nation which could produce great harm to just those sections of the economy least able to bear its burdens, namely, consumers, small businessmen, farmers and home buyers.

And on June 15, 1967, the former Commissioner of Internal Revenue in the Johnson-Humphrey administration predicted that an escalating budget deficit may require an income tax increase as high as 10 percent for 1968.

In this fiscal crisis, the Republican resolution which would return the 1968 budget to the President, and request that he indicate the places and amounts where he believes that reductions can be made, should receive priority consideration. To date the Democratic leadership has refused to schedule this important measure even though the Republican leadership has introduced a special discharge resolution under rule 27, section 4 of the rules of the House of Representatives.

Until the Johnson-Humphrey administration has reviewed and reassessed its fiscal policies and forwarded to Congress up-to-date and credible information regarding anticipated expenditures and revenues, the requested debt-ceiling increase should not be granted. The debt limit should be continued at the present $336 billion level. This will be adequate to finance the Government expenditures through September 30, 1967. The Republican leadership and the Republican members of the Ways and Means Committee have introduced a bill (H.R. 10661) which would accomplish this result. We urge its enactment and the rejection of H.R. 10867.

Mr. SCHWENGEL. Mr. Chairman, I shall again, as I have always in the past, vote against raising the debt limit. We must find ways and means to pay the bills that we pass on here in Congress other than what we have been doing presently, that is to raise the debt limit. This must and can be done because we live in a prosperous time. We can pay bills as we go along if we control spending. Also, when we do this we will be more frugal with our tax dollars. We must do this also because there is no way to limit the cost of living as it goes up—there is no way to check inflation when we continue to participate in deficit spending.

Mr. Chairman, there are other and better answers to some of our costly domestic programs. These must be explored. These must be considered.

Mr. Chairman, there are ways to make our present programs more adequate and more effective, and this, too, must be done. To do the kind of job that must be done, we must break with some of the traditions that have characterized the Congress. We must abandon some of the precedents that are handicaps to a modern Congress, and we must change some of the House rules to unleash some powers and to give us flexibility in order to meet the demands and to deal with some of the problems impressingly spoken of by the gentleman from Missouri [Mr. Curtis], and others on our side of the aisle. We must find ways and means to get the facts—all of the facts. Then we must examine the facts, facts that can be depended upon and are urgently needed. Those that are handed to us by this administration have been proven wrong time after time. Credibilities in budget matter is as bad as it is elsewhere.

Had we had the facilities and equipment that a modern Congress needs, we could have determined that long ago. In other phases of our economy automatic data processing is used. What better use of automatic data processing equipment can be made than to get accurate budget estimates on which to make sound judgments.

I repeat, I shall vote against raising the debt limit. I shall continue to do so until it has been proven to me that there is no other way to pay the bills and institute the programs for carrying on the will of Congress and attending to the great objectives that we have set for ourselves.

Mr. TEAGUE of Texas. Mr. Chairman, I am growing increasingly anxious about the fate of legislation to increase the debt ceiling. We will soon be voting on this legislation again, and I would like to remind my colleagues of the crucial importance of this proposal.

Unless we approve an increase in the debt ceiling, the U.S. Government will not be able to pay its bills or repay all of its maturing debt after June 30, 1967. As you all know, under existing law the temporary debt ceiling of $336 billion reverts, after June 30, to $285 billion. As a result, the Treasury would be unable to borrow money to meet its lawful obligations. In short, Mr. Chairman, without an increase in the debt ceiling, the U.S. Government would be in a position tantamount to being bankrupt.

I am well aware that many of my colleagues are at odds with the increase in the debt ceiling that has been proposed by the administration because there are real differences over budget and spending forecasts.

I am sympathetic, to be sure, with some of the points raised by some of my able colleagues in debate last week over the proposed debt ceiling increase.

But the point I want to make today is that the way to resolve these differences is not by courting financial chaos and untold hardship for the millions who rightfully expect to be paid or to receive benefits from the Government.

As you might imagine, I am particularly concerned about what would happen to our veterans and our space work if the debt limit is not increased by June 30. As chairman of the Veterans' Affairs Committee and chairman of two subcommittees of the Science and Astronautics Committee, I have endeavored to find out what would happen.

What I have learned is disheartening, to say the least.

According to current projections, the Treasury expects to have about $7 billion, or somewhat less, in cash on hand on July 1 and will be able to pay its bills only through July 13. Much of that cash would have to be used to redeem maturing Treasury bills. The $285 billion debt limit would not permit a refinancing of those maturing Treasury securities.

Thereafter, there would be no more money.

Veterans' pensions and benefits are paid at the beginning of each month—the monthly total is about $500 million—and these would be paid promptly on July 1. But before the next payment date, August 1, the Treasury would be out of cash, and veterans and their widows and families would not receive benefits from then on.

Contractors in our space program would be affected even earlier. The contractors probably would not receive any more Government checks after July 13 for their work. Involved, at first, would be the Treasury's inability to pay about $225 million, due for the latter half of July, or about half of the $450 million the Treasury pays every month to these contractors.

Needless to say, the failure to pay for space work and veteran benefits would be very serious and terrible, not only for all individuals concerned, but the country as a whole.

Such a development has to be avoided. We must increase the debt ceiling—and do so with dispatch, before the June 30 deadline that is rapidly approaching. We also must avoid temporary expedients that would keep such people as veterans and space contractors worrying from month to month about the danger that their payments from the Government would suddenly be cut off.

I would be the first to admit that I have not consistently supported increases in the debt limit. Moreover, I certainly do not endorse all of the programs of the Great Society. The administration of some of these programs urgently needs improvement, and some might best be abolished.

However, the way to deal with those issues is in the authorization and appropriation process—not by precipitating a Government financial crisis. In addition, I do not think that there is enough time between now and June 20 to make constructive and worthwhile decisions on where money can be saved—although I certainly hope that those decisions will be made.

I cannot resolve a vote against this measure in my own good conscience. As I have said, I have voted against the debt limit increase before. I have not, however, voted against it when so many men have been committed to combat in other parts of the world and when this country must be constantly prepared to meet crises in all parts of the world.

Mr. Chairman, I asked the Bureau of the Budget what would happen to veterans' compensation and pension and to the VA medical services if the Congress failed to increase the debt limit. On this specific question I received a letter from the Director of the Bureau of the Budget which I include at this point as a part of my remarks:

Executive Office of the President, Bureau of the Budget,
Washington, D.C., June 15, 1967.

Hon. Olin E. Teague,
House of Representatives,
Washington, D.C.

Dear Mr. Teague: You asked the question: "What would happen to veterans' compensa-

> slowdown in domestic business activity. . . . The Administration ought to present a revised Budget.

These deficits are bad, Mr. Chairman, because they can promote deflation, if financed a certain way, thereby bringing harm to the whole economy. If, however, as is usually the case, these deficits encourage inflation, then the resultant flood of money would prompt high prices, elevated interest rates, and tight money—all of these conditions work real hardships on those in our society least able to bear the burden; that is, the consumers of small or moderate income, the small businessmen, farmers, and home buyers.

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Mr. **ANDREWS** of North Dakota. Mr. Chairman, today marks the sixth time during the Johnson administration that Congress has been asked to increase the limitation on our public debt. This time, as in the past, we will hear many different figures designed to illustrate more meaningfully the huge size of this debt.

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To finance the expansion of its so-called Great Society—in the face of ever-increasing costs of the war in Vietnam—the administration proposes that the Federal Government go deeper and deeper into debt. This policy has resulted, not only in this proposal to increase the Government's borrowing authority by $35 billion in just 3 months, but inflation at home, an ever-increasing deficit in our balance of payments, disruptive pressures on the financial markets at home, and a concern over the integrity of the American dollar abroad. The American public is being called upon to pay for the administration's profligacy through higher prices, higher interest charges, tight money, and the jeopardy of the future of our economy.

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>
> Deficits of these magnitudes, if realized, coming on top of the built-in cost-push inflationary pressures caused by wage and price

> increases over and above the guidelines, would in all probability bring about a return of excessively high interest rates and tight money conditions similar to, if not worse than, last year. This is a meat-axe approach to the solution of the problems of the Nation which could produce great harm to just those sections of the economy least able to bear its burdens, namely, consumers, small businessmen, farmers and home buyers.

And on June 15, 1967, the former Commissioner of Internal Revenue in the Johnson-Humphrey administration predicted that an escalating budget deficit may require an income tax increase as high as 10 percent for 1968.

In this fiscal crisis, the Republican resolution which would return the 1968 budget to the President, and request that he indicate the places and amounts where he believes that reductions can be made, should receive priority consideration. To date the Democratic leadership has refused to schedule this important measure even though the Republican leadership has introduced a special discharge resolution under rule 27, section 4 of the rules of the House of Representatives.

Until the Johnson-Humphrey administration has reviewed and reassessed its fiscal policies and forwarded to Congress up-to-date and credible information regarding anticipated expenditures and revenues, the requested debt-ceiling increase should not be granted. The debt limit should be continued at the present $336 billion level. This will be adequate to finance the Government expenditures through September 30, 1967. The Republican leadership and the Republican members of the Ways and Means Committee have introduced a bill (H.R. 10661) which would accomplish this result. We urge its enactment and the rejection of H.R. 10867.

Mr. SCHWENGEL. Mr. Chairman, I shall again, as I have always in the past, vote against raising the debt limit. We must find ways and means to pay the bills that we pass on here in Congress other than what we have been doing presently, that is to raise the debt limit. This must and can be done because we live in a prosperous time. We can pay bills as we go along if we control spending. Also, when we do this we will be more frugal with our tax dollars. We must do this also because there is no way to limit the cost of living as it goes up—there is no way to check inflation when we continue to participate in deficit spending.

Mr. Chairman, there are other and better answers to some of our costly domestic programs. These must be explored. These must be considered.

Mr. Chairman, there are ways to make our present programs more adequate and more effective, and this, too, must be done. To do the kind of job that must be done, we must break with some of the traditions that have characterized the Congress. We must abandon some of the precedents that are handicaps to a modern Congress, and we must change some of the House rules to unleash some powers and to give us flexibility in order to meet the demands and to deal with some of the problems impressingly spoken of by the gentleman from Missouri [Mr. CURTIS], and others on our side of the aisle. We must find ways and means to get the facts—all of the facts. Then we must examine the facts, facts that can be depended upon and are urgently needed. Those that are handed to us by this administration have been proven wrong time after time. Credibilities in budget matter is as bad as it is elsewhere.

Had we had the facilities and equipment that a modern Congress needs, we could have determined that long ago. In other phases of our economy automatic data processing is used. What better use of automatic data processing equipment can be made than to get accurate budget estimates on which to make sound judgments.

I repeat, I shall vote against raising the debt limit. I shall continue to do so until it has been proven to me that there is no other way to pay the bills and institute the programs for carrying on the will of Congress and attending to the great objectives that we have set for ourselves.

Mr. TEAGUE of Texas. Mr. Chairman, I am growing increasingly anxious about the fate of legislation to increase the debt ceiling. We will soon be voting on this legislation again, and I would like to remind my colleagues of the crucial importance of this proposal.

Unless we approve an increase in the debt ceiling, the U.S. Government will not be able to pay its bills or repay all of its maturing debt after June 30, 1967. As you all know, under existing law the temporary debt ceiling of $336 billion reverts, after June 30, to $285 billion. As a result, the Treasury would be unable to borrow money to meet its lawful obligations. In short, Mr. Chairman, without an increase in the debt ceiling, the U.S. Government would be in a position tantamount to being bankrupt.

I am well aware that many of my colleagues are at odds with the increase in the debt ceiling that has been proposed by the administration because there are real differences over budget and spending forecasts.

I am sympathetic, to be sure, with some of the points raised by some of my able colleagues in debate last week over the proposed debt ceiling increase.

But the point I want to make today is that the way to resolve these differences is not by courting financial chaos and untold hardship for the millions who rightfully expect to be paid or to receive benefits from the Government.

As you might imagine, I am particularly concerned about what would happen to our veterans and our space work if the debt limit is not increased by June 30. As chairman of the Veterans' Affairs Committee and chairman of two subcommittees of the Science and Astronautics Committee, I have endeavored to find out what would happen.

What I have learned is disheartening, to say the least.

According to current projections, the Treasury expects to have about $7 billion, or somewhat less, in cash on hand on July 1 and will be able to pay its bills only through July 13. Much of that cash would have to be used to redeem maturing Treasury bills. The $285 billion debt limit would not permit a refinancing of those maturing Treasury securities.

Thereafter, there would be no more money.

Veterans' pensions and benefits are paid at the beginning of each month—the monthly total is about $500 million—and these would be paid promptly on July 1. But before the next payment date, August 1, the Treasury would be out of cash, and veterans and their widows and families would not receive benefits from then on.

Contractors in our space program would be affected even earlier. The contractors probably would not receive any more Government checks after July 13 for their work. Involved, at first, would be the Treasury's inability to pay about $225 million, due for the latter half of July, or about half of the $450 million the Treasury pays every month to these contractors.

Needless to say, the failure to pay for space work and veteran benefits would be very serious and terrible, not only for all individuals concerned, but the country as a whole.

Such a development has to be avoided. We must increase the debt ceiling—and do so with dispatch, before the June 30 deadline that is rapidly approaching. We also must avoid temporary expedients that would keep such people as veterans and space contractors worrying from month to month about the danger that their payments from the Government would suddenly be cut off.

I would be the first to admit that I have not consistently supported increases in the debt limit. Moreover, I certainly do not endorse all of the programs of the Great Society. The administration of some of these programs urgently needs improvement, and some might best be abolished.

However, the way to deal with those issues is in the authorization and appropriation process—not by precipitating a Government financial crisis. In addition, I do not think that there is enough time between now and June 20 to make constructive and worthwhile decisions on where money can be saved—although I certainly hope that those decisions will be made.

I cannot resolve a vote against this measure in my own good conscience. As I have said, I have voted against the debt limit increase before. I have not, however, voted against it when so many men have been committed to combat in other parts of the world and when this country must be constantly prepared to meet crises in all parts of the world.

Mr. Chairman, I asked the Bureau of the Budget what would happen to veterans' compensation and pension and to the VA medical services if the Congress failed to increase the debt limit. On this specific question I received a letter from the Director of the Bureau of the Budget which I include at this point as a part of my remarks:

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., June 15, 1967.

Hon. OLIN E. TEAGUE,
House of Representatives,
Washington, D.C.

DEAR MR. TEAGUE: You asked the question: "What would happen to veterans' compensation and pensions and to veterans' medical services if the Congress fails to increase the debt limit?"

Without action by the Congress, the debt limit falls to $285 billion on July 1, 1967. At that time the actual debt outstanding will be approximately $327 billion. No Treasury securities could be issued—even to pay off maturing issues—until the debt fell below $285 billion.

On July 1, the Treasury will have perhaps $7 billion cash on hand. This would be used up within two weeks in order to pay the owners of securities which mature during that time, and to meet other obligations in excess of current revenues. Each week, for example, some $2.3 billion of Treasury bills come due, whose repayment would quickly absorb Treasury cash, since new Treasury bills could not be issued for that purpose.

After its cash balances were exhausted, by mid-July, the Treasury would have to cease all payments for veterans' benefits, defense supplies to Vietnam, and all other Federal activities, in order to use the incoming tax revenues to pay off the holders of maturing U.S. Government securities. Alternatively, it would have to default on the payment of Government securities in order to meet current expenditures for Government operations and to make payments under prior contract.

In short, failure to extend the debt limit would require either a wholesale default on Government securities or a cessation of practically all Government activities, including payments to veterans and support of our troops in Vietnam. This is obviously a choice which no Government should ever have to make.

This country has never defaulted on its obligations. Surely no responsible person would fail to support action which makes it possible for the United States to honor its commitments.

Sincerely,

CHARLES L. SCHULTZE,
Director.

Mr. Chairman, the veterans' organizations—the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans—all support the enactment of an increase in the Federal debt limit. This is evidenced by the following telegrams which I include as a part of my remarks.

Hon. WILBUR D. MILLS,
Chairman, House Committee on Ways and Means, House of Representatives, Washington, D.C.

The American Legion is apprehensive that the controversy surrounding the public credit limit will adversely affect vital programs such as national security, including the war in Vietnam, and veterans benefits.

The cost of war, and veterans benefits—a delayed cost of war—are essential obligations of the government. The meeting of these obligations is not a political question. The American Legion urges that timely action be taken to guarantee the future and integrity of the programs of national security and veterans benefits.

JOHN E. DAVIS,
National Commander, the American Legion.

WASHINGTON, D.C.,
June 21, 1967.

CONGRESSMAN OLIN E. TEAGUE,
House Office Building,
Washington, D.C.:

Disabled American Veterans respectfully urges your favorable vote or passage of H.R. 10867 to increase Federal debt limit. Bureau of the Budget has expressed opinion that "failure to extend the debt limit could require cessation of payments to veterans." In view of this your active leadership on behalf of this legislation is a matter of urgent necessity for seriously disabled war veterans who rely on compensation payments for their very livelihood.

CHARLES L. HUBER,
National Director of Legislation, Disabled American Veterans.

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
Washington, D.C., June 21, 1967.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
House Office Building,
Washington, D.C.:

Among the high purposes of the Veterans of Foreign Wars of the U.S. are service to veterans, their widows, and children and support of an adequate national security for this Nation. The Director of the Bureau of the Budget, Charles L. Schultze, has advised that if the debt limit is not increased one of the possibilities is the cessation of veterans compensation and pension payments and a sharp reduction in the support of our troops in Vietnam. By virtue of our national charter, it is mandatory that I urge all Members of the House to take appropriate action to make sure that the debt limit is increased so that there will be no default on the part of our Government to meet its obligations to veterans and national defense, as authorized by Congress. Your support of debt increase legislation, which will insure that the needs of our veterans and national defense will in no way suffer, will be deeply appreciated by the Veterans of Foreign Wars of the U.S.

LESLIE M. FRY,
Commander, Veterans of Foreign Wars of the United States.

Mr. ULLMAN. Mr. Chairman, the fiscal discipline imposed upon our Nation's finances by periodic review of the public debt limit is, in my opinion, a worthwhile objective. It has been recognized as such since the Second Liberty Bond Act became the law of the land 48 years ago.

However, the exercise we are engaged in today is more mischief than responsibility.

The legislative process provides for authorizing expenditures and further review in the appropriation process. The hearings, reports, and consideration in committee and then in both Houses of Congress give ample opportunity to draw the line on spending for the defense and nondefense needs of the United States. But once the contracts are let and the salaries earned, it is unconscionable to tell the Treasurer of the United States that he cannot pay the bills.

As I told the House 2 weeks ago:

> . . . our military expenses, dollarwise, are at the peak of World War II. We are in crisis today, and we are living a world where crisis piles upon crisis. If we are going to tie the hands of an Administration during these times by refusing to let them pay the bills that we authorized and appropriated, in my judgment we are failing the American people in our responsibility to them.

That is exactly what will happen if this bill is defeated today. Today is June 21. The new fiscal year begins in 9 days. As the distinguished chairman of the Committee on Ways and Means warned yesterday before the Rules Committee, a failure of this legislation today will result in "chaos—in the stock market and everywhere else."

The financial integrity of the U.S. Government—based on our great wealth and our great prosperity—is at stake today.

This is the third time this year we have interrupted the business of Congress to consider the statutory limitation on the public debt. If the view from across the aisle prevails, it will be followed by two, three, and maybe four more debt limit bills before the end of the year. This provides ample opportunity to publicize the so-called conservative view toward Federal spending, but it accomplishes little else.

The alternative proposed in the recommittal motion might satisfy the needs of the Treasury until September. I emphasize "might" because of the volatile demands for defense expenditures. The sudden Middle East crisis a fortnight ago shows just how fast our defense commitments could change. The Treasury requires an adequate debt limit cushion to meet our Nation's commitments swiftly and surely.

The committee's bill provides this cushion. We recommend a permanent ceiling at $358 billion—including sales participations. We grant the Secretary some flexibility in his debt management through a $7 billion temporary authority beginning in fiscal year 1969 and by extending the definition of "note" from 5 to 7 years. The Secretary and the Director of the Budget estimate that this limit will carry us through fiscal year 1968, providing that Vietnam or other defense commitments do not escalate rapidly.

Two weeks ago I stated on the floor of the House:

> . . . I do not agree that we can have guns and butter. I believe there are a lot of things we should be cutting down on, but this great Nation can afford guns and bread. We have great problems here at home, and we cannot kick them under the rug. If we delay their consideration, they are only going to pile up on us.

Every Member of this House believes in economy in government—as I do. The appropriations process gives the Congress the authority to determine where and when to hold the line on expenditures. We have the responsibility for seeing that our moneys are wisely spent.

The recommittal motion in effect surrenders this responsibility. It shifts the responsibility for fiscal decisions to the executive branch. I, for one, am not willing to surrender these congressional prerogatives.

Let us look at our administrative budget of $136 billion for fiscal 1968. Already committed is $80 billion for defense, $14 billion for interest on the public debt, $4.9 billion for veterans' insurance and benefits; $4.2 billion for public assistance grants, $1.6 billion for the Commodity Credit Corporation, and $15.3 billion in payments on prior contracts and obligations.

This leaves about $20 billion in relatively controllable civilian expenditures. What does this include?—$1.8 billion in "food for peace"; $1.1 billion for the Elementary and Secondary Education Act; $0.75 billion for higher education grants and facilities; funds for operating the FBI, the regulatory agencies, the National Park Service, et cetera. We must not waste our resources on inefficient or undesirable expenditures; but we cannot deny our people essential services or security.

Mr. Chairman, economy in government does not consist of "demands for a new budget" or groaning about domestic spending. Economy in government represents instead what our Nation can afford during this period of international crisis. This Congress is capable of making these hard decisions in the traditional manner—through the authorization and appropriations processes.

Since 1950, our public debt has grown by 28.4 percent. In the same period, personal debt grew by 448 percent, State and local government debt by 348 percent, and corporate debt by 219 percent. In terms of percentage of our Nation's ability to produce, the national debt, as a ratio of gross national product, has declined from 133 percent at the end of World War II to 45 percent today. These figures offer the basis for a realistic appraisal of the national debt burden today.

Mr. Chairman, I would like to make one final comment before concluding my remarks. The sequence of temporary debt limits, as provided in current law, has served to set the debt limit in response to the budget, a case of the tail wagging the dog. The correct order—the order consistent with true fiscal responsibility—is to establish a permanent debt limit which will, in fact, be considered when the budget is prepared. This is what the committee's bill, H.R. 10867, does. It asserts our congressional prerogatives for real fiscal discipline.

The American people are prepared to tighten their belts in this critical period of our Nation's history. But they are tiring of the cant and rhetoric which have surrounded these repetitious and unnecessary debates on the debt ceiling. The advocates of the recommittal motion assume some sort of "gullibility gap"—but I caution them that the public recognizes publicity stunts in the name of fiscal responsibility.

We cannot afford to risk the "chaos" which our distinguished chairman has outlined for the sake of pointless opposition, or phony fiscal arguments.

I recommend H.R. 10867, as adopted by the majority of the Committee on Ways and Means, for immediate passage.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Chairman, I ask unanimous consent that all Members desiring to do so may be permitted to extend their remarks at this point in the Record on the bill H.R. 10867.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Chairman, the debate that is before the House has resolved itself down to something which I think is quite interesting. It is whether or not the Committee on Ways and Means would be willing to meet in August at which time we would then have the information necessary for this House to exercise an intelligent judgment on the debt ceiling. It is whether we insist on having this information so we can come before the House and give our recommendations based upon accurate and complete information.

Mr. Chairman, I have listened to a lot of oratory about whether defense is involved here and so on. Let me assure the gentleman from Georgia and those who are talking about humanity that the Members on this side are just as much concerned. Let us keep these red herrings out of the debate and get down to the issues in the case, because believe me in these issues involved in this debt ceiling legislation lie the welfare of this country both from the defense standpoint and from the standpoint of humanitarianism.

So let us talk money here for a change and get down to these issues. Really here we are confronted with the basic issue of the integrity of the Congress of the United States. In effect in the United States we have right now a dictatorship. So long as this Congress fails to tell the executive branch of the Government that it must give the information to the people's representatives and give us accurate information on these issues which face this country, just so long we are in this state of dictatorship. This can be resolved here today or next November in the 1968 election, but believe me the issue before us is quite clear.

The administration spokesmen refuse to give us revised figures on the budget that they submitted this January, although they know these figures are now inaccurate, the figures as they presented them to us. They revised the deficit estimates to a small degree themselves but said in effect to the Committee on Ways and Means, "You go ahead and revise them." Well, we have. The estimate of the chairman of the committee is that the deficit, instead of being $11 billion, would be $29 billion. Just last week on the floor of the House in the statements by members of the Committee on Appropriations on both sides of the aisle, the estimates of the increase in the cost of the war in Vietnam were that it would probably run around $8 billion and not $5 billion more. So the deficit then would become $32 billion based upon these contingency figures.

The one point we have been trying to drive home to the administration in the Committee on Ways and Means hearings is if these increases in defense costs are such, then we believe it is necessary to cut back on some of the nondefense expenditures to make way for them. However, the administration refuses to do so. Not only that, but the administration, which came in in its budget message of January counting on $5.5 billion of new revenue from a tax increase has failed to follow through. The President said he was going to present this proposal to the Congress and the revenue was supposed to start coming in July 1 of this year.

The administration and the President clearly have not sent up such a tax message on this, and we do not know whether or when he is going to. The Secretary of the Treasury told us in an arrogant fashion that he did not intend to discuss this with our committee and was not prepared to do so. In its good time the administration would make its judgment on this. My observation was, "Mr. Secretary, now is the time. How can you ask the Congress or this committee to exercise judgment on a debt ceiling and how much deficit there is going to be unless we have some understanding of what we are going to have in current revenues?"

But his answer was this arrogant refusal to discuss it. "You cannot expect the President of the United States," the Secretary said to me, "to review these nondefense expenditures. You cannot expect him to give you this accurate information on revenue estimates." My response was, "Not only can I expect it, but as a representative of the people and as a Representative of this Congress serving on this Committee on Ways and Means, I beseech you to give us this information." That was the plea when the debt ceiling was before the Committee of the Whole of this House of Representatives before a few days ago.

And, the issue was clearly drawn. There is no basis for the change of any votes. We did not have the information then. We do not have that information now. This is why I say the basic issue now pending before this House involves the integrity of the Congress of the United States.

Are we going to be rubberstamps or are we going to assume our responsibilities? Believe me, this is not a party issue unless, let me say, the Democrat leadership of this Congress wishes it to be.

Is that to be the issue—that you are just going to say to the President, "Well, all right; if you will not give us the information, we are not going to insist upon it; if you are not going to say or if you are not willing to say that we must cut back on nondefense expenditures in order to make way for this increased cost of the war in Vietnam, we are not going to ask you to do it."

Mr. Chairman, I might observe that in view of the manner in which the Democrat leadership of this Congress has been acting, upon issue after issue, in rubber stamping the executive's wishes without study and deliberation, the position of Congress itself becomes an issue. There are many Democrat Members of this Congress who have felt that there was a more fundamental responsibility to their country not to hang onto the coat tails of the Executive, and to be instead the party of Thomas Jefferson. These Members thought and believed in the principle that the Congress of the United States was the primary instrument and responsibility of the people. I hope there are enough of them here today.

Now, Mr. Chairman, whether or not we are going to stand up and answer back to the President of the United States and say that we expect this fiscal information or that we do not, is a question to be answered by the majority party.

Now, Mr. Chairman, let us get on into the issue involved here.

Mr. Chairman, people say—and I heard the gentleman from Ohio [Mr. Vanik] talk about the problems in his home city of Cleveland, Ohio; and I have heard those who say it is important to have these programs in the war on poverty and so forth, and in education, and war on a great many things—many of these are good programs—I disagree with many of these programs because they are redundant. To these people let me point out this fact: The issue we are discussing is whether we can afford heavy inflation. If heavy inflation occurs, I will tell you, the members of the Committee, that there will be a meat-ax cut in all of the Federal expenditures including the programs in the war on poverty and in education.

Mr. Chairman, to those of us who are concerned about the boys in Vietnam do not think for 1 minute that inflation does not cut in and play a very significant role in cutting into defense expenditures and, of course, it has an effect upon the wages and salaries of these boys as well as all people in our society including and particularly the veterans and our older people who are living on fixed pensions.

But, Mr. Chairman, most of all in defense—as a matter of fact, we have to buy the airplanes and the other war equipment and the inflation which has resulted from the previous irrational fiscal policies of this administration, in 1966 has badly damaged the war effort and will badly damage the war effort in 1967 and 1968 if we do not get our fiscal house in order.

Inflation, believe me, Mr. Chairman, is a meat-ax cut of the worst sort, and this is what we are here trying to determine—whether these economic issues are such and whether the economic forces are such today that if we do not take action to cut back on this impending deficit, to cut back somewhere on expenditures, that this is going to come about.

Mr. Chairman, I feel very deeply that we shall have an inflationary spiral of anywhere between 3 and 5 percent and I believe it will be closer to 5 percent, if we pursue the present course we are now following.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Chairman, I would like to agree with the gentleman's statement to the effect that what we are seeking is some determination of priorities. In this connection I would like to call to the attention of the gentleman from Missouri and the Members of the House, a speech that was made by Dr. Grayson Kirk, president of Columbia University, only a few weeks ago, a speech which was made to the graduating class of that college in which he said:

> The academic community should remind the American people that there are, in fact, limits to our national competence to achieve so many goals at the same time. There are, and there must be, priority among all these demands upon our fiscal resources. Someone must ask the awkward questions.

And, Mr. Chairman, what we are trying to do here today is to ask these awkward questions and try to get an answer to them.

Mr. CURTIS. I thank the gentleman. Indeed, this is so. And what was the result, I might say, of the administration's failure to give accurate fiscal information to the Congress last year? The President of the United States as late as September 1966 had the audacity to repeat the figure on expenditures that he gave in his January budget as still being the target when everybody who checked into the facts knew that it was going to go at least $10 billion more, and did.

What was the result of this on the appropriation bills that were pending before the Congress? Had the Congress had the President's statement as to an accurate fiscal picture, you know very well Congress would have taken a different approach and a different attitude toward these appropriation bills and so would the people of this country.

Where is the Lyndon Johnson who used to turn off the lights in the White House as a symbol of frugality? No; that Lyndon Johnson is no longer there. It is now the Lyndon Johnson who is whetting the people's appetite for things that he knows we do not have the ability to supply.

This is why accurate fiscal information now is so important, and if the Congress does not back the position we took 2 weeks ago in insisting on this point the President is going to continue to talk as if there were no tomorrow, and these appropriation bills will not have the discipline from this body and the people that is needed.

Of course, the people have a right to think the President of the United States is leveling with them.

The gentlemen on the left side of the aisle, my good Democratic friends, of course, have a right to believe the President, and to want to follow him, but then let him come forward with the accurate information so we can do something in the appropriation process which in turn will help us to reach better judgments in the debt process.

Mr. Chairman, I was just talking briefly with the gentleman from Minnesota [Mr. MACGREGOR] about an occurrence that happened this morning which illustrates the point I am trying to make. When the President keeps talking about how we can do all these things, and whets the appetite of the people for them without bearing down on the fiscal problem, we have this situation of increasing nondefense expenditures when we need to decrease them.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Minnesota.

Mr. MACGREGOR. I have listened with great interest to the gentleman from Missouri [Mr. CURTIS] and the gentleman from Wisconsin [Mr. BYRNES] discussing the need to establish priorities and to establish some reduction in expenditures for domestic purposes in light of the deficit which is generally acknowledged to be upwards of $30 billion for next year. I should like my committee members to know that not only is there no willingness whatsoever on the part of the administration and the leadership of the majority party in this Chamber to establish any priorities and a total lack of willingness to show prudence in spending for existing measures, but there is a concentrated arm-twisting effort to enact new and expensive programs in the domestic field. The latest evidence of that was this morning in the Committee on the Judiciary where, under severe pressure from the White House, a brandnew domestic spending program was approved by a majority in the Committee on the Judiciary; a program for a massive grant-in-aid effort slated soon to cost in excess of $1 billion annually, in which the Attorney General will have discretionary authority through the power of the purse to control decisions made by every local law enforcement agency in this country.

Mr. CURTIS. I thank the gentleman, Mr. Chairman, and I wish to point out again the issue before this House is, as I see it, simply one of having the administration give the Members of the House some honest and complete statistics, and then this kind of operation the gentleman from Minnesota referred to will be deferred, I can assure you until a more propitious time.

But, Mr. Chairman, if the President of the United States does not temper Federal spending, the people of the United States will have to temper it, and if the people will temper it then indeed the Members of this body will temper it.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding to me, and I want to associate myself with the gentleman's remarks.

I believe the gentleman is making a great statement. I would like to add credence to the need for priorities in obligatory spending, and in the spending budget itself.

Mr. Chairman, as the gentleman knows, I serve on the Committee on Armed Services, and I believe it would amaze the Members of this House to know that in the last fiscal year, we contributed to the 14 Arab nations over $640 million, almost three-quarters of a billion dollars to those 14 states alone in military assistance. This does not include 1 cent of economic assistance or that extended through the U.N. and its committees or special projects.

This is an area that even allowing for mistakes, requires and gives substantiation to the area where reductions can be made if priorities were established.

This is another "awkward question" which I propose and I am glad to aid and abet my colleague, the gentleman from Missouri, in his great statement. It is this the people of the United States are demanding, and it is this that we as their representatives properly provide.

Mr. CURTIS. I thank my colleague.

Now let me conclude.

The judgment that the Committee on Ways and Means is called upon to make in behalf of this body and then to submit it to the House for its consideration, is, first: How large a deficit? Now we cannot give the House sound advice on that when we do not know what the President's present plans are. We know the plans he spelled out in the budget of January are not true. We also know that the increase in defense spending is creating a serious problem on the overall deficit. So the question arises—what might be done in the nondefense area?

Now this fiction—and it is fiction—that once the Congress has passed appropriation bills that there is nothing that can be done about spending needs to be exposed.

I think everybody ought to look over and contemplate table 8 on page 49 of the budget in 1968. This type table appears in each one of the yearly budgets. It has a figure showing the new authority recommended to the Congress, that is, the new appropriations requested of $144 billion. But there is a carryover balance of $125.6 billion of unspent authority from previous appropriations, giving a total of $269.6 billion power to spend. At the end the table shows the President is saying, "I will only spend this fiscal year in the administrative budget $135 billion."

He could make that $125 billion or he could make that $150 billion. Every President has some of this flexibility, in altering the actual expenditure levels and I would argue that he should have it.

The President demonstrated this point last September, at this time he said he had cut $3 billion out of the expenditures. I tried unsuccessfully to find out just where the expenditure cuts were. But the President said he did make them, and this is possible. That is the point he can alter the expenditure levels. The Tax Foundation estimated the flexibility that the President has in altering expenditure levels to be about $40 billion in today's budget.

So this debt ceiling can perform this kind of expenditure discipline. A tight debt ceiling says to him cut your total level of spending. The Congress can express itself through a tight debt ceiling to say, "Look, we think this deficit should not be $29 billion—we think the deficit should be $24 billion or whatever. We think you have to continue defense expenditures, but the area to cutback is in nondefense."

The chairman of the Committee on Ways and Means very properly said, "Well, this in effect gives the President an item veto." It does. I regret that. I think there is a much better way to do it. But when we are in this kind of a serious fiscal situation, any way to get this done should be done. The debt ceiling certainly is a way in which it can be done.

That is one part of the judgment that the Committee on Ways and Means and this House has to consider and reach.

The other is this. Once we decide on the amount of the deficit, there comes the question of how we finance this—through new debt—or through new taxation—or a combination of the two—or three, because sale of capital assets is a third source albeit a much, much smaller source of financing expenditures.

The debt ceiling is involved in this determination, of course, because, if we are going to have $5.5 billion of increased revenues, through tax increases then the debt ceiling ought to be $5.5 billion less.

But if we are going to have it all financed through debt, then the debt ceiling is there.

This is why the President's failure to give your committee this information is so crucial.

Let me point out what the chairman of the Committee on Ways and Means said during the debate the last time on the debt-ceiling increase in respect to the proposed tax increase. He said, "I do not know whether I would be for it. I would have to be sure that increasing the rates would actually give us this increased revenue."

What was he calling attention to? It is the economic condition of this country. Can we indeed increase tax rates without creating recessionary forces that would end up in less revenues even though there were greater rates? In other words, the tax structure may be beyond the point of diminishing return and is in a critical position. So is the amount of the Federal debt critical, as we saw, in the high interest rates and in the inflation that came about in 1966.

That is why I said at the beginning of my remarks that those who are interested in the defense of this country had better start paying attention to these fiscal details that lie at the base of the structure of this society; those who are interested in humanity, in defense, and in the welfare of the people, had better pay attention to these basic details.

The issue before this House is a simple one. It is an alternative: Do you just want to bow to the President and say, "OK, we are not going to insist that you give us this data. Pass the bill that the majority has recommended"? Or, are you going to take the other course which we are recommending, which is, yes, come back on August 1. I do not like to be here on August 1 for further Ways and Means Committee studies but this is so crucial, it is our obligation to do so. The boys are fighting in Vietnam, and it is our obligation to meet here in early August, get the data that the administration then will be forced to give us, and then come back before this House and we can determine these serious fiscal issues on a rational basis.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Kansas.

Mr. DOLE. The issue today is the same issue we had on June 7. Is that correct?

Mr. CURTIS. Yes. It is the same issue. The issue is whether or not the administration will give the Congress of the United States and the people honest and accurate information. Are we going to have a dictatorship or are we going to fulfill our obligations as the representative of the people?

Mr. DOLE. Then the issue for the membership is whether we would rather switch than fight.

Mr. MILLS. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. LANDRUM] to close the debate.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. LANDRUM. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Chairman, I would just like to point out to the Committee here that the gentleman from Missouri is always asking for additional facts. He gets facts and facts. He is not satisfied and he asks for more facts and more facts. He is always asking for facts. He has got the greatest appetite for facts of any Member of this House. It would take the Rayburn Building over there to keep all the records that he wants.

They talk about this debt ceiling. Let me say this: Let us call a shovel a shovel and a spade a spade. This debt ceiling has nothing whatsoever to do with spending. We have the responsibility of spending in this House and time after time Members on the other side of this aisle have voted for appropriation bill after appropriation bill. When a majority of this House puts those bills through, then it is the responsibility of this House to act in an intelligent manner. They know that this is a political football game they are playing.

The gentleman from Missouri would like to come back here in 2 months, in August, and then after we come back here in 2 months, in August, he would like to come back 2 months thereafter, in October, and then he would like to come back in January of next year, and then again in March, and then again in June. He would like to keep this political ball game going on forever. I do not blame him. It is a smart political move. But it does not do anything. It puts this Government into a financial straitjacket, and it prevents this Government from paying its bills. We have to pay them and we have to meet our responsibilities.

They can talk about the credibility gap. Why, back in the Eisenhower days they came in and predicted a surplus, and what happened? We had a deficit of close to $13 billion. Of course, the gentleman from Wisconsin does not like to hear about that. It sends him right up the wall. In fact, none of them like to hear about it. But these are the facts, and sometimes you have to refer to things that happened in the past.

I hope that there are at least five or six responsible Members on that side that will do what they know they should do.

I have read the newspapers throughout this country, and every responsible newspaper editorial has come out and pointed out that this is nothing more than a political football. They know it, and they know it better than we do.

Let us get on with the business of this Government. Stop playing this political football game and do the job you were elected to do.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. LANDRUM. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Chairman, the gentleman from Massachusetts said that every newspaper throughout the country is taking a position.

Mr. BURKE of Massachusetts. I said every responsible one.

Mr. GERALD R. FORD. I will let the gentleman from Massachusetts pass judgment on whether this newspaper is a responsible one. I refer to the New York Times. On June 11, 1967, here is what an editorial in the New York Times said:

> There is sound basis for criticizing the Administration's handling of the debt. Its estimates for the new fiscal budget are clearly unrealistic; spending will be well above estimates, largely because of Vietnam, while receipts will be lower, largely because of the slowdown in domestic business activity.
>
> What is needed is a new sense of realism in the White House as well as in Congress. The Administration ought to present a revised budget and the House reconsider its attempt to cripple the Treasury.

All we as Republicans are saying is, give us a revised budget, correct the inaccuracies in the estimates of spending and revenue, give us some real economy at the White House, and we on our side of the aisle will be helpful.

Mr. LANDRUM. Mr. Chairman, I decline to yield further.

Mr. Chairman, my distinguished friend and fellow member on the Ways and Means Committee, from Missouri, for whom I have respect and affection as well, has submitted some charges here which frankly shock me somewhat. The gentleman has requested information, and he has stated that information by the administration has been withheld from the Congress and from the Committee.

I want to bring to the attention of the Committee some facts relating to this charge. First, on January 30 and 31 of this year, we held public hearings on the temporary increase in the debt ceiling, and those hearings were printed. The administration furnished information and was interrogated extensively. The record includes 201 pages, including some colloquy in which the gentleman from Missouri engaged.

Next, on May 15 and 16 of this year, we held public hearings on the public debt ceiling and those hearings amounted to approximately 286 pages of information and fact.

Then, beginning a week ago, this Monday past, we have been in executive session for approximately a week on this bill which we have under consideration here. This is in addition, of course, to the time spent on the bill which we brought before the House on June 7. All these executive hearings have not been printed, but if and when they will have been printed on these latest records, we will have printed hearings available in which the gentleman from Missouri has fully—and might I say vigorously—participated to the extent of more than 500 pages of discussion.

In addition to that, with respect to the charge made by the gentleman from Missouri, let me say this: This Congress from the beginning of this year has been accurately informed as to the administration's tax plans for the fiscal year that is about to commence on July 1. As fast as the administration has been able to accumulate reliable information concerning those plans, this information has been passed on to the Congress.

When we look at the facts, an implication to the contrary falls on its sheer weight of error—the charge that we have not been given the facts.

On January 10 of this year, in his state of the Union message to the Congress, the President stated he would recommend a surcharge tax, which he would recommend would last for 2 years or for so long as the unusual expenditures associated with our efforts in Vietnam should continue. In that state of the Union message, the President said:

> We shall continue on a sensible course of fiscal and budgetary policy that we believe will keep our economy growing without new inflationary spirals; that will finance responsibly the needs of our men in Vietnam and the progress of our people at home; that will support a significant improvement in our export surplus, and will press forward toward easier credit and toward lower interest rates.

Further I should like to quote from the President's budget message of January 24 of this year, when he said this:

> In the year ahead, defense expenditures will continue to rise as we carry out our obligations in Vietnam. After a rigorous review of civilian programs and a sharp paring of spending requests, a modest increase in domestic expenditures will be required as we press forward to meet our obligations at home. . . . Equity also demands that we increase substantially social security benefits for our older citizens so that they share in the Nation's growing income which their own past work and investment helped to bring about. And finally, we must take every reasonable step to permit a continuation of the move toward easier monetary conditions and lower interest rates which is now clearly under way.

Again, in his economic report of January 26, the President said this:

> We need no further slowdown; we can tolerate no new spurt of demand. After midyear, the tax increase I have proposed and a more moderate growth of Federal spending will increase the freedom of monetary policy to support our expansion.

He is not withholding anything. This is not the dictatorship alleged to exist by my friend from Missouri. Now please note that the President did not set a deadline for sending his tax surcharge recommendation to the Congress. He left the timing open. He did not commit policy action to a rigidity which could well prove unwise. He put the basis for action upon the responsible footing of availability of dependable data.

Again, on the point of information being allegedly withheld from the Congress, on February 6, Secretary of the Treasury Fowler stated his views on the surtax to the Joint Economic Committee, on which the gentleman from Missouri has the distinction to serve. Secretary Fowler said this:

> With different conditions facing us this year, we aim at a different mix of monetary and fiscal policies designed to keep the economy moving ahead steadily and safely. As noted, a monetary easing began late in 1966. The President's fiscal program will complement monetary easing by maintaining stimulus in the first half of 1967.

To drive the point home for good, on the question of whether this Congress has not been informed on the tax plans of this administration, let us permit the RECORD to show that Secretary Fowler repeated his view that a tax rise would be necessary in fiscal year 1968 to the committees of the Congress on the following dates, March 13, March 14, March 20, and, most lately, on May 15, when he said to the Committee on Ways and Means:

> Let me underscore again that there is no wavering in the Administration's intentions about the surcharge. It has been, and remains, a definite part of the fiscal program.

Now, Mr. Chairman, let us turn more precisely to the subject before us—the debt ceiling.

Let us see what happened in previous years, when we were asked to vote for an increase in the debt ceiling.

Seven times—seven times during the administration of President Eisenhower the Congress was called upon to increase and did increase the debt ceiling.

Let me read for the Members of the Committee how the votes on those seven bills were recorded.

In 1953 the increase was approved, with the Republicans voting 169 to 33 for the increase and the Democrats voting 125 to 69 against increase. We were furnishing a substantial vote from our party, which was then the minority party in the House of Representatives, to support the President in asking for an increase in 1953.

In 1954 it was approved on a standing vote. There was no recorded vote.

In 1955 the Republicans voted 133 to 13 to increase, and the Democrats voted for the increase 134 to 43. Thus, the minority party in the House of Representatives carried a majority for the Republican President.

In 1958, 142 Republicans voted for it and 42 against it, and 186 Democrats voted for it with 29 against it, supporting the Republican President Eisenhower.

Supporting President Eisenhower in 1958 on the second increase for that year 120 Republicans to 65 voted to support him and 166 Democrats to 44 voted to support him.

In 1959 Republicans voted for the increase 88 to 48 and Democrats voted for the increase 168 to 69.

In 1960 the Republicans voted for the increase 83 to 60 and the Democrats voted for the increase 140 to 114.

So seven times during a Republican administration the Democratic Party, at times when it was in the minority and at times when it had the responsibility of leadership in the House, provided a substantial vote—and six times a substantial majority to support President Eisenhower's requests for an increase in the debt ceiling. Mind you, also, those were years when we were not at war and spending at the rate that we are having to spend today.

Mr. Chairman, the arithmetic of the Republicans simply does not add up. To ask you to leave this ceiling at $336 billion, which I understand the motion to recommit will ask you to do, is to request you to come back here again in not later than September of this year and go over and over again these same facts and keep a restrictive cover over the management or the ability or the capacity of the Secretary of the Treasury to manage our debt properly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLS. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. LANDRUM. Without taking into consideration any of the contingencies listed on page 5 of the report totaling $12.8 billion, the national debt on March 15 of next year will be $345.2 billion. So you want us to come back here in September, as my friend from Massachusetts stated, you want to continue this political football game all through this year and on through next year without regard for what it might do to the fiscal integrity and the economy of this country and without regard to what it might do to those trying to provide for the defense of this country. The arithmetic, the logic, is simply not there.

I heard, toward the close of the argument of my friend from Missouri, one or two of his colleagues on that side make reference to how much we are taking of our gross national product for some of these domestic programs. I, of course know we need to be concerned with these matters. I know we must fully appreciate the limitations that we need to work within. I know that we must have responsible people. But let us not nit-pick around about domestic spending when we are spending it in areas to increase the capacity of our citizens to earn, when we are spending it to increase the capacity of our citizens to stay out of trouble and to reduce the cost of crime in this country, when we are spending it to elevate the standard of living that this Nation not only deserves but which it can well afford to have, and when these things create greater wealth and greater revenues. To talk about that sort of nitpicking to me is sheer nonsense.

I want to read, if I may, from a letter addressed to me dated June 15 from Mr. Charles Schultze, the Director of the Bureau of the Budget, in responding to a question about this expenditure:

> You also asked about how much of our national income and output has gone for the Federal Government's major social programs—health, education, welfare, war on poverty, urban development and the like.
>
> I believe the following summary tabulation of the facts will answer your questions.
>
> 1. Excluding the costs of Vietnam, Federal expenditures in the administrative budget were 16% of gross national product in 1964—they will be 14% in fiscal 1967 and 1968. This 14% ratio compares to 17% in 1955 and 1959. Covering the four fiscal years 1965 through 1968, the entire period of President Johnson's budgets, the ratio is 14.2%, and this compares to 16.3% for the six President Eisenhower years, 1955 through 1960, after the Korean war was over.

Now, Mr. Chairman, my friend, the gentleman from Missouri [Mr. CURTIS], knows that this information, and a great deal more, was given to the Committee on Ways and Means in response to questions which the gentleman asked.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. LANDRUM. I yield to the gentleman from California [Mr. HOLIFIELD], and then I shall yield to the gentleman from Missouri.

Mr. HOLIFIELD. I thank the gentleman from Georgia for yielding.

Mr. Chairman, in our debate on June 7, 1967, I placed in the RECORD figures which corresponded with this in relation to the gross national product as compared to the total national debt. Those figures showed that the national debt is at its lowest point in 25 years, 42.9 percent, in relation to the gross national product.

And, Mr. Chairman, if the gentleman from Georgia will give me one-half additional minute, I would like to put some more vital statistical figures into the RECORD, figures which come from the President's Council of Economic Advisers as contained in that Council's 1967 report.

Mr. Chairman, that report shows that the total debt of this country, the total Federal debt, the total personal debt, the total corporate debt was $1,423.4 billion.

It further shows that State and local debt since 1950 has gone up to the extent of 348 percent. It shows that the corporate debt has gone up 219 percent. It shows that the personal debt has gone up 488 percent, while it shows that the net Federal debt has gone up only 28.4 percent.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. MILLS. Mr. Chairman, I yielded the gentleman 5 additional minutes.

Mr. HOLIFIELD. Mr. Chairman, these figures show that the total Federal debt has gone up only 28.4 percent, or less than 1⅔ percent per year during the last 16 years.

Mr. Chairman, these people who are so concerned about the Federal debt, ought to give a little attention to the fact as to where the total debt of this country lies, and it does not lie in the Federal field.

Mr. CURTIS. Mr. Chairman, will the gentleman now yield?

Mr. LANDRUM. I yield to the gentleman from Missouri.

Mr. CURTIS. Mr. Chairman, I simply wanted to call attention to the fact that when Mr. Schultze did give us this information we, then, pursued a rather extensive colloquy in which there was quite an exchange of points of view. So, this is not the complete picture.

Then, Mr. Chairman, I would like, if I could transgress upon the time of the gentleman for one-half additional minute——

Mr. LANDRUM. Mr. Chairman, I do not yield to the gentleman for that purpose at this point.

Mr. CURTIS. It is pertinent to the point which the gentleman raises.

Mr. LANDRUM. Mr. Chairman, I do not yield to the gentleman for that purpose at this point.

The CHAIRMAN. The gentleman from Georgia refuses to yield further.

Mr. LANDRUM. Mr. Chairman, I want to make this statement: The gross national product in this country is on the rise. The population of this country is on the rise. The standard of living of the American people is on the rise. And, the services demanded by the people of the Federal Government is on the rise.

Now, Mr. Chairman, what has a former great President of this Nation said in reference to those four points?

Mr. Chairman, I quote from former President Eisenhower emphasizing the meaning of these four points:

> We must not forget that a rapidly growing population creates virtually automatic increases in many Federal responsibilities.

All of these things contribute to the responsibility which is ours today.

Mr. Chairman, the arithmetic of all of the money that is required to keep the services of this Government going, the arithmetic of all the money that is required to keep the defense of this Nation strong, the arithmetic of all the money that is required to keep this Nation growing in its educational and cultural endeavors, simply adds up to more than is presently being expended. But adding all that, what we are spending in most fields—taking away the cost of the present money which we are spending in Vietnam—makes criticism of those expenditures plain nit picking.

Let me close with these three telegrams that were received by the distinguished chairman of the Committee on Ways and Means, Hon. WILBUR D. MILLS.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. LANDRUM. I yield to the gentleman.

Mr. MILLS. Do I understand the gentleman to say he thought the motion to recommit should be voted down because we would be going through this same process by August of this year if it were voted up?

Mr. LANDRUM. If the motion to recommit were to be voted up we would be here again at least as early as August because, as the chairman so ably and eloquently pointed out in his opening remarks, the Treasury would simply be without the capacity to pay the bills of this country before the end of July 1967, and we will be back here again in November and we will be back other months if we do not take this step today.

Mr. MILLS. Does the gentleman believe—and I have no objection to legislating every week on this matter if the House wants to do it—but does the gentleman believe that we would come forward with a debt ceiling in August that would vary in any respect from the debt ceiling proposed in this bill?

Does he not envision the needs to be about the same?

Mr. LANDRUM. We could not come up with anything else if we reconsider the cold, hard facts that two plus two make four.

Mr. MILLS. That is right.

I thank the gentleman for yielding.

Mr. LANDRUM. When you add up these things it cannot come up to anything else than what we have here today, and my dear friends on my left know full well that is the truth.

Mr. Chairman, here is a telegram received by the Honorable WILBUR D. MILLS, chairman of the Committee on Ways and Means:

> Among the high purposes of the Veterans of Foreign Wars of the U.S. are service to veterans, their widows, and children and support of an adequate national security for this Nation. The director of the bureau of the budget, Charles L. Schultze, has advised that if the debt limit is not increased one of the

possibilities is the cessation of veterans compensation and pension payments and a sharp reduction in the support of our troops in Vietnam. By virtue of our national charter, it is mandatory that I urge all Members of the House to take appropriate action to make sure that the debt limit is increased so that there will be no default on the part of our Government to meet its obligations to veterans and national defense, as authorized by Congress. Your support of debt increases legislation, which will insure that the needs of our veterans and national defense will in no way suffer, will be deeply appreciated by the Veterans of Foreign Wars of the U.S.

Leslie M. Fry,
Commander, Veterans of Foreign Wars of the United States.

Then a similar telegram from Mr. Charles L. Huber, national director of legislation, Disabled American Veterans:

Congressman Wilbur Mills,
House Office Building,
Washington, D.C.

Disabled American Veterans respectfully urges your favorable vote for passage of HR10867 to increase Federal debt limit. Bureau of the budget has expressed opinion that "failure to extend the debt limit could require cessation of payments to veterans." In view of this your active leadership on behalf of this legislation is a matter of urgent necessity for seriously disabled war veterans who rely on compensation payments for their very livelihood.

Charles L. Huber,
National Director of Legislation, Disabled American Veterans.

And then a final telegram from Mr. John E. Davis, national commander, the American Legion:

Hon. Wilbur D. Mills,
Chairman, House Committee on Ways and Means, House of Representatives, Washington, D.C.:

The American Legion is apprehensive that the controversy surrounding the public debt limit will adversely affect vital programs such as national security, including the war in Vietnam, and veterans benefits.

The cost of war, and veterans benefits a delayed cost of war are essential obligations of the Government. The meeting of these obligations is not a political question. The American Legion urges that timely action be taken to guarantee the future and integrity of the programs of national security and veterans benefits.

John E. Davis,
National Commander, the American Legion.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield for one quick comment?

Mr. LANDRUM. I yield to the gentleman.

Mr. GERALD R. FORD. Mr. Chairman, I appreciate the gentleman yielding, and I am very grateful to him for it.

I could add to those really inspiring testimonials that the gentleman has just read, but does the gentleman think——

Mr. LANDRUM. I would ask the gentleman why does he not do so?

Mr. GERALD R. FORD. I would like to add that some Government defense contractors have been calling Members on our side of the aisle, and literally with tears in their eyes have said that they have been told by the Bureau of the Budget and by the Pentagon that unless we pass this $365 billion limitation they will not get paid. They are trying to tell Members on our side of the aisle that they have to vote for it for that reason. Well, that is a lot of baloney and I am ashamed of the White House, the Bureau of the Budget, and the Defense Department for participating in such lowdown, arm twisting tactics.

Mr. LANDRUM. My distinguished friend, the gentleman from Michigan, can call it baloney or by any other name that he wants to, but it adds up to the fact that $336 billion which I understand is to be in the motion to recommit simply is not the arithmetic that it adds up to in the budget, and it will not permit payment of the bills.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. LANDRUM. I yield to the gentleman.

Mr. MILLS. Did I understand the gentleman from Michigan to say that it does not add up?

Mr. GERALD R. FORD. I said that the position of the Bureau of the Budget and the Pentagon is just pure baloney, telling the defense contractors that they will not get paid if there is a $336 billion limitation.

Mr. MILLS. I am not an expert on meat—or baloney—I misunderstood the gentleman. But I want you to know that under the Republican motion to recommit, the Secretary of the Treasury would be able to take care of these contractors certainly through the month of July, and we would expect through the month of August, and I think probably would take us through part of the month of September. But if we do not do any more, the gentleman from Michigan will admit, the motion to recommit would not relieve them of some concern at least as to whether they are going to be paid during the rest of the fiscal year.

Mr. GERALD R. FORD. I would agree with that observation.

Mr. MILLS. In other words, we would be right back here sometime in August having to legislate again.

Mr. LANDRUM. In conclusion, let me say this—the final responsibility for all the money that the Secretary of the Treasury can spend and all that the President of the United States can ask him to spend rests right here on the shoulders of the Members of this House. The Secretary of the Treasury is not going to spend $1 that is not authorized by this Congress. He has not spent $1 that has not been authorized by this Congress.

So the charge made here today that we are living under a dictatorship in the fiscal area is simply pure nonsense—pure political baloney—if you want to use the words used by the gentleman from Michigan [Mr. Gerald R. Ford].

The responsibility is here and in the other body of the Congress. It is time for us to face up to it as men and women charged with the responsibility to vote down this motion to recommit and vote up this bill—which I tell you, if we come back here in August or September or January is not going to be one dime less. Let us do the responsible thing and pass this committee bill.

Mr. MILLS. Mr. Chairman, I have no further requests for time.

Mr. BYRNES of Wisconsin. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment.

The bill is as follows:

H.R. 10867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective July 1, 1967, the first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) is amended by striking out "$285,000,000,000" and inserting in lieu thereof "358,000,000,000".

Sec. 2. The face amount of beneficial interests and participations (except those held by the issuer thereof) issued under section 302(c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(c)) during the period beginning on July 1, 1967, and ending on June 30, 1968, and outstanding at any time shall be added to the amount otherwise taken into account in determining whether the requirements of the first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) are met at such time. Nothing in the preceding sentence requires any change in the budgetary accounting for beneficial interests and participations.

Sec. 3. Effective July 1, 1968, and each July 1 thereafter, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) shall be temporarily increased by $7,000,000,000 during the period beginning on such July 1 and ending on June 29 of the succeeding calendar year.

Sec. 4. Section 18(a) of the Second Liberty Bond Act (relating to notes of the United States; 31 U.S.C. 753(a)) is amended by striking out "not more than five years" and inserting in lieu thereof "not more than seven years".

The CHAIRMAN. Under the rule, no amendments are in order except amendments offered by direction of the Committee on Ways and Means.

Are there any committee amendments?

Mr. MILLS. Mr. Chairman, there are no committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Fascell, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10867) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes, pursuant to House Resolution 597, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BYRNES of Wisconsin. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BYRNES of Wisconsin. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Byrnes of Wisconsin moves to recommit the bill (H.R. 10867) to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendments:

On page 1, strike out lines 3 to 6 inclusive, and insert the following: "That, effective July 1, 1967, the first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) is amended by striking out '$285,000,000,000' and inserting in lieu thereof '$336,000,000,000'."

On page 2, strike out lines 8 to 13, inclusive.

On page 2, line 14, strike out "SEC. 4." and insert "SEC. 3".

Mr. MILLS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 191, nays 223, not voting 18, as follows:

[Roll No. 147]

YEAS—191

Abernethy
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ayres
Baring
Bates
Battin
Belcher
Bell
Berry
Betts
Bevill
Biester
Blackburn
Bolton
Bow
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clausen Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conte
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Dickinson
Dole
Dowdy
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fisher
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Gardner
Goodell
Goodling
Grover
Gude
Gurney
Haley
Hall
Halleck
Halpern
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Heckler, Mass.
Horton
Hosmer
Hunt
Hutchinson
Jarman
Johnson, Pa.
Jonas
Keith
Kleppe
Kupferman
Kuykendall
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McClure
McCulloch
McDade
McEwen
MacGregor
Mailliard
Martin
Mathias, Calif.
Mathias, Md.
May
Mayne
Meskill
Michel
Miller, Ohio
Minshall
Montgomery
Morse, Mass.
Morton
Mosher
Myers
Nelsen
Nichols
O'Konski
Ottinger
Pelly
Pettis
Pirnie
Poff
Pollock
Price, Tex.
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Riegle
Rogers, Fla.
Roth
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Taylor
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Utt
Vander Jagt
Wampler
Watkins
Watson
Whalen
Whalley
White
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Zwach

NAYS—223

Abbitt
Adair
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Ashmore
Aspinall
Barrett
Bennett
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Carey
Casey
Celler
Clancy
Clark
Cohelan
Conyers
Corman
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Devine
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Flood
Flynt
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Hagan
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Howard
Hull
Hungate
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
King, N.Y.
Kirwan
Kornegay
Kyros
Landrum
Leggett
Long, Md.
McCarthy
McFall
McMillan
Macdonald, Mass.
Machen
Mahon
Marsh
Matsunaga
Meeds
Miller, Calif.
Mills
Minish
Mink
Mize
Monagan
Moorhead
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Ill.
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Price, Ill.
Pryor
Purcell
Randall
Rees
Reinecke
Resnick
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roudebush
Roybal
Ryan
St Germain
Scheuer
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Snyder
Staggers
Steed
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Teague, Tex.
Tenzer
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Walker
Watts
Whitener
Whitten
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki
Zion

NOT VOTING—18

Adams
Ashbrook
Brown, Calif.
Conable
Fino
Gubser
Kluczynski
McDonald, Mich.
Madden
Moore
O'Hara, Mich.
Pucinski
Robison
Roush
St. Onge
Thompson, N.J.
Tuck
Williams, Miss.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Brown of California for, with Mr. Thompson of New Jersey against.

Mr. Ashbrook for, with Mr. O'Hara of Michigan against.

Mr. Tuck for, with Mr. St. Onge against.

Mr. Conable for, with Mr. Pucinski against.

Mr. Robison for, with Mr. Madden against.

Mr. Moore for, with Mr. Kluczynski against.

Mr. McDonald of Michigan for, with Mr. Roush against.

Until further notice:

Mr. Williams of Mississippi with Mr. Gubser.

Mr. Adams with Mr. Fino.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. BYRNES of Wisconsin. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 217, nays 196, answered "present" 2, not voting 17, as follows:

[Roll No. 148]

YEAS—217

Abbitt
Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Barrett
Bennett
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Carey
Casey
Celler
Clark
Cohelan
Colmer
Conyers
Corman
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fisher
Flood
Flynt
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Howard
Hull
Hungate
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kirwan
Kornegay
Kyros
Landrum
Leggett
Long, Md.
McCarthy
McFall
McMillan
Macdonald, Mass.
Machen
Mahon
Marsh
Matsunaga
Meeds
Miller, Calif.
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Ill.
Olsen
O'Neill, Mass.
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Price, Ill.
Pryor
Purcell
Randall
Rees
Resnick
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
Scheuer
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Steed
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Tex.
Tenzer
Tiernan
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Walker
Watts
White
Whitener
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NAYS—196

Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashmore
Ayres
Baring
Bates
Battin
Belcher
Bell
Berry
Betts
Bevill
Biester
Blackburn
Bolton
Bow
Bray
Brinkley
Brock

Broomfield
Brotzman
Brown Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Dowdy
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Gardner
Goodell
Goodling
Gross
Grover
Gude
Gurney
Haley
Hall
Halleck
Halpern
Hammerschmidt
.Hansen, Idaho
Harrison
Harsha
Harvey
Heckler, Mass.
Horton
Hosmer
Hunt
Hutchinson
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kleppe
Kupferman
Kuykendall
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long,La.
Lukens
McClory
McClure
McCulloch
McDade
McEwen
MacGregor
Mailliard
Martin
Mathias, Calif.
May
Mayne
Meskill
Michel
Miller,Ohio
Minshall
Mize
Montgomery
Morse, Mass.
Morton
Mosher
Myers
Nelsen
Nichols
O'Neal, Ga.
Ottinger
Pelly
Pettis
Pirnie
Poff
Pollock
Price, Tex.
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Rogers, Fla.
Roth
Roudebush
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Teague,Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Wampler
Watkins
Watson
Whalen
Whalley
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

ANSWERED "PRESENT"—2

Conte
O'Konski

NOT VOTING—17

Ashbrook
Brown, Calif.
Conable
Fino
Gubser
Kluczynski
McDonald, Mich.
Madden
Mathias, Md.
Moore
O'Hara, Mich.
Pucinski
Robison
Roush
St. Onge
Thompson, N.J.
Williams, Miss.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. St. Onge for, with Mr. O'Konski against.

Mr. Kluczynski for, with Mr. Conte against.

Mr. Thompson of New Jersey for, with Mr. Brown of California against.

Mr. O'Hara of Michigan for, with Mr. Ashbrook against.

Mr. Madden for, with Mr. Fino against.

Mr. Pucinski for, with Mr. Conable against.

Mr. Roush for, with Mr. Mathias of Maryland against.

Until further notice:

Mr. Williams of Mississippi with Mr. Moore.

Mr. McDonald of Michigan with Mr. Robison.

Mr. LONG of Louisiana changed his vote from "yea" to "nay."

Mr. CONTE. Mr. Speaker, I have a live pair with the gentleman from Illinois, Mr. KLUCZYNSKI. If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. O'KONSKI. Mr. Speaker, I have a live pair with the gentleman from Connecticut, Mr. ST. ONGE. If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members participating in the debate on the bill just passed be permitted to include extraneous material and tables in connection with their remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PERMISSION FOR THE COMMITTEE ON THE DISTRICT OF COLUMBIA TO FILE CERTAIN REPORTS BY MIDNIGHT SATURDAY, JUNE 24, 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight Saturday, June 24, 1967, to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PUERTO RICAN DAY IN THE UNITED STATES

Mr. ROONEY of New York. Mr. Speaker, on July 25, some 15 years ago, Puerto Rico attained Commonwealth status within the United States, and in those years since Puerto Rico and her people have demonstrated to the world what a proud, loyal and hard-working citizenry can accomplish under a democratic system.

The people of that beautiful island have earned and rightfully deserve recognition for what they have achieved. There has been a bloodless revolution in Puerto Rico, one which has increased the life expectancy span 24 years, raised the per capita income from $120 to $900, and all but destroyed illiteracy. It is truly a democratic showcase and a startling contrast to what has taken place in Cuba under Castro.

As Americans we share in the pride of Puerto Rico and we salute her accomplishments. But we also must salute the Puerto Ricans who have come to the mainland and who now are a vital moving part of our life. Almost 1 million Puerto Ricans have come to the mainland to live and over 700,000 of them have chosen to live in New York City. Many make their homes in my congressional district and I have come to know them intimately. I know firsthand of splendid contributions to my district, city, and State. Their continual progress toward the destruction of language and cultural barriers is indeed heartening as is their struggle to improve their place in society. It has not been an easy battle, nor is it over; but it is a fight that is being won.

Mr. Speaker, 15 years ago on May 28, 1952, our late, beloved Speaker Sam Rayburn accorded me the privilege of chairing the proceedings in the House Chamber that gave Puerto Rico its self-autonomy and the position of an associated State in our federal system. It gave me a great, sincere pride at that time and it still does.

It gives me additional pride, Mr. Speaker, to today introduce for appropriate reference a resolution designating July 25 of each year as "Puerto Rican Day in the United States of America." I urge all my colleagues to support this very worthwhile resolution.

DISTRICT OF COLUMBIA NEEDS SINGLE EXECUTIVE

Mr. JACOBS. Mr. Speaker, a friend of mine has a plaque on the wall that shows two people slouching in chairs in the midst of stacks of dirty dishes and other household disorder. The capition of the plaque says "Next week we've got to get organized."

To organize is to put things into their proper places. And, so far as the legislative and executive functions of the District of Columbia government are concerned, I believe that the Reorganization Plan No. 3 of 1967 is a long stride toward putting things into their proper places.

The plan does not alter the denial of self-government in the city of Washington. But it does, at least, assure that the appointed government would not trip over its own heads.

The three-commissioner system of scrambled executive and legislative responsibility has been a pretty good arrangement in America for small towns and uncomplicated counties. Such units need so little time and effort to be spent on community problems that three people can divide their attention between legislative and executive problems, reach slow and compromised executive decisions and still have time to go out and farm. Such situations do not require full-time government.

But big cities require not just full, but overtime government.

Executive action for big cities just as for big countries and corporations must be dynamic and, in many instances, swift, in order to keep abreast of the teeming agenda of executive responsibility.

Legislative action must be deliberate but also deliberative. By its more far-reaching nature, legislative action must and can involve more delay than executive action.

For the same person to attempt both functions at the same time in the huge enterprise of big city government is to divide his efforts so as to give each function less than full devotion.

"All that you do," my mother used to say, "do with all your might, for things done by half are never done right."

We all believe in the separation of powers even though those powers flow from the same source. And this means that, though the three logical branches of government may overlap for the purpose of collaboration, no one branch should run the whole show. This has a lot to do with liberty.

There has never been much of a problem along these lines in the small town or county, because the affairs of government are close enough to, and uncomplicated enough for, the governed to keep close tabs and control.

But this is not so with huge enterprise. Once you accept the principle of separation of powers in the District of Columbia government, there is still the question of whether to have one or three executives.

That a three-member executive in a large enterprise represents weak and indecisive action can hardly be doubted. Indeed, when it was the wish of some to emasculate the United Nations Secretariat they proposed that the Secretariat be divided into such an arrangement.

The answer of the large business corporation to the question of whether to have a one or three-headed executive is invariably to choose the individual executive in order to accomplish the daily decisive action indispensable to meeting executive responsibility.

The answer of 50 States is one individual executive.

The answer of most big cities is one individual executive.

In fact, the answer of America is one individual executive, the Chief Executive.

And one of our former Chief Executives is said to have placed a plaque on his desk displaying the words, "This is where the buck stops."

Mr. Speaker, no three mortals can act in concert as one. And the only supernatural aspect to such an arrangement, where a torrent of big city executive decisions must be made daily, is an eternal triangle around which the buck forever orbits.

ROWLAND, N.C.

Mr. LENNON. Mr. Speaker, smaller towns in rural areas often lack industries to attract people seeking jobs or to provide employment for their own labor force. The result has been a mass exodus to the cities.

There is a need, therefore, to create jobs in our Nation's rural communities so that people can lead productive and satisfying lives. Happily, some small towns have succeeded in accomplishing this.

In order to point out the importance in establishing a pattern that other communities might follow, I would like to relate the outstanding accomplishments of one North Carolina community and show how, by its own efforts and the expert guidance of the Small Business Administration, it transformed the gloom and despair into new hope and prosperity.

Rowland, N.C., located in the Seventh Congressional District which I am privileged to represent, is a small, agriculturally oriented community of approximately 1,500 people. Its hardworking citizenry, like those of several other small rural communities in the United States, were being displaced from their jobs due to the rapid growth of farm mechanization.

In August 1962, Rowland was a "no industry" town with its income dependent upon cotton and tobacco crops. Cotton picking machines had displaced many farmworkers. A cutback in acreage allotments had seriously affected the economy and unemployment was high, particularly among the female population which previously earned the desperately needed supplemental cash income through fieldwork, which was the only work available to them.

A keen sense of awareness to the problem on the part of a dedicated group of community leaders grew into acute concern and determination to change Rowland from an economically depressed community to one with a future capacity for growth and industry. At the helm of this group was Mr. Benjamin O. Burns, vice president of the Southern National Bank; Mr. L. T. Johnson, owner of Rowland Motor Co.; and Mr. David Townsend, owner of the Rowland Implement Co.

After consultation with Charlotte's SBA director, the community leaders decided to form the Southwest Robeson Development Corp. This was done because of the community's need for survival and for an overall boost in the area's standard of living. Through the development company's efforts, and cooperation of the Southern National Bank, the Rowland Manufacturing Co. came into being. A loan of $200,000 was approved by the SBA.

The funds raised were used to build a small plant and equip it with the machinery necessary for a fully integrated sewing operation. Key personnel were hired to start and manage this enterprise. All other employees were from surrounding areas. A training school was conducted in a meeting hall where potential employees were given an 80-hour training course, and the plant started with 57 production employees.

The 5-year effect of this plant on the community of about 1,500 people has been phenomenal, and is more or less a classic example of the benefits generated by the SBA community development program.

These are some of the gratifying results:

Two doctors and a dentist have moved into the area where previously the community had neither a doctor nor dentist.

A total of 285 women are employed with a gross payroll of about $20,000 per week. The effects of this payroll are evidenced in every facet of the economy, not only in Rowland, but all towns within a 50-mile radius.

The city has recently purchased two new firetrucks, one for rural use, which cost a total of $35,000. Not only have the citizens provided for their own safety and well-being, but a savings in insurance rate for everyone was also an added benefit.

The general morale improvement, which is one of the most important and yet intangible aspects of a rise in the standard of living, has been obvious. The merchants of the town, particularly the local automobile dealer, give all credit to the plant and its jobs for their being able to stay in business.

The Rowland Manufacturing Co., which makes shirts, is now planning a further expansion of its profitable operations. This will mean still more opportunity for employment in the local area.

The Southwest Robeson Development Corp. is continuing to actively seek new industry and employment opportunities for local citizens. In March of this year the development corporation, in consultation with Mr. Howard MacKenzie, SBA regional director in Charlotte, submitted an application for a loan to help local doctors finance a medical clinic. The medical clinic has already been built with a loan from the Southern National Bank. An SBA loan amounting to $34,400 is soon to be disbursed allowing the clinic to enlarge its staff to eight people. Dr. James J. Pitts, Jr., and Dr. John J. Robertson head the clinic.

Mr. Speaker, I would like to bring to the attention of my colleagues the outstanding job which SBA Administrator Bernard L. Boutin and his agency are doing in giving personal attention and assistance in helping small businesses like the Rowland Manufacturing Co., in rural communities throughout the Nation.

Development of America's small business firms is the No. 1 priority of the Small Business Administration.

Mr. Boutin is himself a former small businessman and well understands the problems that small businessmen face in rural communities such as Rowland. He has drawn on his own past experiences as a successful small businessman and mayor of a small community in directing the SBA in giving the personal attention and assistance that is needed to give communities such as Rowland a new lease on life and an unparalleled opportunity for future growth.

There are thousands of small communities throughout this Nation that have grown into larger towns with strong and productive economies contributing greatly to our country's national strength.

The SBA has disbursed a total of $10,825,000 in loans to small businessmen in my State of North Carolina during this year alone.

During the past 3 years the SBA has granted loans totaling $131 million, to local development companies. These loans have resulted in the creation of 28,800 new jobs, and added nearly $1.2 billion to our economy.

Mr. Speaker, I wish to call attention to the outstanding job which SBA is doing in demonstrating that cooperation between the Federal Government and businessmen can pay handsome dividends in local communities such as Rowland, N.C.

CAREER SUBSTITUTE EMPLOYEES

Mr. NIX. Mr. Speaker, the Postmaster General has requested that the Post Office and Civil Service Committee consider a bill which would increase the number of career substitute employees by increasing the ratio of career substitute employees from one to five regular employees, to a new ratio of one to four regular employees.

The expansion of delivery and collection services has created a demand for part-time coverage of auxiliary and collection routes. Normal absences on approved leave, including regular off-days, varies from 23 to 32 percent on a given day. The relief capability of the present career substitute force does not exceed 20 percent. Temporary employees have been used to fill the gap that exists.

It is the position of the Postmaster General that it is much more efficient to increase the career substitute force than to hire greater numbers of temporary employees. I therefore will introduce a bill today which will amend section 3302 of title 39, United States Code, by striking out the word "five" in subsections (b) and (c) and inserting the lieu thereof the word "four," which will allow for increased hiring of career substitute employees in the Post Office Department.

THE 4–H PROGRAM IN THE DISTRICT OF COLUMBIA

Mr. ZWACH. Mr. Speaker, on June 8 I introduced H.R. 10680, the Zwach bill to establish 4–H youth leadership and home economics programs in the District of Columbia. At that time I outlined the bill and compared the costs of the program in general terms to the costs of certain other projects in the District.

Today, in response to a number of questions about 4–H work in urban areas, I want to outline a few of the extension projects that have been undertaken in various areas. Mr. Speaker, these successful experimental programs in cities across the country have shown that 4–H can play a vital role in working with youth from low-income urban and suburban areas. Just a few of the areas that have initiated such programs in recent years are Philadelphia, Pa.; Hartford and New Haven, Conn.; Nassau County, N.Y.; Wellesley, Mass.; Kansas City, Mo.; Canton and Warren, Ohio; Manchester, N.H.; Camden, N.J.; Buffalo and Rochester, N.Y.; Flint, Kalamazoo, Grand Rapids, and Lansing, Mich.; and Providence, R.I.

During more than 50 years 4–H has kept pace with a rapidly changing world, and today continues to provide a dynamic educational experience and challenge for space-age youngsters.

Enrollment in 4–H Clubs totals well over 2 million young people in the United States, plus nearly 500,000 adults. Figures released by the Department of Agriculture for 1966 reveal that of some 2,133,694 members in 4–H, 39.4 percent came from farm homes, 33.3 percent came from rural nonfarm homes, 21.6 percent came from urban homes, and 5.7 percent came from suburban homes.

Recent studies show that too few low-income urban youth have a chance to take part in worthwhile youth groups. The 4–H program can provide informal, out-of-school educational experiences to meet their current needs. Specific opportunities may be included in the 10-point program of 4–H action:

MOTIVATE YOUTH TO CONTINUE LEARNING

Broaden horizons and provide a "ray of hope" for disadvantaged youth through constructive, meaningful activity.

Offer educational experiences which are not closely allied to the formal classroom.

Introduce meaningful realistic work experience outlets for high level energies and abilities.

Assist youth in raising their aspirations, improving their attitudes, and gaining a broader view of alternatives.

Work with "slow learners" by supplementing the school program with 4–H projects such as incubation and landscaping to provide motivation and educational activities based on "learning to do by doing."

The 4–H projects can help develop vocational skills, show ways to improve environment, develop leadership skills, provide career incentives, and relate education to daily life skills.

IMPROVE THE EMPLOYABILITY OF YOUTH

Give emphasis to practical learning experiences which contribute to motivating youth to remain in school and to prepare themselves better for employment.

Can help youth learn individual responsibility, a factor that is difficult to achieve in low-income areas.

Help youth approve their abilities in ways of applying for work.

Organize and supervise tutorial services for older youth to help younger boys and girls in academic subjects.

Give youth practice in studying want ads, completing employment applications, preparing for and conducting oneself on employment interviews.

Provide immediate relationships to preparing for employment and to acquaint youth with resources in their communities.

Open "doors" for exploration into new areas of interest.

INSPIRE YOUTH TO BECOME BETTER CITIZENS

Create an atmosphere to provide experience in democratic procedures in contrast to the autocratic or authoritarian climate so prevalent in most low income urban families.

Encourage young people to learn to work together, gain respect for the property of others, and have a greater appreciation for home and community.

Provide avenues for young people to feel worthy and make contributions to someone.

Make it possible for young people in low income areas to be able to share with others. Evidenced by the Kansas City, Mo., girls who made cookies using rolled wheat and brought them to a meeting.

INVOLVE YOUTH IN COMMUNITY DEVELOPMENT

Help youth learn how to improve their surroundings through lawn care, landscaping, and ornamental horticulture.

Stimulate parents, through youth projects, to clean up home surroundings, and rejuvenate the neighborhood.

DEVELOP LEADERSHIP CAPACITIES OF YOUTH

Involve the young people in planning and conducting their own meetings and projects.

Organize the clubs or groups to provide opportunities for older youth to serve as junior leaders.

Provide opportunities for boys and girls to have leadership experiences, such as club officers, committee members, and so forth.

Broaden horizons for urban youth by arranging trips to points of interest outside of the neighborhood.

PREPARE YOUTH FOR IMPROVED FAMILY AND HOME LIFE

Direct special effort toward education of girls as more effective mothers and homemakers.

Teach girls to remodel and adjust clothing, such as adjusting side seams, recutting, and altering length.

Provide opportunities and training for youth to improve their food supply through vegetable garden programs.

Build the program centered around the home or apartment.

Small sized units or clubs have been most effective.

Reach into homes and build communication between parent and child.

BUILD HABITS FOR CREATIVE USE OF LEISURE TIME

Organize recreational activities as a way of reaching youth in low-income neighborhoods.

Open doors to opportunities for realistic, tangible, and purposeful activities, allowing them to use their creative ability.

Assist in developing recreational areas and facilities.

Help to reduce vandalism and undesirable behavior by offering constructive sports programs which are attractive to youth.

Conduct enrichment programs in music, drama, reading, outdoor recreation, crafts, and hobbies.

ENHANCE APPRECIATION FOR CONSERVATION OF NATURAL RESOURCES

Offer exploratory experiences in plant and soil science.

Establish and supervise tree-planting programs.

Help young people learn about conservation and participate in erosion-control practices.

Arrange opportunities for urban youth to learn about nature and other aspects of farm and rural life.

INCREASE UNDERSTANDING OF SCIENCE AND ECONOMICS

Design and conduct educational programs which contribute to management, decisionmaking, and buymanship.

Provides opportunities for youth to learn management of personal resources, decisionmaking, and so forth.

INTENSIFY HEALTH AND FITNESS PROGRAMS FOR YOUTH

Teach youth food selection and preparation based on nutritional principles.

Help youth and their families learn how to make effective use of surplus food products.

Conduct a 4–H bicycle safety program, including safety practices, care, and repairs.

Cooperate with health departments, social welfare, and other groups in providing instruction in child care.

Mr. Speaker, the District of Columbia, with a population of more than 800,000, has problems quite similar to those of other large cities—housing, employment, police-community relations, education, crime, juvenile delinquency, medical care, transportation, and many others. In addition, we have been warned that this summer exploding racial tensions may propel many young men and women into participation in demonstrations and riots.

The Annual Report of the Government of the District, expressing great concern over the high level of crime in the District, says that—

> While there are cities which have higher crime rates than Washington, the rate of increase in reported crimes in Washington has been greater than in almost every other major city.

The report does note that crime in the 15 to 24 age group during 1960 to 1965 did not increase as rapidly as the rate for all crime. But the Commissioners added:

> Rates of crime thus far appeared to be unresponsive to general growth of the city's economy and of educational and other social services. Increasingly, the problems of antisocial behavior are demanding the attention of many city departments and agencies.

Mr. Speaker, I believe that 4–H can help in this role, too. By giving these youth the opportunity to enter into meaningful activities and relationships with other people, many of the tensions leading to destructive acts will be reduced or eliminated. The case study of the 4–H program in Providence, R.I., shows that this can be true.

Because the urban phases of this program are in early stages throughout the country, I know that there are a number of questions that need answers. Several Members of the House who may be interested in examining the merits of the program for the District will want to know more about the success of 4–H in other areas.

For that reason, Mr. Speaker, I insert the following article from the August 1966 issue of the Extension Service Review in the RECORD:

LOW-INCOME URBAN YOUTH RESPOND TO 4–H CALL

(By Lee Kirkbride, 4–H extension agent; Alice Leonards, home economics extension agent, Trumbull County, Ohio)

Will 4–H work in a metropolitan housing area? The Extension staff in Warren, Ohio, has proof that it will.

Youth-oriented programming was needed in Highland Terrace, a public housing project under the administration of the Warren Metropolitan Housing Authority.

More than half the families earn less than $3,000; many receive public assistance; and in many the mother is the head of the household. About 350 young people between the ages of 10 and 19 live there.

The project manager and Extension staff members decided to try a 4–H program. The tentative program received full cooperation from the Housing Authority. If the program was to survive, however, the leadership needed to come from within the housing project. Extension workers met with the Tenants' Organization to explain the 4–H program and the adults' role and responsibility in conducting it.

The Extension office prepared a one-page leaflet telling about 4–H and the first organizational meeting. Sixty-five boys and girls enrolled at the organization meeting. Projects were geared to the needs and interests of the group.

The tentative 4–H pilot program was introduced with the hope of providing meaningful activities and educational experiences. Objectives were to help youth: (1) learn to plan and work as a group; (2) gain new skills in home economics; (3) develop leadership abilities; (4) develop good citizenship; and (5) learn that organized educational activities can be fun.

The program was also designed to develop in the adults self-confidence in their present leadership and manual skills and to provide opportunities for further development.

Advisors were selected from volunteers who attended the tenants' meeting, recommendations from the housing manager, and personal contacts by the Extension staff. Enough were recruited to organize nine clubs totaling 90 members. Extension staff members trained the advisors in a series of meetings.

At the achievement program, 113 members, a gain of 48 over initial enrollment, received completion certificates.

Although these socially and economically deprived youth were not able to accomplish as much as the typical 4–H'er, they showed more satisfaction and pride of accomplishment than many other groups.

Maintaining adequate leadership was a major problem. The advisors had little experience, felt unqualified, and often lacked necessary skills. An advisor training class before each meeting showed advisors what to teach.

Present 4–H project literature was difficult to adapt to the situation. A step-by-step, one-page handout that could be thrown away after completion is a possibility. Because associations with other agencies have left some persons with a "give me" attitude, development of a self-help attitude is another problem.

The Housing Authority Administration should be involved in the program to provide ways and means not available from the Extension Service. The project manager knows the people, has facilities, can use his personnel, and is vital in the communications link.

This program has accomplished many of its goals. All 10 advisors are reorganizing groups for the summer, and several more have volunteered. A revised 4–H program is being started in another low-rent housing project.

By using tenants from a housing project for the elderly as advisors, we hope to gain experienced leadership, and also give senior citizens a chance to contribute to a worthwhile program.

The real-life situations of 4–H fit the needs of youth. Both Extension and the Housing Authority believe 4–H is in the housing project area to stay.

Mr. Speaker, earlier I referred to case studies that have been made in the various urban areas of the United States, reviewing the 4–H program in their areas. Because of their significance in anticipating possible participance by Washington in this program, I insert them into the RECORD:

A STUDY OF CASE EXAMPLES IN URBAN AREAS:
I. PROVIDENCE, R.I.

(By Kenneth L. Coombs, State 4–H Club Leader)

The South Providence area is known for high rates of juvenile misbehavior, unemployment, poor housing and deteriorating family units. In the one square mile area live some 6000 families of the 25,000 people, 21,000 are white and 3500 are non-white. It has the largest inner city population, the highest concentration of social problems and is a receiving neighborhood for urban renewal location. Providence has been referred to as a potential powder keg.

The South Providence pilot problem evolved from requests of churches, organizations and individuals in the area to which the URI Cooperative Extension Service could not say "no". Now nearing the close of its third year of operation, it is recognized as a catalytic agent bringing about new hope to depressed souls in the inner city.

Extension set out to teach families to improve their status—to manage their finances; to plan and maintain nutritional diets; to select, repair and make clothing; to improve and care for their homes; and to have good relations within their families and community.

The area Extension staff, consisting of a home economist, youth worker and two assistants, began their work in 1963 by introducing themselves to the 90 agencies serving the area.

The home economist and her assistant rounded up some 25 women in the community for a "leadership" course. They were taught home management, budgeting, sewing and other homemaking skills. The "graduates" of this course were to open doors of homes of the so-called "hard core" poverty people of the area.

The "graduating" class was taken by bus to URI where they were greeted by the Dean and Director of Extension and the Home Demonstration State Leader. They toured the campus which none had ever seen before. Each was awarded a certificate showing that she had completed the leadership course. These certificates had real meaning and were treasured by each recipient.

Some have since become 4–H leaders. Others have invited neighbors into their homes for "coffee chats" at which they have passed on some of their new knowledge and have pointed the way to the door of the Cooperative Extension Service. Of the rest I will say they are better homemakers and better mothers for having received our instruction.

One of the first 4–H Clubs was a group of girls who attended an open house held in the gym of the Boys Club on a September evening in 1963. The open house was to announce the services of the University of Rhode Island Cooperative Extension to the people of South Providence. These girls intended to break up the meeting. They were confronted by the assistant staff home economist on a tip from her co-worker. The girls had already been involved in a gang-fight on the school grounds. The assistant dispersed them from the rally with no argument but with the promise to visit the gang leader, which she did the very next day.

She interested the gang leader—an otherwise normal teen-age girl, in sewing. She promised to have her whole gang at the very first lesson. They were there and continued 100% attendance until the basket ball season started. Then they had to defend their championship crown.

Entree with the area boys started with in athletic program conducted by the Extension workers two nights a week in a junior high gym. The city recreation department predicted failure of this organized activity, but to their amazement the attendance hardly varied from 80–90 boys during the winter months. Spring came—Extension moved into other programs and the city recreation department took over the athletic program which they had thought impossible.

Extension workers had gained the confidence of the boys and suggested forming 4–H Clubs. About 70 wanted to join—but there was *no volunteer leadership*. Two clubs were formed and led by the youth agents. Gradually they took on more. Now, there are 26 clubs averaging 10–12 members with 85–95 percent attendance at *weekly* meetings.

Few changes have been made in basic philosophy of 4–H organization. Projects are woodworking, crafts, clothing and foods.

To provide healthy group living experiences, compassionate adult supervision and experience in democratic procedures are program goals. The aim is to conspire with rather than direct the culturally maladjusted child in developing new patterns for surmounting defeat, alienation and despair.

Previous to the 4–H organization many of the boys and girls were in so-called "gangs". The leaders were authoritarian and directed all activities of the group. Some of their activities included attacks on local school windows, vacant tenements, and general hell raising in the corridors of the housing project. Inter-club grievances were settled by fist fights and name calling.

Non-directive counseling and role playing, in a camp setting with 149 children have brought about many changes in attitudes, and work habits, as well as a healthier respect for themselves and others. These positive improvements have carried over to their school situation according to comments of some teachers and the principal of a local school where a high percentage of area 4-H'ers attend. Local 4-H leaders are finding less difficulty in holding interest in club activities and behavior problems have decreased.

Several field trips took 82 boys and girls to The Eastern States Exposition, 42 to Greene herb farm, 48 to H. T. Chase farm, 95 to URI Dairy Farm, 16 to R. I. School of Design Museum, 16 to Youth and the art Festival at Albee Theater, 56 to Trinity Square play house, 42 to Rocky Hill state fair.

Social events included 165 at a Halloween party, 65 at a Christmas party given by rural 4–H'ers, 10 club birthday parties for members, 16 at a hayride and wiener roast given by leaders from rural 4–H. Cultural enrichment, setting life goals and exploring careers are benefits of these programs.

WHAT WE HAVE LEARNED

1. The maximum effort should be made into this community at the place of least resistance. 4–H Club work, directed at children's group activities is therefore the place of least resistance, and not Home Ec., social action, or adult education. These are highly important and will come to pass later.

2. Role of 4–H workers, contain 3 main elements:

A. *Capacity of a group therapist;* since youngsters from low income urban setting will have a much higher percent of acting out behavior than youngsters from middle class and a much higher percentage of emotionally, organic, plus emotional organic retardation, the therapeutic skill of the worker is crucial.

The set of therapeutic leader is quite different in some regards than the traditional leader.

1. Therapeutic set of 4–H Club leader includes:

a. High tolerance of need to act out+willingness+inner freedom not to prematurely control it.

b. Group goals are to be seen by worker not as task achievement, but emotional growth, and love.

c. Willingness to treat all behavior as leads to emotional support, confrontation, or learning.

d. Key is relation of youngster to leader and group,+a breakdown of earlier transfer reactions.

e. Leader must set his goals not in the immediate relations but in the long view of history.

f. Leader must not rationalize his problems by claiming he's unsuited, but to risk himself in consultancy relationship to attach his own resistances+defenses.

g. Must be willing to firmly and democratically defend himself, his programs, strategies+goals to the broader community and can expect it will be on the whole anti therapeutic. He must accept this resistance as part of the problem, and not as the enemy.

h. Obviously—facilities such as rooms and props they can *act* with are critical.

B. *Capacity of family case worker.* 50 percent of his time should be spent with the families of the children in his program.

1. Family caseworker set of 4–H worker includes:

a. Willingness to constantly knock on family's door without invitation+inviting himself for coffee.

b. Readiness to do just about anything to make family feel comfortable and trusting to him.

c. Willingness to reach out and help self solve any reality problems family needs to cope with. The key here is mobility—*he moves.* The work of Dot and Len shows the enormous array of problem helping that can occur.

d. Much therapeutic listening and support. Empathy and ego feed of a very high order, requires much analysis, role playing, + consultation.

C. *Capacity of Ground Breaker.* He should be vehicle of rest of staff to introduce and help involve youngster's family in the agency's other program in Home Economics, Social Action, Adult Education etc. Should bring other members with him on regular visitation.

Recommendations: In the light of our three-year experiences in South Providence, we are convinced that Extension programs are effective in breaking the cycle of poverty. Extension is traditionally a people's program. It is flexible. Extension workers do not operate within the hard institutional limitations of the "bureaucrat".

There is no working in the culture of poverty in the usual middle class office approach. The worker does not make an appointment with this type of youngster to come in at 3:00 p.m. to talk about his problem. He picks him up on the way out of school or where the gang hangs out and works from there. He must recognize that no problem is too small to justify his attention. Therapeutic skill can be gained with practice. The successful worker starts with small problems, gains the confidence of the youngsters and builds "caring relationships."

The person who is a good Extension worker in other areas, can be effective in the poverty area. But he must have a sincere interest in people, accept each individual as a worthy creature of God and be able to start where he is toward helping him to work out his own solutions. Total commitment is required from the Extension worker and the institution which he represents. Apathy is created by broken promises. Complete honesty, constant support and continued encouragement are the approaches which the worker must use to rehabilitate or to bring a young person out of a poverty situation into one of independence.

The worker should maintain effective relationships with all of the various institutions dealing with his clientele. Among these are the schools, the guidance department, the school committee, churches, the welfare department, juvenile court, department of employment security, health department and clinics which serve the area. It is important to work closely in order to get referrals from these agencies as well as to receive the help which they can give.

In the culture of poverty one doesn't just refer a person with a health or psychological problem to a clinic and expect him to go. No—these people have a built-in attitude of defeat from their long experience in being sent from one agency to another and getting little or no permanent help. So the effective Extension worker *takes* those persons who otherwise do not avail themselves of the services they need. It may be a trip to family court, a confrontation with school authorities, accompanying a disturbed mother to a mental health clinic or whatever is required to build supportive relationships.

The type of training needed for Extension workers in the urban poverty area should therefore be different from the usual type of training. It should include extensive training in human relationships, social action, techniques for handling controversial issues and adult education. Ideally, one day weekly should be devoted to in-service training.

The Extension Service was created to assist the underprivileged. But today this population segment is concentrated in central cities rather than in rural areas. Our fifty-some years of experience have developed a self-help philosophy which the Rhode Island Cooperative Extension Service has applied in South Providence with significant results. The method of application may vary according to the particular situation, but if the administration is committed and the local staff members are committed, an effective program will evolve from and by the people. "U Gotta Wanna".

A STUDY OF CASE EXAMPLES IN URBAN AREAS: II. KANSAS CITY, MO.

(By Harry Vieth, extension youth agent)

FEDERAL HOUSING

1. T. B. Watkins Federal Housing Project.
2. Predominately Negro.
3. Introduction to area.

Home economist and graduate students

4. Initiating Group:
a. Federal Housing Director.
b. Social Work Graduate Student (KU).
c. Federal Housing Program Director.
d. Extension Youth Agent.
e. Parent Committee (2 meetings).
5. Leadership (entirely voluntary):

a. Social worker obtained leaders by working through parent committee.

b. Parent committee made person to person contact and obtained commitments. (Third generation of leaders. Recruit own replacement.)

6. Club Organization:

a. Parent Information Meeting—housing director, two social workers, student, federal housing program director, golden age president, Extension youth agent.

b. Youth information meeting—projects, activities and club.

7. Membership:

Girls: Ages: 6-13. Projects: Clothing 1 and advanced clothing, foods, home management and child care.

8. Club structure:
a. Was—project groups.
b. Now—community club.
9. Club activities:
a. Project meetings.
b. Club achievement days.
c. County 4-H camp.
d. County dress review.
e. County grooming contest.
f. County achievement banquet.

10. Leader training: a. Held special training meetings at the project. (clothing—reconstruction of used clothing) (commodity foods adapted to 4-H).

SETTLEMENT HOUSES AND COMMUNITY CENTERS

1. Della C. Lamb Settlement House, Minute Circle Friendly House, What-so-Ever Community Center.

2. Della C. Lamb Settlement House—close by another federal housing project:

a. Chouteau Court Federal Housing.

b. Guinotte Housing Project.

3. Sponsored by United Funds and Methodist Church Women.

4. Introduction to the area—home economist-consumer, information agent-social, worker (family worker for the settlement house).

5. Initiating Group:
a. Social worker.
b. Housing director.

c. Youth agent (no parent meetings, however, it would not have succeeded had we not built the relationship through the home economist and the mothers).

6. Leadership: a. Social worker served as leader and her replacements have continued to fill this role.

7. Club organization: a. Youth information meeting followed by organization of the club.

8. Membership: Girls: Ages 8–15.
9. Club structure:
a. Was—project groups.

b. Now—community type club.

c. Met each week (short interest span).

10. Club activities:

a. Project meetings.

b. Club and county achievement days.

c. County 4-H Camp.

d. County achievement banquet.

11. Leader training:

a. Special assistance given family worker by Extension home economist.

b. Youth agent gave some direct member instruction.

MINUTE CIRCLE FRIENDLY HOUSE

1. Predominantly Anglo Saxon some Spanish.

2. Introduction to area—youth agent—prospecting.

3. Initiating group:

a. Community center staff.

b. Church—school.

c. Youth agent.

4. Leadership:

a. Center staff.

b. Voluntary leaders.

5. Club organization:

a. School assembly.

b. Family night information dinner.

c. Staff organized club (center members).

6. Membership: Boys and girls: Ages 10–15. Projects: foods, clothing, photography, auto care, safety.

7. Club structure:

a. Community club.

b. Winter club—no summer meetings.

c. Supplements heavy athletic program.

d. Members participate in county wide activities.

8. Leader training. Leaders attend county training workshop.

WHAT-SO-EVER COMMUNITY CENTER

1. Sponsored by United Funds.

2. Much the same as Minute Circle except it is primarily a clothing project group.

3. Center staff adapted 4-H project to meet a need in the center.

DISADVANTAGED COMMUNITY

1. Leeds Community.

2. Negro.

3. Introduction to area—urban home economist.

4. Initiating Group:

a. Youth steering committee.

b. K. C. Board of Education.

c. Street Clubs (Extension clubs).

d. Urban home economist.

5. Leadership:

a. Voluntary leaders.

b. Home economist gave strong leadership.

6. Club Organization:

a. Informed parents, letters, personal contact and through other training meetings by home economist.

b. Youth information meetings by home economist and youth agent.

c. Club organized at information meeting.

7. Membership:

8. Club structure: a. Community club.

9. Club activities:

a. District achievement day.

b. County camp.

c. County council.

d. County dress review.

e. County achievement banquet.

f. Posture, safety, courtesy, health, plays and holiday programs.

10. Leader training: a. Held special training sessions and workshops in the Leeds Community. (Clothing—reconstruction-used clothing and new material) (Foods—Commodity foods adapted to 4-H) home managemen, vegetables, woodwork.

CHURCH CLUB

1. White low income, transient community.

2. Introduction to area: Through 4-H members of a sister church in another community.

3. Initiating group:

a. Church.

b. Extension youth agent.

c. County junior leader organization.

4. Leadership:

a. Imported 4-H junior leaders.

b. Youth agents.

6. Club Organization:

a. Information and organization meeting.

b. All project meetings and community club meetings held on the same day (Saturday).

c. Never able to get parent involvement.

EXCEPTIONAL CHILDREN'S CLUBS

1. Public School.

2. School administration requested and obtained 4-H project literature to use in their special school for exceptional children in the city of Independence as a part of their educational efforts.

3. Teachers found the literature easy to use with these youngsters.

4. The "Learn by Doing" teaching method and experience was felt to be something which could be easily adapted.

5. No leader training. Teachers were leaders.

SHERMAN CLUB

1. 4-H Club for exceptional children.

2. White—medium income.

3. Developed by 4-H family with exceptional child.

4. School had no program for exceptional children.

5. P.T.A. program for exceptional children.

6. Leader obtained approval of school and P.T.A. Resigned as community leader for local club and organized new club for exceptional children.

7. Projects:

a. Same as any club except requirements are lessened due to short interest span.

b. Woodworking and small motor.

c. Service oriented projects:

1. 4-H Youth center work.

2. Rebuild toys for youth in Vietnam.

3. Service oriented more than most clubs.

COUNTY JUVENILE INSTITUTIONS

1. Hilltop School for Girls.

2. County custodial home for girls.

3. Ages 12–19.

4. Club started 14–15 years ago.

5. Leadership: 1. Paid staff. 2. Voluntary leadership (4-H).

6. 1965—changed to—intensive treatment center.

7. Average stay for a girl is now six months—before, it may have been as long as seven or eight years.

8. Now—4-H:

a. Short term—intensive project.

b. Summer time program.

c. Voluntary.

9. Leadership:

a. Hired an older 4-H'er who is a college sophomore.

b. She serves as leader-coordinator and teacher.

COUNTY BOY'S HOME

A. Efforts to organize a 4-H Club failed due to lack of leadership.

B. Scouts organized troop by importing leadership.

OTHERS

1. Church—Child Care Program: a. In three weeks decided not to call it 4-H.

2. Presbyterian Church:

a. Summer 4-H program.

b. Boys and Girls.

c. Crafts elect and others.

3. Horseless Horsemanship Club:

a. Was community club—now project group.

b. Low to low middle income area—white.

c. Meet all 4-H requirements.

d. County does not require a member to own a horse.

e. Leader—employed by a commercial stable.

f. Teaching and riding is done at the stable.

g. Club is four years old.

A STUDY OF CASE EXAMPLES IN URBAN AREAS: III. BUFFALO, N.Y.

(By Mrs. Adeline T. Evans, cooperative extension specialist)

The 4-H School Dropout and Youth Employment Program was launched in Buffalo, March, 1964. Buffalo was chosen as one of the three areas in the State for the pilot project because it too, has contributed its share to our national dilemma, "the school dropout problem."

After careful study on the part of our State Leader and an invitation by the neighborhood community council, the program was begun. Youth from low socio-economic families within a housing development were organized into 4-H groups. A special State appropriation, supplemented by Lever funds, allocated by the State Director of Extension supported it. The County 4-H Executive Committee sanctioned it and the Municipal Housing Authority provided all physical facilities.

The Commodore Perry Housing Development has 1244 units within the housing development. Eleven hundred and two are resident occupied, 128 vacant and 14 are occupied by social service agencies. Of those resident occupied units, 735 families are white and 367 are non-white including 16 Puerto Ricans.

Seven hundred ninety-three families within the project have incomes of less than $3,000. Three hundred forty-two families are either receiving supplemental relief and 219 receive their income from employment. The remaining families are drawing from various pension funds, compensations, social security, railroad retirement, unemployment insurance benefits and the like. There are 402 single person units which usually signifies senior citizens, and 221 units of two-member families. There are 634 adult families, 191 broken families and 277 standard. Six hundred ninety-one individuals are over 60 years of age, 567 are between the ages of 6 and 10; 437 between 11 and 15; and 218 between 16 and 20.

The families are multiproblemed; and as Dr. Biever of Chicago described such groups, "they embrace the survivors, the strugglers and the aspirers."

The special program was designed to provide interesting learning experiences which encourage and aid youth to stay in school longer; acquaint them with educational and training opportunities beyond high school; and better prepare older youth for employment.

Regular or traditional type 4-H Projects using standard 4-H project literature and volunteer leadership were tried. Flexibility, however, has been the keynote.

A few of the projects that have been offered are: The ABC's of food, fruit delights, breakfast is ready, time for lunch, adventures in dinners, tips for waitresses, outdoor cookery, let's sew series, start and go (a home improvement project), automotive, incubation and embryology, handyman, leathercraft, photography, flower gardening, power lawn mower, junior leadership, entomology, wood identification.

Projects with considerable adaptations to challenge members' interest and to fit their economic situations have been:

1. *Electronics*—Making a five transister amplifier. Some materials were subsidized. Leadership was by special arrangements through engineers at Cornell Aeronautical Laboratory. Simple repairs to lamps and other electrical fixtures.

2. *Newswriting*—Literature was re-written for readability and clarity.

3. *Cooking*—Junior Chefs for older boys with emphasis on cafeteria type food preparation and handling led entirely by a local volunteer adult leader. Junior Bachelors for young boys learning basic cooking, sewing, washing, ironing, personal hygiene, etc.

4. *Writing*—Open to all members taking

part in trips and tours. No special leadership, but done as an individual project.

5. *Job Preparedness*—for high school girls in another area of town. (4–H was invited to participate by Project Able, a program jointly sponsored by the New York State Education Department and the Buffalo Public Schools. The program was developed for the purpose of identifying and encouraging potential abilities among pupils from culturally different or low socio-economic backgrounds as well as to provide assistance to them towards completion of appropriate programs of education consistent with their ability).

The objectives in working with the group were to increase members' knowledge of job opportunities; to gain skill in filling out application blanks; to learn about employment services, and educational requirements; and to learn the relationship of proper nutrition and grooming to health and employment.

Experiences and activities to increase members' "experience scales":

1. Tours to local industries and agencies, farm and places of interest to youth exploring further educational and vocational possibilities.
2. Trips to 4–H events and programs. Often given as award recognition trips.
3. Fairs—*Local* shows to exhibit achievement to friends, neighbors and family. *County Fair*, public recognition of work well done. *Local House Plant Show*, to generate interest and to give instructions to any adult or youth of the community.
4. 4–H Camp—for recreation, project instruction and work, leadership training and "inter-cultural" experiences with other youth in the county.
5. TV Shows—members participate and gain self confidence and a certain amount of local fame. Viewers call in expressing delight that not all youth are staging sit-ins and vandalizing.
6. Manners Clinic—held with a small number of older members and staff to teach etiquette.
7. Public Service—landscaping a national historical structure, planting gardens for the Blind Association, Churches and Housing Authority. Dressing dolls for the Salvation Army to be distributed to needy families at Christmas time. (Many being sent to families of those who dressed them).
8. Other County Wide Events: Leaders Association Meetings; Leader Training Meetings; Conservation Field Days; Work on the County Conservation and Forestry plot; Helping to build the new 4-H Camp; Demonstration Days; Achievement Nights; Talent Shows; Participation at the 4-H Snack Bar at the County Fair; etc.
9. Officers Training Meetings.

LEADERSHIP IDENTIFICATION, RECRUITMENT, AND DEVELOPMENT

1. Personal visits, in the office, on the street and at people's homes.
2. Recruitment by established leaders, usually to obtain assistant leaders.
3. Recruitment by members who wish to form special interest groups.
4. Volunteer leaders "imported" from other areas through appeals to church and other organizations.
5. Hiring a shop supervisor for 15 hours per week to give needed leadership with skills and responsibility allowing the use of power tools.
6. Hiring a part-time Program Aide, one familiar with the neighborhood and possessing an established rapport.
7. Neighborhood Youth Corps Assignees give valued leadership in specific projects and events.
8. Special Interest Training Programs for parents and interested adults have proved quite successful in the recruitment of leaders. (Basic sewing and Drapery Making attracted five who remained as leaders).
9. As an illustration of leadership interest, the following letter was received within the past week:

"DEAR MR. SMALLEY: I would like to know some information on the responsibility of starting a 4–H Club. I think you know who I am. I used to go down to Joe's House (Calderelli) and he wanted me to join his Garden Club.

"My intentions are to start a Tropical Fish Fancier's Club through the 4–H. If this is possible, will you please contact me by phone (phone number) or by address (address).

"I have tropical fish of my own and maybe Joe Calderelli might even want to join my club.

"I'm qualified in the teaching of the Various Tropical Fish of the World and their breeding techniques, and I would enjoy being a leader to share my interesting hobby with others who are to learn.

"Will you please let me know in some way, if I may start the Club, so I may ask some of my friends who would like to join. I would like members who already have a set-up of fish.

"Thank you.

"TERRANCE DICKMAN."

10. Quite often agents give direct leadership to groups and individuals.

11. *Local Industries and Businesses provide many resource people:*

News Reporter—advisor and teacher of Newswriting Project.

Contractor—Leader Training for Handyman Project.

Electrical Engineer—Leader Training for Electrical Project.

Florist—Leader Training for Flower Arranging Project.

Leather Store Manager—Leader Training for Leathercraft Project.

Insurance Company President—Advisory Committee member and Leader in the Automotive Project.

Buffalo Jaycee member—Leader in Automotive Project & Advisory Committee.

Police Precinct Captain—Leader in Automotive Project & Advisory Committee.

Firestone Sales Manager—Leader in Automotive Project & Advisory Committee.

AAA Manager, Travel Department—Leader in Automotive Project and Advisory Committee.

OTHER RESOURCE PEOPLE

1. County Program 4–H Agents, Club Leader, Club members and former Club members.
2. Teachers, beauticians, employment service representatives.
3. Cooperative Extension Specialists, technologists, cafeteria managers.
4. Adult Garden Club members.
5. Farmers and gardeners.
6. Nurserymen.
7. Service Clubs.
8. Church Groups and Individuals. (These people offer subject matter training, lectures and demonstration; sponsor trips and camperships; provide project materials, tools and equipment; arrange contacts; and host tours.)

Agencies and Organizations Worked with: Municipal Housing Authority, Chamber of Commerce, Jaycees, Association for the Blind, Salvation Army, Family Service Society, Youth Board, Senior Citizens, Cooperative Urban Ministry, Board of Education, Cooperative Extension Service—Home Economics & Agricultural Departments, Federated Garden Clubs of New York State, Schools, public and parochial, Community Action Organization.

Slides depicting the progress of the program from June 20, 1964, the date of our Grand Opening until the present time were shown. They picture the urban youngsters involved in County-wide activities and others engaged in individual project and local activities.

4–H IN NASSAU COUNTY, N.Y.

One of the most densely populated counties in the United States, Nassau County, New York, boasts of 1966 enrollment of 25,840 4–Hers and 2,932 volunteer leaders.

Nassau County might be considered a pioneer in urban 4–H work. Located on Long Island next door to New York City, one cannot find a farm in the 400 square mile area unless it is on an estate.

4–H thrives in Nassau County. During the past year alone, 4–H membership increased by 4,000 young people.

During 1966, Nassau County 4–Hers took 53,000 4–H projects. These projects are oriented to the urban audience, including Foods and Nutrition, Clothing and Textiles, Home Management, Arts and Crafts, Child Care, Natural Sciences, Horticulture, Conservation, Photography, Woodworking, Electricity, Automotive, Boat Safety, Citizenship, Junior Woodworking, Bicycle Safety and Care, Embryology Science and Community Beautification.

A "Farm Camp" at the Nassau County 4–H Camp provides urban 4–H families an opportunity to learn about farm animals.

Nassau County has been a leader in urban 4–H programs. Extension personnel throughout the U.S. have studied and implemented the Nassau plan so that urban young people can share the benefits of the 4–H programs.

Mr. Speaker, there are indications that the principle underlying the Zwach bill has some congressional and departmental support. Certain Members have indicated interest in this proposal. Also, earlier this month House Report No. 330, accompanying the Department of Agriculture and related agencies appropriation bill for 1968, stated on page 28:

> The wholesome effect of 4–H Club activities has been so beneficial to rural youth that additional efforts to bring 4–H programs to young people in the congested and deprived urban areas of the United States would make an invaluable contribution to the moral, spiritual and economic strength of this Nation.

Although the Secretary of Agriculture has not yet made a statement on the Zwach bill, there is every indication that the Federal Extension Service is very interested in the proposal, and believes that it has some merit.

In order that other Members may review this legislation, Mr. Speaker, I insert the bill to be printed, as follows:

H.R. 10680

A bill to establish Cooperative Extension Services in the District of Columbia

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to establish and maintain Cooperative Extension Services in the District of Columbia, which will include 4–H youth development and home economics programs administered by the United States Department of Agriculture (hereinafter referred to as the "Department"), to promote the welfare of the people of the District of Columbia. The Secretary is authorized to provide for such modification of any such program extended to the District of Columbia as he deems necessary in order to adapt it to the needs of the District of Columbia.

SEC. 2. The programs authorized by this Act shall be developed in cooperation with the government of the District of Columbia, and shall be covered by a memorandum of understanding agreed to by the government of the District of Columbia and the Department. Such memorandum of understanding shall provide for implementation of the programs by Howard University. The Secretary may also utilize the agencies, facilities, and employees of the Department, and may cooperate with other public agencies and with private organizations and individuals in the District of Columbia and elsewhere to carry out the purposes of this Act.

SEC. 3. There are hereby authorized to be appropriated five million dollars per annum to carry out the purposes of this Act. Sums appropriated in pursuance of this Act shall be in addition to, but not in substitution for, sums appropriated or otherwise made available to the Department, and may be allocated to such agencies of the Department as are concerned with the administration of the program in the District of Columbia. Four per centum of the sum so appropriated for each fiscal year shall be allocated to the Federal Extension Service for administrative, technical, and other services of the Department in carrying out the purpose of this Act.

SEC. 4. All provision of the Act shall terminate five years from the date of enactment of this Act.

CONTINENTAL TELEPHONE CORPORATION

Mr. OLSEN. Mr. Speaker, on June 15, 1967, I introduced a resolution to establish a Select Committee to investigate and study the acquisition of small investor-financed and REA-financed telephone companies by the Continental Telephone Corp., a telephone holding company. A copy of this resolution and my remarks appear on page 15941 of the CONGRESSIONAL RECORD of June 15. It is my understanding and I have been advised that there is a lawsuit pending in the U.S. District Court for the Northern District of Texas, Dallas Division, in which some rather serious charges and allegations are made against the Continental Telephone Corp. with reference to activities of this telephone holding company in attempting to take over other companies. If some of the allegations in that lawsuit can be substantiated, I am utterly amazed that the Securities and Exchange Commission did not heretofore bring this matter to the attention of the Congress.

The activities of the Continental Telephone Corp. should indicate a very serious trend toward a monopolistic operation, financed in substantial part by public funds.

On June 15 when I introduced the resolution requesting the creation of a select committee, I delivered a copy of that resolution to the Chairman of the Securities and Exchange Commission and respectfully requested that any further action by the Securities and Exchange Commission that might authorize the Continental Telephone Corp. to further expand in this manner be suspended until the Congress of the United States had an opportunity to investigate the subject matter.

I again call to the attention of the duly elected representatives of the people of this country that there appears on the horizon the specter of a monopolistic monster feeding in large part on subsidies being extracted from the pockets of the taxpayers. I urge early action in the creation of the committee I have requested in my resolution.

JAMES ALLEN MARTIN, 1967 TRUCK DRIVER OF THE YEAR

Mr. ASHBROOK. Mr. Speaker, we are always proud when we can lay claim to a winner and give him deserved praise. The people of Ohio, and in particular the 17th District which I represent, are now doing just that on the occasion of the recent presentation here in Washington of the 1967 Truck Driver of the Year Award to James Allen Martin of Granville, Ohio.

This honor is the highest presented by the American Trucking Associations and also represents the first time an Ohioan has received the award.

It seems that too infrequently we take time to commend these millions of Americans who go out of their way to help their fellow men, and do it out of the kindness of their hearts without thought of payment or return. Mr. Martin is this kind of American and it is good to see him recognized.

For the benefit of my colleagues I would like to insert in the RECORD two items which have recognized Mr. Martin's achievements and which give several of the reasons for his selection. The first is a resolution passed June 12 by the senate of the State of Ohio. It was introduced by State Senator Robin T. Turner and reads:

S.R. No. 67

A resolution congratulating James Allen Martin of Granville, Ohio, the 1967 Truck Driver of the Year

Whereas, The members of the Senate of the 107th General Assembly of Ohio proudly note that James Allen Martin of Granville, Ohio, has been selected by the American Trucking Associations as the nation's Truck Driver-of-the-Year for 1967, the first Ohioan ever to receive the association's highest honor; and

Whereas, This highly desirable program of recognition for professional truck drivers, sponsored by the Ohio Trucking Association and its forty-nine other sister associations throughout the nation, is designed to promote safety and courtesy on the highways; and

Whereas, On more than one occasion Mr. Martin, who in six years as a professional truck driver has logged more than a half million miles with a perfect safety record, has faithfully lived up to the trucker's creed of "Service to Others" by spectacularly rescuing four persons from their wrecked auto in the path of an oncoming freight train last Thanksgiving Day in Plymouth, Indiana, and by helping to evacuate hundreds of sick and stranded persons during a paralyzing blizzard last January; and

Whereas, 1967's Driver-of-the-Year is a public spirited citizen active in the affairs of his community, as is well evidenced by his being a part-time police officer for the Granville Police Department, an active member of the Granville Volunteer Fire Department, serving as a Patrol Dad for the local Boy Scout Troop Committee, and being a member of the Granville Parent Teachers Association; and

Whereas, Mr. Martin has twice been honored by the Ohio trucking industry for heroic deeds; in 1963 he administered first aid at an accident, summoned police, and later visited the hospital to give the victim a blood transfusion; in 1964 he rescued three women in a stranded auto by pushing their vehicle to a place where help could be obtained; therefore be it

Resolved, That in recognition of the unsurpassed safety record of this "Knight of the Road", James Allen Martin, in commendation of his many acts of heroism and service to others, and to heartily congratulate Mr. Martin upon receiving the American Trucking Association's highest honor, the Driver-of-the-Year Award for 1967, we, the members of the Senate of the 107th General Assembly of Ohio, adopt this Resolution and cause a copy to be spread upon the pages of the Journal; and be it further

Resolved, That the Clerk of the Senate transmit a properly authenticated copy of this Resolution to Mr. James Allen Martin; to his employer, B & L Motor Freight, Newark; The Ohio Trucking Association; and the American Trucking Associations.

The second item is an editorial from the Columbus, Ohio, Dispatch of June 14.

A WORKADAY HUMANITARIAN

Humanitarianism is a big word covering a wide spectrum of man's endeavor. It is most frequently used in connection with organized and complex undertakings.

To a man like James Allen Martin, a 33-year-old truck driver of Granville, Ohio, humanitarianism is as simple and direct a thing as carrying to his job each day a great skill and a continuing consciousness of being his brother's keeper.

James Martin is the 1967 National Truck Driver of the Year, an honor accorded him Monday for a series of selfless acts in assistance of others who found trouble on the highways and for excellence in his work.

His record of 500,000 miles of accident-free driving for the B & L Motor Freight Co. of Newark is most enviable and contributed to his being the first Ohioan to win the honorable designation of No. 1 Truck Driver in the nation.

Honors for heroism have come often to Mr. Martin. In reviewing his behavior in situations of emergency and danger you get the feeling that this is simply his way of life. He is an involved man. He lives a full civic life. He is a part-time member of the Granville police force, works actively as a volunteer fireman and is a happily married father of five children.

It makes us proud to know a man with James Martin's capacity for the goodness there is in work and service is a near neighbor in the Central Ohio community.

WASHINGTON POST ENDORSES ANTIBANK LOTTERY BILL

Mr. MINISH. Mr. Speaker, the Washington Post has joined the growing list on newspapers that have come out in favor of legislation that would prohibit federally insured financial institutions from acting as sales agents for lottery tickets. This legislation, H.R. 10595, has been reported favorably by the House Banking and Currency Committee and will be on the floor for debate in the near future.

This legislation in no way questions the morality of a lottery or the right of New York or any other State to conduct lotteries. The legislation simply upholds established public policy by prohibiting federally insured financial institutions from selling lottery tickets.

Monday morning's edition of the Washington Post carries a strong editorial endorsing H.R. 10595. The editorial points out that lotteries, even when operated by States, are highly susceptible to scandal, which could have an adverse effect on the safety of commercial banks.

I am including a copy of the editorial in the Washington Post in my remarks so that Members can see the dangers of allowing banks to engage in this highly questionable activity.

[From the Washington Post, June 19, 1967]

LOTTERIES AND THE LAW

Chairman Wright Patman of the House Banking Committee has placed the public in his debt by sponsoring legislation that would prohibit Federally insured banks from acting as sales agents for lottery tickets. The bill, recently approved by the Committee, is aimed at those New York banks that are now selling state lottery tickets. Doubtless they were moved by a sense of public obligation, however misplaced, as well as by commissions and prospects of gaining new banking customers. But gambling is hardly consistent with the fiduciary and other responsibilities that the law imposes upon banks. And lotteries, even when conducted by state governments, are peculiarly susceptible to the sort of scandal that would undermine public confidence in participating banks.

Ever since 1868, the Post Office has been prohibited from carrying mail that in any way promotes "lotteries, so-called gift concerts, or other similar enterprises offering prizes of any kind on any pretext whatever." Recently the Department obtained two convictions in connection with sales of New Hampshire State lottery tickets. By denying lotteries the respectability that would be gained through bank participation, Mr. Patman seeks to strengthen the time-tested antipathy toward state lotteries—a form of taxation that is regressive as well as morally repugnant.

REAGAN'S VENEER

Mr. MOSS. Mr. Speaker, the Sacramento Bee recently editorialized on the vanishing "progressive veneer" of Governor Reagan. Notwithstanding the view to the contrary of the National Young Republicans, I commend the editorial to my colleagues at least as a stimulus to thought.

[From the Sacramento Bee, June 15, 1967]

REAGAN'S PROGRESSIVE VENEER HAS WASHED OFF

Not too long ago there was a motion picture called "A Bad Day at Black Rock". The Reagan administration had such a bad day recently although it might not itself think so.

In one 24-hour period there emanated from Gov. Ronald Reagan and his spokesmen the most amazing utterances since Aunt Mamie got her finger caught in the wringer.

Blasting away at the critics of his mental health staff cutbacks, Reagan called psychiatrists "headshrinkers", a description which was highly insulting. Reagan also said that if he ever "got on a couch", it would be to take a nap.

Dr. David W. Allen, president of the Northern California Psychiatric Society, ascribed Reagan's charge of "blackmail" against his cutback opponents as evidence the governor is "under great strain".

On the same day Lyn Nofziger, Reagan's director of communications, spoke in words which suggest that whatever role he might hold in the state administration, it should have nothing to do with communications. To a Los Angeles reporter who wanted to know why the press was not informed about a Reagan meeting with a delegation of Americans of Mexican descent, Nofziger replied:

"The governor doesn't have to tell you everywhere he goes. We felt that it was none of your business where he went."

This, of course, was the exact equivalent of telling the public its own business is none of its business.

On the same day Reagan in Anaheim told the National Institute on Crime and Delinquency it would be wise to question the part of the President's Crime Commission's report urging the elimination of poverty as a cure for crime.

Reagan said the crime rate was never so low as it was during the big depression. Maybe he is implying more and bigger depressions would help the fight against crime.

PREPARATIONS FOR THE OBSERVANCE OF THE INTERNATIONAL HUMAN RIGHTS YEAR

Mr. FASCELL. Mr. Speaker, in 1963, and again in 1965, the General Assembly of the United Nations adopted resolutions designating the year 1968 as the International Human Rights Year.

The resolutions in question pointed out that the year 1968 will mark the 20th anniversary of the United Nations' Universal Declaration of Human Rights, and urged all member states to join in commemorating that special anniversary.

Last year, the Subcommittee on International Organizations and Movements, and subsequently the full Committee on Foreign Affairs, approved legislation authorizing the appointment of a U.S. Commission to plan and coordinate the observance, in the United States, of the International Human Rights Year.

Similar legislation was reported by the Senate Committee on Foreign Relations and approved by the other body.

Unfortunately, neither bill was finally acted upon during the days before the adjournment on October 22, 1966.

Earlier this year, because of the lack of final action by the Congress, the U.S. National Commission for UNESCO appointed a special committee to do the job which was supposed to be performed by the committee envisioned in last year's legislation.

Attorney Bruno V. Bitker, of Milwaukee, a longtime member of the U.S. National Commission and the moving force behind the proposal to create the special committee, was appointed to direct and coordinate the work of this group.

Earlier this week, the newly created Human Rights Committee of the U.S. National Commission for UNESCO met in Washington to consider and plan its work schedule.

Dr. Charles Frankel, Assistant Secretary of State for Educational and Cultural Affairs, addressed the committee and emphasized the "high importance of human rights on the world scene."

Dr. Frankel said:

> The United States is well-advised to move forward on a premise that is at once American and a basis for international understanding and justice—that a viable peace is necessarily defined in terms of the protection of human rights. These include, on one side, individual freedoms protected against government interference and, on the other side, rights to work, to education, to human dignity which can only be achieved by organized social or governmental action.

The special committee includes: Bruno V. Bitker, of Milwaukee, Wis., as chairman; William G. Harley, president, National Association of Educational Broadcasters, Washington, D.C.; Henry Kirsch, department of international affairs, AFL–CIO, Washington, D.C.; Mrs. Harvey Picker, director of the United Nations Association, New York; Mrs. Ella P. Stewart, Toledo, Ohio; and Howard L. Kany, CBS television stations, New York.

Dr. Thomas F. Malone, of Hartford, Conn., Chairman of the U.S. National Commission, in announcing the appointment of the committee to plan the yearlong program, said:

> This Commission is happy to concur in resolution of the U.N. General Assembly calling upon all member nations to observe this special anniversary of the Universal Declaration of Human Rights. Within the extent of the Commission's resources, we intend to encourage seminars, national conferences, lectures, articles, discussions and, through all forms of mass communication, to help bring about a fuller recognition of the significance of the Declaration and its relationship to world peace and stability. UNESCO's consitution makes promotion of respect for human rights and fundamental freedoms a basic purpose of the organization. We expect to carry on the program in cooperation with the constituent members of the National Commission, as well as through all recognized national, civic, religious, educational, labor and business organizations throughout the country.

Mr. Bitker said that during the observance year the National Commission would place stress on historic American documents and the great declarations by American statesmen made during the formative period of these rights. It is expected that local civic and community organizations throughout the Nation will devote special meetings to the observance. He foresaw that at all levels in the educational world the roots of the declaration in the U.S. Bill of Rights and other American constitutional provisions would be a subject of continuous study.

Dr. Frankel also announced the appointment of Mrs. Margaret Hicks Williams as coordinator of International Year for Human Rights activities for the State Department's Bureau of Educational and Cultural Affairs. Mrs. Williams will assist the Human Rights Committee of the National Commission for UNESCO in coordination of the activities of a number of nongovernmental organizations in support of the U.S. observance of International Human Rights Year.

DEVELOPMENT OF ELECTRIC CAR

Mr. CONTE. Mr. Speaker, today I am introducing a bill to provide Federal funds for the research, development, and testing of electrically powered vehicles.

My bill is in response to the mounting problem of air pollution in our Nation's cities. Vehicles powered by internal combustion engines are to blame for a substantial part of this problem.

By Federal estimates, the number of motor vehicles on our roads will double by the year 1980. The distinguished Secretary of Health, Education, and Welfare, John W. Gardner, during recent discussions on air pollution, expressed his doubts that the emission control devices that will be mandatory on all 1968 model cars will remain effective as the number of vehicles rises. President Johnson, in his recent message to Congress on air pollution, said that if this holds true, that if technology cannot cope with the air pollution problem caused by the projected 180 million cars in 1980, we must scrap the internal combustion engine.

An alternative is a new form of propulsion for motor vehicles—electricity.

In addition to eliminating the deadly clouds of automobile exhaust fumes hovering over our cities, electric vehicles offer other advantages to the city dweller. They would cut down on the amount of noise, help solve the problem of urban congestion, and be small enough to park easily on crowded city streets. They could be used in all modes of city driving: as commuter cars, buses, taxicabs, and delivery trucks.

The electric car would be especially good for commuting. The regional planning association of New York reported that the average speed of cars traveling on major arteries leading into New York City during the rush hours is 13 miles per hour. Twenty-eight percent of these cars traveled less than 50 miles each day. This would fall easily within the range of an electric car with a maximum speed of 40 miles per hour which could go 150 miles between battery recharges.

The public seems to agree that a car with these specifications would also be ideally suited for use in suburbia. When asked by a recent Gallup poll whether they would buy such a car for shopping and general around the town use, 36 million adults answered "yes". The results of this poll also assure a ready market for the electric car once it is perfected.

One of the great potentials for the electric vehicle is for use as a delivery truck. In Great Britain, 40,000 battery-powered trucks deliver milk and bread to English homes more economically than would similar gasoline-driven ones. The Great Britain Electricity Council, after testing four different delivery trucks from four separate companies, came up with the startling conclusion that the trucks running on gasoline cost three times as much to operate as the electric ones per mile.

Electric vans could also be used by our Postal Department to ease the mail transportation problem in our big cities. Not only would they be cheaper to operate, but they would thrive in the stop and go type of travel.

What is being done by private enterprise to develop an electric vehicle? Companies working in this area have been plagued by the problem of coming up with a workable battery. One company is making encouraging progress on a new zinc-air, which could be a substantial improvement over the traditional storage that is being used in prototype electric cars. But the battery emerges as the main stumbling block in private enterprise's attempts to develop a practical electric car that can be mass produced.

I am greatly encouraged by the work done by my distinguished colleagues in the Senate, Senators MAGNUSON and MUSKIE.

I think it is evident that there may be a falling out between the American people and the internal combustion engine in the near future. Let us have something to replace it with. The electric vehicle seems to represent a distinct possibility and it is therefore necessary and appropriate for us to increase and intensify our research and development efforts.

VOTE EXPLANATION

Mr. CLEVELAND. Mr. Speaker, since I was unable to be present yesterday to cast my votes on S. 1432 and H.R. 10480, I feel I should take this opportunity to both explain my absence to my colleagues and constituents, and to outline how I would have voted had I been present.

My absence was necessitated by a very special occasion and one which I am sure my colleagues will fully understand—the golden wedding anniversary celebration for my parents.

Had I been present, I would have voted "yea" on H.R. 10480, to prohibit desecration of our flag. I might point out that I introduced legislation similar to that which was adopted yesterday, in both the 89th Congress and in the current first session of the 90th Congress, and have been recorded as favoring that bill in public statements.

Had I been present, I would also have voted "yea" on adoption of the conference report on S. 1432, to extend selective service laws for 4 years, although my vote would have been cast reluctantly.

The reluctance is explained by the fact that, had I been given the opportunity, I would have voted for only a 2-year extension because of my feeling that some things were left undone. I am not fully satisfied that we have gone as far as we might have in equalizing the impact of the draft, nor am I satisfied that there was enough debate on the possibilities of a volunteer army.

MONAGAN BILL WOULD PROVIDE RECOVERY FROM OIL SPILLAGE

Mr. MONAGAN. Mr. Speaker, a few months ago the headlines were dominated by accounts of the *Torrey Canyon* which went aground on a reef off Cornwall, England, and spewed its cargo of oil on British and French beaches, killing sea birds and marine life and ruining the tourist trade of the area.

On June 11, a story which is more important than the disaster itself appeared on page 55 of the New York Times. This story, by William M. Blair, revealed that—

> Federal investigations of the *Torrey Canyon* oil disaster . . . have recommended a program of broad safeguards to reduce the chances of a similar incident along the United States shores.

Mr. Speaker, I have long been concerned with the danger to our navigable waters posed by oil tankers and other craft using such waters. In the 89th Congress I introduced legislation to authorize the United States to recover by civil actions, the cost of removing certain obstructions from the navigable waters of the United States. I have reintroduced this bill in the 90th Congress, H.R. 10593, and I urge speedy committee action and House approval of this essential legislation.

We do not have to look far to see the need for this legislation. The oil barge dumping scare off Old Saybrook, Conn., in late 1966 and the oil seepage off Cape Cod early this year are stark reminders that a *Torrey Canyon* disaster can happen here.

Mr. Speaker, the results of the *Torrey Canyon* investigation should be studied carefully for they indicate the need for legislation such as H.R. 10593. I ask unanimous consent that the following article which appeared in the New York Times on June 11, 1967, be reprinted in the CONGRESSIONAL RECORD.

UNITED STATES URGED TO ACT ON OIL SPILLAGE—STEPS PROPOSED TO BAR NEW "TORREY CANYON" DISASTER

(By William M. Blair)

WASHINGTON, June 10.—Federal investigators of the Torrey Canyon oil disaster in England and France have recommended a program of broad safeguards to reduce the chances of a similar incident along United States shores.

The recommendations include legislation "to enable the U.S. to designate oil tanker routes and police tanker movements within dangerous waters of the United States."

The investigators also called for a review of tanker design to provide greater protection against oil spilling from a grounded tanker, a warning system when oil pollution occurs, and research and development to improve salvage, control and destruction of oil spillage.

The stockpiling of materials and equipment at strategic locations to enable quick isolation and cleanup of oil spillage was also recommended. "The Torrey Canyon incident highlighted the lack of protective devices," the investigators said.

POLLUTION AGENCY LEADER

The six-member team of investigators was dispatched to England and France soon after the 120,000-ton oil tanker, Torrey Canyon, of Libyan registry, grounded on a reef off Cornwall and spawned a giant oil slick on British and French beaches, killing sea birds and marine life.

The National Audubon Society said that of 3,000 birds brought ashore from the oil-covered ocean only about 500 were still alive.

John M. Rademacher, director of the Federal Water Pollution Control Administration's division of technical services, headed the investigation team. He was accompanied by pollution experts from the pollution control agency, the Army Corps of Engineers, and the United States Coast Guard.

A preliminary summary of their findings was submitted to Secretary of the Interior Stewart L. Udall. President Johnson recently named Mr. Udall and Secretary of Transportation Alan S. Boyd to report within 90 days on what may be needed to cope with the danger that oil spillage and other hazardous substances pose for shorelines and inhabitants.

The investigators found that in neither England nor France was "there an identifiable control authority or agency having clear responsibility for coping with the problem across the board."

"The long-term effects" of the Torrey Canyon incident, they said, "are of the utmost importance to predict and determine both in Britain and France. Any effective program developed for the United States will have to base many of its policy directions on what we can learn from this practical pollution laboratory."

CLEAR RESPONSIBILITY URGED

The investigators concluded that the responsibility of United States agencies that may engage in oil pollution control efforts should be clearly delineated.

They called for survey of the United States coastline, Great Lakes and major interior waterways aimed at establishing "potentially dangerous areas for tanker and other vessel passage." Important beach, harbor and shoreline areas that should be protected against contamination by a major oil spillage should be clearly established, they said.

The Torrey Canyon disaster, they said, "highlighted the lack of specfic protective devices," such as cleanup equipment and treatment materials.

"Consideration should be given for stockpiling equipment and materials at strategic locations to enable rapid salvage of a tanker and/or its oil and to provide early protection to important beaches, harbors and other shoreline areas," the investigators said.

They "strongly recommended that support and encouragement be given to the initiation of full-scale 'die-away' studies of the British and French beaches, particularly in view of the different approaches practiced by these countries."

A proper vehicle, they suggested, may be the scientific capability of the North Atlantic Treaty Organization, "which has expressed specific interest in providing support for this type of study."

On research and development, the investigators called for work on seaworthy booms that can gather oil into a confined area or be used to direct a slick's movement to an area where collection and disposal would be facilitated."

"Instant booms using plastic foam produced on shipboard," they said, "should have real potential for . . . shore and estuary protection."

They also suggested the evaluation of dispensing of oil slick treatment materials by aircraft and the development of cargo solidification or jelling compounds that might be used at the time of loading oil or in the event of an emergency.

The investigators found a striking difference between the British and French approaches to the oil pollution problem. Tourism was the dominant consideration of the British, they said.

TWO-WAY RADIO'S CONTRIBUTIONS TO A SAFER AND HEALTHIER COMMUNITY

Mr. CORMAN. Mr. Speaker, last September several of my colleagues, including Mr. DINGELL and Mr. KLUCZYNSKI, and I called for prompt action by the Federal Communications Commission to solve the frequency shortage in the land mobile radio services. At that time, I pointed out the essential nature of adequate frequencies to serve the mobile communications needs of a large community, especially one like Los Angeles.

TWO-WAY RADIO IN POLICE WORK

Small businesses by the score use two-way radio to make their operations more efficient and provide better service to their customers. Police and fire departments and public works departments of municipalities also use two-way radio for safety and efficiency. In fact, millions of dollars have been spent by businessmen and units of Government to provide those they serve with the benefits of modern mobile communications systems.

Thus far the logjam on the airway of our mobile radios is still present. The Commission has not yet solved the problem. However, I have heard encouraging news that the FCC is at last starting to move in the right direction. The Commission has undertaken to determine the best way to provide the land mobile radio services with the necessary spectrum to give appropriate and satisfactory relief. As long as this step does not bog down into a marathon administrative study, it holds promise of doing some good.

But let me urge upon the FCC the fact that in finding a solution, time is of the essence because of the essential needs of today's urban communities which are fulfilled by two-way radio communications. Last September, I recounted the tragic situation during the civil disorder in the Watts section of Los Angeles, when the police were badly hampered in their efforts to maintain order, because there were not enough frequency channels for effective radio communications. The police chief of Los Angeles, Thomas Reddin, then deputy chief of police, had tape recordings made of the police base station transmissions during the height of the Watts disorder. Those tape recordings show that there was a continuous stream of calls coming in from officers requesting help and that because of the lack of air time, it was impossible to transmit calls to dispatch assistance to the officers. To illustrate the extent of the shortage of frequencies, Chief Reddin indicated that even if more foot patrolmen had radios they probably would not have been able to use them due to the number of radio units already on the channel.

Mr. Speaker, there are predictions made that this summer could bring another series of municipal destruction and rioting. Our police need the two-way radio communications systems necessary to properly handle such a situation. It is the FCC that holds the regulatory power to allocate frequencies which are urgently needed for adequate two-way radio communication. Surely, the Commission must realize the importance of providing the needed frequencies. I have retold the story about Watts to point out that the need for adequate two-way radio communications grows more urgent each passing day. For while the police still do not have sufficient frequencies to handle their day-to-day tasks and the emergency situations caused by riots and huge demonstrations or other public disturbances, the country is now gearing itself for an all-out crackdown on crime.

The President has sent a detailed proposal to Congress to battle crime and return our communities to the safe, decent places to live they once were. In that message, Mr. Speaker, the President called for enactment of the Safe Streets and Crime Control Act of 1967, a companion measure which I was proud to introduce as H.R. 5250. In his proposal, the President is asking for Federal grants to local authorities to support approved programs to combat crime. The President singled out certain programs that would be considered eligible for these grants. One of the programs mentioned specifically was increasing the use of two-way radio police communications networks.

Mr. Speaker, how are the local communities going to implement a program to modernize their police communications systems and join the assault on crime, if there are not enough frequencies available on which to operate the new radio systems the purchase of which has been provided for by these Federal grants? It is obvious that this aspect of the President's program to fight crime as embodied in the Safe Streets and Crime Control Act of 1967 depends on how soon and how effectively the FCC meets its responsibilities to allocate adequate frequency space for the land mobile radio services.

TWO-WAY RADIO USERS HELP FIGHT CRIME

While public disturbances and tragic riots continue to trouble public authorities, the small businessman also has been particularly victimized by the rising crime rate. In order to assure that small businessmen everywhere are able to get the protection they need to properly conduct their businesses, I have introduced a bill, H.R. 7156, which would authorize the Small Business Administration to study ways for small businessmen to protect themselves against criminal acts.

Mr. Speaker, it has been brought to my attention that two-way radio has proven itself of tremendous value in helping small businessmen fight crime.

In Detroit, Dallas, and St. Louis the bus companies have asked for and some have installed two-way radios to protect bus drivers and passengers from holdup men. In certain large metropolitan areas, on the eastern seaboard, trucking firms have begun to use their radios in what is termed the anti-truck theft alert plan. By using two-way radios, drivers are able to alert other truckers in the area that a truck has been hijacked. According to press reports of this plan, the eyes of thousands of drivers are soon on the lookout for the stolen vehicle. Dramatic results have already been obtained by this plan. Some goods have been recovered within 45 minutes after they were stolen. Actual instances of truck hijacks were reduced from three a day to three a month in the New York-New Jersey area.

Yet another program in which the private citizen's use of two-way radio is being channeled into serving the public in its fight against crime is the community radio watch program. In over 200 cities across the land, businessmen and others who use two-way radio in their operations have joined a program in which they report via their two-way radios and suspicious or unusual actions to their dispatchers. The dispatchers then relay the information to the public authorities for further action.

The implementation of this plan has also produced some dramatic results in a very short time. Only last April, a citizen of Alexandria, Va., received the Community Radio Watch Award for aiding in the recapture of two escapees from Lorton Reformatory.

I would like to emphasize that the use of two-way radio by these private businessmen is in the best traditions of American citizens contributing their time and efforts to the betterment of the entire community. The users of two-way radio participating in such programs have heeded well the words of their President who stated that crime prevention is the job of every citizen. The President, commenting on the issuance of the report of the report of the President's Commission on Crime in the District of Columbia, said:

> Crime cannot be conquered, in this or any other city unless citizens are willing to help. An understanding of the nature of the problems and the directions of effective citizen action will permit a mobilization of action by citizens and the private groups and agencies which they direct, to work together to meet the challenge, and the opportunity, which the report presents.

Once again, Mr. Speaker, the Congress and the people must look to the Federal Communications Commission and ask if these civic action programs to combat crime must be curtailed because the frequency congestion in the land mobile radio services will not permit necessary use of a businessman's two-way radio system. And once again, the Commission must surely be aware that only prompt decisive action to allocate more frequencies for the use of two-way radio will enable these programs to continue to serve the public interest.

TWO-WAY RADIO IN FIRE PREVENTION

Yet another area of concern to this Nation and its people in which two-way radio plays a major role is fire fighting. Fires take a dreadful toll in this country each year. Last year 12,000 lives were lost and $1.75 billion in property destroyed. In fact, the United States has more losses of life and property due to fires than any other country. In 1965, the per capita cost to each American amounted to almost $9. In Canada, the nation with the second highest per capita loss from fire, the per capita loss was $7.

Much of this loss can ironically be attributed to the advancement of our standard of living—the use of new materials, heavy demands for electricity, the use of novel chemicals and other factors all of which contribute to higher risks of fires. At the same time, improperly trained and ill-equipped fire departments contribute to the high total of ravage caused by fire each year.

President Johnson stated in his message on consumers that it was this Government's business to help better the Nation's firefighting and prevention programs. He said:

> The Federal Government must . . . begin to support and supplement private research efforts on firefighting and fire prevention. It should work to expand public education about fire prevention. It should extend a helping hand to communities willing to innovate and experiment in the field of fire control and prevention.

Mr. Speaker, the Federal Government can help communities to be better prepared to fight fires. As have many of my colleagues, I introduced a bill, H.R. 7331, to amend the organic act of the National Bureau of Standards to authorize a fire research and safety program. Although this bill is primarily directed to the development of better and more complete information on the causes of fire and their prevention before they start, it cannot be denied that two-way radio plays a most important role in modern firefighting techniques.

While two-way radio is an important part of a modern firefighting unit, the fact is that just as in the other cases I have discussed today, the frequencies on which fire departments must transmit are terribly overcrowded and the situation is getting worse everyday. According to a report in Fire Engineering, the general manager of the Department of Electricity of the city of San Francisco, Mr. Burton H. Dougherty, has warned that police and fire department radio frequencies are dangerously crowded in the Nation's large cities and that a major disaster could find policemen and firemen without adequate radio communications unless steps are taken to provide operating frequencies.

The problems caused by lack of adequate radio communications for fire prevention and control must again be laid at the door of the FCC. Here again the urgent need for the Commission to find suitable relief for the congestion on the frequencies of the land mobile radio services is demonstrated. As Mr. Dougherty put it:

> The growing national traffic jam between radio-television broadcasting stations, land mobile communications systems, industrial and commercial two-way radio users is almost certain to create additional public safety communications problems for major metropolitan cities throughout the nation.

If the Federal Communications Commission is to fully perform its duty to allocate the radio spectrum in the public interest, it must allocate enough frequencies to assure that the best fire communications systems possible are available to all communities in this country.

TWO-WAY RADIO HELPS FIGHT AIR POLLUTION

Mr. Speaker, air pollution has received the attention of Congress and American citizens for many years. Considerable legislation has been enacted and other legislation has been proposed. I have introduced H.R. 6633 to establish regional commissions and standards for better control of air pollution.

Although the legislation that has already been enacted has alleviated the problem a great deal, this country continues to suffer from polluted air. One reason for this, is the fact that Congress and other legislative bodies can only pass laws to rectify a given bad situation. The enforcement and effectuation of these laws must be left to others. And it is in this latter phase of operation that a program to abate air pollution succeeds or fails.

Coming from Los Angeles, I am proud to say that we have the oldest, best financed and most experienced air pollution inspection and enforcement system in the country. In fact, the Public Health Service of the Department of Health, Education, and Welfare a few years ago published an Air Pollution Control Field Operations Manual which was based on the experience and expertise of the Los Angeles County Air Pollution Control District. This manual furnishes those interested in air pollution control with detailed information and plans for the field inspection and enforcement activity necessary to an effective air pollution control program. It is not surprising, knowing of the value of two-way radio to police and fire departments, to businessmen and many other people, that this manual contains a report on the use of two-way radio in the fight against air pollution.

There are 1,200 square miles in the Los Angeles County Air Pollution Control District which must be patrolled and kept under surveillance. This immense task is accomplished mainly by the use of radio-dispatched cars supplemented by aerial observation.

A check of the entire pollution control zone is made daily by airplane. With reasonable visibility, an aerial observer can instantly detect any plume of smoke anywhere in the pollution zone. By means of maps, a trained observer can then pinpoint the violator. However, pinpointing the violation from the air still leaves the task of stopping the violation. This is where two-way radio plays a vital role in making the pollution control program effective. As the manual states at page 100:

> The effectiveness of aerial inspection . . . depends on whether or not a radio-communications system is employed by the agency since that is the only satisfactory means by which field units can be directed to the source of pollution being observed.

Another means used to detect violations of air pollution laws, is the complaints of citizens. The complaints of citizens bothered by noxious gases or foul odors can pinpoint the place of violation. By means of a radio communication system, it is then possible to dispatch field inspectors to the sources of air pollution complained of during the time of the violation. According to the manual, without two-way radio, the enforcement program would be much less effective as no legal action can be taken unless the inspector witnesses the violation and all of the attendant facts. Two-way radio helps the inspector reach the source of the pollution fast and hence greatly improves his chances of actually observing the act of polluting the air.

Whether by aerial inspection, deployment of patrols or responding to citizen's complaints, this field operations manual makes it clear that two-way radio is essential to the proper functioning of an effective air pollution control program. As in crime control, fire prevention or providing better service to one's customers, air pollution control relies on two-way radio to get the job done.

Today, we have explored some of the reasons which make the task of allocating sufficient frequencies to the land mobile radio services one of urgent importance and necessity. In this task, the Federal Communications Commission must play the leading role. Because of the importance of two-way radio to the final solution of the problems outlined today, I know that the President and the Congress and the people are concerned that this problem of frequency congestion be cleared up effectively and rapidly.

DESECRATION OF OUR NATIONAL HISTORIC LANDMARKS

Mr. LONG of Maryland. Mr. Speaker, yesterday this House passed a bill to prohibit desecration of the American flag. Today we must move to rapid and urgent consideration of another act of desecration. That is the desecration of our national historic landmarks by private electric power companies whose single-minded concern over the quickest and easiest way of putting up their towers tramples not only upon the property rights of individuals, but upon the rights of all citizens to enjoy their unspoiled national historic heritage.

The Potomac Edison Power Co. intends to set up gigantic transmission towers directly across the battlefields in Maryland's Washington County on which were fought the campaigns leading to the battle of Antietam in 1862. The towers will also mar the view from the Antietam National Battlefield itself.

The Interior Department has called this the only Civil War battle area that is still in the same condition it was when the battle was fought. My good friend, Lem E. Kirk, president of the Washington County Board of Commissioners, has said that the proposed towers will be an eyesore, and that his board was not consulted in the planning process. Local property owners are fighting the towers, but they are powerless. Utility companies have powers of condemnation for rights-of-way in Maryland.

I am today introducing the Electric Power Reliability Act of 1967, which is primarily designed to put an end to the increasingly frequent power blackouts which have plagued the east coast.

This bill also contains a section which will give the Federal Power Commission the authority to prevent modern monstrosities from spoiling our historic landscapes. Section 410 would empower the Commission to hear all sides in disputes arising over aesthetic considerations involved in land use for power facilities. Federal, interstate, State, and local agencies responsible for land use planning would submit their written comments, and the Commission would defer to the views of the responsible agency, if the electric power supply was not thus jeopardized. I urge prompt hearings and early action so that we can win what has been called, "The Second Battle of Antietam."

For the information of my colleagues, I insert in the Record an editorial on the Antietam power struggle which appears in the current issue of Life magazine:

The Second Battle of Antietam

In the holy writ of the engineers who design high voltage transmission lines, the first commandment reads, "Thou shalt not deviate from a straight line between Point A and Point B." To stray from the straight and narrow costs money, even though a detour might save a choice historic area or beautiful vista from festoons of cables and the Eiffel towers used to support them.

When, occasionally, outraged citizens attempt to save an area they soon come up short against an extraordinary fact. The majority of power companies in the country can take what land they want by eminent domain. Twenty states allot full control over choice routes—from which there is essentially no appeal—to private companies. Other states require certificates of necessity, but since electric power is an unquestioned necessity today, the companies' right to condemnation is seldom hampered. In the majority of such proceedings, even though the landtaker is a private company, the only appeal possible is one against the amounts of money offered, not the land-taking itself.

The latest group to make this discovery is now fighting the second battle of Antietam. The Potomac Edison Company has laid out a right of way that cuts straight through one of the most historic areas of Maryland. The towers, up to 110 feet tall, built on a 200-foot right of way, would dominate an area that includes the Antietam and South Mountain battlefields, John Brown's farm and the Chesapeake and Ohio Canal near Sharpsburg.

The proposed power line has been condemned by everybody from members of the local zoning boards on up to Interior Secretary Stewart Udall. But nobody has the power to stop the march of the towers.

There is no argument with the country's multiplying needs for electric power—the demand doubles every 10 years. And since nobody wants transmission lines in their own backyard, some form of eminent domain taking is inevitable. But it is a perversion of the democratic process to allow the private power companies to be the final judge of what they will take.

In effect, the companies have been ceded one of the great powers of government—without having to accept the responsibility that goes with it. Deciding what is the greatest good for the greatest number in an eminent domain proceeding is outside the province of a private company responsible to its stockholders.

The final decision on whether a land-taking creates values greater than those it destroys must be returned to the government which is responsible to all the people involved. And since high voltage transmission lines are now mainly interstate in nature, the logical arbiter would be the Federal Power Commission.

A number of bills now before Congress would accomplish just that end. Though designed primarily to avert massive inter-system blackouts, the best of the measures would also direct the FPC to consider esthetics in the granting of licenses. The need for such a law is urgent if the latest battle of Antietam is not to be lost.

FREEDOM FOR THE BALTIC COUNTRIES

Mr. STRATTON. Mr. Speaker, today, June 21, marks the first anniversary of the passage by this body of House Concurrent Resolution 416, of which I was a cosponsor calling for the freedom of the Baltic nations of Lithuania, Latvia, and Estonia. Today, we pause to note the fact that another year has passed since the Baltic States were illegally seized by the Soviet Union in 1940. During the past 27 years these three proud nations have moved from Soviet to Nazi domination and then back again to Soviet domination, all against the freely expressed wishes of the people.

These years have been one long nightmare for the Baltic peoples who have been witnessing the destruction of 700-year-old political, social, and cultural institutions and the decimation of their populations. And nothing they have tried to do to help themselves has been to much avail. Their protests have fallen on deaf ears; their attempts at armed resistance have been brutally suppressed.

Even today Lithuanians, Latvians, and Estonians are still being deported to slave camps in remote corners of Russia and Siberia. The free world has looked on with horror at the enslavement of these people. All of us have been appalled; many have denounced the forcible subjugation of a free people. Yet few have done much to call the world's attention to this continuing problem.

Mr. Speaker, I was one of many members who introduced resolutions during the 89th Congress urging the United States to exert every effort through the United Nations to win the right of self-determination for these captured nations. Although our resolutions differed in wording, they were uniform in their objective. The concurrent resolution which ultimately passed both Houses of Congress reflected the unanimity of opinion which exists on this subject. As I did last year in voting for that resolution, I again this year urge the President of the United States to take the initiative in bringing the question of the enslavement of Estonia, Latvia, and Lithuania into the forum of world opinion which the United Nations provides.

Mr. Speaker, today is a particularly propitious moment for our Government to bring this question before the United Nations. As we have all seen in recent days, the Soviet Union has had no hesitation in bringing before the Security Council and now the General Assembly its charges that the beleagured State of Israel violated the territorial integrity of the Arab States and committed aggression against them.

We all know of course that Israel struck only because her existence was challenged by Arab military forces poised to drive her into the sea. But how odd that the Soviet delegates, including Mr. Kosygin, should be so emphatic in urging that Israeli forces be "rolled back" when for 27 years they have said not a word about granting freedom to the Baltic States, freedom taken away from those people by force of Soviet arms.

GEN. TED WALKER, USA, RESIGNED, MADE MARTYR TO COURAGE

Mr. RARICK. Mr. Speaker, the U.S. Supreme Court last week dropped all pretext of fairness and by the flimflam use of words, for which it has become so familiar, it invented a decision out of fantasyland for the benefit of large vested special interests to reverse Gen. Ted Walker's libel judgment against the manipulators of the Associated Press.

All syndicated newspapers have been noticeably silent, though history was made for trial by jury is now outlawed when the verdict does not favor the big boys. Can you imagine—a guaranteed right to lie. And to top it all, a Supreme Court license to prove it. And the fury of the appointees proves again their fear of our people to follow the dictates of their conscience and morals.

Even the AP people were so dumfounded by the awkward ruling against the rights of the individual that they could find little inducement for any fanfare or joyous celebration of their victory over one lone man against the establishment.

Fight him, belittle him, unleash the royal fury upon him, but the more he's vilified, the more he is loved and respected by our people. He is a symbol of courage to all Americans.

No one can sum up the situation better than a down-to-earth, fearless, independent country newspaperman like Mr. Nick Murray, of Hammond, La.

Mr. Speaker, under unanimous consent of the House I place Nick's editorial from his June 16, the Sun, and General Walker's statement before the Senate Armed Services Committee on November 11, 1961, in the Record following my remarks:

"Right To Lie" Upheld

(By Nicholas Russell Murray)

The decision of the Supreme Court, overruling a $500,000 libel judgment against the Associated Press in favor of General Edwin A. Walker, strikes me as just about the worst of the many amazing rulings the Warren Court has handed down.

I don't think you are going to find this opinion expressed in any of the daily newspapers you read, because they are mostly all members of the Associated Press and consequently the decision was in their favor—but right is right, regardless who is helped or hurt, and if every newspaper in the country says the opposite.

The facts are these—at least the lower courts found them to be facts, and I think that is all that the law requires. The AP reported that Walker "led a charge of students against federal marshals" on the University of Mississippi campus, in protest against the admission of James Meredith, colored. The report was false—General Walker did not lead any charge of students against anybody. General Walker's reputation was damaged thereby—half a million dollars worth, according to the trial jury. Therefore, Walker was libeled, and the AP was guilty of the libel and liable for damages—all as provided by law.

But the Supreme Court saw it differently. There was no evidence, Justice John M. Harlan stated in the court's main opinion, of personal prejudice, incompetency or malice in the way the AP reported Walker's activities at Oxford; and "we therefore conclude," wrote the Justice, "that General Walker should not be entitled to damages from the Associated Press."

Harlan fortified his opinion by pointing out that the AP "received the information from a correspondent who was present at the scene of the events and gave every indication of being trustworthy and competent" and added that the reporter's account "would not have seemed unreasonable to one familiar with General Walker's prior publicized statements on the underlying controversy."

Let us assume a parallel case. Let us assume that I as a newspaper man (not as big as the Associated Press, but presumably equal before the law) am over in Tampa, covering the riots now in progress, I see a wild-eyed character leading the mob, flourishing a torch and yelling like crazy, "Get Whitey! Get Whitey!"; and I say to a well-dressed and intelligent looking gentleman standing by, "Who is that jerk?" And he replies, "Why, don't you know? That is Hubert H. Humphrey, the Vice-President of the United States."

So I grab a telephone, I check the hotels, and I find that sure enough, the Vice-President of the United States is in Tampa, and no, he's not in his room right now, and nobody knows exactly where he is. There is, I decide, necessity for rapid dissemination, just as there was in the Oxford case; so I rush out and put my story on the wire, and pretty soon headlines all over the U.S. are screaming "Humphrey Leads Riot". The Tampa police latch on to poor Humphrey, they call his sanity in question, they call in a bevy of head-shrinkers and hold him incomunicado while they take ECG's and blood smears and ask him if he ever mixed up poison potions in the family drugstore as a child—and finally they turn him loose, and it develops he was not in the riot, or anywhere around it. But all over the country people are saying, well, there must have been something, he didn't go all the way to Tampa just to get a fresh cigar, I know by golly I'll never vote for that guy again. And a few months later some right-wing screwball takes a shot at him.

Now was I guilty of libeling old Hubert, and can he collect damages? According to the Supreme Court, no. I have no personal prejudice against Hubert; as a matter of fact, we both got degrees from the same school. I'm not incompetent as a journalist; I've made a living of sorts at it for more than thirty years. I got the information from a man who was on the scene and who looked trustworthy to me. And I recall that Mr. Humphrey was once quoted as saying, if he was a Negro, he might riot too, so it was not unreasonable to suppose that he was in fact doing so. (With the street lights all shot out, and the scene illuminated only by burning stores, it would be pretty hard to tell black from white, the court I'm sure would agree.)

It's an odd thing about law, Warren law that is: if you fall down my front steps and break your leg, then you can sue me and collect, even though I didn't know the steps were bad and I wouldn't have had you hurt for anything; but if something published in my paper should ruin your reputation, which is worth far more to you than your leg, you have no redress unless you can prove malice.

A couple of the justices, Black and Douglas, wanted the Court to go even farther, and adopt a new rule "to the effect that the First Amendment was intended to leave the press free from the harassment of libel judgments!" Once that principle is established, not only is the individual citizen left with no protection at all, but the value of the newspaper as an information medium is gone. For, given the freedom to lie, and the unprincipled ones who would take advantage of it, who would believe any of us any longer?

(I can't really believe that's what Black and Douglas said, anyway. After all, whose word do I have for it? Nobody's except the Associated Press.)

STATEMENT SUBMITTED TO CONGRESS BY MAJ. GEN. EDWIN A. WALKER, NOVEMBER 1, 1961

Mr. Chairman, distinguished members of the Senate Armed Services Committee. Upon the invitation of the Chairman of the Special Preparedness Subcommittee, Senator John Stennis, I am happy to submit a statement to become part of the record of his committee.

By God's grace, by action of this Congress, and by appointment to the U.S. Military Academy, by the late Senator Morris Sheppard, it has been my privilege to be a commissioned officer in the United States Army for the past thirty years. My life, my service, my dedication to my troops, their purpose, their hopes, are a matter of record. I hope that the origin and depth of my motivation and intent are discernible and clear.

I have been removed from command of the 24th Division.

My career has been destroyed in its usefulness to my country. I cannot accept retirement with its emoluments and benefits. To do so would be a compromise with my principle.

I take leave of military duty with a heavy heart. I must find other means of serving my country in the time of her great need, in order to pursue the dedication of a lifetime.

To do this, I must be free from the power of little men who, in the name of my country, punish loyal service to it. No man can judge this nation and its emergency with respect to my performance on the field of battle—past or future, my devotion to country, my obligation to this Congress or to the parents of a son.

Even before this Subcommittee was directed to study censorship, there had been much public concern reflecting a long period of interest in the terms of censorship vs. the terms for survival. That public interest concerned itself with areas extending back through Generals Stilwell, Patton, Patch, MacArthur, General Walton Walker, and General Van Fleet, to the present date. These are all areas of public and national interest during my time of service, and are properly part of any investigation of censorship of officers, noncommissioned officers, and soldiers in the performance of their missions and duties in behalf of national security on present-day terms.

Censorship as it pertains to my recent command goes back to October 1959, in finding within the division a complete lack of realization not only of the enemy's capacity, but of his terms for our existence on this earth. His continuous threats, challenges, and tirades, including "Moscow Molly's" diatribes aimed at our troops on the radio every night, demand opposition. No Member of this Congress who has visited the soldiers on the front line outposts, continuously manned night and day, year after year, failed to respect the realism and seriousness in the situation, and in the soldier's daily life. This we have lived with every hour of the day, and every day of the year. As commanders, we, too, wonder about the enemy and each soldier's preparedness to recognize across miles and miles of barbed wire that enemy's potentiality and brutality.

My ultimate and daily task has been to achieve effective realism—efficiency in young men in the use of their weapons. They must learn to kill and destroy, to live and protect. Each man is a source of intelligence, morale and comfort. He must talk and he must not talk. He must be alert to see, and hear, to shoot and not to shoot. He must live in hope and fear with courage and conviction.

Even strong men can weaken in these terms for battle preparedness—making men of soldiers and soldiers of men. There are hopes and frustrations—happiness and sadness in the soldier-leadership relationship, with every new man under the pressure of an inevitable day of reckoning which is never predictable. These are the burdens of tears and sweat with the thousands of young men from every walk of life, from scholar to delinquent, loyal to unloyal, responsible to irresponsible, appreciative to unappreciative; men from the greatest homes on earth who can be, and will be, the finest soldiers—second to none on earth.

These are the men I have lived with, and for, without time to rectify what they or their parents may have failed to do, but to make each a master of the art of warfare with the precision that time allowed and the experience that comes from knowledge of the enemy, and his use of warfare in four dimensions.

If I had failed in this task, I would be the first to know it, and you would be the first to condemn it.

We are at war. We are infiltrated. We are losing that war every day. Are our hands tied, yours and mine? We need a substitute for defeat. If it is not within the power of this Congress to provide it—then the people of these United States are not truly represented.

Let me quote to you first from the address of George Washington to the Officers of the Army, 15 March, 1783:

"If men are to be precluded from offering their sentiments on a matter, which may involve the most serious and alarming consequences that can invite the consideration of mankind, reason is of no use to us; the freedom of speech may be taken away, and dumb and silent we may be led, like sheep to the slaughter."

Let me quote next from a soldier in Germany, a letter written January 1961, to a Member of this Senate:

"For almost eighteen years I have been proud to be what history has called me, a 'citizen soldier,' but now I can no longer be a citizen, I can only be a soldier. Are we career soldiers to be relegated to substrata citizenship once again? What a fantastic idea that is.

"Has the pyramid of government grown so high into the clouds that its foundations can no longer be seen from the starry eyes of our Nation's leaders? If this is true, then our task is to divert their eyes earthward and away from the stars."

I agree with General Douglas MacArthur, quoted elsewhere in this document, that the application of the Executive power has become so inordinate that members of the Armed Forces have been subjected to the most arbitrary and ruthless treatment for daring to speak the truth in accordance with conviction and conscience.

The encroachment upon the responsibility of the legislative branch to regulate the military conduct is the very encroachment now turned upon me.

In defeat, I am in good company.

Failure to know the enemy, failure to understand him on all his fronts, failure to prepare completely to battle him to the ultimate in the defense of the United States, only gives him aid and comfort described in our Constitution as treason.

There can be no co-existence on the battlefield.

As I rejoin the Nation's civilian population, I submit an array of opinion expressed by some of the most illustrious men ever to serve under the flag of the United States. Now that military men may no longer confide in the public, let them speak out of the past.

Admiral C. Turner Joy:

"Let no one think that in negotiating with the Communists we should reject the threat of force. On the contrary, it is only through the imminent threat of application of our military power that the Communists can be compelled to negotiate seriously for the alleviation of the basic issues between their world and ours. We must be prepared to accept the risk of war if we hope to avoid war" (1955).

General Mark Clark:

"Having seen the Red Army and Russian diplomacy in action, my own belief is that there is nothing the Soviets would not do to achieve world domination. But I am convinced also that they respect force; they respect nothing in the world except force.

"Whether it was the Soviet High Commissioner Konev in Vienna, Gusev in London at the Deputy Foreign Ministers' meeting, Vishinsky and Molotov at the 1947 Council of Foreign Ministers in Moscow, or Nam Il at Panmunjom, I found the Communists to be the same breed of bandits. They are ruthless in their exploitation of weakness; they stop, look and listen only when confronted with force. . . .

"But peace will be granted us only if we are strong, if the Russians and their followers know we are strong and if they are convinced we have the determination and courage to use that strength to achieve a military victory the next time we are called to war against Communism" (1954).

General Douglas MacArthur:

"There can be no compromise with atheistic Communism—no half-way in the preservation of freedom and religion. It must be all or nothing.

"Without committing a single soldier to battle he has assumed direct or indirect control over a large part of the population of the world. His intrigue has found its success, not so much in his own military strength, nor, indeed, in any overt threat of intent to commit it to battle, but in the moral weakness of the free world" (1952).

General John R. Deane:

"Above all, we must abandon the hopes that go with the weakness of appeasement. We are dealing with people who respond only to strength.

"The chances of attaining our objective by peaceful means will be enhanced immeasurably if we are prepared to defend our position by force at any point where it is threatened. Nothing induces greater restraint on the part of Soviet leaders than a display of strength by their adversaries.

"In my opinion there can no longer be any doubt that Soviet leadership has always been motivated by the belief that Communism and Capitalism cannot co-exist. Nor is there any doubt in my mind that present-day Soviet leaders have determined upon a program pointed toward creating conditions favorable to a triumph of Communism in the war against Capitalism which they consider to be inevitable" (1946).

It has fallen to a civilian, Dr. Max Rafferty, California School Superintendent, to ask the home front what has happened to patriotism. I quote him as follows:

"We educators had better not be caught withholding from the Nation's children the wonderful sharp-edged glittering sword of patriotism. In a word, this means indoctrination. An ugly word? I think not. But if it is ugly to teach children to revere the great Americans of the past, to cherish the traditions of our country, to hate Communism and its creatures, then I say let's be ugly."

Let me present the view of Dr. Charles Malik, of Lebanon, former President of the United Nations General Assembly as expressed in a speech in Williamsburg:

"Communism started from zero 43 years ago, and today it rigidly controls one-third of mankind and has penetrated and softened up in varying degrees the remaining two-thirds. Was this phenomenal development inevitable? . . . I warn you, therefore, against declining to assume full moral-historical responsibility for what happened during the last two decades; for, if you do so, you are already a Marxist, and Marxian Communism will have already won in your soul.

"The only hope, therefore, is to believe, on a basis of truth and not of darkness or sentiment or dogmatism, that nothing of what transpired was inevitable, and that everything could have been prevented or reversed. Only on the basis of radical moral responsibility can you overcome the fatalism of the cosmologists and the determination of the dialectical materialists.

"The future will never redeem the past, and we will only pass from one fiasco to another, from one pathetic drift to another, unless in contemplating the past we can put our finger with certainty on such and such an act, and such and such a decision, and such and such a person, and honestly say that this act, or decision, or person, could have been different and therewith the course of events would have taken a radically different turn."

My own accusers are persons—not America.

They separate me from the soldiers and soldiering I know.

My oath is used for and against me.

My case "rests" on the courage of patriots facing present terms for survival.

It might be useful to review what we seek.

Our objective is not peace, but freedom. If we are vigilant and strong and willing and worthy to defend our liberty, peace will be at home with us. If the Soviet leaders are made to understand that we will fight, there will be no need to fight.

The Communists are not fighters. They are not even accomplished intriguers. Much of their work is being done for them.

No people ever has voted in a free election to accept Communism as a way of life. From the time Lenin's rabble swooped down upon the government of Kerenski, on 7 November 1917, destroying Russia's first Republican form of government, to the present, the Communists have been destroyers of the right of the peoples to choose their own destiny.

We know what misguided powers collaborated to install Communism as the overlord of so many people over the world. We know that Communism wants the rest of them. The Kremlin knows that the smallest candle of freedom left flickering might ignite the rest of the world.

Talk about co-existence is a concession to the timid and the gullible.

To keep the other people quiet, the Kremlin resorts to other means.

FBI Director J. Edgar Hoover said this:

"It is appalling that some members of our society continue to deplore and criticize those who stress the Communist danger. What these misguided 'authorities' fail to realize is that the Communist Party, USA, is an integral part of the international communism. As the world-wide menace becomes more powerful, the various Communist Parties assume a more dangerous and sinister role in the countries in which they are entrenched. Public indifference to this threat is tantamount to national suicide.

"Lethargy leads only to disaster. The Communists have a savage plan of liquidation for a vanquished America."

Has the counsel of this great American fallen on deaf ears? Worse still, is his voice like all others to be muted by political dilettantes with their fingers to their lips?

If so, we must be prepared to accept a prostitution of language and truth as we have known them since we became a free people. This would be a most devastating brainwash.

One of the great conflicts of history is that between man and the state. An example of how far we have submitted to this new orientation is that, only a short time ago, a liberal was one who believed in protecting individual liberties from usurpation by the State. Yet, all men must have a Higher Authority. I think we do not dare let these usurpers decide whether the Higher Authority is to be the President or the Palace Guard—God or the Kremlin.

During World War II, I commanded one of the finest ski, mountain, amphibious, and air-borne trained commando units. It was half-American, half-Canadian. Training and combat made soldiers of men, and men of soldiers. Supremacy and victory on the battlefield evolved from the capacity of each individual as a dedicated fighting man, and a player on the team. Night after night, and days on end, leadership kept vigil to evaluate the situation in terms of dead, wounded, replacements, and from the reports of scouts and patrols, shifting supporting fire, seeking to recover lost and wounded.

We had studied our enemy; we knew his tactics and his strengths. Supremacy was the key to victory; not equality. In Helena, Montana, stands a memorial to the honored dead Canadian and American soldiers who comprised that First Special Service Force—volunteers for hazardous duty from two great countries. It is at the same time a monument to the necessity for engaging the enemy with purpose—the purpose of destroying the enemy.

In Korea, commanding the Artillery at Heartbreak Hill, and the Infantry at Gibraltar, for twenty months, I saw stalemate become a substitute for victory. The monument there became the PW cages. Thirty-three thousand American dead and more than one-hundred-thousand Koreans lost are the monument to the censorship of victory on the field of battle.

I worked long nights in a hut high in the mountains overlooking the beautiful Sea of Japan, helping my Korean friends to build an army in our image. The result has been an army in which soldiers at every echelon enjoy as satisfactory a relationship as I have known anywhere. That army is the product of the cooperation and coordination between a great anti-Communist patriot, President Rhee, and a great American General, James Van Fleet.

It had been my lot to be assigned to the Greek operations desk in the Pentagon during the war in Greece. Dismayed at harassment through censorship of execution, I was happy to arrange another assignment.

Over rice with Korean soldiers, I heard from an American Major on my staff the disheartening detail of his experience while serving on the mainland as an advisor to the Nationalist Chinese Army—of shortages of ammunition, and of the sudden recall of all American advisors from China. The Nationalist forces had been in combat readiness, anxious to engage a Communist enemy weakened by long, over-extended supply routes. Here, censorship of action through the control of ammunition, and the recall of advisors upon whom there was great reliance was effective.

In 1951, as a Colonel, I explored the Pentagon for a week in preparation for assignment to Korea. I wanted to know particularly if reports in the press that the Korean war might end quickly had any substance. I had no interest in a duty assignment in Korea as part of an "occupation force." If the war was to continue, I wanted the combat assignment. I have to tell you that the general feeling in the Pentagon was that the war might end next week, or next month, which obviously would mean no victory. I watched the return of General Douglas MacArthur to Washington that week. And I watched the enemy increase the fury of his assaults. I decided to go to Korea, knowing that censorship of victory was the prevailing mood. There was a challenge. Possibly the war could be won within the limitations imposed upon the military. I was determined to help. I led my men and fought them to their greatest capacity. Out of their sight, I wept over their predicament.

Did you ever hear of "bug-out"? I have. In Korea. It represented the complete disintegration of morale and confidence. It is the psychology of rout.

You heard it, at times, on every hand. He "bugged-out"; they "bugged-out"; it was a "bug-out". It was a shocking thing from a soldier.

With firm discipline and good leadership these boys snapped out of it. They became what Americans have always been, top-notch soldiers.

As Senior Advisor to the Chief of Staff of the Chinese Nationalist Army on Formosa in 1955, I felt the effects of uncertain policy.

There can be no co-existence on the battlefield.

It has been said, perhaps better than I say it now, that political warfare is a sustained effort to seize territory and establish dominion over peoples through acts which, while short of war, nevertheless employ the threat of war. But it is warfare, not a series of public relations campaigns.

Its primary purpose is to discredit its opponents and neutralize, if not displace them, with methods that abound predominately in deception. Its primary object, which wears the mask of co-existence and mutual understanding, is to utterly destroy competing political and economic concepts and reduce the peoples living under these concepts to vassalage, or complete impotence.

Foreign aid, cultural exchanges and technical assistance may be activities related to political warfare, but they do not, of themselves, depreciate the power of an ideological enemy.

We have yet to agree among ourselves, and with our allies, to reach a simple definition—Communism is the enemy. We employ its agents in the teaching professions, allowing them to work on the fertile minds of youth seeking a champion to pit against a scapegoat. They infest our entertainment media. They long ago have infiltrated our Government so that a scheme of subversion can be traced through three decades.

Even our free press is exploited by Communist propagandists. Communist collaborators find rabid and militant defense among certain groups of our citizens, some of whom are sincerely confused and misguided. Governments which oppose the leaders of these groups and their purposes often are branded reactionary. In other nations of our hemisphere, we have seen these groups seize absolute power. In Cuba, it was with our help.

Nations that have fundamentally anti-Communist governments too often feel our wrath, directed by those who somehow have managed to rise to such positions of power in our Government as to be able to claim the right to speak for us. I say this with sorrow, but I say it with conviction.

Many Communist aggressions now passing into history as *fait accompli* could never have been perpetrated had we and our allies been alert and informed—and to be alert we would have had to be informed. To discourage those among us who would alert us by informing us, the enemy and those who do his bidding, have gone to astounding lengths, but always at the risk of exposing themselves by going too far.

As a boy on a small Texas stock farm, it was my happy lot to behold daily the glory of God and the wonders of life made more bountiful by the sun and the rain, and sometimes made suddenly awesome by the unleashing of great devastation. In our daily chores and in our annual harvests, we worked amid blessings and challenges.

When Senator Sheppard appointed me to the U.S. Military Academy, I hoped and prayed that I might serve with honor and efficiency; and, if necessary, with sacrifice.

The Cadet Prayer became my prayer:

"Make us to choose the harder right instead of the easier wrong, and never to be content with a half truth when the whole can be won. Endow us with the courage that is born of loyalty to all that is noble and worthy, that scorns to compromise with vice and injustice and knows no fear when truth and right are in jeopardy. . . ."

The Cadet Honor Code became my honor code.

"Lying, quibbling, evasive statements, or technicalities in order to shield guilt or defeat the spirit of justice will not be tolerated. The Code demands courageous and fearless honesty in setting forth the truth, regardless of consequences.

"A Cadet who violates the Code shall resign at once as there is no place in the Corps for anyone who cannot abide by its principles and offenders are never granted immunity. Anything to which a man signs his name means irrevocably what is said, both as to letter and spirit."

An officer equipped with any less is less qualified, by just that much, to merit the trust which must be placed in him by the men in his command.

Men from civilian life bring spiritual qualities to the uniform from closer ties to home and community.

During the past several years, troop commanders have been working under severe handicaps. The young men who came to us from America's schools and homes and churches were uninformed about their enemy. The training and preparation they should have been getting had been sadly neglected. We found it necessary to remedy this deficiency.

The mobilization of the 24th Infantry Division cold war effort was superseded by authority from a 1958 directive of the National Security Council, the top advisory board to the President, which called for the mobilization of all arms of Government, civilian, diplomatic, military—in the cold war. My efforts became the rationale for my relief.

Fresh from school, or with school delayed, soldiers coming to my command had not had the opportunity to read "The Naked Communist" by Cleon Skousen; nor J. Edgar Hoover's "Masters of Deceit"; nor Edward Hunter's "Brainwashing: Pavlov to Powers"; nor Friedrich Hayek's "The Road to Serfdom"; nor Weaver's "Mainsprings of Human Progress"; nor the tremendously important studies which the Committees of this Congress have made on the nature, the capabilities and designs of the Communist enemy. They literally didn't know why they were wearing the uniform of the United States. Their life, the life of the soldier next to them, your life—the life of this Capitol—depends upon their knowing.

The Constitution which you and I have taken an oath to uphold is our greatest bulwark in these days of distress. For it is a non-partisan document which protects each of us in our differences, yet binds us together in our mutual honor. Our two-party political system has not frozen our citizenry into two different molds. My task as a commander of troops has been to tell your sons this fact. Historically, our political differences always have evaporated at the water's edge when aggressors threatened. A soldier stands at the water's edge, wherever he may be stationed.

But that soldier needs badly to understand that fact before he comes to me in uniform. He needs to understand, as does every citizen, that we have long ago crossed the beaches and the water's edge and that we are in a death struggle now, on the high seas, in the air, on the land, in outer space, and in every local community where the agents of those who hope to conquer the world seek to undermine us.

Be sure that no American is more nonpartisan than the soldier facing the enemy in the struggle for survival. He does not ask his foxhole mate for his political party card. That his buddy is an American is sufficient. And it is in this very context that our greatest strength lies. Societies and nations which have been defended by mercenaries and professional armies have withered and died across the centuries; but a nation defended by its citizenry will find strength to fend off oppressors, if that citizenry is informed of its peril.

When the soldier understands his heritage and its jeopardy—that soldier sees the enemy and his designs; he then becomes an American. He shoulders his responsibility to himself, to his fellow-soldiers, and to his Nation.

If it is now to be the case that commanders are restricted, or constrained by censorship, to certain limited areas of communication in their indoctrination of their soldiers, then the deficiency in training will go unremedied.

Our defense is based on the concept of a civilian military establishment with Regular Army support. Our armed might is civilian; it is a son, a nephew, or a husband who answers the call to serve his country. It is a civilian businessman, teacher, mechanic, union member, farmer, who retains his status in a reserve force, trains and studies regularly so that he may effectively defend us if the need arises. That is the United States Army. It is our civilian neighbors who rally, when the enemy threatens, to protect our heritage. To presume a military coup by such an army is patently preposterous.

One of the fundamentals for any military organization is security. Originally, with fixed battle lines and little reason to worry about treason, security was achieved by the posting of sentries and the operation of patrols.

In the new four-dimensional warfare, the problem is entirely different, equally vital, and it concerns the civilian population. Congressional Committees have devoted thousands of pages to sworn testimony on the failure of security within the civilian population such as interlocking subversion in Government departments, in 30 parts, and the thousands of pages on the Institute of Pacific Relations, to name only two. Unfortunately, the full significance of these are not widely known to the people who, under our Constitution, are the "ultimate repository of all national power."

The civilian and military must complement each other in safeguarding power and security. From the vantage point of the military, it often appears that some positions of authority are not adequately prepared to coordinate civilian and military security measures.

It has been suggested that discussion and consideration of domestic civilian matters are not within the province of the military. I disagree. Soldiers come to us from civilian life and sooner or later will return to civilian life. I submit, therefore, that they should be permitted to know, without interruption, what is going on at home, and abroad, for their interest and the interest of the home they protect.

In recent years, special interest groups have prevailed upon civilian leaders to employ our military forces on nonmilitary adventures.

In 1957, I was detailed by higher authority to engage in such an operation. As Commander of the Arkansas Military District, I was ordered to receive and command Federal troops in what has come to be known as "Operation Little Rock". Federal troops were used, contrary to my personal wishes. I had hoped and prayed that the Army would not become involved in that nonmilitary issue. It was my hope that Federal Marshals would be used. Failing this, it was an expressed desire that Army participation, if ordered, be limited to the use of military police units.

Through appropriate military channels, I repeatedly urged that responsibility be restored to the State's National Guard, whose loyalty and dedication to their obligations, however unpleasant, neither I, nor any other U.S. Army officer has ever had reason to question.

I submitted my resignation from the United States Army on 4 August 1959—Headquarters, Arkansas Military District.

The letter said:

"1. I am in receipt of assignment to the Seventh Army Europe to command the 24th Infantry Division, which I have looked forward to for many years.

"2. It is fair to say that in my opinion the 5th column conspiracy and influence in the United States minimize or nullify the effectiveness of my ideals and principles, military mission and objectives, and the necessary American public spirit to support sons and soldiers. I have no further desire for military service at this time with this conspiracy and its influences on the home front.

"3. I respectfully request that this, my resignation from the United States Army be accepted and become effective immediately."

My request was denied by order of the Secretary of the Army.

I quote to you the words of General MacArthur, referred to earlier:

"While for the purpose of administration and command the Armed Forces are within the executive branch of the Government, they are accountable as well to the Congress, charged with the policy making responsibility, and to the people, ultimate repository of all national power. Yet so inordinate has been the application of the executive power that members of the armed services have been subjected to the most arbitrary and ruthless treatment for daring to speak the truth in accordance with conviction and conscience."

These are words that should ring through the land but do not—counsel that should have been heeded but was not.

To what voice, then, do we harken?

The people, the truly militant voice in a republic, can and will be heard. Once unleashed—I have faith that from their fury constitutional power will prevail, rededicating this Nation and its sons in uniform to the will and power of the people for freedom and justice under the sun.

I have now completed more than 30 years in service under your commission. I am proud of that service and the honors that I wear on behalf of the men I have served. No man of my humble beginnings could be less than proud, but still humble and deeply concerned for the survival of his country.

It is the expressed decision of higher echelons that I may not provide my fellow-soldiers with the degree of information that I consider imperative to their morale and their capacity to survive. In my position, I may not question the authority of that decision, but a lifetime of training directed toward defense and survival, cries out against the wisdom of it.

My decision continues to reflect the West Point Code: "to choose the harder right, instead of the easier wrong" . . . a code I have imposed on every soldier I ever served in leadership or spirit.

It has been burden enough for a troop commander to make an American of a man, before really beginning to make a soldier of him. And make no mistake—it is not possible to make a soldier of a man who has not first become a dedicated American.

It will be my purpose now, as a civilian, to attempt to do what I have found it no longer possible to do in uniform.

War has been declared.

Every man is a soldier.

I think of the words of the Marine General to his men:

"We are surrounded.

"We must not let them get away."

EDWIN A. WALKER,
Major General, U.S. Army.

HOW NOT TO CUT FEDERAL SPENDING

Mr. BOW. Mr. Speaker, the Wall Street Journal article on "How Not To Cut Federal Spending" has much merit. I would suggest they might have indicated that new authorization should not be brought before the Congress or be defeated on the floor. I hope Members will read this excellent article, which I place in the RECORD at this point:

HOW NOT TO CUT FEDERAL SPENDING

(By Norman C. Miller)

WASHINGTON.—The avowed purpose of the debt-limit donnybrook the Republicans are staging in Congress is to force the Johnson Administration to cut spending. But the battle's principal accomplishment has been to reveal the impotence of Congress to cut the spending itself.

For, in persuading the House to reject the $29 billion debt-limit increase sought originally by the Administration, the GOP did no more than protest the prospect of enormous deficit spending. That may be a politically popular thing to do, but following up with actual spending reductions to pare the deficit is quite the opposite.

Cutting spending inevitably means making some group of voters howl. Accordingly, it is no surprise that Republicans are merely talking generally about slashing $4 billion of "non-essential" spending—without offering a specific list of activities they consider non-essential. The GOP grandly cedes to the President the nasty job of deciding exactly what should be cut, saying the Administration is better equipped than Congress to decide what is essential and what is not.

This position allows Republicans to deplore a worrisome deficit and continue their opposition to a tax increase, while they try to set up LBJ to take the rap from interest groups that would scream if spending were cut. Clever politics, maybe, but it probably won't force the President to reduce spending.

ARE THEY BLUFFING?

From the Democrats' standpoint, it looks as if the Republicans are bluffing in the debt-limit battle. Ultimate Congressional refusal to give the Administration some additional borrowing authority would threaten the U.S. with a financial crisis, and Republicans are quick to say they don't want that.

Thus, Administration forces will try today to push through the House a new bill that would lift the debt ceiling to $358 billion effective July 1. Moreover, this immediate $22 billion increase would be followed by an additional $7 billion rise a year from now, so the Democrats have hardly retreated at all from their original $365 billion proposal.

In a way, making a debt-limit bill the anti-spending instrument indicates the weakness of Congress' own will to economize. After all, before the Administration can spend it must get appropriations from the lawmakers. If they cut the money bills substantially, they wouldn't have to worry about huge debt-limit increases.

Certainly, if Republicans and economy-minded Democrats translated their general talk about spending cuts into votes against funds for specific programs, they could combine in the House to drastically slash the President's $144 billion appropriation request for the year that starts July 1. But that hasn't happened so far, though the House has completed work on five-sixths of the President's budget.

To be sure, the strengthened House economy bloc has hit hard at some infant Great Society projects like rent subsidies and model cities. But overall, only $2.8 billion, or 2.5%, has been cut from money bills the House has passed.

Moreover, many of the "cuts" undoubtedly will be restored later by supplemental money bills. Of the total reduction claimed by the House, almost $1.3 billion was "cut" from the military budget, though there is a bipartisan expectation that eventually $5 billion or so will have to be added to the Administration's war-cost estimate. Much of the reduction in non-military appropriations will probably be restored as well; in the current fiscal year, for example, Congress wiped out many earlier budget cuts when it voted a supplemental $2.2 billion for civilian activities.

Viewing the record of the House, Chairman George Mahon (D., Texas) of the Appropriations Committee sighs, "It is apparent that Congress isn't going to reduce appropriations bills and spending sufficiently to eliminate a deficit which appears to be unacceptable."

One reason for this situation is, that most members of the House Appropriations subcommittees, despite their incessant talk about economy, are zealous defenders of spending for almost all well-established Federal activities. Moreover, as long as Congress examines spending proposals one by one, most of them look worthwhile, or at least politically popular. The piecemeal way the lawmakers handle the budget makes it easy to avoid choices between appropriations for separate programs. Yet Congress has resisted all suggestion for new budget procedures; members of the powerful Appropriations subcommittees enjoy their prerogatives and power, and they aren't about to change the system.

The inability of Congress to deliver on its perennially promised cuts is a source of despair to many lawmakers who are perfectly sincere in believing Federal spending is galloping out of control.

Rep. Wilbur D. Mills, the Arkansas Democrat who heads the Ways and Means Committee, is convinced Congress is going to have to call on private consultants "if effective controls are again to be established over Federal spending." He recommends establishing a Hoover-type commission to analyze the benefits of present and proposed Government programs in relation to their costs. With this information, Mr. Mills thinks, Congress might be persuaded to cut programs that aren't justifying their cost.

AN IRONY FOR MR. MILLS

It was ironic that Mr. Mills was the floor manager of the Administration's defeated debt-limit bill. For, in mustering a majority against the bill, Republicans cited the very problem worrying Mr. Mills: That Congress no longer seems able to control expenditures through the appropriations process.

Rep. John Byrnes of Wisconsin, the leading Republican spokesman on the debt-limit issue, argued that refusing to increase borrowing authority was the only way the House could make the President immediately reduce spending. He noted that the Administration could resort to unused borrowing authority granted in previous years to keep much of its fiscal 1968 spending plan intact even if Congress was of a mind to cut current appropriations requests.

Mr. Byrnes is correct. But he and others who are sincere about the need to cut spending would have a far stronger argument against a big debt-limit increase if Congress were actually in the process of reducing appropriations. In that case, the President would clearly be defying the will of Congress if he refused to cut spending on activities the lawmakers' vote had declared nonessential.

Simply to balk at a big debt limit boost, however, is hardly a courageous mandate for cutting spending.

INTRODUCTION OF A BILL TO PROTECT THE ESTUARINE AREAS OF THE NATION

Mr. KUPFERMAN. Mr. Speaker, today I am introducing legislation to aid in the development and protection of one of our Nation's greatest natural resources, its estuarine areas.

Not only in New York State, but in all coastal regions and river basins throughout the country, it is essential that we protect these areas, where fresh water and salt water meet, to assure their continued use for commercial fishing and recreational activities, as well as to preserve their natural beauty.

In the face of a population explosion that will see the United States double its citizenry by the year 2000, and at a time when the proportion of our nonrural population is rapidly growing, we cannot underestimate the value of the sea as a source of food. The economic productivity of estuaries has been conservatively estimated to be $1,000 per acre per annum, and on Long Island alone the commercial fishing industries are worth $12 million annually.[1]

Estuaries are essential if we are to maintain nature's delicate biological balance. Because of their unique chemical and biological makeup, estuaries breed organisms which are the first step in the marine food chain leading to the numerous species used for human consumption. Estuaries are also nursery grounds for many fish, and thus it has been said that at least 75 percent of our total sea food catch is dependent on such areas.[2]

Aside from the vast importance of estuaries in supplying sea food, these areas are extremely valuable in providing ideal recreational facilities for all types of water sports. In 1965, over four million people fished in estuaries, spending $600 million in the process.[3] Sports fishing on Long Island alone is worth $125 million per year.[4] Furthermore, one need only follow the hosts of people who make weekly treks from our cities to nearby bathing and boating areas, to perceive the need to maintain these areas for recreational purposes.

Despite the obvious value of estuarine areas to our national welfare, a recent study has shown that between 1940 and 1966 the Nation as a whole lost 7.1 percent of its estuary acreage due to dredging, filling, and excavating. During this period California lost the most—67 percent—while my own State of New York lost 15 percent of its estuaries.[5] Furthermore, these figures do not include the effective loss of many of these areas by virtue of water pollution.

Like air and water pollution, the protection of our estuaries is a problem that crosses State lines. While the maintenance of an estuary might be limited to one community, the effects of its maintenance are felt throughout the coastline.

Often local and national interests conflict. For example, a given locality would be directly benefited by filling in estuarine land for commercial or residential use inasmuch as more taxable land would be added to the tax rolls and new facilities would be constructed. Unfortunately, however, destruction of estuarine areas for such projects could cause a disruption of the breeding ground for many fish and result in a far lower catch for fishermen along the entire coastline, thus adversely affecting the national economy.

Therefore, Mr. Speaker, it is necessary for the protection of the welfare of the Nation as a whole that Federal standards be set to preserve these valuable estuarine areas.

The legislation I am introducing today would authorize the Secretary of the Interior to inventory the Nation's estuaries and to determine what regulations need be promulgated to protect these resource-rich areas. The bill would permit the Secretary to acquire and administer lands and waters or interests therein within any area that is designated by Congress to be a national estuarine area.

Further, my bill provides that no dredging, filling, or excavation work may be done within any estuary until the Secretary of the Interior shall have authorized its commencement or unless the State within which such area is located has a plan, approved by the Secretary, designed to protect and conserve estuaries located within its boundaries.

Mr. Speaker, in light of the rapidity with which our population is being deprived of the multiple benefits of our resource-rich estuaries, I urge my colleagues to consider carefully and support the measure which I have today introduced.

SMALL BUSINESS IS PART OF THE AMERICAN WAY OF LIFE

Mr. ICHORD. Mr. Speaker, President Johnson stated to Bernard L. Boutin at the latter's swearing-in as Administrator for the Small Business Administration in May, 1966:

> Small business is part of the American way of life.

Since that time under the Administrator's guidance, the SBA has utilized every worthwhile tool to make certain that small businesses remain alive and healthy. In the State of Missouri small business is thriving and SBA is assisting in making our small business community an even more important segment of our way of life.

My colleagues, there is not one among us here today, I feel sure, who has not known the pleasure of receiving letters reflecting the writer's sincere appreciation or admiration. It might be for a stand taken on a national legislative proposal, or efforts made in behalf of the writer, whether directly or indirectly. Whatever the reason, the fact remains that letters of this type, when recognized as being sincere and warranted, can be most heartwarming and encouraging.

One occasion to share such an experience myself came about recently in a letter from a Missouri constituent, Dean H. Doyle, president of Doyle Stationery in Marshall. It was written to Kansas City's SBA Regional Director C. I. Moyer, then subsequently brought to my attention. I realize that this is much more than an expression of gratitude to the SBA regional director in that it also demonstrates the effectiveness of this Federal Agency's Service Corps of Retired Executives—SCORE—program.

SBA's SCORE program, although relatively new, having begun in 1964, has proven over and over again to be an invaluable asset to the Nation's small business community. Mr. Doyle's experience is typical of SCORE's service.

SCORE is composed of volunteers who are themselves retired successful business men and women. They come from varied fields—retailers, production analysts, office managers, lawyers, engineers, accountants, economists, bankers, advertising, and public relations men. Others have been sales managers, wholesalers, controllers, plant managers, and so forth.

They are proven experts who know and appreciate what small business means and always has meant to the American free enterprise system. This knowledge inspires them to serve without fee in order to share their experience and know-how with small businessmen desirous of managerial guidance. Mr. Doyle relates how Mr. William H. A. Turner, a retired executive of the Pacific Railroad, proved resourceful and helpful as the SCORE representative assigned to advise him regarding problems he faced in the management of his stationery firm.

The SCORE program, Mr. Speaker, is available across the Nation through the auspices of the Small Business Administration, and their regional offices.

I urge my colleagues to familiarize themselves with the brief but happy history of SBA's SCORE program. I believe that the SCORE concept embodies all of the best features of citizen-government cooperation for the common good. I offer Mr. Doyle's experience, which certainly bears this out to be true in Missouri.

Under unanimous consent, I place Mr. Doyle's letter in the RECORD:

DOYLE STATIONERY,
Marshall, Mo., May 15, 1967.

Mr. C. I. MOYER,
Regional Director,
Small Business Administration,
Kansas City, Mo.

DEAR MR. MOYER: The purpose of this letter is to express my appreciation of the SBA's SCORE program which I understand you spent considerable time and effort launching; also, that your continued efforts have kept it going enthusiastically.

Words fail me to express how much this program has helped me, but I would like you to know that we people down here are deeply appreciative.

A brief history of my Company: It is a small printing business composed of 15 employees and has a gross sales of $250,000.00 per year. I started the business in 1946.

Several years ago I applied for and received an SBA direct loan from your office. Our operation has been satisfactory, that is supporting myself and family and making the loan payments, but I seem to be operating at a standstill . . . that is, our sales and profits have been stable for the past 7 years or so . . . which, as you well know, is not good.

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[1] Statistics of The Marine Resources Commission of Long Island, as appearing in testimony of H. W. Moeller, Jr. before the Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries, House of Representatives, March 1967, p. 394.

[2] Ernest J. Papajohn, Natural Resources Division of Legislative Reference Service as presented in testimony by Rep. William F. Ryan before the Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries, House of Representatives, March 1967, p. 117.

[3] *Id.*, at p. 116.

[4] *Op. cit.*, Moeller.

[5] Testimony of Dr. Stanley A. Cain, Assistant Secretary of the Interior for Fish and Wildlife and Parks before the Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries, House of Representatives, March 1967, p. 30.

A month or so ago I was in your offices talking to Jim Cobb and Dale Boughton. They asked if I'd ever thought about asking for council from SCORE.

Of course, I'd read about it but didn't take any action until Jim and Dale suggested it.

We were assigned Mr. William H. A. (Bill) Turner, a retired Missouri Pacific Railroad Executive. In my 20 odd years of operating this business, I have come in contact with some real competent, some brilliant, businessmen, but Mr. Moyer, Mr. Turner is, without reservation, the finest brain it has been my good fortune to know. In addition, he has a magnetic personality, boundless energies and enthusiasm—and he's on my side—and free too (he has been here twice and has accepted only gas money and let me buy him lunch).

In these two visits he has come up with no less than six practical, common sense suggestions to increase our profits and sales. Suggestions that were feasible for me to work out, that did not involve a big capital outlay of hiring any more executives. The point I'm trying to make is they were ideas that were simple enough that I could immediately see where I could put them into effect, and I'm not real smart.

Mr. Moyer, I meant this just to be a simple three paragraph "Thank You" Note, but I'm so enthusiastic about your SCORE program and "Bill" Turner that I could ramble on for 89 pages and I don't want to presume on your time.

In closing, I would like to compliment you on the efficiency and practical common sense of the people in your office. From my first contact with them . . . when I applied for a loan . . . I have found your people, without exception, to be intelligent, hard working, practical people. Mr. Staley worked with me on getting my loan. He was real helpful and worked hard and long getting the loan application in order and approved, but there were no unnecessary delays. Don't misunderstand me, he was tough as any private lender and I had to convince him that it was a good loan and that the business and myself were capable of repaying the money and interest. After he was convinced that it was a sound loan he worked long and tirelessly with me working out the details.

I have found the same is true with your loan administrative people, they are real friendly and cooperative and will put forth any amount of time or effort to be helpful; however, they are most careful that I comply with the provisions of the loan and that their loan is secure, which is as it should be.

Sincerely yours,

DEAN H. DOYLE,
President, Doyle Stationery, Inc.

THE HONORABLE ROGER H. ZION

Mr. WATSON. Mr. Speaker, the gentleman from Indiana [Mr. ZION] is serving his first term in this body, and in the relatively short time that he has represented Indiana's Eighth District, he has demonstrated exceptional leadership abilities and has already reflected great credit upon his constituents.

In a recent address in my hometown of Columbia, S.C., our colleague suggested in a very thought provoking and perceptive manner the possibility of establishing a society of free nations. It appears to me that this suggestion would have great merit. Certainly, all of us are concerned about the failure of the United Nations to cope with the Mideast crisis. And, it may be time for us to begin to seek constructive alternatives to this world organization.

The largest newspaper in South Carolina, the State, recently had an outstanding editorial which focuses attention upon U.N. acquiescence in the face of aggression, and contained in this editorial was a reference to our colleague's proposal.

Mr. Speaker, I wish to include this editorial in the RECORD as a part of my remarks:

UNITED IN NAME ONLY

Years hence, how many "Democracy 12–A" students will read in their texts: "How the UN Preserved Peace in the Middle East Crisis of 1967"? And how many, we wonder, will believe what the books say.

U.S. News and World Report recently carried what amounts to a three-page indictment of the UN, suggesting that we have been overawed by that world body's fancied accomplishments.

In the 21 years of its existence, the UN has intervened with force in only four situations: Korea, the Middle East (1956), the Congo, and Cyprus. And at least one of those interventions (the Congo), in the view of many, was illegal under the terms of the UN Charter.

The excursion into the Congo brought the UN to the brink of bankruptcy. France and Russia both refused to pay their share of the operation. Since then, more than 50 UN member nations have fallen behind in their assessments—to the tune of $100 million.

The primary purpose of the UN, from the beginning, was "to maintain international peace and security." The 15-member Security Council was charged with the responsibility of preserving world peace.

But the Soviet Union, on no fewer than 104 separate occasions, has used its veto power to hobble the work of the Security Council.

How can any so-called "world organization" function effectively when many of its members do what they can, whenever they can, to be cantankerous and uncooperative?

The League of Nations went down to dusty death because it never was a league, in any true sense; and the United Nations may well end in chaos because its member nations are not united.

Perhaps it is time, as Indiana Congressman Roger H. Zion suggested this month in Columbia, to consider the possibility of setting up an association of free nations. (The UN is an association of some free nations, some tyrannies, and some "democracies" at various stages of development in between.)

Certainly, a world body composed of nations seeking somewhat similar goals is to be preferred over a motley assemblage of "dear enemies" whose efforts at peace-keeping are generally inadequate.

A LOOK TO THE FUTURE IN RECLAMATION

Mr. JOHNSON of California. Mr. Speaker, the United States is privileged indeed to have as its leading Federal exponent in the development of our reclamation resources Floyd E. Dominy, Commissioner of Reclamation since 1959, who has served the Nation for more than 33 years and is an internationally recognized authority on land and water resources. Mr. Dominy has been honored not only by this Nation but by several others for his service in the field of irrigation and reclamation development.

When Floyd Dominy discusses the future of water resources for the Nation, there is no one who speaks more authoritatively than he.

A few days ago Commissioner Dominy did so speak in an appearance before the annual Rivers and Harbors Congress Convention here in the Nation's Capital. I think it important that my colleagues in the Congress have the opportunity to review and consider this outstanding speech in which he discusses not only the future in reclamation as it relates to our own Nation, but also to the impact of timely development of water resources throughout the world and the conclusion that through reclamation of lands we can feed adequately this world's billions of peoples and that truly water is an instrument of peace as was demonstrated during the recent conference I attended.

Mr. Speaker, under unanimous consent, at this point in the RECORD I insert Commissioner Dominy's address:

A LOOK TO THE FUTURE

My annual talk at the Rivers and Harbors Congress convention is coming to take on the semblance of a family Christmas letter; once a year I try to bring you up to date on what the Reclamation family has been up to, and also to evaluate our expectations for the future.

We have had a busy—and productive—year since last I spoke to you, and the future promises more of the same. With the need for water skyrocketing in the West, the Nation, and the world, the Bureau of Reclamation is striving to meet the challenge through an accelerating and expanding many-faceted program within the framework imposed by national economies.

The Bureau's development of water resources the past 12 months has added nearly 2½ million acre-feet of water storage capacity and nearly three-fourths of a million kilowatts of hydropower generating capacity to the water and power supplied to the West by its projects. We initiated work on six new projects and continued construction on 94 others, with $255,568,000 of our $323,943,000 appropriation for fiscal year 1967 going into this phase of our program.

Meeting the water needs of our growing urban communities is assuming constantly greater importance in the Reclamation program. A mere decade ago 25 projects supplied 53.9 million gallons annually to such communities. In 1967 a total of 50 projects are supplying 588.7 million gallons to meet the industrial and domestic needs of 13.2 million people.

Consequently we rate as one of the outstanding accomplishments of the past year the virtual completion of the Canadian River project in Texas, the largest municipal and industrial water supply development ever undertaken by our agency. It will deliver municipal and industrial water to 11 cities in the Panhandle of the Lone Star State.

The Canadian River project embodies another Reclamation benefit that is growing in importance every year—water-oriented outdoor recreation. Lake Meredith behind Sanford Dam attracted a million visitors in calendar year 1966, this despite extremely limited access roads and tourist accommodations.

The recreation and fish and wildlife enhancement aspects of water resource development are well illustrated by two newly impounded lakes which are favorites of mine: Lake Powell on the Colorado River in Arizona and Utah, and Flaming Gorge Reservoir in northern Utah and Wyoming on the Green River. Some of you have visited Lake Powell, I know. I had the pleasure of your board of directors there last year. Well over a half million people enjoyed its many delights this past year, and the tourist count at Flaming Gorge, which is nearer to major population centers, was over 1.2 million. There is no doubt that these statistics will go much higher as the years go by.

And these reservoirs are only three of many now in operation or planned for the future. Your children and grandchildren will surely do much of their vacationing at Reclamation reservoirs or alongside streams regulated by Reclamation dams.

Recreation is among the many benefits of the epoch-marking multiple-purpose San Luis dam and reservoir now in the final stages of construction in central California. A joint Federal-State undertaking, constructed by the Bureau of Reclamation, its water storage and transportation facilities are part of the Bureau's Central Valley project and also of the California State Water project. San Luis Dam is Reclamation's largest earthfill dam and will impound 2.1 million acre-feet of water, while the entire project facilities will be capable of controlling and moving more than 5 million acre-feet annually. The San Luis Canal will be one of the largest man-made rivers in America. It will deliver over 2 million acre-feet of water annually to more than half a million acres of fertile farm land on the west side of the San Joaquin Valley and, in addition, will be a major link in the State's aqueduct system which will eventually deliver water across the Tehachapi Mountains to the southern California coastal areas.

We are especially proud of this development, both for its unique joint-use feature and for the fact that construction of the dam, reservoir, and canal is costing $121 million less than the Federal-State estimates. Operation of the joint facilities will be turned over to the California Department of Water Resources. This management by a single agency will save more millions over the years.

Another noteworthy Reclamation milestone has been the undertaking of preconstruction work for the third powerplant at Grand Coulee Dam. The ultimate plan for doubling of the 3.6 million kilowatt capacity of the new plant, together with the 2 million kilowatt capacity of the present facility, will once again make Grand Coulee, with an overall 9.2 million kilowatt capacity, the world's largest hydroelectric powerplant.

In these family letters one bit of news inevitably headlined is a change of residence, most particularly a move into a brand new home. And the Reclamation family has just such a move to report in this annual summary. The Chief Engineer and his 1,350-person staff of experts are now established in our new Reclamation office building at the Engineering and Research Center in Denver. Dedication ceremonies for the 14-story structure were held May 11.

For 20 years the Denver staff has been housed in a converted World War II ammunition plant a quarter of a mile long, partitioned into cell-like offices both inefficient and inhospitable. Some technical sections were fully a half-mile from the Reclamation laboratories, which situation resulted in considerable wasted time and effort in communications. The new, all-concrete building has generous window space, adequate elevators, air conditioning, and 375,000 square feet of floor area—and it is located next door to our laboratories. We are very proud of our new home in Denver. Next time you are in the Mile-high City, stop by and see it.

These are some of the high spots of our actual accomplishments since I met with you just a year ago here in Washington. But they by no means cover all we've been doing. A goodly portion of our effort relates to plans looking to the future, for the program of today will in no wise fully meet the demands of tomorrow. The demand for water for all purposes continues to grow even though the pill gives promise of slowing down the rate of population increase. We have not yet found a pill which will slow down the increased per capita use of water resulting from our higher standard of living.

As well as building facilities to impound and utilize available water supplies now unused, we must discover and develop new sources of supply. We are exploring many avenues to this end. They include bringing additional water to arid areas from ever more distant sites where it is abundant; curbing waste and pollution, and improving use and reuse of available supplies; desalting sea and brackish waters to make them usable; and increasing precipitation by scientific weather modification.

Responsibility for all these functions rests in the Department of the Interior, and the Bureau of Reclamation has a critical role in carrying them out. The heartbeat of a great deal of the effort to bring these sources of the future to reality emanates from our Engineering and Research Laboratories in Denver.

The two sources of increased water supply receiving perhaps the greatest attention at the moment are the sea and the sky. The wealth of water in both ocean and atmosphere, evident to all, has, through history, just evaded mankind's eager grasp. We have been like the legendary Tantalus, who was doomed to stand neck deep in water which flowed away as he bent his head to drink it, and to reach everlastingly for luscious fruit hanging just before his mouth, only to have it swung away out of reach by the breeze. Now we are near to breaking the spell and winning the prizes both from the limitless sea and from brackish inland waters and from the atmosphere that carries moisture above our heads.

We are working closely with the Office of Saline Water in research to develop a desalting process that will produce a potable supply from salt or brackish water at a cost which will permit its practical use. The Bureau designed the Webster, South Dakota, demonstration plant where experiments are being conducted in desalting by electrodialysis, a method which seems to be proving commercially feasible for treatment of brackish water.

Our Denver research office is studying this process and also is evaluating a reverse osmosis unit in regard to its possible use in treating brackish waters. Another study is underway by the Bureau on the value of desalted water for irrigation use, and still another on new techniques to combat the deterioration of concrete caused by hot brine and distilled water.

Major pumps for the 17 million gallon-a-day test module which is being built by the Office of Saline Water at San Diego are being constructed under Reclamation's supervision. Information developed in this test facility will be utilized in the gigantic desalting plant, Federal participation for which has just been approved by President Johnson.

The plant will be constructed by the Metropolitan Water District of Los Angeles offshore of southern California and will be powered by a nuclear-fueled plant to be constructed by a combination of public utilities serving the area. By 1977 this plant is scheduled to produce 150 million gallons of fresh water a day at a cost of about 20 cents for 1,000 gallons. This cost is competitive in supplying domestic and industrial water but is far above the economic cost of water for irrigation purposes.

Desalting holds considerable potential promise for solving some of the water problems of densely populated regions along our coasts, but for inland areas such desalted water, even if inexpensively produced, would pose further formidable problems of long-distance conveyance and extensive storage.

However, there is strengthening belief that we may be able to increase the water supply of inland areas by weather modification. The Bureau of Reclamation has underway a far-reaching, practical research effort to tap the rivers in the sky. Billions of gallons of moisture are carried in the clouds of vapor. According to a report of the World Meteorological Organization, in an average July week the atmosphere carries 15 million acre-feet of water over the dry State of Arizona. This is more than the total annual flow of the Colorado River, upon which Arizona and large segments of six other States depend for much of their water. This does not mean that we are going to automatically solve Arizona's water problems by wringing that moisture out of the sky, for the atmospheric conditions are rarely right in Arizona in July for large-scale weather modification operations.

Our weather modification research is being conducted mostly through contracts with other Federal agencies, universities, and private research organizations. The first objective of the program is to induce additional moisture from the clouds during winter storms in the mountains of the West, thus increasing precipitation and augmenting the runoff into streams and rivers. On the basis of experiments so far evaluated, it appears that a 10 to 20 percent increase is not an unreasonable expectation.

We are still in the research stage, of course, but Dr. Kahan, chief of our Office of Atmospheric Water Resources Research, predicts reliable cloud seeding operations in selected areas of the Upper Colorado basin by 1972, with extension to other parts of the mountainous West and the plains by 1975. He also foresees a general Nationwide capability for increasing streamflow, and also the means, under favorable circumstances, for enhancing precipitation for direct use on croplands by 1980. This tentative timetable naturally is dependent on the successful outcome of many different aspects of our research program, including necessary funding.

Besides making progress in the comparatively new and glamorous field of weather modification and desalting, Reclamation's research is constantly probing into many and varied areas of science and engineering procedures to perfect more effective methods of conserving our available water to improve its quality, to use and distribute it more efficiently, and to effect greater economy in the whole gamut of our project development. Our research facilities at the Denver Center are rated among the finest in the world and have become a mecca for engineers and scientists from all corners of the earth who are engaged in water research.

Teams of experts are working—in Denver and in the field—on problems such as evaporation suppression, phreatophyte control, producing greater hydroelectric yield from moving water, and seepage control. And encouraging progress is being made towards solutions. To cite one example—the use of nylon-reinforced butyl rubber membranes to line reservoirs has paid handsome dividends in halting expensive leakage. There are many, many others.

By means of utilizing the latest in computer technology, our scientists and engineers not only further our technical work but also survey the broad view of Reclamation's financial and administrative functions. From these surveys come recommendations which result in greater efficiency and economy in management. I take considerable—and I believe pardonable—personal pride in the manner in which we are returning maximum value for every dollar invested in Reclamation.

Perhaps the most stimulating activity of the Bureau during the past year was our participation in the "Water for Peace" conference which closed here Wednesday. Called by President Johnson to promote international cooperation in meeting the vital and pyramiding problems of water supply and distribution, it focused global attention on these matters which are common to all mankind.

The Bureau of Reclamation contributed 13 papers to this important conference. It is notable also that many of the participants from foreign countries were alumni from our training program at the Denver laboratories or in field assignments to our projects sponsored by their governments and by the Agency for International Development.

Speaking to the representatives of 91 countries who attended the meeting, the President pledged the United States to continue work in every area which holds promise for the world's water needs.

"And," he added, "we pledge to share the fruits of this technology with all who wish to share."

"For ages past," Mr. Johnson said, "men have fought over water without adding one single drop to the world's supply. Now we share the challenge to use water—more abundant water—as the enduring servant of peace."

The Bureau of Reclamation is proud to have been a party to this effort for many years and we pledge a redoubled effort to assist this worldwide effort.

It is my opinion after many years of traveling around this old globe of ours, that Water for Peace is no idle phrase. Water is one of the most common and at the same time, most important ingredients in our daily lives. It is the catalyst of our remaining natural resources and how we use it pretty much determines our economic welfare.

Prosperous and well-fed nations are not warlike nations. The wild promises of a communistic state find most fertile ground for growth in the hungry bellies of undernourished and poverty-stricken peoples. The more we can implement Water for Peace over the world, the greater will be our chances for survival without a shattering holocaust in which all nations and all peoples will be the losers.

A BILL TO INCREASE FROM $1,500 TO $3,000 THE AMOUNT OF ADDITIONAL ANNUAL INCOME AN INDIVIDUAL RECEIVING SOCIAL SECURITY CAN EARN WITHOUT LOSING ANY PART OF THOSE PAYMENTS

Mr. KLEPPE. Mr. Speaker, I have today introduced in the House a bill to increase from $1,500 to $3,000 the amount of additional annual income an individual receiving social security can earn without losing any part of those payments.

The exemption would cover old age survivors, widows, and others eligible for social security benefits.

There is no limit on the amount a retired person can presently receive from such sources as interest, rents, royalties, and dividends without losing any portion of his social security payments. Many retired persons who need and would like to earn additional income from wages or salaries are discouraged from taking part-time jobs because they would have to forfeit much or even all of their social security payments. They need and deserve an incentive to improve their income position.

CONTAMINATION OF OUR AIR AND WATER MUST BE HALTED

Mr. ROONEY of Pennsylvania. Mr. Speaker, I share the concern of a great many of my colleagues, of conservationists, and of private citizens, that ways must be found and steps must be taken with dispatch to halt the contamination of our air and water with the wastes of our civilization.

It was because of this concern that I recently sponsored a measure, H.R. 10731, which would permit the amortization of equipment and facilities for water and air pollution abatement to be speeded up as an incentive for industry to act promptly to remedy problems caused by industrial wastes.

Mr. Speaker, critics of such a tax incentive plan are quick to label it a subsidy program. When such a label is permitted to stand unchallenged, it is readily understandable that the individual citizen will accept the label as fact. Therefore, I want to take strong issue with those who would label this measure as either a Federal subsidy or a burden on private taxpaying citizens.

Instead of requiring industries to depreciate air and water pollution control equipment and facilities over their reasonable lifespan, this measure would permit amortization over a 36-month period. Obviously, this will provide prompt tax relief and serve as an incentive to industry to halt discharge of industrial wastes into our air and our streams.

This bill does not allow industry a greater tax deduction than existing law allows. It merely permits this deduction to be taken over a shorter period of time to stimulate immediate action.

This speed-up of allowable deductions means that a portion of the industrial tax revenue will have to be made up elsewhere. Obviously, you and I will have some small share in this. However, if no tax deduction were allowed, or if no speed-up incentive were offered, common business practice would dictate that you and I would still pay our small share for this pollution control investment in the form of a slightly higher price for the industry's product.

The alternatives seem to me to be that we offer a tax incentive to get industry to act now to control pollution for the prompt and substantial benefit of the public health and welfare. Or, we permit the unconcerned industries to take their good old time about controlling pollutants discharged into our air and water, while we pay eventually, both in dollars and in health, for the lack of timely action.

RESOLUTION CALLING UPON THE PRESIDENT TO RESCIND THE ORDER THAT RESTRICTS ELIGIBILITY FOR BURIAL IN ARLINGTON NATIONAL CEMETERY

Mr. WHALLEY. Mr. Speaker, I wish to place in the RECORD a resolution recently adopted by the Veterans of World War I of the U.S.A. at their convention on June 12, 1967.

Also supporting statements and resolutions from the VFW, American Legion, and Marine Corps League.

In line with the action taken by these veterans organizations, I am introducing a resolution calling upon the President to rescind the order that restricts eligibility for burial in Arlington National Cemetery.

Mr. Speaker, I commend to the attention of our colleagues the resolution and I urge that these recommendations receive the early and careful consideration of Congress:

DEPARTMENT OF THE DISTRICT OF COLUMBIA VETERANS OF WORLD WAR I OF THE U.S.A., INC.

JUNE 12, 1967.

To: Members of Congress.
Subject: Arlington National Cemetery.

GENTLEMEN: The enclosed resolution was approved unanimously at the Department Convention of the Department of the District of Columbia, both by the Veterans of World War I of the U.S.A., Inc., and the Auxiliary.

Many comments were made from the floor including criticism of the Coney Island atmosphere in Arlington Cemetery as well as the apparent facts presented that, with the additional 192 acres now being prepared for burial purposes, at the present rate of interment, this will accommodate burial space for approximately the same number as have been interred in Arlington Cemetery in the past 100 years.

We solicit your cooperation in supporting the attached resolution, which was signed by the Department Commander, Past Department President of the Auxiliary, and attested to by the Department Adjutant and verified by him.

With best wishes, I am

Sincerely yours,

LOUIS F. ZARUBA,
Past Department Commander, Department of District of Columbia.

RESOLUTION

Whereas, the Secretary of the Army with the approval of the Secretary of Defense, issued an order effective 17 February 1967, stating that interments in Arlington National Cemetery would be limited to the following;

(1) Persons dying on active duty in the Armed Forces,

(2) Retired members of the Army, Navy, Air Force, Marine Corps, or Coast Guard who have performed active Federal service, are carried on official service retired lists and who are eligible to receive compensation stemming from service in the Armed Forces,

(3) Recipients of the Medal of Honor,

(4) Persons otherwise eligible by reason of honorable military service who have also held elective office in the U.S. Government or served on the Supreme Court or in the Cabinet or in an office compensated at Level 11 under the Executive Salary Act,

(5) The spouses, minor children, and dependent adult children of the persons listed in (1) through (4) above and of persons already buried in Arlington, and

Whereas, this order is prejudicial inasmuch as it prohibits;

(1) burial in this National Cemetery of 100% service-connected disabled veterans, including the blind and paraplegic veteran,

(2) the Spanish American War Veteran being buried in Arlington,

(3) the veteran who served in World War I, now an average age of 73 years, many unemployable, with no income other than their $80.00 pension for the existence of the veteran and his wife and only a total allowance of $250.00 for burial benefits from the Veterans Administration, as well as all other veterans of World War I,

(4) World War II veterans, Korean War Veterans and Viet Nam veterans who have been discharged, many serving in at least two of these wars and many highly decorated and many have served longer than the retired members of the active service who were on the retired list and where retirement consists of a period of military service and then in the active reserve to fulfill their retirement qualifications, or being retired with disability a few years after enlistment, and

(5) prohibits the burial of those veterans receiving the Purple Heart for wounds received in action, and

Whereas, since the first burial in Arlington Cemetery, over 100 years ago, there has never been the practice of discrimination, and as one newspaper article so well stated, all veterans in death are accepted as equals, now

Therefore be it resolved, that at this Department Convention of Veterans of World War I of the U.S.A., Inc., held in Washington, D.C. on June 2-3, we go on record as opposing this discriminating action that was placed in effect February 17, 1967, and request the President to invalidate this order which we feel is an insult to thousands of our veterans who have served their country with honor, and that we request the former burial procedure be continued on an equal basis until such time as it is necessary to close Arlington Cemetery; then if burials of veterans are continued, a space of Government ground be located as an annex to Arlington Cemetery, and

Therefore be it further resolved, that a copy of this resolution be forwarded to President Johnson, Members of Congress, all local newspapers and all National Commanders of recognized veterans organizations, and that this resolution be presented to the National Convention of Veterans of World War I of the U.S.A., Inc., to be held in Indianapolis, Indiana, September 10–13, 1967.

Submitted by:

LOUIS F. ZARUBA,
Past Commander, 1958–1959,
Department of District of Columbia.

VETERANS OF FOREIGN WARS OF THE UNITED STATES, NATIONAL LEGISLATIVE SERVICE,
June 19, 1967.

LOUIS F. ZARUBA,
Nat'l. Assistant Quartermaster,
Veterans of World War I of the U.S.A., Inc., Washington, D.C.

DEAR COMRADE ZARUBA: Commander-in-Chief Leslie M. Fry has asked me to respond to your letter of June 9 enclosing a copy of the resolution of the Veterans of World War I, concerning the need to reopen Arlington National Cemetery to all veterans.

Commander-in-Chief Fry has been active in seeking to persuade the Department of Defense to rescind their order of February 10 which discriminates against our citizen soldiers. We are considering several possibilities for shaking up the Defense Department. They are most vulnerable in the areas of the law and public relations. We are developing some thoughts with regard to the latter. As to the law, we feel that they have no legal basis for issuing their restrictive order.

The only way to test the legality of their regulation is to file suit to attempt to force them to provide burial space for a veteran who has died. This is a rather sensitive matter as very few families would wish to engage in a suit immediately following the death of their kin. Should you believe there are any families that feel strong enough about the matter to engage in a suit to have a veteran buried in Arlington, I think we should discuss the matter.

We will continue to make every effort in other fields to overturn the Defense Department's order.

Yours in comradeship,

FRANCIS W. STOVER,
Director, National Legislative Service.

THE AMERICAN LEGION

Title: Rescission of the Discriminating Order Limiting Burials at Arlington National Cemetery.

Submitted by: Graves Registration and Memorial Committee.

Digest of Resolution:

(Origin: Res. 51 (Calif.), 8 (Fla.), 356 (N.Y.) 568 (Ill.) and 521 (Tex.) combined into Res. 51 as amended)

This resolution is so detailed that it could not be adequately digested. It is therefore submitted in full.

Whereas, New Criteria which will reduce the number of people eligible for burial at Arlington National Cemetery were ordered by the Department of the Army under memorandum dated February 10, 1967; and

Whereas, Under the new criteria effective February 17, 1967, burials at Arlington National Cemetery will be limited to Medal of Honor winners, active duty and retired members of the Armed Forces and honorably discharged veterans who have also served in high positions in the Federal Government, including wives and minor children of the foregoing; and

Whereas, The American Legion was shocked by the arbitrary action of the Department of Defense in establishing discriminatory regulations pertaining to the right of burial at Arlington National Cemetery; and

Whereas, The American Legion believes that this action has its roots in an executive policy, unsupported by law, to phase out all national cemeteries with the exception of Arlington; and

Whereas, The right of burial in a national cemetery for both servicemen and veterans has been clearly established by law and extends back to the period immediately following the Civil War; and

Whereas, It has been obvious from the beginning of this policy that, as space in other national cemeteries was exhausted, there would of necessity be an increasing number of burials at the one cemetery that was to be kept open—Arlington; now therefore, be it.

Resolved, By the National Executive Committee of The American Legion in regular meeting assembled in Indianapolis, Indiana, May 3–4, 1967, That The American Legion believes that the refusal of our government to establish a practical National Cemetery policy has inevitably led to the wholly unacceptable and discriminatory regulations announced by the Secretary of Defense; and be it further

Resolved, That The American Legion contends our national cemeteries were established upon the authorization of the Congress and that standards of eligibility for burial in national cemeteries were made by Congress, and be it further

Resolved, That The American Legion questions the authority of an executive agency to supersede the will of the Congress, especially when its regulations for the first time inject rank and prestige into what has always been the democracy of death; and, be it further

Resolved, That The American Legion believes that in justice to America's fighting men and its veterans, discrimination must be ended at Arlington; and be it finally

Resolved, That the expansion of Arlington National Cemetery must be expedited so that space will be available.

Recommendation: Approval.

MARINE CORPS LEAGUE,
Arlington, Va., June 16, 1967.

LOUIS F. ZARUBA,
National Assistant Quartermaster,
Washington, D.C.

DEAR LOUIS: I have your letter of June 9, 1967, enclosing a copy of the resolution adopted by the Veterans of World War I at its recent Convention.

I concur in this resolution wholeheartedly and intend to present a similar resolution to my National Convention in August. Your resolution will also be read on deck at this Convention in order that the delegation will know how the Veterans of World War I feel at the closing of Arlington Cemetery.

Wishing you the best. I remain,

Semper Fidelis,

JOHN P. LESTER,
National Adjutant Paymaster.

DIXIE DIVISION FACES GREATEST BATTLE OF LIFE

Mr. NICHOLS. Mr. Speaker, under the proposed revision of the National Guard of our country, the 31st Infantry—Dixie—Division, composed of men from my State of Alabama and our neighboring State of Mississippi, would be disbanded. This division has served our country in time of war and time of peace. Our people do not want to see the Dixie Division disbanded, and we will continue to fight for a repeal of its death sentence. I would like to call to the attention of the Congress and the Defense Department the long and honored history of the Dixie Division. Therefore, Mr. Speaker, I insert this article from the Montgomery Advertiser-Alabama Journal of June 18, in the RECORD:

DIXIE DIVISION FACES GREATEST BATTLE OF LIFE

(By Udo V. Nowak)

The 31st Infantry "Dixie" Division may be entering the greatest battle in its history. Trained for war, tried in combat and proven equal to its tasks, the 31st is now engaged in fighting for its very existence.

Composed of National Guard units from Mississippi and Alabama, the "Dixie" Division has been in the limelight recently because of a proposal to abolish it.

Under a plan proposed by Secretary of Defense Robert S. McNamara and the Pentagon, the 31st Infantry Division—as well as 14 other divisions—would be deactivated and replaced by brigades.

Opposition has come from citizens and the Congress. Not all military personnel are in favor of the proposal, either.

At present there are 23 National Guard divisions and six independent brigades. If McNamara's plan is carried out (plans call for it to be accomplished by the summer of 1968) the 15 infantry divisions and four armored divisions would be cut back to eight total divisions and 18 brigades.

Under the new setup, Alabama would have one armored brigade as part of the 30th Armored Division, and one air-borne brigade to replace the 31st Infantry Division.

Alabama and Mississippi would share the composition of the 30th Armored Division with Tennessee. Each state would supply one brigade, and the division headquarters would be in Tennessee.

As the reorganization of the National Guard and Army Reserve is now forecast, Alabama would have the nation's only airborne brigade.

The decision to drop the 31st Infantry Division from the National Guard roster came because it is considered a "low-priority" division.

The Defense Department's low-priority classification denotes a division which lacks the equipment and men necessary for quick mobilization in case of war.

Under the new organization a unit would be combat-ready within eight weeks.

The 31st Infantry Division is commanded by Maj. Gen. James Taylor Hardin of Montgomery. He assumed his command Nov. 14, 1966. Assistant division commanders are Brig. Gen. Henry V. Graham of Birmingham and Brig. Gen. Burris O. Smith of Louisville, Mississippi.

The present 31st Infantry Division is made up of units from three regiments. They are the 155th, 167th, and 200th Infantry. It also contains smaller units which include armor, engineers, aviation, artillery, supply and transportation, medical and maintenance, as well as administrative components.

During the middle of the "Dixie" Division's 15-day summer training encampment at Camp Shelby, Miss., on June 11, 1967, Gov. Lurleen Wallace said to the Alabama and Mississippi National Guardsmen who compose the 31st, "The crest and colors under which thousands of our sons and brothers have fought and died will be continued."

The insignia of the 31st Infantry "Dixie" Division is two embroidered red letters DD, back to back, within an embroidered circle of red. It is on a white field.

Speaking at the same troop review, Gov. Paul B. Johnson of Mississippi said, "This will not be the last review."

As a unit, the 31st Infantry Division dates back to the First World War. While the division is only 50 years old in its own right, its component units can trace their history back some 170 years.

Since its formation, the "Dixie" Division has had on its roster the 121st (old Second Georgia), the 122nd (old Fifth Georgia), the 123rd (National Guard Illinois), the 124th (old First Georgia), the 155th (old First Mississippi), the 167th (old Second Alabama) and 200th (old First Alabama) Infantry Regiments.

The National Guard of today is an outgrowth and refinement of two earlier forms of citizen-soldiers. The earliest form was the militia, which traces its history back to the American Revolution. Almost one-half of the Continental Army was made up of militiamen. Next came the volunteer militia. This gradually became the state troops in the states and finally the National Guard. The National Guard of the U. S. was established in 1903.

National Guardsmen take a dual oath—one to the state and one to the national government. During peace time, the governor is the commander-in-chief of the national guard. Up to 1920, if the president wanted to federalize the national guard of a state, he had to go through the governor to do so. The National Defense Acts of 1920 and 1933 gave the federal government more authority to use guardsmen.

When formed in August 1917, the Dixie Division contained elements of the 121st, the 122nd, 123rd, and 124th Infantry Regiments. The first commander of the 31st was Maj. Gen. Francis J. Kerman. During World War I, the Dixie was used as a replacement unit for combat divisions in Europe. At this time it was made up of units from Alabama, Florida, Mississippi and Georgia. It returned to the U.S. in December 1918 and was deactivated at Camp Gordon, Ga., on Jan. 14, 1919.

It is interesting to note that through reorganizations and redesignations the 123rd Infantry Regiment, which served with the Dixie Division in World War I, later became the 200th Infantry Regiment, which served with the 31st in World War II and is now again a member of the Dixie Division.

The oldest regiment serving with the Dixie Division is the 155th Infantry Regiment.

What was to become the 155th Infantry Regiment was constituted as Legions of Militia, Upper and Lower Districts, Mississippi Territory, on Sept. 8, 1798. It first saw service for the United States in 1806 as Militia of Adams County. Various units were added, and after reorganization it was redesignated the 1st Regiment, Mississippi Territorial Militia.

The United States was at war with Great Britain in 1812. Communications were quite slow in those days, and news of the signing of the Treaty of Ghent on Dec. 24, 1814, did not arrive in time to save the British from a military disaster at the Battle of New Orleans.

Maj. Gen. Andrew Jackson led United States militiamen against the Creek Indian nation, which was allied with the British during the War of 1812. His fighting took him through Alabama into Florida and the capture of Pensacola on Nov. 7, 1814.

While in Pensacola, Jackson received word that the British were about to invade Louisiana. Jackson quickly moved his small army to New Orleans and began setting up defenses there on Dec. 1.

Part of Jackson's forces were the Regiment of Volunteer Mounted Gunmen, Lt. Col. Neilson's Infantry Detachment, the Squadron of Light Dragoons, the Natchez Volunteer Rifles, the Company of Volunteer Mounted Spies and the Company of Choctaw Indians. All of these units were forerunners of the 155th Infantry Regiment.

On Jan. 8, 1815, the Americans handed the British, under the command of Lt. Gen. Sir Edward Pakenham, one of the worst defeats they have ever suffered. Attacking the American positions at New Orleans with 8,000 troops, the British lost 2,000 killed to the sharpshooting militiamen and artillery. Gen. Pakenham was killed.

The 155th Infantry Regiment proudly bears the campaign streamers "Florida" and "New Orleans" for this service.

The 1st Mississippi Infantry Regiment (Mississippi Rifles), under the command of Col. Jefferson Davis, entered federal service in June 1846 to fight against the Mexicans. Davis resigned from the U.S. House of Representatives to take command of the regiment. Serving under the command of Gen. Zachary Taylor, Col. Davis proved himself a hero at the Battle of Monterey (September 1846) and at the Battle of Buena Vista (Feb. 22, 1847).

Col. Davis and the 1st Mississippi Infantry saved Gen. Taylor at Buena Vista. Using a V-formation in deploying his troops, Davis rallied the Americans. This tactic made even the military of Europe sit up and take notice.

It was also at Buena Vista that Davis said, "Stand fast, Mississippians," when the other troops were beginning to fall back under the Mexican attack. Today "Stand Fast" is the motto of the 155th Infantry Regiment.

For its distinguished service, the 155th carries campaign streamers inscribed "Monterey" and "Buena Vista."

For almost 20 years things were quiet. The birth of a nation saw the regiment once again march off to war. As the 1st Regiment of Infantry, the Army of Mississippi, the 155th entered Confederate service on Sept. 10, 1861.

The regiment's deployment during the Civil War can easily be seen by the campaign streamers it won. "Henry and Donelson," "Mississippi River," "Franklin," "Nashville" and "North Carolina, 1865."

During the course of the war, the regiment was reorganized twice, the last time as the 22nd Mississippi Infantry. It surrendered on April 26, 1865, near Durham Station, N.C. It was pardoned at Greensboro and allowed to return home.

Reorganization of the regiment took place in 1876. It became part of the Mississippi Militia. The name was changed to Mississippi National Guard on March 3, 1888.

Drafted into federal service Aug. 5, 1917, as the war clouds from Europe reached the United States, the regiment was redesignated the 155th Infantry and assigned to service with the 39th (Louisiana and Arkansas National Guard) Infantry Division.

Another regiment that has fought with the 31st Division is the 167th Infantry. It traces its history back to 1836, when it was organized as a regiment of Alabama militia under the command of Col. William Chisolm. It served with distinction during the war against the Seminoles, and carries a campaign streamer for this service.

During the next 25 years, the regiment or parts of it was mustered into federal service for short periods. Otherwise, the regiment served as independent militia companies in the central part of the state.

Reorganized as part of the 4th Alabama Infantry Regiment, the 167th was mustered into Confederate service on May 2, 1861, at Dalton, Ga.

The campaign streamers, 13 of them, testify to the journey of the regiment during the four years. Bull Run . . . Peninsula . . . Manassas . . . Antietam . . . Fredericksburg . . . Chancellorsville . . . Gettysburg . . . under Gen. James Longstreet at the battle of Chickamauga . . . the Wilderness . . . Spotsylvania . . . Cold Harbor (where the regiment lost 108 men killed of 500 engaged) . . . Petersburg . . . and finally Appomattox. The regiment surrendered, as part of Gen. W. F. Perry's brigade, with the Army of Northern Virginia under Gen. Robert E. Lee, at Appomattox Court House, Va., on April 9, 1865.

It was not until 1875 that the regiment was reorganized as the 1st Regiment of Infantry from existing independent militia companies. The units were the Montgomery Greys, the Governor's Guard (Montgomery), Selma Guard, Greenville Light Guards, the Conecuh Guards, Troy Light Guards, the Bullock Guards (Union Springs), Eufaula Rifles, Birmingham Rifles, the Lee Light Infantry (Opelika), Gainesville Rifles and the Tuskegee Light Infantry.

Further reorganization and redesignation broke some of the detachments of the 167th (4th Alabama) into the 200th Infantry Regiment. Both served with the Dixie Division during World War II and are still part of the division now.

Other units of the 167th became part of the Alabama State Troops in 1877. The Alabama National Guard was established Feb. 18, 1897, when the State Troops were redesignated.

Through several more reorganizations and redesignations the regiment once again became the 4th Alabama on July 15, 1911.

The 4th Alabama entered federal service Aug. 5, 1917. Ten days later it was redesignated the 167th Infantry Regiment and assigned to the 42nd "Rainbow" Division Infantry.

The 167th was under the commend of Col. (later Brig. Gen.) William P. Screws—the nephew of the one-time Montgomery Advertiser publisher-editor William Wallace Screws—was one of the first American regiments to be put into the line in France after the arrival of the American Expeditionary Force in Europe.

The chief of staff of the 42nd "Rainbow" Infantry Division was Col. Douglas MacArthur. It was the first time the Alabamians fought under the hard officer. The next time would be almost around the world, in the steaming jungles of the Pacific. The enemy would be different, the division would be the Dixie, and the colonel would have become the General of the Army. The result, however, was the same. They won.

The trek of the 167th Infantry through France was a long one. The men from the hills and forests and cotton fields fought well on the often muddy soil of France.

"We Shall Drive Forward" is the motto of the 167th. It did and with valor. The campaign streamers with the names of France such as Champagne-Marne . . . Aisne-Marne . . . Lorraine . . . St. Mihiel . . . Champagne . . . Meuse-Argonne . . . embroidered upon them testify to the fact.

One soldier of the 167th brought glory upon himself and the regiment. He was Cpl. Sidney E. Manning, Company G. The date was July 28, 1918, and the place was near Breuvannes, France.

After his platoon commander and platoon sergeant became casualties in assaulting the fortified heights on the Ourcq River, Manning took command of the platoon. He was severely wounded but led 35 remaining platoon members and succeeded in gaining a foothold on the enemy's position.

Manning was wounded several more times, and only seven men of the platoon remained. By automatic rifle fire, Cpl. Manning held off the enemy while directing the consolidation of the position. He did not seek cover until his line was consolidated with the platoon in front of his own. Here he dragged himself to shelter, suffering from nine wounds in all parts of his body.

For his gallantry and intrepidity above and beyond the call of duty, Cpl. Sidney E. Manning was awarded the Medal of Monor, this nation's highest decoration.

Dubbed "les tigres" (the Tigers) by the French, the 167th first had encountered the enemy on Feb. 18, 1918. The meeting was not a pleasant one. A German airplane dropped a bomb on the regimental headquarters!

The first man-to-man combat encountered by the 167th came 10 days later.

The 167th scored a "first" during World War I. It has the distinction and honor of being the first American unit to knock down an airplane by rifle fire. The feat was accomplished by a private, Brock Hill, on April 28, 1918.

Perhaps in repayment for the bombing of the headquarters.

The shield of the regiment shows a bend archy in the colors of the rainbow (to denote its service with the 42nd Division), five fleur-de-lis (for the five major campaigns in which the regiment was engaged in France) and the Greek cross, in red, with edges embattled (for the offensive on the entrenched Croix Rouge—Red Cross—farm below Fere en Tarndenois on July 26–27, 1918, which serves as a commemoration of the event).

What was to become the 200th Infantry Regiment was organized as a battalion on the 1st Regiment, Alabama Volunteers, in May 1846. It passed through numerous reorganizations and redesignations and ended up as the 3rd Alabama Infantry in Confederate service on April 26, 1861, with Col. J. M. Withers commanding.

The 3rd Alabama earned streamers at Peninsula, Antietam, Fredericksburg, Chancellorsville, Virginia 1863, the Wilderness, Spotsylvania, Shenandoah and Appomattox.

Not until 1871–72 was the unit reorganized, as small independent militia companies. These units served with the Alabama State Troops and the Alabama National Guard.

The 200th was mustered into federal service in 1916; in 1917, it was drafted into federal service and it was redesignated the 123rd Infantry Regiment, 31st Division, on Sept. 18, 1917.

The regiment was returned to the Alabama National Guard in 1946, after seeing wartime service with the Dixie Division in World War II.

Part of the 121st Infantry Regiment (old Second Georgia) served with the 31st during World War I. Three companies, F, H and I of the 121st were removed from the 31st and joined to form the 151st Machine Gun Battalion. The 151st Machine Gun Battalion also served with the 42nd Infantry "Rainbow" Division under Col. MacArthur during World War I. Its campaign streamers for this service are "Champagne-Marne," "Aisne-Marne," "Lorraine," "Champagne," "St. Mihiel" and "Meuse-Argonne."

The 124th Infantry Regiment first joined the 31st Division in 1917. After World War I service, it was moved to the 39th Infantry (Louisiana and Arkansas National Guard) Division. It rejoined the Dixie Division on April 5, 1944, and saw service with it during the entire war.

The 31st Infantry "Dixie" Division was deactivated in January 1919. Its regiments were returned to their states and served with the national guard until the federal government reactivated the divisions.

The war in Europe raged and the U.S. began to prepare for the possibility of having to fight in that war. On Oct. 25, 1940. President Franklin D. Roosevelt ordered the National Guards of the states into federal service. The 31st went on active duty Nov. 11, 1940. Maj. Gen. John C. Persons of Birmingham commanding.

The Dixie Division went into training in the swamps of Louisiana, moving from there to different parts of the United States for other combat-readiness techniques. After initial training had been completed, the 31st was used to train other troops.

It was not until January 1944 that the Dixie Division left the U.S. for the Pacific. In March 1944, the division assembled at DeBrodure, New Guinea. Its first combat was at Aitape. Here the Dixie Division opposed the 20th, 41st and 51st Japanese Divisions. The Dixie proved itself up for the task of taking on the Japanese.

While in Pacific the 31st was under the command of Maj. Gen. John C. Persons. He was allowed to take his National Guard division into combat. Only one other division had its guard commander while in the battle line.

After Aitape, the 31st made its way through Japanese-held territory. Hollandia, Toem Wakde Island, Maffin Bay were all areas where the 31st went on its trampings in the jungle in search of the Japanese. The division continued to move forward.

After the conquest of New Guinea (where all three regiments earned campaign streamers) the next stop for the 31st was the Philippines.

The Philippine Islands were Gen. MacArthur's next objective. The general had said, "I shall return," and he meant to keep his word.

The old warriors were back together again—the firm and stern MacArthur and the Alabamians.

For the return to the Philippines an air base was needed. Intelligence reports disclosed that the Japanese had begun construction of an airstrip on the island of Morotai. In September 1944, the 31st, made up of the 124th, 155th and 167th Infantry Regiments, took the island with light resistance from the Japanese. Gen. MacArthur had the island for his needed airstrip.

In April 1945, the 31st played a major role in the liberation of the second largest island in the Philippines, Mindanao. The island was taken, but total Japanese resistance did not cease after the island had been secured. The 31st Division was assigned to remedy this. Again the men of the Dixie took to the hot, muggy, swamps and insect infested jungles.

World War II service cost the 31st Division 1,709 casualties. Its record, however, speaks for itself. The Dixie killed 7,346 Japanese soldiers, captured 22,405 military prisoners, and took 11,918 Japanese civilians prisoner on the islands which it secured.

Campaign streamers for World War II service include: Southern Philippines, 124th Regiment and 155th; Western Pacific and Southern Philippines for the 167th. All three regiments earned New Guinea streamers.

One member of the Dixie Division, Cpl. Harry R. Harr, Company D, 124th Regiment, earned posthumously the Medal of Honor on June 5, 1945, near Maglamin, Mindanao, the Philippine Islands.

A fierce counterattack by Japanese infantrymen was launched against Harr's machine gun position. A grenade landed in the machine gun emplacement, putting the weapon out of action and wounding two of the crew. As the men tried to repair the weapon, another grenade landed in the crowded emplacement. Harr realized quickly that he could not throw the grenade before it exploded.

Unhesitatingly he covered the grenade with his body to smother the explosion. He gave his life so four of his comrades could live.

Most of the Dixie Division came home and was deactivated at Camp Stoneman, California, on Dec. 12, 1945. The regiments were then returned to the state for National Guard duty.

The announced planned enrollment of two Negroes as students into the University of Alabama at the main campus in Tuscaloosa brought the 31st Division out under orders from Gov. George Wallace. The time was June 1963. Gov. Wallace tried to block the admission by using the Dixie Division.

President John F. Kennedy issued Executive Order No. 11,111 federalizing the Dixie Division. With the stroke of a pen, the troops found themselves under federal command and on opposite sides of the fence.

With the federalization of the Alabama National Guard, the admission of James A. Hood and Vivian Malone as students proceeded quietly. Most of the Dixie guardsmen were released from federal service after five days. Some stayed longer. While at the University, the troops were under the command of Maj. Gen. Alfred Harrison.

To prevent the integration of public schools in Birmingham, Mobile and Tuskegee, Gov. Wallace again called out the Dixie Division in September 1963. Once again President Kennedy federalized the guardsmen and removed them from the governor's control. The desegregation proceeded quietly.

On March 20, 1965, the 31st again heard the federalization call. This time it was from President Lyndon B. Johnson. The President did so in order to protect the participants of the planned Selma-Montgomery march. Gov. George Wallace had said that he did not have the men at his disposal to adequately protect the marchers.

The march, led by Dr. Martin Luther King, began on March 24. It was accompanied by some 4,000 Dixie Division troops under the command of Brig. Gen. Henry Graham, the present assistant commander of the Dixie.

The citizen-soldiers have come a long way since their first use in the American Revolution. The members of the 31st Infantry "Dixie" Division have a proud heritage. They have shown themselves to be up to any task, be it in war or peace.

The 31st Infantry Division, a pride of Dixie, was born during the fear and closeness of war. It survived that war and the next one.

Now, in a troubled peace, the Dixie may die.

PEACE IN THE MIDDLE EAST

Mr. TAFT. Mr. Speaker, I have today introduced a concurrent resolution which if adopted by the House and concurred in by the Senate would advise the President of the sense of Congress with regard to obtaining a just and lasting peace in the Middle East. I recognize that my colleague, the gentleman from Ohio, Charles Whalen, and a number of other Members have introduced resolutions which differ only slightly from mine. Accordingly, I take no special pride of authorship in the form of my resolution. I also note that the proposals being made by Ambassador Goldberg on behalf of the United States at the United Nations are in many respects parallel to the proposals in the resolution.

It is important that Congress, at the earliest possible date, take up consideration of the principles which should govern our position with regard to a Middle East settlement. By doing so, we can give backing to the President and help in forming a firm and united position on the part of the American people, something that may well be essential to giving full impact to the American position in international councils.

I therefore urge that the House Committee on Foreign Affairs take up without delay this resolution and other similar resolutions and that action be taken upon them. Delay only adds confusion to the situation.

UPWARD BOUND PROGRAM EVALUATED FAVORABLY BY OKLAHOMA BAPTIST TRUSTEES

Mr. STEED. Mr. Speaker, the Upward Bound program is one of the phases of the activities of the Office of Economic Opportunity thus far relatively little known to the public.

The Headstart program for preschool-age youngsters has received widespread acclaim. Upward Bound aims to achieve similar goals with high school juniors and seniors. It takes young people from this age group with college potential undeveloped because of a disadvantaged background, and seeks to prepare them for college work.

A year ago some 100 young people from 23 high schools in central Oklahoma took part in a program coordinated at Oklahoma Baptist University, Shawnee.

A few weeks ago I wrote the trustees of the university to ask their opinion of Upward Bound and whether they feel it is functioning effectively and is worthy of implementation. Without exception those who replied feel this program is worth continuing.

On the basis of testimony like this, coming from other institutions in my district as well, I believe that Upward Bound, properly implemented, shows promise of paying off manifold in future increased earning power for the relatively modest investment it requires.

The replies follow:

HOLLIS, OKLA.

DEAR REPRESENTATIVE STEED: Thank you for your letter giving me an opportunity to evaluate the Upward Bound Program as it was performed at O.B.U. last year. I am sure that you probably have some of the facts and results of progress that are more thorough than my assessment would be, but here goes anyway. I was preacher for the summer school for preachers on the campus at O.B.U. one week last summer and had an opportunity to observe the work for a few days. The young people seem to be well adjusted to the situation and making real progress. Everything seemed to go fine between the school and the boys and girls. I have talked with some of the faculty since that time and they seem to think that it was a real success.

I received a report from the Head Start Program from Sargent Shriver's office and it was phenomenal in the help that was rendered, it appeared to me. He pointed out that eighty per cent of the high school seniors in Upward Bound continued their education with seventy-eight per cent going on to college. The rate of this population going on to college ordinarily was eight percent. Furthermore only twelve per cent of these Upward Bound Alumni dropped out during their freshman year of college. This seems to be less than half the customary college dropout rate for such students. According to his report of the nineteen thousand students enrolled in the Upward Bound Program at the beginning of last summer 91.6 per cent entered the academic phase of the program in the fall of 1966. I know this is a total report of the Upward Bound Program across the nation but I would assume O.B.U.'s part in the program was comparable to that in other places. I am enthusiastically in favor of continuing this program and I believe it is a great help to the very potential dropout students that need it and that we need to help.

Thank you so much for writing. I trust that these remarks will be of some small value.

Sincerely yours,

ROBERT L. CARGILL,
Pastor, First Baptist Church.

OKLAHOMA CITY, OKLA.

DEAR MR. STEED: You wrote a few days ago to inquire concerning the Upward Bound program and its effectiveness at Oklahoma Baptist University. The only information I have is what has been passed on to us in trustee meetings by the administration at the school, along with some few comments from outsiders. My impressions from these two sources are good. I had occasion to talk with one Negro lady whose son was involved in it and she was very complimentary and appreciative of what it had meant to her son.

Most sincerely,

JOHN R. STUCKEY,
Pastor, the Village Baptist Church.

SHAWNEE, OKLA.

DEAR TOM: I have made some investigation regarding the Upward Bound Program, as it was conducted at Oklahoma Baptist University last summer. These are some of the observations that I have made on this program. The reports received from the school administrators, to which these high school children returned, were very favorable. The students seemed to have a greater degree of motivation to complete their secondary education and also to continue their education in some technical field or in college work.

Of the approximately 100 who attended last summer, the reception of the program was very good and the disciplinary problems were at a minimum.

The O.B.U. Administration is looking forward to the second session this summer, and they are hoping that the program accomplishes many of the same results as previously. If we are able to instill in these children the desire for continuing their education, we will obtain the results for which the program was designed.

Sincerely yours,

J. ADRIAN GREGG,
Vice President and Trust Officer, the Federal National Bank & Trust Co.

STILLWATER, OKLA.,
May 22, 1967.

DEAR MR. STEED: Your letter of May 9 requested my comments on the Upward Bound program.

My understanding of the Upward Bound program at O. B. U. is limited, but from my conversations with the ones that have worked in the program, I feel that it is a meaningful work. It has been beneficial to some who have participated and I feel they will be led to pursue their training.

O. B. U. would like to continue the program unless other and or increased demands on the use of their facilities would prevent their participation.

Sincerely,

RICHARD M. PETERSON,
Pastor, First Baptist Church.

GUTHRIE, OKLA.,
May 24, 1967.

HONORABLE CONGRESSMAN STEED: I have waited about answering your letter of May 9 until I could investigate the Upward Bound Program at Oklahoma Baptist University. I feel that it is hard to evaluate this program when it has been in operation for such a short time. Seemingly, the program has been a success at Oklahoma Baptist University. The faculty and staff think that a number of young people have been helped who would not have otherwise considered going on to institutions of higher education. From my investigation, I feel that enough success has come from this program to warrant its continuance for a few more years until a real scientific test can be made of the results.

Sincerely,

JOHN W. DOWDY,
Pastor, First Baptist Church.

TULSA, OKLA.,
May 16, 1967.

DEAR CONGRESSMAN STEED: Thanks so much for your recent letter regarding the Upward Bound program of the Office of Economic Opportunity as it applies to Oklahoma Baptist University at Shawnee, Oklahoma. From the information I have, I think this program has been well received and we feel that you are doing a splendid job for students of low income families. As far as I am personally concerned, I feel it is an excellent program and should be kept in effect.

I have talked with a number of the members of the Board of Trustees at Oklahoma Baptist University and they have the same opinion as mine. I trust that we can continue with this program.

Sincerely yours,

W. H. CRAWFORD,
Manager the Hanover Insurance Group.

WEATHERFORD, OKLA.,
May 16, 1967.

DEAR REPRESENTATIVE STEED: The Upward Bound program is the most effective program for the raising of the level of personal achievement of young people I have ever seen. As a member of the OBU Board of Trustees, I have been informed of the program's far reaching results. The Head Start program has the same fine results only begun early in the young person's life.

It was my happy privilege to meet some of the Upward Bound students last summer who attended Southwestern State College here at Weatherford. Their talents, potential, and ambition deserve this helping hand we are giving them. When they are grown we will be a better country for having helped them. Please consider me a friend of this program, and with highest regards for you, I am

Sincerely yours,

LEON O. SEWELL,
Pastor, First Baptist Church.

OKLAHOMA CITY, OKLA.,
May 15, 1967.

DEAR MR. STEED: In reply to your request for an evaluation of the "Upward Bound" program, I have checked my own impressions against those of the school, and I find that:

Twenty-three high schools were represented in the approximately one hundred students who participated in the summer of 1966, on the campus of Oklahoma Baptist University;

The response, both from students who participated and from the teachers who have worked with them in the high schools this year, indicates that it was a maturing experience and that it sharpened their desire for a continuing education.

On the basis of these findings, I feel that this is, basically, a wholesome and worthwhile program.

Sincerely yours,

FRANK O. BAUGH,
Pastor, Exchange Avenue Baptist Church.

MIDWEST CITY, OKLA.,
May 17, 1967.

DEAR SIR: Your letter to me regarding the Upward Bound program at Oklahoma Baptist University is of considerable interest. I want to give you my feelings on it.

I hope you will remember that I have no firsthand (immediate) contact with it since those contacts are by the faculty and administration. The Board of Trustees, however, does have access to the University's evaluation of this program.

Upward Bound seems to have been very effective in achieving its aim up to now. Those who were on the campus—both youth and instructors, last summer were content with the program. Current follow-up information indicates that last summer's students are now making better grades and many are intending to attend college. These indicators of motivation seem to be quite definite and above what would be expected otherwise.

Respectfully yours,

C. MURRAY FUQUAY,
Pastor, First Baptist Church.

TRADE WITH COMMUNIST COUNTRIES—SI! RHODESIA—NO!

Mr. RARICK. Mr. Speaker, a recent publication by the U.S. Department of Commerce advises that our imports from

Communist countries totaled $45.2 million for the fourth quarter of 1966, including food which is against the best interests of our farmers.

This same document reports in detail on our present tragic policy as regards Rhodesia and trade with that friendly non-Communist nation.

So that our colleagues may analyze these figures, and at the same time, read what is described as "our Government's policy" on trade with Rhodesia, I include with my remarks pertinent portions of the "Export Control Report," issued by the Department of Commerce:

TABLE 1.—*United States trade with principal countries of Eastern Europe, 1964, 1965, and 1966*

[Thousands of dollars]

TRADE WITH BULGARIA

Commodity	1964	1965	1966
Imports, total	1,177	1,666	2,529
Cheese	276	426	451
Nuts, edible	--------	45	45
Onions, dehydrated	87	22	45
Paprika	275	559	914
Wild pig and hog skins	--------	--------	72
Hare fur, undressed	--------	--------	24
Mustard seed, whole	--------	--------	33
Silk, raw	--------	--------	84
Crude animal materials	13	13	11
Plants and parts used in perfumery, pharmacy, or insecticides	73	61	70
Crude materials, other	8	20	17
Medicinal and pharmaceutical products	4	--------	52
Rose oil	280	272	373
Fur skins, dressed	--------	21	--------
Wood manufactures, except furniture	24	10	20
Carpets, carpeting, and rugs	5	17	53
Glass	--------	--------	44
Glassware	36	100	112
Clothing of fur	35	--------	1
Stamps	33	50	31
Works of art and collectors' items, other	7	16	2
Other imports	[1] 21	[1] 34	[1] 75

TRADE WITH CZECHOSLOVAKIA

Commodity	1964	1965	1966
Imports, total	12,706	16,741	27,695
Canned cooked hams, shoulders, and other pork	555	1,075	1,201
Sugar confectionery and other sugar preparations, except chocolate	85	126	121
Chocolate and preparations	94	60	83
Alcoholic beverages	88	60	75
Hides and skins, except fur skins, undressed	37	89	387
Marten fur, undressed	53	18	59
Mink fur, undressed	144	49	127
Rabbit fur, undressed	34	215	126
Angora rabbit hair	73	171	16
Textile fibers and waste, other	14	41	71
Feathers and down, crude	45	62	43
Crude materials, other	29	57	68
Organic chemicals	40	73	237
Inorganic chemicals	70	67	49
Explosives and pyrotechnic products	55	115	268
Pig and hog leather	--------	--------	121
Wood manufacturers, except furniture	30	56	86
Fabrics of vegetable textile fibers, except cotton and jute	63	102	195
Textile yarn, fabrics, and related products, other	246	286	222
Drawn or blown glass, unworked, in rectangles	441	413	388
Glass, other	97	55	24
Imitation gemstones, except beads	916	822	1,135
Beads, bugles, and spangles of glass	868	773	923
Articles of glass beads, bugles, and spangles	90	93	95
Glassware, other	923	1,025	1,241
Pottery	164	208	192
Pig iron	--------	--------	2,218
Bars, rods, angles, shapes, and sections of iron or steel	96	193	5
Rhodium	55	--------	--------
Nails, screws, rivets, and similar articles	288	223	164
Metal manufactures, other	122	195	203
Typewriters	414	385	459
Boring machines and vertical turret lathes	599	521	2,964
Lathes, other	195	458	1,520
Metalworking machinery, other	162	279	1,329
Textile machinery	4	212	255
Printing machinery and parts	67	14	339
Metalworking machine tool parts	20	58	900
Nonelectric machinery, other	38	63	160
Electric measuring and controlling instruments and apparatus	115	94	16
Motorcycles and parts	378	569	552
Bicycles	280	271	214
Bicycle parts	357	686	264
Lighting fixtures and fittings	722	712	825
Furniture	293	309	394
Travel goods, handbags, and similar articles	24	34	51
Hats of felt, fur, and fur felt	175	212	170
Clothing, except of fur, other	54	111	31
Fur clothing and fur articles	--------	1	47
Footwear, leather	1,345	2,571	3,474
Professional, scientific, measuring, and controlling instruments and apparatus	42	75	56
Musical instruments, sound recorders, reproducers, and parts	201	199	183
Printed matter	658	756	891
Glass Christmas tree ornaments	61	87	98
Nonmilitary firearms	89	220	89
Toys, games, and sporting goods, other	23	45	65
Works of art and collectors' items	42	43	147
Jewelry and wares of precious metals	103	153	111
Artificial fruit and flowers	55	59	35
Manufactured goods, other	143	117	172
Other imports	[1] 232	[1] 305	[1] 331

TRADE WITH EAST GERMANY

Commodity	1964	1965	1966
Imports, total	6,686	6,537	8,194
Canned cooked pork	3	26	58
Hops	172	--------	--------
Food, other	21	9	11
Alcoholic beverages	8	38	5
Wild pig and hog skins	601	91	56
Mink fur, undressed	1,297	804	800
Fur skins, undressed, other	50	5	27
Manmade fiber waste	102	--------	--------
Crude materials, other	26	40	21
Montan wax	275	378	365
Carbon black and similar carbons	67	57	76
Potassium ferricyanide	57	25	36
Potassium nitrate, refined	36	16	--------
Cresylic acid, crude	85	52	--------
Crude coal-tar distillation products, other	--------	24	118
Pig and hog leather	--------	71	334
Drawn or blown glass, unworked, in rectangles	55	26	11
Glassware	172	274	305
Pottery	124	153	146
Pig iron	1,835	2,727	3,236
Wire rod of iron or steel	97	--------	--------
Copper and alloys, worked	--------	--------	40
Metal manufactures	1	3	22
Typewriters	173	269	280
Office machines, other	25	40	125
Boring machines and turret lathes	--------	16	240
Metalworking machine tools, other	8	--------	184
Textile machinery	136	55	70
Printing presses and parts	89	155	258
Bakery machinery and parts	41	60	38
Pumps, air and vacuum, and parts	37	6	--------
Radio receivers, including radio phonographs, and parts	4	82	173
Telecommunications apparatus, other	--------	40	6
Machinery, other	30	29	44
Bicycle parts	116	59	231
Furniture	3	35	1
Binoculars, microscopes, and other optical instruments	25	39	34
Photographic cameras and parts, except motion-picture	346	316	305
Professional, scientific, measuring, and controlling instruments and apparatus, other	38	39	53
Musical instruments, sound recorders, reproducers, and parts	155	123	87
Printed matter	25	15	36
Artificial fruit and flowers	195	156	158
Manufactured goods, other	98	76	88
Other imports	[1] 58	[1] 108	[1] 116

TRADE WITH HUNGARY

Commodity	1964	1965	1966
Imports, total	1,693	2,092	2,985
Cheese	14	--------	23
Vegetables and preparations	8	14	44
Paprika	152	114	113
Food, other	31	13	16
Alcoholic beverages	128	94	190
Wild pig and hog skins	--------	53	14
Hides and skins, except fur skins, undressed, other	--------	--------	14
Feathers and down, crude	11	37	86
Plants and parts used in perfumery, pharmacy, or insecticides	7	70	61
Crude materials, other	14	28	4
Medicinal and pharmaceutical products	6	34	153
Essential oils, perfume, and flavor materials	11	20	--------
Chemicals, other	15	10	20
Fabrics of vegetable textile fibers, except cotton and jute	52	112	180
Textile yarn, fabrics, and related products, other	35	34	42
Glass	13	--------	10
Glassware	59	82	159
Pottery	83	103	63
Structural steel	81	46	--------
Metal manufactures	2	1	17
Motorcycles and parts	10	47	173
Bicycles	143	140	238
Bicycle parts	--------	82	91
Fur clothing and fur articles	1	22	32
Footwear	36	13	1
Professional, scientific, measuring, and controlling instruments and apparatus	--------	13	8
Musical instruments, sound recorders, reproducers, and parts	7	24	38
Printed matter	49	63	121
Toys and games	17	21	14
Firearms and parts	--------	13	5
Stamps	125	196	206
Works of art and collectors' items, other	86	90	170
Jewelry and wares of precious metals	([2])	17	13
Brooms and brushes	129	123	173
Baskets and bags of unspun vegetable materials	201	209	314
Wigs and other human hair manufactures	28	55	49
Manufactured goods, other	58	39	64
Other imports	[1] 81	[1] 60	[1] 66

See footnotes at end of table.

TABLE 1.—*United States trade with principal countries of Eastern Europe, 1964, 1965, and 1966*—Continued

[Thousands of dollars]

TRADE WITH POLAND

Commodity	1964	1965	1966
Imports, total	54,202	65,861	82,948
Canned cooked hams and shoulders	20,403	25,409	27,986
Pork, prepared or preserved, other	6,351	7,475	8,198
Meat and preparations, other	98	213	145
Cheese	21	18	272
Eggs	------	------	305
Cod blocks, frozen	------	541	2,754
Fish and preparations, other	7	100	69
Fruit and preparations	628	883	759
Chicory roots, crude	276	110	234
Sugar	------	------	255
Molasses	------	179	1,315
Caraway seed	101	118	159
Fish and whale meal	------	30	215
Food, other	113	142	262
Alcoholic beverages	119	117	182
Calf and kip skins, undressed	740	443	92
Wild pig and hog skins	764	967	933
Fox fur, except silver and black, undressed	1,965	1,462	3,181
Mink fur, undressed	1,856	1,251	1,370
Fur skins, undressed, other	76	107	102
Poppyseed	245	222	282
Rags, bagging, and sugar sack fabric	12	170	65
Bristles	343	180	107
Feathers and down, crude	460	701	648
Crude materials, other	109	130	104
Peat moss, fertilizer grade	242	227	200
Drugs from benzenoid chemicals and products	449	511	256
Ethyl alcohol	------	------	329
Organic chemicals, other	946	825	1,379
Inorganic chemicals	68	96	304
Synthetic organic dyestuffs and color lakes	97	72	148
Antibiotics, bulk	------	239	1,066
Casein	135	579	2,415
Gelatin	24	84	158
Calf and kip leather	132	111	133
Pig and hog leather	1,186	1,373	942
Wood manufactures, except furniture	372	504	582
Paper and paperboard	187	288	308
Cotton fabrics, woven	106	107	217
Woolen fabrics, woven	239	227	195
Fabrics of vegetable textile fibers, except cotton and jute	2,697	3,255	3,852
Textile fabrics, woven, other	105	143	679
Textile yarn, fabrics, and related products, other	261	279	507
Drawn or blown glass, unworked, in rectangles	158	205	302
Glass, other	300	371	557
Glassware	570	737	756
Pottery	214	295	298
Bars, rods, angles, shapes, and sections of iron or steel	3,043	4,604	3,985
Universals, plates, and sheets of iron or steel	1,969	1,531	1,991
Tubes, pipes, and fittings of iron or steel	313	906	829
Zinc, unwrought, not alloyed	118	------	1,452
Wire nails, over 0.065 inch in diameter, of iron or steel	617	751	678
Nails, screws, and similar articles of iron or steel, other	616	919	740
Handtools and tools for machines	89	176	605
Metal manufacturers, other	68	136	224
Metalworking machine tools	5	86	387
Sewing machines and parts	26	29	118
Machinery, other	80	93	193
Bicycles and parts	110	247	301
Transport equipment, other	11	43	121
Lighting fixtures and fittings	85	127	109
Furniture	1,119	1,364	1,602
Clothing, except of fur	101	128	360
Footwear	353	237	236
Musical instruments, sound recorders, reproducers, and parts	26	71	98
Printed matter	103	64	85
Glass Christmas tree ornaments	577	511	521
Used rifles	------	142	2
Toys, games, and sporting goods, other	120	157	207
Stamps	113	130	159
Brooms and brushes	239	216	162
Baskets, bags, and handbags of willow	737	932	1,237
Articles of plaiting materials, other	168	271	317
Manufactured goods, other	161	317	390
Other imports	[1] 60	177	[1] 262

TRADE WITH RUMANIA

Commodity	1964	1965	1966
Imports, total	1,272	1,836	4,655
Horses, live	------	19	------
Cheese	7	133	482
Walnuts, shelled	57	62	------
Mushrooms, dried	63	92	11
Coriander	78	25	118
Fox fur, except silver and black, undressed	1	8	30
Hare fur, undressed	------	11	19
Fur skins, undressed, other	22	26	6
Poppyseed	------	86	321
Feathers, crude	37	2	27
Plants and parts used in perfumery, pharmacy, or insecticides	12	32	77
Xylene	------	------	517
Rubber tires and tubes	------	31	1
Wood manufactures, except furniture	1	14	31
Carpets, carpeting, and rugs	2	8	81
Drawn or blown glass, unworked, in rectangles	378	325	271
Glass and glassware, other	54	159	145
Textile fabrics, woven, except cotton	------	------	19
Made-up textile articles	(2)	------	43
Pig iron	------	------	956
Furniture	121	216	392
Footwear, leather	63	278	736
Stamps	326	82	190
Sculptures or statuary, original	------	140	------
Baskets and bags of unspun vegetable materials	9	24	65
Manufactured goods, other	23	22	79
Other imports	[1] 18	[1] 41	[1] 38

TRADE WITH U.S.S.R.

Commodity	1964	1965	1966
Imports, total	20,160	42,592	49,414
Lobster, fresh and simply preserved	------	183	92
Scallops	141	157	------
Shrimp, unshelled	------	10	486
Fish and preparations, other	85	181	67
Mushrooms, dried or preserved	5	35	65
Sheep and lamb skins, undressed	14	158	------
Persian lamb and caracul fur, undressed	1,759	2,105	1,974
Sheep and lamb fur, undressed, except Persian and caracul	------	115	6
Sable fur, undressed	2,949	2,697	2,517
Squirrel fur, undressed	1,062	1,023	1,263
Fur skins, undressed, other	162	236	542
Wool and other animal hair	60	16	94
Cotton linters	747	1,169	1,151
Cotton waste	30	71	160
Manmade fiber waste	------	------	113
Chrome ore	4,358	4,373	6,323
Aluminum waste and scrap	------	1,002	473
Ash and residues bearing nonferrous metals	------	------	266
Bristles	161	166	794
Sausage casings	166	174	112
Licorice root	385	543	563
Crude materials, other	10	43	26
Chromium oxide green	------	------	135
Sodium chromate and dichromate	------	282	725
Inorganic chemicals, other	105	350	348
Creosote oil	------	70	------
Essential oils, perfume, and flavor materials	79	206	147
Chemicals, other	9	52	32
Drawn or blown glass, unworked, in rectangles	384	683	931
Diamonds, cut but unset	538	1,422	3,424
Emerals, cut but unset	------	4	109
Pig iron	------	1,039	5,567
Platinum	1,245	6,169	1,720
Iridium	------	261	------
Osmiridium	50	------	------
Palladium	3,811	13,384	13,920
Rhodium	1,035	3,165	3,408
Magnesium	------	------	241
Molybdenum waste and scrap	------	------	353
Titanium waste and scrap	------	158	447
Cadmium waste and scrap	------	103	------
Metal manufactures	3	12	45
Musical instruments, sound recorders, reproducers, and parts	50	59	29
Printed matter	95	144	125
Stamps	189	159	102
Works of art and collector's items, other	236	140	144
Manufactured goods, other	91	77	163
Other imports	[1] 146	[1] 196	[1] 212

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[1] Includes an estimate of low-value shipments of $250 or less each on informal entry shipments and under $100 each on formal entry shipments.

[2] Less than $500.

SECURITY EXPORT CONTROLS FIRST QUARTER 1967

U.S. TRADE WITH EASTERN EUROPE IN FOURTH QUARTER, 1966

U.S. *imports* from the U.S.S.R. and other Eastern European countries during the fourth quarter 1966 amounted to $45.2 million. This compares to $46.9 million imported in the previous quarter, and the $4.25 million imported in the fourth quarter, 1965.

Poland accounted for $22.0 million of this total, principally in canned hams and preserved pork, $10.2 million; and steel products, $1.9 million. The value of the imports from the U.S.S.R. was $12.5 million, principally in palladium, $4.0 million; chrome ore, $1.3 million; and diamonds, $1.3 million. Other principal products imported were pig iron, $3.2 from East Germany; and various machine tools, $2.9 million, from Czechoslovakia.

SOUTHERN RHODESIA

Pursuant to our Government's policy of supporting the United Nations Security Council Resolutions of 1965 condemning Southern Rhodesia's unilateral declaration of independence, the Department in 1966 continued to require validated licenses for virtually all commodity exports to that country. Only commodities of clearly humanitarian nature, such as medicines, are exceptions, free to move under general license. The Department reviews each export application on its merits, with certain commodities important to the Southern Rhodesian economy generally being denied.

In January 1967 President Johnson issued Executive Order No. 11322 to implement the latest U.N. Security Council Resolution of December 1966, which imposed selective mandatory economic sanctions against Southern Rhodesia. The Department found that its existing export controls satisfactorily implemented the Executive Order. On February 1, 1967, however, the Department issued an order prohibiting U.S. vessels and aircraft from transporting certain commodities from and to Southern Rhodesia.[1]

ANTIBOYCOTT

An additional responsibility was given the Department of Commerce when the Congress amended the Export Control Act in 1965 by adding Sec. 2.(4). Therein the Congress further declared that "it is the policy of the United States (A) to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against other countries friendly to the United States and (B) to encourage and request domestic concerns engaged in the export of articles, materials, supplies, or information, to refuse to take any action, including the furnishing of information, or the signing of agreements, which has the effect of furthering or supporting the restrictive trade practices or boycotts fostered or imposed by any foreign country against other countries friendly to the United States.

To implement this provision of the Act, the Department's Office of Export Control published its "anti-boycott" regulation on September 23, 1965. This set forth the policy of the United States as stated in the Act, and, beginning October 7, 1965, required exporters to report requests made of them to take any action, or furnish any information, furthering or supporting a restrictive trade practice against a foreign country friendly to the United States. A special form was provided for these reports, which included a clear statement of the United States policy and a request by the Secretary of Commerce that U.S. firms should not comply with requirements having the effect of furthering or supporting restrictive trade practices.

There have been some administrative modifications of the regulation and the reporting requirement during the past year. Based upon discussions with businessmen and other interested parties, the Department decided to change the reporting requirement, as of April 1, 1966, to allow firms having multiple transactions with the same foreign importer to submit their reports of these transactions on a quarterly, rather than a case-by-case, basis. Also, it was decided, as of October 21, 1966, that shipping restrictions aimed at insuring the safe delivery of goods were not appropriate to the intent of the legislation and need not be reported.

In an effort to reach the American business community, extensive publicity was given the regulation and the reporting requirement through newspapers, magazines, trade associations, articles in "International Commerce," hand-outs by Department of Commerce field offices, and by direct contact with individuals and firms known to be trading with Arab countries.

Since the reporting requirement was put into effect, and through February 28, 1967, a total of 8,063 reports of restrictive trade practices by Arab countries against Israel have been received. These covered 9,820 requests for action supporting restrictive trade practices. (The latter is larger than the number of reports because of multiple requests on the same transaction in some instances.) Of these requests 4,815 covered requests for certification that goods were not of Israeli origin or contained no material of such origin; 3,349 covered demands for certification that the carrying vessels were not blacklisted; 1,559 covered miscellaneous certification that the insurance company was not blacklisted, that West German reparations were not involved, etc.; and 97, or less than 1 percent, were requests for certifications that the exporter has no subsidiaries or financial interest in Israel.

CATTLE HIDES, CALF AND KIP SKINS, AND BOVINE LEATHER

On November 7, 1966, the Department removed the short supply export control of cattle hides, calf and kip skins, and bovine leather. At the same time the Department placed these commodities under general license to all destinations, except Southern Rhodesia, and Cuba.

SPECIAL FOREIGN POLICY EXPORT CONTROLS—FIRST QUARTER 1967

Licensing policy toward Southern Rhodesia

The United States imposes economic sanctions against Southern Rhodesia pursuant to our policy of supporting the U.N. Security Council's resolutions condemning that country's unilateral declaration of Independence. On January 5, 1967, the President issued Executive Order No. 11322, implementing the United Nations Security Council's Resolution No. 232 of December 16, 1966. The Department found that its existing export controls satisfactorily implemented the Executive Order. Virtually all commodity exports to Southern Rhodesia have been placed under the validated export license requirement, and only commodities clearly of humanitarian nature, such as medicines, are exceptions. To further strengthen U.S. policy, on February 1, 1967 the Department of Commerce issued a Transportation Order which prohibits U.S. vessels and aircraft from transporting certain commodities from and to Southern Rhodesia.

Activities under the antiboycott regulations

Exporters are required to submit either single or quarterly reports covering transactions for which they receive requests for action or information having the effect of futhering or supporting foreign restrictive trade practices or boycotts.

Recent changes in the regulations on such reporting were announced in the 78th Quarterly Report.

The total number of reports reflecting restrictive trade practices of different countries filed by U.S. firms received during the first quarter of 1967 by the Department was 1,966. From October 7, 1965, when the reporting requirements became effective, to the end of the first quarter 1967, 6,256 reports have been received.

MENDON TERCENTENARY

Mr. PHILBIN. Mr. Speaker, the Third Congressional District of Massachusetts, which I have the great honor and privilege of representing in this Congress, has a most unique and distinctive record in that this month three of the communities in the district are observing anniversary celebrations marking prominent historic dates going back to the very beginnings of this great land of ours.

This is a record, Mr. Speaker, which cannot be surpassed or even approached by any other congressional district in the country, and it is only because Massachusetts has such rich historic associations going back to the founding of our Nation that these noteworthy events are now taking place.

I refer, Mr. Speaker, to the community of Mendon, which is celebrating its tercentenary, and the towns of Ashby and Hubbardston, which are celebrating their 200th anniversaries.

Today I am indeed pleased and proud to bring to the attention of the House the 300th anniversary of the incorporation of the town of Mendon, Mass., in my district. From this settlement later came the thriving and prosperous communities of Bellingham, Uxbridge, Upton, Milford, and Blackstone. Subsequently Northbridge was founded from a part of Uxbridge, Hopedale from part of Milford, and Millville from Blackstone. As it can be seen, Mr. Speaker, Mendon, which is the second oldest town in Worcester County, can truly be called the "mother of towns."

In addition, Mendon is one of the pioneer towns of America, because its beginnings go back to the very earliest days of American history. The early settlers of Mendon helped to carve American civilization out of the wilderness and helped to forge the proud heritage which has made our Nation what it is today among the peoples of the world.

The history of Mendon starts on May 28, 1659, when the general court approved the petition of certain inhabitants of Braintree and Weymouth to settle a new town. The next important date in the history of the town and the one being celebrated this year is May 15, 1667, when the general court approved the petition of Squinshepauke to incorporate as the town of Mendon in the county of Middlesex, Mass. This act of incorporation marks the real beginning of the history of the town of Mendon. It has been an illustrious history indeed, Mr. Speaker, and I cite at this point the preamble to the written record of the first town meeting on June 7, 1667, which in simple terms describes the momentous event of the birth of a new community:

> The Honored General Court was pleased to make this Plantation a Town, the 15th day of May, 1667, and named it Mendon, and adorned it with several large Privileges, and confirmed their lines and lands within the bounds thereof to the present Inhabitants and their successors, as by the said Court Act doth appear, which land was purchased of the Indians, as by their Deed will appear.
>
> In this book is set down the Transactions of the Town since they had their Privileges, being a Day Book for this year 1667 and so on yearly.
>
> The Freemen and the rest of the Inhabitants met and June 7 '67 them did choose for their Selectmen, Col. William Crown, Goodman Benjamin Albee, Ferdinand Thayer, Daniel Lovett, and John Thompson, Senior, and Col. Crown, Register.

Savage Indian raids during King Philip's War brought disaster to the little settlement of Mendon. The town was one of the first to be attacked by Indians when on July 14, 1675, the Nipmucks raided the community and killed five settlers. Fearing additional Indian attacks, the remaining settlers returned to Braintree.

This proved to be a wise decision because Mendon the following year was sacked by marauding Indians who burned the meetinghouse and all the settlement homes including sheds and barns. Mendon was one of 12 towns completed wiped out by King Philip.

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[1] This order was issued under the U.N. Participation Act of 1946 and the Executive Order.

Gradually the settlers returned, but the town grew slowly since the times were troubled. There was the constant threat of Indian warfare and the few perilous periods of uneasy peace did not encourage the settlement of frontier towns like Mendon which were far removed from their neighbors. Despite these hazards Mendon continued to grow and the names of 20 heads of families are listed in the town annals of 1680. By 1690 there were 50 families in the settlement.

Mendon, however, remained a frontier town and was so designated by the general court in 1699. This designation entitled Mendon to military assistance in case of Indian trouble.

Town records show that 105 men from Mendon fought in the French and Indian Wars of 1754 to 1763, and it is here that Mendon men gained valuable military experience which was to be so helpful during the Revolutionary War. In this War for Independence, 164 men served from Mendon, including Gen. Alexander Scammel who was adjutant general and trusted friend of General Washington.

Since its early beginnings, Mendon has been primarily a rural community and for many years farming, mainly dairy, and poultry and egg production, was the main occupation. There was considerable boot and shoe manufacturing from 1845 to 1878, but the last of six manufacturers closed down in 1888. While there is still some farming in Mendon, the community is now mainly a residential town with its people finding employment in nearby industrial cities and towns.

Mr. Speaker, 300 years is a long time in any country's history, but it is truly a vast span in the history of civilization in North America. When the citizens of Mendon were observing the 200th anniversary of the town's incorporation, they expressed the belief that the two centuries of Mendon's existence constituted a remarkable record. They were right.

One of the speakers of that long ago day, May 15, 1867, took special note of the fact that only 49 other Massachusetts towns had as then been entitled to celebrate such a bicentennial. He continued:

> Two hundred years ago! And what changes have been wrought in that period of time? Two centuries have moved the line of the frontier from the Blackstone to west of the Missouri. Two centuries back, and our forefathers stood picket upon these green hills of ours ready to respond to the interrogatory, "Watchman, what of the night?" Today, we are assembled undisturbed by the war-whoop of the Indian, or the alarms of war.

Mr. Speaker, in recognition of the 300th anniversary of Mendon, I have introduced a special resolution extending greetings and felicitations of the House to the community of Mendon on the occasion of this outstanding anniversary.

I know that my colleagues will be glad to join with me in paying tribute to the beautiful town of Mendon which traces its origin to the bitter sacrifices and hard work of its pioneer settlers.

The founders of Mendon were a devout and patriotic people. Among their first acts was the erection of a place of worship and meetinghouse, a school, and later on a library. It is in this way, Mr. Speaker, that towns like Mendon, originated in travail, painstaking work, and bitter sacrifice helped to build the Nation. These pioneer settlers left us with a tradition, a way of life, a civilization and heritage which continue to inspire and enrich us to this day.

Mr. Speaker, I am exceedingly proud to represent the lovely town of Mendon in the Congress and I am highly privileged to hail, salute, and congratulate the townspeople of this outstanding community on the occasion of its 300th anniversary.

In the preparation of these remarks about Mendon's early history, I am particularly indebted to Mr. Peter Hackett, chairman of a committee of the Mendon Historical Society, for the use of his manuscript giving an account of the town history prepared for the Mendon tercentenary celebration. Others on the committee assisting Mr. Hackett are Miss Florence Aldrich, Mrs. A. Sumner Coleman, Mrs. Vestella Daniels, Lewis Holbrook, Mrs. Edward Hummel, and Mrs. Joyce Kayarian.

The text of my special congratulatory resolution on Mendon follows:

H. RES. 573

Whereas the year 1967 marks the three hundredth anniversary of the incorporation of the town of Mendon, Massachusetts, on May 15, 1967; and

Whereas from the time of its settlement in 1659 the people of Mendon have figured conspicuously in the founding, growth, and defense of this Nation; and

Whereas the observance of the tercentenary anniversary of Mendon will be celebrated June 22 through June 25, 1967, with impressive community ceremonies, large public gatherings, and widespread participation of Massachusetts citizens and visitors from other States and places; and

Whereas Mendon is a beautiful community rich in historic interest, well known for its patriotic contributions, noted for its many famous sons and daughters who distinguished themselves in many fields of endeavor and many facets of American civilization: Now, therefore, be it

Resolved, That the House of Representatives extends its greetings and felicitations to the people of Mendon, Massachusetts, on the occasion of the three hundredth anniversary of this community and the House of Representatives further expresses its appreciation for the splendid services rendered to the Nation by the citizens of Mendon during the past three hundred years.

CONFERRAL OF THE HONORARY DEGREE OF DOCTOR OF LAWS UPON HON. JOHN W. GARDNER BY YESHIVA UNIVERSITY

Mr. MULTER. Mr. Speaker, on June 12, 1967, Yeshiva University conferred the honorary degree of doctor of laws upon John W. Gardner, Secretary of Health, Education, and Welfare. I was privileged to participate in this presentation to Secretary Gardner.

In introducing the Secretary, Dr. Joseph H. Lookstein expressed the feelings of all who have had the honor and privilege of knowing the Secretary. He said:

> The rays of pride in him that his countrymen feel and the glow of satisfaction over his accomplishments will follow him wheresoever he may be.

Mr. Speaker, at this point, I would like to commend to the attention of our colleagues, the presentation by Dr. Lookstein, the citation by Yeshiva University President Dr. Samuel Belkin of the honorary degree conferred upon Secretary Gardner, and the text of the Secretary's speech at the university's 36th annual commencement exercises:

PRESENTATION OF HON. JOHN W. GARDNER

(By Dr. Joseph H. Lookstein upon conferral of honorary degree, 36th annual commencement exercises, Yeshiva University, June 12, 1967)

Mr. President, occasionally, though alas infrequently, there suddenly appears upon the stage of society an arresting and exciting personality, and all intuitively sense that a heroic role is about to be performed in the stirring drama of life.

That was the feeling of all Americans when the cabinet post of Secretary of Health, Education, and Welfare was accepted by the illustrious Dr. John William Gardner.

"He grew up," says his mother, "with a book in his hand." Not a bad way to grow up for one whom destiny marked for greatness. He wrote short stories in his youth, but apparently that was hardly the medium for one destined to compose an impressive chronicle of achievements. He taught Psychology in several women's colleges, and his students must have been impressed by his commanding presence, no less than by his erudition.

Soon came World War II and he joined the Marines. He served on several fronts in the European theatre. At demobilization and while yet in his Marine greens he was offered a post with the Carnegie Corporation. Presently he rose to the presidency of that famous Foundation, which dispenses millions for the advancement of education.

Eighteen months ago he became the sixth Secretary of the Department of Health, Education and Welfare. Under him is an army of one hundred thousand employees, and at his disposal is a budget of some thirteen billion dollars. What is the social objective of this huge operation and what are the welfare and moral targets of its valiant and spirited leader? Simply put, it is to hasten the realization of the Great Society projected by President Johnson and eagerly awaited by every American. If our collective expectations will be fulfilled, it will be primarily because of this remarkable man of vision, courage and creative energy.

We know not what destiny holds in store for him. We know only that many triumphs and achievements lie ahead for him and, through him, for us.

Mr. President: This active and versatile man is also capable of enjoying peace and serenity. In his back garden he loves to relax, always shifting position to stay in the sun. May we assure him that he need do this no longer. The rays of pride in him that his countrymen feel and their glow of satisfaction over his accomplishments will follow him always wheresoever he may be.

I have the honor, sir, to present Dr. John W. Gardner for the degree of Doctor of Laws, *honoris causa*.

CITATION

(By Dr. Samuel Belkin, president, Yeshiva University, in conferring the honorary degree of doctor of laws upon Hon. John W. Gardner, 36th Annual Commencement Exercises, June 12, 1967)

As a distinguished scholar and eminent educator you champion the finest intellectual traditions in America. As an efficient overseer of our national system of education, public welfare, and health, you use studiously the power of your office to nurture ideas and encourage scholars and scientists who expound them. Neither pressure nor expediency could override your reasoned and mature judgment.

With high esteem, we consider it a privilege to confer upon you the degree of Doctor of Laws, *honoris causa*.

In token thereof, I cause to be placed over your shoulders the visible symbol of our high regard for you, and I hand you this diploma.

REMARKS BY JOHN W. GARDNER, U.S. SECRETARY OF HEALTH, EDUCATION, AND WELFARE

Let me say a word about the world you are going out into, and about your own future in it.

It isn't a naturally just, or kindly, or friendly or orderly world. It never was. It never will be.

In some communities and nations, at some moments in history, men have succeeded in creating social institutions and traditions that temper the natural ferocity of the species. But only with difficulty and only through unceasing effort.

To the extent that the ideals of freedom, justice, brotherhood and individual fulfillment have been extended and made real, it has happened because some men and women have had the irrepressible conviction that betterment of the human condition is possible.

I honor that irrepressible conviction. I hope that many of you share it.

The young people of this generation are perhaps more alert to the problems of the larger society than any preceding generation has been. But for all their activism, they show every indication of following the familiar trend—a few years of indignant concern for social betterment, characterized by a demand for immediate solutions to all the world's problems, and then a trailing off into the apathy and disinterest of the young executive or professional.

If you want to avoid the toughest problems facing your generation, there are some classic forms of escape.

One is to get so wrapped up in your personal life—job, family, bills, house repairs, bridge parties, office politics, neighborhood social competition, and the like that there just isn't any time for the larger problems of the day.

A more subtle exit from the grimy problems of the day is to immerse oneself so deeply in a specialized professional field that the larger community virtually ceases to exist. This is a particularly good way out because the rewards of professional specialization are very great today, so you may become rich and famous while you are ignoring the nation's problems.

Still another and infinitely devious means of turning your back on the larger community is to assert that the whole society is so corrupt that nothing can save it. Such moral gamesmanship relieves the gamesman of all responsibility. With one shrug he shakes off the burden that serious men have carried from the beginning of time, the struggle to make an imperfect society work.

A variation on that theme is to tell yourself that the society has fallen into the hands of unworthy people, and that virtuous, clear-eyed spirits such as yourself haven't a chance. You can suck that lollipop of self deceit all your life long and die secure in the belief that the world would have been different had they turned it over to you.

Unfortunately we can no longer afford such escapism on the part of our best young people. They must lend a hand. In doing so they will be committing themselves to an arduous assignment.

They will have to be willing to undergo the long, hard apprenticeship that is required to accomplish change in the modern world. It's a complex world. It can't be run by the untrained or changed by the untrained.

And after they're trained they have to have the fortitude and the staying power essential to the long, difficult task of accomplishing social change. Making a bad world better is tough, grinding, never-ending work. It's not for people whose chief interest is in posturing or striking an attitude or banding words or venting the anger of youth.

To suggest the scope and difficulty of the task facing us, let me run through very quickly what I conceive to be the agenda for your generation.

(1) First, the most pressing problem of your generation, as it was for my generation and my parents' generation, will be to build an enduring peace. If the Viet Nam war were to end tomorrow, that problem would remain.

The task is not to abolish tensions among nations, which is quite impossible, but to create procedures and institutional arrangements that will hold those tensions within safe bounds.

(2) I'm not going to attempt to list these problems in any order of importance, but since we began with peace, I shall list next the closely related problem of *the developing nations*. The combination of poverty and rising expectations that exists among half the world's population today is as volatile and threatening in its own way as the thermonuclear bomb.

(3) Third is the problem of *population control*. Throughout the world there is a growing awareness of the gravity of unbridled population growth. There are now about 3.3 billion people in the world. By the year 2000 there will be an estimated 7.5 billion, most of them hungry. And as Harrison Brown says, "Hungry people are combustible."

(4) The fourth item on my list is *equality of opportunity*. Today, racial discrimination is the chief barrier to equality of opportunity, and that is why it is unquestionably our number one domestic problem. But the racial front is not the only one on which we are struggling to provide equal access to the benefits of American life. There are other massive barriers to individual fulfillment—poverty, illness, ignorance, physical and mental handicaps. Our goal today is breathtaking in scope, but easy to describe. We don't want *anyone* to be hurt or handicapped or shut out from the life of the society by circumstances that can be prevented.

(5) The fifth problem on my list is a corollary to the fourth. It is to *create an educational system that will provide the maximum individual fulfilment* for each American. In the slums of our great cities today boys and girls who could easily be brought to the full use of their powers are left stunted, inarticulate and angry. We need an educational system that will lift them. We need schools that will nurture talent, that will awaken the spark of curiosity and eagerness to learn.

(6) Sixth, we must bring *new life to our cities*. Today our cities are plagued with every conceivable ill—apathy, crime, poverty, racial conflict, slum housing, polluted air and water, inferior schools and hospitals, and snarled transportation. The flight of industry and middle class residents to the suburbs has left the city shorn not only of needed tax revenues, but of part of its leadership. We are going to have to do more than build bridges between the inner city and its opulent periphery. We need a totally new concept of metropolitan organization.

(7) Seventh is the problem of our *natural environment*. We can't avoid some alteration of the natural world we live in. But man, even industrial man, is a part of nature, and must find some limit to the headlong destruction and fouling of the natural environment. How much fouled air can we breathe? How much filth can we spew into our rivers and lakes? How much bleakness and ugliness can we tolerate?

(8) Eighth is the *problem of government*, the age-old problem of how best to organize ourselves to accomplish our shared purposes. We have indulged ourselves far too long in the luxury of supposing that everything in this country must change and develop except our governmental structure and processes.

(9) My ninth problem concerns *economic growth*. Since the Great Depression we have made impressive gains in stabilizing and managing the economy. Because of what we now know about the sources of economic growth we can envisage the elimination of poverty, the rebuilding of our cities, wise use of our natural resources and more imaginative use of human skills.

(10) The final item on my agenda is the *relationship of the individual to society*. All that we achieve must finally be measured in terms of its effect on the individual. We set out to create a free and just society in which the individual could flourish. But our highly organized society carries its own threats to individuality.

The threats need not materialize. We can't escape size and complexity in our organizations and institutions, but we can design them so that they serve the individual as well as the system. Our goal should be a society designed for people, and if we want it badly enough, we can have it.

It seems to me that those are the problems that constitute the agenda for your generation.

If enough of our young people are willing to commit themselves to the solution of those problems, then I have some hope for the years ahead. As some of you know, I have been keenly interested in what it is that makes nations decay. And as those of you who have read my book *Self-Renewal* know, the evidence convinces me that the decline of nations is not inevitable. As I said in the book if we go into a decline, we shall not be able to blame the inexorable forces of history. It will be an avoidable failure of the mind and heart and spirit of the American people. We now know beyond all doubt that nations die from within, and they are attacked less often by traitors within the gate than by traitors within the heart—complacency, apathy, cynicism, intolerance, self-deception and an unwillingness on the part of the individual to lend himself to any worthy common purpose.

But what would such a worthy common purpose be?

At the base of our convictions as Americans is a concern that each individual have the opportunity to grow to his full stature and be what he has it in him to be.

When this Nation began, a good many people would have said that the *chief* requirement to achieve that goal was freedom from political oppression.

Now we know that there are other and more subtle tyrants than kings or dictators.

Ignorance is such a tyrant. Poverty is another. Racial discrimination another. Physical illness or incapacity another. Mental illness another.

We are now engaged in a great national effort to combat *all* the conditions that prevent individual fulfillment or stunt human growth. It is an effort of extraordinary magnitude, worthy of free men. It is an effort that is almost totally unrecognized by the press and the public. It is an effort that is sometimes mismanaged and always seems inadequate.

But it serves the deepest and truest goals to be conceived by the hearts and minds of the American people—the release of human potential, the enhancement of individual dignity, the liberation of the human spirit.

That's what this nation is about.

TRIBUTE TO WCFL AND ITS FOUNDER, EDWARD N. NOCKELS

Mr. O'HARA of Illinois. Mr. Speaker, on Monday next station WCFL in Chicago will celebrate its 41st birthday. As the "Voice of Labor," the property of the 500,000 families of the Chicago Federation of Labor and Industrial Union Council, the first and now the only radio station owned and operated by organized labor, it has served with truth and dynamic effectiveness labor, Chicagoland, and the country since June 26, 1926, a Friday night. For all my colleagues I extend the warm congratulation and the every good wish for the future of the House of Representatives of the Congress of the United States.

My only regret is that the founder of WCFL, Edward N. Nockels, secretary of the Chicago Federation of Labor from 1901 until his death in 1937, is not with us to celebrate the anniversary of the 50,000-watt station, operating 24 hours a day, that is a monument to his unconquerable spirit, his tireless drive, and his dedication to the cause of labor. He was one of the alltime greats in the long and hard struggle of the organized toilers to gain the daylight. His death came suddenly and when the sad tidings reached me I experienced one of the great griefs of my life. I am not ashamed to say that I wept at his funeral services and when his body was laid to rest.

With Ed Nockels, John Fitzpatrick, long the president of the Chicago Federation of Labor; Victor Olander, secretary of the Illinois federation; and John Walker, when he was the president of the Illinois federation; and later Reuben Soderstrom, his successor, I had traveled, hand in hand as it were, and truly heart in heart, through the struggles, the hardships, the dreams, and the triumphs of more than half a century.

During all the lean and sorrowing years of the depression, when all had been wiped away and only faith was left, with the aid and encouragement of Ed Nockels and John Fitzpatrick, I was nightly on WCFL seeking as best I could to give some encouragement as we passed through the night reaching for the dawning of a happier day. My service, of course, was voluntary and unpaid. So closely were Ed Nockels, John Fitzpatrick and I united in our determination that there should be no touch whatsoever of the material or of private or station gain in this program that the station did not accept commercials, as part of the program or immediately preceding or following it. I think back often of these days, and of lovable and devoted Major Holmes, the announcer, and always predominantly of Ed Nockels, founder of WCFL and one of labor's giants.

Responsibility for the operation of WCFL rests with the board of governors. CFL–IUC President William A. Lee is chairman of the WCFL board. Other members are:

William L. McFetridge, president, Chicago Flat Janitors Local 1, and vice president, AFL–CIO.

Thomas E. Faul, secretary-treasurer, CFL–IUC.

Stanley L. Johnson, executive vice president, Illinois State AFL–CIO.

James J. Hill, president, Division 241 of the Amalgamated Transit Union, and members, CFL–IUC executive board.

Management of the station is Ken Draper.

WCFL has never changed its purpose during its 41-year history. CFL–IUC President Lee said:

> Our program philosophy is simple and clearcut . . . to bring news, comment, discussion, sports and the best in music to the ever-growing number of families who turn to WCFL for information and entertainment . . . we express our gratitude to the pioneers of organized labor who created WCFL. Our purpose today is in their tradition: To maintion radio station WCFL . . . The Voice of Labor . . . as the avenue for all in our listening area whose purpose is to make their communities better places in which to live and work.

Here are excerpts from an address by Mr. Nockels on the station's 10th birthday:

> Congress provided that the Federal Communications Commission should grant licenses and renewals of licenses only in accordance with the public interest, convenience and necessity. That alone was to be the test. It was heralded as the Magna Charta of the radio listeners of America.
>
> What is the public interest, convenience and necessity? Labor desires to discuss this subject. It is always new in this country, because eventually public opinion will determine what kind of radio programs serve the public interest, convenience and necessity.
>
> May we be permitted to call your attention to what labor believes constitutes the public interest, convenience and necessity? It is that which contributes to the health, comfort and happiness of the people. It is that which provides wholesome entertainment, increases knowledge, arouses individual thinking, inspires noble impulses, strengthens human ties, breaks down hatred, encourages respect for law. It is that which aids employment, improves the standard of living, and adds to the peace and contentment of mankind.
>
> WCFL, "The Voice of Labor," marches forward. There will be no barrier too high which it cannot surmount—there will be no obstacle too great which it cannot overcome. The dominating spirit of determination to win its just rights, which is the dominating force characteristic of labor's activities, is sufficient proof that WCFL will be one of the most powerful factors in American public life.
>
> WCFL, "The Voice of Labor," salutes America!

CONGRESSMAN CLAUDE PEPPER INTRODUCES LEGISLATION TO PROVIDE FUNDS FOR THE LIGHTING OF RECREATIONAL CENTERS

Mr. PEPPER. Mr. Speaker, in recent weeks much attention has been given in the press and on the floor of Congress to the problems of idle youth facing the long, hot summer. There can be no doubt that many communities across the country have not devoted sufficient resources to provide adequate recreational, educational, and employment opportunities for youngsters during the summer months. On May 2 the President made an urgent request to the Congress asking for an appropriation of $75 million for summer programs. One of the purposes of these funds would be, in the President's words, to "keep schools, libraries and playgrounds open, build swimming pools, light basketball courts and baseball diamonds in the evenings."

Congress acted with dispatch and passed this measure, with the understanding that playground lighting was an integral part of the program. The May 8 issue of the weekly News Summary issued by the Office of Economic Opportunity begins with these words:

> A $75 million supplemental appropriation for summer programs for youths was requested last week by President Johnson. Mr. Johnson told Congress that funds would bring job skills and employment opportunities to 75,000 more youths, provide recreation opportunities for more than 1,000,000 more boys and girls, and keep their schools, libraries and playgrounds open, build swimming pools, provide special remedial education courses for children, *light their basketball courts and baseball diamonds in the evenings.*

These identical words appeared in the May 29 Office of Economic Opportunity weekly News Summary, which also invited individual community action agencies to make application for funds for summer projects.

The Miami community action agency, in my district, submitted the appropriate applications and has been assured of the necessary funds for a summer program to operate a good day program, except for funds to provide illumination. Incredible? Yes, but also true. The Office of Economic Opportunity now says they will provide money for operation of recreation programs, insofar as this means payment of salaries of youth workers to supervise the playground or the swimming pool at night, but will not provide money for the construction or operation of lights.

I hope that the brilliant social planners of the Office of Economic Opportunity will reconsider this ill-advised bureaucratic ruling. In order to assure that such a policy will not continue, I am introducing an amendment to the Economic Opportunity Act specifically directing Office of Economic Opportunity to provide funds for this purpose. I would like to have this bill reprinted at this point in the RECORD:

H.R. 11072

A bill to amend the Economic Opportunity Act of 1964 to authorize community action agencies to expand their funds to construct illumination systems for public recreational areas

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 205(a) of the Economic Opportunity Act of 1964 is amended by inserting after the third sentence thereof the following: "Such programs may also include programs for the construction of night illumination systems for public recreational areas."

Mr. Speaker, it is patently absurd to provide funds for a program without allowing lights to be erected. And I submit that this regulation from the Office of Economic Opportunity is not consistent with the President's request nor with the intent of the Congress when it passed the $75 million supplemental appropriation.

Mr. Speaker, I would remind my colleagues of the potentially explosive situation which exists in many of our cities today. The heat of the summer does not cease just because the sun goes down. The frustrations of idle youth may further intensify at night. The recent riots in Tampa and Cincinnati and now in Atlanta have all started during the night hours.

I think we have an obligation to our young people—in Miami, and Detroit, and Los Angeles, and New York—to see that their hopes for the summer are fulfilled, and to use the words of the President, make summer "a time of opportunity and growth," rather than one of "emptiness and despair."

Mr. Speaker, I urge quick adoption of *my bill by the House and call this urgent* matter to my colleagues' attention.

U.S. APPEALS COURT JUDGE J. SKELLY WRIGHT'S DECISION ON THE DISTRICT OF COLUMBIA'S TRACK SYSTEM

Mr. HAWKINS. Mr. Speaker, on Monday, June 19, 1967, U.S. Appeals Court Judge J. Skelly Wright handed down a landmark decision permanently enjoining the District of Columbia school system from discrimination on the basis of racial or economic status and ordered that the track system be abolished.

This decision has broad implications for the whole issue of de facto segregation in northern school systems. In two aspects crucial to most urban populations the ruling by Judge Wright went beyond the basic Supreme Court decree in 1954 forbidding school segregation. First, he extended the desegregation doctrine of the Supreme Court to include de facto segregation which results from "unintentional" administrative practices, and second, he introduced a wholly new prohibition against substandard, and therefore discriminatory, education of the poor, regardless of race.

Because of the major impact this decision would have on nearly every school system throughout the Nation, I am sure each Member of Congress will want to be fully informed and cognizant of the sweeping details of Judge Wright's decision. Under unanimous consent I extend my remarks by inserting in the body of the RECORD the full text of the decision:

[U.S. District Court for the District of Columbia]

JULIUS W. HOBSON, INDIVIDUALLY AND ON BEHALF OF JEAN MARIE HOBSON AND JULIUS W. HOBSON, JR., ET AL. PLAINTIFFS *v.* CARL F. HANSEN, SUPERINTENDENT OF SCHOOLS OF THE DISTRICT OF COLUMBIA, THE BOARD OF EDUCATION OF THE DISTRICT OF COLUMBIA, ET AL. DEFENDANTS—CIVIL ACTION No. 82–66

William M. Kunstler, Washington, D.C., and Jerry D. Anker, Washington, D.C., for plaintiffs.

Charles T. Duncan, Corporation Counsel for the District of Columbia, Matthew J. Mullaney, Jr., Assistant Corporation Counsel and James M. Cashman and Robert R. Redmon, Assistant Corporation Counsel at the time of trial, for defendants.

Wright, Circuit Judge[*]:

SUMMARY

In *Bolling* v. *Sharpe,* 347 U.S. 497 (1954), the Supreme Court held that the District of Columbia's racially segregated public school system violated the due process clause of the Fifth Amendment. The present litigation, brought in behalf of Negro as well as poor children generally in the District's public schools, tests the current compliance of those schools with the principles announced in *Bolling,* its companion case, *Brown* v. *Board of Education of Topeka,* 347 U.S. 483 (1954), and their progeny. The basic question presented is whether the defendants, the Superintendent of Schools and the members of the Board of Education, in the operation of the public school system here, unconstitutionally deprive the District's Negro and poor public school children of their right to equal educational opportunity with the District's white and more affluent public school children. This court concludes that they do.

In support of this conclusion the court makes the following principal findings of *fact:*

1. Racially and socially homogeneous schools damage the minds and spirit of all children who attend them—the Negro, the white, the poor and the affluent—and block the attainment of the broader goals of democratic education, whether the segregation occurs by law or by fact.

2. The scholastic achievement of the disadvantaged child, Negro and white, is strongly related to the racial and socio-economic composition of the student body of his school. A racially and socially integrated school environment increases the scholastic achievement of the disadvantaged child of whatever race.

3. The Board of Education, which is the statutory head of the public schools in the District, is appointed pursuant to a quota system which, until 1962, for over half a century had limited the Negro membership of the nine-man Board to three. Since 1962 the Negro quota on the Board has been four, one less than a majority. The city of Washington which is the District of Columbia, presently has a population over 60% Negro and a public school population over 90% Negro.

4. Adherence to the neighborhood school policy by the School Board effectively segregates the Negro and the poor children from the white and the more affluent children in most of the District's public schools. This neighborhood school policy is relaxed by the Board through the use of optional zones for the purpose of allowing white children, usually affluent white children, "trapped" in a Negro school district, to "escape" to a "white" or more nearly white school, thus making the economic and racial segregation of the public school children more complete than it would otherwise be under a strict neighborhood school assignment plan.

5. The teachers and principals in the public schools are assigned so that generally the race of the faculty is the same as the race of the children. Thus most of the schools can be identified as "Negro" or "white," not only by reference to the predominant race of the children attending, but by the predominant race of the faculty as well. The heaviest concentration of Negro faculty, usually 100%, is in the Negro ghetto schools.

6. The median annual per pupil expenditure ($292) in the predominantly (85–100%) Negro elementary schools in the District of Columbia has been a flat $100 below the median annual per pupil expenditure for its predominantly (85–100%) white schools ($392).

7. Generally the "white" schools are underpopulated while the "Negro" schools generally are overcrowded. Moreover, all of the white elementary schools have kindergartens. Some Negro schools are without kindergartens entirely while other Negro schools operate kindergartens in shifts or consecutive sessions. In addition to being overcrowded and short on kindergarten space, the school buildings in the Negro slums are ancient and run down. Only recently, through the use of impact aid and other federal funds, have the Negro slum schools had sufficient textbooks for the children's use.

8. As they proceed through the Washington school system, the reading scores primarily of the Negro and poor children, but not the white and middle class, fall increasingly behind the national norm. By senior high school the discrepancy reaches several grades.

9. The track system as used in the District's public schools is a form of ability grouping in which students are divided in separate, self-contained curricula or tracks ranging from "Basic" for the slow student to "Honors" for the gifted.

10. The aptitude tests used to assign children to the various tracks are standardized primarily on white middle class children. Since these tests do not relate to the Negro and disadvantaged child, track assignment based on such tests relegates Negro and disadvantaged children to the lower tracks from which, because of the reduced curricula and the absence of adequate remedial and compensatory education, as well as continued inappropriate testing, the chance of escape is remote.

11. Education in the lower tracks is geared to what Dr. Hansen, the creator of the track system, calls the "blue collar" student. Thus such children, so stigmatized by inappropriate aptitude testing procedures, are denied equal opportunity to obtain the white collar education available to the white and more affluent children.

Other incidental, but highly indicative, findings are as follows: a. The June 1964–December 1965 study by the Office of the Surgeon General, Army, shows that 55.3% of the 18-year-olds from the District of Columbia failed the Armed Services mental test, a higher percentage than any of the 50 states. b. The average per pupil expenditure in the District's public schools is only slightly below the national average. The 1964–65 Bureau of the Census Report on Governmental Finances shows, however, that the District of Columbia spends less per capita on education generally than all states except Arkansas and Tennessee. c. The same report shows that the District of Columbia spends more per capita on police protection than all states without exception. In fact, the District of Columbia spends more than double any state other than Nevada, New York, New Jersey and California. The inferences, including those bearing on the relationship of the quality of education to crime, which arise from these findings are obvious. Indeed, the National Crime Commission's Task Force Report: Juvenile Delinquency and Youth Crime indicates that the very deficiencies in the District's public school system noted by the record in this case—prejudging, through inappropriate testing, the learning abilities of the disadvantaged child as inferior to the white middle class child; placing the child in lower tracks for reduced education based on such tests, thus implementing the self-fulfilling prophecy phenomenon inherent in such misjudgments; placing inferior teachers in slum schools; continuing racial and economic segregation of pupils; providing textbooks unrelated to the lives of disadvantaged children; inadequate remedial programs for offsetting initial psychological and social difficulties of the disadvantaged child—all have contributed to the increase in crime, particularly juvenile crime.

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[*] Sitting by designation pursuant to 28 U.S.C. § 291(c).

In sum, all of the evidence in this case tends to show that the Washington school system is a monument to the cynicism of the power structure which governs the voteless capital of the greatest country on earth.

REMEDY

To correct the racial and economic discrimination found in the operation of the District of Columbia public school system, the court has issued a decree attached to its opinion ordering: 1. An injunction against racial and economic discrimination in the public school system here. 2. Abolition of the track system. 3. Abolition of the optional zones. 4. Transportation for volunteering children in overcrowded school districts east of Rock Creek Park to underpopulated schools west of the Park. 5. The defendants, by October 2, 1967, to file for approval by the court a plan for pupil assignment eliminating the racial and economic discrimination found to exist in the operation of the Washington public school system. 6. Substantial integration of the faculty of each school beginning with the school year 1967–68. 7. The defendants, by October 2, 1967, to file for approval by the court a teacher assignment plan fully integrating the faculty of each school.

The United States is invited to intervene in these proceedings to assist in implementing the decree, to suggest changes in the decree, and to take whatever other steps it deems appropriate in the interest of public education in the District of Columbia.

FINDINGS OF FACT

I. Student segregation

A. De Jure Segregation and Bolling v. Sharpe

Until 1954 the public schools in the District of Columbia were racially segregated by law.[1] The school system was divided up into Division I (white) and Division II (Negro), each with its own elementary and junior and senior high schools, each with teaching and administrative personnel of the one race only. The two Divisions were capped at the top by a single Superintendent. A few administrative committees also cut across Division lines.

The Negro schools, though entirely disjointed from Division I, were denied the consolation of equality which the separate-but-equal doctrine had promised. In 1949 the monumental Strayer Report[2] thoroughly documented the comparative inferiority of Division II: its classrooms were considerably more crowded, its buildings older and shabbier, its curricula narrower, its counseling services less adequate, its supplies more scarce.[3]

The next year our Court of Appeals upheld the constitutionality of the District's segregated school system, Judge Edgerton dissenting. *Carr* v. *Corning*, 86 U.S. App. D.C. 173, 182 F.2d 14 (1950). Only months later, however, the Supreme Court issued decisions which clearly threatened the viability of the separate-but-equal doctrine as it applied to public school education. *Sweatt* v. *Painter*, 339 U.S. 629 (1950); *McLaurin* v. *Oklahoma State Regents*, 339 U.S. 637 (1950). Heedful that this doctrine was in its twilight, in the early fifties the school administration began readying itself for desegregation should that be decreed. Participating in these explorations was Dr. Carl F. Hansen, then in charge of Division I elementary schools and of the curriculum for all schools, and since 1958 the Superintendent of Schools.

In 1950 seven Negro students, of whom Spottswood T. Bolling was alphabetically the first, filed suit in federal court seeking admission to Sousa Junior High, a Division I school. On May 19, 1954, in *Bolling* v. *Sharpe*, 347 U.S. 497, the companion case to *Brown* v. *Board of Education*, 347 U.S. 483, the Supreme Court ruled that segregation in Washington's schools was incompatible with the due process clause of the Fifth Amendment. For the argument on remedy *Bolling* and *Brown* were consolidated. A year and two weeks after *Brown* I, the Court in *Brown* II, 349 U.S. 294 (1955), issued its famous decree of "all deliberate speed" and, noting that "substantial progress has been made in the District," *supra* at 299, remanded *Bolling* to the District of Columbia federal district court. A month later, whether because by that time plaintiffs had all graduated from the District's schools or for other reasons, the *Bolling* action was dismissed.

B. The Board's Desegregation Plan

1. As the Board of Education correctly understood, the *Bolling* decision affected the constitutional rights not of the complainants alone but of the entire Negro community in the District. Accordingly, within the week after *Bolling* and *Brown* I, the Board of Education released a plan for desegregation, one drawn up tentatively by the school administration the year before, widely known as the Corning Plan after the then Superintendent. By the opening of school in September 1955 it was in full effect.

As for placement of students, the plan embraced and asserted a policy, with modifications, of neighborhood schools. That is, geographical boundaries were traced around each school, the school somewhere near the center of defined area; with the significant exceptions noted below in Section I–D–3 and I–E of these findings, students attending public school and residing within each enclosure were required to go to the school inside that enclosure. (Tr. 135.) Elementary school districts were kept compact enough so that most youngsters could easily walk to the schools from their homes, usually a distance of less than half a mile (Tr. 3728, 3730.) Junior high school zones were of greater size—several elementary schools "feeding" into one junior high—and senior high zones were more inclusive still.[4]

2. Neighborhood elementary schools have undeniable advantages. Neither school nor parents need bear any transportation expenses, since the school is within walking distance of home. For the same reason, the safety hazards and the expense of time involved in getting from home to school are held at a minimum; also, students may conveniently return home for lunch, and, with no school bus to catch, may linger after school with school work or after-school activities. Locating schools within the neighborhoods facilitates a closer relationship between school and parents, and gives the student a chance to make friends during the school day with the children of his own age who live near his home. (Tr. 3120–3121; 4047–4049; 5031–5035; 6091–6094, 6194–6196.)

For junior and senior high schools, however, the relevant "neighborhoods" so expand that the advantages said to accrue with neighborhood schools in great part attenuate. (*See* Tr. 198.) As shown above, those advantages primarily depend on a neighborhood school only a reasonable walk from home; and the maps of school zone lines in the city make it clear that most Washington secondary school students must rely on some form of transportation in getting to and from school.

C. Washington Residential Patterns

Adoption of a neighborhood policy for student assignment inevitably impresses the racial residential patterns within the city on the schools with dramatic consequences. This section of the findings, drawing on evidence scattered through the exhibits, will try to sketch those patterns in the large. Below, to begin, are figures graphing the gradual displacement of whites by Negroes in the city and in its schools.

Year	Percent Negro city	Percent Negro school
1900	32	
1930	27	32.0
1940	28	39.0
1950	35	50.1
1953	40	56.8
1960	55	79.7
1965	61+	89.4
1966		90.2

Note.—Exhibits V–13, 7, 26, 146.

Washington's white families, then, are increasingly few in number; further their residences are heavily concentrated in one area of the city, the area west of Rock Creek Park[5]—the western fourth, approximately, of the truncated District diamond. The Park is a verdant curtain which draws through the city. It has long been true that virtually every residence west of the Park is white.[6] It is now true that east of the Park the city is very heavily Negro.[7] Twenty-seven years ago whites constituted at least a one-third minority in every neighborhood in the city. (Ex. A–16, pp. 310–314.) But the rapid white outmigration from Washington into the Virginia and Maryland suburbs ever since 1948, the year of peak white population, has evidently depleted the supply of whites in many areas.

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[1] Excluded from the first public schools in the Washington area when they opened their doors in 1805, *see* C. Green, Washington: Village and Capital 1800–1875, at 43 (1962), Negroes here won their first opportunity for a tax-supported education in 1862, when Congress directed the cities of Washington and Georgetown to set aside 10% of the taxes on *Negro* property for support of the primary school education of Negro children. Act of May 21, 1862, 12 Stat. 407. Enactment of this measure climaxed a momentous year which first saw Congress abolish the traces of slavery in the District, then the municipal repeal of the local black codes and curfew. *See* C. Green, *supra*, at 274–275. But even in so enlightened a time it was apparently unthinkable that any white citizen should be expected to pay through taxation for Negro education. In the next 92 years Congress never in terms dictated that dual, segregated schools should be maintained; but the progression of school legislation enacted during those years did very clearly rest on a congressional assumption that segregation would continue. *See Carr* v. *Corning*, 86 U.S. App. D.C. 173, 176–178, 182 F. 2d. 17–19 (1950).

[2] Pursuant to a specific congressional request, in 1948 a team of investigators headed by Professor George Strayer of Columbia University began an exhaustive study of the District public schools. Their research issued in a 980-page report released in 1949.

[3] *Carr* v. *Corning*, *supra* Note 1, 86 U.S. App. D.C. at 186–189, 182 F. 2d at 27–30 (Edgerton, J., dissenting); Ex. A–16, pp. 47, 48, 316, 318, 701. The court will provide citations to the transcript (Tr.) and the exhibits (Ex.) when indulging in direct quotation and on other occasions when the court feels that cites will be an aid to the parties in later proceedings, in this court or on appeal. These citations do not profess completeness; redundancy is intentionally avoided, and the court may have omitted other cites which the parties may feel support, or undercut, its findings. The record, of course, is the final and exclusive arbiter. Letter exhibits (*e.g.*, Ex. A–16) are those introduced by plaintiffs; defendants' exhibits have numbers only.

[4] The Strayer Report makes it appear that before 1954 each of the two Divisions cleaved to something resembling a neighborhood school policy. Many distortions, however, were obviously at work. Areas very thinly populated by one race posed a challenge to "neighborhood" segregated schools the Board's resolution of which is not clear. All three Negro high schools in 1949 were located within a few blocks of each other, near where Dunbar now stands.

[5] The court defines Rock Creek Park to include the section alongside the Parkway south of the Zoo leading toward the Potomac River. Local usage varies on this question. In that section the Park, while still a natural barrier between east and west, is easily forded at several crossings.

By the time of *Bolling* v. *Sharpe,* segregated residential patterns blighted the city. Since then the conditions have worsened. White families have deserted the Northeast, and the white population has greatly thinned in the high Northwest and in the quadrant of the city south and east of the Anacostia River. It is a painful irony that in the very decade in which society has intensified its efforts in facing up to the race question, residential segregation in Washington has become yet more complete.

Many whites still do live east of the Park, especially in the corridor between the Park and Parkway and 16th Street, including the fashionable DuPont Circle area, and in the socially variegated Capitol Hill area. But they enroll few children in the public school system, some because they are unattached and the others because, though married, they either are without children of public school age or place their children in private schools.[8]

D. Segregation 1954–1967

When Washington school officials decided to go on a neighborhood school system in 1954, they doubtless were aware that the consequence of their decision would be a seriously segregated educational system.[9] This tendency toward segregation they accentuated by adopting various special student-assignment exceptions to the neighborhood principle—"optional" zones, an "optional feature," and a psychological upset provision (these will be individually discussed below)—all calculated to release many white students from any obligation to attend their neighborhood school if that school should be predominantly Negro. The consequence of all its policies was that in 1954–55 27% of all Washington's schools were 100% of one race or another; a year later this figure was 17%. (Ex. 7, p. 49.) Dr. Hansen's track system, instituted in the high schools in 1956 and extended downward to the junior high and elementary schools in 1959, had the tendency of resegregating the races within the individual school.[10]

In 1958–59, an elementary school racial count uncovered the following information:

[1958–59]

Percent Negro:	*Number of elementary schools*
90 to 100	68
80 to 90	10
70 to 80	7
60 to 70	6
50 to 60	3
40 to 50	1
30 to 40	1
20 to 30	2
10 to 20	1
0 to 10	18

(Ex. 8, p. 9.)

Beginning with the school year 1962–63 the record is profuse with detail. Here is the racial breakdown of all the schools, first for that year and then for the 1966–67 school year just drawing to a close.[11]

Percent Negro pupils	Number of schools—	
	1962–63	1966–67
ELEMENTARY SCHOOLS		
85 to 100	94	109
67 to 85	11	9
33 to 67[12]	4	4
15 to 33	3	4
0 to 15	17	9
JUNIOR HIGH SCHOOLS		
85 to 100	17	22
67 to 85	2	3
33 to 67	1	1
15 to 33	2	0
0 to 15	1	1
SENIOR HIGH SCHOOLS		
85 to 100	6	8
67 to 85	0	1
33 to 67	3	1
15 to 33	1	0
0 to 15	1	1

In 1962–63, of the 13 elementary schools west of the Park, 12 were predominantly (85–100%) white. (The last, Jackson, was 83% white.) The five other predominantly white schools were on the other side of the Anacostia River. This year (1966–67) every one of 11 predominantly white schools at the three levels (9+1+1) is west of the Park, and so are all four 67–85% white schools. The only schools west of the Park which are *not* predominantly white are Western High and Gordon Junior High, both in the 33–67% class.

E. Efforts To Correct De Facto Segregation

At this juncture it becomes relevant to inquire into the efforts the school administration has undertaken, if any, to lessen the massive actual segregation which these figures reveal.

1. One witness, a school system engineer, testified that since 1962 the school system has ventured on a limited policy of integration, although one generally confined within the neighborhood principle. (Tr. 3609–3615, 3660–3668, 3725–3726, 3758–3760.) This policy, as he defined it, takes effect when more than a trivial number of whites happen to live in neighborhoods in which, for reasons unrelated to race, schools are due to be built. The substance of the alleged policy is that in these circumstances the new schools will be carefully placed within the neighborhoods so that their white enrollment when they open will be as high as possible. The hope is that the attractiveness of the new school will fasten the white families to the neighborhood, and perhaps lure other white families in; the witness' claim was that this integration factor is sometimes as important a factor as cost in settling on the location of a new school.

The witness conceded that the policy had never been clearly articulated, or embodied in a written memorandum, or even approved by the School Board, originating instead with Dr. Hansen. And other evidence verifies that this testimony that integration is considered in locating school sites is simply untrue. In September 1964, two years after he supposedly announced this policy, Dr. Hansen notified the Board that integration was ignored in the placement of new schools, that to do otherwise would be futile (given the rapid racial transitions in mixed neighborhoods) and "bad educational planning." (Ex. 36(c), p. 23.)

2. An instance of the school system's concern for student integration is the WISE program, discussed in these findings at III–H–6 below. Now still in the planning stage, WISE is designed to upgrade the secondary schools in the southern half of the region west of the Park, in the hope that these school improvements will stabilize this presently integrated neighborhood. Financially the program will depend exclusively on federal grants under impact aid or other national statutes.

3. Two exceptions which the school administration has carved from its neighborhood policy may in operation be achieving slight integration; if this results, however, it is fortuitous, for the school administration disavows here any intention to integrate.

a. The first of these exceptions is that youngsters with mental or emotional disabilities, most of them Negro, through the years have been bused at public expense from their homes into special instructional classes meeting in approximately 35 elementary schools throughout the city. (Tr. 139, 2256–2257.) This past year slightly more than 100 such students, half of them Negro, were so deposited in the schools west of the Park. (Ex. 146.) At the receiving schools, of course, these disabled students are segregated into special classrooms set aside for their use and generally separated from the regular student body of the school.

b. A child attending a school overcrowded to a point well above stated capacity may be allowed to transfer to certain underutilized schools designated "open." (*See* Tr. 125, 136, 183, 2257, 2879; Ex. A–35(c), pp. 18–19, 36; Ex. N–9.) Since none of the 11 "open" schools in 1965–66 was predominantly (85–100%) Negro, the open school policy evokes the possibility of integration, although this is no part of the purpose of the school administration, which apparently looks forward to ending the transfers as soon as adequate facilities can be erected in the now overcrowded areas. Further, there are inhibitions on the right to transfer. The students are, first, responsible for furnishing their own transportation. At least this has been true until a year ago, and the recent departure establishing busing is apparently limited to situations where the regular school is overcrowded to the extreme point of requiring shifts or consecutive half-day sessions. (*See* Defendants' Proposed Findings, p. B–10.) Of course, the failure to provide transportation in effect biases the open-school policy in favor of families fortunate enough economically to shoulder transportation expenses. It is unclear, moreover, whether, once the conditions of under- and overcrowding are satisfied, the student's right to transfer is absolute, or whether clearance on academic or other grounds must first be secured from or renewed by some school official. For whatever reason, many and in some cases most of the students transferring into the predominantly white schools west of the Park are white students who would otherwise have attended schools with higher Negro concentrations.[13]

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[6] Except for the lower Georgetown area, which apparently as late as 1940 was heavily Negro. *See* E. Grier, Understanding Washington's Changing Population 16–17 (1961).

[7] "* * * It is common knowledge in Washington that the local real estate industry had decided [*circa* 1950], whether tacitly or formally, that the neighborhoods east of the park would be freely open to Negro expansion, whereas those on the west would remain reserved for whites. A few Negroes broke across the barrier, but in the main the line held." G. Grier & E. Grier, Equality and Beyond 29 (1966).

[8] It is possible that many white students in this area through one channel or another manage transfer into white schools west of the Park.

[9] In these findings and throughout the opinion of law "segregation" will denote the state of racial separateness in the schools, regardless of cause. For expressing the degree of segregation in Washington's schools, the court will call a school "predominantly Negro (or white) if 85% or more of its students are of that race. This cut-off point is relevant to evidence adduced by the parties respecting the state of segregation beyond which the educational and social advantages attached to integration disappear.

[10] The track system and its racial implications are analyzed in these findings below.

[11] All information in these findings on the racial composition of the schools is drawn from the P series of exhibits and also Exhibit 146.

[12] Notice that the middle category has twice the breadth of the others.

4. When the subject is the school administration's plans for curing segregation, once these cited instances are discussed there is virtually nothing left to say, except that the administration prides itself on the constancy it exhibits in its marriage with the neighborhood policy. It has expressed little interest in and done nothing about locating schools on the borders of white and Negro communities, or busing students from east of Rock Creek Park into the underutilized white schools west of that divide to achieve integration, or building schools in the Park accessible from east and west alike, or Princeton Planning contiguous elementary schools,[14] or establishing large educational complexes drawing students from throughout the city; its present $300,000,000 six-year plan for expansion and construction envisages none of these alternatives. (Tr. 3713–3715, 3724.) Many of these ideas, indeed, have apparently never even been considered. (*See* Tr. 2974, 2977, 3949.) Dr. Hansen, for example, although he has himself looked at the literature on educational parks, has failed to order any studies undertaken *re* their local usefulness, nor has he broached the subject with the Board, or even with his own staff, at least until this suit got under way.[15]

(Tr. 179–182, 975, 3669–3670.)

5. The attitude toward curing segregation on the part of the school administration is concretely exposed by the circumstances surrounding Dr. Hansen's report to the Board in 1964. In June of that year the Washington Urban League presented a report on school segregation to the Board of Education in open meeting. This Urban League submission (Ex. A–36(b)) urged the Board, first, to declare officially that actual integration is one of its policy objectives, and, next, to create a permanent advisory committee on integration; finally, it spelled out concrete if limited steps which the Board could take in the direction of integration. These included busing Negroes into underutilized predominantly (85–100%) white schools, making rather slight amendments in certain secondary school zones (in one instance merely rotating the Cardozo zone, now a north-south rectangle, 90 degrees), abolishing several optional zones (defined below), and establishing three fourth- through sixth-grade educational centers in lower Georgetown, Mount Pleasant and the upper Northwest, each one serving an area now parcelled out among three elementary schools.

The Board profusely thanked the Urban League for its civic interest and requested Dr. Hansen to analyze its several proposals. Dr. Hansen's evaluation (Ex. A–36(c)), turned in to the Board on September 1, 1964, denied that "segregation," even *"de facto* segregation," was the right word for Washington's schools,[16] insisted that the Board's 1954 policy statement on ending *de jure* segregation sufficed for all purposes as a statement of racial policy (Ex. A–35(a), p. 45), argued that the League's suggestions were "evil in principle" and probably unconstitutional insofar as they inclined toward color consciousness rather than color blindness on the part of the school system, and condemned them for entailing or auguring "abandonment" of the neighborhood school policy, his administration's commitment to which he vigorously reaffirmed. The Board of Education, despite a reply brief by the Urban League (Ex. A–36(d)) pointing out that Dr. Hansen had distorted some issues and failed to come to grips with many of its specific recommendations,[17] took no action. (Tr. 1437–1439.)

6. From this Urban League episode and the collapse, upon analysis, of the professed integration policies concerning school placement, the court is forced to the conclusion that the school administration's response to the fact and dilemma of segregation has been primarily characterized—at its best—by indifference and inaction. School officials have refused to install actual integration as an objective for administration policy, have declined even to recognize publicly that segregation is a major problem. No action has been taken; even certain Urban League recommendations which accepted the neighborhood school framework and, if implemented, would have entailed little or no sacrifice of any other interests were flatly rejected.

F. School Administration Policies Encouraging Segregation

The next step is to focus attention on those additional school administration departures from the neighborhood school system which come wrapped in racial implications and bear directly on the question of the school administration's racial intent. These fall under four headings.

1. Beginning after *Bolling,* individual whites who were seriously upset by the prospect of integration were suffered on an individual basis to transfer to white schools, in the teeth of the 1954 Board order ruling expressly to the contrary. (Ex. 7, pp. 44; *see* p. 46.) And apparently professions of psychological upset were accepted at face value without investigation of their authenticity. (*See* Tr. 3068–3069, 3119.) The record is unclear as to whether this practice has been discontinued; the court notes one report that it was still functioning *circa* 1960.[18]

2. Under the so-called "optional feature" of the school system's desegregation plan, students registered in one school at the time of *Bolling* were allowed, if that school stayed underenrolled, to remain there until graduation instead of attending their neighborhood school; indeed unless the student requested transfer to his neighborhood school he apparently continued in the school he had been attending. (Ex. 7, p. 46.) While this feature had some affirmative value in minimizing the disruption in students' lives occasioned by desegregation, another of its obvious purposes was to let white students living in heavily Negro neighborhoods stay in their still predominantly white, though beyond the neighborhood, schools; its inevitable consequence was to strengthen segregation. The feature expired no later than 1960, since by then all students had graduated from their 1953 schools.[19]

3. In one instance the school administration revised the tentative borders drawn around the new Rabaut Junior High (which finally opened last fall) admittedly in order to accommodate an organization called Neighbors, Inc. (Tr. 2790–2818.) Neighbors, Inc. represents a community that is centered around Takoma Elementary School, which until very recently was thoroughly integrated. The organization protested the original line because it would have sliced the Takoma district in two, dividing the white Takoma studentry up between Paul and Rabaut Junior Highs, in each of which they would be engulfed by a large Negro majority, rather than concentrating the whites in Paul alone.

4. *Optional zones.* Sometimes, the administration has replaced hard and fast geographical school boundaries with what it calls "optional zones."

a. *Crestwood and Kalorama Triangle zone.* As an illustration, presently every student living in the integrated Crestwood area between 16th Street and the Park north on Piney Branch Parkway may choose to attend either predominantly (85–100%) Negro MacFarland Junior High, the neighborhood school only a few blocks to the east, or integrated (33–67%) Gordon, far away on the other side of the Park. Similarly, the older brother may enroll at either Roosevelt (predominantly Negro), his nearby neighborhood high school (adjoining MacFarland), or Western (integrated) or Wilson (predominantly white), each close to two miles to the west. The young student living in that area has an option between Powell Elementary School (predominantly Negro), in his neighborhood a short walk away, and Hearst (predominantly white), at a distance of 10 minutes by car just off Wisconsin Avenue. (Tr. 3053–3054; Ex. N–1, p 27.)

Directly south of Crestwood, in the Kalorama Triangle area, optional zones afford the student a choice between Cardozo High and Western, and between Banneker Junior High and Gordon. His natural "neighborhood" schools are plainly Cardozo and Bannecker, both predominantly Negro.

All these zones[20] were marked out when the school lines were drawn anew in the wake of *Bolling.* (Tr. 2957.) At that time all the schools in question were operating at less than capacity. (Tr. 2845–2846.) Despite this evidence, an assistant school superintendent maintained at first on the stand that the purpose behind creation of these zones was to relieve overcrowding at the schools within the territory of which the zones naturally fell. (Tr. 2859, 2862.) The next day the witness retracted this explanation, confessing that the primary original purpose for the zones was to afford whites the opportunity to avert attendance at the Negro schools to which they were otherwise destined. (Tr. 2956–2958, 2978.)[21] The court accepts this explanation. And while claiming that presently the zones also function to lessen overcrowding at the schools just east of 16th Street, the witness did not assert that the racial purpose for these zones has vanished

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[13] For example, in 1965–66, 49 students transferred into Oyster elementary school; school records show that only 25 students in the school that year were Negro. Even if *none* of these 25 lived within the Oyster zone, a doubtful assumption, it still follows that 24 of the 49 transferring students were white. These white students must have been from schools not themselves predominantly white, inasmuch as none of the 85–100% white schools were overcrowded enough to transfer out of.

[14] The court is aware of press reports to effect that a three-school "pairing" experiment is under way in the Southwest. For reasons they know best, defendants introduced no evidence respecting this experiment at trial, telling the court instead that its practice was neighborhood schools without deviation. Under these circumstances, the court has no alternative but to ignore the reports.

[15] After two months of trial, one public school official testified that educational parks had been discussed in a staff meeting "yesterday." (Tr. 3670; *compare* Tr. 3711.)

[16] He apparently would have tolerated "racial imbalance" in its stead.

[17] His statement failed to discuss the specific boundary line changes the Urban League had suggested. It answered the recommendation for tri-grade, tri-school mini-parks mainly by debunking a far different New York proposal for far more comprehensive parks.

[18] C. Green, The Secret City 330 (1967).

[19] Confirmation on the expiration date is provided by Osborne & Bennett, *Eliminating Educational Segregation in the Nation's Capital—1951–1955,* in the March 1956 Annals of the American Academy of Political and Social Science, pp. 98, 102–103.

[20] Except for the addition of Wilson to the high school zone in 1965.

[21] This confession explicitly related to the Crestwood zones; the court assumes that it applies also to the Kalorama Triangle zones, created at the same time (1954) for obviously the same purpose.

(Tr. 2977–2985), and the court has no reason so to find.

b. *Dunbar zone*. Elsewhere in Washington optional zones also appear. For many years, Washington's Southwest was given its selection between Dunbar High School, which is overwhelmingly Negro, and Ballou, then mostly white but on the other side of the Anacostia River. When Ballou became overcrowded and began reporting substantial Negro majorities, it was replaced as the optional zone alternative by Western, a less crowded and racially mixed school, although a great distance away. This school year, the 35 white students living in that zone without exception elected to attend Western, as did 19 of the 86 Negroes with residences there. (Tr. 6713.)

The school administration professes [22] to the court that its purpose here is only to allow every student in the zone, white and Negro alike, to attend a genuinely integrated school. (Tr. 2852, 2982.) Its solicitude for the Negro student's opportunity for exposure to an integrated education the court discredits. Since 1954 the administration has carved optional zones for race-oriented reasons only where significant islands of whites are found, never in neighborhoods which lack white enclaves, never, for example, in the almost exclusively Negro neighborhoods directly to the east of 14th Street feeding Shaw and Garnet-Patterson, which in fact are closer to Western High School than the Dunbar optional zone is. Further, the court can judicially note that the new Southwest, as school officials well know, is largely composed of urban-renewal affluent whites easily able to absorb the expense of transportation, and impoverished Negro families making do in public housing. Any equality here would be on a par with the majestic evenhandedness of the ordinance which Anatole France cherished. [23]

The court also discredits the witness' and Dr. Hansen's claim that Western replaced Ballou as one of the optional zone schools only because Ballou became overcrowded. (Tr. 548–549, 2661, 2982–2983.) As Ballou's enrollment increased, so did its percentage of Negroes in attendance (now 85%); since the conceded function of this optional zone is to provide access to an integrated secondary school, race as well as (if not rather than) overcrowding must have induced the substitution.

c. *Junior high zones*. Two junior high school optional zones—between Paul and Backus and between Francis and Gordon—were created after formal desegregation, again so that the white student could chose to attend a distant school with a considerable white percentage rather than the overwhelmingly Negro school in his neighborhood. (Tr. 2865–2867, 2985.) Both zones were recently abolished, although in neither instance because the school administration had at last rejected this line of social reasoning. Rather, it was the opening of Rabaut Junior High this fall which spelled the end of the old Paul-Backus zone, while the Francis-Gordon zone was finally integrated into Gordon to decrease overcrowding at Francis.

d. *Deal-Gordon zone*. One other optional zone eased the withdrawal of students from an integrated junior high (Gordon) into the city's one predominantly white junior high school, Deal. (*See* Tr. 152–171, 2858.) Beginning back in the 1940's when both were Division I white high schools, an optional zone lay between Wilson and Western Senior Highs. At that time Deal fed into Wilson, Gordon into Western; these are today's arrangements also. The Wilson-Western optional zone until 1963 fell entirely within Gordon's province. Parents in the zone who preferred Wilson High School complained to Superintendent Hansen about the junior high assignment to Gordon. Ostensibly their reasoning was that their children suffered the awkwardness of having to acquire wholly new classmates when they graduated from Gordon into Wilson, and that families were inconvenienced by having children simultaneously attending Gordon and Wilson, at opposite directions from the zone itself. This reasoning is disingenuous, since each of these misfortunes the parents visited upon themselves by choosing Wilson rather than Western High School for their older children; the court finds that the obvious underlying motive of the complaining parents lay in their preference for the greater white enrollment at Gordon and Wilson.

In 1963, Dr. Hansen, in response to these protests, converted the zone from compulsory Gordon to Gordon-Deal optional territory. Two years later, admittedly because a civil rights group focused public attention on the situation, he retreated with a vengeance, despite white parents' renewed complaints, not only returning the junior high optional zone to the Gordon district, but merging the senior high zone into the exclusively Western district.

The 1963 decision was, as Dr. Hansen testified, an "unwise decision because of the racial overtones." (Tr. 163.) Since he must then have been aware that in essence his act was an appeasement of white families' racial feelings, his averment that "[t]he racial overtones are interjected into this by others" (Tr. 166), rather than inhering in the act itself, does not withstand analysis.

5. *Conclusion*. Once nearly complete student segregation is shown in a school system in which *de jure* segregation had formerly been the rule, when challenged the burden falls on the school board to show that the observed segregation stems from the application of racially neutral policies. In this litigation defendants have exposed and explained their neighborhood policy and shown that this is the agent responsible for the segregation.

Spotlighting the purpose underlying the optional zones and the evasions on the stand of several school administration spokesmen, plaintiffs invite the court to find that the seeming racial neutrality of the neighborhood school policy itself is only a front that school officials adopted and adhered to because they intended the racial segregation they knew it would produce.

The court, however, is convinced, first, that, whatever the trends in recent educational thought, in 1954 the Board of Education sincerely believed in the neighborhood school policy and the legitimate values they saw it as furthering. Accordingly, the court cannot conclude that its segregatory potential was the reason the Board inaugurated the neighborhood policy 13 years ago. Actually, the whole question of the Board's motives in 1954 spins in a kind of unreality. Undoubtedly the Board then felt that, at least for elementary schools, it had been all but ordered by the Supreme Court to install such a policy; except for the deviations caused by *de jure* segregation, neighborhood elementary schools were virtually the unquestioned orthodoxy throughout Northern urban education. The Supreme Court itself indicated in *Brown* II a year later that it too seemingly assumed that as a matter of course desegregating school districts would fall back upon the neighborhood school norm. 349 U.S. 297, 300-301 (1955). The court is also impressed that the Board plunged into almost immediate action, not even waiting to see whether *Brown* II might not occasion a retreat by the Court from the high ground it staked out in *Brown* I.

Nor is the idea of intentional segregation necessary to explain why the neighborhood policy has been continued in the interim between 1954 and the present. Organizational inertia and conservatism, added to what the court finds to be the continued good faith aspects in the Board's approval of the neighborhood policy, are easily adequate explanations.

But the fact that the Board believes in neighborhood schools for racially neutral reasons which alone suffice to explain the initiation and retention of that policy does not settle the matter; for these facts in no way cancel the possibility that the Board has concurrently favored it for racial reasons which are forbidden. If a valid purpose is in fact joined by an outright segregatory purpose, the court has no doubt that a *de jure* case has been established. On this issue, however, the burden of proof returns to plaintiffs; School Board officials, having demonstrated their legitimate intentions, can hardly be asked or expected to prove the nonexistence of a secret illicit accompanying intent.

Plaintiffs' evidence in support of their accusation comes from the optional zones, the Rabaut incident, the now discontinued optional feature, and the emotional upset provision, present status unknown. All of these conspire to identify the actual attitude of the school administration—though not necessarily of the Board [24]—toward attendance by whites at predominantly Negro schools. The substance of that attitude is, simply, that whites should not be compelled to attend them.

This attitude, it must quickly be said, is not, even once converted into policy, at all an absolute. Often it comes into conflict with other school system policies, principally that of neighborhood schools. On occasion, clashes between these two forces can be averted and the two reconciled, as when a simple retracing of a line in 1965 prevented the splitting up of each half of a small white colony between two predominantly Negro junior highs. Usually, when the two do collide, it is the neighborhood policy which prevails, leaving a few white students trapped in a predominantly Negro school. But sometimes, instead, it is the neighborhood policy which recedes, leaving in its backwash an optional zone or another strategem.

We know then (1) that the school administration under the Superintendent is reluctant to assign white pupils to predominantly Negro schools, if only because of the pressure from influential white parents that action stirs. We also know (2) that in this school system where the very large majority of the students is Negro, the neighborhood policy succeeds in placing white students in such a way that few of them are required to attend heavily Negro schools. This evidence, the court feels, is not enough to show that in any real sense the Board of Education has adhered to the neighborhood policy with a segregatory design. However, given the two circumstances above, it is impossible not to assume that the school administration is affirmatively satisfied with the segregation which the neighborhood policy breeds.

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[22] This profession followed the collapse of its earlier intimation that this zone too primarily dealt with overcrowding. (Tr. 2661.)

[23] "The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread." Quoted in *Griffin* v. *Illinois*, 351 U.S. 12, 23 (1956) (Frankfurter, J., concurring). There, of course, at issue was a law forbidding activities which only the poor would want to participate in. Here, as in *Griffin*, the subject is a vital right hedged with conditions which only the successful are able to satisfy.

[24] The optional feature was part of the Board's 1954 plan, but, of course, that feature had something to say in its favor. The provision of the plan, as Dr. Hansen recognizes, expressly ruled out racially-oriented transfers for psychological or any other reasons, although Dr. Hansen claims warrant for them in the transcript of the Board debate. The optional zones are plainly the brainchild and handiwork of the school administration rather than the Board; indeed, Dr. Hansen's testimony reads that decisions concerning optional zones come directly from his office, apparently without Board approval (Tr. 153, 156), as unlikely as this seems. The Board had nothing to do with the Rabaut affair. And it was three officials from the administration, not any Board member, who on the stand fell into equivocation if not misrepresentation concerning optional zones and the bearing of race on school site location.

G. The Vices of Segregation

1. The court finds that actual integration of students and faculty at a school, by setting the stage for meaningful and continuous interresponse between the races, educates white and Negro students equally in the fundamentals of racial tolerance and understanding. None of the parties to this suit, indeed, oppose this formulation, and they further agree that learning to live interracially is, or in a democracy should be, a vital component in every student's educational experience. (Tr. 185, 200–201, 611–612; 3065–3069; 5074–5076; Plaintiffs' Proposed Findings, p. B–6.)

Elementary school integration enables the very young of either race to accept each other as persons before racial attitudes and prejudices have a chance to intrude and harden (Ex. A–24, pp. 27–28); Negro and white children playing innocently together in the schoolyard are the primary liberating promise in a society imprisoned by racial consciousness. If stereotypic racial thinking does set in, it can best be overcome by the reciprocal racial exposure which school integration entails.[25] (Tr. 5084.)

2. The court also finds that a Negro student in a predominantly Negro school gets a formal education inferior to the academic education he would receive, and which white students receive, in a school which is integrated or predominantly white. And integration of the Negro into the white classroom does not diminish the achievement of the white students. (Tr. 5088, 6558; Ex. A–24, pp. 30, 34.)

Asked about an Office of Education report concluding that the white school offers the Negro student academically a "better educational opportunity," Dr. Hansen, the only defendant to testify on this score, volunteered that he accepted that conclusion, subject only to his reservation that efforts at integration are self-defeating if white students react by withdrawing from the city public schools. (Tr. 197–198.) Dr. Hansen was corroborated by three expert witnesses who testified that Negro students' educational achievement improves when they transfer into white or integrated educational institutions (Tr. 880; 1770, 6558; Ex. A–24, pp. 20, 25, 33.) It might be expected that adjusting to a very new situation would inhibit the Negro students' achievement for a while; but measurable jumps sometimes, though not always, can be recorded even in the first round of testing after integration (Tr. 6560); adjustment apparently more often assumes the form of productful stress than of incapacitating trauma. (Ex. A–24, p. 22.)[26]

Their consignment to predominantly Negro schools, as Dr. George B. Brain, former superintendent of Baltimore schools and defendant's expert, indicated causes Negroes to feel that they are being discriminated against (Tr. 5084), or, as a Negro teenager told Dr. Coles, "contained."[27] (Ex. A–24, p. 37.) It would be morally callous, and factually inaccurate, to suggest that their assumption that these schools wear "a badge of inferiority" stems solely from their free choice "to put that construction upon it.[28] It was, again, Dr. Brain who testified that the nation in abolishing Negro slavery merely released the Negro into the bondage of an informal social and economic caste system cemented together by bias and discrimination. Despite the revolution of the last 13 years, these attitudes remain distressingly pervasive forces in race relations even today. What it means to be Negro in America thus "becomes a psychological fact in [the] daily lives" of Negro children, who are the heirs and victims of these traditions of prejudice, significantly influencing their attitudes toward study and education; understandably, in their view the predominantly Negro school is "part of history of exile and bondage." (Ex. A–24, pp. 25, 26, 37.) And Negroes read in the eyes of the white community the judgment that their schools are inferior and without status, thus confirming and reinforcing their own impressions. Particularly this is true in Washington, where the white community has clearly expressed its views on the predominantly Negro schools through the behavior of white parents and teachers who, the court finds, in large numbers have withdrawn or withheld their children from, and refused to teach in, those schools. (E.g., Tr. 72, 186–187.)

In an environment defined by such unhealthy attitudes, it should not be surprising that the predominantly Negro schools show a pronounced intrinsic tendency to slide into pathology and hopelessness. This of course affects the schools' teachers, of whatever race, whose own demoralization and low expectations (Ex. A–24, pp. 35–36), communicated back to the children, contribute further to the schools' social disintegration in a vicious though understandable circle.

II. Personnel segregation and discrimination

A. School Board

The nine members of the Washington School Board by law are appointed by the judges of Washington's federal district court. 31 D. C. Code § 101 (1961), upheld in *Hobson* v. *Hansen*, D.D.C., 265 F.Supp. 903 (1967). The legislation expressly provides that three of the nine Board members shall be women and that members shall serve for three-year terms. The judges' practice in carrying out their duties under the statute, which is silent on this question, has been to appoint Board members for staggered terms, filling three positions in each of a three-year cycle.

From 1882 on, the Board of Education, then named the Board of School Trustees, operated under an Act of Congress which expressly stated that the Board would have "nine members only (three colored)." Act of July 1, 1882, 22 Stat. 142. This racial provision was omitted from the 1900 and 1906 statutes, the latter of which, commissioning the District Court judges to appoint the Board, is the law we operate under today. Beginning in 1906, the year the present statute took effect, and with no variation for 56 years thereafter, three of the nine Board members so appointed by the court were of the Negro race. This situation endured until 1962, since which time the court has consistently maintained the level of Negro membership on the Board at four, no more or less, and, of course, one vote short of a majority. (Ex. V–6.) Absent any rebuttal or explanation of these facts, and none has been forthcoming or, indeed, can easily be imagined, this court must conclude that for well over half a century membership on the Board of Education has been governed by a precise and unyielding racial quota; five years ago the Negro quota was increased to four, but the fact of the quota itself survived. In light of the fact that well over 60% of the city's population and more than 90% of the public school enrollment are Negro, and assuming a quota system should be tolerated at all, the four-member quota gives Negroes less than proportional representation on the Board.

B. School Personnel Discrimination

Following below are figures detailing the racial composition of the District public school system staff. As in Section I, again the school years represented are 1962–63 and 1966–67.

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[25] Dr. Robert Coles, a gifted child psychiatrist attached to the Harvard Medical School, who for the last six years has devoted his life to the intensive clinical study of Negro youngsters in both segregated and integrated settings in the North, East and South (*see* R. Coles, Children of Crisis (1967)), described a high school in Atlanta freshly integrated by two Negro girls. A while after integration, a white student picked up and returned to her a ruler which one of the girls had dropped. Discussing the incident with Dr. Coles, the boy expressed surprise and embarrassment over his unpremeditated act of courtesy:

"Then he started noticing to me, as we were talking, the differences between the two Negro girls; that one dressed in one way, the other dressed in another way. And what he was slowly doing was making discriminations of another variety than prejudice. He was discriminating between two human beings who were Negroes in ways that he never had before." (Ex. A–24, p. 29.)

[26] The Baltimore study discussed by Dr. Brain is not contrary to this finding. In Baltimore Negro students from inner city schools have been bused and integrated into outlying white schools. The Negro students remaining in the "sending" schools have been awarded unusually small classes and an array of special enrichment services typical of compensatory education. (Tr. 5029, 5031.) On the first round of standardized testing after the relocations, the sending school students achieved higher scores than they would have received, according to statistical calculations, had the old arrangements not been disturbed. (Tr. 2088.) This improvement, ascribable to small class size and the supportive programs, has persisted now through two years. (Tr. 5089.)

Dr. Brain testified on the basis of a report—introduced into evidence by the defendants as Exhibit 101—prepared by Dr. N. N. Jaffa of the Baltimore school system, who personally evaluated the students' test results. The report makes very clear that on the standardized tests the transported students did just as well as the sending school students (Ex. 101, pp. A–175, A–176)—which indicates that they too, in their case as a result of integration, surpassed their predicted achievement levels.

The year-end school grades which teachers gave students at the sending schools were, however, higher than those received by the transported students at the white schools; this is what Dr. Brain must have had in mind when he said that the transported students did not succeed in bettering their predictions. (Tr. 5030, 5088.) But since this measure involves comparing the private judgments of different sets of teachers, it is less reliable as a weather vane of achievement than the results of standardized tests.

What the Baltimore experience does stand for is that under some circumstances compensatory education in the Negro schools can be very fruitful.

[27] Dr. Coles: "I said, 'What do you mean by "contained"?' His association of containment was 'being in a can.' So I asked him what he meant by being in a can and he said, well he just meant being in a can. * * * It is a significant and powerful image to me."

[28] *Plessy* v. *Ferguson*, 163 U.S. 537, 551 (1896).

	Percent Negro	
	1962–63	1966–67
Superintendent	0 (0/1)	0 (0/1)
His highest assistants	50 (5/10)	36 (4/11)
Other central officers	46	61
Principals and assistant principals	56	69
Teachers	73	78

Note.—Exhibit M–4; court exhibit 2.

On this record the school administration cannot justly be accused of discriminatorily refusing to hire Negroes as teachers or to appoint Negroes to school principalships. Plaintiffs do advance the charge, though, that discrimination has insinuated into the selection of the school system's key administrative officers, relying on the fact that only four of the 12 highest rungs on the hierarchy, and none of the positions at the very summit, are filled by Negroes.

But inasmuch as at least 30% of Washington's population, and a greater share of the metropolitan area, are white, and since in hiring administrators the Board of Education can, should and does seek talent beyond local horizons in other cities' school systems (Tr. 39, 2670), these figures carry very little probative value. Also, the court is mindful that centuries of exclusion and inferior education have depressed the present supply of Negroes qualified to fill ranking administrative positions. For these reasons, the court cannot conclude that the school administration on account of race has refused to appoint or promote eligible Negro candidates to the crucial positions in the governing structure.

C. Segregation of School Personnel

1. Though asserting no claim that Negro teachers are unable to gain employment in the District schools because of color, plaintiffs do insist that once hired Negro teachers are the victims of segregation in school assignments. The M-series of exhibits which affords the ammunition for this charge jumbles together teachers, counselors and librarians into one single category. This category the court christens "faculty," or sometimes merely "teachers," a fair enough substitute, since within the "faculty" teachers heavily predominate. The appropriate statistics follow below.[29]

	1962–63	1966–67
Elementary schools:		
Number of schools with percent Negro faculty:		
100 percent	64	52
85 to 99 percent	20	39
Total	84	91
67 to 85 percent	7	17
33 to 67 percent	15	10
15 to 33 percent	3	4
1 to 15 percent	3	8
0 percent	17	5
Total	20	13
Junior high schools:		
Number of schools with percent Negro faculty:		
85 to 100 percent	12	16
67 to 85 percent	3	7
33 to 67 percent	6	3
15 to 33 percent	1	0
0 to 15 percent	1	1
Senior high schools:		
Number of schools with percent Negro faculty:		
85 to 100 percent	2	2
67 to 85 percent	2	4
33 to 67 percent	3	3
15 to 33 percent	1	1
0 to 15 percent	3	1

These tabulations carry dramatic and suggestive value in their own right. Of 135 elementary schools, 57—over 40%—are minus even a single emissary from the other race. Only 17 of the 135 fall within the category (67–85%) which reflects the teacher racial count for the schools as a whole; and only ten of them are eligible for the integrated 33–67% class. The truth is transparent that no concept of a random distribution of teachers is capable of accounting for or rationalizing these results.

2. The inferences of intentional teacher segregation which arise from these figures are confirmed and elaborated by the analysis below, which knits together all the data on the racial patterns of students, teachers and school principals.[30] The first three pairs of charts show the racial concentration among the faculties in the elementary, junior and senior high schools, compared with the racial characteristics of the schools' student bodies; for the school years 1962–63 and 1966–67. In the second series we see the correlation between the student racial character of the schools and the race of the principals who serve there.

a. Students and faculty

(1) ELEMENTARY SCHOOLS

(a) 1962–63

	Number of schools with percent Negro faculty				
	85 to 100 percent	67 to 85 percent	33 to 67 percent	15 to 33 percent	0 to 15 percent
Number of schools with percent Negro students:					
85 to 100 percent	82	5	6	1	
67 to 85 percent	2	1	6	1	1
33 to 67 percent		1	2		1
15 to 33 percent			1		2
0 to 15 percent				1	[1] 16

[1] 15 of these were 0 percent Negro.

(b) 1966–67

	Number of schools with percent Negro faculty				
	85 to 100 percent	67 to 85 percent	33 to 67 percent	15 to 33 percent	0 to 15 percent
Number of schools with percent Negro students:					
85 to 100 percent	90	14	5		
67 to 85 percent	1	3	4	1	
33 to 67 percent				2	2
15 to 33 percent			1		3
0 to 15 percent				1	8

(2) JUNIOR HIGH SCHOOLS

(a) 1962–63

	Number of schools with percent Negro faculty				
	85 to 100 percent	67 to 85 percent	33 to 67 percent	15 to 33 percent	0 to 15 percent
Number of schools with percent Negro students:					
85 to 100 percent	12	3	2		
67 to 85 percent			2		
33 to 67 percent				1	
15 to 33 percent			2		
0 to 15 percent					1

(b) 1966–67

	Number of schools with percent Negro faculty				
	85 to 100 percent	67 to 85 percent	33 to 67 percent	15 to 33 percent	0 to 15 percent
Number of schools with percent Negro students:					
85 to 100 percent	6	6			
67 to 85 percent		1	2		
33 to 67 percent			1		
15 to 33 percent					
0 to 15 percent					1

(3) SENIOR HIGH SCHOOLS

(a) 1962–63

	Number of schools with percent Negro faculty				
	85 to 100 percent	67 to 85 percent	33 to 67 percent	15 to 33 percent	0 to 15 percent
Number of schools with percent Negro students:					
85 to 100 percent	2	2	2		
67 to 85 percent					
33 to 67 percent			1	2	1
15 to 33 percent					1
0 to 15 percent					1

(b) 1966–67

	Number of schools with percent Negro faculty				
	85 to 100 percent	67 to 85 percent	33 to 67 percent	15 to 33 percent	0 to 15 percent
Number of schools with percent Negro students:					
85 to 100 percent	2	4	2		
67 to 85 percent			1		
33 to 67 percent				1	
15 to 33 percent					
0 to 15 percent					1

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[29] All information in these findings on the race of faculties and principals at the District's schools is derived from the M-series of plaintiffs' exhibits and from Court Exhibit 2.

[30] The term "principals" shall here and hereafter include assistant principals. Elementary schools have one of these, if any; secondary schools two or three.

b. Students and principals

(1) ELEMENTARY SCHOOLS

	Number of principals and assistant principals			
	1962-63		1966-67	
	Negro	White	Negro	White
Number of schools with percent Negro students:				
85 to 100 percent	75	19	96	27
67 to 85 percent	4	7	4	5
33 to 67 percent	1	3		4
15 to 33 percent		3		4
0 to 15 percent		17		9

(2) JUNIOR HIGH SCHOOLS

	Number of principals and assistant principals			
	1962-63		1966-67	
	Negro	White	Negro	White
Number of schools with percent Negro students:				
85 to 100 percent	35	6	58	9
67 to 85 percent	1	4	1	7
33 to 67 percent		3	1	2
15 to 33 percent		5		
0 to 15 percent		3		3

(3) SENIOR HIGH SCHOOLS

	Number of principals and assistant principals			
	1962-63		1966-67	
	Negro	White	Negro	White
Number of schools with percent Negro students:				
85 to 100 percent	12	6	18	7
67 to 85 percent			1	2
33 to 67 percent	1	8	1	2
15 to 33 percent		3		
0 to 15 percent		3		3

What all these figures place beyond dispute is that to a significant if not startling degree teachers and principals have been assigned to schools where their own race mirrors the racial composition of the schools' student bodies. In a nutshell, white schools are usually paired with white faculties, Negro schools with Negro faculties; and integrated schools have integrated faculties.

Thus, for example, of the 109 predominantly *(85–100%) Negro elementary schools* in the District today, 90 have predominantly Negro faculties; of the others, all but five have faculties within the 67–85% range. Every school more than one-third white currently is assigned a faculty more than one-third white; at all but one of the 13 elementary schools that are more than two-thirds white the faculty is at least two-thirds white also. And perhaps the most provocative fact is that four years ago 15 of 17 predominantly white schools had *100%* white faculties. The mathematical possibility of this concentration of the relatively few white teachers in *the school system's relatively few white* schools happening by chance defies calculation by methods available to mere laymen.

The pupil-teacher-principal racial correlations which are distilled from these tables do not, to be sure, work out with invariable precision as to every school; but even the deviations can be accounted for to a great extent in terms themselves consistent with these correlations. School student bodies, for example, often swiftly jump from 40% to 75% Negro, or from 75% to 95%; therefore, even if the race of the faculty does respond to that of the student body, given the constraints on *teacher transfer and the finite number of* yearly retirements, a lag in time of a few years should be expected before the faculty accomplishes the corresponding racial change. This time lag is responsible for many of the deviations noted above. Only 19 of the 109 predominantly Negro schools in 1966–67 had other than predominantly Negro faculties; the Negro student enrollment at seven of these 19 had been less than 85% in 1962–63, and for each of these seven the number of Negroes on the faculty grew markedly during the four-year interval. Evidently these faculties are in the process of catching up, racially. Others of the 19 may well have had substantial white enrollment prior to 1962.

Moreover, since 22% of all teachers, but merely 9.2% of the students, are white, at all grade levels we should expect some tendency, even if the correlations hold, for faculties to have slightly higher white percentages than the student bodies. A glance at the tables verifies that this tendency is apparent in the elementary schools and rather pronounced in the senior highs, where a typical school faculty is one category less Negro than the student body. It can be predicted that a like statistical inclination will be at work *with respect to school principals*, since a full 31% of them presently are white. Indeed, the facts show that any school with as many as 15% whites is more likely than not to have a white principal; and in schools more than one-third white, white principals are virtually the rule.

Finally, of the 19 predominantly Negro elementary schools without correspondingly Negro faculties, the court has stumbled on the fact that 14 of these serve relatively affluent neighborhoods, *i.e.*, where median family income in 1960 exceeded $6,000. Of the 27 elementary schools both affluent and *predominantly Negro only 13 have predom*inantly Negro faculties. (*See* Ex. F–2.)

3. *Teacher Placement Policies.* When the raw data disclose personnel segregation as pervasive as this in a formerly *de jure* school system, and so thoroughly matched on a school-by-school basis with the racial make-up of the studentry, the burden falls on the school administration to clear the record by showing at a minimum that racially nutral policies are responsible for this result. The burden shifts from plaintiffs in large part because the figures themselves are persuasive circumstantial evidence of in*tentional segregation, but also because only* the Board and the Superintendent have full information on their own teacher-assignment policies.[31] Postponing until Section 4 the question of how principals are assigned, the court now turns to the school system's teacher placement mechanisms, insofar as defendants presented them at trial.

a. *1954–55.* Until 1954, of course, Washington school faculties were officially segregated by law. Assessing the faculty situation after the thunderbolt of *Bolling* v. *Sharpe,* the Board of Education quickly arrived at two decisions which it publicly announced. First, for the future teacher assignments and transfers would be predicated on merit rather than race; but *second, the structure* of faculty segregation which then prevailed would not be disturbed. That is, teachers would remain in their present assignments unless relocated pursuant to the ordinary rules governing teacher transfer. These rules will be elucidated in Section 3–c; it suffices here to say that they exclude compelling a teacher to transfer for the sake of integration (the Superintendent feels such transfers would be "totalitarian" (Tr. 77)), and that the success even of a voluntary transfer request depends on such fortuities as a vacancy in the other school to transfer into.

It must have been crystal-clear from the outset that teachers would be reluctant to depart from schools where they were established and secure and brave transfer, at their own request, into institutions with faculties from which they had previously been barred because of their race. The Board's policies thus plainly entailed the entrenchment and perpetuation of the teacher segregation of the past with a minimum of change. The court finds that at least a part of today's segregation is attributable to the Board's 1954 failure to shuffle faculties and thereby undo the *de jure* segregation which had theretofore been the rule. (Tr. 2897.)

This factor's contribution to present segregation can most readily be discerned in a few of the elementary schools in the Northwest where, because of dwindling student enrollment, teachers as they retire are sometimes not replaced. Elsewhere, the influence of the inertia of the pre-1954 system seems slight. Eastern, McKinley and Roosevelt, the three former Division I high schools which within a few years of 1954 became predominantly Negro, today have 22%, 25% and 30% white faculty respectively. Cardozo and Dunbar, the two old Division II schools which have never lost their predominantly Negro status, have 11% and 21% teachers white. The differences between the former three and the latter two are not great;

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[31] See *Reece* v. *Georgia,* 350 U.S. 85, 88 (1955); *Chambers* v. *Hendersonville City Bd of Educ.,* 4 Cir., 364 F. 2d 189, 192 (1966); *Northcross* v. *Board of Educ.,* 6 Cir., 333 F. 2d 661, 663–664 (1964); *Evans* v. *Buchanan,* D. Del., 207 F. Supp. 820, 825 (1962). In *Swain* v. *Alabama,* 380 U.S. 202 (1962), the figures were much less striking, and the challenged officials did fully explain their policies.

further, it is far from clear that the whites teaching at the three are carry-overs from bygone *de jure* days; and in each of the three it is certain that at least 70% of today's faculty (*viz.*, all the Negroes) attached themselves to these schools subsequent to *Bolling*. This alone attests to the speed of teacher turnover. Indeed, other evidence corroborates that the faculty turnover rate in the District schools is high. In a single school year (1965–66), for example, the District schools employed at least 750 teachers new to this system. (Ex. 35; Ex. 36); for 1948 the Strayer Report computed the turnover at 12%. (Ex. A–16, p. 53.) Because of speedy turnover, the perpetuation of the 1954 structure mathematically does not go very deep into the reasons why today's faculty racial patterns appear as they do. The court therefore turns to the evidence respecting the school system's current and recent policies for teacher placement.

b. *Integration policies.* First should be noted defendant's insistence that for the past few years, though not before, its policy has been to exert a "maximum" and "concerted" effort to integrate school faculties. This effort allegedly has expressed itself along two fronts. White teachers are encouraged to volunteer for placement in Negro schools; and when the qualification of hypothetical applicants for a position are exactly equal, the candidate will be preferred whose race will integrate that school's faculty. (Tr. 68, 69, 77–78, 107, 2880, 2989.) The court notes that the entire discussion of these integration policies at trial was in the context of the rules controlling teacher transfers from one school to another; it is a murky question whether these policies profess any relevance to the initial assignment of incoming teachers.

A further caveat is that the policies are couched in terms of achieving "biracial" faculties—by which the administration means simply less than 100% of one race. (*E.g.*, Tr. 73, 75.) It is evident that once token teacher integration breaches the color barrier in a school, the school administration's policies slacken off, if they do not expire altogether.

Efforts along the persuasion front, in any event, have admittedly and not surprisingly proved barren of fruit. (Tr. 68, 3013.) For all the record shows they were equally barren of effort. There was testimony at several points that the Superintendent formally asked his staff to encourage teachers to volunteer for the inner city ghetto; whether assistant superintendents or others took any systematic action on the basis of this request is another question. It may be true that the other aspect of the policy—the provision for resolving deadlocks among candidates by considering race—has led to the placement of one or two Negroes in "white" schools. (Tr. 2276; *see also* Tr. 3116–3117.) There is no evidence that under this program any Negro teachers were placed in any predominantly (85–100%) white schools or in any schools west of the Park.

c. *Teacher transfer.* Once a teacher has been assigned to a school, his subsequent placement is governed by the rules for teacher transfer, explored in some detail at trial. Occasionally, because of personality conflicts, the opening of a new school, the need for specialized teachers, or reasons of like character, teachers are involuntarily shifted from one school to another. Other transfers are voluntary. Some of the rules covering voluntary transfer policy are clear. No tenured or "permanent" teacher may transfer into any school if its faculty is already 70% permanent or more; proper applications for transfer will be honored in the order received.

On further standards governing treatment of transfer requests, administration spokesmen fell into internal disagreement. Dr. Hansen argued that for the last four years transfer requests have met stiff resistance, winning approval only when clearly justified by considerations of health or "education." (Tr. 68–69, 2273.) Moments later he stated that his administration has approved transfers for teachers wanting to serve at schools nearer their homes—a factor of convenience unrelated to education or health. (Tr. 2276.)

Assistant Superintendent John D. Koontz then proceeded to testify that the first transfer application received for a given opening is automatically granted, unless it offends the 70% permanent teacher rule (Tr. 2896, 3022); the transferor's motives, by this account, are neither investigated nor evaluated. Mr. Koontz is the officer immediately in charge of teacher transfers in all secondary schools. (Tr. 108, 2610.) For this reason the court resolves the conflict of testimony in his favor. Furthermore, it was Dr. Hansen himself who admitted that many white teachers have transferred from Negro to white schools during the last ten years, "not always necessarily because of the difference in race." (Tr. 2275.) The court finds, as this statement certainly recognizes, that some white teachers originally assigned to Negro schools have purposely escaped therefrom via the transfer process.

It is doubtful, however, that racially-minded transfers have been common enough to afford a complete explanation, even when coupled with the continuing influence of pre-*Bolling* teacher segregation, for the dearth of white teachers in the predominantly (85–100%) Negro schools. Moreover, there is no reason in the record to assume that Negro teachers once assigned to predominantly white schools are eager to transfer away; therefore the court is still quite in the dark as to why the faculties of so many of the predominantly white schools are or have been so impeccably unintegrated. The missing ingredient, of course, in the account so far of teacher placement is the rule or rules which control the initial placement of freshmen teachers. On these rules the court now steadies its focus.

d. *Original teacher assignment.* Once the decision is reached to employ a teaching candidate somewhere in the system, the matter returns to the assistant superintendent for elementary (or secondary) schools, who is responsible for the actual assignment. One rule recently postulated by the school administration concerning these assignments is an analogue of the 70% rule for transfers: certified teachers are placed, whenever possible, in schools with low percentages of permanent teachers.

Other than this, defendants merely assert and repeat that assignments are governed by merit and need alone. (*E.g.*, Tr. 69; Ex. L–4.) This is an unhelpful, evasive response. Annually a school system as large as ours with hundreds of vacancies each year must fill a dozen vacancies at every level, *e.g.*, fourth grade, high school math. An equal number of candidates gets approved as qualified to teach in Washington's schools, at least temporarily. To say that 12 new fifth grade teachers, to return to the example above, are sorted out among the 12 elementary schools needing these teachers on the basis of merit alone is an expression pregnant with little if any meaning.

In the record the court does find a scrap or two of evidence which begin to sketch out the real assignment processes. The Pucinski Task Force[32] reported that school principals informally recruit candidates for openings in their schools, the assistant superintendents then acceding to the preferences which the principals voice. (Ex. A–3, p. 44; *compare* Tr. 4041 *with* Tr. 6024.) And one of defendants' exhibits may or may not indicate that the incoming teacher's own preferences are consulted by the assistant superintendent.[33] If these preferences are consulted, it is unclear whether they are respected only if the reasons supporting them are worthy of respect, *e.g.*, that one school is an excessive distance from home even by car. (*See* Tr. 3042, 6023.) If these reasons explaining teacher preferences are not reviewed for justifiability, then the unhappy facts that many white teachers are disinclined to serve in Negro schools (Tr. 72) and that a few Negro teachers hesitate to go to white schools (Tr. 2901) assume obvious relevance, as does the responsibility of the Board and school officials for pandering to any racial prejudices of the teachers.

In short, what little hard evidence has been introduced concerning initial teacher assignment itself intimates deliberate segregation, if merely the self-segregation of the teachers condoned by school officials. Furthermore, the court cannot forget one remarkable fact: in 1962–63, eight years after "integration," in a school system short on white students and white teachers, the faculties of 15 of 17 predominantly white schools were 100% white. Absent explanation—none was proffered—only one reasonable inference can be drawn: something resembling systematic segregation had been at work. And given that assumption, defendants' general profession of color-blindness in faculty assignment from 1954 on is exposed as misrepresentation. Apart from this, many darkened areas still are clinging to the architecture of defendants' teacher assignment policies, and it was on defendants that the duty to illuminate these areas fell. Accordingly, the court finds that an intent to segregate has played a role in one or more of the stages of the teacher assignment; in exactly which stages the intent has intruded—with whom primary guilt belongs: teachers, principals, higher school officials, or all of them—the court does not and need not pinpoint.

4. *Placement of Principals.* The factual data on principal segregation was reported in Section C–2–b above. The heart of this report was that neither in 1962–63 nor in 1966–67 was there even a single Negro principal or assistant principal in any school more than two-thirds white! This must be compared with the fact that systemwide 56% of all such school officials in 1962–63—and 69% currently—are Negro. Testimony at trial verified that none of the white elementary schools in the Northwest has had a Negro principal at any time since desegregation. (Tr. 3076.) The court now seeks the explanation for these findings. For the reasons stated in Section 3, the burden of providing this explanation, the data having made out a *prima facie* case for intentional segregation, shifts to defendants.

After Bolling v. *Sharpe*, no dismantling for principals of the old Division I/II structure was carried out; principals, like teachers, stayed on in their 1953 assignments until their retirement, or unless transferred or promoted pursuant to the ordinary course of school business. But, as with teachers, the turnover has been rapid enough to minimize the present impact of this fact; since 1958 there have been 85 appointments of principals and assistant principals in the secondary schools alone, including all three positions at predominantly white Wilson High School. (Tr. 2890, 2962.) The court, in seeking the sources of present racial patterns among principals, must therefore zero in on the post-*Bolling* standards regulating principal appointment and assignment.

When a principalship falls vacant the school administration advertises for applicants. Such advertisements for the last several years have withheld the name of the school, although doubtless this information informally circulates. One advertisement may advert to several openings at the same level—say, several elementary school assistant principalships. Those who apply then run the gauntlet of interviews with an examining board which looks at "credentials, experience, this, that, and the other thing." (Tr. 2966.) The examining board submits its recommendations to the Superintendent who, after indicating his own preferences, turns the files over to the Board of Education, which must ultimately approve every appointment. If only one position is vacant, the victor in the competition gets that assignment. But if several positions are open, then, once the Board of Education identifies its several choices, the responsibility returns to the assistant superintendent for making specific assignments, matching up principal with school.

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[32] A Task Force of the House Committee on Education and Labor headed by Representative Roman C. Pucinski studied the District's school system during 1965 and early 1966 through public hearings and private investigations. A Committee Print summarizes their conclusions.

[33] Ex. 40, p. 1. It is not certain whether the passage in question pertains to original assignment or to transfers only.

The court, regrettably, has been given scant evidence as to the criteria this officer employs in deciding on these assignments. Evidence was introduced concerning his reasoning in filling assistant principalships at Eastern, a ghetto high school, and Wilson, the overwhelmingly white high school in the Northwest. Miss Green, a Negro, has for many years been counselor at Springarn, another ghetto school. Mrs. Carroll, white, was a tenured member of Wilson's faculty. Miss Green was assigned to Eastern rather than Wilson because of her wide experience with the problems of lower class Negro adolescents. Mrs. Carroll was kept at Wilson for reasons of her acquired feel for the problems of its white, college-bound student body. (Tr. 2972–2973, 2994–3001.) These decisions were, as Assistant Superintendent Koontz said, "in a sense, racial * * *" with respect to the "background of a person." (Tr. 2994.)

The court at this point encounters a fork in the road. Some explanation must be found for the utter absence of Negro principals in the 67–100% white public schools—a condition which is the product of the appointments recommended by the examining board and of the assignments made by the assistant superintendent when two or more principals are appointed together. That the examining board or assistant superintendent assigns principals to schools on a racial basis is one obvious candidate. However, the Green-Carroll incident leads the court to wonder about an alternative explanation. The court is willing to assume that, for the same reason of relevant experience the school administration selected Mrs. Carroll for the Wilson post, a great number of the other official positions in the 67-100% white schools have been filled by promoting faculty members with years of teaching experience in the school in question, or transferring in someone from another white school equally middle class. If this is so, then the selection of those principals for the white schools has not been racially based in a narrow sense. But, unfortunately, it also indicates that principal assignment is a derivative of teacher assignment—which we already know to be intentionally segregatory. Since Negroes have been discriminatorily fenced out of teaching positions in white schools, it is a simple *a fortiori*, under this explanation, that they have not been eligible for the principalships in any of these schools. Because the exclusion of Negroes from administrative positions in the white schools is, under this theory, a direct product of intentional teacher segregation, it is a fit subject for constitutional damnation and judicial relief. This being so, it becomes unnecessary to decide whether a substantial number of principals has *not* been recruited from within the white schools for reasons of appropriate experience, and if so, whether the selection of these principals was guided by a practice of deliberate segregation.

III. Equality in the distribution of educational resources

Plaintiffs complain that, in dividing up the available educational wealth among the schools, the school administration has repeatedly favored white schools west of the Park, while shortchanging schools primarily attended by Negroes and especially the Negro poor. In this part of the opinion the court renders what findings are appropriate in the categories of school-resource analysis which were developed at trial. Testimony and argument focused chiefly on elementary schools, although the evidence (largely official data and reports) rather indiscriminately submitted for the court's consideration often documented the situation for secondary schools as well. When on occasion the court does not explicitly discuss junior and senior high schools, it may be presumed that for those categories no noteworthy secondary school inequalities were found.

A. Age of Buildings

"The age of a school building is a factor in obsolescence and generally a criterion of safety and service." [34] The chart below shows the age of elementary school buildings in the District.

Number of schools with percent of Negro students

	1860	1880	1890	1900	1910	1920	1930	1940	1950	1960
85 to 100 percent	3	10	13	16	7	12	9	12	14	13
67 to 85 percent	------	2	1	2	1	1	------	------	1	1
33 to 67 percent	------	------	1	1	------	------	1	1	------	------
15 to 33 percent	------	1	1	1	------	------	1	------	------	------
0 to 15 percent	------	------	------	------	1	4	4	------	------	------

(Ex. E–1.)

Negroes, it appears, are housed in the newest but also in the oldest elementary school buildings in the city; the predominantly (85–100%) white structures were virtually all built in the late 1920's and early 1930's. A disturbing fact not evident from the chart itself is that the *slum* schools, *i.e.*, those located in areas where the median family income in 1950 fell short of $5,000,[35] have a disproportionate share of the most ancient structures; the median age of the ghetto school is almost 60 years. The comparable age for schools with predominantly Negro enrollments in middle-income or middle-class neighborhods is only 41 years.

The high concentration of poor Negroes in the school system's oldest buildings has come about not by Board of Education design, but as one consequence of its neighborhood school policy; poor Negores happen to live in the vicinities of the oldest usable schools. Another outgrowth of that policy is the disproportionately high concentration of Negroes in schools built since 1940. New schools are erected where increased density of student population overloads existing facilities; and the areas of mushrooming population within the city in the last 25 years have mostly been overwhelmingly Negro or rapidly in process of becoming so. A large number of additions to overcrowded existing schools have been put up in recent years; these schools, for the identical reason, have highly Negro enrollments.

B. Physical Condition and Educational Adequacy

Schools which have been build here in the last eight years are equipped with cafeterias and several other facilities, including auditoriums, health units and auxiliary classrooms; few of these features were known to the schools erected at earlier dates. Built sturdily 35 to 45 years ago, the schools west of the Park, although still in fine condition structurally, lack these facilities.

The school buildings which date back to 1925 or earlier typically are "eight-room buildings with very large classrooms, poor natural lighting, large cloakrooms, huge open central hallways, basement toilets, and small paved play space or no play space at all." (Ex. A–16, p. 401). Most of them, as the figures in Section A indicated, are located in the Negro ghettos; unquestionably they, and the newer slum schools equally, are unable to escape being tarnished by the cancerous squalor which characterizes the slums.

During 1948–49 the Strayer Committee exhaustively analyzed each District school building, assigning numerical ratings for every school feature, from the topography of the site to the adequacy of the fire protection system. Its judgment was that 36 elementary schools, four junior highs and three high schools were so dilapidated or inferior that, generally, any further investment in them would be wasteful. It is a melancholy fact that 18 of the elementary schools, two junior and one senior high continue in use today as regular school buildings, as follows:

Number of schools with percent of Negro students

[In percent]

Percent of Negro students	Elementary	Junior high	Senior high
85 to 100	17	2	1
67 to 85	1	------	------
33 to 67	------	------	------
15 to 33	------	------	------
0 to 15	------	------	------

(Ex. A–33, pp. 24–26.)

Of the 20 predominantly Negro schools on this list all but one are located in slum areas.

During the coming six years, under a plan adopted in August 1966, the school system will build 71 new elementary schools, or additions to older structures; and 32 other elementary school buildings will be modernized. (Ex. 75.) Many of the new buildings will go up where minor population explosions have generated the need; also, however, this six-year plan aims at junking schools whose facilities sink below a minimum level of educational tolerability. (Tr. 3605.) The Board is thus in the midst of a good faith effort to bring all the educational plants in the city up to rudimentary levels.

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[35] There were 61 schools in such income areas in 1966–67 (Ex. F–2), 60 of which were predominantly Negro. Most of these 60 were nearly if not actually 100% Negro. In 1960 the median family income for Negroes in the District was $4,800, for whites $7,692. Although Negro family income more than doubled between 1950 and 1960, that figure as a per cent of white median family income slipped from 64% to 62%. (Ex. V–9.)

The question arises of the continuing accuracy of the 1960 income data. The court does not actually know and can hardly judicially notice that major income shifts within the city have taken place since 1960. Defendants, moreover, do not question reliance on the 1960 census, and indeed appropriate its data themselves in their own exhibits. And defendants' expert witness, Dr. Roger Lennon, testified in effect that it will be sound and orthodox statistical practice to use the 1960 census figures on neighborhood income until the 1970 census supersedes them.

[34] Ex. A–16 (Strayer Report), p. 299.

C. Library Books, Libraries, Librarians

Until two years ago the school administration budgeted the elementary schools no money at all for the purchase of library books. Any books the schools acquired were paid for by private gifts or donated directly by the PTA or other public-spirited groups; in one instance a District elementary school was given books by a suburban school which was enjoying a surplus. By June 1966 only 40 schools had as many as a thousand volumes on their shelves; system-wide, the average was a meager one-half book per student. No scarcities marred the predominantly white schools, however; there the median library books per student tally was a more impressive four and one-third. (Ex. H-3.) Also, the predominantly (85–100%) white high school, Wilson, had a greater number of library books per student than any other senior high; and Gordon, predominantly white, was the upper half of the junior high rankings.

When elementary schools have managed to gather space and books enough for a viable library, the school administration has sometimes intervened and furnished a trained librarian to manage it. In 1965–66, of 133 elementary schools, 90 had libraries, exactly half of which were presided over by professional librarians. (Ex. H-4.)[39] Included in the 90 schools with libraries were all 11 predominantly white elementary schools, but only 64% of the predominantly Negro schools and 47% of the Negro schools in slum areas. A greater percentage of predominantly Negro schools than white had librarians.

Sadly, even these figures on the number of libraries somewhat exaggerate current reality; in at least 30 of the schools counted here as having libraries, the rooms so designated are plainly makeshift and inadequate, "a scrounging operation." (Tr. 6143.) There are, however, more hopeful signs for the future. Of the 45 schools without libraries in 1965–66, 26 at least had space which can be converted to library rooms in the near future. All schools built since 1950 include rooms specifically designed as libraries. Through new construction, additions and reclamation of space presently used as classrooms, the school administration says it intends to equip every elementary school with a library by 1973. And with the aid of Title II of the Elementary and Secondary Education Act of 1965, the individual schools are now annually getting half a dollar per student for library book purchase (Ex. F-7; Tr. 614); the administration has identified its ultimate goal as five books per student in each school. (Tr. 2685, 3967–3971.)

D. School Congestion

The school administration has reckoned a figure for every Washington public school defining the maximum student capacity it can decently accommodate. The chart below relates the extent to which the elementary schools exceeded that capacity in 1965–66.

	Enrollment as percent of capacity										
	0 to 60 percent	60 to 70 percent	70 to 80 percent	80 to 90 percent	90 to 100 percent	100 to 110 percent	110 to 120 percent	120 to 130 percent	130 to 140 percent	140 to 150 percent	over 150 percent
Number of schools with percent Negro student body:											
85 to 100 percent		2	3	4	17	14	21	26	7	9	3
67 to 85 percent					2	1		1			
33 to 67 percent	2				1		2			2	1
15 to 33 percent	1					1	1				
0 to 15 percent	2	1	3	1	1	2					

MEDIAN

Percent Negro:	Percent capacity
85 to 100	115
67 to 85	102
33 to 67	115
15 to 33	102
0 to 15	77

(Ex. L-11.)

In short, the disparity between the patterns of overcrowding in predominantly Negro and white schools[37] is of very striking force. Inequalities apart, the overcrowding in the predominantly (85–100%) Negro schools is of fearsome dimensions. These schools are in, as one school official volunteered, an "emergency situation." (Tr. 2823.) In practical terms, what overcrowding entails is larger classes,[38] the shoehorning of students into spaces never intended to be used as classrooms (*see* Tr. 6138), and in the worst schools, split or double sessions (*see* Defendant's Proposed Findings, p. B–10).

For junior high schools, the predominantly white (Deal) and the integrated (Gordon) schools each rank among the least crowded third of all junior highs. For high schools the Negro/white variation is even more prominent. Wilson, the one predominantly white high school, has been holding constant in the vicinity of only 92.3% of capacity; Western (integrated), growing slowly, now records 101.1%. The other high schools, all predominantly Negro, reach at least 108.4% (Roosevelt), leaping as high as 127.1% (Cardozo). (Ex. L–11.)

The cure for overcrowding prescribed by the Board is construction of new schools in the heavily congested areas, *see* Sections A and B, *supra*, and the provisional allowance of transfers from the buildings with the worst overcrowding into certain schools running below their student capacities designated as receiving or "open" schools for transfer purposes. *See* Section I–E–3–b.

E. Quality of Faculty

1. *Teacher experience*. Defendants volunteered the information, confirmed by the Task Force report, that teachers in the "older schools with stable or declining enrollments," namely, the white elementary schools west of the Park, have had significantly greater teaching experience than the faculties at the Negro elementary schools. (Ex. 51, p. 2; Ex. A–3, pp. 15–17.) Defendants, however, denigrate the significance of this attribute, picturing the young teacher fresh from the university who may predictably turn in the superior teaching performance. All this may be true, but it remains beyond denial that, other factors equal, experience is a real asset for a teacher, as it is for any professional. The Washington school system's pay scale, in proportioning salary to the number of years of teaching experience, is a testimonial to this fact. Moreover, it cannot be questioned that the initial few years of teaching make an enormous contribution to a teacher's competence. A superior percentage of teachers at the predominantly (85–100%) white schools, the Task Force report shows, have these vital first years of experience to fall back on. Consistent with their denial of the relevance of experience, defendants have no plans in the works for the mitigation of this element of imbalance.

2. *Faculty education*. A greater number of teachers in the predominantly white than in all other elementary schools have graduate school degrees. This finding, suggested by the per pupil expenditure data, is confirmed by figures gathered by the Task Force. (Ex. A–3, pp. 15–17.)

3. *Temporary teachers*. A temporary teacher is one whose curriculae vitae is absent one or more of the various qualifications which the Board of Education otherwise requires of its teachers. If, as has regularly happened in recent years, teacher vacancies remain unfilled after the list of certified, qualified teachers has been exhausted, the assistant superintendents are authorized to hire enough temporary teachers to staff the schools adequately. Temporary teachers differ from their certified colleagues in that they are incapable of acquiring tenure rights; further, while at first they and the certified teachers draw identical salaries, after six years their pay hits a ceiling, their temporary status forfeiting their right to the yearly pay increase which permanent teachers thrive on. The school administration's recent deletion of certain certification requirements will undoubtedly convert numbers of temporary teachers to permanent status.

It was the view of the Strayer Report in

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[37] The slum-area 85–100% Negro schools were slightly less crowded than the predominantly Negro schools generally.

[38] The figures on overcrowding thus are strong evidence of high teacher-pupil ratios in the predominantly Negro schools. Dr. Hansen, questioned by plaintiffs at trial, directly conceded that pupil-teacher ratios were higher in Negro elementary schools than in white. (Tr. 127–128.) Defendants also repeatedly argued, in the context of the per pupil expenditure issue, that for schools with small student bodies (e.g., the white Northwest schools, most of which enroll less than 300 students), splendidly low teacher-pupil ratios are indeed inevitable. But paradoxically, the Board's figures, which it gave to plaintiffs, who in turn introduced them into evidence as Exhibit L–9, seem to show that as of October 1965 class size in the elementary schools bore only slight relation to the race of the student bodies. (The median ratio in the predominantly white schools was 29.8; predominantly Negro, 30.4; the margin of difference doubles if averages are used rather than medians. The *highest* median ratio was for the 67–85% white schools.) Fillmore, an elementary school west of the Park, represents this paradox in microcosm. Dr. Hansen listed it specifically as a school bound to have a very low pupil-teacher ratio; yet Exhibit L–9 rates it as 31.0, a figure discernibly above the system-wide average. The record thus is in an upside-down condition, each side sponsoring evidence hostile to its own contention.

[39] It provides perspective to note that American Library Association minimum standards would require 300 elementary-school librarians for a school system the size of Washington's. (Ex. A–3, p. 29.)

1949 that "the large percentage of temporary teachers employed from year to year in the public school system of the District of Columbia presents an administrative problem of major concern, baffling in its implications." (Ex. A–16, p. 50.) Since 1949 the problem if anything has become more acute; the number of temporary teachers in the schools, increasing steadily nearly every year, rose from 14.8% in 1948 to 19.1% in 1956–57, then soared to 40.0% in 1964–65. (Ex. A–16, p. 51; Ex. L–2.) In almost 50 elementary schools last year temporary teachers comprised a majority.

What is noteworthy is that at both primary and secondary levels the predominantly (85–100%) white schools, and those schools alone, have escaped an honest share of the burden. The chart below registers the percentage of temporary teachers on elementary school staffs in 1965–66.

	Percent temporary teachers 1965–66							
	0 to 10 percent	10 to 20 percent	20 to 30 percent	30 to 40 percent	40 to 50 percent	50 to 60 percent	60 to 70 percent	70 to 80 percent
Number of schools with percent Negro students:								
85 to 100 percent	4	4	10	19	29	19	18	4
67 to 85 percent		1	1			1		1
33 to 67 percent			3	1		2	2	
15 to 33 percent			1	1		1		
0 to 15 percent	3	2	4	2				

MEDIAN

85 to 100 percent Negro, and poor: 48 percent.
85 to 100 percent Negro generally: 43 percent.
0 to 15 percent Negro: 20 percent.

Note.—Exhibit L–9; Exhibit A–3.

For junior high schools, Deal (predominantly white), with 26% temporary teachers, was by a wide margin in a better position than any other junior high; the predominantly Negro junior high schools had a median figure of 43%. As for senior highs, Wilson, the predominantly white school, had only 31% temporary teachers, which is 13% below the next lowest school; the predominantly Negro high school median was near 50%. (Ex. L–9.)

In its only and rather belated attempt to equalize the discomfort of the temporary teacher situation, the school administration has recently ruled that tenured teachers are ineligible for transfer into schools where 70% of the faculty already have permanent status, and that there is a preference for placing incoming certified teachers at schools with few of the same.

Defendants, joined on this point by the American Federation of Teachers, *amicus*, argue that temporary teachers are hardly inferior to those who are certified and permament. Certainly the sterility of many college education courses, enrollment in which is one typical certification requirement, is very well known and widely deplored, and no claim can reasonably be made that every certified teacher outperforms every one of his temporary cohorts. But it would be unduly arrogant for this court to assert that the certification qualifications have no bearing on teacher quality. Especially for a teacher in his freshman year in the schools, for example, even a mediocre college course in teaching methods and curricula may be of great help. And those teachers who flunk the written examination the District requires have little to recommend them. If the school administration itself truly believed in the utter irrelevancy of its qualifications, it would abolish them instantly.

F. Textbooks and Supplies

The yearly expenditures in the schools for reference books, textbooks, and the various other school supplies run according to a uniform annual per-student figure which the school administration calculates. (Ex. F–7.) Individual school totals for a coming school year have their bases in the attendance figures at each school at the time the year before when the calculations are made, a practice which prejudices schools with expanding enrollments; textbook shortages so accruing can be met, however, by emergency textbook allocations in the course of the school year.

In 1964–65 the school administration, with money harvested from the federal impact aid program, purchased sufficient textbooks and reference material to cure deficiencies then reported by the school principals. Approximately $603,000 was devoted in that school year to textbook purchases (Ex. I–1), with allotments included for several predominantly white schools west of the Park in seeming violation of the congressional injunction, quoted below, that impact aid spending be concentrated in the slums.

Yearly expenditures for textbooks and supplies, thus, have been standardized, and all schools measure up to certain minimum levels. These facts fall short, of course, of guaranteeing that the depth of these materials at the various schools, accumulated through the years, is equitably in balance, and the court is aware of repeated complaints in the community of the outright absence of textbooks in some schools. But if such disparities do exist, plaintiffs have failed to bring them to light.

G. Per Pupil Expenditures

The figures below tabulate the median per pupil expenditure for the District elementary schools for the year 1963–64. Only expenditures from the schools' share of the congressional appropriation for the District are represented here. That school year preceded enactment of two generous federal statutes, both of which identify slum schools as their intended beneficiaries (*see* Section H, *infra*); and the figures do not include grants received in that year under other federal air-to-education statutes, a few of which similarly earmark the schools or projects for which they are intended. The data therefore facilitate the court's exploration of the equities in the school administration's distribution of assets among the schools in precisely those situations when the policies and purposes of distribution come squarely within its control.

Number of schools with percent of Negro students

Percent of Negro students	Amount
85 to 100	[39] $292
67 to 85	292
33 to 67	273 } $306
15 to 33	325
0 to 15	392

These figures command our immediate and complete attention. On first impression it is alarming in the extreme that a sum as great as $100 separated the predominantly (85–100%) white from the predominantly Negro, indeed from virtually all the other elementary schools in the District. A review of the rankings further reveals that five of the eight highest-cost schools were predominantly white, while of the 25 cheapest schools, 23 were predominantly Negro and all 25 were more than half Negro. A quick rearrangement of the data uncovers this even more unnerving fact: the median per pupil expenditure for the 13 elementary schools west of the Park was *$424*.

Confronted with these spectacular differentials, defendants argue they are paper statistics only, unrepresentative of the educational resources actually devoted to or expended at the various schools.[40] In fact defendants do succeed in proving that a fraction of the $100 differential in 1963–64 can be accounted for by circumstances which do not betoken real inequalities in educational opportunities. Special, untypically small classes for children with physical or emotional disabilities meet in special classrooms in several of the predominantly white schools; the high expenditure for these few needy students drives the school-wide average up. Most of the higher-cost elementary schools are very small; larger schools can save on certain costs which do not vary with the size of the school—administrators' salaries, particularly—and on other important economies of scale. Further, many of the very high-cost white schools are undercrowded, operating at much less than capacity. This further elevates the per pupil expenditure for items, like heat, which remain constant for a school no matter what its degree of utilization. So wasteful in this regard are several of the white schools west of the Park that last year the Government Accounting Office proposed they be phased out as classroom buildings. (Tr. 3719–3724.) The Board decided not to carry out this recommendation; instead it is cutting into the bounty of empty classrooms by converting the classrooms in a few of these schools into office space for school-system administrative officials. But in other schools rooms are vacant.

To a great extent, however, defendants' own evidence verifies that the comparative per pupil figures do refer to actual educational advantages in the high-cost schools, especially with respect to the caliber of the teaching staff. A study of the 1962–63 per pupil expenditures disclosed that the average teacher salary at the 26 most expensive elementary schools (median: $387) was $7,742, compared with $5,864 in the bottom 26 (median: $246). At defendants' invitation, the court assumes that a like differential characterized salaries between high-cost predominantly white and all other schools a year later. Teacher salary is an index summarizing several factors: years of experience; graduate degrees; permanent/temporary status. The court assumes, again at defendants' invitation, that the predominantly white schools hold a profound advantage for each of these salary determinants. But these elements point with cogent force to teacher superiority in the predominantly white schools.

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[39] The predominantly Negro schools in the slums came out at $294. Since secondary school costs greatly exceed those in elementary schools, the per pupil expenditure throughout the system in 1963–64 was $452. By 1965–66 it had grown to $528 (calculated on a slightly different basis), a few dollars below the national average. (*Compare* Ex. F–5 *with* Ex. 141.)

[40] The court notes that school officials from Arlington, Alexandria, and Fairfax County, Virginia, and Montgomery County, Maryland, testified that in their respective school systems there were no material variations in the per pupil expenditure tabulations from one school to another. (Tr. 579–c—579–d, 656, 680, 689.)

Even once all these extenuations and explanations have been introduced, the court is still without confidence that the very disturbing $100 (or $132) margin has been wholly accounted for. Neither the graduate-degree nor the temporary-teacher factors can have very dramatic impact on the per pupil expenditure: the maximum salary increase to which the extra degrees entitle the teacher is $500; and only a minor number of temporary teachers has served in the schools for as many as six years, the time when the ceiling on temporary teachers' salaries sets in. While the Pucinski Task Force did indeed turn up substantial differences in years of experience for teachers in predominantly white and in other schools, it is not altogether clear that these differences are sufficiently drastic to result in so great a spread in the per pupil expenditure figures.

And other possible explanations for the differentials falter. The study of the 1962–63 figures discovered that teacher-pupil ratios that year were lower in the high-cost schools, driving per pupil expenditure upward; defendants, however, here have denied that classes are of smaller size in the predominantly white schools, and one puzzling exhibit comes to the aid of their denial. *See* Note 38 *supra*. That study also highlighted the age of the higher-cost schools, contending that maintenance costs accelerate as school buildings approach obsolescence. But this explanation cannot be restored to here, since in the main the predominantly Negro schools are older than the structures west of the Park; and it is the poor Negroes who are shunted into the most wretchedly hoary buildings in the District. If any schools demand a fortune for maintenance and upkeep, it should be the likes of Shaw Junior High (1902) and Gage Elementary (1904) in the heart of the ghetto, not the buildings concededly in excellent physical shape beyond the Park divide. Yet the overall expenditures at Shaw and Gage ($279) are quite low. Gage, moreover, also has a very old building and a low enrollment, factors which inexorably lead, defendants say, to higher budgets.

H. Curricula and Special Programs

Following below is a catalog of courses and extraordinary services offered by the Washington public school system at one or more selected schools.

1. *Kindergarten*. Unlike many American urban school systems, the Washington schools have avoided undertaking responsibility for providing kindergarten education on a universsal basis. Attendance at kindergarten is not compulsory (Tr. 183), or even possible on a voluntary basis unless the neighborhood elementary school has a surplus of classroom space after its first through sixth graders have been taken care of. As a matter of fact, space in the white elementary schools is liberally available; every youngster in those neighborhoods applying to enroll in kindergarten is accommodated. (Tr. 626.) But at many Negro schools there are waiting lists. (Tr. 627.) "From 1956 to 1965, 6,236 children on waiting lists for kindergarten were denied admission for lack of space." (Ex. A–3, p. 10.) 1965–66 began with 445 children inscribed on the waiting lists at the various schools, 100 of whom remained thereon through the finish of that school year. (Tr. 626.) Forty-five youngsters were excluded last September from kindergarten in two predominantly Negro elementary schools alone. (Tr. 6184–6185.) Other schools have rather unsatisfactorily evaporated their waiting lists only by shortening kindergarten class time to as little as two hours a day, then running three sessions each day consecutively. (Tr. 4068–4069.)

If oversubscription prevents a five-year-old from enrolling in his own school's kindergarten class, he may—despite the neighborhood rule—sign up at any other elementary school able to advertise kindergarten vacancies; but his parents apparently must supply his transportation. (Tr. 6184.)

It is not clear whether the six-year building program now in its initial stages, apart from the question of whether it will be outstripped by unpredictedly rapid population spurts, has as one of its objectives the creation of enough class space to afford every interested youngster a kindergarten experience in his neighborhood school.

2. *Honors Track*. Only a small number of predominantly Negro elementary schools offer the Honors "Track," the highest rung in the school system's track system of ability grouping. By contrast, virtually all of the predominantly white elementary schools have Honors Tracks. These figures will be arrayed in the findings on the track systems below.

3. *Model School Division*. The most ambitious enterprise launched by the school system in this decade is the Model School Division, a geographically compact area in the Northwest embracing 25 schools, most of them in the Negro ghetto, including 13 at the elementary level. The Division is to function as a laboratory for educational experiments aimed at alleviating students' cultural and academic deficiencies; the hope is that the more successful innovations can be applied to the entire school system, or at least to all those local schools which must regularly cope with underprivileged youth. Approved by the Board of Education in 1964, the Division swung into operation in March 1965, and by fall 1965, 75 projects had been initiated, including ungraded primary classes, remedial reading instruction using modern techniques, and occasional visits to the theater. A year later, however, only one of these projects had proved itself unequivocally worthwhile, an internship teacher-training program (Tr. 478–479); and the Division had run into serious criticism from the Pucinski Task Force, which suggested that it "to date has been, for the most part, a deplorable disappointment." (Ex. A–3, p. 70.)

The Division has been financed primarily by the Office of Economic Opportunity under Title II of the Economic Opportunity Act of 1964, 42 U.S.C. §§ 2781–2791 (1964), as amended, via the United Planning Organization, Washington's community action agency. The Economic Opportunity Act generally requires a 10% local contribution, § 2788, but that may be met by imputing the value of volunteers' services. Presently at least one of the Division's important programs is being funded under Title I of the Elementary and Secondary Education Act of 1965, 20 U.S.C. §§ 241–a—241–*l*. (Supp. I 1965). Additional backing has come from other titles of the 1964 Act, and alsc from the U.S. Office of Juvenile Delinquency under 42 U.S.C. § 2542 (1964), the Ford Foundation, and a few generous private corporations. (Ex. 1, p. 34.)

4. *Impact aid programs*. The federal impact aid legislation, 20 U.S.C. §§ 236–244 (1964), which requires no matching funds, supplies federal financial assistance to school districts whose tax base is cut into by federal ownership of local property, or which enroll large numbers of children who live on federal property. On the theory that the District of Columbia is sufficiently compensated by the public school component of the general appropriation it annually receives from Congress, until 1964 it had not been eligible for impact aid grants. In that year Congress, noting that if any school district is federally impacted Washington's is, amended the statute to include the District. 20 U.S.C. § 244(8) (Supp. I 1964). This amendment, stapled to the National Defense Education Act Amendments of 1964, was acquiesced in by the House managers at conference. They reported back to the House as follows: "It * * * is the opinion of the conferees that insofar as is consistent with good educational administration, these funds be used to improve the quality and standards of the educational offerings in the underprivileged attendance areas of the city." (H. Rep. 1916, 88th Cong., 2d Sess., p. 14 (1964).)

The District's impact aid allowance, as determined by the statutory arithmetic, is $4,300,000. This the District received in full for 1965–66 and 1966–67, after having hastened to collect a quarter of this figure at the tail end of the school year 1964–65. (Ex. I–7). The most expensive items in the portfolio of 40 programs subsidized by impact aid in 1965–66 were extra school counselors ($470,000), additional school supplies including charts and globes ($459,000), and free breakfast and other kitchen provisions.

5. *ESEA programs*. The Elementary and Secondary Education Act of 1965 was the expression of a crucial new federal commitment to the vitality of public school education. Title I of that Act held out the lure of 100% federal assistance for programs which engage the "special educational needs of educationally deprived children." 20 U.S.C. § 241(a) (Supp. I 1965). The District's annual entitlement under the Title I formula is more than $6,350,000. (Ex. I–7; Ex. I–8.) Included for 1965–66 was $1,270,000 for "environment improvement" of slum schools, almost $1,000,000 for efforts to identify at an early age those youngsters who in high school will be particularly "drop-out prone" (Tr. 588), and $125,000 for an early-morning curriculum of calisthenics followed by hot breakfasts for ghetto children.

6. *WISE*. The southern half of the region west of Rock Creek Park is Washington's most thoroughly integrated area, both residentially and in school enrollments. The District hopes to make this area more attractive, and hence more stable, by strengthening the junior and senior high schools under a program now in gestation dubbed Washington Integrated Secondary Education, or WISE. (Tr. 462–466.) The WISE prospectus optimistically envisions "maximum community involvement," "a vital, dynamic attitude * * * on the part of school administrators and staff," and freewheeling student discussion of "controversial issues." (Ex. I–6.)

The energy driving WISE will be federal grants. On the theory that slightly less than a third of the students within the WISE boundaries come from comparatively poor neighborhoods, the District applied $30,000 of impact aid funds for WISE in its planning stage. (Tr. 466–467.) If officials finally determine that impact aid can properly be applied to WISE, it will provide all the financing when WISE at last begins its career in earnest; if unavailable, the school administration will turn to Title III of ESEA, 20 U.S.C. §§ 841–848 (Supp. I 1965) (innovative projects; not limited to slum schools) or other federal sources. (Ex. N–11; Tr. 462, 2659.)

7. *Miscellany*. There are additional federal statutes which bestow benefits on some but less than all of Washington's schools. Under the special milk program, 7 U.S.C. § 1446 (1964), for example, milk is distributed daily

at low cost in schools serving low-income areas. And the schools won an $85,000 grant from the Office of Education for experiments dealing with the problems growing out of desegregation. Beyond all these federal programs stand a number of projects sponsored by PTA's or various private benefactors which likewise are selective among schools in their impact. As one instance, the Eugene Meyer Foundation, to which the community certainly owes its gratitude, has financed a cluster of enterprises under the rubric United Service Corps. Drawing in volunteers from the affected communities, these programs provide children in certain underprivileged schools with an array of academic, cultural and athletic opportunities. (Ex. 1, pp. 1–32.)

Finally, according to the School Board's publication *Innovations in Instruction* (Ex. 1), there is a handful of programs each operating in one or a few schools, the cost of which the Board of Education itself defrays out of its share of the District's congressional appropriation. At Cardozo High School, for example, 60 students have participated in career training and placement sessions. Jefferson Junior High is currently experimenting rather successfully with its curricula and with new methods of class and school organization.

I. Individual Schools in Transition

Defendants focus attention on five elementary schools which switched from white to Negro majorities between 1962–63 and 1965–66, offering data in support of the argument that the educational resources devoted to these schools increased over these years, or at least that the schools held their own. These schools are Congress Heights (from 4% Negro to 53%), Shepherd (from 18% to 53%), Takoma (from 49% to 65%), Draper (from 49% to 91%), and Hendley (from 40% to 91%). The court's caution is alerted by the fact that defendants have omitted to mention or introduce figures for three other schools in which Negroes captured the majority between these years: Randle Highlands (from 11% to 58%), Ketchum (from 9% to 58%), and Jackson (from 16% to 59%).

Even for the schools they select, defendants have failed to show that their racial transitions have been unaccompanied by any restraints on their receipt of educational resources, except for library books where the increase in their number of volumes was very substantial. In four of the five schools, the number of certified teachers improved over the course of these years; but in every one of the five the number of temporary teachers also went up. (Ex. 21.) It is very doubtful that the overall increment for the five of one librarian and two counselors is anything but representative of like increases in the Washington schools during this period system-wide. Finally, between 1962–63 and 1964–65 the per pupil expenditure at these five schools increased by an average of $14. (Ex. 23.) But between 1963–64 and 1964–65 (the only years for which the requisite figures are available), two of the three schools not mentioned by defendants incurred losses in the per pupil expenditure figure. (Ex. F–1; Ex. F–3.) And what is more conclusive is that during these years the average expenditure per student throughout all the schools advanced nearly $30. (Ex. F–5.)

J. Conclusion

The collapse, however, of defendants' argument above entails no significant consequences. What the demonstration was apparently intended to repel was the idea that the Negro schools have been deliberately and discriminatorily deprived of supplies by school officials. This, indeed, is one aspect of plaintiffs' argument. But it is not one which the court can accept. The causes of the inequalities are relatively objective and impersonal. School officials can and should be faulted, but for another reason; that in the face of these inequalities they have sometimes shown criminally little concern. It is one thing, for example, when crowded residential conditions shut Negro children, and they alone, out of kindergarten in the nearby schools; it is another matter entirely when, confronted with this awful situation, school officials stand idly by, circulating promises of more adequate school buildings years hence, but acquiescing in the present injustice by their passivity.

IV. The track system

The District of Columbia school system employs a form of ability grouping commonly known as the track system, by which students at the elementary and secondary level are placed in tracks or curriculum levels according to the school's assessment of each student's ability to learn. Plaintiffs have alleged that the track system—either by intent or by effect—unconstitutionally discriminates against the Negro and the poor. In support of this claim they—and the defendants in meeting it—have introduced a massive array of testimonial and documentary evidence. The court will first turn its attention to the beginnings of the track system before moving on to a discussion of the evidence concerning the present-day operation of ability grouping in the District.

A. Origin

The track system was approved for introduction into the Washington school system by the Board of Education in 1956, just two years after the desegregation decision in *Bolling* v. *Sharpe*. As Superintendent Hansen has conceded, "to describe the origin of the four-track system without reference to desegregation in the District of Columbia Public Schools would be to by-pass one of the most significant causes of its being. Desegregation was a precipitant of the four-track development in the District's high schools * * *."[41] Plaintiffs, citing this concession and certain observable segregatory effects of the track system, have claimed that the principal motivation behind the system was and is to resegregate the races in violation of the *Bolling* decision. Defendants have denied this, arguing that the track system is and always has been a legitimate pedagogical method of providing maximum educational opportunity for children of widely ranging ability levels; and that any racial effect is but an innocent and unavoidable coincidence of ability grouping.

There is evidence which on its face supports defendants' claim that racial considerations were irrelevant to the decision to adopt the track system. Yet, as in certain other administrative decisions where defendants have purported to act without regard to race, the taint of segregation hangs heavy over their actions. Although Dr. Hensen has maintained that the origins of the four-track curriculum "clearly precede the event of desegregation,"[42] there is no escaping the fact that the track system was specifically a response to problems created by the sudden commingling of numerous educationally retarded Negro students with the better educated white students.

On May 17, 1954, the day *Bolling* v. *Sharpe* was handed down, there were 44,897 white students (43%) and 59,963 Negro students (57%) in the District schools. By the following September 73% of the schools were—in varying degree—racially mixed. Until that time no one was aware of the overall achievement level of the Negro students because achievement scores had not been reported on a city-wide basis in the old Division II (Negro) schools. However, soon after integration Dr. Hansen, then Assistant Superintendent in charge of senior high schools, began to receive "reports of very serious retardation in achievement in the basic skills * * *."[43] The results of a reading and arithmetic achievement test taken by tenth grade students early in 1955 and for the first time reported on a city-wide basis confirmed the reports: (1) Both reading and arithmetic scores ranged from second to beyond twelfth grade; (2) nearly 25% of the students were at or below sixth grade level in reading, and 44% were at or below sixth grade level in arithmetic.[44] The low achievers were predominantly from the Division II schools. (Tr. 381.) It was the discovery of this large number of academically retarded Negro children in the school system that led to the institution of the track system.

Given these unhappy consequences of "separate but equal" education, Superintendent Hansen cannot be faulted for moving in 1955 to treat the casualties of *de jure* segregation. The court is persuaded that Dr. Hansen personally was then and is now motivated by a desire to respond—according to his own philosophy—to an educational crisis in the District school system. On the other hand, the court cannot ignore the fact that until 1954 the District schools were by direction of law operated on a segregated basis. It cannot ignore the fact that of all the possible forms of ability grouping,[45] the one that won acceptance in the District was the one that—with the exception of completely separate schools—involves the greatest amount of physical separation by grouping students in wholly distinct, homogeneous curriculum levels. It cannot ignore that the immediate and known effect of this separation would be to insulate the more academically developed white student from his less fortunate black schoolmate, thus minimizing the impact of integration; nor can the court ignore the fact that this same cushioning effect remains evident even today. Therefore, although the track system cannot be dismissed as nothing more than a subterfuge by which defendants are attempting to avoid the mandate of *Bolling* v. *Sharpe*, neither can it be said that the evidence shows racial considerations to be absolutely irrelevant to its adoption and absolutely irrelevant in its continued administration. To this extent the track system is tainted.[46]

The court does not, however, rest its decision on a finding of intended racial discrimination. Apart from such intentional aspects, the effects of the track system must be held to be a violation of plaintiff's constitutional rights. (*See* Opinion of Law.) As the evidence in this case makes painfully clear, ability grouping as presently practiced in the District of Columbia school system is a denial of equal educational opportunity to the poor and a majority of the Negroes attending school in the nation's capital, a denial that contravenes not only the guarantees of the Fifth Amendment but also the fundamental premise of the track system itself. What follows, then, is a discussion of that evidence—an examination of the track system: in theory and in reality.

B. Track theory

Basic to an understanding of the conflict between the parties in this lawsuit is an appreciation of the theory that motivates the track system as it operates in the District school system. The most comprehensive statement of that theory can be found in Dr. Hansen's book, *Four Track Curriculum For Today's High Schools*, published in 1964.[47] Although Dr. Hansen disclaims full responsibility for creating the track system, a reading of his book leaves no doubt that it was his firm guiding hand that shaped that system in its essential characteristics.[48] Thus, as principal architect of the track system and as Superintendent of Schools, Dr. Hansen presumably can be looked to as the authoritative spokesman on the subject.

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[41] C. Hansen, Four-Track Curriculum For Today's High Schools 7-8 (1964) (Ex. B-11, hereinafter also cited as Hansen). *See generally* Tr. 207-227, 234-237, 239-240, 368-382.

[42] Hansen 8.

[43] *Id.* at 12.

[44] *Id.* at 12–13.

[45] *See, e.g.,* Anderson, *Organizing Groups for Instruction,* in Individualizing Instruction 239 (1962) (Sixty-first Yearbook of the National Society for the Study of Education); Guggenheim, *Grouping and Pupil Progress,* in New Frontiers in Education 179 (1962).

[46] This taint has haunted the track system since its inception, many refusing to believe the plan has other than racist motives. See Hansen 69, 138.

Purpose and philosophy. Dr. Hansen believes that the comprehensive high school (and the school system generally) must be systematically organized and structured to provide differing levels of education for students with widely differing levels of academic ability. This is the purpose of the track system. In expressing the track system's philosophy Dr. Hansen has said, "Every pupil in the school system must have the maximum opportunity for self-development and this can best be brought about by adjusting curriculum offerings to different levels of need and ability as the pupil moves through the stages of education and growth in our schools." (Ex. 9, C–16: *How We Are Meeting Individual Differences.*) And he has identified as the two objectives on which the track system is founded: "(1) The realization of the doctrine of equality of education and (2) The attainment of quality education."[49]

Student types. Within the student body Dr. Hansen sees generally four types of students: the intellectually gifted, the above-average, the average, and the retarded. He assumes that each of these types of students has a maximum level of academic capability and, most importantly, that that level of ability can be accurately ascertained. The duty of the school is to identify these students and provide a curriculum commensurate with their respective abilities. Dr. Hansen contends that the traditional school curriculum—including the usual two-level method of ability grouping—does a disservice to those at either end of the ability spectrum.

The gifted student is not challenged, so that he becomes bored, lazy, and perhaps performs far below his academic potential; his intellectual talents are a wasted resource. The remedy lies in discovering the gifted student, placing him with others of his own kind, thereby stimulating him through this select association as well as a rigorous, demanding curriculum to develop his intellectual talent.[50] Indeed, "the academically capable student should be required as a public necessity to take the academically challenging honors curriculum."[51]

On the other hand, continues Dr. Hansen, the retarded or "stupid" student typically has been forced to struggle through a curriculum he cannot possibly master and only imperfectly comprehends. Typically he is slow to learn and soon falls behind in class; he repeatedly fails, sometimes repeating a grade again and again; he becomes isolated, frustrated, depressed, and—if he does not drop out before graduation—graduates with a virtually useless education. Here the remedy is seen as separating out the retarded student, directing him into a special curriculum geared to his limited abilities and designed to give him a useful "basic" education—one which makes no pretense of equalling traditionally taught curricula.[52]

In short, Dr. Hansen views the traditional school curriculum as doing too little for some students and expecting too much of others. As for the latter type, whom Dr. Hansen characterizes as "the blue-collar student," going to school—a "white-collar occupation"—can be an artificial experience.

"Twelve years of white-collar experience is unrealistic preparation for the young man or woman who will suddenly make the change into work clothes for jobs in kitchens, stockrooms, street maintenance or building construction.

* * * * *

"One reason [for education's failure to meet the needs of the blue-collar student] * * * is that it is at best an environment artificially created for the education of the young. From the beginning of his career in school, the child enjoys the comforts of a protected and unrealistic environment. Most of the Nation's classrooms are insulated from reality. To many students what happens in the classroom has little connection with what happens outside the classroom.

"Another reason * * * is that the school environment excludes most of the sterner discipline of the work-a-day world. * * *"[53]

Tracking. In order to tailor the educational process to the level appropriate to each student, Dr. Hansen adopted the track system. Each track is intended to be a separate and self-contained curriculum, with the educational content ranging from the very basic to the very advanced according to the track level. In the elementary and junior high schools three levels are used: Basic or Special Academic[54] (retarded students), General (average and above-average), and Honors (gifted). In the senior high school a fourth level is added: the Regular Track, a college-preparatory track intended to accommodate the above-average student.

The significant feature of the track system in this regard is its emphasis on the ability of the student. A student's course of instruction depends upon what the school system decides he is capable of handling. "It took a while for everybody on the [working] committee to understand that *ability was to be the primary key to the placement in a curriculum sequence, and that this factor not the subject-matter emphasis, was one of the unique characteristics of the four-track system.*"[55]

Flexibility. Dr. Hansen, while assuming that some students can be educated to their maximum potential in one of the four curricula, also anticipates that not all students will neatly or permanently fit into a track. Thus a second important assumption underlying the track system is that tracking will be a flexible process. Flexibility encompasses two things: First, although a student today may demonstrate an ability level which calls, for example, for placement in the General Track, a constant and continuing effort must be made to assure that he is at his true ability level. This calls for instruction directed toward correcting any remediable educational problems which account for the student's present poor performance; and it calls for close analysis and counselling to determine whether these remediable deficiencies exist and when they have been sufficiently corrected. When the latter is determined, the student is to be upgraded to the next higher track. Second, even though a student may not be in a position to make an across-the-board move from one track to another, his ability level may be such that he needs to take courses in two track levels on a subject-by-subject basis. This process, known as cross-tracking, is critical: it is the mechanism the system relies upon to assure that students whose ability levels vary according to particular subjects are not thwarted in developing their strong areas because their weak areas result in their being placed in a lower curriculum level. It also serves as a way of selectively raising the intensity of instruction on a subject-matter basis as a part of the process of gradually upgrading a student.

Fundamental assumptions. To summarize, the track system's approach is twofold. The separate curriculum levels are for some the maximum education their abilities permit them to achieve. For others, a track is supposed to be a temporary assignment during which a student's special problems are identified and remedied in whatever way possible. The express assumptions of this approach are three: *First,* a child's maximum educational potential can and will be accurately ascertained. *Second,* tracking will enhance the prospects for correcting a child's remediable educational deficiencies. *Third,* tracking must be flexible so as to provide an individually tailored education for students who cannot be pigeon-holed in a single curriculum.

C. The Tracks

1. Honors:

Purpose. The Honors Track is for the gifted student, its purpose being to provide him with an enriched, accelerated curriculum and to stimulate scholarship by placing him with similarly gifted students. (Ex. 9, C–16; Ex. B–11, pp. 162–163.)

Criteria. Elementary school children are eligible for Honors classes upon "recommendation by the principal and teacher, based upon the pupil's school record and physical maturity with achievement at least one year beyond national norms in reading and arithmetic * * *." (Ex. 9, C–16.)

At the junior high school level the student is judged in terms of the following: "1. Scholastic ability; 2. History and good study habits; 3. Emotional and physical stability; 4. Achievement-test scores above grade level in English and mathematics; 5. Interest in being in the Honors Track; 6. Approval of parents and principal." (*Ibid.*)

For senior high school the criteria are as follows:

"The student is admitted to this curriculum only on his own election and only if he is eligible. Eligibility for the honors curriculum requires the following: (a) demonstrated ability to do difficult academic work as shown by previous academic record; (b) ability to read two or more grades above grade level; (c) achievement test scores in the upper quartile in standardized tests in language and mathematics; (d) mental ability indicated to be in the upper quartile;

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[47] See Note 41 *supra*. Actually, only by reading this book in its entirety can one get the full flavor of the philosophy of the track system.

[48] *See generally* Hansen chs. 1, 3. During 1955, a working committee composed of high school principals and other school personnel worked with Dr. Hansen, then Assistant Superintendent in charge of senior high schools, in developing the track system (*ibid.;* Tr. 226, 376–377). The plan was finally approved in 1956 and introduced into the tenth grade classes that year; in 1957–58 the track system was extended to the eleventh and twelfth grades; and by 1959 had been adopted in the elementary and junior high schools. (Tr. 226–227, 377.)

[49] Hansen 50. Elsewhere he has expressed as the school system's goals those set by the President's Commission on National Goals in 1960: "To guard the rights of the *individual.* To ensure his development. To enlarge his opportunity." (Ex. 9, C–16.) (Emphasis in original.)

[50] Hansen 161–163.

[51] *Id.* at 166.

[52] *Id.*, at 131–135.

[53] *Id.*, at 76–77.

[54] The lowest track was designated "Basic" until 1965 when the more neutral term "Special Academic" was adopted.

[55] Hansen 44. (Emphasis in original.)

(e) emotional and physical stamina for difficult work; (f) demonstrated enthusiasm for honors placement; and (g) the written approval of parents or guardians.

"If a student shows a general aptitude for honors placement, he may be programmed in the curriculum even if he is deficient in up to two of the foregoing prerequisites." (Ex. B–11, p. 52)[56]

Structure. Honors classes do not begin until the fourth grade. (Tr. 242) At that time an eligible student may be placed in a separate Honors class at his own school, if there are enough other eligible students to warrant setting aside classroom space and assigning a teacher. (Tr. 6189) If there are not, apparently an Honors group might be organized within the regular classroom (Ex. 9, C–16)—although this would seem to be contrary to the concept of having wholly separate curricula. More commonly, the student has to transfer to the nearest school having an Honors class to obtain such instruction. (Tr. 6121, 6189–6190).

Curriculum. In elementary school the Honors curriculum is an accelerated and enriched version of the standard curriculum. (Tr. 4032–4034; Ex. 9, C–16; Ex. 95) The same is generally true for the junior high school; in addition, some senior high school subjects are offered to ninth graders. (Ex. 9, C–16).

In senior high school the content of the various curriculum levels is significantly different, as are graduation requirements. To graduate from the senior high school Honors Track the student must complete 18 Carnegie units,[57] 16 of which are required and 1½ elective. The required subject areas are English (4 units), mathematics (Algebra I and II, and plane geometry; 3 units), foreign language (4 units), social studies (ancient-medieval history, U.S. history, and U.S. government; 2½ units), and science (biology, chemistry and physics; 3 units). (Ex. B–11, p. 60) There is a wide selection of electives, including many advanced academic subjects. (Ex G–1, pp. 3–13).

2. Regular:

Purpose. This is a college preparatory track, found only at the senior high school level. It "provides the hard-core of academic offerings normally required for college entrance." (Ex. 9, C–16) According to Dr. Hansen, it merely continues the advanced curriculum found in all high schools having a two-level curriculum sequence (*i.e.,* college preparatory and terminal) (Ex. B–11, pp. 35–183), although he suggests embodying it in a track level tends to enhance its prestige and effectiveness in stimulating scholarship. (*id.* at 41)

Criteria. To qualify for the Regular Track the student must have: "* * * (a) demontrated ability to do academic work successfully as indicated by the student's scholastic record; (b) ability to read at grade level or above; (c) achievement scores in standardized tests at or above grade level in language and mathematics; (d) mental ability at or above high normal; (e) physical and emotional stamina to undertake a demanding program of studies; (f) interest in doing college preparatory work; and (g) written approval of parents or guardians." (Ex. B–11, p. 52)

Another version of these requirements includes the statement that the student must have "generally, high normal IQ, or above * * * ." (Ex. G–1, p. 14)

Curriculum. Sixteen Carnegie units must be completed to graduate from the Regular Track. Of these, 10½ are in these required subjects: English (4 units), foreign language (2 units), mathematics (algebra, geometry; 2 units), science (biology, chemistry or physics; 1 unit), and social studies (U.S. history, U.S. government; 1½ units). (Ex. B–11, pp. 60, 62) As in the case of the Honors curriculum, offered electives include a number of advanced academic subjects. (Ex. G–1, pp. 13–23)

3. General:

Purpose. At the elementary and junior high school levels the General curriculum serves the bulk of the students, excepting only those considered bright enough for Honors or slow enough for Special Academic. (Tr. 233–234; Ex. 9, C–16)

At the senior high school level, however, the nature of the General Track becomes more specific. It is expressly a curriculum "designed to serve students of normal intelligence levels who plan to go to work immediately upon graduation." (Ex. 9, C–16)

Curriculum. For elementary and junior high schools the General curriculum is simply a normal primary or secondary program. (Tr. 4033–4034; Ex. 9, C–16; Ex. 95) However, given the fairly broad range of ability levels in the General Track, there is subgrouping of students so as to narrow the range of differences; thus there may be a slow General group and a fast General group. (*See* Ex. 9, C–16)

In senior high school, in keeping with its terminal nature, the pure General curriculum is vocationally oriented. (Ex. G–1, pp. 26–38; Ex. 9, C–16; Ex. B–11, pp. 63–67) Students who desire a college preparatory curriculum must, for the most part, elect courses from the Regular Track, but may do so only if qualified for the more advanced instruction. (Ex. B–11, pp. 63–65) (*See* Section E, *infra.*) Sixteen Carnegie units are required for graduation, 7½ of them in these required subjects: English (4 units), mathematics (general mathematics, business arithmetic, or—if qualified—algebra; 1 unit), science (descriptive biology; 1 unit), social studies (U.S. history; U.S. government; 1½ units). (Ex. B–11, p. 64)

4. Special Academic (Basic):

Purpose. The Special Academic Track is for those students who have been variously described as "slow learners," "retarded," "academically retarded," "retarded slow learners," or "stupid." (Tr. 233, 400–401; Ex. B–11, pp. 37, 46, 48, 131–132) Its purposes are to provide a useful education for students whose limited abilities prevent them from successfully participating in the normal curriculum; and to give remedial instruction in the basic subjects—especially reading and arithmetic—to those students who can eventually qualify for upgrading to the General curriculum. (Ex. B–11, pp. 48, 67; Ex. 9, C–16)

Criteria. In general, the criteria for Special Academic Track placement are inability to keep up with the normal curriculum, emotionally disturbed behavior, an IQ of 75 or below, and substandard performance on achievement tests. (Tr. 233, 257, 323)

In junior high "in order to be transferred from Basic to General Track, *in general* the student must be functioning at no more than 2 years below grade level in reading and arithmetic. * * * In cases where the pupil does not meet this standard BUT there is evidence of diligence, recent growth and good study habits in the fundamental skills, the student may be given trial placement in the General Track." (Ex. 9, C–16) (Emphasis in original.)

In senior high school Special Academic placement is recommended when "(a) a student is functioning three or more years below grade level as shown by achievement tests (at sixth grade or below in reading and mathematics in the ninth grade); (b) his preceding academic record shows him to be unable to cope at a minimum level with traditional content in language and mathematics; (c) his teachers believe him to be in need of placement in the basic track; (d) his mental retardation is indicated by an I.Q. index of 75 or below. (Ex. B–11, pp. 52–53)

Dr. Hansen has said that "academic retardation in this curriculum is severe, particularly in reading." (*Id.* at 67)

School policy used to be that students identified as belonging in the Special Academic Track were mandatorily required to enroll in that curriculum. "Admission to the upper three curricula should be selective. The student who is ineligible because of low achievement should not be admitted to the traditional high school program." (Ex. B–11, p. 48) This policy, followed in elementary and junior high schols as well as in the high schools, was amended in the fall of 1965 to require parental consent for Special Academic placement. Most parents, however, acquiesce in the school's recommendation. (Tr. 321–323)

Structure. Elementary school children may be placed in the Special Academic Track as early as the first grade, although most wind up there after an attempt at the normal first and perhaps second grade curriculum. Some schools place all Special Academic Children is one class, so that youngsters ranging from first to sixth grade age levels may be taught in the same classroom; actually, the age spread may be even greater since Special Academic students who do not progress academically to a point where they can be promoted into the junior high school level remain in elementary school until they pass their thirteenth birthday. Other schools divide the track into two groups, the primary Special Academic (grade levels one through three) and the intermediate Special Academic (grade levels four through six), thus reducing the age spread. (Tr. 1049–1051, 6209–6217; Ex. 9, C–16)

At least at the elementary school level, Special Academic classes are ungraded. A child's grade level equivalent is ascertained from his scores on standardized or informal achievement tests. Whereas the child in the General curriculum can usually be expected to progress at the rate of one grade level per year, the Special Academic student typically will progress at a much slower rate. For those who continue to learn at this slower rate, the Special Academic Track will be permanent until such time as the child passes his thirteenth birthday and is moved on into the junior high school Special Academic Track. (Tr. 6209–6214; Ex. A–33, p. 34, No. 9) It is not clear whether classes are ungraded in the secondary schools.

A major distinction of the Special Academic Track is that classes are to be kept relatively small, the usual pupil-teacher ratio being about 18 or 20 to one. (Tr. 4039, 6105) This is to enable more individualized attention than is possible in a larger class.

Dr. Hansen has indicated that teachers in the Special Academic Track need to be specially prepared to deal with the special problems that characterize slow learners. (Ex. B-11, pp. 141–149)[58] The great majority of those teaching in the Special Academic Track, however, either have had no formal training in special education or have had very little. (Tr. 912–913; Ex. A–11, Ex. A–12) About half of the teachers are nontenure, or temporary. (Tr. 539F)

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[56] In another section of his book Dr. Hansen notes that originally an IQ of 115 was a cutoff point for Honors, but experience required greater flexibility. (Ex. B–11, p. 163.) An interesting contrast is another version of Honors criteria, attributed to Assistant Superintendent Koontz, in a 1961 Curriculum Handbook published for District high school students by the D. C. Congress of Parents and Teachers and approved by the school system. (Tr. 350) There the IQ requirement was stated as 130 or above, although it was noted that this requirement could be relaxed. (Ex. G–1, p. 4.)

[57] One Carnegie unit is given for each subject taken five days a week for one academic year.

[58] "[High school teachers in the special Academic Track] must be selected for their preparation for teaching an elementary level curriculum to students of high school age." (Ex. B–11, p. 37)

Curriculum. The Special Academic curriculum at the elementary and junior high school level can be characterized as a highly simplified, slower-paced version of the standard curriculum. The concepts taught are simpler; the vocabulary is easier, the words being less complex and fewer in number; instructional materials may be simplified versions of materials used in the normal classroom,[59] the effort being made to keep pace with the child's age-level interests while at the same time reducing subject content to his grade-level ability. There is an emphasis on "basic" subjects—reading, English, and arithmetic. (Tr. 6105–6115; Ex. 105–116; Ex. 9, C–16)

At the senior high school level, in addition to carrying forward the simplified course content, the curriculum focuses on preparing the student for a variety of low-skill vocations. (Ex. B–11, ch. 8; Ex. 9, C–16) Graduation requirements in the Special Academic Track are 16 Carnegie units, 9½ in these required subjects: English (4 units), mathematics (arithmetic; 2 units), science (basic science; 1 unit), social studies (social studies, U.S. history, and U.S. government; 2½ units), business education (basic business; 1 unit). The elective courses are in such areas as home economics, shop (all at the low-skills level), or business-related functions (typing, filing, office machine operation, etc.). (Ex. B–11, pp. 67–68; Ex. G–1, pp. 43–50)

5. *Junior Primary.* The Junior Primary is an ability-grouped class intermediate between kindergarten and first grade. Its purpose is to bring children up to a level of readiness for normal first grade instruction, the usual problem being inadequate preparation in reading-readiness skills. Some students in Junior Primary have not had kindergarten training (many Negro children do not attend kindergarten because of lack of space;[60] other children simply are not enrolled by parents); others are slow learners who have not fully developed in kindergarten.

A decision as to whether a child requires Junior Primary placement is based on his score on a standard aptitude test and the teacher's judgment. For those students who have not had kindergarten, however, the test score would have to be the controlling factor since the child would not have had any prior contact with the school and thus would not be known to a teacher.

Of those who go into Junior Primary, some advance directly into the second grade, but most go into regular first grade after spending a year or less in the special class. And for some children Junior Primary is simply preliminary to placement in the Special Academic Track. (Tr. 229–231; 4030, 4069–4070; 6095–6097, 6183–6186; Ex. 9, C–16)

TABLE A

ELEMENTARY SCHOOLS

School year	Basic track		General track		Regular track		Honors track		Total
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
1962–63	2,839	3.3	69,908	95.0			1,269	1.7	74,016
1963–64	2,876	3.8	(1)				(1)		75,807
1964–65	2,984	3.9	72,971	94.6			1,196	1.5	77,151
1965–66	2,495	3.1	75,762	95.1			1,382	1.8	79,639
1966–67	1,919	2.4	(1)				(1)		81,513
JUNIOR HIGH SCHOOLS									
1959–60	2,569	11.9	18,068	83.3			1,045	4.8	21,682
1960–61	3,124	13.0	19,455	81.1			1,419	5.9	23,998
1961–62	3,457	13.1	21,356	80.9			1,570	6.0	26,383
1962–63	4,218	15.0	22,215	78.9			1,722	6.1	28,155
1963–64	4,499	15.5	22,758	78.3			1,793	6.2	29,050
1964–65	4,209	14.4	23,253	79.5			1,799	6.1	29,261
1965–66	2,767	9.5	24,181	84.9			1,585	5.6	28,533
1966–67	2,193	6.9	(1)				(1)		29,182
SENIOR HIGH SCHOOLS									
1958–59	3,026	22.6	5,575	41.7	3,884	29.0	892	6.7	13,377
1959–60	2,904	22.0	5,594	42.4	3,795	28.8	900	6.8	13,193
1960–61	2,321	18.3	5,572	44.1	3,780	29.9	969	7.7	12,642
1961–62	2,074	16.1	5,692	44.2	4,002	31.1	1,106	8.6	12,874
1962–63	1,799	12.6	6,455	45.3	4,856	34.0	1,155	8.1	14,265
1963–64	1,760	10.8	7,812	48.0	5,628	34.6	1,075	6.6	16,275
1964–65	1,629	9.0	8,941	49.6	6,426	35.6	1,035	5.8	18,031
1965–66	1,451	7.9	9,355	50.5	6,710	36.2	1,007	5.4	18,523
1966–67	(1)		(1)		(1)		(1)		18,858

[1] Data not available.

Note.—Tr. 1030; exhibit 146; exhibit B–4; exhibit B–16; exhibit C–15; exhibit P–5; exhibit P–6.

D. Track Distribution

Table A, *supra,* summarizes the available data regarding the distribution, past and present, of District students among the various tracks in the elementary and secondary schools. This Table will be cited with regard to particular findings where relevant.

Plaintiffs have relied strongly on the empirical evidence regarding the distribution of students to prove how the effect of the track system is to discriminate against the lower class and the Negro students, who constitute a majority of the student population in the District public schools. Defendants have acknowledged that enrollment in the tracks is related to the socio-economic status of a student, but they deny that any racial bias is operating. The court will review the evidence on both counts.

1. *Socio-economic and racial patterns.* The following Tables summarize the available data giving the distribution of students among the various tracks at the secondary school level, the data being for the school years 1964–65 and 1965–66.[61]

TABLE B.—*Senior high schools*

School	Neighborhood median income (hundreds)	Year	Percent Negro enrollment	Percent special academic (basic)	Percent general	Percent regular (college preparatory)	Percent honors
Dunbar	$3.9	1964	99.8	16.7	68.1	15.6	[1] None
		1965	99.6	9.8	72.5	17.7	[1] None
Cardozo	4.4	1964	99.5	18.2	56.4	22.4	3.0
		1965	99.6	12.0	64.5	20.2	3.3
Eastern	4.9	1964	99.0	12.0	55.5	28.6	3.9
		1965	99.5	10.4	54.4	33.4	1.8

See footnotes at end of table.

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[59] The only materials described with any precision or entered into evidence are those used in the Scott Montgomery and Morse elementary schools; the court assumes these are in general fairly typical. (Tr. 6207–6209) In at least two respects, however, these schools enjoy materials or programs not typical of other schools. (Tr. 6157; Ex. 1, p. 41 (films); Tr. 6180 (field trips))

[60] *See* Section F, *infra.*

[61] Sources relied upon for both Tables are: Ex. B–4; Ex. B–12, pp. 315–316; Ex. B–16; Ex. F–3; Ex. P–4; Ex. P–5; Ex. V–2. Schools have been listed according to median income levels.

TABLE B.—*Senior high schools*—Continued

School	Neighborhood median income (hundreds)	Year	Percent Negro enrollment	Percent special academic (basic)	Percent general	Percent regular (college preparatory)	Percent honors
Spingarn	$4.9	1964	100.0	12.0	73.5	13.6	.9
		1965	100.0	13.4	74.5	11.4	.7
McKinley	5.2	1964	99.0	4.9	39.9	49.2	6.0
		1965	99.5	4.3	39.6	48.3	7.8
Ballou	5.2	1964	64.0	7.4	53.7	34.3	4.6
		1965	76.0	9.9	52.7	33.9	3.5
Anacostia	[2] 6.0	1964	61.0	6.5	54.5	34.8	4.2
		1965	74.0	7.9	55.1	33.2	3.8
Roosevelt	6.0	1964	98.5	5.5	57.2	32.9	4.4
		1965	99.4	4.7	57.7	34.4	3.2
Coolidge	7.6	1964	82.0	5.1	31.6	52.5	10.8
		1965	90.0	3.8	33.5	52.5	10.2
Western	8.6	1964	42.7	6.6	34.6	46.1	12.7
		1965	52.5	7.4	43.7	47.7	12.2
Wilson	10.4	1964	2.3	[3] None	7.8	75.1	17.1
		1965	6.3	[3] None	8.1	80.0	11.9

[1] Dunbar High School has not offered an honors curriculum since at least 1961. (Exhibit B-3).

[2] According to plaintiffs' Exhibit F-3, based on 1960 census data, Anacostia High School serves a neighborhood whose median annual income is between $6,000 and $6,999. However, in plaintiffs exhibit B-12, p. 315 (and exhibit V-2 based thereon), the median income is shown as $4,627. This discrepancy is unexplained; however, since the rest of the figures found in exhibit B-12 accord with those in exhibit F-3, the court has adhered to the latter but has placed the income level at the lower end of the indicated range, i.e., $6,000.

[3] Wilson High school has not had a special academic track since at least 1961. (Exhibit B-3.)

TABLE C.—*Junior high schools*

School	Nbhd median income	Percent Negro enrollment [1]		Percent S. Ac. (basic)	Percent general	Percent honors
Terrell	$3,500	99.5	1964	17.4	82.6	None
			1965	13.7	86.3	None
Shaw	3,500	99.5	1964	36.0	64.0	None
			1965	28.1	71.9	None
Stuart	4,500	94.5	1964	25.3	74.7	None
			1965	22.0	78.0	None
Randall	4,500	97.5	1964	22.7	77.3	None
			1965	18.3	81.7	None
Miller	4,500	100.0	1964	12.3	80.3	7.4
			1965	7.0	85.7	7.3
Garnet-Patterson	4,500	99.9	1964	21.8	78.2	None
			1965	15.3	84.7	None
Francis	4,500	95.0	1964	21.1	78.9	None
			1965	15.1	84.9	None
Evans	4,500	100.0	1964	18.6	81.4	None
			1965	16.3	83.7	None
Eliot	4,500	99.1	1964	13.3	32.1	4.6
			1965	5.8	89.1	5.1
Browne	4,500	99.9	1964	25.1	72.9	2.0
			1965	7.8	92.2	None
Banneker	4,500	99.5	1964	13.6	83.0	2.0
			1965	15.5	80.8	3.7
Sousa	5,500	97.0	1964	16.3	79.3	4.4
			1965	3.4	95.5	1.1
Langley	5,500	99.2	1964	10.2	89.8	None
			1965	6.9	93.1	None
Kramer	5,500	54.5	1964	9.9	84.0	6.1
		69.1	1965	7.4	86.8	5.8
Hine	5,500	95.4	1964	14.1	85.9	None
			1965	4.1	95.9	None
Douglass	5,500	99.0	1964	23.3	76.7	None
			1965	8.6	91.4	None
Woodson	6,500	99.9	1964	12.1	86.5	1.4
			1965	13.0	87.0	None
MacFarland	6,500	99.2	1964	6.9	88.3	4.8
			1965	6.3	88.6	5.1
Hart	6,500	55.7	1964	6.6	84.7	8.7
		74.0	1965	4.1	90.0	5.9
Paul	7,500	83.0	1964	5.5	78.1	16.4
		88.1	1965	3.3	83.5	13.2
Taft	8,500	98.0	1964	8.5	83.9	7.6
			1965	10.0	83.4	6.6
Backus	8,500	96.0	1964	5.9	86.9	7.2
			1965	4.8	88.7	6.5
Gordon	9,500	41.5	1964	4.3	80.7	15.0
		48.0	1965	3.4	84.3	12.3
Deal	10,500	1.0	1964	2.5	56.5	41.0
		1.3	1965	None	56.0	44.0
Jefferson	(2)	80.0	1964	8.5	61.8	29.7
		81.0	1965	4.2	65.7	30.1

[1] Figures are for 1964; where enrollment changed significantly both 1964 and 1965 figures are given.

[2] Unknown.

a. *Socio-economic correlation.* Defendants have admitted that, as a general rule, the per cent of students in a given track will correspond to the income level of the neighborhood served by that school. The higher the median income level, the greater the per cent of students who will be found in the higher tracks.[62] This general proposition has its exceptions. However, the exceptions fall within the middle-range schools where small variations can produce pronounced differences in relative position.

Senior high schools

(1) Dunbar High School, the school serving the lowest income neighborhood ($3,000–$3,999 median), has not had an Honors Track since at least 1961. And, although it has had a Regular (college preparatory) Track during that period, the evidence shows Dunbar to have had the second lowest number of students in that curriculum in 1964 and 1965 (15.2% and 17.7% respectively). The only school with fewer students in college preparatory curricula (Regular and Honors) was Spingarn High, an all-Negro (100%), low-income ($4,000–$4,999) school having 14.5% in the Regular or Honors Tracks (13.6% and 0.9% respectively) in 1964 and 12.1% (11.4% and 0.7%) in 1965.

(2) Wilson, the only high school serving the highest median income level ($10,000–$10,999), and having the fewest Negro students (2.3% in 1964; 6.3% in 1965), has not had a Special Academic Track since at least 1961. For both years over 90% of the stu-

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[62] "The per cent of the student body of a given school in a given curriculum corresponds to the income level of the neighborhood served by that school. That is, generally, the higher the income level of the area served by the school, the higher the per cent of the student body of that school in the advanced curriculums." Defendants' Proposed Findings, p. F-15. *See also* pp. F-15 to F-21, for defendants' analysis of the enrollment patterns in the secondary and elementary schools with regard to income correlations.

dents at Wilson were in the advanced curricula, the bulk of them in the Regular Track (75.1% in 1964; 80.0% in 1965), and a high percentage in Honors (17.1% and 11.9% respectively).

(3) Grouping the high schools into three economic levels—high ($7,000–$10,999), middle ($5,000–$6,999) and low (3,000–$4,999)—the correlation between track placement and income is exact.

TABLE D

Income level	Number of schools	Percent students in special academic and general tracks	
		1964	1965
High	3	7.8 to 34.6	8.1 to 40.1.
Middle	4	44.8 to 62.7	43.9 to 63.
Low	4	67.5 to 85.5	64.8 to 87.9.

Junior high schools

The economic correlations found in the senior high schools are also found, generally, in the junior high schools.

(1) There were 25 junior high schools in 1964 and 1965. Of the 25, all offered a Special Academic Track in 1964; in 1965 one did not: Deal Junior High, serving the highest income level ($10,000–$10,999). In 1964, 15 (60%) offered an Honors Track; in 1965 this dropped to 12, or less than 50%. Of those *without* an Honors Track in 1964, seven (70%) were in the low income group (11 schools) and three (30%) were in the middle income group (eight schools [63]); all five of the high-income-group schools had Honors Tracks. For 1965, nine of the 13 non-Honors Track schools were low income schools (69%); the other four (31%) were in the middle income range.

(2) The per cent of students in either the Special Academic or Honors Tracks does not show an exact correlation with income level. But, as a general matter, the enrollment range in the Honors Track does reflect a definite *upward* trend the higher the income level; conversely, Special Academic enrollment *decreases* as income level goes higher.

TABLE E

Income level	Percent in special academic		Percent in honors	
	1964	1965	1964	1965
High	2.5– 8.5	0 –10.0	41.0–7.2	44.0–6.5
Middle	6.6–23.3	4.1–13.0	8.7–0	5.9–0
Low	12.3–36.0	5.8–28.1	7.4–0	7.3–0
Jefferson	8.5	4.2	29.7	30.1

Elementary schools

The correlation continues at the elementary school level, as indicated by Table F.

TABLE F.[64]—*Percent elementary schools with honors tracks (1965)*

Median income range	Number of schools	Number with honors tracks	Percent
Under $3,000 to $4,999	60	3	5.0
$5,000 to $6,999	40	6	15.0
$7,000 to $10,999	22	14	63.6
$11,000 and over	8	6	75.0
Total	130	29	22.2

Note.—Exhibit F-2; exhibit B-4; see defendants' proposed findings, p. F-19.

From all of the above data it is clear that a student's chance of being enrolled in one of the more advanced tracks is directly related to his socio-economic background. The reason for this correlation will be examined in some detail in Section F, *infra*. Suffice it to say here that the relationship is founded on the fact that academic achievement is strongly influenced by the kind of environment a child is born into and in which he spends his childhood and early youth—his home, his community and his school. Income level happens to be a shorthand way of identifying those backgrounds that are more or less conducive to becoming a successful student.

b. *Racial correlation*. Defendants have gone to some pains to establish that everything about a student's education under the track system can be explained by nonracial considerations. However, as even a hurried glance at the data just reviewed makes plain, for a majority of District schools and school children race and economics are intertwined: when one talks of poverty or low income levels one inevitably talks mostly about the Negro. This is evidenced by the most recent census data for the District of Columbia (1960) which shows the median annual income level to be $5,993 for all families; but for white families the median is $7,692 whereas for Negro families it is $4,800. At least 50% of the Negro population can therefore be placed within a poverty range. (Ex. 124.)

Further evidence of the relationship between income and race can be seen in the following data.

Senior high schools

(1) Of the 11 senior high schools, eight (72.6%) serve neighborhoods with income levels of $6,000 or below, the average being $4,000. The per cent Negro enrollment in those schools, using the 1965 figures, ranged from a low of 74.0% to a high of 100.0%; the average was 93.5%.

(2) The two schools with a significant number of white students enrolled are Wilson (93.7%) and Western (47.5%). The median income level of Wilson is $10,374; of Western, $8,649.

(3) The court has already compared the enrollment patterns of Wilson with Dunbar and Spingarn, both low income Negro schools. It is also instructive to note that Wilson, the only predominantly white school, had all but 8% of its students in the Regular and Honors Tracks in 1964 and 1965; no other school was even close to that. The school that was closest was Coolidge High School, a predominantly (90.0%) Negro school serving a neighborhood with the third highest income level in the system ($7,650); but despite its relative affluence Coolidge nonetheless had almost 40% of its students in the lower, non-college preparatory tracks. (*See generally* Table B.)

Junior high schools

(1) Of the 24 junior high schools whose income level is known, 16 were at or below the $6,000 mark, the average being about $4,700. In 1965 the per cent Negro enrollment in those schools ranged from 63.5% to 100.0%; the average was 96.5%.

(2) In 1964 there were six schools [64] [65] having from 99.0% to 17.0% white enrollment, all six had Honors Tracks (whereas 40% of the schools did not). At least two of those schools were in the middle income range (one at $5,000–$5,999 and one at $6,000–$6,999; in addition, Jefferson was among the six schools and presumably fell within the middle range). There were six other middle income schools,[66] all having virtually all-Negro student bodies (the range going from 95.4% Negro to 99.9%); only three of them had Honors Tracks. And in 1965, this number dropped to two.

Elementary schools

Table G shows the distribution of track offerings in the elementary schools in 1965 according to the racial characteristic of the schools. As the Table makes clear, income and race tend to coincide.

TABLE G

Percent Negro enrollment	Average income level	Number of schools	Having special academic track		Having honors track	
			Number	Percent	Number	Percent
85 to 100	$5,000	108	88	81.5	13	12
67 to 85	5,500	4	3	75.0	2	50
33 to 67	8,100	7	3	72.0	3	42
15 to 33	7,100	3	2	67.0	2	67
0 to 15	11,400	11	None	0	9	82

Note.—Exhibit B-4; exhibit F-2; exhibit P-4.

The pattern of Honors Track offerings found to exist in the junior high schools repeats in the elementary schools: the great majority of predominantly Negro schools do not provide Honors Tracks for their students. Indeed, only 16% of all Negro elementary school students were attending schools with Honors programs in 1965; on the other hand, 70% of all white students had the advanced curriculum at their schools. (Ex. V-10.)

c. *Racial distribution within track levels*. Perhaps the most striking illustration of why cerning the racial breakdown of the enrollment in the Special Academic or Basic Track, it is impossible to accept defendants' arguments that a student's race is irrelevant to the kind of education he obtains is to be found when one examines the evidence con-

TABLE H [67]

	School year	Total school enrollment		Ratio of Negroes to whites in special academic track	
		Percent Negro	Percent white	Percent Negro	Percent white
Elementary	1964	89.5	10.5	95.0	5.0
	1965	91.0	9.0	95.0	5.0
Junior high	1964	87.6	12.4	94.7	5.3
	1965	89.5	10.5	96.4	[68] 3.6

Note.—Exhibit B-4; exhibit C-15; exhibit P-4; exhibit P-5.

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[63] The income level for Jefferson is unknown and will be shown separately in the economic breakdowns.

[64] *Compare* Table G, *infra*.

[65] Deal, Gordon, Hart, Jefferson, Kramer and Paul.

[66] Douglas, Hine, Langley, MacFarland, Sousa and Woodson.

[67] Defendants do not maintain records for senior high schools.

[68] Stated otherwise, as of October 1965, 3.3% of the white students in junior high school were in the Special Academic Track whereas 10.2% of the Negroes were in that Track. (Ex. P-20.)

the only track for which defendants maintain records according to race. As a general rule, in those schools with a significant number of both white and Negro students a higher proportion of the Negroes will go into the Special Academic Track than will the white students. This pattern is shown by the next two tables.

Thus, at both the elementary and junior high school levels the per cent of Negroes enrolled in the lowest track exceeds their proportionate representation in the total student body; conversely, the white enrollment in the Special Academic Track is significantly lower, than the proportion of whites in the total school enrollment. This is shown with greater particularity in Table I, below.

TABLE I.—*Racial breakdown in the special academic tracks in junior high schools having between 17 and 80 percent whites, school years 1962–65*

School	Year	Percent whites	Special academic track		Col. 3 Percentage of whites to Negroes	Pupils in track as percent of total white or Negro enrollment	
			Col. 1 (White)	Col. 2 (Negro)		Col. 4 (White)	Col. 5 (Negro)
Gordon	1962–63	74.0	31	16	66.0	4.2	6.4
	1963–64	68.6	25	26	49.0	3.9	9.5
	1964–65	58.5	14	31	31.0	2.4	7.8
Hart	1962–63	80.0	28	25	58.0	3.1	12.1
	1963–64	66.4	25	49	34.0	3.3	14.0
	1964–65	44.3	18	75	19.4	2.9	10.5
Jefferson	1962–63	26.0	9	66	12.0	6.1	17.8
	1963–64	20.8	10	44	18.5	8.4	10.0
	1964–65	20.0	8	47	14.5	6.6	10.0
Kramer	1962–63	65.5	29	30	56.5	5.4	8.1
	1963–64	55.5	48	41	54.0	7.8	8.4
	1964–65	45.5	44	71	39.0	9.1	12.6
Paul	1962–63	24.4	12	85	12.4	3.4	8.2
	1963–64	22.5	5	57	8.1	1.9	6.6
	1964–65	17.0	7	59	10.6	3.5	6.3

Note.—Exhibit P–5; exhibit P–6; exhibit P–7.

In these five junior high schools, the only ones with a significant biracial enrollment, the per cent of white students in the Special Academic Track was consistently lower than the per cent of whites in the total school population (*compare* Col. 1 *with* Col. 4); in all cases a higher proportion of the Negro students in these schools were in the lowest track than were the white students (*compare* Col. 5 *with* Col. 6).

Clearly, then, race cannot be considered irrelevant in the operation of the track system. Even if the effects of tracking are not racially motivated, the Negro student nonetheless is affected.

2. *Effects of the distribution pattern.* The data just reviewed reveal the two important effects of the track system. First, tracking tends to separate students from one another according to socio-economic and racial status, albeit in the name of ability grouping. Second, the students attending the lower income predominantly Negro schools—a majority of District school children—typically are confined to the educational limits of the Special Academic or General Track.

a. *Class separation.* The track system is by definition a separative device, ostensibly according to students' ability levels. However, the practical effect of such a system is also to group students largely according to their socio-economic status and, to a lesser but observable degree, to their racial status. Two examples will suffice to prove the point.

(1) *Western High School.* Western is a high school serving the neighborhood with the second highest income level ($8,649). However, the 1965 enrollments in the Special Academic and Regular Tracks did not conform to the general rule linking income with track placement—three schools (Coolidge, Roosevelt, McKinley) of lower income levels than Western having fewer students in the Special Academic Track, and two of those (Coolidge, McKinley) having more in the Regular Track.

Defendants suggest as a reason for this deviation an influx of transfer students, implicit in which is the further suggestion that these were lower income students who would tend to gravitate to the lower tracks. (Defendants' Proposed Findings, p. F–17.) Evidence shows that in 1965, 405 out-of-boundary students were enrolled in Western, representing 31% of the student body. A breakdown of Western's enrollment by median income level as of May 1966 showed the following: 29.7% of the students were from income levels below $5,000; 34.2% were from the $5,000–$6,999 level; 10.7% were from the $7,000–$8,999 level; and 25.4% were from levels $9,000 and above. (Ex. N–9; Ex. N–10.)

Accepting defendants' explanation as correct serves to strengthen the economic-correlation finding. But more significantly, it proves the segregatory effect of tracking. Thus the indigenous upper class, predominantly white, Western student body is cushioned from the full impact of a substantial influx of lower class outsiders. And given the predominance of the Negro in that class, there is a high probability that the cushioning effect is racially as well as economically related.

(2) Confirmation of the cushioning effect from a racial standpoint is found in the data presented in Tables H and I, *supra*, where it was shown that Negro students in the "integrated" schools go into the Special Academic Track in greater proportion than their white classmates. Although whites and Negroes certainly are not wholly segregated in these schools as a consequence of this, there can be no disputing that the greater the number of Negro students placed in the lower tracks, the less will be the impact of the Negro enrollment on the upper track levels. In short, there is substantial evidence that tracking tends to thin out the number of Negroes in the higher curriculum levels, thus redistributing the racial balance in integrated schools—increasing the proportion of Negroes to whites in the lower tracks and decreasing that proportion in the upper tracks.

The reason for the track system's separative effect (and concomitant cushioning effect as well) inheres largely in the placement methods used in the District, pupils being programmed on the strength of their performances in class and on standardized aptitude tests, both of which criteria are heavily—and, as it turns out, unfairly—weighted against the disadvantaged student. (*See* Section F, *infra.*) Moreover, as will be seen shortly, once a student is separated it tends to be both permanent and complete at least insofar as classroom contacts are concerned. (*See* Section E, *infra.*)

b. *Availability of Honors programs.* As observed earlier, because of the socio-economic and racial correlations the poorer Negro students for the most part receive the limited offerings of the General and Special Academic Tracks. But more than that, there is a total absence of any Honors programs at a substantial number of schools—almost all of them having predominantly Negro enrollments. (*See* Tables B, C and G, *supra.*)

Defendant's explanation for this absence—at least with respect to the elementary schools—is that there are not enough students with the apparent aptitude for advanced work enrolled in the individual schools to warrant organizing an Honors program. (Tr. 4067, 6189; *see* Ex. 9 and Ex. C–16.) For those students who do show Honors potential, the usual option given them is to transfer—at their own expense—to the closest school offering an Honors course. As a practical matter, the burden is such that many parents are forced to leave their children in their neighborhood school and the gifted Negro student stays in the General Track. (Tr. 3067, 6120–6121, 6189, 6190; Ex. 9.) Presumably these children are at some disadvantage when they move on to junior high school and begin to compete with the more fortunate students—black or white—whose schools were able to provide them with the advanced course work.

At the senior high school level, the virtually all-Negro, low income Dunbar High School has gone without an Honors Track for at least the last seven years. Apparently out of the approximately 1,500 students enrolled at Dunbar each year not enough bright students have been found to justify an Honors program. There is no evidence as to whether Honors-capable students in the Dunbar zone are allowed to transfer to a school offering such a program; presumably they would be, if they could afford the time and expense of going beyond the neighborhood boundaries. On the other hand, for those students not qualified for full-scale enrollment in the Honors Track but capable of and interested in selected Honors-level courses, transfer is apparently not an option. This means, of course, that the maximum education open to a Dunbar student is the standard Regular Track course of instruction; there can be no supplementing of that program with an occasional Honors course.

Both this circumstance and the broader problem of requiring transfers to obtain the best education point up a distinct inflexibility in the track system. Being committed to organizing a whole curriculum rather than individual courses at a given time in a given subject, the capital investment required in the form of potential student enrollment is much higher. Thus, while programs are to be individualized for the student there must first be enough individuals for the program. This is a distinct disadvantage for the fast developing student enrolled in a school where the student body, because of impoverished circumstances, is unable to furnish an adequate supply of candidates for a full-scale Honors program. (*See* Section F, *infra.*)

E. FLEXIBILITY IN PUPIL PROGRAMING

The importance of flexibility to the proper operation of the track system has been adverted to earlier in this opinion. No better statement of this principle can be found than in the words of Dr. Hansen:

"When the four-track system was put into operation in 1956, the intent was not to make pigeon-holes into which pupils would be permanently sorted like mail of different classes. The expectation was, rather, that a student's election of a curriculum sequence, or his assignment to one, would restrict his choice of subjects to a pattern of interrelated disciplines. The coordinated curriculum plan was developed to provide for flexibility when the interests of the pupils demanded it. Can a more restrictive and less individualistic curriculum plan co-exist with a reasonable degree of flexibility in pupil programing?

"Experience has shown that flexibility can be and is a salient feature of the four-track plan. This outcome is not automatic. It must be insisted upon by the central administrative office as it works to set up standard practices against the natural gravitational pull toward separateness in secondary school administration. High school administrators tend toward individuality in management, resist pressures from the central administrative office, and make their schools self-contained and self-governing principalities.

"The flexibility described here is of two kinds: (1) the transfer from one track to another as conditions warrant and (2) cross-tracking, that is, the election of courses by eligible students outside their own track placement." [69]

Plaintiffs, of course, have taken issue with Dr. Hansen's conclusion that "experience has shown that flexibility can be and is a salient feature * * *" of the track system. They are joined in this view by none other than the President of the School Board, Dr. Haynes, who has stated in testimony before this court that the track system puts District school children in a "straitjacket." (Tr. 1248) Defendants have been content to resist the changes of inflexibility by relying on a somewhat sparse statistical showing of the amount of movement between tracks—upgrading and crosstracking—that actually takes place. (Exs. 139, 140; B–1).

These data speak for themselves: flexibility in pupil programming in the District of Columbia school system is an unkept promise.

1. *Movement Between Tracks: Upgrading:*

a. *Movement out of the Special Academic Track.* Writing in 1964, Dr. Hansen observed: "* * * [T]he basic curriculum has two purposes. One is to offer slow learners a curriculum from which they may graduate with honor. The other is to help retarded students overcome their academic deficiencies so that they will be eligible for transfer to the general or even the college preparatory tracks.

"One measure of the success of the basic curriculum is, therefore, the number of students who lift their achievement levels to the point that they can be transferred to the upper curriculum levels. * * *" [70]

So measured, the Special Academic or Basic Track is a failure. Table J plus Tables K, L, and M present in tabular form the only data defendants have been able to make available to support their contention that the track system is flexible.[71]

TABLE J [72].—*Upgrading—Special academic track*

	Year	Total special academic enrollment	Number upgraded	Percent upgraded	Percent unchanged
Elementary schools	1962–63	[73] 2,839	119	[73] 4.2	95.8
Junior high schools	1961–62	3,457	[75] 323	9.3	90.7
	1962–63	4,218	[74] 347	8.2	91.8
	1963–64	4,499	[76] 232	5.2	94.8
Senior high schools	1961–62	2,074	[77] 41 or [78] 176	2.0 or 8.5	98.0 or 91.5
	1962–63	1,799	[79] 175	9.7	90.3
	1963–64	1,760	264	15.0	85.0

Note.—Tr. 315–316, 352; exhibit A–2, pp. 316–317; exhibit B–1; exhibit B–11, pp. 154, 188; exhibit B–16.

Despite the uncertainties as to the complete accuracy of these statistics, as noted, even the data most favorable to defendants—the 1963–64 figures for senior high schools—show only 264, or 15%, of the students in the slowest tract being reassigned upward. Thus, at least 85% of those assigned to the Special Academic Track—and it appears that something over 90% is more typical—remain at the lowest achievement level. Although it cannot be said that an assignment to the Special Academic Track inevitably is permanent, neither can it be said that the chances of progressing into a more challenging curriculum are very high.

Plaintiffs have charged that this lack of movement is attributable to a complex of causes: the simplified curriculum, coupled with the absence of variety in the students' levels of ability, does not stimulate the Special Academic student; remedial training is inadequate; Special Academic teachers are not formally trained for special educational problems; teachers underestimate the potential of their students and therefore undereducate them. None of these reasons can be either isolated or proved with absolute certainty. Nonetheless, there is substantial evidence—examined in Section F, *infra*—that the cause of limited upgrading in the Special Academic Track lies more with faults to be found in the system than with the innate disabilities of the students. And certainly the results—which Dr. Hansen himself has said are an important measure of success—do not support the thesis that tracking is flexible.[80]

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[69] Hansen 188.

The following excerpts from the school system's publication describing the track system, *How We Are Meeting Individual Differences,* attest to the importance the school system attaches to the principle of flexibility, especially as it concerns those in the two lowest tracks.

For the General Track:

"Persistent talent searching is conducted among the General Track students in the hope of upgrading their academic and vocational ambition. * * *

"Provision is made for changes in the placement of children as their needs change and as achievement levels improve. Continuous evaluation, guidance and study of individual progress will ensure maximum educational opportunity. * * *

"Considerable attention is taken to insure flexibility in track assignment. As soon as a student appears capable of performing on the next higher level, he is moved into that group. * * *"

And for the Special Academic (Basic) Track:

"Every effort is made to insure flexibility with the result that students are constantly encouraged to improve their performance to the level where they may be moved into the General Track. * * *

"Maximum effort is placed upon [sic] flexibility. Students are moved along as rapidly as they can go, with every effort being bent to ready them for entrance in the General Track after completion of the 9th grade. * * *

"Basic pupils are continuously evaluated in terms of achievement, performance, attitudes, and adjustment. When it becomes apparent that a child is misplaced and a change of program is indicated, measures are taken immediately to provide adequate and appropriate placement. * * *" (Ex. 9, C–16.)

[70] Hansen 154.

[71] Superintendent Hansen testified that principals maintain individual records of intertrack movement in their schools, but that his office staff see such information only when they request it for evaluation purposes. The most recent evaluation, as the evidence indicates, was in 1964. According to Dr. Hansen, "we think we have enough data on hand to satisfy us that there is flexibility in the operation of this program * * *." (Tr. 311.) The data to which he referred showed: (1) In the two-year period from 1961 to 1963, 119 (3.7%) of the students in the elementary Special Academic Track were upgraded (Tr. 316), *But see* Note 73, *infra.* (2) 670 (8.7%) of the students in junior high school Special Academic Track were upgraded; and overall, 1,683 junior high students (3.1% of the total enrollment) moved either up or down a track level (Tr. 335–336). (3) In the same period 351 (9.1%) of the students in the senior high Special Academic Track were upgraded; and 1,721 (6.3%) of all the senior high students were involved in upgrading or downgrading. (Tr. 352.)

[72] Tables K, L, and M appear *infra.*

[73] Dr. Hansen in testimony gave the total enrollment as being 2770; but this is inconsistent with the official figures as shown in Exhibit p–7. *And compare* Tr. 1030 (2810). If 2770 is used, the per cent upgraded becomes 4.3%; this is also inconsistent with Dr. Hansen's testimony, the figure he quoted being 3.7.% (Tr. 315–316.) The court adopts 4.2% as the true percentage.

[74] This figure is reported in Dr. Hansen's book (Ex. B–11, p. 154), but for the school year 1961–62. However, the total enrollment figure used is 4,218—which is the correct figure for 1962–63. (Ex. B–16.) This either means Dr. Hansen's book is wrong in titling the data as being for 1961–62; or that the 1962–63 enrollment figure was erroneously combined with the 1961–62 figure for upgrading. The court presumes the former: that the data in Exhibit B–11 is for 1962–63.

[75] This figure is an estimate obtained from comparing two sources of data. Dr. Hansen testified that for the two-year period, September 1961 to September 1963, 670 Special Academic (or Basic) students were upgraded. (Tr. 335.) Subtracting the 1962–63 figure of 347 (see Note 74, *supra*), the difference is 323. Given the relative similarity of the figures thus obtained for each of the two years in question, it would be an insignificant error if the court is wrong in its interpretation of the source of error in Dr. Hansen's book—the two figures would simply be reversed.

If the 1961–63 data are not broken down, the figures are: Total enrollment—7675; number upgraded—670; per cent upgraded—8.7%; per cent unchanged—91.3.% (Tr. 335; Ex. B–16.)

[76] The court notes that this figure is from data which covers only the period from September 1963 through June 1964 (Ex. B–1), rather than for the full chronological period from September to the following September. *Compare* Notes 74 and 75, *supra.* There is some indication from discrepancies found in other statistics that the different reporting periods reflect a substantive distinction. *See* Notes 77 and 78, *infra.*

[77] This figure is from data reported for September through June. (Ex. B–1.) *See* Note 78, *infra.*

[78] This figure is the result of computations made using two sets of data. The number of students upgraded for the two-year period from Septemebr 1961 to September 1963 is 351. (Tr. 352.) The number of students upgraded during the 1962–63 school year is presumed to be 175, this being the figure reported in Exhibit B–11, but unsettled by the same discrepancy noted and resolved in Note 74, *supra.* If 175 is subtracted from 351, the difference is 176. However, this is 135 students in excess of the 41 shown for the nine-month period in Exhibit B–1. *See* Note 77, *supra.* It may be that this discrepany is simply due to errors or conflicts in the data themselves. On the other hand, it may be that B–1, covering only the nine-month period, fails to account for upgrading accomplished during the summer interval—*i.e.,* it may be that a student is upgraded *after* June and this move would be reflected only in data reported for the full chronological year, September to September.

[79] This figure is from Exhibit B–11 and is attributed to the 1962 school year in the same manner as the comparable figure for junior high schools. *See* Notes 74 and 78, *supra.*

If the 1961–63 data are not broken down the figures are: Total enrollment—3873; number upgraded—351; per cent upgraded—9–1%; per cent unchanged—90.9%. (Tr. 352; Ex. B–16.)

b. *Overall movement between tracks.* Tables K through M summarize the available data on overall track movement.

TABLE K.—*Intertrack movement in secondary schools, 1961–63*

	Years	Total enrollment, all tracks	Total movement (up or down)	Percent moved	Percent unchanged
Junior high school	1961–63	54,538	[81] 1,683	3.1	96.9
Senior high school	1961–63	27,139	[82] 1,721	6.3	93.7

Note.—Tr. 335–336, 352: exhibit A-2, pp. 316–317.

TABLE L.—*Intertrack movement in junior high schools, September 1963 through June 1964* [83]

Track	Enrollment	Upgraded		Downgraded		Percent unchanged
		Number	Percent	Number	Percent	
Special academic	4,499	232	5.2	(1)	(1)	94.8
General	22,758	30	.1	89	.4	99.5
Honors	1,793	(1)	(1)	152	8.5	91.5
Total	29,050	262	.9	241	.8	98.3

1 Not available.

TABLE M.—*Intertrack movement in senior high schools, September 1961 through June 1962,*[84] *and September 1963 to September 1964*

Track	Year	Enrollment	Upgraded		Downgraded		Percent unchanged
			Number	Percent	Number	Percent	
Special academic	1961–62	2,074	[85] 41	2.0	N.A.		98.0
	1963–64	1,760	[86] 264	15.0	N.A.		85.0
General	1961–62	5,692	[85] 57	1.0	19	0.3	98.7
	1963–64	7,812	404	5.2	143	1.9	92.9
Regular	1961–62	4,002	[85] 15	.4	[87] 81	2.0	97.6
	1963–64	5,628	97	1.7	[87] 313	5.6	92.7
Honors	1961–62	1,106	N.A.		[88] 13	1.2	98.8
	1963–64	1,075	N.A.		[88] 132	12.3	87.7
Total	1961–62	12,874	[85] 113	.9	[85] 113	.9	98.2
	1963–64	16,275	765	4.7	588	3.6	91.7

Note.—Exhibit B-1.

To summarize, the pattern observed with respect to upgrading from the Special Academic Track is repeated in all track levels. Movement between tracks borders on the nonexistent.

In the period from September 1963 through June 1964 the total number of junior high school students upgraded was 262, or less than one per cent of the student body; and of those upgraded, almost all were Special Academic students going to the General Track. Only 30 students out of all those enrolled in General Track in the 25 junior high schools existing at that time were able to qualify for the Honors curriculum during that period. Moreover, for every student upgraded another student was downgraded to a lower track. The tendency for downgrading to counterbalance upgrading is generally consistent throughout the primary and secondary schools.[89]

At the senior high school level intertrack movement assumes even greater significance because of the dichotomy in subject matter emphasis between the two lower tracks and the upper or college preparatory tracks. Here again the pattern is one of rigidity.

Thus in the 1963–64 school year, where the figures show the highest amount of intertrack movement, almost 92% of the senior high students did not leave their assigned track. Moreover, 44% of the students who did move, move downward.

What is most important, however, is the minuscule amount of movement from the lower tracks to the college preparatory tracks. Of the approximately 7,800 General Track students, only 404—about 5%—moved up a level, none going into the Honors curriculum.

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[80] Interestingly enough, however, Dr. Hansen characterized the 1962–63 data for the secondary schools, showing 347 (8.2%) students upgraded in junior high and 175 (9.7%) in senior high, as "a sizable number of students * * *." (Hansen 154.) From these data he concluded: "1. The search for the more talented low-achievers continues throughout the six years of the basic curriculum in the secondary schools. *Pupils, rather than being permanently 'tracked' or pigeonholed at a low academic level, are challenged to move up the ladder of accomplishment.*

"Those who charge that ability grouping makes the lowest group a 'dumping' ground for the problem learners where they are forgotten and unstimulated are not conversant with the facts. * * *

"4. Transfers out of as well as into the basic curriculum attest to its flexibility. It shows that structure need not result in rigidity. * * *" (*Id* at 154–155.) (Emphasis added.)

Apparently the fact that more than 90% of the students assigned to the slowest track did *not* move, did not strike Dr. Hansen as a sign of rigidity. *Compare id.* at 138–189.

[81] Of this number, 670 (40%) were Special Academic students upgraded to a higher level. Defendants could not provide a breakdown on the remaining 60%—what tracks were involved and what portion of the movement entailed downgrading as opposed to upgrading. Dr. Hansen indicated, and other data confirm, that close to half of the intertrack movement is *downward.* (Tr. 317, 333; Ex. B-1; Tables L, M.)

[82] Of this number, 351 (20.4%) were upgraded Special Academic students. *See* Note 81, *supra.*

[83] See Notes 76 and 78, *supra.*

[84] *Ibid.*

[85] See Note 77, *supra.* Adjusted to 176, the per cent would be 8.5%; the per cent unchanged would be 91.5%. The figures for the General, Regular, and Honors Tracks are subject to the same doubt; but there is no data from which to compute adjustments.

[86] 259 (98.1%) rose to the General Track, 5 (1.9%) to the Regular Track. (4 of the 5 were in one high school.)

[87] 1961–1962: 74 (91.4%) dropped to the General Track, 7 (8.6%) to the Special Academic Track.

1963–1964: 298 (95.2%) dropped to the General Track, 15 (4.8%) to the Special Academic Track.

[88] 1961–1962: 11 (84.6%) dropped to the Regular Track, 2 (15.4%) to the General Track.

1963–1964: 125 (94.7%) dropped to the Regular Track, 7 (5.3%) to the General Track.

[89] Dr. Hansen noted that this trend is quite clear in the elementary schools. (Tr. 317, 333.)

Although five Special Academic students were able to jump ahead two levels to the Regular Track, the number not moving at all remains by far predominant. In sum, then, of all the students in the two lower tracks—constituting almost 60% of the student body—only 4.8% advanced to the college preparatory curriculum.[90] And at the same time, it should be noted, 320 students—or 4.8%—from the Regular or Honors Track fell back to the lower tracks.[91]

Viewed as a whole, the evidence of overall movement between tracks conclusively demonstrates the defendants' failure to translate into practice one of the most critical tenets of the track system:

"Pupil placement in a curriculum must never be static or unchangeable. Otherwise, the four-track system will degenerate into a four-rut system." [92]

The tragedy has occurred.[93]

2. *Movement Between Tracks: Cross-Tracking.* As noted above, cross-tracking is track terminology for electing courses above or below an assigned curriculum level. (Tr. 329, 2647; Ex. B–11, p. 188.)[94] The purpose of cross-tracking is to assure flexibility in meeting individual students' needs, allowing students who cannot qualify for—or who do not require or desire—full-time assignment to a higher or lower track (upgrading or downgrading) to take one or more courses at an advanced or simplified level.[95]

In practice cross-tracking of the sort described is confined to the senior high level, there being structural reasons why elementary and junior high pupils do not really "cross-track." [96] And, as will be seen, even at the senior high school level cross-tracking proves to be the exception, not the rule.

a. *Elementary schools.* Elementary school students do not cross-track, in the technical sense of the term, because the primary school does not include an elective system of course selection. Instead children in, say, a fourth grade class will have one teacher who teaches all the fourth-grade subjects for that particular curriculum. Consequently, it is somewhat difficult for a child who requires Special Academic reading but General Track arithmetic to move freely between the two different classes; the daily teaching program of the two teachers involved would have to be coordinated.

Nonetheless, the two elementary school principals who testified did cite instances where Special Academic students have been able to spend part of their school day in a General Track class. This appears, however, to occur only when a child is deemed ready for complete upgrading to the higher track, the mixing of courses being a temporary situation so the child can be gradually phased into the more difficult curriculum. (Tr. 4040, 6210, 6216–6217.)[97]

b. *Junior high schools.* Although Assistant Superintendent Koontz testified that present school policy allows junior high students to cross-track, Superintendent Hansen acknowledged that it occurs only infrequently. (Tr. 2647; 328.) Defendants have not produced any statistical data to show exactly how much cross-tracking does occur.

The primary impediment to cross-tracking is structural. In the junior high schools students are formed into subgroups, according to ability levels, within a track under what is called the "block system." The students in each subgroup then take all the courses in the curriculum as a group, individual students rarely breaking away from the group to cross-track. (Tr. 328–330, 353.)

c. *Senior high schools.* A senior high school student is not permitted to cross-track to a higher level—the only direction really at issue here—unless he is "eligible" or "qualified" and has obtained his principal's permission. (Tr. 329, 357; Ex. 9, C–16; Ex. B–11, pp. 42, 55, 61, 63, 188–189; Ex. G–1, p. 4) [98] A student is qualified if, in the judgment of his teacher and principal—based on scholastic performance, aptitude and achievement test scores, IQ, attitude, and mental and physical condition—he can successfully undertake the more advanced subject matter. (Tr. 329; *cf., e.g.,* Tr. 331, 360; Ex. A–3, pp. 52, 54.)

Two other preconditions qualify freedom to cross-track. First, in order to graduate from a track the student must complete all the required courses for that track level either in subjects taught at that level or in acceptable substitutes from a higher level. (Tr. 354–357; Ex. G–1. *See* Section C, *supra.*) Electives, therefore, are subject to some limitations. Second, a student obviously cannot take an advanced course unless he has taken the prerequisite courses for that subject. Thus, for example, in order for a General Track student to be prepared to take trigonometry or calculus in the twelfth grade (taught only in the Regular and Honors Tracks), he would have to begin electing Regular Track algebra at least by the tenth grade. (*See* Ex. G–1, p. 27.) Consequently, while it may be theoretically possible for a General Track pupil to elect an advanced sequence of Regular Track courses, that election must begin early enough in his high school career or he will for all practical purposes be foreclosed. And, according to School Board President, Dr. Haynes, lack of preparation is in fact a major inhibition to cross-tracking. (Tr. 1190–1194; *cf.* 2906–2907 (Assistant Superintendent Koontz).)

It is and always has been school policy to permit cross-tracking. (Tr. 648, 2647; Ex. B–11, p. 55.) Nonetheless, a study in 1959 by the League of Women Voters of the District of Columbia revealed that school principals were not uniform in allowing cross-tracking. "We found that some schools administer the program with a great deal of flexibility; others permit virtually none." [99] Although Dr. Hansen in 1964 implied that uniformity had by then been achieved,[100] the evidence in this case suggests otherwise. The following table presents in summary form the amount of cross-tracking being done by senior high school students in the respective high schools as of January 1965.

TABLE N

School	Special academic		General (percent)		Regular (percent)		Honors (percent)		Total percent, cross-track
	Percent of student body (A)	Percent, cross-track (B)	(A)	(B)	(A)	(B)	(A)	(B)	
Anacostia	6.5	2.1	54.5	24.1	34.8	0.8	4.2	1.7	13.6
Ballou	7.4	None	53.7	3.9	34.3	1.1	4.6	1.6	2.5
Cardozo	18.2	20.1	56.4	53.0	22.4	65.5	3.0	[101] 30.0	[101] 52.1
Coolidge	5.1	7.6	31.6	19.5	52.5	5.1	10.8	9.0	10.2
Dunbar	16.7	2.1	68.1	30.1	15.2	None	None	None	20.8
Eastern	12.0	10.8	55.5	40.0	28.6	15.2	3.9	7.9	28.0
McKinley	4.9	None	39.9	34.0	49.2	.4	6.0	19.8	14.7
Roosevelt	5.5	7.1	57.2	30.8	32.9	4.4	4.4	None	19.5
Spingarn	12.0	10.8	73.5	46.6	13.6	4.0	.9	.6	36.3
Western	6.6	9.8	34.6	20.8	46.1	22.7	12.7	30.2	22.2
Wilson	None	None	7.8	22.4	75.1	31.0	17.1	None	25.0

Note.—Exhibit 140; exhibit B–16; exhibit P–4.

From this it can be seen that, assuming 1965 to be representative of the present, some cross-tracking occurs at some levels in all high schools. On the other hand, the *degree* to which cross-tracking occurs in various high schools and in various tracks differs markedly. There is no evidence to explain these particular variations, whether some or all of them reflect certain principals' deviation from stated policy as in 1959; or whether some or all are due to an absence of qualification or desire for cross-tracking on the part of the respective students. Board President Haynes did testify, however, that it is commonly understood among students and teachers that the unwritten policy is *not* to permit cross-tracking. (Tr. 1068–1069B.) It appears that that belief is not without some basis in fact. Although only Ballou High could be said to approach the state of having no cross-tracking whatever, several others (Anacostia, Coolidge, and Western) appear to be even more restrictive than the norm.

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[90] 409 students out of the 9,572 enrolled in the Special Academic and General Tracks.

[91] 320 students out of the 6,703 enrolled were downgraded to either the Special Academic or General Track.

[92] Hansen 70.

[93] It has been suggested that, if a student does not advance but rather continues to achieve at a level consistent with his track assignment, this is proof positive of the accuracy of placement. See Hansen 185. But this reasoning is sheer bootstrapping, for it presumes that the student could not have done better in a different educational environment. *See generally* Section F, *infra.*

[94] In testifying, Dr. Hansen asserted that all the track system adds at the secondary school level is the concept of separately identified curricula; it does not, he said, change the traditional practice of allowing students to elect part of their program. (Tr. 636.) *See* Note 95, *infra.*

[95] A typical expression of the concept is the following:

"*Electives for Non-honors students.* All subjects listed for honors students are also elective to others who are qualified although not eligible for or desiring the complete honors sequence. Individualized programming is encouraged. It makes possible the better placement of high ability students who would be excluded from fast learning groups by a policy of rigid adherence to track lines. At the same time the integrity of the honors track is maintained by requiring completion of the required subjects for graduation from it." Hansen 61.

[96] This is reflected in the fact that the only statistical evidence defendants have introduced to show the frequency of cross-tracking relates solely to the senior high schools. (Ex. 140.)

[97] One principal, Mr. Dixon, implied that at his schools a Special Academic Track student might regularly spend part of his day in a General Track class for some subjects even though overall upgrading was not contemplated; but the second principal, Mrs. Posey, indicated that at her school the mixed curriculum is simply a temporary trial period for testing whether the pupil is ready for total upgrading. (Tr. 6210; 4040.) At the least, it seems the practices are not uniform among the various elementary schools.

[98] *But see* Tr. 648 where Dr. Hansen asserted that anyone is permitted to cross-track if he wants to, even if not likely to succeed.

[99] Quoted in Hansen at 189.

[100] "To get standard practice in cross-tracking has been a difficult achievement." *Ibid. Cf. id.* at 188, quoted *supra* Note 69.

[101] Figures are estimates only due to error in Defendants' Exhibit 140, which shows Cardozo High as having 102 Honors Track students with cross-tracked programs; but official records for 1964–65 show only 54 students in Honors Track at Cardozo. (Ex. P–4.) The court has estimated that 38 (30%) of those 54 were cross-tracking.

The overall picture of cross-tracking in the senior high schools is set forth in Table O and again is based on 1965 data.

TABLE O

Track	Number pupils in track	Percent of total pupils	Number crosstrack	Percent crosstrack
Special achievement	1,629	9.0	183	11.2
General	8,941	49.6	2,989	33.4
Regular	6,426	35.6	909	14.1
Honors	1,035	5.8	[102] 135	[102] 13.0
Total	18,031	100.0	[102] 4,216	[102] 23.3

Note.—Exhibits 140, B–16, P–4.

As can readily be seen from these data, only a small minority of students were cross-tracking. In the Special Academic Track containing 9.0% of the District's high school students almost 89% did not take courses outside the basic curriculum. And in the General Track, in which half the students were located, two-thirds (66.2%) did no cross-tracking. Together, these two lower tracks accounted for 58.6% of the high school student body, and 70% of those students did not cross-track.

Defendants have not explained why so few students in the three lower curricula (Special Academic, General, and Regular) do any cross-tracking. However, there is substantial evidence, some of it already discussed in relation to upgrading, pointing to several reasons.

The first is that students are being denied permission to cross-track—or discouraged from seeking that permission—on the assumption that they cannot handle a more difficult assignment. As will be discussed later in this opinion, there is substantial evidence that in a good many instances these assumptions are mistaken. *See* Section F, *infra*.

Another reason, related to the first, is suggested in a report on the track system issued by the House Committee on Education and Labor after an extensive investigation of the District school system. (Ex. A–3.) The *Report* indicates that many students do not obtain effective, individual counseling on programs, counseling that is obviously necessary if a student is to be directed to a curricular program fitted to his needs and abilities. (Ex. A–3, pp. 52, 54.) [103] Absent this close attention, the student will remain locked into his assigned curriculum, unless the student or his parents are disposed to question the merits of that continued assignment. However, not only did Dr. Hansen acknowledge that many parents do not take an active role in planning their children's academic program (Tr. 332–326),[104] but in his book he acknowledged that the track system places the burden of proper programming more on the *school* than the parents.[105] It is evident that the school system is not wholly meeting that responsibility.

A third reason for limited cross-tracking, already noted, is the inability to qualify for the more advanced courses either for lack of the prerequisite fundamental courses or because of continuing academic deficiencies. *See* Section F, *infra*. A fourth reason, also noted above, is the substantial possibility that some school principals, or their staffs, take a very restrictive view of cross-tracking.

The data for the General Track require additional comment. First, the evidence does not reveal what per cent of the students cross-tracking from the General (and the Regular) Track were taking courses *below* their assigned track level. Therefore, even though 33.8% of the General Track students cross-tracked, they did not necessarily all move in the direction of enriching their curriculum; some unknown number undoubtedly were taking courses in the Special Academic curriculum.[106] Secondly, as shown by Table N, *supra*, in many schools the number of students cross-tracking from the General Track was well below the norm. Thus at Ballou High, where 54% of the student body was in the General Track (and another 7% in the Special Academic Track), only 4% of those students did any cross-tracking—96% being confined to courses taught strictly at the General Track level. At Coolidge, with 32% of the students in the General Track, only 20% cross-tracked—80% did not. At Anacostia, with 55% of the students in the General Track, 24% cross-tracked—76% did not.

The relatively low amount of cross-tracking out of the General Track becomes highly significant in light of the fact that certain academic subjects are accessible to General Track students only through cross-tracking into the Regular Track curriculum: algebra, plane and solid geometry, trigonometry, biology, physical science, chemistry, physics, and all foreign languages.[107] Moreover, in order to follow the General Track "Suggested Academic Sequence" in humanities, science or math a student must take a selection of these Regular Track courses. (Ex. G–1, pp. 26–27.) [108] This means, then, that the great majority of General Track students—who do not cross-track—finish school with no more than an elementary contact with higher math, the sciences, and none at all with foreign languages. Moreover, it should be recalled that the thrust of the General curriculum is to prepare students for going to work immediately upon graduation—which is reflected both in the course offerings and in the level of instruction. That this curriculum succeeds in *not* preparing students for further education is attested to by the fact that out of the 1,838 General Track students graduating with the June 1965 class only 34% continued their education, and only half of those were in full-time attendance in four-year colleges. (Ex. B–17, Ex. B–18, Ex. T–2.) And it is reasonable to assume that most or all of the latter were those who were able to obtain college-preparatory courses by cross-tracking into the Regular Track.

F. Causes of Discrimination and the Collapse of Track Theory

Having seen how the track system in practice has become a relatively rigid form of class separation, the court now turns to a discussion of the principal causes of this result. In the preceding section some of the probable reasons for inflexibility were identified. Here the focus will be on the major institutional shortcomings that not only thrust the disadvantaged student into the lower tracks but tend to keep him there once placed. The first area of concern is the lack of kindergartens and Honors programs in certain schools; the second relates to remedial and compensatory programs for the disadvantaged and educationally handicapped student; and the third, and most important, involves the whole of the placement and testing process by which the school system decides who gets what kind of education.

1. *Kindergartens and Honors Tracks:*

Kindergartens. The court has elsewhere noted that, although the district does not compel kindergarten attendance, it does provide such programs on a space-available basis. What this means in actual result is that kindergartens are available in all the white elementary schools, but either not available or available only to a limited number of students in many of the predominantly Negro schools. (*See* Findings III–H, *supra*.) Because of this a vast number of young schoolchildren who, by defendants' own admission, most need educational training as early as possible are not getting it. This has two implications for the track system.

First, for these disadvantaged children a full year is going by them when they could be in school being readied for the challenges of the regular first grade curriculum. They could be learning the language and reading skills that are indispensable to their success in the whole of their academic career. Instead they are being turned away for lack of space, whereas other children are in the process of getting a full year's head start on their education. According to one of defendants' expert witnesses, that head start is of critical importance to a student's future achievement in school. (Tr. 6382–6383.) But in the context of the track system it becomes doubly important because once the students begin to be separated into tracks the level of a student's achievement largely controls the kind of education he will receive.

Compounding the first point is the immediate effect on the child who comes to school without having had kindergarten. As described in Section C, *supra*, the District tests all students prior to enrolling them in the normal first grade curriculum; those who are deficient in reading and language skills are placed in the Junior Primary class—in effect, a late-starting year of kindergarten instruction. Thus the disadvantaged Negro child, almost invariably retarded in language and reading skills and denied access to kindergarten, is sidetracked into the Junior Primary and thus loses another year on those who are able to forge ahead on schedule. Again, the risk that this will prejudice the kind of education the student is able to qualify for in the future is substantial.

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[102] Estimate only; *see* note 101, *supra*.

[103] "It is a fact that the track system requires more careful counseling than does individual programming." Hansen 53.

There are throughout the entire school system 237 school counselors whose function it is to assist teachers and principles in evaluating and programming students; and, at the high school level, to advise college-bound seniors. The ratio of counselors to students at the secondary level is about one to every 400 students; the indications are that this hampers adequate individual counseling. Adding to the problem is a shortage of clerical staff to assist the counselors. Of the elementary schools, almost half are without an assigned counselor. (Tr. 1600; Ex. 125; Ex. A–3, pp. 54, 66.)

[104] Students' programs are sent home for parents' approval, there being a space for the parent's signature. Programs returned unsigned are construed as approvals. (Tr. 325.)

[105] "Because pupils can more freely elect their own programs under the nontracking system, the blame for bad choices can more easily be placed upon them and their parents." Hansen 53.

[106] This is a reasonable inference since the only remedial reading and arithmetic courses offered are in the Special Academic curriculum. Presumably some General Track students would require these courses. (*See* Ex. G–1, p. 46; Ex. 9, C–16.)

[107] Some exposure to algebra, geometry, and the various sciences is provided in the regular General Track math and science courses; however, to obtain particularized instruction the student must go to the Regular Track courses. (Ex. G–1, pp. 26–38.)

[108] Of the five subject matter areas in which cross-tracking took place, 87% of the cross-tracking General Track students took courses in foreign languages, mathematics, or science categories. (Ex. 139.)

Undoubtedly it is the *necessity* for cross-tracking which accounts in large part for the relatively higher per cent of students with cross-tracked programs in the General Track as compared with students in other tracks.

Honors. The disadvantaged Negro is not denied access just to kindergarten but also risks not having the Honors Track available at his school. As discussed in Section D, *supra*, this is a denial of an opportunity for advanced work that can handicap a student when he moves into junior or senior high school and begins to compete with students who have had access to Honors programs.

It is impossible to tell with certainty how many of the low achieving students in the District are doing so because they have been handicapped by not having kindergarten or Honors instruction; to make such a determination would require follow-up studies that the school system has not made. Nevertheless, it cannot be ignored that the track system places a premium on a student's present ability to perform successfully in school and that that emphasis favors those who are given the opportunity to develop the skills needed for success—and disfavors those denied the opportunity. Consequently, the court is persuaded that the prevalence of disadvantaged Negroes in the lower tracks and the prevalence of the white and the more affluent students in the upper tracks, is to a significant extent linked to these disparities in course offerings.

2. *Remedial and compensatory education.* One purpose of the track system is to facilitate remedial education for students who are temporarily handicapped in basic academic skills. In addition, the school system has recognized that it must provide a substantial number of its students with special compensatory education programs for there to be any real hope of their becoming qualified for the more advanced tracks. There is substantial evidence, however, that neither the remedial nor the compensatory education programs presently in existence are adequate; rather the disadvantaged student consigned to the lower track tends simply to get the lesser education, not the push to a higher level of achievement.

a. *Remedial programs: curricular:*

Special Academic Track. Within the regular academic curriculum remedial training is provided primarily through the Special Academic Track. Such features as special instructional materials, reduced class size, and specific remedial courses are available only in this Track. (Tr. 4039, 6059–6062, 6105, 6107; Ex. G–1, p. 46; Ex. 9; Ex. C–16.)

Assuming that conditions prevailing in the Special Academic Track represent the optimum for intensive remedial instruction, it is clear that very few students partake of the optimum. As Table A (Section D, *supra*) shows, the per cent of students wholly enrolled in the lowest track has been relatively small over the years and, in fact, is declining. The only other way of obtaining whatever benefits may be said to accrue from Special Academic classes is for the student to be partially enrolled on a subject-matter basis by way of cross-tracking. But as has been seen in Section E, *supra*, there is not much cross-tracking—either upward or downward.

Defendants have made it quite clear that a child placed in a Special Academic class will receive a slower-paced, simplified course of instruction.

General Track. As indicated above, there is within the overall framework of the General Track a certain amount of further subgrouping. (*See* Section C, *supra.*) Presumably, given the commitment to homogeneity in grouping, this permits teachers to concentrate on a class of children of like ability levels; however, there is no indication that the low pupil-teacher ratio found in the Special Academic Track prevails. Moreover, although there is testimony suggesting that special remedial programs may be adopted in the lower ability groupings in this Track—at least in elementary schools (Tr. 4072–4074)—there is no evidence of a systematized remedial program being included within the General curriculum itself. Instead, as with the Special Academic Track, the prevailing philosophy is to teach children at existing ability levels; those that indicate potential for a more advanced curriculum must be approved for cross-tracking or upgrading. (Tr. 4040.) And again, as with the Special Academic Track, evidence of such intertrack movement shows relatively few moving up. (*See* Section C, *supra.*) What has not been made clear, however, is how a student given a steady diet of simplified materials can keep up, let alone catch up, with children his own age who are proceeding in a higher curriculum at a faster pace and with a more complex subject-matter content.[109] While much has been made of the "enriched" Honors curriculum (Ex. B–11, ch. 9; Ex. 9; Ex. C–16), nothing has been said to indicate that the slow learner—who almost certainly is in some degree slow due to a disadvantaged background—is also given an enriched curriculum to stimulate him to higher achievement. (*See* Tr. 6106–6107.) Rather the pervading spirit of the Special Academic Track—captured in the General Track as well—seems to be essentially a negative one: slow the pace, teach less, and hope that what is learned will be "useful." But what the disadvantaged child needs most—by defendants' own admission—is not just instruction watered down to his present level of ability; [110] he needs stimulation, enrichment and challenge to assure that his present temporary handicaps do not by educational conditioning become permanent.[111] That this stimulation has not been forthcoming from the Basic curriculum is clear from the lack of upward movement from that Track. (*See* Section E. *supra.*)

b. *Special remedial and compensatory education programs.* It is because of the high proportion of disadvantaged children in the District school system that it is imperative that special programs outside the regular school curriculum be adopted so that the disadvantaged child has a real opportunity to achieve at his maximum level of ability. (Defendants' Proposed Findings, pp. B–4 to B–7, B–13 to B–14.)[112] Inevitably the child from the lower socio-economic levels will tend to have had a very limited background conducive to developing communicative skills of the kind required for success in the normal academic curriculum. They will tend above all to be handicapped in the use of standard English, a problem aggravated in the case of ghetto Negro children. Consequently, unless these children are given intensive remedial instruction in basic skills, primarily in reading, and unless they are given the opportunity to enjoy some of life's experiences that will, by bringing them into contact with new things and concepts, stimulate verbal abilities, they will be condemned to a substandard education. In the context of the track system, this is especially important because a child is not even given the exposure to advanced subject matter unless he can meet the qualifications set for the higher levels—*e.g.*, the Regular and Honors Track curricula, especially.

Defendants, fully aware of the importance of remedial and compensatory education and professing to be committed to developing such programs in order to assure equal educational opportunity, have attempted to show that the District is indeed possessed of a substantial number of such programs. (Defendants' Proposed Findings, pp. B–7 to B–9; C–3 to C–4; Ex. 1; Ex. 25; Ex. 27; Ex. 126.)

A review of defendants' evidence in this regard does reveal a substantial number of projects which run the gamut from physical fitness and breakfast programs, art and music programs, work-study programs, to various remedial and cultural enrichment projects. (Ex. 1; Ex. A–35; Ex. A–36; Tr. 586, 2635–2642, 2677–2687.) Most of them are of very recent vintage, many having been instituted since 1965 as a result of various federal and foundation fundings. Nonetheless, upon close examination it becomes painfully obvious that few if any of these programs have as yet been able to reach with any intensity the great number of disadvantaged children enrolled in the District schools. Because it is impossible to discuss all of the programs in detail, the court will briefly describe some of the major ones.

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[109] There is some evidence that a child will, in the process of being upgraded to the General Track, be gradually phased into the higher curriculum. (Tr. 4040, 6215–6217.) Assuming that this is the principal method by which a child is exposed to more complicated course work, as the evidence on cross-tracking and upgrading makes clear, relatively few Special Academic students are getting other than the simplified curriculum. (*See infra.*)

[110] Defendants' witness, Dr. George B. Brain, until recently Superintendent of the Baltimore, Maryland, school system and now Dean of the College of Education at Washington State University, stated it thusly:

"Q Now, Dr. Brain, you spoke in terms of, I think, the principle of compensation as far as the educational requirements of the disadvantaged are concerned. Could you indicate to me what you meant by compensation?

"A Well, compensatory education does not imply, in my definition, any watered down program of education. Rather, it implies and would mean more than just the basic elements of education that commonly would be afforded children coming from average circumstances. It means that because of certain limitations in the environment of the child and the circumstances of the child that the school must take on functions that typically would have been carried on by the home or other institutions in the community; and this means such things as, for example, providing breakfast for a hungry child, because a child who hasn't been fed and who is hungry and who is poorly clothed is not ready for an educational experience. You just don't teach a hungry, undernourished, poorly clothed child.

"So in this sense the school takes on obligations for children of poverty and of disadvantaged circumstances where it has been totally unable for the family and the child to provide those particular needs.

"Q It wouldn't mean, would it, Doctor, taking disadvantaged children and segregating them from the rest of the school population?

"A No, I would think that would be entirely uncommon in the philosophies of American educators, at least, those who I know who work in public schools." (Tr. 5071–5072.)

[111] "Because many believed that some children are victimized by social circumstances, the basic track fell into disrepute almost from the first. In wanting to educate the pupil at this level of achievement when he entered the program, the schools encountered the possibility of undereducating pupils whose retardation was chiefly environmental." Hansen, *supra*, at 133. While Dr. Hansen now apparently agrees with those who see some children as being victims of circumstance, he has not yet conceded the possibility of under education.

[112] Dr. Hansen has described the problem of the disadvantaged student as follows:

"* * * All too frequently these pupils grow up in an environment which severely retards their educational growth. Unfortunate thousands of them struggle against tremendous odds—inadequate family income; inadequate food, clothing and shelter; inadequate supervision, inadequate educational support; and inadequate cultural, recreational, and vocational opportunities. These inadequacies, evidenced by insufficient preparation for entry into the public schools, poor command of the English language, lack of motivation and parental support, result in poor achievement, an increasing lack of interest in the school and its programs and an excessively high number of school dropouts." (Ex. A–35.)

Before doing so, in order that the magnitude of the problem can be appreciated and the relative impact of the following programs be seen in true perspective, the following data should be noted:

(1) The total school enrollment in regular day school classes in 1965–66 school year was 126,695 students. 116,011 (91.5%) were in either the Special Academic or General Tracks. Although there is no way of knowing exactly how many of the students in these tracks might have been higher placed but for their disadvantaged circumstances, given the correlation between status and achievement it is fair to assume that a majority of the 116,000 would fall in this category.

(2) Since the major handicap of the disadvantaged child lies in his low reading ability, the results of the reading achievement tests given to various grade levels throughout the District in 1966 provide an estimate of how extensive and widespread is the need for remedial reading programs. The scores have been given only on a school-by-school basis. At the 11th grade level, six of the 11 senior high schools were below the national median. At the ninth grade level, 22 of the 27 junior high schools were below median. At the sixth grade level, 91 of 127 elementary schools were below median; and at the fourth grade level, 87 of 129 were below median. (Court Ex. 4.)

Reading Clinic. The school system operates a remedial reading clinic under the general supervision of the Deputy Superintendent of Schools. This includes a main reading clinic, four diagnostic clinics, and 62 reading centers serving 68 of the 131 elementary schools and 22 of the 38 secondary schools.[113] The reading Clinic is staffed by a supervising director, five assistant directors, 96 or 99 reading specialists, 50 reading clinicians, and three diagnosticians; the reading specialists teach remedial reading in a class situation, the clinicians treating individual cases. Some specialists are teaching in the Special Academic Track, but the clinic's main program appears to be directed at students outside that Track. Although the 1949 Strayer Report recommended that enrollment in remedial classes should not exceed 18 students, due to lack of trained personnel "it has been necessary to operate with per teacher loads larger than those suggested." (Ex. A–33, pp. 43–44; Ex. 27; Tr. 2265–2267).

Language Arts Program. Like the Reading Clinic, this program is an established department within the school system and operates through the regular elementary school curriculum. It has been in existence since January 1961. As its name implies, the Program is directed at improving language skills through special instruction and field trips. Only 14 elementary schools are served by the Program, however, which reaches 7,400 children at kindergarten through third grade levels.[114] The Program also runs during the summer. (Ex. 1, pp. 105, 112; Ex. 126; Tr. 3043–3044, 6118.)

Model School Division.[115] Several remedial reading programs or cultural enrichment programs are operated under the umbrella of the Division. For example: The Accelerated Progressive Choice Reading Program, serving 352 children in sixth and 10th grade classes; the Pre-School Program, serving 400 disadvantaged three- to five-year-olds in five preschool centers; Project Cultural Enrichment, which has sponsored 14 concerts and has taken a group of Cardozo High School students to a local play; the Reading and Tutoring Program, with 125 high school students providing biweekly tutoring for 125 elementary schoolchildren. (Ex. 1, pp. 35, 39, 40, 48; Ex. 126.)

Other. The Urban Service Corps sponsors a number of programs similar to those described for the Model School Division, including the Widening Horizons Program which has provided tours during the summer months for between 2,000 and 2,500 students. (Ex. 1, pp. 29, 31; 126. *See generally* Ex. 1, pp. 3–32.) As of June 1965, 800 students were being tutored under the auspices of the Urban Service Corps. (Ex. 126.) Programs established under federal funds have included various enrichment projects, distribution of free paperback books, efforts to detect and deter potential drop-outs, and the hiring of 360 part-time teacher's aides. (Tr. 2635–2642, 2677–2687.)

All of these programs are of course commendable; indeed they are vital to the future of Washington's public school system. But as yet they have not gone far enough. They cannot obscure the sad fact that the vast majority of the disadvantaged school children in this school system, if not altogether untouched by remedial and compensatory programs, are at best touched only in passing. It is true that the schools alone cannot compensate for all the handicaps that are characteristic of the disadvantaged child; but it is the schools that must—as defendants admit—lead the attack on the verbal handicaps which are the major barrier to academic achievement. (Defendants' Proposed Findings, p. B–13.)

The track system adds to that obligation, however, because tracking translates ability into educational opportunity. When a student is placed in a lower track, in a very real sense his future is being decided for him; the kind of education he gets there shapes his future progress not only in school but in society in general. Certainly, when the school system undertakes this responsibility it incurs the obligation of living up to its promise to the student that placement in a lower track will not simply be a shunting off from the mainstream of education, but rather will be an effective mechanism for bringing the student up to his true potential. Yet in the District the limited scope of remedial and compensatory programs, the miniscule number of students upgraded, and the relatively few students cross-tracking make inescapable the conclusion that existing programs do not fulfill that promise.

3. *Placement and testing*. What emerges as the most important single aspect of the track system is the process by which the school system goes about sorting students into the different tracks. This importance stems from the fact that the fundamental premise of the sorting process is the keystone of the whole track system: that school personnel can with reasonable accuracy ascertain the maximum potential of each student and fix the content and pace of his education accordingly. If this premise proves false, the theory of the track system collapses, and with it any justification for consigning the disadvantaged student to a second-best education.

Plaintiffs' contention is that the sorting process is based largely on information about a student obtained from testing, specifically standardized tests of achievement and scholastic aptitude. The issues plaintiffs raise with regard to testing and placement are two: First, tests are not given often enough, with the result that a few test scores have an enormous influence on a child's academic career. Second, the tests which are used, and which are of such critical importance to the child, are wholly inappropriate for making predictions about the academic potential of disadvantaged Negro children, the tests being inherently inaccurate insofar as the majority of District schoolchildren is concerned. Both of these circumstances, plaintiffs allege, lead to artificial and erroneous separation of students according to status, and result in the undereducation of the poor and the Negro.

Defendants dispute all of plaintiffs' points. First, they say, tests are but one factor in deciding where to place a student. Second, tests are given often enough where needed. Third, the tests used are appropriate and do give valid results for placement purposes. The first two points of contention can be readily disposed of; it is the third point that raises the most difficult questions.

a. *Fundamentals of track placement*. To review briefly, the tripartite division of the curriculum at the elementary school level takes place midway through the fourth grade, this being the point in time the school system considers it appropriate and feasible to identify with some certainty those children who are gifted—or potentially so—and those who are retarded. (Tr. 231–234, 241.)[116] The majority of students continue in the General curriculum, although within that Track there are subgroupings by ability levels. Evaluation of students is to be a continuing process, although special emphasis is given to evaluation in the sixth and ninth grades as the students prepare to move into either junior or senior high school.[117] (Tr. 264, 309, 319–321.) The fruits of this evaluative process have already been examined above in the section dealing with movement between tracks—i.e., upgrading, downgrading and cross-tracking.

Those charged with making the decision as to what curriculum best fits the individual student are the student's teacher, his principal, the school counselor, and in special cases the staff of the Department of Pupil Personnel Services—especially a clinical psychologist. (Tr. 232, 241–242, 308–309, 337, 405–406.) As a practical matter, the burden of the placement decision rests with the teacher. The teacher is the one who, through daily contact with the student, presumably knows him best. Equally important, it is the teacher who gives the grades and records the comments that go into making up the student's "paper image," which follows him through school as a part of his file; and it is the teacher who, in the day-to-day teacher-pupil relationship, greatly influences how the student acts and how well he succeeds in school.

To set the approximate boundaries of the respective tracks, the school system has issued fairly specific criteria to guide the teacher and others in making placement decisions. (*See* Section C, *supra*.) Those criteria include a number of elements: grades, classroom performance, maturity, emotional stability, physical condition, attitude—and performance on standard achievement and scholastic aptitude tests. (Tr. 307–308, 323, 337, 1494–1495, 1601–1603, 3108–3109; *and see,* Section C, *supra.*)

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[113] There is no evidence as to which schools do *not* have reading centers.

[114] Total enrollment in all elementary schools for 1966–67 was 85,513 pupils. (Ex. 146.)

[115] *See* Finding III–H–3 *supra*.

[116] Actually, some retarded students are identified and placed in Special Academic classes as early as the first grade; and there is the Junior Primary class for slow-starting first graders.

[117] Because the school year breaks into semesters, placement changes normally occur at mid-year or with the start of each new school year in September. However, principals have been authorized to place students in the Special Academic Track at any time during the school year, subject to appropriate clearances. (Tr. 241–242.)

For the most part, the tests used in the District are group tests—that is, tests one teacher can give to any number of students at the same time. The group tests used in the school system in 1965 (assumed for purposes of this case to reflect those currently in use) are shown in Table T–1, in the Appendix. In addition to group tests, individual aptitude tests will under present policy be given to students recommended for placement in the Special Academic Track.[118] Because of a lack of resources, however, it is not feasible to give individual tests to students not being considered for the Special Academic curriculum except in occasional "special" circumstances. (Tr. 20–22, 308–309, 391–392.)

Throughout, defendants have tried to play down the importance of tests in the placement process. They have not, however, been wholly consistent in this, nor do the facts permit such a conclusion. The court does accept the general proposition that tests are but one factor in programming students; but it also finds that testing looms as a most important consideration in making track assignments. There are several reasons for this finding.

First, as a review of the official criteria makes obvious, there is a heavy emphasis on achievement and aptitude test scores, including IQ levels.[119]

Second, and more importantly, the proper operation of the track system practically demands reliance on test scores. For one thing, classes are designed to serve students of similar achievement or ability levels, and this requires uniformity in the standards by which students are selected for placement in particular classes. For example, if teachers have different concepts of what constitutes "above average," placement decisions will vary accordingly and the homogeneity of the classes will be undermined. Thus, as defendants have said, a "distinct advantage of the standardized achievement test exists in the fact that it measures the performance of each pupil against a single scale so that the academic growth of a child may be accurately measured." (Defendants' Proposed Findings, p. G–3.) [120] But the most critical aspect of the track system that elevates the importance of testing is the necessity of predicting a student's maximum educational potential. It is in aiding the educator, especially the teacher, to discharge this awesome responsibility that tests become "indispensable for optimum and accurate placement within various pupil ability groupings." (Defendants' Proposed Findings, p. G–15.)[121] It escapes the court, therefore, how defendants can possibly suggest that tests do not have a decisive influence on pupil programming decisions. (*Cf.* Tr. 405–406.)

b. *Frequency of testing.* Turning to the question of frequency of testing, the court makes reference to Table T–1 (Appendix). That Table shows that between kindergarten and the 12th grade a student will receive the following group tests: (1) a first-grade readiness test (kindergarten or prior to enrollment in first grade); (2) a reading and spelling achievement test (second grade); (3) one achievement test and one aptitude test in each of three grades (sixth, ninth and 11th). In addition, optional aptitude tests may be given in the seventh, ninth, 10th or 12th grades; but there is no evidence of how many students are actually tested under the optional program. Individual tests, as indicated earlier, are confined almost entirely to those students recommended for placement in the Special Academic Track.

A student tested only according to the mandatory schedule will take a total of six aptitude tests of various kinds and five achievement tests of various kinds. Four of the six aptitude tests and three of the five achievement tests are given in elementary school, and one of each at both the junior and senior high levels. Under such a program a student may go as many as three years without undergoing new tests (sixth grade to ninth grade; ninth grade to 11th grade), so that his most recent test scores may be as much as three years old.

There is a distinct possibility that students are not seriously reevaluated for upgrading except when the time for mandatory testing comes around; moreover, any evaluations in the interim would be based on what might in a year's time become stale data. This would tend to account for the relatively limited amount of upgrading and cross-tracking found to exist. While there is insufficient evidence of a clear causal relationship of this sort, the inflexibility of tracking is an indisputable fact. This, at least, does create substantial doubt as to the sufficiency of the testing schedule, although the lack of evidence precludes an ultimate finding in this regard.

c. *The use and misuse of tests.* The court now turns to the crucial issue posed by plaintiffs' attack on defendants' use of tests: whether it is possible to ascertain with at least reasonable accuracy the maximum educational potential of certain kinds of schoolchildren. This question goes to the very foundation of the track system since, as was seen in Section B, *supra,* one of the fundamental premises of track theory is that students' potential can be determined.[122] On this premise rests the practice of separating students into homogeneous ability groups; and most importantly, on this premise rests the sole justification for a student's being *permanently* assigned to lower track classes where the instructional peace and content have been scaled down to serve students of supposedly limited abilities. That is, according to track theory, those who remain in a lower curriculum remain *because they are achieving at their maximum level of ability.*[123] They are not admitted to—or are at least discouraged from seeking admission to—a higher instructional level because the school system has determined that they cannot "usefully" and "successfully" rise above their present level. The evidence that defendants are in no position to make such judgments about the learning capacity of a majority of District schoolchildren is persuasive. Because of the importance of testing to the process of evaluating and programming students, the evidence has focused primarily on tests. However, necessarily bound up in the question of testing is the larger problem of the whole evaluation process—how the school goes about deciding who gets what kind of education. Plaintiffs' attack strikes at the heart of this process.

Briefly, plaintiffs make two contentions. First, they allege that for technical reasons the tests being used in the District cannot provide meaningful or accurate information about the learning capacity of a majority of District schoolchildren. Second, largely because of misleading test scores these children are being misjudged and, as a result, undereducated. Although both arguments have a common basis in the technical aspects of testing, they raise somewhat separate questions. The following discussion will therefore begin with a review of the evidence concerning tests in general before turning to the specifics of plaintiffs' arguments.

(1) *Test structure:* [124]

(a) *The nature of scholastic aptitude tests.* There are essentially two types of tests used in educational evaluation, achievement tests and scholastic aptitude tests. An *achievement* test is designed primarily to measure a student's level of attainment in a given subject, such as history, science, literature, and so on. The test presumes the student has been instructed in the subject matter; it seeks to find out how well he has learned that subject. Although achievement test scores play an important role in placement decisions, their use has not been seriously questioned by plaintiffs except to the extent the test scores tend to reinforce already erroneous decisions.[125] Consequently, the discussion here will center on aptitude tests.

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[118] This marks a change in policy instituted in September 1965, at least in part in response to criticisms charging that students had been improperly assigned to the Special Academic Track. (Tr. 390–408.) A disturbing byproduct of this change is discussed *infra.*

[119] *E.g.,* "a student is functioning three or more years below grade level as shown by achievement tests * * *; his mental retardation is indicated by an IQ index of 75 or below" (Ex. B–11, pp. 52–53); "mental ability indicated to be in the upper quartile * * *" (*id.* at 52); "generally, high normal IQ, or above * * *." (Ex. G–1, p. 14.) *See* Tr. 232–233, 257–248, 264, 307–308, 353, 1949–1495, 1601–1603, 3108–3109. *See generally* Section C, *supra.*

Dr. Hansen indicated in testimony that he thought the school system will "ultimately" abandon the Otis test, the only group test producing an IQ score. (Tr. 257.) He did not indicate when the abandonment might come about. Moreover, scholastic aptitude tests will remain in use, as will individual IQ tests.

[120] "Standardized tests provide an independent yardstick that complements the judgment teachers or the school administration staff otherwise make concerning students." (Defendants' proposed Findings, p. G–13.)

[121] Lest there be any doubt as to the weight defendants place on tests, the following are representative of the virtues defendants have asked the court to find as inhering in tests and their use: "[aptitude tests] are tests which are special in the sense that they help an educator to judge the likelihood of success a student [will have] in a particular educational * * * endeavor." "An intelligence test is of special assistance to a teacher in evaluating among pupils * * *." "In the employment of standardized tests the school system including the classroom teacher, the guidance counselor, the superintendent and administrators acquire a source of information about students' talents, accomplishments and progress and about the efficacy of the educational program that could be obtained in no other fashion." "The test result can display objectively the peculiar ability an individual pupil may possess. The test achieves that result apart from subjective criteria * * *." (Defendants' Proposed Findings, pp. G–3, G–5, G–12, G–15.)

[122] *See* Note 119 *supra*; Hansen 44.

[123] Of course there are students who will underachieve despite the best efforts of the school system. However, track system theory postulates that most of these students could be identified as having potential to exceed present achievement levels.

Other reasons for lack of movement would be inadequate counseling or insufficient remedial instruction; but these would be considered failures to carry out track theory, not justifications. *See* Hansen 53. As has been seen already, there is substantial evidence that these breakdowns have occurred in the District and are in part responsible for low mobility. *See* Sections E, F–2, *supra.*

[124] The following discussion is based on the testimony of these expert witnesses: Dr. Marvin G. Cline (Plaintiffs; Tr. 1308–1435, 1652–1802, 6543–6684); Dr. Roger T. Lennon (Defendants; Tr. 3147–3571); Dr. John T. Dailey (Defendants; Tr. 6245–6396). The court also has had occasion to refer to these standard textbooks to clarify minor technical matters: A. Anastasi, Differential Psychology (3d. ed. 1958); L. Chronbach, Essentials of Psychological Testing (2d ed. 1960); L. Tyler, The Psychology of Human Differences (2d ed. 1956).

[125] *See* "Misjudgments" *infra.*

A *scholastic aptitude* test is specifically designed to predict how a student will achieve in the future in an academic curriculum.[126] It does this by testing certain skills which have come to be identified as having a high correlation with scholastic achievement. Once a student's present proficiency in these skills is ascertained, an inference is drawn as to how well he can be expected to do in the future.

The skills measured by scholastic aptitude tests are verbal. More precisely, an aptitude test is essentially a test of the student's command of standard English and grammar. The emphasis on these skills is due to the nature of the academic curriculum, which is highly verbal; without such skills a student cannot be successful. Therefore, by measuring the student's present verbal ability the test makes it possible to estimate the student's likelihood of success in the future.

Some aptitude tests may include questions that are nonverbal in content so as to circumvent possible verbal handicaps. Technically, nonverbal tests are nonlanguage tests of reasoning processes thought to be indicative of ability to handle academic tasks successfully. (Tr. 6273.) The usual type of question consists of geometric symbols or drawings, the student being required to perceive and analyze relationships among a group of symbols. The process is variously termed "abstract reasoning," "spatial perception," or the like. As with verbal tests, prediction is based on how well a student is able to answer nonverbal questions.

The scholastic aptitude tests used in the District school system are verbal, with the exception of one series (TOGA) which includes a nonverbal component.[127] The Otis test, given in the sixth grade and the only group test producing an IQ score, is verbal. *See* Table T-1, Appendix.

Whether a test is verbal or nonverbal, the skills being measured are *not* innate or inherited traits. They are learned, acquired through experience. It used to be the prevailing theory that aptitude tests—or "intelligence" tests as they are often called, although the term is obviously misleading—do measure some stable, predetermined intellectual process that can be isolated and called intelligence. Today, modern experts in educational testing and psychology have rejected this concept as false. Indeed, the best that can be said about intelligence insofar as testing is concerned is that it is whatever the test measures. (Defendants' Proposed Finding 16.) In plain words, this means that aptitude tests can only test a student's present level of learning in certain skills and from that infer his capability to learn later.

Of [illegible] importance is the fact that, to dem[illegible] the ability to learn, a student mus[illegible]d the opportunity to learn those skills [illegible] upon for prediction.[128] In other words, an aptitude test is necessarily measuring a student's background, his environment. It is a test of his cumulative experiences in his home, his community and his school. Each of these social institutions has a separate influence on his development; one may compensate for the failings of the others, or all may act in concert and reinforce each other—for good or for ill.

(b) *Causes of low test scores.* A low aptitude test score may mean that a student is innately limited in intellectual ability. On the other hand, there may be other explanations possible that have nothing to do with native intelligence. Some of those reasons are pertinent here.

As the discussion in the preceding section indicated, one of the important factors that could account for a low test score is the student's *environment*. If a student has had little or no opportunity to acquire and develop the requisite verbal or nonverbal skills, he obviously cannot score well on the tests.

Another source of variation is the student's *emotional* or *psychological condition* when he takes the test. He may have a poor attitude toward the test or the testing situation, generally characterized as apathy. This may be due to lack of motivation; or it may be a defensive reaction caused by worry or fear—what has been called "test anxiety." Anxiety can also cause extremely nervous reactions. All of these behavior patterns will cause the student to perform poorly on a test, either because he panics and forgets what he knows or rushes through the test skipping questions, guessing at answers, or otherwise acting carelessly.

Some tests are constructed to take account of some behavior variations. In general, however, every test score must be interpreted by those who intend to rely on them for making decisions about the individual student. Test publishers warn that scores must be evaluated in terms of the individual so as to discover, if possible, any nonintellectual variables that could have influenced the student's test score.

(c) *Test standardization.* A standardized test is one for which a norm or average score has been established so that subsequently obtained scores can be comparatively evaluated. A test is standardized on a selected group of students whose scores are distributed to obtain a median; the median then becomes the norm for that test. Usually the standard is a national one, in the sense that the test publisher seeks to recreate in the norming group a representative cross-section of American schools. Tests may also be standardized on a local basis so as to enable comparisons between students from the same community. All the group aptitude tests used in the District are nationally standardized.

The test norm or median score can be expressed in a number of ways. The most common today is a percentile score, the national median being the 50th percentile. Another commonly used measurement is the IQ, or intelligence quotient, the norm being 100. Often scores will be expressed in percentile ranges or bands so as to make clear the element of measurement error inherent in any test; thus an average score might be expressed as falling within the 48–52 percentile range.

The norming group of students is selected according to certain factors. The principal ones are socio-economic and cultural status, as defined by the median annual income and average amount of schooling of the adults in the students' community. Other factors considered are region and school size. Race is not a controlled factor. Given the demography of the total population, the standardizing group will be predominantly white and middle class. Defendants' expert, Dr. Lennon, estimated that at least 60% of the group would fall into this category; the breakdown of the remaining 40 or less per cent was not given.[129]

(2) *Testing the Disadvantaged Child.* Having touched generally upon the technical aspects of scholastic aptitude testing, it is now possible to give attention to plaintiffs' specific arguments. At base they are focusing on an area of educational testing that has been given close attention only in recent years: the testing of the disadvantaged child.[130] The issue plaintiffs have raised is whether standard aptitude tests are appropriate for making inferences about the innate intellectual capabilities of these children.

Although the term "disadvantaged" is by nature imprecise, a working definition adopted for purposes of discussing educational problems is commonly based on two factors: the child's socio-economic status, as measured by the family's annual income; and his cultural status, as measured by the number of years of schooling attained by his parents. Both of these factors have been identified as having a high correlation with achievement both in school and in society generally, since they tend to reflect the kinds of background more or less conducive to developing scholastic-type skills. There are also indications that racial factors may well have some separate bearing on whether a child can be considered disadvantaged.

As was noted in Section D, *supra*, a substantial portion of the District's Negro school children can be characterized as disadvantaged. According to most recent census data (1960), the median annual family income within the District of Columbia is $5,993. For white families the median is $7,692. For Negroes the median is $4,800, placing at least 50% of the Negro families within a poverty range. In 1964 about 17% of the elementary school pupils lived in census tracts where the median family income was under $4,000; two-thirds lived in zones where income was under $6,000. The vast majority of these pupils were Negro. (Ex. 124; Ex. V-9; Ex. V-16.) As far as educational attainment is concerned, the pattern is the same. In 1960 the median years of schooling of all adults over 25 was 12.4 years for whites and 9.8 for Negroes. Of those with less than five years of schooling, 75% were Negroes. At least one-third of the elementary school pupils live in tracts where the educational level is under 10 years. Almost eight out of 10 elementary school pupils live in areas where the majority of the adults have not completed high school. (Ex. 124; *see generally* Defendants' Proposed Findings pp. B–4 to B–5.)

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[126] There are other kinds of aptitude tests, used to predict success in some kind of occupation or training course. *See generally* L. Chronbach, *supra* Note 124, at 17–36. Having noted the distinction, the court will use the terms "scholastic aptitude tests" and "aptitude tests" interchangeably in this opinion.

The scholastic aptitude tests focused on in this lawsuit have been group tests as distinguished from individual tests. The types of group aptitude tests in current use are listed in Table T-1, Appendix.

[127] In a broad sense, the Metropolitan Readiness test might also be classed as nonverbal.

[128] According to defense witness Dailey, that "opportunity is about 90 per cent being fortunate enough to have a home where standard English is spoken during the formative years." (Tr. 6376.)

[129] The per cent of Negroes in a sample group will vary. The norming groups for Harcourt-Brace-World's Stanford and Metropolitan Achievement Tests included from 5 to 7% Negroes. (Tr. 3391, 3416, 3421–3422.) As of 1960 the per cent of Negroes in the total population was as follows in these age groups: Ages 5–9, 12.8% Negro; ages 10–14, 11.8% Negro; ages 15–19, 11.3% Negro. (Tr. 3553–3554.) No figures are available as to the per cent of Negroes in school; Dr. Lennon did express the belief that the per cent of Negroes declined the higher the grade level.

[130] *See, e.g.,* American Council on Education, Testing Problems in Perspective (A. Anastasi ed. 1967); K. Eels et al., Intelligence and Cultural Differences (1951); F. Riessman, The Culturally Deprived Child (1962); P. Sexton, Education and Income (1961); Deutsch & Brown, *Social Influences in Negro-White Intelligence Differences*, 20 J. Social Issues 24 (April 1964); *cf.* J. Conant, Slums and Suburbs (1961). *See generally* Education in Depressed Areas 101–235 (A. H. Passow ed. 1963).

The College Entrance Examination Board has formed a National Commission on Tests to investigate testing practices and assumptions. One area being given close attention is the testing of the culturally disadvantaged and members of distinctive cultural groups. *See* D. Goslin, Criticisms of Standardized Tests and Testing (May 1967), a report recently delivered to the Commission members.

(a) *Handicaps to learning*. Disadvantaged children typically are saddled with tremendous handicaps when it comes to competing in the ethnocentric academic society of public schools. That society, mirroring American Society generally, is strongly influenced by white and middle class experiences and values. While there is nothing necessarily wrong about this orientation, it does raise certain barriers for lower class and Negro children—barriers that are to be found in most aptitude tests as well.

1. *Environmental factors*. The chief handicap of the disadvantaged child where verbal tests are concerned is in his limited exposure to people having command of standard English. Communication within the lower class environment, although it may rise to a very complex and sophisticated level, typically assumes a language form alien to that tested by aptitude tests. Slang expressions predominate: diction is poor; and there may be ethnically based language forms. The language spoken by Negro children in the ghetto has been classified as a dialect.[131]

Other circumstances interact with and reinforce the language handicap. Verbalization tends to occur less frequently and often less intensively. Because of crowded living conditions, the noise level in the home may be quite high with the result that the child's auditory perception—his ability to discriminate among word sounds—can be retarded. There tends to be less exposure to books or other serious reading material—either for lack of interest or for lack of money.

The disadvantaged child has little or no opportunity to range beyond the boundaries of his immediate neighborhood. He is unfamiliar, therefore, with concepts that will expand both his range of experiences and his vocabulary. He has less exposure to new things that he can reduce to verbal terms.

For example, one defense witness, a principal of a low-income Negro elementary school, told of how most of the children had never been more than a few blocks from home; they had never been downtown, although some had been to a Sears department store; they did not know what an escalator was, had not seen a department-store Santa Claus, had not been to a zoo. These experiences, common in the subject matter of tests and textbooks were alien to the lives of these children.

The way in which environmental factors affect the development of nonverbal skills is not quite as clear. There is evidence that such factors are less of a handicap to scoring well on a nonverbal aptitude test than they are to scoring well on a verbal test. (Ex. C–10.) Nonetheless, the Child's environment remains very much a factor in the development of nonverbal skills. Defendants' expert, Dr. Dailey, was of the opinion that a nonlanguage test of abstract reasoning tests the same intellectual process required to read a paragraph and answer questions about it. Thus the skill a child develops in the process of reducing life experiences to verbal terms is really but another aspect of the process by which a child reasons abstractly about geometric symbols in nonlanguage terms. The less a child is exposed to situations in which he has the stimulation or the opportunity to deal with complex experiences or concepts, the more retarded both his verbal and nonverbal development will be—although the retarding effect may be greater in the case of verbal skills.[132]

2. *Psychological factors*. Although any student taking a test may be subject to psychological influences of various sorts, there is a good deal of evidence that disadvantaged children and Negro children are more likely than others to suffer from influences that have a depressing effect on test scores. The problem can generally be described as one of low self-esteem, or lack of self-confidence.

i. *Socio-economic causes*. There is evidence that disadvantaged children, black or white, are those most likely to lack self-confidence in the school situation. This is due to a complex of causes, many of them directly related to the environmental factors already discussed. The disadvantaged child is made profoundly aware of this academic shortcoming as soon as he enters school. There is a great risk of his losing confidence in his ability to compete in school with children who are "better off." A frequent manifestation of this is for the child to become a discipline problem, as he goes through the process of rejecting a situation in which he feels inadequate. All of this can have a direct and significant effect on test performance as much as on scholastic performance.

ii. *Racial causes*. Apart from factors related to socio-economic status, there is striking evidence that Negro children undergo a special kind of psychological stress that can have a debilitating effect on academic and test performance. *See* Findings I–G, *supra*. Because of their race and the ever present reminders of being "different," Negro children generally are subject to very serious problems of self-identification. By the time the Negro child is about to enter school he has become very much racially self-conscious, which causes considerable psychological turmoil as he attempts to come to terms with his status as a Negro. He tends to be imbued with a sense of worthlessness, of inferiority, of fear and despair which is transmitted to him primarily through his parents.

In this state of turmoil, many Negro children approach school with the feeling they are entering a strange and alien place that is the property of a white school system or of white society, even though the school may be all-Negro. And when the school *is* all-Negro or predominantly so, this simply reinforces the impressions implanted in the child's mind by his parents, for the school experience is then but a perpetuation of the segregation he has come to expect in life generally. Evidence of turmoil can be found in the inability of many Negro pre-schoolers and first graders to draw themselves as colored, or other than in an animal-like or caricature-like fashion. This general psychological phenomenon is not confined to the South but is common to Negroes throughout the country. (Ex. A–24, *passim*. *See also* Tr. 879–893, 5063–5066, 5030–5084.)

When economically based deprivation is combined with the traumas suffered simply because of being Negro, the psychological impact can be crushing.

iii. *Manifestations of low self-esteem: anxiety and apathy*. When a child lacks confidence in himself or is self-degrading, he is likely to manifest this during the test-taking experience. One reaction that has been identified has been called "test anxiety." The child, apprehensive about his ability to score well and fearful about what others—especially his teacher or principal—might see in the test score, reacts in a self-defeating manner: He becomes highly nervous, even "wildly rampant"; or he withdraws. Either reaction lowers his test score. (Tr. 1375–1376.) Although both advantaged and disadvantaged children can experience test anxiety, in the opinion of Dr. Cline, plaintiffs' expert, the disadvantaged child—and particularly the disadvantaged Negro child—tend to be under much greater psychological stress in the testing situation and thus are more likely to show the effects in test performance. (Tr. 1376.) Several empirical studies support Dr. Cline's conclusion. (Tr. 3279–3280; 1376–1380.)[133]

Aside from anxiety-caused withdrawal, a child may be apathetic about a test simply because he does not see it as important. Children who come from backgrounds lacking in parental and environmental support for academic achievement will be more prone to be apathetic about testing; and disadvantaged children are those most likely to have nonsupportive backgrounds. In general, the middle and upper class child is made aware of the importance and value of school and testing; this will make him take both more seriously in terms of his goals in life. The lower class child, and especially a Negro facing the fact of racial discrimination, is more likely to view school and testing as a waste of time. Those grown accustomed to lower horizons may find it hard to take seriously such things as aptitude tests.

(3) *Empirical confirmation*. Empirical confirmation of the disadvantaged child's handicaps on aptitude tests can be found in the remarkably high degree of correlation between test scores on standard aptitude tests and the socio-economic status of the child. The more disadvantaged the child, the lower his test score will be. Dr. Lennon estimated that in a school system such as the District's where 90% of the students are Negro and at least 50% come from families whose annual income is substantially below that of the national median (estimated by Dr. Lennon to be about $6,200), the average aptitude test score would be at least seven points below the norm. As an IQ figure, this would mean a score of 93 as compared with 100; as a percentile score it would mean a score in the 43rd as compared with the 50th percentile.

Defendants, while acknowledging the handicaps of the disadvantaged child, have steadfastly maintained that the cause of low test scores is strictly a matter of socio-economic status, not race. In their view, the fact that a child is Negro is irrelevant to test performance. The evidence, however, does not support such a definitive conclusion. Dr. Lennon testified that, in constructing sampling groups, socio-economic and cultural factors seem to account for any significant variances. And Dr. Dailey testified to having conducted a multiple regression study of District test results, finding that the race of the child had no observable impact on those particular test scores. (Tr. 6316–6317, 6323–6324; Ex. 119; Ex. 120.) Nevertheless, Dr. Dailey later admitted that he has not firmly ruled out race as a wholly irrelevant factor. (Tr. 6395.) Thus, what both he and Dr. Lennon left open was the possibility of an overlap between socio-economic and racial factors, the former in many instances masking the effects of the latter.

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[131] Some fairly typical language usage is cited in one of plaintiffs' exhibits:

"You no longs in dis class."
"What ah sposed to did?"
"What do bunch mean?"
"Ah seed im."
"He done seed me."
"How old you was den?"
"Gi it tu me."
"What do praise mean?"
(Ex. C–10, p. 11.)

[132] At least one aptitude test in use in the District claims that a nonverbal test avoids any environmental handicaps a disadvantaged child may have. *See* Flanagan Tests of General Ability (TOGA), Form A, grades 6 to 9: "Part II avoids any cultural content; it presents geometric drawings designed to test the pupil's powers of abstract reasoning. This part of the test presents an equal challenge to all pupils regardless of their cultural backgrounds." Manual, p. 4. As defense witness Dailey made quite clear, this claim is unfounded and is indeed highly misleading. This is a prime illustration of the way in which standardized tests can lead the unsophisticated into mistaken judgments about the import of test scores.

[133] Defense witness Lennon thought the studies "open to other interpretations," which he did not elaborate; he himself has made no "hard study" of the area. (Tr. 3280). Dr. Lennon also pointed out that test anxiety might be a factor measured by a test since anxiety can affect scholastic achievement as well. (Tr. 3280–3281.) This, however, does not mean that it is a measurement of innate intellectual ability.

Certainly given the persuasive evidence of the psychological impact of segregation and other forms of discrimination on the Negro, defendants' evidence falls far short of successfully eliminating racial factors as influential in test performance.[134]

(4) *The influence of school.* For the disadvantaged child, handicapped as he is by home and community circumstances, the school remains as the last hope for overcoming academic deficiencies. In recognition of this fact the urban schools, including the District school system, are giving more and more attention to providing compensatory education for these children, for it is the school that by definition is best suited to providing students with the opportunity to acquire and perfect the academic skills which the school itself demands. And if the school fails in this task, the disadvantaged child will remain handicapped both in class and in taking tests.

But the influence of the school is not confined to how well it can teach the disadvantaged child; it also has a significant role to play in shaping the student's emotional and psychological make-up. The formula for reaching a student who comes to school academically ill-equipped from the start, who is disposed to reject the whole educational complex because of feelings of fear, frustration and an abiding sense of futility, is still one of the unsolved problems in American education. What is clear is that the urban school treads a narrow and difficult path in trying to reach the disadvantaged child. If it missteps, the consequences can be a devastating reinforcement of the psychological handicaps that already plague these children.

Plaintiffs' expert, Dr. Cline, has concluded that one of the most important influences on both academic achievement and aptitude test scores inheres in the teacher-pupil relationship, a syndrome Dr. Cline has termed "teacher expectation." Studies have found that a teacher will commonly tend to underestimate the abilities of disadvantaged children and will treat them accordingly—in the daily classroom routine, in grading, and in evaluating these students' likelihood of achieving in the future. The horrible consequence of a teacher's low expectation is that it tends to be a self-fulfilling prophecy. The unfortunate students, treated as if they were subnormal, come to accept as a fact that they *are* subnormal. They act out in their school behavior and in the testing situation what they have been conditioned to believe is their true status in life; and in conforming to expectations, they "confirm" the original judgment. A noted expert, Professor Kenneth Clark, has summed up the problem thusly:

"* * * When a child from a deprived background is treated as if he is uneducable because he has a low test score, he becomes uneducable and the low test score is thereby reinforced. If a child scores low on an intelligence test because he cannot read and then is not taught to read because he has a low test score, then such a child is being imprisoned in an iron circle and becomes the victim of an educational self-fulfilling prophecy."[135]

Aside from the influence of the teacher, the whole of the school experience will shape a student's behavior. If that experience is for one reason or another a negative one for the student, his performances will likewise be negative. Although there are immediate implications in this for the track system, the court will defer discussion for later in the opinion.

d. *Accuracy of test measurements.* Plaintiffs charge that the disadvantaged child's handicaps—both environmental and psychological—are such that standard aptitude tests cannot serve as accurate measurements of innate ability to learn. In Dr. Cline's opinion these tests are worthless. The evidence that this is so is persuasive.

It will be recalled that a scholastic aptitude test is constructed to test present facility in verbal—and, sometimes, nonverbal—skills so as to make possible an inference about an individual's innate ability to succeed in school. The inference is expressed in the form of a test score which is a statement of how the individual student compares with the median score of the norming group. The median reflects an "average" ability to learn, a score above or below that average indicating superior or inferior ability. A crucial assumption in this comparative statement, however, is that the individual is fairly comparable with the norming group in terms of environmental background and psychological make-up; to the extent the individual is not comparable, the test score may reflect those differences rather than innate differences. For example, perhaps the most ideal circumstance for making an accurate estimate of innate ability from comparing test scores would be in the case of twins. If the twins were given the same test and one scored significantly higher than the other, a reasonable inference would be that the higher scoring twin had the superior innate ability; both children presumably would have had the same opportunity to learn the tested skills and both would probably have been subject to similar psychological influences.

Transferring this principle to standard aptitude tests in general, the best circumstance for making accurate estimates of ability is when the tested student is most like the typical norming student: white and middle class. Because the white middle class student predominates in the norming sample, it is possible to say the average student in that group will have had roughly the same opportunities to develop standard verbal and nonverbal skills as the rest of the group and will probably be psychologically similar as well. Thus the national median or norm is a reasonably accurate statistical statement of what the average American student ought to have learned in the way of verbal and nonverbal skills by a certain age and what can therefore be considered average intelligence or ability to learn. For this reason, standard aptitude tests are most precise and accurate in their measurements of innate ability when given to white middle class students.

When standard aptitude tests are given to low income Negro children, or disadvantaged children, however, the tests are less precise and less accurate—so much so that test scores become practically meaningless. Because of the impoverished circumstances that characterize the disadvantaged child, it is virtually impossible to tell whether the test score reflects lack of ability—or simply lack of opportunity. Moreover, the probability that test scores of the Negro child or the disadvantaged child will be depressed because of somewhat unique psychological influences further compounds the risk of inaccuracy.

Lorton study. Striking evidence of the inaccuracy of standard tests is revealed in a study made in 1965 at the Lorton Youth Center, a penal institution set up under the Federal Youth Corrections Act and serving the District of Columbia. Inmates range in age from 18 to 26 years; 90% are dropouts from the District schools; and 95% of these are Negroes. Sixty-nine inmates enrolled in the Youth Center School pursuing a course of study leading to a high-school-equivalent diploma were examined as a follow-up to an earlier study to determine these inmates' educational progress under "ideal" educational circumstances. In the earlier study several factors had been identified as causing these inmates to underachieve in school and eventually to drop out; the second study was designed to measure achievement once those factors had been removed. A summary of the study is quoted in the margin[136]; the major points of interest are these:

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[134] The court also takes judicial notice of the fact that there are studies which indicate that race does indeed have a separate effect. *E.g.*, Deutsch & Brown, *supra* Note 130; *cf.* U.S. Comm'n on Civil Rights, Racial Isolation in the Public Schools (1967).

[135] Clark, *Educational Stimulation of Racially Disadvantaged Children*, in Education in Depressed Areas 142, 150 (A. H. Passow ed. 1963). *See* R. Rosenthal & L. Jacobsen, *Self-Fulfilling Prophecies in the Classroom: Teachers Expectations as Unintended Determinants of Pupils' Intellectual Competence*, in M. Deutsch, *et al.*, Social Class, Race and Psychological Development (1967).

[136] "Data pertaining to intelligence quotients and Stanford Achievement test scores were obtained from the files of the pschological unit of the Youth Center. Ranges and averages were computed for intelligence quotients as measured by the Otis Test of Mental Ability and for intelligence quotients as measured by the Revised Beta Examination. The ranges and averages were also found for reading levels and arithmetic levels for this group as measured by the Stanford Achievement Test. A comparison was made between the reading levels and arithmetic levels obtained by these youths on entrance to the Youth Center and the reading levels and arithmetic levels obtained after one year of instruction at the Youth Center School.

"An analysis of these data revealed that the range of intelligence quotients as measured by the Otis Test of Mental Ability was from 50 to 110. The average I.Q. for this group was computed at 78 from scores obtained on the Otis Test of Mental Ability. When measured by the Revised Beta Examination, a non-verbal intelligence test, the range of intelligence quotients for this group was found to be from 71 to 118. The average intelligence quotient was measured as 98 on the Revised Beta Examination. A difference of 20 points was indicated in the average intelligence quotient obtained on the Otis Test of Mental Ability and the average intelligence quotient as measured by the Revised Beta Examination.

"A further comparison was made of the intelligence quotients as measured by these two tests using those incarcerees who had obtained an I.Q. of 75 or below on the Otis Test of Mental Ability. The range of intelligence quotients for this group, as measured by the Otis Test of Mental Ability, was from 50 to 75. When measured by the Revised Beta Examination, the range in intelligence quotients for this group was found to be from 71 to 112. The average I.Q. increased 29 points. From scores obtained on the Otis Test of Mental Ability, the average intelligence quotient was found to be 62. From scores obtained on the Revised Beta Examination, the average intelligence quotient was found to be 91.

"The findings indicated the following gains in intelligence quotients from scores obtained on the Otis Test of Mental Ability to scores obtained on the Revised Beta Examination by categories:

28 inmates gained 20 points or more
20 inmates gained from 10 to 19 points

1) Two types of aptitude tests were used to measure ability, the Otis test used in District schools, a verbal test; and the Revised Beta Examination, which is nonverbal. The IQ ranges for the two tests differed markedly. For the whole group of 69 inmates the range of IQ's obtained by using the Otis test was from 50 to 110; the average was 78, substantially below normal. Scores on the nonverbal Beta test, however, were higher, ranging from 71 to 118; the average was 98—20 points higher than the Otis average, and a level considered to indicate average intelligence.

Twenty-four of the 69 inmates scored at 75 or below on the Otis test, the IQ's ranging from 50 to 75; the average was 62.[137] Yet on the Beta test the range was from 71 to 112, the average being 91—or 29 points higher than the Otis average.

2) Gains in achievement in reading and arithmetic over a one-year period were measured using the Stanford Achievement Tests, one of the series used in the District schools. The expected gain for a student of average intelligence, according to Stanford norms, is 1.0 (*i.e.*, a progress equivalent to one grade level in one year).

Reading. The average gain for all 69 inmates was 1.3 years, increasing from an average grade level equivalent of 6.9 (ninth month of the sixth grade) to 8.2 (second month of the eighth grade). For the 24 inmates in the 75 or below range (Otis), the average gain also was 1.3 years, increasing from a grade level equivalent of 3.9 to 5.2.

Arithmetic. The average gain for all inmates was 1.8 years, increasing from 5.6 to 7.4. For the 24 low-scoring inmates the average gain was 1.8, increasing from 4.2 to 6.0

This study reveals in hard fact that a disadvantaged Negro student with a supposedly low IQ can, given the opportunity, far surpass what might be expected of a truly "subnormal" student. It illustrates the principle that a standard verbal aptitude test—in this case the Otis test—can be a faulty predictor of actual achievement for disadvantaged students, and confirms Dr. Cline's assessment of the disabilities of such tests in making accurate inference about inmate ability.[138]

Local norms. Two techniques have been cited by plaintiffs that might help give a more accurate estimation of the ability of the disadvantaged child. One of these is the development of a locally standardized test. The principle is the same as that applied to the nationally standardized test, except that the test questions are made appropriate to the students being tested and the norm is ascertained from a group of similarly situated students—that is, those students within the local school system at the appropriate age levels. The purpose of the local norm is to produce test scores that will reflect what the child *has* had the opportunity to learn and to compare his achievement with that of others who have had comparable opportunities. Defendants have not availed themselves of this technique. (Tr. 6676–6684.)

Another method of establishing a local norm is to use the standard aptitude test but to restandardize the median score according to local performances. At the time of trial defendants were in the process of obtaining such norms under the direction of Dr. Dailey. (Tr. 6387–6396.) However, because this method continues to rely on test questions that are highly inappropriate to the background of the disadvantaged child, there remains a substantial risk of inaccurate measurement. Although defendants have taken commendable if somewhat belated steps to improve the techniques for ascertaining the abilities of District school children, they have not gone far enough. (Tr. 6676–6684.)

Empirical verification. A second method designed to assure accuracy of measurements, strongly recommended by educational test experts and test publishers alike, is for the school system to conduct an empirical study of the predictive validity of the aptitude tests it uses. Since there is a probability of error in prediction for any school population, it is desirable to obtain evidence as to how accurate the test is for the local student body. When the student body is highly dissimilar to the standardizing group it becomes even more desirable to vertify the accuracy of the test's predictions. This is done by making a follow-up study of a group of students to see how much correlation there is between actual scholastic achievement and the initial test score.[139] The District has not made any empirical studies of this sort, even though the student body and the system itself are admittedly "unique." (Defendants' Proposed Findings, p. G–28.)[140]

Conclusion. In light of the above evidence regarding the accuracy of aptitude test measurements, the court makes the following findings. First, there is substantial evidence that defendants presently lack the techniques and the facilities for ascertaining the innate learning abilities of a majority of District schoolchildren. Second, lacking these techniques and facilities, defendants cannot justify the placement and retention of these children in lower tracks on

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13 inmates gained from 1 to 9 points
4 inmates showed no gain
4 inmates showed a loss

"The highest individual gain was 60 points. This individual obtained an I.Q. of 52 (deficient) on the Otis Test of Mental Ability, and he obtained an I.Q. of 112 (above average) on the Revised Beta Examination.

* * * * *

"Consideration was given to progress in reading after one year of instruction at the Youth Center School. These data revealed that for the entire sampling of 69 incarcerees the range in reading levels on entrance to the Youth Center was from 1.5 (fifth month of the first grade) as measured by the Stanford Achievement Test. The average initial reading level was found to be 6.9 (ninth month of the sixth grade). After one year of instruction at the Youth Center School, the average reading level for this group increased by 1 year and 3 months to 8.2 (second month of the eighth grade). The range in reading levels after one year of instruction was found to be from 2.5 to 12.0.

"An analysis was made of the reading progress over a one year period of incarcerees who obtained an I.Q. of 75 or less on the Otis Test of Mental Ability. There were 24 inmates in this sampling. The initial range of reading levels for this group was from 1.6 to 6.8 and the range of reading levels for this group after a year of instruction was from 2.5 to 7.3. The average reading level for this group of incarcerees whose I.Q. measured 75 or below on the Otis Test of Mental Ability increased from 3.9 to 5.2. This represents an average gain of one year and three months for this group after one year of instruction. It should be noted here that the average gain in reading made by this selected sampling was the same as the average gain in reading made by the total population. A normal individual should make one year's progress or 1.0 in one year.

"The range in arithmetic levels for the total group on entrance to the Youth Center was from 3.2 to 9.1. The range in arithmetic levels for the total group after one year of instruction was from 4.2 to 11.9. The initial average arithmetic level was 5.6, and the final average arithmetic level was 7.4, representing a gain in the average arithmetic level of 1 year and 8 months after one year of instruction.

"An analysis was also made of the progress in arithmetic made by the 24 subjects whose I.Q. measured 75 or below on the Otis Test of Mental Ability. These youths would be classed as having borderline intelligence if this I.Q. were recorded on their public school records. However, this group of so-called 'borderline' subjects also had an average gain in arithmetic level of 1 year and 8 months after one year of instruction at the Youth Center School. The initial range in arithmetic levels for this group was from 3.2 to 6.5. The final range in arithmetic levels for this group after one year of instruction was from 4.2 to 8.4. The initial average arithmetic level was 4.2, and the final average arithmetic level for this group with I.Q.'s which measured 75 or below on the Otis Test of Mental Ability was 6.0.

"The highest individual gain in reading level by an inmate was 3 years and 6 months. This subject's initial reading level was 5.7. His reading level after one year of instruction was 9.3. The highest individual gain in arithmetic level over a one year period was 3 years and 9 months. This subject's initial arithmetic level was 6.1, and his final arithmetic level was 10.0."

N. Burke & A. Simons, A Measure of the Educational Achievement of a Group of Incarcerated Culturally Disadvantaged and Educationally Deprived Dropouts 25–29 (May 1965) (Ex. C–10; *see also* Tr. 1455–1507, 1576–1635; Ex. C–10; Ex. C–17).

[137] A person with an IQ of 40 to 59 is considered a "moron." L. Chronbach, *supra* Note 124, at 173. In the District a child with an IQ of 75 or below is considered for placement in the Special Academic Track.

[138] The nonverbal scores obtained from the Beta test seem to have been more accurate in penetrating the fog obscuring these inmates' abilities, a perfect example of how a deficiency in a tested skill—*i.e.*, a verbal facility—has a direct and misleading effect on test scores.

Although it would appear from this study that nonverbal tests are much the better for use with disadvantaged children, there is substantial evidence that nonverbal tests are subject to the same disabilities as verbal tests since both at base are testing learned skills. Thus, Dr. Dailey reported that, in a test of ninth grade students from nine of the District's 25 junior high schools, the average score was in the 40th percentile on a verbal component, but only in the 38th percentile on a nonverbal component. (Tr. 6266–6269.)

Interestingly, Dr. Dailey concluded from this experiment that the tests confirmed that District schools were teaching reading as well as could be expected given the "raw material" they had to work with. The foundation for this judgment is Dr. Dailey's theory that nonverbal skills are learned largely out of school. He did not elaborate, however, on why a child's home or community are especially suited for training the child in abstract reasoning whereas the school is not. (Tr. 6347.)

[139] Presumably some control would have to be established to take account of the effect the student's curriculum would inevitably have on his actual achievement level. Otherwise a student who is undereducated due to misjudgments based on the initial test score would appear as a validation of the test's accuracy when in fact he is a victim of the self-fulfilling prophecy discussed earlier. *Compare* Hansen 185, discussed at Note 93 *supra*.

[140] Dr. Lennon indicated that in practice few school systems make empirical studies, being content to rely on historical verifications of accuracy reported by the test publisher. If this is acceptable in some cases, it would not be so for the District given its unique character. Moreover, it is not clear that the historical verifications Dr. Lennon referred to took account of the influence of teaching on achievement, *see* Note 139 *supra*.

the supposition that they could do no better, given the opportunity to do so.

e. *Misjudgments and undereducation.* Plaintiffs have alleged that the harm in using standard aptitude tests is not simply a matter of technical inability to estimate innate learning capacities of disadvantaged children. They go further and say that the false images test scores can project because of this disability will lead teachers—and principals, when they are involved in making the decision about proper track placement—into misjudging the capabilities of these children. The consequence is to create a substantial risk of underestimating and thus undereducating the disadvantaged child.

As was seen in the preceding section, because of the nature of nationally standardized scholastic aptitude tests a majority of District schoolchildren are likely to score below the national norm. This amounts to a *prima facie* statement of their subnormality. As the Lorton study makes strikingly clear, however, the test scores may well be understating true ability. Thus it is imperative that aptitude test scores not be taken at face value. Defendants agree with this latter principle, and argue that because test scores are almost always interpreted there is little risk of misjudging students' abilities. Moreover, they say, test scores are not the only ingredient in the process of placing students according to ability; other factors are considered which give an accurate picture of each student's needs and abilities. The evidence, however, reveals that defendants are overly optimistic in their contentions.

Interpretation. The major obstacle to defendants' argument that test scores are interpreted is the fact that for many students interpretation cannot provide meaningful information. There is ample evidence, already examined, that for disadvantaged children group aptitude tests are inappropriate for obtaining accurate information about innate abilities. Defendants have not explained how interpretation can overcome these technical limitations on the tests.

The steps defendants have taken to obtain local norms will to some extent remedy the technical limitations on these tests. There is no evidence, however, as to how these local norms are being used in practice; at the time of trial, they had not even been fully developed. Moreover, defendants have not indicated any intention to investigate whether group tests being used are accurate predictors of achievement for District school children, another limitation on the meaningfulness of interpretation.

Consequently, the court finds that for a majority of District school children there is a substantial risk of being wrongly labelled as having subnormal intelligence, a label that cannot effectively be removed simply by interpreting aptitude test scores. To whatever extent placement decisions are based on these scores, interpreted or not, there is a distinct possibility that that placement is erroneous. Defendants are left, therefore, with the proposition that accurate judgments about students' abilities can be made without reference to test scores in circumstances where those scores are likely to be erroneous.

The influence of test scores. The court has already had occasion to express its conclusions regarding the crucial role aptitude test scores inevitably must play in the proper operation of the track system. Nonetheless, assuming that those charged with the responsibility of evaluating and programming students according to their abilities could do so without regard to test scores, the court will turn to the evidence of whether in practice a student's test score is ignored so as not to influence judgments.

There can be no disputing the fact that teachers universally tend to be strongly influenced in their assessment of a child's potential by his aptitude test scores. Defendants' own expert, Dr. Lennon, acknowledged this to be the common experience; and it would defy common sense to think the situation could be otherwise. Although test publishers and school administrators may exhort against taking test scores at face value, the magic of numbers is strong.[141]

A teacher, like any human being, must rely to some extent on appearance in making judgments about other people. If a student is slow in class, has trouble reading, seems dull-witted, and his reported IQ is 80, the natural inclination is to view the evidence as supporting one conclusion: the student is indeed a dullard. Yet it may be that both the slowness and the low IQ are the result of those factors—environmental or psychological—that have nothing to do with native intelligence.

The inclination to give undue weight to test scores can be enhanced if scholastic aptitude tests assume an important role within the school system—as is the case with the District. Thus the school system makes mandatory the use of at least five aptitude tests for each student during his academic career, in effect placing its official imprimatur on these particular tests. And, as noted earlier, the criteria for placement in the respective tracks are couched in terms of measured ability levels, reflecting the premise of the track system that maximum potential must be discovered. In such an atmosphere, the worth of a test score rises high. The court cannot accept defendants' suggestion that test scores are not influential in placing students.

Misjudgments. Not only is there ample evidence that tests are influential in shaping teachers' judgments, but there is dramatic evidence of the misjudgment that can come from this.

The first example of this is in an incident described by Dr. Hansen in his *Addendum: A Five-Year Report on Desegregation in the Washington, D.C. Schools* (1960):

"The 1,303 students who were enrolled in the tenth grade basic curriculum in 1958–59 were given the advanced form JM of the Stanford Achievement Test in October 1958.

"The average of the medians in the six tests is 6.5 grade, or 3.6 school years below the students' actual grade of 10.1. *While they were in the ninth grade these students were assigned to the basic curriculum* at about the sixth grade level or below, *as indicated by tests and teacher and counselor judgment.* For more than half of them to make test scores above the sixth grade equivalent in the tenth grade indicates a phenomenal improvement over the testing period the preceding January, when all ninth graders took the Stanford Achievement Test, Form LM.

"In the summary of this point, about two-thirds of the group tested in October 1958 who in January 1958 had scored at the sixth grade or below, made scores above the sixth grade equivalent. As an example, of the 1,303 students in the basic curriculum who took the test in paragraph meaning, 810 scored above the sixth grade equivalent. A spectacular finding is that 116 of these students made grade equivalents of 10.1 to 12.8. On the basis of these results alone, they were possibly ready for placement at the general, college preparatory, or even honors levels.

"For these 810 students, then, significant gains were reported for the ten months, January to October. These gains undoubtedly represent, in part at least, improvement resulting from instruction during these months, and perhaps for some, from attendance in summer school. *They may also have resulted partly from differences in pupils' attitudes at the time they took the test. They do point up the necessity for greater care in guidance of pupils into the proper curriculum sequence.*" (Ex. 8, pp. 21–22.) (Emphasis added.)

Despite the call for "greater care," as the next example shows, misjudgments have continued.

In 1965 Dr. Hansen announced a change in official policy: thenceforth, no student was to be assigned to the Special Academic Track without first being evaluated by a clinical psychologist and, if necessary, undergoing an individual test of ability. In September of that year 1,272 students, either already in the Special Academic Track or about to be enrolled in it on the recommendations of their teachers and principals, were reevaluated by the psychologists under the new order. As a result of this reevaluation approximately 820, almost two-thirds, were discovered to have been improperly judged as requiring assignment to the Special Academic curriculum. Dr. Hansen's comment on this incident is instructive:

"Q. Dr. Hansen, were you surprised by the * * * results of the testing, this crash program testing, did you expect that result?

"A. I am not surprised by the result because when moving in the direction * * * of developing a special program for the mentally retarded, those who by endowment seem mentally retarded, and those who are culturally handicapped, * * * it seems to me we could expect a variation of this kind in terms of the evaluations and judgments of principals * * *." (Tr. 405–406.)

This acknowledgment of the probability of "variation" in judgments regarding the academic needs of the disadvantaged student betrays the fatal weakness in the track system. In the 1965 incident 60% of the principals—and teachers'—evaluations were overruled only because experts apparently better able or better equipped were called in to analyze these students. But what of the thousands of students *not* reevaluated with such close scrutiny? One can only speculate, for example, how many students left in the General Track to prepare themselves for a useful vocation are there because of a "variation" in judgment. Surely the same considerations that led the principals and teachers to misjudge 820 students in 1965—grades, behavior, test scores, etc.—can work to the detriment of any disadvantaged child, even if he is not recommended for downgrading to the Special Academic Track. A child's future is entitled to judgments giving better odds than one out of three.[142]

The self-fulfilling prophecy. The real tragedy of misjudgments about the disadvantaged student's abilities is, as described earlier, the likelihood that the student will act out that judgment and confirm it by achieving only at the expected level.[143] In-

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[141] *See, e.g.,* Rosenthal & Jacobsen, *supra* Note 135.

[142] Evidence of the impact of the new regime is startling in some instances. As Table A (Section D, *supra*) shows, there was an overall decline in enrollments in the Special Academic Track in 1965. In some schools the drop was extreme, suggesting a high incidence of misjudgments prior to 1965. This is evident in these *junior high schools:* Browne, a decline of 17.3% (25.1% to 7.8%); Douglass, 14.7% (23.3% to 8.6%); Sousa, 12.9% (16.3% to 3.4%); Hine, 10.0% (14.1% to 4.1%); Shaw, 8.0% (36.0% to 28.0%). Two *Senior high schools* had significant declines: Dunbar, 6.9% (16.7% to 9.8%); Cardozo, 6.2% (18.2% to 12.0%). All of these are low-middle or low income, almost all-Negro, schools. (*See* Tables B and C, Section D, *supra.*)

[143] Another result can be the student's disenchantment with school, causing him to drop out before graduating. Plaintiffs have charged the track system with causing dropouts; defendants claim that it increases the school's holding power. The evidence on the matter is extremely confused, though.

It is clear that the District does have a deed, it may be even worse than that, for there is strong evidence that performance in fact *declines*. (Tr. 1727, 1785–1789, 1792–1796.)[144] And while the tragedy of misjudgments can occur even under the best of circumstances, there is reason to believe the track system compounds the risk.

First, the fundamental commitment of the track system is to educate *ability*, not just the student.[145] By assuming the responsibility of deciding who gets what kind of educational opportunity, the school system places a dear price on teacher misjudgments. Thus, when a misjudgment does occur, the result will be institutionally to shunt the student into a curriculum placed to his presumed abilities, where he is likely to progress only at the speed at which he is taught.[146] A sixth-grade student nourished on third-grade instruction is apt to finish the year with a third-grade education; yet the haunting question: could he have done better?

Another aspect of the track system's emphasis on ability is the distinctly competitive atmosphere injected into the curriculum. Indeed, competition is the intent, for it is competition that Dr. Hansen relies upon as the spur to individual efforts to achieve and rise up. But in a school system such as the District's where well over half of the students come from impoverished backgrounds and 90% are born into a world where the color of their skin makes life an inevitable struggle simply to obtain equality, turning the pursuit of education into yet another competition is just unfair. As might be expected, in such a setting the race goes to the swift; and to the child disadvantaged only by birthright can go a second-class education.

The third feature of the track system is its tendency to reinforce the psychological impact of being adjudged of low ability. By consigning students to specifically designated curricula, the track system makes highly visible the student's status within the school structure. To the unlearned, tracks can become pejorative labels, symptomatic of which is the recent abandonment of the suggestive "Basic" for the more euphemistic "Special Academic" as the nomenclature of the lowest track.[147] And even if a student may be unaware of labels, he cannot ignore the physical fact of being separated from his fellow students.

None of this is to suggest either that a student should be sheltered from the truth about his academic deficiencies or that instruction cannot take account of varying levels of ability. It is to say that a system that presumes to tell a student what his ability is and what he can successfully learn incurs an obligation to take account of the psychological damage that can come from such an encounter between the student and the school; and to be certain that it is in a position to decide whether the student's deficiencies are true, or only apparent. The District of Columbia school system has not shown that it is in such a position.

OPINION OF LAW

I. Preview

A preliminary matter concerns identification of the governing constitutional principles. In *Bolling* v. *Sharpe*, 347 U.S. 497 (1954), the companion to *Brown* v. *Board of Education*, 347 U.S. 483 (1954), the Supreme Court held that the equal protection clause's proscription against *de jure* school segregation—segregation directly intended or mandated by law or otherwise issuing from an official racial classification—was an element of due process of law under the Fifth Amendment, thereby applicable in the District of Columbia. In so doing the Court postponed consideration of which additional doctrines of equal protection due process includes, at least insofar as the District of Columbia is concerned.

In the intervening years the Court has found the due process clause of the Fourteenth Amendment elastic enough to embrace not only the First[148] and Fourth Amendments,[149] but the self-incrimination clauses of the Fifth,[150] the speedy trial, confrontation and assistance of counsel clauses of the Sixth,[151] and the cruel and unusual punishment clause of the Eighth.[152] In so doing the Court has responded with implicit and understandable revulsion to invitations to distinguish between the core and substance of a constitutional right and its supposed mere incidents or excrescences.[153]

In the meantime the equal protection clause has consolidated its position as the cutting edge of our expanding constitutional liberty[154]; and a constitutional amendment, the Twenty-third, has struck at the idea that denizens of the District are second-class citizens. Apart from these post-*Bolling* transitions is the consideration which *Bolling* itself adumbrated, at once eminently commonsensible and yet rooted deep in the theory of federalism: it is "unthinkable," 347 U.S. at 500, that school practices which the Constitution forbids in New York, Birmingham and Los Angeles it should forgive in Washington, D.C. "[T]he District of Columbia is not a provincial community but the cosmopolitan capital of a nation that professes democracy." *Carr* v. *Corning*, 86 U.S. App. D.C. 173, 192, 183 F. 2d 14, 33 (1950) (Edgerton, J., dissenting).

From these considerations the court draws the conclusion that the doctrine of equal educational opportunity[155]—the equal protection clause in its application to public school education—is in its full sweep a component of due process binding on the District under the due process clause of the Fifth Amendment.

To fathom and apply the content of the principle of equal educational opportunity is the court's next project. As every student of the Constitution knows, the intense debate over racial segregation in the schools has clustered around two seminal concepts: *de jure* and *de facto* segregation. The first of these, as already indicated, adverts to segregation specifically mandated by law or by public policy pursued under color of law; this is the segregation unequivocally denounced by *Bolling* and *Brown*. School segregation is *de facto* when it results from the action of pupil assignment policies not based on race upon social or other conditions for which government cannot be held responsible[156]; whether segregation so occasioned does fall within *Brown's* proscription the Supreme Court has not yet considered or decided. A third equal protection approach to the problems presented by this case questions whether the principle of equal educational opportunity does not require that schools must be materially equal whenever, for whatever reasons, these schools are substantially segregated racially or economically.

After briefly treating and rejecting plaintiff's *unseasonable* argument invoking the requirement that formerly (before 1954) *de jure* school systems affirmatively "disestablish" segregation, the court holds that a separate-but-equal rule, a variation perhaps of *Plessy* v. *Ferguson*, 163 U.S. 537 (1896), does apply, and that violations of this rule have been recorded here in the District. The court then turns to the optional zones and teacher segregation, concluding that these practices are condemned by *de jure* reasoning. Next, the court assesses the *de facto* segregation question and holds that the District's neigh-

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dropout problem. In 1963, 37% of the 1960 tenth grade class did not graduate, making the District the third worst of 19 large-city school systems in the country—better than only New York and Detroit. However, the trend in this regard has been upward in the past several years, albeit slowly. (Ex. 45; Ex. A–3, p. 60.) On the other hand, other evidence indicates that the *number* of dropouts is increasing. (Ex. C–2.) Almost all of these are Negroes from the Special Academic and General Tracks, at both junior and senior high levels—although 1964 figures show an increase in dropouts from the Regular Track as well. (Ex. C–21.)

Given the conflicting and incomplete data, the court has been unable to establish a clear link between tracking and dropouts, one way or the other. The problem of the inadequate data is well analyzed in Exhibit A–3, pp. 57–60.

[144] One striking item of evidence in this regard reveals that, in reading achievement in the District schools, 67.2% of the students are reading at or above grade level in Grade 3 but by Grade 8 that per cent has *dropped* to less than half (45.5%). (Ex. A–3, p. 27.)

This pattern is also reflected in 1966 test scores. Thus, on second, fourth and sixth grade reading tests the results were as follows:

(1) Per cent of elementary school classes at or above median: Grade 2—50%; Grade 4—44%; Grade 6—36%.

(2) Per cent of elementary schools at or above median: Grade 2—54%; Grade 4—38%; Grade 6—20%.

As could be expected, the low scoring schools were the lower-income, Negro or predominantly Negro schools. (*See generally* Court Ex. 4.)

At the junior high school level (ninth grade), 20 of the 25 schools were below median (from 2 to 14 points); all but two had virtually all-Negro enrollments, and the two exceptions were only slightly below median. The income levels ranged from the poorest to one predominantly Negro school at the $8,000–$8,999 level; the mean income level was about $4,500. (*See ibid.*)

At the senior high school level (11th grade), six of the 11 high schools were below median. Again the pattern was for the lower income Negro schools to gravitate toward the bottom. (*See ibid.*) That senior high schools might appear to be relatively better off is misleading, since between junior and senior high school the system loses many Negroes from the General and Special Academic Tracks. *See* Note 143 *supra*.

[145] Hansen 44.

[146] Defendants' witness, Dr. Dailey, pointed to another risk of reinforcing a child's present disabilities—the lack of contact with students having a command of standard English. The homogeneous class, by grouping students similarly handicapped, removes a source of stimulation available in a mixed-ability setting. (Tr. 6386–6387.)

[147] Compare Hansen 46–47.

[148] *Near* v. *Minnesota*, 283 U.S. 697 (1931).

[149] *Wolf* v. *Colorado*, 338 U.S. 25 (1949).

[150] *Malloy* v. *Hogan*, 378 U.S. 1 (1964).

[151] *Klopfer* v. *North Carolina*, — U.S.—, 87 Sup. Ct. Rep. 988 (1967); *Pointer* v. *Texas*, 380 U.S. 400 (1965); *Gideon* v. *Wainwright*, 372 U.S. 335 (1963).

[152] *Robinson* v. *California*, 370 U.S. 660 (1962).

[153] *E.g., see* the conflicts in the various opinions in *Pointer* v. *Texas*, *supra* Note 151, and *Ker* v. *California*, 374 U.S. 23 (1963).

[154] *See Reitman* v. *Mulkey*, — U.S. —, 35 U.S.L. Week 4473 (May 29, 1967); *Reynolds* v. *Sims*, 377 U.S. 533 (1964); *Griffin* v. *Illinois*, 351 U.S. 12 (1956); Goldberg, *Equality and Government Action*, 39 N.Y.U. L. Rev. 205 (1964).

[155] *Brown* v. *Board of Education*, 347 U.S. 483, 493 (1964).

[156] *See Dowell* v. *School Board*, W.D. Okla., 244 F. Supp. 871, 976 (1965), *affirmed*, 10 Cir., — F. 2d — (Jan. 23, 1967), *cert. denied*, — U.S. —, 35 U.S.L. Week 3419 (May 29, 1967), holding segregation unconstitutional in part because the residential conditions which produce it had been "initiated by law."

borhood school policy, as presently administered at least, results in harm to Negro children and to society which cannot constitutionally be fully justified. Finally, the court finds that the effect of the track system is to deny a majority of District students their right to equal educational opportunities.

II. Disestablishing de jure segregation

Until 1954 the District of Columbia's public schools were segregated by law. The question arises of what relevance this fact has to a segregation suit launched in 1966.

Plaintiffs press the argument that effectively to "disestablish" *de jure* segregation—no matter what the law on *de facto* segregation—a school board must adopt an assignment system which will achieve substantial *actual* integration. Indeed, considerable apparent support in precedent can be marshalled in defense of this position, including the Office of Education desegregation guidelines, which in some cases require minimum percentages of actual integration, 45 C.F.R. § 181.54 (Supp. 1967); the accent in all the recent cases on a desegregation plan that "works" and gets "objective" results, *e.g., United States* v. *Jefferson County,* 5 Cir., 372 F. 2d 836, 847 (1967)[157]; *Bradley* v. *School Board,* 4 Cir., 345 F. 2d 310, 322–323 (1965) (Sobeloff and Bell, JJ., concurring in part); *Dove* v. *Parham,* 8 Cir., 282 F. 2d 256 (1960); and the Fifth and Eighth Circuits' recent rejection in its application to desegregation suits of the *Briggs* v. *Elliot,* E.D.S.C., 132 F. Supp. 776, 777 (1955), "the Constitution * * * does not require integration" dictum. *Jefferson County, supra,* 372 F. 2d at 861–872; *Kemp* v. *Beasley,* 8 Cir., 352 F. 2d 14 (1965).

All this learning, however, has been applied primarily in situations where not only the condition of segregation persists, but the same students attend the very schools they were attending before "desegregation." The courts have shown less inclination to apply it to situations in which a complete revamping of the school system into neighborhood schools proves to have segregatory effects. *See, e.g., Davis* v. *Board of School Comm'rs,* 5 Cir., 364 F. 2d 896, 900 n. 1a (1966). The Office of Education percentage guidelines themselves do not apply to desegregation plans entailing establishment of neighborhood schools. *See* 45 C.F.R. §§ 181.31–181.35 (Supp. 1967).

The argument can be made, however, that even in these situations the court has the power, though not necessarily the duty, to insist on a degree of actual integration.[158] Twin considerations could be thought to underlie such a remedy. One, the court is entitled to real assurance that the School Board has abandoned its earlier unconstitutional policy of segregation, assurance which only the objective fact of actual integration can adequately provide, inasmuch as only that is "clearly inconsistent with a continuing policy of compulsory racial segregation." *Gibson* v. *Board of Public Instruction,* 5 Cir., 272 F. 2d 763, 766 (1959). Two, the entire community, white and black, whose own attitude toward Negro schools is what stigmatizes those schools as inferior, must be disabused of any assumption that the schools are still officially segregated, an assumption it might cling to if after supposed "desegregation" the schools remained segregated in fact.[159]

But whatever the merits of the argument in the large, the court is not disposed to grant relief on its basis in this case, for two reasons. First, there is a failure of proof. Plaintiffs have not supplied the court with the necessary data as to the degree of actual integration in the years immediately following *Bolling,* which obviously under this theory form the crucial period.[160] Although substantial segregation was an inevitable result of adoption of the neighborhood plan in 1954, without hard figures the court cannot be assured that actual integration was then so minor as to justify relief.

Second, the argument is untimely. This suit was begun 12 years after the institution of the neighborhood school policy, making the policy older than most of the students today attending the local schools. Many concurrent causes have combined with the Board's 1954 decisions in the evolution of present reality. If the segregation in the District's schools is not currently objectionable under either an independent *de facto* or *de jure* rationale, it would be very difficult to strike it down merely because the neighborhood school policy failed to produce sufficient integration when it replaced an overt *de jure* system 13 years ago.

III. Separate but unequal

Section III of the findings above transcribes the court's conclusions respecting the comparative inferiority which vexes the typical predominantly Negro school in the District. The major findings can be briefly restated here. First, the school system's most ancient and dilapidated buildings can be found in the low income areas—which in Washington means in the Negro ghettos. There the typical school building is nearly 60 years old; the median building age elsewhere in the city is approximately 40 years.

The predominantly (*i.e.* 85–100%) Negro schools suffer from drastic student overcrowding (the median in 1965–66 for the 107 predominantly Negro elementary schools: 115% of capacity, which qualifies as an emergency situation), even while the 85–100% white schools flourish with empty seats and classrooms (their median: 77%). The distinction is almost systematic, in the sense that virtually every predominantly Negro school is more crowded than the majority of predominantly white schools.

By virtue of the compound of several individual ingredients of imbalance, the teachers at the predominantly white schools are a clear class above predominantly Negro school faculties in quality. Teachers at these latter schools have had much less teaching experience than their colleagues in the predominantly white schools, and more than twice as many of them have only temporary licenses, signifying their failure to compile the qualifications demanded by the school system for tenured positions; indeed, almost all the schools except those predominantly white must deal with a surfeit of temporary teachers. The large number of teachers with graduate degrees in the predominantly white schools is a feature the predominantly Negro schools do not equal. The fact that median per pupil expenditure in the predominantly Negro elementary schools has been a clear $100 below the figure for predominantly white schools, and $132 below the schools west of the Park, summarizes all the inequalities above, and perhaps significant others.

Every student within the boundaries of predominantly white schools gets a chance to attend kindergarten in his neighborhood school; the comparable opportunity is available in the predominantly Negro neighborhoods only if classroom space is available—and often it is not. In view of society's growing awareness that the children of the slums absolutely must be brought into the culturally rich atmosphere of the school at the earliest age—three or four if possible—this failure in many Negro neighborhoods to provide even kindergarten training, freely available in the white districts, cannot but be disquieting.

The predominantly Negro schools, thus, are at severe comparative disadvantage in major respects. True, large dosages of federal financial assistance are infused into the slum schools and those alone under the Economic Opportunity Act,[161] the Elementary and Secondary Education Act,[162] and the impact aid legislation.[163] None of these, however, requires more than nominal local contributions, and so they have all but nil effect on how the Board disburses its own assets. Furthermore, these statutes are manifestly intended to provide extraordinary services at the slum schools, not merely to compensate for inequalities produced by local school boards in favor of their middle-income schools. Thus, they cannot be regarded as curing any inequalities for which the Board is otherwise responsible.

Taking what has been called "a 'new' approach to litigation over racial imbalance,"[164] the court considers whether these documented inequalities in the predominantly Negro schools deny the children who are assigned by defendants to attend them equal educational opportunity and equal protection of the law. However the Supreme Court ultimately decides the question of a school board's duty to avoid pupil-assignment policies which lead to *de facto* segregation by race and class, it should be clear that if whites and Negroes, or rich and poor, are to be consigned to separate schools, pursuant to whatever policy, the minimum the Constitution will require and guarantee is that for their objectively measurable aspects these schools be run on the basis of real equality, at least unless any inequalities are adequately justified.

To invoke a separate-but-equal principle is bound to stir memories of the bygone days of *Plessy* v. *Ferguson,* 163 U.S. 537 (1896). To the extent that *Plessy's* separate-but-equal doctrine was merely a condition the Supreme Court attached to the states' power deliberately to segregate school children by race, its relevance of course does not survive *Brown.* Nevertheless, to the extent the *Plessy* rule, as strictly construed in cases like *Sweat* v. *Painter,* 339 U.S. 629 (1950), is a reminder of the responsibility entrusted to the courts for insuring that disadvantaged minorities receive equal treatment when the crucial right to public education is concerned,[165] it can validly claim ancestry for the modern rule the court here recognizes. It was in the latter days of *Plessy* that the rule of actual equality began regularly to be applied. At that time *de jure* segregation was of very shaky status, morally, socially and constitutionally; so it is with *de facto* segregation today. If in either circumstance school boards choose not to integrate, it is just and right that courts hold these segregated schools to standards of material equality. Of course, however, there are important differences between the doctrines old and new. Under *Plessy's* provisions once a court discovered a substantial inequality between white and Negro schools its inquiry apparently came to an end: even strong justification underlying the inequality could not deprive the Negro student of his right to judicial relief. No court would advance so absolutist an approach outside the *de jure* framework.

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[157] The opinion reported in 372 F. 2d is by Judge Wisdom for the panel. The case was reaffirmed by the Fifth Circuit *en banc* on March 29, 1967, which adopted Judge Wisdom's opinion, though prefixing it with six paragraphs of text.

[158] This is one of the holdings, or readings, of *Dowell* v. *School Board, supra* Note 156.

[159] *Compare* the NLRB's remedy of permanently "disestablishing" company-dominated unions, which it announced in *Carpenter Steel Co.,* 76 N.L.R.B. 670 (1948). *See* Freund, *Civil Rights and the Limits of Law,* 14 Buffalo L. Rev. 199, 205 (1964).

[160] The only figures in the record are the meagre ones reported in Findings I–D.

[161] 42 U.S.C. §§ 2781–2791 (1964), as amended.

[162] 20 U.S.C. §§ 241–a—241–1 (Supp. I 1965).

[163] 30 U.S.C. §§ 236–244 (1964), as amended, 20 U.S.C. § 244(8) (Supp. I 1965).

[164] *See* T. Emerson, D. Haber & N. Dorsen, Political and Civil Rights in the United States 1779 (3d ed. 1967). *See also* Rousselot, *Achieving Equal Educational Opportunity for Negroes in the Public Schools of the North and West: The Emerging Role for Private Constitutional Litigation,* 35 Geo. Wash. L. Rev. 698, 712–717 (1967); Horowitz, *Unseparate but Unequal—The Emerging Fourteenth Amendment Issue in Public School Education,* 13 U.C.L.A. L. Rev. 1147 (1966).

[165] The crime which *Plessy* committed was that in applying its standard it concluded that *de jure* segregated facilities were or or could be equal. The Court, ruling in *Brown* that deliberately segregated schools were *inherently* unequal, implicitly accepted the separate but equal frame of reference, exploding it from the inside so far as its application to *de jure* schools was concerned.

The constitutional principle from which this modern separate-but-equal rule draws its sustenance is, of course, equal protection. Orthodox equal protection doctrine can be encapsulated in a single rule: government action which without justification imposes unequal burdens or awards unequal benefits is unconstitutional. The complaint that analytically no violation of equal protection vests unless the inequalities stem from a deliberately discriminatory plan [166] is simply false. Whatever the law was once, it is a testament to our maturing concept of equality that, with the help of Supreme Court decisions in the last decade, we now firmly recognize that the arbitrary quality of thoughtlessness can be as disastrous and unfair to private rights and the public interest as the perversity of a willful scheme.[167]

Theoretically, therefore, purely irrational inequalities even between two schools in a culturally homogeneous, uniformly white suburb would raise a real constitutional question. But in cases not involving Negroes or the poor, courts will hesitate to enforce the separate-but-equal rule rigorously. Through use of a generous *de minimis* rule or of a relaxed justification doctrine, or simply in the name of institutional comity, courts will tolerate a high degree of inequality-producing play, and delay, in the joints of the educational system. But the law is too deeply committed to the real, not merely theoretical (and present, not deferred) equality of the Negro's educational experience to compromise its diligence for any of these reasons when cases raise the rights of the Negro poor. Further, the inequality of a predominantly Negro school is most often no mere random fortuity unlikely to persist or recur, as those proposed rules impliedly regard it. It is instead just one more exemplification of a disheartening and seemingly inexorable principle: segregated Negro schools, however the segregation is caused, are demonstrably inferior in fact. This principle is unanimously attested to by reports from every quarter. *E.g., U.S. Comm'n on Civil Rights, Public Schools North and West* 216–226 (1962); *Silverman, Crisis in Black and White* 262–263 (1965); *National Ass'n of Intergroup Relations Officials* (NAIRO), *Public School Segregation in the North* 34–35 (1963); Dentler, *Barriers to Northern School Desegregation*, in *The Negro American* 472, 473 (K. Clark & T. Parsons ed. 1966); Peck & Cohen, *The Social Context of De Facto School Segregation*, 16 *W. Res L. Rev.* 572, 590, 593–594 (1965).

In any event the particular inequalities which have been uncovered in the course of this very long trial easily suffice to lay the predicate for an equal protection violation; as the Task Force commented, they may well spell the margin between "superior and inferior education." (Ex. A–3, p. 19.) If any countervailing advantages favor the predominantly Negro schools,[168] defendants have failed to highlight them.

And here, too, there is an absence of convincing justification for the discriminations. The school system's failure to keep up with burgeoning population in the Negro neighborhoods explains several of the inequalities, thereby showing that the Board cannot be charged with having schemed their eventuation. But the element of deliberate discrimination is as indicated above, not one of the requisites of an equal protection violation; and, given the high standards which pertain when racial minorities and the poor are denied equal educational opportunity, *see* pp. 163–165, *infra*, justification must be in terms not of excusing reasons of this stripe but of positive social interests protected or advanced. A related line of defense is that the school administration, through its six-year building plan, is moving to close at least the most glaring inequalities. But that a party is in process of curing illegality, although that circumstance may affect the relief which equity finally grants, does not oust the court from its jurisdiction to declare the constitutional wrong. *See United States* v. *W. T. Grant Co.*, 345 U.S. 629, 632 (1953).

The failure to justify the teacher inequalities can also be confirmed. The attributes of individual schools' faculties are natural outgrowths of the methods by which teachers are assigned to the schools. And the court has already found that teacher assignment has been characterized by unconstitutional racial considerations. Absent strong evidence, the court will not assume that the superiorities in the qualifications of the predominantly white schools' faculties are unrelated to the infirmities in the appointment process.

The final question concerns the remedy to be administered for relief of the inequalities here identified. Once the showing of inequality is completed, it may be that until it is eliminated the Negro student has the right to transfer to one of the advantaged white schools, as he did during *Plessy's* reign under similar circumstances. *See Missouri ex rel. Gaines* v. *Canada*, 305 U.S. 337 (1938). He certainly is entitled to appropriate injunctive relief directed at phasing out the inequality. These two considerations coalesce in the remedy the court is ordering for overcrowding: that the Board transport volunteering Negro students from the city's overcrowded elementary schools into the partly vacant white schools west of the Park. On this score the court is impressed that Dr. George Brain, whom defendants qualified as an expert on public school administration, as Superintendent of Baltimore's schools ordered the busing of center city Negro students into white schools along the city's periphery for this precise reason: to even out overcrowding. At the time of trial this busing project in Baltimore was in its third year. Similar projects are under way in other cities. Implicit in the court's choice of remedy is the judgment that the Board's open transfer policy, see Findings I–E–3–a, as relief from the disparate overcrowding is unacceptably meager. The transfer right which places the burden of arranging and financing transportation on the elementary school children is, particularly for the poor, a sterile right, one of form only.

The court should add that the integration implications of this remedy are obvious; as such, it gets cumulative support from the court's *de facto* segregation holding spelled out in Section V, where its equities are more thoroughly explored.

The teacher inequalities need no direct rectification at this time. Pursuant to one section of this court's order entered for reasons apart from separate-but-equal, the school system will soon be integrating its faculties. Compliance with this provision will necessarily encompass the reassignment of a number of white teachers currently serving at predominantly white schools. Since in general these are the best educated, longest-experienced and highest salaried teachers in the system, integration will also serve as a vehicle for equalizing faculty. The court will therefore defer formulation of specific provisions for faculty equalization at least until the dust surrounding this fall's "substantial" teacher integration settles.

IV. De jure segregation

A. Optional Zones

Optional zones, deviants from the core principles of a neighborhood school policy, allow students living within their borders to choose which of two or more schools they will attend. In Washington, zones couched between the Park and 16th Street let the whites and Negroes in that integrated neighborhood attend either nearby predominantly (85–100%) Negro schools or integrated or white schools far on the other side of the Park. In the Southwest, urban renewal whites and public housing Negroes may attend either the distant, integrated Western High School or Dunbar, predominantly Negro. The theme which the court finds runs through these and other optional zones recently abolished is the school system's reluctance to make white students attend primarily Negro schools.[169]

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[166] *See* Kaplan, *Segregation Litigation and the Schools—Part II: The General Northern Problem*, 58 Nw. U. L. Rev. 157, 158–159 n.3 (1963).

[167] *See Baker* v. *Carr*, 369 U.S. 186, 226 (1962): discrimination-in-fact is bad when it "reflects *no* policy, but simply arbitrary and capricious action." (Justice Brennan's emphasis.) The record here indicates, moreover, that not all the inequalities have been thoughtless.

The government classification in this case results from the neighborhood policy which assigns students according to residential zones, and also from the numerous but deliberate government allocative decisions the sum of which represents the inequalities the court has found.

[168] See Leflar & Davis, *Segregation in the Public Schools—1953*, 67 Harv. L. Rev. 377, 398 (1954). It is instructive that another court has provided a remedy when the only disparity found was in the number of uncertified teachers. *Matter of Skipwith*, 14 Misc. 2d 325, 180 N.Y.S. 2d 852 (Dom. Rel. Ct. 1958).

[169] This reluctance is evident in other school system practices and incidents: a. Two years age the boundary line between Rabaut and Paul Junior Highs was redefined in order to avoid splitting up a small minority of white students between those two predominantly Negro schools. b. There was an "optional feature" in the Board's desegregation plan, allowing students to remain in the schools they were attending when *Bolling* was handed down even if outside their own neighborhoods as defined by the 1954 reorganization. It apparently expired of its own terms no later than 1960. *See Mapp* v. *Board of Educ.*, 6 Cir., 373 F. 2d 75, 77 (1967); *Dowell* v. *School Board*, W. D. Okla., 244 F. Supp. 971, 974–975 (1965), *affirmed*, 10 Cir., —— F. 2d —— (Jan. 23, 1967), *cert. denied*, —— U.S. ——, 35 U.S.L. Week 3419 (May 29, 1967). c. Another practice permitted white students who alleged they would be psychologically unnerved by integration to flee from the predominantly Negro schools in their neighborhoods into public schools with greater white enrollment elsewhere in the city, a practice obviously giving encouragement to misrepresentations and to nascent prejudice in the young. There is no evidence as to whether this practice or any variant thereof is still in existence. *See Goss* v. *Board of Educ.*, 373 U.S. 683 (1963).

To place this case in the larger perspective, it can be pointed out that an unwillingness to pursue a neighborhood school policy through to its logical consequences when that entails relegating whites to Negro schools is not a habit peculiar to local school officials. The Fifth Circuit Court of Appeals, schooled and toughened by a decade of experience with Southern desegregation, was recently moved to comment wearily on the steadfastness with which those Southern communities that have adopted neighborhood school plans carve exceptions therefrom:

"As every member of this court knows, there are neighborhoods in the South and in every city in the South which contain both Negro and white people. So far as has come to the attention of the court, no Board of Education has yet suggested that *every* child be required to attend his 'neighborhood school' if the neighborhood school is a Negro school. Every board of education has claimed the right to assign every white child to a school other than the neighborhood school under such circumstances." [170]

Nor is this even an exclusive Southern phenomenon; across the North similarly derived optional zones besmirch the supposed racial evenhandedness of many school boards' neighborhood school policies.[171]

Nationally common or not, these zones in the District produce *de jure* constitutional violations. Given their unmistakably segregatory aspects and the Supreme Court's broad expression in *Goss* v. *Board of Education,* 373 U.S. 683, 686, 688 (1963), that any device which "promote[s]" or inevitably "lends itself" to segregation is unconstitutional, the optional zones might be thought to pose an easy equal protection question. Unlike the minority-to-majority transfer struck in *Goss,* however, these zones do allow the Negro as well as the white students who live within them to choose a white (or integrated) rather than a predominantly Negro school; and at first glance these zones may be thought to bear a slight resemblance to student freedom of choice plans now being approved in the South, if only on a provisional basis.[172] These are plans which let all the students within a school system elect which of two or more schools they will attend. On closer analysis the similarity vanishes.

For, whatever the value of a free choice plan adopted city-wide, anomalies flower when islands of free choice are planted selectively in the midst of a neighborhood school system. These zones in the District admittedly were created to accommodate white families anxious not to send their children to Negro schools; they were created in Crestwood, Kalorama Triangle, and in the Southwest because of the residence there of a significant number of whites, probably a higher density of white families, the court can note, than anywhere else in the Roosevelt, Cardozo and Dunbar High School districts. They were not established in any of the nearly exclusively Negro neighborhoods which typify the Roosevelt-Cardozo-Dunbar swath of the central city.

Thus the racial basis for the optional zones becomes not only obvious but discriminatory. Negro students living in the Dunbar High School district, but outside the optional zone, and therefore compelled by the neighborhood school logic to attend Dunbar (a predominantly Negro school) are frustrated in their right to equal protection when that logic is withheld from students in the integrated Southwest corner of the Dunbar district to whom it equally applies. If the neighborhood policy anywhere in the District locks Negro students without their consent into predominantly Negro Schools, they certainly are entitled to the solace of knowing that in similar circumstances concentrations of whites, and Negroes living near them, are not being accorded undue differential treatment in other parts of the city.[173]

One question is left. The unsupported utterance of a school official respecting the Dunbar zone, but that zone only, was that whites in the zone would sign up at private schools rather than attend the predominantly Negro neighborhood high school, Dunbar. (Tr. 2984–2985.) Even if proved, that fact cannot justify the zone, constitutionally. White students cannot earn for themselves discriminatory preferences by holding over a school board the threat of withdrawal from the public schools.[174] The court need not and does not assume these students all seek escape from Dunbar because of racial prejudice; rather, the court agrees that Negro ghetto schools like Dunbar are inherently unequal educationally, and assumes that many white students want out for this very reason. But, needless to say, that hardly secures their right to discriminatory treatment.

B. Teacher and Principal Segregation

1. *Teachers.* If the question was ever beclouded by genuine doubt, the Supreme Court dispelled doubts two terms ago in holding that *de jure* teacher segregation is an affront to the constitutional rights of teachers [175] and students alike. *Bradley* v. *School Board,* 382 U.S. 103 (1965); *Rogers* v. *Paul,* 382 U.S. 198 (1965). Teacher assignment in Washington on a Division I/II basis in the separate-but-equal regime before *Bolling* and *Brown* was, of course, a classic example of this unconstitutional practice. And the Board's policy decision in the aftermath of *Bolling* to let all teachers remain in the schools to which they had been racially assigned before 1954 is a classic illustration of unconstitutional segregation perpetuated.

Clearly, this policy could have been enjoined by an equity court bent on remedying *past* segregation by extirpating all its persevering influences.[176] Moreover, because the policy, detrimental to Negro students in that it shut them in with segregated faculties, capitalized on a factual setting itself the product of unconstitutional action, it was a continuing violation of the students' constitutional rights.[177]

Moreover, the court has found that, despite the decision in *Bolling,* intentional teacher segregation in the District still goes on, not only separating white from Negro teachers but assigning them respectively to schools with predominantly white and Negro student bodies; under these circumstances the strength of the *Rogers* ruling redoubles. The fact that in many schools the equivalent of token integration has been carried out is of no legal moment; the Constitution is not appeased by tokenism. Therefore, this persisting segregation is plainly defective, constitutionally.

This is certainly true to the extent it is attributable to the segregatory teacher assignment practices of assistant superintendents and school principals. In its findings, the court has gone on to question whether a share of the blame should not be charged to teachers, the racial preferences of a few of whom the assistant superintendents may have heeded in issuing assignments. Teacher segregation so resulting, it could be argued, does not offend the constitutional rights of the teachers, who were in effect awarded a kind of freedom of choice.

But if any truth is axiomatic, it is that the Negro *students'* equal protection rights to an integrated faculty cannot be undermined or thwarted by the racially induced preferences of the teachers, who after all are minor public officials whose actions must therefore pass constitutional muster.[178] *Rogers* unquestionably extends to every situation in which teacher segregation results from the deliberately segregatory decision of any public officer, or from a pattern of such decisions. Ultimate authority for teacher assignment under the law is vested in the Board of Education. It cannot avoid constitutional responsibility when the pubilc officers, including teachers, to whom it delegates the actual assignment power govern themselves according to illicit racial criteria.

One other question concerning teacher segregation and relevant to the *de facto* issue in this case is the effect teacher segregation has on a neighborhood school policy. The practical consequence of teacher segregation has been accurately described by several Southern courts.

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[170] *Davis* v. *Board of School Comm'rs,* 5 Cir., 364 F. 2d 896, 901 (1966).

[171] *See* I U.S. Civil Rights Comm'n, Racial Isolation in the Schools 52–54 (1967); NAIRO, Public School Segregation and Integration in the North 25–26 (1963).

[172] *United States* v. *Jefferson County Bd. of Educ.,* 5 Cir., 372 F. 2d 836 (1966), *reaffirmed en banc,* — F. 2d — (March 29, 1967); *Kemp* v. *Beasley,* 8 Cir., 352 F. 2d 14 (1965); *Bradley* v. *School Board,* 4 Cir., 345 F. 2d 310, *vacated on other grounds,* 382 U.S. 103 (1965).

[173] Western, one of the options in each of the high school zones, is an integrated school (the only such high school in the city) the white enrollment at which has slumped all the way from 73% to 41% since 1962. Defendants do *not* say that the design of these zones is to infuse white students into a school in danger of losing its integrated character. Any argument that this purpose underlies the zones would shipwreck on the fact that two years ago, the very time when the danger at Western was first materializing, the Roosevelt-Western zone was amended to include an option to attend *Wilson* High School, which is predominantly white.

[174] *See* the cases establishing the crucial First Amendment doctrine that the dangerous or violent reactions of listeners is no reason for curbing the speaker's right to free expression. *E.g., Cox* v. *Louisiana,* 379 U.S. 536 (1965). There is a difference, of course: while the police may restrain or arrest the unruly onlookers, they cannot halt the emigration by white families from the city, or bar them from enrolling their children in private schools. *Pierce* v. *Society of Sisters,* 268 U.S. 510 (1925).

[175] Carolyn Stewart, the only teacher plaintiff, advised the court the day trial began that, while she would remain nominally a party, she disclaimed all "financial, legal, or moral responsibility" for counsel, his conduct and his arguments.

[176] *See Louisiana* v. *United States,* 380 U.S. 145, 154–155 (1965) (voting registration qualifications "frozen" as remedy for past registration discrimination); *Ross* v. *Dyer,* 5 Cir., 312 F. 2d 191, 194 (1962); *Miller* v. *School Dist.,* D.S.C., 256 F. Supp. 370, 378 (1966) (calling for elimination of "all vestiges" of teacher segregation).

[177] *See United States* v. *Logue,* 5 Cir., 344 F. 2d 290 (1965), where a voting registration qualification that the applicant be "sponsored" by a registered voter was held unconstitutional as applied to Negroes, since past voting discrimination was the cause of the absence of registered voters who were Negro and therefore willing to serve as sponsors for other Negroes. *See also Meredith* v. *Fair,* 5 Cir., 298 F. 2d 696 (1962) (*semble*). *And see Guinn* v. *United States,* 238 U.S. 347 (1915) (invalidating Oklahoma's "grandfather" clause).

[178] *Compare Monroe* v. *Pape,* 365 U.S. 167 (1961); *United States* v. *Classic,* 313 U.S. 299 (1941); *Matter of Skipwith,* 14 Misc. 2d 325, 344, 180 N.Y.S. 2d 852, 871 (Dom. Rel. Ct. 1958). For a teacher to flunk one of his students because the student was a Negro, for example, plainly would be government action proscribed by the Constitution.

"* * * [T]he presence of all Negro teachers in a school attended solely by Negro pupils in the past denotes that school as a 'colored' school just as clearly as if the words were printed across the entrance in six-inch letters." [179]

Correlatively, they rightly say, by appointing all white teachers and principals to other schools, school boards identify those schools as intended for white students.[180]

The context in which Southern courts have confronted this fact of teacher segregation is freedom of choice—the strategy which Southern communities are increasingly turning to as a strategy for, some say evasion of, desegregation. If anything, the racial identification resulting from teacher segregation becomes all the stronger in the context of a neighborhood school policy, since under that regime, unlike free choice, Negro students in overwhelming numbers are actually assigned without their consent to, and compelled to attend, these schools defined by Negro faculties. The race of the student body in effect serves as the predicate for an official decision—assignment of a teacher—which in turn confirms and solidifies the school's racial character.

What is very interesting is that the conclusion these courts are drawing in the circumstances of their litigation is that teacher segregation not only is a self-contained legal wrong but also ruins the constitutionality of the free choice plan, since it casts an untoward racial influence on the students' choice of schools.[181] The relation of teacher segregation to the neighborhood school policy has been little touched on; [182] but it is this court's conviction that that teacher segregation, where it is allowed to reinforce pupil segregation, may well be a malignancy in itself destructive of the constitutional health of a neighborhood school system. Certainly it is a circumstance driving the *de facto* pupil segregation that much closer to unconstitutionality. *See* p. 157, *infra*.

2. *Principals*. Principal segregation, the court has found, is a result of the inbreeding of principals within the white schools. That is, when a principal in one of these school retires, the position is filled by appointing someone already teaching in one of the white schools, or by transferring in a principal from another such school, on the theory that these candidates have had years of experience with the middle class problems which arise in these schools.

Because, however, both before and subsequent to *Bolling* teachers have been assigned to these white schools on a racial basis, the process of principal selection has its foundation in a pattern of teacher assignment marred by illegality. This selection process thereby infects the assignment of principals with the identical unconstitutionality.[183]

V. *De facto segregation*

One of the court's findings of fact is that elements in the school administration, though not necessarily on the Board, are affirmatively satisfied with the segregation which the local neighborhood school policy spawns. (Findings, I–F–5.) But this finding falls somewhat short of showing the kind of actual intent needed if the policy is to be censured under *de jure* principles. Therefore the court approaches the more generalized question of whether the *de facto* or adventitious segregation in Washington is itself unconstitutional. In Washington, as in other Northern cities, this question arises in the context of a neighborhood policy which, superimposed on segregated urban housing, effectively separates white from Negro in the public schools.

It would be wrong to ignore or belittle the real social values which neighborhood schools doubtlessly promote.[184] But due appreciation of these values must not obscure the fact that the price society pays for neighborhood schools, in Washington and other urban centers, is in racially segregated public education. As the courts' Findings (I–G) indicate, school segregation, whatever its genesis, always imposes a twofold disadvantage.

One, the Negro schools provide their Negro students with an education inferior to that which others, white and Negro alike receive in integrated or predominantly white education settings. This the court finds from the evidence adduced at trial. This finding is confirmed by the Supreme Court in *Brown* I, which, besides noting that "separate" schools are inherently unequal and psychologically harmful to Negro school children, approved the finding entered by the lower court explicity stating that even unmandated segregation has a "detrimental effect" on Negroes.[185] The court can judicially note that corroborating views can also be found in the conclusions of the federal agency commissioned by Congress to investigate racial questions; [186] in the decisions of federal courts,[187] and of state legislatures and education officers and committees; [188] and in the experienced judgments of American educators and psychologists expert in race relations,[189] who make it clear that the damage segregation causes stems from the sense of confinement it imparts, together with the low esteem which the predominantly Negro school naturally draws from the white as well as the Negro community.

In addition, segregation in the schools precludes the kind of social interaction between Negroes and whites which is an indispensable attribute of education for mature citizenship in an interracial and democratic society. Segregation "perpetuates the barriers between the races; stereotypes, misunderstandings, hatred, and the inability to communicate are all intensified." [190] Education, which everyone agrees should include the opportunity for biracial experiences, carries on, of course, in the home and neighborhood as well as at school.[191] In this respect residential segregation, by precluding meaningful experiences of this type outside of school, intensifies, not eliminates, the need for integration within school.

It is in this light that defendants' appropriation of Horace Mann as the supposed architect of today's neighborhood school policy (Tr. 5032) is singularly unjust. For Mann believed that public schools were at the source of the democratic enterprise; his faith, like that of his fellow reformers, was that the public school, by drawing into the close association of the classroom students from every social, economic and cultural background, would serve as an object lesson in equality and brotherhood and undermine the social class divisions which he and his colleagues felt were inimical to democracy.[192] If there is a characteristically American philosophy of public school education, this is its substance.

The democratizing relevance of public school education, so intense a concern for the founders of our public schools, has lost none of its urgency in the intervening century, if only because society now is finally beginning to contemplate the assimilation of the Negro, hitherto systematically excluded from participation in our political life and from the abundance of our econ-

To align Mann, therefore, with those who currently applaud "neighborhood" schools which isolate Negro from white, impoverished from affluent, and one ethnic group clustered in one corner of a city from all other citizens is a travesty of educational history. Since in Mann's time the age of the motor car lay far beyond the horizon, schools within walking distance from home were simply an imperative; and, given his contemporary housing patterns, the multiple integration Mann insisted on could be achieved within the neighborhood school's frame.

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[179] *Kelley* v. *Altheimer*, 8 Cir., — F. 2d — (April 12, 1967), slip opinion pp. 12–13; *Brown* v. *County School Board*, W. D. Va., 245 F. Supp. 549 (1965).

[180] *Kelley* v. *Altheimer*, *supra* Note 179, slip opinion p. 13; *United States* v. *Jefferson County Bd. of Educ.*, 5 Cir., 372 F. 2d 836, 883–886 (1966), *reaffirmed en banc*, —— F. 2d —— (March 29, 1967).

[181] *E.g.*, *Kier* v. *County School Board*, W.D. Va., 249 F. Supp. 239, 247, 249 (1966); *Wright* v. *County School Board*, E.D. Va., 252 F. Supp. 378, 383–384 (1966).

[182] *See Downs* v. *Board of Educ.*, 10 Cir., 336 F. 2d 988, 997 (1964), *cert. denied*, 380 U.S. 914 (1965).

[183] See the cases cited in Notes 176 and 177, *supra*.

[184] *See* Findings of Fact I–B–2; *Deal* v. *Cincinnati Board of Educ.*, 6 Cir., 369 F. 2d 55, 60 (1966); *Springfield School Comm.* v. *Barksdale*, 1 Cir., 348 F. 2d 261, 264 (1965).

[185] This finding reads: "Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of law. * * *" 347 U.S. at 494.

[186] 1 U.S. Comm'n on Civil Rights, Racial Isolation in the Public Schools ch. 3 (1967). The Commission's statistical methods have been criticized. Bowles & Levin, *Equality of Educational Opportunity: A Critical Appraisal* (1967) (unpublished).

[187] *Barksdale* v. *Springfield*, D. Mass., 237 F. Supp. 543, 546, *rev'd on other grounds*, 1 Cir., 348 F. 2d 261 (1965); *Blocker* v. *Board of Education*, E.D.N.Y., 226 F. Supp. 208, 227–229 (1964).

[188] *E.g.*, Mass. Gen. Laws ch. 71, § 37C–37D; ch. 15, § 1I–1K (1965); *Memorandum of New York State Commissioner of Education*, 8 Race Rel. L. Rep. 738 (1963); *see Resolution of Baltimore City Board of School Commissioners*, *id.* at 1226–1227. The *Report of the Advisory Committee on Racial Imbalance and Education to the Massachusetts Board of Education* has been published as Because It Is Right—Educationally (1965).

[189] Pettigrew & Pajonas, *Social Psychological Considerations of Racially-Balanced Schools;* Seasholes, *Impact of Racial Imbalance and Balance;* both appendices to Because It Is Right—Educationally, *supra* Note 188; Fischer, *Race and Reconciliation: The Role of the School*, in The Negro American 491 (K. Clark & T. Parsons ed. 1966). *See also* the reports of the testimony of Professor Pettigrew in *Barksdale* v. *Springfield School Comm.*, D. Mass., 237 F. Supp. 543, 546, *rev'd on other grounds*, 1 Cir., 348 F. 2d 261 (1965) ("Racially imbalanced schools are not conducive to learning"), of Dr. Kenneth B. Clark in *Matter of Skipwith*, 14 Misc. 2d 325, 337–338, 180 N.Y.S. 2d 852, 855–866 (Northern segregated conditions "depress the ability of children to learn"), and of professors of education and sociology in *Deal* v. *Cincinnati Board of Education*, S.D.Ohio, 244 F. Supp. 572, 580–581 (1965), *aff'd*, 6 Cir., 369 F. 2d 55 (1966) ("A racially unbalanced school seriously affects a child's ability to learn").

[190] Fiss, *Racial Imbalance in the Schools: The Constitutional Concepts*, 77 Harv. L. Rev. 564, 570 (1965).

[191] *See* B. Bailyn, Education in the Forming of American Society 9, 15 (1960); S. Kimball & J. McClellan, Education and the New America 39–40 (1962), for the primacy of the school as the institution which mediates between a child's family and neighborhood and the adult outside world.

[192] *See* H. Mann, The Republic and the School 8, 32–33 (L. Cremin ed. 1957); L. Cremin, The American Common School: An Historic Conception 55–62 (1951).

omy.[193] This relevance was pointedly articulated by a committee of law professors as *amicus* in the law school segregation case, *Sweatt* v. *Painter*, 339 U.S. 629 (1950). Their brief read, in part, as follows:

"* * * [P]roper teaching of the principle of equality of opportunity requires more than mere inculcation of the democratic ideal. What is essential is the opportunity, at least in the school, to practice it. This requires that the school make possible continuous actual experience of harmonious cooperation between members of various ethnic and religious groups and thus produce attitudes of tolerance and mutual sharing that will continue in later life. In the segregated school, this desirable environment does not exist. The most important instrument for teaching democracy to all people is thus rendered impotent." [194]

We have it, further, on the authority of the Supreme Court, in *McLaurin* v. *Oklahoma State Regents*, 339 U.S. 637 (1950), the companion of *Sweatt* v. *Painter, supra*, and the last of the cases before *Brown*, that to share experiences with the other race remains an integral aspect of educational opportunity.

In the District, moreover, *de facto* segregation results in even additional harm to Negro students, for here the neighborhood policy enters into alliance with deliberate teacher segregation, with optional zones manifesting the school administration's unwillingness to make white students attend Negro schools, and with the objective inequalities between white and Negro schools recapitulated in Section III *supra*.[195] *Brown* I reported that *de jure* segregation "generates a feeling of inferiority as to their status in the community that may affect [Negro students'] hearts and minds." This court, though unwilling to assume that Negro school children can readily perceive the sharp difference between *de jure* and *de facto* situations which lawyers note, does not doubt that the personal harm which segregation imparts may, in some circumstances, be somewhat less in the *de facto* situation. What, however, can we expect the Negro children to think and feel when almost all the adult faces they see at their predominantly Negro schools are black, by virtue of a process of deliberate selection which identifies their schools as intended for Negroes, when their own sense of confinement is reinforced by their observation that white students are allowed to desert Negro neighborhood schools for predominantly white schools miles away, when—among other comparative indignities—their own school is jammed with students, though they are aware that schools across the Park have classroom space to spare. These circumstances, the court is convinced, in the context of the local *de facto* segregation conspire to inflict the exact emotional hurt crippling to academic motivation set out in *Brown*.

De facto segregation in the District, in sum, redounds to the academic detriment of Negro students and seriously sets back the working out of racial prejudices. These facts, however, do not conclusively determine its unconstitutionality, for with every inequality-producing classification there remains the question of justification. Ordinary statutory classifications resulting in inequalities economic in nature are traditionally upheld whenever the reviewing court can imagine a reasonable or rational basis supporting the classification.[196]

But the Supreme Court has been vigilant in erecting a firm justification principle against every legal rule which isolates for differential treatment a disadvantaged minority, whether defined by alienage, *Takahashi* v. *Fish & Game Comm'n*, 334 U.S. 410 (1948); nationality, *Oyama* v. *California*, 332 U.S. 633 (1948); or race, *Korematsu* v. *United States*, 323 U.S. 214 (1944). While entitled before they succumb to judicial invalidation to a hearing on the justification question, these classifications come freighted with "a heavy burden of justification." *McLaughlin* v. *Florida*, 379 U.S. 184, 196 (1965). That is, the objectives they further must be unattainable by narrower or less offensive legislative courses; and even if so, those objectives must be of sufficient magnitude to override, in the court's judgment, the evil of the inequality which the legislation engenders. These rules are allowed to relax not even when the right at stake is one which the law itself disfavors. *E.g., McLaughlin, supra* (out-of-wedlock cohabitation).

Next—to shift the focus—regardless of the identity of the injured party, when it is a critical personal right which the classification invades, that law too must be remitted to the gauntlet of a judicial review searching for real justification. *Skinner* v. *Oklahoma*, 316 U.S. 535 (1942) (right not to be sterilized); *Reynolds* v. *Sims*, 377 U.S. 533 (1964); *Carrington* v. *Rash*, 380 U.S. 89 (1965) (right to vote). *Cf. Kotch* v. *Board of River Port Pilot Comm'rs*, 330 U.S. 552 (1947).

This need for careful scrutiny is strengthened when the practice, though not explicitly singling out for special treatment any of the groups for which the Constitution has a special solicitude, operates in such a way that one such group is harshly and disproportionately disadvantaged. *See Griffin* v. *Illinois*, 351 U.S. 12 (1956), and its progeny, all involving the right to appeal in criminal cases, where practices directed specifically at those who *do* not pay certain fees were held invalid because of the injury they inflicted on those who *can*not pay them. *See also Harper* v. *Virginia Bd. of Elections*, 383 U.S. 663 (1966) (poverty and the poll tax).[197]

The explanation for this additional scrutiny of practices which, although not directly discriminatory, nevertheless fall harshly on such groups relates to the judicial attitude toward legislative and administrative judgments. Judicial deference to these judgments is predicated in the confidence courts have that they are just resolutions of conflicting interests. This confidence is often misplaced when the vital interests of the poor and of racial minorities are involved. For these groups are not always assured of a full and fair hearing through the ordinary political processes, not so much because of the chance of outright bias, but because of the abiding danger that the power structure—a term which need carry no disparaging or abusive overtones—may incline to pay little heed to even the deserving interests of a politically voiceless and invisible minority.[198] These considerations impel a closer judicial surveillance and review of administrative judgments adversely affecting racial minorities, and the poor, than would otherwise be necessary.

This reasoning, as applied to *de facto* segregation, leads the court to conclude that it must hazard a diligent judicial search for justification. If the situation were one involving racial imbalance but in some facility other than the public schools, or unequal educational opportunity but without any Negro or poverty aspects (*e.g.*, unequal schools all within an economically homogeneous white suburb), it might be pardonable to uphold the practice on a minimal showing of rational basis. But the fusion of these two elements in *de facto* segregation in public schools irresistibly calls for additional justification. What supports this call is our horror at inflicting any further injury on the Negro, the degree to which the poor and the Negro must rely on the public schools in rescuing themselves from their depressed cultural and economic condition, and also our common need for the schools to serve as the public agency for neutralizing and normalizing race relations in this country. With these interests at stake, the court must ask whether the virtues stemming from the Board of Education's pupil assignment policy (here the neighborhood policy) are compelling or adequate justification for the evils of *de facto* segregation which adherence to this policy breeds, keeping alertly in mind that these evils are grave indeed.[199]

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[193] *See* N. Glazer & D. Moynihan, Beyond the Melting Pot, ch. 1 (1963).

[194] *Brief for the Committee of Law Teachers Against Segregation in Legal Education*, 34 Minn. L. Rev. 289, 319–320 (1950). The authors included Thomas I. Emerson, John P. Frank, Erwin N. Griswold and Edward Levi.

[195] The other side of the coin is the situation to the west of the Park. There the neighborhood policy produces student bodies which, in the northern half, are all 85–100% white and, in the south, are more than two-thirds white in each of the elementary schools. No other school anywhere in the District is currently so much as 67% white. And these white student bodies combine with the segregatory assignment of white teachers, the inbreeding of white principals, a depth of trained, experienced teachers, and a luxury of extra space. The upshot is a cluster of schools, physically set apart by the Park, primarily white and objectively superior, essentially constituting a school system unto itself.

[196] *E.g., McGowan* v. *Maryland*, 336 U.S. 420, 425–429 (1961); *Allied Stores* v. *Bowers*, 358 U.S. 522 (1959). This, in essence, seems to be the test borrowed by the four Courts of Appeals which have ruled that *de facto* segregation is not unconstitutional. *Deal* v. *Cincinnati Bd. of Educ.*, 6 Cir., 369 F.2d 55 (1966); *Gilliam* v. *School Bd.*, 4 Cir., 345 F.2d 325, *vacated*, 382 U.S. 103 (1965); *Downs* v. *Board of Educ.*, 10 Cir., 336 F.2d 988 (1964), *cert. denied*, 380 U.S. 914 (1965); *Bell* v. *School City of Gary*, 7 Cir., 324 F. 2d 209 (1963), *cert. denied*, 377 U.S. 924 (1964).

[197] The cases listed in the above paragraphs, while not all written in exactly these terms, have long been understood as reasoning in the direction indicated. *See* Horowitz, *Unseparate But Unequal—The Emerging Fourteenth Amendment Issue in Public Education*, 13 U.C.L.A. L. Rev. 1147, 1155–1159 (1966); Van Alstyne, *Student Academic Freedom and the Rule-Making Powers of Public Universities; Some Constitutional Considerations*, 2 Law in Trans. Q. 28 (1965); McKay, *Political Thickets and Crazy Quilts, Reapportionment an Equal Protection*, 61 Mich. L. Rev. 645, 664–676 (1963); Comment, *Equal Protection and the Indigent Defendant: Griffin and Its Progeny*, 16 Stan. L. Rev. 394, 397–405 (1964); Casenotes, 80 Harv. L. Rev. 176 (1966), 70 Harv. L. Rev. 126 (1956). *And see Harper, supra*, 383 U.S. at 680–686 (Harlan, J., dissenting).

That the equal protection standards to be applied in cases dealing with racial classifications and laws infringing fundamental rights are thus similar does no offense to the assumption that the former are the far more uniformly unconstitutional. This difference comes, however, not from the governing standards themselves but from the pattern of results of the standards as applied. Not until another national emergency arises, *see Korematsu* v. *United States*, 323 U.S. 214 (1944), will outright racial discriminations be backed by a legitimate, let alone overriding, governmental purpose; but such purposes may frequently be discoverable in the case of evenhanded laws which, unavoidably, touch vital personal interests.

[198] While in the District it is whites who are the minority, Negroes are unable to translate their superior numbers into political power, for the obvious reason that citizens in the District are disenfranchised with respect to local government. Ultimate responsibility for the District's schools is lodged in the Congress and its District Committees; immediate responsibility in a Board of Education on which until last week Negroes had only a minority vote, and only a one-third vote when the basic decisions on desegregation were reached in 1954. And since they are neither elected nor re-elected, but appointed by the judges of the District Court, Negro Board members are neither responsive nor responsible to the public will of the local, largely poor Negro, community. *Compare* Fiss, *suvra* Note 190, at 610–611.

This view of the law is one already endorsed by one federal court. The neighborhood school, stated Chief Judge Zavitt in *Blocker* v. *Board of Educ.*, E.D.N.Y., 226 F. Supp 208 (1964), is not "devoid of rationality," a judgment which cannot very successfully be questioned. But mere thin rationality, the court continued, is less than enough: "a closer scrutiny and stronger justification are needed." *Id.* at 225, quoting language from *Poe* v. *Ullman*, 367 U.S. 497, 554 (1961) (Harlan, J., dissenting). In line with *Blocker* is the stance assumed by the Fifth Circuit, which just recently indicated *en banc*, after reviewing the developing *de facto* law, that "integration is an educational goal to be given a high, high priority among the various considerations involved in the proper administration of a system beset with *de facto* segregation in the schools." *United States* v. *Jefferson County*, 5 Cir., 372 F. 2d 836, 875 (1966), *reaff'd en banc*, March 29, 1967, — F. 2d —.

In their application, these principles require the illumination of concrete expedients or alternatives, the question being whether in view of these alternatives the Board's obeisance to its neighborhood school policy can be justified. One such alternative which cannot fail to arrest the school official eager to explore ways of reducing segregation in the schools would be to transfer and transport volunteering Negro students stuck in overcrowded elementary schools in their neighborhoods into the partly empty white schools west of the Park.[200] From the vantage point of conquering the evils of *de factor* segregation this proposal has enormous appeal. It is capable of achieving an integrated educational experience for as many as a thousand Negro students—and, it should not be forgotten, for more than two thousand white students. It does so under circumstances which will leave the white students in a clear but not overwhelming majority in the schools, since the typical school in the west has a present enrollment of 200 or 225 against a capacity of 300; many educators feel these are optimal conditions for the success of an integration project.[201]

Arrayed against these social and educational virtues are very few countervailing arguments of any merit. True, the volunteering Negro students would themselves forsake the advantages of the neighborhood schools; but who can doubt that these advantages are susceptible to waiver by Negro parents and students who deem that school integration is of greater value. It may be accurate that the school itself gleans some benefit from its proximity to the homes of its students; even if so, this certainly is a clear case in which the school's slight interest in preserving the status quo is transcended by the student's right to obtain an integrated educational experience. Moreover, this transportation remedy clearly entails no depression of the valid interests of the white students west of the Park. They will remain in the schools in their neighborhoods. These schools will give up only the volume of superfluous space which assuredly they have little real need for presently. And, indeed, the white students will themselves number among those profiting from the access to integrated schooling.

Additional objections to the proposal can be found in Dr. Hansen's reply to the Board arguing against adoption of an equivalent recommendation advanced by the Urban League. These objections, upon review, fail in cogency. Nothing inherent in the transportation provision need halt or impede the construction of school buildings where needed. And the court can assure the school administration that thoughtful, sensible policies for mitigating *de facto* segregation and its attendant iniquities fall under no constitutional ban.[202]

The only respectable demerit to the transportation plan is its cost in the purely budgetary sense. The court notes Dr. Hansen's own argument that public transportation at low fares is available to students, and that the expenses entailed in busing would become "excessive" only if the program is very greatly enlarged; it also is impressed that Baltimore introduced a busing plan of apparently equal ambition when the only end sought was the extenuation of overcrowding. Even if transportation costs do climb to moderate levels, the court cannot conclude that they cancel out the wisdom of a policy so abundant in its integrating potential.

For at least this one alternative, therefore, the resulting social gains far exceed the costs of any and every kind. This confirms that the Board's generally strict adherence to the neighborhood policy is beyond justification in this one instance, which supports the assumption that other proposals can also be framed the net advantages of which in integration terms will also be clear. In light of this great likelihood, the court has decided to in effect remand these proceedings to the Board of Education for its formulation of an integration "plan" which carefully assesses the virtues and costs of the spectrum of integration strategies,[203] as they could be carried out here in the District. The primary focus, of course, should be on junior and senior high schools, which the court's present injunctive order does not affect.

It is not inappropriate to suggest that in the course of its inquiry the Board should reinvestigate the alterations of the Wilson-Coolidge (high schools) and Paul-Dean (junior high) zones recommended by the Urban League. It will plainly be a shame, moreover, if the lines of the new Lincoln Junior High on the edge of Mount Pleasant are not drawn with the goal in mind of opening Lincoln this fall as an integrated school.

Additionally, as Dr. Hansen himself testified at trial, the division of the District from its Maryland and Virginia suburbs is, in terms of education, "artificial." (Tr. 190.) This truth is underlined by the fact that many of the families living in the white suburban "noose" are emigres from the District whose flight may have been prompted in part by their dissatisfaction with the District's school system, for whatever reasons. In many urban areas in the East urban school officials are studying or launching steps which move in the direction of metropolitanizing educational systems.[204] As defendants argue not more than a minority of Washington's Negroes can be afforded access to integrated education within the present constraints of the District's schools, with their diminished white enrollment. Yet, despite this, there is no evidence that the school administration has devoted more than very minor efforts to contacting the schools in the surrounding suburbs. (*See* Tr. 614.) The court need not here even remotely consider what the provisions ought to be of any metropolitan school alliance; indeed, the court disavows any power to dictate those terms, or even compel the suburbs to come to the conference table. But none of this alters the fact that the Board of Education seems to have everything to gain (*see* Tr. 5094, 6002) and nothing to lose in seeking to initiate negotiations.

Until it receives and has the chance to study the integration plan it is asking the Board to prepare, the court itself will take no action respecting these and the range of other integration tactics. The exception is the transportation of Negro students into elementary schools west of the Park, which the court here orders should begin this fall. The reason for this exception is that there are two considerations recommending that the court stay its hand until after submission of the plan, and with respect to this remedy neither of these two applies. The first is that if a choice presents itself between more than one integration tactic, ordinarily that choice is committed to the Board. But, for purposes of the immediate future, there seemingly is *no* other practical way of integrating any nontrivial number of elementary school students; and equality, as the civil rights movement rightly reminds us, is now. Of course, if the Board comes into court with a substitute proposal for integrating these elementary school children, say by construction

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[199] The Court does not object to the primary conclusion of the Seventh Circuit in *Bell* v. *School City of Gary*, 324 F. 2d 209 (1963), *cert. denied*, 377 U.S. 924 (1963), that curing segregation is not so automatically paramount an interest that "little, if any, consideration need to be given to the safety of the school system." *Id.* at 212. On the contrary, these factors should be carefully assessed; but integration must also be given its due and considerable weight. *See also* *Evans* v. *Buchanan*, D. Del., 207 F. Supp. 820, 824 (1962), which uses a weighing approach; Fiss, *supra* Note 190, at 598–612 (1965).

[200] Below are the student capacities and 1966–67 enrollments of the elementary schools west of the Park. The figures in parentheses are the numbers of Negroes enrolled in each school.

School	Capacity	Enrollment
Eaton	510	419 (51)
Fillmore	270	116 (20)
Jackson	270	93 (21)
Janney	600	514 (25)
Hardy	330	201 (60)
Hearst	300	285 (34)
Hyde	240	138 (30)
Key	300	206 (42)
Lafayette	690	731 (17)
Mann	300	228 (13)
Murch	690	601 (18)
Oyster	270	315 (40)
Stoddert	300	200 (24)

Eleven of these 13 schools are under utilized. Given the 1966–67 enrollments, 662 Negroes could be imported into these 11 even if no school is allowed to become more than 40% Negro; 833 Negroes, 50%; 1109 Negroes if all places are filled.

[201] *E.g.,* Pettigrew & Pajonas, *supra* Note 189, at 104. This remedy also serves as a temporary measure for the relief of the disparate overcrowding in the Negro schools. *See* Section III, *supra*. In gauging its advisability, the court balances against its cost its cumulative power to improve two unconstitutional conditions.

[202] *Wanner* v. *County School Bd.*, 4 Cir., 357 F. 2d 452, 457 & n. 7 (1966); *Springfield School Comm.* v. *Barksdale*, 1 Cir., 348 F. 2d 261 (1965).

Another of Dr. Hansen's arguments pertained to the Urban League's recommendation that Negro students be bused involuntarily. The court's order includes no such provision and therefore this argument does not apply.

[203] *See* 1 U.S. Commission on Civil Rights, Racial Isolation in the Public Schools ch. 4 (1967); Levenson, *Educational Implications of De Facto School Segregation*, 16 W. Res. L. Rev. 545 (1965).

[204] *See* Report of the White House Conference, To Fulfill These Rights 77 (1966); Harvard Graduate School of Education, Education for Pittsburgh (1966).

of an educational park in Rock Creek Park or elsewhere, the court will doubtless accept that substitute and release the Board from the specific transportation policy here endorsed.

The other reason usually favoring judicial delay until after submission of a school board plan is that the courts seek and need school boards' detailed judgments on whether each specific remedial alternative is circumstantially feasible and within the public interest before issung any order. But Dr. Hansen's elaborated argument in his submission to the Board on the subject of busing for relief of overcrowding and segregation, on the basis of which the Board turned down the Urban League's recommendation, is about as complete and rounded a report as this court can expect on the school administration's attitude on this question. And the equities favoring the transportation remedy seemingly are unimpeachably clear. Any major considerations the court has inadvertently overlooked or greatly underrated can be brought to the court's attention in a motion for amendment of the decree. But it should here be made explicit that, while courts will be enlightened by school boards' judgments as to which considerations are controlling, this enlightenment will not be encouraged to slump into complacent or uncritical acquiescence; to do so would run counter to the principles of judicial review developed above.

VI. The track system

Plaintiffs' attack on the track system, Superintendent Hansen's special form of ability grouping, touches yet another phase of the District's administration of the public schools, here the concern being specifically the kind of educational opportunities existing within the classroom. The evidence amassed by both parties with regard to the track system has been reviewed in detail in Part IV of the Findings, where the court has already had occasion to note the critical infirmities of that system. The sum result of those infirmities, when tested by the principles of equal protection and due process, is to deprive the poor and a majority of the Negro students in the District of Columbia of their constitutional right to equal educational opportunities.

At the outset it should be made clear that what is at issue here is not whether defendants are entitled to provide different kinds of students with different kinds of education. Although the equal protection clause is, of course concerned with classifications, which result in disparity of treatment, not all classifications resulting in disparity are unconstitutional. If classification is reasonably related to the purposes of the governmental activity involved and is rationally carried out, the fact that persons are thereby treated differently does not necessarily offend.[205]

Ability grouping is by definition a classification intended to discriminate among students, the basis of that discrimination being a student's capacity to learn.[206] Different kinds of educational opportunities are thus made available to students of differing abilities. Whatever may be said of the concept of ability grouping in general, it has been assumed here that such grouping can be reasonably related to the purposes of public education. Plaintiffs have eschewed taking any position to the contrary.[207] Rather the substance of plaintiffs' complaint is that in practice, if not by design,[208] the track system—as administered in the District of Columbia public schools—has become a system of discrimination founded on socio-economic and racial status rather than ability, resulting in the undereducation of many District students.

As the court's findings have shown, the track system is undeniably an extreme form of ability grouping. Students are early in elementary school sorted into homogeneous groups or tracks (and often into subgroups within a track), thereby being physically separated into different classrooms. Not only is there homogeneity, in terms of supposed levels of ability[209]—the intended result—but as a practical matter there is a distinct sameness in terms of socio-economic status as well. More importantly, each track offers a substantially different kind of education, both in pace of learning and in scope of subject matter. At the bottom there is the slow-paced, basic (and eventually almost purely low-skill vocational) Special Academic Track; at the top is the intense and challenging Honors program for the gifted student. For a student locked into one of the lower tracks, physical separation from those in other tracks is of course complete insofar as classroom relationships are concerned; and the limits on his academic progress, and ultimately the kind of life work he can hope to attain after graduation, are set by the orientation of the lower curricula. Thus those in the lower tracks are, for the most part, molded for various levels of vocational assignments; those in the upper tracks, on the other hand, are given the opportunity to prepare for the higher ranking jobs and, most significantly, for college.

In theory, since tracking is supposed to be kept flexible, relatively few students should actually ever be locked into a single track or curriculum. Yet, in violation of one of its principal tenets, the track system is not flexible at all. Not only are assignments permanent for 90% or more of the students but the vast majority do not even take courses outside their own curriculum. Moreover, another significant failure to implement track theory—and in major part responsible for the inflexibility just noted—is the lack of adequate remedial and compensatory education programs for the students assigned to or left in the lower tracks because of cultural handicaps. Although one of the express reasons for placing such students in these tracks is to facilitate remediation, little is being done to accomplish the task. Consequently, the lower track student, rather than obtaining an enriched educational experience, gets what is essentially a limited or watered-down curriculum.

These are, then the significant features of the track system: separation of students into rigid curricula, which entails both physical segregation and a disparity of educational opportunity; and, for those consigned to the lower tracks, opportunities decidedly inferior to those available in the higher tracks.

A precipitating cause of the constitutional inquiry in this case is the fact that those who are being consigned to the lower tracks are the poor and the Negroes, whereas the upper tracks are the provinces of the more affluent and the white. Defendants have not, and indeed could not have, denied that the pattern of grouping correlates remarkably with a student's status, although defendants would have it that the equation is to be stated in terms of income, not race. However, as discussed elsewhere, to focus solely on economics is to oversimplify the matter in the District of Columbia where so many of the poor are in fact the Negroes.[210] And even if race could be ruled out, which it cannot, defendants surely "can no more discriminate on account of poverty than on account of religion, race, or color." *Griffin* v. *Illinois*, 351 U.S. 12, 17 (1951). As noted before, the law has a special concern for minority groups for whom the judicial branch of government is often the only hope for redressing their legitimate grievances; and a court will not treat lightly a showing that educational opportunities are being allocated according to a pattern that has unmistakable signs of invidious discrimination. Defendants, therefore, have a weighty burden of explaining why the poor and the Negro should be those who populate the lower ranks of the track system.

Since by definition the basis of the track system is to classify students according to their ability to learn, the only explanation defendants can legitimately give for the pattern of classification found in the District schools is that it does reflect students' abilities. If the discriminations being made are founded on anything other than that, then the whole premise of tracking collapses and with it any justification for relegating certain students to curricula designed for those of limited abilities. While government may classify persons and thereby effect disparities in treatment, those included within or excluded from the respective classes should be those for whom the inclusion or exclusion is appropriate; otherwise the classification risks becoming wholly irrational and thus unconstitutionally discriminatory.[211] It is in this regard that the track system is fatally defective, because for many students placement is based on traits other than those on which the classification purports to be based.

The evidence shows that the method by which track assignments are made depends essentially on standardized aptitude tests which, although given on a system-wide basis, are completely inappropriate for use with a large segment of the student body.

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[205] *See* Justice Burton's opinion for the Court and Justice Frankfurter's dissent in *Morey* v. *Doud*, 354 U.S. 457 (1957): *Quaker City Cab Co.* v. *Pennsylvania*, 277 U.S. 389, 405–406 (1928) (Brandeis J., dissenting) (state's power to classify for taxation purposes). A rational basis will not suffice to validate all classifications, however. *See* pp. 163–165, *supra*.

[206] "Capacity to learn"—rather than "ability"—is a more precise description of the trait looked to in ability grouping. Although present ability is one element considered, the concept of ability grouping is to provide students with an education designed to help them realize their maximum potential—*i.e.*, to progress as fast and as far as possible according to their innate capacity to learn. *See* Findings IV–B.

[207] Plaintiffs' Reply Memorandum, p. 2. Thus defendants' argument that ability grouping wins implicit support from its common usage in the United States, from various broad policy statements in Acts of Congress (*e.g.*, the National Defense Education Act of 1958, 28 U.S.C. § 401), and even from a strained reading of a phrase in *Brown* v. *Board of Education*, 347 U.S. 483, 494 (1954) ("To separate them from others of similar age and qualifications solely because of their race * * * [is unconstitutional]"), is irrelevant. Defendants' Brief pp. 42–45.

[208] Although plaintiffs have alleged that in origin and in present administration defendants through the track system were and are intentionally discriminating against the Negro students contrary to the mandate of *Bolling* v. *Sharpe*, 347 U.S. 497 (1954), the evidence does not sustain them. *See* Finding IV–A.

Of course, the track system is not insulated from constitutional infirmity simply because its motivation is not one of intended racial discrimination. *See* Note 167 *supra* and accompanying text.

[209] Abilities that, as it turns out, are not real at all. See pp. 174–175, *infra*.

[210] *See* Findings IV–D & F.

[211] *See, e.g.*, *Morey* v. *Doud*, 354 U.S. 457 (1957); *Skinner* v. *Oklahoma*, 316 U.S. 535 (1942). *See generally* Tussman & ten Broek, *The Equal Protection of the Laws*, 37 Calif. L. Rev. 341 (1949).

Given the nature of the right involved here and the class of persons affected, plaintiffs are entitled to careful judicial scrutiny of defendants' professions that classifications are in fact based on actual ability to learn. *See* pp. 163–165, *supra*.

Because these tests are standardized primarily on and are relevant to a white middle class group of students, they produce inaccurate and misleading test scores when given to lower class and Negro students. As a result, rather than being classified according to ability to learn, those students are in reality being classified according to their socio-economic or racial status, or—more precisely—according to environmental and psychological factors which have nothing to do with innate ability.[212]

Compounding and reinforcing the inaccuracies inherent in test measurements are a host of circumstances which further obscure the true abilities of the poor and the Negro. For example, teachers acting under false assumptions because of low test scores will treat the disadvantaged student in such a way as to make him conform to their low expectations; this acting out process—the self-fulfilling prophecy—makes it appear that the false assumptions were correct, and the student's real talent is wasted. Moreover, almost cynically, many Negro students are either denied or have limited access to the very kinds of programs the track system makes a virtual necessity: kindergartens; Honors programs for the fast-developing Negro student; and remedial and compensatory education programs that will bring the disadvantaged student back into the mainstream of education. Lacking these facilities, the student continues hampered by his cultural handicaps and continues to appear to be of lower ability than he really is. Finally, the track system as an institution cannot escape blame for the error in placements, for it is tracking that places such an emphasis on defining ability, of elevating its importance to the point where the whole of a student's education and future are made to turn on his facility in demonstrating his qualifications for the higher levels of opportunity. Aside from the fact that this makes the consequences of misjudgments so much the worse, it also tends to alienate the disadvantaged student who feels unequal to the task of competing in an ethnocentric school system dominated by white middle class values;[213] and alienated students inevitably do not reveal their true abilities—either in school or on tests.

All of these circumstances, and more, destroy the rationality of the class structure that characterizes the track system. Rather than reflecting classifications according to ability, track assignments are for many students placements based on status. Being, therefore, in violation of its own premise, the track system amounts to an unlawful discrimination against those students whose educational opportunities are being limited on the erroneous assumption that they are capable of accepting no more.

REMEDY

The remedy to be provided against the discriminatory policies of the defendants' school administration must center primarily on pupil assignment, teacher assignment and the track system. The overcrowding in the Negro schools results from pupil assignment and the difference in the per pupil expenditure results in the main from the assignment of the more highly paid teachers to the predominantly white schools. Consequently, corrective measures designed to reduce pupil and teacher racial segregation should also reduce overcrowding in the Negro schools as well as the pupil expenditure differential favoring the white children. Pending the implementation of such measures, the court will require that the defendants provide transportation to volunteering children from the overcrowded schools east of the Park to the underpopulated schools west of the Park.

As to the remedy with respect to the track system, the tract system simply must be abolished. In practice, if not in concept, it discriminates against the disadvantaged child, particularly the Negro. Designed in 1955 as a means of protecting the school system against the ill effects of integrating with white children the Negro victims of *de jure* separate but unequal education, it has survived to stigmatize the disadvantaged child of whatever race relegated to its lower tracks—from which tracks the possibility of switching upward, because of the absence of compensatory education, is remote.

Even in concept the track system is undemocratic and discriminatory. Its creator admits it is designed to prepare some children for white-collar, and other children for blue-collar, jobs. Considering the tests used to determine which children should receive the blue-collar special, and which the white, the danger of children completing their education wearing the wrong collar is far too great for this democracy to tolerate. Moreover, any system of ability grouping which, through failure to include and implement the concept of compensatory education for the disadvantaged child or otherwise, fails in fact to bring the great majority of children into the mainstream of public education denies the children excluded equal educational opportunity and thus encounters the constitutional bar.

As has been shown, the defendants' pupil placement policies discriminate unconstitutionally against the Negro and the poor child whether tested by the principles of separate-but-equal, *de jure* or *de facto* segregation. The use by the defendants of the neighborhood school policy, intentionally manipulated in some instances to increase segregation, is the primary cause of the pupil assignment discrimination. Because of the 10 to one ratio of Negro to white children in the public schools of Washington and because the neighborhood policy is accepted and is in general use throughout the United States, the court is not barring its use here at this time.

In preparing the plan to alleviate pupil segregation which the court is ordering the defendants to file, however, the court will require that the defendants consider the advisability of establishing educational parks, particularly at the junior and senior high school levels, school pairing, Princeton and other approaches toward maximum effective integration. Where because of the density of residential segregation or for other reasons children in certain areas, particularly the slums, are denied the benefits of an integrated education, the court will require that the plan include compensatory education sufficient at least to overcome the detriment of segregation and thus provide, as nearly as possible, equal educational opportunity to all school children. Since segregation resulting from pupil assignment is so intimately related to school location, the court will require the defendants to include in their plan provision for the application of the principles herein announced to their $300,000,000 building program.

The plan, too, should anticipate the possibility that integration may be accomplished through cooperation with school districts in the metropolitan suburbs. There is no reason to conclude that all Washingtonians who make their homes in Virginia or Maryland accept the heresy that segregated public education is socially realistic and furthers the attainment of the goals of a democratic society. Certainly if the jurisdictions comprising the Washington metropolitan area can cooperate in the establishment of a metropolitan transit authority (*see* 1 D.C. CODE §§ 1401–1416 (1961)), the possibility of such cooperation in the field of education should not be denied—at least not without first sounding the pertinent moral and social responsibilities of the parties concerned.

The final question is the remedy this court should forge for curing the illegalities in teacher placement. It is clear, first, that an injunction should be directed against every possibility of willful segregation in the teacher assignment process; if the preferences of principals and teachers are to be relied on at all by the assistant superintendents or any other officer making the assignment, measures must be taken to insure that race does not creep into the expression of preference.

Next, assignment of incoming teachers must proceed on a color-conscious basis to insure substantial and rapid teacher integration in every school. And finally, to the extent that these two measures are unable quickly to achieve sufficient faculty integration in the schools, this court, as it indicated by its discussion above concerning the Board's responsibilities in following up on *Bolling* v. *Sharpe*, has no doubt that a substantial reassignment of the present teachers, including tenured staff, will be mandatory. A similar call has been sounded by the Office of Education, whose Title VI guidelines establish that "[e]very school system has a positive duty to make staff assignments and reassignments necessary to eliminate past discriminatory assignment policies." 45 C.F.R. § 181.3(d) (1967). *And see* the discussion and decree in *United States* v. *Jefferson County*, 5 Cir., 372 F. 2d 836, 892–894, 900 (1967). In the South, a few courts in their discretion have exacted less inclusive commitments from school boards, relating merely to non-segregatory future assignments and the encouragement of voluntary transfers[214]; but that does not bind the conscience of other chancellors confronted with other factual situations.

The more complex question is the goal or objective toward which the school system should strive through the various means outlined above. Two federal courts have ordered school systems to proportion Negro and white teachers equally in every school, give or take a small margin of error. *Dowell* v. *School Board*, W.D. Okla., 244 F. Supp. 971 (1965, *affirmed*, 10 Cir., — F. 2d — (January 23, 1967), *cert. denied*, — U.S. —, 35 U.S.L. Week 3419 (May 29, 1967; *Kier* v. *County School Board*, W.D. Va., 249 F. Supp. 239 (1966). It is true, however, that in *Dowell* the court assumed the initiative only after the school board defaulted in the obligation assigned it by the court to draw up a faculty desegregation plan, and *Kier* dealt with a school system with only 25 schools, which may make a difference. Still, there is great appeal in the simplicity and thoroughness of such a decree.

These issues of remedy were ignored at

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[212] *See generally* Findings IV–F.

Defendants have cited a number of cases for the proposition that courts will not enjoin the classification and assignment of pupils according to abilities as ascertained through the use of aptitude tests. *Stell* v. *Savannah-Chatham County Bd. of Edu.*, 5 Cir., 333 F. 2d 55 (1964); *Evans* v. *Ennis*, 3 Cir., 281 F. 2d 385 (1960); *Borders* v. *Rippy*, 5 Cir., 247 F. 2d 268 (1957); *Youngblood* v. *Board of Pub. Instruction, N.D.Fla.*, 230 F.Supp. 74 (1964); *Calhoun* v. *Members of Bd. of Educ., N.D.Ga.*, 188 F.Supp. 401 (1959); *Jones v. School Bd.*, E.D.Va., 179 F.Supp. 280 (1959). These cases, however, are completely inapposite here, because in none of them did the courts have occasion to consider whether the tests used were in fact accurate in ascertaining innate ability.

[213] *Compare* Weyrauch, *Dual Systems of Family Law: A Comment*, in The Law of the Poor, 457, 463 (1966.)

[214] *Clark v. Board of Educ.*, 8 Cir., 369 F.2d 661 (1966); *Wheeler* v. *Durham City Bd. of Educ.*, 4 Cir., 363 F.2d 738 (1966).

trial by counsel for both sides, each intent instead on establishing or refuting the primary constitutional violation. For this reason, and considering the limitations of time, for the 1967–68 school year the court is content to order "substantial" teachers integration in those schools were complete segregation or token integration of faculty has heretofore existed. The court will remit the question of the longer term goal to the Board for first-instance treatment in the plan which the court in its decree will order the Board to prepare. There will be an abundance of opportunity later for adversary argument on the merits and demerits of the ends (and means) concerning teacher integration which the Board decides to propose.

PARTING WORD

It is regrettable, of course, that in deciding this case this court must act in an area so alien to its expertise. It would be far better indeed for these great social and political problems to be resolved in the political arena by other branches of government. But these are social and political problems which seem at times to defy such resolution. In such situations, under our system, the judiciary must bear a hand and accept its responsibility to assist in the solution where constitutional rights hang in the balance. So it was in *Brown* v. *Board of Education, Bolling* v. *Sharpe,* and *Baker* v. *Carr.* So it is in the South where federal courts are making brave attempts to implement the mandate of *Brown.* So it is here.

The decree is attached to, and made part of, this opinion.

DECREE

It is ordered, adjudged and decreed that the defendants, their agents, officers, employees and successors, and all those in active concert and participation with them be, and they are hereby, permanently enjoined from discriminating on the basis of racial or economic status in the operation of the District of Columbia public school system.

It is further ordered, adjudged and decreed that the defendants be, and they are hereby, permanently enjoined from operating the track system in the District of Columbia public schools. It is further ordered that on October 2, 1967, the defendants file in the record in this case a report of their compliance with this order of the court.

It is further ordered, adjudged and decreed that on October 2, 1967, the defendants herein file in the record in this case for approval by the court a plan of pupil assignment complying with the principles announced in the court's opinion and the instructions contained in the part styled REMELY thereof.

It is further ordered, adjudged and decreed that the defendants, beginning with the school year 1967–68, provide transportation for volunteering children in overcrowded school districts east of Rock Creek Park to underpopulated schools west of the Park. It is further ordered that on October 2, 1967, the defendants file in the record in this case a report of their compliance with this order of the court.

It is further ordered, adjudged and decreed that, beginning with the school year 1967–68, the following optional zones be abolished: Wilson-Western-Roosevelt; Cardozo-Western; Dunbar-Western; Gordon-MacFarland; Gordon-Banneker; Powell-Hearst. It is further ordered that on October 2, 1967, the defendants file in the record in this case a report of their compliance with this order of the court.

It is further ordered, adjudged and decreed that the defendants, beginning with the school year 1967–68, provide substantial teacher integration in the faculty of each school. It is further ordered that on October 2, 1967, the defendants file in the record in this case a report of their compliance with this order of the court.

It is further ordered, adjudged and decreed that on October 2, 1967, the defendants file in the record in this case for approval by the court a plan of teacher assignment which will fully integrate the faculty of each school pursuant to the principles announced in the court's opinion and the instructions contained in the part styled REMEDY thereof.

It is further ordered, adjudged and decreed that the United States be, and it is hereby, invited to intervene in these proceedings to assist in the implementation of the decree, to suggest amendments to the decree, and to take whatever other steps it deems appropriate in the interest of public education in the District of Columbia. It is further ordered that the United States be served with a copy of this decree in the manner prescribed by Rule 4(d)(4), *Federal Rules of Civil Procedure.* The parties, of course, may suggest amendments to this decree at any time.

J. SKELLY WRIGHT,
U.S. Circuit Judge.

APPENDIX A

TABLE T-1.—*Group tests—Types and frequency of testing*

Grade given	Name of test	Aptitude or achievement	Verbal or nonverbal
	MANDATORY PROGRAM		
Kindergarten	Metro. Readiness (Rev. Form A)	Aptit. (readiness for 1st grade instruction.	([1]).
1	Metro. Readiness (Rev. Form B)	(See supra)	([1]).
2 [2]	Metro. Acht. (Prim. II, Form A)	Acht. (reading/spelling)	Verbal.
4	Sequential Tests of Educ. Progress (STEP) (Level 4, Form A).	Acht. (reading/arith./listening/writing).	Do.
	School & College Ability Tests (SCAT) (Level 5, Form A).	Aptit	Do.
6 (Genl/honors)	Stanford Acht. (SAT) (Rev., Partial, Intermed. II, Form W).	Acht	Do.
	Otis Quick-Scoring Mental Ability, Beta	Aptit. (IQ)	Do.
6 (Spec. Ac.)	Metro. Reading & Arith. (Elem. Form A)	Acht	Do.
	Tests of General Ability (TOGA), Grades 4–6 (Form A).	Aptit	Both.
9 (Genl/Honors)	STEP (Level 3, Form B)	Acht. (math/read./listen./writ.)	Verbal.
	SCAT (Level 3, Form B)	Aptit	Do.
9 (Spec. Ac.)	SAT (Intermed., Partial, Form W)	Acht	Do.
	TOGA, Grades 6–9	Aptit	Both.
11 (Genl/Reg/Honors)	STEP (Level 2, Form A)	Acht. (math et al.)	Verbal.
	SCAT (Level 2, Form A)	Aptit	Do.
11 (Spec. Ac.)	SAT (Advanced, Partial, Form W)	Acht	Do.
	OPTIONAL PROGRAM [3]		
7	TOGA, Grades 6–9	Aptit	Both.
9	Tests of Educ. Ability, Grades 6–9	Aptit	Verbal.
10/12	Flanagan Aptit. Classific. Tests	Aptit	

[1] Instructions are oral, test is pictorial; verbal to extent of comprehending instructions as to what question is asking (Tr. 3233.)
[2] One principal testified that this test is optional. (Tr. 4070.)
[3] There has been no evidence as to how many students are tested under the optional program.

(Tr. 1680–1689, 3233–3234; ex. B–10; exs. 61–73.)

THE DISTRICT OF COLUMBIA SCHOOL DECISION

Mr. CONYERS. Mr. Speaker, after 18 long months and $13,000 in cost, Washington civil rights leader Julius Hobson tasted victory in his fight against racial isolation, unequal facilities and the track system for grouping students in the District of Columbia School System. U.S. Circuit Court of Appeals Judge James Skelly Wright ordered far-reaching remedies to end both racial and economic segregation in the schools in the Nation's Capital. The decision, handed down this Monday, permanently enjoins the District of Columbia School Board from operating the track system which effectively, if not intentionally, relegates most Negro students to a curriculum which provides them only a minimum of education and practically destines them to poorly paid jobs. Higher education is totally beyond these students because their public school education has not even attempted to prepare them for college admission.

The decision also orders busing of students from overcrowded Negro schools to predominantly white schools west of Rock Creek Park, where most schools are under capacity. Greater integration of teachers in the schools was also included in the decision. That the decision means an almost complete redirection of the school system in the Nation's Capital is beyond question.

The implications of Judge Wright's decision, however, extend far beyond the boundaries of Washington, D.C. The blow dealt at *de facto* segregation will surely be felt in all urban areas where Negro students are discriminated against accidentally, though not by law. In nearly every main section of the decision, Judge Wright emphasized that deliberate discrimination does not have to exist in order to constitute a violation of the equal protection clause of the 14th amendment. Should this decision or a similar one be upheld by the Supreme Court, the job begun 13 years ago in *Brown* v. *Board of Education* would be completed.

This case is undoubtedly a landmark in the developing jurisprudence regarding the protection of the equal rights of all Americans. The legal precedent established by this decision would undoubtedly be referred to in many future cases. I want to commend the outstanding legal work done by the three lawyers on the case, Jerry D. Anker, William M. Kunstler, and William Higgs. Bill Higgs' painstaking research, both into the legal precedents and into the condition of the District of Columbia public school system, was particularly crucial in the successful prosecution of this case.

Although I am sure that most of my colleagues have read many articles and editorials about this decision by now, I would like to have two articles and one editorial from the Washington Post and an article from the New York Times inserted into the Record following my remarks, because they provide a thorough explanation and analysis of the decision. I would like to heartily commend Julius Hobson for his persistence in attacking the problems in the District of Columbia school system by every means available to him and Judge James Skelly Wright for his courage in making a fair decision for the frustrated children of the Nation's Capital.

The material referred to follows:

[From the Washington (D.C.) Post, June 20, 1967]

Court Orders Ban on School Track System—Calls Curbs on Negroes "Criminal"—Integration of All Faculties Directed in Hobson Victory

(By Susan Filson)

U.S. Circuit Court of Appeals Judge James Skelly Wright yesterday ordered sweeping actions to eliminate what he called "criminal" discrimination against poor Negro students in Washington's public schools.

In a decision handed down in the 18-month-old suit brought by civil rights leader Julius W. Hobson, Wright said the public schools are "a monument to the cynicism of the power structure which governs the voteless capital of the greatest country on earth."

The 183-page decision strongly accepts Hobson's contention that the schools have discriminated against poor Negroes through segregated school facilities, unequal supplies and facilities and the track system of grouping students. It orders school officials to:

Abolish the track system immediately.

Substantially integrate all school faculties by fall.

Bus students from overcrowded Negro schools to predominantly white schools west of Rock Creek Park, where most enrollments are under capacity.

File a plan with the court by Oct. 2 to increase racial integration of students in the school system, which is 90 per cent Negro.

Eliminate optional attendance zones on the grounds that they have allowed white students in Negro areas to "escape" to white schools outside their neighborhoods.

Corporation Counsel Charles T. Duncan said no decision will be made on whether to appeal the case until he has met with the Board of Education. However, it seems likely that the decision will be appealed.

The Hobson case may be the most important court decision involving schools since Brown vs. the Board of Education, which ended legal segregation of students in 1954.

IMPACT ON NATION

Wright's decision deals with the more complex issue of de facto segregation, which arises from segregated housing patterns rather than from legal restrictions.

He does not order outright abandonment of the "neighborhood school" concept but suggests that the Board explore alternatives, such as educational parks for junior and senior high school students.

Nearly every part of the decision would have a major impact on school systems throughout the Nation if it were upheld in an appeal.

It would lend legal support to the Office of Education's efforts to alleviate de facto segregation in large Northern cities—efforts that have been vigorously opposed by many Congressmen.

"Tracking" of students and faculty segregation are also common practices in many urban school systems.

INTENT AND ACCIDENT

Wright found the schools have discriminated against Negroes in some cases by intent and in others by accident. Both types of discrimination are equally unconstitutional, he said.

The decision does not accept Hobson's contention that school officials have deliberately deprived Negro schools of adequate supplies such as textbooks and facilities such as libraries. But it emphasizes that the inequalities are unconstitutional regardless of how they arise.

"School officials can and should be faulted, but for another reason: that in the face of those inequalities they have sometimes shown criminally little concern," the decision states.

"It is one thing, for example, when crowded residential conditions shut Negro children, and they alone, out of kindergarten in the nearby schools; it is another matter entirely when, confronted with this awful situation, school officials stand idly by, circulating promises of more adequate school buildings years hence, but acquiescing in the present injustice by their passivity.

THE 14TH AMENDMENT

Citing the equal protection clause of the 14th Amendment, Wright reiterated in nearly every main section of the decision that deliberate discrimination does not have to exist to constitute a violation of the law. And he said discrimination "by accident" is often reinforced by deliberate discrimination.

In ordering an end to faculty segregation, Wright noted "the superiorities in the qualifications of the predominantly white schools' faculties are not unrelated to the infirmities in the appointment process (of teachers)."

The decision's significance is increased because it raises a virtually unexplored legal issue; economic discrimination. It agrees with Hobson's contention that the schools have not only discriminated against Negroes but aginst poor children.

William M. Kunstler, attorney in civil rights and civil liberties cases, spent several days during the trial attempting to prove that the schools spend more money on students in affluent neighborhoods than in poor ones.

QUERIES COURT'S POWER

In ordering greater attempts to integrate the schools, Wright specifically said the Court has no authority to create an "area-wide" school system that would include the District and the Maryland and Virginia suburbs.

But he sharply criticized Washington school officials for failing to explore the possibility of voluntary cooperation between the city and the suburbs.

"There is no reason to conclude that all Washingtonians who make their homes in Virginia or Maryland accept the heresy that segregated public education is socially realistic and furthers the attainment of goals in a democratic society.

"Certainly if the jurisdictions comprising the Washington Metropolitan Area can cooperate in the establishment of a metropolitan transit authority, the possibility of such cooperation in the field of education should not be denied—at least not without first sounding the pertinent moral and social responsibilities of the parties concerned."

On the track system, Wright accepted Hobson's contention that a disproportionate percentage of Negro students are assigned to the basic and general tracks for retarded and slow learners, respectively.

He said education in the lower tracks is geared to the "blue-collar" student. "Thus such children, so stigmatized by inappropriate aptitude testing procedures, are denied equal opportunity to obtain the white collar education available to the white and more affluent children."

Attacking the philosophy behind the track system, Wright noted that "according to track theory, those who remain in a lower curriculum remain because they are achieving at their maximum level of ability.

"They are not," he contends, "admitted to—or at least discouraged from seeking admission to—a higher instructional level because the school system has determined that they cannot 'usefully' and 'successfully' rise above their present level."

The decision came the day after release of the preliminary findings of a long-awaited Columbia University study of the school system.

Replacement of the track system is one of the Columbia report's major recommendations. There appear to be no major conflicts between the recommendations in the $250,000 study and the actions ordered in Wright's decision.

Although Wright is an Appeals Court judge, he was acting as a trial judge in the Hobson case because of a legal quirk. Another part of the suit, which was decided earlier this year, named the U.S. District Court judges as defendants.

The District judges appoint Washington's School Board and Hobson was asking that the appointive procedure be declared unconstitutional. The request was denied by a three-judge panel of the Appeals Court, with Judge Wright dissenting.

Hobson and his attorneys were jubilant in their reaction to Wright's decision while most school officials maintained silence.

"The abolition of the track system has been worth the one year and $13,000 it took for this suit," Hobson said.

HOPES FOR APPEAL

Hobson emphasized that he hopes there will be an appeal because "I want the Supreme Court to rule on this and have these kinds of practices eliminated in schools throughout the country."

Hansen, who testified for two days during the trial in defense of the school system, interrupted a meeting of the School Board to read a summary of the decision.

In a tight-lipped statement, Hansen urged the Board "not to discuss this with anyone until we have met with the Corporation Counsel."

DR. HAYNES "DELIGHTED"

Board President Euphemia L. Haynes, a foe of the track system for many years, said she was "delighted" that Wright had ordered the system's abolition. Dr. Haynes said the Board will meet with Duncan within two weeks to decide whether to appeal the case.

Duncan, a Negro and former counsel for the U.S. Equal Employment Opportunity Commission, would be pitted against Kunstler and other civil rights attorneys if an appeal is made.

The Hobson suit, however, was not supported by most civil rights groups in Washington.

William H. Simons, president of the Washington Teachers Union, also expressed "delight" at the decision. The Union, local of the American Federation of Teachers, AFL–CIO, filed a friend-of-the-court brief in the case.

"We're very happy about the order of faculty integration," Simons said. "We've been fighting for this for years."

[From the Washington (D.C.) Post, June 20, 1967]

Excerpts From Court Decision Ordering Ban on Track System in District of Columbia Schools

SUMMARY

The basic question presented is whether the defendants, the Superintendent of

Schools and the members of the Board of Education, in the operation of the public school system here, unconstitutionally deprive the District's Negro and poor public school children of their right to equal educational opportunity with the District's white and more affluent public school children. This court concludes that they do.

In support of this conclusion the court makes the following principal findings of fact:

1. Racially and socially homogeneous schools damage the minds and spirit of all children who attend them—the Negro, the white, the poor and the affluent—and block the attainment of the broader goals of democratic education, whether the segregation occurs by law or by fact.

2. The scholastic achievement of the disadvantaged child, Negro and white, is strongly related to the racial and socio-economic composition of the student body of his school. A racially and socially integrated school environment increases the scholastic achievement of the disadvantaged child of whatever race.

3. The Board of Education, which is the statutory head of the public schools in the District, is appointed pursuant to a quota system which, until 1962, for over half a century had limited the Negro membership of the nine-man Board to three. Since 1962 the Negro quota on the Board has been four, one less than a majority. The City of Washington, which is the District of Columbia, presently has a population over 60 per cent Negro and a public school population over 90 per cent Negro.

4. Adherence to the neighborhood school policy by the School Board effectively segregates the Negro and the poor children from the white and the more affluent children in most of the District's public schools. This neighborhood school policy is relaxed by the Board through the use of optional zones for the purpose of allowing white children, usually affluent white children, "trapped" in a Negro school district, to "escape" to a "white" or more nearly white school, thus making the economic and racial segregation of the public school children more complete than it would otherwise be under a strict neighborhood school assignment plan.

5. The teachers and principals in the public schools are assigned so that generally the race of the faculty is the same as the race of the children. Thus most of the schools can be identified as "Negro" or "white," not only by reference to the predominant race of the children attending, but by the predominant race of the faculty as well. The heaviest concentration of Negro faculty, usually 100 per cent, is in the Negro ghetto schools.

6. The median annual per pupil expenditure ($292) in the predominantly (85–100 per cent) Negro elementary schools in the District of Columbia has been a flat $100 below the median annual per pupil expenditure for its predominantly (85–100 per cent) white schools (392).

7. Generally the "white" schools are underpopulated while the "Negro" schools generally are overcrowded. Moreover, all of the white elementary schools have kindergartens. Some Negro schools are without kindergartens entirely, while other Negro schools operate kindergartens in shifts or consecutive sessions. In addition to being overcrowded and short on kindergarten space, the school buildings in the Negro slums are ancient and run down. Only recently, through the use of impact aid and other federal funds have the Negro slum schools had sufficient textbooks for the children's use.

8. As they proceed through the Washington school system, the reading scores primarily of the Negro and poor children, but not the white and middle class, fall increasingly behind the national norm. By senior high school the discrepancy reaches several grades.

9. The track system as used in the District's public schools is a form of ability grouping in which students are divided in separate, self-contained curricula or tracks ranging from "Basic" for the slow student to "Honors" for the gifted.

10. The aptitude tests used to assign children to the various tracks are standardized primarily on white, middle-class children. Since these tests do not relate to the Negro and disadvantaged children to the lower tracks from which, because of the reduced curricula and the absence of adequate remedial and compensatory education, as well as continued inappropriate testing, the chance of escape is remote.

11. Education in the lower tracks is geared to what Dr. Hansen, the creator of the track system, calls the "blue collar" student. Thus such children, so stigmatized by inappropriate aptitude testing procedures, are denied equal opportunity to obtain the white collar education available to the white and more affluent children.

Other incidental, but highly indicative, findings are as follows: a. The June 1964–December 1965 study by the Office of the Surgeon General, Army, shows that 55.3 percent of the 18-year-olds from the District of Columbia failed the Armed Services mental test, a higher percentage than any of the 50 states; b. The average per pupil expenditure in the District's public schools is only slightly below the national average. The 1964-65 Bureau of the Census Report on Governmental Finances shows, however, that the District of Columbia spends less per capita on education generally than all states except Arkansas and Tennessee; c. The same report shows that the District of Columbia spends more per capita on police protection than all states without exception. In fact, the District of Columbia spends more than any state other than Nevada, New York, New Jersey and California.

The inferences, including those bearing on the relationship of the quality of education to crime, which arise from these findings are obvious. Indeed, the National Crime Commission's Task Force Report: Juvenile Delinquency and Youth Crime, indicates that the very deficiencies in the District public school system noted by the record in this case—prejudging, through inappropriate testing, the learning abilities of the disadvantaged child as inferior to the white middle class child; placing the child in lower tracks for reduced education based on such tests, thus implementing the self-fulfilling prophecy phenomenon inherent in such misjudgments; placing inferior teachers in slum schools; continuing racial and economic segregation of pupils; providing textbooks unrelated to the lives of disadvantaged children; inadequate remedial programs for offsetting initial psychological and social difficulties of the disadvantaged child—all have contributed to the increase in crime, particularly juvenile crime.

In sum, all of the evidence in this case tends to show that the Washington school system is a monument to the cynicism of the power structure which governs the voteless Capital of the greatest country on earth.

REMEDY

The remedy to be provided against the discriminatory policies of the defendants' school administration must center primarily on pupil assignment, teacher assignment and the track system. The overcrowding in the Negro schools results from pupil assignment and the difference in the per pupil expenditure results in the main from the assignment of the more highly paid teachers to the predominantly white schools.

Consequently, corrective measures designed to reduce pupil and teacher racial segregation should also reduce overcrowding in the Negro schools as well as the pupil expenditure differential favoring the white children. Pending the implementation of such measures, the court will require that the defendants provide transportation to volunteering children from the overcrowded schools east of (Rock Creek Park) to the underpopulated schools west of the park.

As to the remedy with respect to the track system, the track system simply must be abolished. In practice, if not in concept, it discriminates against the disadvantaged child, particularly the Negro. Designed in 1955 as a means of protecting the school system against the ill effects of integrating with white children the Negro victims of *de jure* separate but unequal education, it has survived to stigmatize the disadvantaged child of whatever race relegated to its lower tracks—from which tracks the possibility of switching upward, because of the absence of compensatory education, is remote.

Even in concept the track system is undemocratic and discriminatory. Its creator admits it is designed to prepare some children for white-collar, and other children for blue-collar jobs. Considering the tests used to determine which children should receive the blue-collar special, and which the white, the danger of children completing their education wearing the wrong collar is far too great for this democracy to tolerate. Moreover, any system of ability grouping which, through failure to include and implement the concept of compensatory education for the disadvantaged child, or otherwise fails in fact to bring the great majority of children into the mainstream of public education denies the children excluded equal educational opportunity and thus encounters the constitutional bar.

TEACHER PLACEMENT

The final question is the remedy this court should forge for curing the illegalities in teacher placement. It is clear, first, that an injunction should be directed against every possibility of willful segregation in the teacher assignment process; if the preferences of principals and teachers are to be relied on at all by the assistant superintendents or any other officer making the assignment, measures must be taken to insure that race does not creep into the expression of preference.

Next, assignment of incoming teachers must proceed on a color-conscious basis to insure substantial and rapid teacher integration in every school. And finally, to the extent that these two measures are unable quickly to achieve sufficient faculty integration in the schools, this court . . . has no doubt that a substantial reassignment of the present teachers, including tenured staff, will be mandatory . . .

These issues of remedy were ignored at trial by counsel for both sides, each intent instead on establishing or refuting the primary constitutional violation. For this reason, and considering the limitations of time, for the 1967–68 school year the court is content to order "substantial" teacher integration in those schools where complete segregation or token integration of faculty has heretofore existed. The court will remit the question of the longer term goal to the Board for first-instance treatment in the plan which the court in its decree will order the Board to prepare. There will be an abundance of opportunity later for adversary argument on the merits and demerits of the ends (and means) concerning teacher integration which the Board decides to propose.

PARTING WORD

It is regrettable, of course, that in deciding this case this court must act in an area so alien to its expertise. It would be far better indeed for these great social and political problems to be resolved in the political arena by other branches of government. But these are social and political problems which seem at times to defy such resolution. In such situations, under our system, the judiciary must bear a hand and accept its responsibility to assist in the solution where constitutional rights hang in the balance. So it was in *Brown* v. *Board of Education, Bolling* v. *Sharpe,* and *Baker* v. *Carr.* So it is in the South where Federal courts are making brave attempts to implement the mandate of *Brown.* So it is here.

[From the New York Times, June 20, 1967]

DE FACTO SEGREGATION HELD INVALID IN CAPITAL'S SCHOOLS—U.S. JUDGE ORDERS BUSING AND UPSETS ASSIGNMENT OF PUPILS BY ABILITY

(By Ben A. Franklin)

WASHINGTON, D.C., June 19.—A Federal judge ruled today that segregation of poor Negro children in the public schools of the District of Columbia that results from neighborhood population patterns is as unconstitutional as segregation ordained by law.

The judge ordered remedies to take effect this fall. These include the busing to predominantly white schools of children in Negro neighborhoods who wish to attend integrated classrooms, the mandatory redistribution of teachers to integrate all school faculties, and the end of Washington's bitterly controversial "track system" of assigning pupils to classes according to ability.

In two aspects crucial to most urban populations the ruling by Judge J. Skelly Wright went beyond the basic Supreme Court decree in 1954 forbidding school segregation.

Judge Wright, first, extended the desegregation doctrine of the Supreme Court to include de facto segregation—that resulting from "unintentional" administrative practices. The high court's 1954 ruling, in the case of Brown v. Board of Education, forbade only de jure segregation—or segregation sanctioned by law.

Judge Wright, in the second extension, introduced a wholly new prohibition against substandard and therefore discriminatory education of the poor, regardless of race.

He found that in predominantly Negro schools here the annual median per-pupil expenditure was $292, or "a flat $100 below median per pupil expenditure in predominantly white schools, $392."

A bar against discrimination by "economic status" in the selection of juries has been upheld by the United States Court of Appeals for the Fifth Circuit. But Judge Wright was the first to apply it to education.

Other Federal courts have divided on challenges to the constitutionality of neighborhood segregation, based on dwelling patterns. But in no case has the challenge been upheld in such a large metropolitan school system with such a preponderance of Negro enrollment. The issue has never reached the Supreme Court.

The ruling, which affects only the District of Columbia, can be appealed. The district's corporation counsel, Charles T. Duncan, said today that it would be "several days" before city and school officials here decided on their next move.

Julius W. Hobson, the Negro civil rights leader here who initiated the suit 18 months ago, called the opinion "a sweeping victory." Mr. Hobson said that the inclusion in Judge Wright's opinion of the new "economic status" standard was "at the heart of the matter in Washington."

However, Judge Wright's opinion fell short of ordering into effect the most controversial remedy proposed by Mr. Hobson's counsel, William M. Kunsler of New York and Jerry D. Anker of Washington. That involved the enforced merger of the largely Negro city school system with those of Washington's predominantly white suburban school jurisdictions in Maryland and Virginia.

In a lecture at New York University in 1965, Judge Wright himself raised the prospect of court-ordered urban-suburban school mergers as one remedy to what he called the "inconceivable" pattern of "Negro children crowded into inferior slum schools while the whites flee to the suburbs to place their children in vastly superior, predominantly white schools."

The lecture and the wide newspaper publicity given it during the trial of Hobson V. Hansen here last year caused the city corporation counsel's office to ask Judge Wright to disqualify himself as "prejudiced" at the outset of the courtroom hearings. The judge declined.

SUGGESTS POSSIBILITY

In his opinion today, however, the judge merely directed the city school board to "anticipate the possibility that integration may be accomplished through cooperation with school districts in the metropolitan suburbs."

"There is no reason to conclude that all Washingtonians who make their homes in Virginia and Maryland accept the heresy that segregated public education is socially realistic and furthers the attainment of the goals of a democratic society," Judge Wright declared.

"Certainly, if the jurisdictions comprising the Washington metropolitan area can cooperate in the establishment of a metropolitan transit authority [created last year] the possibility of such cooperation in the field of education should not be denied—at least not without first sounding the pertinent moral and social responsibilities of the parties concerned."

Negro children make up 93 per cent of the public school population in this city.

Without some exchange of students between Washington and the suburban jurisdictions it is probably unlikely that the city can achieve much classroom integration. But despite his lawyers' insistence in advocating the urban-suburban merger proposal, Mr. Hobson told newsmen repeatedly during the suit that his objective was "quality education in Washington, not necessarily integrated education."

Judge Wright's opinion was studded with references to what he called "the primary constitutional violation" of the inferior schooling offered Negro children in the slum schools of Washington.

"The basic question," the opinion said, is whether Dr. Carl F. Hansen, the Superintendent of Education, and members of the school board, "unconstitutionally deprive the District's Negro and poor public school children of their right to equal educational opportunity with the District's white and more affluent public school children. The court concludes that they do."

"All of the evidence in this case tends to show that the Washington school system is a monument to the cynicism of the power structure, which governs the voteless capital of the greatest country on earth," Judge Wright said.

The Judge found that school authorities here had "intentionally" gerrymandered school districts and had assigned poor Negro pupils to the "basic" academic curriculum of the four-level "track system" to "insulate the more academically developed white student from his less fortunate black schoolmate."

"The court does not, however, rest its decision on a finding of intended racial discrimination," the opinion continued. "Apart from such intentional aspects, the effects of the track system must be held to be a violation of plaintiffs' Constitutional rights."

Accordingly, as one of eight points in his decree, Judge Wright declared that the school administration was permanently enjoined from further operation of the "track system." It has been in effect here—and has been nearly continuously under attack—since Dr. Hansen initiated it in 1955.

As a means of achieving "meaningful integration," the system was designed to encourage middle class whites to keep their children in the city school system by offering separate and "basic" curricula in each "honors," "regular," "general" grade. Most white students were enrolled in the "honors" and "regular" tracks.

At a news conference this afternoon scheduled in advance of the court's ruling, the school administration disclosed that one recommendation of a year-long, $240,000 study of the schools here was to abolish "tracking."

The director of the study, Dr. A. Harry Passow of Columbia University Teacher's College, said he would make a long list of other proposals later to help the school system avoid "deep and probably worsening trouble."

Another section of Judge Wright's ruling requires the school administration to "provide transportation for volunteering children" in heavily Negro neighborhoods east of Rock Creek Park to "underpopulated" predominantly white school buildings west of the park in such sections as Cleveland Park, Chevy Chase, Glover Park and Spring Valley. This ruling parallels a year-old proposal by the Washington Urban League, which Dr. Hansen had rejected.

Although he is a member of the United States Court of Appeals for the District of Columbia, Judge Wright tried the case as a District Judge.

[From the Washington (D.C.) Post, June 21, 1967]

EQUALITY AND BEYOND

After ten years of doggedly refusing to change its ways, Washington's school system is now being forced to change very rapidly indeed. Suddenly congressional pressure and last usage no longer control the city's school policy. Last weekend Dr. Passow, the School Board's imported consultant, told the schools that they face rising trouble if they do not undertake very large reforms. Now Judge Wright is telling them that, trouble or not, they have got to end several very clear transgressions before the schools reopen in September.

Dr. Passow and Judge Wright are not talking about quite the same kinds of reform, and the difference is important. Dr. Passow, who comes from Columbia Teachers College, is talking about quality of education; Judge Wright, who sits on the Federal Court of Appeals, is talking about equality of education. Judge Wright is saying that the School Board cannot give less to children who are Negro and poor than to those who are not. But there is such a thing as an equality of destitution. The city's schools could grow increasingly weak and ineffectual, and yet, as long as they were equally weak and ineffectual, they would meet the Judge's requirement.. The Judge is limited, like all courts, to one basic measurement of equality, which amounts to the number of dollars spent. A school system can spend equally on children without educating them equally. Real equity here lies far beyond the reach of any court's injunction.

Judge Wright's injunction is highly specific. It abolishes a series of outstanding abuses and affronts in school policy, like the highly deleterious track system, the optional attendance zones, and the segregation of teaching staffs. It specifically avoids any suggestion that de facto segregation based on residential patterns, is unconstitutional. But, in an interesting reversion to *Plessy* v. *Ferguson,* the Judge holds that if schools are separate then they must at least be equal. The School Board must have known perfectly well that it could not go on indefinitely running schools 50 per cent under capacity on one side of Rock Creek Park and

50 per cent over capacity on the other. The Judge's order requiring busing across Rock Creek is based, legally, in an attempt to relieve the worst overcrowding. Unfortunately, he couches his decision in language making it clear that he also means to encourage a closer racial balance west of the Park, entering an area where his authority is very uncertain. This language must be interpreted as an invitation to appeal.

One of the notable aspects of this decision is that its basic principles, if adopted by the Supreme Court, would have much broader effect in almost any other large American city than in this one. Where the proportion of white pupils is perhaps 8 per cent and steadily diminishing, it is idle to talk of the virtues of desegregation. Fewer than 4 per cent of the city's school system are enrolled in the elementary schools west of Rock Creek Park; fewer than 1 per cent could be reached by the busing plan. The symbolic importance of this decision is very large, and the city must be grateful to Mr. Hobson for bringing his suit. But its actual impact in Washington, in terms of children affected, will be rather narrow.

In a curious outburst, Judge Wright calls the school system "a monument to the cynicism of the power structure." He is wrong. It is a monument to a lack of power, compounded by a lack of structure. Here lies the great enduring danger to the schools' future. The chief responsibility for the present state of affairs lies with his brother judges at the Federal Courthouse, who have been appointing the School Board all these years, and the Congress, which remains beyond the reach of any injunction.

The children of the slums need not merely equal education, but far more. The city's school system needs far more money than even their best schools now command; they need more than the good suburban systems, and only Congress can give it to them. The city needs genuinely desegregated schools, and it can achieve them only by running the schools at such high levels of quality that children of every race and class will be attracted to them.

Judge Wright has stamped out the worst abuses of the past, in the name of equality. But perhaps his greatest service is to give a great and irresistible urgency to Dr. Passow's recommendations. The injunction requires the School Board to take several very specific steps, but in fact the School Board must go much further. It must now proceed to see that equality means levelling up to the best standards in the city, and far beyond them.

LET'S HAVE PEACE IN VIETNAM—LET'S WIN

The **SPEAKER**. Under a previous order of the House, the gentleman from Idaho [Mr. HANSEN] is recognized for 60 minutes.

Mr. **HANSEN** of Idaho. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. **HANSEN** of Idaho. Mr. Speaker, there are three major courses of action open to the United States in Vietnam: First, pulling out completely; second, using all necessary and appropriate measures to achieve quick victory; or, third, muddling along as we are now doing with the prospect that the war will drag on, as has been predicted by the administration, for 10 years. A fourth course—negotiation—is closed to us, so far at least, because there has been no one with whom to negotiate.

Few, with the exception of the Communists and the most ardent "doves," favor our unilateral withdrawal. To do so would be to totally destroy our credibility with our friends and allies with whom we have mutual defense agreements or other commitments. The image we now present to them is tarnished enough as its is because of our vacillation and indecision.

It is abundantly clear, as shown by polls across the country, that a vast majority of Americans favor winning the war in Vietnam, and winning it as quickly as possible with a minimum loss of American lives.

To them—and to me—it is incredible that the United States, the mightiest power in the world, has allowed itself to become bogged down in a hit-and-run, skirmish-type war where we are held at bay by a tiny, backward, and impotent country. We have, however, brought this situation upon ourselves because of our declared no-win policy and our violation of three fundamental military maxims.

First, we are fighting, primarily, a defensive war. Second, we are insisting that the war be fought on friendly soil rather than on enemy territory. And third, we have provided the enemy sanctuary and other advantages by publicly stating self-imposed limitations on our military operations, rather than keeping them guessing.

To term the Vietnam conflict a civil war is completely false. It is not, and the presence of large numbers of North Vietnamese Army units in South Vietnam proves this. Also, no parallel can be drawn between our presence there and the presence of North Vietnam. We are there—500,000 strong—because we were asked by the duly constituted Government of South Vietnam to help preserve its territorial integrity. The North Vietnamese are there in open invasion, with intent to conquer. It matters not that there has been no declaration of war. The fighting is just as real; the dead are just as dead.

What should be done? The United States, which has been overly patient up to this point, should make a final effort to get Ho Chi Minh to cease hostilities and come to the negotiating table, but this time with an "or else" attached.

Ho should be told that if he does not cease hostilities now and negotiate, his troops will have no sanctuary—anyplace, anytime. He should be told, much as General Eisenhower told the Chinese Reds in Korea that, unless he stops his aggression, we will use whatever means are necessary—with no holds barred—to defeat him.

He should be told that every effort will be made, including all necessary naval, air, and ground measures, to cut off all supplies reaching North Vietnam from outside sources.

An irony of the situation in Vietnam is that, while we have a half million troops tied down there, the major hostile powers, Russia and China, have no military units involved. And, while our troops are tied down, we are seriously weakened in the flexible strength needed for any possible major confrontation with the Communist powers and, for that matter, even to combat other such so-called wars of liberation should they occur.

A lesson we must draw from Vietnam is that our current policy there does not set a viable posture in handling wars of liberation. We cannot tolerate such wars being dragged on indefinitely. We could not possibly handle two or three more such wars at the same time using current methods. We must handle them with dispatch and finality.

History has proven that the only thing the Communists respect is strength. Each and every time that a Commuist probe has been confronted with a show of strength, they have backed down. It has only been when weakness was shown that they have continued their forward thrusts.

It is long overdue, but it is not too late. With resoluteness and courage among our policymakers in Washington—and with a rekindled determination to win—we can end this bitter struggle.

Our young men in Vietnam have that resoluteness and courage—and they have the determination to win if we will unshackle them. It is utterly immoral that they be asked to fight and die when we refuse to make every effort to consolidate the victories they win and when we deny them the maximum support needed to give them every best possible chance of success and of returning home alive.

It should be remembered that, from the Geneva agreement of 1954 until 1961, there was relative peace in South Vietnam with a complete accord between the Eisenhower administration and the Diem regime. It was not until 1961 that the first American was killed in Vietnam due to hostile action. Since that time we have become increasingly involved with no end in sight.

If Ho Chi Minh will not cease his aggression and negotiate, let us then do what must be done to put an end to this absurdity.

Let us have peace in Vietnam—let us win.

Now, Mr. Speaker, I believe it is absolutely essential that we place the problem of Southeast Asia in perspective by relating it to overall world conditions.

On May 6, 1966, I issued a statement on world communism and Vietnam, dealing directly with this matter, as follows:

> I believe it is most important to point out, at the very beginning of this statement, that the real international problem confronting the United States today is not the war in Vietnam, but rather the unceasing efforts of the Communist conspiracy to subjugate the entire world and the consistency, or inconsistency, of our efforts in dealing with this grave situation. Vietnam is, as are Cuba and the Berlin Wall, and as were Korea, Laos and Lebanon, merely symptomatic of the disease.
>
> Now, we all view the split in the Communist world with some hope, but it would be tragic to lull ourselves into a false sense of security because of it. The split, primarily, is over the means that the two Communist powers—Russia and Red China—would use to achieve Communism's announced goal of world domination: militancy or so-called "peaceful co-existence". There can be little comfort for us in this when the success of either method would mean the destruction

of our great economic structure and constitutional system of government.

In view of this, the importance of Vietnam cannot be played down either tactically or philosophically. Not only is it the key to the self-determination of an area with a combined population as large as that of the United States, it is a challenge to us to honor our commitment to defend a free nation and thus encourage the cause of freedom and self-determination of people everywhere.

There are many in this country who have actually taken to the streets or otherwise actively supported efforts of minority groups to achieve a voice in our government. I find it a little hard to comprehend why some of these very same people are among those who criticize the United States when it attempts to give to the people of an entire country that same voice in government.

In addition—and, to me, of even more importance—it is vital in behalf of our own best interest, even our own self-preservation, that the war against those who would destroy us be carried on half way around the world rather than at Pearl Harbor or San Francisco.

I would remind those who scoff at the menace of Communism of the words attributed to Lenin. "First we will take eastern Europe. Next the masses of Asia. Then we shall encircle that last bastion of capitalism, the United States. We shall not have to attack. It will fall like an overripe fruit into our hands."

I would remind those who scoff at the menace of Communism that it has taken eastern Europe. I would remind those who scoff at the menace of Communism that it is now far along in the second phase of its plan, the conquest of Asia. China, the giant of the Orient, has become an integral part of the world Communist movement. Laos has fallen, and now the struggle centers in Vietnam.

I am deeply concerned, as are my colleagues on both sides of the aisle, about the conduct of this tragic war in Vietnam, about the unexplained shifts in policy, the starting and stopping and starting of bombing in the North, the failure to make any real progress after the commitment of some 250,000 American troops and the uncertainty of our objectives.

As far as I know, this is the first time that the United States, even from its early and humble beginning, has sat right down in the middle of a major conflict to decide, not whether the cause is just, but whether it can win—or whether it should even be involved at all.

I am not a "hawk," I do not believe there are any real "hawks" in the United States. I am confident that all Americans earnestly, ardently want peace—the only difference being in the course of action we should take to gain it. The real warhawks are nested in such places as Hanoi, Peiping and Moscow. Let's be realistic. It is almost impossible, when dealing with a confirmed aggressor, to gain at the conference table that which you cannot gain on the battlefield. Thus, to attain peace without the abject surrender of South Vietnam to the Communists, we must make the war so costly to these hawks that they will see fit to end their provocations.

In the past, along with others of both major parties, I have made public suggestions that we deny all supplies to those who would subject South Vietnam to Communist domination by mining the waters of Haiphong Harbor and by the complete interdiction of all overland supply routes leading into North Vietnam. This is isolating, not escalating, the conflict. My purpose, whenever I have made such a suggestion, has been to urge a policy course that would safeguard the freedom and independence of South Vietnam with a minimum loss, not only of American lives, but of the lives of the South Vietnamese, in and out of uniform, and of the lives of those with whom we are engaged in conflict. It has been to urge a policy course that would destroy the means to wage war, not to destroy people.

That is one side of the coin—the side assuring a free and independent South Vietnam through the use of as much of our military power as is necessary to achieve the end result—and its use in such a way that countless lives are not dribbled away in a protracted, "no-win war," a war fought to a stalemate. There is no reason for the greatest power on earth to allow itself to be bogged down by indecision and lack of concerted action while the hope and well-being of those we would aid erodes and crumbles with each passing day.

Now, let's take a look at the other side of the coin—the side represented by our withdrawal from South Vietnam, or even by our appeasement of the Communist aggressors. The result in both cases would eventually be the same. The Communists would ultimately take over.

Should we allow this take-over, either by a Communist government, or by the intrusion of Communists into the government of South Vietnam, no nation in the world, large or small, could ever again place reliance on our treaty commitments. We would stand dishonored among the nations of the world. We would also be condemning millions of innocent Vietnamese to the certain death of slavery that would await them in a system of reprisals and lack of respect for human life.

A broad statement? Yes, but a statement based on history and fact—a statement based on the predictable actions of Communists through their past performances.

Under the terms of the Geneva agreements, all who elected to leave North Vietnam were to be allowed to do so. It is estimated that a million did. However, Ho Chi Minh prevented the migration of untold thousands more to South Vietnam, and no one will ever know just how many of those who applied for sanctuary were murdered.

Should we now allow a Communist take-over in South Vietnam, the million North Vietnamese who voted against Communism with their feet would likely be liquidated, as would their families and friends. All South Vietnam would be placed at the mercy (where none exists) of the bestial Vietcong who have been systematically butchering innocent men, women, and children in hundreds of peaceful South Vietnamese villages for more than a decade. Atheistic Communism could be relied upon to either liquidate or enslave all religious groups. Businessmen, professional men, teachers and students, farmers and laborers would all feel the wrath of the Communist conqueror.

But more important than the fate of South Vietnam is the fate of other free countries around the world. If we give in to the Communist conspiracy in South Vietnam, who can doubt that it will not strike again elsewhere? At the present time, Peiping and Moscow are sitting back, not overtly risking a single Chinese or Russian life, and are letting the North Vietnamese do their dirty work for them. If they are successful here, they will then most certainly be encouraged to probe some other spot.

And if we run here, where will we stop running? The Philippines? Australia and New Zealand? Argentine? Mexico? Or will we run until we are forced to make our stand on American soil?

We can win in Vietnam, but it will not be an easy victory. A United States with that quality it has always possessed—the will to win—led by men who are more concerned with what is right rather than by what our "image" will appear to be can end this war and end it soon. But the lack of the "will to win", coupled with mismanagement and inefficiency, cannot only cost us the war but it can also cost us the peace.

Continued Communist probes must be made to fail consistently to discourage aggression and to avoid any dangerous miscalculation on their part of our intentions.

It will take resolve and unity tempered with restraint and compassion to achieve an honorable end to the war in Vietnam.

Let us get on with the job.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. HANSEN of Idaho. I yield to the gentleman.

Mr. HALL. I want to compliment the gentleman for his perceptive and incisive statement.

I particularly would like to refer to the gentleman's observations concerning our insistence on pursuing the defense of liberty and of not rewarding aggression only on friendly territory, where we have been asked, even though the aggressor has been the invader in all instances.

Second. I would like to reemphasize the point that the gentleman has so keenly outlined about providing sanctuary for the enemy.

A review of all military history will show that there has seldom been a win marked up on the side of those who would defend freedom under any circumstances when they allow their opponent to have sanctuary. It is an utterly absurd situation.

Finally, I would like to repeat what I have said on the floor of this House for so long—not only, as the gentleman says, do the American people want us to cease this impasse, but they are very anxious that we win.

Let the host nation have their elections—turn it over to some organization and bring our men home.

But in addition, our people, as I sense their feeling throughout the length and breadth of the country and as a result of traveling throughout the country—as I say, our people are in a quandary because they would like to do this quickly and they do not know how to do it—until such time as they can get rid of Robert "Strange" McNamara, because of his many errors.

Mr. HANSEN of Idaho. I thank the gentleman from Missouri for his pertinent and kind remarks.

Mr. LUKENS. Mr. Speaker, will the gentleman yield?

Mr. HANSEN of Idaho. I yield to the gentleman.

Mr. LUKENS. Mr. Speaker, I rise to support the comments of my colleague, the gentleman from Idaho [Mr. HANSEN], and I would like to congratulate him on the remarks he has made that are very timely and very appropriate.

I would like to add one comment with reference to the future power of this country known as America. It seems to me, no nation in the world can be neutral, let alone be free.

I think we are honestly and honorably committed in a fight and a struggle in Vietnam against worldwide communism, particularly the brand that is seen today, and that is manifest in the North Vietnamese invasion and infiltration of South Vietnam.

Second, this is a world of competition.

This country certainly knows what the word "competition" means.

I do not think any football team in the world can win by going to the 50-yard line. Yet, we find ourselves stating to the world at large that our goal is the 50-yard line in Vietnam and that we simply want to negotiate—period.

Now I think the orientals must think us fools, and the world at large must no longer fear or even respect the power and the authority that used to be America—that used to be international.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LUKENS. Mr. Speaker, sharing as I do the feelings of my colleague [Mr. Hansen] on the Vietnam war, I wish to express my gratitude to him for his remarks, and my complete concurrence in them. Those remarks, incorporating a cold, forthright reappraisal of the Vietnam situation, were most cogent and, further, were eminently necessary at a time when our country, the most powerful on earth, appears to be getting hopelessly bogged down in an Asian war the end of which is nowhere in sight.

Mr. Hansen is completely right in attacking the basically defensive nature of our war effort. Defensive tactics, history has proved, are in the end a futile means of winning a war. He is right in saying that the continuation of the Vietnam war weakens the strength of the United States and impairs the flexibility of our forces. He is right in saying that it is immoral to allow thousands of American soldiers to fight and die without ever having been assured that their objective is victory.

Mr. Hansen's contention that the overwhelming majority of the American people support his views, I know to be a certitude. In my own district—the 24th of Ohio—90.1 percent of the respondents to a questionnaire I sent out expressed the desire that the United States would push for total victory and quickly end the war, thereby ending the steady and unnecessary loss of American and Vietnamese lives. Only 3.4 percent opposed that course.

Mr. Speaker, it is my firm belief that the United States is not a militaristic nation—rather that our people's fondest hope is for peace, and that they abhor the loss of life that is the result of war.

However, it is my no less firm belief that at times it is necessary to express the willingness to use force—even total force—as a final means of maintaining peace and preventing undue loss of life.

This, I think, is the case in Vietnam. Because of a lack of leadership on the part of the administration, the issues in Vietnam are cloudy to the vast majority of our people. Moreover, because of the refusal of our leaders to express in no uncertain terms our commitment to victory, the North Vietnamese continue to foster doubts about our resolve—thus prolonging the war.

If a victory in Vietnam is vital to the preservation of freedom in Vietnam, the maintenance of a balance of power in Asia, and to the halting of the spread of communism—which I believe to be the case—then our goal is victory and should be announced as such. Further, the President should reiterate our willingness to use all the force necessary to bring a fast cessation of hostilities on the part of the true aggressor—the North Vietnamese.

The gentleman from Idaho [Mr. Hansen] has spoken out firmly on this need, and I therefore am happy to endorse his remarks.

Mr. HANSEN of Idaho. I thank the gentleman.

Mr. LLOYD. Mr. Speaker, will the gentleman yield?

Mr. HANSEN of Idaho. I yield to the gentleman.

Mr. LLOYD. I would like to compliment the respected gentleman from Idaho for his clear and forceful presentation of the great issue of our day and for his initiative in leading out in this dialog on the floor of the House this afternoon.

It happens that I was born in the congressional district in Idaho which my colleague, who is addressing us from the well of the House, now represents, and I am familiar with the widespread respect in which he is held throughout the intermountain area.

I believe it is extremely essential that we promote an increasing dialog concerning the subject of war and peace which the gentleman from Idaho is discussing, and certainly the subject matter as he has treated it is refreshing, coming as it does from a Representative of that great State, because there are other words coming out of Idaho from another elected official that are not entirely in harmony with those which my colleague has expressed this afternoon, and which might indicate that Idahoans do not support a strong policy of resistance in Vietnam. The gentleman in the well is evidence that this is not so.

While I may not agree with the gentleman in all of the military procedures which he might recommend, it is heartening to see an expansion of this dialog to include the views of more responsible Americans and a broadening of the conversations with regard to the alternatives which are available.

This afternoon there appeared in my office a very respected medical doctor from my district in Salt Lake City. He brought with him the appeal of several hundred persons, according to his statement, from that area who feel that this country should stop the bombing and withdraw to South Vietnam.

It was an expression of war weariness. It was a gentleman whom I respect. While I could not agree with him, yet I encouraged him to continue his reasonable inquiry and consideration with his associates of the various alternatives, because I believe we must expand the conversations and the debates. It is extremely heartening now that in this time when we are experiencing this understandable ennui and war weariness that expressions of courage, expressions of renewal, and expressions of force and strength be made on the House floor as is being done this afternoon by my distinguished colleague from Idaho. I wish to compliment him on his leadership and the initiative which he has taken in bringing his views to the attention of the House this afternoon.

Mr. HANSEN of Idaho. I thank the gentleman from Utah for his very kind and pertinent remarks, and certainly the interesting story that he just related.

Mr. McCLURE. Mr. Speaker, will the gentleman yield?

Mr. HANSEN of Idaho. I am glad to yield to my colleague from Idaho.

Mr. McCLURE. I thank the gentleman. I wish to compliment him on the statement which has been made today. I think the statement which was made by the gentleman from Utah alluding to the other sounds that are sometimes heard from the State of Idaho, certainly at variance from the statements made by the gentleman in the well of the House, need amplification because certainly there are very few people in the State of Idaho who are not willing to speak out strongly in support of our troops in Vietnam, and who would do anything at any time which would give aid and comfort to those who are trying to tear down our effort in Vietnam.

I wish to point up one fact my colleague mentioned in his statement. We must establish a policy of winning in Vietnam. Certainly it is my feeling, as I know it is the gentleman's feeling, that the Communists do not negotiate until they have something to gain by negotiation. Until we have enunciated a policy, firmly stated and followed through, that we intend to win in the conflict, then they will see they have nothing to gain, because now we have told them we do not intend to win. We merely intend to keep them from winning.

As the gentleman from Utah has said, the dialog that has taken place is certainly very useful, and I commend the gentleman in the well for his leadership in it.

Mr. HANSEN of Idaho. I thank my colleague from Idaho. I have some information which will be presented a little later that brings out the point he mentioned about the good people of Idaho and their attitude toward this war. I think it is also very pertinent to bring out the point that the gentleman mentioned about the Communist intentions when they come to the peace table. It is the old story of what is theirs is theirs and what is ours is negotiable, and they will not negotiate until they feel that they can get something of ours. They will not negotiate if they have to give up something of their own.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. HANSEN of Idaho. I yield to the gentleman from Ohio.

Mr. DEVINE. The statement which the gentleman in the well has made this afternoon is typical of the courageous stand that the gentleman from Idaho has taken on many of the issues before our Nation.

I am reminded of a remark attributed to our great leader General MacArthur when he said, "There is no substitute for victory."

Several weeks ago I was watching a CBS newscast, at which time they revealed a new high was reached in the number of casualties in Vietnam. I think

313 young Americans had been killed and over 2,600 had been injured. The newscaster then pointed out the fact that we had lost over 10,000 of our boys, and I believe over 73,000 injured on top of that.

In talking to the people in my district back in the Midwest in Ohio, I discovered that they have weighed the alternatives in the Vietnam conflict and crisis. They are not particularly interested in putting the finger of blame on anyone, but they are looking for solutions.

I read an advance copy of the remarks of the gentleman from Idaho in which he stated that perhaps—and I am not necessarily endorsing this view—perhaps an ultimatum should be laid down that unless the enemy, the Vietcong, the North Vietnamese, Ho Chi Minh and that group, agree to sit down at a negotiating table and discuss these issues, perhaps then the Department of Defense, the U.S. Government, will take some action, responsible action, I presume. This ultimatium approach has been suggested to me by some of my constituents and, as I have said, it is one of a number of alternatives that must be weighed.

I read with some interest and some reservations that the Secretary of Defense is scheduling, I believe, his seventh or eighth trip to South Vietnam. I have very mixed emotions about this, because every time he goes over there, he makes predictions that are wrong, and we seem to lose every time he goes over there.

I am reminded of a little quip that appeared in a group of news items the other day:

> We cannot imagine why Israel did not ask for our help. With LBJ's advisers in there, that short little war could have been dragged out for years.

Here we are. We have a Secretary of Defense who has been in that high position, highly respected by the President and others. Others may not feel the same about him, but he has been in that same important position since prior to our involvement in Vietnam, and he has an unenviable record about bad decisions and wrong guesses: The wrong guess about the missiles concept, the wrong guess about phasing out of manned bombers, the wrong guess about our boys being out of Vietnam before Christmas of 1964, I believe. Then he said we would stop losing.

It is very, very difficult for the American people to understand what is going on. I believe this colloquy the gentleman from Idaho is having on the floor is helpful in picking up the pieces. Let us go back to General MacArthur's suggestion again: There is no substitute for victory.

I thank the gentleman.

Mr. HANSEN of Idaho. Mr. Speaker, I thank the gentleman for his contribution. It has been suggested that we dole out black eye patches to some of the civilian members of the Pentagon. This was brought out by the little quip the gentleman quoted earlier.

It is unfortunate that we have not had the dialog earlier, because certainly the direction we are going does not seem to be the answer. I believe it is a time for seeking answers of some sort or another that would get us out of this war at an earlier date.

Again I thank the gentleman for his remarks.

Mr. TIERNAN. Mr. Speaker, will the gentleman yield?

Mr. HANSEN of Idaho. I yield to the gentleman from Rhode Island.

Mr. TIERNAN. I thought perhaps the gentleman would not know the State I am from. I am from Rhode Island, and I am the newest Congressman.

The people in my State support the war in Vietnam. I want to point out to the gentleman that I am acting as majority leader and defending our position. The responsibility falls on my shoulder. I was elected as a "hawk" and my Republican opponent was known as a "dove."

Mr. HANSEN of Idaho. Mr. Speaker, I appreciate the gentleman from Rhode Island making this contribution. I have supported the administration in its serious intentions in Vietnam and, for a great deal of the time, their actual policies, but I do believe something new seems to be in order if we are going to get through this problem.

I thank the gentleman for his contribution.

Mr. UTT. Mr. Speaker, I am pleased to add my voice to those of the gentleman from Idaho and others who desire peace in Vietnam—by winning.

We hear too much from those who desire peace—by losing. They would have us withdraw unilaterally and they try to convince us that all we would lose would be prestige. But only a very short history research would convince them that the loss of prestige would be but the first and least of the damaging consequences attending such action. Such an examination of recent history would also render unnecessary any belaboring of the world-domination intentions of the Communists.

We see a great deal of agitation to stop the bombing and get out of Vietnam by those whose only motivation is the pressure of the yellow streak down their backs. These are the beatniks who show their disdain for the proud heredity of our Nation by desecrating the flag in every way their warped minds can conceive.

There are many whose courage I do not question, but whose perfectly normal fear of the horror of nuclear warfare leads them to seek every avenue that appears to lead away from such possibility. I cannot in any way quarrel with their motivation, but I find myself in disagreement with their conclusion as to the best road to travel.

I am sure few, if any, of such people, if they were convinced there was no alternative to an immediate nuclear war other than one postponed for a few years, would rather see its fury unleashed upon their children than upon themselves. If they knew it had to come; that it was inevitable, and if they realized that today we are still militarily superior to the powers that might be hurled against us, they would feel their chances for survival would be better now than at such time in the future when the enemy has had an opportunity to match or exceed our power.

No, I do not want to see us engaged today, or at any time, in a nuclear war. But my point is that the time to prevent it is now, when we can speak from strength; now, when we can use the knowledge that our enemies have of that strength to make them realize that they must cease their aggression or suffer consequences which they are not prepared to take.

China has detonated a hydrogen bomb. Antiescalation forces step up their demands to get out now, before China gets us embroiled. But does anyone really believe that at their stage of development—many years behind us—that China is ready, willing, or able to do so?

But let us lose in Vietnam by complete withdrawal, thus allowing a total Communist takeover, or lose it at the negotiating table, and when the next "war of liberation" occurs—as it inevitably will—China may have advanced to where she can do more than be a paper tiger.

We are told it must be a long war, that there is no easy victory possible. I disagree. Ho Chi Minh, and the Chinese Communists, and the Russian Communists know of what destruction we are capable. They have no doubt about the will we have to win when we are so committed. Neither of them wishes to test our strength at this time.

So let us prevent world war III. Let us prevent the necessity of utterly destroying North Vietnam or any other area. Let us bring Ho Chi Minh to the negotiating table, but let us do it from a position of strength and determination. Let us make it unmistakably clear that he has no alternative to negotiation on our terms, other than oblivion.

We can save the lives of our boys in Vietnam, and those of thousands of others in the future, by simply using our strength as a threat—a threat that cannot be misunderstood as a bluff, but rather one that will be seen as an accurate picture of the alternative which we are totally committed and fully able to accomplish.

I am as anxious as any man alive that we have peace in Vietnam, but I want it to be a peace that is eminently fair to all parties concerned and, more importantly, that it be one that does not serve merely as a springboard to another war, as Korea did for Vietnam.

Mr. PRICE of Texas. Mr. Speaker, the war in Vietnam comes closer and closer to home as more and more U.S. citizen soldiers are involved and as the casualty reports mount.

As a participant in the Korean war, I can well understand the agony that comes from each of the "we regret to inform you" messages of the wounded or killed-in-action messages. I know what it was to lose a buddy to enemy action and can understand what the loss of a loved one means.

But I believe most of us understand the reasons and justifications for our involvement in this terrible war—a war neither of our making nor asking.

My main objection to the President's policy is his failure to fully utilize our naval and air superiority in stopping the flow of war materials and supplies to North Vietnam.

In view of the reaction to General Westmoreland's visit from the noisy and misguided or misinformed dissenters, it seems to me that these "doves" and doubters should be again reminded of history, although they apparently choose to ignore the real story of communism and its avowed goal of world conquest.

The infiltration and invasion of South Vietnam followed the usual Communist pattern of intimidation, murder, subversion, terrorism, and coercion under their propaganda camouflage of "liberation from imperialism."

But there is no more imperialistic nation in the world today than the Soviet Union. Freedom or the right of self-determination for the countries Russia took over after World War II such as Hungary, Latvia, Lithuania, Estonia, Rumania, Poland, and the others is a mockery of their so-called peoples democracy. And why the Berlin wall if these "liberated" people are so happy?

The Asian situation has been the same except for our intervention in Korea. Tibet, a once proud and independent nation, is an example. Anyone who doubts the intentions of the Communists even in the light of their recent deviations might read more closely the reports of events in Latin and South America. Here, in our own hemisphere, Communist Cuba is the base and training ground for more Vietnams in our backyard.

Castro has made a mockery of the Monroe Doctrine which said we would not tolerate the intervention of a foreign power in the internal affairs of any Latin American country. And had it not been for our timely intervention in the Dominican Republic, we would have had another Cuba to contend with.

Soviet party chief Leonid I. Brezhnev recently called for a world Communist conference for increased support of North Vietnam. He said Communist support for Vietnam is making itself "felt more and more strongly."

In no previous major conflict has this country been seriously divided, except for our own war between the states, and we cannot afford dissension under the continued subtle, devious, and deadly threats of international communism.

We can properly understand the struggle in Vietnam only if we recognize it for what it is—part of a vast and continuing struggle in which we have been engaged since the so-called end of World War II, but which was really a shift from a war of nazism against the world to a war of communism against the world—or for the world.

Former Under Secretary of State George W. Ball concluded a speech last year with:

> After all, it is not the American purpose simply to preserve the status quo. That was not our history and that is not our destiny. What we want to preserve is the freedom of choice for the peoples of the world. We will take our chances on that.

And we must take our chances on an all-out effort to put an end, and an honorable end, to this bogged-down war that the Communists would like to extend until we are slowly bled to death.

STATEMENT OF POSITION ON VIETNAM

Mr. HANSEN of Idaho. Mr. Speaker, many people continue to question the moral and legal basis of our involvement in Vietnam.

I, too, had some soul searching to do on this matter, the result of which was a speech which I delivered on the floor of the House on March 16, 1965.

I request that this statement be included in my present statement as though read.

Mr. Speaker, many are asking the question, "Why are we in Vietnam?" or "What is our policy in Vietnam?" To me, the reasons for our presence in this country are so crystal clear that I find it difficult to comprehend the confusion which now appears to exist on this subject.

We were invited into South Vietnam by the Government of that country and have never been asked to leave. We are in Vietnam because our own security and the security of the entire free world demands that a firm line be drawn against the forward advance of Communist imperialism—in Asia, in Africa, in Latin America, and in Europe. We are in Vietnam not merely to help the 14 million South Vietnamese defend themselves against communism, but because what is at stake is the independence and freedom of 240 million people in Southeast Asia and the future of freedom throughout the Western Pacific.

The senior Senator from Idaho and others have repeated the proposal that we should seek negotiations for the purpose of terminating the bloodshed in Vietnam and avoiding the enlargement of the war. While a most worthwhile goal, this proposal overlooks the fact that there already does exist a negotiated agreement on Vietnam, and its final declaration reads:

> Each member * * * undertakes to respect the sovereignty, the independence, the unity, and the territorial integrity of the above-mentioned states and to refrain from any interference in their internal affairs.

At a recent press conference, President Johnson stated:

> We have had direct discussions with almost every signatory of the 1954 and 1962 pacts. We have not had any indication * * * from anyone that Hanoi is prepared to stop doing what it is doing against its neighbors.

It would seem to me the only peace the Communists in this part of Asia are interested in at this point is a piece of South Vietnam.

President Johnson further illustrated the problem by quoting a friend who said:

> When I see the suggestions about negotiating, I wonder if folks don't recognize that there must be someone to negotiate with, and there must be someone willing to negotiate.

Senator THOMAS J. DODD in a speech on the floor of the U.S. Senate on February 23, 1965, stated:

> The defense of the free world rests on a very delicate balance. The key elements in that balance are American power and American determination. If we lack the power to maintain that balance then certainly all is lost. If we reveal that we lack the determination, if we, for instance, allow ourselves to be pushed out of Vietnam, such a humiliation may indeed be the second shot heard around the world; and a dozen nations might soon throw in the sponge and make whatever accommodation they could with an enemy that would then seem assured of victory.

To what point would we then retreat to anchor our perimeter of Pacific defense—Pearl Harbor?

Thailand's Foreign Minister, Thanat Khoman, declared in a recent interview:

> Neutrality is no longer a refuge. We have seen in Laos and India and elsewhere that neutrality does not prevent anyone from being attacked, from being subverted, from becoming a victim of aggression.

Our experience with communism has shown that the neutralization of a nation generally amounts to surrender on the installment plan.

Thanat made it plain that the thing which alarms him now is any U.S. talk, in Congress and the press, of calling it quits. He said:

> Some people are saying, "Let's go back to Geneva. Let's try again." Twice in one lifetime is enough. Every time you go to Geneva you surrender to the Communists. North Vietnam and Communist China have made it plain that what they want is a complete U.S. withdrawal. They are not interested in negotiations.
>
> South Vietnam has not asked anybody to negotiate its surrender to the Communists. I don't think we have the right to treat the South Vietnamese or the Laotians as chattels. We cannot dispose of them by international agreement.

Does anyone remember Munich, where Hitler's appetite was insatiably whetted by British concession and World War II was born?

Pote Sarasin, the longtime SEATO Secretary General who is now Thailand's Minister for National Development, has stated:

> I don't think the American people should limit their vision to the saving of Vietnam. I think this is a problem of saving the existing free countries of Asia. The Communists want nothing more than the complete withdrawal of American forces and bases from Asia. Yet we rely entirely on U.S. Forces and, like Malaysia with Britain, we cannot stand alone unless there is the support of the United States.

After considerable study of the issues and after listening to the President, his advisers, and other informed persons, I find myself wholeheartedly in support of the current position taken by the administration. We all hope for an early end to this frustrating struggle, but the only real solution is to convince the Communists to live up to agreements already made, not to create further agreements to be broken.

Senate Republican leader EVERETT M. DIRKSEN has asserted that the United States has "blown the trumpets of retreat too long" and that it is time to take a firm stand against the Communists.

I conclude with a statement made by Senator DODD 4 years ago on the floor of the Senate following a trip to Southeast Asia:

> If the United States, with its unrivaled might, with its unparalleled wealth, with its dominion over sea and air, with its heritage as the champion of freedom—if this United States and its free world allies have so diminished in spirit that they can be

laid in the dust by a few thousand primitive guerrillas, then we are far down the road from which there is no return.

In right and in might, we are able to work our will on this question. Southeast Asia cannot be lost unless we will it to be lost; it cannot be saved unless we will it to be saved.

This problem, seemingly so remote and distant, will in fact be resolved here in the United States, in the Congress, in the administration, and in the minds and hearts of the American people.

At this point, Mr. Speaker, it might be interesting to consider a news report by Kathleen Teltsch, writing in the New York Times of June 14, 1967, in which she said, in essence, that King Phumiphol Aduldet of Thailand said that efforts of American soldiers in Vietnam were being undermined by antiwar activity at home and by what he called "a war of brainwashing."

The report stated that the visiting monarch said he came to the United States to sound out Americans on the war—and to see for himself.

What he found, he said, was a view that the United States was involved in the war for somebody else.

He said—

> The United States is involved in Vietnam because its national security requires the advance of countries that would conquer the world be checked.

A member of the other body gave a major speech before the U.S. Senate earlier this year dealing with proposals of withdrawal, cessation of bombing and negotiation which should be explored for usefullness and validity. The following reports from various news sources, I feel deal objectively with these and other proposals of this nature.

[From the Baltimore Sun, Mar. 4, 1967 Saigon dateline]

Robert A. Erlandson. Military reaction was swift and predicatable today to Gen. William C. Westmoreland's lashing was "unwitting" sacrificers of American troop, the critics of U.S. bombing and shelling of North Vietnam.

Officers and enlisted men praised their commander's statement as the first solid official rebuke of those who would have the United States halt bombing without military reciprocity from the Communists and thus surrender whatever advantage is gained from the attacks.

Although he was not mentioned by name .... Senator Robert F. Kennedy . . . was obviously a major target because of his Senate speech seeking a bombing pause.

Westmoreland said, "As long as the enemy continues to move large quantities of men and war supplies from North Vietnam to South Vietnam, a bombing pause will cost many additional lives and probably prolong the conflict.

"I don't want to pay one drop of blood for a 'pig in a poke.' "

Then Westmoreland delivered his Sunday punch:

"The enemy is attempting to win the battle in the propaganda arena, and he has been encouraged by a number of unwitting if well-meaning groups."

[From the Wall Street Journal, Mar. 6, 1967]

Senator Robert Kennedy solemnly assures the nation he is aware of the precedent of Panmunjom, but his proposals make us wonder.

. . . During [Korean War negotiations], as the South Koreans recently reminded Ambassador Goldberg, the U.S. lost some 20,000 of the 54,000 dead it suffered in that war.

Now, the Communists have been hinting that if only the U.S. would unconditionally stop bombing North Vietnam, they would condescend to sit with us at another negotiating table. Senator Kennedy may be right that these hints are evidence of "a new and more hopeful moment of opportunity for settlement." On the other hand, as he also recognizes, they may be merely an attempt to get U.S. concessions in return for meaningless talks, or even, if you look suspiciously at what the North Vietnamese say, perhaps for no talks at all.

The Senator's "plan" to deal with the second eventuality is worthy of any good high school debating team. There would be an international control commission to tell the world if the Communists used the talks to build up their military forces, notwithstanding that none of the several such commissions has ever been effective in policing anything about any Communists.

And the other side did step up its military effort, the U.S. could simply walk out of the talks and resume bombing. We would then gain "far clearer international understanding of our motives and necessities."

In the real world, though, precisely the opposite would be more likely to happen if the U.S. ever did break up even the most pointless negotiations under the mere provocation of more Red infiltration. The cries of the hypocrites would reach an unprecedented roar, and "world opinion" would condemn not the Communists but the U.S.

The lesson of Panmunjom, then, is the old one that negotiations are not an end in themselves, but merely a means to a settlement. There is no point, and considerable risk, in making concessions to the Communists for nothing more than the dubious pleasure of their company at a negotiating table. Any concessions must be based on some assurance they are sincerely willing to see talks through to a settlement.

. . . If [the Communists] want negotiations without settlement they will demand U.S. concessions matched by none of their own. If they are willing to settle, they ought to be ready to . . . match any substantive concessions the U.S. makes.

These lessons seem to elude Senator Kennedy and other stop-the-bombing advocates. Certainly we need to "test the sincerity" of the barrage of negotiation hints from the Communists. That is precisely what the Administration is doing in demanding, so far vainly, some token of Communist good faith to match the token we would offer in calling off our planes.

[From the New York Times, Mar. 5, 1967, Washington dateline]

James Reston. Everybody in the present controversy about Vietnam in Washington wanted to know whether Hanoi was asking for a temporary or a permanent ban on bombing as a condition of starting peace talks. There is reason for saying specifically, not only on the testimony of high officials here but on the word of other Governments that want peace talks urgently, that the Johnson Administration put precisely this point to Hanoi, and the answer was very discouraging.

The Hanoi answer was, unless the highest officials here and in the Western embassies are not telling the truth, that the North Vietnamese Government wanted a simple one-for-one agreement: that they would agree to talk and no more than that if Washington would agree to stop the bombing. Hanoi rejected a limited bombing pause on the specific ground that this would be an "ultimatum."

At this point, it is understood, President Johnson tried another tack: would Hanoi agree to talk merely about talking? Would they talk about the conditions of a cease-fire, or about limiting the war publicly or limiting it privately without admitting they were limiting it? The information here, not only from the Johnson Administration but from others that want negotiations, is that Hanoi said "no": there must be a promise of no bombing, unconditional negotiations meant no time limit on negotiations; if Washington would stop the bombing Hanoi would talk; no more than that. It was that simple.

If this is the factual situation—and I believe it is—it should limit the domestic controversy. In the first place, it would rule out Senator Kennedy's three-point plan, for he insisted on the right of the U.S. to start the bombing again if the negotiations did not make progress; and it would eliminate Walter Lippmann's argument that Hanoi, with the support of Moscow, merely wants a temporary bombing truce which Washington is rejecting.

. . . Kennedy . . . is arguing for a limited truce, and this is precisely what the Administration and the Western diplomats in Hanoi say the North Vietnamese Government will not accept.

[From the Washington Star, Mar. 5, 1967]

The speech as a whole and the Kennedy peace plan in particular are notably imprecise.

It is possible, if there is no early change for the better in Vietnam, that Senator Kennedy has hit upon a formula which may in time bring him some political dividends. But in our view it is a formula that will contribute nothing whatever to a just and honorable settlement of the war.

[From the World Journal Tribune, Mar. 5, 1967]

The discouraging thing about Sen. Robert Kennedy's speech . . . is the widespread public tendency to regard it as just a gambit on the political chessboard. . . .

There was almost nothing new in the Kennedy statement. Its main theme had been stated before by (among others) Sen. Javits . . . and was far less of an attack on the President's policies than has been made by (among others) Sen. Clark, a Democrat.

To see Kennedy's speech only in the context of some titanic struggle of political giants is at once to underrate it—and to give it a spectacular quality it does not deserve.

[From the New York Times, Mar. 5, 1967]

C. L. Sulzberger. Kennedy's desire to ponder new approaches is commendable. Nevertheless he should remember that naive foreigners sometimes confuse the opinions of American public figures such as Senators with those of the Administration. Undoubtedly some Asians suspect—quite erroneously, one may be sure—that Kennedy is floating a trial balloon for President Johnson.

The improving military and political situation in South Vietnam has produced a new sense of nationalism which . . . leads to rejection of American advice on an increasing number of issues. Recent anti-French demonstrations are part of this picture.

Their real intent was to warn Washington that Saigon will not accept a compromise "sell-out." When an effigy of de Gaulle was pelted on the eve of U.S. Ambassador Goldberg's arrival in Saigon, this was a subtle way of implying disapproval for American, not French, opposition to the Saigon regime's tough line.

The South Vietnamese don't really have a clue to American politics and are wholly unable to distinguish between the opinions of Lyndon Johnson and Bobby Kennedy—which cannot comfort either man. The French don't understand American politics either but they don't confuse Lyndon with

Bobby. The "top people" here only wonder—at least when it involves them—whether foreign policy is a suitable weapon for internal politics.

[From the New York Times, Mar. 5, 1967, Hong Kong dateline]

North Vietnam asserted today that the U.S. Government was in an "awkward and embarrassing position" following Senator Robert F. Kennedy's speech . . . which Hanoi interpreted as indications of growing opposition to President Johnson's policies.

By . . . prosecuting the war . . . the U.S. leaders are inviting upon themselves ever stronger condemnation "by the American people" and even by "certain sections of the ruling circles."

It stated that the Senate had witnessed "many heated debates" in the last few days during discussions of President Johnson's request for an additional appropriation of $4.5 billion for the war . . . and added that many Senators had "condemned United States aggression in Vietnam and the Johnson Administration's policy of intensifying the war."

They included J. W. Fulbright . . . and Joseph S. Clark. . . .

Senator Kennedy, [Nhan Dan, the North Vietnamese newspaper] declared, "denounced Johnson for 'steadily widening the war' and urge the U.S. administration to halt bombing in North Vietnam unconditionally so as to 'bring peace nearer.'" He also "urged the United States to recognize and talk with the South Vietnam National Liberation Front," it added.

Mr. Speaker, we are all concerned about finding a solution to our dilemma in Southeast Asia. While some favor unilateral deescalation measures such as cessation of bombing and/or withdrawal of our forces, I believe a vast majority of U.S. citizens express themselves in a manner similar to my constituents who, since I first took office in 1965, have expressed a continuing concern that we press the war in Vietnam to an early and successful conclusion.

I concluded a districtwide poll in 1965 which showed that 79 percent believed North Vietnam had violated the 1954 Geneva Agreement, and that 77.4 percent favored retaliatory air strikes and other similar measures againt them.

Then, in 1966, responding to a similar poll, 66 percent regarded our overall effort in Southeast Asia to be vital to the interests of the United States, and 85.1 percent favored cutting all supplies reaching North Vietnam by land, sea, and air.

As far back as August 6, 1965, I wrote to President Johnson of my concern that the wrong emphasis was being placed in the prosecution of the war.

The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 6, 1965.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: I believe, and I am sure you will agree, that there is no matter of more concern to Americans than the current situation in Vietnam; and I am also sure that millions of our citizens join me in the desire that we push through to victory and the peace we seek in Vietnam, but with emphasis on weaponry, not on manpower.

I sincerely hope and trust you will accept this letter in the spirit intended. Often constructively intended suggestions become misinterpreted and distorted because of political considerations which certainly have no part in an issue of such grave consequences.

It is important that national unity be maintained in these perilous times, and I assure you that I stand firmly behind your efforts to stop Communist aggression and maintain world peace. However, rather than sacrificing thousands of America's fine young men, let us not hesitate to use the power that has made us great rather than allow our strength to be dissipated through a long-term program of slow slaughter—inevitable if we fight the Communists by letting them choose the weapons and the terrain.

In an alley fight between two different sized individuals, the smaller of the two needs an equalizer. The Reds in Asia outnumber us by the millions and we need an equalizer—which we have in our superior weaponry, faster planes, and technical productive facilities. It would be wrong to engage in an unnecessary massive swamp war over 8,000 miles from home where the terrain and conditions favor the Viet Cong and not use this equalizer to the very greatest extent possible.

The cannon fodder concept is wrong for us, and the United States should concentrate on the type warfare best suited to its ability and weapons. It would be cruel and immoral to send thousands of U.S. troops to engage in ground warfare without first exhausting every other means of defeating the enemy.

Let's not fight the wrong war at the wrong time in the wrong place.

I believe further effort should be made to exploit the possibility that the Communists can be starved out of their power and their will to fight, and that peace can be more readily achieved by placing proper stress on those means which we can most conveniently employ, such as cutting off supplies through intensive bombing, an inflexible sea blockade, and harassment of staging areas.

I understand, Mr. President, the need for the use of infantry, but we must not allow the Communists to force us to spread our armed forces too thin. We have 700,000 armed men scattered throughout the world today. We cannot be the policeman for humanity unless we use our assets efficiently and get a lot of "deputies" from other freedom-loving countries to help us maintain the peace.

We must continue to develop and use devastating weaponry because the Communists, like the arsonist, have developed a policy of starting "brushfire" wars in various parts of the world, hoping to keep heavy numbers of our troops engaged in the role of fireman and thus making it costly in money and suffering for the United States. But we can win decisively—we can achieve peace without ten years of mud and blood in Vietnam. We can use the firepower we have available and back it up with a flood of production to keep our arsenal stocked and available.

The United States is now heavily involved in its second major undeclared war in a generation and I would hope, Mr. President, that since the power to declare war and appropriate money for the national defense rests with the Congress, that you will make every effort to afford Members of Congress the opportunity to be informed and exercise their constitutional responsibilities in the overall course of action and decisions that face us.

No man should have to bear this burden alone.

Respectfully yours,
GEORGE V. HANSEN,
Member of Congress.

Similar concern and criticism has been voiced by many knowledgable persons.

Typical of these criticisms are the two following articles: one appearing in the Washington Observer News Letter of Febraury 1, 1967, and the other by Frederick Taylor, writing in the Wall Street Journal on June 15, 1967.

[From the Washington Observer Newsletter, Feb. 1, 1967]

PRESSURE TO APPEASE

President Johnson has on his desk a top secret report: it is a State Department-CIA combined estimate, purportedly based on reliable intelligence data, that if the U.S. blockades North Viet Nam harbors we will face a direct confrontation with Russia; that the Soviet leaders will use their naval forces to convoy Russian freighters through the quarantined areas and that while the Soviets would like to avoid a direct confrontation they are ready to take the calculated risk that when the U.S. is openly challenged President Johnson will agree to arbitrate.

The Joint Chiefs of Staff, however, have submitted directly opposite evaluation reports also based on reliable intelligence information; that if Haiphong harbor and other smaller North Viet Nam ports are blockaded the Soviet Union will renege on its treaty commitments to defend North Viet Nam and thereby lose its authority in the entire Communist world. And Red China, seeing that the U.S. was willing to risk allout war, would quickly back down and withdraw its support of Ho Chi Minh, according to the military authorities. The total cutoff of supplies of ammunition, guns and oil by an effective quarantine will end Communist aggression with ninety days according to this sound strategic evaluation. All of our responsible military leaders have concurred on the urgent necessity of an immediate blockade along Ho Chi Minh's coastline.

LBJ is well aware of growing pressure within the United States for decisive action in the war. While the President has made no definite commitment, a White House source advises that he has yielded to State Department advice that he can dodge the gamble of direct confrontation by a campaign of blandishments that will appease the Kremlin by East-West trade on long-term credits, a Consular Treaty and a new arms limitation treaty. Presumably the masters of the Kremlin will gradually curtail their support of North Viet Nam and we will eventually attain victory by attrition. But with the continuing escalation of the war, the military leaders are gaining support in Congress and the Nation.

[From the Wall Street Journal, June 15, 1967, Saigon dateline]

FREDERICK TAYLOR. [Using automatic data processing equipment] the "intelligence community" here has been able to come up with estimates of the enemy's intentions and capabilities. They are not encouraging to those looking for an early end of the war. Here's the picture seen:

The North Vietnamese high command no longer has hopes of an outright military victory . . . but Hanoi does not intend to scale down the fighting to a guerrilla-warfare stage. Instead, the Communists are prepared to fight a protracted war of attrition. They aim to . . . dishearten the U.S., causing it eventually to withdraw and deliver South Vietnam into the Communists' hands. Some captured documents suggest Hanoi thinks this might happen by 1970, others that it won't happen for 20 years; in any case, Hanoi expects to fight for years at about the present level.

The enemy can keep on fighting at the present pace indefinitely. Despite high casualties—190,000 killed since 1961 . . . the North Vietnamese and Vietcong forces in South Vietnam today total 292,000 men compared with 280,000 a year ago and 230,000 in 1965 when the U.S. entered the ground war. Infiltration of men from North Vietnam continues to run at 7,000 a month despite all U.S. efforts to cut it and may have increased in recent months. Another 7,000 men a month are recruited one way or another in the South. Increasingly sophisticated weapons continue to find their way into an increasing number of enemy hands.

"It's not a pretty picture," says an intelligence expert, "but we think it's a realistic one."

More highly critical of administration policies in Vietnam is a series of articles by an eminently qualified military authority, Maj. Gen. Thomas A. Lane, U.S. Army, retired, entitled "Vietnam—Observations on American Policies."

Vietnam—Observations on American Policies

(By Maj. Gen. Thomas A. Lane, U.S. Army, retired, Washington, D.C., February 1967)

ABOUT THE AUTHOR

Major General Thomas A. Lane, United States Army, Retired, was born at Revere, Massachusetts, in 1906.

He received his early education in the public schools of Revere and Boston, where his quiet leadership won him early distinction. In 1928, he graduated with honors from the United States Military Academy and was commissioned a second lieutenant in the Corps of Engineers, U.S. Army. In the following years he pursued his dual career as soldier and engineer, rising to the rank of major general, in which he retired in 1962 at his own request to gain the freedom for his present writing career.

General Lane has been a lifetime student of war and national policy. From 1935 to 1939, he taught military history at the United States Military Academy. From 1943 to 1945, he served as plans and operations officer on the engineer staff of General Douglas MacArthur in the Southwest Pacific campaigns from New Guinea to Japan. For this war service, he was awarded the Distinguished Service Medal. From 1946 to 1948, he served as Engineer Instructor and Chief of the Logistics Division at the Air Command and Staff School of the new Air University at Maxwell Field, Alabama. He graduated from the National War College in 1953.

In 1954, General Lane was recalled to Washington to serve as Engineer Commissioner of the District of Columbia. In this office, he shared with two fellow Commissioners the administration of the government of the District of Columbia and served concurrently as a member of the Public Utilities Commission of the District of Columbia and of the National Capital Planning Commission. These duties gave him breadth of experience in practical government which few men attain.

His next assignment was to command Fort Leonard Wood, Missouri, one of the United States Army's basic training centers. There he carried a responsibility for training American youth in their first military service and for administering a command of thirty thousand military personnel.

His final military assignment, as President of the Mississippi River Commission, in charge of Federal flood control and navigation work from Missouri to the Gulf of Mexico, capped his career as a soldier and engineer. On retirement, he was awarded the Oak Leaf Cluster to his Distinguished Service Medal.

Since his retirement from active duty with the Army, General Lane has served as military analyst and columnist for a number of important newspapers, giving the public his appraisals of current national programs and policies. At present his columns on public affairs appear three times each week.

Since January 16, 1965, General Lane has served as President and Chief Executive Officer of Americans For Constitutional Action.

HAS AMERICA FORSAKEN PEACE?

DECEMBER 24, 1966

WASHINGTON.—Peace is not merely the absence of war: it is a condition of the human spirit. Those who would demean the human spirit to avoid war are confusing peace with cowardice. Let it be clear in this holy season that they have no communion with the Prince of Peace.

The followers of Jesus offered their lives to bear witness to His truth. Did they find peace in following Him, even unto violent death? Indeed they did. They found that peace of the spirit which He had promised to them.

Peace is the nobility of spirit reached through steadfast devotion to truth. It is superior to all material blandishments. Because it marks the highest reach of the human spirit, it has in all ages and among all peoples been respected and admired by men. It is the gift of God.

In his day, Dr. Samuel Johnson wrote that "Patriotism is the last refuge of a scoundrel." Of course! In 18th century England, patriotism was esteemed as an attribute of honorable men. It was inevitable that knaves of the day would seek to hide their skulduggery under a mask of patriotism.

In like manner today, scoundrels conceal their cowardice and corruption behind a mask of peace. They pose sanctimoniously as advocates of peace while they mainly sacrifice every principle of honorable behavior and weaken the fiber of our civilization. Their appeal is to fear.

Fear is an instinct, an emotion. It is protective in alerting us to danger, but it can be destructive if it is not controlled by reason. Men of mean spirit marshal the destructive power of fear to impose on our people the expedient compromise with evil.

Through their design, peace becomes an exploitation of the instinct to flee from danger. Like jackrabbits running into the headlights of an oncoming car, nations dominated by fear assure their own destruction. They are led by men who cry peace.

The Prince of Peace showed us that peace can be won only through uncompromising dedication to truth. Only by scaling the heights of spirituality can mankind put an end to human strife.

Today, however, many of His followers aver that strife is to be avoided by compromise with evil. Accommodation is their watchword. They condone the enslavement of captive peoples, ignore the slaughter of innocent millions who have been victims of communism, extenuate the communist terror waged against unoffending peasants and seek dialogue with barbaric tyrants. These are the works not of charity but of cowardice. What blasphemy it is to claim they are works of peace!

"Greater love hath no man than this, that he lay down his life for his friends." In Vietnam today, our youth are called to make this sacrifice for their friends in freedom, the valiant people of South Vietnam. They offer their arms, their skills, their strength in service to a just cause. They are our men of peace. They are in communion with the Prince of Peace.

Tragically, these honorable men are betrayed by national leadership which, through pretensions of peace, encourages the enemy to expand and prolong the war. Leaders of both parties mock principle, preach expediency and advocate accommodation as the avenue to peace. Instead of repelling forthrightly the communist aggression from North Vietnam and summarily winning the war, they cripple South Vietnam with restrictions on its rights of self defense, restrictions cynically advanced in the name of peace.

Pretensions of peace which are the magic of politics are the mask of cowardice and the poison of nations. Until men come again to regard peace as an elevation of the human spirit achieved through man's conquest of fear, they will know no peace. Jesus showed us the way, but we have not followed Him.

MAXIMUM COST, MINIMUM EFFECT MEASURES M'NAMARA'S WAR, JANUARY 21, 1967

WASHINGTON.—Never before in history has the United States waged war with so great cost and so little effect. What irony that this should be the crowning achievement of our first cost-effectiveness Secretary of Defense!

Secretary McNamara inaugurated new cost-effectiveness methods and standards in the Defense Department to end the legendary waste of military operations and assure the taxpayer value for his dollar. Now, after six years of war by computer, we can assess the result:

We are fighting an impoverished nation of some 16 million people.

We have suffered more than 40,000 casualties.

We have lost more than 600 planes in battle.

We have spent more than 20 billion dollars on the war and are now spending at a rate of 2 billion dollars per month.

We are using artillery at a rate approximating that of World War II.

We have used as heavy a tonnage of bombs as we used in the entire Pacific theater in World War II.

Yet, the enemy is stronger than ever. When Secretary McNamara took office in 1961, the Viet Cong strength was estimated at about 20,000. Now its strength in South Vietnam is about 280,000.

Actually, there wasn't any war in South Vietnam when Secretary McNamara took office. The first American to be killed by hostile action died later that year. Americans had then been training the South Vietnamese Army for seven years!

In 1961, South Vietnam was at peace, a model of successful resistance to communist aggression. The story that the people of South Vietnam have been fighting continuously for twenty years is part of the Administration mythology which its apologists assiduously cultivate.

Never before in the history of war has so little been accomplished with so much.

Why is this so? It is the consequence of ignorance of war.

Secretary McNamara and his planners have foolishly believed that they could scare Ho Chi Minh without hurting him. They have made carefully calculated increases of punshment designed to bring him to his senses, but Ho has failed to respond. Ho doesn't seem to think as our planners think he should.

Ho knows that Secretary McNamara is scared. Why else would the United States behave as it does?

For example, it is an elementary precept of air warfare that you destroy the enemy's planes by bombardment of his airfields so that your pilots will not have to meet those planes in the air. But in Vietnam, Secretary McNamara has decreed that the enemy airfields shall not be bombed.

Why would the United States impose so crippling a rule of air warfare upon its fighting men? Because, if the United States knocks out the North Vietnam airfields, Communist China might be tempted to provide air defense of North Vietnam from Chinese airfields, and President Johnson would then have to decide whether to allow sanctuary to Communist China.

If North Vietnamese forces strike through the demilitarized zone against our Marines in South Vietnam, why can't our Marines strike back through the zone against enemy forces in North Vietnam? Why should our fighting Marines be crippled by such advantages conceded to the enemy? Answer: Secretary McNamara fears that if our Marines set foot in North Vietnam and destroyed the enemy there, Communist China might come into the war.

You see, we are not really fighting the war. Our forces are there, taking the punishment, but prohibited by Secretary McNamara's rules from using their power against the enemy.

Secretary McNamara is bluffing, and the enemy knows it. He is parading power in a show of force but is afraid to use the power.

He is achieving miracles of troops shipped, tonnage supplied, sorties flown and bombs dropped; but the enemy is winning the war.

War is more than an accounting game. Men are killed and causes are lost while Secretary McNamara burrows in his statistics and hides from the realities of war.

PARALYSIS OF LEADERSHIP THREATENS U.S. SURVIVAL, JANUARY 17, 1967

WASHINGTON.—The President's address to Congress on the State of the Union was a shocking revelation of leadership paralysis. It was the report of a man who has been overtaken by disaster and is incapable of rising above the sea of woe which besets him. All he could do was to reiterate the error which has brought the nation face-to-face with defeat in Vietnam, in Nato and at home.

He admited that the Soviet Union is building an antimissile defense around Moscow. He knows that the Soviet Union is, in comparison with the United States, an impoverished nation. Yet, he pleaded that the United States should not accept the Soviet challenge but should seek further negotiations to avoid an arms race.

The President has been negotiating with the Soviet Union continuously since he took office. He knows that the Soviet Union is building its missile defense in blatant defiance of U.S. disarmament proposals.

The President is deceiving the people with false hopes that he can dissuade the Soviet leaders from their arms build-up. He is trifling with the security of the United States. He is incapable of rising above his illusions and countering responsibly the initiatives of the Soviet Union.

In the matter of Vietnam, President Johnson seemed like a man possessed. He is convinced that his course is right. He will not consider any initiative to win the war. He is just going to keep on taking the punishment until the enemy sees the light and sues for peace.

This is precisely the posture which President Truman assumed in Korea in 1951. Our forces had been severely whipping the Communist Chinese invaders when President Truman stopped their advance and sued for peace. For two years, he immobilized our forces along the 38th parallel, completely surrendering the initiative to the enemy. He wouldn't advance and he wouldn't retreat.

The communists contemptuously derided the Truman peace initiative. They made world-wide capital of the propaganda that they were defeating the United States.

Our Korean casualties doubled after President Truman tried to stop fighting. The President never did liberate himself from the illusion that he was sacrificing our soldiers in the cause of peace. Someone else had to end the war.

President Johnson seems to be caught up in the same hypnosis about peace. He lacks the vision and resolution to end the war.

This is a situation of serious import to the country and to the Democratic Party. The American people are beginning to realize that this waste of U.S. and South Vietnamese lives in protracted warfare with an impoverished communist puppet state is the consequence of inept presidential leadership. If they must again repudiate Democratic leadership in order to win the war, they will do so.

If the people must again repudiate the Democratic Party, this may be the last time. It may be impossible ever again to trust the Party with national leadership. Its utter unfitness to lead in today's world will have been demonstrated beyond any shadow of doubt.

If the Democratic Party is to be saved, its political leaders must rescue President Johnson from the paralysis which his bureaucratic aides have imposed upon him. If they fail, the Party should be destroyed by the American people.

The people should never again permit any leadership to condone such waste of our youth as we have now suffered in two wars, for want of the will to win.

PRESIDENT TAKES SOVIET PEACE LURE, DECEMBER 10, 1966

WASHINGTON.—Sometimes the casual statements of high officials give us an insight into the deeper errors of U.S. foreign policy. So it was on November 4, 1966 when President Johnson responded in his press conference to a question about the Soviet position on Vietnam: "I have every reason to believe that they would like to see the fighting stopped as much as we would like to see it stopped." This is a shocking misjudgment of the enemy's intentions, and even of who the enemy is.

The peace which the Soviet leaders seek in Vietnam is the peace of death for freedom. It will follow the expulsion of the United States from the country and the conquest of South Vietnam by Ho Chi Minh. If Andrei Gromyko assured the President of his government's desire for peace, this is the peace of which he spoke.

The Soviet Union is the directing intelligence and chief support of the aggression against South Vietnam. Its contributions are carefully coordinated with those of Communist China to assure balanced effectiveness.

In the light of recent history and the continuing adherence of Soviet leaders to their objective of world conquest, it is incredible that the President could credit Soviet leaders with a meaningful interest in peace in Vietnam. Yet, this is the apparent rationale of the agreement for direct flights between New York and Moscow and of the extension of U.S. financing for trade with iron curtain countries.

As though to confirm the presidential misjudgment, a news analyst predicts that peace in Vietnam is near. He reads in the continuing discourtesies exchanged by the Soviet Union and Communist China that both are wearying of the struggle and preparing excuses to withdraw from it. Blame attributed to the other power is seen as an alibi for failure.

This conclusion is reached in the face of mounting aggression in Vietnam. The rate of buildup of North Vietnam forces in South Vietnam has increased. General Westmoreland forecasts a requirement for more troops. And yet, some Americans are speculating that the communist world is one the ropes, ready to quit.

The clear implication of the record is that these responses were planned by Soviet strategists. This flowering of vain hopes of peace in the minds of American leaders is worth ten divisions of troops to Ho Chi Minh.

Windy recriminations of Soviet and Communist Chinese leaders are cheap talk. They have supported the American fantasy that the Soviet Union is a peace loving power and Communist China is a dangerous predator. The fantasy dominates U.S. policy—though we know that the Soviet Union is the only serious threat to the free world and Communist China is weak, ineffectual.

The Soviet peace lure has hooked every president from Franklin Roosevelt to Lyndon Johnson. All have believed the most monstrous fabrication concocted by Soviet strategists in the name of peace. When Andrei Gromkyo assured President Kennedy that only defensive weapons were being shipped to Cuba, the President had photographs to prove the lie. Without that evidence, he would indeed have accepted the assurances. Why?

The greatest achievement open to a President of the United States is to bring a stable peace to the world. If only the Soviet leaders would abandon their aims of world conquest and become peace loving! Desire makes realization credible.

The Soviet Union cultivates this American illusion with intimations of concord and with posturing of its Chinese ally and of its satellites, even as its mailed fist smashes the people of South Vietnam and bleeds the United States. The Soviet Union is still too weak to confront the United States with an ultimatum, but it is working toward that day.

The views of President Johnson and of a normally astute columnist indicate that the Soviet deception plan is succeeding.

POLITICAL GENERALSHIP BLEEDS U.S. IN VIETNAM, NOVEMBER 6, 1966

WASHINGTON.—The confusion in the public mind over the war in Vietnam is deliberately contrived by governmental policy. Political organisms have a law of survival which is quite separate from the interests of the nation. Consequently, every effort of government propaganda is to make the political decisions palatable to the voter. Unpalatable truth is obscured.

The job is done by bombarding the public with repetitious assertions of high purpose and with optimistic slanting of daily news. The government is a pied piper mouthing the tunes of peace and leading our youth ever deeper into the cauldron of war.

On its face, the commitment to Vietnam of U.S. forces exceeding those employed in the Korean War is a confession of failure. For five years, the government has been prating about its devotion to peace while it marches ever deeper into war. It can offer no clear exit from the war. General Westmoreland at Manila forecast the need for more troops.

Draw back and regard the whole problem. The mightiest country in the world is bogged down in war with an impoverished nation of 16 million people. We have a superiority of six to one in South Vietnam, but we are unable to protect the people from the terror and vengeance of the Viet Cong. Instead of reducing the enemy aggression, we have steadily enlarged it.

What is the cause of this failure? Reason compels the conclusion that these effects flow from the deeply erroneous policy embraced by the U.S. government. It has accepted terms of warfare which give decisive advantage to the enemy.

To require a superiority of six to one for victory is preposterous. Under intelligent leadership and routine strategy, two to one should be enough. It has been a decisive margin in past wars. But in Vietnam, political decisions have rendered a six to one superiority ineffectual. This is the achievement of political generalship.

In Korea, U.S. policy was dominated by political illusions which abound in Washington today. But in Korea, the disastrous consequences of the error were limited by our capacity to establish a continuous front across the peninsula and to prevent North Korean infiltration. There is no such limitation on enemy initiatives in South Vietnam.

Our men must fight in dense jungles which are continuously open to Viet Cong infiltration. They attack the tough, fortified positions of the enemy in bitter, costly warfare. But the enemy can build new jungle strong points faster than we can destroy the old. He has been steadily increasing his strength in South Vietnam.

Our citizens do not have to be experts in war to read in these tragic realities the consequences of the Johnson peace policy. The costs of political illusion are being paid by our fighting men.

When the government fails, responsibility devolves on the people. Will they continue to follow a leadership which adheres blindly to error in the face of mounting disaster? Or will they accept their responsibility for summoning new leadership to the seats of power?

The war in Vietnam can be ended quickly, as the war in Korea was ended. Here as there, the war can be ended only by an Administration prepared to take the offensive and destroy the enemy. Here as there, the incumbent Administration is incapable of such an act of will, and must be repudiated. The people have no other way to end the war and stop the slaughter of our youth.

JOHNSON ADMINISTRATION LACKS WILL TO FIGHT, OCTOBER 30, 1966

WASHINGTON.—A recent news analysis of the situation in Vietnam attributed to President Marcos of the Philippines the statement, "What South Vietnam needs is the will to fight, which cannot be exported."

Whatever its source, the statement represents an oft-repeated misjudgment of the war and of the people of South Vietnam. It is timely for Americans to meditate on this canard as we mark on November 1st the third anniversary of the most despicable act of treachery in American history—the overthrow of the government of President Diem in South Vietnam.

While Pesident Diem lived, American casualties in South Vietnam were small: 11 killed in 1961; 31 killed in 1962; 78 killed in 1963. Since the death of President Diem, more than *five thousand* Americans have been killed in action in Vietnam. This is the price of perfidy.

President Diem had insisted that the war against the Viet Cong must be fought by the people of South Vietnam. He gave inspiring leadership to the cause. He wanted no Americans in the fighting—most importantly because he knew that Ho Chi Minh would use American intervention to pose as a patriot fighting foreigners.

Americans in high places thought they could do better. They procured the overthrow of President Diem and the consequent demoralization of South Vietnam. Consider how the American colonists would have felt if France had procured the assassination of George Washington on the eve of the Battle of Yorktown and you will have an inkling of the disaster to South Vietnam.

Why did President Kennedy decide to overthrow President Diem? In 1963, John Kennedy was concerned about the escalating war in Vietnam because the war ran counter to his basic foreign policy of seeking rapprochement with the Communist world. His military support of South Vietnam had only enlarged the war. He therefore decided to establish a coalition government in South Vietnam as he had previously done in Laos and to withdraw American forces from South Vietnam. This is the very policy which Senator Robert Kennedy advances today.

John Kennedy knew very well that President Diem would never consent to such a compromise. He would reject it as surrender. Therefore, Diem had to be replaced by military leaders amenable to U.S. dictation.

The truth was that President Kennedy lacked the will to fight. In 1962 when President Diem had wanted to destroy the Viet Cong bases and forces in Laos, President Kennedy had vetoed the plan. Earlier, in 1961, when Pakistan, Thailand and the Philippines had offered their troops to support the government of Laos against the aggression of North Vietnam, President Kennedy had vetoed that proposal.

Who today lacks the will to fight? Not the people of South Vietnam who have continued their valiant fight for freedom despite the intolerable handicaps imposed on them by the United States government. Not the American people, who are represented by our splendid fighting men on the war fronts.

But listen to the President of the United States. Listen to the U.S. Ambassador to the United Nations. Listen to any spokesman of the Johnson Administration. They don't want to fight the enemy at all. They just want to fight poverty and ignorance and disease!

It comes with singular ill grace when spokesmen close to such an administration attribute a lack of will to fight to our valiant and long-suffering ally.

NEITHER LIBERTY NOR SAFETY, OCTOBER 9, 1966

WASHINGTON.—In his book of this title appraising U.S. defense policy (Holt, Reinhart and Winston, $5.95), General Nathan F. Twining has given the American people their book of the year. He has presented expert advice in plain language on their most important civic responsibility—the preservation of our national security.

General Twining is eminently qualified to do the job. As a senior Air Force commander in World War II, as Chief of Staff of the United States Air Force, as Chairman of the Joint Chiefs of Staff, he had been close to the heart of U.S. policy making for twenty years preceding his retirement in 1960. Moreover, he is the kind of honest, straight forward, no nonsense American who believes that our country is safest when our people know the truth.

The book's title condenses General Twinings estimate of U.S. security policy which sacrifices both liberty and safety. He tells how this new policy emerged in the Eisenhower Administration after the retirement of Secretary of State John Foster Dulles, how it achieved dominance under President Kennedy and how it continues under President Johnson. Twining's careful appraisal of the U.S. national security, of the adequacy of our national posture and of the damage which Defense management has wrought in the past five years gives the reader a clear delineation of the issues.

The General does not waste much time on the erroneous philosophies which permeate U.S. official judgments. He concedes the good faith of the protagonists and the plausibility of their theses while he hammers home the pernicious effects of the practices and policies they pursue. His tone is moderate and considerate, but his judgments are devastating.

Because General Twining has written so plainly about the issues, his book is filled with quotable judgments. We have space for a few.

In explaining the inseparability of political and military considerations, he writes, "I have been in a position to see very vividly, the impact of political action on the capability of our forces to ensure and maintain the physical security of this free land."

After describing the speed with which the Defense Department approved the Minuteman program in 1956, he adds, "A program of this magnitude simply could not get under way without years of justification in today's sterile defense environment."

On the danger of complacency in our present posture, "A combination of technological achievement on the part of the enemy in the field of very high-yield weapons, anti-submarine warfare, and in the field of ballistic missile defense against U.S. reentry vehicles could combine to place this nation at the mercy of Russia."

On the danger of a strike from space, he writes, "Space vehicles may carry weapons not yet perfected and a space vehicle orbiting overhead could be capable of executing an attack in a fraction of the time of an ICBM flight."

In Europe, ". . . because of the rigid application of the U.S. attitude toward proliferation, the nuclear strike forces of NATO Europe are today one technological generation behind the deployed forces of the U.S.S.R. which directly confront the NATO military establishment."

In Cuba, "Firm action in dealing with Castro, incidentally, was blocked during the last two years of my Chairmanship of the Joint Chiefs of Staff by State Department representatives."

Of Vietnam, ". . . if both North Vietnam and Communist China had known that U.S. national prestige was fully committed and that retaliation against aggression would be swift, sure and devastating . . . there would, in my opinion, be no war in Vietnam today."

In writing this book, General Twining has rendered another distinguished service to the American people. His counsel should reassure a Congress which is at last awakening to the disasters courted and suffered by our country in consequence of incompetent Defense Department management.

Mr. Speaker, there is the ever-present question of the degree to which Red China may wish to involve herself in the Vietnam conflict. This question is well covered by Mr. C. K. Yen, Vice President and Premier of the Republic of China, in the "Meet the Press" broadcast of May 14, 1967:

MEET THE PRESS

(Produced by Lawrence E. Spivak; guest, Vice President and Premier C. K. Yen, Republic of China)

Panel: Bob Considine, King Features Syndicate; Pauline Frederick, NBC News; Harrison Salisbury, New York Times; Stanley Swinton, Associated Press.

Moderator: Lawrence E. Spivak.

Mr. Spivak: Our guest today on Meet the Press is the Vice President and Premier of the Republic of China, C. K. Yen, who is in this country on a visit. Vice President Yen has been given much of the credit for the economic progress in Taiwan. We will have the first questions now from Pauline Frederick of NBC News.

Miss Frederick: Mr. Vice President, this week Secretary General Thant said that if the present trend of the war in Vietnam continues, a confrontation, a direct confrontation between Peking and the United States is inevitable. Would you agree?

Mr. Yen: I would think that the Chinese Communists at present have too much of their internal troubles, and I think they are not strong enough to confront the might of the United States.

Miss Frederick: Speaking of the internal troubles, how do you see this working out? Is Mao Tse-tung winning or he is losing?

Mr. Yen: I think it is too early to predict whether Mao Tse-tung will be winning or his opponents will be winning. His opponents have already permeated through the rank and file of the Communist Party and the Communist armed forces, so it is a power struggle that will go on, and the situation will deteriorate.

Miss Frederick: If Mao should be overturned in this struggle, would you feel that his successors might be more inclined to take a less hostile attitude toward the United States?

Mr. Yen: It depends upon the future developments. If Mao should be substituted for by Lin Piao, then—Lin Piao has been known to the world as a strong opponent of the people's welfare; he will be even more belligerent. Should the other side, Lin Shao-chi, take over, then Liu Shao-chi might have every chance of collusion with another Communist country, and the combination of these two might even cause a greater threat to the free world.

Miss Frederick: So, in other words you see no particular progress toward any kind of co-existence with the West in the outcome of this struggle, no matter how it goes?

Mr. Yen: Yes, I think so, Miss Frederick.

Miss Frederick: Coming back to Vietnam, could you say why Communist China has not intervened more openly in North Vietnam? Is it because of the struggle there or is there some other reason?

Mr. Yen: I should say, partly because of the internal struggle, the Chinese Communists are not strong enough to launch any military action at the present moment but, on the other hand, there is something deeper than that. I think the Chinese Communists saw it as more advantageous to themselves to fight a war by proxy.

Miss Frederick: But if the bombing of North Vietnam continues to the point where it is possible Ho Chi Minh might be overturned and the government as it now is would fall, could China afford to see an American-dominated regime come into North Vietnam on its borders?

Mr. Yen: I think the psychology on the part of the Chinese Communists is like this: They control Ho Chi Minh through the supply line and also through the people that they have stationed in North Vietnam, and after all, on the other hand, they are also controlling another group of Communists known as the Viet Cong in South Vietnam. They have trained their leaders in guerrilla warfare, and they have a very strict control over them.

Mr. Salisbury: Mr. Vice President, you suggested that if Liu Shao-chi were to emerge triumphant in the power struggle in Peking that this might mean a shift in the relationship between China and—I imagine you were speaking of the Soviet Union.

I wondered if you believe that it is possible that we may eventually find the Sino-Soviet alliance in full order again and whether this might not have some influence on the situation in Vietnam?

Mr. Yen: Liu Shao-chi used to be anti-Soviet Union, but the pressure that is put on him by Mao Tse-tung might swing him over to the other position, so there is quite a possibility of his going over to some collusion with the Soviet Union. But that doesn't mean any promotion of peace because the combination of the two, as I said, would pose even a greater threat to the free world, and the situation in Vietnam will be further complicated.

Mr. Considine: Mr. Vice President, the late Japanese Premier, Ikeda, tended to scoff at Generalissimo Chiang Kai-shek's repeated pledges to return to the homeland, with a liberation force, and there is much talk in Washington that if Nationalist China did attempt to reinvade at this critical stage that we, too, would frustrate that. And yet Generalissimo Chiang Kai-shek continues to pledge to return. Could you explain that?

Mr. Yen: The national aspiration to return to the mainland is shared by all freedom-loving Chinese, and President Chiang Kai-shek is simply voicing the opinion of millions of Chinese people both in the free world and also behind the bamboo curtain. This aspiration and determination will not falter; it will go on.

Mr. Considine: And the prosperity of Taiwan today will not further impede that resolution? You are doing so well there now—and you are largely to blame for it, with your genius—doesn't that tend to keep you away from the mainland and the bother and poverty and struggle to take the mainland, when you are doing so well where you are?

Mr. Yen: Mr. Considine, the prosperity that is now going on in Taiwan, in my opinion, is just a part of the political and psychological warfare that we are fighting with the Communists. We want to demonstrate to our compatriots on the mainland that people can live a better life under democracy than under totalitarianism.

Mr. Swinton: Mr. Vice President, one of the paradoxes to me in Asia since World War II is the fact that in 1946, when I happened to be in Hanoi as a correspondent, it was occupied by the Chinese Republic, Free China. General Liu Han, a free Chinese General was in power, and yet Ho Chi Minh, the man we are now fighting, had been installed there really under a Chinese occupation. I know that this is history, now; it is 21 years ago, but I wonder if the American people wouldn't appreciate an explanation of how Ho Chi Minh was put into power by free China, the historical enemy of communism.

Mr. Yen: Mr. Swinton, I think this is probably an example of the tactics of deceit and conspiracy pursued so often by the Communists. They used to cloak themselves under a certain form so that the world, including our own people, are fooled by them.

I think it was our mistake at that time to educate and to give some kind of support to Ho Chi Minh. I think Ho Chi Minh after all is a Communist.

Mr. Spivak: Mr. Vice President, may I ask you a question. There is a great debate going on in this country and the rest of the world about our bombing of North Vietnam. In your judgment, will peace come sooner if we stop bombing or if we continue bombing or if we intensify bombing?

Mr. Yen: In my opinion the Communists will not come to the peace table unless you can show that it doesn't pay to pursue the warfare as they are pursuing it now. So any resolute step or steps to be taken by the American government will contribute more to the possibility of peace than otherwise.

Mr. Spivak: We are being told here that the bombing is not accomplishing its purpose. Do you think that the bombing is doing a great deal of damage and may bring them to the peace table sooner?

Mr. Yen: The bombing will only show to the Communists that it is not easy to confront a combination of forces of freedom. After all, the Communists in Hanoi are not in a position to make their own decisions. There are many other people behind them pulling the strings.

Miss Frederick: Mr. Vice President, may I go back to my last question to you on Vietnam and perhaps word it in a little different way? Can Communist China afford to have a nuclear opponent with some foothold in North Vietnam any more than it was willing to have American military forces in North Korea? In other words, this approach to the Chinese borders through North Vietnam, could it not bring possible entry of China into the war as it came into the war when our troops approached the Yalu River in Korea? Isn't there a parallel here?

Mr. Yen: Miss Frederick, I think the Chinese Communists have learned a bitter lesson in the Korean War, and in my opinion they are now fighting a war in Vietnam by proxy. They are supporting the North Koreans and also supporting the Viet Cong in South—they are supporting the North Vietnamese and they are also supporting the Viet Cong in South Vietnam. They are letting these people fight. The Chinese Communists are standing behind the scenes pulling the strings. They probably can get more advantage that way than otherwise.

Miss Frederick: To another facet of this complicated problem, Mr. Vice President, your government shows, of course, great sympathy for what is going on in Vietnam. I think you have some technical experts in there.

Could you explain why you don't have troops in there?

Have you not been asked or, having been asked, have you decided it was not wise to send troops in?

Mr. Yen: We have not been asked to send troops, but we have already been in technical cooperation with our friends in Vietnam, and I think we are contributing to their program of pacification.

In the meantime, the military forces that we maintain on the Island of Taiwan are actually freezing quite a large portion of the armed forces of the Chinese Communists on the opposite side of the Strait.

Miss Frederick: But it is also being talked about that more American troops will be needed in Vietnam. Wouldn't it be some relief for the United States and also make this more of an Asian operation if some of your troops were to go into South Vietnam?

Mr. Yen: That depends upon the development of the situation. You see, we will cooperate with the Free World in the best way that is beneficial to the Free World as a whole, but any further developments will depend upon the developments of the present circumstances.

Miss Frederick: In other words, you are waiting to be asked to send troops?

Mr. Yen: That all depends upon the circumstances, as I say. It depends upon whether this kind of an action or another kind of action would be beneficial to the Free World as a whole.

Mr. Salisbury: Mr. Vice President, when I was in Hanoi several months ago, I asked the Prime Minister there under what circumstances they would ask China to send in volunteers. The Chinese Communists, as you know, have offered to send armed forces to the South and Hanoi thus far has taken a position against that. He said there were three circumstances under which the Chinese would be requested to send in troops:

First, if the Americans conducted land operations north of the 17th parallel;

Secondly, if the Americans conducted amphibious landings north in the Gulf of Tonkin, and

Thirdly, if the Americans brought the war too close to the frontier of China.

The question in my mind is, do you believe that Peking would respond to such a request if Hanoi were to issue one, and do you think it is likely that these land forces will be sent into Vietnam?

Mr. Yen: In fact the Chinese Communists have already quite a number of people in service in North Vietnam. They are partly to support the North Vietnamese and, in my opinion, partly to supervise the actions and the trend of actions of the North Vietnamese. So they are already in the war and probably it would seem to the advantage of the Chinese Communists to fight this war by proxy.

I have been convinced that they have been using this kind of tactics and strategy.

Mr. Salisbury: Thus far it has been a war by proxy but the question I was driving at is, do you think it may change if the American action is pressed north of the 17th parallel or if by one means or another we do bring action closer to the border with China?

Mr. Yen: The fanaticism of the Chinese Communists makes all predictions by people in the Free World rather difficult. There is a possibility that the internal troubles, which are intensifying at the moment, might bring about some sudden and fanatic decision on the part of the Chinese Communists for aggression. But—in the usual way of judgment, I think they see it more advantageous to fight a war by proxy. But Mr. Salisbury, as I have indicated, they might all of a sudden turn into a rash decision just on account of their own internal troubles.

Mr. Salisbury: The leadership in Peking impresses me these days as being rather hysterical and paranoid. This might contribute to such a decision, might it not?

Mr. Yen: Yes, Mr. Salisbury.

Mr. Considine: Mr. Vice President, you must have excellent intelligence coming out of Mainland China back to Taiwan. What, in your estimate, is actually going on there? We have had so many contradictory reports back here in the United States. What do you Chinese think is happening to the other Chinese?

Mr. Yen: We think that the present so-called cultural revolution on the mainland is a continuation of ideological and power struggle which has been going on already for a few years, ever since the purge of Peng Te-huai as their Minister of Defense. Peng Te-huai was replaced by Lin Piao. That was quite a few years ago.

But the present cultural revolution came in three stages:

First, in November, 1965, when an article in Shanghai criticized one of the dramas presented, and that is a direct criticism of the so-called anti-Maoists.

Then it was followed by the Red Guards

movements started in August of last year, and that was followed by an outspoken power struggle which was initiated by what they call the power struggle in Kiangsi Province in January of this year. But these three stages are inter-related. It seems to have started from ideological differences and seemed to be leading towards a power struggle, but actually it was a power struggle all along. And this power struggle is not only between Mao Tse-tung on the one hand and Liu Shao-chi on the other hand. It is some struggle which is prompted by general dissatisfaction of Communism as a whole by the people on the Mainland.

Mr. Considine: But the anti-Americanism remains intense despite this?

Mr. Yen: Mr. Considine, I believe the hundreds of millions of people on the mainland are fundamentally not anti-Communist. They are forced to toe the Communist line, just under pressure.

Mr. Spivak: You mean not anti-American?

Mr. Yen: Yes, not anti-American. I am sorry. The people, the hundreds of million of people on the Chinese Mainland are fundamentally not anti-American. They have to do that because they have been pressurized into that.

Mr. Swinton: Going back to Bob's question about intelligence reaching you from the Mainland, I remember a year ago in Taipei being told that the Red Chinese had moved some planes down to air bases near the border, that there hadn't been any significant troop movement such as preceded the Chinese move into Korea during the Korean War.

Have there been any indications in recent weeks or months that they are moving more land forces down toward their southern border, or are they continuing to indicate from the location of their troops that they don't intend to participate except by proxy in Vietnam?

Mr. Yen: There are indications of some movements of the ground forces and their air forces, but the movement does not indicate any movement of a large scale.

Mr. Swinton: To carry on that, what would you say is the significance of the rioting in Hong Kong? There was an almort effective take-over of Macao by making the Portuguese back down. Now, the Red Chinese have rioted in Hong Kong for several days. Do you feel this is an effort to put pressure on the Free World in another way?

Mr. Yen: I think this is psychological warfare on the part of the Chinese Communists. They did that effectively in Macao and they want to do that in Hong Kong only probably in a different way. They cannot afford to lose Hong Kong. Hong Kong is both an asset and a liability to the Chinese Communists.

Mr. Swinton: Why then don't they seem to be doing anything as an underground, for instance, in Cho Lon outside of Saigon, which is completely a Chinese city, and Singapore. The Red Chinese, at one time, seemed to have some rather substantial strength among the overseas Chinese. They either have lost it completely, or at least they are not trying to use the overseas Chinese in Southeast Asia, it would seem. What is your evaluation of that, sir?

Mr. Yen: The Chinese Communists have been employing all kinds of tactics and, so far as the overseas Chinese in the Southeast Asian countries are concerned, the Chinese Communists have been capitalizing on the narrow sense of Chauvinism. They are stirring up opinions.

Mr. Spivak: We have about two minutes.

May I ask you this question, Mr. Vice President: If the Communists entered the war is there any question in your mind but that the Nationalist Chinese would, too?

Mr. Yen: We on our part are ready to fight the Chinese Communists whenever it is necessary.

Mr. Spivak: The answer then is Yes?

Mr. Yen: If the free world—if it is advantageous to the free world; we will do anything that is to the advantage of the free world.

Miss Frederick: Mr. Vice President, if a majority of the United Nations members decided that peace might be promoted by representation of Communist China in the United Nations, would Nationalist China stand in the way?

Mr. Yen: Miss Frederick, the fundamental issue is that the Chinese Communists are opposed to the fundamental principles of the UN Charter, so they will simply destroy the United Nations.

Mr. Salisbury: If Hanoi were to reach the conclusion that they wished to negotiate for peace with the United States, do you think China would intervene to overturn that decision or bring pressure on the Vietnamese against ending the war?

Mr. Yen: Yes, I think the Chinese Communists will always pull their strings, and they will sabotage all peace efforts.

Mr. Considine: How does your admiration for the American system of doing things jibe with the fact that Generalissimo Chiang Kai-shek has been in power for so long?

Mr. Yen: I have the greatest admiration or the American system, especially freedom and private enterprise.

Mr. Spivak: Gentlemen and Miss Frederick, on that happy note I think we must end. I am sorry to interrupt but our time is up. Thank you, Mr. Vice President, for being with us on Meet the Press.

At this point, Mr. Speaker, I include statements I have made covering Red terrorism in Vietnam and the advisability of expanding trade with Communist nations while the Vietnam conflict continues:

REPORT FROM WASHINGTON BY CONGRESSMAN GEORGE HANSEN, RELEASE FOR THURSDAY, MARCH 2

WASHINGTON, D.C., March 2.—There has been a lot of talk in Washington and around the country these days about "bridge building"—about building bridges of trade between the East and the West. Although the question of East-West trade is not new, it is extremely controversial.

And it is an issue which the 90th Congress must face up to in the days ahead. President Johnson brought the question to a head when, in his State of the Union message, he urged enactment of his plan to expand United States trade with the East.

But the plan brings up some important questions. Such as:—Is such a policy in our best interests?—Is Communism really softening, thereby offering to us new opportunities for friendly relationships?—Should we help build up someone who has vowed to bury us?

I, for one, see no evidence that the Soviet Union has changed its basic goal of world domination. Somehow, many bridge-builders seem to overlook the fact that it is the Communists, not the United States, who threaten world peace.

Furthermore, there is no doubt that our exports to Communist countries have helped the enemy in Vietnam. Many of the Communist bloc countries which even now benefit from limited trade with the United States are supplying hard goods to the North Vietnamese. So—what would happen if we expanded our trade with these countries? Of course, the bridge-builders will tell you that we do not—and would not—send anything that could help the war effort of any Communist country. But our Department of Commerce lists such things as diesel engines, jet aircraft engines, machine tools, fibres, plastics, computers and capital machinery as "non-strategic".

And, while we send such "non-strategic" items to Red countries, Russia is accounting for about half the tonnage arriving in Haiphong Harbor. Russia is supplying North Vietnam with such "non-strategic" items as anti-aircraft guns and missiles, jet fighters, artillery pieces, radar systems—and not to mention a massive portion of the oil and gasoline consumed in North Vietnam.

This is not the time to do favors for any country which is making substantial contributions to the Communist war effort in North Vietnam. Clearly, Russia should not be eligible for "Most Favored Nation" treatment while this situation continues.

REPORT FROM WASHINGTON BY CONGRESSMAN GEORGE HANSEN, RELEASE FOR THURSDAY, MARCH 30

WASHINGTON, D.C., March 30, 1967.—Many doves and "peaceniks," as well as the Communists, are very vocal about U.S. bombings in North Vietnam that have resulted in civilian deaths. And, although they say they hate the brutality of war, they are strangely silent about the other side of the story—the unwarranted and vicious attacks that the Communists have committed against the defenseless citizens of South Vietnam.

In our bombings in Vietnam, both North and South, there have been lamentable civilian deaths. Errors have even resulted in the bombing of our own troops. These are inevitable happenings of war.

But we have not deliberately sent our planes to bomb civilians. Quite the contrary, our objectives have always been military. In fact, we have bent over backwards to avoid causing civilian deaths.

As to the other side of the story, there are some facts and figures available—although it is claimed by many that these figures are inordinately low.

During the eighteen months preceding the first of this year, Viet Cong terrorists killed 2,429 Vietnamese government officials and employees and plain citizens. They abducted another 7,126. Between August 1 and December 31 of last year alone, the Viet Cong killed 118 South Vietnamese civilian leaders, wounded 114 others and abducted 74 more.

That these "official" figures are low may be seen by a recent report from a Chicago Tribune correspondent in Saigon who estimated that 25,000 Vietnamese civilians have been assassinated and 60,000 have been abducted by the Communist Viet Cong since 1957. Uncounted thousands of other civilians have been killed, maimed or less seriously injured in indiscriminate acts of terrorism, the article said. And there is no telling how many such incidents are unreported.

A typical VC terroristic attack occurred in May, 1966 when they machine-gunned a group of village workers in their sleep. Twenty-three civilians, including a woman and five children, were killed. Twelve others were wounded. Also, in July of 1965, Viet Cong threw hand grenades into a crowd of civilians listening to a lecture, killing eleven.

In contrast to the accidental civilian deaths caused by American bombings, these Viet Cong murders of civilians were deliberate, purposeful and terroristic in intent.

I find it hard to understand why these brutal, sadistic, and completely unnecessary Viet Cong acts of terrorism are not given more widespread publicity. Surely they are far more reprehensible than any accidental deaths caused by our bombing.

Mr. Speaker, as I said in a statement dated March 9, of this year:

"If a cause is worth dying for, it's worth winning." Those were the words recently of Governor Ronald Reagan of California, referring to the war in Vietnam which, so far, has cost the United States nearly 8,000 battle deaths.

During the last several weeks I have been privileged to hear talks by eminent military authorities who have echoed that sentiment and who have said that the war can be won at a far lesser cost to us in the lives of our young men than its current prosecution would entail.

General Wallace M. Greene, Jr., Commandant of the Marine Corps, told a group of Marines and some former Marines that the Vietcong and North Vietnamese are using highly sophisticated weapons against us. He said he had, in his office, a captured North Vietnamese machine gun (of Russian design, but of Chinese manufacture) that he said was as fine a weapon as any he had ever seen. He also said that the cessation of firing during the Tet New Year "certainly didn't do us any good" as it allowed the enemy to regroup and strengthen his positions without interference from our air power.

At an earlier meeting Admiral David J. McDonald, Chief of Naval Operations had said, "It makes one's heart ache to see shiploads of war equipment such as trucks passing unmolested into the Port of Haiphong. After being unloaded, the equipment has to be sought out and destroyed, piece by piece, in the jungle."

General Curtis LeMay, former Air Force Chief of Staff, is more outspoken now that his retirement enables him to speak for himself rather than in official capacity. He made an excellent speech recently which contained this passage:

"So—how do we end the war in Vietnam? The way to end the war is to win it.

"We must revise our objectives. Instead of negotiation, our objective must be to make the war so costly for the Communists that they will end it. The Communists started the war. The Communists must end it.

"We must fight the war from our strength. We must fight it with the least cost to ourselves and at the greatest cost to the enemy. We must change the currency in this game from men to materials.

"America's greatest strength in this military situation is our air and naval power. We must use it strategically. We must use it decisively. We must use it now.

"I also think it is important that we tell the world about this change in our objective—so the world can correctly interpret our motives and evaluate our results. And we will also tell the Communists."

General LeMay then said that we should destroy things, not people—things such as North Vietnam's transportation system, its power system, and its irrigation system, adding:

"We shall avoid the civilian population. And we shall warn the population. But we will destroy the capacity of that population to slaughter innocent civilians for political gain. . . .

"In my opinion, the Communist would seek an end to the war long before their country was destroyed. The Communists are realists. Much more so, I think, than we. They will not continue on a course whose only reward is total destruction. And I believe that the course I suggest will end the war quicker—with less loss of lives on both sides. I'm sure it will cost fewer American lives. And those are my primary concerns."

I believe the words of these outstanding Americans should be heeded by all of us.

The expressions of these military men, Mr. Speaker, are substantiated by Francis Vivian Drake, military editor of the Reader's Digest, appearing in the May 1967 issue of that magazine, entitled "Let's Fight To Win In Vietnam":

LET'S FIGHT TO WIN IN VIETNAM

(By Francis Vivian Drake)

There never was a fight for freedom without sacrifice of life. Nevertheless, as the war in Vietnam moves through its third year of escalation, the question uppermost in everyone's mind is: *How much longer, and at what further cost in U.S. lives?*

"I wish I could report to you that the conflict is almost over," said President Johnson last January in his State of the Union address. "This I cannot do. We face more cost, more loss and more agony." The budget, in line with this forecast, has been prepared on the assumption that the war may go on indefinitely.

But a recent tour of our Southeast Asian bases, and five months of exposure to the almost universal military conviction that Washington is misusing our air power in North Vietnam, have convinced me that there *is* a way to curtail the war—and thereby save thousands of American lives.

The Decisive Weapon. We have now reached a plateau where, according to our government, we are no longer *losing* the war. Against cruel odds, our brave young men not only have succeeded in keeping freedom's torch lit in South Vietnam, but have also almost certainly prevented the takeover of all Southeast Asia by the communists. Our men in uniform have paid a heavy price: more than 10,000 dead, 52,000 wounded. Battle casualties for this coming year alone may exceed 50,000. There is also the dollar cost, running now at between $20 billion and $30 billion a year.

Does any aspect of our overall endeavor extend genuine promise of an early settlement? What of the peace feelers—those assorted behind-the-scenes attempts by diplomats, politicians, friendly and unfriendly nations, to coax Ho Chi Minh to the conference table? To date, virtually none has even met with the courtesy of a reply. Suspension of the bombing, then? The record shows that every single bombing "truce" has ricocheted disastrously against our own troops. Our government's most extravagant gesture—the 37-day layoff of 1965–66—was used by the North Vietnamese not to ponder peace but to erect more SAM (surface-to-air missile) batteries, gravely augmenting our aircraft losses. The latest lunar New Year "truce" (violated by our opponents 272 times in four days) was shamelessly exploited. The enemy reinforced its war-prolonging capabilities to the appalling tune of 25,000 *tons* of vital war matériel.

Is there, then, no alternative that holds *real* hope of shortening the war? Navy and Air Force airmen believe that there is. The United States has at its command a weapon of decisive power. This weapon is *air power*. We have fighter-bombers that were designed not merely to make war against trucks, bridges, infiltrators, as they do today, but against the complexes that power the whole enemy war effort: steel plants, ammunition factories, transportation systems, power generators. For three years we have failed to unleash these planes. Our government has not permitted it.

Tethered to the Unfamiliar. Washington does not deny that such a capability is well within our power. Air Force Secretary Harold Brown has publicly stated that "there is no doubt that air power could destroy North Vietnam," adding, however, this unfathomable rider: ". . . if it were in our interests. Our government does not believe that it would be." Families whose menfolk have become casualties in Vietnam may well wonder when it has been contrary to the national interest to end a war as expeditiously and mercifully as possible. And onlookers who cry, "Stop the bombing! It is getting us nowhere!" simply betray a lack of understanding. *It is the bombing of run-of-the-mine targets that is getting us nowhere.*

The record shows that, from the start, the main U.S. effort has stayed deliberately earthbound, tethered to the unfamiliar tropical bush—made to order for booby traps and ambush—where jungle-wise Vietcong enjoy maximum advantage. Our troops have been required to fight the hard and costly way, clearing small areas into which, as often as not, the Vietcong stealthily seep back; eliminating roads and bridges which coolies by the tens of thousands render operational a few hours later; destroying trucks and barges, while Washington permits endless transfusions of supplies to flow unchallenged into Haiphong.

Let us see how these government policies have served only to multiply the hardships inflicted on our troops:

Item. Two years ago Ho Chi Minh had not a single SAM battery in operation, and North Vietnam's entire war-making facilities—stockpiles, repair yards, war plants, supply lines—lay virtually defenseless in our bombsights. Our airmen, however, were not permitted to take advantage of the situation for fear of offending Russia, the very country which supplies the missiles. The result? Today the North Vietnamese have set up nearly 200 of these deadly emplacements, of which a large number are already operational.

Item. Two years ago, our Air Force was virtually intact. Today we have lost between 500 and 600 planes over *North* Vietnam alone. Moreover, because of the proliferation of SAM batteries and ground-to-air defenses (enemy flak is now more intense than that thrown up by the Nazis during World War II), our pilots today must undertake the same devastating risks on missions against minor objectives as they would invite were they permitted to attack major ones. U.S. airmen formerly roamed the skies at will. Now they must make this grim choice: fly high and face SAM missiles; fly low and run the murderous gauntlet of communist ground fire.

With every passing month the risks grow greater. Two years of constant practice at U.S. expense have transformed the rookie gunners of North Vietnam into experts. The result is that we are squandering our top-flight pilots, the inner-core elite who normally would inherit tomorrow's top command.

Item. Two years ago, the enemy's air force amounted to a few subsonic MIG's. These were bunched virtually wing-tip to wing-tip on a single airfield, presenting our airmen with an incomparable opportunity for extermination. Washington, however, decreed otherwise. The order boiled down to this: "Take photographs. Do not destroy hostile aircraft on the ground, only in aerial combat." (No such fine scruples stayed the enemy hand in April 1966, when Vietcong saboteurs invaded the main U.S. base at Tan Son Nhut, destroying or damaging 26 aircraft, killing 8 men, wounding 160—and leaving taxpayers the poorer by some $10 million.)

Today, enemy planes are dispersed at strategic distances from one another over a number of fields. Three brand-new fields now nearing completion will accommodate still more MIG's supplied by China and Russia. At this writing, the old order, nevertheless, is still effective: enemy planes may be attacked only in aerial combat.

Item. Two years ago, the North Vietnamese port of Haiphong was the receiving station for 80 to 90 percent of the vital supplies needed to maintain the enemy's war effort, including SAM's. It still is. Reason? It has been the policy of our government to place no obstacle in the way of this flow of regenerating resources. Not one of the Iron Curtain supply ships sailing month by month into Haiphong has ever been intercepted or even challenged.

How this has served to multiply the problems of our military and to postpone prospects for an early peace may be gauged by one example. In 1965, North Vietnam's largest fuel resources were stockpiled in Haiphong. Today, this POL (petroleum, oil, lubricants) stockpile is dispersed throughout the country, much of it stored underground. The much publicized strike against Haiphong's fuel depots last June (which Defense Secretary Robert McNamara has cited as largely futile) proved less a body blow than a temporary inconvenience—for this reason: thanks to that green light so steadfastly upheld by Uncle Sam, relays of inbound tankers were able to make good the loss almost immediately.

Item. Two years ago, enemy supply lines were hampered by the fact that the two North Vietnamese railroads (connecting with the Chinese and the Russian systems) were narrow-gauge. Because China and Russia both use broad-gauge rails, a time-consuming transfer of freight at the border was necessary.

Now North Vietnam has almost completed the addition of a third rail, permitting it to operate on either broad- or narrow-gauge systems. This means that henceforth missiles, guns, ammunition and spare parts will flow uninterruptedly across the border, greatly accelerating the delivery of supplies to the Vietcong. Saturation attacks against key points might long ago have crippled the entire system.

Key of the Key. Is it not time to release our airmen from such war-prolonging restrictions? The military has *never* had in mind the indiscriminate bombing of civilians. Hanoi has *never* figured on any submitted list of targets. Our airmen ask only to be allowed those *military* targets which determine North Vietnam's war-waging capability.

Their proposed target list is based on the "key of the key" principle which proved so decisive during World War II. This entails the destruction of only that component—a steam generating plant, a pumping station—the elimination of which brings every facet of production to a standstill. It is equivalent to collapsing the whole arch of a bridge by the removal of a single keystone. The following are among the key North Vietnamese targets which our airmen could take out:

1. *Electric generating plants*—and, most important, the transformer complex that lies between Haiphong and Hanoi. This distributes current to a grid supplying a large part of North Vietnam's electric power. Eliminate electricity, say the military experts, and the manufacturing capability of the enemy comes to a virtual halt.

2. *The steel mill at Thai Nguyen.* This plant, 30 miles north of Hanoi, turns out much of the steel produced in North Vietnam. It supplies every war industry, and produces the exports sent to China to pay for arms and ammunition.[*]

3. *Entrance to the port of Haiphong.* Ships entering Haiphong must first wind their way through a shallow, narrow passage several miles in length. It is constantly silting up. Our fliers believe that this passage could be closed either by destruction of the big dredges which work incessantly to keep it open, or by mines. Were this waterway blocked, freighters from Iron Curtain countries could neither reach Haiphong nor leave it—and North Vietnamese supplies would be cut by nearly 90 percent.

4. *The twin railroad systems.* Bombing of these two North Vietnamese systems has been piecemeal and ineffectual, yet Air Force and Navy airmen believe that the lines *could* be cut. Both railroads cross bridges that span rivers and mountain ravines. Destroy them, and engineering difficulties would render any hope of quick repair futile. The great bridge leading over the Red River into Hanoi is a prime target, since over it passes every truck coming from the north, as well as the freight from both railroad lines. Such bottlenecks are no longer the vulnerable targets that they were two years ago, because we have allowed punishing defense systems to spring up around them. Nevertheless, our airmen believe they could be eliminated, thus cutting overland supplies to a trickle.

5. *Airfields.* North Vietnamese airfields are now designed to support large fleets of supersonic fighters. If we chose to do so, say our airmen, these could be rendered inoperative by sustained attack. (This, of course, would involve lifting the still existing ban on strafing parked enemy aircraft.)

Change Now. The foregoing list presents only five of between 50 and 70 important strategic targets. We have sufficient planes already in the theater to implement such operations which, for decisive effects, should be geared to a *sustained, saturation-attack* plan.

"We shall get nowhere," said one officer, "if we simply pick off one objective and then lay off, as we did after the POL raids, in the hope that such an object lesson will make Ho Chi Minh cry quits. The evidence shows that all this accomplishes is to give the enemy time to recover."

The cost of such an operation will naturally come higher today than it would have two years ago. It is cheaper to implement it *now*, however, than to wait until enemy defenses have achieved such strength as to render any such venture prohibitive in terms of U.S. lives and bombers. Once this has come about, we shall indeed have no alternative but to continue anchoring our efforts to the jungle, and paying the highest cost of all in lives and dollars.

Nobody outside the inner ring in Washington can, of course, undertake to say just how the "national interest" has benefited by withholding permission to knock North Vietnam's strategic installations out of the war the quickest way possible. Fear of Chinese intervention may once have been a dominating factor, but China, at present, is deep in troubles of her own. Moreover, she has no navy to speak of and no adequate transportation for her armies; and her air force, while large in numbers, is poor in quality, and most of it is out of date.

Fear of Russia is probably another reason, but Russia has nothing to gain and much to lose from widening the conflict into a direct involvement with the United States. North Vietnam is providing her with priceless opportunities to test her latest sophisticated weaponry—SAM's, planes, small arms, electronic gear and so on—at the expense of other nation's men.

The two top communist countries thus seem to have maneuvered us into the ideal position from their point of view: we are trapped in a seemingly endless war at ever heavier cost—while they watch blandly from the sidelines. Between them, Russia and China are spending less than $2 billion a year to keep the North Vietnamese pot boiling, happily aware that it is costing the United States from 10 to 15 times as much to counteract the effort. The longer the war continues, the better it is for them, the worse for us.

The key-of-the-key assault is not guaranteed to bring *instant* victory. It will take time to track down and rout out the last Vietcong remnants in South Vietnam. What it does promise, however, is curtailment of the conflict by cutting off supplies *at the source*, by undermining the enemy's ability to carry on, and by reversing the cruel trend of battle casualties. It is hard to see how two such objectives could be construed as running "contrary to the national interest."

Mr. Speaker, as we approach the Fourth of July, our country's birthdate, I would like to restate my remarks of May 25, honoring both Armed Forces Day and Memorial Day:

On this date, May 25, falling as it does half way between Armed Forces Day and Memorial Day, I would like to pay tribute to all those who, past and present, have given (and are giving) so much of themselves in defense of our freedom. The cost of freedom is high, but the price of slavery is infinitely higher both in loss of life and human dignity.

In the last 50 years we have fought four wars: World War I, World War II, the Korean conflict, and now the war in Vietnam. The list of our honored dead has tragically mounted. I believe I can honestly say that, as a peace loving nation, we have not wanted to fight in any of these wars. Events have forced us into them. Deliberate aggression on the part of our enemies has compelled us to take action.

We have annexed no territory as a result of these wars. Far from it. On the contrary, we have aided our former enemies to get back on their feet and have welcomed their return as equals to the family of nations.

This is an entirely new concept in world politics, and it comprises a record in which we all can take pride. However, our altruistic motives apparently have been misunderstood by some of those we have helped, and uneasy suspicions seem to have been cultivated that there is an ulterior motive in every move we make.

But, as we honor our valiant dead, I am confident that hundreds of millions in the United States and around the world share the belief that America's fighting sons did not die in vain, but rather in the noble cause of freedom.

As for the men and women currently serving our country in uniform, they are, without question, the most efficient and highly trained in the history of the world. Many of them are now fighting an ugly war 10,000 miles from home against a cruel, ruthless and barbaric enemy. There is no set front. The enemy is everywhere. In addition, they must constantly battle the heat, the rain and the mud.

But their morale is high, their courage dauntless, and their faith in the worthiness of their mission is complete. They know they have a difficult job to do and they are doing it gloriously. They are dedicated to their task of preventing a free and independent country from being overrun by the tyranny of Communism.

And, as we salute and honor our service men and women in the tremendous job they are doing, let us also assure them that they have our complete and united support. Also, let us pray that this war will be brought to an early and successful conclusion and that those now overseas may soon return to their loved ones.

As I previously said, Mr. Speaker, If Ho Chi Minh will not immediately cease his aggression and negotiate, let us then do what must be done to end this absurdity.

Let us have peace in Vietnam—let us win.

REPORT ON BRAZIL

The SPEAKER. Under a previous order of the House, the gentleman from New York [Mr. Goodell] is recognized for 60 minutes.

Mr. GOODELL. Mr. Speaker, under authority of House Resolution 596, 89th Congress, first session, I was in official travel status in Brazil between November 25, 1966, and December 9, 1966. While there, I discussed local problems in depth with 171 Brazilian and U.S. citizens, and participated in meetings with another 400—Appendix 1.

It is my privilege to report to the House at this time findings based on this study tour.

Brazil is a stirring giant with the potential of becoming a major world power. It is a critically important developing nation. Within the Atlantic community it ranks second in population and eighth in gross national product.

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[*] In what may signal growing Administration acceptance of the thesis underlying this article, this mill was attacked, for the first time, on March 10.

Within the Alliance for Progress it ranks second only to the United States in both population and gross national product. It is the foremost industrial power in South America. Occupying a land mass greater than the contiguous 48 States, with more than half of the population of South America, its destiny is entwined in all future developments in the hemisphere.

We share a mutual need for the continuing cooperation and friendship which has its roots deep in the history of each nation. Its importance to us was first discussed by Jefferson in a report which predates the First Congress—Appendix 2. Its contemporary importance is reflected in the allocation of nearly half of the $1.2 billion of U.S. assistance to the Alliance for Progress this year.

Latin America should command top priority in the attention of the President and the Congress. In undertaking the commitments of the Alliance for Progress, our self-imposed mission is, in the words of President Kennedy, "to demonstrate to the entire world that man's unsatisfied aspiration for economic progress and social justice can best be achieved by free men working within the framework of democratic institutions." It is imperative that we remember that the Alliance is a self-imposed test of the effectiveness of American democracy as an instrumentality of social justice. The world has not forgotten.

The inspiration of the Alliance has faded and its psychological momentum has slowed to a standstill. The achievements of the recent summit conference have not revived the spirit of the Alliance. Laudable though they may be, they are grossly inadequate as solutions for the overriding problems facing the other Americas. The rising expectations of Americans are no more than insistence on the simple necessities of life—decent shelter, enough to eat, water that is safe to drink, an education for their children, and income growth that gives hope for the future. Progress has been made toward these goals, but, to most of the peoples of the Americas, the better life so solemnly promised under the Alliance remains no more than a dream. The action gap between promise and performance under the Alliance threatens the security of the Americas far more gravely than the most ambitious schemes of subversive communism. In the minds of men, positive gains are often obscured by promises broken.

Nonetheless I am encouraged by President Johnson's apparent resolve to upgrade Latin America among his personal priorities. Only the President can restore the verve, the hope, and the promise that is essential to the success of the Alliance. This Nation can ill afford such obsessive preoccupation with other areas of the world that we neglect the legitimate aspirations of our American neighbors to the south.

Accordingly, I urge the President to direct his personal leadership to the task of closing the social action gap in the Americas, thus to restore the personal meaning of the Alliance in the hearts of all Americans.

Congress can contribute greatly by sensitive and informed understanding of urgent Latin American problems. Able Members of Congress serving on the Foreign Affairs Committee have contributed substantially in the past. I believe members of other committees can and must make their own contributions to the success of the Alliance. For example, our aid program in Brazil is substantially committed in the development of Brazilian agriculture, education, housing, industry, public administration, finance, and free enterprise economics. Hopefully, our AID program is committed to alleviation and eventual elimination of poverty. These are all areas in which considerable congressional expertise and experience exists in dealing with our own domestic problems. My many conferences with Brazilians on problems in education, government, and poverty were marked by lively and enlightening exchanges. The hospitable Brazilians were kind enough to express the opinion that my visit had been helpful to them and contributed to the development of their own programs. However much help I rendered to them, they gave much information and insight to me with reference to problems that know no national boundaries.

I strongly recommend that Congress develop a liaison between the Foreign Affairs Committees and other congressional committees whose jurisdictions are directly related to Alliance goals in education, poverty, housing, agriculture, and many others. I urge members of the Foreign Affairs Committee to set up such procedures. The purpose might be served adequately through informal advisory conferences by the appropriate subcommittees. Perhaps the members of the Foreign Affairs Committees, in their wisdom, will wish to develop a more formal relationship. My own specific recommendations are made at the conclusion of this report. In any event, it is my hope that more Members of Congress will devote time to the detailed problems of nations cooperating in the Alliance for Progress.

It should be made clear at the outset that our assistance to Brazil has been steadily increasing in the 3 years since the revolution—1963, $181.8 million; 1964, $459.4 million; 1965, $558.2 million. Nonetheless the Alliance has fallen steadily behind in its performance. While greater resources may be needed, I believe that the core of the failure lies in misplaced priority and method. Little effort has been directed toward mobilizing internal resources, the people and their savings in support of the development process. Preoccupation with macro-economic planning has precluded intensive effort to support the intrinsic desire of the people to improve their way of life within the framework of their individual capacities. Neglect of the rural sector, perhaps 60 percent of the population, has hindered development of the internal market necessary for continued industrial expansion and accentuated other imbalances which become apparent in the course of this report.

Brazil began its modern experience in democracy with the Constitution of 1946 providing for a popularity elected Congress and President. In 1960, Janio Quadros was elected President. After a series of controversies with Congress, Quadros suddenly resigned in August 1961, 7 months after taking office. Vice President Goulart was a leader of opposition parties and substantial resistance developed to his taking office. Eventually this crisis was resolved by the formation of a hybrid parlimentary government as distinct from the Presidential provided for in Brazil's Constitution. Mr. Goulart served until the revolution by military leaders overthrew his government in March 1964. Since that time Castelo Branco has served as President with extraordinary powers to suspend political rights of individuals and legislate by decree. During this period the 1964 Constitution has been in suspension. Brazil now appears to be in transition back to a fully democratic government. Members of Congress were elected by popular vote this fall, as were a variety of other officials. The new President, Costa e Silva, who will take office March 15, 1967, was elected by the outgoing Congress. A new Constitution is now under consideration by the Brazilian Congress.

INFLATION

Brazil has become almost totally inured to runaway inflation. In the last 3 months of the Goulart administration, the cost of living was rising at the annual rate of about 140 percent. The Castelo Branco government moved decisively to try to curb inflation and succeeded in reducing the 1964 annual inflation to about 85 percent. In 1965, inflation was cut to an annual rate of 45 percent and in 1966 was reduced to 41 percent. Virtually all experts to whom I talked in Brazil, including economists, labor leaders, business leaders, and government officials, expect the rate of inflation to be reduced in 1967 to 20 to 30 percent. It is difficult for an American to understand the economic eccentricities that occur with the kind of inflation Brazil has known in recent years. No one holds money any longer than he has to. Everyone buys property that he hopes will escalate in value along with inflation. Businessmen learn to use inflation as a source of capital for investment. The natural instinct to save is almost completely destroyed. Private bond issues or stock sales are useless for raising money. Workers fight for wage settlements that equal the rate of inflation. Long-term credit is unknown. With only a few exceptions, money must be borrowed on 60- to 90-day notes at monthly interest rates comparable to what we pay in a year. The revolutionary government of Castelo Branco through partial wage controls as well as fiscal and monetary policies, appears to have laid the groundwork for "inflationary stability" in the range of 20 percent per annum. President Costa e Silva has declared he will continue the overall economic policies of the Castelo Branco government, but will "humanize" them. In a 40-minute conference with Mr. Costa e Silva, I was impressed at the then President-elect's detailed grasp of Brazilian problems. The Costa e Silva government promises to provide a fascinating new chapter in Brazilian development.

AID

AID has made many mistakes in Brazil, as elsewhere. There is a great deal we do not know about effective means of assisting in the development of another country. To a degree, we must learn by experience. As one Brazilian university professor commented to me, "There is a great difference between giving and knowing how to give." We are far from fully understanding that difference. On balance, I must express my great respect for the dedicated American AID officials who are groping in this darkness of development. Many good programs are now getting underway and some good ones have been completed. My criticism of the past and present of the Alliance for Progress is offered in a constructive vein—

First, we have been incredibly slow in grasping the simple fact that we cannot hope to provide a significant portion of the capital necessary for development of a nation such as Brazil. There would appear to be a growing understanding, for instance, that U.S. money to build schools, houses, and such is merely a drop in the bucket of need. The drop will evaporate if it stands alone. The example of the Vila Kennedy described in greater detail in section E—community development, could not make this point more persuasively. Equally persuasive is the example of problems encountered in school construction in the Northeast—see section on U.S. activities.

Second, firm and sensible priorities must be set for the investment of AID moneys. Highest priority should be given to programs that have a "multiplier effect." In simplest terms, this means programs that stimulate activities that in turn stimulate further activity among the people themselves. The ABC crusade to educate illiterates is a prime example. Volunteers teach students who in turn volunteer to teach other students. By this device it is hoped 1 million illiterate Brazilians can be reached by 1969 with a relatively small investment of funds. Technical assistance in agriculture, education, and public administration are other prime examples of programs that have a "multiplier effect." Perhaps the best example of the "multiplier effect" is community development in which people are helped to organize and to build or do for themselves with some resource commitment by Government.

In calling for a clear perspective on urgent priorities, I do not mean to imply that only the examples I have been should qualify. There are circumstances in which a road, a power facility, or even a building could be critical for development. When less than 1 percent of our AID dollars in Brazil are going into community development, however, there is something wrong with our priorities.

Third, significantly greater emphasis must be placed on education, particularly at the primary level. If a nation hopes to compress perhaps 200 years of development into 20 years, it cannot afford to permit children to grow into adulthood without basic education. The best figures available indicate that only two-thirds of the Brazilian children ever go to school. Brazilians themselves will meet these problems, and we can help. Our educators are giving technical assistance to Brazilian educators in their attempt to modernize school curriculums, with highest priority at the primary level. Only one out of four Brazilian children finishes primary school and it would appear that a major cause is an overly rigid, nonfunctional curriculum that prevents children from passing from one grade to another. To the extent that Brazilians themselves desire it, we should give impetus to a crash program that will provide even an improvised primary education to all Brazilian children.

EDUCATION

Brazil is in the process of transforming a system of education that is free at the primary and university level, but largely unavailable to those without private wealth at the secondary level. As a result, less than 3 percent of Brazilian children complete ginasio—the 4 year school after primary. We are providing technical help in revision of curriculums at the secondary level but Brazilian educators and we should give high priority to devising low cost, interim programs to provide improvised secondary school facilities while more permanent facilities are being built by the Brazilians themselves. I am impressed that Brazilians place education at the very top of their list of priorities.

Higher education in Brazil requires curriculum revision, more flexible degree requirements to permit transfer of students from one specialization to another and the development of full-time university faculties. Many other problems deserve attention in Brazilian higher education, most of which outstanding Brazilian educators understand better than we do. If the plug can be removed at the secondary level for Brazilian students who lack independent wealth, Brazilian universities can begin to produce a significant flow of talented graduates. Reinforcement of their talents in Brazil will multiply the growth factor of the nation many times over.

AGRICULTURE

Brazilian agriculture is in the throes of a revolution to unshackle itself from overreliance on such export crops as coffee, cotton, and sugar. Diversion of land to cultivation of consumption commodities is imperative. Improved productivity of export crops on less acreage must be achieved through scientific management. Brazil not only possesses the agriculture potential to feed itself, but also to be a primary breadbasket of the world. Agricultural exports can continue to provide Brazil with a favorable balance of payments, which in turn can be utilized for education and industrial growth. The provision of fertilizer in ample quantities at a favorable price is urgent. This need can and will be met within a short time. Even more urgent and far more difficult will be the providing of extension service type assistance to small independent farmers. Many rural inhabitants will find it impossible to make a living in the cities during the next decade. A viable agricultural economy for small farmers must be nurtured and developed.

COMMUNITY DEVELOPMENT

Many Brazilians told me that traditionally and historically the Brazilian society has encouraged individuals to look to government to solve most of their problems. This may be an habitual trait but it is obviously not inherently characteristic. The success of a variety of demonstration community development projects is ample proof of that fact. It is my own deep conviction that no developing nation can succeed in reaching a significant part of its potential without the essential ingredients of community development. The people themselves must organize and work together to promote their common objectives. In most cases these are individuals with little education or training. The ability of the Brazilian dwelling in the favelas to improvise and innovate is dramatic. He survives under conditions that would dismay even the most abject dweller in poverty in the United States.

BASIC DATA

NATURAL RESOURCES

Climate and topography: Brazil extends from Venezuela and the Guianas north of the equator to Uruguay 2,000 miles southward; its east-west dimension is 2,700 miles. It has an Atlantic coastline of over 4,800 miles. Although situated almost wholly in the torrid zone, such factors as altitude, prevailing winds, rainfall, and distance from the ocean combine to vary the climate from tropical to temperate. In the north is the heavily wooded and largely unsettled basin of the Amazon River; the south is a vast dissected plateau sloping inland from coastal mountain ranges; the central western part has swampy lowlands.

Area: With a land area of 3,280,000 square miles, Brazil is the largest country in South America. It is three times larger than Argentina, the second largest country.

Agricultural land: 655 million acres or 31 percent of the total land area; low for the region. Per capita agricultural land is 8 acres. Most fertile and productive land is in the central and southern regions; much of the Amazon jungle is not included as arable land.

Main crops: Coffee, the most valuable crop, and cotton are grown chiefly for export. Rice, corn, sugar, beans, mandioca, wheat, and other fruits, vegetables and grains are raised for domestic consumption.

Forests: More than half of Brazil's total area is forested, but the extensive resources are relatively undeveloped. Pine is cut commercially in the southern states; carnauba palm wax for insulation is produced commercially only in Brazil. Rubber is produced in the Amazon basin on a small scale.

Fisheries: There are vast fishing banks

and grounds in the rivers and along the coast with some 2,500 species of fish. The fishing industry is not well developed. *In 1962 there were 131,801 fishing vessels* with a total tonnage of 107,753.

Minerals: Brazil has extensive mineral resources still largely undeveloped. In addition to vast reserves of high-grade iron ore, it is the world's major *source of high-grade quartz crystal* in commercial quantities. It produces about one-fifth of the free world output of columbite-tantalite, and somewhat more than one-third of its beryl and is a major world producer of manganese ore. Other *minerals produced include chromite,* nickel—as ferro-nickel—mica, zirconium, graphite, magnesite, gold, salt, bauxite, monazite—rare earths and thorium—and diamonds. Brazil is also a substantial producer of cement.

Fuels: Coal reserves are variously estimated at something in excess of 1 billion, but probably not more than 5 billion tons. The major area of occurrence is Santa Catarina, but the quality of this coal is generally poor. Petroleum reserves are limited and although exploration has been extensive, the major reserves are concentrated in Bahia and Sergipe.

River resources: The Amazon Basin has a network of rivers navigable for 15,000 miles and is the largest river system in South America. The Amazon is navigable by ocean steamers to Iquitos, Peru, 2,300 miles upstream. Southern Brazil is drained by the Plata system—the Paraguay, Uruguay, and Parana Rivers. All told, there are 27,000 miles of navigable inland and coastal waterways. Hydroelectric potential is estimated at 80 million kw.

Distribution of GNP: About 28 percent of the GNP comes from agriculture; 26 percent from manufacturing, mining, electricity, and construction; 13 percent from commerce; services, 11 percent; and 22 percent from other—1960.

HUMAN RESOURCES

Population: 84,700,000—1966.

Annual growth: 3.1 percent; average for Latin America.

Immigration: About 31,000 per year, chiefly Portuguese, Japanese, Italian, and Spanish; 80 percent must be farmers or skilled workmen.

Density: 24 per square mile; relatively low for the region.

Concentrations: About 90 percent of the population lives in the central plateau and the narrow coastal plain along the Atlantic. The tropical river basin of the Amazon, comprising over a third of the total area, is sparsely settled except for tribal Indians.

Composition: 60 percent white; 26 percent Mestizo; 11 percent Negroes and 3 percent Asiatics and unspecified. Original settlers Portuguese; there has been a widespread intermixture of the races including the native Indians. Portuguese is almost universally the spoken language.

Religion: Over 90 percent of the population is Roman Catholic; connection between church and state was abolished in 1956.

Labor force: 32 million—1964—minimum of planning estimate.

Distribution: 51 percent in agriculture; mining, 3 percent; 10 percent in manufacturing; 5 percent in commerce; 13 *percent in services; 4 percent in trans*portation and communications; 14 percent in other—1950.

EDUCATION

Literacy: 61 percent of the population over 15 years are literate—*1964 school* census.

Teachers: Primary, 298,685; secondary and technical, 132,184; higher, 26,268—1962.

Schools: Primary, 99,839; secondary and technical, 5,968; teacher-training, *1,319; higher, 1,315—1961.*

Number of students: Primary, 9,521,595—1964; secondary and technical, 2,154,430—1965; higher, 155,777—1965.

HEALTH

Life expectancy: 53 years in the Federal district; 44 years in rest of country; average of 45 years for whole country. Fairly high for region although well below the U.S. average of 70 years.

Infant mortality: 171 per 1,000 live births, but only 97 per 1,000 in the Federal district.

Physicians: One per 3,624 persons—1961.

Hospital beds: 332 per 100,000—1961.

Diet: Caloric intake 2,818 per capita; diet is fairly normal in protein content, particularly in the larger cities.

Main diseases: Tuberculosis, intestinal and heart diseases prevail to a high degree.

TRANSPORT POWER AND INDUSTRY

Railroads: 23,727 miles—1961; 68,990 units of rolling stock—1961. The generally rundown condition of the railways is being slowly remedied as re-equipment and improvements are instituted.

Roads: 334,797 miles—1963—with about 102 miles of improved roads per 1,000 square miles. A 5-year highway paving plan has been instituted to extend paved highways to more important cities. There were 1,405,607 vehicles registered as of December 31, 1963.

Merchant shipping: 489 vessels with 1,355,000 registered gross tons in 1962. Coastal and river shipping are extremely important to Brazil; government-owned companies dominate the trade. Service has deteriorated because of sharply increased traffic and overage vessels.

Harbors: There are 30 principal seaports and about 90 river ports which are open to ocean shipping along the Brazilian coast; however, port congestion is frequent since facilities for cargo-handling and storage have not kept pace with expanding tonnage, and lack of maintenance dredging has reduced depth alongside docks.

Electric power: Installed capacity, 6,840,000 kilowatts; 86 watts per capita—1964. About 72 percent is hydroelectric capacity.

Manufacturing: Iron, steel, and metal-working industries show continuous increase in growth, followed by the textile, food, and beverage industries. Both light and heavy industrial development is proceeding at a rapid pace.

Mining: Mined annually: about 12,000,000 tons iron ore; 1,200,000 tons salt; 1,170,000 tons manganese.

Fuels: Coal production is increasing steadily with a present annual production of 2,508,000 tons. Crude oil production was 5,677,925 cubic meters in 1963 and 5,296,229 cubic meters in 1964, but with the increasing need, Brazil must still import over two-thirds of the petroleum and products consumed. Data on reserves are not available in complete or *usable form.*

FOREIGN TRADE PATTERN

Exports: Coffee accounts for about 52 percent of total exports. A steady decline in world coffee prices since 1956 has reduced annual export earnings. The *United States is Brazil's best customer;* Germany is second. The International Coffee Agreement should ultimately stabilize coffee prices.

Imports: In recent years, large imports of capital equipment for developmental purposes, financed by foreign investments, have resulted in sizable trade deficits. About one-fourth of the commodity imports are from the United States; Germany and Venezuela rank next in importance as suppliers. Imports are diversified with machinery, iron and steel, and petroleum products among the leaders.

ECONOMIC, POLITICAL, AND SOCIAL OBSERVATIONS

The young dynamic editor of an important Brazilian newspaper is one of the first people I met in Brazil. He is an emerging leader of his family which established this paper. He apologetically told me that our conversation would be a history lesson. "To understand my country, it is important that you know some of our history," he said. He, as do most Brazilians, believes the country is unique. In some ways it is. The unique characteristics stem from many sources such as the Portuguese heritage, geography, climate, and the other factors which build a people.

Isolation, both cultural and geographic, has fostered a national identity. Immigration has been encouraged. Widespread intermarriage has produced an amalgamation of bloodlines in Brazil which begins to qualify as an identifiable race.

The motive for settlement of the country was agricultural development. Brazil is not a byproduct of treasure hunting. National independence was achieved peacefully. The country was ruled by a constitutional monarchy until 1889. Slavery was abolished less than 80 years ago.

The transition to a republican form of government was controlled by the existing nobility. The elite perpetuated itself through a form of managed democracy until 1930. Power gradually shifted to the military. Brazil is probably the only democratic state which constitutionally vests guardianship of the democratic tradition in the military establishment. It was only after 1945 that widespread effective democratic participation became a reality. Even today, the franchise is limited to the literate population—about 50 percent.

One of the most revered of Brazilians is Getulio Vargas. He served as a benevolent dictator from 1930 to 1945, until ousted by a military coup. The details are important only because they reflect an aspect of Brazilian tradition. Vargas, prior to 1930, was governor of the State of Rio Grande do Sul. In the presidential elections in that year, the outgoing President, Washington Luis of São Paulo, violated an unwritten tradition by arranging the nomination of a fellow citizen of his own state, when it was the "turn" of Minas Gerais. Political reaction led to Vargas' nomination to oppose the regular nominee. After a heated campaign, Vargas was defeated. His followers immediately began to prepare quite openly for the "revolution." In October, with all preparations completed, they took over the Federal and military forces in Rio Grande do Sul, and boarded a train for Rio. By the time they arrived in the capital, President Luis had fled. Vargas assumed power. Not a single life was lost.

After the ouster of Vargas, a more or less democratic era began. President Dutra was democratically elected in 1946. In 1951, Vargas was elected President in free elections. He served until August of 1954. When faced with ouster a second time, he committed suicide. A caretaker government took over until the 1955 elections in which Juscelino Kubitschek was elected.

The Kubitschek administration will always be remembered for building the capital, Brasilia, in the interior. Often a campaign promise, this is a device to open the interior to colonization. Undoubtedly a visionary scheme, it was probably premature and unnecessarily expensive. That is the view of many with whom I talked. One leading Brazilian referred to Brasilia as "Kubitschek's mechanical toy." Without taking sides in this widespread, though friendly, difference of opinion among Brazilians, I cannot help remembering the contemporary reaction to the Louisiana Purchase and the acquisition of Alaska.

The Kubitschek administration, however, accomplished a great deal more than Brasilia. Throughout Vargas' years, increasing emphasis was placed on industrialization. Many of these projects were pushed to successful completion under Kubitschek. Added impetus to the process resulted from commitments for infrastructure such as highways and hydroelectric projects. The tempo of the regime was established by its slogan, "Fifty years' progress in five." Increasing attention was paid to social welfare programs. In general, deficit financing, long a commonly accepted device for expansion, soared. Money supply expanded rapidly. The tempo of inflation increased. Political stability was maintained through careful manipulation of the contending economic forces. Problems for future administrations were thus created.

In 1960, Janio Quadros, immensely popular as a capable and efficient mayor and governor in Sao Paulo, defeated Kubitschek's chosen successor. He campaigned on a platform promising social and economic reform, elimination of corruption, and control of inflation. The opposition candidate for vice president, Joaõ Goulart, was elected to serve with Quadros. A series of inept political moves led to increasing opposition to the Quadros program. Seven months after taking office, he convened military leaders and advised them he would resign if not granted broad emergency powers. To his apparent surprise, they accepted his resignation, as did the Congress.

Vice President Goulart, a dedicated leftist, was at the time on a trade mission in Communist China. Military leaders opposed his accession for ideological reasons. Congressional leaders insisted on the constitutional procedures. The dispute was resolved in a classic demonstration of "jeito," a uniquely Brazilian tradition. There is no translation for the word "jeito," which describes any process whereby Brazilians find an acceptable, and usually workable, accommodation to an "insoluble" problem. The process seems to combine, inherently, the ignoring of logical, simple, direct approaches with a whimsical, almost affectionate, acceptance of chaos.

The Constitution was amended to establish a parliamentary system which relegated the President to the role of a figurehead. Three successive Prime Ministers failed to find a way to govern effectively. The widespread division of power created a continuing crisis in government. Goulart exploited the need for strong government expertly, and in a plebiscite in January 1963, the nation supported restoration of the presidential system by a margin of 5 to 1.

Goulart construed the vote as a personal mandate. The trend toward the left accelerated as Goulart focused public attention on the need for constitutional reform to implement such programs as agrarian reform. Political tension increased. Mounting and increasingly open opposition centered in São Paulo and Rio, where the Governor, Carlos Lacerda, was particularly prominent. Unrest among the military heightened in the early months of 1964. Finally, on March 30, 1964, Goulart moved openly to encourage the ouster of the officer class by enlisted personnel. The military responded by joining the governors of the major states in open revolt against the President. On April 1, Goulart flew to Brazilia in an effort to rally congressional support. Failing there, he flew to Porto Alegre. Finding no substantial support in his home state, he went into exile in Uruguay on April 4, 1964.

In the meantime, the provisional Government established a supreme revolutionary command from the armed services. On April 9, an "Institutional Act" was decreed continuing the 1946 Constitution, but modifying it to place semidictatorial powers in the Presidency. Article 10 suspended the political rights of about 400 people for a 10-year period. Included were the three immediate past Presidents—Goulart, Quadros, and Kubitschek—and most of the opposition leaders. Article 7 imposed lesser sanctions on another 2,000. Power to elect the President for the unexpired term ending in January 1966, was vested in the Congress. Two days later, Marshal Humberto de Alencar Castelo Branco was elected President.

A highly trained Brazilian reporter recounted these critical days in vivid detail. As an active organizer of the revolution, he was deeply involved in the planning and was a daily commuter to Rio. He stressed the importance of understanding that the revolution was a culmination of many months of persuasion by civilian leaders from all levels. He pictured the military as always reluctant to assert its authority against the constituted legal administration. In vivid detail he told me of the all-pervading fear of an imminent Communist takeover among the responsible democratic segments of Brazil. He talked of the final hectic days as the tension mounted. It was in this period that some of the governors discussed using the paramilitary forces they controlled to move without the military. The urgency, he said, stemmed from fear that Communists would seize control while the military pondered its proper course. He spoke of the uncertainty during the final hours, when it was unclear whether the armed forces would follow their officers or the President.

The men I talked with throughout Brazil confirmed this description. Even a current leader of the opposition movement assured me that the revolution "saved Brazil." At all levels, Brazilians hasten to make clear that it was at least a temporarily desirable and necessary move. While I was in Brazil, the major political controversy was the suspension of several Members of Congress by Presidential decree, without the concurrence of Congress. The debate turned on the degree of constitutional authority assumed by the revolutionary government. A leading Democrat criticized the revolutionary leaders for failing to assume more authority so that the "job" could be done adequately at the outset.

From its beginning, the Castelo Branco government moved to strengthen the national economy by encouraging capital investment, both internal and external. Fiscal and monetary policy was directed to the control of inflation. Agrarian reform was implemented. Rural development and strengthening of agriculture was stimulated. Programs designed to broaden educational opportunity and literacy were launched. These priorities appear to have dominated the actions of the Government to the present day.

Another Brazilian with whom I talked expressed the opinion that the leaders of the revolution had greatly underestimated both the difficulty of the job to be done and the time it would require. This perhaps explains the increasing political repression which has taken place. In October 1965, gubernatorial elections were held in 11 States. Candidates of the Kubitschek-Goulart coalition were elected in the important States of Minas Gerais and Guanabara. The next day Kubitschek returned to the country. President Branco moved in the Congress to amend the Constitution to obtain greater control of those whose rights had been suspended and increased authority to intervene in affairs of the States. In the face of opposition to this program, on October 27 he decreed the second "Institutional Act." This decree extended his term to March 1967, provided for indirect election of his successor, reformed the courts, and established a procedure under which legislation and constitutional amendments proposed by the President become law if not considered in a specified time. Temporary provisions expiring in March 1967 authorized the declaration of a 180-day state of seige, carrying with it the powers to unseat elected officials and to restrict the movements of those whose political rights are suspended. It also abolished existing political parties, provided for the organization of one government party and one opposition party, and empowered the President to suspend Congress and legislate by decree.

Reaction to the revolution is mixed. As I talked with leaders from various levels throughout the country, their attitudes toward this abstract of recent political history which is outlined above began to fall into a pattern. No one seemed enthusiastic in his support of the Government. With the single exception of Carlos Lacerda, none was vehemently opposed. In a number of cases I spoke with people who would be classed as very liberal in the United States. Arrangements were made for these interviews outside of official channels to insure contact with all elements. Even so, while these people expressed opposition to the Castelo Branco government, they nonetheless reluctantly volunteered that the coup was necessary and its goals vital to the future of Brazil. Without exception, these men and women expressed admiration for the integrity and purposes of the President. Most disagree to some extent with the particulars of his policies, yet all appear to agree that there was little, if any, immediate alternative course that might be pursued.

I spent a fascinating evening with Carlos Lacerda and his son Sergio. Lacerda is the publisher of the Rio paper, La Tribuna. He has long been active in politics. In 1954, he was the primary opponent of Vargas. Investigation of an attempt to assassinate Lacerda led to Vargas' ouster and suicide. He was a vigorous, often bitter, opponent of Kubitschek, although a member of the same party. In 1961, he was elected Governor of Guanabara. From his office he directed the opposition to the Goulart administration, with major assistance from the U.S. Embassy and AID.

He is a brilliant conversationalist. He has great personal magnetism. His grasp of both Brazilian and world affairs is impressive. Many people describe him as one of the two or three most accomplished political figures in Latin America. He explained in detail his reasons for forming the alliance with former President Kubitschek, a longtime bitter enemy. He argues persuasively that his purpose is the formation of a movement which will insure the return of true democracy to Brazil. He is admittedly ambitious to become President of his country. He insists that he is pro-American, even though his public pronouncements of late appear to be consistently anti-American. He argues that Brazil must develop its own institutions with our help. He believes that copying the U.S. system in Brazil, especially if imposed from above or externally, will destroy the friendship between the countries. He argues that increasing control of the Brazilian economy by American firms will create resentment and strengthen economic nationalism. He urges his course of action as the only way to perpetuate friendship between the nations.

Many of the people I talked with are longtime friends or former supporters of Lacerda. Some are quite bitter that he has formed this alliance. Most seem to think he lost substantial support in so doing. All agree that he has intentionally decided to attempt to establish a new political base. It is my impression that few people feel he can succeed, if his purpose is to reach the Presidency. At the same time, none seemed ready to flatly predict his failure. He seems to be regarded as an unpredictable and potentially very powerful force, standing in the background waiting to take advantage of any developments which can serve his purposes. Interestingly, many young people, particularly in the universities, count themselves among his new supporters.

In São Paulo, I spent several hours with local labor leaders. Here again I expected strong opposition to the Castelo Branco government. Their viewpoint was expressed in measured words and careful balance. It seemed to me that they knew that what had been done was necessary and, indeed, there seemed just a little pride in the fact of austerity. One man said that conditions are bad, but at least the wealthy were suffering too. As they explained, the control of wages at levels below cost of living increases has placed major pressure on the working class generally. Obviously, the effort to curb inflation and promote development at the same time has had an unfortunate impact on this class. I have the impression that they are proud that they "can take it," and find some inspiration in the tenacity, austerity and honesty of their President.

I had an extended discussion with Dom Helder Camara, the Archbishop of Recife. He is probably the most influential liberal leader of the Catholic Church in Brazil. His opposition to Castelo Branco has been open, and has reached the point of open defiance of the Army commander in Recife. He is, however, in sympathy with the programs, if not the methods, of the Government and expresses admiration for the character of the President and belief in his integrity. Underlying his comments was an attitude of confidence that democracy would return. He expressed the view that the danger of communism had been very great before the revolution, and implied that something had to be done. Whatever his basic feelings may be, he certainly does not appear to fear the Government. Indeed, the only fear he expressed was that communism was only quiescent at this time and could again become a major threat if the social needs of the people are not served.

The archbishop speaks of social justice with a sense of urgency. He believes that agrarian reform is an immediate need. He speaks movingly of the need to bring all of the opinion-makers together in a great campaign to root out paternalism. He thinks Brazilians must work together to achieve economic independence in order to find political stability.

One Brazilian described the policies of the Castelo Branco government as an effort to restrain political pressures long enough to establish a realistic economic framework. There appeared to be widespread agreement that this is necessary.

Despite many limitations on the democratic process, substantial freedom of action is evident. Lacerda is permitted to organize an anti-Government coalition with men stripped of their political rights. There is constant discussion of government policies It is almost always critical. At the time of my visit in late 1966, all elements of the press vigorously attacked the Government. Until the recently enacted law to control reporting of government activities and financial matters, there was little reason to believe the Government intended to censor the media. This new law places repressive power in the hands of the executive. Hopefully, it will be used sparingly and soon abandoned. Nonetheless, the existence of the law alone appears sufficient to limit open criticism.

The social welfare reforms of the government appear to be popular. There is, of course, some disagreement as to priorities and speed. There is wide unanimity on the need and purposes of the reforms. Industrialists appear to accept tax reform which substantially increases rates and vastly strengthens enforcement. I heard little dissent about the new land statute, which provides a graduated tax based on social use, authorizes expropriation indemnified with long-term bonds, and establishes a strong enforcement agency. Labor leaders appear to accept reluctantly the freeze on wage increases, which has reduced new wages to two-thirds of the 1961 level.

The poor in the favelas—shantytowns—and lower middle class residential areas seem more interested in availability of such public services as public water faucets and education than in the high prices of food. I was astonished to find that the prices of staples are at about the same level as in Washington, D.C. Within the money economy, salaries and wages are 20 to 25 percent of those in the United States. A married man with several children is considered well off if he makes $125 per month.

Runaway inflation is a major problem. It was a major cause of the revolution. Policies seeking to curb its annual rate are the major source of public discontent today.

Throughout this century, inflation has been a way of life. Prior to World War II, the rate averaged about 2.5 percent a year. With the increasing tempo of development from 1945 to 1960, the rate moved up to a level of 20 percent. From 1960, the annual rate became runaway, reaching 140 percent in the first three months of 1964. The stabilization policies of the Castelo Branco government brought the overall rate for 1964 down to 85 percent. It was cut to 45 percent in 1965, and 1966 closed at 41 percent—table 1. The target for 1966 was 20 percent.

Most Brazilian economists attribute this history to mismanagement of deficit financing. Until the revolution, funding was either through the issuance of currency or bank loans. Since 1964, direct sale of government bonds to the public has relieved this pressure. In this period, the principal causes have been the wage price spiral, which resulted from freeing the economy from artificial market controls of the past. The devaluation of the cruzeiro in 1965 also had an impact.

Among the many economists with whom I discussed this subject was Harvard-trained professor of economics, Warner Baer, a specialist in industrial economics of developing nations in Latin America. From these discussions a consensus emerged.

Inflation has been substituted for taxation as a method of financing growth. Inflation encourages industry to reinvest as rapidly as possible to avoid shrinkage of liquid holdings. Private reserves such as savings accounts and insurance investments are indirectly appropriated by the government either through shrinkage of value or borrowing. This course is popular politically. It avoids presenting complicated tax increases and development plans for legislative approval. It also has the short-range advantage of creating demand for durable goods. People invest in such items as appliances as a hedge against inflation and create additional demand for industrial production. This is said to be a form of savings. Similarly, borrowing is encouraged. Frequently, the borrower actually makes money because of the reduced value of the money with which the loan is repaid. This, too, encourages investment.

Thus, some believe that the role of reasonable inflation is positive in Brazilian development. It was the basic device by which resources were allocated to production and so, indirectly, to industrial investment. It is thought that the process created little unbalanced investment in the industrial sector. The unbalanced investment which did occur—for example, neglect of public utilities—resulted from misconceived Government controls, usually of prices. In instances where the Government wanted expansion, this factor was offset by subsidies.

Substantial numbers of businessmen told me that controlled inflation has been good for Brazil. Most estimate that an annual rate of 10 percent is sound for growth purposes. Almost all agree that they can live with a rate of 20 percent. Frequently the only complaint they have is that it got out of control. I was fascinated by the ingenuity applied by commerce and industry in adjusting business practices to inflation. Most of the conventional axioms of the marketplace are inverted. Liquidity is dangerous. Savings is foolish. Debt is good. Accounts receivable are worthless. High inventories are desirable. Slow payment of debts is a blessing.

These practices have become habit. They explain the difficulties of the Brazilian businessman today. No one invests in insurance. There are no domestic savings accounts to serve as a basis for long-term credit. There is no mortgage market. Housing is almost impossible to finance. Pricing policies become a game of Russian roulette. Almost all business decisions must be on a day-to-day basis.

Wage earners accustomed to annual wage increments in the range of 50 to 75 percent demand these raises almost automatically.

Those with excess cash invest not in development, but in land, used purely as a hedge and allowed to remain fallow.

In my opinion, the resulting investment pattern ignores the needs of an expanding urban population and invites more inflation. Continuing and vitally needed investment in infrastructure such as schools and roads suffers. Long-term projects are crippled by the erosion of the value of money long before they can be completed.

Minister of Planning, Roberto Campos, is the architect of economic reform measures designed to correct the imbalance wrought by runaway inflation. In my conversation with him it was apparent that he is an outstanding economist. He is charming and articulate, with an almost incredible grasp of facts. He left no doubt that Brazil needed a massive austerity program to correct the results of faulty economic planning and unbalanced development. Such a program temporarily hurts everybody and requires time, he said. Control of inflation has required wage freeze, reduction of Government expenditures for nonessentials, elimination of jobs, price increases in public services, and increased taxation. Agricultural diversification has caused increases in the cost of food and reduction of income to the coffee industry. Improved industrial efficiency has caused hardship for the less efficient, and increased competition from foreign producers. In many cases this has led to a rise in unemployment. Long-term development has demanded investment in basic industries which takes several years to make itself felt. Petrochemicals and other heavy industries are beginning to show an upsurge, but full impact in employment and other benefits will not appear before late this year. He has been faced with the problem of political acceptance. Government jobs should have been reduced, even more substantially, but could not be because there was no alternative employment opportunity. Deflationary policies cause reduction in consumption which further reduces jobs.

Campos believes his program has established a base for eventually reducing inflation to the desired level of 5 percent a year. He predicts that general economic conditions will improve in 1967. Increased food supplies should bring lower prices. Inflation, which ran at the level of 41 percent in 1966, may hopefully be reduced to the rate of 20 percent this year. Government policies are now better coordinated and the State governments are displaying greater discipline in spending.

The accomplishments of the Castelo Branco government are impressive. The deficit is being progressively reduced. It was 25 percent of expenditures in 1963. By 1966, it dropped to about 7 percent and may well be eliminated this year. Realistic policies in the operation of publicly owned service industries have reduced this drain on the economy. Deficit management has been strengthened. Funds are raised through public sale of Government bonds. The bonds have a monetary correction clause based on the annual Vargas Foundation wholesale price index, and earn 8 percent annually. The Government is reestablishing conventional equity markets.

Formation of the National Housing Bank is an important first step. I met with its President, Mario Trinidade. The bank is a comprehensive housing agency. It is comparable to our Home Loan Bank Board in regulating privately owned savings and loan associations. A part of its function is to expand this system. The bank also owns and operates the existing system of state-owned savings and loan associations, called Caixas. There are 26 of these with deposits of about $300 million. Comprehensive insurance for the borrower has been introduced. The response is excellent. The Rio Caixa was, at the time of our interview, making 100 loans a day in the amount of about $3 million a month. Bonds of the bank, one way in which it raises money, were selling well. The bank also has authority similar to the Federal Housing Administration. It operates and supervises a secondary mortgage market. It also builds housing. One program is structured like our public housing authorities. An innovation is a self-help housing section.

The entire structure of the equity market and credit system is being overhauled. Of particular interest to me were the innovations in agricultural credit. These programs are for the first time providing working capital for medium and small farmers, at an interest rate they can pay—see section on agriculture. The credit and capital market are being resurrected from the long stagnation caused by inflation. The process is tedious because of savings patterns geared to inflation and inadequate government funds. As a stopgap, loans are made through the development banks and related agencies—see section on industry.

The culmination of political change wrought by the Castelo Branco government is the promised constitutional revision. The timetable set out in the second Institutional Act was followed. The indirect presidential election took place in the Congress. Congressional elections were held. Then on December 12, 1966, the lame duck Congress was called into special session to consider the constitutional draft published by Castelo Branco 6 days earlier. After amendments, it was adopted, in substantially the form submitted, on January 22, 1967.

Under its provisions the President and Vice President are elected by an electoral college composed of the members of Congress, three delegates from each of the 22 state legislatures, plus one additional delegate for each 500,000 population. The college meets on January 15 of the year in which the presidential term expires. It elects from among candidates nominated by the political parties. An absolute majority is required on the first three ballots and thereafter a simple majority. The Vice President serves as

President of the Senate and of the Congress, when in joint session.

The Governors of the States are elected by direct popular vote. Three Senators are elected by popular vote from each State. Members of the Chamber of Deputies are elected in an unspecified manner on the basis of one for each 300,000, up to 25 per State. In those States entitled to more than 25 deputies, additional representation is based on one million inhabitants. All States are guaranteed a minimum of seven deputies. The method of representation is to be decided by Congress after the adoption of the Constitution. Many people believe that an effort will be made to substitute the district system for the present statewide proportional representation system.

Another important provision designed to increase political stability relates to political parties. Elaborate regulations govern their operation. Additional parties can be formed. To establish a new party it is necessary to establish that 10 percent of those voting in the last election distributed throughout two-thirds of the States with not less than 7 percent in each State, support the new party. In addition, 10 percent of the deputies in not less than one-third of the States and 10 percent of the members of the Senate must be members.

The Constitution incorporates the concept of suspension of individual political rights for a period of 2 to 10 years. The Supreme Court "tries" the issue on an application made by Federal prosecutor general. Military courts are granted jurisdiction to try civilians for certain offenses against "the national security." Convictions are appealable to the Supreme Court. A powerful Presidency is established. He may declare a state of siege up to 20 days. The decree must be "submitted" to Congress within 5 days. Decree legislation is permitted when Congress is in adjournment. He may suspend the Congress. In matters affecting the national security and economic policy, he may submit legislation which, if not acted upon within a specified time, automatically becomes law. He originates all money bills, which may be reduced but not enlarged by Congress.

Amendments can be proposed by the President, the Congress, or the legislatures of one-half of the States. Approval requires a majority vote of the Congress on two readings. The long, minutely detailed document is very specific. It establishes protections for "civil rights" which are prescribed by law by the Congress. It promises liberal benefits for labor. It establishes economic and social reforms. The tax powers and other functions of the Federal, State, and municipal governments are established.

The authoritarian departures from the more liberal 1946 Constitution have been the basis for widespread criticism. One hundred and six administration deputies filed a petition calling for amendment provisions governing state of siege and decree laws, the day it was adopted. They announced that they would attempt to amend these sections as soon as the new Congress convenes. Liberal elements generally have expressed concern that Presidential powers can be used to establish a dictatorship.

Former President Castelo Branco vigorously defended the philosophy of the new Constitution. It is his belief that the document establishes the powers needed to govern his country at this stage of development. He has said that it is less restrictive than that of the West German Republic. He believes it is a democratic charter.

Most Brazilians told me that the administration has created an excellent working base for the new Costa e Silva administration. Most of the harsh and unpopular measures have been enacted. The austerity program required to control inflation is identified with Planning Minister Roberto Campos. He retired from the Government with Castelo Branco. The incoming President, a professional soldier, has not been involved publicly in politics. He has avoided the bitter economic, social, and political controversies of the postwar years. He succeeds a President described by all as indifferent to public relations. One Brazilian told me that he honestly believes Castelo Branco enjoys being unpopular. He is Spartan and reserved. Costa e Silva is much more a man of the people. As one person put it "He looks like people." He enjoys the crowds. He has the politician's love of popularity. He appears to be adept at public relations. Costa e Silva proclaims his general intention to "humanize" the revolution.

I saw the incoming President just days before he left Brazil on a world tour. His temporary office was in an apartment in Copacabana, loaned to him by a friend. The furnishings were modest. His staff was small and drawn primarily from the military. By our standards, security measures seemed minimal.

We met informally, seated around a cocktail table. I was accompanied by Jack Wyant, of USIS, who served as an excellent interpreter. Interestingly, the then President-elect made no provision for his own interpreter. He is voluble and tends to dominate a conversation. He appears to have the qualities that typify those who emerge as leaders of the great nations. He manifests broad knowledge of Brazilian and world affairs. He is articulate. Both his attitudes and personality seem consistent with his mission to "humanize the revolution."

"Education, health and welfare—these make the man. This is my program," he told me. He regards education as a first priority. He expressed confidence that primary education will be available to all children in 4 to 5 years. He appears to believe that the major problem facing Brazil is secondary education.

Industrial development has a high priority with Costa e Silva. Aware of the need for increased agricultural production, he appears, however, to view this as primarily a matter of providing food for internal consumption. Control of inflation is of vital importance to him. An annual rate of 10 percent is apparently acceptable. He strongly endorses the basic policies of the present government. He recognizes that some may "have to be changed."

He obviously thinks Brazil is in a critical period of rapid evolution. His country is, in his judgment, on the threshold of greatness. He is pragmatic in his evaluation of Brazil's limitations and problems. "We have been through a period when there was much to do and many laws had to be written very fast," he said.

Mr. Costa e Silva expresses a strong belief in free government. He said there would be no further limitation of political rights after his inauguration. He flatly assured me there would be political freedom. He said: "There will be no return to the old ways. There will be a new Constitution. We will have democracy."

It is my impression that the Marshal is capable of providing the leadership needed by Brazil. He appears to have an excellent sense of public relations. He apparently identifies with the aspirations of his countrymen and is dedicated to their welfare. He appears to have an excellent sense of political timing. Prior to his inauguration, he succeeded in keeping the secret of his policies without alienating the man in the street. He arranged a highly successful world tour in the period between election and inauguration. He has enjoyed an excellent daily press without involvement in the constitutional or press controversies.

I gather from my discussions with Brazilians that the new President should enjoy substantial success at least at the beginning of his term. There are many areas in which it should be possible for the new President to relax some of the more onerous restrictions.

Obviously the continuing inflation will require major limitations on economic freedom. Interestingly, had the planned levels been reached, these policies might also have been eased. Even here the initial period of adjustment to the harsh impact on the urban population has passed. This was particularly acute last year when controls on rent and many food prices were lifted. This was a significant contributor to the increase in the cost-of-living index.

Hopefully, the benefits of many of the investment and welfare programs initiated in the last 3 years will become available. For example, I was told that food prices might well fall as a result of increasing production in 1967. Similarly, many of the necessary adjustments in existing industries have been made. In the words of Roberto Campos, "the dirty job has been done in coffee." The year of diversification and adjustment to a less favored status has been weathered by the industry.

On the international scene, there are two factors—one positive and one negative—which the new Government inherits. Foreign reserves, as of the first of 1967, were on the order of $1 billion, one of the highest levels since World War II. On the other hand, interest and principal combined on foreign indebtedness exceeds $3.5 billion—table 2. Brazil is among those nations which have demonstrated to some degree that they are close to the limits of their ability to repay loans. In 1964 it was necessary to reschedule substantial numbers of international obligations. Again in 1966, there was some difficulty in maintaining current payments. As Secretary Gordon told the House Committee on Foreign Affairs last spring, this is a matter "we are watching very closely." It could provide major problems for the administration.

Personally, I have great admiration for the restraint displayed by the Brazilian people in accepting the austerity of these recent years. This willingness to sacrifice and accept almost intolerable economic conditions seems to be an expression of national spirit. If it persists, and almost everyone believes it will, political stability should be assured in the immediate future. The Brazil of today reminds me in many ways of our country in the late 1800's. The sense of national destiny is there. The same traces of resentment that the world fails to recognize the emerging national greatness exist. The willingness to move forward as a nation, even at substantial sacrifice, is impressive.

This sense of kinship is a great asset to us. Brazilians basically admire the United States and identify with us. There is a vast reservoir of friendship for all Americans and all that is American. They will not accept dictation. Care should be exercised to avoid exploitation of their natural wealth. Economic imperialism must be avoided. The nation is emerging as a major factor in international politics. It is Marshal Costa e Silva's hope and prediction that we can walk arm in arm as coequals.

AGRICULTURE

Almost without exception, Brazilians from all sectors call for modernization of agriculture. Social scientists see the need largely in terms of improvement of the quality of life in rural areas. Urban leaders see the need as a method of lowering food prices, and, hopefully, slowing the tide of urban migration. Economists see the entry of the rural sector into the money economy as creating the internal market required for continued industralization.

Forgotten for many years in the surge of interest in industralization, agriculture has had priority in the last 3 years—table 3. Warner Baer, the noted industrial economist now employed by the Getulio Vargas Institute, told me:

> The only choice Brazil has is intensive development of its agricultural base.

This is a principal objective of the revolutionary government headed by President Castello Branco. President-elect Costa e Silva assured me that these policies will continue during his administration.

Brazil's gross domestic product, balance of payments, population distribution, and labor force demonstrate the importance of agriculture. This sector accounted for 23 percent of GDP in 1964, 30 percent in 1965, and most experts told me that it may increase in 1966.

Agriculture traditionally earns about 80 percent of Brazil's foreign exchange. In 1965, coffee, 44 percent, and cotton, 6 percent represented half of export earnings of $1.6 billion. Sugar and cocoa accounted for another 10 percent—table 4.

Agriculture pays for imports of machinery and other items needed to industrialize.

Official sources estimate 54 percent of the population lives in rural areas—about 45.9 million as of January 1, 1967. Urban is defined as any concentration over 2,000 people. If a more realistic figure of 20,000 inhabitants is used, the urban sector drops to about one-third. This increases the rural group to 56.5 million.

About 55 percent of the labor force is thought to be actively engaged in agriculture. The 1960 census reported 11.6 million—table 5. In 1964, the number was estimated to be 17 million.

Jerry Harrington, president of IRI research, told me that at least 60 percent of the working force is engaged in agriculture. He pointed out that we reached this same point in 1860, and took 100 years to reduce the number to 10 percent. For this reason, he believes the only sensible approach to development in Brazil is to raise the income produced by agriculture. This, in turn, will finance additional industrial development and provide tax revenues to support social advances.

Most of the people I talked to spoke of agrarian reform and diversification of agriculture. I think these two have to be handled separately. Modernization and diversification of agriculture are urgently needed to satisfy increasing demand for food. The most efficient farmers must be encouraged to produce more.

It will require substantial time and money before the social aspect agrarian reform can begin, as it is hoped it can, to contribute to more efficient land utilization. The social problem is also urgent.

Fifty-two percent of the rural labor force are wage earners. Wages and income are unbelievably low. Vast numbers of Brazilians—perhaps more than a third of them—live in conditions of wretched poverty in rural areas. Few own land. More than 15 million are migrant workers and their families. All of the indicia of poverty are here. Families are larger. Death rates are higher. Illiteracy is more widespread. Disease is evident in profusion. Houses are poorer. Education is less available. Only through face-to-face contact do these things take on real meaning. You begin to understand infant mortality and the population explosion as a mother tells of the 12 pregnancies which gave her a family of five children, the oldest of whom is barely in his teens. A canefield worker gives perspective to the pressures of day-to-day life as he explains supporting a family of seven on less than a dollar a day in wages.

The tenacity, industry, and patience of the people give human dimension to the meaning of agricultural stagnation. Both the potential for development and the potential for destructive upheaval becomes obvious. It explains the urgency with which Archbishop Helder Camara and Padre Melo discussed with me the problems of rural social development in the northeast.

It is in this framework that the problem of agriculture must be viewed. There is a major division of opinion regarding the priorities. Generally, agronomists urge modernization. Jerome Harrington, president of IRI Research Institute, put it this way:

> You have to increase production before there is anything to divide up.

Social scientists, on the other hand, urge social development as the first priority. Men such as Padre Melo told me that the only way to block communism is through effective rural development based on agrarian reform.

Unfortunately, the techniques of modern agriculture require less and less labor. The introduction of machinery, fertilizer, insecticides, and better land use always eliminates direct jobs. Increased food production is needed—table 6. Increased production of export crops is necessary to earn the foreign exchange to sustain continuing economic development. Increased efficiency is needed in both to cut prices. Yet, the measures necessary to reach these goals will, in the opinion of the social scientists, heighten the crisis in social development. Harrington, on the other hand, believes that the jobs indirectly created increase the total labor requirements of the agricultural industry. He points out the need for additional workers in packaging and processing. He thinks the multiplier effect of fertilizers is great. Jobs are created in sales and distribution. There are jobs in transportation and in the manufacturing plants. Spreading equipment must be built. Bags have to be manufactured. There are numerous other subsidiary industries which profit.

Despite the contribution of agriculture to economic growth, very little reinvestment has occurred. The tradition of agriculture in Brazil is described as extractive by the specialists with whom I talked. Land is cultivated until its natural fertility is gone. Then it is abandoned for new frontiers. Eroded, all-but-useless land is then occupied by subsistence farmers. This is the history of the succession of crops which have moved south from the northeast 2,000 miles to Sao Paulo and Parana in the last 400 years.

This has fostered a cash crop mentality. General conditions are so favorable to agriculture, that it is possible to cultivate highly profitable crops, with little effort. Sugar, coffee, and livestock are typical. Initial plantings provide many harvests. Little if any attention is required in between harvest. This, of course, leads to low productivity. Today cattle production is treated in much the same way. Brazilian herds are 80 percent of the U.S. figure—table 7. Productivity is well under one-fifth the U.S. return—table 8.

Agricultural practices are generally archaic. Productivity is about one-third of that in the United States. Three million farms use 107,000 tractors as opposed to the United States, where 3.7 million farms use 4.6 million tractors. The 1960 census reported only 1 million plows in Brazil. Surprisingly little use is made of horses and oxen. The predominant practice is hand-tool farming. The use of insecticides is minimal. Fertilization rates are 10.21 kilograms per hectares, or about one-fifth those in the

President of the Senate and of the Congress, when in joint session.

The Governors of the States are elected by direct popular vote. Three Senators are elected by popular vote from each State. Members of the Chamber of Deputies are elected in an unspecified manner on the basis of one for each 300,000, up to 25 per State. In those States entitled to more than 25 deputies, additional representation is based on one million inhabitants. All States are guaranteed a minimum of seven deputies. The method of representation is to be decided by Congress after the adoption of the Constitution. Many people believe that an effort will be made to substitute the district system for the present statewide proportional representation system.

Another important provision designed to increase political stability relates to political parties. Elaborate regulations govern their operation. Additional parties can be formed. To establish a new party it is necessary to establish that 10 percent of those voting in the last election distributed throughout two-thirds of the States with not less than 7 percent in each State, support the new party. In addition, 10 percent of the deputies in not less than one-third of the States and 10 percent of the members of the Senate must be members.

The Constitution incorporates the concept of suspension of individual political rights for a period of 2 to 10 years. The Supreme Court "tries" the issue on an application made by Federal prosecutor general. Military courts are granted jurisdiction to try civilians for certain offenses against "the national security." Convictions are appealable to the Supreme Court. A powerful Presidency is established. He may declare a state of siege up to 20 days. The decree must be "submitted" to Congress within 5 days. Decree legislation is permitted when Congress is in adjournment. He may suspend the Congress. In matters affecting the national security and economic policy, he may submit legislation which, if not acted upon within a specified time, automatically becomes law. He originates all money bills, which may be reduced but not enlarged by Congress.

Amendments can be proposed by the President, the Congress, or the legislatures of one-half of the States. Approval requires a majority vote of the Congress on two readings. The long, minutely detailed document is very specific. It establishes protections for "civil rights" which are prescribed by law by the Congress. It promises liberal benefits for labor. It establishes economic and social reforms. The tax powers and other functions of the Federal, State, and municipal governments are established.

The authoritarian departures from the more liberal 1946 Constitution have been the basis for widespread criticism. One hundred and six administration deputies filed a petition calling for amendment provisions governing state of siege and decree laws, the day it was adopted. They announced that they would attempt to amend these sections as soon as the new Congress convenes. Liberal elements generally have expressed concern that Presidential powers can be used to establish a dictatorship.

Former President Castelo Branco vigorously defended the philosophy of the new Constitution. It is his belief that the document establishes the powers needed to govern his country at this stage of development. He has said that it is less restrictive than that of the West German Republic. He believes it is a democratic charter.

Most Brazilians told me that the administration has created an excellent working base for the new Costa e Silva administration. Most of the harsh and unpopular measures have been enacted. The austerity program required to control inflation is identified with Planning Minister Roberto Campos. He retired from the Government with Castelo Branco. The incoming President, a professional soldier, has not been involved publicly in politics. He has avoided the bitter economic, social, and political controversies of the postwar years. He succeeds a President described by all as indifferent to public relations. One Brazilian told me that he honestly believes Castelo Branco enjoys being unpopular. He is Spartan and reserved. Costa e Silva is much more a man of the people. As one person put it "He looks like people." He enjoys the crowds. He has the politician's love of popularity. He appears to be adept at public relations. Costa e Silva proclaims his general intention to "humanize" the revolution.

I saw the incoming President just days before he left Brazil on a world tour. His temporary office was in an apartment in Copacabana, loaned to him by a friend. The furnishings were modest. His staff was small and drawn primarily from the military. By our standards, security measures seemed minimal.

We met informally, seated around a cocktail table. I was accompanied by Jack Wyant, of USIS, who served as an excellent interpreter. Interestingly, the then President-elect made no provision for his own interpreter. He is voluble and tends to dominate a conversation. He appears to have the qualities that typify those who emerge as leaders of the great nations. He manifests broad knowledge of Brazilian and world affairs. He is articulate. Both his attitudes and personality seem consistent with his mission to "humanize the revolution."

"Education, health and welfare—these make the man. This is my program," he told me. He regards education as a first priority. He expressed confidence that primary education will be available to all children in 4 to 5 years. He appears to believe that the major problem facing Brazil is secondary education.

Industrial development has a high priority with Costa e Silva. Aware of the need for increased agricultural production, he appears, however, to view this as primarily a matter of providing food for internal consumption. Control of inflation is of vital importance to him. An annual rate of 10 percent is apparently acceptable. He strongly endorses the basic policies of the present government. He recognizes that some may "have to be changed."

He obviously thinks Brazil is in a critical period of rapid evolution. His country is, in his judgment, on the threshold of greatness. He is pragmatic in his evaluation of Brazil's limitations and problems. "We have been through a period when there was much to do and many laws had to be written very fast," he said.

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United States, and one twenty-seventh those in Japan. There is one agronomist for each 2,200 farmers, and one veterinarian for each 65,000 head of cattle.

Good management practices, such as crop rotation, contour plowing, and irrigation, are only beginning to be used.

Farm to market roads are rarely all-weather roads, and many communities are in isolated areas of the nation accessible only by very expensive, long-haul truck transportation. Not only is the nation vast, but historic tendencies to open new land in preference to maintaining the fertility of that in use has pushed the production centers farther and farther from the consumer. IRI officials told me that the wholesale price of rice grown in the frontier area was sometimes equal to the cost of transportation.

Storage, the traditional method of maintaining even supplies and fair prices, is a complex problem. Brazil, as one agronomist told me, is an "insect's paradise" because of its year-round warm climate. The weevil is particularly virulent. Grains are invaded almost immediately and subject to spoilage at a very rapid rate. Very few grain elevators exist. A projection of requirements made in 1960 for the decade called for the expenditure of $596 million for off-farm storage. A fraction of the estimate is for related needs for seed storage and feed processing plants. See table 9. Even the most primitive kind of storage bins are rare. A program instituted in 1964 resulted in the construction of 30,000 simple on-farm corncribs with a capacity of only 240,000 tons—about 2 percent of annual production. Crops which are not sold immediately are usually exposed to the elements, often on the ground. Obviously, this leads to artificially low prices to the producer. The fortunate few who have the capital to build adequate storage facilities can buy up the crop at these prices and then enjoy the high profits brought by retail prices in times of short supply.

Moreover, the entire food distribution system is outmoded. Few supermarkets exist. Most outlets are small independents usually selling dry goods, green groceries or meats. Refrigeration, even in the retail store, is relatively rare. There are only a limited number of farmers markets, and these are of ancient construction and far too small to service the large metropolitan areas in which they are located.

Annual crop loss is estimated at 25 to 30 percent of production as a result of this inefficient marketing system. In 1964, there was a surplus of 2 million tons of corn; yet less than a third of this amount was exported—table 10. The value of this loss alone was $120 million. Father Leising, director of Caritas food distribution, told me that perhaps as much as 50 percent of the annual rice crop—table 11—fails to reach the market. Brazil probably loses large quantities of cereals desperately needed by food-deficient nations. Salvage of these crops would serve humanitarian purposes while increasing exchange earnings.

In April 1964, agriculture credit was scarce. The extension service was far too small and agrarian reform was little more than a political slogan. To meet the pressing needs of the rural sector a "policy of rural development" was adopted. Its objectives are—

First. To supply food requirements for industrial growth;

Second. To increase export earnings of the sector;

Third. To create an internal consumer market; and

Fourth. To stem urban migration.

The long overdue revision of the credit system was perhaps the most far-reaching development.

I spoke at length with Jose Ribamar, who was introduced as "the father of agricultural credit in Brazil." He traced its history for me.

Prior to 1964, less than 12 percent of Brazil's farmers were served almost exclusively by conventional banking sources. There was little dealer credit. Private capital was not available for agricultural investment. About 95 percent of this credit was handled through the 500 branches of the Bank of Brazil. The Government owns 51 percent of its stock, but it functions like any other bank. Agricultural credit was available as a result of official credit policy decisions. The remaining 5 percent was handled through three national, eight state, and a few private banks. This also was available because of fiscal policies of the Government. A Government organization known as ABCAR—Associacao Brasilera do Credito e Assistencia Rural—functioned as a combination credit-extension service operation, but only in eight states. Some credit was available through state agencies.

On July 14, 1964, CNCR—Coordenacao Nacional de Credito Rural—was established under Ribamar's direction. In conjunction with AID, comprehensive planning of a new Federal program proceeded along with emergency loan activity.

The planning phase led to the enactment by the National Congress of the national agricultural credit law on November 5, 1965. This is a five-phase program to provide commercial rural credit, supervised credit, and credit to support cooperatives, minimum price supports and land reform. The responsibility for carrying out the program lies with the newly created Central Bank and is administered through GERCI—Managing Agency for Rural and Industrial Credit—which Ribamar now heads.

The operating phase of the program remained with CNCR, which was transferred to GERCI, as SURAL—Subgerencia do Credito Rural. By November 7, 1966, this section had outstanding 96,000 loans to small and medium-size farms representing more than $60 million. This support is principally for food and livestock production.

The principal impact of the program is its rediscount operation. This is still centered on the agricultural credit section of the Bank of Brazil—CREAI—table 12. Under the new laws, GERCI is empowered to stimulate additional conventional credit. This is accomplished through a dual approach. Certain percentages of the reserves of the banking industry must be committed to agricultural credit. In the past, this credit was only available to large farmers. The situation, hopefully, is improving for smaller farmers. Additional Federal funds are made available to the banks on a rediscount basis, but only on a matching basis.

While this is a marked improvement, there is still a long way to go. Additional funds available to GERCI are less than $100 million, including loans still being negotiated with the World Bank. Agricultural credit has never been adequate. In 1963, total rural credit amounted to only 5 percent of the value of agricultural output. Seventy-five percent of this was working capital concentrated in the five prosperous southern states. Only 7 percent was extended to farmers owning 100 acres or less. That year, a little over 400,000 loans provided credit to about 10 percent of farm operators throughout Brazil. These loans, incidentally, include about 94 percent of tractor financing under a special program of government guarantees of 4-year loans.

Comprehensive plans have been developed for the implementation of all phases of the agricultural credit law. Funding is not available for most of the programs. SURAL works through co-ops wherever possible. The National Cooperative Bank has been revitalized after long years of negligible activity. Under new administration in 1965, it tripled the previous year's activities, making 520 loans totaling about $21.5 million. In 1966 it is expected to double that.

Interestingly, Ribamar rejected a survey recommendation that he create an independent system of Government-owned banks. He elected instead to strengthen the existing private system of more than 6,000 branch banks. They are the lending and servicing organizations. He has encouraged the banks to hire more agricultural credit personnel. He hopes to initiate a formal training program for such technicians. He hopes to encourage lending by the private sector.

A second move to channel capital into the agricultural sector was a reversal of earlier pricing policies. For 20 years, Brazilian governments have imposed artificially low retail prices on most basic foods. Tailored to placate the urban population, these policies have nourished, if not fostered, many contemporary problems. A clear result has been disinterest in food production. Accordingly, in 1964 the new administration moved to eliminate price controls and establish minimum price supports as a production stimulus. By the end of 1966 all major food crops were both price supported—table 13—and decontrolled. Beef was scheduled for decontrol in January 1967. In 1965, the Government entered the market and made substantial purchases as a part of the new program.

Funding of this program is also a problem. In 1965, crop loans were restricted to 80 percent on warehouse-stored commodities and 60 percent on those stored on the farm. Thus, the burden of the program was largely at harvesttime. As a result, the Government bought heavily. For example, it acquired

30 million 60-kilo bags of rice—nearly one-third of the crop.

The program is administered through the Commission for Financing Production, which also operates through Bank of Brazil. By law, the agency must announce minimum prices 60 days before planting, with adjustments announced 30 days before harvest.

Again in 1966, it was necessary to establish loans on a sliding scale, between 80 and 100 percent depending on market price. The impact of the program on Government finances is as yet unknown. There has been a substantial increase in food prices, which may have curtailed consumption. At the same time the increase in overall production will vary by crop. Production experts told me that rice production will be less than 1965. They believe that the high market prices of other crops, greatly exceeding support prices, will reduce Government purchases.

The extension service, while small in 1964, was well organized. Formal authority for extension work lies with ABCAR, which was established in 1949. Lack of personnel and funds had limited its scope to about six states, largely in the south. In these states it has done an excellent job, in the opinion of most American specialists in Brazil.

By 1966, the program had expanded to 16 States. Eight hundred and thirty-one municipios—counties—are serviced by its personnel. These areas represent over 35 percent of the rural population of the states in which the program functions. There are 1,236 employees, of whom 76.5 percent are university graduates. In the northeast—eight States—the affiliates are known as ANCAR, which has a total of 563 employees—table 14.

AID officials are particularly impressed with the program in the state of Minas Gerais. The experience gained in this program is being used to broaden and strengthen the national program. This state is the site of one of the three rural universities, which are a bulwark of the revitalization program.

There is, of course, some measure of extension work being carried on in every state in Brazil, by other agencies. The critical shortage in the program is personnel. Correcting this deficiency is a long-term education problem. There are at present in Brazil more openings in agricultural schools than students. Statistics are in conflict. Official Brazilian sources state that there were in 1963 only 7,800 students enrolled in schools with space for more than 20,000 students. The school census for 1965 reports a total of 12,878 students in all secondary agricultural schools. AID estimates are more optimistic, reporting 9,000 students in 1962 and 15,000 in 1965. In any event, Brazilian officials at all levels expressed concern to me over the lack of public interest in agricultural training at any level. In fact, one expressed the wish to rearrange vocational curriculum so that high school graduates would not be prepared for college entrance. This, he said, would force them to work in their specialty.

Another official told me that there is a strong prejudice against use of lower level graduates in extension work. These jobs have been filled traditionally by graduate agronomists. Apparently, there is little desire to "make do" with the technicians who are available. This is particularly unfortunate because university facilities are inadequate to meet the demand. The Ministry of Agriculture estimates that there were 13,000 agronomists in 1958. In 1960, they said the shortage was nearly 5,000. U.S. officials told me that this shortage will increase. They estimate that the requirements for agronomists will be increased by 10,000 to 11,000 by 1970. Universities, even with planned expansion, will graduate only 5,000 in the same period—table 15.

Obviously this will leave a critical shortage in the field. There seems little alternative to filling this gap with personnel trained in the high schools and other stopgap programs.

Fortunately, policy seems to be directed along these lines. Agronomists, as well as the state secretaries of education in Pernambuco and Guanabara, told me of increased emphasis on agricultural vocational training in secondary planning. Members of the federal secondary planning team in the Ministry of Education told me the same thing.

The short-term policies have been directed to rapid increase in stopgap training, short courses and other methods of achieving the "demonstration" approach. Great emphasis is placed on the leadership concept, under which successful farmers are asked to plant demonstration plots to disseminate new techniques.

In Recife I visited one of the principal training facilities of ABCAR/ANCAR. Cetreino is the regional extension service training center for the northeast. Founded in 1958, its limited operation was highly successful. Plans for expansion were initiated in 1962. A major construction program is about half completed. Completion of the center is contemplated in 1967.

Regrettably, the director, Constantino Ferreira, was in Rio at the time, but I enjoyed a 2-hour roundtable discussion with seven members of his staff. During construction in 1966, the program was curtailed but trained 743 participants in short courses and workshops. The curriculum covers rural extension, rural economics, experimental agriculture, rural home economics, and rural community organization. Plans for 1967 call for doubling the number of trainees. This year should also see the development of a regional communications center to disseminate the results of research and other technical developments.

IRI Research Institute participates as an AID contractee. Two specialists are stationed at the center. IRI is a New York-based organization founded by Nelson and David Rockefeller and associates. Its purpose is to raise living standards through increased agricultural productivity. The emphasis in Brazil is in the area of research, training, and extension programs in which it employs about 30 senior specialists and 200 Brazilians. Reductions in funds will reduce this to 25 in 1967. IRI's initial activities in Brazil were largely centered at the research station which it operates at Matao in the State of Sao Paulo. More recently, activities have been expanded to other parts of Brazil under a contract with AID. American scientists are working with the Federal Ministry of Agriculture at several locations.

I spent a day and a night at the station inspecting the extensive experimentation with plantlife and livestock. I talked with IRI personnel including its president, Jerome Harrington, and his local staff. Participating with me in this comprehensive review of Brazilian agriculture were eight recent graduates of Brazilian agricultural universities who are in training.

The station is located in the heart of the richest agricultural state in the nation. The terrain is similar to the Great Plains, but favored with a subtropical climate. The station is an abandoned coffee fazenda with exhausted soils. The results, which have been obtained through use of basic fertilization, are dramatic. Harrington told me that in the areas adjacent to Sao Paulo, there are 440 million acres suitable for production of basic foods. Most of this land is virgin. They believe in this area alone Brazil can produce perhaps eight times its present output of food. This is enough to feed almost 1 billion people—nearly a third of the world's population.

One aspect of the research problem, which apparently must be resolved, is dissemination of the results. Discussions at Matao indicated that there was little formal organization of this activity. One of the staff suggested using Peace Corps volunteers. Only an occasional volunteer comes to Matao for assistance. I was told that IRI offered the facilities for volunteer training, but Peace Corps Brazil has never availed itself of the opportunity. Peace Corps has more than 150 volunteers in Brazil assigned exclusively to rural development.

I also visited the experimental station operated by the Brazilian Government at Recife. Dr. Robert Fulton, IRI's Regional Director, serves as a technical adviser to IPEANE, the operating agency. He works very closely with the volunteers. This perhaps results from a combination of personality and the physical closeness of many of the Peace Corps sites. I believe this should be a planned activity rather than a possibility permitted to turn on personalities and distance.

In my discussions with various personnel in the research field, I formed the impression that there is much duplication. For example, there appears to be little familiarity with the research conducted at the Tropical Agricultural Experimental Station of the USDA, located near Mayaguez, Puerto Rico. This station, established nearly 50 years ago, spends more than $300,000 annually. It appears to me that much of this work should be valuable in countries such as Brazil. Agricultural experts in Washington share this view.

The really explosive problems in rural Brazil are social. Nearly 9 million—52 percent—of the economically active population in rural areas are wage earners. A few obviously are supervisors, but the vast majority are typical impoverished farmworkers.

In 1960, the census showed 1.5 million of the 3.5 million farm units were less than 20 acres, or 10 hectares—table 16. It was estimated in 1966 that these had grown to 1.9 and 4.3 million, respectively. Also in 1960, it was estimated that 15 million were landless. This, too, has no doubt grown.

It is reasonable to assume that at least 30 million rural Brazilians barely survive at a marginal subsistence level of life. More than a third of the population sees acquisition of land as its only chance for a better life.

Until the revolution, agrarian reform was ineffective. Legislation permitting expropriation for cash payment was passed in 1962 under the Goulart administration. The absence of governmental revenues rendered the law meaningless from before its inception. Use of bonds for compensation was prohibited by the constitution.

The new government immediately amended the constitution to permit bond compensation. At the same time the taxing power was transferred from the municipal to the federal level. Immediate work began on the land statute which was effective on November 30, 1964. The goal is to establish a broad-based rural middle class. The technique contemplates redistribution of land, coupled with community development and vastly expanded extension services to the new owners. Mechanically, the law establishes a progressive tax system based principally on beneficial use. It provides a formula for expropriation. The latter is obviously a last resort measure. The law appears to be extremely detailed and well thought out. It provides for the necessary agencies to administer all phases of the program. Significantly, it is designed to offer the carrot, yet creates a stick.

The new law established the Brazilian Institute of Agrarian Reform—IBRA—to draw up and coordinate regional and national plans. The guidelines require careful evaluation of the needs and practicality of each plan. A census of rural properties was begun as the first step. A special category of emergency areas was provided, to which prompt action was directed. Responsibility was vested in IBRA to carry forward all of the necessary supportive services.

At the same time, INDA, the National Institute of Agrarian Development, was established to promote rural development in sectors of colonization with similar powers to those of IBRA.

It was explained to me that the policy is a mix of colonization and redistribution of land presently in use. Implementation of the program is complicated by factors such as food production and the need to prepare the landless for the role of independent farmer. As a result, the program is moving slowly. IBRA, which began operations in March 1965, has initiated the rural land census in more than 4,000 municipios. By the end of 1966, it had scheduled relocation of 11,000 families at a cost of about $25 million. INDA, which began operations a month later, has established 41 colonization centers in 12 states.

IBRA has given priority to the northeast. Everyone I met in the area impressed upon me the urgency of agrarian reform and rural development. Dom Helder, the archbishop of Recife, explained that the historic semifeudal patterns of agriculture continue into the present day. Padre Melo, who fought the strong Castroite influence of the early sixties, told me that this and this alone will forestall the resurgence of the extreme left. He worked with the peasant leagues prior to the community takeover. Their origin, he said, was a cooperative effort to provide money for a decent burial, a very important sacrament in this predominantly Catholic nation. Gradually infiltrated by the left, they were converted to political action and succeeded in electing at least one Governor said to be an acknowledged Communist. The battle cry was "agrarian reform."

The leagues were banned after the revolution and their leaders either fled or were deprived of their political rights. Dom Helder expressed the opinion, shared by such industrial leaders as Jorge Batista da Silva, that this influence is merely quiescent, but still very much a fact of life in Pernambuco.

I met with seven leaders of the rural labor movement at the Rural Labor Training Center at Ribeirao, Pernambuco. Among them was Jose Francisco da Silva, secretary of the State Federation of Agricultural Workers. He is a very articulate young man in his mid-twenties. With deep emotion, he thanked me for U.S. assistance to the poor Brazilian campesino. With great passion, he spoke of the need for landownership, improved agricultural techniques and, above all, education for the children of the poor and illiterate. Very clearly he was voicing the same desires which gave rise to the power of the peasant leagues.

The center is an interesting experiment in rural development. There are three such training projects in Pernambuco directed by the American Institute for Free Labor Development, under an AID contract. The organization is a function of AFL–CIO organized to train Latin Americans in the techniques of democratic labor unionism. The center is formally an activity of the State Agricultural Workers' Union. It was completed in September 1966, at a cost of $48,000 derived from Public Law 480 funds. Shop equipment was donated by AFL–CIO. It serves 10 unions with an estimated membership of 25,000 in this section of the state.

In concept, the center is used for training union members and others in short courses designed to energize community development. There are courses in literacy training, co-op management, agricultural practices, preventative medicine, carpentry, cooking, and sewing. Dormitory facilities are provided for those who live too far away to commute. It also provides assistance in organization and development of consumer, farm supply and farm marketing co-ops, rural credit unions, and associations for leasing or purchasing land.

In actual operation, the center seems to provide training for anyone who presents himself as a student. In theory, this is an application of the leadership concept of community development. It appears to be based on the assumption that the results of training will trickle down to other residents of the home community. Perhaps as the center is more completely organized, it will enroll students more selectively. There should be some formal organization to multiply the effect of this training. It seems likely that the major impact is restricted to the Ribeirao area.

In talking with students and teachers at the center, it was evident that this opportunity has provided at least the 150 or so currently enrolled with some hope for improvement of their level of living.

Nearby Ribeirao lies Caxanga, a 32,000-acre sugar plantation—fazenda. This is the site of a formal agrarian reform project, which was forced upon IBRA. In early 1965, the fazenda and sugar mill were abandoned by its owners, leaving 2,000 workers idle and without income. As a short-term solution, IBRA, operating through ANCAR, acquired the property and reactivated it. Francisco Lacerda was appointed Administrator. He has made major improvements both in land use and operating efficiency of the sugar mill.

I met at the main plantation house with Fernando Caldas, the regional supervisor of ANCAR. He has been directed to make this a model of agrarian reform. As he explained his program, the first step was a careful survey of the land. About 12,000 acres are suited for sugar culture; 16,000 are suitable for diversified farming and livestock; 3,200 are suitable only for forests; and the remaining 800 will be used for housing areas, roads and the like.

The second step was to plan the development of the various areas. They believe the best use of the sugar land is cooperative farm units. The 16,000 acres suitable for livestock and other crops will be divided into about 1,000 family farms. The farm owners are to be organized into a co-op to provide production and marketing services, technical assistance, and credit. It will be subsidized by the Government until it is self-supporting. The sugar land will be farmed mechanically with modern practices. This should produce enough cane to operate the mill at peak efficiency of 300,000 60-kilogram bags annually. The mill will operate as a mixed public-private corporation in which the people who work on the land and in the mill will be stockholders.

Caldas has assembled a large staff, 23 of whom participated in the meeting. They include agronomists, extension agents, specialists in adult education, and social workers. Implementation of the program on a day-to-day basis is their problem. Typically, the fazenda workers are unskilled, illiterate and reportedly undernourished and disease ridden. Comprehensive training is clearly necessary on a long-term basis to enable these men and women to function as independent farmers.

While Caldas is optimistic regarding the success of the program, questions revealed that it will take a long time. I asked what limitations, if any, were placed on title of the individual farmer to his land. The response was vague. Caldas indicated that decision has not been finally made. Probably the so-called owners will not be permitted either to sell or borrow. It is my impression that those in charge of the program doubt the capacity of the worker to manage his own affairs as an independent farmer in the foreseeable future.

Subsequent discussions indicate there is considerable doubt regarding the practicality of the project. One official told me that the minimum cost per unit will run at least $9,000. Others seriously doubt that Brazilians will respond to communal ownership. Padre Melo told me that a similar effort sponsored by Sudene had failed because the Brazilian believes "my success should be mine." The ratio of personnel to beneficiaries is extremely high at 100. It will be years before Brazil can commit this number of technicians to agrarian reform. This is in many ways a demonstration project, and hopefully the experience here will make possible a reduction of personnel requirements and costs.

In the last 15 years, agriculture has grown faster than the rural population. The increase represents new area brought under cultivation. Productivity per acre has shown little improvement. Yields generally are 25 percent to 33 percent of those in this country—table 17. In recent years, food crops have grown faster than agriculture as a whole—table 18. Per capita production, when allowances are made for weather, has fallen slightly.

Only 31 percent of the land mass is used for agriculture. In the United States the figure is 49.5 percent. Only 20 percent of the arable land is said to be in use. Of 530 million acres in farms, only 10 percent is in crops. Fifty percent is used for grazing. Forty percent is fallow or in forest. Very few areas are nonproductive because of desert conditions or mountains. Almost all of Brazil is in the temperate or tropical zones where year-round cultivation is practical.

The areas of potential colonization are vast, even without the Amazon Basin, which covers more than half the nation. Until recent years, this area was thought to be of little agricultural value, although there is abundant rainfall and luxuriant tropical jungle. Increasing attention is being given the possible agricultural value of the area. It seems likely that ways will be found to make this land productive.

Curiously, no Brazilian mentioned his country in terms of solving the growing crisis in the world food supply. There is occasional discussion of export of comparatively small surpluses which develop now and then. Success of the programs of the Castello Branco government will provide the beginnings. I am hopeful that Brazilians will push agricultural expansion despite the many problems. As they explained to me, the job is long and hard—table 19.

Diversification is not a simple matter. In the northeast, for instance, there is considerable doubt that much land now devoted to sugar can be productively cultivated to another commodity. This is particularly true of the rolling, hilly country, where sugar is grown on precipitous slopes and effectively serves to minimize erosion. Many agricultural experts are skeptical about efficient sugar production on individual small landholdings. It will be difficult, if not impossible, to train many cane workers in management techniques that will make small landholdings productive. Many sugar plantations—fazendas—are controlled by absentee owners who have lost interest in the improvement of production. They make their money elsewhere in the cities. The Government appears committed to a course which will break up such relatively unproductive fazendas, while at the same time encouraging more efficient large land units to mechanize, fertilize, and otherwise improve management techniques.

If private enterprise is to be encouraged by redistribution of land to small independent farmers, a critical need will be the provision of credit. Under present circumstances, real long-term credit appears to be completely unavailable to any farmer. Runaway inflation has limited long-term credit in the entire economy. Even a good credit risk in business or agriculture must normally finance his long-term needs through repeated 60- or 90-day loans. The Government is moving now to expand agricultural credit through the establishment of special Government loan programs. This appears to involve considerable redtape and delay for the individual farmer, but it is the only immediate expedient available. With the hope that inflation will soon be controlled at a reasonable annual rate, the Government is moving to stimulate private savings once again. Private savings have been unavailable as a significant source of investment capital or credit since rampant inflation became a way of life in Brazil. As one noted Brazilian commented:

> Inflation has virtually destroyed the instinct for saving among Brazilians. We must restore that instinct.

Obviously, small farmers with newly acquired land from the Government will be in desperate need of credit. It is doubtful that they can long survive without it and, in the absence of private credit sources, the Government will doubtless try to provide it directly.

Fertilizer is a critical need in Brazil—table 20—many of the soils have been depleted of key elements, although otherwise retaining adequate fertility and quality. Until recently, even the few farmers who had been persuaded that fertilizer would more than return their investment found it impossible to get the fertilizer. Short-term loans, to buy fertilizer at the beginning of the crop year and pay off the loan at the end of the crop year, were unavailable. Government agencies have moved with considerable vigor in recent months to try to meet this need. An agency known as "Funfertil" will provide about $19 million annually for direct fertilizer loans with no interest over the crop year.

Much remains to be done in providing needed credit alone, to say nothing of educating thousands of small farmers to the virtues of fertilizer. In terms of farm production for exportation, a major deterrent remains the fact that fertilizer costs in Brazil are almost double those in the United States.

Of all the needs in Brazilian agriculture, perhaps the most critical is an administrative network comparable to the Extension Service in the United States. The problem of teaching new methods of agriculture and adapting to new commodities is difficult under any circumstances. It is many times compounded by the lack of enough competent field service personnel. It would appear that the Brazilian Government is giving heavy emphasis to meeting this need. As one Brazilian administrator put it:

> The difficulty we have is to mount an administrative machinery, to provide technicians.

Those fearful of mass famine should take a careful look at Brazil. It is my impression that major inroads on the food deficit can be made there. I had a long discussion with Dr. Robert B. Cate, Jr., in Recife and in flight from there to Rio. He is a soils expert associated with North Carolina State University. He is establishing soil testing labs throughout Brazil. He believes, based on long experience, that proper use of fertilizer will make Brazil as productive as any nation in the world.

The land, manpower, and climate are all there. There are no deserts in Brazil. Some areas do suffer from seasonal dry spells. These can be irrigated. There is more land suitable for agriculture than in the United States. It can be cultivated 12 months out of the year. There are three times as many farmers in Brazil as in our country.

Agronomists showed me experiments and told me of others. Brazil can produce enough food in excess of its own requirements to provide 200 million people with 2,300 calories a day, just by using fertilizer on land now used for food production. Theoretically, at least, intensive crop rotation would more than double this surplus. The possibilities of intensive use of its virgin lands, at least 75 percent of the country, are even more impressive. I am convinced that Brazil is potentially the great breadbasket of the world.

The importance of Brazil's agricultural potential cannot be overemphasized. Should history prove, as it may well do, that lasting peace was imposed on man more by his need to eat than by diplomacy Brazilian food may be the ultimate weapon.

The Malthusian nightmare faces India today and the next 10 years, according to respected authorities, will see the spread of famine into other areas of the world. Indeed this is the import of President Johnson's urgent appeal calling for a war on hunger.

The well-known study prepared for the Inter-American Bank by Montague Yudelman in October of last year, while finding no present "Malthusian crisis" in Latin America, nonetheless warns that there is no room for complacency. Specifically, it is reported that investment in agriculture must increase 60 to 100 percent in the coming decade to attain the growth targets "postulated by the Alliance for Progress." Here then is a quantitative measure of the action gap between promise and performance under the Alliance, which is further underscored by the negligible 5-percent allocation of U.S. assistance to the agricultural sector since 1961.

The current modest increases in support for Brazilian agriculture are clearly insufficient. Vastly greater emphasis must be placed on rural development by our personnel both in Rio and in Washington.

EDUCATION

Education in Brazil follows the traditional French pattern directed toward training the elite for academic excellence. A child enters primary school at age 7. The primary education is 4 years in duration, followed by 4 years of "ginasio" and 3 years of secondary education called "colegio". This process carries the student above the high school level in the United States. A fifth primary grade is being added in some parts of Brazil. In a few city schools, there is a sixth grade.

One of the most frustrating deficiencies of the entire Brazilian educational system is in statistics. Any evaluation of the overall picture is at best an educated guess, with large probability of error. There seems little question that the international statistics portray an overly optimistic picture.

I was repeatedly advised that I must await the publication of the complete results of the 1964 school census conducted by INEP—National Institute of Pedagogic Research—an arm of the Ministry of Education. The higher education census was published in 1965. The secondary census was published in 1966 and the elementary census is slated for publication in 1967.

There appears to be contradiction in almost all the available statistics, which obviously are only informed "guesstimates". It is apparent from the interest of educators in improved statistics that they are very much aware of the problem, and are taking steps to correct the situation. It is equally apparent that, whatever the true situation, the urgent and immediate problems are of such proportions as to be almost beyond the capacity of the nation to resolve through conventional approaches.

The recent history of education in Brazil indicates the magnitude of the problem:

	Enrollment	Teachers	Number of schools
Elementary:			
1955	4,545,630	141,956	69,051
1961	7,798,732	245,096	99,677
1964 (latest year available)	9,521,595	298,685	(1)
High school:			
1955	838,993	75,129	5,964
1962	1,464,361	105,174	7,254
1965 (latest year available)	2,154,430	[2] 132,284	[3] 7,858
University:			
1955	73,575	14,601	845
1962	110,093	26,268	[4] 940
1965 (latest year available)	155,777	(1)	(1)

[1] Not available.
[2] 1964.
[3] 1963.
[4] Reorganized in 1961 from 1,323.

I was told that only two out of three Brazilian children even enter the first grade. Recently published data based on the 1964 school census, however, reports that three out of four children in the 11-year group matriculated that year. If, as seems likely, this data is based on registration as opposed to attendance, the difference is explained. Effective attendance is about 14 percent of registration. Of those who enter first grade only 10 percent graduate and enter secondary school. Under these circumstances, only about 5 percent of Brazilian children reach the secondary level—ginasio.

The problem of Brazilian education is perhaps best summed up by the following chart. Out of each group of 1,000 children reaching 7 years of age, the following numbers enter the indicated grades:

	1	2	3	4	5	6
Primary	660	264.0	191.0	112.0	------	------
Secondary	64	47.0	30.0	23.0	20	13.0
Higher	5	3.4	2.7	1.3	1	.2

The elementary planning team told me of a study of the 14-year group based on the 1964 census—table 21. Of 1.1 million in the age group, 63.4 percent were reported in school. Less than half of the children in the rural areas were in school, reflecting the gap between rural and urban conditions. One-eighth of those in school were in the first grade. Of those not in school, over 70 percent were rural. No school was available to 17.1 percent of rural children. Only 8.3 percent of the age group was working. This is of particular interest inasmuch as the most frequent explanation of low attendance is that children leave school for jobs.

Great extremes exist in levels of education. They are not only regional but also based on conditions in the urban and rural areas. Generally, in the south the system is vastly superior to other areas of the country. Rural areas are served largely by one-room schools. Substantial numbers of these offer less than the traditional four grades. Probably no rural school has added the fifth or sixth grade. Understandably, both quality and availability of education varies with the wealth of the area. Generally speaking, rural areas offer very poor opportunity. Small interior cities are a little better, and State capitals have a comprehensive system of varying quality.

The system is far more advanced in cities such as Rio and Sao Paulo. I discussed the problem of public education with the secretary of planning for the State of Sao Paulo and the secretary of education of Guanabara—which is the city of Rio de Janeiro. Rapid growth has created major problems in the wealthier State of Sao Paulo. Rio, on the other hand, had a better basic system from which to expand. Primary education, I was told, is available to all children in both cities. The major problem is overcrowding. Almost all schools operate at least two shifts and many three or more. Dr. Moraes, the secretary of education in Guanabara, told me that his goal is to build enough classrooms by the end of his term in office in 1969 so that no school will have to operate more than two shifts. At the present time, there are 600 primary schools in his State. Three hundred of them operate on triple shifts. The time in class is so limited that only Portuguese, geography, science, and math can be taught. During the 4 years of his predecessor's term, 1,400 classrooms were built. He is very proud of having completed 1,500 in his first 2 years in office.

An interesting aspect of this conversation was the Secretary's remarks regarding the AID school construction program in Rio. This program was initiated prior to the Secretary's term of office. All funds had been committed when he assumed the job. He told me that he had hoped that because he was trained in the United States he could expect more cooperation than his predecessor. Instead, he has had no assistance in construction of any kind from the United States. He, clearly, is disappointed in this respect. He said, in effect, that the voters expected him to obtain at least as much construction money as his predecessor. This sidelight on the construction program suggests at least one of the hazards of such assistance.

Dr. Moraes said that the secondary program in Rio is more limited than the primary. There are 400 secondary schools of which only 85 are public. He believes additional schools are necessary to improve the quality of education at this level. Most of the private schools are not of high quality. Many are night schools. Only a few are first class private preparatory schools in the U.S. tradition.

Dr. Moraes views the school system as a major instrument of economic development. He stressed the fact that Rio must expand its industrial base. Thus, the schools must give increasing emphasis to vocational training to provide the needed technicians and office workers. Nonetheless, he said, 95 percent of instruction is directed toward university preparation. However, only one out of 30 high school students goes on to the university. "We are," he said, "spending money for frustration."

I must emphasize once again that this is the most advanced state school system in Brazil.

I met with the members of the executive committee of the department of education of the State of Pernambuco. This is the wealthiest of the States in the northeast. Its population is slightly more than 4 million, a quarter of which lives in Recife. Major reorganization of the department has taken place in the last 2½ years. A team of U.S. educators is working closely with the department to develop an administrative team capable of carrying out a public program for the State.

To an American accustomed to the high levels of organization which exist in our State systems, this experience was all but incredible. It is evident that these are hardworking, dedicated, highly competent educators. The magnitude of their problem is so great that they have only begun work on the high school level. In 2 years, they have restructured the primary system to provide statistical data, abolished the hiring of unqualified teachers, published curricula guides, and added preprimary and fifth and sixth grades in some areas. In 1966, they published for the first time a report showing the status of State-controlled primary education. They are awaiting the results of the 1964 census which will give them the number of students attending municipal schools. For this reason they were unable to estimate the number of children covered by this system. Statistics for high schools were only slightly better because the material available is limited to 1964 census results published by the Federal Government.

As of 1966, there were an estimated 772,287 children of primary age. Of these, 225,343—29.2 percent—were effectively enrolled in primary schools operated by the State—table 22. Of this number, an average of 80.5 percent passed to the next grade—table 23. Distribution among the grades was close to the national average with 47.7 percent in the first; 18.5 percent in the second; 15 percent in the third grade; 10.8 percent in the fourth grade; 7.7 percent in the fifth grade; and 0.8 percent in the sixth grade—table 24. The fifth grade had been added in all school districts, and a sixth was operating in parts of Recife.

Less than one of 10 who enter first grade complete 4 years of schooling. Adult literacy training is a function of the system and graduates 18,000 people annually—table 25—out of 41,000 in attendance. The State average for dropouts is lower than the national—table 26. A student-teacher ratio of 32 was maintained. There were 6,953 teachers which was 774 short of the authorized number for the year—table 22. The system has a total of 3,730 classrooms in 1,882 buildings—table 27. Of these, a 10th house all grades. Nearly a third are one room, and over 400, known as typical rural, are little more than grass huts. An interesting aspect of the system is that more than half of the schools offer both night and daytime classes—table 28. In 1966, the primary budget was $6,828,915.

There is, in addition a system of municipal schools. As noted, the State secretary was unable to provide an estimate of the number of students enrolled. AID officials estimated that 15 to 50 percent of the children in school attend these schools. If 50 percent of the age group is in school—national estimates are higher for the area—the number in the municipally operated schools would be about 151,000. The Secretary told me that no more than two-tenths of 1 percent of those completing 4 years of the Pernambuco municipal primary schools are literate. Quality varies among the States. None of these schools is comparable to the State system. In Rio, the ministry told me that of those attending primary school in 1964, 24.4 percent were enrolled in municipally operated schools.

At the secondary level, the department was able to provide little more information than is contained in the report of the national census. There are 280 schools of which eight are Federal, 37 State, 33 municipal, and 202 private. There are 90,958 students of whom 56,803 attend private schools; 2,454, Federal schools; 24,974, State schools; and 6,727, municipal schools. Of the total, 67,500 are in junior high and 23,458 in senior high. In 1965, the State spent nearly $1,000,000 at this level.

Planning for the restructuring of the State high school system has identified the magnitude of the task. The secretariat told me that the high school age population—11 to 18—in urban areas alone was 340,551 in 1963. Of this group, 74,786 were in high school. Seventy-eight percent were therefor not in school. To fill this need alone would require about 3,300 classrooms. It is likely that there is an equal, if not somewhat greater, number of high school age children in rural areas.

On this basis, it appears that in order to provide public education through high school in this State alone it will require something on the order of 14,000 classrooms, and an increase from $7 to $52 million for annual operations. The cost of new schools in the area has averaged $9,000 to $12,000. The Secretary told me that the State is spending 20 percent of its annual budget on education at the present time. This places the State's total expenditures for all purposes at the level of $35 million, or $17 million less than would be required for operating costs alone in providing public education through high school. Although these estimates are very rough, they do serve to outline the nearly insuperable challenge presented by the educational needs of the nation.

In 1964, nationwide attendance was—table 29:

Elementary	8, 521, 595
Ginasio	1, 405, 462
Colegio	413, 172

Estimates for 1965 are 9.9 million in primary and 2.2 million in secondary.

Children generally enter school later than in the United States—table 30. More than one-fifth of the 14-year age group was in the first grade in 1964. Over 40 percent of children in the first grade were 10 years or older.

Significant progress has been made in elementary education. Between 1960 and 1962, 10,000 new schools were opened. Forty-eight thousand new teachers were employed. Increase in primary attendance is said to be out-stripping population growth, yet there is a long way to go—table 31.

Brazil authorities in the ministry in Rio told me that the 1964 school census reported 66 percent of children in the 7- to 14-year group in school.

Age	Total population	Population in school	Percent in school
7 years	2, 017, 175	955, 525	47. 4
8 years	1, 981, 111	1, 304, 557	65. 8
9 years	1, 796, 951	1, 300, 167	72. 4
10 years	1, 954, 188	1, 425, 945	73. 0
11 years	1, 668, 873	1, 244, 870	74. 6
Total, 7 to 11	9, 418, 298	6, 231, 044	66. 2
12 years	1, 770, 772	1, 254, 273	70. 8
13 years	1, 483, 051	989, 256	66. 7
14 years	1, 262, 717	764, 710	60. 6
Total, 12 to 14	4, 516, 540	3, 008, 239	66. 5
Total, 7 to 14	13, 934, 838	9, 239, 283	66. 3

Source: Censo Escolar de 1964, MEC–IBGE, Rio de Janeiro, 1965.

Few Brazilians with whom I discussed education believe these figures are accurate. Generally, they suggest 50 percent as that attending school. This may result from use of matriculation data by the ministry. In the primary grades there is a 14 percent difference between matriculation and attendance. It is also possible that the size of the age group is underestimated. These statistics also indicate that over four-fifths of the age group is attending school in urban areas. If those data are, in fact, accurate, Brazil appears to have the problem of elementary education reasonably well solved. There are, however, many who feel that this is not true.

They cite the increase in size of the age groups under 14 which represent almost 43 percent of Brazil's population. With 25 to 33 percent of children never entering school, at least 500,000 children a year are added to the existing pool of more than 30 million illiterates. Moreover, the hardcore of those bypassed by education are in the rural areas. These, of course, are the most difficult and expensive to reach.

The deficiencies are more apparent in the 7- to 17-year age group. In 1961 only 37.2 percent of this group was in school. As the planning teams pointed out this reflects conditions which prevail at the secondary level. In my discussions with the team, it became clear that this is the real bottleneck in Brazilian education. Officials estimate there are 10 million in the age group 13 through 17. There are just over 2.1 million in secondary schools—table 32. Some of these, of course, are under 13.

Fifty-two percent study in private schools. All charge substantial tuition, and costs at the best schools are comparable to private schools in the United States. Out of 5,900 establishments in existence in 1965, almost 4,200 were private. Substantial disagreement exists as to the quality of public secondary education. Surprisingly, the director of the business administration school at the Vargas Institute in Sao Paulo told me that the best high schools are public. The secretary of education of Guanabara said that additional public high schools were necessary to improve quality. The planning teams indicated that the poorest 10 percent and the highest 10 percent are private, while the public schools bunch in the middle. The differences of opinion probably are explained by the regional differences in education. These differences are magnified because 90 percent of public high school students attend State schools. The federal system is very small with only 130 schools, accommodating 57,911 students.

The effort to provide secondary education is relatively more impressive than at the primary level. From 1945 to 1964, the number of schools doubled—2,862 to 5,914. From 1945 to 1965, the number of teachers grew from 35,400 to 132,284. The number of students increased 500 percent. In recent years, the Federal Government has moved into the field. Its limited number of secondary schools are said to be of excellent quality located in modern, well-equipped buildings. It has also moved to both utilize and strengthen the private system. Teacher salary supplements have been made available as have scholarships for needy children.

The pressure on the secondary system is suggested by the number of applicants who take the entrance examinations. In 1965, 929,287 took the exams and 470,671 passed. Of the applicants, 569,000 sought admission to public schools and just under 40 percent passed. However, slightly more than two-thirds seeking admission to private schools passed. It is likely that this is the result of both inadequate preparation and space. Incidentally, at Vargas Institute, the difficulty of entrance exams was cited in support of the excellence of the public schools.

Even at the fifth grade level—first grade of ginasio—the preference for university-level training manifests itself. Almost 75 percent of the students are so enrolled. One interesting aspect of the system is that more than half of those graduating from high school enter the university. At both primary and secondary levels the system is plagued by dropouts. The planning team told me of a study made of the problem in 1962. In that year, 14 percent of primary students left school before completing their grades. Another 34 percent failed—table 33. At the first grade level, the problem is even greater. Eighteen percent drop out, and 34 percent fail. Another 8 percent are lost between the grades, so that only 40 percent of those entering the first grade matriculate for the second grade the following year.

A number of people told me that one of the major reasons for the high rate of dropouts and repeaters—table 34—is the rigid system of national examinations which must be passed in order for a child to move on to the next grade. The Federal elementary planning team is strongly of this opinion. So are the AID education advisors working with the department of education of Pernambuco in Recife.

The examinations are based upon the old French pattern which gives heavy emphasis to classic and philosophic, as contrasted with functional education. One American educator in Brazil indicated that a Brazilian child who passes the first grade examination has, in one year, completed the approximate equivalent of the third grade in the United States. Thus, a high hurdle is placed at the very beginning of the educational process. This is particularly true for children from poor backgrounds with illiterate parents. Since an estimated 50 percent of the population is illiterate, the dimensions of the problem are immense.

The French tradition also manifests itself in other ways. The emphasis on the liberal education of the elite has downgraded technical and vocation specialization in the public mind. "Everyone," as one Brazilian told me, "wants to enter the University." Even at the fifth grade level—beginning of the secondary cycle—this preference manifests itself. Almost 75 percent of the students are so enrolled. Thus in 1965 more than 1.6 million children were preparing to enter university by 1973. In this time there will be less than 300,000 vacancies.

Accommodation to the broader needs of the society for more practical training does appear at the level of the rural primary school. These schools, where they exist, have traditionally sought to provide most of the elements of functional literacy. They are, however, so dissociated from the total system that successful completion of a rural elementary school does not prepare the student for entrance to the ginasio.

A student may select specialized nonacademic training at the beginning of his fifth year in school. At this point he enters the ginasio, roughly equivalent to junior high school, for 4 years. Slightly less than a fourth of students at this level are in the vocational, agricultural, commercial, or normal schools. About 300,000 children are specializing at this level this school year.

Similarly, after completing 4 years of ginasio, the student may select vocational training, commercial preparation, or the normal school at the colegio level. Each is designed to train a technician without preparation for university level work. The normal school does provide a base sufficient to enter the university-level pedagogic institutes. In general, primary teacher training is accomplished at the normal school level and secondary teachers are graduates of the university-level schools. These are the requirements for teacher certification.

Constitutionally, the nation guarantees a free education through the high school level, but these mandates have never been fulfilled.

By law the States are required to commit at least 20 percent of tax revenues to education and the Federal Government 12 percent. Traditionally, the primary and secondary schools are the responsibility of the municipios and States.

In 1961, the Federal Government established a Federal Council to coordinate education. Since the first national plan, announced in 1962, the Federal Government has become increasingly involved at all levels. A national fund for primary education was established to supplement local affairs.

Comprehensive efforts to expand the output of technicians have begun. Between 1958 and 1964 enrollment in these schools nearly doubled to 50,000. Increasing emphasis has resulted in places for about 20,000 students in vocational agricultural schools, yet only 7,800 students were enrolled and attending them in 1963. The situation persists in 1966, according to Brazilian authorities.

At the top of the pyramid of public education is the university. Institutions of higher learning actually are public schools. Tuition is free. Historically, to avoid political domination, the concept of "university autonomy" has been elevated to a constitutional right. Tenure is absolute. So is departmental control. Brazilians everywhere told me this has led to crippling rigidity.

Orientation is highly theoretical and heavily classical. The student is permitted very few electives. Institutions are loosely federated groups of faculdades—schools—which permit little, if any, crossing of jurisdictional lines at any level. Full-time professors are rare. Administration is minimal. It offers few of the services such as counseling. Innovation, where possible, is slow.

The tuition-free university is one of the striking anomalies of the system. Inasmuch as the secondary system is about 65 percent private, charging tuition similar to the private U.S. university, there is an almost insurmountable barrier to all but the children of the relatively wealthy. Accordingly, 95 percent of university students are reportedly from wealthy families.

Nonetheless, the tradition of tuition-free universities continues. Modest efforts to change the pattern are met by student riots. University student costs are, of course, much higher than in the lower grades, placing a heavy strain on public revenues. Equally significant is the contrast between the needs of the nation and the professional studies chosen by students. In 1963 these beneficiaries of tax-supported higher education earned a total of 19,044 degrees as follows: 5,070 in philosophy and letters; 3,817 in law; 1,625 in economics; 1,556 in medicine, and 1,952 in engineering. With an estimated need for 12,000 professionals in agricultural research and extension work alone, only 474 students graduated in agronomy.

I visited the modern, highly regarded School of Business Administration of the Getulio Vargas Foundation in Sao Paulo, and conferred with Director Gustavo de Sa e Silva. A graduate of Michigan State, who speaks excellent English, he contrasted the Brazilian and United States systems for me.

Significantly, this school, the only one of its kind in Brazil, is not a part of the university system. The Vargas Foundation is a typically Brazilian institution. It is organized as a private entity which receives both private and public support. It is a curious mix of our Bureau of Labor Statistics, Office of Business Economics, Census Bureau, Council of Economic Advisors, and the Ford Foundation. It performs a multiplicity of other functions. Throughout the years of intensive promotion of industry, it has served often as a sort of management consultant. To meet the demands of the industrial complex, it established in 1954 a series of short courses for executives not unlike that of the American Management Association. The school of business administration was born. The following year, the first entering class was accepted for the full 4-year course—night school takes 5 years. In 1961, the graduate school was initiated. Completion of this course requires 18 months in the regular school, 24 months at night.

Unlike most universities, tuition is charged at a level comparable to the United States. Until 1964, however, it too was tuition free. It is now $500 a semester. There are about 800 students, 22 of whom are women. The building it occupies is a modern high rise, into which they were just moving. To the extent possible, the school retains full-time staff, but this is difficult both because of the limitations of qualified people and salary. The salaries are in the range of $650 monthly, although living costs are on a level with Washington.

One of the major problems faced by the school is textbooks. Almost all that are in use are in English and extremely expensive. The problem is not so much the cost as the necessity for fluency in English. To meet this situation, the faculty is concentrating on the production of Portuguese-language texts for all courses. Supplemental materials will in many cases remain in foreign language to maintain familiarity with developments in other nations.

The Director told me that the school has the support of the industrial community of Sao Paulo. This was enthusiastically confirmed by several industrial leaders with whom I talked. Substantial financial support for its programs is contributed each year. A number of students are from Argentina and other Spanish-speaking countries. The school hopes to develop as a regional training center for industry, although the language barrier may well inhibit this evolution. Exchange programs have been developed in cooperation with Michigan State, Harvard, Stanford, and other universities, both United States and European. By 1965, some 34 students had received master's degrees under this program and returned to Sao Paulo as members of the faculty.

I am impressed with the sense of purpose of the Director and his staff. He has apparently developed an institution which is closely coordinated with the needs of national policy. He has had support from both U.S. foundations and AID. Geared to the priorities of the host country, the institution is now clearly established and functions without external support.

Also in Sao Paulo, I visited the campus of Mackenzie University. The rector there told me that it is the largest private university in the country. It occupies a full block in the heart of the city. The buildings range from antiquated to recent, modern construction. There are 2,600 students enrolled in the colleges of engineering, science, architecture, law, education, and liberal arts. A number of people told me that these colleges are of outstanding academic quality.

The rector is very proud of the school's history. It was begun in 1870 by the wife of a Presbyterian missionary as a primary school. Over the years, it has expanded and provides all levels of education. Nearly 2,000 students are enrolled at the lower levels. The faculty numbers over 400. Funding is largely private. There are some scholarships provided by the local and Federal Governments.

The school has experienced increasing financial difficulty in recent years. While tuition is below the level of $200 a semester, it must compete for enrollment against better financed public unversities which are tuition free. As the quality of these institutions has improved, the traditional appeal of Mackenzie has diminished.

The negligible role of the private university is one of the most surprising aspects of higher education in Brazil. I was told that higher education was largely a function of the Catholic church until recent years. The close relationship between church and state seems to have led to the assignment by fiat of education to the church. As church-supported institutions, the universities never developed a tradition of endowment. Accordingly, independent nonsectarian institutions, such as Harvard and Yale, never evolved. For some reason the church-supported schools failed to remain abreast of the demands of modern industry. This appears to have left a void into which the Government was compelled to step to meet the needs of development. As a result, the exciting developments in higher education in Brazil are taking place in the public universities.

I talked at length with Rector Onofre Lopes of the University of Rio Grande do Norte. Located in Natal in the depressed northeast, this university is beginning to take the lead in involvement in the problems of the state. Dr. Lopes has introduced the program he calls CRUTAC as a part of the curriculum. Students work for degree credit in a related phase of this community development program. He feels very strongly that the university must be increasingly responsive to the needs of the community it serves. This spirit or innovation is said to be apparent in a number of the public universities.

It is difficult to gage the effectiveness of higher education without protracted study. Many graduates of the Brazilian system are highly competent professionals. With just over 40,000 places for the age group reaching 18 years—exceeding 1 million and increasing rapidly—it is obvious that the system cannot begin to serve the legitimate demand for advanced education.

He believes that adaptation of proven techniques by Brazilians with some assistance from outside is practical. He sees this as growth of the present university system. In this way, he believes that the Brazilian University will evolve in a manner peculiar to Brazilian needs.

Discussions with students were provocative and interesting, but generally unproductive. On three separate occasions, I felt that the meetings were so contrived as to prevent any meaningful exchange of ideas. It is, of course, difficult to create the atmosphere for an informal give-and-take "bull session." Nonetheless, I was impressed with the almost Socratian sweep of student mentality. They appear to be trained to analyze, especially in philosophic concepts. Generally, they display a high level of poise and sophistication.

While they are politically oriented, they appear to be preoccupied with problems of world politics. There was little evidence of interest in the internal political problem of Brazil. My questions directed to internal problems such as developmental priorities and social welfare met little enthusiasm. Responses in these areas were indicative of little knowledge and less interest in most cases. Such interest as there is, is highly theoretical. Peace Corps-type participation in solution of community problems seems almost a totally new concept. One student leader—a girl—expressed interest in the idea, but told me that there was no vehicle through which she or like-minded students could act.

This, in my opinion, is particularly unfortunate. Brazil desperately needs the abilities of every available trained person to reach the goals which have been announced. It is evident that conventional resources are inadequate to do the job. Hopefully, the Brazilian student will participate directly in pragmatic solution of national problems if offered a clearly defined program.

Among the really severe shortages in Brazil is textbooks. I was told that a standard engineering or science text in English costs as much as $36. It is most likely a fair statement that no technical degree could be earned exclusively in Portuguese. The basic texts do not exist. This shortage appears throughout the system. Even simple books such as basic primers are in short supply. No one gave me an explanation of this problem. It is, however, a fact. I was glad to find that one of the AID programs is structured to meet this specific need. Alice H. Palmer is the AID Textbook Publishing Adviser. A Textbook and Technical Book Commission has been established. The program will provide 2 million copies of 180 titles for university use, and 49 million for elementary and secondary use. Texts and other appropriate titles usually purchased by students will be distributed through student bookstores as inexpensively as possible. In the few areas where books are distributed through the school system, the same subsidy will apply. In addition, almost 400 titles are being prepared for reference libraries at all levels.

Quality of education is poor by our standards. As I said, national standards are established. The levels of achievement are higher than our own. The system, except in rare cases, is not equipped to meet the standards. One of the major deficiencies is teacher quality.

Certification requirements are low. A primary teacher is theoretically required to complete ginasio—eight grades. A ginasio teacher is required to complete colegio—11 grades. Colegio teachers are required to complete 4 years of college-level pedagogic institutes. Unfortunately, just over half—55.8 percent of 289,865 teaching in 1964—of the teachers employed in the system possess even these qualifications. Of the 129,879 lacking certificates, slightly more than a quarter have studied in high school.

Of the three-quarters with only primary training, a substantial number did not complete all four grades. In rural schools, only 27 percent have certificates. Sixty-three percent of the rural teachers have only a grade school education.

Salaries are very low. Even in the best high schools in Sao Paulo, a teacher earns about $200 a month. Minimum salaries for primary teachers varied in 1964 from 48,000 cruzeiros in the poorest State to 84,000 cruzeiros in Sao Paulo—$40 to $70 at the official rate and one-third less at the free market rate.

At the high school and university level, this leads to multiple job holding. As a result, full-time teaching is rare. Teachers frequently hold two or more teaching jobs. Often they practice a profession or serve as consultants in addition to their classroom work. As I have indicated, the cost of living in larger cities approaches that in Washington. Most professionals find it necessary to hold three jobs to bring their salary level up to that required to support an average-size Brazilian family.

Teaching materials are scarce. It is common to see a classroom filled with children equipped with notebook and pencil. Teaching is from three or four books, usually the property of the teacher. Typically the teacher copies from the books to a blackboard. Student desks are usually shared. Often there is little more than common benches, tables, and the teacher's desk and chair.

Overcrowding, as noted elsewhere, is universal. Triple-shifting is common. The classroom deficit in the existing system is overpowering. Expansion represents an extremely heavy capital drain on the economy. Various projections of the cost of meeting the goals of Punta del Este have been made. Based even on the cost experience of operating the admittedly inadequate present system, they seem beyond the capacity of the economy.

It is my impression that elementary and secondary education are being revamped along lines of our system. If this is the decision of Brazilians thinking solely in terms of Brazilian needs, we should give every possible assistance. If this is the result of outside influences, we should urge reexamination of the nation's plans. To an outsider familiar with the many problems we encounter, there is some evidence of the outside influence.

I am concerned that the planning is not well related to Brazil's needs. The national goals seem well beyond current resources. For example, preprimary instruction designed to prepare immature youngsters for primary school has been introduced. I question this development at a time when most children enter school at 9 or 10 years. Similarly, there is little effective emphasis on vocational education. To illustrate, in 1965, out of 2.2 million children at the secondary level, less than 13,000 were in agricultural schools, although more than half the work force is engaged in agriculture. Only 80,000 were in industrial training. Substantial investment is made each year in higher education. All is out of tax receipts. Tuition, if any, is nominal. Little, if any, action has been taken to increase the number of technical students. In general, there are many aspects of the system which resemble the philosophy current in our country 20 years ago.

Similarly, there is little utilization of new techniques such as educational television. Brazil is structuring universal education in an era of new technology. The needs of that country are quite different from those for which our system is designed. Nonetheless the system bears a remarkable resemblance to ours. Brazil should not build an educational system as it would have 80 years ago. Modern technology and the present state of knowledge of the learning process should provide many shortcuts not available during the slow evolution of educational systems in the more advanced nations.

This alone is sufficient reason to undertake an intensive evaluation of the present planning efforts. As I have noted elsewhere, the first priorities are those which will provide at least basic communications skills and arithmetic for each child. Rudimentary agricultural training is an imperative need. Every program should be evaluated in terms of its multiplier effect whereby the beneficiaries will transmit the benefits of training to others. To the extent possible money invested in public education should have a clear relationship to the more urgent needs of the nation.

COMMUNITY DEVELOPMENT

Perhaps the most glaring deficiency of the implementation of the Alliance for Progress and the application of U.S. assistance is the virtual absence of community action organizations as an underpinning of the total program effort. A few notable programs, largely organized through food-for-peace work fronts, suggest that community development efforts have great potential. There is little evidence that the concept of organizing the internal resources of the community for its own improvement is truly understood. There is even less appreciation of its mystique.

The essence of the Alliance concept is self-help—self-help at every level of social organization, from regional planning projects to the precinct and village level which uses idle labor to create community services. It should have been evident from the beginning that external assistance could provide no more than a small fraction of the necessary real capital. Moreover, relatively insignificant investments of money in community development of a self-help nature can catalyze the even more important formation of social capital.

The principle must be applied at all possible levels and must become an elemental part of the thinking in every possible program. It appears that primary policymakers in Washington have in recent months become convinced of this need. My discussions with field personnel would indicate that many of them have reached the same conclusion from their experience. It would appear, however, that middle level supervisory employees have too often been dangerously oblivious of the necessity for community development if certain projects are to be viable.

This could be no better illustrated than in what might be called the Vila Kennedy syndrome. Vila Kennedy is a housing project near Rio, financed by $3.5 million of U.S. aid. It now has some 19,000 residents. It is located about 30 miles outside of Rio. It appears to be a prime example of how visionary and totally unrealistic approaches can waste aid dollars.

Brazilian cities are burdened with large in-migrations from the rural areas. With no housing available, the migrants overnight convert a hillside into a shanty town with dwellings built from makeshift materials such as boxes, bamboo, and pieces of corrugated metal. There is little or no provision for water, sewage disposal, or other basic needs.

Vila Kennedy was conceived to enable favela inhabitants to move into an ideal setting. The only trouble is that nobody really consulted the people themselves. Nor did anyone think about the need for a Brazilian agency to take over the project after it was built. More tragically, nobody thought about the need for community development in Vila Kennedy.

The result? There are no jobs available within normal commuting distance of Vila Kennedy and residents spend on the average 30 percent of their income on transportation back and forth to Rio. On-site job-training programs have fizzled. There is virtually no community development or community organization in Vila Kennedy. Self-help appears to be a totally unknown concept in Vila Kennedy. Having toured the project and talked to its residents, I found no evidence of a sense of community. It would appear that the entire project is rapidly deteriorating. When it is understood what $3.5 million could have accomplished in developing resource-backed community action within the favelas themselves, the enormity of this kind of waste is galling.

I visited favelas where the potential for an intelligent U.S. involvement has been demonstrated. By involving the people themselves and encouraging their own initiative to meet their own problems, meaningful progress can be made. Such progress is in real terms that is understood by the people themselves. Sewage and drainage pipes are laid by the residents themselves. Groups are organized to communicate effectively and directly with government agencies. Immediate needs of health, nutrition, education, job training, and physical facilities are at least partially met by the residents themselves. The community spirit generated by such accomplishments generates upon itself.

Recognizing that direct American dollars cannot make a substantial dent upon the needs for schools, housing, and other facilities, we must invest our dollars to the maximum degree possible in self-help projects involving community development. Once started, such projects can be self-regenerative. Dollars spent on community development multiply and radiate their initial impact many times over.

Tragically, less than 1 percent of our foreign aid dollars for Brazil in fiscal 1966 were devoted to the concept of self-help community development.

In emphasizing the potential of community development, I do not dismiss the need for other types of foreign investment. Power, irrigation, communication, and transportation can, in certain instances, each be a critical priority requirement for development. I come away from Brazil, however, with the overwhelming conviction that community development is the neglected orphan in the AID program in Brazil.

Unquestionably the most ambitious self-help activity is the ABC Crusade. Designed solely to provide adult literacy training in the northeast, the program incorporates the concept of volunteer, or near-volunteer participation by teachers and the utilization of classrooms improvised from facilities donated by the public. More often than not classes are held in the private homes of the teachers or students themselves. It is projected that, by the close of 1966, more than 80,000 previously illiterate adults will have "graduated" from ABC, and the total enrollment will have reached the level of 150,000.

The final phase of the program, which will be reached in 1969, anticipates the completion of literacy training by 1 million people. In the process of implementing the program, more than 38,000 volunteer lay teachers will have been trained to teach literacy. The program contemplates advanced phases which will provide the equivalent of Brazilian primary education for an estimated 250,000.

The ABC Crusade combines the volunteer approach with paid professional organization. Most of the funding is made available from moneys generated by food for peace. Students are given a ration of about 5 pounds of food per week and the lay teachers receive a similar allotment.

Although the program is limited to a specific goal, it demonstrates the capacity to organize the community through a combination of professional and volunteer contributions. Truly massive numbers of people are involved in the solution of major logistic and scheduling problems, and all appear to be functioning efficiently.

The question of motivation of participants is fascinating. Food-for-peace donations are obviously a factor, but some operations without the incentive of food for peace indicate only a minor falloff of participants. My own talks with participants strongly impressed me that the primary motivation of students was a deep hunger for literacy. This was displayed in remarkable degree by elderly participants who had little prospect for job advancement through literacy. They simply answered: "I want to write my name myself" or "I want to read."

The sole activity in Brazil designed to evolve techniques of community development applicable in the favelas that cover many hillsides in Rio and other Brazilian cities is known as Bemdoc. Organized under an agreement between AID and the State of Guanabara—Rio de Janeiro—in August 1964, the project contemplated development and application of conventional community development techniques. This was to include community services and facilities, such as basic educational facilities, literacy, primary education, and vocational training, developed through both political organization and community contribution.

While the success of the activity has been limited for a variety of reasons ranging from political infighting to absence of expert personnel, it nonetheless appears to be relatively sound in concept. The total cost of 18 months of operation was about $365,000. There was little provision for research. There was overstaffing particularly at the administrative level, as evidenced by eight people assigned to public relations. Excessive equipment and furniture were bought at excessive prices. In general both administration and controls were poor. A new agreement was in negotiation in December of 1966, with modifications being worked out which will hopefully correct the problems that developed in the first 2 years of operation.

Those who have had occasion to evaluate the operation have concluded that the favelas are least receptive to the concept of mobilization of internal resources.

The work-front activities of the food-for-peace program also offer some evidence that community action will work in Brazil. The premise is that food can be used as a salary substitute to pay for the labor otherwise unemployed in building such facilities as roads, streets, small dams and reservoirs, self-help housing, and other community building activities. Under the program, a variety of activities have been completed including self-help housing. Under another program in the south of Brazil, a so-called agricultural credit saturation program, over 300 kilometers of all-weather rural roadway have been constructed at a cost of about $100 per kilometer.

Padre Melo, an active leader in the Rural Labor Movement in the State of Pernambuco harnessed the self-help potential to organize a type of land reform project. About 2 years ago he acquired a piece of land by donation which through a credit co-op organization he divided in plots acquired by the landless through a time payment plan. Parcels are so arranged that about one-half acre of land is available for intensive cultivation to augment earned income. The cost per unit is about $45, with payment scheduled over a period of 2 years. The repayment experience has been excellent, he relates, and the co-op has advanced from its original function of credit to a market co-op.

The success of this activity led to its application to a government project, which had been organized along commune lines, but failed to elicit support from those resettled. Melo attributed its failure to the communal ownership concept. Under Melo's leadership, he reports, the inhabitants have acquired ownership of their property and are repaying the investment, so that the community is now self-supporting.

These projects, known as neuculos are located near Cabo, and are named "Camela" and "Ruroplois."

Brasilia Teimosa is a slum area in the southern section of Recife. Three years ago, Father James Kohmetscher of the Oblate Order established a church in the community. Joined by two other members of his order, and Papal Volunteers Janice Smrecker and Lloyd Welter, the parish activity has increasingly experimented with conventional community development activities.

A community council has become an increasingly effective voice in obtaining assistance of the city in providing streets and water lines and similar conventional services. The activities of the group has led to establishment of a consumers co-op, handicraft industries, and a series of conventional developmental practices which provide progress. Not an insignificant contribution is the organization of a large number of literacy classes. Although the area remains in desperate poverty, an obvious community spirit has developed and is producing visible results for the residents themselves. As an example of their harsh existence, water is available to Brasilia Teimosa residents only through a central spigot that has water in the dry season for only 3 or 4 hours late at night.

COMMUNITY ACTION

There are large numbers of programs, most of them of limited application from which to draw data to evaluate and define the successful methods of community development. Among them are both private and governmental activities.

In Bolivia, AID in cooperation with the Bolivian Government structured and instituted a program of rural community action in 1964. Since that time about 400 community workers have been trained and are working in the rural areas. In the first year of operation more than 800 community projects were requested, of which 200 were completed and 250 were in execution as of August 1966.

In Colombia, Accion Communal was organized in 1958. The basic legislation provided for the organization and registration of community committees as a prerequisite to both technical assistance and contribution of funds. By mid-1966 the program was attempting to service the needs of 7,800 registered committees with 110 field personnel who had been trained for the specific purpose in schools established by the organization. Here again the emphasis of the program is almost exclusively in rural areas.

Urban development on the other hand has fewer programs. The general experience of the Peace Corps should provide valuable information although it has generally been carried on either in a totally unstructured situation or in the situation where the volunteer was working in some specific field—such as health—within the framework of a host country program.

In Venezuela, a wholly private organization known as Accion began urban development work in 1961 with 30 volunteers. By late 1964 it had about 100 workers equally divided between Venezuelans and Americans, and has dropped back to less than 50 at the present time. Slum areas are selected as sites by the group in much the same manner as the Peace Corps selects rural sites. The work is then carried on through community organization to provide the social needs of the community, varying from drainage ditches and all-weather paths to water lines and school buildings. The response has been varied but in general the work has been productive, providing general improvement of the facilities available in the community. This program is entirely financed through contributions both of money and materials. Major contributors are corporations, principally United States, with interests in the country.

In Argentina, Cabe was organized in mid-1965 and is at work in three slum areas. Here again the organization is privately financed, and staffed by recent University graduates, all of them Argentine nationals. This program, in addition to such activity as organization and construction of community centers, is organizing credit co-ops to finance housing construction on a self-help basis.

In general, experience in community development indicates that the problem is greater the more advanced the community. Thus the rural areas, where living conditions are lowest, offer the greatest evidence of success. There is a greater availability of experience in these areas. Accion Communal, the Colombian Government program organized in 1958, apparently has had measurable success in a nationwide, Government-operated activity utilizing paid, professionally trained energizers in cooperation with organized local committees. Its limited resources in personnel must on the other hand relegate it to the level of an experimental program.

In Peru, Cooperacion Popular has utilized volunteer university students on vacation for rural development work during vacation periods in the Andean areas.

The Community Development Foundation of Norwalk, Conn., has been successful in this work in Central America, principally Mexico.

Conversely, the problem of urban development appears to have provided a more difficult challenge. Peace Corps, like other organizations, has reduced its concentration in this area of activity, at least in Chile, Venezuela, and Brazil, where developmental work in the favelas has been all but abandoned. The papal volunteers have reduced their number significantly for a period of reevaluation of their work, at least in Brazil. Accion in Venezuela had similarly reduced its numbers from a high of about 100 in 1965 to less than 50 at the present time. Nonetheless, the Accion program appears to be a program which offers promise of demonstrating many lessons that we must learn in promoting community development.

The consistent failure to explore and exploit the potential of community development must be corrected. It is evident that substantial experience exists from which a demonstration program can be designed. It is equally obvious that adequate financing is required to develop such a program. Such efforts should be a first order of business in U.S. program planning.

INDUSTRY

Brazil is the leading industrial power in South America. Brazilians, with good reason, believe in their destiny as a major industrial power. If there is such a thing as a Brazilian consensus, it is fulfillment of this national destiny. Incredible personal sacrifice by the average man has moved Brazil into the 20th century. This is an impressive record which must be understood. Despite the obvious agricultural potential of the country, Brazilians want more than anything else to be recognized for their industrial accomplishments.

Most of us think of Brazil as an agricultural economy, totally dependent upon imports for manufactured products. This was essentially true 20 years ago. Its industry today serves a population as large as France and Spain combined—eighth largest at 85 million. It is self-sufficient in durable consumer goods and in most heavy industrial needs—table 35. The automotive industry—table 36—is the seventh largest in the world. All parts are manufactured domestically. The rubber-goods industry is 11th. In refined petroleum products—table 37—and cement—table 38, Brazilian industries rank 15th. Pulp and paper—table 39—and aluminum—table 40—both rank 19th. Its iron-and-steel industry—table 41—ranks 22d, but will double its production in the next 3 years. It produces railroad cars and locomotives. There is a shipbuilding industry capable of producing ships with a deadweight up to 65,000 tons. Light aircraft are manufactured. Buses, heavy trucks, and earthmoving equipment are built.

By 1966 the agricultural and manufacturing sectors represented about equal shares of gross national product—30 percent. Export earnings are still predominantly from agricultural exports, yet Brazilian industry accounted for about 7 percent of the total of $1.6 billion in 1965—table 42.

Industry and commerce provide between 5 and 6 million jobs directly. Directly and indirectly, it supports most of the urban population. It is particularly important in the large centers, nine of which exceed 500,000. Industrialization is important economically, politically, and psychologically.

Brazilians are understandably proud of their auto industry. Prior to 1955, it was an assembly operation. In 1956, GEIA—executive group of the automotive industry—was established. The group devised a program to develop a totally domestic industry. Today there are seven body plants and 1,600 parts manufacturers supplying 11 factories. I visited the National Auto Show in São Paulo. An impressive display of the 1967 auto year featured all classes of passenger cars, including an impressive executive limousine. Mercedes-Benz makes passenger buses. Heavy-duty trucks were a part of the show. In addition, there were the many parts manufacturers. Industry executives told me that production would exceed 200,000 units in 1966. More than 50,000 people are employed. In 1964, the industry paid about $165 million in taxes. The estimated cost of the investment is $800 million, of which it is believed that 37 percent is held by Brazilian interests. The United States with 33 percent is second.

The industry has moved into exports, the value of which exceeded $3 million in 1965. However, prices are not competitive. A Volkswagen costs $2,500. Ford officials told me the Galaxie, which is being introduced this year, will cost about $10,000. The complex of companies is inefficient. Volkswagen, the largest, only produces about 450 units a day. The projected market is not large enough to support the duplication created by the large number of companies, each producing a small volume. I was told that mergers to correct this situation are both needed and under discussion.

The industry has been of major benefit to the country. Yet the foreign firms are the most successful. Volkswagen alone controls 60 percent of the automobile market. In this period when consolidation is facing the industry, the advantages of sources of large capital favor the emergence of the larger and stronger foreign firms.

The industry characterizes the result of the drive for industrial development. It is a spectacular achievement. But the period of expansion for the sake of expansion is over. It seems likely that the import substitution phase of the industry has come to a close. The internal market is no longer sufficient to support the industry. Price competition means major changes must be made to develop an export market. It has reached a point where more efficient foreign producers are attracted to the market. Volkswagen has scheduled a 33-percent increase in its production, reportedly at the expenditure of nearly $100 million. Ford and General Motors are both investing about $50 million each to expand their automobile lines.

The interesting history of industrialization appears in Werner Baer's book, "Industrialization and Economic Development in Brazil"—Richard D. Irwin, Inc., 1965. As I have said, I talked at length with the author in São Paulo. If Baer is right—and conditions suggest he is—the current short-term disruption in industry was inevitable. For a number of years, inflation has effectively eliminated the equity market and credit systems. Long-term capital loans have little appeal to the investor when inflation erodes half the face value of a note in 1 year. For the same reason, no one in Brazil holds money any longer than is absolutely necessary. Even prime rate borrowers must repay loans in 18 months or less. Most loans are 30 to 60 days. Interest is at a level which the lender believes will compensate for loss of value. As a result, 8 percent to 10 percent monthly is not unusual.

Conventional credit, which traditionally adapts to the practices of the major money market, is not restricted proportionately. Simple charge accounts, time payment plans, and other consumer plans reflect a somewhat lower interest rate. This reflects the combined influences of profit margin, pricing practices, and need to stimulate sales. Since the full price must be paid in 5 or 6 months, it is easier to guess the inflation loss.

There are stock exchanges in both Rio and Sao Paulo. Prior to years of runaway inflation, there was an active market. Today, however, there is little activity. Prices are depressed. New issues are rare. I was surprised to discover that investment in common stock is not used as protection against inflation.

This phenomenon is discussed at length in the Virginia Law Review, volume 52, No. 7, page 1283, by Norman S. Poser, assistant director of the Division of Trading and Markets, Securities Exchange Commission. Poser spent 9 months in Brazil on loan to the central bank. He worked as a consultant on modernization and revitalization of the capital markets. His activities led to a Brazilian statute very similar to the Securities and Exchange Act.

Poser believes that inflation has depressed public interest in the stock market. This, in his view, is the principal retardant to development of the capital markets. He views the traditional Brazilian fear of corporate investment and inadequate laws for protection of minority stockholders as lesser factors. Discussions with Brazilians, however, indicate that the stock market has never served as a major source of investment capital in Brazil. For example, I was told that the annual volume of Brazilian exchanges has never exceeded the average daily volume of the New York Stock Exchange.

It was explained that the public appears to fear the long-term political climate for investment. New investment is naturally somewhat speculative. New companies are often long-term growth investment. There is rarely any dividend income in the early years. The market is regarded as less attractive than land or short-term, high-interest loans. Tight money is a problem. Businessmen have developed numerous devices—few of them good—to meet capital needs.

Under previous administrations, laxity of tax enforcement permitted use of tax reserves, and escrow accounts—similar to our withholding system—for short-term capital. Liquidity of company reserves was minimized. Inflation makes postponement of payment attractive, even with penalties. Effective enforcement—Brazilians casually fear criminal sanctions for the first time—has curtailed this practice.

External hard-currency investments in Europe or the United States have become more attractive both as protection against internal problems and as collateral for internal credit lines. Foreign capital has been a major source of development funds. Frequently, a foreign-owned company must provide working capital for a Brazilian supplier. For example, an auto manufacturer might lend a Brazilian money to build a parts factory and assist him with either credit or actual cash advances for purchase of raw materials.

Baer thinks the very success of industrialization contributes to the sociopolitical crisis which began in 1962. Because of the preoccupation with industry, agriculture and social programs, particularly education, have stagnated. Emphasis on import substitution caused neglect of industries vital to agriculture. Protective policies designed to promote import substitution encouraged noncompetitive, inefficient practices which limit export potential. The 60 percent of Brazilians who depend on agriculture fell behind. Baer thinks that the rate of development had to slow, until redistribution of income and rural development could expand the internal market. Obviously, existing industry must meet international price competition if manufactured products are to be exported. This, in turn, requires adjustments.

Interestingly, government officials told me that they have designed some policies to encourage competition from foreign firms to force increased efficiency among local firms. They believe by creating a more demanding atmosphere, mergers and other changes in management structure will be made to increase productivity. At the same time there appears to be increasing interest in creating partnerships between Brazilian and foreign firms. The resulting local company thus has the advantages of a foreign firm and at the same time aids in the development of Brazilian management.

A major and necessary policy change instituted by the revolution reopened Brazil to foreign investment. Profits may now be repatriated with few limitations. Massive infusions of capital investment have resulted. The Government seeks to reestablish industrial growth. Various techniques are being used to encourage investment. Tax credits and exemption are extended to favored industries. Tariffs are frequently waived on both machinery and raw material imports. To the extent that money is available, the central bank encourages loans for working capital in vital sectors. A development bank makes loans for capital investment. Efforts are underway to revitalize the stock and bond market.

I talked with industrial leaders in Sao Paulo. The city is the principal industrial complex of Brazil, and among the largest in the Western Hemisphere. Among Brazilian businessmen, I spent the most time with Paulo' Ayres, who is president of his own drug-manufacturing firm; Trajano Pupo Neto, president of U.S.-owned Anderson Clayton of Brazil; Daniel Machado de Campos, managing director of an electric power company; and Eduardo de Campos Salles, owner of a refrigeration company. Their views on the needs of the industrial sector in Brazil were predictable. They endorse the efforts to restore fiscal stability.

Inflation must, in their judgment, be curbed to provide investment capital for future growth. Both internal and export markets must be expanded to sustain growth, as they see conditions. They believe internal money markets must revive. They believe larger foreign investment must be encouraged. This, they told me, will create a demand for supportive industries and service firms. The demand will be largely satisfied by Brazilian business, mostly new ventures.

I thought it was significant that these men expressed none of the oft heard arguments against foreign ownership of local industry. They seem to feel that this is a natural phase of development, necessary to Brazil's emergence as an industrial power. They think in internationalist terms, viewing the industrial community of the world as an interrelated entity. The attitudes of Machado and Salles were particularly significant. They are respectively president and second vice president of Associacao Comercial de Sao Paulo. This organization is composed of 9,000 Brazilian businessmen. It is a major influence in the industrial and commercial life of the city and so of the country.

They, as the others with whom I talked in Sao Paulo, describe the development of an industrial nation as a process where much of the early investment flows from external growth; internal control of the broad base gradually expands. The percentage of foreign ownership falls. They feel that no harm flows from this natural historic pattern. To them, it is a blessing.

Other people told me of growing economic nationalism. There are several causes. U.S. firms, as well as other foreigners, oriented to high-volume, low-price operations, undersell local competitors. Resulting financial problems create resentment among Brazilian businessmen. I was told that in some cases local firms have been sold at a loss to U.S. interests to avoid bankruptcy. Others are said to have sold because the management problems created by foreign competition were beyond the competence of local management.

I was unable to find any of those reportedly affected. Those who oppose U.S. penetration of the Brazilian market call it economic imperialism. The left uses this for propaganda purposes. I saw a pamphlet in Portuguese titled "A Day in the Life of a Brazilian." The cover is decorated with reproductions of familiar U.S. trademarks. The story traces use of these products in the daily life of a Brazilian family. It, of course, ends with an appeal to keep the profits and jobs from these sales in Brazil.

I discussed the problem with the directors of the American Chamber of Commerce in Sao Paulo. In their opinion, there is some validity to the belief that foreign firms have preferential treatment. Some aspects of the tax laws are favorable. The most important advantage is the availability of capital from parent concerns outside of Brazil. Until this year, for example, there was a value-added tax on sales. A high degree of vertical integration in an industry reduced this as a cost factor. With capital available, a foreign firm could achieve this integration, where a local firm could not. This is one of the principal themes of those who support Carlos Lacerda. The American business community is very much aware of this problem. None would appraise its prevalence, but most agreed that it could become an increasingly important factor in Brazilian politics.

I had an extremely interesting discussion of the problem of the industrialist with Jorge Batista da Silva in Recife. He owns and operates the Torre Factory, a textile mill which exports "gray" cloth to the United States. He employs 1,800 in the mill and another 400 in a factory making underwear and shirts. He told me that the credit is even more scarce in Recife than in the south. He said:

> Long term investment simply must come from the outside, because there is none available here.

What little money there is is loaned at unrealistically high rates as short-term working capital. He finds that he must commit all of his resources to financing day-to-day operations. The result, he said, is that he postpones modernization of his plant. In the textile industry, reinvestment should be at the rate of 10 percent a year; but, Batista told me that he had not been able to allocate any funds for the last 4 years. This is even more interesting because he also controls one of the largest banks in Recife, and would be expected to enjoy the best possible financing arrangements.

He is uncertain what 1967 holds for Brazil. He told me that any inflation in 1967 will have a bad effect. The current business picture is dark. The deflationary policies have, on the whole, been right, he thinks, but there are major problems facing industry. He believes in a free market. Yet, inflation seems certain to justify an early 1967 wage increase of at least 25 percent. Prices of cotton and other raw materials are increasing. Yet competition, both internal and external, holds prices down. He told me that the only possible increases will be a result of shortages.

Taxation is another problem—table 43. Local taxes alone are 4.5 percent of gross income. Even under the new system, they will represent 19.5 percent of the sales price of any manufactured item. There had been extensive changes in the tax structure made by decrees published 2 days after my arrival. Batista said problems created by administrative changes force him to employ four lawyers full time. The effect on supplies of cotton is bad, too. On that morning, December 2, 1966, a grower from the interior was in his office. Learning of the new laws for the first time, they had been published 1 week before, he decided not to sell his cotton until he had time to find out the effect of them. These laws are simply promulgated. There is no advance discussion. To an American legislator, accustomed to the lengthy hearings and wide public discussion that accompanies any tax measure, it is very difficult to imagine the chaos that must follow a 10-percent across-the-board, business income tax increase decreed in this way.

On the same day, the Government issued 37 other decrees, 13 of which have major impact on the business community. One of these increased income tax an overall 10 percent. Still another provided that a tax override would be added to tax bills, but the taxpayer would in turn receive an undisclosed percentage interest in Government-held companies. Still another provided for a deduction and in some cases complete waiver of tariffs on imports required for the modernization and increased productive efficiency of a long list of industries.

Laws are customarily complicated, elaborate, and impossible to administer even with the sophistication of our government. Batista told me of his experience with a price directive. Enforcement procedures required reporting each sale to a central office. After 2 months, it was impossible to get into the office to file the report because of the enormous amount of paperwork and the crowds trying to file the required reports. Public administration is generally poor. Salaries are low. Hours are short. Many officials are part-time. All jobs are dispensed on a patronage basis. Overstaffing is traditional. Agencies are numerous and frequently overlapping. Inefficient bureaucracy is a fact of business life.

To add to the difficulties, the supreme court lacks jurisdiction to supervise uniformity of interpretation. It depends on the detailed instructions which emanate from Rio to the States. Communication between the sections of the country is difficult. Telephonic connections are so poor between Recife and Rio that AID maintains its own radiophone system. Often it takes 3 to 4 days for a telegram to reach its destination. Mail is unreliable, even between sections of the same city.

More attention must be given the problem of private enterprise. There seems to be too little known about the role of the private sector in Brazilian development. Certainly there is little evidence of coordination of Brazilian and United States Government policies. A large percentage of new industry in Brazil is owned either by the Government or by foreign concerns. The major expansion of Brazilian-owned companies seems to have taken place during periods where exchange or other problems forced both the Government and existing industries to turn to local investors for new industrial development.

I believe, given the necessary access to credit, private Brazilian interests are capable of developing most of the basic industries in Brazil. Credit is the key problem. Characteristically, developing nations are stretching their internal savings machinery very thin. Curiously, there seems to have been little attention paid to means of promoting infusions of foreign capital into the local equity markets. This could well be coupled with some form of partnership participation between local and external interests. It is possible that the investment guarantee concept utilized in the Foreign Assistance Act could be extended to local investors through a multinational institution such as the Inter-American Bank.

Interest in this problem is far from altruistic. We have seen the devastating results of economic nationalism used as a political weapon against us throughout Latin America. It has been a major divisive force in relations with Mexico, for example. Nor should we find it hard to understand. Throughout the early years of this century, resentment of outside ownership controlled the outcome of many elections in the Southern and Western States.

I am convinced that failure to anticipate this problem in Brazil will simply create major obstacles in future relations between the two countries. The evolution of strong indigenous companies in Brazil is a matter which should be given immediate, high priority.

U.S. ACTIVITIES

The United States has manifested its deep interest in Brazil for many years by maintaining the largest diplomatic force in the Western Hemisphere in Rio. Today, the U.S. team consists of 1,228 Americans and 864 non-American employees: Embassy, 350; USAID 568; military, 314; USIS, 206; and Peace Corps, 661. This does not include USAID contract personnel.

Total U.S. expenditures for the most recent fiscal year were:

Activity	U.S. employees	Foreign employees	Cost, 1966
Embassy	178	172	$2,122,690
USAID	176	392	4,160,900
USIS	47	159	1,199,339
Military	177	137	([1])
Peace Corps	657	4	1,353,000

[1] Not available.

U.S. assistance programs operating since 1946 have committeed $2.9 billion to Brazil, out of a total of $10.8 billion spent in Latin America. Among the underdeveloped nations, Brazil ranks fourth in total U.S. aid. In the Alliance for Progress period, Brazil has received nearly $2 billion from all Alliance sources through fiscal 1966. The sources include the Inter-American Development Bank. U.S. contributions, at the level of $1.6 billion, have been provided in the form of program loans, project loans, food for peace, and technical assistance grants. Program loans here, as elsewhere, are actually direct loans made to the Government of Brazil to replenish foreign exchange reserves. The dollars are sold to Brazilian interests to finance hard-currency imports. The cruzeiros so earned are deposited in special accounts. These funds are then expended in development projects allocated under joint agreement between the two Governments. Some of this reserve is used to provide credit sources for private enterprise. As of June 1966, more than $450 million in program loans were outstanding.

Dollar project loans are made in dollars to finance specific projects, usually requiring major imports of machinery, equipment, or services from the United States. As of July 1966, over $300 million of these loans were outstanding. These were distributed as follows: Power projects, $145 million; transportation, $77 million; agriculture, $35 million; industry, $25 million; feasibility studies and surveys, $11 million; health, $7 million; and water and sewerage, $5 million.

There are also cruzeiro project loans directly from funds acquired by the United States from sales under Public Law 480, in amount of approximately $71 million—at current exchange rate of 2,200 to 1. These are distributed: transportation, $21.5 million; infrastructure, $14 million; industry, $13 million; education, $8.5 million; power, $5 million; housing, $4.5 million; water supply, $3.6 million; and health, $1.2 million.

Another result of Public Law 480 is the food-for-peace program producing cruzeiros from title I sales. Since 1955, these funds have totaled about $575 million. Twenty percent of this amount has been used to supplement technical assistance grants and finance school construction. Sixty percent of the total has financed projects such as roads and power projects. There is, in addition, an average of about $14 million a year in technical assistance dollar grants—table 44.

Prior to 1960—the beginning of the Alliance period—Brazil received about $1.3 billion, about 75 percent of it through the Export-Import Bank. Another 10 percent was in military assistance. From 1961 to 1966, about $1.8 billion was channeled through the Alliance, directly from U.S. sources, and another $384 million from international funds largely contributed to the United States—table 45. The distribution of this money has clearly favored the industrial sector. Out of $750 million in AID project loans, nearly $300 million has been invested in infrastructure, transportation, and direct industrial construction. Only $50 million was directly traceable to agriculture—table 46.

The diversity of activities sponsored by AID is surprising. A partial list of programs curtailed because of spending limitations in technical assistance grants in fiscal year 1967, is indicative of this pattern.

Budget and project administration: The funding reduction indicated will eliminate the three contract technicians required to assist in training project planners in the GOB. The result is that it will reduce the Brazilian capability critically needed at this juncture to formulate and administer public sector projects supporting the national development plan. Also, it will seriously retard the GOB effort to develop a pipeline of sound priority projects eligible for external capital and technical assistance.

Fiscal management and control: This activity is considered to already be at an irreducible minimum and too vital to Brazil's overall development effort to be cut. Because, however, of the elimination of the in-country training planned in the budget and project administration activity and the general lack of trained budget planners at the project level, the effectiveness of this project will be reduced. This will delay project operations in this key area and hamper the ability of the GOB to control the availability and allocation of its financial resources.

Government executive development: A major thrust of the GOB administrative reform plan is executive training and development. This reduction eliminates contractor assistance for curriculum development, and the methodology and organization of such training.

Recife Institute of Municipal Administration: The proposed reduction would eliminate the participant component for the training of four key faculty members which would delay the institutional buildup for another year of the only Northeast institute helping with State administration.

Tax administration: A reduction to $187,000 in this project will cut the number of project technicians by more than half and will force reduction to four full-time PASA technicians with no further short-term consultants. Consequently, the entire scope and objectives of this project will have to be reconsidered with the likelihood of losing the momentum and potential benefits now beginning to emerge.

Agricultural research advisory services—IRI: This project would be stripped of all participant training as well as the already reduced amounts for the purchases of training, demonstrational and research equipment, and materials.

Coordination of agricultural agencies' planning and operations: Participant training would be reduced one-third below the level desirable for smooth implementation. Commodity purchases necessary to support the U.S. technical assistance team would be reduced by 40 percent.

Improved rural credit availability: The entire participant training program, planned for 14 directors and managers of the National Rural Credit Coordination agency—CNCR—and other rural credit institutions, would be eliminated. The CNCR is responsible for implementing the sizable USAID loans for fertilizer imports and agricultural credit for small and medium farmers.

Development of seeds, fertilizers, pesticides, farm supplies, and marketing facilities: U.S. training of approximately 40 participants in the fields of marketing, cooperatives, and credit would be eliminated, as would the purchase of all equipment and training materials which is almost essential for this key area.

Improvement of economic statistics, analysis, and planning for agricultural development: The entire training program planned for 23 participants in the key areas of agricultural statistics and economics would be eliminated.

Settlement and integration of marginal farmers into the market economy: At the reduced level this project, aimed at the development of resettlement programs for landless farm laborers, sharecroppers, and tenant farmers, and implementation of special rural poverty-area development programs, would be completely eliminated.

Exploration of land resources in frontier areas: Project funding would be cut 75 percent in fiscal year 1966, eliminating all participant training and commodity requirements and necessitating the withdrawal of all PASA personnel prior to completion of their current assignments.

Advisory assistance in land tenure reform program to facilitate family farm ownership and management: Participant training and commodity purchases would be eliminated. The onboard U.S. technician would be returned from his post in Brazil and the project terminated by the end of the fiscal year.

Development bank organization and training: In the important program to reduce inflation, large sums of Brazilian counterpart funds and dollar loans have already been made available to industrial firms through development banks. These banks are nearly all new and relatively inexperienced in development banking. The shortage of trained executive personnel has seriously reduced their effectiveness in handling the large number of industrial loans that are expected of them. A participant training group of some 20 Brazilian bank executives would take a 6-month development bank training course and also do field work, both in the United States. The influence, direct and indirect, of 20 key men picked from existing institutions could be of great value in improving efficiency in the handling of some 100 billion cruzeiros. This participant group cannot be sent under the reduced amount.

Productivity improvement on basic consumer goods industries: Many years of runaway inflation created a situation where top industrial management has been obligated to devote its entire time and efforts to the task of financial survival. No thought could be given to productivity and to problems of increased production. Now that inflation is hopefully coming under control, AID planned to send a participant training group of key industrial technical people to the United States and to bring in a starting group of five production specialists to work under the National Confederation of Industry to initiate a consulting service which included the training of a staff of Brazilian consultants. This could be a timely and valuable tool to increase Brazil's output of goods. Both the participant plan and the consultant service plan must be abandoned under the reduced funding level.

Stimulation of community organization for industrial development: In central and south Brazil industry has polarized in the large cities. Many smaller cities, largely agricultural, are dropping into decay. To correct this undesirable imbalance, a start has been planned in a project to awaken smaller communities to the possibilities of starting their own small industries and bringing in factories that could be persuaded to trade big city handicaps for small city advantages. No start can be made on this program, which is ready for initiation, if the cut takes place.

Highway program: In the highway sector there are existing projects with related training involving construction and maintenance equipment that have a combined value in excess of $80 million. Projects now in the development stage indicate the continuation of a program of similar magnitude. The funds presently available are barely adequate to provide personnel for the adequate administration and supervision of the program. Any further cut will seriously reduce the staff resulting in eliminating three proposed positions and sending at least two of the present onboard technicians home before the end of their tours and jeopardize and thereby inhibit the USAID's ability to monitor the projects. Satisfactory results from the AID investment will therefore be endangered.

Water supply and sanitation: Any drastic budget reduction of the dimension contemplated in the water supply and sanitation program retards in at least the same ratio the momentum of the national water program by limiting the increasingly effective participant training program. The present fiscal year 1966 scheduled training of 45 executive-level sanitary engineers in select U.S. training sessions will provide essential up-to-date orientation and contact throughout Brazil reinforcing the national water fund.

Such a reduction also prohibits the use of top-quality U.S. engineers during the critical 2-year period ahead for developing a preventive water pollution control program, for guiding water distribution practices to avoid future topsy-like growth, and for assuring proper planning. Achievement of the Alliance for Progress goals for the Brazilian national water work development program would be seriously delayed and impeded by this budget curtailment.

Power: Although future loans are being planned to include a technical assistance element, the present ongoing loan projects require competent engineers to monitor and help assist the Brazilian borrowers in carrying out the projects. Since 1963, USAID technicians working together with Brazilian counterparts have developed loan projects totaling nearly $200 million in AID funds. Proposed technical assistance in support of these projects represents 0.001 percent of the total investment which AID is making in this sector.

Normal school reform: Contracting a 2-year consultant to work with reform committees in secondary school teacher-training institutions would be delayed at this critical reform stage; thus, the effectiveness of the U.S. consultants who will be arriving early in 1966 will be impaired. The two Brazilians scheduled to receive U.S. training so as to take over the tasks of the contractors at the time of their departure would have to be deferred and thus the timing of their return would not be dovetailed with the contract schedule.

Improvement of national industrial apprenticeship training—SENAI: The services of four U.S. Department of Labor training specialists and one USDL labor force analyst would be eliminated from the fiscal year 1966 program, in addition to participant training of 10 SENAI officials in the U.S. assistance to Brazil's major supplier of semiskilled and skilled labor for industry would be curtailed at this critical stage of increasing industrial needs and demand.

Improvement of commercial school education—SENAC: The proposed cut would postpone the arrival of a 2-year adviser and short-term consultants to work with the National Service of Commercial Training on the revision of curriculums and introduction of improved teaching techniques. Again, a serious gap would be created in the planned coordinated attack on secondary education—for every job created in industry, two to three jobs in the services sector must be filled.

University administration and reform university-to-university relationships: The groundwork has been established for the first university-to-university relationship in Brazil. The importance of bringing this relationship into being at the earliest possible date is seen by the Brazilian educators as a high priority and an essential step in the country's development, since the quality of higher education in Brazil is and will continue to be a vital ingredient in Brazil's over-all development effort. The proposed cut in grant funds would seriously delay implementation of this activity when, in the best judgment of the USAID, a swift, concrete response to an idea enthusiastically supported by Brazilian universities is essential.

Nutrition research: The assignment of a 2-year specialist to work with agricultural, education, and public health officials in the northeast would be abandoned, and thus delay the development of a coordinated time phased plan to effect the changes necessary for improved nutrition levels amongst the poorer rural and urban classes.

In addition to the effects described above, the proposed cut would seriously reduce participant training levels in the following activities:

Mechanical engineering education—ITA—University of Michigan: Participant training would be cut by 50 percent.

Engineering education—University of Brazil—University of Houston: Training would be reduced from 10 to five participants.

Public administration education and training: Training would be entirely eliminated.

Business administration education and training—Michigan State University: Participant training would be reduced by 50 percent.

Public safety: The proposed reduction in the funding level would require a curtailment in the Federal district program and would eliminate three ongoing State projects—Pernambuco, Bahia, and Guanabara—from the program. In so doing it would require the U.S. Government to defer or refrain from carrying out programs which have been carefully worked out with the Federal Government in Brasilia.

In addition, elimination of the three programs would require the phasing out of three technicians, who at present time are providing technical advice to the governmental agencies concerned. Also resulting would be the ineffectual use or abandonment of $601,635 in valuable training and operational equipment, purchased specifically to bolster the capabilities of the three States to maintain law and order. For the United States and Brazil to attain maximum benefits from the equipment purchased, U.S. advisers are required for an additional period of time.

The Pernambuco State project was planned to serve as a training center for the nine States of the northeast whose financial conditions prevent adequate training for their security forces. The training center has been physically established. However, it has not been developed to the point that it can continue to function as a meaningful training institution without further U.S. advisory service. In addition to the probable loss of the only police training institution in the northeast, abandonment of this segment of the project would leave $176,757 in commodities in the hands of State employees who are not yet sufficiently trained to use the equipment properly.

In Brazil, AID appears to be involved to some degree in every significant level of governmental activity. A glance at the scope of activity generated by project loans made from U.S.-owned funds—table 46—confirms this. In addition, there is equal, or greater activity generated by counterpart funds created by Public Law 480 and program loans. This proliferation inevitably creates nearly insoluble administrative problems.

The diversity of U.S. activity is almost as great as that of the Brazilian Government. It follows that the range of responsibility is almost equal to that of the Brazilian Government. Yet the AID staff is comparatively small, and the director has only a limited staff. It is physically impossible for those men to provide the close supervision consistent with successful administration of a Government-wide program. As a result, new projects receive only limited evaluation. Current projects receive little, if any, supervision. The northeast school construction contract, the Bemdoc urban community action project, and the IRI agricultural research contract illustrate deficiencies in negotiation and administration.

On May 3, 1963, USAID, Recife, signed an educational assistance contract with SUDENE. The project contemplated construction of 12,000 classrooms in the 3-year-and-7-month period terminating at the end of 1966. Cr$17,820,592,000 was loaned from U.S.-owned funds generated by Public Law 480 sales. Inflation at the time was running at a rate of over 100 percent annually. Coincident with this loan, other agreements were in the process of development whereunder teacher training and teaching materials would be subsidized. A limited fund was allocated to basic adult literacy. Eight billion cruzeiros were allocated to the State of Pernambuco. About 94 percent of these funds were expended on construction and equipment. Equally interesting is the local participation. The State contributed 1 million cruzeiros and SUDENE 100 million for a total of 9.1 billion cruzeiros—table 47.

AID personnel told me that the loan in the period ending in 1966 provided 3,024 new and remodeled classrooms—1,618 new. This is just over 25 percent of the original goal. However, material given me in Recife shows a total of 2,795—table 48. The shrinkage of the funds caused by inflation explains the small number of classrooms built. Even so, 24 percent of the total loan remained uncommitted as of the end of 1966.

This fact occasioned a detailed review of the program by USAID officials, who decided upon and delivered to their Brazilian counterparts the following memorandum on November 25, 1966:

DISCUSSION PAPER FOR FIRST MEETING OF NORTHEAST EDUCATION TASK FORCE

I. GENERAL CONSIDERATIONS

The Alliance for Progress P.L. 480 Loan Agreement for Improvement of Elementary and Basic Education in the Brazilian Northeast, dated May 3, 1963, expires on December 31, 1966. Of the total loan value amounting to Cr$17,820,592,000, Cr$4,391,437,187, or 24% will remain unreleased as of the expiration date. All individual implementing project agreements, except that of Minas Gerais, also reach their final contribution date on December 31, 1966. Therefore, an additional Cr$2,251,645,725 (excluding Cr$956,462 unobligated balance of Minas Gerais), released by the USAID but unobligated by the States and therefore returnable to the USAID as of the final contribution date, will be available for reprogramming. This money will be considered an uncommitted free cash balance and, as of January 1, 1967, will be avidly sought by all departments of USAID both in Rio and Recife to further other program goals.

USAID/Recife assumes it has some degree of priority with respect to those unreleased and unobligated funds for continued use in the Northeast education program. However, the limited results obtained during the three-and-one-half years' duration of the Loan Agreement will serve as an insurmountable obstacle to the retention of these funds or to the acquisition of other funds in the future, unless guarantees of improved performance are secured. Desired improvements can be realized in most instances by the application of normal management practices followed by any successful business undertaking.

II. MAJOR PROBLEMS

A. Construction

1. *Deficiencies:* Many schools suffered from inadequate construction. Some of these may be in use, although never approved. Reasons for nonapproval range from broken tile, non-

connection of water supply, faulty hydraulic systems and similar deficiencies to more serious faults involving the possibility of collapse of walls or roofs. Where these deficiencies exist as the result of contractor negligence, they must be corrected and the constructions placed in acceptable condition from nonproject funds.

2. *Bids:* Bidding procedures are frequently inconsistent with good practice. Contracts are awarded nonregistered firms and without competitive bidding. Adjustments to awards are made unilaterally by some states without contract provisions authorizing such adjustments. Some adjustments made are more than double the original bid and reward the contractor for his failure to produce acceptable work in a timely manner. The USAID must insist on proper bidding procedures and on the right to review awards both as to cost and contractor competence.

3. *Contracts:* Contracts are at times awarded without either SUDENE or USAID approval either of the contract or of plans and specifications. Excessive amounts of money have been awarded in some contracts; advances of such size have been made to contractors as to remove all contractor risk and encourage him to concentrate on nonproject construction where his own funds were involved; penalty clauses to protect against excessive delays and poor workmanship have not been enforced. The USAID must now require the inclusion and enforcement of stipulations adequate to protect its investment and must require henceforth that contractors selected be sufficiently solvent financially to perform the initial phase of each construction project from their own funds, with the first subsequent phases being reimbursed in turn for approved work at previously agreed cost levels.

4. *Maintenance:* Schools constructed under the agreement have been allowed to deteriorate with no provision in most cases for even minimal maintenance, such as replacing broken windows or fallen tiles, unstopping or repairing holes in the roof which permit water to enter. While it is realized that most states are without financial resources to mount maintenance programs suitable in scope to cover all contingencies, to qualify for consideration for further construction funds, states must demonstrate financial capacity to perform minimum maintenance of the type illustrated above and a plan for the systematic inspection of project schools.

5. *Identification plaques:* Although such states have fulfilled their commitments under both the basic loan agreement and the implementing program agreements in this respect, others have not. Complete compliance will facilitate extension of the loan agreement and reprogramming of funds.

B. Administration and financial management

1. *Arrearages:* Most states are behind in their monthly contributions to their respective projects, some a few months, some over two years. To be eligible for further financing, stages must contribute before December 31, 1966 an amount proportionately equal to USAID contributions.

2. *Reports:* Only one state is up-to-date in the preparation and submission of implementing quarterly reports and monthly balance sheets required by SUDENE and the USAID as a standard provision of all project agreements. This situation must be corrected prior to renegotiation of project agreements.

3. *Records:* Few states have posted their accounting records and control systems up-to-date, as needed by SUDENE and the USAID for audit and fiscalization purposes. This should be accomplished at the earliest possible date.

4. *Executive commissions:* All program deficiencies noted above, including those listed under II, A. *Construction*, are the result of either noncompliance with agreed provisions of individual program agreements or inadequate project management. Commission members paid from project funds are so paid to permit them to work a full-time eight hour day. Few, if any do. Many hold outside positions with private firms which compete for contracts let by the Commissions. A review of the entire management system is required. It is suggested that the SUDENE Public Administration Work Group be charged with this task.

AID officials believe that the contract was a valuable contribution to the development of the northeast. They explained to me that construction was undertaken because "it was the only thing education personnel connected with SUDENE would let us do." However, over the period of the contract, through continuing association, good relationships have been established. Today, the same people who were opposed to U.S. participation in the educational field have "come around." I was told that they not only accept our advice in all phases of education from planning to some curriculum content, but on many occasions actively solicit it.

It is my impression that the reforms we are actively pursuing in Pernambuco simply failed to meet the needs of the community. It is well known that teacher training is inadequate. There are teacher shortages, especially in the rural areas. Interestingly, we built 800 classrooms in the State, and in 1966 there was a teacher shortage of 774. Nearly 75 percent of the people in the State depend on agriculture for a living; yet after completing these 800 rooms, there were only three agricultural high schools in the State. Less than one-fifth of those children who enter first grade complete 4 years, raising some question about the emphasis on fifth and sixth grades being added. Most children enter school at 9 to 10 years of age, but preprimary training is being stressed.

Tragically, one out of two children never enter school, and more than 60 percent of the adult population is illiterate, but literacy training for children receives an inadequate priority.

I fear that this is but one of many programs designed in the perspective of our own stage of development, which we have urged upon other nations without properly evaluating their applicability to the recipient community. Education is understandably a sensitive area with any people. It must be peculiarly structured to meet the needs of the community. Failure to accommodate these needs can boomerang. There is, as a Brazilian professor said to me, a difference between giving and knowing how to give.

Among the most interesting projects in any field is an urban community development program called BEMDOC—Brazil-United States movement to develop organization of the community. This organization evolved from a concept developed by AID personnel in 1963. By April of 1964, it had been favorably reviewed by both U.S. and Brazilian authorities. In August, it was formally established under terms of a contract between the two Governments—appendix 3. This was in large measure the result of the enthusiastic support given the proposal by the then Secretary of Social Services of Guanabara, and the President of Fundacao Leao XIII, a social service agency in Rio. The contract contemplated a demonstration project—the basis on which it was approved by Washington—in self-help activity, adult education and skill training, and job placement. The agreement provided for financing exclusively from grants of U.S. funds, either dollar or Public Law 480. The foundation agreed to provide office space, office personnel, administration accounting, and local transportation.

The contract was under renegotiation at the time I was in Rio, and at the request of AID personnel, I did not speak personally with the director of the program or any Brazilians involved in the program. I did, however, discuss it within the American community. Despite my expression of interest in the project, it was from an outsider that I learned of the existence of a detailed survey done by a special team for AID. I was only able to obtain a copy of this report after my return to Washington. It serves to confirm many of the opinions of the American community in Rio. Had I read this report in Brazil, I would have discovered that one of the team of evaluators was assigned as my interpreter on three separate occasions, thus permitting the opportunity to discuss his views of the project with him. Unfortunately, the communications breakdown did not make this possible.

This is probably the only program in Latin America designed under U.S. auspices to evaluate the effectiveness of the generally accepted techniques of community development in application to the peripheral slums of the large urban centers. As such, it is of obvious value in determining the usefulness of urban development programs. Contrary to opinion in the United States, Latin Americans have devoted much effort, both public and private, to the problem. Brazil is among the leaders. The parent agency of BEMDOC is principally engaged in this effort. An organization called COHAB has an urbanization program. This is devoted exclusively to rehabilitation of the slum areas. The Ford Foundation, in cooperation with the State, developed a program of slum education in Rio. The self-help approach was widely used by the Director of Social Services in Rio in the 1960-62 period. The School of Social Service of the Catholic University in Rio has done extensive work in the favelas, including comprehensive surveys. Many techniques have been tried, but for a variety of reasons the continuity necessary to make an acceptable test of any single method has never existed.

The significance of BEMDOC is explained by developments in other urban development programs. It may be simple coincidence that several have decreased in size and scope. In the light of uncertain results, the Papal Volunteers in Brazil reduced their urban development programs by more than one-third in the past 18 months, while evaluations are undertaken. Peace Corps has reduced its urban development sites in Rio to fewer than six. They further advised me that these would be reduced as the volunteers terminate. The country director was quite frank in saying that the results in other programs are markedly greater than in urban development. In other countries the same pattern emerges. For example, Accion en Venezuela, a private program which is exclusively devoted to urban development, has curtailed its field force from just under 100 to fewer than 50 in less than 2 years. There is substantial reason to believe that the complexities of the problem still elude all efforts to find a cure. I do not mean to imply that there has been concentrated valid research performed in the effort to find that solution. Quite the contrary is true. It is for this reason that the BEMDOC effort is important.

Historically, most of the programs seeking to resolve the urban slum problem have fallen into two groups. The first is the traditional handout pattern employed in this country and Brazil. These programs are almost always governmental, and well financed. The other group, usually private and underfinanced, emphasizes "self-help." I am not aware of a well-balanced combination of the two. In theory, at least, BEMDOC is such a compromise, with a built-in research component.

In 18 months, the discernible results from the program were unfortunately negligible. I was told that it built a few bridges, stairs, sewers, and all-weather walkways, an incinerator, and a school which is unfinished. Apparently some, though very little, literacy training resulted. About 200 were graduated from its vocational education training centers. The cost of operating the program was about $365,000, of which $50,000 was in dollar grants and the rest a grant of U.S.-owned cruzeiros. To understand the atmosphere in which the program functioned, it is necessary to remember that the joint agreement contemplated a 7-year project. Second, this was an effort to graft onto an existing organization. This was done in an election year. Nonetheless, there appears to have been an unduly high level of internal dissension, both between the U.S. adviser and the Brazilian directors, and among Brazilians. In a matter of 15 months, there was 100-percent turnover of administrators.

The program appears to have been an administrative morass. By the spring of 1966, there were 91 employees—exclusive of those paid out of dollar grants—with a monthly payroll of about $10,000. Salary levels ranged from less than $40 a month for "servants" to about $150 for an engineer. The top administrative personnel appear to have been paid from another source—table 49. Substantial sums were expended for seemingly frivolous items. For example, over $10,000 was spent on office equipment, but less than $8,000 was spent for materials and equipment used in the self-help projects. Nearly $5,000 was spent on printing stationery and the like. Only about $150 was spent on teaching materials—table 50.

There seemed little doubt in the minds of those with whom I talked that the agency suffered from overstaffing and lack of competent administration. Most did indicate that the present director, who assumed the responsibility in December 1965, was moving in the right direction. It appears that the project has suffered from an absence of understanding of the research element. There has been little imaginative innovation in project development or concept. I was told there was no evidence that the program had established the typical structure for controlled research projects. There seems little indication that the personnel of the project understand the task at hand. On the contrary, BEMDOC appears to function in the paternalistic tradition of Brazilian social work.

One of the vocational training centers was located in Jacarezinho—Little Alligator. I toured this favela in company with Peace Corps volunteer James Wygand. This is a large community in which more than 20,000 people live. Like many of the slum areas in Rio, it has been inhabited for many years. Most of the buildings are of masonry. Schools are available. Water and electricity reach almost all areas of the favela. There is a relatively sophisticated and very elaborate system of political and civic organization. This is a natural development which existed prior to any Peace Corps activity.

In the community there is a longstanding elective council to which all areas—usually organized by streets—elect representatives. This serves as a point of contact with municipal authorities. Several years ago, the community organized a rescue service and acquired its own ambulance. For some reason this was disbanded. The ambulance was sold for 1.5 million cruzeiros, which is still in a bank account. Living conditions are unbelievably poor by our standards. Environmental sanitation is almost unknown. There is some evidence of disease and malnutrition. Education levels are low. Incomes are very small. There is some unemployment.

Although Wygand had lived in the favela, there was little evidence of BEMDOC's function that he could relate. The training school was located in the area and did successfully train some of the residents in metalwork. The students seemed to have been enthusiastic about the program. Many apparently obtained jobs in nearby factories, including the General Electric plant. There was no apparent effort made by BEMDOC to utilize the services of the Peace Corps volunteers living in the community.

It is my impression from general discussions that this program has made most of the possible mistakes in developing to the present stage. The report of the evaluation team supports my belief. It seems that it should be possible to use this experience and the staff that has been assembled as the basis for developing a significant research-oriented program which can provide useful data. Hopefully, this can be worked out and supported with strong U.S. administration and high levels of cooperation between the nationals of both countries. Meaningful results are important to guide the efforts of the many agencies nibbling at the fringe of the urban slum problem.

In November 1963, a contract was signed with IRI Research Associates of New York calling for a major basic impact-type agricultural research program in the potentially rich farm areas of southern Brazil. The contract language called for a crash program, apparently designed to supplement the existing Brazilian research functions. The overall objective was research necessary for development of new farmlands in Brazil. The specific objective was intensive research designed to accomplish significant increases in food production on both existing and virgin lands.

IRI, I was told, is eminently qualified to perform this work. Since 1950, when it was organized by the Rockefeller brothers, IRI has operated a privately financed experimental station in the State of São Paulo devoted to this form of research. In addition to the support of the Rockefeller interests, funds have been contributed by the Ford Foundation, the Government of Brazil, corporations, and individuals. Incidentally, the importance of this type of research is generally recognized by all experts working to solve the world food shortage.

Almost immediately after signing the contract, the geographic scope of the contract began expanding. Concurrently the shift of emphasis was toward technical assistance to the Brazilian Extension Service agencies and improvement of the existing Brazilian experimental stations. By December of last year, 135 projects out of a total of 146 were joint ventures with the Brazilian stations. Seven extension projects were underway. No basic change has been made in the original contract, although the authorized number of technicians has been increased from 16 to 35, and additional responsibilities have been defined.

The proliferation of IRI activities has created significant problems. Administration of a national program operating at distances similar to the east-west axis of our country is a major burden for a private organization. This is especially true considering the vagaries of local policy changes which flow from the short tenure of top officials of the AID program. In the field of agricultural research, the problem is magnified. Authorities agree that successful projects require a minimum of 10 years.

Financing of the projects is handled through CONTAP, using the Central Bank as disbursing agent. These are cruzeiros generated through program loans. They are, in fact, funds of the Brazilian Government. Without special provisions to the contrary, disbursement is controlled by the unusual preaudit procedures required by Brazilian law. This creates excessive work. For example, 1 month's petty cash disbursements for one project amounted to about $600. To obtain reimbursement, it was necessary to obtain copies of 216 receipts, some as small as 15 cents. These had to be processed by IRI accounting personnel and reproduced in triplicate to forward two copies of the entire record to the Central Bank for preaudit.

This procedure is repeated perhaps 100 times each month. With the usual payroll and procurement functions to handle, the accounting staff is overloaded. These acivities require the time of 24 out of the total of 56 local nontechnical employees. The working of the agreements between AID and Brazil permitted, in fact under Brazilian law required, protracted delay in disbursements. The IRI funds were grouped with funds for a nmber of projects. As Brazil draws dollars against the program loan cruzeiros become available. These tranches, as they are called, cannot be disbursed by Central Bank under local procedures until all audits of all of the projects are completed.

As a result, IRI as well as other agencies have faced serious shortages of funds for periods of several months. Salaries have been late. Suppliers have not been paid. Staff personnel have been forced to pay electric and telephone bills out of pocket to avoid interruption of service. Monday has not been available to make purchases necessary to continue research projects. Arrangements were made at the end of October 1966, which relieved immediate pressures. No solution to serious administrative problems was found.

The 1966 budget of IRI called for about $550,000. Of this total, about $180,000 was to be contributed to support the activities in the northeast by SUDENE. None of this money had been paid over by the end of January 1967. About 50 percent of the money from other sources was made available by the end of 1966 by Central Bank—table 51. As a result, IRI was compelled to curtail its activities. Financing of those functions deemed essential was covered in part through a Brazilian bank loan and use of its own resources.

A technical committee composed of two Americans and two Brazilians is created by the contract. Its functions are not defined. It appears, in theory, to have purely advisory powers. In operation, however, it has assumed substantial direction of IRI activities, as a result of the integration of IRI with Brazilian agencies. In fact, the areas of research performed by IRI are determined not by its technicians, but by the advisory committee.

Here is an interesting insight into the problems faced by an AID administrator. Impressed with an idea, or in this case a program, he attempts to strengthen the project through financial assistance. Once the program becomes an integral part of the AID structure, its activities fall under the influence, if not direction, of men who are politically as well as technically oriented. In this case, and perhaps in many others, concentration on the narrow, but vital, original purpose is diluted for broad policy reasons.

I would favor expansion and support of both the Brazilian Extension Service and agricultural research program. Both are of vital importance. So, however, is the original purpose of the IRI program at Matoa. If present thinking prevails, the AID contract will not continue to finance these activities.

Brazil as the largest recipient of economic assistance in the next fiscal year, is staffed with highly qualified personnel. The AID staff is among the largest, if not the largest in the world, except, for obvious reasons, Vietnam. It obviously should be, and has the reputation of being among the best AID programs. My knowledge of other AID operations bears this out.

Accordingly, I believe it is fair to judge the administration of foreign assistance on the Brazilian performance. On balance, I find no justification for the expenditure of $3 billion a year of tax revenues—the amount is nearly doubled by Public Law 480—unless drastic improvements take place. The program is an often self-defeating administrative morass, which Congress would not long tolerate in domestic agencies.

CONCLUSIONS

It would be convenient to write off our foreign aid administrative failings to an inefficient bureaucracy basking in tropical suns. This is neither true nor fair. The AID personnel I have met are dedicated, hardworking men and women, overburdened by shortages of every kind. They are asked to perform miracles and are generally provided meager expert assistance.

However badly the executive has administered foreign assistance programs, and it has generally been a dismal performance, Congress must share the blame. The legislative branch has consistently failed to implement its responsibility by laying down intelligent policy guidelines.

It is one of the anomalies of our time that American Congressmen impose infinitely greater restrictions on domestic programs than on foreign. Only recently, we flatly rejected block grants for educational assistance programs for U.S. taxpayers, yet we annually grant blanket authority to assist foreign social welfare programs without even specifying the order of priority among the myriad social needs.

Our legislative approach to foreign assistance is generally negative. We accept the basic outline of such proposals as the administration may offer, and then express our resentment by cutting appropriations. We have thrust upon the Agency for International Development, with a virtual absence of guidelines, responsibilities similar to the Corps of Army Engineers, the Bureau of Roads, the FHA, the Office of Education, the Department of Agriculture, and the Office of Economic Opportunity, to mention but a few. The legislation guiding comparable activities in the United States covers hundreds of pages. Each year, each U.S. domestic program is subjected to minute scrutiny by committees, subcommittees, and staff personnel with broad expertise in each special field. Debate, often lengthy and detailed, follows in each House. With respect to the foreign assistance program, in contrast, most of us do not even know a project is underway until some zealous reporter discovers a near scandal. That scandal often leaves a stigma on the entire program.

We of the Congress have failed to define the philosophy of economic development. So has everyone else. Resultant internal struggles for philosophic ascendency have weakened AID and its predecessors. Traditional theory of economic development calls for acceleration of the natural evolution from agriculture to industrialization. Modern theorists insist on imposing forced industrialization on unsophisticated economies in an effort to bypass the "agricultural phase." Swings between these theories have been extreme. Thus the "servicios" were dismembered following the signing of the Alliance for Progress, halting many long-term agricultural research projects. Today, faced with deep stagnation in food production, we are making major expenditures in an effort to make up the lost time.

The harsh fact of diminishing per capita food supplies for an increasingly hungry world appear to be forcing reemphasis on the traditional doctrines of rural development, basic education, and self-help—a reemphasis with which I concur. Twenty years of forced industrialization, however, have wrought major changes in the economies of developing nations. Many, such as Colombia, contain large urban populations dependent on manufacturing industries we have fostered. Often these factories must import raw materials to continue production, which provides employment for the volatile urban poor. In recent years, foreign exchange needed for these imports has been provided by program loans. Abrupt reduction of these loans would create massive unemployment and substantial negative impact on economic and political development.

PHILOSOPHY OF U.S. FOREIGN ASSISTANCE

Many of our overseas personnel misconceive our national purpose. For example, a pamphlet on the Declaration of Independence, written in Spanish by an employee of USIA, omits reference to "the right of revolution." Asked why, he replied, "But, that is what we are trying to stop."

Promoting Jefferson's kind of revolution in the New World is the consistent thread in U.S. policy from its inception, articulated by him as early as 1786, and reiterated often until formally embodied in the Monroe Doctrine. This unique concept captures the meaning and spirit of the word and explains its emotional appeal in Latin America today.

The Founding Fathers first gave the word political dimension in this context and the American Revolution, to which we reverently pay homage daily, first gave hope to oppressed peoples everywhere. U.S. foreign policy was from the beginning based on enlightened self-interest, which pragmatically assumed that a world political order functioning according to the precepts of the American Revolution would be the safest one in which to live. This is the prime justification for spending tax dollars in support of the Alliance for Progress, which in fact, seeks no more than the extension of the benefits of the American Revolution throughout the Americas.

Plagiarized by Marx, stripped of humanity by Lenin, and converted into the Trojan horse of Communist imperialism, revolution has become a scare word in our political lexicon.

Frightened out of our heritage, we have permitted the American Revolution to become a meaningless phrase, mouthed without comprehension. Understandably, Americans overseas, preoccupied with the pressing problems of a single sector of one nation, become confused. Altruism and self-interest are usually assumed to be mutually exclusive. In the special context cast on them by the unique needs of U.S. policy they may merge. Unfortunately a baseless dichotomy has emerged between "altruists" and "pragmatic nationalists."

This state of confusion is manifested by the often reported hostile attitude of Peace Corps volunteers, and even staff members, toward cooperation with the rest of the "country team." Such confusion, hopefully, explains a recent incident in which a volunteer excoriated a Member of the House in a group meeting for the Congressman's failure to comprehend that "communism offers the best hope for Latin America." This near schizophrenic duality of rationale for U.S. policy often leads personnel down mutually defeating paths in the formation and implementation of assistance programs.

At the same time, the word revolution retains its original Jeffersonian meaning for the people of South America. Many of them thus question U.S. motivation. This is particularly evident among the educated, especially university students. Many seem intent on believing any source of information which impugns our integrity. The belief that we are solely interested in economic domination is widespread. Many believe that Wall Street or the corporations exercise total political control over what amounts to a fictitious democratic process in the United States. We are frequently accused of favoring military dictatorships as against democracy. The explanations of President Kennedy's assassination place active conspiratorial responsibility on groups which range from elected U.S. officials to major corporations. The reception accorded Peace Corps volunteers is often hostile or suspicious. They are often assumed to be agents of the CIA. Where they are accepted and highly regarded, it is frequently mentioned that they are "not like the other Americans." Among historic figures in our history, Lincoln is most widely known. Some mention Washington, and curiously Hamilton, while Jefferson is barely recognized. It, of course, follows that there is little appreciation of our own revolutionary heritage. It is precisely this historic experience of struggle for social justice against established power which in the minds of Latin Americans, is the necessary qualification for believable leadership in today's struggling underdeveloped world.

MULTINATIONAL AND UNILATERAL FINANCING

Less dangerous, but important, divisions of opinion separate foreign affairs specialists on the merits of unilateral versus multinational financing of economic assistance. On the one hand, objectivity, relative isolation from political pressures, and hard-nosed funding by international agencies can be useful in many areas. There is some evidence that AID personnel rapidly identify with the problems of the nation in which they serve. Programs developed in the missions and cleared through Washington on a demonstration basis are later analyzed within the same bureaucracy for purposes of long-term lending. Objective evaluation is difficult at best under these circumstances. Comparison of loan documents of the Inter-American Bank with those of AID, especially when they involve the same projects, indicates the Bank does a better investigative job. The Bank can and does insist on more stringent conditions as prerequisites for its loans. The international agencies are rarely accused of interference in domestic affairs, despite the fact that they frequently demand more far-reaching internal structural changes than does AID.

Unilateral financing offers the obvious advantage of direct control of expenditures. It clearly identifies the donor. The unilateral approach offers greater flexibility in the interest of innovation and new developments in the mechanics of assistance programs. It also assures coordination with technical assistance extended through the agency of U.S. experts.

It is evident that both approaches offer valuable contributions which should continue. At the same time, it seems obvious that no nation will contribute to an international fund destined to contravene fundamental national interests.

MILITARY ASSISTANCE PROGRAMS

Frequent differences of opinion are registered, usually by political and academic figures, regarding the desirability of military assistance programs. This activity has had unquestioned positive value in exposing the military sector in Latin America to U.S. institutions. It has clearly engendered a widespread respect for our country among military personnel. Military services in Latin America often provide continuing training in basic literacy and vocational education for significant numbers of the low-income groups. In recent years they have developed "civic action" components which provide technical and other types of support for both community action projects and public works. The commitment of Castro's Cuba to internal subversion through support of guerrilla groups unquestionably constitutes a threat to the security of the Latin American nations. Venezuela is an excellent example. It seems clear that the Cubans are heavily subsidizing the guerrilla movement there. The Venezuelan Government is among the most democratic in the developing world. It is clearly a government elected without significant undemocratic influence under universal adult suffrage. Its army and navy have benefited by our military assistance programs. They have fought well and successfully against the guerrilla movement for 6 years, and appear to have reduced the rebels to the status of an expensive nuisance.

On the other hand, the military has, in this decade, ousted a number of democratically elected governments in Latin America. Our assistance unquestionably enhances the power of the military by providing improved equipment, better training, and ammunition. Such incidents as the Argentine-Chilean border clash last year do involve use of forces supported by our programs. The purchase of sophisticated jet fighter craft is an extravagance that sick economies can ill afford. There seems little justification for Peru maintaining large numbers of personnel on the Equadorian border simply because they fought a war nearly 30 years ago.

On balance it seems that both sides of this argument have merit, and the differences of opinion might well disappear in the face of intelligent administration of the program. Military assistance programs have not received the careful scrutiny necessary in the implementation of politically sensitive projects.

Twenty years of erratic experience such as this demands the catalytic synthesis which is the unique product of the legislative process at its best. The President has invited our participation in revision of the Foreign Assistance Act, asking codification of six broad areas of past experience. We should accept, take his recommendations as a point of beginning, and institute a sweeping evaluation with a view to legislation realistically tailored to the needs of both this Nation and the world.

A prerequisite to proper discharge of our constitutional mandate to control the purse strings is a more sophisticated approach to foreign policy formulation. Our role in world affairs, expanding and as yet uncomfortable, demands the constitutional evolution necessitated by our new responsibilities. Foreign assistance is preventive medicine in the business of national defense. So viewed, it offers perhaps our only hope of significant reduction of the costly burden we now carry. Thus, it is no longer the exclusive prerogative of the executive, and we must devise new procedures to discharge the legislative function. Congressional organization naturally produces well-informed experts through committee specialization. Among our membership are outstanding authorities in every area of expertise needed in the developing nations. They possess an unrivaled wealth of knowledge gained through careful supervision of programs nearly identical to virtually every program functioning under AID auspices. This expertise must be utilized in formulating the new assistance measure, and in continuing supervision of its administration.

LONG-TERM AUTHORIZATIONS

For a number of years, the executive agencies have sought long-term or open-end authorizations for foreign assistance programs. Legislative experience demonstrates that many domestic programs, especially those of proven quality in the areas of public works, social welfare, and rural development, are best administered through open-end authorizations supplemented by periodic substantive review. Many foreign assistance programs are of precisely this type, and administration would in fact be implemented in this way.

Congress meets this request with insistence on short-term authorizations. This practice is, in reality, a substitute for traditional congressional participation in control, formation, implementation, and review of programs requiring the expenditure of tax revenues. This conflict seems to center on the overlapping of the Presidential prerogative in foreign affairs, and legislative control of appropriations.

Under present procedures, programs are developed and administered in the individual foreign missions by AID personnel in accordance with their judgment of the needs of the host country. These plans, known as country assistance plans, are then forwarded to Washington where they are further reviewed by AID, State, and the Bureau of the Budget, largely for conformity with anticipated budgetary requirements. These plans are then presented to the Foreign Affairs Committees in support of the levels of funding requested. Congress has made limited concessions to the need for long-term planning by providing more or less conditional authority for long-term commitments, but the arrangement is generally unsatisfactory from both points of view.

RECOMMENDATIONS

To utilize the great pool of congressional expertise, I urge the development of new legislative procedures.

I propose the formation of permanent satellite subcommittees on Foreign Assistance within appropriate committees such as Agriculture, Banking and Currency, Education and Labor, Ways and Means, et cetera. These should be so organized as to bring congressional expertise to the evaluation of all foreign assistance programs. These satellite subcommittees should make careful studies of their assigned areas, reporting as experts to the Foreign Affairs Committee. We should consider empowering these satellite subcommittees to sit and vote with subcommittees of the Foreign Affairs Committee, which might be organized for this purpose.

So organized, the Congress could undertake the sweeping evaluation of foreign assistance, which is so long overdue. Concurrently, I urge the Foreign Affairs Committees, utilizing the expertise of the Joint Economic Committee, to define the philosophy of economic development. Such a statement, developed with the assistance of the ablest authorities, would provide consistent criteria for the structure and performance of foreign assistance programs.

With these studies as a basis, and avoiding infringement of the executive prerogative in foreign affairs, I recommend that the Congress write a completely new Foreign Assistance Act, consistent with the following points:

Foreign assistance is made available by the people of the United States for reasons of idealism and enlightened self-interest. Nearly two centuries ago, 4 million Americans, motivated by man's inherent duty to secure his inalienable rights which include life, liberty, and the pursuit of happiness, cast off the oppressive established order in a long and bloody Revolutionary War. The history of the American people is a continuing orderly evolution of the rights of freemen, only occasionally punctuated by violence. This heritage, still verile and aggressive today, has produced a government dedicated to the perpetuation of freedom, equality, and social justice for all Americans. These principles have guided the evolution of the most powerful democracy in the history of man. Because the United States and its citizens believe a world so ordered best serves their general welfare, it offers assistance to all people dedicated to these goals.

Military establishments are inconsistent with democratic goals, except to the extent necessary for national defense and internal security. In the absence of geographic potential for external aggression, military assistance should be extended only in the form of the limited systems needed for national defense and internal security. These might include ground support aircraft, light shore patrol vessels, light artillery, and infantry support. Recipients of military assistance should be encouraged to curtail military forces and expenditures and emphasize "civic action" programs within their services. They should be actively discouraged in any effort to expend their resources on sophisticated systems such as large naval vessels and military jets.

Wherever feasible, economic assistance should be conditioned on the development of regional and internal banking systems, capital markets, savings and loan associations, credit unions, community action programs, and other devices for mobilization of internal savings. Funds should be earmarked for an immediate intensive study of the levels of "flight capital" from recipient nations and development of methods to retain new capital and repatriate existing external holdings. The results of this study should be reported to the Congress within 1 year of enactment.

Congress should designate the order of priority among programs which can qualify for financing for a period of more than 1 year. Guidelines for these programs should be established with the same care as those written into the better domestic assistance programs. No program should be financed without prior approval of a "national plan," similar to State plans required under domestic legislation. Congress should specify the minimum provisions which must appear in such plans.

Congress should determine which programs are best implemented through multinational agencies, and prohibit unilateral lending in these areas. In general, projects such as housing, roads, dams, public utilities, urban services, transportation terminals, and industrial facilities should be financed through multinational loans predicated on strictly enforced demonstrations of economic feasibility. Regional development should be emphasized. Programs such as education, rural development, agriculture, community action, savings, banking and credit, and others not susceptible to conventional economic evaluation can be financed either unilaterally or through the international agencies. Wherever feasible, politically sensitive programs should be financed through international agencies, under detailed criteria designed to insure maximum benefits directly related to the needs of the largest number of people. Unilateral financing should be restricted in most cases to programs of an experimental character, those requiring close U.S. supervision, or substantial technical assistance.

Unilateral financial support should be given only to those programs which have a significant "multiplier effect," mobilize and utilize private internal resources, or employ community action techniques involving the people themselves as participants in the development programs.

Annual appropriations should be made each year for such demonstration programs as may be requested by the administration. Limited additional funds should be made available on a contingency basis for demonstration purposes. All demonstration programs should be designed to evolve new techniques of development strategy with clear requirements for research and reporting of results.

Administration of foreign assistance must be significantly tightened. Greater discipline is required to implement policy decisions by both Congress and the executive at the field level. Procedures must be evolved to eliminate duplication in such activities as agricultural research. Successful techniques, such as community action and rural public works programs, must be utilized expeditiously in other national programs. National programs must be integrated with global policies such as the war on hunger. Implementation of such directives as the Humphrey amendment and title 9 must be effected at local mission or departmental levels despite the personal predilections of mission directors and division chiefs. Proliferation of resources and personnel at the price of sound program development or administration must be stopped.

Greater emphasis should be placed on the development of indigenous private enterprise within the developing nations. It is imperative that local entrepreneurs be encouraged to participate in industrialization. Development of private enterprise investment by most country nationals must be encouraged through provision of credit and technical assistance. The great corporations of the industrialized nations should work in partnership, wherever possible, with local business organizations and should in all cases serve as a supplement to local efforts.

The emerging nations should build educational systems designed to serve existing national needs. Developing economies should give the highest priority to training every child in basic communications skills and arithmetic. In most of them, rudimentary agricultural training should be emphasized. These countries must concentrate on programs having multiplier effects which benefit the maximum possible number of people. All education programs should make use of the most modern techniques and take advantage of the shortcuts made possible by contemporary knowledge of the learning process.

Great emphasis should be placed on community action techniques. Wherever possible community action programs should be utilized as underpinning for the total assistance effort. These programs, which have demonstrated value in rural areas should be extensively employed to accelerate modernization of agricultural extension services, basic literacy training and creation of social capital infrastructures, such as schools, water systems, access roads, and health centers. Community action techniques, which can be particularly useful as agricultural extension service substitutes, must be utilized to achieve widespread increases in agricultural productivity and food production.

U.S. assistance programs must take cognizance of the looming Malthusian crisis in food supplies. Each national development program should be related to the recipient's capacity to develop self-sufficiency in food. Wherever possible, foreign assistance should concentrate on the development of the recipient's national potential for production of surplus foods for export to less fortunate areas of the world. It is particularly important that the "breadbasket" potential of the South American Continent be developed as rapidly as possible.

All U.S. assistance programs should be designed to benefit the maximum feasible number of people through stimulation of their intrinsic abilities and expertise. A specific percentage of funds for new activities, perhaps as high as 60 percent, should be earmarked for rural development, increased food production, and basic education. The same requirement should apply to counterpart currencies generated by "program" and Public Law 480 loans.

The world food crisis is the greatest challenge to mankind in this century. Respected scientists tell us that overpopulation and food shortages threaten our very existence. Famine will be a reality of the 1970's in many areas of the underdeveloped world, in the absence of immediate drastic action. The best available estimates indicate annual additional investments ranging from $6 to $12, depending on criteria, are required to maintain present inadequate levels of nourishment. Real progress obviously costs more.

Strange as it may seem, we are not as secure as most Americans think. The highly respected National Academy recently warned that urban encroachment, water pollution, and similar factors are reducing our productive reserve to a point where we can no longer be complacent.

It is clear that additional U.S. resources will be required to avoid the Malthusian nightmare becoming a reality, but we must also recognize the great potential of the South American Continent as a breadbasket for the world.

I cannot overemphasize the importance of forging a more sophisticated approach to solve problems which know no national boundaries, for if left unattended they can, and probably will, engulf the world. Only effective action will meet the challenge of urgent problems. Congress must give new imaginative direction to foreign assistance to meet the crisis of the 1970's.

APPENDIX 1

ANALYSIS OF ACTIVITIES

Personal interviews (½ hour or more)—62.

Discussions in depth—59.

Conferences in groups of less than seven people—25.

Meeting with six representatives of Rio de Janeiro press.

Meeting with eight members of Editorial Board of *Jornal do Brasil*.

Meeting with 21 students from Mackenzie University, Sao Paulo.

Discussion with group of six cane field workers.

Discussion with ten sugar mill workers.

Meeting with 23-man team of government employees at Caxanga Sugar plantation.

Meeting with 13 rural labor movement leaders at Ribeirao.

Discussion with approximately 50 students at rural labor center, Ribeirao.

Discussions with students in ABC Crusade (four classes, average number 15).

In-depth conferences with: AID direct employment and contract personnel—35; State Department personnel—14; Peace Corps Volunteer—1.

Three-hour dinner meeting with farmers and wives at Matao—25.

Luncheon conference with Agriculture graduate students at Matao—8.

Miscellaneous discussions with residents of Brasilia Teimosa, Recife.

Miscellaneous discussions with residents of Vila Kennedy, Rio de Janeiro.

Question-and-answer period with 110 upper school children in American School of Recife.

U.S. activities visited—19.

ACTIVITIES OF CONGRESSMAN CHARLES E. GOODELL

Brazil

Sao Paulo, Saturday, Nov. 26

12:25 p.m.—Arrived in Sao Paulo after 15-hour flight from New York. Sao Paulo is a city of about five million. It is the fastest growing urban area in the world and is now the second largest in South America. It is the principal industrial complex of the continent and, together with a few satellite communities, produces about 50 per cent of Brazil's nonagricultural GNP. The State is also the major agricultural concentration in the nation, the principal financial center, and the largest in population with about 17 million people.

2:00 p.m.-3:30 p.m.—Conferred with Juan de Onis, *New York Times* Correspondent, about general conditions in Brazil.

4:30 p.m.-5:30 p.m.—Visited the National Auto Show and discussed the problems of the automobile industry with executives of the industry. The industry is the eighth largest in the world, producing about 170,000 units in 1965, with comprehensive manufacture in country.

6:00 p.m.-8:30 p.m.—Met with four labor leaders, including Orlando Malvezi, General Secretary of Sao Paulo Metal Workers, and Dr. Mauro de Alencar, National Vice President of the Public Service Employees.

8:30 p.m.-10:30 p.m.—Dinner Meeting with Ewaldo de Almeida Pinto—opposition Federal Congressman.

11:00 p.m.-1:00 a.m.—Met with Roberto Civita and brother, Richardo, publishers of 24 Brazilian magazines, the largest publishing house in South America and the largest presses in Brazil, featuring color process.

Matao, Sunday, Nov. 27

8:00 a.m.-11:00 a.m.—In flight to Matao in the State of Sao Paulo.

11:30 a.m.-1:00 p.m.—Luncheon conference at IRI, Agricultural Research Station, with President of IRI, Gerald Harrington, the Station Director, and eight Brazilian agronomists. International Research Institute (IRI) is an arm of the Rockefeller Foundation interests, originally constituted as a part of International Basic Economy Corporation, (IBEC), but since divorced to operate largely as a research and management consultant organization concentrating, but not restricted to, agricultural development. IBEC is one of the principal investment and development arms of the Rockefeller family which has been active in a wide variety of areas such as housing, tourism and service industries.

1:00 p.m.-4:00 p.m.—Horseback tour of Experimental Station.

4:00 p.m.-6:30 p.m.—General Conference with Harrington and Carson Geld of IRI and Station Director regarding role of agricultural diversification and increased productivity in Brazilian developmental process.

6:30 p.m.-10:00 p.m. —Dinner meeting with Brazilian farmers from area.

10:30 p.m.-1:00 a.m.—Continuation of general discussion of Brazilian agricultural problems with emphasis on faulty public administration.

Sao Paulo, Monday, Nov. 28

7:30 a.m.-9:30 a.m.—In flight Matao to Sao Paulo.

9:30 a.m.-10:00 a.m.—Discussion of military assistance program with Executive Officer of Sao Paulo Air Base.

10:30 a.m.-11:45 a.m.—Meeting with Gustavo de Sa e Silva, Director of the School of Business Administration of Vargas Institute with discussions centering on developing the first Graduate School of Business Administration in Brazil and general problems of higher education. The Vargas organization, named after Getulio Vargas, the dictator of the thirties who was overthrown and later elected president, is an extra-governmental foundation.

12:00-1:00 p.m.—Meeting with Ruy Mesquita, Publisher of Estado de Sao Paulo (referred to as New York Times of Brazil), regarding general conditions in Brazil. This man was one of the civilians who helped bring about the Revolution which deposed President Goulart on April 1, 1964.

1:15 p.m.-2:30 p.m.—Luncheon meeting with group of American businessmen including Edward Gilbert Hautzenroeder, International Harvester Maquinas; Francis L. Herbert, Cia. Swift do Brazil S.A.; Joseph E. Quigley, The First National Bank of Boston; S. M. Hinsberger, First National City Bank; Juan Clinton Llerena, Moore McCormach (Navegacao) S.A.; Arthur Bennett, American Chamber of Commerce; Howard C. Campbell, Refinaooes de Milno Brazil Ltde.; Wesley E. Baldwin, Sherwin Williams do Brazil S.A.; Dell Roy King, Anderson, Clayton & Co., S.A. Ind. e Com.

Discussion centered on the renewed favorable atmosphere for foreign investment in Brazil, which is a positive policy aspect of the present government. New investment features such activities as $30 million and $50 million, respectively, slated for auto production by Ford and GM.

3:30 p.m.-4:30 p.m.—Meeting with Faria Lima, Mayor of Sao Paulo.

7:00 p.m.-11:00 p.m.—Dinner meeting with officials of Anderson Clayton to discuss coffee industry in Brazil and international trade problems relative thereto. Anderson Clayton is a Houston-based international agricultural products firm dealing principally in cotton, coffee, sugar and edible oils. This meeting was held in the home of Claude C. Smith, Jr., International Vice President for Coffee.

Sao Paulo, Tuesday, Nov. 29

9:00 a.m.-11:00 a.m.—Meeting with Rector of Mackenzie University and group of students to discuss general problems of private higher education facilities in Brazil. Mackenzie is a Protestant University founded by American missionaries and is said to be the largest and best private university in Brazil. The core of the problem is that public universities are traditionally tuition-free and the current cost squeeze without Federal assistance threatens the continued existence of private institutions.

12:30 p.m.-3:00 p.m.—Luncheon with Paulo Ayres, member of the Presidential Advisory Commission on Industry and Commerce, and Trajano Pupo Neto, President, Anderson Clayton, and prominent financial figure who renegotiated Brazilian Government private loans following the revolution. General area of discussion centered on overall economic policies of Roberto Campos, with particular reference to creation of long-term capital investment resources in an economy suffering 50% to 100% annual inflation. Ayres was one of the active pre-revolutionary leaders.

3:15 p.m.-4:15 p.m.—Meeting with Raphael Noschese, Secretary of Planning and Acting Secretary of Finance of Sao Paulo, for general discussion of revenues and public expenditures of State of Sao Paulo. This State is roughly comparable to Illinois in population and population distribution and provides 40% of the GNP of Brazil and incorporates the City of Sao Paulo, which is roughly equal to Chicago in size and structure and with the fastest rate of urban growth in Latin America. The urban problems of the city are more acute than urban problems in the United States, and the responsibilities for funding urban services is more heavily concentrated at state and local levels.

4:30 p.m.-5:30 p.m.—Meeting with Daniel Machado de Campos, President of the Association Commercial de Sao Paulo, and Eduardo de Campos Salles, second vice president. This discussion centered on the problems of industry and commerce in Brazil today. The stabilization policies have brought with them restrictions in the domestic market and, at the same time, shortage of capital investment, and working capital, as well as short term credit, have continued because of inflation. This has occasioned weakening of financial strength. Government policies have been directed towards increased productivity and efficiency which frequently encourages merger and retirement of obsolescent production equipment. The adjustment of long-established patterns of business adapted to an inflationary period is also beginning to be felt. The result has been fairly wide swings in business activity in the last two and one-half years.

6:00 p.m.-7:30 p.m.—Meeting with Acting Counsel General Wight and businessmen, including: Francis R. Crane, Corning, Brazil S.A.; Robert Turissini, Corning Brazil S.A.; William W. Rinck, Refinacoes de Milho Brazil; Louis J. Templin, Caterpillar Brazil S.A.; Ray Klabon, Sears, Roebuck S.A.; Carlos Lavenas, U.S. Steel; John C. Goulden, Ford Motor do Brazil; Fernando Lee, Brazilian businessman on board of directors of at least 20 large industrial concerns; Oscar Landmann, Brazilian businessman, dealer in hops and brewery supplies.

Sao Paulo, Wednesday, Nov. 30

8:00 a.m.-10:00 a.m.—Breakfast with four students from Mackenzie University and the University of Sao Paulo.

10:00 a.m.-12:00 noon.—Meeting with Werner Baer, U.S. Industrial Economist presently employed by Vargas Institute and professor at University of Sao Paulo, together with Dr. William Thweatt (Vanderbilt University), Economics Professor teaching at the University of Sao Paulo, for general discussion of problems of economic development and effect of inflation in Brazil.

Recife, Wednesday, Nov. 30

2:00 p.m.-1:00 a.m.—In flight to Recife. This 1800-mile flight by Caravelle Jet was delayed by equipment shortage. The size of the nation and the difficulty of interior communications has caused the air transport industry to mushroom. There are six major airlines operating in Brazil and even short-run intercity transportation is dependent upon them.

Recife, Thursday, Dec. 1

7:00 a.m.-7:45 a.m.—Breakfast with Director and four teachers from staff of American School of Recife.

8:00 a.m.–9:00 a.m.—American School. This is a facility largely supported by the Department of State, designed to provide American education for U.S. dependents. The Congressman was asked to participate in a question-and-answer period with 110 upper school students who, with one exception, have never before had an opportunity to discuss the Congress of the United States with a U.S. official.

9:00 a.m.–10:30 a.m.—CABO. Father Melo is a 37-year-old leader of the liberal wing of the Catholic Church active in the rural labor organizations which are, in part, composed of the rank and file who were members of the peasant leagues prior to the Revolution. He is a strong believer in mobilization of self-help to provide a solution to the problem of land redistribution and argues strongly that the Brazilian will only respond to a program where he acquires ownership as opposed to communal tenure rights, and that he responds best in a situation where he is compelled to pay for the land and acquire working capital on a loan basis. Melo insists that this is the only practical alternative to growing communist sympathy in the Northeast. The significance of the clergy as leadership factor in the broad-based social justice movements is greater than in the United States. It is largely explained by the fact that in many large communities, the clergy is the only educated element which maintains close daily contact with the pressing problems of the broad mass of semiliterate and illiterate poor.

11:00 a.m.–1:30 p.m.—Ribeirao Labor Center. This center is one of three in the State of Pernambuco built under the auspices of AIFLD (American Institute for Free Labor Development) jointly sponsored by AFL–CIO and AID. The Institute was formed for the purpose of training host country labor leaders principally at the local level in the techniques of free democratic trade union activity as a means of combating the traditional communist infiltration of organized labor. The Congressman conferred with Jose Francisco da Silva, Secretary of the Rural Workers Union of Pernambuco. The Center incorporates leadership training for about 100 students in basic literacy, carpentry, nutrition and sewing chosen from community leaders within a radius of 100 miles in the central southern area of the State.

1:30 p.m.–3:30 p.m.—Usina Caxanga. This is a sugar plantation covering approximately 35,000 acres with a large mill, affecting the lives of 2,000 landless workers. The project is being developed by the National Institute of Agrarian Development (INDA) on an experimental basis. INDA moved into this demonstration when the owners of the plantation abandoned it. It was acquired with bonds. About 400 families will be provided with sugar-producing lands and both technical and social assistance to develop individual farms from about 16,000 acres of land best suited for sugar. The anticipated cost is about $9,000 per unit for farms held on a semi-communal basis where the farmers will not be permitted to sell or borrow against land. Additional acreage will be sold off from the remaining property, which is not considered suitable for sugar agriculture. The mill is to be run as a co-op with shares held by beneficiaries of the program, as well as other farmers in the area. Participating in this meeting were a total of 23 professionals engaged in this activity, including four Agriculture Extension Service workers and two home economics workers.

3:30 p.m.–5:15 p.m.—Cetreino. This is a training center for rural development in which rural residents and technicians from all levels are brought into the center for training in disciplines very similar to the Extension Services of USDA. The center is in a new building which is partially completed, and is part of a program organized by the Revolutionary Government to increase living and productivity standards in rural areas. This year it will have provided training for approximately 700 people. It is a program which is supported, in part, with AID funds. Participating in this meeting were the Deputy Director and six of his staff members, each a specialist in an area of training such as rural community development, home economics and nutrition, and agricultural extension work.

5:15 p.m.–6:00 p.m.—Ipeane. This is a Federal Agricultural Experimental Station which is receiving technical assistance from one member of IRI. There is also a soil-testing laboratory established by the AID Contract employee, Robert Cates of North Carolina University, who is establishing soil test laboratories throughout Brazil.

6:45 p.m.–8:15 p.m.—Cruzada ABC. This basic literacy program is moving from the pilot stage to a comprehensive effort to provide functional literacy for one million people in the Northeast. About 80,000 have acquired literacy through its efforts. The program is largely staffed with volunteer teachers who, along with the students, receive a small food allowance from Foods for Peace. The Congressman discussed the program in detail with Pierre DuBose, program director, his deputy for Recife, the regional director for one area of the city, a teaching supervisor, and three volunteer teachers, while visiting the area headquarters, one storefront school, and classes in two private homes.

9:00 p.m.–11:50 p.m.—Working dinner meeting with AID personnel. The participants were the Director, Deputy Directors and section heads in charge of the areas of activity of interest to the Congressman, including human resources development, agriculture, and education.

Recife, Friday, Dec. 2

7:30 a.m.–9:15 a.m.—Breakfast meeting with Dr. Onofre Lopes, Director of the University of Rio Grande do Norte, who has developed as a part of the University curriculum a community action-oriented program centered in a small region of the south of the State. This demonstration, featuring in its beginning phases medical assistance, is based on utilization of University personnel in a major regional center serving twelve satellite communities. It is hoped that this conventional community development structure will evolve as a part of the program which is known as CRUTAC.

10:00 a.m.–12:00 noon.—Met Secretary of Education of Pernambuco. This discussion centered on the reorganization of the educational system of the State in conjunction with the USAID program, and educational planning teams working with Federal Government. As a part of the Sudene-Northeast AID project, the reorganization of the state system was undertaken. The reorganization created a state executive committee of seven, including the Secretary, and it was with this group that the Congressman met.

12:00 noon–2:00 p.m.—Geran Program. Geran, a regional industry-wide agency, is composed of representatives of Sudene, Bank of the Northeast, Agrarian Reform Agency, and the Sugar Institute. It is in the process of organizing. On this date Mario Lacerda, who was the luncheon guest, was officially designated Executive Secretary. The object of this program is to develop and coordinate efforts to revitalize the sugar industry at all levels, including diversification of agriculture, increased production and development of new industrial uses of sugar and/or sugar-based alcohol.

2:30 p.m.–4:30 p.m.—Senai. This semigovernmental vocational education training activity of Brazil has assumed a major role in training-retraining for the needs of the industrial complex being created by Sudene. The nationwide program incorporates virtually all phases of vocational education, as well as basic literacy training where needed. The Congressman met with Dr. Austriclinio Borges Real and Prof. Jose Fedreira Monteiroda Cruz.

5:00 p.m.–6:00 p.m.—Jorge Batista Da Silva is the owner of a major textile factory which exports grey cloth to the United States. He is a member of the Industrial Advisory Commission with Paulo Ayres, and was also one of the several civilian leaders of the Revolution, in this case the Northeast.

7:30 p.m.–11:30 p.m.—Comprehensive discussion of the AID Program in the Northeast and the administrative problems of Sudene and other Brazilian Government divisions. Sudene is a Regional Development Agency covering nine Northeastern States. The Agency employs about 3,000 people and has cross jurisdictional authority in most phases of governmental activity at all levels. Its principal thrust is in the areas of social welfare, industrialization and heavy infrastructure. This region is a very tropical, semiarid, drought area in which 28 to 30 million people live under conditions of extreme poverty. Until the Revolution, the area was one of maximum penetration by communists in Brazil. Beginning in April, 1963, to date AID has invested approximately $260 million in the area, which has been matched by the Brazilian Government. This is the only program of its kind in the world where an effort has been undertaken by AID in conjunction with an indigenous agency to develop a major region of a country. The program contemplates development of a balanced agricultural-industrial economy in an area dependent upon a stagnant one-crop agricultural economy. The program deals with large areas of social problems which require solution through the introduction of social infrastructure and revision of outmoded skeletonal systems of social service, such as education. In addition, the basic postulate of the program is to make the existing agriculture base of the economy viable through modernization and diversification while utilizing industrialization to absorb those dislocated by agriculture modernization.

Recife, Saturday, Dec. 3

9:00 a.m.–12:00 noon.—Bairro Brasilia Teimosa with Papal Volunteers Janice Smrecker and Lloyd Welter, and with Father James Kohmetscher and Father Bruce Heit of the Oblate Order. Father James has been in this slum area for three years and has associated with him one additional priest and two members of the Papal Volunteers. The Papal Volunteers is an organization structured somewhat along the lines of the Peace Corps, but composed generally of specialists trained in their fields of activity serving in a host country for a period of three years or more. There are approximately 40,000 people in this community living in conditions of poverty which vary from tenable to desperate. For the most part, these people have jobs with a probable family income on the level of $75 per month. However, a quick price check of basic staples in the local cooperative store which passes on the cheapest possible price to the barrio residents, cost per kilo (2.2 pounds) as follows: Rice Cr. 550 (25 cents), Manioc flour Cr. 375 (17 cents) (this is a basic staple of the Brazilian diet used heavily in the Northeast section. It is prepared from a root through an interesting process which requires heating to remove the high content of a poisonous acid), beans Cr. 515 (23 cents), yellow grain corn Cr. 210 (10 cents), sugar Cr. 315 (14 cents), powdered milk Cr. 1755 (70 cents) for 500 grams, eggs Cr. 1200 per dozen (54 cents), corned beef Cr. 1045 (50 cents) for a can of comparable size to those available in the States. The basic thrust of the program here is oriented towards urban community development, mobilizing the efforts of the community towards self-help projects as well as utilization of the municipal facilities to the ends of obtaining such things as water service and medical facilities.

12:00 noon–1:30 p.m.—Lunch with Rubens Costa, Superintendent of Sudene. Costa has been director of Sudene only a short period of time and is concentrating on the revision of its education section to the end of more effective participation with the USAID team, the reduction of some activities in Sudene which have proven cumbersome responsibilities, and the development of more active participation in assistance to the private sector to encourage development of industry in the Northeast.

2:30 p.m.-4:30 p.m.—Meeting with Dom Helder Camara, Archbishop of Recife. This 57-year-old prelate has a long history of Christian Democratic orientation and is considered a leader of the liberal, possibly leftist, wing of the Catholic clergy in Brazil. He has been an active opponent of the Costello Branco regime to the extent of open defiance of the Commander of the 4th Army. The specific issue which he elected to stand on was the Army's entering a church at the request of the parish priest to remove students who had been involved in violent demonstration in the course of a student strike. An index of the bishop's power is said to be the fact that the President, Costello Branco, intervened in the dispute between Helder and the Army by transferring the Commanding General to Rio. Helder is a dynamic, persuasive individual who is strongly oriented toward the social justice mission of the Church and reinforces his position by arguing that provisions for housing, education, health and land tenure for the broad mass of people in the Northeast represent the only effective available course to prevent an ultimate communist take-over of this area of Brazil. The bishop is said to be pivotal in the maintenance of poltical stability in the area. As a highly respected and trusted clerical leader of the masses, he can be effective in arousing public opinion either in support of the government or in support of such opposition as may emerge. His position makes him virtually immune from the normal political controls.

4:30 p.m.-6:00 p.m.—Conference with Phillip Schwab, Deputy Director of USAID, Recife, related to education and agricultural development policies in the Northeast.

7:00 p.m.-8:00 p.m.—Discussion of the over-all USAID programming policy with Program Officer.

Rio, Sunday, Dec. 4

9:00 a.m.-12:35 p.m.—In flight from Recife to Rio.

1:00 p.m.-3:00 p.m.—Conference with Escort Officer Ballantyne and Third Secretary of the Embassy Joseph Becelia of Salamanca, New York, and James Wygand, Peace Corps Volunteer, centered largely on Peace Corps activities in Rio favellas.

Rio, Monday, Dec. 5

9:00 a.m.-10:30 a.m.—Conference regarding Brazilian economic situation with AID Director Stuart Van Dyke; Robert Elwood, Counselor for Economic Affairs and Deputy Director of USAID; USAID Deputy Director William Ellis; and General Walters, Military Attache.

10:30 a.m.-11:30 a.m.—General conference on Brazilian educational problems with the education staff.

11:30 a.m.-12:30 p.m.—General conference on Brazilian agricultural problems.

12:30 p.m.-3:00 p.m.—Lunch with Federal Deputy Adolfo Oliveira of the opposition MDB (Movimento Democratico Brasilerio) from the State of Rio de Janeiro.

3:00 p.m.-4:30 p.m.—Conference with Jose Ribamar, Director of the agricultural and industrial credit section of the Central Bank of Brazil.

7:00 p.m.-11:00 p.m.—Meeting and dinner with student leaders from the Catholic University.

Rio, Tuesday, Dec. 6

9:00 a.m.-11:00 a.m.—Meeting with primary and secondary education planning teams in the Federal Ministry of Education. The primary team is an AID contract team from the State University System of New York, headed by Dr. Frank Lane of Albany. The secondary system team is from the University of California system. These teams are actively engaged in developing comprehensive educational plans for each of the Brazilian States, and are so organized with Brazilian counterparts as to provide a method of training an educational planning cadre for the Federal Ministry.

11:15 a.m.-12:30 p.m.—Meeting with Mario Trinidade, President of the National Housing Bank of Brazil, which is a comprehensive housing agency which has functions similar to the Home Loan Bank Board, the Public Housing Authority, the FHA, and an additional facility designed to promote self-help housing projects in poorer areas.

12:30 p.m.-2:00 p.m.—Working lunch with Benjamin Moraes, Secretary of Education of the State of Guanabara, who in private life is a Protestant minister who was trained at Peabody College in Tennessee.

3:30 p.m.-4:45 p.m.—Meeting with Marshal Arthur Costa e Silva, President-elect of Brazil who will take office on March 15, 1967. This is the first meeting that the President-elect has had with an American legislator. The Marshal participated in the leadership of the 1964 Revolution with President Castelo Branco and was elected to the presidency by indirect vote in the Congress. Since his election, he has been actively engaged in planning for his administration and left Brazil in mid-December for a protracted worldwide trip prior to his inauguration in March. He was formerly Minister of War under President Castelo Branco.

5:30 p.m.-6:30 p.m.—Conference with Francisco Negrao de Lima, Governor of the State of Guanabara, which is the City of Rio de Janeiro, which became a State when the capital was moved to Brazilia, covering the problems of education and development of the favellas (cardboard shack villages) which occupy most of the hillsides of Rio.

8:00 p.m.–1:00 a.m.—Dinner with Carlos Lacerda and his son, Sergio, for general discussion of Lacerda's views on the contemporary situation in Brazil. It is Lacerda who recently forged a compact with his long-time enemy, former President Kubitschek, in Lisbon for the purpose of providing opposition to and possibly overthrow of the Castelo Branco regime and/or its successors, the Costa e Silva government. Lacerda was Governor of Guanabara until 1965 and was one of the prime movers in the revolution which overthrew President Goulart in March of 1964. Prior to that time, he was the principal focus of opposition to the Goulart Regime and was a presidential candidate in 1961.

Rio, Wednesday, Dec. 7

10:00 a.m.–11:30 a.m.—Conference with Minister of Planning Roberto Campos. Campos is among the leading economists in South America and serves as a member of CIAP (Inter-American Committee for the Alliance for Progress). He is generally considered as the most influential member of CIAP. He has been the focal point of opposition to the Castelo Branco regime, but has been responsible for economic policy which is said to be a realistic approach to the financial and developmental policies of Brazil, particularly in control of its runaway inflation.

12:15 p.m.–1:00 p.m.—Conference with Acting Foreign Minister Pio Correia and U.S. Ambassador to Brazil John Wills Tuthill at the Foreign Office.

1:15 p.m.–3:30 p.m.—Luncheon conference with Nino Ribeiro, Member of the Legislature of Guanabara of the Government party. At 29, this conservative former follower of Lacerda had the largest majority of any candidate for the State Legislature in the State of Guanabara. He was accompanied by a close friend and advisor, Rui Schneider, a professor of industrial engineering at the Catholic University, who has been instrumental in developing graduate schools in engineering and pure science.

3:30 p.m.–5:00 p.m.—General discussion with Embassy personnel of conferences with Costa e Silva and Roberto Campos and Carlos Lacerda.

8:30 p.m.–12 midnight.—Dinner with Dr. Candido Mendes, Director of the Candido Mendes Law School and School of Economics and Politics, and Artur Neiva, Executive Secretary of the Fulbright Commission. Candido Mendes is considered the leader of the intellectual left in Brazil, and he is yet among those consulted by President-elect Costa e Silva in developing his program for the new administration to begin in March.

Rio, Thursday, Dec. 8

8:00 a.m.–9:00 a.m.—Breakfast conference with Peace Corps Volunteer James Wygand regarding Favella Jacarezinho.

9:00 a.m.–11:30 a.m.—Tour of Favella Jacarezinho. About 30 thousand people live in this slum area which has occupied a typical steep Brazilian hillside for 20 years. There are three distinct levels of development characterized by housing construction, community services and internal organization. In the most advanced section, there has been a most remarkable natural development of organization, characterized by multiplicity of political and civic organizations and committees. This elaborate and reasonably-sophisticated system existed prior to the entry of the Peace Corps Volunteer into the community and has produced a substantial number of physical improvements.

12:00 noon-1:30 p.m.—Informal conference with representatives of the Rio press: Luis Mendes of *Jornal Do Brasil;* Moacyr Wernecke, chief editor of *Ultima Hora*; Enio Bacellar, chief economics writer for *Jornal Do Commercio;* a photographer from *Correio Da Manha;* Leonardo Goulart of *O Globo;* and Noel Spinola of *Tribuna Da Imprensa*, at the Banco Central.

1:30 p.m.-3:00 p.m.—Lunch with Ambassador Barbosa da Silva, acting president of the Board of Acao Comunitaria do Brazil, and director of the Antunes Foundation. The Foundation is an organization somewhat similar to major foundations in the U.S., such as Rockefeller and Ford, which has been established by a family which controls a far-flung industrial and commercial empire in Brazil. Acao is a part of Accion International, the New York-based urban community development nonprofit organization which has been active in Venezuela since 1962, and which is currently planning to establish operations in Brazil.

3:30 p.m.-4:45 p.m.—Meeting with Mario Simonssen of the Getulio Vargas Foundation, director of the Ford Foundation's activities at the Vargas Institute, and is establishing the public administration school at the Getulio Vargas Foundation. Simonssen is one of the three people named by Campos as his possible successor as Minister of Planning. The subject of the conference was a general discussion of the economic policies of Campos and probable policies of the Costa e Silva administration which takes over in March.

5:00 p.m.-6:00 p.m.—Final conference with U.S. Ambassador Tuthill.

7:00 p.m.–8:00 p.m.—Meeting with the editorial board of *Jornal Do Brasil.*

8:30 p.m.-12:00 midnight.—Dinner meeting with Stacey Widdecomb, Director of the Ford Foundation in Brazil; Walter Crawford, head of the American International Association; and Werner Baer of the Getulio Vargas Foundation and University of Sao Paulo School of Economics.

Rio, Friday, Dec. 9

7:00 a.m.-8:15 a.m.—Breakfast with Father Leising, Director of Caritas in Brazil. This organization has been the principal distribution mechanism for food in Brazil, as well as the rest of Latin America. It raises funds for in-country distribution and organizes the volunteers who assist in the programs. The program is thought to reach about eight million children in the school lunch program and an additional three million in programs involving hospitals and the aged. There are thought to be approximately 100 American priests directly involved in the operation of the program and vastly larger numbers of Brazilians.

8:15 a.m.-10:45 a.m.—Tour of Vila Kennedy, USAID-sponsored low-cost housing project. At a cost of $3.5 million, this community of approximately 19,000 people was completed in 1965. The construction is concrete block with minimum acceptable levels of sanitation, electrification and services. It is located about 30 miles from the city of Rio where most of those employed must work. Transportation costs are high, frequently requiring as much as 30 per cent of monthly income and a trip of about two hours each way. A typical house visited by the Congressman was the equivalent of a small two-room apartment in which seven people live. Planning for the community was poor. No Brazilian social service agency existed to provide aid for the relocated slum dwellers. Schooling is inadequate, and the entire project raises the question of whether or not the life of people has, in fact, been improved by their relocation.

11:30 a.m.-3:30 p.m.—En route from Rio to Caracas.

APPENDIX 2

LETTER TO THE SECRETARY OF FOREIGN AFFAIRS, DATED MARSEILLES, FRANCE, MAY 4, 1787

Brazil contains as many inhabitants as Portugal. They are 1. Portugese. 2. Native whites. 3. Black and mulatto slaves. 4. Indians civilized and savage.

The Portugese are few in number, mostly married there, have lost sight of their native country, as well as the prospect of returning to it, and are disposed to become independent. 2. The native whites form the body of their nation. 3. The slaves are as numerous as the free. 4. The civilized Indians have no energy, and the savage would not meddle. There are 20,000 regular troops. Originally these were Portugese; but as they died off they were replaced by natives, so that these compose at present the mass of the troops and may be counted on by their native country. The officers are partly Portugese partly Brazilians; their bravery is not doubted, and they understand the parade but not the science of their profession. They have no bias for Portugal, but no energy either for any thing. The Priests are partly Portuguese, partly Brazilians, and will not interest themselves much. The Noblesse are scarcely known as such. They will in no manner be distinguished from the people. The men of letters are those most desirous of a revolution. The people are not much under the influence of their priests, most of them read and write, possess arms, and are in the habit of using them for hunting. The slaves will take the side of their masters. In short, as to the question of revolution, there is but one mind in that country. But there appears no person capable of conducting a revolution, or willing to venture himself at its head, without the aid of some powerful nation, as the people of their own might fail them. There is no printing press in Brazil. They consider the North American revolution as a precedent for theirs. They look to the United States as most likely to give them honest support, and from a variety of considerations have the strongest prejudices in our favor. This informant is a native and inhabitant of Rio Janeiro the present metropolis, which contains 50,000 inhabitants, knowns well St. Salvador the former one, and the mines d'or which are in the center of the country. These are all for a revolution, and constituting the body of the nation, the other parts will follow them. The King's fifth of the mines yields annually 13 millions of * * * or half dollars. He has the sole right of searching for diamonds and other precious stones, which yields him about half as much. His income alone then from these two resources is about 10 millions of dollars annually: but the remaining part of the produce of the mines, being 26 millions, might be counted on for effecting a revolution. Besides the arms in the hands of the people there are public magazines.

They have abundance of horses, but only a part of their country would admit the service of horses. They would want cannon, ammunition, ships, sailors, soldiers & officers, for which they are disposed to look to the U.S. always understood that every service & furniture will be well paid. Corn costs about 20 hyves the 100 lb. They have flesh in the greatest abundance, insomuch that in some parts they kill beavers for the skin only. The whale fishery is carried on by Brazilians altogether, & not by Portuguese; but in very small vessels, so that the fishermen know nothing of managing a large ship. They would want of us at all times shipping, corn & salt fish. The latter is a great article, & they are at present supplied with it from Portugal. Portugal being without either army or navy, could not attempt an invasion under a twelvemonth. Considering of what it would be composed it would not be much to be feared, and, if it failed, they would probably never attempt a second. Indeed, this source of their wealth being intercepted, they are scarcely capable of a first effort. The thinking part of the nation are so sensible of this, that they consider an early separation inevitable. There is an implacable hatred between the Brazilians & Portuguese; to reconcile which a former minister adopted the policy of letting the Brazilians into a participation of public offices; but subsequent administrations have reverted to the antient policy of keeping the administration in the hands of native Portuguese. There is a mixture of natives of the old appointments still remaining in office. If Spain should invade them on their Southern extremities, these are so distant from the body of their settlements that they could not penetrate thence and Spanish enterprise is not formidable. The mines d'or are among mountains, inaccessible to any army and Rio Janeiro is considered as the strongest port in the world after Gibraltar. In case of a successful revolution, a republican government in a single body would probably be established.

I took care to impress on him thro' the whole of our conversation that I had neither instructions nor authority to say a word to anybody on this subject and that I could only give him my own ideas as a single individual; which were that we were not in a condition to meddle nationally in any war; that we wished particularly to cultivate the friendship of Portugal, with whom we have an advantageous commerce. That yet a successful revolution in Brazil could not be uninteresting to us. That prospects of lucre might possibly draw numbers of individuals to their aid, and purer motives our officers, among whom are many excellent. That our citizens being free to leave their own country individually without the consent of their governments, are equally free to go to any other.

APPENDIX 3

PROJECT AGREEMENT BETWEEN AID AND THE SECRETARIAT, THE FOUNDATION, COCAP AND THE COORDINATOR AGENCIES OF THE GOVERNMENT OF UNITED STATES OF BRAZIL, AUGUST 18, 1964

The parties to this Agreement are the Coordinating Commission for the Alliance for Progress (COCAP), the Guanabara Secretariat of Social Services (the Secretariat), the Leão XIII Foundation (the Foundation) and the United States Agency for International Development USAID/Brazil), with the concurrence of the Brazilian Government Representative for Point IV (the Coordinator).

I—CURRENT SITUATION

A. The State of Guanabara has a reported population of over 3,500,000 with an annual increase of 117,600, most of whom attempt to settle within the urban areas of Rio de Janeiro. An estimated 1,000,000 people live in some 183 favelas (slums) in the city. The current rate of construction leaves an increasing annual deficit in housing units.

B. The magnitude and rate of increase in the housing problem is only one aspect of the broader problem of preparing impoverished and uneducated rural populations migrating into the urban area effectively and responsibly to participate in economic, social and political development. While massive programs of low cost housing can eliminate some of the most undesirable of the favela settlements, in the foreseeable future the problem must be attacked in terms of programs designed to assist the favelado in self-help efforts to make his present community achieve some minimum acceptable level of habitability while at the same time assisting him to up-grade his level of salable skills in the urban employment market. Such programs, with special focus on youth and young adults, are essential to the assimilation of this population.

C. There is urgent need for an integrated program of research, coordination, skill training, job placement and aided self-help community improvement which will: (1) increase economic productivity, particularly of young people, through short-term training in vocational skills, literacy, health and sanitation as well as job placement and follow-up; (2) increase standards of living through organized and aided self-help construction and repair of public utilities and home improvement and through cooperative projects to generate community income; and (3) increase skills, attitudes and organizational capacity necessary for more effective participation in democratic decision-making and the exercise of citizen responsibility.

D. In accordance with the concepts of the Act of Bogotá and the Charter of Punta del Este concerning self-help measures, the Government of the State of Guanabara established the Secretariat in February, 1963. The State is allocating at least Cr$1 billion per year derived from 3 per cent reserved for this purpose from State tax revenue to the Secretariat. The Secretariat is organized into three operating departments: "Rehabilitation of Favelas" (community organization, courses in health, home improvement, nutrition), "Social Orientation" (family assistance, social case work), and "Assistance to Minors" (child welfare).

The Foundation, which has some 17 years of experience working in the favelas, provides professional staff services and resources to the Secretariat. It functions as a subordinate body to the Secretariat, executing plans formulated by the Secretariat involving the provision of community services and resources to favela residents.

Among the Foundation's varied program are the operation of seven social centers through which nursery schools and recreation programs are provided, the promotion of schools, artisan shops, civic and recreation clubs and agricultural extension and the superivsion of 65 social workers and social aides stationed in every administrative district in the State. The Secretariat and Foundation have working agreements with a wide range of private and public agencies concerned with various aspects of the favela problem, including the Popular Housing Company (COHAB), the Technical Auxiliary for Operations and Industrial Research (ATOPI), and the Ford Foundation.

E. The Foundation anticipates an expenditure of Cr$1,2 billion of State and Federal Revenues in programs directly related to the favelas in the 1964–65 fiscal year.

F. Further assistance to this program is requested to enable the Foundation to establish within the next 12–18 months:

1. two community development field units, with necessary staff and resources, to provide technical and material assistance to associations of favela residents who will be organized to undertake aided self-help activities of community improvement, e.g., the construction and maintenance of essential public improvements and dwellings and the operation of income-producing projects such as cooperatives;
2. three informal adult education centers which will provide intensive short-term instruction (especially to young adults and adolescents in semi-skilled crafts for which there are local employment opportunities and necessary related training in literacy, health and other appropriate fields;
3. a job placement service;
4. a headquarters office for action research, program evaluation, and encouraging coordination of programming among public and private agencies interested in favela improvement.

If the project proceeds according to plan, a total of four training centers and three field units will be operating the second year and a total of six-training centers and five field units will be operating in the *third* year of the project.

II—PURPOSE

The objective of this project is to provide the State of Guanabara, through the Foundation and appropriate State agencies, an effective program of urban community development and adult education designed significantly to contribute to the solution of economic and social problems of the favelas, with special emphasis on youth and young adults.

III—RESPONSIBILITIES

A. The Secretariat hereby agree to encourage and support this work within the limitations of funds and personnel available and designates the Foundation as its representative to carry out the functions described below.

B. The Foundation agrees to:

1. Designate a specialist from its staff who shall be acceptable to USAID/Brazil to supervise and be the technical and administrative chief of the project, and to make disbursements against the Special Account (see 8 below) in accordance with approved budgets and work plans;
2. Provide headquarters for the project in Rio de Janeiro with adequate facilities and secretarial and clerical personnel needed for the success of the project.
3. Provide adequate local transportation for the Brazilian director of the project, the United States technicians and others who may be assigned to the headquarters staff.
4. Provide suitable office space, facilities and secretarial and clerical assistance in the Foundation offices in Rio de Janeiro for the project.
5. Provide adequate maintenance and repairs for vehicles and equipment purchased by funds made available by USAID/Brazil under this agreement.
6. Provide necessary fiscal control, including the maintenance of records and accounts pertaining to all operations of the project, including those records and reports required by USAID/Brazil.
7. Provide for continuation of salaries and allowances during training, international transportation costs and employment on their return for jointly selected grantees who may be sent to the United States or elsewhere outside Rio de Janeiro for specialized training.
8. Open a Special Account in the Bank of Brazil in the name of the project in which funds to be made available by USAID/Brazil will be deposited.

B. During this initial period COCAP agrees to apply up to Cr$424 million of grant funds coming from the sale in Brazil of agricultural products under terms of the Fifth Sales Agreement, dated September 11, 1963, in conformity with Title I of the U.S. Public Law 480, later amended (Wheat Grant Fund) for use in this project.

C. *USAID* agrees:

1. To make available, as indicated in Block 8 of the first page of this agreement, not to exceed $58,000 for contractual costs of specialists to work on this project. USAID/Brazil will pay all costs of these specialists except as indicated in III–B above.
2. As the budget and work plan are received and approved by USAID/Brazil, to make available (as indicated in Block 8 of the first page of this agreement) up to Cr $424 million to be used to pay part of the local costs of executing the project, such as the salaries of personnel contracted in the country; acquisition of training equipment, vehicles, and material purchased in Brazil for self-help housing; rental and renovation of training centers, etc.

   Interest earned on funds transferred by USAID/Brazil may be, at the discretion of USAID/Brazil, considered as part of the funds which it has agreed to make available under the terms of this agreement.
3. To advance Cr$58.200,000 for the first three months of operation of this project (within 15 work days after receipt of a written request from the Foundation) for deposit in the Special Account. Subsequent advances, within the total of Cr$424 million for periods not in excess of three months will be made after receipt, review and approval by USAID/Brazil of requests by the Foundation supported by budgets and work plans and reports regarding (a) the use of funds previously advanced; (b) the extent of progress in completion of the project; (c) any changes in estimated costs; (d) projected use of funds for the succeeding period; and (e) related information.
4. Within the limitation of funds available, pay tuition, books, travel and per diem within the United States and other approved costs of participants who may be jointly selected for training in the United States or elsewhere outside Rio de Janeiro.

IV—GENERAL

A. The Dollar Standard Provisions (Annex 3) and Local Currency Standard Provisions (Annex C) as amended by the Memorandum of Understanding on Audit dated April 22, 1963 between AID and the Ministry of Planning, are incorporated in and made part of this agreement.

B. All purchases from funds committed herein will be made in accordance with good business practices; contracts will be let to the low bidder who complies with specifications; all commodities will originate either in the United States or in Brazil.

C. The Brazilian parties to this agreement will make every effort to publicize the progress and accomplishments of this project through newspapers, radio and other means, clearly identifying it as part of the Alliance for Progress.

D. The Brazilian parties to this agreement hereby authorize the Coordinator or COCAP as appropriate to sign revisions of this agreement when these changes are of a nonsubstantive nature such as the addition of dollars or cruzeiros, modification of the final contribution date, etc.

E. It is anticipated that, if Brazilian interest and support continue, funds continue to be made available, and satisfactory progress made, this Alliance for Progress project will continue in this or a modified form until August 1, 1970.

F. This agreement becomes effective on the date of the last signature below.

Comissão Coordenadora da
Aliança para o Progresso (COCAP).
Representante do Govêrno Brasileiro
junto ao Ponto IV.
Secretaria de Serviços Sociais
do Estado da Guanabara.
Funacão Leão XIII.
Director, USAID/Brazil.

TABLE 1.—*Price increases, Brazil, 1947–65*

Annual price increases			Monthly cost of living increases in Guanabara		
Year	Percent, 1947–65		Month	Percent, January 1964–December 1965	
	Wholesale	Cost of living (GB)		1964	1965
1947	8.0	22.0	January	7.8	4.5
1948	8.0	4.0	February	8.3	5.7
1949	9.0	5.0	March	6.2	7.7
1950	14.0	10.0	April	5.3	3.9
1951	20.0	12.0	May	3.8	2.9
1952	11.0	16.0	June	5.1	1.6
1953	15.0	15.0	July	6.0	6.0
1954	30.0	22.0	August	2.2	1.1
1955	13.0	24.0	September	3.5	3.6
1956	19.0	21.0	October	3.4	1.6
1957	12.0	16.0	November	5.2	1.1
1958	12.0	15.0	December	7.5	1.7
1959	38.0	39.0	Year	86.6	45.4
1960	31.0	29.0			
1961	38.0	33.0			
1962	53.0	52.0			
1963	81.9	80.6			
1964	94.7	86.6			
1965	29.2	45.4			

Sources: FGV and Minister of Planning.

Guanabara cost-of-living index—(Getulio Vargas Foundation)

[Using 1953 average as 100]

	Retail	Wholesale [1]	Wholesale [2]
December 1962	1,081	1,037	1,157
December 1963	1,985	1,886	2,119
March 1964	2,460	2,418	2,566
December 1964	3,704	3,672	3,902
December 1965	5,385	4,638	5,082
September 1966	7,281	(3)	6,905
October 1966	7,397	(3)	7,133

[1] Including coffee.

[2] Excluding coffee.

[3] Not available.

TABLE 2.—*Brazilian external commitments from medium- and long-term financing, registered with the central Bank*

[All currencies expressed in U.S. dollars, in $1,000, position on June 30, 1965]

	Principal plus interest	Principal
I. Financing of specific projects, total	1,934,281	1,446,227
(a) International or foreign official agencies	923,630	634,429
(1) IADB	252,616	167,125
(2) IBRD	177,341	108,590
(3) Eximbank (U.S.A.)	272,547	220,531
(4) U.S. AID	217,947	136,101
(5) Other U.S. official agencies	2,179	2,082
(b) Private foreign entities	1,010,651	811,798
(1) United States	274,542	226,600
(2) Germany (Federal Republic)	122,484	101,423
(3) France	97,104	81,376
(4) Netherlands	2,960	2,699
(5) Italy	169,202	125,523
(6) Japan	156,177	114,405
(7) United Kingdom	33,563	29,054
(8) Switzerland	12,418	10,891
(9) Other countries	74,188	58,882
(10) Inconvertible currencies	68,013	60,945
II. Compensatory financing operations, total	1,526,529	1,198,335
(a) International Monetary Fund	198,641	188,950
(b) Eximbank (U.S.A.)	724,093	509,992
(1) $212,600,000 loan	276,441	193,794
(2) $168,000,000 loan	244,098	162,356
(3) $92,100,000 loan	116,131	79,558
II. Compensatory financing operations—continued (b) Eximbank (U.S.A.)—continued		
(4) 1963 $19.4 special postponement	17,765	16,984
(5) $66,500,000 loan	62,444	50,700
(6) $6,600,000 loan	7,214	6,600
(c) U.S. Treasury	274,476	217,340
(1) $300,000,000 loan (AID)	251,381	195,000
(2) 1961 $70,000,000 loan	23,095	22,340
(d) Consolidation and rescheduling agreements (1961 and 1964)	196,616	161,220
(1) Germany (Federal Republic)	60,121	50,244
(2) United States	33,965	26,268
(3) France	50,467	42,724
(4) Netherlands	1,291	1,062
(5) Italy	16,015	12,562
(6) Japan	22,208	17,485
(7) United Kingdom	11,808	10,255
(8) Switzerland	751	620
(e) Foreign private groups	132,693	120,833
(1) $200,000,000 banking consortium loan	59,881	57,500
(2) $80,000,000 banking group loan	72,812	63,333
III. External consolidated debt	75,071	75,071
Total commitments	3,535,881	2,719,633

Source: Central Bank.

TABLE 3.—*Indexes of real industrial and agricultural production, Brazil, 1953 to 1963*

[1949=100]

Year	Growth of GDP in percentage	Industrial production	Agricultural production
1953		135.2	111.7
1954		146.7	120.5
1955		162.3	129.8
1956	1.9	173.5	126.7
1957	6.9	183.2	138.5
1958	6.6	213.2	141.3
1959	7.3	240.7	148.8
1960	6.7	262.3	154.0
1961	7.3	295.0	167.0
1962	5.4	317.3	170.0
1963	1.4	326.2	177.2
1964 [1]	3.0	335.9	181.2
1965 [1]	5.0	335.9	222.9

[1] Preliminary estimates.

Source: IBGE/Conselho Nacional de Estatística, Fundacao Getulio Vargas and Central Bank' Anuário Estatístico do Brasil, 1960, 1961, 1962, 1963, 1964. Rio de Janeiro.

TABLE 4.—*Coffee exports, Brazil*

Year	Volume 1,000 bags	Value $1,000	Year	Volume 1,000 bags	Value $1,000
1960	16,819	712,750	1959–60	17,218	728,767
1961	16,971	710,439	1960–61	16,115	684,635
1962	16,376	642,682	1961–62	16,117	640,684
1963	19,514	746,952	1962–63	18,490	701,258
1964	14,948	759,703	1963–64	17,021	780,756
1965	13,482	706,587	1964–65	13,013	695,944

TABLE 4(a).—*Production, stocks, consumption and export of lint cotton, Brazil, 1954–55 to 1965–66 (1,000 bales)* [1]

Marketing year [2]	Production	Stocks [3]	Consumption	Exports
1954–55	1,650	1,190	1,000	1,040
1955–56	1,700	800	1,050	814
1956–57	1,300	630	1,030	381
1957–58	1,350	515	1,050	216
1958–59	1,400	595	1,150	243
1959–60	1,700	600	1,185	448
1960–61	1,950	660	1,250	698
1961–62	2,500	660	1,300	851
1962–63	2,250	1,000	1,250	1,149
1963–64	2,350	850	1,250	1,028
1964–65	2,100	1,000	1,200	1,044
1965–66 [4]	2,150	850	([5])	([5])

[1] Of 478 pounds net weight.

[2] August 1 to July 31.

[3] As of August 1.

[4] Preliminary.

[5] Not available.

Source: International Cotton Advisory Committee.

TABLE 4(b).—*Centrifuged sugar*

[1,000 metric tons]

	Production	Consumption	Stocks	Exports	Value
1960	3,318	2,479	1,243		$1,000
1961	3,354	2,654	1,198	744,864	65,605
1962	3,238	2,806	1,154	471,586	39,495
1963	3,037	2,736	954	486,670	72,317
1964	*3,423*	*2,671*	*1,439*	*268,241*	*33,138*
1965	*3,978*	*2,978*	*1,613*	*821,896*	*56,731*

TABLE 4(c).—*Cocoa exports, Brazil*

Years	Metric tons			Value in $1,000		
	Beans	Butter	Other byproducts	Beans	Butter	Other byproducts
1960	125,457	22,606	21,761	69,181	24,641	4,740
1961	104,170	14,990	14,794	45,923	14,760	2,447
1962	55,340	16,184	6,302	24,227	16,781	605
1963	68,685	14,041	6,187	35,029	15,721	621
1964	*74,710*	*10,330*	*6,860*	*34,816*	*10,846*	*600*
1965 [1]	87,777	16,574	[3] 3,234	27,870	13,360	([2])

[1] Preliminary.

[3] Cocoa cake only.

[2] Not available.

Source: Brazilian economic survey, 1965.

TABLE 5.—*Total active population in Brazil—Persons of 10 years of age and over*

[1960 census]

Activity	Absolute numbers			Percent of total		
	Total	Men	Women	Total	Men	Women
Agriculture, livestock, and forestry	11,697,798	10,523,225	1,174,573	51.64	56.59	28.98
Extractive industries	573,443	523,424	50,019	2.53	2.81	1.23
Manufacturing industries	2,005,775	1,512,626	493,149	8.86	8.13	12.16
Construction industry	785,014	777,526	7,488	3.47	4.19	.18
Commerce	1,520,046	1,345,301	174,745	6.71	7.23	4.31
Transports, communications, and storing	1,088,798	1,044,163	44,635	4.80	5.61	1.10
Services	2,732,148	1,291,204	1,440,944	12.07	6.94	35.55
Other activities	2,248,241	1,579,694	668,547	9.92	8.50	16.49
Total	22,651,263	18,597,163	4,054,100	100.00	100.00	100.00

Source: IBGE.

TABLE 6.—*Per capita agricultural and livestock output—Brazil, 1960–64*

[Index 1953 equals 100]

	Crop	Livestock	Vegetable extract	Total
1960	116.9	97.7	102.0	110.6
1961	120.1	105.4	114.4	115.7
1962	121.6	111.8	114.4	119.0
1963	118.8	104.8	110.1	114.6
1964	108.1	100.4	105.5	106.3

Source: Ministry of Agriculture.

TABLE 7.—*Livestock—Brazil*

[In thousands]

	1960	1961	1962	1963	1964	1965	1966
Cattle	73,962	76,176	79,079	79,855	84,035	86,000	88,500
Horses	8,273	8,374	8,692	8,903	9,241	(1)	(1)
Asses	2,175	2,256	2,393	2,552	2,752	(1)	(1)
Mules	4,068	4,205	4,421	4,586	4,754	(1)	(1)
Hogs	47,944	50,051	52,941	55,990	58,985	56,000	59,000
Sheep	18,162	19,168	19,718	21,033	21,877	21,900	23,000
Goats	11,195	11,560	12,397	13,210	13,815	13,600	14,000

[1] Not available.

TABLE 7(a).—*Poultry—Brazil, 1960–64*

[In thousands]

Year	Chicken		Turkeys	Ducks, geese, teals	Eggs (in millions)
	Hens	Other			
1960	106,297	69,089	2,793	5,954	6,244
1961	112,802	73,016	2,941	6,353	6,527
1962	119,523	78,268	3,202	6,748	6,871
1963	124,358	83,863	3,423	7,051	7,295
1964	123,105	113,386	3,734	7,349	7,798
1965	244,650				8,604
1966	(1)				9,123

[1] Not available.

Source: Ministry of Agriculture.

TABLE 8.—*Dairy products, Brazil, 1960–64*

Products	Unit	1960	1961	1962	1963	1964
Milk	1,000 liters	4,899,816	5,070,204	5,295,433	5,383,387	5,989,338
Caramel	Metric tons	951	787	590	686	1,138
Casein	do	1,757	1,807	2,034	1,142	1,424
Cream	do	6,248	5,432	7,201	7,351	6,655
Milk sweet	do	1,357	1,515	1,625	1,263	1,572
Flour milk	do	2,110	3,667	4,279	5,000	3,825
Milk-albumin	do	8	14	11	6	2
Lactose	do	353	287	295	321	487
Condensed milk	do	18,523	16,497	21,791	19,306	14,655
Powdered milk	do	33,711	38,439	44,377	47,549	46,700
Industrial powdered milk	do	6,165	7,726	9,036	5,720	7,048
Evaporated milk	do	189	160	147	195	193
Yeasted milk	do	186	306	307	400	135
Pasteurized milk	do	363,955	383,025	464,981	448,276	478,010
Butter	do	25,318	26,335	29,779	22,041	25,368
Cheese	do	39,455	36,005	40,354	36,340	41,088
Milk refreshments	do	1,022	1,047	1,208	1,218	1,276
Curd cheese	do	2,737	2,316	2,220	1,983	2,030
Ricotta	do	270	356	377	328	257

Source: IBGE.

TABLE 9

Based on Weitz-Hettelsater recommendations the estimated costs of a 10 year program to provide needed facilities for off-farm grain storage, feed processing and seed plants amounted to $596 million equivalent presently needed. An outline of these recommended facilities with estimated costs to meet immediate needs are as follows:

30 feed mills (under 10,000 T/ys), 9 feed mills (10,000–25,000 T/ys), 13 feed mills (over 25,000 T/ys): $28,369,735.

12 foundation seed plants (1.5 T per hr): $2,347,629.

35 certified seed plants (14 with 1.5 T and 21 with 4 T/hr cap): $16,391,453.

400 country elevators (3,490 ton), 43 country elevators (6,910 ton), 9 country elevators (10,330 ton); 452 with total capacity 1,786,000 tons: $309,900,891.

203 flat warehouses (1,200 ton), 253 flat warehouses (2,400 ton), 191 flat warehouses (3,600 ton); 647 with total capacity 1,530,000 tons: $70,842,439.

Sub-terminal, terminal and port elevators and storage additions at existing grain elevators; total tonnage 2,197,050: $160,749,640.

Additional wheat milling capacity 104,000 T/yr added capacity: $2,919,290.

Eleven additional farinha de mandioca processing plants (cap 2 T/hr): $872,861.

2 aipim and seed potato dehydrating plants (cap 2 T/hr): $1,049,674.

5 mobile mandioca foliage dehydrating units (cap 4.2 T/hr): $238,050.

1 onion dehydration plant (cap 2.5 T/hr): $677,110.

Refrigerated storage plants for Irish seed potatoes (total cap. 445, on crates of 30 kg): $1,163,452.

Refrigerated storage plants for sweet potatoes (total cap. 70,000 crates of 60 kg): $530,460.

Estimated total cost for facilities listed above: $596,249,156.

All of the above should be completed by 1970. If a total of four-fifths is completed this will require approximately $500,000,000. In addition an aggressive program of farm storage will be needed especially for corn, to meet 1970 needs. Approximately another $600,000,000 equivalent will be needed between 1970 and 1975. (Conversion ratio used $1.00=Cr$1.200,00)

B. AGRICULTURAL COOPERATIVES

Properly oriented service cooperatives can be the most effective means of providing producers with production input requirements and providing marketing services, which permit the farmer to free himself of the effects of unscrupulous practices in the marketing of his produce. To attain a substantial number of such cooperatives: (1) government should support and guide the development of agricultural cooperatives through a more effective program for organizational assistance, research into problems and their solutions, education and training of members, directors and operational personnel; and (2) cooperatives must be given technical assistance in the solution of problems and provided with demonstrations and training opportunities. In order to provide proper organizational support to the cooperative movement the Cooperative Division of The National Institute for Agricultural Development (INDA) should be elevated in status to a Department of Cooperatives and expand its activities. Among other things this new department should plan and implement an aggressive program of training and organization and thus accelerate the cooperative movement among farmers in Brazil.

The Ministry of Agriculture and USAID have entered into a Project Agreement to develop a wider scope of services by government at the National and State Levels and to provide training opportunities and demonstration centers for cooperative officials. This USAID assistance will be helpful only to the extent the Ministry of Agriculture and state agencies will gear themselves to implement an aggressive cooperative program.

C. OTHER PROGRAMS IN AGRICULTURAL ECONOMIC PLANNING AND POLICY DETERMINATIONS

Other needed activities involve assistance to the Ministry of Agriculture and other Brazilian agencies to strengthen and integrate institution capabilities for producing statistical economic and marketing information and to achieve supply stabilization and minimize prices for farm producers. These include:

1. Orderly elimination of price controls and export restrictions.
2. Improvement in the system of minimum prices to reach farmers directly with price stimuli and the national food stabilization program.

TABLE 10.—*Corn—Production and exports—Brazil, 1961–65*

Year	Production (in thousands of tons)	Area (in thousands of hectares)	Yield (in kilograms per hectare)	Exports	
				Amount (in thousands of tons)	Value (in thousands of dollars)
1961	9,036	6,886	1,312	4.4	180
1962	9,587	7,348	1,305		
1963	10,478	7,957	1,317	699.2	29,504
1964	9,408	8,106	1,160	62.3	2,928
1965	12,312	(1)	(1)	628.8	32,371

[1] Not available.

Sources: IBGE and CACEX

TABLE 11.—*Rice—Production and exports—Brazil, 1961–65*

Year	Production, 1,000 tons	Area, 1,000 Ha	Yield, kg/Ha	Exports	
				1,000 tons	$1,000
1961	5,392.5	3,174	1,699	150.8	13.2
1962	5,556.8	3,350	1,659	43.7	4.8
1963	5,740.1	3,722	1,542		
1964	6,344.9	4,170	1,522	12.4	.9
1965	[1] 6,400.0	(2)	(2)	188.6	21.2
1966	6,800.0	(2)	(2)	(2)	(2)

[1] Estimate.

[2] Not available.

Sources: IBGE and CACEX.

TABLE 12.—*Loans by Bank of Brazil, 1960–64 (Cr$1 million)*

Year	Agriculture	Livestock	Real value (1953 cruzeiros)	
			Agriculture	Livestock
1960	39,676	11,381	10,960	2,241
1961	56,717	11,741	11,598	1,555
1962	111,584	30,283	14,214	2,617
1963	168,112	25,929	12,981	1,429
1964	418,207	62,011	16,124	1,819

TABLE 13.—*Minimum price supports*

CENTRAL AND SOUTHERN REGION

Commodity and unit	Minimum price rate, 1965–66 (cruzeiro)	1966–67 crop			
		Minimum price rate, 1966–67 (cruzeiro)	Percent of increase	U.S. unit	U.S. dollar value per U.S. unit
Rice, rough (60 kilograms)	7. 500	10. 000	33. 33	Hundredweight	3. 44
Corn (60 kilograms)	4. 815	6. 000	24. 61	Bushels	1. 16
Beans (60 kilograms)	10. 800	18. 000	66. 66	Hundredweight	6. 20
Cotton (15 kilograms)	12. 130	13. 130	8. 98	Pound	. 181
Peanuts (25 kilograms)	4. 650	5. 800	24. 73	Ton	95. 86
Manioc flour (50 kilograms)	3. 500	3. 700	5. 71	Hundredweight	1. 53
Soy beans (60 kilograms)	7. 600	8. 700	14. 47	Bushel	1. 80
Sunflower seeds (60 kilograms)	....	15. 000	....	Pound	. 052

NORTHEAST

Commodity and unit	Minimum price rate, 1965–66 (cruzeiro)	Minimum price rate, 1966–67 (cruzeiro)	Percent of increase	U.S. unit	U.S. dollar value per U.S. unit
Rice, rough (60 kilograms)	6. 750	6. 750	....	Hundredweight	2. 32
Corn (60 kilograms)	4. 350	5. 200	19. 54	Bushel	1. 00
Beans, mulatinho (60 kilograms)	9. 800	11. 500	17. 35	Hundredweight	3. 96
Beans, Macacar (60 kilograms)	6. 400	8. 750	36. 72	do	3. 01
Cotton (15 kilograms)	10. 825	13. 500	24. 71	Pound	. 186
Manioc flour (50 kilograms)	3. 500	4. 500	28. 57	Hundredweight	1. 86
Sisal (kilogram)	. 195	. 230	17. 95	Pound	. 048

NORTHERN

Commodity and unit	Minimum price rate, 1965–66 (cruzeiro)	Minimum price rate, 1966–67 (cruzeiro)	Percent of increase	U.S. unit	U.S. dollar value per U.S. unit
Rice, rough (60 kilograms)	7. 500	7. 500	....	Hundredweight	2. 58
Corn (60 kilograms)	4. 350	5. 200	19. 54	Bushel	1. 00
Beans (60 kilograms)	9. 800	11. 500	17. 35	Hundredweight	3. 96
Cotton (15 kilograms)	10. 825	13. 500	24. 71	Pound	. 186
Manioc flour (50 kilograms)	3. 500	4. 500	28. 57	Hundredweight	1. 86
Jute and malva (kilogram)	. 260	. 300	15. 38	Pound	. 062

TABLE 14.—*Associacao Brasileira De Credito E Assistencia Rural (ABCAR) total employees (Oct. 30, 1966)*

Professional status	Number	Percentage
Agronomists (university graduate)	422	34. 1
Veterinarians (university graduate)	42	3. 4
Agriculture technicians	259	21. 0
Home economists (university graduate)	482	39. 0
Home economics specialists	22	1. 8
Other	9	. 7
Total	1,236	100

ABCAR EMPLOYEES ASSIGNED TO ANCAR (NORTHEASTERN REGION)

State	Initiated	Offices		Total	Number of technicians[1]
		Regional	County		
Pernambuco	1954	9	48	57	88
Bahia	1954	4	25	29	63
Ceara	1954	10	63	73	158
R.G.N	1955	4	31	35	75
Paraiba	1955	5	39	44	99
Sergipe	1962	3	14	17	37
Alagoas	1963	2	11	13	29
Piaui	1966	1	5	6	14
Total	....	38	236	274	563

[1] Estimated.

TABLE 15.—*Anticipated demand for agronomists in year 1970*

Ministry	1, 100
ABCAR	900
States (22)	1, 800
College teaching	250
Secondary agricultural schools	300
Agricultural industry	2, 200
Related business	800
Related agencies	1, 500
Farming operations	800
Total	9, 650
10-percent attrition	965
Total	10, 615

TABLE 15(a).—*Predicted output of agronomists by Brazilian universities by year 1970*

Institutions	Number of agronomos graduated	
	1963	1970
4 assisted by AIS:		
Ceará	26	
Rio Grande do Sul	38	
Viçosa	65	
Piracicaba	95	
Subtotal	224	570
10 others (veterinary colleges not included)	175	280
Total	339	850

TABLE 16.—*Farm size*

Area	1950		1960	
	Number of properties	Hectares	Number of properties	Hectares
Less than 10 hectares	710,934	3,025,372	1,499,545	5,923,077
10 to 100 hectares	1,052,557	35,562,747	1,494,548	47,697,859
100 to 1,000 hectares	268,159	75,520,717	315,119	86,291,939
1,000 to 10,000 hectares	31,017	73,093,482	31,175	72,794,549
10,000 and more	1,611	45,008,788	1,710	52,743,376
Area not declared	364		7,387	
Total	2,064,642	232,211,106	3,349,484	265,450,800

Source: IBGE.

DISTRIBUTION OF LAND UNDER CULTIVATION

Area	1950		1960	
	Hectares	Percent	Hectares	Percent
Less than 10 hectares	1,703,783	8.92	3,960,261	13.31
10 to 100 hectares	8,667,028	45.39	13,302,723	44.70
100 to 1,000 hectares	6,349,039	33.25	9,075,674	30.50
1,000 to 10,000 hectares	2,063,556	10.81	2,961,599	9.95
10,000 and more	311,651	1.63	459,528	1.54
Total	19,095,057	100.00	29,759,785	100.00

Source: Census of 1950 and 1960.

TABLE 17.—*Principal crops, cultivated area and yield, Brazil, 1962–64*

[In 1,000 hectares and kilograms per hectare]

Crops	1962		1963		1964	
	Cultivated area	Yield	Cultivated area	Yield	Cultivated area	Yield
Coffee	4,462	982	4,286	770	3,696	564
Cotton	3,457	550	3,553	551	3,748	472
Cocoa	464	302	469	306	487	315
Cugarcane	1,466	42,639	1,509	42,228	1,519	43,698
Sorn	7,347	1,305	7,957	1,317	8,105	1,160
Manioc	1,476	13,442	1,617	13,752	1,715	14,194
Beans	2,716	620	2,982	651	3,130	623
Soybeans	313	1,101	339	950	359	848
Rice	3,349	1,659	3,721	1,542	4,169	1,522
Wheat	743	949	793	494	733	877
Potatoes	196	5,779	199	5,845	208	6,056
Peanuts	476	1,282	422	1,428	429	1,093
Castor beans	284	792	307	781	347	893

Sources: IBGE and Banco do Brasil.

TABLE 18.—*Indexes of real output in agriculture, Brazil, 1961–64*

[1953=100]

	1961	1962	1963	1964
Foodstuffs	143.6	152.3	157.5	157.0
Raw materials	154.1	176.8	161.3	148.6
Total for domestic comsumption	144.8	155.8	158.2	155.6
Coffee	156.7	154.0	116.0	70.2
Cocoa	113.8	102.5	104.8	92.0
Others	161.8	169.5	175.7	175.3
Total for exports	160.9	162.8	147.5	123.6
Grand total	149.0	157.9	156.5	149.5

TABLE 19.—*Summary of estimated investment requirements of agriculture for the period 1964–70*

[In millions of dollars equivalent]

	Annual cost items	Cost for 6 years	Percent, Government financing	Total Government cost	Percent dollars	Total dollar cost
Dairy processing plants		110	50	55	20	22
Livestock processing plants including specialized transportation and port facilities		200	50	100	20	40
Marketing facilities storage, processing, distribution for cereals, oil seeds, tubers [1]		500	50	250	20	100
Fertilizer plants		190	50	95	30	57
Fertilizer imports	35	210			100	210
Vegetable seed processing plants		10	60	6	50	5
Plant seed, breeding stock imports	3	18	50	9	100	18
Wholesale centers [2]		50	100	50	10	5
Sugar plants [3]		240	50	120	25	60
Production and processing of fish		20	50	10	25	5
Import of pesticides [4]	20	120			100	120
Subtotal		1,668		695		642
Agricultural credit [5]	150	900	100	900		
Subtotal [6]		2,568		1,595		642
Minimum prices [7]	80	480	100	480		
Ministry of Agriculture research, extension, etc.[8]	90	540	100	540		
Agrarian reform	20	120	100	120		
Grand total [9]	[10] 618	3,708		2,735		642

[1] Includes storage processing and distribution facilities for feed cereals including soybeans, and tuberous crops and seeds for these crops.

[2] Estimated need to build 50 centers with a Federal contribution of $1,000,000 per center.

[3] Assumed to come primarily from funds of the Sugar and Alcohol Institute.

[4] For importation only. It is assumed that the private industry will provide the investment funds for in-country development.

[5] Estimated additional funds which need to be added annually to the agricultural credit fund primarily for short and medium term credit, including some financing for machinery but excluding financing of land purchases.

[6] Total required for credit and for financing investment.

[7] Estimated annual requirements for operating funds for maintenance of stocks and to cover losses on principal cereals. Does not include coffee, sugar, or cotton.

[8] Estimated requirements assuming substantial changes in uses of funds by the Ministry, including the following: (a) Increase by 1970 in extension service to serve approximately 50 percent of the total municipios and to provide an adequate staff of subject matter specialists; (b) reduction in the number of Ministry facilities and coordination of research and promotion to provide for joint use of facilities as well as for maximum cooperation with State agricultural institutions; (c) the Ministry will largely eliminate the section of "Revenda" turning over these functions to private enterprise and concentrate on inspection and regulation, grading, standardization, etc.; (d) mechanized patrols would be eliminated except for a few heavy duty crawler type tractors for special work such as farm ponds, ditching, clearing and leveling of land; (e) provision for a substantial increase in budget for economic services, marketing, research and technical assistance on cooperatives, market news, information, etc.; (f) an expanded program of in-service technical training of personnel; and (g) adequate budgets and timely release of funds to insure continuity of operations and provision for adequate transportation and travel funds for personnel.

[9] It is assumed that provision is made under the industry section for investment in production of farm machinery, equipment, trucks and other transportation facilities. Estimates do not include storage and processing facilities for fruits and vegetables. Some of the storage would be provided at city wholesale centers. Investments in retailing are excluded. This does not include primarily intrasector generated investment needs such as buildup of livestock numbers, improvement in land, etc., which should be between the equivalent of $3,000,000,000 and $4,000,000,000 over the 6-year period.

[10] Average investment per year for all sectors.

TABLE 20.—*Fertilizer imports and production*

[In tons of nitrogen or phosphates]

Year	Nitrates		Phosphates	
	Production	Imports	Production	Imports
1961	11,508	36,434	69,772	30,419
1962	12,966	32,952	73,368	25,043
1963	13,249	47,666	78,673	37,403
1964	7,076	47,636	89,535	26,345

Source: Bank of Brazil, 1964 report.

TABLE 21.—*1964 distribution of age group born in 1950*

Category	Numbers			Percentages		
	Total	Urban	Rural	Total	Urban	Rural
Total in group	1,129,144	578,044	551,100	100.0	100.0	100.0
Attending school	715,893	454,476	261,417	63.4	78.6	47.4
1st grade primary	142,057	48,440	93,617	12.5	8.3	17.0
2d grade primary	97,087	43,580	53,507	8.6	7.5	9.7
3d grade primary	111,593	61,408	50,185	9.9	10.6	9.1
4th grade primary	105,630	71,480	34,150	9.3	12.3	5.9
5th grade primary	104,047	87,203	16,844	9.2	15.0	3.0
6th grade primary	2,433	1,813	620	.2	.3	.1
1st grade secondary	64,730	58,761	5,569	5.7	10.2	1.0
2d grade secondary	49,945	45,609	4,336	4.4	7.9	.8
3d grade secondary	24,735	28,046	1,684	2.6	4.8	.3
4th grade secondary	8,636	8,136	500	.7	1.4	.1
Not in school	413,251	123,568	289,683	36.6	21.4	52.6
Physical or mental disability	6,926	3,312	3,614	.6	.6	.6
No school	100,696	6,490	94,206	8.8	1.1	17.1
Completed school	70,690	33,984	36,706	6.2	5.9	6.7
Working	92,815	29,524	63,291	8.2	5.1	11.5
Poverty	55,748	15,574	42,174	5.1	2.7	7.7
Other reason	84,376	34,684	49,692	7.5	6.0	9.0

Source: Censo Escolar do Brasil, 1964, vol. II.

TABLE 22.—*State of Pernambuco, 1966 primary school data*

Area	Population of school age	Student attendance		Teachers	Student-teacher ratio	Teacher shortage
		Number	Percentage			
State	772,287	225,343	29.2	6,953	32	774
Capital	179,478	84,730	47.2	2,722	31	184
Interior	592,809	140,613	23.7	4,231	33	590

Source: Report of secretary of education, Pernambuco, 1966.

TABLE 23.—*State of Pernambuco, 1966, effective matriculation and completion rates*

Grades	Effective matriculation			Passed					
	State	Capital	Interior	State		Capital		Interior	
				Number	Percent	Number	Percent	Number	Percent
Primario fundamental	194,115	73,464	120,651	154,620	79.6	59,124	80.4	95,496	79.1
Grade 1	99,648	32,683	67,001	78,158	78.4	26,057	79.7	52,101	77.7
Grade 2	39,509	16,356	23,153	32,021	81.0	13,213	80.7	18,808	81.2
Grade 3	31,578	13,817	17,761	25,442	80.5	11,188	80.9	14,254	80.2
Grade 4	23,344	10,608	12,736	18,999	81.3	8,666	81.6	10,333	81.1
Primario complementar	16,201	7,696	9,205	13,689	84.4	6,199	80.5	7,490	81.3
Grade 5	15,399	6,194	9,205	12,640	82.0	5,150	83.1	7,490	81.3
Grade 6	1,502	1,502		1,049	69.8	1,049	69.8		
Total	210,316	81,160	129,856	168,309	80.0	65,323	80.5	102,986	79.3

Source: Report of secretary of education, Pernambuco, 1966.

TABLE 24.—*State of Pernambuco—1966 enrollment by grades*

	State		Capital		Interior	
	Number	Percent	Number	Percent	Number	Percent
Grade 1	103,659	47.7	32,266	40.5	71,393	51.8
Grade 2	40,314	18.5	16,030	20.1	24,284	17.6
Grade 3	32,628	15.0	13,463	16.9	19,165	13.9
Grade 4	23,466	10.8	10,125	12.7	13,341	9.7
Grade 5	15,733	7.2	6,104	7.7	9,629	7.0
Grade 6	1,700	.8	1,700	2.1		
Total	217,500	100.0	79,688	100.0	137,812	100.0

Source: Report of secretary of education, Pernambuco, 1966.

TABLE 25.—*State of Pernambuco—1966 numbers completing school cycles*

School districts	Primary, 4	Additional grades		Adult education	
		5	6	Literacy training	5
Recife	10,911	6,952	1,049	6,504	901
Afogados da Ingazeira	977	722		519	35
Arcoverdo	956	705		782	10
Caruaru	1,569	1,302		2,331	36
Floresta	659	542		51	
Garanhuns	806	516		2,338	10
Nazare de Mata	1,801	1,139		4,224	21
Palmares	643	349		1,126	6
Salgueiro	677	413		361	15
Total	18,999	12,640	1,049	18,236	1,034

Source: Report of secretary of education, Pernambuco, 1966.

TABLE 26.—*State of Pernambuco, 1966—Dropouts*

Area	Registration	Attendance	Dropouts	
			Number	Percent
State	245,828	225,343	20,485	9.1
Capital	88,247	84,730	3,517	4.2
Interior	157,581	140,631	16,968	12.1

Source: Report of secretary of education, Pernambuco, 1966.

TABLE 27.—*State of Pernambuco, 1966—Status of school buildings*

Areas	Number of rooms	Industrial arts shops	School buildings: Total	School buildings: Operating	School buildings: Closed	Owned	Donated	Rented	Under construction
State	3,730	4	1,882	1,687	195	790	931	160	58
Capital	1,415	1	298	297	1	100	186	15	
Interior	2,315	3	1,584	1,390	194	690	745	145	58
Districts:									
Recife	1,572	3	603	586	17	196	352	55	
Afogadot da Ingazeira	208		134	112	22	49	76	9	
Arcoverde	219		116	99	17	54	55	7	
Caruaru	445	1	239	213	26	122	96	21	15
Floresta	191		130	117	13	44	68	18	
Garanhuns	207		145	127	18	73	63	9	13
Nazare da Mata	415		231	206	25	99	112	20	30
Palmares	230		111	88	23	81	27	3	
Salgueiro	243		173	139	34	72	83	18	

Source: Report of secretary of education, Pernambuco, 1966.

TABLE 28.—*State of Pernambuco, 1966*

	Classes of schools: Full grade	Special schools	Consolidated schools	1-room schools	1-grade schools	Typical rural	Demonstration centers	Total
Recife	81	4	331	123	4	57	3	603
Afogados da Ingazeira	10		31	68	4	21		134
Arcoverde	16		24	37	1	38		116
Caruaru	26		52	73	15	72	1	239
Floresta	8		26	64	5	27		130
Garanhuns	13		32	51		49		145
Nazare da Mata	22		47	77	25	60		231
Palmares	18		25	17		51		111
Salgueiro	14		35	83	4	37		173
Total	208	4	603	593	58	412	4	1,882
SCHOOLS TEACHING AT NIGHT, 1966								
Recife	37		93	163		7		300
Afogados da Ingazeira	1		2	86				89
Arcoverde	4		4	31				39
Caruaru	8		10	126				144
Floresta	4		1	47		1		53
Garanhuns	10		11	68		3		92
Nazare da Mata	22		15	141		8		186
Palmares	10		3	39		5		57
Salgueiro	8		2	55		3		68
Total	104		141	756		27		1,028

Source: Report of secretary of education, Pernambuco, 1966.

TABLE 29.—*Brazil education enrollment—1964*

Grades	
Elementary: [1]	
Grade 1	4,451,859
Grade 2	1,841,872
Grade 3	1,347,441
Grade 4	880,423
Total	8,521,595
Secondary (Ginasio): [2]	
Grade 1	546,327
Grade 2	367,838
Grade 3	274,323
Grade 4	216,974
Total	1,405,462
Secondary (Colegio):	
Grade 1	180,368
Grade 2	130,467
Grade 3	102,338
Total	413,172
Higher: [3]	
Grade 1	42,787
Grade 2	30,933
Grade 3	23,754
Grade 4	19,091
Total	116,565

[1] Source: Sinopse do Ensino Primario 1966, Rio, SEEC-MEC 1967 (To Be Published 1967).

[2] Source: Sinopse Estatistica do Ensino Medio 1965, Rio, SEEC-MEC 1967.

[3] Source: Sinopse Estatistica do Ensino Superior 1965, Rio, SEEC-MEC, 1966.

TABLE 30.—*Composition of primary grades by age of student (percentages)*

	Years: 7	8	9	10	11	12	13	14
Grade 1	19.0	23.2	17.2	14.6	9.5	7.9	5.1	3.5
Grade 2	2.1	12.5	19.7	20.9	16.0	13.8	8.9	5.8
Grade 3		1.7	11.1	21.8	20.8	20.1	14.5	9.9
Grade 4			1.6	13.5	22.8	25.7	20.7	15.5
Grade 5				2.0	8.1	28.1	27.1	34.5

Source: Censo Escolar do Brasil, vol II.

Table 30(a).—*Distribution of students by age group and grade (percentage)*

Age	Primary grades						Secondary grades			
	1st	2d	3d	4th	5th	6th	1st	2d	3d	4th
7	95.8	4.2								
8	80.6	17.8	1.6							
9	60.5	28.0	10.6	0.9						
10	45.5	28.0	19.0	7.1	0.4		0.2			
11	35.7	24.5	21.3	14.1	2.2		2.0	0.2		
12	29.0	20.5	20.1	15.5	7.6		5.6	1.6	0.1	
13	24.3	17.0	18.6	16.0	9.2	0.2	8.4	5.0	1.2	0.1
14	20.7	13.5	15.5	14.2	14.5	.3	9.0	7.0	4.1	1.2

Source: Censo Escolar do Brasil, 1964, vol. II.

Table 31.—*Estimate of population and projected increase in enrollment*

[In thousands]

Year	Attendance goals (percent)	7- to 11-year group			Group between 12 and 14 years				
		Population estimate	Population in school	Annual increase	Population estimate	Population in school	Annual increase		
							Total	Primary	Secondary
1964	68.1	11,336	7,720	238	5,429	3,697	93	65	28
1965	72.4	11,675	8,452	680	5,591	4,048	331	226	105
1966	77.0	12,024	9,258	806	5,758	4,434	385	270	115
1967	82.1	12,384	10,167	910	5,930	4,868	433	303	130
1968	87.5	12,754	11,159	992	6,107	5,344	474	332	142
1969	93.5	13,135	12,281	1,122	6,290	5,881	537	376	161
1970	100.0	13,527	13,527	1,246	6,478	6,478	595	417	178
Total				5,994			2,848	1.989	859

Source: Ministry of Education and Culture INEP, II Conferencia Nacional de Educacao, 1966.

Table 32.—*Secondary schools—Enrollment, 1965*

	Brazil	College prep	Commercial	Industrial	Agricultural	Normal
Total	2,154,430	1,553,699	288,351	79,230	12,878	220,272
Junior high	1,645,320	1,364,123	166,493	54,953	9,169	50,582
Senior high	509,110	189,576	121,858	24,277	3,709	169,690
Federal	57,911	30,239	1,415	18,925	6,492	840
State	900,260	719,743	27,364	34,632	4,599	113,922
Municipal	75,101	47,374	19,422	3,029	74	5,203
Private	1,121,158	756,343	240,151	22,644	1,713	100,307

Table 33.—*Primary level—1962*

Area	Matriculation	Attendance	Passed	Percent dropout	Percent failed	Percent failed and dropout
Brazil	8,535,823	7,357,711	4,891,803	14	34	43
North	304,083	269,637	173,934	11	35	43
Northeast	1,372,845	1,230,714	769,071	10	38	44
East	2,910,953	2,581,178	1,677,958	11	35	42
South	3,579,015	2,978,664	2,073,682	17	30	42
West central	367,867	297,318	197,318	19	34	47

Source: Estatistica da Educacao e Cultura—Anuario Estatistico do Brasil, 1964.

Table 34.—*Percentage of failures and dropouts (by grade), 1962*

[In percent]

	1st	2d	3d	4th
Dropouts	18.0	13.8	12.7	11.4
Failures	34.0	16.1	23.0	16.8
Total leaving school	52.2	26.3	32.8	24.7

Source: Estatistica da Educacao e Cultura, Anuario Estatistico do Brasil, 1964.

TABLE 35.—*Imports, main products, Brazil, 1962–65*

[In $1,000-CIF]

	1962	1963	1964	1965
Wheat	160,955	164,008	209,560	135,900
Crude oil	174,196	176,356	170,365	156,440
Motor vehicles, parts, and accessories	52,636	40,106	31,689	31,597
Electrical apparatus, machines, and equipment	40,841	37,182	25,234	27,387
Copper and its alloys	29,868	33,638	21,286	26,580
Mineral and chemical fertilizers	17,118	23,866	19,188	26,387
Iron and steel sheets and strips	23,171	40,507	21,816	21,614
Metal-working machines and tools	75,086	38,723	32,384	21,074
Lubricants	19,549	18,676	21,757	17,393
Aircraft, parts and accessories	34,134	57,777	20,654	16,523

Source: CACEX.

TABLE 36.—*Production of the automobile industry—Brazil, 1957–65*

[In units]

Types of vehicles	Year								
	1957	1958	1959	1960	1961	1962	1963	1964	1965
Heavy trucks and buses	3,372	5,213	5,031	6,495	5,147	4,113	3,478	3,503	[1] 25,209
Medium trucks	15,457	25,713	34,625	35,204	25,352	35,557	20,546	21,023	
Cargo and passenger vans	2,562	13,692	26,408	34,022	42,492	54,390	50,157	48,490	47,522
Pickups (jeeps)	9,291	14,332	18,178	19,514	17,618	22,247	13,922	12,951	9,489
Automobiles		2,189	12,001	37,843	55,065	74,887	86,023	97,768	103,425
Total	30,700	61,129	96,243	133,078	145,674	191,194	174,126	183,735	185,645

[1] Includes heavy and medium trucks and buses.

Sources: Banco do Brasil and IBGE; American Chamber of Commerce (for 1965).

TABLE 37.—*Crude oil—Brazil, 1955–64*

Year	Production (in barrels)	Imports		Exports		Net imports		
		Amount (in barrels)	Value (in thousands of dollars)	Amount (in barrels)	Value (in thousands of dollars)	Amount (in barrels)	Value (in thousands of dollars)	Barrels per day
1955	2,021,921	25,933,318	77,070			25,933,318	77,070	71,050
1956	4,058,742	26,256,327	106,070			36,256,327	106,070	99,061
1957	10,106,363	35,954,326	116,684	114,774	336	35,839,552	116,348	98,191
1958	18,922,918	41,936,839	133,265	8,250,052	26,398	33,686,787	106,867	92,293
1959	23,590,091	42,602,258	122,682	10,843,293	32,286	31,758,965	90,396	87,011
1960	26,612,955	42,170,148	112,635	4,624,993	13,842	37,545,155	98,793	102,582
1961	34,807,772	56,008,192	137,646	8,339,288	25,839	47,668,904	111,807	130,600
1962	33,401,403	73,904,254	174,195	2,181,007	6,467	71,723,247	167,728	196,502
1963	35,714,148	75,501,160	167,664	2,521,146	8,813	72,980,014	158,851	199,945
1964	33,314,708	80,526,467	166,911			80,526,467	166,911	220,018

TABLE 37(a).—*Petroleum products—Brazil, 1955–64*

Year	Imports			Exports			Net imports		
	Amount (in barrels)	Value (in thousands of dollars)	Price per barrel	Amount (in barrels)	Value (in thousands of dollars)	Price per barrel	Amount (in barrels)	Value (in thousands of dollars)	Barrels per day
1955	38,278,040	179,645	4.69				38,278,040	179,645	104,871
1956	33,534,374	173,901	5.19				33,534,374	173,901	91,624
1957	27,612,150	145,889	5.28	[1] 2,336,628	6,013	2.57	25,275,522	139,876	69,248
1958	31,717,495	148,092	4.67	[1] 1,209,617	2,463	2.04	30,507,878	145,629	83,583
1959	27,526,751	131,164	4.76	[1] 303,329	652	2.15	27,223,422	130,512	74,585
1960	31,860,246	143,792	4.51	[1] 415,624	1,229	2.96	31,444,622	142,563	85,914
1961	23,694,009	170,787	4.55	[1] 521,177	1,613	3.09	23,172,832	106,174	63,487
1962	11,050,373	68,763	6.22	[1] 541,097	1,391	2.57	10,509,276	67,372	28,793
1963	12,073,672	69,468	5.75	[2] 1,394,241	[3] 4,125	2.96	10,679,431	65,343	29,259
1964	8,393,213	51,018	6.08	[4] 195,584	587	3.00	8,197,629	50,431	22,398

[1] Only fuel oil.

[2] 1,064,193 barrels in diesel oil and 330,048 barrels in fuel oil.

[3] $3,217,000 in diesel oil and $908,000 in fuel oil.

[4] Diesel oil.

Source: PETROBRAS.

TABLE 38.—*Cement industry—Brazil, 1959–65*

[In 1,000 metric tons]

Year	Production	Imports	Exports	Consumption	Per capita in kilograms
1959	3,797	29.0	4.0	3,816	56.4
1960	4,417	.7	3.0	4,428	62.4
1961	4,678		2.0	4,672	63.9
1962	5,039	1.0	3.0	5,001	66.4
1963	5,153	6.0	2.0	5,174	66.7
1964	5,529	26.0	.4	5,531	69.3
1965	5,557	(1)	(1)	5,970	(1)

[1] Not available.

Source: IBGE.

TABLE 39.—*Paper production—Brazil, 1960–64*

[In 1,000 tons]

Types	1960	1961	1962	1963	1964
Printing paper	151	159	128	146	182
Writing paper	60	64	71	75	87
Packing paper	220	230	249	267	293
Other	44	48	111	107	97
Total	475	501	559	595	650

TABLE 40.—*Aluminum production, import and consumption—Brazil, 1961–65*

[In tons and $1,000]

Year	Production	Imports		Apparent consumption
		Quantity	Value	
1961	18,467	18,476	9,986	36,943
1962	19,500	19,791	10,602	29,291
1963	22,000	26,273	13,562	48,273
1964	26,640	18,803	9,874	45,443
1965	[1] 34,500	22,237	11,824	[1] 56,737

[1] Estimate.

Source: Ministry of Mines and Energy.

TABLE 41.—*Iron and steel output—Brazil, 1960–65*

[In 1,000 metric tons]

Year	Steel ingots	Pig iron	Finished rolled steel	Semifinished rolled steel
1960	1,843	1,750	1,358	1,412
1961	1,995	1,826	1,535	1,564
1962	2,396	2,081	1,826	1,737
1963	2,604	2,477	1,917	1,908
1964	2,923	2,629	1,892	2,175
1965	3,200	(1)	(1)	(1)

[1] Not available.

Source: IBGE.

TABLE 42.—*Foreign trade—Brazil, 1956–65*

Year	Exports		Imports	
	$1,000 (f.o.b.)	1,000 m.t.	$1,000 (c.i.f.)	1,000 m.t.
1956	1,482,020	5,750	1,233,879	13,948
1957	1,391,607	7,712	1,488,826	13,513
1958	1,242,985	8,297	1,352,881	14,202
1959	1,281,968	9,884	1,374,473	14,347
1960	1,268,772	10,607	1,462,138	15,610
1961	1,402,970	12,716	1,460,093	15,859
1962	1,214,184	12,361	1,475,047	16,785
1963	1,406,480	14,141	1,486,848	17,666
1964	1,429,790	14,583	1,263,451	18,174
1965	1,595,479	19,678	1,096,423	16,633

Sources: CACEX and IBGE.

TABLE 43.—*Union's taxation income—Brazil, 1957–66*

[In current billion cruzeiros]

Year	Total taxation income	Taxes				
		Import	Excise	Income	Stamp	Others [1]
1957	85.5	2.7	30.5	27.0	9.5	15.8
1958	117.8	12.9	38.6	37.8	11.4	17.1
1959	157.8	14.4	53.8	46.4	17.9	25.3
1960	219.8	17.5	83.5	62.2	25.5	31.1
1961	317.5	30.0	122.7	83.7	36.1	45.0
1962	497.9	47.9	202.2	115.6	60.7	71.5
1963	930.3	69.9	408.1	242.9	91.8	117.6
1964	1,888.9	96.9	880.0	482.4	188.0	241.0
1965 [1]	3,140.3	165.5	1,307.5	1,022.6	347.7	297.0
1966 [2]	4,895.0	405.0	2,290.0	1,365.0	325.0	510.0

[1] Includes other taxes and capital revenue.

[2] 1966 budget.

Sources: For 1957-65, 1965 report of the Central Bank; for 1966, Ministry of Finance.

TABLE 44.—*AID dollar grants by sectors* [1]

TECHNICAL COOPERATION GRANTS BY SECTOR

[In thousands of dollars]

	Fiscal year 1961 and prior	Fiscal year 1962	Fiscal year 1963	Fiscal year 1964	Fiscal year 1965	Fiscal year 1966	Total
Agriculture [2] and natural resources	9,822	1,262	9,286	3,308	1,143	1,912	26,733
Industry and mining	3,087	468	859	302	118	243	5,077
Transportation	3,005	325	1,796	482	254	463	6,325
Labor	905	32	151	116	736	466	2,406
Health and sanitation	15,045	2,112	4,339	1,509	277	416	23,698
Education	5,649	3,074	2,495	2,301	2,843	2,561	18,923
Public administration and public safety	8,452	1,382	1,755	916	1,640	1,808	15,953
Community development, social welfare, and housing	943	9	87	139	408	67	1,653
Prvate enterprise				1,301	1,146	771	3,218
Tecihnical support and miscellaneous	6,340	1,340	2,662	2,885	3,917	4,663	21,807
Total	53,248	10,004	23,430	13,259	12,482	13,370	125,793

[1] Net obligations.

[2] Excluding agricultural education, which is carried under "Education."

Note.—Table composition follows congressional presentation pattern.

TABLE 45.—*U.S. assistance programs as of June 30, 1966*

	Fiscal years							
	1946–60	1961	1962	1963	1964	1965	1966	Total
Dollar programs (millions of dollars):								
AID grants	46.2	7.0	10.0	23.4	13.3	12.5	13.4	125.8
AID loans	.5	.3	74.5	61.4	165.0	220.1	228.7	749.9
Social Progress Trust Fund loans			47.0	5.9	2.5	6.7		62.1
Eximbank loans	969.5	188.3				6.0	17.1	1,180.9
Military assistance	124.2	23.9	42.1	10.0	16.6	14.3	18.7	249.8
Peace Corps			.9	1.6	4.0	4.6	5.2	16.3
Food for peace:								
Title I (country uses)	138.5	81.5	44.0	32.6	150.0	0	0	446.6
Title II (authorizations)			24.7	.6	20.8	7.0	34.1	87.2
Title III	18.2	3.2	6.8	15.6	25.9	16.6	22.9	109.2
Title IV (sales agreement)							63.7	63.7
Total	1,297.1	303.6	250.0	151.1	398.1	287.8	403.8	3,091.5
Local currency program (billions of cruzeiros generated by title I sales):								
Grants			3.4	5.3	10.6	24.7	10.6	54.6
Loans	9.7			6.8	24.1	84.2	29.9	154.7
Total	9.7		3.4	12.1	34.7	108.9	40.5	209.3
IDB and IBRD loans to Brazil, fiscal years 1961–66:								
IDB [1]		15.4	25.6	18.6	26.6	82.0	87.5	
IBRD [2]						79.5	49.0	
Total				181.8	459.4	558.2	580.5	

[1] Does not include Social Progress Trust Fund.

[2] Prior to 1961: $267,000,000.

Source: AID.

TABLE 46.—*USAID/BRAZIL*

SUMMARY FINANCIAL STATUS OF AID-ADMINISTERED COUNTRY LOANS AS OF OCT. 31, 1966

Types of loans	Amount approved	Disbursement authorizations[1] issued		Status of loans			
		Current month	Cumulative	Undisbursed balance	Pipeline (percent)	Disbursed	
						Current month	Cumulative
Dollar loans (in dollars):							
Program loans	450,000,000	30,000,000	419,800,000	128,358,501	28.5	15,317,922	321,641,499
Capital assistance loans	314,474,879	3,772,660	136,530,555	237,267,976	75.4	7,588,951	77,206,903
Total, dollar loans	764,474,879	33,772,660	556,330,555	365,626,477	47.8	22,906,873	398,848,402
Cruzeiro loans (in thousands of cruzeiros):							
Loans to BNDE	57,026,763			1,811,411	3.2	0	55,215,352
Other capital assistance loans	105,980,592			15,595,132	14.7	2,676,623	90,385,460
Total, cruzeiro loans	163,007,355			17,406,543	10.7	2,676,623	142,600,812

[1] Disbursements authorizations represent AID/W issuance of letter of commitment, special letters of credit and PIO documents.

Note.—Pipeline represents undisbursed balance compared with amount approved.

FINANCIAL STATUS OF AID-ADMINISTERED COUNTRY LOANS AS OF OCT. 31, 1966—DOLLAR PROGRAM LOANS

Loan No.	Borrower	Purpose	Dates of authorization and loan agreement	Final dates for letter of commitment for disbursement	Amount approved	Cash advances and disbursement authorizations issued		Status of loan[1]			Interest received	Repayment terms[2]		
						Current month	Cumulative	Undisbursed balance	Disbursed			Number of years	Interest rate (percent)	1st repayment date
									Current month	Cumulative				
512-L-004 (AID-1)	Banco do Brasil S/A	Commodity imports	(3) Nov. 20, 1961	(4)	$74,500,000	0	$74,500,000	0	0	$74,500,000	$2,460,986	40	¾	Dec. 1, 1971
512-K-010	do	do	Apr. 23, 1963 Apr. 24, 1963	(4)	25,500,000	0	25,500,000	0	0	25,500,000	574,274	40	¾	May 6, 1973
512-K-024	do	do	June 17, 1964 June 24, 1964	(4)	50,000,000	0	50,000,000	0	0	50,000,000	750,000	40	¾ and 2	Aug. 26, 1974
512-L-034	Government of Brazil (Banco do Brasil S/A)	do	Dec. 8, 1964 Dec. 14, 1964	Aug. 31, 1966 Nov. 30, 1966	150,000,000	0	150,000,000	$9,013,996	$5,695,051	140,986,004	909,773	40	1 and 2½	Jan. 11, 1975
512-L-055	Government of Brazil (Banco Central de Republica do Brasil)	do	Jan. 19, 1966 Feb. 10, 1966	Dec. 31, 1966 June 30, 1967	150,000,000	$30,000,000	119,800,000	119,344,505	9,622,871	30,655,495	0	40	1 and 2½	June 14, 1976
	Total, program loans				450,000,000	30,000,000	419,800,000	128,358,501	15,317,922	321,641,499	4,695,033			

[1] Since AID will receive no principal repayments under any dollar loan until after 1970, the outstanding balance (principal) of each loan is the same as cumulative disbursements.

[2] Where 2 interest rates are indicated, the 1st rate is applicable during the grace period, and the 2d rate is applicable thereafter.

[3] Various.

[4] Completed.

TABLE 46.—*USAID/BRAZIL*—Continued

COUNTERPART FUNDS DERIVED FROM PROGRAM LOANS, STATUS AS OF OCT. 31, 1966

[In millions of cruzeiros]

	Total		Loan Nos. 512-K-010, 512-K-024, and 512-L-034		Loan No. 512-L-055	
Cruzeiro deposits to special account	646,257		380,301		[1] 265,956	
Estimated additional deposits, calendar year 1966	65,600		0		65,600	
Estimated total availability	711,857		380,301		[2] 331,556	
Committed: Activity agreements signed	527,000		380,060		146,940	
Balance available for commitment, calendar year 1966	184,857		241		184,616	
	Agreements signed	Funds released	Agreements signed	Funds released	Agreements signed	Funds released
Commmitted—Activity agreements signed:						
CREAI—Industry loans	35,810	35,810	35,810	35,810		
FUNDECE—Democratization of capital	68,000	68,000	48,000	48,000	20,000	20,000
FINAME—Purchase of equipment	57,000	57,000	47,000	47,000	10,000	10,000
CNCR—Agricultural credit	20,000	20,000	20,000	20,000		
BNDE—Industry and development bank loans	10,400	10,400	10,400	10,400		
CECRI—Agricultural credit	5,000	5,000			5,000	5,000
BNCC—Cooperative credit	5,000	0			5,000	0
Housing—Guanabara	5,750	5,750	5,700	5,750		
Housing—Rio Grande do Sul	5,000	5,000	5,000	5,000		
Housing—Curitiba, Parana	1,000	1,000	1,000	1,000		
Highway construction—Rio/Sao Paulo highway	10,100	10,100	10,100	10,100		
Highway construction—Goias	2,000	2,000	2,000	2,000		
Rio Grande do Sul road program	2,000	2,000			2,000	2,000
Labor scholarship program	14,000	4,000	4,000	4,000	[3] 10,000	0
CONTAP—Technical assistance	30,000	17,000	10,000	10,000	20,000	7,000
GOB—Budgetary support	170,700	170,700	170,700	170,700		
Disaster relief, State of Guanabara [4]	3,000	[4] 3,000	3,000	[4] 3,000		
Disaster relief, State of Rio de Janeiro [4]	3,000	[4] 3,000	3,000	[4] 3,000		
Brazilian customs service patrol boats	3,000	2,842			3,000	2,842
Capital import fund	59,940	59,940			59,940	59,940
USAID trust fund	4,300	0	4,300	0		
Health planning and coordination unit	4,000	1,000			4,000	1,000
Adult education—Agnes Erskine Foundation	4,000	0			4,000	
National water fund—DNOS	4,000	0			4,000	
Total	527,000	483,542	380,060	375,760	146,940	107,782

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[1] Third tranche deposit made Nov. 4, 1966.

[2] Estimated total availability has been reduced by a Cr$1,000,000,000 reserve for estimated adjustments for transactions through private banks. For planning purposes, it may be assumed that such adjustments will be offset against the 4th tranche deposit of the 1966 program loan No. 512-L-055.

[3] Letter agreement dated Mar. 10, 1966 includes a contingent commitment for an additional Cr$10,000,000,000 to be funded from loan No. 512-L-055, counterpart for a total of Cr$14,000,000,000

[4] Activity agreements for the 2 disaster relief projects provide that the funds made available shall be subsequently reimbursed to account A from other resources available to the Government of Brazil. The total of Cr$6,000,000,000 made available has been transferred to separate accounts for subsequent release for specific activities.

FINANCIAL STATUS OF AID-ADMINISTERED COUNTRY LOANS AS OF OCT. 31, 1966

Dollar Capital Assistance Loans

[In dollars]

Loan No.	Borrower	Purpose	Dates of authorization and loan agreement	Final dates for letter of commitment for disbursement	Amount approved	Disbursement authorizations issued [1]		Status of loan [2]			Interest received	Repayment terms,[3] loan agreement and 2-step payment agreement		
						Current month	Cumulative	Undisbursed balance	Disbursed			Number of years	Interest rate (percent)	1st repayment date
									Current month	Cumulative				
	DEVELOPMENT RESEARCH AND PLANNING													
	Natural Resources Survey													
512-L-054	Government of Brazil: FINEP	Feasibility studies	Oct. 28, 1965 June 3, 1966	June 30, 1969 Dec. 31, 1969	11,000,000	0	0	11,000,000	0	0	0	40 ([4])	1 and 2½ ([4])	10 years grace. ([4]).
	Goal total, development research and planning.				11,000,000	0	0	11,000,000	0	0	0			

See footnotes at end of table.

TABLE 46.—*USAID/BRAZIL*—Continued

FINANCIAL STATUS OF AID-ADMINISTERED COUNTRY LOANS AS OF OCT. 31, 1966

Dollar Capital Assistance Loans

[In dollars]

Loan No.	Borrower	Purpose	Dates of authorization and loan agreement	Final dates for letter of commitment for disbursement	Amount approved	Disbursement authorizations issued [1]		Status of loan			Interest received	Repayment terms,[3] loan agreement and 2-step payment agreement		
						Current month	Cumulative	Undisbursed balance	Disbursed: Current month	Disbursed: Cumulative		Number of years	Interest rate (percent)	1st repayment date
	PRIVATE ENTERPRISE													
	Development Banks													
512-L-008	COPEG: Copeg Credito e Financiamento, S/A Guanabara.	Loans to private industry.	Sept. 17, 1962 Mar. 6, 1963	June 30, 1966 Dec. 31, 1966	4,000,000	0	2,932,078	1,067,969	0	2,932,031	25,418	20 40	4 ¾	Oct. 9, 1969. Oct. 9, 1974.
	Industry and Commerce													
512-L-007	COPERBO: Companhia Pernambucana de Borracha, Pernambuco.[5]	Synthetic rubber plant.	Sept. 17, 1962 Sept. 24, 1962	Mar. 31, 1965	3,400,000	0	2,984,252	417,332	0	[6]2,982,668	0	10½ 40	5¾ 1 and 2½	Nov. 29, 1966. Nov. 29, 1972.
512-L-009	CCC: Companhia de Carbonos Coloidais, Bahia.	Carbon black paint	Jan. 3, 1963 Mar. 11, 1963	Mar. 31, 1966 July 31, 1967	2,000,000	0	2,000,000	1,096,011	112,824	903,989	847	8½ 40	5¾ 1 and 2½	Jan. 1, 1969. July 1, 1975.
512-L-018	Companhia Siderurgica Nacional, Volta Redonda, State of Rio de Janeiro.	Steel mill	Feb. 28, 1964 May 22, 1964	Dec. 31, 1965 Dec. 31, 1966	5,500,000	116,675	5,465,220	1,153,676	1,124	4,346,324	13,348	12 40	5½ ¾ and 2	Aug. 13, 1967. Aug. 13, 1975.
512-L-020	Companhia Metalurgica Barbara, Guanabara	Iron pipe plant	Feb. 18, 1964 June 10, 1965	Dec. 31, 1967 Mar. 31, 1968	1,100,000	0	1,100,000	1,100,000	0	0	0	7 40	5½ 1 and 2½	2 years grace. 10 years grace.
512-L-025	Olinkraft Ltda., Santa Catarina	Kraft paper mill	June 26, 1964 Dec. 23, 1964	Mar. 31, 1967 June 30, 1967	800,000	0	770,000	800,000	0	0	0	5 (7)	5½ (7)	2 years grace. (7).
512-L-033	TUPI: Cia. de Cimen to Vale do Paraiba	Cement plant	Mar. 27, 1965 Aug. 3, 1965	Oct. 31, 1967 Dec. 31, 1967	800,000	0	714,215	770,239	29,761	29,761	0	7 40	5½ 1 and 2½	Sept. 12, 1968. Sept. 12, 1976.
512-L-038	EUCATEX, S/A Industria e Comercio	Fiberboard plant	Apr. 8, 1965 May 12, 1965	Sept. 30, 1968 do	1,960,000	0	1,912,000	1,960,000	0	0	0	8 40	5½ 1 and 2½	3 years grace. 10 years grace.
	Subtotal, industry and commerce				15,560,000	116,675	14,945,687	7,297,258	143,709	8,262,742	14,195			
	Goal total, private enterprise				19,560,000	116,675	17,877,765	8,365,227	143,709	11,194,773	39,613			
	INFRASTRUCTURE DEVELOPMENT													
	Transportation													
512-L-015	Sudene: Superintendencia do Desenvol vimento do Nordeste.	Northeast States highway construction.	June 6, 1964 Dec. 2, 1964 June 6, 1964	Dec. 31, 1967 Mar. 31, 1968	11,000,000 7,400,000	35,862	707,924	17,984,402	54,643	415,598	946	40 (4)	¾ and 2[3] (4)	Mar. 7, 1976. (4).
512-L-019	do.[5]	Northeast highway maintenance equipment.	June 30, 1964 Nov. 18, 1964	June 30, 1967 Dec. 31, 1967	20,000,000	851,530	11,901,664	11,589,931	848,930	8,410,069	350	40 (4)	¾ and 2 (4)	June 24, 1975. (4).
512-H-029	Government of Brazil (Ministry of Aeronautics).	Air navigation equipment.	June 30, 1964 Sep. 4, 1964	July 31, 1969 Dec. 31, 1969	2,700,000	0	2,700,000	2,661,265	7,026	38,735	84	40 (4)	¾ and 2 (4)	Sep. 8, 1975. (4).
512-L-032	DNER: Departamento Nacional de Estradas de Rodagem.[5]	Highway engineering services.	Dec. 21, 1964 Mar. 26, 1965	Dec. 31, 1966 June 30, 1967	900,000	0	821,573	431,422	11,427	468,578	464	40 (4)	1 and 2½ (4)	Nov. 29, 1975. (4).
512-L-047	DER-MG: Departamento de Estradas de Rodagem do Estado de Minas Gerais.[5]	Highway maintenance equipment.	May 28, 1965 July 22, 1965	Jan. 1, 1967 Dec. 31, 1967	15,000,000	759,149	9,538,795	13,110,700	711,087	1,889,300	0	20 40	3½ 1 and 2½	Aug. 28, 1969. Aug. 28, 1976.
512-L-059	DER-SP: Departamento de Estradas de Rodagem do Estado de São Paulo.	Highway maintenance equipment.	June 29, 1966 Aug. 18, 1966	June 30, 1969 Dec. 31, 1969	20,000,000	0	0	20,000,000	0	0	0	18 40	3½ 1 and 2½	3 years' grace. 10 years' grace.
512-L-060	DNER: Departamento Nacional de Estradas de Rodagem.	Engineering services.	June 27, 1966 (10)	(9)	400,000	0	0	400,000	0	0	0	40 (4)	1 and 2½ (4)	10 years' grace. (4).
	Subtotal—Transportation				77,400,000	1,646,541	25,669,956	66,177,720	1,633,113	11,222,280	1,844			
	Power													
5512-L-011	Centrais Eletricas Brasi leiras S/A—ELETROBRAS.	CHEVAP powerplant.	Apr. 20, 1963 Sept. 10, 1963	Sept. 30, 1966 Dec. 31, 1967	15,500,000	0	13,849,633	4,336,848	11,833	[6]11,163,152	0	20 40	5¾ 1 and 2½	Jan. 21, 1967. July 21, 1974.
512-L-014	CEMIG: Centrais Eletricas de Minas Gerais S/A.[5]	Electric powerplant	July 26, 1963 Oct. 10, 1963	May 31, 1967 Dec. 31, 1967	5,300,000	130,000	4,341,082	2,869,179	16,305	2,430,821	79,591	20 40	5¾ 1 and 2½	Jan. 20, 1968.
512-L-016	SUDENE/CONEFOR: Cia. Nor deste de Eletrificacao de Fortaleza, Ceara.	Electric generators	July 9, 1963 Oct. 29, 1963	(11)	2,314,879	0	2,314,879	0	0	2,314,879	33,426	20 40	3½ ¾	Nov. 12, 1964. May 12, 1974.
512-L-022	CEMAT: Centrais Eletricas Matogrossense S/A. Mato Grosso.[5]	Hydroelectric power expansion.	May 7, 1964 June 5, 1964	Mar. 31, 1968 June 30, 1968	4,300,000	0	3,024,416	2,279,088	43,805	[6]2,020,912	0	25 40	5½ ¾ and 2	Dec. 22, 1967. Dec. 22, 1975.
512-L-023	FURNAS: Central Eletrica de Furnas S/A.	Transmission system	May 18, 1964 Oct. 2, 1964	Sept. 30, 1967 Dec. 31, 1968	16,700,000	0	11,673,674	10,950,612	95,604	5,749,388	0	20 40	5½ ¾ and 2	June 2, 1968. June 2, 1978.

512-L-026	Companhia Paulista de Forca e Luz	Peixoto power	June 27, 1964 Nov. 27, 1964	June 30, 1967 Dec. 31, 1967	20,400,000	1,371,000	14,399,930	14,273,155	724,131	6,126,845	7,282	20 40	5½ ¾ and 2	May 17, 1968. May 17, 1975.
512-L-027	CHESF: Cia. Hidro Eletrica do Sao Francisco, NE Region.	Power transmission system.	June 27, 1964 Oct. 9, 1964	Mar. 31, 1967 June 30, 1967	7,000,000	320,004	4,774,260	4,531,984	0	[6] 2,468,016	0	25 40	3½ ¾ and 2	Sept. 28, 1975. Do.
512-L-041	COPEL: Cia. Paranaense de Energia Eletrica.[4]	Power expansion	Mar. 27, 1965 June 9, 1965	Dec. 31, 1969 Mar. 31, 1970	11,400,000	0	11,352,000	9,686,104	1,613,391	1,713,896	0	25 40	5½ 1 and 2½	Apr. 22, 1971. Apr. 22, 1976.
512-L-05	Rio Light S/A	Electrical distribution system.	June 23, 1965 Oct. 11, 1965	June 30, 1968 June 30, 1969	25,000,000	1,514,416	10,962,778	20,615,452	2,131,271	4,384,548	0	18 40	5½ 1 and 2½	July 28, 1969. July 28, 1976.
512-L-051	Sao Paulo Light S/A	do	June 23, 1965 Oct. 11, 1965	June 30, 1968 June 30, 1969	15,000,000	0	11,121,136	12,412,256	987,814	2,587,744	0	18 40	5½ 1 and 2½	July 28, 1969. July 28, 1976.
512-L-053	COHEBE: Cia. Hidro-Eletrica Boa Esperanca.	Power transmission system.	Oct. 20, 1965 Dec. 1, 1965	Dec. 31, 1968 June 30, 1969	8,900,000	82,343	3,045,343	8,675,308	12,150	224,692	0	25 40	3½ 1 and 2½	June 13, 1972 June 13, 1976
512-L-062	CCFBE: Cia. Central Bra sileira de Forca Eletrica.	Mascarenhas	June 29, 1966	Dec. 31, 1971	13,300,000	0	0	13,300,000	0	0	0	24	5½	4 years grace.
		Hydroplant construction.	Aug. 18, 1966	June 30, 1972								(7)	(7)	(7).
	Subtotal, power				145,114,879	3,417,763	90,859,131	103,929,986	5,636,304	41,184,893	120,299			
	National Water Supply and Sewage													
512-L-057	SURSAN: Superintendencia de Urbanizacao e Saneamento.	Guanabara sewage improvement.	June 13, 1966 Aug. 18, 1966	Apr. 30, 1969 July 31, 1969	2,500,000	0	0	2,500,000	0	0	0	20 40	5½ (12)	3 years grace. (12).
512-L-058	CEDAG: Cia. Estadual de Aguas da Guanabara.	Guanabara water system improvement.	June 13, 1966 Aug. 18, 1966	Apr. 30, 1969 Jul. 31, 1969	2,600,000	0	0	2,600,000	0	0	0	20 40	5½ 1 and 2½	Do. 10 years grace.
	Subtotal, National water supply and sewage				5,100,000	0	0	5,100,000	0	0	0			
	Goal, total, Infrastructure development				227,614,879	5,064,304	116,529,087	175,207,706	7,269,417	52,407,173	122,143			
	AGRICULTURAL DEVELOPMENT													
	Agricultural Production													
512-L-028	Government of Brazil (Ministry of Finance, Bank of Brazil and CNCR).	Fertilizer imports	June 29, 1964 Aug. 21, 1964	July 30, 1966 Oct. 20, 1966	15,000,000	0	15,000,000	2,394,368	136,149	12,605,632	61,611	40 (4)	¾ and 2 (4)	Dec. 23, 1974. (4).
512-L-061	Central Bank of Brazil CEICRI/CACEX	do	June 29, 1966 (10)	(9)	20,000,000	0	0	20,000,000	0	0	0	40 (4)	1 and 2½ (4)	10 years grace. (4).
512-L-063	Ultrafertil S/A	Fertilizer plant construction.	Oct. 12, 1966 (10)	(9)	14,800,000	0	0	14,800,000	0	0	0	40 (7)	5½ (7)	5 years grace. (7).
	Goal total, agricultural development				49,800,000	0	15,000,000	37,194,368	136,149	12,605,632	61,611			
	HUMAN RESOURCES													
	Malaria													
512-L-021	Government of Brazil (Ministry of Health)[5]	Malaria project commodities.	Mar. 5, 1964 May 11, 1964	Dec. 31, 1968 Mar. 31, 1969	6,500,000	1,700	3,308,118	5,500,675	39,676	999,325	6,960	40 (4)	¾ (4)	June 9, 1975. (4)
	Goal total, human resources				6,500,000	1,700	3,308,118	5,500,675	39,676	999,325	6,960			
	Totals, dollar capital assistance loans				314,474,879	5,182,679	152,714,970	237,267,976	7,588,951	77,206,903	230,327			
	Grand totals, dollar loans				764,474,879	33,772,660	556,330,555	365,626,477	22,906,873	398,848,402	4,925,360			

Dollar Loans Repayable in Cruzeiros

[In Cruzeiros]

512-A-003 (DLF-45)	CASTROLANDA: Cooperativa Agro-Pecuaria Batavo Ltda. and Soc. Cooperativa Castrolanda Ltda.—Parana.	Land settlement	Dec. 1, 1958 Mar. 4, 1959	(11)	34,000,000	0	Completed	0	0	34,000,000	11,910,291	(13)	(13)	(13).

See footnotes at end of table.

TABLE 46.—*USAID/BSAZIL*—Continued

FINANCIAL STATUS OF AID-ADMINISTERED COUNTRY LOANS PUBLIC LAW 480 TITLE I, SEC. 104(g) CRUZEIRO LOANS AS OF OCT. 31, 1966

Cruzeiro Loans to BNDE

[In thousands of Cruzeiros]

Loan No.	Borrower	Purpose	Date of loan agreement	Final disbursement date	Amount of loan agreement	Undisbursed balance	Status of loan				Interest received	Repayment terms		
							Disbursed		Repaid	Outstanding		No. of years	Interest rate (percent)	1st repayment date
							Current month	Cumulative						
512-G-001 (ICAX 12-1)	BNDE: Banco Nacional do Desenvolvimento Economico, Ist BNDE.	Economic development loans.	Sept. 17, 1956	(11)	1,510,815	0	0	1,510,815	26,915	1,483,900	564,161	40	5	Dec. 31, 1960
512-G-002 (ICAX 12-2)	BNDE: Banco Nacional do Desenvolvimento Economico, IInd BNDE.	do	Dec. 31, 1956	(11)	9,550,062	0	0	9,550,062	36,731	9,513,331	1,069,595	40	4	Feb. 1, 1963.
512-G-005 (AID 12-3)	BNDE: Banco Nacional de Desenvolvimento Economico, IIIrd BNDE.	do	Aug. 23, 1962	(11)	11,705,575	0	0	11,705,575	0	11,705,575	969,690	40	4	Sept. 1, 1967
512-G-006 (AID 12-4)	BNDE: Banco Nacional do Desenvolvimento Economico, IVth BNDE.	do	Oct. 4, 1962	(11)	6,821,750	0	0	6,821,570	0	6,821,570	348,521	40	4	Oct. 1, 1968.
512-G-035	BNDE: Banco Nacional do Desenvolvimento Economico, 5th BNDE.	do	Nov. 26, 1964	Sept. 11, 1967	[11]27,438,741	1,811,411	0	25,627,330	0	25,627,330	1,035,958	40	4	Mar. 1, 1969.
	Total, BNDE loans				57,026,763	1,811,411	0	55,215,352	63,646	55,151,706	3,987,925			
	Other Cruzeiro Capital Assistance Loans													
	PRIVATE ENTERPRISE													
	Industry and Commerce													
512-G-045	COPERBO: Companhia Pernambucana de Borracha, Pernambuco.[5]	Synthetic rubber plant.	May 14, 1965	(11)	2,000,000	0	0	2,000,000	0	2,000,000	0	5	12	Dec. 11, 1966.
	Housing													
512-G-039	Caixa Economica do Estado de Minas Gerai	Low cost housing construction loan.	Dec. 23, 1964	(11)	5,000,000	0	0	5,000,000	0	5,000,000	56,095	40	¾ and 2	Jan. 13, 1968.
512-G-052	BNH: Banco Nacional de Habitacao	do	Aug. 27, 1965	Dec. 31, 1968	5,000,000	5,000,000	0	0	0	0	0	40	¾ and 2	3 years grace.
	Subtotal, housing				10,000,000	5,000,000	0	5,000,000	0	5,000,000	56,095			
	Goal total, private enterprise				12,000,000	5,000,000	0	7,000,000	0	7,000,000	56,095			
	INFRASTRUCTURE DEVELOPMENT													
	Transportation													
512-G-031	DAER: Departmento Autonomo de Estradas de Rodagem do Estado do Rio Grande do Sul.[5]	Highway construction.	Sept. 20, 1964	(11)	10,000,000	0	0	10,000,000	0	10,000,000	45,492	40	¾ and 2	Feb. 18, 1968.
512-G-036	DNER: Departmento Nacional de Estradas de Rodagem.[5]	Rio-S. Paulo highway construction.	Nov. 13, 1964	(11)	14,100,000	0	0	14,100,000	0	14,100,000	99,925	40	¾ and 2	May 29, 1968.
512-G-037	SUDENE: Superintendencia do Desenvolvimento do Nordeste.[5]	NE highway maintenance equipment.	Nov. 18, 1964	(11)	4,500,000	0	0	4,500,000	0	4,500,000	6,190	40	¾ and 2	Nov. 4, 1975.
512-G-040	DER-PR: Departamento de Estradas de Rodagem do Estado do Parana.	Parana coffee road construction.	Feb. 19, 1965	(11)	10,000,000	0	0	10,000,000	0	10,000,000	103,656	40	¾ and 2	Mar. 12, 1968.
512-G-043	DER-MG: Departamento de Estradas de Rodagem do Estado de Minas Gerais.[5]	Highway maintenance equipment.	Apr. 2, 1965	(11)	9,000,000	0	0	9,000,000	0	9,000,000	315,000	0 2	3½	Apr. 30, 1968.
512-G-046	DER-PARA: Departamento de Estradas de Rodagem, Para.	do	July 2, 1965	(11)	1,000,000	0	0	1,000,000	48,780	951,220	34,577	20	3½	Feb. 25, 1966.
512-G-049	GOB: Ministerio da Marinha	Natal and Recife drydocks.	June 11, 1965	Nov. 30, 1966	300,000	25,000	0	275,000	0	275,000	485	30	¾ and 2	Dec. 3, 1968.
	Subtotal, transportation				48,900,000	25,000	0	48,875,000	48,780	48,826,220	605,325			
	Power													
512-G-030	CEMAT: Centrais Electricas Matogrossenses S/A.[5]	Power system expansion.	Aug. 22, 1964	June 30, 1968	7,700,000	4,500,000	2,022,000	3,200,000	0	3,200,000	0	25	5½	Mar. 18, 1968.
512-G-044	CEMIG: Centrais Electricas de Minas Gerais.[5]	Transmission line construction.	June 15, 1965	Dec. 31, 1967	4,000,000	455,037	654,623	3,544,963	0	3,544,963	94,517	20	5½	June 29, 1968.
512-G-048	COPEL: Companhia Paranaense de Energia Eletrica.[5]	Power expansion	June 9, 1965	Dec. 31, 1966	4,000,000	291,000	0	3,709,000	0	3,709,000	0	25	5½	Feb. 7, 1971.
	Subtotal, power				15,700,000	5,246,037	2,676,623	10,453,963	0	10,453,963	94,517			

	National Water Supply													
512-G-042	DNOS: Departamento Nacional de Obras de Saneamento.	Water supply fund	Apr. 26, 1965	(11)	8,000,000	0	0	8,000,000	0	8,000,000	34,685	40	¾ and 2	Aug. 20, 1968.
	Goal total, infrastructure development.				72,600,000	5,271,037	2,676,623	67,328,963	48,780	67,280,183	734,527			
	HUMAN RESOURCES													
	Elementary Education													
512-G-012	Sudene: Superintendencia do Desenvolvimento do Nordeste.	Elementary education facilities northeast States.	May 5, 1963	Dec. 31, 1966	17,280,592	5,324,095	0	11,956,497	0	11,956,497	107,686	40	¾	Oct. 1, 1973.
512-G-017	Government of the State of Goias	School construction	Dec. 17, 1963	(11)	1,300,000	0	0	1,300,000	0	1,300,000	18,375	40	¾	Feb. 1, 1974.
	Subtotal, elementary education				18,580,592	5,324,095	0	13,256,497	0	13,256,497	126,061			
	Malaria													
512-C-056	Government of Brazil (Ministry of Health) (subtotal).	Malaria project vehicles	Apr. 26, 1966	(11)	2,800,000	0	0	2,800,000	0	2,800,000	0	40	1 percent and 2 percent	June 6, 1968.
	Goal total, human resources				21,380,592	5,324,095	0	16,056,497	0	16,056,497	171,001			
	Totals, other cruzeiro capital assistance loans				105,980,592	15,595,132	2,676,623	90,385,460	48,780	90,336,680	961,623			
	Grand total, cruzeiro loan program				163,007,355	17,406,543	2,676,623	145,600,812	112,426	145,488,386	4,949,548			

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[1] Disbursement authorizations represent AID/W issuance of letters of commitment, special letters of credit, PIO documents, and other specialized types of authorizations.

[2] Since no dollar principal repayments will be due and payable to AID under any dollar loan until after 1970, the outstanding (unrepaid) balance of each loan is the same as cumulative disbursements. See also footnote 4.

[3] The upper line under these columns represents terms in loan agreement. The lower line represents terms for the Government of Brazil under 2-step payment agreement where applicable. Where 2 interest rates are indicated on a line, the 1st rate is applicable during the grace period, and the 2d rate is applicable thereafter.

[4] 2-step agreement not applicable.

[5] Projects marked with this footnote consist of both a dollar loan and a cruzeiro loan.

[6] COPERBO (007), CHEVAP (011), CEMAT (022), FURNAS (023) and CHESF (027) outstanding balances do not include capitalized interest US$425,893, US$787,632, US$12,579, US$87,449, and US$30,314, respectively.

[7] Optional agreement not executed.

[8] NE highway construction loan (015): interest rate on disbursements from US$11,000,000 authorization is ¾ percent. Interest rate on disbursements from remainder of loan is ¾ percent until 1st principal payment is due and 2 percent thereafter.

[9] Not yet established.

[10] Not yet signed.

[11] Completed.

[12] Agreement not executed.

[13] Fully repaid.

[14] The 5th BNDE loan agreement provides for a line of credit of up to Cr$36,000,000,000. For purpose of this report, the amount available to BNDE has been reduced of Cr$27,438,741,000 which is the amount we estimate as of Oct. 31, 1966, will actually be obligated under this agreement. This estimate is based on estimated deposits under 5th sales agreement and is subject to change.

TABLE 47.—*State of Pernambuco*

[In Cr$]

BUDGET: ELEMENTARY AND BASIC EDUCATION AGREEMENT

Furniture and equipment for the State Department of Education

Dept. of Elementary Education	60,000,000
Normal School Division	10,000,000
Institute of Educational Research	10,000,000
Training Division	20,000,000
School Buildings Division [1]	20,000,000
Contracting of Personnel (58)	293,820,000
Per Diem (school construction inspectors)	97,500,000
Vehicles (24)	150,000,000

[1] The State paid for the remodeling of the building which houses the State Department of Education. Space was increased by 200%.

TABLE 47.—*State of Pernambuco*—Continued

[In Cr$]—Continued

Construction and equipment

Construction:	
Classrooms (660)	5,151,367,000
Supervisory Center in Recife	73,780,000
Eight Supervisory Centers in the interior	561,680,000
Three Training Centers	276,290,000
Wells and pumps (150)	450,000,000
Equipment:	
Classrooms (660)	476,563,000
School kitchens (550)	150,000,000
Training Centers (3)	40,000,000
Supervisory Centers (9)	90,000,000
Medical-dental Units (10)	20,000,000

Improvement of instruction

Teaching materials for teacher education courses	100,000,000

TABLE 47.—*State of Pernambuco*—Continued

[In Cr$]—Continued

Improvements, etc.—Con.	
Books and other materials for the elementary schools	100,000,000
Scholarships: teacher training courses	200,000,000
Literacy classes for 10,000 adolescents:	
Training of monitors	10,000,000
Teaching material	50,000,000
Payment of teachers	150,000,000
Total	8,600,000,000
USAID	8,000,000,000
State (later the State added another Cr$500,000,000)	500,000,000
Sudene	100,000,000
Total	8,600,000,000

TABLE 48.—*USAID/B–NE education branch*

States	New and renovated classrooms		Number of teachers trained	U.S. scholarship grantees		Amount spent (In thousands of cruzeiros)			Number of classrooms equipped	Teaching materials provided	
	Completed	Underway		In training	Returned	School equipment	Teaching materials	Information up to		Books	Sets of teaching materials
Alagoas	204	----------	674	1	2	148,204	----------	September 1965.	187	770	592
Bahia	276	171	471	7	6	297,524	11,406	September 1966.	553	1,414	220
Ceara	437	191	824	9	6	287,535	6,813	Estimated	1,000	8,400	764
Maranhão	108	4	232	2	3	72,522	912	August 1966.	73	2,001	182
Minas Gerais	4	9	386	6	3	49,882	60	June 1966	4	----------	326
Paraiba	219	87	1,003	3	5	345,101	22,670	September 1966.	223	10,048	800
Pernambuco	49	131	1,705	7	12	687,231	4,336	do	506	150	530
Piaui	169	74	717	2	3	82,290	9,406	July 1966	168	20,550	638
Rio Grande Do Norte	392	89	942	1	11	279,668	----------	September 1966.	810	8,800	1,965
Sergipe	109	67	821	3	4	139,262	5,652	March 1966.	171	3,133	454
Totals	1,967	828	7,775	41	55	2,389,219	61,255	----------	3,695	55,266	6,471

Sources of information: Education Branch Progress Report Charts, Basic Agreements, States Accomplishment Reports, States Balance Sheets.

TABLE 49.—*BEMDOC payroll*

Section	Number of employees	Payroll (cruzeiros)	Approximate dollar equals [1]
Headquarters	18	2,275,064	1,025
Placement center	4	1,165,000	524
Community education	9	2,640,000	1,188
Field group No. 2	8	2,160,000	972
Field group No. 3	9	2,362,000	1,063
Field group No. 4	8	2,282,000	1,030
Scientific studies	8	2,067,000	937
Public relations	7	2,232,000	1,016
Training center No. 1	9	2,053,840	924
Training center No. 2	11	2,345,120	1,055
Total	91	21,582,024	9,712

Position	Cruzeiros	Approximate dollar equals
Typists	152,000	68.40
Engineer and architect	344,000	155.00
Sociologists, psychologists, home economists, educators	300,000	135.00
Social workers	300,000–400,000	135–180.00
Writers, translators	300,000	135.00
Statisticians	150,000	67.50
Servants	80,000	36.00
Vehicle drivers	120,000	54.00

[1] Does not add.

TABLE 50.—*Statement of expenditures, Oct. 1, 1964, through Jan. 31, 1966*

[In cruzeiros]

	Headquarters	Placement center	Community education department	Research department	Field group No. 1	Field group No. 2	Field group No. 3	Field group No. 4
Operating expenses:								
Salaries	83,415,636	17,265,180	28,663,848	825,000	28,221,822	32,252,208	27,354,335	17,178,031
Accounting and management consulting services	763,450							
Stationery, printing, office supplies, and expenses	7,832,455	111,918	1,052,497		288,215	410,387	148,077	75,158
Repairs and improvements	469,529							
Convention expenses	1,233,000							
Vehicle licenses and insurance	894,300							
Benchmark study:								
Cost of questionnaires				1,065,680				
Salaries of interviewers				3,238,500				
IBM do Brazil (data processing)				12,617,450				
Rental expense					600,000	300,000		
Cost of materials and equipment for self-help projects						7,878,682	8,613,406	
Supplies and expenses								
Teaching materials								
Transportation expenses								
Janitorial services								
Light and power								
Student lunches								
Total, operating expenses	94,608,370	17,377,098	29,716,345	17,746,630	29,110,037	40,841,277	36,115,818	17,253,189
Other expenditures:								
Cost of vehicles	5,215,900	3,738,990			8,320,000			
Cost of equipment	20,962,470		189,423		60,380	386,780	3,243,800	16,400
Total, other expenditures	26,178,370	3,738,990	189,423		8,380,380	386,780	3,243,800	16,400
Grand total	120,786,740	21,116,088	29,905,768	17,746,630	37,490,417	41,228,057	39,359,618	17,269,589

	Scientific studies department	Public relations department	Training center No. 1	Training center No. 2	Grand total
Operating expenses:					
Salaries	1,617,000	8,281,810	15,960,962	17,017,406	278,053,238
Accounting and management consulting services					763,450
Stationery, printing, office supplies and expenses		910,188			10,828,895
Repairs and improvements			2,754,600	15,737,720	18,961,849
Convention expenses					1,233,000
Vehicle licenses and insurance					894,300
Benchmark study:					
Cost of questionnaires					1,065,680
Salaries of interviewers					3,238,500
IBM do Brazil (data processing)					12,617,450
Rental expense			7,091,000	990,000	8,981,000
Cost of materials and equipment for self-help projects					16,492,088
Supplies and expenses			1,646,960	990,922	2,637,882
Teaching materials			382,713		382,713
Transportation expenses			250,310	75,000	325,310
Janitorial services			21,000	32,000	53,000
Light and power				550,900	550,900
Student lunches			90,000	210,000	300,000
Total, operating expenses	1,617,000	9,191,998	28,197,545	35,603,948	357,379,255
Other expenditures:					
Cost of vehicles					17,274,890
Cost of equipment			31,697,360	17,584,002	74,140,615
Total, other expenditures			31,697,360	17,584,002	91,415,505
Grand total	1,617,000	9,191,998	59,894,905	53,187,950	448,794,760

TABLE 51.—*Status of Contap cruzeiro funds released for IRI in 1966*

Period	Budgeted (Cr$1,000)	Received (Cr$1,000)
Apr. 1 to June 30, 1966:		
Northeast Brazil	120	0
Rest of Brazil	410	390
July 1 to September 1967:		
Northeast Brazil	120	0
Rest of Brazil	220	0
Oct. 1 to Dec. 31, 1966:		
Northeast Brazil	160	0
Rest of Brazil	220	283
Total	1,250	673

SENATOR ELLENDER DELIVERS ADDRESS TO GRADUATING CLASS AT LOUISIANA POLYTECHNIC INSTITUTE, RUSTON, LA.

The SPEAKER. Under a previous order of the House, the gentleman from Louisiana [Mr. WAGGONNER] is recognized for 30 minutes.

Mr. WAGGONNER. Mr. Speaker, on May 29 of this year Senator ALLEN J. ELLENDER delivered the commencement address to the graduating class of Louisiana Polytechnic Institute in Ruston, La.

I was privileged to be present at the ceremony to hear Senator ELLENDER's remarks and to see my own daughter graduate magna cum laude from the school of education. Both experiences were very rewarding to me.

Louisiana Polytechnic Institute, or Louisiana Tech as it is commonly known, is one of the foremost engineering schools in the South. I think it particularly appropriate that in his commencement address Senator ELLENDER chose to lay stress on the need for developing the total human being. In our complex modern society, the processes of self-development and self-discovery which all of our young people must face hold new importance for the individual citizen and for the Nation as a whole.

At this time, I would like to include in the RECORD the full text of Senator ELLENDER's address, together with a list of the names of the 1967 graduating class of Louisiana Polytechnic Institute:

ADDRESS OF SENATOR ALLEN J. ELLENDER

President Taylor, members of the faculty, seniors of the graduating class, ladies and gentlemen: I am honored to deliver the commencement address to the 1967 graduating class at Louisiana Tech, and I express my appreciation to Dr. Taylor and members of the faculty for giving me the opportunity to do so.

It has been fifty-four years since I was awarded my law degree at Tulane University. I can clearly and vividly recall the day of my own graduation, particularly that moment when I was handed my diploma. I felt that I held the world in the palm of my hand. I soon discovered, however, that I was neither Atlas nor Titan. As time went on, I learned that I was not as smart as I thought I was, and I found myself merely another pebble on the beach.

Quite frankly, I did not really appreciate any advice which was then given to me.

After several years of sitting on hard classroom chairs and benches, trying to absorb and assimilate the knowledge I had sought, I felt I had had about all the advice and instruction I needed. I had attained that point in my life which every normal young man or woman reaches, where I thought I was prepared to strike out on my own and do the things I desired to do.

Youth is always impatient with life and society, and I think rightly so, although it seems to me that young people now have a better and more expanded opportunity to learn. It is the natural order of things for each new generation to challenge the older and to find its position in life. Today world affairs are far different than they were when I was a young man, and doubtless it is necessary to apply a different yardstick for our present day graduates.

In 1913, the year I graduated, the world was a rather peaceful place. The United States prospered in the splendor of isolation. Politics was considered beyond the grasp and understanding of American women and they were accordingly not permitted to vote. We had few international commitments and no foreign alliances. The President of the United States was only the political head of state. He was not the industrial manager of a vast economic and political empire that he is today. Congress had little to do except to raise and appropriate the relatively small amount of revenues necessary to operate our very moderate Federal system. Today our Federal system, like a giant octopus, has its tentacles in all phases of our everyday life.

In international affairs, the Austro-Hungarian empire was still intact. International conflicts were largely the affronts of one royal family to another. Queen Victoria's grandchildren dominated the thrones of Europe and dealt with the peoples and the countries of the world as family enterprises. Except for the Western Hemisphere and Japan, the royal cousins dominated the earth from the Urals to the South China Sea.

The German Kaiser, in attempting to forge an alliance with Britain, had declared that "not a mouse could stir in Europe without our approval." He might just as well have included the world. Africa and Asia were sleeping giants and considered the peaceful outposts of European colonial empires. The "white man's burden", if not enormous, was certainly vast and not too impressive.

The industrial revolution had not yet reached that point of development where man threatened his own continued existence. The socialistic writings of Marx and Engels were still just a political and economic philosophy, mostly of interest to intellectuals and a few revolutionaries. No one seriously thought that such a philosophy would ever take root in a world basking in peace. However, within five years after 1913, Russia, the largest country in the world, was to be subjected to the tortures of its application, with private enterprise abandoned, freedom of action and thought cast to the winds, and all its millions of citizens becoming subjects of the State.

Yes, 1913 was a quiet and peaceful period, the last year that the world was to enjoy stability in an ordered society where Judeo-Christian culture was preeminent and unchallenged. In that year, Henry Ford began his assembly line production method which was to make available low-cost, mass-produced goods to a nation destined to become the unchallenged industrial giant of the earth.

The advances in the natural sciences since my birth in 1890 to the present have been truly astounding and sometimes beyond belief. Few of the machines and facilities we enjoy today existed prior to that time. Those that did exist were crude and largely in the experimental stage. In my youth, I can well recall seeing the Edison phonograph—what a marvel, I thought!—the telephone, which made me wonder how the voice could be carried through a wire—the motion picture—the automobile (I paid $1.50 to ride ten blocks in one of the early cars)—vacuum cleaners and washing machines, which were a rarity in my youth.

The list of inventions is almost inexhaustible. The first radio—how thrilling it was for us in those days to sit by a radio receiver and marvel that such a complex instrument could literally grab sound out of the air and reproduce it for our enjoyment. Little did we know or even anticipate that one day the transistor radio, blaring incessantly "Winchester Cathedral," "Twist and Shout," "Baby Let your Hair Hang Down" et cetera, would almost drive some of us over the brink.

I know it must seem "old hat" for your generation, which was born after the advent of the nuclear age, for me to recount these past and elementary technological advances. But I mention them with one thought in mind and that is to suggest to you that compared with the past and with what exists today, you haven't seen anything yet. The knowledge explosion, as it is called, highly accelerated by the invention of computers, will soon make our present technological advances seem primitive.

Just as my life has been enriched since birth by the technological advances I have mentioned, so will your lives be stimulated and activated in the near future by the use of such things as the laser beam in surgery, medicine and even warfare, by interplanetary travel, and by the use of artificial human organs such as the heart and kidneys.

Our scientists are on the threshold of discovering the origin of life itself and the probable ability to artificially create life. Government and private industry are spending billions of dollars yearly on scientific research, both pure and applied. The opportunities and challenges for you will be a thousand times greater than those which I encountered upon my graduation in 1913.

Your generation is the legatee of all this change. You have profited by the inventions and labor-saving devices; you have had the finest diet that agricultural research and abundance could produce. Most of you have been spared the drudgery of helping the family make ends meet.

For you, childhood and adolescence should have been a time of total joy and contentment, although I suspect that it was not that serene for most of you because you also inherited all the stresses and strains that are the handmaidens of a highly mobile, industrial society.

While a primitive radio might thrill the senses of my generation, yours requires much more. Half of our population is under twenty-five years of age. We have almost a hundred million young people under twenty-five in this country. Of those, nearly forty percent go to college. We are a young nation and truly a nation of the young.

Let me make it clear at this point that I am proud that your generation will inherit this wonderful country of ours. Never before in the history of the world have the young been so well prepared for the tasks ahead. While you have not suffered for material comforts as my generation did, you have evidenced a greater understanding of the moral values of Western civilization.

You are more deeply committed to the fundamental principles of decency, tolerance and respect for your fellow man than any previous generation of Americans. Because your body and spirit were not chained down by the problem of existence, the humanist qualities grew and developed far more than earlier generations. The Peace Corps is just one example of our young people showing that they care about others.

I hope that when you leave this college which has contributed so much to your enlightenment you will not lose your sense of decency, of tolerance and of understanding. Life in the adult world sometimes seems to place a premium on dishonesty, either material or intellectual, but remember, the piper must be paid. There is no happiness or fulfillment in either material or intellectual dishonesty.

I hope that the particular interests which you will acquire later will not shut out the national interest and your concern for higher values that you now have.

As you grow older, much of your time will be consumed in worrying about mortgage payments, your job, your social clubs and so forth. Try to hold on to that youthful enthusiasm for idealism and truth. Keep an open mind.

Although I indicated to you at the beginning of my talk that I was not going to give you a lot of gratuitous advice, I would like to suggest some approaches to life which I think would be helpful to you. These suggestions are not original with me. They have been around in one form or another for several thousand years. But because I have been able to apply them to my own life, I believe these principles are the most valuable things I can contribute to you today.

Every young person is faced with the enormous task of finding himself and his place in life. I know this is a more difficult task today than it was in 1913 when life was simpler.

This problem of knowing yourself, finding out about yourself and getting direction in life has been called a variety of things. It is currently known as the "identity problem." I recently read an article in which the late Henry Luce, publisher of Time and Life magazines, was asked if he believed that there was such a thing as the identity problem. He said he did not think so—that he always knew who he was. He said that he sometimes had different opinions of himself, but that he was always sure who he was. Personally, I believe that this does not apply to everyone. When a young person is freed from family and school regimen, it is difficult for him to identify himself and to know exactly how he fits into the world. Every young person must *develop* his own identity to achieve inner peace and self-reliance.

I think it is self-evident that this inner development is much more difficult today for our young people than it was when I was a youngster.

The very changes in technology and in our environment which I have been discussing are largely responsible for this. When I was a child, and when your fathers were children, the youngsters in a family were required to become useful long before reaching the age of majority. For many of us, it was necessary to develop full-fledged trades or at least valuable and useful skills before leaving the home and striking out on our own. Today that is rarely the case.

I think that the progress in technology has changed the picture in another important way as well. It has caused our nation in many respects to age too quickly. Many people seem to feel, although they would likely refuse to admit it, that our nation has become middle-aged—that we can afford to sit back and rest upon our laurels.

Many of our young people seem to reflect a feeling that we have time on our hands, that the American frontier has been closed and the frontiers that have opened in space and science can be explored only by a very few, while the rest of us are forced to sit back and watch the action. Technology has given us more time that is free of economic requirements, but it has not told us what to do with it. If we are not forced to learn to our full capacity when we are young, it means knowledge must be searched for and discovered when we grow older. Any search is much more difficult when we are not instructed where to look, or for that matter, what to look for. It means, of course, that the search becomes that much more important.

Once the process of self-discovery is complete, the young person is then prepared to challenge the ideas, forces and institutions with which he must live. Our institutions and indeed our country are a mirror and projection of ourselves.

This is what Plato in *The Republic* referred to when he suggested that the state was man written large. Our country reflects in a national way our collective individual strengths and weaknesses. Where our country has failed to live up to its promise, we have also failed individually. Our national success is a recognition and reflection of our personal success. Plato observed that human wisdom consisted of knowing what to do with one's ignorance. In subscribing to that thought, I would also suggest that it consists of knowing what to do with one's self.

The American nation inherited the finest institutions of ancient civilizations. To that we have added universal freedom and technological wonders. The most pressing problem your generation will be called upon to deal with is the rediscovery of human values. You cannot perfect man but you can improve him. The tasks facing the social scientists are staggering, and they are so far behind the natural scientists that one wonders if they can ever catch up.

In this day and age, when we employ such words as genocide, megaton, ICBM, overkill, psychodelics, mass killers, et cetera, we know that we have put the awesome forces of the twentieth century into the hands of spiritual Neanderthals.

In retrospect, life in 1913 appears to have been slow. It did not seem slow to my generation, but our goals were well defined. Today, life has become a maddening rush toward ill-defined goals. We are in danger of submerging the human spirit and personality in a materialistic maelstrom. Human values seem to diminish daily. We are at the eleventh hour of our being. We must begin to apply some of our skill and resources toward the development of man himself. What good does it do to make a man's body healthier and prolong his life if we must in turn fill the jails and mental institutions to overflowing with these so-called "healthy" people?

Your generation has shown a willingness to come to grips with this situation. What has been called the "balance of terror" must be replaced by a balanced man acting in a balanced society, who, when acting collectively, will lift the peoples of the earth to the nobler ideals of decency, tolerance and respect for human values. I am sure you will contribute much to the continued development of such a balanced society.

To assist you in doing your part, I would suggest that you learn and bear in mind the words of Henry Van Dyke, written over forty years ago:

> "Four things a man must learn to do
> If he would make his record true;
> To think without confusion clearly,
> To love his fellow man sincerely,
> To act from honest motives purely,
> To trust in God and heaven securely."

Thank you.

CANDIDATES FOR DEGREES

SCHOOL OF AGRICULTURE AND FORESTRY

Bachelor of science

Ted Adron Bounds, Jr., Shreveport.
Stephen Craig Bright, Shreveport.
William Lamar Culpepper, Alexandria.
Richard Eugene Davis, Minden.
Oscar Randell Fallin, Monroe, cum laude.
Gary Wallace Franklin, Ruston.
James Herbert Gilbert, West Monroe, magna cum laude.
Edward Franklin Grafton, Ruston.
Raymond Carroll Greer, Minden.
Walter Crawford Holmes, Jr., LaPlace.
John Wesley Hudson III, Ruston.
Ronald Leslie Johnston, Farmerville.
Charles Cary Kirby, Ruston.
Elmer Price Lamkin, Clay.
David Ker Lemann, Donaldsonville.
Curtis Lee McDuff, Jr., Shreveport.
John William Madden, Bienville.
Elmer Eugene Mowbray, Jr., Cambridge, Md.
Ralph Jesse Parker, West Monroe.
James Allen Stringer, Bastrop.
Joe Webb Swanner, Jonesboro.
Tommy Ernest Swate, Cotton Valley.
Grover Cleveland Tatum, III, Waynesboro, Miss.
Travis Lynn Taylor, Goldonna.
Robert Edgar Weeks, Shreveport.
Cherie Major Winters, Lake Providence.

Master of science

Microbiology

Howard Joel Green, Alexandria.
J. D. McGraw, Jr., Delhi.

SCHOOL OF ARTS AND SCIENCES

Bachelor of arts in liberal arts

David Alfred Arthur, Bastrop.
Margaret Ann Attaway, Shreveport.
Linda Laura Belk, Alexandria.
Madeline Patrice Bounds, Shreveport.
Bliss Craighead Clark, Delhi.
Vera Susan Colvin, Shreveport.
Ansel Howard Cowan, Vidalia, summa cum laude.
Bonnie Lou Crouch, Pineville.
Billy Wayne Dartlone, Tallulah.
Anna Margaret Dunn, Grand Cane.
Marion Ray Fowler, Ruston.
Roger Timothy Hall, Alexandria.
Ann Rae Hardin, Sarasota, Fla., summa cum laude.
Howard Ray Jones, Bossier City, cum laude.
Merrell Audy Knighten, Jr., Lisbon.
Harold Mohrmann,Shreveport.
Howard Ray Pepper, Sikes.
Julia Ann Reese, Shreveport.
Sonya Prestridge Sample, Roanoke, Ala.
Beverly Sue Simpson, Arcadia.
Billy Lewis Skipworth, Bells, Tex.
James Robert Stokes, Ruston.
Albert Alexander Teel, Homer, magna cum laude.
Aletha Junaita Toney, Alexandria.
Frances Ann West, Shreveport.
Burnice Lee White, Jr., Haynesville.
Virginia Dare Wilson, West Monroe.
Thomas Raymond Yarborough, Bossier City.

Bachelor of music

Linda Kay Chatman, Oak Grove, magna cum laude.
Robert Wynn McMullen, Memphis, Tenn.
David Feltus Wylie, Ruston.

Bachelor of science in chemistry

Lester Joseph Wenk, Shreveport.

Bachelor of science in geology

Steve George Bokum, Lake Charles.

Bachelor of science in liberal arts

Janice Britt, Dubach.
William Robert Bullock, Spearsville.
Oscar David Carter, Lisbon.
David Lamar Deal, Ruston, cum laude.
Paula Claire Hall, El Dorado, Ark., cum laude.
James Richard Hatch, Ruston.
Robert E. Holladay IV, Ruston.
Hall Renfro Howard, Zachary, cum laude.
Robert Terrell Maranto, Shreveport.
Howard Kirkland Meador, Jr., Shreveport.
Donald Gay Patterson, Leesville.
Earl Clifton Shelby, II, El Dorado, Ark.
Anthony John Tolin, Long Beach, Calif.
Mark Thomas Torgrimson, Natchitoches.
Frederick Thomas Werner, Jr., Shreveport.
Phyllis Suzanne Wiggers, Dubach, summa cum laude.

Bachelor of science in medical technology

Kay Kathleen Barnes, Calhoun.
Sondra Faye Fulmer, Homer.
Patricia Louise Taylor, Ruston.

Bachelor of science in physics

Michael Brent Evans, El Dorado, Ark.
Winfield Earl Little, Jr., Stonewall.
Frank Thomas Mercer II, Glenmora, cum laude
Glen Raymond Swann III, Choudrant.
Huey Benten Treadwell, Jr., Montgomery, Ala.

Master of arts

English

Loy Heard Taylor, Jr., Ruston.

History

Dino Anthony Alberti, Jonesboro.
Charles Cumston Chadbourn III, Ruston.

Music

Elizabeth Burkhalter Howard, Ruston.

Master of science

Mathematics

Francis Dillard Hanna, Shreveport.
Ruth Huffman Hanna, Dubach.
John Philip Kothe, Belle Chasse.

Physics

Michael E. Tuohey, Kansas City, Mo.

Zoology

Gary Truett Bazer, Carthage, Tex.
Wayne Frederick Brown II, Shreveport.
Kenneth Edwin Griswold, Jr., Ruston.

SCHOOL OF BUSINESS ADMINISTRATION

Bachelor of arts in economics

Robert Edwin Gillan, Shreveport.
David Gordon Hague, Shreveport.
Michael Emmett Hill, El Dorado, Ark., magna cum laude.

Bachelor of science in business administration

Randell Earl Alexander, Jonesboro.
George Ronald Bagley, Jr., St. Joseph.
Harry Thomas Bain III, Pioneer, cum laude.
John Lewis Baxter, Jr., Bossier City.
Sydney Kenton Boone, Jr., Shreveport.
Robert Perrault Bracken, Ruston.
Douglas M. Bragan, Baltimore, Md., summa cum laude.
William Harold Bray, Bossier City.
William Michael Brown, El Dorado, Ark.
John Patterson Burnham, Franklin.
Henry R. Cassity, Jr., Shreveport.
Charles Wesley Caston, Lake Charles.
Milton Harrell Chandler, Ruston.
Bobby Kelley Copeland, Bernice, cum laude.
Roger Coughran, Start.
James Roy Craig, Bossier City.
Joseph Roy Duhon, Jr., Lake Charles.
Ted Wayne Farrar, Lillie.
Charles Leslie Fowler, Jr., Alexandria.
George James Fuller, Dubach.
Thomas Ray Furnish, Covington, Ky.
Rosa Lee Futch, Spearsville, cum laude.
David Harper Goebel, Jr., Mansfield.
John Edward Golmon, New Orleans.
Albert David Gray, Jr., Valdosta, Ga.
Jerry Wayne Gray, Minden, cum laude.
Joseph John Gray, Jr., Ruston.
Thomas Larry Green, Dubach.
Marion Philip Guthrie III, Monroe, summa cum laude.
Danny Preston Hagler, Jonesboro.
Joseph Bradley Halford, Vivian.
Joel Thomas Haston, Shreveport.
Margie Louise Hays, Ruston.
Melba Dale Headrick, Longstreet, magna cum laude.
Jeanine Diane Maxey Heard, Winnfield, magna cum laude.
William Pryor Heineman, Shreveport.
Jack Craig Henderson, Rayville.
Mark Holland, Shreveport.
Harry Holloway, Farmerville.
Joseph Felix Hood, Jr., Shreveport.
Francis Eugene Klipping, Forest City, Iowa.
James Andrew McPherson, Jr., Minden
John David Martin, Ruston, cum laude.
Alfred Vaughn Melson, Ocean City, Md.
James Gaston Moore, Ruston.
Richard Lee Morrison, Shreveport.
John Lynwood Nelson, Shreveport.

Carl William Pampe, Olney, Ill.
Kerry McKinney Peterson, Winnfield.
Peter James Polanek, Ramsey, N.J.
Thomas Lane Post, Spearsville.
Larry Newblock Rabb, Ruston.
Max Leroy Riley, Jr., Monroe.
Frank Mitchell Roberts, II, DeRidder.
Glynn David Roberts, Oak Grove.
John Carter Slaughter, Alexandria.
Donn Melton Tarter, Dry Prong.
James Edward Tatum, West Monroe.
Walter Thatcher, Jr., Shreveport.
Joe Floyd Thomas, Winnsboro.
Edgar Allen Tuten, Ruston.
Dan Millard Volentine, Athens.
John Melcer Wahl, Shreveport.
Jon Richard Walden, Shreveport.
Bobby Ralph Watts, Bonita.
Billy Denton Welborn, Oak Grove.
Johnny Merrill Wise, Augusta, Ga.
John David Wooldridge, Winnsboro.
Margaret Ann Wright, Springhill, cum laude.

Master of business administration

Samuel Young Brooks, New Orleans.
Michael William Calahan, Ruston.
Jack Allen Corkran, Ruston.
Norman Clyde Cox, Shreveport.
Kenneth Mack Griffin, Altanta, Tex.
Robert Osburn Koontz, Monroe.
Gerald Lynn Odom, Farmerville.
Ronald Jeffery Ponder, Magnolia, Ark.

Bachelor of arts in education

Sandra Louise McCall Alley, Bossier City.
Mary Kathleen Anthony, Mira.
Helen Elizabeth Ashby, Downsville.
Janet Bailey, Bastrop.
June Senac Barkemeyer, Shreveport.
Linda Shields Haselden Bracken, magna cum laude, Jackson, Fla.
Willie Annette Brown, Rayville.
Zella Faye Brown, Calhoun.
Glenda Dale Burt, Cullen, cum laude.
Jeune Tressler Pipes Cocke, Baton Rouge.
Mary Catherine Coffey, Gibsland, magna cum laude.
Judy Carol Collins, Hodge.
Carolyn Sue Swartz Cowan, Bastrop.
Nina Orlena Dennis, Bossier City.
Richard James DuVall, St. Louis, Mo.
Linda Darlene Fairley, Shreveport.
Linda Kay Ferguson, Alexandria.
Carol Bolen Fowler, Alexandria, cum laude.
Celia Bryan Frazier, Minden.
Mary Mecom Gilchrist, Richardson, Tex.
Mary Kay Gillan, Shreveport.
Alice Jane Gowan, Winnsboro.
Sharon Margaret Graves, Winnsboro.
Carol Ruth Cook Hall, El Dorado, Ark.
Bonnie Juanice Harris, Ferriday.
Linda Kay Harrison, Lake Charles.
Susan Jan Hartsfield, Bossier City.
Mary Lynn Odum Haygood, Shreveport.
Vicki Lynn Hearne, Chatham, magna cum laude.
Carol Ann Pegues Heineman, Shreveport.
Kathleen Louise Higgs, Ruston, summa cum laude.
Beatrice Crofton Hood, Shreveport.
Driskill Belcher Horton, Jr., Bossier City.
Sharon Elizabeth Teague Jarrell, Bossier City.
Ruth Cummings Johnson, Cotton Valley.
Mary Ann Kelly, Ruston, summa cum laude.
Martha Jill Lestage, Coushatta.

SCHOOL OF EDUCATION

Linda Culp Lester, El Dorado, Ark.
Rickey Janet McKaskle, Jonesboro.
Kathleen Louis McLendon, New Orleans.
Amy Susan Mays, Winnsboro, magna cum laude.
Linda Elizabeth Merritt, Bossier City.
Kathy Walker Miles, Dodson.
Sandra Ann Mitchell, Shreveport.
Mary Margaret Evans Moore, Minden, cum laude.
Robert Winston Mottet, Shreveport.
Nancy Greenwood Nolan, Lake Charles.
Mildred Keller Phillips, Richardson, Tex.
Cynthia Anne Pickering, Shreveport.
Jane Ellen Pickering, Shreveport.
Elizabeth Ann Purcell, Montgomery, Ala.
James Thomas Rogers Jr., Dubach.
Bobbie Holloway Smith, Shreveport.
Evva Blain Smith, Lake Charles.
Rubye Ellen Smith, Baton Rouge.
Janet Gayle Sturdivant, Tallulah.
Rebecca Lynn Swain, Pineville.
Candace Alexandra Tarver, Winnfield.
Carla Anne Taylor, Downsville.
Barbara Jean Tryon, Farmerville.
Carol Jean Waggonner, Plain Dealing, magna cum laude.
Marilee Davis Walther, Shreveport.
Nancy Charlotte Watson, El Dorado, Ark.
Mary Ann West, Springhill.
Carolyn Woodall, Shreveport.

Bachelor of science in education

Murlene G. Adkins, Bossier City.
William Leon Barmore, Ruston.
William George Bond, Jonesboro.
Sandra Ann MacCleary Boyd, Shreveport.
Gerene Kay Burns, El Dorado, Ark.
Cynthia Rose Cook, Oakdale.
Edgar Cripps III, Bentley.
Thomas Reginald Day, Homer.
Bernie G. Elkins, Sarepta.
Marion Kay Enloe, Mansfield, cum laude.
Ronald Melton Fitzgerald, Bernice.
Janet Clarke Glenn, Sterlington, cum laude.
Myra Murphy Graves, Colfax.
Richard David Huckabay, Bossier City.
Ann Marie Vallery Huddleston, Plain Dealing.
Frances Kay Jones, Monroe.
Marianne McFarland, Mansfield, cum laude.
Billy Don Maples, Bossier City.
Linda Pennington Payne, Springhill.
Sandra Lee Rabb, Alexandria.
Melva Joy Roberts, Tioga.

Master of arts in education

Administration

Lonnie Milton Simpson, Cotton Valley.

Counseling

Robert Rees Istre, Sulphur.

Elementary Education

Gloria Faye Brewer, Dodson.
Evelyn Grice Dailey, Minden.
Margaret Clark Daulton, Sarepta.
Marcelle Reynolds Gulledge, El Dorado, Ark.

English Education

Hilda Anne Taylor, Ruston.

Master of science in education

Biology Education

David M. Gray, Jr., Moreauville.

Business Education

Pauline Devereaux Blakely, Grambling.

Health and Physical Education

Garland D. Gregory, Columbia.
Sam Alvin Harper, Jr., Minden.

SCHOOL OF ENGINEERING

Bachelor of science in chemical engineering

David Carroll Andrews, El Dorado, Ark., cum laude.
Bennie Pat Baston, El Dorado, Ark.
Barbara Jane Boddie, San Antonio, Tex., magna cum laude.
Willard Travis Braswell, Homer.
Carl Arthur Brown, Shreveport.
William Luther Brown, Sarepta.
Wayne Byrne Hawkins, Bossier City.
Sylvester Hedges Jr., Shreveport.
Robert Alexander Holleman, Simsboro.
Henry Harvey Luttrell, Buckeye.
William Reese Purifoy,, Shreveport.
John Ford Smith Jr., Augusta, Ark.
John Walter Smith Jr., Shreveport.
John Frederick Turner, New Orleans.
David Kenneth Watson, Mansfield.
Garland S. Williamson, Homer.

Bachelor of science in civil engineering

Raymond Thurston Applegarth, III, Metairie.
William Thomas Pitts, Fort Worth, Tex.

Bachelor of science in electrical engineering

Merrill A. Cornish, Jr., Kinder.
Thomas McElroy Dillard, Saratoga, Ark.
Marcus Oliver Durham, DeRidder, cum laude.
Daniel William Futch, El Dorado, Ark.
Richard Jarrell Garlington, Shreveport.
John Charles Hoppe, Shreveport.
Francis X. Howard, Shreveport.
C. Michael Impson, Huttig, Ark.
William Hadley Leavell, Jr., Bastrop.
Ronnie Glenn Maxwell, Springhill.
Lurlie Dell Pee, Holly Ridge.
Robert Simms Peninger, Forest Hill.
John Curtis Pickels, Bartlesvile, Okla.
James Ward Richardson, Jr., Ruston.
Ralph Lionell Self, Many.
Edward Curtis Smith, Alexandria.
William Andrew Smith, Jr., Natchitoches.
Bryan Edward Storey, Ruston.
Herman Edgar Storey, Vidalia, magna cum laude.
Russell Bayless Walker, Ruston.

Bachelor of science in mechanical engineering

Ernie Paul Bailey, Shreveport.
George Dennis Brooks, Shreveport.
Herbert Terrell Cross, Oakdale.
Darrell Dean Dial, Bossier City.
Allen R. Duchesne, Bossier City.
Jerry Clifford Dunn, Monroe.
Adamantios Konstantinou Gorgolis, Jannina, Greece.
Don Wardlaw Huckabay, Bossier City.
Gerald Clay Kierbow, Shreveport.
Ronald Pynes Luttrell, DeRidder.
Stephen Albert Reeves, Arcadia.
John McLean Stephens, Shreveport.
Johnny Charles Tauzin, Jennings.
David Richard Wills, Gresham, Oreg.

Bachelor of science in petroleum engineering

Fahmi Fuad Al-Mousily, Baghdad, Iraq.
Abdulilah Abdulrahmam Al-Zubaydi, Kut, Iraq.
Michael A. Norton, New Orleans.
Ronald Eugene Smelley, Bienville.
Leonard Raymond Transier, Dry Prong.

Master of science

Chemmical Engineering

William Walter Patterson, Shreveport.

Civil Engineering

Jesse Ray Wilkins, Ruston.

Electrical Engineering

James August Petrus, Jr., Pineville.

Mechanical Engineering

Robert Henry Daulton, Ruston.
Howard King Pelton, Shreveport.
James Edward Stewart, Tallulah.

Petroleum Engineering

Billy Ray Branch, Shreveport.
Eugene Wright Thomas, Spencer.

SCHOOL OF HOME ECONOMICS

Bachelor of arts in home economics

Martha Brown Little, Bossier City.
Wilma Walker Richardson, Ruston.
Oliva Diane Taylor, Ruston.
Beverly Jane Wood, Burkburnett, Tex., magna cum laude.

Bachelor of science in home economics

Joyce LaDerrell Arner, Jonesboro.
Marie Carol Boese, Lake Charles.
Deanna Peninger Davis, Forest Hill.
Helen J. Jones, Ruston.
Ola Jo Logan, Rayville.
Frances Spears Mason, Heflin.
Claudene Louise Philley, Oak Grove.
Myra Ann Prewitt, Mangham.
Claudette Faye Purvis, Delhi.
Joan Humble Williams, Monroe.

EXTENSION OF THE FEDERAL FOOD STAMP PROGRAM, AS URGED BY THE SENATE, SHOULD BE ADOPTED

The SPEAKER. Under a previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 5 minutes.

Mr. FEIGHAN. Mr. Speaker, I am sure I speak for the less fortunate citizens in Ohio's 20th Congressional District, and throughout this Nation, when I express gratitude that both the House and the Senate have set in motion legislation to assure the continuation of the food stamp program.

As I pointed out during the House debate on this bill, there are some 63,000 men, women, and children in the Cleveland area alone who are eating better meals because of this program. Food stamps mean better nutrition, better health, and increased family stability in each of the participating homes, and it would be tragic indeed if we had—by action or inaction—denied them this necessary sustenance.

There are some differences between the House bill and the Senate bill, which I want to discuss today.

The Senate bill authorizes a 3-year extension while the House bill limits the extension to 1 year. I believe that the House should accept the 3-year authorization as passed in the Senate. Review might be in order next year if this were an experimental program, but it is far from that. The food stamp program—in its pilot stage and in the 3 years it has operated as a national program—has proven a most efficient and effective way of translating this Nation's agricultural abundance into better nutrition for the poor. The House committee report "commends the care with which the food stamp program has been organized and administered." While I strongly believe in periodic congressional review of authorizations, we are faced, in this instance, with the law of diminishing returns.

Effective administration of the food stamp program requires long-range planning from both a Federal and local point of view. In addition to planning, localities contemplating coming into the program must have some firm congressional commitment that this program will be a lasting one and one they can depend on. The successful implementation of a program of this nature requiring the cooperation of local, State, and Federal governmental bodies cannot be accomplished overnight. State and local governments have major responsibilities for administering this program. They are solely responsible for determining who is eligible to participate, and for the actual issuance of food coupons. In order for them to provide for orderly and well thought out expansion, it is essential that they have adequate time to provide the necessary financing, the training of personnel, and the preparation of facilities. If the States have reasonable assurance that the program will be continued, they can proceed, as they have been since 1964, with careful and orderly planning.

The existing 3-year authorization has proven adequate to the successful implementation of this program, and I most strongly urge that the House conferees accept the additional 3-year authorization as provided in the Senate bill.

Second, I believe the amounts authorized to be appropriated in the Senate bill are modest when balanced against need, and they will permit the prudent expansion of this program to new areas. Here, again, I believe the House should accept the Senate version.

On the other hand, I believe the Senate prohibition of the use of section 32 funds to finance a share of the cost of this program is unwarranted at this time. Section 32 provides authority to stimulate consumption of agricultural commodities and products not normally used or consumed by persons in low-income groups. Section 32 funds are derived from 30 percent customs collections on all imports, and they are used to purchase agricultural commodities and products for programs such as food stamps, school lunch, and child nutrition. Certainly the balance of accumulated moneys in this fund is in no danger of depletion. I believe the House conferees should insist that section 32 money be used to finance a share of this program, as called for in the House bill.

In conclusion, I again express appreciation for the House and Senate action, and I urge an early agreement by the conference committee. This is a most worthwhile program, and its continued success deserves and requires our prompt, final passage.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CONABLE (at the request of Mr. ARENDS), for the balance of the week, due to death in family.

Mr. KEE (at the request of Mr. STAGGERS), for June 22, 1967, on account of official business.

Mr. KLUCZYNSKI (at the request of Mr. ROSTENKOWSKI), for the balance of the week, on account of illness in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. ALBERT) to revise and extend their remarks and to include extraneous matter:

Mr. WAGGONNER, for 30 minutes, today.

Mr. FEIGHAN, for 5 minutes, today.

The following Members (at the request of Mr. BIESTER) to revise and extend their remarks and to include extraneous matter:

Mr. GUBSER, for 60 minutes, on June 22, 1967.

Mr. KUPFERMAN, for 15 minutes, today.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1432. An act to amend the Universal Military Training and Service Act, and for other purposes.

THE LATE HONORABLE J. ARTHUR YOUNGER

The SPEAKER. The Chair recognizes the gentleman from California [Mr. LIPSCOMB].

Mr. LIPSCOMB. Mr. Speaker, I offer a resolution.

The Clerk read the resolution, as follows:

H. RES. 661

Resolved, That the House has heard with profound sorrow of the death of the Honorable J. Arthur Younger, a Representative from the State of California.

Resolved, That a committee of thirty-seven Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolutions were agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee the following Members on the part of the House:

Mr. Lipscomb.
Mr. King of California.
Mr. Holifield.
Mr. Miller of California.
Mr. Gubser.
Mr. Hosmer.
Mr. Mailliard.
Mr. Moss.
Mr. Utt.
Mr. Bob Wilson.
Mr. Sisk.
Mr. Teague of California.
Mr. McFall.
Mr. Smith of California.
Mr. Cohelan.
Mr. Johnson of California.
Mr. Bell.
Mr. Corman.
Mr. Brown of California.
Mr. Edwards of California.
Mr. Hanna.
Mr. Hawkins.
Mr. Leggett.
Mr. Roybal.
Mr. Talcott.
Mr. Van Deerlin.
Mr. Charles H. Wilson.
Mr. Don H. Clausen.
Mr. Del Clawson.
Mr. Burton of California.
Mr. Reinecke.
Mr. Tunney.
Mr. Rees.
Mr. Waldie.
Mr. Mathias of California.
Mr. Pettis.
Mr. Wiggins.

The Clerk will report the remaining resolution.

The Clerk read as follows:

Resolved, That as a further remark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 6 o'clock and 1 minute p.m.), the House adjourned until tomorrow, Thursday, June 22, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

852. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for U.S. standards and a national inspection system for grain, and for other purposes; to the Committee on Agriculture.

853. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to delegate the function of approving contracts not exceeding $100,000; to the Committee on the District of Columbia.

854. A letter from the Chairman, National Endowment for the Humanities, transmitting a draft of proposed legislation to amend the National Foundation on the Arts and the Humanities Act of 1965; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAHON: Committee on Appropriations. H.J. Res. 652. Joint Resolution making continuing appropriations for the fiscal year 1968, and for other purposes (Rept. No. 374). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Committee on Rules. H. Res. 656. Resolution providing for the consideration of H.R. 10340, a bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes (Rept. No. 375). Referred to the House Calendar.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. S. 20. An act to provide for a comprehensive review of national water resource problems and programs, and for other purposes; with amendment (Rept. No. 376). Referred to the Committee of the Whole House on the State of the Union.

Mr. MESKILL: Committee on the Judiciary. H.R. 10482. A bill to amend section 2733 of title 10, United States Code, to authorize the application of local law in determining the effect of claimant's contributory negligence, to clarify the procedure for appeal from certain claims determinations, and to limit the amount of attorney fees thereunder; with amendment (Rept. No. 377). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 11052. A bill to amend the Universal Military Training and Service Act, as amended, in order to provide for the deferment of police officers from training and service under such act; to the Committee on Armed Services.

By Mr. BURTON of California:

H.R. 11053. A bill to provide for the establishment of the Negro History Museum Commission; to the Committee on Education and Labor.

By Mr. CEDERBERG:

H.R. 11054. A bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 11055. A bill to authorize a program of research, development, and demonstration projects for electrically powered vehicles; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 11056. A bill to provide for the adjustment of annuities payable from the civil service retirement and disability fund; to the Committee on Post Office and Civil Service.

H.R. 11057. A bill to equalize civil service retirement annuities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MONTGOMERY:

H.R. 11058. A bill to amend the Communications Act of 1934 to abolish the renewal requirement for licenses in the safety and special radio services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MORGAN:

H.R. 11059. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. NIX:

H.R. 11060. A bill to reduce from 5 to 4, the ratio of career substitutes to regular employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. TEAGUE of Texas (by request):

H.R. 11061. A bill to amend section 110 of title 38, United States Code, to insure preservation of all disability compensation evaluations in effect for 20 or more years; to the Committee on Veterans' Affairs.

By Mr. WHALLEY:

H.R. 11062. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 11063. A bill to insure that public buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped; to the Committee on Public Works.

By Mr. ASHBROOK:

H.R. 11064. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

By Mr. BURLESON:

H.R. 11065. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. FOLEY:

H.R. 11066. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. HENDERSON:

H.R. 11067. A bill to make certain expenditures by the city of Sanford, N.C., eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. KLEPPE:

H.R. 11068. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. LONG of Maryland:

H.R. 11069. A bill to amend the Federal Power Act to facilitate the provision of reliable, abundant, and economical electric power supply by strengthening existing mechanisms for coordination of electric utility systems and encouraging the installation and use of the products of advancing technology with due regard for the proper conservation of scenic and other natural resources; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL of Massachusetts:

H.R. 11070. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PEPPER:

H.R. 11071. A bill to amend and clarify the statement of the purposes of urban planning in section 701 of the Housing Act of 1954; to the Committee on Banking and Currency.

H.R. 11072. A bill to amend the Economic Opportunity Act of 1964 to authorize community action agencies to expend their funds to construct illumination systems for public recreational areas; to the Committee on Education and Labor.

By Mr. CHARLES H. WILSON:

H.R. 11073. A bill to amend the Federal Airport Act to provide for Federal financial assistance for noise abatement with respect to certain schools located near public airports; to the Committee on Interstate and Foreign Commerce.

By Mr. CABELL:

H.R. 11074. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

By Mr. GONZALEZ:

H.R. 11075. A bill to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act; to the Committee on Public Works.

By Mr. KUPFERMAN:

H.R. 11076. A bill to authorize the Secretary of the Interior in cooperation with the States to preserve, protect, develop, restore, and make accessible estuarine areas of the Nation which are valuable for sport and commercial fishing, wildlife conservation, recreation, and scenic beauty, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MULTER:

H.R. 11077. A bill to prohibit national banks from engaging in the travel agency business; to the Committee on Banking and Currency.

By Mr. RYAN:

H.R. 11078. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments and annuity and pension payments under the Railroad Retirement Act of 1937 shall not be included as income for the purpose of determining eligibility for a veteran's or widow's pension; to the Committee on Veterans' Affairs.

By Mr. MAHON:

H.J. Res. 652. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes; to the Committee on Appropriations.

By Mr. ROONEY of New York:

H.J. Res. 653. Joint resolution designating July 25 of each year as Puerto Rican Day in the United States of America; to the Committee on the Judiciary.

By Mr. McCARTHY:

H.J. Res. 654. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. BROWN of Michigan:

H. Con. Res. 376. Concurrent resolution to express the sense of Congress with respect to an investigation and study to determine the potential of railroad passenger and mail transportation in the United States; to the

Committee on Interstate and Foreign Commerce.

By Mr. TAFT:

H. Con. Res. 377. Concurrent resolution expressing the sense of Congress with respect to the establishment of peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. McCLORY:

H. Con. Res. 378. Concurrent resolution expressing the sense of the Congress with respect to the establishment of peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Illinois:

H. Res. 657. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. CLEVELAND:

H. Res. 658. Resolution expressing the sense of Congress with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. KARTH:

H. Res. 659. Resolution expressing the sense of Congress with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. WHALLEY:

H. Res. 660. Resolution expressing the sense of the House of Representatives with respect to the order of the Secretary of the Army restricting eligibility for burial in Arlington National Cemetery; to the Committee on Interior and Insular Affairs.

By Mr. BURTON of Utah:

H. Res. 662. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 11079. A bill for the relief of Angel Aguilus and his wife, Lydia Solomon Aguilus; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 11080. A bill for the relief of Helen Zammit; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 11081. A bill for the relief of Rashida H. Tejani; to the Committee on the Judiciary.

By Mr. KYROS:

H.R. 11082. A bill to provide for the consideration under the War Claims Act of 1948 of certain claims arising out of the sinking of the U.S. fishing vessel *Snoopy*; to the Committee on the Judiciary.

By Mr. MACHEN:

H.R. 11083. A bill for the relief of Demitrios Exis; to the Committee on the Judiciary.

By Mr. MATHIAS of California:

H.R. 11084. A bill for the relief of Francisco Campos-Gonzales; to the Committee on the Judiciary.

By Mr. STEPHENS:

H.R. 11085. A bill for the relief of Dr. Gomez Rafael Pascual and his wife, Santa Maria de Pascual Yolanda del Carmen; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Graham Rockley Research Academy

EXTENSION OF REMARKS

OF

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 1967

Mr. BRASCO. Mr. Speaker, I would like to call to your attention the developing activities of Dr. Graham Rockley, of Long Island, N.Y., and the Graham Rockley Research Academy. He has developed a concept and seminar instruction in the area of human relationship called power communication. It involves a time and motion study of the personality with far-reaching effects. The broad perspective of the program is a social one, but it has significant effects in business and professional development. His concept of communication reaches below the surface of the ordinary and fills a definite gap in personnel training and it helps people to like people.

The fundamental theme of power communication is the need to appreciate and understand the other's viewpoint as a basis for more effectively projecting your own. The process for appreciating the other viewpoint tends to expand the personality of the individual concerned and therefore increases their susceptibility to a greater association with people. This has the effect of automatically increasing social contacts by making each contact that much more effective. Of course, in the business world it will have the same effect; consideration of the individual will move into consideration of the group. And then more effective communication with the group will result in an expanded group, and so business develops in a somewhat indirect, yet solid fashion. People's lives are changed; when they appreciate the other's viewpoint, they make several changes in their own.

The whole program of power communication has the subtle and powerful effect of making people react differently to situations and environment. They become more willing to be honest in their self-scrutiny, and in this way improve every aspect of their life; at home, in the office, and in social contacts. It teaches how to reach more people and reach them more effectively, and develops consistently high levels of enthusiasm and precipitates conditions for greater rewards. In the business world money is recognized as the byproduct of service but service is understood with a communication foundation, so that people are not superficially satisfied but internally happy. As a result, consumer associations are more lasting and the development of further associations with the particular business or individual is encouraged. It also has a place in the development of charitable activities. People will become more increasingly conscious of others' needs and will recognize a value to themselves in the support of others.

Principles have an application in all phases of our society—business, professional—from the highest to the lowest level. They have the effect of greatly increasing the overall efficiency of any group, no matter what its size. The Rockley program is attracting the attention of educators and newspapers in various sections of the country. There is a fundamental simplicity in the program, and yet outstanding results follow from an application of the personal communication principles. Already, there has been much evidence of many changes in family perspectives, and business and professional activities have not only made more profit, but have gained increased pleasure from the process.

Dr. Rockley is a native of New Zealand and came to this country specifically to further the ideas established in his native country. He has taught seminars in many States and has seen much evidence of considerable progress where his principles are being followed. He is very anxious to make a significant contribution to the national welfare, not only through the seminars he teaches, but with the dissemination of the principles of stronger, broader and deeper personal communication. Educators need it and students profit from it. It involves the development of doctor/patient, business/client rapport and the understanding of the psychological and physiological principles that are identified with the customer/patient/client betterment. Practical application of these techniques will be helpful to persons in every activity that deals with people.

Coming from another country, he feels that he can look more objectively at the personal communication problems we have, and hopes that in some small way, he can contribute to the public good.

Crime Study Bill

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 1967

Mr. McCARTHY. Mr. Speaker, in the past 7 years, the United States has witnessed a 35-percent increase in the crime rate. This means that crime is increasing six times faster than the population.

To combat this rise, there is now a great need to collectivize and coordinate the investigative resources of the Congress to remove some of the burden from the shoulders of the Executive.

Mr. Speaker, I have, therefore, today introduced a bill to establish a joint committee of the House and Senate to investigate crime throughout the United States.

This bill was first introduced by the gentleman from Florida [Mr. PEPPER], and I believe it will effectively implement the necessary collation of efforts in studying the elements, causes, extent, and effects of crime, crime prevention, and crime control.

Carl Lewis Estes

EXTENSION OF REMARKS
OF
HON. RAY ROBERTS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 1967

Mr. ROBERTS. Mr. Speaker, I ask my colleagues to pause for a moment to remember a great American and mourn his passing. On Monday, May 29, Carl Lewis Estes of Longview, Tex., was suddenly taken from this life. Surviving him are his wife; two brothers, U.S. District Judge Joe E. Estes, of Dallas, and W. Neal Estes, of Stanton; and a sister, Miss Mary Lou Estes, of Dallas, and several nephews and nieces.

Mr. Estes was no ordinary man. He was a newspaperman who used his paper as a voice crying out for whatever was needed to benefit his people. But he did not stop with the printed word. He would personally go to bat for the cause of the moment—and usually win.

The Carl Estes story relates one accomplishment after another. During his third of a century in Longview, Publisher Estes initiated and championed many civic and industrial campaigns that benefited the people of the entire east Texas region.

He went to St. Louis and got the Union Station and a modern underpass approved. He came to Washington in search for a new post office and Federal building. When he was told an appropriation of $65,000 would be made, he turned thumbs down, notifying local civic leaders that he was holding out for at least $300,000, in keeping with Longview's needs. This amount, and more, was later provided.

Many east Texas highways have been built because of the push given for them by Estes. He came to Washington and Longview got the $5 million Harmon General Hospital to take care of the sick and the wounded from World War II. Later, it was Estes who blocked the attempt to dismantle the hospital, and eventually turned the site into a technical school. As an outgrowth of this, Longview is now the site of the vast LeTourneau operations.

Returning home after World War II, the publisher with Mrs. Estes covered many thousands of miles in search of industry for the Longview area. He was successful, so successful that Longview now has the Texas Eastman Co., as well as many, many more plants and industries.

One of the chief benefactors of this colorful crusader is the independent oil operator. Carl Estes was the founder of the Texas Oil Journal, a monthly magazine devoted to the petroleum and associated industries with national circulation. He had published it in Longview since 1934, the early boom days of the huge east Texas oilfield.

His newspaper career began in Denison, Tex. Later he went to Commerce, Tex., where he attended East Texas State University and also worked for the Commerce Journal. Prior to acquiring the newspaper properties in Longview, he was general manager of the Tyler, Tex., newspapers owned by the T. B. Butler Publishing Co.

Whatever benefited people, interested Carl Estes. The people across this land, big and little, mourn his passing and offer their sincere sympathy to his family and to those who were closest to him.

Educational Leadership

EXTENSION OF REMARKS
OF
HON. JOSHUA EILBERG
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 1967

Mr. EILBERG. Mr. Speaker it has been the custom at a number of our larger institutions of higher learning in recent years to grant the title of president to men who have been prominent in business life, or to businessmen with many contacts in the affluent world. I can find no fault with this practice, for in our society it behooves educational institutions as well as businesses, governmental units, and households to conduct themselves on the soundest financial basis possible.

I have been pleased, however, to be associated with a university which has decided—for the second time in a row—to choose as its president a man distinguished as an educator. I am pleased as an alumnus. I am pleased as a representative of the people who live in the area it largely serves. And I am pleased as one who worked long and hard for that institution to achieve a special status. For Temple University in Philadelphia has truly become a very special place in the last few years.

Mr. Speaker, the reason for my comments at this time—to get back to the naming of a new president—is the announcement by the board of trustees that Dr. Paul R. Anderson, currently vice president for academic affairs, has been chosen as Temple University's new president.

Before I discuss Dr. Anderson's background, let me relate some of the university's circumstances leading up to this appointment.

Temple University is in every sense a large, urban educational center. Like many institutions of higher learning, its enrollment since World War II has mushroomed. It currently has more than 35,000 students. From its beginning it has served largely the urban student, the commuter, the serious and academically-minded offspring of families which could not meet the price tags of the more prestigious centers of learning.

Perhaps the biggest measure of its success has been its contributions in the form of distinguished alumni who have become leaders of Philadelphia, Pa., and other communities.

Despite the traditional financial problems Temple shared with other oversized but underendowed urban universities some years ago, it decided, upon the retirement of the university's then-president—a nationally prominent Republicant by the way—that even more than its need for new sources of revenue it needed as its president a man who understood academic problems. The man it chose from its own staff at that time is the man who now will retire from that post, a lifelong educator, Dr. Millard E. Gladfelter.

Under an educator's reign, the university grew and thrived, too. And new concepts were worked out—in which I was proud to be able to help—that established a formula for financial existence in Pennsylvania not only for Temple University, but for the University of Pittsburgh and Pennsylvania State University as well. We established a partnership of private and governmental financing to allow student tuitions to be substantially reduced. Such fine institutions as Temple, then could continue to serve thousands of students who otherwise might not be able to afford a higher education. Yet the integrity and fiscal structure of each institution could remain unblemished.

So well does this system appear to be working, and so well has the University thrived in recent years, that on Dr. Gladfelter's pending reretirement the trustees of Temple have decided they could again afford—indeed they could again do no better—than to find the very best man to head the university. Again they reached into their own ranks for a distinguished educator. Mr. Speaker, as someone who has worked with Dr. Anderson in the past, I assure you he will be neither a mere fundraiser nor an academic figurehead.

As the fifth president of Temple University, Dr. Anderson brings a record of 15 years of service as president of Chatham College before becoming Temple's vice president for academic affairs in 1960.

Dr. Anderson is a native of Akron, Ohio, who received has bachelor of arts degree from Ohio Wesleyan University and his doctor of philosophy degree from Columbia University. He also did postgraduate work at the Union Theological Seminary and the New School for Social Research.

He has been teaching since 1928. He taught at the American University in Beirut, MacMurray College, Lake Erie College, Oberlin, Lawrence, and Chatham. He has visited India twice as a U.S. State Department lecturer. He has been a special consultant to the American Council on Education. Dr. Anderson is a past president of the Pennsylvania Association of Colleges and Universities and the Pennsylvania Foundation of Independent Colleges.

Currently he is a trustee of Beaver College and a member of the board of directors of the American Academy of Political and Social Sciences. He is also a member of the American Philosophical Association, the American Association of

University Professors, and the American Association for the Advancement of Science.

Most of all, Paul R. Anderson is a warm human being who will help Temple University prove to the Nation that academic excellence is thoroughly compatible with—can pioneer and initiate—such innovative financial flexibility as partnerships between the private and governmental segments of the society it serves.

Secretary Fowler, Chairman Patman Present Views on Cancellation of $45 Billion in U.S. Securities

EXTENSION OF REMARKS

OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 1967

Mr. EVINS of Tennessee. Mr. Speaker, my distinguished colleague, the gentleman from Texas [Mr. PATMAN], recently circulated a letter to Members taking the position that $45 billion in U.S. Government securities held by the Federal Reserve System should be canceled or retired.

In an effort to obtain the Treasury Department's position, I asked Secretary Fowler his views on the matter, and he takes the position that it would not be wise to dispose of the securities.

This is a most interesting and informative presentation of opposing views on this matter, and in view of the interest of my colleagues and the Nation in this most important financial matter, I am inserting the letters from the gentleman from Texas [Mr. PATMAN] and from Secretary Fowler in the RECORD.

The letters follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 31, 1967.

DEAR COLLEAGUE: Some facts about our monetary policy are so shocking that many good citizens have difficulty believing them.

This is particularly true of the facts surrounding the $45 billion worth of U.S. Government bonds that are sitting in the vault of the New York Federal Reserve Bank as part of the Federal Open Market Committee's portfolio.

These bonds have been paid for once through the use of Federal Reserve notes. One form of Government obligation—Federal Reserve Notes—have been exchanged for another Government obligation—interest-bearing U.S. Treasury bonds.

The shameful facts are that these bonds were not canceled or retired despite the fact that they were paid for in full. Instead, the American taxpayers are compelled to continue to pay interest to the Federal Reserve on these paid-up bonds to the tune of $1.9 billion each year.

Why should the American taxpayers be compelled to pay interest on bonds that have already been paid for in full?

Why should the American taxpayers be required to pay for these bonds again?

Why should these bonds continue to be charged against the national debt when they have already been paid in full?

The U.S. Congress should answer these questions in the public interest. These bonds should be retired now and subtracted from the national debt.

In a few days, H.R. 10328—a bill to increase the ceiling of the national debt—will be coming up for Floor action. This bill should be amended to provide for the cancellation of the paid-up bonds, thus reducing the national debt by about $45 billion.

Please give consideration to supporting such an amendment on the Floor.

With best regards.

Sincerely,

WRIGHT PATMAN.

THE SECRETARY OF THE TREASURY,
Washington, D. C., June 12, 1967.

Hon. JOE L. EVINS,
House of Representatives,
Washington, D.C.

DEAR MR. EVINS: This is in reply to your request for a comment on a letter dated May 31, 1967, which you received from Congressman Wright Patman.

In his letter, Mr. Patman recommends cancellation of $45 billion of U.S. Government securities held by the Federal Reserve System in order to reduce the national debt and save the interest payments now being made on these securities.

We would question, however, whether the proposal would accomplish these objectives. And we believe that it could have undesirable effects which it would be much better to avoid.

First, as to the proposed saving of interest payments, it should be kept in mind that the Federal Reserve returns to the Treasury most of the interest payments it receives on its portfolio of Government securities. In calendar year 1966, for example, the Federal Reserve received $1,851 million in interest on Treasury securities; and returned to the Treasury $1,649 million—89% of the amount received.

While the Federal Reserve used some of its interest receipts to cover operating expenses in 1966, those expenses would have to be met in some other way if the Federal Reserve held no Government securities. Thus it is not clear to me that the present arrangements cost the taxpayer any more than the proposed alternative.

As for reducing the public debt, the proposed cancellation of Government securities held by the Federal Reserve raises some serious problems. One is the question of providing backing for Federal Reserve notes—the nation's main form of currency in circulation. Federal Reserve notes outstanding are the number one liability item in the Federal Reserve's balance sheet ($40.2 billion out of total liabilities at the end of 1966 of $70.3 billion). The main asset item for the Federal Reserve is their holding of Government securities—$44.3 billion at the end of 1966.

If $45 billion of Federal Reserve-held debt were to be cancelled, the Federal Reserve would not hold sufficient assets to back its liabilities in the form of currency. In this case, the Federal Reserve notes could be considered as a primary obligation of the U.S. Government rather than of the Federal Reserve. It could follow from this that Federal Reserve note currency in circulation would be part of the gross debt of the United States, although not subject to the debt limit under existing statutes.

Besides, I do not believe that the cancellation of existing debts is the kind of policy that our Government should pursue. While the move has been suggested only in regard to the Federal Reserve's holding of Treasury issues, even in that limited area a move of this kind could tend to impair confidence in our debt obligations, our currency, and our national financial management.

While Mr. Patman's letter says that the bonds purchased by the Federal Reserve have been "paid in full" when the Federal Reserve buys them, it does not seem to me that this payment is the same as the repayment that occurs when the Treasury pays off a debt at maturity. The Federal Reserve, as established by the Congress, keeps separate accounts from those of Treasury, and that arrangement seems appropriate to me. There is no more reason to cancel the Federal Reserve's holdings of Treasury obligations than there would be to cancel the holdings of Treasury securities in Federal Government trust accounts such as the Social Security or Unemployment trust funds.

In short, we see no significant advantage to the proposal that the Treasury debt held by the Federal Reserve be cancelled, and believe instead that such a step could be harmful.

Sincerely yours,

HENRY H. FOWLER.

Flag Desecration

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include last week's public service television and radio newscast, "The Kee Report." The subject discussed is desecration of our flag.

The report follows:

This is Jim Kee, bringing you the Kee Report.

Recently, there was an outdoor meeting in New York sponsored by those citizens who oppose American participation in the Vietnamese war. There was nothing illegal about this meeting because the right of dissent is as old as the Constitution itself. Even in time of war, the citizen has a right to express his views—provided he is not guilty of giving aid and comfort to the enemies of our country.

But suppose we take a closer look at what happened at that New York meeting. This gathering went far beyond the mere expression of protest. What happened there will shock every American who has pride in his country and his flag. The speakers at this anti-war meeting denounced, in the strongest terms, the President of the United States and the Secretary of State. They denounced the policy of our Government in the most violent and offensive terms they could think of. And then they went beyond the mere expression of opinion.

A few young men were invited to burn their draft cards publicly, which they did. As a final act to this shabby drama, the flag of the United States was burned to the jeers of thousands of onlookers.

The newspapers reported that on the day this sorry event took place, several American lads were killed defending this same flag in the far-off jungles of Asia. Yet these flag burners escaped bodily harm at the hands of indignant citizens because under the American system, even flagrant wrong-doers are protected against mob action.

This incident in New York revealed a glaring weakness in our legal system. There is no Federal law against desecrating or defiling the flag of the United States. The punishment for that offense is left to the individual states. Unfortunately, the punishment in most states is inadequate and too often, there is no prosecution at all. The reason is that the practice of flag burning is of very recent origin.

To fill this gap, I introduced legislation during the 89th Congress and in this Congress, the 90th Congress, which, it is my earnest hope, will be enacted into law at this Session of Congress. I am pleased to report that the appropriate committee granted me an opportunity to testify in behalf of this proposed legislation. This proposed law says this:

"Whoever publicly mutilates, defaces, defiles, tramples upon, or casts contempt, either by word or act, upon any flag, standard, colors, or ensign of the United States shall be punished by imprisonment of not more than five years and a fine of not more than $10,000."

The foregoing statute is necessary because the flag does not belong to any individual state. To millions of our citizens, our flag is the sacred emblem of our political rights. In this century alone, millions of young Americans have fought under our flag at the four corners of the globe. Since the United States became a nation, nearly one million young Americans have died in wartime to keep our flag floating in the skies.

The motive of the flag burners, of course, is to outrage the patriotic feelings of their fellow Americans. Too often, in the past, they have been able to get away unpunished or by the payment of a small fine. But the threat of five years in prison should be enough to discourage the flag burners.

Thank you for listening.

Where Do We Grow From Here?

EXTENSION OF REMARKS

OF

HON. ELFORD A. CEDERBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 1967

Mr. CEDERBERG. Mr. Speaker, Central Michigan University is celebrating its 75th anniversary this year. Senator ROBERT P. GRIFFIN, a distinguished alumnus of this great institution, delivered the commencement address.

I commend this excellent address to the attention of my colleagues in the Congress:

WHERE DO WE GROW FROM HERE?

President Foust, distinguished officials and guests of the University, members of the faculty, graduates of this 1967 class and ladies and gentlemen:

As a proud son of this University—and as the husband of one of its daughters—let me say that no honor could be more meaningful or more satisfying than the honor of participating in this significant commencement program.

At the same time, I want to assure the graduates here that I have not forgotten what it's like to be on *your* end of a commencement exercise.

I realize full well that I now stand as the last obstacle between you and your diploma. I promise that I shall be reasonably brief. At least, I pledge that there will be no filibuster.

Of course, this is a very important day in your life. It is also an important day in the life and history of Central. This impressive number of graduates is testimony to the remarkable growth that our university has experienced in the 75 years of its existence.

I suspect that there are few people around today who remember when the "Central State Normal School and Business Institute" was established in 1892—when 13 students and two instructors began operations in Mt. Pleasant, in second floor rooms over what was, for many years, the Smith Drug Store.

It has been said that a school consists of a teacher surrounded by his pupils. While this is essentially correct, we know that a school can do a much better job if adequate facilities surround the students and teachers—and if a school has able administration and leadership.

In addition to those who receive their diplomas today, I wish to salute the distinguished President of our University, Dr. Foust, and such distinguished predecessors as Dr. Anspach. They deserve not only recognition but great credit for the remarkable progress of this institution, and for the impressive stature it has attained in the academic community. Throughout the 75 years of its existence, Central has been fortunate to have had outstanding leadership provided by able and courageous presidents who have been dedicated to the task of building a great institution—this University from which you, justifiably, can be proud to graduate.

From our limited human vantage point, the span of three-quarters of a century seems very long. And yet, on reflection, we realize that a period of 75 years is but a moment on the clock of history.

On an occasion such as this, it seems altogether appropriate to pause and briefly turn the clock back over the years during which this University has grown to maturity. For though "all things change, nothing perishes" (Ovid, Metamorphoses) and, as the general theme of Central's 75th year proclaims . . . "by long seeking, mortals make progress in discovery."

Not many years ago, when the former British Prime Minister, Sir Winston Churchill, acknowledged a resolution by Congress making him an honorary citizen of the United States, he spoke of the future in these terms:

"Our past is the key to our future, which I firmly trust and believe will be no less fertile and glorious. Let no man underrate our energies, our potentialities, and our abiding power for good . . ."

This message has been put in simpler terms. A story makes the rounds in Washington about a tourist who has out to see the sights of the Nation's Capital from a taxi cab. As he went by the Archives Building, he happened to notice these words carved in marble: "What is Past is Prologue". He asked the cabbie what those words meant, the cabbie scratched his head for a moment and said: "Well, I'm not exactly sure—but I think it means 'you ain't seen nothing yet.' "

Only 75 short years ago the Central State Normal School and Business Institute was born in a nation still buzzing with excitement about the surrender of Geronimo (two years earlier) in the last major battle with the Indians.

Grover Cleveland was campaigning against Benjamin Harrison for the Presidency.

China was in the headlines then, too—charged with persecuting foreigners, mostly missionaries; and many voices were urging outside intervention.

Cholera was killing 300,000 Russians.

In 1892, a boat carrying railroad cars across Lake Michigan began operations between Kawauee, Wisconsin and Frankfort, Michigan.

In Detroit, dreams about a horseless carriage were beginning to materialize.

But then, some of the concerns of 1892 were of a more timeless variety. For example, the women's section of one national magazine lamented that half of civilized humanity was being dictated to in the choice of wearing apparel by "so-called fashion—instead of common sense."

A few years later, the Mt. Pleasant paper carried a story that Central's Dean of Women had appealed "to all young women living in apartments with outside stairways to vacate them and take rooms with families interested in their welfare."

In 1892, Americans were shocked to learn that Congress, for the first time, had appropriated more than *one billion* dollars. Who would have predicted then that, 75 years later, the President of the United States would be calling upon Congress for appropriations of *135 billion dollars?*

The world in which you graduate today is not only different than the world of 1892—but the contrast would appear fantastic to those who first cracked their text books over the Smith Drug Store.

In our world of 1967, women not only vote, but they hold high public office—one is the Prime Minister of India, and another is the senior U.S. Senator from the State of Maine.

Our space program has achieved a soft landing on the moon; and despite serious setbacks, I believe Americans will be on the moon's surface before you bachelor degree graduates can earn your doctorate.

Our world includes Beatles, soul music, trans-world television programs, "black power", student protest demonstrations and mini-skirts.

Our world of 1967 is all this—and much more.

In the seventy-five years since Central's birth, the United States has not only become a world power, but its influence is so enormous that decisions made each day in Washington bear directly or indirectly on the lives of billions of people all around the globe.

With good reason, the world is on edge today, and every day—anxiously awaiting the next move by the United States with respect to the situation in the middle east.

Throughout history there have been times which tried men's souls; and recent events in the area of the Mediterranean and Red Seas, compounded by weary frustrations on Vietnam, leave no doubt that you are graduating into such a time.

As we meet today, the wisdom of some of our basic policies as well as the effectiveness of institutions, on which we have relied so heavily to maintain hope for world peace, are being severely tested.

To be sure, graduating classes as far back as anyone can remember have shared a concern about the future. But the class of 1967 is entitled to an uncommon concern because you graduate in uncommon circumstances.

Somehow, despite wars and threats of war, our Nation has managed not only to survive, but to thrive on the changes of the last 75 years. Of course, there are pessimists today who question whether we can possibly survive the next 25.

Looking toward the future, we are challenged not only by the perplexing problems of war and peace, but also by the rapidly accelerating pace of change itself.

It has been reported that the creator of Buck Rogers quit drawing his famous comic strip because his imagination could no longer stay ahead of actual scientific accomplishments.

We stand in the midst of an explosion of science and technology. Engineers are told today that they must expect to be retrained as many as four times during their working years.

Rapid changes are taking place in the make-up of our population. Earlier this year, while attending a meeting at the White House, I listened to Secretary of State Dean Rusk discuss the difficulties we face in structuring a durable peace in the world. At one point Secretary Rusk referred to the lessons we learned during World War II. Then he paused in his presentation and called attention to a fact which those in my generation too often tend to overlook—the fact that almost half of the population today can't even remember World War II.

Think of it—those who are being born today will live *most* of *their* lives in the 21st century.

By 1970, a majority of American people will be 25 years of age or younger.

Is it any wonder that many businessmen

and politicians beam their public relations efforts toward the young people?

During the last campaign I used the slogan, "*Youth and Experience.*" For some reason my wife seems to delight in reminding me that I won't be able to use *that* slogan six years from now.

Although we do face an awesome array of problems and challenges in our world of 1967, like Robert Browning, I'm an optimist. You'll recall that Browning wrote: "Grow old along with me: the best is yet to be."

I'm convinced that there is plenty of reason for optimism so long as our system and our institutions continue to produce, in the ranks of our young people, potential *experts* and potential *leaders* of the quality we honor here today.

If history is a race between education and catastrophe, then we can take heart from the fact that important team strength is being added by this outstanding class.

On the other hand, I believe it is important to sound this note of caution: education that is limited to the more accumulation of facts and knowledge will never win such a race.

Recently, the Secretary of Health, Education, and Welfare. Dr. John Gardner, expressed his concern that, although our system is producing a wealth of technical experts in almost every field, we tend to immunize a high proportion of our most gifted young people against any tendency toward leadership.

More and more, our highly complex society seems to demand the sort of intense specialization that leads gifted young people away from broad leadership roles.

We are educating the technical expert who will advise the leader. We are developing the intellectual who will stand off and criticize the leader.

But Dr. Gardner is concerned about whether we recognize the importance of producing leaders.

My generation produced scientists who have created bombs and missiles which are capable of destroying the world. Will your generation be able to produce leaders with the perspective, vision, and wisdom to guide those who already have their finger on the triggering mechanism?

Thomas Jefferson once said that "if a nation expects to be ignorant and free in a state of civilization, it expects what never was—and never will be." But I suggest that it is important to add this advice from Dr. Arthur Umschield:

"Human freedom can perish as readily in a classroom . . . as in a nuclear holocaust. . . . A more profound mastery of science and mathematics will not avail a people who loose the ability to govern themselves."

It is this ability to govern ourselves, dependent upon an enlightened sense of direction and purpose, which our educational institutions must help to develop if our system is to survive.

Those of us who have inherited freedom—who have been born and reared in an atmosphere of liberty and Constitutional rights—would do well to recall frequently that freedom has not been the natural order of things throughout the history of mankind. Indeed, for every decade in which man has enjoyed a measure of freedom, there have been centuries when he lived in economic and political bondage.

Toynbee has reminded us that great civilizations usually commit suicide. And the clear implication is that our civilization will follow historical precedent.

"But," Toynbee has said, "we are not doomed to make history repeat itself, it is open to us, through our efforts, to give history some new and unprecedented turn . . . It is up to us."

When he received the Nobel Prize in 1950, William Faulkner said, "I decline to accept the end of man." He continued, "I believe that man will not merely endure: he will prevail. He is immortal, not because he alone among creatures has an inexhaustible voice, but because he has a soul, a spirit capable of compassion and sacrifice and endurance."

Someone has said that education is "a controlling grace to the young, consolation to the old, and ornament to the rich."

The challenge today is before you. We stand, a great nation, in the midst of changes unimagined a short time ago." Much more than a controlling grace to ornament your lives, your education is the very basis of hope for the future.

Shortly before he died, General Douglas MacArthur expressed to members of another graduating class the hope that their educational experience had been more than a mere accumulation of facts and knowledge. (With a paraphrase or two) he said, I hope your education—

". . . has molded you for your roles as custodians of the Republic;

That it has taught you to be strong enough to know when you are weak, and brave enough to face yourself when you are afraid;

That it has taught you to be proud and unbending in honest failure, but humble and gentle in success;

To learn to stand up in the storm but to feel compassion for those who fall;

To have a heart that is clear and a goal that is high;

To master yourself before you seek to master others;

To learn to laugh, yet never forget how to weep;

To reach into the future, yet never neglect the past;

To be serious, yet never to take yourself too seriously.

And, finally—in all these ways—that it has taught you to be a good citizen of your country and the world.

Ohio Savings and Loan League

EXTENSION OF REMARKS

OF

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 1967

Mr. TAFT. Mr. Speaker, the Ohio savings and loan industry is a vital, growing business that helps the stability and economy of the State of Ohio. More important, savings and loan associations help Ohioans attain some of life's most cherished goals.

On this the 100th anniversary of the State's first savings and loan association, I am proud to extend best wishes and congratulations to the Ohio Savings and Loan League and the many savings and loan associations in the Buckeye State. The industry has come a long way since the first savings and loan charter was issued on February 20, 1867. It has grown to have assets totaling $10,450,000,000. During 1966 owners of some 3,850,000 savings and loan accounts received cash payments or credits to their accounts of more than $400 million in earnings. Twenty-two of the top 150 savings and loan associations in Ohio are located in Hamilton County.

The Ohio savings and loan industry, through the Dayton plan, has made an outstanding contribution to the Nation's savings and loan community as a whole. The Dayton plan has come to be the pattern of savings and loan operations practiced throughout the United States today.

Sixth Grade Class of Chinquapin Elementary School of Bluff City, Tenn., Attains Perfect Attendance Record

EXTENSION OF REMARKS

OF

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 1967

Mr. QUILLEN. Mr. Speaker, I am real proud of one of the sixth grade classes in my district, and I want to take just a minute to tell the Members of the House of the outstanding record that the 22 members of this class of Chinquapin Elementary School in Bluff City, Tenn., achieved.

During the 1966–67 school year, these 22 students and their teacher, Mrs. Betty Combs, attended every class day, which totaled 3,850 days of perfect attendance. This broke any previous national record that has ever been set.

As a reward for their efforts, the 22 students came to Washington for a weekend, and I was happy to arrange many tours for them.

I again congratulate Principal Worley F. Glover, Mrs. Combs, each of the students, and their parents, and I hope that they will be back in Washington next year as seventh graders with another perfect attendance record.

Mr. Speaker, under unanmious consent I include at this point in the Record the article from the Washington Evening Star on the class' trip to Washington, together with a letter from Principal Glover explaining the tributes paid to the class, my telegram of congratulations, and a list of the students who set this outstanding record:

[From the Evening Star, Washington, D.C., May 22, 1967]

ENTIRE CLASS SCORING PERFECT ATTENDANCE

BRISTOL, TENN. (AP)—The countdown has started for Mrs. Betty Combs' sixth-grade class at Bristol's Chinquapin Elementary School. "R-Day"—that's "Record Day"—is Saturday, June 3, when the school year ends.

Miss Combs' 22 pupils hope to finish the entire session without a single class member having missed so much as one day of school. As of Saturday, the streak was 164 days—with 11 school days remaining.

Can they make it? The folks at Chinquapin Elementary think so. They are, in fact, so confident they're holding a special awards program for the sixth-graders Wednesday—10 days before "R-Day."

TRIP TO WASHINGTON

Letters hailing the feat have been mailed in advance—to President Johnson and Vice President Humphrey, among others.

The Parent-Teachers Association has raised enough money in a fund campaign to send all 22 members of the class to Washington, D.C., for a tour.

Naturally, good luck has figured in the kids' achievement. That, and lots of determination.

Only a few days ago one of the sixth-graders fell and suffered a severe hand cut after school hours. The children held their breaths—but he showed up next day with a big bandage on his hand.

PARENTS AFFECTED

The youngsters' parents have been affected, too. Many called off out-of-town trips for pleasure or business because the kids insisted they didn't want to miss a day in the classroom.

One sixth-grader, Alan Owens, had an extended visit from his grandmother because of the attendance streak. She came down from Springfield, Ohio, planning to stay a few days. She stayed on and on because Alan's mother and father couldn't leave town to drive her back home.

Principal Worley Glover says if Miss Combs' class finishes the year with perfect attendance "it will be an unparalleled distinction. We don't believe it could have happened before."

CHINQUAPIN ELEMENTARY SCHOOL,
Bluff City, Tenn., May 16, 1967.

Hon. JAMES H. QUILLEN,
Representative,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE QUILLEN: Knowing that you are interested in and concerned about the school drop-out problem facing the nation, I felt you would appreciate the fact that one class has had perfect attendance for an entire school year. The twenty-two members of the Sixth Grade class of Chinquapin Elementary School, Bluff City, Tennessee, and their teacher, Mrs. Betty Combs, have attended school all this 1966–67 school year. This makes a total of 3850 days of perfect attendance and breaks any previous national record that has ever been set.

A special recognition program for this class and their teacher is to be held on May 24 at 1:00 P.M., in the school cafeteria with lunch being served. Educational and governmental representatives will be present to participate in the presentation of awards. All proceedings are to be covered by newspaper, radio, and television personnel. The school P.T.A. is awarding the class a trip to Washington, D.C. on May 26 and 27.

We extend to you a special invitation to be with us on this occasion. If you can possibly work it into your schedule we would be extremely honored and the children will be overjoyed, for they are counting so much on your presence. Your outstanding work as a Representative has been kept before the students here and there is definitely a special feeling for you in their hearts and great respect from the patrons of our school and citizens of our community. This is magnified especially at this time because of your present efforts relative to the Bill that would bring to the Flag of our country the respect to which it is due. We are thankful for one who sees the Flag in its proper perspective, a living symbol of our country.

In Washington the class will be staying at the Airport Motel, Arlington, Virginia. We plan to take them on tours during the two days that would prove advantageous to their growth in knowledge of government procedures and places of historic significance in the District. Any help that you could give in facilitating these tours and providing passes to places they would profit in visiting would be deeply appreciated. Thank you for any consideration and recognition that you may give to this class for their outstanding achievement.

Yours truly,
WORLEY F. GLOVER, *Principal.*

MAY 22, 1967.

SIXTH GRADE CLASS,
Chinquapin Elementary School,
Mr. Worley Glover, Principal,
Bluff City, Tenn.:

Even though I cannot be with you on Wednesday to express my congratulations in person on your perfect attendance record, I want you to know that my thoughts and best wishes are with you all.

Each and every one of you are certainly to be commended, and I join your teacher, your principal, your parents, the other members of the faculty, and the officials of your school in extending my very best on this very memorable occasion.

You, your teacher, and your school have accomplished a record which will be the envy of every other class in the State of Tennessee and throughout the Nation.

As your Congressman, I want each and every one of you to know that I am proud of you. I look forward to seeing you in Washington Thursday so that I can tell you in person the things that I have mentioned in this telegram.

JAMES H. QUILLEN,
Member of Congress.

STUDENTS

Perry Aldridge, Glenda Baker, Vickie Black, Lydia Caudill, Bradley Cross, Lewis Combs, Donald Dye, Vickie Glover, Norman Graybeal, George Gross, Jackie Hyatt, James Lane, Joann Malone, Vicki Malone, Lynn Morrell, Edna Nickles, Lynn Nickles, Allen Owens, Harold Reed, Norma Cox, Karen Dunn, Loyd Ealey, Ellen Jenkins.

PRINCIPAL

Mr. Worley Glover.

TEACHER

Mrs. Betty Combs.

Community Leadership Conference on World Problems—IV

EXTENSION OF REMARKS
OF

HON. JONATHAN B. BINGHAM

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 21, 1967

Mr. BINGHAM. Mr. Speaker, as previously reported, at the February 22 community conference in my district, a panel discussion was held on the world problem area of the Middle East. Such distinguished authorities as H. E. Avraham Harman, Ambassador of Israel to the United States; Kemal Karpat, associate professor of comparative governments and international relations at New York University and a citizen of Turkey; and Rabbi Israel Miller of the Kingsbridge Heights Jewish Center, former president of the American Rabbinical Council and currently chairman of the American Zionist Council, participated in the panel which was moderated by Hon. William L. Cary, professor of law at Columbia University and former Chairman of the Securities and Exchange Commission. Their remarks, which are of particular interest in the light of recent events, are summarized below:

PANEL ON THE MIDDLE EAST

The moderator of the panel discussion on the Middle East was Hon. William L. Cary, professor of law at Columbia University and former Chairman of the Securities and Exchange Commission. The first speaker was H. E. Avraham Harman, Ambassador of Israel to the United States.

Ambassador Harman stated that the Middle East is, and has always been, an area of great diversity. This diversity has created several sources of conflict.

One of the sources of conflict relates to the attempts to impose on a section of the area, if not the whole of it, a dominant hegemony. In the world the search for international unity has proceeded along two paths. There have been attempts to impose a world order by a hegemony of a country, a race, or a language. This path always leads to world conflict since military methods are used and they are resisted. The other path is that followed by the U.N. This path recognizes diversity and allows different peoples to express their own personality as they choose. This path is one of peace and harmony.

The Middle East is not a monolith, with its many nationalities, religions, and languages. A hegemony cannot be established there.

There are two historic forces at work within the Arab world, Ambassador Harman went on to say. There is the historic desire for Arab unity. But there is also the insistence on the separation of Arab statehood. State consciousness resists the idea of an overriding political unity. Attempts to impose a hegemony within the Arab world will continue to result in armed conflict. Yemen is an example of this fact.

A second conflict engendered by a desire for hegemony is the Israel-Arab conflict. The Arab States do not recognize Israel as a state, do not want to do so, and envisage a future without Israel. Israel will not accept this policy and will use force to resist force.

In 1947, the U.N. began to examine the problem of Palestine. There then existed two national communities, each with a right to self-determination, and each mature enough to govern itself and also all of Palestine. Neither side was completely satisfied when the U.N. attempted to follow a path of peace through partition. Israel did not like the partition, but cooperated since peace was worth the price. By December 1947, the Arabs used force to resist and continued to fight until the middle of 1949. In 1949, four armistices were established. These form the legal and political basis for today's reality and a future peace. All the armistices say that the countries will work peacefully to solve problems. The agreements also set the boundaries and state that the territory of each country will not be used as a base for warlike acts.

However, hostility still exists; hostility of the Arabs to Israel, but not vice versa. Israel's policy is one of peace and Israel would like to work with the Arab nations on common policies and problems.

In today's U.N. the members cannot tolerate a doctrine of hostility. A state of war is incompatible with the U.N. Charter and the armistices. It is the duty of the Arabs, as members of the U.N., to terminate the state of war. The desire of the Arabs to change the borders or destroy Israel by force is also against the precepts of the U.N. The great powers agree that this doctrine is unacceptable. They also recognize, as does the entire U.N., that a conflict in the Middle East could spread throughout the world.

There are no basic problems not capable of speedy resolution once the state of war ceases and the Arabs acknowledge that change can only be through peace and mutual agreement.

Another basic problem is created by the social and economic reality of the Middle East. The area has been greatly lived in, and has been much used and abused through history. Today, it needs a process of renewal—of land, of water resources, of economy—in order to advance the interests of its people.

The regional effort needed to effect the renewal is now diverted by the conflicts mentioned before. However, these conflicts could be eased by disarmament, especially if a world disarmament occurred. The lethal weapons are all imported, and a world disarmament would cut off the supply.

Ambassador Harman concluded by saying that all the peoples of the Middle East have a great stake in cooperation. The end of conflict would release much energy to help the region and let the area again become as important to civilization as it once was.

The next speaker was Kemal Karpat, associate professor of comparative governments and international relations at New York University, and a citizen of Turkey.

Professor Karpat stated that he would discuss the Middle East's problems and the U.S. interest there. It is necessary to understand the internal forces working in the area today and the possible impact of those forces on foreign policy to understand the Middle East.

Most important internal forces are two ideologies—nationalism and socialism.

Nationalism has had both internal and external implications. Internally, the first phase of Arab modernization has been a search for a modern political life and a political apparatus capable of meeting the aspirations of the peoples. The establishment of several Arab States was the immediate result of those aspirations. The external manifestation of Arab nationalism is seen in the attempts to secure and maintain internal sovereignty and to promote self-interest by pragmatic policies.

The final goal of Arab nationalism is to establish one Arab State.

As used in the Middle East, socialism is a loose generic term for economic and social reform. The Arab nations desire to achieve economic sufficiency. They also wish to rearrange group relations within society so as to best use all resources. The ultimate goal in this area is to achieve social justice. It should be explained that Arab "socialism" is basically non-Marxist.

In the United Arab Republic, due to socialism a workers group has been established, a large civil and military bureaucracy has come into being and the peasants have been mobilized. Aspirations and material expectations have been created far beyond the capacity of the system to fulfill. The United Arab Republic will soon be faced with the problem of choosing either full state control or other political alternatives to solve economic problems. Some Marxists want to create an integral socialist system as an alternative.

Basically, however, the United Arab Republic is a pluralistic society. It is not prepared in its ideology and its structure for full Marxist socialism. It would probably prefer a relaxation of controls and assurance that the socialist system will not destroy its way of life.

President Nasser is an important force in this regard, Professor Karpat stated, but he is probably a nationalist using socialistic means to further his nationalistic aims. If Nasser could be forced to choose today, he would probably follow the pluralistic course with its implications for policies with regard to the West.

Relations among Arab States have been affected by socialism. Socialism has disrupted much of the unity orientation created by Arab nationalism. Socialism has laid bare the social and political differences among various Arab societies. It has undermined various interests based on those differences.

A cleavage has developed between the monarchies and the republics based on social differences. Also, a cleavage has occurred among the republics reflecting the social differences in various nations. Syria has recently swung to the left, but it is likely to be forced back to the right. Syria seems unable to develop a stable government or unifying philosophy and has become unpredictable in its policies.

Iraq also was unpredictable, but now it seems to have properly appraised its own heterogeneous society and taken a midway course based on self-interest.

Strong Arab organizations, such as the Arab Socialist Union, seem to have had their immediate chances of success destroyed by emphasizing socialism to the detriment of national unity. But unity and Nasser's leadership are still alive, though faced with great obstacles.

The civil strife in Yemen, where the United Arab Republic is alined against Saudi Arabia, is likely to have lasting impact. The situation includes an intervention in the internal affairs of another state, and an attack on other states. It ignores Arab brotherhood and has created a government by force without sufficient support. It is an attempt to modernize a traditional society by force, and appears to be more costly than it is worth.

The development of a modern political structure in Saudi Arabia may have a very important effect. Saudi Arabia is the center of Islam and contains the purest Arabic element. But it had failed to exert leadership so far because failure to create a modern bureaucracy and military organization until Nasser's challenge forced it to adopt new methods of military and civilian administration. It had relied on sheer religious identification, which was not enough. Potentially it is a great power in the Arab world, and the consequences of its political development could be great: it would eliminate competition in the Arabic peninsula and create a new political subsystem which may determine the political fate of Yemen and Aden; it would make the peninsula and its oil resources relatively immune to the vicissitudes of Arab policies. But political modernization in Saudi Arabia would create a military and intellectual group sharing the nationalist-socialist aspirations of other Arab intellectuals and speed up the establishment of a republican regime.

Turkey is different from the rest of the Middle East. Turkey's intelligensia are today moving away from the West. The new large and aggressive middle class with political power has replaced the old elite, who now look to socialism as a means to regain power. Also, the Cyprus crisis has influenced the intellectuals greatly. Turkey was not allowed to enforce its binding treaty rights and found that NATO restricted its freedom, while Greece was free to aid President Makarios. The West exaggerated the military and economic dependence of Turkey. As a result, Turkey has moved toward an accommodation with Russia and is attempting to improve her relations with the Balkan nations. Turkey's relations with the other Arab nations have improved also.

Turkey is still committed to the West through NATO and CENTO, but an effective partnership in these bodies depends on restoring Turkey's confidence in the West and the United States in particular.

Internally, Turkey is growing quickly and has achieved better civilian-military relations than existed in the past.

The Middle East, in general, seems destined again to become a playground for the great powers. Though Chinese influence has been minimal so far, a detente between the United States and U.S.S.R. might cause the Arabs to support China as an alternative to any agreement the two great powers may reach to the detriment of the Arabs.

The Middle East is important for Soviet-Sino relations. It should be remembered that the central Asian regions disputed by the U.S.S.R. and China are actually inhabited by Turkic people. Both sides will try to neutralize or use the appeals of Turkey and Iran to the peoples of central Asia who have linguistic, religious, and cultural ties with Iranians and especially the Turks.

The United States should review its Middle East policy in the light of the changes I have outlined and in light of the Soviet-Chinese dispute.

The commentator on this panel was Rabbi Israel Miller of the Kingsbridge Heights Jewish Center, former president of the American Rabbinical Council and currently chairman of the American Zionist Council.

Rabbi Miller based his remarks on the idea that the world is diverse and yet one. The large powers have interests in the Middle East which are frequently in conflict.

The U.S. interests are those of all people of good will, to help develop the area and help it achieve its own fulfillment. Peace is needed to accomplish these goals.

We should look at values as well as events, especially in relation to the Arab-Israel conflict. Israel and the United States have an identity of values—freedom, democracy, self-fulfillment, and the government as the servant of the people.

The basic U.S. interest is peace. The United States should use all diplomatic means to brings the two sides to a peace conference. Such a peace settlement would allow the resources of the Middle East to be used for the benefit of the people of the region. The United States should give aid only to be used for development. It should try to achieve a rapport with the U.S.S.R. to allow peaceful development of the area.

QUESTIONS

As the Arab States reach a more mature phase, will their attitude toward Israel change?

Answer. By Ambassador Harman:

> A change will occur when the Arab states realize that their top priority problem isn't Israel, but internal problems that won't be solved by destroying Israel. Also, when the Arabs realize that it isn't possible to destroy Israel, then an accommodation can occur. This change will be a gradual process and will take a long time.

What is the U.S. role with respect to armaments in the Middle East?

Answer. By Ambassador Harman:

> The United States doesn't like nations spending resources on competitive armaments. Neither does Israel. Israel has never introduced a new element of weaponry in the Middle East. Its defense policy is not military superiority but to maintain a minimum sufficient to deter aggression. Russia supplies most of the Arab arms and a U.S.-U.S.S.R. disarmament agreement would help lead to an Arab-Israeli disarmament. Until that goal is reached, however, Israel cannot allow imbalances to develop.

What compensation has Israel offered to refugees? What is the Arab counter-demand?

Answer. By Ambassador Harman:

> The Arabs originally wished to talk about refugees as an independent issue, but Israel wished to speak about it as part of the peace problem. Israel has been flexible and has made many efforts to discuss the issue. The Arabs insist that the refugees be allowed to return to Israel and hence make Israel an Arab country. But Israel won't accept likely fifth-columnists. Rather it is willing to compensate the Arabs whose property was taken, while the Arabs absorb the refugees. This absorption process is occurring today, and if resettlement in Arab countries were allowed, the process would go faster. Also, Israel would expect that the property left behind by the 800,000 Jewish refugees from Arab nations it has accepted would be considered in the final account. However, as of now no one is willing to discuss any of the alternatives Israel has raised.

Railway Labor Dispute

EXTENSION OF REMARKS

OF

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 21, 1967

Mr. BROWN of Ohio. Mr. Speaker, what is happening today in our Nation with regard to the impending rail strike can only be referred to by historians as "An American Tragedy." We may all be writing the beginning of the last chapter of free collective bargaining in the United States—a chapter which no one wants to write but to which everyone has contributed by this abdication, individually and collectively, of the responsibility which each participant has in this tragedy. I know not where the greatest guilt lies, but it must be shared by management and labor, the executive and the legislative branches of Government and the American people at large.

Responsibility must be shared by both railroad management and railroad labor, not only for their failure to bargain effectively but for their failure to give up any of their intransigence in order to salvage free collective bargaining, or even to salvage some voluntary kind of binding arbitration.

The union leaders are trapped in economic and political circumstances. They claim skilled railway labor frequently is paid less than the high rates being earned by labor with similar skill titles in other national industries. But these rail union leaders for years have encouraged compression of wage rates by winning across-the-board increases of so many cents an hour for all workers, whether skilled or unskilled. The leaders now find themselves obliged by restlessness within the ranks of skilled rail union labor to reverse their field and go into negotiations asking for wage differential increases that seek for the skilled higher increases in wages than for the unskilled. Otherwise, their own leadership or the solidarity of their union membership may be threatened.

But the unions are intransigent in their resistance to management insistence that a complete evaluation of industry skills must be made to determine which railroad workers should be paid for real skills and which for skills more honored in the title than in the responsibility. This is not a new problem for railway labor leaders, who hold their jobs at the pleasure of the union members who covet the security of their individual jobs. They have fought for years against the elimination of jobs which management claims have been made obsolete by modernization of equipment and methods. Job evaluation raises the question of "featherbedding"—a word which raises blood pressure and reduces reason in minds that are public-oriented as well as those oriented to management or labor.

And on their side, too, the rail industry management has been intransigent by insisting upon nationwide collective bargaining that attempts to hold down on wage increases and get evaluation of job skills. After all, in this highly regulated privately-owned industry, cannot the management obtain relief on rates and services from Uncle Sam's Interstate Commerce Commission so as to virtually assure a reasonable profit margin wherever wage rates wind up?

Such an oversimplification is given the lie by the fact that a number of railroads face serious operating difficulties under present circumstances. And a substantial portion of those difficulties come from competitive means of transportation—many of which are also federally regulated. Higher rates or reduced services, as a result of higher wages without resulting operational efficiencies, might price the railroads further out of the competitive market. With reduced services and high costs, the passenger market has already flown—or motored—away along with a part of the U.S. mails. To be uncompetitive in freight hauling might further degenerate the rail system of our Nation.

And it is precisely because it is a system made up of many lines that the small and large, the weak and strong, have joined together to bargain with the unions which are also nationwide. A strike against a small line, even one that is not an integral part of a through system, could permanently lose customers to competitive means, just as a nationwide strike might lose customers to competitive haulers or to the economic havoc that a protracted nationwide strike could create.

So both parties to the collective bargaining process have contributed their share of intransigence to this "American Tragedy." But it is the American people who will suffer the most should there be a rail strike, and their elected leaders must assume their responsibility for this impending tragedy.

The prospective failure of collective bargaining to function in this case has been apparent since the first of this year; but it was predictable long before that. Our President did predict it and called national attention to the fact in his state of the Union message of 1966—that something must be done about strikes which would be damaging to the national economy or the national interest.

And make no mistake, the railroads are not the only industry which has such an impact. A national truck strike, a national dockworkers' strike, a national communications strike, a national coal strike, a national steel strike, a national auto workers' strike and many more, could have such a deleterious effect on the national economy that the national interest and economy might be adversely affected to an extent that those who feel personal responsibility for maintaining the Nation's economic health might feel obliged to act.

So, what has happened and will happen in connection with this rail strike has a direct bearing on all labor negotiations in our Nation, make no mistake.

But legislation to deal with nationwide strikes apparently is not easy to write without endangering votes. And so, no proposal of a substantive nature to prevent the kind of crisis in which we now find ourselves has ever been presented by President Johnson or any spokesman for his administration or his political party. The leadership responsibility incumbent upon the officeholder best equipped by the array of advisers available to him has not been exercised. Either in the naive hope that the problem would not have to be faced, or in the sincere hope that it would encourage the exercise of responsibility by labor and management at an early stage of the crisis, the President has apparently preferred to deal with one crisis after another, rather than to seek a permanent legislative means to avoid the crisis. The Republican leadership in Congress reminded him of this dereliction in its 1967 state of the Union message when they sought a balanced commission of experts to make recommendations on national emergency strike legislation.

The only real proposal the President has come up with has been House Joint Resolution 559 which his spokesmen have dubbed "mediation to finality" to meet the instant strike threat and defer it until safely after the 1968 presidential election. But "mediation to finality" is only a credibility gap for compulsory arbitration. And it is only supposed to be applicable to this one dispute—in spite of the fact that it could become a backdoor method of getting Congress to share the blame for setting a precedent that will become binding as the years go by.

In spite of that obvious danger and the personal repugnance of what is clearly compulsory arbitration in this case—no matter how temporary it would hopefully be—many Members, including myself, have been willing to support the President's proposal based on the clear and desperate statements from his administration concerning the national emergency crisis our Nation would face were there to be a rail strike at this time.

Within the last hours of the consideration of this legislation, the administration has even had the temerity to have various Cabinet officers call Members of Congress to advise them of the desirability of resolving this crisis temporarily, according to the President's suggestion. But, sadly, the urging has not always been with reference to the national interest. Occasionally, it has been with reference to the political interest of the individual Member of Congress because of the economic dangers to his particular District.

The responsibility of the Chief Executive, it seems to me, should not be merely to resolve the day-to-day crises of his own administration with reference to his own popularity or the political dominance of his own party. His responsibility should be broader-gauged and larger in view than that. It should be to seek lasting solutions to continuing problems.

If the President has avoided that responsibility, the Congress has abdicated its responsibility in this regard, also. Rather than bemoaning three miserable choices, leadership in the Congress should have been able to undertake consideration of some kind of legislation to provide a method for resolution of this continuing problem.

But this is a political hot potato Democratic Congresses and administrations have steadfastly avoided since the Wagner Act. Only the Taft-Hartley Act, born in a Republican Congress, and the Landrum-Griffin Act, born in a Congress with a slim Democratic majority under a Republican Administration, attempted to deal with our Nation's growing labor problems on a permanent basis. Attempts were made after the passage of both pieces of legislation to establish them as political issues, but both have stood the test of time and changing political winds. Sooner or later we must have the courage to tackle a permanent answer of some kind. While the substitute amendment of Representative BILL BROCK, of Tennessee, was properly ruled not to be germane to this immediate emergency measure, the germ of a solution may be found in it which could prevent such emergency legislation. Whether it is found in Mr. BROCK's legislation or not, it must be found. Today's congressional politicians seem reluctant to get involved in such touchy problems. But as a result, they find themselves facing sooner or later in this crisis, the impossible political choices of compulsory arbitration, seizure, or a nationwide rail strike.

With the most natural of human tendencies—unwillingness to face up to unpleasant choices—the House of Representatives Thursday did what it has twice before done, put off a decision in the hope that intransigent management and intransigent labor would somehow get together and revive collective bargaining which, if it was ever really alive in this case, died on April 25. I should be happy to be proven wrong, but after listening to weeks of testimony before the Interstate and Foreign Commerce Committee, I am convinced that neither side will bargain in this case.

The obvious impossibility of segregating defense materials in our complex economy for handling during a rail strike which would halt everything else, makes a "partial strike" an impossibility. And, on the testimony of administration experts about our defense needs for Vietnam and other possible international commitments, a strike of even brief duration might be unduly damaging to our national interest in the world. It is easy to say that such statements are overdrawn, but this attitude is too risky a doubt to tolerate, in my view.

It is also easy to say, "if the Congress does nothing, there will be no strike"; but such assurances have no shred of evidence to back them and much to argue against them in the hearings before my committee.

Finally, to provide for seizure is to judge the case and penalize only the railroads for their intransigence. It does not even penalize the management much, because they are employees, too. Rather, it penalizes the owners of corporate stock throughout the Nation. It is a solution which presumes that arbitration in this case would be unfair to labor or antilabor and promanagement. No evidence of this has been substantiated. For Congress to feel that arbitration would not be as fair to labor as it is to management in view of the complex problems facing both rail management and labor in this industry is to presume that the case of labor is the only case for consideration. To make such an irresponsible decision in the Congress is as much an abdication of responsibility as to make no decision at all.

But if there has been an abdication of congressional responsibility, there has also been an abdication of public responsibility on the part of the average citizen. Few letters will come in from the Main Street merchants on this strike until after the strike has begun and the goods for their stores fail to arrive. Few objections from the locals of the unions of other industries will be heard until after a record vote has been cast for compulsory arbitration. And few objections from management leaders of other industries will be heard until after the record vote for seizure is cast and they decide that if the U.S. Government can seize the rail industry it can seize their businesses, too, in the name of national interest.

And so, a portion of the abdication of responsibility must be borne also in this situation by the average American citizen and the public information media. The latter has sent more of its membership to Europe with the late President's widow on her vacation than were found in the Gallery at the moment the House voted on House Joint Resolution 559.

A brief strike could so clog the flow of needed supplies to Vietnam that some Americans will die there as a result of the accumulated irresponsibility of railroad labor, railroad management, the administration, the Congress and the people of this country.

If future historians write of the decay of the free American system, they will certainly not leave out a footnote about this crisis. If they write about the maintenance of free collective bargaining in America through this time of the growing complexity of the national economy, they can only do so if someone finds a permanent solution to such crises as this.

Labor, management, the administration, the Congress, and the American people must seek a solution, or this crisis will indeed have been an "American Tragedy."

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 22, 1967

The House met at 12 o'clock noon.

Rev. Hensel E. Hendrickson, Trinity Evangelical Lutheran Church, Bismarck, N. Dak., offered the following prayer:

Let us pray:

Dear Heavenly Father, as a prelude to this day's labors, we would turn our thoughts to Thee.

Help us not to think higher than we ought of our own achievements, but learn to count as success that which is accomplished to bring glory to Thee and hope to fellow man.

Keep us in tune with Thee so that what we lack in faith, we will not make up in frenzied activity.

May each one of us, individually and corporately, be led by Thy Spirit to reflect the truth that as our Nation has been blessed so we have the mandate to be a blessing to the many of our Nation and of our one world who look to this place for guidance.

In the name of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on June 13, 1967, the President approved and signed a bill of the House of the following title:

H.R. 6950. An act to restore the investment credit and allowance of accelerated depreciation in the case of certain real property.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate disagrees to the amendment of the House to the joint resolution (S.J. Res. 81) entitled "A joint resolution to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Yarborough, Mr. Morse, Mr. Randolph, Mr. Pell, Mr. Nelson, Mr. Kennedy of New York, Mr. Williams of New Jersey, Mr. Javits, Mr. Prouty, Mr. Fannin, and Mr. Griffin to be the conferees on the part of the Senate.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON FISHERIES AND WILDLIFE, COMMITTEE ON MERCHANT MARINE AND FISHERIES TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Fisheries and Wildlife of the Committee on Merchant Marine and Fisheries may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON ELECTIONS, COMMITTEE ON HOUSE ADMINISTRATION, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Elections of the Committee on House Administration may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, will there be anyone here this afternoon for the debate on the pending legislation?

Mr. ALBERT. It is my understanding that most Members will be here.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON FEDERAL-AID HIGHWAY PROGRAM, COMMITTEE ON PUBLIC WORKS, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Federal-Aid Highway Program of the Committee on Public Works may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TREASURY AND POST OFFICE DEPARTMENTS, EXECUTIVE OFFICE OF THE PRESIDENT, AND INDEPENDENT AGENCIES APPROPRIATION BILL, 1968—APPOINTMENT OF CONFEREES

Mr. STEED. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7501) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1968, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? The Chair hears none, and appoints the following conferees: Messrs. Steed, Passman, Addabbo, Cohelan, Yates, Mahon, Conte, Robison, Bow, and Mrs. Reid of Illinois.

RUSSIAN BEAR

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, to have listened to the Soviet Union make use of infantile invective in the Security Council debate on the Middle East has been a most distressing experience. Surely it was to have been expected that a great power would have wanted to display to the world that it is capable of employing the accents of civilized exchange. It is incredible that a nation which seeks to influence world opinion should have adopted tactics of such low intellectual content as to alienate thinking men and women of good will. The world has been subjected to such a lack of finesse as to bring into the minds of all small nations a most frightening vision of the Russian Bear, who crushes even as he embraces. The U.S.S.R. fought the adoption of a cease-fire resolution until it became unmistakably clear that Israel was the indisputable victor.

I am not speaking of the Soviet's obvious bias. The bias looms so large as to hardly need comment. What I am speaking of is to my mind the tragic display—in full-blown view—of the raging, the vituperation, so like that of a child in a tantrum.

I speak in true sorrow because it is so disheartening that one of the major powers could have so little regard for the opinions and sensibilities of thoughtful people.

RESPONSIBILITY OF THE UNITED STATES IN SOUTH VIETNAM ELECTIONS

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, the people of South Vietnam will go to the polls in September in the exercise of a fundamental right: the right to select in free elections the country's chief executive officers and legislators.

The United States has the unquestionable responsibility to support self-determination for the people of South Vietnam.

Therefore, I am introducing a resolution in Congress providing that six Representatives and three Senators go to Vietnam to observe the elections and protect the honesty and impartiality of the voting.

The presence of these representatives of Congress will serve as a deterrent to challenges to the freedom of the electorate, from without or from within.

Their presence will also reaffirm our responsibility to aid the people of South Vietnam in the protection of their right to self-determination.

FLAG DESECRATION BILL

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I take this time to make crystal clear my intent, and I believe the intent of most, if not all, of the membership in connection with the passage on Tuesday of the flag desecration bill, H.R. 10480. As one of the sponsors of this legislation, I believe it is also no secret that in the committee I moved to add the word "burning" to the group of offenses against the American flag which the Congress intended to prohibit. In addition, the Committee of the Whole House on the State of the Union adopted another amendment on page 1 by adding the word "knowingly" on the motion of the gentleman from Pennsylvania [Mr. BIESTER], so that the offenses which we intended to prohibit were described in the following language:

> Whoever knowingly casts contempt upon any flag of the United States by publicly mutilating, defacing, defiling, burning, or trampling upon it shall be fined not more than $1,000 or imprisoned for not more than one year, or both.

The parliamentary situation which developed resulted in the words "knowingly" and "burning" being omitted from the final version of the bill as passed. As I stated to the membership immediately prior to the time when the Committee rose, I advocated and recommended a vote on the bill which included those two words. I am confident that most, if not all, of the Members of the House intended their vote to include that language. Certainly there was nothing said in the Committee or on the floor of the House prior to the passage of the bill which would have indicated to the membership that those words were not included.

Accordingly, it is my hope that in the consideration of this legislation by the other body due respect for this language will be given and that the intent of the membership of the House as I have described it will be recognized.

Mr. BIESTER. Mr. Speaker, will the gentleman yield?

Mr. McCLORY. I yield to the gentleman.

Mr. BIESTER. Mr. Speaker, I am glad that the gentleman has made this statement and I wish to associate myself with his statement.

QUALIFICATIONS OF FEDERAL JUDGES

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, more and more people are complaining to their Congressman, and each other, about the nature of decisions being rendered by our courts.

The most recent decision of J. Skelly Wright, of the U.S. Court of Appeals of the District of Columbia, has brought a new rash of demands by the public that "something be done about these goofy judges" who think they have the power to legislate by judicial mandate.

Everybody talks about the increase in crime, except Attorney General Ramsey Clark who merely tries to wish it away. It is becoming increasingly clear the preoccupation of protecting the "rights" of criminals has superseded the interest of the overwhelming number of the members of society that are respectable, law-abiding citizens. This philosophy seems to be "judicially inspired" by numerous split decisions by the U.S. Supreme Court and inferior courts.

About the only way to restore some semblance of reason in the thinking of the judges of this country is to try to apply some guidelines, or set basic qualifications for those who may serve in the judiciary in the future. Today, they are negligible.

Accordingly, Mr. Speaker, as I have in previous sessions, I am introducing legislation to accomplish this result and I trust the chairman of the Judiciary Committee will set prompt hearings.

A "MINI-LIFE" FOR THE "MINI-GRANT"

Mr. MATHIAS of Maryland. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, yesterday was the first day of summer, and it seems that the heat has already gotten to the Office of Education.

Yesterday I received a notice from the Office of Education announcing a new concept in Federal funding—the "mini-grant." Appropriately this great step forward is made through title III of ESEA, which is devoted to innovative projects.

When I first saw this announcement, I had a vision of "mini-grants" as very small grants for tiny programs to serve very little children—plagiarizing, of course, the modern educational styles of Carnaby Street.

I was glad to learn that this image is not accurate, but is only the product of a strained sense of humor. It seems that "mini-grants" are actually substantial projects with serious purposes. The four very welcome grants approved yesterday for my district total $70,443 and are for curriculum revision, science instruction, and aid for delinquent boys. They seem to be called mini-grants only because the Office of Education was able to process them without regard to the deadlines which larger applications must observe.

Mr. Speaker, it would be most unfortunate if such worthwhile projects were belittled by a foolish and misleading label. If this practice persists, we may soon have mini-highways, mini-schools, mini-dams, and even mini-missiles.

I urge my good friend, Commissioner Howe, to be sure that the term "mini-grant" will have mini-life.

POLITICAL ACTIVITIES OF THE COMMUNITY ACTION COMMITTEE OF THE OEO

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, on January 23, 1967, I wrote the Honorable Sargent Shriver, Director of the Office of Economic Opportunity, asking a question directed to me by one of my constituents about the propriety and legality of the local community action committee engaging in controversial political issues.

On March 3, I again wrote Sargent Shriver and asked him if he would respond to my initial letter.

On March 15, I received a letter from the Honorable Sargent Shriver telling me that personnel matters were local responsibilities. However, he would have the regional Great Lakes office look into the matter and report to me. Why it took him 7 weeks to give me that information I do not understand.

But here it is, June 22, 1967, Mr. Speaker, some 5 months after my initial request, and I still have not received a reply. This could hardly be called "running a tight ship."

FRAGRANCE OF ROSES IN THE HOUSE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, ordinarily I enjoy the fragrance of roses, and once in a while I untie the several knots of my purse strings and buy my wife a small bouquet. But the fragrance in the House yesterday during consideration of the debt ceiling was a little heavy—the fragrance from the rose garden over at the White House.

Also, Mr. Speaker, I am going to look around today in the House Chamber to check on the walking wounded. Yesterday, I tried to find the space in the Capitol where the arm splints were being applied, but I could not locate it.

I will be looking again today.

SETTLEMENT OF THE CURRENT RAILWAY LABOR MANAGEMENT DISPUTE—APPOINTMENT OF CONFEREES

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (S.J. Res. 81) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employeees, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, FRIEDEL, DINGELL, PICKLE, RONAN, ADAMS, SPRINGER, DEVINE, CUNNINGHAM, and KUYKENDALL.

NOMINATION?

Mr. HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, I insert at this point in the RECORD the following letter to the editor, printed in the June 18, 1967, issue of the Joplin, Mo., Globe:

NOMINATION?

To the GLOBE:

Seems like it is about time for Stokely Carmichael to be awarded the Nobel Peace Prize.

A. P. RUSSELL.

JOPLIN, MO.

THE ESTABLISHMENT OF A JUST PEACE IN THE MIDDLE EAST

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I invite the attention of the House to the statesmanlike quality, the clearness, and the logical aspects of the address of our Ambassador to the United Nations, the Honorable Arthur Goldberg, which he so effectively delivered on June 20. In my opinion, his outline of our Government's plan for the successful institution of peace in the Middle East indelibly stamps upon our side of the controversy, our genuine desire for peace.

I think, Mr. Speaker, we should be grateful as a nation to be represented in the United Nations by a man of the superb statesmanship of Arthur Goldberg. We are deeply indebted to President Johnson for putting him there as our representative in that great assembly, which has upon its shoulders the responsibility for establishing peace in the world.

In this respect, Mr. Speaker, I am saddened by the fact that the Soviet Union evidently will not sincerely join in the establishment of a just peace, but from the words and actions of her Premier seeks to use the United Nations as a sounding board for propaganda which aims to advance, even if indirectly, her own selfish interests.

SECOND ANNUAL REPORT OF THE OFFICE OF ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 136)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor and ordered to be printed with illustrations:

To the Congress of the United States:

I am pleased to transmit the Second Annual Report of the Office of Economic Opportunity.

Poverty defies simple description. It is a cycle which begins with an infancy of deprivation, continues in a youth of hopelessness, extends to a jobless adulthood, and finally ends—for those who survive—in a bleak and despairing old age. At every stage, the conditions of life are poor housing, inadequate education and training, deficient health care, and often, gnawing hunger.

When we began our concentrated effort to eradicate poverty in America less than 3 years ago, we knew that no single program could accomplish so complicated a task. We knew that the campaign would have to be waged on many levels and in many ways.

We knew that a coordinated attack led by a single Office of Economic Opportunity would be necessary.

We knew that—if the cycle was to be broken—the keys would have to be opportunity and self-help.

We knew that the Federal Government could not undertake alone the programs which would offer opportunity and encourage self-help. Initiative would have to come from, and responsibility be shared by, the communities in which poverty festered.

The programs of the Office of Economic Opportunity are built upon these principles.

This report provides heartening evidence of the substantial progress this Nation is making on the entrenched patterns of poverty. In fiscal 1966—

Seven hundred and thirty-three thousand young children from poor families were given a chance to make a decent beginning in life through the Headstart program.

Five hundred and twenty-eight thousand jobs were made available by the Neighborhood Youth Corps, enabling disadvantaged youths to stay in school or prepare for meaningful employment.

Fifty-seven thousand four hundred and thirty young people, once lost and forgotten in our society, found new confidence and new skills with the Job Corps.

More than 20,000 high school students from poor homes received the educational help they needed to go on to college through Upward Bound.

More than 335,000 adults began to overcome illiteracy with basic educational instruction.

Three thousand five hundred and ninety-two VISTA volunteers helped communities across the land undertake needed self-help projects.

More than 1,000 lawyers provided legal services in 43 States, showing that the law can serve the poor as well as it serves the rest of society.

The list of statistics goes on. All point to the same basic fact. These programs are sturdy ladders in the deep well of poverty where millions of Americans have been trapped. And—despite the crippling effects of a lifetime of deprivation—many have been able to begin the long climb up. But the real story lies behind the statistics, in the individuals who have escaped from hopelessness and despair and are contributing to our society far more than they have received.

All Americans can take pride in the solid advances that have been made. As disease can be conquered, as space can be mastered, so too can poverty yield to our determined efforts to bring it to an end.

But our pride cannot obscure the job that remains to be done.

During the past 2½ years, these programs have reached some 8 million of America's poor. But some 24 million of our impoverished fellow citizens have not yet been reached.

The challenge that remains with us is to insure that all Americans share in the prosperity of our land.

A light has been turned on. We must keep it aglow.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 22, 1967.*

CALL OF THE HOUSE

Mr. WYDLER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 149]

Ashbrook
Ashley
Bolling
Brock
Brown, Calif.
Burton, Utah
Cabell
Carey
Carter
Conable
Dawson
Diggs
Edmondson
Fino
Ford, William D.
Fraser
Giaimo
Gibbons
Goodling
Hansen, Wash.
Hathaway
Hawkins
Hays
Herlong
Johnson, Calif.
Kee
Kluczynski
Kuykendall
Long, La.
Meskill
Moore
Nichols
O'Hara, Mich.
Pool
Rooney, N.Y.
Roush
St. Onge
Schneebeli
Skubitz
Thompson, N J
Williams, Miss.
Wyman

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 388 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SEVEN YOUNG LOUISIANA LADIES

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, this morning I had the pleasure of meeting personally in my office with seven young ladies from my congressional district who were recruited to work for the Department of Health, Education, and Welfare in Washington, and whose names and addresses are as follows:

Glynne Mouton, Lafayette, La.
Jeanne Klumpp, Lafayette, La.
Carmen Hebert, Lafayette, La.
Jerrilyn Guidry, Lafayette, La.
Janet Hebert, St. Martinville, La.
Sue Daigle, Lafayette, La.
Carole Wise, Lafayette, La.

Having successfully passed a civil service examination, these young ladies are working for their Government, either as clerk-typists or clerk-stenographers.

I was tremendously impressed with the neat, charming, and attractive appearance of these young ladies and highly impressed with the fact that they are not only conscientious workers but that they are all taking advantage of their stay in Washington to visit places of interest in the Capital and to familiarize themselves with the operation of the functions of our Government, thereby preparing themselves not only to become future leaders in their respective communities but better and more dedicated citizens of our great country.

NATURAL RESOURCES OF THE SUBSOIL AND SEA BED OF THE CONTINENTAL SHELF

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, in 1945, President Truman, taking view of the growing value and future needs of the resources of the Continental Shelf, made the following proclamation:

> Having concern for the urgency of conserving and prudently utilizing its natural resources, the government of the United States regards the natural resources of the subsoil and sea bed of the continental shelf beneath the high seas but contiguous to the coasts of the United States as appertaining to the United States, subject to its jurisdiction and control.

This proclamation was followed by similar actions by other countries around the world with one glaring distinction: they also claimed the water above the Continental Shelf as appertaining to themselves.

Panama, in 1946, claimed sovereignty over its Continental Shelf, the air above it, and for fishery purposes, the water between. And Chile, a year later, with no appreciable Continental Shelf, simply laid claim to the sea bottom and the water and airspace above it for a distance of 200 miles from shore. Peru, Ecuador, Costa Rica, El Salvador, and Honduras made similar claims to sovereign control over a 200-mile offshore belt in 1947 also.

Our claim to the resources of the Continental Shelf, which gained quick international sanction, includes, in addition to minerals, sedentary creatures of the shelf—such as crabs. Why have we failed to extend our claim over the waters above the Continental Shelf? Why must we draw a line between creatures who swim above the shelf and those who crawl on it? They are both creatures of the ocean and are equally important to the future needs of this Nation. Both are worthy of protection from foreign exploitation.

Currently, the flood tide of exploitation by foreign fishermen of the fishing stocks of our coastal waters coupled with the growing world demand for fish and the diminishing status of our fish industry demands that we take effectual legislative action to assure this Nation of fulfillment of its future needs and proper place in the world fish industry.

While the fishing fleets and the catches of foreign nations continue to grow in accordance with the growing world demand for fish, the United States, since 1957, has dropped from second to fifth place among nations in total world catch, accounting for less than 6 percent of the world catch in 1963 as opposed to 13 percent in 1950. Not only have we failed to keep abreast of this growing world demand for fish, but we have also greatly contributed toward the mounting foreign dominance of this industry by allowing foreign fleets to exploit our coastal waters and by importing approximately 50 percent of the edible fish consumed in this country. In other words, Mr. Speaker, in many instances we are buying back from foreign nations—in various forms—the fish that they may have gathered from our coastal waters.

Therefore, Mr. Speaker, I am introducing today a bill to amend the 12-Mile Fishing Zone Act to provide for an exclusive fishing zone over the entire Continental Shelf. I strongly believe that the time has long since arrived for this Nation to legally harness, for our own future use, the Continental Shelf, comprising some 10 million square miles of rich fishing area. If we are to regain our rightful status in the world fish industry and meet our future needs for food, we must take legislative action now to insure this.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS UNTIL MIDNIGHT TONIGHT

Mr. PEPPER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight to file certain privileged reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, and on behalf of the able gentleman from New York [Mr. DELANEY], I call up House Resolution 656 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 656

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10340) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Astronautics, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Ohio [Mr. LATTA], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 656 provides an open rule with 3 hours of generate debate for consideration of H.R. 10340 to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The total authorization recommended in the bill is $4.9-plus billion—a reduction of $107,818,000 in NASA's request. The recommended authorizations for the three main categories of the bill are: research and development, $4.2-plus billion; construction of facilities, $66.9-plus million; and administrative operations, $648.2-plus million.

The largest single program in the research and development category is the Apollo lunar program for which $2,521,500,000 is authorized. This authorization is $25 million less than requested and $446 million less than was authorized for the program last year.

For the Apollo Applications program, $444.7 million is authorized, a reduction of $10 million from the request.

For advanced mission studies, $6.2 million is authorized, a reduction of $1.8 million from the request. For the balance of the programs under research and development a total of $1.3-plus billion is authorized.

The construction of facilities program is a small one by comparison with past years and the $66.9-plus million authorized is $9.72 million less than requested.

The $648.2-plus million authorized for the administrative operations is $23,094,000 less than the amount requested.

As we all know, it is essential that NASA go forward with the Nation's space program.

Mr. Speaker, I urge the adoption of House Resolution 656 in order that immediate consideration may be given to the bill H.R. 10340.

Mr. LATTA. Mr. Speaker, today this House is faced with a request for approximately $5 billion for the space program. Having read the 194-page report of the committee, including some 34 pages of dissenting opinion, I have come to the conclusion that if this House really wants to do something about reducing spending during this Congress, this is our opportunity.

From reading the report and listening to the testimony before the Rules Committee, it has become very clear there is money in this requested authorization for programs NASA cannot even define.

With all of the problems facing us on earth today, with the war going on in

South Vietnam, with a war on poverty here at home, with needs increasing daily for education, health, et cetera, and with all the requests we have—including that of yesterday, increasing the debt limit to $365 billion, so we can pay our bills—it seems to me we must carefully scrutinize every single item in this space request. Today, we have an opportunity to reduce the spending in this Congress without hurting any existing or defined program carried on by NASA. If NASA cannot spell out for this Congress and the American people for what it is going to spend taxpayers' money, I do not believe we should appropriate it.

I am going to point out certain questionable items as I go along that appear in the committee's report. I now want to pay my respects to the gentleman from New York [Mr. RYAN]. I want to call attention to his dissenting views on this bill, beginning on page 159 of the report.

I need not tell the Members, Mr. Speaker, that politically the gentleman from New York and I are poles apart in our thinking and voting. In fact, about the only time we ever vote together is on a motion to adjourn.

But today I say this gentleman deserves the attention and the gratitude of the House for his dissenting views and for going into this bill in the way he has.

I speak likewise of the gentleman from Pennsylvania [Mr. FULTON], the ranking minority member on the committee, who has pointed out areas in which this bill can be cut without hurting the program one iota.

We learned yesterday before the Rules Committee that the Apollo program, if the authorizations and appropriations are made as requested in this bill, at the end of this fiscal year will have consumed $18 billion of the taxpayers' money. This is $18 billion on one single project, and we still are not even close to getting to the moon.

If this disturbs the Members, let me cite another request in the bill which may disturb you more. I refer to the Apollo applications program, $444 million.

Yes; I said $444 million, and NASA cannot even explain where the major portion of this money is going to be spent.

As I understand it, the gentleman from Pennsylvania [Mr. FULTON] will offer an amendment at the proper time to strike some $250 million from this particular request and it will not slow down nor impede the space program in any way as NASA cannot even state what the money is to be used for, other than to say that it will be used for items needed after we reach the moon. I say, let us reach the moon first.

I should like to call attention to the dissenting views of the gentleman from New York [Mr. RYAN] in which he says, with regard to the Apollo applications program:

> Another new request this year, with much larger immediate budget impact and equally questionable justification, is the Apollo applications program. This project, which according to conservative estimates will cost the Nation at least $5 billion in the next 5 years * * * In other words, the committee is recommending an experiment to determine not whether, but how we should thereafter proceed to spend, say, $200 billion for space missions which have not yet been determined to be in the national interest. In reviewing the basic information to be derived from Apollo applications, we may ask if much of the data collection could be less expensively performed by unmanned satellites, and if it otherwise duplicates information to be gathered by the Department of Defense's manned orbiting laboratories.

So says the gentleman from New York.

The gentleman from Pennsylvania says, on page 166 of the report, with regard to Apollo applications:

> I strongly oppose the request of $444,700,000 for NASA's Apollo applications programs for fiscal year 1968.

Now get this, Mr. Speaker:

> These are funds intended to support programs and missions not yet specifically defined.

"Not yet specifically defined." NASA cannot even tell you what it is going to spend that much money for, but here it is before the Congress and the American people asking for $444 million.

Mr. Speaker, I say it is high time for this Congress to say stop, look, and listen on these authorizations. I know Members of this Congress, when they were out in their districts seeking votes, were saying, "We are going to vote for economy in the Congress if you elect us." Well, today is the time to prove to the people back home that you meant it.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield to me at this point?

Mr. LATTA. Not at this point, but I will at the conclusion of my remarks.

Today you have an opportunity to tell the people back home—and they just happen to be the people paying the bills—that you are voting for economy in Government by supporting the amendment that will be proposed by the gentleman from Pennsylvania [Mr. FULTON].

Let us go on to another program. On page 160 the gentleman from New York [Mr. RYAN], at the bottom of that page, points out:

> As an example, in advanced research and technology, NASA requested, and the committee approved, $47 million for a major flight hardware program, the NERVA engine. In fact, just the engine program alone will cost the Nation $1.5 to $2.0 billion in 10 years; moreover, it is justified on the basis of an unspecified deep space mission which will probably cost 100 times the cost of the engine.

At that point let me point out to you how, in my humble judgment, we have gotten to the place we are today in the Apollo program. We learned yesterday before the Committee on Rules that Congress really cannot cut the request for the Apollo program for some $2.5 billion. Why? Well, the answer was given that contracts—contracts, if you please—have already been let on which your Government is obligated and these expenditures must be made. I say to you, how can NASA obligate this Congress in such a manner? If we proceed in the same way that we have been proceeding in the past, we will be finding ourselves in the same bind next year and the next year and the next year and we will have no control, absolutely no control, over these authorizations, because proponents will say to us contracts have already been let and Congress is obligated. Now, I did not come here to permit NASA to legislate for me, and I am sure you did not, either.

Let me speak about recouping some of the money lost by reason of the terrible fire which occurred last January 27, where we lost three brave and wonderful men. The Nation was deeply sorrowed, as was this Congress. Yesterday, we learned that some $75 million was also lost. Fires do not just happen, this fire did not just happen. There was negligence some place, or else we would not have had that fire. We have had numerous investigations, but it seems as though we cannot put our finger on who was responsible. But it seems with $75 million involved, somebody ought to put their finger on somebody, whoever that may be.

Speaking about the $75 million, are they requesting $75 million here to make up for that loss? No. They did not have to. Why? Because NASA just happened to find $75 million already in the program that it did not really need but which had been appropriated. So NASA did not make a $75 million request to make up the loss caused by the fire.

I say to you, Mr. Speaker, there is a lot of fat in this authorization and it behooves you and me as Members of this Congress to cut it out.

Mr. Speaker, I do not feel that we ought to look upon this space program as something that we really cannot amend, that it is beyond our realm of thinking, that we cannot understand it; and that we cannot exercise our own judgment in the matter.

I think we ought to say to this agency, as we say to every other agency of Government, "Prove your case—prove your case—do not come in here with a lot of Moon hoopla and say give us the money and don't ask any questions."

It is my opinion that NASA ought to have to prove its case, and when it fails to do so—and I think it has failed to prove its case for all of the $444 million asked for in the Apollo Application section—I think we should reject it.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I would prefer to yield at the conclusion of my remarks.

Mr. Speaker, just think what this Congress and this Nation could do with this $444 million.

I can remember as can you, that a couple of years ago President Johnson asked for and we were asked to support a so-called crash program in order to eliminate cancer, heart disease, and stroke. Do you remember that? To date, we have not gone very far in succeeding toward ridding ourselves of these illnesses—illnesses that cause a good many deaths in America.

Mr. Speaker, it seems to me if we really had to spend that $444 million, we could spend it toward research and possible cure of cancer, stroke, and heart disease, rather than some nebulous, undefined program that will take place when—and I emphasize this point—

and after we get to the moon. This money is to be spent on hardware after we get to the moon. No one knows when we are going to get there. But we have heard now that that date has been put back a few more years, and I say, as the gentlemen from New York and Pennsylvania have pointed out, if we spend this money perfecting these vehicles and this hardware today, it might be out of date when we get to the moon.

Now, Mr. Speaker, I shall be pleased to yield to the chairman of the Committee on Science and Astronautics who has done an outstanding job in cutting down the request of the Department. He has cut the request to the extent of some $117 million, and I salute the gentleman for his efforts. However, I do feel that a lot more money could have been cut from this bill.

Mr. MILLER of California. Of course, Mr. Speaker, I wanted the gentleman from Ohio to yield to me at the particular time when the gentleman was very dramatically and forcefully making a statement to the effect that everyone of us last year went out and campaigned and said that we would like to save money.

I just want to tell the gentleman from Ohio, that if his statement is correct to the effect that 434 Members of the House of Representatives did that, I, for one, did not make such statement and that I do not like to be quoted by the gentleman to that effect.

Mr. LATTA. Well, I hope the gentleman from California leaves that remark in the RECORD.

Mr. MILLER of California. The gentleman from California will be very happy to leave that in the RECORD. What does the gentleman from Ohio think of that?

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Speaker, I do not think anything could be more unfair to the space program—Space Committee—than has been the statement of the gentleman from Ohio.

Mr. LATTA. I thank the gentleman from Texas very much. If pointing out where several millions of the taxpayers' dollars can be saved is being unfair, then I choose to be unfair to the space program and not to the taxpayers.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Iowa.

Mr. GROSS. What figure did the gentleman use as to the total appropriation for NASA from 1959 to the present time?

Mr. LATTA. The figure I used was for the Apollo program only, and that was given to the Committee on Rules yesterday, including the $3 billion for expenditures during this proposed period, it will add up to $18 billion.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, the Independent Offices Subcommittee of the Committee on Appropriations places the price tag on NASA expenditures, from 1959 to the present time, at $27,644,226,300.

Does the gentleman know whether that is an accurate figure?

Mr. LATTA. Is the gentleman speaking only of the Apollo program?

Mr. GROSS. No, I am speaking of the appropriations to this sacrosanct organization, or what was once a sacred bull in the order of things around here.

Mr. LATTA. Those figures are not comparable with the ones I used, as my remarks pertained solely to the Apollo program.

Mr. GROSS. The gentleman mentioned the Apollo disaster, and wondered why no one has been held responsible. There is an individual known as the Director or the Administrator of NASA by the name of James E. Webb.

Is there any reason why he should not be held accountable for the Apollo disaster?

Mr. LATTA. If the gentleman is directing the question to me, and apparently he is, I would not want to point my finger at Mr. Webb or anyone else in the program, or any particular contractor, but it seems to me that with all the testimony that has been given somebody or some company was negligent. It has been reported that prior to the fire there were a lot of defective pieces of equipment assigned to the ill-fated spacecraft. If this is true, then somebody was negligent. and the finger ought to be pointed at somebody, but apparently it has not been.

Mr. GROSS. Articles have been published stating there were literally thousands of malfunctions and outright failures in the Apollo program leading to the tragedy last January.

But I want to go back to the question of responsibility. It seems to me that the alleged directing genius of this NASA operation ought to be held responsible for the disaster that occurred on January 27, 1967, when as my friend from Ohio said, three brave and competent men unnecessarily lost their lives in that space capsule.

Mr. LATTA. Mr. Speaker, I want to thank the gentleman for his comments.

Let me just say that I am not alone in questioning some of these expenditures, because the President's Science Advisory Committee reported in February of this year:

> The President states in the introduction that the opportunities in space are great, but the costs are high. Our space planning deserves the thoughtful consideration of all thoughtful Americans.

That does not, in my opinion, Mr. Speaker, mean buying a pig in a poke. Unless we can define what the requested money is going to be used for, I do not believe this Congress in these times should be authorizing such expenditures.

Let me say to my friend from Texas—and I have always supported the space program because it was heretofore sufficiently spelled out on what NASA was going to do with the money, but when NASA cannot come before this Congress and spell out what it is going to do with the money, then I do not believe I can in good conscience vote for its authorization.

I would hope this Congress could work its will on this piece of legislation today, and cut out some of these undefined items so that we can all support it.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman.

Mr. TEAGUE of Texas. Mr. Speaker, I could not repeat all that took place in the hearings before the Committee on Rules yesterday, but I can state that the members of the Committee on Science and Astronautics know what this money is going to be used for. I would also state that this bill was reported out of the committee with but one vote against it, if my memory serves me correctly. The gentleman is not being fair to come up here and say we do not know what this money is going to be spent for, and I would say to the gentleman that it can be spelled out for him.

If the gentleman does not want to believe or to accept the committee's word, then that is one thing. I believe we have a good space agency. I believe we have a wonderful chairman, and I believe we have wonderful astronauts, and I would say that they know where the money is going because they are right in the middle of this thing.

I believe there is plenty of proof on where this money is going.

Mr. LATTA. I thank the gentleman for his comment.

I have been through these dissenting opinions that have been put in here on both sides——

Mr. TEAGUE of Texas. Does the gentleman respect the majority's opinion, or the minority's opinion, or which does the gentleman respect the most?

Mr. LATTA. Just because there was only one dissenting vote cast against reporting the bill does not mean that the individuals on this committee are for every single item contained in the bill.

Mr. TEAGUE of Texas. I am sure that nobody is.

Mr. LATTA. Likewise, I am for the greatest share of the money that you are requesting, but for the items that I have indicated, items that cannot be defined, then I am not for them.

If you can prove to my satisfaction this afternoon that these individuals are wrong when they say they cannot be defined and you can define it, then you will have my support.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I hope before this afternoon is over that items such as the laying of a foundation for a building—I believe it was in Cambridge, Mass.—at a cost of $1 or $2 million—I hope somebody will explain to the House how they could lay a foundation for a building when they did not have the money to pay for the building that was to be erected on the foundation.

Mr. DADDARIO. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman if he wants to respond to that question.

Mr. DADDARIO. I have not asked the gentleman to yield to me for that purpose. But I am rising to call the attention of the gentleman, Mr. Speaker, to what I believe to be a very reasonable change in his position. In commenting on the dissenting points, he commented that we could not define our programs; and then changing from that, he said, that if during the course of this afternoon we could define what these programs were that he would be careful to pay attention to those arguments.

Mr. Speaker, I think that is a proper and objective adjustment, and I am glad to see that the gentleman has taken that position.

Mr. LATTA. I thank the gentleman very much.

Mr. WIGGINS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman.

Mr. WIGGINS. I am one of the Members here who did not participate in the original decisions on the institution of the space program.

I would agree with the gentleman from Texas that the report reasonably explains the items of what the money is going for.

But it is not specific at all as to why. I would hope that the distinguished chairman, my friend the gentleman from California, and the gentleman from Texas would devote some time to bringing that out to the committee and explaining why—why it is necessary in the order of things that we spend this kind of money to get to the Moon; and why it is necessary in the order of things that we should go beyond the Moon to Mars later on.

I think I could support this bill if I could get it justified in my mind that there is good reason for doing this—when there are other matters to command our attention at this time.

Mr. LATTA. I thank the gentleman.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. LATTA] has consumed 22 minutes.

Mr. LATTA. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Speaker, I believe we should have a statement about some of the various positions held on this bill so that we know where we stand.

I voted for the bill to be reported out of committee. I have favored the manned lunar mission, that is, the Apollo program. Likewise I supported the Mercury program and the Gemini program. For the Mercury program, which was a one-man in orbit program, we spent $240 million to begin this space mission.

For Gemini we spent $1.3 billion. As you have heard, for the Apollo program, they will have already spent $12.64 billion by the end of this fiscal year, June 30, 1967. If you add the new amount proposed in this bill, it is going to run up to about $15.2 billion.

It was estimated most recently by NASA that to operate the Apollo three-man moon flight program, it will cost a total $22,700,000,000.

That is a lot of money.

This House, however—and I am recalling the record—after President Kennedy said that the manned lunar flight was a national program and a national target during this decade, voted unanimously—every Democrat and every Republican—to authorize this program.

I offered an amendment before the committee and which the committee approved that cut $25 million from the present Apollo funds, making money on the present Apollo program $2½ billion or exactly $2,521,500,000.

I believe that is an adequate amount. I believe it may be cut further—but only after we know the impact of the tragic loss by fire of the three astronauts. We call it the Apollo 204 accident at Cape Kennedy.

We on the committee, and the subcommittees have taken great care and have gone to various NASA installations, such as Houston, Cape Kennedy, and to other facilities. We have been carefully looking to see how we can improve the safety factors.

I would approve every penny of the $2.5 billion for the Apollo program requested this year. In fact, the chairman, Mr. GEORGE MILLER, and I, before the Rules Committee yesterday, each strongly advocated it. No member there disagreed. Is that not so, Mr. MILLER?

Mr. MILLER of California. That is correct.

Mr. FULTON of Pennsylvania. Our committee has been very careful. We have really provided less authorization than the other body in many cases. In fact, on the program itself we have been within something like part of 1 percent of the right figure, year after year.

I must say that within the Manned Space Flight Subcommittee, under the leadership of the gentleman from Texas [Mr. TEAGUE], we have likewise been very careful in monitoring these programs. They are technical programs. With a total authorization and appropriation of more than $4.9 billion, it is extremely hard to go into the many scientific programs involved, determine their significance, their value, and the possible results of each program. We must understand that in scientific research and development we are continuously assessing programs. We are not always successful.

You might ask, for example, how did we do on the Gemini flights?

There were 12 Gemini flights, of which 10 were manned, during the period April 8, 1964, through November 11, 1966.

There were two mishaps—not failures—consisting of an instance when an Agena target vehicle failed to orbit and an Atlas booster engine failed shortly after takeoff. In both instances, the mishaps were corrected by back-up missions which were successful.

The total program cost was $1,290,000,000 contrasted to a fiscal year 1964 runout cost estimate of $1,350,000,000.

No one was lost in those flights.

The Gemini two-man program is over, and I am very glad to say, successfully. No one was lost.

Russia has lost one man in space flight. The United States has lost none in space.

I support the manned space flight program as amended by the committee to reflect my original reduction of $25 million in the Apollo program and the proposed reduction I intend to offer of $150 million in the Apollo applications program. With these reductions, I believe that we have a viable, economical, and efficient manned space flight program.

In addition, I believe the committee acted judiciously in approving funds for construction of facilities in the amount of $66,980,000, including $5.5 million for facility planning and design. These funds reflect a reduction made by the committee of $9,720,000, including the elimination of funds for the Electronic Research Center which has large amounts of prior year funds which have yet to be obligated.

Also included was a modest reduction in funds for the Nuclear Rocket Development Station in Nevada and a $500,000 reduction in facility planning and design funds. With these funds, I believe that NASA will be able to carry on with an aggressive and justifiable construction program.

NASA had originally requested over $670 million for administrative expenses and the committee reduced this request by slightly more than $23 million. I agree with this reduction in the interests of economy and austerity, even though I recognize the fact that salaries and administrative costs are continuing to increase.

There is included in this bill $662,131,000 for further research and development in the area of space science and applications. I supported this part of the program in committee, and I support it now.

The amount now included in the bill is $32,469,000 less than was requested by NASA. Actually a cut of $42,469,000 was made by the committee in certain projects, however, $10,000,000 was added to the NASA request for the sustaining university program.

The space sciences and applications effort is basically the unmanned space flight programs directed toward scientific investigations of the earth, moon, sun, planets, stars, and interplanetary space; and the development of technology and spacecraft systems for operational type missions such as meteorology and communications.

In the physics and astronomy part of this program we are basically concerned with increasing our knowledge of the fundamental nature of the universe. Such projects as orbiting Solar Observatories, Orbiting Astronomical Observatories, Geophysical Observatories, Pioneers, Explorers, Sounding Rockets, and the Sunblazer. The committee cut $15.9 million from this program for the fourth astronomical observatory and the sixth geophysical observatory.

The Lunar and Planetary projects in the bill total $142,000,000. This is essentially a series of projects to conduct scientific exploration of our solar system using automated spacecraft and earth-leased research. The immediate objectives include the unmanned exploration of the moon, the planets Venus and Mars and the intervening interplanetary space. Such projects as the Surveyor, the Lunar Orbiter, and the Mariner are now included. The latest Mariner is now on its way to Venus and should pass the planet on October 19, 1967. These have all been highly successful programs.

The Voyager is a new major program for which full-scale design and development will start in fiscal year 1968. A total of $71,500,000 has been included as the first increment of a program which will ultimately cost between $2 and $3 billion. Its first missions in 1973 and 1975 is designed to determine the existence and nature of extraterrestrial life on Mars. Also it will provide information on the atmosphere as well as surface and body characteristics of the planet.

A total of $41,800,000 is included for the bioscience program, one which furthers the search for extraterrestrial life and the attainment of a thorough knowledge of the effects of the space environment on terrestrial organisms. Some of the work in this program was not considered urgent and the committee deferred $2,500,000.

Space Applications projects total $94,500,000 in the bill before you. This is an extremely beneficial program to all mankind. The democratic nations throughout the world look to the United States for economic, scientific, and technological leadership. Through this program this country can demonstrate this leadership in terms readily understandable by all.

I included in such projects as Tiros to provide assistance in weather analysis and prediction; Nimbus, a second generation weather satellite; sounding rockets to gather data in the atmosphere where satellites cannot operate; applications technology satellites designed to develop advanced spacecraft technology; geodetic satellites to conduct geodetic measurements on a worldwide basis.

Not all of the projects requested survived committee scrutiny. Almost $10,000,000 was deferred from the space applications request.

Also included is the launch vehicle procurement program for which the committee approved $150,700,000, which is $14,400,000 less than NASA requested. You should not confuse this line item with the Saturn program, nor the nuclear rocket development program. This program provides for the purchase of small and medium size launch vehicles for various flight projects of the space science and applications as well as the advanced research and technology programs.

The last project in the space science and applications program is the sustaining university program. The committee voted to increase this program from $20,000,000 to $30,000,000 over the objections of certain of my colleagues. The gentleman from Indiana has indicated that he will introduce an amendment to restore this program to the level requested by NASA. I intend to support his amendment.

I also strongly support the programs of the Office of Advanced Research and Technology, Technology Utilization, and the Tracking and Data Acquisition. The work being done in advanced research is very important to the future progress of NASA's programs, especially in assisting the managers to make the right planning decisions. This activity produces the knowledge necessary to determine the technologies that will be available and possible of achievement to carry on the manned and unmanned spaceflight programs. The most important research now underway, in my opinion, is being done in propulsion and in materials. Both provide the keys to capabilities that will continue to extend our mission objectives in the years ahead.

The work being done by NASA in its technology utilization effort is of great significance to the Nation. It is here that the payoffs from space exploration that were anticipated and promised back in 1958 when the Space Act was enacted are being realized. Already a large amount of new technical knowledge from space research has been translated into tangible goods, tools, processes, and techniques now benefiting industry, the economy, and the American people. This is only part of what the Nation is getting for its money. There are also the many intangible benefits, of which there is concrete evidence, to the academic and scientific communities from which will come important additions to our national strength and resources.

The tracking and data acquisition activities are, of course, completely essential to all of the space flight programs. This is the network which provides the means by which the objectives of each flight into space are achieved and the information acquired made meaningful.

The next point I would like to make is on the question whether this program should be cut. There is a difference of opinion. The post-Apollo activity is called Apollo Applications. That means that after we land a man on the moon, then what do we then do? In that program I believe there should be a cut of $250 million. I started out with a higher figure. You can read it in my "Dissenting Views" of the committee report. I made a study and thought it could be cut $350 million. I reduced that from $350 million to $250 million. I have given careful study to the question.

You say, "Why did you reduce that program? Would not it delay the major Apollo program?"

It will not. My reduction applies to a figure of $444,700,000 for the programs that will come in the calendar year 1971, 1972, and probably into 1973.

In the Apollo program itself we have the Saturn V booster. It is expected that out of 15 Saturn V's on order, there will be four to six left over. We really do not know actually how many will be left over. If we have more left over, the Saturn V will be considered successful. That is all to the good. If we do not have any, the Apollo Saturn V then is obsolete. We should not use it.

My amendment of $250 million removes one Apollo Saturn V launch vehicle, not from the moon program, but for the follow-on program. If we have four to six left over of the Saturn V's why are we funding the fifth or the seventh one now? We can put it on the shelf. So I say, Let us spend $194 million of the $444 million for research and development and develop a better vehicle.

Only 4 weeks ago, NASA crews had to disassemble the second stage of a Saturn V. Why? Because of hairline cracks in the welds of the hydrogen tank which permitted the hydrogen to leak out of the tank. The design is not good enough.

Another thing, if we achieve a solid-fuel booster, we can keep it on the pad. We do not have the plumbing problems of liquid-fueled boosters.

Next, if we get high-energy upper stages, we can benefit from 25 to 42 percent increase in the specific impulse, that is, the increased push per pound.

The Saturn can only take 32,000 pounds on a direct flight to the moon, but the Nerva, if we put it on, can take about double that amount and also have energy to maneuver. It can probably be re-used again. Our problem is that we do not have space-storable fuels. We do not now have the extra safety, the higher power Nerva would give us. We could increase the safety factor.

My position is: Emphasize research and development and do not lay up the hardware that we will not use until 1973.

I strongly oppose the administration's placing the manned orbiting laboratory program under the jurisdiction of the U.S. Air Force.

MOL should be placed under the jurisdiction of NASA, the research and development agency of the Federal Government for space and aeronautics. Or, MOL should be placed under the joint jurisdiction of NASA and the U.S. Air Force for development.

I believe the action is a serious mistake, both in organization and philosophy, as well as for public relations purposes.

Latest information shows that the cost of the MOL program has risen to $2.2 billion, which is a $700 million increase in the predicted total costs of the research and development program since August 1965 for a seven-flight program. It was further expected that MOL flights would begin in mid-1968 but now will very likely slip by 2 years or possibly more. Surely, prudent management and good judgment dictate a common earth orbital program where NASA launch facilities, knowledge, existing hardware, and capability are used to avoid the cost increases and launch schedule slippages.

I strongly oppose the action of Secretary of Defense McNamara when, in his December 10, 1963, news conference, Mr. McNamara announced without prior notice of any kind that the manned orbiting laboratory program would be assigned to the Air Force. Neither Congress nor the scientific community of the country had any prior notice or inkling that this was to be the case until Mr. McNamara made his bland announcement.

I also oppose the announcement by the President on August 25, 1964, at a news conference that the MOL program would be worked upon by certain major contractors. This is certainly not the way to do business, nor is it appropriate to ignore the existing science and research facilities of the Federal Government without any consultation or authorization by Congress whatever. It is complete fiction to state, as Secretary of Defense McNamara has assumed, that MOL is completely a military task and therefore can be handled by him as Secretary of Defense, as if he and the Department are the only people concerned in this tremendous development.

The announcement by Secretary Mc-

Namara makes a fiction and is in direct violation of the expressed intent of the Congress in section 102(a) of the original Space Act, Public Law 85-568, dated July 28, 1958, wherein it was expressed that—

> The Congress hereby declares that it is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind.

The action of Secretary of Defense McNamara is also in direct violation of the provisions of resolution 1472. "International Cooperation in the Peaceful Uses of Outer Space," adopted by the United Nations at the 856th Plenary Meeting of the 14th General Assembly on December 12, 1959. Under this resolution, the United States, along with other countries including the U.S.S.R., agreed to foster international cooperation in the peaceful uses of outer space. It was a privilege and a real responsibility for me to be able to work as one of the delegates on the U.S. mission to the United Nations for this purpose, under the leadership of Henry Cabot Lodge, chief U.S. delegate.

On January 27, 1967, the United States, U.S.S.R., Great Britain, and many other nations signed the treaty on principles governing the exploration and use of outer space. On April 25, 1967, the U.S. Senate ratified the treaty, and the U.S.S.R. similarly ratified the treaty on May 18, 1967. The treaty specifically provides for peaceful exploration of space and bans the orbiting of nuclear weapons and weapons of mass destruction in space. It also prevents the use of the moon and other celestial bodies for military purposes. It is provided in the space treaty that space shall be used exclusively for peaceful purposes. Thus, is the U.S. policy on the use of space facing two directions? Has the United States already been violating this treaty at the time of signing?

The Congress of the United States should decide the basic national policy on space according to the will of the American people, after thorough study and due deliberation.

Being first in space, for scientific and prestige purposes is one thing. Being first in space to better deliver weapons of destruction or nuclear and atomic weapons is quite another field entirely.

Do the American people want the administration to have the first manned orbiting laboratory solely dedicated for military purposes? This would have the fatal result of excluding all peaceful purpose research and development or, at best, make a poor second the research and development that could be done by NASA for the benefit and progress of the American people and all mankind.

EFFICIENT USE OF MANPOWER RESOURCES BY NASA

I believe that the continuing increase in NASA scientific and engineering personnel has reached the point where a detailed review by the Congress is required. Over 40 percent of the total NASA civil service strength of 34,000 are scientists and engineers and the ratio of scientists and engineers continues to rise each year.

I point out the situation at the new NASA Electronic Research Center at Boston. Personnel strengths at this Center have increased from 250 in fiscal year 1965 to 510 in fiscal year 1966 to 741 in fiscal year 1967. The personnel strength requested by NASA for fiscal year 1968 is 1,041. Most of these will be scientific and engineering personnel. Amazingly, all this increase happens while the Center itself has yet to build one building for its activities.

The great bulk of NASA personnel are scientists, engineers, and technicians, all of whom are in critical shortage in the U.S. economy, at a time when the Nation is producing for the war in Vietnam. As the large amounts of personnel used by NASA are not blue-collar workers, there is need for great caution.

There is the major question of NASA management of personnel. Is NASA using these critically scarce personnel in the best possible fashion? Is NASA responding to the sudden changes in the U.S. space program as projects phase out and others expand or reach their peak effort? NASA reports that the total personnel used in the space program, which of course includes contractor and subcontractor personnel, is being reduced at the rate of 5,000 per month.

The impact of reserving to our space activities, both in Government and in contractor plants, a large percentage of U.S. scientific and technical personnel can only be judged serious and critical for these reasons:

The war in Vietnam.

The current inflation in the economy.

The requirements for defense industries.

The requirements for U.S. business and the U.S. economy.

The requirements for maintaining a healthy scientific pool of talent in U.S. scientific and academic communities, universities and colleges, foundations, and research institutions.

I strongly recommend that a competent survey be conducted by an experienced, nongovernmental management organization of the management techniques and the utilization of scientific and technical personnel in NASA. I also recommend that the preliminary report of this survey be provided to the President, the National Aeronautics and Space Council, and the Congress before final action on the fiscal year 1968 NASA authorization bill takes place.

I further strongly recommend a study in depth of NASA manpower utilization by the appropriate committee of the Congress—either the Manpower and Civil Service Subcommittee of the House Post Office and Civil Service Committee—or by the House Government Operations Committee.

I am seriously concerned over the lack of field monitoring of NASA activities by the Bureau of the Budget, by the General Accounting Office, and by the Science and Astronautics Committee.

For example, the Bureau of the Budget has far too few people with far too much control over the NASA budget. On my latest information, there are only three staff members in the Bureau of the Budget who have the responsibility to make all types of major decisions concerning the $5 billion NASA budget. These people spend altogether, on the annual NASA budget, only 5 to 6 weeks continuous time. From time to time on current matters, there is additional time given but this time is not substantial. This type of budget control can be labeled with one word, "superficial."

The General Accounting Office has failed to this date to provide Congress with any competent management surveys or audits of one of the largest agencies in the Government. They have made specific audits, but not agencywide. These audits have been cashbox and not management audits and evaluations. Nor have these audits balanced the need for and value of various and gigantic scientific programs in relation to each other. I feel that the General Accounting Office is far too bound with its past history in emphasizing accounting and bookkeeping practices at the expense of scientific management surveys. This new function must promptly be added to the General Accounting Office as I have urged for some years.

On a $5 billion annual budget, it is necessary to move far beyond the limitations of accountancy and bookkeeping. It is vitally necessary for congressional purposes that personnel be available with adequate judgment and experience in research and development activities. This personnel is required in three places: the Bureau of the Budget; the General Accounting Office; and the Science and Astronautics Committee. Congress can then make decisions of choice among the various programs presented by NASA in the light of the potential research and development gains, all based on an adequate base of reference.

The American people must realize that the days of monitoring and supervising large technical programs on the limited basis of mere accountancy and bookkeeping are gone forever. It is a simple axiom both in Government and in business—"Technically qualified people must oversee technical programs." My conclusion, therefore, is: Current and continuing program evaluation of Government scientific programs is badly needed, and sorely lacking at the present time.

For several years I have been urging the Science and Astronautics Committee to increase its technical staff by at least five scientists, engineers, and accountants, for continuous field investigatory duties. I repeat my recommendation, particularly in view of the fact that the committee has not used all of its presently allocated funds.

To safeguard the interests of the U.S. taxpayers and for efficiency in management of research and development, involving so many highly technical programs, the Government must have sufficient research and development, construction and technical management personnel assigned exclusively for field evaluation and monitoring duties separate and apart from program responsibilities or contractor personnel.

I have strongly recommended that an inspector general, with necessary staff and facilities, be established in the National Aeronautics and Space Administration. I wish to emphasize the critical importance of such an office to the efficiency and safety of NASA operations and programs.

The current NASA program contains a myriad of complex scientific and technical projects designed to meet a wide variety of objectives of importance to the Nation. The current NASA request contains 20 separate and distinct research and development programs, of which the multibillion-dollar Apollo lunar landing program is only one.

It is inconceivable to me that many serious management problems will not arise as a result of the various programs and objectives. These involve not only an annual Federal expenditure of over $5 billion but also the future of the national space program. I believe it is necessary that the Administrator of NASA be provided with the capability of obtaining independent evaluations and examinations of management actions by personnel other than those involved in formulating or implementing management policies. To maintain their complete objectivity and for greater effectiveness, such personnel should not be within the ranks of current NASA or aerospace contractor personnel. Their orientation should be independent.

The chairman of the committee has assured me for the past few years that my proposal for the establishment of an inspector general in NASA would be the subject of hearings. These hearings have never been held. I have already introduced during this session of the Congress, H.R. 4473 for the creation of an inspector general organization in NASA.

It is significant to note that numerous other agencies of the Federal Government have recognized the importance of utilizing inspector general offices to effectuate internal and periodic examinations, evaluations, and corrective measures. These offices have been singularly effective. Among these agencies are the Departments of the Army, Navy, and Air Force, the Atomic Energy Commission, the Department of State, and the Department of Agriculture.

The existence of an adequate inspector general organization might have been able to uncover the inadequate safeguards which led to the recent Apollo 204 disaster. It is significant that the Apollo 204 Review Board included a representative of the U.S. Air Force inspector general. If such participation was considered desirable on an after-the-fact basis, why was not such participation equally desirable in the period before the accident? Similarly, if the Air Force inspector general proved of use during the Apollo accident investigation, would not a NASA inspector general office have fulfilled the same purpose? If the inspector general concept is not worth while, as may be implied from the continued NASA resistance to my proposal, should all such offices in other Government agencies be abolished and the money now spent used for other purposes?

I believe it of urgent and vital importance that NASA establish and maintain an inspector general to insure that the space program and objectives of this Nation are carried out and met with both economy and efficiency.

I have consistently emphasized research and development in high-energy liquid fuels, solid fuels, and advanced propulsion technology and engines. This policy will result in larger payloads, longer missions, space-storable fuels, weight decreases of boosters and increased payloads, and the elimination of heavy and bulky insulation materials now required.

Likewise I have insisted that adequate research emphasis should be placed on nuclear propulsion and power. I strongly favor the President's action in adding to the NASA budget additional money for the Nerva nuclear rocket development.

I have pointed out that the exploration of the eight other planets of our solar system as well as their 31 moons will be too expensive using the present generation of boosters, capsules, components, and hardware.

In fiscal year 1967, $4 million was added to the National Aeronautics and Space Administration authorization to accelerate NASA chemical propulsion research and development. In the 1968 budget the NASA total chemical propulsion program was increased by $11 million. This is really a decrease rather than an increase. The reason this is a decrease is that significant projects in chemical propulsion have been carried on in past years by the Office of Manned Space Flight and the Office of Space Science and Applications of NASA. These offices are highly mission and program completion oriented. Under this policy, if research does not have an obvious and immediate program application, the funds cannot long be justified.

I have been urging the development of boron-fluorine-hydrogen combinations that will give much greater specific impulse. Specific impulse, of course, means "push per pound." Experiments have already shown that with the use of boron and fluorine additives or mixtures there can be additional power and energy output varying from 30 to 45 percent increase with the fuel used. Such a surprisingly productive avenue should not be overlooked by NASA.

My criticism has been and continues to be that NASA tends to be a large engineering, plumbing, and manufacturing concern with the emphasis on science becoming less and less. The emphasis on programs has increased geometrically through the successful Mercury program, through the successful Gemini programs, to the staggering size of the Apollo moon flight program. It must be kept in mind that these programs are really production, engineering, and development, with very little scientific knowledge or invention being added in the process. It certainly takes research of a high level to have the equipment and personnel adequately perform under these programs and to be able to take advantage of the tremendous new fields in which they will be operating.

But this research and development is in the nature of refinements of processes and present components and parts. This is using much present knowledge in new conjunctions, rather than the basic and applied research necessary for the new generation of boosters, fuels, capsules, components, and hardware that are so necessary. My estimate is that 95 percent of the NASA budget is not research and development in the ordinary scientific meaning of the term.

Development of the spike nozzle concept for liquid engines also has lagged. Taking advantage of this concept would improve the liquid stages by improving the operating efficiency. This development would obtain higher performance in flight and would reduce the length of the stages required with improved structural strength.

For several years, I have strongly supported what to me is an obvious and urgent need for a minority committee staff. I have argued for that requirement at every opportunity during sessions of the Science and Astronautics Committee, the House Administration Committee, and in debate on the floor of the House of Representatives as well.

In the February 18, 1965, session of the House Committee on Science and Astronautics I strongly urged the appointment of a minority staff, along with other staff specialists, to the existing staff to broaden committee capabilities to meet steadily increasing responsibilities. I repeated my request and arguments in committee meetings on April 8, 1965, April 6, 1966, and February 21, 1967.

The exploration of space, research and development in science and aeronautics, has had vigorous bipartisan support over the years. There are certainly significant divisions of opinion in the scientific community, the business community, among research and development personnel and among members of the Science and Astronautics Committee that are important, and transcend partisanship. These differences of opinion are to be found in any research and development activity, whether in Government or in business, in universities, or in research foundations. This means progress.

In order that the administration proposals, as well as the many proposals from every avenue shall be tested and adequate staff work accomplished, in order best to prepare the statement of these points of view, I firmly believe that minority staff development on the House Science and Astronautics Committee is essential.

I therefore recommend that a minority staff be developed on the House Science and Astronautics Committee to serve the adherents of minority viewpoints, regardless of party affiliation. Such technical, scientific, research, engineering, and management know-how for the minority members, regardless of party, on particular issues, is a vital necessity if balanced judgments leading to sound committee and congressional decisions are to be achieved.

Of course, at present committee professional staff assistance is provided to all members of the committee to help on individual problems. But this does not solve the really big problems, nor does it call the urgency and need for evaluation to the members' attention. This means the individual member has little chance to initiate action that is necessary and which requires definite professional staff assistance and guidance.

ADEQUATE COMMITTEE STAFFING

Minority members of this committee have repeatedly expressed concern over the limited number of committee staff personnel available to the members of the House Committee on Science and Astronautics. In my opinion it is impossible for the 12 professional and technical staff members adequately to handle the workload associated with the committee's broad responsibilities in the field of science and space. The Committee on Science and Astronautics is responsible for authorizing and overseeing one of the largest budgets in the Federal Government. The committee has one of the smallest committee staffs in Congress to assist in this process.

I have consistently and constantly made known to the committee and the Congress my view that additional technical, scientific, and engineering staff is vitally necessary. In the committee meeting of April 5, 1967, I made the following observation:

> I do believe we need extra staffing for people to go and see * * * we have brought it up time after time * * * we should have three, four, or five people in the field. On February 21, 1967, I also commented in the organization meeting of the committee, "On staff, I have suggested previously that we have an outside permanent liaison staff (at appropriate locations) * * * reporting back * * * so there is a closer liaison with the contracts, contractors as well as the facilities.

On February 18, 1967, in full committee I again raised the question:

> I have made a suggestion previously that we ought to have * * * staff members who are really field representatives.

In previous years I have made this point again and again in the reports accompanying NASA authorization bills in 1963, 1965, and 1966.

It is the responsibility of the House Science and Astronautics Committee to study thoroughly the many space projects and programs. The committee staff must contain enough individuals trained in technical management, engineering, electronics, science, and other space-related disciplines to assist in this important work. With the present staff, despite their individual competence, I believe the committee cannot fully perform its prime functions—to review the National Aeronautics and Space Administration's budget and to assist in evaluating, on a continuing basis, these programs. This situation constitutes a weakness in the system of checks and balances. Here is an instance where the legislative branch of Government, because of inadequate staff, is unable to keep watch on a huge executive agency. This leads to waste and makes inefficient our system of government.

In addition to the responsibility for the conduct of scientific research at all levels, departments, and agencies of Government, the committee has authorization and oversight responsibility over one of the largest Government agencies—the National Aeronautics and Space Administration, with an annual budget totaling over $5 billion. Without additional staffing the committee cannot carry out these oversight responsibilities throughout the year and in addition involve itself in the many other responsibilities in the fields of science. Aeronautics supervision is simply a "lost cause." The behemoth National Bureau of Standards, which is under the legislative jurisdiction of the committee, recently decided to spend $64,000 on a flagpole, but who was watching the store?

The SPEAKER pro tempore. All of the time of the gentleman from Ohio has expired.

The gentleman from Florida is recognized.

Mr. PEPPER. Mr. Speaker, I yield 5 minutes to the able gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Speaker, I take this opportunity to express my opinion in support of three different subject matters before us now.

Naturally, on the rule, which I heartily endorse, the distinguished gentleman from Florida has outlined the committee's position very well, and the distinguished gentleman from Ohio has addressed himself to the bill. I shall direct my remarks to the bill on the next two occasions of support.

I agree very much with the gentleman from Ohio in his quotation that the space program "should be thoughtfully considered by thoughtful Americans." I submit, Mr. Speaker, that I know of no more thoughtful Americans than the dedicated members of the Space Committee of the House in which we serve. Their dedication is a hallmark of their efforts in bringing this legislation of authorization before us today. It is the result of the thoughtful approach by thoughtful Americans.

I am a strong believer in going to the experts when I want advice. Serving on a committee in this body that authorizes more money than any other committee, the Committee on Armed Services, which is sitting at the moment on the justification for some 1,800 line items in a military construction bill, and having just passed and reported out in this body a procurement bill in the amount of billions, I can well understand and can well conceive the apprehension which some have who are not immediately involved in the studies of these types of legislation, and I appreciate their viewpoint.

But I must indicate again that, beginning with the statement of the distinguished gentleman from Florida, in which he itemized how many millions of dollars had been cut from the original proposal, and the fact that over $100 million was cut by the committee, $46 million of that cut by the committee of the distinguished gentleman from Texas [Mr. TEAGUE], after these broad and definite cuts, I wonder how anybody who has not been given the opportunity of hearing the testimony and visiting these installations throughout this Nation and listening to the people talk, can challenge what has been done by this thoughtful committee of thoughtful Americans.

I believe my record in this body will show—and I take second place to no one—that I have voted against the appropriations for certain programs with which I disagree, and I am unalterably opposed to the so-called giveaway programs, the so-called poverty programs, the so-called do-good-here and do-good-there programs—so I suggest that we examine the differences between those and these of which we are speaking.

Not one of those programs produces a single item of income in this country. Not one. That is really a giveaway. For good purposes, yes; I respect the motives behind these programs.

This is a program in which every dollar put into the program comes out in a productive manner, by a productive individual who supports the economy of this country, who works for his living, who earns his keep, and who pays his taxes.

I shudder to think of what would happen if we came in here with another suggestion, if the gentlemen in the majority had followed the suggestions already made and had cut the program. I am sure there would have been another suggestion for more cuts.

I am not being political in any sense of the word, but the suggestion is made that some went back home and told their folks how they were going to save them money, and how they want to do this. If we want to continue in that vein, my friends, I wonder how many of us could go back into our own individual communities and our own individual States and explain it to those people.

The SPEAKER pro tempore. The time of the gentleman from Louisiana has expired.

Mr. PEPPER. Mr. Speaker, I yield the able gentleman an additional 5 minutes.

Mr. HÉBERT. How could Members explain this to those people who will be out of jobs, or to the owners of those plants which will be closed down?

Are we going to put them under the poverty program? Are we going to explain to them the economy of taking the bread and butter out of their mouths? Are we going to tell them we cut their income?

I am not talking about pump priming. I am talking about a definite and constructive program.

I have had an opportunity to visit these places. I have visited with my old and distinguished friend, the gentleman from California, and more recently with my distinguished friend the gentleman from Texas. I have walked through these plants.

I have been through the Kennedy Space Center.

I have been through Huntsville.

I have been through the Missile Test Flight Center.

I have been through the Michoud Assembly Facility.

I have been through the Slidell Facility.

I have been through the George C. Marshall Space Flight Center.

I have heard Dr. Wernher von Braun, for whom I have the greatest of respect.

I have heard these people explain, in the most minute detail possible, for a layman to understand, what their program is.

I am convinced that this is no time to practice false economy. This is no time to stop the pipelines of the future, upon which the economy of this Nation is built, together with the Department of Defense.

Whether we like it or not, we cannot deny that this economy now is geared, hand in hand and arm in arm, with the Defense and the space programs. These are the two biggest spenders in the country. One is in the defense and security of this Nation, and the other is projected into the future, pouring billions of dollars into the economy for productive means, for productive efforts, from which results taxes and jobs and support of this economy.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I am delighted to yield to the gentleman from California.

Mr. DON H. CLAUSEN. The gentleman is one of the key Members of the Congress who serves on some of our defense committees.

I, like many other Members of Congress, am concerned about the space program and its relationship to our military efforts. I realize there are certain security provisions which will restrict any major response by the gentleman, but I wonder if he could at least allude to some of the problems with which we might be faced in the way of technological fallout if we do not have an adequate program.

This is what I am principally concerned about, because I know that our major adversary, Russia, certainly plans for progress in this field. I am particularly concerned about the space program, for I know there is a substantial fallout which comes from this program which will accrue to our benefit, so far as our military activities are concerned.

Mr. HÉBERT. I say to the gentleman, within the bounds of classification, that one cannot, under any circumstances, separate the value of the space program in any area, in any field, in any realm, from our defense program and the protection of the security of this country. They simply cannot be separated. We must consider them together.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from California

Mr. MILLER of California. It may be interesting to the gentleman to know, without describing too much, because it is common knowledge, that there are in excess of 200 Air Force officers on duty as engineers and technicians assisting in the space program.

There are astronauts and others. These men work together. You must remember, because you are an old flyer, that NASA inherited the work of the National Advisory Committee on Aviation and it does all of the research and development work on all of our planes such as the X-15 and the RS-70. These are not Air Force projects but NASA projects. In all these things where research and development are concerned, NASA does this work for civil aviation and everything connected with air. In order to get close cooperation you have these people from Defense interwoven with the NASA crew.

Mr. HÉBERT. Mr. Speaker, I thank the gentleman from California for that statement. He stated the case very clearly and within the confines of classification. I again repeat that not even the wisdom of Solomon or the cutter of the Gordian knot could separate the security of this program as between defense and space. They are inexorably intertwined forever.

May I say again to these gentlemen, yes, thoughtful Americans can do a thoughtful job in cutting fat, but for your own sake, the sake of our Nation and our future, do not cut the muscle from this program.

Mr. PEPPER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. FLYNT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 150]

Adair
Addabbo
Annunzio
Ashbrook
Ashley
Baring
Bates
Berry
Bolling
Bow
Brasco
Brock
Broomfield
Brown, Calif.
Buchanan
Burton, Utah
Carey
Celler
Conable
Conte
Daniels
Dawson
Dent
Derwinski
Diggs
Edmondson
Fallon
Findley
Fino
Fisher
Ford, William D.
Fraser
Friedel
Fuqua
Gallagher
Garmatz
Giaimo
Gibbons
Goodling
Hamilton
Harsha
Hawkins
Hays
Herlong
Ichord
Irwin
Kee
Kelly
Kluczynski
Leggett
Long, La.
Lukens
Mahon
Mailliard
Meskill
Moore
Morgan
Nichols
O'Hara, Mich.
Pool
Rodino
Rooney, N.Y.
Roush
St. Onge
Schneebeli
Selden
Springer
Steiger, Ariz.
Thompson, N.J.
Vigorito
Williams, Miss.
Wyman
Zablocki

The SPEAKER pro tempore. On this rollcall, 362 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MILLER of California. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10340) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. Miller].

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 10340, with Mr. Flynt in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from California [Mr. Miller] will be recognized for 1½ hours and the gentleman from Pennsylvania [Mr. Fulton] will be recognized for 1½ hours.

The Chair recognizes the gentleman from California [Mr. Miller].

Mr. MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the Science and Astronautics Committee is here today on behalf of H.R. 10340, which authorizes appropriations for the National Aeronautics and Space Administration for fiscal year 1968. This bill is a clean bill and reflects the actions of the Science and Astronautics Committee.

At the outset let me tell you that our committee gave this budget the most thorough study. To consider it, we held nine full committee meetings and 45 subcommittee meetings. In doing this we took 4,273 pages of testimony resulting in four volumes of hearings. The report is 158 pages long with 36 pages of additional or dissenting views. In this latter respect, I want the Members to know that, although there are a considerable number of additional views, the vote on the bill was 24 in favor with only 1 opposed.

NASA's original request was for $5,100,000,000 and the committee is recommending a total reduction of $107,818,000. Therefore, the total recommended budget is $4,900,000,000-plus.

The three main categories of this bill are divided into research and development, construction of facilities, and administrative operations. The largest single program in the research and development category—and I am sure the one of most interest—is the Apollo lunar program. For this the committee authorized $2,521,500,000. This represents a reduction of $25 million from the original NASA request, and I might also add that it is approximately $446 million less than was authorized for this program last year.

When considering the funds for Apollo, we must keep in mind that NASA is not asking for additional funds for this program because of the Apollo 204 accident. NASA is absorbing $75 million which it is estimated must be spent because of the accident. This $75 million which NASA must make up out of its budget will be spent as follows:

Five million dollars will be required to make material changes and flammability testing for the new spacecraft configuration;

An estimated $40.0 million for required design and incorporation of equipment changes and modifications;

An estimated $8.0 million for development of new spacesuits;

An estimated $17.0 million for rescheduling of deliveries of command and service modules; and

An estimated $5 million will be required for modifications of launch facilities.

Now, the increased cost of $75 million, it is believed, can be offset by a reduction of $25 million stemming from a lower than originally planned level of mission operations, because of rescheduling of the first manned flight, and an expected reduction of $50 million in cost of existing contracts through effective management.

Continuing in the manned space flight category, I turn next to the Apollo applications program. In 1961 the United States undertook the first step toward a major manned space flight capability by selecting the goal of a manned lunar landing within the decade. The Apollo and Saturn systems have been developed to meet that goal, and the successful Gemini program has provided the necessary early experience in maneuver, rendezvous, docking, extravehicular activity and 14-day flight.

The Apollo applications program is the second significant step toward that capability and represents an effort even more important and far reaching in its implications than the Apollo effort upon which it is based. The program will carry out a full investigation of man's role in the effective exploration of the environment of space to meet man's needs on the earth and in the long-term exploration of the universe. The program of investigations and development carried forward in the Apollo applications program will meet two basic objectives: to make unique contributions to practical applications, operational capabilities, science and technology, and at the same time to place the Nation in a position to assess, on the basis of valid scientific experimentation and actual experience, the value and feasibility of future space flight and the interrelated roles of manned and unmanned systems.

The committee recommends an authorization of $444,700,000 for this program, which is a reduction of $10 million from the NASA request. In this connection you should know that the Apollo applications program was reduced over $170 million by the Bureau of the Budget before the request came to the Congress. During its deliberations, the committee considered a more severe cut in this program, but came to the conclusion that a greater reduction would severely affect the better development of manned space flight capabilities.

The last item in the manned space flight portion of the bill is an item for $6.2 million for advanced mission studies. The committee reduced this program by $1.8 million from the original NASA request of $8 million. The committee recognizes the importance of advanced mission studies because they are the basis upon which informed and intelligent decisions are made concerning the future of manned space flight. Nevertheless, the committee reduced the program by $1.8 million because it does not believe that NASA can advantageously spend all the funds requested for this program in fiscal year 1968.

I turn next to those programs which come within the general category of space science and applications. These are the programs listed in the summary on page 3 of the report, starting with item No. 4 and ending with item No. 9. In the physics and astronomy program, the committee reduced the NASA request of $147,500,000 by $15,869,000. NASA had planned to develop a fourth and last orbiting astronomical observatory satellite during fiscal year 1968. However, the committee has had this program under investigation for some time and the deficiencies in the OAO system and in the management of the project caused the committee to recommend disapproval of $8.9 million requested for the last OAO. The committee believes that Congress should be convinced of the soundness of the basic design of the OAO as well as the effectiveness of the management practices in this project before approving funds for the construction of a new spacecraft in this series.

Likewise, the committee recommends against authorization for the sixth and last geophysical observatory satellite. NASA had requested $6,923,000 for this project and the committee denied this request.

The committee recommended a $2.5 million reduction in the $44.3 million requested by NASA for the bioscience program because there appears to be no urgency in carrying out certain experiments included in this project.

The committee also deferred NASA's $5 million request for meteorological satellites Nimbus E and F, believing that these could be deferred until a later date. Two and four-tenths million dollars was also denied NASA for support development of three additional geodetic satellites, as well as $2.5 million requested for the voice broadcast satellite program.

NASA requested $165.1 million for procurement of small- and medium-sized launch vehicles for various flight projects. The committee denied $14.4 million of the request.

I would like to say a few words about Voyager which is a major new program. The full scale design and development of this new program will start in fiscal year 1968. The Voyager will provide the first opportunity for man to obtain sufficiently detailed data concerning the planets of our solar system to permit a significant step in the understanding of planets and to apply this information to the earth itself. The objective of the Voyager program beginning with the missions planned for the 1973 and 1975 Mars opportunities is to obtain information relevant to the existence and nature of extraterrestrial life, the atmosphere, surface, and body characteristics of the planet Mars, and the nearby space environment. Three primary objectives will shape the Voyager missions: to gain knowledge about the origin of the solar system, to gain knowledge about the origin of life, and to apply both to a better understanding of terrestrial life. Not only do these objectives directly bear on man's place in the universe, but they are closely related to the origin of the universe itself. NASA requested $71,500,000 for this program in fiscal year 1968, and the committee recommends authorizing that amount.

There is one program in the space science and applications category which the committee increased. I have reference to the sustaining university program for which NASA requested $20 million. The committee increased this request by $10 million. The sustaining university program is designed to help replenish the highly trained manpower pool drawn upon by NASA programs. The committee believes that a demonstrable need for a more highly trained manpower exists today. There is undeniable evidence that companies in the aerospace industry are aggressively competing for scientific and engineering personnel. Moreover, there is little reason for believing that the situation will improve during the next few years. NASA appears to hope that programs of the National Science Foundation and the U.S. Office of Education and others will fill the gap and satisfy the Nation's vital need for highly trained manpower, but the committee does not agree. Accordingly, the committee recommends an increase of $10 million for the predoctoral training grants program and specifies in the report that the intent of Congress is that the educational funds so authorized may not be reprogramed or diverted to other purposes.

The third and last general research and development category is advanced research and technology, with other programs such as aeronautics, tracking and data acquisition, and technology utilization. These programs are items 10 through 20 in the summary on page 3 of the report—with the exception of the sustaining university program which I have just explained.

The committee made small reductions in several of these programs. I will not take the time to go through each since they are all adequately explained in the committee report, but I do wish to call your attention to one program in this category. That is the nuclear rockets program for which the committee recommends an authorization of $70 million. The objectives of this program are to develop the technology of the nuclear engine systems utilizing graphite solid-core reactors to develop the Nerva engine. Due to its high efficiency compared to that achievable with chemical rockets, the nuclear rocket provides a vastly increased performance capability for use in future space exploration activities. The size of the Nerva engine is such that it can be used as an upper stage on the Saturn V launch vehicle. Among its advantages it would increase substantially the payload that could be carried to the moon for extended lunar missions or for the support of future lunar-based activities.

The nuclear rockets program is a joint AEC–NASA effort managed by a single office, the Space Nuclear Propulsion Office, which was established by interagency agreement between AEC and NASA. We believe this is an extremely important program for future space exploration.

I turn next to the chemical propulsion program and particularly to the large solid motor project. The committee increased the NASA request for this project by $12 million and this is not the first year that it has done so. The reason for this increase again this year is for continued work on the large solid motor project in an effort to further develop this technology or to embark on the full length test firing of the motor which would require subsequent year funding. This action is taken on the continuing conviction of the committee that the large solid fuel motor as a first stage booster will be cheaper, more versatile, simple, and more reliable than other boosters. Additionally this rocket could fill a wide gap in our capability for placing large payloads in earth orbit. The committee was also careful to write language in the bill which restricts the use of this money to only the large solid motor project.

I think Mr. Fulton spent some time in his remarks on this phase of this work.

I will turn next to the construction of facilities program for which NASA requested $76,700,000. This is a small construction program by comparison with past years, and I will not take the Members' time to run through each project. It is thoroughly explained beginning on page 121 of the report. I will say, however, that the committee reduced the request $9,720,000.

The last general category of the bill is administrative operations, and NASA requested $671,300,000 for this category. This represented an increase of $15.4 million over that authorized for the preceding fiscal year budget. The committee reduced the NASA request by $23,094,000. This was done, generally speaking, on the basis that the committee believes that greater austerity can be practiced by better management control and by better attention to areas concerning nonpermanent positions, reimbursable details, overtime pay, travel, and matters of this nature.

In closing, Mr. Chairman, I would like to again remind the House of the amount of care and attention which the Science and Astronautics Committee has given to this year's NASA budget request. We have attempted to hold the NASA budget to a bare minimum and yet authorize sufficient funds for NASA to go forward with the Nation's space program.

I believe we have in this bill recommended a sound but austere budget for NASA, and it is the committee's conviction that with good management NASA can do its job with the funds the committee recommends.

Mr. Chairman, I would like to say that you cannot turn on and off the development of an agency such as NASA. One of the most important assets that NASA has are the teams of scientists and engineers who are working with them. It has taken years to develop them, and the theory that you can turn this on and off is fallacious.

Mr. Chairman, the next thing I would like to tell the Members of the House is that this committee has worked intelligently and industriously. I would challenge anyone to controvert that statement. As chairman of this committee, I have invited its members and authorized them to go into the field to visit NASA's installations, and the installations of contractors.

Many of them have taken advantage of this, but some of them who criticize NASA have never found it convenient to do this.

I believe this is one of the things I am sorry to have to report to you.

But we have made a thorough study and the study has been one in which no partisanship whatsoever has ever raised its head.

Mr. WIGGINS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman.

Mr. WIGGINS. I wish to state first that I have absolutely no prejudice at all against this program. I find it very exciting as a matter of fact.

But I would like the chairman to answer briefly, if he would, for my own education, some matters that are not touched upon in the committee report.

I would like the chairman to give us his view as to why it is necessary for man to set foot on the moon at all.

Mr. MILLER of California. I have been through this so much now, I am rather surprised but, of course, I understand this is the gentleman's first term in the Congress. But I will tell you the reason we go to the moon—it is to develop the techniques for the exploration of space and to learn how to live in the hostile environment of space—and it is a hostile environment.

I foresee the time and I hope it is a not too distant time in the future when we will have recoverable space ships and not have to spend money on large boosters—money that disappears into the blue every time we fire one. Because with the development of communication satellites and weather satellites and navigational satellites, all of which cost a lot of money, we must sometime, someplace have the facilities to go out and repair these things in space.

Maybe it only requires one little black box that has gone dead and maybe you can bring it back to life. But today we cannot do this.

If you are going to live in space, you have to know a lot more than we know today and, I presume, we have selected the moon as an exercise—a plateau if you will, in the exploration of space.

There is another facet of it that frankly I do not so much subscribe to. But there is a great deal of prestige in this field.

I am sure if the gentleman will let his mind go back to 1957 when Sputnik was first launched, there was a great deal of humiliation in this country—and I happened to have been on the high seas and landed in England just 3 days after that and the British papers, editorially and otherwise, were filled with the statement—"Oh, well, the big shot got his comeuppance—the greatest industrial nation on earth could not make the grade."

Of course, we felt this impact.

We have not set this up necessarily as a race to the moon. I shall place in the Record an interview on one of the stations in which three of the astronauts were interrogated. They disavowed this so-called moon race and I disavow this so-called moon race. But I do say it is a prestigious thing because the new nations of the world are watching all of this.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman.

Mr. TEAGUE of Texas. I think if the gentleman will go back and check the Congressional Record of some 50 or 60 years ago, he will find that the question was asked on the floor of this House—"Why fly?" The statement was made that the airplane would never be anything but a toy for millionaires.

Our country made the first airplane, but when World War I came along there was not an American plane flying while there were hundreds of planes of many other countries.

You can ask this kind of question about almost anything. But the results that have been obtained—and I think it is unfortunate that we have used the word "moon" to describe this project and program—I think we should call it a "space program"—but as I was saying, our results that we have obtained from communications and from weather observations and navigation and reconnaissance have paid for this space program.

Mr. WIGGINS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman.

Mr. WIGGINS. Mr. Chairman, I think these comments are helpful so that all of us can better understand this program.

I can say frankly that I have spent a lot of time studying the committee report and I am sure other Members have too—and if they are honest with themselves they have to admit that they could not understand it.

A discussion of space goals is illuminating, however, and I think the chairman will agree, this is a political question and not a technical question. This is something that I feel this House should debate from time to time.

I would like the chairman to answer this one more question and then I will be happy to yield back to the gentleman. I would like to know if these objectives which we have talked about must be achieved in at least the Apollo program by 1970. Is it not possible to stretch out the program a bit and save some money in that connection?

Mr. MILLER of California. This was adopted many years ago as a goal, and I am afraid in some of these programs if you do not have a goal they string on forever. That is true in business and anything else you want to get into. You establish a goal. This goal was established. We have worked toward this goal. We are still working toward it.

I again want to impress upon you that if you say, "We can retard it, we can hold this back," that it costs more money to get up your momentum and go on again. As the gentleman knows, it is getting a plane off the ground that is the expensive part of flying a plane. If you are going to make little hops across the country in this program, it will be more costly than if we get the plane up there and keep it there.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from California.

Mr. BELL. I just wanted to point out something to my colleague, the gentleman from California [Mr. Wiggins]. It was estimated by Dr. Mueller, associate administrator for manned space flight, that if we were to put off the space program for any period of time, or lengthen it out, it would cost us $1 billion a year merely to maintain the operations and investments that NASA now has in Cape Canaveral and elsewhere.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. Yes, I am happy to yield to the gentleman from California.

Mr. HOSMER. With reference to the Nerva project, some $70 million. I am wondering if NASA has laid out any requirement or specified any mission for a nuclear rocket in space.

Mr. MILLER of California. This, as I understand it, right now is an experimental project, as the gentleman knows. We are trying to develop the Nerva engine. I presume after we get the Nerva engine designed, we will be able to apply it where we now apply chemical rockets for second and third stages. As you know, it will not be practical to use it as a first stage, because of the fallout that emanates from it. But as to the second and third stages, those of us who have great confidence in the ability of this country, through the cooperation of the AEC and NASA to develop an engine, just as the AEC has made great progress in its field, look forward to the time when, with such an engine, we can have a bigger apparatus and perhaps a cheaper apparatus.

Mr. HOSMER. The reason I have asked the question is that the ANP aircraft nuclear propulsion project had better than $1 billion spent on it without a requirement from the Defense Department. It was developed on the assumption that the device would generate a mission, but that was so slow in coming that the whole program had to be disbanded. I would hope that the Space Committee would, if they could, press NASA for some delineation of a mission of something more than an ambiguous nature, with some finite time-scale specification so that this program might not lose itself in some limbo after the $70 million that we have in this bill has been spent.

Would it be possible to press them? We tried over in the Joint Committee on Atomic Energy without too much luck.

Mr. MILLER of California. I think that we will be able to do this. I think the Space Council will keep very close tab on this.

Let me say that perhaps in the beginning, when we spoke of applying atomic energy to planes, I happened to have been on the Armed Service Committee during that time. Unfortunately, the people in this country had an idea that you could use atomic energy. They did not know how the heat generated nuclear energy could be transferred into work or into motion or a force.

So the only thing they had to go on was the same principle that is used in atomic submarines or other vessels. We replace the heat element in generating steam and then use steam to propel the vessel. They thought this might be done in some other way. It proved a little impractical to do this. But I think this is part of the loss. As we know, the Nerva system engine uses an entirely different theory, than does the engine in the nuclear submarine or powerplant.

Mr. HOSMER. Then some people say, just cluster a few solid fuel rockets and you have it. Other questions come up. The reason for my suggestion is that I would hesitate to vote for this project if I thought it was going to get launched and then get lost in the shuffle 12 or 24 or 36 months from now.

Mr. MILLER of California. I will say to the gentleman, who is a ranking minority member on the Joint Atomic Energy Committee, that the Science and Astronautics Committee will work closely with his committee to make sure this is not lost, because we do not like things to be started and then get lost in limbo. If they are good, let us go on with them. If they are not good, let us cut them out.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, the gentleman from California [Mr. Hosmer] asked a question about why now the Nerva engine. I believe we can look back to the aircraft industry and the development of the airplane itself and come up with the answer to his question. The engine is the pacing item. We build the powerplant of the aircraft, and then we build the plane to utilize that powerplant. We cannot build a plane, and then hope that somebody will come up with an engine that will fly that plane. This is necessary if we are going to have ongoing programs for the future which require extended trips into space.

Mr. MILLER of California. I thank the gentleman. I say to my friends, a great deal has been said here today about defining things we want to do. If we could define and if we knew the answers that the layman can ask about these things, we would not have to go into experimental programs.

We heard a great deal about what we could do with cancer and stroke and these other things. I do not know that we could spend any more money in research in these fields than is being spent today. I do not know that we can get any more competent people working in these fields than we have in NIH and many foundations today in cancer research. We have not even discovered the cure for the common cold, which costs in loss of time as much as does cancer. But we are working at them. And this is no reason we should not work at them. I have never hesitated to vote for money for NIH and moneys for medical research or money for research in the field of agriculture. If it were not that 100 years ago—or a little more than that—some people had the courage in Congress to establish the land-grant colleges, we would not today be a Nation producing surplus food.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 151]

Adair
Adams
Addabbo
Annunzio
Arends
Ashbrook
Ashley
Bates
Berry
Blatnik
Boggs
Bolling
Bolton
Bow
Brasco
Brock
Brooks
Broomfield
Brown, Calif.
Buchanan
Burton, Utah
Button
Carey
Clark
Clausen, Don H.
Conable
Conte
Corman
Cowger
Daniels
Dawson
Dent
Derwinski
Diggs
Dingell
Dow
Edmondson
Evins, Tenn.
Farbstein
Feighan
Findley
Fino
Flood
Ford, William D.
Fraser
Frelinghuysen
Fuqua
Gallagher
Giaimo
Gibbons
Gray
Grover
Halpern
Hamilton
Hanna
Hansen, Wash.
Harsha
Hawkins
Hays
Hébert
Herlong
Ichord
Jones, N.C.
Kee
Kelly
King, Calif.
Kirwan
Kluczynski
Landrum
McCarthy
McCulloch
McEwen
Macdonald, Mass.
Mahon
Mailliard
Mathias, Md.
Meskill
Minish
Monagan
Moore
Morgan
Morse, Mass.
Murphy, Ill.
Nichols
O'Hara, Mich.
Patman
Philbin
Pool
Reid, N.Y.
Reifel
Resnick
Roberts
Rodino
Rooney, N.Y.
Rosenthal
Roush
St. Onge
Selden
Slack
Smith, Iowa
Thompson, N.J.
Thomson, Wis.
Tunney
Ullman
Vigorito
Watson
Whalley
Williams, Miss.
Willis
Wilson, Charles H.
Zablocki

Accordingly the Committee rose; and the Speaker pro tempore (Mr. Moss) having assuming the chair, Mr. Flynt, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 10340, and finding itself without a quorum, he had directed the roll to be called, when 317 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from California had consumed 34 minutes. The Chair now recognizes the gentleman from Ohio [Mr. Mosher].

Mr. MOSHER. Mr. Chairman, I see no need for other than very brief remarks here today.

I do support H.R. 10340, the NASA authorization. And I especially emphasize that the bill, in the form we are considering it has very strong, bipartisan support in the Science and Astronautics Committee. I believe the committee record will show that all members on this side of the aisle voted in favor of recommending the bill for passage by the House.

I emphasize also that the full committee and all three of our subcommittees gave NASA's budget requests exceedingly thorough and detailed consideration over a period of many weeks. I salute the chairmen for their insistence on the very careful combing and consideration of the NASA requests.

Especially, also, I salute the staff members for their strong and conscientious support of the committee.

It is my personal belief that we have an excellent staff, but that it should be larger in members and somewhat more specialized in technical competence in order to help the committee members fulfill more adequately our oversight responsibilities in a very complex, difficult, adventurous realm of new technology.

Mr. Chairman, I also repeat here what we minority members have said so often. We believe we could use effectively—and not at all for politically partisan purposes—a couple of very capable staff members specifically assigned to the minority members of the committee.

In our two-party system of government, the minority always has a special role of challenge and inquiry, if it is to be responsible and effective. We believe it is impossible to fulfill that responsibility without the assistance of at least a small staff whose first and constant responsibility should be to support minority inquiry, and the development of minority alternatives. The entire committee would be helped and strengthened by that arrangement.

Now, I address my remarks principally to that portion of the NASA authorization which supports the Office of Space Science and Applications. By that, I mean our unmanned scientific efforts in space.

Frankly, it is my personal belief that we taxpayers receive a lot more return in scientific payoff for every dollar invested in the unmanned, instrumented satellites and probes, than we do from the manned programs.

I recognize that we are obliged to complete the present Apollo manned-flight program, and that undoubtedly there will be a continuing manned program. Especially, I recognize the probable value of earth-orbiting manned flights, as distinguished from manned deep-space efforts. I recognize the probable value of men in orbit as technicians, to oversee, inspect, repair, and replenish the instruments and other equipment on unmanned satellites.

Thus, as I look ahead, I support an appropriate, efficient mix of manned and unmanned programs. This will require careful and wise study by the Congress, and difficult policy decisions as to goals and priorities.

But, personally, I look forward to the day when we will not be forced to support the space program as we have thus far known it, distorted in its overemphasis on manned flight.

Mr. Chairman, the budget proposals for the Office of Space Science and Applications, the unmanned programs, were considered with extreme care by the Karth subcommittee, of which I have the privilege of being the ranking minority member.

Again, I compliment the gentleman from Minnesota [Mr. KARTH] for his excellent, conscientious, and fair leadership. We on the Republican side enjoy working with him.

We on the committee recognize that NASA's Office of Space Science and Applications has mounted an attack on many of the most fundamental scientific questions of the day.

If our Nation's preeminence in science and technology is to survive, it is imperative that NASA's attack on those fundamental questions must continue. It must be vigorous and strongly supported; and I suppose so long as man survives in this universe these scientific explorations will evolve, will become more sophisticated.

I suggest we have very good reason to be most proud of our beginning achievements in the space sciences.

For example, the physics and astronomy program has already increased dramatically man's understanding of the environment in which we live, and of that special relationship which exists between the Earth and the Sun.

The extensive and valuable data produced by sounding rockets, explorer satellites, solar and geophysical observations has expanded our knowledge of near space, and especially the processes which shape our weather.

These tools of the space age have given our scientists a clearer understanding of solar phenomena, particularly the prodigious production of energy, and the Sun's influence upon the Earth.

The reason for such striking advances in our knowledge and understanding of the physics of our environment is that, for the first time in history, man can make his observations by instruments at a new vantage point above the earth's atmosphere.

Until recently, man was restricted to observations from the surface of the earth. Our earth atmosphere, unfortunately, screened out all but a few narrow portions of the electromagnetic spectrum, and many of the wavelengths that were able to penetrate the atmosphere were distorted by the time they reached the ground. Thus, the images received were comparable to those of a nearly blind person.

Scientific satellites now carry their instruments above the earth's atmosphere, and observations made from that vantage point have given our scientists new insights into the dynamic nature of the earth's environment.

This Nation's investigations of the nearby planets have also been singularly successful. Our leadership in this field is undisputed at this point, though the Soviets continue to challenge.

The high quality pictures of the moon's surface produced by Ranger, Surveyor, and Lunar Orbiter are familiar to people all around the world. Our Mariner missions to Venus and Mars have also produced startling new knowledge about our neighboring planets. It is no exaggeration to say that in the past 5 years this aspect of the science of astronomy has been advanced more than in the previous century.

But, this work is far from completed, I suppose it is hardly started, and the bill before the House today provides for a continuing, orderly program designed to keep the United States in the forefront in the exploration of our solar system.

While all the members of our committee are enthusiastic about the progress that has been made in our space program, we have not lost touch with reality. Not all NASA projects have been models of good management and unerring technical capability.

Our subcommittee recommended, and the full committee endorsed, substantial reductions in the astronomical observatory program and the geophysical observatory program, both of which have encountered difficulties resulting in mission failures, greatly increased costs, and schedule delays. In both cases the committee has recommended deletion of the last spacecraft in the series, with instructions to NASA to improve performance.

In addition, the committee recommends delay of the third block of spacecraft in the biosatellite program, providing additional time for the solution of existing technical problems, and thereby increasing the expectation of ultimate success.

These three actions reduced the NASA authorization by more than $18 million for fiscal year 1968 and should save even more in future years.

Mr. Chairman, our subcommittee has always strongly supported the unmanned applications satellite program—research and development of space meteorological and communications systems. Again, however, close scrutiny of NASA's proposed new projects led the subcommittee to disapprove the so-called voice broadcast satellite proposal on the basis that private enterprise should undertake, or at least help underwrite, some of the research and development costs of such a commercial system.

In addition, we recommend against both the follow-on geodetic satellite project, and the follow-on Nimbus project; the former on the basis that other Government agencies have the primary interest in the acquisition of geodetic data and should therefore assist in funding additional Geos satellites, the latter because NASA now has several meteorological research projects underway, and a new start can be deferred without impeding progress.

Before closing, Mr. Chairman, I would like to state my strong conviction that the committee's recommendation to increase the training grants program in universities by $10 million is appropriate and desirable. NASA is almost unique in its large requirements for Ph. D. level scientists and engineers to carry out its programs in industry, the universities, and in Government laboratories.

For this reason, NASA recognized its responsibility to assist in replenishing the pool of highly trained scientific and technical manpower as early as 1961. The training grants program was designed to meet this responsibility.

Each year since 1962, NASA witnesses have provided the most persuasive testimony in support of the training grants program. Suddenly, this year NASA has decided to phase out this vital program.

The need for highly trained scientists and engineers has not diminished. On the contrary, there is strong evidence to indicate that it is increasing rapidly.

NASA's decision to phase out this effort was not based upon sound information, but rather under budget pressures, the mere hope that other organizations such as the National Science Foundation and the Office of Education would expand their programs, and thereby pick up the slack left by elimination of the NASA training grants program.

Until such time as our committee can be assured that future needs for such manpower will be filled through the efforts of other organizations, it is our belief that NASA should not relinquish its responsibility for the training of a portion of tomorrow's space scientists and engineers. For this reason the committee recommends an increase of $10 million to the NASA budget with instructions that the training grants program not be further reduced during the forthcoming fiscal year.

Mr. Chairman, in closing, I again recommend strong support for this NASA authorization for fiscal year 1968.

Mr. TEAGUE of Texas. Mr. Chairman, the Subcommittee on Manned Space Flight has held detailed hearings on the fiscal year 1968 NASA authorization during January, February, March, and April. A complete review of the manned space flight program was undertaken. Hearings were held at the three NASA manned space flight centers, with the management personnel here in Washington, and at the facilities of the key industrial contractors.

I want to congratulate the members of the subcommittee for their thorough work in examining the NASA program. The subcommittee traveled to Grumman Aircraft Engineering Corp., Bethpage, Long Island; North American Aviation, Downey, Calif.; the Boeing Co., Michoud assembly facility, New Orleans, La.; the Chrysler Corp., Michaud assembly facility, New Orleans, La.; Jet Propulsion Laboratory, Pasadena, Calif.; Marshall Space Flight Center, Huntsville, Ala.; Kennedy Space Center, Cape Kennedy, Fla.; and the Manned Spacecraft Center, Houston, Tex.

The subcommittee has gone into detail on every item in the manned space flight authorization and has searchingly examined the program.

The committee has approved the fiscal year 1968 budget request with several changes. NASA has proposed to initiate in fiscal year 1968 a new program—Apollo applications—utilizing the hardware developed in the Apollo program to expand man's capability in space. In addition to this, budget realinements have been necessary since original submission based on actions necessary to recover from the Apollo 204 accident at Cape Kennedy in January of this year.

It is important to note that the Gemini program has been successfully completed. The Apollo program is continuing at a decreasing annual cost with the peak effort having been reached in fiscal year 1967.

The NASA request for continuation of the Apollo program for fiscal year 1968 is $2,546,500,000. This total request for the Apollo program remains unchanged when costs of the Apollo 204 accident are taken into account because of the following actions being taken by NASA:

First. An estimated $5 million will be required to make material changes and flammability testing for the new spacecraft configuration.

Second. An estimated $40 million will be required for design and incorporation of equipment changes and modifications in the Block II spacecraft.

Third. An estimated $8 million will be required for development of new spacesuits.

Fourth. An estimated $17 million will be required because of rescheduling of deliveries of command and service modules and lunar modules.

Fifth. An estimated $5 million will be required for modifications to launch facilities. Offsetting the increased costs of $75 million is a reduction of $25 million stemming from a lower than originally planned level of mission operations and an expected reduction of $50 million in cost of existing contracts through effective management.

The committee has carefully reviewed each element of the Apollo program noting that NASA is planning to absorb the fiscal year 1968 costs within the total budget originally submitted. Based on the schedule changes and anticipated improvements in costs through incentive contracts, it is the view of the committee that a reduction of $25 million in the Apollo program can be made. Therefore, the committee recommends an authorization of $2,521,500,000 for continuation of the Apollo program.

Further, the committee notes that NASA has established a most disciplined set of cost goals for the Apollo program for fiscal year 1968, requiring highly effective management to meet these cost goals.

Prior to coming before the committee, the Apollo applications program was reduced over $170 million by the Bureau of the Budget, and in addition the Bureau specifically deleted NASA's request of $100 million to go forward with an orbiting space station.

The committee believes the Apollo aplications program is important because it provides the United States with the opportunity to take advantage of space for practical applications and scientific benefit, while at the same time providing the needed information on how man can best perform in space for extended durations. Importantly, the Apollo applications program capitalizes upon the investment already made in the Saturn/Apollo hardware, and does not require the development of major new systems.

The program as originally planned by NASA would have called for two dual launches to take place in mid-1968 and early 1969. However, as a result of the Apollo accident, certain changes have been made. NASA's current plans for Apollo earth orbital missions call for concentration solely on qualification of the Apollo/Saturn space vehicle systems and flight operations to provide the earliest possible availability of the lunar mission configuration. As a result of this decision, a number of science and technology experiments have been removed from the Apollo program, and will be flown on the first Apollo application mission expected in late 1968. This will be followed by the first of the dual launch missions in early 1969, with the second dual launch mission expected in mid-1969. One result of this delay, however, is that it enables scientists to better refine their experiments for the Apollo telescope mount in keeping with the recent report of the President's Science Advisory Committee.

Another decision made as a result of the Apollo accident and the subsequent delay in the program concerns the availability of spacecraft, which now appears to be the pacing item in the Apollo applications program. To overcome this difficulty, NASA plans to refurbish and reuse command modules previously flown on Apollo missions, and to procure and modify additional service modules to mate with the refurbished command modules.

For fiscal year 1968, these two decisions will require an increase in funds used for spacecraft modifications, but there will be a corresponding decrease in command module procurement and experiment costs. The total NASA request for the Apollo applications program in fiscal year 1968 remains the same at $454.7 million.

The committee believed that NASA can accomplish this program with a small reduction, particularly in its mission support and experiment requirements, and consequently reduced the Apollo applications program by $10 million, to $444.7 million. During its deliberations, the subcommittee had considered a more severe cut in the program, but decided against a greater reduction in the belief that it would severely limit the program and the future development of manned space flight capabilities.

NASA has requested $8 million for advance mission studies to examine advanced manned space flight mission concepts for fiscal year 1968. The committee has reduced this program $1.8 million to $6.2 million.

The committee recognizes the importance of advance mission studies because they are the basis upon which informed and intelligent decisions are made concerning the future of manned space flight. Nevertheless, the committee reduced the program because it does not believe NASA can advantageously spend all the funds requested for this program in fiscal year 1968. Based upon NASA's previous pattern of advance mission obligations and considering the funds available from fiscal 1967, the committee does not believe that NASA could obligate in fiscal 1968 all of the funds it has requested. Consequently, the committee has reduced the program $1.8 million to the fiscal year 1967 level of funding of $6.2 million.

NASA has requested a total of $27,900,000 to cover the cost of nine construction porjects in four of the manned space flight areas.

The largest single project is for the completion of the Saturn V complex at the Kennedy Space Center. The other projects involve alterations, modifications, upgrading of water pollution facilities, and minor access road work.

The committee approved the entire NASA request in the light of the extremely low level of contemplated construction and modification work. The manned space flight area will utilize over $43 million for fiscal year 1967, compared with the $27.9 million for fiscal year 1968. In addition, the manned space flight field centers had initially requested over $82 million of construction funds for fiscal year 1968 and were reduced by NASA headquarters and Bureau of the Budget action to about one-third of this amount.

The committee believes that the projects in the current request are justified and essential to continued orderly progress in the program.

In the area of administrative operations for manned space flight, NASA has requested $323,500,000 for fiscal year 1968, which is $15 million less than was requested in fiscal year 1967. Administrative cost increases are anticipated in previous pay increases voted for Federal employees, automatic step increases based on longevity of satisfactory service, the higher costs of services and communications and utilities required to support the completion of additional facilities constructed with prior year funds, and the higher costs associated with increased costs of labor and materials for support services.

Nevertheless, the committee has reduced the manned space flight portion of administrative operations by $10 million, or about 3 percent, to promote an austere, cost-conscious philosophy in the NASA efforts.

I detail these actions so that the Members may see that the committee actions have been positive. It has been important to understand the effect of the accident in January of this year on the safety, performance, schedule, and costs in the Apollo program. The committee has confidence that NASA management is proceeding in an orderly and efficient manner to assure to the maximum extent the safety of the astronauts while maintaining a progressive and forward-looking program.

Major procedural, schedule, and management adjustments have been made in the Apollo program as a result of the tragic accident of January 27, 1967. It is a credit to NASA management that a critical, substantive revision was made and necessary corrective actions were aggressively undertaken to correct unsatisfactory conditions. With all the emphasis that was necessary to examine this accident and surrounding attendant conditions, we may lose sight of what is right with the program. A measure of this is the fact that NASA has been able to take positive, decisive action in its corrections, while proceeding with the many necessary actions in the bulk of the research and development effort for Apollo which was unaffected.

The assessment which the committee has received is that a lunar landing in this decade is still possible, although with a somewhat reduced probability. As significant as this is, the use of the Apollo hardware beyond the initial lunar landing portends the greatest return to our Nation for the investment being made. It is regrettable that funds for an orbiting space station were struck from this budget by the Bureau of the Budget. However, the Apollo applications program offers the opportunity to proceed with a scientific and practical benefits development program from the strong base of hardware and personnel experience derived in the Apollo, Gemini, and Mercury programs.

Of equal importance is the continuance of advanced planning for future space effort. The advanced missions program, although requiring a relatively modest level of funding, is the program which provides NASA with information to make decisions on future activities in space. NASA for fiscal year 1968 requested $8 million for advanced missions studies. The committee, after reviewing the program, decided to hold the authorization to $6.2 million, which is equivalent to the 1967 funding level. The advanced missions studies are composed of a series of contracts which analyze the potential worth, both in technical and in dollar terms, of future manned space flight activity. The budget cycle for funding these programs is such that late in each fiscal year new contracts are let for the following year. Consequently, obligation of funds in this program is not made until late in each fiscal year. However, if funds were deleted from this program, as has been proposed by some, it would mean the deletion of NASA's advance planning effort for manned space flight. It is inconceivable to think that NASA management should make decisions without the availability of the information derived from such a program. Therefore, it was the committee's determination that a funding level of $6.2 million would, in fact, allow NASA to continue their advanced missions studies at a level that will permit them to make the decisions among the varying alternatives in our future national space program.

Mr. Chairman, the Committee on Science and Astronautics has brought to the floor a bill that will allow a vigorous and forward-looking national space program. Support of this bill will provide to the United States the capability of competing in space while maintaining a balanced effort that we can reasonably expect the American public to support. I recommend the passage of this bill as presented to the House.

Having looked at the NASA program for this coming fiscal year I will now turn to place the total program in perspective.

Since its inception, the space program has proceeded through two major phases. The first phase, from 1958 to 1961, was one of establishing the framework and doing those things that could be done with existing capability.

The second phase, which began in 1961, has been one of establishing a broad national capability in space. This capability comprises skilled people, facilities, basic space technology, and the ability to carry out a series of manned and unmanned programs. To provide a focus for this effort, the Apollo program is being conducted with the mission of landing man on the moon and returning him safely to earth within this decade.

But it should be kept in mind that the principal objective of Apollo has been the creation of capability, rather than the performance of any one mission in space. What remains is the demonstration of that capability through the manned Apollo missions scheduled for 1968, 1969, and 1970.

For some time, the Congress has been concerned about how the capabilities developed in the space program will be employed for the benefit of the American people. Because of this concern, the Committee on Science and Astronautics has conducted a number of studies with a bearing on the selection of future programs. An outstanding example is the staff study, "Further National Space Objectives," conducted for the Subcommittee on NASA Oversight and published in August 1966. The principal conclusions of that study were that the technology base existed to define objectives for the exploration and exploitation of space in the 1970's and that five major policy factors should be evaluated in the development of the program. These factors were and are:

First, national security; second, economic advantage; third, scientific discovery; fourth, international cooperation and competitive position; and fifth, technological progress.

Despite the burden of the war in Southeast Asia and the Nation's domestic needs, President Johnson has placed before the Congress a proposal to begin a third phase of space activity. In this phase, the emphasis will be on realizing benefits by utilizing the capability that has been established. The NASA authorization for fiscal year 1968 provides for getting this third phase underway. It is a limited program with limited objectives at the present time. But it does represent a major decision to continue beyond the Apollo program the utilization of the Apollo people, the Apollo industrial team, the Apollo physical plant, and the Apollo flight hardware. This post-Apollo program is in accordance with the eight major objectives of the Space Act. It reflects consideration of major policy factors such as those which emerged from the study conducted by the Subcommittee on NASA Oversight.

Now what is this post-Apollo program? It is a balanced effort in the areas of practical applications, manned space flight, technology, and unmanned exploration of the planets. The effort is designed to provide the maximum in benefits to the people of the United States at a reasonable cost.

The Apollo applications program is the manned space flight part of the post-Apollo program which will be beginning under the fiscal year 1968 authorization bill. The two other major new proposals—the Voyager program for unmanned exploration of the planets, and the Nerva II nuclear rocket development will also use the Saturn V launch vehicle development in the Apollo program.

The Apollo applications program includes the following features:

Manned flights carrying sensing equipment that will permit experimentation directed at long-range weather prediction and control, and at other earth-sensing applications such as determination of the status of crops and forests, detection of pestilence, forest-fire warnings, location of schools of fish at sea, prospecting for ores and oil deposits, keeping world maps current, early warnings of tsunamis and tidal waves, measurements of air and water pollution, and the assessment of earth resources as a whole.

Observation of the sun and stars with large man-operated telescopes and other instruments which will provide important new scientific information and experience with the possibility of manned scientific work in space.

Continued exploration of the moon after the initial landing, at the rate of two to four flights a year.

Extension of man's experience in space through flights lasting 1 month, 2 months, and eventually a year or more in orbit.

Improvements of the Apollo spacecraft to convert it, with the Saturn I launch vehicle, to a six-man ferry between earth and earth orbit with the capability for landing on land.

The Apollo applications program will contribute directly to many important national objectives:

First, it provides for expansion of human knowledge of phenomena in the atmosphere and space. Scientific investigations performed in this program include studies of earth, examination of the space environment, exploration of the moon, and astronomical observations of the sun and stars and study of the effects of space on men and other living organisms.

Second, the program provides an experimental means for studies of the potential benefits to be gained from, the opportunities for, and the problems involved in the utilization of manned space activities for scientific and practical applications.

Third, the program provides for the improvement of the usefulness, performance, safety, and efficiency of space vehicles. It enables the Apollo spacecraft to be used repeatedly to carry six astronauts, to land on land, and to extend the duration of flights to a year. It calls for converting the upper stage of a Saturn rocket into an embryonic space station and for the development and operation of specialized vehicles capable of carrying instruments, equipment, supplies, and living organisms through space and for stays on the moon of up to 2 weeks.

Fourth, the program provides new opportunities for cooperation by the United States with other nations and groups of nations in the work done pursuant to the Space Act and in the peaceful application of the results thereof. This is especially true of the weather, communications, and other practical applications, which can supply benefits to the people of every nation on earth and in which scientists in every part of the earth can take part.

Fifth, and most importantly, the program contributes to our long-term national security and posture in the world preserving the role of the United States as a leader in space science and technology and in the application thereof to the conduct of peaceful activities within and outside the atmosphere. A continuing and developing manned space flight program is an essential ingredient of space and technological leadership. No one can predict what other nations will do. This program, however, will keep the United States moving forward in the post-Apollo period at a healthy pace for a relatively modest investment in post-Apollo activity. If we do not continue beyond the Apollo program we are leaving the field of manned space exploration to be exploited by other nations. This is the year of decision.

An aspect of this program worth particular attention is that it includes a major effort to reduce the cost of manned space flight in the future. This is especially significant in view of present budgetary pressures. In the early stages of the space program, the cost of the investment was substantial. Research and development constitute a learning process. In this learning process, it is not always possible to do something the most economical and efficient way the first time. Experience has revealed a number of ways of achieving more in results from each space flight, thus reducing unit costs and speeding the arrival of the day when a wider range of space applications can be realized economically.

To make this point clear, let me review some of the cost-saving aspects of the Apollo applications program.

One is the reuse of the Apollo command module. After command modules are flown and returned to earth it is planned to refurbish them for Apollo applications flights, avoiding substantial costs of producing new units.

Further savings will result from the addition of land-landing capability, which facilitates reuse by minimizing the work of refurbishment. If this should lead to the ability to dispense or substantially reduce the requirement for naval recovery forces, there would be even greater impact on costs.

Still another major cost-saving benefit results from the increase in crew capability from three to six in land-landing Apollo. More men can be flown on each mission, thereby enhancing its effectiveness.

A fourth item is the double use of the second stage of the Saturn I launch vehicle. After this stage has finished its work of launching the spacecraft into orbit, the stage is converted into an orbital workshop. The empty liquid hydrogen tank becomes a space station 26 feet long and 22 feet in diameter—about the size of a small two-story house.

Fifth is the use of this space station repeatedly. The astronauts will return to Earth at the end of a mission, but the space station will remain stored in orbit until astronauts return for the next mission.

Sixth is the increasing duration of flights in this workshop. The greater part of the cost of space flight is for takeoffs and landings. Thus greater value per dollar is obtained from longer flights. On the advice of space medical experts, it is planned to proceed by steps that roughly double the length of each previous flight—from 2 weeks to a month, 2 months and eventually a year or more in orbit. Long-duration flights will make it possible to do what otherwise would require additional flights.

Finally, a most important economy feature of Apollo applications is its basic concept—that of using the Apollo people, industrial organizations, physical plant, and flight hardware, rather than developing new hardware.

Altogether, this series of innovations will greatly improve the economics of space flight.

In summary, the Apollo applications program will make a major contribution to the achievement of the objectives of the Space Act of 1958. It is not directed at a single dramatic objective, but at a broad range of important objectives. It provides a way of working toward these objectives through a single flexible program which can build on experience as it moves ahead.

From the foregoing review, I think it is also evident that this post-Apollo program reflects consideration of major policy factors such as those set forth in the committee's study of future national space objectives. It contributes to national strength and security, economic advantage, scientific discovery, international cooperation and competitive position, and technological progress.

Now I would like to turn to some of the specific results that will be provided by the Apollo applications program. It is important to keep in mind that an underlying question is man's capability to operate in space. Therefore it is necessary to make advances in the ability to live and work in space, at the same time that devices and techniques are perfected and tested for realizing the benefits of manned space flight.

The first phase of the program calls for initial experiments with space applications, flight of the orbital workshop in low earth orbit, and a mission to observe the sun during its maximum activity, about 2 years from now.

The initial experiments with space applications include conventional earth photography like that in Gemini, and the beginning of multiband photography—that is, photography in the infrared, ultraviolet, and other portions of the spectrum. A plan under consideration is to launch this spacecraft into an orbit that would cover most of the United States. Previous U.S. manned flights have covered only Florida and the southern parts of Texas and California.

In the orbital workshop mission would be the investigations of living and working conditions. Some of the questions to be asked are:

How much cubic footage is needed for routine functions of life, conduct of experiments, and maintenance of equipment?

What is the best floor plan, for crew quarters and work stations?

What forms of exercise are best for keeping the astronauts physically fit?

What are the best foods and methods of preparing them, caring for personal hygiene, managing wastes, and attending to other household matters?

What about motion within a large space station and the effect of this on experiments and work performance?

Flights of a month or more in the orbital workshop—a space station as large as a small two-story house—will help to provide these answers.

The solar astronomy mission will carry into space the most comprehensive and sophisticated array of instruments ever assembled for observation of the sun. This flight, at the height of the 11-year sunspot cycle, will provide for a considerable increase in understanding of the sun and its effect on earth—particularly on the weather and world communications.

Later phases of the Apollo applications programs call for flights of the applications A and applications B space modules. These are very advanced assemblages of earth-sensing equipment that will permit considerable advances toward weather prediction and control, as well as the survey and utilization of earth resources. In addition, those latter phases of the program include work in the areas of communications and astronomy at an orbit synchronized with the earth's rotation, as well as exploration of the moon to follow the first Apollo flights.

Next, let me turn to the relationship between the Apollo applications and manned orbiting laboratory programs. A great deal of confusion has resulted from the fact that both of these programs involve manned flights in earth orbit. There is a misconception in some quarters that the two programs duplicate or overlap one another. This is not so.

The manned orbiting laboratory program, begun in December 1963, is designed to meet the specific needs of the Department of Defense. For this reason, some aspects are classified. It uses a modified Gemini spacecraft and the Titan III launch vehicle.

The Apollo applications program builds on the much broader capability of the Apollo spacecraft and the Saturn I and Saturn V launch vehicles. Thus it has much more inherent capability than the manned orbiting laboratory. Some earth-orbital experiments in the Apollo applications program might be conducted on the manned orbiting laboratory, and vice versa. But there is no duplication. Proposed experiments are reviewed by a Manned Space Flight Experiments Board consisting of senior officials of NASA and the Department of Defense. Experiments are assigned to flight missions in either program on the basis of economy, timeliness, or other considerations of national interest.

Finally, let me discuss one other misconception. Some people believe that a schedule of specific flights should be laid out over a period of several years prior to approval by the Congress. This would be the very antithesis of research and development. By freezing in advance the plans several years ahead, it would inhibit the flexibility in the program to capitalize on success or to repeat a flight if necessary.

The initial phase of Apollo applications has been defined. Objectives for the later phases have been established. The scheduling of all phases depends on Apollo progress as well as progress in Apollo applications. In such a program, flexibility is most essential.

The cost of the program also depends on Apollo. Should Apollo progress successfully, flight hardware may be available for Apollo applications and the costs will be relatively low. Should follow-on hardware be required, the costs would increase accordingly. But the Apollo applications program is planned in a way that will reduce unit costs as much as possible.

In summary, the President has asked the Congress to make a major decision regarding a third phase of this Nation's space activity. This phase will place emphasis on the benefits to be gained from utilizing the capability developed in the Apollo program. It places emphasis also on reducing unit costs, thus attaining the maximum in benefits from the minimum in costs.

This program opens the way for efforts toward using space for benefits to man on earth in meteorology, agriculture and forestry, oceanography, prospecting, mapping, disaster, warnings, pollution control, and resources management.

Even if only a few of these are realized, their value would far exceed the cost of the investment.

There is one final thought I would like to leave with you. All of the arguments I have made apply with equal force to the Soviet space program. The Soviets also have developed a capability that can be employed at less cost than the development of new systems. They also have the ability to provide these benefits to their friends throughout the world.

For the first time since the beginning of the space age, the Soviets are launching satellites at a greater rate than the United States. They have flown 32 this year as against our 26—as of June 17. The secret nature of Soviet space activities permits them to make the preparations and announce a project only when the equipment is flown. Do we want to leave open the possibility that they will do so while we are still debating whether to have such a program? Should we let history repeat itself?

The better course would be to proceed with a program that meets United States needs—regardless of what others may do.

The manned space flight program in fiscal year 1968 does two things. The flight-test phase will begin in the Apollo program to land Americans on the moon and return them safely to earth. Work will begin to use this capability for the benefit of man on earth.

Despite substantial progress in most phases of the broad Apollo effort, this program suffered its most severe setback on January 27, 1967, in the fire that took the lives of Astronauts Virgil Grissom, Edward White, and Roger Chaffee.

The accident and the searching inquiries by the National Aeronautics and Space Administration and committees of the House and Senate focused attention on problems of spacecraft design, quality assurance, procedures, safety, and program management. These problems are being dealt with. Every possible deficiency is being corrected. The scope of the actions being taken is well beyond the requirements highlighted by the accident. As a result, the Apollo program is stronger today than it was before the accident.

In reviewing the manned space flight program, it is well to keep in mind the record of accomplishment prior to this accident. In Mercury and Gemini, American astronauts were launched into space 16 times and returned to earth 16 times. The Saturn launch vehicle has been flown 13 times and has been successful 13 times. An industry-science-Government team of 300,000 persons has been assembled and trained. More than 90 percent of these people are outside the Government civil service structure. When we think of the scope of this challenge, it is perhaps easier to understand why problems still remain. Solving problems is basic to the research and development process. The authorization for fiscal year 1968 will support the efforts to solve them.

The total of $2,521.5 million authorized by the bill reported by the Committee on Science and Astronautics is $25 million less than President Johnson's budget request, received by the Congress prior to the Apollo accident. Since then, NASA has estimated that an additional $50 million will be required for the actions resulting from the accident. Thus a total of $75 million must be absorbed if the objective of a manned lunar landing is to be retained. The fact that the recovery plan does not call for greater expenditures is evidence of the inherent strength of the program.

The manned space flight program also provides for the beginning of substantial efforts to make use of the Apollo capability for the benefit of man on earth. This new program, Apollo applications, is the focus of these efforts. Apollo applications is a long-term effort to learn by doing and to do while learning abilities and limitations of man in space.

The Apollo applications program will also add assurance of success to the Apollo lunar landing program by holding together the teams of engineers and specialists to solve problems should they occur in the final stages of the program. Otherwise, additional costs would be required for keeping these experts available.

The Apollo applications program is the least costly means that can be employed to hold open the bridge to the future. It introduces a series of innovations that reduce the costs of doing business in space, and it avoids the waste resulting from stops and starts.

The Apollo applications program calls for beginning a new contractor effort in spacecraft modification, to provide these benefits without interfering with Apollo.

The scope of this program has already been twice reduced. The NASA request to the Bureau of the Budget was $626.7 million for fiscal year 1968. The budget request by the President reduced this by $172 million, to $454.7 million. The Committee on Science and Astronautics reduced the sum by a further $10 million, to $444.7 million. This amount, plus $6.2 million for studies of advanced manned missions, constitutes a minimum requirement for proceeding in orderly fashion.

The manned space flight program—Apollo, Apollo applications, and advanced manned missions—drives the Apollo effort into its final phases and begins the work of realizing benefits for man on earth. It supports national security, fosters national growth, expands knowledge, and retains options for the future at a cost the country can well afford. To delay this program is, in effect, to cancel it. Such a decision would put the space plum in the hands of the Soviet Union. By continuing, we tell the world we are not abandoning the benefits to others and we are not leaving open any temptation to undertake dangerous adventures in space.

I feel that I must also speak to another major area of effort proposed in this budget—Apollo applications.

President Johnson has asked the Congress to authorize the beginning of a third phase of U.S. space activity. The first phase, one of initial development, began with the enactment of the National Aeronautics and Space Act in 1958. The second phase began in 1961 with a focus on the Apollo program to land man on the moon and return him safely to earth in this decade; this phase has been one of establishing broad national capability.

In the third-phase program proposed by the President, the emphasis will be on realizing benefits for the people of the United States from their investment since 1958. Its focus will be the Apollo applications program, employing the people, industrial team, physical plant and flight hardware created in Apollo. And it is this Apollo applications program I should like to briefly discuss.

First. The Apollo applications program supports the broad-based advance of technology vital to our national security and guards against the hazard of technological "surprise" by other nations. It provides for improving the Apollo spacecraft to convert it into a six-man ferry vehicle with capability for landing on land, extending man's experience in space through flights lasting up to a year in orbit, and developing additional space modules.

Second. The Apollo applications program maintains the forward momentum that space technology has given our competitive position in the world marketplace through research and development for our industrial technology. The most important benefit thus far has been the surging national growth of the last 6 years. I believe that it is no coincidence that this has occurred at a time when this Nation was investing at an unprecedented rate in research and development, with the focus of this investment in the Apollo program. Despite the long leadtime between discovery and commercial utilization, new products, new processes, new materials, and new techniques have been entering our industrial system at a rapid rate. This rate is accelerating. The Apollo applications program will accelerate it further.

Third. The Apollo applications program will take advantage of tremendous opportunities for expansion of knowledge at a time when space-based astronomy and exploration embracing the whole field of space science show promise of breaking through into an era of real discovery. The program calls for observations of the sun during the sunspot maximum, with the most comprehensive and sophisticated array of instruments ever assembled for this purpose anywhere. It contemplates the use of similar equipment to observe the stars and galaxies from high altitude. It includes the study of the space environment. And it provides for the continued exploration of the moon after the Apollo landing.

Fourth. The Apollo applications program continues the advance of space technology vital to meeting the challenges of the future. It leads to understanding of man's ability to live and work in space for long periods of time. It permits experiments with advanced components and systems. It provides for continued production of the launch vehicles which will be used for the unmanned Voyager flights to Mars and Venus, and for the flight tests of the Nerva II nuclear rocket.

Fifth. Finally, the Apollo applications program utilizes the launch vehicles, spacecraft, ground facilities, and human resources that have been developed. By maintaining an orderly pace of effort, the Apollo applications program avoids the waste resulting from stops and starts, dispersal and reassembly of teams, mothballing and reactivation of facilities. In addition, it includes the introduction of innovations that will reduce the costs of space exploration and bring closer the day when wider utilization of space will be practical and economic.

Furthermore, this program allows the United States to meet the challenges of the future without demanding a major increase in cost as related to the Nation's resources. In the peak year of fiscal year 1966, NASA expenditures amounted to 0.83 of 1 percent of the gross national product. In the fiscal year that ends this month they have decreased to 0.73 of 1 percent. Under the NASA authorization for fiscal year 1968, as reported by the House Committee on Science and Astronautics, this total would decline further, to 0.65 of 1 percent.

In summary, therefore, the Apollo applications program supports our national security and our international posture, sustains our competitive position in the world market, expands knowledge tremendously, permits us to meet the challenge of the future, and does this at a cost that we can afford.

Our investment in space is just beginning to pay off. This is a time to continue the work to assure that all of the dividends are returned.

One specific aspect of Apollo applications is of major significance. The Apollo applications program is the focus for a new phase of space activity that places emphasis on realizing benefits for the people of the United States from their investment over the last 9 years. Some of these benefits are directly related to world peace and national security.

The events of recent weeks remind us again that our world is small and growing smaller. The headlong pace of science, technology, and their applications makes every man and woman on earth our next-door neighbor. The communications satellite transmits by television the scenes of battle in the Holy Land and Vietnam. The jet airliner carries us to Europe in 6 hours and Asia in 12. The intercontinental missile reaches its target in a half hour. Events in Vietnam and the Middle East have as much impact on the deliberations in Congress as anything occurring within the United States. Perhaps more.

As this trend increases we ask ourselves whether these crises can be predicted, whether science can help predict them, and whether science can help solve them. How can we cope with this kind of a world? What can we do to improve the outlook for world peace? How can we plan in an orderly way for the security and well-being of the United States?

The House Committee on Science and Astronautics has sought to obtain help from scientists in answering such questions. The committee has employed its Panel on Science and Technology, as well as direct contact with scientific leaders, to obtain advice on the problems just over the horizon, that may threaten world peace and national security in the years to come. For example, the eighth meeting of the Panel, January 24–26, 1967, concentrated attention on government, science, and international policy.

One overriding concern has emerged from these consultations. In the minds of the scientists who have shared their wisdom with the committee, one problem appears most likely to threaten peace and security. That problem is the population explosion.

Let me mention a few figures on the size of this problem and how it is growing. The population of mankind doubled, from a quarter to a half billion in the 1,650 years after the birth of Christ. It doubled again in 200 years, by 1850. The next time, it doubled in 80 years, by 1930.

Now there are 3.35 billion mouths to feed on earth. The total is increasing by 180,000 each day. At the present rate the total will double again—to almost 7 billion—by the year 2000. That is only 33 years from now. By the year 2000, India alone will have a billion people, and the population of Asia will exceed the entire population of the world today.

Dr. Roger Revelle, of Harvard University, described matters this way at the seventh meeting of the Panel of Science and Technology in January 1966:

> In many of the underdeveloped countries, 45 to 50 percent of the people are under 15 years of age, and this is simply an inevitable mathematical consequence of rapid rates of population growth. What this does is produce a very heavy dependency burden on a relatively small number of people who have to do the work, the adults. It also puts a very heavy burden of services on the society in terms of education, in terms of health, and other welfare services.
>
> A second thing that a high population growth does is to keep per capita incomes down, because the economic growth has to be divided up all the time among ever-larger numbers of people, and the result is that the income per person doesn't grow very fast, and economic growth depends very largely upon not only savings but upon a continuously increasing amount of savings, preferably an increase in the proportion of income that goes into savings.

Lord Snow, the distinguished scientist and novelist, who served as the Joint Parliamentary Secretary of the British

Ministry of Technology, had this to say, also at the seventh meeting of the Panel:

> To echo with reverence the greatest of democratic leaders, the world cannot survive in peace half-rich and half-poor. It remains to be proved whether it can for long survive at all.
>
> That is the greatest challenge to the next two or three generations. That is the greatest challenge to our science and technology and all our thinking about people and the actions we take. That is the greatest challenge to our humanity; and maybe its final test.

Is starvation inevitable? Is it necessary to feed half the world on concentration camp diets? Does our planet have the resources to support all of its people?

The committee received testimony from Dr. Lloyd Berkner, of the Southwest Center for Advanced Studies, whose death we mourned on June 4, 1967. Dr. Berkner said:

As populations increase and as there is a rising concern with the problems of living in a crowded world, we have greater need to make effective use of the earth's resources. To do this, we need to *measure their totals*, and the depletion and contamination that man's activities produce.

> A satellite is a vantage point at which comprehensive mapping and accurate measurements over really broad areas are possible *for the first time*. . . .
>
> Space offers the opportunity to do many things that just cannot be done in any other way.

Additional commentary on the world population problem is found in the testimony of Dr. Wernher von Braun. He said:

> We believe that one effective antidote is a worldwide earth resources management system. . . .
>
> We have all seen the pictures taken with a Hasselblad camera from the Gemini spacecraft. The Hasselblad is a simple hand-held camera, not very sophisticated, but its pictures showed a tremendous amount of detail. Now if we can combine more sophisticated cameras, with better resolution, with some new types of film material that have recently been developed, we shall be able to use the space medium to conduct continuous, never-ending surveys of our earth resources. We shall be able to tell rye from barley, and rice from soybeans. We shall be able to tell how those soybeans or that rice is coming along. And this includes seasonal variations. We shall be able to mark the progress of these crops through their growing seasons, and the impact of weather-droughts, storms, hurricane damage—on that progress. And at harvest time, we can predict the harvest yield in various parts of the world. Now this business of being able to identify "what" and "where" and "how much" is going to be harvested in various locations of the earth is half the problem of earth resources management; namely, the supply of food available.
>
> The other half is the demand, and this is measured in numbers of people. The very same system that enables us to distinguish between types and qualities of crops can also give us the pattern of population growth. If we continuously overfly the same areas we can learn by city and town where man is multiplying most rapidly. We can know how many eaters there are and where they live.
>
> These supply-and-demand data gleaned from earth-orbiting spacecraft would give us the information needed for resource management.
>
> We would feed this information into a computer, and the computer would tell us many weeks ahead of time of famine in Calcutta or somewhere unless we do something soon. Food shipments could be initiated before disaster hits.

Dr. von Braun testified that there are other benefits from such a system. He said:

> Suppose we learn that the yields in certain parts of the world are consistently poor. As part of our worldwide system we could employ multispectral sensors to find out what the problem is—too much salinity in the soil, poor fertilization, not enough water, maybe soil erosion. We could convert this information not only into food shipments, but into words of advice to solve a chronic agricultural problem. Instead of food, we could ship fertilizer, or even consultants to give some advice on the spot.

The scientists have made it clear that major research and development activity and studies by a number of Government agencies would have to precede the inauguration of such a system. Indeed, I would judge that international discussions would also be necessary. But let me share with you the assessment of Dr. *George Mueller, the NASA Associate Administrator for Manned Space Flight*. He says:

> The earth resources survey does seem to be a technically feasible way to help solve some of the most pressing problems of our growing world population.

What can be done about this potential? NASA, in close cooperation with the Departments of Agriculture and Interior, and other agencies, has underway a program of experiments from aircraft carrying a variety of sensors. The NASA authorization for fiscal year 1968 provides for the necessary research and development in space. In the Apollo applications program, experiments will be conducted, the sensing equipment will be developed, and the methods of operation will be tested. The first such experiment will be on the first Apollo applications flight—the initial experiments mission tentatively scheduled for 1968 or 1969. Later in the program it is planned to fly the applications A and applications B space modules containing much more advanced equipment.

The Apollo applications program also provides for an assessment of the role of man in activities such as the resource survey. In the experimental phase it is believed that man is required in the spacecraft. However, the experiments may result in a finding that the equipment can run automatically in unmanned spacecraft after the system goes into operation.

In summary, therefore, science may be able to help us to deal with the problems that can threaten U.S. security and world peace in the years to come. Scientists consulted by the Committee on Science and Astronautics believe that the population explosion is potentially the greatest of these problems.

One thing that can be done now to deal with that problem is the research and development of equipment and operational methods for managing earth resources from space. After all, it is only from space that the earth can be seen as a whole. Before we decide what to do about any problem it is a good idea to back off a little and look at it in perspective. Space flight makes it possible to back off from our planet and see it as a whole.

The Apollo applications activities projected for fiscal year 1968 are the first step in this process. By seizing the present opportunity to use the Apollo people, the Apollo contractors, the Apollo facilities, and the Apollo flight hardware, we are making it possible to take this first step at a relatively low cost.

In examining the relationship of the NASA Apollo applications program and its possible relationships to the Department of Defense planned orbiting laboratory the question of the new treaty on outer space and the MOL program was voice. At my request Mrs. Eilene Galloway of the Library of Congress prepared a report entitled "The Treaty on Outer Space and the Manned Orbiting Laboratory."

Because of the significance of the study, I am including this with my remarks for the benefit of the Members:

THE TREATY ON OUTER SPACE AND THE MANNED ORBITING LABORATORY

Questions have been raised concerning the relationship between the Treaty on Outer Space and the Manned Orbiting Laboratory (MOL) project of the U.S. Air Force. Some have wondered whether the MOL is kindred in spirit to the Treaty while others have questioned whether the Treaty has provisions which would hinder the development of the MOL. This situation requires an analysis of our basic national policy on space activities set forth by Congress in the National Aeronautics and Space Act of 1958, the nature of the MOL project and the Treaty's provisions on the peaceful and military uses of outer space. It should be stated at the outset, however, that these questions were thoroughly investigated when the Treaty was being formulated and prior to the time the Senate gave its advice and consent to ratification on April 25, 1967. Officials of the Department of State and the Department of Defense testified in favor of the Treaty, stating emphatically that its provisions would not interfere with the peaceful mission of the MOL, which is not a weapons system, nor would the MOL violate in any way the terms of the Treaty. Such official testimony will be quoted in the analysis given below.

BASIC U.S. SPACE POLICY SET BY CONGRESS

In the National Aeronautics and Space Act of 1958, Congress declared that "it is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind." NASA was established as the civilian agency to exercise control over aeronautical and space activities sponsored by the United States, "except that activities peculiar to or primarily associated with the development of weapons systems, military operations, or the defense of the United States (including the research and development necessary to make effective provision for the defense of the United States) shall be the responsibility of, and shall be directed by, the Department of Defense; and that determination as to which such agency has responsibility for and direction of any such activity shall be made by the President in conformity with section 201(e)" of the NASA Act. The National Aeronautics and Space Council, an advisory body to the President, was given a role in the coordination of the entire national space program. Whether a project is administered by NASA, the Department of Defense, or in accordance with a memorandum of understanding in cooperation with some other agency of the government, the objective of U.S. space activities is the maintenance and promotion of the peaceful uses of outer space.

RELATION BETWEEN PEACEFUL AND MILITARY USES OF SPACE

The peaceful uses of outer space and the military role were delineated five years ago when the House was considering the authorization for NASA's funds for fiscal 1963.

"Civilian and military requirements for the use of the space environment are similar for the most important developments which have been made thus far: improved communications, weather prediction, navigation, and mapping of the Earth.

"The fact that civilian and military departments have a common interest in space communications, weather, and navigation, is not unique to outer space. The same situation exists in all other environments in which man carries on activities—the land, the sea, and the air. Nor is this mutual civilian-military interest unique to periods of warfare; in fact, the need for better weather prediction and efficient communications exists at all times—in peace, cold war, or war. Space vehicles are a new technological tool in improving services which are an inextricable part of all phases of modern industrial society, and as such may be regarded in the same light as the telephone, telegraph, radio, and television." [1]

THE MOL IS NOT A WEAPONS SYSTEM

The fact that the MOL is not a weapons system or a space vehicle for any type of aggression has been brought to the attention of Congress repeatedly since the program was first assigned to the Air Force in December 1963. When the President reported to Congress on U.S. aeronautical and space activities in 1963, he stated that—

"The MOL program is not aimed at a military operational system, or even to an orbiting manned space station capability in the context usually attributed to that term. Rather, it will be designed to provide a minimal but substantive assessment of the feasibility and effectiveness of manned operations in orbit which may later be used to specify operational design characteristics and performance parameters." [2]

In the President's report for 1964, he explained that in order to achieve the best R&D plan, in-house investigations would be conducted in addition to those carried on by companies with contracts from the Air Force and the Navy. At that time, the objectives of the MOL were given as follows:

(a) provide a multi-purpose space laboratory for conduct of significant scientific, technological and bioastronautic experiments.

(b) utilize the GEMINI spacecraft for ascent and descent, the TITAN IIIC booster for propulsion and a laboratory module making maximum use of APOLLO subsystems to provide an early, minimum cost capability of at least 30 days manned flight.

(c) accomplish a series of progressively more sophisticated experiments which will contribute to the understanding of man's ability to operate military equipments in space, of his ability to work outside the spacecraft to assemble and service large objects such as telescopes or radio antennae.

(d) provide a vehicle with flexibility for a wide range of activities of national importance and follow-on potential for military operational utilization of required or additional experimentation, perhaps to include rendezvous and coupling.[3]

It should be recalled that from the very beginning of the space age, and even before, there was recognition that "military equipments in space" were concerned with communications, reconnaissance, and meteorology, all of which are peacekeeping and not aggressive activities.[4]

The President's report to Congress for 1965 states that—

"The first test of the Air Force's TITAN 3-C, the world's most powerful known space booster to date, came early in the year, and the decision to develop the MANNED ORBITING LABORATORY (MOL), which the TITAN will put into space, came later. World audiences were told that the TITAN 3-C is the first military booster designed from the outset for space missions, and that by strengthening the free world it will help to keep the peace. MOL is to be neither a weapon nor a weapon's carrier and in no way contradicts America's peaceful purposes in space. Rather, it aims to increase knowledge of man's usefulness in space and to relate this ability to free world defense." [5]

The 1966 report of the President on United States aeronautical and space activities indicates the integration of official thought and action concerning the relationship of the MOL and the Treaty on Outer Space:

"The United States continued to implement its policies of peaceful space objectives and of international cooperation toward the attainment of such objectives. Of major importance was the successful leadership shown by the United States and the cooperation of the Soviet Union in the development of a United Nations Space Treaty banning nuclear weapons in space and specifying the moon and other celestial bodies as being available only for peaceful activities.

"Important progress was made during the year in the development of the MANNED ORBITING LABORATORY, a project designed to evaluate the extent to which man in space can contribute to our national security. It is not a weapons system, it is not a means by which aggressive actions can be perpetuated, and it is in no way in conflict with the established peaceful policies of this nation. Rather, it is expected to improve the prospects for world peace." [6]

On April 27, 1967, during the hearings of the Senate Committee on Aeronautical and Space Sciences on NASA's authorization for fiscal year 1968, Senator Clinton P. Anderson, Chairman, inquired—

"Is the MOL in any way part of a weapons program?"

Dr. John S. Foster, Jr., Director of Defense Research and Engineering, Department of Defense, replied, "No, Mr. Chairman, it is not."

When the Chairman asked, "Although MOL is a military system, can its mission be characterized as peaceful and passive?", Dr. Foster said, "Yes, it can, Mr. Chairman." [7]

Concerning the question of whether the MOL would have to be modified in order to comply with any of the space treaty's provisions, the following testimony was given at the hearing:

"Senator CANNON. With relation to the MOL, will the MOL program be affected in any way by the space treaty?

"Dr. FOSTER. No, sir; it will not." [8]

At the same hearing, there was this exchange betwene Senator Jordan (Idaho) and Dr. Foster:

"Senator JORDAN. I understood you to reply to Senator Cannon that in your opinion, the objectives of the MOL program do not violate the terms of the space treaty. Yet in your statement you say, among other things, that priority will be given to those tests which support the investigation of the utility of military manned space flight, and so on, and performing meaningful military experiments would not contravene the terms of the space treaty.

"Dr. FOSTER. Yes, Senator Jordan; I tried to cover that in the answer to Senator Cannon and to Senator Anderson.

"The MOL is not a weapons system. It does not involve explosives in any way, or means of destruction." [9]

In fact, the United States has continuously had a policy of not placing any weapons of mass destruction into orbit, the first statement of this principle having been made on September 5, 1962, by Deputy Secretary of Defense Roswell L. Gilpatric. Consequently, the same policies which apply to the MOL are also applicable to any defense space program developed by the Department of Defense.

SPACE TREATY FAVORED BY THE DEPARTMENT OF DEFENSE

The position of the Secretary of Defense and the Joint Chiefs of Staff was explained to Congress during the hearings before the Senate Committee on Foreign Relations when consideration was being given to the Treaty on Outer Space. The statement of the Secretary of Defense, presented by the Deputy Secretary, Cyrus R. Vance, on April 12, 1967, concluded that the treaty would enhance U.S. national security and called attention to the fact that in 1963 the United States voted for a UN General Assembly resolution calling on nations to refrain from orbiting weapons. Pointing out that the treaty does not exclude military personnel and equipment from outer space, the Secretary stated:

"Military space programs concerned with communications, navigation, or observation are permitted. These programs, too, are peaceful uses of space. Our Vela satellite program, to take but one example of a military space program, is designed to observe—to watch for nuclear tests in space or in the upper atmosphere, and thereby to safeguard the Nuclear Test Ban Treaty. We plan two additional Vela satellite launches in April to maintain and to enhance this peaceful military capability. Other specific programs which are not prohibited include our Manned Orbital Laboratory, our extensive and successful communications satellite programs, mapping and other observation satellite systems, and the already operational navigation satellite system.

"The Department of Defense plans to continue its activities in space and to complement the work of NASA in those space endeavors in which the Defense Department has achieved a high degree of technical competence.

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[1] NASA Authorization for Fiscal 1963. Hearings before the Subcommittee on Manned Space Flight of the Committee on Science and Astronautics, U.S. House of Representatives, 87th Congress, 1st session. March-April 1962, Part 2. Appendix V, pp. 1051-1065.

[2] President's Report to Congress on United States Aeronautics and Space Activities, 1963. House Document No. 207, 88th Congress, 2nd session, January 27, 1964, p. 41.

[3] President's Report to Congress on United States Aeronautics and Space Activities, 1964. House Document No. 65, 89th Congress, 1st session, January 27, 1965, p. 42.

[4] Introduction to Outer Space. A statement by the President and an explanatory statement prepared by the President's Science Advisory Committee. The White House, March 26, 1958, 15 p.

[5] President's Report to Congress on Aeronautics and Space Activities, 1965. House Document No. 371, 89th Congress, 2d session, January 31, 1966, p. 123.

[6] President's Report to Congress on United States Aeronautics and Space Activities, 1966. House Document No. 49, 90th Congress, 1st session, January 31, 1967, p. 2.

[7] NASA Authorization for Fiscal Year 1968 Hearings, Senate Committee on Aeronautical and Space Sciences, 90th Congress, 1st session, April 27, 1967, p. 981.

[8] *Ibid.*, p. 993.

[9] *Ibid.*, p. 996.

"The United States is dedicated to the search for peace and to avoidance of nuclear war. Its policy is to control, to reduce, and finally to eliminate modern weapons of mass destruction.

"This treaty is an important step toward that goal. It is the most important arms control agreement since the Limited Test Ban Treaty."[10]

General Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, testified that rational arms controls measures have been supported by the Joint Chiefs, and in the treaty—[11]

"Principles are set forth which can potentially keep the vast new frontier of space free of obstacles to international peace and order.

"The Joint Chiefs of Staff recognize that national security can be improved by balanced, phased, and safeguarded arms control agreements limiting the military capabilities of nations in a manner conducive to the achievement of a secure, free, and peaceful world. We are equally aware of the historical record in this regard and conscious of the need to proceed with hope but without illusion.

"Having pledged ourselves to the international community, there have been and there are now no U. S. plans to deploy weapons of mass destruction in outer space. The treaty provision on "no bombs in orbit" accords, therefore, with our decision not to deploy these weapons.

"Confident that our Government is strongly resolved toward this end, the Joint Chiefs of Staff have no military objection to the United States becoming a party to this treaty, and the articulated goals of this treaty are fully acceptable to them."

Whether or not the treaty was ratified, however, the Joint Chiefs of Staff would be concerned about the possibility of an enemy having weapons on orbital platforms and would plan to protect the United States against such a hazard. General Wheeler said that—

"With a treaty agreed to and ratified, there are psychological and world opinion factors would, I believe, exert a restraining influence upon a state contemplating violation of the treaty."

"In either case, whether or not the treaty is signed, it is the judgment of the Joint Chiefs of Staff that we must have a strong research and development program pointed toward improving our detection and verification capabilities."

DEPARTMENT OF STATE TESTIMONY ON THE SPACE TREATY

Hearings were held during March and April of this year by the Senate Committee on Foreign Relations to consider the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies. Prior to that time, on January 27, 1967, the treaty was opened for signature in Washington, London, and Moscow. The representatives of 60 nations signed the treaty in Washington, including those of the United States, the Soviet Union, and the United Kingdom. In subsequent weeks some 20 additional countries signed this treaty which had been negotiated within the structure of the United Nations. On February 7, President Johnson transmitted the treaty to the Senate, stating that[12]—

"The provisions of this treaty reflect the will and desire of the signatory states, already numbering more than half the nations of the world, that the realms of space should forever remain realms of peace."

Calling attention to the fact that the treaty is a significant interim achievement and not a final step, the President said:

"It carries forward the thrust of the past decade to enlarge the perimeters of peace by shrinking the arenas of potential conflict. This is a thrust to which the Senate has given its support by ratifying the four Geneva Conventions on the Law of the Sea in 1958, the Antarctic Treaty of 1959 and the Limited Test Ban Treaty of 1963.

"As we have dealt with the sea, the atmosphere and the vast unpopulated continent of Antarctica, now in this treaty we extend reason to the activities of nations in the endless realm of outer space."

In testifying before the Senate Committee on Foreign Relations on March 7, 1967, the Secretary of State pointed out the importance of the treaty in developing international law for outer space, and stated that—

"The treaty's arms-control provisions are of immediate and particular importance to our national security. Parties to the treaty undertake not to place in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner. Parties to the treaty undertake as well to use the moon and other celestial bodies exclusively for peaceful purposes. They undertake not to establish military bases, installations or fortifications and to abstain from testing any types of weapons or conducting military maneuvers on celestial bodies. There is, of course, no prohibition on the use of military personnel and equipment for peaceful purposes.

"Concomitant with these arms control measures, the treaty contains provisions which, together with our own developing national capabilities, will permit adequate verification that the treaty is being observed. . . .

"The conclusion of the executive branch, including those with special responsibility for military and defense matters, is that the treaty will contribute to this Nation's security."[13]

Ambassador Arthur J. Goldberg's statement before the Committee considered that the arms control features of the treaty are an advantage to the United States:

"President Johnson has called this Treaty 'the most important arms control development since the Limited Test Ban Treaty of 1963.' Unlike the nuclear tests which were outlawed by the 1963 Treaty, the military measures in outer space which this Treaty will outlaw are measures that have never been taken.

"But nobody can say with confidence that they might not be taken, and this Treaty forbids such measures. Surely it is much better and infinitely easier to close the door to the arms race before it enters a new dimension, than to attempt to root it out once it has become established."[14]

NASA'S SUPPORT OF THE SPACE TREATY

NASA's Administrator, James E. Webb, urged that the Senate give its advice and consent to the Treaty as a foundation stone in building a regime of law in outer space. Pointing out that NASA worked closely with the Department of State in negotiating the treaty's provisions, Mr. Webb said that—

"We are already meeting these high standards by the open character of our activities, our emphasis on international cooperation, and our high-priority efforts to develop practical benefits from the exploration and use of outer space which can be shared with all people. Millions of people in other nations have, through TV satellite and other communications links, been party to our launchings and space activities. The scientists of over 70 nations have cooperated actively with us in space projects, and the practical benefits of our progress in satellite communications and meteorology are in operational use by dozens of nations today. All nations can benefit from the general application of these principles and patterns of performance.

"All have interests in narrowing the field for military competition.

"The security of this country rests both on a strong defense posture to make aggression unattractive to any who may consider such a course and on a vigorous, dynamic aeronautical and space program. . . . Do this, and we can face the future with confidence. Fail, and no treaty can guarantee our security."[15]

MAJOR PROVISIONS OF THE TREATY ON OUTER SPACE

The Treaty establishes principles to govern states in exploring and using outer space, including the moon and other celestial bodies. The major provisions may be summarized as follows:

1. Outer space and celestial bodies are to be explored and used for the benefit of all mankind, in accordance with international law and with free access to all areas of celestial bodies.

2. "Outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claims of sovereignty, by means of use or occupation, or by any other means." (Article II).

3. International law, including the United Nations Charter, shall govern space activities to attain international peace and security, international cooperation and understanding.

4. No objects carrying nuclear weapons or any other kinds of weapons of mass destruction shall be placed in earth orbit, installed on celestial bodies or stationed in outer space. The moon and celestial bodies shall be used "exclusively for peaceful purposes." The establishment of military bases, installations, and fortifications and the conduct of military maneuvers on celestial bodies are forbidden, but the use of military personnel and equipment on celestial bodies for peaceful purposes is not prohibited.

5. Astronauts shall be regarded as "envoys of mankind" and in case of accident shall receive every possible assistance and be returned to the state which registered the space vehicle. Astronauts shall also assist each other, and dangerous health conditions in outer space or on celestial bodies shall be reported to States parties to the treaty or the U.N. Secretary General.

6. States which are parties to the treaty shall bear international responsibility for national activities in outer space, on the moon and on other celestial bodies.

7. States are internationally liable for damage involved when they launch or procure the launching of objects into outer space and use their territory or facility to launch such objects.

8. States retain jurisdiction and control over their registered objects launched into outer space, including personnel while in outer space or on a celestial body.

9. States agree to conduct space activities with due regard for the interests of others, avoiding harmful contamination and adverse environmental changes of the earth. International consultation is provided for in cases involving potentially harmful interference.

10. Requests to observe the flight of space objects shall be considered on a basis of equality by states which are parties to the

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[10] Treaty on Outer Space. Hearings before the Committee on Foreign Rleations, United States Senate. 90th Congress, 1st session. April 12, 1967, p. 81.

[11] *Ibid.*, pp. 82, 83, 85, 90.

[12] Congressional Record, February 7, 1967, p. 2781.

[13] Treaty on Outer Space. Hearings before the Senate Committee on Foreign Relations, 90th Congress, 1st session. March 7, 1967, pp. 3–4.

[14] *Ibid.*, p. 148.

[15] *Ibid.*, p. 158.

treaty, but such opportunities shall be determined by separate agreements between the states involved.

11. States agree to inform the UN Secretary General, the public, and the international scientific community, of their space activities "to the greatest extent feasible and practicable". The Secretary General should effectively disseminate such information immediately.

12. Stations, installations, equipment and space vehicles on the moon and other celestial bodies shall be open on a basis of reciprocity to the representatives of other states, with reasonable advance notice being given for a projected visit.

13. The treaty provisions apply to space activities of single states, those acting jointly, and those carried on by international inter-governmental organizations. Practical questions arising from the activities of the latter type shall be resolved by states which are parties to the treaty.

The remaining provisions of the treaty deal with such matters as ratification, deposit, entry into force, amendments, and withdrawal.

Neither the MOL nor any other defense space project of the Department of Defense violates the provisions of the treaty as quoted below:

"ARTICLE IV

"States Parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outer space in any other manner.

"The Moon and other celestial bodies shall be used by all States Parties to the Treaty exclusively for peaceful purposes. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military maneuvers on celestial bodies shall be forbidden. The use of military personnel for scientific research or for any other peaceful purposes shall not be prohibited. The use of any equipment or facility necessary for peaceful exploration of the Moon and other celestial bodies shall also not be prohibited."

NASA, THE DEPARTMENT OF DEFENSE, AND THE MOL

There has been some discussion of the jurisdiction of the Air Force over the MOL and the degree of coordination between NASA and the Department of Defense in developing this space project. The latest information furnished to Congress on this subject was that given by the Secretary of the Air Force, Harold Brown, when he testified on March 14, 1967 before the House Committee on Appropriations (the Subcommittee on the Department of Defense and the Subcommittee on Military Construction). The following memorandum explains the steps taken to meet the requirements of the National Aeronautics and Space Act of 1958, as amended, that space activities shall be conducted to contribute materially to "the most effective utilization of the scientific and engineering resources of the United States, with close cooperation among all interested agencies of the United States in order to avoid unnecessary duplication of effort, facilities, and equipment."

INTERRELATIONSHIP BETWEEN NASA AND DOD MANNED SPACE PROGRAM (MOL)[16]

In August 1965, the President approved DOD proceeding with the development of the Manned Orbiting Laboratory (MOL). The objectives of MOL Program are to improve our knowledge of man's ability in space and to determine what application may be made of man in space to perform military tasks.

During all of 1964, MOL activity included studies, simulations and tests to better define experiments and subsystems in real terms rather than in broad theoretical aspects. As a result of these efforts, in January 1965 the Secretary of Defense reoriented the project, and defined detailed tasks to reassess the configuration, to choose an optimum program, and coordinate with NASA in conducting analyses of the applicability of Apollo equipment.

Within these guidelines, the following steps were taken by means of analyses in depth. First, essential vehicle characteristics to meet the program objectives were determined. Second, detailed studies were made to assess the capabilities of the Gemini/Titan/Laboratory and Apollo/Saturn to fill these vehicle specifications, and to meet MOL objectives. NASA provided information and data on the use of Apollo to perform the MOL functions and participated in performing specific tasks and analyses. Third, detailed comparisons were made of the various options, the results were evaluated. The Apollo/Saturn system was ruled out on the basis of cost, additional re-engineering that would be required, the broad capabilities of the Apollo spacecraft not needed for MOL (such as re-entry at super-orbital speeds), and the potential impact on the lunar landing program. Completion of these tasks led to the August 1965 decision.

The MOL Program, as currently configured, consists of a Titan IIIM launch vehicle, a modified NASA Gemini capsule to transport the crew members to and from orbit, and a Laboratory on the order of ten feet in diameter. The Gemini/Laboratory will be integrally launched into earth orbit. The two pilots, in the Gemini during launch, will transfer to the Laboratory upon achieving orbit, and will live and work in a shirtsleeve environment for the 30-day duration. At the completion of the mission, the crew will return to the Gemini for re-entry and landing.

The culmination of the comparative analysis and information exchange between NASA and DOD recognized that major NASA systems such as Apollo could not effectively accomplish the MOL mission for the basic reason that the respective missions are too dissimilar. Whereas the Apollo vehicle has a principal function of transportation of men in reasonable comfort and safety over great distances, the MOL has a principal function of providing men a workshop or laboratory wherein they may conduct experiments of a military nature in a shirtsleeve environment for a relatively long duration. Although the overall vehicle designs to satisfy these two different missions are of necessity vastly different, many of the supporting subsystems are common in performance and can be adapted with some redesign. Therefore, since major NASA systems are not directly adaptable to MOL requirements, the next most effective course of action has been adopted, namely to apply to MOL the philosophy of maximum use of existing subsystems and hardware components from such space programs as Apollo and Gemini. In addition, maximum utilization of contractors having such subsystem experience has been observed.

Many Apollo subsystem contractors have won competitions for MOL subsystems, assuring that developed hardware, reliability, and contractor know-how are applied directly to MOL. As specific examples, the fuel cell for electrical power for MOL is being produced by Pratt and Whitney who is also the fuel cell subcontractor for the Apollo program. The MOL environmental control system (ECS) is being produced by Hamilton-Standard who also produces a similar system for the Apollo Lunar Module (LM). Other Apollo contractors also providing MOL subsystems include Collins Radio for the communications system, IBM for the data computation subsystem, Marquardt for the attitude control system thrusters, Honeywell Corporation for the MOL Attitude Control System and other component contractors.

In addition to the MOL Program benefits derived from use of NASA Apollo contractors for major MOL subsystems and components, many other benefits are being exploited. The vast experience gained by the McDonnell Aircraft Company in producing the Gemini spacecraft for NASA is, of course, being directly applied to the MOL Program. Only those changes in the Gemini essential to fulfill MOL mission requirements are being made by McConnell in producing the MOL Gemini B vehicle.

Many millions of dollars worth of ground support equipment has been transferred at no cost from NASA to the Air Force. Gemini flight simulators will be used to train MOL astronauts. Apollo instrumented range ships and aircraft are anticipated for use during the MOL mission. NASA manned space flight network stations will be used in support of MOL during special events or emergencies for back-up voice communications.

To assure that the NASA/DOD exchange of technology, hardware and experience continues to be effective throughout the life of both the Apollo and MOL Programs, there are several formal and many informal organizational interfaces.

Formal coordination between NASA and DOD on manned space flight programs is the subject of several joint organizations. The joint Aeronautics and Astronautics Coordination Board (AACB) has provided a mechanism for a great deal of policy interplay and coordination. The Manned Space Flight Policy Committee (chaired jointly by Dr. Foster, DDR&E and Dr. Seamans, NASA) provides policy level coordination between the two agencies relative to manned space flight. The joint Manned Space Flight Experiments Board provides for discussion, evaluation and decisions regarding experiments to be flown in manned space vehicles. Within this overall framework, the working level day-by-day cooperation between DOD and NASA is extensive—in research, exploratory development, aerospace medicine, test programs, and use of operational support capabilities such as that provided to support Gemini tracking and recovery.

As follow-on assessment of optimum joint use of NASA and DOD hardware, a 1966 study was conducted by NASA for the Bureau of the Budget (BOB) to ascertain whether MOL hardware and the MOL Titan booster might be used to accomplish the follow-on Apollo mission, namely the Apollo Applications Program (AAP). The DOD-supplied data in answer to NASA questions was used by NASA in preparing their study for the BOB. The study served to continue exercising inter-agency critical analyses of optimum modes of mission accomplishment. This is another example of how the NASA and DOD have continually cooperated in cross evaluation of available hardware, technology and objectives.

Any review of NASA/DOD cooperation should recognize that the flow of experience hardware and support has been a two-way street. During the early build-up of NASA, the flow was primarily toward NASA from the wealth of Air Force capabilities in high performance aircraft research, development and operations. Launch vehicles for the NASA Mercury and Gemini were adaptations of military ballistic missiles, Atlas and Titan. In many cases, DOD technology has gone to NASA, has been further improved by NASA experience and developments, and has subsequently been re-adapted to DOD programs. Within the context of the overall national space effort, cooperation between NASA and DOD has been of value to both agencies.

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[16] Department of Defense Appropriations for 1968. Hearings before the House Committee on Appropriations, Subcommittee on Department of Defense and Subcommittee on Military Construction. 90th Congress, 1st session. March 1967, pp. 755–756.

Mr. MOSHER. Mr. Chairman, at this time I yield such time as he may consume to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I shall make my remarks very brief. As the record will show ever since I have been on the House Science and Astronautics Committee, and in fact since the National Aeronautics and Space Administration was created, I have had misgivings as to the amount of money involved in comparison with other national needs. Today, again—especially after the action of the House yesterday in raising the debt ceiling by $29 billion—I must express serious doubts as to whether the Congress should authorize approximately $5 billion for the space program. Let me hasten to say I support the objectives of exploring space and scientific research. I want to see our Nation first of all nations of the world in space, but I think a system of priorities should be established by the administration to enable the Congress to substantially reduce overall spending.

Mr. Chairman, a number of years ago, and again this year, I introduced legislation which in effect would allow a stretchout in our Apollo lunar landing program in which we will end up spending something like $30 to $40 billion. I have believed that the United States could land scientific instruments and obtain scientific knowledge and know-how without a race to land men on the moon. Whether or not the Kennedy goal of landing and returning men to the earth before 1970 resulted in the recent tragic disastrous flash fire I do not know, but I strongly suspect that the recent scandal and investigation showing so-called sloppy work and other revelations would never have come about had it not been for pressure to meet this goal.

Be that as it may, Mr. Chairman, I regret that the Committee on Science and Astronautics has never held hearings on this legislation of mine. I know a number of scientists and others who have supported a stretchout of the lunar landing program. They would have so testified, but they have never had an opportunity.

However strongly Congress supports the space program and the National Aeronautics and Space Administration, as I say, we must weigh the needs of curtailing spending in light of priorities. For example, I might mention that the Council of State Chambers of Commerce in analyzing the President's budget requests suggested cuts of $1 billion as being feasible as far as the Space Agency was concerned. The council said this might be too drastic on the overall program because of the loss of scientific talent and accordingly recommended a 10-percent reduction, or a reduction of $500 million from the budget request. The National Chamber of Commerce of the United States likewise called for a similar reduction and also the National Manufacturing Association. But Mr. Chairman, I do not have the technical knowledge, or time, or talent, to suggest where such cuts could be made. One member of my subcommittee, indeed, in offering an amendment to reduce one amount frankly stated the basis of his amendment was intuition. In other words, unless one uses a meat-ax approach or risks great harm to a necessary program one has to know what he is doing.

Mr. Chairman, if the minority members of the committee could have been furnished, as they requested, with a special staff to work for them I would have hoped that we could have effectively suggested where any reduction might be made. But it would take a full-time expert to analyze this vast program. The minority was denied that staff and accordingly I feel helpless to contribute toward economy and carry out what I think is in the national interest. So all I can do today is say I believe further substantial reductions can be made and I hope the House in its wisdom will reduce the amount recommended by the committee by at least 5 percent so that it will force the President to review this authorization and in cooperation with officials of NASA find where reductions can be made.

Mr. Chairman, I voted to report the bill out of committee and as I say I support the objectives of the program, but I have serious and substantial reservations regarding the advisability of spending all this money at this time when we have a war and other higher priority national needs.

Mr. MOSHER. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. ROUDEBUSH].

Mr. ROUDEBUSH. Mr. Chairman, I rise today to support the passage of H.R. 10340 authorizing appropriations to the National Aeronautics and Space Administration.

As a member of the Committee on Science and Astronautics I am certainly aware of the importance of this appropriation.

I am fortunate to be a member of two important subcommittees. I am a member of the Manned Space Flight Subcommittee and the Ranking Republican member of the NASA Oversight Subcommittee. This committee, as most of you know, had the responsibility of investigating the terrible Apollo disaster.

The Honorable OLIN TEAGUE of Texas is chairman of both of these subcommittees. Mr. TEAGUE is an outstanding chairman and one who works hard and expects other members of the committee to work equally as hard.

Just for a minute I want to briefly outline some of the successes and some failures of this NASA program during the last year.

We have finished the Gemini program in which we sent into space and brought back safely 20 men in 20 months.

Three successful unmanned flights in the Apollo program demonstrated the performance of the uprated Saturn launch vehicle, the Apollo heat shield and the Apollo propulsion and navigation systems.

Surveyor I and III made successful soft landings on the moon and sent back data of great importance.

We have obtained Apollo landing still pictures from each of our first three lunar orbiters.

We have taken the first pictures of the earth from the moon.

We have successfully tested the Nerva I, nuclear rocket engine, at full power and had successful firings of the half-length 260-inch large solid rocket motor.

We have played a major role in advancing aeronautical research and development.

But not everything has been successful. In a new program such as space there are bound to be some setbacks and some, I am sorry to say, are tragic ones.

What about the future? The future looks bright for the U.S. space program.

There are some exciting things in store for this country. Of course the Apollo program will move ahead in leaps and bounds and in 1968 we hope to begin the Voyager program.

This will be a series of unmanned exploration flights to Mars. Mars will be studied and some of the great mysteries of this red planet will be solved.

There remains the possibility that this Voyager program will be expanded and Venus will also be studied.

Today you are being asked to approve our committee report which includes spending $4,992,182,000.

This is a lot of money. Most of you in the House know that I have always been one who has voted for economy down the line.

And I will continue to vote for economy.

And I am going to vote for economy today.

But I am not going to vote for false economy.

We have spent nearly $28 billion since 1959. I want to protect this investment.

I certainly do not want to be a party to a program which is technically capable of getting to the moon but does not have the money to get there. As one of the astronauts once said to me: "I hope they do not cut off our appropriations when we are en route to the moon."

I want to be very candid here. I do have some reservations on the final bill. I am not going to elaborate on them as you all have your report in front of you I will call your attention to pages 176 through 188 and 191 and 192 of the committee report. These pages pretty well state my reservations on this bill.

Shortly I will offer an amendment which is outlined on page 182 of the committee report.

But I want to caution you, we must not do anything which will harm this program. Let us take a quick look at the amount of the appropriation.

NASA asked for $5,100,000,000. The committee has cut $107 million from this. This is the most that the Congress has sliced from NASA's request since 1964.

We hear a lot about progress. I have heard many on this floor plead with all of us to vote for progress.

Nothing can be as progressive as this space program.

I am certainly going to vote for progress and I hope that the entire membership in the House will join me in my vote.

Mr. MOSHER. Mr. Chairman, I yield

10 minutes to the gentleman from California [Mr. BELL].

Mr. BELL. Mr. Chairman, I rise in support of H.R. 10340 authorizing appropriations to NASA for fiscal year 1968.

I do this only after careful study to reassure myself as I now would reassure you. That the proposed budget is for the most part merely a continuation of a space program which virtually all of us have approved in the past.

Having invested so heavily, I believe we cannot wisely reduce our commitment just at the moment when the greatest rewards are about to be realized.

But I would not be candid if I did not stipulate that in my mind, as in the minds of other members, grave concern is felt that the budget we discuss today is not subtly designed to produce new commitments in new areas of space which will, in effect, obligate this body for years to come.

I am convinced that this is not so.

I believe the committee budget is intended to do, and in fact does, just three things:

First. It provides for the continued, orderly development of the Apollo program for a manned lunar landing.

Second. It provides for the development of a limited series of applications of the technical knowledge which constitute what might be called spin-off benefits on our sizable investment in Apollo.

Third. It allows for research and development spending sufficient to keep pace in space technology so that in the future we will be able to exercise options to proceed or not to proceed without incurring the kind of extraordinary initial expense we were forced to accept in the late 1950's.

It might be argued that public mood today would suggest abandonment of substantially all research and development spending.

I submit that such action would be perilous.

Ours is the clear obligation to manage Federal spending.

Stop-start programing is not management; it is anarchy.

No one among us is sufficiently farsighted to say with certainty that the circumstances in the future, perhaps as dramatic as the sputnik launch of 1957, might not demand significant new undertakings in space.

And in such an eventuality no Member would wish to have on his record the fact that excessive emergency spending to redress some new and unforeseen balance of power and accomplishment in space was even partially caused by his unwillingness to support the most modest research and development activities necessary to keep us up to date and to keep our options open.

The years 1958, 1959, and 1960 produced lessons too expensive to be repeated.

This is the seventh year that I have appeared before you to advocate the passage of the annual authorization request of the National Aeronautics and Space Administration.

This year, as in the past, I have served as a member of the Manned Space Subcommittee which has made detailed review of NASA's manned space flight activities.

I should like to stop at this time to pay tribute to the excellent foresight and the courage of the chairman of the full committee in continuing and keeping the space program on the level it has been going for the past few years.

I also want to pay tribute to the chairman of the subcommittee, the gentleman from Texas [Mr. TEAGUE], who through his insight and knowledge and following of NASA operations has kept us in steady contact with all of the problems and all of the knowledge we need to have to go ahead with this program.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield to me?

Mr. BELL. I yield to my chairman.

Mr. MILLER of California. While you are paying compliments I would like to return one to you. The gentleman is one of the hardest working members of this committee. He has a fine knowledge of the subject and travels far to get his information. I want to congratulate him on the excellent statement he has made.

Mr. BELL. I thank the chairman.

Over 1,400 pages of testimony and supplementary material have been reviewed in this connection.

The subcommittee visited every manned space flight center and all of the major contractor facilities.

Based on the testimony and the material presented during the hearings, the committee has recommended substantial reductions in spending.

I believe the amounts now recommended for these programs constitute the minimum amounts necessary to support our manned space flight program.

I believe that further reduction would severely affect the future of the national space program.

Early this year, on January 27, we all were shocked by the tragic deaths of astronauts Virgil I. Grissom, Edward H. White, and Roger B. Chaffee which occurred during the test of the Apollo 204 spacecraft.

These men were the first American astronauts to lose their lives in a space-related accident .

The tragedy moved us to a thorough reexamination of the program by the Congress and by NASA.

Changes are now being made in the spacecraft, in the materials carried on board, and in the test procedures to insure that a similar accident will not again occur.

I believe that the true cause of this accident can be summed up by the remarks of Astronaut Frank Borman.

During the committee's investigation of the Apollo accident, he commented:

> I don't believe that any of us recognized that the test conditions for this test were hazardous.
>
> I, myself, in Gemini 7, flew for 2 weeks in a 100 percent oxygen environment.
>
> We tested on the ground with 14.7 pounds per square inch absolute oxygen. We purged with 20.7 pounds per square inch absolute oxygen.
>
> In no way did I consider the test condition hazardous.

Before his death Virgil Grissom had this to say:

> If we die we want people to accept it.
>
> The conquest of space is worth the risk of life.

Our investment in Apollo is great and it is no longer just a financial one.

Our obligation is to get the program back on a success schedule.

The first manned Apollo flight has been delayed about 1 year in order that new safety procedures can be incorporated into the program.

During this time NASA is continuing with its unmanned tests of spacecraft and launch vehicles.

I am confident that with the budget proposed the United States can still meet its goal of achieving a manned lunar landing and return in this decade.

Russia, like the United States, suffered a space tragedy this year.

The Soviets show every intention of persevering.

I believe we can do no less.

Nor do I believe a slowdown can be justified.

Argument that postponement of the lunar landing would save money is inaccurate.

The opposite is true.

Each year Apollo is delayed would add $1 billion to the cost of the program.

Our haste to catch up with Russia may have resulted in disproportionate expense during the early period of space development.

That time has passed.

Apollo's hardware needs have now been virtually filled, the technology has been developed, the personnel have been trained.

Remaining before us are essentially the launchings which have relatively fixed costs.

But postponements would require the expensive maintenance of launch facilities for a longer period than is now necessary. Just as they would require revision of phaseout plans for launch complexes and assembly plants and alteration of schedules to reduce the number of personnel to 100,000 by the end of 1968.

How do we justify this outpouring of the Nation's wealth?

Implication of military necessity, or at least military usefulness, has always been present in space dialog.

President Kennedy, in a letter to Congress on January 31, 1962, wrote:

> It is the policy of the United States that activities in space be devoted to peaceful purposes and during 1961 we made significant progress in that regard.
>
> Such progress included space projects to help keep the peace and space projects to increase man's well-being in peace.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MOSHER. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. BELL. Mr. Chairman, in conclusion, I think we must recognize that the majority members of this Committee—Committee of the Whole—voted for this bill and is committed to this bill overwhelmingly and has been so committed for the past few years.

It is the same basic space program to which we were committed some time ago. There are no major new commitments.

Now, Mr. Chairman, we hear mutterings in our respective districts about the problems, the costs involved, and so forth, as well as the fear that we are spending too much.

After meeting with and talking to some of the contractors involved in this project who are located in the congressional district which it is my honor to represent, one of the main things about which they were concerned, one of the things that cost them the most money, was the "stop and start procedure."

At one time we appropriate so much money and then the next year we cut it a way back and in the long run it costs the country more money than anything else involved in this program.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. MOSHER. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. MILLER of California. Mr. Chairman, I yield the gentleman from California 1 additional minute.

The CHAIRMAN. The gentleman from California is recognized for 2 additional minutes.

Mr. BELL. Mr. Chairman, I thank the gentlemen for yielding this additional time to me.

Mr. Chairman, if we through fear stick our head in the sand, we must remember that the Soviet Union is continuing to produce and to pursue this program; it is continuing to proceed, and we may find out at some time in the future that a new sputnik or perhaps highly advanced new space vehicle, has been developed by the Soviet Union. Then we again will find it necessary that we as a nation begin spending fantastically great sums to speed up and to catch up with the Soviets.

Then we will be the victims of the same costly delays, of stop and start speedups that we were involved in immediately after sputnik was sent into orbit, and will find that we have not kept up to date in the development of our technological know-how in outer space. We will be again faced with the same problem of catching up.

Mr. Chairman, because this is what I believe is true, it is my opinion that we should spend the minimum requirements now in order to face up to this problem and to continue to advance our state of the art in the future.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. BELL. I am pleased to yield to the distinguished gentleman from Connecticut.

Mr. DADDARIO. Mr. Chairman, during the arguments which were made earlier in the day, a remark was made to the effect that our goal to attain the placing of a man on the moon and returning him with safety during this decade was thrust into the background and that its achievement was no longer a possibility.

Mr. Chairman, the gentleman from California has indicated that he does not agree with that statement, and since the gentleman from California has heard the testimony presented before our committee, he believes we can achieve this goal, provided we follow it systematically and in accordance with those programs included in the authorization bill which is before us today.

I ask the gentleman from California if he has any question at all but that we can achieve our stated objectives.

Mr. BELL. I believe that is correct. I believe we can do this with an orderly procedure and program. However, I do not feel that we can accomplish this objective with a stop and go program. This has represented the most expensive feature of the program and has also represented the most time lost therein.

Mr. DADDARIO. Mr. Chairman, if the gentleman will yield further, the gentleman feels we can accomplish this objective through following and carrying out our program such as that which we have been carrying on heretofore?

Mr. BELL. Yes; such as that program that we have been carrying on heretofore.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. MOSHER. Mr. Chairman, I yield to the gentleman from Florida [Mr. GURNEY] 10 minutes.

Mr. GURNEY. Mr. Chairman, I have a rather lengthy prepared statement here which I had intended to give, but I will put it in the RECORD and summarize it instead, since the hour is getting late, and we are going to have amendments here which will be the most important part of this bill anyway, but I would like to say that I support this program of the United States in space, wholeheartedly. I support this bill as it comes before the House floor wholeheartedly. I know the committee has worked on it at great length, and supervised it carefully, and I believe it is a sound budget and a frugal budget, which is more than can be said about a lot of budgets that have been brought before this House this year. There is one thing I would like to emphasize, however, and that is what I will proceed to do in my allotted time.

There will be a concerted effort in the amending period to cut down on the Apollo applications part of this space program, and I hope it does not succeed. I further hope the Members of my own party do not go along with the proposed cut in the Apollo applications. Apollo applications is the ongoing manned space flight program of this Nation. We have had Mercury, and we have had Gemini, which were completed very successfully. We are now in the Apollo program, and will complete that in 2 years—that is, the trip to the moon—but if we do not go ahead with the Apollo applications in this bill this afternoon and provide the money that is in this bill, 2 years from now the manned space flight program in the United States is going to come to a screeching halt, and we will have done it here in this Chamber this afternoon if we go along with the proposed cuts in this program.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman.

Mr. TEAGUE of Texas. Mr. Chairman, the gentleman has made a most important statement, and one I wish to associate myself with. I agree with the gentleman when he says when we cut out the Apollo applications we are cutting the heart out of the program.

Mr. GURNEY. Mr. Chairman, I appreciate the support of my subcommittee chairman in this matter.

Let me say this also: This committee last year tried its hardest to get the NASA people and the administration—because NASA was willing to do it—to go ahead with the Apollo applications 1 year before. We were not able to do it because we had spending problems and budget problems which emanated from the White House, so this program was postponed a full year.

Mr. Chairman, if we had gone ahead with it when we should have it would be well along the road now, and it would not be in jeopardy as it is in jeopardy on the floor of this House this afternoon, or it will be during the amending period.

I hope the Members who have been in this House a lot longer than I have, and who were here in 1957 and in 1961, have not forgotten when Sputnik I went up in 1957, and when the first man went around this earth in space in 1961. Believe me, Mr. Chairman, his name was not Smith or Jones, or Riley, or anything like that. It was Yuri Gagarin, and Yuri Gagarin will be remembered in the history books from now on, just as Lindbergh is remembered as the man who first flew the Atlantic Ocean.

I suspect there were people back in 1928 who said to themselves, "What is that darned young fool flying the Atlantic for?" Because it was just as unwise and as impractical then for Lindbergh to go to Paris as I suppose Members later here in this well will say today: "What is this Nation going on this crazy journey to the moon for?"

But what Lindbergh did by going first was to unveil unlimited horizons so that today—which was the tomorrow of 1928—anybody of any economic means at all can fly anywhere in the world that he wants to.

I would expect that with the fast pace of our space flight, we will go a lot farther in space than we have in heavier-than-air craft flight.

I said I was not going to take my full time, but I am afraid I am running out of time. Let me make one more point here because I think it is very important.

Program after program has come to the floor of the House of Representatives this year and I would venture to say I am accurate when I state that every major program that has been voted upon by this House of Representatives this year has been increased.

I know that every appropriation bill was increased because I looked up the figures last night and they will be listed in my formal statement.

The appropriations for independent offices under which NASA lies, came to this House a few weeks ago. This bill was not in it because the authorization had not come before you yet. Yet, that appropriation was increased $474 million. Yet, this program comes to the floor of the House of Representatives showing a decrease in the last 5 years—showing a decrease in dollars but even more than that, a very significant decrease in the percentage of the national budget.

Let me read these figures to you because they are interesting.

In 1964, the NASA authorization was 5 percent of the budget.

It has dropped to 4.9 percent in 1965 and to 4.1 percent in 1966.

Based on the figures, as best we can develop them from the Bureau of the Budget, it would be down to 3.7 percent of the national budget for this year.

If it is true, as the Secretary of the Treasury has said, that we are going to run a $25 billion deficit this year, then next fiscal year, NASA's authorization, as included in this bill, will sink to 3.1 percent of the national budget.

Now what agency or bureau of the National Government has come before this Congress and this House of Representatives with as good a record as that? Not asking for anything more, so help me, but asking for less and less and less over the years. Yet, it is proposed here by some in this House, and it will occur later today, that for their good record of managing their money and doing their job with the low money appropriations that they have had in comparison with other agencies and bureaus of Government that we are going to kick them in the budget.

I think that is a pretty poor way to handle it. If we are going to do anything about trimming down the national budget—which probably ought to be done—let us do it with those agencies and bureaus that deserve it. Let us do it with these new programs that are asking for more and more money and which have been given more and more money by this House each year and this year.

Let us not kick the biggest and the best scientific and industrial program that the United States of America has.

Mr. MORTON. Did I understand the gentleman correctly when he said that in this year with a budget of $4 billion and 900-and-some-odd-million dollars that this would represent about 4.7 percent of the national budget?

Mr. GURNEY. No, I said it would represent 3.1 percent of the national budget.

Mr. MORTON. That is for this year?

Mr. GURNEY. For this fiscal year, 1968.

Mr. MORTON. The cost of our military posture, plus the hot war, plus the cost of past wars, totals 89 percent, leaving 11 percent for all other programs and expenditures made by the Federal Government not funded through special trust funds. Does this mean then that one-fourth of the money available for all other programs, including our environmental and public works development is going to be spent by NASA?

Mr. GURNEY. I cannot answer the gentleman's question there because I have not followed your figures. All I know is I took the moneys in this bill and I used the projected national budget for the coming year, the one proposed by the President in January, and I added the $25 billion figure that the Secretary of the Treasury used before the Committee on Ways and Means here a few weeks ago, and that is where I got my figures, which I think are accurate.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman.

Mr. DADDARIO. I want to compliment the gentleman from Florida on his remarks because they so well illustrate the effort that the Subcommittee on Manned Space Flight has taken to bring together the facts especially in regard to the Apollo applications program.

I am sure that the gentleman from Florida will recall that last year, as he rightfully said, when we postponed this program for a year, we took into consideration the fact that the Gemini program was phasing out, and that it would come to the end of its financing. We could then take advantage of the fact that there would be a cutoff of that part of the budget so that we could then afford even in such critical times as these, to support the Apollo applications program as it ought to be.

I recall that this was part of the reason, part of the logic behind our taking that position at that time.

Mr. GURNEY. That is correct. That is a point well made. I am glad that the gentleman brought it to the attention of the committee.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield further?

Mr. GURNEY. I yield to the gentleman from Connecticut.

Mr. DADDARIO. The Apollo applications program is not only what the gentleman has said it is, the important keystone upon which we will build our program in the future, but within it there is the accumulation of all of that planning, all of that expert knowledge which we have developed in the space program to this point, and as we focus it in Apollo applications, for a relatively small amount of money we can then make the necessary choices. So we can come before the House and state why we want to go further in the program. Without this, the Apollo applications program, our space effort will end with the lunar program, and if that is to be the case, we should not have started it in the first place.

Mr. GURNEY. That is exactly so. The point made by the gentleman from Connecticut is eminently correct. What we are doing here is simply buying the necessary hardware to keep the options open, as the gentleman said.

Mr. Chairman, I support the space program of the United States with great enthusiasm and this bill H.R. 10340, which sets out the authorization for fiscal 1968 of NASA, the space agency.

I will first direct my remarks to that part of the bill called Apollo applications, for in my thinking this is probably the most important part of the bill. It is also the part which will undoubtedly be under attack later on today.

Here the bill provides for moneys of $444,700,000. That is a large sum and it will be argued that this is a new program so let us cut it out. Here is a good place for economy. But let us take a look at what Apollo applications is all about.

Apollo applications is the ongoing program of manned space flight.

Although this Nation was second in space, after the Russians, we built an enviable second in our Mercury and Gemini programs.

We are on the threshold of new and much greater advances in manned space flight in the Apollo program.

Apollo applications will build on this sound foundation.

It will give our Nation a chance to determine the future role of man in space.

The principle objectives of the program will be:

First. Flights of long duration—up to a year.

Second. The conduct of manned astronomical and earth observations from space.

Third. Continued exploration of the moon.

Let us turn to the first objective. The manned space programs of the United States, so far, have capability of flights of only two weeks in duration. This is true even of Apollo, the flight to the moon.

If man is to have a significant role in space flight of the future, our efforts so far are the first faltering steps only; they could be compared to the Wright brothers' achievements in aircraft.

The Apollo trip to the moon, in space flight, may well be compared to Lindbergh's flight to Paris, in heavier than air craft.

Lindbergh proved it could be done.

But great hero that he was, I do not doubt that there were many back there in 1928, who shook their heads and said, "Why does that darn young fool want to risk his life to fly to Paris?"

There are skeptics who will say in the well of this House today, why do we spend all this money to fly to the moon? To bring back some green cheese?

Sure Lindbergh's flight was hare brained and impractical, if you look at it by itself, and with 1928 aircraft technology.

But what a curtain it raised, unveiling the unlimited horizons of air flight for tomorrow, when today—the tomorrow—anyone even of limited financial means can fly anywhere in the world.

Can anyone here doubt that if man has the capability of long duration space flight that future space flight probably has similar broad horizons?

As crude as our present spacecraft are, compared with those of 50 years from now, we have made far greater and swifter progress in space flight than we ever did with aircraft.

The horizons in space flight are surely more unlimited than those of aircraft, for they are not earthbound, they include the whole universe for explorations.

However, whether this Nation continues on with manned space flight depends on what the House does today with Apollo applications.

The present Apollo program will terminate in 2 more years.

Manned space flight for the United States will then come to a grinding halt if the Apollo applications program is not funded this year.

The money here provided goes, first, to buy hardware, that is, the already developed Saturn I and Saturn V boosters; second, to modify already developed Apollo spacecraft; and, third, to develop a new orbital workshop and a telescope mount for the planned space observatory experiments.

It is important to note that Apollo applications builds on hardware in existence in which this Nation already has multibillion-dollar investment.

Even the new orbital workshop and telescope mount will make use of a converted, spent, Saturn upper stage.

NASA is planning well and frugally on the lessons already learned. It is putting to effective use the very considerable investment this Nation has made in space.

The argument may be made: but this is a year of great money demands upon our Nation because of Vietnam. Let us await a year or more until the war is over and we are less pinched for money.

Now everyone in this House who has any slight knowledge of science and engineering, knows that you cannot go out and buy at Sears Roebuck or Macy's Department Store, off the shelf, a sophisticated rocket booster or spacecraft.

It takes leadtime and long leadtime—5 to 10 years if you start from scratch. It takes years even when you have already developed the hardware.

Sometimes a decision to go ahead can be made best, by seeing what happens if one does not go ahead.

In this case the production lines of the boosters, the engines, the spacecraft will shut down.

Teams of scientists, engineers, technicians, skilled workmen, carefully and painfully put together over a period of years, will scatter all over the United States.

In short an investment of billions of dollars moneywise, and of incalculable value knowledgewise, will go down the drain.

Now then, let us say in a year or two, the Russians put up an orbital workshop. And any bet on that goal of our competition can be made safely, even giving long odds.

Then suppose the workshop goes spinning around the earth week after week, month after month, a living, ever present testimonial to the great scientific and engineering achievements of Russian communism.

What a propaganda triumph.

What an advertisement for the superior ability of the Communist world.

I hope the memories of the Members of this House go back just a scant 10 years to October 1957, when Sputnik I was launched by the Russians.

Surely you remember the dismay of the whole Nation. The United States, the greatest scientific and industrial nation, second in space.

As one Member said then in this very well:

> People were not simply shocked and awed, they were literally stunned.

And then just 6 years ago in April 1961, surely we remember the name of the first man in space, Yuri Gagarin and of his nation, Communist Russia.

As another Member then said in this well:

> The full impact or reaction of this propaganda victory of the Reds cannot be appraised or measured.

I remind this House that the Russians followed with the first walk in space, the first soft landing on the moon, the first photos of the moon.

Now do not think I am here to sell the Russian space program over ours. In most areas we have probably, I say probably because theirs is veiled in secrecy, caught up and exceeded them.

But there can only be one Lief Ericson or Columbus, or Lindbergh. The Russians were first, and as a Member of this House said at the time: Lindbergh was first to fly nonstop to Paris, who remembers who was second?

The Russians were first in space and that is the way the history books are going to be written. But of more importance, what are they doing now?

For the first time since the beginning of the space age, the Soviets are launching satellites and space probes at a greater rate than the United States. As of June 21, the Soviets led us by 33 to 27 in the total of successful launches this year.

These 33 launches included the Soyuz flight of April 23, in which Cosmonaut Vladimir M. Komarov lost his life. In addition, the study of information available from open sources seems to indicate that three others were unmanned flights in their manned space flight program. One of the three, Cosmos 140 on February 7, was probably a flight in preparation for Soyuz. But two others, Cosmos 146 on March 10 and Cosmos 154 on April 8, may have been part of another and more advanced series. In fact, there was a report in the British press that Cosmos 146 was the heaviest space payload ever put in orbit.

Drawing conclusions from the limited information available about the Soviet space program is very difficult. But there are a few criteria that the experts believe help identify their preparations for manned flights. One is the low perigee, which leads to very short lifetimes. A second characteristic is the resulting irregular decay as these large spacecraft graze against the upper atmosphere. In addition, sometimes the spacecraft is returned suddenly—presumably with the aid of retrorockets. Finally, they all are in orbits inclined about 52° to the plane of the earth's equator.

Now what about the thrust of the Soviet rockets? They announced in 1965 the introduction of the Proton booster, with a capability of putting in earth orbit payloads weighing about 27,000 pounds. In 1966, the United States began the flights of the uprated Saturn I, which demonstrated at the start the ability to orbit 29,000 pounds. The Saturn I payload capacity is being increased by increments to about 40,000 pounds by next year.

But the Soviet statements about the horsepower—60 million horsepower—of the Proton booster indicate that its thrust is at least 2½ million pounds. Some writers for our trade press think it is even more. The speculation on its actual capacity is generally in the range of 50,000 to 60,000 pounds.

The Soviets have stated that the Proton booster will be used for manned flight. If this is true it would be surprising if it had not been used in the last 2 years for preparations for manned flights. According to this line of reasoning, the Cosmos 146 and Cosmos 154 flights this year might have been launched by the Proton.

Since 1957, the Soviets have successfully launched 207 rockets into space. The total nominal payload capacity of these launches is believed to be more than 2 million pounds. I emphasize "nominal capacity," for their booster capacity is obviously subject to uncertainties. In the same priod, the United States has successfully launched 370 rockets into space. The total nominal payload capacity of these 370 rockets was 1.4 million pounds. Thus, even though we have launched more of our smaller rockets, the total weight placed in orbit by the Soviet Union is believed half again as great as that of the United States.

Since the ill-fated Soyuz flight of April 23, there has been no indication of further flights in their manned flight program. One possibility might be a suspension of flight operations pending a review of the accident. However, the Soviets have stated several times since then that manned flights will proceed as soon as they have corrected the causes of the accident.

The secret nature of the Soviet program permits them to make their preparations quietly, announcing a project only after a flight takes place. It is hardly surprising that they have continued that policy at this time.

The Soviet manned space flight program is a significant challenge to U.S. technology. On the long term basis, the Apollo applications program is the free world's effective response to this challenge.

To delay this program is in effect to cancel it; deferral would allow the teams to be disbanded, the facilities to be mothballed, and the flight equipment to become obsolete. Thus, the Soviets would reap the benefits of the unchallenged initiative. By continuing, we let it be known that we are not abandoning this initiative and we are not leaving open the temptation to undertake dangerous adventures in space.

Furthermore, all the benefits of employing existing capability apply with equal force to the Soviets. They have such capability and the opportunity to provide its benefits to their friends. Do we want to give them the freedom to proceed with their program while we are still debating ours? Should we let history repeat itself?

The better course would be to proceed with a program that meets our needs—regardless of what others may do.

I have dwelt heavily here on the propaganda value of the space program. I hope no Member underestimates this.

I doubt if there is a living world leader or crowned head of state in the world today that has not visited the Kennedy Space Center, especially those of the emerging, uncommitted nations. The first thing they want to do after a White House reception is to go to the cape.

Now I know this bill provides for a great variety of programs.

I know the argument will be made, let us cut on manned space flight because we do not know what man's future role in space will be. But this is all the more reason why we should find out.

The United States does not have a 100-percent record of looking ahead wisely.

The Wright brothers made the first successful heavier-than-air craft flight.

But it was European nations that leaped far out in front of us in the use of aircraft both for military and commercial purposes.

Even in our modern day who flew the first jet fighters—Germany; and the first commercial jets—England.

In the field of rocketry, the very subject we are discussing, the first man to develop a modern rocket was Goddard, an American, way back in the 1920's. He tried long and valiantly but in vain, to interest U.S. Government in rocketry. Had we given him even meager financing, we would be flying spacecraft today, that would make Apollo a horse-and-buggy museum relic.

Let us not forget that there was a small group of scientists that did recognize the importance of Goddard's work. A quarter century ago they were hard at work at a place called Penemunde in a nation called the Third Reich, under the leadership of a madman named Adolf Hitler, who was exhorting his political cohorts, today Germany, tomorrow the world.

As often happens in government Hitler and his scientific advisers did not fund their rocket program with enough money. The V–2 rocket was a year or 2 late. Thank heaven for the free world. For an operational V–2 in numbers would undoubtedly have changed the course of world history.

Or let us look at a more recent example of foresight—this time in our favor. Nuclear power applied to submarines and the development of the Polaris missile to use with it, may well have had a profound effect on world history also.

But its development was touch and go. Only the brilliance and courage of Admiral Rickover and the foresight of Members of Congress, especially this House, overcame the lethargy of bureaucratic brass.

Lessons indeed can be learned from history.

Those of us who work with the space effort of our Nation are convinced that the Nation which leads in space will lead in this very competitive world of ours.

Such leadership demands being first and foremost in all parts of the space program, but especially in manned space flight.

Without a substantial commitment to manned space flight this Nation will slip back to the also ran position in the space competition. It will also contribute in great degree to a second position in world leadership.

In my opinion shooting down Apollo applications will be a direct, telling, and highly damaging blow at the world leadership position of this Nation.

I sincerely hope that my colleagues do not fall for an appeal for economy and a short-sighted goal of taking it all out of the space program.

Heaven knows we need economy in Government and also that there has been little evidence around this House this year for economy. Lots of talk about it, but no action.

Space does not have the appeal economically or politically in some States as in others. But I hope this House will rise above a demogogic one shot blow for economy against space. If we do this, all of us will live to regret it.

To those on my side of the aisle, I might observe that we have suffered enough from fake issues. In 1964, during the presidential campaign we got shot down with the nuclear daisy bomb and the social security boogyman. In 1960 we got shot down with the so-called missile gap. That was so blatantly false that Secretary McNamara labeled it so after he became Secretary of Defense.

But here, in this bill in this Apollo applications programs, if we vote to gut this one, be assured as surely as night follows days, that we shall regret it and it will come back to haunt us, as a manned-space-flight gap.

A big cut out of Apollo applications today will kill our manned-space-flight program 2 to 3 years from now.

One last argument, which I think is all convincing.

This is one of the few Government programs that has not been given more money. So far this year every appropriation bill has exceeded the year before.

Appropriations so far

Independent offices up 5 percent	+$474,000,000
Department of State, Justice, Commerce, and Judiciary	+61,000,000
District of Columbia	+58,700,000
Department of Defense	+65,500,000
Legislative branch	+587,000
Department of Interior	+22,300,000
Department of Health, Education, and Welfare and Department of Labor	+143,500,000
Treasury, Post Office, and executive offices	+798,000,000
Supplemental Defense appropriations	+12,200,000,000
2d supplemental appropriations	+2,040,000,000

I point out specially the independent offices appropriation because the NASA budget falls in this category. This appropriation has already passed the House without the NASA moneys. The increase over last year was $474 million. Up 5 percent. Yet NASA spending has fallen in dollar amounts over the last 5 years.

It has fallen considerably more percentwise of the Federal budget.

List:

[Dollar amounts in billions]

Year	NASA	National budget	Percent
1964	$5.100	$101.1	5.0
1965	5.250	106.6	4.9
1966	5.175	126.4	4.1
1967	4.968	[1] 135.0	3.7
1968	4.992	[1] 160.0	3.1

[1] Probable.

If NASA was before us this year with requests for increased moneys, then the people who argue to cut would have a case.

But I cannot see how those who have supported all manner of new programs and increases of these new programs, can fail to support in full, a vitally necessary space program when the people who run it come to this House, asking not for more money than before, but less money.

I hope we do not reward them with a kick in their budget. If other agencies or bureaus of the Federal Government had been as responsible, we would not be in the budget fix we are in today.

I urge my colleagues to vote down cuts in this authorization in Apollo applications.

Let me say further, Mr. Chairman, that the United States is engaged in no more important undertaking than the space program. It is of tremendous value to our Nation and to the rest of the nations of the free world. The nation that demonstrates clear superiority in space will be the acknowledged leader of the nations of the world. We have long since determined that this position belongs to the United States.

No one knows completely what is in store for those who are first to conquer space. There are certain to be many benefits that we cannot fully comprehend at the present time. Little did Christopher Columbus appreciate the true import of his adventures when he set out on his courageous voyage. What he discovered, although not what he set out to find, has changed the course of world history. Today we are on the brink of even greater discoveries, ones that seem certain to again alter the entire future of mankind. The United States must lead the way in this exciting challenge. It is imperative that we be first in space, just as we have undertaken to be first in the defense of the freedom of man. Let us not underestimate at our peril the meaning of the events of our time.

There are many reasons why it is important for the United States to be first in space. One of the most important is the security of our Nation. It is evident that just as space holds the key to the greatest scientific achievements of the future, it also holds the key to the most significant military advances. No nation desires peace more fervently than the United States, yet this desire for peace must be evaluated realistically. The political forces contending in the world today make it clear that the surest way to protect this peace is through strength. By maintaining our strength, through conquering the great expanses of space, we are assuring ourselves a forceful bargaining position, and generating confidence in those countries which look to us as the leader of the free world.

Of equal importance is the acquisition of scientific knowledge that results from the space program. The achievements of the United States in space during 1966 were impressive. We completed the last five Gemini missions, proving the concepts of extravehicular astronaut activity, first-orbit rendezvous and docking, and tethered stabilized flight and docked vehicle maneuvers. We qualified the uprated Saturn launch vehicle for manned space flight with the Apollo spacecraft. We successfully placed into orbit 100 spacecraft, more than ever before.

What are the returns from this unprecedented activity? Those who feel that the goal of our space program is only to place a man on the moon are greatly underestimating the benefits to be derived from it.

Our weather satellites are giving us a greater understanding of the natural forces around us than we could have possibly hoped for just a few decades ago. Observations from space are being used on a routine basis by the world's weather services. We can now look forward to a day when it will be virtually impossible for the world to be caught by hurricanes, and other great storms that have caused untold damage, suffering, and loss of life.

In the field of communications we are also making great strides forward because of our space program. Our progress in communication holds the promise of increased effectiveness in business, education, government, and the home. In the field of education, for example, David Sarnoff, chairman of RCA, has said that with a direct-broadcast television network which can be developed through our satellites, we could eradicate illiteracy from the face of the globe within 10 years.

Photographs taken from space have increased man's knowledge of earth and the rest of the universe. The mapping and surveying potential that is present through space photography is amazing. Possibly one of the most exciting applications of space photography is in determining the most effective use of resources through resource surveying. The Interior Department has estimated that the worldwide data that could be gathered from space in 17 days would take 20 years to assemble by aircraft. By that time, the information would obviously be out of date.

Medicine has improved its understanding of the workings of the human body. The tiny biosensors used to monitor the astronauts' physical condition during flight are now being used in hospitals. They permit a single nurse at a central console to monitor the condition of a number of patients. This may be one answer to the shortage of hospital help and the rapid current increases in hospital costs.

Navigation service is now provided to ships at sea in all types of weather by our satellites.

Our space program has also provided a new surge in technology. Many people, notably including many European industrialists, are convinced that the industrial sophistication generated by our space program has given the United States an important competitive advantage in all technological fields. We are making things better than ever before. Microminiaturization has revolutionized electronics. Computers are prevalent in industry and government, freeing people from routine work to use more fully their ability to think and create. We are reaching a standard of excellence in materials, structures, fuel cells, that is unprecedented, and heralds a new prosperity for America as the technological leader of the world.

Our space effort has led to the creation of an extremely competent science-industry-government team. Only by a full utilization of this team, which has been assembled at great cost, can we get a maximum return on our investment. By utilizing this team we will be able to reduce unit costs of space flight, sustain the forward momentum of progress, and continue the flow of new products, processes, and ideas that have contributed to our prosperity.

In a number of areas of space activity it is safe to say that the United States is now in a position of leadership. But there is a keen rivalry in the area of space flight between the United States and the Soviet Union, accompanied by an acute awareness that many nations of the world are making judgments on the competence and leadership of these two great powers based on their performance in space.

Let us learn a lesson from history. The Roman mastery of land and sea communications, the English mastery of the seas, the American mastery of air and nuclear power were each followed by a greatly enhanced prestige and a vast increase of power and position. New knowledge also accrued from these achievements, along with a more effective use of resources, a more advantageous economic standing in the world, and a great surge in military capability. These in turn led to a great increase in national pride and motivation, and generated a confidence that the Nation could achieve whatever it set out with full purpose to accomplish. These are the benefits that the Russians hope to gain from their space program. These are the advantages we cannot allow them to acquire and use against the free world.

We should learn from experience that the Russians are serious in their space endeavors. They beat the United States in the race to acquire effective missiles, then we rushed to catch up. The same has been true in space, where they have established an impressive list of firsts, and again we rushed to catch up.

The whole world was astounded when the Russians ushered in the space age by announcing the launching of Sputnik I on October 3, 1957. And then, on April 12, 1961, Yuri Gagarin became the first man in space. At that time one of the Members of this House said:

> The full impact or reaction of this propaganda victory of the Reds cannot at the moment be appraised or measured. I shall never forget the reaction in the fall of 1957 following Sputnik I, when the Russians won the first race into space. People were not simply shocked and awed, they were literally stunned and I suspect these same feelings are going through the land today, but this time in addition we are just downright hurt that we must again take second place.

Another Member said:

> Who ever heard of the name of the second man to fly nonstop from New York to Paris? It is Lindbergh whose name is inscribed on history's tablets of immortality. Fate, it would seem, has been rather niggardly in awarding first-class prizes to second-class winners.

The Soviet Union has followed these achievements with the first walk in space, the first soft landing on the moon, the first orbit around the moon on a photographic mission, and more.

Where are they now? The Russians have an ambitious program today, and their actions indicate that it maintains a high priority in their scheme of essential activities. They have great faith in their space program, and the benefits to be derived from it. This is evidenced by the fact that they spend a significantly greater portion of their gross national product on space activities than does the United States, although their standard of living is much lower and their other needs much greater.

The Russians can also repeat an attempt rapidly when a mistake is made, and this significant ability to bounce back enables them to determine what their mistakes are and take steps to correct them. The recent death of one of the Russian cosmonauts has not slowed the progress of their space program to a significant degree. Even now a Russian spacecraft is on the way to Venus, 2 days ahead of our own.

The great surge in Soviet prestige that their space program has generated has given them a new weight and assurance in the international political arena, and a new pride and confidence in the Soviet national purpose. We are reacting quickly and with ever-increasing success, but the greatest challenges are yet to come.

Can we afford to allow the Soviet Union to forge ahead of the United States in the manned space flight program, with the many benefits to be derived from the mastery of space? The answer must surely be no. The United States is doing a great job with its space program, but there is no room for complacency. In a world which is looking for a leader, the space program offers the United States a way to show that freedom and democracy is a superior system, and can produce superior results.

This bill, H.R. 10340, enables us to maintain an orderly pace in our space program, thus reducing the possibility of surprise and the necessity to frantically undertake a crash program to catch up. In my opinion the bill is a sound one, and I urge its support by my colleagues, to the end that the United States may gain and maintain preeminence and world leadership in all of the space frontiers of today and tomorrow, especially tomorrow.

While I support this bill without reservation, there are matters in connection with the work of the House Science and Astronautics Committee with which I am troubled.

I am deeply concerned by the inadequacy of the committee staff, which makes it impossible for the committee to carry out its assignments as effectively as it should. This is not a qualitative deficiency, as the members of the present staff are excellent. But there simply are not enough of them to handle the immense tasks of a committee which is charged with overseeing yearly budget requests of about $5 billion, for NASA, and the entire science budget of the Nation totaling over $20 billion, plus legislative oversight of the Bureau of Standards and the National Science Foundation. There are faults in the NASA operation that are not being identified and corrected, to the detriment of the U.S. space program, because of this committee deficiency. Until this deficiency is recognized and corrected, the committee will not be able to properly discharge its obligations, and thereby the Congress will continue to fail in meeting its obligations to the people of the United States.

There is another problem that exists in regard to staffing: namely, that there is no minority staff for the House Committee on Science and Astronautics. Regardless of the competence of a staff, how can a staff member serve both sides at the same time with equal fidelity? It is impossible to do so. As a result the committee, the Congress, and the people of the United States are denied the balance, the probing, the questioning, and the testing of ideas which leads to a more effective committee operation and to the quality of legislation that they are paying for and deserve. In "We Propose: A Modern Congress," by the House Republican Task Force on Congressional Reform and Minority Staffing, my distinguished colleague from New Hampshire [Mr. CLEVELAND] says:

> The need for establishing new rules in Congress to insure the minority party an adequate supply of professional staff on committees is of overriding importance. It must be met properly if Congress is to fulfill its constitutionally assigned functions as a co-equal branch of government.

I hasten to point out again that these matters do not reflect at all upon the merits of this bill, but are considerations which I feel are important to make our committee work more effective. I am unequivocally in favor of H.R. 10340 as it stands, and urge each Member of Congress to support it.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield to the gentleman from Maryland [Mr. MORTON], such time as he may require.

Mr. MORTON. Mr. Chairman, my purpose here is not to challenge NASA, the great committee that brings this legislation to the House, or even the adventure of our generation into space. The challenge of this adventure is of our times. We must accept it and we must pursue it.

Having read the report, it is obvious that the Committee on Science and Astronautics has done a thorough job in the development of this proposed legislation.

Mr. Chairman, in spite of this, I cannot accept a $4.990 billion authorization for our space program without laying before my colleagues a very basic question. The question is, What are the priorities which we are using to give appropriate and comparative emphasis to the demands on our Government in meeting the crying needs found everywhere we look throughout the land?

In the budget that was released on January 24, 1967, from the Bureau of the Budget and the Executive Office of the President, we find that 89 percent of all Federal expenditures within that budget were absorbed by our military requirements for defense and in Vietnam, interest on our debt, veterans' benefits, and other fixed charges. This leaves only 11 cents out of each dollar for all other Federal programs not funded through special trust funds, user fees, and the like. A nearly $5 billion authorization for our space program means that one-fourth of all the money available for other budgetary requirements of the Federal Government is being absorbed by our efforts in space exploration.

Mr. Chairman, where in this scheme of priorities lie the interests of our cities, our desperate need for new ships—a new maritime posture? Where do we place in comparison to space exploration our efforts to develop an adequate mass transportation system, our efforts to overcome the sins of the past in cleaning up our lakes, streams, bays, and even our oceans? How do we rank our effort in space in comparison to the needs of adequate housing, of broader educational opportunity, of paying for parks and recreation areas which have been authorized, as well as establishing new places where people can escape, though momentarily, from the pressure of their work, and even the pressure of their existence?

Mr. Chairman, the very fact that we, as a responsible legislative body, are willing to commit to a single program one-fourth of all the funds available after appropriations to the military and the costs of past wars, leads me to conclude that we face an overriding requirement to develop a system of priorities to be the guidelines for fiscal planning. The sacredness of our military budget and the almost unchallengeable size of our space effort could well be the beginning of the deterioration of the physical environment on the crust of this earth which is absolutely essential for the support of a higher order of civilization.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. RUMSFELD].

Mr. RUMSFELD. Mr. Chairman, I supported this legislation in committee, and support it today. I want to associate myself wth the remarks of the gentleman from Florida [Mr. GURNEY], who just spoke, when he discussed the need for this country to develop and maintain a broad space capability. I will not reiterate many of the things that have been said previously in the debate this afternoon. I would like to comment on three or four aspects of the bill and of the report which are pertinent.

During the debate on the rule there was a speech made in which it was suggested that the speaker supported the space program because it provided jobs, because he was against many of the domestic programs, and because the money was spent here in the United States.

I do not support the space program for any one of those reasons. I support the space program because I am convinced that capability—not merely manned space flight—but the capability in weather satellites, communications satellites, and the broad technology that is being developed, will be of great value to the people of our country and the people of the world in the coming years.

As other speakers have said, I cannot pinpoint every advantage that will accrue to this country. But I can say that if history has taught us anything, we have to be willing in our time to undertake projects that have the prospect of bringing dividends in the future even though we may lack such specifics.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. I am glad to yield to the chairman.

Mr. MILLER of California. Is not one of the greatest and biggest fallouts that will come to this country our ability to set up and manage large operations such as the space effort that will be important to us in solving the vexatious problems of the future such as sewage control and other management fields in which we have never had any experience, and we are training the men who can do these jobs in the future?

Mr. RUMSFELD. It seems to me there certainly is reason to hope that the processes and techniques can be transferable to other areas.

The report on page 148 has a paragraph titled "Information." In this bill, on page 9, there is a section which the committee inserted in this legislation for the first time this year, which specifies that "the Administrator of the National Aeronautics and Space Administration shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration."

Separate views in the report on page 191, authored by the gentleman from New York [Mr. WYDLER] and joined in by other minority members of the committee, highlight the background of this amendment to the legislation. It is a sound improvement and hopefully will benefit the Congress as we deliberate and consider the space program, hopefully with fuller information, in the coming years.

The reason it is there, the reason I offered the amendment in committee, and the reason it was supported unanimously in the committee is because of a deep concern that developed as a result of several specific instances. The Members believe that we should have access to fuller reporting, a greater amount of information, and that we should increase our efforts as members of the House Committee on Science and Astronautics to try to do a better job in this important area. This amendment to the bill and the comments in the report are an improvement over prior years' authorization bills.

The minority views, the separate views, also discuss the problems of committee staffing and minority staffing. This is an old story. Since 1963 some Members on our side of the aisle have been expressing the hope that the House Committee on Science and Astronautics could add to the individuals now serving on our staff, who are individually competent—and let there be no question about that—that we might add to them some additional individuals with technical backgrounds, so that we in the House of Representatives can fulfill our constitutional responsibilities in seeing that we have analyzed to the extent that is humanly possible these vast programs and oversee the expenditures of these vast sums of money.

It is not a simple business. It does require a competent and sufficiently large staff.

Also the question of minority staffing is discussed. This was raised when the resolution of the House Administration Committee was before us earlier this year. I am still of the belief that our committee and the House will be better served if we follow the recommendations of the Joint Committee on the Organization of Congress and provide minority staffing for this committee, this committee being the only committee to my knowledge in the House of Representatives where the minority has requested minority staffing and has not to this point had an opportunity to appoint a staff member.

The reason is obvious. For this Congress and for this country to come to balanced judgments, we have to have broad investigation, and probing, and questioning, and testing of ideas as we try to hammer out a legislative solution in a complicated area. I am hopeful that when next this authorization bill comes before us, I can stand in this well and say to the House that we have had the benefit of review and assistance for the members of a larger committee staff, and, further, that we will have had the benefit of the work of a minority staff, so that the minority members can be better served in their duties.

Finally, there is the problem that has touched this whole country as a result of the Apollo fire, the tragic accident which resulted in the death of three astronauts. I intend to offer an amendment during the reading of the bill which will establish an independent safety board of review for the National Aeronautics and Space Administration. The reason for this is quite simple. In the hearings by the House Committee on Science and Astronautics, the Subcommittee on NASA Oversight, repeatedly the committee was told that there was a hazard that existed over a prolonged period of time—undetected, unidentified, and uncorrected.

It was a hazard which was repeatedly described as not a complicated one. It was oxygen, in a confined space, under pressure, with the opportunity for ignition from arcing or a spark.

The fact that this was not discovered—I can only say it was not—I believe points up the need for improvements in the Space Administration's safety procedures.

A safety man has been appointed for the first time to serve in the NASA headquarters, and I applaud this.

NASA has no inspector general, as does the Air Force, the Army, and the Navy.

NASA has no independent safety review board, as does the Atomic Energy Commission, asking the hard questions about safety apart from programing, apart from scheduling, apart from cost considerations, apart from political fears of rocking the boat and possible retaliation from an individual high up in the chain of command.

I believe NASA needs this.

The people of this country, through the Members of this body, have invested vast sums in our space program. I believe we owe it to the people of this country to assure them that we have done everything humanly possible to see that the National Aeronautics and Space Administration corrects the now apparent structural management weakness with respect to safety, and that we do something here today to adopt an amendment which will provide an independent safety review board to work on these problems.

We will never eliminate all accidents; I know that. But at least we must reduce the number and increase the Space Administration's capabilities and the contractors' capabilities in closing this hazard evaluation gap.

I will offer an amendment to that effect during the amending process.

Mr. FULTON of Pennsylvania. Mr. Chairman, I compliment the gentleman for his excellent statement.

I now yield 5 minutes to the gentleman from New York [Mr. WYDLER].

Mr. WYDLER. Mr. Chairman, essentially I am here in support of H.R. 10340, the authorization bill for the Space Administration, presently before us, but, of course, I have reservations concerning this bill and parts of it.

The main general problem facing the House and the Congress at this time is the fact that we have to marshal the assets we have to spend, and we have to make cuts in our national spending in places where it may hurt but where it will hurt less than it will hurt our national economy if we do not do it.

We have to protect the space program, because we have an enormous investment in it. We have to protect its essentials. We certainly have to protect our Apollo program, the man on the moon program, because of the billions of dollars we have already invested in that program.

But I do not believe we can approach any part of this program, any more than we can approach any part of any other program before the Congress, as a sacred cow or as being sacrosanct and beyond the ability of the Congress to make a change, a deletion, or to defer some program that can be deferred.

I do not believe it would be wise for us to make these cuts, if indeed we are going to make cuts, in the Apollo program, but we should be able to look at all of the other parts of the space program with a different eye and look into the program to find those things which are new starts, which will take a long time to accomplish, and which can be deferred, so as not to cast on the backs of the American taxpayers, new taxes and a new inflationary force in these very troubled times.

I believe we have to go through this program and come up with the programs which can be considered in this light.

In the programs which came before the Advanced Research Subcommittee, of which I am a member, the one program that stands out the clearest as the one that we could defer—certainly could defer—is the Nerva program.

This is a new program, a new development program, of something called a nuclear rocket. Now, get it clear in your minds. This is not a nuclear rocket in the sense that it is the direct use of nuclear power. It is just another chemical rocket, similar to the types of chemical rockets we already use, but it utilizes in addition nuclear heat to give it additional generating thrust. To undertake this program at this time is going to commit us to a program over a 10-year period, it is estimated, involving $2 billion, and it is going to commit us not only this year to the expenditure of about $100 million in our national budget but probably twice that amount next year as between the budgets of NASA and AEC. If we start the program this year, we will certainly have to continue it next year. So just remember that when you vote on this issue.

This Nerva rocket has no known use or need except if it is going to be used for some type of manned planetary mission such as a Mars flyby or Mars landing mission. Of all of the programs I know of from my own personal knowledge that we should defer this year, it seems to me the Nerva rocket program ranks No. 1. I will discuss this further when we get into the reading of the bill and amendments are in order.

Mr. Chairman, in addition to this, it seems to me we have to face a quite serious problem which we have in this program regarding Apollo applications. Certainly everything that has been said about carrying out the American effort of keeping a man in earth orbit is true. The question we face, though, as a nation today is whether we need a man in earth orbit in the civilian NASA program and a man in earth orbit in the military MOL program.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. WYDLER. You can call the military program MOL and the civilian program Apollo applications but they are essentially the same thing. You take a man and put him in earth orbit on a platform. You can put a military marking on one capsule and you can put a civilian marking on the other capsule, but the plain fact of the matter is once that man is in earth orbit and on that platform he can perform either function just as well. I feel that the American people are going to wake up to the fact that we are going steadily toward having these duplicating programs separated only by our delusion that there is a distinction between them. They will rebel against it unless we take some steps now to get these two programs into one coordinated effort. This affects the Apollo applications program which we have before us today.

It is difficult in voting on this to handle this problem on the floor of the Congress. It is a question that the President should be resolving and resolving right now, but we can only vote on the matters before us. For that reason I am going to support the motions that are going to be made to cut the Apollo applications and to dramatize the serious problem not only of today but for the future when billions of dollars of national funds will be wasted and we will have duplication because of our failure to bring these programs together.

Mr. WOLFF. Mr. Chairman, will the gentleman yield?

Mr. WYDLER. I am glad to yield to my colleague.

Mr. WOLFF. The gentleman makes this statement on the cutting of these Apollo applications programs knowing that there are men in his own district working on this program?

Mr. WYDLER. I presume that there are men working in my district on every program that is funded by the Federal Government, but I have to take into account when I vote on the floor of the House of Representatives the general good of our Nation and not the specific good of any particular person or company in my district or out of it. Of course I realize that, but I am still going to vote the way I think the American taxpayers and the American public want me to vote, which is for the general good of our country. That is the way I will make my decision. In my opinion, the effect of the amendment would not affect ongoing programs at all on Long Island.

In fact, if we were to properly utilize Apollo hardware, including LEM, in a coordinated program we might find a great increase in space work on Long Island. We are competitive and can win on the merits.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. WYDLER. Yes, I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. With reference to the proposed cut of the Apollo applications program, let us point out the fact that this will involve the use of a vehicle in 1972 or 1973, and the last Saturn V will be four to six to seven times more expensive than we are manufacturing now. It is simply saving the taxpayers' money because by then your own automobile and this Saturn V will be obsolete.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. MOSHER. Mr. Chairman, I yield the gentleman 1 addition minute.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WYDLER. I am glad to yield to the gentleman from North Carolina.

Mr. JONAS. Would it be true to say or correct to say that the gentleman in the well now has some taxpayers in his district?

Mr. WYDLER. Yes, we have quite a few taxpayers in our congressional district. Their interests are paramount to me. We are talking about duplicating and wasting hundreds of millions of dollars.

Mr. MILLER of California. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Chairman, during the NASA authorization hearing I urged that the Congress adopt a new approach to the NASA budget. I pointed out that we should be presented with explicit choices between well-defined alternative long-range programs and that NASA's technical intelligence should operate within the framework of decisions and goals as defined by Congress.

I have done a great deal of thinking this year about the role of Congress in relation to the space program. I have tried to communicate what I believe to be Congress opportunity to influence the broad goals of the space program and to become a significant force for improving the quality of their practical execution.

I presented my views to the committee; they are summarized in my additional views in the committee report—Report No. 338.

I suggested that there are two possible views of Congress role. I said:

> The first approach is simply to attend annual authorization hearings, receive highly technical testimony from NASA experts in specific areas of technology on what technical progress they have made in the past year, and judge each area and its authorization merely on the basis of some vague notion of what constitutes satisfactory progress.

I said further:

> I believe that inefficiency, misallocation, and diffusion of scarce skills and resources, and unnecessarily long leadtimes result from the present method of basing research and development choices on vaguely defined technical needs and preferences, as determined solely by a small group of NASA's top managers.

In considering the alternative approach, I stated:

> Were we to be presented with explicit choices between well-defined alternative long-range programs, we could subject NASA's most important decisions to public scrutiny and bring to bear our judgment as representatives of the people. Rather than being involved in long and all-too-often fruitless hours of detailed technical discussions, we could weigh the benefits and the impact of the various major post-Apollo space exploration programs from the solar probe to the manned mission to Mars. I feel very strongly that such public consideration of both comparative results and costs would far better serve the interests of our constituents than discussions of the merits of high voltage ion propulsion. Our consideration and determination of major goals could then form a framework within which NASA's technical intelligence would operate . . . . NASA, subject to our review, would determine those specific technological advances requiring research and development effort which would most efficiently accomplish the national aerospace goals which we would have participated in defining.

It is ironic that it took a national tragedy involving the loss of three brave astronauts to focus national attention on some of the serious deficiencies in the space program. I hope today the House will look more critically than ever before at NASA's budget request, and the recommendations which have been submitted by the Committee on Science and Astronautics.

Mr. Chairman, the Apollo program to land a man on the moon by the end of this decade, or the beginning of the next decade, is a set, established national goal.

But, Mr. Chairman, there are other items proposed for funding under this authorization bill which are not national goals. Some of them have been referred to previously.

The gentleman from New York [Mr. Wydler] spoke of the Nerva program, and I shall deal with that program when we are under the 5-minute rule. I believe that, by authorizing the Nerva program, we will set in motion a chain of events which will find us at a later stage being told that we have an ongoing program that must continue lest we lose all of the costly effort invested in it.

Mr. Chairman, the development of Nerva nuclear rocket engine is a new departure. The Apollo applications program is a new departure. I think we should look at these programs from the point of view of our national goals and priorities and determine whether or not in the scale of priorities we should be committing vast public funds and energies to these particular programs. Unfortunately, in the past we have embarked upon vast and expensive programs without sufficient critical inquiry or national debate.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I would prefer to complete my statement before yielding to the gentleman from Connecticut.

Mr. Chairman, 6 years ago, on May 25, 1961, in proposing the lunar landing goal President Kennedy said to the Congress:

> This is a judgment which the Members of Congress must finally make . . . This is a choice which this country must make . . . I believe we should go to the moon. But I think every citizen of this country as well as the Members of Congress should consider the matter carefully in making their judgment . . . as it is a heavy burden.

Needless to say the recommended national evaluation and debate never took place. The moon goal was assigned the highest priority. Without waiting to determine the dimensions, difficulties, and potential benefits of this task, we committed ourselves to a lunar landing within this decade, and there ensued the so-called space race and the rapid growth of the National Aeronautics and Space Administration.

In 1963 two events brought the original question back into focus. During October of that year Soviet Premier Khrushchev announced at a press conference that the Russians were "not at present planning flights by cosmonauts to the moon." At the same time Congress was faced with an extraordinary budget request for fiscal year 1964 by NASA for $5.7 billion. This was an increase of more than $2 billion over the $3.674 billion appropriation just 1 year before, and nearly $4 billion greater than the $1.825 billion appropriation for fiscal year 1962 a mere 2 years before. Finally, $5.1 billion was appropriated. This is the largest reduction that NASA's budget request has ever sustained. In fiscal year 1965 NASA's budget request was funded at 96.5 percent; in fiscal year 1966 at 98.4 percent; and in fiscal year 1967 at 99.3 percent. In other words, once the $5 billion ice was broken, Congress continued to grant practically all of NASA's requests. The exercise of critical judgment in connection with NASA's plans, management procedures, and allocation of resources has been insufficient. Congress has served too often as an admiring public for the space agency—too seldom as a watchdog over policies and costs on behalf of the American people who pay for this program.

One can hardly expect a program of this magnitude to double and triple in so brief a period without encountering severe problems of inadequate planning and costly error. Precipitous expansion laid the basis for fiscal irresponsibility and permissive policies leading to waste, inefficiency, and poor workmanship in the space program. Management problems have proliferated and infused all phases of the agency while the public was allowed to revel in the idea that their space program had an unblemished record of success. The threat of severe public disenchantment is one of the very forces that now encourages us to avoid the hard questions and unpleasant disclosure, which would enable Congress to oversee adequately this program and make rational decisions concerning its future.

NASA's budget requests have temporarily leveled off at around $5 billion—many believe restrained largely by the cost of the Vietnam war. But let us make no mistake. They will increase again enormously as NASA's ambitions continue to grow in size and complexity.

The most significant omission of Congress has been the failure to give serious consideration to the question of national priorities. Many people are sensitive to the psychological and human implications of a Federal budget that allocates mor ethan $70 billion in 1 year for the military and only $11.3 billion on programs of direct welfare to its people. But few have stopped to evaluate the implications of NASA's ambitions in space. The American people have been mesmerized into accepting the idea of a $23 billion program to attempt to put astronauts on the lunar surface within this decade. At the same time only $1.5 million is spent by the Federal Government for rehabilitation of narcotics addicts, only $175 million on cancer research. It is difficult to find funds to mount a serious attack on the growing menace of air pollution which poisons the earth while we seek glories in the void of space.

Mr. Chairman, during the course of the hearings on the tragic fire which occurred at Cape Kennedy on January 27 we came to realize there are serious deficiencies in NASA's programs; that there are serious management deficiencies. It has not properly supervised its contractors. The way in which the Apollo program increased in costs and was out of control is a classic example. There is no need at this date to reiterate in full the many recent disclosures that have revealed the extent of serious managerial difficulties and quality deficiencies in the space program. But I believe it is important to mention the Phillips report which detailed the tripling of costs and the unacceptable performance of low-quality hardware produced by North American Aviation. I believe it is important to remember the Apollo Review Board report which made a very severe indictment, pointing to inadequate design and safety features, lack of inspection procedures, and poor workmanship in the Apollo program.

Then there was the General Electric report, which specified hardware deficiencies in the Apollo program which were uncorrected by January 1, 1967, some of which were deemed serious enough to have catastrophic implications on reentry.

Then there was NASA's incredible failure to review its own literature on space cabin fire hazards or to properly supervise North American Aviation and discover that the company did not meet already extant criteria for selection and placement of materials in the space cabin in order to reduce fire hazard.

These and other reports show that there has been insufficient supervision by NASA of its contractors.

The CHAIRMAN. The time of the gentleman from New York has expired.

(On request of Mr. MILLER of California, and by unanimous consent, Mr. RYAN was allowed to proceed for 2 additional minutes.)

Mr. RYAN. I thank the chairman for yielding.

(On request of Mr. FULTON of Pennsylvania, and by unanimous consent, Mr. RYAN was allowed to proceed for 2 additional minutes.)

Mr. RYAN. Mr. Chairman, I thank the gentleman for yielding me 2 additional minutes.

Mr. Chairman, the list, then, of evidence of negligence and mismanagement is long. NASA management is out of control of this program.

Mr. Chairman, while I believe it is proper to place blame on NASA and the contractors, Congress also has to bear a part of the blame for not having exercised sufficient critical judgment or supervision of the programs. The space agency has been allowed to grow at a rate which is too rapid to permit or encourage the development of adequate coordination and control.

In many ways the program has run away from its administrators in size and scope before the agency itself had a chance to develop the requisite experience, maturity, and mastery of its own resources. Part of this is, of course, because we have been involved in a crash program, a competitive race for the moon. The history of the space program has been a continuing quadrille of design changes, specifications, readjustments of quality standards, testing procedures, and cost estimates between NASA and its contractors.

We see this in a letter of January 31, 1966, in a reply to General Phillips about his report of December 19, 1965, in which J. L. Atwood, president of North American Aviation, Inc., said:

> The first of these basic problems has been the tremendous impact of the evolutionary nature of the technical concepts and program philosophy and the corresponding difficulty in visualizing the full scope of the tasks to be accomplished and the methods of accomplishing them in order to obtain the lunar landing objective. . . . This condition has led to a continual traffic between NASA and NAA in changes both large and small and affecting both technical and management aspects, with great impact on both the Apollo CSM and Saturn S–II Programs. To illustrate the impact on cost alone, the dollar value of contract changes (over $400 million) in the Saturn S–II Stage Program exceeds the original basic contract value of $320 million.

Whether the truth lies more in General Phillips' devastating indictment of NAA's operation or in NAA's explanation of NASA's lack of clarity in planning and program specification we do not know. And this is precisely where Congress is to blame. Congress has not held NASA responsible to account in detail for its operations or for the many management failures and the deterioration of schedules and standards. There has been an overrapid, uncontrolled growth leading to conditions of waste, inefficiency, lack of control, and excess hazards. It is entirely possible that out of this chaos further disasters will occur. There is no reason to believe that anything short of a deliberate brake on this program and severe demand for decisive realinement of management procedures will prevent the situation from continuing.

Mr. Chairman, We may be on the verge of perpetuating mistakes which have been made in the past. The Nerva program is one place where we can exercise judgment and begin to bring this program under control. The Apollo applications program is another place where we can exercise more strict control.

A major decision facing us concerns the funds intended for a new phase of the Nerva nuclear rocket program. This new phase is the change from technology development to the actual building of the Nerva nuclear engine—flight hardware for testing and eventual use. The committee has recommended for this authorization $70,000,000 for the nuclear rocket program and $16,500,000 for construction at the Nuclear Rocket Development Station in Nevada to carry out the testing. NASA does not mention other associated costs such as administrative operations support of this program nor the approximate $100 million to be expended also in fiscal year 1968 for AEC's portion of this coordinated AEC–NASA program. It is estimated that within 8 years at least $2 billion will be spent in this effort in addition to the $1.6 billion already expended for technology development. Thereafter, it will require a conservatively estimated $150 to $200 billion for the probable effort to land a man on Mars in approximately 1985. NASA does not yet specify the manned Mars landing as a goal. Therefore, neither Congress nor the public has yet assented to this incredibly costly venture. But it is freely discussed in the press and in every technical aerospace journal. The spring 1967 issue of the TRW Space Log contains a lengthy discussion of the nuclear rocket engine—its alleged efficiency and its proposed use in a manned Mars mission. The article is written by representatives of the SNPO, the joint office of AEC and NASA which is in charge of the nuclear rocket program. It says:

> In a multi-stage mission such as a manned Mars landing, the advantage (of a nuclear rocket engine) would be compounded.

NASA has already clearly spent a great deal of money on press and information releases about this unspecified mission. NASA's own graphs and charts of future space efforts always include such a Mars or Venus manned landing.

I believe that the reason NASA will not admit to a manned Mars mission at this time—which it is carefully implanting in the national consciousness—is that NASA fears serious questions would be raised concerning the astronomical costs and unspecified benefits of this program. It is—and should be—a serious possibility that the Nation would reject, at this time, a pricetag of $200 billion and perhaps a great deal more to land a man on the planet Mars. NASA probably hopes that in time sufficient funds will have been sunk into this program so that the only way the Nation will be able to reject the project will be to throw away incredible sums already spent.

I believe we should eliminate the additional funds for building the Nerva nuclear engine for which there is no explicit mission requirement.

Another major decision facing Congress today concerns the projected Apollo applications program. NASA's comment on this program reads as follows:

> Contracts for the Apollo Applications Program will be negotiated after the Congress has approved the program. Current contracting has involved definition studies and procurement of long lead-time items.

In other words despite a budget request for $454.7 million, this program does not yet clearly exist. Costly, long lead-time items are being purchased in order to justify a program whose main purpose will be to justify those purchases. In regard to this proposal, the "DMS-Market Intelligence Reports" stated in its July 1966 report:

> The Apollo Applications Programs has evolved from the Agency's urgent need to identify for itself—and substantiate—a continuing role in manned space exploration. NASA must have a manned space mission if it is to continue to command a sizable budget, with the prestige and power that it brings . . . (NASA) officials were hard put to define a manned mission for which it could provide justification, specific objectives and scientific (and Administration) support . . . NASA has been placing with industry an increasing volume of short and medium term study contracts relating to the AA. Partly to help it identify specific missions, partly to keep a momentum going in manned space orientation. NASA has now something over 300 such contracts in progress . . . It (NASA) is even proceeding to buy long-time items for 24 Saturn boosters and Apollo spacecraft it proposes to use in the AA program, whatever and whenever it is defined . . . in early June, it (NASA) selected Lockheed and Martin to conduct parallel year-long studies of the experimental integration for AA, indicating that one of the two would then be selected to manage the program. In effect, these are the AA mission definition studies, on which NASA must justify its case before Congress . . . (NASA) on the one hand is bringing up the "Space Gap" threat and, on the other, predicting that some of its facilities 'will have to be put in mothballs' within a year unless it gets full funding of the AA.

DMS' commentary rings true when one views NASA's justification for its $454,700,000 budget request for Apollo applications. NASA's budget presentation cites the program as being a "full investigation of man's role in the effective exploration of the environment of space." The committee has recommended for this program $444,700,000, a reduction of a mere $10 million.

Although NASA has mentioned various possible experiments to be conducted at some unspecified time in the future by the Apollo applications program, once again we are asked to invest in a program where no mission is explicitly outlined, plans are not clear, not a single launch is yet scheduled, not a single cost estimate is projected—in fact, the program conception does not yet fully exist.

I believe we should reduce the funds for this program by 50 percent of the committee's recommendation and defer any further funding until we have a clear projection of plans, costs and benefits as a basis for serious congressional review and decision about this projected program.

Mr. Chairman, I should like to refer to a statement made by Mr. Webb several years ago in which he said that the program authorized by the Congress for 1964 "constitutes the minimum appropriation which will enable NASA to maintain its momentum, to sustain our on-going programs at an optimum pace, and to achieve our stated national objectives in space."

Mr. Chairman, it is noteworthy that devotion to the national objectives is third in the list of three. First is NASA's momentum, and second is NASA's sense of what constitutes its own "optimum pace."

It is time Congress demanded a reorientation of NASA's concerns—that the public interest be first on the list—that NASA be accountable to Congress in detail—not for continued overtechnical explanations of various esoteric fuels and advanced propulsion systems, but for proving the importance and adequacy of all its requests and plans. It is time that NASA find that pace of achievement which allows the highest standards of quality to be maintained in the Nation's space program.

As for Congress' task, the Congress must call a halt to the accumulation of difficulties and inadequate management procedures within the space program, and to determine a level of funds that is truly consistent with the national interest. Congress must examine and determine the goals that are most worthy of this Nation's support and ask NASA's technical intelligence to serve these goals.

The moon landing has been accepted as a national goal. However, I believe that Congress must, today, begin to use its fiscal power in other areas in order to take control of the space program and shape it into an effort that is first in the quality of its efforts and first in the benefits that it provides for the people of the United States. This would be a worthy goal.

At the same time, let us also look at our national priorities. Let us remember, as we are about to authorize for appropriation almost $5 billion, that Congress eliminated this spring on the floor of this House a mere $10 million for rent supplements.

We have not provided a mere $10 million that is needed for the adult literacy education program.

Somewhere and somehow we must reassess our values.

I urge my colleagues to support the amendments which will be offered to give Congress greater control over the Nation's space program.

Mr. Chairman, I include at this point in the Record my additional views which appear at page 159 of the committee report No. 338:

ADDITIONAL VIEWS OF HON. WILLIAM F. RYAN

The Committee on Science and Astronautics has a critical opportunity to influence both the broad goals and the practical execution of our quest into space. Whether or not we take advantage of this opportunity depends on how we view the role of Congress with respect to NASA.

There are two possible views of this role.

The first approach is simply to attend annual authorization hearings, receive highly technical testimony from NASA experts in specific areas of technology on what technical progress they have made in the past year and judge each area and its authorization merely on the basis of some vague notion of what constitutes satisfactory progress. We may even occasionally apply our technical judgment and try to influence NASA's course in one specific development item or another. This is our present modus operandi, which has not been noted for its impact on either NASA management procedures or NASA programs, and raises doubt as to the effectiveness of congressional review.

I believe that inefficiency, misallocation, and diffusion of scarce skills and resources, and unnecessarily long leadtimes result from the present method of basing research and development choices on vaguely defined technical needs and preferences, as determined solely by a small group of NASA's top managers. In the area of advanced research and technology this is apparent in the proliferation of sizes and types of space power generating systems and small thrustor motors—or, for example, in the inexplicable confusion that greets us when we attempt to get a clear picture of the procedures and funds that are being requested for the Electronics Research Center.

Considering the alternative approach, I believe that it is possible for Congress to play a truly influential and appropriate role in the management of the Nation's space program. Were we to be presented with explicit choices between well-defined alternative long-range programs, we could subject NASA's most important decisions to public scrutiny and bring to bear our judgment as representatives of the people. Rather than being involved in long and all-too-often fruitless hours of detailed technical discussions, we could weigh the benefits and the impact of the various major post-Apollo space exploration programs from the solar probe to the manned mission to Mars. I feel very strongly that such public consideration of both comparative results and costs would far better serve the interests of our constituents than discussions of the merits of high voltage ion propulsion. Our consideration and determination of major goals could then form a framework within which NASA's technical intelligence would operate. Under this revised view of the congressional role NASA, subject to our review, would determine those specific technological advances requiring research and development effort which would most efficiently accomplish the national aerospace goals which we would have participated in defining.

I find strong and eloquent support for these views in the report of February 1967, by the President's Science Advisory Committee, "The Space Program in the Post-Apollo Period." The President states, in the introduction—

"Because the opportunities in space are great but the costs are high, our space planning deserves the thoughtful consideration of all thoughtful Americans."

The committee's subsequent statements amplify this sentiment:

"The Nation can choose any one of several different levels of space effort. The program can be extremely ambitious and press rapidly forward with manned exploration of the planets, or can be less expensive and emphasize a larger proportion of unmanned missions in near earth space; the choice must depend on evaluation of the direct and indirect benefits * * *

"Going ahead with forethought to future needs can lower mission costs and make success more rapid, particularly in such very difficult undertakings as manned planetary exploration.

"*Recommendation.*—We recommend that NASA study the advantages of adopting a planning and decisionmaking structure which emphasizes program objectives rather than the means used to attain them.

"In the Panel's judgment, however, the overall NASA organization, while logical now, is potentially awkward and illogical for the planning of major new space programs. This problem will arise because NASA's organization is divided according to capabilities and techniques rather than broad space objectives. While the present organizational form was perhaps ideal for developing new space capabilities, it is now likely to complicate rational application of such capabilities in meeting future program objectives. For example, we believe that man should be used in space flight only when his presence contributes in an important way to the exploratory and scientific objectives. To insure that he is used in this way implies much greater integration of manned and unmanned mission planning than is reasonable to expect from NASA's present arrangements."

Our Committee on Science and Astronautics is in a key position to advance these aims since the manned space flight, the space applications, and the advanced research and technology budgets all contain major requests which will implicitly shape the Nation's space objectives and capabilities for many years to come.

As an example, in advanced research and technology, NASA requested, and the committee approved, $47 million for a major flight hardware program, the NERVA engine. In fact, just the engine program alone will cost the Nation $1.5 to $2.0 billion in 10 years; moreover, it is justified on the basis of an unspecified deep space mission which will probably cost 100 times the cost of the engine.

Another new request this year, with much larger immediate budget impact and equally questionable justification, is the Apollo applications program. This project, which according to conservative estimates will cost the Nation at least $5 billion in the next 5 years, is justified on the basis of being simply a full investigation of man's role in the effective exploitation of the environment of space (NASA fiscal year 1968 budget estimate, vol. V, p. RD-2). In other words, the committee is recommending an experiment to determine not whether, but how we should thereafter proceed to spend, say $200 billion for space missions which have not yet been determined to be in the national interest. In reviewing the basic information to be derived from Apollo applications, we may ask if much of the data collection could be less expensively performed by unmanned satellites, and if it otherwise duplicates information to be gathered by the Department of Defense's manned orbiting laboratories.

The manned orbiting laboratory raises another issue to which Congress has given no serious thought or investigation. We have no clear idea of the extent to which the Defense Department and NASA may be duplicating each other's efforts and "reinventing the wheel" at vast, unnecessary public expense. Furthermore, we have not seriously considered the implications of military efforts in space and their relation both to our treaty commitments about peaceful use of space and to our diplomatic relations with other countries. This entire issue is too broad and too important not to be dealt with through an extensive and searching congressional inquiry.

Claims that the Department of Defense space program has fared better in terms of less cost escalation and fewer quality difficulties should be investigated to determine whether there are substantial lessons to be learned by the civilian agency.

NASA argues that the manned space Government-industrial team must be preserved to avoid some disastrous technological deficiency as compared to some unspecified future requirement. This is not particularly persuasive when it is implied that anything less than $5 billion per year will fail to hold this team together. To accept this argument would be to admit gross negligence in our failure to preserve the Government-industrial zeppelin team at the level to which it was accustomed in 1937—the year of the Hindenburg disaster. In its requests for post-Apollo hardware, NASA emphasizes two major themes—first, the great urgency of getting on with all the postlunar missions and secondly, the great savings to be achieved by maintaining the present levels of effort and production. Congress should closely examine and question these two allegations.

We must squarely face the question of whether NASA's inner councils should be permitted to determine, without the benefit of explicit public review, the allocation of resources that will ultimately determine what space objectives we can and cannot achieve in the period 1975-85. It seems clear that by committing funds now to flight hardware items for as yet unspecified missions, NASA will be able to control and even dictate in the future our interplanetary space goals by simply pointing to the large sums already invested in specific equipments.[1]

A simple projection of the costs of a 1986 manned Mars mission will indicate the enormous commitments that will be made by default if we do not take an active hand in shaping our future space program. The manned Mars mission, according to present predictions, will involve a gross weight of seven to 14 times the 6,400,000 pounds of Apollo and mission durations of 35 to 70 times as long (requiring major advances in reliability and life support). Certainly a minimum cost estimate for a mission of this magnitude would be five to 10 times the $20 billion cost of Apollo. In other words, the decisions that are implicit in present hardware choices involve sums of at least $100 to $200 billion, without taking into account the usual pattern of NASA cost escalation.

NASA has consistently refused all requests to make explicit their future alternatives, their recommended choices and the implied costs. The President, in his letter of January 30, 1964, to the Honorable James E. Webb, specifically requested:

"A statement of possible space objectives beyond those already approved * * *. The projection should include an analysis of the advances in space technology likely to be needed as well as estimates of the time and funds required to implement the major missions of the overall program."

This letter requested a preliminary report of May 1 and a final report on September 1, 1964. NASA's response to this letter on May 20, 1964, in promising a report by September 1 of that year, said:

"An extensive analysis of each mission listed above is being made to determine its requirements in manpower, facilities, and other resources and to balance these against the value of potential returns in the form of new national space capabilities, new knowledge, new civilian and military applications, and new industrial capabilities."

The promised report, transmitted some 5 months late on February 16, 1965, has been published as the "Summary Report—Future Programs Task Group" and, in 100 pages, neither specifically recommends nor costs a single mission. Administrator James E. Webb's covering letter recommends only a Mars soft landing in 1971 at a program cost of "in excess of $1 billion." In this report, there are repeated implicit objections to the President's request for a clear exposition of program structure, of which the following is typical (p. 29):

"Where there is reasonable promise of success in the development of such things as new materials, propulsion systems, or techniques, it is NASA policy to pursue those directions even though a specific use is not clearly defined."

Since NASA's definition of the "pursuit of a direction" seems to include the production of flight hardware (e.g., NERVA at $1.5 to $2 billion cost in 10 years), it is clear that NASA intends to continue making implicit mission decisions by developing whatever hardware it finds attractive without any external guidance or review of the Nation's space objectives. This attitude has been reaffirmed recently in NASA's failure to comply with Senator Cannon's request for recommended post-Apollo missions and schedules, a request with a formal deadline last December 1.

The standard NASA objection to the organization and presentation of a cost-benefit program structure is typical of the objections of any R. & D. management that wishes to escape review of internal decisionmaking. That is, the claim is always made that fruitful research is such an unpredictable and fragile bloom that any attempt to introduce directed or planned growth will cause it to wither. In other words, those supporting research must not interfere with the sacrosanct process, must not reduce "flexibility," and must not question the objectives of technically fascinating projects.

The answer to these NASA objections is very simple:

Even if research were as unpredictable as claimed, NASA is not primarily in the business of pure research. NASA is in the business of managing the engineering, production, and exploitation of space hardware in order to accomplish the Nation's goals in space—presumably at the least cost to the Nation. In doing this, it faces much the same problems as any major corporation; it does not have unlimited funds at its disposal; and it must allocate these funds between production using present technology and investment in improved technology.

NASA does in fact make such decisions although they are rarely explicitly stated and even more rarely substantiated. It is clear that we will not and cannot afford to develop and improve all possible approaches to space problems. This means that choices and decisions are being made, although NASA management refuses to make explicit the criteria by which they are made.

Congress should insist that all important decisions made within NASA be openly presented to the Congress in terms of specific space mission objectives together with their benefits and their costs to the Nation. The Congress should decide how much and toward what ends public funding is spent. To do this, we should be provided with a sounder and more understandable basis for decision than technical incantations about improved specific impulse, higher structural efficiency, and reduced weight in orbit.

In view of the failure of attempts to obtain from NASA the materials necessary for congressional review of national space objectives on any basis other than NASA's chosen ground of technical detail, I am firmly convinced that Congress must make good use of its fiscal powers. This view is reinforced by recently developing doubts as to NASA's managerial competence.

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[1] NASA almost explicitly admits this in the "Summary Report—Future Programs Task Group" statement (p. 77): "Decision on missions should be made on the basis of technology that is in hand or close to being available."

The congressional hearings on the Apollo disaster have revealed that NASA's control over its own programs is inadequate to the point where proposed schedules have lost their meaning and cost estimates are unrelated to reality. Lack of clear mission specifications were introduced as a factor in poor quality of hardware, schedule slippages, and escalating costs when the president of North American Aviation, Inc., testified on *May 4 that "mission criteria had been evolving toward their final form."*

He explained the existence of technical and managerial problems by stating that "Until these criteria become stabilized it was extremely difficult to achieve full control and visibility of North American's basic design and development effort." NASA has shown, then, not only an inability to supervise properly a $23 billion program that was underway, but an inability to carry out an adequate planning process to serve as a foundation for its operations. These deficiencies were perhaps the largest contributing factor to the tragedy of January 27.

Since the lunar landing is an agreed national goal, we must apply our fiscal power to those remaining areas where explicit program objectives and costs have not been stated.

Specifically, I would recommend that all post-Apollo hardware programs that are not fully justified on a specific mission objective or economic benefit basis receive only part-year funding until such time as NASA has seen fit to present Congress with mission and cost projections adequate to the importance of the decisions involved.

In the areas of Apollo Applications and advanced research and technology, I do not believe that Congress should authorize expenditures which commit us to hardware programs and objectives whose implications have not been adequately defined for sound public review. I recommend the elimination of the NERVA flight hardware engine project, the largest single hardware project yet requested in the advanced research and technology budget. It will commit us not only to a $2 billion investment, but also to a far more expensive though unspecified mission commitment.

The committee has recommended $444.7 million for the Apollo Applications program as opposed to NASA's request for $454.7 million. I propose a contingent authorization of $222.35 million pending submission by NASA of a clear description of the Apollo Applications program, to include:

(*a*) A 5-year cost, launch schedule and mission projection for the NASA-proposed program based on several assumptions concerning Apollo success.

(*b*) An assessment of costs and data deficiencies for an alternative program based on MOL and unmanned flights with, first, no postlunar Apollo vehicle procurement and, second, a minimal post-Apollo vehicle-only procurement for storage against future contingencies (no payload development).

These reductions will not in any way impede the continuation of non-hardware-oriented technological progress until such time as the public has had a chance to participate in the charting of a clear, rational and efficient course for space exploration.

The committee has recommended $861.56 million for advanced research and technology. In analyzing NASA's budget request of $687 million, I proposed a reduction of $147.6 million.

I pointed out that the following requirements, which are in accord with the sense of the letter of January 30, 1964, from the President of the United States to the Administrator of NASA have not been met:

(1) A statement of specific mission objectives and estimated launch schedules for space missions after the manned lunar landing, together with an assessment of the benefits to the Nation derived from these objectives.

(2) An estimate of the costs of achieving each of these objectives.

(3) A justification of fiscal year 1968 hardware and mission-oriented program budget requests in light of the stated post-Apollo objectives to include costs and benefits of each program and the reasons for its selection over other alternatives.

(4) For nonspace hardware programs with claimed or inferred benefits to the Nation, an estimate of the full program costs and eventual benefits to be derived.

Until these requirements are met and subjected to congressional review, the fiscal year 1968 authorization for advanced research and technology should be limited to the following amounts:

(A) For research and development for the following programs:

1. Basic research—$21,465,000.
2. Space vehicle systems—$32,885,000.
3. Electronic systems—$32,797,000.
4. Human factors systems—$14,675,000.
5. Space power and electric propulsion systems—$34,070,000.
6. Nuclear rockets—$44,220,000.
7. Chemical propulsion—$32,441,000.
8. Aeronautics—$49,205,000.
9. Tracking and data acquisition—$266,300,000.
10. Technology utilization—$3,300,000.

(B) For construction of facilities, including land acquisition as follows:

1. Electronics research center—no funds authorized.
2. Lewis Research Center—no funds authorized.
3. Nuclear rocket development station—no funds authorized.
4. Ames Research Center—$3,170,000.
5. Goldstone (TDA)—$2,880,000.
6. Jet propulsion lab (TDA)—$1,930,000.

(C) For administrative operations—no funds authorized pending a complete assignment of AO to advanced research and technology budget activities.

Under the offices of manned space flight and space science and applications, funds for AO should be similarly deferred, pending the same submission of a breakdown relevant to other budget categories.

AO budget requests are presented according to location at the various NASA centers. For each location an overhead analysis is provided in terms of salaries, travel, equipment, and so forth. It is not possible from these presentations to discern that portion of AO funds intended to support a particular NASA effort. One cannot determine the actual cost of a given item such as, say, aeronautics during any fiscal year.

Confusing and incomplete testimony should not be relied upon to clarify deficiencies in NASA's original budget submission. Recent testimony leaves the impression that AO support of aeronautics is approximately 75 percent of the direct aeronautics budget and AO support of technology utilization may amount to over 200 percent of the technology utilization direct budget. We are not in the habit of multiplying by a factor of 3 when we consider the cost of technology utilization and evaluate its related benefits. Congress will not have a sound basis for judgment of NASA's requests until NASA reorders its presentation of AO funding to reflect its direct relation to programs.

In sum, the purpose in limiting various authorizations is to defer without prejudice those expenditures which have not been explicitly stated or justified in terms of specific national space and aeronautics objectives.

Unless Congress issues a clear statement of its intent to review NASA goals, decisions and costs presented in explicit and comprehensible terms, and unless this statement is coupled with a significant authorization reduction, the public will not be able to play any part in the great decisions facing the Nation's space program.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the distinguished gentleman from Connecticut.

Mr. DADDARIO. I regret that the gentleman from New York is giving the indication here that this Congress and the House Committee on Science and Astronautics in particular has not made any choice over the years as to what goes in the space program and what does not go in the space program.

There is a list of numerous changes and recommendations and adjustments that have taken place over the course of time. One outstanding and major judgment which I can call to the gentleman's attention is when we decide that we would have a manned lunar program within this decade. There was offered to us not only an Apollo program but a Nova program which would have cost hundreds of millions of dollars.

As I say, we were offered a corollary program which was called the Nova program which would have, as I have said, cost this country hundreds of millions of dollars. Even though it was supported by NASA and even though their experts came before us saying that this was a necessary program, the House Committee on Science and Atronautics struck it down. The House Committee on Science and Astronautics, in its judgment, based on experience it has developed over a course of time, also had come to the conclusion that it was an unnecessary program.

Judgments of this kind have been made and they will continue to be made over the years that lie ahead. I am sure as a result of the opportunity we will have through the development of experience that in this authorization bill and in the years ahead we will have more judgments of this kind.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. WINN].

Mr. WINN. Mr. Chairman, I rise in support of the bill, H.R. 10340.

I want to go on record as supporting the committee recommendation concerning the sustaining university program. Although I am usually one of the first to vote for cuts in our Government spending programs, I do think that we ought to take a good look at our space efforts for the future.

The sustaining university program augments and complements NASA's "in-house" research and extramural sponsored work in universities and industry. The program has three main elements—training, research, and research facilities—concerned respectively with maintenance of a supply of manpower highly trained in space-related areas, the fostering of multidisciplinary research which crosses conventional departmental boundaries, and the acquisition of graduate laboratories on a highly selective basis as necessary to attain special research and training objectives.

This is an important long-range program, which is badly needed to protect the billions of dollars we are pouring into the space efforts. We must maintain the equilibrium of NASA by urging them to further promote research and the training of space educated young men and young women from the outstanding universities of our Nation.

Where else, but in our universities, do we have any type of training and education along these lines? You may say private industry can provide the trained talent we need, but private industry needs every specialist they can procure to further their own research and objectives.

At the present time, 152 universities, representing every State in the Union, have received training grants.

Three thousand six hundred and eighty-one NASA predoctoral trainees under the university program will increase the supply of trained scientists and engineers in space-related science and technology in order to help insure meeting NASA's responsibilities.

Although NASA has a tendency to want to phase out the university program, many of us are just as interested in urging NASA to step up its promotion of the long-range training program.

As of December 1, 1966, a total of 431 doctorates had been conferred on trainees under this program. About 55 percent were in the physical sciences, 32 percent in engineering, 8 percent in the life sciences, 4 percent in behavioral sciences, and 1 percent in other fields.

When this program was initiated, the objective was to graduate a thousand Ph. D.'s a year. The Office of Education should not be expected to provide this specialized training for our space efforts, but NASA—the organization charged with the overall operation of our science and astronautics program should keep the university program under its guidance and jurisdiction.

When questioned at the subcommittee hearings, April 17, Dr. Homer E. Newell, associate administrator for space science and applications, of NASA, said:

> The doctoral research performed by these students has been very good. We have a listing of the theses put out by the graduates.

The following is the list:

NASA TRAINEES' PH. D. THESES AND DISSERTATIONS

"Reactions of Tertiary Aliphatic Amines with Copper Halides."

"The Local Time Dependence of the Non-Stormer Cut-Off for 1.5 MeV Protons in the Quiet Geomagnetic Field."

"Alpha Particle Resonance."

"A Study of the Evaporation Behavior of the Zirconium Beryllides."

"Comparative Studies of Sterols in Chlorella."

"A New Method for the Determination of Electron Drift Velocity Based Upon a Study of Electrical Conduction in Gas Filled Cylindrical, Thermionic Diodes."

"Pre-Nucleation Reactions in the Precipitation of Nickel Dimethylglyoximate from Homogeneous Solution."

"Stability of Thin Cylindrical Shells Subjected to a Class of Axisymmetric Moving Loads."

"The Formolysis of Allylcarbinyl Tosylates; Studies of Fluoroalkadienes by Nuclear Magnetic Resonannce Spectroscopy; Dissociation Constants of Methyl Alkyl Ketone Cyanohydrins."

"The Production of Tritium and Helium 3 by Proton Bombardment of Metals: Solar Origin of Terrestrial Tritium."

"Integration and Optimization of Sustained-Thrust Rocket Orbits."

"The Physiological Effects of Multiple Aversive Stimuli."

"A General Approach to the Bound States of Several Nucleons."

"Galaxy Formation in a Steady State Universe."

"Recombination Spectra of Hydrogen and Helium in Gaseous Nebulae."

"The International Law-Making Process: *A Case Study on the International Regulation* of Space Telecommunication."

"Non-Equilibrium Statistical Mechanics of Simple Dense Fluids."

"Energy Propagation in a Stratified Gas."

"Depth Cues in the Ames Trapezoid Demonstration and Other Motion Illusions."

"*Cyclotron Resonance Investigation of the Fermi Surfaces for Cadmium, Zinc, and Magnesium.*"

"Magnetic Properties of CeFe$_2$, LuNi$_2$, and Some 1:2 Intermetallic Compounds of Lanthanide Metals with Nickel and Cobalt."

"On the Optimum Design of Conventional and Complex Distillation Columns."

"The Crystal and Molecular Structure of Ruthenium-Sulfur Dioxide Coordination Compounds."

"Temperature and Viscosity Effects on the Decay of Triplet States and the Singlet Excited States of Acridine."

"Control of Small Two-Phase Servomotors."

"Two-Phase Radio Frequency Heating of a Plasma Confined in a Magnetic Mirror System."

"Thermal Bending of Sandwich Panels Under Uniaxial Loading."

"Continuous Separation of Argon-Helium Mixtures by Means of a Glow Discharge."

"An Investigation of the Temperature Dependence of the Nuclear Spin-Lattice Relaxation Time of Fluorine Nuclei in Single Crystals of Calcium Fluoride Doped with Rare-Earth and Actinide Elements."

"Asymptotic Values of Meromorphic Functions."

"Some studies of *bis*-Arenechromium Compounds."

"Electronic Structure of CH+."

"Potential Surfaces of H$_3$ and H$_3$+."

"A Survey of Electrons Beyond 5 Rs with Explorer XIV."

"Ion Cyclotron Whistlers."

"A Radiative Heat Transfer Analysis of Diathermanous Sheets and Coatings."

"Some Renewal Theorems for Positive Independent Random Variables."

"Semi-Markov Processes."

"An Analytical Study of the Steady State and Transient Behavior of One- and Two-Phase Polymerization Reactors."

"Bound State Techniques for the Investigation of Resonances in Electron Scattering from Atomic Hydrogen."

"Relaxation Phenomena in Viscoelastic Fluids."

"The Structure of Some Cyano Compounds of Group IV and Group V Elements."

"A Practical Implementation of Feed-forward Control."

"A Thermodynamic Interpretation of the Solvent Effect in the Reaction of Meta-fluorobenzoyl Chloride with Isopropanol in Isopropanol-Benzene Mixtures."

"The Boranocarbonates."

"The Adsorption of Potassium on Tungsten and the Co-Adsorption of Potassium and Hydrogen on Tungsten."

"Cross Sections and Isomeric Yield Ratios for (d,p) and (d,n) Reactions."

"The Ionization of Lithium Ions by Electron Impact."

"Displacive Isothermal Transformations in Copper-Zinc and Copper-Gold Alloys."

"The Tertiary Geology and Ignimbrite *Petrology of the Grant Range, East Central* Nevada."

"Fluid-to-Particle Heat Transfer in a Vertical Moving Bed of Solids with Interstitial Fluid Flow."

"On Closest-Point Maps in Banach Spaces."

"Synthesis of Three-Terminal ±R,C Two-Ports with One Controlled Source."

"Interfacial Tension in Liquid-Liquid Systems."

"Measurement of the Stark Widths and Shifts of Nitrogen Ion Lines."

"Spontaneously Radiating Atom in Cavity Fields."

"*A Theoretical Model for the Emission of* the Decametric Radiation from Jupiter."

"Late Pleistocene Glacial Chronology, Northeastern St. Elias Mountains, Canada."

"Norms and Noncummatative Jordan Algebras."

"Subdirect Products of Finnite Lattices."

"*The Dissociation Energies of the Gaseous* Rare-Earth Monoxides."

"The Two-Dimensional Jet Under Gravity from an Aperture in the Lower of Two Horizontal Planes Which Bound a Liquid."

"Asymptotic Behavior of Functions Holomorphic in the Unit Disc."

"A Matrix Method for Investigating the Vibrations of Elastic Beans Having a Horizontal Plane of Symmetry."

"Magnetic Properties of Lattice Imperfections in Alkali Halide Single Crystals."

"Nuclear Resonance Fluorescence Using Recoil Broadened Gamma Rays from the Radiative Capture of Thermal Neutrons."

"Dynamic Snap-Through Buckling of Low Arches and Shallow Spherical Caps."

"The Cross Correlation of the Neutron Density Fluctuations at Two Points in a Nuclear Reactor."

"Controllability and Time Optimality of Systems with Linear Control and Bounded State Space."

"Experimental Hybridization, Geographical Variation and Distribution of the Closely Related Topminnows, *Fundulus Notatus* and *Fundulus Olivaceus*."

"On a Class of Right Alternative Rings Without Nilpotent Ideals."

"The Elastic Scattering of Fast Neutrons by Deutrons."

"The Three-Npcleon System."

"An Investigation of the Charged Bose Gas Model of Superconductivity as Applied to Persistent Currents and Josephson Tunneling."

"Paramagnetic Relaxation in Very Dilute CR^{3+}:Al$_2$O$_3$."

"The Ca^{40}(p,γ)Sc^{41} Reaction."

"The Polarization of Protons Elastically Scattered from C^{12}."

"The Crystal Structure of Porphine."

"Two-Dimensional Elastic and Elasto-Plastic Analysis of Infinite Plates Containing a Hole."

"Photoperiodic Testicular Responses of the House Finch *Carpodacus Mexicana*."

"The Chemistry of Ionizing Ultraviolet Radiation."

"Diffractive Limitations on Visual Acuity, and Some Properties of a Visual Pathway in the Ventral Nerve Cord of Locusts."

"Theory of Multiple-Photon Ionization."

"The Effects of Epithermal Neutron Flux Anisotrophy on Cadmium Correction Factors."

"Significance of Pigments in Radiation Resistance of Micrococcus Radiodurans."

"Some Transition Metal Complexes of 8-Aminoquinoline."

"The Application of the Ritz Method to the Problems of Steady-State Longitudinal, Flexural and Torsional Wave Propaganda in Bars of Rectangular Cross-Section."

"Dynamical Theory of Hyperelastic Rods."

"On the Boundary Behavior of Functions Bounded and Analytic in the Unit Disk."

"Turbulent Pipe Flow of an Internally Heat Generating Fluid."

"Fakeability and Validity of Two Types of Forced-Choice Formats."

"Gravitational Effects on Plant Disease."

"Magnetic Attitude Control of Rigid Axially Symmetric Spinning Satellites in Circular Earth Orbits."

"Vortex Formation and Resistance in Unsteady Flow."

"Luminescence and Triplex Energy Transfer in Carbonyl Containing Compounds."

"Synthesis and Directed Polymerization of Certain Vinyl Monomers Containing an Acetylenic Moiety."

"Hypophysectomy and Hormonal Replacement in Young Cockerels."

"The Effects of Lithospermum Ruderale Extracts and Resorcinol on the Thyroidal ^{131}I-Labeled Iodoamino Acids and the Circulating ^{131}I of the Fowl."

"The Effects of X-Irradiation on the Rat, Mouse, and Hamster Testes and the Survival of Autografts and Homografts of Unirradiated Testicular Tissue Into the Irradiated Testes of the Mouse and Hamster."

"The Absolute Stability of a Nonlinear Control System."

"Some 2-Aryl-6-Phenylindenes, 2-Aryl-3-Methyl-6-Phenylindenes, 2-Aryl-3, 4-Dihydro-6-Phenylnaphthalenes, and 2-Aryl-3, 4-Dihydro-1-Methyl-6-Phenylnaphthalines as Liquid Scintillators. The Steric Effects of a Methyl Group."

"Hydromagnetic and Radio Wave Propagation in the Magnetosphere Along a Field-Aligned Plasma Stratum."

"Optimal Control of Unknown Systems."

"Optically Active Polyamides; Poly Alpha, Beta, Gamma and Epsilon-Methyl-Epsilon-Caprolactam."

"The Theory and Application of Adaptive Logic."

"The Sleep Need: Sleep Deprivation in the Rat."

"Nonlinear Response of a Thin Conical Shell to Dynamically Applied Axial Force."

"Investigation of Some Tetragonally Distorted Cobalt (II) Complexes."

"Studies of Isotopically Labeled Boron Hydrides."

"Elastic Waves at Solid-Solid and Liquid-Solid Interfaces for Solid Media with Cubic Symmetry."

"A Kinetic Study of the Periodate Oxidation of Aromatic Systems."

"A Numerical Method for the Conformal Mapping of Finite Doubly Connected Regions with Application to the Torsion Problem for Hollow Bars."

"The Effects of Ultrasonic Cleaning on Aerospace Materials and Coatings."

"Sums of Solid Horned Spheres."

"Tame Subsets of Spheres in E^3."

"Almost Periodic Functions on Groups and Their Mean Values."

"The Effect of Ultrasonic Waves on the Mass Transfer Rates of Selected Fluids."

"Some Factors Affecting Solution of Transfer in Concept Identification Problems."

"The Radioactive Decay of Lanthanum-140."

"Crustal Structures in the Pacific Northwest States from Phase-Velocity Dispersion of Seismic Surface Waves."

"Plasma, Urinary, and Myocardial Catecholamines of the Dog During Hemorrhagic Shock."

"An Analysis of Stochastic Eigenvalue Problems."

"Hyperthermal Processes in the Solar Atmosphere."

"Catalytic Ethylene Oxidation Pore Diffusion and Reactor Size Effects With Copper Oxide-Alumina Catalysts."

"The Eclipsing Systems RX Arietis and UV Leonis and a Discusion of the Mass-Luminosity Law."

"Part I: A Study on the Coordination Catalyzed Copolymerizations of Phenyl Glycidyl Ether. Part II: Thermally Stable Polymers."

"A Theoretical Study of Optical Resonator Modes and a New Class of Special Functions 'The Hyperspheroidal Functions.' "

"Boundary Value Problems for Ordinary Second Order Systems."

"Precursor Studies in an Electromagnetic Shock Tube."

"Stresses Near a Semi-Circular Edge Crack."

"Finite-Element Analysis of Structural Frames."

"The Heat Capacity of Adsorbed Helium."

"Adsorption of Water on Alumina."

"Stratigraphy and Associated Tectonics of the Upper Permian Castile-Salado-Rustler Evaporite Comples, Delaware Basin, West Texas and Southeast New Mexico."

"A Hypersonic Theory for Blunted Slender Bodies."

"Homology of Local Rings."

"Measurements of the Velocity of Sound in Gaseous Helium Three and Helium Four at Low Temperatures."

"Shock Structures in a Gas of Rigid Non-Central Particles."

"A Nonlinear Theory of Thermo-Viscoelasticity for Materials With Memory."

"The Reaction of Certain Sulfones With the Grignard Reagent."

"Phenanthridinones From Pyrolysis of Maleythriindoles: A Novel Intramolecular Diels-Alder Reaction."

"Coherent Reception of Pulsed Signals With Linear Arrays in Traveling Noise Fields."

"Dynamic Loads on the Edge of an Elastic Plate."

"Iron (III)-8-Hydroxyquinoline Equilibria."

"Multi-Level Digital Signaling in Impulsive Noise Channels."

"The Internal Friction and Steady State Creep Properties of Pure Ag and Internally Oxidized Ag–Mg Alloys."

"Surface Temperature with Temperature Dependent Thermal Properties."

"Some Solutions of the Ring for Elastic Materials Exhibiting Couple-Stresses."

"Thermionic Properties of Polycrystalline Zirconium, Beryllium and Selected Zirconium Beryllides."

"Use of Complementary Equations for the Experimental Determination of Thermal Diffusivity of Solids."

"The Non-Linear Response of a Two-Layer, Baroclinic Ocean to a Stationary, Axially-Symmetric Hurricane."

"The Diagonal Tension Resistance of Structural Lightweight Concrete Slabs."

"A Thulium Compound with a Lower Oxidation State. Part I: Preparation of a Thulium Compound with a Lower Oxidation State. Part II: Some Preliminary Studies with Samarium, Thulium, and Ytterbium."

"Electron Spin Resonance Investigation of the Hydrides of Gadolinium and Gadolinium-Yttrium Alloys."

"The Adiabatic Motion of Charged Particles in a Model of the Geoelectric and Geomagnetic Field."

"High Pressure Adsorption of Light Hydrocarbons on Charcoal and the Two-Dimensional Equation of State."

"Application of the Perturbation Method to the Finite Deformation of a Thin Cylindrical Shell."

"The Stokes Settling of One or More Particles Along the Axis of Finite and Infinitely Long Circular Cylinders."

"Physical Processes in H II Regions."

"A probabilistic Sequencing-Delivery Model."

"Crystal-field Splitting in Rare-earth Chelates."

"Intramolecular Spin-orbit Coupling in Naphthalene Analogs."

"Nuclear Research Rates in Extremely Dense Matters."

"On Probabilistic Graphs and Some Applications."

"Transient Response of a Rapidly Pressurized Nonlinear Viscoelastic Cylinder Bonded to a Thin Elastic Shell."

"Conditions for the Existence of Closed Solutions by the Normal Ordering Method."

"Polarization of Protons Scattered Elastically from He^4."

"Nucleate Pool Boiling in Saturated and Subcooled Water Under Normal and Low Gravity Fields."

"An Investigation of the Effects of Job Design on Output and Physiological Costs for a Strenuous Task."

"On Compact Uniquely Divisible Semigroups."

"Preparation of some BH_3 Analogs of Oxacids."

"Scattering of Light from Atoms, Molecules, and Free Electrons in Gases and Plasmas."

"The Effects of Familiarity on Perceptual Recognition and Categorization of Verbal Information."

"The Multiple Bragg Reflection of Neutrons in Mosaic Crystals."

"Geology of the Lookout Mountain Area, Freemont County, Colorado."

"An Analysis of CH in the Solar Atmosphere."

"Electrometric Measurements in Fused Ammonium Nitrate."

"The Existence of Optimal Controls."

"Radiation-Induced Reactions in Alkyl Bromides."

"Determination and Optimization of System Response."

"Cyclooctatetraene Chemistry: PI Complexes and Carbonium Ions."

"Scattering Processes."

"An Approximation to the Electron Gas Slater Sum in the Form of a Boltzmann Factor Involving Pair-Potentials."

"Propagation of Electrostatic Disturbances in Finite-Temperature Plasmas."

"A Multivariate Extension of the Exponential Distribution."

"Infrared Absortion Bands of Acetylene."

"Computer Study of the Effect of the Amortisseur Windings on the Control of an Alternator When Driven by Diesel Engines."

"Approximate Solutions of the Compressible Laminar Boundary-Layer Flow Over Slender Pointed Bodies of Revolution."

"A Solution of the Boltzmann's Equation for the Electrical Conductivity of a Slightly Ionized Gas (In the Presence of a Weak Magnetic Field)."

"Theory of the Motion of Small Particles in Temperature Fields."

"Supersonic Turbulent Boundary Layer Separation Ahead of a Wedge."

"Matrices Over Commutative Noetherian Rings."

"A Study of the Process $\pi^+ + d$ p+p at Low Energies."

"Response of the DBA/2J Mouse Strain to Acute Ionizing Radiation."

"Controlled Potential Oxidation of Aliphatic Amides."

"On the Enhancement of the Random Velocities of Stars in Disk-Like Galaxies."

"On the Calculation of Spiral Structure in a Disk Galaxy."

"High Energy Elastic Scattering of Molecular Beams: I. H—H (Theory); II. HE—H_2HE—D_2 (Experiment)."

"Specific Heat of a Germanium Wisker in the Temperature Range 350° C–650° C."

"A Study of the Valance Bands in Sodium Iodide."

"Atmospheric Densities Determined from the Spin Decay of Explorer VI."

"Quotient Spaces of Absolute Neighborhood Retracts."

"The Experimental Determination of the Local and Average Heat Transfer Characteristics and Average Friction Coefficients for Turbulant Flow of Air and Argon with Variable Properties in Smooth Tubes with the Boundary Conditions of Constant Wall Temperature Heating and Increasing Heat Flux Heating."

"Transient Radiation Effect on Semiconductor Controlled Rectifiers."

"Degeneration of the Solutions of Certain Well Posed Systems of Partial Differential Equations Depending on a Small Parameter."

"Linear Topologies Induced by Bilinear Forms."

"The Non-Destructive Determination of Silicon and Oxygen in Meteorites by Fast Neutron Activation Analysis."

"The Galactic Center: Reddening, Structure, and Mass Loss."

"An Impact Theory Approach to the Pressure Broadening of Microwave Absorption Lines."

"A State-Variable Approach to Control System Design."

"UBV Photometry of DQ Cephei."

"Identification of Dynamic Systems by Digital Computer Modeling in State Space and Component Parameter Identification of Static and Dynamic Systems."

"The Effect of Certain Additives on Transition in Pipe Flow."

"Generalized Ilstow and Complex Wiener Integrals and a Related Integral Equation."

"Collisionless Damping of Hydromagnetic Waves."

"The Paleozoic Crater at Flynn Creek, Tennessee."

"Reaction of 12-Keto Steroids."

"Consequences of the Jordan Curve Theorem."

"Brillouin Scattering in Viscoelastic Liquids."

"Rapid Identification of Time-Varying Linear Dynamic Systems."

"Two-Port Network Parameters of the Piezoelectric Semiconductor Electroacoustic Amplifier."

"The Design of a Shock Absorber to Improve Ride Comfort by Reducing Jerk."

"A Computational Technique for Identification of Linear Systems."

"Study of a Beta-Gamma Correlation in the Decay of Sb^{125}."

"Buckling of a Spherical Sandwich Under Uniform External Pressure."

"Solution Reactions of Fluoro-complexes of Antimony and Tin."

"The Time Domain Inversion of Convolution."

"Rarefied Gas Flow Between Two Parallel Plates for Three Molecular Models."

"Low Temperature Volumetric Properties and the Development of an Equation of State for Methane."

"Partial Ring Currents and Some of the Geophysical Effects."

"The Magnetic Field of a Rotating Superconductor."

"Mixed Estimates for a Class of Singular Integrals."

"Magnetization Measurements in Superconductive Molybdenum."

"A Mechanical Study of the Forces on Moving Intermediate State Regions in a Type I Superconductor."

"The Effects of Impurities on the Plastic Deformation of Molybdenum Single Crystals."

"Dynamic Response of Elastic and Inelastic Systems of the Shear Beam Type."

"The Rearrangement of Isotopically Labeled Diazonium Salts."

"Mississippian Rocks of the Southwestern Great Basin, Nevada, and California."

"Comparison of Deuterium and Tritium Isotope Effects."

"I. The Preparation and Optical Resolution of dl-2β-Acetoxy-8-α-methylpodocarpane-7,9-dione. II. Exploratory Studies in the Total Synthesis of Ajmaline."

"Radium Transport in the Cesium Thermionic Converter: A Plasma Model and an Emitter Heat Balance."

"On the Regular Perturbation of the Subdominant Solution to Second Order Linear Ordinary Differential Equations with Polynomial Coefficients."

"A Determination of the Neutral Composition, Density, and Temperature of the Upper Atmosphere from 120 to 200 Kilometers with Rocket-Borne Spectrometers."

"Origin of the Jeptha Structure, Kentucky."

"Transient Potentials."

"Effects of Manganese Oxide on the Sintering of Alumina."

"Conjugative Interaction of Benzene Rings and Double Bonds."

"A Study of Lactic Acid Dehydrogenase Activity of Rat Hemopoietic Tissues."

"Mass Transportation Mechanisms in Open Channel Flow."

"An Experimental Study of the Buckling of Reticular Cylinders Under Axial Compression."

"Response Strength as a Function of Brightness."

"High Temperature Initiation of Natural Amino Acid Synthesis."

"Reaction Energetics of Perfluoromethyl Radical Addition to Monoolefins."

"Adsorption of Gases on Polymers."

"Reaction of Bromine Activated by (n,γ) and (I.T.) Processes in Carbon Tetra chloride and the C_6-Alkanes."

"Boundary Value Problems for Second Order Ordinary Differential Equations on Infinite Intervals."

"Dynamic Systems with Inverse Quadratic Restoring Forces."

"Electric Field Induce Infrared Absorption Spectra of Hydrogen."

"Thermal Degradation of Styrene and Methylmethacrylate Copolymers with Pure *m*- and *p*- Divinyl-Benzene Isomers."

"Longitudinal Elastic Wave Propagation in Finite Cylindrical Bars."

"Proximities and Uniform Structures Induced by Families and Real Functions."

"On the Approximation of Functions in the Tchebycheff Norm: A Characterization Theorem and a Computational Procedure for Approximation Under Convex Constraints. Part II: A Computational Procedure for Approximation Under Convex Constraints."

"The Theory of Signal Detectability Extended to the Case of Amplitude Known Statistically."

"Laser Phasography of Jets, Shocks, and Plasmas."

"The Development of 2-Dimensional Growth in the Fern Gametophyte."

"Aldehyde and Ketone N, N-Dimethylhydrazone Reactions; Conversion to Hydrazones by Exchange and to Pyridines by Quaternary Derivative Pyrolsis."

"A Study of Thermoelectric Power in Cerium Oxide."

"Substituent Effects. V. Further Evidence Concerning the Nature of the Inductive Effect."

"Components of the Stimulus in Serial Learning and Their Relation to Meaningfulness."

"Heat and Mass Transfer Coefficients in Microwave Freeze-Drying."

"Numerical Studies on the Non-Linear Vlasov Equation."

"Delay of Reward Effects in Differential Conditioning."

"An Accelerometer for Pure Fluid Control Systems."

"Synthesis and Reactions of β-Substituted Perfluoroolefins."

"Vlf Ray Tracing in a Model Ionosphere."

"The Stereochemistry of the Addition of Reagents to Norbornene Compounds."

"A Survey of Electrons Beyond 5 R_E with Explorer XIV."

"An Interplanetary Diffusion Model for the Time Behavior of Intensity in a Solar Cosmic Ray Event."

"Analysis of Crystal Growth of High Temperature Materials in a Plasma Furnace."

"Oxygen-18 Tracer and Low Temperature Chemisorption Studies of the Carbon-Oxygen Reaction."

"Cyclopentadienone Ketals."

"Pool Boiling Heat Transfer to Liquefied Hydrocarbon Gases."

"On Laser Induced Damage in Transparent Solids."

"Analysis of Some of the Near Infrared Absorption Bands of the Molecule Ethane-1, 1, 1-d_3."

"Substitution Reactions of Trans-Hydridochloro-Bis (Triethylphosphine) Platium (II)."

"Thermal Shock in Thermoelastic and Thermoviscoelastic Cylinders and Spheres."

"Hydromagnetic Model for the Solar General Circulation."

"Thermal Convection in a Rotating Annulus of Liquid: Numerical Studies of the Axisymmetric Regime of Flow."

"21-CM Line Observations of Small Diameter Galactic H II Regions."

"The Origin and Evolution of the Comet Cloud."

"An Analysis of Total Losses in Ferromagnetic Materials and a Model of Ferromagnetic Domain Interactions."

Dr. Newell continued, and I quote:

One of the advantages of this type of program that we have pointed to in the past has been that you have students who are not only working toward their own doctorate but are working on problems of interest in the space effort.

I want to commend the Congressman from Texas [Mr. Eckhardt] for his interest in the university program. He wrote each participating university asking them their feelings on the subject. I have in my hands the answers from two of those universities, the University of Kansas and Kansas State University. These letters speak for themselves, Mr. Chairman, as to the tremendous success of the university program sponsored by NASA.

THE UNIVERSITY OF KANSAS,
Lawrence, Kans., June 16, 1967.

Hon. Bob Eckhardt,
House Office Building,
Washington, D.C.

Dear Mr. Eckhardt: In response to your letter of June 14, 1967, to Chancellor Wescoe, I am happy to send you herewith one copy of our most recent proposal for renewal of the University of Kansas NASA sustaining grant. Although I believe you would find the entire proposal interesting and helpful, I am sure that the summary on pages 2 and 3 will provide in concise form the information you have requested concerning the effective operation of the NASA sustaining university program.

The University of Kansas has been far more than satisfied with the success of these NASA grants. They have assisted in a major way in the development of new lines of research in important interdisciplinary areas, and they have contributed most substantially to the development of an expanding advanced training capability as well as research effort in the broad field of space science.

If you should wish additional information, please call on me directly.

Very truly yours,
William J. Argersinger, Jr.,
Associate Dean of Faculties.

KANSAS STATE UNIVERSITY,
Manhattan, Kans., June 19, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Congress of the United States,
Washington, D.C.

Dear Congressman Eckhardt: The National Aeronautics and Space Administration Sustaining University Program has provided valuable support for research in various scientific fields at Kansas State University. Research has covered the gamut from nozzle design for rocket vehicles within our Department of Mechanical Engineering, through complex biochemical studies related to metabolism performed in our Department of Biochemistry, to investigations of human performance as this may be related to the duties of the crew on a space mission.

The valuable of this support is manifold. It has been possible to support younger scientists with funds provided by NASA so that they might obtain sufficient recognition to seek continuing support from such agencies as the National Science Foundation, the National Institutes of Health, and the Department of Defense. Support by NASA has stimulated their interest in the space program and, accordingly, their work has not only provided valuable results but has increased their competence as scientists in fields of importance for our space program. Faculty members have been assisted in this research by graduate students, the interests of whom in turn have been influenced in a valuable way by the nature of this program. I heartily endorse the farsighted efforts of the Congress in its attempts to maintain this program at its present level.

Sincerely,

JAMES A. MCCAIN,
President.

Let me urge you to increase the amount of funds requested by the Bureau of the Budget from $7 to $17 million. We must continue our university research, and faculty fellowship programs if we are to see our space program through.

Mr. Chairman, I intend to request unanimous consent to be allowed to insert extraneous material in the RECORD.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. WINN. I yield to the gentleman from Texas.

Mr. ECKHARDT. I appreciate the remarks of the gentleman from Kansas. I would like to ask one further question. Do you not believe that there is a tendency to decrease the number of programs in all agencies of the Government with respect to the Ph. D. degree?

I bring to the attention of the gentleman a letter I have received from Notre Dame University in connection with these letters, in which the Reverend Theodore M Hesburgh, the president, states:

> The real problem is not that just one federal program supporting predoctoral studies is being curtailed, but that all of them are being curtailed, while each agency hopes that the loss will be picked up by one of the other agencies. In his letter of January 9, 1967, informing us of the six new NASA Traineeships to begin in September, 1967, at Notre Dame, Dr. Smull, Director of NASA's Office of Grants and Research Contracts, implied as much: "It may also be pointed out that other federal agencies charged primarily with the general support of higher education have in recent years substantially increased their predoctoral support programs in the areas of science and technology." However, you are already aware of the fact that the House recently cut the appropriation for graduate fellowships for 1968 under Title IV of the National Defense Education Act by $10 million.

He comments further on that and says:

> The National Science Foundation's Traineeship and Fellowship Programs in support of graduate students were curtailed for September, 1967. To begin in September, 1966, Notre Dame was awarded sixteen new NSF Traineeships, whereas we were awarded twelve in September, 1967—a 25% reduction.

It would appear there is actually a tendency of general decrease in supporting traineeship programs throughout the country.

Mr. WINN. Mr. Chairman, I believe the gentleman from Texas to be correct in general. I have no facts or figures to back up his thinking, but he has done a great deal more research on the subject than I have.

Mr. ROUDEBUSH. Will the gentleman yield?

Mr. WINN. I yield to the gentleman from Indiana.

Mr. ROUDEBUSH. Mr. Chairman, I would love to read some of the numerous letters from the universities throughout the Nation which they have probably been inspired to send the Members of Congress. I have received several of these myself. They say that this is a general curtailment of education in this Nation.

This is tomfoolery. Eleven billion dollars is being offered by agencies of Government this year. This appropriation is $10 million more than the agency wants. I just regret that my colleague feels as he does.

Mr. WINN. The gentleman from Indiana is correct. It is $10 million more than the agency wants, but the agency has been cutting back on this program. Many of us feel it ought to be accelerated and that an additional $10 million ought to be put in to bring the total to $17 million.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. WINN. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, I compliment the gentleman from Kansas and the gentleman from Texas for their studious work, long-range planning, and their effort to get to the bottom of these most important educational programs. The House is the place for this difference of opinion to be stated. If we all agreed, there would be no reason for any of us to be here.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. WINN. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, I compliment the gentleman for the remarks he has made. I believe what the gentleman has said simply points out the fact that we are all for this program. We just have varying ideas about how much we should spend on different facets of the program. We are entitled to that. The gentleman has proved the point that we all approve of this program.

Mr. WINN. I thank the gentleman.

Mr. MILLER of California. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. KARTH].

Mr. KARTH. Mr. Chairman, I rise in support of H.R. 10340, the NASA authorization bill for fiscal year 1968.

Mr. Chairman, I understand there are a series of amendments to be offered, and I shall not belabor the time of the committee at this point, because I do intend to take some time under the 5-minute rule to debate those amendments.

One of NASA's major program offices, the Office of Space Science and Applications, submitted a request of $694.6 million for research and development for the forthcoming fiscal year. The subcommittee which I have the honor to chair carefully reviewed this budget request and reduced it by almost $32.5 million, to approximately $662 million.

The amount recommended in the bill is about the same level of funding authorized by Congress for these activities last year, and I submit that the authorization recommended to the House today for these important programs is entirely justified.

Mr. Chairman, the tools of the Office of Space Science and Applications are unmanned satellites and probes. The many successful missions of this Office have been responsible for an explosive increase in our knowledge about the earth on which we live, its environment in space, earth's relationship with the sun, and about the nearby planets in our solar system.

Let me give an illustration as to why such information is so significant. Just a few years ago, the region between the earth and the sun was thought to be a nearly perfect vacuum. But because of the many scientific satellites and probes which our scientists have launched in the last few years, we have come to understand that there are important physical processes which occur continuously between the sun and the earth.

We had known for years before we were able to send instruments into space that the sun is the ultimate source of all energy on earth and our scientists suspected that solar phenomena were the cause of dynamic processes in the earth's atmosphere directly affecting our weather. During the past few years, discoveries have been made which provide clear evidence of this close and constant relationship of the earth to the sun.

Space-age tools—rockets, satellites, and probes—have given our scientists an opportunity to study firsthand the controlling influences which the sun's activity has on our weather, and these have already led to a much improved knowledge of the environment in which we live. We now have sophisticated instruments observing the sun, sampling the interplanetary medium, and sensing the changing patterns in the earth's near environment and atmosphere.

While it is true that we have only begun to scratch the surface, I am convinced that as our knowledge and understanding is further refined, such practical goals as weather prediction, and, ultimately, some measure of weather control will be achieved. What I am suggesting is this: Knowledge and understanding will place man in a position to play a part in determining his destiny. Ignorance makes him a victim of the fates.

Our planetary program, a modest effort compared with that of the Soviet Union, has been remarkably successful to date. Although the Soviets have seized virtually every opportunity since 1960 to launch spacecraft to Mars and Venus, they have yet to achieve a real success. As early as 1962, on the other hand, our Mariner II spacecraft returned significant information about the planet

Venus. Two years later our Mariner IV sent back pictures of the surface of Mars, and other significant information about its atmosphere.

As all of you know, both the United States and the Soviet Union recently launched spacecraft to Venus, destined to arrive in its vicinity next October; and our explorations of Mars will continue in 1969 and 1971 with additional Mariner spacecraft of improved capability.

This year, the committee recommends that NASA be authorized to undertake a much more ambitious program to investigate the nearby planets of Mars and Venus. The Voyager project is expected to provide the answers to some of the most challenging and basic scientific questions. The origin and evolution of the solar system, and the possible existence of extraterrestrial life are the primary goals of Voyager.

Mr. Chairman, 40 outstanding American scientists, most of whom are associated with the great universities of America, recently produced a report on the Nation's space program for the President's Advisory Science Committee. That report gives unequivocal endorsement, and highest priority, to the exploration of the solar system; and it strongly recommends an expanded commitment to the Voyager program.

Unless we undertake the Voyager program in fiscal year 1968, the aggressive Soviet program to explore the nearby planets seems certain to take over leadership in this important scientific endeavor.

Mr. Chairman, the last thing I want to see happen is a crash program by the United States after the Soviets have startled the world with a successful soft landing of instruments on the surface of Mars or Venus. An orderly, adequately funded Voyager program will cost less in the long run, and will keep the United States first in the exploration of our solar system.

In addition to the space sciences effort, this bill authorizes continuation of the so-called applications satellite projects. These projects have short-term economic benefits for our country, and are immediately useful for practical purposes. I hardly need to remind the Members of this body of the successes NASA has achieved in communications and weather satellites. NASA's research and development work in these areas has already led to operational systems. It is no exaggeration to say that these programs have opened up a new era in worldwide communications and improved weather prediction.

Yet, much remains to be done. New and better meteorological sensors must be developed, and more effective communications equipment must be produced. The Office of Space Science and Applications is advancing the state of the art in both these fields, and is examining the feasibility of additional systems for earth resource observatory systems, as well as air and sea navigation systems.

Before closing, Mr. Chairman, I should like to make a few remarks about the only program for which our subcommittee voted to increase the amount requested by NASA, and to explain why the full committee endorsed this recommendation.

We learned during our hearings this year that NASA had decided to reduce the training grants program during the current fiscal year to slightly above one-half the level of effort of last year. NASA's goal was to introduce 1,335 new predoctoral students into the program each year, beginning in September 1966; at this rate, the program was expected to produce 1,000 Ph. D.'s per year.

Without notifying the committee of its plans to phase out this important program, NASA now informs us that they intend to bring only about 760 new students into the program in September 1967.

Moreover, the request for funds for fiscal year 1968 will permit only 350 new predoctoral candidates to enter the program in September 1968, a further deep cutback in the size of this program.

Mr. Chairman, the members of our subcommittee consider the training grants program a vital activity. The talented youth of our country constitute our most important resource. If we fail to develop this resource, future generations will suffer. These young graduate students are the "seed corn" of future American society.

NASA programs utilize Ph. D. level scientists and engineers in great numbers. It was on this basis that it was determined that NASA had a responsibility to help replenish the highly trained manpower pool so heavily drawn upon by NASA and its contractors.

That responsibility continues to exist. And until it can be demonstrated that it has been taken over by other organizations, our committee vigorously opposes any further reduction in the training grants program.

That is why, Mr. Chairman, the committee recommends an increase of $10 million in the training grants program. This additional authorization will maintain the program at the current level of effort—that is, about one-half the level recommended by NASA only 1 year ago.

Mr. MILLER of California. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER of West Virginia. Mr. Chairman, at the outset I should like to compliment the gentleman from Kansas [Mr. WINN] for the excellent statement he made in support of the sustaining university program. I believe the letters which the gentleman from Texas [Mr. ECKHARDT] sent out have been very effective in producing concrete evidence of the meaning and value of this sustaining university program which NASA is funding. As a former university professor, I deeply appreciate its value in enriching the well springs of our Nation's scientific strength.

I might add, it was at the Bureau of the Budget level rather than at the NASA level the reduction in amount was requested. I fully support the effort by the committee to vote additional funds to this valuable program.

WEST VIRGINIA HAS FEW SPACE CONTRACTS

There was considerable discussion earlier this afternoon about contractors or employees in the districts of various Members of Congress. I should like to say, since I come from the Fourth Congressional District of West Virginia, that I am asked the question in every campaign why it is that though I am fourth-ranking member on the Space Committee I have never been able to obtain a single space contract in my district in West Virginia. Of course, there are some small subcontracts, but it can properly be said that West Virginia gets shortchanged in the NASA program.

Well, I support the space program not because there are contractors or employees in my district or State. My support for the space effort is because this is a necessary program which has strengthened the Nation and will continue to strengthen the Nation in the future. It is a bold venture which we must afford; in fact, the question should properly be asked: "Can we afford not to continue to sail the new oceans of space?"

The Subcommittee on Advanced Research and Technology, which I have had the honor to chair for the past 5 years, took over 1,000 pages of testimony in its extensive deliberations during March and April of this year. I commend all the members of the subcommittee and the staff which so ably assisted us in our analysis of this complex and challenging program.

THE NERVA NUCLEAR ROCKET ENGINE

Reference has been made to the Nerva project and the statement was made that this is only a program to provide a manned mission to Mars. This is entirely incorrect. The purpose of the Nerva program is to develop our nuclear rocket capability for a third stage, to develop versatility in the space program, for a wide number of possible missions which NASA and the Nation and the Congress can then select from, in order to meet a particular goal 10 years hence, when this engine development is completed. It is true that no specific mission has been pinpointed, and that is further proof that this third stage nuclear rocket is not designed exclusively for a manned Mars mission. When the engine development is completed 10 years hence, it will then take 5 additional years to apply and tailor this 200,000–250,000-pound thrust upper stage to whatever mission the Nation finds most feasible at that time. The important point is that we are developing a high-thrust, high-performance item which can deliver a heavier payload at a lower cost per launch. It is a necessary development unless we choose to stand still in our space effort in the 1980's and 1990's.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I am glad to yield to the able gentleman from California.

Mr. BELL. Would it not be possible to consider that perhaps, in this Nerva program, we are on the verge of developing a new system of transportation in space? Up to this time we have been pushing out in our area in space in an artillery type of development, where we throw away so many different segments. With the nuclear developed rocket we will not be discarding so many segments. In addition, the power engendered through a nuclear rocket will put us in the area of transportation and not in the area of artillery; is that not correct?

Mr. HECHLER of West Virginia. I would concur with the gentleman's observations on that. Furthermore, I believe the gentleman from California was very correct when he stated earlier:

> Stop-start spending is not management; it is anarchy.

We have invested $1 billion in nuclear rocket research and testing by the Atomic Energy Commission and NASA. This is no time to stop.

If the only goal of the space program were to get to the moon we would not have to even think of developing the Nerva program. As Chairman MILLER has so well stated on many occasions, our moon program is to get to a plateau from which we will develop the necessary versatility for further exploration and understanding of space for the benefit of all mankind.

Mr. BELL. Is it not quite possible that another nation, perhaps the Soviet Union, could continue to develop this nuclear program? I understand they have started on it. If that should be done, we could be again caught behind the eight-ball, so to speak, in an entirely new method of transportation. We would be again startlingly behind the Soviets, if we do not continue the minimal support toward a nuclear developed type of propelled vehicle.

Mr. HECHLER of West Virginia. The gentleman from California is absolutely correct. If we are idle while the Soviet Union continued its nuclear rocket development, the space Pearl Harbor which this Nation suffered in October 1957, with the launching of the Russian sputnik, would look small in comparison.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to my good friend, the gentleman from New York, a very able member of the Subcommittee on Advanced Research and Technology.

Mr. WYDLER. If this rocket, as the gentleman agreed, is to be for space transportation, could the gentleman tell me where we are going to transport ourselves to?

Mr. HECHLER of West Virginia. There are a number of possible missions for which Nerva can be utilized. For example, this could be used for a heavy payload unmanned or manned flight directly to the moon without the necessity for a lunar excursion module and the complexities which rendezvous entails. There are many other missions which I will discuss if my time allows.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. MILLER of California. Mr. Chairman, I yield the gentleman from West Virginia 1 additional minute.

Mr. HECHLER of West Virginia. In further answer to the gentleman from New York, Nerva could be used to maneuver in earth orbit with large payloads, for unmanned planetary missions such as the sun, and for manned planetary flybys.

I now yield to the gentleman from Pennsylvania if he desires.

Mr. FULTON of Pennsylvania. I was going to say on the Nerva II nuclear engine, that is for an upper stage and probably a fourth stage.

Mr. HECHLER of West Virginia. Probably the third stage, but we might best term it an "upper stage" engine.

Mr. FULTON of Pennsylvania. Either third or fourth. NASA has just given me a memorandum that it could be a fourth stage. Nerva delivers approximately double to the moon what a Saturn V does alone. For example, Saturn V delivers 25,000 pounds. The Nerva will deliver 47,000 pounds. In addition, where the Saturn V is going to cost for two of them $320 million, for the Nerva third and fourth stage it will cost only $210 million.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. FULTON of Pennsylvania. I yield the gentleman from West Virginia an additional minute.

So we have a saving there in money as well as getting an increase in weight. Likewise the gentleman from California should be complimented because the matter of reusability and maneuverability of the Nerva is very high compared to the Saturn V complex.

Another point is with the Nerva we can probably pick out very carefully the particular target landing spot and make sure of it so we get better results from it.

Mr. BELL. Mr. Chairman, will the gentleman from West Virginia yield?

Mr. HECHLER of West Virginia. I yield to the gentleman from California.

Mr. BELL. I want to point out in this regard that there is a reusability to the nuclear propelled vehicle, which is very important. Up to this time there has not been reusability of any consequence. Secondly, I think anybody who at this stage of the game, today, would say that space travel is not a matter of the immediate future, should reexamine the facts.

Mr. HECHLER of West Virginia. I thank the gentleman from California. Now, Mr. Chairman, I want to add some general comments about the work of the Subcommittee on Advanced Research and Technology.

Mr. Chairman, I have expressed concern in the past few years at the declining support for advanced research and technology.

INCREASED SUPPORT FOR ADVANCED RESEARCH AND TECHNOLOGY

In 1965, the Office of Advanced Research and Technology had $331 million available for research and development. For the fiscal year 1966, $289 million was available, and NASA requested even less—$278 million in its fiscal 1967 budget.

During our budget hearings in 1965, I asked Dr. Raymond Bisplinghoff, who was at that time head of the Office of Advanced Research and Technology:

> How can you possibly continue to cut down on research and technology and hope to maintain strength in the field of aeronautics and astronautics in the future?

He answered my query quite candidly:

> I think the answer, Congressman Hechler, is we cannot maintain that strength if we continue to cut down. I am hopeful that in future years we can return to a higher budget level in advanced research and technology.

Now I am very pleased to note that for the research and development phase of OART, NASA has in this year's budget requested a substantial increase—$345.5 million. This strongly reverses the repeated declines of the past few years. I believe this is a very healthy trend if we are to have a strong space program, in the 1980's and the 1990's.

In February of this year, there was released a landmark report of the President's Science Advisory Committee, entitled "The Space Program in the Post-Apollo Period." This report, called the PSAC Report, contained these two significant sentences. It was recommended "that both the NASA efforts in advanced research and technology be maintained at a high level with particular attention to providing the demanding technologies needed to meet requirements for long-duration space travel." It further stated:

> Relative to the total effort envisioned for post-Apollo programs, and particularly as preparation for design of systems for early manned planetary exploration, the current available financial support for advanced research and technology is not adequate.

Our subcommittee recommended, and the full committee approved, an increase of $1,965,000 in the total amount requested for the research and development phase of the Office of Advanced Research and Technology, thus bringing the request up to $347,465,000. Reductions in administrative operations and construction of facilities were recommended so that the overall total NASA request for OART was reduced by our committee to the $579.7 million requested.

TECHNOLOGY UTILIZATION AND TRACKING

Our subcommittee also had under its jurisdiction technology utilization and tracking and data acquisition which, plus OART, amounted to a grand total of $887,215,000 in the NASA budget request. Our action was to reduce this amount by a little over $25 million down to $861,560,000 which is the amount requested for authorization in the bill you have before you.

Fiscal year 1968 will be extremely important for the Office of Advanced Research and Technology. This office is concerned almost exclusively with developing techniques and devices which will serve the space program in the years ahead. If we were to suppose that NASA's mission was to be complete with the Apollo lunar landing, then the budget for advanced research and technology should be virtually nothing in fiscal year 1968. If we believe that the U.S. program for the peaceful uses of space and space technology will continue, then the OART budget must be fully supported at a healthy and vigorous level.

I asked the Associate Administrator for OART, Dr. Mac C. Adams, how the efforts of his program were divided between the present and the future. He replied with the following distribution: 5 percent for current mission support and

95 percent for mission extension, new starts such as Voyager, and future missions. Therefore, in considering this authorization it is necessary for the Congress to take a stand on the long term position of the space program in the context of Federal activities.

MORE AERONAUTICS RESEARCH

The Congress has made considerable efforts over the past several years to stimulate more research in aeronautics. We have authorized additional moneys and we have prodded NASA with our report language. They have responded this year by increasing their request by almost $31 million which the committee feels is not only justifiable, but is more in keeping with the vital needs of this industry. Of specific interest to the Congress will be the amount of money allocated to improving or reducing aircraft noise. NASA is planning a research program totaling $6.8 million. This program included research on the aircraft engine, research on aircraft flight patterns to reduce noise around our airports, and the development of a new, quieter engine which will come to fruition in about 7 to 8 years. I assure you that this program is a coordinated one and has resulted from the actions of the President's Director of Science and Technology, the Department of Transportation, and the Federal Aviation Agency. Testimony was taken from the heads of all of these agencies to be sure that the program was coordinated and to be sure that the program was adequate to meet the needs of the country. We have these assurances in testimony and we believe that NASA is responding in every way that it can in order to make the greatest contribution to relieving our citizens of this noxious problem.

MORE ON THE NERVA PROGRAM

I have already mentioned the development of a nuclear rocket engine. As you know, NASA has been engaged in nuclear rocket research for a number of years. As a matter of fact, NASA, together with the AEC, has invested over $1 billion in this research. The results to date have been extremely gratifying and NASA has conducted successfully eight test firings of a nuclear rocket reactor. The program now being initiated will result in the development of an upper stage rocket producing 200,000 to 250,000 pounds of thrust over a period of time in excess of 30 minutes. The cost of this development is estimated to be about $1 billion with an additional one-half billion being required to make it applicable to a space mission. It is estimated that it will take approximately 10 years to perform this work.

There is no question that this is a major undertaking. The committee gave it serious consideration and we concluded that it should be initiated. Testimony before the committee pointed out the unprecedented versatility that a device of this type can add to our capability. For example, it can be used for major earth orbital missions, for unmanned probes to the planets and is almost mandatory for manned missions to the planets.

AMORTIZING THE COSTS OF NERVA

We are concerned about the cost of such a device. However, testimony revealed that because of the enormous weight required in space to perform a mission to the moon or the planets, this device, because of its superior capability, will pay for itself even though very few missions are planned. It is estimated that a manned Mars mission using existing chemical boosters would require 5 million pounds in earth orbit. This weight would have to be put in earth orbit using four Saturn V rockets. The amount of weight required in earth orbit using the nuclear stage would be one-half of this amount. Therefore, at a cost of about $500 per pound of weight in earth orbit, the difference in costs using the nuclear stage would be $1.25 billion. You can readily see that the cost of this development is almost amortized by one mission in the case listed above.

There are, of course, many other advantages such as a reduction in overall mission launch requirements, simplicity of operation, reliability and simpler mission planning. At this time, there is no specific mission for this device. However, it is the function of the advanced research program to embark upon such technology developments. We feel that to initiate the development at this time would result in a lower overall cost, first of all, but not having a crash program development, and, second, we would continue the work already underway at this time. For this work the committee recommends an authorization of $70 million which includes the development of the nuclear rocket. Also $16.5 million is in the construction of facilities item for necessary test facilities.

DEVELOPMENT OF LARGE SOLID ROCKET MOTOR

The third item of major concern is a recommendation by the committee to include $12 million for the continued development of the large solid rocket motor. NASA requested no funds for the continuation of this very vital and successful program. There have already been two successful firings of the 260-inch solid rocket, and a third partially successful firing was conducted on June 17. This third firing has proved to us that there are still some gaps in this technology. The committee feels that the booster has not been fully developed and that the technology is not available to be placed on the shelf or for use.

RESULTS OF JUNE 17 SOLID ROCKET TEST

We have just been given the preliminary results of the firing of this last large solid on June 17. The results of this test fully confirm the committee's view as expressed this year and last year that the technology is not on the shelf and available to us. NASA has had considerable success in the three firings that have been performed. However, even though the full test data are not available to us, the contention that insufficient experience in handling large propellant mixtures, not being able to forecast their action in the large mass, and to repeat the performance of prior firings have been confirmed. The perturbations that are obvious in the test results are of such magnitude that they would cause a manned flight to be aborted for safety reasons and they are convincing to the expert that more tests are required before this technology is fully proven.

This does not mean that the development is too aggressive or that NASA has overly extended itself in seeking to utilize solid propellants, for up to this time where the program has been carried to complete conclusion, the solids have been extremely reliable. This does not mean, however, that you can make a firm decision based on three firings. I do not wish to belabor the point. However, it is obvious to us on the committee, and it should be obvious to all that this is another instance where the committee has been correct in its assessment of the program and that the continued development of this reliable and economical booster is necessary.

The committee has repeatedly called for action on this development to be sure that our propulsion capability is not seriously limited and that we have all the needed booster capability for a well-rounded space program at the most economical cost. The continued development of the large solid rocket will result in a very versatile, extremely simple, extremely reliable, and less costly vehicle than our current major boosters. The committee is determined that this country will not be caught short without the needed booster vehicles for a vital space program. We are even now spending money in our space program to upgrade the Saturn V rocket because we were not farsighted enough to have additional capability in our current stable of booster vehicles. For these reasons we are recommending the addition of $12 million to the chemical propulsion program for the continued development of the booster.

ECONOMIES ACHIEVED

These items are program areas where major actions were taken by the committee. The committee recommends a reduction in every other disciplinary research area except one and that is the human factor or medical research area. The tracking and data acquisition program was reduced $1.7 million, and Technology Utilization remained $5 million as requested. The resulting research and development moneys requested by NASA were reduced by $5.735 million.

Additional items within the Office of Advanced Research and Technology considered by my subcommittee were Administrative Operations and Construction of Facilities. These were reduced by $10.2 million and $12.22 million respectively. The committee feels that NASA can effect economies in their administrative operations to absorb $10.2 million, although we agree that the reduction is a strenuous one in view of generally rising costs.

ELECTRONICS RESEARCH CENTER

In the Construction of Facilities request, I am sure that it will be pleasing to some Members of this body to know that the committee has denied NASA any construction moneys for the Electronics Research Center in fiscal year 1968.

The reason for denying the $6.2 million that was requested for construction is that NASA has $20.8 million not yet on contract from prior years. I should remind my colleagues that the Electronics Research Center is contributing greatly to our space capability and currently there are 698 permanent personnel at the center. NASA has requested funds totaling $41.63 million to be utilized at ERC for administrative operations—$19.26 million—and for research and development—$22.37 million.

The total amount recommended for authorization by my subcommittee is $861.6 million or a total reduction of $25.655 million from the amount requested by NASA. We feel that this is a minimum figure that should be authorized for this program.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield such time as he might require to the gentleman from Ohio [Mr. Lukens].

Mr. LUKENS. Mr. Chairman, I support the passage of H.R. 10340, the NASA authorization bill because of the obvious need for this country to compete in the general space science field.

The Nerva development program, in my opinion, should be continued. I rise in opposition to any amendment to delete Nerva from this bill.

As a member of the subcommittee considering this item, I believe that we made every effort to insure the programing for NASA is consistent with its fund request and with our national demands.

We determined a need to pursue this development, and there are many essential reasons for embarking on a program of this magnitude. It is not easy to talk about a billion-dollar investment when our country faces almost daily economic crises. But we are not just discussing the immediate future and the short-term future. This is an investment in power—for this Nation and for this world for perhaps a hundred years.

At the present time, the Nerva program possesses the greatest potential for a pollution-free, economic, and consistent power source which will add greatly to this country's technological stockpile. If we conquer nuclear energy and its peaceful applications, we could guarantee this country's preeminence in the next generation of science and space activities. The soundness of this development and this program has already been proven by prior technology and research. The long leadtime required to meet any reasonable space mission in the next 10 years or more necessitates our initiating Nerva now. Testimony was presented to the effect that orbiting weight of the booster can be reduced approximately 50 percent for all missions if this nuclear rocket is used as a second stage. It is just another real advantage now available to us and on which we can build to gain even greater benefits from the basic Nerva program.

I do not pretend to be a judge of exactly how much this will cost. I do not think anyone can really effectively give either the ultimate cost or the ultimate impact and advantage from the research and development of a nuclear energy propulsion system.

In my mind, although the cost is staggering, the advantages to this country now, in terms of increased capability and advantages to the world in terms of peaceful applications, have convinced me that there is a need for us to take this responsible step forward.

A country which stands still not only deserves to be passed, but it will be passed.

Mr. FULTON of Pennsylvania. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. Hunt].

Mr. HUNT. Mr. Chairman, I rise in support of H.R. 10340 in the main. I also rise in suport of my colleague the gentleman from New York [Mr. Wydler] with respect to some of his views.

Mr. Chairman, I occupy a rather unique position on this committee. Not only am I the junior member and the freshman Congressman occupying the last slot of the minority group, but I am also in the last slot on the full committee. I want to state publicly that I am most grateful to the distinguished Member of this House, the gentleman from Texas [Mr. Teague] for the wonderful opportunity he has afforded me in these first few months to understand this program more fully. I am most grateful to you, sir, for this and to the chairman of the committee and the chairman of the subcommittee, the gentleman from California [Mr. Miller] and the gentleman from West Virginia [Mr. Hechler] for their assistance to me.

I am a very firm supporter of the space program. However, there are some inequities, in my estimation, that need correcting. First, I believe we should have an inspector general as an overall watchdog. Having spent some time in the services, I found they were quite helpful. The safety factor has been overlooked, and unquestionably it is something that the American public today is mulling over. I think this committee should go on record as supporting a measure of this nature so that the American public would believe that we intend to make this program safe for the astronauts in their future flights.

Mr. Chairman, the matter of minority staffing is something which we can no longer overlook. The staff that currently occupies the positions with the committee is doing a fine job. But, we do, on the minority side, need someone to advise us upon particular aspects of this very highly varied and complex program. So I am wholeheartedly for both proposals.

Mr. Chairman, I would like to briefly touch upon the Nerva II program to which I am opposed at this time, because it will be 10 years in the building. It is going to cost over $1.5 billion, to say the least. It will then take 10 years to tailor a rocket that will carry it.

So, Mr. Chairman, we have today an opportunity confronting us and upon which a decision must be made.

Mr. Chairman, yesterday in this very House we heard the cries and pleas with reference to the question of raising the national debt ceiling and someone said that if we did not increase the national debt ceiling, the veterans of prior service to this country would suffer and that we needed money for the fulfillment of our commitment to these veterans under this program. However, Mr. Chairman, everyone knew that that was "eyewash." But by the same token we have been talking about our needs in carrying on the war in Vietnam. I am not opposed, in general, to the Nerva II. But I say at this time we can very easily put it aside while the Vietnam war is in operation and hopefully brought to a successful conclusion, because the Nerva II program is not important. It is a projection, and based upon the very word of the gentleman who spoke only a few moments ago, it is only to be constructed for a "possible" mission.

Mr. Chairman and ladies and gentlemen, we are not dealing in the realm of "possibilities." We are dealing in the realm of "actualities." We are dealing in an age where we must know where the American taxpayer's dollar is going to be expended and for what.

Mr. Chairman, we can no longer go on sheer imagination.

Nerva I has been successfully completed, but to go into the completion of Nerva II project would entail the additional expenditure of about $200 million this year.

Mr. Chairman, I would think that all of us should support the proposal which has been suggested by the gentleman from Kansas [Mr. Winn] to add $10 million to the university program which to us is much more important now.

Mr. Chairman, we should delete the Nerva I program for at least this 1 year—until we find a possible mission for something on which we can expend billions of dollars in the future—but at the present time it has no particular objective.

Mr. Chairman, I yield back the balance of my time.

Mr. FULTON of Pennsylvania. Mr. Chairman, I favor this program and join in the comments which have been made by the gentleman from California [Mr. Miller], the chairman of the committee.

Mr. Chairman, I have no further requests for time.

Mr. OTTINGER. Mr. Chairman, I believe the House should immediately correct a serious inadequacy and provide a professional minority staff for the Committee on Science and Astronautics.

NASA spends more money than any other agency of Government with the exception of the Defense Department. It is therefore the No. 1 target for nondefense spending cuts.

In a time of severest financial pressure and unprecedented defense expenditures, it is vital that the most critical eye be kept on all other expenditures to fund only projects that are essential to our national interest. Provision of minority counsel would certainly aid in the quest.

Beyond these important economy considerations, however, I think it is in the majority's interest to have the minority as well informed and as well prepared as possible. This is particularly so in an area as highly technical and complex as our space endeavors. The majority can only lose if it inhibits the minority's ability to take only the most responsible positions of opposition. We all know the devastating results of uninformed attacks on legislation that may pass because of their emotional appeal and inadequacy of information available to the House.

Also, in considering this question, we Democrats must remember that, while it is unlikely and unwelcomed, someday we may find ourselves in the minority. Consideration of this issue should not be on a partisan basis.

I am sure the committee staff exercises every effort to be impartial and to render good service to all members. No matter how able and earnest its members may be, however—and no matter how stern may be the instructions of the committee's fine chairman and the staff be impartial—yet we all know that committee staffs are badly overworked. The practical result is that they spend most of their limited time on the business of the chairman and the majority.

The tradition of committee staffing for both the majority and the minority in the House of Representatives has long been established. It fits into the pattern of intelligent and informed opposition which makes the two party system work both in Congress and in the entirety of American political life. For several years now, members of the minority on the Science and Astronautics Committee of this House have pointed out the absence of any minority staff on that committee. Today's authorization from the Science and Astronautics Committee amounts to nearly $5 billion—a tremendous sum. It seems obvious even to the layman Congressman, unfamiliar with the technical issues involved in the NASA authorization and the space program, that the most effective and in the long run, the most efficient management of this budget can only be accomplished by encouraging the divergent viewpoints within the committee itself. As in the other committees of this House, I feel that this can best be accomplished by the addition of a committee staff group responsible strictly to the minority.

Serious discussions have been held with regard to the problem of minority staffing for the Committee on Science and Astronautics in both the House Administration Committee and on the floor itself. With this precedent of concern extending beyond the individual committee, I too am speaking out. A committee spending this much money, and facing such technical decisions as booster capacities, liquid and solid fuels, aerospace technology, and interplanetary travel complications really needs effective staff work for all points of view. In my opinion, and concurring with others beyond the minority of that committee alone, such decisions require a minority professional staff.

I agree with the Legislative Reorganization Act of 1967, developed and unanimously approved by the Joint Committee on the Organization of the Congress, which clearly substantiates the need for minority staffing and makes provisions for it. The situation existing in the Committee on Science and Astronautics is fast becoming an anachronism in the light of many efforts to update the Congress to serve most effectively the American people.

Mr. WAGGONNER. Mr. Chairman, as a member of the Subcommittee on Manned Space Flight and the Subcommittee on NASA Oversight, I have for several years been intimately involved with NASA's manned space flight programs, and with the Apollo and Apollo applications programs in particular. In my work with these subcommittees, I have participated in briefings at the manned space flight field centers and at the contractor plants, and during these past 5 months I have participated in the investigations into the Apollo 204 accident.

From this experience, my overriding concern at this time is to get the Apollo program going again. It is a prudent program. It is an orderly program. It is a safe program—as safe as the hard work and talents of dedicated men can make it. And it is a worthwhile program. It is time to move this program forward again.

The accident has been thoroughly, even exhaustively, investigated and reviewed. I believe that the actions taken as a result have strengthened the program and supply the basis for proceeding with greater assurance of success.

In talking with the workers at the contractor plants and at the NASA installations, I get a feeling of great enthusiasm and confidence on the part of everyone—from top-level administrator to the men in the shops—in response to the challenge of getting this program back to the launch pad.

I have never seen more highly motivated people. As a businessman myself, I can assure every Member of this body that the United States is getting a dollar's worth of value for every dollar spent in this program—in fact, we are getting a dollar and a half's worth of value for every dollar spent.

I have been concerned about the cost of the Apollo program, and I have devoted considerable effort to investigate this matter during the past months. While there is no question that NASA and the contractors have many tough problems ahead of them, I am satisfied that they are making progress, and I am confident that both NASA and the contractors are doing their best to protect the public interest in every way.

For our $20 billion investment in Apollo, we are realizing returns far greater in import and scope than the manned lunar landing alone. We are building a space flight capability with which we can carry out whatever missions of the future the national interest may dictate. We are insuring ourselves that the advance of technology will not leave us behind in this era of rapid change. We are building our sense of national pride by doing "impossible" things. We are strengthening our position in this "show-me" world—a world of uncertainty and transition—by conveying a picture of a strong, "can-do" nation.

The space program helps to demonstrate our leadership before all the nations of the world. It does for our free enterprise system what advertising does for individual businesses. It improves our bargaining position at the conference table and it improves our competitive position in the world marketplace. And it provides opportunities to return real benefits to the man in the street. Consider the advantages of worldwide weather forecasting and reporting and worldwide satellite communications.

The space program is making direct contributions to the economy of the Nation by accelerating one of the most basic aspects of economic growth—the development of new technology. The space program leads to new applications, new knowledge, new technology, and the continued flow of new products, new processes, and new ideas—the basic elements that have contributed to our present national prosperity and strength. By bringing about these advancements, the space program is giving people the chance to help themselves by learning how to do new things, and how to do old things in new ways.

The space program is contributing to the overall excellence of the United States. To accept the challenge of going where no one has gone before requires the same qualities that made us great in generations past.

Because of the space program we are better—better as persons, better as a nation, and better as a world in which the peoples may one day live in peace and dignity and security.

Today in space we stand on a plateau of technology provided by the Apollo program. This technology will enable us to continue the exploration of space—an exploration that holds untold promise for all mankind. Through the imaginative application of this Apollo capability, we can capitalize on our investment in space to accomplish many things of real benefit to the Nation and the world.

We must not stop now. We must continue to grow if we are to realize the full promise of man in space. Believe me when I say the space program is as vital to us today as development of the airplane was in that day.

This great and wealthy Nation can afford to do what is necessary, in space as well as on earth. Which is more, we cannot afford not to do it.

Let us now get on with the job. I urge passage of H.R. 10340.

Mr. HANNA. Mr. Chairman, about a decade has passed since the Congress first considered the establishment of an organization to fill the important role of coordinating and carrying out our Nation's program of space exploration. During this decade, most Americans have watched, first with impatience at our lagging efforts; later with excitement and exaltation with our initial success; and, more recently, with interests waning and attention wandering as NASA, the space industry, and our astronauts recorded success after success with deft precision.

Today, as we act on the question of NASA's future authorization, we are all haunted by the disastrous Apollo fire. As we consider this authorization, I think it appropriate that we reflect on the record of the past. Hopefully, by considering the successes and the failure that NASA has experienced, we can bring to this vitally important question the comprehensive and balanced attention that it deserves and requires.

The NASA program's 10-year history can be divided into two rounds. In the first round of the program, including all those projects started before January 1, 1961, dozens of Explorer satellites did fundamental work in the study of atmosphere, magnetosphere, geodesy, and space environment; orbiting solar observatories and orbiting geophysical observatories made possible multidisciplinary studies covering atmosphere, magnetosphere, sun, and space environment; and satellites were launched for other countries in cooperative programs dealing with the ionosphere as well as areas covered by previous projects. The Ranger and Surveyor lunar missions were successfully completed, pioneering deep space probes brought a new understanding of outer space environment, and the Mariner spaceships were sent to Venus and Mars.

The second round of missions, those projects started after January 1, 1967, included the tremendously successful Gemini program through which significant scientific experiments in photographing earth and its weather patterns; space environment, astronomy, and bioscience were subjected to more advanced study; and Explorer satellites including the interplanetary monitoring platform, international cooperation satellites, made significant contributions to our understanding. New and improved Pioneer satellites are now orbiting the sun sending back important data. The crowning success was, of course, our lunar orbiters which have provided photographs of and from the moon which have amazed the world.

PROFOUND IMPORTANCE

The missiles and the launchings have frequently overshadowed all else. Too often the lasting and important NASA successes have been obscured by plaudits paid the astronauts and the actual missile firings.

In appraising the value of the NASA program, one must take into account all of the direct and indirect ways in which the space program contributes to our Nation. Aside from the obvious contribution in the field of space research, the NASA program gives to the American society a reward well worth the budget allotment we are required to make. The most oftmentioned NASA byproduct is national security. The role of the NASA program with regard to national security has three facets. First, it maintains our freedom of choice in space matters. We are not the only nation involved in space building programs. Just as we are careful to protect our rights to open waterways and airways for defense purposes, we must do the same things in space. If we were to allow a foreign power to probe space alone, that power would eventually control space absolutely, and be able to use space to affect its authority around the world—no nation having any defense mechanism. Second, space development has quickly grown to be one of the major indicators of a nation's resources and technical advancement. In order to maintain our mantle of leadership and thus maintain the confidence of our allies and the possibility of gaining more friends, we must uphold "national prestige." Third, there are a great many specific inventions and breakthroughs that contribute a great deal to the military efforts that have been made through the NASA program.

A second field which benefits from the NASA program is health and medicine. Dr. George E. Mueller, Associate Administrator for Manned Space Flight, NASA, stated that—

> For the first time in the history of medical learning, because of the need to understand haw men work in space, we are beginning to make some measurements about well people as sick people . . . we are developing the devices . . . for actually monitoring the activities in a meaningful way of the subsystems of the human body.

There have been a great many specific practical breakthroughs in this field, also; many of the special needs of the astronaut or the spacecraft are being adapted to aid for invalids and the treatment of disease on earth as well. Consultation with the medical community is extensive in the NASA program, providing mutually profitable results.

Certainly the stimulation and development of industry accruing from the NASA program must be considered. Space vehicles are the most intricate structures ever built. No single company can make them. Space operations have, therefore, required the creation of larger industrial complexes than ever worked together before. Their success calls for new machinery and devices stronger, lighter, more powerful, more accurate, and more reliable than anything men have built in the past.

Thus, the work of the space program spreads across a wide industrial spectrum; electronics, cryogenics, plastics, ceramics, textiles, thermals, metals, fuels, machinery, instruments, and many others. NASA deals directly or indirectly with nearly 21,000 contracting companies and employs approximately 400,000 people. Below the major contractors are other tiers of subcontractors, suppliers, and vendors reaching into almost every community in the Nation.

When we authorize $5 billion for the space program, we are not merely shooting it into space. That money is spent here in our own country and this serves to stimulate our economy and give jobs to our own people. During the past 5 years, more than $803 million in NASA subcontracting work has gone to companies officially designated as small businesses, and more than $390 million has been spent in surplus labor areas. According to NASA, if we consider only the first- and second-tier contractors and subcontractors, the work is being performed in 47 States and the District of Columbia. Ninety percent of the money goes directly to private companies. NASA performs a great economic service.

The NASA program contributes to industry in another manner. It has caused some profound changes in industrial patterns. It is beginning to revolutionize communication, energy conversion, power generation, transportation, geodetic surveying, and weather prediction here on earth. Nearly 1,300 inventions and improvements of previous technology have been identified as resulting from space requirements. Moreover, the NASA program calls for a capability-oriented rather than a product-oriented industry. This difference calls for changes in administrative policy and organizational plans and this provides a new insight for industrial management.

In these fields as well as science in general, food and agriculture, education and welfare, and certainly others, the NASA program can be seen to be making a significant contribution to the United States. We are getting a tremendous return on our money. The NASA authorization represents an investment in a tremendously multifaceted program.

THE TRAGIC ACCIDENT

It is doubtful that the tragic accident of the Apollo 204 on January 27, 1967, was indicative of any fundamental flaw in the NASA program. As Wernher von Braun stated on May 4 of this year:

> The early flights in Mercury like the checkout flight, the distance flight, and John Glenn's orbital flight . . . actually were exposed . . . to greater substantial hazards than Apollo was, and we were just on the lucky side of the curve.

All indications seem to suggest that the unfortunate combination of individual factors, rather than a pervasive breakdown in the program, caused this most regrettable incident.

To cut NASA's authorization on the strength of this reverse would be to lose sight of the great progress and value of our space endeavors over the past 10 years. We would be thereby saying that, because of one tragic accident, the program no longer merits our full support. Some have said that rather than castigating the program, we should marvel at the fact that for almost a decade we succeeded in plunging into the absolute wilderness of outer space without a single astronaut being injured. The emotional shock of those first deaths must not lead us to make such a regrettable decision as to handicap the NASA program.

I know Mr. Webb and many members of his able staff. I know they are redoubling their efforts to avoid the recurrence of the Apollo tragedy. Mr. Chairman, in view of the great accomplishments and contributions to the American society that the NASA program has made, I must stand firmly behind it. I believe that the Apollo 204 was an unfortunate accident and that the space program must go on, with full support.

MOMENTUM IS CRITICAL

The proposed NASA authorization is at the lowest level feasible for the effective continuation of the program. Any authorization short of this would jeopardize the momentum that the program has picked up over the past few years, and as Mr. Webb testified to the Senate Committee on Aeronautical and Space Sciences earlier this year, "Momentum is a very important word in such an endeavor." NASA has developed an efficient, and massive, yet highly integrated program. If we take away or ration more strictly its source of support, thus endangering the momentum, we may well depreciate its effectiveness and waste much of the time, effort, and expense we have poured into developing this strong motive power.

The space program operates as an evolutionary process. The progress of one mission often depends on the success of the project preceding it. Yet the nature of the space program is such that individual missions must be planned long in advance. A cutback in funds would slow down to a dangerously retarded pace the future planning of the program.

A second and inseparable problem would be one of personnel. Our leadership and innovative success is attributable to the fact that this program has captured the imagination and talents of many of our Nation's finest minds. NASA has gathered together within its staff and the staff of contracting companies, some of America's greatest men in many interrelated fields. A decrease in the appropriations for 1968 would certainly mean a cutback in personnel, and more importantly an indication of a lessening national commitment.

Such a reduction in commitment would deprive the participants of the sense that they were representing a united people who were making a full scale effort to conquer space. Each man has gained from his experience in the space program. Thus, as he leaves the program he takes with him one of the most important elements of our space progress, experience. When we again have the chance to go ahead at full appropriation, new people will be brought into the program and a very inefficient "generation gap" will exist. The new people will not have the benefit of previous project experience and the evolutionary process will be impaired. To quote the first appendix of the Senate Committee on Aeronautical and Space Sciences hearings of this spring:

> A space capability is a dynamic thing. It exists only so long as it is nourished and used.

We must continue to "nourish and use" our NASA program. We must do that by approving the full appropriation.

Mr. Chairman, the history of the National Aeronautics and Space Administration has been one of progress. NASA has made tremendous strides in a great number of fields of space research. At the same time it has boosted our economy and done a great number of services for our society. We are now asked to authorize $5 billion to continue this program. When we consider the record of NASA and the great problems it would face if given a smaller budget, we have only one choice and that is to support the space program and approve the appropriation.

Mr. BERRY. Mr. Chairman, I rise to stress the importance of one section of the bill currently before the House authorizing nearly $5 billion for the National Aeronautics and Space Administration. That is section 5 of the bill, dealing with the geographical distribution of Federal research funds.

For several years Congress has written this language into the authorization bill. I see little evidence that this congressional recommendation is being followed by the executive branch.

The section clearly states that whenever feasible, the Administration give consideration to the geographical distribution of research funds. A close examination of the first tier of contracts still reveals that a bulk of the research funds go to the Pacific coast, northeast and southern crescent.

Excellent facilities for many related phases of research activities exist throughout all other sections of the country, as well. Congress realizes this fact and has reflected its position in section 5 of the bill.

Hopefully, the Administration will make a more significant effort to abide with the language in the bill. Without concerted adherence to this section, Congress should enact special legislation to force compliance from the Administration so the entire Nation can share and contribute to our research efforts in this field.

Mr. JOELSON. Mr. Chairman, I intend to vote against this bill. My vote does not mean that I consider our space program to be undesirable. On the contrary I share the pride of millions of Americans in our accomplishments in the space program. Were these normal times, I would gladly support this measure. However, these are not normal times.

At this juncture in our history where so tremendous a portion of the taxpayers' money is spent for our military needs, I think it essential that we recognize a system of priorities concerning our many domestic programs. The simple fact is that in my judgment it is more important to use the available money to combat such things as despair and crime resulting from our troubled social and economic problems than it is to race the Soviet Union to the moon. There is no doubt that the country which first lands a man on the moon will achieve a significant propaganda advantage. However, I believe that we can achieve an even greater propaganda advantage by proving to the people of the world that we care enough about human misery and degradation to do something about combating their root causes.

We will be honored more by making this Nation and its people healthy, productive, and useful than by launching screaming missiles to other planets. When we have done something more significant to eliminate our slums, feed our hungry, build colleges for our young people, and sufficient hospitals for the sick, it will be time enough to spend for space. Let us come to grips with our problems on earth before adventuring into the beyond.

Mr. ASHLEY. Mr. Chairman, the National Aeronautics and Space Administration carries out one of the most widely publicized and universally acclaimed programs of our Federal Government. With all Americans, I have rejoiced in the achievements of our able and courageous astronauts and the significant contribution of the many fine people in our space program. I have marveled at the incredible advances in science and technology which have made possible the space programs undertaken by NASA scientists, engineers, doctors, and thousands of other specialists. And I have without exception supported NASA appropriations year after year, firmly convinced that these programs are in the interest of the American people by advancing scientific knowledge, enhancing American reputation throughout the world, and providing impetus to many areas of our economy.

But today, I am compelled to conclude that an authorization of almost $5 billion for space activities in the fiscal year that begins in less than 10 days cannot be justified in light of the magnitude and number of other obligations our country faces today.

The $5 billion request comes at a time when there are responsible congressional, governmental, and private expressions that we may face a deficit as high as $29 billion during this upcoming fiscal year. There is growing evidence that the full range of our Federal responsibilities and the funds needed to meet them are becoming dangerously high, so high as to endanger sound economic growth and stability.

There must be a compromise between the very fruitful and necessary space program requirements and the needs of our Nation in other areas and this requires the development of priorities as to where we will spend our Federal funds.

I am not suggesting total and complete abandonment of our space program, but I am calling for a substantial slash in space expenditures which I feel can largely be accomplished by abandoning arbitrary deadlines and allowing the program to proceed at a more rational pace.

Valuable though our space program has been and may be in years to come, the $5 billion which we are being asked to authorize today is excessive in view of our other national needs and commitments and this is one of the few places in the entire national budget where a substantial cut can be made without endangering national security or the most urgent needs of our people.

Let me touch on the defense picture first. At the beginning of 1966, defense spending for fiscal year 1967 was estimated at $60.5 billion. Now as the fiscal year is coming to a close, the estimate is $70.7 billion; $10 billion or 18 percent more than the original estimate. In January of this year, we were given an estimate of $75.5 billion for defense spending in fiscal year 1968; this has already been raised to $76.2 billion; and there are unofficial reports that it may well go above $80 billion.

Of necessity, we have been less generous in many of our domestic programs. We in the House of Representatives, thanks to our capable and vigilant Committee on Appropriations, have made a concerted effort to reduce the total level of Federal spending as much as possible. For fiscal year 1968, we have approved to date appropriations totaling $109.6 billion, a cut of almost $3 billion from administration requests totaling $112.5 billion. This covers about 85 percent of the requests for appropriations which the House expects to get this year. Others, including the space program we are considering today, await authorizations.

In brief, Mr. Chairman, it seems clear to me that we must take the approach which will be most consistent with our responsibilities to the American people. This involves in the first instance cutting back on those programs which do not directly and seriously involve national security or the welfare of our people. It is for this reason that I shall oppose the current NASA authorization request and urge my fellow Members of the House to do likewise.

Mr. ECKHARDT. Mr. Chairman, as a member of the Subcommittee on Space and Science and Applications of the Committee on Science and Astronautics I did some work on the training portion of the sustaining university program. In this connection, in order to see how it was working in the various universities that have participated in the program, I wrote each of them and received the attached reply from them.

Because of their bearing on the NASA authorization bill, H.R. 10340, and particularly on any amendment which might be offered which would have the effect of curtailing the programs at the universities from present levels, I wish my colleagues to see these excellent recommendations of the sustaining university program from the academic community in each State.

A very few of the recipients of the letters are not participating, and only one university authority did not give support to the program. But I have attached all letters received, and you may judge if they are not a glowing tribute to this program.

The following are from institutions in the State of Alabama:

AUBURN UNIVERSITY,
Auburn, Ala., June 19, 1967.

Hon. BOB ECKHARDT,
U.S. House of Representatives,
Committee on Science and Astronautics,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: This letter is in response to your letter to us dated June 14, 1967, and is written in behalf of the President of Auburn University, Dr. Harry M. Philpott.

We are vitally concerned relative to the fate of your amendment to the NASA 1968 congressional authorization and appropriation of $10 million in support of sustaining university programs.

This institution, partly because of interests and staff competence, and partly because of location relative to the Huntsville Redstone Arsenal and NASA facilities in this State, has been involved for a number of years in a relatively large contract research and development program with NASA. Essentially all of this work is developed and executed on a contract-by-contract basis. We have not been able to incorporate these activities into our overall sustaining university program. This has created some serious problems for us. In the future, this situation can lead to very acute problems.

Because of professional manpower shortages in these types of areas, and because of an increasing demand for this limited manpower, competition for well-trained, experienced, and competent professional manpower has been very keen in recent years. In the absence of research support for a sustaining university program, university recruitment of professional research personnel is very difficult. Retaining the better qualified and more productive research personnel is even more difficult.

For a university to develop a sound, stable, productive, dynamic research program of excellence requires support of a continuing or sustaining nature. Our research and development work with NASA (and other agencies) would be far more efficient and effective than at present if more of our support were of a type that we could include in our overall sustaining university program.

We, therefore, are very pleased to see your amendment to NASA's 1968 authorization for support of sustaining university programs. We enthusiastically endorse this amendment and hope that it not only passes the Congress as a 1968 authorization, but this session of the Congress will also approve an appropriation in support of the authorization.

Sincerely,

BEN T. LANHAM, Jr.,
Vice President for Research.

UNIVERSITY OF ALABAMA,
University, Ala., June 19, 1967.

Congressman BOB ECKHARDT,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: I am very happy to provide you with information concerning the effective operation of NASA's Sustaining University Program at the University of Alabama.

We are now in the fifth year in which we have received support under this program. Without question, it has been the most effective form of support which the University has received from any government agency. The general-purpose research support has enabled us to put into operation the University of Alabama Research Institute in Huntsville. This Research Institute, which concentrates its efforts in the aerospace and missile-related physical sciences and engineering, has strengthened greatly our ability to carry out quality research for the National Aeronautics and Space Administration, the U.S. Army, supporting industrial contractors of these agencies, and industry in general. Equally important, it has been a major factor in establishing and sustaining one of the largest graduate programs in the physical sciences and engineering in the South. Located in a research park, it also has been a strong force in attracting new industry to the Huntsville area.

On our Main Campus in Tuscaloosa, the research support and the doctoral traineeship support provided under the Sustaining University Program have made possible strengthening several departments in the physical sciences and engineering. The traineeship support alone will permit us to provide, at the rate of 10 per year, a total of approximately 50 new mathematicians, physical scientists, and engineers. A striking testimony to the worth of these traineeships is that they are the most sought after by graduate students among all graduate traineeships and fellowships.

As you know, the University receives support from many Federal agencies. That which we receive from NASA through its Sustaining University Program, in my judgment, is the most useful to us, and I strongly urge that the level of support be maintained.

Most cordially,

FRANK A. ROSE,
President.

UNIVERSITY OF ALABAMA,
University, Ala., June 16, 1967.

Congressman BOB ECKHARDT,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: We shall be most pleased to provide information concerning the effective operation of the sustaining NASA grant at our institution. We have just completed a report of our progress under this grant, and it should be simple for us to get something to you before June 20. This we shall attempt to do.

With best wishes and with appreciation for your making this opportunity available, I am

Cordially yours,

ALEX S. POW,
Vice President.

The following is from an institution in the State of Alaska:

UNIVERSITY OF ALASKA,
College, Alaska, June 19, 1967.

Hon. BOB ECKHARDT,
U.S. House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE ECKHARDT: President Wood has asked me to reply to your good letter of June 14 about House action on the NASA sustaining university program.

Unfortunately, we cannot help you by providing evidence of the practical success of this very excellent program as the University of Alaska does not at present enjoy such support.

However, the University does receive a number of project grants from NASA, particularly in the fields of geophysics and zoophysiology. Consequently we have often considered requesting sustaining funds and have, indeed, discussed this several times with the staff at NASA. For this reason we wish you every success in your salutary efforts to amend the authorization to the extent of adding $10 million to the program. We are, of course, extremely grateful for your good efforts.

Yours sincerely,

K. M. RAE,
Vice President for Research and Advanced Study.

The following is from an institution in the State of Arizona:

TUCSON, ARIZ.,
June 20, 1967.

Hon. ROBERT ECKHARDT,
Congress of the United States, House of Representatives, Washington, D.C.:

The NASA sustaining university program has been and remains an important investment in research and training. On this campus, we have found it possible to develop a number of unique and highly worthwhile approaches to space-related research as a result of funds made available under the sustaining university program. In the national interest, this program should be encouraged and strengthened through additional appropriations. It would be a disservice to the Nation as well as to science if this highly worthwhile and relatively low-cost activity were to be cut back.

RICHARD A. HARVILL,
President, University of Arizona.

The following are from institutions in the State of California:

CALIFORNIA INSTITUTE OF TECHNOLOGY,
Pasadena, Calif., June 16, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Congress of the United States,
Washington, D.C.

MY DEAR MR. ECKHARDT: I was delighted to receive your letter of June 14 and to know of your interest in retaining the $10 million budget item for the NASA university-support program. I congratulate you on this move, and I believe it is of great importance that this budget item be retained.

A large component of the NASA space program depends upon the active collaboration of university scientists and engineers throughout the country. While many of these individuals are directly involved in NASA flight projects, a considerable number are at work on their own campuses on teaching and research activities which are of great future value to NASA and which are of enormous aid in maintaining close relations between university scientists and

NASA personnel. Much of the good will and collaboration between NASA and the universities would be impaired, and the space program would suffer, if these university-support projects were deleted or reduced; rather, they should be substantially expanded.

Two important enterprises at Caltech are threatened by budgetary restrictions. One is the NASA Fellowship Program which has been extremely valuable in training graduate students in space-related science and engineering subjects. Many of our graduate students go into NASA activities on the completion of their studies, and it is important to maintain this flow of high-quality professional people into NASA and NASA-related activities. The possible great reduction in the NASA Fellowship Program would be a serious blow to our Caltech graduate education.

A second project which was given a serious blow by NASA budget restrictions was the building of a new laboratory for geophysics and planetary science on our campus. We have an urgent need to expand our geophysics and planetary science work, and we have an excellent staff and fine facilities for work in this field—especially work in collaboration with the Caltech Jet Propulsion Laboratory (a separate NASA activity, not included in the university-support program). Although we were encouraged to hope that NASA could finance such a building—and we therefore proceeded with plans for it—we later learned that budgetary restrictions had forced the elimination of this project. It is now in abeyance, and we have no immediate prospects for financing this very important structure.

There are a number NASA-supported projects on our campus in fields of fluid mechanics, planetary science, astronomy, and other areas. It would be a serious blow to our work, and a serious interference with our support of the NASA program, were these activities to be curtailed.

I know from personal contacts that similar situations are present in many universities throughout the country, in which a reduction of the NASA university-support program would cause a serious deterioration in the good relations between university scientists and NASA. I strongly urge that the Congress support the retention of the budgetary item, as you have proposed.

Very truly yours,

LEE A. DUBRIDGE,
President.

PALO ALTO, CALIF.,
June 19, 1967.

Hon. BOB ECKHARDT,
Congress of the United States,
House of Representatives,
Washington, D.C.:

Graduate training in space sciences depends on adequate support from NASA chief beneficiary of that training. Stanford from NASA chief urges House provide fully adequate appropriation for NASA sustaining university program. Thirty nine Stanford students now on NASA traineeships. Very important to keep pipeline full.

J. E. WALLACE STERLING,
President, Stanford University.

LOS ANGELES, CALIF.,

Hon. BOB ECKHARDT,
Committee on Science and Astronautics, House of Representatives, Congress of the United States, Washington, D.C.:

The University of Southern California is very appreciative of the support it has received through the NASA sustaining university program. The funds have been extremely important and useful not only in assisting the university in achieving its goals but in helping NASA achieve its objectives. We look upon this program as very important for NASA to be able to continue at a high level because the three aspects of the program broaden the base of university participation in space activities and increase the overall national capability. We have participated in the traineeship part of the program for several years. Eighteen NASA trainees have completed their third year of tenure and are completing or have completed their Ph. D. requirements. A group of eight graduate students will begin new traineeships in the fall of 1967; in addition, 24 current trainees at intermediate graduate levels will continue their studies on a NASA traineeship renewal. This program has contributed significantly to increasing the supply of scientists and engineers in the space-related sciences and technology.

The university received a grant for enlarging the centrifuge building under the facilities part of the NASA program. Several large, space-related research projects under other NASA programs have been, or are being, conducted in the facility. This is the only human centrifuge in this geographical area, and the only one in the U.S. on a university campus.

We also have received a multidisciplinary research grant from the program which has been used during this past year (the first year of our grant) to support creative, multidisciplinary, space-related research by 15 different faculty members and to support approximately 20 graduate students as research assistants on these projects.

NORMAN TOPPING,
President, University of Southern California.

The following are from institutions in the State of Colorado:

FORT COLLINS, COLO.,
June 19, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.:

Urge full support for restoration of 10 million dollar appropriation for NASA sustaining university program. Without supporting program Colorado State University would not be able to train 22 students now enrolled in space program or do important space research underway. Increase rather than reduction in support needed for educational and research programs which assure competence in space program next decade.

WILLIAM E. MORGAN,
President, Colorado State University.

UNIVERSITY OF DENVER,
Denver, Colo., June 19, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR MR. ECKHARDT: I am responding to your letter of June 14, 1967 concerning the National Aeronautics and Space Administration's sustaining University program. The University of Denver has had excellent relationships with NASA under this program and we have felt for some time that it is one of the most attractive programs available for colleges and universities. We have benefited greatly both from research funds and from the opportunities afforded graduate students to study under this program.

I know I speak for all members of the faculty in hoping that you and your colleagues will be able to keep this fine program operating at a significant level.

Sincerely yours,

WILBUR C. MILLER,
Acting Chancellor.

The following is from an institution in the District of Columbia:

GEORGE WASHINGTON UNIVERSITY,
June 19, 1967.

Hon. ROBERT ECKHARDT,
House of Representatives, Congress of the United States, Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: In response to your letter of June 14, 1967, addressed to President Lloyd H. Elliott, I am pleased to submit the following comments on the operation of the NASA supported sustaining program at the George Washington University.

The University was enabled, through an institutional grant from the National Aeronautics and Space Administration, to establish a Program of Policy Studies in Science and Technology commencing September 1, 1966. While this Program has been in operation for a relatively brief period, we can already identify several positive and significant gains for the University.

The establishment of this cross-disciplinary program, which focuses upon the ways in which advancing science and technology can be effectively applied to the analysis and solution of major social problems, has promoted the following important University objectives:

1. Provided a policy analysis function appropriate to a major university in the Nation's capital

2. Provided the means by which policy-oriented faculty members in the various Schools and Departments of the University can pursue their research interests in an effective manner

3. Encouraged the introduction of new courses and seminars into University curricula relating to science, technology and public policy

4. Provided a University-Community Forum assuring a continuing interaction of University faculty members with representatives of government, industry, and various community groups.

Through these activities, the Program of Policy Studies in Science and Technology has been able to generate a most useful exchange within the University on pressing matters of public policy. The research capability of the University in the policy analysis field has been substantially enhanced. The Program's activities assure a continuing review and revision of the content of University courses involving science and public policy. Further, the research staff and faculty engaged with the Program are in position to apply their talents to the extremely important problem of utilizing scientific and technological advance for the benefit of the whole society.

I wish to emphasize that the institutional grant arrangement has a value to the University in terms of increased research capability, quality of instruction, and improved University-Community relationship which is far superior to the project-by-project grant and contract relationship. Through the sustaining grant we are able to plan for a reasonable period in advance. This enables us to attract better people, to do research studies in greater depth, and to add both stability and flexibility to our research efforts.

We are pleased to have this opportunity to explain briefly the operation of our sustaining grant program.

Sincerely,

LOUIS H. MAYO,
Vice President, Advanced Policy Studies.

The following is from an institution in the State of Florida:

UNIVERSITY OF FLORIDA,
Gainesville, Fla., June 16, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: In reply to your letter to President Reitz of June 14 I should like to make the following comments since I am chairman of our local steering committee for the NASA institutional grant. This grant is for 335,000 dollars per year and it represents more than fifty per cent of our support for research in the broad area of the space sciences. There are at present 27 research projects in engineering, physical and biological sciences operating under this grant. I would also estimate that there are upwards of fifty PhD students involved in these research activities. Hence it has an important relationship to our graduate program.

Next fall we will put into operation the new NASA Space Sciences Research Building. This is a multi-disciplinary research effort which will be heavily dependent upon continuation of the NASA Institutional Grant. In my personal opinion the NASA Institutional Grant has been excellently administered both from Washington and locally. It has been highly productive of published research and has been an effective supplement to the traineeship and fellowship programs in completing the last stage of dissertation research for numerous PhDs. We greatly appreciate your efforts to continue such support.

Sincerely,

L. E. Grinter, *Dean.*

The following are from institutions in the State of Georgia:

Emory University,
Atlanta, Ga., June 19, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.

Dear Sir: Your letter of June 14 addressed to President Atwood has been referred to me for reply. Emory has had a program of NASA Traineeships for three years. We begin our fourth year in September 1967. This program has been of great assistance to our graduate program in the biological and physical sciences. NASA Traineeships have been awarded in the departments of biochemistry (1), biology (2), Chemistry (4), mathematics (2), psychology (1), and statistics and biometry (1).

The two 1964 awardees are completing their traineeships in Summer 1967. Both were outstanding graduate students. Mr. Benjamin C. Clark, Chemistry, earned his Master of Science degree in Spring Quarter 1967; it is possible he may receive the Ph. D. in Summer 1967. Mr. Samuel C. Mozley, Biology, received the Master of Science degree in Summer 1966. He has passed his doctoral examinations and expects to earn the Ph. D. soon. Mr. Mozley in 1967–68 has been awarded a research fellowship by the Federal Water Pollution Control Agency, Department of the Interior.

The three trainees under the 1965 grant have either been awarded the Master of Science degree, or have finished the master's work. All of them are now working actively toward the Ph. D. and are expected to continue doing so during 1967–68, the final year of the grant. These trainees are Miss Reba Kay Wright, Biochemistry; Mr. Edward H. Leiter, Biology; and Glenn Francis Webb, Mathematics. Mr. Leiter presently is conducting research at the Marine Biological Laboratory, Woods Hole, Massachusetts.

One of the four trainees under the 1966 grant resigned his traineeship. The other three are still working toward the Master of Science degree and are expected to be enrolled at Emory during 1967–68, when a replacement also will fill the vacated traineeship. The two new awards granted in 1967 have been accepted by graduate students in chemistry and psychology, and will begin tenure in September, 1967.

The NASA grants have provided stipends and (where appropriate) dependency allowances for all trainees, and travel funds in the grants have enabled trainees to attend professional meetings in the fields of their interest. Emory University has provided full tuition for all NASA trainees.

Thus far in the program, $21,400 has been applied to faculty salaries in the participating departments. These supplementary funds have made it possible to add new faculty members in mathematics (Dr. William S. Mahavier), in biology (Dr. P. Edward Bostwick), and in physiological psychology (Dr. Barbara S. Uehling). Each grant provided a small budget for library purchases, and these funds have been used to augment library holdings in certain interdisciplinary areas such as geophysics, geochemistry, space physics and biophysics.

The supporting funds provided by NASA have brought a group of distinguished scientists to Emory for lectures and conferences. The first of these was Dr. Charles C. Wunder, Department of Physiology, State University of Iowa, who lectured on "Life in a Non-Terrestrial Gravity." In May 1966, Dr. Donald B. Lindsley, University of California at Los Angeles, one of the nation's leading psychologists, spoke on "Brain Organization and Behavior" and "The Role of Thalamo-Cortical Systems in Attention and Perception." In May 1967, Professor Svetozar Kurepa, Department of Mathematics, Georgetown University, a noted Yugoslav mathematician from the University of Zagreb, discussed 'Entire Functions" at the mathematics colloquium. Dr. John Theios, University of Texas, and Dr. B. J. Underwood, Northwestern University, under the auspices of the Emory Psychology Graduate Club, lectured on the subjects of "An Evaluation of Incremental and Discrete Theories of Classical Iyelid Conditioning" and "Some Implications of Implicit Associative Responses" respectively. The following visitors came at the invitation of the Chemistry Department and lectured on the subjects indicated: Dr. William Parker, University of Wisconsin, "Diterpene Chemistry"; Dr. A. J. Poe, Imperial College, University of London, "The Trans-Effect in Octahedral Rhodium Complexes"; Dr. Charles Tanford, Biochemistry Department, Duke University, "Chemical Basis for Antibody specificity, Protein Structure, and Denaturation"; and Dr. Thomas Spencer, Dartmouth College, "Diterpene Chemistry." Guest lecturer in the Biochemistry area was Dr. Salih J. Wakil, Professor of Biochemistry at the Duke University Medical Center, who discussed "Fatty Acids Synthesis." Other visiting lecturers in the Mathematics Department were Professor B. H. Neumann, University of Wisconsin ("Mononomic Varieties") and Professor Karl Menger, Illinois Institute of Technology ("A Characterization of Analytic Functions"). The support by the NASA grants in this area has been of great benefit, and further visitors are scheduled.

As a direct result of the general stimulus in the scientific area produced by the NASA training grants, Emory has begun a program to increase and upgrade its faculty in physics. We expect to continue this development and begin Ph. D. work in physics by the fall of 1968.

Yours truly,

Chas. T. Lester,
Dean.

Georgia Institute of Technology,
Atlanta, Ga., June 17, 1967.

Hon. Bob Eckhardt,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Congressman Eckhardt: I am happy to respond to your letter of June 14 regarding the NASA sustaining university program. We deem this to be of utmost importance.

This program has been of great value to Georgia Tech and, I believe, to the National Aeronautics and Space Administration's total effort. We have participated in a continuing grant program since June, 1964. Because of the continuing nature of this grant over a three year period, now extended through 1970, we have been able to make concentrated approaches to problems impossible to solve in a short length of time.

The grant has been used to support research in the physical and engineering sciences which has a clear relevance to the nation's space effort. The major areas of activity which have been supported are (1) materials and materials processing, (2) transport phenomena, (3) energy conversion, (4) systems research, and (5) nuclear processes. In a typical year, forty projects involving fifty faculty members and fifty graduate students received support from the grant. Some insight into the varied character of the research may be gained from consideration of the following project titles selected from the forty which appear in the last Annual Report of the President of the Georgia Institute of Technology:

1. Preparation of new and unusual complex metal hydrides
2. Development of a drift-tube mass spectrometer for studies in atomic collisions
3. Electrical conductivities and thermodynamics of seeded plasmas
4. Computer-aided control system synthesis
5. Fast neutron cross section studies of astrophysical interest.

We have now begun to concentrate on fewer, larger, even more complex problems than before and our future efforts will reflect this philosophy as another step in making positive contributions to our nation's overall space and scientific efforts.

I am most enthusiastic about the concept of the sustaining university program because it allows smaller, yet excellent, institutions to develop the capability of the highest type of research which will not only benefit the space program directly by the research results, but indirectly in the future because of the continued research that will have been 'seeded' by these efforts. The importance of this program cannot be over-emphasized in my estimation.

I hope that you are successful in your efforts in the House of Representatives to have this program retained and funded.

Sincerely,

Edwin D. Harrison,
President.

The following is from an institution in the State of Idaho:

University of Idaho,
Moscow, Idaho, June 20, 1967.

Hon. Bob Eckhardt,
Member of Congress,
House Office Building,
Washington, D.C.

Dear Mr. Eckhardt: Your request for information concerning the effective operation of a sustaining university program at the University of Idaho has been received.

I am sorry to say, even though we did make application for these funds, our proposals were not accepted. We, therefore, do not have any of the money appropriated for the sustaining university program. Even though we were not successful in gaining a grant, we do feel that the program is worthwhile. Perhaps better geographical distribution of the funds would make them more useful. I do not believe the State of Idaho has any funds appropriated for that purpose. We certainly are, however, in favor of the program.

Sincerely,

H. Walter Steffens,
Academic Vice President.

The following are from institutions in the State of Illinois:

Illinois Institute of Technology,
Chicago, June 19, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.

My Dear Mr. Eckhardt: The NASA Sustaining University Program has been very important to the development of graduate programs in engineering and science at the Illinois Institute of Technology. We have received support under this program for the training of graduate students in space-related science and technology for a period of four years. During these four years, our graduate enrollment has more than doubled from 379 to 836; the number of Master's degrees awarded has increased from 141 to 292; the number of Ph. D. degrees awarded has increased from 41 to 71.

This growth, which meets an important national need, has been made possible in large measure by the support, received from NASA through its Sustaining University Program. Owing to curtailment of that program, support for NASA Trainees at IIT for the coming year has been cut in half. If such a reduction remains in effect in succeeding years, our ability to train graduate students in science and engineering will be substantially impaired.

The NASA Sustaining University Program is an imaginative program which has been administered with great understanding. It has been a strong favorable impact upon American universities, adding substantially to their strength in science and technology. I give this program my strongest endorsement.

Sincerely yours,

J. T. Rettaliata,
President.

Northwestern University,
Evanston, Ill., June 19, 1967.

Subject: Effects of sustaining university program at Northwestern.

Re your letter to President Miller, dated June 14, 1967.

Hon. Bob Eckhardt,
Committee on Science and Astronautics,
House of Representatives,
Washington, D.C.

My Dear Mr. Eckhardt: Northwestern's participation to date has been largely through traineeships, with a pending involvement with the multidisciplinary research program during FY 1968.

The traineeship program has facilitated the build-up of graduate training and the critical areas of study in sciences and engineering.

The phenomenal growth of doctoral study in the U.S. has come largely through the efforts of the Federal Government. The recruitment of young people to these activities has been supported by the government's furnishing approximately 20,000 fellowships and traineeships for new students each year. This is a potential of perhaps 15,000 additional Ph. D.'s per year, four or five years later. With the assistance of these kinds of support, Northwestern has been able to increase its full-time graduate enrollment in the sciences and engineering from 258 students in 1957 to 668 in 1965–66. This has resulted in proportionate increases in science-engineering doctoral degrees awarded—from 35 in 1957 to 94 in 1966. This increase in degrees conferred, coupled with the increased costs of dissertation expenses, has been made with the recent assistance of federal fellowships and traineeships in these areas of specialty.

Reduction in these activities, with no foreseeable substitutes at a time when the pool of available students has just hit the graduate school level, would be a serious deterrent to the nation's science and technological goals at the very time when its dependence upon scientific and technological studies will be even greater than they have been in the past.

Serious reductions already made threaten the recruitment of science and engineering graduate students into critical areas of study in private universities, where other forms of subsidy are at a minimum. This support for doctoral work through traineeships and fellowships in the science-engineering areas has been rising, but for the next year has already been cut to the extent of 50% from NSF, 50% from NASA, and is threatened to be cut 50% by NDEA Title IV sources. Private universities, particularly, have no other recourse but to reduce their commitments. At Northwestern, increased fellowship contributions from university funds have already been made—$40,000 increase last year; $150,000 for next year, etc. But this is insufficient to meet the pressing needs.

The great onslaught of students at the college level just now begins to appear at the graduate level, when the sons of World War II veterans begin to make their appearance. If this generation of students is denied the financial assistance that their predecessors had, they and the nation will suffer the consequences.

In addition to the fellowship program, the support of research under the Sustaining University Program in NASA is of equal importance. Northwestern now has a proposal pending in NASA. The Sustaining Program will permit strengthening of research related to space exploration. Flexible funds are urgently needed by universities to maintain balance in research and research training and to preserve the unique aspects of institutions of higher education. The Sustaining Program provides an opportunity to get young investigators launched more expeditiously and effectively and to provide for the scientific strength that we will require in the future.

Sincerely yours,

John A. D. Cooper.

Southern Illinois University,
Carbondale, Ill., June 19, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.:

Replying your letter dated June 14 re amendment to the National Aeronautics and Space Administration's 1968 authorizations adding 10 million dollars for the sustaining university program. Southern Ill university does not share in the current sustaining program. It does participate in NASA fellowship research. The university would favor the increase of 10 million dollars recommended. In the hope that additional universities might share in the sustaining university programs.

Delyte W. Morris,
President, Southern Illinois University.

Southern Illinois University,
Carbondale, Ill., June 19, 1967.

Hon. Robert Eckhardt,
House of Representatives,
Washington, D.C.:

Disregard previous correction quote wire. Southern Illinois University's participation in the NASA sustaining university program is concerned with training scientists. Presently this program supports two Phd candidates in chemistry and one in mathematics. This support will be increased to three chemists and two mathematicians starting 1 September 1967. This training support has done much to stimulate interest in space science on this campus as evidenced by the increasing competition for these traineeships and the candidates selected are of the highest quality. Southern Illinois University is proud to be a part of the NASA sustaining program for we feel that it is of national significance in training scientists in the space sciences.

We feel that a reduction in support for the sustaining university program might seriously effect our Nation's future space science capabilities and we urge Congress to consider increased support for this program unquote.

Delyte W. Morris,
President, Southern Illinois University.

University of Illinois,
Champaign, Ill., June 19, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.:

Though the University of Illinois has had no grant under the sustaining university program in October it will dedicate a three million dollar coordinated sciences laboratory built with the aid of a 1,125,000 dollar grant from NASA. The maximum utilization of this laboratory in the research training of graduate students in space-related sciences and in the performance of research valuable to the space effort will depend heavily upon research funds from NASA, preferably under the sustaining university program.

Daniel Alpert,
Dean, Graduate College, University of Illinois.

The following are from institutions in the State of Indiana:

Indiana University,
Bloomington, Ind., June 19, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.

Dear Congressman Eckhardt: I appreciate the opportunity to respond to your request for information concerning the impact of the NASA Sustaining University Program upon Indiana University. My response has been delayed only long enough to secure all of the desired information. I hope that it will be useful.

Indiana University has participated in this Program only through a relatively small traineeship project. During the academic year ending June 30, 1967, we have had a total of 24 NASA trainees in residence, of whom 12 were newly appointed first year trainees. These trainees are among our most able graduate students, yet many are in fields for which there is little fellowship support available. For this coming academic year the number of new traineeships approved for funding has been reduced from 12 to 6, and we will have a total of only 16 trainees in residence. The subvention to the University, including the traineeship stipends, amounted to approximately $140,000 in 1966–67.

Indiana University, unlike many large state universities, does not have a program in engineering. Nevertheless, our basic science program is extensive, and the scientific research and training carried on here has both direct and indirect significance for the space agency program. We have important research projects, for example, in such fields as information retrieval (ARAC), astrophysics, and stress physiology which are of primary interest to NASA, and we are engaged in the training of new scientists, a function of vital consequence to the continuing development of scientific research beyond the immediate future. Indiana University has actively sought to expand its program in the applied sciences, but thus far, funds have not been available in sufficient quantity for us to begin realizing this objective to any appreciable extent.

As the trainee figures indicate, our support from the NASA Sustaining University Progam has been decreased considerably for next year. This decrease has occurred concurrently with decreases in new grants from most fellowship sources. The number of new NSF traineeships decreased this year as did the number of new NDEA Title IV fellowships and the number of new NDFL fellowships (Title VI). Clearly, the decrease in NASA support cannot be argued on the grounds that other sources of support are increasing. The opposite is the case.

At the same time it should be noted that costs of education are rising and many more graduate students are seeking admission. The number of graduate applicants to Indiana University is expected to increase significantly next year, but many of these students will be denied the opportunity to attend the University for lack of financial aid.

As we see it, the increasing needs, demands, and costs all indicate that the Sustaining University Program of NASA should be expanded rather than contracted or even leveled off. The proposed decreases in funding, if allowed to remain, would surely have a deleterious effect on the nation's scientific capability in the next decade and conceivably even longer.

Thank you for soliciting our evaluation.

Sincerely,

ELVIS J. STAHR,
President.

PURDUE UNIVERSITY,
Lafayette, Ind., June 19, 1967.

Hon. BOB ECKHARDT,
The House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN ECKHARDT: It has come to our attention that the level of Fiscal Year 1968 funding authorization for the sustaining university program of the National Aeronautics and Space Administration is soon to be taken up by the House of Representatives. Since this particular NASA program has had a salient impact upon the graduate education and research efforts of Purdue University, I feel compelled to let you know about the ways in which the sustaining university program has been effective. Each of the three branches of the program—predoctoral training grants, basic research grants, and facilities grants—has contributed to Purdue's development in space-related disciplines.

As emphasized repeatedly in the scientific and technical manpower studies of the National Science Foundation, the need for doctoral and postdoctoral training is not being met. Whereas, prior to World War II, colleges and universities were the principal employers of doctoral recipients, we now find ourselves in an age so technically complex that industry, government, and the colleges and universities are in competition for our available manpower resources. I see no evidence at the moment that the situation is likely to change.

The training of scientists and engineers has become truly interdisciplinary. No agency of the government has been more understanding of this need than NASA. The award of NASA traineeships to predoctoral candidates at Purdue in sixteen different departments within five different schools of the University is evidence of the breadth and depth of the educational and research problems of the space age. Seven of our nine schools and departments of engineering have NASA trainee fellowships, as does each of our basic science departments (biology, chemistry, mathematics, and physics). In addition, students in pharmacy, plant and animal sciences, psychology, and sociology are being supported.

A recent development in the predoctoral training program is the initiation at five universities (including Purdue) of projects to provide predoctoral training oriented toward engineering systems design. This new approach seems likely to answer a need expressed by industrial firms and governmental agencies and reported in the preliminary publication of the "Report of the Goals Study of the American Society for Engineering Education." The need is for engineers trained in depth to the Ph. D. degree and motivated toward creative design as well as for engineers trained in the classical research-oriented programs. With the large undergraduate enrollments in the Purdue Schools of Engineering, the "fallout" from the NASA-supported training program in engineering systems design is expected to have a strong influence not only on our graduate students in engineering, but also on our undergraduate students.

An ever-increasing number of scientists now require training beyond the Ph. D. level. This trend, which is now well established, will continue because of the complexity of the problems confronting us. The chemist and the physicist are now entering biology at the postdoctoral level. The engineer and the biologist have created the new discipline of bioengineering, and the physicist, the mathematician, and the engineer must combine their talents as we move ahead in the computer sciences, nuclear engineering, high energy physics, systems engineering, and a host of space-related programs.

Support of research efforts by postdoctoral personnel, regular faculty members, and predoctoral graduate students has been forthcoming at a modest level from the research funds available in the NASA sustaining university program. A continuing grant to the University for multidisciplinary research in space-related sciences and engineering has partially supported the research of about seventy staff members and graduate students and has influenced the work of others. The grant is helping the University move toward achievement of a number of objectives, four of which may be of particular interest:

1) Increasing the scope of interdisciplinary activities in the University

2) Establishing a closer, more productive working relationship with industry for the transfer of results of such activities and of all university research

3) Increasing the production of graduates needed by industry and government

4) Establishing new standards for professional education, particularly in engineering, so that the engineer can play an increasingly productive role in society

Other individual research grants to Purdue University on behalf of specified principal investigators (researchers) and their teams of graduate students provide project support to several of our engineering, science, and life science departments.

Thus, such topics as automatic control systems and theory; propulsion systems; remote infrared sensing systems for surveying and recording agricultural crop conditions from aircraft, or more likely in the future from orbiting laboratories; communication theory and systems; water-clay systems and their effect upon biological activity; high precision spectroscopy; measurement of lunar and planetary surface characteristics by means of random signal radar; and basic studies in fluid dynamics—all of which have great potential for applications in industries in general as well as in the space industries—are being pursued in depth at Purdue University through sponsorship by NASA. Through the involvement of the teaching faculty and graduate students on these and other such subjects, our graduate educational programs are enriched by these research activities.

A modest facilities grant from NASA's sustaining university program has made it possible for us to add a high pressure propulsion test laboratory to our Jet Propulsion Center on the campus. This will provide our propulsion researchers with the continued capability to be in the front ranks among the few universities which have programs in propulsion. In addition to the facilities grant, considerable NASA research support has been afforded the Jet Propulsion Center which, through its research activities and through later career activities of its graduates, has made and continues to make contributions to the space effort—as well as to the solution of problems for non-space industries.

Purdue's Jet Propulsion Center students have earned thirty-three Ph. D. degrees and one hundred seventy-one Master of Science degrees to date. A graduate of the Purdue Jet Propulsion Center is President of Aerojet's Operating Nuclear Company; another, Chief of the Liquid Rocket Division of Aerojet. Others include the Chief Scientist of the Army Mobility Command; Acting Chief of the Long-Range Planning Division of Aerospace Corporation; the Vice President at Ling-Temco-Vought in charge of V/STOL production; Pratt & Whitney's director for the application of aircraft gas turbine technology to stationary plants and inter-city transportation; two founders and heads of companies based in aerospace technology.

I am sure that you can see that the National Aeronautics and Space Administration, through its sustaining university program, has been an effective sponsor of research and graduate education at Purdue University. All three parts of the NASA sustaining university program—predoctoral training, research, and facilities—have contributed appropriately to the growth and sophistication of our space-related departments and have accordingly upgraded the graduates of those departments. I feel sure that the future accomplishments of the graduates of those departments will bear this out.

Yours sincerely,

FREDERICK L. HOVDE,
President.

UNIVERSITY OF NOTRE DAME,
Notre Dame, Ind., June 20, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: Thank you for the opportunity to respond in support of your amendment to NASA's Fiscal Year 1968 authorization adding $10 million for the sustaining university program.

The University of Notre Dame was awarded a NASA Training Grant (Supplement No. 4) to support six new graduate students in space-related science and technology entering the program in September, 1967. The earlier quotas were as follows: eight new traineeships began in September, 1963; eight in September, 1964; ten in September, 1965; and ten in September, 1966. Thus the six to begin in September, 1967, is the smallest number since the program began.

The real problem is not that just one federal program supporting predoctoral studies is being curtailed, but that all of them are being curtailed, while each agency hopes that the loss will be picked up by one of the other agencies. In his letter of January 9, 1967, informing us of the six new NASA Traineeships to begin in September, 1967, at Notre Dame, Dr. Smull, Director of NASA's Office of Grants and Research Contracts, implied as much: "It may also be pointed out that other federal agencies charged primarily with the general support of higher education have in recent years substantially increased their predoctoral support programs in the areas of science and technology". However, you are already aware of the fact that the House recently cut the appropriation for graduate fellowships for 1968 under Title IV of the National Defense Education Act by $10 million. Unless the cut is restored by the Senate, as all university presidents and graduate deans sincerely hope, the net effect will be a reduction of NDEA Title IV Graduate Fellowships to begin in September, 1968, from 6000 to 3400.

The National Science Foundation's Traineeship and Fellowship Programs in support of graduate students were curtailed for September, 1967. To begin in September, 1966, Notre Dame was awarded sixteen new NSF Traineeships, whereas we were awarded twelve in September, 1967—a 25% reduction. Other universities experienced similar cuts.

Regarding research grants in science and technology for faculty members through which graduate students are supported as research assistants, the trend in the agencies seems to be to continue support for old projects or well-established professors and to curtail support for young faculty members. This has its impact on the universities across the land.

One could add as a postscript that the large Woodrow Wilson National Fellowship Program after 1967–68 will no longer be supported by the Ford Foundation to offer 1000 first-year graduate fellowships per year. Thus, a ten-year program which has made a quarter of its awards in Science over the years will cease.

The number of students seeking admission to graduate schools, and the needs of the country for personnel trained to the doctoral level, will continue to rise each year while at the same time the means of supporting graduate students will be drying up. Unless the trend to curtail federal support can be reversed, the graduate schools will first feel the pinch, and then the country which needs the highly trained product of the graduate school. We would soon be back where we were in 1958.

With all best wishes, I am,

Cordially yours,

Rev. THEODORE M. HESBURGH, C.S.C.,
President.

The following is from institution in the State of Iowa:

IOWA STATE UNIVERSITY,
Ames, Iowa.

Hon. BOB ECKHARDT,
Congress of the United States, House of Representatives, Washington, D.C.:

NASA sustaining program very significant in meeting trained manpower needs. Has supported 61 Ph.D. trainees at Iowa State University. Urge Restoration of ten million to present funding level.

J. B. PAGE,
Vice President for Research and Dean of the Graduate College.

The following are from institutions in the State of Kansas:

KANSAS STATE UNIVERSITY,
Manhattan, Kans., June 19, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Congress of the United States,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: The National Aeronautics and Space Administration Sustaining University Program has provided valuable support for research in various scientific fields at Kansas State University. Research has covered the gamut from nozzle design for rocket vehicles within our Department of Mechanical Engineering, through complex biochemical studies related to metabolism performed in our Department of Biochemistry, to investigations of human performance as this may be related to the duties of the crew on a space mission.

The value of this support is manifold. It has been possible to support younger scientists with funds provided by NASA so that they might obtain sufficient recognition to seek continuing support from such agencies as the National Science Foundation, the National Institutes of Health, and the Department of Defense. Support by NASA has stimulated their interest in the space program and, accordingly, their work has not only provided valuable results but has increased their competence as scientists in fields of importance for our space program. Faculty members have been assisted in this research by graduate students, the interests of whom in turn have been influenced in a valuable way by the nature of this program. I heartily endorse the farsighted efforts of the Congress in its attempts to maintain this program at its present level.

Sincerely,

JAMES A. MCCAIN,
President.

THE UNIVERSITY OF KANSAS,
Lawrence, Kans., June 16, 1967.

Hon. BOB ECKHARDT,
U.S. Representative from 8th District, Texas,
House Office Building,
Washington, D.C.

DEAR MR. ECKHARDT: In response to your letter of June 14, 1967, to Chancellor Wescoe; I am happy to send you herewith one copy of our most recent proposal for renewal of the University of Kansas NASA sustaining grant. Although I believe you would find the entire proposal interesting and helpful, I am sure that the summary on pages 2 and 3 will provide in concise form the information you have requested concerning the effective operation of the NASA sustaining university program.

The University of Kansas has been far more than satisfied with the success of these NASA grants. They have assisted in a major way in the development of new lines of research in important interdisciplinary areas, and they have contributed most substantially to the development of an expanding advanced training capability as well as research effort in the broad field of space science.

If you should wish additional information, please call on me directly.

Very truly yours,

WILLIAM J. ARGERSINGER, Jr.,
Associate Dean of Faculties.

The following are from institutions in the State of Kentucky:

UNIVERSITY OF LOUISVILLE,
Louisville, Ky., June 16, 1967.

Hon. BOB ECKHARDT,
Eighth District, Texas, Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: I am writing with regard to your letter of June 14 concerning our sustaining university program under the National Aeronautics and Space Administration. The program at the University is now under the direction of Dr. John A. Dillon, Jr., Dean of the Graduate School and Professor of Physics. Dean Dillon has had long and productive experience in research at Brown University before joining us last July.

The success of such a program must be judged on two criteria.

1) Does the program lead to meaningful research which strengthens science itself?

2) What impact does the program have on the University?

In answer to the first question, I would point out that our program involves faculty members and graduate students from the Departments of Biology, Chemistry, Engineering Physics, and Physics, who are working on problems in one way or another related to material science. A number of publications are about to emerge from this research, and the drawing together of the scientists from various departments in a common program has gone far toward breaking down some of the traditional barrier which have separated them. The various visitors we have had from NASA have all expressed satisfaction with the quality of the scientific effort being made.

In addition to the unifying influence this program has had, it has had other important impacts on the University's scientific program. It has enabled us to move more quickly into new areas (such as x-ray diffraction studies) and it has assisted some of the younger faculty members in starting research at a higher level than was possible previously. Thus it has greatly strengthened our programs in these related areas and has allowed us to advance much more quickly than would have been the case if this program had not existed.

Finally, it should be pointed out that the administration of the program from NASA Headquarters has been extremely thoughtful and helpful. Dean Dillon informs me that the outside administration has operated more smoothly than that of any other program with which he has been associated.

For all these reasons I want to offer my strong endorsement for the continuation of a program which has been ably administered, has advanced our scientific knowledge, and has been of great assistance to the University in developing its programs.

Sincerely,

PHILIP DAVIDSON,
President.

The following are from institutions in the State of Louisiana:

THE LOUISIANA STATE UNIVERSITY,
Baton Rouge, La., June 19, 1967.

Hon. BOB ECKHARDT,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECHKARDT: In reply to your letter of June 14, I am reviewing briefly some of the benefits that have resulted from the NASA Sustaining Research Grant to Louisiana State University. We have had this grant for only nine months; it was given to us in September, 1966. The grant is funded at present in the amount of $100,000/year.

Insofar as Federal funds are concerned, Louisiana State University has been a "have not" university in that until recently Federal funds and grants have been on the distinctly low side. Accordingly, we have derived a large relative benefit from the NASA grant since it has enabled us to initiate projects and developments which are growing and which will undoubtedly continue to grow. The following are some specific accomplishments which are attributable to the grant:

1. We have initiated a strong space-related research program involving 12 individual research projects in chemistry, physics, mathematics, mechanical, aerospace and materials engineering, and engineering mechanics. In general this research is of a basic nature, but some of the projects will have quite practical and technically useful results.

2. We have added one full-time faculty member and several others who are supported in part by the grant. This has strengthened our faculty considerably.

3. We have supported 10 graduate students who otherwise might not have been able to obtain graduate training.

4. As a result of this program, interest in NASA and space-oriented research has increased considerably throughout the University. We have had more contact with the NASA research centers and the resultant definition of areas of mutual interest has led to other research projects. This interest is reflected throughout the entire LSU System, not just the Baton Rouge campus.

5. In May a two-day symposium on "The Management and Technology of Space Exploration" was held on the Baton Rouge campus. This attracted many visitors and generated public and industrial interest in many facets of the space program.

6. Some of the research programs under the Sustaining Grant are broad in scope and require participation by faculty members from several different departments, crossing college boundaries in a few instances. This has set a pattern for truly interdisciplinary research in the University.

I hope that this information will be helpful to you.

Sincerely,

JOHN A. HUNTER,
President.

TULANE UNIVERSITY,
New Orleans, La., June 21, 1967.

BOB ECKHARDT,
Committee on Science and Astronautics,
House of Representatives,
Washington, D.C.:

Tulane University has no NASA sustaining program application submitted February 23, 1965. Revision submitted November 12, 1965. Negotiations for award unsuccessful.

FRED R. CAGLE,
Vice President.

The following are from institutions in the State of Massachusetts:

The Commonwealth of Massachusetts, University of Massachusetts,
Amherst, June 19, 1967.

Hon. Bob Eckhardt,
Committee on Science and Astronautics, House of Representatives, Washington, D.C.

Dear Representative Eckhardt: We were pleased to learn that through your efforts the Subcommittee on Space Sciences and Applications has restored $10 million to the NASA budget for 1968 to support the sustaining university program. Since 1965 we have participated in this program as recipients of contracts with NASA for Traineeships in the space-related sciences. The NASA Traineeship Program is unquestionably one of the finest conceived by the federal government to support graduate education in the U.S. This program not only permits us to support the most able students in the Space Sciences but also provides the facilities and equipment necessary for sophisticated research in these areas. We do not feel that any present federal program can replace the Traineeships now supported by NASA unless other federal offices supporting graduate education change their present policies.

At present we have sixteen of our most capable students being supported by the NASA Traineeship Program. Since our first Traineeships were awarded in 1965, most of the recipients of these awards will not receive their PhD degrees until the end of the current academic year. However two of our trainees who have completed their studies are now employed in industry conducting space-related research. One of these students is exploring problems in target recognition, decision-making, information processing, and controller dynamics. Another is supervising a research program dealing with man-computer decision-making in an antisubmarine warfare setting. Currently these two students are making an important contribution to the space and defense efforts of the U.S.

We hope to be the recipient of additional Traineeships as well as funds for research facilities in the future under NASA's sustaining university program. We congratulate you on your efforts to maintain the present level of expenditures of Federal government in this area and wish you every success in your floor fight in the House in support of your committee's report.

Sincerely,

John W. Lederle,
President.

Worcester Polytechnic Institute,
Worcester, Mass., June 19, 1967.

Mr. Bob Eckhardt,
Committee on Science and Astronautics, Congress of the United States, House of Representatives, Washington, D.C.

Dear Mr. Eckhardt: Thank you very much for your letter dated June 14 to President Storke. President Storke is on vacation at the present time and I am taking the liberty of answering your letter in his absence.

At the present time, Worcester Polytechnic Institute is benefiting to the extent of $66,567 per year in the form of NASA Traineeships. The support has been of great value in the developing of our graduate study program and we are very much in hopes that future allotments of funds will not be decreased.

Sincerely,

M. Lawrence Price,
Vice-President and Dean of Faculty.

Tufts University,
June 20, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.

Respectfully urge reinforcement of NASA sustaining university program. Withdrawal of support would adversely affect our graduate program.

Leonard C. Mead,
Acting President.

The following is from an institution in the State of Michigan:

Michigan Technological University,
Houghton, Mich., June 19, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.

Dear Congressman Eckhardt: In reply to your letter of June 14, Michigan Tech does not have a sustaining university NASA program at the present time. We have made several visits to the Washington office and have a proposal in preparation.

We support the idea wholeheartedly and think that it is unique in support of research for higher education. It helps overcome the grantsmanship activities of highly mobile professors. There is an element in any university of people who tie research grants to their own activities and then use them as negotiating points with other universities. Michigan Tech is small and has not experienced this as yet. However, the problem does exist and would be helped tremendously with the sustaining grant program. Since this program does require several departments working together, it forces cooperation and interdisciplinary research where such research would not previously have been possible.

Good luck at your hearings.

Sincerely,

R. L. Smith,
President.

The following are from institutions in the State of Missouri:

The University of Missouri at Rolla,
Rolla, Mo., June 16, 1967.

Representative Bob Eckhardt,
Congress of the United States, House of Representatives, Washington, D.C.

Dear Representative Eckhardt: I sincerely appreciate your affording the University an opportunity to contribute to the information you are assembling in defense of the National Aeronautics and Space Administration's sustaining university program.

Unfortunately, this campus does not participate in the N.A.S.A. Sustaining Grant program at this time. In July of last year, we submitted a proposal for research support from the program, and, from all reports, the proposal received very favorable recommendations for support from the reviewers, however, a grant could not be made this fiscal year because of fund limitations.

We feel that the lack of support from this program is unfortunate, inasmuch as the University allocated some $350,000 this year to this campus from State funds to support our Space Science Research Center, in which we have invested some $1.5 million in the past four years. The Center consists of three research groups: Materials, Cloud Physics, and Electronics, and involves 26 members of the academic faculty, 8 non-academic staff members and 43 graduate students pursuing thesis research on projects relevant to the space program. Inasmuch as our Sustaining Grant proposal is still under consideration for support by N.A.S.A., we are most hopeful that favorable consideration can be given to your Subcommittee's recommendation for an additional $10 million for the sustaining university program this forthcoming fiscal year.

I am pleased to report that this campus of the University does participate in the N.A.S.A. Traineeship program. Six graduate students have been supported this academic year by a grant from this program, and this represented a significant contribution to our graduate thesis research in space-related problems. We had requested a total of 16 traineeships for this forthcoming academic year, based on our current and projected level of space-related research; however, we were advised recently that only four traineeships were to be granted for this period. Since we cannot increase the commitment of State monies to this research activity, we have no other alternative than to reduce the number of graduate students participating in the program.

In my judgment, this has been one of the most imaginative and effective programs for the support of university research, and I sincerely hope the above may be of assistance to your Subcommittee in its effort to solicit additional funding for the program.

Sincerely,

Merl Baker,
Chancellor.

University of Missouri,
June 16, 1967.

Representative Bob Eckhardt,
Committee on Science and Astronautics, House of Representatives, Washington, D.C.:

The NASA sustaining grant program continues to play a vital part in the growth of the Space Sciences Research Center at the University of Missouri's Columbia campus. The center was created in response to a recommendation by the Governor's Scientific Advisory Board and the Missouri Legislature has seen fit to support the growth of the center. The sustaining program seems to be a very appropriate way for State and Federal agencies to cooperate to the mutual advantage of each. The sustaining program has had solid impact on the educational program of the campus. By its very nature, the program is multidisciplinary. Numerous examples could be cited to show how the sustaining program has served as a catalyst in bringing together faculty of widely diverse interests to work on common problems. The education of students is greatly enriched by such interactions.

Numerous instances could be cited to show how research generated by the program has "spun-off" into other areas. Research results have been presented at a number of international scientific meetings. On this campus space-related research findings have been applied to such seemingly unrelated areas as crop growth and early detection of cerebral stroke.

Locally-administered grants help to balance and round out a typical university program. Through mechanisms such as this, the young research man can get his work started and the senior research man can experiment in new areas. In this way, then, both may contribute even more to the Nation's research effort through normal granting channels. This progression has been very noticeable in the Missouri program.

The university feels that the total educational experience it can offer its student has been greatly enriched by the sustaining program. NASA, of course, has pioneered in this area and is to be commended for its foresight.

Ellis R. Graham,
Associate Dean for Research.

The following are from institutions in the States of Minnesota and Montana:

University of Minnesota,
Minneapolis, Minn., June 19, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.

Dear Congressman Eckhardt: Under the Sustaining University Program of the National Aeronautics and Space Administration, the University of Minnesota has received grants enabling it to participate in programs of interest to both NASA and the University. Among these have been grants for facilities, graduate traineeships, and multidisciplinary research in space science and technology.

The two facilities grants awarded to the University of Minnesota have resulted in a two-story addition to a wing of the Physics Building to house the University's rapidly expanding program in space physics and a Space Science Center building to accommodate an equally rapidly expanding University program in the physical, biological, medical, and engineering sciences related directly to NASA's mission. These facilities grants have been necessary to enable a state university to provide facilities for research programs at a pace which matches the growth at the University of experimental programs geared to NASA's interests. The pace of NASA's programs is an exhilarating one which has captured the imagination and enthusiasm of university scientists and in the recent past NASA has been quick to observe that it was necessary to aid the universities with expanded facilities if it were to capitalize on the interests of these university scientists. Naturally, much of the research carried on in these facilities constructed with NASA's help, although NASA oriented, has widespread application in our defense effort, in the public health field, and other elements of the public sector as well as in the civilian economy. Without suport of NASA for the expansion of experimental facilities at the University of Minnesota, newly developed or expanded programs in microbiological contamination, simulation of engineering control processes, properties of unusual materials, computer hardware, to name but a few, would have been severely limited. The facilities portion of the Sustaining University Program has enabled the University of Minnesota to carry out a wide variety of research programs which would have been otherwise impossible because of lack of suitable space.

The University of Minnesota was one of the first universities to participate in NASA's Graduate Traineeship Program. Under this program, fifteen graduate students per year have started in a traineeship of three years' duration in the space related disciplines. As a consequence, each year forty-five (45) graduate students have been enrolled in instructional programs and have been carrying out research leading to Ph.D. degrees. This is a significant contribution to the professionally trained manpower pool of the United States. The University of Minnesota has been disturbed to see NASA decreasing its support of the graduate traineeship program. There does not appear to be any leveling off of the national demand for Ph.D.'s in science, engineering, and related disciplines, and the University of Minnesota is not able with its own resources to compensate for such a decline in support of graduate traineeship programs by a major federal agency. Although a university such as the University of Minnesota contributes in many ways to the programs of federal agencies, a university is unique as a contributor of professionally trained manpower.

Since 1965, the University has been the recipient of a sustaining grant for multidisciplinary research in the space science and technology. This grant is step-funded and presently is running at a level of $400,000 per year. The sustaining grants provided by NASA have been a feature of its grants program of remarkable effectiveness. With the sustaining grant, the University of Minnesota has been able to initiate new programs and augment existing programs for which external support is essential at a pace unusual in a university environment. Since practically all of the administration of the sustaining grant is carried out by university personnel, the University through its Space Science Center has been able to initiate new programs without the costly delay inherent in seeking support for such new programs from federal agencies. This has been a particularly beneficial aspect of the sustaining grant since it has been possible to provide support for the new and younger members of the faculty who normally experience extensive delays in obtaining funds to mount new experimental programs. In addition, the Space Science Center has been able to identify University and national needs in the space related areas and with the sustaining grant has been able to take steps toward satisfying these needs.

For example, although there has been a serious national shortage of Ph.D.'s trained to carry out research in land-based astronomy, the University of Minnesota has not been able to generate the support necessary to become a Ph.D. granting institution in astronomy. With the aid of the Space Science Center through its sustaining grant, experimental equipment essential to the development of a Ph.D. program in astronomy has been assembled. This has acted as a catalyst and within a few years the University of Minnesota expects to join the handful of American institutions which produce Ph.D.'s in astronomy. In a similar fashion, the sustaining grant has been used to augment the University's research capabilities in electrochemistry. This augmentation of research capabilities in a field of such importance to both the defense and civilian economy would have been delayed several years if the sustaining grant had not been available. There are many more situations in which the sustaining grant has enabled the University of Minnesota to make major steps forward in its research capabilities. Among the fields which have derived benefit in this way have been control science, computer technology, bioengineering, etc. In the two years which the University of Minnesota has had the NASA sustaining grant, the grant has been used to initiate over thirty research programs. Many of these programs would not have been possible without the grant and the initiation of many others would have been seriously delayed. The effectiveness of the grant as an instrument of growth of research capabilities has been multiplied manifold by the flexibility inherent in its application. The sustaining NASA grant has been a major instrument in development of the University of Minnesota in the past two years.

Finally, it must be remarked that the effectiveness of NASA's sustaining university program is not as accurately gauged by the funds available at the University in the program as it is by the enthusiasm and interest which NASA has been able to generate with this program. The imagination which NASA has brought to its interaction with universities has generated in the university community an abundance of good will which should stand as a model for other federal agencies. The University of Minnesota is hopeful that the current decrease in the NASA university program is only a temporary reflection of the increasing demands on the national economy and not symptomatic of a trend away from an imaginative program. The University of Minnesota is pleased with the attention that the Subcommittee on Space Science and Applications has paid to the change in scope and direction of NASA's Program.

Sincerely yours,

William G. Shepherd,
Vice-President, Academic Administration.

Montana State University,
Bozeman, Mont., June 20, 1967.

Hon. Bob Eckhardt,
House of Representatives Congress of the United States, Washington, D.C.

Dear Representative Eckhardt: President Johnson of Montana State University has been away from the campus and your letter of June 14 reached my desk just this morning. I regret that our reply will not reach you before June 20 as you requested.

The sustaining university program of the National Aeronautics and Space Administration has been of great benefit to Montana State University. During the past several years, the grant funds under this program provided the financial base for expanding and upgrading the activities of our Department of Physics. We now have a strong program in Physics with the funding having been absorbed by the University and by research grants from a variety of sources.

We are now using our sustaining university grant to develop faculty competence in biometeorology and in materials science in the same manner that we used these funds to develop our Department of Physics.

We have found the sustaining university program of the National Aeronautics and Space Administration to be one of the most productive of the several Federal programs of support to higher education.

Sincerely yours,

Roy E. Huffman,
Vice President for Research.

The following is from an institution in the State of Nebraska:

The University of Nebraska,
Lincoln, Nebr., June 19, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.

Dear Congressman Eckhardt: Chancellor Hardin has asked me to respond to your letter of June 14th regarding the effect of NASA's sustaining program at our institution.

NASA's support is relatively small but it plays a vital role in our programs of research and graduate education in the sciences and engineering. The support has been particularly useful in assisting us to secure much needed equipment.

We hope this important program can be continued and indeed expanded.

Sincerely,

James C. Olson,
Dean.

The following is from an institution in the State of New Mexico:

New Mexico State University,
University Park, N. Mex., June 16, 1967.

Hon. Bob Eckhardt,
Committee on Science and Astronautics,
House of Representatives,
Washington, D.C.

Dear Congressman Eckhardt: New Mexico State University has had a NASA Sustaining Grant for $150,000/yr. for the last two years. This has been one of the most valuable grants ever given to the University. Approximately one-half of each year's appropriation went to the astronomy section to support the purchase of a very fine 24'' telescope plus accessory equipment, all of which is now installed and in use. The University supplied land, road and building. Without this aid the University would not have been able to support the total cost of such a facility. The new telescope is already paying off in obtaining superb photographs of the planets which are of much value to NASA.

The remainder of the appropriation went to individual faculty in many departments of the University. Projects were supported in the fields of astronomy, geology, biology, biochemistry, chemistry, physics, economics, mechanical engineering and computer sciences. All together this year there were 22 faculty, 27 graduate students, 6 undergraduates directly supported by the grant. This resulted in 21 papers presented at scientific meetings, and 45 papers either published or in process of publication.

This grant is extremely valuable for the following reasons:

1. It gives a developing university more freedom to develop and support areas of strength.

2. It furnishes support for young unestablished researchers who have difficulty obtaining individual direct support from foundations.

3. It trains many graduate students who will be our future leaders in the space science fields.

4. It furnishes funds for equipment which

is not only valuable for research but also can be used in teaching.

5. It attracts promising young scientists and engineers to join the faculty as they know that support may be possible from the grant.

6. It develops a research atmosphere on the campus and stimulates research in departments that do not directly benefit from the NASA grant, such as the Arts and Humanities.

7. For developing universities that are determined to become centers of excellence, such as New Mexico State University, this is an essential type of grant.

New Mexico State University feels that there should be more active general support of the university grant. The appropriations for it should be increased. It is our firm opinion that money spent in this way is repaid several times over in better trained scientists and engineers and in results from research and in strengthening the universities in the sciences and engineering.

Sincerely,

R. B. CORBETT,
President.

The following are from institutions in the State of New Jersey:

PRINCETON UNIVERSITY,
PRINCETON, N.J.,
June 20, 1967.

Hon. ROBERT ECKHARDT,
House of Representatives,
Washington, D.C.:

In reply to your letter of June 14 to President Goheen, we would like to reply as follows:

Under the NASA sustaining university program, Princeton University has applied for funds under all three major categories.

We have participated in the NASA traineeship program since its inception. These traineeships and their associated cost of education monies are of great importance in the graduate program of 13 of our science and engineering departments. They had become a major element in the planning of future graduate studies in all of the departments concerned. The unanticipated cutback in the program this year has already strained the resources of these departments and certainly any further cutback will force us to revise the number of students we can admit and train in these areas.

In 1963 we received a grant of $625,000 under the facility grant program for a basic research laboratory wing for aerospace propulsion sciences which has proved to be of invaluable assistance to our program in this area.

Last year we submitted a proposal for a multidisciplinary research grant involving five departments of the university. We are informed that the proposal was carefully thought out, responsive, and presented an excellent mix of basic and applied efforts. However, NASA indicated that it could not provide the necessary funds because of the reduction in the sustaining university program.

I hope that the above information will be of assistance.

RAYMOND J. WOODROW,
Director, Office of Research and Project Administration.

RUTGERS, THE STATE UNIVERSITY,
New Brunswick, N.J., June 19, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: Dr. Mason Gross, who is on a speaking engagement in Canada, has asked me to respond to your letter of June 14.

We commend you for your efforts to maintain and strengthen the sustaining university program of the National Aeronautics and Space Administration. For your information I am enclosing a concise statement of the participation of Rutgers-The State University in this program. As you can see, this support not only assists the space-related areas of study but contributes to improved levels of excellence in this University.

Your efforts to maintain the present level of support for this sustaining university program is in keeping with the contentions of the American Council on Education which emphasizes, "the need for a sustained commitment." The uncertainties in levels of Federal support, which we must live through during the annual appropriations process, make it extremely confusing and difficult to hire the best faculty, assure support for the best students and overall sustain the best in education.

Sincerely yours,

JAMES R. WATSON.

Rutgers, the State University—National Aeronautics and Space Administration schedule of grants awarded, NSG (T)–97

Academic years	Total award	Years	Number of trainees
1964–67	$162,600	3	10
Supplement No. 1 1965–68	189,600	3	12
Supplement No. 2 1966–69	178,000	3	12
Grand total	530,200		

The following Departments of the University have participated in the above figures: Engineering, Economics, Botany, Physiology, Mathematics, Physics, Chemistry, Psychology, Bacteriology, Zoology.

The following are from institutions in the State of New York:

CLARKSON COLLEGE OF TECHNOLOGY,
Potsdam, N.Y., June 16, 1967.

Hon. ROBERT ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR MR. ECKHARDT: In the absence of President Graham from the campus. I would like to take this opportunity to reply to your letter of June 14, 1967 regarding the National Aeronautics and Space Administration sustaining university program.

Clarkson College does not currently have a sustaining university grant but we are in the process of preparing a proposal for submission to NASA requesting support under this program. We feel very strongly that this is precisely the type of program which contributes most effectively to the growth and development of our graduate and research programs. We strongly urge the continuance of this program and if possible, the addition of funds to extend and strengthen it. In my estimation it is definitely unwise in times of national emergency to cut back contracts specifically designed to foster basic research and trained personnel of the type needed in a technological society.

Your efforts on behalf of this program will be greatly appreciated by technical schools like Clarkson College.

Sincerely,

RICHARD A. KENYON,
Associate Dean, Graduate School, Associate Director, Division of Research.

CORNELL UNIVERSITY,
Ithaca, N.Y., June 19, 1967.

Hon. BOB ECKHARDT,
Committee on Science and Astronautics,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: In the absence of President Perkins I am responding to your recent letter which calls to our attention the effort to obtain an increase of $40 million in the NASA sustaining university program for FY 68 and which notes that you have accepted responsibility for support of this amendment on the floor of the House.

Cornell University strongly supports this increased authorization and believes that virtually all universities that have been cooperating with NASA do likewise. We very much hope that your efforts are successful and that the House and ultimately the Senate will support this added authorization.

Cornell carries out most of its teaching and research in this area within its Center for Radiophysics and Space Research, of which Professor Thomas Gold is Director. This unit operates in a handsome new building, built with funds primarily provided by NASA. Cornell benefits from research contracts that come to us from NASA. It has also greatly benefited by NASA fellowships which have come in to us from the sustaining university program. Finally, we submitted some time ago and have under consideration by NASA a Multidisciplinary Research Support Program for continued efforts in a number of NASA-related areas.

From the standpoint of these various efforts, we have been greatly pleased by the caliber of NASA activities in working with universities. Almost all of the NASA policies have been enlightened, well managed, and well integrated with normal university teaching activities. Specifically the fellowship program has been an excellent one from the standpoint of the university. The policies and funding procedures for the multidisciplinary grants have also been excellent. Finally, NASA's management procedures for their research contracts have been quite satisfactory from the university standpoint. In summary, all of us have been impressed by NASA's wisdom and capabilities in its relations with universities.

However, one could argue persuasively that even before the recent cuts the NASA university sustaining program was too small. This program is for an agency whose total budget is close to $5 billion a year and whose activities are almost entirely in the fields of scientific research and technology. Engineering of the highest sort is vital to the success of NASA missions. Furthermore, many of the NASA missions have a strong component of scientific exploration, which implies that very close contact with university scientists is essential to maximize the productivity of these efforts. In light of this enormous commitment, even a $40 million per year sustaining university program seemed to most of us much too small and our effort in past years had been to get this very substantially increased on the simple grounds that in the long run the NASA missions would directly benefit. We were, therefore, dismayed when the program was cut to $30 million and when it was proposed that it be cut in FY 68 to $20 million. Cornell University strongly supports this restoration of the earlier proposed cut in this program.

Let me summarize my own feelings very briefly: (a) NASA is deeply involved in engineering and science; (b) NASA greatly benefits both in the short and in the long run from close interaction with universities; (c) NASA has shown itself capable of running a good university program, a program which is both sensible and frugal; (d) the recent cuts in the NASA sustaining university program should be restored and, over the longer pull, the program should be substantially enlarged. It is for these reasons that I strongly support your proposed increased authorization for FY 68.

I appreciate the opportunity to forward these comments to you. If I can help in any other way in presenting Cornell University's position on these various items, I shall be most pleased to do so.

Sincerely yours,

F. A. LONG.

NEW YORK UNIVERSITY,
New York, N.Y.

Congressman BOB ECKHARDT,
Committee on Science and Astronautics,
Washington, D.C.:

As project director of our NASA university sustaining grant, I wish to add my support to your effort to add ten million dollars to the 1968 authorization. The program has been most effective permitting university-wide basic research and has stimulated cross departmental and multidisciplinary activity. We feel this is money well spent, because it contributes to basic research of value to the national as well as space program. Our present grant of $30,000 per year is hardly sufficient for a university this size and further cuts would hamper VA number of current important projects. New York University is the largest private university in the U.S.A. and wish to continue making its contributions under the sustaining program.

JOHN R. RAGAZZINI,
Dean, School of Engineering and Science.

RENSSELAER POLYTECHNIC INSTITUTE,
Troy, N.Y., June 16, 1967.

Hon. BOB ECKHARDT,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: Rensselaer Polytechnic Institute finds a high degree of mutuality between NASA's programs for research and advanced technological education, and Rensselaer's mission in higher education. Without NASA's programs of support, higher education would be beyond the means of many highly qualified students with ordinary financial resources. NASA-sponsored programs at Rensselaer may be broken down into three broad categories: predoctoral training grants, research grants and contracts, and facility grants.

Rensselaer reecived its first predoctoral training grant from NASA in 1962. This grant provided funds for the support of 10 trainees for three years. The purpose of these grants are: first, to accelerate the space program, and second and more important to offer broad but intensive training in the space services. Presently NASA grants provide support for 45 trainees. Starting in September of this year this number will be reduced to 39 because of the reduction made in NASA's budget. These reductions if continued will result in a serious decline in the number of scientists and engineers trained in the space sciences.

Presently NASA is supporting 36 research grants having a total value of $463,800 on such topics as Computer Control of Nuclear Powered Rockets, Dispersion Strengthened Materials, Interdisciplinary Research on Solid Materials, Investigation of the Composition and Chemical Behavior of the Atmosphere of Venus, Studies of Radiation Damage to Various Materials in Rensselaer Linac Accelerator, Microwave Gaseous Electronic Research, etc.

Through a facilities grant of $1,500,000 from NASA a Materials Research Center has been constructed for Interdisciplinary Materials Research. This Center has provided space and facilities for 22 research scientists and engineers as well as providing space and facilities for the training of 94 graduate students.

In my opinion without this type of external support, Rensselaer would have been able to educate only about half the number of graduate students that have been trained in materials and space science and engineering, and Rensselaer would have been severely hampered in important investigations that have already been of considerable assistance to government programs, especially those of NASA.

As a result of these NASA sponsored programs largely funded through NASA's Sustaining University Programs, Rensselaer has been able to disseminate information about materials and space science which has been utilized by industry in carrying out NASA contracts. Among organizations which have used this information have been: Leeds and Northrup Company, Westinghouse Electric Corporation, Whirlpool Corporation, Bendix Corporation, Owens-Corning Fiberglas Corporation, and Texas Instruments, Incorporated.

Rensselaer's relationships with NASA have been gratifying and satisfying, and without NASA-sponsored assistance, Rensselaer would not have been able to have given as much service as it has to both the nation and to industry. I strongly urge the continuance of Congressional support for the NASA Sustaining University Programs.

Sincerely,

R. G. FOLSOM.

STATE UNIVERSITY OF NEW YORK
AT BUFFALO,
Buffalo, N.Y., June 19,1967.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR MR. ECKHARDT: The State University of New York at Buffalo strongly supports your amendment to the National Space and Aeronautics Administration authorization bill adding $10 million more to the NASA sustaining university program. While this university does not now have a sustaining university grant at present, we have had a grant application pending with NASA under this program since July 1966. NASA keeps telling us that our application is a good one and has a high technical rating, but they just don't have the funds.

Our application now pending with NASA involves some advanced biological research which we believe would be relevant to the solution of some of the outstanding problems of life support in space flight. We would like to get started on this program. Our application requested $1,100,000 per year, for a 5-year program, but we could get started on as little as $300,000 in the first year.

We urge the Subcommittee on Space Sciences and Applications to make a favorable recommendation on increasing NASA's sustaining university program.

Sincerely yours,

RAYMOND EWELL,
Vice-President for Research.

BROOKLYN, N.Y.,
June 19, 1967.

Hon. ROBERT ECKHARDT,
Committee on Science and Astronautics,
House of Representatives,
Washington, D.C.:

The sustaining university program of NASA has enabled the Polytechnic Institute of Brooklyn to award NASA graduate traineeships to 65 young scholars during years 1963–67. To date 22 have earned advanced degrees including 7 doctorates and 15 masters in the fields of aeronautics, astronautics, electrophysics electrical engineering and chemistry. Many others of the group will soon complete their advanced degree requirement. The sustaining university program has also enabled the institute to centralize its aero-research facilities at the graduate campus in Farmingdale, New York. This research facility enables us to train graduate students in many interdisciplinary fields such as microwave circuitry, plasma theory and re-entry shock phenomena. NASA's sustaining university program is vital to a strong academic and research program at the Polytechnic in support of the nation's space effort, civilian economy and defense objectives.

ERNST WEBER,
President, Polytechnic Institute of Brooklyn.

ROCHESTER, *N.Y.,*
June 20, 1967.

BOB ECKHARDT,
House of Representatives,
Washington, D.C.:

University of Rochester has participated in NASA training grant for five years. Program has turned out a number of scientists with research and teaching skills in space science and technology. Rochester currently building a $2,000,000 space science laboratory with aid of $1,000,000 grant from NASA. Rochester plans to apply for sustaining university grant which would permit substantial increase in training in research in space science. NASA supported training and research contributes importantly to, and stimulates greatly general development of sciences and technology. Urge support of additional authorization for sustaining university grant.

ROBERT R. FRANCE,
Associate Provost,
University of Rochester.

The following are from institutions in the State of Oklahoma:

OKLAHOMA STATE UNIVERSITY,
Stillwater, June 19, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: I am glad to respond to your letter of June 14, 1967, regarding the University Sustaining Program of the National Aeronautics and Space Administration. Oklahoma State University has been a participant in this program since its inception. The program has been of great value to us in providing support for high-quality graduate students. We have exercised great care in selection of students both to be sure that the student is qualified, and that he is in an area that is within the broad interests of the National Aeronautics and Space Administration. In addition, we have used the traineeship program to enhance the overall program of our University. It was, therefore, a great disappointment to have the number of traineeships for the period starting September 1, 1967, reduced by 50 percent.

Our institution, as is true of so many others, is always in dire need of support which can be allocated by the institution—even though it must also satisfy legitimate needs of the sponsor. Both the traineeship and the sustaining research programs of NASA fall in this category. In addition, we are badly in need of facilities in which to conduct space oriented programs. These needs are not adequately met by other agencies of the federal government nor does it appear that they will be in the foreseeable future.

I urge your continued support of the University Sustaining Program of the National Aeronautics and Space Administration, and of other similar programs which are so valuable in assisting institutions to build a base for expansion in areas of vital interest.

Sincerely yours,

MARVIN T. EDMISON, Ph. D.,
Director.

THE UNIVERSITY OF OKLAHOMA,
Norman, Okla., June 19, 1967.

Hon. BOB ECKHARDT,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: I appreciate the opportunity that you have given me to comment on the status of the Sustaining University Program of the National Aeronautics and Space Administration. Although the involvement of the University of Oklahoma in this NASA program is substantial, it is not so great as that of many other larger universities. My chief concern, therefore, is with the inevitable reduction in our Nation's production of highly trained and educated space related scientists (Ph. D.'s) and the smaller total space research effort at U.S. universities that such a cutback in funding will bring. The United States should be making every effort to increase the production of such scientists and the amount of such research during these crucial times.

Currently, the University of Oklahoma is the recipient of a NASA Initiation Grant which is supporting the research of nine faculty members in engineering and science at the University of Oklahoma and ten graduate students.

In addition to this, 32 graduate students are currently supported by NASA Traineeships. During the past four years, this program has supported 11 students who have received master's degrees, and 6 students who have received the Ph. D.

I trust that this information will be helpful to you. I hope your efforts to add the $10 million for this important NASA program will be successful. If I can provide you with further information, please feel free to ask for it.

Sincerely yours,
George L. Cross, *President.*

The following are from institutions in the State of Ohio:

The Ohio State University,
Columbus, Ohio, June 20, 1967.

Hon. Bob Eckhardt,
Committee on Science and Astronautics, Congress of the United States, House of Representatives, Washington, D.C.

Dear Mr. Eckhardt: I wish to support the subcommittee request for adding $10,000,000.00 for the Sustaining University Program to the National Aeronautics and Space Administration Fiscal Budget for 1968. I think it highly important that the university programs be maintained on a high level in this important national program on space exploration, and I am happy to support this request.

Cordially yours,
A. B. Garrett,
Vice President for Research.

University of Cincinnati,
Cincinnati, Ohio, June 19, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.

My Dear Mr. Eckhardt: Your letter of June 14, 1967, to President Langsam has been referred to my office for reply. We most certainly appreciate the opportunity to give you our opinion on the value of the NASA University training at the University of Cincinnati. I am giving below a brief summary of the values of this grant and how it has helped us in carrying forward the objectives of the University and of the National Aeronautics and Space Administration.

1. The Sustaining University Grant has enabled the University to initiate a general space oriented research program. This program includes new projects specifically designed to investigate space oriented problems and the expansion of on-going research investigations to study possible space applications.

2. The Grant has enabled the University to give support to young faculty members initiating their first sponsored research investigation. As is well known, the tremendous competition for research funds has made it extremely difficult for the young, unknown investigator to receive support. The Sustaining Grant is ideal for giving limited support to the young promising research investigator.

3. The programs initiated through the Sustaining Grant also have contributed to the initiation of a Space Science Seminar Series, in which various investigators present lectures on their studies to interested faculty members and graduate students. It also has enabled us to attract scientists from outside the University family to give seminars on topics of interest to the space program.

4. The Grant has also tremendously increased the interest of faculty and graduate students alike in the numerous problems associated with the space program. It also has given us the means to attract and support a higher caliber of graduate students.

5. The presence of the Sustaining Grant has also enabled the University to establish a better working relationship with the NASA Lewis Research Center in Cleveland, Ohio.

Sincerely,
Hoke S. Greene,
Vice President for Academic Affairs.

The following are from institutions in the State of Pennsylvania:

Drexel Institute of Technology,
Philadelphia, Pa., June 15, 1967.

Hon. Robert Eckhardt,
House of Representatives,
Washington, D.C.

Dear Mr. Eckhardt: I am happy to respond to your letter of June 14, 1967, regarding the sustaining university program of NASA. I will first comment on the general merits of this program as I see them and will then discuss briefly its impact on Drexel.

As we see it, the principal merits of the SUP are:

(1) Funds from this source are exceedingly flexible. Consequently, they may be used as seed funds which motivate meaningful multi-disciplinary programs involving faculty and students from any and all segments of the institution. Such funds are sorely needed in higher education today.

(2) NASA, probably to a greater extent than any other federal agency, is in a position to couple government, industry and education in research and graduate study efforts which are in the best long range interests of all concerned. The SUP program has in our opinion been very intelligently administered, and has been the liaison unit for transmitting the frontiers of science through the development and management phases required for successful, technological operations. After all, NASA is engaged in what is probably the greatest adventure of mankind and should make every effort to continue its influence on the academic community through the SUP program.

(3) While we recognize the fact that there is always the danger of excessive duplication, it is our opinion that the federal support of higher education should be distributed through a wide spectrum of agencies, since each has a different philosophy. If all broad based university support were to be centralized in one group, such as NSF, it is highly probable that the government would lose the philosophical breadth which it must have in order to meet the diverse needs of many institutions, as well as the many divisions within an institution.

(4) Many universities are in the agonizing throes of reappraising their educational philosophy and goals. The University of California at Berkeley is such an example and a faculty committee chaired by Professor Muscatine has recently published a long list of recommendations, which specifically apply to Berkeley, but which pertain equally well to many other schools. One of their recommendations on graduate study is that universities should initiate more programs which focus on the specific problems of society or other current, National missions. There are very few sources of funds which fit this exceedingly important recommendation as well as the SUP program.

Drexel first received SUP funds in 1966–67. Doctoral work was initiated at Drexel in the Fall of 1965 and the SUP grant of $100,000 represented almost 10 per cent of our research budget last year. However, the benefits of the grant have gone far beyond its direct fiscal contribution. The attainment of what amounted to a "Good Housekeeping Seal of Approval" was of great assistance to our fund raising efforts with the industrial community. We firmly believe that the SUP grant generated at least twice its own value from private sources, which had not previously been available to us.

By coupling NASA funds with internal funds, we were able to initiate two major programs involving 10–12 faculty members and 15 graduate students. The impetus so provided by the SUP grant enabled us to build our Materials Engineering Department to a sufficient level that it has been successful in obtaining an excellence grant from NSF in the amount of $528,000. There is no question in our minds but that the NASA grant coming in a year earlier was a significant factor in obtaining the NSF grant.

We will initiate doctoral studies in the Electrical Engineering Department in September, 1967. Funds furnished to this group from the SUP grant again played a vital role in the development of the department, and has expedited its entry into doctoral studies by at least two years.

The continuation of an SUP grant is extremely vital to Drexel at this time, since we intend to transfer portions of these funds to other areas to seed new programs. Aside from our own and somewhat limited internal sources, we have no other support which gives us this flexibility. Consequently, I can say to you in all sincerity that we feel the NASA Sustaining University Program has been highly successful and is playing a vital role in higher education today. We certainly hope that the Congress will continue to support and expand this vital activity.

Sincerely yours,
W. W. Hagerty, *President.*

Lehigh University,
Bethlehem, Pa., June 19, 1967.

Hon. Bob Eckhardt,
Congress of the United States,
Washington, D.C.

Dear Mr. Eckhardt: Your letter to President Lewis has been referred to me because I am coordinator of the NASA Traineeship program at Lehigh University.

This year there are 28 traineeships in effect on the campus distributed among 10 departments. The first 3-year grant was awarded in 1963 and we have already produced about 6 doctorates. Support of this kind is effective in accelerating the progress of the student who would otherwise be delayed by the need to find part-time jobs.

In every award we have required that the proposed dissertation be truly related to the space sciences. Since the subject of the dissertation has a strong influence on the career decision of the student, I believe that our program is accomplishing its purpose of attracting Ph.D. graduates to the space-related scientific fields.

The merit of the traineeship program as conducted by NASA has been that it has been aimed toward a specific objective but with a flexibility in operation that makes it attractive both to universities and to students. In my contacts with NASA staff, I have been impressed with the efficiency with which the program is administered. Red tape and confusion have been at a minimum.

I hope that I have conveyed our enthusiasm for the NASA Traineeship program. If there is any further information that I can supply, I shall be pleased to do so.

Sincerely yours,
Robert D. Stout, *Dean.*

University of Pennsylvania,
Philadelphia, June 16, 1967.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.

Dear Congressman Eckhardt: I have your letter of June 14, 1967 concerning the amendment that you proposed to the National Aeronautics and Space Administration's Fiscal Year 1968 authorization adding $10 million for the sustaining university program.

I am most happy to write to you to indicate my support of the amendment for we feel that this program has been of great value in the graduate training of scientists and engineers at the University of Pennsylvania. During the coming academic year (1967–68) there will be 38 graduate students in attendance at Pennsylvania because of this Federal program. It would be most desirable to increase the number next year, but such a step is, of course, dependent upon an increase in the Federal support that is available. The adoption of your amendment would most certainly contribute to the possibility of effectuating such an increase.

I appreciate your having written to me concerning this matter and I am very happy to have the opportunity to express my support of your amendment.

Very sincerely,

GAYLORD P. HARNWELL.

The following is from an institution in the State of Rhode Island:

UNIVERSITY OF RHODE ISLAND,
Kingston, R.I., June 19, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: The University of Rhode Island has appreciated its participation in the NASA university program, with its important Fellowship provisions. The program has operated successfully here, and we have looked forward to an increase in the number of Fellowships available to us. It would, therefore, be helpful to this University, and to others with a significantly greater participation in the NASA program, if your efforts at obtaining an additional ten million dollars for Fiscal '68 for the program were sustained by the Congress. May I add my voice to those of other university presidents urging favorable action upon your amendment.

Cordially yours,

FRANCIS H. HORN, *President.*

The following are from institutions in the State of South Carolina:

CLEMSON UNIVERSITY,
Clemson, S.C., June 17, 1967.

Hon. BOB ECKHARDT,
Longworth Office Building,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: With reference to your letter dated June 14 relating to the operation of the sustaining NASA program at Clemson University, we are happy to submit the following information:

NASA has had a considerable impact on the graduate training and research programs at Clemson University. Up to this point $290,400.00 have been available in NASA training grant funds and $42,870.00 in NASA research contract funds.

In regard to the NASA training programs, there has been a total of forty-eight students involved up to this time. There are presently seventeen enrolled in the training programs. The predominant training areas in this institution at present are in Chemistry and Chemical Engineering. Our research contract is in the area of Electrical Engineering.

We hope very much that you are able to be successful in amending the Appropriations Bill for NASA. This would be in the best interest of Clemson University.

Sincerely,

ROBERT C. EDWARDS, *President.*

UNIVERSITY OF SOUTH CAROLINA,
Columbia, S.C., June 18, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE ECKHARDT: The University of South Carolina is pleased to reply to your recent request for information about the operation of the N.A.S.A. sustaining university program here. Although we have participated in the program for only a short span of time, we already have come to realize its great importance both to our university and to our nation. The program is especially helpful to institutions such as this one which are in a critical stage of development into significant centers of teaching and research in the scientific areas.

At our institution a significant amount of support for seventeen graduate students in mathematics, chemistry, biology and various engineering disciplines has been contributed by N.A.S.A. in the past, with an additional three new traineeships to commence in the fall of 1967. To date none have graduated but several are approaching completion of their work. Thesis research studies of direct interest to N.A.S.A. and of importance to the national interest, such as the space propagation of microwaves, applications of electromagnetic field theory to antennae design, mathematical analysis of heart conditions via cardiograms and such have resulted from this support.

A second tremendous benefit of the N.A.S.A. sustaining university program has been the support given to our program of visiting professors. This University is not of the size that it can offer the full range of space science oriented courses and consulting services with its own staff. By careful choice of visiting professors of outstanding achievement whose expertise complements that locally available, many gaps have been filled. During the past several years, we have arranged for over thirty visiting professors supported by this program. They have been for varying periods of time ranging from several days to an academic year. They have given special seminars, courses, and consulting services. They have provided keen stimulation to our faculty and students in space related fields.

Additionally, minor items of equipment especially needed by graduate students and faculty for space related research have been provided. It has been possible to provide released time for faculty members to revamp several courses and to experiment with novel teaching techniques in areas of direct interest to the national space program.

We wish to commend you and your Committee for your wisdom in attempting to at least maintain the program's funding level. The sustaining university program is of vital importance to us and, we are sure, to a great many other universities. We earnestly hope, therefore, that the additional authorization for it, which is contained in your Committee's report, will be approved by the Congress.

Yours sincerely,

THOMAS F. JONES.

The following is from an institution in the State of South Dakota:

UNIVERSITY OF SOUTH DAKOTA,
Vermillion, June 16, 1967.

Congressman BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: In answer to your letter of June 14, 1967, I can report that The University of South Dakota has not been a part of the NASA sustaining university program. The University of South Dakota has been fortunate to receive support from NASA under the graduate traineeship program.

I would like to take this opportunity to support you in your efforts to maintain NASA's level of support for university research. They are to be complimented in this very worthwhile contribution to the overall science program.

Cordially,

EDWARD Q. MOULTON,
President.

The following are from institutions in the State of Tennessee:

THE UNIVERSITY OF TENNESSEE,
Knoxville, June 19, 1967.

Hon. BOB ECKHARDT,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: This is a reply to your letter of June 14 concerning the National Aeronautics and Space Administration's sustaining University program. The University of Tennessee feels that this is one of the most helpful programs and one of the best administered in the Federal Government.

Their traineeship program has been of great value to us and has given us much of the freedom which we need and desire. Their multidisciplinary research program has been equally as effective.

I should like to express my appreciation to you for your efforts in working against a program cut. I wish that the funds could be raised to their FY1966 level. In my opinion, it would be an extremely good investment of federal funds. Before the FY1967 cut took place I wrote to the National Aeronautics and Space Administration requesting that they maintain, or increase, their level of effort for this sustaining University program.

Whatever you can do in this regard will be greatly appreciated.

Sincerely,

HILTON A. SMITH,
Vice President for Graduate Studies and Research.

NASHVILLE, TENN.,
June 17, 1967

Hon. BOB ECKHARDT,
Congress of the United States,
Washington, D.C.:

Vanderbilt University does not have a NASA sustaining university program grant. Although having no direct operational experience with the program, we consider it most useful as a means of initiating new investigations in gaps between traditional scientific research fields. We had hoped that the program would be continued to the size wherein Vanderbilt might also participate.

R. R. PURDY,
Senior Vice Chancellor.

The following are from institutions in the State of Texas:

RICE UNIVERSITY,
Houston, Tex., June 16, 1967.

Congressman BOB ECKHART,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR BOB: It is a pleasure to respond to your inquiry concerning the significance of the sustaining university program of NASA and, in particular, concerning its impact at this University.

One of the important features of this program has been the NASA traineeships for graduate students. This is, in our experience, one of the best of the national programs in support of the graduate study of promising students in fields of great national importance. We were distressed to learn that the number of new awards available for this University was to be reduced from fifteen in recent years to nine for the coming year. We would strongly urge the restoration of the traineeships program to the earlier level because there is not only an increasing number of able students but there remains a critical national need for individuals trained to the highest level in engineering and the sciences.

Another phase of the NASA sustaining program which is of great importance at this University is a sustaining grant for research. This program is especially devoted to the provision of new instruments and other necessary expenses for young faculty members just initiating their research program. It also assists with certain necessary but less glamorous phases of our entire research program in Space Science and Technology. Here, as in the case of the traineeships, we find that the NASA program has been one of the most valuable parts of the Federal support of research in universities, and we would be very much distressed to see it diminished.

In view of the comments of the preceding paragraphs, you will conclude with me that it is of very great importance to retain the NASA university sustaining program at the higher funding level. I am sending copies of this letter to Bob Casey and George Bush, and hope that they will assist you in your presentation of this matter.

With every good wish, I am,

Yours very sincerely,
K. S. PITZER,
President.

SOUTHERN METHODIST UNIVERSITY,
Dallas, Tex., June 19, 1697.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: On behalf of President Tate who is out of the city, I am happy to respond to your letter of June 14, 1967, with respect to the sustaining university program under the sponsorship of the National Aeronautics and Space Administration in which Southern Methodist University participates.

NASA TRAINEESHIPS

Of the various fellowships and traineeships sponsored by the Federal Government, the NASA traineeships provide the greatest supplementary support for graduate programs. In addition to providing substantial stipends to the trainees themselves the NASA awards bring to the sponsoring university additional funds for expanding the departmental faculties by the appointment of adjunct professors and visiting lecturers, for the purchase of specialized items of research equipment needed by the trainees, and for improvement of the graduate courses offered to the trainees.

These supplements are invaluable to the University in our efforts to bolster doctoral programs already in existence and in the development of new ones, and we urge that nothing be done to curtail the NASA traineeship effort in its present form. For example, during the current year we have been able, by the use of the supplementary funds, to appoint visiting professors of distinction who offered special courses in applied mathematics, mathematical statistics, and low-temperature geochemistry. This has greatly enriched the instruction, not only of the NASA trainees themselves but also of graduate students of the mathematical, engineering, and physical sciences generally.

NASA MULTIDISCIPLINARY RESEARCH

SMU has participated since 1965 in the Multidisciplinary Research program in Space-Related Science and Technology—and now enters its third year at a level of effort of $100,000/year.

Guidance, direction and award of incremental research grants are made by a faculty research committee under direction of the Dean of Graduate School. These awards have resulted in the following:

1) Provided seed grants to permit young qualified but unsponsored faculty members to initiate research work related to the space agency interests.

2) Included involvement of graduate students, who were thus exposed to laboratory and theoretical space-related research under competent guidance.

3) Developed facilities (Electron Microscope Laboratory, High Intensity Magnetic Facility) on matching grant basis with 50% university funds from local donors.

4) Permitted establishment of systems approach relative to programs in materials research (Study of Environmental Effects on Electronic Processes) which could not have been undertaken without NASA support.

Competitive participation in this research by young faculty has produced support for significant and innovative ideas; and the published papers and theses resulting attest to its effectiveness.

Compared with other agency administration and methods of evaluation, the Sustaining University program has on the whole been outstanding in its concept, its procedures and its administration.

We would urge the continuation of this kind of research support, combining as it does the creative aspects of academic research, yet retaining a significant measure of mission-orientation and directed research effort.

Sincerely yours,
R. RICHARD RUBOTTOM, Jr.,
Vice President, Administration.

TEXAS CHRISTIAN UNIVERSITY,
Fort Worth, Tex., June 16, 1967.

Hon. BOB ECKHARDT,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. ECKHARDT: Chancellor Moudy has referred your letter of 6/14/1967 to my office for reply. We appreciate your interest in higher education and welcome the opportunity to comment on the NASA sustaining program.

We received our first NASA grant in September, 1964, in the amount of $51,900. We have since received three continuation supplements bringing our total award to $277,800. These grants have provided support for 20 different students enrolled in our doctoral program in space-related areas. In addition they have provided $124,800 for the expansion of our program through institutional allowances for the improvement of faculty salaries, library holdings, and course content.

Specifically, last year our total graduate fellowship program had the following structure:

Community funds (TCU/RF)	$47,567
University general funds	290,007
NASA	40,800
NDEA	44,920
All other	91,798

In other words the NASA grants have been of great importance to TCU as we have developed a significant program in the space-related sciences.

The NASA sustaining program was particularly well-conceived in that it was aimed specifically at replenishing a national resource which had been severely taxed by its needs. The NASA Traineeship program has provided additional manpower in the critical areas of science. Because of the far-sighted way in which the program was designed, we are able to produce about 1.5 Ph. D. graduates for every traineeship awarded us by NASA.

I would like to add a few comments about support for higher education in general. First, it should be noted that during this past year we had at TCU a total graduate enrollment in the sciences of 170 full time equivalent students. We had faculty and equipment capacity for another 45, but did not have research and fellowship support for the additional students.

Our funds are derived from three sources; private contributions, foundations, and federal grants. As you know, private institutions in Texas do not receive state money. Let me share with you a frustration and point of serious concern.

Yesterday, I was told by the president of a large Texas firm that he felt private firms and individuals should not use their limited resources to support fellowships, since our large foundations and the federal government are providing *generous* support.

In the Wall Street Journal of June 7, 1967, the following comments appeared relative to the country's largest foundation, the Ford Foundation:

"Thus, the foundation has sharply reduced outlays for Woodrow Wilson scholarships, which are given to graduate students in social sciences and the humanities. The stated reason: The Government now is doing more to support graduate study."

"In its reorganization, the foundation eliminated science and engineering as a separate program area; it will still consider special grants in these fields but likely won't spend much. One reason is that the Government now gives heavy support to these fields."

We learned last week that the House had slashed appropriations for NDEA, Title IV fellowships. This week we received your letter.

Are we spiralling into a situation where private individuals, philanthropic foundations, and all government agencies will abandon graduate education? The talented and *achieving* youth of our country are one of our most important resources. If we fail to develop this resource, future generations will suffer. The young men and women being trained in our graduate schools are the "seed corn" of our society.

I apologize for the length of this letter, but not for my serious concern. I hope these remarks will help you in your efforts.

Sincerely,
E. LEIGH SECREST,
Graduate Dean.

TEXAS TECHNOLOGICAL COLLEGE,
Lubbock, Tex., June 16, 1967.

Hon. BOB ECKHARDT,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR MR. ECKHARDT: Dr. W. M. Pearce, Executive Vice President of Texas Technological College, has forwarded your letter of June 14 concerning the NASA sustaining university program on this campus to me for answering.

Although Texas Tech has not benefited markedly from this program, thus far, we anticipate an increase in support next year; and we should like to encourage you in your efforts to support this worthwhile program. In the past we have had one NASA supported research project, and we have been awarded thirty-two NASA Traineeships. Information concerning these two areas of support is attached.

Sincerely yours,
ROGER L. BROOKS,
Associate Dean, the Graduate School.

NASA TRAINEESHIPS AT TEXAS TECHNOLOGICAL COLLEGE

Program began in the Fall of 1963 with six traineeships; continued in 1964 with six Traineeships; continued in 1965 with eight Traineeships; continued in 1966 with eight Traineeships; continued in 1967 with four Traineeships.

James L. Higgins, NASA Trainee in Psychology, received his Ph.D. in August, 1966, and is presently Assistant Professor at East Carolina College.

The following NASA Trainees are scheduled to receive their Ph. D.'s in August, 1967: Richard W. Geddes, Geology; Phillip W. Grayson, Chemistry; Brian K. Lambert, Industrial Engineering; Fernando C. Vidaurri, Jr., Chemical Engineering; Eugene Lynn Simmons, Chemistry.

RESEARCH SUPPORTED BY NASA

F. A. Wade—June 1, 1964 through August 31, 1965: Collection of Meteoric Dust Particles During Gemini Flight $24,474.00.

HOUSTON, TEX.

Congressman BOB ECKHARDT,
Committee of Science and Astronautics,
House of Representatives,
Washington, D.C.:

The University of Houston greatly appreciate multi-disciplinary space related research grants. They contribute to education of some 30 graduate students and advance basic research in physics, chemistry, mathematics, and chemical engineering. These grants are valued highly by students and faculty of this university.

Respectfully,
PHILIP G. HOFFMAN,
President, University of Houston.

THE UNIVERSITY OF TEXAS,
Austin, Tex., June 20, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: In response to your request for information concerning The University of Texas' participation in an effective operation of NASA's Sustaining University Program, a summary is attached.

The University of Texas feels that the NASA Sustaining University Research Program is a very worthwhile and rewarding endeavor, but because of its nature and long-range objectives, the program is just beginning to bear fruit. Interest in the program and space activities in general here on our campus is high and encouraging. It is becoming apparent to our faculty and our students that the space program includes many of our most complex social and health problems.

We began our participation in the predoctoral research training program in 1963 with 10 trainees; in 1964 we had 12 trainees; in 1965, 15; and in 1966, 15. We have, however, only received 9 traineeships for 1967. To date the NASA-sponsored trainees have been in the sciences (physics, astronomy, chemistry, mathematics, and sociology) and engineering subjects (aerospace, chemical, electrical, and mechanical). For the coming year we will add 3 trainees in computer science and a botanist. There is a need for a larger number of trainees in the sciences and engineering fields. In addition, we would like to recommend other related fields such as sociology, behavioral sciences, economics, administration, and management.

The College of Business Administration of The University of Texas at Austin has been awarded three NASA Management internships at the Manned Spacecraft Center in Houston to begin a full year of work at the NASA Center this fall. We feel that this type of activity should also be expanded.

The opportunities for cooperative training and research between The University of Texas and the Federal Government made possible by the NASA Sustaining Research Program are invaluable in the training of future scientific and technological leaders.

Sincerely yours,
HARRY RANSOM,
Chancellor.

NASA SUSTAINING RESEARCH PROGRAM AT THE UNIVERSITY OF TEXAS AT AUSTIN

Traditionally the universities have been the source of both new knowledge and highly trained scientific and technological manpower. We at The University of Texas feel that this will continue. In addition, we are attempting to add another dimension by providing the needed interdisciplinary specialists, managers, and administrators of our future technical and intellectual resources. These needs resulted from the impetus our national space programs have given science and technology. We are firmly convinced that one of the space program's prime benefits has been and will continue to be the providing of highly trained scientists, engineers, and management specialists that are able to work effectively as a team on large complex programs which incorporate many disciplines.

To accomplish our university's objectives of training the needed specialists for the last third of the twentieth century, we are employing many of the new methods and techniques pioneered by this Nation's aeronautic and space programs.

The University of Texas is one of the early participants in the NASA Sustaining University Program and is proud and gratified to be part of such an important activity. The NASA Sustaining Research Program objectives are: 1) to increase future supply of scientists, managers, and other specialists required in aeronautics and space-related sciences and technology, and 2) to improve the university's role and support of the NASA program by encouragement and creative multidiscipline investigations, development of new capabilities, and consolidation of space-oriented activities. In our estimation, we are beginning to successfully attain these objectives in our part of the larger NASA program.

The broad NASA program, with its long-range objectives, is really just beginning. We at the university began our participation in 1963 and are just starting to see the definite results of the effectiveness of the program to our university, to NASA, and to the Nation's aerospace programs at large. NASA's support of such a program is vital in continuing the stimulation and impact already made on our faculty and graduate students and, in turn, the impact that they have made and will continue to make on the National Aeronautical and Space Programs.

We are already seeing some of the side benefits of the specialized space program-oriented training as being applicable to many complex programs for the benefit of mankind. As an example, the solution of social problems by the utilization of the space-pioneered systems approach for the planning of future advanced communities and the benefits of space systems methodology and technology in our medical and health programs.

The greater part of the NASA support in the Sustaining Research Program to the university has come in the form of traineeships given to scientific and engineering doctoral students. Table 1 summarizes the 1963–1967 breakdown of NASA trainees to The University of Texas.

NASA trainees

	1963	1964	1965	1966	1967	Total
Astronomy	1	2	1	1	2	7
Botany					1	1
Chemistry	2	3	2	3		10
Mathematics			1		1	2
Physics		4	3	3	1	11
Zoology	1		1	2		4
Aerospace engineering	1		1	3		5
Chemical engineering	1	1		1		3
Civil engineering	1					1
Electrical engineering	2	2	2	1		7
Engineering mechanics			3			3
Mechanical engineering	1		1	1	1	4
Computer sciences					3	3
Total	10	12	15	15	9	61

This program has operated on the basis of providing financial support for each trainee and dependency allowances and other direct support if required. In the early stages of the program our trainees had individually designed space-science programs, related interest, and participation in general development programs. As the number of NASA traineeships increased, so did interdepartmental interest. In other words, the NASA program has helped to generate interdisciplinary space-science and engineering interest across several fields. As a consequence, there is now a growing need for special equipment, for some particular facets of program development—such as the importation of lecturers and the holding of symposia, seminars, et cetera—and pressingly, in certain areas, an urgent requirement for curricula reorientation with emphasis on the space-sciences, engineering, management, and administration aspects.

The support of the program for 1967 has been reduced to only nine pre-doctoral students, and this will severely limit any attempts to bring in other related areas besides the sciences and engineering fields, such as the social, behavioral, economic, administrative, and management areas which have not yet been supported by the traineeship program.

The total number of masters and doctoral degrees is increasing at the university. As an example, in 1962 we had 474 masters, growing to 521 in 1964. The total number of doctoral degrees in 1962 was 215, growing to 244 in 1964. The College of Business Administration has begun a series of interdisciplinary projects in conjunction with the other colleges at the university, notably Engineering and Medicine. One of the primary areas of interest is the transference of aerospace technology to other programs for the benefit of mankind. The College of Business has 3400 undergraduate students. There are more than 210 students enrolled in the master's program in the Graduate School of Business, and more than 100 are enrolled in the Ph. D. program. The University of Texas at Austin grants more doctorates in Business Administration than any other university in the country.

Interdiscipline research is increasingly needed to provide the nation with the necessary skilled leaders to manage our country's programs. The space program has done much to point in the right direction and to afford models and techniques of accomplishing these goals. The University of Texas is cooperating with the Manned Spacecraft Center in Houston in their University Management Programs, and for the coming year three of our graduate management students have been chosen for the internship program. The Management Intern Program involves the selection of outstanding students in business and public administration. The selected students will receive rotating work assignments at the Manned Spacecraft Center.

The University of Texas is also participating in the NASA Sustaining University Program through research grants to conduct research in space and aeronautical sciences and technology. In general, the objectives of these grants are to provide research opportunities which will encourage the development of new research talents and interests responsive to project or discipline challenges likely to be encountered in the exploration of space, to augment and fill gaps in existing work, and to consolidate related research activities.

The university is performing several research tasks for NASA. As an example, our Aerospace Engineering Department is studying the "Theory and Analysis of Low Thrust Guidance Problems in Deterministic Linear Control," which will aid NASA in its space simulation and the design of models for guidance and control.

Other basic research includes the study of "Propagation and Dispersion of Hydromagnetic and Ion Cyclotron Waves in Plasmas Immersed in Magnetic Fields." Civil Engineering is performing investigations of paragraphs, you will conclude with me that it is of very great importance to retain the NASA university sustaining program at the higher funding level. I am sending copies of this letter to Bob Casey and George Bush, and hope that they will assist you in your presentation of this matter.

With every good wish, I am,

Yours very sincerely,

K. S. Pitzer,
President.

Southern Methodist University,
Dallas, Tex., June 19, 1697.

Hon. Bob Eckhardt,
House of Representatives,
Washington, D.C.

Dear Congressman Eckhardt: On behalf of President Tate who is out of the city, I am happy to respond to your letter of June 14, 1967, with respect to the sustaining university program under the sponsorship of the National Aeronautics and Space Administration in which Southern Methodist University participates.

NASA TRAINEESHIPS

Of the various fellowships and traineeships sponsored by the Federal Government, the NASA traineeships provide the greatest supplementary support for graduate programs. In addition to providing substantial stipends to the trainees themselves the NASA awards bring to the sponsoring university additional funds for expanding the departmental faculties by the appointment of adjunct professors and visiting lecturers, for the purchase of specialized items of research equipment needed by the trainees, and for improvement of the graduate courses offered to the trainees.

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We would urge the continuation of this kind of research support, combining as it does the creative aspects of academic research, yet retaining a significant measure of mission-orientation and directed research effort.

Sincerely yours,

R. Richard Rubottom, Jr.,
Vice President, Administration.

Texas Christian University,
Fort Worth, Tex., June 16, 1967.

Hon. Bob Eckhardt,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Eckhardt: Chancellor Moudy has referred your letter of 6/14/1967 to my office for reply. We appreciate your interest in higher education and welcome the opportunity to comment on the NASA sustaining program.

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I apologize for the length of this letter, but not for my serious concern. I hope these remarks will help you in your efforts.

Sincerely,

E. Leigh Secrest,
Graduate Dean.

Texas Technological College,
Lubbock, Tex., June 16, 1967.

Hon. Bob Eckhardt,
Congress of the United States,
House of Representatives,
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Dear Mr. Eckhardt: Dr. W. M. Pearce, Executive Vice President of Texas Technological College, has forwarded your letter of June 14 concerning the NASA sustaining university program on this campus to me for answering.

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Sincerely yours,

Roger L. Brooks,
Associate Dean, the Graduate School.

NASA TRAINEESHIPS AT TEXAS TECHNOLOGICAL COLLEGE

Program began in the Fall of 1963 with six traineeships; continued in 1964 with six Traineeships; continued in 1965 with eight Traineeships; continued in 1966 with eight Traineeships; continued in 1967 with four Traineeships.

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Houston, Tex.

Congressman Bob Eckhardt,
Committee of Science and Astronautics,
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Washington, D.C.:

The University of Houston greatly appreciate multi-disciplinary space related research grants. They contribute to education of some 30 graduate students and advance basic research in physics, chemistry, mathematics, and chemical engineering. These grants are valued highly by students and faculty of this university.

Respectfully,

PHILIP G. HOFFMAN,
President, University of Houston.

THE UNIVERSITY OF TEXAS,
Austin, Tex., June 20, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ECKHARDT: In response to your request for information concerning The University of Texas' participation in an effective operation of NASA's Sustaining University Program, a summary is attached.

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We began our participation in the pre-doctoral research training program in 1963 with 10 trainees; in 1964 we had 12 trainees; in 1965, 15; and in 1966, 15. We have, however, only received 9 traineeships for 1967. To date the NASA-sponsored trainees have been in the sciences (physics, astronomy, chemistry, mathematics, and sociology) and engineering subjects (aerospace, chemical, electrical, and mechanical). For the coming year we will add 3 trainees in computer science and a botanist. There is a need for a larger number of trainees in the sciences and engineering fields. In addition, we would like to recommend other related fields such as sociology, behavioral sciences, economics, administration, and management.

The College of Business Administration of The University of Texas at Austin has been awarded three NASA Management internships at the Manned Spacecraft Center in Houston to begin a full year of work at the NASA Center this fall. We feel that this type of activity should also be expanded.

The opportunities for cooperative training and research between The University of Texas and the Federal Government made possible by the NASA Sustaining Research Program are invaluable in the training of future scientific and technological leaders.

Sincerely yours,

HARRY RANSOM,
Chancellor.

NASA SUSTAINING RESEARCH PROGRAM AT THE UNIVERSITY OF TEXAS AT AUSTIN

Traditionally the universities have been the source of both new knowledge and highly trained scientific and technological manpower. We at The University of Texas feel that this will continue. In addition, we are attempting to add another dimension by providing the needed interdisciplinary specialists, managers, and administrators of our future technical and intellectual resources. These needs resulted from the impetus our national space programs have given science and technology. We are firmly convinced that one of the space program's prime benefits has been and will continue to be the providing of highly trained scientists, engineers, and management specialists that are able to work effectively as a team on large complex programs which incorporate many disciplines.

To accomplish our university's objectives of training the needed specialists for the last third of the twentieth century, we are employing many of the new methods and techniques pioneered by this Nation's aeronautic and space programs.

The University of Texas is one of the early participants in the NASA Sustaining University Program and is proud and gratified to be part of such an important activity. The NASA Sustaining Research Program objectives are: 1) to increase future supply of scientists, managers, and other specialists required in aeronautics and space-related sciences and technology, and 2) to improve the university's role and support of the NASA program by encouragement and creative multidiscipline investigations, development of new capabilities, and consolidation of space-oriented activities. In our estimation, we are beginning to successfully attain these objectives in our part of the larger NASA program.

The broad NASA program, with its long-range objectives, is really just beginning. We at the university began our participation in 1963 and are just starting to see the definite results of the effectiveness of the program to our university, to NASA, and to the Nation's aerospace programs at large. NASA's support of such a program is vital in continuing the stimulation and impact already made on our faculty and graduate students and, in turn, the impact that they have made and will continue to make on the National Aeronautical and Space Programs.

We are already seeing some of the side benefits of the specialized space program-oriented training as being applicable to many complex programs for the benefit of mankind. As an example, the solution of social problems by the utilization of the space-pioneered systems approach for the planning of future advanced communities and the benefits of space systems methodology and technology in our medical and health programs.

The greater part of the NASA support in the Sustaining Research Program to the university has come in the form of traineeships given to scientific and engineering doctoral students. Table 1 summarizes the 1963–1967 breakdown of NASA trainees to The University of Texas.

NASA trainees

	1963	1964	1965	1966	1967	Total
Astronomy	1	2	1	1	2	7
Botany					1	1
Chemistry	2	3	2	3		10
Mathematics			1		1	2
Physics		4	3	3	1	11
Zoology	1		1	2		4
Aerospace engineering	1		1	3		5
Chemical engineering	1	1		1		3
Civil engineering	1					1
Electrical engineering	2	2	2	1		7
Engineering mechanics			3			3
Mechanical engineering	1		1	1	1	4
Computer sciences					3	3
Total	10	12	15	15	9	61

This program has operated on the basis of providing financial support for each trainee and dependency allowances and other direct support if required. In the early stages of the program our trainees had individually designed space-science programs, related interest, and participation in general development programs. As the number of NASA traineeships increased, so did interdepartmental interest. In other words, the NASA program has helped to generate interdisciplinary space-science and engineering interest across several fields. As a consequence, there is now a growing need for special equipment, for some particular facets of program development—such as the importation of lecturers and the holding of symposia, seminars, et cetera—and pressingly, in certain areas, an urgent requirement for curricula reorientation with emphasis on the space-sciences, engineering, management, and administration aspects.

The support of the program for 1967 has been reduced to only nine pre-doctoral students, and this will severely limit any attempts to bring in other related areas besides the sciences and engineering fields, such as the social, behavioral, economic, administrative, and management areas which have not yet been supported by the traineeship program.

The total number of masters and doctoral degrees is increasing at the university. As an example, in 1962 we had 474 masters, growing to 521 in 1964. The total number of doctoral degrees in 1962 was 215, growing to 244 in 1964. The College of Business Administration has begun a series of interdisciplinary projects in conjunction with the other colleges at the university, notably Engineering and Medicine. One of the primary areas of interest is the transference of aerospace technology to other programs for the benefit of mankind. The College of Business has 3400 undergraduate students. There are more than 210 students enrolled in the master's program in the Graduate School of Business, and more than 100 are enrolled in the Ph. D. program. The University of Texas at Austin grants more doctorates in Business Administration than any other university in the country.

Interdiscipline research is increasingly needed to provide the nation with the necessary skilled leaders to manage our country's programs. The space program has done much to point in the right direction and to afford models and techniques of accomplishing these goals. The University of Texas is cooperating with the Manned Spacecraft Center in Houston in their University Management Programs, and for the coming year three of our graduate management students have been chosen for the internship program. The Management Intern Program involves the selection of outstanding students in business and public administration. The selected students will receive rotating work assignments at the Manned Spacecraft Center.

The University of Texas is also participating in the NASA Sustaining University Program through research grants to conduct research in space and aeronautical sciences and technology. In general, the objectives of these grants are to provide research opportunities which will encourage the development of new research talents and interests responsive to project or discipline challenges likely to be encountered in the exploration of space, to augment and fill gaps in existing work, and to consolidate related research activities.

The university is performing several research tasks for NASA. As an example, our Aerospace Engineering Department is studying the "Theory and Analysis of Low Thrust Guidance Problems in Deterministic Linear Control," which will aid NASA in its space simulation and the design of models for guidance and control.

Other basic research includes the study of "Propagation and Dispersion of Hydromagnetic and Ion Cyclotron Waves in Plasmas Immersed in Magnetic Fields." Civil Engineering is performing investigations of

"Soil Modeling Problems Related to Impact Studies," which will help NASA in their spacecraft design and heat shield designs.

The Department of Electrical Engineering feels it has been very fortunate to have NASA support through research grants for solar system radio astronomy and for traineeships. The radio astronomy project has provided the university with a millimeter refractor and receiver which pioneered in the development of equipment for this frequency range. This has provided a return to NASA because when the time came for making studies of satellite communication to the earth, the university had the necessary equipment and experience to undertake this program immediately. We are currently calibrating for NASA the equipment which will be used on the initial tests for this new communication system. The support provided by NASA has permitted Aerospace, Electrical Engineering, and other departments to train men in the space-sciences and engineering fields (e.g., aeronautics, astronautics, space communications, and astronomy), and a number of our graduates are currently working in space-oriented programs. The traineeships through the Graduate School have been particularly beneficial because they permit the Ph. D. candidates to accelerate their course program before undertaking the dissertation research. Such NASA support speeds up the training of men to fill the extremely short supply of space-oriented engineers.

It is doubtful that most of the candidates would have been able to continue their advanced graduate work without NASA traineeship support. Our Department of Engineering Mechanics is of the opinion that in their experience the fact that 50 per cent of the students of any advanced degrees via NASA traineeship will be going into the teaching profession is reason enough to show the utility of this type of support.

We feel that the NASA research, fellowship, and traineeship programs have been of great value to the expansion and maintenance of standards of space-sciences and engineering at the University of Texas at Austin. This, in turn, has created interdisciplinary interest and support for space programs in important fields like management and administration.

The following is from an institution in the State of Utah:

BRIGHAM YOUNG UNIVERSITY,
Provo, Utah, June 19, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE ECKHARDT: I have your letter of June 14th asking me for information to support your committee's report concerning the addition of 10 million dollars for the sustaining university program.

I regret that in good conscience I cannot do this. Over the years I have criticized the Congress of the United States for its profligate spending and for continually increasing the public debt at a time of prosperity when we ought to have been paying it off. I cannot now change my tune just because an appropriation happens to be in behalf of universities.

I think this is the time for the return of financial integrity to government.

Sincerely,

ERNEST L. WILKINSON.

The following is from an institution in the State of Vermont:

BURLINGTON, VT.,
June 19, 1967.

Congressman BOB ECKHARDT,
House of Representatives,
Washington, D.C.:

I understand that you are the author of an amendment to NASA's fiscal year 1968 authorization adding $10 million for the sustaining university program. I further understand that this additional authorization will be acted upon by the House of Representatives later this week. I would like to take this opportunity to indicate the University of Vermont's support of the sustaining university program. Over the past 2 years, Vermont has had NASA sustaining university grant which has had far-reaching effects on research and graduate training activities. The space science program has enhanced the atmosphere of enthusiasm for scientific inquiry and scholarly work. It has proved an outstanding example of how a university such as ours can more fully utilize its manpower resources by providing a focal point for research and graduate training. Drawing on the talents which exist in several disciplines in view of the successful contribution made to the study of science at the University of Vermont by the NASA sustaining grant program, I strongly urge that the $10 million additional authorization be approved by the House of Representatives.

LYMAN S. ROWELL,
President,
University of Vermont.

The following is from an institution in the State of Virginia:

CHARLOTTESVILLE, VA.,
June 20, 1967.

Hon. BOB ECKHARDT,
House of Representatives,
Washington, D.C.

National Aeronautics and Space Administration university program vital to University of Virginia programs in medicine, engineering, and sciences. Grants of slightly over $600,000 in fiscal year 1966 supported training programs and research in astronomy, material science, physics, applied mathematics, biology, neurology, and pathology. Multidisciplinary training grants continuing in present year. Will seek support of your amendment by Virginia congressmen.

EDGAR F. SHANNON, Jr.,
President,
University of Virginia.

The following are from institutions in the State of Washington:

SEATTLE, WASH.,
June 21, 1967.

Hon. BOB ECKHARDT,
House Office Building,
Washington, D.C.

The University of Washington is operating a multidisciplinary ceramic materials research program initially financed in part under the NASA sustaining university program. Strongly support continuation of at least the present level on funding for the NASA program.

CHARLES E. ODEGAARD,
President,
University of Washington.

The following is from an institution in the State of West Virginia.

WEST VIRGINIA UNIVERSITY,
Morgantown, W. Va., June 20, 1967.

Mr. BOB ECKHARDT,
Congress of the United States,
Washington, D.C.

DEAR MR. ECKHARDT: I'm taking this opportunity to report on the excellent results which have been obtained at West Virginia University's College of Engineering thru NASA's sponsorship of oriented research. This research is made possible by the NASA sustaining university program at West Virginia University. The funding of small scale research initiation projects has led to the development of our college as an additional technological research arm available to serve National Aerospace goals. Specifically; The funding of a bio-mechanics program has led to the $140,000 per year head injury study sponsored by the National Institute of Health and the National Institute for Neurological Diseases and Blindness. This study will provide basic data on the mechanism of head injury which will enable the design of an appropriate restraint system in all types of vehicle environments. The Mechanical Engineering Department is now actively involved in spacecraft temperature control research in cooperation with the Goddard Space Flight Center. The Aerospace Engineering Department has received subsequent funding from the National Science Foundation to support their activity in hypersonic flow phenomena.

In addition to the involvement of our professorial staff in research projects of national importance, the sustaining program has also acted as a base for the education of advanced technological personnel who invariably obtain employment in fields of high technology aerospace. The College of Engineering believes that the sustaining program is a major factor in the development of this University as a resource of high technology, research and advanced personnel who are vital to our Nation's progress and security.

Sincerely yours,

C. A. ARENTS, P. E.,
Dean.

The following are from institutions in the State of Wyoming:

THE UNIVERSITY OF WYOMING,
Laramie, Wyo., June 19, 1967.

Representative ROBERT ECKHARDT,
Subcommittee on Space Science, and Applications, Washington, D.C.

DEAR REPRESENTATIVE ECKHARDT: Enclosed is a statement on the value and need of NASA support for universities and, in particular, such small "emerging universities" as the University of Wyoming.

The University of Wyoming is presently applying for a SUP Grant and has NASA Trainees on the campus. The ability of the University to train space scientists critically depends on the increased availability of NASA funds to the University. Such funds have a beneficial effect on the University as a whole as well as on the particular projects or students directly financed.

Sincerely,

DEREK J. PROWSE,
Head, Department of Physics.

THE NEED FOR INCREASED SUPPORT FOR NASA UNIVERSITY PROGRAMS

The University of Wyoming is an "emerging university" trying very hard to initiate and support research programs for the benefit of the State and the Nation. It is the only university in the State and for this reason, any basic research in space science and any training of space scientists in Wyoming must be done at the University of Wyoming. The University has applied for a grant in the Sustaining University Program and hopes to be successful in getting NASA support for the initiation of new space research projects for the expansion of on-going projects and, most important, for the training of space scientists.

I personally have experience of two NASA SUP grants. One at the University of California at Los Angeles, directed by Dr. Willard Libby, supported me initially in a space science research project which has since grown into a major project of great importance in Cosmic Ray Physics. The training of space scientists at UCLA was aided immeasurably by the SUP grant; UCLA has turned out many excellent Physicists, geophysicists, chemists, and geologists to supply the ever increasing need of our national space program. It is all too easy to neglect the need for training competent space scientists in an all out effort to design and produce hardware for space vehicles; neglect to train sufficient competent personnel will, however, eventually abort the whole space mission.

My second experience of an SUP program has been that at the State University of

Montana at Bozeman directed by Dr. Irving Dayton. This particular grant was responsible for the initiation of numerous research projects of vital interest to the space program at a school where NONE previously existed. Some of these projects now thrive on their own with their own funding. They were initiated, however, through the SUP grant. Montana State is now on its way to National recognition as a major university and the NASA SUP grant can take a major share of the credit for this.

The University of Wyoming is in a rather intermediate position in that it is much smaller and less distinguished than UCLA, but it does have some on-going research programs in space which Montana State did not have before the award of the SUP grant. We feel that a grant to the University of Wyoming would, *in addition* to helping in space research, also help the University reach national recognition.

In addition to the SUP program mention should be made of the NASA traineeship program which supports graduate students during their study for their advanced degrees. The University of Wyoming has noticed with great dismay that NASA has been decreasing its support of this program. The University received four such traineeships regularly for several years; this was cut to two this last year due to an overall cut in the NASA appropriation for this purpose. Compared to the NASA overall budget, this program costs a negligible amount but its impact is not negligible as it provides the main source of supply of future space scientists. The University of Wyoming could easily train some twenty space scientists per year and, thus, could work to overcome the crucial shortage of such personnel. These students, however, require support and it is not unreasonable to ask that NASA invest some $5000 a year in producing these scientists. Failure to adequately support space science per se, as opposed to other branches, will produce shortages where they are most serious.

As chairman of the University of Wyoming SUP Committee and as Chairman of the Physics Department at the University, I strongly urge that increased funds be made available to NASA and, then, by NASA to the support of University programs.

DEREK J. PROWSE.

Mr. MILLER of California. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $4,992,182,000, as follows:

(a) For "Research and development," for the following programs:

(1) Apollo, $2,521,500,000;

(2) Apollo applications, $444,700,000;

(3) Advanced missions, $6,200,000;

(4) Physics and astronomy, $131,631,000;

(5) Lunar and planetary exploration, $142,000,000;

(6) Voyager, $71,500,000;

(7) Bioscience, $41,800,000;

(8) Space applications, $94,500,000;

(9) Launch vehicle procurement, $150,700,000;

(10) Space vehicle systems, $36,000,000;

(11) Electronics systems, $39,200,000;

(12) Human factor systems, $21,000,000;

(13) Basic research, $21,465,000;

(14) Space power and electric propulsion systems, $44,000,000;

(15) Nuclear rockets, $70,000,000;

(16) Chemical propulsion, $49,000,000 of which $12,000,000 is to be used only for the large solid motor project;

(17) Aeronautics, $66,800,000;

(18) Tracking and data acquisition, $290,000,000;

(19) Sustaining university program, $30,000,000;

(20) Technology utilization, $5,000,000.

(b) For "Construction of facilities" including land acquisitions, as follows:

(1) Ames Research Center, Moffett Field, California, $5,365,000;

Mr. MILLER of California (during reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the RECORD, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. GROSS. Mr. Chairman, reserving the right to object, it seems to me that we might proceed for a little while and that the gentleman from California might renew his request a little later. Therefore, Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. WAGGONNER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-two Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 152]

Abbitt
Ashbrook
Ashley
Berry
Blanton
Bolling
Brock
Brown, Calif.
Burton, Utah
Button
Carey
Celler
Cleveland
Conable
Conyers
Dawson
Dent
Diggs
Dingell
Dow
Edmondson
Everett
Evins, Tenn.
Fino
Ford, William D.
Gibbons
Hawkins
Herlong
Holifield
Holland
Ichord
Kee
Kluczynski
Kuykendall
McFall
Mathias, Calif.
Meskill
Mize
Moore
Nichols
O'Hara, Mich.
Ottinger
Pool
Resnick
Roberts
Rooney, N.Y.
Roush
St. Onge
Sikes
Sisk
Thompson, N.J.
Williams, Miss.
Willis
Wright
Wyman

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FLYNT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 10340, and finding itself without a quorum, he had directed the roll to be called, when 375 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Clerk will continue to read.

The Clerk read as follows:

(2) Goddard Space Flight Center, Greenbelt, Maryland, $565,000;

(3) Jet Propulsion Laboratory, Pasadena, California, $3,125,000;

(4) John F. Kennedy Space Center, NASA Kennedy Space Center, Florida, $24,885,000;

(5) Lewis Research Center, Cleveland and Sandusky, Ohio, $2,115,000;

(6) Manned Spacecraft Center, Houston, Texas, $2,425,000;

(7) George C. Marshall Space Flight Center, Huntsville, Alabama, $870,000;

(8) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, $2,010,000;

(9) Nuclear Rocket Development Station, Nevada, $16,500,000;

(10) Wallops Station, Wallops Island, Virginia, $740,000;

(11) Various locations, $2,880,000;

(12) Facility planning and design not otherwise provided for, $5,500,000.

(c) For "Administrative operations," $648,206,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

Mr. MILLER of California (during reading of the bill). Mr. Chairman, I ask unanimous consent that the first section of the bill be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDMENT OFFERED BY MR. FULTON OF PENNSYLVANIA

Mr. FULTON of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FULTON of Pennsylvania:

On page 1, line 5, strike the amount

"$4,992,182,000" and insert in lieu thereof the amount "$4,742,182,000".

On page 2, line 1, strike "(2) Apollo applications, $444,700,000;" and insert in lieu thereof, "(2) Apollo applications, "$194,700,000;"

Mr. FULTON of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Chairman, I am proposing here a cut of $250 million in the Apollo applications program. The total sum requested by NASA for this program was $454,700,000. In the committee we cut that proposal by $10,000,000. I think it should be cut further—by another $250 million to give us a program of $194,700,000.

I have several reasons for proposing this cut. First, the state of our Nation's economy with current inflation, the war in Vietnam and its costs, and the technical personnel requirements for our supporting defense industries.

Second. The Apollo applications program is ordering hardware. It provides funds for the purchase of Saturn IB's and Saturn V's beyond what is programed for the Apollo lunar landing program itself. If the Apollo program is successful, we should have surplus boosters of both types from it. In fact, NASA's own witnesses have testified before our committee during two separate fiscal year authorization hearings that they expect anywhere from three to seven Saturn IB's and five to six or more Saturn V's to be left over from the Apollo program. It is my position that these can be used for the flights currently proposed for the Apollo applications program, rather than ordering new hardware beyond Apollo. If the Apollo program itself is a success, we will have surplus boosters. If we order more boosters now, we will have them sitting on the shelf and be faced with the expensive and unreasonable task of finding mission for them. That to me is putting the cart before the horse.

In support of this position further, I cite to you the report of the President's Science Advisory Committee published in February of 1967 which recommends:

> The question of continued production of the Uprated Saturn I launch vehicle is less clear and in the panels' judgment needs further study. The payload capabilities of the Uprated Saturn I are not significantly superior to those of the Titan IIIM while the launch costs of the Uprated Saturn I are about double those of the Titan IIIM. (P.S.A.C. *Report* '67 p. 36.)

Statistically, the Saturn IB—the uprated Saturn booster—can put into a 105-mile circular orbit a total of 40,000 pounds of payload. The Titan IIIM can do the same with about 32,000 pounds of payload. The military is already producing Titan IIIM's and there are further economies of scale which can be realized here. To say that the technical capacity for assembling large boosters will be crippled by a cut in Apollo applications program is to fail to appreciate the tremendous complex the military has put together already for the Titan. To say that the manned space flight program will be ground to a halt by a cut in the AAP authorization is again to ignore the possibilities offered by the Titan IIIM.

With regard to those aspects of the Apollo applications program which call for boosters of the Saturn V capacity, I say they can use those left over from the Apollo program. If there are not any left over from Apollo's initial order of 15, I would say they are unsafe, and that we should get something new.

Over the years before the committee, I have repeatedly championed the development of new high-energy liquid fuels and solid propellants. We on the committee have this year put into the bill some $12 million which NASA did not even ask for, so that NASA can proceed with the development of a solid fuel rocket. These rockets are projected to have a purchase cost less than a third of the Saturn V. Their components can be reused—we will stop shooting expensive engines into outer space with no hope of recovery. If at the time of the Apollo applications projects, that is, 1971–72, we need additional boosters because the Saturn V's have not proved themselves reliable, I think they should be of the solid fuel type.

I have left the sum of $194.7 million in the Apollo applications for the continuation of the research and development activities that NASA proposes for this program. I strongly favor research into the high specific impulse fuels of boron and fluorine and some further consideration of alternative ways in which these experiments and tests can be conducted without the purchase of extra Saturn boosters.

Third, I am proposing a cut in the Apollo applications program along the thinking of the President's Science Advisory Committee report. That report recommends:

> Before substantial funds are committed to the AAP plan to modify Apollo hardware or to utilize the orbital workshops for extended periods, a careful study should be made of the suitability, cost and availability of Titan III/MOL systems for biomedical studies of man for periods up to 60 days. NASA should also investigate whether delivery of these components could be speeded without interference with the MOL program if additional funds were contributed to MOL in the formative years of the program. (P.S.A.C. report 1967 p. 25.)

I believe that the manned orbital laboratory and the orbiting research laboratory should be cooperative programs—currently they are undertaken by separate agencies. The U.S. Air Force is producing the MOL system, and NASA the ORL. Again I refer to the PSAC report:

> The next significant step in biomedical studies will involve extended duration flights of 100 days or more, and will require major redesign of MOL components, or major new developments based on Apollo hardware. The determination of the most effective and economical approach acquires a detailed study in which MOL components are explicitly considered as a possible alternative. NASA should initiate such a study as soon as possible. (PSAC Report p. 28.)

I do not believe that this type of cost-benefit reasoning has been applied to the currently proposed Apollo applications program. When I asked NASA specifically to consider such a cost-benefit or alternative systems approach, the reply I received was twofold:

> The data that we have accumulated to date in the two NASA programs does not lend itself to an analysis by this (cost-analysis) approach. In achieving an R & D objective, it is not feasible to evaluate alternative approaches on a cost effectiveness basis because there are no standards or experience to judge by.

This to me indicates that NASA can profit by the recommendations of the President's Science Advisory Committee which has offered several excellent suggestions as to where the rigorous thinking and analysis demanded by a cost-effectiveness approach to programs can be applied. The lack of specific information on the Apollo applications missions is indicative of this other way of handling the funding. To ask the Congress to make intelligent decisions about the Apollo applications program on the current information level is to ask a scientist to describe an elephant when you only show him its trunk. Where we need the funds now is in the research and in the development; my amendment leaves such funds in the bill. I strongly recommend that the remainder be cut.

Mr. MILLER of California. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from California.

The question was taken; and on a division (demanded by Mr. HOSMER) there were—ayes 133, noes 61.

So the motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FLYNT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10340) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks in the RECORD in connection with the bill which has just been under consideration, and to include extraneous material.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader, the gentleman from Oklahoma, the program for the remainder of this week, and the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished gentleman from Michigan, the minority leader, we have finished the legislative business that we intend to call up for this week, and will put over the bill we have been considering until next week, and I will announce the date later.

The business for next week is as follows:

Monday is District day—seven bills:

H.R. 10783—Omnibus anticrime bill for the District of Columbia; H.R. 10964—medical assistance for the District of Columbia under title XIX of Social Security Amendments of 1965; H.R. 8582—to increase the number of associate judges on the District of Columbia court of appeals; H.R. 7831—motor vehicle insurance amendments; H.R. 5799—to amend District of Columbia Uniform Gifts to Minors Act; S. 763—to add spouse of owner to motor vehicle registration; and S. 1226—transfer to District of Columbia court of general sessions right to waive premarital blood tests.

Also House Joint Resolution 652, continuing appropriations for the fiscal year 1968.

H.R. 10943, to amend and extend title V of the Higher Education Act of 1965, under an open rule with 3 hours of debate, and waiving points of order.

Mr. GERALD R. FORD. Mr. Speaker, would the gentleman from Oklahoma yield to me at that point?

Mr. ALBERT. I will be glad to yield.

Mr. GERALD R. FORD. Is my understanding correct that on this particular bill, H.R. 10943, the agreement is we will only complete general debate on that day?

Mr. ALBERT. The gentleman is correct. In any event, even if part of the general debate is left, if it should run so late, that would be the first order of business the next day. If we should finish that up, we will go on as the program has been prepared.

May I say to the gentleman and to the House, Mr. Speaker, that it is evident from the business that we have listed that we do have important bills for Monday, Tuesday, and Wednesday, and the Members should govern themselves accordingly. We hope to finish all the bills on this program not later than early Thursday, but we do hope to finish all the bills that are on the program by the close of business on Thursday.

Tuesday—H.R. 10340, the National Aeronautics and Space Administration authorization, 1968—continuing consideration.

H.R. 2082—authorize travel, transportation, and education allowance for members of Armed Forces for dependents' schooling; open rule, 1 hour of debate.

House Resolution 514—creating Select Committee on Parking.

For Wednesday and balance of week—

H.R. 10918—Atomic Energy Commission authorization, 1968; open rule, 2 hours of debate.

Conference reports may be brought up at any time and any further program will be announced later. Of course, Members are advised that conferees have been appointed on the railroad strike matter and if that matter should be determined by the conferees, it would have priority.

ADJOURNMENT TO MONDAY, JUNE 26, 1967

Mr. ALBERT. Mr. Speaker, if the gentleman will yield further, we do not plan to call up any additional legislation this week and in view of that, Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, earlier this week, as I recollect our colloquy, it was pointed out the recess would start at the conclusion of business on Thursday, June 29.

Mr. ALBERT. The gentleman is correct.

Mr. GERALD R. FORD. I got the impression also that we could expect consideration of some legislation on Thursday. I thought I heard the gentleman say a few minutes ago that it was hoped to finish this schedule on Wednesday, which would mean to me that there would not be any legislative business on Thursday.

Mr. ALBERT. We might have some business on Thursday. We may not be able to finish all of these bills that are on the schedule for Tuesday and Wednesday on time. We want to reserve Thursday but, of course, we will try to conduct matters for the convenience of Members. We do want to advise Members that the recess does not start until the close of business on Thursday and that we will probably have business on Thursday.

We may have conference reports and they will be in order to be considered on Thursday.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. GROSS. May I ask the distinguished majority leader whether it is proposed to adopt a recess resolution or will there be token sessions during the recess?

Mr. ALBERT. We expect to do that by resolution providing recess from the close of business Thursday, June 29, and for the House to meet on Monday, July 10.

Mr. GROSS. I thank the gentleman.

BREAKDOWN OF OUR GOVERNMENT AND ITS CAUSES

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, a few days ago the news headlines were "Guard Called Out in Cincinnati, Racial Strife Boils Coast to Coast, Los Angeles, Tampa, Montgomery," "Civil Rights Leaders Encouraging Riots, FBI Chief Charges," and the Washington Daily News, a local newspaper, one of a national chain, describing the Supreme Court had this to say in an editorial:

> It often has been said the law is "what the Supreme Court says it is." With the present Court, the assertion has been more than a quip. These Justices have written into the Constitution and into the law meanings previous Justices had said were not there. They have broadened the Constitution to say things precise reading does not disclose. They have written a whole new book of law.
>
> They have denied to Congress powers it long was assured it possessed, and which had seemed clear in the Constitution. They have upset state laws, state courts and even state constitutions.
>
> The present Court has broken all the apparent restraints in the Constitution, reaching out boldly with revolutionary doctrine. Some of these decisions, as the Court's own dissenters have been the first to mark, have seemed downright whimsical.
>
> Just lately, by a 5-to-4 vote, the Court erased a 1958 decision and knocked out a 1940 law in which Congress had set out the offenses by which an American might lose his citizenship. The present Court denied Congress any power at all to deprive a man of citizenship, no matter what his offense.
>
> In a whole series of decisions, "justice" has been held clearly to favor the accused, regardless of the crime, regardless of evidence of guilt.
>
> The Court laid down strict rules about confessions, but turned around and decided its own rules didn't apply to previous cases.
>
> This had the practical effect of averting a general jail delivery, but consistency would have required the court to release hundreds of convicts.
>
> In applying its "one-man-one-vote" decree, the court virtually ousted legislatures in many states, even overrode constitutions recently approved by state voters. Yet in the litigation over Georgia's governorship, the Court held there was nothing in the Federal Constitution "which dictates the method a state must use to select its governor."
>
> Many of the states patterned their legislatures after Congress, where each state is entitled to two Senators and at least one House member regardless of population. But in batting down the state systems the Court simply said Congress was different.
>
> This Court has been not merely interpreting and clarifying law—it has been writing it.
>
> The first to say so have been the dissenting opinions of the divided Court. Just this week Justice Black, dissenting from the ruling

> wiping out New York's wiretap law, accused the majority of usurping the policy-making power of Congress, and writing into the Constitution "words the Court believes the framers should have used but did not." Last week Justice Harlan flatly accused the majority of "amending the Constitution."
>
> "Nothing in the letter or spirit of the Constitution," he said in an earlier dissent, "squares with the heavy-handed, one-sided action" taken by the majority.

Mr. Speaker, on yesterday there appeared in another local newspaper the following notice:

> BANK PLAGUED BY BANDITS THROWS UP HANDS, WILL CLOSE
>
> The holdup-plagued Southern Maryland Bank & Trust Co. branch at 829 Southern Ave., Oxon Hill, has decided it has had enough.
>
> The bank will officially close the branch Friday at 8 p.m. and accounts will be shifted to the bank's main office at 3731 Branch Ave., Hillcrest Heights.
>
> Announcement of the closing is made on large signs posted in the bank's windows. The signs list "conditions beyond our control" as the reasons for closing the branch.
>
> These "conditions," police said, are the five holdups at the branch in the last 18 months. The bank, near the District line at South Capitol Street, was robbed twice in December 1965, in October and December of 1966 and again January 31.
>
> Bank officials have scheduled a press conference tomorrow to announce further details of the closing.

Today's newspaper carries the headline: "Atlanta Boils, Stokely Dances." Then follows the story of Stokely Carmichael's speech which clearly incited the most recent riot in Atlanta, resulting in the death of at least one person.

In the same newspaper appears the President's plea for "Congress to Act on His Anticrime Measures—Teacher Corps, War on Poverty, Juvenile Delinquency Prevention, and the Safe Streets and Crime Control Bills."

Mr. Speaker, whatever the merits or demerits of the social, Great Society, or Federal monetary aid to local police forces programs advocated by the President, the present wave of lawlessness will get worse until we make punishment certain.

Present conditions are directly attributable to the Supreme Court and other Federal courts bound by it and to the Department of Justice and other executive departments who not only have condoned the taking of the law into one's own hands if it happens to be a cause in which the law-enacting judges believe, but actually in many instances have promoted such a course.

Mr. Speaker, I have pointed those facts out, citing chapter and verse year after year and do so again here today.

Like many of you I am a lawyer, I served as district attorney before becoming a Member of this body. Many of you served in that capacity and others were judges. All with that background of experience, I feel, will agree with me.

No one questions the value of the home and proper environment and training—but, historically, laws and law enforcement have been necessary.

Society itself is built around the absolute necessity that the individual must conform to general rules for the welfare of the group or society. You cannot burn your house if it endangers your neighbor's house. You cannot take your neighbor's property; for if that were permitted, why work and save to accumulate capital?

We know the influence for good or bad of television, of newspapers, public figures, and church leaders; but, from my years of experience as district attorney, when all is said and done, respect for and obedience to law is dependent upon certainty of punishment, which, of course, calls for detection, arrest, and conviction. While we can take actions to help with the first two, we will never restore law and order until we restore certainty of punishment, for as we see all around us, punishment of the individual today is not only uncertain but highly unlikely.

I quote from my closing argument when we passed the Antiriot Amendment in the House last year—CONGRESSIONAL RECORD, volume 112, part 15, page 19966—which I hope will be before us again soon:

> We see on every hand the court's getting away from the rule on which orderly government was built, a general rule to the effect that if the record clearly showed the guilt of the defendant beyond a reasonable doubt, he or she would not be released on the public on some technicality and particularly a technicality raised by the appellate or Supreme Court itself.
>
> It is said that Nero fiddled while Rome burned. It strikes me that is about what we are doing here.
>
> At a time when our country is becoming the victim of the criminal, when our wives and daughters and we ourselves are afraid to walk our streets, we find the Congress spending these hours and days trying to protect the rights of irresponsible persons to sit on a jury.
>
> We need to do something about crime and criminals. We need to make punishment more certain. We need to put the rights of an orderly and law abiding society ahead of the whims of the Supreme Court.
>
> It is time to wake up here and quit fiddling. Rome is certainly burning, and if you do not believe it, read today's newspapers.

Mr. Speaker, doubtless the Congress will soon be dealing with the President's so-called anticrime measures. When we do, let us not fool ourselves. These suggested actions will scarcely touch the cure for the present breakdown of our society and the Congress will not effect a correction or change until we go after the Supreme Court and the Department of Justice, which promotes and supports the Court in turning loose criminals upon a defenseless public.

I urge the immediate consideration of several resolutions I reintroduced at the beginning of this session of Congress:

House Joint Resolution 142, to establish a commission to investigate the increase in riots and law violations, including loss of life and property, damage to or threat of damage to or destruction of the economy of States, counties, municipalities, or other political subdivisions, the causes thereof, and to recommend legislation that would grant States, counties, municipalities, or other political subdivisions additional rights to obtain injunctive and other relief to the end that the public welfare be protected;

House Joint Resolution 145, to establish a commission to investigate the increase in law violation, to determine the causes and fix responsibility for the breakdown in law enforcement, with the resulting destruction of life and property, to recommend corrective legislation, and for other purposes; and

House Joint Resolution 144, to establish the Commission for Reestablishing Constitutional Principles.

WRONG EMPHASIS PLACED BY NEWS MEDIA

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. THOMPSON of Georgia. Mr. Speaker, it is one of the tragedies of our age that when a man burns a house he receives national notice, but when a man builds a house his accomplishment often goes unnoticed. Perhaps that is the severest wrong of the time in which we live, for we emphasize what is bad and pay little attention to what is good.

This peculiar, contorted outlook on life became painfully evident yesterday when four fine young Negro teenage boys from Atlanta, Ga., arrived in my office after walking 645 miles, which took 2½ weeks, to demonstrate their love and loyal support for our country and its soldiers in Vietnam. They carried an American flag from my Atlanta office, which they unfurled on the Capitol steps, and which they presented to you, Mr. Speaker. These young devoted Americans are Willie Hunter, Nathaniel Jackson, Douglas Sanders, and Charles Bailey.

When they arrived in my office they were not seeking publicity, but I felt that this was a story which should be told to the entire Nation. We called the three national TV networks and what was their response? One said flatly that they were not interested in this feat. A second said they would call back if they were interested and they never called back. A third said they would see if they could round up a camera crew and we heard nothing further. We called all the national news magazines, but none showed up.

Surely, this feat was something worthy of national notice: four trimly dressed, clean-shaven, well-mannered youngsters who were not protesting against something, but were trying to demonstrate their loyalty to their flag and their country. They wanted to show that the members of their race are first-class citizens and should support the U.S. flag wherever it flies. They are quite a contrast to the unkempt, unwashed, unshaven hippies and beatniks who are always in the news and who present such a terrible image of American young people.

To their everlasting credit, the two national wire services, and the correspondents for our Atlanta papers did interview as did the Evening Star here in Washington.

But the Evening Star's story, which I show here on last night's front page, is all too evident of what is wrong in America today. The exploits of these four fine young men were "kissed off" in a three-column story, with a single-line heading and no pictures. Yet, immediately below it—emblazoned in five columns of pictures and six columns of copy that continued in two columns inside the paper—was a story about a band of shoeless, unkempt, unshaven hippies who walked through the White House yesterday. The story was carried under a six-column headline of considerably larger type than the story about the clean-cut youngsters who are standing behind their country. This morning's Post does not even carry the story, but does have a four-column picture and story of Negro rioters in Atlanta.

Maybe I get too angry at all this. Maybe I do not know what is supposed to make "news," but to me there is something far more appealing, far more wholesome and newsworthy about four young men who emulate what is good in America, than those who are the epitome of the sickness in our society. And I particularly felt their exploit was newsworthy since they came from a city where rebellious members of their race have stolen the headlines with 4 days of rioting and lawlessness that resulted in at least one death and several injuries.

Perhaps it is no wonder that so many young Americans are confused and are rebelling against constituted authority. It would seem to me that we ought to be using every possible opportunity to change this situation; to emphasize what is good in mankind and in our young people; to show the world that there are, after all, many fine young men and women who have learned that there are even yet some worthwhile values in honor, loyalty to your country, responsibility, and respect for authority. But apparently, much of the news media, including our national television networks, do not think so. Unfortunately, it is they who are to a large part forming public opinion in this country of ours.

AID AND AMERICAN INDUSTRY OVERSEAS

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, for many years I have been interested in the activities of American business overseas. I have recently received from Mr. William S. Gaud, the Administrator of AID, an excellent letter and report on AID activities in cooperation with American industry doing business overseas.

Mr. Gaud points out that it is a specific goal of the Agency for International Development program to create an economic climate in countries receiving aid from us which will attract and utilize foreign investment resources. He also points out that in the U.S. AID financed over a billion dollars in exports from all 50 States in fiscal year 1966.

Perhaps the most interesting aspect of AID's statement on private resources is its function as a catalyst to induce an expanded private sector in the economies which it aids.

Under unanimous consent I place in the RECORD Mr. Gaud's letter and the text of his statement entitled "Private Resources for Development," and urge every Member to read this important document:

DEPARTMENT OF STATE, AGENCY FOR
INTERNATIONAL DEVELOPMENT,
Washington, D.C.

HON. SAMUEL N. FRIEDEL,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FRIEDEL: The use of private resources—both foreign and domestic—is central to A.I.D.'s efforts to help countries develop economically and socially. We believe that successful development programs take place when the full energies of private enterprise and private initiative are brought into play.

It is a specific goal of the A.I.D. program to create in aid receiving countries an economic climate which will attract and utilize domestic and foreign investment resources. Only through these sources are the capital and skills available which are needed to develop these nations beyond requiring concessional economic assistance.

In A.I.D. this policy finds realization through program loans, projects, and technical assistance, all of which not only assist importers, contractors, farmers, and others in the private sector of their nations' economy but also help stimulate policy reforms in economic and social areas.

In the United States we have financed over a billion dollars in exports from all fifty states in fiscal year 1966, including $181 million in agricultural and industrial machinery, $133 million in iron and steel products, and $214 million in chemicals and fertilizers. We also have about 1,500 technical service contracts with U.S. universities and other private groups.

The enclosed statement is from the A.I.D. presentation to the Congressional Committees which review our legislation. I send it to you in the hope it will help answer some of the many inquiries we receive from Members of Congress for a definitive statement on A.I.D.'s relationship to the private sector.

Should you need additional copies of the enclosed statement or if I may be of other assistance, please let me know.

Sincerely,

WILLIAM S. GAUD

PRIVATE RESOURCES FOR DEVELOPMENT

Those countries which are developing most rapidly—both in rising per capita incomes and strengthened institutions—are those where government policies, investments of self-generated savings and external assistance have combined to bring the creative forces of private initiative into full play. Taiwan, Israel, Greece and now Pakistan, Peru and Korea—specifics vary widely but a dramatic surge in productive private activity is common to all.

Awareness of this truth—derived from the experience of the past ten years—underlies A. I. D.'s direct assistance—program loans, specific programs and the means used to carry them out. Further, it has also sharpened the Agency's appreciation of its role in encouraging and assisting the widest possible participation in development by other American groups—State and local governments, private business and non-profit organizations.

Although the over-all climate for local and foreign investment is a composite of many factors, certain elements are basic: sound legislation and policies (fiscal, monetary, import, price and wage) adding up to a governmental framework which supports rather than inhibits private initiative; pluralistic private institutions such as labor, cooperatives and business groups which stimulate and channel individual creativity; skilled workers and responsible management; access to medium and long-term credit. A. I. D.'s entire program: its objectives, its project loans, loans to credit institutions and technical assistance—helps generate, shape and strengthen these prerequisites of a satisfactory climate for investment.

Similarly, the vital contribution to these objectives made by private U. S. resources is stimulated by A. I. D. in its role as catalyst. Information services, investment insurance, guaranties and loans—all are used to encourage responsible private American investment, bringing with it capital, skills and technology. Through the Advisory Committee on Voluntary Foreign Aid, the Technical Assistance Clearing House, the Partners of the Alliance and the International Executive Service Corps, A. I. D. endeavors to broaden the contribution by private non-profit groups.

Recognizing the increasing importance of its role, A.I.D. has made two major organizational changes. An Office of Private Resources has been established to coordinate the relations of the Agency with private groups and to strive for broader participation by them. Within the Office of Private Resources, a Private Investment Center has been set up to administer all of A.I.D.'s investment incentive programs as a single point of contact for present and potential U.S. private investors in the less developed countries.

THROUGH DIRECT A.I.D. ASSISTANCE

The close relationship between basic A.I.D. objectives and private sector growth is common to all A.I.D. programs.

Program loans, such as the $140 million loan to Pakistan in 1964 and the $50 million fertilizer loan to India in 1966, are conditioned on basic reforms in import and licensing procedures which give thousands of farmers and businessmen access to fertilizer, spare parts, raw materials and capital equipment exported from the United States.

Sector loans, in areas such as agriculture, support reforms in credit policies, distribution and price structures to give farmers the necessary incentive to increase their use of fertilizers, pesticides and high-yielding seeds.

Project loans, such as an $18.6 million loan to Korea for relending to Korean National Railways for locomotives, an $8.9 million loan to a Brazilian utility for power plant and transmissions facilities, and a $1.6 million loan to Nigeria to improve its telephone systems, finance the infusion of U.S. skills and equipment which help provide the transport, power and communications prerequisite to expansion of private economic activity.

Loans to intermediate credit institutions, such as the $8 million loan to the Ethiopian Investment Corporation, and the $2.1 million loan to the Agricultural Bank of Bolivia, open up to businessmen and farmers heretofore non-existent sources of long term capital vital to private sector growth.

Technical assistance is used in many ways to assist private sector growth—

To help Korean industrialists expand their exports through improved quality control;

To set up a productivity and investment center in Paraguay;

To develop small indigenous industries in Nigeria;

To improve the capacity of the private sector in Chile to participate in national planning;

To stimulate the formation of democratically oriented labor unions in Latin America and Africa;

To assist Brazil in drafting comprehensive capital markets legislation;

To develop a modern graduate school of business administration in Peru;

To establish an Inter-American Investment Promotion Center in the U.S. as a clearinghouse for investment opportunities developed by Latin American industrial development organizations. Face-to-face presentation, as recommended by the Advisory Committee on Private Enterprise in Foreign Aid, will be emphasized.

In carrying out these programs of direct assistance, A.I.D. relies more and more on private U.S. resources through the financing of millions of dollars of commodities and services.

A.I.D.-financed expenditures for U.S. commodities in FY 1966 were over $1.1 billion. Included were $181 million in agricultural and industrial machinery, $133 million in iron and steel products, $127 million in chemicals and $87 million in fertilizers. Exports from all 50 states were financed through A.I.D.

As of September 30, 1966, A.I.D. had 1,469 technical service contracts with private groups with a total value of some $509 million to carry out projects in 73 countries. A year ago, the number of such contracts was 1,366 valued at approximately $466 million.

Within this group 127 American colleges and universities held 307 contracts valued at some $220 million for research, surveys, training and technical assistance. About $194 million was for Technical Assistance projects by 74 universities in 39 countries.

Private American organizations play a particularly prominent role in the field of cooperative credit unions, agricultural credit societies and savings and loan institutions. A.I.D. has worldwide agreements with Credit Union National Association, Farmers Union International Assistance Corporation, Foundation for Cooperative Housing, Cooperative League of the U.S.A., International Cooperative Development Association, National Rural Electric Cooperative Association, National League of Insured Savings Associations, and International Cooperative Training Center at the University of Wisconsin. These organizations supplied some two-thirds of the 357 advisers and consultants working on A.I.D. cooperative projects in 54 countries. During 1966 A.I.D. assistance affected 30,000 cooperatives and credit institutions with 9.8 million members in 46 countries. Some 2,500 new cooperatives with 500,000 members were organized, most of them agricultural. It is particularly appropriate that, in this fifth anniversary year of the Humphrey Amendment to the Foreign Assistance Act of 1961, A.I.D. now has relationships, through contracting organizations, with all major national, regional and local cooperatives in the United States.

During the coming year A.I.D. will continue to devise new ways in which private U.S. resources can be brought into play in direct assistance programs.

In close cooperation with private business, A.I.D. will examine applications of Section 601(b)(8) of the FAA, under which Congress authorized, in situations where direct private investment is not readily encouraged, the use of private American firms to operate projects on a cost plus incentive fee contract basis with transfer of equity ownership to private investors at the earliest feasible time. Use of the authority as a new weapon in the War on Hunger seems particularly promising.

A.I.D. will start a pilot program, in cooperation with private industry, to test the applicability of the systems approach to finding the optimum answers to the complex problems of economic development.

A.I.D. AS A CATALYST

The previous section illustrated the many ways in which private sector growth is central to A.I.D.'s direct assistance activities and showed how A.I.D. uses U.S. resources—skills, institutions and commodities—to carry out this program. The present section summarizes A.I.D.'s role in generating broader and deeper participation in development by private groups, profit and non-profit.

In recent years there has been a growing awareness of the importance of this role. The President, the Congress, advisory committees, private groups and A.I.D. itself all have stressed its importance. The reports of the Advisory Committee on Private Enterprise in Foreign Aid and of the International Cooperation Year Committee on Technical Cooperation and Investment, the President's Foreign Aid message of February 1, 1966, and, most recently, enactment by the Congress of Title IX (Utilization of Democratic Institutions in Development) and Section 601(b)(2) of the FAA of 1966, are particularly prominent milestones. Accordingly, the President announced in his Foreign Aid Message of February 9, 1967, the creation within A.I.D. of an Office of Private Resources, responsible for the encouragement, support, stimulation and coordination of the already widespread activities by the U.S. private sector and the achievement of their even greater potential contribution to development.

The new Office will provide a central point of contact for both profit and non-profit organization, will administer A.I.D.'s private investment incentives programs, and will be charged with developing new means to broaden and deepen the contributions by other non-profit groups. It will be responsible for discharging the Congressional mandate to the President to "establish an effective system for obtaining adequate information with respect to the activities of, and opportunities for, non-governmental participation in the development process, and for utilizing such information in the planning, direction, and execution of programs carried out under this Act, and in the coordination of such programs with the ever increasing developmental activities of non-governmental United States institutions." (FAA of 1966, Section 601(b)(2).)

Stimulating U.S. private investment

A.I.D. incentive programs for American private investors have continued to expand and improve. Nevertheless, the volume of private American investment in the less developed countries, particularly manufacturing ventures, although growing, remains disappointingly small. Direct investment in manufacturing (including reinvested earnings) in all less developed countries has risen from $262 million in 1962 to $461 million in 1965, this in comparison to similar investment in Western Europe of $1,226 million in 1962 and $1,026 million in 1965. Given the enormous potential of markets in the developing countries and the tremendous contribution in capital, technology and skills which is made by private investment, it is evident that A.I.D. should further strengthen its efforts to stimulate private investment.

Private investment center

A.I.D. has decided to establish, within the Office of Private Resources, a Private Investment Center specifically designed to meet the needs of potential U.S. investors in the developing countries. Organized along the lines of a business corporation, it will provide a single point of contact in A.I.D. for U.S. investors. In addition to pre-investment information services, the Private Investment Center will offer investment survey insurance, specific risk political insurance, equity insurance, extended risk guaranties, and local currency and dollar financing. Authority is requested to use fee income from the insurance and guaranty programs for the administrative expenses of the Center.

A.I.D. believes that centralized administration of its private investment incentive activities will result in more effective across-the-board support to the U.S. investment community and should stimulate increased investment activity.

The advice and counsel of the International Private Investment Advisory Council, recently established in accordance with Section 601(c) of the FAA of 1966, will be of great value in guiding these efforts.

Information services

A.I.D. continues to expand its information services to the American business community. The *Businessmen's Information Center* serves as a central inquiry office for U.S. business firms and potential investors. The index to A.I.D.'s *Catalog of Investment Information and Opportunities,* a central reference covering over 1,600 basic data and feasibility studies, as well as current joint-venture investment opportunities, has been supplied to more than 47,500 organizations, firms and individuals. A special supplement on Southeast Asia, with a large amount of new material on specific investment situations in that area was issued in July 1966. Two hundred fifty *Industry Profiles,* each giving basic information on the establishment of a small or medium sized plant in a specific industry, have been prepared and made available to businessmen.

Investment surveys

Even when investor interest has been generated in a particular project, the businessman may hesitate to go forward because of the high costs involved in making the necessary detailed preinvestment feasibility and market studies. A.I.D. helps meet this problem through its Investment Survey Program under which it shares the cost of surveying potential investments in the developing countries. A.I.D. reimburses 50% of the survey costs if the investment is not made. Experience to date suggests that this program serves a useful purpose. A.I.D. is obligated for $725,000 as its share of 80 completed surveys in which the investment decision was negative. To date, 31 affirmative decisions have been made representing $70 million in planned investment by private U.S. firms. Thus for each dollar of appropriated funds, $90 in private investment has been generated.

A.I.D. is requesting an authorization of $4.8 million for the Investment Survey Program, the Catalog of Investment Information and Opportunities and the Industry Profiles project, to be available until expended. In addition, the proposed Foreign Assistance Act of 1967 would permit reimbursement of more than 50% of the cost of investment surveys (existing law limits reimbursement to 50%).

Specific risk political insurance

The Specific Risk Insurance Program protects investors against the political risks of expropriation, inconvertibility and damage due to war, revolution and insurrection. During the past year, a number of improvements have been made in the program in accordance with recommendations of the Advisory Committee on Private Enterprise in Foreign Aid.

The number of less developed countries where the A.I.D. investment insurance program has been instituted rose from 40 at the end of 1961 to 75 as of December 31, 1966. Additionally, the coverages available in five countries were expanded during 1966 and the program was instituted in Indonesia shortly after the year end.

Outstanding coverage under the Specific Risk Insurance Program rose from $479 million in 1961 to $3.1 billion by the end of 1966. New investment covered under this program in 1966 totalled $250 million.

In an effort to induce additional investment in less developed countries, the cost of coverage to the American investor was materially lowered during 1966 through a reduction in fees. The principal reduction was for inconvertibility coverage, down from one-half of 1% to one-fourth of 1% of the amount of insurance at risk. Also, a policy combining the existing coverages for losses due to expropriation and losses due to war, revolution and insurrection was offered at a cost of seven-eighths of 1%, whereas the coverages singly had cost one-half of 1% each. Another significant cost reduction to the American private investor was made in the reduction of the "standby" fee for all coverages, which was reduced from one-fourth of 1% to one-tenth of 1%. "Standby" coverage is insurance which is reserved for future use. It is estimated that these fee reductions saved investors about $3 million in 1966 alone.

Coverage on convertibility losses has been increased from 95% to 99%.

During 1966, fees of $8.3 million were received. Three claims were paid totaling $217,000. Two were for inconvertibility, and one was for revolution damage. As of December 31, 1966, seven claims were pending totaling approximately $1.7 million.

Other accomplishments and innovations of the Specific Risk Insurance Program during 1966 included—

A newly revised handbook which was published both in English and in Spanish, and a French translation was begun.

Certain of the standard form contracts were revised for clarity and to take into account coverage and fee changes.

A new form contract aimed at stimulating use of the program by institutional lenders was introduced.

Newly revised forms and procedures were adopted in processing applications and contracts which materially increased efficiency.

A.I.D. is requesting a $2 billion increase in the authority to issue investment insurance—$1 billion for each of the next two years. Authority to expand war damage coverage to include "civil strife" is also requested.

Equity insurance

As a further means of encouraging U.S. investment, A.I.D. has developed a new equity insurance program. This program provides "all risk" coverage of up to 50% of any loss of equity or equity-like investment realized through bankruptcy or sale. The requested increase in authority for investment insurance specifies that not more than $125 million of the total authority would be used for this form of insurance over the next two years.

Extended risk guaranties

Under this program A.I.D. is able to provide greater protection for investors than the insurance available under the Specific Risk Program. Seventy-five percent of loan investments and 50% of equity investments can be protected from loss for any reason (other than commercially insurable risks) not due to the fraud or misconduct of the investor.

As of December 31, 1966, Extended Risk Guaranties for other than housing investments had been authorized for a portion of the financing of eight projects with coverage totaling $55 million, compared to four projects *with $14 million in coverage a year* earlier. The projects are a petro-chemical plant in Argentina, a carbon black plant in Colombia, a fish packing plant in Somalia, fertilizer plants in Korea, India and Brazil, a hotel in Nicaragua and a pulp and paper mill in Thailand. Total investment in these projects will amount to $310 million.

Through use of the extended risk guaranty authority, along the lines recommended by the Advisory Committee on Private Enterprise in Foreign Aid, A.I.D. is now able to attract long-term credits from U.S. institutional lenders, such as pension funds and insurance *companies, to help finance important* private projects. This opens up for the first time a major source of capital for private projects in the developing countries and does so through the use of the credit of the United States rather than appropriated funds.

A.I.D. is requesting a $200 million increase in this authority—$100 million for each of the next two years.

Housing guaranties

In Latin America, housing guaranties totaling $200 million have been authorized for 37 projects as of December 1966. Twenty-two of these projects, comprising 21,000 dwelling units, are under construction. In the Republic of China (Taiwan) a $5 million guaranty will result in the construction of approximately 1,400 units. In Thailand a $5 million guaranty will cover the construction of some 817 units. In Tunisia a $5 million guaranty will cover the construction of some 700 units.

Loans to American firms

Under the "Cooley" loan program A.I.D. can make available U.S.-owned local currencies to American firms and their affiliates. During FY 1966, A.I.D. authorized 41 loans in 15 countries, in foreign currencies equivalent to approximately $42.6 million. These loans were made for such varied activities as the production of pharmaceuticals in Greece, foodstuffs in Israel, animal feeds in the Sudan and in Peru, polyethylene in China (Taiwan), integrated electronic circuits in Korea, and for the establishment of development banking facilities in Pakistan.

The Food for Peace Act adopted by Congress in 1966 permits and encourages continuation and further expansion of this program. Although the Act provides that sales of agricultural products are to be converted from local currency to dollar payments over a five-year transition period, it also provides that local currencies may be accepted in lieu of dollars for specified purposes including local currency financing for U.S. firms and their affiliates.

Dollar loans to private American and local ventures are available through A.I.D. Most of these loans have been made for relatively large projects. It is hoped that the Private Investment Center will be able to expand the use of direct dollar authority for some of the smaller projects, with particular emphasis on the agri-business field.

Dollar loans are also available through intermediate credit institutions, such as industrial development banks, which have been established with A.I.D. assistance.

STIMULATING BROADER PARTICIPATION IN DEVELOPMENT BY PRIVATE NON-PROFIT GROUPS

Private non-profit assistance—technical assistance and emergency relief—is on the increase to the less developed countries through foundations, voluntary agencies and the like. It approaches nearly $750 million annually.

Voluntary agencies

Through private voluntary agencies, the American people have maintained a long tradition of help to peoples overseas. Assistance through private channels exceeded $400 million in FY 1966.

Since World War II, Federal assistance has been available to private agencies registered with A.I.D.'s Advisory Committee on Voluntary *Aid. Registered* voluntary agencies are eligible to receive U.S. agricultural commodities for donation in their own overseas programs. The cost of these provisions, and the cost of shipping them overseas is paid for *through the Food for Freedom program.* These food supplies, distributed through private channels, reached 72 million people in FY 1966; 36 million of these were children participating in school lunch programs.

In addition, the A.I.D. budget includes an annual amount ($6.3 million for FY 1968) *earmarked to pay for the ocean transport of* the registered agencies' own privately donated supplies. In FY 1966, $5.5 million of AID funds paid the costs of shipping about $65 million worth of supplies for such nonprofit voluntary agencies as the Church World Service, Catholic Relief Services, the American Jewish Joint Distribution Committee and CARE.

The voluntary agencies also assist in disaster relief programs throughout the world. In FY 1966 they distributed $1.6 million in commodities, which included P.L. 480 foods, tents, clothing, blankets, medicines and other disaster supplies.

In addition to basic relief programs, the voluntary agencies are conducting educational, agricultural, health, nutrition, welfare, community development and self-help activities worldwide, to reach refugees, mothers and young children, orphans and needy families. These programs are conducted with and through local counterparts in the developing countries.

The primary purpose of the U.S. voluntary agencies overseas programs is a humanitarian one but in recent years stronger emphasis has been placed on training and development activities to help others attain the ability to take care of their own needs. To encourage their technical assistance programs, the Technical Assistance Clearing House, supported by A.I.D., published a directory of 500 U.S. non-private groups engaged in technical assistance abroad. A special addition, devoted to Far East Technical Assistance Programs, was issued in 1966.

International Executive Service Corps

The International Executive Service Corps (IESC), located in New York City, is a private non-profit organization directed and managed by a group of leading American businessmen. Its purpose is to strengthen private businesses in the developing countries through direct management assistance provided by a volunteer corps of experienced American businessmen. A.I.D. encouraged creation of the IESC and provides financial assistance for its development.

Under the IESC program, assistance to local management is made available upon request, and a fee at host country rates is charged for the service. During 1966 IESC received 367 requests from businesses, large and small, in 37 developing countries, and 154 projects were started. It is anticipated that 356 new projects will be started in 1967. The Service Corps has a roster of 2,150 experienced businessmen recruited by unpaid representatives of business in 38 American cities.

Tapping the vast reservoir of retired businessmen and mid-career executives to improve private enterprise in developing countries has been favorably accepted by businesses and governments overseas and is generating a successful partnership between American business and the U.S. Government here at home.

Some examples of completed IESC projects are—

A vegetable oil processor in Iran desired market research and sales planning assistance for its products. An IESC volunteer, retired as a managing director of Standard Brands, established useful new business and *marketing practices for the local business* and has been asked to return for a second period of assistance.

IESC volunteers with long experience with A & P Food Stores have materially assisted supermarket owners in Venezuela and Nicaragua to improve buying techniques, food cleanliness processes, and in achieving overhead reductions.

A commercial bank in Thailand assisted by a mid-career IESC volunteer from Chase Manhattan Bank revised its international lending practices and improved its internal accounting system.

A small family-owned company in Honduras wished to extend its lines of soaps, detergents, insecticides, shoe polish, etc. With assistance from an executive retired from Procter & Gamble, improved products and marketing techniques were established.

A producer of concrete building blocks in San Salvador sought IESC assistance to improve its products and marketing. An IESC volunteer with 30 years' experience as the head of his own concrete block business introduced many techniques for product improvement and sales.

IESC management assistance has also been provided to heavy equipment manufacturers; glass and ceramic producers; textile, paper, plastic and rubber companies; mining operations; and construction concerns.

The IESC is managed by a Board of Directors of which David Rockefeller, President of the Chase Manhattan Bank, is Chairman. Philip D. Reed, former Board Chairman of General Electric, heads the Corps' Executive Committee. Frank Pace, Jr., former Secretary of the Army and past President of the General Dynamics Corporation, serves as President and Chief Executive Officer.

Partners of the Alliance

Through the Partners of the Alliance Program, A.I.D. helps provide a means by which U.S. private sector resources at the state and local level can more effectively participate in Latin American development. The goal of the Partners is to encourage cooperation between individual American citizens and private citizens groups and their Latin American counterparts.

At present 30 U.S. states and the District of Columbia are participating in Partner programs in 15 Latin American countries.

Recently A.I.D. made a grant to the newly-formed National Association for the Partners of the Alliance. The grant will be used to assist the Association in sponsoring, coordinating and expanding its program throughout the U.S.

Partners of the Alliance activities generally lie in the fields of: (a) educational exchanges and assistance projects; (b) health and preventive medicine programs; (c) joint investment and commercial ventures; (d) agriculture and cooperative projects; (e) cultural exchanges and community development programs.

Colorado, Connecticut, Indiana, Missouri, New Jersey, Ohio, Oklahoma, Pennsylvania, Texas and Wisconsin have all sent large quantities of hospital and medical equipment requested by their Latin American counterparts. Connecticut alone has sent more than 20 tons valued at over $400,000 to hospitals and clinics in Paraiba, Brazil.

More than 150 schools have been constructed or assisted with equipment and supplies. Maryland and its Partner state of Rio de Janeiro have exchanged high school students for the past two years.

The Vermont Partners are sending a truck and 25 deep well water pumps, complete with drilling equipment, and pipe to the Honduran community of Choluteca. Vermont technicians will also provide the necessary technical assistance to install the pumps.

FAA'S EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, too often we tend to think of some of the purported big business agencies of the executive branch as being aloof or disinterested in the social and economic programs of the Government which are directed to helping the disadvantaged and striving in these difficult days to carry out the truly noble and historic goals that President Johnson has set for us on the Nation's homefront. It, therefore, gives me great personal satisfaction to announce that the Federal Aviation Administration last week completed its first 14-week experimental training course for NYC enrollees. This program was initiated by the FAA to assist NYC out-of-school enrollees to the GS-1 level of proficiency.

Although enrollees had been assigned to the Administration worksite for more than a year, it became apparent that one of the greatest hindrances to enrollees performing effectively in their assigned positions was their inability to communicate properly.

Using FAA funds, a 22-page training manual was produced which Administration-paid instructors used to provide training in fundamentals of speech, ability to reason, writing skills, and which helped the instructor provide guided practice in performing clerical duties.

Two 1-hour sessions were conducted every Tuesday, Wednesday, and Thursday for the 14 weeks. Speech improvement sessions were held the first hour on Tuesday and Thursday. The remaining 4 hours were utilized between writing improvement and clerical skills training.

Almost all of the enrollees were attending evening and night school in an effort to complete their high school education. Many felt the specialized training they received from the Administration course was aiding them to pass their high school courses.

In the hope of stimulating its regional offices to initiate similar programs for NYC enrollees, Mr. Don Higgins, EEO Coordinator for the Office of Personnel and Training, and Mr. E. L. Embry, Acting Chief, Personnel Programs Division, FAA, forwarded a copy of the manual with a memo which said, in part:

> This program has helped identify our Washington headquarters as a preferential worksite to NYC placement officials and has resulted in referral of enrollees selected as having the most potential. An improvement in the job quality, morale, and attitude of enrollees has been noted due to this training program.
>
> We feel this is a good example of what can be done in the special opportunity programs to improve the work performance and employability of our enrollees in these programs.

Speech improvement was taught by Miss Michelle Bien, a graduate student in speech therapy at George Washington University; grammar, written expression, and abstract reasoning was taught by Miss Doris Douglass, a graduate student in English at Howard University; and clerical skills training was conducted by Mrs. Phyllis Burbank, of the FAA.

Mr. Leo Powell, personnel staffing specialist in charge of equal employment opportunity programs for the Washington headquarters was the coordinator for the course development and provided the FAA administrative support.

NYC enrollees who successfully completed the course are: Readus Miles, Rose Rorie, Brenda Huff, Rosemary Blankett, Sandra Holbrook, Veronica Thompson, Betty Moore, Pamela Speaks, Franscenia Boyd, Alice Adams, Edith Bailey, Arnita Boyd, Patricia Williams, George Jone, William Green, Cynthia Matthews, Gloria Russell, Adrianne Bradshaw, Geraldine Riley, and Marjorie Collins.

BUILDING TRADE APPRENTICESHIPS

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, all of us are familiar with the splendid work of the Urban League but one of its most recent undertakings has received little public notice. Therefore, Mr. Speaker, I would like to call your attention to a recent story in the AFL-CIO News telling how the Urban League is now working with the AFL-CIO building trades unions to bring minority young people into apprentice programs. I include the article in the Record, as follows:

Crafts, Urban League Join in Apprentice Plan

Baltimore.—The Baltimore Building & Construction Trades Council will work in cooperation with the Urban League here in a federally funded program to recruit minority youth into building trades apprenticeship programs.

The project, which was initiated by the Equal Employment Opportunity Commission, will get underway immediately with the Urban League recruiting the youth from disadvantaged sectors of the community.

The Labor Dept., has granted the league a $46,000 Manpower Development & Training Act contract to carry out the program, called LEAP, for Labor Education Advancement Program. It is expected to recruit about 300 youths and place at least 30 in accredited courses.

At signing ceremonies in Washington, Assistant Sec. of Labor Stanley H. Ruttenberg told the parties that the objective of the Labor Dept. is "to try to work out in as many communities as we can, jointly, cooperatively, with the building trades unions and minority group organizations, programs to bring minority group members into apprenticeship training."

He noted that his department was engaged in several projects in East St. Louis, Detroit, Atlanta and Philadelphia.

AFL-CIO Civil Rights Dir. Don Slaiman and Executive Dir. Whitney Young of the National Urban League, both praised the program. Slaiman said it will help to bring the boys through the doors, once the doors are opened, "and if they're not fully prepared to compete, it prepares them."

Young asserted that "the various parties are certainly sincere in wanting to bring about a change with real bodies, not just words."

The project will include classes of from 25 to 75 youths, depending upon the number of apprenticeship openings at any given time. The youths will participate in mock interviews to prepare for actual screening sessions by apprenticeship committees. Funds are also being set aside for tutoring.

Guido Iozzi, president of the Baltimore Building & Construction Trades Council, said the program will be run by a joint committee of three representatives from the building trades union and three from the Urban League. He will serve as chairman.

LEAP was organized under the joint sponsorship of the National Urban League and the AFL-CIO through a grant from the Ford Foundation to help motivate and prepare Negro youth for participation in apprenticeships.

All federal and local agencies in the Baltimore area will be utilized in the program, the Labor Dept. announced.

KIWANIS INTERNATIONAL

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANDRUM. Mr. Speaker, next week, June 25–29, Kiwanis International will be meeting in convention in Houston, Tex. As a Georgian, I am proud to note that the 50th president of Kiwanis International comes from my home State. He is Dr. R. Glenn Reed, Jr., of Marietta, Ga. Dr. Reed is an oral surgeon and serves on the Governor's advisory commission on dentistry in the State of Georgia. He has been Young Man of the Year in his home county, and has been named one of the five outstanding young men of Georgia.

I am sure that I speak for all Georgians when I pay tribute to the great work of Kiwanis International, particularly in its service to youth. Kiwanis International is an association of nearly 5,500 Kiwanis Clubs in the United States, Canada, Mexico, the Caribbean, the Far East, and Western Europe. Kiwanis, which was organized in Detroit in 1915, now numbers more than 275,000 members. This men's service organization truly lives up to its motto—"We Build." In addition to Kiwanis International itself, Kiwanis sponsors two of the largest youth organizations in the United States and Canada. Key Club International is a high school boys' service organization. It was founded in Sacramento, Calif., in 1925. Today, it includes more than 80,000 boys in over 3,000 clubs, all of which undertake community service projects. The other youth group is Circle K International, founded at Carthage College in Carthage, Ill. This college men's service organization now numbers more than 700 clubs and over 13,000 members on college campuses.

During my fellow Georgian's year as president of Kiwanis International, the theme of this great service organization has been "Quality Leadership—Key to the Future." Its 1967 objectives have been:

*L*ove of God;
*E*nhancing the potential of youth;
*A*ctive promotion of free enterprise;
*D*emanding responsible news media;
*E*xcellence in literature and entertainment;
*R*espect for law and order;
*S*afety in all areas of activity;
*H*igh ideals of citizenship service;
*I*nternational understanding;
*P*ersonal involvement in the Freedom Leadership Program.

While the objectives of Kiwanis which I have cited above for this year, each year the objectives of Kiwanis International remain the same, and I think they are worthy of repeating. Mr. Speaker, they are:

> To give primacy to the human and spiritual, rather than to the material values of life.
>
> To encourage the daily living of the Golden Rule in all human relationships.
>
> To promote the adoption and the application of higher social, business, and professional standards.
>
> To develop, by precept and example, a more intelligent, aggressive, and serviceable citizenship.
>
> To provide, through Kiwanis clubs, a practical means to form enduring friendships, to render altruistic service, and to build better communities.
>
> To cooperate in creating and maintaining that sound public opinion and high idealism which make possible the increase of righteousness, justice, patriotism, and good will.

Mr. Speaker, not only am I proud that such an active organization is headed this year by a dentist from Georgia, but I am also concerned that the activities, particularly those involving our young people, to which Kiwanis is strongly dedicated could be affected by proposed regulations of the Internal Revenue Service. In the past I have not made it a practice to speak out on such matters which are before the Committee on Ways and Means on which I have the honor to serve. However, since these proposed regulations do hit in principle, if not in actuality, several hundred such organizations, I believe I should speak out at this time of paying tribute to a great service organization. Kiwanis, along with Lions International, to which I am proud to belong, and many other service organizations would find their income diminished due to these proposed IRS regulations at a time when community needs are increasing. I will not attempt to go into all the arguments surrounding these proposed regulations. There are already the special bills introduced by three of my colleagues on the Committee of Ways and Means, Mr. WATTS, Mr. BROYHILL, and Mr. BATTIN. However, I do want to express a serious concern over any proposals which would result in the lessening of the wonderful activities of Kiwanis, Lions, and other such groups. If changes in tax laws are to be made, they must originate in this House of Representatives and they must be the subject of adequate hearings before the Committee on Ways and Means. This much I will say.

Let me conclude, Mr. Speaker, by expressing my congratulations to Kiwanis International for having the wisdom to select an outstanding citizen of Georgia as its president during this year, and to wish Kiwanis the greatest success during its 1967 convention in Houston under Dr. Reed's able leadership.

HOW NOT TO CUT FEDERAL SPENDING

Mr. BURKE of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, following is an article from the Wall Street Journal of June 21 by Norman C. Miller on the subject of "How Not To Cut Federal Spending." This is a good comprehensive article and has sound, constructive thought, which I recommend the Members of the other side of the aisle take the time to read. It follows:

HOW NOT TO CUT FEDERAL SPENDING

(By Norman C. Miller)

WASHINGTON.—The avowed purpose of the debt-limit donnybrook the Republicans are staging in Congress is to force the Johnson Administration to cut spending. But the battle's principal accomplishment has been to reveal the impotence of Congress to cut the spending itself.

For, in persuading the House to reject the $29 billion debt-limit increase sought originally by the Administration, the GOP did no more than protest the prospect of enormous deficit spending. That may be a politically popular thing to do, but following up with actual spending reductions to pare the deficit is quite the opposite.

Cutting spending inevitably means making some group of voters howl. Accordingly, it is no surprise that Republicans are merely talking generally about slashing $4 billion of "non-essential" spending—without offering a specific list of activities they consider non-essential. The GOP grandly cedes to the President the nasty job of deciding exactly what should be cut, saying the Administration is better equipped than Congress to decide what is essential and what is not.

This position allows Republicans to deplore a worrisome deficit and continue their opposition to a tax increase, while they try to set up LBJ to take the rap from interest groups that would scream if spending were cut. Clever politics, maybe, but it probably won't force the President to reduce spending.

ARE THEY BLUFFING?

From the Democrats' standpoint, it looks as if the Republicans are bluffing in the debt-limit battle. Ultimate Congressional refusal to give the Administration some additional borrowing authority would threaten the U.S. with a financial crisis, and Republicans are quick to say they don't want that.

Thus, Administration forces will try today to push through the House a new bill that would lift the debt ceiling to $358 billion effective July 1. Moreover, this immediate $22 billion increase would be followed by an additional $7 billion rise a year from now, so the Democrats have hardly retreated at all from their original $365 billion proposal.

In a way, making a debt-limit bill the anti-spending instrument indicates the weakness of Congress' own will to economize. After all, before the Administration can spend it must get appropriations from the lawmakers. If they cut the money bills substantially, they wouldn't have to worry about huge debt-limit increases.

Certainly, if Republicans and economy-minded Democrats translated their general talk about spending cuts into votes against funds for specific programs, they could combine in the House to drastically slash the President's $144 billion appropriation request for the year that starts July 1. But that hasn't happened so far, though the House has completed work on five-sixths of the President's budget.

To be sure, the strengthened House economy bloc has hit hard at some infant Great Society projects like rent subsidies and model cities. But overall, only $2.8 billion, or 2.5%, has been cut from money bills the House has passed.

Moreover, many of the "cuts" undoubtedly will be restored later by supplemental money bills. Of the total reduction claimed by the House, almost $1.3 billion was "cut" from the military budget, though there is a bipartisan expectation that eventually $5 billion or so will have to be added to the Administration's war-cost estimate. Much of the reduction in non-military appropriations will probably be restored as well; in the current fiscal year, for example, Congress wiped out many earlier budget cuts when it voted a supplemental $2.2 billion for civilian activities.

Viewing the record of the House, Chairman George Mahon (D., Texas) of the Appropriations Committee sighs, "It is apparent that Congress isn't going to reduce appropriation bills and spending sufficiently to eliminate a deficit which appears to be unacceptable."

One reason for this situation is that most members of the House Appropriations subcommittees, despite their incessant talk about economy, are zealous defenders of spending for almost all well-established Federal activities. Moreover, as long as Congress examines spending proposals one by one, most of them look worthwhile, or at least politically popular. The piecemeal way the lawmakers handle the budget makes it easy to avoid choices between appropriations for separate programs. Yet Congress has resisted all suggestions for new budget procedures; members of the powerful Appropriations subcommittees enjoy their prerogatives and power, and they aren't about to change the system.

The inability of Congress to deliver on its perennially promised cuts is a source of despair to many lawmakers who are perfectly sincere in believing Federal spending is galloping out of control.

Rep. Wilbur D. Mills, the Arkansas Democrat who heads the Ways and Means Committee, is convinced Congress is going to have to call on private consultants "if effective controls are again to be established over Federal spending." He recommends establishing a Hoover-type commission to analyze the benefits of present and proposed Government programs in relation to their costs. With this information, Mr. Mills thinks, Congress might be persuaded to cut programs that aren't justifying their cost.

AN IRONY FOR MR. MILLS

It was ironic that Mr. Mills was the floor manager of the Administration's defeated debt-limit bill. For, in mustering a majority against the bill, Republicans cited the very problem worrying Mr. Mills: That Congress no longer seems able to control expenditures through the appropriations process.

Rep. John Byrnes of Wisconsin, the leading Republican spokesman on the debt-limit issue, argued that refusing to increase borrowing authority was the only way the House could make the President immediately reduce spending. He noted that the Administration could resort to unused borrowing authority granted in previous years to keep much of its fiscal 1968 spending plan intact even if Congress was of a mind to cut current appropriations requests.

Mr. Byrnes is correct. But he and others who are sincere about the need to cut spending would have a far stronger argument against a big debt-limit increase if Congress were actually in the process of reducing appropriations. In that case, the President would clearly be defying the will of Congress if he refused to cut spending on activities the lawmakers' votes had declared nonessential.

Simply to balk at a big debt-limit boost, however, is hardly a courageous mandate for cutting spending.

A THOROUGH CONGRESSIONAL REVIEW OF OUR FOREIGN POLICY TOWARD THE SOVIET UNION

Mr. **DERWINSKI**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **DERWINSKI**. Mr. Speaker, I have today introduced a resolution proposing a thorough congressional review of our foreign policy toward the Soviet Union. The resolution calls for the House Foreign Affairs Committee to undertake a thorough review, with public hearings, designated studies, and other means, with particular contributions from Members of the House, representatives of the executive branch, and citizens from the private sector of our society.

It is obvious, Mr. Speaker, that the Soviet Union is truly involved in aggressive actions against our forces in Vietnam and its major role is clearly seen in the Mideast conflict. We are also aware of the Soviet Union's subversive activities in Latin America and Africa. May I also point out that in the past two decades Greece, Iran, Korea, Hungary, the Congo, Dominican Republic, and Yemen have all been scenes of Soviet Union involvement contrary to the wishes of the peoples of those lands for peace under freedom.

U.S. policy toward the Soviet Union has contained questionable preconceptions and contradictions in fact and principle. The assumptions on which our foreign policy are based should be subject to proper review, especially at a time when the Soviet Union's propagandizing will be fully geared to exploit the 50th anniversary of the Russian Bolshevik imperiocolonialism.

May I remind the Members of the President's declaration in his 1967 state of the Union message that:

> The genius of the American political system has always been expressed through creative debate that offers reasonable alternatives.

Therefore, Mr. Speaker, I hope that my resolution will receive speedy implementation by the Committee on Foreign Affairs and that we can develop a comprehensive and progressive review of United States-Soviet Union relations.

Mr. Speaker, we must recognize that the policy of "building bridges" to the Soviet Union has many inherent dangers which have not been effectively discussed in our legislative branch of the Government. May I also remind the Members that the Soviet Union will embark on a worldwide propaganda drive for the forthcoming 50th anniversary of the Russian Bolshevik revolution and attempt to equate their dictatorial system with our American Revolution which properly symbolizes national independence, individual liberty, and freedom. Therefore, I believe that my resolution should be considered at the earliest possible moment by the committee in view of the obvious time element in many matters relating to the Soviet Union.

RHODES SCHOLARS FROM WEST VIRGINIA UNIVERSITY

Mr. **STAGGERS**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. **STAGGERS**. Mr. Speaker, my attention has been called to an article dealing with intellectualism in West Virginia. Among other things, it is reported that West Virginia students make higher scores on the American college testing program than the national average. The writer of the article says:

> West Virginia University is a school with a remarkable continuity of intellectual competence. West Virginia students, in terms of their intellectual and social accomplishments, have been an extraordinary breed indeed.

The clincher is that only one school in the United States has sent more Rhodes scholars to Oxford University than West Virginia University.

This may be a small matter about which to boast. But, Mr. Speaker, I am inordinately proud of this record.

Cecil Rhodes was that organizing genius who in the last century built a bastion for civilization in South Africa, and in the process accumulated an immense fortune for himself. He himself was driven by a raging vitality and an unquenchable spirit, and he believed that the advance of civilization could be maintained only by finding young men with qualities like his own. Accordingly, he set aside a considerable portion of his fortune to found scholarships at Oxford University, England. Requirements for appointment to those scholarships were listed under three heads: First, intellectual capacity and attainment; second, total involvement in the environment, evidenced by participation and success in a broad range of community activities; third, the power to enlist and hold the cooperation and help of his fellows—what we call leadership.

His formula for finding and training a superior citizen is as valid today as it was when it was first stated a couple of generations ago. The young man who is designated a Rhodes scholar is a marked individual. He not only has met the full challenge of life, but he shows unbounded promise for the future.

There are a number of prestige institutions in this land. Some of them trace their history back almost to the day when the Pilgrim Fathers landed on Plymouth Rock. Their towers are crowned with tradition and honor and intellectual dignity and grace. Their activities are supported by the munificence of grateful alumni and admiring friends. Their students are under the guidance of teachers whose scholarship is profound and whose devotion to the truth is unfailing. Their contributions to this Nation's greatness can never be fully enumerated and evaluated. I am proud of them.

Other seats of learning got a later start. Time has been lacking to accumulate powerful and influential alumni, or the wealth which dissolves educational as well as other problems. But these institutions too are just as zealous in leading their students along the paths of truth. Their officers and instructors are solid scholars and devoted Americans.

But in the last analysis, it is the students that count. The young men and women who throng the halls of West Virginia are of like flesh and bone and brain tissue with those who come in and go out at Harvard or Princeton, or, for that matter, at Oxford.

It is the crowning tradition of this country that success in life, by whatever measure you measure success, is not a function of family or wealth or social position. It depends on the individual. The individual may demand what pay of life he asks, and get it.

We are anxious for the welfare and the success of all the youth of this land. But our own boys and girls of West Virginia are bound to us by ties of a love which is passionate and all-embracing. Their honorable achievements, great or small, clutch at our heartstrings. And that is the reason, Mr. Speaker, I swell with modest pride in calling attention to the report I have explained at this time.

The article referred to follows:

Anti-Intellectualism Myth—University Has 16 Rhodes Scholars

Dr. Ruel E. Foster, chairman of the West Virginia University English Department, backed up criticism with facts in defending WVU's intellectual image in the latest issue of "WVU Alumni News."

In an article entitled "The Myth of West Virginia's Anti-Intellectualism," Dr. Foster pointed out that only one institution in the United States has more Rhodes Scholars than West Virginia.

Sixteen WVU students have been awarded the scholarships, the latest being senior David C. Hardesty Jr., of Shinnston, the outgoing student body president.

North Carolina ranks ahead of West Virginia with 17 Rhodes Scholars, while the University of Chicago collected the same number as WVU.

The next-closest total is held by Duke University and its affiliate Trinity College. Graduates of the two schools have been awarded a combined total of 12 such scholarships.

Also of note, Dr. Foster wrote, is the fact that the first group of Rhodes Scholars was selected in 1904, and a Morgantown native and University graduate, Charles Frederick Tucker Brooke, was a member of that group.

In fact, Brooke performed so well that the president of WVU at that time, Daniel B. Purinton, received a letter from George R. Parkin. In that communique, the Rhodes official wrote from London that Brooke had taken "first class in the school of jurisprudence at Oxford."

"This is the third time," Mr. Parkin wrote, "that a first class has been taken by your West Virginia students."

Basing his comments on the premise "surveys show, statistics prove," Dr. Foster went on to reveal the currrent status of WVU scholars.

Relying on facts taken from the Carruth-Van Gilst Research Report of December, 1966, Dr. Foster pointed out the average composite score for a WVU freshman based on American College Testing program tests is higher than the national average.

The Carruth-Van Gilst report showed in 44 schools surveyed, the freshman classes had an average composite score of 21.4.

The University's average composite for incoming freshmen this past fall was 22.4.

The eminent professor, also retiring coach of the Mountaineer tennis team, admitted West Virginia is no Oxford, Princeton or Yale.

He did state, however, "West Virginia University is a school with a remarkable continuity of intellectual competence."

"West Virginia students," he went on, "in terms of their intellectual and social accomplishments have been an extraordinary breed indeed."

EXTENSION OF THE DRAFT LAW—A LEGISLATIVE JOB WELL DONE

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, some of us on the Armed Services Committee, who have been working since last year, for about 9 months, trying to perfect a new draft law, have been a little disturbed at some of the editorial comments that have appeared since the legislation was adopted the other day by this House and by the other body. I refer particularly to an editorial that appeared in the New York Times, which was highly critical of our legislation.

It may be of some interest to Members of the House to hear what was said on this same subject by the man who perhaps will be more directly concerned with this legislation than anybody else, namely the Secretary of Defense. Here is what Mr. McNamara had to say about the bill passed by this House:

> The four-year extension of the draft law passed by the Congress is a major improvement over the present law even though it does not include all provisions I thought desirable. The bill does eliminate important inequities in the present system and it will assure an uninterrupted flow of qualified men into the Armed Forces. I have, therefore, strongly recommended to the President that he sign the bill as enacted.

Of course, Mr. Speaker, no bill is ever perfect as far as each Member of the House is concerned. Legislation is a process of compromise. But I believe the Members of this House ought to realize that the bill we passed was, as Mr. McNamara has said, an important improvement on the existing situation, and we can be proud of the job we have done.

First of all, it provided for a system of calling up young men under one particular year group, so that the long period of uncertainty can be ended for most young men.

Second, it provided for a fair and equitable method of selection, and it also gave the President the opportunity of requesting us to approve an even fairer system if, in fact, he can develop such a superior system.

Third, it allowed college students to complete their undergraduate career—and I am sure not many Members of the House wanted to change that situation—but it took steps to end the use of postgraduate study as a haven from the draft.

Fourth, our bill encourages the executive branch to deal swiftly and effectively with those who would flout this vital and essential law—and I am sure the American people want us to do that, too.

These are all substantial improvements in the draft law, Mr. Speaker, and, instead of being critical, I believe the country owes a debt of gratitude to the chairman of the committee who made this significant legislative achievement possible, the gentleman from South Carolina, the Honorable MENDEL RIVERS.

PERDICARIS ALIVE OR RAISULI DEAD

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, today is the anniversary of an incident occurring at a time when America's integrity and influence were recognized the world over.

In these days when lack of patriotism is widely evident, it is important to recall times of glory when none would have dared deface the Stars and Stripes or to raise the banner of an enemy combatant. Reliving experiences of an honored past may help to recapture a national spirit aglow with pride of citizenship.

On May 18, 1904, Ahmed-ibn-Muhammed Raisuli, a Moroccan bandit, captured one Ion Perdicaris, an American citizen, and his stepson, a British subject, from a residence outside Tangiers. Sultan Abd-al-Aziz IV, fearful that Raisuli would kill his hostages if a military force were sent in pursuit, did nothing until the matter was brought to the attention of President Theodore Roosevelt by Secretary of State John Hay.

On June 22, President Roosevelt ordered the American consul to relay this brief but explicit message to the Sultan: "We want Perdicaris alive or Raisuli dead."

Abd-al-Aziz evidently met the bandit's ransom demands, but those details are unimportant. The lesson to remember is that the captives were released unharmed on the night of June 24, just 48 hours after Teddy Roosevelt issued his ultimatum.

Someday America will once more enjoy the world prestige of that moment, but it will not come until a unified, intense love of country again prevails on the home front.

MINK IMPORT CONTROL

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mrs. MAY. Mr. Speaker, mink farmers in the United States are currently faced with a rising tide of mink imports which threatens to force many of them out of business.

Foreign mink imports presently make up about 40 percent of domestic utilization, and are expected to constitute nearly 60 percent by the end of this year.

In calendar year 1966 total mink imports into the United States amounted to more than $73 million, and pelt prices to domestic producers have been driven down as much as 50 percent below prices a year ago.

Because of this serious situation which

threatens the livelihood of U.S. fur ranchers, I am today introducing legislation designed to curb these excessive imports. My bill would limit foreign mink imports to 40 percent of our annual domestic consumption, and would impose a duty of 50 percent ad valorem on imports in excess of the quota allotment.

Mink ranchers in the State of Washington as well as in other parts of the United States have been hard hit by this influx of foreign pelts, and unless prompt action is taken to place reasonable limitations on these imports, our domestic producers face bankruptcy and extinction as an industry.

Mr. Speaker, immediate action is necessary to correct this inequitable situation, and I am hopeful that the House Ways and Means Committee will schedule hearings on my bill at the earliest possible date.

WHY DOESN'T THE PRESIDENT ANNOUNCE A DECISION?

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. May] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mrs. MAY. Mr. Speaker, it is a mystery to me that the President of the United States still has not announced his decision as to whether Americans, Russians, or both are going to be offered the chance to build the giant turbine-generator sets for the planned third powerplant at Grand Coulee Dam in the State of Washington.

My letter to the President last April 13, asking him to reject the expressed interest of the Russians in this project, was referred to the State Department for reply. The State Department favors foreign bidding on U.S. projects.

Since my brief speech to the Members of this body last Thursday, June 15—page 15938 of the Congressional Record—I have received many letters and telephone calls agreeing with me that the Soviet Union must not be allowed to supply heavy electrical equipment for this project. It is gratifying to know that so many of our citizens agree that this is no time to be "building bridges" to Russia with American dams that are vital to our national security.

Grand Coulee Dam, Mr. Speaker, is a vital project for generation of electrical energy, reclamation, and flood control in the Pacific Northwest. The planned third powerplant, in which the Russians have expressed interest, will increase the power output of this dam, and this power will serve not only the Pacific Northwest, but will be fed through the Bonneville system throughout the western sector of the United States.

Leaving aside the facts of the cold war; of Russia's continuing intention to 'bury" us; of the fact that Soviet armaments are killing and maiming our boys in Vietnam; and of recent events in the Middle East which prove U.S. "bridge building" efforts have been to no avail; I would like to point out that any decision which could result in Russian manufacture of this heavy equipment could be very much regretted by the United States if the equipment did not operate properly. No country on the face of the earth has ever built equipment this large.

An example of the kind of problems that can occur, actually did happen last year in the State of Washington. "Worldwide" bidding of the kind urged by the State Department, was invited in the supplying of giant transformers in connection with the power output of the dual-purpose atomic reactor at Hanford. This, as far as I am aware, was the only foreign-built equipment supplied. The first transformer was built in England, and failed when it was tested. Then, an Austrian-built transformer was delivered. After 2 weeks of operation, it too failed. That was last December, Mr. Speaker, and the transformer had to be shipped back to Austria for repairs. It is not scheduled to be reinstalled until next August. That is a period of 9 months from failure to repair and reinstallation.

I do not mention this in a derogatory reference to any foreign country or product. I point out these facts to show what can happen when a foreign product proves to be defective and cannot be repaired in this country.

Heaven help the United States if we invite unfriendly countries to take advantage of us.

According to my information, Mr. Speaker, the President has not announced any decision as to whether he is going to agree with the State Department and give the Russians a chance at this project, or whether he is going to support American workers and American free enterprise. I do not think we can have it both ways, as suggested by some of the President's advisers, to the effect that Americans build half the project and other countries, presumably Russia, can build the other half.

Mr. Speaker, I pray that there will come a day when we will live in a peaceful and trustful world. There may come a day when the Soviet Union will have demonstrated by word and action that it is really interested in world peace. There may come a day when the cold war is over. But, Mr. Speaker, that day is not yet. And these cold, hard facts make it clear to me that the President must decide that the Soviet Union has no business in tinkering with United States projects that involve the security and well-being of the American people.

I urge that the President, without any further delay, make his views known on this subject.

BILINGUAL EDUCATION ACT

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Keith] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KEITH. Mr. Speaker, today I am introducing legislation to amend the Elementary and Secondary Education Act to provide assistance to local educational agencies for coping with the unique educational needs of children from non-English-speaking, low-income families. We can no longer ignore the acute educational problem which involves the millions of children from culturally diverse homes.

My congressional district has one of the largest Portuguese populations in the United States, as well as thousands of French Canadians. The linguistic, cultural, and psychological handicaps suffered by a child who must learn a foreign language before he can even begin to grasp content material result in high dropout rates and overall low academic achievement among children from these homes.

Since passage of the new immigration regulations in 1965, the city of New Bedford has been inundated with Portuguese immigrants from the Azores. Presently, the superintendent of schools, Dr. James Hayden, is struggling to see that the rudiments of English are taught to 700 school-age children. More are arriving every day, and the New Bedford school system is strained past capacity. Fortunately, title I Elementary and Secondary Educational Act funds were available to New Bedford to set up the emergency program. All too often, however, when confronted with the need to establish priorities for title I funds, local school officials neglect the non-English-speaking children. At best, these children are put into special classes to learn English as quickly as possible, then thrown to sink or swim in the regular curriculum. They suffer from not only limited vocabularies but also the psychological disadvantage of being a year or more older than their classmates.

The Bilingual Education Act will emphasize the concept of bilingual schooling, in which two languages are used as media of instruction. The linguistically handicapped pupil will be able to progress without demoralizing grade retention by learning the "three R's" in his native tongue while mastering English as a second language. Freed of the fear and frustration arising from unsuccessful school situations and repression of his native culture and tongue, he will develop with courage and confidence in his ability to achieve scholastically and contribute significantly to his adopted culture.

Mr. Speaker, as culture and language gaps are bridged through the sharing of experiences and knowledge, many heritages and languages will be maintained and developed in the United States. Well educated, bilingual citizens will be an incalculable asset to our internationally oriented society. We can no longer afford to deny the special needs of the children from non-English-speaking, culturally diverse homes. By enacting the Bilingual Education Act, we will take a giant stride toward the goal of equitable treatment of all Americans, whether they speak English in their homes or not. The following fact sheet outlines the major provisions of my bill:

FACT SHEET ON BILINGUAL EDUCATION ACT

PURPOSE

Amends the Elementary and Secondary Education Act of 1965 to provide assistance to local educational agencies in establishing bilingual education programs.

GRANTEES

Local educational agencies and institutions of higher education co-sponsoring programs upon joint application to the Commissioner.

USES OF FUNDS

For planning and development of programs, including pilot projects to test the effectiveness of plans, and to develop and disseminate special instructional materials.

LIST OF ACTIVITIES

Provide high-quality educational opportunities for children from non-English speaking homes.

Pre-service and in-service training programs for teachers and teacher aides involved in bilingual education programs.

Programs to upgrade the quality of the entire program of schools where large proportions of the children come from non-English speaking, low-income homes, including construction, remodeling, or renovation of facilities.

Intensive early childhood programs for pre-school age and kindergarten age children.

Bilingual and bicultural education programs for elementary and secondary school children to acquaint students from both English speaking and non-English speaking homes with the history and culture associated with each language.

Supportive services for students, including: guidance and counseling, remedial instruction, summer programs, psychological and social work, health and nutrition, efforts to establish closer cooperation between school and home, adult education programs, particularly for parents of children served.

OTHER PROVISIONS

Maintenance of effort is required.

Reports to the Commissioner of Education.

Participation by full-time, non-public school students.

Sums authorized

	Million
Fiscal year 1968	$5
Fiscal year 1969	10
Fiscal year 1970	15
Fiscal year 1971	15
Fiscal year 1972	15

DISTRIBUTION OF FUNDS

By the Commissioner of Education on the basis of criteria designed to achieve equitable distribution of assistance among communities in which the number of non-English speaking persons from low-income families constitute a substantial proportion of the population.

BIPARTISAN U.S. WORLD FOOD STUDY NEEDED

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. LANGEN. Mr. Speaker, members of the House Republican task force on agriculture are pleased to be joined today by other Republican Congressmen in introducing legislation to establish a bipartisan U.S. World Food Study Commission.

This Nation's response to the impending world food crisis must be rational and effective. In planning our course of action, full consideration must be given to the needs of American agriculture.

As the task force statement says:

> The United States cannot play an effective role in feeding the hungry world, and fight a war, unless American agriculture is assured that its productive efforts will be equitably rewarded.
>
> Present low farm prices, the alarming increase in agricultural imports, and the extent to which American agriculture was shortchanged by the Kennedy Round Trade Agreement at Geneva point up the urgent need for a penetrating inquiry into all aspects of the approaching world food shortage.

If we plan wisely, the American farmer could use this opportunity to flex his productive muscle and improve his financial position.

The proposed U.S. World Food Study and Coordinating Commission could well be the catalytic agent that would help provide food to hungry mouths of the world, while maintaining our food strength during time of war, and bring economic vitality to American agriculture.

As task force chairman, I hereby insert our statement into the RECORD at this point:

STATEMENT OF THE HOUSE REPUBLICAN TASK FORCE ON AGRICULTURE, JUNE 22, 1967

Recognizing the seriousness of the impending world food crisis, we firmly believe that the United States cannot play an effective role in feeding the hungry world, and fight a war, unless American agriculture is assured that its productive efforts will be equitably rewarded.

Present low farm prices, the alarming increase in agricultural imports, and the extent to which American agriculture was shortchanged by the Kennedy Round Trade Agreement at Geneva point up the urgent need for a penetrating inquiry into all aspects of the approaching world food shortage. Indeed, current national problems of inadequate farm income, low farm prices, reduced markets, and lack of effective import controls must be given major consideration in any programs this Nation may devise and implement to help meet world food needs.

Because of such conditions, we urge the immediate establishment of a bi-partisan U.S. World Food Study and Coordinating Commission to evaluate the present and future food needs of the United States, and to suggest the manner in which we can best plan our agricultural productivity and technical assistance to food-deficient countries.

The world is rapidly losing the race between an adequate food supply and a growing population. At the same time, the American farmer is fast losing out as his production costs and farm debt hit record-breaking highs. The farm parity ratio now stands at a dismally low 74. Last year 122,000 farms were forced out of business, and the Department of Agriculture has predicted that another 82,000 farms will be wiped out in 1967. Farm production expenses rose 9%, from $30.7-billion (1965) to $33.2-billion (1966). Farm debt increased 10%, from $41.6-billion to $45.8-billion.

Today's low farm prices, further aggravated by a deluge of agricultural imports that usurp vital markets, threaten the future of our productive capability. Consequently, we can't afford to rush blindly into a gigantic feed-the-hungry-world project.

At Geneva, according to recent reports, American agricultural interests got the short end of the bargaining table. What was originally heralded as an opportunity to benefit the American farmer is now expected to be a sell-out to foreign interests.

We must get the best minds together in a concentrated, bi-partisan effort to grapple with these problems and come up with constructive, feasible recommendations. Recognizing that the United States must maintain its food strength during time of war, our proposed Commission could well be the motivating force in the effort to alleviate world food shortage, and bring an adequate financial return to the American farmer.

The experience of World War II, when full industrial and agricultural production was accompanied by domestic food rationing, should have taught this Nation that its ability to produce its own food and fiber must never again be jeopardized.

On the international scene, the threat of widespread famine is validated by a glance at future projection of population figures and world food needs. At the present annual growth rate of 2%, world population, now over 3-billion, will double within a generation and zoom to 24-billion within a century. The underdeveloped countries now have an annual food grain deficit of 16-million tons. This deficit will rise to 42-million in 1975 and skyrocket to 88-million tons in 1985—based on current agricultural production, population, and consumption trends.

We realize, too, that agriculture's technical know-how is concentrated, to a great extent, in one sector of the world, while the ugly, omnipotent threat of famine pervades the other. It is estimated that between now and 1980 these underdeveloped countries will add five times as many mouths to feed as will the developed countries.

In view of the foregoing, and as members of the Task Force, we are pleased to be joined today by other Congressmen in introducing legislation "To establish a U.S. World Food Study and Coordination Commission to study world food and agricultural needs, to coordinate present U.S. efforts toward meeting these needs, and to evaluate the future role of U.S. agricultural and other resources in light of present and projected world food and population trends." This is similar to legislation the Task Force drafted and sponsored in the previous Congress.

The Commission would be made up of the broadest possible membership. The 18-member group would be composed of four Congressmen, four Senators, and ten others to be appointed by the President. Of the ten, one each would come from the Departments of State and Agriculture, and the rest from outside the Federal Government, to be representatives of farm organizations, private agricultural trade, Land-Grant and State colleges and universities, and other agricultural groups.

Our legislation outlines a 15-point program for the proposed U.S. World Food Study and Coordinating Commission:

(1) A determination of the extent to which United States domestic agricultural production could be utilized to meet United States domestic needs, necessary reserves, and help meet world food needs as well as domestic prices which are fair and profitable to American farmers.

(2) An examination of present and projected world food needs, related to present and projected world food supply and population levels.

(3) An evaluation of the internal agricultural complexes of food-deficit countries to determine the causes of their inability to meet domestic food needs.

(4) An appraisal of the effects which such action could be expected to have on United States agricultural and total economy, and the probable effects of such action on the economies of other countries of the world.

(5) A study of the future domestic and foreign dollar market potential for United States agriculture.

(6) An examination of the influence that agricultural commodities stored in United States bins has on world prices for these commodities.

(7) A study of the effects United States shipping rates have on the sale of agricultural commodities abroad.

(8) An analysis of the results of past operations under Public Law 480, Eighty-third Congress, as amended, with particular reference to agricultural production and utilization in recipient countries, effects on United States agricultural export for dollars, and the projected development and operation of such programs in the future.

(9) An exploration of the possibilities for more effective use of the excess foreign currencies which have accumulated under past Public Law 480 programs.

(10) A study of past and present United States agricultural aid and economic development assistance to foreign countries, with particular reference to its effects on recipient countries, the degree of coordination among participating United States agencies, the effectiveness of family planning programs, and other related factors.

(11) A determination of the extent to which duplication of programs and administrative inefficiency exist among United States agencies involved in these foreign assistance activities.

(12) An exploration of alternative ways of financing possible United States programs designed to help meet world food needs.

(13) An analysis of the manifold technical, mechanical, diplomatic, bureaucratic, political, and other barriers to present and future United States programs designed to assist food-deficit areas of the world.

(14) A review of the potential of other food-surplus countries of the world for assistance in meeting world food needs, and a study of methods for coordinating such assistance.

(15) An investigation of any other areas which the Commission may find pertinent and related to United States and world food problems.

POLITICAL INVOLVEMENT OF OEO

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Gardner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GARDNER. Mr. Speaker, in recent weeks, I have become increasingly alarmed at the political involvement of the Office of Economic Opportunity, as illustrated by Operation Breakthrough in Durham, N.C. Operation Breakthrough is a community action program funded by OEO.

On June 14, 1967, I inserted into the Record a brief report detailing the political activities of Operation Breakthrough during a May 13, 1967, municipal election held in Durham. At that time, I stated that Operation Breakthrough employees, for a period of 3 months from December to March 28, 1967, 5 days per week during working hours, researched registration and voter lists for 10 precincts in Durham. In addition, these same employees contacted unregistered voters and persuaded them to register and used Operation Breakthrough automobiles to transport them to the polls to register. Then on election day Operation Breakthrough employees, using their own cars, contacted and delivered voters to the polls and furnished them with sample ballots telling them how to vote. These same poverty workers recruited students from nearby universities to pursue the same method of influence on election day.

Also in my June 14 statement, I inserted a copy of a letter I sent to Sargent Shriver requesting a ruling on whether the political activities of Operation Breakthrough violates the Economic Opportunity Act—section 202(b), 42 U.S.C. 2782(b) 0—and OEO instructions established in an OEO CAP memo 50–A, dated December 1, 1965. Mr. Shriver's reply, dated June 15, 1967, stated that the political activities of Operation Breakthrough did not violate any Federal laws, civil service regulation, or OEO regulations. At this point, I would like to insert Mr. Shriver's letter into the Record:

Office of Economic Opportunity, Executive Office of the President,
Washington, D.C., June 15, 1967.

Hon. James C. Gardner,
House of Representatives,
Washington, D.C.

Dear Congressman Gardner: Thank you for your letters of June 14 and 15, with the enclosed report of John R. Buckley.

As I indicated to you during our telephone conversation, this Agency had sent its own Inspector to Durham, North Carolina, to review charges of illegal political involvement of employees of Operation Breakthrough, a Community Action Agency funded by this office. Our investigation revealed that no Federal law, Civil Service regulation or OEO regulation was violated by Operation Breakthrough or any member of its staff.

We have reviewed the report of Mr. Buckley and found nothing in it that would indicate a violation of Federal law, Civil Service regulation, or OEO regulation.

We find the instructions William R. Pursell, Executive Director of Operation Breakthrough, issued to his staff regarding non-involvement in prohibited political activities an accurate reflection of OEO's policies. As I indicated to you in our telephone conversation, it is permissible under this Agency's legislation and regulations for Community Action programs to engage in voter registration drives. I am sure you know numerous civic organizations including the League of Women Voters long have been engaged in insuring that all eligible Americans are registered so that they may exercise their choice on election day. Operation Breakthrough employees conducted such an effort.

In regard to the matter of Operation Breakthrough employees participating in political activities on election day, both our Inspectors and Mr. Buckley found that these activities occurred on their own time. The automobiles that were used to transport voters to the polls were the private property of those employees who were engaged in that activity on their own time.

The Civil Service Commission as Mr. Buckley indicated in his report ruled in 1955 that Durham Muncipal elections were non-partisan. A flier distributed in Durham before the election contained the following text:

"Attention Republicans, Democrats and Independents! This Saturday's Municipal Election is Non-Partisan! Every registered Citizen of Durham can vote regardless of party affiliation!"

As you indicate in you letter to me you, too, believe that a non-partisan election "very likely would not be considered a violation of Chapter 15, Title V, U.S. Code."

OEO CAP Memorandum 50–A specifically states in outlining the explicit instructions on political activity on the part of CAP employees the following:

"Certain non-partisan political activities are permitted. These are activities in connection with campaigns for office which are run on a non-partisan basis and are of a strictly local character—that is, completely unrelated to issues and candidates identified with national and state political parties."

I am frankly surprised that because we disagree about existing OEO policies that you suggest that my disagreement has "been motivated by partisan politics."

This Agency, in the nearly three years of its existence, scrupulously has enforced all regulations governing political activity on the part of its staff or any staff member of any Agency covered by our regulations. In those isolated instances where we have uncovered such activities, we have acted on them promptly whenever they were substantiated without regard to any political party involved.

For example, in 1965 our Inspectors uncovered an instance in Carlinville, Illinois where young men and women, ineligible because they did not meet income requirements, were enrolled in a Neighborhood Youth Corps program after referrals by local Democratic political leaders. The program was cancelled by the Neighborhood Youth Corps.

In the summer of 1965, our Inspectors uncovered a similar case of ineligibility because of income in Kansas City, Kansas, which included also referrals by local political figures of ineligible enrollees who were found on the payroll. Neighborhood Youth Corps froze the funds of this project and negotiated an agreement with the city to repay the Federal Government for the cost of ineligibles in the program.

More recently, this Agency instructed the United Planning Organization in Washington that an employee of a delegate Agency was in violation of OEO regulations, because that employee was also the head of a local Democratic political organization. The employee resigned after UPO told him he could not hold the job and the political office.

In April of this year, our Regional Office reprimanded the Director of a State Technical Assistance Office for making a partisan political speech and immediately referred the case to the Civil Service Commission.

Incidentally, these cases were reported fully in the daily press at the time they were uncovered by this Agency, and we took action.

Furthermore, I don't believe the suggestion that our actions and statements are motivated by "partisan politics" is consistent with the fact that the Regional Director, who supervises and is responsible for programs in the Mid-Atlantic Region which includes Operation Breakthrough, is affiliated with neither major political party. He is an independent voter.

Finally, this Agency this year has allotted more money to states governed by Republicans than to states governed by Democrats.

I assure you that we shall continue to pursue vigorously any allegation of improper activity, political or otherwise, that is prohibited by our Act and our regulations. When we find such improper activity, we will, in the future as we have in the past, order prompt remedial action regardless of the political label of those who are involved.

Sincerely,

Sargent Shriver,
Director.

PS.—Incidentally, you appear still to believe that I denied the facts in your investigation. I said that our investigation, conducted at the request of Congressman Galifianakis, did not show any violations of our Act or our regulations.

The allegations against Operation Breakthrough have been substantiated by documented proof compiled by John R. Buckley, minority investigator for the Education and Labor Committee. Mr. Buckley spent 2 days in Durham, June 2 and 3 of 1967, compiling his evidence. This evidence includes signed statements from Operation Breakthrough employees, pictures, and other items which all prove that Operation Breakthrough was involved and did participate in the Durham municipal election on May 13, 1967.

During the last several weeks a great deal has been said about the proper role of Operation Breakthrough. May I say that I am deeply concerned with the poor living conditions of many of our citizens, in fact, all Americans are deeply concerned with the alleviation of poverty. Poverty is a national disgrace and deserves the attention of all American citizens. However, I find it difficult to correlate how copying registration voter lists, registering voters, and supplying sample ballots to voters will help to raise the poor out of their economic and social plight. Our investigation has brought out that a poverty program that was designed for community action for the poor has developed into a political action program. I do not see how a registration drive and the creation of a political machine of a Federal agency will not raise the poor to a better standard of living.

Although I am talking about Durham, N.C., this political activity could set a national precedent. The Durham Operation Breakthrough is only an example of the danger we face. This same situation could conceivably take place in Portland, Oreg.; Chicago, Ill.; Miami, Fla., or any city in our Nation. It is for this reason that the buildup of a political machine by OEO or any Federal agency needs to be stopped and stopped now.

The creation of a federally subsidized political machine is not one of the goals of the poverty program.

Consider for a moment the effect which this political activity, as now practiced and sanctioned by OEO, would have upon the political structure of the United States. A registration drive, as conducted in Durham by Operation Breakthrough during a nonpartisan election will have long-term results in a general election for State and Federal officials. Those persons who are registered will be eligible to vote during a partisan or general election. It would not be impossible for a congressional or presidential election to be won by the voters registered by OEO-sponsored agencies, as could have occurred in the 1960 presidential election.

The final results of the Durham registration drive by Operation Breakthrough in five target precincts, shows that those candidates supported by the Operation Breakthrough campaign received a majority of 10 to 1 and 20 to 1, but lost the election by 9 to 6.

This brings up another vital point, the difficulty in distinguishing between "partisan" and "nonpartisan" elections. Whenever one slate of candidates is supported over another slate, then elements of politics enter into the election. This is precisely the situation which took place in the Durham municipal election. The sample ballots which were passed out to the voters registered and carried to the polls by Operation Breakthrough employees, favored one slate of candidates over another. A copy of one of these sample ballots is included in Mr. Buckley's report.

Durham is not the only city in which CAP of the OEO has conducted intensive registration drives. Houston, Tex. and Cincinnati, Ohio have also experienced such political activities. If this is taking place in these three cities, one wonders if OEO is not conducting such registration drives throughout the United States by its 1,050 CAP's. It is evident that our tax dollars, spent in support of OEO programs, have been squandered on building a political machine. The immediate and most urgent need of the poverty program is to raise the living standards of the poor and not to engage in political activities.

Politics should not be an integral part of any Federal program, and it is the duty of this Congress to prohibit any further creation of a federally subsidized political machine.

I enlist the support and assistance of my colleagues and all interested citizens in this effort to correct a situation which could endanger the entire political structure of the United States.

I ask unanimous consent to insert the report prepared by an investigator of the Education and Labor Committee.

REPORT DATED JUNE 19, 1967, MADE BY JOHN R. BUCKLEY, MINORITY CHIEF INVESTIGATOR, EDUCATION AND LABOR COMMITTEE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, D.C., OF OPERATION BREAKTHROUGH, DURHAM, N.C., WILLIAM R. PURSELL, EXECUTIVE DIRECTOR

SUMMARY

On June 2, 1967, Operation Breakthrough employees advised that during the past year Operation Breakthrough has conducted a voter education community action program in Durham, North Carolina. In conjunction with this program, during the period January–March, Operation Breakthrough neighborhood workers reviewed voter registration books in the office of the Durham Board of Elections and copied registration lists. On April 1, April 8, and April 15, 1967, Operation Breakthrough employees, using the agency's automobiles, transported several hundred Durham citizens to Durham polling places for the purpose of registration. On April 29, 1967, Operation Breakthrough employees, using personally owned vehicles, transported Durham citizens to the polls during the municipal primary election. On May 13, 1967, Operation Breakthrough employees, using personally owned vehicles, transported Durham citizens to the polls during the municipal general election. On June 3, 1967, Mr. J. F. Steele, Jr., prominent Durham resident and unsuccessful candidate for U.S. Congress in 1966, furnished a signed statement alleging numerous Durham citizens had complained to him that employees of Operation Breakthrough had engaged in wide-spread political activities during the Durham municipal general election, the Durham primary election and the voter registration days prior to these elections. Mr. Steele's statement is set forth in details. On June 2, 1967, Mr. William R. Pursell, Executive Director of Operation Breakthrough, stated Operation Breakthrough employees participated in a voter registration drive early in 1967. According to Mr. Pursell, he issued specific instructions that Operation Breakthrough facilities and vehicles were not to be used during the primary and general municipal elections. Mr. Pursell stated he had been in contact with OEO officials during the period of registration and election and that he was confident that activities of Operation Breakthrough employees were not improper and not in violation of either the Hatch Act or the Economic Opportunity Act. He explained that it is permissible to use community action facilities and vehicles in connection with voter registration drives and that it is not improper for employees to involve themselves in political activities in a non-partisan election.

According to Operation Breakthrough Council, Mr. Robinson Everett, the Civil Service Commission in 1955 ruled the Durham municipal elections were non-partisan and involvement by U.S. Government employees would not constitute a violation of the Hatch Act. Statements and photos obtained establishing Operation Breakthrough employee and agency vehicle transported Durham residents during voter registration. Statement and photos obtained establishing Operation Breakthrough employees, including Mr. Lawrence Kelly, Administrative Assistant to the Director, participated in transportation of Durham citizen to the polls during municipal general election. Mr. A. C. Sorrell, member, Operation Breakthrough Board of Directors, advised there is wide-spread concern in Durham regarding Operation Breakthrough's political activity. On May 13, 1967, during the municipal general election, he interviewed a girl at a Durham polling place. She stated she was a student at the University of North Carolina and that numerous students at the University of North Carolina and Duke University had been recruited by Operation Breakthrough employees to transport voters to the pools. Results of voting in ten precincts researched by Operation Breakthrough employees reflects candidates recommended on Durham Committee on Negro Affairs political brochure polled substantial margins. Mrs. Geoffrey Hamilton, Secretary to the Directors, Operation Breakthrough, advised she had distributed cards soliciting votes for candidate for Alderman, Mrs. R. O. Everett, on May 13, 1961.

The card illustration contained the following information:

"THE DURHAM COMMITTEE ON NEGRO AFFAIRS RESPECTFULLY RECOMMENDS THE FOLLOWING:

"FOR MAYOR
"(Vote for One)
"FOR ALDERMAN WARD 2
"(Vote for One)
"FOR ALDERMAN WARD 4
"(Vote for One)
"FOR ALDERMAN WARD 6
"(Vote for One)
"[No designation appears]
"1A: R. W. Grabarek.
"(x) 2A: Paul Hardin.
"3A: Sidney Booth.
"(x) 4A: Mrs. R. O. Everett.
"5A: Walter A. Biggs.
"(x) 6A: J. Tom Freeman.
"(x) 7A: Vance E. Fisher.
"8A: Ollen M. Lane.
"9A: Luther H. Barbour.
"(x) 10A: C. E. Boulware.
"Campaign Headquarters: Carolina Times (682–2913), 436 Pettigrew Street.
"(May 13, 1967.)"

On June 2, and June 3, 1967, Mr. G. F. Steele, Jr., 3928 Notteway Road, Durham, North Carolina, was interviewed as a result of his complaint to members of the Education and Labor Committee, U.S. House of Representatives, that personnel of Operation Breakthrough had engaged in improper political activity during the 1967 Durham municipal elections. Mr. Steele's information was incorporated in the following signed statement which he furnished on June 3, 1967:

DURHAM, N.C.,
June 3, 1967.

EDUCATION AND LABOR COMMITTEE,
U.S. House of Representatives,
Washington, D.C.

GENTLEMEN: I respectfully call to your attention improper political activities of certain personnel of Operation Breakthrough and the North Carolina Fund, both of which are OEO-sponsored agencies.

I make reference to activities surrounding the municipal general election in Durham, N.C. on May 13, 1967, the primary election on April 29, 1967, voter registration days on April 1, 8 and 15, 1967, and certain other activities of approximately two months' duration preceding April 1, 1967.

During the month of March, 1967, several local citizens advised me that persons known to be staff members of Operation Breakthrough were then engaged in a program of copying names of registered voters from the voter registration books at the office of the Durham County Board of Elections. The people who called this activity to my attention stated that their concern was based on the fact that Operation Breakthrough personnel were copying names of voters from the negro areas only, and the negro citizens of Durham traditionally "bloc vote."

On April 1, 1967, which was the first day that the registration books were open for new voter registration prior to the municipal election, I received calls from a number of local citizens advising me that Operation Breakthrough personnel were engaged in an apparently organized drive to register negro voters.

After receiving several calls of this nature, I personally visited a number of precincts and observed several people involved in what did in fact appear to be an organized registration effort. These activities apparently were organized in the following manner: (1) one or more persons were stationed at each of the various polling places with a list of names; (2) a number of people were driving automobiles and transporting prospective voters to be registered at the polling places, and (3) each prospective voter thus brought in to register first would check in with the person or persons stationed at the polling places as specified above. It should be noted that this activity included only negro voters. although some of the precincts involved are of a racially mixed population.

During the following week, I visited the office of Operation Breakthrough and discussed this matter with the Executive Director, Mr. William R. Pursell. I pointed out to Mr. Pursell my concern over the unhealthy atmosphere created by this activity, and the resultant effect of causing a "Black-White" vote on election day. I also expressed my concern over any activity which might be interpreted as political in nature, and asked for his cooperation in seeing that his employees took no further action that might be considered as politically motivated.

Following the two final registration days of April 8 and April 15, I received additional complaints of a similar nature and was, further, informed that photographs had been taken of these activities.

On April 29, the primary election day, and on days following, I received additional complaints of political activities of certain people described as employees of Operation Breakthrough and the North Carolina Fund. Again, these activities involved only negro voters. The specific complaints alleged that these employees were engaged in activities similar to those observed during the voter registration period; that is, some persons being stationed at the polling places with what appeared to be lists of voters, and some individuals driving voters to the polls. It was observed that voters thus transported were checked off the lists handled by those persons at the polling places. Furthermore, said voters were seen to have in their possession slips of paper which have been identified as a list of recommended candidates.

Similar activities were observed on the general election day, May 13, 1967. It should be noted at this point that the lists which were used at some of the polling places to check off the names of those who had voted were printed by some type of electronic machine.

The election day activities observed are described as follows: at all precincts that are predominantly negro or racially mixed, people were stationed with "check-off" voter lists. Drivers would bring voters to the polling places in vehicles displaying signs reading "Vote today—use this car." The voters would leave the cars and confer with the people who had the "check-off" list. The voters would then enter the polling places. After voting, they would be driven away in the same cars. These cars were observed following the same procedure throughout the day. Printed lists of recommended candidates were seen in the vehicles and also were seen in the hands of voters as they entered the polling places. Some of the drivers of the described cars were identified as staff members of Operation Breakthrough. Others were identified as students at nearby universities. Some of the students stated that they were driving at the request of Operation Breakthrough staff members. The activities described above involved only negro voters.

It is my opinion that these activities are outside the realm of programs envisioned by members of Congress when they passed the Equal Opportunity Act of 1964. I believe that this fact is borne out by the action taken by Congress in amending this act in 1966 after there was an indication of political activities in OEO-sponsored agencies. I further believe that no public funds should be furnished to any organization that is politically involved or whose employees are actively involved in politics.

It is the expressed opinion of many local business and civic leaders that Operation Breakthrough has become ineffective, largely because of political involvement in this and in past elections in Durham County. I therefore respectfully request that the Education and Labor Committee follow whatever course of action deemed necessary in order to assure the people of Durham that any Federal funds allotted to Durham will be handled only through organizations whose staff members are totally dedicated to helping our poor, and that under no circumstances will any tax money be spent that in any way could build or aid in the building of a political machine.

Very truly yours,
G. FRED STEELE, Jr.

On June 2, 1967, Mr. A. C. Sorrell, 323 Foster Street, Durham, North Carolina, a member of the Board of Directors, Operation Breakthrough, advised he has been concerned over the political involvement of Operation Breakthrough employees during the past six months. He stated his concern is shared by numerous businessmen and community leaders in Durham.

Mr. Sorrell complained to the Executive Director of Operation Breakthrough in a letter dated May 15, 1967. A copy of this letter and replies from Operation Breakthrough, dated May 17 and May 19, 1967, follow:

MAY 15, 1967.

Mr. WILLIAM R. PURSELL,
Director—Operation Breakthrough,
Durham, N.C.

DEAR BILL: I would like to restate my displeasure with the political activities of Operation Breakthrough. As a member of your Board, I am requesting that a written report be furnished me as to the activity of all personnel in the election Saturday. I am referring to their time, both on and off the job.

Please give this matter your prompt attention.

Very truly yours,
A. C. SORRELL,
Vice President.

DURHAM, N.C.,
May 17, 1967.

Mr. A. C. SORRELL,
Clark & Sorrell, Inc.,
Durham, N.C.

DEAR MR. SORRELL: This is to acknowledge receipt of your letter of May 15, 1967, in which you requested information regarding the activities of our staff members on May 13, 1967.

I have given this request serious consideration and have decided that, because the information requested regards personnel matters, and because of my responsibility to keep the Executive Committee and Board of Directors fully informed on all matters relating to our organization and further upon the advice of the President of the Board of Directors, Dr. Charles Watts, your request should properly be referred to the Executive Committee at its next meeting scheduled for May 18, 1967. Dr. Watts has agreed to make this matter a part of the agenda for the meeting.

I shall inform you of the decision of the Executive Committee regarding your request.

Sincerely yours,
OPERATION BREAKTHROUGH, INC.,
WILLIAM R. PURSELL,
Executive Director.

OPERATION BREAKTHROUGH,
Durham, N.C., May 19, 1967.

Mr. A. C. SORRELL,
Clark & Sorrell,
Durham, N.C.

DEAR MR. SORRELL: In reply to your letter of the 15th and pursuant to my communication of the 17th, I would like to inform you that the Executive Committee of Operation Breakthrough met in regular session on May 18 and declared itself to be in substantial agreement with my opinion and that of the President, Dr. Charles Watts, regarding the proper disposition of your request.

As requested we are making available to you a list of Operation Breakthrough employees who were engaged in agency activities on election Saturday, May 13, 1967. The employees, with their job titles, and the nature of their activities are:

Mrs. Maria Hamilton; Administrative Secretary. Activity relating to the Operation Breakthrough exhibit for the Allied Art's Spring Festival of the Arts at Y.W.C.A.

Miss Edna Cole; Driver. Regularly scheduled N.Y.C. enrollee pick-up and delivery.

Mr. Richard Wescott; N.Y.C. Work Supervisor. N.Y.C. Work supervision at Children's Museum.

This list is, of course, the product of a preliminary investigation and is only as complete as the limitations of such a survey allow. A final record will be compiled from data made available through our regular monthly payroll accounting procedures. This can be forwarded to you, upon request at any time after June 7, 1967. You may rest assured, however, that it will contain no authorization for the expenditure of Operation Breakthrough funds for any election-related activities which may have occurred on the Saturday in question.

Community Action Program Memorandum No. 50–A (December 1, 1966) sets forth a summary description of the restrictions on political activity applicable to the personnel employed by Operation Breakthrough. As you will no doubt recall, paragraph 3 on page 4 of that document is particularly germane to the situation presented by Saturday's municipal elections. It reads:

"Certain non-partisan activities are permitted. These are activities in connection with campaigns for office which are run on a non-partisan basis and are of a strictly local character—that is, completely unrelated to issues and candidates identified with national and state political parties. For instance, elections for local school boards and other local offices are frequently run on a local non-partisan basis. If a state election law provides for a non-partisan ballot for a particular local office or class of local offices, or provides that the local office is considered non-partisan, the campaign for that office or class of offices qualifies for the exception. Local agencies and their employees should note, however, that if a particular candidate or slate in a non-partisan election actively seeks partisan support or identification, the campaign of that candidate or slate will be considered to have become a partisan campaign."

In light of this unequivocal exemption from restriction I felt at the time of the election that I could not in justice interfere with the dictates of individual conscience. The Executive Committee has made it clear that they feel any investigation into the private citizenship activities of the 190 Operation Breakthrough employees would be a tedious, time consuming waste of Operation Breakthrough funds and an unwarranted invasion of personal privacy.

Any specific charges which may be brought against any individuals in our employ will be courteously received and thoroughly investigated, but I must, on the instructions of the Executive Committee, decline to honor your request for a "written report" of personnel activities "off the job."

Very truly yours,
OPERATION BREAKTHROUGH, INC.,
WILLIAM R. PURSELL,
Executive Director.

Mr. Sorrell advised that on May 13, 1967, he visited a Durham polling place during the municipal general election. While there he engaged a young lady in conversation. On the seat of her car were a number of political brochures captioned "The Durham Committee on Negro Affairs respectfully recommends the following:" (Copy of the brochure attached to this report).

According to Mr. Sorrell, the young lady told him that she was a student at the University of North Carolina and that students from that University and Duke University had been recruited by Operation Breakthrough employees to transport Durham residents to the polls.

On June 2, 1967, Mr. E. B. Cranford, Jr., 312 Watts Street, Durham, North Carolina, was interviewed and he furnished the following signed statement:

To whom it may concern:

"I have furnished the following information to John R. Buckley, who identified himself to me as an Investigator, Education and Labor Committee, U. S. House of Representatives. No promises or inducements were made to me and I will be willing to testify at any type hearing or proceeding regarding the information furnished.

"On Saturday, May 13, 1967, the day of the Durham, North Carolina, municipal elections, I made observations at several polling places in Durham, North Carolina, between the approximate hours 7:45 a.m.–4:30 p.m. Included were the Whitted School, the Bragtown School, the Forest Hills Club House and the Lakewood School.

"During the day I took several pictures of activities in the vicinity of the polling place. I have identified, marked, and furnished eight photos to Mr. Buckley. In these photos are vehicles and drivers that I observed on several occasions transporting different groups of people to the polls.

"I have marked a yellow political brochure, size approximately 3" x 10" captioned 'The Durham Committee on Negro Affairs respectfully recommends the following.' This brochure illustrated the voting lever in the vote position for candidates for Mayor and City Aldermen. Of the people transported in the vehicles in the photos mentioned above, I observed that approximately fifty per cent carried yellow slips of paper approximately 3" x 10" when they left the cars. These slips resembled the political brochure I have described.

"I certify the above is a true and accurate statement to the best of my knowledge and recollection.

"E. B. CRANFORD, Jr.,
"*Durham, N.C.*

"Witnessed: John R. Buckley, Minority Chief Investigator, Education and Labor Committee, U.S. House of Representatives"

On June 2, 1967, Mr. Joseph Bernard High, 219 North Dillard Street, Durham, North Carolina, advised that on April 1, 8, and 15, 1967, he served as an observer at Durham polling places during voter registration activity. He furnished the following affidavit which had been prepared previously:

"AFFIDAVIT

"*Durham, County, N.C.*

"Joseph High, being duly sworn, deposes and says:

"That he is a resident of Durham County, North Carolina; that during the month of April, 1967, he personally observed a 1965 Ford bearing North Carolina license number ET–4280 transporting Negro citizens of Durham County to the voting polls, for the purpose of registration as a voter in Durham County and the City of Durham.

"JOSEPH HIGH,
"*Affiant.*

"Subscribed and sworn to before me, this 11th day of May, 1967.

"CHARLES N. SHIMON,
"*Notary Public.*

"My commission expires: January 22, 1968."

On June 3, 1967, Mr. William R. Pursell, Executive Director, Operation Breakthrough, advised that a 1965 Ford bearing 1967 North Carolina license ET–4280 was an Operation Breakthrough vehicle.

On June 3, 1967, Mr. Sigmund Meyer, Chairman, Durham County Board of Elections, Wachovia Building, Durham, North Carolina, advised that early in December, 1966, three individuals came to the office of the Board of Elections and requested books containing names and addresses of registered voters. These books are broken down by precincts. According to Mr. Meyer, these persons returned on a regular, almost daily basis, until late in January. At that time, Mr. Meyer advised them that due to space limitations in the office he requested that only one of the three come to the office. On the following day, Mr. John Edwards, Operation Breakthrough employee, came to Mr. Meyer's office and complained about the reduction of from three to one having access to the registration books. Mr. Meyer told Mr. Edwards that, if he could make arrangements for space on the same floor for the reviewers, he would make the registration books available to them.

Mr. Meyer stated that during conversations with the individuals he learned that they were Operation Breakthrough employees. He explained that it was the policy of the Board of Elections not to require identification to any legitimate inquiry concerning registrations.

Mr. Meyer stated the Operation Breakthrough personnel appeared at his office on a regular, continuous basis during the period December, 1966, to March 28, 1967, from Monday through Friday. On some days during December and January he made entries in a notebook concerning their appearance. He said it was his practice, but not a rule, to keep such notes. He discontinued this in February, 1967.

Mr. Meyer advised that he observed that Operation Breakthrough personnel conducted quite extensive research, copying names and addresses from the registration books. He recalled that during their visits he made available registration books of the following City of Durham precincts: 6, 8, 9, 10, 11, 12, 13, 17, 18 and 22.

On June 5, 1967, Mr. Meyer furnished the following results of the Durham general elections:

"Results of Durham general elections, May 13, 1967

"Precinct No.	For mayor		For alderman, Ward 2		For alderman, Ward 4		For alderman, Ward 6		For alderman at large[1]	
	Grabarek	Hardin	Booth	Everett	Biggs	Freeman	Fisher	Lane	Barbour	Boulware
6	655	531	483	655	628	492	710	253	603	361
8	261	288	193	306	229	282	371	75	172	316
9	529	152	431	221	508	148	477	80	276	169
10	106	675	35	656	63	634	601	57	82	839
11	130	1,156	40	1,118	64	1,085	1,035	52	75	1,295
12	69	471	26	475	34	473	407	19	31	558
13	81	722	32	749	43	715	690	50	52	400
17	127	228	64	275	92	223	235	59	87	250
18	392	407	334	420	304	452	499	122	195	480
22	369	268	315	299	272	342	417	72	197	249

"[1] Furnished by G. F. Steele, Jr., June 5, 1967."

Mr. Meyer furnished the following schedule pertaining to the City of Durham's 1967 municipal elections:

"CITY OF DURHAM 1967 MUNICIPAL PRIMARY AND MUNICIPAL GENERAL ELECTIONS

"Durham County Board of Elections: Sigmund Meyer, Chairman; J. V. Ingram, Secretary; Charles N. Fuller, 320 Wachovia Bank Building, Durham, N.C., Telephone: 682-4747.

"*To the Registrars of City Precincts of Durham:*

"The following is a calendar of the dates to be observed by you in the coming Municipal Primary and Municipal General Elections:

"March 29: The Registrars will meet at the City Hall (Council Meeting Room) at 10:00 o'clock A.M., Morris Street, 2nd Floor, for instructions and afterwards pick up registration books, etc.

"April 1: The Registrars will remain at the polling places from 9:00 o'clock A.M. until sunset for additional registration of voters. Sunset 6:37 o'clock P.M.

"April 8: The Registrars will remain at the polling places from 9:00 o'clock A.M. until sunset for additional registration of voters. Sunset 6:43 o'clock P.M.

"April 15: The Registrars will remain at the polling places from 9:00 o'clock A.M. until sunset for additional registration of voters. This is the last day for registration of voters for the coming Municipal General Election. Sunset 6:48 o'clock P.M.

"April 22: Challenge Day for the Municipal Primary Election. On this date the Registrars will remain at the polling places from 9:00 o'clock A.M. until 3:00 o'clock P.M.

"April 26: At 10:00 o'clock A.M. the Registrars will meet at the City Hall, 2nd Floor, for instructions and pick up poll books, etc.

"April 29: Municipal Primary Election. The polls will be open from 6:30 o'clock A.M. until 6:30 o'clock P.M. After taking the prescribed oath, open the polls and conduct the election. After 6:30 o'clock P.M. tally the ballots, make duplicate returns, mailing duplicate copy that night to the Chairman of the Board of Elections at 320 Wachovia Bank Building. *Immediately* after tallying the ballots telephone the results to 682–4747 or 688–4205, or 682–2621, or 688–8181.

"May 1, Monday: The Municipal Primary Election returns will be canvassed at the City Hall (Council Meeting Room, 2nd Floor) at 10:00 o'clock A.M. Registrars will deliver the original set of returns brought with them, as well as the registration, poll books and miscellaneous supplies. Statement of account, original return and voting machine keys should be brought to the City Hall. Everything else should be delivered to the Board of Elections office.

"May 10: The Registrars will meet at the City Hall (Council Meeting Room), Morris Street, 2nd Floor, at 10:00 o'clock A.M., for instructions and afterwards pick up registration books, poll books, etc., for Municipal General Election.

"May 13: Municipal General Election. The polls will be open from 6:30 o'clock A.M. until 6:30 o'clock P.M., for the General Election. After 6:30 o'clock P.M. tally the ballots, make duplicate returns, mailing duplicate copy that night to the office of the Board of Elections, 320 Wachovia Bank Building. *Immediately* after tallying the ballots telephone the results to 682–4747, 688–4205, 682–2621, or 688–8181.

"May 15 Monday: The Municipal General Election returns will be canvassed at the City Hall (Council Meeting Room, 2nd Floor) at 10:00 o'clock A.M. Registrars will deliver the original set of returns brought with them, as well as the registration books, poll books and miscellaneous supplies. Statement of account, original return and voting machine keys should be brought to the City Hall. Everything else should be delivered to the Board of Elections office, 320 Wachovia Bank Building, Durham, N.C., Phone 682–4747.

"Durham County Board of Elections,
"By: Sigmund Meyer, *Chairman.*
J. V. Ingram, *Secretary.*
Charles N. Fuller, *Member.*

"Note: Keep this calendar of dates for future *information* and *reference,* also all Notices, Letters, etc., you receive at any time from the Durham County Board of Elections.

"It may be possible that it will not be necessary to have a City Primary Election, this will depend upon the number of candidates filing notices. If there is no Municipal Primary Election you will be advised about it sometime after 6:00 o'clock P.M., Friday, April 14, 1967, which is the final filing date and hour for candidates.

"There is to be no further registration of electors between the Municipal Primary and the Municipal General Election.

"Please note: *All meetings for this election are at the City Hall 2nd Floor, Morris Street, City.*

"For voting machine service call office of Durham County Board of Elections, 682–4747."

On June 2, 1967, Miss Charsie Hedgepeth, Program Coordinator and Miss Joan Burton, Community Worker, Target Area A, were interviewed in the offices of Operation Breakthrough. Miss Hedgepeth acted as spokeswoman with an occasional comment from Miss Burton.

Miss Hedgepeth advised that during the past year Operation Breakthrough has conducted a Voter Education Program involving an effort to contact a maximum number of Durham's poor. The program was designed to explain to the poor the importance of registering and voting.

According to Miss Hedgepeth, early in 1967 Operation Breakthrough began reviewing registration books in the office of the Board of Elections. These books were available daily, Monday through Friday. Lists of registered voters were compiled. Using the voting lists and tax maps, door-to-door canvassing in the target areas was commenced and several hundred of the poor were registered on three successive Saturdays in April, 1967. Miss Hedgepeth estimated that approximately 500 were registered in Target Area A.

Miss Hedgepeth said Operation Breakthrough automobiles were used to transport the Durham citizens to the polling places for the purpose of registering on April 1, April 8, and April 15, 1967, and this effort was considered the end product of the one year Voter Education Program.

Miss Hedgepeth explained that Operation Breakthrough community workers are assigned to specific geographic areas in what are considered target areas in Durham. On the days of the municipal primary and general elections (April 29 and May 13, 1967) Operation Breakthrough employees, on a voluntary basis and using personally owned cars, transported numbers of the poor to the polling places to vote.

Miss Hedgepeth and Miss Burton were shown photos taken in the vicinity of the polling places on May 13, 1967, Miss Hedgepeth stated she recognized Operation Breakthrough employees, but declined to identify them, other than a photo of herself where she appears on the passenger side of a two-door Volkswagen.

Miss Hedgepeth and Miss Burton were shown a political brochure captioned "The Durham Committee on Negro Affairs respectfully recommends the following (candidates for Mayor and Aldermen)." When asked if these brochures were distributed to the people transported to the polls, Miss Hedgepeth replied, "No, it wasn't necessary, they knew who they were going to vote for."

On June 2, and June 3, 1967, the investigator met with the following officials of Operation Breakthrough:

Dr. Charles W. Watts, President, Board of Directors, and Chairman of the Executive Committee.

Mr. Robinson Everett, Attorney for Operation Breakthrough.

Mr. William R. Pursell, Executive Director.

Mr. Scott Puckett, Assistant Director.

Mr. Lawrence Kelly, Administrative Assistant to the Executive Director.

Mr. Aden Field.

Dr. Watts expressed concern over the public charges made by Fred Steele (G. F. Steele, Jr.) that Operation Breakthrough employees were engaged in improper political activity. He stated that the anti-poverty program in Durham suffers from this adverse publicity and that to his knowledge there have been no violations of existing laws or OEO regulations. He indicated Operational Breakthrough members and staff feel they have complied with regulations pertaining to political activity and, if there has been noncompliance, they want to be apprised of the specifics in order that necessary steps can be taken to correct the situation.

On June 2, Dr. Watts requested that Operation Breakthrough be advised of the specific allegations or charges which have been made by Fred Steele regarding improper activity of Operation Breakthrough employees. The investigator advised that if the complainant, Fred Steele, had no objections, a list of specifics would be furnished the following day.

(On June 3, 1967, Mr. Fred Steele furnished the following statement in response to the request of Dr. Watts: "During the Durham, North Carolina, Municipal elections of 1967, and for the period preceding the elections, including Registration of voters and the primary elections, employees of Operation Breakthrough were engaged in political activity in an effort to elect a slate of candidates." Mr. Steele declined to furnish Operation Breakthrough with specific evidence or charges because he felt the evidence should first be reviewed and evaluated by members of the House Education and Labor Committee and the Office of Economic Opportunity or the U.S. Civil Service Commission.)

Dr. Watts furnished the following signed statement reflecting his views concerning the Congressional inquiry and the matter of charges that Operation Breakthrough was involved in improper political activity.

June 3, 1967.

STATEMENT OF DR. CHARLES WATTS, PRESIDENT, BOARD OF DIRECTORS, OPERATION BREAKTHROUGH

Along with some of the staff members, I have conferred with Mr. John Buckley, minority counsel to the House Committee on Education and Labor. We have generally discussed the functions and purpose of Operation Breakthrough and the laws, regulations, and directives that apply to it. I have explained to Mr. Buckley that under our interpretation of the applicable laws, which was checked with officials of the Office of Economic Opportunity, the Durham municipal election is a local non-partisan election and not subject to the restrictions that apply to partisan political activity. Moreover, I have emphasized that Operation Breakthrough had repeatedly apprised its personnel that no support by the organization should be given to any candidate in the municipal election, and that, although each staff member retained his private rights as a citizen in such an election, he was not to use the organization's funds or equipment, nor his compensated official time, to participate in political activity. Mr. Pursell and I have furnished Mr. Buckley with prior statements by us and with other documents which amplify our position.

Mr. Buckley has informed us that, despite our request to be allowed the opportunity to learn of and refute any specific allegations which either have been made, or may be made by Mr. Fred Steele, or anyone else, no such opportunity can be provided us at this time. He explained further that these allegations could only be made known to us with the consent of Mr. Steele, which Mr. Steele has refused to grant up to this point.

Accordingly, any further comment by us should await the moment when we know what are the specific charges against our organization. Anyone is entitled to know the accusations against him and to confront his accuser. We trust that this right will be fully recognized by any Committee or other group that may receive charges against Operation Breakthrough. Of course, when and if specific charges of improper action are brought against Operation Breakthrough by Mr. Steele or any other citizen, I shall be glad to answer those charges and to call for appropriate action from the Executive Director of Operation Breakthrough.

Operation Breakthrough, Inc.,
Dr. Charles Watts,
President.

Photos taken by E. B. Cranford, Jr., on May 13, 1967, in the vicinity of Durham polling places were shown to Operation Breakthrough officials present at the conference.

Mr. Lawrence Kelly, Administrative Assistant to the Executive Director, acknowledged that he appeared in one of the photos. He advised that on May 13, 1967, he transported voters to the polls in the Durham municipal general election. He said he did so at the request of the Neighborhood Council and that he felt this activity was proper inasmuch as the election was non-partisan.

Mr. Robinson Everett, attorney for Operation Breakthrough, advised it was his opinion Operation Breakthrough has been in compliance with OEO regulations and directives. He said that in 1955 or 1956 the U.S. Civil Service Commission had ruled that the Durham municipal elections were non-partisan and not covered by the Hatch Act.

Mr. William R. Pursell, Executive Director, furnished the following material pertaining to the Operation Breakthrough controversy:

Operation Breakthrough, Durham, N.C.

Memorandum

To: All staff members.
From: William R. Pursell, Executive Director.
Date: May 11, 1967.
Subject: Use of facilities and vehicles on election day May 13, 1967.

This is to officially inform you that no vehicles and/or facilities of Operation Breakthrough are to be used in any way in support of any individual or slate of candidates in the General Election on May 13, 1967. This is to be interpreted as meaning that only normal Saturday program activities will be allowed on this day. It is also to be interpreted that no vehicles and/or offices can be used to get voters to the polls. It is further to be interpreted that no staff members will be reimbursed either in salary or compensatory time for election related activities on this day.

Due to the fact that this is a non-partisan election and in compliance with CAP Memo 50–A, each staff member may, if he so desires, be involved as a private citizen according to the dictates of personal conscience.

WRP.

Statement Issued by Dr. Charles Watts, President, Board of Directors, and Mr. William Pursell, Executive Director

Mr. Fred Steele's allegations against Operation Breakthrough at his press conference Tuesday morning were sensational and without foundation. It was extremely disappointing that Mr. Steele found it expedient to use Operation Breakthrough as a political football again. It is surprising that Mr. Steele can align himself with those who fear registration and voting by the poor of Durham, and who would raise a false racial issue in a matter which is both non-partisan and non-racial.

Mr. Steele's allegation that Operation Breakthrough sought to register only Negro voters in its ongoing citizen education program is false. The white voters registered through our efforts will take issue with Mr. Steele on this matter. It is obvious for anyone to see that the limited resources and staff of Operation Breakthrough cannot be spread over the entire county. The citizen education efforts were concentrated within defined target areas, where extensive poverty and Negro population are unfortunately combined. These are the same target areas where Operation Breakthrough has been working all along.

Any "unhealthy division" among the city electorate is more properly laid to the inflammatory statement of Mr. Steele than to the work of Operation Breakthrough.

Mr. Steele's further allegation that Operation Breakthrough made improper use of its staff is also false. Staff members of Operation Breakthrough are authorized and encouraged by Federal regulation to be active as individual citizens in local, non-partisan elections. Those who are so active receive no pay or compensation for these activities.

On April 28, the Executive Director of Operation Breakthrough issued an order, in line with OEO directives, prohibiting the expenditure of any Operation Breakthrough funds in support of activities on election day, and forbidding the use of agency vehicles in support of such activity.

A prompt investigation of vehicle schedules and reports by drivers and supervisors substantiated the fact that none were used.

Operation breakthrough invites Mr. Steele to make his alleged "evidence" public so that the charges may be fairly judged by all.

Mr. Pursell stated, "If the existence of accurate information which has not yet come to my attention can be fairly established, I am willing to consider it and take appropriate actions."

The Director strongly stated however that private non-paid individual participation in non-partisan election activities is a citizen's right and privilege.

The intent of Congress as expressed in the Economic Opportunity Act of 1964 has been clear from the beginning. "Maximum feasible participation" of the poor in the workings of our society surely includes the proper exercise of a citizen's right to register and vote. Attacking the encouragement and support of citizens who are poor and who seek to express their concerns through voting is hardly in keeping with the established concept of American Democracy.

Supplemental Statement Regarding Operation Breakthrough Non-Involvement in Prohibited Political Activities, William R. Pursell, Executive Director, Operation Breakthrough, May 28, 1967

In a 1966 amendment to the Economic Opportunity Act of 1964 Congress extended the limitations on political activities contained in the Hatch Act to include the employees of Community Action Agencies. Under the Hatch Act is a specific provision in 5 U.S.C. Section 1503 permitting nonpartisan activity. It reads:

"Section 1502(a)(3) of this title does not prohibit political activity in connection with—

"(1) an election and the preceding campaign if none of the candidates is to be nominated or elected at that election as representing a party any of whose candidates for presidential elector received votes in the last preceding election at which presidential electors were selected; or

"(2) a question which is not specifically identified with a National or State political party.

"For the purpose of this section, questions relating to constitutional amendments, referendums, approval of municipal ordinances, and others of a similar character, are deemed not specifically identified with a National or State political party."

In addition to the restrictions of the Hatch Act, the 1966 amendments preclude the use of program funds, the provision of service and the employment or assignment of personnel in a manner supporting or resulting in identification of a Community Action Program with any particular political activity or any activity designed to further the election or defeat of any candidate for public office.

On December 1, 1966, the Office of Economic Opportunity issued a memorandum (Memorandum 50–A) which explained these limitations in detail. It pointed out the restrictions are imposed by the United States Civil Service Commission and that in addition to the Hatch Act requirements, applicable to Federal agencies generally, Community Action Programs were subject to stature based requirements relating to political activity. In brief, these preclude: employees from identification even on their own time with the activity of any recognized political party; use of local agency equipment for political activity; and the conduct of political activity as part of official personnel employment or assignment.

It is my understanding as a Durham resident that municipal elections such as those taking place on April 29 and May 13 are non-partisan political elections. When I voted on those days, I saw no label or designation indicating a candidate as a Democrat, Republican or the representative of a third party. I noted that the newspapers consistently referred to the election as non-partisan. But to make doubly certain that this was indeed true, I specifically checked on April 25 with both the Durham County Board of Elections and the League of Women Voters. One candidate for the City Council in the fourth ward had been active in Republican politics last fall but I am sure that he was not in any way identified on the ballot as a Republican candidate. No one has in fact provided *any* evidence that either of these elections could be construed as a partisan election within the meaning of the Hatch Act as it has been consistently interpreted by the Civil Service Commission, the agency which Congress directed to interpret the Hatch Act, or by the Office of Economic Opportunity.

I checked personally by telephone with the regional analyst of the Office of Econonic Opportunity and with the office of the Inspector General of OEO; and they confirmed my interpretations of the statute. In repeated inquiries directed to these persons and to other qualified interpreters, I have always received the same positive confirmation.

In addition to these precautions, on May 11th, prior to the May 13th run-off, I issued the following memorandum to all staff members:

"This is to officially inform you that no vehicles and/or facilities of Operation Breakthrough are to be used in any way in support of any individual or slate of candidates in the General Election on May 13, 1967. This is to be interpreted as meaning that only normal Saturday program activities will be allowed on this day. It is also to be interpreted that no vehicles and/or offices can be used to get voters to the polls. It is further to be interpreted that no staff members will be reimbursed either in salary or compensatory time for election related activities on this day.

"Due to the fact that this is a non-partisan election and in compliance with CAP Memo 50–A, each staff member may, if he so desires, be involved as a private citizen according to the dictates of personal conscience."

In a further effort to avoid any misunderstanding I directed that the various offices of Operation Breakthrough, which frequently are kept open on Saturday, be closed on May 13, 1967, and I personally inspected them to insure that they were in fact closed. Furthermore, in accord with my instructions only one of the eleven vehicles operated by Operation Breakthrough was in use at all on Saturday, May 13, 1967; and it was used solely to transport N.Y.C. enrollees to the John Umstead Hospital and back. No staff member of Operation Breakthrough performed any official duty in connection with the May 13, 1967, election. Only a supervisor at the Children's Museum, another supervisor on duty at John Umstead Hospital and one bus driver engaged in transporting N.Y.C. enrollees can be ascertained to have performed official duties on that date. To a limited extend I was myself on duty but only to assure that my earlier instructions were being complied with.

All the requirements or laws and regulations have been honestly complied with to the fullest extent of my knowledge and ability. As Executive Director I have vested in me only such authority over the private lives and activities of Operation Breakthrough employees as Congress has authorized. It is my belief that any unwarranted attempt to extend this authority would raise the serious question of constitutional infringement.

CAP Employee Involvement in Non-Partisan Election Activities

The Executive Director of Operation Breakthrough is guided in the formulation of policy concerning employee political activities by national OEO regulations and by the policy decisions of the OBT Board of Directors.

OEO permits certain non-partisan political activities "in connection with campaigns which are run on a non-partisan basis and are of a strictly local character . . . ." (see CAP Memo 50–A, page 4, para. 3).

The Executive Director documented the non-partisan character of the May 13 election:

1) By a phone call to Mrs. Ann Hunt of the Durham League of Women Voters, placed by Mr. Ben Ruffin, Area C Coordinator, at the Director's request on the morning of April 25th.

2) By phone calls to the Durham Board of Elections, placed by Aden Field, Administrative Assistant, and Lawrence Kelly, Senior Administrative Assistant, at the Director's request on the same morning.

3) For further documentation, a clipping from the April 26th issue of the Durham Sun, and a pamphlet from the League of Women Voters are included.

The Executive Director placed a call to Dr. Charles Watts, President of the OBT Board of Directors, at approximately 12:45 p.m., April 25th, and secured his opinion as President that it was the intent of the OBT Executive Committee, in its only relevant action in May of 1966, only to bring OBT policy on election activity into consistence with that of OEO; and that this action does not preclude the activity of OBT employees in the upcoming non-partisan election.

Executive Committee Meeting, Operation Breakthrough, Inc., May 18, 1967

The following members of the Executive Committee were present:

Dr. Charles Watts.
Mr. David Currie.
Mr. William D. Higgs.
Mr. Julius Corpening.
Mrs. Christine Strudwick.
Miss Delois Vines.

The following members of the staff of Operation Breakthrough were present:

Mr. William Pursell.
Mr. Gerald Underwood.
Mr. Scott Puckett.
Mrs. Louise Crosby.
Mr. Lawrence Kelly.
Mr. Ed Stewart.
Mr. James Pilgrim.
Mrs. Maria Hamilton.

1. *Approval of the minutes of the Executive Committee meeting of April 20, 1967:*

Mr. Currie moved that the minutes abovementioned be approved as written. This motion was seconded by Mr. Higgs and unanimously voted.

2. *Board Retreat*: Mr. Pursell stated that the answers from the questionnaires that were distributed to the Board members at the last meeting indicated the same response as the previous questionnaires: although the Board had officially approved retreat in principle, an insufficient number of members were actually able to attend. Reviewing the correlation of the answers, he stated that no more than ten members would be able to attend a retreat at any given date. Mr. Currie moved that the Board rescind its approval of a retreat. However, there was no second to this motion. Mr. Corpening then suggested the possibility of an informal meeting in a comfortable setting in Durham to discuss the report. Dr. Watts pointed out that Operation Breakthrough had a responsibility to act in terms of the North Carolina Fund Report. Mr. Corpening asked whether it would not be valuable to divide the report up into sections and assign these sections to a subdivided Board. Mr. Currie stated that there would be some virtue in the Operation Breakthrough staff's reporting to the Board what actions had already been taken as a result of the report. Mrs. Crosby asked whether it would be helpful for the staff to make a report of the main features of what action had already been taken by Operation Breakthrough and then let the Board deal with the remaining portions. Mr. Corpening then suggested that a subcommittee composed of members of the Executive Committee and the staff of Operation Breakthrough intensively review the report in the light of what has already been done and what ought to be done. Dr. Watts stated that he thought that this was a workable plan. Mr. Pursell added that he thought that it would be excellent for such a subcommittee to take an evening and come to grips with the report pulling out the features that have been implemented and then presenting the full Board with a complete report.

Mr. Corpening moved that the Executive Committee approve the formation of an ad hoc subcommittee of several members of the Executive Committee and Operation Breakthrough staff to study the North Carolina Fund Report. This motion was seconded by Mr. Higgs and unanimously approved.

First asking for any volunteers for this subcommittee, Dr. Watts appointed the following: Mr. David Currie, Chairman, Miss Delois Vines, Mr. Victor Bryant, and Mrs. M. H. Thompson. Mr. Pursell asked that the appointment of the staff members be withheld until he had made an evaluation of the responsibilities being created by individual staff members. Mr. Higgs suggested that he employ the talents of Mrs. Crosby before she left Operation Breakthrough at the end of May.

3. *Summer Head Start:* Mr. Pursell stated that for four weeks the Office of Economic Opportunity had been promising that any day the approval of the Summer Head Start Proposal would be signed. Despite daily contact with Washington, this approval has not yet come. However, they have given Operation Breakthrough their assurance that the grant would be signed minus only $3,000 from the proposed plan. This $3,000 is the result of the deletion of the positions of medical-social coordinators. Unfortunately, the Office of Economic Opportunity often does not look at proposals from a local viewpoint and cuts positions which appear from their point of view to be low priority. These positions may be reinstated, however, by the additional use of volunteer services from the school systems in place of other funded positions. Mr. Pursell, stating that May 1 had been the school's deadline. emphasized his concern that if the proposal is not signed by Friday, May 19, 1967, the school systems will not be able to function responsibly. Mr. Corpening asked if Mr. Sanchez was aware of this problem. Mr. Pursell answered that he had told Mr. Sanchez this and had told him of the County School system's being asked to operate a Follow Through program which might be hamstrung by long delays in approval. The Office of Economic Opportunity did give Operation Breakthrough the staffing patterns for the program and this relieved the situation somewhat; however, they neglected to specify the money allotted to each position. Apparently, he pointed out, the proposal is in the typing pool of the Office of Economic Opportunity and cannot be signed until it is completed. Mr. Pursell stated that he had offered the use of his secretary but they had stated that this was not necessary.

4. *Letter from Mr. A. C. Sorrell:* Mr. Pursell read both the letter he had received from Mr. A. C. Sorrell, requesting information about the activities of Operation Breakthrough's employees both on and off the job on Saturday, May 13, 1967, and his response to Mr. Sorrell. This stated that he would bring Mr. Sorrell's request to the attention of the Executive Committee. Reviewing the situation which culminated in Mr. Sorrell's request, Mr. Pursell stated that undoubtedly the members of the Executive Committee had read of the accusations thrown at Operation Breakthrough for its activity in "political affairs." Reading from CAP Memorandum 50–A, which dealt with the restrictions on CAP agencies of their political activities, Mr. Pursell called the Executive Committee's attention to page 4 which specifically exempts individuals employed by a CAP agency from regulation of their activities as private citizens in "non-partisan" elections. However, no grant funds can be used to influence the outcome of any campaign, non-partisan or partisan. This paragraph precluded Operation Breakthrough from participating in Saturday's election; it did not preclude individuals from participating in the officially non-partisan election if they desired to do so. Mr. Pursell stated that he had checked with the Office of Economic Opportunity prior to the election to see if his interpretation was in compliance with theirs. OEO had reported that any individual employed by a CAP agency could participate in a non-partisan election only if he were doing so on a non-working day with no compensatory time afforded him. On April 25, Mr. Pursell added, he checked with the local board to make sure that this election was in fact a non-partisan election. Many of the staff members were involved in both the primary and the election; no vehicles, however, were used in any way relating to these elections. After the primary, when Mr. Fred Steele accused Operation Breakthrough of using Federal funds in the activities relating to the primary election, Mr. Pursell made an intensive check to see if any vehicles had been used, even though he had issued memorandums stating this was specifically prohibited. His check proved that no vehicles had been used in any way except in previously programmed activities. On Saturday, May 13th, the Operation Breakthrough offices were locked so that no one could accuse Operation Breakthrough of carrying on political activities. In his letter to Mr. Sorrell Mr. Pursell expressed his reservations as to both the propriety and practicality of investigating 190 employees on a non-working day. He pointed out that no evidence had been given that any person had violated any guideline, but Mr. Sorrell had requested an investigation of all staff members. Dr. Watts added that Mr. Victor Bryant, who was unable to attend the meeting, had called him to express his feelings that Operation Breakthrough should not suppress information in answering Mr. Sorrell's letter. Dr. Watts stated that he had asked Mr. Bryant to get in touch with Mr. Sorrell to invite him to come to the Executive Committee meeting so that he could present his views.

Mr. Currie asked how many members of the staff would normally work on Saturday. Mr. Pursell stated that normally very few were required to work on Saturday. No one is scheduled to work except some of the Neighborhood Youth Corps enrollees and the drivers who are expected to drive the enrollees to their jobs. Mrs. Crosby pointed out that at the end of each working month every employee turns in a time sheet which lists not only actual required hours of work but all hours that were spent on the job. These time sheets are approved by the immediate supervisor of each employee and checked by the Business Office. Mr. Higgs asked if it would be possible to get these sheets now in the middle of the month to check to see who had worked on Saturday. He stated that he felt that perhaps the appropriate way of handling Mr. Sorrell's request would be to direct him to the pertinent sections of CAP Memo 50–A, giving him the names of these individuals that were on the job but stating that the affairs of the employees off the job were not in this instance a proper concern. Mr. Pursell pointed out that after a preliminary investigation he had only found two people who had worked on Saturday, Edna Cole, a driver, and Dick Wescott, a N.Y.C. Supervisor at Children's Museum. He also pointed out that Mr. Sorrell had already received a copy of CAP Memo 50-A. Dr. Watts stated that he felt that there must first be specific allegations before an intensive investigation can be held or it becomes a witch-hunt. Mr. Sorrell should make specific charges before Operation Breakthrough could make a blanket investigation of all its employees. Mrs. Crosby suggested that any information regarding employees' on the job activities should be withheld until the official time sheets had been turned in at the end of the month, so that in the event of an honest mistake Mr. Pursell would not be unfairly held officially responsible for his initial figure of how many people had actually worked on Saturday. Mr. Higgs suggested that any initial report to Mr. Sorrell could be defined as being merely a preliminary investigation. Mr. Currie stated that off-the-job activities of Operation Breakthrough employees were a concern of the Board's. Dr. Watts stated that while it was a concern of the Board, it was, nevertheless, the prerogative of each individual. Mr. Puckett pointed out that although such individual action was allowed in non-partisan elections, it was not allowed in partisan elections. In no way, can a CAP employee participate in any political activity, even, for instance, in holding an office in an organization like the Young Democrats. Mr. Corpening suggested that a general statement about what work was done on Saturday would be a sufficient answer to Mr. Sorrell. Mrs. Crosby pointed out that Mr. Sorrell also requested information concerning the off-the-job activities of employees. M. Higgs stated that he did not think that they could make such information available. Dr. Watts emphasized that such activities were at the discretion of the individual and that to investigate these activities and make the information available to Mr. Sorrell would be a breach of responsibility by Operation Breakthrough. Mr. Underwood added that while it was the Board's responsibility to protect the organization it was also its responsibility to protect the employees by affording them security in their jobs. Dr. Watts stated that it would not be their position to hide the activities of anyone, but this type of investigation could not be undertaken as it would be a disservice to subject all the employees to a blanket inquisition without any specific charges. Mr. Corpening stated that Dr. Watts should relay the message to Mr. Sorrell that the Executive Committee would be glad to discuss its position with Mr. Sorrell at any mutually convenient time. Dr. Watts then stated that from this discussion he and Mr. Pursell would write a letter to Mr. Sorrell indicating the Executive Committee's consensus.

5. *Progress Report on the Proposal:* Calling the Executive Committee's attention to the July 1st deadline, Mr. Pursell stated that already the staff of Operation Breakthrough had spent many hours discussing and planning the type of programs that will be needed for next year. These plans have been discussed with the North Carolina Fund, with the United Organization for Community Improvement, and with Leonard Slaughter, who came down from the Office of Economic Opportunity in Washington. Operation Breakthrough has two years of experience and knowledge in back of it; what is needed now is a creative and viable plan. In some areas, such as health and social work, unless Operation Breakthrough comes up with a creative plan, it is very likely to lose whole programs entirely, as OEO has placed these programs, without sufficient regard for local content standards, on the bottom of its priority list.

Mr. Higgs then asked what had happened to the budget revisions sent into the North Carolina Fund. Mrs. Crosby and Mr. Pursell explained that they had been approved in essence for two months, which effectively barred any use of them.

Mr. Pursell then introduced Mr. Scott Puckett. Describing the Community Development Component, Mr. Puckett stated that as it is set up now the program activities were distinctly divided between service delivery and community organization which doesn't deal with the problem itself but helps organize a community to solve their own problems. There are many reasons why this component needs to be reorganized. First of all, Operation Breakthrough, unless it comes up with a newly descriptive but similar program, will lose many of the service-oriented programs, such as health, social work and home economics since these programs as now described are in disfavor with OEO. Secondly, efforts to deal with specific problems have not been as significant as they could have been due to Operation Breakthrough's lack of knowledge concerning the various organizations that constantly must be dealt with, in areas such as housing, welfare, health, etc. Another problem is that the demand for community development is greater than Operation Breakthrough's supply. Flexibility is greatly needed; an approach that will span all kinds of problems and areas is crucial.

Operation Breakthrough envisions a reorganization of its Community Development Component that will divide it into two sections: a geographic section and a problem area section. Two administrators will be responsible for the overall direction of the program, a director and an assistant director. The geographic section will be composed of four teams serving the area that is presently being served. Operation Breakthrough has commitments in these areas that it must honor. Two field supervisors will correlate the geographic sections of the component. A reserve geographic team is also envisioned both as a temporary source of additional manpower and as a training ground for new staff members. The problem area section will also be divided into four teams, each team studying a particular problem and the local solutions available, such as in housing, education, welfare and health. All the teams will spend 50 per cent of their time in what can be termed regular operations, 25 per cent of their time in training and 25 per cent of their time in planning. This is an important breakdown of time which will allow this component to function at maximum capacity both in long range and short range perspectives. The teams in both areas will be organized according to a ladder of ability structure affording vertical job mobility.

After a further discussion of the reorganization of this component, the meeting was adjourned until the following Thursday.

ADDENDUM

On June 16, 1967, Mr. L. G. Holleman, Rosebriar Community, Durham, North Carolina, advised that he was a supervisor for an on-the-job training program administered by Operation Breakthrough. Mr. Holleman related that on May 12, 1967, at approximately 4:45 p.m. he was approached in his office by Mr. Aden Field, an Operation Breakthrough supervisor. According to Mr. Holleman, Mr. Field requested Mr. Holleman and two staff members to "help us out in the elections tomorrow." Mr. Field further requested that Mr. Holleman and his staff members bring their personal vehicles. Mr. Holleman said that he would agree to this provided Operation Breakthrough's Director "put it in writing." Mr. Holleman said, subsequently, he received a telephone call from William R. Pursell, Operation Breakthrough's Director, and Mr. Pursell told him to "forget it."

On June 17, 1967, Mrs. Geoffrey Hamilton, 862 Louise Circle, Durham, North Carolina, advised the staff investigator that she was the secretary to the Director of Operation Breakthrough. In the presence of Operation Breakthrough's Counsel, Mr. Robinson Everett, Mrs. Hamilton stated that on May 13, 1967, during the Durham municipal elections and from 7:30 a.m. to 9:30 a.m. she handed out cards requesting prospective voters to vote for Mrs. R. O. Everett (Alderman, Ward 2). According to Mrs. Hamilton, she handed out these political cards at the West Durham Community Center polling place.

Mrs. R. O. Everett, successful candidate for Alderman, is the mother of Mr. Robinson Everett, Counsel for Operation Breakthrough.

FIVE MILLION MISSING TURKEYS

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. NELSEN. Mr. Speaker, Richard Larkin, Chief of Programs Analysis, Poultry Division, Consumer and Marketing, of the U.S. Department of Agriculture, recently acknowledged that the Department found 5 million turkeys it had lost. Last summer the Department had erroneously underestimated the American turkey population by 5 million and now they have found the discrepancy. This humorous-sounding anecdote had rather sad effects, however.

The prediction published by the USDA is one of the bases for production schedules and purchasing plans by the turkey growers and distributors. Secretary Freeman himself emphasized the significance of the Department's use of statistical reporting when he stated in his 1966 annual report to the President:

> The accuracy of production estimates becomes vital as crops move into close supply-demand situations.

The Department's turkey population error contributed to a higher than normal price for turkey last year, and overproduction and plummeting prices resulted this year.

Right now turkey production is at an alltime high and prices are at 20-year record lows. The Wall Street Journal noted:

> This year's big crop was encouraged primarily by favorable prices in 1966.

Those prices were inflated by poor USDA statistical procedures.

Along with this overproduction, exports have dropped off because of Common Market tariffs against our products. The profits of the American turkey producers are being gobbled up by high costs and low prices.

The soaring production of turkeys in this country is closely related to what producers think the market needs will be. The Department of Agriculture makes predictions on the size of the turkey population and this gives producers and distributors information on how to act in the market. The record high 1966 market prices were clearly stimulated by the USDA announcement and this induced producers to expand production for 1967.

I am concerned by the fact that there

obviously has been a careless attention to accurate detail in statistical reporting. I well recall statements made last August by Congressman ALBERT QUIE on this floor. He pointed out that demand was consistently understated and carryover overestimated by USDA for several crops, leading to cheaper prices. At that time, it was estimated farmers might have lost as much as $1 billion for corn, wheat, soybeans, and grain sorghums due to depressed prices caused by inaccurate statistics.

Now we hear that the Department of Agriculture has found the 5 million missing turkeys. This makes the statisticians happy in the Department of Agriculture, but the turkey farmers are distinctly unhappy.

Turkey prices are at their lowest levels in 20 years. Herbert Beyers, general manager of the Norbest Turkey Growers Association, a sales group headquartered in Salt Lake City said:

> Generally, the turkey industry is operating at prices below the cost of production.

Mr. Speaker, our President seems to feel that he can run the Government year after year taking in less than he spends, but turkey farmers cannot.

In another area, turkey growers are not pleased with the back seat American agriculture got at the Kennedy round trade negotiations recently completed in Switzerland. While America agreed to lower her tariffs on almost all imports, the Common Market countries are raising theirs. Turkey exports dropped 21 percent below 1966 levels in the first quarter of this year.

Mr. Speaker, it is apparent that the American turkey producers have been hit on all sides. Farm costs have risen precipitously in the past months, and parity is 74 percent—lowest since the depression years of the 1930's. The export markets have dropped off, and last year's high market stimulated overproduction this year.

It is ironic that one of the blows came from a statistical error. That is the kind of world we live in. I hope the situation has been remedied in this particular corner of the Department of Agriculture. There are certainly enough other things that have got to be fixed up in that Department without worrying about statistics.

SLUGGISH REFORM BILL

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CURTIS. Mr. Speaker, the Washington Post of Tuesday, June 20, 1967, contained an editorial entitled "Sluggish Reform Bill," which referred to the lack of progress on congressional reorganization in the House of Representatives.

The Monroney-Madden-Curtis congressional reform bill, S. 355, passed the Senate by a vote of 75 to 9 on March 7, 1967, and since March 9 has been pending in the Rules Committee in the House of Representatives.

Although there are practically no outward signs of progress except for the occasional enactment of congressional reforms, many of which were contained in our omnibus bill, there have been informal efforts made, which hopefully will lead to action by the House. Democratic members of the joint committee have sought to meet some of the objections of chairmen and Democratic House Members to various provisions of the bill, and three committee prints have appeared, embodying these modifications. Also, as the editorial notes, my colleague, the gentleman from Missouri [Mr. BOLLING], introduced his bill, H.R. 10748. Mr. BOLLING inserted in the CONGRESSIONAL RECORD of June 14, 1967, pages 15857 through 15860, his comparative analysis of the provisions of S. 355 as it passed the Senate, Committee Print No. 2, and the Bolling bill.

Neither I, nor my Republican colleagues on the joint committee, the gentleman from Missouri, the Honorable DURWARD HALL, and the gentleman from New Hampshire, JAMES CLEVELAND, have had any part in the efforts on the majority side to arrive at some compromise.

It has been our position that the Senate-passed bill represents the consensus arrived at unanimously by the 12 members of the Joint Committee on the Organization of Congress, and recommendations contained in the final report of the joint committee, Senate Report No. 1414, filed July 28, 1966, and that is the proposal which we still support. We recognize, of course, that the House will work its will on this measure and individually there are provisions in the bill and phraseology which need perfection and improvement, but this task, in my judgment, is one which should be performed by all of the Members of the House in full and free debate and consideration.

Mr. Speaker, this legislation has to do with the Congress itself, its procedures and its structure, and reorganization is uniquely appropriate for action by the House as a whole, since all 435 Members are knowledgeable and competent in the field of congressional procedure. It is of no great consequence to me precisely what kind of a bill is reported from the Rules Committee, although my personal view is that the Rules Committee ought not to start from scratch and rewrite the bill, which the 12 members of the Joint Committee produced after 2 years of arduous study and consideration. It was my view that the Rules Committee should consider only the changes in the bill made on the floor of the Senate, and the 39 amendments which were adopted.

It is my hope that the leadership and the Rules Committee will see fit to report promptly, either S. 355 as it passed the Senate, or even a modification of S. 355, and grant an open rule providing for adequate general debate so that the House may work its will and move this important legislation toward final passage.

The editorial I referred to is as follows:

SLUGGISH REFORM BILL

> A few persistent members of the House of Representatives are courageously struggling to save the reorganization bill passed by the Senate. They might be called the realists of the House. The established leaders of that body seem to care little whether the reform efforts initiated by a joint Senate-House committee might come to naught. But the realists know that failure of the bill would cause another grave sag in the prestige of Congress.
>
> The latest compromise designed to appease old-line committee chairmen was offered by Representative Bolling. As a member of the Rules Committee, Mr. Bolling is in an excellent position to understand the complaints about the Senate bill and to know what will be necessary to dislodge the measure from a potential Rules death-trap. Some of the concessions he has made, particularly in restoring prerogatives of committee chairmen, may be unfortunate, but as a practical matter some means must be found of getting the measure out of the Rules Committee and of passing it on the floor. The most important thing is to get the measure into conference where the final bill will be drafted in any event.
>
> We do not share the belief that the bill is of little importance because it is only half a loaf or less. The lobbying provisions alone would be worthy of enactment as a separate bill. The same is true of the provision relieving Congressmen of their hangover of responsibility for the naming of postmasters, the strengthening of the Legislative Reference Service and the improvement in information resources available to Congress.
>
> Beyond the need for these and other specific reforms is the need for a show of congressional willingness to put its own house in order. The public is well aware of the fact that this bill would leave untouched numerous grave defects in the operations of Congress. But it would be a beginning. We do not see how members of the House can face their constituents if they fail to enact these relatively modest reforms that the joint committee and the Senate worked so hard to perfect.

INTELLIGENCE GAP HAMPERS ECONOMIC POLICYMAKERS

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CURTIS. Mr. Speaker, M. J. Rossant, writing in the New York Times of June 21, 1967, supports the conclusion of the minority members of the Joint Economic Committee in their March 17, 1967, report that limitations of economic statistics and forecasting "raise grave doubts about the ability of Government to 'finely tune' its policies to the needs of the economy."

Mr. Rossant compares the administration to the Egyptian Army in its disappointing penchant to be caught by surprise by economic changes. Their slow recognition of the threat of inflation in 1966 and their inadequate preparations for the current slowdown are examples of how their radar is blurred by faulty forecasts and imprecise data.

He emphasizes several statistical series which must be improved before realistic diagnoses and sensible cures for the ailments of the economy are possible. Among the improvements he emphasizes is the development of comprehensive data on job vacancies. As we did in our minority report, he urges that a job vacancies series would "help policymakers determine with greater certainty whether aggregate demand at any particular time was deficient."

Mr. Rossant's analysis leads him to the conclusion that "Until improvements are made in these areas, forecasting may be hazardous and fine tuning downright dangerous." The administration lacks the intelligence to make sophisticated economic adjustments.

This article offers fresh proof that the Johnson administration's "push button" economic policy is unworkable without better economic data and forecasting. It also suggests several areas, especially job vacancies, where better data is urgently needed. Therefore, I include it at this point in the Record:

The Intelligence Gap—Economic Policymakers Try To Base Precise Forecasts on Imprecise Data

(By M. J. Rossant)

There's fresh proof that the Johnson Administration is trying to formulate precise policies to "fine tune" the economy on the basis of statistical intelligence that is anything but precise.

Geoffrey H. Moore, director of research for the National Bureau of Economic Research, provided the proof in calling for improvements in information on wage trends and other vital statistics in the nation's "stock of basic economic measurements."

While the National Bureau is scrupulously nonpartisan in its research activities and while Dr. Moore studiously refrains from direct criticism of the Administration's policies, the discrepancies he notes in wage statistics make plain that Washington's economic intelligence has glaring gaps.

Writing in the National Bureau's annual report, Dr. Moore states that "we do not really know, within, a reasonable narrow margin, what the recent trend of wages has been."

This admission from one of the country's top scholars in one of the country's most respected research institutions helps to explain the impracticality of the Administration's wage guidepost and its failure to frame more accurate forecasts and more appropriate policies.

The Administration, of course, doesn't concede that its forecasts or policies are faulty. But, like the Egyptian army, the economic policy makers have often been caught by surprise.

Thus they were slow to recognize the threat of inflation that created distortions and pressures on the economy in 1966. And their radar was again blurred and their preparations inadequate for the slowdown now taking place in business activity.

What is most disappointing about the Administration's effort is that, despite its elaborate machinery and its wealth of information, it has not done as well in forecasting as some private seers. Obviously, the Administration has put too much trust in questionable intelligence.

But, though they have made big mistakes, it is unfair to label the Administration's policy makers as the Egyptians among economists. Once the policy makers were aware that they were on the wrong track, they were quick to take corrective action.

Since this year's slowdown became apparent, for instance, Washington has eased credit, increased spending and cut taxes for business, which was not the prescription it had originally concocted.

But the Administration's control over policy gives the policy makers a special advantage, enabling them to make their predictions come true. Nevertheless, they have still gone awry. Money has been tighter, the deficit far bigger and the slowdown deeper and longer than had been expected even after corrective action was taken.

* * * that the policy makers can influence activity but that they do not have the intelligence—or the weapons—to call economic turns or make sophisticated economic adjustments. They may lay things on with a trowel well enough, but fine tuning seems beyond their grasp.

The ability to come up with a realistic diagnosis of what ails the economy and sensible policies for curing it requires more than an improvement in wage statistics. There also are serious discrepancies in information on inventories, retail sales, productivity and defense spending. These discrepancies have made it difficult to tell where the economy is, much less where it may be going.

Arthur F. Burns, chairman of the National Bureau, recently noted still other trouble spots where intelligence—and policy making—is deficient.

"We need to develop comprehensive data on job vacancies, so that it will no longer be necessary to guess whether or when a deficiency in aggregate demand exists," he said. "We need to improve our measures of price and costs, so that inflationary pressures can be recognized more promptly. We need to develop quarterly projections of Federal revenues and expenditures, similar to the information now compiled by the Government on business sales expectations and investment intentions, so that the changing requirements of fiscal policy can be evaluated better than in the past or at present."

These gaps do not exhaust the list. Dr. Burns himself wants more information on the state of the labor market, the problem of seasonal unemployment and "the subtle forces that shape the state of confidence." It is clear, too, that more intelligence is needed on the impact of monetary policy, which has not been working in the way the policy makers have hoped.

Until improvements are made in these areas, forecasting may be hazardous and fine tuning downright dangerous.

FAIRPLAY FOR OTEPKA

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, several times during the past few days I have remarked on the State Department hearings concerning Otto Otepka. This matter long ago was removed from the realm of an internal Department matter and placed into the context of national security, the right of the American people to know the facts concerning public figures, the question of loyalty of Government employees, and use of unprincipled tactics by Government departments in attempts to cover over their own misdoings.

To my previous remarks I would now like to add an article from the June 24, 1967, issue of Human Events which points out several ways in which the State Department has "tried to hinder the hearings."

It now appears that, after dropping 10 of 13 charges against Otepka—evidently to avoid having to broach their highly suspect actions—the State Department has eliminated tape recordings made from wiretaps installed on Otepka's telephone, and is seeking to keep key figure John Reilly out of the harsh light of testimony.

The circumstances which surround the Otepka case cannot go unchallenged. Neither can the precedent setting decision to classify the testimony, thus removing from the scrutiny of the public and the press.

A total and thorough examination of this fantastic coverup must be made.

The above-mentioned article follows:

The Secret Otepka Hearings

"What's the department hiding?" That's the question that appears to pop up among observers of the State Department hearings involving Otto Otepka, the former high-ranking security officer who was fired three and one-half years ago after challenging the department's security procedures.

Secrecy appears to be the hallmark of the case. The department, for example, refuses to open the hearings to the public or the press; neither will it permit transcripts to be read. When the department explained that certain documents to be introduced were confidential, Otepka's attorney, Roger Robb, exploded: "Every one of those documents has been made public in the published hearings of the Senate Internal Security subcommittee on the case. Even if they are to be classified, there is no excuse for secrecy on the remaining portions of the transcript. There is no precedent for such a ruling.

For years, too, the government has blared forth the charges that Otepka has been guilty of declassifying and mutilating confidential documents, but recently the government mysteriously threw out 10 charges against Otepka relating to his alleged document "mutilation." Apparently, this was done to "cover up" reprehensible action by the department itself.

The *Government Employes Exchange*, the factual Washington paper covering the activities of federal employes, revealed that reliable information had it that the Justice Department decided to expunge the charges since Otepka had "obtained positive information" regarding the persons who had actually mutilated the documents and, in the event these charges were pressed, Otepka would be able to expose the real culprits. Thus, said the *Exchange*, the charges were dropped.

Last week the department was again attempting to throw a cloud of secrecy around the case by attempting to thwart Otepka from bringing out the full facts. Otepka and Robb asked the department to produce two tape reels of conversations of Otepka obtained through a secret tap put on Otepka's office telephone back in 1963. Evidence of the secret tap, whose installment was against federal law, came to light through hearings conducted by the Senate Internal Security subcommittee. But Irving Jaffe, who is pressing the case against Otepka before the State Department's hearing examiner, informed Robb that these reels have now been conveniently "erased."

The department has tried to hinder the hearings in other ways as well. Both Otepka and Robb have also requested the department to call in John Reilly, who was thoroughly involved in the Otepka matter when he was with the department and had knowledge of the telephone tapping. Indeed, Reilly initially failed to tell the truth about his knowledge of the "tap" and, when he reversed his position under threat of a perjury indictment, he resigned his department position but then wound up in a plush job with the Federal Communications Commission.

Though intimately involved in the Otepka matter, the department has not been urging Reilly to make an appearance at the Otepka hearings. Thus the State Department continues its weird performance in the Otepka affair.

OIL SUPPLIES OF THE FREE WORLD AND THE MIDDLE EAST

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, "blackmail" is a blunt word, not normally to be found in the diplomatic lexicon. But I cannot find another term to adequately describe a statement by President Hourari Doumedienne of Algeria which appeared in the news media of the world this week.

Basically, President Doumedienne—far from joining in the effort to calm the antagonisms which touched off the brief, violent Middle East war—is urging the Arab countries to cut off oil supplies to the United States and Western Europe for 1 year.

This strikes me as a desperate effort to gain through international blackmail a bargaining position which could not be won on the battlefield.

It also further underlines a simple truth—that the United States and Western Europe cannot any longer afford to be dependent upon the oilfields of the Middle East, because the political instabilities which led to the current crisis will not likely pass for many years, and perhaps decades.

Mr. Speaker, the free world has lived in fear of losing the oil supplies of the Middle East for many years. We have been forced, by the implied and sometimes overt threat of having these tremendous oil reserves lost to the free world, to pay tribute to blackmailers and perpetuate the reign of tyrants.

Mr. Speaker, the United States has in the palm of its hand the means to end all future free world dependence upon the Middle East for oil, not only by ourselves but by Western Europe, as well.

Interestingly, this alternative to Middle Eastern oil—a resource known as oil shale—also offers the United States a *way out of its balance-of-payments dilemma.* It could add, very conservatively, $5 million to the credit side of our balance of payments, and thus give us, for the first time in several years, an inflow of gold.

Oil resources which dwarf the combined reserves of the Arab nations lie in the oil shale beds of the United States, which are centered in Colorado, Wyoming, and Utah.

An estimated 2 trillion barrels of oil are contained in these shale beds. This is 70 times the known petroleum reserves of the Nation and perhaps five times the crude oil reserves of the entire world.

For the past 50 years there has been talk of developing a great industry for the extraction and refining of shale oil. Both the Federal Government and private industry have invested money in basic research.

Last January the Interior Department announced a five-point program to mildly stimulate the development of technology and regulate the development of a shale oil industry.

The drafting of this policy was a step in the right direction, if only because it filled a vacuum and gave the Nation a baseline from which to proceed.

However, the defects in the policy soon became evident. For one thing, it was a low-gear program at a time when the Nation's interests suggested a shift into high gear.

For another, it placed obstacles in the path of private industry which could not help but discourage expenditure of risk capital on a large scale.

The Denver Post ably described these defects in the Interior Department's policy in an editorial last Sunday. The editorial said, in part:

> The U. S. Department of Interior has shown real fear in having private industry develop oil shale. Interior Secretary Stewart Udall's proposed shale research and lease program shows he's afraid of his shadow.
>
> He's afraid of allowing oil firms to be competitive, afraid of permitting them to develop their own confidential research techniques—above all—afraid of letting them have a profit incentive which might bring them into shale production.

The Post also suggested that the oil firms might intensify their efforts to develop the technology and make a beginning on privately owned oil shale deposits, rather than waiting for a workable leasing arrangement on the richer deposits which occur under public domain lands.

As this Colorado newspaper put it:

> The United States cannot afford to be in a position of potential subservience to every small war and palace coup which flares in the Middle East.

Mr. Speaker, almost on the eve of the outbreak of the war in the Middle East I wrote a letter to President Johnson expressing concern over the possible unavailability of Middle East oil to the free world, and suggested that the Interior Department examine further means to accelerate the development of a substan*tial shale oil production capability in the* United States.

I was notified by the White House that the matter would be passed along to Mr. Udall for comments.

Last week I received a letter of *acknowledgment from Mr. Udall, but no* comment on whether the Interior Department is studying means to encourage the shale oil industry to shift into high gear.

In view of the statement by President *Doumedienne and other recent Far East* developments, I am again writing to the President and Mr. Udall strongly urging positive actions toward this end.

MORAL AND ETHICAL CHALLENGE TO COLLEGE GRADUATES

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DON H. CLAUSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, on Sunday, June 11, I had the distinct privilege of delivering the commencement address at Pacific Union College in Angwin, Calif. In this address, I attempted to outline society as I see it today and present a moral and ethical challenge to these young and aspiring graduates.

This, Mr. Speaker, was a very pleasing experience for me to be able to speak to these young people who, in my judgment, are exceptionally well qualified to meet the challenges being posed to our younger generation. In the hopes my remarks may be of interest to my friends and colleagues in the Congress, I am including the full text of my remarks in the RECORD, as follows:

COMMENCEMENT ADDRESS BY THE HONORABLE DON H. CLAUSEN, AT PACIFIC UNION COLLEGE, ANGWIN, CALIF., ON JUNE 11, 1967

Mr. President, distinguished members of the staff and faculty of Pacific Union College, students of the graduating class of 1967, ladies, and gentlemen:

To the graduating class, 1967 of Pacific Union College, I congratulate each of you who today receive your degrees thus ending one stimulating chapter in your lives. Please be assured that our Nation and our State anxiously look forward to having you participate in all the vast panorama of endeavor that awaits you.

I am vividly reminded as I stand here before you, of the great transition each of you is about to make in your individual lives. I refer, of course, to the transition from *campus* responsibilities to *personal* and *family* responsibilities. Today, you are students in search of the many questions that confront mankind but tomorrow, you will be responsible citizens seeking the answers to those questions. And then, one day, perhaps you will be among the leaders who make the decisions—who suggest the answers and then attempt to gain popular support for them. These transitions, quite frankly, are the most important transitions in life toward maturity and service to your fellow man.

My message to you this morning is really quite simple, because I want to talk to you primarily about *your place* in a rapidly changing world and about *your responsibilities and opportunities* in that world. Unlike most commencement speeches, *however, I* did *not* come here to tell you all the timeworn cliches about "milk and honey" or that "everything is a bed of roses". I am here to tell you that society has become *intensely* competitive and affluent.

Quite honestly, our society has become *almost too complex and too impersonal.* On the plus side, however, I think we are becoming *more honest* with ourselves and with the world. No longer, I would remind you, are the natives of Ugandi or Swahili willing to trade trinkets or ostrich feathers for *either* Christianity or Democracy. No longer can we assume that man will accept *either* Christianity or Democracy as we once had imagined. No longer, here at home, can we rely on the old adage that the average American will believe whatever he reads in his evening paper. Mounting complaints of *"managed news"* and the existence of a so-called *"credibility gap"* are ample proof of this change.

This, we are told, is the *"Affluent Society"*. But affluence, with its many opportunities for education and recreation, has, in my judgment, introduced *some compelling new problems* of its own making. Problems which, I feel and I think you will agree, are disturbing.

The advent of this high standard of living, which has really blossomed just in the time you have been in school, has brought with it some words and terms that are now "everyday household usage". Words such as crime rise, LSD, broken home, demonstrate, psycadellic, and protest.

Protest, as a matter of fact, has become fashionable and for too many, words like dedication, decency, loyalty, patriotism and trust have become outworn and old fashioned—or, put another way, definitely not cool. Pseudo-leaders with their phony slogans find it relatively easy to attract the *lazy* and the *indifferent* these days. The *lazy* because they have no time or drive to seek truth or facts. The *indifferent* because they fail to understand their National heritage or the proper relationship that exists between individual rights and national purpose. It is an easy trap to fall into and many appear to have taken the plunge.

The best evidence of this trend, perhaps, is what has happened in the Haight-Asbury District of San Francisco. Here, a colony of "Hippies" has literally taken over and I would draw your attention to the fact that most of them exist in a world of "make believe" which, for them, means that they don't work, don't wash, don't believe and—saddest of all—don't care.

Why has this happened in America? Millions of people who are concerned are asking this question. I believe there are several reasons and I would like to spend a few minutes examining them.

I contend that one of the "Side Effects" of our society has been a gradual but steady decline in individuality. Specifically, I am referring to loss of individual identification, individual recognition and individual accomplishment.

Today, a man's name and address is not sufficient to identify him. Instead, we have been barraged by identification numbers; social security numbers, ZIP code numbers, credit card numbers, area code numbers, drivers' license numbers, auto plate numbers—ad infinitum.

For too long, we have seen an alarming trend in America—a trend that says: "Let George Do It"—"Let the Government Do it"—"pass the buck" to someone else. There was a time when liberty and justice were cherished goals. Today, however, in too many quarters, *it's* become a *"What's In For Me"* attitude or "How Can I Lean on Someone Else to Carry Me Through Life"?

We all recognize these to be problems of an effluent society, but, to you and me who know better—we must assume the task of "throwing ice water in the face of America" to wake up America before it is too late. Unless this trend is reversed, I believe an internal crisis is in the making that will over-shadow all of our international conflicts—and this bothers me very much.

In many ways, instead of becoming a Great Society, I am more inclined to believe *we are becoming a Drowning Society—drowning* in our own affluence.

One of the historical problems of mankind which accounts for many of our present day problems has been *"Man's Inhumanity to Man"*. I refer here to the ageless and continuing exploitation of human beings through religious persecution, slavery, colonialization, discrimination and domination. I refer also to people and governments that *"take and never give"*, those that devalue human dignity and human resources.

I need not remind you that it was this *lack of "Christian Ethic"* that led to the founding of this country. It *fanned the flames* of the American Revolution and it *sowed the seeds* for the Great American Experiment. And, tragically, it *spawned* the American Civil War; plaguing us even today in attempting to resolve our *Number One* domestic problem in America—*Civil Rights.*

In my judgment, it is futile for Americans to think for one minute that they can resolve civil rights problems by resorting to *"Black Power"* or *"White Power"*. Power, of any hue or nature, is not the answer. *What America needs,* more than anything else in dealing with the problems of segregation and discrimination, is a *change in attitude and a change of heart*. We must, in the years just ahead, become more concerned about the character of the individual than we are now about the color of his skin. After all, *what color is God's skin?*

As we seek to develop a Great Society in America, we all know too well, that this can only occur through the *development of Great People*—great people are a dedicated people, humble, intelligent, creative, honest, productive and determined to make the most of the time allotted to each of us on this earth.

But, under no circumstances can we *"pass the buck"* or shirk our responsibilities if we expect to remain the *Great Nation* that carries the hopes and aspirations of people everywhere who desire to remain free. History has proven that it is the government which places *maximum* emphasis on individual responsibility that requires the *minimum* in personal restrictions; thereby *maximizing* your individual opportunities and personal freedoms.

With the granting of personal liberties, however, goes a considerable amount of personal risk. It can only work if you and I stand squarely in front of the mirror and ask ourselves—*am I doing my part? Am I carrying my fair share of the burdens?*

The *"do nothing" person* and the *"I don't want to get involved types"* are just as guilty as the person who overtly acts against the best interests of society.

Many of you have shared my complaint about Big Government. Let me say here and now, we are all to blame for this dangerous trend. Quite frankly, the private and the independent sectors have not kept pace with the rapidly increasing sociological changes of our times. When this occurs, the people turn to that force in our Society where they think their "call for help" will be answered—Government! Therefore, and I say this in all sincerity, unless these problems are resolved in some other way, your government is going to get bigger and bigger.

At this point I am going to say forthrightly—business organizations, church organizations and people outside of government are going to have to expand their efforts to meet the growing demands of people if we are to avoid the problems of the seemingly inevitable Welfare State. Private organizations must tackle social projects on a broader scale. Business must involve itself more completely with all the problems of society.

I am happy to tell you that this type of thinking among business leaders is becoming more and more prevalent. Business and industrial leaders, over the years, have developed vast capabilities for solving very complex production and marketing problems. These talents must now be put to use to reshape the America of the future.

The problems of urban housing, transportation, vocational educational training, employment clinics, management consultant services, job-referral services are but a few of the tasks that must become an integral part of the business or corporate structure of the future.

Having concentrated thus far on the domestic scene, let us direct our attention momentarily to the International scene because, unfortunately for those who would wish it otherwise, America's responsibilities and commitments do not stop at the water's edge.

In the greater sense and for reasons that transcend international politics and diplomacy, the burning question of our day is whether Christianity or Communism will contribute more to man's desperate need to come of age; to advance his education and to enlarge his capacity for accepting the ever increasing responsibilities history and the space age have and will thrust upon him.

History reminds us that no non-Christian nation ever made democracy work and we have already concluded that no government that exploits its people has ever survived. How then, you might ask, does one explain the success and the longevity of Communism? Well Communism—although Godless—is considered to be, by many, a religion in and of itself. To those people of the world who have known exploitation from whatever quarter—Communism has an appeal. It promises land reform, food for the hungry, national purpose and a strange kind of equality wherein the State satisfies all needs; human, intellectual, personal and spiritual.

The one glowing chink in the armor of Communism for all mankind to see is the fact that for people who have known true freedom—Communism has had to be forced on them with guns and terror. Cuba, China and South Vietnam are a few of the leading examples as was Korea. What a price we are paying for this exploitation!

What, then is the answer?

There are some things we do know about this problem. One is that Christianity and Democracy both have a natural and genuine appeal for troubled people and nations seeking an answer. But all the foreign aid money in the world is not worth a cent in winning the hearts and minds of these people and these nations unless it gets to the people who need it.

Quite frankly, the only effective approach to these problems that I can see is accelerating the advancement of the Christian Ethic. This seems to be the logical middle ground between the exploitive colonialist policies of the past and the threatening Communist tentacles of the present.

The Cold War, in my opinion, could be referred to as "Ideological Warfare". Freedom, liberty, independence, and capitalism, with justice under law, on the one side and atheistic, totalitarian Communism on the other. In the final analysis, the Christian doctrine, its interpretation and presentation, must be more dynamic and viable than ever before if it is to make man more responsive in shaping the course of history, than Marxism.

You, the graduating class of 1967 are an exceptionally fine representative group of an exploding generation. In spite of reports to the contrary, this is one of the finest generations of Americans ever to reach for the helm of leadership. You are bigger, healthier, more intelligent, more industrious, more concerned and more aware of what is going on than any previous generation.

The staff and faculty of this great college, under the dynamic and effective leadership of President Rittenhouse, have prepared you well for this assignment. And, in spite of any misgivings you may have to the contrary *now—you are well qualified for the task that lies ahead of each one of you.*

During his campaign for the governorship of California, Ronald Reagan said: "There are no quick or simple solutions to the problems we face—but there are solutions". Governor Reagan, of course, was alluding to *the problems of the State of California* but this same analogy, in my view, has nationwide and even international application.

Decision making is not always easy and problem solving is not always popular. This is the moment in history when, as a people, we need to deal with our problems at home and abroad in a prudent and mature manner. The moment is at hand when parents are worried over the future of their children—citizens are afraid for their safety on the streets—the decent and law-abiding are concerned about the way America is heading.

They're asking: "Which way America?"

They're seeking a new and positive alternative! America needs a new moral awakening! This young, vigorous and restless generation can be a responsive and responsible generation and I'm convinced it will be!

Well believe me, you are about to get your chance. You're on the launching pad of a new decade that will chart the course of history like it, never been charted before.

I believe America is destined to play a key role in God's master plan. In my opinion, this generation of Americans is being called on to exercise dynamic and creative leadership to prove to the world that Christianity is best.

And this I believe we can do providing we "wake up" to the facts that surround us and take a page or two from the history that built this great Christian Nation—Providing America offers the world positive alternatives as fresh and startling—as big and bold and different as the Birth of America; an experiment which drew to our shores hundreds of thousands of early day "missionary" volunteers and "Peace Corpsmen" who were disillusioned with the old world.

The America of those days was a land where everybody knew he was needed—each and everyone had a purpose—to grow food to keep people alive, to reach for a musket to defend liberty, to raise his voice in the shaping of history.

Really now—how different are things today? People the world over are still in need of growing food to stay alive. They are willing to sacrifice for freedom and defend their liberty. And voices, in and out of legislative halls, are shaping history—both good and bad.

But look at the equipment we have available to help carry forward the message to show others how the American Miracle has worked for us and how it can work for them. Telephones, transoceanic cables, radios, television, satellite communication systems, nuclear power capability for future merchant vessels and aircraft of varying types are all available for use in modernizing the world and to answer our problems and create a free and satisfying society.

All that is needed is the will—the determination to follow through!

No young American today is stopped by the idea of change. Change is the substance of life and something we must recognize as inevitable and take it in stride. Every young person today must be future-oriented because the last third of this century demands a new type of person to live in it.

Thousands of young Americans are already embarked on that road. They have accepted the challenge that the future of this nation and world depend, not on one man or one party, or on someone else—but on them.

This moment of crisis in our history could well become a moment of creativity where commitment replaces cynicism and every element of the Nation is swept together in the excitement of building something new—the organization and mobilization of a Freedom Offensive—thus making Freedom a force to be reckoned with as we shape the future.

History could record the year 1967 as the decisive moment when the majority of our citizens yielded to the pressure of the extremist few and permitted America to come apart at the seams, thus opening the way for an end of freedom. Or, it could be the year when enough Americans cared enough about their country to pay the price of freedom and open a new day of hope for the world.

I am convinced that if a resurgence of Christianity can ever occur in these United States, that we will achieve new heights—previously only dreamed of—in attaining true individual rights and freedoms. And I am equally as convinced that if we can spread this philosophy across the globe, the world will have found a permanent alternative to war.

Inasmuch as I am speaking to a graduating class and an audience that is strongly oriented toward acceptance and advancement of the Christian Doctrine, I would like to share with you some observations I have made. You may or may not agree with all that I am going to say at this point but with a daughter and her husband in this graduating class, I would hope they, at least, will listen. What I have to say is intended to be constructive and hopefully stimulate you into action to make the good job you are doing now an even better one.

It is always alarming when a Christian hears such pronouncements as "God is Dead", "Christianity is Fading" and some theologians are even saying: "That while God was once a useful concept, it is now more of a hindrance than a help to man".

Recently a Gallup Poll was taken on the subject: "Is religion increasing its influence on American life or losing its influence?". 57 percent said it is losing its influence. I repeat, 57 percent of our population said religion is losing its influence on American life. Ten years ago, this view was held by 14 percent. This is shocking!

No one can deny that Christian churches are going through some gigantic convulsions as far-reaching as they have ever known. While church attendance is diminishing, discussion and debate on religion are at an all-time high.

And speaking of the church attendance, recently my good wife and I visited the church in Denmark that my Grandfather attended when he was a boy. There were three people in attendance. On leaving, I asked our driver if this was typical of the trend in Danish churches and, if so, why? He said: "Yes, regrettably this is happening and the principal reason for this occurring, in my judgment, is due to the fact that the Government collects the taxes and pays for the church expenses and the clergy. With no collections or direct personal financial commitment, the people seem to lose interest in church affairs."

With this experience, I came away more determined than ever to point out the importance of keeping church and state separate and the absolute essentiality of sustaining full religious liberty in this country and hopefully, someday, in the world.

Just as business is adapting itself with computers and modern communications equipment, those responsible for advancing the Christian Cause must recognize the "signs of the times" and update their techniques in order to capture the minds and the imagination of men and women on the move.

There is increasing competition among people for their attention. Television, sports events, social gatherings, travel opportunities, leisure time activities are but a few of the church's "competitors" in this fast moving age we live in.

If Christianity is to survive, it must once again become a viable force and an influence in our society. God is an expansive force which impels people to extend themselves.

America must be prepared to move rapidly to fill the spiritual void. It must organize and mobilize its Christian forces from every walk of life and it must demonstrate by both faith and deeds on an International scale, that there is New Hope—that there is a better way—that there is an alternative to war—an alternative to hate—and an alternative to Man's Inhumanity to Man. Never, in my opinion, has a song been written that is more reflective to the signs of our times than "Onward Christian Soldiers"!

If you were to ask me what you, as an individual, could do beyond your formal education, or in conjunction with it, to prepare yourself for the future I believe lies ahead and which I have outlined, I would suggest two things: Become multi-lingual and learn to fly.

Modern living has become without a doubt, more challenging because of the overall impact created by great advances in transportation and communications. And it is in these areas that we can achieve maximum success in reshaping the America of the future and preserving and extending our way of life.

Communication is vital to understanding. Those, in my view, who will be most effective in international affairs and in winning the minds and hearts of people everywhere in the future—will be those with a multi-lingual capability. Fluency in Spanish, German and French will be essential for the immediate future while fluency in Russian and Chinese will later become equally as essential.

One of the truly great challenges which has faced electronic engineers for years, is how to develop and perfect a portable, simultaneous language translator. Think, for a moment, of the tremendous possibilities of a machine that would instantly translate the spoken word into the language of the listener.

And think for a moment, if you will, of the great potential of aircraft in the service of God and man. Much of our aviation and space development, however, has resulted from the use of aircraft as tools of war in the 20th Century. But I would remind you that the year 2000 is only 33 years away. And I would suggest to you, that the 21st Century will see aviation assume an even greater role for the uplift of mankind in the greater cause of peace.

I'm going to pause briefly to pay my compliments to you for your far-sightedness in establishing your Flight Training Center here at Pacific Union College. While I realize the program was initiated primarily to equip students, preparing to serve in the mission field, with more utility and flexibility in remote places of the world, I'm sure you also realize you have permitted many of your students to embark on new careers in the vastly expanding aviation and aerospace fields.

I submit to you, that the airplane will do for the world what the wheel and the automobile have done for America—providing we have the sense to use it for constructive rather than destructive purposes.

Today, business is taking to the air, domestically and internationally, with an expected 400 percent increase in the next ten years. Air passenger and air cargo traffic will double in the next five years.

These increases will require facilities and communication systems—all manned by qualified personnel. The doctor, the lawyer and the businessman who is qualified as a pilot will be way out in front when it comes to meeting his competition.

Every corner of this earth, especially the dark corners, must be injected with the spirit of freedom, if our way of life is to be protected and sustained.

This concept has prompted me to coin the phrase: "Let's Put Wings On Americanism" by developing an Airborne Freedom Offensive—hopefully to win the Cold War and promote lasting peace and justice on this earth. Contrary to what appears to be a dark and dreary International picture, it does fall within the realm of possibility, providing we have the foresight, will and determination to make the necessary commitment.

We certainly have, without a doubt, the equipment and the technical capability of organizing and mobilizing this kind of an effort. I have even suggested that the "Hospital Ship *HOPE*" people consider converting surplus aircraft carriers to hospital ships to permit the utilization of aircraft to extend their area of operation and effectiveness.

Missionaries have pioneered use of the airplane as a potent factor in extending "people-to-people" programs and for carrying the word of God on the wings of their aircraft. As such, we have seen the great potential of flight as a result of their devoted efforts.

As I think of you, about to leap headlong into the fullness of life, I am reminded of Alexander the Great when he became virtual ruler of the world. One day, according to fable, he came across a philosopher who was lying on his back in a meadow and meditating. Alexander stood before the philosopher and said: "Name your wish and it will be granted. I am a patron of the arts and culture and I will gladly underwrite any project which you may select." The reposing philosopher thought a moment and then said: "You may do one thing for me, Your Highness, please step aside—you are standing between me and the sun!"

As you leave these hallowed halls, let nothing stand between you and the sun. Don't be satisfied with the status quo.

I believe one of the greatest challenges you face today lies in the answer you provide to these questions: "Will I, as an individual, make a contribution to my country, and to my fellowman, as I take my place in society? Will I use my ability and my energy in such a way that it will be said of me, the world is a better place because of me?"

I ask you to think about this because I believe the world awaits your answer!

Henry Drummond, a Scottish scientist, university lecturer and trained for the ministry, had a profound effect on the college campuses of the 1800's and this is the program he put to the young men of his day:

"The world in which we live is an unfinished world. It is not wise, it is not happy, it is not pure, it is not good, it is not even sanitary."

"Humanity is little more than raw material. Almost everything has yet to be done to it."

"Christ never intended to finish the world singlehanded, but announced from the first that others would not only take part, but do 'greater things' than he."

"Men must live among men. Men must influence men. Organizations, institutions, churches, have too much rigidity for a thing that is to flood the world. The only fluid in the world is man."

"Men, then, are the only means God's Spirit has of accomplishing his purpose."

Which way America?

ONE MAN'S REPLY TO DR. MARTIN LUTHER KING

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. GOODLING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, Dr. Martin Luther King has, through various public expressions, charged that "the United States is the greatest purveyor of violence in the world," and, in the process, has become a controversial individual.

There are, however, at least two sides to an issue, and I would like to insert into the CONGRESSIONAL RECORD one of the other sides—as expressed in a sermon by a pastor of a church in my congressional district—thereby giving balance to the situation. The sermon follows:

"ONE MAN'S REPLY TO DR. MARTIN LUTHER KING"

(Sermon by The Rev. Matthew L. Winters on April 30, 1967 at Trinity Lutheran Church, Camp Hill, Penna.)

Grace be unto you and peace from God our Father and our Lord and Saviour Jesus Christ. Amen.

Certain things should be made clear before we get into the body of the sermon this morning. The first is—I do not expect each and every one of you present here this morning to agree with everything that I have to say. Rather, I hope that I can challenge your thinking this morning, that I can prompt discussion among you, your family, and your friends, and certainly I hope that I can lay upon your conscience the need for prayer in these troubled times. The item of prayer I do not consider to be the least. I think all too often today we neglect this channel of power and influence in our world. So, I would urge that every one of you who agrees or disagrees with me would take it upon himself to pray for guidance for our nation and for peace in our world, each and every day in his personal devotions.

Secondly, let me quickly say that the sermon is only indirectly concerned with civil rights. The argument that I have with Dr. Martin Luther King is his stand on Viet Nam and not his stand on civil rights. I believe that both of us are concerned with civil rights, and even though we may disagree at times, yet our paths in this very important aspect of American life are much closer together than is our stand on Viet Nam.

In the third place, let it be clearly understood that I am not standing before you this morning as one who advocates war and who rejoices in war and bloodshed. I can honestly, from the depths of my heart, say that I hate war. I hate war with a passion that only a civilian soldier who was called upon to wear his country's uniform, can hate war. I hate war because I have seen the devastation and the cruelty of it. As many of you know, I walked through the streets of Hiroshima a few short months after the explosion of the atomic bomb. I saw what a bomb like that can do. I saw the burned faces of the civilians who suffered because of that bomb. I talked with individuals who were caught up in the events that surrounded the dropping of a single bomb, from a single plane, that destroyed a single city. I assure you, to prevent war and the use of nuclear armaments in this day and age, I would do anything within my power.

Finally, let me quickly state that I am a Christian, one who believes deeply and sincerely that the love of God which we know in Christ Jesus is the greatest, most powerful force in the world: I truly believe that the love of God is the only thing that can bring peace to our world, and that you and I and everyone else who goes by the name of Christian should do everything within our power to bring that love of God to bear—within our individual lives; within the life of our community; and within the life of the world. I believe that this love of God binds me to all men, whether they are Russian or Chinese, whether they are English or Italian. I believe that this love of God which I know in my life does not allow me the luxury of excluding any man, regardless of his country, regardless of his race, whether he be yellow, black or white.

Having said this, I read from the third chapter of the book of Ecclesiastes: "To everything there is a season and a time to every purpose under Heaven: a time to be born and a time to die; a time to plant and a time to pluck up that which is planted; a time to love and a time to hate; a time of war and a time of peace."

When Dr. Martin Luther King says, "The United States is the greatest purveyor of violence in the world," I take issue with him! I take issue with him on that statement! Can it be that he is unaware of the facts of history of our world today? Has Dr. King forgotten the conservative estimates that when the Chinese communists took over the mainland of China, fifty million people lost their lives by execution. Fifty million people were put to death because their sole crime was that they happened to be land owners, or happened to be persons who were minor civil officials in the preceding government, or happened to be followers of the Christian faith. Fifty million people, by conservative estimate!

Has Dr. King forgotten the tremendous toll of lives in the conflict in Korea? A war, let me quickly say, to refresh Dr. King's memory, started not by the United States and the *free* world, but by the forces of communism—a war that was as bloody as any that has been fought in the 20th century. Does he forget that it was China and North Korea who were most involved in starting that war against a nation to the south who wanted nothing but peace and security?

Has Dr. Martin Luther King already forgotten the freedom fighters of Hungary? Has he forgotten how Russian tanks and soldiers moved into that small country without any mercy and completely stamped out the rebellion, and under a flag of truce invited the leader of the freedom fighters to a conference and then immediately imprisoned him and put him to death shortly thereafter? I have talked to members of the freedom fighters who finally settled in Buffalo, New York. Let them tell you whether they think America is the greatest purveyor of violence in our modern world.

When I mention China, when I mention Korea, and when I mention Hungary, I am only mentioning the outstanding examples. We have no idea of the numbers of people who were put to death in the Soviet Union because they resisted the revolution or because they maintained their belief in God. We have no idea of the numbers who in Eastern Europe were imprisoned in communist concentration camps because they wanted freedom and liberty rather than the slavery of communism.

Especially in my heart are those three Baltic countries—Latvia, Lithuania, and Estonia. Has Dr. King ever thought about them? It was my privilege to know intimately a pastor of a congregation of Estonian Lutherans in Buffalo, New York. It was my privilege to sit down and talk to those men and women to hear of the brutality of communism in that little land. I have a book in my library at home that was given to me by that congregation. The name of the book is "The Partisans." It is signed, "From the Church Council, Estonian Evangelical Lutheran Church, Buffalo, New York, to Pastor and Mrs. Matthew L. Winters, with gratitude. This is a heroic story of the fighting of the sons of Estonia against godless communism for the liberty of all mankind." Forgotten now by many of us is the valiant effort made by those small nations along the Baltic Sea. Can Dr. King in good conscience make the statement that America is the greatest purveyor of violence in the world today?

Let Dr. King talk about napalm. Let him talk of the bombing of civilians in North Viet Nam. But let me quickly respond to this by saying that I am positive that we are doing all within our power not to bomb the civilians of North Viet Nam. It is one of those horrible facts of war that civilians do get killed. But I do not believe that there has been a war fought in modern times when a nation has been so concerned about the civilian population as are our American fliers when they go over the targets of the enemies. If you doubt this, all you have to do is to look at what the British planes did to Dresden during the second world war. All you have to do is think of what we did to Hiroshima. All you have to do is think of what the Russians did to Berlin when they completely leveled the city without regard to the civilian population. I think that America today is trying to wage a war, in a gentlemanly humane sort of way, hard as that is to do, and as often as accidents do happen.

Has Dr. Martin Luther King forgotten about the fifty thousand or more civilians that the Viet Cong and the forces of North Viet Nam have executed, men and women whose only crime is the fact that they are school teachers or village leaders? This past Thursday, it was my privilege to hear Dr. Davis of Boiling Springs, speak to our Kiwanis Club. Dr. Davis had spent two months in South Viet Nam as a medical doctor, working with the civilians. He spoke to us of the situation in Viet Nam and he bore out even more dramatically than the stories in our news magazines what he had seen with his own eyes—how civilians were tortured and killed by the Viet Cong. He said that their manner of killing these persons would make the average American sick, not an easy, merciful death with a bullet, but a very diabolic, lingering, torturing sort of death. This, too, is part of the picture of the violence in Viet Nam.

Then I would ask Dr. King, since he condemns our nation for its violence and for its bloodshed, about the other side of the coin. What nation in the world gives away more food, more clothing, more medical supplies to those who are in need than the United States of America? What nation in the world provides the largest number of Christian missionaries carrying the gospel of Christ to all men, regardless of color or nationality? What nation has a larger group of young men and young women who go out and work in foreign lands, than do we in America through our Peace Corps? What other nation has soldiers who, while they are fighting war, take their own spare time to build school rooms, to build wings on hospitals, and to carry on services for orphanages? I truly believe that I can throw out my chest and be proud of every young man and woman wearing an American uniform in South Viet Nam today. I think these are some of the finest young people in our world, and I think they are doing a magnificent job. I know for a fact that many, many of them have not left their Christianity at home, but are working out that Christianity in that nation so torn by violence today.

Dr. King goes on to compare the use of our new weapons in Viet Nam to the Nazi use of medical experiments on concentration camp inmates. I find it hard to believe that he really believes this. I would like to think that Dr. King got carried away by his own rhetoric. I would like to think that in the heat of the moment he forgot what he was saying. To compare waging of war to the best of our ability and with as much protection for the civilian population as possible in South Viet Nam to the Nazi medical experiments of World War II! I find it hard to believe that any American could say this.

Martin Luther King says, "Let us save our national honor—Stop the bombing! Let us save American lives and Vietnamese lives—Stop the bombing! Let our voices ring out across the land to say that the American people are not being vain, glorious conquerors—Stop the bombing!" Well, Dr. King, I think history shows that we are not being vain, glorious conquerors. We do not have to stop the bombing to prove that! I believe that America's attitude toward its enemies is perfectly illustrated in the case of Germany and Japan at the end of World War II. In these two situations you see the type of conquerors we are. What do we want in Viet Nam? Do we want to conquer it for our own use? Do we want to enslave the people? Do we want to establish an American colony? I don't believe so. I grant you that all of the issues and all of the turmoil in that Southeast Asian country is pretty mixed up. But I still believe what our President says . . . and he had better mean what he says, because that is the reason I am supporting him.

We are in South Viet Nam to give the people of that country an opportunity to set up a free nation without the shackles of communist slavery about their neck. This is the reason our President has told us that we are there, and if it is not, then he must answer to us. But if it is, then we must give of the very best that we have to preserve the freedom of the people of South Viet Nam. Communism must be stopped! There is no freedom, there is no liberty under communism! How well that is illustrated to the American people when Joseph Stalin's daughter defects to the United States, when she finds that she can no longer take the thought control and the religious persecution that is a part of her native land. Can any American go to the Berlin wall and see that massive concrete and barbed wire structure built to keep the slaves of East Germany in, and then doubt the battle that we are fighting? I would be surprised. Communism is not freedom! Communism is not liberty! Communism is not hope! It is American democracy, bred and nurtured in the American faith, that is still the light of the world today!

Communism cannot be stopped by guns alone. I believe that. But there are times when, God help us, it is the only way. I don't like it! I don't like to see men taking up arms against each other. But sometimes this is the only thing we can do. Dr. King asked college students and other young Americans to boycott the draft. Is this the way we show our appreciation for the freedom and liberty for which others have sacrificed so that we may enjoy it? Is this the way we save our national honor, by saying, "As long as I am free, I don't care about the rest of the world?" Is this the way we save American and Vietnamese lives, by saying "Better Red than dead?" If so, I don't want any part of it.

I am afraid that the words of Patrick Henry are much more my sentiment, "Give me liberty or give me death." I will fight to preserve the freedom and liberty that I have enjoyed and hope that my children will enjoy. I will fight and not be apologetic about it.

As Christians and Americans, we should never stop praying and working for peace in our world. Our President and others in places of authority should constantly be encouraged to seek peace, to try over and over again, no matter how many times they are rebuked, to try to sit down and negotiate, to sit down at a peace table to bring peace to our world. In effect, we Christians are to wage peace every bit as hard as nations wage war. Our nation should be an example of peace in our world. This is something that we should underline for the world about us. Even while we are bearing arms, our ultimate hope, our love, our desire for all mankind, is a time when agencies like the United Nations can settle all the disagreements of mankind in a peaceful manner. But then, let us not be afraid to stand up and be counted. Let us never forget that freedom and liberty are not won by expediency and compromise. The cost of freedom is sacrifice and devotion, dedication and righteousness. Let us never forget that communism is the greatest enemy in the world, to both freedom and democracy, to both Christianity and religious freedom. Let us pray as hard for the conversion of the leaders of the communist world, as we hope for victory. Let us practice our Christian faith as devoutly, as our men in uniform carry out their task.

Could it not be possible that almighty God has brought America to this moment of history?—This nation which has been formed out of all the nations and races of mankind;—This nation which is built upon Christian values and standards and faith;—This nation which is blessed with ideals and freedom and concepts of equality;—This nation which has developed into the most powerful nation in the world? Is it not just possible that God has brought us to this moment to confront communism, the most powerful challenge that Satan has ever thrown at this world? And if this be the case, may you and I as Americans be worthy of it, by placing the challenge, the judgment, the guidance of the Cross of Jesus Christ above the Stars and Stripes, but placing everything else below Old Glory.

On January 21st, 1776, in a small church in Woodstock, Virginia, Pastor Peter Muhlenberg in a dramatic gesture, took off his preaching gown and stood before his congregation clad in a uniform of a colonel in the American Revolutionary Army. Using the text which I have used this morning, he said, "There is a time for peace; a time for war," and walked out of that church that day, recruited some 300 persons to go and eventually join Washington's army at Brandywine—there to save the day for the American forces. Nothing so dramatic this morning, but I wish God would give me the power to rip aside all the disloyalties to God and country in my life, my love of luxury, all of my fear of standing up and speaking out, and standing before you clad only in my love of God and my devotion to country, so that I could place upon your heart the challenge of our world today; that I could urge you to a greater commitment to God and in that greater commitment to God, the power to rise up and face the challenge of those who would destroy religion, of those who would destroy our nation and its liberty.

Dr. Martin Luther King must walk his way, but I hope in his mind and his heart, he realizes that there are Christians and Americans, both black and white, who must take a different pathway on the issue of Viet-Nam;—walking that pathway to preserve his freedom and liberty to speak out against our way. Amen.

MILESTONE PROPERTY TAX LAW ENACTED IN NEW JERSEY

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mrs. DWYER. Mr. Speaker, we are all aware of the importance of the local property tax in providing revenue to State and local government. In 1960, it produced approximately $25 billion for local governments and school districts, and accounted for over 87 percent of their total tax revenue.

While this tax is a prime revenue producer, it also has a rather notorious reputation due largely to inequitable tax assessment procedures. Yet, major reforms on the assessment front seem to move at a glacial pace.

It is, therefore, with a sense of hope and enthusiasm that property tax reformers view the recent major breakthrough in New Jersey. Last month, Acting Governor Sido L. Ridolfi of New Jersey signed a law which provides for the qualification, certification, and examination of tax assessors. This has been widely hailed as a milestone in property tax legislation. In signing the bill, Acting Governor Ridolfi, who was sponsor of the legislation, stated that probably no other single factor is so important as tax assessments being made by well-qualified persons in insuring that the burden of the tax is distributed equitably among the taxpayers.

The law provides that the director of the New Jersey Division of Taxation shall examine all persons applying for the position of tax assessor, and the successful applicants will receive the tax assessor certificate. The new law also provides that after July 1, 1971, no assessor may be appointed or reappointed, elected or reelected, as tax assessor unless he holds a tax assessor certificate.

Another important feature of the law is the provision of tenure for assessors. Under the law, one may acquire tenure of office upon reappointment or reelection after having received a tax assessor certificate and having served as tax assessor for at least four years immediately prior to such reappointment or reelection.

The law empowers the director to revoke or suspend a tax assessor's certificate for dishonest practices or willful or intentional failure or neglect, or refusal to comply with the Constitution and laws relating to the assessment and collection of taxes.

The Governor's news release also noted, Mr. Speaker, that the signing of this law fulfilled one of the key recommendations of the Advisory Commission on Intergovernmental Relations calling for the professionalization of tax assessors and certification after examination.

Along with my distinguished colleague, the gentleman from North Carolina [Mr. Fountain], I sponsored legislation in the 86th Congress to create the Advisory Commission and I have been privileged, along with my distinguished colleague from North Carolina, to represent this House on the Commission since its creation in 1959. During the intervening years, the Advisory Commission has published many reports dealing with problems of State and local government, but none have been more widely acclaimed than the report on "The Role of the States in Strengthening the Property Tax."

This is a source of personal satisfaction to me because I had an opportunity to vote both in favor of placing this subject on the Advisory Commission's study agenda and in support of the policy recommendations set forth in this report.

It is my sincere hope that the New Jersey legislation will not only improve the administration of the property tax in New Jersey, but will serve as an example to other States seeking to improve their tax and thus improve their major source of revenue as well as strengthen State and local government.

Under leave to extend my remarks at this point in the Record, I also include an informative column on the subject of the new law by John O. Davies, the Gannett News Service correspondent at the State capital, published in the June 12 issue of the Plainfield Courier-News.

The column follows:

Tax Assessors Law—Standards Set for Valuation Jobs

(By John O. Davies)

Trenton.—Under a new state law, the business of assessing your property for taxing purposes is gradually approaching the non-political professionalism such critical work warrants. At present some 900 assessors process the valuations throughout the state on which local property taxes approaching $1.5 billion are based.

Notices already have been mailed by the State Division of Taxation to all assessors that examinations will be held next spring for the tax assessor certificates—without which, after July 1, 1971, few assessors will be allowed to serve in office.

Exceptions will be granted to assessors who have served continuously from next July 1 on through reappointment or re-election. Assessors who can prove successful completion of special courses at Rutgers University also may be certified without taking the state tests.

These are the highlights of a new law upgrading the increasingly complex task of determining the property value of homes, businesses and industries on which taxes are levied. It was signed May 4 and Tax Director William Kingsley already is setting up the first examination program.

Under the law, tests will be held in March and September of each year.

An important aspect of the statute is its provisions granting tenure to assessors who are reappointed or re-elected after receiving a certificate who also have had at least four years in office prior to their new terms.

Tax collectors were granted similar tenure privileges if they passed Rutgers courses in their vocations under a 1966 law.

As in the case of the tax collectors, the assessors' law will eventually take these local officers out of politics by protecting those with proof of professional qualification—the state certificates—from the perils of seeking re-election or reappointment. Tax division officials say about 300 of New Jersey's assessors are elective and that close to 150 are either elected or re-elected or appointed or reappointed throughout the state yearly.

The tax division feels that some problems might arise among elected assessors who may qualify for tenure possibly after having been defeated in a local election but prior to the expiration of their term in office. Assessors, according to the division, customarily take office on July 1, many months after an election.

According to William G. Coward, head of the State Division of Local Government, this problem has not developed under the 1966 law providing for certification and tenure of tax collectors.

He recalled cases involving the tax collectors of Westville and South Plainfield who filed as primary election candidates but later obtained certificates. In each case, Coward said, a county court ordered their candidacy withdrawn from the primary ballot on the grounds tenure had been won.

Kingsley listed these key points of the new law:

"After July 1, 1971, no assessor may be appointed or reappointed, elected or reelected, as tax assessor unless he holds a tax assessor certificate. This limitation does not apply in the case of an assessor who shall have served continuously in office from next July 1 to the date of reappointment or re-election.

"Under the law, one may acquire tenure of office upon reappointment or re-election after having received a tax assessor certificate and having served as tax assessor for at least four years immediately prior to such reappointment or re-election.

"Tenure may also be acquired by assessors who, on or before June 30, 1969 shall have received a tax assessor certificate while actually in office as assessor and who, on or before June 30, 1969 shall have served as assessor for at least four consecutive years."

SENATE RESOLUTION, STATE OF ILLINOIS

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the diabolical foreign policy maneuvers of the Kremlin are visible in the Middle East. With the administration pursuing its plans to subsidize Eastern European Communist governments through trade agreements, it was with great pleasure that I noted the Senate of the State of Illinois adopted a forceful resolution urging a halt to this policy of the administration which truly represents a national disaster in foreign affairs. I insert this resolution, sponsored by Senators Robert W. Mitchler and James C. Soper, at this point in the Record:

State of Illinois, 75th General Assembly, Senate Joint Resolution 56, Offered by Senators Mitchler and Soper

Whereas, Our nation is involved in a struggle for human freedom against the forces of communism in Viet Nam; and

Whereas, Thousands of our service men have already paid the supreme sacrifice and thousands more risk their lives daily; and

Whereas, Some within our country find pleasure in lawless demonstrations, draft card burnings and other forms of opposition to the cause for which so many have given their lives; and

Whereas, Some nations with which we trade continue to supply our enemy with goods, thus supporting the forces of communist aggression; therefore, be it

Resolved, by the Senate of the Seventy-fifth General Assembly of the State of Illinois, the House of Representatives concurring herein, that for the reasons mentioned in the preamble, we declare our support for our fighting men in Viet Nam, and strongly urge the President and the Congress to stop all trade with countries supplying goods to the enemy and refrain from establishing any new trade "bridges" with the Soviet Union and satellite nations; and be it further

Resolved, that a copy of this resolution be forwarded by the Secretary of State to the President of the United States, and each Congressman from Illinois.

Adopted by the Senate, April 12, 1967.

Samuel H. Shapiro,
President of the Senate.
Edward E. Fernandes,
Secretary of the Senate.

Concurred in by the House of Representatives, June 15, 1967.

——— ———,
Speaker of House of Representatives.
Fredric B. Selcki,
Clerk of House of Representatives.

SITUATION IN GREECE

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, completely obscured by the developments in the Middle East is the situation in Greece where necessary changes were made in the government to prevent anarchy and a possible Communist takeover. As a continuation of my remarks I ask leave to insert at this point an interview reported by Mr. Ray McHugh, Washington manager of the Copley News Service, based on his recent conference with the new Prime Minister of Greece, Constantine Kollias.

Athens.—"This Government has no ambition to carry on the burdens of office. Since the day it took office its fundamental aim has been to return Greece to parliamentary government as soon as possible."

Prime Minister Constantine Kollias spoke slowly with emphasis, obviously anxious that the interpreter relay the full meaning.

A short man with a little moustache and dark-rimmed spectacles, he seemed uncomfortable, almost out of place behind the huge desk in the red-carpeted room. A pudgy figure in a dark blue suit and a thickly knotted gray and black tie, Kollias looked like a man who would rather be doing other things than running the Greek Government.

But Kollias also looks like a man who is determined to see a job through.

"I have already told the American ambassador that even if Greece is left to stand alone in its struggle for freedom and democracy, it will continue that struggle," he said in an exclusive interview.

Nettled by foreign press criticism of the military regime he heads and concerned about the "review" of American aid programs to Greece, Kollias said Greece needs no reminders or lectures about the basic values of democratic government.

"The history of this land is soaked with the blood of its citizens," he said.

"We do not have to prove that Greeks know how to fight for freedom and democracy."

His voice had a tart quality.

"The government has set as its aim the reconstruction of the political and economic ruins left by the corrupt policies of political parties who ignored the national interest for strictly partisan goals and spent the national treasure in a selfish bid for votes."

Once this reconstruction job is finished, Kollias said, his regime, placed in power April 21 in a bloodless coup by army colonels, will step from the scene.

He said a committee of 20 specialists has been drawn from a cross section of the Greek society to revise the national constitution. It has been instructed to report within six months.

"When the draft is completed," he said, "the government will review it and then submit it to the people for approval at a referendum.

"If approved, the government will then select the proper time for election of a new parliament."

Kollias declined to set a time limit for his army-installed regime, but the head of the Greek Supreme Court emphasized several times during the interview that "The government has decided this should come as soon as possible."

From the United States, he said, Greece "Expects not only material but moral support."

Though disappointed by Washington's review of military aid to Greece—an implied disapproval of the power grab—the prime minister said Greece will proceed to ask more help from the United States.

Washington, he indicated, has not yet realized that the colonels saved Greece from political chaos and a well-organized Communist plot to seize control of the country and take it out of the North Atlantic Treaty Organization.

The plot, said the Prime Minister, was organized in conjunction with Greek Communist exiles and the Communist governments of Eastern Europe, principally Yugoslavia, Bulgaria and Romania.

"It is an indisputable fact, that the Union of the Democratic Left (EDA) leftist party in Greece was headed by five exiled Greek Communists who are in an eastern country," said the Premier. "The EDA took direct orders daily from the Communist Parties in Eastern Europe."

The Prime Minister mentioned no names, but he said some Greek political leaders in recent months openly adopted extremist EDA slogans and accepted Communist support in a bid for victory in elections that had been scheduled for May 28.

This was an obvious reference to George Papandreou, former Premier and head of the Center Union Party, and his son, Andreas, former University of California professor and the most controversial figure in Greek politics.

Greece has moved from one political crisis to another since 1964 when the elder Papandreou was named Premier, then resigned in a clash with King Constantine over efforts to establish political controls in the military.

Kollias declined to comment on the activities of the younger Papandreou. He pointed out that the man has been indicted on charges of high treason and he said it would not be proper for him to discuss the case in view of his jurist background. He did say, however, that the "Aspida" group in the Greek army—with which the younger Papandreou was allegedly allied—sought to overthrow the monarchy, seize power and take Greece out of NATO into a neutralist phase that could easily have been a prelude to communism.

Other Greek officials dismiss fears voiced in the United States that young Papandreou might be executed. Greek law does not provide the death penalty on the charges he faces, said one high official.

"Besides," he added, "We have no intention of creating any martyrs. This has been a bloodless revolution and we have given our pledge to King Constantine that it will continue to be bloodless."

Kollias indicated that he does not believe that most Greek political figures who accepted Communist help were themselves Communists.

"They thought they would use the Communists and their methods and slogans to gain power," he said. "Then they thought they could deal with the Communists. But the Communists had other plans."

In the early days of April, the prime minister said, there was increased infiltration of Communist guerrillas into Greece from Yugoslavia, Bulgaria and Albania. He said this was accompanied by the reactivation of Greek Communists who had been released from prison by previous governments, or had been allowed to return from exile.

"We also have evidence that large numbers of Communist guerrilla fighters were brought to the Greek-Bulgarian and Greek-Yugoslav borders in early April," said Kollias. "They were concentrated particularly in the Skopjie region of Yugoslavia."

These forces, he said, were made up largely of Greek Communists who fled to eastern Europe after defeat in the 1947–49 civil war. They also were believed to include some indoctrinated Greek-born youths who had been kidnaped by the Reds during the civil war and raised in Communist countries.

"We do not know the exact size of these forces," Kollias said. "We know there were several thousand. Some estimates speak of tens of thousands."

The headquarters of the Greek Communists in exile has been in Poland, Czechoslovakia, Yugoslavia and Romania at various times, he said. It is now believed to be in Bucharest where a radio station that calls itself "The Voice of Truth" is broadcasting daily propaganda tirades into Greece.

"It is an indisputable fact," he repeated, "that Communists in Greece were receiving direct orders daily from the Communist parties in eastern Europe."

Sharing borders with three Communist states and harboring centuries-old Balkan suspicions, Greece has been slow to join the Western trend toward coexistence and rapprochement with eastern Europe. Athens' governments had taken small steps in the last two years under prodding from Washington, but this movement has now been halted by the new government.

Does Kollias expect Greek Communists at home and in the neighboring satellite countries to turn now to guerrilla tactics and terrorism?

"It is completely out of the question," he said. "The army revolution has asserted itself so effectively throughout the country that any Communist uprising would be crushed.

"The revolution has gained the highest confidence from an overwhelming majority of the people. They know that it has saved them from political chaos and that it is dedicated to restoring stability so that all can prosper."

Kollias appeared at an armed forces display at Salonika and was greeted by more than 100,000 persons. It was in Salonika that George Papandreou was to speak on April 23.

Word that Communists planned major street disorders and a possible grab for local power touched off the revolution of the colonels—a startlingly swift, efficient maneuver based on a NATO contingency plan to deal with internal subversion.

After more than an hour in the huge, high-ceilinged office of the old royal palace, Kollias rose from behind his desk to end the interview.

"Do not take my word for all this," he said. "I could be giving you propaganda. Go out into Athens and into the country. Talk to the people. They will tell you that this revolution has saved Greece.

"We have no illusions about the Communist countries. They attack us every day. But it is important, very important, that our friends and allies understand that we are still dedicated to NATO, freedom and democracy."

Mr. Speaker, Members should be reminded of the fact that the State Deparment and the administration do not approve of the new Government in Greece but are merely maintaining formal but "cool relations," an interesting contrast to the frantic policy of building bridges to accommodate the Soviet Union.

STATEMENT ON MIDDLE EAST BY POLISH GOVERNMENT-IN-EXILE

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the president of the Polish Government-in-exile, August Zeleski, has expressed the concern of his Cabinet over the Soviet involvement in the Middle East crisis. I deem it especially significant that the Polish Government-in-exile adopted a very practical statement at the height of the armed conflict in the Middle East. I insert the statement in the Record at this point:

Statement of the Polish Government [in-Exile] of June 6, 1967, on the Polish Nation's Attitude Toward the War in the Middle East

London.—At a Cabinet meeting on 6th June 1967 presided over by Prime Minister Aleksander Zawisza, the Polish Government [in-exile] drew up the following statement in respect of the Polish nation's attitude towards the war in the Middle East:

"The Government of the Republic of Poland [in-exile] declare that the attitude towards the present armed conflicts in the Middle East by the so-called "Government of the Polish People's Republic"—actually an agency of imperialistic Communist Russia's occupation of Poland—is contrary to the sentiments of the Polish nation.

The representatives of the Warsaw regime, in their invariable parrotting of Russia must also on this occasion support her attacks on the Israeli nation as also the imperialistic aim of Egypt—merely one of the elements in the totality of Russia's subversive plans. But the Polish nation, with its keen realization of the wrongs inflicted upon the weaker nations by the powers that be in this world, is particularly moved by this fresh attack on the Israeli nation and state, an attack long prepared and supported by Russia.

The Israeli people have during the last few decades recovered their age-old heritage neglected for the whole centuries past by intruders with an alien culture. They have transformed the land by the effort of mind and hands, in the sweat of their brow, into a built-up, developed and prosperous country which arouses the envy of their neighbours and evokes their chauvinism so skillfully directed and exploited by the destroyers of peace in the world—with Russia as the ringleader.

We observe and admire the courage of the Israeli people in the determined and devoted defence of their country. It inevitably reminds us of our own, still so recent fights, often shoulder to shoulder with representatives of this people, in the defence of our own native country—then our common motherland.

This brings on the thought and the desire to reciprocate towards the Israeli nation, to come to its aid in these difficult times. But we Poles in exile are at present powerless in the military sense whilst the Communist regime's authorities of occupation in Poland stifle every noble reaction of the Polish nation, now deprived of their liberty behind the Iron Curtain.

May our heartfelt thoughts and moral support be with you in the heroic efforts of your patriotic nation and may our voice calling for justice, also for the Israeli nation and state, reach the powers of this world still plunged in their egoism and blind to the future as they passively regard the organization of international crimes. Just as the Ribbentrop-Molotov conspiracy was aimed against Poland, so now the Kosygin-Nasser conspiracy is directed against Israel.

The western powers should remember that, whilst handing over Poland to imperialistic Communist Russia was the beginning of their difficulties with Russia and of growing international complications, the handing over of Israel to the Russo-Egyptian combine could mark the beginning of their decline and the undermining of our civilization.

It is sincerely to be hoped that those who slumber during the coming storm will awaken in time."

"SEND ME A BORE ROD AND A PAINT BRUSH"

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McClure] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McCLURE. Mr. Speaker, two worried parents in my district have sent me a letter they received from their son, a marine in Vietnam. He wrote them as follows:

> Our M–16s aren't worth much. If there's dust in them, they will jam. Half of us don't have cleaning rods to unjam them. Out of 40 rounds I've fired, my rifle jammed about 10 times. I pack as many grenades as I can plus bayonet and K bar (jungle knife) so I'll have something to fight with. . . . If you can, please send me a bore rod and a 1¼-inch or so paint brush. I need it for my rifle. These rifles are getting a lot of guys killed because they jam so easily.

The parents now ask me: "What can I do, more than send a bore rod and a paint brush?"

The Pentagon assures us that the M–16 is a superior weapon to the M–14 because of its suitability to jungle warfare. They say that malfunctions are due to improper cleaning and lack of maintenance.

Evidently those using the rifles in Vietnam feel differently.

It is indeed a strange war. We are not being told the full story.

I think we have a right to know how effective these weapons really are.

I think we have a right to know if there is a shortage of cleaning rods.

I think we have a right to know what effect this is having on morale.

I think we have a right to know if a significant number of casualties are attributable to faulty equipment.

And then I wish someone would tell me how I can relieve the minds of the families of our fighting men when I harbor the same doubts as they do.

CONCESSIONS AND OUR POWER BALANCE

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from Idaho [Mr. McClure] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection?

Mr. McCLURE. Mr. Speaker, I am very alarmed at the regularity with which the Johnson administration allows our military and scientific superiority over the Russians to decline. In a world in which we are totally committed to outproducing, outmaneuvering, outarming, and, hopefully, outliving the Soviet system, we consistently betray ourselves.

In past weeks, Congress has given a good deal of attention to two of the methods we are using to defeat ourselves. Many Members of Congress have noted the economic concessions we offer the enemy in Vietnam by proposing to trade with the Communist bloc countries. We have also heard recently that the balance of power may indeed be thrown out of balance by the Soviet antiballistic-missile system. The Secretary of Defense finds that the only defense is an adequate offense.

But now I understand, Mr. Speaker, that this administration intends to offer still another concession to the enemy. Incredibly, I find that the Atomic Energy Commission intends to invite the Soviet Union to use the 200-billion-electron-volt nuclear accelerator that will be built at Weston, Ill. Are we to understand that the Soviet Union's ever-increasing fund of scientific knowledge will be supplemented by the Atomic Energy Commission?

Mr. Speaker, the Soviets are pulling ahead of us in this field. Although the largest nuclear accelerator in existence today is the 33-billion-volt machine at Brookhaven, the Russians will open experimentation on their own 70 billion-electron-volt equipment at Serpukhov next year.

This will give them more than double our present ability to conduct sophisticated experiments in high energy fields and matter constitution. Since we would prefer not to have the Soviets move ahead of us in this field, we will build a still larger and more complex machine at Weston. With this in mind, I find it difficult to believe that we now plan to invite the Soviet scientists to take advantage of these facilities.

Although I am assured that our scientists at present cannot foresee any military applications which could be developed from the accelerator, I feel that our folly is obvious.

If we are to continue to subscribe to principles which are opposed to those of the Soviet Union, and if these principles are to be defended by superiority of knowledge and balance of power, then we must immediately stop granting aid to our enemies.

MORE MEDICAL SCHOOLS NEEDED

Mr. BIESTER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Cahill] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CAHILL. Mr. Speaker, on June 1 of this year I called the attention of the House to the large number of foreign medical doctors practicing in the United States and pointed out the need for new medical schools so that the richest nation in the world could adequately supply its people with needed and qualified medical assistance. I am reminded today as we are asked to authorize an expenditure of $4 billion for the space program how woefully short we are in appropriating and planning for the future health of our country. While I realize that dollars alone cannot build, staff, and maintain medical schools, I am convinced that this Congress through its appropriate committee must begin immediately to require necessary planning and to appropriate necessary funds to protect future generations of Americans. Aside from the $4 billion the committee recommends we authorize today for the space program, it is estimated that we are spending 10 times that sum to put a man on the moon and directing more billions to explore extraterrestrial space. Since World War II we have poured untold billions into foreign aid and are today spending an estimated $2 billion per month to fight a war in Southeast Asia to protect the peoples of that area from Communist aggression. If we can do all of this, I find it impossible to believe that we cannot spend whatever money is necessary to build and staff necessary medical schools to produce the additional physicians required to preserve the American standards of health. I have heard it said that the most difficult thing today for a young man to do is to gain admission into a medical school. How many times have I heard—and you, my colleagues, heard—qualified, able, motivated young men anxious to serve their fellow man in medicine complain that in spite of high grades in college and ability to pay the cost of medical school training, they are denied admission because of lack of space in our medical colleges. The time is now. Our responsibility is now, and we must act now. I urge the appropriate committees of this Congress to immediately take whatever action is required in order to commence construction and staffing of the necessary number of new medical schools so that the needs of the 1970's can be anticipated and the funds started in the 1960's. This is a vital and necessary need of the country and demands immediate attention.

JUNE 24, 1915, THE DAY OF CHICAGO'S WORST DISASTER

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, June 24 of this year falls on a Saturday. June 24, 1915, also was a Saturday. It was one of the darkest Saturdays in the history of Chicago—that June 24 of 52 years ago.

It was on that day that 812 persons died in the Chicago River at Clark Street when the steamer *Eastland* turned on its port side in 20 feet of water. It was the city's worst disaster.

On that day of tragical disaster Gov. Edward F. Dunne was absent from the State and I was the acting Governor of Illinois. My memory is vivid of the hours I spent helping to carry to conveyances the lifeless bodies of the victims of that terrible accident as they were lifted from the lake. I have never known such a day of anguish.

Later I served on a board of inquiry appointed by Mr. Secretary Redfield and aided in framing recommendations that were enacted into law by the Congress and have prevented similar disasters on the Great Lakes for the more than half a century intervening.

Mr. Speaker, I am extending my remarks to include the following article from the Chicago Tribune of June 19, 1967:

> The 2,000 to board the vessel were picknickers, the employes of Western Electric company, their families and friends, bound for Michigan City. Those lost were drowned or suffocated below decks of the excursion ship, which had a length of 300 feet and a 38-foot beam.
>
> On that morning, the tanks had been emptied to make the vessel ride higher in the water with the gangplanks level with the dock. Passengers streamed aboard, and the Eastland began to list, first to port, then to starboard. The crew began pumping water into the tanks.
>
> However, before they were full, passengers began to gather on the port side and the water in the untopped tanks sloshed to port also and this caused the ship to turn on its side.
>
> Tugboats and other small craft in the vicinity raced to the rescue, picking swimmers from the river while other persons scrambled aboard the Eastland and cut holes in her exposed side and pulled survivors thru them.
>
> Rescue work continued all thru the day and night. But this was not the end of the Eastland. The vessel was righted and refloated by salvage crews and towed to a northern Indiana port until a group of Chicago business men, headed by the late utilities magnate, Samuel Insull, purchased her. The group believed the United States might become involved in World War I and would have use for the ship.
>
> When the United States did enter the war, the Eastland was sold to the navy for just what Insull and his colleagues had paid for her. She was renamed the U.S.S. Wilmette and the intention was to send her to the east coast. A section of her bow had to be removed because she was too long for the locks then in use in the St. Lawrence river. Once in eastern waters, the bow section would be replaced.
>
> The war ended, however, before this could be done so the vessel was reunited in the Great Lakes. It was used as a navy training ship in the period between wars and during World War II.
>
> At the close of the second war, there was no further naval use for the Eastland-Wilmette. She was old—built in 1903—and was destined for the scrap heap. That was her end in 1946.

CRIME IN THE STREETS OF AMERICA

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, fear rules the streets of American cities, as assault, robbery, rape, and plunder continue to run rampant. Men, women, and children are not safe from thugs and hoodlums in the streets, in the parks, in the subways, even in their own homes.

It is an incautious girl or woman who dares to walk home alone late at night, or even to drive a car in dark, deserted streets. Men look over their shoulders and avoid the shadows. Almost every door bears both a chain and a lock, and is rarely opened without trepidation.

I cannot accept this as a way of life in the cities of our Nation. There must be a way to stop the prowling hood, and to make our cities safe for their people again. I am convinced that such a way can be found by the Congress, and we must waste no more time in setting out to find it.

A joint resolution introduced in this House by the distinguished gentleman from Florida [Mr. PEPPER] proposes a broad, deep, and determined investigation which can lead the way toward the solution of this, one of our most pressing and depressing urban problems.

In offering this proposal, the gentleman from Florida [Mr. PEPPER] has once more demonstrated his legislative leadership and his dedication to the welfare of all the people of America. I feel privileged today to introduce a similar resolution for the same purpose.

The resolution would establish a joint committee of seven Members of the House and seven Members of the other body to investigate the basic causes of crime. Armed with the power and prestige of the Congress, this committee would be able to study crime in greater depth than has ever been attempted.

Such a study would probe deeply into each level of law enforcement—local, State, and Federal. Through the testimony of spokesmen for all enforcement agencies, it would seek the underlying causes of the crisis of fear in American cities, and the basic needs for ending it.

This is our opportunity to throw the spotlight of inquiry into the deep-rooted apparatus of organized crime, and its corrupting influences on law enforcement.

This is our chance to study the reasons why our people have lost a great measure of confidence and respect for those in whom they entrust their safety, and the safety of their property.

This is one of the most pressing and crucial domestic problems that faces us throughout the Nation today. We can delay no longer in attacking it and solving it.

THE GREAT UNMET NEED IN FEDERAL AID TO EDUCATION

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. GUBSER] is recognized for 60 minutes.

Mr. GUBSER. Mr. Speaker, during the recent debate on the Elementary and Secondary Education Act extension, the attention of the Congress was drawn to the acute need for an adequate educational program for young America. The purpose of the Elementary and Secondary Education Act and many other Federal programs is to improve the standards of education, and to a large measure they have been successful. But despite the sincere effort of Congress and the great steps forward, one serious problem has not been dealt with which often interferes with the effectiveness and the orderly progress of Federal aid to education. This is the need for continuing appropriations to carry forth plans and commitments made by the various school districts and commitments which are required in time for proper planning for the ensuing school year.

Though I shall cite examples in California, I am sure that a similar situation exists all over the country. In California the law requires that teachers be notified by March 15 if they are to be retained for the following school year. With the uncertainty of ESEA funds, a school district never knows whether to speculate and retain teachers employed in ESEA-financed programs, or to dismiss them and hope to rehire them in the fall of the year. Speculation is unsound financial planning, but dismissal results in poor continuity of a program. Good, experienced teachers are always lost under such circumstances. Similar problems exist in planning for optimum utilization of facilities and materials for all phases of a school program.

Mr. Speaker, in recognition of the fact that the appropriations process simply cannot be concluded by the March 15 date which precedes the beginning of a fiscal year on July 1, I have suggested that this Congress pass a continuing resolution which would appropriate 75 percent of the commitment which each local school district or each State received in the prior fiscal year as a guaranteed appropriation against the fiscal year which begins on the following July 1.

Mr. Speaker, in other matters this has been done repeatedly throughout the 15 years in which I have served as a Member of Congress from the 10th District of California. When the fiscal year expires on June 30, and assuming that final action has not been completed on the appropriation for various departments, it is traditional for Congress to pass continuing resolutions allowing those departments to continue in operation until final action is taken upon the appropriation for the departments affected. My resolution, House Joint Resolution 412, would apply this same principle to the acute needs of the school districts across the Nation who must have an assurance that at least 75 percent of their expected ESEA funds will be forthcoming and available for whatever plans they make. If we are to have intelligent use of Federal funds, certainly they must be guaranteed in time for intelligent planning to be made at the local level.

Mr. Speaker, I can think of no more dramatic and convincing method of proving the necessity for my resolution than to read into the RECORD the statements of school administrators from throughout my congressional district who endorse the principle embodied in House Joint Resolution 412. Mr. Speaker, these are people who are directly involved in the administration of school matters. They do not deal in theory. They must make plans in advance and they must be responsible for assuring that those plans can be implemented with funds which will be available when needed. Under leave to revise and extend my remarks, I submit a series of letters from practical educators in the 10th Congressional District:

PALO ALTO UNIFIED SCHOOL DISTRICT,
Palo Alto, Calif., May 1, 1967.
Hon. CHARLES GUBSER,
House Post Office,
Washington, D.C.

Dear Mr. GUBSER: The Board of Education has taken action, as you requested, to support H. J. Resolution #412. We enclose the Resolution which was unanimously adopted on April 17, 1967.

The Board appreciates your concern in attempting to resolve a financial problem faced by most California school districts as well as others throughout the nation.

Sincerely yours,
AGNES C. ROBINSON,
President, Board of Education.

RESOLUTION

Whereas: California law requires school boards to make firm financial commitments in their annual budgets; and

Whereas: There is extreme delay between the time when these firm financial commitments must be made and the time when the amounts of federal funds to be received is known; and

Whereas: National and state associations concerned with public school financing are unanimous in their recommendations that Congress and the President consider a means of solving this problem; and

Whereas: Congressman Charles Gubser has introduced a joint resolution in the House of Representatives to help solve this problem;

Therefore let it be resolved that: The Board of Education of the Palo Alto Unified School District go on record in support of H. J. Resolution 412; and

Be it further resolved that: The President of this Board of Education inform Congressman Gubser of this action; and

Be it further resolved that: The President of this Board of Education be authorized to notify such other members of the House and Senate as in the Board President's opinion is appropriate.

(Unanimously adopted by the Palo Alto Unified School District Board of Education on April 17, 1967.)

LOS ALTOS SCHOOL DISTRICT,
Los Altos, Calif., March 27, 1967.
Hon. CHARLES S. GUBSER,
Congress of the United States,
Washington, D.C.

DEAR CONGRESSMAN GUBSER: Thank you for the information concerning House Joint Resolution No. 412 that would assure the appropriation of Federal Funds for school purposes well in advance of the beginning of a school year.

Please be assured that I support you wholeheartedly in this effort to make planning for educational programs possible with some degree of insurance that money will be available during the coming year. I appreciate your efforts on behalf of the public schools and wish you continued success in your support of our programs.

Sincerely,
LAWSON SMITH,
Superintendent.

MOUNTAIN VIEW-LOS ALTOS
UNION HIGH SCHOOL DISTRICT,
Mountain View, Calif., April 24, 1967.
Hon. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR CHARLES: Your letter of March 17, 1967 addressed to the members of the Board and Administrative Offices of this District, accompanied by H. J. Resolution 412, showed a keen insight on your part into the difficulty of a California school district in attempting to prepare a budget without knowing the extent of income from Federal (or State) sources.

Your suggestion that Congress consider a continuing resolution authorizing the United States Office of Education to obligate funds well in advance of present time procedure will do much to facilitate intelligent planning, both for fiscal purposes and for the programs which are funded.

Sincerely yours,
A. BLAINE HUNTSMAN,
Superintendent.

LOS GATOS UNION SCHOOL DISTRICT,
Los Gatos, Calif., April 28, 1967.
Re Federal Assistance to Education.
Hon. CHARLES GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: This is a hearty personal endorsement of your attempt to stabilize the appropriation of federal funds (H.J. Res. 412). In addition, some general comments regarding federal assistance to education.

Categorical aid has been of great value to our nation, but I would hope that in the future a general education bill could come about for the following reasons:

1. Categorical assistance prevents good overall long range plans. Sporadic financial shots in the arm provide sporadic types of curriculum.

2. A general finance bill would offer school districts the choice of solving their individual problems. Local communities are in a better position to understand their problems than are those at the State and National level. We know our parents, our children and we are intensely aware of how we can best improve our own instructional program.

3. A general finance bill should include money for building purposes. Every special program needs a building facility.

4. Please, in any bill, offer at least a three year plan or longer. In general, annual planning is a waste of money!

5. An attempt to send funds directly to local school districts would be recommended. Local school boards and administrators are very frustrated dealing with State consultants who appear to feel local people inadequate to cope with their own needs.

In conclusion, education needs your help. We appreciate your interest and wish to cooperate in any way possible.

Cordially,
DON EDDIE,
District Superintendent.

MOUNTAIN VIEW SCHOOL DISTRICT,
Santa Clara County, Calif., April 24, 1967.
Congressman CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

SIR: The Board of Trustees of the Mountain View School District has received your letter of March 17, 1967, with the attachment.

Your resolution on the use of federal funds for education is under consideration by members of the Board of Trustees.

Sincerely,
MRS. GAIL URBAN MOORE,
President, Board of Trustees.

GAVILAN COLLEGE,
Gilroy, Calif., April 18, 1967.
Hon. CHARLES S. GUBSER,
House Post Office
Washington, D.C.

DEAR CHARLIE: Enclosed is a Resolution adopted by the Gavilan College Board of Trustees commending you for your interest in legislation which will assist junior colleges to receive their share of federal funds for projects more quickly.

Unfortunately, Gavilan College is not in a position to request federal funds in the near future because we do not have the matching money, but this bill will be appreciated by other junior colleges, I know.

Sincerely yours,
RALPH SCHRODER.

RESOLUTION COMMENDING REPRESENTATIVE CHARLES GUBSER FOR HIS PROPOSED LEGISLATION FACILITATING THE EARLY RECEIPT OF FEDERAL FUNDS FOR COLLEGE CONSTRUCTION

Whereas, junior college districts throughout the United States have become dependent on federal funds for assistance in building facilities, and

Whereas, the receipt of such federal funds lightens the burden on the property taxpayer, and

Whereas, federal funds on approved junior college projects are often funded long after project approval, thereby slowing the building program for junior college districts waiting for receipt of such funds,

Now, therefore, be it resolved, the legislation proposed by Representative Charles Gubser which permits the advancement of a prorata share of the federal funds for an approved federal project is hereby endorsed by the Gavilan Joint Junior College District Board of Trustees.

Dated this 14th day of April 1967.

Ellis Bogle,
Norman L. Currie, M.D.,
K. W. Titus,
Bonnie L. Simonsen,
Bruce Jacobs,
George W. Thomas,
Gavilan Joint Junior College District Board of Trustees.

Santa Clara Unified School District,
Santa Clara, Calif., April 14, 1967.
Charles S. Gubser,
House of Representatives,
Washington, D.C.

Dear Charlie: Thank you very much for your interest and concern for the problem so well expressed in your letter of February 27th, to the Honorable George H. Mahon.

Best personal regards,

L. C. Curtis,
Superintendent.

Santa Clara Unified School District,
Santa Clara, Calif., March 30, 1967.
Hon. George H. Mahon,
Chairman, Appropriations Committee,
House of Representatives,
Washington, D.C.

Dear Mr. Chairman: The Santa Clara Unified School District wishes to respectfully express to you its full support of the Honorable Charles S. Gubser's expressed means of this and other school districts avoiding the problem of hiring a sufficient number of teachers for Elementary and Secondary Education Act programs without full knowledge of whether or not federal funds will be forthcoming to meet the budget requirements.

If this and other districts could be assured of at least seventy-five percent of the anticipated allocation it would greatly facilitate planning.

Thank you for your consideration.

Respectfully,

W. A. Wilson,
President, Board of Education.

Campbell Union School District,
Campbell, Calif., April 4, 1967.
Hon. Charles S. Gubser,
House of Representatives,
Washington, D.C.

Dear Mr. Gubser: Thank you for your letter of March 17, 1967 and the copy of H.J. Resolution 412.

The Campbell Union School District Board of Trustees expressed their approval and appreciation of your action at their meeting on Thursday, March 30, 1967.

You will be receiving additional letters of approval and support from our Board members and administrative staff members.

Thank you for your interest and efforts.

Very truly yours,

Neal Royer,
District Superintendent.

Campbell Union School District,
Campbell, Calif., April 6, 1967.
Hon. Charles S. Gubser,
House of Representatives,
Washington, D.C.

Dear Congressman Gubser: Recognizing that late appropriations of funds for the various federally supported programs such as E.S.E.A., create problems in staffing and planning for the use of such funds, I would like to offer support for your resolution, H.J. Res. 412, which is an attempt to assure the appropriation of federal funds for educational purposes well in advance of the beginning of a school year.

I appreciate your efforts in this regard.

Very truly yours,

Galen D. Wilcox,
Principal, Quito School.

Fremont Union High School District,
Sunnyvale, Calif., April 6, 1967.
Hon. Charles S. Gubser,
House of Representatives,
Washington, D.C.

Dear Congressman Gubser: Members of our Fremont Union High School District Governing Board are happy to hear of your concern about federal assistance to schools and your wish to be advised by us on action to be taken.

We believe that general assistance to the schools, rather than specific categorical aid as adjudged by federal and state authorities, is the best means of federal support for education. We, at the local level, know better in which fields we need assistance.

What we need most in federal aid is earlier approval of federal grants so we can plan more effectively for their use. Since we must prepare our budget in April for use in the following fiscal year (July 1–June 30), it would be helpful to know how much in matching funds we will need and the amount of outright grants. At the present we must budget for all categorical items even though many of them may not be approved.

Since we are in a fast-growing area with a yearly increase of 10 per cent or more students, we are nearing the maximum taxing point on private property. Our school population growth outstrips our tax base increase—so much so that even with increased state and national aid we are hard pressed to balance our budget. In fiscal 1956–57 we had 2334 students, $34,704 in assessed valuation per student, and $443 in cost per student. Our current year shows we have 10,800 students, about $27,100 in assessed valuation per child, and $743 cost per student. The $7604 drop in assessed valuation is the result of getting students faster than value increase. The result is that we have $106 less to spend from local tax sources while costs per student have gone up $300. We must offer an excellent educational program to attract parents needed for highly technical work in our electronic, space, research, and computer industries.

Greater federal assistance seems to be the only answer to our problem.

Sincerely,

Governing Board,
By Helene H. Madson,
Clerk.

Campbell Union School District,
Campbell, Calif., April 4, 1967.
Hon. Charles S. Gubser,
Town and Country Village
San Jose, Calif.

Dear Congressman Gubser: I greatly appreciated your letter in regard to your efforts to secure an earlier appropriation of federal funds for educational purposes, in advance of the beginning of the school year. This has always been a problem for us, for the very reasons stated in your resolution.

I shall be most happy to make your efforts on our behalf known to my colleagues and to my community so that we may give you every support at this end.

Yours sincerely,

Kathryn L. Merry,
Principal.

Fremont Union High School District,
Sunnyvale, Calif., April 6, 1967.
Hon. Charles S. Gubser,
House of Representatives,
Washington, D.C.

Dear Congressman Gubser: As a member of the Fremont Union High School District Governing Board, I and the other members of the Governing Board are very happy to hear of your concern and action in connection with federal assistance to the schools. We have had many problems, particularly in the areas of categorical aid and late approvals. These problems have created real hardships on the part of administration and teachers and, we believe have contributed greatly to an ineffective use of the program. Earlier approval and a long period of time to implement each approved program would be very helpful. General assistance would also give the local Governing Board the ability to make the best use of the money, where needed, in a local district. We believe that we have the best information available as to the best uses for federal assistance.

Please be assured that the federal assistance is very much needed and is greatly appreciated. Some remedial action in the procedures would greatly improve the overall picture. Thank you again for your interest.

Sincerely,

Governing Board
By Lawrence E. Didier,
President.

California Association of
Adult Education Administrators,
March 29, 1967.
Congressman Charles Gubser,
House of Representatives,
Washington, D.C.

Dear Honorable Gubser: Thank you for your letter concerning the H.J. Resolution 412 relating to allocating of federal funds for school purposes before the first of July or sooner. Both our National and State associations feel that this is a very urgent matter, if public school programs are to be able to function under the legal structure of the State. The California Association of Adult Education Admin., California Council of Adult Education, and National Association of Public School Adult Educators, all support this position. As a member and officer of all three associations, I can guarantee you their support in your effort to promote this Resolution. The two California Associations have membership of 2,500 and the National Association has a membership of 1,600 from the 50 states. I am sure that there will be other associations who would be glad to support your Resolution and I will send copies of this letter to them so that you may know of their support.

Sincerely,

Dr. Raymond T. McCall.

Fremont Union High School District,
Sunnyvale, Calif., April 4, 1967.
Hon. Charles S. Gubser,
House of Representatives,
Washington, D.C.

Dear Congressman Gubser: Thanks for your letter of February 27 in regard your proposal for assistance to school districts in implementing Federal Aid.

Mrs. Helene Madson, a member of the Fremont Union High School District Governing Board, and I expressed our feelings in regard this problem when we visited your office in February. Under current policy, final approval for federal projects is received too late in the school year to allow for any degree of efficiency in the use of the monies involved. It is essential that we be allowed to either receive approval of projects at a much earlier date, or extend the period of approval for an additional year. Your suggestion for earlier approval of a project would naturally have many advantages over extended use time. As indicated in your letter, projects involving personnel must have approval before the end of the preceding year in order for the school district, and the personnel involved, to plan for the following September. I believe that your suggestion would greatly improve the total program.

I have presented a copy of your February 27 letter to all members of the Governing Board and all are very much in favor of your proposal. They ask that I express their thanks for your consideration and assistance.

Sincerely yours,

EARL A. GOODELL,
Acting Superintendent.

APRIL 4, 1967.

Hon. GEORGE MURPHY,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MURPHY: I am replying to your letter of March 16, 1967, to Mr. A. C. Stevens, Jr., former Superintendent of the Fremont Union High District. Mr. Stevens retired as of January 1, and I have been appointed as Acting Superintendent. I would like to express our great appreciation for any action that you may take in support of legislation to assist the school districts in implementing federal assistance.

Problems have developed in two major areas: (1) categorical grants as opposed to general grants, and (2) approval dates.

I would like to express the thanks of the Governing Board and the administration for your efforts in bringing about remedial legislation for categorical grants. Also, any help that you can lend to legislation to insure earlier approval of projects would be appreciated. Experience has shown that approvals received after September 1st create a real hardship. Some assurance must be given to the districts before the closing of school in the preceding school year in order to take advantage of early hiring of personnel. It is almost impossible to arrange for employment of personel involved in these projects after the opening of school. Also, the late start in a given school year does not give us full time for planning and maximum use of the project during the school year. In other words, the money is used inefficiently and unwisely in a rush program.

Thanks again for your consideration and for any help that you can give to solving the problems of federal projects, particularly in the two areas mentioned above.

Sincerely yours,

EARL A. GOODELL,
Acting Superintendent.

GEORGE MAYNE ELEMENTARY SCHOOL,
Alviso, Calif., April 3, 1967.

Hon. CHARLES S. GUBSER,
Member of Congress,
Washington, D.C.

DEAR MR. GUBSER: Your Joint Resolution 412, dated March 8, 1967, is most appreciated by the administrators of California. As an administrator of a school that utilizes many of the federally funded programs for children of indigent families, I have found it most disconcerting to project for the next school year.

All administrators who have utilized monies from federally funded projects will deeply appreciate your efforts.

Sincerely yours,

CHARLES R. LUNDINE,
Principal.

SUNNYVALE SCHOOL DISTRICT,
Sunnyvale, Calif., April 3, 1967.

Hon. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN GUBSER: Please accept my heartfelt appreciation and commendation for your recommendations to Chairman Mahon regarding the changing of timing in the funding of Elementary and Secondary Education Act.

As one who serves on the firing line in administering a program financed by E.S.E.A. Title I, I am very aware of the difficulties we face each year in securing top notch school personnel in the face of unknown appropriations.

It would make for better continuity of program for these disadvantaged children if your plan for obligation 75% of the allocation were implemented by the Congress. On behalf of all of us in Santa Clara County involved in the programs under the E.S.E.A., let me say that we support you to the utmost.

Very truly yours,

MARGARET S. JESSEN, Ph. D.,
Coordinator-Compensatory Education.

APRIL 3, 1967.

Hon. GEORGE H. MAHON,
Chairman, Appropriations Committee,
Washington, D.C.

DEAR MR. CHAIRMAN: The opportunity to provide a higher level of educational opportunity for disadvantaged children in California schools has been very enthusiastically received by educators in this state.

Just last Friday, March 31st., did we receive notification of the actual amount of monies we may definitely count on to expend on this program. Although every cent appropriated for education of our children is gratefully received, it can best be utilized if we could be notified of a near approximation of the monies being allocated to the districts in the spring prior to the school year involved. Most of the key teachers are notified of intent to hire following Easter vacation interviews.

The districts and therefore the nation would receive more for their money spent for Compensatory Education if this crucial problem of timing for funding could be resolved. Anything that you can do in conjunction with your committee would be greatly appreciated by school people and parents of children being served by the most effective expenditure of federal funds in our history.

Very truly yours,

MARGARET S. JESSEN, Ph. D.,
Coordinator-Compensatory Education,
Sunnyvale School District.

SUNNYVALE SCHOOL DISTRICT,
Sunnyvale, Calif., April 3, 1967.

Hon. CHARLES S. GUBSER,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: Thank you for your letter of March 17, 1967 regarding the timing of appropriation of federal funds for education.

I agree with you that there is a need to look at the timing of these appropriations so as to assure good judgment and economies in the use of these funds.

My observation at the school level is that many federal funds are being made available for school programs and equipment before adequate planning has been made for the use of this money. I am afraid this money has not always been used as wisely as it should be. Certainly the timing of the appropriations contributes to how wisely or unwisely the money is used.

I am also concerned about the number of special allocations for specific 'earmarked' programs, both at the state and federal level. I observe that these special allocations frequently tend to unbalance the educational program because of the inequitable support they give to one segment of the program.

I appreciate your newsletters and support you in the efforts you are making for education and other projects pertinent to the welfare of the people in Santa Clara Valley and the nation as a whole.

Sincerely yours,

CLAYTON E. CHANTRILL.

SUPPLEMENTARY EDUCATION CENTER,
San Jose, Calif, March 3, 1967.

Rep. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE GUBSER: Yesterday Dr. Timpany gave me a copy of your joint resolution requesting continuing appropriation for education bills in March.

You are to be commended upon the introduction of this measure. If adopted, it will ease one of the critical problems facing local school districts. I am taking measures to generate support for the resolution.

Next week the national committee for Title III of the ESEA will meet and recommend Title III projects for funding. Santa Clara County has several projects awaiting funding. Our Center has been instrumental in preparing the application for these projects. I would appreciate hearing about the success of these projects from your Washington office. The Office of Education usually provides congressmen a catalog describing funded projects.

In the past, you have been able to furnish me a copy of this catalog. It has been very helpful. I would very much appreciate receiving a copy of it again.

The following Santa Clara County projects were submitted on January 15, 1967:

1. Project *Follow Through*—Alum Rock Union Elementary School District
2. Project Renaissance—Santa Clara County Superintendent of Schools
3. A Revitalized High School Social Science Curriculum—Fremont Union High School District.
4. Computer Counselor—Palo Alto Unified School District
5. Self Enhancing Education—Cupertino Union School District
6. S.P.A.C.E. Supplementary Education Center—Santa Clara County Superintendent of Schools
7. Community Service Through Sheltered Work Experience—East Side Union High School District

Thank you for your continued assistance.

Sincerely,

DUANE L. BAY,
Director.

CASSA,
Burlingame, Calif., April 4, 1967.

Hon. CHARLES S. GUBSER,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN GUBSER: A recent copy of your H.J. Res. 412 has crossed my desk. This association wishes to indicate complete support of the resolution. It recognizes one of the most critical aspects of certain problem areas in dealing with federal education programs. Thank you for your interest on behalf of public schools.

Very truly yours,

WILLIAM N. MCGOWAN,
Executive Secretary.

FOREST HILL SCHOOL,
San Jose, Calif., March 30, 1967.

Hon. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER, I have read your proposal to assure the appropriation of Federal Funds for educational purposes in advance of the beginning of the school year. Let me heartily endorse your resolution to this effect.

As a school principal, and I know that I speak for many of my fellow educators, the present program puts us in a position of having to wait until Fall to hire teachers for our Title I Reading Program. As you know, most of the good teachers are hired during the period of Easter vacation, or at least by end of June. We are then put in a position of scrambling to find teachers at the last moment.

We are very appreciative of the good work that E.S.E.A. funding has done for education and I feel that your resolution will make the total educational effort even better through pre-planning. Thank you.

Sincerely yours,

FRED PETERSON,
Principal.

SAN JOSE VOCATIONAL CENTER,
San Jose, Calif., March 31, 1967.

Hon. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: This is written to express our appreciation to you for your efforts by means of H.J. Res. 412 to make it possible for school administrators to conduct their business on a reasonably efficient basis. As you are well aware, it is necessary in this state to make an early commitment to teachers who would be working in programs financed from federal funds provided in the Elementary Secondary Education Act, even though their services would not begin until the following July.

Since school administrators would have no assurance that allocations from federal funds would be available until September or October of any given year, it has been necessary to advise teachers engaged in these programs that we cannot give them a contract at the same time that other teachers in our school districts are awarded their contracts.

The consequences of this procedure are far reaching and make it almost impossible to find and hold well-qualified teachers. Since the efficacy of such a program certainly depends to a great extent on having good teachers, the net result is that this procedure tends to defeat the original purpose of the act.

Whatever can be done to remedy this situation certainly should be done without any delay. Your resolution of March 8 seems to be a step in the right direction and we sincerely hope that you will have unlimited support among your legislative colleagues to approve this resolution.

Once again, I would like to express our appreciation for the fine type of service you are rendering your constituents.

Very truly yours,

J. L. ANDERSON,
Director.

DAVID STARR JORDAN JUNIOR HIGH SCHOOL,
Palo Alto, Calif., March 28, 1967.

Hon. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: Thank you for your letter of March 17 containing information about your resolution on appropriations for education bills.

My personal experience has been with NDEA over the period since its original passage. I have had the opportunity to see the virtual revolution in such areas as foreign language that the bill has fostered. However, of late years, the uncertainty of appropriations and their lateness have been a problem that has made the Act of little value to us in the schools. Response at the district level to the circumstances has been to have double budgeting of items that are being requested through NDEA, the use of second priority items in NDEA proposals, and a general turning away from the act as a means of really improving educational programs. This is lamentable, since the intent of the act was to improve instruction in the areas covered by it.

It is certainly commendable of you to not only perceive the difficulties caused by late appropriations but to do something about it. I would like to add my word of support in the matter and to express my appreciation for your activity in this regard.

Yours sincerely,

FRANK E. SEELEY,
Principal.

BRACHER ELEMENTARY SCHOOL,
Santa Clara, Calif., March 28, 1967.

Hon. CHAS. S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR SIR: I have just finished reading your resolution H.J. Res. 412 which would provide for continuing of appropriations for educational programs. If this much needed resolution is passed, it will allow better planning and consequently a wiser expenditure of federal funds. I wish to express my strong support for your resolution. Please let me know if there is any further supportive action which I can take.

Sincerely yours,

QUENTIN R. TAYLOR,
Principal.

LOS ALTOS HILLS, CALIF.,
April 1, 1967.

Hon. CHARLES GUBSER,
Washington, D.C.:

This telegram is in support of H.J. Res. 412, which you are sponsoring. It is important that colleges be able to anticipate with reasonable certainty availability of funds for various programs. Without such assurance, planning for quality programs will be hampered.

CALVIN C. FLINT,
President, Foothill College.

EL QUITO PARK SCHOOL,
SARATOGA, CALIF., *March 28,1967.*

Hon. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR SIR: This is in reply to your letter of March 17 pertaining to the appropriation of federal funds for educational purposes. You may certainly rely upon me for support of your efforts to ensure that federal funds would be appropriated well in advance of the beginning of a school year.

We in the Moreland School District have been fortunate enough to receive some federal aid and it has helped pupils progress tremendously, primarily because we have concentrated on remedial instruction. Our biggest problem relative to this program is inherent in the fact that we cannot hire teachers on a permanent basis since funds for this program are not obtainable before the school year has started. Thus, the teacher who was engaged in remedial instruction has assumed a teaching position which starts at the beginning of the school year; therefore, we must recruit remedial teachers in October and usually cannot start our program before January. I cite this example to show that we really need an ongoing program, and this can be made possible only as federal funds are available at the beginning of the school year.

I sincerely hope that every educator will lend you their wholehearted support in this matter and that you will be successful in the passage of House Joint Resolution 412.

Sincerely,

JAMES A. GOMES,
Principal.

GILROY UNIFIED SCHOOL DISTRICT,
Gilroy, Calif., March 29, 1967.

Mr. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: I wish to state that I'm very much in favor of H.J. Res. 412.

As an administrator in education, I feel it would help to solve an acute problem in the hiring of our staff members.

Yours sincerely,

FRANK D. GINELLI,
Principal, El Roble School.

GILROY UNIFIED SCHOOL DISTRICT,
Gilroy, Calif., March 31, 1967.

Hon. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

MY DEAR MR. GUBSER: Thank you for your letter requesting my support of your resolution 412. It is an excellent move in the right direction. We are very hampered by the present ruling. I am sure others, working more closely to the problem will offer more specific recommendations than I could, but if there is any way in which I can help, please let me know.

Sincerely yours,

ALICE STAR JORDAN,
Principal, Glen View School.

MORELAND SCHOOL DISTRICT,
San Jose, Calif., March 28, 1967.

Hon. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: The Moreland School District is currently laying out its design for continuation of several supplementary educational programs for the coming school year. Among these is a $47,000 project financed under Title I of the Elementary and Secondary Education Act of 1965. This compensatory education program requires the employment of three full time teachers, three teacher aides, one part time nurse, one part time director, and one part time clerical assistant.

In accordance with California Law, the district has already made commitments to the certificated employees, even though we have no assurance regarding the continued funding of this already evaluated and approved program. This is a matter of considerable concern to the Board of Trustees and administration of this district since this program could not be continued within the limitations of local revenues.

May this letter serve as an expression of our full support of your Joint Resolution 412 and as encouragement for you to pursue the course of action proposed in your communication of March 17, 1967.

Respectfully,

EUGENE J. RIORDAN,
President, Board of Trustees.

MARSHALL LANE SCHOOL,
Saratoga, Calif., March 29, 1967.

Hon. CHARLES S. GUBSER,
Washington, D.C.

DEAR CONGRESSMAN GUBSER: Your letter of March 17, regarding your resolution to assure the early appropriation of federal funds for educational purposes, was received and appreciated.

I concur with the provisions of your resolution and commend you for your alertness and interest in administration of these programs.

Please be assured that you have my total support in this matter.

Sincerely,

ANTHONY PERREIRA,
Principal.

PALO ALTO, CALIF.,
March 30, 1967.

Hon. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: I am in receipt of your letter of March 17 relative to H.J. Resolution 412 which you have introduced. I like the terms of this bill very much and I think its passage will contribute a real service to all areas that require funds through the Federal Educational Programs.

You may depend upon my wholehearted support on this legislation.

Very truly yours,

HUGH C. JACKSON.

THEODORE F. GRANT SCHOOL,
Los Altos, Calif., March 29, 1967.

Hon. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: Thank you for your recent letter concerning H.J. Res. 412. I am most pleased that you have shown such interest. May I assure you that I will be most willing to support you in this matter.

You will be pleased to know that Mr. Mahon will be in receipt of a communication from me very soon.

Thank you for your continuing support of free public education, I am

Yours sincerely,

VIC NORTON,
Principal.

SAN JOSE UNIFIED SCHOOL DISTRICT,
March 29, 1967.

Hon. GEORGE H. MAHON,
House of Representatives,
Washington, D.C.

DEAR MR. MAHON: The House will have before it shortly Resolution No. 412, proposed by Congressman Charles Gubser. This particular resolution is an enabling act which releases federal funds for educational programs.

You should be aware that unless such a resolution is adopted immediately, serious financial problems are created for California schools. In our district alone (San Jose Unified School District), ninety positions hinge upon the appropriation of federal funds. Unless we are assured that those funds are forthcoming, we cannot hire the teachers to fill those positions.

If we cannot hire those teachers, they are bound to be hired by other districts because of the already great shortage of teachers in this state.

I sincerely hope you will give this resolution top priority and do that which is necessary to expedite its passage.

Sincerely,

RONALD S. GILPATRICK,
President.

MARCH 30, 1967.

Hon. GEORGE H. MAHON,
House of Representatives,
Washington, D. C.

DEAR MR. MAHON: It has recently come to my attention that the Honorable Charles S. Gubser, Representative of the 10th District, State of California, introduced House Joint Resolution #412 on March 8, 1967.

I have read a copy of this joint resolution and feel that adoption of this resolution would serve to remove one of the barriers that local school districts face in applying and planning for federal funds under NDEA, the Elementary and Secondary Education Acts, and the Vocational Act.

I have been involved in assisting teachers and administrators in the Palo Alto Unified School District in planning and writing proposals for federal funds since the beginning of NDEA. Each year we are faced with the uncertainty of the allotment of federal funds through the state to educational proposals submitted by local school districts. Anything which could facilitate local school districts in making intelligent plans prior to local budgeting would be a boon. Each year this school district wastes hundreds of hours of teachers and administrators time in planning with no certainty that federal funding will be continued for continuing projects or that new projects will be approved. Most teachers and many administrators are becoming discouraged with the process and are beginning to take the attitude that the whole process is not worth the support which ultimately is received.

I would urge you to give support to Representative Gubser's resolution which, I understand, is now in the hands of the Appropriations Committee.

Sincerely,

RAY P. RUPPEL, *Principal.*

LEROY ANDERSON SCHOOL,
San Jose, Calif., April 4, 1967.

Hon. GEORGE H. MAHON,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to you in support of Representative Charles S. Gubser's proposed H.J. Res. 412.

Proper budget planning in the public schools necessitates the procedures outlined in this resolution. With more federal funding seemingly a realistic expectation for the future, it will be even more important that local districts be able to approach budget sessions with some firm commitment from the federal government as to the amount and type of funds to be granted.

I solicit your affirmative action on H.J. Res. 412.

Respectfully,

JAMES C. NASON.

CUPERTINO UNION SCHOOL DISTRICT,
Cupertino, Calif., March 30, 1967.

Hon. CHARLES S. GUBSER,
House of Representatives,
Washington, D.C.

DEAR MR. GUBSER: Thank you for calling our attention to House Joint Resolution No. 412 which you introduced on March 8. This Resolution certainly strikes at the heart of one of our major problems in dealing with Federally supported programs.

Enclosed you will find copies of a letter we sent to Mr. Mahon and members of Congress from our area. We certainly hope the Resolution will pass.

Thank you for your continued interest and support of our schools.

Sincerely,

CHARLES KNIGHT,
Superintendent.

CUPERTINO UNION SCHOOL DISTRICT,
Cupertino, Calif., March 30, 1967.

Hon. GEORGE H. MAHON,
House of Representatives,
Washington, D.C.

DEAR MR. MAHON: On March 8th, Mr. Charles Gubser, Member of Congress from the Tenth Congressional District of California introduced House Joint Resolution No. 412. This Resolution if passed would authorize the U.S. Office of Education to obligate funds for the succeeding year not to exceed 75% of the current year's obligation for certain Federal Programs. In this manner, local school districts that are involved with Federal Programs would be able to plan effectively for those programs and at a time in keeping with the budget calendar in most states.

I would like to indicate our support of this measure. A major problem we have faced is the necessity of holding back on the commitment of the district to certain federal programs because of uncertainty of the funding of those programs. This involves everything from program planning to personnel procurement and I think has resulted in less effective accomplishments than would have been possible had we been at liberty to plan freely many months in advance of actual operation.

From the point of view of the Cupertino School District in California and most of those in the field of education in this area, the passage of this Resolution would be a great boon to effective planning for federally connected programs. We certainly urge you to support it. Thank you for any consideration you give this suggestion.

Sincerely,

CHARLES KNIGHT,
Superintendent.

CUPERTINO UNION SCHOOL DISTRICT,
Cupertino, Calif., March 30, 1967.

Hon. J. ARTHUR YOUNGER,
House of Representatives,
Washington, D.C.

DEAR MR. YOUNGER: On March 8th, Mr. Charles Gubser, Member of Congress from the Tenth Congressional District of California introduced House Joint Resolution No. 412. This Resolution, if passed, authorize the U.S. Office of Education to obligate funds for the succeeding year not to exceed 75% of the current year's obligation for certain Federal Programs. In this manner, local school districts that are involved with Federal Programs would be able to plan effectively for those programs and at a time in keeping with the budget calendar in most states.

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From the point of view of the Cupertino School District in California and most of those in the field of education in this area, the passage of this Resolution would be a great boon to effective planning for federally connected programs. We certainly urge you to support it. Thank you for any consideration you give this suggestion.

Sincerely,

CHARLES KNIGHT,
Superintendent.

CUPERTINO UNION SCHOOL DISTRICT,
Cupertino, Calif., March 30, 1967.

Hon. W. DONLON EDWARDS,
House of Representatives,
Washington, D.C.

DEAR MR. EDWARDS: On March 8th, Mr. Charles Gubser, Member of Congress from the Tenth Congressional District of California introduced House Joint Resolution No. 412. This Resolution if passed would authorize the U.S. Office of Education to obligate funds for the succeeding year not to exceed 75% of the current year's obligation for certain Federal Programs. In this manner, local school districts that are involved with Federal Programs would be able to plan effectively for those programs and at a time in keeping with the budget calendar in most states.

I would like to indicate our support of this measure. A major problem we have faced is the necessity of holding back on the commitment of the district to certain federal programs because of uncertainty of the funding of those programs. This involves everything from program planning to personnel procurement and I think has resulted in less effective accomplishments than would have been possible had we been at liberty to plan freely many months in advance of actual operation.

From the point of view of the Cupertino School District in California and most of those in the field of education in this area, the passage of this Resolution would be a great boon to effective planning for federally connected programs. We certainly urge you to support it. Thank you for any consideration you give this suggestion.

Sincerely,

Charles Knight,
Superintendent.

Cupertino Union School District,
Cupertino, Calif., March 30, 1967.

Hon. George H. Mahon,
House of Representatives,
Washington, D.C.

Dear Mr. Chairman, Recently I have become aware of House Joint Resolution 412 introduced by Rep. Charles Gubser, member from California. May I offer my full support for his timely consideration.

This is the propitious moment when school principals and school district administrators wrestle with all the financial data that is inherent in budget formulation. The mere fact that the twenty-five square miles which encompasses our school district is comprised of only homes means that the burden of revenue is thrown on the backs of our local taxpayers. Our tax base is rather meager in comparison to our surrounding area so that state and federal monies make our programs go.

Cupertino School District is a nationally acclaimed elementary school district mainly because of the imaginative and innovative attitude that prevails. Much of this success, however, is tied to special funds available from the federal government. When we are faced with the dilemma of being unsure of federal funding and its procedures, the "mills of the gods" which have been slowly grinding, come to an anxious halt.

I implore you to weigh judiciously the welfare of the 22,000 youngsters of our school district against the present funding procedures of our federal monies and support Rep. Gubser's resolution.

I am appreciative of your efforts on behalf of education.

Sincerely yours,

Jack Casey,
Principal, Ortega School.

Monroe School,
San Jose, Calif., March 29, 1967.

Hon. George H. Mahon,
House of Representatives,
Washington, D.C.

Dear Mr. Chairman: Great and lasting benefits have come to local school districts through the Elementary and Secondary Education Act funds which have been appropriated yearly through Congress. The timing of these appropriations has, however, caused considerable stress and problems at the local level of which I will mention a few.

We are required by law to notify teachers by March 15th if they are not being retained for the following school year. With the uncertainty of ESEA funds, we never know whether to speculate and retain them or dismiss them and hope to rehire them in the fall. The former is unsound financially and the latter results in poor continuity of the program as good experienced teachers in these programs are lost. Similar problems exist in planning for optimum utilization of facilities and materials for all phases of the school program. Should drastic changes be made on any given year with regard to appropriation of ESEA funds, we would by necessity drop some of these endeavors and by commitment, try to absorb others within the abilities of our local funding.

You are urged to lend your influence and support to a program which would provide continued funding beginning February or March of each year through a continuation resolution as suggested by Representative Charles S. Gubser. House Joint Resolution 4112, as presented by Mr. Gubser, would be a giant step toward solving these problems for us at the local school level.

Sincerely,

Robert D. Landreth,
Principal.

Sunnyvale Board of Education,
April 14, 1967.

Hon. George H. Mahon,
House of Representatives,
Washington, D.C.

Dear Mr. Chairman: In the latter part of February of this year, our school superintendent, Dr. Henry Molino and I discussed with Representative Charles S. Gubser of our area the major problem we face annually relative to developing budgets with minimum income information. This problem has been accentuated in recent years as the Federal Government has more and more participated in funding various educational programs throughout the country. Our district has participated in a number of these projects and feel significant progress is being made in up-grading many aspects of our educational offerings to children.

In discussing this matter with Mr. Gubser, it was our definite impression that concerns by school districts nation-wide were very similar to ours. In fact, we were able to point out that this was one of the major concerns at the American Association of School Administrators Convention in Atlantic City which we had just attended.

We are fully cognizant of the complexity of this problem. However, the concept of a continuing resolution as suggested by Mr. Gubser seemed to us to have real merit which should be given careful consideration. We would surely have more information than we now currently enjoy. It is, therefore, the feeling of the Sunnyvale Board of Education that your Committee given serious consideration to the concept of a continuing resolution or whatever measure may be necessary in order to provide a reasonable and systematic means for school districts to plan their budget year. I can assure you that by means of a continuing resolution whereby our school district would be guaranteed at least 75 percent of the previous year's allocation, preliminary plans would make a great difference in our budget development.

The Sunnyvale Board of Education sincerely trusts that your Committee will give serious consideration to this proposition.

Respectfully yours,

Mrs. Jacqueline T. Ray,
President.

J. Bohnett School,
April 10, 1967.

Hon. George H. Mahon,
House of Representatives,
Washington, D.C.

Dear Mr. Chairman: This letter is to urge your support of Congressman Charles Gubster's resolution, H.J. Res. 412, concerning adequate time for school districts to make educational plans based on Federal funded projects. It is an established fact that many districts are "gun shy" of committing themselves to any Federal programs for fear of inadequate or no financial support. Therefore, the intent and purpose of legislature establishing such programs is lost. Only the wealthy districts can chance having to carry the load themselves. The needy districts, for which such legislation was primarily designed, do not participate.

Sincerely,

Leland Dugan,
Principal.

Mr. Speaker, if I had alerted school districts across the entire State of California instead of my own congressional district, and across the entire Nation, instead of my own congressional district, I am confident that the Congressional Record bearing the endorsements of my proposal would be at least 2 feet thick for this day. Here we have heard from the men and women who are actually out in the field, working with the provisions of the Elementary and Secondary Education Act. They know that one of the grave defects in the program is the fact that the appropriations process, through no fault of the House Appropriations Committee nor the membership of this House, simply cannot provide the assurance that funds will be available in sufficient time to provide for sensible and proper planning at the local level. In the interests of efficiently spending Federal aid dollars and in the interests of providing better education, I respectfully request all Members of the House to seriously consider supporting my resolution, House Joint Resolution 412.

In particular, I respectfully request the members of the Appropriations Committee to give consideration to bringing forth a continuing resolution like that which is suggested in my proposal.

NEWARK'S NEIGHBORHOOD YOUTH CORPS PROGRAMS ARE DOING THE JOB

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RODINO. Mr. Speaker, Project COPE in Newark, N.J., has achieved special success with almost 800 enrollees. An extensive supportive services program, under the auspices of the Manpower Administration, Department of Labor, has meant that many young men and women have returned to school or found permanent jobs, rather than become, or remain, dropouts.

The Neighborhood Youth Corps, a program of the Labor Department's Bureau of Work Programs, provides work training for low-income youths between the ages of 16 and 22, and is the springboard for this cooperative effort to mobilize the network of social and manpower agencies in order to open up new pathways to occupational and professional opportunities for youth.

Thus, COPE—Career Oriented Preparation for Employment—has concentrated on the total needs of the enrollees and has achieved unusual results. Administered by the Jewish Vocational Service, under the aegis of the United Community Corp.—the local community action agency—the experimental NYC project has received $882,399 from the Bureau of Work Programs and from the Office of Economic Opportunity. Almost $200,000 in Federal money provides group and individual counseling services, remedial education for out-of-school enrollees, job placement and referral services, and followthrough help for NYC terminees.

The extra Federal investment has paid off. Albert Ascher, the former director of COPE, said:

> I'm sure that if we did not have these services, we would have lost more kids.

The statistics support his statement. Of 780 youths, 350 have terminated. About 100 of these have jobs in private industry or public agencies and an equal number have returned to school full time. Seventy were forced to leave because of illness, age, or because they moved out of town and about the same number quit outright.

COPE employs a staff of 27; 10 of these are qualified counselors, and they hope to be able to hire four more in order to lower the counselor-enrollee ratio to a figure nearer 1 to 50. The counselors meet the young people on their own levels. They talk with each young person individually and lead group sessions which generate a powerful impact on the youths. In these meetings the young people themselves draw out the timid and restrain the boisterous. They are free to discuss a wide range of topics; a recent meeting, for instance, covered subjects ranging from the place of the Negro woman in American society to the desirability of a wage raise to $1.40 an hour. Here the enrollees learn to express their problems and work out solutions together.

COPE has hired four ex-NYC enrollees as field aids. They recruit on a door-to-door basis, track down those youths who fail to report to work, and check up on those who have left NYC projects to take permanent jobs. In their rounds, they have found that COPE's graduates last longer in permanent jobs than do other youths.

About two-thirds of the COPE enrollees are out of school. They work 30 hours a week, earning $1.25 an hour. The other enrollees still attend school and work 15 hours. One major result of the NYC program has been to develop new careers in social work, which these youths, who were thought to be unemployable, fill. Sixty new positions have been created at hospitals or agencies and are now staffed by former NYC enrollees.

The Manpower Administration Bureaus at both the national and local levels work closely with NYC sponsors. For COPE this means that the New Jersey State Employment Service, the Youth Opportunity Center, and MDTA skill centers and private contractors help in recruitment, job placement, and referral. YOC, established by the Bureau of Employment Security, also aids in screening, testing, and counseling applicants, and MDTA programs accept ex-NYC enrollees for further training.

Recently COPE and the city of Newark's Neighborhood Youth Corps project have become part of another coordinated approach to increase the employability of disadvantaged youth—a NYC-MDTA concurrent enrollment program. This program provides 100 out-of-school enrollees with the opportunity to combine work experience in the morning with training at the MDTA skill center in the afternoon. In addition, a remedial education course, integrated with job training, helps these and other out-of-school youth to qualify for better jobs. The emphasis here is on informal small classes—the structured large classroom is out. Instead the students are encouraged to participate in classes and the subject matter is related to their abilities and needs.

NYC programs involve the total community in their projects by having representatives of local welfare and social agencies on their governing boards. They therefore can play an important role in establishing policy, for not only do they provide many of the work stations and much of the supervision on the job, but they also provide direct services for the youths and their families. On the staff is an agency coordinator who serves as a liaison between the agencies and COPE. In this way COPE can coordinate and utilize all of the available resources. However, the directors feel that there are still some missing links. Health services and nursery facilities for working mothers are two components they hope to add in the future. A medical board has already been established to advise on the medical and dental needs of NYC young people.

By integrating all of these services with job training, the Bureau of Work Programs through its sponsoring agencies insures that the NYC experience will enable today's disadvantaged youth to enter the competitive employment field tomorrow on an equal footing with their fellow workmen.

WHOSE WAR IN VIETNAM?

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I was extremely disturbed to read news reports to the effect that Premier Nguyen Cao Ky of South Vietnam has determined that 600,000 American troops will be needed to continue the war in Vietnam. I sincerely hope that President Johnson will weigh carefully all the implications of Premier Ky's pronouncement and the action he recommends.

I would remind the President of his often-expressed feeling that American soldiers should not be sent half way around the world to do a job that is properly the responsibility of South Vietnam and her Asian neighbors. I think there can be little doubt that, by any rational criteria, the war in Vietnam has already become basically our war, and not South Vietnam's.

This does not mean that the United States can turn its back on the situation in Southeast Asia. What mistakes might have been made are history now; it is the present and the future that must concern us. I always have been and will continue to be firmly against unilateral withdrawal of U.S. troops from Vietnam. As I have stated on many occasions, to do so would merely encourage Chinese Communist military adventurism and would drown the voices of moderation in the Communist world. Our involvement in Vietnam is a fact. Our soldiers are fighting and dying. They deserve our support.

But that does not mean that they must become pawns in Premier Ky's game of political chess. He has conducted an intensive campaign for the presidency of his country and the timing of his pronouncement is quite clearly part of his campaign strategy.

Are we going to permit Premier Ky, or any other Asian leader to formulate our foreign policy? Who is going to decide what the national interest of the United States is, the people of this Nation or political opportunists abroad? Is U.S. foreign policy inevitably to be one of reaction to Communist initiatives, or will we find the courage and the imagination to create a policy based on the aspirations and beliefs of the American people?

We have escalated the war in Vietnam markedly since 1965, but we are no closer to military victory now than we were then. Our escalation has been matched by escalation from the north, and the result has been an increasingly tragic toll in lives and dollars. Unfortunately, some military pressure apparently is necessary to convince North Vietnam that we are resolved to protect the independence of South Vietnam and the right of her people to self-determination. But our military resolve must be matched by initiatives toward a peaceful and responsible resolution if we are to avoid becoming bogged down in an interminable Asian land war, which so many of our military experts have warned against.

Let there be no confusion over the possibilities for a quick military victory in Vietnam, such as Israel achieved over the Arab nations. It is one thing to fight in a desert where the enemy is clearly identifiable and quite another to wage jungle warfare where most of the time the enemy is either underground or indistinguishable from innocent civilians.

I profoundly hope President Johnson will see clearly where the interests of the United States lie in appraising Premier Ky's call for another massive escalation of the war in Vietnam.

A BILL TO AMEND THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MULTER. Mr. Speaker, on January 19, 1967, I introduced H.R. 3098 which would amend the Social Security Act to require that drugs provided by or under programs receiving Federal financial assistance, must be prescribed and furnished on a nonproprietary or generic basis.

I have today introduced another bill which would extend the labeling provisions of H.R. 3098 to pertain to all drugs sold by prescription. This bill would amend the Federal Food, Drug, and Cosmetic Act so as to require that in the labeling and advertising of all drugs sold by prescription, the "established name" of such drugs must appear each time the proprietary name is used.

Those people who require drugs have, in many instances, been charged excessive prices for prescription drugs sold under a brand name. This practice is not only harmful to the general public, but is especially detrimental to the elderly and unemployed who find it difficult enough to meet their expenses. For example, 1,000 doses of dextroamphetamine sulfate cost $1.15 to the druggist. This same drug sold under a brand name costs $22.60—a difference of $21.45. An even more extreme example is predisone which is sold at $10.16 for 1,000 doses. The cost of this identical drug under a brand name, however, is $170—a remarkable difference of $159.84. Obviously this situation must be remedied immediately.

The effect of my bill would be to permit the pharmacist to fill a prescription which calls for a drug by brand name, with the "established" drug of the same identity and quality. As a result, this drug can be sold at a considerably lower price to the consumer.

Mr. Speaker, both of these bills warrant careful consideration if we are to hope for a drastic decrease in the price of drugs—a decrease which would allow the elderly, unemployed, and general public to purchase these drugs at a realistic cost. I urge the support of our colleagues in enacting this much-needed legislation.

NEGRO HISTORY MUSEUM COMMISSION

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. NIX] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NIX. Mr. Speaker, today I am introducing a bill for the establishment of a Negro History Museum Commission.

Negroes have played an important role in the development of these United States. A role that is not always accurately or completely chronicled in the history books.

Negro explorers have been a vital force in many of the pioneer movements in this country and without. A Negro was the first man at the North Pole with the Byrd expedition.

Negro scientists have labored long and hard and successfully in fields of medicine, space, and technological improvements.

Negro industrialists and businessmen have contributed much toward fashioning a better way of life.

Negro accomplishments have been many.

Their recognition has been small.

Therefore, I have submitted this bill in the hopes that an important phase of the history of this country shall be recognized and respected.

LITHUANIA, LATVIA, AND ESTONIA HAVE A RIGHT TO BE FREE AND INDEPENDENT—27 YEARS IN THE COMMUNIST-RUSSIAN SLAVERY

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, since June 15, 1940, the Baltic States have been suffering in the Soviet captivity. The Soviet Union took over Lithuania, Latvia, and Estonia by force of arms.

The Baltic States have never experienced in their long history through centuries such an extermination and annihilation of their people as during this Soviet occupation since June 15, 1940. During the last 27 years the countries lost more than one-fourth of their entire population. Hundreds of thousand of Lithuanians, Latvians, and Estonians were murdered by the Kremlin despots or died in exile in Soviet slave-labor camps and prisons in Siberia and other places of Communist Russia. At least 20 percent of the present population of Soviet-occupied Lithuania, Latvia, and Estonia are not the Balts, but the Soviet colonists. The genocidal operations and practices being carried out by the Soviets continue with no end in sight. Bearing in mind that all of the murdered and deported people have been the most educated, courageous, industrious, comprising the strongest elements of the countries, the losses in population become more terrible and almost fatal to the survival of the Lithuanian, Latvian, and Estonian nations.

But let us now return to the details of the Soviet occupation of Lithuania. At the same time that the forces of occupation were entrenching themselves and the mock elections were being carried out in 1940, leaders and active members of all non-Communist political parties and thousands of public officials were arrested. This was but a prelude to one of the most despicable acts of modern times; namely, the mass deportations that ensued. Interrupted only by a temporary Nazi occupation of Lithuania from 1941 to 1944, when the Soviets reoccupied Lithuania, these deportations went on for about a decade. People from every walk of life, even old and dying people, were put on cattle freight cars for the 3-week journey to Siberia or remote areas near the Arctic Ocean. The number of all the deportees amounted to about 20 percent of the population, or 600,000 Lithuanians. In 2 nights alone of June 1941, 34,260 Lithuanians were deported to the horribly miserable conditions of the slave-labor camps. The consequent death toll of these deportees was very high.

With the increase of physical terrorization by the Soviets, a strong Lithuanian underground resistance organization was formed and fought the Soviets. It was an heroic and widespread resistance movement, but it was a costly one; after the war about 30,000 died in battles with Russian Communists.

If we demand for freedom for all nations in Asia and Africa, we should do exactly the same thing in Europe. The Baltic States—Lithuania, Latvia, and Estonia—are more than 700-year-old nations and they have the same—or even more—right to be free and independent as any new country in any part of the world. We should have a single standard for freedom. Its denial in the whole or in part, any place in the world, including the Soviet Union is surely intolerable.

It is my wish that the House adopt the foregoing resolution:

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all people have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

NEW JERSEY-NEW YORK AIR POLLUTION

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, I would like to take this opportunity to speak in behalf of the New Jersey-New York air pollution bill. In these modern times air pollution has indeed become a rather complex problem as well as a very serious one. Pollution reduces our yield of crops, damages our property, is harmful to our health, lessens our enjoyment of life, and is offensive to our senses.

Facts indicate that air pollution is associated with numerous respiratory ailments such as chronic bronchitis, bronchial asthma, lung cancer, chronic constrictive ventilatory disease, nonspecific infectious upper respiratcry disease, and pulmonary emphysema. It has been shown that the "common cold" and other respiratory tract infections occur more frequently in areas which have a higher pollution level.

Air pollution presents a great hindrance to transportation on land, water, and air, because it reduces visibility. Any source of dense smoke close to a modern highway or throughway can be an extremely serious threat to travelers. Air pollution is a big factor in fog formation which no doubt aggravates the visibility problems preventing many airplanes from immediate landing and often causes very long and tiring delays.

One need only recall the greatest and most publicized air pollution catastrophe at Donora, Pa., in October of 1948 to see just how serious the air pollution problem can be. In Donora, one-third of the population of 14,000 became ill, and 17 persons died.

Many men have lost a large amount of work hours due to ailments suffered from air pollution. This reduces their earning power, and thus has a large effect on the overall economy of the affected areas.

The first identifiable Federal program in air pollution was Public Law 159 passed by the 84th Congress in 1955. It was an act to provide for research and technical assistance relating to air pollution control.

I have always felt it my duty to do something to help curb the serious air pollution which has harmed my neighbors, friends, and all in the United States. I feel that the greatest difficulty is in the lack of knowledge on the part of the residents of the local communities concerning the air pollution problem as it really exists. As the mayor of East Rutherford, N.J., in 1957, I fought hard to do something about the air pollution problem. After several years of effort in this regard, I finally succeeded in ridding the area of dumpers; but, the problem is still quite serious. In my final remarks as mayor of East Rutherford to the council I suggested that two things be done:

First. The adoption of a regional plan for the municipality to help bring about a solution to this air pollution problem.

Second. The authorization of a special professional study to compare the air pollution in the area with that found in other areas and recommend an overall control plan.

It has always been my contention that air pollution is not limited to the bounds of any one municipality and I have always advocated regionalizing the control of air pollution through a control commission.

In 1965, I cosponsored the Clean Air Act Amendments. The passage of these amendments by Congress recognizes the crisis facing the Nation, and the pressing need to be of help to our cities, communities, and States in numerous ways:

First. Having Federal standards set up to control the motor vehicle, which no doubt is one of the most common pollution sources.

Second. Expanding Federal research, training and technical assistance activities.

Third. Authorizing Federal abatement action on interstate and intrastate problems which cannot be solved by existing programs.

Fourth. Awarding matching funds directly to local and State agencies to help develop, establish, or improve control programs, especially those dealing with regional air pollution problems.

This legislation has helped, and will continue to help our States and communities, particularly with those problems they cannot resolve alone. But it is still their responsibility to meet the challenge of their specific problems. It is equally the responsibility of each and every one of us to give our active support to the State and local efforts to put an end to and prevent air pollution.

Air is a necessity for survival. It is also necessary that it be cleaned, just any kind of air will not do. Air cannot be manufactured to suit our requirements and since it is irreplaceable, we must make every effort to conserve it to the best we can. The essentials for the rapidly intensifying problems of air pollution are public understanding and support. The question to be resolved is how to combat widespread air pollution. With a concentrated and united attack upon this problem we can take a large step forward to meet it face to face, for the cleanliness of our communities and for the betterment of our health.

This joint resolution which I am cosponsoring with my colleagues to consent to and enter into the Mid-Atlantic States Air Pollution Compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency is indeed unique. This resolution with its rigid standards and controls, will allow us to achieve great progress in curbing air pollution and to make our New Jersey-New York metropolitan area a better place to live.

HOUSE JOINT RESOLUTION 1—ORGANIZATION TO FIGHT CRIME

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PEPPER. Mr. Speaker, on January 10, of this year, introduced House Joint Resolution 1, to establish a Joint Committee To Investigate Crime. A companion resolution has now been introduced in the Senate by the Honorable Frank Moss. I would like to take this opportunity to express my appreciation for so distinguished a cosponsor. Senator Moss is not new to the field of crime legislation. He introduced the Law Enforcement Assistance Act of 1965, the only major piece of legislation passed in this area to date. His support for this resolution is particularly gratifying.

I want at this time to urge the support of the House for this resolution. I welcome cosponsorship on the Senate side of what I consider to be one of the country's most important issues, that of crime in our cities. I would like at this time to urge my colleagues in this body to cosponsor this legislation which I have previously forwarded to them in my letter of June 12. I want to thank my colleagues who have already seen the necessity of cosponsorship of my bill. They are the Honorable James M. Hanley, the Honorable John E. Moss, the Honorable Robert L. F. Sikes; the Honorable Alphonzo Bell; the Honorable Barratt O'Hara; the Honorable Charles H. Wilson; the Honorable Seymour Halpern; the Honorable Julia Butler Hansen; the Honorable Spark M. Matsunaga, and the Honorable William R. Anderson. The resolution would establish a committee composed of seven Members of the House and seven Members of the Senate, to be appointed respectively by the Speaker of the House and the President pro tempore of the Senate. In both cases, no more than four Members would belong to the same party. The purpose of the committee would be to make continuing studies and investigations of all the aspects of crime in the United States.

The need for a Joint Crime Committee was most recently recognized by the Republican task force on crime in its support of a bill to establish a Joint Committee on Organized Crime. While organized crime in this country clearly demands immediate and comprehensive investigtion, it is my belief that we on the Hill must go much further in our investigation of the causes, effects, and control of crime. We would gain very little by limiting the scope of a joint congressional crime committee to organized crime alone.

The National Crime Commission's task force on science and technology report, released Saturday—June 4—concluded that the greatest single need throughout the Nation's law-enforcement and criminal-justice system is basic research. According to this report, we know far too little about the effectiveness of our current crime control measures, which cost the Nation more than $2 billion a year which in itself is one-tenth of the national crime loss, a costly means for such inadequate results. It is precisely to this need that the joint congressional committee which I have proposed would address itself. The committee would be authorized to make continuing studies and investigations of crime, including, and I quote from the resolution:

> (1) Its elements, causes, and extent; (2) the preparation, collection, and dissemination of statistics thereon, and the availability of reciprocity of information among law enforcement agencies, Federal, State and local, including exchanges of information with foreign nations; (3) the adequacy of law enforcement and the administration of justice, including constitutional issues pertaining thereto; (4) the effect of crime disturbances in the metropolitan urban areas; (5) the effect, or indirectly, of crime on the commerce of the Nation; (6) the treatment and rehabilitation of persons convicted of crimes; (7) measures for the reduction, control, or prevention of crime; (8) measures for the improvement of (a) detection of crime, (b) law enforcement, including increased cooperation among the agencies thereof, (c) the administration of justice; and (9) measures and programs for increased respect for the law.

The concern of this Congress has been religiously supported by the number of bills, well over 600 in the House, introduced this season aimed at crime. This concern is as unprecedented as it is equally overdue. Domestic order is the first responsibility of government on all levels, but, to be effective, crime control legislation and programs must be based on a sound knowledge of the components of crime and the alleys of its control. This we lack until responsible action has been taken. It is my belief that a joint congressional investigating committee is the necessary first step toward effective Federal action in the control of crime.

Mr. Speaker, in closing, I would like to call attention to the contribution to this effort made by the Evening Star Broadcasting Co.—WMAL–AM/FM/TV. As you know, this is one of Washington's outstanding broadcasting stations, which has often spoken positively on solutions to various aspects of the total effort to eradicate crime. As many persons and organizations sought for better solutions to crime, WMAL took up the call for a Joint Congressional Committee on Crime as the most logical national clearinghouse of crime information. So far as I know, this was the first broadcast station or newspaper to make such a proposal, beginning as early as last November 27, before the beginning of the 90th Congress. Since my introduction of House Joint Resolution 1, WMAL has been generous in its support of my resolution.

Mr. Speaker, I insert at this point in the RECORD various editorials broadcast over the past 8 months by WMAL, relating to this matter, as follows:

EDITORIALS BROADCAST BY WMAL/AM/FM/TV ON JOINT CONGRESSIONAL COMMITTEE ON CRIME

WEEK OF NOVEMBER 27, 1966

Crime is rapidly becoming—if it is not already—our most serious domestic problem. At the same time, recent court rulings have caused increasing confusion over what law enforcement agencies can and cannot do. In-depth studies, such as that to be completed in January by the National Crime Commission, are providing new insights into the causes and effects of crime. Meanwhile, Congress is sure to be faced with complex new crime legislation in the next session.

A war on crime in the late 1960s cannot be fought with 1920 weapons. This is why Congress should thoroughly digest all the new rulings and findings before acting on new crime legislation. To accomplish this, we recommend establishment of a Joint Congressional Committee on Crime, similar to the Joint Committee on Atomic Energy. This committee should serve as a national clearing house to explore all aspects of crime within the Federal jurisdiction, on a continuing basis.

It is necessary to improve law enforcement procedures at all levels of government. But only Congress has the diversity to bridge vast sociological, practical, legal and political considerations that complicate the total national crime problem.

WEEK OF DECEMBER 4, 1966

A Federal Justice Department study says an "Agency for Criminal Law Reform" should be established for the District. The Justice Department wisely recognizes that a war on crime in the late 1960s cannot be fought with 1920 weapons. A permanent and independent agency is necessary to bring orderly improvements to District court, correctional and police procedures.

The Justice Department proposal is a good approach to solving local crime. But a total national assault on crime is also needed on a permanent and continuing basis. We are convinced that a Joint Congressional Committee on Crime should pick up the attack when the National Crime Commission ends its work in January. The committee should serve as a national clearing house to study all aspects of crime, within the Federal jurisdiction.

It is necessary to improve law enforcement procedures at all levels of government. But only Congress has the diversity to bridge vast sociological, legal, practical and political considerations that complicate the total national crime problem.

WEEK OF DECEMBER 18, 1966

The current controversy over FBI use of electronic detection devices is another example of the need for a Joint Congressional Committee on Crime. The controversy rages around whether the FBI used electronic eavesdropping devices with or without official approval. The question immediately turns to—which official approval? Justice Department and FBI officials have been issuing conflicting guidelines on use of electronic devices for nearly 40 years. Out of the confusion the FBI now emerges branded an ogre with a snooping device in every office wastebasket.

What law enforcement officers can and cannot do with electronic devices must be settled once and for all. But guidelines should be drafted this time by the elected Congress, rather than by appointed administrators. To do a good job, Congress will need objective knowledge. A Joint Congressional Crime Committee should be established to gather knowledge regarding use of electronic devices, as well as all the changing patterns of law enforcement.

WEEK OF JANUARY 15, 1967

President Johnson's call for sweeping legislation providing Federal aid to local and state police departments must be studied very carefully from many points of view. It makes the need for a continuing Joint Committee on Crime in the Congress even more urgent.

President Johnson said that a Federal police force is repugnant to the American people and we agree. Whether massive Federal aid to local and state police departments could lead to a Federal police force is a question that should be answered.

There should be a Joint Congressional Committee on Crime to study every facet of this problem. In fact, the Joint Committee should delve into every aspect of crime. Only Congress has the diversity to bridge the vast social, economic, legal and political questions that complicate efforts to control crime.

WEEK OF FEBRUARY 12, 1967

President Johnson has sent Congress a message asking vast Federal aid to local and state law enforcement agencies. The spiral of crime undoubtedly justifies Federal action. The President wisely placed the Federal Government in the role of a helper—rather than a controller—of state and local law enforcement agencies. Nevertheless, involvement of the Federal Government in grassroots law enforcement activities raises unanswered and controversial questions.

One of the most repugnant thoughts to most Americans is the possibility of a Federally-dominated police system. And Federal aid in other programs, such as education, has always meant a degree of Federal control.

Therefore, the President's message must be carefully considered. We believe a detailed analysis should be undertaken by a Joint Congressional Committee on Crime. In fact, Congress should equip itself for a long and detailed study of all the social, economic, political and legal questions complicating the war on crime. We urge Congress to establish a Joint Committee on Crime without delay.

WEEK OF MAY 22, 1967

The ever-growing menace of crime requires greater Federal attention. Congress will inevitably be faced with complex legislation to help control crime. The question is whether Congress will be prepared to act intelligently on crime legislation.

This is why we have been urging creation of a Joint Congressional Committee on Crime since last November. This is why Florida Congressman Claude Pepper introduced a resolution to establish a Joint Congressional Crime Committee early in January. If Congress is to develop meaningful crime legislation, it must sift all available information and develop new studies of its own.

Organizations and private citizens should join us in urging that House Rules Committee Chairman William Colmer set early hearings on Congressman Pepper's resolution. A Joint Congressional Committee on Crime, serving as a national clearinghouse of crime information, would be a vital link in the nation's defense against ever-increasing lawlessness.

FRIDAY, JUNE 9, 1967

We applaud the rapid bi-partisan progress being made toward establishment of a Joint Congressional Committee on Crime.

On the Democratic side, Florida Representative Claude Pepper and Utah Senator Frank Moss are leading the drive. Similar Republican action has been taken by Virginia Representative Richard Poff and Florida Representative William Cramer.

We urge that all Congressmen add their influence to establish a Joint Congressional Committee on Crime. The committee will carry on a day-to-day study of the causes and effects of crime—our most critical domestic problem. It will serve as a national clearinghouse of information for legislators, police and corrections officials at the Federal, state and local levels.

Only Congress has the diversity to bridge the vast social, economic, legal and political questions that complicate an all-out national war on crime. As we have said since last November when we first proposed its establishment, a Joint Congressional Committee on Crime is the best weapon for spearheading the attack.

WORK AND TRAINING FOR ECONOMIC INDEPENDENCE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SCHEUER. Mr. Speaker, the current issue of Poverty and Human Resources Abstracts contains an interesting piece by Dr. Sar A. Levitan which takes a hard look at three Economic Opportunity Act programs—the Job Corps, the Neighborhood Youth Corps, and work experience and training. Dr. Levitan, a well-known economist, is currently engaged in a study of the poverty program under a grant from the Ford Foundation. I commend this article to all of my colleagues who are interested in seeing how well the administration is carrying out the mandate which we have given them:

WORK AND TRAINING FOR ECONOMIC INDEPENDENCE

(By Sar A. Levitan, the George Washington University)

The Economic Opportunity Act was sold to the nation as a measure to rehabilitate the poor, placing them on the road to economic independence. "The days of the dole in our country are numbered," President Johnson declared on signing the law. Sargent Shriver also made it clear, even before assuming responsibility for the direction of the antipoverty program, that he was not "interested in running a handout program or a leafraking program. . . ."

After nearly three years and a commitment of $4 billion, it is appropriate to examine the extent to which the Act has been implemented. It is recognized that the impact of some antipoverty measures, no matter how successful, will not be discernible for years. As yet these measures will have had no effect upon stimulating economic independence. The economic benefits of Head Start, for example, may not be apparent for years since the senior members of this group have not yet passed their eighth birthday.

Fortunately, it is not necessary to delay a tentative assessment of the economic impact of the antipoverty program for another decade. In placing emphasis upon breaking the bonds of poverty, several programs inaugurated under the Economic Opportunity Act stressed job creation and training. An examination of these programs should be relevant to reaching some judgment about the extent to which the measures have led participants to achieve economic independence. The original Act made explicit provision for three such programs: Work Experience and Training, the Job Corps, and the Neighborhood Youth Corps. The first serves recipients of welfare and other needy adults, while the others are limited to youths. Other job creation and training programs have been added, but this paper is devoted exclusively to the three programs initiated under the original Act.

Thus far, a total of $1.8 billion has been allocated to these programs, distributed as follows:

Work Experience and Training—$324 million;

Job Corps—$698 million;

Neighborhood Youth Corps—$777 million.

AN INTERESTED OBSERVER'S LAMENT

One would expect that information would be available to estimate the contributions of these manpower programs to the economic independence of the nearly one million participants. Such information, however, is scarce and inadequate.

The Bureau of Work Programs in the Department of Labor, responsible for NYC, and the Bureau of Family Services of the Welfare Administration, responsible for work experience, have conducted few evalautions. Although more than a billion dollars of public funds has been committed to these two programs, only a fraction of one million dollars was devoted to evaluating the extent to which the programs are achieving their goals.

Moreover, officials responsible for the Neighborhood Youth Corps and Work Experience and Training Programs have not released any serious study evaluating their efforts. Indeed, the Bureau of Family Services has not yet taken steps to assure that an evaluation of its program would be available in the future.

Only the Office of Economic Opportunity, under pressure from Congress, has undertaken sophisticated efforts to evaluate the Job Corps. The agency has initiated internal studies to measure the educational achievement of corpsmen while they are in training and the effect of the experience on the employability of enrollees after they leave residential centers. As a result of these studies, Congress and the public can make judgments on the need of residential training centers for disadvantaged youth. Observations about the Neighborhood Youth Corps and Work Experience and Training, on the other hand, must be gleaned from inadequate statistics of doubtful merit.

A number of factors have contributed to the paucity of information. Only the Job Corps conservation centers are administered directly by federal agencies—the Departments of Agriculture and Interior. Both the Bureau of Work Programs and the Bureau of Family Services distribute funds to diverse contractors at state and local levels who actually administer the projects. The small federal staffs, preoccupied with project approval and daily administrative chores, have placed low priority on program evaluation or the collection of program data.

The Neighborhood Youth Corps simply failed to develop an adequate operational reporting system, though the resources and talent were available within the Department of Labor. The Office of Manpower Planning, Evaluation and Research developed a comprehensive reporting system of MDTA programs which could have been applied to NYC. Apparently NYC did not desire to utilize the capability available in the Labor Department.

The Welfare Administration's long tradition of permissive administration is also a formidable obstacle to evaluating program effectiveness. Funds appropriated by Congress for most Welfare Administration programs in the past have normally been allocated to the states on a formula basis, requiring the states to match federal funds. Federal administrators have usually had little control over project administration. In the case of the Work Experience and Training Program, the projects were 100 percent federally-financed and the Welfare Administration was not tied down by strict formula allocations. Despite the greater potential for federal program direction, the traditional practices prevailed. The reports submitted by most state and local project administrators remain inadequate and incomplete, reflecting the laxity in central evaluation.

The development of computerized reporting systems, designed to gather uniform data for all projects funded by a program, has provided additional problems. The instructions for preparing reports have been misinterpreted or interpreted differently by project administrators. The information submitted, therefore, is often not usable by the programed computers.

Finally, the apprehension that a well planned and well conceived study might indicate that program objectives are not achieved can lead the administrators to opt for "evaluation" based on a few selected anecdotes rather than risking more rigorous objective analysis, which may be unfavorable. For nearly two years Job Corps officials attempted to justify their program with sketchy and carefully chosen data. The Office of Economic Opportunity embarked upon the development of sophisticated operational data to evaluate the program only after continued Congressional and public questioning of the effectiveness of the Job Corps and criticism of the highly subjective data presented in its defense. Literally, it took an act of Congress for the Job Corps to develop the data which have turned out to be quite favorable for the program.

WORK EXPERIENCE AND TRAINING

The goal of the Work Experience and Training Program (Title V of the Economic Opportunity Act) is to help welfare recipients and other needy adults to become self-supporting. It was hoped that the work experience and training gained on the projects, as well as the additional supportive services, would help the enrollees to find work.

Available evidence, though limited, raises questions as to whether the goal of the program is being achieved. Although about a third of former enrollees during the first two years have secured jobs, it is doubtful whether participation in the program has significantly contributed towards their securing employment. Despite the image of second and third generation welfare recipients employable recipients of public assistance remain on relief rolls for an average of less than nine months. Therefore, it is not unexpected that many participants in the Title V program, who average five months on a project, would secure employment upon completion or even before completion of their course of training or Title V work experience. It is also known that one of every two relief recipients remains on public assistance after terminating participation in a project.

While some blame the Welfare Administration for the lack-luster performance under Title V, several built-in obstacles in our public assistance system militate against the success of the program. In most states, all earnings of relief recipients are deducted from the assistance they receive. Since the jobs open to recipients frequently pay little more than the basic needs provided by public assistance, there is little incentive to accept a job. The incentive is further reduced by the difficulty which a recipient will have in returning to the welfare rolls if he should lose his job. In order to motivate welfare recipients to achieve economic independence, there is a need to provide incentives not available under present legislation.

The obstacles do not fully explain the shortcomings of Title V projects. The Welfare Administration and the welfare agencies at the state and local level, with a few notable exceptions, have had only limited experience with work and training programs; thus they may not be providing participants of the program with meaningful skill training. Congress has already reacted to this situation by providing that the Department of Labor assume responsibility for work-training and employment related services, while the Welfare Administration retains the responsibility for providing basic support, remedial education and other supportive services. Though Congress made this change in October 1966, the two Departments spent more than eight months in reaching an agreement to divide the responsibility for the administration of Title V. Whether the divided responsibility will improve the quality of training and work experience on Title V projects is a matter of conjecture.

While Title V leaves much to be desired as far as achieving its statutory goal is concerned, condemnation is not in order. The administrators of the program could not publicly claim credit for some of its most socially useful projects. In a number of areas, Title V projects have become the employer of last resort. Here projects saved thousands of families from dire want and deprivation. For nearly two years, Title V funds supported some 6,000 families in depressed eastern Kentucky where no alternative employment opportunities were available and the state made no provision to support employable adults. The eastern Kentucky experience has been duplicated in other areas, though on a smaller scale. Given the legislative mandate, the reluctance of administrators to claim credit for these programs is understandable.

In conclusion, it would seem that most Title V projects have provided little meaningful work experience and training. The program has probably failed to help many participants achieve self-support. However, the funds expended under the program have, by and large, achieved a useful social purpose by providing or supplementing basic income for more than 150,000 families.

NEIGHBORHOOD YOUTH CORPS

Hard data on the impact of NYC are even scarcer than information for Title V. However, NYC has enjoyed popularity with Congress which authorized more money in 1966 for the program than was requested by the Administration; and in May 1967 Congress appropriated additional funds as part of a supplementary appropriations bill. Under these circumstances of popular acceptance, there has been little incentive for administrators to develop data on the impact of the program. Why tempt fate when it is not at all clear that a hard-nosed analysis of the operations would justify the Congressional enthusiasm?

The reasons for Congressional support are not difficult to find. NYC has distributed its funds with a minimum of fuss and has provided income to as many as half a million youths—the exact number is not known—from poor families. Though occasionally children from more affluent homes were the beneficiaries, Congress has overlooked such indiscretions. It has continued to bestow its blessings upon the program, despite the little that is known about its effectiveness in enhancing the employability of enrollees.

Even a close observer is hard put to pinpoint the goals of NYC. Half of its funds for fiscal 1967 have been allocated to support in-school youth (who normally receive $1.25 an hour for a maximum of 15 hours per week) and summer programs. The assumption is that the income provided serves as an incentive to enrollees to stay in school and to continue their education. Regrettably, this claim rests on the assertions of interested parties and no solid data has been developed to support it.

The out-of-school NYC program seems to be a mixture of work experience, income support, anti-riot insurance and "aging vat." Thus far, NYC has failed to evaluate the effectiveness of these programs which vary widely among the thousands of communities depending upon the ingenuity, resourcefulness and ability of sponsoring organizations and administrators. There is little doubt that NYC has provided income support to many impoverished youth and their families. The program has also benefited from the widely held impression that it provides anti-riot insurance. Though this justification is rarely mentioned officially, it seems to have been the basis for the recent Congressional approval (May 1967) of an additional $47 million for summer programs. The rationale of NYC as an "aging vat" is based on the fact that unemployment rates among youths decline as they mature from teenagers into adulthood. There is room, therefore, for a program which would provide youth with some income and work during their early years in the labor force.

Congressional approval of NYC has not been universal. In authorizing $325 million for fiscal 1967, Congress indicated concern for the quality of training provided by NYC and authorized the Department of Labor to use NYC funds for on-the-job training with private employers. The Department's Bureau of Work Programs has dragged its feet in implementing this Congressional mandate.

The recently introduced Republican Opportunity Crusade places emphasis upon OJT by authorizing the Department of Labor not only to reimburse employers for training NYC youths, but to subsidize them for up to 25 percent of the wages paid during training. The rationale for the proposal is that private employers, even with government subsidy, will provide meaningful work thus eliminating much of the make-work which has been so common under NYC projects.

JOB CORPS

In contrast to the confusing and sometimes conflicting missions of NYC, the primary goal of the Job Corps is clear—to provide education and training for youth from impoverished homes who have failed in school, who have no salable skill and frequently not even a rudimentary preparation for work. Residential facilities are provided on the assumption that in order to rehabilitate some youth, it is necessary to remove them from their home environment. A secondary goal of the Job Corps conservation centers, where more than 40 percent of the males are enrolled, is to perform work "directed primarily toward conserving, developing, and managing the public natural resources of the Nation . . ."

After two years of operation, the Job Corps has initiated a series of operational reports attempting to measure the achievements of enrollees. The data indicate that an enrollee who spent about nine months in a center improves his reading ability by 1½ grades and his arithmetic comprehension by two grades. In the absence of acceptable norms, this level of achievement is difficult to evaluate. However, data clearly indicate that the longer a corpsman remains in a center, the more likely he is to be employed and to use his training.

The available data support the idea of providing residential centers for certain disadvantaged youth. However, the Job Corps has not succeeded in motivating enrollees to remain in the centers for enough time to permit the education and training to have its effect. Only one of every three enrollees completes his course of training. Based on cost-benefit studies, the Job Corps claims that the experiment has paid off. Nevertheless, too many youths drop out and the prescribed training period is itself too short. A survey by Harris Associates showed that less than half of those who completed their Job Corps training thought they had received adequate preparation to get a job in the occupation for which they were trained.

Moreover, considering the high cost of maintaining a youth in the Job Corps—exceeding $8,000 a year—it is necessary that youths who require residential training be identified and that other youths be assigned to alternative programs. Thus far, the selection of a youth for the Job Corps, NYC or some other program is determined by fortuitous circumstances.

Some educators have also questioned the basic premise of the Job Corps. They have argued that it is a romantic notion to expect the rehabilitation of youths from city slums or rural areas after a stay of eight or nine months in the centers. These critics suggested that removing youth from their environment is an impediment rather than a help to their rehabilitation. This argument was persuasive with many Congressmen and the 1967 Republican bill proposes turning the Job Corps over to vocational authorities who would make it part of community skill training centers.

CONCLUSION

A review of the three original Economic Opportunity Act work and training programs casts serious doubt whether these efforts achieved the formal goal of the legislation—namely that these programs should lead to economic self-support. Experience indicates the difficulties of accomplishing this commendable goal.

Evaluation of the Work Experience and Training Program provides evidence supporting a program of work relief to alleviate deprivation. The government would assume the responsibility as an employer of last resort, even if the endeavor does not succeed in preparing participants to compete effectively in the market. If the alternative is complete deprivation or public assistance, work relief with participants performing useful labor commensurate with their ability and skill is certainly to be preferred.

It is more difficult to argue for an income-support or work-relief program for youths whose work life is still ahead of them. Too many NYC projects seem to lack meaningful remedial education or training components and the experience gained on the NYC assignments is of doubtful value. Congress has recognized this weakness and has provided authority to place enrollees with private on-the-job training to gain work experience which would help them become more competitive in the open market. There is an urgent need to strengthen the training and work experience of NYC projects.

The idea of providing residential centers for certain educationally deficient youth from impoverished homes appears sound. The challenge of the Job Corps is to provide incentives and to motivate more enrollees to remain long enough to acquire skills which will help them to achieve economic independence.

The experience of the three programs indicates the difficulty of designing and administering mass projects which lead to the economic self-sufficiency of the poor. It is not surprising, therefore, that much of the antipoverty funds has been expended on traditional relief measures to meet age-old problems. We have the economic resources. The challenge is to develop effective programs.

MID-ATLANTIC STATES AIR POLLUTION COMPACT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. MINISH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MINISH. Mr. Speaker, I am pleased to join the able Dean of the New Jersey delegation and our colleagues from the States on New Jersey and New York in introducing legislation for the Federal Government to consent to and enter into the Mid-Atlantic States Air Pollution Compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental Federal-State agency.

There are few problems more urgent than pollution abatement. It is essential that our public authorities take effective and concerted action to deal with these steadily growing hazards to the health and welfare of the American people.

I read recently that one humorist, only half jokingly, had warned foreign visitors to America not to drink the water nor breathe the air. This has especial significance to our New Jersey-New York metropolitan area which welcome millions of visitors annually and which is considered to have the greatest concentration of air pollution of any metropolitan area of the Nation. The seriousness of the situation can be seen from the findings of the Air Pollution Conference held in the metropolitan area in January of this year by the U.S. Department of Health, Education, and Welfare:

First, there was extensive meteorological and photographic evidence that pollution originating in New Jersey is transported to New York, and that pollution originating in New York is transported into New Jersey.

Second, the New Jersey Turnpike Authority showed that air pollution contributes to visibility restrictions that endanger the safety of traffic.

Third, Representatives of the Airline Pilots' Association, the Air Transport Association of America, and the Federal Aviation Agency, showed that decreased visibility due to air pollution demands special measures to insure the safety of aircraft operations.

Fourth, widespread damage to vegetation by sulfur dioxide occurs throughout the area.

Fifth. Deterioration, damage, and destruction of materials, including historical and architectural art objects and monuments, was attested to by several experts in their respective fields.

Sixth. The total economic burden to the 17-county bistate area was detailed by a consultant in environmental health and safety to the U.S. Public Health Service, who made a thorough analysis and evaluation of the myriad factors involved. This study indicated that the annual cost of air pollution in this area is $3 billion. This is an average of $200 per person per year, or an average of $620 per year per family.

Air, which is tasteless and colorless, should be odorless. Air, which we thought was free, unlimited, and invigorating, has been replaced by fog, smog, sulfur, carbon, and nitrogen dioxides.

All the essential ingredients of an air pollution disaster are present in the mid-Atlantic airshed—the factories, the powerplants, the apartment houses, incinerators, open air fires and oil refineries, chemical smokestacks, bunker No. 6 fuel oil, soft coal, and millions of fast-moving vehicles spewing out their lethal exhaust. All that are needed are the proper meteorological conditions of still, stagnant, cold, moist air. The pall of death and disease would soon be upon us. A forecast of what can happen occurred Thanksgiving 1966 when smog enveloped the metropolitan area—that near disaster was avoided solely because nature relented and the winds dispersed the mass of polluted air into the atmosphere.

Our interest in controlling and reducing the air pollution that arises from all these sources must be translated into action now. The States of New Jersey and New York are to be congratulated upon this compact which sets an example to the remainder of the Nation. Congress recognized the need for a concerted attack upon pollution problems in the passage of the Clean Air Act of 1963. It owes it to the States of New Jersey and New York to take prompt action on this legislation so that these States can move ahead without delay in this essential antipollution fight. I urge immediate attention to this resolution.

ADDRESS OF CORNELIUS J. HAGGERTY TO AFL-CIO BUILDING AND CONSTRUCTION TRADES DEPARTMENT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Dent] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DENT. Mr. Speaker, more than 4,200 building trade workers recently met here in Washington as representatives from all over the Nation to the 12th legislative conference of the AFL-CIO Building and Construction Trades Department.

Cornelius J. Haggerty, president of the department, made the keynote address to delegates who represented 3,500,000 workers. Since they were here from every State and every congressional district in the Nation, I am sure that all of us will be interested in what Mr. Haggerty said. Under unanimous consent I place the transcript of his address in the Record at this point:

Delegates, I want to first of all extend a warm welcome to each of you in this 12th Legislative Conference of the Building and Construction Trades Department. I want to especially sincerely thank you for being here today and this week to take part in the effort to make our views known to Congress during their consideration of the many legislative issues which are of such vital importance to our Nation, to the world security, and peace in the all American way of life.

Many groups come to Washington during Congressional sessions to express their opinions to their representatives in Congress. Many come in their legislative endeavors as unencumbered as do we. No group has ever shown such evidence for the good of all of our Nation. No group has ever been so concerned with legislation which would benefit every segment of our society as have the Building and Construction Trades.

Our program is not limited to Building and Construction Trades, nor is it confined to labor issues—rather it is a program that equates with our motto—We Build America.

It is on that theme that I would like to open this conference this morning.

We are building trades men. We build America. I would urge each of you delegates here to conduct your discussions with your representatives on Capitol Hill, keeping that thought in mind.

Further, I would urge each of you to impress upon your representatives the fact that we are not here with hat in hand, rather we are here representing the largest segment of organized labor, the most geographically distributed group of organized labor, the most politically intelligent, politically astute group of organized labor in the United States.

You might tell them that there is not a city, a county, a town or a village in this country that is not covered by a building trades local union.

You might tell them that our 18 International and National Unions have over 8,400 local unions in over 600 cities throughout the 50 States, with over 3.5 million members. And you might add that we are here to urge that they give our request favorable consideration.

We want to know exactly where they stand. They are our representatives, and we are entitled to know. It should be no secret. In their replies we want an honest, sincere answer.

I would urge each of the delegates in your visits to get that kind of a reply to your queries. Later in the sessions I will discuss this in more detail. We want detailed and exact reports on each visit so that we know exactly where we stand. It is up to you to furnish that detailed information. Again let me repeat that we are not interested in further study.

Now, with these few opening remarks, I would like to go into a little more detail about our program.

Situs-Picketing for a good many years has been our number one major objective. In the last Congress the Situs-Picketing bill was favorably reported by the appropriate committees in the House up to and including the Rules Committee. The bill was scheduled for a vote in the House. In an unprecedented move, the Chairman of the House Education and Labor Committee refused to allow the bill to come to a vote. Rather than go into a long discussion of that parliamentary procedure, I think it suffices to say that we lost passage of the bill at that time, but, I believe, only temporarily. The bill, H.R. 100, is now again pending before the Rules Committee. Over 100 statements representing many organizations were presented on our behalf in favor of the bill.

This year one of the largest organizations in the construction industry—a management association—has gone all-out to defeat our legislative program, especially the Situs-Picketing bill. They have literally spent hundreds of thousands of dollars in an all-out attempt to convince not only the public but the members of Congress that Situs-Picketing would disrupt the stability of the construction industry.

This organization just recently sponsored a meeting here in Washington of 35 national organizations, all against Situs-Picketing. What a roster—NAM, Chamber of Commerce, National Auto Dealers, the Associated General Contractors, and about 25 others.

Their main speaker was Senator John McClellan and the theme, of course, was how Situs-Picketing would destroy America.

It was the same pitch as we heard about the 25c minimum wage—Social Security—unemployment compensation, aid to education, and so on.

I mention this to alert you to expect this approach when you go to the Hill.

I would like to go into detail on each of the many legislative problems with which we are of course concerned—I can't do that in this conference because of time. I know that our speakers will touch on most of these in one way or another—before you leave today you will certainly have heard every approach to our legislative positions.

In general our program contains liberal and progressive policies which would benefit all of America.

The legislative goals of the Building and Construction Trades Department are not selfish. They are not designed to benefit only organized workers. They are not designed to benefit any one class in our economy. Rather they are aimed at making our nation a better place for all of us—a stronger and a more secure country—a nation which is at once the envy of all the people of the world and the goal which they seek to achieve.

The delegates will notice that a number of our listed legislative objectives are familiar. Many of them have been before the Congress for a long time.

This is no cause for discouragement. While the legislative process is often painfully slow, we do make headway from time to time.

May I again point out to you that the Situs-Picketing Bill (H.R. 100) is the most important labor bill pending before the Congress. Our opponents are increasingly active and strong.

In order to secure passage of this bill, we must all be ready and willing to work together. We are counting on your help while you are here to personally contact your representatives in Congress and convince them to vote for this legislation.

Every Building Tradesman has a duty and an obligation to do his part. I know you will make a good contribution in your contacts with Members of Congress. With your full cooperation, we will get the job done successfully.

Let that be the prevailing spirit of this Conference.

I might point out to you that we would appreciate very much, as I mentioned in this short statement, detailed reports of your contacts with the Congress when you report back on Thursday. The forms will give you the required spaces for this purpose. And I would suggest that you not use just a generality of your findings with a certain Congressman or Congressmen, but that you take the form and individually set forth for us, for our benefit in the office, just what is the position of

Congressman John Doe or Jane Roe. If you do that, we won't have, as we have had in the past, forms showing there are 30 Congressmen from X State, 20 good, 10 bad. That is not enough for us. I would appreciate your taking these forms in view of the fact we have cut out the Thursday reporting roll call of the States, and get the reports to us in the office of the Federation.

MOVING EXPENSES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Tunney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TUNNEY. Mr. Speaker, last year, and again this year, I introduced legislation to amend the Internal Revenue Code of 1954 to provide that construction workers shall be allowed the deduction for moving expenses without regard to the length of time they are employed at their new location. It has recently been brought to my attention that seasonal and migrant farmworkers face a similar problem due to the nature of their employment and I am introducing an amended bill today which would bring them under the provisions of my earlier legislation.

At the present time, the law does not allow a deduction for moving expenses unless "during the 12-month period immediately following his arrival in the general location of his new principal place of work, the taxpayer is a full-time employee, in such general location, during at least 39 weeks."

For all practical purposes, neither a construction worker nor a seasonal or migrant farm employee can benefit from this provision which is so beneficial to other workers. Farmworkers, for example, may move many times during the year. I see no reason why construction workers and farmworkers should be denied the benefit of this tax provision simply because of the nature of their employment.

DAN PARKER: AMERICAN WRITER

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I learned with deep regret of the death on May 20 of a friend and distinguished citizen of my hometown of Waterbury, Dan Parker.

Dan Parker rose from the position of reporter for Waterbury newspapers to that of conducting one of the most famous and widest read sports columns in the country.

Others have celebrated the noted sports writing of Dan Parker; his vivid and accurate use of dialect and his discovery and popularization of offbeat Broadway characters. Some, too, have paid tribute to his fine personal qualities; his warmth, his kindliness, and his loyalty.

I should like, however, in this brief notice to emphasize one quality of Dan Parker that has perhaps not been sufficiently recognized—his development over the years into one of the great American artists in English prose.

He never wrote a bad sentence, nor a lazy sentence. His standards were impeccable and he scorned the shoddy, the hackneyed, and the second rate. Many of us hoped that in his later years he would devote himself to the writing of pure literature, but that was not to be.

In these days when the creation of a logical and coherent English sentence seems to become increasingly more difficult, Dan Parker shone out like a beacon light. May his example be an inspiration for coming generations of Americans.

As a fitting tribute to Dan Parker, I include herewith a column by Bob Considine entitled "Dan Parker: Best-of-Breed."

[From the Baltimore News-American, May 24, 1967]

Dan Parker: Best-of-Breed

When the word came over the wire that Dan Parker was dead, I sat down at the beat-up typewriter I've been using since I worked for him on the New York Mirror and tried to think of some new way of saying he was best-of-breed.

The words didn't come. So I now fall back to something I wrote about him in a recent book named "It's All News to Me." Goes like this:

He was the last and in my estimation the greatest of a breed of sports columnists who was prepared to back up anything he wrote, not with a lawyer but with his bulk, heart, and, on occasion, fists. He was in the tradition of Bat Masterson, Sheriff Bill McGeehan, Boze Bulger, Dave Egan (who editorially asked for contributions to a fund for a Boston cabdriver who ran over Casey Stengel), and Tommy Laird (who didn't like something a San Francisco Seals player shouted to him, tore out of the press box, picked up a bat, and chased the terrified player the length of the field and out the center field gate.)

"Incorruptible Dan Parker wore no man's collar. Let the business office of the Mirror clutter his sports pages with the ads of the horse-touting services and Dan would continue blasting them in his column. Let Jimmy Johnston threaten him with multimillion dollar suits or physical harm (which was ludicrous in view of Dan's 6-feet-5 altitude and 230-pound tonnage) and Dan would continue to refer to the bantam-sized promoter as the Boy Bandit.

"Everybody wrote that Primo Carnera was controlled, by The Mob, but Dan named the mobsters. One of them who came under Dan's withering scorn sent a platoon of goons to Times Square one night to buy up and tear up all copies of the Mirror delivered to the area's newsstands. Dan called Carnera a tottering tower of Gorgonzola whose opponents were bribed or terrorized into taking dives. Then one tense night the two men met on stage at a New York boxing writers banquet. Dan was the only sportswriter in the land big enough to look Primo straight in the eye. For a moment the two stood facing each other in the suddenly quiet place. Primo then assumed a fighting stance. Dan promptly extended his hands, like a kid about to plunge into a swimming pool, and dived onto the stage, which all but brought down the house, literally. It was the perfect pantomine of any of Primo's fixed fights.

". . . He had the most delightful sense of humor of anybody in his field and possibly the truest ear for the language since Lardner . . .

"Dan heard, and presented to the American language, fight manager Joe Jacobs' shuddering remark during a terribly cold World Series in Detroit: "I shoulda stood in bed!" He heard the guy yell from the top gallery at the Garden at two fighters who had failed to throw a single punch halfway through the first round: 'Hit him now, y' bum, y'got the wind witcha!' He duly noted for posterity Charley Dressen's elegy, "The Giants is dead.' . . .

I treasure Dan Parker's description of Tony Galento's fistic style:

"Tony uses the Ely Culbertson, or approach system," Dan wrote. "He approaches an opponent wide open, as if inviting a liver massage. After getting what he wants, he switches to the Irish attack, better known as "the back of me fist to you!" next, he tries "The Shoemaker's Revenge,' or (giving it the heel.)"

His previews of the annual St. Patrick's Day parade up Fifth Ave. are part of the literature of journalism. His poetry was spell-binding. He composed an ode to the first Jewish bronco buster ever employed by the Garden's rodeo, which began:

"I'm an old cowhand
From the Concourse Grand."
What a wonderful talent Dan.

FIFTY CLERGYMEN SUPPORT ISRAEL

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. Baring] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARING. Mr. Speaker, on the 9th of June 1967, 50 clergymen, representing Protestant, Jewish, Catholic, Greek Orthodox, and Mormon faiths, met and by unanimous agreement adopted a resolution on behalf of the State of Israel.

This resolution was presented at two mass meetings in Las Vegas attended by over 1,500 Jews and Christians, and received a standing ovation.

In an accompanying letter signed by Rabbi Aaron S. Gold, of Temple Beth Sholom, and three prominent Nevans, Mr. Hank Greenspun, Mr. Jack Entratter, and Mr. Al Benedict, the fervent hope was expressed that our Government will act with courage in supporting freedom and justice for the State of Israel.

Under unanimous consent, I insert this resolution in the Record at this point, and urge my colleagues here in the House to read it, and to bear in mind the courageous efforts Israel made to survive as a nation, which deserves our support and gratitude.

Clergymen's Resolution on Behalf of Israel

At a meeting held on Friday afternoon, June 9, 1967, at Temple Beth Sholom, and attended by over 50 clergyman representing Roman Catholic, Mormon, Jewish, Protestant and Greek Orthodox faiths, it was moved and unanimously agreed upon to offer the following resolution on behalf of the State of Israel, to be presented to the proper agencies of the United States Government and the United Nations:

1. We, as clergymen, cannot be neutral

where an issue of freedom and justice is involved. We, therefore, raise our voices to state unequivocally that we believe the cause of Israel is just and right.

2. We favor direct peace negotiations and not an armistice between Israel and her Arab neighboring states, and that these negotiations are to be based on the fact that Israel is a sovereign state, meeting with Arab sovereign states, all participants having full rights and responsibilities in the international community. We further favor a permanent peace settlement as an outgrowth of these negotiations.

3. We favor that the old city of Jerusalem remain under the sovereign jurisdiction of Israel, thus insuring free access to all faiths, at all times, to the holy places located there.

4. We are in favor of Israel's borders becoming viable and defensible.

5. We hold that the following water ways should be international waterways: The Mediterranean Sea, The Suez Canal, The Gulf of Aqaba and the Straits of Tiran, and we favor free and unmolested passage through them to all nations, including Israel.

Signed by the Resolution Committee:

Father James Adams, St. John's Greek Orthodox Church; Reverend Marion Bennett, Zion Methodist Church; Dr. Aaron S. Gold, Rabbi, Temple Beth Sholom; Reverend Douglas Harrell, First Methodist Church and President, Clark County Ministerial Association; Reverend Joseph Kohn, Cantor, Temple Beth Sholom; Father Tally H. Jarrett, Christ Episcopal Church; Father Patrick Toomey, St. Viator's Catholic Church; Mr. Reed Whipple, President, Stake of Church of Jesus Christ of Latter Day Saints.

In line with the views expressed in this resolution I had already on the 20th of June joined several of my colleagues in introducing a resolution urging the President to work for five objectives in achieving peace in the Middle East.

This resolution calls upon the President to oppose preconditions for negotiations that would require "the relinquishment of Israel of territories possessed" at the time of the cease-fire.

The five objectives to which I urge the President to address himself, using all diplomatic resources and the United Nations are:

First, Arab acknowledgment of Israel's existence and sovereignty.

Second, freedom of passage for all nations, including Israel, in the Suez Canal and the Gulf of Aqaba.

Third, final settlement and acknowledgment of Israel's boundaries by the Arab States.

Fourth, effective restrictions on the flow of arms into the Middle East.

Fifth, resolution of the refugee problem in the Middle East.

I urge the President to oppose preconditions to negotiations requiring Israeli withdrawal from territory held to avoid repeating the mistakes of 1956 which led to a resumption of hostilities 11 years later.

By United Nations declaration Israel legally deserves the status and rights of a sovereign nation and the territorial integrity which such status entails.

PARTNERS OF THE ALLIANCE PROGRAM

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Purcell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PURCELL. Mr. Speaker, one of the finest efforts of the Federal Government is the Partners of the Alliance program. This vital part of the Alliance for Progress depends primarily on the efforts of private citizens to build important links between citizens of the United States and citizens of countries in Latin America.

Mr. James H. Boren, an outstanding Texan and Director of the Partners of the Alliance program spoke on the subject of the Partners program at a convention of the American Advertising Federation in Houston, Tex., on June 12. I commend the attention of my colleagues to his remarks at that time:

Remarks of James H. Boren, Director of the Partners of the Alliance Programs, Agency for the International Development, at the Annual Convention, Eastern and Central Region of the American Advertising Federation, Shamrock Hilton Hotel, Houston, Tex., June 12, 1967

Last year, the Government of Brazil honored the Partners of the Alliance which is a private sector element of the Alliance for Progress by issuing a Partners of the Alliance postage stamp. This particular stamp gave recognition to citizen level participation in the Alliance for Progress and it was the stimulus for the establishment of the first philatelic museum in Brazil. Another significant first is attached to this Partners of the Alliance stamp because Astronauts Thomas P. Stafford and Eugene Cernan carried a block of the stamps with them in the historic flight of Gemini IX on June 3, 1966. Those stamps were the first to orbit the earth. On the occasion of the Second Inter-American Conference, held in Rio de Janeiro, Brazil, in which over 250 delegates from 15 nations participated, a letter bearing one of the orbited stamps and the signatures of Astronauts Stafford and Cernan was presented to Ambassador Pio Correa, Deputy Minister of Foreign Affairs in Brazil.

The Ministry of Foreign Affairs issued a bronze medallion which bore a replica of the stamp on one side and on the reverse bore the statement honoring the Partners of the Alliance. Two additional medallions were specially struck for presentation to Astronauts Stafford and Cernan. At this time it is my honor to present to you the distinguished Consul General of Brazil, Minister Francisco Eulalio Nascimento e Silva.

PRESENTATION OF MEDALLIONS BY THE CONSUL GENERAL TO ASTRONAUTS STAFFORD AND CERNAN

Colonel Stafford serves as a member of the Board of Directors of the Texas Partners of the Alliance and as an advisor to the Oklahoma Partners of the Alliance. In recognition of the contribution which Astronauts Stafford and Cernan have made to the Alliance for Progress through the Partners program, it is my pleasure, in behalf of the Agency for International Development, to present to them this Partners of the Alliance Certificate of Appreciation "in recognition of leadership and significant contribution toward the attainment of the goals of the Alliance for Progress."

PRESENTATION OF CERTIFICATE

These gentlemen have done what men have dreamed about for centuries. They have flown through space as great explorers of the universe. Few men have the great skill, the raw courage, the physical and mental stamina and the driving motivation which combine to give them the opportunity to play a pioneering role in space exploration.

But there are other opportunities and other pioneering roles which are open to every American and it is of this that I wish to think together with you for the next five minutes.

My business is the business of selling opportunity—opportunity for every organization and private citizen in the three Americas to play a constructive role in the great revolution of development that is called the Alliance for Progress.

The Alliance for Progress is often considered to be a United States government program, but the U.S. government is only one Partner in the enterprise. The Alliance for Progress is an umbrella term for the total effort in Latin America through which free governments and free peoples are working in an economic and social development program which will move them into the sunlight of genuine progress.

A successful development program in Latin America require that governments work with governments in providing the environment, the incentives, and the means of building infrastructure and democratic institutions. Government-to-government programs are key elements in the building of roads, airports and seaports.

Governments are also important in the building of savings and loan institutions, private development banks, agricultural extension services, industrial promotion boards, practical programs of manpower development, educational institutions—in short, the building of Latin American institutions to resolve Latin American problems.

But governments alone cannot do the job. If the Alliance is to be successful, it must have the major involvement of the private section . . . not only in terms of investments, but also in terms of citizen involvement in development at the community level. This is the task and the challenge of the *Partners* of the Alliance, and, indeed, this is the challenge which you have already accepted through the outstanding Amigo Program. Walter Guild and Charles Collier in the best tradition of your profession, developed the idea and then put it into operation.

Today, the private citizens of 32 states in the United States are working through statewide Partners of the Alliance committees in a direct alliance with the peoples of 32 areas in 14 countries of Latin America. They are working in the fields of education, agriculture, public health, cultural affairs and business and industry.

Educational activities include scholarships, teacher and student exchanges, teacher training conferences. High school student bodies in the United States are providing the funds for the materials to put the roof, doors and windows on a school built by the self-help efforts of villagers in the Andes and in the lowlands of the Amazon Basin.

Agricultural activities include assistance with farm equipment, volunteer teams of agricultural specialists to assist in the development of cooperative programs directed toward increasing the production of food. 4-H Club students in the United States work directly with 4-H students in Latin America on a wide variety of projects. Assistance is provided to rural campesino federations in self-help projects.

Teams of doctors have responded to requests from Latin American medical authorities to assist in training activities. Drugs and supplies have been provided to the mobile rural health program in Central America and volunteers have assisted in the drilling and equipping of wells for village water supplies.

In the business and industry field, businessmen of the Americas have been brought together to explore, not the general environment for investments, but specific joint venture investments which not only make sense from the standpoint of financial return, but which make a contribution to the development effort and create sources of employment.

But the Partners of the Alliance, as in any type of partnership, is not a one-way program. The people of Latin America have much to contribute to the United States from their great wealth of art, music, literature, and philosophy. Two weeks ago two young teachers of Spanish from Santa Cruz, Bolivia, returned to Bolivia after working with the school system in Little Rock, Arkansas, in a language improvement program. Next year 8 Bolivian teachers have been requested to assist Arkansas schools in elevating their Spanish instruction.

Three weeks ago a group of 12 ladies from a Latin American country completed a 4-week community development workshop sponsored by the Partners and the State League of Women Voters. They shared their working experiences in social action programs with their United States Partner. Collections of art and tours of performing artists have been made available to the United States Partners from Latin America.

The Partners of the Alliance is not an old clothes program nor is it one involving the collection of worn-out arithmetic books. It is a program through which the private community of the United States can work directly with the private community of Latin America on projects of mutual interest and of mutual concern.

Specific projects are not developed in my office in Washington but they are developed by representatives of the Partners committees.

Statewide Partners committees send program development teams to meet with counterpart Partners committees in Latin America. The United States teams visit the schools, hospitals, farms, businesses and unions during their program visit to their Latin American Partner area. During the last two days of the program development trip the participants identify those areas of activity through which they of the private sector will be able to assist through the involvement of their fellow citizens at home.

The Partners activity focuses upon the element of dignity and gives recognition to the principle that we, in the United States, can learn as well as teach and receive as well as assist.

The 32 state Partners organizations have formed the National Association of the Partners of the Alliance which is receiving outstanding leadership from its president, Edward Marcus of Dallas.

We are proud of the roll call of men and women of the three Americas who are answering the challenge of the Alliance for Progress through the Partners program. This includes such men as Edward Marcus, Astronauts Stafford and Cernan and Emory Williams, Chairman of the Illinois Partners of the Alliance and Vice President & Treasurer of Sears, Roebuck Company. Frank Prins, a manufacturer in Tennessee, who as Chairman of the Tennessee Partners arrives this morning in Manaus on the Amazon River as the head of a program development team. The roll call includes Robert Hansburger, President of Boise Cascade, and Sandy Morgan, a student leader. Dr. John Hannah, President of Michigan State University; Ed Smith, a California businessman and Dr. Glenn Dumke, Chancellor State College System of California; Edwin Brennan, a high school teacher in Wyoming; Marilyn Stafford, a teacher in Herndon, Virginia; Alvin Benley, business leader and philanthropist, of Michigan; Pearl Raupe, wife of a hog farm operator; Bill Sutle, President of the U.S. Jaycees; Al Acken, President of the Council of State Chambers of Commerce and Jimmy Jones of the U.S. Steelworkers in Pennsylvania.

High on the roll of business leaders who are working in the development spirit of the Alliance for Progress is the gentleman I am privileged to present to you at this time, Mr. Harding Lawrence, President of Braniff International.

NEW THINKING FOR FOREIGN ECONOMIC ASSISTANCE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. REES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. REES. Mr. Speaker, at times it would seem that our international obligations and responsibilities are virtually limitless. Our commitments stretch from the Nile to the Mekong, from the Amazon to the Ganges. No corner of the globe escapes our influence and no action is beyond our notice and concern.

In recent months, there has been an increasing murmur of resentment over our extensive international commitments. This neo-isolationalism sometimes expresses itself in terms of the need to direct our energies and resources to the solution of domestic problems. At other times, and by other groups, it is expressed as a desire to remain disengaged from people whose mores and institutions are different from our own. In either context the impact of this approach would be the same. Its results would be disaster, constituting a return to medieval relationships between nations where we would sit in our castle in xenophobic solitude, moats filled and drawbridges raised.

While I believe that such a retreat from our present position in the world is unlikely, attempts to impose wanton reductions in our foreign economic aid programs threaten those programs and inhibit our ability to take necessary forward steps. The need for such new action is skillfully and compellingly expressed in a recent article by Harrison Brown in the Saturday Review of Literature of June 24, 1967, entitled "The Combustibility of Humans." An honored and able scholar, Mr. Brown warns us anew that we face world famine and and population crises if present programs are not improved. Waging war against poverty, disease, and ignorance is not only less expensive than its military counterpart, but if successfully accomplished, eliminates the major breeding ground for such military action. We are forewarned that the cost of such programs will be great, but that our failure to take such action will result in even greater costs.

I commend Mr. Brown's article to my colleagues and include it in the RECORD at this point and urge its careful inspection and consideration:

THE COMBUSTIBILITY OF HUMANS

(By Harrison Brown)

The United States Government has now been in the business of providing technical and economic assistance to a number of the poorer nations of the world for about twenty years. It seems likely that had we not become involved with assistance programs, certain countries would be worse off economically than they actually are. And the Agency for International Development points with pride to Taiwan as an example of a country in which our efforts have been so successful that it is no longer necessary for us to continue them. Yet when we look at the plight of the poorer countries today we find that from certain points of view they are worse off today than they were twenty years ago. In particular during the last ten years the situation has been deteriorating at an alarming rate.

Although the economies of both the richer and poorer countries have grown at about the same rate during the past decade—about 4 per cent per year, the economic well-being of the average individual in the poorer countries has not improved very much. The reason for this is the relative rates of population growth. Although rates of population growth in the richer countries have dropped to an average of about 1.1 per cent per year, those in the poorer countries have risen to an average of about 2.5 per cent per year and are still growing. Indeed, in some regions rates of population growth are approaching 4 per cent annually. Thus, while on the average the economic well-being of persons in the richer countries is improving at the rate of nearly 3 per cent per year, that of persons in the poorer countries improves at a rate of but 1.5 per cent per year—a rate too small to raise the hope of the individual. The ratio of annual per capita incomes in the richer countries to those in the poorer ones, which stands at about 15 to 1 today, is increasing at the rate of about 1.5 per cent annually, giving rise to what Patrick Blackett, the president of the Royal Society, calls "the ever-widening gap."

Far more serious, however, is the situation with respect to food production. The economic growth in the poorer countries is in large part a reflection of the growth of the industrial sectors in those countries: increased production in the agricultural sector has failed to keep pace with population growth. Today the average person in a developing country has a little bit less to eat than he had ten years ago. Indeed, in Latin America, per capita food intake appears to have decreased continually during the past five years. When we combine this with the fact that even before this decline death from malnutrition was widespread in the world and that more people went to bed hungry than well-fed, we begin to appreciate the magnitude of the problem which confronts us.

By contrast, food production in the richer countries has increased more rapidly than population. Today the average person in these countries has about 10 per cent more food available to him than he had a decade ago. While the poorer nations are becoming hungrier, we are becoming fatter.

Careful examination of rates of population growth and the problems involved in increasing agricultural production indicate strongly that the situation may get worse before it gets better—that in another decade the people in the poorer countries may be even hungrier than they are today. At the same time, the actual situation is even worse than the bare statistics indicate. As the populations in these countries have grown, the pressures on the land have increased and the rural areas have become inundated with underemployed farmers. Many of them have moved to the cities where not enough jobs are available to accommodate the migrants. Away from the land—which at least provided a peasant with some food—unable to find a job, and consequently unable to obtain money to buy food, more often than not the migrant leads a life of abject misery. The plight of the unemployed, unemployable peasants living in the slum areas which threaten to engulf most major cities in the poorer countries is so horrible as to be unimaginable to most Americans.

Hungry persons are combustible. In the last decade some 500 million hungry, combustible human beings have been added to the world population. On the basis of the evidence, it seems likely that the roster of combustible people will increase by at least another 600 million in the decade ahead.

Combustible people are, understandably, willing to take almost any action which they believe might mean more food for their families. Add to this the glimpses they get of the abundant life in the rich nations. Add to this the feeling of hopelessness concerning the rate of improvement of their personal situations. They see little change for the better from year to year (particularly with respect to food); they see changes for the worse. Given these ingredients, is it really surprising that we in the richer nations find ourselves confronted by fellow human beings whose social and political organizations are tumultuous, who search endlessly and usually to no avail for political panaceas, and who themselves view the affluent societies of the world with a hatred which becomes more intense with every passing year?

Cuba, the Congo, the Dominican Republic, Ghana, Indonesia, Nigeria, and Vietnam are examples of countries which have recently been torn by strife and bloodshed. That list is destined to become much longer unless something dramatically new is injected into the international picture. We must ask: If we double the number of combustible people and magnify their personal agonies, how many explosions will we experience in the next decade? Perhaps ten? Twenty? Thirty? We must ask further whether these new explosions can be policed. In particular, can an explosion be policed if another major power is nurturing it, with expectations of political and military advantage?

One of the wonders of the modern world is that we in the richer countries permitted ourselves to get into this predicament in the first place. The handwriting was on the wall in clear, bold strokes twenty years ago. Yet, aside from a brief burst of energy in the late Forties and early Fifties, we have managed in effect to do less and less about the problem each year. Seemingly we prefer to wait for the explosion, then to spend more money and effort attempting to achieve a resolution of the problem by force than would have been required had we attempted long ago to achieve on a substantial scale a peaceful economic, social, and political revolution. Our current annual military expenditures for Vietnam are now about ten times greater than the entire nonmilitary assistance program in the world.

Today the earth's inhabitants number some 3.3 billion and the rate of growth probably exceeds 2 per cent per year. Largely as the result of the rapid development of new techniques of public health and their widespread application, we can expect the average rate of growth in the poorer countries eventually to approach and perhaps even to exceed 3 per cent per year. It would be optimistic for us to expect a world population numbering fewer than 7.5 billion persons at the turn of the century. It is now difficult to believe that world population in the long run will be stabilized at much less than 15 billion persons—more than four times the present number.

This tremendous potential for increase in numbers of people is largely the result of our ability to apply science and technology intensively to the problem of postponing death. Our success has depended primarily upon the fact that as new techniques for combatting the major killers in these regions have been developed they have been applied on a vast scale. These applications have not, in the main, required the education of large numbers of people. The primary motivation has been direct and simple: living longer. Teaching full-time crews how to spray the walls of village huts with DDT once each week is a far cry from teaching hygienic habits to an entire population.

By contrast, it is much more difficult to decrease birth rates or to increase agricultural production. In both cases one requires the necessary technology—but equally important, if birth rates are to be lessened and agricultural yields increased, individual motivations must be strong and the knowledge of the techniques must be widespread. Death control is easier to apply than birth control. And both are relatively simple when compared with the problem of increasing agricultural production.

What, then, can be done about the situation? Here, it is tempting to look for the easy way out. Why not, for example, spray contraceptives around the countryside, much as we now spray DDT? Today, attempts are being made to do just that. The intrauterine device (IUD) has been looked upon as a large part of the answer because it is inexpensive, easily inserted, and effective. Overlooking for a moment the fact that some women can't tolerate foreign objects and expel them, and that the devices cause bleeding and pain in other women, IUD's nevertheless seem to work. They appear, for example, to have been a major contributing factor in the reduction of the growth rate of the Korean population from about 3 per cent to 1.9 per cent in the last few years.

We should also look at the worldwide prospects for the spectrum of steroid contraceptives, more widely known as "the pill." These have apparently already had profound effect upon the birth rates in the United States and other Western countries. The present cost of $2 to $4 per month (by prescription), however, is much too high to permit widespread use in developing countries. Nevertheless there is every indication that the cost as well as certain of the biological inconveniences can be greatly reduced, in which case "the pill" could in principle play a role in lessening some of humanity's current difficulties.

There are strong indications, however, that even with the "perfect contraceptive"—one which costs virtually nothing, is convenient to use, has no side effects, and is completely effective—it is by no means clear that it would be used in developing countries on a sufficient scale to reduce the rate of population growth to tolerable levels. There is a real doubt that the masses of people in the poorer countries would have the motivation to use the "perfect contraceptive" regularly on a continuing basis. Within most of the poorer countries, for example, children represent the only real form of social security. The man and wife who do not have children to support them in their old age face a horrible future. And most persons know empirically, from the experiences of countless generations, that if mother and father are going to have one or two male children who live long enough to support them in their old age, they must start with seven or eight children. Starting with only two or three would involve intolerable risks.

Statistics tell us, of course, that mother and father need no longer have seven or eight children to have a good chance for a male child to live long enough to support them. But what does the poor peasant care for statistics? He must be shown that such a change will benefit him rather than endanger him. "Habit," said William James, "is the enormous flywheel of society."

I suggest that a condition for securing truly widespread voluntary use of contraceptives in the poorer countries on a scale which is commensurate with the need is an improvement in the average family's lot at a rate sufficient to enable mother and father to see clearly that their children will live in a better world than that into which they were born. This means that infant mortality and death rates must go down still further, that food production must go up, that economic growth must take place at a more rapid rate than in the past.

The poorer countries must, of course, do everything they can to secure the use of contraceptives on as wide a scale as possible. We in the more technologically advanced countries should do everything we can to develop more effective, less expensive contraceptives which are easier to use. But we cannot look upon contraceptives as the "quick fix," the cheap and easy way out. There also must be enough overall economic and social improvement to enable the individual to see clearly that conditions are changing for the better.

What about food production? Is it not true, for example, that were India only to do what the Japanese have done it could double its yields of rice? This is true and it sounds simple. But let's examine the ingredients used by the Japanese.

The most important ingredient is time. Starting with the Meiji Restoration in 1868 about fifty years were required to double rice yields per acre. To this we must add the use of fertilizers and pesticides which must be produced in factories. Factories require steel, concrete, fuel, and technology. The fertilizers and pesticides must be transported. This requires trains, trucks, and roads. Add to this the scientists who must develop strains of rice which can accept the fertilizer and thrive in a particular ecological environment. Add to this an economic condition which permits the farmer to buy the fertilizers and pesticides and use them. Add to this an educational program which teaches the farmer the new agricultural technology and which convinces him that he can change his farming habits without undue risk. Add to this an economic situation which motivates him to *want* to use the new techniques.

We must conclude that just as there is no simple solution to the problem of population growth, there is no simple answer to the problem of food production. The two problems are related. For their solution both require economic and social development on a broad front.

Unfortunately, our knowledge of how to develop a poor country into a less-poor one is not very good. We can learn some basic lessons by examining the economic, social, and political histories of countries which have recently made the transition, such as the United States, the U.S.S.R., and Japan. We can learn more by examining success and failures in countries which are now attempting to transform themselves. From these experiences we know that large quantities of capital are required. There must be a resource base which can be utilized. There must be a transfer of technology enabling effective utilization of the resource base. There must be education, the development of technical and administrative skills, the evolution of technical, economic, and social "problem-solving capacities" (i.e., local research and development capabilities). And ever-present is the question of social organizations—old ones must be changed and new ones must be created.

No one today knows enough about the development process to say just what the most effective "mix" of these ingredients should be for a given country. But certain conclusions can be drawn.

First, a great deal of time is required for the transition. Thus far, at least, there is no such thing as "instant development." We must think in terms of many decades rather than of years.

Second, most of the poorer countries appear to have reached the point where they simply cannot, without help, extricate themselves from the vicious circle in which they now find themselves. Population growth rates have grown too high, per-capita food production has fallen too low, and the crushing problems of urbanization and industrialization have become too great. Certainly few, if any, of the poorer countries are in a position to develop by themsevles at rates which are sufficiently rapid so that the economic and social well-being of the average individual improves visibly during his lifetime.

It seems clear that in the absence of truly substantial help from the outside, the poorer nations are headed squarely toward famine, pestilence, revolution, and bloodshed on a massive scale—with consequences for the rest of the world which are difficult to foresee. But in addition to being substantial the help must be sustained. And if it is to be effective it must be balanced. Thus far, development efforts in the world have not been large enough, nor have they been sustained, nor have they been adequately balanced.

Official help from the industrial countries of Western Europe, North America, and the western Pacific—which, with less than one-fifth of the world's population, produce and consume more than half the world's product—now amounts to about $6 billion a year. Our experience thus far suggests that this is woefully inadequate. Yet in proportion to the incomes of these nations aid contributions have actually decreased from 0.8 per cent to 0.6 per cent during the past five years.

In 1950 the nonmilitary economic aid given by the United States as grants and loans amounted to 1.3 per cent of our gross national product. Only about 4 per cent of the help was then in the form of loans. By 1955 our contribution had dropped to 0.5 per cent of our GNP; by 1960 it had dropped further to 0.4 per cent; by 1965 it had dropped to 0.3 percent of our GNP, and more than 50 per cent of the help was by then in the form of loans.

As to the quantity of economic assistance which the richer nations might make available, it seems clear that the poorer nations could almost immediately absorb effectively several billions of dollars worth of capital and technical assistance each year above the present level. I personally am sympathetic to a suggestion made by Barbara Ward that the industrialized nations ought to agree to provide each year 1 per cent of their GNP's for economic assistance. Using such a formula the United States' share of the burden would decrease with time.

Given some such formula for determining the quantity of economic assistance we would then be faced with the problem of maximizing its *quality*. What proportion of the available funds and effort should be channeled through international organizations? What proportion should be handled on a bilateral basis? What countries should receive the greater share of the support? What should be the proportion of outright grants relative to loans? What fraction of the total effort should be devoted to technical assistance?

Considering the poorness of our understanding of the development process these are extremely difficult questions to answer. Yet they are questions which the United States, by virtue of its vast economic power in today's world, must take the leadership in answering. We must help improve the effectiveness of economic assistance channeled through international organizations. We must above all improve the quality of our own bilateral efforts. We should make certain that as much thought, ingenuity, research, and planning go into the development of our own programs of economic assistance as now go into our defense effort.

These considerations raise a further critical question. Were the United States really to decide to embark upon a substantially increased nonmilitary program of economic assistance in collaboration with other countries—an effort which would be commensurate with world needs—would our existing governmental institutions be adequate for the task? Could the Agency for International Development together with the Department of State, to which the Agency is attached, cope effectively with a $7 billion budget which might exceed $10 billion in ten years and exceed $15 billion in twenty? Could they together develop the needed tactics and strategy?

I have been privileged during the past six years to travel widely in the developing countries. I have worked with AID in Washington and have spent a great deal of time with some of its missions overseas. I have come to know well many dedicated, selfless men and women in the organization who work night and day trying to keep essential programs going and trying to make sense of a situation the magnitude of which dulls the senses. But a man, no matter how dedicated he might be, can be little more effective than the organization within which he works.

AID, in its various structures and forms, has been so beaten upon and derided over the years, particularly by our Congress, that it simply is no longer an effective organization. It has built so many defense mechanisms within and around itself that it is a wonder that it functions at all. The political pressures force the Agency to think in short-range rather than long-range terms. Long-term planning becomes increasingly difficult with each passing year. Research is often looked upon as something nice to talk about but too far out to be of use.

I place much more responsibility upon Congressional attitudes (which reflect public indifference) than I do upon the Agency itself for this sad situation. At the same time, it seems to me that we have reached the point where another name change, another retrenchment, another reorganization will only compound the difficulties. Recently the Agency went through yet another reorganization, stimulated by a new slogan, "War on Hunger." I seriously doubt that this reorganization will result in any substantial increase of food production in the hungry regions of the world. But it already has resulted in the virtual destruction of AID's research program, which many of us have attempted to nurture during the past five years and which until this recent reorganization seemed to be a program of great potential effectiveness.

I believe we have now reached the point where we must profit from past experiences, both good and bad, and create something entirely new in the way of governmental institutions to guide our nation's efforts in economic assistance. Because the problems of economic development are fully as important to our long-run security as those now faced by full-fledged government departments, including the Department of Defense, we should consider the establishment of a completely new department, the head of which would be a member of the Cabinet. This should *not* be AID or any of its predecessors operating under a new name. It should be an entirely new organization concerned at first primarily with the problem of developing a strategy for effective assistance. The new organization should be connected to the Department of State only through the President. It must be in a position to decide questions concerning resource allocation, the levels of technical assistance, and the size and nature of research and development programs, and be divorced from daily shifts in international political winds.

Of most immediate concern, however, is the attitude within Congress toward economic assistance, and particularly the relationships between the Executive and Legislative branches of our government regarding this problem. It would be a tragedy were the Vietnam conflict to divert us from constructive actions which can help prevent new Vietnams.

The appropriate committees within the Senate and the House should make searching inquiry—in depth—into our nation's present and future roles in economic assistance. These committees should examine in detail assistance problems and expenditures in relation to military problems and expenditures. They should look at the international organizations. Above all, they should examine our handling of these problems within the framework of our government.

We in the United States often fail to recognize our real power in the world. It is not military power. It is the power of ideas, of invention, of getting old jobs done in new ways. I believe we have the power economically and technologically to play a major role in creating a world in which all persons can lead lives free of the threat of starvation. But our ability for creative leadership will not be with us much longer. We must use it while we can.

STEEL SURPLUS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, one of this country's major industries is facing a serious crisis. Our great American steel industry is faced with a large and growing surplus of steel supply in the world market and world prices which are below full production costs. Just this week the Wall Street Journal, in a front page article, called attention to the serious problems of the industry and pointed out that the ultimate solution may well have to come from Washington.

In recent years, the total number of steel-producing nations has increased from 30 to 66. Some 20 years ago the United States produced approximately 70 percent of all steel in the world; today it is in the neighborhood of 26 percent. And there is no reason to believe that this trend is going to be reversed in the near future. As the Wall Street Journal pointed out, imports surged 20 percent above the year-earlier level during the first 4 months of this year.

Certainly the steel industry is making every effort to use all the resources available to them to increase research and development activity and to improve the efficiency of their plants. The capital outlay for such improvements has risen sharply over the last several years. In spite of this, however, the industry is still unable to match the distressed import prices.

Mr. Speaker, in just a few short weeks, the Senate Finance Committee is going to release the contents of a study on the problems affecting the steel industry. This study was authorized by the Senate last year after extensive hearings. I have not yet seen this study, but I am sure that it will spell out quite clearly what the industry problems are and what solutions should be considered.

It may be that a logical followup of this study should be a World Conference on Steel. If so, I urge that the U.S. Congress give such a meeting its strong endorsement. If it appears that tighter tariff controls on imported steel products and pig iron are necessary, then I think that such a measure should be given full consideration by this Congress.

I certainly hope that when the study is released every Member of this Congress will give it his full review so that the necessary steps can be taken to maintain a strong and healthy steel industry in this country by creating a climate of equitable competition between domestic and foreign producers.

ADDRESS BY SENATOR EUGENE J. McCARTHY OF MINNESOTA, COMMENCEMENT EXERCISES, UNIVERSITY OF NOTRE DAME, JUNE 4, 1967

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I am most pleased to be able to call to the attention of my colleagues an address delivered by the distinguished senior Senator from Minnesota, the Honorable Eugene J. McCarthy, at the commencement exercises at the University of Notre Dame on June 4, 1967.

Senator McCarthy also received an honorary degree of doctor of laws at the ceremonies.

In his address, Senator McCarthy called upon the more than 1,600 graduates to "reaffirm your belief in the dignity of every person, your trust in humanity, and your confidence in reason, sustained by faith and building upon it."

Senator McCarthy was one of nine recipients of honorary degrees. The others were: Lawrence Cardinal Shehan of Baltimore; Archbishop John F. Dearden of Detroit; U.S. Commissioner of Education Harold Howe II; James E. Armstrong, retiring executive secretary of the Notre Dame Alumni Association; Oliver C. Carmichael, Jr., chairman of the board of Associates Investment Co., and a Notre Dame trustee; Charles S. Desmond, retiring judge of the New York Court of Appeals; Frank D. Murphy, chancellor of the University of California at Los Angeles; and Edmund A. Stephen, Chicago attorney and chairman of the Notre Dame Board of Trustees.

Mr. Speaker, I insert at this point in the Record, excerpts from Senator McCarthy's outstanding address:

Excerpts From an Address of Senator Eugene J. McCarthy, Commencement, University of Notre Dame, Notre Dame, Ind., June 4, 1967

Giving a commencement address would be, if not for the protection given by tradition and by its place in the ritual of graduation, a dangerous if not a desperate venture.

This might seem a good time for me to leave the platform, or if not, to proceed to give a kind of "music-minus-one" speech with the melody left out, or to use the anti-commencement approach of Bob Hope who has been advising graduates not to leave college and come out into the world, which he describes as a harsh and rough place. I could choose the easier way of speaking on a subject of limited scope and current application.

I shall not take this easy way out, however. This is a time of special challenge. A commencement speaker, if he plays the game fairly, is expected to present the meaning and significance of all a student has learned in four years of college, and make a projection of the bearing of that learning on the life of each graduate and, in a more generalized and comprehensive way, on the society of the future.

Assuming the responsibility of such depth and breadth is not as difficult for members of the Senate as it might be for other persons. We are not unaccustomed to making rash judgments. Every civilization has of necessity developed a formally functioning body to give ultimate rash judgments—in some cases the medicine men are used, in others the witch doctors, oracles, or high priests. The contest of America today, in politics at least, is between members of the Senate and the columnists, who currently have a slight lead on the Senate but who are without the support of the Constitution which quite clearly directs the Senate to advise the President and, of course, by implication the country.

IN RETROSPECT COMMENCEMENT ADDRESS SHOULD HAVE MEANING

A commencement address, although it may have little significance to graduates on commencement day, should, if recalled thirty years later, seem in retrospect to have been worthwhile.

Forty-six years ago, a speaker at a Notre Dame commencement sent the graduates off into the world with these reassuring words:

"The line of demarcation between right and wrong in every situation that can confront us, whether in professional or business life, or civic and social action, or in the multitudinous details of domestic experience has been clearly and infallibly drawn for us."

Thirty years later, the graduates of that class must have been somewhat unsure of the applicability of this text, and forty years later even less sure as they attempt to deal with the problems of the new morality and of situational ethics, to say nothing of the multitudinous details of domestic experience.

Thirty-four years ago, in 1932 in the midst of the depression, the members of the graduating class of Notre Dame were told, among other things, that the later appraisal of the men of the Thirties would result in their being criticized not for having done too little but for having tried to do too much, and they were warned that the threat to government budgets was due to increased charges for health, educational and social betterment.

These warnings in the context of today's expanded welfare programs, new levels of production, slightly different views on balanced budgets, deficit financing and inflation are not wholly relevant.

Much of the text of an address given here only twenty-five years ago on the dignity of womanhood and on the contribution of the church to the definition, preservation, and advancement of that dignity does not quite fit the sociological, psychological, and theological context in which the role of women is being considered today.

Thirty years from now, or perhaps twenty years from now, and possibly within ten years what I say may be wholly out of date or irrelevant. If so, I will have this defense: that we are today not at a threshold but beyond it in an age in which we have more power and competence—physical and intellectual—than we have ever had before; in an age differing from previous ones in that the mass of problems—not just in politics but in every aspect of life—is greater than it has ever been before. It seems to us quite suddenly all of these press in upon us; all of them say, "We are here," and they demand from us some attention and some judgment and, following that, some commitment.

SPEED OF CHANGE MORE RAPID THAN EVER BEFORE

And secondly, in that the speed of change is more rapid than it has ever been, we are called upon today to respond not on a timetable of our own making, but on a schedule or a timetable made for the most part by the very movement of history itself.

The greatest problem today is not that of the dead hand of the past holding us back, but of the violent or the threatening hand of the future which reaches back for all of us—politicians, educators, students, theologians—everyone.

Consider how much simpler it was, let us say, for Leonardo DaVinci. In dealing with the problems of aerodynamics, he did not have to keep in mind the question of how what he discovered might be used in the design or development of intercontinental ballistic missiles. Or Descartes dealing in abstract mathematics, not having to take into account the fact that his mathematics would be applied through modern technology in the development of nuclear weapons, and not having to take into account the way in which computers and chain reactions can take an abstract or pure idea and give it magnified and terrible application. Or someone like the monk Gregory Mendel dealing with heredity in the patch of peas, not having to take into account the problems which the nuclear biologists today must face.

Decisions in all of these areas must be made in broad social context and, to some extent, through social organizations and formal institutions.

Despite the fact of change, we must not dismiss institutions and other storehouses of values and meanings, or discount their influence too quickly or too easily. On the other hand, we must be ready to accept change and to bring about change and to discard that which is no longer useful. Father Gregory Baum has written wisely in *The Ecumenist*, March–April, 1967:

"Since institutions are made to promote man's life in society, they inevitably reflect the understanding of man that is current at the time they are created . . . What is happening today is that with a new self-understanding many Christians find that these institutions no longer adequately promote human life. . . . This does not mean that the men responsibile for the institution were lacking in generosity and kindness. . . .

"It is the people living the life that must give shape to the institutional patterns that serve them, and it is in this very process of finding the best institutional forms that men are drawn into participation and begin to experience themselves in a new way."

More than ever these decisions must be made by individuals, facing new situations without clear formulas and without the protection of accepted rules and traditional practices.

The general call is for the emergence of the human person, for the intensification and personalization of life whether this be reflected in the call for the emergence of the bishops or the emergence of the laity in religious life, or the emergence of the Senate and the emergence of the more fully responsible citizen in political life, or the acceptance of a greater measure of responsibility on the part of corporate directors and also for the intellectual and moral involvement of stockholders and of employees in the determination of corporate policy.

Education, educators, and the educated are always on trial, but they are on trial in a very special and clear way today.

THE EDUCATED PERSON MUST CONTRIBUTE TO SOCIETY

Forty years ago, Gilbert Chesterton wrote that every time problems arise someone gets up and says that what we need is a practical man to solve the problem. The difficulty, he said, was that there was usually *one* around or perhaps more than one. But today, in the face of new and complex problems, while the role of the practical man or the experienced is not wholly rejected, it is more common to ask for an educated man, a student, for one who has given study to the problem.

The educated person no longer has the excuse that he is rejected or unappreciated: an excuse which had some validity in the last century. He no longer has the opportunity to run far ahead of decisions; history somehow has caught up. The advanced position of the philosopher, of the scientist, of the historian, and of other scholars has been overrun in many instances.

Every intellectual discipline today is called upon to make some contribution to society, as is every educated person.

Each important judgment must be made within the context of history and in relation to moral judgment as to right and wrong.

Politicians and those responsible for government decision have throughout the history of mankind been concerned about what historians might say about them. They have worked out various devices to help with the record. Many carried their own scribes; some still do. Julius Caesar—a kind of do-it-yourself historian—used, I suppose, the safest method. He wrote his own history. In any case, not only politicians but people generally look today to history and historians, accepting both the poet Santayana's view that to ignore history is to repeat all the mistakes of the past, and that of the politician-historian Churchill that to depend only upon the past is the best way to lose the future. We are asking historians today, and everyone is more or less an historian, to pass judgment upon the past and to help explain the present and to make projections into the future.

And more and more people today are seeking moral guidance and direction, turning to the philosophers and the moralists for help and for suggestions. This is the most serious test of the educated person. Those who preferred to think of themselves as pilgrims of the absolute, in a detached and unrelated world which was not to be challenged, are now called upon to become pilgrims of the relative; to, as Jacques Maritain has urged, enter into the fabric of their own time to perfect the means by which men are perfected in time and perfected for eternity.

The wisdom that comes 25 or 30 years after graduation—somewhere between the ages of 40 and 50—is not in new knowledge, but in the realization that one must pretty well make it with what he already knows and with the powers he has been given or has developed. In part, it is in the realization that it is too late for speed reading to help very much—if it ever does—or for the *Reader's Digest* or the *Catholic Digest*, or a crash course in the "Great Ideas," even directed by Mortimer Adler, to do much good.

FOUR POINTS OF ADVICE: DO NOT COMPROMISE METHODS

Whereas my positive advice to you has been limited and somewhat unclear, as you have noted, my negative counsel and suggestions are somewhat more certain.

Do not yield to the temptation to compromise methods in pursuit of acceptable purposes, to consider persons as expendable, or to what T. S. Eliot has described as the worst treason—to do the right thing for the wrong reason.

Many men have written and spoken on this point, but none better, at least in recent days, than Henry Steele Commager before the Senate Foreign Relations Committee, when he said that certain government activities "in the various realms which have been called to our attention of late violate two of the great Kantian categorical imperatives: the first is never use any human being as a means but always as an end; and the second is so to conduct yourself that you might generalize your every action into a universal rule. The danger," as he saw it was in substituting "the immediate advantage for the longrun disadvantage; that it uses great things like scholarship, science, the community of learning, truth, for immediate purposes, which it doubtless thinks are worthy, but which, in the long run, are not to be compared with the larger purposes of learning, scholarship, literature, art, and truth. And the reason that they are not to be compared in the long run is that that is what the shortrun purposes are about."

AVOID THE TEMPTATION OF THE "INNER RING"

Second, avoid the temptation of the "inner ring." It is a very special temptation in the midst of complexity if not of chaos, in times of institutional failure and flux. The "inner ring" comes in many sizes and serves many purposes. On a national and international scale, we have seen it in its broadest form in fascism and communism, but almost every day we find it present and operative among our friends and associates. C. S. Lewis has spoken best on this in his essay entitled *The Inner Ring:* "I am not going to say," he wrote, "that the existence of the inner ring is an evil. . . . The desire which draws us into Inner Rings is another matter. A thing can be morally neutral and yet the desire for that thing may be dangerous. . . . This desire is one of the great permanent mainsprings of human action. . . . Of all passions the passion for the Inner Ring is most skillful in making a man who is not yet a very bad man do very bad things."

DO NOT CORRUPT LANGUAGE

Third, do not corrupt language and be attentive to protecting its integrity: first, as to the obvious obligation to speak the truth; and second, in the more subtle commitment to preserve and protect the meaning of words. As Allen Tate has written, man has an immediate responsibility, to other men no less than to himself, for the vitality of language. He must, said Tate, discriminate and defend the difference between mass communication, for the control of men, and the knowledge of man which must be offered us for human participation.

DEVELOP A KIND OF INDIFFERENCE TO WHAT YOUR BIOGRAPHERS MAY SAY OF YOU

And finally, this is a kind of ultimate test, be not overly concerned as to what the record may have to say about you if to make that record you must be false. Seek that high state of secular humility which leaves man to speak and act without fear and without concern for the judgment of his contemporaries or his biographers, or any judgment the world may pass upon him. I suggest two models: Harry Truman in politics, and Pope John XXIII in religion.

If one believes that man is the subject of history rather than simply the object, controlled by economics and by common will or by some other irrational force, if one acknowledges that the period of half-civilization and half-knowledge of the 19th century has been shattered, if one accepts that we must be prepared to face the judgment of our own person and of our nation and of our age, then the need is for a full response, accepting the commitment of Teilhard de Chardin in confidence and hope in the future.

You must reaffirm your belief in the dignity of every person, your trust in humanity, and your confidence in reason, sustained by faith and building on it, as the only defense against ignorance and false fear, as the instruments and power by which you can give some direction to life and to history.

TELEVISION X-RADIATION LEVELS REQUIRE IMMEDIATE ATTENTION

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MOSS. Mr. Speaker, on May 18, 1967, Director James Terrill of the National Center for Radiological Health of the Department of Health, Education, and Welfare's Public Health Service stated, in a prepared release on television X-radiation, that—

> Studies made by the National Center for Radiological Health of several television sets during the past six months did not give rise to concern. All of the sets tested gave off radiation well below the limits (.5 mr/hour*) recommended by the National Council for Radiation Protection.

The full text of that statement follows:

Statement by James G. Terrill, Jr., Director, National Center for Radiological Health, of May 18, 1967, Concerning X-Radiation From Certain General Electric Color Television Receivers

The General Electric Company recently advised us that it had started a modification program involving rework of certain large-screen console and table model color television receivers. I understand that the problem was in the high voltage power supply and does not involve the picture tube.

General Electric representatives informed us that the modification program was started because the Company found higher than desirable levels of x-ray production were created during the operation of some models of these color television sets in tests by the Company. This emission is directed through the bottom of the set, toward the floor, and not toward the viewer.

Studies made by the National Center for Radiological Health of several television sets during the past six months did not give rise to concern. All of the sets tested gave off radiation well below the limits (.5 mR/hour) recommended by the National Council for Radiation Protection.

The General Electric Company stated black-and-white or small-screen "Porta-Color" sets are not involved. It identified the sets about which it is concerned as certain large-screen color TV receivers manufactured between June 1966 and February 1967, and purchased after September 1, 1966. The Company advised us that its entire distributor-dealer service organization has been mobilized to contact owners of such television sets to arrange for the modification, and that modification will be made without charge to the customer.

As of now there is no evidence in the hands of the NCRH to suggest that any television receivers manufactured by the General Electric Company, or television sets made by other companies, have excessively exposed viewers of television sets.

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*Milliroentgens per hour. One milliroentgen equals one thousandth of a roentgen; a roentgen is the international unit of x-radiation or gamma radiation equal to the amount of radiation that produces in one cubic centimeter of dry air under standard conditions of temperature and pressure ionization of either sign equal to one electrostatic unit of charge.

As can be expected, Mr. Speaker, on the basis of that reassurance many consumers of this Nation believed that although they quite possibly owned a defective television receiver there was no threat of actual physical harm. What could have resulted in a cry of citizens for protection became, instead, an utterance of dismay and discomfort over the inconvenience of receiver modification.

May 22, 1967, I told Mr. Terrill that—

> I should welcome being informed of just what is the nature of the evidence in the hands of NCRH on which you make this final statement.

The full text of that inquiry follows:

MAY 22, 1967.

Mr. JAMES G. TERRILL, Jr.,
Director, National Center for Radiological Health, Bureau of Disease Prevention and Environmental Control, Department of Health, Education, and Welfare, Washington, D.C.

DEAR MR. TERRILL: The General Electric Company in circulating a press release of May 18 from Syracuse, New York, concerning its recently recalling 90,000 large-screen color television sets for modification because they emit x-radiation in excess of desirable levels, has accompanied it with a statement made by you under date of May 18 concerning x-radiation from certain General Electric color television receivers.

The last paragraph of your statement states: "As of now, there is no evidence in the hands of the NCRH to suggest that any television receivers manufactured by the General Electric Company, or television sets made by other companies, have excessively exposed viewers of television sets."

As you know, the Committee is interested in the subject of hazards in products which are sold to households and, accordingly, I should welcome being informed of just what is the nature of the evidence in the hands of NCRH on which you make this final statement as well as a description of the tests made by NCRH to determine that color television sets are below the safety limits recommended by the National Council for Radiation Protection.

In addition, I should welcome information as to how the standards were set by this Council, when they were set, and who are the members of the Council.

Sincerely yours,
JOHN E. MOSS,
Chairman, Subcommittee on Commerce and Finance.

Following the letter of May 22, for various reasons, my concern on the subject of the health and safety of individuals owning these television sets continued to grow. Finally, after considerable weighing of the reported situation, it became clear that the circumstances warranted full and complete investigation. As chairman of the Subcommittee on Commerce and Finance considering legislation to create a National Commission on Product Safety, I spoke to the Honorable HARLEY O. STAGGERS, chairman of the Interstate and Foreign Commerce Committee who immediately authorized committee staff to visit various laboratories across the Nation and the Public Health Service Laboratory in Rockville, Md.

Mr. Terrill replied to my letter of May 22, on June 8, 1967. At the very minimum the reply can be described as startling. It follows:

PUBLIC HEALTH SERVICE,
Rockville, Md., June 8, 1967.

Hon. JOHN E. MOSS,
House of Representatives,
Washington, D.C.

DEAR MR. MOSS: In reply to your letter of May 22, 1967, we are pleased to provide the following information regarding X-radiation from color television receivers.

Our statement of May 18, 1967, was based on exposure information reported to us by the General Electric Company, the nature of the principal source of exposure, and data from our own limited measurements of X-radiation levels in the vicinity of color television sets in home use.

We have recently assembled at our X-ray Exposure Control Laboratory in Rockville, Maryland, a system for simulating the conditions of operation of the defective shunt regulator tube in a color television receiver. Our purpose has been to verify the character and level of X-radiation leakage which may expose individuals and to test the efficacy of the tube replacement and modification procedures being carried out by the General Electric Company. Our measurements have generally confirmed that the X-ray leakage beam is directed downward in crescent shape with levels ranging up to 8,000 mr/hr at a distance of 7 inches from the defective tube. Levels of radiation scattered from floors or set surfaces are substantially less than in the direct beam but may exceed the National Council on Radiation Protection and Measurement limit of 0.5 mr/hr at distances up to two feet from the set.

There is no question that the levels observed in the sets with defective tubes and shielding are in excess of the limits recommended by the National Council on Radiation Protection and Measurement. Fortunately, the character of the X-ray leakage should prevent excessive exposure of people under those conditions of normal viewing where personal access near or to areas beneath the set is limited.

Our measurements have generally confirmed the levels of X-radiation arising from the defective shunt regulator tube reported to us by the General Electric Company. Presently, as I discussed with you during my recent visit to your office, our efforts, and I believe those of the General Electric Company, are directed toward correcting these defects as rapidly as possible. We are also obtaining X-radiation measurements in the vicinity of defective television sets and corrected sets to determine how estimates of possible overexposure can best be made. Presently, an organized study has not been possible, because we have been emphasizing the correction program. However, it seems that there should be only a fraction of the sets that would overexpose people in the normal viewing position. The numbers of people exposed to excessive levels will depend heavily on their relationship to the direct beam, the time they are exposed, and the fraction of defective tubes associated with this group. Some situations reported to us since our statement was made on May 18, require further investigation before final conclusions can be drawn.

Based on information now available to the Public Health Service, our conclusions are as follows:

1. Operation of sets with the defective electronic tube produces X-radiation levels considerably in excess of the limit of 0.5 mr/hr recommended by the National Council for Radiation Protection and Measurement.

2. While we can confirm that the X-radiation beam is directed downward through the bottom of the receiver, we have determined that the height at which some television receivers are located in some homes or places of business is sufficient so that individuals can be exposed to excessive X-radiation.

3. We also believe that a person immediately in front of an offending set can be exposed to X-radiation in excess of the recommended 0.5 mr/hr level from the scattering effects of the downward directed beam.

4. In light of the foregoing, we believe that any color television receiver suspected of emitting excessive X-radiation which could expose individuals in other than a normal viewing situation should not be operated in that location until the offending shunt regulator tube has been replaced. The State health departments have been asked to inform their local offices of these recommendations.

In our evaluation of the X-ray leakage associated with color television, we have referred to the recommendation of the National Council for Radiation Protection and Measurement published in the July 1960 issue of *Radiology*. A copy of the recommendation is enclosed for your information. Dr. Lauriston Taylor is President of the Council whose membership is listed in the attached copy of a report it recently published.

We appreciate your interest in these matters. If there is additional information we can provide, please let us know.

Sincerely yours,
JAMES G. TERRILL, Jr.,
Director.

Leakage ranged to a level of 8,000 milliroentgens per hour. The height at which some television receivers are located in some homes or places of business is sufficient so that individuals can be exposed to excessive X-radiation.

By what possible explanation can the statement of safety assurance of Mr. Terrill on May 18, be reconciled with the totally shocking contents of his letter of June 8.

And, I might add, that during these past 2 weeks, my staff and I have taken every step possible in discussions with representatives both in industry and Government to examine the contents of the June 8 letter. There is no longer any question in my mind about the validity of its contents.

Mr. Speaker, the facts gathered by the committee staff coupled with the dangers certified by the letter of Mr. Terrill on June 8 underline the need for hearings at the earliest possible on this subject.

The public is entitled to reassurance that their Government will not permit products of questionable safety to enter the marketplace.

COOPERATION BETWEEN THE UNITED STATES AND CANADIAN POST OFFICE DEPARTMENTS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, I insert into the RECORD an address made by the Honorable Jean-Pierre Cote, Postmaster General of Canada, at the first day cover ceremonies held at the U.S. pavilion at Expo 67.

Mr. Cote's remarks to a postal case in which the United States and Canadian Postal Departments cooperated in a magnificent manner and which serves to manifest, as Mr. Cote states:

> That one of the noblest tasks of the Postal Service is to make every endeavor to facilitate the transmission of communications between individuals and nations throughout the world, independently of all other considerations.

The address is also a fine testimonial to our highly esteemed Postmaster General, Mr. O'Brien, his able assistant, Mr. Desautels, and the entire U.S. Post Office Department. I commend it to all my colleagues.

REMARKS BY THE HONOURABLE JEAN-PIERRE COTE, POSTMASTER GENERAL, AT THE FIRST DAY COVER CEREMONIES, U.S. PAVILION, EXPO 67, MAY 25, 1967

Mr. O'Brien, Ladies and Gentlemen, the importance of this day is wrapped up in a postmark reading "U.S. Pavilion, Montreal, Canada."

At first glance to others than philatelists the postmark may appear to have little significance. How wrong that assumption could be. The postmark in question represents the cooperation of two postal administrations, of two friendly countries and of two neighbourly peoples.

It was conceived during a friendly, neighbourly visit when I was in Washington talking—of all things, Post Office—with Mr. O'Brien. It represents the departure from procedure that is witnessed once in a lifetime. The circumstances which created it may not be seen for another lifetime.

The postmark is unique in that it will cancel U.S. postage on United States mail processed on a Canadian island in the heart of Montreal. It will carry the story of cooperation between our two countries throughout the world. It will be treasured in philatelic collections from this day on and will be a lasting reminder of how Government Administrations can work together.

The stamp which the United States issued to honour Canada's Centennial is further proof of our neighbourliness. To Canadians—who according to writers of the day are trying to discover their own identity—this stamp is a reassuring gesture that our country is known and that our partner in North America is very aware of our forming history.

I have tried to sketch in what I consider to be the significance of this occasion. Of course there is another aspect which is of interest to the Expo authorities. This stamp and this postmark are a solid way to advertise to the world, Expo as the biggest show of Canada's Centennial celebrations.

In all I am happy to have had a part in the events that culminated in today's programme. I thank Larry O'Brien and the United States Post Office for this demonstrated consideration of Canada.

As I said, I am happy to be part of this ceremony today which demonstrates that large agencies of national Governments can cooperate on organizational and promotional matters. Recently, though I took part in an exercise which should demonstrate for all time that the oft-designated bureaucratic agencies of our respective Governments can rise to the occasion and serve the citizens of our countries when all other help is passed.

Again the affair was a matter of cooperation between the United States Postal Administration and the Canada Post Office. To be specific it concerned a set of X-Ray plates and physical records of a little girl in Calgary who was afflicted with cancer of the bone. The plates and records had been sent from Calgary wrongly addressed to a hospital in New York. Having failed at delivery they were in the mail stream somewhere being returned to Calgary. Chelley Lynn, the little girl in question, was not in condition to undergo further X-Ray diagnosis. It was imperative the plates and records be intercepted and delivered to the proper hospital in New York.

A phone call to my friend Lawrence O'Brien started the massive search machinery in motion. Between his officers and my Ottawa group, the package—believe it or not—was recovered in the Milwaukee area. It was taken from there personally by a United States Postal Inspector to New York.

With Mr. O'Brien's permission I would like to read the letter I sent him following the story I just related:

"It was not an easy task to attempt to locate a letter being returned to the sender, in the mail stream between New York and Calgary at 10:00 P.M. on a Saturday. This is one more reason why it was such a real gratification for me to learn, within two hours after I had phoned your office, that your efforts to intercept the X-Rays and other documents originally mailed on April 29th in Calgary, Alberta, to the address of the Pack Medical Clinic in New York had been fruitful. I was also deeply appreciative of the special arrangements made by your administration to have the registered item in question picked up in Milwaukee, conveyed to New York and delivered early Sunday to the Pack Medical Centre.

"The fate of thirteen year old Chelley Lynn Stanway, who is fighting for her life, had become a matter of national interest and the attached copy of a front page news item appropriately describes what was made possible through the splendid cooperation of your administration. I want you to know that I am most grateful to those concerned in your Department for the prompt and indeed very special attention that was given to my request, I should not dare attempt to describe the feelings of Mr. and Mrs. Ken Stanway when they learned that their plea for assistance had met with such response, because in such moments of deep apprehension and grief, feelings cannot be expressed, they are felt.

"I cannot think of a better example of international cooperation to illustrate that one of the noblest tasks of the Postal Service is to make every endeavour to facilitate the transmission of communications between individuals and nations throughout the world, independently of all other considerations.

"I should be most grateful if you would extend my sincere thanks and appreciation to your Mr. F. E. Batrus and Mr. Desautels for their valuable cooperation and their diligence in bringing this case to such a quick and satisfactory conclusion."

The reason I brought this case into the ceremony today is that I thought it, beyond anything else I could say, demonstrates fully the theme of Expo 67—Man and His World.

THE SST PROGRAM—A UNIQUE BLEND OF PUBLIC AND PRIVATE EFFORT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, in the true tradition of our contemporary subsonic jet fleets whose operations span the globe, the purpose of the SST program is to develop and produce an airplane that is safe, economical to operate, superior to competitive designs and which will result in a major step forward in commercial world air transportation.

Because the airplane is very large and will represent significant advancements in technology, the Government has estimated it will cost approximately $1.1 billion during phase III to build and flight test two SST prototypes. It is obvious that Boeing, General Electric, and American industry do not have the financial resources to invest this amount of money, with no hope of return for 10 to 15 years. It is also obvious that American industry is not in a position to compete with the financial resources of the British, French, and Russian Governments. These Governments are providing outright grants to their airplane industries to produce competitive commercial supersonic transports—airplanes that our U.S. airlines would have to purchase if the U.S. SST program did not move forward with Government assistance. The sheer size of the investment, the time required to recover the investment, and national and international business impact of an SST makes it mandatory that our Government provide major financial assistance and initial program leadership in concert with our airplane and airline industries in the development phases of the SST program. Ultimately, it is planned to turn the whole program to the private sector without any Government support as soon as it is feasible. Such studies are underway at this time.

Through contract negotiations, the Government and the manufacturers have reached agreement on the cost sharing and recovery provisions of the prototype contracts. The Government-industry cost share formula for the prototype construction is 90 percent for the U.S. Government and 10 percent for Boeing, General Electric, and their subcontractors. The $52 million invested by U.S. airlines in the prototype program will reduce Government investment by an equivalent amount. Should there be an overrun during the prototype construction, the manufacturers will pay in addition 25 percent of any such expense without limit. This year Congress will be asked to appropriate $198 million to the $200 million approved thus far. During each of the next 3 fiscal years Congress will be requested to approve additional development funds necessary to complete the prototype phase.

The Boeing investment in phase III contract costs and new facilities unique to the SST is expected to exceed $100 million. Similarly the General Electric investment in contract costs and new facilities is expected to exceed $50 million.

The Government's total investment in the SST will be recovered when approximately 300 airplanes have been sold. By the time approximately 500 SST's have been paid for, the original investment plus interest will have been received by the Government. A 500-airplane market will be adequate to provide a basis for developing a competitive airplane price—estimated to be $40 million—that will permit all participants—the Government, the airlines, Boeing, General Electric, and American industry—to recover their investment and make a profit.

The present financing arrangement makes the SST a venture in which the manufacturers and the airlines representing the private sector, and the Government representing the public sector will share in the financial risks as well as the fruits of a successful program.

PROPER LIMITS ON LEGITIMATE PROTEST—ADDRESS OF JUDGE CECIL MORGAN

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, Justice Holmes once said, in a Memorial Day address:

> I think that, as life is action and passion, it is required of a man that he should share the passion and action of his time at peril of being judged not to have lived.

This Holmesian charge to the young aptly sums up the spirit of many of the thousands of commencement addresses which now are being delivered to graduating students at colleges around the country. But Holmes' challenge to the young has received no better expression, in the commencement addresses which have come to my attention, than in Judge Cecil Morgan's talk of May 21 to the young ladies graduating from St. Mary's Dominican College in New Orleans.

Judge Morgan, who is well known to many of my colleagues in Congress, is dean of one of our country's most respected law schools, the Tulane University School of Law. We Louisianians are particularly proud of Dean Morgan, whose public career in our State included service as attorney, district judge, and U.S. commissioner. Prior to returning home to assume the deanship at Tulane, Judge Morgan served as executive assistant to the chairman of the board and as counselor of Standard Oil of New Jersey, in which positions his professional competence and unfailing kindness and good humor won him scores of friends and admirers here in Washington.

Judge Morgan's address at St. Mary's contains a particularly thoughtful discussion of the proper limits which should guide legitimate protest in our society and of the desirable role which citizens should play in the evolution of law. I was struck by its timeliness and wisdom and wish to bring it to the attention of my colleagues:

GRADUATION ADDRESS BY CECIL MORGAN, AT ST. MARY'S DOMINICAN COLLEGE, NEW ORLEANS, MAY 21, 1967

The most reverend archbishop, the reverend clergy, Sister Mary Louise, faculty of St. Mary's Dominican College, members of the graduating class, friends, our community can take pride in this day, this occasion—pride in these graduates stepping forth full blown into responsible citizenship—pride in the institution that sends them forth, educated, poised, disciplined and fortified for life's battles with religious training and with an assurance that comes from a background of stability as you move into this free and fast-moving society. It is a tribute to Dominican and to you that you have so successfully reached this important day. Surely the strain has been great, as have your labors.

You have listened to many speeches in recent months that remind us all of this era of accelerated change. We constantly read of it. Our public figures refer to it repeatedly. Educational institutions set up conferences on various subjects in which recent developments figure most prominently. We are reminded often of scientific breakthrough and its impact on everyday life; of new developments in transportation, communications, living conditions, food, drink and drugs. Above all, we are told of the unrest of nations, of new forms and patterns for government, of the movements of people from the farm to the city, and of decisions of the Supreme Court that change our way of life—new law and new attitudes toward law. There are new expressions of public officeholders toward law and society and there is the advent of The New Radical.

Change is disrupting. It shatters tradition; it destroys old values and suggests new and strange ones. It takes away our sense of security along with our complacency and comfort and peace of mind. From the confusion springs a new order of society.

What is your part in this process?

This is a day of protest. Protest seems to be associated with youth and a beard. Here at Dominican you have youth, but nature has not provided you with a beard. You can find some beards across the street. Possibly they are beginning to disappear again in this process of change, but they are with us still. The beard is a symbol of protest right now. Some beards are quite handsome. There were the fine cleft whiskers of Charles Evans Hughes, and there was Monty Woolley, known as "The Beard" for his handsome hirsute adornment, and there was the dapper Bernard Shaw and the virile brush of Ernest Hemingway. Even the Smith Brothers used their chin whiskers for advertising purposes. Some good things come of protest too. But not protest in a vacuum. Some beards today seem attached to a vacuum—they are just beards of protest, and this is their day. They must demonstrate, but what? If you don't have a beard, you do have a mini skirt, so you can demonstrate too. You can picket. Available to you today are sit-ins and stand-ins, sleep-ins and love-ins, and you can picket the store, the city hall, the school, the White House. You can laze on campus and riot at Fort Lauderdale. In effect you have protested the language. I am sure you at Dominican are "in" people, not "out" people. You are surely "hep" and maybe "mod." Do you know anyone here who is "way-out" or just "square"? Whatever your language, we shall attempt to communicate.

As I said, you are stepping into a strange world of protest, and some protest has brought forth good. Witness, for example, the origin of the Dominican sisters. They were organized by St. Dominic in the 13th century to care for converts from the albigensian heresy, and that heresy was a terrific protest. And you will also note that the Dominican Friars were established in the year 1215, the same year that one of the great protests in history took place at Runnymede where the barons wrested from King John the Magna Carta, which was a sort of prototype for all declarations asserting our rights since that time.

Speaking of beards and protests—the great protest that brought our own country into being, the Declaration of Independence, was signed by a wonderful group of clean-shaven men. Look at the reproduction of the great painting by John Trumbull on the walls of Yale's Art Gallery, a painting entitled "Declaration of Independence", and see the faces of the signers. From John Hancock to John Adams, from men as old as Benjamin Franklin down to the three twenty-six-year-old youths from South Carolina, there was not a single whisker! That great protest was not made in a vacuum—it was the basis for something very constructive, and it grew out of confusion.

With or without beards, let us protest. We will be glad for all the beards and miniskirts to join us. Also, all of you in dignified robes and any form of garb. Let us start our protest with a frank acknowledgment of confusion, and let us cut through all the brambles and beards of confusion and see if we can make some sense.

Permit me to be reminiscent and nostalgic. Do you recall that young men volunteered to join the army and suffered great chagrin when they were not called upon for overseas duty—instead of burning their draft cards? When lightheartedly they departed to the strains of Sousa's stirring martial music instead of the current folksinger's lament? When we snapped to attention and tears ran down our cheeks when the national anthem was played, instead of complacently permitting our flag to be burned? When we made speeches on occasions such as this or on the Fourth of July and made the eagle scream, instead of listening to a screaming mob? Or when it was proper and expected to quote Patrick Henry "Give me liberty or give me death!" instead of "Give me liberty though I have confessed I am guilty?" Or when Stephen Decatur said, "My country, may she ever be right, but right or wrong, my country," instead of "My country is wrong, I will not fight in Viet Nam." Oh! those were the swing years, as Sid Nowell says. I do not know what he means by the swing years, but they seem gone, and I am nostalgic for some good old patriotic platitudes. I protest, and you and I shall invoke another good old platitude: "This is a government of laws and not of men." Now, with this historic statement before us, we awaken from our nostalgic dreams and face the realities of today. We start with the acknowledgment that resistance, or for that matter protest without purpose, is futile, but that we have a great and urgent requirement that we direct the course of change for the betterment of our society.

Within the government of laws let us direct the affairs of men. Where the laws are wrong, we will reform them. Where men are intransigeant, we will do our utmost by education, by precept, by fair and efficient administration of justice to correct them. Where the needs of men are shown to us, we will meet those needs, even if we must surrender our prejudices we treasure and our compacency we enjoy. We do *not* surrender our basic governmental structure that sustains our ordered society.

In our country that ordered society rests upon a tripod of government and the separation of power among the three strong supports was the answer to tyranny. The statement that included the phrase "a government of laws and not of men" was that of John Adams incorporated in the Declaration of Rights, a part of the constitution of the Commonwealth of Massachusetts of 1780. Article XXX of that document had to do with the separation of powers "to the end it may be a government of laws and not of men." This phrase can be misunderstood. Let us remember that our government, though of laws, is "for" men. Their needs cannot be overlooked. And while this phrase is not found in the Declaration of Independence or in the Constitution of the United States, its import runs throughout our entire system—that system which meets the needs of people in changing society within the body of laws that protects our liberties, insures stability of government, and challenges us to adaptation to new conditions, conditions that arise as a matter of course in the continuing American Revolution.

In this period that principle is put to a test. This test has been in progress ever since the adoption of the Constitution and is no new problem. Chief Justice John Marshall dealt with it, in the same context of criticism as of this day.

Early concepts of constitutionalism, before constitutions were in written form, included the idea that there was a contract between the state and the individual citizens thereof, that the state provided certain liberties and protections in return for various obligations of taxes and military duty and obedience to the laws. A breach of this obligation called for penalties. In later years, and in the new forms growing out of the philosophical writings of the 18th century, the caprice of monarchs in the government of states led to the fragmentation of power in the state and the writing of the law even applying to the state itself. Anarchy results if this legal structure breaks down.

You remember the dialogue of Socrates and Crito, as reported by Plato, involved the question of whether Socrates should escape from prison and save his life. He was condemned under the laws. But Socrates persuades Crito that escape would be a defiance of the laws and suggests that it would be a move to overturn the laws and the whole state, and he asks the question: "Do you imagine that a state can subsist and not be overthrown in which the decisions of law have no power but are set aside and trampled upon by individuals?" He further ridicules the idea that if the state has injured us and given us an unjust sentence we should thereby be privileged to defy the laws. But the important part of this dialogue is his statement: ". . . whether in battle or in a court of law or in any other place he must do what his city and his country order him; or he must change their view of what is just . . . ." As their dialogue comes to a close, Crito is quoted as saying: "Now you depart in innocence, a sufferer and not a doer of evil; a victim not of the laws but of men. But if you go forth, returning evil for evil, and injury for injury, breaking the covenants and agreements which you have made with the laws and wronging those who you ought least to wrong . . . you are as an enemy." And as the dialogue ends and Socrates is determined to observe the laws and not break prison, he says: "Leave me then, Crito, to fulfill the will of God and to follow whither he leads."

While we condemn civil disobedience be it remembered that when officials and functionaries and police officers impose upon persons or discriminate against groups, they themselves are disobeying the laws that we purport to uphold and they place themselves in the same untenable position as those who engage in civil disobedience in pursuit of a cause. Governors of states, as well as marchers in a protest demonstration, can be equally culpable in the processes leading toward anarchy and the defiance of the rule of law.

The Greek philosophers understood the value of the ordered society while advocating reform. The Bible gives support to ordered society and provides the basis for reform. John Adams forcefully suggested the rule of law while he participated in the great reform that established our country. We may be impressed by the conscientious Thoreau and the spiritual Gandhi, but the great body of thought today supports our democratic process. As a people we fear the obvious dangers of civil disobedience and we relegate this procedure to the realm of abstract speculation and condemn its advocates for subjecting our ordered society to peril and to violence. It would seem a simple and uncomplicated doctrine to say that we do not subscribe to a program of civil disobedience on some shallow or irrelevant pretext. We support the ordered society and the rule of law; we abhor chaos. We render unto Casear the things that are Caesar's while we put forth our best efforts to bring about the reforms that our moral sense demands. Within the framework of law and by bringing about the necessary changes we meet the needs of people. In the words of Socrates—"We must change their view of what is just."

In our consideration today of protest and the reform of law, let us be fully aware of the responsibilities of lawyers, judges and officials on the one hand and the average citizen on the other. And let us keep in mind that neither can be successful in meeting his responsibility and in preserving the basic structure of our society without the other. Consequently, it is not outside of the concern of you young citizens, housewives to be, teachers, lay or religious, secretaries, for us to consider a few illustrations that may seem to be in the province of lawyers primarily.

We are all aware of our fundamental right to assemble peaceably, to express our views and to demonstrate as long as we do not impose upon the rights of others. When we trespass upon the freedoms of our neighbors, our rights cease and the rights of others predominate. This conflict of principles is forever before us in the cases that go to the Supreme Court. There have been three recent cases that illustrate the point. The *Edwards* case in South Carolina went to the Supreme Court of the United States in 1965, the *Cox* case in Louisiana in the fall of 1966, and the *Adderley* case in Florida is just now being reported. Let us forget the contributing issues in these cases because there is such a confusion of problems—like segregation, possession of property, use of public property, breach of the peace, freedom of expression. We are not deciding those issues today. We are considering the obedience to the law, and how the law is changed, and how it develops. These three cases all involve questions of constitutional rights. All of them are cases where people have legally exercised their rights to the questionable point. At that questionable point in the South Carolina case, by a divided court, the law was interpreted to be that the demonstrators had not overstepped. In the *Cox* case there was a similar ruling. But in the *Adderley* case in Florida the court began to delineate the limits of what could be done by demonstrators on public property and it was held that this group violated the trespass laws of Florida. The point here is that, whether we agreed with the first of these decisions or not, the court, given the opportunity with the right kind of a case, often dispels our fears that a trend will go too far.

In another recent case one of the four dissenting justices said: "The holding in this case today makes it more necessary than ever that we stop and look more closely at where we are going." These decisions on difficult and narrow questions, decided by 5–4 opinions with strong dissent, do indeed establish the law of the case and suggest a trend. But, you know, it is very difficult for us to be sure of what the court has said and has meant in a given case. Extensive opinions are written by the organ of the court, possibly supported with different reasoning by other members of the majority and then equally extensive dissents are added. Sifting through this mass reporters translate to the news media their interpretation of what the court has held. The public is likely to see in these opinions something that the court has not intended. Our reactions might be quite violent and we are prone then to criticize and to exercise that citizen's privilege, which I enjoy myself. However, to go so far as to berate a single member of the bench and blame him for all the ills we anticipate from such a decision is not quite justified. Let us remember that the judge writing the opinion may be only one of five judges who agree. There may be four who disagree. This dialogue between the two groups is part of our process for arriving at policy decisions, and the majority view prevails. Nor can we subscribe to the castigation of our courts as American institutions. Let us rather support our institutions and let us keep open the dialogue between the group who in one case may represent a majority and the other group a minority opinion. And let us bring before that court those cases which arise presenting similar points, in order that that court may fully develop the concept that may be at issue. Just as in these trespass cases the court has commenced to delineate the trend that was feared, so may it in other instances of our great concern, if given a chance, do the same.

We are all perturbed over the problem of crime in our own community. Almost all other communities throughout the land are equally apprehensive. We hear the names of landmark cases like *Gideon, Escobedo, Miranda,* and *Mapp*. Many point to the difficulties of law enforcement resulting from the holdings in these cases and some, without proof, believe the crime wave, which has increased, is related to these opinions. Maybe we should bring these cases into focus.

Gideon got his reversal, but suffered his punishment. Miranda was released and tried again on the same charge and convicted under the rules the Supreme Court laid down. Escobedo in Chicago under police surveillance is no menace to society. Mapp is no threat. The fear of the trends in these cases is a threat. The essence of these cases reduced to simplest terms is that accused persons must be warned of their constitutional rights and have counsel at an earlier stage in the proceeding than had been thought necessary heretofore, and the constitutional safeguards of these rights are applicable to state courts as well as federal courts; that confessions cannot be used if obtained under circumstances which violate these principles; and that evidence obtained from searches and seizures without a search warrant cannot be used against an accused. It is true that these holdings have made the problem of law enforcement more difficult for our state law enforcement officers. However, most of these rules have been applicable to federal enforcement, particularly by the FBI, and consequently enforcement should not be considered impossible. Properly obtained confessions can still be used and quicker procedures for obtaining search warrants are in the making. Re-training of police officers is in progress and new habits are being formed. We still, however, have some fear of the ultimate result of these decisions. But, if our trial courts will take the responsibility and do the extra work that is entailed in an analysis of the cases which come before them and if these courts will responsibly render judgments in accordance with their own values of justice, the Supreme Court will have an opportunity to limit the extension of the views expressed in these landmark cases. This is the process by which the court-made law can be properly molded, and, as much as we deplore legislation by courts, we must recognize that there has always been court-made law.

Many good things have come of these cases. There is a reassurance of the guarantee of our freedoms and our rights, and the validity of the Bill of Rights. There is a warning and a promise. What has been the perfectionism of the FBI must be injected into the state law enforcement officials. Diligence and fairness must prevail. Police abuses must cease, and be replaced by police efficiency. Citizens must pay more taxes and exact greater protection. The public should work with officials to the end that these processes are effective. The rules are tough and they put us on our mettle. There are movements in process in the direction of legislative correction of some portions of these holdings that public opinion and a segment of legal thought would condemn as going too far and not necessary to the protection of human rights. So either through a continuing judicial process or through a legislative process changes in the law are being effected to bring about that balance between protection of the individual and protection of society.

The trespass cases we referred to a while ago and the cases involving criminal procedure that we have just discussed have reference only to two of the board issues of the day in the realm of law reform. Citizens like you have an interest, however, in a broader spread of subjects. You may be preoccupied with social change. The law must follow those changes when they are established. We are all concerned with the rise of crime and the difficulty of law enforcement. There are other and fully as important problems demanding solution. Solution means teamwork between those directly involved with the law and those citizens who live within it. One of the first requisites for proper participation by citizens is the requirement for information. We condemn the protest without a purpose; we see the shortcomings against which we protest. Now how shall we see the purpose to be effected? There is a wealth of knowledge available to us. The educated man or woman is the one who has the capacity for finding the facts, for objective analysis, and for communicating the facts and the analysis to others, which leads to sound and straight public thinking.

Only recently the President's Commission on Law Enforcement and Administration of Justice has issued an extensive report with a wealth of statistical and factual information and a careful and painstaking evaluation thereof by the greatest experts throughout the country. Supplementing this report, just at the end of April has come the report of the task forces of that Commission on the police, another volume of extensive material forming a handbook for the organization and training of the police under our new guidelines. Amongst the comments made by this Commission I note the following: "Law enforcement cannot remain static and still serve the public adequately. Progress will require change in many of the time-honored ways in which numerous police officials have habitually functioned." And again I note many paragraphs having to do with citizens' involvement in policy making and the problem of intercommunication and leadership—all of this emphasizing the role to be played by the citizen in this evolution of the law. It should be noted that our police department and various civic groups in our own city are working together to bring about needed improvements, and the opportunities for service on the part of all citizens is tremendous.

Our law schools are concerned these days with substantive matters that have to do with the proper method of handling the psychotic violator of the law, alcoholism, and other illnesses. The question is being raised with respect to the justification for treating the sick as if they were criminals while still protecting the public from the dangers. The bar associations are confronted with momentous questions of judicial enforcement, particularly in large centers where thousands of accused persons are herded through the courts in assembly-line fashion. Are there not better methods of protecting the public and at the same time protecting the rights of the individual? Should the judicial process be encumbered with petty offenses such as traffic violations or should not the administrative process be sufficient?

Public bodies are faced with problems of housing, slum clearance, drainage, sewage disposal, and industrial growth and economic opportunity, and legal representation of the poor. All of these problems are multiplied and have become severe because of urbanization and growth of our mobile population. The structure of local government must change and must change rapidly to meet these urgent requirements because this disruption breeds an increase in social unrest. And our problems will not go away but will be multiplied. We cannot brush them under the rug. Innumerable studies are being made and have been made; many facts are available upon which judgments can be reached. The drag and delay at arriving at solutions are caused in various degrees by public apathy, political entrenchment, dedication to the status quo, and a dearth of vigorous nonpolitical leadership. If our leadership is that of the demonstrator and the one who protests without a purpose, the ills from which they and we are suffering will persist and grow worse. Our cry is for the leadership from those willing to protest and vigorously under the rule of law, with purpose and with affirmative determination, utilizing the tools at their command.

Our national goals may not have been articulated by you recently but they have been by some of our best minds, and I suggest that you read them. Our many institutions, public bodies, private organizations, and particularly professional groups, have important programs completely outlined in the realm of model constitutions, city charters, local governmental structures, codes of law on a multiplicity of subjects, uniformity of law, handling citizen complaints against bureaucratic abuses, the defense of the indigent, legal representation of the poor, and many other subjects of great importance. All these materials are at our command to fill that vacuum to which so much of the protest is attached. The opportunities for creative thinking, for blazing trails, for pioneering, for carrying torches are unlimited. Unleash your energies in these directions, and you will have no time for demonstrations in a vacuum—there is too much that is constructive for you to do.

Let us state our position directly:

The current mood of protest without a program, the new Radicalism with overtones of violence, are dangerous. Our institutions are valid, but our answer to this current mood is reform within these institutions and under the rule of law. There is no place in our philosophy or under our system for civil disobedience. The time for lamenting change is over. The natural effects of this evolution are to be dealt with. Mold them to the building of a nobler society. You may choose to be involved in political activity and this is all right; but if you choose to be involved through community service as a private citizen, there is no justification to resort to political expediency. The citizen must support sound programs. Whoever is in office should be influenced by the virtue of these programs. It is citizen action that makes worthy programs popular, and popular programs are most likely to be followed by the officeholder, whoever he may be.

You enter this new society having thrown off inhibitions, traditions and other similar shackles. You start afresh. Things are moving fast. You must think straight. Confusion resulting from these changes challenges you to avoid chaos, for your generation cannot restore order in that event. For your own sakes and for succeeding generations, that which is good must be saved—stability must be preserved. So plunge yourselves into this great protest against confusion. Think things through and do your part in your respective spheres of influence. Use your knowledge and apply your principles. See the alternatives. Stand fast upon the eternal rocks. Carry a banner instead of a placard. But move with the inevitable metamorphosis of life, guide it and make your own contribution to the attainment of your highest goals in a nobler society. You have a choice.

And as the poet William Arthur Dunkerley has said:

> "To every man there openeth
> A Way, and Ways, and a Way,
> The High Soul climbs the High Way
> The Low Soul gropes the Low,
> And in between, on the misty flats,
> The rest drift to and fro."

I believe you will choose the High Way, for you are graduates of St. Mary's Dominican College.

ALBERT EINSTEIN COLLEGE OF MEDICINE COMMENCEMENT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Tenzer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TENZER. Mr. Speaker, on June 2, 1967, commencement exercises were held at the Albert Einstein College of Medicine of Yeshiva University.

Yeshiva, founded 81 years ago in New York City as an advanced school, for the training of rabbis, became a university in 1945. Its record of growth and achievement in 20 years is a tribute to its distinguished president, its officers, members of the board of trustees and board of overseers.

In 1955 the Albert Einstein College of Medicine was established. The story of the medical school is one of vision, courage, and faith in our democratic way of life. The college was built through the generosity of men and women of all faiths throughout the country. It has advanced in a few years to the front ranks of American medical schools and is now embarked on a new program to meet the challenges of medical progress.

The oath to the students receiving medical degrees was administered by Dean Marcus D. Kogel, M.D., and the dean's remarks relate the background leading to the use of the Declaration of Geneva in lieu of the oath of Hippocrates at medical school exercises throughout the country. I place Dean Kogel's remarks in the Record at this point:

Dean Kogel. The physician bears an awesome responsibility. He confronts daily issues of life and death. For more than 2,000 years it has been the custom before admitting a student to the privilege of the medical degree, that he take a solemn oath that he will use his knowledge with wisdom and compassion for the benefit of his fellow man. The traditional oath bears the name of Hippocrates. The language in which our predecessors repeated this pledge is no longer spoken—the gods which they called to witness have been discarded—but few nobler thoughts have ever been voiced.

Within our living memory, a nation undertook a deliberate policy of extermination of a whole people and to the everlasting shame of the medical profession, physicians participated in this crime against humanity. It is therefore necessary to exact a pledge from each physician at the time of being admitted to the medical profession not to use his medical knowledge to further the crime of genocide.

The oath of Hippocrates does not contain this pledge—the oath that I will ask you to repeat after me is known as the declaration of Geneva, and it was adopted by the General Assembly of the World Medical Association in 1948.

I will now administer the oath. Will the candidates please rise to receive the oath.

THE OATH

I solemnly pledge myself to consecrate my life to the service of humanity.

I will give to my teachers the respect and gratitude which is their due;

I will practice my profession with conscience and dignity;

The health of my patient will be my first consideration;

I will respect the secrets which are confided in me;

I will maintain by all means in my power, the honor and the noble traditions of the medical profession;

My colleagues will be my brothers;

I will not permit considerations of religion, nationality, race, party politics or social standing to intervene between my duty and my patient;

I will maintain the utmost respect for human life, from the time of conception; even under threat, I will not use my medical knowledge contrary to the laws of humanity.

I make these promises solemnly, freely, and upon my honor.

Mr. Speaker, the commencement address was delivered by Dr. Sidney Farber, professor of pathology, Harvard Medical School at the Children's Hospital and director of research, the Children's Cancer Research Foundation in Boston.

As one of the five original House sponsors of the 1965 regional medical centers to combat heart disease, cancer, stroke, and other killing diseases, I was very pleased to read Dr. Farber's remarks and I urge my colleagues to do so.

The address follows:

CHALLENGES AND GOALS OF MEDICINE

(By Sidney Farber, M.D., presented at the commencement exercises at Albert Einstein College of Medicine, Yeshiva University, New York, June 2, 1967)

INTRODUCTION

It is a privilege to welcome the Class of 1967 as colleagues in Medicine. I shall cherish the memory of this occasion, all the more, because of a generous act of your university, a few months ago, I now have a relationship to your School, which has special meaning for me.

The fortunate members of this graduating class are not alone in marking this an important day in their lives. By your hard work and with your superior endowments, you have earned the right to be called Doctor of Medicine, and with this right, you have earned something more valuable, too. Yours is the distinction of bearing the doctor's degree from one of the truly fine medical schools of the world—a distinction all the more precious, because the high standing of your Alma Mater was achieved in such an incredibly short period of time. Graduating today with you is the man who, in the creation of this School, gave leadership to a Faculty of unsurpassed excellence—your mentors these past four years. No man in the future development of your School will be called upon again to display the unbelievable courage, strength of character and ability to meet problems and financial concerns of such immensity. His vision, clear understanding of the relationships of science and medicine, and of the role of the medical school in the world of both today and tomorrow, his insistence, and that of the faculty on the maintenance of the highest standards of excellence in a new school without firm financial support, his ability to fashion with his colleagues brilliant innovations in medical education, research and patient care, all mark him an outstanding—yes a unique—figure among contemporary medical educators.

You, of the Class of 1967, will possess always this precious memory of joining your Dean in the commencement of a new epoch in your lives—in the graduation from your responsibilities in the Medical School to the assumption of different and greater responsibilities that come naturally and deservedly to both the graduating class and to Dean Kogel. For him this marks the completion of four epochs in his life marked by distinguished achievement: in public health, in preventive medicine in the military, in a gigantic program for the modernization of the hospitals of this metropolis and in the creation of this great Medical School. It is my privilege to ask you to join with me in wishing this extraordinary man of noble purpose and great achievement all that is good in his private life and in the next phase of his activities in behalf of the Albert Einstein College of Medicine and of Yeshiva University of which the college is a part.

On this occasion, too, your class will take with you, the memory of the assumption of the Deanship by one of the most distinguished pediatricians in the world, an acknowledged authority in his chosen field, and a gentleman, deeply devoted to rapid progress in medical science and to the well being of his fellow man. With Dr. Harry Gordon as Dean, the Albert Einstein College of Medicine will continue under great leadership. I know that Dean Kogel has the peace of mind that comes from the knowledge that the enterprise to which he has given the prime of his life, will develop to ever greater heights under his successor.

I propose to consider with you today a few questions which will concern you the rest of your lives. You have dedicated yourselves to the care of the sick, to research, medical education and the prevention of disease. It matters not which of these avenues you will take—the opportunities will be rich in all.

The vast increase in federal support of medical research in the last 20 years has had a great impact on medical schools and teaching hospitals. This accomplishment must be attributed not to doctors alone, but more to the inspiration and devotion of lay leaders, the most prominent of whom are Mary Lasker, and such leaders in the Congress as Senator Lister Hill, and the recently deceased Representative John Fogarty. The expansion of the National Institutes of Health appropriation from 3 million dollars at the end of World War II to one billion and a quarter this past year, most of which was invested in the universities, medical schools, research institutions, and teaching hospitals throughout the country, gives one picture of what is available for those of you who will remain in either basic research or clinical investigation.

The extraordinary progress in the composite of several fields of science called by many molecular biology has inspired almost incessant repetition of emphasis on DNA and RNA in the several preclinical departments of medical school, and also in clinical fields referred to as molecular medicine. There is no question of the fundamental contributions which will revolutionize much of clinical medicine, as well as biological science, that have come from these developments in molecular biology in the last 20 years. Without diminishing one iota the propriety of this emphasis, it must be remembered that DNA and RNA use up only four letters of the alphabet. Happily there are 22 letters left for all the rest of medicine. Let us consider some problems in clinical medicine.

The medical profession grew up as a series of individual enterprises on the part of practicing physicians. The great developments in medical research, in medical school teaching, and in the tackling of problems too great to be solved by any one person, have led to the formation of Task Forces or interdisciplinary groups which cross the boundaries in all departments and fields of knowledge. Scientists and doctors, of many different kinds, all highly motivated to work toward the solution of problems in cancer, heart disease, or any of the other challenges before us, pool their knowledge and resources to make for far more rapid progress. The time has long since passed, if it ever existed, when, for example, any one man could treat completely any one patient with cancer. From such developments and considerations there has evolved the principle of what I have called for more than 25 years, the *total care of the patient*. This calls upon the resources of the community as well as the expert knowledge and techniques of those in medicine and science. May I define this for you?

Total care includes application of all the techniques of medicine, surgery and laboratory science for the comfort, well being, and prolongation of life of the patient—attention to the mental peace of the family and to their social and economic problems—and finally, as part of such total care the administration, primarily for the good of the patient, of the results of research as soon as possible after they have been studied carefully and completely in the laboratory.

MEDICINE AND SOCIETY

During your student years you have witnessed a bewildering series of events which have brought doctors into the main stream of social and economic problems. You will be called upon to take a stand on social issues, or you may, if you will, take refuge in the ivory tower, or even in the sanctity of your own practice. You will be confused, as I have been, by the fact that the needs of millions of medically deprived human beings in this, the most advanced country in the world, are just beginning to be cared for by Federal legislation. You will be disturbed by witnessing bitter attacks on such Federal programs by some leaders of organized medicine, whom I prefer to not accept as representative of the medical profession. These men raise the flag of medical ethics to cover what they regard as a threat to their economic security or "the American way of life". I do not have to remind you that rules of medical ethics were formulated primarily for the protection of the patient—not the doctor. The rule should be followed that what is good for the patient is best for the doctor. We must not forget that we are a select group, a truly chosen people, closer to the priests of old than to the rest of society. We are also members of our community and must understand that social and economic problems affecting the community as a whole must indeed affect the medical profession, too. In exhibiting an interest, or in taking leadership in the solution of these problems, let us act as members of the community, rather than representatives of groups seeking special privilege or favor. I still cringe when I recall the statement issued to every doctor some 20 years ago by an advertising firm retained by organized medicine. It went something like this:

"You must remember that the doctor is a business man—and as a business man he is entitled to a fair return on his investment."

I have proper respect for the business men—in the world of business. I do not care to believe, however, that I have spent my life as a teacher of business men in the field of medicine. I have complete faith that if we act forthrightly with good heart and our best efforts in helping the rest of society to seek answers to the compelling problems of medical care, society will find honorable solutions for the economic needs of those who work in the health sciences and in medicine. Dr. Henry Segrist, the noted medical historian of Johns Hopkins Medical School, summarized this more than 30 years ago in these words:

"There is one lesson that can be derived from history . . . that the physician's position in society is never determined by the physician himself, but by the society he is serving."

A few months ago in a national meeting called by the segment of the National Institutes of Health concerned with Regional Medical Programs, I had occasion to discuss the charge made by some leaders of organized medicine that these programs would lead to socialized medicine. I stated then that I would not try to define this commonly applied and badly abused term, but would assume what is means is federal control of the practice of medicine, or, in short, "Government medicine," and continued "We all realize the vast increase in demand for good medical care since the end of World War II alone. This is shown by eight thousand community hospitals built with the aid of the Hill-Burton Act, fathered in the Senate by that great champion of medical research and health, Senator Lister Hill. The demands for health services which have increased so rapidly in the last year alone, for reasons with which we are all familiar, cannot be met by the available manpower and facilities utilized and distributed in the manner presently employed. And now we proclaim the right of every man, woman and child to the most expert in diagnosis and treatment available in the medical world today. The needs of our people, for the best in medicine, let us not call them *demands*—must be met either by voluntary methods with Government support through programs of the kind we are discussing here, best suited to each particular region of the country, or some system of Federal health services will be invoked. May I express a personal reaction to the frequently expressed fear of what is called the 'threat of Government medicine'? We are talking not about some alien land, but about *our* Government—in *this* democracy. I do not share such fear, nor will I as long as there is a forum where I have the right to speak—as long as there are men and women to harken to my words."

Those of you who will be concerned with clinical investigation and patient care in academic institutions, and those who will enter the practice of medicine and serve in community hospitals, have before you the greatest opportunity in the history of medicine in this country, to bring to every doctor in behalf of his patients, and to those millions of patients who have no doctors, the finest in diagnosis and treatment to be found at the present time only in specialized medical centers. I am referring to the recommendations of the President's Commission on Heart, Cancer and Stroke. This program was restricted at the beginning to what the Congress calls these three dread diseases, which account for 71% of the deaths in this country. It was the recommendation of the President's Commission, however, that after a beginning of this kind, extension of the program to involve all diseases must come as rapidly as possible. The Bill called first for the creation of complexes or centers involving medical schools, and teaching hospitals which would, in addition to making available expert knowledge concerning diagnosis and treatment, generate new knowledge through clinical investigation and basic research. It called also for the creation of new methods of continuing education and communication with all community hospitals in a given region to make the most expert knowledge available, without delay, to every doctor in behalf of every man, woman and child in the country. Immediate acceptance of this remarkable opportunity was slowed by opposition of some leaders of organized medicine who feared interference with private practice, even though it was clear that quite the opposite would result. Much of this opposition appears to have disappeared with better understanding of what the programs really mean.

Unfortunately, there was weak acceptance and in some cases actual opposition from heads of some medical schools in the country who believed the medical school was ill-suited to take leadership in this vast enterprise. These complexes, presently diminished by political chicancery to the designation "Regional Medical Programs," have been perverted in some sections of the country to programs of continuing education, demographic studies and investigation of methods of delivery of medical care, with no reference to the immediate needs of the patient. These programs, however, *were* designed for patient care and research, and *were* defined by law as disease-oriented enterprises. It has been estimated by experts in the field of cancer, for example, that if all the knowledge presently available in the institutions of greatest knowledge and experience concerning diagnosis and treatment could be applied to every patient with cancer in the country today, there would be a saving of 100,000 lives of the 300,000 destined to die of cancer this year.

Apart from the direct consequences of implementation of this great program in the saving of lives, consider for a moment how much more satisfaction there will be in the practice of medicine in the community hospitals, and how a whole new dimension can be added by the community hospitals to the teaching and training of medical students, interns, and residents in the practice of medicine.

The world has foisted upon you not only problems of the delivery and quality of medical care, and economic considerations of great complexity, but has done this at a time of civil unrest and even grave uncertainty concerning survival. The year of your graduation is marked also by the largest gross national product in our history. Participation in decision-making is open to all of us. Each one of us will have to decide the kind and extent of participation for himself. I would say only, that leadership is expected from those who have been educated in a center of such excellence. Let us hope there will be opportunity, too, for the full utilization of your talents and energies in the field of your primary dedication.

I have no hesitancy in expressing the conviction, based upon critical analysis of the work of others and a study of some of these problems first hand, that cures for most, if not all of the many different kinds of cancer will be achieved during your lifetime by the use of chemical and physical agents which have come to us from the laboratory disciplines. An impressive start has been made. Nor do I hesitate to express a similar optimism based upon controlled and informed judgment concerning improvements significant in the therapy of heart disease, high blood pressure, neurological disorders, and even inborn errors of metabolism, to mention only a few. By the time you approach the end of your professional careers, your energies will be devoted more and more to the maintenance of the normal in body and mind of the individual, and indeed, of the community itself.

Your contribution to the society in which you live then, when peace becomes ours again, will become an increasingly important one. Your dedication to the care of the individual with problems concerning the *maintenance of the normal*, rather than the *cure of disease*, will require much more in knowledge, much more in the qualities of humanity, of humility, of equanimity, than ever before . . . and you will help prepare those who will follow you for the day when the great hospitals, laboratories, institutes of medical research, and the splendidly equipped wards in which you have worked, will be replaced by great Institutes of Health. When this day comes the emphasis will be not so much on the care of the patient—it will be more broadly on the total welfare of your fellow-man.

I would add a final word to my new colleagues in medicine who graduate today. A kind and wise teacher of biochemistry, the late Otto Folin, said with great simplicity to a graduating class some thirty years ago—"I hope that you will be reasonably happy." This, too, I wish for you. But I would add my hope that you will be somewhat unhappy, too—that your lives will be governed by what has been called a divine impatience—an eternal unrest—that as long as there are problems of disease and suffering, you will never find complete peace of mind. May I take out of context, as I did when I was very young in medicine, and use for my special purpose here, the words of Gretchen in Goethe's *Faust:* "My peace is gone. My heart is sore. I find it never, and never more."

When the day comes—when your problems are chiefly those of maintenance of the normal, in mind and in body, then let these borrowed words be sung no longer. Then may richly deserved happiness derived from your dedication be yours.

ELECTIONS IN SOUTH VIETNAM

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. WOLFF], is recognized for 5 minutes.

Mr. WOLFF. Mr. Speaker, the United States has the unquestionable responsibility to support self-determination for the people of South Vietnam. Because of our dedication to freedom for all the people of Vietnam, American lives are being sacrificed and this Nation is spending billions of dollars to help the people of South Vietnam secure their freedom.

The drive for freedom in South Vietnam, a dedication to the very principles we in our Nation hold so dearly, is being tested in the South Vietnamese elections this fall. The people of South Vietnam, in an exercise of their democratic rights, will elect a President, a Vice President and a bicameral legislature.

Free elections, and I underline the word "free," were to have been guaranteed under the 1954 Geneva accords. Free national elections have never been held in North Vietnam, or for that matter in South Vietnam.

But now truly free elections are possible in South Vietnam. The freedom of these elections must not be violated; in a democracy freedom at the polls is sacred. The people of South Vietnam must be given the opportunity to work their will.

The important elections this fall will pave the way for a truly representative government for the people of South Vietnam.

Thus it is, Mr. Speaker, that I am disturbed by threats to the freedom of South Vietnam's elections. These threats, from the National Liberation Front—the Vietcong—and even from Premier Ky and some of his cohorts, cannot be allowed to deny the South Vietnamese their basic rights, if freedom is to prevail. The voting must be held openly and without fear of violence or intimidation of the electorate.

In order to insure that the elections are truly free, Premier Ky should be dissuaded from his position that dissent and public criticism be restricted during the campaign. Freedom will not be reality if basic rights are denied.

There is an even greater threat in warnings from the Vietcong that those people who exercise their voting rights risk bodily harm and terror. Freedom to participate in the voting without prohibition is the right of all, and here I underline the word "all," all the people of South Vietnam. And this includes people of every political persuasion.

The importance of the fall elections for the future of Vietnam and the peace of the world is most significant.

I have, as you know Mr. Speaker, made four trips to Vietnam to study the situation there and meet the people of that embattled country. I can report from firsthand experience that a free and democratic order is earnestly desired by the people of South Vietnam. Political stability is vital to the success of the always present goal of building a strong and prosperous democracy in South Vietnam.

I had hoped that the United Nations or the International Control Commission or both would assume the responsibility of impartially supervising the elections in South Vietnam. However, since neither of these organizations has designed to perform this important function I believe strongly that it is incumbent upon the Congress of the United States to assume the role of observer during the elections, to insure the people their goal of self-determination.

The responsibility of such observers would be to protect the impartiality of the voting. Unless complete freedom is assured, the elections, which have the potential of greatly improving the government of South Vietnam, will be a sham. It is in the best interests of the United States and all freedom-loving people that the honest will of the people be served.

Therefore, I am today introducing a resolution providing that six Members of the House of Representatives, appointed by you, Mr. Speaker, and three Members of the Senate, appointed by the President of the Senate, go to Vietnam to observe the elections this fall. Upon their return the Members will report to their respective Houses and to the world on the conduct of the elections.

It is not my intention that these Representatives of the Congress act as poll watchers. Surely nine Members of Congress cannot by themselves police all the polls. Their presence, rather, will serve as a deterrent to challenges to the freedom of the electorate. Their presence will reaffirm, also, our responsibility to aid the people of South Vietnam in the protection of their right to self-determination.

For all of the above reasons, Mr. Speaker, I believe we have a responsibility to send Members of Congress to observe the elections in South Vietnam.

Because of the importance of these elections to the people of South Vietnam and because of the interest of the United States in the future of democracy in South Vietnam I urge rapid and favorable consideration of this resolution.

Thank you.

PRIDE IN OKLAHOMA ESSAY CONTEST

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, recently, the Oklahoma State Chamber of Commerce initiated an annual Pride in Oklahoma Essay Contest. I am happy to announce that the first winner of this contest is a fine young man from Ada, Herschell Roberts. Herschell received $1,000 from the chamber of commerce for his prize-winning essay, entitled "Oklahoma Is the Place To Live"; I have just had the pleasure of reading it, and think it is worth every bit of that.

I would like to have the full text of this fine piece printed in the Record, so that all Members will have the opportunity to discover what we Oklahomans have known for a long time: Oklahoma is the place to live.

The essay follows:

Oklahoma Is the Place To Live

(Note.—The first annual Pride in Oklahoma Essay Contest was held in 1966. First place winner was Herschell Roberts, Ada, who received $1,000 from the State Chamber of Commerce, contest sponsor. The Hugo Daily News takes pride in running the essay verbatim which is titled "Oklahoma Is the Place To Live.")

Why am I convinced that Oklahoma is the place to live and that I am extremely fortunate to be an Oklahoman? To quote E. B. Browning, "let me count the ways."

First, of course, it's the one locale I'm most familiar with, and familiarity has bred love rather than adage-wise contempt. In the almost-18 years I've been an Oklahoma citizen, however, I've had a passing-through acquaintance with many other areas, and I've become convinced that our state is indeed "Another Eden" and our people a "happy breed of men."

OPPORTUNITY PLENTIFUL

Oklahoma is progressive and affords opportunity for everyone. With ambition and a will to work, anyone can gain success in this state. Nor is success limited only to the college graduate—it's for all takers who are strong enough to reach out and get it. It doesn't take a miracle, just ability and desire.

Perhaps because Oklahoma is a young and vigorous state, competition is keen. Gray matter is more important than blue blood. People are not so likely to ask who your ancestors were as they are to raise the question of what ability YOU have.

The competitiveness shows itself in many areas—in athletics, for example. Some of the finest athletes in the world have been Oklahomans. Jim Thorpe, labeled the greatest athlete that ever lived, was an Oklahoma Indian. To baseball, the state has contributed such greats as Mickey Mantle, Warren Spahn, Dizzy and Paul Dean. Too, Harry "The Cat" Brecheen, and Jerry Walker are from my hometown. Jerry, as well as two other promising young players of two years ago was signed by the major leagues immediately upon graduation from the rural high school I attend.

SUPERIOR WOMEN

I cheerfully admit being prejudiced when I say Oklahoma has the prettiest girls to be found anywhere, but again competitive results support my view. The current Miss America, Jayne Jayroe, has done much to change the "Okie" image throughout the nation as did Malinda Berry, former "America's Maid of Cotton" and Miss Sandra Sue Stout, a former "National Dairy Princess."

Nor are wholesome good looks and charming personalities the only qualities displayed by Oklahoma's outstanding women. Our list of "stars" includes such notables as Jerri Cobb, Aviation Woman of 1959; ballerinas of international fame, Maria Tallchief and Yvonne Choteau; and the "hostess with the mostest," Perle Mesta. Also, we have had two "National Teacher of the Year" awards within my memory. Miss Edna Donley and Mrs. Lawanna Trout were recipients of that honor.

If I were giving priorty to any one of Oklahoma's resources I'd list its educational system and its fine teachers as number one. The state ranks first in the nation in teacher preparation and it is near the top in making a college education available to every young person who wants it.

This year Oklahoma will celebrate its sixtieth birthday. It is our proud claim that within that time it has progressed from "Arrows to Atoms," from "Tepees to Towers."

EXCELLENT TOURIST ATTRACTIONS

We count our blessings in many areas. We point to our central location in the nation that makes us the convering point for national highways in the Interstate system which brings most coast-to-coast travelers through our state. We unblushingly admit Oklahoma's native beauty which often persuades those travelers to linger as they pass through.

As a matter of fact, Oklahoma is a bit like a teen-aged girl who, having been a bit of a tomboy all her life, has caught a glimpse of herself in a mirror and suddenly realizes she has the potential to be the belle of the ball.

If it is the tourist trade she is courting—and she has come to realize what a rich suitor he is—*she is well endowed by nature to catch* his eye. Oklahoma has rugged mountains, crystal-clear streams, broad plains, millions of acres of forests, more lake area than Minnesota and a longer shore line than the Atlantic coast. Fair and sunny of disposition with 339 days of favorable flying weather every year, she still maintains a bit of caprice in her changeability of weather and offers a variety and a vitality that accompanies definite seasonal change.

Though agrarian since her origin, perhaps because of a long growing season and fertile soil, and ranking high in the nation as a producer of food, Oklahoma has come to realize that she must do more than dangle her handkerchief before industry if she is to progress as she desires.

FAVORABLE FOR INDUSTRY

Since she began that organized courtship, Oklahoma has enjoyed industrial development at an accelerated rate. And why not? She has plenty of wide open space for location of industrial endeavors, a favorable location to important markets, an abundance of mineral resources, a water supply that seemingly is unlimited, an advantageous tax structure and a labor pool whose surface is unruffled by racial or political strife.

"Pioneering in Progress", a publication of Oklahoma Industrial and Park Development, points out that "a major factor in development of Oklahoma as an industrial state is the abundant supply of intelligent, adaptable labor, which surveys have shown to be significantly more productive than the national average."

Perhaps that last statement is more important than it sounds, for in the final analysis, Oklahoma IS people—all kinds of people—farmers, industrial workers, ranchers, educators, students.

We Oklahomans try—though we are not obsessed by it—to keep abreast of trends and styles in clothes, houses, and ways of thinking. We drive the best cars we can afford. We enjoy outings, sports and our work just like most other people in the U.S. In most respects, Oklahomans are just like everyone else.

However, I think there are a few characteristics that set us Oklahomans apart. We're unusually friendly and we expect friendliness in return. We're talkative—not so much so as Texans perhaps, but compared to New Englanders we're downright garrulous—and we're proud.

A PROUD STATE

When I say proud, I don't mean the stiff-necked haughtiness that many associate with the word. Instead, I think it's a kind of fearlessness that is perhaps a part of our "Bible Belt" heritage—a "I can do all things" attitude that implies a sacred covenant between Man and Creator. I refer to the feeling that swells up in our throats when we hear the "Star Spangled Banner" or when we see the statue of the Pioneer Woman or the Will Rogers Memorial or anything that reminds us of the people who helped make Oklahoma what it is.

The pride we feel has a continuity about it. It reaches back to embrace yesterday; it envelopes the present, and it stretches eager hands toward tomorrow.

Yes, in many ways and in every way, I'm truly proud to be an Oklahoman.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KEE (at the request of Mr. ALBERT), for today, June 22, on account of official business.

Mr. ASHBROOK (at the request of Mr. GERALD R. FORD), beginning June 22 through June 29, on account of official business.

Mr. ROONEY of New York (at the request of Mr. CELLER), from June 22 through June 29, an account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks, and to include extraneous matter:)

Mr. WOLFF, for 5 minutes, today.

Mr. ADDABBO, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. ABBITT.

(The following Members (at the request of Mr. BIESTER) and to include extraneous matter:)

Mr. RAILSBACK in two instances.

Mr. EDWARDS of Alabama.

Mr. LATTA.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. REES.

Mr. ZABLOCKI.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4717. An act to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill and a Joint Resolution of the House of the following titles:

H.R. 5424. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; and

H.J. Res. 601. Joint resolution extending for 4 months the emergency provisions of the urban mass transportation program.

ADJOURMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until Monday, June 26, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

855. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

856. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to enter into leases for the rental of, or to use or permit the use of, public space in, on, over, and under the streets and alleys under their jurisdictions, other than freeways, and for other purposes; to the Committee on the District of Columbia.

857. A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for a flat fee for services performed in connection with the arrival in, or departure from, the United States of a private aircraft or private vessel, and for other purposes; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 8582. A bill to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia court of appeals from two to five, and for other purposes (Rept. No. 378). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 5799. A bill to amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such act may be deposited in savings and loan associations and related institutions, and for other purposes; with amendment (Rept. No. 379). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. S. 763. An act to amend the act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer (Rept. No. 380). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. S. 1226. An act to transfer from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions the authority to waive certain provisions relating to the issuance of a marriage license in the District of Columbia (Rept. No. 381). Referred to the House Calendar.

Mr. PATMAN: Committee on Banking and Currency. H.R. 10595. A bill to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities; with amendment (Rept. No. 382). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 663. Resolution providing for the consideration of H.R. 10918, a bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 383). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 664. Resolution providing for the consideration of H.R. 10943, a bill to amend and extend title V of the Higher Education Act of 1965 (Rept. No. 384). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of Alabama:

H.R. 11086. A bill to amend the Public Health Service Act in order to authorize quality grants for schools of veterinary medicine and scholarships for students of veterinary medicine; to the Committee on Interstate and Foreign Commerce.

By Mr. BARING:

H.R. 11087. A bill to amend section 3 of the act of July 23, 1955 (ch. 375, 69 Stat. 368); to the Committee on Interior and Insular Affairs.

By Mr. CORMAN:

H.R. 11088. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. DANIELS (for himself, Mr. HENDERSON, Mr. OLSEN, Mr. UDALL, Mr. NIX, Mr. POOL, Mr. GREEN of Pennsylvania, Mr. HANLEY, Mr. CHARLES H. WILSON, Mr. WHITE, Mr. WILLIAM D. FORD, Mr. HAMILTON, Mr. BRASCO, Mr. CORBETT, Mr. CUNNINGHAM, Mr. DERWINSKI, Mr. JOHNSON of Pennsylvania, Mr. BUTTON, Mr. RUPPE, and Mr. THOMPSON of Georgia):

H.R. 11089. A bill to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the employees' life insurance fund; to the Committee on Post Office and Civil Service.

By Mr. DEVINE:

H.R. 11090. A bill to amend title 28, United States Code, to establish certain qualifications for persons appointed as judges or justices of the United States; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 11091. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 11092. A bill to amend title 38, United States Code, to provide certain employees in the Department of Medicine and Surgery of the Veterans' Administration with the right of appeal to the U.S. Civil Service Commission from certain disciplinary actions, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 11093. A bill to amend title XVIII of the Social Security Act to provide payment for hearing aids under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. KEITH:

H.R. 11094. A bill to amend the Elementary and Secondary Education Act of 1965 in order to assist bilingual education programs; to the Committee on Education and Labor.

By Mr. LAIRD:

H.R. 11095. A bill to assure the purity and quality of all imported dairy products for the purpose of promoting the dairy industry and protecting the public health; to the Committee on Agriculture.

By Mr. MULTER:

H.R. 11096. A bill to amend the Federal Food, Drug, and Cosmetic Act so as to require that in the labeling and advertising of certain drugs sold by prescription the "established name" of such drugs must appear each time the proprietary name is used, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 11097. A bill to provide for the establishment of the Negro History Museum Commission; to the Committee on Education and Labor.

By Mr. ROONEY of Pennsylvania:

H.R. 11098. A bill to amend title II of the Interstate Commerce Act with respect to the issuance of brokerage licenses to certain persons authorizing them to arrange for the transportation by motor vehicle of groups of passengers and their baggage; to the Committee on Interstate and Foreign Commerce.

By Mr. ROYBAL:

H.R. 11099. A bill to amend the Internal Revenue Code of 1954 with respect to the moving expenses of agricultural workers; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 11100. A bill to establish fishing zones of the United States beyond its territorial seas, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SATTERFIELD (for himself and Mr. Fountain):

H.R. 11101. A bill to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHWENGEL:

H.R. 11102. A bill to amend title XVIII of the Social Security Act to eliminate the requirement that extended care services follow hospitalization in order to qualify for payment thereunder; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 11103. A bill to amend section 3 of the act of July 23, 1955 (ch. 375, 69 Stat. 368); to the Committee on Interior and Insular Affairs.

H.R. 11104. A bill to amend the Internal Revenue Code of 1954 to provide that construction workers and seasonal or migrant agricultural workers shall be allowed the deduction for moving expenses without regard to the length of time they are employed at their new principal place of work; to the Committee on Ways and Means.

By Mr. BOLAND:

H.R. 11105. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BUSH:

H.R. 11106. A bill to provide that American foreign aid shall be suspended with respect to any country which has severed diplomatic relations with the United States on or after January 1, 1967, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DINGELL:

H.R. 11107. A bill to amend the Public Health Service Act to provide for the protection of the public health from radiation emissions from electronic products; to the Committee on Interstate and Foreign Commerce.

By Mr. EILBERG:

H.R. 11108. A bill to amend the Davis-Bacon Act to extend its protection to workers employed in the demolition, dismantling, removal, and/or salvaging of public buildings; to the Committee on Education and Labor.

H.R. 11109. A bill to promote health and safety in the buildings trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Education and Labor.

By Mr. FINO:

H.R. 11110. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 11111. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. DIGGS:

H.R. 11112. A bill to provide for the establishment of the Negro History Museum Commission; to the Committee on Education and Labor.

By Mr. EVINS of Tennessee:

H.R. 11113. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 11114. A bill to amend the Highway Beautification Act of 1965 to remove the mandatory compensation feature; to the Committee on Public Works.

H.R. 11115. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

By Mr. GARDNER:

H.R. 11116. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GIBBONS:

H.R. 11117. A bill to amend the Manpower Development and Training Act of 1962, as amended, to provide grants to State and local governments for the development of comprehensive manpower development and utilization plans; to the Committee on Education and Labor.

By Mrs. MAY:

H.R. 11118. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. MOSHER:

H.R. 11119. A bill to provide grants for assistance in the research and development of methods to abate pollution of the waters of Lake Erie and Lake Ontario; to the Committee on Public Works.

H.R. 11120. A bill to provide for the disclosure of gifts and financial interests by Members of Congress; to the Committee on Rules.

H.R. 11121. A bill to amend title II of the Social Security Act to increase to $3,600 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

H.R. 11122. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

H.R. 11123. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 11124. A bill to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore; to the Committee on Interior and Insular Affairs.

By Mr. FOLEY:

H.R. 11125. A bill to reclassify certain key positions and increase salaries in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LANDRUM:

H.R. 11126. A bill to amend the Internal Revenue Code of 1954 to provide that the stamp tax on conveyances shall not apply to property sold as the result of the exercise of the power of eminent domain; to the Committee on Ways and Means.

By Mr. ADAIR:

H.J. Res. 655. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CELLER (for himself, Mr. Addabbo, Mr. Bingham, Mr. Button, Mr. Carey, Mr. Conable, Mr. Delaney, Mr. Dow, Mr. Dulski, Mr. Farbstein, Mr. Gilbert, Mr. Grover, Mr. Halpern, Mr. Hanley, Mr. King of New York, Mr. Kupferman, Mr. McCarthy, Mr. Multer, Mr. Pirnie, Mr. Reid of New York, Mr. Rosenthal, Mr. Scheuer, Mr. Stratton, Mr. Wolff, and Mr. Wydler):

H.J. Res. 656. Resolution to consent to and enter into the Mid-Atlantic States air pollution control compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency; to the Committee on the Judiciary.

By Mr. HALPERN:

H.J. Res. 657. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. HELSTOSKI:

H.J. Res. 658. Joint resolution to consent to and enter into the Mid-Atlantic States air pollution compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency; to the Committee on the Judiciary.

By Mr. HORTON:

H.J. Res. 659. Joint resolution to consent to and enter into the Mid-Atlantic States air pollution control compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-

State agency; to the Committee on the Judiciary.

By Mr. HOWARD:

H.J. Res. 660. Joint resolution to consent to and enter into the Mid-Atlantic States air pollution compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.J. Res. 661. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. RODINO (for himself, Mr. Widnall, Mr. Frelinghuysen, Mr. Thompson of New Jersey, Mrs. Dwyer, Mr. Cahill, Mr. Daniels, Mr. Gallagher, Mr. Joelson, Mr. Minish, Mr. Patten, Mr. Helstoski, Mr. Howard, Mr. Hunt, and Mr. Sandman):

H.J. Res. 662. Resolution to consent to and enter into the Mid-Atlantic States air pollution control compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.J. Res. 663. Joint resolution to provide for the designation of the second week of May of each year as National School Safety Patrol Week; to the Committee on the Judiciary.

By Mr. WILLIAMS of Pennsylvania:

H.J. Res. 664. Joint resolution to authorize the President to proclaim the Volunteer Ambulance Corps and Fire Company Week; to the Committee on the Judiciary.

By Mr. ZWACH:

H.J. Res. 665. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

H.J. Res. 666. Joint resolution proposing an amendment to the Constitution of the United States to preserve to the people of each State power to determine the composition of its legislature and the apportionment of the membership thereof in accordance with law and the provisions of the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CLARK:

H.J. Res. 667. Joint resolution to authorize the President to proclaim the month of August of each year as National Gladiolus Month; to the Committee on the Judiciary.

By Mr. LANGEN (for himself, Mr. Arends, Mr. Laird, Mrs. May, Mr. Pirnie, Mr. Dole, Mr. Hammerschmidt, Mr. Kleppe, Mr. Railsback, Mr. Price of Texas, Mr. Scherle, Mr. Steiger of Arizona, Mr. Steiger of Wisconsin, Mr. Hutchinson, Mr. Schwengel, Mr. Denney, Mr. Mayne, Mr. Button, Mr. McDade, Mr. McClory, Mr. Burton of Utah, Mr. MacGregor, Mr. Schadeberg, Mr. Brown of Ohio, and Mr. Mosher):

H.J. Res. 668. Resolution to establish a U.S. World Food Study and Coordinating Commission to study world food and agricultural needs, to coordinate present U.S. efforts toward meeting these needs, and to evaluate the future role of U.S. agricultural and other resources in the light of present and projected world food and population trends; to the Committee on Agriculture.

By Mr. BATTIN:

H.J. Res. 669. Joint resolution to establish a U.S. World Food Study and Coordinating Commission to study world food and agricultural needs, to coordinate present U.S. efforts toward meeting these needs, and to evaluate the future role of U.S. agricultural and other resources in the light of present and projected world food and population trends; to the Committee on Agriculture.

By Mr. HARRISON:

H.J. Res. 670. Joint resolution to establish a U.S. World Food Study and Coordinating Commission to study world food and agricultural needs, to coordinate present U.S. efforts toward meeting these needs, and to evaluate the future role of U.S. agricultural and other resources in the light of present and projected world food and population trends; to the Committee on Agriculture.

By Mr. WINN:

H.J. Res. 671. Joint resolution to establish a U.S. World Food Study and Coordinating Commission to study world food and agricultural needs, to coordinate present U.S. efforts toward meeting these needs, and to evaluate the future role of U.S. agricultural and other resources in the light of present and projected world food and population trends; to the Committee on Agriculture.

By Mr. HALPERN:

H.J. Res. 672. Joint resolution to establish a U.S. World Food Study and Coordinating Commission to study world food and agricultural needs, to coordinate present U.S. efforts toward meeting these needs, and to evaluate the future role of U.S. agricultural and other resources in the light of present and projected world food and population trends; to the Committee on Agriculture.

By Mr. MATHIAS of California:

H.J. Res. 673. Joint resolution to establish a U.S. World Food Study and Coordinating Commission to study world food and agricultural needs, to coordinate present U.S. efforts toward meeting these needs, and to evaluate the future role of U.S. agricultural and other resources in the light of present and projected world food and population trends; to the Committee on Agriculture.

By Mr. BROWN of Ohio:

H. Con. Res. 379. Concurrent resolution to advise the President of the sense of Congress with regard to obtaining a just and lasting peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. HALPERN:

H. Con. Res. 380. Concurrent resolution expressing the sense of Congress in regard to the position the United States should maintain in support of circumstances that should prevail before withdrawal of Israeli military forces from territories they now occupy as a result of the Middle East conflict; to the Committee on Foreign Affairs.

By Mr. HARRISON:

H. Con. Res. 381. Concurrent resolution expressing the sense of Congress with respect to the establishment of peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. WOLFF:

H. Con. Res. 382. Concurrent resolution providing for the designation of nine Members of Congress to serve as observers for the Congress of the elections to be held in South Vietnam in September 1967; to the Committee on Rules.

By Mr. EVINS of Tennessee:

H. Con. Res. 383. Concurrent resolution expressing the sense of Congress with respect to the establishment of peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. BLACKBURN:

H. Res. 665. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

By Mr. DERWINSKI:

H. Res. 666. Resolution providing for a thorough review of U.S. policy toward the Soviet Union; to the Committee on Rules.

By Mr. HELSTOSKI:

H. Res. 667. Resolution expressing the sense of Congress with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. CARTER:

H. Res. 668. Resolution expressing the sense of Congress with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BELL:

H.R. 11127. A bill for the relief of Rogelio V. Lapuz; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 11128. A bill for the relief of Angelo Giambalvo; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 11129. A bill for the relief of Karl Brenke; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11130. A bill for the relief of Mrs. Mary E. O'Rourke; to the Committee on the Judiciary.

By Mr. McMILLAN:

H.R. 11131. A bill to incorporate the Paralyzed Veterans of America; to the Committee on the District of Columbia.

By Mr. O'NEILL of Massachusetts:

H.R. 11132. A bill for the relief of Guiseppe Gangemi; to the Committee on the Judiciary.

SENATE

THURSDAY, JUNE 22, 1967

(Legislative day of Monday, June 12, 1967)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, in the heat and burden of days that drain our strength and demand our best, we would find the springs by the wayside—that living water which alone can refresh and restore our bodies and spirits.

Send us forth with serenity and calm to meet an agitated world with a quietness which is the inner strength of the soul. Keep us at tasks too hard for us, that we may be driven to Thee for strength.

Rising above all that is ignoble, teach us to work together in glad harmony for the honor, safety, and welfare of our Nation and of all peoples of this awakening earth who unite in mutual good will, determined to open the gates of life more abundant for all mankind.

We ask it in the name of that One who is able to keep us from falling and to lead us on from strength to strength. In His name, Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORT OF OFFICE OF ECONOMIC OPPORTUNITY—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 136)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I am pleased to transmit the Second Annual Report of the Office of Economic Opportunity.

Poverty defies simple description. It is a cycle which begins with an infancy of deprivation, continues in a youth of hopelessness, extends to a jobless adulthood, and finally ends—for those who survive—in a bleak and despairing old age. At every stage, the conditions of life are poor housing, inadequate education and training, deficient health care, and often, gnawing hunger.

When we began our concentrated effort to eradicate poverty in America less than 3 years ago, we knew that no single program could accomplish so complicated a task. We knew that the campaign would have to be waged on many levels and in many ways.

We knew that a coordinated attack led by a single Office of Economic Opportunity would be necessary.

We knew that—if the cycle was to be broken—the keys would have to be opportunity and self-help.

We knew that the Federal Government could not undertake alone the programs which would offer opportunity and encourage self-help. Initiative would have to come from, and responsibility be shared by, the communities in which poverty festered.

The programs of the Office of Economic Opportunity are built upon these principles.

This report provides heartening evidence of the substantial progress this Nation is making on the entrenched patterns of poverty.

In fiscal 1966:

Seven hundred and thirty-three thousand young children from poor families were given a chance to make a decent beginning in life through the Headstart program.

Five hundred and twenty-eight thousand jobs were made available by the Neighborhood Youth Corps, enabling disadvantaged youths to stay in school or prepare for meaningful employment.

Fifty-seven thousand four hundred and thirty young people, once lost and forgotten in our society, found new confidence and new skills with the Job Corps.

More than 20,000 high school students from poor homes received the educational help they needed to go on to college through Upward Bound.

More than 335,000 adults began to overcome illiteracy with basic educational instruction.

Three thousand five hundred and ninety-two VISTA volunteers helped communities across the land undertake needed self-help projects.

More than 1,000 lawyers provided legal services in 43 States, showing that the law can serve the poor as well as it serves the rest of society.

The list of statistics goes on. All point to the same basic fact. These programs are sturdy ladders in the deep well of poverty where millions of Americans have been trapped. And—despite the crippling effects of a lifetime of deprivation—many have been able to begin the long climb up. But the real story lies behind the statistics, in the individuals who have escaped from hopelessness and despair and are contributing to our society far more than they have received.

All Americans can take pride in the solid advances that have been made. As disease can be conquered, as space can be mastered, so too can poverty yield to our determined efforts to bring it to an end.

But our pride cannot obscure the job that remains to be done.

During the past 2½ years, these programs have reached some 8 million of America's poor. But some 24 million of our impoverished fellow citizens have not yet been reached.

The challenge that remains with us is to insure that all Americans share in the prosperity of our land.

A light has been turned on. We must keep it aglow.

Lyndon B. Johnson.

The White House, *June 22, 1967.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. J. Arthur Younger, late a Representative from the State of California, and transmitted the resolutions of the House thereon.

The message announced that the House had agreed to the amendments of the Senate to the bill (H.R. 4717) to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn.

The message also announced that the House had passed a bill (H.R. 10867) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 1432) to amend the Universal Military Training and Service Act, and for other purposes, and it was signed by the Vice President.

HOUSE BILL REFERRED

The bill (H.R. 10867) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes, was read twice by its title and referred to the Committee on Finance.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, June 21, 1967, was approved.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

[No. 156 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Hawaii [Mr. Inouye] and the Senator from North Carolina [Mr. Jordan] are absent because of illness.

I also announce that the Senator from Georgia [Mr. Russell] is necessarily absent.

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. Cotton] is absent on official business.

The VICE PRESIDENT. A quorum is present.

THE DODD CENSURE RESOLUTION

The Senate resumed the consideration of the resolution (S. Res. 112) relative to censure of Senator Thomas J. Dodd.

STATEMENT REGARDING ABSENT SENATORS

Mr. MANSFIELD. Mr. President, the seriousness with which the current proceedings are viewed by the Senate has been reflected by consistently high attendance in the Chamber. The Members do credit to their responsibilities as U.S. Senators by being present.

However, I would not want the absence of any Senator, particularly during the voting, to be misconstrued. Some of our colleagues have been absent due to forces beyond their control. I am thinking mainly of the distinguished Senator from North Carolina [Mr. Jordan] and the distinguished Senator from Hawaii [Mr. Inouye]. Both underwent major surgery recently and have been enjoined by their doctors from returning to Senate duty at this time. The Senate not only understands the reason for their absence, but wishes them a speedy recovery.

Also, it should be noted for the record that while the distinguished Senator from Rhode Island [Mr. Pastore] was absent from yesterday's vote, he was present for every minute of debate until called away by the tragic death of his mother.

The other Senators who were not here

had been given official leave of absence from the Senate and were unable to be here at the time of the vote on yesterday because of circumstances beyond their control.

ORDER OF BUSINESS

Mr. President, I wish to address a question to the distinguished Senator from Connecticut. Does the Senator know of any further amendments, modifications, or any other matters which may be brought before the Senate this afternoon?

Mr. DODD. I have heard there are some. I have none. In the sense that I know of some or that I have some, I have none.

Mr. MANSFIELD. Mr. President, I ask the Senate if there are any Members who wish to offer any amendments or modifications? [There was no response.]

Then, Mr. President, I take it there will be no amendments, modifications, or whatnots offered to the pending resolution.

Mr. STENNIS. Or motions.

Mr. MANSFIELD. Or motions.

Mr. President, in view of the fact that it appears that there will be no motions, amendments, modifications, or whatnots to the pending resolution, it is anticipated that a reasonable amount of time should be allowed for summing up the positions taken respectively by the distinguished chairman of the committee, the Senator from Mississippi [Mr. STENNIS] and the distinguished senior Senator from Connecticut [Mr. DODD].

Therefore, Mr. President——

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. STENNIS. On this summing up, it will be brief; but, as to item (b), the Senator from Utah [Mr. BENNETT] will have a few words to say on that, and I will follow him.

UNANIMOUS-CONSENT REQUEST

Mr. MANSFIELD. Mr. President, on behalf of the joint leadership, and in response to a request made by the distinguished Senator from Connecticut a few days ago, I ask unanimous consent that when the vote is taken on the pending resolution, the vote be taken on paragraph (b) first, to be immediately followed by a vote on paragraph (a).

Mr. LONG of Louisiana. Mr. President, reserving the right to object, I have not had the opportunity to discuss this with the leadership. I do not wish to agree to anything that would preclude a Senator from offering any amendments that might occur to him between now and the time we vote finally on this matter. I do not have any. I do not intend to offer any, although I do not even want to foreclose that possibility. The thought occurs to me that as debate goes along, and we discuss the various aspects of this matter, a Senator, whether it be me, or someone else, might want to offer an amendment. If a Senator wanted to do so, I think it would be prejudicial to the Senator from Connecticut if that right were to be foreclosed.

May I say to the majority leader that I will not object to limiting time of debate, and agreeing to vote at a certain hour or no later than a certain hour; but I do not wish to foreclose the right of any Senator who might have in mind some words which might be more considerate or more kindly to the Senator from Connecticut from offering that language. I hope the Senator understands what my position is, and what I am trying to do. If the Senator is trying to work out any kind of unanimous-consent arrangement that will fit that particular parliamentary problem, I will be glad to agree.

Mr. MANSFIELD. Mr. President, I understand the position of the distinguished Senator from Louisiana, and I can appreciate it. I would, however, in the best interests of the distinguished Senator from Connecticut primarily, the committee secondarily, and the Senate as a whole, like to make at this time a unanimous-consent request, again; namely, first, that paragraph (b) be voted on before paragraph (a), the votes to follow immediately, one after the other, with no intervening period in between.

Mr. LONG of Louisiana. Now, Mr. President, reserving the right to object, I wish the Senator completely to understand that if a Senator wants to offer an amendment to paragraph (a), and if the amendment could be decided without debate, after paragraph (b) had been voted on, I will not object. I simply consider that he should have the right to explain what he had in mind and then, having so explained it, we would know what his argument and his position were when it came to voting. So if it is with the understanding that amendments could be voted on, I would agree to it. I am trying to cooperate with my distinguished leader, but I do not wish to completely prejudice the Senator from Connecticut in the event someone during debate might want to offer an amendment of some nature.

Mr. MANSFIELD. I understand that part on amendments. What the joint leadership is endeavoring to do is to comply with the request made by the Senator from Connecticut.

Mr. DODD. Mr. President, I made that request for reasons I tried to explain at the time. I thought we all had debated paragraph (b).

I do not really care whether it is paragraph (a) first, or paragraph (b) second. I have no feeling about it at all.

Mr. MANSFIELD. Mr. President, taking the Senator from Connecticut at his word, I would assume, then, that the Senate will vote in the regular order—that is, on paragraph (a) and paragraph (b) separately. So long as they are divided, I would hope that the votes would follow one right after the other.

I would like to make the unanimous-consent request, which I would hope no one would object to, as a service to Senators and the Senate, that the final vote on paragraphs (a) and (b) occur at 3 o'clock this afternoon.

The VICE PRESIDENT. Is there objection?

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, reserving the right to object, and I shall object unless the Senator from Connecticut assures this body that he would have no objection to that, I expressed my views the other day that we should not limit time for debate. I think that the Senator from Connecticut should be kept in the position where, to the last minute, if something develops in debate that, in his judgment, calls for more time, he should be guaranteed that time.

Let me say most respectfully to my majority leader that I really do not believe, in view of the developments of the time schedule in connection with this matter, that a unanimous-consent agreement to limit time is at all necessary. I think it would be much better to let this matter proceed under the regular order.

I do not think there is any doubt about the fact that we will probably vote some time today. I do not think it makes any difference whether it is 3 o'clock, 4 o'clock, 5 o'clock, or 7 o'clock. I think it is much better to keep this an open-ended debate, because it is of vital importance not only to the Senator from Connecticut but also of vital importance to the Senate as well as of vital importance to the country.

I should think that this would be one time we would let the regular procedures of the Senate run their course. I do not think that any inconvenience anyone might suffer because he cannot get a unanimous-consent agreement justifies our following any other course of action.

I hesitate to take this position because I, too, try to be an accommodating person. I think I have demonstrated that. There is an issue here, however, which is pretty important in a debate of this nature. I think we should go right up to the wire without any limitations put on anyone in the Senate. Painful as it is to me, I feel that it is sufficiently important, Mr. President, that I must object.

Mr. MANSFIELD. Mr. President, if the Senator will withhold that objection a moment, if I understood the Senator correctly, he said that if the distinguished Senator from Connecticut was agreeable to it, he would be agreeable to it and forgo his feelings on this matter. Is that correct?

Mr. MORSE. I said that. Although I am not so sure that we should put the Senator from Connecticut into the position of waiving his rights, even though he is willing to waive his rights. I do not think the Senator from Connecticut knows what might happen between now and 3 o'clock. Who does? We have not the slightest idea, any of us, as to what is going to be said between now and 3 o'clock. This whole debate might completely change its direction between now and 3 o'clock.

Mr. MANSFIELD. If the Senator from Oregon would yield further, I would not ask the Senator the question which the Senator from Oregon propounded. The Senator from Connecticut can speak for himself, if he desires to do so.

Mr. MORSE. Mr. President, before he speaks—I want to make this comment before suggesting the absence of a quorum—I find myself in the position where, as a lawyer as well as a Senator, my insides tell me I should not agree; that the final record would support my not agreeing, because there cannot be the slightest doubt as to whether the Senate ought to keep an open-ended debate to the final vote on this important issue not only to the Senator from Connecticut but to the best interest of the country.

If I can have a quorum call with the unanimous-consent request still pending, I will ask for the quorum call; if not, I will object to the request now.

Mr. DODD. Mr. President, will the Senator yield?

Mr. MORSE. I cannot yield. The Senator from Montana has the floor.

The PRESIDING OFFICER (Mr. Spong in the chair). The Senator from Montana has the floor. Does the Senator from Montana yield?

Mr. MANSFIELD. I yield to the Senator from Connecticut.

Mr. DODD. My response is that I would like to get to a vote as quickly as possible today. I recognize the validity of the remarks of the Senator from Oregon, but I think all Senators understand my interest in wanting this to come to an end as soon as it can be done.

Mr. MORSE. Does the Senator have any idea that it is not going to come to an end today, whether it be at 3 o'clock or 4 o'clock or 5 o'clock?

Mr. DODD. The only doubt is that it may drag on or someone might drag it on and we would not have a vote.

Mr. MORSE. If any Senator is convinced that there is a dragging-out proceeding going on or being carried out by anyone, then we can consider the unanimous-consent request; but that is not the present situation. The whole debate has been on the issues. There have been no dilatory tactics. I am not the Senator's counsel, but I am a Senator from Oregon and have my duty to act on what I believe the orderly procedure should be.

Mr. MANSFIELD. Mr. President, the Senator from Montana has no interest in when the vote comes, whether it comes in 5 minutes or by midnight; but I think practically all the arguments which could be made have been made, and I think there is a strong obligation to take into consideration the interests of the Senator from Connecticut, who is the person most interested in the proceeding, and also to take into consideration the Senate as a whole.

Mr. DODD. May I say to the distinguished majority leader that I appreciate his attitude, and that of the distinguished minority leader and the distinguished Senator from Oregon. I think the Record should show that, as far as I am concerned, I wish we could vote as soon as possible.

REFERENCE OF MEMORIAL TO A COMMITTEE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that, notwithstanding paragraph 5 of rule VII of the Standing Rules of the Senate, a resolution from the Legislature of Nicaragua to the Senate be printed in the Record and referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. I ask the Chair to go ahead and act on it at this time.

The PRESIDING OFFICER. Will the Senator please repeat his request?

Mr. FULBRIGHT. It is a routine request that the Parliamentarian advises me is necessary.

I ask unanimous consent that, notwithstanding paragraph 5 of rule VII of the Standing Rules of the Senate, a resolution from the Legislature of Nicaragua to the Senate be printed in the Record and referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Is there objection? The Chair hears none and it is so ordered.

The resolution was ordered to be referred to the Committee on Foreign Relations, as follows:

MANAGUA, NICARAGUA,
June 14, 1967.

HONORABLE SECRETARIES OF THE HOUSE AND SENATE OF THE UNITED STATES OF AMERICA,
Washington, D.C.,
U.S.A.

"YEAR OF RUBEN DARIO"

[Translator's note: Poet; national hero]

MESSRS. SECRETARIES: For the purpose of pointing out to that high legislative body the concern of the House of Representatives of the Republic of Nicaragua regarding the bill presented to that honorable Senate chamber to impose limitations on the importation of meat to permit ourselves to transmit to you a resolution approved unanimously in the session of June 7, 1967 which literally says:

"House of Representatives of the Republic of Nicaragua, Resolved: To express to the honorable members of the Senate and House of Representatives of the United States of America the profound preoccupation of the Nicaraguan cattlemen and of the House of Representatives of the National Congress of the Republic of Nicaragua with the bills, which could become laws, presented in the Congress of the United States, tending to impose quotas or to limit the importation of meat to the country. The Congress estimates that limited imports based on a law of supply and demand does not contribute to the free development of countries such as Nicaragua who strive to follow the dictates of the Letter of Punta del Este and other documents which originated within the Organization of American States and restated, based upon the Alliance for Progress. Delivered in the House of Representatives the 7th of June 1967. (ff) Orlando Montenegro Medrano, President; Ramiro Granera Padilla, Secretary; Alejandro Romero Castillo, Secretary."

I wish to make this opportunity a sample of our esteemed appreciation.

RAMIRO GRANERA PADILLA,
Secretary.
ALEJANDRO ROMERO CASTILLO,
Secretary.

(Translated by: Robert Baca, Senate Library, June 21, 1967.)

Mr. MANSFIELD. Mr. President, I would hope that no further extraneous matters will be brought up, because it was the intention of the leadership, agreed to by the Senate, I believe, that we would confine ourselves to the pending resolution until we completed action on it for the day.

The PRESIDING OFFICER. The request of the Senator from Arkansas is agreed to.

THE DODD CENSURE RESOLUTION

The Senate resumed the consideration of the resolution (S. Res. 112) relative to censure of Senator THOMAS J. DODD.

The PRESIDING OFFICER. The question is on the adoption of lines 1 through 10, down through and including the word "campaign" on page 1, and lines 3 to 6, inclusive, on page 2.

That is the issue now before the Senate.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The first question is on the adoption of lines 1 through 10 down to and including the word "campaign" on page 1, and lines 3 to 6, inclusive, on page 2.

Mr. TOWER. Mr. President, I should like to offer an amendment to Senate Resolution 112, and I should like to suggest the absence of a quorum for about 2 minutes so that I can have it prepared in its proper form.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President——

Mr. STENNIS. Mr. President, a point of order. Will the Chair suspend until there is order? I respectfully say to the Chair that when a Senator makes the point of order that there is no order I think, with great respect, rather than have the Chair say, "The Senator is right," it is the duty of the Chair to get order and then proceed. We must be able to hear what is said.

Mr. TOWER. I thank the Senator from Mississippi. I think the Senate should listen to what this amendment contains.

Mr. President, I apologize that the amendment has not been printed. However, I think it can be simply explained. I would like the clerk to state the amendment.

The PRESIDING OFFICER. The amendments offered by the Senator from Texas will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 2, line 3, to delete the word "censure" and substitute the word "reprimand".

On page 2, line 3, delete the word "censured" and substitute the word "reprimanded".

On page 2, line 4, delete the word "morals" and substitute the words "standards of conduct".

On page 2, line 6, delete the words "dishonor and".

Mr. TOWER. Mr. President, this is a multiple amendment. I, therefore, ask unanimous consent that it can be considered en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. TOWER. Mr. President, this would still, in a matter of precise language, I think, express the disapproval of the Senate for the conduct of Senator DODD in these matters.

Considerable doubt lingers in the minds of many of us—though there is certainly no doubt as to the thoroughness of the work of the committee, certainly, nor that the committee discharged its mandate, and did so well—but since some Senators have, I think, some reservations about the idea of a preponderance of the evidence, or proof beyond a reasonable doubt, and because there is an absence of a specific guideline relative to the solicitation of funds, though many Senators want to show their disapproval, and to express their feeling that what Senator Dodd has done certainly departs from what we ordinarily consider, in our minds, to be proper standards of conduct, under the circumstances I propose that we make this change. It provides for a reprimand rather than censure. On line 4 of page 2, it would change the words "contrary to accepted morals" to "contrary to accepted standards of conduct"; and, in line 6, it would strike the word "dishonor" but would leave the very strong word "disrepute."

I think there is no question but that the Senate has been in great travail and is on public trial itself in this particular instance, and that some action should be taken. All we consider that this change would do is to mitigate, in small measure, the severity of the action that we take against Senator Dodd, inasmuch as there is no precedent for censure on the basis of means of raising funds for private political use, in the absence of an existing rule or code on the subject.

I do not intend to belabor the Senate any longer. I think that everyone has pretty well fixed, now, in his own mind what he thinks should be done about the matter. This proposal would give us the opportunity to express our displeasure, our disapproval, and our disassociation, but at the same time avoid the severity of censure, which, I am compelled to agree with Senator Dodd, is one of the most severe penalties that we could impose on him, even though this is not a criminal case, does not involve a criminal charge, and carries with it no criminal penalty.

With that, Mr. President, I am prepared to rest my case on the matter.

Mr. STENNIS. Mr. President, the proposed amendment raises a point that was thoroughly and exhaustively considered by our committee of six in its weighing of the evidence and its final determination of what its report and recommendation would be. The matter was given as careful consideration as our capacity on the subject permitted; and we found that uniformly, the legislative history of the United States had tended, for serious matters, always to use the word "censure" or the word "condemn."

We found that there was some precedent, in the House of Representatives, in connection with the use of the word "reprimand," after passing a resolution of censure, to require the Member to present himself at the bar of the House and be publicly reprimanded there by the Speaker.

That did not conform at all to our thought as to what would be appropriate in this case, but I mention it as a part of the history. That is the sort of procedure, historically, that we found the word "reprimand" to apply to.

We measured very carefully, first, the seriousness of these facts as we saw them. We considered them not just as a matter of stricture on Senator Dodd, but also as to what was necessary to bring the matter clearly through, and cleanse the Senate of any injury that it may have suffered.

We debated, at considerable length, the use of the word "censure" or the word "condemn." Speaking first for myself, I was convinced that the historic term and the proper term to suit these facts was the word "censure" rather than "condemn." I thought the word "censure" was not as hard a word, not as severe a word, as the word "condemn." You condemn a man for abuse, or you condemn a person because of a crime. Neither of those concepts seemed to us to fit this situation. So we used the word "censure," and we decided firmly, that this was the word that fit the case, and any term less severe would not fit it. In other words, this was the least punishment that we could honestly recommend to the Senate.

I might refer, in passing, to the last such case, previous to this one, considered by the Senate. The recommendation of the committee in that case contained the word "censure," and here on the floor that word was changed to "condemn," and thus voted by the Senate. I suppose those who were against the resolution, if I may express it that way, thought the word "condemn" was a better term, an easier term. I thought then and I think now that "censure" is the more proper and the more moderate term. But anyway, the resolution as finally adopted used the word "condemn."

To return to the meaning, we looked in the dictionaries and we looked elsewhere. We found that in the Uniform Code of Military Justice, the word "reprimand" has a particular meaning, and that in the military services a reprimand can be imposed by a single officer—just one man.

It is used there quite a bit. However, in the legislative history, particularly in this country, but also in other countries, when it gets to the real cases, the term censure is used.

We found, not only in the House of Representatives of the United States but also in other places, that sometimes when censure was imposed, a reprimand then followed as more of a physical act, a ceremony. Reprimand carries with it the idea of ceremony, and it is a ceremony.

The Senate in the past—and this is not controlling, of course, but it is a guide—has never used the ceremony of a reprimand following a vote on censure. And in the serious cases they have never used anything less than the word "censure."

I have here the terminology used in prior Senate cases, if the Senators are interested, going back to 1844.

In 1844 the charge was censure.

In 1850 the word used there by the committee was "censure." No Senate action was taken on that occasion.

In 1873, the word "censure" was recommended. It turned out that no action was taken either way.

In 1902, two Senators were "censured" at the same time.

In 1929 the word was "condemn."

As I have already said, in 1954 the word was changed from "censure" to "condemn."

The word has never been changed to "reprimand."

Furthermore, this is our very firm opinion. This final decision was made by six men and, whatever their leanings were, all six men were in favor of the lightest term that we thought would meet the issue. That is why we put the word "censure" in here.

I do not want to repeat the point I made yesterday, but I do think it is appropriate. Briefly, we have had the investigation. We have had the presentation here, and we have had the responses. We have had more than one speech by the Senator from Connecticut, and they were extraordinary.

I think the time has now passed. This must be yes or no on (a) and yes or no on (b). It must be so on his account. It must be so for the 99 other Senators. It must be so for the great institution of our Government. And I think it must be so for all the people who are interested one way or the other.

There must be a clear-cut policy decision one way or the other.

That is addressed to every Member of the Senate. It has nothing to do with the so-called degree of proof or burden of proceeding. Those are just terms now. The facts are all in. The case is known. And anything short of the word "censure" will not meet the situation.

Mr. BROOKE. Mr. President, if I understand the distinguished Senator from Texas [Mr. Tower], correctly, one of his reasons for offering this amendment is that he feels that several Senators are in doubt as to the sufficiency of the evidence against the Senator from Connecticut.

It appears to me that if there is serious doubt as to the sufficiency of the evidence, we would do the Senator from Connecticut a great injustice by merely lessening the reproach.

If there is not sufficient evidence, the Senators in good conscience and in justice must find Senator Dodd not guilty.

We do not sentence an accused murderer to a few years in jail because there is some evidence of his guilt but not enough to warrant a death sentence.

If some Senators do indeed harbor doubts about the sufficiency of the evidence, the proper action for such Senators to take, it occurs to me, would be to vote for acquittal on the particular charge or charges involved. To lessen the reproach from censure to reprimand under the circumstances would not do justice to Senator Dodd.

Mr. TOWER. Mr. President, I think my distinguished friend, the Senator from Massachusetts, would be absolutely correct if indeed this were a court of law. However, it is not.

We are, as a matter of fact, engaged in a proceeding here that is not litigation. And we cannot, although we might want to do so, apply the same safeguards that due process affords to the accused in a criminal proceeding.

We feel at the same time that we have a duty to express our displeasure and to disassociate ourselves from an act committed by a Senator that is considered not to be consonant with the ordinarily accepted standards expected to be followed by Members of the U.S. Senate.

Where there is doubt about intent, I think it is incumbent on us, since we are not operating pursuant to the elaborate provisions of due process that are provided for criminal cases, that we consider—and perhaps we should—mitigating the language that we use to express our displeasure and disapproval.

Mr. McCLELLAN. Mr. President, will the Senator yield for a question?

Mr. TOWER. I yield for a question.

Mr. McCLELLAN. Mr. President, if I understand the amendment offered by the Senator from Texas, it would apply to both counts of the resolution.

Mr. TOWER. The Senator is correct. It would apply to both counts. However, both counts would still be voted on separately.

Mr. McCLELLAN. I understand that. If this amendment were voted down as to both counts, could it be offered to either of the other counts separately?

Mr. TOWER. I think that would be a proper parliamentary inquiry. However, my inclination would be to answer in the affirmative.

Mr. McCLELLAN. I propound that as a parliamentary inquiry if the Senator will yield for that purpose.

Mr. TOWER. I yield for a parliamentary inquiry.

The PRESIDING OFFICER. If the amendment were agreed to, it would be applicable to both (a) and (b) unless modified before we voted on (b).

Mr. McCLELLAN. I understand that is correct. If it is approved, of course it would apply to both. However, assume that it is rejected on this vote, could it then again be offered as to either (a) or (b)?

The PRESIDING OFFICER. The Chair rules that it could be offered as an amendment when we come to (b).

Mr. McCLELLAN. I thank the Chair.

Mr. TOWER. Mr. President, I am not a lawyer, and I thank the Lord that I am not a lawyer.

Mr. BROOKE. Mr. President, will the Senator yield on that point?

Mr. TOWER. It is my understanding, addressing myself to the remark made by my distinguished colleague, the Senator from Massachusetts, in criminal cases, if there are mitigating circumstances, they are considered. Are they not?

Mr. BROOKE. I know that the Senator has the proper motives in suggesting that the penalty be changed from "censure" to "reprimand." Certainly if the Senator feels that we ought to mitigate the penalty, it would be proper to offer such an amendment.

My opposition to the amendment was based upon the statement of the Senator that he was offering it because of a lack of evidence or an insufficiency of evidence to warrant censure.

My point is that you cannot base the question of the penalty on an insufficiency of evidence. If there is insufficiency of evidence, then Senator Dodd is not guilty as charged. If you merely want to say that he may be guilty as charged but you wish to mitigate the penalty, that is another subject, and certainly there could be no valid argument against that. But I certainly do not believe that we should use insufficiency of evidence as a basis for mitigation of the penalty. That is my point.

I assure the Senator, as I said the other day, that I have no intention to use legal language in the Senate or to turn the Senate into a courtroom. But I do believe that we have very valid rules and regulations in the law—and I am very proud to be a lawyer, let me say to the Senator from Texas—and by using these rules and regulations, these safeguards, we can proceed with more efficiency and more justice to the accused than in any other form or fashion.

My objection, I wish to reiterate, was merely based upon the statement of the Senator from Texas of insufficiency of evidence as a reason for mitigating the penalty, no other.

Mr. PEARSON. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Will the Senator yield?

Mr. TOWER. I am not certain I have the floor, Mr. President. Do I?

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. TOWER. Then, I yield to the distinguished Senator from Kansas.

Mr. PEARSON. I say to my distinguished friend, the Senator from Texas, that, as has been said so many times on the floor, there are really three points of interest involved in this entire matter. One is the public career of a colleague, and nobody is insensitive to that. The second is the honor of the Senate as an institution, and the third is the confidence of the American people in the U.S. Senate, not only to disavow past acts but also to provide for a good future.

If we only were considering the public career of one man, I might find myself in complete agreement with the Senator from Texas. But the question I put to him is, Does he think the term "reprimand" is sufficient in regard to the honor of the Senate and the confidence of the American people in the Senate?

Mr. TOWER. I believe that the Senate of the United States is the great institution it is because it has always done things pursuant to what it considered to be the letter and the spirit of the Constitution of the United States, pursuant to what it considers to be established Anglo-Saxon theories of law and right, pursuant to what it understands the Judeo-Christian ethic to be, and because we, as Members, have always been interested in the rights of individuals and the protection of individuals.

It has been said that we have a pretty clubby atmosphere around here. I remember a story they used to tell about former Senator Prescott Bush, the distinguished Senator from Connecticut.

A young lady rushed up to him one time and said, "Senator Bush, is it true that the Senate is a very exclusive club; that the Members are very courteous and deferential to each other, regardless of differences of political belief; that they always treat each other with great courtesy and deference and respect?"

He replied, "Yes, young lady, it is true that the Senate is indeed an exclusive club, and that we do treat each other with great courtesy and deference and respect. But when one of us breaks a leg, we eat him." [Laughter.]

Now, I do not know that we have an obligation to consider one individual above the institution. Indeed, we do not. The good of the institution, the reputation of the institution, the public trust, must be paramount. But the feeling over the country is by no means unanimous. Many people know only what they read in the newspapers—and I am not saying that the press has done a bad job of reporting. I think the press does a pretty responsible job, but very often they draw conclusions that are not based upon hard facts; and I do not believe that we should necessarily be guided in what we do here by a wave of popular emotion. There is no tyranny like the precipitate and emotional tyranny of the majority.

I believe we are a great institution because we are concerned with doing things in an orderly way, a way that respects the rights of every individual, and because as a body we are people who place great value on the individual.

I think we should express our disapproval when a brother errs. I think we perhaps should have a little bit more firm, specified guidelines, because I believe many people here are uncertain as to what they should spend political funds for and what they should not, and I imagine that one could find a hundred different opinions in this body.

Now, I know that we have a perfect right to censure a man for a code of conduct or a pattern of conduct that we disapprove of, whether or not there is any law or any rule that prohibits that conduct. I question the wisdom of whether or not we should.

Mr. PEARSON. Mr. President, will the Senator yield at that point?

Mr. TOWER. I yield.

Mr. PEARSON. I find the Senator's proposed amendment in contradiction to his present argument, for he would, on page 2, strike the words "accepted morals"—and this did give the committee a great deal of trouble—and substitute "accepted standards."

So there are accepted standards. The Senator says so. He puts those words in his amendment. I think I would just observe that his argument is in contradiction to his own amendment.

I will not prolong this discussion, except to say that the Senator may not be a lawyer, but he surely talks like one, because I do not believe I really got an answer to the question I put to him, which I would only recognize if I had not done it so many times myself.

I thank the Senator.

Mr. TOWER. What sort of answer did the Senator want?

Mr. PEARSON. I wanted an answer, actually and very seriously, to the question I put to the Senator, as to whether or not the Senator thought that the term "reprimand," as he understands it and as it is understood by the Members of this body and by the public generally, would be sufficient to uphold the honor of the Senate as an institution and sufficient to uphold the confidence of the public in the Senate as an institution of government.

Mr. TOWER. We could get into an

endless bog and morass of semantics here.

Webster's Dictionary defines "reprimand" as "a severe or formal reproof; to reprove severely; to censure formally, especially with authority." Actually, it can be considered a definition for the word. In common parlance it is not understood to have the severity.

Therefore, I think we should mitigate our language somewhat here, because I have no doubt about what is going to happen here today. I know what the result will be.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mr. LONG of Louisiana. For a number of reasons, I somewhat regret that the Senator saw fit to offer his amendments en bloc, and that he did not offer his amendment exclusively to point (a). One reason is that the resolution came to the Senate in a form stating that the Senator had engaged in conduct (a) and (b), and for that conduct he was censured.

Mr. TOWER. Will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. TOWER. I believe that (a) is the pending business, and that the amendment is offered to (a).

Mr. LONG of Louisiana. The Parliamentarian advised the Senator that the amendment applies to both (a) and (b), as I understand it. The Senator could perhaps gain unanimous consent that his amendment apply only to (a). I think that is important.

In my eyes, if one finds a man guilty of only half of what is charged here, presumably he would not be punished as severely as he would if he were found guilty of both charges.

Mr. TOWER. I believe the Senator is absolutely correct. Of course, I have addressed my remarks essentially to charge (a), understanding that that is the pending business, and that is what the amendment is addressed to.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mr. LONG of Louisiana. Here we have what are alleged to have been two separate sets of offenses. If these were crimes and if the Senator were sitting as a judge he would say, "For this set of crimes over here, where you misled the people by raising so-called campaign money and using it for your personal advantage, I find you guilty and sentence you to this," and then he would say, "With respect to this charge where you defrauded by double billing, I find you guilty and sentence you to this." The sentences could be made to run concurrently or consecutively.

I wish to say to the Senator that I hope his word "reprimand" is agreed to, for a very simple reason. While Webster's dictionary defines these two words almost identically, using reprimand to define censure and censure to define reprimand, as the Senator has said, there is a great difference in construing the words in the mind of the public.

I shall read the definition of the word "reprimand" which appears in Webster's Unabridged Dictionary:

> To reprove severely; to reprehend; to chide for a fault—

And then, listen to this—

> to censure formally, especially with authority.

That is the definition of "reprimand."

I would hope that the Senator from Massachusetts [Mr. BROOKE] could hear this, as well.

Mr. BROOKE. Yes. I am sorry.

Mr. LONG of Louisiana. I am not asking a question. I hope that the Senator will hear this because he has taken a great deal of interest in this matter.

The point I have in mind is that the word "reprimand," in the minds of the public, means "we have found you to be guilty of misconduct; we censure you formally and with authority." But it carries a further connotation that, "If in the future you conduct yourself as we would have you do, you would gain forgiveness." "Reprimand" implies that. One reprimands his children; he does not censure his children.

I voted to censure Joe McCarthy. I said at the time that he dared us to vote for that resolution. He had said that if we voted for it we would be suspected of being handmaidens of the Communists and he would not back up even though some of his friends urged him to do so. However, in that case Joe McCarthy was not contrite. He was defiant to the end. We had no choice but to vote censure in that matter.

I think the word "reprimand" is more appropriate for a contrite person who says, "I am sorry about this; I had not wanted to break any laws. If I did, tell me what is wrong and tell me what I can do to get forgiveness."

I hope that the Senator from Texas limits his proposal to the first section. If the Senator from Connecticut is found guilty of a violation of section (b), let it go down that he would be censured.

Mr. TOWER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TOWER. Mr. President, could the Chair inform me whether or not my amendment applies to only section (a) or to part (a) and part (b)?

The PRESIDING OFFICER. The amendment, as now pending, applies to the resolution as a whole, and therefore includes both (a) and (b).

Mr. TOWER. Mr. President, I ask unanimous consent that my amendment be made to apply only to part (a) of the divisible resolution.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, in view of certain circumstances I wish to make a unanimous-consent request at this time. It would apply to the amendment under consideration, and, of course, if there are other amendments, it would have similar application, subject to a limitation of time, if agreed to.

Mr. President, I ask unanimous consent that the vote on the pending amendment occur at 3 o'clock, with the time thereon to be divided and controlled equally between the distinguished Senator from Texas [Mr. TOWER] and the distinguished Senator from Mississippi [Mr. STENNIS], provided, however, that if the distinguished Senator from Connecticut [Mr. DODD], or any Senator specifically designated by him for that purpose, at any time prior to the vote thereon, requests further time for debate on the amendment, such further time shall be granted in the amount requested and such amount shall be added and incorporated into this agreement and divided under the above specified terms.

Mr. TOWER. Mr. President, reserving the right to object, I am prepared to vote much sooner than that.

Mr. McCLELLAN and Mr. STENNIS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. McCLELLAN. Mr. President, I have one question. I would like to know if this unanimous-consent request is predicated on the premise that the pending amendment applies only to section (a), to count (a).

Mr. MANSFIELD. The Senator is correct.

The PRESIDING OFFICER. The unanimous-consent request now applies only to section (a).

Mr. McCLELLAN. I have no objection.

Mr. MORSE. Mr. President, reserving the right to object, and I would like to have the attention of the distinguished majority leader and the distinguished minority leader, for I am involved in this unanimous-consent request, I seek to be reasonable and accommodating, but when the majority leader, as he will say, first presented the proposed unanimous-consent agreement to me, I told him I could not agree to it because it fixes the time of 3 o'clock as the time to vote.

As I have previously said, I do not think this debate should be closed at any time by a time certain, as far as the Senator from Connecticut is concerned.

I checked with the Parliamentarians to find out if this particular type of unanimous-consent agreement would be in order, which means—let us understand it—at 3 o'clock if the Senator from Connecticut, because of what may transpire between now and 3 o'clock, believes more time should be allowed him, or those supporting his position believe more time should be allowed them, that the unanimous-consent agreement shall guarantee the extension of the debate until such period of time as they need. That protects what I call an open-ended debate on this matter.

I am sure the distinguished Senator from Montana will not think it improper for me to point out the situation which confronts us. We have a series of foreign policy problems affecting this Republic. The President has demonstrated over and over again that he believes in consulting in advance of the consideration of any decision on foreign policy, and including in the foreign policy of this Republic also important protocol and public relations matters.

I go along with this because there is a very high-level luncheon at the White House with foreign affairs ministers of various countries in this world to which the President has invited certain Members of the Senate—in my judgment it is typical of this President in his consultation processes—to be present. They should be there, and they cannot be there and get back here before 3 o'clock.

I have only one hesitancy. I am not so sure that even for that occasion we should not recess until 3 o'clock. Some of us may be hungry anyway and we could go down and eat.

But I am going to go along with this unanimous-consent agreement provided this unanimous-consent agreement is acceptable to the Senator from Connecticut. If it is not, I am going to object. The Senator from Connecticut does not have to get up and speak because his counsel can make known to the Senator from Oregon before he finishes if he wishes to accept.

I hope the majority leader understands why I made the statement I made, because this whole matter of procedures is of the utmost importance to the Senator from Oregon.

Mr. MANSFIELD. I understand perfectly.

Mr. MORSE. I agree to go along on any modifications to the proposal because I think it will keep debate open ended and also makes it possible for us, in these critical hours in world affairs, to keep in touch with the program of consultation at a very high level in which the President is engaged.

Several Senators addressed the Chair.

Mr. ALLOTT. Mr. President, reserving the right to object——

Mr. MANSFIELD. Mr. President, I yield to the Senator from Connecticut.

The PRESIDING OFFICER. The Senate will come to order. Senators will take their places. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I would say that I am grateful to the majority leader and to the Senator from Oregon [Mr. Morse]. I have no objection to the unanimous-consent agreement. I know about the luncheon at the White House. I was asked to go there, too. Yesterday, I did not think that I could go because of what I expected would transpire here today. However, I would not want to infringe upon the opportunity of any Senator to attend that affair. I would like to have gone there. The unanimous-consent agreement sounds perfectly all right to me. I should like Senators to know that my greatest concern is to get to a vote, and that is about all.

Mr. MANSFIELD. Well——

Mr. DODD. Therefore, to the Senator from Montana and to the Senator from Oregon I say: I have no objection.

Mr. MANSFIELD. Mr. President, just to clear the record and make it straight, this procedure is not being followed for the purpose of allowing a number of Senators on both sides of the aisle to attend a White House luncheon in honor of the Prime Minister and Foreign Minister of the Italian Republic.

There are other matters which are of overriding concern. I, for one, would not interrupt this debate just to accommodate a White House luncheon. I would like, at the appropriate time——

Mr. DODD. I may have misstated the facts——

Mr. MANSFIELD. No, no—I was not referring to the Senator from Connecticut.

Mr. MORSE. The Senator from Connecticut did not misstate the facts.

Mr. MANSFIELD. But I would like to ask, at the appropriate time, which is right now—to the best knowledge of any Senator present, are there going to be any other amendments offered?

Mr. DODD. Certainly not by the Senator from Connecticut.

Mr. MANSFIELD. I understand that. The Senator has said so many, many times. I am doing this only to determine when the Senate may expect to vote so that Senators will know what to anticipate. Please understand that this does not preclude anyone from offering an amendment, motion, modification, or what not; but the general impression does seem to be that this may be the only amendment.

Mr. President, has the unanimous-consent request been agreed to yet?

The PRESIDING OFFICER. No; it has not. Is there objection——

Mr. MORSE. Mr. President, reserving the right to object, if the majority leader will hear me out for just one moment——

Mr. MANSFIELD. Yes, indeed.

Mr. MORSE. I want my majority leader to know that not by the slightest indication did I imply that the Senator has offered a unanimous-consent request, in order to accommodate Senators going to the high level foreign policy luncheon at the White House. I did not mean to imply that.

Mr. MANSFIELD. I understand; I was under the impression that——

Mr. MORSE. The reason I am going along with the agreement is that I think that should be done. That is my answer. That is my personal judgment. That is one reason why I am going to go along with the agreement, so far as Wayne Morse is concerned.

We should leave this an open-ended agreement so far as protecting the rights of the Senator from Connecticut is concerned. I also want to make it clear that this debate will remain an open-ended debate after 3 o'clock, because otherwise I shall object to any unanimous-consent agreement to seek to impose a further limitation in connection with any other amendments.

Mr. MANSFIELD. The Senator from Montana understands perfectly the attitude and the reasoning of the Senator from Oregon. As a matter of fact, the Senator from Montana discussed this proposal with the Senator from Oregon, who has been most gracious and courteous. He did remove an objection which he had entered earlier and which he explained during the course of these proceedings. I am grateful to him for the consideration which he has shown. It is not the intention of the Senator from Montana to make another unanimous request, at least not at this time. But I would like to express the hope that, on the basis of what information we have, the Senate could reasonably expect to complete this matter this afternoon.

Twice the leadership has tried to find out if any amendments or motions were to be offered to the pending resolution. Twice it has been met with silence. But that does not mean that amendments, motions, and whatnots could not be and should not be offered if a Senator so desires.

What I want to make clear is that I agree with the Senator from Oregon that, if we are to have a recess—and there has been such a recess each day during the consideration of this matter—Senators should go down to the White House. I think it is mandatory upon Senators, during the recess, to go down to the White House and perform their function in the field of foreign policy.

The Senator from Oregon has been most gracious and cooperative in his effort to enable our reaching an agreement in this matter.

Now, Mr. President, has the unanimous-consent request been agreed to yet?

The PRESIDING OFFICER. Is there objection——

Mr. STENNIS. Mr. President, reserving the right to object, would the Senator restate his unanimous-consent request?

Mr. MANSFIELD. Yes. It is to vote at 3 o'clock on the pending amendment by the distinguished Senator from Texas [Mr. Tower], with the time to be equally controlled and divided between him and the distinguished Senator from Mississippi [Mr. Stennis]; provided—and this is the important factor, let me say to the Senator from Oregon, and he is responsible for it—provided, however, that if the distinguished Senator from Connecticut [Mr. Dodd], or any Senator specifically designated by him for that purpose, at any time prior to the vote thereon, requests further time for debate on the amendment, such further time shall be granted in the amount requested and such amount shall be added and incorporated into this agreement and divided under the above specified terms.

Mr. STENNIS. Mr. President, reserving the right to object, I do not know of anyone who wants to speak further on the matter. The author has told me that he is ready to vote. The committee is ready. The Senator from Connecticut [Mr. Dodd] is asking that we proceed to vote.

I respect the majority leader so very highly on the problems that he has. We are not pressing for a vote, but it looks odd to me that if we are coming in at all today to dispose of this matter, we more or less should be here. I believe it would be better to recess, if I may suggest that——

Mr. MANSFIELD. In view of the suggestion made by the Senator from Oregon, that is the leadership's intention.

Mr. LONG of Louisiana. Mr. President, will the Senator from Montana yield?

Mr. DIRKSEN. Mr. President, to clear the air, when the majority leader said there were other considerations, there are.

A Member is unavoidably absent for the moment. They will bring him in by jet and land him at Andrews Air Field at 2 o'clock, I believe it is. He is vitally interested in this vote and we are trying to protect him. He has made a considerable sacrifice in order to get back here in time. That is the reason we cannot set it any sooner.

Thus, we are in a bracket, so to speak, with those who want to leave later and those who cannot get back here. Thus, we had to pick out this time. It is not the White House luncheon at all that is responsible for what we are trying to do.

Mr. STENNIS. Mr. President, in view of what has been said here about accommodating Senators—and I do not know which Senator is being referred to, thus, this is completely impersonal—I believe that if the Senate is not really going to take this matter seriously enough to stay here and pass on it, then I think we should recess until such time as Senators will be able to stay in the Chamber and resolve this issue.

Mr. DIRKSEN. I want to say, for the Senator I have in mind, that he has been the most faithful——

Mr. STENNIS. I was not referring to him. I was referring to the idea of accommodating Senators who wanted to leave. If not, we should say so and set it over.

Mr. DIRKSEN. Oh, no.

Mr. LONG of Louisiana. Mr. President, the Senator from Montana has been asking about additional amendments. I believe I should make clear to the majority leader that while I, at this time, do not intend to offer any additional amendments, I have been thinking about some additional language that does not really change the purpose of the resolution, nor the impact, nor the punishment. But, in either event, it might be additional language which I believe perhaps should be included in the resolution.

If I should perfect it, I might want to offer it.

Mr. MANSFIELD. Mr. President, has the request been agreed to?

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? Without objection, it is so ordered.

RECESS

Mr. MANSFIELD. Mr. President, in conformance with the usual custom over the past 7 or 8 or 9 days, I ask unanimous consent that the Senate stand in recess until 2:30 p.m. for lunch.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

At 1 o'clock and 30 minutes p.m., the Senate took a recess until 2:30 p.m. the same day.

At 2:30 p.m., the Senate reassembled, when called to order by the Acting President pro tempore in the chair.

The ACTING PRESIDENT pro tempore. Under the unanimous-consent agreement, the Senate is under time control. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time to be taken out of both sides.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 157 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The ACTING PRESIDENT pro tempore. A quorum is present. The Senate will be in order.

Mr. TOWER. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The time is under the control of the Senator from Texas and the Senator from Mississippi. Who yields time?

Mr. TOWER. Mr. President, I yield myself 1 minute for a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. TOWER. For the enlightenment of the Senator, this amendment is, is it not, to item (a) or specification (a) as the issue has been defined pursuant to the request of the senior Senator from Florida.

The ACTING PRESIDENT pro tempore. Under the unanimous consent agreement previously entered into, item (a) is the only matter before the Senate.

Mr. TOWER. Therefore, my amendment is addressed only to item (a).

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. DODD. Mr. President, will the Senator yield?

Mr. TOWER. I yield to the Senator from Connecticut.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized upon his own request without any yielding.

Mr. DODD. Mr. President, I have felt throughout the proceedings that, as we neared a vote, it would be more proper if I were to abstain from voting and ask that my presence on the floor of the Senate be excused for two reasons.

First, I do not want to appear to try to prejudice the Senate in any way.

Second, I do not want to embarrass the Senate.

I ask unanimous consent that while this vote is being taken, I may be excused from voting and excused from being present on the floor.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none and it is so ordered. The Senator is excused.

Mr. YARBOROUGH. Mr. President, will the Senator from Texas yield to me for 1 minute?

Mr. TOWER. Mr. President, I yield 1 minute to my senior colleague.

Mr. YARBOROUGH. Mr. President, I have a question of my colleague from Texas.

According to the dictionary the words "censure" and "reprimand" mean virtually the same thing.

In the unabridged dictionary "censure" is taken to mean a judgment or a judicial finding, such as by an ecclesiastical court. I think the term came from the ecclesiastical.

In the public mind, the word "censure" is associated mostly with the Senate of the United States.

The definition of "reprimand" is given as a formal reproof, or a censure.

I ask my colleague from Texas whether it is not a fact that in the language of the people in the street, the people of America, censure means something far different from reprimand. Censure means a terrible thing in their minds, while reprimand—due to the fact that there are 26 million veterans in the country, and many of them have had some experience with courts martial or all of them have discussed them—is a very serious punishment. However, to the man on the street censure is something that is very different from reprimand.

Mr. TOWER. I thank my distinguished senior colleague from Texas.

I pointed out this morning that although that is one of the definitions given in the dictionary, in the common parlance ordinarily understood by the average citizen the term "reprimand" is less severe. It was my intention to reduce it.

Mr. YARBOROUGH. The average person would regard "reprimand" as the disapproval of the Senate.

Mr. TOWER. "Reprimand" implies a disapproval or a desire to disassociate.

Mr. YARBOROUGH. I missed the statement of my colleague earlier this morning. I did not know that he had clarified that.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. TOWER. Mr. President, I am prepared to yield back the remainder of my time.

Mr. STENNIS. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, how much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator from Mississippi has 5 minutes remaining.

Mr. STENNIS. Mr. President, I yield myself such time as I may use.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, and Members of the Senate, it is really inexcusable for us to get mixed up now on the meaning of these terms legislativewise. We can find interchangeable definitions in the dictionary of the words "censure" and "reprimand." One even refers to the other.

However, as I pointed out this morning, when the attendance was not as large as it is now, there is no difference of opinion legislativewise as to the meaning of these words, in the entire history of the U.S. Congress, and that is particularly true in the Senate.

"Censure" is the only word contained in the formal language of the resolution that has a meaning to it applicable to these facts.

It is the only word that we unanimously thought would begin to approach the seriousness and the severity of the case. That is why we used that word.

Further, as I said this morning, it has been the custom in the House of Representatives in a censure resolution to require the Member of the House, if he is so censured by resolution, to come down before the bar and be publicly "reprimanded" by word of mouth by the Speaker. However, that has never been done in the Senate. We did not like the idea of doing that.

This matter was gone over carefully, fully, and completely.

Mr. President, I yield to the senior Senator from Oklahoma who has an excellent choice of words.

The ACTING PRESIDENT pro tempore. The senior Senator from Oklahoma is recognized.

Mr. MONRONEY. Mr. President, we can search the records of the Senate back from 1844 until today and find no record of an action to reprimand a Senator. We find no precedents and no experience therein.

On two occasions Members have been censured. On two occasions Members have been condemned.

The word "censure" has a well known meaning.

We discussed this matter for a long time and in great detail.

I see no fundamental reason for, at this late date, changing the word to reprimand or changing other portions of the resolution to strike out the words "accepted morals" and insert in lieu thereof "standards of conduct," or to strike out the words "bring the Senate into dishonor and disrepute," or strike the word "dishonor."

It seems to me that at this late date, and we have less than 15 minutes for discussion, there has been no good reason given for changing the wording or embarking in an entirely unprecedented manner on the changing of the word censure in the resolution to reprimand.

Mr. STENNIS. Mr. President, I reserve the remainder of my time.

Mr. HART. Mr. President, will the Senator yield

The ACTING PRESIDENT pro tempore. The Senator from Mississippi and the Senator from Texas have control of the time.

Mr. STENNIS. Mr. President, I believe I have less than 1 minute remaining, and I would like to save that time, if I can.

Mr. TOWER. Mr. President, I yield to the Senator from Michigan.

The ACTING PRESIDENT pro tempore. The Senator from Michigan is recognized.

Mr. HART. Mr. President, with regard to the comment just made by the Senator from Oklahoma, I think we do understand the definition and distinction between "reprimand" and "censure."

I understand what standards of conduct means. I think we all do.

Has anybody defined what we mean by "accepted morals"? Who is the theologian?

Mr. TOWER. I think the term "morals" is a more imprecise term than the term "standards of conduct." What kind of morality are we talking about? As I understand it, it is the conduct that is ordinarily expected of a U.S. Senator. I think that most of us understand that.

I think that the conduct that is alleged here is clearly not what the average Member of the Senate would have done under the circumstances. I refer to the allegation having to do with the solicitation of public funds for campaigns.

However, in the absence of any imprecise ruling or description of what an appropriate standard of conduct is, I think since we are acting in a sense on an imprecise basis or on an imprecise criteria, we must reduce the severity of the charge.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, will the Senator from Connecticut yield me 1 minute?

Mr. DODD. I yield 1 minute or one-half minute to the Senator from Louisiana, whatever time I have remaining.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. LONG of Louisiana. Mr. President, it seems to me that it is well that we keep in mind the motion made by the distinguished Senator from Florida. We now have two censure resolutions pending before the Senate.

One would censure the Senator with regard to conduct that exists in a gray area where there is no law against it, where everybody has his own idea about what should or should not be done. Even the Senate committee has not been able to define precisely where the boundary line is.

It seems to me that with regard to that gray area it would be more appropriate to say that this Senator is reprimanded because it carries a nicer connotation in the minds of the public.

In the black and white area, if this Senator had stolen from the Government, if he had cheated the Government or had cheated private organizations out of money, then the proper word would be "censure." And the Senator himself has said that would not be strong enough if you think he is guilty of that. There are two separate offenses.

It is very clear to me that the condemnation for one set of mischief, if you think it is so, should carry one penalty, and the condemnation for the other would carry a heavier penalty.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

The Senator from Mississippi has 2 minutes remaining.

Mr. STENNIS. May I have 1 minute?

The ACTING PRESIDENT pro tempore. The Senator from Mississippi has 2 minutes remaining.

Mr. STENNIS. Members of the Senate, I will put this in this way, as to what we found as to the meaning of "reprimand" in legislative parlance. It just does not mean anything. It means what you might call just a slap on the wrist. It does not carry any weight.

According to the Senator from Texas, at one point he said "reprimand" meant a disapproval. Well, that is about right. Who would not disapprove of all these facts? The Senator from Connecticut said that some of them were not up to his standard, and he regretted that.

But if we are merely going to pass a resolution now, saying that we disapprove this, then we are just saying what everybody knows, what the entire country knows, but we will not be doing anything about it, if we use the word "reprimand."

We looked and looked and looked, and we feel certain that our research was complete, and therefore we totally rejected, for the reason I have given, the mild legislative word "reprimand," which has no meaning or means nothing more than just a disapproval, and put in the word "censure," which we thought was the mildest of the words that have a legislative meaning, and would carry the idea of the Senate taking a stand with reference to the matter.

The ACTING PRESIDENT pro tempore. All time has expired.

Mr. DODD. If the Senator from Mississippi desires more time——

Mr. STENNIS. I thank the Senator.

Mr. LONG of Louisiana. Would the Senator from Connecticut permit me to have 1 minute?

Mr. DODD. Yes. I just do not want to take advantage of the rule.

Mr. LONG of Louisiana. I want to read from Webster's Unabridged Dictionary the definition of the word "reprimand." I am sorry I do not have a legal dictionary here.

Mr. TOWER. Perhaps I can help the distinguished Senator from Louisiana. The word is defined as meaning "a severe or formal reproof; to reprove severely; to censure formally, especially with authority."

Mr. LONG of Louisiana. So it can be well understood among us that if we vote for this word, what we mean is a severe formal reproof; a censure, especially one given with authority.

Several Senators. Vote.

Mr. LONG of Louisiana. That is what "reprimand" means.

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. DODD. I only rise to say that I understood the Senator from South Carolina desires to speak, and I am glad to afford him time if he wishes to do so.

Mr. THURMOND. How much time has the Senator remaining?

Mr. DODD. I do not know.

Mr. THURMOND. I have a statement which I would prefer to make now. I can make it later. How much time does the Senator have remaining?

Mr. STENNIS. A point of order, Mr. President. I am not going to object, but I want to know if the time has not expired. If we are going to have these additions, we still have to have some arrangement.

Mr. MANSFIELD. It is up to the Senator from Connecticut.

Mr. DODD. Mr. President, I do not know.

Mr. THURMOND. I should like to take 1 minute now.

Mr. DODD. I am not going to take advantage of anything.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut may yield.

Mr. DODD. I am not trying to take advantage of anything here.

Mr. STENNIS. If the Senator will yield to me, I was merely asking for equal time. I did not know the agreement included special time for the Senator from Connecticut. I do not object to him proceeding, of course.

Mr. DODD. I thank the Senator.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut may yield time.

Mr. DODD. I understood that the Senator from South Carolina wanted some time.

Mr. MANSFIELD. Would the Senator say how much time he is yielding to the Senator from South Carolina?

The ACTING PRESIDENT pro tempore. How much time does the Senator from Connecticut yield?

Mr. DODD. I do not know how much time the Senator from South Carolina desires.

Mr. THURMOND. I shall need about 12 minutes to make my statement. [Cries of "No!"]. Why "No"? I say, Why "No"? The galleries are saying "No!" From the press comes the cry of "No!" Are you going to persecute this man without a hearing?

The ACTING PRESIDENT pro tempore. Does the Senator from Connecticut yield?

Mr. THURMOND. Do you want to convict him without a hearing?

Mr. MANSFIELD. Regular order, Mr. President.

The ACTING PRESIDENT pro tempore. Does the Senator from Connecticut yield time to the Senator from South Carolina?

Mr. DODD. I do not wish to offend my colleagues, but as I understood the Senator from Oregon——

Mr. MORSE. Mr. President——

Mr. MANSFIELD. Mr. President, the Senator from South Carolina has asked for at least 12 minutes, and I would suggest that the Senator from Connecticut should grant that time to him.

Mr. DODD. I am happy to do so.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina is recognized for 12 minutes.

Mr. THURMOND. Mr. President, I have studied carefully the record in this case and have listened attentively to the debate on the Senate floor.

I have acted as neither prosecutor nor defender, but have sat as a juror. It is in this capacity that I have reached a decision.

The Senate is called upon to pass judgment on the Senator from Connecticut on only two charges, to wit: double billing and improper use of testimonial funds. My conclusion has been reached based only on these two charges.

WITH RESPECT TO DOUBLE BILLING CHARGES

There is little question in my mind that the charge of "double billing" has not been sustained. The censure of a U.S. Senator on a charge of this nature demands the showing of a fraudulent intent, because this is the kind of act for which he can be prosecuted under the law, and it should at least be shown by the greater weight of the evidence. If he were being tried in court, it would have to be shown beyond a reasonable doubt. Such an intention does not appear to me to have been proved in this instance.

I do think that he should be cleared entirely on this point or censured. I do not think there is any middle ground on this particular charge, such as a reprimand or admonishment. I think it is either censure or clearance on this count. I do not think this charge has been proved; I do not believe the Senate feels it has been proved.

WITH RESPECT TO THE CHARGE OF IMPROPER USE OF TESTIMONIAL FUNDS

I certainly do not approve of a person using campaign funds for his personal benefit, nor do I personally approve of the technique of using testimonial dinners to raise funds for personal expenses. Nevertheless, there is a serious question of whether the public was deceived with regard to the funds raised at the testimonial dinners in question.

This is a much more complex factual matter than the other count brought against Senator Dodd.

After giving due consideration to the entire record and to the debate on the floor, I feel that Senator Dodd did not intend to engage in deceptive practices; and if any donors were deceived, it appears that it was done without his knowledge, consent, or approval. To say the least, the evidence is not compelling that Senator Dodd followed any course of conduct that actually deceived the donors who attended the testimonials. In fact, affidavits from more than 400 donors indicated that they understood that the dinners were to raise funds for Senator Dodd for any purposes he saw fit.

Only one person indicated otherwise, in spite of the fact that strenuous efforts were made by the committee to obtain information on this point.

Censure of a U.S. Senator by his peers is a severe step and I know that no one takes it lightly. There is only one penalty that is more severe, and that is expulsion. Before I could vote for censure, the charges would have to be proved by the greater weight of the evidence. I would have to be convinced by the preponderance, or greater weight, of the evidence that the Senator's course of conduct derogated from the public trust placed in him to such an extent that it cast a reflection upon the integrity of the Senate as an institution as contrasted with merely casting a reflection upon the Senator himself. I feel that conduct on the part of a U.S. Senator in allowing a sequence of events to transpire which could in any way be interpreted as unethical, tends to bring him personally into disrepute. Without question, the Senator from Connecticut acted improvidently and unwisely.

However, I am not prepared to say that his personal conduct has thereby tended to bring the Senate as an institution into disrepute.

The Senator's ardent support of our Republican form of government and his great service in fighting to maintain it should not be dampened or weakened without clear and convincing proof that he attempted to defraud that government or deceive the citizens of it. His entire span of service and his general character as we know him should have some bearing on whether we think he would be the kind who would commit fraud and deceit.

Whatever the outcome of this resolution, who can forget the courage and persistence of Tom Dodd in warning this Nation about the dangers to our national security and to the free world that were imminent in revolutionary situations in Cuba, Laos, Ghana, and Berlin? Who can forget the personal danger and the threats to his bodily security that he faced willingly by traveling to the Congo at the height of the violence in that seething area? Who can ignore his steady fortitude in exposing the Communist connections of various domestic peace propaganda organizations, and in first ripping the mask from the Fair Play for Cuba Committee, one of whose members eventually assassinated John Fitzgerald Kennedy? What about the Tom Dodd who stood boldly for the rights of this body to receive evidence and testimony of misfeasance in the executive branch by keeping open the case of Otto Otepka? None of these acts in the least excuses any proven wrongdoing on the Senator's part; but in a case where the evidence is inconclusive, where we are searching for touchstones to test the validity of the Senator's own words and character, then this other course of action of the Senator from Connecticut, this other course which has served only to bring down honor upon the Senate as an institution should be brought to bear.

Mr. President, the Senator from Connecticut has been through an ordeal here which derives not only from the charges which have been under debate in this body. The Senator has suffered from prejudgment by the press and by television on extraneous charges which were not even considered by the Committee on Standards and Conduct. In the minds of the Nation, Tom Dodd has already been convicted before we have even reached the conclusion of our deliberations in this chamber. There has seldom been such a case of malicious slander in the history of this Nation; and unfortunately, there is no way in which the Senator can demand a change in venue.

But there is one way which we cannot overlook. I have said that I do not condone the carelessness and improvidence of the Senator's course of conduct. Yet I do not believe in my own mind that this course of action has brought dishonor on the Senate as an institution. I will therefore vote "no" on both counts of the resolution of censure. I shall leave the judgment of his personal conduct to the court of last resort—the voters of the State of Connecticut.

Mr. President, in closing, I am going to vote for the amendment of the Senator from Texas, which is to reprimand on the first count, and I do that reluctantly. I do it because I sense in the Senate a feeling that it will take some action against Senator Dodd on this count, and unless the Tower resolution is adopted, then the Senate might go further and censure him. I do not think Tom Dodd is a dishonest man and attempted to deceive his constituents and friends. If I did, I would vote to censure here.

There are only two counts. We must remember that on the first count upon which we are about to vote, whether to reprimand, that it has to be clearly shown that he deceived his constituents. If he did not deceive his constituents, a reprimand is sufficient and there is no basis for censure. However, I am going to vote for the amendment of the Senator from Texas as a lesser of evils, sensing the sentiment as I do.

I believe the Senate wants to be fair, but we have to recognize that there has been tremendous propaganda spread over the Nation that has strongly prejudiced Senator Tom Dodd.

On the second question, that of double billing, I frankly do not think there is any merit in this count. Any man who has been a judge in a court certainly would give no credence to this charge. There are six trips concerned here which involves about $1,200. I cannot imagine a U.S. Senator who would prejudice his career, jeopardize his future, tarnish his honor, and destroy his reputation for $1,200. It just does not make sense. The evidence shows he was entitled to pay for 21 trips, for which he has not collected. Anyone who has sat here and heard the testimony should be convinced Senator Dodd should be cleared entirely on the charge of double billing.

I shall vote "no" on both counts as to censuring.

I do not think Senator Dodd intended to defraud his Government on the count of double billing—and unless he did so intend he should not be censured on this count.

I do not think Senator Dodd intended to deceive the donors who contributed to the testimonials in his behalf, and unless he did so intend he should not be censured on this count. I shall vote for the amendment of the Senator from Texas to reprimand Senator Dodd because I do not approve of what he did; I do not approve of his course of conduct; and I do not approve of the manner in which is was done.

Therefore, I am voting, in essence, to say that I look with disfavor on his actions, but I shall not vote to censure this man because the evidence does not warrant it.

If I am the only Senator here to vote as I do, in my heart that is the way I feel, and I shall vote accordingly.

Mr. DODD. Mr. President, I wish to express my gratitude to the Senator from South Carolina for his generous remarks.

I ask that I may be excused.

The ACTING PRESIDENT pro tempore. Is all time yielded back? Does the Senator from Mississippi [Mr. Stennis] yield back the remainder of his time?

Mr. STENNIS. I yield back the remainder of my time.

Mr. TOWER. I yield back the remainder of my time.

Mr. DODD. Mr. President, I shall explain my reason for asking to be excused. I do not think I should vote on this matter. I look at my friends and I do not want to embarrass them. That is the reason why I would like to be excused.

The ACTING PRESIDENT pro tempore. The Senator is excused.

All time having been yielded back, the question is on agreeing to the amendment of the Senator from Texas [Mr. Tower].

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Hawaii [Mr. Inouye] and the Senator from North Carolina [Mr. Jordan] are absent because of illness.

I also announce that the Senator from Georgia [Mr. Russell] is necessarily absent.

I further announce that the Senator from Connecticut [Mr. Dodd] was excused from voting and permitted to absent himself from the Chamber by leave of the Senate.

The result was announced—yeas 9, nays 87, as follows:

[No. 158 Leg.]

YEAS—9

Curtis
Long, La.
McIntyre
Ribicoff
Smathers
Thurmond
Tower
Williams, N.J.
Yarborough

NAYS—87

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, Del.
Young, N. Dak.
Young, Ohio

NOT VOTING—4

Dodd
Inouye
Jordan, N.C.
Russell

So Mr. Tower's amendment, as modified, was rejected.

Mr. LONG of Louisiana. Mr. President, for 3 weeks I have been hard at work defending a fellow Senator against a censure recommendation.

Now that this exhausting struggle is coming to an end, I believe it appropriate for me to explain certain facts regarding the position I have taken.

In the first place, I was never the self-appointed counsel of Senator Thomas J. Dodd. I was merely a friend who thought that the man did not deserve to be censured. In view of the fact that no one else appeared to feel that way about it, the burden on me was heavier than might otherwise have been the case.

It is an old saying among attorneys that any man who pleads his own case has a fool for a client. Tom Dodd's lawyers were not permitted to speak on the Senate floor. Therefore, someone had to assume the burden of saying and doing those things in the defense which could better be said by someone other than Senator Dodd. Because no one else was available to do those things, that burden fell for the most part on me.

If Senator Dodd was to speak in his own defense, as he did very eloquently, it was necessary for someone to insist on his behalf first that he should not be required to proceed when he was too tired to make an effective presentation. And it was necessary for someone to insist that the maximum number of Senators available be present to hear the case for the defense—even though to do so would undoubtedly irritate and anger busy Senators who had other things to do. It would have been improper for Senator Dodd to do those things. It would prejudice his case. Someone had to do it for him and someone had to accept the burden of the resentment of Senators, if an adequate audience were to be present to hear the defendant testify in his own behalf.

It is not my intention to criticize other Senators who looked upon the matter in an entirely different way and reached a different conclusion. They did what their conscience and their judgment told them they should do, just as I did. They reached a different decision and followed a different course.

Since no other Senator was standing beside Tom Dodd until the final hour, certain elements of the press, apparently feeling that I was the only obstacle between Senator Dodd and the censure of the Senate, criticized me for the role I was playing.

That I would stand beside a friend in his hour of despair is the result of an old-fashioned loyalty that I acquired from my family and the people among whom I lived early in life.

As a matter of fact, on occasions when I have been campaigning in the backwoods of Louisiana, I have had people say, "I'll go down with you." I never understood what that meant for a long time. I finally learned it meant, "I will stay with you until the end." A lot of people told me that, particularly those who were friends of my father.

That kind of loyalty to a friend is too much a part of me now to change at this point in life.

I do not believe that Tom Dodd has intentionally done anything wrong. I think he is right, and that he has not been proved guilty of any wrongdoing whatever. I will go to my grave, politically or otherwise, unashamed before my God, feeling that way. In view of that, it would have been wrong for me to have stood idly by while he received what I consider unwarranted punishment by his colleagues in the Senate, respecting the right of others to disagree with me.

So I have done things that have angered Senators. I insisted on the regular order when I thought to do otherwise would prejudice Tom Dodd's rights. I protested when the committee was using documents I felt the committee should not use, and when, in one respect or other, I felt this man's rights might be prejudiced. I offer no apology for it, because I felt it was my duty.

If a man is right, if he has done no wrong, if he has been misunderstood, and he has been my friend, when all of those circumstances exist, then I will fight by his side until hell freezes over and then I will fight on the ice without regard to the price that I must pay politically or otherwise.

Such loyalty is no stranger to this Chamber. During the censure proceeding against the late Senator Joseph McCarthy, of Wisconsin, it was the late Herman Welker who assumed the role of loyal friend. During the dark hour of Governor Stratton, it was Everett Dirksen.

At the dangerous moment in the life of Richard Nixon, it was Robert A. Taft. In the present proceedings in the Tom Dodd case, it is Russell Long. You may call it anything you want to call it—misguided loyalty, misplaced loyalty. Some will think it is so. To me it is just plain loyalty. That is the only kind I know.

I want to thank the Senator from South Carolina [Mr. Thurmond] for the very fine speech he made at the close of the debate. I think it was a courageous statement. I know it came from the heart. I do not think Senator Dodd or I will forget it. On behalf of those who have stood by Senator Dodd throughout these proceedings, we are grateful.

Mr. LAUSCHE. Mr. President, before I entered into a discussion of the main subject that I had in mind, I wanted to unequivocally state that my experience in the last 10 days has convinced me about the difficulty of the Members of this body in acting objectively, impartially, and conscientiously.

I cast no reflection upon the Members of the Senate. My belief is that each one wants to be fair. The point I am trying to make is that outsiders have tried to make it impossible for the Members of the Senate to be fair.

I was accused of being a "straight man" for the Senator from Louisiana. Anyone who knows my public career would never dare make any statement of that kind. Yet the statement was made to browbeat me, to destroy my judgment, to make me break my oath.

In other words, when I questioned Senators on the committee, trying to elicit information on which to formulate a judgment, one newspaperman said, cunningly, craftily, that I was a "straight man" for the Senator from Louisiana.

I resent it. Though I did not vote with the Senator from Louisiana, I unhesitatingly state that it is a black mark, a black stain, on our system of government and our proceedings when 150 men and women in the Press Gallery yell out "No" when a Senator asks for 12 minutes to present his case.

Are we in a Roman gladiator's pit, where the monarchs sit above and dictate to us what we are going to do? It is unbelievable to me.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. LAUSCHE. No; I do not yield.

I have been in public life for 35 years. I have no hesitation in opening the entire book of my life. Yet, in trying to learn the truth, I am accused of being the straight man.

What was I supposed to do here? Sit as a piece of marble, not to dare to ask a question? No; the people of Ohio did not elect me to come into the Senate and be a benumbed, motionless, thoughtless individual. Tom Dodd was entitled to a fair hearing. I was entitled to the right to analyze the testimony and formulate my own judgment about what should be done.

I did not agree with the Senator from Louisiana about some matters, but I admire him for his intrepid purpose to follow to the end his honest judgment.

If I may ask, are those who in their honest thoughts cannot come to the conclusion that outsiders demand to be labeled as dishonest? Mr. President, when I go home tonight I want to lay my head on my pillow and feel that I have acted honestly, in accordance with my own judgment, without dictation from outsiders. In the fear of being condemned, I say they can all go to hell. As far as I am concerned, I will perform my duty first, and surrender to them never.

I come now to what I wanted to say on the matters upon which we must vote.

I cannot vote for censure on part (b), of the resolution, because in my opinion the state of the evidence is not adequate to support the charge.

The issue is whether Senator Dodd knew the U.S. Government was called upon by his office to make, and did make, in response to such call, reimbursement for travel expenses on seven trips for which the Senator was reimbursed for such expenditures by private organizations.

Manifestly, if Senator Dodd did not know that members of his staff did the double billing, he cannot and should not be held guilty of those wrongful and immoral acts. Senator Dodd states that he did not know of the double billing. His employee, Mr. O'Hare, in charge of the business operations of his office, said that Mr. Dodd did know. The testimony shows that Mr. O'Hare participated, with Mrs. Carpenter and Mr. Boyd, in the theft of about 4,000 documents, including a copy of an income tax return filed by Senator Dodd with the U.S. Government.

My fellow Senators, conspicuous in the testimony is the admitted fact that the Senator made 21 trips back and forth from Washington to Connecticut for which he was entitled to reimbursement for the travel expenses entailed, but did not receive from the U.S. Government such reimbursement, because the person in charge of his office did not bill the Government. I cannot escape the conclusion that this failure to bill the Government for those 21 trips has a strong bearing in determining what knowledge Senator Dodd had relative to the work of Mr. O'Hare, the employee in charge.

The testimony further shows that Senator Dodd made 80 trips around the country which could have been fraudulently used for double billing. Fifty-four of those trips involved reimbursement from private organizations. Twenty-six involved reimbursement from the Senate.

Out of the total of 80 reimbursed trips, only six are now included in the charge of double billing.

I respectfully submit that if Senator Dodd was of criminal intent and purpose, it is strange that he did not use any of the other 74 trips to devise a scheme of double billing, during the involved 5-year period. I repeat, Senator Dodd states that he had no knowledge either of the double billing or the failure to bill for the 21 trips to and from Connecticut, for which he was concededly entitled to reimbursement from the Government.

On the other hand, Mr. O'Hare states that the Senator did know about the double billing, but was ignorant of the failure to collect from the Government the moneys covering the travel expenses of the 21 trips.

To conclude: The evidence, separate and apart from the words of Mr. O'Hare—and I repeat, separate and apart from the words of Mr. O'Hare—gives support to Senator Dodd's statements that he did not know, but assumed, my fellow Senators, that his office manager acted in accordance with the facts. If the circumstances neither support nor contradict Mr. Dodd, then the issue must be decided by the acceptance either of the testimony of Mr. O'Hare or that of Mr. Dodd.

I pause for a moment. Four thousand documents were stolen. A conspiracy was arranged and executed. As far as I am concerned, I am asked to decide this issue in the affirmative solely on the word of Mr. O'Hare. That I cannot do. In good conscience and in the interests of justice, I cannot conclude, based upon the testimony of Mr. O'Hare who stole properties out of the office of Senator Dodd, that the Senator is guilty of the charge that he basely and criminally defrauded his Government. If he did double bill, he intended to defraud his Government. If I were to find that he did intend to defraud his Government, I must predicate my judgment on the word of Mr. O'Hare. That, I must repeat, I cannot do.

Many of you in this room were judges. You charged juries by stating to the jurors: "You are the judges of the credibility of the witnesses. You must determine what part of a witness' testimony you will believe or disbelieve. You may reject all of it. You may accept a part and reject a part of it."

If we reject what Tom Dodd has said, the only way we can find affirmatively on charge No. 2 is to believe O'Hare. It was only O'Hare who said that Senator Dodd knew of this.

I will vote for acquittal on count No.

2. I will do it unhesitatingly and without fear of what the future may bring.

I will be at ease with myself, and I do not mean to say that those Senators who might come to a different conclusion will not be at ease with themselves.

I speak only for myself and my thinking and the promptings of my own conscience.

I yield the floor.

Mr. TOWER. Mr. President, I do not wish to detain the Senate, but I have had quite a few words to say over the past few days.

I think that I should like to have an opportunity to express myself briefly before we come to a vote.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mr. TOWER. Mr. President, I should first like to say that I believe the six men on the committee are among the finest, if not the finest, men in the U.S. Senate. I believe that they acted fairly and properly on their mandate. I think they did a splendid job.

My own conscience, however, still balks at the idea of censuring a man for conduct which, however much I disapprove of it personally, I have grave reservations about formally condemning him for it in the absence of any specific law or code adopted by the Senate.

I do not rise to express my opposition to the vote on censure on both counts because of any personal loyalty or any feeling against offending Senator Dodd.

We have very little in common. He is a lawyer and I am a schoolteacher.

He is a New England Yankee and I am a southerner.

He is a Roman Catholic and I am a Protestant.

He is a liberal Democrat and I am a conservative Republican.

Senator Dodd and I have never been allied in any particular causes. Indeed, he has dealt me some grade "A" misery on the floor of the Senate with regard to issues concerning which he disagreed with me. However, in good conscience I cannot vote affirmatively on section (a), although I believe the Senate has the power, and it is perfectly within the authority of the Senate, to censure Senator Dodd for this pattern of conduct even though there is no legal proscription against it.

It has not been proved to me, relative to specification (b), that there was intent on the part of Senator Dodd to commit fraud.

I think that charge (b) is a serious charge and, indeed, if it could be proved, it would be a satisfactory ground, in my mind, for expulsion. However, that has not been proved to me.

There is too much extenuating evidence to the contrary.

Voting for censure would be an eminently more politically wise course for me to take. However, I shall vote against censure on both counts.

I believe Senator Thurmond said that Senator Dodd should be left to the judgment of that court of final jurisdiction and that court of last resort, the sovereign people of Connecticut by whom he ultimately will be judged.

Mr. STENNIS. Mr. President, what is the pending matter immediately before the Senate to be voted on?

The ACTING PRESIDENT pro tempore. The matter immediately before the Senate is the adoption of lines 1 through 10 down to and including the word "campaign," on page 1, and lines 3 through 6 inclusive on page 2 of Senate Resolution 112.

Mr. STENNIS. Mr. President, this is more a statement of fact than a parliamentary inquiry, but a few days ago the two leaders and Senator Dodd and I had an understanding that if Senator Dodd wished to do so he would close the argument and I, acting on behalf of the committee, would precede him in a brief résumé or synopsis.

We now have no unanimous-consent agreement.

The ACTING PRESIDENT pro tempore. There is no further limitation on debate.

Mr. LONG of Louisiana. Mr. President, will the Senator Yield?

Mr. STENNIS. I yield to the Senator. May I say first, to the Senator from Louisiana and everybody else, that if any Senator wishes to speak, in keeping with the gentleman's agreement we had, if a Senator wishes to speak now, I will not seek the floor.

I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I have only a few sentences to say, two or three, and I will say them now if I may be permitted to do so.

I feel that a great injustice has been done to Senator Dodd, an injustice from which he would have been protected in a courtroom trial.

His case was tried in the courtroom of public opinion before it was ever tried in the Senate.

Had it been otherwise, I believe the result might have been different.

I ask unanimous consent that after the vote of the Senate on the censure resolution, I be permitted to have printed in the Record the articles of Drew Pearson and Jack Anderson, together with a number of front page stories that have been printed in the Washington newspapers concerning Senator Dodd over the past 18 months.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. McCLELLAN. Mr. President, as I understand it, there is no further unanimous-consent agreement pending and there is no limitation on debate. Further, as I understand it, following a vote on count 1, count 2 will still be open for discussion before a vote.

I propound that as a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas is correct. The question is on the entire resolution except for line 11 on page 1 and lines 1 and 2 on page 2.

Mr. McCLELLAN. Following the vote on this issue, the other issue would still be subject to debate.

The ACTING PRESIDENT pro tempore. The Senator is correct. There would be no limitation on debate.

Mr. STENNIS. Mr. President, for the information of other Senators, let me state further that I do not intend to reargue these facts, but merely to say a word or two.

The committee thinks that it has presented all the facts and does not have to go all over it again. However, if a Senator wants in his own right to have me yield to him, I will do so.

Mr. JAVITS. Mr. President, I would like to have the floor.

Mr. STENNIS. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Mr. President, as I understand from the Parliamentarian, when the Senate has voted upon subdivision (b) of the resolution, and if it accepts subdivision (b), then the entire resolution will be before the Senate, not subject to further amendment.

I gather that the preliminary part of the resolution, that is, the part of the resolution appearing on page 1, lines 1 to 7, and the conclusion on page 2, lines 3 through 6, will have been locked into it on that point. Is that understanding correct?

The ACTING PRESIDENT pro tempore. As the Chair understands the inquiry propounded by the Senator from New York, if we voted on both (a) and (b), the resolution then would be before us.

Mr. JAVITS. That is not correct.

The ACTING PRESIDENT pro tempore. It is agreed to.

Mr. JAVITS. I ask this question. As we shall vote first on (b)——

Several Senators. (a).

The ACTING PRESIDENT pro tempore. We vote first on (a), and then if we vote on (b), the resolution is agreed to. Under the rules, resolutions are not required to be read a third time.

Mr. JAVITS. Is the resolution open to amendment after the vote on (a), assuming that the vote is affirmative, and before the vote on (b)?

The ACTING PRESIDENT pro tempore. The Parliamentarian informs me that the only part that would be open for amendment after a first vote on (a) would be line 11 on page 1 and lines 1 and 2, inclusive, on page 2.

Mr. JAVITS. This was my understanding, Mr. President, because I think the Senate should understand that if the first vote is affirmative, that locks in the provisions of the resolution relating to censure.

The ACTING PRESIDENT pro tempore. The Chair is informed that additional language could be added at the end of the resolution, but the language in the resolution is as the Senator has stated.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. JAVITS. I understand that.

I think the Senate should understand clearly that an affirmative vote on specification (a)—to use a legal term for the purpose—would lock in the words "deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator; and tends to bring the Senate into dishonor and disrepute."

The reason why I raise that question is that it is not too late yet to vote on (b) first, and I will explain why, because I believe people are reasonable here, and therefore it may still be possible to come to what should be a fair conclusion. I have not been heard upon this matter before, and the reason is—would the Senator from Arkansas like me to yield to him at this point?

Mr. McCLELLAN. Yes. I should like to propound a parliamentary inquiry.

If I understand the ruling of the Chair, I believe the Chair is in error. The vote first is on the whole resolution as applied to count (a). Then, when you vote a second time, you should vote again on the whole resolution with respect to count (b), and it should be subject to amendment. There are two separate and independent charges with the same window-dressing before them, and an affirmative vote on count (a) does not preclude and should not preclude a further amendment, with respect to count (b), to any part of the resolution.

The ACTING PRESIDENT pro tempore. The Chair is informed by the Parliamentarian that unless unanimous consent is given, the first vote on the resolution, plus the paragraph designated as paragraph (a), will consist of a vote on the entire resolution except paragraph (b); and unless another resolving clause is added or something else is added thereto, the first part of the resolution will have been adopted.

Mr. McCLELLAN. Will the Senator yield further?

Mr. JAVITS. I yield.

Mr. McCLELLAN. I point out the very unfairness of that ruling. We may very well want the resolution, and everything it says, to apply to count (a), every word in it and with every meaning, with all the force of it. But when we go to vote on count (b), we may very well want to modify or to qualify; and this ruling, I submit, is not in accordance with precedent.

The ACTING PRESIDENT pro tempore. As the resolution is presently formulated, the Parliamentarian informs me that the ruling that the Chair has previously given is correct. The only way in which the Senator from Arkansas can achieve the end he desires is by striking out paragraph (b) and putting in another resolving clause and——

Mr. McCLELLAN. Mr. President, I submit that you are not voing on paragraph (b) at the moment, nor are you voting on additions upon which you invoke paragraph (b) or approve it at the moment. You cannot separate that and say you have to vote on these additions on (a) and vote on the same additions for (b). It should be subject to amendment.

Mr. TOWER. Will the Senator yield for a parliamentary inquiry?

Mr. JAVITS. I yield to the Senator from Texas, if the Senator from Arkansas has finished.

Mr. McCLELLAN. I would like a ruling.

The ACTING PRESIDENT pro tempore. Will the Senator permit me to respond to the inquiry of the Senator from Arkansas?

The first question is on the adoption of the resolution plus paragraph (a). So that the second question then comes upon the addition of line 1 on page 1 and lines 1 and 2 on page 2, which is paragraph (b). The second question, then, which the Chair was prepared to propound after the first question was disposed of would be on part 2 of the resolution, which is paragraph (b), including line 11 on page 1, lines 1 and 2 on page 2, as part of the context of lines 1 through 7 on page 1 and lines 3 through 6 on page 2.

Mr. McCLELLAN. I agree, except that that should not and does not foreclose an amendment to the basic resolution when you vote on paragraph (b), because——

The ACTING PRESIDENT pro tempore. The first vote is on the basic resolution, unless the Senator from Arkansas or someone else desires to amend the resolving clause and put in another resolution.

Mr. McCLELLAN. No, he does not have to put a whole resolution in. He can amend the resolution that is now pending with respect to paragraph (b).

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. McCLELLAN. What you are doing, then, is foreclosing an amendment that we might want in paragraph (b) to the conclusions as to condemnation. You could not move a reprimand for paragraph (b) according to the ruling of the Chair, if you vote censure on count (a), and I do not agree with that ruling. I am sorry.

The ACTING PRESIDENT pro tempore. The Chair regrets very much—the Senator from Arkansas can accomplish the purpose he requires by striking out paragraph (b), the last line on page 1 and lines 1 and 2 on page 2, put in another resolving clause, and vote upon that amendment.

Mr. McCLELLAN. I should like to have cited the rule that precludes an amendment to the resolution. I should like to have it cited.

The ACTING PRESIDENT pro tempore. The resolution, as a resolution, is before the Senate as an entirety. Rule XVIII provides that any Senator may ask for a division. A division was requested, and in accordance with that request, the propositions as to paragraph (a) and paragraph (b) were divided. But the first vote comes upon the resolution as to paragraph (a). We adopt lines 1 through 7, lines 8, 9, and 10, and on page 2, lines 3, 4, 5, and 6. If the Senator desires to change those resolving clauses so far as paragraph (b) is concerned, he can offer an amendment that includes the words of paragraph (b) and another resolving clause.

Mr. McCLELLAN. Let me submit this: The Chair ruled, when the amendment was offered by the distinguished Senator from Texas——

The ACTING PRESIDENT pro tempore. Or the Senator can do it by unanimous consent.

Mr. McCLELLAN. That it only applied to count (a). Now, if you can offer an amendment to count (a), to the body of the resolution, why cannot an amendment be offered to count (b), to the body of the resolution?

The ACTING PRESIDENT pro tempore. The Senator from Texas obtained unanimous consent to offer his amendment to have it apply to count (a). The Senator from Arkansas can do exactly the same thing, go through the same procedure that the Senator from Texas went through, and then it would put two resolving clauses in the resolution.

Mr. HOLLAND. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. The Senator from New York has the floor.

Mr. JAVITS. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I thank the Senator for yielding. Perhaps this matter can be made clear if we can go back a little.

When the Senator from Florida went to the Presiding Officer and the Parliamentarian on the question of whether or not a division should be ordered, he found that others had already been there and discussed the question, and that an order had been prepared interpreting the rights of any Senator.

The Senator from Florida studied that order very carefully and he found that this is the situation and he hopes that his friend——

Mr. BYRD of West Virginia. Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. The Senator will suspend momentarily. The Senate will be in order. This is a very important matter.

Mr. HOLLAND. Mr. President, the Senator from Florida found that this was the situation: First, that any Senator had the right to ask for a division; second, that if a division were ordered on the request of any Senator, two separate questions should be voted upon; and that, in effect, it was as if we were voting on two separate resolutions.

However, the form of the order was such it showed that if the first question, question (a), were submitted, we would be voting on everything from the word "Resolved," down through and including section (a), and then, omitting section (b) only, and beginning after section (b), including all the rest of the resolution.

He found that the Chair had ruled and would rule that if that vote were affirmative, that then the Senate would have adopted the beginning and the end of the resolution. That disturbed the Senator from Florida and he tried to think the thing through and he realized that a complete remedy, just as good as if we had two separate resolutions here spelled out in full, was available to any Senator because if the first point were adopted, then the second point might be enlarged by including the resolving part and the censuring part of the resolution in an amendment coupled to the second charge, and that course is completely open to every Senator.

He also found that the ruling made it clear that if the first charge did not pass, that the issue would include again all of the resolving part of the resolution plus the second count, count (b), plus the censuring part of the resolution.

So that what happens after the first vote depends on what the first vote is. If in the first vote we should turn down the first count, we would have remaining this resolution as stated in count 2 or part (b), and if, to the contrary, the vote on the first amendment were in the affirmative and it were adopted, it would still be in the power of any Senator, if he wanted to amend something beyond section (b), to restate that as an amendment to the whole resolution; and the right is completely saved to any Senator to act as if we had two resolutions before us.

The Senator from Florida assured himself on this point and asked for a division.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. McCLELLAN. Mr. President, I would like to be advised by the Chair how the amendment of the Senator from Texas could be offered to the second count.

Mr. HOLLAND. Mr. President, the Chair should rule, but the Senator from Florida would be glad to explain that if the Chair wishes me to.

The ACTING PRESIDENT pro tempore. The Chair ruled succinctly.

Mr. STENNIS. Mr. President, may we have order so that all Senators can hear?

The ACTING PRESIDENT pro tempore. It would probably be much better if the Chair stated it. The Senator from Florida has stated the parliamentary situation.

The Chair advises the Senator from Arkansas that if he wants to change the language of the resolution insofar as it applies to the second part, paragraph (b), he can offer additional language after line 6 on page 2 as an additional "Resolving."

Mr. McCLELLAN. I may want to wholly support every word in this resolution with respect to count 1, but if I vote that way on count 1, I have bound myself on count 2 to language I do not want. That is what I am trying to determine.

The ACTING PRESIDENT pro tempore. The Chair regrets the Senator interpreted the ruling of the Chair in that way.

The Senator can then move to strike out the three lines of count 2, paragraph (b) and write any sort of a resolve he desires.

Mr. McCLELLAN. Mr. President, all I am trying to determine is: Is it subject to amendment?

The PRESIDING OFICER. It is subject to amendment, as the Chair ruled.

Mr. McCARTHY. Mr. President, will the Senator from New York yield for a parliamentary inquiry?

Mr. JAVITS. Mr. President, I wish to clarify the matter for the Senator. The thing that troubles us most is the fact that if it should appear upon a vote that part (b) will be stricken—and my guess is that it will be, and I shall address myself to that later—there is a section of part (b) that is stricken. Then, no matter what we add at the end, we have given the sentence in advance of the conviction. In short, we are locked into the words "deserves the censure of the Senate; and is so censured for his conduct, which is contrary to accepted morals" which is in there. You cannot do anything about it. You might add, but you cannot do anything about it, no matter what you add onto (a) and (b). That is what the Chair has ruled.

If a Senator should vote "no" on (b), and if in the opinion of the Senator there is a moral difference between (a) and (b)—and I think there is—the Senate is locked in on the declaration of censure; and the only thing it could do would be to add and modify and so forth, which is not very good in a situation like this.

That is why I raise the question. I think everybody wants to be fair. I am laying the question before the Senate. There are several ways to solve the matter by unanimous consent and consecutiveness, of course, in the vote on (a) and (b) or (b) and (a), all subject to unanimous consent.

You are all men of good conscience. I lay this before you. Once you vote (a) up, once you have voted "yea" on (a), then you are locked into lines 3 through 6 on page 2. You can add but you cannot change.

Mr. STENNIS. Mr. President, will the Senate yield there?

Mr. JAVITS. I yield.

Mr. STENNIS. Mr. President, was the Chair following the statement of the Senator from New York?

The ACTING PRESIDENT pro tempore. Yes, the Chair was trying to.

Mr. STENNIS. Has the Chair ruled the way in which the Senator from New York said or to the contrary?

Does the Chair understand my question?

The ACTING PRESIDENT pro tempore. The question was understood.

If the Senate votes on the resolution under the question that is before the Senate, as the Chair ruled, section (a) and lines 1 through 7 on page 1, and lines 3 through 6 on page 2, inclusive, will be adopted by the Senate, and not subject to further amendment.

The Senator then can, if he desires—the Chair informs the Senator from Arkansas that another resolving clause, insofar as section (b) can be written, the words could be changed, and others could be stricken.

Mr. McCARTHY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. McCARTHY. I wish to suggest to the Senate that they look at the original resolution in which the Select Committee on Standards and Conduct recommended censure on two counts, one having to do with fundraising, and the other having to do with double billing. We did not recommend that Senator DODD be censured only for one and then, again for the other. We presented them both for consideration, to be taken into account by the Senate if it is going to vote censure. If the Senate votes to take out section (b), it means that the Senate is willing to censure the Senator on section (a) alone; if the Senate keeps (a) and (b) in, the Senate says that the Senate is censuring for (a) plus whatever (b) means.

If we take (b) out, it means we will vote censure on (a) alone, without giving any considerations to (b). Otherwise we should have submitted three resolutions, censure for (a) and then for (b). But we said we would consider censuring him because of (a) and (b) together. Take (b) out, and we are censuring for (a) alone. So we take (b) out. Where do we go from there? This is the point of the parliamentary inquiry. We said we can strike (b) and offer a resolution with new instructions and new interpretations added to the resolution.

The ACTING PRESIDENT pro tempore. That is the ruling of the Chair.

Mr. McCARTHY. So that if (b) is stricken, the Senator from Arkansas could offer a second section to the resolution in which he would "reprimand," or express disapproval of (b).

The ACTING PRESIDENT pro tempore. In any language the Senator chose, that would be correct.

Mr. McCARTHY. It seems that this clarifies the situation.

Several Senators addressed the Chair.

Mr. PASTORE. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I think the Senator from New York is absolutely correct, because if we adopt this resolution up through section (a), the next question that reoccurs is, Shall section (b) be adopted?

Now, if that is carried, then the Senator from New York is saying that we are locked in. If that is adopted then section (b) remains in. It is tied in with the resolving clause. Therefore, we can no longer amend it. That is the thing that is very important here.

Several Senators addressed the Chair.

Mr. JAVITS. Mr. President, I yield to the Senator from Arkansas.

Mr. McCLELLAN. The point I am making is, a vote on count one, saying we censure, should not be binding to the point that we cannot amend the word "censure" on count two. By simply striking out the word "censure" and inserting "reprimand," that is what we are saying cannot be done. That is the point I am raising. I am not seeking a new resolution, but I do not want to feel that because I vote to censure on count one that I cannot modify that vote on count two to say that I reprimand, if that is what the Senate wants and that the Chair is holding, that it cannot be amended.

Mr. STENNIS. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. Let me ask one further parliamentary inquiry. Mr. President, is it possible—I know the answer of the Chair will be that the Senate can do anything by unanimous consent—but, nonetheless, I ask, is it possible, by unanimous consent, to open lines 3 to 6 or amend them after the first and second votes have been disposed of?

The ACTING PRESIDENT pro tempore. Yes.

Mr. JAVITS. It is possible. I thank the Chair.

Mr. STENNIS. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield.

Mr. STENNIS. Mr. President,——

Mr. MORSE. Mr. President, can we have order in the Senate?

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. STENNIS. Mr. President, we must get at this some way. I will pause here a moment until the Parliamentarian has finished conferring with the Acting President pro tempore.

Mr. President, I think, if I have understood this matter correctly—if I may have the attention of the Senator from Arkansas and the Senator from New York—the Chair has ruled, as I understand it, that after we have a vote on (a), and if it should be in the affirmative, then the resolution in whole, will still be open to further amendment. For instance, an amendment to strike out the language in paragraph (b), or supposing a Senator wanted to offer an amendment to keep paragraph (b) in there but using different language, or say we use the word "reprimand" as to paragraph (b). Could he not also offer an amendment by just saying, "be it further resolved that it is the judgment of the Senate" and so forth, and put in the word "reprimand" and put it in in paragraph (b)?

The ACTING PRESIDENT pro tempore. The Senator from Mississippi is correct.

Mr. STENNIS. Then we would have before the Senate the matter of striking it all out, and if that carried, it was over. We want to have before the Senate the matter of keeping it in there, but using a different word—that is, "reprimand"—and in that way all sides would certainly have been represented. Is that the Chair's ruling, in substance?

The ACTING PRESIDENT pro tempore. The Chair cannot agree or disagree with the conclusion that all sides will have their rights represented. But the Senator from Mississippi has described the ruling of the Chair, and has presented a way in which paragraph (b) can be presented to the Senate with different language, such as the word "reprimand" or some other word other than "censure" and have another resolving clause.

Several Senators addressed the Chair.

The ACTING PRESIDENT pro tempore. The Chair states further that this was originally a single resolution with a single resolving clause. Then, as the Senator from Florida has described, it was divided so that we had an agreement to vote on (a) and (b), but we still vote on a single resolution with a resolving clause.

Mr. JAVITS. Mr. President, may I explain myself on that, since I raised this question.

Senators have an absolute right to have a different point of view on the strength of an indictment—and I hope that the Senator from Connecticut [Mr. DODD] will forgive me for this, but we have got to use words that people understand—on (a) and (b), and, therefore, we should have the right to use our discretion as to what should be the punishment—because that is what it is in the event the Senate acts differently on (a) and (b). Members may differ. Some may feel that if (a) is sustained and (b) is knocked out that we are all for censure and it is well deserved. Other Members may feel that if (b) is knocked out and (a) is sustained, we censure, because we do not have the wording to enact various other resolutions.

Thus, I thought it my duty as a lawyer to point out that once we pass (a), we are locking in on the punishment. We can knock out (b) any way we like, because this is a single resolution and the proposition to censure the Senator from Connecticut [Mr. DODD] because he has been found culpable on (a) and (b). Now, Mr. President, we have passed on the voting on (a) and (b), but we have not passed on the punishment, unless we do it by unanimous consent. Members may differ on that. I will tell the Senate, frankly, my own attitude—I think the Senate should know it—and that is the only reason I rose. I think the committee is composed of great and wonderful men so that they are not going to be insulted if I do not agree with them 100 percent.

I know that as a fact. It is nonsense, in my judgment, to lay this at the door that the committee will feel aggrieved because we did not sustain them all the way. It is this man's life that is at stake. The missing element in section 2 is scienter, as we lawyers call it; namely, that it has not been proved conclusively, in my judgment, that Senator DODD understood what he was doing when he double billed. That has to be proved affirmatively. It cannot be taken on circumstances and piecing it together. If it is in this resolution, it is entitled to our judgment.

I think, under the circumstances, charge (a) has been proved. I shall vote that way. I have gotten the Articles of War, I may say. At the very least, I think it is conduct unbecoming a Senator.

Under those circumstances, should not the Senate have the freedom to say, well, first find out what we are going to hold this man for? If the whole Senate shall vote that it is satisfied he is guilty of (b), then I will abide by that judgment. But that is not a vote for censure by the Senate as a whole for his culpability on (a) and (b). Under the circumstances we should not lock ourselves in, and the Senate should be left free, and, if necessary, by unanimous consent, to determine what punishment we will adjudge after we vote on what he is guilty of. That is just unloosening our own hands. He is going to have to live the rest of his days with what we say in this resolution. Let us not tie ourselves up in a procedural way so we cannot do what our conscience dictates we should do when it comes time to do it.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. TOWER. I may point out that the Senate has already expressed itself on what kind of language should be used relative to Senator DODD with reference to point (a). My amendment was offered simply to mitigate the language of the resolution as it applied to point (a), and no other point. The Senate overwhelmingly determined it did not want to mitigate the language relative to point (a); that it wanted to do what it voted to do on point (a). So, as a practical matter, those of us who would like to mitigate the language have to stand upon that verdict. I do not think we are going to get anywhere after point (a) is voted on.

Mr. PASTORE. Mr. President, will the Senator yield for a parliamentary inquiry?

The ACTING PRESIDENT pro tempore. Does the Senator from New York yield for a parliamentary inquiry?

Mr. JAVITS. I yield for a parliamentary inquiry.

Mr. PASTORE. If the first part of the resolution is carried, what will be the question that is submitted to the Senate?

The ACTING PRESIDENT pro tempore. The next question will be on part 2 of the resolution, which is paragraph (b), including line 11 on page 1 and lines 1 and 2 on page 2, as a part of the context of lines 1 through 7 on page 1.

Mr. PASTORE. Assuming that that motion does carry, it would mean that section (b) is adopted. Am I correct?

Mr. STENNIS. What motion?

The ACTING PRESIDENT pro tempore. If that motion is carried, it would mean——

Mr. PASTORE. That part of the resolution be adopted? Therefore, one step would be done. Could there be a further amendment that would change the word "censure" as to (b)?

The question I am asking is, at what point do we mete out punishment?

The ACTING PRESIDENT pro tempore. A Senator could offer a new resolving clause.

Mr. PASTORE. That is not my question. When the question is submitted on part (b), and it should carry, can the Senate then amend the resolution with respect to language as to punishment, or is it locked in?

The ACTING PRESIDENT pro tempore. If the Senate agrees to either paragraph (a) or paragraph (b)—either—then lines 1 through 7 on page 1 and lines 3 through 6 on page 2 are agreed to.

Mr. PASTORE. Are agreed to. That is precisely the point I am making here. There may be some Senators who would like first to take a chance on knocking out (b) completely; but failing that, we are locked in and we no longer can amend the resolution.

Mr. STENNIS. Mr. President, would the Chair state what the Chair ruled a few minutes ago in response to the Senator from Rhode Island?

The ACTING PRESIDENT pro tempore. The Chair states that the resolving clause, lines 1 through 7 on page 1, and lines 3 through 6 on page 2, inclusive, would be adopted if either (a) or (b) were agreed to.

Mr. PASTORE. Therefore, after that, we can no longer amend it.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. PASTORE. That brings me back to what the Senator from New York said—we are being locked in.

The ACTING PRESIDENT pro tempore. As the Senator from Texas pointed out, the Senate has already voted upon a motion to mitigate the language insofar as paragraph (a) is concerned, and it would take unanimous consent to reoffer the identical amendment to paragraph (a) again.

Mr. PASTORE. The Chair is missing my point. What if we then desire mitigation? We want to knock it out completely, and the vote goes against us. Then we are locked in. It is everything or nothing. That is the point I am making.

Mr. HOLLAND. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, we are making a very complex thing out of something that is very simple. The Senator from Texas [Mr. TOWER] pointed out accurately a while ago that his proposed amendment affected only the submission of question (a). He addressed that parliamentary question to the Chair, was assured that that was the case, offered his amendment, and it was rejected by the Senate. So that the censure part in the last few lines of the resolution, insofar as that action is concerned, was fixed as to section (a), but was not fixed as to section (b). If any Senator wants to vote differently as to section (b), all in the world he has to do is to offer new resolving words to come after the resolution as written.

I satisfied myself completely on it before I asked for a division of the question.

I merely want to say one time, again, that the Senator from Texas is completely correct in his statement that our action in turning down the change of the word "censure" to another word applies only and exclusively to the case made by section (a) and not at all to anything else. If Senators want to have a different censure clause as to (b), all they have to do is to offer additional words to the resolution.

The ACTING PRESIDENT pro tempore. The Senator from New York still has the floor.

Mr. HOLLAND. The Senator from New York yielded to me. I should like to complete my remarks.

There is no way to change the fact that we have made that judgment in the Senate, but only as to section (a). Those words as to section (a) are fixed; they are set. If Senators want to have other words as to section (b), it is quite easy to get them into the resolution. That is the point I am making.

Mr. McCLELLAN. That is the very point I am making. Section (a) will be fixed if we vote it up. It will be fixed; no one can change it.

Mr. HOLLAND. But only as to section (a).

Mr. McCLELLAN. But only as to section (a). The point I am making is this: Can I now move or submit an amendment to strike the word "censure" and submit the word "reprimand" as to section (b)? The Chair has ruled that that cannot be done. I do not understand the Chair's reasoning.

Mr. HOLLAND. If the Senator from New York will continue to yield to me, the Senator from Arkansas could not proceed in that way. If he did so, he would attempt to undo what has already been done with respect to section (a). But he can do it in another way, by offering separate words to indicate—and, so far as I am concerned, I would be glad to join the Senator in offering those words—that he wants to be sure he can have that remedy. But I know he can have that remedy unimpaired. I know he would be in error, if he thought he could again take out the word "censure" as to section (a), which has already been fixed.

Mr. McCLELLAN. I have no desire to change section (a). I do not think I have to submit a whole new resolution to deal with section (b).

Mr. HOLLAND. Not a whole new resolution, but words that follow by way of amendment.

Mr. McCLELLAN. Then I would have to add a whole new resolution.

Mr. JAVITS. Mr. President, I think the Senate has the picture clearly in mind by now. [Laughter.] I should like to bring my part of the debate to a close. Incidentally, I have never used the argument that when an amendment is turned down it means that something is fixed in the resolution. There could be 44 resolutions with 44 variations of the word "censure" that would be in order to the whole resolution.

The way we are locking in language procedurally, no matter what we do with sections (a) and (b), we will have censure.

I do not accept the argument of the Senator from Texas [Mr. TOWER] or the Senator from Florida [Mr. HOLLAND] that because the Senate rejected the Tower amendment, that means that this is our optimum definition, and that that is what we are going to have to take with sections (a) and (b), once we tie our hands in this procedural way. I think I have spoken more than enough times—as have other Senators—to demonstrate that we are locked in if we follow this procedure.

Definitely, the only way in which we can get ourselves off this dime, to allow Senators to vote their consciences on sections (a) and (b), is to get unanimous consent. We may not get it.

I should like to point out that if any Senator has it in mind to object—because I am going to ask unanimous consent—the Senate will be tying its hands, and we shall be unable to make, as it were, the punishment fit the crime—a very elementary proposition. I think we shall be making a great mistake to do so. No court would do that—and there has been much talk that the Senate is sitting as a court. We would not find a judge who would lock his hands in by a motion of this sort.

The only way we can get ourselves out of this—and we have great facility. when we want to, for getting ourselves out of embarrassing situations—is, if unanimous consent can be obtained, that the final resolving clause be opened to amendment following the vote on (a) and (b). That kind of unanimous consent would enable us to work our will, whatever that will may be.

Mr. BENNETT. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Utah for a parliamentary inquiry?

Mr. JAVITS. I yield.

Mr. BENNETT. If I understand the position of the Senator from New York, if we unanimously consent to modifying the last clause, which states the punishment, as he would say, then we must apply that lighter punishment to (a) as well as to (b)?

Mr. JAVITS. No. It would be entirely up to the Senate as to what they want to do. We could have two resolves, one as to (a) and one as to (b), or we could have one. The Senate could deal with the language any way it chose.

Incidentally—and this possibility should not be lightly dismissed—the Senate might make that language much tougher. Those Senators who feel that (b) is a much more serious matter, as far as the Senate is concerned, than (a), might wish to toughen up the language considerably beyond censure. That is just as possible as the reverse.

Mr. BENNETT. I am addressing my inquiry to the Chair.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. BENNETT. The problem is, if we had unanimous consent which permitted the Senate to modify the final clause after both (a) and (b) had been voted on, would that permit—I will change my question in view of what the Senator from New York has stated—would that permit us to say that with respect to (a) he is censured, with respect to (b) he is reprimanded, or commended, or something else?

The ACTING PRESIDENT pro tempore. Yes. Of course, the Senate can do that right now. The Senate can vote for censure on (a) and vote for something milder on (b) by inserting a new resolving clause. If the Chair understands the proposition that the Senator from New York intends to suggest, lines 3 through 6 would be opened for amendment after voting upon both (a) and (b).

Mr. JAVITS. Exactly.

The ACTING PRESIDENT pro tempore. In which case it would be the ruling of the Chair that lines 3 through 6 then would be open for amendment for any purpose, if the Senate agreed to a unanimous consent to make those lines amendable.

Mr. JAVITS. Mr. President, a further parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. JAVITS. The Senate could turn down any amendment it did not like to those lines, could it not, or agree to any it did like?

The ACTING PRESIDENT pro tempore. It could.

Mr. STENNIS. Mr. President, may I address a parliamentary inquiry to the Chair?

The ACTING PRESIDENT pro tempore. Will the Senator from New York yield for that purpose?

Mr. JAVITS. I yield.

Mr. STENNIS. There must be a way out of this impasse.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi brought in a resolution of censure, and based it on two grounds.

Mr. STENNIS. Yes.

The ACTING PRESIDENT pro tempore. The Senate decided it would vote on each ground separately.

Mr. STENNIS. Yes.

The ACTING PRESIDENT pro tempore. The Chair thinks the confusion lies in the fact that this was a single resolution of censure based upon these two grounds, based upon the recommendation of the committee that there should be censure if either ground was found.

Mr. STENNIS. I was about to propose a way to meet the situation. If we could have unanimous consent, as to (b)—that part of the resolution that follows the (b) in brackets—that it be taken out of the resolution, rewritten as a separate resolution in the same language that it has now, and then be subject to amendment, the opening clause would be subject to amendment and the closing part would be subject to amendment, and could be taken up after we pass on (a). That way, everyone would have complete rights in every possible way.

Several Senators addressed the Chair.

Mr. JAVITS. Mr. President, that would be exactly what would not give everyone complete rights, because we have already voted censure on (a).

Several Senators. No.

The ACTING PRESIDENT pro tempore. The proposition, as the Chair understands it, is that the Senator from Mississippi would offer two complete resolutions, one a resolution containing the language on page 1 through line 10 and the language on page 2, lines 3 to 6, and then another resolution that would contain any language that the Senator from Arkansas, the Senator from New York, or any other Senator wished to put into it, including the language in paragraph (b).

Mr. STENNIS. Mr. President, if the Senator from New York will yield to me for that purpose, I would add one further point: If that is done, of course, (a) would be put in subject to what has already happened by the vote on the Tower amendment. That has already been passed on, as to that language.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. STENNIS. It would have to come in with the result of that vote attached.

Mr. JAVITS. Mr. President, May I just point out to the Senate that if we did it the Senator's way, it could result in two resolutions, which is a confusing and, in my judgment, not quite fully dignified approach to the situation? We ought to act on the Dodd case by one resolution.

The suggestion I have made is exactly the same as that of the Senator from Mississippi, except that it unties the Senate's hands until the final conclusion as to what it is going to do, as to what it finds. I respectfully submit that that would be a cleaner, more honorable, more judicial way to do it than to have two resolutions. It would be one resolution then, in two parts, (a) and (b).

Mr. JACKSON. Mr. President, may we have order?

Will the Senator yield to me?

The ACTING PRESIDENT pro tempore. The Senate will be in order. Did the Senator from Mississippi submit a unanimous-consent request?

Mr. JACKSON. I wanted to discuss the matter before the Senate.

Mr. JAVITS. I yield to the Senator from Washington.

The ACTING PRESIDENT pro tempore. Will the Senator suspend for a moment, while the clerk reads the two propositions submitted by the Senator from Mississippi in his unanimous-consent request?

Mr. JAVITS. Mr. President, a point of order. I understand no unanimous-consent request has been propounded by anybody.

The ACTING PRESIDENT pro tempore. It is my understanding that the Senator from Mississippi propounded one.

Mr. STENNIS. Mr. President, if I may address the Chair—does the Senator from New York yield to me for that purpose?

Mr. JAVITS. I yield.

Mr. STENNIS. Mr. President, I would say, to meet the objection of the Senator concerning the two resolutions, that I think it is a good point. I do not like the idea of having two resolutions. I think that we can have part (a) and part (b) and give them separate designations—keeping them separate but having two resolving clauses.

Mr. JAVITS. Mr. President, I yield to the Senator from Washington.

Mr. JACKSON. Mr. President, not to state it simply, but could not the objective of the Senator from New York be accomplished by striking all of line 11 on page 1 and lines 1 and 2 on page 2 and then starting with what would be line 7 on page 2 and do it all in the one resolution? We could use the same language again, and then after that we would use the language appearing on page 2, starting on lines 3 through 6, with whatever changes the Senator wishes to make.

In that way, it would all be contained in one resolution and it would be in legislative order.

The ACTING PRESIDENT pro tempore. It is the understanding of the Chair that this was the suggestion of the Senator from Mississippi.

Mr. JAVITS. Mr. President, I yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, I should like to make an observation. As I understand the ruling of the Chair, it calls upon us to vote upon two different propositions: first, line 1 through line 10 on page 1, plus lines 3 through 6 on page 2. That may be characterized as the first specification.

The Senate will then vote—regardless of how it might vote on this—on the second proposition, embracing lines 1 through 7 on page 1 and line 11 at the bottom of page 1 through line 6 on page 2.

The ACTING PRESIDENT pro tempore. That is the proposition just suggested by the Senator from Mississippi.

Mr. ERVIN. I think we have complicated the simplicity of the matter, as I see it, on each of these points, on each of these specifications, in designating one as specification (a) and the other as specification (b).

Each Senator is confronted by 2 questions. The first question is whether the evidence being considered by the Senate establishes the facts alleged in specification (a) or (b), as the case may be. The second question is whether the facts themselves are established.

If a Senator answer the first question in the affirmative and justify or require censure, he then has to answer many of those questions in the affirmative before he can vote on that specification.

If he answers either one of those in the negative, then it would be his duty to vote against the specification.

In other words, he would have to find that the facts stated had been established by the testimony, and that, in his judgment, those facts thus established justify or require censure.

If he found that neither one of those conditions existed, or if only one of them existed, it would be his duty to vote against the specification.

Mr. JAVITS. Mr. President, I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, it is very obviously the case that we have ourselves involved in a parliamentary spiderweb.

Once I realized that I was involved in that spider's web, I tried to get out of it by means of a unanimous consent, but could not do so.

The committee is now locked into it, and the committee cannot get unanimous consent to get out of it.

The resolution is so drawn as to accuse the Senator of a course of conduct that would involve two types of mischief.

The language from line 1 through line 7 on page 1 is drawn on that basis, and so is the language on lines 3 through 6 on the following page.

For example, in lines 1 through 7 on page 1, it states that it is the judgment of the Senate that over a course of 5 years, Senator Dodd has been doing some things which the Senate does not think is right.

It further says that he is exercising improperly the influence and power of his office as a U.S. Senator, as shown by the conclusions in the investigation by the select committee.

The resolution states that he was doing this:

> (a) to obtain, and use for his personal benefit, funds from the public through political testimonials and a political campaign—

The resolution continues:

> (b) to request and accept reimbursements for expenses from both the Senate and private organizations for the same travel—

The Senator did not make the request. He was not the one to accept it. It was made and accepted on his behalf, as the testimony and evidence shows.

So obviously that does not relate to the phrase "exercising the influence and power of his office as a U.S. Senator."

We go then to the material contained on the other three lines of the resolution on which we would be voting. That states—

> deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals—

If it is contrary to accepted morals, that would appear to refer to section (b). There is no particular moral standard involved in section (a).

The resolution then continues—

> derogates from the public trust expected of a Senator—

That apparently refers to section (b), which accuses him of requesting and accepting reimbursement of expenses from both the Senate and private organizations for the same travel.

I continue to read from the resolution:

> derogates from the public trust expected of a Senator: and tends to bring the Senate into dishonor and disrepute.

If he is guilty of only one of the charges, then it seems a bit harsh to say dishonor and disrepute. In such case, it might be more fair to say that it tends to reflect unfavorably upon the Senate.

The whole idea is wrapped up in one ball of wax.

If we leave out (a) or (b), it tends to make sense.

We have surplus language that should not be there. In lines 1 through 7 on page 1 and lines 3 through 6 on page 2, you have surplus language in the event you vote on section (a), or section (b). There is surplus language in either event. They are locked in on those 11 lines to which I have referred.

Mr. President, I tried to get out of this parliamentary spider web by asking for unanimous consent that we vote on part (b) first, thinking that we might drop that part and take out the surplus language and trim the language down to what it should be.

I would be willing to give unanimous consent if we could hold a conference with the distinguished Senator from Mississippi or with the entire committee to talk about how these resolutions ought to read, if they are to be separate resolutions.

I would be willing to give unanimous consent if we could do that, but thus far I have not been able to get unanimous consent to get out of this spider's web. Therefore, I do not see why I should give anybody else unanimous consent to get out of the spider's web until we have a chance to work something out and draft what would be an appropriate resolution.

It would be all right with me. If I had my way about it, looking backward, with 20/20 vision, the Senator from Florida [Mr. HOLLAND] would never have gotten a division to begin with. However, I was too slow to move.

I did not realize that I was going to be trapped and kept from making a motion that I wanted to make, and that others would not have a chance to make motions they wanted to make.

I do not know how we can extricate ourselves from this trap except by some sort of an agreement or a series of motions. However, I am willing to cooperate with the understanding that I have not been able to get unanimous consent to proceed in the matter in which I wanted to proceed. I am not disposed to give unanimous consent to any other Senator because of that, but I am willing to cooperate, knowing that the Senate wants to act.

Mr. JAVITS. Mr. President, I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I thank the Senator.

Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. STENNIS. Mr. President, with respect to Senate Resolution 112, would it not be possible for the one who introduced the resolution to modify the same by striking out line 11 on page 1 and lines 1 and 2 on page 2 and then at the end of line 6 on page 2, and as a new paragraph, add the words: "*Resolved further*"—reading from the original content of the resolution on line 1, page 1—"that it is the judgment of the Senate" down through line 7 on page 1, and then pick up the words contained on line 11 of page 1 reading: "to request and accept reimbursements of expenses from both the Senate and private organizations for the same travel."

This is the same wording of the present resolution, and then continue with the same language that is now lines 3, 4, 5, and 6 on page 2. Now, that is no change in substance.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. STENNIS. If I may make this explanation, I will yield.

Except for the Tower amendment that is applied to Senate Resolution 112, that leaves every point open for amendment and for division vote as has been ordered.

I yield to the Senator from New Mexico.

Mr. ANDERSON. Many Senators are waiting and are willing to have the proposal made by the Senator from Mississippi, to try to get out of this box.

Mr. MANSFIELD. Has the Senator received a ruling from the Chair?

Mr. STENNIS. No, I have not; and I have not taken it up with the Chair.

The ACTING PRESIDENT pro tempore. The Senator may do it by unanimous consent. A reported resolution cannot be modified by the introducer. If the Senator wants to do that, it can be done in the way originally outlined by the Chair, by adopting the (a) part and then by amending part (b) in any way he wishes, or by unanimous consent, making these in effect two separate "resolves." It has already been drafted.

Mr. STENNIS. Will the Senator permit me to make further inquiry?

Mr. JAVITS. Yes.

Mr. STENNIS. Would my same inquiry apply and receive a favorable response from the Chair if this change was accomplished by a vote of the Senate? Just the change, and not on the merits of any of the language.

The ACTING PRESIDENT pro tempore. The matter before the Senate at the present time is part (a). The Senator could do it now by unanimous consent. After a vote on part (a) he could also, by striking part (b) and then adding the language, make it two separate "resolves" on a motion. But at the present time the only way the Senator on his own can divide it and have (b) taken out is by unanimous consent.

Mr. STENNIS. Does the Chair mean that after the vote on (a), the Senator who introduced the resolution could do it?

The ACTING PRESIDENT pro tempore. He could move to strike the three lines in paragraph (b), put any resolving language that he chose in such a second part of the resolution, and move that as an amendment.

Mr. STENNIS. It would be subject to amendment, then, as one might wish?

The ACTING PRESIDENT pro tempore. Yes.

Mr. STENNIS. I believe that meets the situation, and I would say that I would offer exactly what the Chair has outlined, after the vote on (a).

The ACTING PRESIDENT pro tempore. Does the Senator wish to make a unanimous request at this time?

Mr. JAVITS. Mr. President, I would be constrained to object, because I do not think that meets the situation.

The ACTING PRESIDENT pro tempore. The Senator would have to yield.

Mr. JAVITS. I would yield, of course, but I do not want the Senator to do a vain thing. I think we should try to do a little better, if we can.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. I should like to put to the Senator two or three hypothetical situations that I offer in hope that they might clarify the matter.

As I understand the argument of the Senator from New York, it is that if we proceed to vote on count (a), the matter of the use of the funds from testimonial dinners, which proposes a censure decision by the Senate, he feels that there may be those in the Senate who would not be ready to vote that penalty on (a) at the present time, until they knew what the action of the Senate was going to be on (b).

Mr. JAVITS. Precisely.

Mr. MORSE. Because the Senator from New York feels that there are those who would like to soften (b), either by striking it entirely or by substituting "reprimand" or some other descriptive term, setting up a different penalty.

Mr. JAVITS. Let me answer that. That is not quite accurate. The first was accurate.

My point is that if the Senate holds Senator DODD to be—I hate to use the word "guilty"—let us say culpable—criticize him, use any word you wish—on (a) and (b), then in my opinion the censure paragraph is richly deserved and should be voted as is. But my point is that if the Senate chooses to strike either (a) or (b), then it should be free to make any modification it chooses in the censure paragraph depending upon what the final judgment of the Senate is.

Mr. MORSE. I am coming to that, but I first wanted to lay out these three hypotheticals. We understand No. 1. We think that some people might not vote for No. 1 because they do not know what is going to happen to No. 2; and if a certain course of action follows in respect to No. 2—namely, softening it to reprimand or to some other penalty—then they might have a different view as to what they would vote for in regard to a penalty on (a); and that therefore we are confronted with this parliamentary situation, referring to what the Senator from New York calls a locked-in procedure that now confronts us.

Mr. JAVITS. May I interrupt the Senator?

I do not believe the Senator is putting it precisely. I do not care about softening (b). My hypothesis is that if (b) is rejected out of hand, the vote is "no," that leaves only (a). The question then will be for many Senators, if (a) is the only count that is sustained, and that will be voted on first, do they want to use this censure paragraph as it is stated? The way the parliamentary situation sets up, they have no choice, they are finished.

Mr. MORSE. That is my third hypothetical. No matter what action is taken, as the third alternative in regard to section (b), the Senator says we should have a right, after that action has been taken, no matter what that action is, to then decide whether or not we can take a modified view on the word "censure."

Mr. JAVITS. Or a stronger view.

Mr. MORSE. What I am suggesting is that we go ahead and vote on (a), with the unanimous understanding, if we can get it, that after the Senate, in its wisdom, disposes of (b), it is to be understood that the language in lines 3 to 6 will then be open to further amendment.

Mr. JAVITS. Exactly. That is just what we should do.

Mr. MORSE. I believe that is a more orderly procedure than to follow a procedure of two resolutions. We vote on (a), but we understand that as we vote on (a), we are not committing ourselves to the penalty that is set forth on lines 3 to 6, in the sense that that penalty can be changed by subsequent action after we have disposed of (b). I do not see why we cannot have a unanimous-consent agreement to do that.

I want to make it perfectly clear that I believe that if there were no counts in this resolution other than (a) and we find that we approve the facts in (a), the result should be censure. There should be no doubt as to where I stand on that. That is my view. That is not the view of some others. Therefore, I believe each Senator has the right to have an opportunity to vote finally for the penalty that he believes should be imposed, and we should not lock him in on a finding of fact that he makes when he votes on (a). He is making a finding of fact, and he wants to review that finding of fact, vis-a-vis a penalty, after count (b) has been considered. I think we should do that by unanimous consent.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. STENNIS. Has not the Senate just voted on that part of (a), as to whether it shall be censure or whether merely——

Mr. MORSE. May I say respectfully that I do not believe, in view of the format that has been raised by the Senator from New York, that we voted on it with the point that the Senator from New York has taken into account; but I believe we would be in a position to reach finality on it if we accepted the suggestion that I make—that there be a unanimous-consent agreement.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). There will be order in the Chamber.

The Senator from New York has the floor.

Mr. BENNETT. Mr. President, the Senator from New York yielded——

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. JAVITS. Mr. President, I yield to the Senator from Utah.

Mr. MORSE. Mr. President, will the Senator yield to me briefly so that I may finish my reply to the Senator from Mississippi?

Mr. JAVITS. I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I simply wish to say that we would reach that point of finality, accepting a unanimous-consent agreement, as soon as we dispose of (b), whatever it is; then, lines 3 through 6 would be open to amendment.

Mr. JAVITS. Mr. President, I yield to the Senator from Utah.

Mr. BENNETT. Mr. President, an attempt was made to modify the severity of the Senate's statement of punishment with respect to (a), and that amendment lost. Does that preclude another amendment for the same purpose?

The PRESIDING OFFICER. The Parliamentarian advises the Chair that you cannot offer the identical amendment, but you could offer an amendment with some substantive change that would accomplish the objective of the Senator.

Mr. JAVITS. Mr. President, I have a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. That amendment would apply to sections (a) and (b), would it not and to get it to apply to (a) or (b), you would have to have unanimous consent, as did the Senator from Texas?

The PRESIDING OFFICER. The Senator is correct.

Several Senators addresed the Chair.

Mr. JAVITS. Mr. President, I yield to the majority leader.

Mr. MANSFIELD. Mr. President, I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Mr. President, on page 611, in the Rules of Senate Procedure—and I hope there is a copy that the Chair will be able to look at—the second paragraph reads as follows:

> An original Senate resolution reported from a committee may be modified when such action is authorized by the committee.

As a nonlawyer, could the Presiding Officer tell the Senate in plain language, what that means?

The PRESIDING OFFICER. Exactly what it says. [Laughter.]

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. JAVITS. I yield.

Mr. MANSFIELD. If I interpret the ruling of the Chair correctly, and I think I do, then I believe the proposal which the distinguished Senator from Mississippi, the chairman of the committee [Mr. STENNIS], has attempted to bring before the Senate should be given consideration on this basis, and I would like to ask him if he has the authorization of his committee to act in that fashion.

Mr. STENNIS. Mr. President, they are in favor, but I will check with them. The amendment I outlined transposed those words.

Mr. MANSFIELD. Would the committee please attempt to confer on this matter?

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. JAVITS. Mr. President, I yield to the Senator from Texas.

Mr. TOWER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TOWER. Mr. President, could we find our way out of this parliamentary morass if we simply, by unanimous consent, rescinded the order for division? Then, the resolution would be open to amendment and one could move to delete section (b), if we rescinded the order.

The PRESIDING OFICER. The Chair rules that unanimous consent is not needed. The Senator from Florida who proposed the original request may withdraw it if he wishes.

Mr. TOWER. If the Senator from Florida withdraws it, this would get over the objections raised by the Senator from New York and we could consider any part of the resolution.

Mr. MANSFIELD. Mr. President, will the Senator yield the floor?

Mr. JAVITS. Mr. President, I yield to the majority leader.

Mr. HOLLAND. Mr. President, the Senator from Florida has no intention whatever——

The PRESIDING OFFICER. The Senator from Florida is out of order.

Mr. HOLLAND. I thought the Senator from New York yielded to me and that the Chair recognized me.

Mr. JAVITS. I had yielded to the majority leader.

Mr. President, I apologize to the Senate for having taken so much time on a procedural question.

I think it is important because obviously many Senators are under a misapprehension as to the situation in respect to the resolution. Before we act or vote it is my intention to propose a unanimous consent request. I shall not do it now because I do not think the mood of the Senate would accept it, although it should be accomplished.

Before we vote it is my intention to propose a unanimous-consent request that following the vote on the divided parts of the resolution, (a) and (b), lines 3 through 6 on page 2 be open to amendment.

With that, Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum briefly.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate will please be in order. Attachés will please be in order or leave the Chamber.

The Chair recognizes the Senator from Montana.

Mr. MANSFIELD. Mr. President, there have been a number of worthwhile suggestions made and, at the same time, a great deal of confusion compounded. Perhaps a lawyer can appreciate this type of legal mayhem, but for someone who knows only a little about mining, teaching, and soldiering, I think a great deal of it is beyond my capacity to comprehend and understand.

The distinguished senior Senator from Oregon [Mr. MORSE] and the distinguished senior Senator from New York [Mr. JAVITS] have made similar proposals which ask that the Senate vote on (a) and then on (b), and when those votes are completed, that lines 3 through 6, inclusive, on page 2 still be open to amendment. It sounds to me, as a layman, as a reasonable and worthwhile suggestion.

Then, the distinguished Senator from Mississippi, the chairman of the committee [Mr. STENNIS], has called to my attention the second paragraph on page 611 of the Senate Procedure Manual. I have been informed by him that, after meeting with his committee, he is in a position to make a statement; but before he makes that statement I have consulted with the Parliamentarian and he informs me this is applicable, even though a division has been asked for by the distinguished senior Senator from Florida. I would like to have the distinguished senior Senator from Mississippi [Mr. STENNIS] make his position known.

I wish to say to the Senate, not in a mood of recrimination, that if this goes on much longer, as it has for the past several hours, it is the intention of the leadership—as much as we would not like to do it—to recess until tomorrow rather than come to a conclusion on this matter tonight.

Mr. STENNIS. Mr. President, I state to the membership that we are not trying to hurry this thing at all, but we do think that debate on it is about over, so far as we are concerned.

I am authorized by the committee to modify Senate Resolution 112 in the following particulars, and I do so now:

The resolution will be modified by striking out the language on lines 8, 9, and 10 on page 1, and also on lines 1 and 2 on page 2 and the——

SEVERAL SENATORS. No, no, no.

Mr. STENNIS. Excuse me—line 11 on page 1 and lines 1 and 2 on page 2, and then add thereto another part, designating the first as part 1 and the second as part 2—this part 2 to be added in this language:

Resolved, That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct, to obtain, and use for his personal benefit, funds from the public through political testimonials and a political campaign deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator; and tends to bring the Senate into dishonor and disrepute; be it further

Resolved, That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct, to request and accept reimbursements for expenses from both the Senate and private organizations for the same travel, deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator; and tends to bring the Senate into dishonor and disrepute.

Mr. President, I request that the Chair rule that that modification is so effective therein, as made by the committee. But, before ruling, I call the attention of the Chair to this: This is the same resolution that was voted on with what I shall call the Tower amendment, that proposed to strike the word "censure" and substitute therefor. So, this proposal to modify would still be bound by the vote on the Tower amendment.

Mr. HOLLAND. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. HOLLAND. I think that the last statement made by the distinguished Senator would not be accurate because the Senator from Texas specifically asked a ruling of the Chair as to whether his amendment applied only to (a) and he offered it only as to (a).

Mr. STENNIS. I was referring only to the first part of the resolution which carries (a). Of course, that is correct.

The PRESIDING OFFICER. In response to the Senator's interrogatory, the modification is in order and the Chair will ask the clerk to read it.

Mr. STENNIS. Mr. President, would the Chair respond to the inquiry I made about the Tower amendment being applicable to the new version of the resolution, it being bound by the vote on the Tower amendment?

The PRESIDING OFFICER. The Parliamentarian advises the Chair that Senate Resolution 112 having been modified, the Tower amendment could be offered again.

Mr. STENNIS. Could be offered again?

The PRESIDING OFFICER. Yes.

Mr. MANSFIELD. As to (a).

Mr. STENNIS. As to (a)? May I state to the Chair and to the Parliamentarian that the language is identical and there really is no modification of what had been part (a), or paragraph (a), when it was voted on.

The PRESIDING OFFICER. It would have to be offered to the new section 2 which would have been parallel to subsection (a) in the original resolution, before it was modified, because the Senator from Texas asked unanimous consent that his amendment apply only to subsection (a).

Mr. STENNIS. Well, is the Chair ruling, then, that under the modified resolution, the Tower amendment, in that same language at least, could not be offered again, but that part 2, or part (b), then could be?

The PRESIDING OFFICER. It could be offered to part 2, or part (b). It could not be offered to part (a).

The clerk will read the resolution as modified.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Mississippi modifies Senate Resolution 112 by striking line 11 on page 1, and lines 1 and 2 on page 2, and adding a further resolving clause:

Resolved, That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusion in the investigation by the Select Committee on Standards and Conduct, to obtain, and use for his personal benefit, funds from the public through political testimonials and a political campaign deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator; and tends to bring the Senate into dishonor and disrepute; be it further

Resolved, That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct, to request and accept reimbursements for expenses from both the Senate and private organizations for the same travel, deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator; and tends to bring the Senate into dishonor and disrepute.

Mr. HOLLAND. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

Mr. STENNIS. Mr. President, may I state further that I wish to modify the resolution on line 10, page 1 of the original amendment as printed, by striking out the word "and," because it no longer would be applicable.

Mr. HICKENLOOPER. The comma there, too?

Mr. STENNIS. Yes, Mr. President, and the comma.

The PRESIDING OFFICER. Without objection, the amendment is modified accordingly.

Mr. HOLLAND. Mr. President, will the Senator from Mississippi yield for a parliamentary inquiry?

Mr. STENNIS. I am glad to yield to the Senator from Florida. I hope that we can proceed along with this matter now as soon as we can.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. HOLLAND. I should like to ask whether my request for a division is applicable to the modified resolution.

The PRESIDING OFFICER. It is applicable.

Mr. HOLLAND. I thank the Presiding Officer.

The PRESIDING OFFICER. It still stands with regard to the modified resolution.

Mr. MANSFIELD. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. MANSFIELD. Mr. President, I wonder whether it would be possible, now that we seem to be on a little firmer ground, to vote on paragraph (a) and paragraph (b), and then on any amendments as may be brought up.

Mr. LONG of Louisiana. Mr. President, is a unanimous consent pending?

Mr. MANSFIELD. No.

The PRESIDING OFFICER. The Senator from Montana is propounding a question to the Chair. The issue before the Senate is the first part of the resolution as modified. That is part 1.

Mr. MANSFIELD. Part (a) or part 1; yes.

The PRESIDING OFFICER. All right—part 1, or (a). That is open to amendment at this time.

Mr. MANSFIELD. I wonder if it would be possible to bring this to a vote now as expeditiously as possible.

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

Mr. STENNIS. Mr. President, there is another minor matter on the resolution, a modification necessary, to get it clear on the books just right. On line 8, I further modify it by striking out "(a)" in line 8 on page 1. The same case applies also as to (b) there in line 11.

I ask to modify it by striking those out.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. May I indicate the first resolve as section (a) and the second resolve as section (b)? That is a further modification.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that overnight the resolution be reprinted as modified.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 112), as modified, is as follows:

Resolved (a), That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct, to obtain, and use for his personal benefit, funds from the public through political testimonials and a political campaign deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator; and tends to bring the Senate into dishonor and disrepute; be it further

Resolved (b), That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct, to request and accept reimbursements for expenses from both the Senate and private organizations for the same travel, deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator; and tends to bring the Senate into dishonor and disrepute.

Mr. LONG of Louisiana, Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi still has the floor. Does he desire to yield?

Mr. LONG of Louisiana. I want the floor in my own right.

If the Senator is not going to speak at this time, I would like to speak.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I will yield the floor. I would like to be recognized, and ask unanimous consent that I be recognized, as soon as the Senator from Louisiana completes his statement.

Mr. JAVITS. Mr. President, reserving the right to object——

Mr. MANSFIELD. I withdraw my request.

The VICE PRESIDENT. The Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, part of the trouble with this resolution is that there is a tremendous amount of surplus language in it. If this were a straightforward resolution of censure which stated its recommendations very succinctly, it would be simpler to come to a vote.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield for a question or observation, but reserving my rights to the floor.

The VICE PRESIDENT. The Senator yields to the Senator from Mississippi.

Mr. STENNIS. May I point out to all Senators that this change does not amount to a thing except to bring the language forward and make everything subject to amendment because of a very peculiar parliamentary situation that was not inherent in the resolution but came about by a division. The Senator is within his rights, but we have not added a word to it or taken a word away from. We made the change so that the second paragraph, part 2, ties in. That is the only real change in it.

Mr. LONG of Louisiana. How would I know? I understand a copy is being made so we can determine whether the Senator is right. May I see this language? May I look at it?

Mr. MANSFIELD. Turn the page over.

Mr. LONG of Louisiana. If the Senate will bear with me, I shall appreciate it.

Mr. MANSFIELD. I believe that if the Senator would turn to the other side of the resolution, he may find the language there helpful. I do not wish to rush him.

Mr. LONG of Louisiana. The Senator says it is the same thing. I submit it is twice as long as the first one was. It censures the Senator twice instead of once.

In the first part it says he deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator; and tends to bring the Senate into dishonor and disrepute.

Then it goes down and resolves all over again.

Then it says in part (b) that he accepted reimbursements from both the Senate and private organizations for the same travel.

Then it says he deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator; and tends to bring the Senate into dishonor and disrepute.

The resolution originally charged the Senator with doing two things for which he deserves to be censured, but now apparently says he should be censured for one thing and censured for another thing. Now he is to be censured twice.

If we could get unanimous consent—I am not sure we could—and if the Senate would like to have something to vote on, I am ready to vote on section (b)—that section relating to double billing. I think I know what the result will be.

Mr. STENNIS. Mr. President, this is certainly quite a contradiction in terms, first to say the Senator does not know what is in it, and then offering to vote in the same breath. Of course, the Senator knows these are substantially the same charges, in the same words, except they are repeated, to meet the parliamentary situation, and it is based on the idea that Senators are interested in voting in the very same order as when the resolution was brought in with (a) and (b).

Mr. LONG of Louisiana. Mr. President, who has the floor?

The VICE PRESIDENT. The Senator from Louisiana has the floor. He yielded to the Senator from Mississippi.

Mr. LONG of Louisiana. I am happy I did. The chairman of the committee, my good friend the Senator from Mississippi, remarks that I first said I did not know what was in it and then I said I was willing to vote on it right away. Well, from the time I said I did not know what was in it until I said I was ready to vote on it right away, I read it. [Laughter.]

So now I say I do have some idea of what is in it, and what it is, but I do think that we ought to have copies available for everyone to see.

For example, if I were going to vote for a judgment on (b), I would take out the words "of exercising the influence and power of his office as a U.S. Senator." I would take those words out, because my impression is that those words were put in there because it was felt that he encouraged people to give money, as relates to section (a).

Mr. COOPER. Mr. President, order. A

point of order, I ask for the regular order.

The VICE PRESIDENT. The Senator from Kentucky is asking for order. The Senate will be in order. Will Senators please abide by the rules of the Senate?

The Senator from Louisiana.

Mr. LONG of Louisiana. I was saying that Senator Dodd is being charged in part (b) with accepting reimbursement for expenses from the Senate and private organizations for the same travel. It seems to me that whether he used the influence of his office as a Senator is immaterial. It would not be a part of the gravamen of the charge at all, because anyone who intentionally double bills is doing something improper, whether he is an officer of the armed services, the President of the United States, a civil service employee, or anyone else.

One point is that one would not talk about using the influence of his office as a U.S. Senator in subsection (b). Another point that occurs to me is that I do not know whether Senators would want the words "deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals" to appear in subsection (a), a gray area. It is contrary to the standard one might wish the Senate to adopt, but it is not necessarily contrary to good morals. That refers to morals generally, not just senatorial morals. The Senate might wish to make a change there. I believe it would be well to take a look at it, and see if we cannot agree on how this thing should be drafted, to eliminate all unnecessary surplusage and to make the resolution read the way it would have been drafted had it not been put together with paste and staples and made twice as long as it should be.

Mr. STENNIS. Mr. President, will the Senator yield to me briefly on that point?

Mr. LONG of Louisiana. Yes. Before I yield, I wish to add that if any Senator wishes to propose an amendment to it as it stands right now, he will have a difficult time doing it, because to propose an amendment, it will be necessary to refer to line so-and-so and page so-and-so. Suppose you want to amend the language on page 3, line 3. I see three line 3's on page 3, three line 4's, and three line 5's. So I guess you would have to say the first line 3, the second line 3, or the third line 3. If the resolution in its present form were not just something that was done with a pair of scissors and a stapling machine, with everything changed around, there might be some way to understand what we were doing.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Just a moment. Mr. President, until now the committee has taken the position that its resolution was cast in bronze, like the statue on top of this Capitol Building, that we could not even change a comma to a semicolon, because the committee had considered all that, and no matter how much we pleaded for a change, that was completely out of the question.

Now the committee finds itself in a parliamentary trap, which was not of my doing. I tried to keep it from being that way, but now we find that the committee has changed the whole thing around completely, and its changes will result in profuse confusion if an amendment were offered. I think we should be entitled to a clean copy, but I am willing to leave it as it is and vote on part (b) right now.

Several Senators addressed the Chair.

The VICE PRESIDENT. The Senator from Montana.

Mr. STENNIS. Mr. President, may I respond briefly to the Senator from Louisiana?

Mr. MANSFIELD. I yield briefly for that purpose.

Mr. STENNIS. Mr. President, the situation the Senator complains about with regard to the difficulty of reading the resolution is brought about by those opposing the resolution. They have a right to oppose it, of course.

Mr. LONG of Louisiana. Mr. President, will the Senator yield to me?

Several Senators requested the regular order.

Mr. MANSFIELD. I yield for that purpose.

Mr. STENNIS. If I may state that, with the greatest deference to the Senator from Louisiana——

Mr. MANSFIELD. I yield to the Senator from Louisiana for the purpose requested.

Mr. LONG of Louisiana. Mr. President, may I suggest that I did not bring all this about? If I could have had my way, if I had not been confronted with the same parliamentary situation as everybody else, one of us who are for Senator Dodd would have made the motion to strike line 11 on page 1 through line 2 on page 2, which would simply take out of the resolution the double billing charge.

The Senator from Mississippi just said a short time ago that was what he wanted. I tried to bring about that result and asked for unanimous consent to do so, when I found myself in that predicament, and I could not get it. Being unable to obtain unanimous consent to proceed one way, I attempted to proceed in another. However, I see no point in proceeding in a way that can prejudice Senator Dodd.

Mr. STENNIS. Mr. President, if the Senator will yield to me one moment further, this morning the Senator from Connecticut [Mr. Dodd] said he had no choice as to the order of voting or anything else, and the committee proceeded in this manner in preparation for a vote with reference to (a), and if no one else wants to speak except the chairman of the committee, representing the committee, and Senator Dodd, we can conclude the speeches, I think, within 2 or 3 minutes total time for both of us, and proceed to a vote on (a).

Mr. LONG of Louisiana. Now, Mr. President, the way——

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. MANSFIELD. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, again I apologize to the Senate for having brought up this discussion, although it was necessary, in my opinion as a lawyer. I shall complete my part in this matter in 1 minute.

I suggest to the Senator from Louisiana that he now has a perfectly clear road to move to strike (b). Nobody can stop him. We are all very sophisticated here, and know how we wish to vote. He will have no prejudice, one way or the other, because it is not the original vote, and he will get his first vote on (b).

Mr. President, in order to pose the issue—and I beg of Senator Stennis to listen to me, because he probably will object——

Mr. DODD. Mr. President, I did not hear what the Senator said.

Mr. JAVITS. I said I begged Senator Stennis to listen to me, because he will probably wish to object.

Mr. DODD. Yes.

Mr. JAVITS. Mr. President, I ask unanimous consent that after the vote on parts (a) and (b) of the resolution as now modified, that the provision of the resolution which deals with censure as to both parts (a) and (b) may be open to amendment.

Mr. LONG of Louisiana. I object.

Mr. JAVITS. I thank the Senator. That completes what I have tried to do. I think we are wrong in the way we are doing it, but I have done my best.

Mr. MANSFIELD. Mr. President, I am sorry objection was raised, because I think what the Senator from New York was advocating was what the Senator from Oregon, the Senator from Rhode Island, and others also had suggested, which might bring this matter to a head, because we are wasting an awful lot of time on legal doubletalk, and not facing up to the issue. Nobody is being benefited by the delay.

ORDER FOR RECESS UNTIL NOON TOMORROW AND FROM TOMORROW UNTIL 11 A.M. SATURDAY

Mr. President, if there is no possibility of getting action on this issue shortly, I ask unanimous consent that when the Senate completes its business tomorrow, it stand in recess until 11 o'clock Saturday morning.

The VICE PRESIDENT. Is there objection?

Mr. DODD. Mr. President, will the majority leader yield to me?

Mr. SMATHERS. I object. We did not hear the request. Until when?

Mr. MANSFIELD. I asked that the Senate convene at 11 o'clock Saturday morning following tomorrow's session.

Mr. SMATHERS. Saturday morning?

Mr. MANSFIELD. Exactly.

Mr. SMATHERS. And what time tomorrow?

Mr. DODD. Mr. President, may I ask the majority leader when we come in tomorrow?

Mr. MANSFIELD. Could we first have a ruling from the Chair?

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. We are presently scheduled to come in at 11 o'clock tomorrow, but out of deference to the long hours we have been putting in, I ask unanimous consent that instead of convening at 11 o'clock tomorrow, the Senate meet at 12 o'clock.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DODD. Mr. President, will the majority leader yield?

Mr. MANSFIELD. Yes; indeed.

Mr. DODD. Mr. President, no one in this Chamber wants this matter to be concluded more than I. I am a lawyer myself——

The VICE PRESIDENT. Will Senators please take their seats, and the Senate be in order? The Senator from Connecticut wishes to be heard.

Mr. DODD. Just briefly. I am not much of a lawyer, but I carry the label. All this is utterly confusing to me. I do not know whether Senators are trying to build a gallows or a courtroom, but I do not think they are accomplishing either objective. I think what is happening here is that we have got ourselves all mixed up.

It should not be hard to straighten out. I think the temper of the Senate, as I understand it, is that Senators wish to vote on these two separate charges independently. I do not know much about parliamentary law, but there must be some simple way to do that; there are enough parliamentarians here who know much more than I do.

I would like to get this over with, one way or another.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. MANSFIELD. Mr. President, I agree thoroughly with the Senator from Connecticut. He has been most cooperative. He has not been dilatory. He has not been responsible for any delay, and I would hope that right now, the Chair could put the question on part (a).

Several Senators addressed the Chair.

Mr. STENNIS. Mr. President, will the Senator from Connecticut yield to me?

Mr. DODD. I yield.

Mr STENNIS. And may I state the agreement we had?

The Senator from Connecticut showed me about a half a page of typewritten matter that he was going to use. I said, in view of that, that I would make a statement that we were submitting the case.

I wanted to bring that out to show how the Senator felt.

Mr. DODD. What bothers me is that I do not know what is contained in this now. I would like to follow it as best I could.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Louisiana for 1 minute.

Mr. LONG of Louisiana. Mr. President, permit me to say that in my judgment the rights of Senator THOMAS J. DODD have been prejudiced every step of the way.

Mr. DODD. I do not claim that.

Mr. LONG of Louisiana. Mr. President, I demand the regular order before someone shouts me down.

Mr. DODD. Mr. President, I am not shouting the Senator from Louisiana down.

Mr. LONG of Louisiana. I understand that.

Mr. MANSFIELD. Mr. President, I, along with the Senator from Louisiana, demand the regular order. I will yield to the Senator from Louisiana for a question. If the Senator wants the floor, he may have it.

The VICE PRESIDENT. Regular order has been demanded.

Mr. LONG of Louisiana. Mr. President, may I have the floor in my own right?

The VICE PRESIDENT. The Senator from Montana has the floor.

Mr. MANSFIELD. If the Senator insists upon regular order, I am forced to yield for a question. If the Senator wants to do otherwise, I will yield for a question.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. MANSFIELD. No. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I would like to say something other than merely to ask a question.

Mr. MANSFIELD. Make a request then.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I might make a brief statement.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. DODD. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DODD. I meant no offense. I do not want to offend anyone here.

Mr. LONG of Louisiana. I know the Senator meant no offense. He cannot afford to offend anyone here. I understand that.

Mr. DODD. No. I am in trouble enough.

Mr. LONG of Louisiana. Mr. President, a few moments ago I objected to a unanimous-consent request. I did not know what the request was. I think I said earlier today that any lawyer who pleads his own case has a fool for a client. He becomes so emotionally involved that he does not see the matter impassively. He steps in and destroys his own case.

Joe McCarthy was a judge, and he stood there and destroyed himself when he was on trial. He got himself into a second censure charge by the way he defended himself on the floor.

Senator DODD's lawyers have not, under the Senate rules, the right to speak here on the Senate floor. Neither has my counsel. You have to do the best you can if you are trying to protect your friend. I have been described as Senator DODD's self-appointed lawyer.

I did not appoint myself. Nobody else offered to help Senator DODD. I found myself the only one willing to stand with his friend, and I thought it was my duty.

I am not going to agree to any unanimous-consent request unless I know what it is and unless I think it is fair and reasonable.

Senator DODD's rights have been consistently prejudiced. And it happened in all good faith and without anyone meaning any mischief.

It happened when the Senator from Florida demanded a separation of these two items.

From that time forward, I have been unable to do anything about getting a vote on this double billing.

Had I offered a motion to strike the double billing in the beginning, then we could have had a direct vote on the double billing before the question was divided.

If the motion had carried, that charge would have been disposed of, and we could have proceeded on a motion with respect to the charges in part (a). However, I could not get unanimous consent once the Holland motion was made and considered.

I could not get it when the resolution as amended by the committee came in.

The Senator from Florida [Mr. HOLLAND] insisted again that his division of the question prevailed. So, I cannot do anything about subsection (b) unless I get unanimous consent.

This has prejudiced the defense greatly. We cannot get a vote on the part that we would like to have a vote on first.

The Senator from Mississippi indicated—and I am not sure he is ready to agree to it—that we might be able to proceed further and dispose of subsection (b) first and having disposed of that, we would then move to part (a) and dispose of that. That is how I would like to have proceeded all the time.

Perhaps the Senator from Mississippi was willing to agree to that all the time. But we could not get the consent of another Senator. So, we have been locked into an unfortunate parliamentary situation.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, the Senator has overstated the matter, with all due deference to the Senator.

Mr. LONG of Louisiana. I stated my opinion. I did not say it was the opinion of the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. STENNIS. I asked the Senator about offering amendments tonight.

Mr. LONG of Louisiana. If the Senator will agree to proceed with part (b), no one would be happier than I. I would suggest that we take a little time out to eat and then come back and vote and dispose of it tonight.

Mr. MORSE. Mr. President, will the Senator permit me to have his attention for a moment?

Mr. MANSFIELD. Mr. President, I yield to the Senator from Oregon.

Mr. MORSE. Mr. President, I make this plea to the Senator from Louisiana. He said he did not understand the unanimous-consent request of the Senator from New York. I think he ought to understand what it is before we continue further.

I do not think the Senator from Louisiana would have objected to it had he understood it, if his interest was to promote the procedural rights and protect the rights of the Senator from Connecticut.

The Senator from New York made the point earlier here that if we vote on (a) and then lock in the penalty on (a), with respect to the language of the original resolution, which I have before me, page 2, lines 3 through 6, he wanted an understanding that after we voted on (a) and after we voted on (b), it would then be agreed that we could go back and modify lines 3 through 6 in respect to part (a) of the original resolution.

We are in this parliamentary situation,

as the Senator from Oregon understands it, that we have a ruling that the adoption of the Tower amendment will make this impossible unless we can agree to it, and the Senator from New York sought unanimous consent that we agree to it.

It is my opinion that it is not going to make any difference in the vote except by a very few votes. But the Senator from New York says he thinks the Senators ought to be protected in their right, after seeing what is done in regard to count (b) of deciding then whether they want to vote for the imposition of a penalty on (a). That is what he is asking for.

I have urged every procedural point I thought I could for its adoption so that the rights of every Senator would be protected.

Irrespective of the position we are in concerning the Tower amendment, every Senator ought to have, finally, the right to make a judgment as to what penalty, if any, he thinks should be imposed on the Senator from Connecticut. The offer of the Senator from New York does that. I made a similar offer earlier. It did not get to the point of unanimous consent, but I suggested that that was what ought to be done.

I make this final plea to all Senators. Go ahead and vote on (a). Go ahead and vote on (b), with whatever modifications Senators want to make, if any, in (b), but with the understanding that when we dispose of the two sections, there will then be still open to the Senate an opportunity to modify, if a majority wish to modify, the penalty in respect to (a). That is what the Senator from New York is asking for. That is why he is saying that we are locking in the penalty before we dispose of the whole resolution. He is technically correct. I do not think that it will make two or three votes difference; but whatever difference it makes, Senators ought to have the right to cast that final vote. That is what he is asking for. I am at a loss to understand why the Senator from Louisiana objects to that, if he is seeking to protect the procedural rights of the Senator from Connecticut.

Mr. LONG of Louisiana. Mr. President, I am persuaded that the Senator from Oregon is 95 percent correct. The only thing that causes me some concern is the language in the resolving clause on page 2.

It occurs to the Senator from Louisiana that the resolving clause on page 2, under section (b), should be subject to amendment, because it contains surplusage. If we could have an understanding as to that, I would be ready to vote on it.

RECESS

Mr. MANSFIELD. Mr. President, in accordance with the previous order, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 59 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Friday, June 23, 1967, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

The Alewife: An Eye and Nose Witness Report

EXTENSION OF REMARKS

OF

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 22, 1967

Mr. ZABLOCKI. Mr. Speaker, in recent days photos and stories have appeared in newspapers across America about the heaps of dead fish piled on beaches in the Chicago area.

The dead fish are alewife, a cousin of the herring which has entered the Great Lakes from the Atlantic Ocean only in the past decade, but which has found an environment suitable to a titanic population explosion.

It is estimated that there are billions of these 6- to 8-inch-long fish in every one of the Great Lakes, with Lakes Michigan and Ontario having the heaviest populations.

Since as much as half the population dies off annually, the alewife has become a major problem of the Great Lakes and a principal source of pollution.

The dead bodies of these fish litter beaches, clog water intakes, and cause an odor problem in or near the business districts and harbors of cities like Chicago and Milwaukee.

Believing that the time has come to undertake a crash program of control for this pest, I have introduced a bill, H.R. 4793, which would authorize a coordinated Federal-State attack on the problem. This proposal currently is pending before the House Merchant Marine and Fisheries Committee.

In view of the increasingly serious proportions which the alewife problem is assuming, it is my hope that action can be taken in the near future.

In order to acquaint my colleagues further with the alewife situation, I am including hereafter a story from the New York Times on the Chicago beach inundation and excerpts from my recent testimony before the House Appropriations Subcommittee on the Interior:

[From the New York Times, June 22, 1967]

DEAD FISH COVER BEACHES IN CHICAGO; BULLDOZERS IN FIGHT

CHICAGO, June 21 (UPI).—A hundred park district workers fought a losing battle today with millions of dead fish that were being washed ashore along 20 miles of beaches faster than they could be removed by bulldozers.

Four men worked around the clock with shovels to keep the intakes of the city's municipal water department pumping stations free of dead fish.

Arthur Stewart, assistant landscape supervisor for the park district, said, "I've never seen a condition like this in 22 years."

The small white fish, each about six inches long, are known as alewives, a variety of salt water herring that invaded the Great Lakes with the construction of the St. Lawrence Seaway. Alewives multiply by the millions in fresh water, where they have no natural enemies.

The alewives apparently die when subjected to sudden temperature changes in the water.

Willard Barry, general supervisor of Chicago's parks and beaches, said that as long as the northeast winds prevailed, millions of alewives would continue to be washed ashore. The Weather Bureau said that northeast winds would continue for at least one more day.

Mr. Barry said he had received no complaints that the dead fish had created a health problem.

Fish removal crews were using bulldozers, tractors, 15 sand-cleaning machines, a $20,000 beach sanitizer and 10 trucks to haul away the fish.

ALEWIFE CONTROL IN THE GREAT LAKES

Mr. ZABLOCKI. Mr. Chairman, I am indeed grateful for this opportunity to make a statement on the proposed budget of the Interior Department.

My particular interest is in obtaining adequate funding to permit control of the alewife, a herring-like fish which now exists by the tens of billions in the Great Lakes.

With controls, this fish could be a valuable commercial species and serve as forage for more desirable fish, such as the coho salmon, lake trout and whitefish.

Uncontrolled, as it is now, the alewife is a pest. It is estimated that about half the adult alewife population may die off annually. The dead bodies litter beaches, clog intakes, cause odor problems in or near the business districts and harbors of cities like Milwaukee and Chicago, and further pollute the Great Lakes.

Further, this species, which seldom grows more than nine inches long, is preventing the fishing resources of the Lakes from recovering from the losses caused by the lamphrey eel scourge, which now is under control.

Alarmed by the magnitude of this problem, last year I wrote to Secretary of the Interior Udall asking that the federal government undertake a "crash-program"—similar to that used against the lamphrey—to control the alewife and restore an ecological balance to the Great Lakes.

In his reply the Secretary recognized the seriousness of the problem and acknowledged that the alewife now has the upperhand. Control, he stated, would require a "massive and sustained effort."

Believing that such an effort might best be undertaken through cooperation and coordination between the Great Lakes States and the federal government, I introduced H.R. 4793 on February 2, 1967, a bill which would authorize the Secretary to cooperate with the affected states in conducting research into the problem and carrying out action programs of control. The measure authorizes a $5 million federal appropriation which would be expended on a matching basis with the states acting individually or together in an interstate compact to combat the alewife.

This proposal now is pending before the House Merchant Marine and Fisheries Committee.

I believe, however, that the Department of the Interior, through the Bureau of Commercial Fisheries, should intensify its own efforts at combatting the alewife.

According to figures provided me by the Bureau in 1966, expenditures on alewife control, principally in Lake Michigan, are about $200,000. In the budget request which you of the committee now have before you about the same amount—$200,000—is slated for alewife control.

This amount falls considerably short of being the massive and sustained effort which Secretary Udall admitted would be necessary if any headway is to be made against the alewife.

Just how much is necessary—or in what form aid should come—is a matter of some dispute among interested groups.

Local health officials and water pollution specialists are interested in an immediate and effective end to the problems caused by the alewife die-off, even if that means elimination of the species from the Great Lakes.

State conservation officials, on the other hand, see the alewife as a good food source for the desirable game fish they are stocking in the Lakes. To them, the most effective use of federal funds would be for purchases of trout, whitefish and salmon fingerlings with which to "seed" the Lakes.

Commercial fishermen, on the other hand, are interested in federal programs directed toward the commercial use of the alewife.

Because of the conflicting interests involved and the multi-faceted nature of the alewife problem, I believe a coordinated federal-state attack, as envisioned in H.R. 4793, remains the best hope of a satisfactory solution.

Pending the enactment of this proposal, it is my hope that this subcommittee will increase the amount of funds designated for alewife control.

Quad-City Marine Corps Reservists Win National Rifle Championship

EXTENSION OF REMARKS
OF

HON. TOM RAILSBACK

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 22, 1967

Mr. RAILSBACK. Mr. Speaker, much as we dislike sending our young men to the battlefield, we have done so four times within the memory of many of us now living. So long as our citizen armies are expected to do a soldier's job with a soldier's skill, there is a definite need for marksmanship training and excellence.

This is the philosophy, in part, of our Armed Forces Reserve program—and a necessary one. One of the most valuable contributions that can be made by this branch of our Armed Forces is to develop this skill of our young men so that they will be prepared and ready to assume the responsibilities, if need be, of our citizen armies.

Such is the example of four members of the Marine Corps Reserve unit in my hometown of Moline, Ill. These young men have become the championship rifle team in the entire Marine Corps Reserve by winning the national matches at Quantico, Va., recently.

This is the second year that the rifle team of the local Reserve unit has won the 9th Marine Corps District Championship—Midwestern States—and barely missed capturing the national championships last year as well.

My congratulations to S. Sgt. Lowell Delp, Sgt. Dan Ritter, Cpl. Tom Ritter, and Cpl. Leslie Koberg for their proven skill and outstanding performance. I commend the attention of the Congress to this fine achievement.

Current National Issues Questionnaire

EXTENSION OF REMARKS
OF

HON. DELBERT L. LATTA

OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 22, 1967

Mr. LATTA. Mr. Speaker, every year I send a questionnaire to my constituents wherein I solicit their views on current national issues. I have found that most of the people in the district like this method of expressing themselves and not only do they complete the questionnaire but they use the back side to comment on other matters not specifically listed. I have just finished tabulating this year's returns and I would like to call them to the attention of the Members of the House. They are as follows:

[Results in percent]

1. Do you favor the President's recommended 6 percent surtax on all incomes?

Yes	8
No	92

2. Do you believe the administration's poverty program is making progress toward the elimination of poverty?

Yes	11
No	89

3. Do you favor a meaningful cutback in "Great Society" spending programs?

Yes	88
No	12

4. Would you favor the enactment of legislation to require the registration and licensing of firearms by the law-abiding citizens as well as by the criminal?

Yes	50
No	50

5. Do you favor legislation to return a portion of the tax revenues to the States to be used for State purposes?

Yes	86
No	14

6. Do you believe the "credibility gap" in Government has reached such proportions that it is now cause for concern by the American people?

Yes	91
No	9

7. (*a*) Do you believe that the Congress should judge the qualifications of its own Members?

Yes	88
No	12

(*b*) Do you agree with the action taken by the Congress against ADAM CLAYTON POWELL?

Yes	89
No	11

8. Do yau favor (check one):

(*a*) retaining the present draft system?	28
(*b*) the drafting of young men by lottery?	19
(*c*) universal military training?	31
(*d*) abolishing the draft and attempting to secure volunteers through increased pay?	22

9. Do you favor (check one):

(*a*) an 8-percent increase in the social security benefits without a tax increase?	66
(*b*) a 20-percent increase in social security benefits with a tax increase?	34

10. Should the President order increased bombing of strategic targets in North Vietnam provided he is convinced this will hasten the end of the war?

Yes	92
No	8

11. Should the President insist that our allies stop shipping supplies to North Vietnam?

Yes	93
No	7

12. (Check one):

(*a*) Should the United States maintain troops in Vietnam until the safety and independence of South Vietnam is secure?	69
(*b*) Should we withdraw our troops from Vietnam unconditionally?	31

Tribute to Daylin, Inc.

EXTENSION OF REMARKS
OF

HON. THOMAS M. REES

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 22, 1967

Mr. REES. Mr. Speaker, in recognition of the meteoric climb by Daylin, Inc., in 7 years to one of the Nation's largest drug-retailing chains in the field of prescription and drug sundries, as well as medical supplies and equipment, we pay special tribute to this nationwide firm, a true example of the American way in action.

Daylin, Inc., is a publicly held corporation with 161 units in 13 States—Alabama, California, Colorado, Florida, Georgia, Iowa, Nevada, New Jersey, New Mexico, Oklahoma, Oregon, South Carolina, and Virginia. In addition, Daylin operates two retail outlets in London, England, and maintains importing offices in England, Italy, Denmark, Switzerland, Hong Kong, Japan, and Israel.

With corporate offices based in the Daylin Building in Beverly Hills, Calif., California remains the operational base for most of the firm's outlets—113 of Daylin, Inc.'s 161 units, including 25 free-standing MDX Purity Pharmacies in southern California and five Disco Discount Stores in northern California.

Heading a family of enthusiastic employees, which has grown to more than 800 individuals, are three dynamic young executives—Amnon Barness, 42, chairman of the board of directors; David Finkle, 51, president; and Max Candiotty, 44, secretary-treasurer. All are cofounders of the company.

Mr. Barness is a recognized pioneer and authority in modern volume merchandising concepts with extensive experience in corporate organizations. His 20 years of world travel and multilanguage fluency contribute to Daylin's International Mercantile Corp., an importing firm now a subsidiary of Daylin.

Mr. Finkle holds a degree in pharmacy

and has had more than 30 years' experience in every phase of drug and sundry merchandising. He founded Daylin Medical and Surgical Supply, Inc., now a subsidiary of Daylin, offering equipment for the medical field as well as a complete line of some Daylin private-label "prescription quality" vitamins and health aids.

Mr. Candiotty is both a certified public accountant and attorney-at-law. He has had 18 years of experience as a financial consultant and as corporate counsel.

Each of the founders have expressed their concern for their fellow man in a multiplicity of civic activities and undertakings far beyond the scope of their expanding business enterprise.

Mr. Barness is the chairman of the Fund for Job Corps Graduates, a group which he helped to organize after consultations with Vice President HUBERT H. HUMPHREY. The fund has provided meaningful books as gifts for thousands of graduates of the Job Corps and is now exploring a scholarship program as a means of further encouraging the young people of America. He is also a member of the board of directors of Brandeis Institute, a 27-year-old leadership-training institute founded by Dr. Shlomo Bardin, still its director, with the sponsorship of U.S. Supreme Court Justice Louis D. Brandeis. It has won national acclaim for its program of helping college students, adults and young children find meaningful Jewish identification.

In addition, Mr. Barness has headed the Los Angeles effort of the Israel bond sales. He also was extended an unusual honor when, upon the nomination of Eugene Cardinal Tisserant, he was named knight commander of merit of the Roman Catholic Equestrian Order of the Holy Sepulchre of Jerusalem.

Mr. Barness also serves as a member of the President's Youth Opportunity Council.

Mr. Finkle was awarded Israel's Freedom Medal for exemplary service to the State of Israel in a colorful ceremony in which U.S. Senator WILLIAM PROXMIRE participated.

Mr. Candiotty's civic activities include membership on the Los Angeles County Citizens Economy and Efficiency Committee. He effectively used his talents as an attorney and CPA to play a key role in improving the efficiency of county government at a great savings to the taxpayers. A pillar of the Sephardic Jewish community, Mr. Candiotty is also a leader in Jewish community religious, civic, and charitable programs.

Other directors of Daylin, Inc., are Charles Watt and Richard Wessler, both vice presidents and Directors Robert M. Arnold, M.D.; Bernard Jacobs, M.D.; Joseph D. Shane, and Donald R. Stroben.

During fiscal 1966 Daylin pharmacists compounded more than 2,500,000 prescriptions, placing them fifth in the country among publicly held companies reporting. Company officials anticipate this figure will grow to more than 3,500,000 this year.

The advent of medicare brought about an entirely new area for the rapidly expanding enterprise. Daylin Medicare Centers have been established in pharmacies throughout the nationwide chain. Here information on medicare is available to eligible senior citizens and there are expanded areas for the sale and rental of convalescent aids and sickroom supplies.

Daylin, Inc., pioneers in the low-price drug field, and each of its subsidiaries can expect tremendous growth with their great contributions to commerce and industry throughout the country in a field of service to the public, particularly the ill.

Mr. Speaker, I ask the membership of this honorable body to join me in extending greetings to the Daylin, Inc., executives and all its personnel as this expanding enterprise enters into its seventh year of business. These men and women deserve the commendation and respect of all of us for their dedication to their community and for the example they have shown in contributing to the industrial leadership of the United States of America.

Antiriot Legislation

EXTENSION OF REMARKS

OF

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 22, 1967

Mr. ABBITT. Mr. Speaker, in recent days we have heard much discussion concerning the antiriot bill, H.R. 421, now pending in the House Judiciary Committee. A number of us have joined in supporting our colleague from Florida [Mr. CRAMER] in trying to force action on this bill through support of House Resolution 517.

The House Rules Committee has now set a hearing on the bill for next week and I would hope that some action will be taken either by the Judiciary Committee or by the Rules Committee in order to let the House vote on this important matter.

It will be recalled that the antiriot provisions were attached to the civil rights bill which passed the House in 1966. Unquestionably these provisions meet with the support of the majority of the Members of the House. In recent months and years, we have seen a growing tendency toward protest and rioting in many of our cities. Recently we passed in the House the bill to ban desecration of the American flag. It seems to me only just and reasonable that we should go further and enact this important legislation.

It seems inconsistent to me that many proponents of civil rights legislation are so much concerned about the rights of the individual and yet ignore the rights of the majority of our citizens who are beset by riots and disorders on the part of the small minority. We were successful in adding the antiriot provisions to the civil rights bill last year in the House, but now that the issue stands by itself there are those who do not want to bring the matter to a vote.

The time has come when right-thinking, patriotic Americans need to strengthen our defenses against those who would desecrate our flag, pervert our Constitution, and demean our national honor.

It is high time that we stop ignoring the truth that these people who start the riots and create the disturbances are not so much concerned about the betterment of our national society or individual rights but are simply trying to cause trouble. If we are to follow the advice and the philosophy of some members of the so-called Supreme Court, we should abandon our national institution and the sacredness of our community rights in order to allow hoodlums, beatniks, peaceniks, and Vietniks to create disturbance at will. I do not read the Constitution as giving a blank check on such things, and I believe that the vast majority of the American people do not so interpret the Constitution. However, if these people are ever to be brought into line, if this disgraceful conduct is ever to be stopped, we need to make it crystal clear what their legal position is.

I urge the Members of the House to get behind the antiriot legislation and to bring reassurance to the American people that this Congress will safeguard the rights of the overwhelming majority of peace-loving, patriotic Americans who seek only to maintain our national honor and to protect the rights of all of our citizens.

Results of Questionnaire Survey of the 19th District of Illinois

EXTENSION OF REMARKS

OF

HON. TOM RAILSBACK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 22, 1967

Mr. RAILSBACK. Mr. Speaker, the last week in April I mailed to my constituents in the 19th District a questionnaire on 12 of the important issues facing the 90th Congress. The enthusiastic response has been most gratifying, and I am very pleased about the interest and discussions which have been engendered by this questionnaire.

Under leave to extend my remarks in the CONGRESSIONAL RECORD, I include the results of this survey of my district, since I am sure these views will be of interest to other Members of Congress.

The following percentages are based on the approximately 17,500 opinions of those responding. It will be noted that on nine issues there was 63 percent or better agreement.

In summary, more than 80 percent of the respondents favor greater efforts by the Federal Government to solve water and air pollution problems, and believe legislation is needed to allow greater police freedom in law enforcement. About this same percentage of respondents opposes the President's proposed 6 percent tax surcharge.

A large majority also favors a tax-sharing plan to return certain revenues to the States without Federal controls; would like to see the United States do more militarily in Vietnam, while at the same time would favor a more vigorous effort toward peace and negotiation in Vietnam. On the other hand, a substantial majority favors less Federal involvement with respect to State and local problems; feels that present farm programs do not serve the best interests of U.S. agriculture and the Nation, and thinks the war on poverty has been unsuccessful so far in improving the condition of the poor.

Those issues on which respondents are most evenly divided are: the increase of social security benefits, legislation to regulate the sale of firearms, and the proposal for a national lottery system in the military.

The complete tabulation is as follows:

[Results in percent]

Do you believe legislation is needed to allow greater police freedom in law enforcement?

Yes	81
No	11.5
Undecided	7.5

Do you believe that a national lottery system would be better than the present way the Selective Service drafts men for military service?

Yes	33.5
No	45.5
Undecided	21

Would you favor Federal legislation to regulate the sale of firearms?

Yes	43
No	50.5
Undecided	6.5

Do you favor the President's proposal for an increase in income tax through a 6-percent surcharge?

Yes	8
No	81.5
Undecided	10.5

Do you favor a plan whereby a percentage of Federal taxes would be returned to the States with no strings attached?

Yes	64
No	23
Undecided	13

Do you favor greater efforts by the Federal Government to solve water and air pollution problems?

Yes	81
No	12
Undecided	7

Do present farm programs serve the best interests of U.S. agriculture and the Nation?

Yes	8.5
No	66.5
Undecided	25

Do you favor increasing social security benefits?

Yes	43.5
No	46
Undecided	10.5

Do you think the War on Poverty has been—(a) very successful; (b) slightly successful; (c) unsuccessful—so far in improving the condition of the poor?

A	2
B	31.5
C	64.5
No answer	2

Concerning U.S. military activity in Vietnam, would you like to see the U.S.—(a) do more; (b) do less; (c) about the same?

A	69
B	13.5
C	13.5
No answer	4

Concerning U.S. efforts toward peace and negotiation in Vietnam, do you favor—(a) a more vigorous effort; (b) less than we are doing now; (c) about what we are doing now?

A	63
B	8
C	26
No answer	3

Do you favor—(a) greater; (b) less; (c) about what it is now—Federal involvement with respect to State and Local problems?

A	7
B	72
C	19
No answer	2

Representative McDonald of Michigan Addresses Young Republicans at National Convention in Omaha, Nebr.

EXTENSION OF REMARKS

OF

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 22, 1967

Mr. EDWARDS of Alabama. Mr. Speaker, last night Congressman JACK McDONALD of Michigan, spoke before the national convention of the National Federation of Young Republicans in Omaha, Nebr. It was an honor for one so new to the Halls of Congress to be invited to address this group. And I believe that his remarks are of interest to all Members of the House:

SPEECH GIVEN BY CONGRESSMAN JACK McDONALD, 19TH DISTRICT, MICHIGAN, AT THE YOUNG REPUBLICAN NATIONAL FEDERATION CONVENTION ANNUAL MEN'S LUNCHEON, OMAHA, NEBR., JUNE 21, 1967

Just the other day an historic event took place. It happened in Alexandria, Virginia, a city across the river from Washington, D.C. A new city council was elected. And for the first time in seventy-six years a Republican was elected to a seat on the council.

It was an historic event in Alexandria, to be sure. But, such events are becoming more commonplace throughout the country. In fact, the resurgence of Republicans in city councils and State houses, town halls and gubernatorial mansions, has given rise to a very real belief that we can win control of both the White House and the Congress in 1968.

But, to do this, we must adhere to two principles. First, and most obvious, we must be united and continue to work together to win the election. This, despite any bitterly contested primaries or nominating conventions that may occur.

Second, we must have a progressive platform which offers a viable alternative to the Great Society. Toward that end, we in the Congress have made a start. Under the leadership of Jerry Ford and Ev Dirksen, Republicans in the Congress have approached the problems of pollution, crime, housing, education, and job training, to name a few, with a view toward presenting positive programs which offer the electorate a clear choice.

Rather than accept the tired notion that the Federal Government must solve every problem that faces our Nation, we have proposed solutions which would tackle the problems at the local level. The essential distinction here being that we have not merely *opposed* one solution—we have *proposed* another. Or as Jerry Ford is fond of pointing out—we will disdain the role of "nay-sayer" in preference to the role of "yea-sayer" for alternative approaches.

In the field of elementary and secondary education, for example, the party supported the alternative offered by Congressman Albert Quie of Minnesota. The Quie amendment to the Elementary and Secondary Education Act would have accomplished several things. To begin with—the Quie amendment would have eliminated 30 separate Federal programs with their 30 separate sets of guidelines, 30 different filing dates, and 30 conflicting sets of regulations and in their place substituted one Federal program with one set of guidelines, one filing date and one set of regulations.

Beyond that, the Quie Amendment would have eliminated the "Czarlike" powers of the United States Commissioner of Education and the sweeping authority of the United States Office of Education over the direction of school programs throughout the country. Had we been victorious on the floor of the House, the control of elementary and secondary education in this Nation would have been returned to the State and local boards of education, which until 1965 had managed to educate millions of thinking Americans for nearly 200 years without the interference of the Federal Government.

And to the contrary of all the propaganda you may have heard—the Quie amendment would *not* have excluded aid to private institutions. Safeguards were written into the legislation to assure continued support for all schools with, I must add, a distribution formula which would have assured some 39 States of a more equitable share of the Federal dollar for education.

In the field of housing, another bold innovation has been designed by Republicans. The chief architects are Senator Charles Percy of Illinois and Congressman William Widnall of New Jersey. Their plan is a blueprint for eliminating the slums and ghettos of our cities by providing the residents of these blighted areas with the opportunity to rebuild their neighborhood and own a decent home.

The Percy-Widnall proposal establishes a mechanism whereby mortgage assistance can be provided to lower income Americans unable to afford and obtain conventional mortgage financing. Beyond that, their bill provides funds to provide these people with budget counseling and job training in order to assist them in their endeavor to become and remain a home-owner.

Essentially, the plan works at the local level. Neighborhoods seeking to improve themselves would establish corporations composed of local business, civic, professional, religious, and labor leaders. They would borrow funds from a national foundation to loan neighborhood residents who are willing to purchase a home that has been rehabilitated.

The advantages of such an approach are obvious when one reflects upon the merits of home-ownership. Chief among them is the fact that the home-owner generally tends to have a measure of self-respect which is evident in his care for both his own property and the property of others.

The home-owner is also, as a rule, more stable, less likely to pick up and move. Thus, he tends to become more involved in community affairs, and to be concerned with the proper development of his neighborhood. He wants good schools, safe streets, clean parks. And he is willing to commit both his time and resources to achieving these goals.

This Republican endorsed proposal stands in sharp contrast to the Great Society programs of rent supplements, public housing, and model cities which, by their very nature, tend to produce the ghettos and to perpetuate the self-defeatism such ghettos generate. For so long as lower income citizens are denied the opportunity to own the property on which they live, they will lack the motivation to improve themselves or to take a more active interest in the welfare of their neighborhood.

In the area of job training, I am proud to have joined with many of my Republican colleagues in sponsoring the human investment bill. Our proposal would provide incentives to industry to train the disadvantaged. The advantages to this approach are numerous.

First, it would eliminate the obvious inefficiency of Government-run programs in which we have innumerable examples of training programs which bear no relation to industrial needs. We have discovered, for example, that the Office of Economic Opportunity has wasted funds on such inconsequential projects as having men chop brush along the banks of streams.

The response to this proposal from the corporate community has been gratifying. Chief among the reasons for the businessman's support is the fact that he will train men for jobs which actually exist. Thus, employment will be assured upon completion of the training program. I think, however, that we should also consider the added plus of utilizing industry's efficient methods and "know-how" to attacking one of our basic problems. My own belief is that combining the talents of the corporate officer with the techniques of efficient business practice will result in a quicker victory in our war on poverty than any army of VISTA volunteers could ever hope to accomplish.

Republicans have adopted a similar position with respect to pollution. We have sponsored legislative proposals which would encourage industry to police pollution by offering incentives for the development and use of devices to eliminate industrial waste. The renaissance of such cities as Pittsburgh was brought about primarily by the efforts of local business and political leaders—not by Federal decree. We would hope that similar efforts to purify the water and air in major industrial areas could be carried out by incentives rather than imposition, by persuasion rather than prescription. And I, for one, believe that the tax break stimulates such action by corporations.

Further. there is no denial that some form of regulation will be needed to insure against water and air pollution, but the question arises as to whether we will establish such guidelines at the national level or at the State and local levels. Once again, the example of cities such as Pittsburgh suggests that it can be done at the local level—and far more effectively.

The effectiveness of programs at the local level is, of course, hampered by a lack of funds. And this argument has been used by the administration to expand the number of grant-in-aid programs and to call for more Federal dollars to assist our local communities. But, Republicans have countered by suggesting that we could eliminate one entire level of red tape if, instead of sending the money to Washington for redistribution to the States and cities, the money was retained at home where it will wind up anyway. This proposal is known as "tax-sharing" and has been proposed in many forms, most notably by Congressmen Melvin Laird of Wisconsin and Charles Goodell of New York. Essentially, one plan would permit the retention of funds in the cities and States by providing for Federal tax reductions for city and State taxes. The other plan calls for Federal collection of the tax dollars followed by a disbursement of "block grants" to the cities and States.

In each instance, the programs would provide local people with the funds to carry out local programs in accordance with local needs. But, without Federal interference.

At the moment, the only real program which remains in the hands of local authorities is the power of law enforcement. But, at this time, we are witnessing an attempt on the part of the Federal Government to take control of local authority and establish national policies for crime prevention. We should certainly employ the most effective means to combat crime in our country. But, if the Attorney General continues to preach as he has before the Judiciary Committee that "wiretapping is not necessary to catch criminals" despite all of the evidence of State attorneys general and metropolitan district attorneys to the contrary, then I suggest that the most effective forces against crime remain at the State and local level. I, for one, am in favor of the national entry into this fight. But, I believe our role should be to give local law enforcement officers the modern tools they need to do their job—implements which have been stripped by recent court decisions—by passing legislation which would, within the boundaries of constitutional rights, permit wiretapping.

In this area, as well as other areas I have mentioned, the importance of the Republican Party's legislative approach cannot be underestimated. Two reasons emerge. The first, of course, is the fact of the alternatives themselves. They are clear alternatives. Either the American public can continue to send millions of their tax dollars to Washington and, in turn, receive regulations on how to run their lives, or they can retain a portion of their tax dollar for local purposes and have some say in the management of their own affairs.

The second is that this legislative approach offers viable and progressive alternatives. Too often in the past our party has been viewed in a negative light. Conservatism has been misinterpreted by the electorate. It has appeared as a "do-nothing" or "naysayer" approach. We have been pictured as being obstructors rather than constructors, *against* solving any of the problems of our society rather than *for* a different approach to their solution.

In this regard I am proud of the legislative accomplishments of the Republican Party in the Congress to date. We have begun to forge a platform of responsible, constructive alternatives to the administration's proposals for more of the same Federal involvement in every sphere of human activity, alternatives which are positive approaches to the solution of our problems. They will stand us in good stead in 1968. For as more people become frustrated with the insensitivity of the administration's approach and educated to the significance of our party's, I believe the choice will be clear.

SENATE

FRIDAY, JUNE 23, 1967

(*Legislative day of Monday, June 12, 1967*)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Lord and master of us all, whate'er our name or sign, may Thy truth make us free—free from pride and prejudice and from all the ugly sins of disposition that do so easily beset us.

Lift us above the mud and scum of mere things to the holiness of Thy beauty so that the common tasks, and the trivial round may be edged with crimson and gold.

Enrich us with those durable satisfactions of life so the multiplying years may not find us bankrupt in those things that matter most—the golden currency of faith, and hope, and love.

We ask it in the name of the One whose life is the light of men. Amen.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House insisted upon its amendment to the joint resolution (S.J. Res. 81) to provide for the settlement of the labor dispute between certain carriers by railroad and certain of their employees, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STAGGERS, Mr. FRIEDEL, Mr. DINGELL, Mr. PICKLE, Mr. RONAN, Mr. ADAMS, Mr. SPRINGER, Mr. DEVINE, Mr. CUNNINGHAM, and Mr. KUYKENDALL were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 7501) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1968, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STEED, Mr. PASSMAN, Mr. ADDABBO, Mr. COHELAN, Mr. YATES, Mr. MAHON, Mr. CONTE, Mr. ROBISON, Mrs. REID of Illinois, and Mr. BOW were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 4717) to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn., and it was signed by the Vice President.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, June 22, 1967, was approved.

Mr. MANSFIELD obtained the floor.

Mr. PASTORE. Mr. President, will the Senator yield, so that I may file a report?

Mr. MANSFIELD. I yield.

AUTHORIZATION OF APPROPRIATIONS TO ATOMIC ENERGY COMMISSION—REPORT OF A COMMITTEE—SEPARATE VIEWS (S. REPT. NO. 349)

Mr. PASTORE. Mr. President, on behalf of the Joint Committee on Atomic

Energy, I report favorably, without amendment, Senate bill 1963, to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes. I ask unanimous consent that the report be printed, together with separate views.

The PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed as requested by the Senator from Rhode Island.

THE DODD CENSURE RESOLUTION

The Senate resumed the consideration of the resolution (S. Res. 112) relative to censure of Senator THOMAS J. DODD.

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 159 Leg.]

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from North Carolina [Mr. JORDAN] are absent because of illness.

I also announce that the Senator from Georgia [Mr. RUSSELL] is necessarily absent by leave of the Senate.

The ACTING PRESIDENT pro tempore. A quorum is present.

Mr. MANSFIELD. Mr. President, I would appreciate seeking recognition if I may, before the distinguished chairman of the committee, the Senator from Mississippi [Mr. STENNIS], is recognized.

Mr. STENNIS. Of course.

The ACTING PRESIDENT pro tempore. The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, what started out late yesterday afternoon as a sincere effort to safeguard the penultimate procedural rights of the Senator from Connecticut [Mr. DODD], instead degenerated into a procedural wrangle. It was a futile exercise which was far removed from the merits of the question before the Senate and, in my judgment, will in no way affect its ultimate disposition. It served only to inflict unnecessary pain on the Senator from Connecticut and to cast the Senate in a most unbecoming light.

The leadership moved to recess the Senate because it seemed to the Senator from Illinois [Mr. DIRKSEN] and to me that the atmosphere had been so blurred by procedural dust as to cease to be conducive to the sober and deliberate decisions which are required in this matter.

If I may, I should like to summarize the parliamentary situation as it now stands. The substance of yesterday's procedural snarl immediately prior to the recess was a concern that final action on the resolution accurately and properly reflect the will of the Senate. After yesterday's modification by the committee, there are now, in effect, two separate resolutions before the Senate: Resolution (A), calling for censure on the basis of the facts dealing with political testimonials, and resolution (B), calling for censure on the basis of so-called double billing.

Under the rules, with a division of the question already ordered, the Senate must vote on the divided question in the order presented. Thus the Senate will have to dispose of resolution (A) first. Senator JAVITS raised the point yesterday that if the findings and conclusions of resolution (B) are rejected by a vote of the Senate then the Senate should have the option to determine whether the findings and conclusions of (A) are of sufficient gravity to warrant censure.

I believe the Senate clearly expressed its attitude on this point when it rejected the Tower amendment yesterday. The Senate voted overwhelmingly to retain the sanction of censure for (A) alone.

The committee's judgment is that each count separately and fully warrants censure. With the modification of the resolution, the issue will now be clearly raised. The Senate will have the specific opportunity to express its judgment. I would hope that the Senate will proceed in the orderly manner prescribed by the rules.

I would hope too that we will get this point straight once and for all. I address my remarks in particular to those whose legal training provides them with a laudable anxiety over due process and a jealous zeal for the procedural prerogatives of defendants in court actions.

Let me say to them and to all that there is not a Member of this body who would seek to hurt the Senator from Connecticut by putting him under some procedural disadvantage. On the contrary, there is not a Member who does not wish to give him every reasonable procedural advantage. That applies to the distinguished chairman of the committee [Mr. STENNIS] who brought in the pending resolution. It applies to all of his colleagues on the committee. It applies to the majority and minority leaders. It applies to those Members who do not speak at length on procedural questions as well as to those who do.

This in not a court of law. The Senator from Connecticut is not a criminal. This is the Senate of the United States. The Senator from Connecticut is a Member of the Senate and will still be a Member of the Senate regardless of the outcome of this matter.

The proceedings of the past 8 days have been extremely trying—trying for the distinguished Senator from Connecticut [Mr. DODD] and trying for the entire Senate. To sit in judgment over a fellow Senator is one of the most distasteful tasks any Member of this body can face, with the exception of sitting now where Senator DODD sits. The strain and wear on all of us showed clearly yesterday afternoon.

I would urge all Members, therefore, to keep the question in perspective. It is time to stop tying ourselves up in legal knots. It is time to stop killing the Senator from Connecticut with legal kindness. It is time to bring this question to an orderly close.

Mr. STENNIS and Mr. LONG of Louisiana addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I will make a brief statement now, on procedure only. I speak for the committee. It is unanimous on these points. The committee held a meeting this morning and reviewed the questions which I am going to discuss. I speak for the committee, and from a position which is unanimous.

First, I invite the attention of the Senate to the resolution, as originally introduced which, in effect, carried two charges.

Under a parliamentary ruling, which I think was correct, there was a division made of those questions. My opinion was that if the Senate wants to vote on them separately, it is entitled to that right, or if the Senator from Connecticut [Mr. DODD] wants to vote on them separately, he is entitled to that right. There is no question about that. But that division was made and so we begin from there.

Yesterday afternoon, there was no real change in the position of the committee, nor any change in the substance of the resolution—not any. The change was merely in a transposition of the language and a repetition of some of that language, for one purpose only; namely, to make clear, certain, and positive that each of the charges was eligible for amendments which any Member desired to offer and which a majority of the Senate decided to vote.

I thought there was something in the point made that we vote on (A) and then, to a degree, the Senate would be boxed in on this opening and closing language in (A). Thus, we were entirely willing to make that modification, but only in arrangement and not in substance. That is the reason why we did it.

Let me point out clearly, as the committee understands it, that each of these "resolves"—both (A) and (B)—with the exception, of course, of the amendments which have already been offered and voted on by the Senate, are open to further amendment by any Senator, as to any line or any word. That is a matter that rests with the Senate and not with the committee.

So we start from there.

The committee thinks, after being through all this case and this discussion here that the best way to proceed and present the matter is to dispose of (A) first fully and finally, and then go to (B) and dispose of (B) fully and finally, whatever the will of the Senate is. That will determine how the Senate votes on what is in the resolution.

As I have said, the Senate committee stands unanimously on this, which is really exactly the position in which we have been standing all the time. There is no change except this mechanical change which makes clear that the doors are open for amendment.

I hope that in these few words I have made clear our position. That is the position that we feel we have an obligation to have the Senate follow, and that is the position that we will follow. The matter to be disposed of now is an exercise of the will of the Senate.

I yield the floor.

Mr. LONG of Louisiana. Mr. President, I understand why the committee redrafted the resolution as it did. The committee came in with a resolution which said that the Senator did (A) and did (B), as a result of which he had followed a pattern of conduct which brought the Senate into disrepute and therefore he should be and shall be censured. It was one censure.

Now, the difficulty with that resolution was that it was not a resolution that was easily susceptible of a division. So when the Senator from Florida [Mr. HOLLAND], in good faith, insisted on dividing it—and a single Senator has a right to obtain a division, even though 99 other Senators think it should not be done—we then had a resolution which was not practical for division purposes, because it was drafted as one single resolution providing for one vote of censure.

In order to comply with the division, the committee found it necessary to revise the resolution. So now it says that, on the basis of two courses of conduct, the Senator should be censured twice.

In the event the Senate should vote to find the Senator guilty on both charges, then I would hope, in fairness to the Senator, the committee would redraft this resolution and put it back into its original form so we would censure him once, as originally suggested, rather than twice. I would hate to think, as one who acted in defending the case, that we would end up with censuring him twice merely because someone wanted to divide the two charges.

Mr. President, last night I was not willing to agree to the unanimous-consent request put forth by the Senator from New York [Mr. JAVITS]. I did not fully understand it. I have found, to my regret, that on occasion one would do well to understand a unanimous-consent request before agreeing to it. What the Senator from New York and then the Senator from Oregon [Mr. MORSE] were proposing was to proceed as a court would do. We are acting in a judicial capacity. What a court would do, in its judicial capacity, would be first to see if it was going to find him guilty. When he is found guilty, a judge often thinks about it a day or so, and then brings the man before him and says, "Now, do you have anything to say before I impose sentence?" A good lawyer will talk to the judge. He will get up before sentence and explain why he thinks the punishment should not be severe.

That was the procedure suggested by the Senators from New York and Oregon. I regret that I did not agree to the request. I feared we might be locked in on certain lines that appear in the resolving clause on page 2 if we agreed to that consent. The Senator from Louisiana now thinks the unanimous consent would not be prejudicial in any way or in any shape.

The Senator from Louisiana personally would hope that we could proceed and that the best procedure would be to vote on whether or not we think the Senator is guilty or not guilty on these two charges.

May I say that if he is to be found guilty on the charge which appears on page 1, lines 8 through 10, there is quite a bit which should be said with regard to extenuating circumstances, matters which should be considered regarding mitigation of that charge. For example, the accountants for Senator DODD have analyzed the $116,000 which he is alleged to have spent for private purposes, and they contend that only $3,000 of that $116,000 was actually spent that way. They contend that the committee's guidelines have been arbitrary and in most cases—in perhaps more than 90 percent of the case—those guidelines result in an erroneous conclusion.

For example, they contend that the trip to the Charles Town racing track, a trip on which the Senator took the whole office staff to promote good will, in the hope that more efficiency will result, was a personal expense.

So we think we should have a vote first on lines 8 to 10 on page 1.

Then the Senate should vote on lines 10 through 12 on page 2.

Then, having voted on them, we could talk about the precise language, particularly with regard to some surplusage which appears in the text.

Mr. MORSE. Mr. President, will the Senator yield for a clarification of the RECORD?

Mr. LONG of Louisiana. Yes.

Mr. MORSE. Earlier, the Senator made reference to the Senator from Oregon's making the suggestion that the matter could be handled if we accepted an agreement to provide for a vote on (A) and (B), with the understanding, by unanimous consent, that after action was taken on (B), whatever it might be, a proposal could be made for a modification of the penalty.

I did not offer the unanimous-consent agreement. The Senator from New York shared the same point of view, and the Senator from New York offered the agreement. I think what the Senator is referring to is my discussion following the objection to the unanimous-consent agreement offered by the Senator from New York, and not by the Senator from Oregon.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SCOTT. I have not spoken before. I rise now only to say I think the Senator from Louisiana is making a perfectly valid and fair suggestion. I hope it will be followed.

The two Senators from Pennsylvania, both being Philadelphia lawyers, have thought our contribution might be the greater by abstaining from the legal and parliamentary confusion; and it would be my further hope that if Senators are imbued with the desire to raise questions of a legal or parliamentary nature, two things are to be considered: The aspect of the humanities or the humaneness involved; the aspect of the dignity of the Senate itself before the country.

I would simply like to express the hope that if Senators do have such parliamentary ideas, then, rather than involve the Senate in further confusion, they first discuss the matter off the floor with the Senate leadership and see if they can work it out.

Mr. LONG of Louisiana. I appreciate very much what the Senator has said. I will ask unanimous consent. Regardless of whether there is objection to that unanimous consent request, I want the Senate to vote on charge (A), because the committee wants the Senate to vote on charge (A)——

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Yes.

Mr. HICKENLOOPER. May I ask a parliamentary question?

The ACTING PRESIDENT pro tempore. Does the Senator yield for a parliamentary question?

Mr. LONG of Louisiana. Yes.

Mr. HICKENLOOPER. Is it necessary for the Senator to get unanimous consent? Has not that decision already been made? Should not our procedure now be to vote on (A) and then on (B)? I do not see any necessity for unanimous consent.

Mr. LONG of Louisiana. The trouble is, that the four lines beginning with line 11 on page 1 through line 2 on page 2, are the sentence of the Senate. We certainly want to approach this in a judicial manner. We have first to find the man guilty. Having found him guilty, we then say what sentence we care to impose.

Thus, I would think it would be desirable to say, with regard to the first count, whether we find him guilty. Do we find him guilty of lines 8 to 10 on page 1? Second, do we find him guilty of lines 10 to 12 on page 2? If so, what sentence do we desire to impose?

That is how a court would do it, and I would hope we could do that. If we cannot, we will proceed in the way the Senator suggests, and talk about the sentence first before we talk about whether we are going to find the man guilty.

So I ask unanimous consent, Mr. President, that we might vote on lines 8 through 10 on page 1.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. BENNETT. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. STENNIS. Mr. President, reserving the right to object——

The ACTING PRESIDENT pro tempore. Objection is heard. The Senator from Utah objected.

Mr. BENNETT. Mr. President, I withdraw my objection so that the Senator from Mississippi may make his reservation.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi will be heard on the reservation.

Mr. STENNIS. Mr. President, reserving the right to object, what the Senator from Louisiana says comes right back to the proposition we have had all the time. This resolution is open to amendment in any way that any Senator wishes, except for the two amendments that have already been handled.

In legislative history, this is the way such matters are always disposed of. There have been no exceptions the committee knows anything about. The whole concept of it is addressed to the intelligence and the will of the Senate.

I would think Senators would know what they want to do about (A). To vote the substance of the charge, and then come back later and vote as to the rest of (A) would add confusion. It is not in keeping with what the committee thinks is its responsibility. Every Senator knows, I believe, by now, what his will is in connection with (A). If Senators do not favor the censure part, I say with great deference, the remedy is to vote against (A).

That is a full, emphatic, clear-cut, definite expression that I believe everyone can understand. For those reasons, the only way the committee thinks proper to proceed here, in keeping with justice, legislative history, and every other consideration, is to proceed in the regular way.

So, in that vein, we object to the request of the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, it has been my privilege to manage the largest revenue bill in the history of the country, and some of the other large revenue bills, including some with more than 500 Senate amendments, running into several hundreds of pages. My experience in managing such bills has been that if I had to have a vote, I would just let Senators vote any way they wanted to vote.

In this case, the committee may have 90 votes with it. If I had 60, I would let the Senate vote any time it wanted to vote, any way it wanted, under any terms and conditions it chose. If I knew I had the votes, I would let others vote any way they wished, on any terms and conditions.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. MILLER. May I ask whether or not it is possible for us to proceed, with the approval of the committee, along the lines that the Senator from Oregon recommended yesterday, namely, that we vote on the two divisions, and then have the understanding that we can come back and consider each division with respect to the punishment?

Mr. LONG of Louisiana. That is what I think would be proper. As far as I am concerned, I would agree to that.

After we vote on the first part, we are foreclosed from voting to amend any part of it, and that locks us in, particularly, to the prejudice of Senator DODD, on lines 11 and 12 on page 1 and line 2 on page 2. That is the part where the Senate would say what the sentence would be for this offense with which the man is charged.

I would think we would do best to vote on this measure down through line 10, vote on lines 1 through 10 on page 1, and then proceed to vote on what we wanted to do about the language of censure.

But if there is to be objection to that, then I shall not insist. We will go ahead and follow some other procedure. But I would like to ask unanimous consent that we vote on lines 1 through 10 on page 1.

Mr. STENNIS. Mr. President, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. TOWER. Mr. President, in the light of the objection, I intend to offer two amendments. I have discussed this matter with the distinguished Senator from Connecticut [Mr. DODD] and the Senator from Louisiana [Mr. LONG], but I have not had an opportunity to discuss it with the Senator from Mississippi. He has had copies of these amendments. The thing I have not discussed with him is what I am about to propose here in the way of controlled-time situation.

I personally am prepared to agree to a controlled-time situation, with a limitation of 15 minutes to a side on each of these amendments, so that the entire consideration of the amendments will not take over 1 hour, and could conceivably require less than that.

Therefore, if the majority leader and the minority leader are agreeable, and the distinguished Senator from Mississippi is agreeable, I will offer these amendments and ask for a controlled-time situation.

The ACTING PRESIDENT pro tempore. Will the Senator from Texas send his amendments to the desk?

Mr. TOWER. Mr. President, I ask unanimous consent that on the two amendments I propose to offer, time be limited to 30 minutes, 15 minutes to a side, to be controlled by the distinguished Senator from Mississippi, the chairman of the committee, and myself.

The ACTING PRESIDENT pro tempore. Will the Senator send his amendments to the desk, so that they can be read?

Mr. TOWER. I have not submitted the amendments yet, but I am simply asking——

The ACTING PRESIDENT pro tempore. Will the Senator have his amendments read so that the Senate may know upon what the Senator is asking unanimous consent?

Mr. TOWER. I will ask as to each one of them in turn, then. I send my first amendment to the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk read as follows:

On page 1, line 12, strike the word "morals" and insert in lieu thereof "standards of conduct."

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

Mr. ERVIN. Mr. President, reserving the right to object—and I shall not object—I would like to observe that Senators are complicating simplicity.

It is clear to my mind that on each specification, each Senator is confronted by a primary question. That primary question is this: Does the evidence satisfy the Senator that the facts stated in the specification are true?

If a Senator answers that question in the negative, then his vote should be against the specification in its entirety.

If he answers that question in the affirmative, however, he is then confronted by a second question: "On the basis of the facts established by the testimony, does the Senator from Connecticut deserve censure?"

If the Senator answers the first question in the affirmative and the second question in the negative, he should vote against the entire specification.

He can vote in favor of an entire specification only if he answers both questions in the affirmative.

Every Member of the U.S. Senate can readily understand these simple propositions.

So, all of the discussion we have had for the last 4 or 5 hours concerning matters of procedure merely complicates simplicity.

Mr. President, I do not object.

Mr. TOWER. Mr. President, does the Senator from North Carolina object?

The ACTING PRESIDENT pro tempore. No objection is heard.

Mr. MORSE. Mr. President, reserving the right to object, I ask the Senator from Connecticut if he has any objection to this unanimous-consent request?

Mr. TOWER. Mr. President, I withdraw my request in order to give the Senator from Oregon an opportunity to make an inquiry.

The ACTING PRESIDENT pro tempore. The unanimous-consent request is withdrawn.

The Senator from Texas yielded to the Senator from Oregon so that he might ask the Senator from Connecticut a question.

Mr. MORSE. Mr. President, has the Senator from Texas withdrawn his request?

Mr. TOWER. I have withdrawn my request.

Mr. MANSFIELD. Mr. President, the Senator from Texas has withdrawn his request in order to give the Senator from Oregon a chance to make an inquiry.

UNANIMOUS-CONSENT AGREEMENT

Mr. TOWER. Mr. President, I ask unanimous consent that the time on my amendment be limited to 20 minutes, 10 minutes to each side, the time to be controlled equally by the distinguished Senator from Mississippi [Mr. STENNIS] and me.

I might say that I have discussed this matter with the Senator from Connecticut [Mr. DODD] and the Senator from Louisiana [Mr. LONG], and they have consented to this time limitation.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object, I have said many times, and I will restate very quickly, that my only interest in the procedure here is to make certain that it remain open ended as long as the Senator from Connecticut wants it to be open ended on any issue.

My question that I direct to the Senator from Connecticut is whether he is willing to accept this unanimous-consent request for a limitation of time.

Mr. DODD. My answer to the Senator from Oregon is that whatever the Senate wants to do, I find myself in agreement with.

Mr. MORSE. I therefore have no objection.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

There will be a 10-minute time limitation to each side.

The Senator from Texas is recognized.

Mr. TOWER. Mr. President, I yield myself 3 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized for 3 minutes.

Mr. TOWER. Mr. President, my first amendment is an amendment that has already been considered here. However, it was considered yesterday en bloc with other amendments.

A number of Senators have told me that I prejudiced, in some aspects, my chances of having the amendments agreed to by having them considered en bloc.

It is apparent that the Senate wants to preserve the term censure. That should be apparent to everyone after the overwhelming defeat of the amendments offered en bloc on yesterday.

I should therefore like to break up the amendments that I offered yesterday into two parts and eliminate the reference to censure.

I address myself to page 1, line 12, the word "morals."

My amendment would strike the word "morals" and substitute in lieu thereof "standards of conduct."

The reason why I offer this amendment is that the term "morals" is a strong term. At the same time, it is a term that is somewhat ambiguous. I imagine that we could get 100 different constructions of the term "morals." I am sure that we could get 100 different ideas about what the term "morals" comprehends within the context of what we are doing here.

I am aware that the committee itself, in considering this term, puzzled at some length over whether to use the term "morals."

There could be a religious connotation. What type of morals are we talking about? Are we talking about sexual morals? Are we talking about honesty? Are we talking about integrity? What are we talking about when we talk about "morals"?

The term "morals" can mean anything. Some people think it is immoral to drink. Some people think that it is not.

Some people think it is immoral to play cards, and other people do not think so.

This is a term that covers the lot.

I therefore think that we should get more specific and talk in terms of standards only.

The committee is called the Select Committee on Standards and Conduct.

I submit that this would be a far more reasonable term and using it does not imply that there is some blanket condemnation of his conduct or morality, because however much he may have deviated from an established standard in one field it does not mean that he deviated in other fields.

The term "morals" is an extremely broad term.

I yield the floor.

Mr. HART. Mr. President, will the Senator yield?

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. TOWER. Mr. President, I yield first to the Senator from Michigan.

Mr. HART. Mr. President, I appreciate the action proposed by the Senator from Texas. I appreciate his taking the action.

In the confused, waning seconds preceding the vote yesterday, I sought to raise this point.

I think the Senator from Texas in the calm of this morning should be able to persuade us that we are moving in an area in which I am very reluctant to assert authority.

I am particularly sensitive about proposing that we use the term "morality." That, to me, gets us into situations in which something is considered to be moral today. However, when public opinion shifts, that same activity is considered immoral, or vice versa.

I do not think it was very sound theology. I do not think that any of us when we took our oaths asserted that we have competence in that field.

We do know what conduct and accepted standards of conduct are.

I think we would all be much more comfortable with that expression.

Mr. STENNIS. Mr. President, I yield myself such time as I may desire.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, line 12 on page 1, which reads: "Which is contrary to accepted morals."

We were writing there about legislative conduct.

A part of the resolving clause reads: "of exercising the influence and power of his office as a United States Senator."

That wording confines it to this legislative matter.

It reads: "of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct."

Our contentions on this matter are in the Record. It has been properly covered. It has been referred to here in the debate as the bill of particulars in this case.

It relates to activities of the Senator as a Senator of the United States in that field.

Reading further, from line 11 of page 1, it states: "deserves the censure of the Senate; and he is so censured for his conduct."

That is the same conduct we are talking about, the legislative conduct.

I read further: "which is contrary to accepted morals."

That is accepted morals of legislative conduct. It means just that and no more. It means accepted morals concerning legislative conduct.

It is tied in directly by the clauses which precede it with reference to legislative conduct.

That is particularized in the Record and expressly referred to in the resolution itself.

For that reason, we thought it was simple and direct and correct. This does not go into any broader field of morality than this language here states.

I yield to the Senator from Kansas.

Mr. PEARSON. I thank the chairman of the committee.

Mr. STENNIS. Mr. President, how much time does the Senator require?

Mr. PEARSON. Thirty seconds.

Mr. STENNIS. Oh, no. Take more than that.

Mr. PEARSON. I respond to the distinguished Senator from Texas by saying that I do recall that yesterday, in colloquy, I made the comment that this phrase had given the committee considerable difficulty, or words to that effect. I now indicate that, actually, in referring back to prior resolutions of this sort, the words therein used, in almost all of them, were "good morals"; and in that respect, the question arose in my mind and in the minds of some of the other members of the committee—as the Senator from Texas and the Senator from Michigan have pointed out. So the modification was made then by the committee for the very reasons that the Senators have pointed out here.

I hope that the language set forth in the resolution, and as explained by the chairman, will be sustained.

Mr. TOWER. Mr. President, I am prepared to yield back the remainder of my time, if no other Senators wish to speak.

Mr. STENNIS. I just wish to make one point.

Mr. TOWER. I reserve my time.

The ACTING PRESIDENT pro tempore. The Senator has 2 minutes remaining.

Mr. STENNIS. Mr. President, I read from Webster's Dictionary the definition of "morals":

> The science or doctrine of conduct especially as to a sense of duty, ethics.

That indicates that we are certainly within the definition generally of the word as shown by the dictionary.

But we stand on the proposition, primarily, that I have already explained, that this has to do with legislative conduct that is expressly nailed down in the resolution and in the record, and the testimony pertains to that and nothing more, and we believe it is the proper language.

Mr. CANNON. Will the Senator yield for a question?

Mr. STENNIS. I yield.

Mr. CANNON. If the Senator feels that this relates to conduct, what is the objection to changing the word to "standards of conduct"?

Mr. STENNIS. As I have said, we thought it best to use this language. If others disagree, it is entirely all right. But we weighed these matters very carefully. I expressly remember that the Senator from Minnesota [Mr. McCarthy], whom I am not able to locate at this time, worked on this language.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. STENNIS. I yield.

Mr. MORSE. Do I correctly understand that the words "accepted morals" are used by the committee in the sense of pertaining to legislative ethics, and that, therefore, the meaning is broader, from the standpoint of evaluating the right and wrong of the charge, than the mere word "conduct" would be?

Mr. STENNIS. It could be; yes. It could be; but it is so confined to this legislative conduct that we thought not only that it was applicable but also that it was the way to express it.

Mr. TOWER. I yield myself 1 minute. The fact is that the term "morals" is an imprecise term. The term "standards of conduct" is a somewhat more precise term. I think a decision is called for here. The term "standards of conduct" can be more narrowly construed than the term "morals," which can be very liberally construed, indeed.

Therefore, I ask that we be precise in this very critical and important matter.

I am prepared to yield back the remainder of my time if the Senator is prepared to do so.

Mr. STENNIS. Mr. President, my judgment is that this resolution is so highly important, and every line and word of it having been worked on so carefully, we should have the yeas and nays as to the change. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. STENNIS. I yield back the remainder of my time.

Mr. TOWER. I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. All time has been yielded back.

Mr. DODD. Mr. President, as I have done on two previous occasions, I ask unanimous consent to be excused from voting on this amendment.

The ACTING PRESIDENT pro tempore. Without objection, the Senator from Connecticut will be excused.

Mr. DODD. I also ask unanimous consent that I may be excused from being present on the floor while the vote is taken.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. Under the same conditions that occurred previously.

The question is on agreeing to the amendment of the Senator from Texas. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from North Carolina [Mr. JORDAN] are absent because of illness.

I also announce that the Senator from Georgia [Mr. RUSSELL] is necessarily absent by leave of the Senate.

I further announce that the Senator from Connecticut [Mr. DODD] was excused from voting and permitted to absent himself from the Chamber by leave of the Senate.

The result was announced—yeas 18, nays 78, as follows:

[No. 160 Leg.]

YEAS—18

Bayh
Cannon
Curtis
Griffin
Hart
Hartke
Kennedy, N.Y.
Long, La.
McIntyre
Metcalf
Murphy
Muskie
Prouty
Ribicoff
Smathers
Thurmond
Tower
Williams, N.J.

NAYS—78

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Church
Clark
Cooper
Cotton
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Gruening
Hansen
Harris
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Nelson
Pastore
Pearson
Pell
Percy
Proxmire
Randolph
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—4

Dodd
Inouye
Jordan, N.C.
Russell

So Mr. TOWER's amendment was rejected.

Mr. TOWER was recognized.

Mr. TOWER. Mr. President, I think at this point it would serve no useful, productive, or fruitful purpose for me to bring up the second amendment I had intended to bring up, which would have caused the striking out of the word "dishonor." I shall not bring out that amendment because it would detain the Senate.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. TOWER. I yield.

Mr. LONG of Louisiana. Mr. President, I congratulate the Senator for his decision. If I detect the mood of the Senate at this moment, I do not think that those of us who take the side of the Senator from Connecticut in this matter on this point could so much as correct a grammatical error. I congratulate the Senator.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the first resolve, "*Resolved*, (A)," lines 1 through 12 on page 1 and lines 1 and 2 on page 2.

Mr. MOSS. Mr. President, I will vote to censure my personal friend, Senator THOMAS J. DODD. This decision has been made in anguish and in sorrow. In most of its aspects, the career of Senator DODD is a distinguished one. It is impossible not to sympathize with a prominent public figure who finds himself in such a position, and particularly to regret the trial that has been borne—and will be borne—by his family.

If I were voting for myself alone, I would be compassionate—I would forgive this fellow man. TOM DODD has already paid a heavy price. He has been debased, humiliated, shamed, his good name tarnished. Were I to vote against censure, it would, in part, relieve the heavy burden which presses against my heart.

But my vote must speak not only for my conscience, but for my people in Utah, and for all of the people of the United States. I must vote as a representative of millions of Americans. The stark fact is that the national implications of this case place it far beyond consideration of its effect on one man, or on one man's family, unfortunate as that may be.

Senator DODD, to his credit, requested the Select Committee on Ethics and Conduct to undertake its investigation. The committee members devoted many hours to hearings and to consideration of the evidence. The investigation has been thorough. It has been carefully conducted in a judicious manner. The committee's report, and the recommendations made therein, are entitled to great weight. My decision to vote to support the committee's recommendation was made after studying its report and the statements of Senator DODD relating to it, and listening to many hours of debate on this Senate floor. Like my fellow Senators I have given most careful attention to the record and the debate and I have pondered long.

An ugly aspect of this case is the theft from Senator DODD's office of thousands of personal letters and other documents. I commend the select committee for condemning these disloyal acts, and I join in such condemnation. My indignation towers at such perfidy.

The Senate's action in the matter before us will serve too little purpose if it results only in the censure of one Senator. A motion to censure is before us, but the Senate itself is on trial. Saying this, I emphatically do not imply that the ethical standards of the Congress are declining. In my opinion, the reverse is true. Further, Senators' conduct compares favorably with that of elected officials throughout the Nation. Nevertheless, the Congress faces a crisis of confidence.

Millions of Americans believe that many congressional Members are guilty of unethical practices. While Senator DODD must bear the responsibility for his own acts, all of us are partially responsible for this public attitude. The Congress itself is on trial because we have failed to formulate and adopt concrete rules or codes of ethics to govern the conduct of Members.

It is true that many in the Nation exaggerate the facts. It is true that the issues are tried in the newspapers even before investigations are begun. And allegations of wrongdoing are sledgehammered home with numbing repetition and damning innuendo. But this, too, is partly our fault—we have permitted the sore to fester so long that human reaction is to believe every accusation that is hurled.

What is called for now? What must be done to restore the confidence of the Nation in its Congress?

This issue has two parts: the first concerns campaign financing, the second, conduct in office. Let us first consider the cost of campaigns.

The Members of this body are only too painfully familiar with this question. According to an August 1966 article in the American Legion magazine, the cost of electing a U.S. Senator runs from $100,000 to over $1,000,000. The difference between these figures and the amounts reported, under present legal limits, makes it risky for a Senator even to know how much is raised in his behalf or to know how it is spent. This virtual vacuum in the law has spawned numerous committees, many of which operate in one State only and file no expenditure reports. The Legion magazine states also that, in 1964, 38 candidates for the House of Representatives—12 Democrats and 26 Republicans—failed to file the reports with Congress which the law would seem to require. It points out that there has never been a single prosecution of a candidate for failure to report, or for false or incomplete reports, under the Corrupt Practices Act.

Despite the fact that there have been no prosecutions, the gap between what the law intends, and what is required under it, is fraught with danger, not only to us personally but to everyone helping to finance campaigns.

This point was made firmly by Under Secretary of the Treasury Joseph W. Barr when he testified before the Senate Finance Committee in 1966. Mr. Barr said:

> It is my personal opinion . . . that the most dangerous thing that an American citizen can do in public life is to act as a treasurer for a political party. One may have the best intentions in the world, but the unreality of present law and the contradictions that it contains literally constitute a bear trap for the most honest of citizens. I will confess that never was I so relieved as when the statute of limitations ran out on my tenure as treasurer of my political party, in spite of the fact that I felt at the time that I was performing a service that was necessary.

It is almost incredible that we would try to operate under a law requiring campaigns to be financed within limits set in 1925—prior to the great depression and prior to World War II. The drop in the value of the dollar alone has cut in half the amount that may legally be spent per voter on congressional campaigns.

For at least 15 years, citizens in and out of Congress have looked for a remedy. Some have put forward the idea of paying campaign expenses with public funds. Among these are Mr. John Kenneth Galbraith, the new president of Americans for Democratic Action; and Mr. David Lawrence, the syndicated columnist. Referring to charges hurled in Massachusetts campaigns under current practices, Galbraith said it was an instance, "not of the pot calling the kettle black but rather of a whole shelfful of sooty vessels condemning each other for their grime." Lawrence urged a congressional appropriation of $60 million a year to a campaign fund to cover the expenses of all campaigns. Last year, and this, the Senate has been wrestling with numerous versions of this idea.

However, more attention has gone to the modernization of private-source fund raising activities. Almost annually, Congress has made a brave start in this direction by introducing clean elections bills. Both President Kennedy and President Johnson have urged action. With other Senators, I have testified for these bills, have cosponsored many, and have tried to advance them. Some have passed the Senate, but none has become law.

So often have beginnings been made that the St. Louis Post-Dispatch remarked in 1963 that such bills seemed "on the way to becoming another of the opening rites of Congress." And, the paper said:

> To feel slightly hopeless about this is not to be cynical, but merely somewhat discouraged by experience.

Generally, these bills have increased the limits on campaign expenditures, required financial reporting in primary elections as well as general elections, and restricted the amount that could be contributed by one individual. Early in the 1960's, however, an important additional feature became prominent. To widen the base upon which political contributions rest, a tax income credit or deduction for a limited amount of such contributions was suggested. In my opinion, it is imperative that we encourage and receive many, many small political contributions in lieu of a few large grants. Politicians and political reformers alike would prefer to see campaigns financed by millions of small contributors. In 1966, a poll taken by Congressional Quarterly showed that 89 percent of the Members of the House and Senate favored some kind of tax benefit for political contributions. Yet we have never succeeded in making even that simple proposal part of the law.

Turning to the question of ethics, we find the same lack of a code, or machinery for reporting, that we find in the campaign financing field.

The case of Bobby Baker, the former secretary to the majority, shocked the Nation. By using his position for personal gain, he demonstrated how one can profit from the influence which is exercised by every Member of Congress as well as many of the members of the personal and committee staffs.

It must be recognized that there is no way to separate such influence from government. The operation of government means the exercise of power; it consists in making decisions between available courses of action. For example, government must decide between alternative sites for projects which can mean millions of dollars to the States and localities in which they are built. Members of Congress regularly determine whether authorized projects, in a given State, are to be funded this fiscal year or put aside until the next, or the next. Is it reasonable to expect that the exercise of such power will be above suspicion?

Expanding population and wealth have served to increase the influence which Members of Congress, as well as officials of the executive branch, exert on the economic life of the Nation. In candor, we in Congress must admit that we demand a standard of disclosure conduct from the executive branch which we have been unwilling to impose upon ourselves.

It is argued that Members of Congress must present themselves regularly before the electorate, and that this subjects ethical offenders to elimination. Certainly defeat at the polls comes frequently. It even happens that Members accused of wrongdoing are defeated by charges that may not be factual. But elections have not kept those guilty of questionable practices out of office. All of us could cite instances of notable offenders of our moral code being reelected. Nor is it enough to assert one's personal innocence. The American people believe that Members of Congress should assume some responsibility as our brothers' keepers.

The Baker case demonstrated that one essential of any effective program to regulate the conduct of members and staff assistants must be disclosure of some kind. Because a Senator cannot stop exerting influence, sources of income must be made public if a proper basis for judging conduct is to exist.

Following the Baker investigation, it was proposed that some regular procedure of disclosure be instituted. A number of Senators, of which I am one, have regularly put on the record their income and personal asset figures. But a proposal to require this was rejected. Instead, we appointed the Select Committee on Standards and Conduct and assigned to it the responsibility of proposing a code of ethics. This has not been done. In pointing this out, I am mindful of other obligations which the committee has assumed, including the case before the Senate now. Moreover, I recognize that the problem of writing such a code of ethics is fraught with difficulty.

It is unfortunate that the case before us was preceded by two others which generated tremendous publicity on the question of congressional ethics—those of Bobby Baker and Representative ADAM CLAYTON POWELL. These three cases have brought the character of every Member of Congress into question.

Further, and much more important, the integrity of our Government itself has been brought into question. Under the division of power, it is the legislative branch which most directly represents the States and the people. If our integrity is questioned, the foundations of self-government are threatened. Our mail from constituents, as well as the opinion of the press and broadcasting media, indicate widespread dissatisfaction with: First, campaign financing; second, undue influence being exerted on Members; and third, expenses and emoluments of office. To these we must address ourselves.

The task of the Select Committee on Ethics and of the Senate has been a particularly difficult one because it has been necessary to combine to some degree the functions of lawgiver, prosecutor, judge, and jury—functions which under our legal concepts should be separate. First, Senators have had to examine the facts. Then we have had to decide whether those facts have brought disrepute on the Senate—and to decide what "disrepute" amounts to.

How much fairer it would be if there existed a clearly stated code against which the actions of any Senator could be judged.

We are accustomed to issues which have been raised or aggravated by the rapid changes taking place in our society. To some extent, the questions I have been discussing fall into this class. Whatever rules of conduct may have been adequate for the Senate of Webster and

Calhoun, of La Follette or Norris or Taft, those now in use will not do for the 1960's. In our own interest as Senators and in the interest of the great Federal Union which we serve, we must regulate more adequately both conduct in office and campaign financing.

It is my sincere hope that this unhappy occasion will be an impetus to correction of the evils of which it is a symptom, and that we may look forward to the timely enactment of firm correctives.

With a very heavy heart will I vote for censure. In fierce political conflicts, where victories are narrow and the results are of overriding consequence to the course of wise and enlightened government, it is so easy to rationalize that the end justifies the means. Those of us who are elected begin to feel a proprietary right to our positions, and justify ourselves.

God help me to remember the bitter lesson of today.

Mr. STENNIS. Mr. President, I note that the Senator from Connecticut [Mr. Dodd] is not in the Chamber. He left because of the vote. I do not think any proceedings should be had in his absence.

Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. STENNIS. Mr. President, this is on provision (A).

The ACTING PRESIDENT pro tempore. The Senator is correct. This vote is on provision (A).

Mr. STENNIS. Yes, Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

(The Senator from Connecticut [Mr. Dodd] returned to the Chamber.)

Mr. MANSFIELD. Here is the Senator from Connecticut now.

The ACTING PRESIDENT pro tempore. Does the Senator from Connecticut desire to be heard?

Mr. DODD. Yes, I do.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized.

Mr. DODD. I understood the Senator from Mississippi wanted to speak first.

Mr. STENNIS. Mr. President, would the Chair indulge us?

The ACTING PRESIDENT pro tempore. The Senator from Indiana will be recognized.

Mr. BAYH. Mr. President, I would like to ask if it is appropriate for me to propound a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator may.

Mr. BAYH. Mr. President, if it is appropriate, I ask that the clerk read in its entirety the matter upon which the Senate is now going to vote.

The ACTING PRESIDENT pro tempore. Resolve (A) will be stated.

Mr. STENNIS. Mr. President——

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. STENNIS. I am sorry. I did not know that there was a request.

The ACTING PRESIDENT pro tempore. The inquiry was that the clerk read the proposition before the Senate.

Mr. STENNIS. I do not object, of course.

The assistant legislative clerk read as follows:

Resolved, (A) That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct,

to obtain, and use for his personal benefit, funds from the public through political testimonials and a political campaign,

deserves the censure of the Senate; and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator, and tends to bring the Senate into dishonor and disrepute.

Mr. STENNIS. Mr. President, Members of the Senate: I shall take only a few minutes, perhaps 2 or 3 minutes at the most.

As the Senator from Mississippi understands the situation, no one now desires to speak further on (A) except the Senator from Connecticut. With the majority leader 2 or 3 days ago, the Senator from Connecticut and I had an understanding that he would make the last speech and that the Senator from Mississippi would sum up next to last, just immediately preceding the Senator from Connecticut.

So, with the understanding that we have reached that point, which both the Senator from Connecticut and I think we have reached, we do reserve the right to speak further if some new development should arise on (A).

Mr. President, the committee feels that it has gone into the facts of the case the best it could. It has developed the facts. It has brought them here in the form of the record. It has brought them to the attention of Senators in the form of the report. It has brought them to Senators in the form of a resolution. Furthermore, during these days of debate, the findings, conclusions, and points involved which were significant to the membership of the committee have been fully presented, and it is our idea that they are understood by the membership.

It is our belief that all points of view and all the evidence has been fully weighed. With that firm understanding and belief, I am not going to try to sum up the evidence. We merely present the matter now as we think it has already been presented fully and completely to the Senate.

Part (A) is the first section of the provision and, of course, I am addressing myself only to that. We submit it to the Senate now, for our part, in substance and in the spirit that I have just outlined.

I thank the Chair.

Mr. DODD. Mr. President, and my colleagues, as the distinguished chairman of the Ethics Committee has informed you, it was agreed in advance that you would allow me to make a final statement—and I am grateful for that—in my own defense.

I know you are all exhausted by this prolonged debate. Certainly I am.

There is little to gain in repeating the facts and the arguments which have already been presented here. I have no desire to discuss them further.

Of course it is my hope that you will exonerate me. But what I want to say before we move to a vote on this charge before the Senate is that I harbor no personal bitterness toward any of you in this body—particularly none toward the members of the committee.

I am glad that I do not.

Whatever the outcome, I shall continue to have that attitude.

Nothing that has happened in the course of debate has, in any way, diminished my respect for the Senate as an institution, and for its Members.

I pray and hope that this respect will stand undiminished, no matter what happens.

Whatever fate befalls me, I am satisfied that history will vindicate me. Only time will tell.

For now my fate and my future are in your hands. You know me well enough to let your consciences be your guide.

The ACTING PRESIDENT pro tempore. The question is on agreeing to part (A) of the resolution, as read by the clerk.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Hawaii [Mr. Inouye] and the Senator from North Carolina [Mr. Jordan] are absent because of illness.

I also announce that the Senator from Georgia [Mr. Russell] is necessarily absent by leave of the Senate.

I further announce that, if present and voting, the Senator from Georgia [Mr. Russell] would vote "yea."

The result was announced—yeas 92, nays 5, as follows:

[No. 161 Leg.]

YEAS—92

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Scott
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—5

Dodd
Long, La.
Ribicoff
Thurmond
Tower

NOT VOTING—3

Inouye
Jordan, N.C.
Russell

So part (A) of the resolution (S. Res. 112) was agreed to.

Mr. ELLENDER. Mr. President, I wish to make an inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state his parliamentary inquiry.

Mr. ELLENDER. Will the next vote be on (B)?

The ACTING PRESIDENT pro tempore. The next vote will be on part (B) of the resolution, line 3 through line 16 on page 2.

Mr. ELLENDER. Mr. President, I move that lines 3 to 16, both inclusive, on page 2 of the resolution be stricken.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Louisiana.

Mr. ELLENDER. Mr. President, it is not my purpose or desire to detain the Senate.

The ACTING PRESIDENT pro tempore. Will the Senator from Louisiana suspend while the clerk states the amendment?

The ASSISTANT LEGISLATIVE CLERK. The Senator from Louisiana [Mr. ELLENDER] proposes to strike the language beginning on line 3, page 2, through line 16.

The language proposed to be stricken is as follows:

> *Be it further resolved* (B) That it is the judgment of the Senate that the Senator from Connecticut, Thomas J. Dodd, for having engaged in a course of conduct over a period of five years from 1961 to 1965 of exercising the influence and power of his office as a United States Senator, as shown by the conclusions in the investigation by the Select Committee on Standards and Conduct,
>
> to request and accept reimbursements for expenses from both the Senate and private organizations for the same travel,
>
> deserves the censure of the Senate: and he is so censured for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator, and tends to bring the Senate into dishonor and disrepute.

NO LUNCHEON RECESS TODAY

Mr. MANSFIELD. Mr. President, I ask that, at an appropriate place, if the Senator will allow me to serve notice, there appear the statement that there will be no recess for a luncheon period today.

Mr. ELLENDER. Mr. President, as I have just indicated, it is not my purpose or desire to detain the Senate. The second charge has been debated at length and all Senators are thoroughly acquainted with the issue involved. I understand that efforts will be made to amend the penal provision of section (B). It is my belief that we ought to vote on this section up or down as it is written.

I have sat here for 8 or 9 days now, listening to the testimony, and I do not believe that a case was made against TOM DODD as to the charge incorporated in (B). It is my considered judgment that, if the Senate should believe that TOM DODD did defraud the Government, he should not be censured, he should not be reprimanded, but he should be kicked out of the Senate. I do not believe that a case has been made.

Therefore, it strikes me, as I have just stated, rather than be involved in trying to modify the censure provision—that is, lines 13 to 16—we should vote "yes" or "no" as to whether he is guilty of this charge. Let us vote on the merits of the charge.

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, I rise to ask some questions of the committee. I do not know whether the chairman is here. If I may have the attention of the committee——

The ACTING PRESIDENT pro tempore. The Senate will be in order.

The Senator from Nebraska may proceed.

Mr. CURTIS. Mr. President, I believe that every Senator here is proceeding with a heavy heart. That does not mean that we approve what has been done, or that we condone it.

For almost three decades, the Congress of the United States has been my life and my work. I treasure the traditions of the Senate. I want to maintain its high standards of conduct. I want to maintain its tradition for judicious operation, its sense of justice; yes, its ability to be firm when it should be firm.

There are a few questions that bother me. I voted for section 1 of the resolution. There are some things about the question of proof on double billing, however, that have disturbed me night and day.

First, let me say I realize that the committee has had a most difficult job. Not only did I vote to create this committee, but I took to the floor of the Senate and urged my fellow Senators to create such a committee. By a queer turn of fate, one of the most difficult problems that could ever arise was their first case. It involves all sorts of factors that make it difficult; but I think it was something that had to be done and had to go through.

But I most respectfully call this to the Senate's attention, concerning intent: The stipulation in regard to billing does not prove intent to defraud.

Let me illustrate: We might stipulate, in a certain case, that A was killed by a bullet from a gun in the hands of B. That could mean anything. It could mean first-degree murder; it could mean accidental death; or it could signify any of the ramifications in between.

The question of intent to defraud in the billing section is established by the former employees, one of them in particular, and I wish to ask a question or two, that I might have some information in meeting my concern about this matter.

On page 752, Mr. O'Hare testified:

> My decision to help Mr. Anderson and Mr. Pearson was made neither lightly nor maliciously. I engaged completely.

Later on the same page, he said:

> I was cooperating entirely, committed in every way to assist Drew Pearson and Jack Anderson.

My first question is this: Is there anything in the record to indicate that that relationship has ever been severed?

Mr. STENNIS. Mr. President, may I ask that the Senator direct his question on that point to the Senator from Utah? For the last 10 days or 2 weeks especially, there has been something of a division of labor on this matter, and the Senator from Utah and the Senator from Kansas have both done special work on that point.

Mr. CURTIS. I understand that. I am not inquiring as to the theory of the committee; I am merely inquiring as to what is between the covers of these two volumes of hearings. Is there anything in the record to show that the relationship established by O'Hare's own words has been severed?

Mr. STENNIS. Relationship with whom?

Mr. CURTIS. Drew Pearson and Jack Anderson. He said:

> I was cooperating entirely, committed in every way to assist Drew Pearson and Jack Anderson.

He also said:

> I engaged completely.

Mr. BENNETT. There is nothing in the record to show that relationship—which did not begin until after all the double billings had been accomplished—has been severed since that time.

Mr. CURTIS. Well, now, the Senator has volunteered some additional information that is not relevant to my question.

Mr. BENNETT. All right.

Mr. CURTIS. I understand as to the time.

The relationship did exist for months while he was on DODD's payroll?

Mr. BENNETT. The relationship, as far as the record shows, did not exist at any time that one of these double billings occurred.

Mr. CURTIS. Please answer my question. The relationship did exist for months while the man was on his payroll?

Mr. BENNETT. It existed from July 1965, until he was discharged in early 1966.

Mr. CURTIS. Is there anything in the record to show the relationship has been severed?

Mr. BENNETT. I have answered that. I have no knowledge that the relationship has been severed.

Mr. STENNIS. Mr. President, will the Senator yield to me on that point?

Mr. CURTIS. Yes.

Mr. STENNIS. In addition to what the Senator from Utah has said, the committee thoroughly went into the proposition of just what that affinity was, the relationship to which the Senator from Nebraska refers, and particularly as to whether there was anything of value that passed between them.

Mr. CURTIS. I understand. But we are bound by what is between these two covers.

Mr. STENNIS. No, I beg the Senator's pardon. I think the committee has a duty to report on this matter.

I say we did not find anything; that is all.

Mr. CURTIS. All right. My next question is: Is there anything in this record to indicate that Mr. O'Hare was asked whether or not he was paid anything by these two columnists? I am talking about the record of the hearings.

Mr. BENNETT. The testimony is that he was not paid, and we are trying to find the reference in the record.

Mr. CURTIS. May I have it?

Mr. BENNETT. As quickly as we can find it.

Mr. CURTIS. He was asked the question?

Mr. BENNETT. Yes, and his answer was that he was not paid.

Mr. CURTIS. Is there anything in the record indicating whether or not Terry Golden, who participated in these transactions, was asked whether or not she was paid?

Mr. BENNETT. Without having had a chance to search the record carefully, my impression is that she was not asked.

Mr. CURTIS. Not asked?

Mr. BENNETT. Not asked.

Mr. CURTIS. Is there anything in the record which indicates that Mrs. Marjorie Carpenter was asked whether or not she was paid?

Mr. BENNETT. I would have to give the same answer I gave with respect to Miss Golden. So far as I know, she was not asked; but before I could give a final answer to that question, I would have to have a little time to search the record.

Mr. CURTIS. In reference to Mr. James Boyd, is there anything in the record that indicates whether he was ever asked whether he received payment for what he did?

Mr. BENNETT. It is my impression that Mr. Boyd was asked and gave a negative answer. But again, before I could quote the page of the hearing record, I would have to have time to locate that testimony. The Senator is submitting questions pretty fast.

On Boyd, the testimony is on page 615 of part 2 of the hearings, in the middle of the page. Does the Senator find it? It begins:

> Mr. Sonnett. Have you had any discussion with Drew Pearson or Jack Anderson since May 1965 on the subject of your finances or on the subject of money?

Boyd said: "No."

> Mr. Sonnett. Have you had any assistance of any kind from Jack Anderson?
>
> Mr. Boyd. Not a nickel.
>
> Mr. Sonnett. In connection with money?
>
> Mr. Boyd. No.
>
> Mr. Sonnett. Directly or indirectly?
>
> Mr. Boyd. Not directly or indirectly.

Then Mr. Sonnett goes to another line of questioning, to try to find out how Boyd lives in the meantime. Is the Senator interested in the beginning of that colloquy?

Mr. CURTIS. I am interested in knowing whether Boyd was asked directly whether he was paid.

Mr. BENNETT. He was asked. I have quoted the colloquy in which he gave a full, unequivocal denial.

Mr. CURTIS. The Senator from Utah read the question:

> Have you had any discussion with Drew Pearson or Jack Anderson since May 1965—

Which puts a limit on it—

> on the subject of your finances or on the subject of money?

Boyd's answer was "No."

> Mr. Sonnett. Have you had any assistance of any kind from Jack Anderson?

There I do not know whether the question was limited to the time since May; neither do I know why the name of Drew Pearson was omitted.

Mr. Boyd answered:

> Not a nickel.
>
> Mr. Sonnett. In connection with money?
>
> Mr. Boyd. No.
>
> Mr. Sonnett. Directly or indirectly?
>
> Mr. Boyd. Not directly or indirectly.

Is there any testimony in the record concerning the other three persons?

Mr. BENNETT. O'Hare was asked, I think, and denied any payment. The Senator from Utah does not know whether the question was actually put to the two women. As I have said, it will take a little time to dig that testimony out, because the Senator from Nebraska has asked questions that are scattered in two rather lengthy volumes of testimony. It will take a little time to search the record.

Mr. CURTIS. I think it is very material.

Now I should like to ask whether there is anything in the record to show whether Mr. O'Hare was asked the question whether he was blackmailed.

Mr. PEARSON. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. PEARSON. According to my memory, the answer is in the negative.

Mr. CURTIS. Is there anything in the record to show whether Terry Golden said she had been blackmailed?

Mr. PEARSON. If the Senator from Utah will further yield——

Mr. BENNETT. I yield.

Mr. PEARSON. My recollection is that her answer was "No."

Mr. CURTIS. Is there anything in the record to indicate whether Miss Marjorie Carpenter said she had been blackmailed?

Mr. PEARSON. The answer is "No."

Mr. CURTIS. Is there anything in the record indicating that Mr. James Boyd was asked whether he was blackmailed?

Mr. PEARSON. The answer is "No," to the best of my memory. And I think I am correct on all of these answers. I will check the record.

Mr. CURTIS. I call the attention of the committee to page 615, right below where we quoted before. It reads:

> Mr. Sonnett. Is it your testimony that since May of 1965 you have lived and met your obligations solely through income that you have earned from unnamed employers plus the several hundred you borrowed?
>
> Mr. Boyd. Yes; it is. I might add that I have lived on a level of about one-third what I was when I was employed with Senator Dodd.

I do not know whether the reference to unnamed employers is significant.

Another thing that I believe is very material is that we have heard testimony and statements that went around the edges.

I feel, however, in this case that, while I have a profound respect for the recommendations of the committee, Tom Dodd must be judged on what is between the covers of volumes 1 and 2 of these hearings.

We have heard it said that Marjorie Carpenter and James Boyd were discharged because of conduct.

Is there testimony any place in the record that reveals what that misconduct was?

Mr. PEARSON. The answer is "No."

Mr. CURTIS. The defendant—and he is a defendant—has made part of his defense the statement that he was a victim of vengeance. He asserted that there was misconduct of some severe type.

These people were employees of the U.S. Senate. Is there any particular reason why they were granted a sanctuary of silence and protection against baring their misdeeds before the world?

Is there any particular reason why they were protected in their reputation, and why they were protected against having the feelings of their loved ones injured?

Is there any reason why they were protected from having a written record of whatever the misconduct was?

Can the committee enlighten me as to why that information has been withheld from the Senate?

Mr. BENNETT. I will let the Senator from Kansas respond to that first.

Mr. PEARSON. Mr. President, I merely respond to the Senator from Nebraska by saying that as the hearings developed and the investigation went forward, it was asserted and testimony was given by Senator Dodd and by those acting in his behalf, including staff members, that misconduct did occur.

It was their selection, their judgment, their discretion, and their evaluation of what was the proper thing to say.

They decided to make a general allegation without being specific. And I might say that I think they were quite correct in their judgment.

Mr. BENNETT. Mr. President, may I comment further?

Mr. CURTIS. I wish the Senator would.

Mr. BENNETT. These people were all on the witness stand. Senator Dodd was present. He had an attorney who did question the witnesses.

He had ample opportunity, if he had wished, to go into this question of conduct on a basis of destroying their credibility as witnesses.

If he chose not to do it, I do not think the committee had any responsibility to do otherwise.

To say that the committee carved out a sanctuary for these people, I hardly think is accurate, because they had no sanctuary from the cross-examination of the attorneys for the Senator from Connecticut.

Mr. CURTIS. I can appreciate the statement of the distinguished Senator. And, believe me, I have the highest regard for the committee. I think they have done something that had to be done.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. CURTIS. I will be happy to yield in just a moment.

I think this was an inadvertence, but since the committee has asked the Senate to take severe action against one of our colleagues, I think the committee had an affirmative obligation to bring out all of the evidence.

I cite the case of the Giles brothers. That case has been in the news recently.

The Giles brothers were convicted in

Maryland, and the basis of reversal and retrial was that the prosecution had knowledge favorable to the defendants and that knowledge was not disclosed to the court.

Why are we so diligent as to protect the loved ones and the reputations and the personal dignity of a few who, by their own admission, are felons, having committed the crime of breaking and entering, and not present to the Senate the reason for their discharge?

Mr. PEARSON. Will the Senator yield?

Mr. CURTIS. I have been asked to yield to the Senator from Kentucky.

Mr. COOPER. I am sure that all of the committee members remember quite well when these witnesses were on the stand.

It had been testified that they had been discharged for misconduct. It was within the province of Senator DODD and his attorneys to develop, if they desired, what misconduct the employees had engaged in, if any, and the reasons for their discharge. They did not do it. And I may say, for myself, that I think it could be to the credit of Senator DODD that he did not do so.

Mr. CURTIS. I think that is correct. But I also think that the Senate should have the information.

Mr. COOPER. Was it the function of the committee—to go into rumors to impeach witnesses?

Mr. CURTIS. No, just to get on with the facts.

Mr. COOPER. There are limitations to the ways in which a witness can be impeached, as the Senator knows.

Another and major reason was that we were not directed by the Senate to investigate the conduct of these people.

Mr. CURTIS. Was the committee specifically directed by the Senate to investigate anybody?

Mr. COOPER. Yes.

Mr. CURTIS. Were not the committee's instructions general?

Mr. COOPER. General, yes. But we undertook the investigation of this matter, which is now before the Senate, under the authority of the Senate.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. BENNETT. We undertook the investigation of Senator DODD at his request.

Mr. CURTIS. I understand. Therefore, I believe that we are left in a quandary in which we are without material information that we are entitled to have, when a member of the U.S. Senate discharges two employees. We hear around the edges that they have been guilty of misconduct. But the record is silent. At this time I do not have any evidence that TOM DODD is telling the truth.

Nothing in this record, apparently, indicates that they did not quit because they disapproved of what was going on there.

Now, I realize that it is unpleasant. But I also realize that a man's political life is at stake, and I do not believe that a worried and confused defendant should assume the full responsibility for deficiencies in the record. I do not believe that is the law. It was clearly demonstrated in the Giles case. That case went to the highest court, and the case was remanded.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. CURTIS. If there is any particular reason why that was withheld from the record, I shall yield.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. STENNIS. It was necessary for me to be out of the Chamber during part of the Senator's interrogation. As chairman of the committee, I believe I should speak up to the extent that I know anything about this matter.

There were rumors about these people, back and forth. Frankly, I thought if there was any evidence along that line, it would be presented.

Mr. CURTIS. I thought so, too. I still think so. I believe that the Senate is entitled to have the story.

Mr. STENNIS. I assumed that the evidence would be presented. But certainly there was nothing I knew or that any other member of the committee or any of our staff knew, and I do not raise such questions unless I know something upon which to base them. I assumed that there was no evidence at all, frankly.

I wish to make this clear: We certainly gave the persons interested a full opportunity to disclose everything.

Mr. CURTIS. I understand.

Mr. STENNIS. That is all I can say.

Mr. CURTIS. Permit me to ask this question: The committee did call Mrs. Marjorie Carpenter as a witness and did take testimony from her regarding the alleged wrongdoing of TOM DODD, did it not?

Mr. STENNIS. Yes, the committee did.

Mr. CURTIS. The committee did call as a witness—or at least, had as a witness—Mr. James Boyd, and the committee took his testimony in reference to the allegations of wrongdoing on the part of TOM DODD?

Mr. STENNIS. Yes, certainly.

Mr. CURTIS. And was it known to the committee at that time that they were discharged employees?

Mr. STENNIS. Oh, yes, we knew they had been discharged, certainly.

Mr. CURTIS. But nothing is in the record, is there, to give the Senate sworn testimony as to why they were discharged or of what they were charged with being guilty by their employer?

Mr. STENNIS. There is plenty of illustration in the record of instances in which an opportunity was given to Senator DODD and Mr. Sonnett to go into any of those matters. Mr. Sonnett is an experienced and a splendid lawyer.

Mr. CURTIS. I want the RECORD to show that I am not defending TOM DODD. He has done many foolish things. If he had not, he probably would not be here today. But I also believe that it is the established law of the land, by the decision in the Giles case, that the prosecution has an obligation to show every circumstance and every fact favorable to the defendant, and not to withhold it from those who must pass judgment.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. PEARSON. One more time, I believe, we do the record a disservice, to refer back to court proceedings, prosecution and defendant.

In the hearings, Senator DODD testified to the extent that he thought proper and necessary. He made a speech on the floor and made reference to conduct, and he went as far as he thought was proper and necessary. And I think he was right.

Mr. CURTIS. I thought it was a poor speech because he did not assert the facts for the discharge.

Mr. PEARSON. The entire record, from beginning to end, and all involved in it, has been referred to the Justice Department. It is there now, today. I know what is concerning the Senator.

Mr. CURTIS. Is the Senator saying that it was the responsibility of Senator DODD to prove his innocence?

Mr. PEARSON. No, not at all. I am saying that it was the responsibility of the committee to make an investigation. It was the responsibility of the committee to go into those things they thought proper to go into in relation to the subject matter and in relation to the issues before it. This, in our judgment—the Senator will just have to take it or leave it—and the judgment of Senator DODD was not an area in which we entered. And I believe we did the proper thing.

Mr. CURTIS. I will give the committee credit for this—I give them credit for many things. They have had a tremendous responsibility. And I will give them credit for going to the source rather than to the newspaper account. But when they went to the source, the source was discharged employees. The circumstances of the discharge are material. It is something the Senate should know and we are denied that information.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. BENNETT. Will the Senator turn to page 462 of the record? On that page is Senator DODD's statement as to why he discharged Mrs. Carpenter.

Mr. CURTIS. It is a page long. Would the Senator point it out?

Mr. BENNETT. It starts at the third line from the top. Mr. Sonnett said:

> Will you tell me, the committee, the circumstances that led you to discharge Mrs. Carpenter at that time?

Senator DODD's statement follows as to why he discharged her and how he discharged her, what he said to her when he did discharge her. It is at least two-thirds of a page long.

Mr. CURTIS. That further confuses the record because it relates to a communication that says he heard they were disloyal. Now it has been stated here and I would like to know what the facts are as to the particular offense or if there are no facts. It was stated, for instance, the were guilty of an offense and at the pleading of the wife of Boyd an extension of time was given. Now, was this offense so serious, is it so involved, and did it affect their loved ones, their character, their future, their reputations, and peace of mind that it would cause them to do something or other in reference to Mr. DODD? I do not know.

My point is that the record should

have informed us what the facts were. It is the law of the land that that is the responsibility of those who assume the responsibility for the proceedings.

Mr. STENNIS. Mr. President, will the Senator yield at that point?

Mr. CURTIS. I yield.

Mr. STENNIS. I thank the Senator. I am certainly concerned that there be no inference in the Senator's remarks that any member of the committee tried to conceal anything. Of course, we did not.

Mr. CURTIS. I know that.

Mr. STENNIS. I know that fully. I know that fully, but I want others to know it.

Secondly, in the course of events who could give the reason why Senator DODD discharged these parties better than Senator DODD? I would not attempt to speak for him. Even until now he can say anything he wants to about it on the floor of the Senate. There is no limitation on him. That is the way I looked at it.

When nothing was said I did not know whether it was a policy question or not, but those were the rumors going around, as I said, and I did not know if it was a policy question or not.

But I looked on them as discharged employees, with doubtless some prejudice against Senator DODD. I will say that. He knew those facts better than anyone else and he knows them now. I cannot speak for him.

Mr. CURTIS. There is nothing in this record to show whether or not their misconduct was such that they had to destroy Senator DODD or be destroyed themselves. There is nothing in this record to show whether or not it was trivial, and that Senator DODD cannot be relied upon.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CURTIS. First, the Senator from Utah was reading the transcript of the hearings to determine whether or not Mr. O'Hare, who, as I read the record, furnished the primary evidence as relating to intent to defraud on the travel, was ever asked if he received any pay from any newspaper columnists.

Mr. BENNETT. That question was never asked, specifically. He was asked about his sources of income after he left Senator DODD.

Mr. CURTIS. O'Hare?

Mr. BENNETT. Yes; both O'Hare and Boyd.

Mr. CURTIS. Will the Senator give me the citation for O'Hare?

Mr. BENNETT. We will try to find it.

Mr. CURTIS. I wish to say that I do not in any sense want to impugn the motives or intention of any member of the committee. I think that they are six of the finest Senators we could get. I think they had a thankless task that had to be done. I know they were plowing new ground. I am not unaware that this case was brought to the Senate and to the public under unusual circumstances.

I have to believe Senator DODD that he did not intend to defraud on transportation and that there were mistakes on both sides as to whether he could charge or not charge, or I have got to believe Mr. O'Hare.

That is why I am so concerned with respect to this man who said:

> From the moment that I met with Mr. Anderson, and I agreed to help, I was a totally cooperating member of this group who had as its goal to bring about an investigation of Senator Dodd.

A little later he said:

> My decision to help Mr. Anderson and Mr. Pearson was made neither lightly nor maliciously. I engaged completely. I would have preferred that I had been able to separate myself from the office at the time that I agreed to cooperate with them. At their request I didn't leave the office. They said that they would like me to remain on for as long as I could.

Mr. President, if it is possible with the English language to establish the relation of principal and agent it has been done right there. For 5 months, by the man's own words, he was totally committed to somebody on the outside. He was Anderson's agent.

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. CURTIS. He said:

> I was cooperating entirely, committed in every way to assist Drew Pearson and Jack Anderson.

I would be helped materially in deciding whether or not this man told the truth or Senator DODD told the truth if he had been asked, "Were you paid for this?"

Mr. PEARSON. Mr. President, will the Senator yield?

Mr. CURTIS. I am happy to yield.

Mr. PEARSON. To the best of my knowledge the only reference in the record to the subject of the Senator's question would be found in part 1, page 249, wherein there is a question by the able counsel, Mr. Sonnett, as to Mr. O'Hare's employment, income, and so forth.

Mr. CURTIS. Will the Senator read to me the question and answer where O'Hare was asked whether or not Pearson and Anderson paid him?

Mr. PEARSON. The answer is "No," so far as we can tell from reading one-half of page 249 of the record.

Mr. CURTIS. Were I to stand here——

Mr. PEARSON. Does the Senator want me to read the whole page?

Mr. CURTIS. No. I want to know whether that is in there or not.

Were I to stand here, being tried on charges brought about as the result of members of my staff who said that they were discharged by me and that I was guilty of certain offenses, and it was known that there was a misconduct reason for their discharge, I think that I would have a right to expect a tribunal to exhaust that fully. Oh, yes, Senator DODD had a right to cross-examine. Senator DODD has done some foolish things, he should not be required to prove his innocence. I do not defend him. If I did, I would not have voted "yea" on part (a). Now, these words were used by the committee, that there were rumors they were discharged by reason of misconduct. Well, if we are going to recite rumors, I know of the unsworn testimony of a young lady who worked in Senator DODD's office and quit because of the "goings on" of the rest of the staff.

Mr. LONG of Louisiana. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I am puzzled. I want to hold up the high standards of honesty and integrity required of every Member of the Senate. Even so, we disagree about definitions of language. I have shown where I stood when I voted "yea" on the first charge. But, down in my heart, I wonder why a sanctuary, a wall of silence, a wall of protection has been granted to employees of the Senate concerning rumored wrongdoing, when it was known that their discharge may have had some bearing on their testimony.

Now I want to say to those few Senators here——

Mr. LONG of Louisiana. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. I will, in just a moment. I want to say to those few Senators here, that it appears Mr. Boyd was interrogated off around the perimeter, something about his income, but no one looked him in the eye and said, "Mr. Boyd, you are under oath. Were you paid to do this?"

But Mr. O'Hare, who was the only witness that establishes motive on the transportation issue, by the admission of the committee, was not asked that.

Oh, motive and intent mean all the difference in the world. As I said a moment ago, we can stipulate that A died as a result of a bullet wound from a gun in the hands of B. But that stipulation does not prove anything. It might be first-degree murder. It might be accidental death, or anything in between. The stipulation that there were some transportation billings made twice should have the same weight as the stipulation that there were some which were not billed at all.

Mr. LONG of Louisiana. Mr. President, will the Senator from Nebraska yield? Will the Senator from Nebraska yield?

Mr. CURTIS. The only person who throws any light upon intent, under oath, is Mr. O'Hare, and he was never asked if he was paid by someone else when he remained in Senator DODD's office, taking not only official files, not only files relating to public matters, but even income tax returns.

I am puzzled. I feel an obligation to vote on this issue on the basis of what was elicited in these two volumes of hearings which I hold in my hand.

Now I am happy to yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I believe there should be many more Senators in the Chamber to hear a statement as perceptive as that just delivered by the Senator from Nebraska. There is less than a quorum of Senators in the Chamber at this moment. Therefore, would the Senator permit me to suggest the absence of a quorum?

Mr. CURTIS. Well, I would hate to repeat my remarks.

Mr. LONG of Louisiana. Yes, but I would hate to have them go unheard because of the shortage of Senators in the Chamber.

Mr. CURTIS. I would hate to repeat them. This is one of the most grievous votes I have ever been called upon to cast. I think that Senator DODD is guilty of a lot of things. I think his strategy on this floor could have some improvement. At the same time, I think that we have to rely not on what is published in some newspaper but what is published in the two volumes of hearings. They are silent on very material points relating to the credibility——

Mr. LONG of Louisiana. I take it that the Senator from Nebraska does not want a quorum call?

Mr. CURTIS. I have no objection. I will yield for a quorum call.

Mr. COOPER. Mr. President, will the Senator from Nebraska yield?

Mr. CURTIS. First, let me yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, it is correct that the committee did not ask Mr. Boyd, Mrs. Carpenter, or Miss Golden why they were discharged. But, when Senator DODD was a witness for the first time in connection with the Klein part of the investigation, and when he was testifying and being examined by Mr. Sonnett, the Senator will find on pages 462 and 463 of part 1 of the hearings that Mr. Sonnett questioned Senator DODD about the discharge of Mrs. Carpenter. Also, later——

Mr. CURTIS. Will the Senator read the question and answer?

Mr. COOPER. About the discharge of Mrs. Carpenter. There may have been other reasons, but he said, in response to Mr. Sonnett's questions, that he had heard she was disloyal, that she had been talking about him, with carping criticism. He called her to his office and asked her about her acts, and told her to leave. There may have been other reasons, but that was the statement of the Senator from Connecticut.

Mr. CURTIS. It was stated here on the floor that they were discharged because they were guilty of misconduct.

Mr. COOPER. Well, I will read, if the Senator would like, from page 462 of the hearings, when Senator DODD was the witness. Mr. Sonnett was questioning him:

> Mr. SONNETT. Will you tell me, the committee, the circumstances that led you to discharge Mrs. Carpenter at that time?
>
> Senator DODD. Yes. First of all let me say that until very recently, I never knew about this carping criticism that Mr. Zeiller related here this morning. Unfortunately, no one in the office told me about it. They have told me since. But at all times Mrs. Carpenter pretended to be very loyal and devoted and dedicated to her task. I dealt with her as I had any number of secretaries who have been in my office.
>
> After the 1964 campaign, one of our judges in the State of Connecticut called me on the telephone, and he said he wanted to see me, and I went to see him, and he said, "everybody in Connecticut seems to know about the disloyalty of some of your employees but you, and you had better know about it." He said, "Furthermore, Mrs. Boyd has come to see me, and we had quite an emotional and hysterical meeting."
>
> This judge was a former law partner of mine. He is now a Federal judge in Connecticut. That is why I assumed Mrs. Boyd went to him. This was the first I had heard of this disloyalty. Other friends of mine later that day told me that they had overheard her remarks—

He was referring to Mrs. Carpenter—

> in public places while I was campaigning for reelection to the Senate. I was surrounded by people who were betraying me, and nobody ever told me about it until the campaign was over. And they pretended to be loyal workers for me. That is how I first became aware of it. After I took a little rest with Mrs. Dodd I called Mrs. Carpenter into my office and I said to her, "I have new plans for this office for the new session, and they don't include you." She said, well, she would like to remain until the end of the year. I said, "You can't remain 1 minute. And pick up your personal effects and leave the premises." She sat in her chair and glared at me. I said, "What is this, a threat?" And I walked to the door and opened it and I said, "Now leave," and she left.

Mr. CURTIS. Was the Senator from Kentucky present during that testimony?

Mr. COOPER. That was the statement of Senator DODD—that his discharge was based on disloyalty to him and carping criticism. There may have been other reasons, but that is what he said.

Mr. CURTIS. Was the Senator from Kentucky—and I do not mean in any way to be censurous, because we cannot always be present in committees when we should be—present when that occurred?

Mr. COOPER. Yes, I was. I believe I attended every session of the committee.

Mr. CURTIS. Was it the Senator's own belief, when it was recited that Mrs. Boyd had an emotional session with Senator DODD, that was related to disloyal criticism by Mrs. Carpenter of Senator DODD?

Mr. COOPER. Well, I would say "No." There were rumors.

Mr. CURTIS. As a matter of fact, the committee knew that something was "wrong in Denmark"; that was brought in by this testimony, but it was not gone into?

Mr. COOPER. I can only give the Senator my own report. There were rumors, and the witnesses were examined by the committee. We did not inquire about their reasons for their disloyalty. They were then examined by the attorney for Senator DODD, Mr. Sonnett, but he did not go into any other matters. It was admitted they had been discharged. It was admitted that they had taken Senator DODD's papers. These facts raised the question of their credibility.

As far as I was concerned, I did not try to find out any relationship or circumstances that might have existed in the office, without knowing any facts when Senator DODD's counsel had not done so.

Mr. CURTIS. That is my quandry. I do not know anything about it. But I do know this. I know that the history of crimes indicates that the most compelling motive for one person to destroy another is the knowledge that the destroyer himself can be destroyed by the knowledge that the victim has. And so I do not know whether Senator DODD is guilty of a fabrication on the floor when he says that he discharged him because of conduct so severe that no Senator would tolerate it. And I think that, as a Senator, I am entitled to have that exhausted in the record. I think that it should not be something for speculation.

I think that if Senator DODD, for 18 long months, has his life bared before the public, no one who rises to accuse him should be granted a sanctuary of silence and protection for his person, his reputation, his loved ones, his future. And I am left in a quandary by the silence of the record; and I submit that it is the law of the land that the accusing parties must bring it out.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. LONG of Louisiana. For the information of the Senator from Nebraska, I have here a copy of a letter that was made available to the committee. It carries an FBI note, because this information was reported to the FBI.

Mr. CURTIS. By whom?

Mr. LONG of Louisiana. By Senator DODD. It was also sent by Senator DODD to the committee.

Mr. CURTIS. Is it part of the record?

Mr. LONG of Louisiana. No, it is not, but the committee has it in its files. The information is accompanied by a covering letter to the chairman of the committee.

If the Senator will look at page 3, I believe he will see why the members of the committee were not anxious, for reasons of decency, to have that kind of testimony in the record.

Mr. CURTIS. Are we trying a case on things we do not like to put in the record?

Mr. LONG of Louisiana. I do not think the Senator would like to put it in the record.

Mr. CURTIS. That is not the point. Are we going to judge a case by something we would not like to put into the record, or on all the facts?

Mr. LONG of Louisiana. It should be perfectly clear to Senators by now that these people did not go to work to destroy Senator DODD to do this country a favor; they were driven by a hunger for revenge because they were fired by Senator DODD—for compelling reasons. Any Senator who had kept those people on the payroll under such circumstances would have been subject to censure for allowing such sordid conduct to go unchecked.

Mr. CURTIS. All right. Is the Senator willing to tell me, upon his honor and position as a Senator, that the committee had this letter?

Mr. LONG of Louisiana. There is a cover letter showing that it was sent to the committee. It is my understanding that the committee had it in its files.

And I would remind the Senator that there is other information available in the record. I refer the Senator to page 214.

Here is Mr. Sonnett examining Mrs. Carpenter, as follows:

> Mr. SONNETT. You had a social relationship with Mr. Boyd since 1963, have you not?
>
> Mrs. CARPENTER. Yes, sir.
>
> Mr. SONNETT. And he is important to you?
>
> Mrs. CARPENTER. Yes, sir.
>
> Mr. SONNETT. And you are aware of his testimony heretofore with respect to the taking of documents from Senator Dodd's office?

> Mrs. CARPENTER. Yes. I was not present for his testimony but I——
>
> Mr. SONNETT. Are you and Mr. Boyd planning to marry?

Mr. Boyd was a married man, with four little daughters. The record continues:

> The CHAIRMAN. What was that question?
>
> Mr. SONNETT. I asked the witness whether she and Mr. Boyd were planning to marry.
>
> The CHAIRMAN. I think that is a rather personal question. I don't think you——

My understanding is that at that point, the chairman, as a strong, moral man, frowned very sternly upon that sort of thing being inquired into; and if I had been chairman, if that was a public hearing, I would not have wanted it inquired into, for obvious reasons. That is the kind of thing one would not get into in a public hearing.

Here is a letter from Mrs. Carpenter, a letter of resignation, written, as I understand, after she was fired, under date of December 29, 1964. It is a rather insulting letter. I shall read just one line from it:

> I have long recognized that you and particularly Mrs. Dodd found my and Jim's relationship intolerable.

It is signed by Marjorie Carpenter.

What is important about this matter is that Jack Anderson testified—the committee did not take his testimony, but Jack Anderson testified on television, so that the whole city saw it, and was quoted also in an interview in the Wall Street Journal, to the effect that he was trying to get anything he could on Senator DODD.

When Mrs. Carpenter was fired—and this was available to the committee—she went right straight to those people, to give them just anything she could. That letter reflected that she resented and hated TOM DODD because he had to fire her, and that between her and James Boyd, they were doing everything they could to destroy TOM DODD from that point forward.

Will someone please put the chart back up there, about these double billings?

Jack Anderson's statement to the Wall Street Journal, and over television on the Mark Evans Show, was that he was able to get first one employee and then another to help him in a scheme to steal Senator DODD's documents and injure him, and that Anderson also told DODD's employees, "This is dangerous conduct you are engaging in here."

Mr. President, what could better protect them from the danger of getting caught stealing 4,000 documents, including a man's income tax returns—the disclosure of which is a Federal offense—than to find some way to make TOM DODD appear to be really a crook? If they could do that, they could make a case that they were not doing anything evil, that they had good motives and were really trying to help this Government to destroy a bad man. But I maintain they did not make their case.

Look at those two 1965 double billings. Mr. O'Hare's last double billing before that time had been in 1962. There were none in 1963 and none in 1964. Boyd and Carpenter were fired in December 1964. They obtained a key to get back in the office subsequent to that time, and this was when Mr. O'Hare was becoming a part of all this. I believe it was the latter part of March 1965 when double billing occurred for two trips.

For one who had planned to betray his boss, and who knew that others, who were his friends, were stealing from his boss and were engaged with him as he later admitted, in this conspiracy, what better way to protect himself and his coconspirators than to make it appear that the boss had double-billed the Government twice in a single month?

Mr. CURTIS. All right. I decline to yield further. As I say, there are many things wrong about this billing business, but I am concerned with what the record shows.

I find that when Mr. Boyd was on the witness stand—this is on page 123—he was asked about entering DODD's office. At that time, he was not an employee. About eight or ten lines from the top, Mr. Sonnett asked:

> Seven occasions on the four days?

Mr. Boyd said:

> That is correct.

He was not an employee. He had no business in there. Down four lines farther:

> Mr. BOYD. I entered the office with a key which had been obtained for me by Mrs. Carpenter from Judith Berling.
>
> Mr. SONNETT. When was Mrs. Carpenter's employment terminated by the Senator?
>
> Mr. BOYD. On December 7, 1964.

Now I wish to ask another question of the committee: Does the record show that these four people, who said they were serving the cause of justice and honesty in government, ever deliver the evidence they obtained to the Committee on Standards and Conduct, prior to their delivery of it to a columnist who was selling his column?

Mr. COOPER. I did not hear the Senator's question.

Mr. CURTIS. Is there anything in the record to indicate that any of these four former employees delivered any of the information they obtained to the Committee on Standards and Conduct prior to the time they delivered it to a man who was selling a column?

Mr. COOPER. No.

Mr. BENNETT. May I answer that?

Mr. CURTIS. Yes.

Mr. BENNETT. There was no Committee on Standards and Conduct at the time.

Mr. CURTIS. Did they deliver it to any law enforcement agency?

Mr. BENNETT. I cannot answer that.

Mr. CURTIS. Does the record show whether they did?

Mr. BENNETT. My memory is that they did not, saying that they did not feel they could entrust it to a law enforcement agency. Is that correct?

Mr. COOPER. Yes.

Mr. CURTIS. May I have that citation?

Mr. BENNETT. Mr. President, all the staff members have finally gone to get some lunch. I would have to point it out page by page. However, I will see that the information is obtained and put in the RECORD. This is a matter of memory, as the Senator knows.

Mr. CURTIS. Mr. President, I am about to yield the floor.

I repeat again that I am for maintaining the highest standard of honesty and integrity on the part of every Senator that the Senate can collectively bring about.

I do not indict the committee for any intentional omission. However, I do make the point that the sole bit of evidence concerning intent to defraud on travel was given by O'Hare who remained on the staff of Senator DODD for 5 long months and said that he was totally committed to two columnists. He was never asked if he was paid for it. He was never asked: "Were you forced into a position where you had to do this?"

Blackmail is a rather dirty word, but I use it.

I point out also that this present situation was triggered by two employees. Here is a memorandum that is not in the record. However, I understand that the committee had this.

It is the admission of the committee that they had rumors of misconduct. The Senate is asked to vote in the dark.

Were these people guilty of something that made it necessary that they destroy DODD or they be destroyed? Why do we have the double standards?

Why is one man who serves the United States bared before the country for months and months and others who are discharged for cause have a wall of protection for themselves, their loved ones, and their future?

Mr. President, if I condoned wrongdoing, I would not have voted "Yea" on the first vote. However, I am puzzled about the record.

Mr. President, I yield the floor.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a time limitation of 20 minutes on the pending amendment, the time to be equally divided between the distinguished senior Senator from Louisiana [Mr. ELLENDER], or whomever he may designate, and the distinguished Senator from Utah [Mr. BENNETT].

Mr. BENNETT. Mr. President, reserving the right to object—and I do not intend to object—has the senior Senator from Louisiana agreed to that? He is not present on the floor.

Mr. MANSFIELD. I am sure that he would, and if he were not to agree to it, we would vitiate the agreement.

Mr. BENNETT. I do not object.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. Mr. President, may we agree that if the senior Senator from Louisiana wishes to control the time, he may do so?

Mr. MANSFIELD. That will be satisfactory.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ERVIN. Mr. President, as one who has occupied the station of judge for some years, I have been called upon often to perform the function which Judge Walter Malone, of Memphis, Tenn., called judging one's fellow travelers to the tomb.

In so doing, I have had to make decisions on many occasions which brought me much unhappiness. None of them, however, brought me more unhappiness than that of reaching a decision on the resolution to censure Senator THOMAS J. DODD.

This is true because I have sat beside TOM DODD for a decade on the Judiciary Committee, and in so doing, I have had ample opportunity to judge the nature of the man.

I have noticed on all occasions a steadfast purpose on his part to perform his duties as a Federal legislator with industry, intelligence, and courage. He merits the thanks of the Nation for his valiant and unceasing efforts to protect the security of our country.

I had hoped that I would find it consistent with my judgment and with my conscience to vote against censure on the first specification. That concerns the charge of using politically raised funds for personal purposes.

I found, however, that my mind was driven by the testimony to the conclusion that my duty required me to vote for censure on the first specification.

There is an old adage of law and logic and commonsense to the effect that a scratch of a pen is more convincing than the slippery memories of a multitude of witnesses. By this it is meant that writings made contemporaneously with the event to which they relate have more probative value than the oral testimony of witnesses relating to such event given after such event has occurred.

The letters written contemporaneously with the fundraising events held in Connecticut in October 1963, and the letters concerning the fundraising dinner held in Connecticut in March 1965, have convinced me that these fundraising events were held, and were so advertised, for the purpose of raising campaign funds for Senator DODD's senatorial campaign in 1964 and for liquidating a deficit incurred in such campaign.

The evidence also made it plain that funds raised at these fundraising events were commingled with outright political contributions made for like purposes, and that some of the funds so commingled were used by Senator DODD for personal purposes.

I would have been happier if the evidence on these matters had been otherwise; but it was not. And since I believe that the personal use of funds raised for political purposes constitutes improper conduct for a Member of the U.S. Senate, I was compelled to vote for censure on the first specification.

I would like to address my remarks very briefly to the second specification, the specification charging Senator DODD with double billing.

As counsel for the defense in cases past numbering, I have urged upon jurors the truism that in case of doubt it is always better to err on the side of mercy rather than on the side of justice, and on the side of acquittal rather than on the side of conviction.

In reaching a decision on the second specification, that is the specification charging Senator DODD with double billing, I have applied this truism to the testimony, and found that my mind and my conscience will not permit me to vote for censure on this charge. As I construe the record, the only testimony connecting Senator DODD with wrongdoing on this specification came from former employees.

The testimony from other sources indicates that the events giving rise to the double billing charge could have occurred without the knowledge of Senator DODD and could have resulted solely from error in bookkeeping on the part of others.

I cannot believe the evidence of the former employees of Senator DODD which tends to indicate that he had any knowledge concerning the double billing charge for two reasons.

In the first place, my Bible says this, and I have found it, in a long course of practice in the law, to be true:

> He that hateth dissembleth with his lips, and layeth up deceit within him;
>
> When he speaketh fair, believe him not: for *there are* seven abominations in his heart.

These former employees hated Senator DODD, and I will not accept their testimony for that reason; because out of hatred, truth does not come.

In the second place, they betrayed Senator DODD. One of them, Michael O'Hare, stayed on Senator DODD's payroll and continued to betray him week after week while drawing more than 30 pieces of silver. Be it said to the credit of Judas that he betrayed his Master one time and one time only. But Michael O'Hare, whose testimony undertakes to connect Senator DODD with guilty knowledge on the double billing account, continued to betray his employer day after day, week after week, month after month, while accepting largess from him. I simply do not believe what O'Hare says on this point.

I had hoped I would have an opportunity to vote against censure on the second count on the merits of the proposition; but inasmuch as the amendment offered by the Senator from Louisiana [Mr. ELLENDER] accomplishes exactly the same purpose, I shall vote for that amendment.

TOM DODD has erred in respect to the first specification. We should remember, however, that men are as prone to err as the sparks are to fly upward, and we should not permit his error to blind us to the fact that he has rendered valuable services to his State and Nation during the time he has sat in the U.S. Senate.

I began this statement with reference to the poet-judge Walter Malone. I will close it by reminding TOM DODD of these words from Walter Malone's great poem "Opportunity":

> They do me wrong who say I come no more
> When once I knock and fail to find you in;
> For every day I stand outside your door,
> And bid you wake, and rise to fight and win.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President——

Mr. BENNETT. Mr. President, the time is controlled.

Mr. ELLENDER. I yield to the Senator from Louisiana. How much time does the Senator wish?

Mr. LONG of Louisiana. I should like 2 minutes.

Mr. ELLENDER. I yield 2 minutes to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, there is nothing whatever to show that TOM DODD deliberately double billed anybody. There is nothing to show that this was anything other than an accident, an unfortunate event of a few double billings, offset by 21 cases of no billing.

May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will be in order.

Mr. LONG of Louisiana. It is well to keep in mind that THOMAS DODD started as Senator in 1959, and there was no double billing prior to 1961.

With regard to 1961, I have doubt even now that the Philadelphia case of $24.53 was a double billing, because the Villanova check said "transportation and other expenses." It is quite possible that the other expenses might have been for taxicab fare or a limousine to and from the airport, a personal limousine for one.

But with regard to the two double billings in 1961—Philadelphia and West Palm Beach—the testimony is unanimous: Senator DODD said he knew nothing of them, and the persons who did the double billings said that any double billings were their fault, and TOM DODD knew nothing about them.

One could say that the San Francisco case and the Miami case are double billings, but the Seattle case is admitted by the ranking minority member of the committee not to be a double billing.

So we have only two remaining—the Tucson case and the Los Angeles case. Both occurred within a month's time, about 3 months after Boyd and Carpenter were fired and while treachery was going on in the Senator's office. Michael O'Hare at that point is certainly not a credible witness. He is a man who stayed on the payroll so that he could better betray his boss.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. I yield 2 additional minutes to the Senator from Louisiana.

Mr. LONG of Louisiana. One could not consider those two instances as being evidence of a pattern. All one has is the San Francisco trip in 1961 and the Miami trip in 1962.

The question is, Do you believe Michael O'Hare or do you believe TOM DODD when he says that he did not direct that double billing be done and that he had no knowledge of it?

Opposed to that, we have the 21 instances in which O'Hare failed to bill and of O'Hare double paying bills and of O'Hare failing to pay bills—all indicating the incompetence of this bookkeeper, who had a way of covering up errors when he committed them.

I say it does not prove a pattern, and therefore there should be no conviction on this point.

The PRESIDING OFFICER. Who yields time?

Mr. BENNETT. May I ask the senior

Senator from Louisiana if he is going to speak at this point?

Mr. ELLENDER. I shall speak later.

Mr. BENNETT. Then, I yield to the Senator from Mississippi such time as he requires.

Mr. STENNIS. I thank the Senator, and I will take only a small portion of his time.

Members of the Senate, it seems to me—and I feel very strongly about this, as a conviction of principle, not an emotional feeling—that as serious as these matters are, they should be voted up or down, yes or no. I believe that, by and large, that is the only satisfactory answer that can be given by the Senate, by his peers, from Senator Dodd's standpoint; and I believe it is the only answer that can properly be given by Members of this body for the institution itself. That is my plea—that we not use emotion to strike, despite the high purposes of the Senator from Louisiana [Mr. Ellender] in offering the motion; but let us face issue No. 2 squarely, consider the testimony, and give it our solemn judgment. If it is in favor of the Senator from Connecticut, give it to him; and if it is not, vote the other way.

I believe that the adoption of a motion to strike would leave this matter dangling in the air, with uncertainty. I hope that we will follow the other course.

I thank the Senator.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President——

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. I will be happy to reserve my time in order that both Senators from Louisiana can use up their time, if they would prefer.

Mr. LONG of Louisiana. Will the Senator yield me 30 seconds?

Mr. ELLENDER. I yield 30 seconds to the Senator from Louisiana.

Mr. LONG of Louisiana. It seems to me that we should keep in mind that through no fault of the committee, it found it necessary to redraft its resolution to propose that a Senator be censured twice, whereas it had originally proposed that he be censured once. If we vote for the double billing section, we will be censuring twice. Although the committee did not so intend—not when it reported its resolution—it would seem to me that the Senate having voted to find the man guilty on count (A), he certainly should be given the benefit of the doubt on count (B); and I certainly hope the Senate will do so.

Mr. BENNETT. Mr. President, with respect to the second count, much has been made about Mr. O'Hare's disloyal service, which occurred, at most, in the last few months of his employment, while this double billing process was going on before O'Hare was employed and continued during the period of time when Senator Dodd expressed his complete faith in O'Hare by raising his income by approximately a thousand dollars, to $10,000 a year.

I shall attempt to summarize the position of the committee as briefly as I can.

Based upon our own experience as Senators, as well as on the information in the record, it seems to me that these conclusions are inescapable:

Senator Dodd personally incurred these expenses and knew what they were. He could not escape that knowledge. Only Senator Dodd could supply to his bookkeeper, either directly or through his secretary—as I remember it, he said on the floor of the Senate that he sent it through his secretary—the necessary information about the arrangements with the private source of reimbursement, including the amount to be reimbursed.

Senator Dodd accepted whatever speaking or other engagements produced this reimbursement. Senator Dodd went on the trip. Senator Dodd incurred the expenses, and this information could not have gotten into the hands of his bookkeeper unless he had told the bookkeeper.

When the money came in it was in the form of a check to Senator Dodd, the money was deposited in Senator Dodd's account, and he spent it, not the bookkeeper. The bookkeeper is only a part of the mechanical process. Then, on the other hand, we have the side of the double billing that involved the Senate funds. This developed out of tickets purchased on an official credit card which was in the custody of Senator Dodd. Only he could have used that ticket unless he turned it over to a member of the committee staff. All of the tickets were purchased on official credit cards, which O'Hare obviously would not have had.

The direct and detailed testimony in the hearings showed that Senator Dodd must have been aware of these official reimbursements because his signature appears on all the vouchers, and on some of them twice. I am not prepared to say that they were not signed by a check-writing machine. In one case the voucher was obviously signed by a member of the committee staff.

The amount and number of the double billings, six involving the Senate and six involving his campaign accounts, in addition to his personal accounts, are stipulated and Senator Dodd did not challenge O'Hare's testimony when O'Hare was telling the committee about these processes.

As for the committee vouchers, it had to be the committee staff and not O'Hare who had to process them, but once processed, if there was a reimbursement from the committee, that check had to be made payable to Senator Dodd and he had to receive it and get it, through his bookkeeper, into his bank account.

For these reasons, and based on the nature of the reimbursement process, the committee found that Senator Dodd necessarily and inescapably was involved. The responsibility for the initiation of the claims must rest clearly on Senator Dodd personally. Even if he used O'Hare in the process of writing letters to the private sources and telling them how much he expected them to pay him, and if he used O'Hare to deposit the checks, it was still Senator Dodd's transaction. He alone profited by the program.

For these reasons, the committee feels its position with respect to the second specification is sound, has been clearly supported by the record, and the committee hopes that the Senate will support it.

The PRESIDING OFFICER (Mr. Harris in the chair). Who yields time?

Mr. ELLENDER. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 6 minutes remaining.

Mr. ELLENDER. Mr. President, as I stated in the early part of the afternoon, I do not wish to detain the Senate.

Mr. STENNIS. Mr. President, will the Senator speak a little louder, please?

Mr. ELLENDER. We have heard the debate for 7 or 8 days and I think that all of us are ready and willing to vote.

I cannot quite follow the argument made by my good friend from Mississippi in that an affirmative vote on the resolution contained in (B) is the only way the Senate can vote the double-billing charge up or down, by either approving or disapproving it. I contend the Senate can make a decision in the same manner by striking the provision.

As I stated earlier, my only reason for following this course was that I was advised that there would be quite a few amendments offered to strike the word "censure" or other words contained in lines 13 through 16, so that instead of "censure," we would substitute simply "reprimand."

Mr. President, it is my considered judgment that if the Senate believes that Tom Dodd double billed intentionally, he should not be reprimanded, he should not be censured, but he should be expelled from the Senate. I do not believe we want to soften any of the language of lines 13 through 16. If we honestly believe Tom Dodd did double bill, did collect from the Government travel funds twice, having done it knowingly, we should amend lines 13 to 16 so as to strengthen the language, rather than soften it. But if we do not believe the charge, Senator Dodd should be exonerated from it.

I contend that by a vote to strike we are voting on the merits on the proposal. If there be anyone else who desires any time, I shall gladly yield. Otherwise, I yield back the remainder of my time so that we can vote at once.

Mr. BENNETT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana [Mr. Ellender].

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Connecticut [Mr. Dodd] is necessarily absent.

I also announce that the Senator from Hawaii [Mr. Inouye] and the Senator from North Carolina [Mr. Jordan] are absent because of illness.

I further announce that the Senator from Georgia [Mr. Russell] is necessarily absent by leave of the Senate.

I further announce that, if present and voting, the Senator from Georgia [Mr. Russell] would vote "yea."

The result was announced—yeas 51, nays 45, as follows:

[No. 162 Leg.]

YEAS—51

Allott
Bayh
Bible
Brewster
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Church
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Fong
Gore

Griffin
Harris
Hart
Hartke
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Long, La.
Magnuson
McIntyre
Miller

Montoya
Moss
Murphy
Muskie
Pastore
Pell
Prouty
Randolph
Ribicoff
Smathers
Spong
Talmadge
Thurmond
Tower
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—45

Aiken
Anderson
Baker
Bartlett
Bennett
Boggs
Burdick
Carlson
Case
Clark
Cooper
Dirksen
Fannin
Fulbright
Gruening

Hansen
Hatfield
Hayden
Hickenlooper
Hill
Kuchel
Long, Mo.
Mansfield
McCarthy
McClellan
McGee
McGovern
Metcalf
Mondale
Monroney

Morse
Morton
Mundt
Nelson
Pearson
Percy
Proxmire
Scott
Smith
Sparkman
Stennis
Symington
Tydings
Williams, Del.
Young, Ohio

NOT VOTING—4

Dodd
Inouye

Jordan, N.C.

Russell

So Mr. ELLENDER's motion to strike was agreed to.

The VICE PRESIDENT. The question is on agreeing to the resolution, as amended.

Mr. BENNETT. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from North Carolina [Mr. JORDAN] are absent because of illness.

Also I announce that the Senator from Georgia [Mr. RUSSELL] is necessarily absent by leave of the Senate.

I further announce that, if present and voting, the Senator from Georgia [Mr. RUSSELL] would vote "yea."

The result was announced—yeas 92, nays 5, as follows:

[No. 163 Leg.]

YEAS—92

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin

Fong
Fulbright
Gore
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Hruska
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan

McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Montoya
Morse
Morton
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Scott
Smathers
Smith
Sparkman
Spong
Stennis

Symington
Talmadge
Tydings

Williams, N.J.
Williams, Del.
Yarborough

Young, N. Dak.
Young, Ohio

NAYS—5

Dodd
Long, La.

Ribicoff
Thurmond

Tower

NOT VOTING—3

Inouye

Jordan, N.C.

Russell

So the resolution (S. Res. 112), as amended, was agreed to.

Mr. LONG of Louisiana. Mr. President, yesterday as shown on page 16988 of the RECORD, I obtained unanimous consent to have inserted into the RECORD at this point a sampling of the news articles which caused TOM DODD's case to be tried in the press and which made impartial deliberation here impossible. I now submit a copy of those articles:

EXHIBIT 1

[From the Washington Post, Apr. 14, 1967]

THE GRACEFUL WAY OUT

The additional charges against Senator Dodd by four of his former employes are well known to the Senate Ethics Committee. In its long probe into the conduct of the controversial Connecticut Senator, the Committee has taken note of many documents and of much evidence that did not get into its public hearings. It is reasonable to suppose that the Committee's recommendations, which are expected within the next two weeks, will be based on the whole gamut of Mr. Dodd's misconduct.

It is also clear that the evidence leaves Senator Dodd without a leg to stand on. Mr. Dodd himself admitted that he had collected $170,000 from testimonial dinners from 1961 to 1965, to be used as he saw fit. His office sent bills for the same travel expenses to the Senate and various private groups in seven instances. The picture presented in the current letter is one of repeated acceptance of money from people for whom the Senator was in a position to do official favors. It is charged, for example, that nine men whom he recommended for Federal appointments gave or lent him nearly $90,000.

Numerous aspects of the case point to the assumption that the findings of the Committee will be sent to the Department of Justice for possible presentation to a grand jury. But the public is more interested in what the response of the Senate itself will be. In our view, that body cannot possibly ignore practices which cut so deeply into its own integrity.

As for Senator Dodd, his best course would be to resign. Even without the latest charges, his usefulness was at an end. The least the Ethics Committee can do is to censure him, and the best service that a censured Senator can render to his state is to make his office available to someone who can function without so grave a handicap.

Drastic action will also be expected of the Senate to correct the impression that the legislative process is a swapping of rewards for donations. The best course which the Senate can take is that which was recommended the other day by Senator Morton. Hard-headed political leader though he is, the Kentucky Republican came out for annual disclosure of senatorial income, assets and liabilities. That is the logical answer to the Dodd case in the Senate and the Powell case in the House. It is inconceivable that Senator Dodd would have done what he did if he had had to report in detail his lavish gifts from people eager to draw upon his official influence.

It is time for the Senate to end the flow of tainted money into senatorial pockets.

[From the Washington Post, Apr. 18, 1967]

RESIGN

Senator Thomas J. Dodd has so diminished his power and influence by his private acts and public explanations of them that there is not much he can do for his country. There is one thing he can do, and he should not delay doing it until even that is beyond his reach.

His selfish exploitation of his friends to enhance his personal wealth, maintain his political place and enrich his private life, as revealed by his own admissions entitles him to universal contempt. He is a disgrace to the Senate. He is a liability to his State. He is an embarrassment to his colleagues. He is an encumbrance to anything he embraces.

If he stays in the Senate, his endorsement will be the worst misfortune that can befall any legislative measure. Whenever he rises to speak, his reputation will stand beside him, like Banquo's ghost. The sponsor of every good legislative proposal will live in the constant terror that it will be overtaken by the fatal indictment of his endorsement.

What the Senate does with him or to him is now almost irrelevant. To every practical intent the seat he occupies is empty. Nothing the Senate does can put life back into a ghost as irrevocably lost to the political living as though he had been overtaken by corporeal calamity. His daily presence in the Senate is a pain-inflicting spectacle. He stands a veritable monument to many of the frauds, frailties and flaws in our public life. The very sight of him must wound every man of sensibility and patriotism who has the capacity to reflect upon the curious follies of our elective system.

The Senator alone can end this daily anguish which the citizenry must endure as long as he remains in public life. Let him have mercy upon himself, who is indeed in need of mercy. Let him have mercy upon his countrymen, who by this final public act might be awakened to some mercy. Let him quietly take himself off the national stage and end a spectacle that is becoming an obscenity.

[From the Evening Star, Apr. 28, 1967]

THE DODD JUDGMENT

It is impossible to read the report of the Senate Ethics Committee without coming to the conclusion that Senator Dodd richly deserves the censure which his peers have unanimously recommended. The committee also acted properly in referring "possible violations of law" by Dodd to the Department of Justice and the Internal Revenue Service.

No one can enjoy watching the ruin of a man's career. This is especially true when, as in Dodd's case, his fall from grace resulted in part from the secret rifling of his files by former employes—conduct which the committee described as "reprehensible," and which also was referred to the Attorney General as a possible violation of law. When all is said, however, the fact remains that the Senator from Connecticut brought his ruin down on his own head.

His handling of funds and certain of his other activities as the report correctly says, was "contrary to accepted morals, derogates from the public trust expected of a Senator, and tends to bring the Senate into dishonor and disrepute."

We do not doubt for a moment that the Senate, already stung by the Bobby Baker episode, should and will approve the resolution of censure proposed by the committee.

In the face of this, Dodd, still says that his "conscience is clear," that he has done nothing wrong, that he will remain in the Senate and that he will leave the final verdict to the voters of Connecticut in 1970.

This is a statement that is utterly devoid of sensitivity. Whatever the decision of the Connecticut voters may be, Thomas J. Dodd will stand condemned in the public mind as a man who betrayed the high trust reposed in him.

[From the Washington Star, Mar. 19, 1967]

Dodd's Conscience

Senator Thomas J. Dodd, Connecticut Democrat, says his "conscience is clear." If so, he must be possessed of a conscience that is impervious to the distinction which most men would make between what is right and what is wrong.

Whether Senator Dodd has violated any law is not the prime point. What he indisputably has done is to adhere to a standard of morality which demeans himself and which, if condoned, will demean the Senate.

The senator received something more than $400,000 from 1961 to 1965 from "testimonial dinners" and contributions to his 1964 campaign. Some $175,000 of this was transferred to his personal bank accounts and part of it was used to meet personal expenses such as a home in Georgetown, a country place in Connecticut, private schools for his children and extensive travel. In short, Dodd was living far beyond his means and used money derived from testimonials to cover his own extravagance.

Senator Dodd's major contention is that the money paid into the testimonial affairs was intended as a gift to him, to be used as he saw fit. This is open to considerable question. But even if all of those who bought tickets or otherwise contributed thought they were making a personal gift to the senator, the fact remains that the Dodd performance has been a shoddy one to say the least.

A senator receives $30,000 a year in salary, plus an adequate allowance for official expenses. Obviously, in many cases, this will not cover the cost of campaigns. But it should cover a senator's bona fide personal expenses. If it doesn't, if a man cannot get by without mooching on his friends and taking money from persons whose generosity may be rooted in something other than friendship, he doesn't belong in the Senate of the United States.

[From the New York Times, Apr. 14, 1967]

Ethics Panel Says It Studied Charges by Ex-Dodd Aides

Washington, April 13.—Members of the Senate ethics committee said today that the panel had already investigated charges against Senator Thomas J. Dodd that former aids of the Connecticut Democrat want the committee to air in public hearings.

Senator John Stennis, Democrat of Mississippi, chairman of the bipartisan panel, told a reporter the charges had been explored in executive hearings by staff investigators. He said he would issue a fuller statement on the matter later, charges against Senator Dodd had been checked out.

As to why public hearings had not been held on these charges, he said that "some of these things may be incapable of proof."

The four former employes—James P. Boyd Jr., Marjorie Carpenter, Michael V. O'Hare and Miss Terry Golden—have acknowledged taking some 4,000 documents from Mr. Dodd's files and turning over copies to Drew Pearson and Jack Anderson, the columnists.

A series of columns last year by Mr. Pearson and Mr. Anderson, accusing Mr. Dodd of misappropriation of campaign funds and other misconduct, led to the investigation by the panel, formerly known as the Select Senate Committee on Standards and Conduct.

The former employes wrote a letter to the committee April 4 asking it to reopen its hearings, saying it had excluded from its public testimony "more than a score of serious matters on which there was eyewitness testimony and substantiating documentation." The letter came to light yesterday.

[From the Washington Post, Mar. 13, 1967]

Senator Dodd's Accounting

Senator Dodd chose an untimely moment to make his financial accounting to his colleagues. The Senate Committee on Standards and Conduct will begin taking evidence today on the charges concerning his gifts and financial operations. If the Senator had given his version of the facts last year, it might have helped to clear the atmosphere. Coming on the eve of the formal hearings, it merely encourages a wait-and-see attitude.

We think the Senator is mistaken, moreover, if he supposes that what he has disclosed will quiet the public concern in regard to his conduct. He admitted that "friends" arranged several testimonial dinners for him between 1961 and 1965 and that these affairs brought in about $170,000 for him to use in any way that he might see fit. Is it conceivable that the people of Connecticut want their representative in the Senate to be collecting $170,000, in the form of gifts or otherwise, from donors who may have axes to grind?

Mr. Dodd says that $140,000 of the bonanza was used to pay debts largely acquired in previous political campaigns. We fail to see how this changes the principle involved. If a man is overburdened with personal debts, the Senate is scarcely the place to go to pay them off. Indeed, if the people of Connecticut had known about the debts they might well have been inclined to keep him at home or to retire him at the first opportunity, so that he would not be under temptation to reach out for funds in many places while in the public service. In effect Mr. Dodd has made a powerful argument for requiring all members of Congress to disclose their income and financial resources.

The circumstances under which this money was raised are also disquieting. Apparently many donors thought they were contributing directly to a political campaign. The Senator's belated offer to refund the donations of any benefactors who did not realize that they were making personal gifts is very lame indeed.

Final judgments must, of course, await the completion of the hearings and the investigating committee's report. It is unmistakably clear, however, that new legislation will be needed. And one section of it ought to be a flat prohibition of testimonial dinners and similar gimmicks for siphoning cash into the pockets of members of Congress for their personal use. Alongside that prohibition should be strict regulation of campaign funds so as to prevent any overflow into the pockets of individual candidates.

[From the Washington Post, June 13, 1967]

The Dodd Case

As the Senate begins debate today on the Dodd case, it must necessarily think of itself as well as of the Senator from Connecticut. Its first task, of course, is to do justice to Senator Dodd, but if that were the only consideration the case could have been properly left to the courts. The Senate has taken up the charges against Mr. Dodd because its own image has been tarnished, and it must reassure the public that it does not encourage or tolerate the kind of conduct in which he indulged.

Some of the Senator's colleagues are trying to save him from humiliation by diverting the attention of the Senate to creation of a code of ethics. The Senate does, indeed, need a standard by which to judge the conduct of its members. What a farce it would be, however, to turn away from a specific case of misconduct with merely a pious declaration that ethical conduct will be required in the future.

The Senate is confronted by a unanimous report from its Select Committee on Standards and Conduct recommending censure for Senator Dodd for conduct "which is contrary to accepted morals, derogates from the public trust expected of a Senator, and tends to bring the Senate into dishonor and disrepute." The Committee, composed of three Democrats and three Republicans, conducted a thorough investigation and kept its findings on a wholly objective basis. To repudiate its work would be a step away from any meaningful code of ethics, not toward it.

Senator Dodd was shown to have collected more than $450,000 from fund-raising events and to have spent at least $116,083 of it for personal purposes. He also took money from both the Government and private sources for the same travel on seven trips. He accepted the use of three automobiles from a client over a period of 21 months. The Senate could not ignore these findings or exonerate this misconduct without making a laughing stock of any code of ethics it might then approve.

A vote against the Committee's findings would in effect be notice to any similar committee in the future that it was not expected to take its assignment seriously. It would say to the country that the Senate is blind to misconduct in its own ranks. We do not think the Senate is prepared to embark upon any such reckless course.

[From the New York Times, June 18, 1967]

Senator Dodd's Defense

In his effort to defeat a motion of censure, Senator Dodd of Connecticut is attempting to turn the case against him upside down.

The gravamen of the charges by the Select Committee on Standards and Conduct is that Senator Dodd diverted to his own use at least $116,000 of the large sums raised at political dinners to finance his campaigns. He has chosen instead to focus attention on the lesser charge that he collected from both the Government and private organizations for his travel expenses on seven trips.

As Senator Dodd himself observes, this double billing was a form of theft and is not lightly to be condoned. Nevertheless, only $1,700 was involved. If this were the only offense of which he was guilty, the public and the Senate might be willing to be charitable and overlook it. His colleagues might even accept his explanation that it was all a mistake committed by his bookkeeper, although the members of the committee were convinced by the evidence that Senator Dodd is not innocent in this matter.

The Senate, however, cannot accept, Mr. Dodd's effort to turn the whole controversy into a choice between accepting his veracity or that of his former bookkeeper. More than trivia and more than one man's word against another are at stake.

The issue is whether Senator Dodd exploited his office to raise funds which he used for his private enrichment. As Senator Stennis of Mississippi pointed out, "All of these activities were undertaken while the Senator was a member of the Senate, and with the prestige, influence and position in society and in Congress that go with this office."

In short, the Senate itself is on trial. If its members condone this conduct by the member from Connecticut, then they accept this standard of behavior for all members. It is regrettable that there does not now exist an explicit code of ethics forbidding such conduct. But the absence of a code did not prevent the House from severely disciplining Adam Clayton Powell. It cannot be an excuse for exculpating Mr. Dodd.

As we have stated before, censure is not a sufficient punishment in this case. Mr. Dodd cannot be allowed to continue as chairman of the Juvenile Delinquency subcommittee and vice chairman of the Internal Security subcommittee. He may continue as a Senator from Connecticut, but he has forfeited all claim to any position of honor and responsibility conferred by the Senate itself.

[From the New York Times, April 28, 1967]

Censure for Dodd

A bipartisan committee has reached the expected adverse judgment on the conduct of Senator Thomas J. Dodd of Connecticut.

Although Mr. Dodd has described the censure verdict as "harsh," the committee members could not in conscience have done less.

The graver aspects of this case are the responsibility of the Justice Department and courts. It is up to them to decide whether Mr. Dodd's diversion of testimonial dinner funds to his own use constitutes income tax evasion.

But, if the censure is voted, Mr. Dodd's effectiveness as a member of the Senate will be at an end. He would do better to withdraw to private life than linger as a political ghost in the pathetic hope of "vindication" in the 1970 election.

The Dodd case has frequently been compared with that of Adam Clayton Powell. There are significant differences as well as similarities. They are alike in that their misconduct is deserving of censure and that, unless the courts find them guilty of a crime, neither should be expelled.

Mr. Powell's misuse of public funds as a committee chairman, however, was a more clear-cut offense than Mr. Dodd's shuffling of campaign funds. Moreover, Mr. Powell has been virtually a fugitive from justice in New York because of the contempt-of-court orders outstanding against him. It is for this latter reason that although the House should recognize Mr. Powell as a duly elected member, we believe it should also direct him to stand aside until he purges himself of contempt.

Senator Mansfield, the majority leader, and his fellow Democrats have an obligation to emulate the House Democrats and strip Mr. Dodd of his seniority. Since his conduct "is contrary to accepted morals, derogates the public trust expected of a Senator and tends to bring the Senate into dishonor and disrepute," it would be grotesque to continue him as chairman of the Subcommittee on Juvenile Delinquency and vice-chairman of the Subcommittee on Internal Security.

The committee report mildly rebukes Senator Dodd's former employees for rifling his files to obtain documentary evidence of his activities. Yet it is difficult to see how Mr. Dodd's misdeeds could have become known otherwise. These former employees acted in no hope of private gain and, indeed, have suffered for their initiative. They deserve approbation, as do columnists Drew Pearson and Jack Anderson, who, in publicizing the documents, acted in accord with the traditions of crusading journalism.

The undercover acquisition of this evidence would probably not have been necessary if Congress had established an independent board to which these disillusioned employees could have complained.

If there were a clear code of ethics and a full financial disclosure law, along with an independent tribunal to enforce them, scandals such as the Dodd, Powell and Baker cases would occur far less often and would be investigated more swiftly and thoroughly. Must another such case arise before effective action is taken on Capitol Hill?

[From the Washington Post, Apr. 28, 1967]

CENSURE FOR DODD

Senator Thomas J. Dodd of Connecticut has been officially added to the small list of legislators who have brought disgrace upon the Congress. The verdict of the Senate's Select Committee on Standards and Conduct was unanimous. It asked the Senate to censure the Connecticut Democrat for conduct "which is contrary to accepted morals, derogates from the public trust expected of a Senator, and tends to bring the Senate into dishonor and disrepute."

The Committee's report is dry and factual. It gives the impression that Mr. Dodd's six colleagues, three Democrats and three Republicans, with Senator John C. Stennis as chairman, acted reluctantly because the evidence left them no alternative. The skeletonized picture they present is that of a Senator who from 1961 to 1965 collected $450,273 from seven fund-raising events and spent at least $116,083 of it for personal purposes. Another $45,233 from these funds went for "purposes which are neither clearly personal nor political."

The Committee recites the details of Senator Dodd's $8000 gift from the International Latex Corporation and testimony that he recommended A. N. Spanel, chairman of the Latex board, as ambassador to France. It notes the seven trips for which he "requested and acceptance reimbursement from both the Senate and private organizations for the same travel." For 21 months, the Committee found, Mr. Dodd also accepted the loan of three automobiles in succession from a constituent.

Since the exposure of his fund-raising racket the Senator has attempted to make it appear that people went to his dinners knowing that they were being tapped for personal gifts. But the Committee has completely undercut this pretense. "Not one solicitation letter, invitation, ticket, program or other written communication," the report says, "informed the public that the funds were to be used for personal purposes." Some of the notices said the funds would be used to cover campaign expenses, and others cited no specific purpose.

It is not enough for the Senate to censure Mr. Dodd for these derelictions and forward the record of his misdeeds to the Department of Justice. Congress should outlaw testimonial dinners for private enrichment of members of Congress and require strict accounting for funds raised in this manner for campaign expenses. As for Senator Dodd, he is trying to keep his courage up by announcing that he will again be a candidate in 1970. But the harsh fact is that his shabby venality has ruined his career and made a prompt exit from the Senate the only alternative to prolongation of the anguish.

[From the Christian Science Monitor, May 1, 1967]

SENATORIAL ETHICS

If the Senate follows the recommendations of its Ethics Committee and votes censure of Connecticut's Sen. Thomas J. Dodd, that individual can best serve his country, his Congress, his conscience by resigning his seat and retiring to private life. Even though the Ethics Committee did not go so far as calling for his unseating, any man who is so formally charged with conduct "contrary to accepted morals," is morally obligated to remove himself from public office.

To fail to do so, to hang on in the hope that the voters will "exonerate" him in 1970 (it is, of course, imposible for an election to remove a moral stigma) would show an unawareness of the wrongness of what he did that could only increase his unfitness for office.

The fact that the Senate committee itself did not demand his unseating, in nowise relieves Senator Dodd of taking an action commensurate with his betrayal of public trust. A man who would, among other things, divert $116,083 from campaign funds to personal use, is utterly unfitted to be in a position of lawmaking and judgment on his fellow citizens.

This will be all the truer if the Internal Revenue Service finds that this diversion of funds should have been reported as income but on which no tax was paid.

The Senate is to be commended for having set up the committee and carried through on this investigation—even though it shamefully dragged its feet before taking the step. We also believe that the two Washington newspapermen—Drew Pearson and Jack Anderson—who dug out the whole affair have done a public service. Without their plugging away, it is doubtful if the affair would ever have gotten off the ground.

Frankly, we believe that a strong case for Senator Dodd's unseating could have been made. True, he is charged with stealing from his constituents rather than from Congress as is Harlem's Representative Adam Clayton Powell; true, the latter is also in defiance of a New York court. But if there were grounds for refusing Representative Powell his seat, there are also grounds for taking Senator Dodd's away from him.

It is absolutely essential that members of Congress (and their official associates) meet a rigid standard of ethics. Progress is being made in that direction, as the Dodd, Powell, and Bobby Baker cases bear witness. But a great deal more needs doing. There must be stiffer laws, quicker and sharper investigation, and clear public disclosure of the financial status of all members of Congress.

[From the Washington Star, Mar. 18, 1967]

DODD'S DEFENSE OF SELF COULD LEAD TO CERTAIN CONCLUSIONS

(By Mary McGrory)

Senator Thomas J. Dodd's incoherent self-defense before the Senate Ethics Committee could lead to the conclusion that only very rich men, or very poor, should aspire to Congress.

The rich who come to Washington can easily hold their own among the diplomats, lobbyists and ex-tycoons. To the poor man, an annual salary of $30,000 may seem like a rather handsome sum.

For someone like Dodd, who obviously took seriously the obligation to live well, the situation, as George Bernard Shaw once said of marriage, "combines the maximum of temptation with the maximum of opportunity."

The first reaction to his plight, was registered in the House by Rep. Ogden Reid, R-N.Y., who suggested that congressional salaries be raised to $50,000.

He could hardly have picked a less propitious moment for one of those debates when congressmen, awash in self-pity, take the floor and bewail the hopelessness of making both ends meet. The public, which reacted violently to the sight of Rep. Adam Clayton Powell, D-N.Y., taking his pleasure at taxpayers' expense, does not seem to have been assuaged by disclosures of Dodd's attempts to keep up appearances by the lavish expenditure of "campaign funds."

Dodd's explanation was feeble and disjointed. He sat back in the chair at the committee table. His once florid full face is bony and spectral. His voice had a dying fall.

He did answer the questions. He pleaded ignorance and poverty. He is not sorry for what he did, only for the way he did it. He said it had been "a sickening experience" for him to listen to a former employe testifying against him.

It was obvious the senators of the Ethics Committee felt his own appearance was comparably sickening.

They did not harass him. To the natural senatorial reluctance to judge a fellow-member of the club was added the palpable distress of the witness.

He tried once or twice for their sympathy. Sen. James Pearson, R-Kan., trying to determine the propriety of using the proceeds of innumerable testimonials for household expenses, said, "I know these things differ from state to state."

Chairman John C. Stennis, D-Miss., said repeatedly that he did not want to "press" Dodd, and he did not.

It was no use anyway, Dodd did not know where the money had gone, except into the bottomless pit of his indebtedness. Nobody asked him why he needed so much money.

His explanation that he had to borrow money to repay loans by other borrowings because it was "a revolving thing" was not adequate.

He was, it appeared, much put upon by his constituents. One of his Hartford cronies explained the endless drain on the Dodd purse by citing the case of visiting children wanting Cokes and cookies.

Dodd chose an unfortunate example of a lunch he gave to a constituent who happened to be a Medal of Honor winner. The bill in the Senate dining room, he said, to the astonishment of habitues, was $70 presumably for five people.

He was "glad" to do it, the senator said. He was "sorry" to bring it up. Placed beside the sums borrowed and the sums raised, the figure was ludicrous.

His old capacity for resentment flared up briefly toward the end of the painful two hours. He is galled by comparisons with Adam Clayton Powell, and he said, his voice momentarily strong, "I was never running around to warm places or pleasant places, faking a trip"—an obvious reference to Bimini.

The committee did not suspect him of enjoying himself, only of double-billing for the fare—a charge that Dodd indignantly rejected.

"I believe in my soul no one was flimflammed," he said.

The Senate Ethics Committee has now retired with its conscience and the record. Dodd says none of his troubles would have happened if he had not been a politician. He blames his dire penury on the Democratic State Committee which would never help him in his campaigns. He could not, by his own admission, afford to be a senator. He never explained to the committee why it was so important for him to be one and thus be reduced to living on the charity of his friends.

[From the U.S. News & World Report, May 8, 1967]

The Findings in the Dodd Case

Next round in the case of Senator Dodd will come on the floor of the Senate. It's up to all his colleagues now to pass judgment on his use of funds.

Now before the Senate is the recommendation of its Ethics Committee for censure of Thomas J. Dodd, Democratic senior Senator from Connecticut.

Action of the Committee of three Democrats and three Republicans was unanimous. The six Senators held that Senator Dodd was guilty of misconduct in turning political contributions to his personal use.

The Committee submitted to the Senate on April 27 a report on its 14-month investigation of the Dodd case. The report asked adoption of a resolution censuring Senator Dodd "for his conduct, which is contrary to accepted morals, derogates from the public trust expected of a Senator, and tends to bring the Senate into dishonor and disrepute."

In the Senate, censure is generally regarded as the severest form of punishment short of expulsion.

The Committee also recommended that certain elements of its inquiry be referred to the Department of Justice and the Internal Revenue Service for scrutiny as to possible violations of law.

As the Senate prepared to debate the call for punishment of Senator Dodd, the House still was faced with the issue of Adam Clayton Powell, ousted in March on charges of financial misconduct and re-elected in April by his Harlem constituents.

The resolution for censure of Senator Dodd was introduced in the Senate by Senator John C. Stennis (Dem.), of Mississippi, chairman of the ethics group—the Select Committee on Standards and Conduct.

"Judged by hindsight"? Senator Dodd, whose present term runs until 1971, reaffirmed his intention of remaining in the Senate and seeking re-election in 1970. He said:

"I still maintain I have done nothing wrong. . . . My conduct is being judged by hindsight. I will answer every charge on the Senate floor as soon as possible and continue to serve my State and the voters of Connecticut."

A censure resolution would not affect Mr. Dodd's rights, privileges or seniority as a Senator.

The Ethics Committee denounced as "reprehensible" the removal of documents from Senator Dodd's office by four former employes—James P. Boyd, Jr., Michael V. O'Hare, Marjorie Carpenter and Terry Golden. The material was used as the basis for newspaper articles which triggered the Dodd investigation.

Senator Dodd told the investigating committee, the report noted, that the four employes, two of whom he had fired, were "acting in revenge and because of vindictiveness."

The Committee said it could not take action against the four because they no longer were Senate employes, but that the unauthorized removal of the documents were being referred to the Attorney General of the United States.

The report reviewed in detail the charges against Senator Dodd, including that of putting to his personal use moneys received through seven fund-raising events arranged as "testimonials" to him. Key conclusions of the Ethics Committee, as set forth in the report to the Senate:

"Senator Dodd exercised the influence and power of his office as United States Senator to directly or indirectly obtain funds from the public through testimonials which were political in character, over a period of five years from 1961 to 1965.

"The notices of these fund-raising events received by the public either stated that the funds were for campaign expenses or failed to state for what purposes the funds were to be used.

"Not one solicitation letter, invitation, ticket, program or other written communication informed the public that the funds were to be used for personal purposes. Senator Dodd used part of the contributions from his political campaign of 1964 for his personal benefit. . . ."

"From the proceeds of the seven fund-raising events from 1961 through 1965 and the contributions to the 1964 political campaign, Senator Dodd or his representatives received funds totaling at least $450,273.

"From these funds, Senator Dodd authorized the payment of at least $116,083 for his personal purposes. The payments included federal income tax, improvements to his Connecticut home, club expenses, transfers to a member of his family, and certain other transportation, hotel and other expenses incurred by Senator Dodd outside of Connecticut or by members of his family or his representatives outside of the political campaign period.

"Senator Dodd further authorized the payment of an additional amount of at least $45,233 from these proceeds for purposes which are neither clearly personal nor political. These payments were for repayment of his loans in the sum of $41,500 classified by Senator Dodd as political-personal and $3,733 for bills for food and beverages."

Pointed out in the report was the fact that Lyndon B. Johnson, then Vice President, was a guest of honor at four of the fund-raising events in Connecticut in 1963.

The Committee added:

"President Johnson recently stated publicly that he never knew that any dinner he attended was to raise funds for anyone's personal use."

"After the 1964 election campaign, Irving Ferman gave Senator Dodd $8,000 in cash from the funds of the International Latex Corporation as the consummation of a promise, made by Ferman during the campaign, to raise $10,000 for Senator Dodd's campaign."

The Committee report noted that Mr. Ferman testified he had discussed with the Connecticut Senator the possibility of an ambassadorship for A. N. Spanel, board chairman of International Latex Corporation.

"On seven trips from 1961 through 1965, Senator Dodd requested and accepted reimbursements from both the Senate and private organizations for the same travel."

"Senator Dodd accepted as a gift the loans of three automobiles in succession from a constituent and used the automobiles for personal transportation for a period of about 21 months between 1964 and 1965."

THE KLEIN CHARGES

The report expressed the following conclusion concerning charges that Senator Dodd acted improperly in doing favors for Julius Klein, a Chicago public-relations man who had clients in West Germany:

"Senator Dodd traveled to Germany in April, 1964, on Senate business under circumstances that suggest he was also influenced to go by Julius Klein . . . Klein sought to improve his image because he was losing his German clients.

"Because a sovereign foreign Government was involved, the Committee was unable to obtain evidence to reveal whether Senator Dodd made any representations in Germany on behalf of Julius Klein, except in a brief conversation with the late Chancellor Adenauer. In view of these circumstances, the Committee could not pursue this . . . further.

"After drawing its conclusions, the Committee was of the opinion that the relationship of Senator Dodd with Julius Klein was indiscreet and beyond the responsibilities of a Senator to any citizen, but that there was not sufficient evidence of wrongdoing to warrant recommendation of disciplinary action by the Senate."

In reference to possible violations of law, the report said:

"The Committee has directed the chairman to refer to the Attorney General of the United States the matters of the contribution by the International Latex Corporation to Senator Dodd and the loan of automobiles to Senator Dodd by David P. Dunbar; and to the Commissioner of Internal Revenue the matters of the contribution by the International Latex Corporation to Senator Dodd, the taxability of campaign funds used by Senator Dodd for personal purposes, and the taxability of the funds received by Senator Dodd from the various fund-raising events. . . ."

The Committee said that it had referred to the Justice Department other allegations on which it "could not secure substantial findings of fact," but which, if proven, "might possibly constitute violations of existing law."

The allegations were not described in the report, but the four former employes involved have made these charges:

That Senator Dodd accepted loans, cash and gifts from executives of industries under investigation by subcommittees of which he was a member; that he tried to get Government contracts for persons who gave him campaign contributions; that he sought ambassadorships or other posts for men who gave or loaned him about $70,000.

NEXT STEP: DEBATE

Senate Democratic and Republican leaders now are to decide when the censure resolution is to be taken to the Senate floor for debate. The Democratic Leader, Senator Mike Mansfield, of Montana, said that Senator Dodd will be given a "reasonable time" to prepare his defense.

Besides Chairman Stennis, members of the Ethics Committee are Senators Mike Monroney, of Oklahoma, and Eugene J. McCarthy, of Minnesota, Democrats; Senators Wallace F. Bennett, of Utah, John Sherman Cooper, of Kentucky, and James B. Pearson, of Kansas, who are Republicans.

Censure action has been rare in the history of the Senate. Records list only five cases in which the Senate voted to "censure" or "condemn" a member. Those cases were as follows:

Benjamin Tappan of Ohio—for "leaking" confidential Senate documents to a newspaper in 1844; Benjamin R. Tilman and John L. McLaurin, both of South Carolina, for a fist fight on the Senate floor in 1902; Hiram Bingham of Connecticut, for improperly employing a lobbyist on a Senate committee staff in 1929, and Joseph R. McCarthy, of Wisconsin, in 1954, for abusive language about two committees that inquired into his conduct.

With its action in the Dodd case now complete, the Ethics Committee's next task is to draft a code of standards and conduct for Senators.

[From the Washington (D.C.) Sunday Star, Mar. 12, 1967]

THE SEARCHLIGHT RETURNS

(By Robert Walters)

For the third time in as many months, charges of unethical behavior will be the focus of attention on Capitol Hill this week.

Amid increasing pressure for a more stringent code of ethical behavior applicable to members of Congress, the Senate Ethics Committee tomorrow resumes public hearings on charges of misconduct against Sen. Thomas J. Dodd, D-Conn.

In January, a U.S. District Court jury convicted Robert G. (Bobby) Baker, former secretary to the Senate Democrats, of seven criminal violations, including conspiracy, larceny, fraud and income tax evasion.

Early this month, the House voted to exclude Rep. Adam Clayton Powell Jr., D-N.Y., after two committees reported that he misused congressional travel privileges and deceptively handled committee finances.

Througout the past 2½ months, the question of congressional ethics has been debated extensively in both chambers—in the Senate during consideration of a reorganization bill and in the House during discussion of the Powell case.

A MATTER OF MONEY

The charges against Dodd, include misuse of funds raised at testimonial dinners, double- and triple-billing of travel expenses and conflict of interest.

The accusations were first leveled almost 14 months ago in a series of stories by syndicated newspaper columnists Drew Pearson and Jack Anderson. Since January 1966, they have written more than 80 columns on Dodd.

Pearson and Anderson received much of their information from four former Dodd employes—James P. Boyd Jr., Mrs. Marjorie Carpenter, Michael V. O'Hare and Miss Terry Golden—who removed more than 4,000 documents from the senator's office, photo-copied them and then returned the papers to Dodd's files.

The Ethics Committee, formally known as the Senate Select Committee on Standards and Conduct, held five days of public hearings on one phase of Dodd's affairs last June and July.

Those hearings centered around charges that the 59-year-old senator misused his position to carry out assignments and do favors for Julius Klein, a Chicago public relations man registered as a foreign agent for West German business interests.

The committee then postponed public hearings on the second—and most important—phase of the allegations. Throughout late 1966 and the early weeks of this year, its members sought to determine both the form and content of the upcoming round of hearings.

THE SENATOR'S PLEA

Dodd argued unsuccessfully that the Senate Rules Committee's subcommittee on elections ought to have jurisdiction of the material on the grounds that most of the charges centered around what he did with funds ostensibly raised for election campaigns.

Throughout the year of controversy, Dodd's public statements were limited to brief announcements proclaiming his innocence and stating that he would accept the judgment of the Ethics Committee.

But the pressure on him increased. On Feb. 9, during discussion of the reorganization bill on the Senate floor, several senators informally referred to one proposal as the "Dodd amendment."

In an emotional appearance on the floor, Dodd turned to his colleagues and said: "I do not know what is happening around here. I had always understood that fairness and courtesy were part of the custom and tradition of the Senate. . . . My patience is wearing very, very thin. If I am going to get kicked around every time there is an opportunity on the floor of the Senate, I will go to the people and to the Senate, and tell my side of the case. . . ."

Last Friday, Dodd did just that. In a 30-minute speech, he reiterated his innocence, produced a financial statement, attacked Pearson, Anderson and the former employes, and called for criminal prosecution of those who had copied his papers.

But that statement failed to answer many of the specific allegations, and raised as many new questions as it answered.

Against that background, these are among the major questions the committee is expected to attempt to resolve:

CAMPAIGN FUNDS

Dodd, a former House member, ran unsuccessfully for a Senate seat from Connecticut in 1956, then won election in 1958 and was re-elected in 1964. He says that when he entered the Senate in 1959, his unpaid political debts amounted to $150,000.

He says that from 1961 to 1965, he received $170,000 from testimonials organized in his behalf. According to his accounting, $140,000 of that amount went to pay off the previous debt and the remainder "was far exceeded by the cost of political office over an eight-year period."

Dodd broke down the income in this manner: He said $56,000 or $61,000 was raised at a 1961 testimonial dinner (his speech Friday included the lower figure, but a spokesman later changed it) and another $12,000 was raised at a 1963 testimonial cocktail party in Washington.

He listed $94,000 in income from a series of 1963 "Dodd Day" testimonial parties in Connecticut and from a 1965 Hartford dinner held to pay off the 1964 campaign deficit.

[From the New York Times, Jan. 7, 1967]

FORMER DODD AIDS QUESTIONED ON CHARGE OF UNREPORTED GIFT

(By E. W. Kenworthy)

WASHINGTON, Jan. 6.—The Senate ethics committee has been inquiring into allegations that Senator THOMAS J. DODD, Democrat of Connecticut, received a sizable campaign contribution in cash from a New Haven manufacturer in 1964 and did not report it to the Secretary of State of Connecticut.

Former employes of the Senator acknowledge that they have been questioned by the committee staff about the alleged contribution. But beyond that, they either say that they have no knowledge of such a contribution or decline to discuss it.

Senator Dodd's office here and his attorneys, as well as the manufacturer and his attorneys, will neither confirm nor deny that there was such a contribution. They all say they are not in a position to comment unless the matter is raised by the ethics committee.

ENVELOPE MENTIONED

The allegation, it has been learned, states that in September, 1964, Robert J. Blinken, president of the Mite Corporation of New Haven, manufacturer of mechanical and electronic equipment, came to Senator Dodd's office here in the company of Eliot Janeway, the writer and economist, and left an envelope.

Present at the time, according to the allegation, were Gerald J. Zeiller, then executive assistant to Mr. Dodd, and Mrs. Marjorie Carpenter, then the Senator's personal secretary.

The allegation further states that the envelope contained money and that later the same day Mrs. Carpenter and Doreen Maloney, a secretary who is still on the Senator's staff, delivered the envelope to Mr. Dodd at his home in North Stonington, Conn.

Mrs. Carpenter, who has admitted being a party to the removal of documents from the Senator's office and turning them over to Drew Pearson and Jack Anderson, the syndicated columnists, is known to have made the allegation.

In response to a telephone inquiry yesterday, Robert X. Perry, the Senator's chief executive assistant, called back and said: "The Senator thinks it is inappropriate to say anything."

Mr. Perry is the staff member responsible for matters relating to the inquiry by the ethics Committee, formally the Select Committee on Standards and Conduct, into the Senator's conduct.

The committee is investigating charges growing out of allegations by Mr. Pearson and Mr. Anderson that Mr. Dodd improperly diverted political campaign funds.

In addition to allegations that Senator Dodd failed to report some campaign contributions, the committee is investigating charges that the Senator used some of the contributions and proceeds from testimonial dinners for personal purposes and entered double billings for air fares—once to a Senate subcommittee and again to organizations inviting him to speak.

In a telephone interview two days ago, Jacob Zeldes of the Bridgeport law firm of Goldstein & Peck, attorneys for Mr. Blinken, answered inquiries regarding the alleged contribution with: "We're not in a position to comment on it."

In another telephone interview on the same day, Donald Mulvihill, one of the Senator's attorneys, declined any comment.

However, Mr. Janeway said in a telephone interview that day from his New York office:

"I was in Dodd's office with Blinken. But Dodd wasn't there. He didn't keep the appointment. It has been, and is, my impression that there were technical papers in the envelope. I never saw what was in the envelope. I have no knowledge of any money that was in the envelope."

Mr. Janeway went on to explain that the Mite Corporation, which had a contract with the Navy for miniature teleprinters, was engaged in a dispute with the Pentagon, and that he was of the opinion that the company, which had asked Mr. Dodd's assistance in defending its case, "was delivering memoranda to the senator."

In a telephone interview today Mr. Zeiller, who now heads the Concord office of Senator Norris Cotton, Republican of New Hampshire, said that he had no recollection of being present during Mr. Blinken's visit and had no knowledge of any contribution by him.

STAFF MEMO CITED

The mystery in which the alleged contribution is shrouded by these replies is heightened by the existence of a staff memorandum of which, it is believed, the committee has knowledge.

This two-page memo, which is headed "Conn Contracts," lists a number of Connecticut companies, with accompanying notations on the services performed for them by the Senator.

For example, one entry reads:

"Consolidated Diesel Corp. & Consolidated Controls, Bethel, Conn., a subsidiary—(Norman Shafler, president, Con. Diesel—Pres. Consolidated Controls, Joseph Engleberger)—Shafler has contributed in last campaign but we have done a number of favors for Consolidated Control."

There is an entry for the Mite Corporation that reads:

"Mite Corporation, 446 Blake Street, New Haven 16, Conn. (Robert Blinken) No comment—more than generous."

This would seem to indicate that Mr. Blinken made a contribution. However, in the list of contributors Senator Dodd filed with the Secretary of State after the election, as required by state law, there is no entry for Mr. Blinken.

In a telephone interview last October, Mr. Blinken was asked whether he had made a cash contribution to Senator Dodd. He replied. "I have absolutely no comment to make."

[From the Washington Post, Mar. 16, 1967]

Dodd's Books Juggled, Ex-Aid Tells Senators

(By Richard Harwood)

Michael V. O'Hare told the Senate Committee on Standards and Conduct yesterday that Senator Thomas J. Dodd's accounts were juggled to convert political money for his personal use and to escape income tax liability.

O'Hare, who kept those books as a member of Dodd's staff from 1961 through 1965, was described by Dodd last week in a Senate speech as "one of the most inefficient and sloppy bookkeepers who ever lived."

In his testimony yesterday, O'Hare said bank accounts in Hartford and Washington were used in juggling money.

In Washington, he said, an account was opened at the Union Trust Co. by the "D.C. Committee for Dodd," an ephemeral fund-raising group that collected $13,020 for Dodd through the sale of $100 tickets to a cocktail party in 1963.

O'Hare was the Committee's treasurer, although he said he attended no Committee meetings, and was authorized to draw checks on the account.

He told the Senate Committee, which is investigating Dodd's affairs, that he was concerned over how the money should be used and sought advice from the staff of the Senate Committee on Privileges and Elections.

He was informed, he said, that the money could be used for any purpose authorized by the D.C. Committee for Dodd but that if any purely personal expenses were paid out of the fund, Dodd would have to pay income taxes on those amounts.

O'Hare said he took up the problem with Dodd and that between them they worked out a plan: O'Hare would draw cash out of the D.C. Committee Account and would pay Dodd's bills with money orders or cashier's checks. The Senator, according to O'Hare, was anxious that the bills not be paid out of a "political" bank account.

O'Hare said he put the plan into effect and paid liquor bills, restaurant and motel charges, meals and travel for Dodd and his family, club dues and other personal expenses.

One money order—for $60—was sent to D.C. Transit, O'Hare said, in payment for a limousine used to take Dodd, his sons and members of Dodd's staff to a racetrack at Charles Town, W. Va. The Senate restaurant was paid $701.90, mostly for "luncheons for the Senator and members of his family," O'Hare said. Schneider's Liquor Store was paid $181.18 for liquor for Dodds office, according to O'Hare.

Toward the end of 1963, O'Hare testified, Dodd was under heavy pressure from the Internal Revenue Service to pay his 1962 income taxes.

Dodd offered to make a partial payment, O'Hare said, and it "came as quite a shock" to the Senator when IRS demanded full payment or a financial accounting.

In this situation, O'Hare said he offered to lend Dodd $6000 out of the D.C. Committee bank account. The loan was made, said O'Hare, and Dodd was subsequently informed by his accountant, David Nichols, that it would have to be repaid or Dodd would have to pay income taxes on the entire $6000.

The loan was eventually repaid. . .

[From the New York Times, Aug. 3, 1966]

Three More Double Billings on Fares Linked to Dodd

(By E. W. Kenworthy)

WASHINGTON, Aug. 2.—Three more instances where Senator Thomas J. Dodd apparently submitted two bills for the same airline fares came to light today.

It was learned that the Senate Ethics Committee was aware of these three apparent double billings. Two other double billings—one for a trip to Los Angeles in February, 1964, and another for a trip to San Francisco in June, 1961—were disclosed on July 21 and 22.

The Ethics Committee—formally known as the Select Committee on Standards and Conduct—is investigating charges of misconduct against the Connecticut Democrat by Drew Pearson and Jack Anderson, the newspaper columnists.

The committee's investigation into apparent double payments for airline travel is a byproduct of its inquiry into the columnists' charges that Mr. Dodd used campaign funds and the proceeds of testimonial dinners for personal expenses.

It is understood that the Internal Revenue Service is also looking into the question of double billing to see if the Senator, in the event he was reimbursed twice, reported the second payment as personal income.

SPEECH TO DOCTORS

The first of the additional instances of apparent double billing involves a trip to San Francisco for a speech on June 21, 1964. The speech was to the American Medical Political Action Committee during the annual convention of the American Medical Association.

A check, No. 3669, dated June 17, 1964, indicates that the political action committee paid Mr. Dodd $2,000 in advance as the honorarium for his speech, "A Democrat looks at the 1964 elections."

Then, according to a check numbered 3740, dated July 8, 1964, the committee paid the Senator $739.80 to cover the air travel and expenses for himself and Michael V. O'Hare, a former aide, who accompanied him.

In a telephone interview today from the headquarters of the political action committee in Chicago, David Baldwin, the executive secretary, confirmed the payments and the check numbers.

He said the expenses submitted by the Senator were broken down as follows: air travel, $686.06; hotel in New York before departure for San Francisco, $22; meals, $15.74; taxis and miscellaneous, $16.

The fare for Mr. Dood, who flew from Hartford to New York and then to San Francisco was $340.72, according to a photocopy of his ticket. The fare for Mr. O'Hare, who flew from Washington to join the Senator in New York and then flew to San Francisco was $345.34, according to his ticket.

The Senator used his personal air credit card for these tickets. Mr. O'Hare's fare was incorporated in a bill from American Airlines for $870.11, submited to the Senator's office on July 23.

On August 1, Mr. O'Hare sent this bill to Edward Sullivan, who was in charge of the Senator's office in Hartford, to be paid out of the funds of the "Dodd Testimonial Committee." The funds were raised by a "Dodd Day" in Connecticut on Oct. 26, 1963. A statement sent to Mr. Dodd by American Airlines on Aug. 25 shows that this bill for $870.11 was paid on Aug. 5.

Mr. Dodd's fare was included in the same Aug. 25 bill for $461.32. It was forwarded to Mr. Sullivan by Mr. O'Hare on Sept. 1, and was paid, according to a Sept. 24 statement of American Airlines, on Sept. 10.

Thus, Mr. Dodd apparently billed both the political action committee and the Hartford account for the two fares, and was apparently able to retain payment for one billing.

ORLANDO IS BILLED

A second trip to engage the attention of the ethics committee took place in August, 1962. On Aug. 11, Mr. Dodd and Senator Karl E. Mundt, Republican of South Dakota, addressed the Orlando Committee for a Free World Academy, under the auspices of the Florida city's Junior Chamber of Commerce.

Mr. Dodd billed the committee for $435.95, of which $300 was an honorarium, $131.45 for air travel and $4.54 for lodging.

But an entry in the report of the Secretary of the Senate for July 1 to Dec. 31, 1962, shows that a check was made out to Senator Dodd for $215.63 to cover the expenses of a trip to Florida, Aug. 10 to 13.

According to the report, these expenses were "incurred for the Committee on the Judiciary" and included two and a-half days per diem expenses in Miami at $16 a day, or $40; $12 for taxis, and air fare to Miami and back, $163.63.

From the records, it appears that Mr. Dodd submitted a bill to the Orlando committee for air fare to that city and another to the Senate for air fare to Miami in the same period of time.

The third trip was taken by Mr. Dodd and Carl L. Perian of the staff of the Subcommittee on Juvenile Delinquency, of which the Senator is chairman, between Feb. 26 and March 2, 1965. They went from Washington to Los Angeles, with stops in El Paso, Tucson, Ariz., and San Diego, Calif.

At Tucson he Senator spoke at the University of Arizona. According to a check numbered 7576 and dated March 16, the university paid him $295 in expenses, including $284.34 for air travel and $10.66 for lodging.

But according to voucher No. 553 of the Senate Disbursing Office, dated Oct. 26, 1965, American Airlines was paid $664.87 for the combined roundtrip fares of Mr. Dodd and Mr. Perian in the period "Feb. 26—March 2." It was charged to "transportation for the Juvenile Delinquency Subcommittee."

On July 23, after newspaper reports on what appeared to be two double billings for a speech to the Junior Chamber of Commerce in Los Angeles in February, 1964 and a speech to the National Council of Juvenile Judges in San Francisco in June, 1961, John F. Sonnett, Mr. Dodd's attorney, said that "A thorough review" of the Senator's travel expenses was being made.

He said Mr. O'Hare had "full responsibility" for administering the Senator's expenses from May, 1961, through Jan. 31, 1966.

In a telephone interview today, Mr. Sonnett said Mr. Dodd's staff was still working on the review of travel expenses.

Neither Mr. Sonnett nor the Senator's office would answer questions on the three latest instances of apparent double billings. But Mr. Sonnett said, "This is not Mr. Dodd's doing."

Mr. O'Hare has insisted that any double billing he did was expressly on the Senator's orders.

[From the Washington Post]

Four Dodd Ex-Aides Demand Senate Reopen Probe—Letter Details Points "Ignored" by Committee

(By Richard Harwood)

Major witnesses have asked that the congressional investigation into the affairs of Sen. Thomas J. Dodd (D-Conn.) be reopened to explore testimony and documents supplied to the Senate Ethics Committee but untouched in its public hearings.

The request came from four former employes of the Senator who have been the principal witnesses against him—James Boyd, Marjorie Carpenter, Michael V. O'Hare and Terry Golden.

In a seven-page letter to members of the committee and its staff, they have charged that "areas not covered in the hearings constitute the heart of the Dodd case."

They claim to have documented for the Committee that Dodd "exploited his office as a United States Senator" to encourage political donations and "to reward benefactors".

[United Press International reported that Sen. Wallace F. Bennett (R–Utah), vice chairman of the Ethics Committee, said he doubted the investigation would be reopened.

[Bennett was quoted as saying the committee did not pursue some of the charges because they were based solely on "documents stolen from Sen. Dodd's files."]

The principal charges made in the letter to the committee were:

That Dodd accepted cash donations and valuable gifts from executives of six industries under investigation by Committees on which he served.

That Dodd promoted Government contracts or legislation for men who had given him thousands of dollars in campaign and testimonial donations. In one such case, according to the letter, Dodd's efforts to get a Government contract were "so strenuous as to draw a rebuke from Presidential Aide McGeorge Bundy."

That nine men who had given or loaned Dodd nearly $90,000 were recommended by the Senator for Federal appointments, including ambassadorships. Two men who loaned him $35,000—George Gildes and Albert Morano—were placed on the Senate staff.

That Dodd while serving in the Senate, promoted Government assistance for three of his private clients.

That at least seven members of Dodd's staff "devoted the bulk of their time" on the public payroll to raising money for Dodd's personal and political use, that 13 members of the Juvenile Delinquency Subcommittee were diverted to work for Dodd on matters unrelated to the subcommittee's business, that members of the Internal Security Subcommittee staff were used as fund-raisers by Dodd, and that "some Senate employes were exploited as personal servants."

"All the factual statements made in this letter are demonstrably true," Boyd said his associates wrote, "and have been previously presented to the Committee through testimony and documentation . . . We feel that these matters are so significant that the public is entitled to hearings and to an authoritative judgment by the Senate Committee established for that purpose."

The authors of the letter said they had given "exhaustive testimony" to the Ethics Committee on all the matters covered by the letter. They named names.

In 1964, according to the former employes, Dodd requested Senate funds for an investigation of the motion picture industry. He subsequently accepted a $500 political contribution from a lobbyist for the Motion Picture Association, Edward Cooper.

While investigating television programming, Dodd accepted "political and personal contributions" from the president of the Metromedia television chain, John Kluge. Dodd was given valuable gifts including a television set by other Metromedia executives, the Committee was informed.

Dodd, according to the employes, received more than $4000 in contributions from executives of firearms companies under investigation by the Senator.

Donations were made to the Senator, the letter charges, by insurance executives whose industry was the object of an inquiry by Dodd and the Senate Antitrust and Monopoly Subcommittee.

The transactions included testimonial gifts of $4000, a $5000 legal fee from Bankers' Life and Casualty Company and "several thousand dollars in 'finders' fees" for helping an associate obtain insurance company loans.

A drug company—McKesson & Robbins—under investigation by a Foreign Relations Subcommittee on which Dodd served, regularly provided Dodd with transportation on a company plane, according to the employes, and a company vice president gave him a $1000 campaign contribution, they said.

Dodd also accepted a stereo console, the letter charges, from a Westinghouse lobbyist. The company was under investigation at that time by Dodd and the Senate Judiciary Committee.

Efforts to reach Senator Dodd failed. His telephone number is unlisted.

Among those named in the employes' letter, were John Lane of the Washington law firm Hendrick & Lane, and Joseph Sullivan, a New York lawyer.

Lane was said to have given Dodd a stereo console and testimonial donations while representing Westinghouse at a time the company was under investigation by Dodd's committee. Lane last night said, "Nonsense" but refused to discuss the matter further or to deny that he had given the Senator a phonograph.

Sullivan was said to have been recommended for ambassadorships by Dodd after making a campaign contribution to the Senator. Sullivan said: "I was endorsed by Senator Dodd, not recommended to him . . . I have been making campaign contributions to Tom Dodd for many, many years . . . The conclusion which is being drawn is being drawn erroneously."

Among others named in the letter, William Benton, Manlio Liccione, Edward Cooper, John Mosley, Matthew Manes and Edgar Parser could not be reached by phone.

Samuel Heyman of Danbury, Conn., who was said to have been appointed to an assistant U.S. Attorney's job on Dodd's recommendation, said he was unable to discuss the matter last night. He had guests at home.

James Edward Kelley, head of the Connecticut office for the Commerce Department, acknowledged loaning $5000 to Dodd but insisted that the loan had "nothing whatsoever to do with my job."

[From the Washington Post, Jan. 3, 1967]

Pearson Reports, Dodd Denies Offer To Settle

Columnist Drew Pearson said yesterday that he had rejected an overture from a representative of Sen. Thomas J. Dodd (D-Conn.) to settle his $2 million libel suit against Pearson out of court. Dodd denied it and said he had no intention of such a settlement.

Pearson told UPI that the unidentified spokesman for Dodd, had offered the settlement if Pearson and his colleague, Jack Anderson, would stop writing columns attacking Dodd

At North Stonington, Conn., Dodd said if anyone approached Pearson seeking a settlement, "it was done without my knowledge and without my permission.

"I have never authorized anyone to approach him," Dodd said, "I initiated this thing and I intend to collect. This is more in the public interest than in mine."

It was a series of Pearson-Anderson columns which triggered a Senate investigation into the Senator's relationship with a Chicago public relations man, Julius Klein, and Dodd is suing the columnists for $2 million.

UPI learned of the settlement offer which Pearson confirmed. He said that "a friend close to Dodd" had suggested the settlement for "early in November."

"We told him we weren't going to make a compromise," Pearson said. The columnist said he had not written about the reported approach and that he did not intend to write about it.

Dodd originally filed a $5-million, 14-count libel suit against the Columnists. He subsequently revised the suit to four counts and $2 million. The suit is pending in U.S. District Court here.

[From the New Republic, Mar. 18, 1967]

Testifying for Dodd

(By Robert Yoakum)

"Closed lips hurt no one, speaking may," said Cato, the Censor. Until two weeks ago, this had been the theory of Senator Thomas J. Dodd (D, Conn.) in the face of attacks on, and an investigation of, his financial and political practices. On the eve of his second encounter with the Senate Ethics Committee, however, the public vow of silence was broken. "I've had a bad press," said the senator. "Maybe I should have spoken out earlier about this bucket of garbage, but I didn't want to be answering every little jab. For a whole year I've held back. It has been worse than a hair shirt—it's been a thorn shirt. I've been lampooned, cartooned, and harpooned."

It has been a portentous week for Mr. Dodd. On the day I saw him, March 2, he had been "surprised" to learn that the Ethics Committee (officially, the Select Committee on Standards and Conduct) would open public hearings on his financial affairs March 13. He had been given this date a month earlier, but the failure of his lawyers to obtain hoped-for delays and suppression upset him.

The week had begun with stories out of Connecticut, which he confirmed, that his lawyers were circulating affidavits to hundreds of people who attended "Dodd dinners" between 1961 and 1965. A signer of the affidavit had to swear before a notary public that he bought dinner tickets "as a personal gift to Senator Dodd," and that he had been "motivated by my admiration and respect for him. They were not intended as a political contribution." In other words, all that money came from what the senator, in the different context of a Christmas letter to his constituents in 1964, called "the contagious spirit of selfless generosity. . . ." This phrasing of affidavits is an effort to rebut the most serious charge against Dodd—a double-headed one—that he pocketed for personal use, and paid no income tax on some $340,000 that had been raised ostensibly for his 1964 campaign and to pay off earlier campaign debts. If Dodd is to stay in the Senate and out of jail, he must sell that story to both the Ethics Committee and the Internal Revenue Service. He must also satisfy the Justice Department on another charge, which is that he accepted gifts, gratuities and cash in return for favors performed by him in the Senate.

The second day of that week brought an explanation, to those who needed it, of the fact that Dodd's most ardent defenders have included William F. Buckley Jr., John Chamberlain, and both the late and the living Fulton Lewises. The occasion was the Senate Foreign Relations Committee vote on the US-Soviet Consular Treaty. Fifteen senators, including doubting Bourke B. Hickenlooper of Iowa, voted for the treaty. Dodd joined Frank J. Lausche (D, Ohio), John J. Williams (R, Del.) and Carl E. Mundt (R, S.D.) to vote nay. Dodd's links with rightist groups are legion, his income from services to them substantial, his biggest individual campaign contributors are ultraconservative, and his statements on foreign policy have been in accord with these supporters and in conflict with that of the Kennedy and Johnson Administrations, on Laos, Congo, Vietnam, Cuba, China and Berlin. Dodd's view is that he is a liberal who gets tabbed as a rightist only because of his sturdy anti-communism.

But it was the third day, March 1, that produced the events that could affect the outcome of the Ethics Committee's probe more than anything else, though this had nothing to do with ethics, the Senate or Dodd. It was Adam Clayton Powell's hanging party in the House. When the trapdoor was opened under Powell, Dodd felt the draft. Everyone with whom I talked agreed that stringing Dodd up, too, would be the best way of convincing Negroes that capital punishment was being meted out regardless of race, creed or color. One cynic said that if the Senate Ethics Committee had been charged with the Powell case, and had taken as long as they have taken to explore Dodd's affairs (more than a year), there would have been hell to pay, but the hope is that Negroes won't think that.

Dodd does not believe his financial dealings are uncommon. "If you have done nothing unusual," I asked, "then what are we to make of your fellow senators? The men in this body must be hypocrites if they do the same things and yet don't come to your defense when you are pilloried."

Senator Dodd did not like this dichotomy: "No, you can't say they are hypocrites. They just don't know enough about the case. If they did, they would be disturbed."

Dodd's lawyers will have to get a 100-percent response in their signature campaign to convince the Ethics Committee that everyone involved in the testimonial meals knew they were shelling out for Dodd personally and not for any legitimate political purpose. That may prove difficult. They can't expect to get the signature of President Johnson, who attended two of these affairs as Vice President and said he had no idea they were "to obtain funds for personal use." (An Associated Press story about a $100-a-plate breakfast in Hartford on October 26, 1963, said, "The Vice President and his wife are in Connecticut today to help boost Dodd's campaign funds for reelection to his Senate seat in 1964.") Vice President Humphrey, who also spoke at a Dodd dinner in March 1965, said he, too, thought the money was to pay campaign debts. John Bailey, chairman of both the national and Connecticut Democrat parties added that he didn't think such affairs had ever been used in Connecticut to replenish a politician's private stock.

Dodd admits that these expensive repasts were "clearly not for a campaign, since they weren't held in a campaign year." He "assumed" that Johnson and Humphrey knew what the money was for, and everyone else did, although he insists he didn't know much about details of arrangements, since they were made by various committees in Connecticut.

James P. Boyd, the senator's aide for 12 years, his administrative assistant and chief speech writer for six years and the man whose defection triggered the investigation, disputes every part of Dodd's explanation. "In the first place," Boyd says, "Dodd always supervised the entire procedure when these affairs were being planned, right down to the mailing of letters and tickets. That's one reason he's such a successful politician. Next, when LBJ's advance man, Ivan Sinclair, called me to talk about the financial purpose of the 1963 dinner, Dodd pretended to be injured, and said, "Tell him that it's for the campaign, of course. Why are they questioning it?' I replied that a Vice President has to be careful. Finally, Vice President Humphrey had agreed to speak at the 1965 dinner, but then it turned out that John Bailey wanted him for the Jefferson-Jackson Day dinner at about the same time, and a small battle broke out over which banquet he would honor. He chose the Dodd dinner, but of course it is inconceivable that he would have chosen wittingly to raise private funds for Dodd over funds for the party."

Reviewing the list of possible witnesses, it appears that the Ethics Committee does not intend to examine charges that Dodd subverted the work of Senate committees by trading favors with people he was supposed to be investigating. It is hard to know how much substance there is to the allegations of Drew Pearson that Dodd swapped favors with the insurance companies when he headed a probe for the Anti-Monopoly subcommittee, but a strong case can be made that Dodd played ball with NBC and the Metromedia group as chairman of the subcommittee to investigate juvenile delinquency. It may be both improper and politically impossible to explore such a brair patch, which gets into thorny questions of a chairman's prerogatives and prickly areas of influence-making, but we must all regret the decision, if that's what it is. Here would be a rare opportunity for the nation to learn how power in Washington is used, for whom and at what price.

Mr. Boyd relates that before the Dodd story broke, one investigator expressed dismay at the prospect of taking on "another politician who's Irish, Catholic and loudly anti-communist. Joe McCarthy was condemned for financial irregularities, and J. Parnell Feeney Jr., (who changed his name to J. Parnell Thomas) was sent to jail for taking office kickbacks. If we take on Dodd, it's just going to be another big mess, and everyone involved will be called anti-Catholic, and pro-Communist." However, Mr. Boyd, Senator Dodd's assistant for all those years, an Irish Catholic and an anti-communist, is not very worried.

[From the Washington Post, Mar. 30, 1967]

Middle Course Senate Report Expected in Dodd Investigation

The staff of the Senate Ethics Committee, according to sources at the Capitol, is preparing a report on the conduct of Sen. Thomas J. Dodd (D-Conn.) that neither exonerates him nor recommends his expulsion from Congress.

When the Committee itself ultimately will recommend as a result of its investigation into Dodd's affairs has not been determined, these sources said.

They said the thrust of the staff report was a matter of necessity. The staff had to make some assumptions before anything could be written and was directed by the Committee to take a middle course.

A "middle course" could mean a recommendation that Dodd be censured, condemned or reprimanded by the Senate. It could also mean nothing if the Committee were eventually to decide to recommend Dodd's expulsion or exoneration.

Two principal charges have been made against the Senator. The first is that he used his official position to promote the interests of foreign agent Julius Klein with Klein's clients in Europe. The second charge is that he diverted more than $170,000 in political funds to his personal use.

Sen. John Stennis (D-Miss.) chairman of the six-member Committee, issued this statement:

"Since the hearings closed the Committee has had one meeting which was for discussion only. All members were present. No official action was taken. The Committee adjourned to meet soon after the recess for further consideration of the case."

[From the Washington (D.C.) Star, Apr. 27, 1967]

Censure Dodd, Ethics Panel Asks—Probe by United States Also Is Sought by Senate Unit—Justice and IRS Urged To Consider Criminal Charges

(By Robert Walters)

The Senate Ethics Committee today unanimously recommended that Sen. Thomas J. Dodd, D-Conn., be formally censured by the full Senate.

The committee concluded its 14-month-long investigation into charges against Dodd by proposing censure for conduct it said "is contrary to accepted morals, derogates the public trust expected of a senator, and tends to bring the Senate into dishonor and disrepute."

The committee also recommended that the Justice Department and Internal Revenue Service determine if there is any cause for criminal prosecution.

The committee's report was formally presented to the Senate in the opening minutes of the day's session by Sen. John C. Stennis, D-Miss., chairman of the six-man bipartisan panel.

ON TWO SEPARATE COUNTS

While Stennis spoke, Dodd entered the chamber and quietly took his seat. He listened to the brief explanation and, within a few minutes, left the floor. Only about 10 senators were on hand.

The committee recommended censure on two separate counts—Dodd's misuse of political contributions to pay personal expenses and his double-billing of travel expenses.

In a separate recommendation to the Senate, the committee said Dodd's relationship with Chicago public relations man Julius Klein "was indiscreet and beyond the responsibilities of a senator to any citizen."

But the report added that "there was not sufficient evidence of wrongdoing to warrant recommendation of disciplinary action by the Senate" pertaining to the Dodd-Klein relationship.

The committee said "other allegations of misconduct by Dodd" came to its attention during the course of the investigation. It said some allegations "did not show any wrongdoing" but others, "if proven, might possibly constitute violations of existing law."

It referred those charges to the Justice Department for further investigation, but did not list the charges in its 32-page report.

Also referred to the Justice Department were two charges mentioned during the committee's public hearings—a cash contribution of $8,000 to Dodd by the International Latex Corp. and the senator's acceptance of three cars loaned by a Connecticut contractor who sought Dodd's aid in securing government contracts.

IRS PROBE ASKED

The Internal Revenue Service has been asked to investigate three allegations covered in the public hearings—the International Latex contribution, "the taxability of campaign funds used by Dodd for personal purposes, and the taxability of the funds received by Dodd from the various fund-raising events."

In a supplementary report of two pages, the committee was critical of the four former Dodd employes who touched off the investigation by removing more than 4,000 documents from his office and making them public.

The report said that although it is the duty of Senate employes "to report wrongdoing to responsible authorities," the committee believed that "the unauthorized removal of papers from a senator's office by employes and former employes is reprehensible and constitutes a breach of the relationship of trust between a senator and his staff."

"PRIVILEGED COMMUNICATIONS"

The report further described the practice as "an invasion of what must be considered privileged communications between a senator and his correspondents" and "a threat to the orderly conduct of business of a public office."

The committee said that because all four former Dodd staff members are no longer Senate employes, "disciplinary action against them by the Senate is not possible," but it referred the question to the Justice Department for possible criminal prosecution.

About 45 minutes before the report was made public, Stennis visited Dodd's office, presumably to present him with a copy of the report and advise him of the action taken. The two men were together for about 30 minutes.

[From the Washington Post, Apr. 28, 1967]

Panel Urges Senate To Censure Dodd—Senator Sits Alone as He Gets Verdict—Unanimous Report Says Deeds Tend To Dishonor Body

(By Richard Harwood)

The Senate Committee on Standards and Conduct recommended unanimously yesterday that Sen. Thomas J. Dodd (D-Conn.) be "censured" for conduct that "tends to bring the Senate into dishonor and disrepute."

The verdict of the bipartisan Committee had been expected for weeks and was treated by the Senate—and by Dodd—as an anticlimax to an investigation of the Senator's affairs that has been in process for more than a year.

Only a handful of Senators were present at noon when the Committee Chairman, Sen. John Stennis (D-Miss.), arose to file the Committee's report and announce its verdict. Dodd was in the chamber, sitting all alone.

When Stennis had finished the 5-minute report, Dodd went immediately to the press galleries to announce that he would run for reelection in 1970 and to declare that his "conscience is clear."

He was accused in January, 1966, of having abused his position in the Senate to advance the financial fortunes of foreign agent Julius Klein and of having misused large sums of money given to him for political purposes.

The charges were made by columnists Drew Pearson and Jack Anderson and were based on thousands of documents taken from Dodd's files by a group of former employes that included James P. Boyd, Majorie Carpenter, Michael V. O'Hare and Terry Golden.

The Committee's judgment was that Dodd's relationship with Klein had been "indiscreet and beyond the responsibilities of a Senator to any citizen." But it found insufficient evidence of "wrongdoing to warrant recommendations of disciplinary action by the Senate."

Dodd's use of political money, however, was strongly condemned by the Committee and was the basis of its censure recommendation.

The Committee accused Dodd of using "the influence and power of his office" to collect political money for his personal use and of billing both the Government and private organizations for trips he took. . . .

[From the Washington Post, July 27, 1966]

Probers Reveal Dodd's Request for CIA Support

The Senate Ethics Committee disclosed last night that Sen. Thomas J. Dodd (D-Conn.) had sought support of the Central Intelligence Agency in his efforts to clear himself of misconduct charges.

The Committee released the text of a letter it got from CIA Director Richard Helms partly supporting Dodd's version of a controversial trip he made to West Germany in 1964.

Committee Chairman John Stennis (D-Miss.) said in a statement accompanying the letter that it had been handed to him by a CIA man "who stated that it was in response to inquiries from Sen. Dodd."

Earlier in the day, after word of the letter had leaked out, Dodd denied to reporters that he had asked the CIA for the letter. He said he first learned of it from newspaper accounts.

In other developments yesterday:

Government investigators, it was learned, are studying "more than one," alleged conflict of interest against Dodd.

A last-minute hassle over a deposition Dodd was to have given today in connection with his libel suit against columnists Drew Pearson and Jack Anderson is expected to send lawyers for both sides into Federal District Court.

In the cautiously worded CIA letter, Helms who recently took over as director, said Dodd had been in contact with the CIA both before and after the 1964 trip.

Dodd has been accused of going to West Germany primarily to help out old friend Julius Klein, a Chicago public relations man fearful of losing his West German clients.

The Senator has told the Ethics Committee that he made the trip as chairman of the Senate Internal Security Subcommittee to investigate Soviet terror tactics.

In the letter dated July 14, Helms said Dodd "has asked this agency to confirm the fact of his contacts with this agency in obtaining information on Soviet murders, assassinations and kidnapings."

The CIA director said he was "pleased to provide this information for such use and consideration as the Select (Ethics) Committee may deem appropriate."

"Sen. Dodd and his assistant, David Martin, were in contact with representatives of this agency intermittently both before and after the Senator's trip to Germany in April of 1964 in an effort to obtain as much information on the subject as could be made public at that time," Helms wrote. He added:

"Particular attention was given to the case of Bogdan Stashynsky since a great deal of information about the case was a matter of record and could be made public."

While Helms' letter showed that Dodd was interested in Stashynsky (a confessed assassin), it avoided the issue of whether that was the reason for the trip.

Dodd's former administrative assistant James P. Boyd, told the Ethics Committee that the Senator's inquiry about Soviet terror tactics was only a coverup for the real reason for the trip—which Boyd said was to help Klein.

While Dodd had professed not to know of the CIA letter, Stennis said that the Connecticut Senator's attorney, John F. Sonnett, had offered it in evidence July 19 after the Committee had finished questioning Klein.

John Averill of the Los Angeles Times reported that Stennis was privately furious over the circumstances that forced release of the letter. Word of the letter was said to have been leaked by one of Dodd's lawyers.

Meanwhile, both the Justice Department and the Ethics Committee were understood to be studying conflict of interest allegations against Dodd.

Neither would comment, but it was learned that the Senator's intervention with Federal officials on behalf of a Connecticut builder—disclosed last week by columnists Pearson and Andrews—was not the only potential conflict under study.

Pearson and Anderson have also accused the Senator of turning to his personal use several hundred thousand dollars in campaign contributions.

The Senator sued for libel, but subsequently dropped the part of his complaint against the columnist dealing with campaign finances.

Dodd was to have given a deposition in the libel suit today at 10 a.m. in the offices of Anderson's attorney, Warren Woods.

But Woods said he was told late yesterday afternoon that the Senator was unwilling to leave Capitol Hill for the questioning.

Woods said he had already completed arrangements and did not want to drag all his files to Dodd's Senate offices.

The Senator's attorneys could not be reached for comment.

In the late afternoon, however, Woods said he was told that the Senator wanted to stay close to the Senate for roll-call votes that might be coming up.

[From the Wall Street Journal, July 19, 1966]

Klein, a Witness at Dodd Hearing Today, May Embarrass Some Washington Notables

(By Jerry Landauer)

WASHINGTON.—When Julius Klein takes a seat at the witness table before the Senate Ethics Committee today the name-dropping retired general's numerous political acquaintances will be hoping he won't name too many. They don't want to be too closely identified with this central figure in the Senate investigation of Connecticut Democrat Thomas Dodd.

The hope, however, is bound to be dashed. "I can't wait to testify," asserts Mr. Klein, a Chicago-based public-relations practitioner who makes a career of befriending the high and mighty. "You can bet I'll have lots to say," he adds.

For the most part, Maj. Gen. Klein (the title derives from the Illinois National Guard) hopes to refurbish his own image: "My reputation means more to me than all the U.S. Senators put together." But what he says may embarrass Vice President Humphrey and other luminaries who along with Sen. Dodd helped Mr. Klein douse bad publicity stemming from a 1963 Senate investigation of the U.S. activities of agents for foreign interests.

At the time, Chairman Fulbright (D., Ark.) of the Senate Foreign Relations Committee pointed to Mr. Klein as among the agents who played up their influence with Washington figures to impress foreign governments and naive businessmen. Sen. Fulbright's remarks plus erroneous reports in some German newspapers that Mr. Klein was on trial for wrongdoing led to his loss of several lucrative West German public-relations accounts, including the Daimler-Benz auto company.

Another account, this one paying $150,000 a year from a government-subsidized society of German businessmen, also seemed in jeopardy. To save it, Mr. Klein turned to Congressional contacts made during a 40-year career as a politician (he ran in vain for the Illinois Republican Senate nomination in 1954), Army officer, former national commander of the Jewish War Veterans, liberal campaign contributor, image-maker, Pentagon adviser and unpaid Senate consultant. "Julius Klein has more friends in the Senate and House than any man I know," Hubert Humphrey said of him in 1962.

Sen. Dodd was among those to whom Mr. Klein turned after the Fulbright investigation. Overlooking Mr. Klein's rebuke for not having attended the Fulbright hearings ("I'm ashamed of you, Tom," the public-relations man wrote), Sen. Dodd dispatched letters of praise for him to key West German officials and put in a good word for friend Klein at a meeting with former West German chancellor Konrad Adenauer in 1964. This Dodd trip to Germany at government expense, Sen. Bennett (R., Utah) of the Ethics Committee has alleged, was prompted more by Mr. Klein's cries for help than by the ostensible intention of investigating the Soviet international murder apparatus.

Despite Sen. Bennett's view of the reason for the trip, it's considered unlikely that Sen. Dodd's peers will condemn him for it. For one thing, the Ethics Committee staff hasn't developed evidence that Mr. Klein proffered, or that Sen. Dodd accepted, valuables in exchange for the trip. Moreover, Mr. Klein takes the view that other Senators were equally prepared to help a friend reverse an injustice.

One such Senator was Mr. Humphrey, then Senate Democratic whip. Fed up with Mr. Klein's pleas, Sen. Humphrey declined to write still another testament to the general's probity. "You have that in writing many times and you have demonstrations of respect by many personal acts on my part," he told Mr. Klein. But Sen. Humphrey did agree to attend a meeting in the office of Senate Republican Leader Dirksen of Illinois with German Ambassador Heinrich Knappstein on Jan. 10, 1964.

As it turned out, a hurry-up call to a White House meeting that day prevented Sen. Humphrey from keeping the date. Deeply disappointed, Mr. Klein renewed his entreaties for a gesture of support, and this time Sen. Humphrey succumbed.

"When you get back," Mr. Humphrey wrote on Feb. 6, "I would be more than pleased to sit down with you and the German ambassador so that we can have a good friendly discussion. I think this would be desirable for all parties. So keep it in mind."

Sen. Humphrey continued: "When you are speaking to some of your clients, I wish you would show them this letter. There is not a single thing in the reports of the Fulbright committee that indicates that you have done anything improper. To the contrary, these reports reveal that you have done a very good job of representing your clients.

"Furthermore, those hearings and reports reveal that you have a host of friends in the Congress of the United States in both political parties, and men of considerable stature in the Congress who have a high regard for you and respect for your professional ability."

As a further salve, Sen. Humphrey apparently undertook to help Mr. Klein land the public-relations account of ADELA, an investment company to which 130 corporations in 13 countries have pledged to contribute $40 million.

"I am getting in touch with Sen. Javits at once on the suggestion that you made in your letter of Jan. 16 concerning the public relations for the ADELA program," Sen. Humphrey assured Mr. Klein. "I shall be talking about it to Sen. Javits this week and will do all I can to comply with your request."

The investment company was conceived by Sen. Javits, New York Republican, and promoted by Sen. Humphrey as a way to pump private funds into capital-starved Latin American lands. Mr. Klein didn't get the public-relations account because, he explains, the organizing corporations failed to meet the set quota for contributions.

Vice President Humphrey's aides say they doubt whether the contemplated discussion with the German ambassador materialized. They say, too, that Mr. Klein subsequently wore out his welcome by continuing to intrude on Mr. Humphrey's generous nature.

Indeed, Mr. Klein himself wonders whether his steadfast friend for many years still likes him. "Sen. Humphrey was a very good friend of mine," he says, "but whether he still considers me a friend, I don't know."

[From the Washington Post, July 26, 1966]

Newsweek Claims Dodd Made $350,000 Profit

New York, July 25.—Newsweek magazine says evidence presented to a Senate committee purports to show that Sen. Thomas Dodd (D-Conn.) took in $500,000 in testimonial gifts and campaign funds in three years and spent only $150,000 of it for campaign purposes.

Dodd himself has not replied in detail to the charge of misuse of campaign funds. His aides, however, have issued statements implying that Dodd considered the money raised at testimonal dinners as "personal gifts" and not "campaign contributions."

Today, an aide to Dodd said he saw no reason why a response should be made to the Newsweek article.

The magazine said in its current issue that the figures were given the Committee on Standards and Conduct by former members of Dodd's staff who removed numerous documents from Dodd's files.

Newsweek also said that Dodd settled $59,500 in personal debts after a fund-raising dinner last year although his reported annual income had been going down steadily (from about $60,000 in 1962 to some $35,000 in 1964.)

Newsweek said Dodd also used campaign contributions to pay a ghost writer $8500 for a book not yet published called "Subversives in America"; for a liquor bill and family tabs at the Congressional Country Club, and for a $5500 airlines bill that included family vacation flights to Florida.

[From the Washington Star, May 22, 1966]

What To Expect of the Dodd Case Hearings

(By Carl T. Rowan)

Don't expect anything dramatic when the the Senate Ethics Committee gets around to those hearings on misconduct allegations against Sen. Thos. J. Dodd, D-Conn.

One committee member is telling friends how relieved he is that Dodd filed a $5 million libel suit against Drew Pearson and Jack Anderson, the columnists who made the allegations. This, he says, gives the senators a good excuse not to deal hastily with certain issues: They will plead unwillingness to tamper with certain matters that are before the courts.

The committee will go ahead with its investigation of Dodd's relationship to Julius Klein, a lobbyist representing West German interests. But there is a strong desire on the part of some senators "not to sacrifice Dodd just to cleanse the conscience of the Senate."

One outspoken member of this group says he feels Dodd has simply been extra-energetic at doing what most members of the Senate have done to some degree.

"I can describe you a composite senator who is much worse than Dodd, just as I could have pictured a composite senator who was much worse than Joe McCarthy," he said.

This senator's view is that the Ethics Committee's real job is to let the Dodd case prod it into developing some standards by which a senator can be judged in the future.

Whether this is an overly charitable attitude toward Dodd remains to be seen. But there can be no doubt that the Dodd case highlights the need to take a hard look, not only at congressional ethics, but also at the army of fat-walleted lobbyists who are constantly out to buy elected officials, newsmen and anybody else with any influence.

All the Ethics Committee needs to do is read the record of the 1963 hearings in the Foreign Relations Committee on lobbying by foreign agents.

These hearings produced a fantastic and sometimes disgusting array of evidence of free trips abroad and even cash payments to individuals expected to promote such diverse things as Portuguese colonialism and Dominican sugar.

For example, I reported in an earlier column on a group called the American-African Affairs Association and its use of such Negro "front men" as George Schuyler of the Pittsburgh Courier in its effort to sell Rhodesian racism to the American public.

The 1963 hearings turned up some interesting documents relating to the use of Schuyler and his daughter, Phillipa, by Selvage and Lee, lobbyists representing the Portuguese.

The hearings revealed payment of $150 to Schuyler by Selvage and Lee at about the time Schuyler did a supplement for the Courier praising the Portuguese role in Angola and Mozambique. It disclosed a $199.12 payment to the Courier and the fact that Selvage and Lee distributed thousands of copies of the supplement.

The hearings also revealed that the lobbyists financed at least part of a trip through the Portuguese colonies by Schuyler's daughter, that Selvage and Lee paid her at least $200 and that a Selvage and Lee memorandum said the following of Miss Schuyler: ". . . Philippa Schuyler has finally started to pay off for us in a very substantial way. Since her return to the States, she has been on a nationwide concert tour and practically everywhere she has gone she has had radio and television interviews which she discussed Angelo and Mozambique. . . ."

The testimony made it clear that Portuguese money was targeted particularly at whom Selvage and Lee hoped would be influential Negroes.

That is just one sample by the way lobbyists buy influence in Washington and elsewhere.

There are some in this town who hold that the temptation of the lobbyists' fat bankroll is more than a poor congressman, struggling along on $30,000 a year, can be expected to withstand. So what to do?

It is unreasonable to ask that all lobbyists be banished. And it is foolish to expect them not to try to wield influence through one kind of favor or another.

It is not unreasonable to expect that the Congress, the executive branch—and the press—can develop some reasonable guidelines to help determine when integrity becomes compromised.

[From the Washington (D.C.) Evening Star, Mar. 11, 1966]

Dodd Probers Report "New Questions Raised"

(By Cecil Holland)

The select committee on Senate ethics investigating allegations against Senator Thomas E. Dodd, D-Conn., reported after a meeting today that "new questions were raised and will be pursued."

The nature of the questions was not disclosed in the committee statement, issued after a two-hour meeting.

Talking with reporters, Sen. John C. Stennis, D-Miss., the chairman, said the inquiry was "dealing primarily with the whole thing relating to the Klein phase" and included Dodd's trip to West Germany in 1964.

Dodd asked for the inquiry after several articles by newspaper columnist Drew Pearson regarding his relations with Julius Klein, Chicago public relations man and agent for West German interests.

Stennis said the meeting, the second held on the matter, was devoted to an analysis and discussion of Dodd's answers and review of voluminous correspondence which Dodd turned over to the committee, as well as material "from other sources."

"We are definitely making progress and will meet again soon to resume our investigation and considerations," the committee statement said. Stennis added that "we are taking this step by step and trying to do a good job."

Sen. Wallace F. Bennett of Utah, the ranking Republican on the six-member committee, said the committee's first obligation is "to investigate charges affecting our colleague." Later, if necessary, the committee can look into allegations that letters and other material from Dodd's files were turned over to the columnist by a former employe of the senator, he said.

The bipartisan Select Committee on Standards and Conduct was set up in the wake of the Bobby Baker investigation.

[From the Washington Post, Apr. 28, 1966]

IRS ORDERS DODD CASE TAX PROBE—TREASURY MEN SAY SENATOR IS FACING "PROBABLE" CLAIM

(By Richard Harwood)

The Internal Revenue Service has ordered its agents to make a far-reaching tax investigation here and in Connecticut of Sen. Thomas J. Dodd's financial affairs.

Treasury officials told The Washington Post last night that a tax claim against the Senator is "probable." Whether it will involve criminal charges for tax evasion or will merely be a civil matter is uncertain, according to a highly placed source in IRS.

The Senator's potential tax liability arises out of funds he received from "testimonial" dinners and cocktail parties in 1961, 1963 and 1965.

Dodd's associates have said that the proceeds from these gatherings were "gifts" to the Connecticut Democrat, that they were used, in part, to repair personal fortunes, and that they were nontaxable.

PROOF IS UP TO DODD

IRS officials, however, said that the burden of proof is on Dodd to show that the money involved—reportedly between $170,000 and $200,000—was donated for Dodd's personal use rather than to meet the direct expenses of his political campaigns.

At the 1961 and 1963 dinners, then Vice President Johnson was the principal speaker. Vice President Humphrey gave the major address at the 1965 dinner in Hartford. Both Mr. Johnson and Humphrey have said that they were unaware that the proceeds of these dinners would be turned over to Dodd as "gifts" for his personal use. These statements by Mr. Johnson and Humphrey were factors in the IRS decision to initiate the investigation of Dodd.

Intimation of an income tax prosecution was, in effect, the IRS reply to a charge yesterday by Sen. John J. Williams (R-Del.) that the IRS was attempting to help Dodd escape tax liability on "testimonial gifts."

Williams said IRS officials have hinted that Dodd may owe no taxes because of loopholes in the tax law and are quietly lobbying at the Capitol for a new law that would "excuse past violations."

"This would be a neat trick," Williams declared, ". . . if they (IRS) could get Congress and the public to accept it. I flatly refuse to be a part of any such backstage plan."

IRS Commissioner Sheldon Cohen denied the Williams allegation and said he has neither authorized nor heard of any lobbying on the matter by IRS.

Williams' charge came in the wake of spreading controversy over the Dodd affair and in the context of widespread expressions of concern in Congress over the ethical standards of men in public life.

Within the past week it has been disclosed that several Congressmen—Dodd, Sen. Thomas McIntyre (D-N.H.), Rep. Robert Giaimo (D-Conn.), Rep. Thomas Morgan (D-Pa.) and others—have been the beneficiaries of political contributions not earmarked for campaign purposes. More disclosures of this nature are expected.

"I feel strongly," Sen. Clifford Case (R-N.J.) told the Senate yesterday, "that both the giving and receiving of such contributions are thoroughly bad public policy."

As a minimum step, Case urged the Senate to enact legislation requiring all members of Congress to disclose the sources of their income and to give a public accounting of their financial holdings.

In the House, Rep. Charles Bennett (D-Fla.) said the Dodd case has raised an issue "highly embarrassing to every member of the House and Senate" and has emphasized the need for new legislation. Bennett proposed the creation of a Commission on Ethics in the Federal Government, the creation of a House Committee on Grievances to receive detailed financial reports from House members, and a more effective lobbying law to be administered by the Comptroller General.

It was Williams, however, who bored into the Dodd case without regard for the niceties of Senatorial "courtesy."

He put into the record a solicitation letter used to raise funds for Dodd in 1963 which showed, Williams said, that the money was intended for Dodd's 1964 re-election campaign.

"Any effort to claim that campaign funds diverted to the personal use of a public official are not taxable is a farce," Williams declared. "In fact, as far as I am concerned even if the Member does pay tax on these diverted funds it is still improper."

[From the Washington Post, July 20, 1966]

SAYS JAVITS NEEDED NO BRIEFING—KLEIN ADMITS HE PURSUED DODD FOR HELP IN SHORING UP IMAGE

(By George Lardner Jr.)

Puffing on a Corona Corona and quoting Shakespeare as best he could, Julius Klein protested yesterday that he would never try to corrupt a United States Senator.

The portly, name-dropping publicist insisted to the Senate Ethics Committee that he had a "God-given right" to ask Sen. Thomas J. Dodd (D-Conn.) to help shore up his sagging image with his West German clients.

Dodd, he suggested, just needed more coaching than other Senators might.

"I don't call this pressure," he said.

He expressed much more satisfaction with the assistance he said he got from Sen. Jacob K. Javits (R-N.Y.).

"Senator Javits," Klein told the Committee, "is completely indoctrinated in this issue."

Flanked by two attorneys, Klein, a registered foreign agent, was the final witness in the first phase of the Committee's inquiry into misconduct charges against Dodd.

The Connecticut Senator has been accused of serving as an errand boy for Klein, especially in connection with a 1964 trip the Senator made to West Germany.

Klein took "full responsibility" for peppering Dodd with letters, memos, telegrams and phone calls for help in clearing him of criticisms leveled at him the year before by the Senate Foreign Relations Committee. He said it was hurting him with his clients.

But, he said, "if I had to write a thousand letters, I would do it. I'm starting to write letters again," he added.

Committee Chairman John C. Stennis (D-Miss.) noted that Klein's correspondence with Dodd showed that "you were telling him just not only whom to see (in West Germany) but how to see them. . ."

Klein conceded that he hadn't done that with other Senators he had written to help him out. But he said that was because Dodd, while a member of the Foreign Relations Committee, hadn't attended the 1963 hearings that questioned his activities.

"I was disappointed," he said.

The balding publicist who heads Julius Klein Public Relations Inc. of Chicago said Javits, by contrast, "doesn't need any briefing."

"He knows exactly what happened and defended me and rightfully so. Senator Javits is a very distinguished Senator but also very highly respected in American Jewish circles. I was portrayed as a Nazi lover representing Nazis."

TELLS OF JAVITS'S AID

Javits made a 1964 trip to West Germany shortly before Dodd's trek, which lasted from April 6 to 12. Klein said the New York Senator put in a good word for him with former Chancellor Konrad Adenauer and former Foreign Minister Heinrich von Brentano.

"You would have been satisfied if Senator Dodd had come to Germany and done whatever Senator Javits did?" Sen. Eugene McCarthy (D-Minn.) asked him.

"That is right," said Klein.

(Javits put out no formal statement replying to Klein's testimony, but told reporters he was in Bonn in January of 1964 in connection with the NATO Economic Committee and ADELA, the organization set up to help channel funds for industrial development in Latin America.

He said that as he recalled it, Klein's name was brought up—by Adenauer and von Brentano—when he was discussing Nazi indemnification funds with them.)

("They knew him and knew that I knew him," Javits said. Both times, he said, Klein's support of liberal indemnifications was cited. "I thought Klein's position reflected credit of him," Javits said.)

Wearing a blue suit with a pin for the Soldier's Medal he says he won in World War II Klein testified throughout the day before a bemused audience.

His testimony was often vague and sometimes contradictory. His face looked pallid when he started out, but it reddened in some of the exchanges. He wound up with a pink flush on his cheeks, none the worse for wear.

DEFENDS REPUTATION

Despite the loss of several lucrative PR accounts, Klein insisted that it was his reputation that kept him plugging away at the blemishes on his name.

"As a great Englishman once said," he recalled in a grasp for Shakespeares' "Othello," "you steal nothing when you steal my money, but when you steal my reputation, you steal everything."

Klein was asked if all this meant he threw in complaints of lost contracts in his letters to Dodd "gratuitously."

"Well," said the witness, "I wouldn't go as far as that. I am a businessman."

He acknowledged huddling with Dodd on his return in New York, but said he "took it for granted" that Dodd had done a good job of sending his image back up the flagpole. Dodd has testified that he intended to put in a good word for Klein "if the opportunity arose," but got a chance only with Adenauer.

Klein had given him a list of nine West German officials and businessmen to see. But he said at one point that he didn't even ask Dodd on his return whether he had seen Adenauer or anyone else.

"He didn't even state to me that he mentioned me in a favorable manner to Chancellor Adenauer," Klein said.

Stennis was incredulous. "As reflected by your letters," he told Klein, "you had this matter very much on your concern before he left.

"Do you mean to say that now when he got back, you didn't even ask him whom he saw, if he said a word to any, not even one, in your behalf, I mean?"

Klein said all he asked Dodd was "Did you speak to my friends?"

BLAMES FULBRIGHT

Klein, who blames Senate Foreign Relations Committee Chairman J. William Fulbright (D-Ark.) for all his troubles, said "Dodd simply replied, 'Everybody seems to understand the Fulbright matter better now.'

"I said, 'That is wonderful,'" Klein concluded, though he added then that Dodd "did mention Chancellor Adenauer . . . he spoke to Chancellor Adenauer about me."

Klein also denied writing a memo to Dodd, one of those in the pre-trip "dossier" sent to the Senator, which stated that a West German government office headed by Dr. Karl Carstens "subsidized or contributed heavily" to Klein's leading clients, the Society for German American Cooperation. . . .

[From the Washington Post, Mar. 14, 1967]

DODD ADMITS PERSONAL USE OF DONATIONS—HOME BILLS, TRIPS PAID OUT OF GIFTS—PART OF $400,000 IS ACCOUNTED FOR IN 100 STIPULATIONS

(By Richard Harwood)

Sen. Thomas J. Dodd (D-Conn.) admitted in official stipulations yesterday that a large part of more than $400,000 he received in political donations between 1961 and 1965 was used to underwrite his personal standard of living.

The money financed major improvements at his country place at North Stonington, Conn., paid for a trip to London by his wife, trips to Jamaica and Curacao, a ghost writer's $8000 literary fee, parties, private club dues, and numerous personal bills run up by his sons. Nearly $29,000 went to retire loans that enabled him to pay his Federal income taxes in 1962, 1963 and 1964.

PAID FOR SEVEN TRIPS

He further admitted that he had charged the Senate for seven out-of-town trips that also had been financed by private groups and that in 1964 and 1965 he had been given the free use of automobiles by a Connecticut corporation headed by David P. Dunbar.

These were among more than 100 stipulations agreed upon by Dodd and the Select Committee on Standards and Conduct, which is inquiring into the Senator's use of political funds.

The facts to which Dodd has stipulated were developed by Benjamin Fern and other members of the Select Committee staff over the past several months. They were obtained primarily from bank records subpoenaed by the Committee.

OTHER TESTIMONY

The inquiry into that phase of his affairs opened yesterday with testimony:

That Dood authorized a staff member from the Senate Internal Security Subcommittee to keep, in lieu of a pay increase, 25 percent of any campaign funds he could collect for the Senator in 1964. The staff member was identified as David Martin, a speech writer and foreign affairs adviser to Dodd.

That another Internal Security Subcommittee staff member, Julian G. Sourwine, "hijacked" Dodd out of $2500 to cover a bad check issued by Sourwine.

That the board chairman of the International Latex Corp., A. N. Spanel, offered through a subordinate to contribute $10,000 to Dodd's 1964 campaign in exchange for the Senator's help in securing an ambassadorship.

The stipulations released by the Committee accounted for $189,994 in "testimonial" funds which the Senator regarded as personal "gifts" and $239,328 in contributions presumably earmarked for his 1964 reelection campaign.

There was a considerable shifting around of these funds between various bank accounts. But three principal accounts were identified by the committee and confirmed by Dodd . . .

SENATOR DODD'S DEALINGS WITH WEST GERMAN REVEALED

(By Jack Anderson)

WASHINGTON.—This column has uncovered secret correspondence between Sen. Tom Dodd, D-Conn., the Nuremberg prosecutor, and Julius Klein, the West German agent, showing how Dodd has worked behind the scenes to promote West German interests.

He has delivered laudatory Senate speeches about West Germany, signed letters that Klein drafted for him, and entertained German visitors on Klein's expense account.

When the Senate Foreign Relations Committee investigated Klein's operations as a foreign agent, Dodd used his membership on the committee to soften the impact. He even made a special trip to Germany in 1964 to help Klein hang onto his clients.

In return, Dodd has accepted expensive gifts from the West German agent (a Persian rug for the Dodd home, for example). The senator has also used Klein's fashionable New York apartment almost as his own, partaking generously of the liquor.

In his letters to the senator, Klein has stressed that "friendship is a two-way street," thus implying he has proved his friendship in a positive way and expects Dodd to reciprocate.

Klein denied to this column that he had ever sent gifts to Dodd or that the senator had ever stayed in his apartment, except possibly for brief social calls. This column has documentary evidence proving otherwise.

Klein admitted the records would show, however, that he had purchased a $1,000 table at a testimonial dinner for Sen. Dodd in Connecticut.

The secret correspondence reveals a curious friendship between the striking, silver-haired senator with the sculptured profile, who got his political start prosecuting Nazi war criminals, and the balding, owlish past commander of the Jewish War Veterans, who has made a fortune lobbying for West German industrialists.

GERMAN GHOSTWRITER

As early as 1959, for example, Klein was supplying speeches for Dodd. He airmailed a speech on Sept. 4, 1959, for Dodd to deliver on the Senate floor.

"As I told you on the telephone," Klein explained in the accompanying letter, "I am enclosing herewith an address which Harry Blake, of my staff, prepared for you . . . The 15th of September will be Chancellor Adenauer's 10th anniversary. You, as a former prosecutor of the war crimes of the Nuremberg trials, are the most qualified man in the Senate to remind us of the valued friendship of this staunch old man . . .

"As soon as you have edited the copy, please deliver it not only to the American press, but also to the German correspondents accredited to the national press corps, and send a copy over to the press attache of the German Embassy, including Minister Krapf."

Again on Aug. 29, 1961, Klein wrote a letter, marked "Personal, please," asking Dodd to deliver another speech giving "Chancellor Adenauer the recognition he deserves."

"I suggest," wrote Klein, "that your speech writer review this material with a view to paraphrasing it as coming from you."

When Klein needed to impress a visiting client, Dodd was usually available. Klein wrote the senator from Germany on Feb. 24, 1961, about an expected visitor:

"Dr. Wolfgang Pohle, chief executive of the Flick syndicate, will be in Washington the first week in March," Klein advised. "I hope you will meet him. Pohle is one of the top executives in the Flick syndicate and my client . . .

"When Dr. Pohle visited the U.S. the last time in 1956, you were the host in the Speaker's dining room, tendering Dr. Pohle's luncheon."

CAR AND CHAUFFEUR

In the same letter, Klein brought up the question of a Mercedes auto dealership sought by one of Dodd's friends.

"Dr. Pohle told me," wrote Klein, "that your friend, Von Papen, asked him to assist one of your friends with the Mercedes people. Mercedes is part of the Flick combine.

"Unfortunately, your request came too late. Too bad you did not know that I handled the Flick people, as it would have given me great pleasure to have been of service to you with them. Anyhow, when I get back to the states, we can talk about it, as there is nothing you know, that I would not do for you or any of your friends."

The following summer, Klein arranged for Dodd to take a European trip.

"I think it would be most timely," he wrote on July 25, 1961, "if you could get away from your busy chores and your terrific parliamentary calendar and make a quick trip to Germany."

Before Dodd's departure, he received a letter from Klein who had flown on ahead.

"I already cabled and informed my Washington office," he wrote, "to tell you that there will be a Mercedes car with an English-speaking chauffeur at your disposal when you arrive in Paris. I hope that you and Grace (Dodd's wife) will enjoy the trip.

"The car and chauffeur will be made available to you with the compliments of your mutual good friend, Dr. Pohle . . . I suggest that the car and chauffeur be at the George V hotel upon your arrival, and then you and Grace take over command."

The Senate Foreign Relations Committee launched its investigation of Klein late in 1963.

"I have never asked a senator for a favor because I have no favors to ask," Klein testified blandly under oath. "I have no interests here on the Hill."

Startling facts, that were successfully hidden from the Senate investigators, will be revealed soon in another installment of the curious Dodd-Klein story.

[From the Washington Post, Jan. 26, 1966]

DODD'S AGENT SKIRT ACT'S INTENT

(By Jack Anderson)

Secret correspondence between Sen. Tom Dodd, (D-Conn.) and Gen. Julius Klein, the registered German agent, goes to the heart of why the Foreign Agents Registration Act was passed.

When Sen. William Fulbright, (D-Ark.) chairman of the Senate Foreign Relations Committee of which Dodd is a member, started his probe of foreign agents, Dodd got extremely nervous. He spent many a weekend in Klein's suite at New York City's fashionable Essex House, while the Senate Foreign Relations Committee was investigating Klein's lobbying operations. Despite this hospitality, Dodd got so nervous when Committee investigators discovered that Klein had asked him to sponsor a resolution supporting German reunification that he rushed a letter to Chairman Fulbright.

"General Klein's letter was never answered, and the resolution referred to was not introduced by me," wrote Dodd on Oct. 9, 1963. "I think it appropriate that my reply to you be made a part of the official record."

KLEIN SPUTTERS

It took several weeks for Klein to discover how coldly he had been treated by his friend. Sputtering with rage, he dictated a letter to Dodd on Nov. 29.

"My dear Tom," Klein began, "I am now looking through the printed report of the Fullbright hearing, and nothing shocked me more than your letter of Oct. 9.

"While I will not object to your taking this position as far as the subject of the resolution is concerned, even though it is not based on facts, you and I had discussions about it and corresponded about it . . .

"Now there is one thing I object to in your letter to Senator Fulbright and that is your last line: 'I think it appropriate that my reply to you be made a part of the official record.' You did not even add a few remarks about our personal friendship so that there should be no reflection on me . . .

"No one knows better than you my activities in Washington.

"I asked you to be present at the executive session (of the Senate Foreign Relations Committee). You promised me the night before that you would attend—but you were not there. I wired you to be present at the public hearings—you were not there either.

"What are you afraid of? Do you consider friendship a one-way street? All I can say is I am ashamed of you. With this Tom, I close the chapter for good."

DODD REPENTS

At this Dodd repented.

"I am now and have been deeply distressed about my letter to Fulbright," he apologized on Dec. 9. "No one thinks more highly of you than I do, and no one believes more strongly in you than I."

Dodd claimed the offending letter had been written by an aide. Chastened by Klein's wrath, he sent Fulbright an addendum attesting: "I have known General Klein for many years, and I consider him to be a man of sterling character and of great competence. In addition, he is one of the most patriotic Americans I have met, and he is dedicated and devoted to the best interests of our country."

This won Klein's full forgiveness, though he was dismayed to find that the letter was not included in the final transcript of the Fulbright hearings.

"Because of this omission," he wrote later to Dodd, "I suggest that you insert your letter in the Congressional Record, with appropriate remarks. This should give you an opportunity to say a few extra words."

Klein reciprocated a few months later by writing a letter to Jewish voters in Connecticut, urging Dodd's reelection.

"When some unwarranted attacks were made on me, Senator Dodd—without being asked—was right there in my corner," Klein deeclared unabashedly. "A friend in need is a friend indeed—and Connecticut and the Nation have such a man in Senator Dodd."

There were also private words of appreciation for Dodd alone.

"I am sorry about our misunderstanding," wrote Klein on Dec. 17. "Your letter to Fulbright demonstrated not only integrity but also courage for which I am deeply grateful."

He went on to say that the Senate investigation had cost him a $50,000 contract, not to mention two other options that hadn't been renewed.

"Now the next question," he added, "is what should be done? After you have read this, and the enclosures, let's discuss the matter on the phone."

Klein had a definite remedy in mind, and it involved Sen. Tom Dodd. This story will be told in another column.

[From the Washington Post, Jan. 29, 1966]

DODD AID TO FOREIGN AGENT CITED

(By Drew Pearson and Jack Anderson)

The intent of the Foreign Agents Registration Act is to give full publicity to anyone representing a foreign government and what they do. There is nothing illegal about acting as a foreign agent as long as the American people are informed of the fact.

Sen. Tom Dodd (D-Conn.) knew this because he once registered as an agent for the government of Guatemala between his service in the House of Representatives and the U.S. Senate. He knows therefore that when he gives speeches in the Senate ghost-written for him by Maj. Gen. Julius Klein, a $150,000 agent for West German interests, the public is entitled to know it.

The public is also entitled to know of Sen. Dodd's other operations.

Gen. Klein has called on Dodd repeatedly as an errand boy. Last year, for example, he asked Dodd to stir up trouble at the Justice Department for a competitor.

KLEIN-DODD PLOT

"I am enclosing," Klein wrote to Dodd, Feb. 12, 1965, "a photostatic copy of the Registration Statement filed by a disgruntled competitor, Edwin Hartrich of Dusseldorf, Germany.

"I wonder if you have now written to the Department of Justice inquiring why Hartrich was permitted to act as a foreign agent without registering until finally forced to do so in December, and whether any disciplinary action has been taken against him.

"I think this move would do a lot to clear up the matter, and you were good enough to tell me that you would do it."

DODD TOUTS KLEIN

In 1961 and again in 1964, Dodd touted Klein for membership on the American Battle Monuments Commission. But each time the honor went to another.

Having missed the opportunity to serve his country in the matter of battle monuments, Klein sought an appointment in 1962 to the U.S. Advisory Commission on Information.

"I am sure you will want to add your endorsement", he wrote to Dodd on July 14. "But what is more important, couldn't you take this up personally with President Kennedy and with Lyndon Johnson so that we do not lose this opportunity by default, as happened last time?"

When this appointment, too, passed him by, he wrote bitterly to Dodd: "You know, Tom, friendship is a two-way street. I don't blame you for what happened, but what I am more disappointed in is that I didn't hear from you at all, either way."

Dodd replied testily: "I did what I said I would do, but I am sure you will understand that I cannot guarantee any performance."

Still sulking, Klein wrote back: "Tom, I never expected you to guarantee any performance . . . Anyhow, this is water over the dam."

KLEIN'S MILITARY RECORD

Even more important than battle monuments to Julius Klein was his military standing. He insists upon being addressed as "General," his rank in the Illinois National Guard and he is proud of his World War II record as commander of the 23d Quartermaster Truck Regiment.

But there was a blot, it developed, on his military career. As a young man, he had fibbed about his age. His Army file gave his birth date as Sept. 5, 1895—six years earlier than the true date.

This small untruth was allowed to stand until the Army sought to retire him from the reserves for being overage. Klein hastily requested that the record be corrected to show his birth date as Sept. 5, 1901.

He was shattered when the Army made the correction but accompanied it with a letter of reprimand. Dutifully, Dodd intervened for him at the Pentagon, and the tarnish was removed from Klein's brass hat.

DODD'S SECRET LETTER

Far more shattering, however, was the Senate investigation in 1963–64 of Klein's activities as a foreign agent. When his industrial clients began canceling their contracts, Klein not only rushed over to West Germany but sent for Dodd to come help him impress the clients.

Dodd readily agreed, but he had one misgiving.

"I have been thinking about this," he wrote to Klein in Germany on Feb. 14, 1964, "and I believe that I might be more successful with the people in Germany if I talk to them alone. I don't think it is at all necessary for you to accompany me, and there is a chance that it might be misunderstood.

"You know how anxious I am to help you, and it is for this reason that I want to present your case in the best possible light."

Later Dodd made a remarkable mission to Germany on behalf of a registered foreign agent.

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Later Dodd made a remarkable mission to Germany on behalf of a registered foreign agent.

[From the Washington Post, Feb. 8, 1966]

THE TWO STORIES OF GENERAL KLEIN

(By Drew Pearson)

Little more than a year ago, Chairman J. William Fulbright (D-Ark.), hauled Gen. Julius Klein before the Senate Foreign Relations Committee and crossexamined him about his activities as a $150,000-a-year West German agent.

The unhappy Klein confessed that he prepared speeches for Congressmen, planted stories in newspapers, and otherwise promoted West Germany. There is nothing illegal about this. However, the public is entitled to know when the speeches of a Representative or Senator are written by a foreign agent. That is why Congress passed the Foreign Agents Registration Act.

Gen. Klein, however, insisted to Senator Fulbright that he was not paid by the Government but by a private group.

"It is a group," he said, "that you find in every city that people get together, whether the members are bankers or chaplains or doctors, of all business life."

Fulbright, peering professor-like through glases half way down his nose, asked whether the group was "under the control of the Bonn government."

"This is not correct, Mr. Chairman," said Klein.

Klein was more candid, however, in his confessions to another committee member. In preparing secret "briefing memos" for Sen. Tom Dodd (D-Conn.), Klein acknowledged that his client was indeed under the West German government's control.

Dodd did not turn this startling information over to the Committee, however, so it could bring perjury charges against Klein. He used the secret memos instead for guidance in approaching German leaders last year at Klein's behest.

GOVERNMENT SUPPORTED

The Senator tried to convince them that the Foreign Relations Committee's criticism of Klein had been misunderstood and that they shouldn't cancel Klein's contract.

Klein furnished Dodd with a list of people to see in Germany, plus a background memo on each one.

In the memo on Dr. Gerhard Hempel, Klein informed the Senator: "Dr. Hempel is the former lord mayor of Weimar and the secretary general of the Society for the Promotion of German-American Cooperation, whose public relations interest I represent in the United States.

"The society is supported, naturally, through the influence of the German chancellery and whether they continue to use me depends on the goodwill in the chancellery in Bonn."

In another memo on West Germany's Secretary of State Karl Carstens, Klein wrote: "Carstens was the man who gave support to the German group—the Society to Promote German-American Cooperation, Wiesbaden—that engaged me to handle political public relations. He is the key to this problem as without the support from his office the Wiesbaden group could not function.

"For your information, Carsten's office subsidized or contributed heavily to the Wiesbaden group which engaged me at the recommendation of Chancellor Adenauer originally."

ALL THE WAY WITH JK

The background memo on Dr. Heinrich von Brentano, the former Foreign Minister, identified him as one of Klein's staunchest supporters.

"I visited him two weeks ago," wrote Klein, "and he will go all the way. He is the best friend and supporter I have—100 per cent for me."

Klein also prepared a memo on Herman J. Abs, whose name should have been familiar to Dodd as a former prosecutor of the Nuremberg war crimes. Abs was not found guilty of any war crimes, but he was perhaps the leading financier in the Nazi regime.

Wrote Klein: "Mr. Abs is a leading German banker and a member of the board of directors of many of my commercial clients. The brunt of the attacks against me began when I started to fight for Abs."

He referred to a report in this column on Feb. 23, 1958, that West German industrialists had hired "a prominent Illinois Republican, Gen. Julius Klein, to work with Hitler's former financier, Hermann Abs, in order to tap the United States Treasury for the return of German property."

"POOR" BANKER ABS

What this column reported regarding banker Abs was that he had paid Gen. Klein $40,000 plus expenses to lobby for the return of German property and that, though Klein claimed Abs was a poor victim of Hitler, "the fact is that Abs was one of the top bankers under Hitler, a director of I. G. Farben, a director of the Deutsche Bank; and Sen. Smathers of Florida has put in the Congressional Record proof that Abs was a member of the German bankers who participated in wresting away Jewish-owned property under Hitler."

This column also reported:

"A confidential cable sent to Washington by U.S. political adviser Robert Murphy in 1948 reported: 'Abs cooperated hand-in-glove during the Third Reich with leading political personalities of the government, industry and (Nazi) party circles.

Such was one of the West German clients who paid the former commander of the Jewish War Veterans to write speeches for a United States Senator and propagandize various Congressmen.

[From the Washington Post, Feb. 9, 1966]

KLEIN GIVES DODD INSTRUCTIONS

(By Drew Pearson and Jack Anderson)

From secret letters and memos that were supposed to have been destroyed, this column has now uncovered the startling story of how Sen. Tom Dodd (D-Conn.) flew to Germany to make a pitch to West German leaders and industrialist not to cancel their $150,000-a-year contracts with Julius Klein Public Relations, Inc.

This column has also interviewed more than a dozen people from Bonn, Germany to Chicago, Ill., to nail down the details of Dodd's amazing mission to Germany last April.

He took with him written instructions from Gen. Julius, founder of the public relations firm, spelling out exactly whom Dodd should see and what he should tell them.

A U.S. Senator is one of 100 top legislators in the Nation, in fact, one of the most important in the world. He is not supposed to run errands for a foreign agent or deliver speeches written by such an agent.

Nevertheless, Sen. Dodd was given an individual "briefing memo" on each person he was supposed to contact on behalf of Gen. Klein. First on his list was Dr. Hans Globke, the former West German secretary of state.

"When in Bonn," directed Klein's memo to Dodd, "see him first to brief you. Dr. Globke is your devoted friend. He will ever be grateful to you for the courageous stand taken in your Senate speech of 1960 . . . To refresh your memory, attached is a marked copy of your speech.

"Globke was the liaison man with whom I worked closely while working with Chancellor Adenauer and Dr. Von Brentano (West Germany's late foreign minister). He knows the problem from A to Z. He is already working on my problem. He will brief you exactly and give you all the assistance that you need. . . .

"Dr. Globke will support and guide you 100 per cent in my behalf. You can show him everything and discuss everything with him. He might add some points to the prepared memos for your discussion."

SLIM OPPOSITION

Ohio Democrats have been so hard up for a candidate to run against Gov. James A. Rhodes that they have come up with a charming, rather obscure state legislator, Fraizier Reams Jr., of Toledo.

Young Reams operates radio station WTOL and WTOL–TV. Aside from having a distinguished father, Reams so far has played an insignificant role in Ohio politics.

His father was the only true independent member of Congress since 1920, having been elected without the support of either the Republican or Democratic parties. He beat both the Republican and Democratic candidates for Congress in 1950 in a frank campaign against "autocratic labor bosses" and for a stronger United Nations.

Nobody gives his son much chance to defeat Republican Gov. Rhodes of Ohio.

SHAPP MEANS BUSINESS

Milton Shapp, the Pennsylvania industrialist now running for governor, held a significant, private conference with ex-Governor George Leader one day before Shapp announced. The conversation indicates that he is in the race for keeps.

Shapp, long an admirer and supporter of George Leader, met with him in Philadelphia on Jan. 17 to tell him that if he, Leader, would be a candidate, Shapp would go to Harrisburg and withdraw.

"I have my radio tapes prepared, my TV clips and my press releases all ready announcing that I am a candidate," Shapp told Leader, "but, even so, if you will tell me that you are going to be the Democratic candidate, I'll go to Harrisburg and withdraw."

"The only thing that would induce me to run," Leader replied, "would be a request from the President."

Shapp said he had a letter from the White house signed by Lee White, special counsel to President Johnson, stating that the President planned to keep out of the Pennsylvania race.

"In that case," said Leader, "I am not a candidate."

Recently, John Bailey, Democratic National Chairman, has gone behind LBJ's back and talked to Leader about running. Actually, Bailey did more than talk. He applied a lot of heat.

However, Leader stuck to his position that he would not run unless he got a personal request from President Johnson.

In addition to persuasion from Democratic Chairman Bailey, there is pressure from Frank Smith of Philadelphia and David Lawrence of Pittsburgh to get Leader to run. If he does Shapp says it will be the Democratic battle of the century, even though he and Leader are old friends.

"It would be most embarrassing for me to withdraw twice," Shapp says. He referred to the fact that at a Democratic Policy Committee meeting in 1964 he withdrew as a candidate for the Senate for the sake of party harmony.

Shapp expects to introduce a resolution at the next Democratic Policy Committee meeting calling for an open primary. He believes primaries are healthy. They educate the electorate regarding the issues.

[From the Washington Post, Feb. 10, 1966]

SENATOR DODD CUED FOR GERMAN TALKS

(By Drew Pearson and Jack Anderson)

Sen. Thomas J. Dodd's strange mission to West Germany at the behest of the Julius Klein public relations firm succeeded in impressing its clients and, presumably, in preventing the cancellation of some juicy contracts.

Gen. Julius Klein, the founder, wrote Dodd jubilantly after his trip: "I had a very nice letter from former Chancellor Andenauer and am very pleased. I heard many fine things about your recent mission to Germany for the Senate.

"I presume, Tom, you will write the various people you saw over there and if you do, I would appreciate it if you would add a PS: 'I was indeed glad to discuss with you also the fine work of our mutual good friend, General Klein.' "

Klein has handled his West German clients shrewdly. He got their public relations business in the first place by capitalizing on the fact that he was a past commander of the Jewish American War Veterans at a time when the Germans were eager to prove they were no longer anti-Semitic.

Among his leading backers were Hermann Abs, one of the leading financiers of the Hitler regime, and Dr. Hans Globke, who allegedly drafted anti-Jewish decrees for the Nazis.

Klein boosted his value to these Germans by persuading Sen. Dodd, a former prosecutor of Nazi war crimes, to deliver speeches, sign letters, and entertain clients for him.

GERHARD LESS FRIENDLY

Klein established his closest ties with former Chancellor Adenauer, who wanted to rebuild German military might as a bulwark against communism. The old Chancellor's retirement has weakened Klein's position. For the new leaders, Chancellor Erhard and Foreign Minister Gerhard Schroeder, are more moderate in their attitude toward the Soviet Union.

Klein noted this in the secret background memos, which he furnished Sen. Dodd. There were used by the Senator as a guide in touting Klein to West German leaders.

The background memo on Schroeder, for example, cautioned Dodd: "Dr. Schroeder speaks English fluently. Somehow, unfortunately, he has become anti-Adenauer. Therefore, his mind might be prejudiced against me.

"With Schroeder . . . be very emphatic that you hope his office will continue to support the Wiesbaden group which engaged me to handle the political public relations.

"Without this support, the job comes to a halt and irreparable harm will be done as, in spite of loss of business and clients, I have continued with my work under heavy expense."

Of course, Klein was most concerned over how Dodd would handle Chancellor Erhard. To make sure Dodd didn't muff his lines, Klein wrote out exactly what the Senator was supposed to say.

"We are very much disturbed to hear," Dodd was instructed to tell the Chancellor, "that due to the distortions in the German press and inaccurate reports that the role Gen. Klein played in the political public relations field has been misunderstood. . . .

"There has been no criticism of Gen. Klein in connection with the (Senate) hearings. On the contrary, he received praise and tribute from members of the Congress on both sides of the aisle. . . .

"You may know that I was one of the prosecutors at the Nuremberg trials, and I have been a member of the Congress for many years," Dodd was supposed to add. "I worked closely with President Johnson when he was a democratic leader in the Senate, and I had the honor of nominating him at the San Francisco convention in 1960 against Kennedy. (The convention actually was held in Los Angeles.)

CONGRESS AND KLEIN

"We in the Congress who are working day and night have to rely on the assistance and help of Gen. Klein in giving us proper briefings, research material and other vital information of interest to the United States in regard to the German Federal Republic.

"The wounds of the Hitler era have not healed and never will heal, as the present Auschwitz trials show. The Communists and left-wingers are taking advantage of this and are utilizing the trials and the Hitler period for propaganda purposes in the United States.

"To offset this, we Americans have to act, and that of course can't be done by ambassadors and consulates. Therefore, the help of General Klein and his organization has been of great assistance to us."

These are the highlights of the little speech that Klein prepared for Dodd to deliver to Erhard.

Dodd's performance, as reported back to Klein by his German contacts, was masterful. Pleased, Klein quickly arranged new tasks for the Senator to perform.

[From the Washngton Post, Feb. 12, 1966]

ANTI-COMMUNISTS FEES

(By Jack Anderson)

Sen. Thomas J. Dodd (D-Conn.) has discovered how to make a profit out of patriotism. He simply collects honorariums, ranging from $500 to $2000, for delivering anti-Communist speeches around the country.

He has frequently appeared, for example, before the Christian Anti-Communist Crusade, which has doled out several thousand dollars to Dodd over the years. This outfit is run by Fred Schwarz, an Australian citizen, who has raised millions to fight communism in the United States.

Unaccountably, he has sent large sums to India, though he has never explained how this helps to defeat communism in America. This column made contact with both the State Department and the Indian Embassy, which have no knowledge of any anti-Communist activity by Schwarz in India.

Last Aug. 28, Schwarz sent Sen. Dodd a $1000 check and a voucher good for a round-trip plane ticket to Los Angeles.

Less than a month later, on Sept. 21, Dodd mounted the rostrum at the Hollywood Palladium and declared to an enthusiastic audience:

"I believe in Fred Schwarz, and I think he's one of the great patriots who's leading a great fight against communism . . .

"He knows what communism is, and he has gone about this country and this world patiently explaining what this struggle is all about."

(NOTE.—Jack Anderson, substituting for Drew Pearson, will report further on the operations of Gen. Julius Klein with Sen. Dodd's committee over WTOP radio, at 6:40 p.m. Saturday.)

[From the Philadelphia Evening Bulletin, Feb. 13, 1966]

SENATOR DODD'S CAREER MARKED BY PARADOX

(By Jack Anderson)

WASHINGTON, Feb. 15.—The secret papers of Gen. Julius Klein, the Chicago press agent and Washington lobbyist for West German interests, have thrown the spotlight on Sen. Tom Dodd (D-Conn.), who seemed to be at Klein's beck and call.

The senator delivered speeches, signed letters, and entertained clients for Klein. In 1964, Dodd even flew to Germany to help rescue some fat fees that Klein was in danger of losing.

Yet this is the same senator whom President Johnson selected to nominate him at the 1960 Democratic convention. Four years later, Dodd and Hubert Humphrey flew together from Atlantic City to the White House to find out which of them Mr. Johnson had chosen for his running mate.

Dodd remains a power on three top Senate committees: Foreign Relations, Judiciary and Space. He runs two subcommittees that are always good for a headline: Internal Security and Juvenile Delinquency.

If Dodd were to be drawn from life and placed between the pages of a political novel, the story would be hard to believe.

His political career has become a paradox. On domestic issues, he has leaned to the left. In foreign affairs, he has leaned to the right. He has also been inclined to see Communists wherever he has encountered opposition.

He can change sides with the ease of a pendulum. Having assailed wiretapping as a gross invasion of privacy, for example, he himself introduced a wire-tap bill.

Only a few years ago, Dodd would have satisfied Hollywood as the image of a United States senator: His sculptured, aquiline features were framed by thick silver hair. His voice had a golden tone.

Although only 5 feet 6, he had a massive frame that made him seem bigger than he was, particularly when sitting down and facing TV cameras.

Now Dodd, in his 58th year, no longer looks so impressive. His handsome profile is beginning to sag, his elegance to fade.

A noted hypochondriac, he boasts of his health, then pleads ill health to dodge unrewarding senatorial chores. He easily persuades himself that he is ailing.

The senator likes his homes to be a blaze of light. Before he flies to his country home at North Stonington, Conn., he will phone a handyman or housekeeper to switch on all the lights and start a log fire in the fireplace.

Yet in his Senate office, he works in a perpetual twilight. He has had the ceiling lights removed, and only a few small lamps pierce the gloom.

Dodd lives beyond his means and is forever borrowing money from his friends. He can be miserly with money, but he can also be quixotically generous, giving pay raises or private gifts to people who seem least deserving of his bounty.

With his family, say intimates, the senator can behave like a tyrant or alternately, smother them with patriarchal affection.

He can also be embarrassingly gracious or savagely rude with people. It is a sad fact that his explosions of temper are usually reserved for bellhops, elevator boys, waiters and airline clerks—people who find it difficult to answer back to a United States senator.

With a few lapses, such as an obsessive dislike for Sen. William Fulbright (D-Ark.), Dodd plays the Senate game: always urbane, always courteous. But he has a malicious wit and, in private, delights in giving his colleagues devastating nicknames.

Some are simply insulting, such as "Velvet Head" (Sen. Claiborne Pell, D-RI), and "Knot Head" (Sen. Gale McGee, D-Wyo). Others are colorful, as "Cameo Kirby" (Sen. Frank Moss, D-Utah, who sometimes wears Western ties on the Senate floor), and "Toy Man" (Sen. John Pastore, D-RI, who is small in size).

Dodd's favorite nicknames for President Johnson are "Riverboat Gambler" and "Bad Sheriff".

The Senator from Connecticut emerges as one of the curious characters of the Senate. He has color and flair. He can orate in the great old style, and he can maneuver behind the parliamentary scenes. But not a few are beginning to wonder whether he is a disgrace to the Senate.

[From the Washington Post, Feb. 16, 1966]

Contractor Provides Dodd Car

(By Jack Anderson)

Only Senate leaders are furnished Government limousines; all other Senators, including committee chairmen, are obliged to provide their own transportation.

There is, however, one curious exception. Sen. Tom Dodd (D-Conn.), drives a sleek, black Jet 88 Oldsmobile thoughtfully provided by a Connecticut contractor.

The car carries the Connecticut license tag, "U.S. SEN. 1." but the registration is made out to Dunbar Associates, Inc., of 54 Pane Road, Newington, Conn.

The Senator has been driving the Dunbar Co. car ever since July, 1964. He wrote a thank-you letter, carefully marked "personal," to David Dunbar, the company president, on July 23, 1964. "I want you to know how deeply grateful I am to you for the wonderful assistance which you have given me," wrote Dodd. "The car is just great, and it sure gets me around."

Soon after the car arrived, Dodd began scouting around for government contracts for Dunbar Associates. He made inquiries at the Atomic Energy Commission and Government Printing Office.

RETURN FAVOR

Thanks in part to his intervention, Dunbar was awarded the contract to close down the Connecticut Advanced Nuclear Engineering Laboratory.

The Senator was less successful, however, with the public printer. He turned this project over to Gerry Zeiller, a former assistant, who investigated whether Dunbar could get the contract to move the Government Printing Office to a new building.

Last June, Zeiller received a note from the Senator's private secretary, Doreen Molaney.

"Dave Dunbar called and wanted me to check with the Senator about setting up a luncheon next week with Jim Harrison of Government Printing," wrote Miss Moloney. "The Senator said to check with you, and I suppose, if you give the go-ahead, the luncheon can be set up."

Zeiller learned that the Printing Office wouldn't be moving into its new quarters for several years, and that all contracts would be handled by the Joint Congressional Committee on Printing.

"In view of this," replied Zeiller in a memo, "I am sure there will be very heavy political implications in the whole deal and will take an awful lot of spade work to get any piece of this action for Dunbar or anybody else."

PRIVATE SPIES

The FBI is investigating the practice of certain foreign governments to hire American private detectives to spy on political refugees who have been granted asylum in this country.

Some private eyes function virtually as secret police for these governments.

One of the worst offenders is the island dictatorship of Haiti which, over the years, has hired the following detective firms: Associated Detectives Inc., Miami; Borger Associates, New York City; and National Detective Agencies Inc., Washington.

National Detective's chief Chauncey James, stated frankly on his registration form that one of his functions was "to ascertain the activities of certain Haitian citizens, government officials and former goverment officials who are presently in the U.S.A."

Note: In 1959, Richard Chamber registered as a Haitian agent to furnish information on people "conspiring against the Haitian regime."

HEADLINES AND FOOTNOTES

Vice President Hubert Humphrey, who is still looking for an appropriate place to hang his hat, has framed a letter written by Vice President George Dallas more than 100 years ago. The letter indicates that Dallas also had trouble over where to live. . . . "The more things change," says Humphrey, "the more they remain the same". . . . Lobbyists constantly throw parties for Senators, but last week a group of Senators arranged a surprise party for a lobbyist. Sen. Vance Hartke (D-Ind.), learned that one of the most popular lobbyists on Capitol Hill, Chuck Lipsen, had reached his 40th birthday. So Hartke got together with some of his colleagues and cooked up a birthday party. So many Senators showed up that they could have had a quorum call around the cake. . . . This column recently reported that Congressmen had been holding their annual golf tournament at the fashionable Breakers Hotel in Palm Beach, Fla., despite the fact that the hotel barred Jewish guests. The story implied that Rep. Edward Derwinski (R-Ill.), who arranged the 1965 tournament wasn't concerned. This column has now learned that Derwinski wrote to the hotel threatening to cancel the tournament unless the hotel stopped discriminating against Jews. We are happy to clarify the story.

[From the Washington Post, Feb. 21, 1966]

Air Travel Is Easy—The Dodd Way

(By Drew Pearson and Jack Anderson)

This column has underestimated the enterprise of Senator Tom Dodd (D-Conn.) in solving his transportation problem.

He not only drives an Oldsmobile owned by a Connecticut contractor, as previously documented in this space, but he also flies in style around the country in assorted company planes.

He commutes regularly between Connecticut and the Capital, for instance, in a plane belonging to the United Aircraft Corporation. He also sends his family back and forth via this free transportation, and once he even arranged to fly his pet poodle to Connecticut in a United Aircraft plane.

The plane waited for 30 minutes while Dodd's staff struggled to box Beau, the poodle, in a crate suitable for air travel. Then company officials, who had boarded the plane and were eager to take off, refused to waste any more time waiting for a dog. The Senator was obliged to find other transportation for Beau.

But Dodd, if not his dog, is always welcome on board a United Aircraft plane. For he happens to be a member of the Senate Space Committee, and the company is deeply involved in the space business.

For his part, the Senator always seems happy to help any company that flies him around. In a typical intra-office memo, a former assistant, Gerry Zeiller, reported to Dodd on May 12, 1965:

"Joe Barr of United Aircraft visited the office yesterday and had with him Bill Dell of United Technology, a subsidiary of United Aircraft . . .

"You will recall that we arranged for a demonstration for United Technology of their snap-on 120-inch solid fuel booster rockets some months ago along with Jim Gehrig and the Space Committee staff.

"Barr and his associates would now like to see some general language incorporated in the Space Committee report such as I have attached with this memo."

Kaman Aircraft Corporation has also made a plane available to Dodd whenever he needed transportation. For example, his daily schedule for May 16, 1963, contains this note:

"Kaman Aircraft will fly you to Willimantic. The plane will leave from Butler. Arthur Crosbie will meet you at the Windham Airport in Willimantic. The plane will wait for you in Willimantic and fly you to Hartford."

Two days earlier, by an interesting coincidence, Dodd called upon Secretary of the Air Force Eugene Zuckert to urge him to award an Air Force contract to Kaman. Last year, the Senator also brought pressure upon Lockheed Aircraft, one of the Nation's biggest defense contractors, to grant a subcontract to Kaman.

"I have been personally acquainted with Charles Kaman, president of the company, for a number of years, and I know him to be a businessman of the highest integrity," wrote Dodd to Lockheed on May 20, 1965. "I believe that, if his company is awarded the contracts, the performance of the contracts will be at the usual high standards demanded on any work being done by Kaman Aircraft."

When the Senate Anti-Trust Subcommittee was investigating the drug industry, Dodd suddenly started flying in a plane owned by McKesson and Robbins, a large drug manufacturer. Dodd was a member of the Subcommittee.

The Senator was so spoiled by this particular plush plane that he began complaining that another private plane, occasionally provided for him by Connecticut contractor Frank D'Addario, had "no class."

Stung by Dodd's contempt for his humble aircraft, D'Addario recently offered to buy a new one. One day, he announced to the Senator's staff that Dodd "can use it any time he wants. It is always at his disposal 24 hours a day."

"One of the reasons he likes your plane," commented a staff member, "is that it doesn't have a company label on it."

"The new one won't have a company label on it either," promised D'Addario. "We are not interested in having people know who owns the plane as long as Dodd knows who owns it."

Lately the Senator has been making frequent use of a private Aerojet owned by Thomas O'Neil, board chairman of R.K.O. General. Last Aug. 7, for example, O'Neil sent his plane to Washington to pick up the Senator's son, Tom Jr., and a friend. They were flown to Westerly, R.I., the closest airport to the Dodd country home in North Stonington, Conn., where the plane picked up the Senator and flew him to New York City. There Dodd changed places with his daughter, Carolyn, who was whisked back to Westerly.

Dodd's files contain an interesting note, dated Oct. 27, 1964, saying Tom O'Neil had called.

"Would you like to use his plane for the rest of the week?" added the note.

Exactly a week later the Senator wrote privately to O'Neil: "You can't imagine what a wonderful help the use of your plane was to me during this last week . . . Also, I want to mention how very impressed I was with your pilot, Corbet Ballard. He is a very fine pilot and was most cooperative and courteous to me."

And that's how the Senator from Connecticut gets around without paying.

[From the (Conn.) Trumbull Times,
Feb. 24, 1966]

Dodd's "Secret Meeting"

(By Drew Pearson)

Sen. Tom Dodd, the Connecticut Democrat who has been exposed for delivering Senate speeches written by a West German agent, called in some high-powered advisers the other day to discuss what he should do about this expose.

This column has quoted from secret memos and letters, showing conclusively how Dodd delivered speeches, signed letters, entertained clients and ran errands for Julius Klein, a press agent and lobbyist for West German interests. The senator even flew to Germany to intercede with West German leaders when Klein was in danger of losing his $150,000-a-year contract.

The Washington Merry-Go-Round has also revealed that the Oldsmobile Dodd drives is owned by a Connecticut contractor for whom the Senator has sought government contracts.

Dodd's secret strategy meeting was attended by top advisers from the Senate and White House. Among them were Sen. Russell Long of Louisiana, the Senate Democratic Whip; John O'Keefe, administrative assistant to Sen. George Smathers of Florida, and Carmine Bellino, a private eye who was formerly Bob Kennedy's chief rackets investigator.

They were divided over whether Dodd should reply to the charges or keep his mouth shut. The prevailing opinion was that he should maintain a discreet silence. Sen. Long wound up the meeting by promising to stick by Dodd—even if he were guilty.

[From the Washington Post, Mar. 1, 1966]

SPANEL PUSHED BY DODD AS ENVOY

(By Drew Pearson and Jack Anderson)

Of all the peculiar projects of Sen. Thomas J. Dodd (D-Conn.) one of the strangest was his promotion of A. N. Spanel of International Latex for an ambassadorship.

Spanel founded the International Latex Corp., which manufactures ladies' undergarments. He likes to advertise by running paid editorials in the Nation's leading newspapers in the form of editorial advice on foreign affairs. His editorial-ads frequently deal with France, and ever since France made him a member of the Legion of Honor, Spanel has hankered to be U.S. Ambassador to France.

To this end, Abe sought the support of Sen. Dodd, who nominated Lyndon B. Johnson for President in 1960 and boasts of his White House connections.

Spanel started shelling out contributions to Dodd early in 1964—first, $650 to his Senate campaign, then $1500 to the Citizens Committee for Dodd. The latest and largest donation was $10,000.

Dodd's office records show a telephone call from Irving Ferman, International Latex's Washington representative, Oct. 15, 1964. He left the following message: "Would like to see you Monday morning for a very few minutes. Very important."

Staff members learned later, they told us, that Ferman had offered Dodd a $1,000 contribution if he would use his influence with President Johnson to get Spanel an ambassadorship.

Ferman showed up in Dodd's office with the money at 2:30 p.m. on Dec. 8.

The following month Spanel sent the Senator a memorandum to be submitted to the White House suggesting how President Johnson ought to handle President de Gaulle.

Dodd dictated a letter to the President on Jan. 27, 1965, which was supposed to accompany the memorandum.

"The attached memorandum was given to me by my friend, A. N. Spanel, the president of International Latex Corporation," said Dodd. "As you know, he has a long association with, and experiences in France, and I have found his sources of information to be truly remarkable."

But at the last minute, Dodd had a change of heart and didn't mail the letter. He continued, however, to push Spanel for an ambassadorship. In February, he requested a biographical sketch of Spanel's wife, Margaret, to accompany the recommendation.

BRAS FOR OFFICE STAFF

At one point, Spanel directed Ferman to request the bust measurements of all the girls in Dodd's office, then sent each one a deluxe bra.

Despite the $12,150 in contributions and the bras, however, Spanel still isn't an ambassador.

We questioned Ferman about the $10,000 he delivered to Dodd's office.

"A. N. made the contribution because he likes Dodd," was Ferman's explanation.

He acknowledged that Spanel had sought Dodd's support for an ambassadorship, but denied that any money had been paid to get it.

"There was no deal," insisted Ferman. "That money was not given in return for an ambassadorship. If I felt that $10,000 could buy an ambassadorship, I don't deserve to be in Washington."

He claimed it was merely a campaign contribution.

"But the money wasn't delivered until after the election," it was pointed out.

"It was committed during the campaign," said Ferman.

Spanel denied to us that he had any knowledge of a $10,000 contribution. He acknowledged only the $2150 that was donated in his name during the 1964 campaign. He also declared that he had not sought an ambassadorship.

Then he called in Ferman to back up his story. In this second interview, Ferman supported Spanel's claim that he had never sought an ambassadorship. Ferman said that he, on his own, had brought up the idea with Dodd.

Ferman also claimed that Spanel knew nothing of the postelection contribution. After refreshing his memory, Ferman said, he recalled that only $8000 had been delivered to Dodd in cash. He also claimed that his office records showed this was handed to the Senator on Feb. 8, 1965, not Dec. 8, 1964.

In addition to the $8000 which Ferman said was contributed by various unnamed individuals, he acknowledged that he had given Dodd an additional $1500 during the campaign. This was in addition to the $2150 reported in Spanel's name. The $8000 cash contribution is not listed on the official reports.

DODD QUESTIONS STRICKEN FROM RECORD

(By Drew Pearson)

WASHINGTON.—It's significant that it was a freshman Congressman, Rep. Joseph Resnick, D-N.Y., who spoke out the other day on the need for a Congressional code of ethics. He was too new to have realized that too many members of the House and Senate don't want their profitable side activities crippled by any rules of honest conduct.

He learned quickly that he was out of order when Speaker John McCormack cut him off and warned that his criticism of the conduct of Sen. Thomas Dodd of Connecticut for peculiar activities on behalf of a West German agent, as exposed by this column, had to be stricken from the record.

No member of the Senate to which Dodd belongs had voiced any criticism. Sen. John Williams of Delaware, the Republican who has been so diligent in attacking any non-Senate Democratic misdoings, had not said a word about his Democratic colleague from Connecticut. Nor had Sen. John Stennis, the Mississippi Democrat who is chairman of the Senate Committee on Ethics. Nor had any of Dodd's fellow members of the Senate Foreign Relations Committee, who had heard him make the speeches written for him by the West German agent, Gen. Julius Klein.

So it took a freshman Congressman to speak out against a Senator, or any other member of Congress, using his high office to influence legislation, his own government, and a foreign government, for the private profit of a foreign lobbyist. Resnick did not fully realize he was violating the most sacred rule of the most exclusive club in the world—that no member of Congress may criticize the activities of any other member no matter how much against the public interest those activities may be.

This column has a copy of the speech which Resnick was not allowed to make about Sen. Dodd's activities. Following are some of the pertinent passages:

"What I found particularly painful in these columns was the apparent authenticity and documentation of the charges made. It was not easy for me to read that a U.S. Senator stood accused of carrying out frequent assignments for a registered foreign agent, in behalf of a foreign government; that speeches made on the floor by a Senator—delivered as his own—were actually written by this foreign agent; that the Senator allegedly entertained this agent's German clients; that, at the agent's request, he made special trips to Germany, some at U.S. government expense, to help settle Mr. Klein's business problems; that the Senator helped the lobbyist propagandize in the United States for the benefit of his foreign clients; that the Senator, a member of the Foreign Relations Committee, supposedly withheld information during a committee investigation into the activities of foreign agents—information that would have been damaging to Mr. Klein; and that the Senator allegedly used his high position to personally influence foreign companies to continue their business relationships with Mr. Klein . . .

"The American people have had their faith shaken in the past," Rep. Resnick pointed out. "Only a few months ago Congress received a very bad press when armies of lobbyists invaded Capitol Hill to get sugar quotas for their clients. And, of course, before that there was the Bobby Baker scandal, which needs no further amplification from me. Over the years, influence-peddling and conflicts of interest have always been unwelcome—but hardly unknown—intruders in Washington.

"According to the present system, Congress avoids scrutinizing its members' activities too closely. The most flagrant violations of the public trust are overlooked, in strict accordance with traditional 'club' rules.

"This is wrong. I would like to remind every one of my colleagues that none of us is an innocent bystander. When the mud flies, it gets all of us dirty. We all live in one House, under one roof, and we are judged collectively by the people . . .

"I firmly believe," Resnick concluded, "That the time of decision has arrived for us to look deeply inside ourselves, individually and as a body. Past and recent events have made it clear that one Congressman's ethical standard may not be quite exactly the same as another's. And so, for the protection of both of them, and for the nation as a whole, I urgently request at this time that Congress give priority attention to the establishment of a code of ethical behavior for the guidance of its members."

[From the Washington Post, Mar. 7, 1966]

COMMITTEE PONDERED DODD OUSTER

(By Drew Pearson and Jack Anderson)

The Senate Foreign Relations Committee, meeting behind closed doors last week, debated whether to throw Sen. Tom Dodd (D-Conn.), off the committee.

Basis for the debate was the fact that Dodd had conspired with Gen. Julius Klein, a registered agent for West German interests, during the Senate committee's investigation of Klein in 1964. At that time Dodd did not reveal to his own committee the full facts regarding his relationship with Klein.

Sen. Fulbright cited precedents dating back to the Civil War when members of the Senate committees were ousted, but the committee finally decided that since Dodd was under investigation by the Senate Ethics Committee, the Foreign Relations Committee would not move against him for the time being.

Note: The Senate Ethics Committee, headed by John Stennis (D-Miss.) has started to turn the investigation around to a probe of where Jack Anderson got the damning documents regarding Dodd's extracurricular activities. This switch in investigative tactics follows the usual Senate line of protecting the sanctity of the "club," the line followed regarding Senators involved in the Bobby Baker case.

SECRET CABLEGRAM

The Senate Foreign Relations Committee might want to investigate further the operation of Sen. Dodd in the Congo in 1961 when he acted in cooperation with another foreign agent, Michel Struelens.

Struelens represented the break-away province of Katanga and was at that time bent on upsetting the Kennedy policy of supporting President Adoula and trying to keep the Congo together. Foreign agent Struelens was working with break-away President Tshombe of Katanga and Sen. Dodd was helping him.

A secret cablegram which Struelens sent to Tshombe on Dec. 17, 1961, at the height of the Katanga controversy, tells part of the story. I can supply the Senate committee with a copy. The important parts read:

"United States excited about Katanga affair. Dodd will make Senatorial declaration Monday and first debates Senate.

"Violent criticism by Congress of State Department policy can be expected.

"Very important president (Tshombe) ask if at meeting with Adoula, Dodd be present, for he can say U.S. Ambassador Leopoldville (Edward Gullion) took position in conflict which is not neutral but in favor Adoula.

"Do not attack Gullion head on, but make understand he is no longer neutral after anti-Tshombe position in radio and TV broadcasts in United States . . .

"Dodd asks to be present if Gullion should negotiate cease fire . . ."

This is a complicated cablegram dealing with complicated African politics. But it is not complicated when it boils down to the position of a Senator and whether or not he represents the United States or a foreign government opposed by the United States . . .

In 1961, President Kennedy had taken a firm position that the Congo must be unified and that the United States would support President Adoula for unification. Kennedy believed that Katanga, the largest copper-cobalt producer in the world with an $85 million a year income from royalties, must remain part of the Congo. Otherwise the Congo would be bankrupt.

Despite this, Sen. Dodd went to the Congo in 1961 under his authority as a member of the Senate Foreign Relations Committee, where he so convinced President Tshombe of Katanga that the State Department was influenced by Communists that Ambassador Gullion telephoned President Kennedy in Washington that Tshombe would no longer meet with him.

Dodd also toured Katanga in an automobile with Tshombe, giving the public the impression that the United States was fully backing the man whom the United States was in fact opposing.

GHOSTWRITTEN SPEECH

Returning, the Senator made a full-dress speech on the Senate floor. Significantly, the full text of the speech was released in Elisabethville, the capital of Katanga, a few hours before delivery in the Senate.

It was also reported at the time that agent Struelens had flown a copy of the speech down to Dodd from New York shortly before Dodd delivered it. Struelens at that time was spending around $100,000 a month for Katanga propaganda in the United States.

Later when President Johnson, Dodd's close friend, entered the White House, the Kennedy policy was reversed, and the United States supported Tshombe, who by this time had left Katanga, and was being brought back as head of the entire Congo. The question which the Senate Foreign Relations Committee will have to decide is not whether Tshombe was the right man to run the Congo but whether a member of its committee was ethical in acting as the spokesman for a foreign agent, especially one bitterly opposed to the then policy of the late President.

[From the Washington Post, Mar. 12, 1966]

FELLOW "CLUBMEN" RESCUE DODD

(By Drew Pearson)

Members of the Senate Foreign Relations Committee had more of a hassle than the public realized over whether to investigate Sen. Tom Dodd (D-Conn.) for his dealings with a West German agent.

Dodd was saved, thanks to the intervention of Senator Russell Long (D-La.), Claiborne Pell and Stuart Symington (D-Mo.). They rallied behind him vigorously to preserve the sanctity of the Senate club.

The issue of Dodd's operations with a West German agent at the time he was a member of the Senate Foreign Relations Committee was raised by its chairman, William Fulbright (D-Ark.), at a closed session.

Fulbright proposed a very mild resolution merely to ask the Justice Department to supply any information it had regarding Gen. Julius Klein and his connections with Dodd; specifically whether Klein had reported to the Justice Department as required by law that he had written speeches for Dodd.

Sen. Wayne Morse (D-Ore.) backed Fulbright vigorously. But Pell suggested that Fulbright have a confidential talk with Dodd to get his explanation of the facts.

"I'll have no such talk with Sen. Dodd," replied Fulbright emphatically. He added that the matter should be handled in the open, not on a confidential basis.

"The matter is much too embarrassing for Tom," said Symington of Missouri.

"What's he embarrassed about if there is no truth to the newspaper accounts?" asked Morse.

"His wife is so upset she's in the hospital," argued Symington.

Symington apparently didn't know that Dodd had told several people that his wife was in the hospital but when they called up to send flowers, they learned she had not been there at all.

Pell suggested that Dodd was not present and the matter should wait until he could be present. This caused another Senator to remark that Dodd was almost never present at any session of the Foreign Relations Committee.

"I thought we were supposed to have a committee on ethics," suggested Morse. "What is it doing?"

Morse said this ironically, but friends of Dodd seized on it to demand that the Senate Foreign Relations Committee wait until the Senate Ethics Committee had acted. On a motion by Sen. Long, supported by Symington and Pell, it was agreed that Dodd should be notified of the discussion and given a chance to answer. Meanwhile, the Foreign Relations Committee would wait for the Ethics Committee to act.

Since that time, Dodd has been informed of the debate and his chance to answer charges against him. Despite this, he hasn't been near the Senate Foreign Relations Committee of which he is a member.

[From the Washington Post, Mar. 14, 1966]

DODD'S USE OF CAMPAIGN MONEY

(By Drew Pearson and Jack Anderson)

(NOTE.—This column has made a painstaking search into the financial records of the 1964 campaign of Sen. Thomas J. Dodd (D-Conn.).)

Money contributed to help pay his election expenses has been traced to his personal bank accounts. This column has evidence, for example, that Dodd used campaign money to pay off private debts, finance home improvements, and take care of other personal expenses.

His official report to the State of Connecticut, dated Dec. 3, 1964, claimed contributions of $167,497.67 and expenditures of $174,159.44. The collections were at least triple the amount reported, and the expenditures were padded.

The largest expenditure he reported was $110,000, which was supposed to have been paid to the Randall Advertising Agency for radio, television and newspaper advertising. Yet the actual budget submitted by Randall was only $101,306.31.

Though a few extras were added during the campaign, these were wiped out by economies. Indeed, the agency refunded $1000 in its final accounting to Dodd.

The Senator also reported two payments to the University Press of Cambridge, Mass., totaling $10,200, for campaign printing. A company spokesman recalled that University Press had done absolutely no printing for Dodd in 1964. In fact, the company wrote off as a bad debt a printing bill left over from the Senator's 1956 campaign.

PERSONAL TRAVEL

Dodd charged the entire $5500 that he ran up on his American Airlines credit card in 1964 as a campaign expense. A breakdown reveals this included personal travel for himself and his family, including a Florida vacation trip.

One of the most puzzling entries was $1105.22 that was supposed to have been paid to Western Union for campaign telegrams. The actual Western Union bill was one tenth that amount, or $105.69.

Dodd also lists as campaign expense $697.50 paid to photographer Vincent Shields, who doesn't recall taking any campaign pictures. He was actually hired to photograph the Dodds' 30th wedding anniversary party.

A small $187.58 payment to Jersey Airways was also charged to the campaign. This was what it cost the Senator to fly from the Democratic Convention in Atlantic City to Westerly, R.I., the nearest airport to his North Stonington, Conn., home.

Because he had appeared on a preconvention telecast for the Metromedia television stations, however, Metromedia reimbursed him for the flight. Metromedia check No. 13583 for $187.58, dated Oct. 10, 1964, was deposited in Dodd's personal account.

The Senator even claimed a $57 expenditure for an electric heater for campaign headquarters. However, the $57 heater was installed, not at campaign headquarters, but in his North Stonington home.

POLITICAL SWIMMING

The petty padding also included $579 to Schneider's for campaign "luncheons" and $221.75 to the Congressional Country Club for "political meetings." Schneider's is actually a liquor store where Dodd bought booze, and the bills from the Country Club show that the entire $221.75 was spent by Dodd's family for swimming and snacks.

It is at least an interesting coincidence that Dodd was able to throw a gala wedding party for his daughter, Martha, on Oct. 12, 1963. This came at a time that he was having difficulty raising $5,000 to meet a personal note.

It also came after contributions had started to roll in for Dodd Day, a fund-raising event held in Connecticut on Oct. 26, 1963. No less than Lyndon Johnson, then the Vice President, went to Connecticut on Dodd Day to help raise money for the Senator's Campaign.

Though desperately short of personal funds, Dodd suddenly came up with the money for an extravagant wedding—complete with a pheasant-and-champagne breakfast, a full orchestra, and a wide-open bar at the fashionable Hartford Club.

Mrs. Dodd explained to intimates that she had saved enough out of her grocery money to pay for the extravaganza.

There are other discrepancies in Dodd's financial records which should interest the Senate Ethics Committee. This column has offered to turn over the evidence to the Committee, but the Committee, so far, has seemed more interested in finding out how this column obtained the damning documents. There was no such interest, incidentally, when Dodd's own investigators secured documents from State Department files.

The Ethics Committee was established as an outgrowth of the Bobby Baker scandal, to protect the Senate's good name. Its chairman is John Stennis (D-Miss.) and the other members are Mike Monroney (Okla.) and Eugene McCarthy (Minn.), Democrats, and Wallace Bennett (Utah), John Sherman Cooper (Ky.) and James Pearson (Kan.), Republicans.

This time the man under criticism is no mere Senate aide who can be investigated without implicating Senators, but a member of the inner circle. Under these painful circumstances, it will be interesting to see how the Senate Ethics Committee handles the Dodd investigation.

[From the Washington Post, Mar. 18, 1966]

Dodd Backed Sourwine's Bad Check

(By Drew Pearson and Jack Anderson)

One interesting chapter in the life of Sen. Tom Dodd (D-Conn.), whom this column praised for his battle against monopoly, juvenile delinquency and indiscriminate sale of guns, is his finances.

He had a habit of financing various private projects out of money raised from friends to finance his election. These projects ranged from vacations for his family, to repairs on his home, to paying ghost-writers for a book to be published under his name.

Two of the ghostwriters were Edward Lockett to whom was paid $8000 out of the "Testimonial for U.S. Senator Thomas J. Dodd" account, and Jay Sourwine, to whom Dodd paid $2500.

The latter transaction is especially interesting because one of Sourwine's checks, for $2500, bounced. Sourwine is the well-known counsel for the Senate Internal Security Committee which has focused great attention on Government security risks. The Committee's definition of a security risk includes a man who cannot pay his debts.

Sen. Dodd's intimate financial relations with Sourwine are important right now, at a time when the White House has been persuaded to abolish the State Department's Bureau of Security and Consular Affairs headed by Abba Schwartz, a Kennedy liberal, a target of Sourwine. It's been suspected that Sourwine, Sen. Dodd and Miss Frances Knight of the Passport Division persuaded the White House to abolish Schwartz's job.

HARASSING SCHWARTZ

Sourwine came to Washington from Nevada under the late Sen. Pat McCarran (D-Nev.) to become counsel of the Internal Security Committee, headed by McCarran, Sen. William Jenner (R-Ind.) and latterly by Sen. James Eastland of Mississippi. Dodd is one of the Committee's most zealous members.

At various closed-door sessions of this Committee, Sourwine grilled Schwartz on such petty matters as, "Did you describe this Committee or its proceedings in derogatory terms? . . . Did you make it a point of telling these officials that I was highly nervous . . . and that I took some pills and drank a great deal of water?"

Sourwine, with the support of Sen. Dodd, put Schwartz on the griddle for allegedly harassing Miss Knight and trying to fire her as head of the Passport Office.

The part that Sourwine and Dodd appeared to have played in Schwartz's ouster was only a small part of an unusual career.

Sen. Jacob Javits (R-N.Y.), when attorney general of New York blamed Sourwine for the accusation that he, Javits, had used Communist help in first getting elected to Congress. Sourwine also aroused the wrath of the late Sen. Tom Hennings (D-Mo.) for going on a witch-hunting expedition against the New York Times in 1955. He accused various staff members of the Times with prior membership in the Communist Party.

Most recently Sourwine had aroused Dodd's ire by branding the American Friends Service Committee as pro-Communist. Sen. Dodd apologized and told intimates that he would demand Sourwine's resignation. But nothing happened.

CHECK BOUNCES

Despite all this, the Senator from Connecticut wrote in his diary Jan. 20, 1964:

"Jay Sourwine visited the office. A couple of weeks ago, he came to see me and said he knew I was attempting to write a book, and that he could be helpful. He would have to do this on his own time, and if I could pay him $3500 he could be of great assistance.

"I told him at that time that it was pretty expensive and he said that he owed some money and was getting pressed to pay it. This is why he would like to earn some extra money.

"Some days later he called on me again and asked if I would endorse a check of his so that he could cash it at the Senate disbursing office. Today, he said he was worried about his check and that it had bounced at his bank in Nevada.

"This was very upsetting to me because I had endorsed it so that he could cash it. He said he would see what he could do about it, and the matter was left at that."

On Jan. 27 the Senator wrote further: "Jay Sourwine came by this afternoon and told me his check had bounced . . . I told him what I thought about it and told him I was very put out about it. He asked if I would make it good. He said he would do some extra work to help me with the book and would do it on his own time."

Dodd gave Sourwine a check for $2500 on the Hartford National Bank. Next day, Jan. 28, Dodd's political henchman, Ed Sullivan, negotiated a $2500 loan for Dodd with Connecticut Bank and Trust and deposited the money in the Hartford National Bank to make good the Senator's check to Sourwine.

The Connecticut Bank and Trust loan was finally paid off one year later from the proceeds of a fund-raising dinner, March 8, 1965, to which Vice President Humphrey was induced to come on the plea that Dodd needed to pay off his 1964 campaign deficit.

[From the Washington Post, Mar. 24, 1966]

Reporting Can Bring Heartaches

(By Drew Pearson)

A lot of people have been writing Jack Anderson and me about Sen. Thomas J. Dodd (D-Conn.). Some have praised the columns regarding his conflict of interest; others have said: How can we be so mean to a fine man who has done so much to expose communism? They imply that because we have exposed an enemy of communism we must be pro-Communist.

I haven't had a chance to reply to most of these letters but the answer is that we don't get any kick out of exposing—or as some people put it, "crucifying"—any one Senator. It's the Senate standards, the rules of conduct, that are important.

Reporting on these things is by no means pleasant. In the first place, it's a terrific job to dig out all the material—Jack Anderson has been taken away from all other work in order to report on Sen. Dodd. The material just doesn't fall in your lap from a disgruntled employee, as Dodd has insinuated. In the second place, this kind of reporting sometimes leads to very unhappy results.

One man, Sen. John Bankhead of Alabama, may have died because of an earlier column series on conflict of interest. His family, who were good friends of mine (his brother, Speaker Will Bankhead, having once lived in my house), always blamed me for the Senator's death.

You feel terrible when this kind of thing happens. But you don't know when you start investigating that a Senator has a weak heart; and you don't always know how deep a conflict of interest runs.

CASUALTY OF A COLUMN

In Bankhead's case, the column, after long and expensive research on the commodity market in New York, had discovered in 1946 that Bankhead and Sen. Elmer Thomas of Oklahoma, both Democrats, had an arrangement with a New York broker to invest in cotton just a few hours before they made a speech urging the end of wartime controls on cotton.

Cotton was scarce at that time, shortly after the war, and their speeches sent up the price. After each speech they made money on the commodity market. So did the brokers who were in cahoots with them.

When I published this, Sen. Bankhead died of a heart attack, and Sen. Thomas later was defeated by the voters of Oklahoma.

The columns on Thomas and Bankhead had another aftermath. Congress had just passed a lobbying law, and a young New York lawyer, Irving Kauffman, had come down from New York to enforce it. He didn't know much about Washington, and was wandering around aimlessly looking for something to sink his teeth into when we suggested that he look into the commodity market operators who had been working with Sens. Thomas and Bankhead, to see whether they had violated the lobbying act by influencing the cotton market without registering as lobbyists.

Kauffman promptly had the speculators indicted and, partly as a result of the attendant publicity, he went on to become a U.S. judge, and incidentally a close friend of Sen. Dodd. They are bosom witchhunters.

WHAT IS SENATE ETHICS?

Significantly, the Senate did not move to censure or discipline Sen. Thomas for using the high privilege of the Senate floor to influence the price of cotton and cash in on it.

This has become more or less standard practice where a Senator's finances are concerned, and the Ethics Committee today is carefully avoiding a probe of Dodd's finances.

In 1952 this column published many details on the commodity speculation of Sen. Joseph McCarthy and how he had used thousands of dollars sent him by patriotic citizens to investigate communism for his own personal speculation in the commodity market.

Later Sen. Tom Hennings (D-Mo.), Carl Hayden (D-Ariz.), and Robert Hendrickson (R-N.J.) went into even more detail on McCarthy's speculation. However, the Senate never acted on it.

When it did finally get around to censuring McCarthy two years later, it was not for using other people's money to gamble on the commodity market but for his conduct of the Army-McCarthy hearings.

The man who had the courage to press for the censure of Joe McCarthy in 1952 was a Senator of unusual courage—because few Senators will move against a member of the club. He was Sen. William Benton (D-Conn.) and because of Benton's courage, McCarthy invaded Connecticut in 1952 and defeated him. Two years later the people of Connecticut realized their mistake when in 1954 McCarthy was censured.

It was Benton's defeat which made an opening for the election of Sen. Dodd.

Note: In the opinion of this writer, the vast majority of Senators are scrupulously honest. But they are not scrupulous about protecting their reputations by policing their membership.

[From the Washington Post, Mar. 25, 1966]

Dodd Started Campaign in 1961

(By Drew Pearson and Jack Anderson)

The Senate Ethics Committee is dragging its feet on investigating the tangled financial web and campaign funds of Sen. Tom Dodd (D-Conn.). Though campaign funds are a touchy subject to some Senators, the majority set up separate committees to keep these funds entirely separate from their office and personal expenses.

Not so the Senator from Connecticut. Checks payable to his private account were freely transferred from his campaign funds as early as three years before his 1964 reelection. And if the Senate Ethics Committee choses to look the other way, then Internal Revenue has definite jurisdiction.

For the Internal Revenue Code clearly states: "The portion of a political contribution received by . . . a candidate for political office, which is diverted from political campaign purposes to the personal use of the candidate . . . constitutes taxable income to such candidate."

Dodd has collected thousands of dollars, some of it delivered in cash, to pay for his election, with part of it transferred to his personal account. Yet his income tax returns showed no tax payment on these diverted funds.

Dodd began collecting funds for his 1964 re-election in 1961—three years early—when Lyndon Johnson, then Vice President, came to Connecticut as the star attraction for a fund-raising dinner. Dodd had told friends that he needed to pay up some 1958 campaign debts. To others he explained he wanted to start the 1964 campaign early.

FAVORS BY DODD

At any rate, he assigned several staff members—their salaries paid by the taxpayers—to work full time selling tables. One of them, George Gildea, reported back from Danbury, Conn., on Aug. 14, 1961:

"The response is most encouraging and I am sure of at least several tables from Danbury. I expect to be on the road traveling after tomorrow, making contacts with people who are in a position to sponsor a table.

"Before my departure from Washington, I left with John O'Keefe a typewritten list of names he is to contact in Washington; also he will add additional names of friends he wishes to participate in this dinner."

Gildea also revealed that he and another Senate employee, James Gartland, were soliciting contributions from people who had been assisted by Dodd's Senate office in Washington.

"I also left with Jim Gartland and * * * of people," wrote Gildea, "who he has done favors for and helped to get business through your office."

Since the collections from these people went into Dodd's pocket, not his campaign chest, the question of ethics is involved again.

FAVORS AND PAYOFFS

The dinner was a financial success, but it didn't satisfy Dodd's finance man, Ed Sullivan, who is also on the Senate payroll. Sullivan reported to Sen. Dodd on Nov. 25, 1961, that $60,995 had already been collected.

But he added: "I was much surprised at the few leads to come from the office. I am sure that enough concerns have had favors from the office that should have given us another 25 tables."

Sullivan enclosed in the letter a check for $35,000, dated Nov. 22, 1961, which Dodd deposited in his personal account at Riggs National Bank in Washington. It was clear from Sullivan's letter that the $35,000 came from the dinner proceeds.

On the same day, Nov. 25, 1961, Dodd wrote two checks on his Riggs account to pay off a personal loan at New York City's Federation Bank and Trust. One check for $23,000 paid off the principal; the other for $776.57 took care of the interest.

In another confidential report on the dinner, Sullivan again gave the take as $60,995, deducted $300 for two checks that were returned, but listed earlier deposits that boosted the total to $62,345. He itemized $7889.42 in expenses, leaving a balance of $54,455.58.

From this, he subtracted the $35,000 already delivered to Dodd, leaving a balance of $19,455.58 in the Connecticut Bank and Trust.

On Jan. 15, 1962, the final balance was withdrawn from Connecticut Bank and Trust, check No. 13, for $20,915.72 and deposited on Jan. 18 in the Senator's personal account at Riggs National Bank in Washington.

Dodd has never reported this income on his tax returns. His returns for 1961, the year in which he pocketed the first $35,000, report his Senate salary of $22,500; lecture fees $4463.41; and another $61,068.47 from his law firm.

The largest legal fee came from Jimmy Hoffa's Teamsters Union, which paid Dodd a whopping $50,000.

But the political money Dodd pocketed was not reported, which would appear to be a Federal violation. It will be interesting to see whether the Senate Ethics Committee considers a Federal violation by a fellow Senator unethical.

[From the Washington Post, Mar. 30, 1966]

Anybody for Cops and Robbers?

(By Drew Pearson)

"Everybody's Doing It" used to be the name of a ragtime tune referring to a popular dance, the turkey trot. Today it refers to the "gumshoe trot."

Everybody is dancing this dance today. General Motors is gumshoeing its chief critic, Ralph Nader. The State Department is gumshoeing the grandson of a former Secretary of State. Francis B. Knight, chief of the passport division, who signed the order, says her boss in the State Department is gumshoeing on her.

Rep. Irving Whalley, the Pennsylvania Republican, wants the FBI to gumshoe on me for telling how he sent Republicans teakwood elephants that he said were purchased in India, when he really got them from a Republican committee bargain sale in Washington.

The Justice Department is gumshoeing Jack Anderson and me for allegedly stealing documents from Sen. Thomas J. Dodd (D-Conn.).

Sen. Dodd, in turn, has retained a private detective, with the reported cooperation of U.S. Court of Appeals Judge Irving Kaufman of New York to gumshoe on us.

BATH IN NORTH CAROLINA

And the other day I got a phone call from two friends in Reidsville, N.C., that an agent friendly to Sen. Dodd had called to gumshoe on a bathing incident in 1915 when I was arrested at S a.m. for taking a sponge bath near the Southern Railway yards after working all night striking a chautauqua tent.

It is an incident I have written about several times and has become quite a joke in North Carolina. I was even invited back to Reidsville by the Chamber of Commerce to celebrate the occasion.

Nevertheless, C. L. Oliver, publisher of the Reidsville Review, was cross-examined by a friend of Sen. Dodd's as to where he could get a copy of a 1915 newspaper describing the incident. Unfortunately, they had been destroyed in a fire a long time ago. Mr. Oliver assured the Dodd agent, however, that the newspaper, if available, would have clearly showed I was acquitted, and that there was nothing sinister about the arrest and trial.

T. W. Glidewell, son of the attorney who volunteered to defend me in court on that misty morning 51 years ago, was also queried by a Dodd agent and gave the same assurances.

SHADOWING PRIVATE EYE

Meanwhile, since everybody else was doing it, Jack Anderson decided to do some gumshoeing ourselves on the private eye sent from New York to shadow us.

He is James A. Lynch of 3005 Johnson pl., Wantagh, Long Island, a big man in his late 40s with reddish hair and ample girth whom Jack found to have registered at the Fairfax Hotel and next day reported to Sen. Dodd.

Detective Lynch used Dodd's office as a base of operation and began interviewing witnesses. Some of them complained that he had passed himself off as a Federal agent, others that he had threatened them, that he said he was working for Judge Irving Kaufman of the U.S. Court of Appeals, and had warned one witness that Sen. Dodd would get him fired if he did not cooperate.

GRILLING PRIVATE EYE

After some preliminary investigation of Dodd's investigator, Anderson telephoned the investigator direct. He first told Lynch that he had been accused of impersonating an FBI agent. This Lynch denied, saying he had always identified himself as a private detective before talking to anyone.

Lynch also denied that he had threatened anyone or told one witness Dodd would have him fired.

"How is it," asked Anderson, "that three witnesses tell a different story?"

Lynch offered no explanation.

"Isn't it true that you used Judge Kaufman's name in approaching these witnesses?" Anderson asked.

"No," replied Lynch.

"Well, these witnesses had never heard of Judge Kaufman until you brought up his name. How do you think they got the name? Do you think they made it up out of the blue?"

"I may have mentioned Judge Kaufman's name," Lynch admitted.

Judge Kaufman is a close friend of Dodd's. Incidentally, he once asked me to help him get appointed to the U.S. District Court in New York.

"What are you doing here?" Anderson asked Lynch. "Are you trying to intimidate the witnesses against Dodd?"

"I don't intend to tell you," replied Lynch.

Thus goes the gumshoe dance of "Everybody's Doing It" in Washington. The most interesting phase of the dance is the Justice Department's investigation of Anderson and me, which will be described in an early column.

[From the Washington Post, Apr. 1, 1966]

Columnists Under Investigation

(By Drew Pearson and Jack Anderson)

A funny thing happened to us the other day at the Justice Department. We were called down there by Attorney General Nicolas deB. Katzenbach and were told we were under criminal investigation on a charge filed by Sen. Thomas Dodd (D.-Conn.) of stealing documents from his files.

This raises a very important point. If it is a crime for newsmen to seek evidence documenting charges of corruption against a United States Senator, then the press must give up one of its important functions and Senators will remain a sacrosanct body, able to expose others regarding deep freezes, mink coats, vicuna coats and Bobby Baker's conflicts of interest, but immune from exposure themselves.

For it is almost impossible to prove indictable facts regarding a Senator, or for that matter any official, without using evidence obtained from the inside.

Furthermore, using inside evidence is one of the chief ways the FBI and most law enforcement agencies operate.

It would have been impossible, for instance, for the FBI to secure evidence on the Ku Klux Klan in the Liuzzo murder case without having an FBI agent inside the Klan. Almost every week the FBI pays money for inside information. So does Internal Revenue. Many of the tax convictions in the United States result from inside information.

There is a law on the statute books providing remuneration to tax informers; and Congress appropriates the money for the FBI to pay for inside information.

PUBLIC'S RIGHT TO KNOW

As it happens, we paid no money and stole no documents. We did talk to former members of Dodd's staff who were motivated by the highest interest, namely the public's right to know when a United States Senator delivers speeches and performs chores for a foreign agent; when he deposits in his personal account thousands of dollars contributed to his election; when he accepts valuables from companies he helped in regard to Government contracts; and when he charges both the taxpayers and private organizations for trips he makes around the country.

The Attorney General's investigation also raises an important point regarding senatorial "theft" or use of unauthorized documents.

We asked Mr. Katzenbach, for instance, whether he had investigated Sen. John Williams (R.-Del.) as to how he obtained the documents which he publicized in the Bobby Baker case. Obviously they were obtained from Government employes who believed in the public's right to know.

The Attorney General said he had not investigated Sen. Williams.

We also asked whether he had investigated Sen. Dodd's possession or possible theft of the Otepka papers. This was the famous case where Dodd, as vice chairman of the Senate Internal Security Subcommittee, was personally involved with obtaining State Department files.

The State Department considered this theft. For on Sept. 23, 1963, it charged Otto F. Otepka, chief of the evidence valuation division of the State Department's Office of Security, with violations of 13 regulations by giving confidential information to the Senate Internal Security Subcommittee.

CHAMPIONED "THEFT"

On Nov. 5, Otepka was dismissed. Later that day, Sen. Dodd denounced the State Department, warning that if Otepka's ouster "is permitted to stand it will become impossible or exceedingly difficult to elicit any information from employes of the executive branch that bears on . . . wrongdoing by their superiors."

Katzenbach said he had not investigated Dodd in connection with the alleged theft of the Otepka papers.

Other important members of Congress have used documents obviously obtained from sub rosa Government sources, most of these critical of the executive branch—Sens. John McClellan (D-Ark.), Ed Long (D-Mo.), Strom Thurmond (R-S.C.), and Rep. Mike Feighan (D-Ohio).

It was evident that the Attorney General had not investigated any of them for obtaining Government documents.

We also asked whether instructions to investigate alleged theft in the Dodd case came from the White House. Our question was based on the fact that the President and Tom Dodd have been extremely close. At the Atlantic City Democratic convention it was widely reported at first that Dodd, not Hubert Humphrey, would get the Johnson nod for Vice President.

Dodd had nominated Lyndon Johnson for President at the 1960 Los Angeles convention. Lyndon, in turn, had intervened to put Dodd on the Senate Foreign Relations Committee ahead of Sen. Joe Clark (D-Pa.), who had seniority; and twice had gone to Connecticut to be the star attraction at Dodd's fund-raising dinners.

The Attorney General denied that instructions to investigate came from the White House.

That's the funny thing that happened the other day at the Justice Department. It will be interesting to see what happens next.

[From the Washington Post, Apr. 7, 1966]

THIN LINE DRAWN IN DODD PROBE

(By Drew Pearson)

Since the Department of Justice has denied that it is investigating Jack Anderson and me in connection with the alleged theft of Sen. Thomas J. Dodd's papers, it might be well to tell in detail the story of what happened.

While the question whether we are under investigation is not particularly important, what is important is whether the Justice Department is probing little people while giving immunity to a Senator who is a member of the Establishment and a close friend of the White House.

Let's begin at the beginning.

When the FBI starts to investigate anyone, the person under investigation usually hears about it right away. Friends call up and say that G-Men have been around to ask questions.

So when G-Men began interviewing employes of Sen. Dodd about us and about where we obtained certain documents, we heard about it immediately. Jack Anderson then telephoned Jack Rosenthal, Justice Department press relations officer and a conscientious one, to ask why we were under investigation rather than Sen. Dodd.

Anderson also asked whether the Justice Department had investigated Sen. John J. Williams (R-Del.) and his acquisition of Government reports and income tax statements in the Bobby Baker case; and whether the Justice Department had investigated Sen. Dodd and how he acquired State Department documents in the Otepka case.

A PERSONAL ANSWER

Rosenthal said he would call back with an answer. The answer came in the form of a request that we come down to see Attorney General Nicholas deB. Katzenbach himself.

The usual newspaper inquiry to the Justice Department is answered by the press department, not by the Attorney General in person. However, Jack Anderson and I were glad to go to the Attorney General's office, where we were greeted by Katzenbach, a kindly, patient man who looks as if he did not always enjoy the unpleasant duties of his office; and by Fred Vinson, Jr., chief of the criminal division.

There ensued a reasonably friendly, though at times vigorous, conversation during which the Justice Department did try to draw a line between investigating us and investigating the documents that Sen. Dodd claims we stole. However, the line was very thin indeed.

The Attorney General tried to make it clear that he was investigating the alleged theft of Dodd's documents, but he did not make it clear how he could do this without investigating those who allegedly stole them.

STRENGTHENING DODD

At about the same time this conversation was taking place, nine FBI agents were at work doing just the opposite of what the Attorney General said was being done. In other words, they were asking questions about Anderson and me.

On one occasion, FBI agents worked so closely with Dodd that they actually sat in one of the Senator's committee offices, calling in members of his staff and giving the distinct impression that the Senator, a former FBI man, was running the investigation. They were acting under instructions from the Justice Department.

The questions that FBI agents asked about us had these two important effects:

1. To intimidate witnesses previously willing to testify regarding Dodd. Several of Dodd's employees have been so shocked at his conduct that they have been willing to go on the witness stand.

Attorney General Katzenbach has proposed a law making it a criminal offense to harass or intimidate a witness who has given information to help law enforcement. The prospective witnesses in the Dodd case were certainly helping law enforcement in a most courageous manner—against a very high official. The FBI interrogation certainly did not encourage them.

2. The investigation played into Dodd's hands by raising a smoke screen about stolen documents when the real issue is whether a Senator violated the law and the ethics of high public office.

If and when the case does go to court, the Senator can claim the evidence is tainted.

Incidentally, we have stolen no documents.

The real clincher in this whole business is that three weeks ago we offered the Justice Department the evidence and a list of witnesses in the Dodd case. However, since we persuaded the witnesses to testify, not one witness has been questioned regarding Dodd's conduct. Instead, they have been cross-examined and, in effect, intimidated regarding stolen documents and about Pearson and Anderson.

With all due respect, Mr. Katzenbach, that is not the way to make democracy live.

[From the Washington Post Apr. 13, 1966]

SENATE-GO-ROUND

If you wonder why Newsweek's recent defense of Sen. Tom Dodd differed materially from accounts in this column, ask Sam Shaffer, author of the Newsweek story. He admits he spent 24 hours on the story. Jack Anderson spent four weeks . . . Shaffer pumped a nine-line column reference regarding a Persian rug given Dodd by Gen. Julius Klein as a major issue. He never took the trouble to look inside the Dodd home. It's full of Persian rugs . . . Shaffer claimed Dodd never delivered the speeches Gen. Klein wrote for him. But Sam didn't read the Congressional Record. Take for instance the Senator's private letter to Klein Sept. 18, 1961: "I am sorry I couldn't reach you late Friday, as I made my statement on the floor of the Senate as I assume you know.

Here is a marked copy of the Congressional Record" . . .

The Senator from Connecticut not only delivered speeches in the Senate written for him by the PR man from Chicago, but outside the Senate. One Klein ghostwritten speech delivered in Chicago by Dodd lauded the Italians. Julius's chief clients were West Germans, but he was then reported trying to get an Italian PR account. It always helps to be able to show a client that you have a U.S. Senator in your hip pocket.

[From the Washington Post, Apr. 14, 1966]

FBI RUSHES TO END DODD INQUIRY

(By Drew Pearson and Jack Anderson)

The FBI has leaked out word that it intends to wind up its quickie probe of Sen. Tom Dodd (D-Conn.) and his unethical conduct by this weekend—with a whitewash.

Members of the Senate Ethics Committee, after much handwriting, have confided to friends that the protective club spirit will be maintained and that they will have a report out within 30 days upholding their colleague.

Despite these reports, we can state that the surface has only been scratched regarding the financial manipulations and lobbying of the statuesque Senator from Connecticut.

This column has already reported on the money raised by Dodd's 1961 campaign dinner and traced where the money went to. That dinner was supposed to pay off a 1958 campaign debt and raise money for his 1964 campaign—even though it was three years before he would be up for election. Instead, all of the money went into Dodd's personal account.

Here is the inside story of another dinner, on Oct. 26, 1963, called "Dodd Day," and how the proceeds from the dinner were used, among other things, to repair the Senator's home and pay a liquor bill and the vacation expenses of his family.

CAME TO DINNER

Actually three different meals were held on 1963 Dodd Day—breakfast in Hartford, luncheon in Woodridge, and dinner in Bridgeport—with the Democratic faithful, including Lyndon B. Johnson, then Vice President, leading the tribute. There could have been no doubt about the purpose of Dodd Day. It was to raise funds for the Senator's 1964 campaign, not pay his personal expenses. Dodd made this clear in a "Dear Lyndon" letter dated Aug. 5, 1963.

"First of all," wrote the Senator, "allow me to thank you again for your generous offer to come to Connecticut to assist me in my forthcoming campaign. I wish I could convey to you how enthusiastic everyone is about your visit and how much it will assist me in getting my campaign drive under way . . . Your visit means more to me than I can say, Lyndon, and I shall never forget it."

The Senator neglected to tell the Vice President that most of the money he helped to raise would pay Dodd's personal bills. He also neglected to report this use of political contributions on his income tax returns, though the law clearly states that campaign funds diverted to personal use are taxable.

Dodd assigned several staff members, whose salaries are paid by the taxpayers, to sell tables for the Dodd Day testimonials. One Senate employe, Joe Flynn, was instructed to go through all the Senator's case work files and list everyone whom Dodd had helped in Washington. More than 1000 names were sent to Ed Sullivan, another Senate employe, who directed the solicitation in Connecticut.

The Senator later complained to friends that Dodd Day had been "no howling financial success." He collected $22,000 in Hartford, $15,000 in Bridgeport, and $10,000 in Woodridge—total $47,000.

Most of the money was deposited in Hartford's Connecticut Bank and Trust in a special account labeled "Testimonial for U.S. Senator Thomas J. Dodd."

A check for $8000, covering the net receipts from Woodridge, was mailed directly to Dodd in Washington. Somehow the check was misplaced and became the object of an intensive search. There is no trace of what finally happened to the $8000.

LIQUOR BILLS PAID

After Dodd Day, the Senator suddenly began sending all his office bills to Hartford to be paid out of the testimonial account. These were mostly personal items, including his liquor and country club bills, which came to his office for payment.

They had amounted to $14,974.28 in 1961 and $11,075.12 in 1962. In 1963, all but $742.04 was paid out of political contributions.

The bills had been allowed to accumulate until after Dodd Day. Then the Senator's accountant, Michael O'Hare, began mailing the bills to Ed Sullivan in Hartford to be paid out of the testimonial dinner account.

"Enclosed are some of the bills," wrote O'Hare, "which the Senator would like you to pay out of the Hartford account . . . The American Airlines bill ($3018.43) is quite a bit overdue, so that should be paid as soon as possible."

This bill included a number of personal flights by Dodd and his family. Among them was the return fare from a Miami vacation on Feb. 13, 1963—$78.12 for the Senator's ticket, $56.39 for Mrs. Dodd's ticket, and $32.10 for excess baggage.

The Senator's son, Tom, Jr., made a number of flights that were paid out of political contributions. These included trips from Washington to Akron on April 18 ($59.43), Washington to Chicago on June 24 ($91.77) and Washington to Asheville on June 26 ($68.36).

It will be interesting to see whether the Senate Ethics Committee considers Dodd's personal use of campaign funds and failure to pay taxes on them to be ethical.

[From the Washington Post, Apr. 22, 1966]

HOW DODD REWARDED CONTRIBUTORS

(By Drew Pearson and Jack Anderson)

Ever since Harry Truman accepted a deep freeze there has been much discussion of gifts to public officials, but generally the discussion has been one-sided.

It has been about Democratic Presidents, not Republicans; and about members of the executive branch of Government, not Congressmen.

The deep freeze, valued at about $1200, was given to Mrs. Truman by a Milwaukee contractor in 1946, through President Truman's military aide, Gen. Harry Vaughn. More recently, a stereo set valued at around $800 was given to President Johnson by an insurance salesman through a then Senate secretary, Bobby Baker.

Both gifts became the subject of Senate inquiries and tremendous national interest. The news was splashed all over front pages.

Much greater immunity has been given to gifts to members of Congress. Almost never do they investigate themselves.

Neither President Truman nor President Johnson gave any service for their celebrated gifts. This has not always been true of members of Congress. Sen. Tom Dodd (D-Conn.) has been a notorious gift-taker and a check-up on his gifts shows that he has sometimes rendered service. Incidentally, we do not believe the great majority of other Senators engage in this practice. Here is part of the Dodd record:

Sapphire Ring—Edgar Parser, New York diamond dealer, gave Mrs. Dodd a sapphire ring. Shortly thereafter, she lost the stone out of the ring. Dodd asked Parser for a new sapphire, which he got.

Sen. Dodd tried to have Parser appointed U.S. Ambassador to Belgium, later U.S. Ambassador to Luxembourg. Parser was more successful in supplying two sapphires than Dodd was in securing either one of two ambassadorial appointments.

Footwear—Most of the Dodd family has been outfitted with footwear, from boots to tennis shoes, by the Goodyear Company at Middletown, Conn. When the tariff was cut on the importation of foreign footwear, Sen. Dodd vigorously opposed the cut.

Hair Dryers—Mrs. Dodd received a gift of two hair dryers from General Electric for a charity auction. When the dryers arrived she liked them so much that she kept one for herself and gave one to a friend.

Television Set—This was given to the Senator by Florence Lowe, an executive of Metromedia TV stations at the time Dodd was investigating violence on television. Dodd thereafter gave Mrs. Lowe's son a job on his subcommittee staff, also ordered his aides to stop their investigation of Metromedia.

Wall-to-Wall Carpeting—This rich blue carpeting in Dodd's country place at North Stonington, Conn., came from New London furniture dealer Syd Symon. Dodd has boasted to aides that the carpeting cost him nothing. He arranged a presidential pardon at Symon's request for the latter's friend, Philip Levine, convicted of income tax evasion.

Symon, when queried by this column, insisted that Dodd had paid the wholesale price for the carpeting. Asked how the payment was made, Symon replied "by personal check." When Symon was told there was no record in Dodd's accounting of a check to Symon, he shouted, "It's none of your G—— d—— business!" and hung up the phone.

Clocks—The Senator, a collector of clocks, has a large number in his North Stonington home from the Ingraham Company, which sent him a catalogue and told him to take his pick. Dodd arranged a $1-million area development loan for the company's new plant in Bristol, Conn.

Wesley Songer, president of Ingraham, admitted the Senator had obtained "several" clocks from the company, but claimed Dodd paid wholesale prices for all but one. This had been a gift.

Silverware—Ralph Bertinni, recently retired president of International Silver, acknowledged that the company had replated some of Dodd's silverware. He also acknowledged that he had persuaded Dodd to intervene at the White House for high silver tariffs.

Air-Conditioned Olds—We reported earlier that Dunbar Associates supplied Dodd with an air-conditioned Oldsmobile in 1964. A new angle has now developed, namely a brand-new 1966 Olds has been delivered to the Senator. It is still registered in the company's name. Dodd has secured Government contracts for Dunbar Associates.

Foreign Gifts—When Sen. Dodd and wife visited Korea last year they received so many presents—oriental handicraft, silks, jewelry, silk screen, a hand-carved table—that the gifts were sent home by boat and two of the Senator's aides had to make two trips to Baltimore to bring them to Washington.

Shortly thereafter Dodd delivered a Senate speech hailing President Park of Korea as a "great modern statesman under whose administration Korea has been blessed with political stability and with an almost miraculous degree of social and economic progress."

DODD DINNER DONORS UNDERSTOOD MONEY WAS FOR CAMPAIGN FUND

(By Drew Pearson)

WASHINGTON.—Sen. Tom Dodd, D-Conn., has now conceded that this column was correct in reporting that he put in his own pocket the proceeds from a 1961 testimonial dinner and a 1963 "Dodd Day" breakfast-lunch-dinner. He made this admission in reply to written interrogatories from the Senate Ethics Committee.

He also did not dispute the column's claim that his net take was $54,555 from the 1961 dinner and $47,000 from the 1963 affair—a total of over $100,000.

The Senator contended, however, that the money was raised for his personal use, not his political campaign chest. His associates acknowledged to the Washington Post that political funds diverted to his personal use would be taxable, but insisted that the contributions to his 1961 and 1963 testimonials were personal gifts, therefore tax-free.

This becomes an extremely important distinction, since Dodd neglected to report this income on his tax returns.

It will come as a surprise to the dinner guests that they were donating to Dodd's personal finances rather than to his campaign. For he told one and all that he was raising the money for political purposes. He mailed out more than 1,500 letters, typed in his Washington office and stuffed in his Hartford office by Senate employees, soliciting "campaign contributions" for Dodd Day. If they had known the dinners were for his personal benefit, doubtless in view of the national furor over Nixon's $18,000 personal expense fund, they would have been hesitant about contributing.

The claim that the two testimonials were personal, not political, should also startle President Johnson, who was persuaded to be the star attraction at both events for the specific purpose of helping Dodd raise campaign funds.

"Dear Lyndon," wrote Dodd on Aug. 5, 1963, "allow me to thank you again for your generous offer to come to Connecticut to assist me in my forthcoming campaign. Since receiving definite word from your office that you will be available on Oct. 26 (Dodd Day) for the entire day, I have scheduled a variety of activities that will cover the principal centers of the state.

"I wish I could convey to you how enthusiastic everyone is about your visit and how much it will assist me in getting my campaign drive under way."

Even if Dodd's explanation were accepted at face value, he would be in trouble with Internal Revenue. The law states that gifts, too, are taxable if any services are performed for the donor.

Contributions for both the 1961 and 1963 affairs were solicited from the people whom Dodd had helped in Washington. For the Dodd Day solicitation, the Senator assigned one of his aides, Joe Flynn, to go through all his casework files and prepare a list of individuals and firms that had benefited from his Washington wire-pulling. Approximately 1,000 names were forwarded to the field workers who were selling tables and seeking contributions in Connecticut.

The truth is that Dodd raised most of the money that he later deposited to his own account from lobbyists, businessmen, and friends for whom he had performed government services.

Dodd's associates also told the Washington Post that Dodd had found it necessary to hold testimonials to relieve the financial strain of serving in the Senate.

"Testimonial dinners enable a poor man to remain in office. They are part of the American way of life," Dodd's spokesman said.

In 1961, the year of Dodd's first testimonial, he reported an income of $88,031.88. This included his $22,500 Senate salary, $4,463.41 from lectures, and $61,068.47 from his law firm. Of this, $50,000 came from the Teamsters Union. This is not a poor man's income.

Nevertheless, with total income of $88,031.88, Dodd raised an additional $54,555.58 in 1961 which he now claims was a tax-free gift.

In 1963, when Dodd pocketed another $47,000 in contributions which he failed to report on his tax returns, he listed an income of $33,365.45.

The Senate Ethics Committee should also investigate a number of other Dodd fund-raising affairs, including one thrown by Pan American vice president Sam Pryor and heavyweight champion Gene Tunney in New York City, another thrown by right-wing *razor blade-maker Pat Frawley in Los Angeles*, and a testimonial in the District of Columbia.

As nearly as this column has been able to determine, Dodd raised around $300,000 between 1961 and his election in November, 1964. He reported only $190,000 in campaign *expenditures, and some of these expenditures* have turned out to have been phony.

When Richard Nixon, as California Senator, raised a slush fund of $18,000 to help defray office expenses, it caused a national sensation.

Believe it or not, Dodd staged still another testimonial dinner in March, 1965, for the *announced purpose of paying off his "campaign* deficit." At this event he persuaded Vice President Hubert Humphrey to be the star attraction.

These are some of the facts that Dodd neglected to mention in his reply to the Senate Ethics Committee's written interrogatories.

[From the Washington Post, Apr. 25, 1966]

FBI ACTIONS IN DODD PROBE CHALLENGED

(By Drew Pearson)

This column is supposed to report what goes on behind the scenes in Washington, so here is a report on what has been going on behind the scenes in the Sen. Dodd investigation.

Early in our development of this story, Jack Anderson notified the FBI that we had certain important documents pertaining to the ethics of a key Senator, and invited the FBI around to study and evaluate the documents.

Mr. Anderson, I might add, not having been around Washington as long as I, labors under the impression that the FBI is anxious to root out and suppress wrong-doing wherever it may be—even in high places.

The FBI, therefore, with Mr. Anderson's cooperation, photographed every scrap of evidence we had. When some of the photos didn't develop clearly, the FBI even came back and rephotographed.

Jack had also been working with half a dozen prospective witnesses, all former Dodd employees, to tell the FBI what they knew of Dodd's misconduct. These were young people who had been shocked at what was happening in Dodd's office and departed. They felt under moral obligation to report what was happening.

Mr. Anderson offered to produce these witnesses, no strings attached, for the FBI.

FBI CROSS-EXAMINES

The G-men called on the witnesses all right, but didn't ask a single question about Dodd, his conduct, whether he had diverted funds from testimonial dinners to his own pocket and whether he had acted on behalf of a foreign agent, Gen. Julius Klein.

Instead the FBI cross-examined these young people about the alleged theft of Dodd's documents. They also heckled them about other stories Jack Anderson and I had written, including how we got the unpublished manuscript of the Cosa Nostra squealer, Joe Valachi. What this had to do with the Dodd case is hard to explain, but the FBI didn't try to explain it.

These witnesses are cleancut young men and women, who believe Senators are not above the law and that it should not be against the law to document corruption charges against a U.S. Senator. They are not disgruntled employes who came running to us with information against their boss. We sought them out; it took weeks to persuade them that their first loyalty should be to their country, not to Dodd.

However, the public can judge for itself these witnesses if they are ever given a chance to testify.

As fast as the FBI discovered the identity of the witnesses, they were bullied and badgered, hounded and harassed. One lost his job on a House committee; the news of his dismissal came from Dodd's office. Another, who decided it was his duty to testify against Dodd, *felt it improper to remain in* Dodd's office. Since submitting his resignation, he has been unable to find another job. Others have had their jobs threatened.

Agents hauled some witnesses right into Dodd's office for cross-examination and behaved as if they were working for the Senator. Other witnesses were alternately soft-*soaped and threatened with Federal prosecution*.

I have been around Washington a long time, but have never seen such an example of police state operation.

ABOVE J. EDGAR HOOVER

Such investigations, of course, do not happen by accident. They usually go beyond the Attorney General, Mr. Katzenbach, an awfully nice guy, but a bit wishy-washy when it comes to standing up to the White House or the Senate Judiciary Committee of which Tom Dodd is a member.

Such investigations usually go right up to the President himself. Mr. Johnson has on his desk a direct private phone to J. Edgar Hoover. They are very old friends.

Lyndon is not only a friend of Hoover but he is a friend of Dodd. It takes a real friend to make the two trips he made to Connecticut to speak at two testimonial dinners which raised $100,000 for Tom's personal bank account.

After the 1961 testimonial, Dodd's political lieutenant, Ed Sullivan, wrote to him: "Charles McDonough (an insurance executive) drove Vice President Johnson back to the airport from dinner. On the way, he told Charlie under no condition would he miss your dinner. He said he considers you and Grace (Mrs. Dodd) amongst the best friends of he and Mrs. Johnson, and considers you on the Senate floor the best friend he has."

Lyndon did all right for Tom. He hoisted him to a choice position on the Senate Foreign Relations Committee, ahead of other Senators, a vantage point from which he was able to work more effectively with Gen. Julius Klein. And he almost picked Tom to run with him for Vice President.

Such is part of the inside story of what goes on in Washington.

[From the Washington Post, May 1, 1966]

DODD'S LITTLE BONFIRE—NEED TO REFORM CORRUPT PRACTICES ACT SHOWN BY BURNING OF CAMPAIGN FINANCE RECORDS

(By Drew Pearson)

An interesting little bonfire which took place in Hartford, Conn., on Feb. 15 plays a small part in the Sen. Dodd investigation. It should play a big part in rewriting the laws regarding political contributions.

That date was shortly after expiration of the time politicians were required to preserve records of campaign costs and contributions for the 1964 Senate election in Connecticut. On that day, Democratic friends of Sen. Dodd in the State House burned his campaign records.

When Republican State Chairman, A. Searle Pinney sent for the records, they were gone. Fortunately, Jack Anderson had the foresight to make copies of the more important items.

However, the Connecticut bonfire illustrates the fact that records of campaign finances are kept in a slipshod manner in most of the United States, and that one of the most important steps in electing competent public servants without getting them in hock to lobbyists is to reform the Corrupt Practices Act.

President Johnson in his January State of the Union Message promised: "I will submit legislation to revise the present unrealistic restrictions on campaign contributions—to prohibit the endless proliferation of committees, bring local and state committees under the act—to attach strong teeth and severe penalties . . ."

In 1956, when Mr. Johnson was a Senator *from Texas, he was urged to do exactly* that. The same year, the late Sen. Tom Hennings of Missouri introduced legislation to reform the Corrupt Practices Act and so did the late Sen. Rchard Neuberger of Oregon.

Nothing was done then and nothing has been done in the three months since the *State of the Union Message.*

The biggest item in any candidate's campaign budget is television. Both political parties pay through the nose for TV time and unless they do they may lose the election. This puts a premium both on money and on the stage manner of the candidate.

The importance of television—and its unfairness—was illustrated in Washington State in 1964 when an unknown preacher opposed veteran Sen. Warren Magnuson and almost beat him. Magnuson came to Congress the same year that Lyndon Johnson was elected—1938. He has done more for his state than any other legislator in its history. But because Magnuson is not an actor and because he has a more ample waistline than his Republican opponent, he almost lost.

Magnuson is now chairman of the Senate Commerce Committee, with power to initiate legislation requiring the networks and individual stations to give some free TV time to all candidates on a nonpartisan basis.

Because the air waves belong to the people, and because some big TV stations make as much as 40 per cent profit, it would not seem unfair to pass such a law—but restricting the amount of time so neither side could get ahead by spending more money.

This is one simple step which could be taken immediately to curb the growing burden of testimonial dinners, big contributions and heavy TV expenditures, which have made the job of running for public office such a burden on the candidate and his friends.

[From the Washington Post, May 2, 1966]

"Doddism" Is Practiced in the Far West

(By Drew Pearson)

Los Angeles.—"Doddism" has spread to the Far West. As far as we can establish, "Doddism"—the technique of giving testimonial dinners for politicians' personal benefit—is not prevalent among many U.S. Senators. But in Los Angeles Mayor Sam Yorty has chalked up an amazing record for Doddism.

Significantly, Dodd and Yorty are old friends and fellow admirers, but not always fellow Democrats. Yorty's meteoric career has frequently wavered between the Republican and Democratic Parties, and in 1960 he went down the line for Richard Nixon as against John F. Kennedy.

During the last two and a half years of his sometimes vacillating political career, the genial Mayor has held five dinners that raised an estimated net of $690,000.

And one of the biggest political mysteries is what he did with the money.

Only two of the dinners by any stretch could be tabbed as campaign fund raisers. The three others were testimonial dinners of the type that Sen. Dodd's office says were used to raise money for the Senator's personal expenses.

Yorty's two political dinners were held Jan. 27, 1965, just after Yorty had entered the race for reelection as Mayor, and on March 17, 1966, after the Mayor announced that he would run for Governor in the coming Democratic primary against Gov. Pat Brown.

Last year's dinner for reelection as mayor was called a "gala kickoff jamboree," held in the Hollywood Palladium and netting an estimated $135,000.

The March 17 dinner this year was tabbed as a "St. Patrick's ball honoring Sam and Betts Yorty," also held at the Palladium. Yorty is of Yugoslav descent but used St. Patrick's day as a good gimmick for raising money. The gimmick worked. Sam netted another estimated $135,000.

The three other dinners, strictly nonpolitical, were as follows:

On Oct. 1, 1963, Yorty staged an affair at the Palladium billed as a "birthday dinner" for himself. It netted $48,000. 1963 was not a campaign year.

On July 22, 1964, a big gala was held in *Yorty's honor at the Ambassador Hotel. It was* billed as a "civil dinner" in Yorty's honor and netted an estimated $135,000. 1964 was not a city election year, and there was no excuse to raise money for a campaign.

On Nov. 12, 1965, just after Yorty had defeated Jimmy Roosevelt, a big dinner was *held once again at the Hollywood Palladium* called "a community tribute" to Yorty. It brought in an estimated $162,000.

Add to this approximately $75,000 that Yorty received from advertising in his dinner programs, and the total take for the five dinners was around $690,000.

WHO SPENT THE MONEY

When Yorty was running in 1965 against Rep. James Roosevelt, he officially reported spending $204,882 for election expenses. His treasurer did not list any Yorty dinners among his sources of income. Altogether Yorty has collected a total of $900,000 in private funds since becoming Mayor on July 1, 1961, but has spent only around $400,000 on his two political campaigns.

So the big question is: What happened to the rest of the money? Part of it could be accounted for by reports that Yorty is spending around $200,000 in his present race for Governor.

When the Mayor has been asked the purpose of raising money through testimonial dinners, he coyly replied, "Voter education."

Yorty has issued some pamphlets on smog, narcotics, and the alleged low caliber of Gov. Brown's judicial appointees. The pamphlets he describes as "voter education." But when newsmen asked the Mayor after his latest dinner to explain what he meant by voter education, the Mayor laughed and replied, "You'll have to ask the committee."

This refers to the permanent Yorty Dinner Committee. Probably Yorty is the only Mayor in the United States who has such a committee. It maintains headquarters in the Subway Terminal building owned by the Harvey family of Harvey Aluminum fame, one of whose members, Mrs. Carmine Warschaw, is Democratic State Chairman for Southern California.

So far none of the large number of businessmen, building contractors, city developers, and contractors doing business with the city of Los Angeles have questioned the motives behind the Yorty dinners. The nearest explanation for the dinners was given by Los Angeles attorney G. Bentley Ryan, when he sent out letters Sept. 18, 1963, asking for contributions to the Mayor's "birthday dinner" on Oct. 1 of that year.

Since 1963 was not an election year in Los Angeles, Ryan sent a friendly letter that he signed "Bentley" suggesting that patrons who bought a table of 10 for $1000 or tickets for $100 each could "facilitate their interests" at City Hall. Those who got the letter got the message. The Palladium was well-filled when the time came to honor the Mayor.

[From the Washington Post, May 3, 1966]

Dodd's Personal War on Poverty

(By Jack Anderson)

The deeper you look into the curious finances of Sen. Tom Dodd (D-Conn.) the less he resembles a hardship case who needs contributions from his friends to live in a style befitting a United States Senator.

According to our estimates, he raised over $300,000 during the 1961–64 period—more than double what he needed to pay even his campaign expenses. On top of this he called upon his contributors to shell out still an*other $100,000 in March, 1965, to pay off his* so-called "campaign deficit."

His aides plead that Dodd is a poor man who can't make ends meet on his regular income. However, new evidence has come to light that Dodd isn't as impoverished as he pretends.

This column has already reported that in 1961 he paid taxes on an income of $83,031.88, which should be enough even for a Senator to struggle along on. He paid no taxes on an additional $54,555.68, which he raised from a testimonial dinner and deposited in his personal bank account.

This column also reported that $50,000 of his 1961 income was paid by the Teamsters Union. But when his law partners tried to claim part of this fee, Dodd not only turned them down but complained that he wasn't collecting enough for the use of his name on the law-firm door.

"There will be no Teamster fee for anyone else," he wrote to one of the partners, John Calvocoressi, on July 2, 1962. "In view of the long struggle I went through, borrowing and paying interest, and the many sacrifices I have had to make since that time, I think it is asking too much to expect any share of that fee."

VALUABLE NAME ON DOOR

"I am sure you will understand when I tell you that I have made a large contribution to the firm, and actually my return has been small. It should be much larger, and this is something I will have to talk about very soon.

"I am sure you know as well as I do that there is a considerable amount of business that goes into the office because of me. . . .

"I am very busy with my Senate duties, and I have very little time to devote to law practice. Yet I must supplement my income in order to provide for my family.

"Many men who are in public life receive a steady income from their law practices because of the value of the association. I have never asked for such an arrangement, but I must increase my income from my private law practice.

"To put it simply, I wish you men would sometimes think about how you can help me."

This letter may interest those Connecticut voters who remember Dodd's reply during the 1958 campaign to the charge that he was a registered agent for Guatemala.

"Of course," he said, "I will not represent the government of Guatemala or any other private client if I am elected to the Senate."

Back in Connecticut, Dodd's political legman, Ed Sullivan, a grizzled, former beer-truck driver, has also been looking for financial opportunities for Dodd.

It was Sullivan who, in a letter dated March 14, 1960, suggested the testimonial dinner. In the same letter, he added meaningfully.

LIQUOR DEALER FEE

"This morning I spent an hour with Jack Kelly (a local Democratic leader, now deceased). We had a real good talk. I know there is nothing Jack wouldn't do for you, and also I know that he can steer things your way that would easily solve all your problems.

"I am sure, Tom, this is the right move. Your Washington income must be added to, and you must agree on a plan that will do this. You spoke for an engineering outfit. Some little attorney came to Jack for them. They got what you asked for. This is fine if you are in, but no good otherwise."

In another letter, Sullivan suggested that Dodd use his influence to help Johnny Barton, Inc., a Stamford, Conn., wholesale liquor dealer.

"On this deal, I have these thoughts," wrote Sullivan. "Take a fee or become their local attorney (not you I know) on a retainer basis. Or rent them a warehouse. Or take a share of *the operation in this branch, with a steady* income (if possible)."

As it turned out, one of Dodd's campaign managers, Paul V. McNamara, was retained by Johnny Barton. McNamara sent the Senator at least one check, No. 3332, dated Dec. 17, 1964, for $3750 from Barton.

McNamara explained to this column that he had earned the fee from Barton for saving his liquor distributorship.

"The Senator shared in the fee," said McNamara, explaining it was a common practice among lawyers.

By an interesting coincidence, Dodd's for*mer law partner, John Calvocoressi, now hap*pens to serve on the Connecticut Liquor Commission. However, McNamara denied that the law fee he split with the Senator involved any matter before the Commission.

This is just part of the story of how Dodd supplemented his income.

[From the Washington Post, May 9, 1966]

Christopher Is Likened to Senator Dodd

(By Drew Pearson)

San Francisco.—It is a long way in miles between Washington and San Francisco. But it's not far in ethical standards between the conduct of Sen. Tom Dodd, Democrat, and that of the ex-mayor of San Francisco, now running for governor in the biggest state in the Union. In fact, the record of George Christopher, Republican, puts Dodd, a Democrat, in the shade.

Christoper, a big dairy operator, by trading on the fact that he is a Greek-American immigrant, has been yelling persecution in the same way Dodd claimed the Communists are out to get him.

No later than March 30 of this year, Christopher's headquarters issued a letter signed by Arch Monson, Jr., as "Coordinator," warning editors to be on the alert against a smear of Christopher. This was an old dodge. It was practiced in 1962 when Christopher was running for lieutenant governor. At that time his headquarters put up a similar smokescreen—a letter, Feb. 14, 1962, signed by GOP state chairman J. F. Sullivan warning editors to beware of a forthcoming "smear."

[From the Washington Post, May 12, 1966]

Dodd's Suit Aims To End Disclosures

(By Drew Pearson)

Art Buchwald, my nonserious colleague, came out to the farm the other day for lunch. Nosing around the place, he remarked:

"I'm here for Sen. Dodd to see if the place is worth $5 million.

"Of course Sen. Dodd has been damaged," remarked Mrs. P. "He won't be able to hold those $100-a-plate dinners any more and put proceeds in his own pocket."

All kidding aside, there are some important aspects to libel suits brought or threatened for the purpose of stopping public discussion.

John F. Sonnett, attorney for Dodd, let one aspect out of the bag when he appeared before Judge Alexander Holtzoff over the weekend, when courts normally are not in session and with only one side being heard, in Dodd's recent $5-million suit. Very frankly Sonnett stated "the vendetta will not voluntarily stop" unless "immediate steps" are taken.

In other words, a primary purpose of Dodd's libel action was to shut off further revelations regarding Dodd.

[From the Washington Post, May 13, 1966]

Dodd's Libel Suit

(By Drew Pearson)

Here are some things you may not know about Sen. Tom Dodd's $5,000,000 libel suit: Our attorney, John Donovan, as of this writing, still has not able to get served with a copy of the complaint. Dodd was in such a hurry that his Wall Streeet attorney, John F. Sonnet, went before Judge Alexander Holtzoff late last Friday, when other courts were closed, to file for immediate subpoenas. Yet as of now we have not been served and though we asked for copies of the complaint we have been unable to get one . . .

The case will not come up for trial for at least two years. . . Sonnett told Judge Holtzoff that there was danger of the witnesses leaving town. On the contrary, most of the witnesses had appeared before a closed session of the Senate Ethics Committee and were standing by ready for public testimony. They had been told in the interim not to talk. Now they are subpoenaed to talk.

It looks as if the Senator from Connecticut didn't trust the final decision of his Senate colleagues . . . Dodd has now put his case before every branch of the Federal Government. First, he asked the Senate Ethics Committee to investigate. When they took him seriously, he tried to use his old friends in the FBI and the Justice Department. When they began questioning his former employes, he rushed to the third branch of government, the Federal courts.

[From the Washington Post, May 16, 1966]

How Dodd "Probed" Insurance Industry

(By Drew Pearson and Jack Anderson)

One of the most interesting chapters in the unique life of Sen. Thomas J. Dodd (D-Conn.) is his alleged investigation of insurance companies.

Because he is a member of the Senate Anti-Monopoly Subcommittee and as a courtesy because he comes from Hartford, insurance capital of the world, the late Sen. Estes Kefauver put him in charge of the insurance probe. This was in 1962. Four years have passed and there has been no investigation.

Discreet inquiries have been made by Senate colleagues as to why; but Senatorial courtesy is such that a fellow Senator does not get to inquisitive.

If one had been inquisitive, one would have found that, while supposedly investigating the insurance companies, Dodd had put his son, Jeremy, on the payroll of Aetna; ridden free on the Travelers Insurance Company's plane; sent his friends and clients to insurance companies for loans, then collected legal fees for paving the way, and accepted campaign contributions from insurance executives.

Furthermore, after he took charge of the Senate insurance investigation Dodd virtually stopped paying his insurance premuims.

Most people have their insurance cancelled or are penalized if they miss a payment. Fidelity Mutual of Philadelphia, for instance, cancelled the important disability benefits of one of the authors when he was a few days late. In contrast, Dodd's insurance has remained in force though he failed to pay $1033.06 in premiums in 1963; then he added another $977.60 to the debt in 1964. By Nov. 1, 1965, his unpaid premiums amounted to $3403.37.

Not until this column started exposing his machinations did Dodd hastily phone the Charles H. McDonough Sons Agency of Hartford to make regular payments.

"We have carried the Senator's premiums on our books," Merritt McDonough, one of the partners, admitted to this column. "We knew he was good for it. Why, we got a $40 check from him only a couple of days ago."

McDonough also admitted that Dodd usually stays at the McDonough family home—which comes complete with a maid and butler—when he visits Hartford. The Senator has also spent several vacations in Florida at the expense of the McDonoughs.

The insurance industry hasn't been investigated since William O. Douglas and Abe Fortas, both now on the Supreme Court, probed it in 1937. Earlier, Charles Evans Hughes, then a New York attorney, rocked the industry with his investigation of 1905—a probe which made Hughes Governor of New York and almost catapulted him into the White House.

Today the insurance industry is more bloated than ever with excess profits. It has collected more than $260 billion in the last 20 years, but has paid out less than $90 billion in living and death benefits. Millions of life insurance policies lapse each year, most of them paying no benefits.

Many insurance executives themselves are alarmed over the abuses in the industry, and believe an investigation would be healthy. William C. Smerling, Connecticut Mutual's manager in New York City, told a meeting of insurance agents that the life insurance public had been "ravaged," "raped," and "defrauded" through "misleading representations, enabling new commissions to reach an all-time high, with a total disregard for the owners of life insurance contracts who have made possible our successful existence in this business."

DODD'S COMPLETE STUDY

This was why Sen. Kefauver began digging into insurance abuses, and, as a courtesy, was authorized to make a "complete study."

"Since Senator Kefauver's death," wrote the respected Wall Street Journal, "the life insurance investigation has come to a complete halt."

Instead, Dodd occupied his investigators with minor probes and ordered an investigation of the U.S. operations of foreign insurance companies in competition with American firms.

Though his subcommittee was deluged with complaints, Dodd blandly announced that he would "set up the beginnings of a working relationship with insurance officials so that I will sit down with them regularly to find out what is on their minds and so they will be encouraged to contact me often. I hope this spirit of cooperation will be beneficial to the insurance business, and I know that it will help me carry out my responsibilities."

To this end, he attended a dinner of Aetna officials on May 17, 1964, at the West Hartford home of Roy Fosbrink, who recently retired as Aetna's Connecticut manager.

Not long afterward, Fosbrink arranged for the Senator's son, Jeremy, to become an Aetna agent—a job Jeremy held until this column began its exposes of Dodd. Then the Senator called him to Washington, placed him on the public payroll, and put him in charge of office security.

Future columns will delve deeper into Dodd's profitable relationship with the insurance companies he is supposed to investigate.

[From the Washington Post, May 17, 1966]

Dodd Batted for Insurance Firms

(By Drew Pearson and Jack Anderson)

Not long after Sen. Thomas J. Dodd (D-Conn.) took over the Senate insurance investigation in 1962, he sent a Mount Vernon, N.Y., real estate promoter around to see three large insurance companies about a $4 million loan.

The Senator arranged for Manilo M. Liccione to sound out Aetna, Travelers and Connecticut General about financing four apartment buildings in Albany, N.Y.

Liccione described the proposition in a letter, dated Dec. 18, 1962, to Dodd at his North Stonington, Conn., home.

"These properties look very good to me," wrote Liccione, "and could very well stand a mortgage of $3,750,000 to $4,000,000."

If he could arrange the loans, Dodd was offered a partnership. He jubilantly told one of his aides about the deal.

"This could make me a rich man," he said.

The Senator made appointments for Liccione through Roy Fosbrink, Connecticut manager for Aetna; Millard Bartels, vice president of Travelers; and Buist Anderson, vice president of Connecticut General.

Obviously it was somewhat awkward to turn down the Senator who had the power to seize the company books and investigate insurance abuses. So Connecticut General wrote Liccione on January 29, 1963: "From our analysis of the properties, it looks as though we can consider a blanket mortgage loan for an amount in the range of $2,500,000 to $2,750,000."

However, this was not enough money for Liccione, and this particular deal for the Albany apartment buildings fell through.

On another deal to construct an office building at White Plains, N.Y., Liccione got a $650,000 loan through Dodd from Aetna. Later Aetna became the major tenant, moving its local offices into the building.

DODD COLLECTS FEE

Liccione told this column that he paid Dodd's Hartford, Conn., law firm no more than the standard 1 per cent fee for its intervention. Dodd had made the arrangements through his former law partner, Joe Blumenfeld, who split the fee with him.

Dodd's books also show he borrowed $5000 from Liccione that was never paid back. Liccione explained that he received partial payment, then deducted the rest as part of the fee.

Again last year, Dodd paved the way for one of Liccione's clients to obtain a $330,000 loan from Connecticut General for a shopping center at Katonah, N.Y. Liccione acknowledged that he had again paid Dodd the standard fee. Dodd's books show he received check No. 5721 from Liccione, dated July 13, 1965, for $1125.

Both Bartels and Anderson admitted to this column that they had made arrangements for Dodd's friends to discuss loans with their mortgage departments. Both insisted, however, that the loans were judged strictly on their merits. (Fosbrink was on a round-the-world vacation and couldn't be reached.)

Bartels and Anderson also acknowledged that they had contributed to Dodd's testimonial dinners.

The two insurance executives said, too, that they had discussed insurance legislation with Dodd. Anderson confirmed that on June 27, 1963, he had spoken to Dodd and one of his investigators, Maurice Makey, about the insurance investigation.

"I had no ax to grind on the investigation," Anderson said.

TAX BENEFIT

He also admitted that he had talked to Dodd about a tax amendment that had saved Connecticut General an estimated $5 million. It was a relief measure, Anderson said, to save the company from paying excessive taxes on the purchase of a fire and casualty affiliate.

It would hardly have been fitting for Dodd, as chairman of the subcommittee investigating the insurance industry, to introduce special legislation to benefit any insurance company. So he asked Sen. Russell Long (D-La.) to offer the amendment. Former aides recall that Dodd also persuaded the late Sen. Robert Kerr (D-Okla.) to give the amendment a backstage push.

Indeed, Dodd not only shirked his responsibility to investigate insurance abuses, but he actually went to bat for the insurance companies behind the scenes. For example, he sent his chief insurance investigator, Dean Sharp, to the Agriculture Department to stop the Government from taking over insurance on stored grain from the private companies.

Sharp admitted he had met with insurance executives on the problem but insisted he had gone to the Agriculture Department only for information.

Dodd's law firm has represented Maryland Casualty, Standard Accident Insurance, Phoenix of Hartford Insurance, American Insurance Group, American Fidelity, Reliance Insurance, Fire Association of Philadelphia, Northwestern National Casualty, Central Mutual Insurance, and Norfolk & Dedham Insurance.

Yet he was entrusted with investigating insurance abuses.

[From the Newark (N.J.) Star-Ledger, May 21, 1966]

THE LAWMAKERS WITH LOTS OF SAY

(By Drew Pearson)

Sometimes it looks as if government in Washington is by oligarchy instead of a democracy under a republic. The oligarchs are the Congressional committee chairmen who tell the executive branch of government in no uncertain terms what they can or cannot do.

Here are three illustrations of government by oligarchy:

The House Armed Services Committee chairman has branded Defense Secretary Robert S. McNamara as a "Caesar," largely because McNamara is the first secretary of defense who has truly exercised his constitutional power instead of delegating it to the generals and to Congress.

Rep. Wilbur Mills (D-Ark.), has flatly refused to consider relaxing restrictions on trade with European Communist countries, even though all of these countries are edging away from Moscow and need more Western trade in order to do so. One of them, Rumania, has edged so far away, that in the same week Oligarch Mills issued his veto of the president, Comrade Brezhnev had to make a special trip from Moscow to Bucharest to try to stop the drift.

Sen. Jim Eastland of the sometimes-called Oligarchy of Mississippi is able to pass on the sending of federal registrars to Mississippi and at the same time gets benefits under the anti-poverty program.

Recently Big Jim was asked about this column's report that no federal registrars had been sent to his home county, Sunflower. He replied: "Ordinarily the Justice Department will inform me that they have plans to send a registrar into a Mississippi county, and I have been able to block some."

He claimed that he had not blocked any to Sunflower County. The reason was obvious. "The Justice Department," he said, "never discussed with me the possibility of sending a federal registrar into Sunflower County."

He did not add that the Justice Department is very loath to displease Big Jim. He is chairman of the Senate Judiciary Committee.

The cigar-chomping senator from Mississippi also has influence regarding the appointment of federal judges and is now promoting for the U.S. Court of Appeals Roger Robb, attorney for Bernard Goldfine in the Sherman Adams case, for Admiral Lewis Strauss in the D. Robert Oppenheimer purge, and more recently the attorney for Otto Otepka.

Otepka is the State Department employee who was dropped for leaking security documents to Sen. Tom Dodd (D-Conn.). For weeks Dodd presided over the internal security subcommittee while committee counsel J. Sourwine attempted to pillory Abba Schwartz, then in charge of the State Department's Bureau of Security and Consular Affairs. It was obvious from the cross-examination that the Senate committee was out to get Schwartz.

Sen. Dodd listened for days to the degrading interrogation. Only once did he voice mild objection.

Today Dodd and Sen. Eastland are pushing the appointment of Otepka's attorney, Roger Robb, for the U.S. Court of Appeals.

[From the Washington Post, May 23, 1966]

UNRUH DINNERS GROSSED $400,000

(By Drew Pearson)

Like Senator Dodd from Connecticut, speaker Jesse M. Unruh of the California Assembly held big fund-raising dinners and has not accounted for the money he collected. Between 1964 and 1966, Unruh held two huge testimonial dinners which grossed around $400,000. Yet no one really knows what he has done with the money.

Unruh is quite brazen about this. "Money," he says, "is the mother's milk of politics."

Dodd has grossed around $400,000 from half a dozen testimonial functions since 1961 and this column has published the amounts which Dodd placed in his own bank account. Later a Dodd assistant justified this practice on the ground that Senate salaries were too low and that Dodd needed the money. Unruh was given no justification whatsoever.

The California Speaker is not just an ordinary state official. Not only is he the leader of the Legislature in the most populous state in the Union, but he is a power in Democratic politics, nurses an ambition to be governor.

THE MONEY MYSTERY

Unruh comes from a very safe Democratic district, the Los Angeles suburb of Inglewood, where he is a cinch to be re-elected. He hardly needs to spend $1000 on a few handbills to remain in the California Legislature.

Yet on April 8, 1964, he held a huge $100-a-plate testimonial dinner in the International Hotel's ballroom which was reported to have brought in $200,000; while on Jan. 13 of this year he held another in the Hollywood Palladium attended by 2100 people at $100 a plate.

After this column began focusing attention on Sen. Dodd's dinners, the California press, on April 26, got hold of the Speaker and asked him what he was going to do with the $200,000 raised at the last dinner.

"Spend it," was Unruh's flippant reply.

"How?" pressed Martin Salditch of the Riverside Press.

"That's my business," said Unruh arrogantly.

When he was asked whether he would spend part of the money helping other legislative candidates, Unruh was evasive.

"You'll have to check their campaign expense reports," he parried.

When he was reminded that his name had not appeared as a contributor to favored legislators in previous elections, Unruh was equally arrogant.

"You'll just have to speculate," he said.

Since Unruh invites speculation, the press is justified in noting that he has moved in recent years from a small one-family house on Ninth Avenue to quite a beautiful home worth between $75,000 and $100,000, on 8315 Byrd ave., in Inglewood. His Assembly salary is $500 a month.

His friend Mayor Sam Yorty also moved from a small, pre-mayor home in the San Fernando Valley to a mansion on Blairwood Drive in Studio City.

PARADE OF ADVERTISERS

Examination of the record shows that Speaker Unruh did not spend much on his own reelection campaigns. In 1964 he listed receipts of only $7627.43, the year in which a testimonal dinner brought in around $200,000.

The 1966 listing of campaign contributors is not complete, but looking through Unruh's ornate program for his Jan. 13 dinner it is easy to identify his best backers.

Those who bought full-page or half-page ads in the program included the Western Harness Racing Association and the Horsemen's Benevolent and Protective Association. In the earlier 1964 dinner program, the California harness racing industry was a big advertiser.

Unruh has been a consistent backer of more night harness racing and has done his best to push pro-racing bills through the Legislature. Each time Gov. Brown has vigorously opposed him and beat him.

Another full-page advertiser was Tom Tavaglione. He was asked by Gov. Brown to resign from the State Alcohol Control Board after he arranged for it to meet in a bowling alley.

Another big program advertiser was the Signal Insurance Co., of which Lawrence Harvey is chairman; Louis Warschaw, president; and Homer M. Harvey, vice president. The Harveys are part of the famous aluminum family which is building a smelting plant in the Virgin Islands and which has a contract with the Guinean government for the biggest bauxite deposits in the world—despite the fact that Guinea is the most pro-Chinese country in Africa.

Brother-in-law Louis Warschaw, who also took a full-page ad in the program, is the husband of Carmen Harvey Warschaw, Democratic State Chairman for Southern California.

Other advertisers were the Great Western Savings, World Savings, and Bart Lytton, a big savings and loan banker who inscribed his ad thus: "To Jesse Unruh, my kind of a progressive, stand-up intellectually honest public servant."

As Speaker of the California Assembly, Unruh killed the clean election bill so that today no one has any real power to investigate what he did with the $400,000 raised from his testimonial dinners.

[From the Washington Post, May 24, 1966]

PRESIDENT WATCHING DODD PROBE

(By Drew Pearson)

President Johnson is keeping a wary eye on the investigation of the man who nominated him for President in 1960 and came near becoming his Vice President in 1964—Sen. Thomas J. Dodd (D-Conn.).

The President has asked to see the FBI summaries on the Dodd investigation. Even a complaint about a mailing mishap involving Dodd documents was called to his attention.

My associate, Jack Anderson, mailed some documents to Connecticut to be checked out. He made two or three phone calls to Connecticut to report the documents were coming.

The documents were placed in a brown manila envelope, which was carefully sealed. Then to make it doubly secure, the seal was taped down with Scotch tape. Yet the envelope arrived at the Washington, D.C., post office, two miles away, unsealed.

Postmaster General Larry O'Brien called the incident to the President's attention in a private "memorandum to the President," dated May 10, 1966.

"Columnist Jack Anderson reported on April 23," O'Brien wrote, "that a letter he had sent to Hartford, Conn., arrived with a notation: 'Received unsealed at Washington, D.C.' The large envelope contained matters pertaining to Senator Dodd, Anderson said.

"An investigation by postal inspectors revealed that the letter had apparently been poorly sealed, although Anderson's secretary denied this.

"After the investigation, Anderson said he believed the FBI opened his mail. Anderson thinks the letter was taken from a collection sack by FBI agents after it was deposited by his secretary in the lobby of the office building."

Note—The FBI will probably now investigate how this column got a copy of Postmaster General O'Brien's private memo to the President.

BOOKS AND POLITICS

California education leaders have run across the interesting fact that the chief textbook publisher of California, Franklin Press, printed election campaign literature for Max Rafferty, the fundamentalist educator, when he campaigned to become California Superintendent of Instruction.

Rafferty paid Franklin Press $18,580.84 for printing his literature. Franklin Press gets a major portion of the $14,500,000 textbook order for 1966 from the public schools of California.

The disclosure has touched off moves to ascertain whether textbook publishers have been contributing to Rafferty's or other educators' campaigns.

Rafferty was elected in 1962 in the hottest campaign ever staged for a California school superintendent, on a platform to take the schools back to old-fashioned "readin,' writin' and 'rithmetic."

Right-wing organizations all over the state supported him. Some of his radio commercials were tagged on after the commercials of Dr. Ross' Dog Food, sponsored by one of the chief right wingers of the Far West, the late Dallas Lewis, who left $1 million to the John Birch Society, $2 million to right-wing commentator Dan Smoot, and $1 million to Pepperdine College on conditions it give Dan Smoot an honorary degree. This was rejected.

P. A. Doheny, the California oil man, put up $11,000 for Rafferty's campaign. Doheny is the son of the famous Doheny who was exposed in the Teapot Dome scandal for giving a $100,000 bribe to Secretary of the Interior Albert K. Fall, in the Harding Administration.

LOOSE CAMPAIGN FUNDS

Apparently Rafferty had some difficulty compiling his list of contributors and expenses because he asked the Los Angeles Superior Court to give him two delays, so his statement was filed three months late—March 23, 1963.

California educators have also just discovered that Dr. Everett T. Calvert, Rafferty's assistant, who ran against Rafferty in the 1962 primary but supported him in the runoff, has never filed his campaign expenses and list of contributors either for 1962 or 1958, when he was also a candidate. This would make him ineligible to hold office or run again.

Dr. Calvert is former editor of the American Book Company and it has been reported that both he and Rafferty received political contributions from publishers.

As a result, Willard Harper, a California school teacher now opposing Rafferty for reelection, is filing a writ of prohibition before the Superior Court this week asking that both Rafferty and Calvert be prohibited from soliciting or receiving campaign funds from book publishers selling books to the state.

CAPITAL CHAFF

When Milton Shapp, long-shot Democratic candidate for governor of Pennsylvania, finally won that nomination, Vice President Humphrey called to say, "There are only two men who predicted your victory—Drew Pearson and Hubert Humphrey."

[From the Washington Post, May 31, 1966]

INSURANCE FIRM GOT DODD AID FOR CHECK

(By Drew Pearson and Jack Anderson)

This column has reported that Sen. Tom Dodd (D-Conn.), after being entrusted by the Senate in 1962 with investigating the insurance industry, suddenly stopped paying his insurance premiums and began recommending friends to insurance companies for loans. He and his law firm actually collected fees and commissions on these loans.

Dodd also accepted free rides on a Travelers Insurance Company plane, and his son, Jeremy, was hired as an agent by Aetna Life and Casualty Company.

But there is still more to the story.

In 1962, Dodd also intervened with the Connecticut Insurance Commissioner to arrange for Bankers Life and Casualty Company to do business in the State. For pulling the right strings, he collected $5000 from Brunndage and Short, the Chicago law firm which represented Bankers Life and Casualty.

Only a month after he wrote to the Commissioner, Dodd was able to report to attorney Charles Short on July 17, 1962: "The enclosed documents are self-explanatory. I am pleased that Bankers Life and Casualty Co. has been licensed to do business in Connecticut."

A $5,000 CHECK SENT

Two days later, on July 19, 1962, Brundage and Short mailed the Senator check No. 18243 for $5000.

Reached in Chicago, Short tried to deny the whole affair. First he claimed that Dodd had handled the matter before he became a Senator. When Short was reminded that Dodd had been elected to the Senate four years prior to his intervention for Bankers Life in 1962, he declared that Dodd had been unable to arrange the licensing.

Advised of the Senator's letter announcing his success in obtaining the license, Short insisted that Dodd had not been paid. When he was reminded of the $5000 check, Short changed his denial to a claim that the $5000 was a loan from his late partner, Howard Brundage, to Senator Dodd.

"Tom and Howard used to borrow money from one another," said Short.

"It was not a personal check," we pointed out. "Did Brundage use his firm's checking account to make personal loans?"

"I am not the slightest bit interested in you people," Short snapped. "So goodbye." And he hung up.

THE INSURANCE ALIBI

Meanwhile, three of the insurance companies have been trying to explain their relationship with the Senator who is supposed to investigate them.

A spokesman for Travelers denied to the Hartford Times that Dodd had used the company plane. Nevertheless, the Senator's former aides recall that he flew in the Travelers plane at least half a dozen times.

Merritt McDonough, speaking for the Charles M. McDonough Sons insurance agency, also told the Hartford Times that Dodd had neglected to pay his back insurance premiums because his bookkeeper didn't show him the bill. Not until the accountant left the payroll, claimed McDonough, did Dodd discover he owed $3,403.37 in premiums dating back in 1962.

INSURANCE DENIALS

But Dodd's accountant tells a different story. He states that he called the unpaid insurance premiums to the Senator's attention several times, but that Dodd merely shrugged off the burgeoning bill. He started to pay his back premiums in December, 1965—after he learned this column was investigating his misconduct.

Buist Anderson of Connecticut General and Millard Bartels of Travelers, both vice presidents, admitted to the column that Dodd had sent friends to see them about loans. They insisted that the applications were judged strictly on their merits, ignoring the fact that Dodd was supposed to be investigating them, not recommending friends to them for loans.

While we do not accept these denials, we do want to correct an error regarding our report that insurance companies had collected $260 billion during a 20-year period but had paid out less than $90 billion in living and death benefits. The Institute of Life Insurance points out that $73 billion of the total $260 billion intake came not from preiums but other investments.

BENEFITS PAID

It also states that the correct outlay during the 20-year period is $74 billion for living benefits, $39 billion for death benefits, and $18 billion in other payments to policyholders, or a total of $131 billion, not $90 billion.

This column also quoted William C. Smerling of Connecticut General as telling insurance managers that the life insurance public had been "ravaged, raped, and defrauded" by the insurance companies.

In fairness to Mr. Smerling, it should be noted that, though he was correctly quoted, his remarks were aimed at those salesmen who offer rebates to make sales, persuade customers to cash in old policies to pay for less valuable new policies, and charge excessive commissions. He was not criticizing the majority of insurance salesmen.

We are happy to make these corrections.

[From the Washington (D.C.) Post
June 3, 1966]

NO DODDISM HERE

(By Drew Pearson)

No matter what the Senate Ethics Committee may do regarding Senator Tom Dodd

(D-Conn.), the publicity regarding his activities is already having its effect.

Not only has President Johnson sent a proposal to Congress regarding the regulation of campaign funds, but the other day in Springfield, Ill., Harry G. Taylor, president of the Illinois Republican County Chairmen's Association, clearly indicated that he had been reading the columns regarding Tom Dodd.

Reported the Illinois State Register: "Drew Pearson's and Jack Anderson's columns you have been reading in the Register about Sen. Thomas J. Dodd's alleged misuse of campaign funds have the entire Congress of the United States shaken up.

"At the $50-a-plate fund raising dinner in Decatur Sunday night, Harry G. (Skinny) Taylor went to great lengths to explain how the money would be used.

"He said Thomas Harris of Lincoln, Republican State Committeeman, would appoint a committee to distribute the funds. One of the committee members will be a certified public accountant.

"'I think it should be known that none of the funds received by the committee will be used for any personal expenditures of Congressman Springer', Taylor said."

[From the Jersey City (N.J.) Journal, June 13, 1966]

EXCHANGE OF LETTERS ABOUT DREW PEARSON

DEAR EDITOR: In your issue of May 16 Pearson, the smearer, belabors Senator Dodd and all the insurance companies for very little reason.

Why doesn't he give an account of his frequent trips to Red Russia and his meetings with the Commie big wigs over there for the purpose of pointing out to them better ways of making Communist propaganda more effective here in the USA?

Sometimes on the shores of the Black Sea these meetings are held. These are well known facts. He cannot deny them even if he tries.—T.T., Jersey City.

WASHINGTON.

DEAR EDITOR: May I reply to Mr. T.T. that I have never, in the most remote manner, tried to deny meeting with Khrushchev on the Black Sea or elsewhere. He indicates that these were secret meetings in which I was plotting to spread Communist propaganda in this country.

On the contrary my two meetings with Khrushchev at Zagri were very fully reported by me immediately after they took place and were widely quoted around the world, because in the first interview Khrushchev put forward some new proposals for the solution of the Berlin deadlock: and in the second interview he put forward some ideas on implementing the test ban treaty which had just been signed.

If this was an attempt to spread Communist propaganda in the United States, then peace is propaganda.

Actually Khrushchev, in my opinion, was far more friendly to the United States than many of the others around him in the Kremlin and probably than his successors in the Kremlin.

Practically every newspaperman covering international affairs today has reported the much tougher line taken by the Kremlin since Khrushchev was retired.

The question of whether Senator Dodd is for communism or against communism has nothing to do with his conduct as a Senator.

I happen to have been the first to expose the Soviet spy ring in Canada long before Senator Dodd discovered anti-communism as a good political gimmick. And I suspect that I have been attacked in the Moscow press more than Dodd. In fact, I don't recall any editorials attacking him. In contrast, here are a few quotes from attacks against me:

Pravda—"The Pearson news cocktail is a mixture of one or two generally known facts with a dose of anti-Soviet lying . . . Pearson steps out as a war-monger . . . Will resort to any means to sabotage the cause of peace."

Izvestia—"If the magnates of monopolistic capital profiteer on wars, so also do their newspaper salesmen . . . Such a one is that veteran of slander Drew Pearson . . . Any occurrence in international life is transferred by the pen of Pearson into a new step toward conflict between East and West."

DREW PEARSON, Washington.

[From the Washington (D.C.) Post, June 15, 1966]

KLEIN'S CLIENT SEEKS U.S. CONTRACT

(By Drew Pearson and Jack Anderson)

One important chapter in the unique career of Maj. Gen. Julius Klein, close confidant of Sen. Thomas Dodd (D-Conn.), is his lobbying for a former Nazi company to get a $75 million contract to manufacture arms for the U.S. armed forces.

Klein is the foreign agent who induced Sen. Dodd to go to Germany to rescue his, Klein's, public relations accounts at a time when those accounts were jeopardized by a Senate investigation.

Thanks to the fact that a U.S. Senator who is a member of the Foreign Relations Committee, a close friend of President Johnson's, and a former Nazi War Crimes prosecutor undertook this mission, Klein was able to retain his West German clients.

One of these is Rheinmetall of Dusseldorf, Hitler's second-largest arms manufacturer, which had been seeking a Defense Department contract to manufacture the 20-mm. Hispano-Suiza rapid-firing cannon. Klein lobbied vigorously for this contract, a contract which had the following reverberations in the United States:

It contributed to the closing of the 150-year-old Springfield, Mass., Armory which has been turning out weapons for the American Army ever since the Revolutionary War.

It was opposed by Jewish leaders throughout the U.S. because of Rheinmetall's past Nazi connections.

RHEINMETALL'S WAR RECORD

Gen. Klein has made much of his religion. He has boasted that he is a past commander of the Jewish War Veterans, and in one of his many lengthy letters to editors protesting this column's reporting of his connections with Sen. Dodd, Gen. Klein mentioned the fact that he was a Jew no less than eleven times.

Nevertheless, Klein served as a paid agent and did his best to get a U.S. contract for a company which employed slave labor during the war, never made restitution to these unfortunate victims, and is run by five officers, three of whom are former Nazi Party members.

Two, president Otto Paul Caesar and Ernest Boume, are reported to have been plant managers for Rheinmetall Borsig AG during the war.

According to a protest registered with Secretary of Defense Robert McNamara by Adolph Held, president of the Jewish Labor Committee, Rheinmetall "sought out and employed concentration camp inmates for exploitation in its arms factories.

"A special camp for Jewish women and girls recruited from Buchenwald by Rheinmetall was built by Rheinmetall at Sommerda in Thuringia. Over 1200 Jewish women were employed in that camp alone. The evidence is overwhelming that they were forced to work under the most inhumane circumstances."

Yet Gen. Klein's client had refused to pay restitution to these survivors. Other Nazi companies, including Krupp and I. G. Farben, had paid amounts ranging from $500,000 to $7 million. But even though there are nearly 1000 survivors of the Rheinmetall slave camps still alive—many of them now American citizens—Rheinmetall, until the Dodd-Klein columns, had refused to pay a cent.

KLEIN'S PASSIONATE PLEAS

Despite this, Klein pleaded Rheinmetall's case passionately before the Defense and State Departments, beginning over a year ago. Government officials state that he even advised Rheinmetall to stand pat and not pay restitution to slave labor camp victims.

Both the U.S. Defense Department and the West German Defense Department took a strong stand that Rheinmetall must pay. The German Defense Minister even informed Washington not to sign a contract until Gen. Klein's client paid compensation to the Jewish Claims Conference.

Nevertheless, Gen. Klein wrote then Assistant Secretary of State William Tyler, April 5, 1965: "I think it might be taken without question that I, as past National Commander of the Jewish War Veterans, a participant in the Restitution Treaty negotiations, and a member of the founding of the first Jewish Claims Conference, would never have undertaken to represent Rheinmetall without certain knowledge of their complete innocence of such charges as have been alleged."

Contradicting Klein, the State Department stated officially that three of Rheinmetall's officers were former Nazis and that the company had employed slave labor.

Despite this, Gen. Klein continued to represent Rheinmetall and continued his barrage of letters supporting them in getting a $75-million arms contract which would help close the Springfield Armory.

This caused such resentment among Klein's fellow Jews that the Jewish War Veterans, on whose name he had traded, threatened to kick him out. This would have been a serious blow.

In this predicament he could not get aid from his old friend Senator Dodd, who had helped him with the German clients. Dodd is not a Jew. So Klein appealed to the leading Jew in the Senate, Jacob Javits of New York.

And Javits, whose brother is now defending Klein before the Senate Ethics Committee, wrote an unusual letter bailing Klein out. Quotes from this letter and Sen. Javits' comment will follow in tomorrow's column.

[From the Washington (D.C.) Post, June 16, 1967]

JAVITS' TIES TO GENERAL KLEIN RECALLED

(By Drew Pearson and Jack Anderson)

Sen. Jacob Javits of New York, who has a fine record in Congress and wants to be Vice President of the United States, is either politically stupid or else inexplicably beholden to Gen. Julius Klein, the intimate of Sen. Tom Dodd and paid agent of West German interests.

At the height of the back-stage controversy over whether Rheinmetall, Hitler's second biggest arms supplier, should pay restitution to Jewish survivors of slave labor camps, Javits wrote a letter to Klein which helped bail him out with the Jewish War Veterans and other Jewish organizations indignant over Klein's vigorous championship of Rheinmetall in getting a $75 million contract from the Defense Department to manufacture a 20 mm. cannon for the U.S. armed forces.

Klein, who is the paid agent for Rheinmetall, had claimed the company was completely "innocent of such charges as have been alleged."

The timing of the Javits letter defending Klein is important. It came after the State and Defense Departments had taken a firm stand that Rheinmetall must make a token payment to surviving victims of slave labor camps if it wanted to get the arms contract with the United States.

The West German government, through its defense minister, had been just as adamant on this point, possibly more so, having told

U.S. authorities not to sign until Rheinmetall paid up.

JAVITS' BROTHER BEN

The Javits letter came also just as the controversy over Klein and his friend Dodd was at its height; and after the Senate Ethics Committee had officially announced that it would investigate this column's charges regarding Sen. Dodd and his operations on behalf of Gen. Klein.

Finally, the Javits letter came just as his brother Ben had been approached by Klein about representing him before the Senate Ethics Committee. This has now been finalized.

"The present controversy surrounding you within the Jewish War Veterans," wrote Sen. Javits to Gen. Klein on April 21, "is, as these things always are, unfortunate. However, it is my present understanding that the controversy is on its way to a just solution; I fervently hope so.

"Within the context of your representation of West German business concerns and individuals—which is itself a matter of your business judgment and your personal disposition and not for me to pass on—I feel you have done your utmost to secure justice for the victims of Nazism and a measure of reparation through aid to Israel."

The Javits letter was promptly and triumphantly circulated by Klein as justification for his various operations.

When Javits was asked for comment on why he had written this unusual letter to Klein, the Senator's office replied that Klein had appealed to Javits because he was going to be kicked out of the Jewish War Veterans.

Later the Senator himself phoned to say, first, that his brother conducted his own law firm and his brother's defense of Klein before the Senate Ethics Committee had no connection with the Senator; second, that he had believed that Klein, in his relations with former-Chancellor Adenauer, had helped secure reparations for Israel.

"You know Julius," the Senator added. "He's always bothering me and Hubert Humphrey and his other Senate friends."

STATE DEPARTMENT FACTS

Sen. Javits, it should be noted, was fully aware of the seriousness of the State Department's Nazi claims against Rheinmetall, because six weeks before his letter to Klein he had received a letter, March 7, 1966, from Assistant Secretary of State Douglas MacArthur II, outlining Rheinmetall's record. The letter read:

"It appears that of the five present principal officers of the Rheinmetall AG, three were members of the Nazi Party during World War II. Of these five officers, two, including one of the Nazi Party members, were plant directors of Rheinmetall Borsig AG during the war. The degree of active involvement in Nazi Party activities by the three wartime members is not known . . .

"There may be as many as 1000 claims by former slave labor employes involved. Many of these appear to derive from employment in plants which were in the Soviet zone in East Germany."

Despite the Javits letter and three weeks after it was sent, Rheinmetall agreed on May 16 to pay $625 million to the Jewish Claims Conference for the former slave victims who worked in Rheinmetall camps.

Earlier, on Feb. 9 of this year, Rep. Leonard Farbstein (D-N.Y.), had introduced a bill to prohibit "the purchase by the United States of arms and ammunition from foreign firms which have used slave labor, unless compensation has been made to the individuals or their heirs."

Sen. Javits did not go that far. He prepared a speech criticizing the award of a $75 million U.S. arms contract to a company that had refused to compensate its former slave laborers. But he never delivered it.

[From the Washington (D.C.) Post, Monday, June 20, 1966]

DODD GETS UNUSUAL PROBE PRIVILEGES

(By Drew Pearson and Jack Anderson)

For the first time since the late Sen. Joe McCarthy was censured 12 years ago, the Senate begins closed-door hearings today on the conduct of one of its members.

The investigation begins in an atmosphere of public distrust of all members of Congress, which is unfortunate and unwarranted but is due in part to the alibis spread by Sen. Tom Dodd (D-Conn.) and his staff that what Dodd did was no different from what other Senators are doing. They impute to other Senators the pocketing of campaign funds, making speeches for a foreign agent, and helping manufacturers get Government contracts in return for monetary reward.

In our opinion, and we have covered the Senate for many years, this is not true. With two or three possible exceptions, Senators are honest.

WHERE FAULT LIES

Their fault lies in the self-protection code of the Senate Club: "Thou shalt not criticize a member of the club."

Scores of Senators live on their Government salaries. We have been in their homes, seen Mrs. Gaylord Nelson, wife of the Senator from Wisconsin, do her own cooking; have seen Mrs. George McGovern, wife of the Senator from South Dakota, with her children wash their dishes.

Sen. Paul Douglas of Illinois made a total of $4458 last year in book royalties and lecture fees. This was his sole outside income. Douglas's bank account on May 5 was $2912, his wife's $1950.

In contrast, Sen. Dodd deposited in his personal bank account $55,000 from a testimonial dinner in 1961 alone. And his aides explained that he needed this to supplement his income, which that year was over $88,000.

However, the public does not believe Senators are honest, partly because the good Senators have shunned any fixing of ethical standards for their body, have lived by the code: "Protect one; smear all."

CLUB CODE PREVAILS

As the Senate ethics hearings open today there is further evidence that the club code prevails. Unusual steps have been taken to protect the one Senator now under fire. He has been given the right to cross-examine witnesses, a privilege granted to no other person ever before investigated. He has been informed in advance regarding the details of the evidence against him, and given plenty of time to prepare answers.

Gen. Julius Klein, whose relations with Sen. Dodd will be the main object of the investigation, has left for West Germany and is not scheduled to return until mid-July. Dodd's friends advised that he is a poor witness and that it was better not to have him around to testify.

Klein will be represented by a brother of an important Senator, attorney Ben Javits, and it is reported Ben Javits will have the right to attend the closed-door hearing and ask questions.

HARRIED AND UNHAPPY?

Makeup of the Ethics Committee which will sit in judgment on its fellow senator is not particularly reassuring as far as the public is concerned. It is more reassuring to Sen. Dodd. Individually, members of the committee are fine men; but harassed, harried and unhappy. Its staff, however, is uncompromising in its diligence.

Chairman John Stennis, (D-Miss.), well known for his judicial fairness on the bench before he came to the Senate, has kept Dodd informed of what is happening inside the committee.

Sen. Mike Monroney (D-Okla.) was co-author of the La Follette-Monroney bill streamlining Congress, and was elected to the Senate by campaigning on the conflict of interest of the late Sen. Elmer Thomas, who had speculated on the commodity market while making Senate speeches aimed at influencing the price of commodities.

In the Senate, Monroney has been loath to investigate other Senators. When appointed to the Rules Subcommittee charged with investigating Joe McCarthy, he abruptly withdrew. Today he seems nervous over the $40,000 which his late colleague, Sen. Bob Kerr, sent to Oklahoma to finance Monroney's reelection campaign in 1962. This money came via Bobby Baker and West Coast savings and loan executive in compensation for changing the Senate Finance Committee's proposed taxes on savings and loan institutions.

Mike had nothing to do with the deal. But he's nervous.

OTHERS ON COMMITTEE

Eugene McCarthy (D-Minn.) is a fine Senator, but has gone on record publicly that the Senate committee lacks power to check on Dodd's handling of political contributions. It's possible that McCarthy is nervous over the testimonial dinner arranged for him by the Butler Bros., contractors in St. Paul.

Sen. James Pearson (R-Kans.) has said privately he is not in favor of sitting in judgment on his fellow Senator, which caused something of a furor in Kansas and brought a hot letter from another Kansas Republican, Rep. Robert Ellsworth.

Strongest members of the Ethics Committee are probably two Republicans, rugged Sen. John Sherman Cooper (Ky.) and benign Sen. Wallace Bennett (Utah), a staunch Mormon moralist.

[From the Washington Post, June 21, 1966]

NEW FOCUS NEEDED ON POLITICAL VALUES

(By Drew Pearson)

Sen. Tom Dodd didn't intend it that way, but what he did may lead to new ethical standards, new reforms and a new focus on political values.

In Connecticut they held "Dodd Day" to raise money for the Senator—money which he put in his own bank account. I suggest that Dodd Day should now be made a day of reckoning, when the premium is not on the dollar but on God.

Today we are drafting 20-year-olds and sending them to Vietnam while we refuse to pass an excess profit tax, plug the loopholes in the 27½ per cent oil depletion allowance or place human life ahead of corporate profits.

Today the aim in Washington is to hire the man with influence who can get what you want out of Congress at the least possible cost to yourself. You look around for the right lawyer or the right lobbyist who has the right friends in high places.

The automobile industry looked around until it found Lloyd Cutler.

The sugar companies and sugar countries looked around for a Charles Patrick Clark and other smart lawyers who knew Rep. Harold Cooley (D-N.C.), chairman of the Agricultural Committee, which wrote a sugar bill based on lobbying fees and personal friendship, thereby adding $700 million annually to the housewives' budget.

These are some of the things the new God Day should remedy.

It should also remedy the present system whereby a candidate for office must either be wealthy or get himself in hock to interests who mortgage his future vote. This is no way to make democracy live.

A candidate should not have to pass the tin cup at $100-a-plate dinners to raise enough money to pay for a few TV appearances on the airways, when the real fact is that the airways belong to the people. They are merely leased to the big networks. Yet, the networks exact the highest rate of all for political broadcasts and the candidate must either pass the hat or mortgage his future votes.

[From the Washington Post, June 22, 1966]

Question: Do Congressmen Steal?

(By Drew Pearson and Jack Anderson)

Many people are asking the question: "Do Congressmen steal?" Our answer is that they do not unlawfully take money from the Government, but they do take money lawfully for representing anti-Government interests.

In this sense, they do steal the right of the voters to have a man in Congress who represents them, instead of representing his law firm and its big business clients.

This is one of the most flagrant deceptions practiced by Congressmen, and President Johnson has proposed a bill to remedy it. The bill, a generally weak attempt to regulate campaign funds, contains one strong section that its authors inside the Department of Justice dubbed the "Dodd section."

This section would require members of Congress to report all outside income, legal fees, gifts, etc., over $100 in value.

Such a provision was proposed in the Truman Administration for members of the Executive branch of the Government, and again for members of Congress during the Bobby Baker investigation. Each time it was quickly buried.

And it will be buried again this time unless the public rises up in its wrath and demands that Congress pass this or other reforms to prevent Senators and Representatives from stealing the most important obligation they have, unmortgaged representation of their state and district.

LEGAL STEALING

Here are some illustrations of how Congressmen legally steal from the people they are supposed to represent.

Rep. William H. Harsha Jr., is a Republican who comes from Portsmouth, Ohio, down on the Ohio River, a long way from the big transportation centers of the United States. Harsha, however, has taken great interest in big city transportation. He sought to block Mr. Johnson's Mass Transportation Act, which would help the major cities get rapid rail and commuter service in order to prevent the clogging of the highways and air lanes around the big cities.

"The Mass Transportation Act is nothing more than a tool to drive private transportation systems out of existence and to establish a Federal czar over local development and planning," Rep. Harsha told Congress.

What he did not tell Congress or the voters back home was that his law firm in Portsmouth represented the Greyhound Bus Lines, which obviously is opposed to both railroad competition and too much Government regulation. Regarding the latter, Harsha told Congress:

"The power of the Federal administrator to set rates, fares, schedules and mode of operations is the power to break a private transit system and force it into Government ownership . . . For the almost 97 per cent of our transit systems that are all bus systems, the problems are supportable routes and time schedules, reservations of lanes of bus travel."

So spoke a Congressman whose law firm represented the biggest bus company in the U.S.A., without telling the voters back home whom he represented.

Harsha's law firm also represents Phillips Petroleum and the Ashland Refining Co., which do not want foreign fuel competition. It is not surprising, therefore, that the Congressman was active in limiting imports of residual fuel oil.

Harsha lists a lot about himself in the Congressional Directory, including such a minute and relatively inconsequential detail as the fact that he is a "life member of the Amateur Trapshooting Association." He does not list the much more important fact that he is a member of a law firm that has prospered by its representation of big companies having legislation before Congress.

ANOTHER LAW FIRM

Take another Congressman, Charles E. Chamberlain, a Republican from East Lansing, Mich., also a member of a law firm.

Three years ago, Rep. Chamberlain introduced a bill, H.R. 458, to repeal the manufacturers' excise tax on passenger cars and trucks.

When the Congressman introduced this bill, he did not tell his congressional colleagues or the voters back home that his law firm represented the United Trucking Service and the Detroit Automobile Interinsurance Exchange, both interested in having taxes on trucks and cars removed.

All of this, according to the present standards of Congress, was entirely within the law.

Rep. Chamberlain tells a great deal about himself in the Congressional Directory. He says that he is a Son of the American Revolution, a member of Kiwanis, the American Legion, and Lansing Chamber of Commerce and the Reserve Officers Association.

But he does not list the much more important name of his law firm and its clients.

Among the clients, incidentally, is the Panhandle Eastern Pipeline Co. of Texas, a long way from East Lansing, Mich. Michigan residents are interested in cheap gas rates. But the Congressman from East Lansing has consistently championed the natural gas industry and the interests of his law firm's Texas client.

In future columns, we will report on other congressional law firms and how they influence legislation regardless of the voters' wishes.

[From the Washington Post, June 23, 1966]

Dodd Left Rights Battle To Aid Klein

(By Drew Pearson and Jack Anderson)

Probably the most important evidence linking Sen. Tom Dodd (D-Conn.), with Gen. Julius Klein has been brought out by James Boyd, Dodd's long-time administrative assistant. It pertained to the reasons for the Senator's trip to West Germany in April, 1964.

This is important because Dodd has thrown out ten of the libel suit charges originally brought against us, including our detailed report on how he had pocketed money raised from testimonial dinners.

The Klein-Dodd relationship, therefore, becomes extremely important. But it is also the most difficult for the public to understand. Perhaps that's why the Senator and some of his friends on the Senate Ethics Committee want to stand or fall on this phase of the case.

Dodd has claimed that he went to Germany on business for the Senate Internal Security Committee, not to help Klein bolster the confidence of Klein's West German clients who had been shaken by the Senate Foreign Relations Committee investigation of Gen. Klein and his operations as a foreign agent.

Sen. Dodd had taken four trips to West Germany between 1960 and 1965, which is a lot, and had consulted Klein before each trip. However, the trip in April, 1964, was crucial because at that time Klein's $300,000-a-year in West German retainers hung in the balance. If he could get a member of the same Foreign Relations Committee which had investigated him to go to Germany and reassure his clients the $300,000 in fees could be retained.

NO TIME TO LEAVE WASHINGTON

Boyd, who was Sen. Dodd's No. 1 assistant at that time, recalled that in the spring of 1964 the civil rights bill was up for Senate passage and faced a tough fight.

Southern Senators were staging a filibuster. To overcome it, the Democratic leadership had placed certain Senators in charge of certain sections of the bill, and Dodd, a Northern Senator, was a section chief.

He was supposed to be on hand every day to combat the filibuster and especially to fight for his section of the bill.

Every day, Senators Hubert Humphrey (D-Minn.), and Tom Kuchel (R-Calif.), the bill's floor managers, wrote letters to Northern Senators exhorting them to be on hand to answer quorum calls.

The Southern strategy was to keep demanding roll calls in order to prolong the filibuster. If a quorum failed to answer the roll, the Southerners could adjourn for the day and rest up for the next day's filibuster.

On April 1, the Humphrey-Kuchel letter pleaded that it was "now more important than ever" to answer the calls. When the Northerners failed to raise a quorum on April 4, Senate Majority Leader Mike Mansfield, (D-Mont.), angrily called this "a travesty on the legislative process."

Two days later, Sen. Dodd suddenly announced to his assistant, James Boyd, that he was leaving for Germany. Boyd has testified that he was "shocked and surprised." He had been receiving phone calls from Humphrey's office and he reminded Dodd of his obligation in the civil rights fight.

Dodd has now put forward the alibi that he went to Germany to interview a Communist assassin, B. N. Stashinsky, who had defected. The truth is that the Senate Internal Security Committee had been in touch with Stashinsky for months and intended to bring him to Washington where his appearance would make headlines, not interview him in Germany where there would be no headlines.

But when Boyd reminded Dodd of his obligation as section chief in the civil rights battle, the Senator replied that Klein had been urging him to go to Germany and that Klein was too good a friend. He had to go.

KLEIN'S HOSPITALITY

While the Senator was traveling in Germany, he missed 13 quorum calls. He also left nobody to answer an attack made by Sen. Allen Ellender (D-La.), on the civil rights section which Dodd was supposed to defend.

He took with him to Germany a briefcase full of confidential instructions from Klein, telling him which German leaders to contact and exactly what to say to them. David Martin, who accompanied the Senator on the trip, now claims Dodd never carried out these instructions. However, three former Dodd employees have stated that Martin, after his return from Germany, told them the Senator had followed Klein's instructions to the letter.

Dodd's claim that he received no gratuities from Klein has also been contradicted by sworn testimony. Boyd testified that the Senator had used Klein's fashionable suite in the Essex House, New York City, 40 or 50 times. When Sherman Adams accepted similar hospitality from Bernard Goldfine at a Boston hotel he was severely criticized and forced to resign.

[From the Washington (D.C.) Post, June 26, 1966]

Seals Within Seals: Some of General Klein's Mail to Senator Dodd Was in Envelopes Inside Envelopes

(By Drew Pearson)

There is evidence that mysterious double-sealed envelopes were sent to Sen. Dodd by Gen. Julius Klein.

Ordinary letters from Klein, including those marked personal and confidential, went by regular mail. In addition, Klein sent by a special messenger envelopes sealed with

Scotch Tape. Inside were other sealed envelopes. No one around Dodd's office ever got an explanation from the Senator as to what these double envelopes contained.

During the closed-door Dodd hearings, John F. Sonnett, the Wall Street attorney representing Dodd, was stopped by Sen. John Sherman Cooper (R-Ky.) from referring to "stolen documents" and four Senators rebuked Sonnett for his repetitious cross-examination.

Sen. Dodd's attorneys have been claiming that the Senator never delivered the speeches written for him by Klein. It is true that one speech, which we reported had been written for Dodd in August, 1959, was never delivered on the Senate floor.

The Senator explained to Klein in a letter Sept. 17, 1959: "While I did not have occasion to make such a speech on the floor of the Senate during the last crowded days of the session, I did make use of this material in a congratulatory message I sent on Adenauer's (then West German Chancellor) tenth anniversary."

Two years later, Dodd claimed that he made a speech which his aides now claim he didn't make. On Sept. 18, 1961, he wrote to Klein: "I am sorry I couldn't reach you late Friday as I made my statement on the floor of the Senate, as I assume you know by now. Here is a marked copy of the Congressional Record."

The Senator made at least a half dozen other speeches for Klein, including one on Sept. 25, 1962, praising Klein as a man "known on both sides of the aisle as a dedicated American patriot." In 1959, Klein even arranged with the late Sen. Styles Bridges (R-N.H.) to yield the Senate floor so Dodd could make a speech defending Lewis Strauss (subsequently rejected by the Senate for Secretary of Commerce).

Klein wrote to Dodd on June 19, 1959, that he had "told Styles Bridges to make arrangements to yield to you so that you could make your eloquent and courageous speech."

[From the Washington (D.C.) Post, June 27, 1966]

DODD'S EX-HELP UNDERGO HARDSHIPS

(By Drew Pearson)

There was great human drama behind the spectacle of the former assistants of Sen. Tom Dodd, sitting all alone, one by one, at the Senate Ethics Committee witness table while a battery of Wall Street lawyers attempted to tear down their testimony.

Dodd's attorneys are Cahill, Gordon, Reindel and Ohl, who represent Standard Oil, RCA, and some of the biggest corporations in the United States. Seven attorneys have been on hand to defend Dodd, four of them sitting at the witness table, three in the front row just behind, unknown to the public, passing notes up to chief attorney John Sonnett.

The public sees much of this. But what it does not see and can never fully realize is the soul-searching that Dodd's former staff members went through before they made the break with their boss. Also the public does not know the sacrifices they have made financially through loss of work.

There was strong indignation among other Senators at first, especially friends of Sen. Dodd, that any Senator's staff should use his files against him. Latterly there has been a feeling on the part of many Senators that if they were violating their oath of office they could not blame those close to them for informing regarding their activities.

The laws of most states require that anyone who witnesses a crime must report that crime. The Internal Revenue laws also provide for rewards to encourage informants to report on erring taxpayers.

OUT OF WORK

It was after the difficult decision by Dodd's staff to break with him that their troubles began.

James Boyd, his former administrative assistant, has been out of work for months. For a time he served on the staff of the House Public Works Committee. But when Speaker John McCormack learned of this he asked Rep. George Fallon of Baltimore to abolish Boyd's job. He has been out of work ever since.

Marjorie Carpenter, Dodd's former secretary, at first got a position with the Civil Rights Committee of the American Bar Association, but resigned when she felt that her testimony in the Dodd case might be embarrassing to the Committee.

Later she was employed by the law firm of Arnold and Porter, informing them in advance that she was involved in the Dodd case and doubtless would be called upon to testify.

However, Sen. Dodd learned where she was working and phoned a member of the Arnold and Porter firm to protest. Mrs. Carpenter was promptly fired.

Terry Golden, another member of Dodd's secretarial staff, was employed by Chief Judge David Bazelon of the U.S. Court of Appeals in the District of Columbia, but was dropped. Miss Golden is now keeping secret where she is employed for fear pressure will be brought on her present employer. Other former members of Dodd's staff are also being silent regarding their present employment.

[From the Washington (D.C.) Post, June 28, 1966]

SHOUTING MATCH BEHIND CLOSED DOORS

(By Drew Pearson and Jack Anderson)

There were some highly interesting incidents during the closed-door sessions of the Senate Ethics Committee before it opened its doors to the public.

The incidents included at least two shouting tirades by Sen. Tom Dodd (D-Conn.), and some long-winded testimony by his Wall Street attorney, John F. Sonnett. These plus Dodd's charge that he was not getting a fair hearing finally contributed to the committee's decision to open its doors so the public could see for itself whether the hearings were fair. It was also believed that Sonnett would be less long-winded if he had the public watching him.

One of Dodd's tirades occurred when two Senators slipped from the committee rostrum for a couple of minutes to visit the men's room.

Dodd immediately demanded that the hearing be suspended until they returned. He reminded Chairman John Stennis (D-Miss.) angrily that he had agreed all six committee members would listen to the testimony.

Stennis replied patiently that the proceedings couldn't be held up every time a Senator left the room for a few minutes.

On another occasion, Dodd angrily challenged the authenticity of a handwritten postscript at the bottom of a letter he had received from Julius Klein, the registered West German agent, asking Dodd to write to Dr. Luger Westrick, a top German official, on his behalf. The postscript, in Klein's handwriting, read: "Please destroy. I have made no copies."

When this was introduced, Dodd shouted that his former employees who had Xeroxed the documents might have forged the postscript.

Chairman Stennis promptly offered to consult a handwriting expert. Dodd's attorneys went into a huddle and Sonnett announced that the attorneys were satisfied that the handwriting was Klein's.

TRYING TO BE FAIR

Later, Dodd engaged the chairman in a shouting match over whether the hearings should be thrown open to the public.

Stennis wanted to expedite the investigation, but Dodd wanted his attorneys to have more time to cross-examine witnesses behind closed doors. The two Senators, red in the face, shouted at one another.

The Mississippi Senator, a former judge, is usually the height of patience. But he finally snapped: "We are trying to be fair to you, Senator. We are trying to do what is right. We are trying to lean over backwards."

Certainly no one else under Senate investigation has ever been granted all the special privileges Dodd has received. He is represented by a battery of attorneys that outnumbers the six Senators on the committee and they constantly delve into papers piled high on a table set aside for them. A private detective, James Lynch, stands by ready to slip surreptitious notes to the attorneys as they question hostile witnesses about their private lives.

Dodd has been granted the right to cross-examine all witnesses, a privilege the Senate has never accorded anyone else.

The committee also turned over to Dodd all the evidence against him, including all the documents which we delivered to the committee.

The committee also sent Dodd the transcripts of all the closed-door hearings. This gave him an advantage over other witnesses, who have had no opportunity to study everything that happened behind closed doors.

[From the Washington (D.C.) Post, June 30, 1966]

SENATORS SHOULD BE CAREFUL IN LETTERS

(By Drew Pearson)

There are three morals for Senators to learn from the Dodd investigation. They are:

Moral No. 1. Don't write letters just to make someone happy.

Moral No. 2. Don't sign letters carelessly that your assistant writes for you.

Moral No. 3. Don't be afraid to be ungrateful to a campaign contributor. Just because he is generous during an election doesn't mean he can't get you into an awful lot of trouble.

The above morals are inspired by the raft of letters written by various Senators to Gen. Julius Klein, the Chicago public relations man and West German agent.

Some of the letters obviously were written by Senate assistants to save the Senators' time. Some were written just to be nice. Most of them shouldn't have been written. All of them made the writer look foolish.

Take the letter written by Sen. Abe Ribicoff (D-Conn.), a colleague of Tom Dodd's and a man who had reason to know something of Klein's background. Abe gushed all over the printed page.

So did Hubert Humphrey, then Senator from Minnesota. The Vice President has now told friends that of the one hundred or more letters exchanged with Klein, all were written by assistants except one. This one included the phrase "with equal candor my dear friend Julius," and then went on to say, "I did not need any lecture from the German Ambassador."

Humphrey had made a speech criticizing the sale of West German products to Communist countries, and the German Ambassador had written him in opposition. "I dislike and resent these letters that come from the Ambassador," Humphrey wrote the West German agent.

Obviously this letter was written by Humphrey himself.

However, the Vice President is still leaving his assistant the job of writing letters in the Dodd-Klein case. Only last week he wrote one, in response to Dodd's stating that Humphrey had given the Senator an OK to leave Washington during the crucial 1964 civil rights debate.

But Humphrey's assistant did not put in his letter the fact that Dodd had told Humphrey he would be away only one weekend plus a day, or that he was going on a mission for General Klein. Instead, Dodd was gone long enough to miss 13 quorum calls at a time when the civil rights debate was at its height and the Administration needed his vote to help break the Southern filibuster.

The Vice President is a very busy man. Perhaps he should save his time by signing fewer letters.

Note—Illustrative of the Senate habit of sending out letters never seen by a Senator was one mailed by Sen. Eugene McCarthy (D-Minn.), March 11, 1966, to J. Wentworth, Washington, D.C., stating "the remarks attributed to me by Mr. Pearson are wholly untrue." The remarks referred to the attempt by McCarthy and other "dove" Senators to keep the President from getting too deeply involved in Vietnam. The day before that letter was written McCarthy, talking to me about this particular column, had confirmed what I said.

[From the Washington Post, July 11, 1966]

Keogh Bribery Case Heard Secretly

(By Drew Pearson)

Ever since members of Sen. Dodd's staff copied his files, there has been national comment as to whether they were right in so doing.

U.S. Judge Alexander Holtzoff stated they were under obligation to report wrongdoing by the Senator to the Justice Department but not to Jack Anderson and me.

In New York this week, a secret hearing is taking place under the auspices of former New York State Court of Appeals Judge Bruce Bromley, now retired, which illustrates the difficulties faced by the press and even the Justice Department in prosecuting high officials, especially when the official is connected with a Senator or a potent Congressman.

The secret hearing pertains to former Judge Vincent Keogh of the New York Supreme Court, who was convicted of taking a $30,000 bribe in a jukebox case involving Antonio (Tony Ducks) Corallo.

Though Judge Keogh was tried before one of the most respected of Federal judges, District Judge Edward Weinfeld, and found guilty by a jury in a verdict which was not reversed in the upper courts, nevertheless Keogh has now asked for a hearing on disbarment, and in this hearing the bribery case is virtually being tried all over again.

Judge Keogh is alleging that William Hundley, the respected Justice Department attorney who tried his case, withheld facts and acted unfairly. Hundley was an Eisenhower appointee, has remained on under the Democrats, is completely nonpartisan, leaned over backward to prosecute the case fairly.

Significantly, the rehearing of the Judge Keogh case is held behind closed doors. The public and press are not permitted to be present.

Vincent Keogh is the brother of dapper Gene Keogh, the able Congressman from Brooklyn, who is one of the most powerful Democrats in New York.

Note—The bribery case against Judge Keogh was brought only after there was a certain amount of publicity in the press which focused attention on one of the worst scandals in judicial history since the conviction of Judge Martin Manton.

DODD'S DOCUMENTS

Michael V. O'Hare, former member of Sen. Dodd's staff, has made an interesting and forthright statement to Time magazine as to why he helped remove documents from Dodd's office. It had been reported that O'Hare was motivated by revenge because his friend, Terry Golden, had been fired by Dodd.

"In my testimony before the Committee on Standards and Ethics," O'Hare explained, "I volunteered that I took the bulk of the documents with which I was particularly concerned on the weekend that Miss Golden was dismissed. Your article infers a possible motive of bitterness or revenge over her dismissal. Nothing could be further from the truth. Under ordinary circumstances we would have welcomed Miss Golden's departure from the office at this time. It was the equivalent of being exiled from Rome the day before it burned."

O'Hare then summarized the reason why he took this unusual step.

"We believed we were witness to grave misconduct in office," said O'Hare. "I played an extremely delicate role on the Senator's staff for over six months, because I believed that this disclosure of Sen. Dodd's activities was in the public interest."

[From the Washington (D.C.) Post, July 15, 1966]

Klein Hints Fireworks Before Senators

(By Drew Pearson and Jack Anderson)

Maj. Gen. Julius Klein, retired officer in the Illinois National Guard, has sailed serenely back to the United States to face Senate Ethics Committee hearings next week which may not be so serene.

The sometimes urbane, sometimes explosive lobbyist for West German interests scheduled his trip to Europe at the exact time the Senate hearings were scheduled, and then returned home by boat, not plane. While abroad, he gave an interview to Charles Collingwood of CBS which indicates there will be fireworks when Klein takes the witness stand.

Asked whether he would give the Senate committee the names of other Senators, besides Tom Dodd, to whom he had contributed, Klein exploded:

"I wouldn't tell you now and I surely wouldn't tell the Senate committee. If they want to know who I contributed to, they should ask the Senators or send a round robin.

"I would go to jail in contempt of the Senate before embarrassing any United States Senator under the present climate in Washington who would be smeared, and if this question is asked of me I might as well tell you today I will refuse to answer and I won't take the Fifth Amendment, I will say, 'I refuse to answer.' "

STRANGE DEFENDER

Even while abroad, Klein was the cause of further controversy because of the support given him on April 21 of this year by Sen. Jacob Javits of New York, a definite candidate for Vice President on the Republican ticket.

Javits strangely went to bat for Klein in connection with the $75 million arms contract the Pentagon was negotiating with Klein's client, Rheinmetall, which company had failed to pay restitution to Jewish victims of the slave labor camp it operated under Hitler.

This was not a matter to be kissed off cavalierly. It involved one of the great human tragedies of this century, the exploitation of Jews as raw material by the Nazi industrialists who actually built their factories alongside Jewish crematories.

Yet Rheinmetall was one of the few industries which refused to make even token payment of restitution. Klein, its agent in the United States, backed it up, while Javits on April 21 wrote him a letter of support and again last Sunday on "Face the Nation" defended Klein. Finally, on May 16, after an adamant position by the U.S. State and Defense Departments and considerable publicity regarding Klein in this column, Rheinmetall paid $600,000 to slave camp survivors.

Javits' brother Ben had become the attorney for Klein at the time of the April 21 letter. Following the unfavorable publicity, the Senator asked him to withdraw.

All this highlights one of the reasons why Klein was retained by West German interests—namely his religion. Klein has made much of the fact that he is a past commander of the Jewish War Veterans, and in one of the many letters to editors regarding our columns, Klein mentioned his religion no less than 11 times.

American Jews frown on members of their faith who trade on their religion. But German leaders, accused in the past of being anti-Semitic, considered it an asset to be represented in the United States by a Jew, especially one who could get a Senator close to the White House—Tom Dodd—to cooperate closely.

AUTHORED HITLER DECREES

The irony is, however, that the man whom Klein instructed Dodd to see first in Germany in April, 1964, was Dr. Hans Globke, accused by Jewish leaders as the author of Hitler's first anti-Jewish decrees.

"When in Bonn," Klein wrote Dodd just before he left for Europe in April, 1964, "see him (Globke) first to brief you. Dr. Globke is your devoted friend. He will ever be grateful to you for the courageous stand taken in your Senate speech of 1960. . . . To refresh your memory, attached is a marked copy of your speech.

"Globke . . . is already working on my problem," Klein wrote Dodd relative to keeping his West German clients. "Dr. Globke will support and guide you 100 per cent in my behalf. You can show him everything and discuss everything with him."

Yet it was Globke, according to two experts of the Anti-Defamation League, Arnold Forster and Ben Epstein, who made "this official contribution to German racial legislation: 'The Jew is completely alien to us in character and blood . . . The Nuremburg laws will form a permanent blockade against further penetration of Jewish blood into the German nation.' "

The book "Destruction of the European Jews," by Raul Hilberg gives further details regarding Globke's part in Hitler's anti-Jewish campaign:

"The revocation order (forcing Jews who had adopted German names to return to their old names) was followed by the decree of August 17, 1938, drafted by Ministerialrat Globke, name expert of the Interior Ministry . . ."

[From the Washington (D.C.) Post, July 19, 1966]

Getting at Truth in Senator Dodd's Case

(By Drew Pearson and Jack Anderson)

The most important question in the Dodd-Klein investigation really boils down to who is telling the truth.

Gen. Julius Klein, the flamboyant public relations man from Chicago, a retired officer in the Illinois National Guard, has hurled the charge of liar all over the place. And Sen. Tom Dodd (D-Conn.), claims he never did a sales job to hold Klein's PR clients in Germany—except just a little bit.

If the Senate Ethics Committee wants to get the truth it will have no trouble doing so—provided its members conduct some tough cross-examination or else permit committee counsel Ben Fern to do so without interrupting him.

Here are some important points where the truth clearly needs to be known:

1. Gen. Klein stated in New York that he never sent any doublesealed envelopes to Sen. Dodd.

On the other hand, Helen Batherson, Klein's personal secretary for 12 years, definitely told Senate investigators that she did carry doublesealed envelopes from Klein to Dodd, the flaps taped down by Scotch tape. They did not contain documents.

Just who is telling the truth?

KLEIN'S INSTRUCTIONS

2. Dodd swore under oath that he had never seen the detailed instructions which

Buckley's defense of Dodd is loaded with false and twisted statements. Here is one example:

"There is nowhere in the record," wrote Buckley, "any communication from Dodd to (Julius) Klein telling the general that he would go to Germany in his behalf."

CORRESPONDENCE CITED

The correspondence between the Senator and his foreign agent friend, of course, is loaded with references to Dodd's planned trip to Germany. Implicit in these references is the promise that Dodd would speak to German officials in Klein's behalf.

On Feb. 14, 1964, for instance, Dodd wrote to Klein: "As you know, I have been trying and trying to get away to join you (in Germany), but we have been embattled here with the tax bill. . . . It now looks as if I will be unable to get away until some time in March.

"I wanted to let you know this right away, because I certainly do not want you to wait around for me, especially since my schedule is so uncertain. Anyway, I have been thinking about this, and I believe that I might be more successful with the people in Germany if I talk to them alone. I don't think it is at all necessary for you to accompany me, and there is a chance that it might be misunderstood.

"You know how anxious I am to help you, and it is for this reason that I want to present your case in the best possible light."

[From the Washington (D.C.) Post, July 29, 1966]

SIGNS THAT WE'RE WINNING COLD WAR

(By Drew Pearson)

Some of the professional scaremongers who see the world going hell-bent toward communism have been trying to persuade the American public that we are losing the Cold War. This has long been the theme of Sen. Tom Dodd's Internal Security Committee and anyone who disagrees with either the Committee or Dodd's conduct is called a "leftist" by his pal, Gen. Julius Klein.

However, I have visited much of the world in the past 18 months and in my opinion we are winning, not losing, the Cold War.

In Africa, the pro-Communist Ben Bella has been kicked out of Algeria; while President Kwame Nkrumah, the Chinese puppet of Ghana, has been given the gate by his own people. In East Africa, when U.S. Ambassador Bill Atwood retired, the people of Kenya came out with placards reading: "Yankee don't go home."

When Chinese Foreign Minister Ch'en Yi traveled through Africa some months ago advocating wars of liberation, he turned practically every leader against him. Africa is now almost totally pro-West and anti-Communist, with even President Nasser of Egypt on shaky political legs—despite the Aswan Dam.

VICTORIES IN ASIA

In Pakistan, President Ayub Khan, who has been flirting with the Chinese, has now thrown out his pro-Communist Foreign Minister, Zulf Kar Bhutto, and is sliding back into the pro-West camp.

India, once the champion of the Red Chinese, has learned the hard way. During the recent worry over the execution of American prisoners in Hanoi, the Indian Embassy here and Premier Indira Gandhi in Moscow pressured the Russians to use their influence with Hanoi to block any war crimes trial.

In Southeast Asia, Indonesia has put Sukarno on the sidelines and cleaned out every single Chinese Communist. Simultaneously, Indonesia has dropped its war against Malaysia, and that country is now even more pro-West.

In Japan, where we lost friends as a result of the Vietnam war, the socialists are still fuming, but the middle class has a better understanding of the American position and the situation has improved.

In Cyprus, where Greece and Turkey, two good U.S. allies, were almost on the verge of war last year, both sides have come to their senses. Communist agitators who once had a field day in Greece and Turkey have piped down.

RED INDEPENDENCE

Perhaps the most important change in any part of the world is taking place among the European Communist-bloc nations.

When I visited Yugoslavia in 1950 I reported that nation would drift into a moderate type of socialism similar to that of the British Labor government. The Truman Administration, which simultaneously had come to the same conclusion, launched a policy of aiding Yugoslavia—also Poland—with surplus grain. The Eisenhower Administration, continuing this policy, sold President Tito even jet fighters and trained Yugoslav pilots in Texas, despite the criticism of the right wing.

The policy has paid off. Today Yugoslavia enjoys freedom of religion, freedom of farming, freedom of small business. Only the public utilities and major industries, as in England which is nationalizing steel, are government owned.

Recently Tito uncovered the same kind of wire-tapping which our Justice Department has revealed to the Supreme Court. Tito kicked out, however, Aleksandar Rankovic, the man responsible for it.

Other European Communist countries, while not as independent as Yugoslavia, are drifting in that direction.

SEEK MORE U.S. TRADE

All the European Communists are eager for more trade with the United States, and if Rep. Wilbur Mills (D-Ark.), Chairman of the Ways and Means Committee, hadn't thumbed his nose at the White House when the President wanted to loosen trade barriers, we would now be doing an expanding business with this part of the world. Instead the Germans, French and British are making money in these markets.

In Latin America, the resentment against the United States over our landing of Marines in the Dominican Republic has cooled off. Most Latins are convinced by the steady withdrawal of U.S. troops that we have no ulterior motives on that island, and the welcome given to President Johnson by Mexico, the chief critic of our Dominican policy, demonstrated that the Dominican incident is now water over the dam.

At one time the Chinese Communists considered Latin America one of their chief targets, second only to Africa. They were more active in Cuba than the Russians, and were definitely behind Castro's terrorist drive on nearby Venezuela. That drive has now fizzled. So have the drives in Panama and other Latin countries.

[From the Washington Post, Aug. 3, 1966]

DODD LOSES ARDOR FOR AN EARLY TRIAL

(By Drew Pearson and Jack Anderson)

Shortly after Sen. Tom Dodd (D-Conn.) threw himself on the mercy of the Senate Ethics Committee by asking for an official investigation, the Senator brought a $5-million libel suit against this column. The proceedings of the Senate have been open to the public. The libel suit proceedings have been partly in secret—at Dodd's request. So this might be a good time to summarize what has been happening.

Originally Dodd sued for $5 million based on 14 charges. Later his counsel moved to reduce this to $2 million and strike ten counts—all those pertaining to his finances and our detailed account of the manner in which he had raised around $100,000 at two testimonial campaign dinners but had deposited this money to his own personal account.

Subsequently Dodd has refused to answer all questions in deposition regarding his finances. He has also refused to give the Senate Ethics Committee certain papers regarding his finances. The Committee has been forced to issue subpoenas to get them.

DODD GOES IN REVERSE

On May 6, shortly after Dodd brought suit, his attorney, John Sonnett, a partner in one of the biggest Wall Street law firms, went before Judge Alexander Holtzoff, after court was closed for the day, and an *ex parte* proceeding, our lawyers not being present, secured an order directing that former members of Sen. Dodd's staff be subpoenaed forthwith for the immediate taking of depositions. Sonnett led the Judge to believe that these witnesses were about to flee the District of Columbia.

Since that time three months have passed, and only one of these witnesses has been asked by Dodd to testify. No witness has fled. All have sent word they were standing by ready to testify.

Dodd's attorney gave every impression, at first, that he wanted open legal proceedings. His client, he claimed, had nothing to hide.

But when we moved to permit the press to attend pretrial depositions, Dodd's attorney objected vigorously. He carried the objection to court and secured a ruling for secrecy.

Dodd also demanded that the trial be expedited so it could be heard this summer, preferably in July. Attorney Sonnett scoffed at our statement that, because of the District of Columbia's crowded court docket, trial could not be expected for two years.

Last week, in contrast, Dodd formally asked that all further pre-trial depositions be postponed until September, including the taking of his own deposition. This was refused.

DODD'S VOTING RECORD

When we insisted that Dodd's deposition proceed on schedule, his attorney petitioned the court to permit Dodd to testify in his own Senate office. It is customary for a pretrial witness to testify in the office of opposing counsel. However, Dodd argued that he wanted to be near the Senate in order to answer important roll calls.

The court acceded to Dodd's request. During the first day of his deposition, counsel was able to cross-examine him for only about 70 minutes, since he was absent for 45 minutes on a quorum call.

This was interesting, first because a quorum call should not take more than five or ten minutes; second, because the Senator suddenly displayed an unusual interest in voting.

Senators who serve on key committees with Dodd have long noted his remarkable absentee record.

He is a member of the important Senate Foreign Relations Committee and Sen. Everett Dirksen at one time criticized his attendance record as follows: "The rambling Senator from Connecticut has one of the worst absentee records in Congress. He rivals Adam Clayton Powell."

We are glad that our depositions have caused the Senator from Connecticut to pay more attention to quorum calls and Senate votes.

[From the Washington Post, Aug. 9, 1966]

DODD GUN BILL COULD AID CONNECTICUT SALES

(By Drew Pearson and Jack Anderson)

This column is to correct certain things we have said in the past about Sen. Tom Dodd (D-Conn.) especially in regard to his gun legislation.

After Charles Whitman gunned down 44 people from the University of Texas tower, Sen. Dodd rushed out with a plea for action on his gun bill.

We have always given Dodd credit for bucking the gun industry during his three-year proposal to regulate the interstate sale of firearms. We have written a dozen or so columns vigorously supporting him and praising him for this work. We have now learned, however, that we underestimated the Senator. Former members of his staff have given us concrete evidence that he was secretly huddling with the gun manufacturers.

The Big Five—Colt, Olin Mathieson, Sturm-Ruger, Remington Arms, and Winchester—all have plants in Connecticut. We now learn that Dodd seldom made a move on gun legislation without consulting them.

Furthermore, part of his bill was highly beneficial to them, for he incorporated into the bill provisions that would restrict the importation of foreign-made firearms and ban mail-order sales across state lines. This would severely curtail the sale of foreign-made firearms in the United States, including cheap surplus military weapons which have been flooding the market.

Far from hurting the domestic gun manufacturers, Dodd's bill would boost their business by eliminating most foreign competition.

Dodd introduced his gun legislation late in 1963 and it was referred to the Senate Commerce Committee, where hearings were held, with sportsmen and the National Rifle Association testifying in opposition. The bill did not get out of committee before Congress adjourned, Oct. 3, 1964.

CAMPAIGN FUNDS

Dodd then consulted with a view to reintroducing it in the next session of Congress.

At the beginning of these discussions, Dodd suddenly began collecting campaign contributions from firearms executives. He received a phone call at 4:05 p.m. on Oct. 13, 1964, from R. H. Coleman, president of Remington Arms. The Senator's phone log simply reported that Coleman "would like to see you."

By an interesting coincidence, Dodd received a phone call the next day at 3:05 p.m. from Frederick Lee, Washington representative for Olin Mathieson. The phone log was more specific this time, noting that Lee "would like to arrange a meeting to make his contribution."

The arms industry was really getting aboard the Dodd campaign wagon fast. The Senator's former aides recall that both executives dropped by the office with campaign contributions and afterwards expressing their satisfaction with the Senator's cooperative attitude.

It is considered highly unethical for a member of Congress to accept a contribution from a business executive whose company is involved in legislation. Yet the Senator followed the same pattern with the gun industry as he did with the insurance industry which he was charged with investigating as a member of the Senate Anti-Monopoly Committee.

For Olin Mathieson's representative to contribute to Dodd, furthermore, was most unusual, because Spenner and John Olin have long been chairmen of the Republican money-raising committee.

Sen. Dodd showed his gratitude shortly thereafter by pushing a special bill through the Senate exempting Olin Mathieson from certain provisions of the Federal Firearms Act. The problem was explained to the Senator in a memo, dated April 19, 1965, from Gerry Zeiller, then working in Dodd's office.

"Fred Lee of Olin Mathieson visited the office today to request our help with a very serious problem . . ." wrote Zeiller. "Briefly, the situation involves the sale of pharmaceuticals in South Vietnam and Cambodia, the sales being financed by aid funds.

"An employee of Olin in Hong Kong dreamed up this shady transaction, and Olin, while not completely blameless, was not fully aware of the shenanigans. The government indicted Olin on 24 counts with a concurrent civil suit involving $4 million in penalties.

JUDGMENT DELAYED

"Olin pleaded guilty to three counts of the 24 and settled the civil suit for $263,000. At Olin's request, the U.S. district judge has held up the judgment of conviction until July 15 to give Olin a chance to introduce legislation to amend the Federal Firearms Act in an effort to stay in business.

"Under the provisions of the Federal Firearms Act, after conviction, Olin will have to go out of business as a firearms manufacturer in interstate or foreign commerce for the act is very clear in that it does not allow persons convicted of a crime to sell arms under the provisions of the act."

Dodd obligingly took charge of the bill. He has a reputation for dragging his feet on legislation, but it took him only two weeks to push the bill through his subcommittee and bring it to a vote on the Senate floor.

Dodd's main gun bill, three years after it was introduced, still has not passed the Senate.

[From the Washington Post, Aug. 10, 1966]

HEADLINES AND FOOTNOTES

(By Drew Pearson)

A secret Republican survey indicates that the Dodd scandals will be a major issue in Connecticut's election. Sen. Dodd, himself, won't be up for reelection until 1970, but several Democratic Congressmen may be defeated . . . The Republicans already have started clamoring for a strong state corrupt practices law, with full disclosure of the candidate's finances . . . Sen. Wallace Bennett of Utah, vice chairman of the Senate Ethics Committee, was hospitalized last week—to have his ulcers treated.

[From the Washington Post, Aug. 12, 1966]

DODD TRIP EXPENSE RECORD REVIEWED

(By Drew Pearson and Jack Anderson)

The more you look into the expense records of Sen. Tom Dodd, the Connecticut Democrat, the more you wonder why other Senators let him get away with double-billing for his various trips around the country. He had a habit of submitting vouchers to the Senate to collect his expenses, then turning around and collecting from the Junior Chamber of Commerce, the National Council of Juvenile Judges, or the Free Cuba Committee for the same trips.

A study of the records makes you realize why Senator Dodd's shrewd attorneys decided to drop 12 counts of his libel suit against us, and have refused to let Dodd answer any questions in pre-trial depositions regarding his expenses.

The Senate Ethics Committee has said that it would look into its colleague's expenses and subpoenaed his records when Dodd refused to supply them.

One reason for Dodd's ability to collect twice for his trips around the U.S.A. is the fact that the Senate does not check on a member's expenses. As Chairman of the Senate Committee on Juvenile Delinquency, therefore, Dodd was able to submit expenses to the Secretary of the Senate and collect without having any questions asked.

JUDGES BILLED

On June 30–July 1, 1961, Sen. Dodd took a trip to San Francisco to address the National Council of Juvenile Judges and was reimbursed twice—despite delicate hints from the judges that their treasury was bare.

"Now we come to the subject that is rather difficult to approach," wrote Judge Joseph B. Felton of Salem, Ore., the program chairman, in a letter dated May 26, 1961, to Carl Perian on Dodd's juvenile delinquency staff. "As you know, our organization has little money, but on the other hand we do not want to appear on the cheap side, but we do feel that we would like to offer Senator Dodd an honorarium of at least $100.

"Furthermore, do you know whether or not he intends to travel on sucommittee funds or whether our organization should provide for his transportation? We, of course, will reimburse him for the transportation if necessary."

As it turned out, Dodd traveled on subcommittee funds but soaked the judges anyhow for his travel expenses. He collected $397.27 from the Juvenile Delinquency Subcommittee, then billed the judges $376.86 for the same plane trip. He charged the subcommittee $20.41 extra for transportation to Providence, R.I., which explains the difference between the two bills. He also accepted the $100 honorarium the judges offered, and charged them for his stay at San Francisco's St. Francis Hotel.

In September, 1965, Dodd and his assistant, David Martin, flew to Miami to interview General Wessin y Wessin, the Dominican strongman, billing the Senate Internal Security Subcommittee $153.72 each for travel.

Meanwhile, they had already been furnished plane tickets for the same trip by the Citizens Committee for a Free Cuba, which also picked up their hotel bill at the fashionable Eden Roc Hotel on Miami Beach. In addition, the Cubans gave Dodd two more tickets, which he used to bring two sons, Tom Jr. and Jeremy, to Miami with him.

Dodd simply cashed the ticket the Cubans had given him and pocketed the proceeds. Martin transferred his ticket to his wife's name and brought her to Miami with him.

DOCTORS PAY

In an expansive mood, Dodd picked up the $150 tab for a dinner party in Miami. On more sober after-thought, however, he directed Martin to phone the Free Cuba Committee and request reimbursement. The committee obediently mailed him a check, dated Oct. 4, 1965, for $150.

In June, 1964, Dodd flew to San Francisco to address the American Medical Association Convention. The Association's Political Action Committee paid him a $2,000 lecture fee, by check No. 3669, dated June 17, 1964.

The Senator always likes an assistant to accompany him on trips and this time brought along Mike O'Hare. To pay their joint expenses, Dodd billed the doctors $739.80 which was paid by check No. 3740, dated July 8, 1964.

This money went directly into the Senator's pocket, because he billed his Connecticut Campaign Committee for the actual plane tickets. He used his American Airlines credit card to buy a $340.72 round-trip ticket for himself (ticket No. 01 26271-3703) and a $345.34 round-trip ticket for O'Hare (ticket No. 007313177–887). O'Hare's ticket was more expensive because he flew from Washington to New York to join the Senator for the plane ride to San Francisco.

On August 1, 1964, he submitted O'Hare's ticket to his Campaign Committee as part of an $870.11 American Airlines bill. The bill was paid August 5.

The following September 1, he submitted his own ticket as part of a $461.32 American Airlines bill, which the committee paid September 10.

[From the Washington Post, Aug. 15, 1966]

SENATORS SIDETRACK ELECTION REFORMS

(By Drew Pearson and Jack Anderson)

It has been eight months since Congress reconvened, yet it has not to date enacted legislation to police its own elections and straighten out its conflicts of interest.

During this period the Senate has been rocked by the Dodd investigation, President Johnson has proposed an election reform bill, and earlier the entire Nation was concerned over the Bobby Baker investigation.

Despite this, the Senate Rules Committee recently voted 5 to 4 to pigeonhole President Johnson's proposed election reforms. His proposal was aimed at:

1. Reforming the present system whereby candidates for public office have to pass the hat to finance their elections, then are beholden to their campaign contributors after elected.

2. Preventing conflicts of interest by requiring every member of Congress to report all outside income, gifts, etc., worth more than $100. This had been dubbed the "Dodd Section" of the bill.

AGAINST REFORMS

Mr. Johnson's proposals were neither penetrating nor revolutionary. However, a majority of the Senate Rules Committee made it quite clear they did not want their cozy club spoiled by reforms.

Significantly, this debate was held behind closed doors. No military security was involved. No delicate question of foreign policy was discussed. No problem of espionage arose. The only question was Government honesty, a problem in which the public has a vital stake.

Yet, aside from the final vote, the public was not allowed to listen to the proceedings or read the transcript. Days later, after this column had spent almost a week asking questions of Senators to ascertain what went on in the closed-door deliberations, the transcript was published.

PERSONAL FINANCES

However, here are some interesting facts which were not published:

A. The chairman of the Senate Rules Committee, which voted to sidetrack President Johnson's election reform bill was B. Everett Jordan (D-N.C.), who has a financial interest in a North Carolina textile firm which at times has given him a conflict of interest.

B. The chairman of the subcommittee which voted against reform was Sen. Howard Cannon (D-Nev.), who has a law firm in Las Vegas which could give him a conflict.

It should be noted that there is nothing unethical about either owning a textile mill or being a member of a law firm as long as the facts are known so the public can determine whether a Senator votes for his own pocketbook interest. That's what the Dodd section of the Johnson reform is aimed at—letting the public have the facts.

Sen. Jordan, a delightful North Carolinian, is an officer, stockholder, and investor in the Sellers Manufacturing Company, a textile plant in his hometown, Saxapahaw. There is nothing wrong about this. But first it should be revealed to the public; second, the Senator, under Senate Rule 12, should not vote on matters pertaining to the textile industry because of his pocketbook interest.

Jordan has opposed textile imports on the Senate floor. "Very soon," he said in one speech, "we will not have any textile industry left in the United States to support any legislation to force the Tariff Commission to make recommendations that they should make."

Such a speech is perfectly ethical and proper as long as the Senator discloses his own pecuniary interest in textiles, though under Rule 12 he must not vote on textile legislation.

CANNON'S LAW PRACTICE

Sen. Cannon, who offered a mild bill of his own to replace the President's, is a member of a Las Vegas law firm which represents Sky Coach Agencies, Great Lakes Air Lines, Nevada Aero Trades, Super Sky Coach Air Lines Agency and World Wide Air Lines of Nevada.

These appear to be supplemental airlines, and Cannon has introduced legislation to help the supplemental airlines. He has also denounced the Civil Aeronautics Board for "curtailing the operation of the supplementals."

When we queried Cannon about this apparent conflict of interest he replied that his clients are ticket agencies, not supplemental airlines, using his law firm to satisfy a technicality that they must have an agent in the state. He stated that his firm handles no legal business for them, and that in any event he received no income from his law firm except on law clients established before he entered the Senate—approximately $2000 annually.

Under Mr. Johnson's proposed conflict of interest reform, Cannon would be required to list his law firm income and name the clients paying it instead of waiting for a newsman to dig into the facts.

There may be absolutely nothing wrong about the Senator's legal arrangement, but the public which is paying the Senate salaries has a right to know the facts.

Sen. Cannon, however, voted against public disclosure.

[From the Washington Post, Aug. 20, 1966]

Answering Questions From Readers

(By Drew Pearson)

Drew Pearson will predict whether the Senate Ethics Committee is going to bury the Dodd investigation, over Radio WTOP, Saturday at 6:40 p.m.

COMMUNICATION

Paul D. Bethel, executive secretary of the Citizens Committee for a Free Cuba, replies to charges made in this column on Aug. 12:

I wish to correct some of the inaccuracies about the trip to Miami by Sen. Thomas Dodd last September. Pearson-Anderson write: "In September, 1965, Dodd and his assistant, David Martin flew to Miami to interview General Wessin y Wessin, the Dominican strong man, billing the Senate Interal Security Committee $153.72 each for travel."

Pearson-Anderson go on: "Meanwhile, they had already been furnished plane tickets for the same trip by the Citizens Committee for a Free Cuba, which also picked up their hotel bill at the fashionable Eden Roc Hotel on Miami Beach. In addition, the Cubans gave Dodd two more tickets, which he used to bring two sons, Tom Jr. and Jeremy, to Miami with him."

Pearson-Anderson continue: "Dodd simply cashed the ticket the Cubans had given him and pocketed the proceeds. Martin transferred his ticket to his wife's name and brought her to Miami with him." Pearson and Anderson did not check with the Citizens Committee for a Free Cuba before they wrote their story, nor did they even check with the Cuban community in Miami.

If they had done so, they would have learned that the Citizens Committee is not Cuban at all. It is an American organization, something which is known to most reporters.

Second, if they had checked their story before writing, they would also have known that it was not the Citizens Committee for a Free Cuba that invited Senator Dodd to come to Miami, but a Cuban organization called the Cuban Representation in Exile, the RECE.

More important, if they had checked, they would have found that Senator Dodd did not, as charged, cash in the plane ticket sent to him from Miami and "pocket the proceeds." He did not do so for the very simple reason that although the ticket, number 283–395–210, was purchased, it was not used, and the money was refunded to RECE. Thus, Senator Dodd couldn't possibly have pocketed the money, could he?

Furthermore, we didn't "obediently" mail the Senator a check for $150, as the Pearson-Anderson column has it. The Senator generously insisted on paying for a dinner to which we the Citizens Committee for a Free Cuba, had invited him to attend, while he was in Miami.

As I said in my letter to Senator Dodd, a copy of which is in the hands of the Senate Committee on Standards and Conduct: "I had arranged in advance that the Committee would pay for that dinner Friday night. Your generosity in picking up the bill, and your insistence that you pay it is certainly appreciated. But the account had already been taken care of, so I thought it best to let it go for the moment and then send you back the money."

[From the Washington Post, Aug. 25, 1966]

No Refund for Dodd but a Free Ride

(By Drew Pearson and Jack Anderson)

This column owes an apology to Sen. Tom Dodd (D-Conn.) regarding the recent account of his trip to Miami—with his two sons—in which it was stated that he double-billed the Senate Internal Security Committee and the Citizens Committee for a Free Cuba $153.72 each for the trip.

Dodd did take his two sons, together with his assistant, David Martin, Martin's wife and two children, to Miami under interesting circumstances. But a refund was given to the Cuban committee. Here are further details, some of them complicated, but illustrating the manner in which one Senator maneuvered with the taxpayers' money.

The trip took place in 1965 during a Senate Internal Security Committee investigation friendly to Gen. Wessin y Wessin, the Dominican strongman who was bucking the State Department's attempt to set up a civilian government in the Dominican Republic. Dodd and Sen. Roman Hruska (R-Neb.), of this committee seemed intent on lining up against the State Department on the side of the military. For some reason best known to the Senators, their investigation was taking place in the swank Eden Roc Hotel, one of the most expensive in Miami, instead of the rent-free Federal Building in Miami where hearings are traditionally held.

The invitation to Dodd, Mrs. Dodd, and assistant Martin came from Paul D. Bethel, secretary of the Citizens Committee for a Free Cuba, who now complains that Dodd was not invited by the Citizens Committee but by the Cuban Representation in Exile.

THE FAMILY IS INCLUDED

After the invitation was issued, Martin telephoned Bethel to ask if Tom Dodd Jr., couldn't come with the Dodds. The Cubans said fine and sent him an extra ticket. At this point Martin decided that since he and the Senator were going to the Wessin y Wessin hearing, he could charge his own ticket to the Senate Internal Security Committee and use the free ticket donated by the Cuban Committee to take his wife to Miami.

After inquiring around the airlines, Martin also found that the first-class ticket given him by the Cubans could be used under the family plan, tourist class, to take his two children as well as his wife. This was done.

At the last minute Mrs. Dodd decided not to go. So Dodd exchanged her ticket for one for Jeremy Dodd, his second son, thus, thanks to the generosity of the Cubans, plus a smart exchange of airline tickets, Dodd, his two sons, his assistant, David Martin, Martin's wife and two children all went to Miami and all stayed at the Eden Roc, where their expenses were paid by the Cubans.

While in Miami, Dodd, who is a member of the Senate Subcommittee on Immigration, received an invitation from President Johnson to go with him to New York to sign the immigration bill.

The ceremony in New York was to be on Sunday, Oct. 3, and Dodd's speech before the Cubans in Miami was to be on the preceding Saturday night. The Senator was invited to fly from Washington to New York on the Presidential plane, but he had to get to Washington by Sunday morning. The only plane he could take left Miami shortly after midnight, arriving in Washington about 4 a.m. This interferred with the Senator's sleep.

So he asked Michael O'Hare, his accountant, to call the Air Force to see if a special plane could fly him from Miami to Washington Sunday morning. The Air Force agreed.

WEEKEND RUINED

Dodd then came back with a second request that his two sons also be allowed to fly on the Air Force plane. The Air Force refused.

When this message was conveyed to Dodd, the Senator almost screamed. He protested vociferously that this had ruined his entire weekend.

In the end the Senator took the Air Force plane alone from Miami to Washington, joined the Presidential plane and flew on to New York.

After he got back, Dodd found himself with one unused round-trip ticket between Washington and Miami which had been supplied him by the Cubans. This was because he had gone to Miami at the expense of the Internal Security Committee and returned at the expense of the Air Force. So Dodd instructed his accountant, O'Hare, to get a refund on this unused round-trip ticket.

Since this ticket had been issued by a Cuban travel agency in Miami, it was impossible for O'Hare to get a refund direct from the airline. He had to go to the Cuban travel agency. When he did so, the agency wrote back asking whether the Senator from Connecticut would like to have the money returned to the Cuban friend who had paid for it in the first place.

Obviously it was embarrassing for Dodd to say no. O'Hare wrote back that this was agreeable.

Thus this column was in error in reporting that Dodd collected twice on his round-trip between Washington and Miami. Our apologies.

[From the Washington Post, Aug. 28, 1966]

General Klein's Alibi

(By Jack Anderson)

Frontier magazine, published on the West Coast, contains the following comment on the Dodd-Klein controversy:

"Julius Klein, Sen. Tom Dodd's comrade in trouble, says he knows why he and the Senator are the targets of the current investigation.

"'Senator Dodd and I are strong anti-Communists,' Klein said. 'I don't hesitate to say that Drew Pearson is left-wing.'

"We wouldn't want to prejudge either Klein or Dodd, but Klein's statement reminds us of an old Herblock cartoon. A couple of cops came across a masked gentleman blowing a safe. As they grabbed him he protested, yelling: 'It's O.K. I'm an anti-Communist.'"

[From the Washington Post, Sept. 6, 1966]

Story Behind the Dodd TV Interview

(By Drew Pearson)

There's an interesting untold story behind the fact that the Metromedia TV hookup featured a recent filmed TV interview between Sen. Tom Dodd (D-Conn.) and William Buckley, former Conservative candidate for Mayor of New York.

The story began Jan. 18, 1964, when Sen. Dodd's staff on his Juvenile Delinquency Subcommittee finished a study of crime and violence on television. After monitoring ABC, CBS, NBC and Metromedia they found that the following networks had carried the following number of violent shows in one week: ABC, 45; CBS, 13; NBC, 64 and Metromedia, 111. (The Washington Metromedia outlet is WTTG-TV, Channel 5).

Realizing Dodd's power to influence television, Metromedia had already begun to cultivate the Senator, and almost immediately after this preliminary juvenile delinquency report Florence Lowe, Metromedia representative in Washington, intensified the lobbying play for Sen. Dodd.

On Jan. 9, even while the Juvenile Delinquency Subcommittee was making its TV crime study, Mrs. Lowe invited Dodd to the Women's Press Club dinner, where he sat at the same table with Rep. Oren Harris (D-Ark.), then chairman of the potent House Commerce Committee, and Sen. Margaret Chase Smith (R-Maine).

REGAL ENTERTAINMENT

On March 1, Dodd was entertained royally by Metromedia's owner, John Kluge, food broker and big-time advertiser, at his Beverly Hills home, which he purchased from Frank Sinatra.

Then followed other dinners and luncheons: April 14, with Mrs. Lowe and Mrs. Kluge at dinner; April 28, with the Kluges at their 2101 Connecticut ave. home in Washington; May 15, with another Metromedia representative, Larry Fraiberg; May 21, dinner with Mrs. Lowe at the National Lawyers Club, and so on.

And when he went to the Democratic National Convention in Atlantic City in August, 1964, Lowe arranged to meet him at the airport and later proposed driving him on up to New London.

All this time Sen. Dodd and his Juvenile Delinquency Subcommittee were supposed to be studying TV violence, including the extra high rate of violence on Metromedia. Inside fact, however, was that the study of Metromedia had come to a full stop. Mrs. Lowe had given the Senator a beautiful color TV set, and in gratitude for this and various entertainment the Senator had put Roger Lowe, Mrs. Lowe's son, on the staff of the Juvenile Delinquency Subcommittee where he was able to read all reports and know exactly what was happening on the inside. Roger had no knowledge of juvenile problems other than being a school dropout. It was an amazing deal, and it continued for about two years.

A $500 CAMPAIGN GIFT

Meanwhile the buttering up of the man in charge of investigating TV violence continued. When Sen. and Mrs. Dodd celebrated their wedding anniversary May 19, they received an assortment of champagne and choice liquors from the Kluges with a card reading: "Congratulations and best wishes. Theo and John."

As Dodd's election campaign approached, Mrs. Lowe wrote Oct. 6, 1964, "I am the self-appointed chairman, board of directors and membership of the 'Florence Lowe, for Dodd Committee.' So far all my candidates have won. You will be no exception. With fondest regard to you and Grace. Sincerely, Florence."

She also sent Dodd a contribution with this note, "Love and kisses, Florence."

Three days later, Oct. 9, Dodd wrote back, "Dear Florence: John Kluge's check arrive (sic) and believe me it is mightly welcome." It was for $500.

By the time December of 1964 rolled around, the Senator from Connecticut felt so grateful for the hospitality extended to him by the Metromedia cohorts that he wanted to do something in return. On Dec. 22 he wrote a glowing letter to President Johnson praising Mrs. Lowe and recommending her for a job.

"I know how interested you are in bringing more and more qualified women into the Federal service," Dodd wrote his friend LBJ. "It is my understanding that a vacancy exists on the U.S. Advisory Commission on Information, and I would like to propose to you the name of Mrs. Florence S. Lowe of Washington."

Dodd went on for more than a page in praise of the lady who had managed to maneuver him out of investigating TV violence on her own stations. President Johnson was not particularly impressed. Bill Moyers wrote Dodd a perfunctory acknowledgement Dec. 31.

Fraternizing and the backscratching continued through 1965 with a regal party given by the Kluges on the Dodds' 31st wedding anniversary in May.

Meanwhile the TV stations with the highest rate of violence remained uninvestigated. So you can understand why grateful Metromedia featured the Dodd-Buckley interview when other stations did not.

[From the Washington Post, Sept. 13, 1966]

Second Network Protected by Dodd

(By Drew Pearson and Jack Anderson)

The Metromedia TV chain was not the only one Sen. Tom Dodd (D-Conn.) protected from Senate investigation regarding televised violence and its effect on the youth of America. Another network, the National Broadcasting Company, also got immunity.

Sen. Dodd's staff on the Juvenile Delinquency subcommittee spent many hours screening the networks, prepared all sorts of material ready for the Senator to investigate. But when they were all ready to go, investigation of the two most violent TV groups just faded away. Something mysterious happened. Suddenly Sen. Dodd, chairman of the subcommittee, lost interest.

At that time—the autumn of 1961—Dodd's Juvenile Delinquenecy staff had prepared a damaging case. Chief counsel Paul L. Laskin and staff director Carl L. Perian summarized their progress in a confidential memo to Dodd dated Oct. 25, 1961.

SCORECARD OF CRIME

"In our hearings thus far," they reported, "we have established that:

"Programs of the crime-detective, action-adventure, Western type increased from 15 per cent of total prime program time (7–11 p.m.) to over 50 per cent since 1955.

The memo also pointed out that "experts from several disciplines have testified as to the cumulative effect of so many children watching so much violence. Their feelings can be summarized by quoting Dr. Wilbur Schramm who testified, 'In view of our findings, the amount of violence on television is just too dangerous to go on.'"

The staff's biggest problem stated Laskin and Perian, was to pin down who was responsible for TV violence.

WHO IS TO BLAME?

"Through the process of subpoenaing documents relative to program decisions, we are now on the threshold of identifying the persons at not only NBC but ABC and CBS as well, who are responsible for crime and violence on television.

"We can now focus public opinion and attention on the actual three-to-six men who are responsible for major program development . . . A further public exposure of the men at NBC, ABC and CBS could have a permanent effect on the future makeup of network television."

Unknown to the subcommittee staff, NBC had already made a private approach to Dodd. The network had found an attorney in Philadelphia, Tom Meeker, who had once lived in Connecticut and knew the Senator personally.

Meeker buttonholed Dodd in the Capitol building on Sept. 16, 1961. Next day, he scribbled a personal note to the Senator on the stationery of the Mayflower Hotel. The note, intended for Dodd's eyes only, was slipped under the door of his Senate office.

"Dear Tom," wrote Meeker. "Thank you for seeing us yesterday. In my haste to give you the documents, I neglected to give you Mr. Sarnoff's reply to Mr. Kintner, which I enclose a copy of herewith. (Robert Sarnoff is NBC's board chairman; Robert Kintner was then NBC's president, is now a White House aide.)

"Mr. Sarnoff appreciated your willingness to hear his testimony in closed hearings," Meeker's letter continued, "and would prefer to make arrangements for the same subsequent to his return from Africa in about four weeks. In accordance with our chat yesterday, I will call you Monday afternoon."

Sen. Dodd not only obliged with closed hearings, but he completely suppressed any real probe of NBC. The balance of this inside story will follow shortly.

[From the Washington Post, Sept. 21, 1966]

U.S. INTELLIGENCE UNDERGOES UPHEAVAL

(By Jack Anderson)

From the apogees of its spy satellites to the perigees of its bombproof basement code rooms, the vast U.S. intelligence industry has been going through a wrenching reorganization.

The Central Intelligence Agency has been rocked by more than 200 reforms. Military intelligence has been consolidated, with a great battering together of brass hats, into a single unit: The Defense Intelligence Agency.

Still, many Senators are not convinced that the reforms have gone far enough, and are demanding greater control over the whole James Bond industry.

The purpose of the reforms, of course, is to improve the quality of intelligence, eliminate rivalries, and prevent another Bay of Pigs—the CIA-sponsored invasion of Cuba which became a bloody fiasco.

While some minor rivalries may have been scotched, however, a major rivalry has emerged. Our intelligence apparatus has sprouted two heads, the CIA and the DIA, which often get in one another's war.

CIA VERSUS DIA

In theory, the CIA is supposed to be the final sieve through which all intelligence should pass before reaching the President. It is upon this information that he keeps abreast of world affairs and makes his policy judgments.

Yet the DIA increasingly is catching the President's eye. Moreover, it is so dominated by Secretary of Defense Robert McNamara that it has a tendency to produce intelligence that supports his views. Its reports generally have reflected his optimistic outlook in the Vietnam war, rather than the pessimistic possibilities.

Those in the Pentagon who disagree with an intelligence analysis, of course, are free to state their views as a footnote. But it takes a bold man to challenge McNamara's attitudes too frequently.

His interest in economy, no secret to his intelligence officers, has led to more comfortable appraisal than conservative military men would make. They prefer to judge the Communist threat by its capability for aggression rather than someone's estimate of its intentions.

The Secretary of Defense, a formidable figure inside the policy-making councils, also has had an intimidating effort on the CIA director.

The former director, John McCone, a man of strong views, clashed with McNamara and had a cactus touch with Congress. McCone saw the DIA, under McNamara, poaching on his territory, and was skeptical of its effectiveness in the more shadowy areas of intelligence work.

SPY SHUFFLE

McCone was replaced by Adm. William (Red) Raborn, who had been a submarine specialist under McNamara's command. While less abrasive in dealing with McNamara, the Admiral was also less willing to stand up to him.

Raborn was succeeded with unbecoming haste by Richard Helms, a career man, who is a sophisticated spymaster but naive political operator. He got off to an inauspicious start by attacking Sen. J. William Fulbright (D-Ark.) in a "letter to the editor."

Even as this letter bubble-gummed in Helms's face, he wrote another, supporting Sen. Thomas J. Dodd (D-Conn.) in his troubles with the Senate Ethics Committee. With painful obviousness, the letter was written the same day that the Senate was supposed to vote on whether to supervise the CIA's activities more closely.

Dodd, a staunch CIA supporter in the past, had executed an indelicate switch in midstream and had climbed into Sen. Eugene McCarthy's anti-CIA boat. McCarthy (D-Minn.) also happens to be a member of the Senate Ethics Committee, which is sitting in judgment upon Dodd.

But after Dodd got his last-minute CIA letter from Helms, the Senator from Connecticut changed boats again and skipped out on McCarthy.

Before the Bay of Pigs, CIA agents roamed the world, plotting coups and counter-coups, making undercover deals.

SPY SHAKEUP

The Bay of Pigs, the blunder that came near ending all CIA blunders, brought a drastic change. The late President Kennedy fired off a series of secret directives to correct the CIA's faults. The DIA was established to end interservice rivalry in the military field. Thus began the great spy shakeup, which was supposed to end the freewheeling operations and coordinate all intelligence.

Instead, the CIA and DIA are now open rivals, competing to scoop one another with intelligence beats. On paper, the DIA is supposed to turn all its intelligence over to the CIA. In practice, it often by-passes the CIA and furnishes intelligence directly to the President.

Which of the rival, often overlapping, intelligence setups is most effective? The DIA has received less unfavorable publicity, has a better grasp of the military situation. But the CIA is better staffed and organized to understand the political subtleties around the world.

[From the Washington Post, Sept. 28, 1966]

DODD NOW RIDES COMMERCIAL FLIGHTS

(By Drew Pearson and Jack Anderson)

Allegheny Airlines Flight 821 bound for Hartford, Conn., was already five minutes late. But the engines were revived up, and finally it started down the runway. Suddenly the engines cut off, and the plane ground to a halt.

Over the loudspeaker the captain announced: "Sorry to inconvenience you, but we have to go back to pick up a passenger."

Privately the stewardess confided, "Nothing like this has ever happened before."

The plane did go back, and the loading ramp was wheeled up to the door. Who should enter but Sen. Tom Dodd of Connecticut.

NOTE.—In the past the Senator usually flew to Hartford courtesy of United Aircraft and other defense contractors for whom he did favors. Since the Senate ethics investigation he has been flying commercial.

[From the Washington (D.C.) Post, Oct. 12, 1966]

BAILEY'S PIPELINE ROLE IS QUESTIONED

(By Drew Pearson and Jack Anderson)

This column, investigating a tip that Sen. Tom Dodd, (D-Conn.), had used his political influence to get special concessions for a Connecticut pipeline, found not Dodd but another national figure behind the scenes.

He is Democratic National Chairman John Bailey, whose law firm owns a 5 per cent interest in Jet Lines, Inc., which operates a pipeline from New Haven, Conn., to Westover Air Force Base, Mass. Bailey and his partners have also collected some whopping law fees from the company, whose books last year alone, for example showed a $117,500 legal bill.

With Bailey's help, Jet Lines has overcome political obstacles that had stopped other companies from laying a pipeline across Connecticut. The company not only wangled exclusive easements and price increases out of the Air Force, but it also obtained special tax benefits, right-of-way rulings and other privileges from state and municipal agencies.

The authoritative Oil and Gas Journal, reporting the completion of the pipeline in its April 30, 1962, issue, declared: "Considering all the obstacles to its construction and successful operation, the fact that the line was built at all is remarkable. Such a line . . . has attracted the interest of several major companies. More than one has looked at the project and backed off. . . .

"The route of this line was largely through congested industrial and residential areas. Passing from one New England township to another . . . the right-of-way (often) was obtained a few feet at a time."

Bailey's wire-pulling with local politicians is reported to have turned the trick. In Washington, too, the Democratic chairman pulled a few wires.

AIR FORCE COOPERATED

C. A. Neal, who pioneered the pipeline, acknowledged to this column that "Mr. Bailey's help and influence was prominent throughout the negotiations and, in my opinion, it could not have been accomplished without his help."

The Air Force, eager to reduce the cost of transporting jet fuel to the Westover base, happily gave Jet Lines the exclusive rights to lay a pipeline on the base. Less happily, the Air Force agreed to a series of price increases from 32 to 46.7 cents a barrel.

Thomas Dempsey, who handled most of the negotiations for the Air Force, denied that Bailey personally had brought any political pressure. He recalled only that Neal had frequently used Bailey's name.

On one occasion, Neal claimed, the pipeline people entertained the Air Force negotiators at Trader Vic's restaurant in Washington. Among those invited, he said, were Dempsey, his military counterpart, Maj. Bruce Blandin, and their wives.

Neal reported that Bailey, who also attended the dinner, "inquired of Blandin about his status. Blandin said he was the oldest major in the Air Force. Bailey said if he would cooperate maybe he would be a colonel tomorrow. Bailey discussed with Dempsey his Civil Service status, what room there was for him to become a chief of the section and how a career in the Government was good if you had a sponsor."

Dempsey denied that any such conversation took place. He recalled attending the Trader Vic's affair.

Blandin, reached at his home in La Jolla, Calif., had no recollection of ever meeting Bailey at Trader Vic's or anywhere else.

WOOS ICC

Jet Lines also needed the approval of the Interstate Commerce Commission for some of its activities.

Said Neal: "In mid-1962, Bailey made an appointment for me, and we went directly from the airport to the ICC and without further ado into the office of Commissioner John Bush (now ICC chairman). It was obvious that Bush and Bailey were friends.

"Lunch was brought into the office, and at this meeting, Mr. Bailey advertised the virtues of the pipeline and a few words about my qualifications, also that I had had trouble with the 'peons' in the rate bureau. He then turned to me and said, 'Hereafter you should first go directly to Mr. Bush.'"

Bush told this column that Bailey had never been in his office, recalled only that Bailey had phoned him to say he was sending over a Jet Lines representative.

Bailey, reached at Democratic campaign headquarters in Hartford, Conn., indignantly denied that he had used his political influence to benefit Jet Lines.

The Democratic chairman acknowledged that his law firm owns 5 per cent of the company and had represented the company in legal matters.

"Jet Lines hasn't paid a penny dividends," he added with a disgusted snort.

He claimed that Neal was disgruntled over losing his interest in Jet Lines and described him as "unreliable." This column, after checking several of Neal's statements, found most of his recollections accurate but some inaccurate.

But one fact was undisputed. As the Oil and Gas Journal put it: "Jet Lines is the brainchild of C. A. Neal."

The part that Bailey played in securing political concessions for the company should be investigated.

[From the Washington (D.C.) Post, Dec. 8, 1966]

VOTERS HAVE POTENT VIEWS ON ETHICS

(By Drew Pearson)

Congressmen who are not junketing abroad are now at home where the voters have an opportunity to tell them think. Judging from our mail, the voters have some potent views on the ethical conduct of Congressmen which should be expressed to them direct. Failure of the House of Representatives, by a whopping vote, to establish an Ethical Conduct Committee has stimulated critical public reaction.

The Senate does have an Ethics Committee which after some hesitation seems to be doing an honest job of probing Sen. Tom Dodd (D-Conn.).

But the House has no such committee, and despite the current activities of Rep. Adam Clayton Powell (D-N.Y.) and others, it refused to vote one. The only present means of riding herd on Congressmen is through the press.

Sen. Dodd's staff members have been criticized for taking copies of Dodd's documents to Jack Anderson and me, rather than to the Justice Department or to a committee of Congressmen. However, they know how things operate in Washington, and here is a factual account of what has happened in some previous cases where the conduct of Congressmen was involved.

When I reported that Rep. Parnell Thomas (R-N.J.) had required members of his staff to pay him salary kickbacks, I took these columns to the Justice Department and pointed out that salary kickbacks are a criminal offense. Officials countered that they had no witnesses..

RELUCTANT JUSTICE

I then brought Miss Helen Campbell, the Congressman's No. 1 secretary, to the Justice Department. They said that she would have to plead guilty to a conspiracy and be indicted along with Thomas.

This she was loath to do. However, she finally agreed, and the Justice Department in getting her agreement, promised Miss Campbell a job after it was all over.

Congressman Thomas went to jail. But instead of getting a job with the Government, Miss Campbell ended up on my payroll for 15 years until she retired at the age of 73.

Or take the case of Sherman Adams, No. 1 aide to President Eisenhower, and the vicuna coat and other favors given him by Bernard Goldfine, the New England industrialist. In return, Adams had made calls to the Federal Trade Commission where Goldfine had problems.

A House Commerce Committee was charged with investigating this and other conflicts in the regulatory agencies.

The Committee had hired an efficient young lawyer, Dr. Bernard Schwartz of New York University, to conduct the probe and he went to work diligently. After two months of intensive probing, he prepared a long confidential memo listing the many conflicts ripe for investigation, and placed it before his Committee. But the Committee, believe it or not, voted not to investigate.

Three days later part of the memo was published in this column. That same day Schwartz was summoned before the Committee, placed under oath and asked whether he had leaked to me. He swore that he had not.

Dr. Schwartz then turned around, asked each member of the Committee to take the oath, and asked them if they had leaked to me. They swore that they had not.

Fortunately, one Congressman was absent.

PROFITABLE BUSH

But the memo was a long one, too long for this column; so Dr. Schwartz was persuaded to put it in a bush at the righthand side of the Capitol going toward Pennsylvania Avenue. The New York Times was then tipped off regarding the bush, and the next day published the full text of the confidential memo.

That day Schwartz was again called before his Committee and asked whether he had leaked to the Times. He replied that he had, and was promptly fired.

Again there was the case of Rep. Andrew Jackson May (D-Ky.), chairman of the House Military Affairs Committee. I secured from May's former secretary an affidavit stating that she had received for May and delivered to him envelopes containing $1000 bills from the Garrsson Brothers, war contractors.

These were turned over to the Justice Department, it prosecuted and May went to jail. But even when May was under indictment, he was applauded on the floor of the House of Representatives and Speaker John McCormack called him a "great American."

That's how close are the ties between members of "the Club," and illustrates why members of Dodd's staff were reluctant to give the incriminating documents to a committee of Congress.

It also illustrates why Congress needs both to pass a New Corrupt Practices Act and set up permanent ethical committees to handle conflicts of interest.

Note: Rep. Charles Bennett (D-Fla.) finally got the House to appoint a committee to study the question of establishing a House Ethics Committee. Bennett, a conscientious Congressman, will report to Congress early in the 90th session.

[From the Washington Post, Dec. 27, 1966]

ROMNEY VEXES WOMEN'S PRESS CLUB

(By Drew Pearson)

Gov. George Romney, the devout, eager-beaver GOP candidate for President, has managed to thread his way triumphantly through the labyrinths of Michigan politics, but he's come a cropper on the relatively open road to a Women's National Press Club dinner.

With alacrity he accepted an invitation to attend the Club's annual dinner for Congress on Jan. 21. He is even willing to leave the Michigan legislature, which opens Jan. 10, fly to Washington, then fly right back to Lansing.

The trip gives him a chance to meet the new members of Congress and be seen in turn by the press and the politicians. However, Romney's handlers have been overenthusiastic. They have gummed up the show.

No. 1 handler is Mark Evans, a fellow Mormon, genial vice president of the Metromedia TV network, who, though obviously not a member of the Women's Press Club, is the official inviter of the GOP candidate. Romney has been leaning heavily on Evans for advice.

No. 2 handler is Florence Lowe, a Washington representative of Metromedia and of John Kluge, its president. Mrs. Lowe was conspicuous at a previous Women's Press Club dinner when she invited Sen. Tom Dodd as her guest. Dodd was then investigating the effect of television crime shows on juvenile delinquency and, following various dinners, luncheons and cocktail parties given Dodd by Mrs. Lowe, his zeal for probing Metromedia's televised crime seemed to go up in the benign smoke. Dodd even put Mrs. Lowe's son on the Senate Juvenile Committee payroll where he could influence or even report on committee policy from the inside.

The planned Romney pilgrimage to Washington began running into female problems when Mrs. Lowe and Mark Evans decided to show off their GOP white hope at a "night cap" party to be given immediately after the Women's Club dinner.

The Romney party was to be in competition with another night cap party staged by Press Club president Eve Edstrom and her paper, The Washington Post. Obviously a Romney party at exactly the same hour and in the same hotel would siphon off the new Congressmen and political stars. So the ladies who were paying $27 per couple were livid.

They were especially livid about their fellow-member Florence Lowe who was trying to get the list of VIP's invited by the club so she could invite them to her competing Romney party.

The furor was so great that the Romney handler switched. Mark Evans is an efficient, personable TV exec, but at handling the ladies he was a flop. The competing night cap party was changed to a cocktail party preceding the dinner.

However, this would also have been in competition with the usual cocktail party that the ladies of the press throw before their dinner, and since it was planned for a room next to the club's party, the ladies of the press were not overly pacified.

Finally the ladies' pressure became too great. Mark Evans surrendered. He called off even the cocktail party in advance of the dinner. Instead, Romney will be honored at a non-competing luncheon.

[From the Washington (D.C.) Post, Jan. 1, 1967]

ROLLCALL OF COURAGE—THE ACTIONS OF THE BRAVE PEOPLE OF 1966 PLACED THEM ABOVE THEIR FELLOW MEN

(By Drew Pearson)

Let's look back over 1966 and call the roll of those who have shown courage. In these days of compromise and consensus, courage has become the most vital ingredient for greatness.

Here are some whose courage stood above that of their fellow men:

The four employes of Sen. Tom Dodd—James Boyd, Marjorie Carpenter, Michael O'Hare and Terry Golden—who risked their futures for the sake of clean government.

Chief Justice Earl Warren, who pointed to the Justice Department's planting of a convicted teamster as a spy among the legal staff of Jimmy Hoffa as an act of eavesdropping as bad as wire tapping, if not more so.

Lyndon B. Johnson, for putting across the greatest educational program in history and tackling the poverty and slum problems of the big cities despite tremendous obstacles and opposition.

Retiring Rep. Charles Weltner of Georgia, who as a Southerner demanded that the House Un-American Activities Committee investigate the Ku Klux Klan, and who refused to perjure himself politically by pledging support for a Democratic ticket led by Lester Maddox, the axe handle-wielding segregationist.

Sen. Paul Douglas of Illinois, who has consistently bucked the oil lobby and those who want to preserve tax loopholes, and who was as magnificent in defeat as he was in victory.

Sen. Wayne Morse of Oregon, who never flinched from telling his old friend the President what he thought about the war in Vietnam.

Secretary of Defense McNamara, who, though under tremendous pressure from generals and admirals and sometimes from inebriated Congressmen hitherto dominating the Defense Department, stuck to his own wise and impartial views on running the war and the Nation's defenses.

Rep. Joseph Resnick of New York, who exposed the sugar lobby, thereby causing the Senate to rewrite the sugar bill; and who stood up on the House floor and called attention to the conduct of Sen. Tom Dodd.

Sen. Steve Young of Ohio, whose pungent humor and pithy wisecracks have been aimed at the great and the near great, regardless of politics, and who is never afraid to call a spade a spade where injustice is concerned.

[From the Washington (D.C.) Post, Jan. 3, 1967]

END OF ANTIMONOPOLY

(By Drew Pearson and Jack Anderson)

A backstage debate is taking place between White House strategists and Democratic Senators which could kill the entire antimonopoly program initiated by the late Sen. Estes Kefauver of Tennessee.

The White House has asked Sen. Phil Hart, Detroit Democrat who inherited the chairmanship of Kefauver's Antimonopoly Committee, to shift over to the Senate Appropriations Committee.

This is because LBJ anticipates trouble getting his Great Society program funded, and needs a loyal supporter such as Hart to back him up.

However, if Hart shifts from the Antimonopoly Committee, which is part of the Senate Judiciary Committee, his successor will be Sen. Tom Dodd (D-Conn.). Dodd has been a fairly consistent supporter of antimonopoly, except where Connecticut insurance companies are involved.

Here he has practiced flagrant favoritism, got a job for his son Jeremy with Aetna and accepted campaign contributions from insurance executives. There has been no real investigation of the insurance companies by Dodd. Furthermore he has shown himself susceptible to doing favors for corporations which contribute to him.

If Hart makes the shift, the excellent staff which he and Kefauver have built up would be dropped.

White House emissaries have argued that Hart hasn't passed a single piece of antitrust legislation since he's been on the job. This is true. It results partly from the fact that Hart is a nice guy, not the relentless crusader Kefauver was; but more from the fact that the big monopolies have stacked the Antimonopoly Committee.

Their chief friend on the committee is Sen. Ev Dirksen, the Republican leader whose Peoria, Ill., law firm has been retained by more big corporations, ranging from Texas to New York, than any other small town law firm in the Nation.

Another roadblock against antimonopoly legislation is Sen. Roman Hruska (R-Neb.), a consistent and devoted friend of big business.

The chief White House emissary who is pressing Hart to transfer is Vice President Humphrey, who as a Senator was a vigorous battler against monopoly.

Note—The Federal Trade Commission estimates that business is combining so fast that by 1975 200 corporations will control 70 per cent of all the manufacturing assets of the Nation.

[From the Washington (D.C.) Post Jan. 7, 1967]

DODD DONOR OMITTED FROM LIST

(By Drew Pearson and Jack Anderson)

The hullabaloo in the House over Rep. Adam Clayton Powell (D-N.Y.), has obscured the more subdued but more significant investigation of Sen. Thomas J. Dodd (D-Conn.) in the Senate.

For the case against Powell is Sunday School stuff compared to the evidence against Dodd. Senate investigators, following up the leads provided by this column, now have documented Dodd's apparent violation of at least two Federal laws.

One. The Senator deposited in his personal bank accounts thousands of dollars contributed for his 1964 political campaign. Yet he neglected to report this income on his tax returns, though the law clearly states that political funds diverted to personal use must be declared as income.

Two. Dodd accepted gifts, gratuities and outright cash from contractors and others whom he aided in Washington. It is against the law for a Senator to accept the slightest remuneration for helping a company get Government contracts or for intervening before a Federal agency on behalf of private interests.

Take the case of the Mite Corp., a New Haven, Conn., firm, which makes teleprinters for the Navy. Dodd has gone to bat repeatedly for the company, appealing all the way to the White House for favorable action on contracts.

It is entirely proper for a Connecticut Senator to seek Government business for a Connecticut company. He is forbidden, however, from accepting money for his help.

Yet, on Sept. 18, 1964, Mite's president, Robert J. Blinken, showed up in the Senator's office with a sealed brown envelope for Dodd who, typically, had forgotten the appointment and had gone to Connecticut. His personal secretary, Marjorie Carpenter, phoned him in Connecticut to tell him about the envelope. He asked her to bring it to him.

She caught Allegheny Airlines fight 922, which left for Hartford at 3:45 p.m. the same day. When she turned over Blinken's envelope to the Senator, she says, he opened it, removed some cash and offered it to her to pay her travel expenses. She explained that she had purchased her ticket with a credit card.

DONATION UNREPORTED

Dodd then returned the money to the envelope, explaining it was a campaign contribution. No doubt Blinken considered it a political donation, which he had every right to give. However, Blinken's name did not appear on the contributor's list which Dodd, under Connecticut law, was required to file.

The list has now been removed from the state files. However, we took the precaution of copying down all the names and amounts before the records could be removed. Two witnesses are ready to testify that every name was carefully copied.

Blinken himself, contacted by this column, refused to comment.

There is verification in the Senator's files, however, of Blinken's generosity. During the 1964 campaign, Dodd prepared for his fund raisers a list of contractors whom he had helped.

At the bottom of the list was this notation: "Mite Corporation (Robert Blinken) no comment—more than generous."

PRESSURE ON PENTAGON

At first Dodd tried to persuade the Navy to purchase the printers without competitive bidding. After repeated calls to the Pentagon, Dodd received an apologetic note from Assistant Navy Secretary Kenneth Belieu, dated Jan. 31, 1964, saying Mite would have to compete for the contract.

"I am sorry I have to answer this way," Belieu wrote in longhand, "but feel I have no other choice. We checked with the Army and pursued the other questions that came out of our meeting, but the answers remained the same."

Belieu also explained to Blinken: "Experience has demonstrated that on an over-all basis savings of at least 25 per cent are realized when we change from noncompetitive to competitive purchasing of a particular item."

This turned out to be true with the Mite contract. For Blinken's company won the bid by cutting prices.

Grumbled Blinken in a March 19, 1964, letter to Dodd: "We were, of course, forced to resort to competitive bidding on the procurement we have been discussing and were the low bidder. Naturally, we would have preferred not to have been subjected to the bidding process which necessitated our proposing a price on this quantity which was less than what we consider equitable."

Dodd went right back to the Pentagon in subsequent negotiations to appeal for a better deal for Blinken. The Senator even wrote to President Johnson and got a reply from Jack Valenti, then a White House aide: "I have requested the Secretary of Defense to assure that the Department of the Navy keeps his office closely advised on the progress of this action."

Drew Pearson and Jack Anderson will combine forces over WTOP Radio at 6:40 p.m. today, Anderson reporting on congressional junketeers and Pearson predicting a change in LBJ's popularity.

[From the Washington (D.C.) Post, Jan. 8, 1967]

WASHINGTON EXPOSE

(By Drew Pearson and Jack Anderson)

Sen. Tom Dodd (D-Conn.) lately has been reading more and enjoying it less. He sent to the Public Affairs Press for four of the first copies off the press of the book, "Washington Expose," which will be released this week.

Dodd didn't like what he read. The book told how he had phoned Windham High School's principal, H. Chester Nelson, in Willimantic, Conn., on Sept. 28, 1962, to tonguelash him for featuring a lecturer critical of Dodd.

Then the Senator called in his internal security staff aide, David Martin, and ordered him to run an investigation of the offending lecturer who turned out to be a Hungarian freedom fighter with anti-Communist credentials as good as Dodd's.

Another time, when the Senator's son, Tom Jr., brought home a "D" in a course at Georgetown University, the irate father sensed something un-American about the low mark and ordered the professor investigated. The finding was that Tom Jr. had not been doing his homework.

[From the Washington (D.C.) Post, Jan. 14, 1967]

SENATORS WRANGLE OVER DODD'S CASE

(By Drew Pearson and Jack Anderson)

While the House investigates the high living of Rep. Adam Clayton Powell and a Federal court hears the case against former Senate aide Bobby Baker, Senators are wrangling over what to do about the embarrassing affairs of Sen. Tom Dodd (D-Conn.).

The Wall Street law firm which represents Dodd is throwing obstacles in the way of the Senate Ethics Committee. Chief attorney, John Sonnett, has gone so far as to threaten court action to stop the Committee from investigating Dodd's finances.

This flies in the face of the Senator's original offer to cooperate fully and turn over all his files to the Committee.

The charges are far more serious than those brought against Powell or Baker. Essentially, Powell has been accused of taking private trips at public expense. Dodd not only charged some of his vacations to the taxpayers, but collected double from private groups that he arranged to address.

One of the chief charges against Baker is that he pocketed $80,000 in campaign contributions. Dodd is accused of pocketing an estimated $50,000 from the funds raised for his political campaigns.

Unlike Powell, Dodd has not been barred

from his seat pending the outcome of the investigation.

Dodd's attorneys contend that the Ethics Committee doesn't have jurisdiction to investigate campaign expenditures.

"Jurisdiction to investigate campaign expenditures for many years has been and still is with the Senate Rules Committee," Sonnett wrote to the Committee.

He also pleaded that the Senate investigation might jeopardize Dodd's defense against tax-evasion charges.

"I would be deeply concerned," wrote Sonnett, "that the examining revenue agent might be prejudiced by anything the Committee might say or do."

However, the Senate debate which led to the formation of the Ethics Committee made it clear the Committee would have authority to investigate any misconduct.

Sen. Clifford Case (R-N.J.) put the question to Sen. John Sherman Cooper (R-Ky.), who sponsored the motion to establish an Ethics Committee.

"The Committee would be free to investigate anything which, in its judgment, seemed worthy, deserving and requiring investigation from any source?" asked Case.

"That is correct," replied Cooper. His motion was approved by the Senate.

Meanwhile, reports have been buzzing around the Senate cloakroom that Dodd's friends are passing the hat to pay his legal expenses.

He is represented by Cahill, Gordon, Reindel & Ohl—which specializes in handling corporate work. When Dodd was asked on a TV program how he was paying for this high-priced legal talent, he replied:

"I wanted to make the point that John Sonnett is doing this, as he presented it to me, as a public service. I couldn't afford to hire a firm such as this."

Though Dodd deserves a good defense, his case seems a curious cause for a great Wall Street firm.

A possible clue to the firm's solicitude for the Senator can be found in the records of the Senate Juvenile Delinquency Subcommittee which Dodd heads.

During the early 1960s, the subcommittee staff produced documentary evidence that the networks were deliberately injecting sex and violence into TV programs to boost their ratings.

Psychiatrists testified that violence on television was having a "dangerous" effect on children.

This column praised Dodd for going ahead with the investigation. But after an encouraging start, the investigation seemed to die out. It failed to bring reforms that are needed in TV programming, and today sex and crime are as rampant as ever on television.

The secret subcommittee records show that the staff had prepared a damaging case against the TV networks, particularly NBC. To defend NBC, the late John Thomas Cahill personally appeared before Dodd. He was senior partner in the firm that is now representing Dodd. He also happened to be a director of the NBC Radio-TV network and its parent company, Radio Corporation of America.

Normally, NBC's general counsel, Thomas Ervin, would have handled the network's defense. But he was nudged aside to make way for the Wall Street firm.

As it turned out, the firm had reason to be satisfied with the outcome. Dodd obligingly agreed to hear embarrassing testimony in closed session. Later, he suppressed the most damaging evidence against NBC.

He also rejected the recommendation of chief counsel Paul L. Lasking that NBC should be cited for contempt for failing to comply with a subpoena.

Now the firm that pleaded NBC's case before Dodd is handling Dodd's case before the Senate Ethics Committee. After Dodd declared on television that the firm was working for him free of charge, the firm submitted a bill which Dodd's friends are now scrambling to pay.

[From the Washington (D.C.) Post,
Jan. 18, 1967]

McCormack and Dodd

(By Jack Anderson)

McCormack pushed an unpalatable bill through the House, making it a Federal offense for anti-war demonstrators to delay military trains. His aim was to help Rep. Joe Pool, a Red baiter, get re-elected in Texas.

Another time, when the Speaker saw Sen. Tom Dodd (D-Conn.) approaching, McCormack broke off a conversation to greet Dodd effusively. "Tom, my dear friend! When I think of the years you and I have been fighting communism together . . ."

Apparently in McCormack's mind the fact that Dodd wraps the anti-Communist flag around him excuses him for other actions.

At Dodd's request, the Speaker personally ordered the firing of Jim Boyd, Dodd's former administrative assistant, from the House Public Works Committee. Boyd is one of the four ex-employees who testified against Dodd and had taken a job in the House after he left the Senator from Connecticut.

House Democrats hate to hurt McCormack, who has been a power in the House since the 1920s. Some say defensively that he is more vigorous than his 75 years indicate, that he never drinks or stays up late.

They may never carry out their private mutterings about reducing him to the ranks. But they recall that when kindly ex-Speaker Joe Martin (R-Mass.) grew too old to lead, the Republicans deposed him as their leader.

DODD'S ABSENTEE RECORD

The Senate rules forbade mention of names, but it was Sen. Dodd whom Sen. Steve Young (D-Ohio) had in mind when he moved in the secrecy of the Senate Democratic caucus against any Democratic Senator who failed to attend 10 per cent of the sessions of his committees.

Young's idea was to drop Senators with poor attendance records, and later he sent a letter to Sen. Mike Mansfield (D-Mont.), the Majority Leader, stating: "The Aeronautical and Space Sciences Committee would be practically out of business if the example of one of the Senators of this committee had been followed by all the others."

Sen. Young then went on to outline the amazing attendance record of Sen. Dodd, though he didn't mention Dodd by name. He pointed out that "in 1963 he attended but one meeting. This meeting had been preceded by the announcement that pictures would be taken of the committee" with Col. John Glenn, the astronaut.

"In 1964 the Senator attended only one meeting throughout the entire final session of the 88th Congress," Young continued. "He was present for one-half hour during which time a matter pertaining to his state was before the committee.

[From the Washington Post, Jan. 23, 1967]

Dodd Holds Seat but Powell Waits

(By Drew Pearson and Jack Anderson)

There are some significant comparisons between Rep. Adam Clayton Powell, a Harlem Negro and Sen. Tom Dodd of Connecticut, a white man. Both are Democrats. But Powell has been stripped of his chairmanship and ordered to stand aside for an investigation. Sen. Dodd, though under formal investigation, remains chairman of three important Senate subcommittees.

Here is the scorecard regarding the charges against them: Powell has been accused of payroll padding.

Dodd placed his sons on the Senate payroll, has sent them on vacations at the taxpayers' expense, and permitted them to charge their personal long-distance phone calls to the Senate. While Christopher Dodd was attending school in Providence, R.I., he phoned friends around the country from Providence and billed the calls to the Senate.

Perhaps Dodd's most flagrant case of payroll padding was when he borrowed money from Al Morano and George Gildea.

Powell misused his Committee air travel cards to take personal trips.

Dodd not only charged personal trips to his various committees but sometimes collected for the same trips from private groups. He spent a week in Los Angeles, from Feb. 26 to March 4, 1964. It was chiefly a vacation—except for a 15-minute joint press conference with Mayor Sam Yorty on juvenile delinquency and a banquet speech to the Los Angeles Junior Chamber of Commerce. Dodd billed both the Senate Juvenile Delinquency subcommittee and the Junior Chamber for the same trip.

Powell has been generally charged with loose spending.

Dodd spent hundreds of thousands of dollars that he collected as campaign contributions, often from companies that he had helped to obtain Government contracts. He drove an Oldsmobile that was turned over to him by a company he had aided. He also flew in the private planes of companies that had an interest in his hearings. It is against the law for a Senator to accept the slightest gratuity from those he helps in Washington. It is also a violation for him to divert campaign funds to personal use without reporting the income on his tax returns.

CONTRASTING LEGISLATIVE RECORDS

Powell was such a global gallivanter that he was nicknamed the Harlem globe-trotter. However, he passed an amazing number of constructive bills through his House Labor Committee and did it with such efficiency that he received presidential praise.

Dodd in contrast passed no important legislation.

As chairman of the Juvenile Delinquency Committee, Dodd launched an investigation into sex and violence on the TV networks. Then he suppressed the most damaging evidence after conferences with NBC's attorneys. Significantly, NBC was represented before Dodd's committee by the same Wall Street firm that now represents Dodd before the Senate Ethics Committee.

Dodd's legislation to regulate the mail-order sale of guns has been languishing in committee since President Kennedy's assassination in 1963. It was introduced in the first place only after consultation with the gun industry. Its wording restricts foreign producers and won't hurt the big American manufacturers. The bill is still in committee.

DODD AND INSURANCE

As chairman of a Senate subcommittee that is supposed to investigate insurance abuses, Dodd actually has assisted the insurance companies behind the scenes.

On one occasion, he sent his chief insurance investigator, Dean Sharp, to the Agriculture Department to stop the Government from taking over insurance on stored grain from the private companies.

Simultaneously Dodd sent friends to insurance companies for loans, collected a law fee for arranging for Bankers Life and Casualty Company to do business in Connecticut, accepted free rides on a Travelers Insurance Company plane and got a job for his son, Jeremy, with Aetna Life and Casualty.

The Senator also stopped paying his own insurance premiums, which were carried for him by the Charles H. McDonough Sons Insurance Agency until this column broke the story. Up to that time, Dodd owed $3,403.37 in back premiums.

It might also be added that Dodd's law firm has represented Maryland Casualty, Standard Accident Insurance, Phoenix of Hartford Insurance Group, American Insurance Group, American Fidelity, Reliance Insurance, Fire Association of Philadelphia, Northwestern National Casualty, Central Mutual Insurance, and Norfolk and Dedham Insurance.

Yet he is still entrusted with investigating the insurance industry.

[From the Washington (D.C.) Post, Jan. 25, 1967]

KENNEDY DEATH UNMOURNED BY DODD

(Drew Pearson and Jack Anderson)

Some people have asked why the staff of Sen. Tom Dodd (D-Conn.) left him after having served him for some years. There were several reasons, but one of them involved a bizarre chapter in the aftermath of President Kennedy's assassination which William Manchester missed.

Dodd was sitting in Frank's Restaurant in Hartford when the news of the assassination reached him. An hour or two later one of Dodd's staff members in Washington, Michael O'Hare, received a phone call from Ruth Weldon, secretary to Joe Barr, Washington representative of United Aircraft, stating that the new President, Lyndon Johnson, had summoned Sen. Dodd to Washington; therefore United Aircraft, because of the importance of the occasion, was placing a special plane at the Senator's disposal. It would leave Hartford between 4:30 and 5 and arrive in Washington about 6:30. O'Hare was informed.

The news sounded strange, inasmuch as any call from the White House to Sen. Dodd would go through his Senate office and no such call had been received.

However, Ed Sullivan, Dodd's political secretary in Hartford, telephoned to say that the Senator wanted James Boyd, his administrative assistant, Marjorie Carpenter, and O'Hare of his staff to come to the airport to meet him. They did so.

When the plane arrived, a group got out, including Jack Smith, vice president of United Aircraft; William Curry, an old political friend of Dodd; and James O'Connor, a lawyer who worked for a time for Dodd and who became his 1964 campaign manager. Curry and Smith got back in the plane to return to Hartford. The others escorted the Senator to his car.

In the car he started telling everyone about his reactions to Mr. Kennedy's death. He seemed surprised that people in Hartford were so concerned about it.

NO MOURNER HE

He pointed to the grave errors of the Kennedy Administration and compared them to the reign of Pope John. Sen. Dodd said that both men had been in office a short time, but they had made so many errors that it would take 50 years to correct them.

Dodd talked about the fact that the new Johnson Administration would be very friendly to him; and he asked Boyd, his administrative assistant, to ascertain the procedure for selecting a new Vice President. Does the Congress pick him or can the President pick him? He seemed to think he might be the man to be picked.

Upon arrival at his home, the Senator went upstairs with his staff to watch television. Tom Jr. and a schoolmate were in the study, watching the news of the assassination. A Canadian spokesman appeared on the screen to express the condolences of Canada to the American people. Dodd didn't like what he said and tuned him out.

He then turned the dial to try to find something that didn't pertain to the assassination, but all he could get was organ music. Dodd stood in front of the TV set, waving his arms, conducting the organ music.

Dodd's staff was dismayed. It was a factor which contributed to their conviction that they were working for the wrong man.

NOTE.—Dodd never did hear from LBJ. Obviously the alleged summons to Washington was a figment of his imagination.

[From the Washington Post, Feb. 8, 1967]

MCCARTHY EFFORT TO SHIELD DODD FAILS

(By Drew Pearson and Jack Anderson)

What the public didn't know about the last closed meeting of the Senate Ethics Committee regarding Sen. Tom Dodd (D-Conn.) was that Sen. Eugene McCarthy (D-Minn.) argued that future hearings be in closed session. This would ease the pain of the investigation for Dodd.

And what the Senator from Minnesota didn't know when he tried to help Dodd was that Dodd has undercut him repeatedly in the past.

At last week's Ethics Committee meeting, McCarthy was overruled. He argued that the evidence against Dodd should be presented in closed session, then summarized for the public in a Committee report. The other five Committee members argued that the Adam Clayton Powell and the Bobby Baker cases would make the public highly suspicious of closed hearings. The vote was 5 to 1 that the Committee must operate in the open.

Sen. McCarthy, a conscientious and kindly Senator, has long been friendly to Dodd. But the friendship has not always been reciprocated. During the 1964 Democratic skirmishing to see who would run as Vice President on the Lyndon Johnson ticket, both McCarthy and Dodd had their eyes on the No. 2 spot.

They figured that Mr. Johnson would need a Catholic as his running mate in order to pick up pro-Kennedy votes. To this end, Sen. Dodd had a memo prepared under the caption "Several reasons why Dodd should be Vice President." The memo was mimeographed in his office under this title, but then Dodd felt that the title was not just what he wanted and remimeographed the memo without the title.

Meanwhile, he kept privately belittling the idea that Gene McCarthy was fit to be Vice President. On one occasion, Mrs. Dodd, who naturally echoed her husband's views, remarked: "I don't see why any man should want the office of Vice President. It's shocking to see the way Gene McCarthy is pushing himself."

Nevertheless, McCarthy continued to be very friendly to the Senator from Connecticut. On occasion he would drop by Dodd's office for a chat. Twice, however, Dodd refused to see him.

M'CARTHY'S OTHER CHEEK

Probably McCarthy did not know that he was rebuffed. For when he appeared in Dodd's outer office, Dodd hid behind an inner door and sent word out by a staff member that he was not in. Actually, he was sitting with his friend, John O'Keefe.

Despite this, McCarthy last week did his best to save his friend from public embarrassment by arguing that the next hearings should be closed.

The Committee not only rejected McCarthy's proposal, but voted unanimously with McCarthy joining—to deny Dodd's claim that the Committee had no jurisdiction to investigate his finances.

The irony is that it was Dodd himself who requested the investigation that he now claims the Committee is unauthorized to conduct.

Dodd and his attorney picked a bad day to plead his case before the Ethics Committee. Just one day before, a jury had found Bobby Baker guilty of diverting campaign funds to his personal use without reporting the income on his tax returns. This is exactly what Dodd did, except he pocketed much more money than Bobby Baker. Dodd used campaign funds to pay thousands of dollars of personal bills ranging from a $57 heater for his North Stonington, Conn., home, to a gala wedding party for his daughter, Martha.

[From the Washington Post, March 4, 1967]

FOCUS NOW SHIFTS FROM POWELL TO DODD

(By Drew Pearson and Jack Anderson)

Now that a jury has convicted Bobby Baker and the House has slapped down Adam Clayton Powell, the public is watching to see what the Senate will do about Sen. Tom Dodd, (D-Conn).

The Senate Ethics Committee has painstakingly tracked down financial records proving our charge that Dodd pocketed thousands of dollars in campaign contributions. One committee source estimates that the Senator diverted about $500,000 from his campaign treasury to his personal use.

Last year, Dodd asked the Senate Ethics Committee to investigate our charges and offered his full cooperation. Obviously, he expected his colleagues to whitewash the charges and clear his name. When he discovered that the committee was seriously digging into the evidence, he tried to block the investigation that he, himself, had requested.

Dodd's next tactic was to seek affidavits from his contributors swearing: "I donated funds to Sen. Dodd. These funds were intended by me as a personal gift to Sen. Dodd. . . . They were not intended as a political contribution."

Those who sign the affidavits, however, may run the risk of perjury. For the Committee has recovered some of the solicitation letters, which definitely requested "campaign contributions."

LETTER TO LBJ

Dodd also wrote a letter on Aug. 5, 1963, to Lyndon Johnson, then Vice President, asking him to appear at the 1963 fund-raising affair.

"Allow me to thank you again," wrote Dodd, "for your generous offer to come to Connecticut to assist me in my forthcoming campaign . . . I wish I could convey to you how enthusiastic everyone is about your visit and how much it will assist me in getting my campaign drive under way."

Asked about his participation in both the 1961 and 1963 testimonial dinners for Dodd, President Johnson told a news conference on April 22, 1966: I have no information about any dinner held for anyone to obtain funds for personal use; none I have ever attended that I knew were being held for that purpose."

The Senator's own sworn reports to the State of Connecticut list his personal expenditures from the testimonial funds as "campaign expenses."

For example, Dodd reported an $8500 payment to Edward Lockett for "preparation of campaign literature." Lockett was actually paid to ghostwrite a book for the Senator, who pocketed the advance royalty. The book was never issued as "campaign literature," and Lockett was paid by check drawn on the testimonial-dinner account.

Dodd even listed as "campaign expenses" $579 to Schneider's for "campaign luncheons" and $221.75 to the Congressional Country Club for "political meetings." Schneider's turned out to be a liquor store and the bills from the Country Club show the entire $221.75 was spent by Dodd's family for swimming and snacks.

Even if Dodd could convince the Senate that the contributions to his testimonial dinners were intended as personal rather than political donations, he would still be in trouble. For he actively solicited contributions from firms he had helped in Washington. It is against the law for a Senator to accept money or gifts in return for assisting anyone with their Government problems.

GRATEFUL FRIENDS

A member of Dodd's Senate staff, George Gildea, reported in writing to the Senator in advance of the 1961 dinner: "John O'Keefe (a friend) will add additional names of friends he wishes to participate in this dinner. I also left with Jim Gartland (another staff member) his list of people who he has done favors and help to get business through your office."

After the dinner, another Senate employe, Ed Sullivan, complained in a letter to Dodd: "I was much surprised at the few leads to come from the office. I am sure that enough concerns have had favors from the office that should have given us another 25 tables."

Note: Though the Senate is going ahead with its own painful probe, it is hampering the Justice Department's investigation of Dodd by permitting him to remain an active member of the Judiciary Committee. Thus he passes on legislation and appointments affecting the officials who are supposed to be investigating him. What's more, Dodd can cast the deciding vote on many issues vital to the Justice Department, since the Committee is divided almost equally between conservatives and liberals.

On at least one occasion, Dodd abused his congressional power over the Attorney General, who was then Nicholas Katzenbach. The Senator questioned Katzenbach in his office for 45 minutes about Katzenbach's transfer to the State Department. Thus Katzenbach, who had unhappily ordered the investigation of the Senator's alleged law violations, was obliged meekly to endure Dodd's inquisition.

[From the Washington (D.C.) Post, Mar. 7, 1967]

Senate Aide Scouted Deals for Dodd

(By Drew Pearson and Jack Anderson)

The Senate Ethics Committee, in its probe into the tangled finances of Sen. Tom Dodd (D–Conn.) shouldn't stop with the campaign contributions he stuffed into his own pocket.

Even more important is the story of how Dodd has used his Senate influence to make a fast buck. We have already cited examples of how he intervened with the government to seek favors for people who slipped him cash, furnished him with automobiles, and flew him around in private planes.

The key to his private deals is gray, grizzled Ed Sullivan, a Senate employe who seems to be in charge of the Senator's fund raising, both personal and political. Sullivan sends the Senator cryptic reports, scrawled on lined yellow paper.

Scarcely a month after Dodd had taken the oath as Senator, he received his first propositions from Sullivan.

"Frank is interested in an S.B.L. (Small Business Loan)," wrote Sullivan on Feb. 4, 1959. "He has not applied and intended to talk with us before making a move. He plans to give me a preview of the situation Monday, Feb. 9. According to the papers, you will be here Feb. 10. Maybe on the plane you could think this over:

"1. Fee for procurement work.

"2. Getting a share of stock, plus an arrangement that would bring a steady income. This is a good business and a lot can be done for him. He knows the business, appreciates the value of spending money in the right places and has never had enough capital to handle his growth.

"This, of course, are my ideas. I will only try to promote them after you tell me to. . . .

MONEY CAN BE MADE!

"Harold wanted help in getting a name scotch. They also are looking for a warehouse in Hartford. They have no attorney in this area. On this deal, I have these thoughts:

"Help get a scotch. Take a fee or become their local attorney (not you I know) on a retainer basis. Or rent them a warehouse. Or take a share of the operation in this branch with a steady income.

"Again these are my ideas. I hope you can agree and let me know when you are in. Money can and will be made."

In another letter, dated March 14, 1960, Sullivan wrote about another opportunity for the Senator: "This morning I spent an hour with Jack. We had a real good talk. I know there is nothing Jack wouldn't do for you, and also I know that he can steer things your way that would easily solve all your problems.

"I am to see him again Thursday. We agreed that, when you are around, we will get together, and Jack promises he will come up with something. . . .

"I am sure, Tom, this is the right move. Your Washington income must be added to, and you must agree on a plan that will do this.

"You spoke for an engineering outfit, some little attorney came to Jack for them. They got what you asked for. This is fine if you are in but no good otherwise.

"This is enough to let you know we covered all bases, and I hope you approve. I know such a thing can work if done right; it cannot work unless handled right. Only three of us know of this move."

Subsequently, the raspy-voiced Sullivan wrote again to Dodd: "The big question now is, what to do to continue some extra income. I bet you have ideas, I hope so, we must talk over on first chance.

"A long time back, we talked about an S.B.A. (Small Business Administration) finance concern, then dropped it. To me it seems this must have merit. A new license has just been issued in Stamford. In the country as of now there is 419 concerns."

Sullivan's letters indicate that his chief Senate duty was hustling money for Dodd. For this he was paid a full-time salary by the taxpayers.

[From the Washington (D.C.) Post, Mar. 13, 1967]

Dodd Case Delay Puzzles the Public

(By Drew Pearson and Jack Anderson)

It has now been eight months since the Senate Ethics Committee held its last hearing on the conduct of Sen. Tom Dodd (D-Conn.). The last Senate hearing was held on July 19, 1966. Today the Committee resumes its investigation.

The public is entitled to ask, therefore, why the difference between the fast action of the House of Representatives in expelling Rep. Adam Clayton Powell (D-N.Y.) and the long delay of the Senate in even completing its investigation of Sen. Dodd, an investigation which he asked for and involving charges which are far more serious than those against Powell.

Yet the House finished its work on Powell in six weeks and threw him out of Congress. The Senate has not finished its work in eight months and Dodd remains active on three full committees and runs two subcommittees. The public is entitled to know why.

It is true that the Senate moves with more "deliberate" speed than the House. It is also true that the Committee staff has needed time to make a thorough investigation of Dodd's finances. Even so, eight months is a long period of "deliberation." And delay dulls the memory of witnesses, risks the death of witnesses and plays into the hands of Sen. Dodd. Why the patience?

THE ETHICS RECORD

Here is the chronological record of the Ethics Committee deliberation:

1. On Feb. 23, 1966, Sen. Dodd asked the Ethics Committee to investigate charges against him. He took the initiative. The committee did not. It was suspected that Dodd anticipated an early whitewash from his colleagues.

2. Earlier in February Dodd had written the FBI asking that it investigate Pearson and Anderson in connection with columns published about him and documents quoted. When J. Edgar Hoover proceeded with the probe, his G-Men conducted it in such a way as to indicate they were on Dodd's side. Some witnesses were actually called into Dodd's office to be cross-examined. Dodd was once an FBI agent.

3. After the Ethics Committee decided to investigate, it permitted Dodd to be represented by counsel, a privilege not given to any other witness except the late Sen. Joe McCarthy (R-Wis.) when he was censured.

4. After the Committee had printed its rules, it amended them to permit Dodd's counsel to cross-examine witnesses.

Furthermore, the Ethics Committee permitted Dodd's counsel to cross-examine witnesses not regarding their credibility but about their private lives, questions which never would have been permitted in a court of law. This set a Senate precedent and will make it difficult for the Senate to get reputable witnesses to testify against a Senator's conduct in the future.

Dodd turned up with the Wall Street law firm of Cahill, Gordon, Sonnett, Reindel & Ohl as his counsel. John Sonnett, senior partner, plus assistants, came to Washington personally. The services of this firm on a case of this kind run around $3000 a day. The mystery has never been solved as to who has put up the money.

5. Dodd's counsel was also permitted to look at the transcripts of closed hearings so he could know in advance the questions asked of witnesses. The witnesses who testified against the Senator were given no such reciprocal privilege.

DODD ESCAPES

6. The Committee would not permit Committee Counsel Benjamin Fern to cross-examine Dodd and did not require Dodd himself to testify, except as he volunteered. It also failed to cross-examine Mrs. Dodd on the question of rugs when she testified about a completely different set of rugs than those which had been brought into the hearing.

7. In mid-January Sen. Dodd and his counsel moved in closed session that the Committee lacked jurisdiction to probe Dodd's finances. At this point the Senate Ethics Committee began to stiffen up. All its members voted against their colleague from Connecticut.

Previously counsel Fern had begun a painstaking investigation of Dodd's finances. Though Dodd had asked for the investigation, he refused to show the Committee his financial records. Committee investigators had to subpoena the records from banks and elsewhere.

On or about Feb. 15 the Senate Committee offered to stipulate certain facts in advance of today's hearings in order to save time and perhaps embarrassment to Dodd. Dodd made a counterproposal.

He was willing to concede that he had used the proceeds of testimonial dinners to pay personal debts and expenses, but wanted the Senate Committee to agree that he had a right to do this because the dinners were for personal proceeds, not political contributions.

Dodd did not report the proceeds of the dinners, amounting to at least $170,000, as taxable income and he proposed stipulating to the Committee that he had "borrowed" this money. The Senate Committee rejected this counter stipulation.

[From the Washington Post, Mar. 16, 1967]

Dodd Aides Followed Ike's Ethics Code

(By Drew Pearson and Jack Anderson)

Resourceful Rep. Charles McC. Mathias (R-Md.) picked out of the dusty files of the Eisenhower Administration a resolution passed by both houses of Congress July 11, 1958, which every Congressman and his employes should read, including Sen. Tom Dodd (D-Conn.).

It not only set up a code of ethics for Government service but clearly specified that "all Government servants" must "expose corruption wherever discovered."

The code definitely puts an obligation on the employes of Senators and Congressmen to report any wrongdoing by that Senator or Congressman which is exactly what the employes of Sen. Dodd finally did. Several of his staff had been with him a long time. Jim Boyd, his administrative assistant, had campaigned for him even before he joined his staff, helped him get elected.

But when they saw what he was doing, gradually disillusioned, they finally decided they had to follow the code of ethics which they had learned as youngsters and which was restated in the long forgotten "Code of Ethics for Government Service" adopted in 1958.

DODD'S CHILDREN

There is nothing the taxpayers can provide that is too good for Sen. Dodd's six children.

He has put two of his boys on the Senate payroll—Jeremy at $125 and Tom Jr. at $120 a week. But all the children have charged meals, phone calls and other incidentals to his Senate account.

When son Chris was attending Providence College, he made long-distance calls to girl friends around the country and charged them to the Senate as official business.

Dodd also happily shared with his children the free travel he was able to arrange for himself. Thomas O'Neil, board chairman of RKO General, was one of several business tycoons who let the Senator use their private planes.

For example, O'Neil sent his private plane to Washington on Aug. 7, 1965, to pick up Tom Jr. and a friend. They were flown to Westerly, R.I., the closest airport to the Dodd country home in North Stonington, Conn.

Here the plane picked up the Senator and flew him to New York City where he changed places with his daughter Carolyn who was whisked back to Westerly.

POLITICAL VERSUS PERSONAL

Other bills run up by the Dodd children have been paid out of his political contributions—ranging from snacks at the Congressional Country Club to airline travel.

In 1963 Tom Jr. made a number of flights that were charged to the Senate campaign, including trips from Washington to Akron, April 18 ($59.43); Washington to Chicago, June 24 ($91.77); and Washington to Asheville, June 26 ($68.36).

Dodd has freely used his Senate influence to help his sons get ahead. He set up son Jeremy as an agent for Aetna Life and Casualty Company after blocking an investigation of the big insurance companies. The boy gave the insurance business a try but decided he liked it better on his father's Government payroll.

When Tom Jr. brought home a "D" in a course at Georgetown University, the irate father ordered a check on the professor by the Senate Internal Security Subcommittee, which probes communism.

Afterward, young Tom decided he wanted to travel in Latin America to do research on his doctorate. The Senator obligingly got in touch with Razor King Pat Frawley.

EASY WAY TO GET A PH. D.

"Dear Pat," wrote Dodd on Jan. 26 1965, "Tom is hoping to leave for Nicaragua in about three weeks, and he told me that you had expressed an interest in his trip and indicated that he might be able to do something for you while there which would help defray his expenses."

The Senator added: "I have already looked into the patent situation, and I will write another letter about it soon." This had to do with one of Frawley's patent problems.

Frawley obligingly granted Tom Jr. a scholarship to study in Latin America and put him up in his villa in Managua.

To help the boy with his doctorate, the Senator got material out of State Department files to send him. But young Tom had hit upon an even easier way. On March 21, he wrote to his father's Senate office manager, Michael O'Hare:

"An important request. I would like a 25-page or so report on the Central American Common Market—with a bibliography. This report should be a brief review of the historical developments in establishing the market and then a discussion of the ways in which the market has developed.

"I understand the reference service of the Library of Congress does this. Please have them start it soon, so I'll have it for class by the end of May."

When Tom finally finished his doctoral dissertation, he sent it to his dad's Senate office to be typed. For five days in November, 1965, a secretary paid by the taxpayers typed the 300-page dissertation.

[From the Washington Post, Mar. 20, 1967]

Some Dodd Data Ignored by Probers

(By Drew Pearson and Jack Anderson)

WASHINGTON.—As the Senate Ethics Committee ground its hearings toward a stop last week, it was apparent that its investigative staff had done a meticulous job of probing Sen. Dodd's finances, but that the Senators themselves either had forgotten or ignored some of the most important points in the strange career of Tom Dodd.

These include his backdoor law practice, payroll padding, payroll maneuvering, favors to gift-bearing lobbyists, accepting free automobiles and airplane travel from those doing business with the Government.

Since this column had something to do with starting the Dodd investigation, we trust the Senate Committee will not resent our reporting some of the facts which they overlooked. Here are a few of them:

Repairs on Dodd's Summer Home—Michael O'Hare, Dodd's former office manager and bookkeeper, was prepared to testify that more than $50,000 was taken out of testimonial dinner funds to renovate Dodd's summer home in North Stonington, Conn. He was not cross-examined. The whole thing was ignored.

Advice on Tax-Free Gifts—Sen. Dodd has claimed that he had the advice of his lawyers to treat contributions to testimonial dinners as tax-free gifts. However, sworn testimony before the Senate Committee showed that Dodd's tax accountant in Hartford, David Nichols, warned him otherwise. Nichols learned that Dodd had transferred $6000 to his personal account from funds raised at the "D.C. Reception for Dodd" and warned that the $6000 would have to be reported as income unless Dodd listed it as a loan and paid it back.

Thus Dodd admitted by repaying the $6000 loan that this money was taxable, while at the same time claiming that other identical contributions were not taxable.

Loans and Jobs—Dodd persuaded the White House to appoint the son of Lazarus Hayman in Hartford as assistant U.S. attorney in Connecticut. Simultaneously Dodd borrowed, first $7500 from Hayman; later $6000 from him to satisfy a total income tax payment of $13,500.

The Senate Committee listened to testimony regarding Dodd's borrowing to pay his $13,500, but never really delved into whether Dodd paid back the money and its possible connection with the U.S. attorneyship.

Backdoor Law Practice—There's a criminal statute forbidding a Senator from taking law fees in return for practice against the Government. Yet Dodd made representations, before Secretary of the Interior Stewart Udall in the case of a Government park and a high rise apartment which Dodd's client Tom Frouge wanted to build in San Francisco obstructing the view of the Golden Gate.

Dodd even quarreled with his law associates about his share of the legal business.

"I am sure you will understand," he wrote his law associates on July 2, 1961, "when I tell you that I have made a large contribution to the firm, and actually my return has been small. It should be much larger, and this is something I will have to talk about very soon.

"I am sure you know as well as I do that there is a considerable amount of business that goes into the office because of me . . .

"Many men who are in public life, receive a steady income from their law practices because of the value of the association."

Letter to LBJ—An array of witnesses swore to the Senate Committee that money raised from testimonial dinners was for the purpose of paying Dodd's personal expenses, not campaign expenses. The Senate Committee however, knew of one clinching letter written by Dodd to none less than Lyndon B. Johnson, then Vice President, Aug. 5, 1963, thanking him for agreeing to speak at Dodd Day in Connecticut. "Allow me to thank you again for your generous offer to come to Connecticut to assist me in my forthcoming campaign," Dodd wrote to Mr. Johnson.

Payroll Padding—Mrs. Beverly Curry of Hartford has been on the Senator's payroll for six years for $4500 annually. Mrs. Curry is supposed to be attached to the Hartford office but has never worked there. But her husband is a big Connecticut politician whose support Dodd needs.

The son of Florence Lowe, Washington representative of Metromedia, was put on the Juvenile Delinquency Subcommittee payroll, though he had no experience in the intricate problem of the causes of delinquency. Metromedia was under investigation for its emphasis on TV crime at the time.

Edward Sullivan, who draws $15,000 a year as a member of Dodd's staff, lives in Hartford and does no real work for Dodd except money-raising.

Diverting personnel—To make up for chairwarmers, Dodd diverts trained personnel to his office from the Juvenile Delinquency Subcommittee. This committee, dealing with a vital subject, is supposed to have a staff of 21; though only eight have been working on committee business. At one time during the investigation of televised crime by NBC, Committee Counsel Carl Perrian threatened to resign because he was investigating one of the biggest corporations in television without enough personnel to do it.

[From the Wallingford (Conn.) Post, Mar. 23, 1967]

Dodd's Problem

(By Drew Pearson)

The smokescreen sent up by John Sonnett, resourceful attorney for Sen. Tom Dodd, D-Conn., in introducing a claim that 39 of Dodd's checks were forged raises a question which Dodd's former staff had resolved to keep out of the hearings—his alcoholism.

The only plausible explanation for the heavier lines on Dodd's signature which showed up on 39 checks was that he signed them under the influence of liquor. His staff say that in such cases the Senator leaned heavily on his desk and on his pen.

This is information we have had for two years but have been reluctant to publish. Because of the unfair charges against Michael O'Hare, Dodd's bookkeeper, however, we have decided to offer the obvious explanation.

There has been no charge by Dodd's handwriting expert that O'Hare forged the checks, and no charge that O'Hare took any of Dodd's funds.

It is common practice in every Senator's office to have a secretary or assistant sign letters. Thousands of letters go out from Capitol Hill every day which Senators never see. And some Senators give check-signing power to their assistants.

When O'Hare first joined Dodd's staff, a girl in the office, Barbara Van Trease, signed his checks, and Dodd used to joke about the skill with which she imitated his signature. O'Hare stopped this and was careful to have the Senator himself sign the checks. Thousands were signed in the five years that followed, and it's interesting that out of these many checks Sonnett should pick out 39 to claim they were forged, all payable to cash or Schneider's Liquor Store. Significantly, O'Hare called the attention of the committee staff to one of Dodd's checks in their possession which definitely was forged, dated March, 1961, which was before his employment. The Senate committee, however, did not go into this.

To other Senators it has been no secret that the senior Senator from Connecticut suffers from alcoholism. Sometimes he has made this all too clear on the Senate floor. On one occasion, in October, 1963, Sen. Everett Dirksen of Illinois, the Republican leader, reproved Dodd publicly for his long, rambling discourse on Senate absenteeism. Dodd has one of the worst committee absenteeism records in the Senate, yet entreated his colleagues to "sit longer, sit Saturdays, sit nights."

"Quite a number of things can induce cerebral incoherence," remarked Dirksen caustically as Dodd finally took his seat.

It was incidents like this that Dodd's staff loyally tried to avoid. Time after time when he drank too much and became cantankerous, they kept him off the Senate floor for fear he would tangle with other Senators.

Once it was necessary for Marjorie Carpenter, his secretary, to apply a cold towel to Dodd and get him down on the office couch to sober up. He had an important engagement to keep later that afternoon.

Night after night Dodd would spend time drinking in his office until quite late. Supper would be sent from the Senate restaurant, and frequently the Senator would remain in his office until one or two in the morning. Usually it was Michael O'Hare, who was closest to him, who remained with him calling his home to alibi that the Senator was detained on Senate business; and finally, when he had sobered up enough, taking him home.

It was O'Hare also who saved Dodd from a most embarrassing situation when he became intoxicated while dining out in Georgetown and insisted on going on to the Crazy Horse, a teenage rock 'n' roll joint then run by his friend Sanford Bomstein. O'Hare persuaded the Senator that he should go home instead of the Crazy Horse, but knowing Dodd well, O'Hare waited outside the Senator's house to observe what would happen. As he expected, Dodd stumbled out of his home in the company of his secretary, Doreen Moloney, and attempted once again to go to the Crazy Horse.

"No, you can't do that," O'Hare admonished. "You have to go back home." The Senator from Connecticut allowed himself to be led back into the house.

DODD'S CASTLE

Dodd loved his office. It was his castle. He equipped it with murky lights, and he practically lived there.

The reason for the many liquor bills at Schneider's nearby liquor store was because the Senator would run out of whiskey and O'Hare would have to send over and get some for him in a hurry.

Of Dodd's staff, Jim Boyd and O'Hare were the closest to him. They frequently met him at the airport when he arrived from Connecticut and took care of him on all sorts of occasions.

"We were members of a middle-class Irish family," O'Hare once explained, "and believed that the only way you got ahead in the world was to work like the devil and submit to being kicked around somewhat."

They took a lot of abuse from Dodd.

Other members of Dodd's staff long before had lost all respect for the Senator, and Boyd and O'Hare had theirs severely shaken on the day President Kennedy was assassinated.

On that day Dodd demanded a special plane from United Aircraft to fly him from Hartford to Washington on the excuse that the new President, Lyndon Johnson, needed him immediately. Actually Johnson had not communicated with him and had not yet returned to Washington from Dallas.

But Dodd notified his staff to be at the airport to meet his special plane. In the car driving home, he told his staff that Kennedy had made as many errors as Pope John and that it would take 50 years to correct the mistakes of both. He seemed jubilant over the death of Kennedy, asked Boyd to look up the procedure for selecting a new Vice President to replace Johnson, obviously with himself in mind.

Dodd's staff was dismayed. It was an important factor in contributing to their final conviction that they were working for the wrong man. Dodd's strange behavior, they concluded, was contrary to the public interest.

CODE OF ETHICS

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But when they saw what he was doing, gradually disillusioned, they finally decided they had to follow the code of ethics which they had learned as youngsters and which was restated in the long forgotten "Code of Ethics for Government Service" adopted in 1958.

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The Senator threw a gala wedding party for daughter Martha—complete with a pheasant-and-champagne breakfast, full orchestra and wide-open bar at the fashionable Hartford Club—out of the proceeds of Dodd Day, a political fund-raising held in Connecticut on October 26, 1963.

The gold-embossed wedding invitations were charged to his official Senate stationery account. So was an expensive desk set which Martha gave her new husband as a birthday gift.

Dodd also happily shared with his children the free travel he was able to arrange for himself. Thomas O'Neil, board chairman of R.K.O. General, was one of several business tycoons who let the Senator use their private planes.

For example, O'Neil sent his private Aerojet to Washington on Aug. 7, 1965, to pick up Tom Jr. and a friend. They were flown to Westerly, R.I., the closest airport to the Dodd country home in North Stonington, Conn.

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Possibly as a quid pro quo, the Senator added: "I have already looked into the patent situation, and I will write another letter about it soon." This had to do with one of Frawley's patent problems with the government.

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When the enterprising student finally finished his doctoral dissertation, he sent it to his dad's Senate office to be typed. For five days in November, 1965, a secretary paid by the taxpayers typed the 300-page dissertation.

DODD'S "POVERTY"

(By Drew Pearson)

WASHINGTON.—There was something a little sad about the wind-up of the Dodd hearings. Senators who peered down at their fellow Senator obviously were sad at sitting in judgment on him. It was a disagreeable job.

Here was a man who once aspired to be Vice President of the United States asked to explain the transfer of $170,000 from his campaign funds to his personal bank account. "I needed the money," was the senator's chief excuse.

A lot of other people, ranging from Negro boys who snatch purses on the streets of Washington to jobless men with families to feed, have used the same excuse and ended up in jail. But regardless of whether the senator was right or not, did he really need the money?

Various senators, Cabinet members and others manage to live on government salaries. If you dine with Sen. Gaylord Nelson, D-Wis., you find his wife doing the cooking and the children washing the dishes. Mrs. Orville Freeman, wife of the Secretary of Agriculture, does her own cooking. So does Mrs. Stewart Udall, wife of the Secretary of the Interior. Mrs. Willard Wirtz, wife of the Secretary of Labor, makes her own dresses.

Sen. Dodd complained that he needed a mint of money to campaign. But Connecticut is the third smallest state in the union. Sen. Margaret Chase Smith, Republican, campaigning in the larger state of Maine, spends $5,000 given her by the Republican National Committee, and that's all.

Dodd did pretty well financially. During 1957–58, just before he came to the Senate, he collected $74,000 from the Guatemalan government as a foreign agent. This should have given him a nest egg with which to begin his Senate career.

Dodd claims his net worth was only $100,000, from which, he said, must be subtracted current $50,000 legal fees.

However, a check on his visible assets indicates that his net worth is much nearer a quarter of a million. His house in Georgetown is worth around $100,000; his house at North Stonington, Conn., which got $50,000 of improvements—out of testimonial dinner funds—is worth at least $100,000. These, together with $7,000 cash on hand, insurance of $21,000, a Senate pension of $14,000 and personal belongings of $20,000, brings the total up to more than $250,000.

Dodd lived like a millionaire. He kept his children in private schools. Most senators don't. He took his family on vacations to London, the Caribbean and Miami. He used one staff member as a chauffeur and sort of handyman.

Dodd did not have to spend his time and money at the racetrack—an excellent place to lose money. Other senators don't. Nor do most of them spend as much time and money as Dodd drinking.

[From the Washington Post, Mar. 24, 1967]

Dodd Learned To Live Like a Millionaire

(By Drew Pearson and Jack Anderson)

There was something a little sad about the wind-up of the Dodd hearings. Senators who peered down at their fellow Senator obviously were sad at sitting in judgment on him. It was a disagreeable job.

Dodd himself looked sad. Here was a man who once aspired to be Vice President of the United States asked to explain the transfer of $170,000 from his campaign funds to his personal bank account.

It was a sad scene.

"I needed the money," was the Senator's chief excuse.

But was the excuse valid? Did he really need the money? Of course a lot of other people, ranging from Negro boys who snatch purses on the streets of Washington to jobless men with families to feed, have used the same excuse and ended up in jail. But regardless of whether the Senator was right or not, did he really need the money?

One answer is that various Senators, Cabinet members and others manage to live on Government salaries. If you dine with Sen. Gaylord Nelson (D-Wis.), you find his wife doing the cooking and the children washing the dishes. Mrs. Orville Freeman, wife of the Secretary of Agriculture, does her own cooking. So does Mrs. Stewart Udall, wife of the Secretary of the Interior. Mrs. Willard Wirtz, wife of the Secretary of Labor, makes her own dresses.

Sen. Dodd complained that he needed a mint of money to campaign. But Connecticut is the third smallest state in the union and Sen. Margaret Chase Smith, Republican, campaigning in the larger state of Maine, spends $5000 given her by the Republican National Committee, and that's all.

DODD INCOME

Actually Tom Dodd did pretty well financially. During the period of 1957–58, just before he came to the Senate, he collected $74,000 from the Guatemalan government as a foreign agent. This should have given him a nest egg with which to begin his Senate career.

Dodd claims his net worth was only $100,000, from which, he said, must be subtracted current $50,000 legal fees.

However, a check on his visible assets indicates that his net worth is much nearer a quarter of a million. His house in Georgetown is worth around $100,000; his house at North Stonington, Conn., which got $50,000 of improvements—out for testimonial dinner funds—is worth at least $100,000. These, together with $7,000 cash on hand, insurance of $21,000, a Senate pension of $14,000, and personal belongings of $20,000 brings the total up to more than $250,000.

Actually Dodd lived like a millionaire. He kept his children in private schools. He took his family on vacations to London, the Caribbean and Miami. He used one staff member as a chauffeur and sort of handyman.

Dodd did not have to spend his time and money at the racetrack—an excellent place to lose money. Other Senators don't.

We know of no other Senator who has two sons on the payroll. Nor do we know of any other Senator who up until 1964 deducted the support of four children on his income tax, even though a couple of boys are approaching 30.

You also have to look at Dodd's income. In 1959, his first year in the Senate, he reported an income of $25,079.11.

Then it began to go up. In 1960, Dodd reported an income of $38,963.83; in 1961, an income of $88,031.88. By this time he had learned how to make money, and also how to spend money.

Despite this substantial income, which most people would be able to live on, Dodd dipped into his testimonial dinner fund in 1961 for $56,002.39, giving him a total for 1961 of more than $144,000. This ain't hay.

In 1962, Dodd reported a total income of $60,275.84.

The year 1963 was not quite so good for Dodd and he made only $33,365.45. This year once again he dipped into his testimonial dinner fund for a total of $54,663.12.

In 1964 Dodd reported an income of $35,489 to which he added $79,772.54, all taken out of testimonial dinners.

These amounts, incidentally, do not include contributions made in cash.

[From the Washington Post, Mar. 25, 1967]

Tom's Bored Friend

(By Drew Pearson and Jack Anderson)

One of the six Senators on the Ethics Committee is Minnesota's able, maturely handsome Sen. Eugene McCarthy, a friend of Sen. Tom Dodd even though they were once competitors to be LBJ's vice presidential running mate. During the recent Dodd hearings newsmen at the press tables began clocking McCarthy's ho-hum performance. Here is their record:

March 13—Sen. McCarthy listless during testimony of James Boyd, Dodd's ex-aide. Other five Senators attentive all morning. McCarthy working at papers on lap. 3 p.m., situation the same, 3:25, McCarthy now listening but looks sleepy. 3:30, McCarthy out of room. Returns at 3:55. Other five asking questions. 3:55, first McCarthy question. At 4 p.m. McCarthy goes out until 4:20, missing crucial part of third witness's testimony.

March 14—10 a.m., hearings begin. 10:25, McCarthy arrives; begins work on some yellow sheets clearly not connected with hearing. 11, McCarthy listening off and on. 11:15, McCarthy still listening. Oops! Out of door. Back at 11:25. 11:45, again at work on other matters. Is McCarthy bored by all ethics or Dodd's ethics? 12:15, McCarthy still working at collection of papers on lap.

Lunch break. 2:30, McCarthy missing. 3:45, Stennis, Bennett, Cooper, Monroney and Pearson firing questions about Dodd's tangled finances. 5:10, end of session. McCarthy still no show.

The bored and kindly Senator from Minnesota continued on this schedule during the remainder of the Dodd hearings.

[From the Washington Post, Apr. 5, 1967]

Probers Skirted Dodd Law Practice

(By Drew Pearson and Jack Anderson)

There's a very good reason why the Senate Ethics Committee delicately skirted around Sen. Tom Dodd's law practice. The reason is that two or three other prominent Senators also operate law practices on the side.

However, there is no reason why the public should not know about the Dodd law practice—and also about that of other Senators. Some of it is legal, some is not. It is against the law, for instance, for any member of Congress to get financial reward for any case in opposition to the U.S. Government.

Here, therefore, is the record on the senior Senator from Connecticut which the Ethics Committee has sidestepped:

We have already reported how Dodd intervened with Secretary of the Interior Stewart Udall to help clear the way for Tom Frouge, a law client, to build a high-rise apartment city in the shadow of San Francisco's Golden Gate Bridge. Frouge also paid Dodd's expenses to make a personal call upon Pat Brown, then Governor of California, in behalf of the apartment development.

The Senator also used his influence to help save the distributorship of Johnny Barton, Inc., a Stamford, Conn., wholesale liquor dealer. The deal was arranged by Dodd's Senate aide, Ed Sullivan, who wrote the Senator:

"On this deal, I have these thoughts. Take a fee or become their local attorney (not you I know) on a retainer basis. Or rent them a warehouse. Or take a share of the operation in this branch, with a steady income."

Later, one of Dodd's campaign managers, Paul McNamara, was retained by Johnny Barton and McNamara forwarded at least one check, dated Dec. 17, 1964, for $3750 from Barton to Dodd.

ANOTHER STRANGE CASE

The Ethics Committee has also declined to investigate the curious case of Henry Nielsen, a Hartford, Conn., auto dealer, whom Dodd recommended for a $120,000 Small Business loan.

The case was filed in the Senator's legal file, and one exchange of correspondence was marked in pencil, "File personal legal." The correspondence also referred to Dodd's "clients."

Nielsen went to Dodd concerning his troubles with the Ford franchise in Hartford. The Senator consulted in Hartford with Nielsen's regular attorneys, Gersten, Butler and Gersten.

"It was a legal matter," Charles Gersten, who attended the conference, told us. He said they had discussed "the legal aspects of quite a sizable real estate matter."

"We conferred with Sen. Dodd at the request of Mr. Nielsen," added Gersten.

Afterward, Dodd called at the Hartford National Bank for another long conference about a loan for Nielsen's auto agency.

When bank financing couldn't be arranged, Dodd helped Nielsen get a $120,000 loan from the Small Business Administration.

"All the Senator did was recommend me," Nielsen told us. He added that he had kept up payments on the loan even after losing the Ford franchise.

Dodd also wrote a letter to Henry Ford II in Nielsen's behalf, but Nielsen complained: "It didn't do any good."

DODD AND REAL ESTATE

Next, Dodd tried to find a tenant for Nielsen's empty showroom. He wrote to his friend, T. J. Shanahan, chairman of the New York City's Federation Bank and Trust Company, who was supposed to have some influence with the Grand Union Company.

Grand Union's Vice President, Earl R. Silvers Jr., wrote to Shanahan on Jan. 28, 1963: "Several weeks ago you brought to our attention property at 122 Washington Street, Hartford, owned by clients (Nielsen) of Senator Dodd . . .

"I had our real estate department check this out . . . I do not think we would be interested in this location as a supermarket. However, I have instructed our real estate department to follow up from time to time to see if there is any chance on working out a more realistic deal."

Dodd was disappointed.

"Thanks for the copy of the letter from Earl Silvers," he wrote to Shanahan on Feb. 9, "I wish they wanted it right away. This is a valuable piece of property."

The Senator handled this and other matters for Nielsen. Yet Nielsen, when queried by us, swore he had never paid Dodd a legal fee or anything else save $100 for a testimonial dinner ticket.

Meade Alcorn, former GOP National Chairman, was quite skeptical of Dodd's law practice. When Alcorn asked Dodd about his registration as an agent for the Guatemalan Government, Dodd replied:

"I am a practicing attorney, and I am proud of the fact that the anti-Communist government of Guatemala has asked me to handle its legal affairs in the United States . . . Of course, I will not represent the government of Guatemala or any other private client if I am elected to the Senate."

[From the Washington Post, Apr. 11, 1967]

POWELL FAMILY ROSE AGAINST THE TIDE

(By Drew Pearson)

To understand the full tragedy of Adam Clayton Powell as he faces re-election in Harlem today, you have to know the story of his father.

It was his father's Baptist Church in Harlem that Adam Junior inherited, and Adam Senior talks glowingly of his son in his autobiography, "Against the Tide."

Certainly the Powells, both father and son, rose to the top against the tide. It's important to consider this, and their background, as Congress passes judgment on Adam and whether he should be seated again. From the grandson of a slave to the chairmanship of one of the most important committees of Congress is a long way to come in half a century. Achievement, however, also merits responsibility.

Adam Senior was born in Franklin County, Va., 25 days after Lee surrendered to Grant at Appomattox. He never knew his father. His mother was part Indian and her father German.

"My maternal grandmother," wrote Adam Sr., "was very fond of eating rats. She was a great hunter of small game. My earliest recollections were of direst poverty. The wealth of the South had been destroyed by the War and both white and poor colored suffered together.

REARED IN POVERTY

"Mr. Albert Martin rented us a one-room log cabin with about five acres of land for $1 a month. Everything we could raise on these five acres belonged to our family. Our big job was to raise the $1 every month for rent and to pay for a yoke of oxen which we had bought on the installment plan.

"It required about six years to pay for these oxen. Old Buck and Bill died about a year after our last installment was met, and we had shoes made from their hides. It was the first time the whole family had had new shoes at one time.

"The first big day in my life was Oct. 1, 1871. On that day I discarded my old, torn shirt, put on a pair of trousers woven by my grandmother, and started to school. The school was five miles from our cabin and was taught by a white man named Jake Bowles.

"That morning when I entered the log schoolhouse, I could not name a single letter. The alphabet looked to me like a crossword puzzle. When school dismissed that evening, I could name the 26 letters which make the English language. The next day I said them backwards."

Adam Sr. tells in detail how the family moved to West Virginia, how he worked in the coal mines making $80 to $100 a month. "But every dollar of this and all I could borrow," he added, "was sacrificed to the demon of gambling which possessed me, soul and body. On March 1, 1885, I had lost all my wages, $40 of borrowed money and my overcoat.

RELIGIOUS REVIVAL

"Something happened that week stranger than any piece of fiction I ever read. The saloons and the gambling dens were deserted Saturday night, and people walked the streets in hushed silence. I learned that all the drifting Christians, who were the main supporters of the dives, had gone to the Methodist and Baptist Churches on Friday night.

"Each of these two churches had begun a week of prayer on Jan. 1 that had continued nightly for two monhts. . . . It seems as if some unseen messenger had slipped into every home, hut, dive, den and whispered 'Something is going to happen at the churches. Come out and witness it for yourself.'

"Five preachers came out of that revival, and this writer was one of them."

However, Adam's father still experienced plenty of ups and downs. He went to Howard University Law School in Washington in 1887 as a step toward being elected to Congress, but never got to Congress because "first, I overrated myself, and secondly, I took the wrong path." He began preaching. He preached in churches in Philadelphia, New Haven and finally the Abyssinian Church in New York where he became one of the greatest pastors of his day.

"If I had the privilege of selecting the race into which I wanted to be born and to work," wrote Adam Sr., "I would select the race in which I was born and in which I have lived and worked, for this race needs me more than any other race."

His son Adam rose to even greater heights and did more to break the handcuffs of the Negro than any other man of his race—until he fell by the wayside.

These are things which Congress should remember. What the House of Representatives will have to decide when Adam Jr. stands before its bar seeking admission again is whether there shall be one treatment for the white Senator from Connecticut, another for the Negro from Harlem.

[From the Washington Post, Apr. 15, 1967]

AT TAX TIMES IRS REMINDED OF DODD

(By Drew Pearson and Jack Anderson)

As you mail your income tax return with hard-earned money in to the Treasury this week end, you might also send a letter to the Senate Ethics Committee asking what it is doing about a citizen who hasn't paid his income taxes on a whale of a lot of dough.

He is Sen. Tom Dodd, the Connecticut Democrat, who by rough arithmetic collected an admitted $453,000 above the income he reported to the Treasury during 1961–65.

Of all this money, Dodd spent less than $200,000 for legitimate political campaign purposes, leaving more than $250,000 of record on which he didn't pay a penny of taxes. He spent this on such things as repairing his summer home; country club dues; family vacation trips to London, the Caribbean and Florida; liquor; rent for a car to go to the race track; to pay old debts; settle parking tickets, even pay his Federal taxes.

This was clearly against the law. The income tax law states: "The portion of a political contribution received by a political organization or a candidate for political office which is diverted from political campaign purposes to the personal use of the candidate or other individual constitutes taxable income to such candidate or other individual."

It won't do any good for you to write the Internal Revenue about this, because when the Dodd expenditures were first revealed in this column, IRS officials tried to pretend that the law was vague. Sen. John Williams (R-Del.), the Senate's chief watchdog, called a halt on this by charging that IRS was trying to build an alibi for Dodd. The law wasn't the least bit vague, Williams declared, but was as clear as the English language could make it.

So if you believe in tax equality, write to the Senate Ethics Committee, whose members are: John Stennis (Miss.), Mike Monroney (Okla.), Eugene McCarthy (Minn.), all Democrats; with Wallace Bennett (Utah), John Sherman Cooper (Ky.), and James Pearson (Kan.), Republicans.

Ask them, among other things, why they didn't call upon Dodd's former staff to testify regarding cash which Dodd accepted on the side and which is not included in the $453,000 total amount which he admitted receiving. The staff members told Senate Investigators about these cash contributions but with one exception they were not brought out in open hearing.

[From the Washington Post, Apr. 19, 1967]

HILL PRESTIGE PUT AT ALLTIME LOW

(By Drew Pearson and Jack Anderson)

The petition of the four former employees of Sen. Tom Dodd (D-Conn.) to reopen the Dodd probe because of insufficient investigation presents an important challenge to the Senate. It highlights what many Senators do not seem to realize, that congressional prestige is at an all-time low and they need to clean house vigorously to protect the reputation of the most important legislative body in the world.

The staff members' letter lists careful, sobering charges against one of the 100 highest lawmakers of the United States and cannot be ignored. Members of the Senate Ethics Committee have already brushed it off, but the public will not.

Reason given by Ethics Committee members for not further investigating the staff members' charges is that they are based on stolen documents. This is beside the point. For the four staff members can testify of their own knowledge regarding most of the transactions which they listed in their damning letter.

Furthermore, no less than the former Attorney General Nicholas Katzenbach has stated that the so-called "stolen" documents are admissible as evidence.

So there must be other reasons for the reluctance of the Ethics Committee to probe these incriminating charges.

One obvious reason is the reluctance of Senators to investigate another Senator. This was all too evident at the start of the Dodd case, when the Ethics Committee did not move until Dodd himself requested an investigation.

Long before this, however, many Senators had known that their colleague from Connecticut was not on the up and up. You cannot serve nine or ten years with another man in a body of only 100 without forming some definite ideas regarding his ethical conduct.

That was why Sen. William Fulbright (D-Ark.) once spoke out on the Senate floor criticizing Dodd for having once been a foreign agent. Fulbright knew, as did some others, that Dodd had received a fee of $50,000 from the Guatemalan government just after he left the House of Representatives. One of his last acts while in the House was to get $15 million of foreign aid voted for Guatemala.

Then, having left the House, he collected a $50,000 fee.

When Sen. Fulbright referred to this on the Senate floor, however, his remarks were stricken from the record.

It was also evident from Dodd's absentee record that something was wrong. Almost no other Senator was absent so much from vital committee work.

Yet no Senator moved to investigate Dodd. Only after this column had published a long series of itemized episodes showing amazing connections with Gen. Julius Klein, a paid foreign agent, and various other conflicts, did some of the more courageous Senators—Wayne Morse (Ore.) and Steve Young (Ohio) Democrats; with John Williams (Del.) and Jack Miller (Iowa) Republicans, diplomatically prod the Ethics Committee regarding its investigation.

Another reason why the Ethics Committee may be loath to dig into the unprobed charges of Dodd's staff members is that Dodd's law practice is involved, and at least three Senators have law practices which sometimes get mixed up with legislation.

The electorate, however, is inclined to take a dim view of Senatorial law practices. In 1958, Sen. John Bricker of Ohio, one-time GOP nominee for Vice President, was shown to have backed legislation favorable to the Pennsylvania Railroad while his law firm in Columbus accepted legal fees from the Pennsylvania.

Sen. Steve Young, using this ammunition, defeated Bricker.

Toward the end of the Coolidge Administration, William P. Vare, Republican boss of Pennsylvania, staged a primary campaign against George Wharton Pepper in which Vare spent around $700,000. The Senate rose up in its wrath and refused to seat Vare on the ground that he had bought his election.

At about the same time, Sen. Frank Smith spent $125,000 in the Illinois primary, contributed by utilities magnate Sam Insull. The Senate also refused to seat him.

During this same period, Truman Newberry, Republican, spent a fortune to defeat Henry Ford in the Michigan Senate race. As the Senate investigated the expenditure, Newberry resigned.

Today, it's reported that Republicans Ronald Reagan in California and Nelson Rockefeller in New York spent three to seven million on their campaigns for Governor. The electorate didn't lift an eyebrow.

This is one reason why Sen. Russell Long's proposed fund-raising through a $1 income tax check-off had potentials. You shouldn't have to be a millionaire or get in hock to big campaign contributors to run for high office.

[From the Washington Post, Apr. 25, 1967]

Dodd's Double Standard Angers Public

(By Drew Pearson and Jack Anderson)

Judging by the mail that has been flooding both Congress and this newspaper office, the issue of Doddism is much broader than that of Tom Dodd himself.

The public is fed up with having one law for it and another law for Congress. People figure that the men who write the laws should not only know them but live up to them as conscientiously as those who don't write them but must obey them.

The case of Sen. Dodd is a very important example. The Senate is getting awfully tired of hearing about this case and would like to forget it. Senators have been hoping against hope that he would resign.

But the public is not tired and will probably keep pouring on the heat, not only regarding Dodd but the whole question of ethical conduct. The least that the public wants is observance of the law; and, any way you look at it, Dodd has violated the law in at least five instances as follows:

1. The Connecticut Corrupt Practices Act, Section 658C of the 1953 supplement to the General Statutes states: "The payments, expenditures, promises and liabilities which any candidate for Senator of the United States may make or incur, directly or indirectly, in aid of his nomination or election or both, shall not exceed one-third of the salary of said office for one year."

Dodd's salary as Senator for one year is $30,000. In 1963 alone, which was not an election year, he raised $54,663.

Dodd is a lawyer. He has practiced law in Connecticut most of his life, having been a U.S. attorney, a member of the House and a Senator. Yet he wantonly and knowingly violated the election laws of Connecticut. Were he an ordinary citizen he would be prosecuted and put in jail.

REWARD FOR FAVORS

2. The Connecticut Corrupt Practices Act also forbids the acceptance of donations and favors from corporations on penalty of $1000 fine or one year in jail or both. Dodd received such favors as the loan of an Oldsmobile for three years, countless free airplane trips, plus donations from Connecticut insurance companies, gun manufacturers, and many other firms for which he did favors.

3. It is against the Federal law for a member of Congress to seek favors for anyone from the Federal Government in return for monetary or material reward. Dodd performed a long list of favors already published in this column, substantiated by sworn testimony, and too numerous to mention here.

4. The Federal Corrupt Practices Act forbids any candidate to receive contributions from a corporation. Dodd received $8000 from the International Latex Co., which his former employes testified was to secure an ambassadorship for Abe Spanel, chairman of Latex. The latter point was denied by Dodd, but the first point, namely the receipt of funds from a corporation, was not denied.

5. It is specifically against the law to use campaign funds for personal expenses unless they are listed as personal income, and taxes paid thereon. Dodd used most of the $173,000 he collected at testimonial and campaign dinners for his own use, and he paid no taxes on it.

What the American people will be watching in the Dodd case and other cases of unethical congressional conduct is whether there is going to be one standard of enforcement for the Congressmen who make the laws and another standard of enforcement for other people.

[From the Washington Post, Apr. 27, 1967]

Most Important Dodd "Sins" Overlooked

(By Drew Pearson and Jack Anderson)

The Senate Ethics Committee, in its painful duty of disciplining a fellow member of the club, is now straining at a gnat while swallowing the camel.

It is minimizing the most important, though most complicated, transgression of Sen. Thomas J. Dodd—namely, using his position as a member of the Senate Foreign Relations Committee to influence American foreign policy in return for profit.

Under the Constitution, foreign policy is conducted by the President with the "advice and consent" of the Senate. And the Senate has been extremely zealous, even irate, when the President has not advised, consulted, or even kowtowed to it. Yet the senior Senator from Connecticut prostituted his high position as a member of the elite Foreign Relations Committee by serving as an errand boy for a paid German agent.

Furthermore, he worked for one of the most widely known foreign agents in the United States, Gen. Julius Klein, the Chicago publicity man and influence peddler, who was bent on steering U.S. policy, not in the channel where the President wanted it but where Klein wanted it.

This was far more important than Dodd's double-billing for airplane travel, his money spent on liquor, family vacations, repairing his country home, a daughter's wedding, and his manipulation of testimonial dinners.

PEACE OR WAR?

The above are all deplorable. However, they are easy for the public to understand. But even $170,000 euchered out of campaign funds is peanuts compared with the question of peace or war. It's also peanuts compared with the amount of money poured into the United States every year by West German industrialists through Gen. Julius Klein to mold American foreign policy. Klein was paid $150,000 a year compared with Dodd's profit of $170,000 over four years.

Klein saw to it that in every major election the money rolled in to support Senators who could do later what West Germany wanted. Both the German industrialists and the German government watched the American election returns more carefully than they watched the summer maneuvers of the Red Army.

In 1960, they bet heavily on Nixon by contributing to Republican candidates. Then, during the last three weeks, they began hedging their bets. Figuring Kennedy was going to win, they began funneling money to support him. Much of this money was handled by Gen. Klein.

Klein is a Republican, but he had also endeared himself to various Democrats through the simple technique of persistency—and cash. He used to get on the telephone, and in his usual semi-mysterious manner, ask: "Is it all right for me to talk over the telephone?" Then he would proceed to tick off his contributions. "I put $500 on Senator so and so, I put $500 behind Senator Blank. You can have more whenever you need it."

But what he did not say was that he was recording their conversation three ways—two on tape, one on a disc. He wanted an airtight record of his contributions to be used on pay-off day.

KLEIN PATSY

But Tom Dodd was the best of all Senate patsies. First he was a member of the Foreign Relations Committee. Second he had been a war-crimes prosecutor of the Nazis at Nuremberg. Third, he was the most active member of the Senate Internal Security Committee with the power to subpoena and cross-examine alleged Communists and thus emphasize the alleged Communist danger to Germany.

The service which Sen. Dodd rendered to his friend and benefactor Julius Klein was not merely that of going to West Germany to rescue Klein's publicity fees after the Senate Foreign Relations Committee investigated them. Far more important, the Dodd-Klein axis was able to keep American foreign policy on a course of retaining U.S. troops in Germany, worrying about Red army aggression and building up German armament long after this policy was up for official revision.

Sen. Mike Mansfield, the Democratic leader, for instance, has made speech after speech urging that U.S. troops be curtailed in Germany. This, however, went directly contrary to the Klein policy.

President Johnson advised the editor of Quick magazine in the spring of 1964 that Germany should allay Russian suspicions, try to secure Russian cooperation. The late Chancellor Adenauer advised the same thing one year later.

But the Klein policy was just the opposite. He was paid $150,000 a year to keep suspicion stirred up between Russia and Germany, and his Senate minions, led by Tom Dodd, helped him do it.

[From the Washington Post, May 4, 1967]

INSIDE STORY OF DODD CASE DISCLOSED

(By Drew Pearson)

A lot of people have been congratulating Jack Anderson and me for our columns on Tom Dodd and the fact that, after 14 months of the Ethics Committee's "due deliberation," he seems on the verge of getting his due.

To tell the truth, I don't get much exhilaration over seeing a man come to grief, much as Dodd may deserve it, and Jack doesn't either. We get much more satisfaction out of the schoolhouse in Clinton, Tenn., which we helped rebuild after it was blown up by a racist, or in the Friendship Train which sent $40 million worth of food to Western Europe, or in helping to rebuild some of the dynamited churches in Alabama and Mississippi.

Some Senators have been very down on Anderson and me for pursuing the Dodd matter. But unfortunately the Senators themselves wouldn't pursue it. They had a pretty good idea what the score was. But they wouldn't move against a fellow Senator, and still won't move on many, many phases of the Dood case which remain uninvestigated.

This is why the chief credit in the Dodd case really goes to the four members of Dodd's staff who had the courage to stand up for honesty. It wasn't at all easy, and I am glad to note that the New York Times has now expressed its appreciation editorially.

THE FULL STORY

The full story of what they did has never been told, and this may be a good time to tell it.

We had known, as did almost every member of the Senate, that there was something unethical about the operation of Sen. Dodd. When you see a Senator spending half a million dollars on a juvenile delinquency probe of television, then suddenly stopping it; or you see him starting a probe of insurance companies, then putting his son on the Aetna payroll, you know that something is wrong somewhere.

So in the spring of 1965, nearly two years ago, Jack Anderson began talking to Jim Boyd of Sen. Dodd's staff, to see who was doing what and who paid. It was obvious to any Senator with his eyes half open or to any reasonably alert newspaperman that somebody was paying.

In sworn testimony, taken in the libel suit which Dodd has brought against us, Boyd testified that Anderson had approached him, he had not approached Anderson.

Boyd further testified that Anderson had advised him against copying Dodd's files.

It took a great deal of courage for Dodd's staff to do what they did. But they were working first of all for the taxpayers, for the American people who were paying their salaries. Dodd was not paying them. Second, according to the code of ethics adopted in 1958 by the Eisenhower Administration, any official, high or low, who sees Government wrongdoing is obligated to report it.

Unfortunately the Government seldom rewards those who follow this admonition. Helen Campbell, secretary to Rep. Parnell Thomas of New Jersey, whom I exposed for taking kickbacks from his secretaries, ended up on my staff for 15 years, not working for the Government, even though the Justice Department had promised her a job if she testified.

One of Dodd's former employes still has no job. All have been meticulous in declining to take any help from us. They knew when they made their big decision that they risked possible prosecution. This was carefully discussed with Anderson over a period of several months.

DODD AND M'CARTHY

There are some interesting similarities between Tom Dodd and Joe McCarthy, the last Senator to be censured. In McCarthy's case money contributed by the public was also involved. It was contributed by the thousands of dollars—probably as much as the $170,000 manipulated by Dodd—for the purpose of helping McCarthy fight communism.

Instead he used it to speculate on the commodity market.

We published the full details, plus the fact that Joe received $10,000 from a housing firm when he was a member of the Senate Housing Subcommittee. Also published were a series of columns on McCarthy's bulldozing of Army officials, demanding preferential treatment for David Schine, McCarthy's playboy investigator who got drafted.

The columns on McCarthy's financial operations didn't seem to bother the Senate. With a few exceptions, such as Margaret Chase Smith of Maine, Bill Benton of Connecticut and Carl Hayden of Arizona, Senators were afraid to tackle their belligerent colleague from Wisconsin. But after publication of about 10 columns on Joe's bulldozing of Army officers, the Senate finally called for an investigation.

There followed the famous Army-McCarthy hearings. In the end, McCarthy was censured not for his financial operations, but because he had been rude to fellow Senators. Even then there would have been no action had it not been for the courage of Sen. Benton of Connecticut, who demanded it.

[From the Washington Post, May 6, 1967]

DODD'S DETECTIVE

(By Drew Pearson and Jack Anderson)

James J. Lynch, a private eye, who's an expert wiretapper, was spotted the other day entering Sen. Tom Dodd's office carrying tape recorders in each hand. Lynch is a former FBI agent who has spent the past year looking for dirt on us. The Senate Ethics Committee has shown no concern over Dodd's use of a private eye.

KLEIN'S EASY ACCESS

Gen. Julius Klein, the Chicago public relations man, has lost his easy access to the high and mighty since his friendship with Sen. Dodd was exposed.

Klein has been unable to get past the outer office of Gov. Otto Kerner, and his letters to the Illinois Governor have gone unanswered. However, Klein spotted Kerner entering an elevator the other day in Springfield, barged into the elevator and asked Kerner why he was being ignored. Blandly the Governor suggested that Klein contact his appointments secretary. Later, Kerner told his secretary to make sure he was out whenever Klein called.

[From the Washington Post, May 10, 1967]

SENATOR DODD'S CAMP SPLITS ON STRATEGY

(By Drew Pearson and Jack Anderson)

The preliminary Dodd debate has started a chain of recrimination, complication and quandary in Connecticut. It has also caused a split in Dodd's own camp.

The split is between his attorneys and his staff. The attorneys have persuaded Sen. Dodd to fight charges against him until his last breath. Most of his staffers, however, have argued that they should be careful not to antagonize the Senate. By eating humble pie, he might win enough sympathy, they plead, to get the censure motion reduced to a simple rebuke.

The recrimination is between Dodd's friend, Arthur Barbieri of New Haven, who wants to control the Democratic Party in Connecticut, and Democratic National Chairman John Bailey, whom Barbieri doesn't like. Barbieri is in a hurry to become Bailey's successor and doesn't care much what happens to the Party. This is why he tried to buttonhole unwilling Democrats for a new $100-a-plate dinner for Dodd, even though it was splitting the Democrats wide open. He finally had to call it off.

The complication is on the part of Connecticut Republicans who hear that a few Old Guard Republicans in the Senate are going to stage a drive to rescue Dodd. This is the last thing Connecticut Republicans want. With a united Republican front censuring Dodd, they figure they can defeat him the next time up.

The quandary is on the part of Sen. Abe Ribicoff, the other Connecticut Senator, who has changed his mind four times as to how he will or won't vote when his colleague Dodd comes up for censure.

Abe is known to friends as a charming and skillful, if vacillating, individual. But he has never vacillated quite so much in the past as now.

Abe was elected Governor of Connecticut, the first Jew ever to hold that position, through a deal with Dodd. Abe got the Catholic vote and in return, Ribicoff sided with Dodd against Chester Bowles, former Governor of Connecticut the wartime Price Administrator; also against Bill Benton, former Senator whom Joe McCarthy had marked for political oblivion.

Abe stuck with the Irish-Polish Catholic voters whom Dodd represented, and as a result both Abe and Dodd won.

Now Abe doesn't know how to vote—for honesty in government, against Dodd; or for political expediency, with Dodd.

Fortunately the "Rs" are well down the alphabetical list on the Senate roll call, so Abe can see how the Aikens, the Allotts, and the Andersons vote before he casts his—for or against Thomas J. Dodd.

Note: Dodd has sent his colleagues a six-page letter offering elaborate "evidence" that his former bookkeeper, Mike O'Hare, was responsible for gypping the taxpayers by entering into a double-billing arrangement. The so-called "evidence" was so dubious that the Senate Ethics Committee refused to admit it. More important, some of the double-billing was done before O'Hare was employed by Dodd.

PERKINS FACES TEST

Hard working, scrupulously honest Rep. Carl Perkins (D-Ky.), who replaced Adam Clayton Powell as chairman of the House Education and Labor Committee, will meet his first big test in the next few days. It is now up to him to steer the Administration's billion-dollar school aid program through the House. Ironically he is running into opposition from his fellow Southerners, who were the loudest critics of Powell.

They have shown a sudden interest in a substitute measure, introduced by Rep. Albert Quie (R-Minn.), who has advocated direct grants to the states of Federal education money. This would bypass the Office of Education, which has been pushing school integration in the South.

The truth behind all the oratory, however, is that Quie merely is trying to sabotage Federal aid to education. He has voted consistently for lower taxes instead of better schools.

Note: Some of Quie's fellow Republicans are worried that his substitute would kill all aid to church schools, thus disrupting the compromise reached between public and private schools. New York Republicans, for example, have called upon Gov. Nelson

Rockefeller to urge defeat of the Quie substitute.

GOP HASSLE

A backstage row has erupted among Republican Senators over what stand the Party should take on Vietnam. The moderates, led by Sens. Morton of Kentucky and Kuchel of California, want the GOP to emphasize negotiations. They have received strong support from such freshmen Senators as Percy of Illinois and Hatfield of Oregon.

But Old Guard Republicans claim the only way to deal with North Vietnam is to drop more bombs. Sens. Mundt of South Dakota and Thurmond of South Carolina are leading the clamor for escalating the war. Sen. Everett Dirksen, No. 1 Republican, has sided so far with the Old Guard—but he keeps a wet finger in the wind.

[From the Washington Post, May 19, 1967]

FIFTEEN-YEAR-OLDS TOP CRIMINAL ARRESTS

(By Jack Anderson)

From police blotters across the country, a picture can now be drawn of the typical criminal who is making our streets unsafe. He is not a hardened hood but a 15-year-old dead-end kid.

Consider these shocking crime statistics:

1. Of all criminal arrests by the police, the most frequent age is 15.
2. Children in the 11-to-16 age group, comprising 13 per cent of the population commit half of all property offenses.
3. Young people under 25 are responsible for 88 per cent of all car thefts.
4. The Children's Bureau estimates that one of every nine teen-agers will appear before a juvenile judge.
5. The cost of crime committed by juveniles each year is estimated at $4 billion.

To combat the alarming rise in teen-age crime, President Johnson has called for a double-barreled program by Federal and local authorities. Rep. Roman Pucinski (D-Ill.) is already holding urgent hearings in the House.

But on the Senate side no action has been taken; no interest has been shown. The problem of juvenile delinquency has been entrusted to Sen. Tom Dodd (D-Conn.), whose own delinquency will be debated on the Senate floor next week.

Even if the Senate censures Dodd, as expected, Majority Leader Mike Mansfield (D-Mont.) has made it clear that Dodd will remain chairman of the Senate Juvenile Delinquency Subcommittee.

FINE EXAMPLE

Thus the Nation will be treated to the spectacle of a Senator condemned by his own colleagues and investigated by the Justice Department, posing as a model to the Nation's youth.

The Senate has always been the most lenient possible judge of its own members. Unlike the House, which first stripped the misbehaving Adam Clayton Powell of his chairmanship, then denied him his seat, the Senate never even considered disciplining Dodd with more than strong words. Yet the evidence against Dodd is far more damaging and involves far more money than does the evidence against Powell.

It is hard to believe that Senators are more concerned about their esteemed seniority system than about the soaring juvenile crime rate. Yet no move has been made to take away Dodd's seniority and remove him from the chairmanship of the Juvenile Delinquency Subcommittee.

Dodd has used the Committee more as a "Job Corps" for his friends than as an instrument against teen-age crime. What little has been accomplished by the Committee has been the work of the few professionals on the staff.

Of the 21 people on the Committee payroll, 13 have been assigned tasks by Dodd having nothing to do with juvenile delinquency. Dodd has used them largely to run personal errands, handle political chores and raise money for him to live in a style befitting a U.S. Senator.

DODD USES COMMITTEE

One of Dodd's cousins, fascinated over how animals treat their young, wound up as a "consultant" to investigate juvenile delinquency among animals.

On the subject of human juvenile delinquency, Dodd has held a few hearings and delivered a few speeches. But he has accomplished next to nothing. He has used the Committee as an excuse to go flying off to California or Puerto Rico to "investigate" delinquency.

Dodd's staff prepared a statement for then Attorney General Robert Kennedy to sign during the 1964 campaign. It was supposed to take the form of a letter to Dodd.

"As chairman of the Senate Subcommittee to investigate juvenile delinquency," the proposed letter stated, "you have done more to alert the Nation to the causes and the dangers of juvenile delinquency, and you have made more constructive proposals for dealing with this major national problem than any other member of the Senate."

Kennedy politely refused to sign the letter. FBI Chief J. Edgar Hoover declined to sign a similar statement.

[From the Washington Post, May 22, 1967]

DODD HUSHED ANTINETWORK TESTIMONY

(By Jack Anderson)

Among the findings which Sen. Tom Dodd (D-Conn.) suppressed during his investigation of sex and violence on television was a sobering summary by Dr. Ralph Garry, a special consultant from Boston University.

In an undated memo to Dodd, Dr. Garry cited these six findings:

"1. Staff inventory shows that the industry has taken no steps to regulate itself. Not only have programs with a large dosage of violence trebled, but the portrayal of the macabre and sadistic has increased.

"2. The National Association of Broadcasters has failed to take any significant action in applying NAB code to network programs.

"3. Research evidence submitted by experts, acknowledged by the television industry, rejects the oft-used excuse that violence and aggression on television relieves children of such feelings.

"4. In spite of prior statements by network personnel that if such programs could be shown as harmful they would be stopped, network officials ignored or rejected the research evidence.

"5. Networks control programming to a greater degree than heretofore . . .

"6. Networks have exploited the use of sex, crime and violence to attract or hold audience, although maintaining the opposite or minimizing same."

As chairman of the Senate Juvenile Delinquency subcommittee, Dodd had the duty to expose how the television networks, in pursuit of the advertising dollar, were bringing murder and mayhem, sex and sadism into the homes of America.

Instead, Dodd huddled privately with network officials, then proceeded to suppress the most damaging evidence. The Senator readily agreed for example, for closed hearings for NBC Chairman Robert Sarnoff's testimony.

Gratefully, one of the attorneys representing NBC, Tom Meeker, wrote Dodd a "Dear Tom" letter.

"Thank you for seeing us yesterday," wrote Meeker. "Mr. Sarnoff appreciated your willingness to hear his testimony in closed hearing and would prefer to make arrangements for the same subsequent to his return from Africa in about five weeks. In accordance with your chat yesterday, I will call you Monday afternoon."

When Sarnoff appeared, Dodd summoned his chief counsel, Paul Laskin, to discover Robert Sarnoff and his attorney, Bernard Segal, in the room.

In front of the witness whom Laskin was supposed to cross-examine in a few minutes, Dodd accused Laskin of pressing the investigation too hard and roared that he would no longer tolerate such aggressiveness.

With the press and public shut out, the hearing began with an air of cordiality. Sarnoff was welcomed as a returning hero rather than a witness under investigation.

Then Laskin started cautiously to ask a few questions. But Dodd arbitrarily cut him off, and the hearings ended without a single probing question asked.

Dodd was considerably less courteous to David Levy, the former NBC program director, who admitted that the network had deliberately injected sex and violence into its shows.

The Senator, listening impatiently to Levy, grumbled: "I don't think we are getting much out of this testimony, but let's get it over with."

NBC's defense during the TV hearings was directed by the world's largest law firm—Cahill, Gordon, Reindel and Ohl—whose senior partner, the late John Cahill, was a director of both NBC and its parent company, Radio Corporation of America.

At one point, Cahill personally appeared before Dodd's committee as the network's attorney. NBC's own general counsel, Thomas Ervin, was nudged aside.

It is a coincidence worth recording that this same law firm is now defending Dodd in his fight against Senate censure. A task force of seven attorneys, headed by John Sonnett, has been representing Dodd.

[From the Washington Post, June 9, 1967]

MIDEAST CRISIS RALLIES AID FOR DODD

(By Drew Pearson and Jack Anderson)

The world may long argue whether the Israeli-Arab war is good for Israel, or good for the Arabs or good for mankind. But there can be no argument that it's good for Sen. Tom Dodd.

Dodd moved early to win Jewish support, including his fellow Democratic colleague from Connecticut, Sen. Abe Ribicoff, by urging American military intervention on the side of Israel. And since then he has profited from the fact that the Near East war has focused attention almost completely away from the major Senate debate of the year—over his recommended censure.

The postponement of that debate from May 22 to June 13, it is now revealed, was demanded by Dodd not to prepare his defense, as stated, but rather to organize a dramatic public relations campaign to pressure the Senate to vote his exoneration.

It's now learned that during the three-weeks grace reluctantly given him by Sen. Mike Mansfield (D-Mont.), Dodd has been so busy working on his public relations that he even requested an appearance on the TV show of acid-tongued Joe Pyne and was willing to fly all the way to Hollywood to appear on it.

During and prior to this period also there has been a steady, studied drumbeat of newspaper articles by rightwing columnists in defense of Dodd. Some were written before the three-week postponement of the Dodd censure debate. They have been circulated during this period of grace by the "National Committee for Justice for Dodd" in order to swing votes in the Senate.

BILL WHITE'S DAUGHTER

The outpouring of columns defending the Senator from Connecticut includes six by William Buckley, conservative former candidate for mayor of New York; five by John Chamberlain, three by Holmes Alexander; one each by James Kilpatrick, Russell Kirk and William S. White.

The impassioned column by White is interesting. What White did not say in his Dodd column was that the Senator had put White's daughter, Lucia, on the Senate payroll in 1964 for a lucrative summer job; and the following summer had given a job to one of Lucia's friends, Hammersly Wright, a fellow student at Stanford. Mrs. White phoned Mrs. Dodd personally to ask that Wright be put on the public payroll.

Sen. Russell Long (D-La.), who has become Sen. Dodd's most dedicated defender, has placed many of these columns in the Congressional Record.

The National Committee for Justice for Dodd, which has been circulating these columns, has an interesting background. Its expenses are reported to be paid in part by Lewis Rosenstiel, chairman of Schenley's, one of the biggest whisky distillers in the world.

More than a dozen phone calls to Rosenstiel in order to secure his comment, went unreturned. But it is known that Sen. Dodd has served as Rosenstiel's attorney in the past, and James Lynch, the detective whom Dodd used to shadow his former Senate employes, has worked for Rosenstiel and is reported to have been obtained through him.

KATANGA AND DODD

Rosenstiel is not a member of the National Committee for Justice for Dodd which he is reported to be supporting financially, nor is any other man of great wealth except Henry Salvatori, the California rightwing leader who organized "Friends of Ronald Reagan" and was one of Reagan's chief financial backers. Salvatori is also a sponsor of the American Committee for Aid to Katanga Freedom Fighters which battled against President Kennedy's policies in the Congo in 1961–62.

Significantly, a book by former Assistant Secretary of State Roger Hilsman, "To Move a Nation," is being published this week, telling how Sen. Dodd opposed the Congo policies of John F. Kennedy, also how the giant Belgian mining firm, Union Miniere du Haut Katanga, hired a public relations expert, Michael Struelens, to write speeches, organize committees and work against Kennedy and the United Nations in the Congo.

Hilsman tells how Sen. Dodd, when Struelens' passport visa expired and the State Department was about to deport him, protested to the State Department.

It's interesting to note that the committee which Struelens organized to oppose Kennedy in the Congo has now been resurrected in part to oppose the Senate Ethics Committee on the censure of Sen. Dodd.

A good many of the National Committee for Justice for Dodd were once members of the American Committee for Aid to Katanga Freedom Fighters. Apparently all Dodd had to do was reach into his files for his old Katanga friends to get them to rally to his support in the Senate censure fight.

[From the Washington (D.C.) Post, June 14, 1967]

Long's Accusation Draws Answer

(By Drew Pearson and Jack Anderson)

Sen. Russell B. Long, (D-La.) got so impassioned in his defense of Sen. Thomas J. Dodd, (D-Conn.) the other day that he delivered a scorching attack on the Senate ethics committee because it had recommended Dodd's censure, Long said the committee had censured Dodd because it feared critcism from this column if it failed to do so.

Later Sen. Long delivered a lame apology to the ethics committee, but there was no apology for charging us with blackmail.

On a point of personal privilege, therefore, we should like to report on the six members of the Senate ethics committee and what we have said about them in the past.

All are conscientious, hard-working Senators entrusted with a job extremely distasteful to them, that of passing judgment on a fellow Senator. While they overlooked many of Dodd's weaknesses and leaned over backwards to be fair to him, nevertheless they were airtight in the findings they made.

Sen. John Stennis of Mississippi, the Democratic Chairman, we have reported to be "a courtly philosopher," with such a reputation for fairness that he has been in the presiding officer's chair more than Alben Barkley. No noisy demagogue like his predecessor Bilbo, he says that the wage-hour law was a boon to the South by raising its economic level . . . At a prayer breakfast where Democrats and Republicans forgot religious differences as well as political ones, Stennis sounded the keynote by calling for a return to spirituality.

This column has sometimes reported critically regarding Sen. Stennis' position on civil rights, but never regarding his honesty and fairness.

A MORMON TEACHER

Sen. Wallace F. Bennett, Republican cochairman of the ethics committee, is married to the daughter of the late Heber Grant, president of the Mormon Church. Bennett for many years taught in the Mormon Sunday School of the Chevy Chase Chapel and today, though he no longer teaches, is a regular attendant.

We have reported that Bennett is the former president of the National Manufacturers Association and follows the conservative policies of that organization. He has been opposed to most of the economic policies of the Truman, Kennedy and Johnson Administrations, but he has been consistent and honest in that opposition.

Sen. John Sherman Cooper (R-Ky.) is a former Ambassador to India, where he did an outstanding job, and has held many special diplomatic posts.

We have reported that Sen. Cooper follows a broad bipartisan policy on foreign affairs and frequently has been called in by Democratic Presidents for consultation. He was especially useful in advising Mr. Kennedy how to handle the Berlin problem at the very start of his Administration, though Mr. Kennedy spurned the advice.

Sen. Mike Monroney (D-Okla.) has served in Congress longer than any other member of the ethics committee. As a young member of the House of Representatives, he received the Collier's Distinguished Service Award for his work in attempting to streamline legislative procedures. He was coauthor of the congressional reorganization bill with the late Sen. Robert La Follette and more recently sponsored a bill for Senate reorganization.

As a young Congressman, Monroney had the courage to vote against an oil price increase though he comes from a big oil-producing state, and against the farm bloc on subsidies though Oklahoma is also an important agricultural state.

UP FROM RANKS

Sen. Eugene J. McCarthy (D-Minn.) is another legislator who came up from the ranks in the House of Representatives. We have described him as "having a spotless family life . . . studied for the priesthood, has the confidence of labor and farmers, is the idol of liberals in both the House and the Senate."

Generally he has tried to plug tax loopholes from his vantage point inside the Senate Finance Committee and has fought a courageous war against Central Intelligence Agency secrecy.

McCarthy is an old personal friend of Sen. Dodd, and at one time proposed secret rather than public Dodd hearings; in the end, he put Senate ethics ahead of personal friendship and voted to recommend Dodd's censure.

Sen. James B. Pearson (R-Kan.) is a newcomer to the Senate and the youngest member of the ethics committee. However, he has also been one of the most forthright in cross-examining witnesses and one of the toughest in urging that the Senate maintain a high standard of ethics.

Originally a Virginian, Pearson served in Kansas during the war, liked it and returned to live there and engage in Republican politics. He has just been reelected for a full 6-year term.

These are the men who spent more than a year conscientiously hearing testimony and carefully scrutinizing the record of their colleague from Connecticut. They are not susceptible to political blackmail, and we resent Sen. Long's implication that we might resort to such tactics.

[From the Washington Post, June 18, 1967]

Political Heirs in Dodd Case: Huey Long's Son and Bilbo's Successor Are Senate Opponents in Ethics Trial

(By Drew Pearson)

The man who probably came closest to becoming an American dictator during this century was the late Sen. Huey Long of Louisiana. And the man who was his cohert and colleague in dominating the neighboring state of Mississippi was the late Sen. Theodore Bilbo.

Today, Russell Long, son of Huey, and Sen. John Stennis, who replaced Bilbo, are battling it out on the Senate floor as the defender and accuser of another Senator charged with a conflict of interest—Tom Dodd of Connecticut. It's one of the most important debates of this century.

When Russell Long first was elected to the Senate one day short of the age of 30, it was said that he took after his mother, a strict disciplinarian. Today, Russell seems to be veering more and more toward the characteristics of his delightful and unpredictable father.

His father, elected during the height of the Hoover depression, was never happy unless he held the center of the stage. He made a production of everything, from a Senate speech to mixing salad dressing or getting dressed in the morning. He used to call one of his bodyguards, Murray Rodin, to get him the exact color shoes to match his brown tie, as he held press conferences while showering in the morning.

He would come to dine at my house in Georgetown, accompanied by three bodyguards. He left one in the street, one in the garden and one came inside. When the salad was served, Huey would demand that he mix the dressing. For 20 minutes he would call for rare pepper and spices, lemons and olive oil, all the time performing the gestures of a high priest at a sacred ritual.

Huey, who preached "every man a king," had a tremendous following among the rednecks of Louisiana, Mississippi and Arkansas. He was killed by an assassin's bullet in September, 1935, just as he reached for more power.

Today, his son, the junior Senator from Louisiana, has developed his father's rotund stomach, his manner of flailing the air with his arms when he talks, and his habit of walking all over the Senate floor. During the Dodd debate, Russell sat beside Albert Deutsch, the New Orleans attorney appointed to defend Dodd, then got up to go sit with the Republicans, then interrupted the Speaker with a question. Finally, he walked out of the room comically shaking his head.

Up to a point, Russell has followed his father's Robin Hood strategy of soaking the rich and helping the poor. But when it comes to oil and its tremendous tax concessions, Russell votes right down the line for oil. He is a stockholder in the prosperous "Win-or-Lose Oil Company," with valuable offshore oil concessions.

Russell has his father's sense of humor, his twinkling eyes, his restless energy. But he has not inherited his father's ability to hold his liquor. As Senate sessions wear into the afternoon, Russell becomes more and more loquacious as he sips more and more bourbon.

Sen. Long's protagonist in the Dodd debate is stern, solemn, sedate John Stennis of Mississippi, chairman of the Ethics Committee.

Bilbo was forced out of the Senate under circumstances somewhat similar to the facts in the case of Tom Dodd. This column revealed on Oct. 26, 1946, that war contractors had built for Sen. Biblo an artificial lake, with an island in the middle, constructed a dream house on the island, put furniture in the house, bought the Senator a Cadillac, and contributed $25,000.

In return, Bilbo had secured for them $3,527,263.39 in war contracts, chiefly at Key Field and Keesler Field in Mississippi.

After the column was published, Bilbo was asked to step aside when the Senate reconvened in January, 1947, and he was never permitted to take his seat.

Some Senators are puzzled over why Long has become such an impassioned, uncontrollable defender of Dodd. Russell is not a close friend of Dodd's. Their two states have little in common. Yet Russell makes speeches defending Dodd on any and every occasion.

Speaking before the building trades unions at the Washington Hilton Hotel last week, Russell delivered his usual impassioned plea for Dodd. He called Dodd a victim of persecution, unfairly treated, and a man who would stick by his friends.

"I'm not going to turn my back on Dodd," proclaimed Long. "He's my friend, and he can be your friend. He'll stick by his friends."

Long appeared to be insinuating that Dodd might help the building trades unions in their current drive to abolish Section 8B4b of the Taft-Hartley Act, which bans secondary boycotts.

This ban has been used indirectly to force the building trades unions to admit Negroes. One notable case took place when the St. Louis Gateway Arch was being rushed to completion; and the Interior Department, in charge of national shrines and monuments, undertook to get Negro plumbers employed in building the visitors' center.

The contractor at first said he had tried to hire Negroes but couldn't find any. When the Interior Department insisted, he finally employed Elijah Smith, a small Negro contractor. Whereupon all the building trades unions walked off the job, shutting down the entire project. Elijah Smith's plumbers belonged to the "Congress of Independent Unions," not to the building trades unions.

The Interior Department immediately invoked section 8B4b before the National Labor Relations Board, which found that the building trades stoppages was a secondary boycott. It ordered the unions back to work.

They complied. But since then the building trades unions have been trying harder than ever to abolish section 8B4b Taft-Hartley.

Mr. MANSFIELD. Mr. President, does that complete action on the resolution?

Mr. DODD. Mr. President, I think the Senate is entitled to hear from me, if the majority leader will yield to me.

Mr. MANSFIELD. Yes, I yield.

Mr. DODD. I shall not delay the Senate. I have never tried to do so. I am grateful to those who have expressed some confidence in my character, in any event. I said this morning, I believe now, I shall continue to believe, that history will justify my conduct and my character.

I want to repeat what I said this morning. I am not bitter toward anyone who has a different opinion. I am sure they all did what they thought was right within their lights. I want them to go away from here knowing that I have no bitterness toward any of them.

I wish I had said what the minority leader said so eloquently and well about the members of the committee. I, too, think they are all honorable men, decent men, and I do not think they ever intended to visit any injustice on me, nor do I think that any of my fellow Senators did. But I think a grave mistake has been made, and I am the one who must bear the scar of that mistake for the rest of my life.

I would be remiss, I think, if I failed to thank the Senator from Louisiana, who volunteered to assist me, and did substantially, I felt, within his way of doing things.

I am particularly grateful to those Senators on the other side of the aisle who helped me. I wish there had been more on my side. But that is the way of life and the way of politics, as I understand very well. However, to those members of the Republican Party who helped me, I say, "Thank you for all you did for me."

I wish to say, too, that without the wonderful support of my wife, who is sitting in the gallery, I do not think I could have carried on during these 18 months. It has not been easy, as I am sure you all understand. I am not seeking sympathy; I am trying to explain my own reaction.

Finally, I wish to say to the Senate that I shall continue to conduct myself as best I can. I will be here tomorrow. I will be here every day, doing my work as best I can do it. It will not be easy, but that is my job, and I shall do it; Senators need not worry about me running away. I think the only reason I can do that, however, is because in my heart I do not have any feeling of wrongdoing. If I did, I do not think I would show up here again. But only time can tell that.

I thank all the Members of the Senate, without exception, for their decency to me. You have all been very kind. At least I never felt any harshness, any meanness, or any unkindness during this long travail.

I love the Senate, and I like all its Members. So I hope Senators will find it within their hearts to do toward me what I wish to do toward them.

I am particularly grateful to the Senator from Massachusetts [Mr. Brooke], whom I had never had the pleasure of really knowing, for his erudite, lawyerlike, and, I thought, Senator-like attitude toward my problem. I could say that about many others as well, and especially John Tower. He had nothing to gain, and everything to lose by the position he has taken. He is truly a man of courage and conviction. It is the John Towers of this life who write our Nation's history.

I would also like to thank Senator Thurmond and Senator Curtis for the forthright presentation of their positions.

At any rate, I thank all the Senators for their kindness toward me. I hope my honor is not diminished in your sight. I hope to be able to work among you as long as the people of my State permit me to do so. Thus I bid you farewell for today, thanking you for your kindness.

Mr. MANSFIELD. Mr. President——

The VICE PRESIDENT. The Senator from Montana.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. MANSFIELD. I yield.

The VICE PRESIDENT. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, the main part of my remarks, all of which will be brief, concern the duties and responsibilities of a committee of this kind.

This committee is a new venture for the Senate.

The VICE PRESIDENT. Will the Senator withhold for a moment, until order is restored? Will persons in the gallery please be as quite as possible?

The Senator may continue.

Mr. STENNIS. I am saying this as a matter of information for the Senate, and then I shall make a brief reference to the case that has just been decided.

To have a permanent committee on this subject matter, whoever its members may be from year to year, is a new venture for the Senate. It will have continuing duties, of course.

I point out that in this case we proceeded, the very best we knew how, on a nonpartisan basis. That was not easy in the beginning, but I think we conquered that problem rather completely and rather early in our deliberations. There were some outside pressures started, but they were severely rebuffed. We were all convinced that a committee of this kind cannot serve the Senate unless that is one of the basic principles to which it adheres.

I mention one other thing. The committee did not lean on other Senators. I do not think a single member of this group leaned on any other Senator, in arriving at a decision as to what our conclusions would be or what we would recommend. I think that is an essential course to follow.

On the other hand, I can truthfully say that other Senators did not disturb us—that is, not that I know anything about. The membership of this body took a very fine attitude toward this committee, and that was true in spite of the fact that Senator Dodd is really liked by all of us. I think that attitude—and I believe I am speaking for the committee, although we have not talked this over—is another essential principle which must be followed.

I feel that the adoption of this resolution, in a way, is a new start for the Senate. I hope it is a new start, for Senator Dodd. I say further, with emphasis, that all of us had a great deal of personal sympathy for him from the very beginning. He has behaved, it seemed to me, under all this pressure, in a very exemplary way.

There is no other point that I can make, there is no criticism of any Senator, no victory here for anyone, and no victory against anyone. I think the Senate realized it had to face this matter, and it did, in great measure; and I believe that means a constructive new start.

I am grateful especially to the other members of the committee, and we are all grateful to the staff that we have: Mr. Benjamin R. Fern, chief counsel; Mr. H. Michael Spence, associate counsel; and Mr. Clare E. Rohrer, accountant from the General Accounting Office. It is trustworthy, capable, and loyal in every way. We are grateful to Mr. Sonnett, who represented Senator DODD. He is the head of a law firm of about 80 lawyers, I think, in New York City. He is an able man, and it was a comfort to know that Senator DODD was so well represented.

A gentleman here whom I have not had a chance to know well, Mr. Eberhard P. Deutsch, in being of help to Senator LONG, has served in the fine tradition of good lawyers.

The committee has no plea, no victory, no disappointment—not anything. We have presented the matter as best we could, and that is it.

I thank the Presiding Officer.

Mr. JAVITS. Mr. President, before the Senator sits down, will he yield momentarily?

Mr. MANSFIELD. Mr. President, I believe I have the floor, and I would like to proceed.

Mr. JAVITS. May I ask the Senator from Mississippi a question?

Mr. MANSFIELD. Well, all right, if the Senator insists.

Mr. STENNIS. I do not know that there is any cause for a response, with justice to everyone, for what little I said.

Mr. JAVITS. I thought I would ask the Senator if he could state for us, what are the committee's plans with respect to conducting any hearings or giving any consideration to a code of ethics?

Mr. STENNIS. I announced on the Senate floor on April 27 that when we got through with this resolution we would proceed as expeditiously as we could on pending matters. That is what we expect to do.

We will get to it, and when we do, we will be glad to hear from the Senator from New York.

Mr. MANSFIELD. Mr. President, the past 2 weeks have been difficult—even painful—for all Members of the Senate. But our situation can in no way compare with that of the distinguished Senator from Connecticut [Mr. DODD]. Compelled to sit in judgment, the Senate has met and discharged its responsibility.

But of significant note during these past days has been the manner, the conduct, and the courage of our colleague from Connecticut.

In rendering its judgment, the Senate has been attentive to the substance and gravity of the issue just decided. But it has also witnessed a man under extreme pressure and strain whose response to the adversity was such that each Senator may henceforth—in good conscience and in all sincerity—refer to the Senator from Connecticut as his friend and colleague.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. MONDAY NEXT

Mr. MANSFIELD. Mr. President, now that the Senate has concluded its consideration of Senate Resolution 112, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 10 o'clock Monday morning next.

The VICE PRESIDENT. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR CHURCH ON MONDAY MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at the hour of 10 o'clock or shortly thereafter, the distinguished Senator from Idaho [Mr. CHURCH] be recognized for approximately 2 hours.

The VICE PRESIDENT. Is there objection? The Chair hearing none, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO MEET DURING SENATE SESSION MONDAY MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet until noon Monday next, and even during the transaction of routine morning business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MORSE. Mr. President, will the Senator yield? I want to reserve a reservation.

The VICE PRESIDENT. The Senator from Oregon wants to make a reservation.

Mr. MORSE. Mr. President, I am reserving objection, and I want to talk to the Senator from Montana about a very serious problem that confronts us on Monday with regard to that matter.

I understood the Senator from Montana to ask unanimous consent that the committees meet until noon on Monday next.

The VICE PRESIDENT. We cannot conduct business in this sort of atmosphere. Let us calm down. Let there be order in the Senate.

The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I understood the Senator from Montana, my majority leader, to ask that committees be authorized to meet until noon on Monday next.

I want to tell him about a special problem that confronts us.

We had expected to have all-day hearings today in the Subcommittee on Education of the Committee on Labor and Public Welfare. However, we were unable to go beyond noon because we had not finished action on Senate Resolution 112.

We have to consider the Teachers Corps legislation, impacted area legislation, school disaster legislation, and other legislation that will automatically lapse on June 30 if they are not continued between now and that date.

We would like to meet all day Monday in our committee, having hearings in the morning and an executive session in the afternoon. In that way, we hope we can have something to report to the Senate on Tuesday.

We think the House will take action on Tuesday. That would put us in a position where we could take action on Wednesday. Maybe we would have to have a conference. Maybe we would not have to have a conference.

I should therefore like to ask unanimous consent that the Subcommittee on Education of the Committee on Labor and Public Welfare be authorized to meet all day on Monday next.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and it is so ordered.

Mr. SMATHERS. Mr. President, reserving the right to object—and I shall not object—the Senate Finance Committee is in exactly the same situation as has been described by the Senator from Oregon.

We are considering in executive session an extension of the debt ceiling, which legislation automatically expires on June 30.

I have checked this with the distinguished leader on the Republican side, and we think we will be able to have a report from the committee by sometime Monday.

We would like to have permission, along with the Subcommittee on Education, to meet after the Senate concludes its routine morning business on Monday.

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, I do not see why the committee cannot act by 12 o'clock. If the committee cannot act by 12 o'clock, we can cross that bridge at that time.

Mr. SMATHERS. I will be happy to do so, but I see no reason why we cannot get permission now, so that if we do not get action by 12 o'clock on Monday, we can continue.

Mr. WILLIAMS of Delaware. I think we could make it 1 o'clock. We may have to come over here for some reason.

Mr. SMATHERS. When we give permission to one committee, we might as well get it for our committee.

I was hoping that we would get through earlier on that legislation, and I still hope that we will.

Mr. WILLIAMS of Delaware. I want to cooperate. However, this administration thrives on emergencies. They would be greatly disappointed if they were not operating under a deadline. And the reason for the June 30 deadline is that the Treasury Department insisted on holding to that deadline.

I have no sympathy for them at all.

I will agree to going until 1 o'clock and no longer than that.

Mr. MORSE. Mr. President, does that apply to our subcommittee?

Mr. WILLIAMS of Delaware. No.

Mr. MORSE. If my subcommittee finishes the hearings on Monday morning, they will go into executive session on Monday afternoon.

Mr. WILLIAMS of Delaware. I was thinking of the Finance Committee.

If it is necessary at 1 o'clock, under certain circumstances, to extend the time, it may be extended then. However, I do not like to have executive sessions of the committee when we have business before the Senate. I will agree to having the committee meet until 1 o'clock, and no further.

Mr. MANSFIELD. Mr. President, may we have a ruling on the request that the Finance Committee be authorized to meet until 1 o'clock on Monday next?

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

Mr. **MANSFIELD**. Mr. President, now that the Senate has concluded its consideration of Senate Resolution 112, I ask unanimous consent that there be a brief period for the transaction of routine business, under the usual limitation.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The **PRESIDENT** pro tempore announced that on June 22, 1967, the Vice President signed the following bills and joint resolution, which had previously been signed by the Speaker of the House of Representatives:

S. 617. An act to authorize the States of North Dakota, South Dakota, Montana, and Washington to use the income from certain lands for the construction of facilities for State charitable, educational, penal, and reformatory institutions;

S. 1649. An act authorizing the change in name of certain water resource projects under jurisdiction of the Department of the Army;

H.R. 5424. An act to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; and

H.J. Res. 601. Joint resolution extending for 4 months the emergency provisions of the urban mass transportation program.

EXECUTIVE COMMUNICATIONS, ETC.

The **PRESIDENT** pro tempore laid before the Senate the following letters, which were referred as indicated:

Provision for U.S. Standards and a National Inspection System for Grain

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide for U.S. Standards and a national inspection system for grain, and for other purposes (with accompanying papers); to the Committee on Agriculture and Forestry.

Proposed Legislation Relating to the District of Columbia

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize the Commissioners of the District of Columbia to delegate the function of approving contracts not exceeding $100,000 (with an accompanying paper); to the Committee on the District of Columbia.

Amendment of National Foundation on the Arts and the Humanities Act of 1965

A letter from the Chairman, National Foundation on Endowment for the Arts, and the Chairman, National Foundation on Endowment for the Humanities, transmitting a draft of proposed legislation to amend the National Foundation on the Arts and the Humanities Act of 1965 (with accompanying papers); to the Committee on Labor and Public Welfare.

PETITION

The **PRESIDENT** pro tempore laid before the Senate a resolution which had been adopted by the annual National Convention of the Independent Fundamental Churches of America, at Chicago, Ill., praying for the enactment of legislation relating to the control of psychedelic drugs, which was referred to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. **SPARKMAN**, from the Committee on Banking and Currency, with amendments:

S. 1542. A bill to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies (Rept. No. 354).

By Mr. **McCLELLAN**, from the Committee on Government Operations, without amendment:

H.R. 4241. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; (Rept. No. 350).

By Mr. **McCLELLAN**, from the Committee on Government Operations, with an amendment:

S. 805. A bill to amend section 202(b) of the Federal Property and Administrative Services Act of 1949; (Rept. No. 351).

By Mr. **ANDERSON**, from the Committee on Aeronautical and Space Sciences, with an amendment:

S. 1296. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes; (Rept. No. 353).

INCREASES IN ANNUITIES PAYABLE FROM FOREIGN SERVICE RETIREMENT AND DISABILITY FUND—REPORT OF A COMMITTEE (S. REPT. NO. 352)

Mr. **FULBRIGHT**, from the Committee on Foreign Relations, reported an original bill (S. 2003) to provide certain increases in annuities payable from the Foreign Service Retirement and Disability Fund, and for other purposes, which bill was placed on the calendar, and the report was ordered to be printed.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. **FULBRIGHT**, from the Committee on Foreign Relations:

James P. Grant of Virginia to be an Assistant Administrator of the Agency for International Development.

By Mr. **YARBOROUGH**, from the Committee on Labor and Public Welfare:

Arnold Ordman, of Maryland, to be General Counsel of the National Labor Relations Board.

By Mr. **RANDOLPH**, from the Committee on Public Works:

J. Russell Tuten, of Georgia, to be Federal Cochairman of the Coastal Plains Regional Commission.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. **METCALF**:

S. 1984. A bill to amend title VII of the Housing Act of 1961 to authorize Federal grants under the open-space land program for the development and redevolpment of existing open-space land and for the acquisition of outdoor and indoor recreational buildings, centers, facilities, and equipment, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. **WILLIAMS** of New Jersey (for himself, Mr. Bartlett, Mr. Bennett, Mr. Bible, Mr. Brewster, Mr. Cannon, Mr. Clark, Mr. Hart, Mr. Hickenlooper, Mr. Inouye, Mr. Jackson, Mr. Kennedy of New York, Mr. Long of Missouri, Mr. McGee, Mr. Mondale, Mr. Morse, Mr. Moss, Mr. Pell, Mr. Percy, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Smathers, Mr. Sparkman, Mr. Tower, Mr. Tydings, Mr. Yarborough, Mr. Hatfield, and Mr. Brooke):

S. 1985. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. **EASTLAND**:

S. 1986. A bill for the relief of Mr. and Mrs. William G. Allen, Jr.; to the Committee on the Judiciary.

By Mr. **MAGNUSON** (by request):

S. 1987. A bill to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. **MURPHY**:

S. 1988. A bill to amend title XIX of the Social Security Act to permit payment to the recipient of medical assistance, for physician services furnished under the program; to the Committee on Finance.

By Mr. **BREWSTER**:

S. 1989. A bill for the relief of Anicia Machan Apostol; and

S. 1990. A bill for the relief of Dr. Jorge B. Joaquino; to the Committee on the Judiciary.

By Mr. **KUCHEL**:

S. 1991. A bill to amend the Internal Revenue Code of 1954 with respect to the estate tax treatment of certain interests created by community property laws in employees' trusts and retirement annuity contracts; to the Committee on Finance.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

By Mr. **CARLSON**:

S. 1992. A bill to provide for the issuance of a special postage stamp in commemoration of the 100th anniversary of the Woman's Relief Corps; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Carlson when he introduced the above bill, which appear under a separate heading.)

By Mr. **HARTKE**:

S. 1993. A bill to provide for the granting of national service life insurance to Vietnam conflict veterans; and

S. 1994. A bill to reinstate the tax on transfers of silver bullion; to the Committee on Finance.

S. 1995. A bill to expand and strengthen Federal assistance to the States for adult education and adult basic education programs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Hartke when he introduced the above bills, which appear under separate headings.)

By Mr. MONTOYA:

S. 1996. A bill to amend the Act of August 9, 1955, to authorize longer term leases of Indian lands on the Pueblo of Zuni and on the Pueblo of Cochiti in New Mexico; to the Committee on Interior and Insular Affairs.

By Mr. BREWSTER:

S. 1997. A bill to amend title 13, United States Code, to provide for a mid-decade census of population, unemployment, and housing in the year 1975 and every 10 years thereafter; to the Committee on Post Office and Civil Service.

S. 1998. A bill to amend the act of August 4, 1950 (64 Stat. 411), to provide salary increases for certain members of the police force of the Library of Congress; to the Committee on Rules and Administration.

By Mr. MORSE:

S. 1999. A bill to amend title II of the District of Columbia Public Education Act; to the Committee on the District of Columbia.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 2000. A bill to amend title IV of the Housing Act of 1950 to authorize annual grants to reduce the cost of private borrowing by educational institutions as an alternative form of assistance to the direct college housing loans presently provided for; to the Committee on Banking and Currency.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 2001. A bill to preserve, protect, develop, restore, and make accessible the lake areas of the Nation by establishing a National Lake Areas System and authorizing programs of lake and lake areas research, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 2002. A bill to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Office Corps; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT:

S. 2003. A bill to provide certain increases in annuities payable from the Foreign Service Retirement and Disability Fund, and for other purposes; placed on the calendar.

(See reference to the above bill when reported by Mr. Fulbright, which appears under the heading "Reports of Committees.")

By Mr. MOSS (for himself, Mr. Tydings, Mr. Bartlett, Mr. Bible, Mr. Brewster, Mr. Brooke, Mr. Byrd of West Virginia, Mr. Cannon, Mr. Church, Mr. Fong, Mr. Hatfield, Mr. McIntyre, Mr. Miller, Mr. Mondale, Mr. Muskie, Mr. Nelson, and Mr. Yarborough):

S.J. Res. 94. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on the Judiciary.

(See the remarks of Mr. Moss when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Kennedy of New York, Mr. Case, and Mr. Williams of New Jersey):

S.J. Res. 95. Joint resolution to consent to and enter into the Mid-Atlantic States air pollution control compact, creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTIONS

ADDITIONAL FUNDS FOR COMMITTEE ON APPROPRIATIONS

Mr. HAYDEN submitted the following resolution (S. Res. 137); which was referred to the Committee on Rules and Administration:

S. Res. 137

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the Ninetieth Congress, $35,000, in addition to the amounts, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

REFERENCE OF SENATE BILL TO COURT OF CLAIMS

Mr. METCALF submitted the following resolution (S. Res. 138); which was referred to the Committee on the Judiciary:

S. Res. 138

Resolved, That the bill (S.) entitled "A bill for the relief of M. Alice Wohl and her daughters, Paula Uken Mullis, Marshal Joan Wohl, and Margaret Emily Wohl", now pending in the Senate, together with all the accompany papers, is hereby referred to the chief commissioner of the Court of Claims; and the chief commissioner of the Court of Claims shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code, and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

DEATH OF REPRESENTATIVE J. ARTHUR YOUNGER, OF CALIFORNIA

Mr. KUCHEL (for himself and Mr. Murphy) submitted a resolution (S. Res. 139) relative to the death of Representative J. Arthur Younger, of California, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Kuchel, which appears under a separate heading.)

TO PRINT AS A SENATE DOCUMENT THE ANNUAL REPORT OF THE NATIONAL FOREST RESERVATION COMMISSION

Mr. ELLENDER submitted the following resolution (S. Res. 140); which was referred to the Committee on Rules and Administration:

S. Res. 140

Resolved, That the Annual Report of the National Forest Reservation Commission for the fiscal year ended June 30, 1966, be printed with an illustration as a Senate Document.

INTRODUCTION OF BILL RELATING TO OUTDOOR RECREATIONAL FACILITIES

Mr. METCALF. Mr. President, the need for increased outdoor recreational facilities is familiar to all of us. This need is particularly evident as we move into the summer months. Swimming pools, tennis courts and other local recreational facilities are in great demand. Little League baseball is fast becoming a national pastime. Unfortunately, there are just not enough ball diamonds or parks available.

The lack of adequate recreational facilities is not limited to any one part of the country. The problem, however, is more acute in the densely populated urban areas. The one Federal program designed specifically to help meet the recreation need of the urban areas is the open space program—title VII of the Housing Act of 1961. Being aware of the fact that this legislation is not comprehensive for the situation, I am today introducing legislation to expand and improve the open space land program.

My bill would improve the program in three ways. It would increase the authorization for land acquisition and development, add to the types of facilities for which development funds may be used and permit the use of development funds on land other than that acquired under the open space program.

Mr. President, I ask unanimous consent to include the text of the legislation, companion to H.R. 5865, introduced in the other body by the distinguished gentleman from Michigan [Mr. O'Hara], at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1984) to amend title VII of the Housing Act of 1961 to authorize Federal grants under the open-space land program for the development and redevelopment of existing open space land and for the acquisition of outdoor and indoor recreational buildings, centers, facilities, and equipment, and for other purposes, introduced by Mr. Metcalf, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 1984

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 701(b) of the Housing Act of 1961 is amended by inserting ", for the development and redevelopment of existing parks, recreation areas, and other open space," after "the Nation's urban areas".

Sec. 2. Section 702(a) of the Housing Act of 1961 is amended—

(1) by inserting before the period at the end of the first sentence thereof the following: ", or the development or redevelopment, for open-space uses, of existing open-space land";

(2) by inserting after the first sentence thereof the following new sentence: "Development or redevelopment of land (whether acquired under this title or existing at the time of such development or redevelopment) for open-space uses may include (1) the purchase, construction, renovation, and rehabilitation of recreational buildings and other outdoor or indoor recreational centers or facilities, whether housed or not, which complement the parks and receational uses to be made of the land; and (2) the acquisition of equipment, which may include built-in equipment and the necessary enclosures, as well as any other items, such as

suitable furniture and playground and athletic equipment, which are necessary for public utilization of the recreational opportunities that are available at such recreational buildings, centers, or facilities."; and

(3) by striking out "and development" in the second sentence thereof and inserting in lieu thereof ", development, or redevelopment".

SEC. 3. Section 702(b) of the Housing Act of 1961 is amended—

(1) by striking out "$310,000,000" and inserting in lieu thereof "$620,000,000"; and

(2) by striking out "$64,000,000" and inserting in lieu thereof "$128,000,000".

SEC. 4. The last sentence of section 705 of the Housing Act of 1961 is amended to read as follows: "Grants under this section shall not exceed 50 per centum of the cost of acquiring such interests, the necessary demolition and removal of improvements, and acquiring recreational buildings, centers, facilities, and equipment."

NATIONAL FLOOD INSURANCE ACT OF 1967

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to establish a program of national flood insurance. I am happy to have 28 other Senators join me as cosponsors of this legislation.

I believe that we all are aware of the heavy damages to property and loss of life that have been caused by floods, including those caused by hurricanes and wind-driven water. This destruction has had an adverse impact on the economic growth and development of many coastal areas and river basins. There is reliable evidence to show that damages caused by heavy floods seem to be on the increase, rather than on the decrease, in spite of protective measures taken by individuals and by governmental bodies.

Flood losses may be particularly hard on a homeowner who still owes a mortgage on his home or the small businessman whose primary assets are tied up in his business. In many cases the equity in a home or outright ownership of a home represents most or all of a family's savings, and a flood means financial disaster. In the case of elderly persons, the hardship is especially great because there is little likelihood that these savings can ever be replaced.

Flood insurance is not now generally available from private insurance companies. Private insurers have not been able to write flood insurance policies on an economically feasible basis for a number of reasons, the most important of which is the fact that there is no spreading of the risks.

The victims of flood disasters, however, may receive certain benefits from various public and private sources, in the event of flood damages. The American National Red Cross provides relief in the form of shelter, food, and first aid to individuals whose homes have been destroyed by disasters. The Office of Emergency Planning makes grants to State and local bodies to restore basic public facilities for the area. Homeowners and small businessmen may obtain subsidized loans from the Small Business Administration to finance the rebuilding of homes and businesses destroyed by disasters.

There are a number of protective and preventive projects that have been undertaken by individuals and by Federal, State, and local governments to decrease losses from floods. Individuals may place their homes on stilts, use reinforced concrete or other devices in home or business construction in an effort to reduce damages. Some States and local governments have adopted land use and zoning controls in flood-prone areas and provide some forms of assistance when floods occur.

On the Federal level, the Corps of Army Engineers and the Tennessee Valley Authority build dams and other protective devices that are able to hold back or shunt aside rising waters. The Weather Bureau attempts to forecast floods and hurricanes and with the help of other Government agencies to warn individuals of the impending dangers from them. Other Federal agencies, for instance, the Departments of Interior, Commerce, and Agriculture, have programs that are designed to minimize heavy losses from floods. Many of these protective measures have been effective along many rivers in reducing flood damages, while along other rivers and seacoasts, they have not had much of an effect in curbing destruction.

However, as helpful as many of these various forms of assistance may be, they are usually only enough to enable the victim to start the process of physical and financial rehabilitation. In many cases, relief is not forthcoming until after the area has been declared a disaster. There are limitations under Federal assistance programs on the amounts of money that are available at any one time to meet these emergencies. A disaster that would be large for a particular locality, might not be considered large on the national scale, and might not be eligible for assistance under certain Federal programs. Congress might not be willing to appropriate funds for a particular disaster.

This legislation has been prepared by the Department of Housing and Urban Development after lengthy consultations and cooperation with the property insurance industry. The proposal is based on the recommendations contained in a persuasive report by the Department released last August entitled "Insurance and Other Programs for Financial Assistance to Flood Victims." The study leading to this report was conducted as a result of a resolution which I first introduced in 1963 and which was embodied in the southeast hurricane disaster relief bill of 1965. The report concluded that a national program of flood insurance with financial participation of the Federal Government and carried out by the private insurance industry would be feasible.

The idea to establish a program of Federal assistance for flood insurance is by no means a new concept. In 1951, following the disastrous floods of that year, President Truman sent to Congress a message asking for funds to finance a Federal insurance program. While no action was taken on the proposal that year, this subject was a matter of increasing interest on the part of members of the Banking and Currency Committee for the next 5 years. In 1955, the then chairman of the Banking and Currency Committee, Senator FULBRIGHT, directed the committee staff to make a study of the practicality of Federal flood insurance. This study discussed in general the subject of floods and the problems involved in a flood insurance program.

In 1956, President Eisenhower in his state of the Union address renewed the request for flood insurance legislation. Under the leadership of Senator Lehman of New York, the Subcommittee on Securities conducted a series of hearings in Washington and around the country on the subject. A flood insurance law was enacted in that year, but unfortunately, no satisfactory program was developed and Congress refused to appropriate funds for the program. This act provided for the establishment of three programs—a direct Federal flood insurance program, a Federal reinsurance program, and a Federal loan contract program covering flood losses. The Federal Flood Indemnity Administration was created as a constituent unit of the Housing and Home Finance Agency.

At best, existing Federal assistance programs represent a piecemeal and inadequate approach to a very serious problem. It is for these reasons that I am introducing legislation to provide for a program of national flood insurance that would reimburse property owners who have suffered losses as a result of destructive floods. It is contemplated that the program would begin on a limited sale, applying initially to those areas where damage data has been prepared. Under the supervision of the Department of Housing and Urban Development, actuarial studies have already been made of the frequency and severity of floods in 50 areas of the United States. These studies are detailed and definitive and comprise a stack of documents more than a foot high. This program has been developed on the basis of these studies. Each flood plain area is divided into zones, and the risk for each of these zones has been carefully calculated. It is the fundamental data developed, coordinated, and rated, in these studies which makes this program workable. The program would be administered by the Department of Housing and Urban Development, but it would have the assistance of other Government agencies in developing necessary data in flood-prone areas. This legislation would authorize private insurance companies to form pools in accordance with conditions set out by the Secretary. The facilities of the private insurance industry would be used to the fullest possible extent to sell and service policies with Federal assistance in the form of premium subsidies and reinsurance coverage to compensate for heavy losses. Participating insurance companies would put a certain amount of risk capital into the pool to cover a portion of the losses of the program. In years when there were few flood losses, the companies would be entitled to a certain percentage of profits and would pay a reinsurance premium to the Government. Other insurance companies could participate in the program on other than a risk-sharing basis.

The cost of providing flood insurance

would be borne by the property owner, the insurance companies, and by the Federal Government. It is only fair that the property owner in a flood-prone area should pay a reasonable premium for insurance coverage.

In the event that the above program of private industry risk participation could not for some reason be worked out, a program could be operated where the private insurance companies would act as fiscal agents for the Government. Under this alternative, the Government would take all the financial risks involved in writing flood insurance policies. This approach is intended as a backstop only.

Initially, flood insurance would be available only for one- to four-family residential properties. If that program proved to be successful, the Secretary, by regulation, could extend on a gradual basis, coverage to include other types of properties, including business, governmental, agricultural, and other residential properties.

Coverage would be limited to $15,000 for single family dwellings, with a total of $30,000 coverage for any single structure occupied by two to four families. There would also be unsubsidized coverage, or full actuarial premiums, for equal amounts. Contents would be insured for $5,000 per dwelling unit. For business and other properties, which became eligible for flood insurance at a later date, there would be subsidized coverage up to $30,000. These properties would also be eligible for a certain amount of unsubsidized coverage. Not more than $2.5 billion in insurance policies could be outstanding at any one time. The Secretary could include, after consultation with the industry, appropriate loss deductible clauses in policies.

The Secretary would consult with an advisory committee composed of representatives from the insurance industry and State insurance authorities to determine the areas of the country and the types of property that would be eligible for insurance coverage. The Secretary would also conduct studies and receive information, giving priority to interested areas, to determine estimates of the risk premium rates—the actuarial cost of writing flood insurance—and a chargeable premium rate—the premium that would be paid by the insured. The chargeable premium rate would be reasonable and designed to encourage property owners in flood-prone areas to purchase flood insurance. Properties built or substantially improved more than 30 days after public knowledge of the insurance rates would not be eligible for Federal premium subsidy.

The Federal subsidy to the pools would represent the difference between the actuarial rate and the chargeable premium rate. In the event of heavy losses to the pool, the insurance companies would be covered by Federal reinsurance. The insurance companies would share in the risks of the program only up to a certain percentage above the dollar amount of the premium collected from the policyholder. Federal reinsurance would cover losses above the excess loss point.

An important element of the flood insurance program would be to encourage State and local bodies to adopt and enforce effective land use regulations. Initially, preference in providing coverage would be shown to those areas which had given assurance that they would adopt such regulations by June 30, 1970. There would also be a preference for those areas which show a positive interest in the program. No new flood insurance could be written after June 30, 1970, unless permanent land use regulations with effective enforcement provisions had been adopted. There would be no coverage for any property declared to be in violation of State or local land development ordinances. These provisions and others are designed to discourage the unplanned future development of flood-prone areas and to restrict use of the land to low-risk purposes. If the flood insurance program proved to be successful, it could reduce materially the liability of the Federal Government under other Federal disaster assistance programs.

The Secretary would establish a National Flood Insurance Fund to meet payments required by the subsidy and reinsurance programs. In order to capitalize the fund, the Secretary could borrow $500 million from the Treasury. This borrowing authority presently exists under the act as passed in 1956. The bill would authorize to be appropriated such sums as may from time to time be necessary to maintain the fund in an operative condition. The bill also provides for appropriations for administrative expenses.

The bill contains provisions designed to encourage the purchase of flood insurance by preventing duplication of benefits under other Federal disaster assistance programs for real or personal property covered under the bill. It would not affect Federal disaster assistance programs where flood insurance was not available. In an area where insurance was available, a property owner could not receive certain other forms of Federal assistance if he did not purchase flood insurance within a year after its availability. Lending institutions would be encouraged to require borrowers to obtain flood insurance as a condition for a loan.

The Secretary would be authorized to identify within 5 years all flood plain areas and within 15 years to establish flood risk zones and make estimates of flood-caused losses in those zones. He would have the benefit of the expertise in this field of various Government agencies in developing this information. This legislation intends to complement and not supplement the flood protection and preventive responsibilities of these agencies.

The Secretary could purchase real property covered by flood insurance and which was damaged beyond repair, and transfer ownership of the property to State or local agencies, for use for low-risk purposes.

The term "flood" would include any flood, tidal wave, deluge, or water component of a hurricane, including water driven by wind. It would not include coverage for losses from tornadoes and certain other types of disasters, which is now generally available from private insurers under extended coverage or homeowners clauses. The Secretary, however, would continue to study the possibility of extending insurance coverage to other types of natural disasters not now insurable, such as earthquakes.

The Federal Government under existing insurance programs has undertaken either to make insurance available itself or to assist in making it available where the private insurance industry has been unable for one reason or another to provide coverage. Most bank and savings and loan association depositors have the benefit of insurance coverage up to $15,000 by the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation in the event of institution failure. Farmers in certain areas may have specific crops insured against natural disasters by the Federal Crop Insurance Corporation. The Federal Government provides reinsurance to an insurance company pool which insures heavy losses from atomic reactors under the Price-Anderson Act.

On March 14 of this year I introduced, after making several changes, a flood insurance bill, S. 1290, which had been drafted by the National Association of Insurance Commissioners. I stated then that I was not necessarily endorsing all the provisions of this bill, but that I was particularly interested in getting a bill before the subcommittee. The Subcommittee on Securities will conduct hearings on flood insurance legislation on June 26, 27, and 28. I would like to focus attention at these hearings on consideration of the bill that I am now introducing.

I am satisfied that the administration has come up with a workable and effective approach to provide insurance for flood victims. There is a real need in this country for this type of legislation. Congress should not legislate on a case-by-case basis by passing specific relief measures following each major disaster. Rather, it is preferable to adopt a consistent and comprehensive program of flood insurance to provide relief to flood victims as a matter of right. I recommend the early enactment of this bill.

Mr. President, I ask unanimous consent to have included in the RECORD at this point a letter of transmittal from Secretary Weaver, of the Department of Housing and Urban Development, a section-by-section analysis of the bill, and the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and section-by-section analysis will be printed in the RECORD.

The bill (S. 1985) to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes, introduced by Mr. WILLIAMS of New Jersey (for himself, Mr. BARTLETT, Mr. BENNETT, Mr. BIBLE, Mr. BREWSTER, Mr. CANNON, Mr. CLARK, Mr. HART, Mr. HICKENLOOPER, Mr. INOUYE, Mr. JACKSON, Mr. KENNEDY of New York, Mr. LONG of Missouri, Mr. McGEE, Mr. MONDALE, Mr.

Morse, Mr. Moss, Mr. Pell, Mr. Percy, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Smathers, Mr. Sparkman, Mr. Tower, Mr. Tydings, Mr. Yarborough, Mr. Hatfield, and Mr. Brooke), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 1985

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Flood Insurance Act of 1967".

Findings and declaration of purpose

Sec. 2. (a) The Congress finds that (1) from time to time flood disasters have created personal hardships and economic distress which have required unforeseen disaster relief measures and have placed an increasing burden on the Nation's resources; (2) despite the installation of preventive and protective works and the adoption of other public programs designed to reduce losses caused by flood damage, these methods have not been sufficient to protect adequately against growing exposure to future flood losses; (3) as a matter of national policy, a reasonable method of sharing the risk of flood losses is through a program of flood insurance which can complement and encourage preventive and protective measures; and (4) if such a program is initiated and carried out gradually, it can be expanded as knowledge is gained and experience is appraised, thus eventually making flood insurance coverage available on reasonable terms and conditions to persons who have need for such protection.

(b) The Congress also finds that (1) many factors have made it uneconomic for the private insurance industry alone to make flood insurance available to those in need of such protection on reasonable terms and conditions; but (2) a program of flood insurance with large-scale participation of the Federal government and carried out to the maximum extent practicable by the private insurance industry is feasible and can be initiated.

(c) The Congress further finds that (1) a program of flood insurance can promote the public interest by providing appropriate protection against the perils of flood losses and encouraging sound land use by minimizing exposure of property to flood losses; and (2) the objectives of a flood insurance program should be integrally related to a unified national program for flood plain management, and to this end, it is the sense of Congress that within two years following the effective date of this Act, the President should transmit to the Congress for its consideration any further proposals necessary for such a unified program, including proposals for the allocation of costs among beneficiaries of flood protection.

(d) It is therefore the purpose of this Act to (1) authorize a flood insurance program by means of which flood insurance, over a period of time, can be made available on a nationwide basis through the cooperative efforts of the Federal government and the private insurance industry, and (2) provide flexibility in the program so that such flood insurance may be based on workable methods of pooling risks, minimizing costs, and distributing burdens equitably among those who will be protected by flood insurance and the general public.

(e) It is the further purpose of this Act to (1) encourage State and local governments to make appropriate land use adjustments to constrict the development of land which is exposed to flood damage and minimize damage caused by flood losses, (2) guide the development of proposed future construction, where practicable, away from locations which are threatened by flood hazards, (3) encourage lending and credit institutions, as a matter of national policy, to assist in furthering the objectives of the flood insurance program, (4) assure that any Federal assistance provided under the program will be related closely to all flood-related programs and activities of the Federal government, and (5) authorize continuing studies of flood hazards, in order to provide for a constant reappraisal of the flood insurance program and its effect on land use requirements.

Amendments to the Federal Flood Insurance Act of 1956

Sec. 3. (a) The second sentence of section 15(e) of the Federal Flood Insurance Act of 1956, 70 Stat. 1078, is amended—

(1) by striking out "rate" the second time it appears in such sentence, and inserting in lieu thereof "market yield", and

(2) by striking out "as of the last day of", and inserting in lieu thereof "during".

(b) Section 15(e) of such Act is further amended by striking out the last sentence thereof.

(c) Sections 2 through 14, subsections (a) through (d), and (f) and (g) of section 15, and sections 16 through 23 of such Act are hereby repealed.

TITLE I—THE NATIONAL FLOOD INSURANCE PROGRAM

Basic authority

Sec. 101. (a) To carry out the purposes of this Act, the Secretary of Housing and Urban Development is authorized to establish and carry out a national flood insurance program which will enable interested persons to purchase insurance against loss resulting from physical damage to or loss of real property or personal property related thereto arising from any flood occurring in the United States.

(b) In carrying out the flood insurance program the Secretary shall, to the maximum extent practicable, encourage and arrange for—

(1) appropriate financial participation and risk-sharing in the program by insurance companies or other insurers, and

(2) other appropriate participation on other than a risk-sharing basis by insurance companies or other insurers, insurance agents and brokers, and insurance adjustment organizations, in accordance with the provisions of title II.

Scope of program and priorities

Sec. 102. (a) In carrying out the flood insurance program the Secretary shall afford a priority to making flood insurance available to cover residential properties which are designed for the occupancy of from one to four families.

(b) If on the basis of—

(1) studies and investigations undertaken and carried out and information received or exchanged under section 104, and

(2) such other information as may be necessary,

the Secretary determines that it would be feasible to extend the flood insurance program to cover other properties, he may take such action under this Act as from time to time may be necessary in order to make flood insurance available to cover, on such basis as may be feasible, any types and classes of—

(A) other residential properties,

(B) business properties,

(C) agricultural properties,

(D) properties occupied by private nonprofit organizations, and

(E) properties owned by State and local governments and agencies thereof,

and any such extensions of the program to any types and classes of these properties shall from time to time be prescribed in regulations.

(c) The Secretary shall make flood insurance available in only those States or areas (or subdivisions thereof) which he has determined have—

(1) evidenced a positive interest in securing flood insurance coverage under the flood insurance program, and

(2) given satisfactory assurance that by June 30, 1970, permanent land use and control measures will have been adopted for the State or area (or subdivision) which are consistent with the comprehensive criteria for land management and use developed under section 302, and that the application and enforcement of such measures will commence as soon as technical information on floodways and on controlling flood elevations is available.

Nature and limitation of insurance coverage

Sec. 103. (a) The Secretary from time to time shall, after consultation with the advisory committee authorized under section 115 and appropriate representatives of the insurance authorities of the respective States, provide by regulation for general terms and conditions of insurability which shall be applicable to properties eligible for flood insurance coverage under section 102, including—

(1) the types, classes, and locations of any such properties which shall be eligible for flood insurance;

(2) the nature of and limits of loss or damage in any areas (or subdivisions thereof) which may be covered by such insurance;

(3) the classification, limitation, and rejection of any risks which may be advisable;

(4) appropriate minimum premiums;

(5) appropriate loss-deductibles; and

(6) any other terms and conditions relating to insurance coverage or exclusion which may be necessary to carry out the purpose of this Act.

(b) In addition to any other terms and conditions under subsection (a), such regulations shall provide that—

(1) any flood insurance coverage based on chargeable premium rates (under section 105) which are less than estimated premium rates (under section 104(a)(1)), shall not exceed—

(A) in the case of residential properties which are designed for the occupancy of from one to four families,

(i) $15,000 aggregate liability for any dwelling unit, and $30,000 for any single dwelling structure containing more than one dwelling unit, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related thereto; and

(B) in the case of any other properties which may become eligible for flood insurance coverage under section 102, $30,000 aggregate liability for any single structure; and

(2) any flood insurance coverage which may be made available in excess of any of the limits specified in subparagraphs (A) and (B) shall be based only on chargeable premium rates (under section 105) which are not less than estimated premium rates (under section 104(a)(1)), and the amount of such excess coverage shall not in any case exceed an amount which is equal to any such limit so specified.

Estimates of premium rates

Sec. 104. (a) The Secretary is authorized to undertake and carry out such studies and investigations, and to receive or exchange such information as may be necessary, to estimate on an area, subdivision, or other appropriate basis—

(1) the risk premium rates for flood insurance which,

(A) based on consideration of the risk involved and accepted actuarial principles, and

(B) including

(i) applicable operating costs and allowances prescribed under section 108 to be reflected in such rates, and

(ii) any administrative expenses (or portion of such expenses) of carrying out the flood insurance program which, in his discretion, should properly be reflected in such rates,

would be required in order to make such insurance available on an actuarial basis for any types and classes of properties for which insurance coverage shall be available under section 102;

(2) the rates, if less than the rates estimated under paragraph (1), which would be reasonable, would encourage prospective insureds to purchase flood insurance, and would be consistent with the purposes of this Act; and

(3) the extent, if any, to which federally assisted or other flood protection measures initiated after the effective date of this Act affect such rates.

(b) In carrying out subsection (a), the Secretary shall, to the maximum extent feasible and on a reimbursement basis, utilize the services of the Department of the Army, the Department of the Interior, the Department of Agriculture, the Department of Commerce, and the Tennessee Valley Authority, and, as appropriate, other Federal departments or agencies, and for such purposes, may enter into agreements or other appropriate arrangements with any persons.

(c) The Secretary shall give priority to conducting studies and investigations, or making estimates under this section in those States or areas (or subdivisions thereof) which he has determined have evidenced a positive interest in securing flood insurance coverage under the flood insurance program.

Establishment of chargeable premium rates

Sec. 105. (a) On the basis of estimates made under section 104 and such other information as may be necessary, the Secretary from time to time shall, after consultation with the advisory committee authorized under section 115 and appropriate representatives of the insurance authorities of the respective States, by regulation prescribe—

(1) chargeable premium rates for any types and classes of properties for which insurance coverage shall be available under section 102 (at less than the estimated risk premium rates under section 104(a)(1), if necessary), and

(2) the terms and conditions under which, and areas (including subdivisions thereof) within which such rates shall apply.

(b) Such rates shall, insofar as practicable, be—

(1) based on a consideration of the respective risks involved, including differences in risks due to land use measures, flood proofing, flood forecasting, and similar measures,

(2) adequate, on the basis of accepted actuarial principles, to provide reserves for anticipated losses, or, if less than such amount, consistent with the objective of making flood insurance available, where necessary, at reasonable rates so as to encourage prospective insureds to purchase such insurance, and

(3) stated so as to reflect the basis for such rates, including the differences (if any) between the estimated risk premium rates under paragraph (1) of section 104(a), and the estimated rates under paragraph (2) of such section.

(c) Notwithstanding any other provision of this Act, the chargeable rate with respect to any property, the construction or substantial improvement of which the Secretary determines has been started after the identifications of hazardous flood plain areas under paragraph (1) of section 301 have been published by the Secretary, shall not be less than the estimated risk premium rate for such area (or subdivision thereof) under section 104(a)(1).

(d) In the event any chargeable premium rate prescribed under this section is—

(1) at a rate which is not less than the estimated risk premium rate under section 104(a)(1), and

(2) such rate includes any amount for administrative expenses of carrying out the flood insurance program which have been estimated under clause (ii) of section 104(a)(1)(B),

a sum equal to such amount shall be paid to the Secretary, and he shall deposit such sum in the fund authorized under section 107.

Treasury borrowing authority

Sec. 106. (a) All authority which was vested in the Housing and Home Finance Administrator by virtue of section 15(e) of the Federal Flood Insurance Act of 1956, 70 Stat. 1084 (pertaining to the issue of notes or other obligations to the Secretary of the Treasury), as amended by section 3 (a) and (b) of this Act, shall be available to the Secretary for the purpose of carrying out this Act.

(b) Any funds borrowed by the Secretary under this authority shall, from time to time, be deposited in the National Flood Insurance Fund established under section 107.

National Flood Insurance Fund

Sec. 107. (a) To carry out the flood insurance program authorized by this Act, the Secretary is authorized to establish in the Treasury of the United States a National Flood Insurance Fund (hereinafter referred to as the "fund") which shall be available, without fiscal year limitation—

(1) for making such payments as may, from time to time, be required under section 215;

(2) to pay reinsurance claims under the excess loss reinsurance coverage provided under section 216;

(3) to repay to the Secretary of the Treasury such sums as may be borrowed from him (together with interest) in accordance with the authority provided in section 106 of this Act; and

(4) to pay such administrative expenses (or portion of such expenses) of carrying out the flood insurance program as he may deem necessary; and

(5) for the purposes specified in subsection (d) under the conditions provided therein.

(b) The fund shall be credited with—

(1) such funds borrowed in accordance with the authority provided in section 106 of this Act as may from time to time be deposited in the fund;

(2) premiums, fees, or other charges which may be paid or collected in connection with the excess loss reinsurance coverage provided under section 216;

(3) such amounts as may be advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

(4) interest which may be earned on investments of the fund pursuant to subsection (c);

(5) such sums as are required to be paid to the Secretary under section 105(d); and

(6) receipts from any other operations under this Act which may, from time to time, be credited to the fund (including premiums under the conditions specified in subsection (d), and salvage proceeds, if any, resulting from reinsurance coverage).

(c) If, after—

(1) all outstanding obligations have been liquidated, and

(2) any outstanding amounts which may have been advanced to the fund from appropriations authorized under section 407(a)(2)(B) have been credited to the appropriation from which advanced, with interest accrued at the rate prescribed under section 15(e) of the Federal Flood Insurance Act of 1956, as amended by section 3(a) of this Act, the Secretary determines that the monies of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

(d) In the event the Secretary makes a finding in accordance with the provisions of section 221 that operation of the flood insurance program, in whole or in part, should be carried out through the facilities of the Federal Government, the fund shall be available for all such purposes incident thereto, including—

(1) the costs incurred in the adjustment and payment of any claims for losses, and

(2) payment of applicable operating costs prescribed under section 108

for so long as the program is so carried out, and in such event any premiums paid shall be deposited by the Secretary to the credit of the fund.

Operating costs and allowances

Sec. 108. (a) The Secretary from time to time shall negotiate with appropriate representatives of the insurance industry for the purpose of establishing—

(1) a current schedule of operating costs applicable to both risk-sharing insurance companies or other insurers, and insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations participating on other than a risk-sharing basis, and

(2) a current schedule of operating allowances applicable to risk-sharing insurance companies or other insurers,

which may be payable in accordance with the provisions of title II, and such schedules, from time to time, shall be prescribed in regulations.

(b) For purposes of subsection (a)—

(1) the term "operating costs" shall include, without limiting such term, the following:

(A) expense reimbursements covering the direct, actual, and necessary expenses incurred in connection with selling and servicing flood insurance coverage;

(B) reasonable compensation payable for selling and servicing flood insurance coverage, or commissions or service fees paid to producers;

(C) loss adjustment expenses;

(D) other direct, actual, and necessary expenses which the Secretary finds are incurred in connection with selling or servicing flood insurance coverage; and

(2) the term "operating allowances" shall include, without limiting such term, amounts for profit and contingencies which the Secretary finds reasonable and necessary to carry out the purposes of this Act.

Payment of claims

Sec. 109. The Secretary is authorized to prescribe regulations establishing the general method or methods by which proved and approved claims for losses may be adjusted and paid for any damage to or loss of property which is covered by flood insurance made available under the provisions of this Act.

Dissemination of flood insurance information

Sec. 110. The Secretary shall take such action as may, from time to time, be necessary in order to make information and data available to the public and to any State or local agency or official, with regard to—

(1) the flood insurance program, its coverage and objectives, and

(2) estimated and chargeable flood insurance premium rates, including the basis for and differences between such rates in accordance with the provisions of section 105.

Prohibition against certain duplications of benefits

Sec. 111. (a) Notwithstanding the provisions of any other law, no Federal disaster assistance shall be made available to any person for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage

(1) is covered by a valid claim which may be adjusted and paid under flood insurance made available under the authority of this Act, or

(2) could have been covered by a valid

claim under flood insurance which had been made available under the authority of this Act, if—

(A) such loss, destruction, or damage occurred subsequent to one year following the date flood insurance was made available in the area (or subdivision thereof) in which such property or the major part thereof was located, and

(B) such property was eligible for flood insurance under this Act at that date,

and in such circumstances the extent that such loss, destruction, or damage could have been covered shall be presumed (for purposes of this subsection) to be an amount not less than the maximum limit of insurable loss or damage applicable to such property in such area (or subdivision thereof), pursuant to regulations under section 103, at the time insurance was made available in such area (or subdivision thereof).

(b) For purposes of this section "Federal disaster assistance" shall include any Federal financial assistance which may be made available to any person as a result of—

(1) a major disaster (within the meaning of that term as determined by the President pursuant to the Act entitled "An Act to authorize Federal Assistance to State and local governments in major disasters, and for other purposes, as amended (42 U.S.C. 1855–1855g)),

(2) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), and

(3) a disaster with respect to which loans may be made under section 7(b) of the Small Business Act, as amended (15 U.S.C. 636(b)).

(c) For purposes of section 10 of the Disaster Relief Act of 1966, 80 Stat. 1316, the term "financial assistance" shall be deemed to include any flood insurance which is made available under this Act.

State and local land use controls

SEC. 112. After June 30, 1970, no new flood insurance coverage shall be provided under this Act in any area (or subdivision thereof) unless an appropriate public body shall have adopted permanent land use and control measures (with effective enforcement provisions) which the Secretary finds are consistent with the comprehensive criteria for land management and use under section 302.

Properties in violation of State and local law

SEC. 113. (a) No new flood insurance coverage shall be provided under this Act for any property which the Secretary finds has been declared by a duly constituted State or local zoning authority, or other authorized public body, to be in violation of State or local laws, regulations, or ordinances which are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Coordination with other programs

SEC. 114. In carrying out this Act, the Secretary shall consult with other departments and agencies of the Federal Government, and interstate, State, and local agencies having responsibilities for flood control, flood forecasting, and flood damage prevention, in order to assure that the programs of such agencies and the flood insurance program authorized under this Act are mutually consistent.

Advisory committee

SEC. 115. (a) The Secretary shall appoint a flood insurance advisory committee without regard to the civil service laws which shall consist of not more than fifteen persons selected from among representatives of the insurance industry and from among members of the public, and such committee shall advise the Secretary in the preparation of any regulations prescribed in accordance with this Act, with respect to policy matters arising in the administration of this Act, and shall perform such other responsibilities as the Secretary may, from time to time, assign to such committee.

(b) Members of the committee shall, while attending conferences or meetings thereof, be entitled to receive compensation at a rate fixed by the Secretary but not exceeding $100 per day, including travel time, and while so serving away from their homes or regular places of business they may be allowed travel expenses; including per diem in lieu of subsistence, as is authorized under 5 U.S.C. 5703, for persons in the Government service employed intermittently.

Initial program limitation

SEC. 116. The face amount of flood insurance coverage outstanding and in force at any one time under this Act shall not exceed the sum of $2,500,000,000.

Report to the President

SEC. 117. The Secretary shall include a report of operations under this Act in the annual report to the President for submission to the Congress required by section 8 of the Department of Housing and Urban Development Act.

TITLE II——ORGANIZATION AND ADMINISTRATION OF THE FLOOD INSURANCE PROGRAM

Organization and administration

SEC. 201. Following such consultation with representatives of the insurance industry as may be necessary, the Secretary shall implement the flood insurance program authorized under title I in accordance with the provisions of part A of this title, and if a determination is made by him under section 221, under part B of this title.

PART A—INDUSTRY PROGRAM WITH FEDERAL FINANCIAL ASSISTANCE

Industry flood insurance pool

SEC. 211. (a) The Secretary is authorized to encourage and otherwise assist any insurance company or companies and other insurers which meet the requirements prescribed under subsection (b), to form, associate, or otherwise join together in a pool—

(1) in order to provide the flood insurance coverage authorized under title I; and

(2) for the purpose of assuming, on terms and conditions as may be agreed upon, such financial responsibility as will enable such companies and other insurers, with the Federal financial and other assistance available under this Act, to assume a reasonable proportion of responsibility for the adjustment and payment of claims for losses under the flood insurance program.

(b) In order to promote the effective administration of the flood insurance program under this part, and to assure that the objectives of this Act are furthered, the Secretary is authorized to prescribed appropriate requirements for insurance companies or other insurers participating in such pool including, but not limited to, minimum requirements for capital or surplus or assets.

Agreements with flood insurance pool

SEC. 212. (a) The Secretary is authorized to enter into such agreements with any pool which is formed, associated, or otherwise created under this part, as he deems necessary to carry out the purpose of this Act.

(b) Such agreements shall specify—

(1) the terms and conditions under which risk capital will be available for the adjustment and payment of claims,

(2) the terms and conditions under which such pool (and the companies or other insurers participating therein) shall participate proportionately in premiums received and profits or losses realized or sustained, including the maximum amount of profit which may be realized by such pool (and the companies or other insurers participating therein),

(3) the terms and conditions under which operating costs and allowances prescribed under section 108 may be paid, and

(4) the terms and conditions under which premium equalization payments under section 215 will be made and reinsurance claims under section 216 will be paid.

(c) In addition, such agreements shall contain such provisions as the Secretary finds necessary to assure that—

(1) no company or other insurer which meets the requirements prescribed under section 211(b) and which has indicated an intention to participate in the flood insurance program on a risk-sharing basis, will be excluded from participating in any such pool,

(2) the companies or other insurers participating in such pool will take whatever action may be necessary to provide continuity of flood insurance coverage by such pool, and

(3) any insurance companies, other insurers, agents and brokers, and insurance adjustment organizations will be permitted to cooperate with such pool as fiscal agents or otherwise, on other than a risk-sharing basis to the maximum extent practicable.

Judicial review

SEC. 213. Such companies and other insurers which form, associate, or otherwise join together in a pool under this part may adjust and pay all claims for proved and approved losses covered by flood insurance in accordance with the provisions of this Act and, upon disallowance by any such companies or other insurers of any such claim, the claimant, within one year after the date of mailing of notice of disallowance of the claim, may institute an action on such claim against the companies or other insurers in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

Audit of accounts

SEC. 214. Any pool authorized to be formed, associated, or otherwise created under this part (and the companies or other insurers participating therein) shall maintain an integral set of accounts which shall be subject to audit by the Secretary.

Premium equalization payments

SEC. 215. (a) The Secretary shall, on such terms and conditions as he may from time to time prescribe, make periodic payments to such pool as may be formed, associated, or otherwise created under section 211, in recognition of such reductions in chargeable premium rates under section 105 below estimated premium rates under section 104(a)(1) as are required in order to make flood insurance available on reasonable terms and conditions.

(b) Such payments shall be based only on the aggregate amount of flood insurance retained by such pool after ceding reinsurance in accordance with the provisions of section 216, and shall not exceed an aggregate amount in any payment period equal to the sum of the following:

(1)(A) an amount for losses which bears the same ratio to the amount of all proved and approved claims for losses under this Act during any designated period as

(B) the amount equal to the difference between

(i) the sum of all premium payments for flood insurance coverage in force under this Act during such designated period which would have been payable during such period if all such coverage were based on estimated risk premium rates under section 104(a)(1) (excluding any administrative expenses which may be reflected in such rates, as specified in clause (ii) of section 104(a)(1)(B).

(ii) the sum of premium payments actually paid or payable for such insurance under this Act during such period,

bears to the amount specified in clause (1) of this subparagraph; and

(2) subject to the terms and conditions specified in the agreement entered into under section 212, a proportionate amount for appropriate operating costs and allowances prescribed under section 108 during any designated period, which bears the same ratio to a total amount during such period as the ratio specified in paragraph (1)(B).

(c) Designated periods under this section and the methods for determining the sum of premiums paid or payable during such periods shall be established by the Secretary.

Reinsurance coverage

SEC. 216. (a) The Secretary is authorized to take such action as may be necessary in order to make available to such pool as may be formed, associated, or otherwise created under section 211, reinsurance for losses (due to claims for proved and approved losses covered by flood insurance) which are in excess of losses assumed by such pool in accordance with the excess loss agreement entered into under subsection (c).

(b) Such reinsurance shall be made available pursuant to contract, agreement, or any other arrangement, in consideration of such payment of a premium, fee, or other charge as the Secretary finds necessary to cover anticipated losses and other costs of providing such reinsurance.

(c) The Secretary is authorized to negotiate an excess loss agreement, from time to time, under which the amount of flood insurance retained by such pool, after ceding reinsurance, shall be adequate to further the purposes of this Act, consistent with the objective of maintaining appropriate financial participation and risk sharing to the maximum extent practicable on the part of participating insurance companies and other insurers.

(d) All reinsurance claims for losses in excess of losses assumed by such pool shall be submitted on a portfolio basis by such pool in accordance with terms and conditions as may be established by the Secretary.

PART B—GOVERNMENT PROGRAM WITH INDUSTRY ASSISTANCE

Federal operation of the program

SEC. 221. If at any time after consultation with representatives of the insurance industry, the Secretary determines that operation of the flood insurance program as provided under part A cannot be carried out, or that such operation, in itself, would be assisted materially by the Federal government's assumption, in whole (or in part) of the operational responsibility for flood insurance under this Act (on a temporary or other basis) he shall promptly undertake any necessary arrangements to carry out the program of flood insurance authorized under title I through the facilities of the Federal government, utilizing, as may be practicable for purposes of providing flood insurance coverage, insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, as fiscal agents of the United States.

ADJUSTMENT AND PAYMENT OF CLAIMS

SEC. 222. In the event the program is carried out as provided in section 221, the Secretary shall be authorized to adjust and make payment of any claims for proved and approved losses covered by flood insurance, and upon disallowance by the Secretary of any such claim, the claimant, within one year after the date of mailing of notice of disallowance by the Secretary, may institute an action against the Secretary on such claim in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PART C—PROVISIONS OF GENERAL APPLICABILITY

Services by insurance industry

SEC. 231. (a) In administering the flood insurance program under this title, the Secretary is authorized to enter into any contracts, agreements or other appropriate arrangements as may, from time to time, be necessary for the purpose of utilizing, on terms and conditions which may be agreed upon, the facilities and services of any insurance companies or other insurers, insurance agents and brokers, or insurance adjustment organizations, and such contracts, agreements or arrangements may also include provision for payment of applicable operating costs and allowances for such facilities and services prescribed under section 108.

(b) Any such contracts, agreements, or other arrangements may be entered into without regard to the provisions of section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), or any other provision of law requiring competitive bidding.

Use of insurance pools, companies, or other private organizations for certain payments

SEC. 232. (a) In order to provide for maximum efficiency in the administration of the flood insurance program and in order to facilitate the expeditious payment of any Federal funds under the flood insurance program authorized by this Act, the Secretary may enter into contracts with any pool which may be formed, associated, or otherwise created under section 211, or any insurance companies or other private organizations, for the purpose of securing performance by such pool, company or organization of any or all of the following responsibilities:

(1) estimate and later determine any amounts of payments to be made;

(2) receive from the Secretary, disburse, and account for funds in making such payments;

(3) make such audits of the records of any insurance company, other insurers, agent or broker, or insurance adjustment organization, as may be necessary to assure that proper payments are made; and

(4) otherwise assist in such manner as the contract may provide to further the purposes of this Act.

(b) Any contract with any pool, insurance company, or other private organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate for carrying out responsibilities under subsection (a), and may provide for payment of any costs which the Secretary determines are incidental to carrying out such responsibilities which are covered by the contract.

(c) Any contract entered into under subsection (a) may be entered into without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

(d) No such contract may be entered into with any pool, insurance company, or other private organization under this section unless the Secretary finds that it will perform its obligations under the contract efficiently and effectively, and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds pertinent.

(e)(1) Any such contract may require such pool, company, or organization or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amount as the Secretary may deem appropriate.

(2) No individual designated pursuant to a contract under this section to certify payments shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

(3) No officer disbursing funds shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by an individual designated to certify payments as provided in paragraph (2) of this subsection.

(f) Any contracts entered into under this section shall be for a term of one year, and may be made automatically renewable from term to term in the absence of notice by either party of an intention to terminate at the end of the current term; except that the Secretary may terminate any such contract at any time (after reasonable notice to the pool, company or organization involved) if he finds that the pool, comapny, or organization has failed substantially to carry out the contract, or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the flood insurance program authorized under this Act.

Settlement and arbitration

SEC. 233. (a) The Secretary is authorized to make final settlement of any claims or demands which may arise as a result of any financial transactions which he is authorized to carry out under this title, and may, to assist him in making any such settlement, refer any disputes relating to such claims or demands to arbitration, with the consent of the parties concerned.

(b) Such arbitration shall be advisory in nature, and any award, decision, or recommendation which may be made shall become final only upon the approval of the Secretary.

TITLE III—COORDINATION OF FLOOD INSURANCE WITH LAND MANAGEMENT PROGRAMS IN FLOOD-PRONE AREAS

Identification of flood-prone areas

SEC. 301. The Secretary is authorized to consult with, receive information from, and to enter into any agreements or other arrangements with the Secretaries of the Army, the Interior, Agriculture, and Commerce, the Tennessee Valley Authority and the heads of other Federal departments or agencies (on a reimbursement basis), or the head of any State or local agency, in order that he may—

(1) identify and publish information with respect to all flood plain areas, including coastal areas located in the United States, which have special flood hazards, within five years following the effective date of this Act, and

(2) establish flood risk zones in all such areas, and make estimates with respect to the rates of probable flood-caused loss for the various flood risk zones for each of these areas, within fifteen years following such date.

Criteria for land management and use

SEC. 302. (a) The Secretary is authorized to carry out studies or investigations, utilizing the existing facilities and services of other Federal departments or agencies to the maximum extent practicable, and State and local governmental agencies, and any other organizations, with respect to the adequacy of State and local measures in flood-prone areas, as to land management and use, flood control, flood zoning, and flood damage prevention, and may enter into any contracts, agreements or other appropriate arrangements to carry out such authority.

(b) Such studies and investigations shall include, but not be limited to, laws, regulations, or ordinances relating to encroachments and obstructions on stream channels and floodways, the orderly development and use of flood plains of rivers or streams, floodway encroachment lines or flood plain zoning, building codes, building permits, and subdivision or other building restrictions.

(c) On the basis of such studies and investigations, and such other information as he deems necessary, the Secretary from time to time shall develop comprehensive criteria designed to encourage, where necessary, the adoption of permanent State and local measures which, to the maximum extent feasible will—

(1) constrict the development of land which is exposed to flood damage,

(2) guide the development of proposed construction away from locations which are threatened by flood hazards,

(3) assist in reducing damage caused by floods, and

(4) otherwise improve the long-range land management and use of flood-prone areas,

and shall work closely with and provide any necessary technical assistance to State, interstate, and local governmental agencies, to encourage the application of such criteria and the adoption and enforcement of such measures.

Purchase of certain insured properties

SEC. 3. The Secretary may, when he determines that the public interest would be served thereby, enter into negotiations with any owner of real property or interest therein which—

(1) was located in any flood-risk area, as determined by the Secretary;

(2) was covered by flood insurance under the flood insurance program authorized under this Act; and

(3) was damaged substantially beyond repair by flood; and may purchase such property or interests therein, for subsequent transfer, by sale, lease, donation, or otherwise, to any State or local agency which enters into an agreement with the Secretary that such property shall, for a period not less than forty years following transfer, be used for only such purposes as the Secretary may, by regulation, determine to be consistent with sound land management and use in such area.

TITLE IV.—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

Definitions

SEC. 401. As used in this Act, the term—

(1) "Flood" shall have such meaning as may be prescribed in regulations of the Secretary, and may include inundation from the overflow of streams, rivers, or other bodies of natural water, and from tidal surges, abnormally high tidal water, tidal waves, hurricanes, and other severe storms or deluge.

(2) "United States" (when used in a geographic sense), and "State", respectively, includes the District of Columbia, the territories and possessions, and the Commonwealth of Puerto Rico;

(3) "Insurance company", "other insurer", "insurance agents and brokers", and "insurance adjustment organizations" include any organizations and persons authorized to engage in the insurance business under the laws of any State (as "State" is defined in paragraph (2));

(4) "Person" includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons, including State and local governments and agencies thereof; and

(5) "Secretary" means the Secretary of Housing and Urban Development.

Studies of other natural disasters

SEC. 402. (a) The Secretary is authorized to undertake such studies as may be necessary for the purpose of determining the extent to which insurance protection against earthquakes or any other natural disaster perils, other than flood, is not available from public or private sources, and the feasibility of such insurance protection being made available.

(b) Studies under this section shall be carried out, to the maximum extent practicable, with the cooperation of other Federal departments and agencies and State and local agencies, and the Secretary is authorized to consult with, receive information from, and to enter into any necessary agreements or other arrangements with such other Federal departments or agencies (on a reimbursement basis) or State or local agencies.

Payments

SEC. 403. Any payments under this Act made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary may determine.

Government Corporation Control Act

SEC. 404. The provisions of the Government Corporation Control Act, as amended, shall apply to the program authorized under this Act to the same extent as applicable to wholly owned Government corporations.

Finality of certain financial transactions

SEC. 405. Notwithstanding the provisions of any other law to the contrary, any—

(1) financial transaction authorized to be carried out under this Act, and

(2) payment authorized to be made or to be received in connection with any such financial transaction,

shall be final and conclusive upon all officers of the Government.

Administrative expenses

SEC. 406. Any administrative expenses which may be sustained by the Federal Government in carrying out the flood insurance program authorized under this Act may be paid out of appropriated funds.

Appropriations

SEC. 407. (a) There are hereby authorized to be appropriated such sums as may from time to time be necessary to carry out this Act, including sums—

(1) to cover administrative expenses authorized under section 406;

(2) to reimburse the fund established under section 107 for

(A) premium equalization payments under section 215 which have been made from such fund; and

(B) reinsurance claims paid under the excess loss reinsurance coverage provided under section 216; and

(3) to make such other payments as may be necessary to carry out the purposes of this Act.

(b) All such funds shall be available without fiscal year limitation.

Effective date

SEC. 408. This Act shall take effect 120 days following the date of enactment, except that the Secretary, on the basis of a finding that conditions exist necessitating the prescribing of an additional period, may prescribe a later effective date which in no event shall be more than 180 days following such date of enactment.

The letter and section-by-section analysis, presented by Mr. WILLIAMS of New Jersey, are as follows:

THE SECRETARY OF HOUSING AND
URBAN DEVELOPMENT,
Washington, D.C., June 21, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There are submitted herewith for introduction copies of a proposed bill "To amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes", and copies of a section-by-section analysis of this legislation.

Enactment of this bill will carry out key recommendations contained in a report "Insurance and Other Programs for Financial Assistance to Flood Victims" transmitted to the President, as required by Section 5 of the Southeast Hurricane Disaster Relief Act of 1965 (P. L. 89–339).

In transmitting this report to the President, I pointed out, after analyzing alternative ways of helping flood victims, that flood insurance is feasible, can promote the public interest, and can complement other programs of the Federal government dealing with floods.

The President, in transmitting the report to the Congress observed that the report should be intensively reviewed both by Federal departments and agencies and the many interested groups and individuals throughout the nation, so that detailed proposals, including appropriate legislation, might be presented to the Congress. This review has taken place.

The proposed legislation reflects this review and focuses on the authorization of a program of flood insurance with significant private risk participation on the part of the property insurance industry.

The proposed legislation recognizes that owners of existing property already located in flood-prone areas are faced with the problem of recurring flood damages. For them, the legislation will provide insurance at less than the full actuarial premium rate. Such property owners can thereby share in the cost of occupying flood-prone areas yet protect themselves against flood losses with the payment of a premium which, while less than the full actuarial rate, is reasonable. As these existing properties become less numerous over time, the need for insurance at less-than-actuarial premium rates will decrease and the program should evolve toward a self-sustaining basis. The availability of flood insurance on this basis should limit the burden of special relief expenditures which the Congress has authorized in recent years after severe damage resulted from natural disasters.

To encourage the sound use of land exposed to flood damage, owners proposing to construct new properties in flood-prone areas would be charged full actuarial premiums when buying insurance on such properties. The proposed legislation would thus operate as a deterrent to unwise land use. This feature of the bill is essential to an effective program.

The proposed program would, of necessity, start slowly and would initially be restricted to those areas where available information permits the determination of actuarial rates. It would expand as additional areas with special flood hazards are identified, actuarial rates required in these areas are determined, and as appropriate land use controls are adopted to preclude improper use of the flood plain.

It is my belief that the flood insurance program which would be established under the proposed legislation would bring about significant benefits to disaster victims, while at the same time contributing to wiser use and sound management of flood plain lands.

We have been advised by the Bureau of the Budget that the enactment of this proposed legislation would be consistent with the Administration's objectives.

Sincerely yours,

ROBERT C. WOOD
(For Robert C. Weaver).

SECTION-BY-SECTION SUMMARY OF THE NATIONAL FLOOD INSURANCE ACT OF 1967

Section 1. Short Title: This section provides for the Act to be cited as the "National Flood Insurance Act of 1967".

Section 2. Findings and Declaration of Purpose: This section states Congressional findings and purposes, highlighting the fact that a flood insurance program is feasible, can be initiated, and should complement and encourage measures to prevent flood damage; that if the program is commenced on a gradual basis, time and experience will enable it to be reappraised and expanded to make flood insurance available to other persons needing it; that the program can be carried out most effectively through a cooperative effort on the part of the Federal government and the private insurance industry; and that a critical ingredient of such a program will be the encouragement of State and local governments to adopt land use regulations to govern the development of land exposed to flood damage. This section also calls for the President to submit to the Congress, within two years after the effective date of the Act, a unified national program for flood plain management, including any further proposals for the allocation of costs among beneficiaries of flood protection.

Section 3. Amendments to the Federal Flood Insurance Act of 1956: This section would repeal all sections of the now inactive Federal Flood Insurance Act of 1956 (for which program funds were never appropriated), *except* section 15(e). That section vested the Administrator of the Department's predecessor agency (the Housing and Home Finance Agency) with authority to borrow $500 million in the aggregate (or greater sums if authorized by the President) from the Secretary of the Treasury. Under section 106 of the bill, this authority would be made available to the Secretary of Housing and Urban Development to carry out certain responsibilities vested in him by the new flood insurance legislation.

TITLE I—THE NATIONAL FLOOD INSURANCE PROGRAM

Section 101. Basic Authority: This section would provide the basic authority for the Secretary of Housing and Urban Development to establish and carry out a program to facilitate the purchase of flood insurance to provide against physical damage to real or personal property resulting from flood.

This program would be implemented, to the maximum extent practicable, through arrangements for financial participation and risk-sharing by companies in the private insurance industry, and by other appropriate participation on a nonrisk-sharing basis by insurance companies, agents, brokers, or adjustment organizations.

Section 102. Scope of Program and Priorities: This section would authorize the flood insurance program to be made available initially for 1- to 4-family residential properties, and would authorize the Secretary to extend coverage of the flood insurance program when, on the basis of studies and other information, he determined that extension was feasible. Future coverage of the program could extend to any types and classes of (1) other residential properties, (2) business properties, (3) agricultural properties, (4) properties occupied by private nonprofit organizations, and (5) properties owned by State and local governments and agencies thereof.

Flood insurance would be made available only in those States or areas (or subdivisions of areas) which the Secretary determined had evidenced a positive interest in the flood insurance program, and had given satisfactory assurances that by June 30, 1970, permanent land use and control measures consistent with prescribed criteria for land management and use would have been adopted, and that application and enforcement of these measures would commence as soon as technical information on floodways and on controlling flood elevations is available.

Section 103. Nature and Limitation of Insurance Coverage: This section would authorize the Secretary, after consultation with a public-industry flood insurance advisory committee, and representatives of the State insurance commissioners, to provide by regulation for the general terms and conditions of insurability applicable to properties eligible for flood insurance. A representative organization of all State insurance authorities, such as the National Association of Insurance Commissioners, would undoubtedly be called upon for purposes of this consultation.

These terms and conditions would include the types and locations of eligible properties; the nature and limits of insurable losses; the classification, limitation, and rejection of risks; and appropriate minimum premiums and loss-deductibles (to prevent low-loss claims).

Insurance coverage for 1- to 4-family residential properties would be limited to $15,000 aggregate liability for any dwelling unit and $30,000 for any dwelling structure with more than one unit. Liability for contents would be limited to $5,000 per dwelling unit subject to an appropriate loss-deductible clause. For any other properties which may become eligible for flood insurance coverage in the future (such as small business properties), the aggregate liability for any single structure would be $30,000. Insurance coverage could be doubled under this section, but any excess over the above limits would require the payment of premium rates at full cost.

Section 104. Estimates of Premium Rates: This section would authorize the Secretary, on the basis of studies and investigations and on information from the government agencies most experienced in assessing the risks in flood plains, to estimate on an area, subdivision, or other appropriate basis (giving priority to those States or areas that have evidenced a positive interest in flood insurance), (1) risk premium (full-cost) rates for flood insurance, (2) the rate which would be reasonable, would encourage the purchase of flood insurance, and would be consistent with the purposes of the Act, and (3) the extent to which Federally assisted or other flood protection measures initiated after the effective date of the Act affect the estimates of rates mentioned in (1) and (2) above.

The Secretary would base estimates of risk premium rates on a consideration of the risks involved and accepted actuarial principles. The rates would reflect applicable operating costs and allowances of participating private insurers, and, on a discretionary basis, non-developmental Federal administrative expenses which may be incurred in carrying out the flood insurance program.

In conducting the necessary rate studies and investigations, the Secretary would utilize the services, on a reimbursement basis, of the Army Corps of Engineers, the Geological Survey, the Soil Conservation Service, the Environmental Science Services Administration, the Tennessee Valley Authority, and other appropriate Federal or State agencies.

Section 105. Establishment of Chargeable Premium Rates: This section would authorize the Secretary, after consultation with the flood insurance advisory committee and representatives of the State insurance authorities, and on the basis of rate estimate discussed above, to establish chargeable premium rates and the areas, terms and conditions for the application of such rates. In prescribing chargeable rates the Secretary would be guided by a number of factors, including the consideration of the respective risks involved, the differences in risks due to land use measures, flood proofing, flood forecasting and similar measures. The Secretary could, however, prescribe chargeable rates, at reasonable levels, lower than those computed on the above basis where necessary, in order to encourage the purchase of flood insurance.

Essentially, chargeable rates for existing properties will reflect either (1) the risk premium (full cost) rate estimated under section 104 or (2) the estimated "reasonable" rate under that section. In low risk areas the chargeable rate for existing properties would be the same or close to the estimated full cost rate. The higher the flood risk for an area, the lower the chargeable rate (if based on the estimated "reasonable" rate) would be in relation to the estimated full cost rate.

The chargeable rates would be stated so as to reflect their basis, including the difference (if any) from the estimated full cost risk premium rates.

In the case of property on which construction was started or substantially improved after identifications of flood plain areas which have special flood hazards have been published, the chargeable rate for insurance of such property in such area would not be less than the estimated (full cost) risk premium rate.

Where any chargeable premium rate is equal to the estimated risk premium for the area and includes an amount for administrative expenses of the Federal government in carrying out the flood insurance program, a sum equal to that amount would be paid to the Secretary.

Section 106. Treasury Borrowing Authority: This section would provide that the authority vested in the Housing and Home Finance Administrator by section 15(e) of the Federal Flood Insurance Act of 1956 (pertaining to the issue of notes or other obligations to the Secretary of the Treasury in the aggregate of $500 million), would be available to the Secretary in carrying out his responsibilities under this Act. Borrowed Treasury funds would be deposited in the National Flood Insurance Fund established under section 107 of the bill.

Section 107. National Flood Insurance Fund: This section would authorize the Secretary to establish in the U.S. Treasury a National Flood Insurance Fund. Premium equalization payments to private insurers, reinsurance claims of insurers, repayments of borrowed monies to the Secretary of the Treasury, and administrative expenses in carrying out the flood insurance program would be charged to the fund. The fund would also be available to finance the operation of the flood insurance program if the Secretary finds that it should, in whole or in part, be carried out through the facilities of the Federal government, including costs incurred in the adjustment and payment of loss claims and payment of applicable operating costs of private insurers.

The fund would be credited with (1) borrowed Treasury funds, (2) reinsurance premiums payable by private insurers, (3) amounts advanced to the fund from appropriations in order to maintain it at adequate levels, (4) interest on the investment of surplus amounts in the fund, (5) administrative expenses included in chargeable premium rates and which have been paid to the Secretary, and (6) receipts from other operations incident to the insurance program; and, in the event the flood insurance program is carried out through the facilities of the Federal government, the insurance premiums paid.

The Secretary would have to pay interest to the Secretary of the Treasury on any amounts paid from the fund for reinsurance payments to the private insurance industry.

This section would also provide for the investment of any surplus monies in the fund in obligations issued or guaranteed by the United States, if (1) all outstanding obligations have been liquidated, and (2) any outstanding amounts that have been advanced to the fund from an appropriation have been credited to that appropriation, with interest accrued at a rate based on the average current yield on outstanding marketable obligations of the United States of comparable maturities.

Section 108. Operating Costs and Allowances: This section would direct the Secretary to negotiate with appropriate representatives of the insurance industry, from time to time, for the purpose of prescribing a current schedule of operating costs applicable to risk-sharing and nonrisk-sharing participants in the program, and a current schedule of operating allowances applicable to risk-sharing insurers.

Operating costs would include (1) expense reimbursements covering the direct and necessary expenses of selling and servicing flood insurance coverage, (2) reasonable compensation or commissions payable for selling and servicing flood insurance coverage, (3) loss adjustment expenses, and (4) other direct and necessary expenses which the Secretary finds are incurred in connection with selling or servicing flood insurance.

Operating allowances would include amounts for profit and contingencies which the Secretary finds reasonable and necessary to carry out the purposes of the Act.

Section 109. Payment of Claims: This section would authorize the Secretary to prescribe regulations establishing methods for the adjustment and payment of claims for losses to property covered by insurance under the flood insurance program.

Section 110. Dissemination of Flood Insurance Information: This section would direct the Secretary to make information and data available to the public and to any State and local agency with regard to (1) the flood insurance program, its coverage and objectives, and (2) estimated risk and chargeable flood insurance premium rates, including the basis for and difference between such rates.

Section 111. Prohibition Against Certain Duplications of Benefits: This section would prevent Federal disaster assistance from being made available to compensate for any loss to the extent it is covered by flood insurance, or could have been covered (at the maximum limits) if flood insurance was available more than one year prior to the loss.

"Federal disaster assistance" would include any Federal financial assistance made available to any person as a result of (1) a major disaster, as determined by the President pursuant to "An Act to authorize Federal Assistance to State and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g); (2) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961; (3) a disaster with respect to which loans may be made under section 7(b) of the Small Business Act.

This section would also make the term "financial assistance" as used in section 10 of the Disaster Relief Act of 1966 (which directs that Federal assistance programs be administered to avoid duplication of benefits) be deemed to include flood insurance.

Section 112. State and Local Land Use Controls: This section would provide that after June 30, 1970, no new flood insurance coverage (including renewals) would be provided in any area unless an appropriate public body had adopted permanent land use and control measures, with effective enforcement provisions, which the Secretary finds consistent with the comprehensive criteria for land management and use prescribed under the Act.

Section 113. Properties in Violation of State and Local Law: This section would prohibit any new flood insurance (including renewals) for property duly declared to be in violation of State or local laws, regulations, or ordinances intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Section 114. Coordination with Other Programs: This section would direct the Secretary to consult with other Federal agencies, and interstate, State and local agencies having responsibilities for flood control, flood forecasting, and flood damage prevention, in order to assure mutual consistency between the programs of these agencies and the flood insurance program.

Section 115. Advisory Committee: This section would direct the Secretary to appoint a flood insurance advisory committee composed of up to 15 representatives from the insurance industry and the public. The committee would advise the Secretary with respect to policy matters and in the preparation of regulations prescribed in accordance with this Act. Committee members, while attending meetings, would be compensated at a rate fixed by the Secretary but not exceeding $100 a day and would in addition receive travel and living expenses when serving away from their homes or regular places of business.

Section 116. Initial Program Limitation: This section would provide that the face amount of flood insurance coverage outstanding and in force at any given time could not exceed $2,500,000,000.

Section 117. Report to the President: This section would direct the Secretary to include a report on the operations of the flood insurance program in his annual report to the President for submission to the Congress.

TITLE II—ORGANIZATION AND ADMINISTRATION OF THE FLOOD INSURANCE PROGRAM

Section 201. Organization and Administration: This section would direct the Secretary after such consultation with representatives of the insurance industry as may be necessary, to implement the flood insurance program in accordance with part A of this title—providing for an industry program with Federal financial assistance—or, if he finds it necessary, in accordance with part B providing for a Federal program with industry assistance.

Part A—Industry program with Federal financial assistance

Section 211. Industry Flood Insurance Pool: This section would authorize the Secretary to encourage and assist private insurers to join together in a pool to provide flood insurance coverage and to participate financially in underwriting the risks assumed and in adjusting and paying claims for losses.

The Secretary would authorize to prescribe appropriate requirements for private insurers participating in the pool, including minimum capital or surplus or assets requirements.

Section 212. Agreements with Flood Insurance Pool: This section would authorize the Secretary to enter into agreements with a pool to specify the terms and conditions under which (1) risk capital would be available for the adjustment and payment of claims, (2) the pool and its participants would participate proportionately in premiums received and profits or losses, including the maximum amount of profit which might be realized, (3) operating costs and allowances might be paid, and (4) premium equalization payments and reinsurance claims would be paid.

The agreements would also contain such provisions as the Secretary finds necessary to assure that (1) no qualified insurer wishing to participate in the pool would be excluded, (2) insurers participating in the pool would provide continuity of flood insurance coverage by the pool, and (3) other insurance companies, agents and brokers would to the maximum extent practicable be permitted to cooperate with the pool as fiscal agents or otherwise on a non-risk-sharing basis.

Section 213. Judicial Review: This section would authorize private insurers participating in a pool to adjust and pay claims for losses and would permit any claimant, upon disallowance of a claim, to institute an action, within one year after notice of disallowance was mailed, in the U.S. district court for the district in which the insured property or the major portion of it was situated. Jurisdiction would be conferred on the district court without regard to the amount in controversy. Claimants could also avail themselves of legal remedies in State courts.

Section 214. Audit of Accounts: This section would require any pool and its participating insurers to maintain an integral set of accounts subject to audit by the Secretary.

Section 215. Premium Equalization Payments: This section would direct the Secretary to make periodic payments to the pool of insurers in recognition of any reductions made in chargeable premium rates under estimated risk premium rates in order to provide flood insurance on reasonable terms. Payments could be made for (1) losses and (2) operating costs and allowances.

Payments for a share of the claims paid in a given period would be based on the aggregate amount of flood insurance retained by the pool after ceding reinsurance in accordance with section 216, and would not exceed in any payment period an amount determined by the following ratio:

$$\frac{\text{periodic payments}}{\text{proved and approved claims in the designated period}}$$

(equals)

$$\frac{\text{estimated risk premiums less chargeable premiums for the period}}{\text{estimated risk premiums for the period}}$$

(Any Federal administrative expenses reflected in estimated risk premiums would be excluded for purposes of this computation.)

To illustrate, assume that in a single period payable insurance claims amounted to $1.5 million, that premiums charged amounted to $1 million, and that estimated risk premiums amount to $3 million. The Federal payment would be up to $1 million. Let X equal the periodic payment.

$$\frac{X}{1.5} = \frac{3-1}{3} = \frac{2}{3}$$

then X equals $1 million

Subject to the limiting terms and conditions of the basic agreement between the Secretary and the pool under section 212, the Secretary would also be authorized to make payments to the pool for a proportionate amount of "applicable" operating costs (including only administrative expenses) and allowances on the same ratio basis as used to determine the sharing of claim payments.

The Secretary would be authorized to establish designated pay periods and the methods for determining the sum of premiums paid or payable during such periods.

Section 216. Reinsurance Coverage: This section would authorize the Secretary to negotiate an excess loss agreement with the insurance industry pool whereby claims above a certain limit would be submitted to the Secretary on a portfolio basis and paid by the Federal government. Reinsurance premiums would be paid by the pool during those periods when claims and expenses of underwriting for which the private companies were responsible and profit allowances did not absorb all collected premiums and would be equal to the remaining premiums collected.

The reinsurance program would be designed to ensure that the private insurance industry bears a share of the losses consistent with the objectives of the flood insurance program, but would recognize that even with premium equalization payments to the pool, it cannot bear its proportionate share of heavy or catastrophic losses above a stipulated amount of risk capital and that excess risk must be borne by the Federal government.

Part B—Government Program with Industry Assistance

Section 221. Federal Operation of the Program: This section would authorize the Secretary, after consultation with representatives of the insurance industry and after making a determination that the flood insurance program cannot be effectively carried on through the insurance pool, to take the necessary steps to operate the program through the facilities of the Federal government, and to utilize, to the extent practicable, insurers, agents, brokers, and adjustment organizations as fiscal agents of the United States.

Section 222. Adjustment and Payment of Claims: This section would authorize the Secretary to adjust and pay claims, and would authorize any claimant, upon disallowance of a claim, to institute an action, within one year after notice of disallowance was mailed, in the U.S. district court for the district in which the insured property or the major portion of it was situated. Jurisdiction would be conferred on the district court without regard to the amount in controversy.

Part C—Provision of general applicability

Section 231. Services by Insurance Industry: This section would provide the necessary legal authority for the Secretary to enter into the necessary arrangements with the private insurance industry in order to implement the flood insurance program, including provisions for payment of applicable operating costs and allowances for such facilities and services.

Such arrangements would be exempted from any provisions of Federal law requiring competitive bids or requiring that contracts or purchases of supplies or services by the Federal government be made only after advertisement is provided for a sufficient time to allow competitive proposals to be made.

Section 232. Use of Insurance Pools, Companies, or other Private Organizations for Certain Payments: This section would authorize the Secretary, in order to achieve maximum efficiency in the administration of the flood insurance program, to enter into contracts with a pool, insurance companies or other private organizations he finds acceptable to assume certain responsibilities on a reimbursement basis, including (1) estimating and determining amounts of Federal payments, (2) receiving from the Secretary, disbursing, and accounting for funds in making such payments, and (3) auditing participating insurers, agents, brokers, or adjustment organizations, as may be necessary to assure that proper payments are made.

The Secretary would be authorized to require a surety bond from any organization performing such responsibilities and any of its officers and employees. No individual designated to certify payments would be liable with respect to payments certified by him in the absence of gross negligence or intent to defraud the United States. No officer disbursing funds in accordance with a proper certification of payments would be liable with respect to such payments in the absence of gross negligence or intent to defraud the United States.

Contracts would be automatically renewable from year to year in the absence of notice from either party as to termination, except that the Secretary may terminate a contract after reasonable notice if he determines that the other party has substantially failed in its obligations or is carrying them out in a manner inconsistent with the efficient and effective administration of the flood insurance program.

Contracts authorized by this section would be exempted from any provisions of Federal law requiring competitive bidding or requiring that contracts or purchases of supplies or services by the Federal government be made only after advertisement is provided for a sufficient time to allow competitive proposals to be made.

Section 233. Settlement and Arbitration: This section would authorize the Secretary to make final determination and settlement of any claims arising from financial transactions he is authorized to carry out. The Secretary would be authorized to refer disputes to arbitration, which would be advisory in nature.

TITLE III—COORDINATION OF FLOOD INSURANCE WITH LAND MANAGEMENT PROGRAMS IN FLOOD-PRONE AREAS

Section 301. Identification of Flood-Prone Areas: This section would authorize the Secretary, utilizing the Army Corps of Engineers, the Geological Survey, Soil Conservation Service, the Environmental Science Services Administration, TVA, and other Federal, State or local agencies, to identify and publish information within five years after the effective date of the Act with respect to all flood plain areas, including coastal areas in the United States, which have special flood hazards; and to establish, within 15 years, flood risk zones in such areas and to make estimates with respect to the rates of probable flood-caused loss for the various flood risk zones for each of these areas. For purposes of facilitating these identification responsibilities, the Secretary could utilize interagency procedures such as could be developed by such agencies of the Federal government with coordinating responsibilities as the Water Resources Council.

Section 302. Criteria for Land Management and Use: This section would authorize the Secretary to carry out studies or investigations with regard to the adequacy of State and local measures in flood-prone areas, as to land management and use, flood control, flood zoning, and flood damage prevention. These studies and investigations would deal with laws, regulations, or ordinances relating to encroachments and obstructions on stream channels and floodways, the orderly development and use of flood plains of rivers or streams, floodway encroachment lines or flood plain zoning, building codes, building permits, and subdivision or other building restrictions.

Based on the studies and investigations, the Secretary would be authorized to develop comprehensive criteria designed to encourage, where necessary, the adoption of permanent State or local measures which will lessen the exposure of property and facilities to flood losses, improve the long-range land management and use of flood-prone areas, and inhibit, to the maximum extent feasible, unplanned and economically unjustifiable future development in such areas.

The Secretary would also work closely with and provide any necessary technical assistance to State, interstate, and local governmental agencies to encourage the application of such criteria and the adoption and enforcement of such measures as may be necessary to help in reducing any unnecessary damages resulting from floods.

Section 303. Purchase of Certain Insured Properties: This section would authorize the Secretary to negotiate with owners of real property covered by flood insurance, located in any flood-risk area, and damaged substantially beyond repair by flood, for the purchase of such property for subsequent transfer to State or local agencies which agree to use the property for at least 40 years for only such purposes as the Secretary may, by regulation, determine to be consistent with sound land management and use.

TITLE IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

Section 401. Definitions: This section would define (1) "flood" as having such meaning as prescribed in regulations of the Secretary, and may include inundation from the overflow of streams, rivers, or other bodies of natural waters, and from tidal surges, abnormally high tidal water, tidal waves, hurricanes, and other severe storms or deluge; (2) "United States" and "State" as including the District of Columbia, the territories and possessions, and the Commonwealth of Puerto Rico; (3) "insurance company", "other insurers", "insurance agents and brokers", and "insurance adjustment organizations," as organizations or individuals authorized to engage in the insurance business under the laws of any state; (4) "person" as any individual, group of individuals, corporation, partnership, association, or other organized group, including State local governments and agencies; (5) "Secretary" as the Secretary of Housing and Urban Development.

Section 402. Studies of Other Natural Disasters: This section would authorize the Secretary to make studies to determine the extent to which insurance protection against earthquakes or other natural disasters is not available and the feasibility of making such insurance protection available. Studies would be made in cooperation with other Federal, State or local agencies, and the Secretary would be authorized to enter into agreements for the conduct of such studies with other Federal agencies, on a reimbursement basis, or with State and local agencies.

Section 403. Payments: This section vests discretion in the Secretary to make payments in advance of their actual need, or by way of reimbursement. Because of the possibility of large sums of money which could be involved in the flood insurance program, it will be necessary to make advances in certain situations so that the industry will not be required to pay large claims in advance of the receipt of Federal funds due them. For this reason, it is contemplated that with such authority to make advance payments, the letter of credit method recommended by the Department of the Treasury for similar situations will be adopted in making premium equalization payments and in paying reinsurance claims where large advance payments that will involve Federal liability have to be made by the participating private insurance companies.

Section 404. Government Corporation Control Act: This section would make the provisions of the Government Corporation Control Act applicable in the administration of the flood insurance program to the same extent as applicable to wholly owned Government corporations.

Section 405. Finality of Certain Financial Transactions: This section would provide that any financial transaction under this Act or payment received or made in connection with it shall be final and conclusive upon all officers of the Government.

Section 406. Administrative Expenses: This section would provide that any administrative expenses of the Federal Government in carrying out the flood insurance program may be paid out of appropriated funds.

Section 407. Appropriations: This section would authorize, without fiscal year limitation, the appropriations necessary to carry out the flood insurance program, including sums to cover administrative expenses and to reimburse the National Flood Insurance Fund for premium equalization payments and reinsurance claims paid out of the Fund.

Section 408. Effective Date: This section would provide for the Act to become effective 120 days following the date of enactment, except that the Secretary would be authorized to extend the effective date up to 180 days after enactment if he finds conditions necessitate a long preparatory period.

Mr. BENNETT. Mr. President, I join in the cosponsorship of this proposed legislation to amend the Federal Flood Insurance Act of 1956, because it is an approach to a solution of a problem which we all recognize as a serious problem.

For many years there have been discussions regarding what could be done to assist those who are so unfortunate as to be involved in a flood disaster. Studies have been made and various proposals put forth; yet, to date, no satisfactory solution has been agreed upon. Almost every year we have a flood disaster, and the Federal Government moves in after the fact to provide some type of assistance in cases where the President makes the determination of a disaster area. I feel that this is a haphazard and unfair approach to a problem which can strike almost any area. I think that it is unfair, because unless the damage is to a sufficient amount of property that the area is declared a disaster area, no assistance is provided. And yet for the individual homeowner, if his property is destroyed or virtually destroyed, the burden is just as great, regardless of the amount of other property destroyed by the disaster.

From my discussions with the insurance industry, I have come to the conclusion that because some areas are so much more prone to floods than others, floods present an uninsurable risk under present circumstances. I feel, therefore, that it is necessary to develop some type of program in which the insurance industry is able to accept the normal risk with a backstop by the Federal Government.

I believe that this bill presents a reasonable approach, and that it is the basis for hearings and additional study upon which a final program can be formulated. The insurance industry has participated throughout the development of this bill and the industry's suggestions have had a major influence on this proposal. I find, however, in my contacts with industry representatives that they have not had the opportunity to see or study the final proposal, and since revisions were apparently being made right up until its introduction, they have not been able to give their full support nor have they been able to discuss specific segments of the proposal which may not be in accordance with their views. Since the only draft of this bill which I have seen also had the words "Under Revision" written across the top of the first page, I, too, am unable to endorse the bill or to make detailed comments on its provisions.

I can say, however, that I endorse the principle of a meaningful partnership between the private insurance industry and the Federal Government in this particular case. The bill authorizes two alternatives for a national program of flood insurance. One of these would have a great degree of private industry risk participation. In the other alternative, private companies would be only agents for the Federal Government. I do not see any reason why legislation needs to be passed authorizing two alternatives. We should decide what we consider best and approve it. I feel that the first alternative is the most reasonable, since I prefer that the Federal Government do only that which private industry is unable to do.

In order to have a meaningful flood insurance program, it appears necessary that some zoning regulations be put into effect. It is difficult to set up a program whereby individuals who build in areas which are flood prone can be insured. The present bill provides for land use controls and zoning regulations by local areas. If such zoning is not accomplished, the individuals residing in the area would be unable to participate in this proposed program. It is possible that this zoning provision will be the most controversial section of the legislation. Certainly, it can be argued that one should not be restricted from building anywhere he desires, but if he intentionally builds in an area which is prone to a certain disaster and which has been so zoned by a State or locality, he should be willing to take that risk.

I look forward to our hearings on this legislation in order that we might thoroughly discuss its problems and potentials, and I hope that we are able to agree on a meaningful program which will provide protection and assistance to those who are victims of floods, while leaving as much responsibility and flexibility with private industry.

FEDERAL REGULATION OF THE TRAVEL AGENCY INDUSTRY

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry. The bill would extend regulation to the sale of all forms of interstate transportation and related services for profit by travel agencies and other persons. The principal provisions of the bill are as follows:

First. There would be established in the Department of Transportation a Bureau of Travel Agents Registration supervised by a Director of Travel Agents Registration.

Second. A Travel Agents Registration Board, composed of representatives of the CAB, ICC, FMC, the general public, and the travel agency industry, would screen those wishing to engage in the travel agency business. Those travel agents approved by the Board would be issued registration certificates by the Director of Travel Agents Registration.

Third. It would be unlawful to engage in the travel agency business without a registration certificate. Any person who knowingly and willfully violates any provision of the law or any order, rule or regulation issued pursuant to it, would be subject to fines of not more than $500 for the first offense or imprisonment of not more than 6 months, or both. For subsequent offenses, a fine of $2,000 or imprisonment of 2 years would be possible.

Fourth. Applicants for registration would be required to demonstrate financial responsibility and competence. The Registration Board would have the authority to require an examination of applicants.

Fifth. A grandfather clause would grant registration certificates to agents in business for 2 years on the date of the passage of the act when they have been approved by two or more conferences of air or steamship carriers for 2 or more years, unless the Director makes a specific determination that the applicant lacks good character or financial integrity.

Sixth. The Director would have the authority to promulgate a code of ethics for the entire travel agency industry, with the advice and consent of the Board. Registration certificates would be suspended or revoked and/or a fine imposed for unethical conduct by a registrant.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1987) to amend the International Travel Act of 1961 to provide for Federal regulation of the travel agency industry, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

EQUAL TAX TREATMENT FOR COMMUNITY PROPERTY STATES

Mr. KUCHEL. Mr. President, I introduce today legislation aimed at correcting a grave inequity in the Internal Revenue Code. This inequity was determined to exist by a recent ruling from the Internal Revenue Service in the area of Federal estate taxation. The decision results in a tax formula which clearly discriminates against residents of California and the other community property States of the Nation.

The Constitution requires that the Congress enact uniform tax laws throughout the United States. In light of this requirement, I do not believe it was the intent of Congress to treat, for estate tax purposes, the property in the eight community property States differently from the property in the remaining 42 States of the Union.

In the recent California tax case of Estate of Kemp, the Internal Revenue Service placed residents of community property States at a distinct disadvantage with regard to the taxation of benefits from various forms of profit-sharing plans.

Section 2039(c)(1) of the Internal Revenue Code reads as follows:

> (c) Exemption of Annuities Under Certain Trusts and Plans.—Notwithstanding the provisions of this section or of any provision of law, there shall be excluded from the gross estate the value of an annuity or other payment receivable by any beneficiary (other than the executor) under—
>
> (1) an employees' trust (or under a contract purchased by an employees' trust) forming part of a pension, stock bonus, or profit-sharing plan which, at the time of the decedent's separation from employment (whether by death or otherwise), or at the time of termination of the plan if earlier, met the requirements of section 401(a);

The typical case affected by the terms of this Section is where a husband, participating in a qualified profit-sharing plan at his place of employment, designates his wife to receive the benefits of the plan in the event of his death. Section 2039(c) would exclude from the estate of the husband, for Federal estate tax purposes, the amount payable to his wife under the qualified profit-sharing plan. The purpose is to relieve the surviving spouse of the difficult burden of paying a substantial Federal estate tax on funds which the husband has set aside for her benefit.

The inequity affecting community property States occurs when the nonemployee spouse, the wife in the above case, dies first. In the noncommunity property State, since no benefits were paid to the wife, the funds from the profit-sharing plan remain the separate property of the husband and are not includable in the wife's estate. In these

42 States, the surviving hubsand is not overburdened with a Federal estate tax on funds never received by his deceased wife.

In California, however, and in the seven other community property States—Arizona, Idaho, Louisiana, Nevada, New Mexico, Texas, and Washington—the Internal Revenue Service has ruled that such funds are includable in the wife's estate, and the husband is forced to pay a Federal estate tax on money which the wife has never received.

In the Estate of Kemp case, IRS contended that the wife, under the California community property laws, had a one-half interest in the funds of the profit-sharing plan and that this interest therefore was taxable for estate tax purposes. The surviving spouse, only in the few community property States, is placed at a distinct disadvantage because of this interpretation of section 2039(c).

As the IRS ruling in the Kemp case concluded:

> In view of the clear language of section 2039(c), it is difficult to insert into that section words which would equalize treatment of qualified plans under both property systems. If that indeed is the congressional goal, then an amendment of the statute to express explicitly such an intent would be necessary.

I believe that equal treatment for all States was the intent of the Congress in this matter and therefore, am introducing legislation to explicitly eliminate the existing injustice.

I ask that the legislation be appropriately referred, and I ask unanimous consent that the full text of the bill be printed at this point in the Record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1991) to amend the Internal Revenue Code of 1954 with respect to the estate tax treatment of certain interests created by community property laws in employees' trusts and retirement annuity contracts, introduced by Mr. Kuchel, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

S. 1991

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2039 of the Internal Revenue Code of 1954 (relating to estate tax treatment of annuities) is amended by adding at the end thereof the following new subsection:

"(d) Exemption of Certain Interests Created by Community Property Laws.—In the case of a decedent who was the spouse of an employee on whose behalf contributions or payments were made by his employer or former employer under a trust or plan described in subsection (c) (1) and (2), or toward the purchase of a contract described in subsection (c)(3), which under subsection (c) are not considered as contributed by the employee, there shall be excluded from the gross estate of the decedent the value of any interest of the decedent in any annuity or other payment receivable by any beneficiary (other than the executor) under such trust or plan or such contract, to the extent such interest—

"(1) is attributable to such contributions or payments, and

"(2) arises by reason of the community property laws of a State. For purposes of this subsection, an interest of a decedent shall be considered as arising by reason of the community property laws of a State only to the extent such laws treat contributions or payments described in the preceding sentence made by an employer or former employer on behalf of an employee as income of the spouse of such employee."

(b) The amendment made by subsection (3) shall apply with respect to estates of decedents for which the date prescribed for the filing of the estate tax return (determined without regard to any extension of time for filing) occurs on or after June 1, 1965.

STAMP COMMEMORATING WOMEN'S RELIEF CORPS

Mr. **CARLSON**. Mr. President, research analysts tell us that the first local organization of women established for active cooperation with the Grand Army of the Republic was formed at Portland, Maine, in 1869, under the title "Bosworth Relief Corps," as an auxiliary to the Bosworth Post of the GAR of that city.

The first State organization of these women's societies was established at Fitchburg, Mass., in April 1879, under the name "Women's Relief Corps."

Proposals had been made in the national encampment of the GAR at various times to encourage the formation of the women's societies, but nothing was done by that body until 1881, when the chaplain in chief, Joseph F. Lovering, urged the duty of giving them official recognition. A resolution approving the work of the Woman's Relief Corps was adopted, and they were authorized to add to their title the phrase, "Auxiliary to the Grand Army of the Republic."

In 1883, Paul Van Der Voort, commander in chief of the GAR, invited all the existing women's auxiliaries to send representatives to Denver, Colo., at the time of the meeting of the national encampment, to consult concerning the establishment of a national organization. This meeting convened on July 25, 1883, with Mrs. E. Florence Barker, president of the Massachusetts organization, presiding.

There was general agreement on the advisability of forming a national organization, but there was some objection to the Massachusetts eligibility clause, which opened the membership to all loyal women, irrespective of kinship to Union veterans. The Massachusetts plan was finally adopted.

The organization thus effected was approved by the national encampment by the adoption of the following resolution:

> *Resolved,* that we cordially hail the organization of the Women's Relief Corps and extend our greeting to them. We return our warmest thanks to the loyal women of the land for their earnest work, support and encouragement, and bid them God speed in their patriotic work.

The announced objects of the organization were:

> To specially aid and assist the Grand Army of the Republic and to perpetuate the memory of their heroic dead. To assist such Union veterans as need our help and protection, and to extend needful aid to their widows and orphans. To find them homes and employment, and assure them of sympathy and friends. To cherish and emulate the deeds of our army nurses, and of all loyal women who rendered loving service to their country in her hour of peril. To inculcate lessons of patriotism and love of country among our children, and in communities in which we live. To maintain true allegiance to the United States of America. To discountenance whatever tends to weaken loyalty and to encourage the spread of universal liberty and equal rights to all men.

Therefore, Mr. President, in honor of this patriotic organization and in commemoration of its historic founding, I am introducing a bill calling for a commemorative stamp. I ask that the bill be appropriately referred.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 1992) to provide for the issuance of a special postage stamp in commemoration of the 100th anniversary of the Woman's Relief Corps, introduced by Mr. Carlson, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

NATIONAL SERVICE LIFE INSURANCE FOR VIETNAM VETERANS

Mr. **HARTKE**. Mr. President, I am today introducing a bill to extend to veterans of the Vietnam conflict the same opportunities for securing national service life insurance as were afforded to World War II veterans.

Under the present law, the veteran who is separated from the service loses his $10,000 Government life insurance policy unless he converts to a contract with a private carrier within 120 days. My bill will make it possible for him to apply within the same length of time, to pay the required premium, and to be issued a national service life insurance policy if he prefers rather than to convert to private carrier insurance. However, if he does the latter, his national service life insurance policy may not exceed the difference between the value of the private carrier policy and $10,000. In other words, his total permitted will be $10,000 whether all Government insurance, or a combination with the other option.

Eligible veterans are those who, as in other legislation now in force dealing with those serving in the Vietnam era, have been members of the Armed Forces on active duty for more than 90 days since August 5, 1964. For participation in national service life insurance it will not be necessary to pass a health requirement test.

Mr. President, this bill takes us back to exactly parallel opportunities to those afforded veterans of World War II. As the law is now written the Vietnam veteran, if he wishes to continue his insurance, must make a sizable commitment of funds at exactly the time he is resuming civilian life. Those first few months are vital to him. In that time he will be seeking employment, entering college, perhaps getting married and buying a home and furniture. Our returning servicemen should be able to hold onto their insurance on a term policy basis if they so desire, with minimal monthly outlays, just as their fathers or uncles were able to do after World War II.

I ask unanimous consent that the text of the bill may appear in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1993) to provide for the granting of national service life insurance to Vietnam conflict veterans, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1993

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 19 of title 38, United States Code, is amended by adding after section 776 thereof a new section as follows:

"§ 777. Applications for National Service Life Insurance.

"(a) Notwithstanding the provisions of section 768 of this chapter and effective on the day of enactment of this section, any eligible veteran may, within one hundred and twenty days after his discharge from active military, naval or air service and upon (1) application to the Administrator of Veterans' Affairs, (2) payment of the required premium, and (3) without meeting any requirement of good health, be issued a policy of National Service Life Insurance under the same terms and conditions as were applicable to policies issued under the provisions of section 602(c)(2) of the National Service Life Insurance Act of 1940 prior to the repeal thereof.

"(b) Insurance issued under this section shall be subject to the $10,000 limitation prescribed in section 703 of this title; and no veteran may be insured under a policy of insurance converted pursuant to section 768 of this title and under a policy of National Service Life Insurance issued under this section if the combined amount of insurance under such policies exceeds $10,000.

"(c) Notwithstanding any other provision of this section, any eligible veteran who was discharged prior to the date of enactment of this section shall have one hundred and twenty days after such date to make application for insurance under this section.

"(d) As used in this section the term 'eligible veteran' means any person who served on active duty for a period of more than ninety days any part of which occurred during the Vietnam conflict and who was discharged or released therefrom under conditions other than dishonorable; and the term 'Vietnam conflict' means the period beginning on August 5, 1964, and ending on such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress."

SEC. 2. The table of sections at the beginning of chapter 19 of title 38, United States Code, is amended by inserting immediately after

"776. Effective date."

the following:

"777. Applications for National Service Life Insurance."

RESTORING THE TRANSFER TAX ON SILVER BULLION

Mr. HARTKE. Mr. President, we are in the midst of an anomalous situation with respect to silver, one in which the May 18 action of the Treasury in halting sales of its free silver stocks to all but domestic industrial users has brought about a split price. The scandal of the situation, in which speculators bought madly in high volume from the Treasury before it closed the door to them, is that these people, holding to their silver bullion purchased at the $1.29 Treasury price for sale at the second far higher price of the free silver market, stand to make a killing on the operations of the U.S. Treasury. At the same time, the Treasury itself gains nothing, and in fact loses the potential it might have had for profit on its own stocks of silver.

The answer to this situation, or at least a partial answer, is to restore a law which was unwisely and prematurely repealed in 1963. This is the tax on transfers of silver bullion. Originally adopted as subchapter F of the Internal Revenue Code, it came into being at the time of adoption of the Silver Purchase Act of 1934. At that time, a very comparable situation existed. The Silver Purchase Act authorized the Treasury to purchase silver at an artificial price more than a third above the current world market price. The windfall for speculators was curbed by Secretary of the Treasury Henry Morgenthau, Jr., through the inclusion of a special tax of 50 percent on profits accruing during a period in which silver, having been purchased at lower price, was transferred at a higher price. The situation, in words as apt now as at that period, is described in volume II of the Morgenthau Diaries, "Years of Crisis 1928–1938," edited by John Morton Blum. On page 187 of that volume are these words:

> (The 1934 Silver Purchase Act included) a tax of 50 per cent on the profits from domestic silver trading. Its purpose was to limit the gains of those who had brought silver speculatively and then lobbied for a subsidy. As the Secretary (Mr. Morgenthau) told the press, "we are not going to let fifteen or twenty people clean up 25 or 50 million dollars through a monetary program of the Government."

As often happens, history again is repeating itself in a slightly different form. Today's quotations of the silver futures market, as reported in the New York Times, show a steady rise in every month for the next 6 months. With the Treasury price at $1.29, the July contract price on the New York silver market closed yesterday at $1.71. Each successive month shows a higher figure, until the price for January 1968 reaches more than $1.77.

An article in the June 12, 1967, issue of the financial publication Barron's, written by Henry V. Kadri, discusses the silver market. Mr. Kadri observes that it is impossible to tell what the ultimate results will be. He says:

> Where the price of silver will settle is the market's multimillion-dollar question.

Those who stand to make a big killing, and some have done so already, are those who bought silver from the Treasury in those last days of speculation during the first half of May just before the sale was restricted. Speculators who acquired silver at the $1.29 price then could, and many did, turn around and sell it the day after the Treasury policy change—at $1.45 an ounce. On the London Metal Exchange, silver for immediate delivery, unhampered by the 5-cent-in-1-day limit of the New York market, soared 21 cents an ounce in a single day, the biggest advance since the devaluation of sterling in 1949.

But it is highly unlikely that, although it is impossible to lock the barn after the horse is stolen, there may be some horses still in the barn and a padlock now might do some good. I mean by that a reference to the futures market, to which some of this low-price pre-May 18 Treasury bullion is committed but not yet actually transferred by delivery. To restore the 50-percent transfer tax immediately would at least make these speculators divide their windfall with the U.S. Treasury, which was its true provider. While it is expected that we may, and certainly we must, eliminate the two-price system in perhaps a year or so, until the laws are changed some speculators are making a killing while legitimate silver users are caught in a squeeze. Restoring the silver bullion transfer tax will improve the situation.

Although the history of our silver policy is by now fairly well known to those who have concerned themselves with its recent turns, perhaps a short summary is in order as background for the measure I am today proposing.

After passage of the 1934 Silver Purchase Act, the Treasury continued to buy from all who wished to sell it silver at an above-market price. Between 1934 and 1959 we purchased 3 billion ounces at an average price of 58.7 cents per ounce. But after World War II the demand for silver, outpacing new production, began to reverse the process. Last year U.S. consumption by industry and the arts totaled an estimated 150 million ounces, but domestic mine production was only 42 million ounces. On top of the 150 million ounces for industry, our coinage demands took nearly 54 million ounces, in itself exceeding newly mined quantities.

What was coming was obvious as the world price could no longer be restrained. So the run on Treasury stocks of silver began. By May 18, when the sales to all comers were stopped, the Treasury had only some 60 million ounces of free silver stocks remaining, aside from that required for currency backing. Heavy demand on that one day of May 18 drained some 19 million ounces from the Treasury—nearly half a year's mining production. It was inevitable that the Treasury had to quit selling at the $1.29 price—and it should have done so earlier, before the vast run on supplies which occurred during the first half of May.

With the problem already acute with the shrinkage of Treasury stocks—or at least, with the trend of the future evident—the act of June 4, 1963, authorized issuance of $1 and $2 Federal Reserve notes in lieu of silver certificates, and the following year the process of retiring those outstanding was begun. To preserve the value of coinage at a price which would not tempt melting it down for the silver—said to be profitable when silver reaches more than $1.40 an ounce—the Treasury was now selling rather than buying silver.

It was in that atmosphere—in the belief that the silver bullion transfer tax was no longer needed—that it was repealed.

Mr. President, that tax should be restored. I am today introducing a bill to do so, in language which is identical with Subchapter F as it appeared in the 1954 Internal Revenue Code, and with a date of effectiveness to coincide with the date of enactment. We doubtless could not, since it would probably be violation of due process, make it retroactive to secure tax on those transfers which have reaped windfalls for pre-May 18 buyers from the Treasury who have already taken their profits. But at least by this act we can secure a split of the profit with the Treasury and help to curb the dangerous speculation in silver futures now going on apace. The latter, of course, is the more important of the two, since the reasoning of Henry Morgenthau is still valid as social policy more than 40 years after his original proposal for such a tax.

Mr. President, I hope that we may have speedy hearings on this bill and enact it in time to slow the speculative fever in silver futures. I ask unanimous consent that the text of the bill may appear in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1994) to reinstate the tax on transfers of silver bullion, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1994

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 39 of the Internal Revenue Code of 1954 (relating to regulatory taxes) is amended by adding at the end thereof the following new subchapter:

"SUBCHAPTER F—SILVER BULLION

"Sec. 4891. Imposition of tax.
"Sec. 4892. Definitions.
"Sec. 4893. Liability for tax.
"Sec. 4894. Abatement or refund.
"Sec. 4895. Stamps.
"Sec. 4896. Applicability.
"Sec. 4897. Cross references.

"Sec. 4891. Imposition of Tax.

"There shall be imposed on all transfers of any interest in silver bullion, if the price for which such interest is or is to be transferred exceeds the total of the cost thereof and allowed expenses, a tax of 50 percent of the amount of such excess.

"Sec. 4892. Definitions.

"For the purpose of this subchapter—

"(1) COST.—The term 'cost' means the cost of the interest in silver bullion to the transferor, except that—

"(A) in case of silver bullion produced from materials containing silver which has not previously entered into industrial, commercial, or monetary use, the cost to a transferor who is the producer shall be deemed to be the market price at the time of production determined in accordance with regulations issued hereunder;

"(B) in the case of an interest in silver bullion acquired by the transferor otherwise than for valuable consideration, the cost shall be deemed to be the cost thereof to the last previous transferor by whom it was acquired for a valuable consideration; and

"(C) in the case of any interest in silver bullion acquired by the transferor in a wash sale, the cost shall be deemed to be the cost to him of the interest transferred by him in such wash sale, but with proper adjustment, in accordance with regulations under this subchapter, when such interests are in silver bullion for delivery at different times.

"(2) TRANSFER.—The term 'transfer' means a sale, agreement of sale, agreement to sell, memorandum of sale or delivery of, or transfer, whether made by assignment in blank or by any delivery, or by any paper or agreement or memorandum or any other evidence of transfer or sale; or means to make a transfer as so defined.

"(3) INTEREST IN SILVER BULLION.—The term 'interest in silver bullion' means any title or claim to, or interest in, any silver bullion or contract therefor.

"(4) ALLOWED EXPENSES.—The term 'allowed expenses' means usual and necessary expenses actually incurred in holding, processing, or transporting the interest in silver bullion as to which an interest is transferred (including storage, insurance, and transportation charges but not including interest, taxes, or charges in the nature of overhead), determined in accordance with regulations issued hereunder.

"(5) MEMORANDUM.—The term "memorandum" means a bill, memorandum agreement, or other evidence of a transfer.

"(6) WASH SALE.—The term "wash sale" means a transaction involving the transfer of an interest in silver bullion and, within 30 days before or after such transfer, the acquisition by the same person of an interest in silver bullion. Only so much of the interest so acquired as does not exceed the interest so transferred, and only so much of the interest so transferred as does not exceed the interest so acquired, shall be deemed to be included in the wash sale.

"(7) SILVER BULLION.—The term "silver bullion" means silver which has been melted, smelted, or refined and is in such state or condition that its value depends primarily upon the silver content and not upon its form.

"Sec. 4893. Liability for tax.

"This tax imposed by this subchapter shall be paid by any person who makes, signs, issues, or sells any of the documents and instruments subject to the tax imposed by this subchapter, or for whose use or benefit the same are made, signed, issued, or sold. The United States or any agency or instrumentality thereof shall not be liable for the tax with respect to an instrument to which it is a party, and affixing of stamps thereby shall not be deemed payment for the tax, which may be collected by assessment from any other party liable therefor.

"Sec. 4894. Abatement or refund.

"The Secretary or his delegate shall abate or refund, in accordance with regulations issued under this subchapter, such portion of any tax imposed by section 4891 as he finds to be attributable to profits—

"(1) COURSE OF REGULAR BUSINESS.—Realized in the course of the transferor's regular business of furnishing silver bullion for industrial, professional, or artistic use and—

"(A) not resulting from a change in the market price of silver bullion, or

"(B) offset by contemporaneous losses incurred in transactions in interests in silver bullion determined, in accordance with such regulations, to have been specifically related hedging transactions; or

"(2) SILVER FOREIGN EXCHANGE.—Offset by contemporaneous losses attributable to changes in the market price of silver bullion and incurred in transactions in silver foreign exchange determined, in accordance with such regulations, to have been hedged specifically by the interest in silver bullion transferred.

"Sec. 4895. Stamps.

"(a) AFFIXING OF STAMPS.—On every transfer subject to the tax imposed by section 4891, there shall be made and delivered by the transferor to the transferee a memorandum to which there shall be affixed lawful stamps in value equal to the tax thereon.

"(b) MEMORANDUM.—Every such memorandum shall show the date thereof, the names and addresses of the transferor and transferee, the interest in silver bullion to which it refers, the price for which such interest is or is to be transferred, and the cost thereof and the allowed expenses.

"(c) CANCELLATION OF STAMPS.—Stamps affixed under this section shall be canceled (in lieu of the manner provided in subtitle F) by such officers and in such manner as regulations under this subchapter shall prescribe. Such officers shall cancel such stamps only if it appears that the proper tax is being paid, and, when stamps with respect to any transfer are so canceled, the transferor and not the transferee shall be liable for any additional tax found due or penalty with respect to such transfer.

"Sec. 4896. Applicability.

"(a) TERRITORIAL EXTENT.—The provisions of this subchapter shall extend to all transfers in the United States of any interest in silver bullion, and to all such transfers outside the United States if either party thereto is a resident of the United States or is a citizen of the United States who has been a resident thereof within 3 months before the date of the transfer or if such silver bullion or interest therein is situated in the United States.

"(b) TRANSFERS TO THE UNITED STATES GOVERNMENT.—The provisions of this subchapter shall extend to transfers to the United States Government (the tax in such cases to be payable by the transferor), but shall not extend to transfers of silver bullion by deposit or delivery at a United States mint under proclamation by the President.

"Sec. 4897. Cross References.

"For penalties and other general and administrative provisions applicable to this subchapter, see subtitle F."

(b) The table of subchapters for such chapter 39 is amended by adding at the end thereof the following new item:

"SUBCHAPTER F. SILVER BULLION."

SEC. 2. The amendments made by this Act shall apply only with respect to transfers after the date of the enactment of this Act.

IMPROVING FEDERALLY SUPPORTED ADULT EDUCATION

Mr. HARTKE. Mr. President, the Adult Education Act of 1966, which I am proud to have introduced as S. 3012 in the 89th Congress, was a great forward step. For the first time we moved to authorization of Federal support to adult education programs through the public schools designed to go beyond the definition of "basic adult education." We have made a start, and part of the start was the placing of both adult education as defined in the act and basic adult education, formerly in the Office of Economic Opportunity, under the Office of Education. Now it is time to push on to expand the opportunities for persons who dropped out of school after as well as before finishing the fifth-grade level.

Therefore, I am today introducing a bill to amend the Adult Education Act of 1966 in order to expand the opportunity it affords for upgrading the education of adults through the public schools.

The adult who has not completed high school finds that most of the doors to further vocational and civic effectiveness remain closed to him. Possession of the high school diploma is increasingly a basic requirement for securing employment, for advancement on the job, for enrollment in job retraining, for admission to institutes of higher education, and for increased personal and cultural status with fellow workers and members of his family.

Manpower statistics—or a glance at the help-wanted page in the daily newspaper—indicate that this Nation is unable to find educationally qualified workers for essential skilled jobs in spite of the fact that there are plenty of adults who are "educable" for the high school diploma and beyond.

Many school systems have reported that adults returning to school are strongly motivated and, coupled with their more mature insight, show greater achievement per hour of instruction than the typical teenager in the regular school program. This is because adult students return to school because they want to. It is also because adults have acquired through work experience, through personal study, and through having family and personal responsibilities, an enriched background that makes learning for them easier and more functional.

Yet, for all of this, in 1967 most school systems in this country are still primarily concerned with improving the quality of education for the college-bound youth, or enriching the educational opportunity of disadvantaged children. Important as this is, very few school districts feel any obligation toward the dropout—once he has dropped out. In 1967, in most States in the Union, a high school dropout who has a change of heart and wants to continue with his schooling can neither go back to school, or go ahead to a better job. Frequently he has nowhere to go. In most instances, if the dropout is over the compulsory school age, most boards of education and most school officials say most of the time: "We are sorry, but you had your chance. We cannot take you back. We hope, though," they frequently go on to add, "you will make sure that when you have a family of your own that your youngsters don't drop out of school." That last admonition, well meaning as it is, fails to take into account the frightening reality that undereducation breeds undereducation, and that most dropouts in 1967 are the children of dropouts in the forties and fifties.

In 1967 only a few States like California, Michigan, Florida, Louisiana, and my own State of Indiana, made it possible, through the appropriation of State funds, for local districts to provide all or part of the cost of a secondary education for all of their citizens irrespective of their age. Only a few local districts—usually larger ones like Denver, Cincinnati, and Philadelphia, to name but a representative few—provide local tax funds for the same purpose. It is also true that there are correspondence schools in which the high school dropout can enroll if he can afford them—and some local district programs supported by student fees.

In 1967, it is now possible—thanks to the passage by the Congress of the Adult Education Act of 1966—title III of Public Law 89–750—for citizens in most communities in the United States who dropped out of elementary school to return to school, should they wish to do so, at public expense. But, the recently published rules and regulations of the U.S. Office of Education clearly prohibit any use of these funds to help a "graduate" of federally supported adult basic education program—and there are now close to a hundred thousand in this category—to continue work at the high school level.

This absence of anything approaching a universal education opportunity for the dropout over the compulsory school age to come back to high school and complete his secondary education represents the last great remaining void in public education in this country: the void between the public day high school for boys and girls and the publicly supported college and university. It is into this void that we annually condemn 1 million boys and girls every year—the number of students who annually enroll in elementary and secondary schools in September but by June have dropped out of their classes. It is a cumulative void into which school dropouts year after year have disappeared until the current total of these individuals is more than 60 million adults.

In 1967 there is a growing and a realistic recognition of the fact that in this country, in spite of the best efforts of our school officials and of the Congress, a gradually decreasing—but still substantial—number of boys and girls are going to continue to drop out of school each year, usually for reasons quite beyond their own control. Not the least of these reasons is that their particular school, no matter how fine an educational institution it may be, it is not meeting the needs of that particular individual at that particular time. Hand in hand with this new awareness is the equally realistic recognition that as the social, economic, and psychological environment of these individuals change, "education" takes on a more functional meaning and an ever-increasing number seek the opportunity to return to school.

The general education development testing program now makes it possible for a person who has not completed high school to go to an examination center, take a series of examinations, and if he received a satisfactory score in the four test areas, to be given a certificate indicating that he has the "equivalent" of a high school education. But even this opportunity is unevenly available throughout the United States. In some States it is possible, through a systematic program of instruction provided by the local school board, to help individuals to gain an understanding of social, economic, and cultural insights and concepts that go beyond the mastering of subject matter and are so important a part of the full meaning of a secondary education that we hold in this country. In other States, however, an individual simply has to go it alone and take his chances on achieving a successful score on the GED tests without anyone to help mentor or tutor him, or any opportunity to enrich his field of understanding, before he embarks on the examination he is about to take.

But, important as the equivalency program is, there are still many hundreds of thousands of young adults, and older adults, in this country who do not want to settle for a certificate or equivalency—they want a high school diploma itself. Statistics from the State of California amply demonstrate this. There, where public funds have been made available for many years to enable adults to go back to school, two out of every ten diplomas granted by many of the communities in that State are granted to adults. Many local school systems, without recourse to State funds, such as are provided, for example, in California and Michigan, and are hard pressed to find funds to keep boys and girls engaged in an adequate program, either charge high fees for the high school diploma program, or in most instances, do not offer it at all. There are many States where there is no school system in the State offering a high school education for adults.

As one step in helping rectify this condition that so limits this area of educational opportunity, the bill to which I have referred would amend the Adult Education Act of 1966 and extend Federal support to the States to enable adults who have not graduated from high school—but now want to do so.

The legislation I am introducing will also assist local communities, through their State department of education, to provide educational programs—even though not leading to a high school diploma—in the important areas of citizenship training, parent education, and consumer education.

Because the rapid expansion of educational programs for adults requires the use of schoolrooms already overcrowded with children, this legislation also authorizes local districts to lease facilities to permit them to move ahead in this area.

To summarize, at the present time opportunities for adults to continue their high school education are restricted to a few favored individuals living in a few favored States. The successful experience of the adult basic education program has shown, however, that with a little Federal support, hundreds of thousands of individuals in every State now take advantage of the new opportunity to acquire the skills of a basic—or elementary school level—education. The passage of the legislation I propose will provide a comparable opportunity for citizens in every State to gain a high school education, and the new opportunities for employment and effective citizenship that result from it.

We know that the trend toward automation and of machines replacing manpower will continue to accelerate. During the next 10 years, there will be no new job opportunities for unskilled. Opportunities for the semiskilled will increase very slightly, if at all. There is no solution to many of our problems today short of doing all that we can to upgrade our undereducated citizens to a position where they can hold the kind of responsible jobs that the world of today and tomorrow requires of them.

Mr. President, I ask unanimous consent that the text of this bill may appear in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1995) to expand and strengthen Federal assistance to the States for adult education and adult basic education programs introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 1995

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303 (c) of the Adult Education Act of 1966 is amended by adding at the end thereof the following new sentence: "Such education may include citizenship training, parent education and consumer education."

SEC. 2. (a) Section 304 (b) of such Act is amended to read as follows:

"(b) From the remainder of such sums, the Commissioner is authorized to make grants to States, which have State plans approved by him under section 306 for the purposes of this subsection, to pay the Federal share of the cost of—

"(1) the establishment or expansion of adult basic education programs to be carried out by local educational agencies;

"(2) the establishment or expansion of adult education programs to be carried out by local education agencies; and

"(3) the leasing and renovation of facilities where necessary for programs under clause (1) or clause (2) of this subsection, or both."

(b) The section heading of section 304 is amended to read as follows: "Grants to States".

SEC. 3. (a) Section 305 (a) of such Act is amended by striking out "who have completed not more than five grades of school (or have not achieved an equivalent level of education)" and inserting in lieu thereof "who do not have a certificate of graduation from a school providing secondary education (or its equivalent)".

(b) Section 305 (b) of such Act is amended by striking out "the portion of the State plan relating to adult basic education", and inserting in lieu thereof "the State plan" and by striking out "such portion of its State plan" and inserting in lieu thereof "the State plan".

(c) The section heading of section 305 is amended to read as follows: "Allotment".

SEC. 4. The second sentence of section 307 (a) of such Act is amended to read as follows: "For the fiscal year ending June 30, 1967, and for the three succeeding fiscal years the Federal share for each State shall be 90 per centum.".

SEC. 5. (a) Section 310 (d) of such Act is amended by striking out the word "Basic".

(b) The first sentence of section 310 (d) of such Act is amended to read as follows: "The Advisory Committee shall review the administration and effectiveness of programs under this title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services)."

(c) The section heading of such section 310 is amended to read as follows: "Advisory Committee on Adult Education".

SEC. 6. Section 314 of such Act is amended to read as follows:

"APPROPRIATIONS AUTHORIZED

"SEC. 314. There is authorized to be appropriated $40,000,000 for the fiscal year ending June 30, 1967, $160,000,000 for the fiscal year ending June 30, 1968, $180,000,000 for the fiscal year ending June 30, 1969, and $200,000,000 for the fiscal year ending June 30, 1970, for the purposes of this title."

DISTRICT OF COLUMBIA PUBLIC EDUCATION ACT

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill amending title II of the District of Columbia Public Education Act, enabling the Washington Technical Institute to be considered a college for the benefit of the mechanic arts and agriculture in accordance with the provisions of the act of July 2, 1862, and enabling the institute to receive the benefits of the so-called land grant college acts.

Should Congress approve legislation enabling the District of Columbia to maintain a land grant college, many a worthwhile benefit would accrue to the citizens of the Nation's Capital. One of the major benefits would be extension work consisting of giving instruction and practical demonstrations in home economics relating to a person not attending or a resident of such a college. It happens to be a very ugly fact of life that many thousands of women in the District of Columbia do not know how to plan their household budgets, including the food budget, nor do they know how to properly prepare food for their families. This has been demonstrated time and time again during the course of many hearings my Subcommittee on Public Health, Education, Welfare, and Safety has conducted on welfare problems in the Nation's Capital.

I am advised that all States in the United States and Puerto Rico maintain land grant colleges. I am also advised that land grant colleges are located in the cities of Columbus, Ohio, Minneapoplis, Minn., and Cambridge, Mass., and that many of their land grant programs are directed to urban problems such as those we are confronted with here in the District of Columbia.

I have been informally advised that should the Washington Technical Institute be considered a land grant college by Congress, it could expect to receive approximately a $50,000 annual grant under the Morrill-Nelson Act and approximately a $330,000 annual grant under the Bankhead-Jones Act.

I believe that there is a definite need for such a program in the District of Columbia, and I am convinced that the money would be well spent. I know of no valid reason why the District of Columbia should be singled out as the sole exception to having a land grant college. My bill would alleviate this inequity. At least, I believe there is such an inequity, and I am introducing the bill for that purpose.

I wish to point out that the population of the District of Columbia is larger than the population of eight States in this country.

I ask that this bill be printed and appropriately referred, and I ask unanimous consent that the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1999) to amend title II of the District of Columbia Public Education Act, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

S. 1999

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the District of Columbia Public Education Act is amended by adding at the end thereof the following new section:

"SEC. 206. In the administration of the Act entitled 'An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two', approved August 30, 1890 (26 Stat. 417; 7 U.S.C. 321–326, 328); the tenth paragraph under the heading 'EMERGENCY APPROPRIATIONS' of the Act entitled 'An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and eight', approved March 4, 1907 (34 Stat. 1256, 1281; 7 U.S.C. 322); the Act of May 8, 1914 (38 Stat. 372; 7 U.S.C. 341–346, 347a, 348, 349); the Act of March 2, 1887 (24 Stat. 440; 7 U.S.C. 361a–361i); the Act of July 22, 1963 (77 Stat. 90; 7 U.S.C. 390, 390a–390k); the Act of June 29, 1935 (49 Stat. 436; 7 U.S.C. 329, 427, 427i); and the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U.S.C. 1621–1629), the Washington Technical Institute authorized by this title shall be considered to be a college established for the benefit of agriculture and the mechanic arts in accordance with the provisions of the Act of July 2, 1862 (12 Stat. 503; 7 U.S.C. 301–305, 307, 308), and the term 'State' as used in the aforementioned laws or provisions of laws shall include the District of Columbia."

NEW PLAN FOR LOAN DIFFERENTIAL PAYMENTS IN COLLEGE HOUSING PROGRAM

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, legislation dealing with the housing shortage in colleges—that is, the so-called dormitory housing bill.

The bill, Mr. President, seeks to do the following: To make available an additional $300 million to the $300 million in direct loans now available. The present $300 million is available as a direct loan by the Federal Government to colleges across the Nation at a 3 percent interest rate, very much like the REA.

We are very short on meeting needs of new loan applications. In backlogs alone, it is $700 million, over twice the amount available.

Under my bill, I am adding $300 million, perhaps even a little more, to the $300 million now available, by allowing the Federal Government to guarantee an interest rate of between 3 percent and the market. In other words, the Government will subsidize that part of the interest rate but the loans made in the market rate of interest will be loans by the colleges themselves. In that way, it is possible for the colleges to have low-interest money as they would have if there were enough direct-loan money the high school diploma is increasingly a basic requirement for securing employment, for advancement on the job, for enrollment in job retraining, for admission to institutes of higher education, and for increased personal and cultural status with fellow workers and members of his family.

Manpower statistics—or a glance at the help-wanted page in the daily newspaper—indicate that this Nation is unable to find educationally qualified workers for essential skilled jobs in spite of the fact that there are plenty of adults who are "educable" for the high school diploma and beyond.

Many school systems have reported that adults returning to school are strongly motivated and, coupled with their more mature insight, show greater achievement per hour of instruction than the typical teenager in the regular school program. This is because adult students return to school because they want to. It is also because adults have acquired through work experience, through personal study, and through having family and personal responsibilities, an enriched background that makes learning for them easier and more functional.

Yet, for all of this, in 1967 most school systems in this country are still primarily concerned with improving the quality of education for the college-bound youth, or enriching the educational opportunity of disadvantaged children. Important as this is, very few school districts feel any obligation toward the dropout—once he has dropped out. In 1967, in most States in the Union, a high school dropout who has a change of heart and wants to continue with his schooling can neither go back to school, or go ahead to a better job. Frequently he has nowhere to go. In most instances, if the dropout is over the compulsory school age, most boards of education and most school officials say most of the time: "We are sorry, but you had your chance. We cannot take you back. We hope, though," they frequently go on to add, "you will make sure that when you have a family of your own that your youngsters don't drop out of school." That last admonition, well meaning as it is, fails to take into account the frightening reality that undereducation breeds undereducation, and that most dropouts in 1967 are the children of dropouts in the forties and fifties.

In 1967 only a few States like California, Michigan, Florida, Louisiana, and my own State of Indiana, made it possible, through the appropriation of State funds, for local districts to provide all or part of the cost of a secondary education for all of their citizens irrespective of their age. Only a few local districts—usually larger ones like Denver, Cincinnati, and Philadelphia, to name but a representative few—provide local tax funds for the same purpose. It is also true that there are correspondence schools in which the high school dropout can enroll if he can afford them—and some local district programs supported by student fees.

In 1967, it is now possible—thanks to the passage by the Congress of the Adult Education Act of 1966—title III of Public Law 89-750—for citizens in most communities in the United States who dropped out of elementary school to return to school, should they wish to do so, at public expense. But, the recently published rules and regulations of the U.S. Office of Education clearly prohibit any use of these funds to help a "graduate" of federally supported adult basic education program—and there are now close to a hundred thousand in this category—to continue work at the high school level.

This absence of anything approaching a universal education opportunity for the dropout over the compulsory school age to come back to high school and complete his secondary education represents the last great remaining void in public education in this country: the void between the public day high school for boys and girls and the publicly supported college and university. It is into this void that we annually condemn 1 million boys and girls every year—the number of students who annually enroll in elementary and secondary schools in September but by June have dropped out of their classes. It is a cumulative void into which school dropouts year after year have disappeared until the current total of these individuals is more than 60 million adults.

In 1967 there is a growing and a realistic recognition of the fact that in this country, in spite of the best efforts of our school officials and of the Congress, a gradually decreasing—but still substantial—number of boys and girls are going to continue to drop out of school each year, usually for reasons quite beyond their own control. Not the least of these reasons is that their particular school, no matter how fine an educational institution it may be, it is not meeting the needs of that particular individual at that particular time. Hand in hand with this new awareness is the equally realistic recognition that as the social, economic, and psychological environment of these individuals change, "education" takes on a more functional meaning and an ever-increasing number seek the opportunity to return to school.

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As one step in helping rectify this condition that so limits this area of educational opportunity, the bill to which I have referred would amend the Adult Education Act of 1966 and extend Federal support to the States to enable adults who have not graduated from high school—but now want to do so.

The legislation I am introducing will also assist local communities, through their State department of education, to provide educational programs—even though not leading to a high school diploma—in the important areas of citizenship training, parent education, and consumer education.

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To summarize, at the present time opportunities for adults to continue their high school education are restricted to a few favored individuals living in a few favored States. The successful experience of the adult basic education program has shown, however, that with a little Federal support, hundreds of thousands of individuals in every State now take advantage of the new opportunity to acquire the skills of a basic—or elementary school level—education. The passage of the legislation I propose will provide a comparable opportunity for citizens in every State to gain a high school education, and the new opportunities for employment and effective citizenship that result from it.

We know that the trend toward automation and of machines replacing manpower will continue to accelerate. During the next 10 years, there will be no new job opportunities for unskilled. Opportunities for the semiskilled will increase very slightly, if at all. There is no solution to many of our problems today short of doing all that we can to upgrade our undereducated citizens to a position where they can hold the kind of responsible jobs that the world of today and tomorrow requires of them.

Mr. President, I ask unanimous consent that the text of this bill may appear in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

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S. 1995

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SEC. 2. (a) Section 304 (b) of such Act is amended to read as follows:

"(b) From the remainder of such sums, the Commissioner is authorized to make grants to States, which have State plans approved by him under section 306 for the purposes of this subsection, to pay the Federal share of the cost of—

"(1) the establishment or expansion of adult basic education programs to be carried out by local educational agencies;

"(2) the establishment or expansion of adult education programs to be carried out by local education agencies; and

"(3) the leasing and renovation of facilities where necessary for programs under clause (1) or clause (2) of this subsection, or both."

(b) The section heading of section 304 is amended to read as follows: "Grants to States".

SEC. 3. (a) Section 305 (a) of such Act is amended by striking out "who have completed not more than five grades of school (or have not achieved an equivalent level of education)" and inserting in lieu thereof "who do not have a certificate of graduation from a school providing secondary education (or its equivalent)".

(b) Section 305 (b) of such Act is amended by striking out "the portion of the State plan relating to adult basic education", and inserting in lieu thereof "the State plan" and by striking out "such portion of its State plan" and inserting in lieu thereof "the State plan".

(c) The section heading of section 305 is amended to read as follows: "Allotment".

SEC. 4. The second sentence of section 307 (a) of such Act is amended to read as follows: "For the fiscal year ending June 30, 1967, and for the three succeeding fiscal years the Federal share for each State shall be 90 per centum.".

SEC. 5. (a) Section 310 (d) of such Act is amended by striking out the word "Basic".

(b) The first sentence of section 310 (d) of such Act is amended to read as follows: "The Advisory Committee shall review the administration and effectiveness of programs under this title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services)."

(c) The section heading of such section 310 is amended to read as follows: "Advisory Committee on Adult Education".

SEC. 6. Section 314 of such Act is amended to read as follows:

"APPROPRIATIONS AUTHORIZED

"SEC. 314. There is authorized to be appropriated $40,000,000 for the fiscal year ending June 30, 1967, $160,000,000 for the fiscal year ending June 30, 1968, $180,000,000 for the fiscal year ending June 30, 1969, and $200,000,000 for the fiscal year ending June 30, 1970, for the purposes of this title."

DISTRICT OF COLUMBIA PUBLIC EDUCATION ACT

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill amending title II of the District of Columbia Public Education Act, enabling the Washington Technical Institute to be considered a college for the benefit of the mechanic arts and agriculture in accordance with the provisions of the act of July 2, 1862, and enabling the institute to receive the benefits of the so-called land grant college acts.

Should Congress approve legislation enabling the District of Columbia to maintain a land grant college, many a worthwhile benefit would acrue to the citizens of the Nation's Capital. One of the major benefits would be extension work consisting of giving instruction and practical demonstrations in home economics relating to a person not attending or a resident of such a college. It happens to be a very ugly fact of life that many thousands of women in the District of Columbia do not know how to plan their household budgets, including the food budget, nor do they know how to properly prepare food for their families. This has been demonstrated time and time again during the course of many hearings my Subcommittee on Public Health, Education, Welfare, and Safety has conducted on welfare problems in the Nation's Capital.

I am advised that all States in the United States and Puerto Rico maintain land grant colleges. I am also advised that land grant colleges are located in the cities of Columbus, Ohio, Minneapoplis, Minn., and Cambridge, Mass., and that many of their land grant programs are directed to urban problems such as those we are confronted with here in the District of Columbia.

I have been informally advised that should the Washington Technical Institute be considered a land grant college by Congress, it could expect to receive approximately a $50,000 annual grant under the Morrill-Nelson Act and approximately a $330,000 annual grant under the Bankhead-Jones Act.

I believe that there is a definite need for such a program in the District of Columbia, and I am convinced that the money would be well spent. I know of no valid reason why the District of Columbia should be singled out as the sole exception to having a land grant college. My bill would alleviate this inequity. At least, I believe there is such an inequity, and I am introducing the bill for that purpose.

I wish to point out that the population of the District of Columbia is larger than the population of eight States in this country.

I ask that this bill be printed and appropriately referred, and I ask unanimous consent that the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1999) to amend title II of the District of Columbia Public Education Act, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

S. 1999

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title II of the District of Columbia Public Education Act is amended by adding at the end thereof the following new section:

"SEC. 206. In the administration of the Act entitled 'An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July second, eighteen hundred and sixty-two', approved August 30, 1890 (26 Stat. 417; 7 U.S.C. 321–326, 328); the tenth paragraph under the heading 'EMERGENCY APPROPRIATIONS' of the Act entitled 'An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and eight', approved March 4, 1907 (34 Stat. 1256, 1281; 7 U.S.C. 322); the Act of May 8, 1914 (38 Stat. 372; 7 U.S.C. 341–346, 347a, 348, 349); the Act of March 2, 1887 (24 Stat. 440; 7 U.S.C. 361a–361i); the Act of July 22, 1963 (77 Stat. 90; 7 U.S.C. 390, 390a–390k); the Act of June 29, 1935 (49 Stat. 436; 7 U.S.C. 329, 427, 427i); and the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U.S.C. 1621–1629), the Washington Technical Institute authorized by this title shall be considered to be a college established for the benefit of agriculture and the mechanic arts in accordance with the provisions of the Act of July 2, 1862 (12 Stat. 503; 7 U.S.C. 301–305, 307, 308), and the term 'State' as used in the aforementioned laws or provisions of laws shall include the District of Columbia."

NEW PLAN FOR LOAN DIFFERENTIAL PAYMENTS IN COLLEGE HOUSING PROGRAM

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, legislation dealing with the housing shortage in colleges—that is, the so-called dormitory housing bill.

The bill, Mr. President, seeks to do the following: To make available an additional $300 million to the $300 million in direct loans now available. The present $300 million is available as a direct loan by the Federal Government to colleges across the Nation at a 3 percent interest rate, very much like the REA.

We are very short on meeting needs of new loan applications. In backlogs alone, it is $700 million, over twice the amount available.

Under my bill, I am adding $300 million, perhaps even a little more, to the $300 million now available, by allowing the Federal Government to guarantee an interest rate of between 3 percent and the market. In other words, the Government will subsidize that part of the interest rate but the loans made in the market rate of interest will be loans by the colleges themselves. In that way, it is possible for the colleges to have low-interest money as they would have if there were enough direct-loan money available from the Federal Government and, at the same time, not to have an obligation to the Federal Government, but the Federal Government will have somewhat of a small subsidy to pay.

The leverage is enormous. For $10 million of loan differential, and for $3 million to $400 million minimum and banks augmenting the market rate as high as 5.5 percent, it is rumored that the administration is proposing to increase the interest rate of the present direct Federal loans for college housing. I hope very much that they will not do it. I protest against it. Right now, we face an additional 1 million young people in our colleges, bringing the total to 7,300,000 degree candidates. Housing is woefully short. We should not increase the already high cost of a college education, especially bearing very hard on private institutions, by increasing the cost of money in order to build dormitories.

I hope very much that the administration will stay its hand and allow this bill which I am introducing today, which would double the amount of money available for college housing, to have a chance for passage, rather than increasing the interest rate which they are charging for money.

Mr. President, I send the bill to the desk, for appropriate reference and ask that it may be printed in the RECORD as part of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2000) to amend title IV of the Housing Act of 1950 to authorize annual grants to reduce the cost of private borrowing by educational institutions as an alternative form of assistance to the direct college housing loans presently provided for, introduced by Mr. JAVITS, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2000

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the heading of section 401 of the Housing Act of 1950 is amended by striking out "LOANS" and inserting in lieu thereof "ASSISTANCE IN THE FORM OF LOANS OR ANNUAL INTEREST GRANTS".

(b) Section 401(a) of such Act is amended to read as follows:

"(a) To assist educational institutions in providing housing and other educational facilities for students and faculties, the Secretary may make loans of funds to such institutions for the construction of such facilities or may as an alternative (in the case of any such institution) make annual grants to the institution to reduce the cost of its borrowing from other sources for such construction: *Provided*, That no such assistance shall be provided unless (1) the educational institution involved shows that it has been unable to secure the necessary funds for the construction from other sources upon terms and conditions equally as favorable as the terms and conditions applicable to loans under this title, and (2) the Secretary finds that such construction will be undertaken in an economical manner, and that it is not or will not be of elaborate or extravagant design or materials."

(c) Section 401(c) of such Act is amended—

(1) by inserting "(1)" after "(c)";

(2) by striking out "of (1)" and "or (2)" and inserting in lieu thereof "of (A)" and "or (B)", respectively; and

(3) by adding at the end thereof the following new paragraph:

"(2) Annual grants to an educational institution with respect to any housing or other educational facilities shall be made over a fixed period not exceeding 40 years, and provision for such grants shall be embodied in a contract guaranteeing their payment over such period. Each such grant shall be in an amount equal to the difference between (A) the debt service which the institution is required to pay, during the year for which the grant is made, with respect to any or all of the amounts borrowed from other sources for the construction of such facilities, and (B) the debt service which the institution would have been required to pay, during such year, with respect to such amounts if the applicable interest rate were the rate (for such year) specified in paragraph (1)."

(d) Section 401(d) of such Act is amended by inserting "(1)" after "(d)", and by adding at the end thereof the following new paragraph:

"(2) There are hereby authorized to be appropriated to the Secretary such sums as may be necessary, together with loan principal and interest payments made by educational institutions assisted with loans made hereunder, for payments on notes or other obligations issued by the Secretary under this section."

(e) Section 401(f) of such Act is amended to read as follows:

"(f)(1) There are hereby authorized to be appropriated to the Secretary such sums as may be necessary for the payment of annual grants to educational institutions in accordance with this section.

"(2) Contracts for annual grants under this section shall not be entered into in an aggregate amount greater than is authorized in appropriation Acts; and in any event the total amount of annual grants which may be paid to educational institutions in any year pursuant to contracts entered into under this section shall not exceed $10,000,000, which amount shall be increased by $10,000,000 on July 1, 1968."

SEC. 2. Section 403 of the Housing Act of 1950 is amended by striking out "the funds provided for in this title in the form of loans" and inserting in lieu thereof "the aggregate amount of the funds provided for in this title in the form of loans and grants (and not more than 12½ per centum of the funds provided for in this title for grants)".

SEC. 3. (a) Section 401(g) of the Housing Act of 1950 is amended to read as follows:

(g) Except as otherwise provided in the second paragraph of section 404(b), in the case of any loan which is made under this section to a nonprofit student housing cooperative corporation referred to in clause (5) of section 404(b), or which is obtained from other sources by such a corporation and is the subject of a contract for annual grants entered into under this section, the Secretary shall require that the note securing such loan be cosigned by the educational institution (referred to in clause (1) of such section) at which such corporation is located, and that in the event of the dissolution of such corporation title to the housing constructed with such loan will vest in such educational institution."

(b) Clause (3)(B) of section 404(b) of such Act is amended by striking out "of any loan secured under this title" and inserting in lieu thereof the following: "of any loan which is made under section 401, or is the subject of a contract for annual grants entered into under section 401,".

(c) Clause (4) of section 404(b) of such Act is amended by striking out "to obtain loans" and inserting in lieu thereof "to obtain loans or grants".

(d) The second paragraph of section 404(b) of such Act is amended by inserting after "clause (5) of this subsection," the following: "and in the case of any loan which is obtained from other sources by such a corporation and is the subject of a contract for annual grants entered into under section 401,".

THE NATIONAL LAKES PRESERVATION ACT OF 1967

Mr. NELSON. Mr. President, I introduce, for appropriate reference, a bill—the National Lakes Preservation Act of 1967—to save one of this Nation's most precious resources—our beautiful lakes and lake areas, and to establish a National Lake Areas System. This bill is one part of a comprehensive legislative program aimed at restoring quality to our environment and preserving our Nation's greatest resource—its inherent natural beauty.

The problems of resource preservation, management, and development today are many and varied. To control water pollution, I have introduced bills to control stream bank erosion, S. 682; to control erosion along our Nation's highways, S. 1006; to ban DDT, S. 1025; to establish reasonable standards for biodegradeability and water eutrophication ability of detergents, S. 1343; to prevent the dumping of oil and other wastes from vessels and ships and the terminal facilities which service them, S. 849; and to aid industries and municipalities in their fight against pollution through grants and research, S. 847 and S. 848.

To preserve and develop our natural resources for the enjoyment of the people, I have introduced bills to establish the Apostle Islands National Lakeshore, S. 778; and to establish the St. Croix National Scenic Riverway, S. 368. Senator HENRY JACKSON and I have cosponsored the national hiking trails bill, S. 827, which is an outgrowth of two of my earlier bills.

The threats to our natural resources are enormous. Lands of park and recreation quality are being gobbled up by our urban sprawl. Our fresh water resources are being ruined by pollution—pollution by pesticides, detergents, oil, industrial wastes, sewage, silt, agricultural fertilizers, et cetera. This bill is aimed at this latter problem although its long term effects would be to provide additional recreational opportunities and to preserve some of our natural resources.

The Great Lakes represent the greatest fresh water resource in the world but they are becoming polluted. Farsighted people have speculated that sometime in the future the Great Lakes might be used as a tremendous fresh water reservoir which might supply water to much of the Eastern United States. It has recently been proposed that water flowing into James Bay might be diverted into the Great Lakes where it would be stored and ultimately distributed throughout this country. A ridiculous proposal? Maybe, maybe not. The facts are that no matter what the future holds for the Great Lakes, they will not be of any value to anybody unless we move rapidly and decisively to stem the tide of pollution.

The Great Lakes also represent a tremendous resource in terms of sport and commercial fishing. The lamprey eel is disappearing and lake trout are returning. Coho salmon planted last year have been tremendously successful and fish experts are optimistic about their chances for survival.

Much of what I have said about the Great Lakes applies to our smaller inland lakes. In the United States there are 250 natural lakes with surface areas of 10 square miles or more, 20 major saline lakes and many large manmade reservoirs. All these lakes are threatened with destruction. Cottages and campsites are being built too close to the shoreline and inadequate sewage treatment facilities are being installed.

Our inland lakes are a significant resource. They are breeding grounds for and support a wide variety of plant, animal, fish, and bird life. They are used for swimming, boating, hunting, fishing, and camping on the one hand while on the other hand they are being exploited for waste disposal, transportation, and electric power generation.

Obviously, not all of the people who use our lakes are guilty of destroying them. Many local units of government have adopted comprehensive zoning ordinances which have assured the protection of their lakes. Many individuals have built their homes and businesses with good taste and with as little disruption of the environment as possible. Yet it must be frustrating for people who care to have their lake invaded by people who do not.

The establishment of a national lake areas system would insure the preservation of our finest inland bodies of water. In this bill I have recommended several lakes for inclusion in the system and the bill directs the Secretary of Interior to conduct a nationwide study of lakes in order to identify those lakes, which in the national interest should be made a part of the national system.

The bill also provides that lakes owned and administered by State and local units of government may be made a part of the system.

The bill directs the Secretary of Interior to support, assist, and encourage research programs in lake and lake area research. This research would not be limited to scientific studies but would include economic, legal, and social studies. The Secretary is also instructed to work with our colleges and universities in order to train both undergraduate and graduate students in fields which are related to the problems encountered in lake preservation and development.

I ask unanimous consent that the text of this bill—the National Lakes Preservation Act of 1967—be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2001) to preserve, protect, develop, restore, and make accessible the lake areas of the Nation by establishing a National Lake Areas System and authorizing programs of lake and lake areas research, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2001

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Short title

SECTION 1. This Act may be cited as the "National Lakes Preservation Act of 1967".

Statement of findings and purpose

SEC. 2. The Congress finds and declares that the Great Lakes and other lakes of the United States are rich in a variety of natural, commercial, recreational, and esthetic resources of incalculable value to the present and future development of the Nation; that the resources of these lakes are being damaged by pollution from commercial, urban, and agriculture installations and developments along their shores, and from vessels plying their waters; that the damage being inflicted on these lakes is rapidly becoming worse and may soon be permanent and irreversible in some cases; that there is a serious lack of knowledge regarding many aspects of natural phenomena in lakes and lake areas; and that the purposes of this Act therefore are to preserve, protect, develop, and restore the Great Lakes and other lakes of the United States; make accessible for the benefit of all the people selected parts of the Nation's lakes which are valuable for fishing, hunting, conservation, recreation, and scenic beauty; and establish, support, and encourage programs of lake and lake area research, and for the training of scientists in fields related to such research.

Definitions

SEC. 3. For the purposes of this Act—

(a) the term "lake" means an inland manmade or natural body of fresh water and its sources which is standing and surrounded by land, flowing and occupying a substantial widening in the course of a river, or standing or flowing in a reservoir or impoundment in a natural or artificial basin; and

(b) the term "lake area" means an environmental system consisting of a lake and those transitional areas which are constantly influenced or affected by water from a lake such as, but not limited to, marshes, embayments, lagoons, inshore waters, channels, and stream and river estuaries.

TITLE I—NATIONAL LAKE AREAS SYSTEM—ESTABLISHMENT OF SYSTEM

SEC. 101. There is hereby established a National Lake Areas System (hereinafter referred to as the "System") composed of both federally administered lake areas established in accordance with law enacted after the enactment of this Act, and lake areas administered by the States or their political subdivisions and designated as part of the System pursuant to section 106 with the approval of the Secretary of the Interior (hereinafter referred to as the "Secretary"). The System shall include lake areas so established or designated on the Great Lakes, and on other lakes of substantial size and national importance, which are (1) relatively unspoiled or undisturbed by the technological advances of man, including, but not limited to, pollutants, and (2) areas that are partially spoiled or disturbed by such advances but should be protected from further adverse effects.

Study of lake areas

SEC. 102. (a) The Secretary, in consultation with the States and other Federal agencies, shall conduct a nationwide study of lake areas for the purpose of identifying areas which should, in the national interest, be included in the system. The Secretary shall in making such study consider, among other things, all the resource and scenic values of such areas, their economic and recreational potential, their ecology, navigation, flood and erosion control, the present and future urban, agricultural, and industrial effects on such areas, other uses of the lakes, and the most appropriate means or methods of preserving or protecting such areas. Particular attention shall be given to whether such areas should be acquired by the Secretary because of their national significance, or by the States or by local subdivisions thereof, and whether such areas may be protected adequately through local zoning laws or other methods without Federal land acquisition. Such study shall be coordinated with the nationwide outdoor recreation plan formulated or in preparation pursuant to the Act of May 28, 1963 (77 Stat. 49), with any plan prepared and developed or in preparation pursuant to the Water Resources Planning Act (79 Stat. 244), and with statewide plans prepared or in preparation and found adequate pursuant to the Land and Water Conservation Fund Act of 1965 (78 Stat. 897). The Secretary shall from time to time submit recommendations to the President for inclusion in the System as a Federal lake area of any lake area he deems appropriate pursuant to this Act, and the President shall submit to the Congress such recommendations together with his recommendations with respect thereto. Recommendations made by the Secretary shall be developed in consultation with the States and other interested Federal agencies. Each such recommendation shall be accompanied by (1) expressions of any views which the States and agencies may submit within ninety days after having been notified of the proposed recommendation, (2) a statement setting forth the probable effect of the recommended action on any comprehensive river basin plan that may have been adopted by Congress or that is serving as a guide for coordinating Federal programs in the basin wherein each lake area is located, and (3) in the absence of such a plan, a statement indicating the probable effect of the recommended action on alternative beneficial uses of the resources of such lake area.

(b) In making the study provided for in this section, the Secretary shall give consideration to, among others, the lake areas including the following lakes: the Great Lakes; Lake Iliamna in Alaska; Lake Tahoe in California and Nevada; Lake Okeechobee in Florida; Kealepulu Lake in Hawaii; Bear Lake in Idaho and Utah; Lake Pontchartrain in Louisiana; Moosehead Lake in Maine; Lake Gogebic in Michigan; Lake-of-the-Woods in Minnesota; Flathead Lake in Montana; Lake Champlain in New York and Vermont; Lakes Oneida, Seneca and Cayuga in New York; Upper Klamath Lake in Oregon; Reelfoot Lake in Tennessee; Great Salt Lake in Utah; Lake Washington in Washington; Lake Winnebago in Wisconsin; Yellowstone Lake in Wyoming; and the San Angelo and Twin Buttes Reservoirs in Texas.

(c) The Secretary shall establish an advisory committee whose function shall be to consider each lake area proposed to be included in the System pursuant to this section and section 106, and to make recommendations thereon to the Secretary. In addition to the other members of the committee selected by the Secretary, there shall be on such committee at the time action is taken with respect to any area at least two persons who shall represent the State wherein such area is located.

Land acquisition

SEC. 103. (a) The Secretary may acquire lands and waters or interests therein within any Federal lake area authorized by Act of Congress to be included within the System by purchase with appropriated or donated funds or by lease, donation, or exchange, except that he shall not so acquire with appropriated funds any lands and waters or interests therein owned by a State or by any political subdivision thereof. The Secretary may also accept title to any non-Federal property in such an area and in exchange therefor may convey to the grantor of such property any federally owned property under his jurisdiction which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

(b) Any lands, waters, or interests therein which are acquired pursuant to this section shall be administered, managed, and developed primarily for the purposes of sport and commercial fishing, wildlife conservation, outdoor recreation, and scenic beauty, and for such other purposes as the Secretary determines are compatible with the purposes of this Act.

(c) Any Federal land located within a Federal lake area in the System may, with the consent of the head of the agency having jurisdiction thereof, be transferred to the Secretary for administration as part of said area.

(d) The States shall be encouraged to cooperate in the planning and in the management, pursuant to cooperative agreements, of Federal lake areas included in the System.

Regulations governing use of Federal areas

SEC. 104. (a) The Secretary is authorized to issue regulations governing the public use of Federal lake areas in the System administered by him. Such regulations shall be in accordance with the purposes of this Act.

(b) Any person who violates or fails to comply with any regualtion issued pursuant to this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $500 or be imprisoned not more than six months, or both.

Other Federal agencies

SEC. 105. In all planning for the use and development of water and related land resources, consideration shall be given by all Federal agencies involved to lake areas which should be included in the System, and all project plan reports submitted to the Congres shall discuss any such potential and make recommendations thereon. The Secretary shall make specific studies and investigations to determine which lake areas within the United States shall be evaluated for such purpose in planning reports by all Federal agencies on potential alternative uses of the water and related land resources involved.

State designated lake areas

SEC. 106. (a) The Secretary in cooperation with other Federal agencies shall encourage States and local subdivisions thereof to consider, in their comprehensive planning and proposals for financial assistance under the Act of September 2, 1937 (50 Stat. 917; 16 U.S.C. 669 et seq.), relating to Federal aid in wildlife restoration, the Act of August 9, 1950 (64 Stat. 430; 16 U.S.C. 777 et seq.), relating to Federal aid in fish restoration, the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 4601–4 et seq.), the Commercial Fisheries Research and Development Act of 1964 (78 Stat. 197; 16 U.S.C. 779 et seq.), and under title VII of the Housing Act of 1961 (75 Stat. 183; 42 U.S.C. 1500 et seq.), the need for and possibility of establishing lake areas on lands and waters owned or acquired and administered by them as part of the System. Any such area may be designated as a part of the System by the State in which such area is located, with the approval of the Secretary after determining that such designation is within the purposes of this Act. When approving such areas to be included in the System, the Secretary shall establish such terms and conditions as he deems desribale to insure the permanent protection of such designated areas. The lands or interests therein of any lake area included in the System by a State shall not be disposed of by sale, lease, donation, or exchange without the prior approval of the Secretary.

(b) There is authorized to be appropriated not to exceed $50,000,000 in any fiscal year to the Secretary for the purpose of transferring such amounts as he deems appropriate to Federal departments and agencies administering the laws cited in subsection (a) in order that additional grants pursuant to such laws may be made for the purposes of this section.

State jurisdiction

SEC. 107. (a) Nothing in this Act shall restrict or extend such jurisdiction as the States now have with respect to water rights and laws, nor be construed as an express or implied claim or denial on the part of the United States as to exemption from State water rights or laws.

(b) Nothing in this Act shall affect the jurisdiction or responsibilities of the States under other provisions of law with respect to fish and wildlife.

Authorization

SEC. 108. For the purposes of this title, other than section 106(b), there are hereby authorized to be appropriated $15,000,000 for the fiscal year beginning July 1, 1968; $30,000,000 for the fiscal year beginning July 1, 1969; $60,000,000 for the fiscal year beginning July 1, 1970; and thereafter such sums as are necessary for the implementation of the program herein authorized.

TITLE II—LAKE AND LAKE AREAS RESEARCH

SEC. 201. (a) The Secretary shall support, assist, and encourage programs, including grants and contracts, of lake and lake area research, investigation, and experiments of both a basic and practical nature by Federal, State, interstate, and local government agencies; by universities, colleges, and research institutes; and by private organizations. Such research, investigation, and experiments may include, without being limited to, aspects of the hydrologic cycle; supply and demand for water; conservation and best use of available supplies of water; methods of increasing such supplies; preservation and restoration of the quality of water supplies; and economic, legal, social, engineering, recreational, biological, geographical, ecological, and other aspects of lake and lake area problems, having due regard to the varying conditions and needs of the respective States, and to water research projects being conducted by agencies of the Federal and State governments.

(b) The Secretary, in conjunction with the programs authorized by the preceding section, shall encourage, assist, and establish programs, including grants and contracts, for research, investigations, and experiments with respect to fertilization, eutrophication, and related processes in lakes. Such research, investigations, and experiments shall extend not only to basic causes, processes, and effects, but shall include in addition methods and processes for reducing and eliminating algal growths from lakes, and for removing nutrients of various kinds from effluents, runoff water, ground water, and receiving waters.

(c) There are hereby authorized to be appropriated for the purposes of this section $75,000,000 for the fiscal year beginning July 1, 1968; and for each succeeding fiscal year.

Research and training

SEC. 202. (a) The Secretary is authorized to arrange, through grants or contracts, with institutions of higher education for—

(1) fellowships or other training to provide graduate study for individuals in such fields as are appropriate and necessary for the purposes of this Act, including appropriate stipends and allowances for travel, subsistence, and other expenses of such individuals and their dependents; and

(2) establishing or improving programs for advanced education and research in such fields, including costs of construction or alteration of necessary facilities for such programs and necessary equipment.

(b) There is authorized to be appropriated $35,000,000, for the fiscal year beginning July 1, 1968; and for each succeeding fiscal year for the purposes of this section.

Administration

SEC. 203. (a) The Secretary shall, after consultation with other Federal departments and agencies administering laws affecting the provisions of this Act, establish such rules and regulations as may be necessary to (1) carry out the provisions of this Act, and (2) coordinate programs pursuant to this Act with the provisions of such laws. The Secretary shall also make recommendations to such other Federal departments and agencies for any such coordinating action by them which will promote the purposes of this Act.

(b) For the purpose of carrying out the provisions of this Act the Secretary may acquire, establish, or construct such laboratories, field stations, monitoring stations, property (including land), equipment, and other facilities as may be necessary.

(c) In administering the provisions of this Act, the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

(d) There is authorized to be appropriated for administering the provisions of this Act, in addition to other amounts authorized in this Act, $10,000,000 for the fiscal year beginning July 1, 1968; $15,000,000 for the fiscal year beginning July 1, 1969; $25,000,000 for the fiscal year beginning July 1, 1970, and for each succeeding fiscal year such amounts as may be necessary.

A BILL TO PROVIDE THE STATUTORY BASIS FOR A CAREER FOREIGN SERVICE PERSONNEL SYSTEM FOR USIA

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to provide the statutory basis for a career Foreign Service personnel system for the U.S. Information Agency.

The proposed bill has been requested by the Director of USIA, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with the letter from the Director of USIA to the Vice President dated June 19, 1967, in regard to it, and the explanation of the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and explanation will be printed in the RECORD.

The bill (S. 2002) to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Office Corps, introduced by Mr. Fulbright, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. 2002

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a category of officers of the United States Information Agency (hereinafter referred to as "the Agency") to be known as Foreign Service Information Officers.

STATEMENT OF POLICY

Sec. 2. It is the sense of the Congress that the establishment of a permanent career service for officers of the Agency who serve our country throughout the world in a vital function of the foreign relations of the United States is essential to enable the Director of the United States Information Agency (hereinafter referred to as "the Director") to carry out effectively such functions and responsibilities assigned to the Agency.

STATEMENT OF PURPOSES

Sec. 3. The Congress of the United States hereby declare that the purposes of this Act are—

(a) to provide a statutory basis necessary for a worldwide career officer personnel system designed to meet the continuing needs of both the Agency and those qualified citizens who shall serve as Foreign Service information officers in this vital activity;

(b) to give the Director the full range of personnel authority necessary to establish and administer the Foreign Service Information Officer Corps;

(c) to regularize the personnel system of the Agency by establishing a career service in which qualified Foreign Service information officers may be recruited, trained, and serve;

(d) to assure maximum efficiency and flexibility in the utilization of the talents of Foreign Service information officers; and

(e) to accord Foreign Service information officers the same rights and perquisites and to subject them to the same stringent judgment of performance as Foreign Service officers employed under the provisions of the Foreign Service Act of 1946, as amended.

AUTHORITY OF THE DIRECTOR

Sec. 4. Foreign Service information officers shall be under the direction and authority of the Director of the Agency. Authority available to the Secretary of State with respect to Foreign Service officers shall be available on the same basis to the Director of the Agency with respect to Foreign Service Information Officers, except as provided in section 11 of this Act.

POLICIES AND REGULATIONS

Sec. 5. The Foreign Service information officer personnel system shall be compatible with the Foreign Service officer personnel system. Toward this end, the Director with respect to the Foreign Service information officer personnel system and the Secretary of State with respect to the Foreign Service officer personnel system, after consultation with such officials as the President may determine, shall promulgate policies and regulations governing such systems. Both systems shall be administered, to the extent practicable, in conformity with general policies and regulations of the Federal Government issued in accordance with law.

APPOINTMENT AND ASSIGNMENT

Sec. 6. (a) Subject to section 4, Foreign Service information officers shall be appointed and assigned at classes and salaries, and in accordance with requirements and procedures, which correspond to those classes, salaries, requirements, and procedures, except with regard to career ambassadors, prescribed by sections 412, 413, 421, 422, 431(c), 432, 441, 500, 501(b) 502(b), 511, 514 through 520, 571 through 575, and 578 of the Foreign Service Act of 1946, as amended.

(b) The President shall by and with the advice and consent of the Senate appoint career Ministers for Information.

(c) The Secretary of State may upon request of the Director furnish the President with the names of Foreign Service information officers qualified for appointment to the class of career Minister for Information, together with pertinent information about such officers, but no person shall be appointed into the class of career minister for information who has not been appointed to serve in an Embassy as a Minister for Public Affairs or appointed or assigned to serve in a position which, in the opinion of the Director, is of comparable importance. A list of such positions shall from time to time be published by the Director.

(d) The per annum salary of a Career Minister for Information shall be the same as that provided by section 412 of the Foreign Service Act of 1946, as amended, for the class of career Minister.

PROMOTION

Sec. 7. Foreign Service information officers shall be promoted in accordance with the provisions of sections 621 through 623, and 626 of the Foreign Service Act of 1946, as amended, and shall receive within-class salary increases in accordance with section 625 of such Act.

SEPARATION AND RETIREMENT

Sec. 8. Foreign Service information officers shall be separated and retired in accordance with sections 631 through 637 of the Foreign Service Act of 1946, as amended.

PARTICIPATION IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM

Sec. 9. (a) Foreign Service information officers shall be participants in and entitled to the benefits of the Foreign Service retirement and disability system under title VIII of the Foreign Service Act of 1946, as amended, on the same basis as Foreign Service officers. And such Foreign Service information officer who becomes a participant in such system shall make contributions to the Foreign Service retirement and disability fund on the same basis as Foreign Service officers.

(b) In accordance with such regulations as the President may prescribe, any Foreign Service Staff officer or employee appointed by the Agency who has completed at least military service, in the Foreign Service of the Agency shall become a participant in the Foreign Service retirement and disability system and shall make a special contribution to the Foreign Service retirement and disability fund in accordance with the provisions of section 852 of the Foreign Service Act of 1946, as amended.

(c) Any such officer or employee who, under the provisions of paragraph (b) of this section, becomes a participant in the Foreign Service retirement and disability system, shall be mandatorily retired for age during the first year after the effective date of that paragraph if he attains age sixty-four or if he is over age sixty-four; during the second year at age sixty-three; during the third year at age sixty-two; during the fourth year at age sixty-one, and thereafter at age sixty.

(d) Any officer or employee who becomes a participant in the Foreign Service retirement and disability system under the provisions of paragraph (b) of this section who is age fifty-seven or over on the effective date of that paragraph, may retire voluntarily at any time before mandatory retirement under paragraph (c) of this section and receive retirement benefits under section 821 of the Foreign Service Act of 1946, as amended.

(e) The provisions of paragraph (b) of this section become effective on the first day of the first month which begins more than one year after the date of enactment of this Act, except that any Foreign Service Staff officer or employee, who at the time this Act becomes effective meets the requirements for participation in the Foreign Service retirement and disability system, may elect to become a participant in the system before the mandatory provisions become effective. Such Foreign Service Staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

OTHER APPLICABLE PROVISIONS OF LAW

Sec. 10. All other provisions of the Foreign Service Act of 1946, as amended, or of any other law, which apply to Foreign Service officers and are not referred to above, shall be applicable to Foreign Service information officers.

COMMISSIONING AND ASSIGNMENT AS DIPLOMATIC AND CONSULAR OFFICERS

Sec. 11. (a) The Secretary of State may, upon request of the Director, recommend to the President that Foreign Service information officers be commissioned as diplomatic or consular officers, or both, in accordance with section 512 of the Foreign Service Act of 1946, as amended.

(b) The Secretary of State may, upon request of the Director, assign Foreign Service information officers, commissioned as diplomatic or consular officers, to serve under such commissions in accordance with sections 512 and 514 of the Foreign Service Act of 1946, as amended.

INTERPRETATION AND CONSTRUCTION

Sec. 12. For the purposes of this Act the term "Foreign Service officer" when used in the Foreign Service Act of 1946, as amended, or in any other provision of law shall be construed to mean "Foreign Service information officer" and the term "Secretary of State" when used with respect to authorities applicable to Foreign Service officers shall be construed to mean the Director of the United States Information Agency with respect to Foreign Service information officers.

The letter and explanation, presented by Mr. Fulbright, are as follows:

U.S. Information Agency,
Washington, D.C.

Hon. Hubert H. Humphrey,
President of the Senate.

Dear Mr. Vice President: I have the honor to transmit a draft of proposed legislation to provide the statutory basis for a career Foreign Service personnel system for the U.S. Information Agency.

These proposals are submitted in response to the request of the Senate Foreign Relations Committee contained in its report issued during the last session on S–3247, a bill to provide annuity increases for retired Foreign Service personnel. In reporting out S–3247 the Committee included authority for appointments or assignments of unlimited duration for Agency Foreign Service Reserve officers. On page 11 of its report (no. 1656) the committee stated that "The committee recognizes that its action in removing the time limitation on Reserve officer appointments in the USIA is only a stopgap measure. The committee expects the executive branch to give further study to the problem and that it will submit specific legislative proposals for consideration in the next Congress."

The Agency's proposals, if enacted into law, will meet a need that has existed since 1953 when the Agency was established by Reorganization Plan No. 8. At that time, the

President recognized that the limited personnel authorities granted to the new Agency under Reorganization Plan No. 8 and implementing executive orders were not adequate. In his message to the Congress transmitting the Reorganization Plan, the President said:

"While these [personnel] arrangements will enable the new Agency to function with reasonable effectiveness from the outset, I do not consider them permanently suitable."

Under Reorganization Plan No. 8 and related executive orders, the foreign service personnel authorities of the Agency were limited to those pertaining to Foreign Service Reserve officers, Foreign Service Staff officers and employees, and alien clerks and employees. The Agency was not given the authorities necessary to establish and operate a permanent career foreign service officer personnel system.

The present proposal will for the first time give the Agency statutory authority for such a career personnel system by providing for appointment of Agency career Foreign Service officers to a new Foreign Service information officer category.

The basic purposes of the draft bill are to provide the statutory framework for a worldwide career officer personnel system in USIA, to give the Director the authorities necessary to establish and operate it, to regularize and complete the inadequate system under which the Agency has operated for thirteen years, to assure efficiency and flexibility in the use of this category of officers, and to accord Foreign Service information officers the same rights and perquisites and to require the same standard of performance as apply to Foreign Service officers.

Under the draft bill, the President is authorized to appoint Foreign Service information officers as Career Ministers for Information after they have served in an Embassy as a Minister for Public Affairs or in a position of comparable importance. This proposal would give Foreign Service information officers a top salary and rank equivalent to the Class of Career Minister in the Foreign Service Officer Corps.

The proposed bill also provides for inclusion of Agency staff personnel in the Foreign Service Retirement and Disability System upon completion of ten years continuous service in the Foreign Service of USIA. This is similar to the arrangement under which Staff personnel of the State Department are included in such retirement system.

The proposals will not increase employment or positions in USIA. The proposed corps of Foreign Service information officers will be created initially by appointment of Foreign Service Reserve officers already employed by the Agency who satisfy the requirements for appointment.

The proposal does not affect the status and rights of Civil Service employees of the Agency.

Our proposals are in accord with the recommendations of the various advisory groups such as the Herter Committee and the U. S. Advisory Committee on Information who have studied this problem.

The Bureau of the Budget has advised that enactment of this draft Bill would be in accord with the program of the President.

Sincerely,

LEONARD H. MARKS,
Director.

EXPLANATION OF PROPOSED BILL

GENERAL

The proposed legislation is designed to provide the statutory basis for a career foreign service personnel system for the U.S. Information Agency. It provides authority for an officer category to be known as Foreign Service information officers paralleling the Foreign Service Officer Corps of the Department of State. In general, the proposed legislation will place the foreign service of the Agency on a basis equivalent with that of the Department of State and subject to the same statutory requirements and limitations.

The legislative proposals, if enacted into law, will meet a need that has existed since 1953 when the Agency was established by Reorganization Plan No. 8. At that time the President recognized that the limited personnel authorities granted to the new Agency under Reorganization Plan No. 8 and implementing executive orders were not adequate. In his message to the Congress transmitting the Reorganization Plan, the President said:

"While these [personnel] arrangements will enable the new Agency to function with reasonable effectiveness from the outset, I do not consider them permanently suitable."

Under Reorganization Plan No. 8 and related executive orders, the foreign service personnel authorities of the Agency were limited to those pertaining to Foreign Service Reserve officers, Foreign Service Staff officers and employees, and alien clerks and employees. The Agency was not given the authorities necessary to establish and operate a permanent career foreign service officer personnel system. The present proposal will for the first time give the Agency statutory authority for a career personnel system for its professional officers in the foreign service.

Such proposals are consistent with recommendations of the Herter Committee, the Advisory Commission on Information, and various other study groups that USIA career officers be given the same rights and perquisites and be subjected to the same stringent judgment of performance as personnel already in the Foreign Service.

Section 1

This section establishes a foreign service category of officers of the United States Information Agency to be known as Foreign Service information officers.

Section 2

In this section the Congress recognizes the need to complete the personnel system of the Agency, as described in the general explanation above, to enable the Director of USIA to do his job effectively.

Section 3

This section states the basic purposes of the bill; namely, to provide the statutory framework for a worldwide career officer personnel system in USIA, to give the Director the authorities necessary to establish and operate it, to regularize and complete the inadequate system under which the Agency has operated for thirteen years, to assure efficiency and flexibility in the use of this category of officers, and to accord Foreign Service information officers the same rights and perquisities and to require the same standard of performance as apply to Foreign Service officers.

The proposal will not increase employment or positions in USIA. The proposed corps of officers will be created initially by appointment of Foreign Service Reserve officers already employed by the Agency who satisfy the requirements for appointment.

The proposal does not affect the status and rights of civil service employees of the Agency.

Section 4

The Director of USIA will have control of the Foreign Service information officer corps in the same way that the Foreign Service officer corps is under the direction and authority of the Secretary of State. To accomplish such control this section makes available to the Director with respect to Foreign Service information officers the same range of authority available to the Secretary of State with respect to Foreign Service officers, except as provided in Section 11 which reserves to the Secretary authority regarding Diplomatic and Consular Commissions and Titles.

The Director retains, of course, the authority made available to him by the President with respect to Foreign Service Reserve officers, Foreign Service Staff officers and employees, and alien clerks and employees, under executive orders implementing Reorganization Plan No. 8.

The proposal in no way impinges upon the authority of the Secretary of State to administer the Foreign Service officer system.

Section 5

Foreign Service information officers will work with Foreign Service officers at the same posts under identical conditions throughout the world. Although employed by two separate agencies this section will assure the coordination of these two career officer systems and the uniformity and compatibility desired by the Congress and the Executive Branch.

Section 6

Subsection (a) makes applicable to Foreign Service information officers the sections of the Foreign Service Act of 1946, as amended, which apply to appointment and assignment of Foreign Service officers, except those relating to appointment of Foreign Service officers as career ambassadors and career ministers. Appointment will be by the President, by and with the advice and consent of the Senate. Appointees must satisfy requirements and pass examinations required by the Act.

Junior officers will be appointed at class 7 or 8 in accordance with Section 516 of the Foreign Service Act. Written, oral, physical and other examinations comparable to Foreign Service officer class 8 examination will be required. The Agency desires to provide a *continuing source of highly qualified young* officers for the Foreign Service Information Officer Corps through appointments at the entrance class.

Subsections (b), (c) and (d) provide for appointment of Foreign Service information officers as Career Ministers for Information. Appointments will be by the President, by and with the advice and consent of the Senate. To qualify, Foreign Service information officers must have served in an Embassy as a Minister for Public Affairs or in a position of comparable importance.

The Secretary of State at the request of the Director will furnish the President the names of Forgein Service information officers qualified for appointment to the Class of Career Minister for Information. Officers appointed as Career Ministers for Information will receive the same salary as that provided by Section 412 of the Foreign Service Act of 1946, as amended, for Foreign Service officers appointed to the Class of Career Minister.

Section 7

This section makes applicable to Foreign Service information officers the sections of the Foreign Service Act which provide for promotion of and within class increases for Foreign Service officers. Promotion will be by appointment to a higher class by the President, by and with the advice and consent of the Senate.

Section 8

This section makes applicable to Foreign Service information officers the sections of the Foreign Service Act which provide for retirement, selection-out, and separation for cause of Foreign Service officers.

Section 9

Subsection (a) makes Foreign Service information officers participants in and beneficiaries of the Foreign Service Retirement and Disability System which is administered by the Secretary of State under Title VIII of the Foreign Service Act on the same basis as Foreign Service officers. It is not intended to establish a separate retirement and disability system or to maintain a separate retirement fund for Foreign Service information officers.

Subsection (b) provides for the participation in the Foreign Service Retirement and Disability System of Agency Staff officers and employees who have completed or who will hereafter complete ten years of continuous service in the Foreign Service of USIA. At the present time Agency Staff personnel, regardless of length of service, are covered by the Civil Service Retirement Act. Beginning in 1961, Staff personnel of the Department with ten years of continuous service in the Foreign Service of the Department have been covered by the Foreign Service Retirement and Disability System. This difference in treatment of Staff personnel of the two agencies should be removed when Agency career Foreign Service information officers become participants in the Foreign Service Retirement and Disability System.

Subsection (c) provides for the gradual retirement over a four-year period of Agency Staff personnel who are above the mandatory retirement age at the time they become participants in the system. This gradual transition is identical to that provided when State Department Staff personnel were brought into the System in 1961 and is necessary to provide an orderly transition for older employees upon transfer to another retirement system.

Subsection (d) is another transitional provision to permit Staff personnel who are age 57 or more on the effective date of this section to retire voluntarily. Without this provision some employees would not be eligible to retire voluntarily before they reach mandatory retirement age.

Subsection (e) provides that subsection (b) will be effective the first day of the first month which begins more than one year after the date of the enactment. Also, under this subsection an eligible Staff employee may elect to become a participant before the * * * requirement of subsection (b) becomes effective.

Section 10

This section assures that the legal framework for establishment and administration of the Foreign Service Information Officer Corps is complete by making applicable other provisions of the Foreign Service Act or any other law which apply to Foreign Service officers.

Section 11

This section provides that the Director, when he considers it necessary to carry out the Agency's functions, may request the Secretary of State to recommend to the President that Foreign Service information officers be commissioned to serve in a diplomatic or consular capacity. In this way, the Secretary of State retains responsibility for commissioning Agency personnel and for their assignment under such commissions in diplomatic or consular capacities. The Director retains authority over the assignment and transfer of Foreign Service information officers in other than diplomatic or consular capacities.

Section 12

The Board of the Foreign Service and the Board of Examiners of the Foreign Service will perform the same functions with respect to Foreign Service information officers as they perform with respect to Foreign Service officers. Pursuant to section 5 of the bill, the Board of the Foreign Service will serve in a coordinating role to achieve compatibility between the two systems.

Section 13

The bill creates the legal framework for the establishment and operation of the Foreign Service Information Officer Corps by making applicable to such officers provisions of the Foreign Service Act and other laws which apply to Foreign Service officers. The wording of those provisions is in terms of the "Secretary of State" and "Foreign Service officers". This section makes clear that when those provisions are used with respect to this newly established category of Foreign Service information officers the provisions are to be construed in terms of the "Director of USIA" and "Foreign Service information officers".

RÉSUMÉ OF SECTIONS OF THE FOREIGN SERVICE ACT SPECIFICALLY MADE APPLICABLE TO FSIO'S

The bill to establish a category of officers of the USIA to be known as FSIOs incorporates by reference specified provisions of law applicable to FSOs of the Department of State.

There is included herein a brief résumé of each such referenced section keyed to the section of the bill in which the reference is contained.

Section 1 through 5 of bill

None

Section 6 of bill

Section 412: Establishes ten classes of FSIOs and salary levels.

Section 413: Authorizes initial appointment in a class commensurate with experience; establishes the basic salary for FSIOs on initial appointments.

Section 421: Authorizes FSIOs to act as chargé d'affaires ad interim, and receive additional compensation therefor.

Section 431: Pertains to salaries of an FSIO who may be appointed chief of mission by the President with Senate confirmation.

Section 432: Establishes effective dates for * * * under various circumstances including recess appointments, promotion, etc.

Section 441: Authorizes the Director to classify positions.

Section 500: Establishes a policy that FSIOs have, to the extent practicable, knowledge of the language of their country of assignment.

Section 501(b): Authorizes the assignment of FSIOs to serve as Chargé d'affaires and in other diplomatic capacities.

Section 502(b): Establishes requirements and procedures for recommendations of FSIOs as Chief of Mission.

Section 511: Provides for appointment by the President with Senate confirmation.

Section 512: Authorizes commissions as diplomatic or consular officers.

Section 514: Authorizes assignments and transfers as interests of the Agency require.

Section 515: Establishes a minimum citizenship period for appointment.

Section 516: Establishes requirements and procedures for appointment to classes 7 and 8 on the basis of comprehensive examinations.

Section 517: Provides for lateral entry of qualified individuals on the basis of comprehensive examinations.

Section 518: Pertains to qualification for appointment as Career Minister and Career Ambassador.

Section 519: Pertains to retirement of former ambassadors and ministers.

Section 520: Establishes procedures for the recall or re-employment of FSIOs who have been separated from the Service.

Section 571: Establishes requirements and procedures for assignment to any Government agency or international organization.

Section 572: Requires each officer to spend a minimum of three years in the United States out of 15 years of service.

Section 573: Authorizes assignment for consultation or instruction.

Section 574: Authorizes assignment to trade, labor, agricultural or other conferences.

Section 575: Authorizes assignment to foreign governments.

Section 578: Establishes foreign language knowledge prerequisite to foreign assignment.

Section 7 of the bill

Section 621: Provides for promotion on the basis of merit by the President with Senate confirmation.

Section 622: Authorizes establishment of minimum periods in grade for promotion and standards of performance for promotion.

Section 623: Provides for establishment of selection boards to evaluate officers and make recommendation for promotion.

Section 625: Establishes within-class salary levels and standards for receiving within-class increases.

Section 626: Provides that functional and geographical specialization should not inhibit advancement.

Section 8 of bill

Section 631: Provides for retirement at age 65 of officers who are Career Ambassadors or Career Ministers.

Section 632: Provides for retirement at age 60.

Section 633: Provides for selection-out of officers who are not promoted within a time period specified by regulations or who do not maintian required standard of performance.

Section 634: Provides retirement benefits for officers who are selected out.

Section 635: Authorizes separation of officers while in probationary status.

Section 636: Authorizes voluntary retirement at age 50 with 20 years of service with the consent of the Agency head.

Section 637: Establishes requirements and procedures for separation on account of unsatisfactory performance of duties or for such other cause as will promote the efficiency of the Service.

Section 9 of the bill

Title VIII: Established the Foreign Service Retirement and Disability System.

Section 852: Authorizes contributions for and credit of prior Government service for participation in the Foreign Service Retirement and Disability System.

Section 821: Provides for computation of annuities under the Foreign Service Retirement and Disability System.

Section 11 of the bill

Section 512: Authorizes diplomatic and consular commissions.

Section 514: Authorizes assignment of officers commissioned as diplomatic or consular officers as the interests of the Agency require.

JOINT COMMITTEE TO INVESTIGATE CRIME

Mr. MOSS. Mr. President, I introduce, for myself and Senators Tydings, Bartlett, Bible, Brewster, Brooke, Byrd of West Virginia, Cannon, Church, Fong, Hatfield, McIntyre, Miller, Mondale, Muskie, Nelson, and Yarborough, a joint resolution creating a Joint Committee To Investigate Crime.

I ask that the joint resolution be appropriately referred, and I ask unanimous consent that it be printed at this point in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the Record.

The joint resolution (S.J. Res. 94) creating a Joint Committee To Investigate Crime, introduced by Mr. Moss (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 94

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby created a Joint Committee To Investigate Crime, to be composed of seven Members of the House of Representatives to be appointed by the Speaker of the House of Representatives, and seven Members of the Senate to be appointed by the President pro tempore of the Senate. In each instance not more than four members shall be members of the same political party.

(b) Vacancies in the membership of the joint committee shall not affect power of the remaining members to execute the functions of the Joint committee, and shall be filled in the same manner as in the case of the original selection.

(c) The joint committee shall select a chairman and a vice chairman from among its members at the beginning of each Congress.

Sec. 2. (a) The joint committee shall make continuing investigations and studies of all aspects of crime in the United States, including (1) its elements, causes, and extent; (2) the preparation, collection, and dissemination of statistics thereon, and the availability of reciprocity of information among law enforcement agencies, Federal, State, and local, including exchange of information with foreign nations; (3) the adequacy of law enforcement and the administration of justice, including constitutional issues pertaining thereto; (4) the effect of crime and disturbances in the metropolitan urban areas; (5) the effect, directly or indirectly, of crime on the commerce of the Nation; (6) the treatment and rehabilitation of persons convicted of crimes; (7) measures for the reduction, control, or prevention of crime; (8) measures for the improvement of (a) detection of crime, (b) law enforcement, including increased cooperation among the agencies thereof, (c) the administration of justice; and (9) measures and programs for increased respect for the law.

(b) The joint committee shall report to the Senate and the House of Representatives, from time to time, the results of its investigations and studies, together with such recommendatons as it may deem desirable. Any department, official, or agency engaged in functions relative to investigations or studies undertaken by the joint committee shall, at the request of the joint committee, consult with the joint committee from time to time with respect to such functions or activities.

Sec. 3. (a) In carrying out its duties, the joint committee or any duly authorized subcommittee thereof is authorized to hold such hearings and investigations, to sit and act at such places and times within the United States, including any Commonwealth or possession thereof, whether the House or the Senate is in session, has recessed, or has adjourned, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems necessary. The joint committee may make such rules respecting its organization and procedures as it deems necessary. No recommendation may be reported from the joint committee unless a majority of the committee is present. Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or by the joint committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses.

(b) The joint committee may appoint and fix the compensation of such clerks, experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable; and, with the prior consent of the heads of departments or agencies concerned and the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Federal Government, as it deems advisable. The joint committee is authorized to reimburse the members of its own staff for travel subsistence, and the other necessary expenses incurred by them in the performance of the duties vested in the joint committee other than expenses in connection with meetings of the joint committee held in the District of Columbia during such times as the Congress is in session.

Sec. 4. The expenses of the joint committee shall be paid one-half from the contingent fund of the House of Representatives and one-half from the contingent fund of the Senate, upon vouchers signed by the chairman or the vice chairman of the joint committee.

MID-ATLANTIC STATES AIR POLLUTION CONTROL COMPACT

Mr. JAVITS. Mr. President, on behalf of myself, my colleague, Mr. Kennedy of New York, and the two Senators from New Jersey [Mr. Case and Mr. Williams], I introduce, for appropriate reference, a joint resolution to give congressional consent and agreement to enter into the mid-Atlantic States air pollution control compact, which would create a Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency. A like measure was introduced yesterday in the other body by Emanuel Celler, chairman of the steering committee of the New York congressional delegation joined by 24 cosponsors.

Mr. President, under this compact the Federal Government and the States of New York and New Jersey, which will be joined by Delaware, Connecticut, and Pennsylvania once their legislatures have acted, will come together to form an interstate air pollution control commission. It will investigate the causes and means of attack on the problem of air pollution and, most importantly, it will be empowered to establish air quality and emission standards and to actually administer and enforce those standards. It is patterned after the highly successful activities of the Delaware River Basin Commission in the areas of water supply and water pollution control, from which my own State has so greatly benefited. This compact is the second one to be submitted which would establish a regional air pollution control commission, Indiana and Illinois having so acted already.

Mr. President, air pollution is a deadly and costly plague of often underestimated importance. It kills, but generally the toll goes unnoticed since it cannot be counted at the time; for example, we now know that an estimated 80 persons died in New York City as a result of a temperature inversion some 7 months ago. The dollar cost is equally serious and equally insidious; according to Government estimates, the annual cost of air pollution in property damage alone is $11 billion.

Air pollution is a problem that demands the best talents of every sector of American life—Federal, State, and local government as well as private business, the universities, and individual citizens. Typically, in America, we do not lack the commitment to solve social problems or the basic knowledge about how to solve them; rather, we break down in trying to organize and implement the solutions. We tend to have the substantive programs, but not the administrative and coordinating mechanisms.

That is, in part, what the debate on creative federalism is all about—a proper mechanism. An interstate compact, in which the Federal Government joins, is just such an innovative mechanism which places under one command post the powers and talents of several political jurisdictions. It is creative federalism at its best.

This compact recognizes, it seems to me, three fundamental truths: First, air pollution is by its very nature an interstate problem—as anyone like myself who lives in New York City realizes all too well—and requires an interstate mechanism to deal with it; second, the enforcement of pollution controls must be primarily the responsibility of State and local agencies, which this compact recognizes by not preempting either the area of intrastate air pollution standards, where consistent with the compact, or the area of sanctions; the compact does, however, provide for regional standards and for its own penalties where no State penalty exists; and, third, the compact recognizes that the Federal Government can provide an important supportive role in the nature of research and technical assistance—a role which is especially appropriate where interstate pollution problems are involved.

Mr. President, I hope that Congress will give speedy consent to this compact.

Mr. President, I send the joint resolution to the desk for appropriate reference, and ask unanimous consent that the text of the resolution be printed in the Record.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, will be printed in the Record.

The joint resolution (S.J. Res. 95) to consent to and enter into the mid-Atlantic States air pollution control compact creating the Mid-Atlantic States Air Pollution Control Commission as an intergovernmental, Federal-State agency, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S.J. Res. 95

Whereas the States of New Jersey and New York have enacted the Mid-Atlantic States Air Pollution Control Compact substantially as hereinafter set forth, creating an intergovernmental Federal-State agency for the control and abatement of air pollution in the Mid-Atlantic region; and

Whereas by its terms said compact will come into effect after the adoption of concurrent legislation by the Federal Government and the said States of New Jersey and New York and may thereafter be entered into by the States of Delaware and Connecticut and the Commonwealth of Pennsylvania; and

Whereas the Congress favors the objectives of said compact and finds that its effectuation is in the public interest: Now, therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That the United States hereby consents to, and joins the States of New Jersey and New York in, the following compact:

"COMPACT

"Whereas the signatory parties recognize that they have certain serious problems in common with respect to pollution of the atmosphere by man-made contaminants; and

"Whereas the nature and sources of air pollution are such that the States' efforts can be effectively supplemented by control measures applicable to regional airsheds which cut across State boundaries; and

"Whereas the signatory parties recognize that the protection and improvement of the quality of their common atmosphere is vested with local, State, and National interests, for which they have a joint responsibility; and

"Whereas the signatory parties have determined to establish a Federal-interstate agency, with jurisdiction and powers adequate to cope with interstate air pollution problems;

"Now, therefore, the States of New Jersey and New York and the United States of America, and if any of them should join herein, the States of Delaware, Connecticut, and the Commonwealth of Pennsylvania, respectively, hereby solemnly covenant and agree with each other, upon the enactment of concurring legislation by the Congress of the United States and by the respective State legislatures, having the same effect as this part as follows:

"ARTICLE I—SHORT TITLE, DEFINITIONS, AND FINDINGS

"Section 101. Short Title.—This Act shall be known and may be cited as the 'Mid-Atlantic States Air Pollution Control Compact.'

"Sec. 102. Definitions.—For the purposes of this compact, and of any supplemental or concurring legislation enacted pursuant thereto, except as may be otherwise required by the context:

"(1) 'Commission' shall mean the Commission established by this compact;

"(2) 'Region' shall mean the territorial limits of the States which are or become parties to this compact;

"(3) 'Compact' shall mean part I of this Act;

"(4) 'Federal Government' shall mean the Government of the United States of America, and any appropriate branch, department, bureau, or division thereof, as the case may be;

"(5) 'Signatory party' shall mean a State, Commonwealth, or the Federal Government, which has become a party to this compact by enactment of concurring legislation;

"(6) 'District' shall mean any area established, identified, or defined by the Commission in connection with the abatement or control of air pollution;

"(7) 'Air contaminant' shall mean dust, fumes, mist, smoke, or other particulate matter, vapor, gas, odorous substance, or any combination thereof;

"(8) 'Air pollution' shall mean the presence in the outdoor atmosphere of one or more air contaminants in such quantities and duration as is or tends to be injurious to human health or welfare, animal or plant life, or property, or would unreasonably interfere with the enjoyment of life or property;

"(9) 'Emission' shall mean a release into the outdoor atmosphere of air contaminants.

"Sec. 103. Findings of Fact.—It is hereby found and declared that:

"(1) The tremendous growth of population and industry has resulted in substantial increases in atmospheric waste and air pollution over the entire region;

"(2) Air pollution does not respect political boundaries, and persons far removed from its sources and having no responsibility for or control over its creation endure health hazards, discomfort and inconvenience and experience property damage and economic loss;

"(3) Air pollution is associated with such important respiratory diseases as lung cancer, emphysema, chronic bronchitis and asthma, and is a general hazard to the public health and welfare, agricultural crops, livestock and other property;

"(4) It is necessary and desirable to abate existing air pollution and prevent future air pollution so as to secure and maintain air quality which is consistent with the public health and welfare, the propagation and protection of plant and animal life, and the protection of property and other resources of the region;

"(5) In the present state of the art, there are no public facilities for collection and disposal of atmospheric waste comparable to facilities to cope with liquid and solid waste, and the effects of emissions differ greatly among air resource uses and users, under the various meteorological and geographic conditions, which disregard State boundaries;

"(6) Air pollution can best be controlled and abated at its sources, and, while such prevention, control and abatement is the primary obligation of the States, counties, or municipalities in which it originates, the problems of interstate air pollution can be more readily and effectively solved under a coordinated regionwide agency of the State and Federal Governments.

"Sec. 104. Existing Agencies; Construction.—It is the purpose of the signatory parties to preserve and utilize the functions, powers and duties of existing offices and agencies of government to the extent not inconsistent with the compact and the commission is authorized and directed to utilize and employ such offices and agencies for the purpose of this compact to the fullest extent it finds feasible and advantageous.

"ARTICLE II—ORGANIZATION AND ADMINISTRATION

"Sec. 201. Commission Created.—There is hereby created the Mid-Atlantic States Air Pollution Control Commission as a body politic and corporate, with perpetual succession as an agency and instrumentality of the respective signatory parties.

"Sec. 202. Commission Membership.—The Commission shall consist of the governors of the signatory states, ex-officio, and one Commissioner to be appointed by the President of the United States, to serve during the term of office of the President appointing him and until the appointment and qualification of his successor.

"Sec. 203. Alternates.—Each member of the Commission shall appoint an alternate to act in his place and stead, with authority to attend all meetings of the Commission, and with power to vote in the absence of the member. Unless otherwise provided by law of the signatory party for which he is appointed, each alternate shall serve during the term of the member appointing him, subject to removal at the pleasure of the member. In the event of a vacancy in the office of alternate, it shall be filled in the same manner as an original appointment for the unexpired term only. In the event of the temporary absence or disability of an alternate, the member of the Commission may appoint another qualified person to act as his alternate for the duration of such temporary absence or disability.

"Sec. 204. Compensation.—Members of the Commission and alternatives shall serve without compensation from the Commission but may be reimbursed for necessary expenses incurred in and incident to the performance of their duties.

"Sec. 205. Voting Power.—Each member shall be entitled to one vote on all matters which may come before the Commission. No action of the Commission shall be taken at any meeting unless a majority of the membership shall vote in favor thereof.

"Sec. 206. Organization; Procedures.—The Commission shall provide for its own organization and procedure and shall adopt rules and regulations governing its meetings and transactions. It shall organize annually by the election of a Chairman and Vice Chairman from among its members. It shall provide by its rules for the appointment by each member in his discretion of an advisor to serve without compensation, who may attend all meetings of the Commission and its committees.

"Sec. 207. Jurisdiction.—The Commission shall have, exercise and discharge its functions, powers and duties within the region. It may by contract or otherwise act jointly, concurrently, or in cooperation with any other agency or instrumentality of government within or without the region for the purpose of effectuating the purposes of this compact.

"Sec. 208. Retained Jurisdiction of Signatory Parties.—(a) Unless authorized by laws of the signatory States other than this compact, the Commission shall not have power to require licenses or permits for the construction, establishment, installation, maintenance, or operation of any air pollution source or other equipment, device or facility; to require Commission approval of any of the foregoing; or to confer upon the commission any other power of licensure.

"(b) Nothing in this compact shall be construed to abrogate, impair, or in any way prevent the enactment or application of any State or local law, code, ordinance, rule, or regulation not inconsistent with this compact, or with any standard, rule, or regulation of the Commission; and any such State or local law, code, ordinance, rule, or regulation may be more restrictive than any requirement in effect pursuant to this compact.

"(c) Nothing in this compact shall be construed to affect any aspect of employer-employe relations, including without limitation, statutes, rules, or regulations governing industrial health and safety.

"ARTICLE III—POWERS AND DUTIES OF THE COMMISSION

"Sec. 301. General Powers.—The Commission shall:

"(1) Investigate the causes and sources of air pollution, identify air contaminants, and provide for research and the compilation and analysis of information relating thereto;

"(2) Establish, after consultation with the appropriate agency of the signatory parties, standards for air quality and requirements for the control of emissions of air contaminants to abate existing air pollution and to prevent future air pollution, subject to the provisions of article four of this compact;

"(3) Provide and administer plans and programs to effectuate such air quality standards and emission control requirements;

"(4) Promote, sponsor, and conduct technical, educational, and research programs and projects to identify and evaluate air contaminants and to develop and apply methods, systems and procedures for the abatement and prevention of air pollution;

"(5) Enforce or provide for the enforcement of the compact and rules and regulations lawfully promulgated thereunder; and

"(6) Furnish technical service, advice and consultation to agencies of the signatory parties: *Provided,* That the costs of such services may be reimbursed whenever the parties deem appropriate.

"Sec. 302. Auxiliary Powers.—In furtherance of the powers and duties elsewhere prescribed in this compact, the Commission may:

"(1) Sue and be sued in a court of competent jurisdiction;

"(2) Have a seal and alter the same at pleasure;

"(3) Acquire, hold and dispose of real and personal property by gift, purchase, lease, license or other similar manner for its corporate purposes and accept grants and comply with the conditions thereof;

"(4) Provide for the organization and administration of a Commission staff and retain and employ counsel and private consultants on a contract basis or otherwise;

"(5) Administer and enforce the provisions of this compact;

"(6) Make and enforce such rules and regulations as the Commission may deem necessary to effectuate the purposes of this compact or to prevent the circumvention or evasion thereof;

"(7) By its members and its properly designated officers, agents, and employes, administer oaths and issue subpoenas throughout the region to compel the attendance of witnesses and the giving of testimony and the production of other evidence;

"(8) Have for its members and its properly designated officers, agents, and employes, full and free access, ingress and egress to and from all property, premises and places in the region, for the purpose of making inspection or enforcing the provisions of this compact, where there is reasonable cause to believe there is a violation of this compact or of any rule or regulation lawfully made thereunder; and no person shall obstruct or in any way interfere with any such member, officer, employee or agent in the making of such inspection, or in the enforcement of the provisions of this compact or in the performance of any other power or duty under this compact; and

"(9) Cooperate with and receive from any department, division, bureau, board, commission, or agency of any or all of the signatory parties, or of any county or municipality thereof, such assistance and data as will enable it properly to carry out its powers and duties hereunder, and may authorize and request any such department, division, bureau, board, commission or agency, with the consent thereof, to execute such of its functions and powers as the public interest may require.

"ARTICLE IV—AIR QUALITY STANDARDS AND EMISSION CONTROL REQUIREMENTS

"Sec. 401. Generally.—The Commission shall have jurisdiction to abate existing air pollution and to prevent and control future air pollution in the region, and to this end it shall:

"(1) Prepare and develop standards of air quality and emission control requirements for the region as required to protect the public health and welfare and prevent air pollution which would unreasonably impair the beneficial use of the air of the region. To this end, it shall encourage and conduct studies, investigations and research relating to air pollution and its causes, prevention, control and abatement.

"(2) For the purpose of such standards, the Commission may establish and delineate districts and airsheds, seasonal requirements, and classifications of air contaminants by type and source, for general or selective application of such standards and emission controls.

"(3) Prior to the adoption of standards or emission control requirements, the Commission shall hold public hearings upon due notice of the proposed standards, and all interested persons shall be given an opportunity to be heard at such hearing. After such notice and hearing, the Commission may adopt and from time to time amend and repeal standards in the form of rules and regulations to prevent or control future air pollution and to abate existing air pollution, and to require the installation of such measures, systems and procedures for the abatement or prevention of air pollution as may be required to protect the public health, safety, property rights, and general welfare. Any such rule or regulation, amendment or repeal thereof shall take effect not less than sixty days after its adoption by the Commission and filing as required by law.

"Sec. 402. Monitoring; Warnings; Emergencies.—The Commission shall:

"(1) Provide for a uniform, comprehensive and integrated system for monitoring atmospheric waste in the region, the measurement and forecasting of air pollution, and the identification of significant meteorological, geographical, and ecological factors within the region, its districts or airsheds;

"(2) Establish and administer warning and alert procedures and systems with respect to impending and existing conditions of severe and immediately dangerous air pollution;

"(3) Upon authorization by any one of the signatory States, exercise emergency powers within those portions of the region lying within the authorizing State to require the reduction or cessation of emissions of air contaminants, and to require the taking or refraining from any other measure as may be necessary in the public interest to alleviate or abate the immediate danger.

"Sec. 403. Enforcement.—(a) The Commission may, after such notice and hearing as may be required by due process of law, issue an order or orders to any person or public or private corporation, or other entity, to cease and desist from any emissions which it determines to be in violation of such rules and regulations as it shall have adopted for the prevention and abatement of air pollution. Any such order or orders may prescribe a schedule, including a reasonable time for the construction and installation of any necessary systems, methods and procedures, on or before which the emission of air contaminants shall be wholly or partially discontinued, modified or treated, or otherwise required to conform to the standards established by the commission. Any court of competent jurisdiction shall have jurisdiction to enforce by injunction in a summary manner against any person, public or private corporation, or other entity, any and all provisions of this article or of any such order. The Commission may bring an action in its own name in any such court of competent jurisdiction to compel compliance with any provisions of this compact, or of any rule, regulation or order issued pursuant thereto, according to the practice and procedure of the court.

"(b) In the case of air pollution not within an interstate district or airshed as established by the Commission, the Commission shall give priority to enforcement proceedings by other agencies of the signatory parties; *Provided, however,* That the provisions of the subdivision may not be asserted as a defense in any action or proceeding brought by the Commission.

"Sec. 404. Hearings; Subpoenas.—(a) The Commission shall establish by appropriate regulation the procedure to be followed in the conduct of its hearings. Neither the Commission nor any person designated by it to conduct a hearing shall be bound by common law or statutory rules of evidence or by technical or formal rules of procedure in the conduct of such hearing.

"(b) The Commission, or such member or officer of the Commission as may be designated by the Commission for that purpose, shall have the power to issue subpoenas effective throughout the region to compel the attendance of witnesses and the giving of testimony or production of other evidence, and to administer oaths in connection with any such hearing. It shall be the duty of the Commission or of such member or officer of the Commission as it may designate to issue subpoenas at the request of and on behalf of any party to a hearing before the Commission. Subpoenas issued by the Commission shall be enforced by any court of competent jurisdiction of the signatory parties, according to the practice and procedure of the court applicable to subpoenas issued in proceedings pending before it.

"Sec. 405. Penal Sanction.—Any person, association, or corporation who violates or attempts or conspires to violate any provision of this compact or any rule, regulation or order of the commission duly made, promulgated or issued pursuant to the compact, in addition to any other remedy, penalty or consequence provided by law, shall be punishable as may be provided by statute of any of the signatory parties within which the offense is committed: *Provided,* That in the absence of such provision, any such person, association or corporation shall be liable to a penalty of not less than fifty dollars and not more than one thousand dollars, for each such offense to be fixed by the court, which the Commission may recover in its own name in any court of competent jurisdiction, and in a summary proceeding where available under the practice and procedure of such court. For the purposes of this section in the event of a continuing offense, each day of such violation, attempt or conspiracy shall constitute a separate offense.

"Sec. 406. Judicial Review.—Any order or determination of the commission under this article shall be subject to judicial review in any court of competent jurisdiction as provided by the law of a signatory party.

"ARTICLE V—PERSONNEL AND PROCEDURES GENERALLY

"Sec. 501. Powers of the Commissioners.—The Commissioners, subject to the provisions of this compact, shall:

"(1) Serve as the governing body of the Commission, and exercise and discharge its powers and duties except as otherwise provided by or pursuant to this compact;

"(2) Determine the character of and the necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed and paid subject to any provisions of law specifically applicable to agencies or instrumentalities created by compact;

"(3) Provide for the internal organization and administration of the Commission;

"(4) Appoint or provide for the appointment of the principal officers of the Commission and delegate to and allocate among them administrative functions, powers and duties;

"(5) Create and abolish such offices, employments, and positions as it deems necessary for the purposes of the compact, and subject to the provisions of this article, fix and provide for the qualification, appointment, removal, term, tenure, compensation, pension, and retirement rights of its officers and employes;

"(6) Let and execute contracts to carry out the powers of the Commission.

"Sec. 502. Regulations; Enforcement.—The Commission may:

"(1) Make and enforce reasonable rules and regulations in the form of an air pollution code or otherwise, for the effectuation, application and enforcement of this compact; *Provided,* That any rule or regulation, other than one which deals solely with the internal management of the Commission, shall be adopted only after public hearing and shall not be effective unless and until filed in accordance with the law of the respective signatory parties applicable to administrative rules and regulations generally; *Provided further,* That a certified copy of any such rule or regulation, attested as true and correct by the Commission, shall be presumptive evidence of the regular making, adoption, filing and publication thereof; and

"(2) Designate any officer, agent or employe of the Commission to be an investigator, and such person shall be vested with the powers of a peace officer of the state in which he is duly assigned to perform his duties.

"Sec. 503. Confidential Information.—Any records or other information furnished to or obtained by the Commission in the exercise of its powers, functions and duties from any private person, corporation, or other entity which records or information, as certified by the owner or operator, relate to production or sales figures, or to secret processes or production, or which if made known to others would tend to affect adversely the competitive position of such owner or operator, shall be retained solely for the use of the Commission and its employes, in the administration and enforcement of this compact, and for the use of air pollution control agencies of the signatory parties in the administration and enforcement of state or federal law, and shall not be published or disclosed for any other purposes by any officer or employe of the commission or any other person without the written consent of such owner or operator.

"Sec. 504. Officers Generally.—(a) The officers of the Commission shall consist of an executive director and such additional officers, deputies, and assistants as the Commission may determine. The executive director shall be appointed and may be removed by the affirmative vote of a majority of the full membership of the Commission. All other officers and employes shall be appointed in such manner and under such rules of procedure as the Commission may determine.

"(b) In the appointment and promotion of officers and employes for the Commission, no political, racial, religious, or residency test or qualification shall be permitted or given consideration, but all such appointments and promotions shall be solely on the basis of merit and fitness. Any officer or employe of the commission who is found by the Commission to be guilty of a violation of this section shall be removed from office by the Commission.

"Sec. 505. Meeting; Record.—(a) All meetings of the Commission shall be open to the public.

"(b) The minutes of the Commission shall be a public record open to inspection and copying at its offices during regular business hours, subject to the law relating to public records of the signatory states in which such minutes are located.

"Sec. 506. Prohibited Activities.—(a) No Commissioner, officer, or employe shall:

"(1) Be financially interested, either directly or indirectly, in any contract, sale, purchase, lease or transfer of real or personal property to which the Commission is a party;

"(2) Solicit or accept money or any other thing of value in addition to the compensation or expenses paid him by the Commission for services performed within the scope of his official duties;

"(3) Offer money or any thing of value for or in consideration of obtaining an appointment, promotion or privilege in his employment with the Commission.

"(b) Any officer or employe who shall wilfully violate any of the provisions of this section shall forfeit his office or employment.

"(c) Any contract or agreement knowingly made in contravention of this section shall be void.

"(d) Officers and employes of the Commission shall be subject in addition to the provisions of this section to such criminal and civil sanctions for misconduct in office as may be imposed by Federal law and the law of the signatory state in which such misconduct occurs.

"Sec. 507. Audit.—The Commission shall provide for an annual independent audit of its accounts and financial transactions by a certified public accountant, and for the publication of the report of such audit.

"Sec. 508. Tort Liability.—The Commission shall be responsible for claims arising out of the negligent acts or omissions of its officers, agents and employes only to the extent and subject to the procedures prescribed by law generally with respect to officers, agents, and employes of the Government of the United States.

"ARTICLE VI—GENERAL PROVISIONS

"Sec. 601. Commission Budget.—The Commission shall annually adopt a current expense budget for each fiscal year, and shall apportion the amount required to balance the expenditures therein, less estimated revenues from all sources, to the signatory parties in accordance with such equitable cost-sharing formulae as the members of the Commission may adopt by unanimous vote. Following the adoption of its annual budget, the Commission shall transmit certified copies of the budget to the budget officer of the respective signatory parties at such time and in such manner as may be required under their respective budgetary procedures. The signatory parties covenant and agree to include the amount so apportioned for the support of the Commission's current expense budget in their respective budgets next to be adopted, subject to such review and approval as may be required by their respective budgetary processes. Such amounts shall be due and payable to the Commission in equal quarterly installments during the Commission's fiscal year.

"Sec. 602. Cooperation.—Each signatory party pledges faithful cooperation in the control of air pollution in the region and consistent with such object to enact (or if enacted, to keep in force and where necessary to amend) laws which will:

"(1) Enable it to secure and maintain standards of air quality at least equal to those prescribed by the commission;

"(2) Accomplish effectively the objectives of this compact, and enable its officers, departments, boards, and agents satisfactorily to accomplish the obligations and duties assumed by the party under the terms hereof; and

"(3) Enable it to provide technical and administrative services to the commission upon request, within the limits of available appropriations, and to cooperate generally with the Commission for the purposes of this compact: *Provided*, That the cost of such services may be reimbursable whenever the parties deem appropriate.

"Sec. 603. Withdrawal From Compact.—(a) A signatory party may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall become effective until two years after the chief executive of the withdrawing party has given notice of the withdrawal to the Commission and to each Commissioner.

"(b) No withdrawal shall affect any obligation of a signatory party or any person therein accruing prior to the effective date of the withdrawal, nor any abatement order of the commission issued prior to such effective date nor shall any proceeding initiated for the enforcement thereof be invalidated or otherwise affected thereby. The jurisdiction of all appropriate courts and agencies for the enforcement of any such order shall continue, notwithstanding the fact that the effective date of the withdrawal may have passed.

"Sec. 604. Amendments and Supplements.—Amendments and supplements to this compact to implement the purposes thereof may be adopted by legislative action of any of the signatory parties concurred in by all of the others.

"Sec. 605. Construction and Severability.—The provisions of this compact and of agreements thereunder shall be severable and if any phrase, clause, sentence, or provision of this compact or such agreement is declared to be unconstitutional or the applicability thereof to any signatory party, agency or person is held invalid, the constitutionality of the remainder of such compact or such agreement and the applicability thereof to any other signatory party, agency, person, or circumstance shall not be affected thereby. It is the legislative intent that the provisions of such compact be reasonably and liberally construed.

"Sec. 606. Effective Date; Execution.—(a) This compact shall become binding and effective thirty days after the enactment of concurring legislation by the Federal Government and the state of New Jersey. The compact shall be signed and sealed in six duplicate original copies by the respective chief executives of the signatory parties. One such copy shall be filed with each of the signatory parties in accordance with the laws of the party in which the filing is made, and the remaining copies shall be filed and retained in the archives of the Commission upon its organization.

"(b) Thereafter, the compact shall become binding and effective separately as to each of the States of Connecticut and Delaware and the Commonwealth of Pennsylvania thirty days after enactment of concurring legislation by such States or Commonwealth."

Sec. 2. The President and the Congress or any committee thereof shall have the right to require the disclosure and furnishing of such information by the Mid-Atlantic Air Pollution Control Commission as they may deem appropriate and shall have access to all books, records and papers of the Commission.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CLARK. The Senator from New York has referred to the Mid-Atlantic States, which ordinarily includes Pennsylvania. I wish to ask the Senator if Pennsylvania is included in this instance?

Mr. JAVITS. In this instance, we hope that Delaware, Connecticut, and Pennsylvania will join, but as of now it is a compact between New York and New Jersey.

Mr. CLARK. This is a bill being introduced in the Senate on behalf of the Senators in the middle Mid-Atlantic States.

Mr. JAVITS. It is a bill sponsored by Senators on behalf of the States of New York and New Jersey, which are parties to the compact.

I might add that we expect to include all of those States, and the sponsorship of the Senator from Pennsylvania would be more than welcome whenever his legislature acts. At the moment, it is the beginning of a total Mid-Atlantic States compact, but only two States are in it right now.

Mr. CLARK. I have recently testified before a subcommittee chaired by the Senator from Maine [Mr. Muskie], with respect to the Clean Air Act for 1967, in which provision is made for interstate airsheds to be achieved by an interstate compact. It is true that Pennsylvania's concern is primarily with New Jersey, and to some extent with Delaware, rather than with New York. I commend the Senator and his colleagues for introducing this legislation, which I shall be happy to support, and intend to do everything possible I can to see to it that the legislature in Pennsylvania comes along so that the compact may be extended.

Mr. JAVITS. I am grateful to the Senator from Pennsylvania.

Mr. CASE. Mr. President, I am glad to join with Members of the Senate and House from New Jersey and New York in sponsoring legislation authorizing an interstate compact that will lead to creation of the Mid-Atlantic States Air Pollution Control Commission.

The compact already has been approved by the States of New Jersey and New York, and makes provision for the eventual inclusion of Connecticut, Pennsylvania, and Delaware as partners. The bill before us today would give congressional consent to the compact.

The Commission to be formed would be composed of the Governors of the signatory States as well as a Federal representative. Each member would have a single vote, and a majority would rule. The major responsibility of the commission would be to establish and enforce uniform standards of air quality for a regional "airshed." The lines of the "airshed" would be delineated by the new agency.

The coordinated attack on air pollution envisioned by the compact is recognition of a simple fact; namely, that air pollution has no respect for traditional political boundaries. The fragmented efforts to date to control air pollution in the highly industrialized States of the mid-Atlantic region cannot do the job. The contamination of the air continues without perceptible abatement. To be effective, the attack on air pollution must be regionwide and the controls must be at the same level for all parts of the region.

The creation of a single, areawide agency to act both as leader and coordinator in the clean air field is the obvious answer.

Such interstate instrumentalities are clearly within the bounds of the Federal-State relationship. Indeed, they are examples of the creative use of that relationship to deal with a growing category of problems requiring joint action by a number of States.

One example in my own region is the Delaware River Basin Commission, a partnership of four States—New Jersey included—and the Federal Government. The mission of the DRBC is to conserve and develop the tremendous resources of the Delaware River Basin.

The proposed Mid-Atlantic States Commission would more than meet a Federal recommendation made earlier this year that a bistate organization be created to clean up the heavily polluted air in the northern New Jersey-New York City area. I supported that recommendation as I have all constructive efforts to cleanse the polluted skies of my State and the region surrounding it.

The introduction of the proposed interstate compact in the House and Senate should be no cause for complacency in the battle against air pollution. Rather, it should be taken for what it is—a sign that State and local officials of our region finally recognize the need to work together to attack a problem that no one State can solve individually.

AUTHORIZATION OF COLORADO RIVER BASIN PROJECT—AMENDMENTS

AMENDMENT NO. 212

Mr. KUCHEL (for himself, Mr. ALLOTT, Mr. MURPHY, Mr. DOMINICK, Mr. MOSS, and Mr. BENNETT) submitted an amendment, in the nature of a substitute, intended to be proposed by them, jointly, to the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes, which was referred to the Committee on Interior and Insular Affairs, and ordered to be printed.

AMENDMENT NO. 213

Mr. HANSEN (for himself and Mr. MCGEE) submitted an amendment, in the nature of a substitute, intended to be proposed by them, jointly, to Senate bill 1004, supra, which was referred to the Committee on Interior and Insular Affairs, and ordered to be printed.

AMENDMENT NO. 214

Mr. ALLOTT (for himself, Mr. KUCHEL, Mr. MOSS, Mr. BENNETT, Mr. DOMINICK, and Mr. MURPHY) submitted an amendment, in the nature of a substitute, intended to be proposed by them, jointly, to Senate bill No. 1004, supra, which was referred to the Committee on Interior and Insular Affairs, and ordered to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. KUCHEL. Mr. President, on behalf of the Senator from Hawaii [Mr. FONG], I ask unanimous consent that, at its next printing, the names of my distinguished colleagues, the senior Senator from Nebraska [Mr. HRUSKA], the senior Senator from New York [Mr. JAVITS], and my name, be added as cosponsors of Senate bill 1505, the Law Enforcement Education Act of 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BURDICK. Mr. President, I ask unanimous consent that, at the next printing of the bill—S.1811—to provide that the highway known as U.S. Highway No. 2 between Duluth, Minn., and Everett, Wash., shall be designated as part of the National System of Interstate and Defense Highways, the names of the following Senators be added as cosponsors: Mr. CHURCH, Mr. JORDAN of Idaho, Mr. MANSFIELD, and Mr. METCALF.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Minnesota [Mr. MONDALE], I ask unanimous consent that, at the next printing of Senate bill 1341, the Clean Lakes Act, the name of the distinguished Senator from South Dakota [Mr. MCGOVERN] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maine [Mr. MUSKIE], I ask unanimous consent that the name of the Senator from Indiana [Mr. HARTKE] be added as a cosponsor of Senate bill 1446, the Orderly Marketing Act of 1967, at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maine [Mr. MUSKIE], I ask unanimous consent that, at the next printing of the bill—S. 1646—to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, and for other purposes, the name of the Senator from Oregon [Mr. HATFIELD] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from South Carolina [Mr. HOLLINGS], I ask unanimous consent that, at the next printing of the bill—S. 1796—to impose quotas on the importation of certain textile articles, the name of the distinguished Senator from North Carolina [Mr. JORDAN] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILLS SIGNED

The Secretary of the Senate reported that on June 22, 1967, he presented to the President of the United States the following enrolled bills:

S. 617. An act to authorize the States of North Dakota, South Dakota, Montana, and Washington to use the income from certain lands for the construction of facilities for State charitable, educational, penal, and reformatory institutions;

S. 1432. An act to amend the Universal Military Training and Service Act, and for other purposes; and

S. 1649. An act authorizing the change in name of certain water resource projects under jurisdiction of the Department of the Army.

NOTICE OF HEARING ON NOMINATION OF THURGOOD MARSHALL, OF NEW YORK, TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, July 11, 1967, at 10:30 a.m., in room 2228, New Senate Office Building, before the Committee on the Judiciary, on the nomination of Thurgood Marshall, of New York, to be an Associate Justice of the Supreme Court of the United States.

At the indicated time and place, persons interested in the above nomination may make such representations as may be pertinent.

NOTICE OF HEARINGS ON NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, July

11, 1967, at 10:30 a.m., in room 2228, New Senate Office Building, before the Committee on the Judiciary, on the following nominations: Thurgood Marshall, of New York, to be an Associate Justice of the Supreme Court of the United States; and

Warren M. Christopher, of California, to be Deputy Attorney General, vice Ramsey Clark.

At the indicated time and place, persons interested in the above nominations may make such representations as may be pertinent.

HELPING OTHERS

Mr. MAGNUSON. Mr. President, nothing grieves us more than losing a good and valued friend.

Sam Stern was such a man in my life. He passed away in Fargo, N. Dak., a short time ago.

He always had time for people. For the benevolent work of the Elks Lodge. For the crippled children. For his community.

All of these had time for Sam, too.

Grand Exalted Ruler Raymond C. Dobson delivered the eulogy at the funeral service.

I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

EULOGY

(Statement made by Grand Exalted Ruler Raymond C. Dobson during Sam Stern's funeral held at Fargo, N. Dak., May 23, 1967)

I shall not in the full meaning of the word give a eulogy to your and my good friend, Sam Stern.

I shall merely talk about him and his good deeds here on this earth.

But perhaps the words I speak in kind testimony about him will in themselves prove to be a eulogy.

Schooled as he was in the law, Sam Stern, if he were here to speak today, would in the language of the law more than likely say: I object because the evidence being presented is incompetent, irrelevant and immaterial.

But we, the judges of his life and his accomplishments would overrule his objection. And we'd have no fear of reversal in any higher tribunal.

Let me with all emphasis say that the Elks of North Dakota, the Elks of the United States of America, are what they are today—and truly they are a great and good organization—because they had a member and a national leader in the person of Sam Stern.

For more than a half century he was an articulate evangelist for the Elks and as our order approaches a century of existence next February, his handiwork, his unceasing labors, have made of it the greatest fraternal organization of its kind in our nation.

One wonders whether an influence greater than human did not in fact guide Sam Stern in smoothing the pathway of so many others.

The tragedies that beset his family—the loss in early years of his two children—possibly more than we know, made him determined that others would enjoy life's sunshine rather than its shadows.

No one here today can say how many physically handicapped boys and girls have been afforded a richer life because Sam Stern gave of his dedication in their behalf. But we know they are many.

And those beneficiaries who know he has left us, are today, I'm sure, thinking kindly and with deep appreciation of him.

What more need one say than that: Sam Stern was a good man. He was a compassionate man.

He in his good works set an example that others of us might well emulate.

I borrow some words from the Book of Wisdom:

The souls of the just are in the hand of God and no torment shall touch them.

They seemed in the view of the foolish, to be dead—but they are in peace.

And so, Brother Stern, now in your eternal slumber, we, in sorrow for your passing, and in admiration of your kind deeds here among us, wish you celestial happiness.

I speak for one and a half million Elks when I say:

You, Sam Stern, were one of God's noblemen.

DEATH OF THE LATE REPRESENTATIVE J. ARTHUR YOUNGER

The VICE PRESIDENT. The Chair lays before the Senate a message from the House of Representatives which will be stated.

The legislative clerk read as follows:

H. Res. 661

Resolved, That the House has heard with profound sorrow of the death of the Honorable J. Arthur Younger, a Representative from the State of California.

Resolved, That a committee of thirty-seven Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. KUCHEL. Mr. President, I send to the desk a resolution on behalf of my colleague, Senator MURPHY, and myself, and ask for its immediate consideration.

The VICE PRESIDENT. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 139

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. J. Arthur Younger, late a Representative from the State of California.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, when the Senate adjourns today, it do so as a further mark of respect to the memory of the deceased, the late Representative J. Arthur Younger.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to.

The VICE PRESIDENT. The Chair appoints the Senators from California, Senator KUCHEL and Senator MURPHY, to join the committee of the House to attend the funeral of the late Representative J. Arthur Younger, of California.

WHEAT ACREAGE ALLOTMENT FOR 1968

Mr. CARLSON. Mr. President, farmers in the greatest wheat producing State in the Union will be pleased with Secretary of Agriculture Freeman's announcement of a 59.3 million acre wheat allotment for 1968. I feel—and the great majority of Kansas wheat farmers will, too—that Secretary Freeman made the correct decision.

Farmers in my State realize they are in the front lines of the worldwide fight against hunger, and they have no desire to shirk the responsibility of providing enough food grains to win this battle. But they also realize the danger of too much production.

They are living very close to the years when surplus overwhelmed the market. They are laboring in a very cruel cost-price squeeze that can bankrupt them in a very short time if surpluses again build up to destroy market prices.

And so, Mr. President, the allotment for next year appears to be at a level which will balance our own domestic and our foreign needs with production that should not build surpluses.

I am pleased with the efforts Secretary Freeman made in obtaining advice from farmers in making this decision. He ordered a meeting in Kansas and in several other wheat States seeking this advice. I understand that most farmers in Kansas suggested a 1968 allotment at about the 59.3-million-acre level.

I believe Secretary Freeman made the correct decision, and I commend him for it.

Mr. President, I ask unanimous consent that the release issued by the Department of Agriculture this afternoon on wheat acreage allotments be printed in the RECORD at the conclusion of my remarks, and I also ask unanimous consent that a release on the minimum annual export targets for wheat for 1968 be printed in the RECORD.

There being no objection, the releases were ordered to be printed in the RECORD, as follows:

WHEAT ACREAGE ALLOTMENT FOR 1968 ANNOUNCED AT 59.3 MILLION ACRES

WASHINGTON, June 23, 1967.—Secretary of Agriculture Orville L. Freeman today announced an allotment of 59.3 million acres for the 1968 crop of wheat.

"This acreage will produce the supply of wheat needed to meet expected domestic and export needs during the marketing year which begins July 1, 1968," the Secretary said. "The decision follows widespread consultation with farmers, the trade, Congressmen and officials of other government agencies.

"This acreage," he continued, "would provide a crop of approximately 1.5 billion bushels with average weather, or slightly less than this year's record crop. A 1968 crop of this size will balance with estimated domestic use of 735 million bushels and an export target of at least 750 million bushels during the 1968–69 marketing year."

The Secretary said that while this decision could be modified later this summer if changed world supply conditions warrant, or if the U.S. crop deteriorates significantly, the present supply-demand outlook indicates that 59.3 million acres will meet needs adequately.

"The 1968-crop acreage," he said, "is geared to our expanding dollar export markets as well as to domestic wheat needs at prices attractive to producers. At the same time, sufficient production cushion is built in to enable us, in concert with other nations, to continue meeting our obligations to help those countries which as yet are unable to provide sufficient food for their people."

Secretary Freeman said this adjustment in allotment—up 32 percent last year and down 13 percent this year—demonstrates the flexibility intended in the Food and Agriculture Act of 1965.

"Both supply and demand for agricultural commodities can vary considerably from one year to the next," he said. "Usually such fluctuations are caused by forces beyond control. It is impossible to predict with absolute accuracy what the weather will do, or how much of any one commodity our competitors in world trade will produce in any one crop year. Weather and yields around the world are important considerations."

The Secretary pointed out that in 1966, after increased domestic wheat acreage had been announced, new information from the Soviet Union, Canada, and Australia indicated a bumper crop. World weather conditions improved steadily and a record global wheat crop resulted.

"So it isn't always possible to hit a one-year supply target exactly," he said. "For that reason we have consulted broadly around the country in making the new wheat acreage decision . . ."

The Secretary emphasized that the flexibility of the Food and Agriculture Act of 1965 makes it possible to adjust to fluctuations in supply and demand and to do it to the advantage of producer, consumer, and taxpayer.

"Since passage of this Act, total wheat income to the nation's farmer has increased $600,000,000" he said. "Surpluses have been eliminated, yet our supplies remain adequate.

"New Era farm programs for other commodities apply the same supply-management flexibility," he said, "and in general are working satisfactorily to balance supply with demand, increase farm income and eliminate surpluses in cotton, corn and tobacco.

"In setting the 1968 wheat acreage allotment at the level announced today, we fully recognize the importance of adequate supply to help needy people abroad," Freeman continued. "But we are also mindful of the effects of production in excess of effective demand on farm prices and the domestic wheat economy. We are determined to maintain a good balance between production and demand, and to prevent a return to a surplus pile-up of wheat.

"Even if abnormal weather prevails in 1968," the Secretary said, "the carryover going into the 1968 crop year will be enough to provide the necessary supply cushion without reducing domestic, export or food aid use.

"During recent weeks wheat farmers have generally advocated a 1968 allotment of around 59 million acres. The vast majority of farmers and their representatives, processors, and the grain trade at a series of 15 informal hearings throughout the wheat-producing area May 22 through June 8 favored an acreage at this level. For the most part, those who expressed a different view wanted a further reduction while a minority favored a higher level."

Freeman said the National Advisory Committee on Grains, in a meeting on May 15–16, also recommended a 1968 allotment at the level announced today.

The 59.3 million acre national allotment for 1968 reflects a 55-million acre allotment plus 4.3 million acres in small farm increases provided by the law. The 1967 total allotment was 68 million acres and the 1966 total allotment was 51.6 million acres.

Price support and other features of the 1968 program will be announced soon. The pattern will be the same as in 1967 with marketing certificates assuring producers full parity on wheat for food use in the United States.

FREEMAN ANNOUNCES TWO ANNUAL EXPORT TARGETS FOR WHEAT

WASHINGTON, June 23, 1967.—Secretary of Agriculture Orville L. Freeman today announced United States export targets of 750 million bushels of wheat from both the 1967 and 1968 crops.

"These are minimum export targets," the Secretary said. "They will not be reached automatically or easily, but we intend to reach them. Current conditions and trends indicate we can do so if business and government work at it together."

Although *total* world trade in wheat has dropped off about 17 percent this year, compared with 1965–66, the United States is setting a new record in commercial wheat exports. The *commercial* export total, including short-term credit and barter, for this marketing year is expected to be 430 million bushels, compared with 336 million in 1965–66.

Concessional sales and donations have been smaller this marketing year than in recent years. The decline is due to increased aid from other countries in maintaining the needed level of shipments to India, a drop-off of U.S. food aid to Egypt, Algeria, and Yugoslavia, and a program shift from sales for foreign currencies to sales for dollars on long-term credit terms in accordance with the policy of the Food for Freedom legislation enacted in 1966. Also, under terms of the new legislation, greater emphasis is being placed on the use of U.S. food aid to meet self-help objectives in recipient countries.

U.S. wheat exports are expected to total 735–740 million bushels this marketing year although in recent months export volume has dropped from the record volume of the first half of the marketing year. The total in 1965–66 was a record 867 million bushels. Exports under P. L. 480 are estimated at 310 million bushels this marketing year, compared with 531 million in 1965–66.

The Secretary called attention to the fact that the total exports for the marketing year just ending, and the carry-over June 30 of this year, are very close to targets set a year ago when the 1967 wheat acreage allotment was established.

Expected total exports at that time were 740 million bushels, and the June 30 carry-over was estimated at 390 million bushels.

The 1967 crop is expected to supply all domestic needs and the 750-million-bushel export target, while adding modestly to the carryover of 400 million bushels that will be on hand on July 1 of this year.

S. 3, A BILL TO ENFORCE THE FIRST AMENDMENT TO THE CONSTITUTION

Mr. ERVIN. Mr. President, on June 19, a three-judge Federal court in New York dismissed a taxpayer's suit challenging the dispersal of Federal funds to church-related schools. Following a 40-year-old rule of decision, the court held that taxpayers do not have sufficient interest in any one program to have standing to sue.

This is now at least the third time this year that courts have refused to consider a fundamental first amendment issue of critical importance to a free society. And it should be clear by now the courts will not act until Congress removes the procedural barrier standing in their way. For 2 years the Senate, with little opposition, has passed legislation to do this; and for 2 years the bill, now numbered S. 3, has languished in the House.

In the last 8 months, evidence of the need for this bill and public support for it have snowballed. At the same time Federal courts have thrown out first amendment suits, State courts have ruled State aid invalid under the Federal Constitution. As Judge Frankel said in his eloquent dissenting opinion in the New York case:

> Those who wrote the First Amendment would have been astonished by the suggestion that it might come to be enforceable only against the states.

Yet, this is exactly what has happened; and of all the rights guaranteed to American citizens in the Bill of Rights, the right to keep government from aiding religion is the only one which cannot be enforced in the Supreme Court. This is a constitutional tragedy and a travesty on the rights of all Americans.

Although most Federal aid to education programs are being conducted intelligently and consistent with the Constitution, there are some—such as the joint public-parochial school in Swanton, Vt.—that cannot meet even the most flexible interpretation of the first amendment. Still, the American citizen is prevented from doing anything to stop it.

The House of Representatives need only look to its own vitriolic religious debate over Federal aid to education last month to realize the consequences of our leaving the Federal courts with their hands tied. We can never end this divisiveness in our society until we give the courts the authority to perform their most important function—that of deciding great constitutional issues.

Scores of religious, educational, and civil liberties organizations realize this and have endorsed S. 3. The best legal minds in our universities have assisted the Subcommittee on Constitutional Rights in its long and painstaking work to produce the best possible bill. Major dailies across the country support the bill, including newspapers in New York, Washington, Chicago, Little Rock, Pittsburgh, Charlotte, Wichita, and Boston.

As evidence of continuing press support, I ask unanimous consent that the following recent editorials be printed in the RECORD following my remarks: "Church Aid Questions Need Answer," from the Denver Post of May 1, 1967; "Ervin Bill To Allow Court Test," from the Durham Herald of April 15, 1967; and "School Aid Lacks Judicial Review," from the Washington Evening Star of May 26, 1967. I also ask unanimous consent that the opinion of the three-judge Federal court in New York, together with the dissenting opinion of Judge Frankel, be printed.

Mr. President, I take this occasion to plead once again for early consideration of S. 3 in the House so that the American people can have a remedy for one of their most precious rights.

There being no objection, the editorials and the opinions were ordered to be printed in the RECORD, as follows:

[From the Denver Post, May 1, 1967]

CHURCH AID QUESTIONS NEED ANSWER

It is hard to believe but the federal government is spending this fiscal year nearly $5 billion for education and poverty programs in which various churches and church schools are allowed to participate although no one knows whether that participation is constitutional and present law provides no way to test its constitutionality.

The Senate recently passed a bill to correct this strange legal anomaly by permitting citizens or groups of citizens to bring court actions to find out if the disbursement of federal money to church institutions violates the First Amendment provisions that "Congress shall make no law respecting an establishment of religion."

The House cannot with good conscience refuse to add its approval. No system of government can be wholly good and responsible if it pours out large sums on programs operating under a legal cloud.

At the present time church institutions are receiving federal money, as grants or loans for schools, student loans, fellowships, mental health centers, head start programs, research, youth corps projects and many other purposes.

Last year the Supreme Court of Maryland held that state grants of public money to three church-controlled colleges violated the First Amendment and the U.S. Supreme Court declined to review that decision.

But those same colleges are receiving federal money and, unless the Senate bill becomes law, there seems to be no way to learn if the federal expenditures are legitimate and proper.

This bar to a court test exists by virtue of a U.S. Supreme Court decision back in 1923.

At that time the court said a taxpayer's efforts to stop the federal government from making grants to the states for maternity benefits could not be pressed because the taxpayer's interest in the amount involved was minute and indeterminable and could not be the basis for invoking court action.

This 1923 ruling was used by a federal district court in Ohio only the other day to throw out a suit in which it was contended that the use of federal money by that state to supply books to parochial schools violated the First Amendment.

Experiences such as these have prompted Sen. Sam J. Ervin, D-N.C., to remark that citizens have the power to test all provisions of the Bill of Rights except the First Amendment provision against an establishment of religion.

Doubts about the constitutionality of federal aid to church institutions will not go away merely because those who hold those doubts can find no way to get into court.

A definitive determination by the U.S. Supreme Court is needed. The bill passed by the Senate would open the way to such a judgment. It would clear the air of angry controversy and enable Congress and the President to enact programs with the knowledge that they were fully legal.

Support for the Senate bill is impressive. The U.S. Office of Education favors judicial review of the constitutionality of its programs. Sponsors of the Senate bill include Sens. Ervin; Ralph W. Yarborough, D-Tex.; John S. Cooper, R-Ky.; Joseph S. Clark, D-Penn.; Hiram L. Fong, R-Hawaii, and others.

It has been endorsed by a wide variety of newspapers, including the New York Times and the Chicago Tribune, and by such organizations as the American Civil Liberties Union, the National Education Association, the National Congress of Parents and Teachers, the American Association of University Professors and many others.

The House must approve it unless its members want to take the position that they don't care whether they are violating the Constitution or not.

[From the Durham (N.C.) Herald, Apr. 15, 1967]

ERVIN BILL TO ALLOW COURT TEST

The nation needs the Ervin bill to allow a court test of federal aid to church-related institutions. The question has particularly concerned schools and colleges. For years a conflict, one side holding that federal aid to church-related schools and colleges violates the First Amendment, the other refusing to support bills which did not grant aid to church institutions, prevented the enactment of federal aid measures. Finally, when the bills allowed some forms of aid to church-related schools, they passed.

But the question of their constitutionality remains. Under precedent of years' standing, the Supreme Court has refused to accept suits brought by taxpayers challenging appropriations of public funds. The Ervin bill would allow citizens or potential beneficiaries of federal aid to challenge in the courts the laws granting aid from tax funds to church-related institutions. If the Ervin proposal is enacted, a court test of federal aid to church-related institutions is almost certainly assured.

The Senate has twice passed the Ervin bill, last year and again Tuesday, April 11. Failure of the House to act on the bill last year required its reintroduction in the new Congress and a new effort to secure its passage. The obstacle to action by the House last year was Rep. Celler, D-N.Y., chairman of the House Judiciary Committee. Increasing support for the Ervin bill, including advocates of federal aid to church-related institutions, may persuade Rep. Celler to remove his roadblock to the bill and at least allow it to come before the House for a vote.

Because a constitutional issue of such importance is involved, the Ervin bill should be passed. Congress needs for its guidance in educational legislation a definitive interpretation as to whether the prohibition of an established church and the guarantee of religious liberty in the First Constitution permits or bars the use of tax funds for church-related institutions. Allowing a citizen to challenge the grant of public funds to a church-related institution is the surest way to get the interpretation needed.

[From the Washington (D.C.) Evening Star, May 26, 1967]

SCHOOL AID LACKS JUDICIAL REVIEW

(By Dana Bullen)

Each time Congress gets around to the question of federal aid to education, as the House of Representatives did several days ago, it uncovers anew the simmering controversy over whether huge federal programs now are going over, under and around the supposedly sturdy wall between church and state.

The paradox is that no one really knows.

The Supreme Court has not ruled on the issue in this century, and unless things change, it perhaps never will. Meanwhile the programs themselves continue to spiral.

The nub of the problem is a 1923 decision by the Supreme Court itself holding that individual taxpayers may not contest federal expenditures in the courts.

Although all local and most state expenditures can be questioned in such lawsuits, the justices felt that the individual federal taxpayer simply was too far down the line to throw a monkey wrench into national programs.

The lack of judicial review has troubled many people over the years, especially as bigger and more innovative federal school aid programs have come along.

In 1965, for example, the issue periled the administration bill to bolster schools in low income neighborhoods, parochial schools included, in a variety of ways.

The bill passed, in fact, only after its Senate sponsors agreed to push a second bill to permit expressly federal court challenges. This measure, although approved by the Senate, died in the House.

This spring the same bill to permit court challenges, sponsored by Sen. Sam J. Ervin Jr., D-N.C., again has been approved by the Senate. It now awaits action in the House Judiciary Committee, where the prospects this time are believed somewhat better than they were the last time around.

In essence, the legislation would give citizens the right to contest any of a group of federal aid programs in federal court in the District of Columbia if it is thought there is a violation of First Amendment rights.

To avoid a flood of cases, lawsuits would have to be filed within a limited period and multiple suits could be heard together. The programs that could be contested are primarily in the fields of education, health and poverty.

To be successful, of course, a litigant would have to prove that the federal expenditure involved either directly or indirectly supports some type of religious activity.

Ervin has emphasized that the measure makes no attempt to define how the First Amendment should be applied. This would be left up to the courts. What Ervin is interested in is providing some method so that Congress can "legislate (in the future) in constitutional light rather than in constitutional darkness."

"It is impossible," he says, "for Congress to legislate intelligently, or for the administration to administer intelligently, in a constitutional vacuum . . ."

According to Ervin this "constitutional vacuum" already has permitted some "grotesque" situations.

In Vermont, he says, a $56,000 grant has been made by the U.S. Office of Education for planning of a joint public and parochial high school. "If erected," he states, "this would be the first combined public-religious educational facility conceived and sponsored by the federal (government)."

In Maryland, Ervin cites a case in which the highest state court last fall held state aid to three colleges unconstitutional under the First Amendment because of the colleges' religious involvement.

"Nevertheless," says Ervin, "those same colleges are continuing to receive federal money simply because, in the absence of enabling legislation . . . the grants cannot be challenged."

This, however, points up a basic fact that constitutes the greatest single hurdle Ervin's measure faces in the House. If lawsuits are permitted to contest federal expenditures at least some payments logically could be banned.

The political impact of this prospect is enormous. Some observers maintain that many parochial schools and church-related colleges already are fighting a battle for survival that can be won only with state and federal help.

So, although a strong legal argument can be made that the nation's highest court should be able to rule on any important action involving religious freedom, the political facts of life make the outcome of the present effort in this direction more of a question mark.

FLORENCE FLAST, ALBERT SHANKER, HELEN D. HENKIN, FRANK ABRAMS, C. IRVING DWORK, FLORENCE LEVIN AND HELEN D. BUTTENWIESER, PLAINTIFFS, *v.* JOHN W. GARDNER, AS SECRETARY OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE OF THE UNITED STATES, AND HAROLD HOWE, 2D, AS COMMISSIONER OF EDUCATION OF THE UNITED STATES, DEFENDANTS

In the U.S. District Court, Southern District of New York, 66 Civ. 4102

Argued May 25, 1967; decided June 19, 1967 before: Hays, Circuit Judge and McGohey and Frankel, District Judges.

Leo Pfeffer, New York, New York (Joseph B. Robinson and Donald M. Kresge, on the brief), *for Plaintiffs,*
Arthur S. Olick (Robert M. Morgenthau, United States Attorney for the Southern District of New York, Michael D. Hess, Assistant U.S. Attorney, on the brief), *for Defendants,*
Thomas F. Daly, New York, New York (Lord, Day & Lord, Julius Berman, Reuben E. Gross and Marcel Weber, on the brief), *for Proposed Intervenors.*

Hays, Circuit Judge: This is an action to enjoin the defendants from using federal funds to finance guidance services and instruction in reading, arithmetic and other subjects in religiously operated schools, and to prevent the expenditure of federal funds for the purchase of textbooks and other instructional materials for use in such schools. It is alleged that defendants are using federal funds for these purposes in administering Titles I and II of the Elementary and Secondary Education Act of 1965, 20 U.S.C. §§ 241 a–1, 821–27 (Supp. I, 1965).

Plaintiffs requested that a three-judge court be convened pursuant to 28 U.S.C. § 2282, 2284 to consider their contention that if these expenditures are authorized by the Act the statute constitutes a "law respecting an establishment of religion" and a law "prohibiting the free exercise thereof" in violation of the First Amendment to the Constitution of the United States. Defendants opposed the application for the convening of a three-judge court and moved to dismiss the complaint on the ground that plaintiffs lack standing to sue. The application for a three-judge court was granted. See *Flast v Gardner,* 66 Civ. 4102 (S.D.N.Y. April 27, 1967). We must decide defendants' motion to dismiss the complaint.

A group of parents whose children attend religiously operated schools and receive or are eligible to receive special educational help available under the Elementary and Secondary Education Act of 1965 have requested leave to intervene as defendants in this action.

We hold that plaintiffs have no standing to bring this action, that there is thus no justiciable controversy and this court therefore lacks jurisdiction of the subject matter. Our disposition of the case makes it unnecessary, for reasons set out more fully below, to pass on the application for intervention.

I

The issue of plaintiffs' standing has been presented separately and we have received briefs and heard argument only on this preliminary issue.

It is clear that if plaintiffs have standing to sue it is because they pay federal income taxes.

Consideration of the standing of a federal taxpayer to sue to prevent the depletion of the federal treasury caused by the expenditure of federal funds for unconstitutional purposes must begin with the Supreme Court's decision in *Frothingham v Mellon,* 262 U.S. 447 (1923). In that case a taxpayer sought to enjoin administration of the Maternity Act of 1921 which provided for the appropriation of federal funds to combat maternal and infant mortality. The taxpayer claimed that by enacting the statute Congress had exceeded its powers and had usurped powers reserved to the states by the Tenth Amendment to the Constitution, and that the effect of the appropriation would be "to increase the burden of future taxation and thereby take her property without due process of law." 262 U.S. at 486.

The Supreme Court distinguished cases permitting municipal taxpayers to sue to enjoin the expenditure of municipal funds and stated that the interest of a federal taxpayer "in the moneys of the Treasury. . . is shared with millions of others; is comparatively minute and indeterminable; and the effect upon future taxation, of any payment out of the funds, so remote, fluctuating and uncertain, that no basis is afforded for an appeal to the preventive powers of a court of equity." 262 U.S. at 487.

The Court held that a federal taxpayer, as such, cannot make the showing, necessary for obtaining judicial review of a statute, "that he has sustained or is immediately in danger of sustaining some direct injury as the result of its enforcement, and not merely that he suffers in some indefinite way in common with people generally." 262 U.S. at 488.

Plaintiffs contend that the *Frothingham* decision establishes a rule of judicial self-restraint rather than a limitation on the jurisdiction of the federal courts under Article III, Section 2 of the Federal Constitution. They argue that viewed as an expression of the policy of judicial self-restraint the *Frothingham* rule has no application to issues arising out of the Free Exercise and Establishment Clauses of the First Amendment.

Since the *Frothingham* decision is binding on this court regardless of whether it states a constitutional principle or a rule of policy, we need not consider the much debated question whether the rule is one of constitutional dimension.[1] Moreover, plaintiffs' attempt to distinguish *Frothingham* on the ground that the instant litigation involves rights protected by the First Amendment must be rejected in light of the Supreme Court's decision in *Doremus v. Board of Education,* 342 U.S. 429 (1952). In that case a group of taxpayers sought a judgment declaring unconstitutional under the Establishment Clause a New Jersey statute that provided for the reading of verses from Old Testament at the beginning of each school day. The Supreme Court, citing *Frothingham v. Mellon* and quoting from its opinion in that case, held that plaintiffs lacked standing to raise this First Amendment claim:

"Without disparaging the availability of the remedy by taxpayer's action to restrain unconstitutional acts which result in direct pecuniary injury, we reiterate what the Court said of a federal statute as equally true when a state Act is assailed: 'The party who invokes the power must be able to show not only that the statute is invalid but that he has sustained or is immediately in danger of sustaining some direct injury as the result of its enforcement, and not merely that he suffers in some indefinite way in common with people generally.' *Massachusetts v. Mellon, supra,* at 488.

"It is true that this Court found a justiciable controversy in *Everson v. Board of Education,* 330 U.S. 1. But Everson showed a measurable appropriation or disbursement of school-district funds occasioned solely by the activities complained of. This complaint does not.

"We do not undertake to say that a state court may not render an opinion on a federal constitutional question even under such circumstances that it can be regarded only as advisory. But, because our own jurisdiction is cast in terms of 'case or controversy,' we cannot accept as the basis for review, nor as the basis for conclusive disposition of an issue of federal law without review, any procedure which does not constitute such.

"The taxpayer's action can meet this test, but only when it is a good-faith pocketbook action. It is apparent that the grievance which it is sought to litigate here is not a direct dollars-and-cents injury but is a religious difference.

"If appellants established the requisite special injury necessary to a taxpayer's case or controversy, it would not matter that their dominant inducement to action was more religious than mercenary. It is not a question of motivation but of possession of the requisite financial interest that is, or is threatened to be, injured by the unconstitutional conduct. We find no such direct and particular financial interest here." 342 U.S. at 434–35. See e.g., *Elliott v White,* 23 F. 2d 997 (D.C. Cir. 1928); *Protestants and Other Americans United v United States,* No. 3303 (S.D.Ohio, March 20, 1967); cf. *Abington School Dist. v. Schempp,* 374 U.S. 203, 224 n.9 (1963); Congressional Record, vol. 111, pt. 6, pp. 7317–7318; S. Rep. No. 85, 90th Cong., 1st Sess. 5–7, 17–18 (1967).

As the quoted material makes clear, *Everson v Board of Education,* 330 U.S. 1 (1947) does not support plaintiff's position since that action was brought by a local taxpayer whose economic interests were directly affected by local school board expenditures. Inapposite too are cases such as *Abington School District v Schempp,* supra, *Engel v Vitale,* 370 U.S. 421 (1962); *Zorach v Clauson,* 343 U.S. 306 (1952); and *McCollum v Board of Education,* 333 U.S. 203 (1948). In each of these cases the plaintiffs were either children attending public schools or their parents who were "directly affected by the laws and practices against which their complaints are directed." *Abington School District v. Schempp,* supra, 374 U.S. at 224 n.9; see *Zorach v Clauson,* supra, 343 U.S. at 309 n.4; cf. *McGowan v Maryland,* 366 U.S. 420, 429–31 (1961).

Finally, although the *Frothingham* rule has been criticized[2] the case has never been overruled or limited by the Supreme Court;[3] indeed, the citation of *Frothingham* in the recent case of *Abbott Laboratories v Gardner,* 35 U.S.L.Week 4433, 4438 (U.S. May 22, 1967) attests to its continuing vitality. That the Senate has recently passed a bill for the express purpose of creating an exception to the *Frothingham* rule by conferring standing on any federal taxpayer to raise the First Amendment questions tendered here (see S.3, 90th Cong., 1st Sess.; S. Rep. No. 85, 90th Cong., 1st Sess. 4-7 (1967)), further supports our conclusion.

II

Our disposition of the case makes it unnecessary for us to pass upon the application for intervention. The involvement of the proposed intervenors in the consideration of the motion to dismiss could not have been greater had the motion to intervene been granted. They have filed briefs and participated in oral argument. The contention on which they base their claim that their interests will not be adequately represented by the present defendants, that if the Elementary and Secondary Education Act did not confer equal benefits on parochial school children it would interfere with their right of free exercise of their religion, would be material only if this court were to reach the merits of plaintiffs' complaint. Since we do not reach the merits we need not decide whether this argument of the proposed intervenors requires that permission to intervene be granted.

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[1] See, e.g., *Doremus* v. *Board of Education,* 342 U.S. 429, 434–35 (1952); Davis, "Judicial Control of Administrative Action": A Review, 66 Colum. L.Rev. 635, 666 (1966); 3 Davis, Administrative Law, § 22.09, at 243 (1958) and § 22.10, at 64 (Supp. 1965); S. Rep. No. 85, 90th Cong., 1st Sess. 4 (1967); Hearings Before the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary, 89th Cong., 2d Sess., Part 2, 492–501 (1966) (Statement of Professors Davis, Griswold and Freund); Congressional Record, vol. 111, pt. 5, pp. 6131–6132 (remarks of Representative Celler).

[2] See, e.g., Davis, "Judicial Control of Administrative Action": A Review, 66 Colum. L.Rev. 635, 659–69 (1966); Davis, Administrative Law, § 22.09 (1958); Hearings Before the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary, 89th Cong., 2d Sess., Part 2, 492–96, 498–500 (1966); but see Dean Griswold's view, Hearings, supra, 496–97 (1966); Note, Taxpayers' Suits: A Survey and Summary, 69 Yale L.J. 895, 918–19 (1960).

[3] But cf. *Public Affairs Associates, Inc.* v. *Rickover,* 369 U.S. 111, 114 (1962) (concurring opinion).

The Clerk is directed to dismiss the complaint for lack of jurisdiction of the subject matter.

FRANKEL, District Judge (dissenting): There is no disagreement among us as to the principle that we ought almost invariably to follow rather than anticipate Supreme Court precedents. Unless the Supreme Court has made perfectly clear that one of its earlier cases is about to be overruled,[1] or unless a decision has been eviscerated without benefit of Shepard's formal rites,[2] we are to adhere faithfully to the precedents given us at our time of decision. Granting the force of these principles, I cannot agree that the course we should follow here is charted by *Frothingham* v. *Mellon*, 262 U.S. 447 (1923), or any other single decision. The Supreme Court has never confronted directly the troublesome question of standing we have in this case. And I believe that the doctrines of the Court's decisions relevant to our inquiry entail a conclusion contrary to that of the majority. Accordingly, with the utmost deference, I must respectfully dissent from the decision that plaintiffs lack standing.

In organizing the thoughts leading to this conclusion, it has seemed convenient to begin with an affirmative statement of the reasons for holding that plaintiffs have standing, and to turn then to the grounds for distinguishing *Frothingham*. I shall proceed in that order.

I

It is appropriate, whether or not it should be necessary, to emphasize at the outset that our divergent conclusions on standing import no views as to whether plaintiffs would ultimately prevail on the merits. See *Baker* v. *Carr*, 369 U.S. 186, 208 (1962). Given only that the issues posed under the First Amendment are not frivolous,[3] the issue decided today could not be affected by a forecast, if we made one, that the complaint must ultimately be dismissed on substantive grounds. Cf. *Bell* v. *Hood*, 327 U.S. 678, 683 (1946). On the other hand, to complete the perspective, the Government acknowledges that its arguments opposing plaintiffs' standing would be no different if the case involved federal appropriations to build churches for particular sects—i.e., presumably clear violations of the First Amendment's ban against laws "respecting an establishment of religion * * *."[4]

In a word, the issue decided today may be stated this way: Does a plaintiff, suing as a federal "citizen and taxpayer," assert "a legally cognizable injury," sustained by him, *Baker* v. *Carr, supra*, at 208, when he alleges that a federal statute authorizes, or is being applied to grant, support for one or more religious establishments? "The touchstone * * * is injury to a legally protected right * * *." *Joint Anti-Fascist Refugee Committee* v. *McGrath*, 341 U.S. 123, 140–41 (1951) (opinion of Burton, J., joined by Douglas, J.). The asserted right "may be based on an interest created by the Constitution or a statute." *Id.* at 152 (Frankfurter, J., concurring); see also *Bantam Books, Inc.*, v. *Sullivan*, 372 U.S. 58, 64 n.6 (1963); *Alabama Power Co.* v. *Ickes*, 302 U.S. 464, 475, 478–79 (1938).

Another, more recent, and obviously pertinent formulation of the concept is this: "Have the [plaintiffs] alleged such a personal stake in the outcome of the controversy as to assure that concrete adverseness which sharpens the presentation of issues upon which the court so largely depends for illumination of difficult constitutional questions? This is the gist of the question of standing." *Baker* v. *Carr, supra*, at 204.

Appraising the substantive character of the wrong asserted in the complaint in light of the foregoing definitions, it seems reasonably clear to me that plaintiffs have standing to maintain this suit. They allege the vividly personal, vital, intimate, and grave hurt against which the Establishment Clauses was meant to guard. And unless they can sue to redress this kind of grievance, the first of the "preferred freedoms" safeguarded by the First Amendment is substantially unenforceable against federal violations, to which the Amendment was initially and for a long time exclusively, directed.[5]

1. The Establishment Clause forbids the use of tax money to support any religion, and confers an enforceable "right" upon the federal taxpayer claiming this basic protection[6]

It is now familiar to all who have touched this subject that a central concern—perhaps the most central concern—of the Establishment Clause is to ban utterly the use of public moneys to support any religion or all religions. The history is reviewed in *Everson* v. *Board of Education*, 330 U.S. 1 (1947), and there is no reason to repeat at length what the Supreme Court has said there and elsewhere. It is sufficient to recall that both the majority and the dissenters in that case recognized, affirmed, and undertook to apply the vital First Amendment principle forbidding the "support" of churches through the exaction of "taxes and tithes." See, e.g., 330 U.S. at 8, 9, 10, 11; *id.* at 21, 22, 24, 26 (Jackson, J., dissenting); *id.* at 32, 33, 36–37, 40–41, 43, 44–45 (Rutledge, J., dissenting).[7]

"* * * The imposition of taxes to pay ministers' salaries and to build and maintain churches and church property aroused their indignation. * * * It was these feelings which found expression in the First Amendment. * * * Virginia, where the established church had achieved a dominant influence in political affairs and where many excesses attracted wide public attention, provided a great stimulus and able leadership for the movement. The people there, as elsewhere, reached the conviction that individual religious liberty could be achieved best under a government which was stripped of all power to tax, to support, or otherwise to assist any or all religions, or to interfere with the beliefs of any religious individual or group." *Id.* at 11.

Following the quoted passage, the Court traced the "dramatic climax in Virginia in 1785–86," the collaborative struggles of Jefferson and Madison, the latter's famous Remonstrance, and the resulting "Virginia Bill for Religious Liberty," with its ban against enforced public support of any church or religion. *Id.* at 11–13. And it reaffirmed (*id.* at 13) "that the provisions of the First Amendment, in the drafting and adoption of which Madison and Jefferson played such leading roles, had the same objective and were intended to provide the same protection against governmental intrusion on religious liberty as the Virginia statute."

"Support" by the use of taxpayers' money lay at the heart of Jefferson's and Madison's concern. Madison's Remonstrance, "an event basic in the history of religious liberty," *McCollum* v. *Board of Education, supra*, 333 U.S. at 214 (Frankfurter, J., concurring), was written, after all, to denounce proposed "religious assessments"—and, indeed, assessments to be used for "support to religious education." *Ibid.* In that historic document he argued successfully, and led to the First Amendment's assurance, that no federal official should be empowered to "force a citizen to contribute three pence only of his property for the support of any one establishment * * *." 330 U.S. at 65–66. To allow even such trivial exactions, he wrote, would empower the official to force the citizen "to conform to any other establishment in all cases whatsoever * * *." *Id.* at 66. And so it was essential "to take alarm at the first experiment on our liberties" (*id.* at 65)—to strike, as had the "freemen of America," before usurpation had become habit "and entangled the question in precedents." *Ibid.*

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[1] See *Barnette* v. *West Virginia Board of Ed.*, 47 F. Supp. 251, 252–253 (S.D.W. Va. 1942) *aff'd.*, 319 U.S. 624 (1943).

[2] See *Gold* v. *DiCarlo*, 235 F. Supp. 817, 818–20 (S.D.N.Y. 1964), *aff'd.*, 380 U.S. 520 (1965).

[3] A proposition earlier, and properly, conceded by defendants. The Government moved for dismissal by a single judge, without convening a three-judge court, when the case first came to me, on the sole ground that the claim of *standing* lacked sufficient substance to be heard by three judges. It was acknowledged at the time that no similar contention was being made with respect to the merits of the complaint. Cf. Department of Health, Education, and Welfare, *Memorandum on the Impact of the First Amendment to the Constitution upon Federal Aid to Education*, 50 Geo. L. J. 349 (1961).

[4] This concession by the Government, though not binding upon us, would seem inevitable as a matter of the logic and intellectual honesty that have characterized the efforts of government counsel in this case as in others. No less properly, government counsel noted that the unlikely case of an appropriation to build a church might fortuitously give standing to someone other than a taxpayer—e.g., a property owner resisting condemnation of his land for the questioned purpose. But that sort of remotely possible happenstance does not basically affect the dimensions of the problem. Moreover, it would not be pertinent to other hypotheticals that could be put—for example, the use of government funds to pay the salaries of clerics, to support existing religious structures, etc. In strict logic, the issue of standing remains separate, preliminary, and unchanged throughout, though it is fair to recognize that some non-logical nerve may tingle when the stark proposition is put that concededly unlawful or unconstitutional action is in effect immune from judicial scrutiny. Cf. *Harmon* v. *Brucker*, 355 U.S. 579 (1958); *Leedom* v. *Kyne*, 358 U.S. 184 (1958).

[5] The Establishment Clause is literally the first one in the First Amendment. It may be acknowledged in passing that this does not elevate it above the rest of the Article. See *Prince* v. *Massachusetts*, 321 U.S. 158, 164 (1944). The point approaches pedantry, however; it should be enough to note the familiar principle that the whole of the First Amendment occupies a "preferred position" (*id.* at 164, 167) in our constitutional firmament and is most notably and singularly in the domain of the personal liberties entitled to judicial protection.

[6] This dissent is confined to the proposition that plaintiffs have standing to assert their claim under the Establishment Clause. As the complaint now stands, it seems unlikely that they could also demonstrate standing under the Free Exercise Clause, on which they also count. See *McGowan* v. *Maryland*, 366 U.S. U.S. 420, 429–30 (1961). While it probably makes no practical difference, if my views had prevailed, decision of the latter question could have been postponed until the court had a full record on the merits of plaintiffs' claims, possibly including some pertinent amendments to the complaint to conform to what might ultimately be proved.

[7] The fullest account of the point is in the dissent of Mr. Justice Rutledge, who printed as an Appendix Madison's *Memorial and Remonstrance against Religious Assessments* of 1785, 330 U.S. at 63 *et seq.* Although in dissent, what Mr. Justice Rutledge wrote and collected there has continued to be cited by the Court to reflect the agreed understanding of the evils that generated, and were meant to be proscribed by, the Establishment Clause. See, e.g., *Abington School District* v. *Schempp*, 374 U.S. 203, 218–19 (1963); *Torcaso* v. *Watkins*, 367 U.S. 488, 492 n. 7, 493 (1961); *McCollum* v. *Board of Education*, 333 U.S. 203, 210 notes 6 and 1 (1948).

The asserted wrong, if the Establishment Clause has been violated, is for every unwilling contributor the very kind of "support" against which the Amendment was directed. "The matter is not one of quantity, to be measured by the amount of money expended." *Everson, supra,* at 63 (Rutledge, J., dissenting). The separation must be "complete and unequivocal," *Zorach* v. *Clauson,* 343 U.S. 306, 312 (1952); the "slightest breach" is to be resisted. *Everson, supra,* at 18. If there is "support," as plaintiffs here allege, then the "wall of separation" has been breached, and the evil denounced by the First Amendment has been realized.

But why the separation? Why the wall? Who, if anyone, is hurt by breaches? What is the nature of the hurt?

These questions, which ask about "standing," find recent responses in *Engel* v. *Vitale,* 370 U.S. 421 (1962), where the Court recalled what the Framers had learned in their blood about the meaning of "establishment." It said, in passages pertinent here (*id.* at 430–33, emphasis added):

> "* * * The Establishment Clause, unlike the Free Exercise Clause, does not depend upon any showing of direct governmental compulsion and is violated by the enactment of laws which establish an official religion whether those laws operate directly to coerce nonobserving individuals or not. This is not to say, of course, that laws officially prescribing a particular form of religious worship do not involve coercion of such individuals. *When the power, prestige and financial support of government is placed behind a particular religious belief, the indirect coercive pressure upon religious minorities to conform to the prevailing officially approved religion is plain.* * * * Another purpose of the Establishment Clause rested upon an awareness of the historical fact that *governmentally established religions and religious persecutions go hand in hand.* * * * The Founders knew that only a few years after the Book of Common Prayers became the only accepted form of religious services in the established Church of England, an Act of Uniformity was passed to compel all Englishmen to attend those services and to make it a criminal offense to conduct or attend religious gatherings of any other kind * * * a law which was consistently flouted by dissenting religious groups in England and which contributed to widespread persecutions of people like John Bunyan who persisted in holding 'unlawful [religious] meetings . . . to the great disturbance and distraction of the good subjects of this kingdom . . .' And they knew that similar persecutions had received the sanction of law in several of the colonies in this country soon after the establishment of official religions in those colonies. *It was in large part to get completely away from this sort of systematic religious persecution that the Founders brought into being our Nation, our Constitution, and our Bill of Rights with its prohibition against any governmental establishment of religion.*"

Those words describe the subject matter of this lawsuit, whether or not plaintiffs are right on the merits, so far as our issue of standing is concerned. We deal with what the Bill of Rights enshrines as the most sacred of things, the hearts and the spirits of men. The claim is that the plaintiffs' money is being used in an official program which is being conducted so as to violate the First Amendment's protection of these and other citizens against the danger of coercion, thought-control, and persecution.

If we wrote on an utterly clean slate, even the fact of tax payments might be immaterial. Our direct knowledge of tyranny ought to be fresh enough to teach that there may be, in the kind of wrong against which plaintiffs complain, immediate and personal assault sufficient to comprise "legal injury." Even "novelty," after all, has not prevented the courts from recognizing "justiciability" within the framework of our constitutional scheme. *Joint Anti-Fasist Refugee Committee* v. *McGrath,* 34 U.S., *supra,* at 159 (Frankfurter, J., concurring). It should be no more difficult to identify an "injury," amounting to the beginnings of "coercion" and "persecution," so dramatically central in the concerns of those who wrote the First Amendment. It might be argued that the responsibly asserted grievance of anyone who felt the chill of threatened persecution is no less palpable a ground for standing than the complaint of a suitor who "chooses" to feel the spiritual blows struck by systems of racial segregation.[8]

But there is no need to reach that far. The subject is one on which volumes of history outweigh any new pages of logic we might essay at this date. It is enough, I think that the injury asserted by the taxpayer is at the core of the right enthroned by the First Amendment. Asserting the right in its pristine form, plaintiffs are entitled to have their claim heard.

2. *A federal taxpayer should be accorded the same standing under the First Amendment as is accorded state taxpayers under Everson*

After sketching the historical background of the First Amendment, the Court in *Everson* stated what it then, and has since, deemed the governing substantive principles (330 U.S. at 15–16):

> "The 'establishment of religion' clause of the First Amendment means at least this: Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion over another. Neither can force nor influence a peson to go to or to remain away from church against his will or force him to profess a belief or disbelief in any religion. No person can be punished for entertaining or professing religious beliefs or disbeliefs, for church attendance or nonattendance. No tax in any amount, large or small, can be levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion. Neither a state nor the Federal Government can, openly or secretly, participate in the affairs of any religious organizations or groups and *vice versa.* In the words of Jefferson, the clause against establishment of religion by law was intended to erect 'a wall of separation between church and State.' *Reynolds* v. *United States, supra* at 164."

Applying those principles, the Court rejected (5–4) the claim of the plaintiff taxpayer that the First Amendment—there, via the Fourteenth—forbade reimbursement of parents for the bus transportation of their children to sectarian schools. But the critical points of that decision for us are not, at this stage, in the particular result on the merits. There are two beacons in the case and its aftermath that ought to guide us to our conclusion on today's question of standing:

(1) The unanimity of the Court on the proposition that the Establishment Clause forbids support of any religion from the public treasury—i.e., that the "right" protected makes it a "legal injury" to have one's money taken and used for the proscribed purpose.

(2) The fact that no doubt was suggested concerning the standing of the complaining taxpayer, in the highest Federal Court as well as in the State's courts. While the question was not discussed in *Everson,* it has since become clear that the taxpayer was properly, if tacitly, accorded such standing. See *Doremus* v. *Board of Education,* 342 U.S. 429, 434 (1952).

This second point is the decisive one. There is no basis in principle or reason for allowing a state taxpayer to attack a "law respecting an establishment of religion" while denying the same right to a federal taxpayer opposing intrusion into the forbidden area by the Federal Government, the power of which remains more fearsome today, as it was when it comprised the exclusive concern of the Framers.

Everson started, of course, as the familiar form of *state* taxpayer's suit, subject at the state level to state notions about standing. However, to be heard on the merits in the Supreme Court, as he was, the appellant was required to show standing in the federal sense. If this was unclear at the time of *Everson,* it was made clear in *Doremus* v. *Board of Education, supra,* 342 U.S. at 434–35, where failure to show the "requisite financial interest" led to dismissal of the appeal because of the "case or controversy" requirement in Article III of the Federal Constitution. And it seems to be clear still that standing at any level of the federal system "is, of course, a question of federal law." *Baker* v. *Carr, supra,* 369 U.S. at 204.[9]

Nobody has suggested that the standing accorded in *Everson,* as thus explicated, is any less clear today for a state taxpayer. That continued position supplies, in my judgment, positive and substantially square ground on which standing should be found here.

The prime point—that Article III applies indifferently to both situations—has been noted already. What else is there? In *Doremus,* the Court said Everson had shown "a measurable appropriation or disbursement of school-district funds occasioned solely by the activities complained of," 342 U.S. at 434. I do not find, at least in the *Everson* opinions, any precise "measurement" of plaintiff's tax burden. There is no suggestion whether plaintiff there had identified a nickel or a dollar or a thousand dollars of his spent for "the activities complained of."

All that was evidently meant was that the incremental money value of the time spent on the bible-reading assailed in *Doremus* was not practically "measurable" to the extent possible with respect to the reimbursed bus fares in *Everson.* And it may well have been significant that plaintiffs in *Doremus,* unlike the plaintiffs here, did not allege in their complaint any specific "appropriation or disbursement" of public funds for the bible-reading. No such obstacles exist here. The complaint is rested squarely upon alleged expenditures said to violate the Establishment Clause. If measurement is wanted in this age of computers, it can surely be had. We have only a complaint and a motion to dismiss before us. We do not know how rich the plaintiffs are or how much they pay in taxes. We do not know the size of the expenditures of which they complain. It may be that they can show measurably larger financial stakes than those of the taxpayer in *Everson*. All of this is surely knowable if anyone cares, and its omission from our barren record at this time would not in itself justify dismissal now.

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[8] It is now thirteen years since the erasure of the notion that racial discrimination could be deemed a "badge of inferiority * * * solely because the colored race chooses to put that construction upon it." *Plessy* v. *Ferguson,* 163 U.S. 537, 551 (1896), overruled in *Brown* v. *Board of Education,* 347 U.S. 483, 494–95 (1954). By now, surely, the courts have come to know that affronts to the spirit and conscience of men may be intensely genuine precisely because they are experienced as such. Thus, as Judge Soper said for the Fourth Circuit, in rejecting arguments reminiscent of the *Plessy* era: "We must give first place to the rights of the individual citizen, and when and where he seeks only equality of treatment before the law, his suit must prevail. It is for him to decide in which direction his advantage lies." *McKissick* v. *Carmichael,* 187 F. 2d 949, 954, *cert. denied,* 341 U.S. 951 (1951).

[9] This does not require us to explore in a case begun in federal court the interesting thought, thus far not accepted in the Supreme Court, that "standing to raise a federal constitutional question" should be treated as being "itself a federal question, so that it will be decided uniformly throughout the country." Paul Freund in Cahn (ed.), *Supreme Court and Supreme Law* 35 (1954).

I would submit, however, that measurements of this sort could hardly have been declared vital for a First Amendment claim, whatever else the quoted language of *Doremus* may have meant. While the complaint charges unconstitutional expenditures, the claimed injury relates to familiar "consequences not amenable to statistics. But they are precisely the consequences against which the Constitution was directed when it prohibited the Government common to all from becoming embroiled, however innocently, in the destructive religious conflicts of which the history of even this country records some dark pages." ***McCollum* v. *Board of Education, supra,*** **333 U.S. at 228** (Frankfurter, J., concurring).

It was also said in *Doremus* (342 U.S. at 435) that the appellants showed "no such direct and particular financial interest" as to ground the kind of standing allowed in *Everson*. In their context, those words would appear to have referred again to the fact that the plaintiffs made no allegation that any added tax moneys were being expended for bible-reading. That pleading deficiency, as I have just noted, does not exist here. Nevertheless, there has been some suggestion in the argument before us that plaintiffs might well have a right to sue if there were a specific federal tax, separately assessed and collected, for the use they claim is forbidden. But this borders on the frivolous. The First Amendment's commands, so sensitively and astutely enforced in their essential substance under the decisions of the Supreme Court, would be trivialized if they could be avoided by details of government bookkeeping or fiscal regulation. "What may not be done directly may not be done indirectly lest the Establishment Clause become a mockery." ***Abington School District* v. *Schempp, supra,*** 374 U.S. at 230 (Douglas, J., concurring).

It seems perfectly obvious that those who wrote the First Amendment would have been astonished by the suggestion that it might come to be enforceable *only* against the States and not against the Federal Government. The familiar words are that *"Congress* shall make no law respecting an establishment of religion * * *." When they were written, they were applicable only to the Federal Government, and they remained so confined until just a generation ago.[10] It was the national power that the Founders feared and undertook to curb. See ***McGowan* v. *Maryland, supra,*** 366 U.S. at 440–42; ***Everson* v. *Board of Education, supra,*** 330 U.S. at 13; Freund, "The Legal Issue," in ***Religion and the Public Schools,*** 4, 8–9 (1965). Indeed, when they fashioned the Bill of Rights, established churches were still, if not for long, familiar in the States, and it was clear that the First Amendment left that situation untouched. See ***McGowan* v. *Maryland, supra,*** 366 U.S. at 486 (Frankfurter, J., concurring); ***Abington School District* v. *Schempp, supra,*** 374 U.S. at 214 n. 5.

There is no question now, of course, that the First Amendment applies with full force to the States. But it is a ludicrous anomaly to close the circle, as the majority opinion does, by making at least the Establishment Clause a substantial nullity with respect to the Federal Government. See Jaffe, ***Standing to Secure Judicial Review: Public Actions,*** 74 Harv. L. Rev. 1265, 1310–11 (1961). The Supreme Court has never faced, let alone ordered, this historically and logically unacceptable paradox. Until or unless it does, and while the unanimously accepted principles of *Everson* stand, I would allow suits like the one plaintiffs have brought.

3. The fact that, as a practical matter, only plantiffs like the ones here can sue is in itself a ground for their standing

The rules on standing, tied to fundamental premises governing the role of courts in our system, have been evolved judicially over the years, and continue to evolve, to fit the needs of a living Constitution. The rules are not, and in their nature cannot be, mechanical generalities. "[T]he concept of standing is a necessarily flexible one, designed principally to ensure that the plaintiffs have 'such a personal stake in the outcome of the controversy as to assure that concrete adverseness which sharpens the presentation of issues upon which the court so largely depends for illumination of difficult constitutional questions * * *'." ***Abington School District* v. *Schempp, supra,*** 374 U.S. at 267 n.30 (Brennan, J., concurring, and quoting from his opinion for the Court in *Baker* v. *Carr, supra,* 369 U.S. at 204).[11] If this idea of flexibility means anything, it means that refined judgments must be made upon the nature of the interests at stake, the appropriate functions of judges with respect to such interests, and the practical consequences in our constitutional scheme of granting or denying standing in any particular case.

And so, when we deal with the subject of First Amendment freedoms, it is essential to start by recognizing (as Mr. Justice Brennan did in the passage quoted above) that it has fallen to the courts in our system to perform "the task of translating the majestic generalities of the Bill of Rights, conceived as part of the pattern of liberal government in the eighteenth century, into concrete restraints on officials dealing with the problems of the twentieth century * * *." ***West Virginia Board of Education* v. *Barnette,*** 319 U.S. 624, 639 (1943). In discharging this responsibility in cases under the First Amendment, the highest Court has observed more than once that effective enforcement of the "delicate and vulnerable, as well as supremely precious" rights at stake (***N.A.A.C.P.* v. *Button,*** **371 U.S. 415, 433 (1963)**) may require exceptions "to the usual rule governing standing * * *." ***Dombrowski* v. *Pfister,*** 380 U.S. 479, 486 (1965); see also ***United States* v. *Raines,*** 362 U.S. 17, 22 (1960); ***Freedman* v. *Maryland,*** 380 U.S. 51, 56–57 (1965).

One such exception, highly pertinent here, is the idea that where asserted violations of the First Amendment are in issue, a particular plaintiff or class of plaintiffs may be found to have standing because to deny it "might effectively foreclose judicial inquiry into serious breaches of the prohibitions of the First Amendment—even though no special monetary injury could be shown." ***Abington School District* v. *Schempp, supra,*** 374 U.S. at 266 n.30 (Brennan, J., concurring); see also ***Bantam Books, Inc.,* v. *Sullivan, supra,*** 372 U.S. at 64–65 n.6; ***N.A.A.C.P.* v. *Alabama,*** 357 U.S. 449, 459 (1958); ***Pierce* v. *Society of Sisters,*** 268 U.S. 510 (1925).

It is not the law generally, of course, that *someone* must have standing to bring alleged violations of the Constitution to court. On the contrary, to go no farther than the still vital teachings of ***Frothingham* v. *Mellon,*** it is clear that there are areas of the law where nobody has such standing. But it will be found upon analysis that in such cases, whether expressly or not, the crux of the matter is that the subject is one confided to the final authority of branches other than the judiciary—that the cases are, to categorize them more precisely, non-justiciable. See, generally, *Baker* v. *Carr, supra,* 369 U.S. at 208 *et seq*. This, I submit, is the sufficient ground for cases like ***Pauling* v. *McElroy,*** 278 F. 2d 252 (D.C. Cir.), *cert. denied,* 364 U.S. 835 (1960) and ***Pauling* v. *McNamara,*** 311 F. 2d 796 (D.C. Cir. 1963), *cert. denied,* 377 U.S. 933 (1964), cited by defendants, where the plaintiffs sought to enjoin nuclear testing.

Whatever may be said about nuclear testing, declarations of war and peace, and other matters confided primarily or exclusively to the "political" departments, the subject of the First Amendment is a quite different one. The high promises of that Amendment, as the years have unfolded them and given them meaning, are peculiarly for the courts to enforce. As the Court said in ***West Virginia State Board of Education* v. *Barnette, supra,*** 319 U.S. at 638:

> "The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts. One's right to life, liberty, and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote: they depend on the outcome of no elections."

See also ***Thomas* v. *Collins,*** 323 U.S. 516, 529–30 (1945); ***United States* v. *C.I.O.,*** 335 U.S. 106, 139–40 (1948) (Rutledge J., concurring); ***United States* v. *Carolene Products Co.,*** 304 U.S. 144, 152n.4 (1938).

Where, as in this case, it is substantially conceded that only people like the plaintiffs before the court can complain as a practical matter, this is in itself weighty reason for doubting that notions of "standing" imported from wholly alien contexts should serve to make lifeless slogans of basic liberties.

4. Doubts about the merits must not obscure or impair the place of the First Amendment as a barrier against the "first experiment on our liberties"

Elaborating on the discussion under the preceding heading, I venture to suggest again (see note 4, *supra*) that this decision might be going the other way if plaintiffs were asserting a patent violation of the Establishment Clause—the building of churches with federal money, payment of clerical salaries, or other unthinkable measures of some similar nature. While we are together in aschewing any intimations on the merits, I think it permissible to say that plaintiffs' claim obviously falls short of any such plainly demonstrable breach. (Compare the 4–3 decision of the New York Court of Appeals on June 1, 1967, in *Board of Education of Central School District No. 1* v. *Allen,* ——— N.Y. 2d ———, upholding state loans of textbooks to parochial as well as public school children.) But I think it bears special emphasis, however a later decision might distinguish what is done today, that there is no principled difference between this case and the unimaginable ones I have hypothesized.

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[10] It was not settled plainly until ***Cantwell* v. *Connecticut,*** 310 U.S. 296 (1940), that the clauses here in question applied to the States under the Fourteenth Amendment, although there had been a broad intimation of this in 1923, in the volume that contains ***Frothingham* v. *Mellon*. *Meyer* v. *Nebraska,*** 262 U.S. 390, 399. See ***Abington School District* v. *Schempp, supra,*** 374 U.S. at 253–54 (Brennan, J., concurring). While it is ancient history now, it is of passing interest to recall that there were efforts after adoption of the Fourteenth Amendment to enact a specific amendment forbidding support of religion and insuring free exercise in the States. See *id.* at 256–58.

[11] I have used earlier the quoted language from *Baker* v. *Carr* concerning this need for "concrete adverseness." The thought was not further elaborated in *Baker* v. *Carr,* and did not have to be. Similarly here, there has not been any suggestion that the suit is not genuine, robustly adverse, and likely to be fought on the kind of sharp and thorough presentation the courts must have for problems of such moment. The briefs already before us reflect this. We are perhaps entitled to notice that plaintiffs' lead counsel has authored or co-authored substantial volumes on the subject of the litigation. See Pfeffer, ***Church State and Freedom*** (rev. ed. 1967); Stokes and Pfeffer, ***Church and State in the United States*** (1964). There is, in a word, clear fulfillment of the practical criteria formulated by Mr. Justice Brennan, and followed by the Court in *Baker* v. *Carr.*

The emphasis is fair, I think, for several reasons. First, it makes vivid the sweeping extent to which this decision on standing nullifies the Establishment Clause as a judicially enforceable protection against federal action. Similarly, it helps to demonstrate the discordance between this ruling and the deep concerns of those who gave us the First Amendment. The Founders, it is pertinent to recall again, were zealous to guard against even minute approaches to the problems of established religions that were so immediate and acute for them. They wrote with deliberate sweep not merely against laws establishing a church or religion, but against any "law respecting" that form of official coercion. See *McGowan* v. *Maryland, supra,* 366 U.S. at 441–42. The Supreme Court has enforced the broad prohibition with rigor. It has allowed no leeway for practices that "may be relatively minor encroachments on the First Amendment." *Abington School District* v. *Schempp, supra,* 374 U.S. at 225. For, as the Court has said (*ibid.*): "The breach of neutrality that is today a trickling stream may all too soon become a raging torrent and, in the words of Madison, 'it is proper to take alarm at the first experiment on our liberties.'" See also *Engel* v. *Vitale, supra,* 370 U.S. at 436; *Thomas* v. *Collins, supra,* 323 U.S. at 530.

That fundamental approach should move us on the question of standing as well as on the substance of the problem. A decision refusing to hear a case where there may be only "minor encroachments" or no encroachments at all could come to be a plague in the perhaps unlikely, but possible, case of broader assaults upon the wall of separation. The time to make clear the scope of the protection is at the earliest moment, not when controversy may become or has become exacerbated by "the anguish, hardship and bitter strife" with which the history of this subject is so painfully filled. *Engel* v. *Vitale, supra,* at 429. To recall again the compelling thoughts of Madison's Remonstrance, it is our duty to maintain the protection in its full, unfettered vigor, and to see that it never becomes "entangled * * * in precedents" that may weaken or choke it. *Everson* v. *Board of Education, supra,* 330 U.S. at 65.

Concepts of standing have been adapted in our time to safeguard interests far less dear than those asserted in this case. The Congress, with the approval of the Supreme Court, has allowed review of official action in matters of economic regulation at the instance of "private litigants [who] have standing only as representatives of the public interest." *Scripps-Howard Radio* v. *Federal Communications Commission,* 316 U.S. 4, 14 (1942). We have witnessed the increasing appearances and ready acceptance of suitors attacking official action in the role Judge Frank indentified as that of "private Attorney Generals." *Associated Industries* v. *Ickes,* 134 F. 2d 694, 704 (2d Cir.), *vacated and remanded,* 320 U.S. 707 (1943).[12]

It is strange, I think, for the courts to be more niggardly in defining standing before them for litigants asserting the most basic and urgent of occasions for judicial protection. If this incongruous sort of abstention is proper, it can only be because it is thought to be required by canons of judicial self-restraint that are so wise and so essential in their place. In my understanding of the First Amendment, as the Supreme Court has enforced it, those canons have no place here.

II

Contrary to the majority, I believe that *Frothingham* v. *Mellon,* 262 U.S. 447 (1923) neither requires nor justifies the conclusion that plaintiffs lack standing in this case. In that lawsuit—decided, incidentally, before any of the great cases that have given the First Amendment the meaning we know today—Mrs. Frothingham sought to challenge the constitutionality of the Maternity Act of November 23, 1921. She sued as "a citizen of the United States and of the State of Massachusetts," and as "a tax payer of the United States."[13] She did not claim or suggest that the Maternity Act as such had any impact upon her or upon any specific rights of hers assertedly protected by the Federal Constitution. Instead, her claim was that the statute was beyond the powers of Congress; that it invaded the powers reserved to the States by the Tenth Amendment; that the financial burdens of it fell unequally upon the States; that "her constitutional rights to have taxes levied and assessed against her by the United States for those purposes alone for which the Constitution of the United States provides and to have the taxes paid by her to the United States appropriated by the Congress of the United States in the manner provided by the Constitution * * * [had] been infringed and violated;"[14] and that the effect of all this was to deprive her of her property without due process of law.

That was the case, said to be controlling here, in which the Supreme Court denied Mrs. Frothingham's standing as a taxpayer. I shall review just below the reasons given for that result in Mr. Justice Sutherland's opinion for the Court, and attempt to show why those reasons have little or no application to the present problem. First, however, it may profit to look at the matter broadly and observe what I perceive as obviously decisive differences between the cases.

What Mrs. Frothingham claimed in an action that seems on its face so absurd today was nothing less than a roving commission, based upon her status as taxpayer, to have an adjudication concerning the validity of any appropriation of money by the Congress. This meant in effect that she or any taxpayer, solely as taxpayer, would be entitled to review of practically any federal statute, since it is always—or, at least almost always—the case that appropriations are discernible as the energizing force behind official action. The Maternity Act did not touch any of Mrs. Frothingham's supposed rights, and she made no claim that it did. In a word, as Mr. Justice Harlan indicated for the Supreme Court just the other day, *Frothingham* v. *Mellon,* read without forgetting what it was about, stands for the scarcely debatable proposition "that a possible financial loss is not *by itself* a sufficient interest to sustain a judicial challenge to governmental action." *Abbott Laboratories* v. *Gardner,* — U.S. —, — (1967) (emphasis added).

The case before us differs sharply from Mrs. Frothingham's on the question of standing just as (and, indeed, because) it differs in the nature of the substantive interests involved. The taxpayers here claim no general right as taxpayers to review federal action. What they invoke is the specific right, defined broadly but certainly by the Establishment Clause, to be free of any "tax in any amount, large or small, * * * levied to support any religious activities or institutions, whatever they may be called, or whatever form they may adopt to teach or practice religion." *Everson* v. *Board of Education, supra,* 330 U.S. at 16. As was not the case for Mrs. Frothingham, the substance of the statute in issue is for the plaintiffs before us the very heart of the matter. Of course, the essence of their asserted right is bound up, as it was for Madison and his colleagues in the framing of the First Amendment, with the forbidden use of public moneys to support religious establishments. But there is nothing here resembling a claim like Mrs. Frothingham's to a general right of review over appropriations. While it centers on the use of funds, plaintiff's suit seeks the particularized and intimately personal protection of the First Amendment from the kind of "coercion," "compulsion," and at least threatened "persecution" against which the Establishment Clause was meant to guard.

In sum, to use the words of another opinion for the Court by Mr. Justice Sutherland (citing *Frothingham*), Mrs. Frothingham's case failed because she asserted "no legal or equitable right" eligible for judicial protection, "no such interest and * * * no such legal injury" as the courts are constituted to redress. *Alabama Power Co.* v. *Ickes, supra,* 302 U.S. at 475, 478. The plaintiffs here, on the other hand, invoke a clear and "specific limitation," *Gomillion* v. *Lightfoot,* 364 U.S. 339, 343 (1960); they assert now familiar "legal rights" given by the Establishment Clause; they allege a "personal stake" and "an interest of their own" no less clear and no less justiciable than the one in *Baker* v. *Carr, supra,* 369 U.S. at 204, 207, from which the quoted phrases come; they present a case that is not merely in "the conventional sphere of constitutional litigation," *Gomillion* v. *Lightfoot, supra,* at 347, but one entitled to the "close scrutiny demanded * * * when First Amendment liberties are at issue * * *." *McGowan* v. *Maryland, supra,* 366 U.S. at 449.

I have sought in the two preceding paragraphs to state what seems to me to be the dispositive difference between this case and *Frothingham.* When we turn to the reasons given in the Court's opinion for rejecting Mrs. Frothingham's suit, the difference remains clear and undiminished.

1. In disposing of *Frothingham,* the Court began by distinguishing the case from the traditional form of taxpayer's action against a municipality. The municipal taxpayer, the Court said (262 U.S. at 486), has a "direct and immediate" interest in municipal expenditures, the relationship being (p. 487) "not without some resemblance to that subsisting between stockholder and private corporation." But the taxpayer's interest in the national fisc "is shared with millions of others; is comparatively minute and indeterminable; and the effect upon future taxation, of any payment out of the funds, so

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[12] A word may be said at this point about the Government's fleeting observation that the Senate has passed a bill (S. 3, 90th Cong., 1st Sess. (1967)) which would provide for the standing plaintiffs seek in this case. The Senate has voted other such bills in the past. See S. 2097, 89th Cong., 2d Sess. (1966); H.R. 4163, 88th Cong., 1st Sess. (1963) as amended in the Senate, CONGRESSIONAL RECORD, volume 109, pages 19357, 19891, the amendment, however, being later deleted in conference. The bills, and the discussions about them, are interesting in their reflection of how accepted it has become that the authoritative construction of the First Amendment must be sought from the Supreme Court. What I urge here is simply that there is no need for the courts to await such legislation before exercising this familiar, generally agreed, and central item of their responsibilities.

[13] Complaint, par. I, in the Supreme Court Record, *Frothingham* v. *Mellon,* Oct. Term 1922, No. 962, p. 2.

[14] *Id.*, par. III (h), Record, p. 6.

remote fluctuating and uncertain, that no basis is afforded for an appeal to the preventive powers of a court of equity." *Ibid.*

The quoted passages have been said to be outdated by the vastly increased impact of federal taxes and the correspondingly less "minute" share at least some taxpayers might claim in the federal as compared to municipal treasuries. 3 Davis, *Administrative Law Treatise* 244 (1958). But I do not stop to consider or to weigh such criticism against the unaltered position of the Supreme Court. It is quite enough for this case to repeat that plaintiffs' suit does not resemble the traditional taxpayer's suit or Mrs. Frothingham's, where the gravamen of the supposed right is nothing more than "a possible financial loss * * * by itself" from allegedly improper expenditures. *Abbot Laboratories* v. *Gardner, Supra,*—U.S. at—. Here, the crux of the interest is found in the First Amendment, not in the supposed loss of money as such. And so it is of no moment that the amount may be "minute," that it may be in modern currency the equivalent of as little as "three pence." Cf. *Thompson* v. *City of Louisville,* 362 U.S. 199, 203–204 (1960). Nor is it important, whether true or not, that the amount may be to some extent "indeterminable." Nobody stopped to make the computation in *Everson* any more than the Court thought it necessary in *Baker* v. *Carr* for the plaintiffs to quantify the "debasement of their votes" (369 U.S. at 188, 194) in which inhered the asserted injury that gave them standing.

To hold, as I would, that plaintiffs like the ones here should be heard on their First Amendment claims would not lower in any meaningful sense the barrier against standard "taxpayers' suits" emplaced by *Frothingham.* Nobody could infer from such a holding any supposed right to roam at large as a taxpayer and test impersonally the validity of any and every federal appropriation. There may be other personal interests like the one given by the Establishment Clause where a sharply identified and cherished liberty is infringed by the uses of federal funds. If so, these would be, as they should be, bases for standing in the federal court. The vital point remains that the present case, where such an interest is urged, differs on this ground from the generalized power of supervision claimed for the taxpayer in *Frothingham.*

2. Expanding upon its reasons for denying any general right of review for the federal taxpayer, the Court said in *Frothingham* (at 487):

"* * * If one taxpayer may champion and litigate such a cause, then every other taxpayer may do the same, not only in respect of the statute here under review but also in respect of every other appropriation act and statute whose administration requires the outlay of public money, and whose validity may be questioned."

That language does not state a ground separate from the one I have just considered, but it commands respectful attention. Read in its context, as it must be, it adds nothing to the barrier found by the majority against the suit of the present plaintiffs.

The fact that many people may share, and might sue upon, a justiciable constitutional right has never been supposed to present in itself an obstacle to suit by any of them. Cf. *Brown* v. *Board of Education,* 347 U.S. 483 (1954); *Baker* v. *Carr, supra; Seward Machine Co.* v. *Davis,* 301 U.S. 548 (1937). The federal courts are open, even in the face of threatened inundation, where rights far less precious are in issue.[15] And we know in this time of class actions and huge litigations generally that the problem is manageable.

For a case like the present one, there is no substantial problem whatever. There may unquestionably be other actions of the same kind. In the end, however, there is likely to be only a single hearing and decision by the Supreme Court. *Stare decisis*—and, before that, the powers of the lower courts to stay or consolidate redundant actions—will dispose of the matter with only the customary strain of adjudication for which courts sit.

3. Undoubtedly central in *Frothingham* was the principle of the separation of powers. See 262 U.S. at 488–89. This important aspect of the opinion turns, however, on considerations no different from those I have already discussed. Here, again, the vice found in Mrs. Frothingham's case was its premise that any and every action involving appropriations should automatically be reviewable at the instance of a taxpayer. It was that untenable theory to which the Court responded when it said (p. 488):

"* * * We have no power *per se* to review and annul acts of Congress on the ground that they are unconstitutional. That question may be considered only when the justification for some direct injury suffered or threatened, presenting a justiciable issue, is made to rest upon such an act."

The test thus stated, for the reasons I have urged, is met by the plaintiffs in this case.

Of course, the delicate power of judicial review inevitably starts echoes of the separation of powers. And there are broad classes of cases, "presenting [no] justiciable issue," where the power is absent. See *Baker* v. *Carr, supra,* 369 U.S. at 208 *et seq.* But this is not such a case. We have here "a judicial controversy" (*Frothingham,* at 489) concerning a "right" most notably and centrally "within the reach of judicial protection * * *." *Baker v. Carr, supra,* at 237. It should be decided on its merits:

If we were free to be concerned about the comfort of judges, there would be much to say for abstention from a subject so fraught with passions that have generated many bloody chapters of history. No one can read the relevant pages of the Supreme Court reports without knowing the travail it has cost to keep alive and intact the uncompromising principle of separation for which Madison and Jefferson fought. But apart from the fact that judges' ease is not our subject, there is the consolation of high achievement in the enterprise. Accepting cases concerned arguably with the most "negligible" of alleged breaches, the Supreme Court has labored to keep the wall of separation in sound repair. That, in history's long view, is the real gain of *Everson* and the whole body of decisions. The close divisions on the Court have not reflected anything short of essential unanimity on the principle. They have shown only that in this area of profound values, where the claims of religion and conscience must be weighed against charges of official trespass, it may be agonizing work to identify "the first experiment on our liberties."

The work has gone forward in a nearly miraculous environment of reasoned and orderly deliberation. The Court has, of course, been subjected to outpourings of the vitriol it has zealously allowed under the First Amendment. But in a nation of diversities both rich and potentially disintegrating, the domains of Church and State have lived apart and in peace. In this achievement, I think, the willingness of the Supreme Court to hear and resolve claims of incipient breaches must surely be viewed as a major factor. True religion and free conscience generally have flourished with the Court's steady enforcement of the "principle * * * that religion is too personal, too sacred, too holy, to permit its 'unhallowed perversion' by a civil magistrate." *Engel* v. *Vitale, supra,* 370 U.S. at 432.

Today's decision disserves that principle.

MARVIN E. FRANKEL,
U.S.D.J.

JUNE 19, 1967.

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[15] Compare the recent electrical equipment avalanche, and one of the many discussions of it in the Third Circuit Judicial Conference of last year, 39 F.R.D. 495 *et seq.*

DR. ALFREDO REBOREDO-NEWHALL

Mr. HOLLAND. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 66.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 66) for the relief of Dr. Alfredo Reboredo-Newhall, which was, to amend the title so as to read: "An act for the relief of Doctor Alfredo Reboredo-Newhall."

Mr. HOLLAND. Mr. President, this is a bill relating to a Cuban refugee doctor which the Senate has already passed. The Senate bill contained a misspelling, by one letter, of the rather long Latin name of the doctor, which was corrected by the amendment of the House of Representatives.

I move that the Senate concur in the amendment of the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to.

ADDRESS BY THE PRESIDENT AT THE FOREIGN POLICY CONFERENCE FOR EDUCATORS

Mr. CLARK. Mr. President, on June 19, 1967, the President spoke at the Foreign Policy Conference for Educators in the State Department. His address was broadcast on radio and television to the Nation. To my way of thinking this splendid address, ranging over the wide field of our foreign policy, is entitled to and, no doubt, has received the careful attention of all citizens. I commend the President for a splendid effort to keep the people of the United States up to date on the policies which he is pursuing in support of peace all over the world.

I am particularly grateful to the President for his comments with respect to the present crisis in the Middle East. The President stated five lessons which he thought should be learned as a preliminary to obtaining a permanent, just, and lasting peace in the Middle East.

The fourth of these principles, with respect to peace, is one which I would like to lay great stress on. It has to do with the need for terminating the conventional arms race in the Middle East. The President speaks of the fact that—

> The waste and futility of the arms race must be apparent to all the peoples of the world. And now there is another moment of choice.

I am happy to see him commit the United States to use every resource of diplomacy, and every counsel of reason and prudence, to try to find a better course.

I commend the President for urging that the United Nations immediately call upon all of its members to report all shipments of all military arms into the

Middle East and to keep those shipments on file for all the peoples of the world to observe.

I would hope that the President would go a step further and put the United States in the forefront in the international movement to impose a worldwide arms embargo on all arms shipments to the Middle East. We will have to use every resource of skillful diplomacy and every counsel of reason and prudence emanating from the State Department in urging the Russians to join in a disarmament agreement which would contain effective guarantees for the security of Israel and her Arab neighbors.

The Russians have very little to show for the $2 to $3 billion in military hardware they have furnished the Middle East Arab States during the last 10 years, for over $1 billion of which they have not been paid.

I hope that the State Department will pursue actively this diplomatic effort to achieve arms control in the Middle East. I commend the President for his efforts in this regard.

Mr. President. I ask unanimous consent that a copy of the President's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF THE PRESIDENT AT THE FOREIGN POLICY CONFERENCE FOR EDUCATORS

Secretary Rusk, Ladies and Gentlemen:

I welcome the chance to share with you this morning a few reflections of American foreign policy, as I have shared my thoughts in recent weeks with representatives of labor and business, and with other leaders of our society.

During the past weekend at Camp David—where I met and talked with America's good friend, Prime Minister Holt of Australia, I thought of the General Assembly debate on the Middle East that opens today in New York.

But I thought also of the events of the past year in other continents in the world. I thought of the future—both in the Middle East, and in other areas of American interest in the world and in places that concern all of us.

So this morning I want to give you my estimate of the prospects for peace, and the hopes for progress, in these various regions of the world.

I shall speak first of our own hemisphere, then of Europe, the Soviet Union, Africa and Asia, and lastly of the two areas that concern us most at this hour—Vietnam and the Middle East.

Let me begin with the Americas.

Last April I met with my fellow American Presidents in Punta del Este. It was an encouraging experience for me, as I believe it was for the other leaders of Latin America. For they made, there at Punta del Este, the historic decision to move toward the economic integration of Latin America.

In my judgment, their decision is as important as any that they have taken since they became independent more than a century and a half ago.

The men I met with know that the needs of their 220 million people require them to modernize their economies and expand their trade. I promised that I would ask our people to cooperate in those efforts, and in giving new force to our gerat common enterprise, which we take great pride in, the Alliance for Progress.

One meeting of chiefs of state, of course, cannot transform a continent. But where leaders are willing to face their problems, candidly, and where they are ready to join in meeting them responsibly, there can be only hope for the future.

The nations of the developed world—and I am speaking now principally of the Atlantic Alliance and Japan—have in this past year, I think, made good progress in meeting their common problems and their common responsibilities.

I have met with a number of statesmen—Prime Minister Lester Pearson in Canada just a few days ago, and the leaders of Europe shortly before that. We discussed many of the issues that we face together.

We are consulting to good effect on how to limit the spread of nuclear weapons.

We have completed the Kennedy Round of tariff negotiations, in a healthy spirit of partnership, and we are examining together the vital question of monetary reform.

We have reorganized the integrated NATO defense, with its new headquarters in Belgium.

We have reached agreement on the crucial question of maintaining allied military strength in Germany.

Finally, we have worked together—although not yet with sufficient resources—to help the less developed countries deal with their problems of hunger and over population.

We have not, by any means, settled all the issues that face us, either among ourselves or with other nations. But there is less cause to lament what has not been done, than to take heart from what has been done.

You know of my personal interest in improving relations with the Western world and the nations of Eastern Europe.

I believe the patient course we are pursuing toward those nations is vital to the security of our nation.

Through cultural exchanges and civil air agreements—

Through consular and outer space treaties.

Through what we hope will soon become a treaty for the nonproliferation of nuclear weapons, and also, if they will join us, an agreement on anti-ballistic missiles.

We have tried to enlarge, and have made great progress in enlarging, the arena of common action with the Soviet Union.

Our purpose is to narrow our differences where they can be narrowed, and thus to help secure peace in the world for the future generations. It will be a long slow task, we realize. There will be setbacks and discouragements. But it is, we think, the only rational policy for them and for us.

In Africa, as in Asia, we have encouraged the nations of the region in their efforts to join in cooperative attacks on the problems that each of them faces: economic stagnation, poverty, hunger, disease, and ignorance. Under Secretary Nicholas Katzenbach just reported to me last week on his recent extended trip throughout Africa. He described to me the many problems and the many opportunities that exist in that continent.

Africa is moving rapidly from the colonial past toward freedom and dignity. She is in the long and difficult travail of building nations. Her proud people are determined to make a new Africa, according to their own lights.

They are now creating institutions for political and economic cooperation. They have set great tasks for themselves—whose accomplishments will require years of struggle and sacrifice.

We very much want that struggle to succeed, and we want to be responsive to the efforts that they are making on their own behalf.

I can give personal testimony to the new spirit that is abroad in Africa, from Under Secretary Katzenbach's report, and from Asia, from my own travels and experience there. In Asia my experience demonstrated to be a new spirit of confidence in that area of the world. Everywhere I traveled last autumn, from the conference in Manila to other countries of the region, I found the conviction that Asians can work with Asians to create better conditions of life in every country. Fear has now given way to hope in millions of hearts.

Asia's immense human problems remain, of course. Not all countries have moved ahead as rapidly as Thailand, Korea, and the Republic of China. But most of them are now on a promising track, and Japan is taking a welcome role in helping her fellow Asians toward much more rapid development.

A free Indonesia—the world's fifth largest nation's a land of more than 100 million people—is now struggling to rebuild, to reconstruct and reform its national life. This will require the understanding and the support of the entire international community.

We maintain our dialogue with the authorities in Peking, in preparation for the day when they will be ready to live at peace with the rest of the world.

I regret that this morning I cannot report any major progress toward peace in Vietnam.

I can promise you that we have tried every possible way to bring about either discussions between the opposing sides, or a practical de-escalation of the violence itself.

Thus far there has been no serious response from the other side.

We are ready—and we have long been ready—to engage in a mutual de-escalation of the fighting. But we cannot stop only half the war, nor can we abandon our commitment to the people of South Vietnam as long as the enemy attacks and fights on. And so long as North Vietnam attempts to seize South Vietnam by force, we must, and we will, block its efforts—so that the people of South Vietnam can determine their own future in peace.

We would very much like to see the day come—and come soon—when we can cooperate with all the nations of the region, including North Vietnam, in healing the wounds of a war that has continued, we think, for far too long. When the aggression ends, then that day will follow.

Now, finally, let me turn to the Middle East—and to the tumultuous events of the past months.

Those events have proved the wisdom of five great principles of peace in the region.

The first and greatest principle is that every nation in the area has a fundamental right to live, and to have this right respected by its neighbors.

For the people of the Middle East, the path to hope does not lie in threats to end the life of any nation. Such threats have become a burden to the peace, not only of that region but a burden to the peace of the entire world.

In the same way, no nation would be true to the United Nations Charter, or to its own true interests, if it should permit military success to blind it to the fact that its neighbors have rights and its neighbors have interests of their own. Each nation, therefore, must accept the right of others to live.

This last month, I think, shows us another basic requirement for settlement. It is a human requirement: Justice for the refugees.

A new conflict has brought new homelessness. The nations of the Middle East must at last address themselves to the plight of those who have been displaced by wars. In the past, both sides have resisted the best efforts of outside mediators to restore the victims of conflict to their homes, or to find them other proper places to live and work. There will be no peace for any party in the Middle East unless this problem is attacked with new energy by all, and, certainly, primarily by those who are immediately concerned.

A third lesson from this last month is that maritime rights must be respected. Our Nation has long been committed to free maritime passage through international waterways, and we, along with other nations, were taking the necessary steps to implement this principle when hostilities exploded. If a single act of folly was more responsible for this explosion than any other, I think it was the arbitrary and dangerous announced decision that the Straits of Tiran would be closed. The right of innocent maritime passage must be preserved for all nations.

Fourth, this last conflict has demonstrated the danger of the Middle Eastern arms race of the last 12 years. Here the responsibility must rest not only on those in the area—but upon the larger states outside the area. We believe that scarce resources could be used much better for technical and economic development. We have always opposed this arms race, and our own military shipments to the area have consequently been severely limited.

Now the waste and futility of the arms race must be apparent to all the peoples of the world. And now there is another moment of choice. The United States of America, for its part, will use every resource of diplomacy, and every counsel of reason and prudence, to try to find a better course.

As a beginning, I should like to propose that the United Nations immediately call upon all of its members to report all shipments of all military arms into this area, and to keep those shipments on file for all the peoples of the world to observe.

Fifth, the crisis underlines the importance of respect for political independence and territorial integrity of all the states of the area. We reaffirmed that principle at the height of this crisis. We reaffirm it again today on behalf of all. This principle can be effective in the Middle East only on the basis of peace between the parties. The nations of the region have had only fragile and violated truce lines for 20 years. What they now need are recognized boundaries and other arrangements that will give them security against terror, destruction and war. Further, there just must be adequate recognition of the special interest of three great religions in the holy places of Jerusalem.

These five principles are not new, but we do think they are fundamental. Taken together, they point the way from uncertain armistice to durable peace. We believe there must be progress toward all of them if there is to be progress toward any.

There are some who have urged, as a single, simple solution, an immediate return to the situation as it was on June 4. As our distinguished and able Ambassador, Mr. Arthur Goldberg, has already said, this is not a prescription for peace, but for renewed hostilities.

Certainly troops must be withdrawn, but there must also be recognized rights of national life—progress in solving the refugee problem—freedom of innocent maritime passage—limitation of the arms race—and respect for political independence and territorial integrity.

But who will make this peace where all others have failed for 20 years or more?

Clearly the parties to the conflict must be the parties to the peace. Sooner or later it is they who must make a settlement in the area. It is hard to see how it is possible for nations to live together in peace if they cannot learn to reason together.

But we must still ask, who can help them? Some say, it should be the United Nations, some call for the use of other parties. We have been first in our support of effective peace-keeping in the United Nations, and we also recognize the great values to come from mediation.

We are ready this morning to see any method tried, and we believe that none should be excluded altogether. Perhaps all of them will be useful and all will be needed.

I issue an appeal to all to adopt no rigid view on these matters, I offer assurance to all that this Government of ours, the Government of the United States, will do its part for peace in every forum, at every level, at every hour.

Yet there is no escape from this fact: the main responsibility for the peace of the region depends upon its own peoples and its own leaders of that region. What will be truly decisive in the Middle East will be what is said and what is done by those who live in the Middle East.

They can seek another arms race, if they have not profited from the experience of this one, if they want to. But they will seek it at a terrible cost to their own people—and to their very long-neglected human needs. They can live on a diet of hate—though only at the cost of hatred in return. Or they can move toward peace with one another.

The world this morning is watching, watching for the peace of the world, because that is really what is at stake. It will look for patience and justice—it will look for humility—and moral courage. It will look for signs of movement from prejudice and the emotional chaos of conflict—to the gradual, slow shaping steps that lead to learning to live together and learning to help mold and shape peace in the area and in the world.

The Middle East is rich in history, rich in its people and in its resources. It has no need to live in permanent civil war. It has the power to build its own life, as one of the prosperous regions of the world in which we live.

If the nations of the Middle East will turn toward the works of peace, they can count with confidence upon the friendship, and the help, of all the people of the United States of America.

In a climate of peace, we here will do our full share to help with a solution for the refugees. We here will do our full share in support of regional cooperation. We here will do our share, and do more, to see that the peaceful promise of nuclear energy is applied to the critical problem of desalting water and helping to make the deserts bloom.

Our country is committed—and we here reiterate that commitment today—to a peace that is based on five principles.

First, the recognized right of national life;
Second, justice for the refugee;
Third, innocent maritime passage;
Fourth, limits on the wasteful and destructive arms race;
And fifth, political independence and territorial integrity for all.

This is not a time for malice, but for magnanimity: not for propaganda, but for patience: not for vituperation, but for vision.

On the basis of peace, we offer our help to the people of the Middle East. That land, known to everyone of us since childhood as the birthplace of great religions and learning, can flourish once again in our time. We here in the United States shall do all in our power to help make it so.

Thank you.

ISRAEL'S MILITARY VICTORY IN THE MIDDLE EAST

Mr. CLARK. Mr. President, I wish to call to the attention of the Senate a most interesting article concerning Israel's military victory in the Middle East, written by Eliot Janeway, and which appeared in the Washington Evening Star of June 19, 1967. The article deals with fiscal and monetary implications of Israel's military victory in the Middle East.

Mr. Janeway points out that the United States could use this victory to strengthen the dollar from the international financial diplomacy game which General de Gaulle has been playing.

The United States is now in a position to take decisive steps to improve its position, merely by removing the 25-percent gold cover requirement which we have on Federal Reserve notes.

Several months ago I introduced a bill, which is now pending before the Committee on Banking and Currency, to achieve this result. A few days ago the Senator from Indiana [Mr. HARTKE] introduced a similar bill. It is my understanding that the Treasury Department in the near future will seek the consent of Congress to remove the gold standard from Federal Reserve notes. I hope that such legislation will be promptly passed.

Mr. President, I ask unanimous consent that the article by Mr. Janeway be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star, June 19, 1967]

DE GAULLE ASSAILED FOR ISRAELI WAR ROLE

(By Eliot Janeway)

NEW YORK.—When the Israeli army upset Nasser's power play, it also upsets the political balance of power in the world. The change came suddenly but looks like it will make history for years to come.

Yet the military and political consequences of the flash war in the Middle East, while great and conspicuous, are by no means its only results. For its financial consequences promise to be profound too, although they will take longer to hit home. When the changed balance of power on the money front becomes apparent, the bang will announce a strengthening of the buck.

For no other reason than that French President Charles de Gaulle has presented America with a golden opportunity to reaffirm the international strength of the dollar. In financial affairs, the next best thing to being strong is looking sensible. France cannot begin to match strength with America. But De Gaulle had been looking good. Consequently, his dollar-baiting and gold-bugging had taken on the tone of prophecy.

In his stance of disapproval against dollar deficits, De Gaulle seemed sound and sensible, just as he did when he pointed with pride to France's accomplishments since her disengagement from her ruinous wars in Vietnam and Algiers.

De Gaulle has aspired to play the role of "Mr. Europe." This is the rationale of his resistance to America's economic role in Europe; of his undercutting the dollar; of his veto of Britain's admission to the Common Market; and, above all, of his axis with Russia. For at least part of Russia is European, too. De Gaulle has been making a good thing out of playing close to the Kremlin. Where he made his mistake was in letting the Kremlin play close to him.

During the two weeks before war broke out in the Middle East, Moscow had been flashing the word that she had put enough air power and armor behind Nasser to insure a mop-up of Israel. High-powered salesmanship went into the campaign to persuade British Prime Minister Harold Wilson that Russia had built Nasser up from the Adam Clayton Powell of the Arab world into a sure winner.

Wilson, though not a military man, clearly did not fall for this line. But De Gaulle did—hook, line and sinker. The supposed man of principle, the very personification of "La Gloire," did the opportunistic thing. He chickened out on Israel. His blunder was all the more amateurish because France has all along been Israel's big source of support. Not only has a great deal of Israel's armament been supplied by France: Israel can thank France for having armed her with her atomic potential.

Anytime a politician gets caught in public giving up an asset for nothing and looking foolish in the process, he is set up to be blitzed. De Gaulle did, and he is. Because Washington didn't exactly build a reputation for expertise and forehandedness while the crisis was red hot, it could use the lift that would come to America from blitzing de Gaulle while he is off balance and suddenly no longer omniscient.

The timing is right for Washington to make the move that has been urged on it by every serious student of the dollar ever since Henry Alexander, of the Morgan Guaranty Trust Company, made his recommendation in 1960 for modernizing our currency. His thesis was that gold no longer serves any useful purpose when locked up, as it still is, supposedly backing our domestic "hamburger dollar."

Its only useful function nowadays is in financing international transactions and as a trump card in international financial diplomacy—that is, in the game De Gaulle has been playing against the dollar.

A Johnson legislative proposal right now to unlock our frozen gold reserves, and to put them on the table as chips behind the dollar would make De Gaulle look as foolish undercutting America as he wound up being when he welched on Israel. What's more, this is one Johnson legislative proposal that would go through Congress as quickly as Dayan went through the Sinai desert.

NOMINATION OF THURGOOD MARSHALL

Mr. CLARK. Mr. President, the Philadelphia newspapers have welcomed the nomination of Thurgood Marshall to be a Justice of the Supreme Court. I, too, am most happy at this wise choice by our President for the vacancy on this great Court.

Mr. President, I ask unanimous consent to have printed in the RECORD two articles, one entitled "A Worthy Nominee," which appeared in the Philadelphia Bulletin of June 14, 1967, and the other entitled "Marshall to the Supreme Court," which appeared in the Philadelphia Inquirer of June 14, 1967.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Philadelphia Bulletin, June 14, 1967]

A WORTHY NOMINEE

President Johnson, in nominating Solicitor General Thurgood Marshall as a justice of the United States Supreme Court, made two observations.

With a seeming reference to that fact that Mr. Marshall will be the high court's first Negro member the President described the appointment as "the right thing to do," then said that "it is the right time."

To those familiar with Mr. Marshall's legal career and his dedication to the law and especially to the federal constitution, however, there was far greater impact in President Johnson's added statement that "he is the right man in the right place."

Mr. Marshall is indeed a worthy nominee to the Supreme Court. It is difficult, in fact, to suggest anyone who as a practicing attorney, judge of a U. S. Court of Appeals or as Solicitor General, has so made of himself a selfless servant to the word and spirit of the law.

The fact that Mr. Johnson has been desirous of naming a Negro to the Supreme Court was well known. It has been expected, too, that Mr. Marshall would be his choice. Neither circumstance, however, takes away any of the gratification that those who know and respect Mr. Marshall—and know and respect the court—feel at the President's action.

It is to be hoped that all members of the U. S. Senate, when considering Mr. Marshall's nomination, will base their judgments solely on merit and not permit regional mores to interfere.

[From the Philadelphia Inquirer, June 14, 1967]

MARSHALL TO THE SUPREME COURT

President Johnson has made an outstanding nomination for Justice of the U.S. Supreme Court in his choice of Thurgood Marshall for the place made vacant by Tom C. Clark's resignation.

Marshall, now Solicitor General, is eminently qualified for this high judicial post. He has, as the President mentioned in announcing the nomination, a distinguished record as a private counsel and as a Government counsel.

For 23 years he was chief legal officer of the National Association for the Advancement of Colored People. In that capacity, he successfully argued probably the most important case in the history of civil rights in this country, culminating in the Supreme Court ruling in 1954 against racial segregation in the public schools.

In 1962, President Kennedy named him to the Nation's second highest court, the U.S. Court of Appeals for the Second Circuit, embracing New York, Connecticut and Vermont. It was widely accepted by that time that he was headed for elevation to the Supreme Court, as the first Negro Justice.

When President Johnson asked Marshall two years ago to give up the position on the Court of Appeals to succeed Archibald Cox as Solicitor General, the belief was strengthened that he would soon step up to the Supreme Court.

He is no stranger to that tribunal. His number of appearances before the court, in both private capacity and as the Government's counsel, and his record of victories, have been exceeded by only one or two others in judicial history.

Thurgood Marshall will bring new vigor and new stature to the Supreme Court of the U.S. There have been few occasions in recent years when an appointment to a place on that body could be received with such wholehearted commendation.

PRESIDENT JOHNSON'S FIGHT FOR OPPORTUNITY AND AGAINST CRIME

Mr. CLARK. Mr. President, President Johnson underscored a few days ago the importance of his farseeing nationwide campaign to combat crime and advance opportunity.

In remarks before the National Council on Crime and Delinquency, the President stressed the legal instruments absolutely needed to control crime. He also again spoke out for the opportunity programs which must be continued and improved to prevent crime and delinquency: Opportunity in jobs, schools, housing, and creative endeavors.

The President's remarks demonstrate clearly that prevention and control are linked. Programs must be aimed at both the causes of crime, as well as its effects.

So, President Johnson has rightfully proposed to the Congress, the Juvenile Delinquency Prevention Act, the Safe Streets and Crime Control Act, and a number of others which would help local law enforcement agencies cope with and prevent crime.

As an integral part of his anticrime crusade, the President has again asked us for strong voices in support of hope, in support of opportunity, in efforts to break the "cycle of failure" which entraps so many young people.

Crime and other antisocial acts are linked to poverty and lack of opportunity—especially among the young.

We are never going to keep our society whole, if we permit our youth to fail and flounder and feel left out of the social process.

President Johnson's efforts are intelligent. They are compassionate. They will not "coddle" criminals. But, they will not sacrifice those who can be saved and rehabilitated.

Let us support the President's request for new anticrime laws.

Let us support his request for real basic opportunity programs which will give willing hands and hearts a meaningful occupation and education in a world where occupations and education assure dignity and security to every citizen.

I applaud the President's programs, and I ask unanimous consent to have printed in the RECORD the prepared text of his remarks before the National Council on Crime and Delinquency, at the White House.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

TEXT OF THE REMARKS OF THE PRESIDENT BEFORE THE NATIONAL COUNCIL ON CRIME AND DELINQUENCY

I welcome you here as companions in concern for America's future.

Maintaining public order is the basic need of society. Your concern for that basic issue—as citizens, as leaders of the business community—is a promise that this Nation's attack on crime and delinquency can succeed.

The work of the National Crime Commission—just completed this spring—threw light on some dark landscapes. One lesson became clear: if we can reduce juvenile delinquency, we will have the key to reversing the rising rate of crime.

The facts are tragic:

400,000 American boys and girls were behind bars last year awaiting trial. 100,000 of them were locked up with hardened criminals—in jailhouses instead of schoolhouses.

One out of every six boys in our land will go to juvenile court before his 18th birthday.

The rate of repeated crime is highest among criminals who began as juvenile delinquents.

These are confessions of failure. The day a boy appears before the bar of justice to answer for a crime, he has failed. But on that same day, we have failed, too—as a society—because we did not prevent that confrontation.

Before the Congress now is a major Juvenile Delinquency Prevention Act. For the first time, it will enable communities to plan their own assaults on delinquency—to prevent careers in crime, not just to punish them.

Before the Congress now is the Safe Streets and Crime Control Act—a proposal to strengthen the police forces, the correctional systems and the courts of this country. The House Judiciary Committee this morning reported the Safe Streets and Crime Control Act of 1967. This is a major step forward in Crime Control and Safer Streets for every citizen.

America needs that legislation now. I urge the House and Senate to promptly complete action on that measure.

But the problem of crime is imbedded in the conditions of society itself. It involves the question of how people live, and what kind of stake they have in the life of their Nation.

Most juvenile delinquency—although not all—is rooted in poverty.

Most careers in crime begin in a world without hope.

The most urgent picture of delinquency is of a boy, trapped in that world, who cannot find his way out.

He is surrounded by America's abundance—but he feels failure in his own heart.

Before he is a man, he faces his future over the point of a knife or the end of a gun.

We can never conquer delinquency until we can break that cycle of failure.

That is why the problem is more than improved courts and correctional systems and police procedures—fundamental though these are.

Our task is to build a ladder for the young Americans born into that dark and hopeless world.

For most boys and girls in this nation, the rungs of that ladder are normal conditions of life:

Medical care to provide health for the body.

Adequate schools with competent teachers.

A decent home to live in.

The opportunity to train for a good job at a good wage.

Programs to provide these are now before the Congress.

But we are hearing again old voices of fear and distrust, which have always blocked progress.

They object now to the Model Cities Program. They object to the War on Poverty. They object to the Teachers Corps.

The voice of the people—willing to plan and invest in the future of this Nation—must be louder than that tired old chorus of objection.

I hope you will go back to your communities and inspire your neighbors with a new understanding. Help them to see that we can stop careers in crime before they begin—and convert them into careers of promise and productivity.

Thank you for coming here today.

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that a period for the transaction of routine morning business be permitted on Monday next after the speech of the Senator from Idaho [Mr. Church] and that the statements made thereon be limited in the usual manner.

The PRESIDING OFFICER (Mr. Proxmire in the chair). Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS TOGETHER WITH MINORITY, SUPPLEMENTAL, AND INDIVIDUAL VIEWS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the adjournment of the Senate following today's session, all committees be authorized to file their reports together with minority, supplemental, and individual views if desired until noon Saturday.

The PRESIDING OFFICER. Without objection. it is so ordered.

EXECUTIVE SESSION

On request of Mr. Byrd of West Virginia, and by unanimous consent, the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The assistant legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. Byrd of West Virginia, and by unanimous consent, the Senate resumed the consideration of legislative business.

ENSLAVEMENT OF LITHUANIA, LATVIA, AND ESTONIA BY THE SOVIET UNION

Mr. JAVITS. Mr. President, I call attention to the fact that last week it was impossible to do very much about the Record, but last week marked the 27th anniversary of the enslavement by the Soviet Union of the three Baltic States of Lithuania, Latvia, and Estonia. It is unbelievable that these people still hunger for their freedom, that organizations are actively at work throughout the world, and very active in the United States, keeping alive the flame of freedom in these countries.

Mr. President, I think that every American should feel that legitimacy has not been conferred upon the Soviet Union's possession of these countries merely by the fact that they occupy them and have done so for many years.

I point out that on October 22, 1966, the Senate unanimously passed House Concurrent Resolution 416, commemorating and praising the struggle of these people for freedom, and remembering, in the terms of our Nation, their plight.

I ask unanimous consent that excerpts from the concurrent resolution be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Whereas the subjection of peoples to alien subjugation . . . is contrary to the Charter of the United Nations . . . whereas the Baltic peoples of Estonia, Latvia and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union . . . the Senate of the United States urges the President of the United States, (a) to direct the attention of world opinion at the United Nations (b) to direct the attention of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

LEAVE OF ABSENCE

Mr. JAVITS. Mr. President, as I am an appointed delegate to the International Labor Organization, I ask unanimous consent that I may have leave to be absent from the Senate on such days next week as I may require to attend their meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMARKS BY SENATOR COTTON AT LAUNCHING OF U.S.S. "GRAYLING"

Mrs. SMITH. Mr. President, the distinguished senior Senator from New Hampshire yesterday was the principal speaker at the launching of the U.S.S. *Grayling* at the Kittery Naval Shipyard. He and some others call it the Portsmouth Naval Shipyard although it is located in Kittery, Maine.

Norris Cotton has been a great champion of the Navy and of national defense. He has been an outstanding and effective advocate for the Portsmouth-Kittery Naval Shipyard and its workers. He has been a great Senator for New Hampshire and a great statesman for our Nation.

His remarks at this launching were most appropriate and inspiring. I ask unanimous consent that they be incorporated in the Record and I invite the attention of each Member of the Senate to them.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks by U.S. Senator Norris Cotton at Launching of U.S.S. "Grayling," Portsmouth, N.H., June 22, 1967

Mrs. Cullen, sponsor of this ship, Admiral Galantin, Admiral Williams, Admiral Hushing, Commander Baron, and friends; no higher honor has been accorded me during my twenty-one years in the Congress of the United States than to be privileged to participate in the launching of the U.S.S. Grayling, the fifth ship of the Fleet to bear that name.

We salute this ship. Professionals have already given us a brief description of such of her qualities as can be revealed. To this a layman can add nothing. But not one of us, however lacking in technical knowledge, can fail to comprehend her awesome powers as a fighting machine. Compared with submarines of the past, she can move like lightning. She has almost limitless capabilities to remain submerged. She has uncanny powers of detection. And she can strike like a cobra.

We salute the mission of this ship. When she slides down the ways, she will plunge into what remains, contrary to popular conception, the world's greatest arena for both offensive and defensive warfare—the sea. The tendency today is to focus our attention on air power to the exclusion of all else. The conquest of outer space has captured our imagination. We make nostalgic references to what history calls the Pax Britannica when Britain's matchless sea power foiled tyrants and for nearly a century preserved a measure of peace and order throughout the world. We are prone to regard Winston Churchill's contention that "on control of the seas depends the preservation of liberty" as a dogma of the past. Certainly we do not discount air power, nor does the Navy whose mighty carriers patrol the seaways of the world. The fact remains, however, that ocean waters cover nearly three-quarters of the globe, and there is hardly a spot in any nation on earth that can't be reached by a missile launched from the Grayling's sister sub, the Polaris. Our Polaris fleet, lurking in ocean's depths, can't be annihilated by surprise attack. That is why President Kennedy during the Cuban crisis remarked, "I don't think there is a danger that we would fire on inaccurate information because we are given only five or six minutes to make a judgment. I think Polaris alone permits us to wait and make sure." Just as the Polaris submarine, in my opinion, remains our most powerful weapon of offense, and thus our greatest deterrent against war, so the Grayling and her sisters of the attack submarine fleet, despite the name, are our greatest weapons for defense against the missile-firing submarines of our enemy, as well as his carriers and other surface ships. The development of oceanography may mean that the Grayling will be patrolling and defending vast industrial complexes as we move to mine the minerals and take the food and oil from ocean's depths. No ship could have more varied or greater missions.

We salute the men who built this ship. As a Senator from New Hampshire, I may be forgiven my devotion to, and my confidence in, the Portsmouth Naval Shipyard. Ever since the Navy's Patron Saint, John Paul Jones, came to Portsmouth during the Revolution to await completion of the sloop-of-war, Ranger, this Yard has been turning out United States naval ships. It is the one great government submarine shipyard on our East Coast. It is rich in tradition, in equipment, in know-how. Under the dynamic leadership of Admiral Hushing, it has reached the highest degree of morale and proficiency. In these perilous times when our national security depends so much upon maintaining and improving our submarine fleet, I refuse to believe that this naval shipyard can or will be abandoned. May we all unite to save it, not just because it is an economic factor in Maine or New Hampshire or Massachusetts, not merely because it provides employment, but because it is indispensable to our national defense.

We salute those who will man this ship. To Commander Baron, her first skipper, and all his successors, and to their officers and men, we wish fair winds and a following sea. If all their cruising be peaceful patrols, and God grant that such be the case, may they have the patience and endurance for this exacting duty. If the worst should happen and strife must come, may they have confidence, valor in the time of testing, and above all—victory.

We salute the brave traditions that encompass this ship. It is fitting that her sponsor should be Mrs. Cullen, daughter of the commander of that other Grayling who, with his men, perished on their eighth patrol somewhere in the secret places of the sea. May the tradition of a great Service and the long line of heroes that have sustained it go with this Grayling wherever her course may lead.

And, finally, we salute the moral armament of our beloved country without which the Grayling would be a lifeless, vicious machine of destruction. Her mighty hull of steel, her powerful nuclear engines, her weapons and her rockets, would have no soul did we not dedicate her to the service of a free and peace-loving people. Our Nation is founded on faith, not fear—it puts its trust in Divine power rather than brute force. We must never lower our guard or relax our vigilance, but neither the hydrogen bomb nor the guided missile can prevail against a free people.

> "For heathen heart that puts her trust
> In reeking tube and iron shard—
> All valiant dust that builds on dust,
> And guarding calls not Thee to guard—
> Lord God of Hosts, be with us yet,
> Lest we forget, lest we forget."

WHITE HOUSE CONFERENCE ADVOCATES SENATE RATIFY HUMAN RIGHTS CONVENTIONS—XCIV

Mr. PROXMIRE. Mr. President, as the 20th anniversary of the Universal Declaration of Human Rights draws near, I think it would be appropriate to reflect on how this great Nation helped to celebrate the worldwide commemoration of the 20th anniversary of the Charter of the United Nations.

The year 1965 was designated by the United Nations to be International Cooperation Year. In recognition of this, the White House held a 4-day conference which was attended by 5,000 of our Nation's leading citizens. Among them were the 14 members of the National Citizens' Commission on International Cooperation's Committee on Human Rights. This prominent group included such distinguished representatives of the academic community as Louis B. Sohn, Bemis professor of international law at Harvard; the Reverend John J. Dougherty, the president of Seton Hall University; Dean Clarence Claude Ferguson, Jr., of Howard Law School; and the Reverend Theodore M. Hesburg, the president of Notre Dame University. Many outstanding members of the legal profession were also represented, including my good friend and constituent, Bruno V. Bitker.

After a great deal of exchange and deliberation, aided by close consultations with Government officials, the committee recommended:

First. That the United States promptly ratify the four human rights conventions which are now pending before the Senate Foreign Relations Committee.

Second. That the United States ratify as soon as practicable the three conventions on discrimination.

Third. That the United States exercise leadership in the preparation and adoption of conventions and declarations on human rights.

Fourth. That the United States plan in advance for observance of International Human Rights Year in 1968.

The General Assembly of the United Nations has invited "all member states to ratify before 1968 the Conventions already included in the field of human rights." I feel a great discomfort at the inaction of the Senate in failing to share our own great national legacy with people everywhere for whom the American reality is only an unattained ideal. I urge the Senate once again to ratify the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery without any further delay.

"SHOULD THE VOTING AGE BE REDUCED TO 18?"—WINNING ESSAYS IN McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGee Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "Should the Voting Age in the United States Be Lowered to 18?" and each year I am impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Linda Halene Meredith, of Shoshoni, Wyo., and Steve Rodermel, of Cheyenne, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

SHOULD THE VOTING AGE IN THE UNITED STATES BE LOWERED TO 18?

(By Linda Halene Meredith, Shoshoni, Wyo.)

"The Man of the Year ran the mile in 3:51.3, and died under mortar fire at An Lao. He got a B-minus in Physics I, earned a Fulbright scholarship, filmed a documentary in a Manhattan ghetto, and guided Gemini rendezvous in space. He earns $76 a week with Operation Head Start in Philadelphia, picks up $10,800 a year as a metallurgical engineer at Ford, and farms 600 acres of Dakota wheat land. He has a lightning fast left jab, a rifling right arm, and reads medieval metaphysicians. He campaigned for Reagan, booed George Wallace, and fought for racial integration. He can dance all night, and if he hasn't smoked pot himself, knows someone who has. He tucks a copy of Playboy into his concerto score as he records with the Boston Philharmonic. He is disenchanted with Lyndon Johnson, is just getting over his infatuation with Jack Kennedy—and will some day run for President himself.

"For the Man of the Year 1966 is a generation: the man—and woman—of 25 and under."[1]

The preceding paragraphs, from *Time Magazine*, present just a few of the many responsibilities which eighteen year olds (part of today's generation) take upon themselves. These responsibilities require hard work, long hours of constructive planning, and a constant application of the brain.

Yes, each generation has some features which are more significant than others—each makes a statement to the future, each leaves behind a picture of itself; but never before has there been a generation such as the young generation today, that has so influenced the construction, the reflection, and the operation of a nation such as ours, The United States of America. Within that generation (the man and woman of twenty-five and under) a great number of the members belong in the eighteen year old bracket. And as responsible and as pragmatic as our young people are today, I strongly believe that the United States Government should not deny eighteen year olds the right to vote.

For never before in this nation or in this world, from the beginning of time, has a young generation, such as the one in the United States today been so well-educated, so affluent and rebellious, so responsible and pragmatic, so idealistic, so brave, so "alienated" or so hopeful.[2] And yet with all these qualities the young men and women age eighteen are denied the right to vote. Why? Age old axioms are given as supporting evidence for this outmoded law. For example, we hear "he would just vote like his parents do," "he does not have enough knowledge of world affairs," or "why, he's *just* a teenager." On the other side we hear the perennial argument "if he's old enough to fight for his country he's old enough to vote for its leaders." For the most part the men who are serving in Viet Nam do not feel the same way. The crux of the entire argument concerning age to vote hinges on one important word—responsibility. It is a responsibility to be a voter. United States voters are responsible for the future of the free world because through the election of a President we name the leader of the free world. United States citizens are responsible for furthering humanitarianism in the world because through our elected representatives we voice our feelings concerning appropriations for economic and technical assistance to underdeveloped nations. Voting Americans are responsible for averting world famine—no other nation has such vast natural resources with which to provide leadership in the food-people race. Yes—voting demands responsibility! Just as any generation before us in demanding our right to vote (at age eighteen) we must ask ourselves this all important question—Do we accept with the "right" the "responsibility" of a voting citizen?

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[1] Jones, Robert, "Man of the Year," *Time*, Vol. 89: P. 18–22, January 6, 1967.

Let us look at the eighteen year olds today to help determine whether or not these young people are responsible. The young men serving in Viet Nam are burdened with one tremendous responsibility—that of fighting to defend their country. Many of these men were not forced to go overseas, they volunteered to fight for our country. Today more than ever our young men fighting in Viet Nam reveal to the world and to the nation how brave, how responsible, and how hopeful the young generation is. Thus, the Viet Nam war is just one example of why I feel that the eighteen year olds of today are responsible young people and should be allowed to vote, and thus let their own opinions be known to the world.

In many other cases also the eighteen year olds prove themselves to be responsible, worthy and energetic members of the present generation. Today more than ever our young people participate in many different programs which provide for a more wholesome world. For example we have eighteen year olds today helping mold the course of nations through the Peace Corps, combating poverty and illiteracy in the United States through VISTA and Operation Head Start, and helping combat crime throughout the United States by participating in juvenile court experiments. Today many young men are furthering their knowledge of America's natural heritage by participating in the explorer scouts.

Today, more than ever the young generation is taking part in national and world affairs, in the high school as well as the college classroom, and outside of school. And these young people are not just talking about world affairs, they are acting in one way or another. Any newspaper supports my contention that young people are taking part. For example, each week a casual reader may observe that at some school on a Saturday (ordinarily a school holiday) young people are debating this year's proposition "Be it resolved: that the United States Foreign Aid Policy be limited to non-military assistance." These young people are not furthering a prejudiced view given to them by their parents (the cry of those who oppose eighteen year old voters) but these young people are researching both sides of the question coming to conclusions based on examination of the subject. Or notice the number of student councils which give young people opportunity to practice government on the local level. These young people do not limit themselves to local work but often sponsor American Field Service exchange students thus broadening their contact with other nations through their own efforts. Or take for example the number of young people in Wyoming who care enough to learn about their government to apply for the McGee Senate Internship by composing an essay on that increasingly important question, "Should The Voting Age In The United States Be Lowered To 18?" Thus, these previous examples show why I feel that today's eighteen year old is an independent person who is responsible, who is eligible, and who can be trusted with the right and the responsibility of voting.

In addition, in the United States, citizens of twenty-five and under in 1966 nearly outnumbered their elders; by 1970, there will be one hundred million Americans in that age bracket. In just three short years these responsible young men and women of eighteen years of age will outnumber their elders, yet they have no voice in the decision of the government, and no voice in determining the composition of the Congress which represents all Americans (eighteen year olds included). Yet these young people are expected to be the leaders and builders of future generations; they are to carry the problems of the world on their backs in the future, nevertheless, today when these young people, the "cream of the crop," are at the summit and are readily climbing the mountain of knowledge concerning community, national, and world affairs; but they are not allowed to have a direct voice—the vote—in determining United States policies or representation.

Never before in a generation have the young been left more completely to their own devices than in our present day generation. Never before have so many protested so much. But as in previous generations many have sacrificed bravely because they believe in America's basic hope for the free world—that human dignity is innately coupled with human responsibility. We have been given the challenge to educate ourselves so that we might provide tomorrow's leaders; to defend our nation so that succeeding generations might be free from the scourge of war; to serve our fellowman so that he might be free from poverty, illiteracy and disease. We have accepted these challenges because inherent in every teenager is a burning desire to create a better world. Therefore, we must ask for one more responsibility to meet the needs of an everchanging world—the right to vote. We ask for this right because we are responsible but in addition—we know that voting is a privilege not a right. Today's eighteen year old asks for the privilege of voting because he believes in the future of America, and would like a voice in molding that future.

Is today's teenager responsible enough to be given the privilege of voting? I think you have to say that the majority are. Indeed, Viet Nam has given the young—protesters and participants alike—the opportunity to disprove the doom criers of the 1950's who warned that the next generation would turn out "spineless and grey-flannel-souled." The young of today's generation have proven themselves through the Viet Nam war, through the Peace Corps, through VISTA, through Operation Head Start, and through many other beneficial activities, to be pragmatic, idealistic, brave, well-educated and responsible citizens. This is why I feel that the voting age in the United States should be lowered to eighteen; for these outstanding young men and women are involved more than ever in national and international affairs at a time when the world needs responsible young men and women—even though some of them are only eighteen years old.

SHOULD THE VOTING AGE IN THE UNITED STATES BE LOWERED TO 18?

(By Steve Rodermel, Cheyenne, Wyo.)

Private Patrick Davisson has killed six Viet Cong. He is eighteen years old. He has no voice in the government which asks him to slaughter another human being, for he can't vote; he's not old enough. Our founding fathers in the Constitution left age and residence requirements for voting up to the states—"The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof . . ."[1] At present the voting age in forty-six of the fifty states is twenty-one; Hawaii allows voting at twenty, Alaska at nineteen, and Kentucky and Georgia at eighteen. Why should citizens eighteen years of age in Wyoming be deprived of the privilege of voting granted eighteen-year-olds in Kentucky and Georgia? I propose that they shouldn't be deprived, and that the voting age in this "land of equality" be uniformly lowered to eighteen.

One of the major reasons for allowing eighteen-year-olds to vote is based on the tenet that if a person is old enough to help defend the United States, he's old enough to vote. Under existing laws, every young man upon reaching his eighteenth birthday is subject to the draft. In wartime, or during a national emergency, many boys between the ages of eighteen and twenty-one have given their lives for the American cause of freedom; in peacetime many of these young men are ready to fight on a moment's notice. The most striking example today of American youths serving their country in the military is the war in Vietnam. As of March 1, 1967, more than 7,000 Americans had lost their lives, and nearly 38,000 had been wounded in this Southeast Asian country. A great percentage of these young men are under twenty-one. It is only fair that these boys have a voice in the government that asks them to lay down their lives for it. President Lyndon Johnson has so-well stated the issue of the vote: "Why should a man have an easy path provided for him to go and fight, but a difficult path for him to go and vote?"

Young Americans of both sexes between the ages of eighteen and twenty-one are also serving our country in other ways. Thousands are currently working in the Peace Corps, helping foreign countries develop their educational facilities, health services, agriculture, and industry. These people, who much of the time work under oppressive conditions, and receive meager remunerations for their toil, have contributed much to our society. Likewise, many other young adults are presently working under the Volunteers In Service to America (VISTA) program, also called the domestic Peace Corps. These people are assigned for one year to Job Corps camps, Indian reservations, migrant worker communities, institutions for the mentally ill or retarded, community action programs in rural and city areas, hospitals, and schools, where they pass along a variety of trade and professional skills to poor Americans. VISTA volunteers, like Peace Corps workers receive small allowances, but work for the joy of seeing the American cause triumph. Should not all these young Americans have a voice in the government which they so fervently support?

A second major reason for lowering the voting age to eighteen is that it would produce an electrorate that is superior to the present one and better qualified to choose capable and honest public officials. The eighteen-year-olds of today are better educated and more informed concerning national and world events than ever before in the history of America.

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[2] Jones, Robert, "Man of the Year," *Time*, Vol. 89: P. 11, January 6, 1967.

[1] Article I, Section 4, U.S. Constitution.

This is largely so because of the news media and higher academic standards in our nation's high schools. Through television, radio, newspapers, and magazines, young adults learn other people's opinions and the significance of world affairs. Because of higher academic standards in our high schools, a more intelligent electorate is being produced.

Dr. William G. Carr, Executive Secretary of the National Education Association, has stated: "The statistics cannot tell the whole story about our high school graduates today. They're better than ever. Their schools and their teachers are better than ever. You might call youngsters coming out of our high schools today the 'Fired-Up' generation. They're activists. They're thirsty for knowledge and experience. They have an urge to be involved in life—in the campus and in the community and in the world. They want to make a difference. And they have already made a difference in political and social life."

A study conducted by the Research Division of the National Education Association in 1965 reported that the number of high school graduates had increased ninety-three per cent over the past decade. It was also revealed that an increased number of high school students are doing college work in high school through advanced placement programs, and that the content in high school curriculums is constantly being strengthened. The study also made it known that in many of today's high schools there is a greater emphasis on English, math, science, and social studies. These social studies courses include history, government, and civics.

All this points to the fact that many eighteen-year-olds today know more and care more about political issues than many adults whose spotty voting record shows a lack of interest in the government.

A third major reason for allowing eighteen-year-olds to vote is that many eighteen-year-olds are already shouldering adult responsibilities. In all states, persons are permitted to drive motor vehicles under the age of twenty-one. These same people may own cars and pay taxes on these cars and on car licenses. Many of these young adults also work, and in turn pay taxes on their incomes. Shouldn't these young Americans have a voice in the government which levies these taxes? Eighteen to twenty-one-year-olds are allowed to marry, and many of these young couples have children before they're twenty-one. Shouldn't these people also have a voice in the government, so that their views concerning the well-being of their families may be protected?

There is also widespread support for giving eighteen-year-olds the vote. An eleven-member Presidential commission appointed by the late President Kennedy in March of 1963, among other things, strongly proposed lowering the voting age to eighteen. Polls also show that young people are eager to vote. A poll conducted by the Institute of Student Opinion showed that fifty-six and three-tenths per cent of U.S. high school students favored lowering the voting age, twenty-nine and nine-tenths per cent were opposed to it, and thirteen and eight-tenths per cent had no opinion. A poll conducted by me showed that sixty-five per cent wanted the voting age lowered, thirty-two per cent wanted it the same, and three per cent had no opinion.

Upon examining the four major points discussed above, I can find no plausible explanation for the exclusion of eighteen to twenty-one-year-olds from the voting ranks. States must consider persons under twenty-one mature and responsible or else such governments wouldn't permit them to drive cars, pay taxes, or get married.

It has also been shown that higher educational standards are greatly improving our high school graduates—the electorate of tomorrow, and that these young adults want the right to vote. Finally, it must again be pointed out that if a man is old enough to fight, he's old enough to vote.

During this session of the Ninetieth Congress a resolution calling for an amendment to the Constitution has been introduced in the Senate; if passed, this amendment would lower the voting age in every state of the union to eighteen. In order that the rights of the eighteen-year-old may adequately be safeguarded, I sincerely hope that both the Republicans and the Democrats give this measure full support. "Government needs the idealism and the candor of youth."[2]

LIMITATIONS ON AGRICULTURAL PAYMENTS

Mr. METCALF. Mr. President, voluntary programs for our major surplus crops have been a success beginning with the voluntary feed grain program of 1961. To limit payments for the wheat, cotton, and feed grain programs would reduce their effectiveness in maintaining a reasonable balance between supply and demand. The programs for those three crops have proved their effectiveness in reducing surpluses.

The wheat surplus has been reduced from 1.4 billion bushels to an expected carryover of about 400 million bushels this coming July 1. The feed grain carryover has been brought down from 84 million tons to about 32 million tons. Good progress is being made in reducing the cotton surplus. The reductions were made without a limitation on the diversion or price-support payments made to individual farmers who have participated.

Small farmers are helped by the cotton program by being in a position to receive program benefits without reducing their acreage, and if they do reduce their acreage, they get double benefits for the diversion.

Feed grain producers with bases of 25 acres or less can take all their feed grain acreage out of production—putting them in a position to work off the farm or devote their time to other crops or enterprises.

During the past, payments have been made in proportion to the acreage diverted out of production on all except the smaller farms. The practice has been effective.

Now, when the feed grain and wheat surpluses are gone there comes the proposal to limit payments. For 1968 and 1969, the Secretary of Agriculture faces the very difficult job of maintaining the near balance between supply and demand. His job will be impossible if he has to say to the larger producers, "Sorry, but we are not interested in your taking part in the program." So, he would end up with the small farmers participating, and the farmers to whom the limitation of payments would apply would again increase their acreage and production and start the buildup of surpluses.

The limitation of payments has no place in the programs authorized by the Food and Agriculture Act of 1965. To limit payments would nullify that act of Congress and again open the gates to surplus—and from past experience we know how expensive surpluses can be.

REPORT FROM CHADRON STATE COLLEGE

Mr. CURTIS. Mr. President, a student editor at one of Nebraska's State colleges recently paid a fine tribute to the good sense which has accompanied the academic learning process at the institution he attends.

Terry Quinby Myers, of Chadron State College, looked out across the Nation at what was happening on many of the larger college campuses and then wrote a comparison with life and events on the Chadron campus. His description, which I would judge is rather typical of Nebraska's fine public and private colleges, won editorial praise from the Omaha World-Herald. It portrays an atmosphere of higher learning which is serious, mature, and truly stimulating in the academic sense.

Because of the contrast with what we have read about incidents on other college and university campuses across the Nation, Mr. President, I respectfully request permission to place in the Record the Omaha World-Herald's editorial of June 4, 1967, entitled, "Report From Chadron," commenting on Editor Myers' observations. I would make the further observation, Mr. President, that Nebraska and the Nation can be proud of Chadron State and all other institutions of learning like it as another school year draws to a close.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Report From Chadron

We are indebted to student editor Terry Quinby Myers of the Chadron State College Eagle for one of the most encouraging accounts of the collegiate year 1966–67 that we've run across.

It was Editor Myers' pleasure to report what had not gone on at Chadron State, including the following:

No student picketed on campus for any cause, nobody conducted a sit-in for campus freedom, nor was there a teach-in for the "God is Dead" movement.

Allan Ginsberg never got around to the Chadron State campus and the college batted .000 on shooting policemen or having policemen shot by students.

No student was caught burning his draft card nor any flag (nor was any faculty member) and no Buddhist was apprehended burning a student.

Of all the hundreds of students and faculty members not one was arrested for peddling LSD or manufacturing same on campus. No student admitted donating blood to the Viet Cong and not one openly refused to take a bath for the year.

There was amity between town and gown: "The people of Chadron did not rise up and bear arms against the CSC students; the students did not bear arms against the people of Chadron . . . No CSC student defected to Canada to ditch the draft."

Editor Myers took account of the scarcity of "pacifists, sadists, drug addicts and tramps" at the state college.

Well, an honest editor has to tell all. And there it is about Chadron State.

Nothing but earnest college youngsters, a faculty, an academic climate, the usual social and athletic activities, a search for learning and maturity—all this conducted within the law.

We wouldn't be at all surprised to learn that things were just as scandalously unscandalous at a good many other Midlands colleges and universities this past year. If so, we congratulate all concerned.

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[2] Ellis G. Arnall, past Governor of Georgia.

As for Chadron State, recent news items told of over-building of dormitory facilities. If word gets around about what isn't going on at the Northwest Nebraska state college, those empty rooms might fill up sooner than expected.

THE CHINESE VIEW OF BOMBING HALTS IN VIETNAM

Mr. McGEE. Mr. President, it is well that those Americans who continually hold that we should cease our bombing of North Vietnam in order to show something called "good faith" with the Communists in Asia should be aware of the Chinese view of bombing cessations which have gone before. In a recent number of the Peking Review, the United States is continually accused of using a "bombing halt trick" in order to force peace talks. These peace talks, unwanted in Peking, never came about, of course. U.S. talk of peace negotiations is labeled a fraud by the Peking Review because the Chinese want no peace in Vietnam—except, perhaps, on their own terms.

Mr. President, I invite the attention of the Senate to the Peking Review article, which is interesting, in addition, because of the comments it parades on the leadership of the Soviet Union. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET REVISIONIST RULING CLIQUE IS RANK TRAITOR TO VIETNAMESE REVOLUTION

The Soviet revisionist ruling clique headed by Brezhnev and Kosygin recently took advantage of the platform provided by the 7th Congress of the Socialist Unity Party of Germany to make unbridled and wild attacks on China in connection with the Vietnam question, alleging that aid to Vietnam could not be "more effective" because China opposed "united action" with it.

Ulbricht and other faithful followers of the Soviet revisionists also beat the drum for them and flagrantly vilified China at the congress.

The very fact that these Soviet revisionists once again picked up the time-worn signboard of "united action" is proof that they are at the end of their rope. On the Vietnam question, the Soviet revisionist ruling clique has more and more clearly revealed its contemptible features as a handful of notorious renegades and scabs. It will never succeed in attempting to conceal its monstrous crimes with the hackneyed phrases about "united action."

This clique began betraying the Vietnamese people as early as when Khrushchev was in power, tried to make deals with the U.S. imperialists on the Vietnam question, and encouraged them in launching aggression against Vietnam with a free hand. Now, it has gone even further. It has not only encouraged but has also helped U.S. imperialism in countless ways to extinguish the raging flames of the Vietnamese people's revolutionary struggle.

Let us look at the facts.

As soon as Brezhnev and Kosygin assumed office and before they had even time to settle down, they hurriedly colluded with U.S. imperialism and betrayed Vietnam.

In January 1965, the Soviet Government, on Washington's instructions, transmitted to the Democratic Republic of Vietnam the peremptory U.S. demand for an end to the north Vietnamese people's support for the south Vietnamese people.

On February 6. Kosygin visited Hanoi. There he had the impudence to declare that he would help the United States "to find a way out in Vietnam."

On February 16, directly upon Kosygin's return to Moscow, the Soviet Government proposed the holding of a new international conference, "without any preconditions," on the Indo-China question. This proposal was in fact the precursor of Johnson's "unconditional discussions" fraud.

Thus, Brezhnev and Kosygin from the very beginning made it clear to the United States by these three actions that they were willing to do their utmost to serve U.S. imperialism on the Vietnam question, and that they would give it greater help than Khrushchev did.

What happened is exactly this: in the more than two years since then, the Soviet revisionist ruling clique has worked hand in glove with U.S. imperialism, followed it at every step and co-ordinated with it closely on a series of conspiratorial activities of unscrupulously and repeatedly resorting to the "peace talks" fraud and alternating this with war blackmail.

1. On May 12, 1965, the United States used the "bombing halt" trick for the first time. The idea originated with the Soviet revisionist ruling clique. In a note to the Communist Parties of a number of countries shortly before the bombing halt, it stated clearly that it was in favour of negotiations with the United States provided the United States stopped its bombing of north Vietnam.

2. On December 24, 1965, the United "halted bombing" for the second time and then released its so-called "14 points" to induce "peace talks" through a bombing halt. Before the United States announced this manoeuvre, it had made known its decision to the Soviet Union. Directly afterwards, the Soviet revisionists announced the dispatch of a delegation headed by Shelepin to visit Vietnam. Even Lyndon Johnson said that as the bombing halt was proposed by the Soviet revisionist ruling clique through its Ambassador Dobrynin, it was to be called the "Dobrynin bombing halt."

3. On January 31, 1966, the United States resumed bombing. At the same time, it put forward a "resolution" in the U.N. Security Council on "immediate and unconditional discussion." In the latter part of February, Kosygin met with British Prime Minister Wilson in Moscow to engineer "peace talks" and they shouted in unison that "military means cannot solve the Vietnam question."

4. On March 29, 1966, the United States, through Indian Prime Minister Indira Gandhi, proposed the convening of a new Geneva conference for another try at peddling the "peace talks" fraud. Subsequently, Kosygin conferred with Indira Gandhi in Moscow. After the talk, Indira Gandhi said that she had conferred with the Soviet leader on the convening of "a conference" "on the basis of the Geneva agreements."

5. On June 29, 1966, the United States took the outrageous step of bombing Hanoi and Haiphong, having served prior notice to the Kremlin. At the same time, Johnson and Rusk openly called on the Soviet revisionist ruling clique to convene the Geneva conference to help the United States "end the Vietnam war." The Soviet revisionist chieftains followed this up by holding talks with the leaders of Canada, India and Britain and the Secretary-General of the United Nations. The Soviet-Canadian joint communique urged the "reconvening of the Geneva conference," while the Soviet-Indian joint communique claimed that "the solution of the problem of Vietnam can be found only within the framework of the Geneva agreements."

6. In September 1966, the U.S. delegate to the United Nations put forward the "three-point proposal" in the General Assembly and brazenly called for the "good offices of the Soviet Union." Gromyko immediately jumped to his feet with a pledge of Soviet willingness to "co-operate." Subsequently, in his talk with Johnson in the White House, Gromyko advised that, if only the United States would "stop bombing north Vietnam," a settlement to the question could be found. After that, Johnson declared with elation: "I have never felt more encouraged."

7. In the latter part of October 1966, the United States called together all its satellites in its war of aggression against Vietnam for a gangsters' meeting in Manila with a view to forcing "peace talks" through war. At the same time, the Soviet revisionist ruling clique also called a meeting of the leaders of some East European countries in Moscow. According to a U.S. news agency dispatch from Moscow, that meeting was "part or . . . Soviet efforts to settle the war."

8. In the early days of December 1966, the United States repeatedly bombed Hanoi. The U.S. delegate to the United Nations followed this up with a letter to U.N. Secretary-General, U Thant, urging him to help the United States realize "peace talks." Just before the U.S. began the bombing of Hanoi, Soviet Vice-Foreign Minister Kuznetsov had paid a hurried visit to New York to urge U Thant to intervene on the Vietnam question and expressed Soviet willingness to "persuade" the Vietnamese people "to come to the conference table."

9. In February 1967, during the "*tet* truce" in Vietnam, the United States once again used the trick of halting bombing to induce "peace talks." Prior to that, the Soviet revisionist chieftains and their propaganda agencies, in close co-ordination with Washington, had stirred up an evil wind lasting several months, for stopping the bombing to get "peace talks" going. After the United States halted the bombing, Kosygin rushed to London and proclaimed there that, if the United States "would stop bombing the Democratic Republic of Vietnam," the various sides concerned "would come to the conference table." Under these circumstances, the United States demanded "reciprocal action" on the part of the Vietnamese people in exchange for U.S. halting of its bombing of North Vietnam. During the Soviet-British talks which were held by remote control from Washington, Kosygin made earnest efforts to help the United States realize its monstrous plot of "peace talks."

10. On March 20 and 21, 1967, Johnson called the Guam conference to plan further expansion of the war of aggression against Vietnam in an attempt to force capitulation through war. Around this period, Kosygin received the U.S. Ambassador in Moscow, and Rusk met with the Soviet Ambassador in Washington, for confidential talks on the Vietnam question. Meanwhile, the Soviet revisionist delegate to the United Nations conferred time and again with the U.S. delegate and the U.N. Secretary-General. Soon afterwards, U Thant's "three-step proposal" which was a new product of U.S.-Soviet conspiracy, was made public.

All this is incontrovertible evidence which the Soviet revisionist ruling clique can never deny, try as it may. A mass of facts has proved that, for more than two years, this clique has never stopped taking "united action" with U.S. imperialism. The hand of the Soviet revisionists is seen in all the plots hatched by U.S. imperialism during this period, including that of halting bombing to induce "peace talks," forcing "peace talks" through war, and forcing capitulation through war.

It is the Soviet revisionists who have most eagerly helped the U.S. imperialists to peddle their peace swindles and encouraged and connived at their war blackmail. It is they who have fraternized with the U.S. imperialists, passed on information to them, given them advice and suggestions, acted as their brokers and run all kinds of errands for them. They have done all this so conscientiously and so indefatigably that they are truly worth the title of No. 1 accomplice of U.S. imperialism.

Why are they so eager in trying, together with U.S. imperialism, to coax and coerce the Vietnamese people into accepting "peace talks" when U.S. imperialism is entrenched on one half of the territory of Vietnam, barbarously suppressing the revolutionary struggle of the south Vietnamese people and continually escalating its aggressive war in Vietnam, and when the Vietnamese people are winning tremendous victories in their heroic war of resistance? The answer is simple: they want the heroic Vietnamese people to lay down their arms, stop their resistance, bend the knee and capitulate to U.S. imperialism.

Isn't this undisguised opposition to a just national revolutionary war? Isn't this tantamount to asserting that U.S. imperialism is free to kill and burn in Vietnam while the Vietnamese people are not allowed to resist? Isn't this gross betrayal of the interests of the Vietnamese people?

About 50 years ago, the great Lenin denounced those old-line revisionists who refused to support the liberation struggle of the oppressed peoples as "agents of the bourgeoisie" and "scoundrels and traitors." But now, the Soviet revisionist rulers have not only failed to support the revolution of the Vietnamese people but have also actively helped U.S. imperialism strangle this revolution. They are therefore thoroughgoing scabs and doubly scoundrels and traitors.

To achieve national liberation and the reunification of their fatherland, the Vietnamese people have struggled for nearly a century. Especially during and after World War II, they took up arms to drive away the Japanese militarists and French colonialists and founded the Democratic Republic of Vietnam. In south Vietnam, they have been fighting against U.S. imperialism and its lackeys for the last eight years, making great sacrifices, and have now brought about an excellent situation. The day eagerly awaited by the 31 million Vietnamese people is drawing ever nearer when south Vietnam will be liberated and the whole country reunified. However, the Soviet revisionist rulers have come out with the demand that the Vietnamese people should renounce their national aspirations for whose fulfillment they have striven at heavy sacrifice to themselves for a hundred years, abandon their compatriots in the south, and let them once again sink into the dark abyss of colonial oppression and become slaves of imperialism. If this should come to pass, then there would be the danger that socialist north Vietnam will be lost too and all the fruits of the Vietnamese people's revolution forfeited and destroyed overnight. The Soviet revisionist ruling clique is the sinister enemy of the Vietnamese national-liberation cause.

Let us tell the Moscow gentlemen sternly: under no circumstances will we take any "united action" with you who are a pack of rank traitors to the Vietnam revolution, shameless scabs serving as advisors to U.S. imperialism and top accomplices of the U.S. imperialists in their efforts to stamp out the flames of the Vietnamese national revolutionary war. This was so in the past, it is so now and will remain for ever so in future. Only by thoroughly exposing you as rank traitors, scabs and accomplices and waging an uncompromising struggle against your capitulationist and treacherous activities can we truly give revolutionary support and assistance to the Vietnamese people's cause of resisting U.S. aggression and saving their country. Only thus can we truly fulfill our proletarian internationalist obligations.

There are a number of people in the world who call themselves Communists but, instead of standing on the side of the heroic Vietnamese people, parrot the line of the Soviet revisionists and spare no efforts to preach "united action" with them. They are trying by every conceivable means to drag this No. 1 accomplice of U.S. imperialism into the international anti-U.S. united front. This is actually helping U.S. imperialism to undermine and disintegrate this united front.

An international anti-U.S. united front which is real but not false, broad but not narrow, must not include the Soviet revisionist ruling clique and all other accomplices and pawns of U.S. imperialism. Otherwise, it will not be an anti-U.S. united front, but rather a pro-U.S. united front.

Chairman Mao teaches us: "Who are our enemies? Who are our friends? This is a question of the first importance for the revolution." We must unite with our real friends in order to attack our real enemies. This is a question on which there must be no ambiguity.

Innumerable facts in the international class struggle in recent years have shown that the Soviet revisionists, who are a pack of traitors and scabs, have played their role of undermining the revolutionary struggle of the peoples, a role which can be played neither by imperialism, nor the reactionaries of all countries, nor the Right-wing social democratic parties in the capitalist countries. To oppose U.S. imperialism, it is imperative to oppose the Soviet revisionist ruling clique, and to overthrow U.S. imperialism, it is also imperative to overthrow this clique!

Vietnam is the focus of the anti-U.S. struggle of the people of the world today. The great victories won by the Vietnamese people in their war of resisting U.S. aggression and saving the country are an inspiration to all the oppressed nations and people of Asia, Africa, Latin America and the whole world in their revolutionary struggles. U.S. imperialism is drawing near its doom in Vietnam, and it is being tightly encircled by the revolutionary peoples in Asia, Africa, Latin America and the whole world. However much U.S. imperialism and Soviet revisionism may take "united action," they cannot save themselves from their doom. The revolutionary torrent of the people of the world will surely break the dam of the reactionary forces and sweep away all kinds of ghosts and monsters.

EDWARD P. MORGAN

Mr. GRUENING. Mr. President, the American people are—for the time being at least—the losers in the withdrawal of Edward P. Morgan from his nightly broadcast of news and comment. His admirably composed summaries were unsurpassed in their lucidity, penetrating analysis of national and international events, and compassionate understanding.

The AFL–CIO, which sponsored Morgan, were to be congratulated on their support of this admirable programs, with its accompanying comment by Frank Hardin, which well summed up the objectives and aspirations of the American labor movement.

It is to be hoped that Ed Morgan's plans will bring him back on the air—radio or TV—and that his forthright and enlightened presentations may again be made available at a time when the American public is so much in need of honest, courageous and well-balanced interpretations of what is happening at home and abroad.

A commentary on Ed Morgan, entitled "Morgan Moves Up," which characterizes his departure from the air as a loss comparable to that of Ed Murrow appears in the current, July, issue of the Progressive magazine. I ask unanimous consent that it, as well as an article from the New York Times by Ben A. Franklin, summarizing the situation, be printed at this point in my remarks.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

MORGAN MOVES UP

Not since Edward R. Murrow went off the air have the broadcasting industry and the listening public experienced so great a loss as they now do with the end of Edward P. Morgan's news commentary over the American Broadcasting Company network. For twelve years, with the sponsorship of the AFL–CIO, Morgan has provided millions of Americans each weekday night with analyses of news that will stand as models of perception, clarity, and courage.

Morgan has taken a two-year leave of absence from ABC to join the Public Broadcast Laboratory of National Educational Television. He will undertake a weekly series of two- or three-hour programs to be seen over 100 non-commercial stations. The programs will be financed by a $10 million Ford Foundation grant. Meanwhile, it is regrettable that the AFL–CIO has no present plans to continue its radio news program with another commentator of comparable caliber.

NET announced that in addition to being a reporter on its new series, Morgan will be "involved in investigative reports, incisive commentary, interviews, and in the development of the innovative and experimental techniques of bringing relevant information to the public . . ." We expect that Morgan will develop programs for NET that will be provocative, illuminating, and superior to most "public affairs" programs on commercial television. If his programs expand the audiences of non-commercial television stations, and increase public demand for more such stations, Mr. Morgan's contribution to public enlightenment may be even greater in the future than in the past.

[From the New York Times]

LABOR MAY HALT RADIO PROGRAMS—12-YEAR TIE WITH EDWARD P. MORGAN IS ENDED

(By Ben A. Franklin)

WASHINGTON, June 16.—Organized labor is reassessing its 17-year commitment to commercial radio sponsorship and may abandon entirely the costly 15-minute programs of network news and commentary it has supported since 1950.

A spokesman for the American Federation of Labor and Congress of Industrial Organizations said the public relations committee of the federation's Executive Council "is reviewing the whole picture" concerning labor's continued presence in commercial broadcasting, which has been costing the labor movement nearly $1-million a year.

The re-examination comes at a time when the A.F.L.-C.I.O. is ending, perhaps permanently, a long association with the American Broadcasting Company and Edward P. Morgan, the prize-winning A.B.C. correspondent whose 15-minute radio news program was presented for the last time tonight after 12½ years of labor sponsorships.

Mr. Morgan, 56 years old, is leaving A.B.C. to become senior correspondent of the new public broadcasting laboratory of National Educational Television.

Sources close to the situation said that top A.F.L.-C.I.O. leaders had hoped to continue the 15-minute news-and-commentary format on A.B.C., and had made overtures to Howard K Smith and John Chancellor to succeed Mr. Morgan on the program, but both were unavailable.

CONCERNED ABOUT TV

The Executive Council publicity committee, headed by Herman D. Kenin, president of the American Federation of Musicians, was reported to be concerned about the incursion of prime television viewing time on the 7 to 7:15 P.M. period of Mr. Morgan's radio broadcast. But the federation apparently will make no move into television. "There is not enough money," one official said.

The publicity committee is not expected to make even a tentative recommendation on future policy until the next Executive Council meeting, in New York on Sept. 11. Industry spokesman said this probably would mean that the A.F.L.-C.I.O. would have great difficulty reclaiming any evening 15-minute time period on the A.B.C. radio network. * * * "Edward P. Morgan and the News" probably will have been sold by many local stations that carried the program.

In an unusual gesture, George Meany, president of the A.F.L.-C.I.O., read the final commercial announcement tonight as Mr. Morgan concluded his broadcasts, begun on Jan. 3, 1955.

"We are proud of the many honors he had earned and of the reflected glory that has been our share as big sponsor," Mr. Meany said. "But we are proudest of all for having made Mr. Morgan available to you his listeners, without strings or taboos, free to speak his mind, to give his views—not ours—without censorship of any kind at any time."

THE POLITICS OF CONSERVATION

Mr. METCALF. Mr. President, TVA Director Frank E. Smith is carving out a substantial reputation both as a scholar and practioner of conservation. His book, "The Politics of Conservation," has received wide acclaim.

It was my honor to be one of four advance reviewers. I ask unanimous consent that there be printed at the conclusion of my remarks the advance reviews and six subsequent reviews from the New York Times, Science, American Forests, Saturday Review, Forest History, and the Virginia Quarterly Review.

Each independent reviewer has found substantial merit and little to criticize in Mr. Smith's comprehensive discussion on the development and growth of conservation in America.

The United States faces rapidly growing problems as it seeks to make its natural resources serve its rising responsibilities.

Frank Smith deserves special credit because he has focused on the issues we must prepare to meet and he has done this in a way that experts and amateurs will appreciate.

This is a "book of knowledge" on conservation policies written by a man who understands and appreciates the public's need to know the conservation issues we confront.

I commend this book to all who care about our conservation vitality.

There being no objection, the reviews were ordered to be printed in the RECORD, as follows:

ADVANCE ACCLAIM FOR THE POLITICS OF CONSERVATION

"For America today, faced with a crisis in the preservation and utilization of our natural resources, this is a most important book, fascinating for the general reader and indispensable for the student of this subject."—*David E. Lilienthal*

"Here is a book that is thrilling and exciting for a casual reader. Here is a book that is essential to the student of the origin and development of modern conservation policies.

"Here is an essential book for the legislator or administrator who is interested in carrying out the wise use and the orderly development of our natural resources.

"Here is an essential book for the members of the great natural conservation organizations to read to understand the problems their leaders face . . ."—*Senator Lee Metcalf*

"*The Politics of Conservation* makes available within a single volume the panorama of this nation's resource development history in the unhackneyed view of a man who is at once a scholar, practical politician and resource administrator. It will be indispensable to anyone with an interest in resource development policy."—*Joseph C. Swidler, Former Chairman, Federal Power Commission*

"*The Politics of Conservation* is an interesting, historical account of the evolution of the conservation movement in the United States as viewed from the perspective of politics and personalities."—*Edward Cliff, Chief, Forest Service, United States Department of Agriculture*

[From the New York Times Book Review, Feb. 26, 1967]

RICHES FOR ALL

THE POLITICS OF CONSERVATION

(By Leonard Bates)

In the last decade a dozen or more important books have been published on conservation policy in the United States. Not the least important among them are accounts by such leaders in the movement as Marion Clawson, Judson King and Stewart Udall. Now Frank E. Smith has joined this group. Mr. Smith was a newspaperman in Mississippi and a Congressman from that state for 12 years, during which time he developed an intense interest in problems of resources. For the last four years he has served as a director of the T.V.A. With such a background it is not surprising that he should be intrigued with the politics of conservation. What is surprising is the success with which he has ranged through United States history in his new book, beginning with the first session of Congress in 1789.

In his own experience as a Congressman, the author discovered that he had to "master the multiple art that is porkbarrel politics—the ever-shifting coalitions, the compromises, the trades, the interagency lobbies, the special interest alliances—the lesser evil from which has come the greater good." Porkbarrel politics, he concludes, is "inescapable" in American government. Through it, in large part, a great conservation system has been established. Smith may be described as an idealist and a political realist. Conservation to him is, in essence, a democratic movement. The saving of our natural riches for all the people, he points out, has made its greatest progress in times of reform, notably under Theodore Roosevelt, Franklin Roosevelt, John F. Kennedy and Lyndon Johnson. He calls for national leadership, planning and coordination—up to a point. We should escape, in so far as practicable, from the pork barrel.

Internal improvements were a major problem in the young republic. Government had a duty which was not entirely clear—but public lands had to be protected and opened to settlement. Navigable routes and roads were required. An act of 1802 established the U.S. Army Corps of Engineers; by the 1820's, the Corps was embarked upon rivers-and-harbors work which became traditional. It also conducted surveys and explorations and was for a time the "chief scientific agency" of the Government.

Conservation, however, has never been a function of the Federal Government alone. Private endeavors and state action, as the author shows, have always been important. He devotes an entire chapter to the first great success in the realm of public works—DeWitt Clinton's "ditch," the Erie Canal. After years of publicity and skillful maneuvers, the New York Legislature financed this project, and the canal was opened in October, 1825.

Water questions have always loomed large. Smith would perhaps agree with those who argue that the modern conservation movement came out of irrigation problems and the need to think of waterways on a coordinated basis. He shows a keen interest in Senator Francis Newlands, father of the U.S. Reclamation Service, and his efforts, and, of course, in George Norris and the origins of the T.V.A. City and national park movements, the national-forest policy, mineral-land policy, and almost every resource issue come within the author's province. The great names in conservation history are here as also many lesser lights, whose actions are well worth recording.

Conservationists have a reputation for being enthusiasts, if not fanatics. But Frank E. Smith has written a book that is notable for its restraint and accuracy. He is, of course, a proponent of T.V.A. and a public-power man. Probably a good Democrat, he cites the work of Nelson Rockefeller and other Republicans. His own background as a Mississippi Congressman may serve to remind us that first-rate political leaders and conservationists have come from every section of the United States.

[From Science, Feb. 24, 1967]

POLICYMAKING FOR CONSERVATION: A PRAGMATIST'S VIEW

THE POLITICS OF CONSERVATION

Until recently, books and articles dealing with the conservation of natural resources have had a strong moral flavor. In order to publicize a complex and technical problem, they have usually indulged in oversimplification and implied that their proposed solution—a new national park, a new set of regulations—embodies the highest degree of public virtue whereas all other proposals or criticisms, directly made or disguised behind such labels as "states' rights," "economy," or "more jobs," come from the enemies of the people. In the last decade, however, a growing number of scholars with an interest in the processes rather than the ideologies of democracy have examined the ways in which the nation has decided how to waste or use its natural heritage. Because they are still engaged in scrutinizing particular topics within limited time periods, they have not yet reached the point where they can bring together the full history of resource conservation.

Frank Smith offers a welcome and useful alternative to the publicist's polemic and the scholar's detailed study. He is not a scholar in the academic sense, but he bases his narrative on the works of those who have examined government archives and personal manuscript collections. He is far better equipped than any scholar to inform us that conservation has been something more than at St. George-and-the-Dragon epic. He is a pragmatic conservationist, whose 12 years as congressman from Mississippi and 4 years as a director of the Tennessee Valley Authority have taught him that the making of resource policy does not consist of applying the pat answers of purists in some automatically perfect program. Along with many others he learned that "to achieve anything, we would have to master the multiple art that is pork barrel politics—the ever shifting coalitions, the compromises, the trades, the inter-agency lobbies, the special interests alliances—the lesser evil from which has come the greater good."

Although Smith's book ranges through the full variety of resource topics from forestry and reclamation to air pollution and strip mining, it is not so much a full political history of conservation as it is a series of chapters in that history. The subjects he covers most thoroughly are those involving what he calls "the water barrel": the Erie Canal, the reclamation of arid lands, the construction of water power projects, and—most significantly—the TVA. The last of these affords an amazing and frightening illustration of the dangers of public apathy and ignorance on the one hand and the opportunism of several segments of the economy on the other. Although scholars will find some of his judgments open to question (the influence of conservation issues on national elections, and the achievements of Harold Ickes as Secretary of the Interior, for example), Smith's candor is admirable through the entire narrative. He does not set up the traditional stereotypes of "looters of the public domain." Instead, he correctly identifies other "villains" in the drama: bureaus seeking to defend their own jurisdictions, states hesitating over constitutional scruples, and leaders rendered timid or impotent by financial or economic theories.

This history of conservation is a story of missed opportunities. Whenever surveys were made by military or technical advisers, legislatures, both state and federal, tended to disregard them. At the turn of the century, when the wasteful loss of resources was painfully obvious, the sensible arguments of a John Powell or a Gifford Pinchot would be listened to, but enacted into policy only reluctantly and partially. Both Roosevelts were able to blend popularity and executive skills by which they enlarged the scope of federal resource planning. As Smith points out, Eisenhower's administration was unable to modify the nature or extent of federal resource programs. No president, however, has yet provided sufficient effective leadership for the fulfillment of the broadest possible policy. There are many new opportunities facing America, Smith reminds us, for example in controlling air and water pollution and in expanding outdoor recreation. These new fights, like those of the past, must still be made "with the tools at hand." Those "tools" are an aroused citizenry who, with their leaders, are adept at "the politics of conservation."

ELMO R. RICHARDSON.

[From American Forests, Jan. 1967]

THE POLITICS OF CONSERVATION

(Reviewed by Robert E. Wolf, Bureau of Land Management, U.S. Department of the Interior)

Frank Smith has performed another in a long series of useful services to America's conservation movement with his recent book, The Politics of Conservation. Frank Smith has a long and practical history as a worker for conservation, a writer and a legislator. A native of Mississippi, he first came to Washington in 1947 as a legislative assistant to Senator John Stennis, returned to Mississippi where he served in its Senate, and then came to Congress in 1950 to serve continuously until 1962. The redistricting of Mississippi placed him in a race with Congressman Jamie Whitten, and Mr. Smith went on from there to become a Tennessee Valley Authority Director.

His long service on the House Public Works Committee enables him to speak with a wealth of experience on the practical political aspects of the conservation issues that confront our nation.

In sixteen chapters, Mr. Smith has highlighted in broad perspective the development of resource conservation policy commencing with 1789.

It is a book useful to those who work daily in the field of resource development as well as those who have only a casual interest in the broad subject or in specific aspects of it. He describes the motivations that brought him, in his 12 years in Congress, face to face with conservation and resource development issues. He treats head-on the question of pork barrel politics, points out the need to master that multiple art—the ever shifting coalitions, the compromises, the trades, the inter-agency lobbies, the special interest alliances—the lesser evil from which has come the greater good. He uses as a guide the engravings from the two statues in front of the Archives of the United States—"What Is Past Is Prologue" and "Study The Past." The book's purpose he defines as a reminder of the first and a guide to the second in order that we may be able to profit from our mistakes and capitalize on our achievements.

He advocates better planning coordination but urges effective action rather than procedural reforms. He suggests that,

"Too much valuable time and money has already been wasted on purposeless fights over methodology. Organizational charts conserve no resources."

He makes it clear at the outset,

"That this book is written with a decided bias in favor of viewing conservation as an essential element of the American system of government and the American economy. One of the great mainstays of the conservation movement has been the deep-rooted philosophy that our natural resources must be developed in the interest of our economic well-being; that governmental development or regulation ensures their use for the greatest interest of all the people; and that governmental action is needed not only for protection against monopolistic exploitation but, equally if not more important, for the wisest future use. The great conservationists of our history—both the technicians like Powell, McGee and Pinchot, and the politicians like the two Roosevelts and Senators Newlands and Norris—have been more concerned with economic justice in the handling of resources than with the mere prevention of waste. Noble as their motives were, these great technicians of conservation were practical men who recognized the value of politics. It is not coincidence that most conservation achievements have been associated with political movements labelled progressive or liberal."

He argues that in the field of resources development,

"The challenge is great, the burden is likely to be heavy, the cost will undoubtedly be high. But the price of failure will be greater, heavier, and higher. The rewards of success can be limitless, if we are willing to remember that plenty is not prosaic, preservation is not easy, and grandeur has never been cheap."

This book is not a compendium with footnoted pages. It is fast-moving, with interesting personal references to the people and times surrounding each event, keen insights into the interacting personal aspects of decision-making, and a constant relation of a specific event to the coming future.

Doubtlessly, there will be some who will suggest that in compressing history some errors and omissions occurred. The few are insignificant because they do not detract from the central message that the book brings to the reader.

His last chapter entitled, "Today and Tomorrow" may upset some who don't like to see their ideas disturbed. It will please those who like a book where the author candidly lays out, then argues for what he thinks history forecasts. Smith speaks his mind on such diverse subjects as the Wilderness Act and Wild Rivers Bill, our shifting population, water development, the role of the preservation-minded conservationist, the hunter-fisherman-minded conservationist, concepts of joint planning for urban growth, pollution and transportation. He expresses his view that the essential purpose of all resource use and development is to *improve* the environment and life of the human resource. This leads him to some succinct observations on a Department of Natural Resources, possible alternatives and his reasons for still supporting a Council of Conservation Advisors.

Mr. Smith reminds us that natural resources are not confined by the boundary lines that separate nations. He urges we export more conservation ideas and that we lead in efforts to conserve and develop the resources of the world's oceans.

This book fills a much needed purpose in focusing attention on the fact that conservation is in the mainstream of our national endeavors. Because this is so, the issues cannot be decided in the vacuum of politics or by technical considerations alone, or by considering solely the views of one particular group or interest. Because there is a national involvement, Smith shows why there is a governmental involvement and this means political action.

The author describes the book as "the first political history of the conservation and development of America's natural resources," and that it is. There are other more detailed treatises on particular aspects of conservation's political history. However, this book is unique because it is both a primer and at the same time a refresher, equally useful to those who want to start to study the subject as well as those in this field who need to remind themselves of where we are heading.

Mr. Smith's style makes reading easy. He wastes no words on filler. Combined experience which covers the spectrum of private citizen, legislator and administrator enables him to present a book that is a genuine perspective of resource development and conservation.

[From Saturday Review, Jan. 14, 1967]

LEGISLATING TO SAVE THE LAND

(By Wallace Stegner)

"The land was ours before we were the land's," begins Robert Frost's acute poem; and because we controlled it without the guidance of any "land ethic" developed through generations of living with the same earth, and because we thought its bounty infinite, we raided it ruthlessly for more than 300 years. In an important sense the history of the United States is the history of how American attitudes toward the land have changed, or begun to change, from exploitation to management, from ruthlessness to respect, and from waste to conservation.

That change began early, in the consciences of men who deplored criminal recklessness, and it has been accelerated by accumulating consequences—erosion, floods, deforestation, dust bowls, failing soil productivity, water shortage, pollution, and a pervasive and lamentable ugliness. Jefferson, the Bartrams, Crévecoeur, Audubon, Thoreau, George Perkins Marsh, John Wesley Powell, John Muir, Aldo Leopold, and dozens of other farsighted men contributed the philosophic base for a responsible treatment of our resources. The practical implementation of their ideas precipitated bitter fights, which quickly erupted into politics; thus out of the pork barrel, out of compromise, eventually out of attempts at systematic planning, has come an imperfect, belated, and sometimes contradictory body of legislation.

The Politics of Conservation is the record of that legislation, and of the conflicts and personalities that produced it. In this valuable history and indispensable reference book, Frank E. Smith makes no attempt to formulate or defend the philosophy of conservation. It is a sign of how far we have come that he can take that philosophy, or a substantial part of it, for granted, and concentrate on the practical politics that has brought it gradually into effect.

Beginning with the lighthouse authorized by the first session of Congress in 1789 and ending with the Water Resources Planning Act of 1965, Mr. Smith records how the United States has become more and more involved in public works and public planning. From an initial concern with transportation, the federal government has worked toward a dominant control of our land and water, both in and out of the public domain. Its original single agency, the Corps of Engineers, has proliferated into scores of bureaus, into government corporations of vast significance, such as TVA, and into hundreds of councils and advisory boards, some of them at Cabinet level. Grants in support of highway beautification, improved water quality, desalinization, and a great many other projects that would have appalled any nineteenth-century Congress total hundreds of millions of dollars every year, yet they barely begin the reforms that all agree are needed.

The federal involvement achieved respectability in the Geological Survey and other scientific bureaus stemming from the 1870s and later; it grew during the administration of Theodore Roosevelt, with forestry and reclamation legislation; throughout the New Deal it continued to increase, reaching a climax during the 88th and 89th Congresses in the 1960s.

Few reading this history are likely to challenge the necessity of growing federal management. The evidence is all against both states-righters and advocates of unlimited free enterprise. Though there have been major state efforts, such as the Erie Canal built by New York and the water plan currently under construction in California, state intervention, in general, has been neither adequate nor sufficiently disinterested. State funds are limited, and state legislatures are easier to dominate than the Congress. Moreover, many problems extend beyond the boundaries of individual states. Thus even the traditionally states-rights commonwealths in the lower Mississippi basin sought federal action to restrain the river's floods; and, one by one, resource interests left unprotected by state law have been brought under control by federal legislation. Water problems in Western states inspired the Newlands Act of 1902, which established the Bureau of Reclamation. Through their greed the timber raiders brought about the system of national forest reserves. The cattle barons were the recognizable but unwilling fathers of the Taylor Grazing Act. All of the major river projects are the work either of the Corps of Engineers or of the Bureau of Reclamation, while the "little water" developments on high tributaries are the province of the Soil Conservation Service.

As a former Mississippi Congressman who served on the House Public Works Committee, Mr. Smith, director of TVA, favors the course of conservation history, and he is not inclined to boggle at the way much of it was achieved. The Rivers and Harbors Bill, traditionally the instrument of the pork barrel, seems to him to have accomplished a great deal that would not otherwise have been effected. The Corps of Engineers, traditional bureaucratic beneficiary of that bill, seems to him in need of redirection, but not of condemnation. Mr. Smith suggests that much of the change in public attitude and laws has been the product of boondoggle and deal. Getting things even halfway done has made additional improvements easier, and now that federal invlovement is accepted without question, the long-range planning that theorists have yearned for may come about. But, he adds, we should be suspicious of attempts to consolidate rival bureaus, lest we get a monolith.

There is validity in the argument. Action is education, a compromise bill is often better than no bill, a local project that smells of pork may nevertheless benefit the whole country, competition does often stimulate bureaus in good ways. And delayed as it is, we are in better shape—perhaps because of the pork barrel—to deal with the future.

Even so, some conservationists will regard Mr. Smith and his book with suspicion. He is project-minded, development-minded, to a degree. The people whom hydraulic engineers and state highway divisions call petunia pickers and barefoot nature lovers may demur at the suggestion that essentially our troubles will be over once responsible government planning matches government jurisdiction and concern. In fact, they see as much danger in government "development" as they would see in its private counterpart. They have spent more time in recent years fighting Reclamation and the Engineers than they have fighting private power or the lumbermen. And any of them would assure Mr. Smith the the "preservationists," whom he patronizes, have had a major role in forcing the American public to adopt a more responsible attitude toward land and water. It is not inconceivable that in future disputes over projects, these preservationists could find themselves opposing Mr. Smith.

Nevertheless this is an important book, and one that all conservationists and legislators should read carefully. If the author fails to admit that, having pushed the old car to start it up a hill, we have the obligation to steer and even to stop it, he describes with authority and clarity how we got it going.

[From Forest History, April 1967]

THE POLITICS OF CONSERVATION

It would be fortunate if more of us who write on conservation subjects had the facility with the English language evidenced by Mr. Smith in this brief but generally accurate history of the development of American resources policies. The author—a former newspaper editor and for 12 years a congressman from Mississippi—is presently a member of the board of directors of the Tennessee Valley Authority. His book is a popular treatise for the general reader rather than a scholarly work. But scholars would nevertheless find it worth reading, for tucked away on many pages are deep insights into the American political processes.

In 16 chapters and just over 300 pages, Mr. Smith has put together a knowledgeable interpretation of highlights in the history of public resources policy decisions. He has undoubtedly drawn on his own experiences on the House Public Works Committee, to which during his tenure many proposals for resources development were referred.

In contrast to a kind of romantic idealism which characterizes many books on conservation and resources development, Mr. Smith deals candidly with the realities of political decision making, and this accounts for the somewhat misleading title of the book. Mr. Smith accepts bargaining as essential to the American political process and recognizes that local benefits ("pork barrel politics") necessarily become an important element in such bargaining. These views are made explicit in his own introduction where he interprets his experience in Congress:

"Each of us had his own motivations, part innate idealism, necessarily part self-serving. Mine was the driving need to improve the economy of the South. Few of us had a really coherent understanding of the growth of conservation doctrine and philosophy in the United States, but most of us rapidly learned that to achieve anything, we would have to master the multiple art that is pork barrel politics—the ever-shifting coalitions, the compromises, the trades, the interagency lobbies, the special interest alliances—the lesser evil from which has come the greater good."

The application of this sophisticated view of the political process to conservation history results in a number of significant insights. Thus in describing the dispute early in the 19th century over whether the federal government had the constitutional authority to finance internal improvements, Mr. Smith concludes:

"The concept of reciprocity was already developing. In later years it might be called 'scratching each other's back' or 'pork barrel,' but it was based on a natural belief that each section and each state was entitled to its share."

Long before cost-benefit analysis had been thought of, policy makers were debating the issues of local versus national benefits. In this connection, the author reprints a speech by Abraham Lincoln (when he was a member of Congress) supporting federal expenditures for internal improvements. "No commercial object of Government Patronage can be so exclusively general, as not to be of some peculiar local advantage; but, on the other hand, nothing is so local as not to be of some general advantage." (p. 18). The author also quotes President Cleveland who vetoed a bill because many of the objects of expenditure were "palpably for the benefit of limited localities or in aid of individual interests." (p. 79). One gains the impression that in this and in other policy fields time has wrought a reversal of party positions.

In discussing the development of Yellowstone Park, Mr. Smith says:

"Senator Vest had to protect the area from various raids by congressmen and senators from the area which would have dismembered it [the park], and other congressmen had to be kept friendly through relatives and friends on the park staff, *but the Yellowstone survived*. . . ."

And his discussion of the politics involved in the fight over public power is equally candid. Thus he states:

> The system that has made power company contributions a leading source of congressional campaign funds for a half a century was well underway [in the 1920's]. . . . The new approach of ideological attack [charging that public power is socialism] has proven to be as generally effective, and is undoubtedly far cheaper, but the insurance derived from congressional campaign contributions has never been allowed to lapse."

Those who have felt that conservation policies developed out of the growing concern for public domain policy and more specifically for national forest policy may feel that Mr. Smith has slighted (though not ignored) this more traditional emphasis. He states, for example, that "establishing the Bureau of Reclamation and starting it on the road to success was probably Roosevelt's outstanding program achievement as President." Others may wince at the author's obvious favoritism for Democratic policies and Presidents especially as he discusses more recent times. As a member of the TVA board of directors he could not be expected to be enthusiastic about the most recent Republican President, whose administration authored the nefarious Dixon-Yates plan! But this reviewer finds the book reasonably well balanced, wishing, however, that the author had written one twice as long, for clearly he has a comprehension of political decision making which is not often found in books on the subject of conservation.

NORMAN WENGERT.

[From the Virginia Quarterly Review, Spring 1967]

THE FIGHT FOR THE LAND

(By Stewart L. Udall)

The publisher's promotional statement on the dust jacket of Frank E. Smith's new interpretation of American public affairs, "The Politics of Conservation," makes the rather extravagant claim that, "Here, for the first time, is a political history of the conservation and development of America's natural resources. . . ."

The book is not, of course, the first venture into the politics of the conservation movement, nor does it succeed in covering all aspects of that vital subject with judicious balance. Frank Smith, a veteran of six terms in the House of Representatives, where he was a leader in natural resources legislation, is currently a Director of the TVA. These experiences, buttressed by a boyhood background in flood-ravaged Mississippi, gave him a preoccupation with water resources area of our conservation history. Flood control, power development, and above all, the harnessing of rivers to provide an economic base for the South are the issues that receive the most attention in this volume, for Smith clearly prefers developers like George Norris over Thoreau-type preservationists.

The author demonstrated some time ago that he could produce a first-rate book on public affairs. His autobiographical "Congressman from Mississippi" is an excellent primer for those who would understand the conflicts and dilemmas, the pressures and counterpressures, the exhilaration and disillusionment that are the lot of the sincere legislator in the twentieth-century. Skills developed as a newspaper editor and journalist give him an attention-riveting style that compensates for lack of depth of scholarly documentation.

Notwithstanding Mr. Smith's emphasis on these aspects of regional interest, the main conservation battles and battlegrounds are adequately chronicled. The ideals and deeds of John Wesley Powell, Pinchot and T.R., Norris and F.D.R. are recounted with as much pungency and clarity as the political storms that whirled around the Ballinger investigation, Teapot Dome, and the Dixon-Yates contract.

Historical studies, especially when they touch upon comparatively recent periods, are always open to debate and criticism concerning their interpretations of controversial public figures. Under this heading, I was somewhat dismayed by the treatment accorded Harold Ickes by the author. While conceding the moral force which Ickes represented in the New Deal and the phenomenal absence of scandal in the hectic operation of the Public Works Administration, Smith portrays him as a prickly personality whose primary interest was the quest for bureaucratic empire-building.

When Smith infers that a magazine article, "Not Guilty!," written by Ickes in 1940 (in which Ickes reopened the celebrated case of Richard A. Ballinger, Secretary of the Interior in the Taft Administration) was a shallow and vindictive thrust at Gifford Pinchot (who had just blocked the transfer of the Forest Service to Interior) he is on slippery ground. Contemporary evidence fails to support such a thesis. According to Ickes' voluminous, uninhibited diaries, his first suspicions of Ballinger's innocence were aroused by a casual vacation reading of Henry Pringle's "Life and Times of William Howard Taft." Upon returning to the office he directed and immediate and intensive search of the Department's records for evidence as to the accuracy of Pringle's premise. At that time Ickes recorded: "If our own investigation verifies Pringle's conclusions, I shall probably issue a statement on this controversy later. At the very least I will leave something in the official records of the Department expressing my views. Injustice of this sort makes my blood boil."

Beyond doubt, Ickes was highly suspicious of Pinchot, his former ally in the Bull Moose movement. But there is little concrete evidence that the Ballinger article was written in retribution for Pinchot's 1940 activities. By then the forestry transfer issue was settled, and Ickes was reconciled to defeat; but the anger generated by this defeat was focused on the President for reneging on a promise, rather than on Pinchot's successful lobbying effort. A more plausible theory of the incident is that it was a further manifestation of the almost Puritanical loathing of duplicity or dishonesty in any form which motivated so many of Ickes' crusades and vendettas, plus the desire to dispel the clouds of suspicion that had hovered over the Interior Department since the Ballinger-Pinchot cause célèbre and the garish disclosures of Teapot Dome.

A factual error in the text serves to demonstrate the difficulty of keeping up to date in the fast-moving panorama of current conservation developments. In summarizing the development of the National Park System, Smith notes its traditional overbalance to the West and asserts that the same enthusiasm has not been effective to secure Federal facilities for the Atlantic coastal region, citing only Cape Cod and Cape Hatteras as instances of success. Such pessimism does not do justice to the efforts of the past four years in which the Fire Island, Assateague Island, and Cape Lookout National Seashores and the Delaware Water Gap National Recreation Area have been created. It also overlooks the monumental change in Federal policy which is reflected in the Land and Water Conservation Fund Act of 1964. This legislation provides grant assistance to the states for land conservation. Since population is a major factor in the distribution formula, the eastern seaboard should be a major beneficiary of this program.

The general approach of the book reflects a sense of realism that is badly needed if the public is to understand modern conservation issues. Smith makes it clear that it is rarely possible to classify the contestants into "good guy and bad guy" categories, that the preservationist and development philosophies are regarded by their respective proponents with equal fervor as keepers of the Holy Grail of the conservation movement. The classic controversy over building Hetch Hetchy dam in Yosemite National Park, which culminated in 1913, is not a remote abstraction to anyone involved in the Lower Colorado Basin Project debates of 1966. Frank Smith makes no effort to camouflage his general allegiance to the advocates of development. Labeling Justice William O. Douglas as the "patron saint of the [conservation purist] cult," he cites Douglas' book "A Wilderness Bill of Rights" as a tirade against dams as a source of power generation which proposes alternate sources of power as coal-fired and nuclear-powered steam. "But the same book denounces the havoc wreaked by mining the coal to fire the steam," says Smith, "and there is a solemn warning about the dangers of wholesale pollution from the disposal of nuclear waste." One doubts that Director Smith has had the last word in this debate!

The theme of practicality and realism carries through to the author's concluding admonition: that we can't afford to be too precise or particular about how the objectives of conservation are achieved. Neatly packaged, mathematicaly symmetrical programs, unsullied by concessions or compromise, are the undoubted goals of conservation planners. But Frank Smith reminds us that "Pork barrel politics is an inescapable element of the American political structure. The task of executive leadership is to contain and control these impulses, and to utilize them to achieve the broad conservation goals that are a basic responsibility of our national government."

BRINGING DEMOCRACY AND FREEDOM TO SOUTH VIETNAM

Mr. GRUENING. Mr. President, the utter farcicality of the official pretensions that we are bringing freedom and democracy to the harassed, dislocated, napalmed, bombed, maimed, slaughtered people of South Vietnam—in the course of which venture American boys are increasingly and needlessly dying—is revealed in an article by our able colleague Senator STEPHEN M. YOUNG, of Ohio, entitled "The New Democracy In Vietnam," which appears in the current, July issue of the Progressive magazine.

The same theme is the subject of an editorial appearing in today's New York Times entitled "Ky's One-Man Campaign."

Apart from this burlesque imposition upon the people of South Vietnam, whom we are presumably aiding, saving, uplifting, democratizing, and liberating additional evidence of our folly and its tragic consequences may be found in a letter from a GI stationed in Vietnam to his father entitled " 'We Burned Every Hut'." This was originally printed in a letter-to-the-editor column of that excellent daily the Akron, Ohio, Beacon-Journal, and was reprinted in the current issue of the Progressive.

These three inserts constitute a sorry exhibit of the monumental folly of our ever-deepening, ever-costlier and totally unjustified military involvement in Southeast Asia, from which no good whatever can come.

I ask unanimous consent that the article by Senator YOUNG, the editorial from the New York Times, and the "Letter to a GI's Dad" be printed at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Progressive, July 1967]

THE NEW "DEMOCRACY" IN VIETNAM

(By Senator STEPHEN M. YOUNG)

In 1965, from September 28 to October 19, I visited Southeast Asia on a mission for the Senate Committee on Armed Services. During that time, I visited every Air Force base in Vietnam and also spent a number of days in Thailand.

Before I visited Vietnam, I had believed implicitly the statements of Secretary of State Dean Rusk that we were engaged in Vietnam because of Communist aggression from the North. I believed that even though I had known, because I had read the Geneva accords, that historically there never were any such countries as North Vietnam and South Vietnam, and that the Geneva agreements, which the United States approved but did not sign, specifically stated that the separation of Vietnam into North Vietnam and South Vietnam was not to be regarded as a boundary but as a temporary demarcation line. Nevertheless, I was taken in by the repeated statements of the Secretary of State about aggression from the North, until I talked at some length with General Westmoreland in Saigon.

In the course of our conversation, General Westmoreland told me that the bulk of the Vietcong who were fighting us in the Mekong Delta, south and west of Saigon, were men who had been born and reared in the Mekong Delta.

Following that, when I was in Thailand, I was informed by General Richard Stilwell, second in command of the American forces in Southeast Asia, that eighty per cent of the Vietcong fighting us in the Mekong Delta were born and reared in the Mekong Delta.

I said to him, "General, this, then, is a civil war in which we are involved."

He replied, "It is an insurrection."

If there remains any doubt as to the nature of the regime we are supporting in South

Vietnam, recent developments should dispel them. Premier Ky, who was born in Hanoi, is definitely a Vietnamese "Tory," having fought on the side of the French during the war in Vietnam following World War II, when France sought to reestablish her lush Indochinese colonial empire. Our forefathers would have called him a Tory because he fought on the side of the colonial power.

Now, through his performance as Premier of South Vietnam—a position which he obtained not through elections but through a military coup engineered by ten generals, nine of whom were born in North Vietnam and had fought on the side of the French colonial oppressors against their own nationals seeking independence—he proves daily that his interests lie closer to those who have oppressed the Vietnamese people for centuries than to any real desires and needs of the people he rules.

The United States has furthered this travesty on democracy by giving it an appearance of respectability. Whom are we trying to fool by advertising the regime we are defending as "free" or "democratic"? Whom can we convince that South Vietnam is on its way to becoming a representative democracy since the Constituent Assembly made public its constitution?

I suggest we examine this proposed constitution more closely. First of all, who are its authors? As the result of a discriminatory election law, not only members of the National Liberation Front but also neutralists, so-called, and militant Buddhists were prohibited last fall from running for election to the Constituent Assembly.

The fact is, the Constituent Assembly is composed primarily of representatives of the landowning and wealthy classes and close supporters of the military junta that now rules South Vietnam. To illustrate this fact, when a genuine agrarian reform law was proposed earlier this year only three out of 117 members of the Assembly voted in favor of it. A number of these "representatives" are themselves military men. They can hardly be expected to put up a strong opposition to the Ky dictatorship.

As for the new Constitution itself, the provisions which appear to guarantee basic human rights are granted with one hand and taken away with the other. For example, Article twelve, section two reads:

"Censorship will be abolished except for motion pictures and plays."

Yet, section three of Article twelve states: "Press regulations will be subscribed by law."

According to Article twelve, section one: "The state respects freedom of thought, speech, press, and publishing, as long as it does not harm personal honor, national security, or good morals."

Who will decide what constitutes a danger to personal honor, national security, or good morals? The answer is, of course, the same rulers who until now have shown little or no respect for fundamental civil liberties.

Article nine guarantees religious freedom to all citizens "as long as it does not violate the national interest and is not harmful to public safety and order or contrary to good morals." This gives the government virtually *carte blanche* authority to restrict the free exercise of religion. Is this the sort of religious freedom we would consider adequate in our country? This provision in the South Vietnamese constitution makes a mockery of the phrase "freedom of religion." Similarly, the rights to join labor unions and to strike, to organize political parties, and to meet and form associations are guaranteed "in accordance with conditions and procedures prescribed by law." What sort of bill of rights is this? It sounds more like the fiat of a medieval monarch.

On one point, at least, the Constitution is straightforward: Article five prohibits "every activity designed to propagandize or carry out Communism." As we have seen in the past, this type of prohibition could be extended to almost any form of political opposition to the government whether from Communists, neutralists, or militant Buddhists. More than likely it would apply to any political group whose thinking did not coincide with that of the ruling regime.

Interestingly, the one right which is guaranteed unconditionally is the right of private property in Article nineteen. The Constitution bears the stamp of the landowners who drew it up, and assures that their interests will remain secure. In effect, Article nineteen promises them that no thoroughgoing land reform could be carried out without complete compensation to those who have for centuries prospered at the expense of the landless peasants.

I definitely do not consider this to be a document which is even a step toward democracy or toward a republic in South Vietnam. Indeed, how can there be any progress while a war disrupts civilian life and while we support and perpetuate a military dictatorship in Saigon? What can the Vietnamese peasant expect from Western democracy when it is presented to him through our collaborators in Vietnam—the dictatorial Premier Ky, who was serving in the French Air Force in Vietnam during the years 1946 to 1954, seeking to help restore French colonial oppression of its Indochinese empire, and an oligarchic Constituent Assembly?

Administration leaders would do well to heed the advice of retired Marine Commandant, General David Shoup, one of the nation's great military leaders. General Shoup said:

"It must be a bit confusing, too, to read and hear about fighting for freedom. Supposedly, we have it, and I don't think anyone is going to take it away from us by playing cops and robbers in Southeast Asia. Even so, we urge others to fight for freedom. There may be a little confusion here. We insist they should sacrifice arms and legs and their lives for freedom. In the history of their ancestors they've never experienced what we expect them to understand and fight for. . . .

"These masses of people and their ancestors have always lived where the few have everything. Everything that is produced by the burdensome labor of the many. And the many have nothing except for the barest subsistence and not always that. . . .

"I believe that if we had and would keep our dirty, bloody, dollar-crooked fingers out of the business of these nations so full of depressed, exploited people, they will arrive at a solution of their own that they design and want; that they fight and work for. And if unfortunately their revolution must be of the violent type because the 'haves' refuse to share with the 'have-nots' by any peaceful method, at least what they get will be their own, and not the American style, which they don't want, and above all don't want crammed down their throats by Americans."

If real and honest elections were to be held I doubt whether those elected would choose to prolong the civil war that is now raging and has been raging since 1946 in Vietnam when the French commenced to reestablish their empire. If the real voice of South Vietnam could be heard, it would be asking for peace, not military victory.

VIETNAM'S NEW "DEMOCRACY"

Even before the new "democracy" becomes operative in South Vietnam Premier Ky has given the world some indication of what he meant by a "free government." An Associated Press dispatch from Vietnam May 15 quoted Ky as threatening to close Vietnamese newspapers that "create dissension" among the people during the approaching presidential election.

"I want to point out to the press that from now until election day any newspaper article creating dissension between the people—military or civilian—will be censored."

An even more startling concept of the "new freedom" turned up in an Associated Press dispatch from Vietnam May 14, in which Ky, who is himself a candidate for president, announced that he might respond "militarily" if a civilian whose policies he disagreed with won the election.

"If he is a Communist or if he is a neutralist, I am going to fight him militarily," said the disciple of freedom in Vietnam.

[From the New York Times, June 22, 1967]

KY'S ONE-MAN CAMPAIGN

The blatant campaigning by Premier Ky in defiance of the rules that supposedly govern all candidates for South Vietnam's Presidency in the Sept. 3 elections creates a major embarrassment for the United States.

Through his censorship of the Saigon press and his flouting of the legal ban on campaigning before August, Marshal Ky reinforces the cynicism already widely prevalent in South Vietnam, where civilian aspirants for top office long have complained that the election law is rigged to favor military candidates.

His actions also serve to undermine the credibility in this country and abroad of the free elections which Washington has made a keystone of America's Vietnam policy. This country's enormous investment in underwriting democracy in South Vietnam gives Washington a responsibility to insist that the requirements of the new Vietnamese Constitution and election law be followed in good faith.

Whatever the risks in such an assertion of America's moral influence, they are much smaller than those involved in allowing flagrant abuse of the democratic principles to which Washington and Saigon are mutually pledged. Experience with the late Ngo Dinh Diem demonstrated that plainly enough.

Premier Ky himself should recognize the damage he is doing to the moral bases for his American support and for the new democratic government he hopes to form. His conduct imperils the fragile democratic foundations so painstakingly laid during the past year.

[From the Progressive, July 1967]

LETTER TO A GI'S DAD—"WE BURNED EVERY HUT"

(This report was published recently as a letter-to-the-editor of the Akron, Ohio, Beacon-Journal.—THE EDITORS.)

Here are portions of a letter I have received from my son, who is now stationed in Vietnam.

My son enlisted in the Army, asked to be sent to Vietnam, and backed the Government's strong policy toward the war in Vietnam—at least he did when he left this country last November. I believe what he has to say will be of interest to you and your readers:

"DEAR MOM AND DAD: Today we went on a mission and I'm not very proud of myself, my friends, or my country. We burned every hut in sight!

"It was a small rural network of villages and the people were incredibly poor. My unit burned and plundered their meager possessions. Let me try to explain the situation to you.

"The huts here are thatched palm leaves. Each one has a dried mud bunker inside. These bunkers are to protect the families. Kind of like air raid shelters.

"My unit commanders, however, chose to think that these bunkers are offensive. So every hut we find that has a bunker, we are ordered to burn to the ground!

"When the ten helicopters landed this morning, in the midst of these huts, and six men jumped out of each 'chopper,' we were firing the moment we hit the ground.

We fired into all the huts we could. Then we got 'on line' and swept the area.

"It is then that we burn these huts and take all men old enough to carry a weapon and the 'choppers' come and get them (they take them to a collection point a few miles away for interrogation). The families don't understand this. The Vietcong fill their minds with tales saying the GI's kill all their men.

"So, everyone is crying, begging, and praying that we don't separate them and their husbands and fathers, sons and grandfathers. The women wail and moan.

"Then they watch in terror as we burn their homes, personal possessions, and food. Yes, we burn all rice and shoot all livestock.

"Some of the guys are so careless! Today a buddy of mine called *'La Dai'* ('Come here') into a hut and an old man came out of the bomb shelter. My buddy told the old man to get away from the hut and since we have to move quickly on a sweep, just threw a hand grenade into the shelter.

"As he pulled the pin the old man got excited and started jabbering and running toward my buddy and the hut. A GI, not understanding, stopped the old man with a football tackle just as my buddy threw the grenade into the shelter. (There is a four-second delay on a hand grenade.)

"After he threw it, and was running for cover (during this four-second delay), we all heard a baby crying from inside the shelter!

"There was nothing we could do.

"After the explosion we found the mother, two children (ages about six and twelve, boy and girl) and an almost newborn baby. That is what the old man was trying to tell us.

"The shelter was small and narrow. They were all huddled together. The three of us dragged out the bodies onto the floor of the hut.

"It was horrible.

"The children's fragile bodies were torn apart, literally mutilated. We looked at each other and burned the hut.

"The old man was just whimpering in disbelief outside the burning hut. We walked away and left him there.

"My last look was: an old, old man in ragged, torn, dirty clothes on his knees outside the burning hut, praying to Buddha. His white hair was blowing in the wind and tears were rolling down.

"We kept on walking, then the three of us separated. There was a hut at a distance and my squad leader told me to go over and destroy it. An oldish man came out of the hut.

"I checked and made sure no one was in it, then got out my matches. The man came up to me then, and bowed with his hands in a praying motion over and over.

"He looked so sad. He didn't say anything, just kept bowing, begging me not to burn his home.

"We were both there, alone, and he was about your age, Dad. With a heavy heart, I hesitatingly put the match to the straw and started to walk away.

"Dad, it was so hard for me to turn and look at him in the eyes but I did.

"I wish I could have cried but I just can't any more.

"I threw down my rifle and ran into the now blazing hut and took out everything I could save—food, clothes, etc.

"Afterwards, he took my hand, still saying nothing, and bowed down, touching the back of my hand to his forehead.

"Well, Dad, you wanted to know what it's like here. Does this give you an idea?

"Excuse the poor writing but I was pretty emotional, I guess, even a little shook.

"YOUR SON."

The rest of my son's letter goes on to describe what the routines of his life in Vietnam are like. Needless to say, I was very much disturbed to read this letter. My sixteen-year old daughter had read it before I did and when I went to her room to ask her if I could read the letter, I found her crying. I asked her the reason, and she replied by handing me the letter.

I have not been a dove as far as the Vietnamese war is concerned, though I have not been a strong hawk either. But I think that the American people should understand what they mean when they advocate a continuation and even an escalation of our war effort in Vietnam.

They should understand that war doesn't consist only of two armies made up of young men in uniform, armed and firing at each other across the open fields, with bugles blowing and flags waving. The American people should understand what a war such as this does to our young men whom we send overseas to carry out our Government's foreign policy.

I guess what I am saying is that whatever course American public opinion backs should be supported by knowledge and understanding of the concrete results of that course and not by illusions.

A GI's DAD.

THE NEAR EAST CRISIS—SPEECH BY ABBA EBAN IN THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Mr. SCOTT. Mr. President, I note that two important speeches delivered on June 19, 1967, and dealing with the Near East crisis—that of President Johnson before the Foreign Policy Conference for Educators, and of Premier Kosygin before the United Nations General Assembly—were inserted in the CONGRESSIONAL RECORD for June 20, 1967, on pages 16507–16511, inclusive.

A third important speech on the Near East crisis was also delivered on June 19, 1967, before the General Assembly by the Minister for Foreign Affairs of Israel, Abba Eban.

I think it essential that all of these statements be given as wide a circulation as possible in order to understand the contending viewpoints concerning this vital area.

Therefore, Mr. President, I ask unanimous consent to include at this point in the RECORD the complete text of the speech delivered by Mr. Eban before the General Assembly of the United Nations, as reported in the official record of that body.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Mr. EBAN (Israel). The subject of our discussion is the Middle East, its past agony and its future hope. We speak of a region whose destiny has profoundly affected the entire human experience. In the heart of that region, at the very centre of its geography and history, lives the very small nation called Israel. This nation gave birth to the currents of thought which have fashioned the life of the Mediterranean world and of vast regions beyond. It has now been re-established as the home and sanctuary of a people that has seen six million of its sons exterminated in the greatest catastrophe ever endured by any family of the human race.

Now, in recent weeks, the Middle East has passed through a crisis whose shadows darken the world. This crisis has many consequences but only one cause. Israel's right to peace, to security, to sovereignty, to economic development, to maritime freedom—indeed, its very right to exist—has been forcibly denied and aggressively attacked. This is the true origin of the tension which torments the Middle East. All the other elements of the conflict are the consequences of this single cause.

There has been danger, there is still peril, in the Middle East because—and only because—Israel's existence, sovereignty and vital interests have been and are being vitally assailed. The threat to Israel's existence, its peace, security, sovereignty and development, have been directed against it in the first instance by neighbouring Arab States; but all the conditions of tension, all the temptations to aggression in the Middle East, have, to our deep regret, been aggravated by the unbalanced policy of one of the great Powers which, under our Charter, bear primary responsibility for the maintenance of international peace and security. I shall show how the Soviet Union has, for fifteen years, been unfaithful to that trust. The burden of responsibility lies heavy upon it. Today's intemperate utterance illustrates the lack of equilibrium and objectivity that has contributed so much to the tension and agony of Middle Eastern life.

I come to this rostrum to speak for a people which, having faced danger to its national survival, is unshakeably resolved to resist any course which would renew the perils from which it has emerged. The General Assembly is chiefly preoccupied by the situation against which Israel defended itself on the morning of 5 June. I shall invite every peace-loving State represented here to ask itself how it would have acted on that day if it faced similar dangers.

But if our discussion is to have any weight or depth, we must understand that great events are not born in a single instant of time. It is beyond all honest doubt—beyond all honest doubt—that between 14 May and 5 June Arab Governments, led and directed by President Nasser, methodically prepared and mounted an aggressive assault designed to bring about Israel's immediate and total destruction. My authority for that conviction rests on the statements and actions of Arab Governments themselves. There is every reason to believe what they say and to observe carefully what they do.

During Israel's first decade the intention to work for its destruction by physical violence had always been part of the official doctrine and policy of Arab States. But many Members of the United Nations hoped, and some believed, that relative stability would ensue from the arrangements discussed in the General Assembly in March 1957. An attempt was then made to inaugurate a period of non-belligerency and coexistence in the relations between Egypt and Israel. A United Nations Emergency Force was to separate the armies in Sinai and Gaza. The maritime Powers were to exercise free and innocent passage in the Gulf of Aqaba and the Strait of Tiran. Terrorist attacks against Israel were to cease. The Suez Canal was to be opened to Israel shipping, as the Security Council had decided six years before.

In March 1957 these hopes and expectations were endorsed in the General Assembly by the United States, France, the United Kingdom, Canada and other States in Europe, the Americas, Africa, Asia and Australiasia. These assurances, expressed with special solemnity by the four Governments which I have mentioned, induced Israel to give up positions which it then held at Gaza and at the entrance to the Strait of Tiran and in Sinai. Non-belligerency, maritime freedom, and immunity from terrorist attack were henceforth to be secured not by Israel's own pressure, but by the concerted will of the international community. Egypt expressed no opposition to these arrangements. Bright hopes for the future illuminated this Hall on that day ten years ago.

There were times during the past decade when it seemed that a certain stability had been achieved. As we look back it becomes plain that the Arab Governments regarded the 1957 arrangements merely as a breathing space enabling them to gather strength for a later assault. At the end of 1962 President Nasser began to prepare Arab opinion for an armed attack that was to take place within a few brief years. As his armaments grew, his aggressive designs came more blatantly to light. On 23 December, 1962, he said:

"We feel that the soil of Palestine is the soil of Egypt and of the whole Arab world. Why do we mobilize? Because we feel that the land is part of our land, and are ready to sacrifice ourselves for it."

The present Foreign Minister of Egypt, Mr. Mahmoud Riad, echoed his master's voice:

"The sacred Arab struggle will not come to an end until Palestine is restored to its owners."

In March 1963, the official Cairo Radio continued the campaign of menace:

"Arab unity is taking shape towards the great goal—i.e., the triumphant return to Palestine with the banner of unity flying high in front of the holy Arab march."

The newspaper *Al-Gumhuriya* published an official announcement on the same day:

"The noose around Israel's neck is tightening gradually . . . Israel is no mightier than the empires which were vanquished in the Arab east and west . . . The Arab people will take possession of their full rights in their united homeland."

Egypt is not a country in which the Press utters views and opinions independently of the official will. There is thus much significance in the statement of Al-Akhbar on 4 April of that year:

"The liquidation of Israel will not be realized through a declaration of war against Israel by Arab States, but Arab unity and inter-Arab understanding will serve as a hangman's rope for Israel."

The Assembly will note that the imagery of a hangman's rope or of a tightening noose occurs frequently in the macabre vocabulary of Nasserism. He sees himself perpetually presiding over a scaffold. In June 1967, in Israel's hour of solitude and danger, the metaphor of encirclement and strangulation was to come vividly to life.

In February 1964, Nasser enunciated in simple terms what was to become his country's policy during the period of preparation. I quote his simple words:

"The possibilities of the future will be war with Israel. It is we who will dictate the time; it is we who will dictate the place."

A similar chorus of threats arose during this period from other Arab capitals. President Aref of Iraq and President Ben-Bella of Algeria were especially emphatic and repetitive in their threat to liquidate Israel, but they were far away. The Syrian attitude was more ominous because it affected a neighbouring frontier. Syrian war propaganda has been particularly intense in the past few years. In 1964, the Syrian Defense Minister, General Abdulla Ziada, announced:

"The Syrian army stands as a mountain to crush Israel and demolish her. This army knows how to crush its enemies."

Early last year Syria began to proclaim and carry out what it called a "popular war" against Israel. It was a terrorist campaign which expressed itself in the dispatch of trained terrorist groups into Israel territory to blow up installations and communications centres and to kill, maim, cripple and terrorize civilians in peaceful homes and farms. Often the terrorists, though trained in Syria, would be dispatched through Jordan or Lebanon. The terrorist war was formally declared by President Al-Atassi on 22 May 1966 when he addressed soldiers on the Israeli-Syrian front in these words:

"We raise the slogan of the people's liberation war. We want total war with no limits, a war that will destroy the Zionist base."

It is a strange experience, in this hall of peace, to be sitting with a fellow representative whose philosophy is, "We want total war with no limits".

The Syrian Defense Minister, Hafiz Asad, said two days later:

"We shall never call for, nor accept peace. We shall only accept war . . . We have resolved to drench this land with our blood, to oust you, aggressors, and throw you into the sea for good."

From that day to this not a week has passed without Syrian officials adding to this turgid stream of invective and hate. From that day to this, there has not been a single month without terrorist acts, offensive to every impulse of human compassion and international civility, being directed from Syria against Israeli citizens and territory. I would have no difficulty at all in swelling the General Assembly's records with a thousand official statements by Arab leaders in the past two years announcing their intention to destroy Israel by diverse forms of organized physical violence. The Arab populations have been conditioned by their leaders to the anticipation of a total war, preceded by the constant harassment of the prospective victim.

From 1948 to this very day there has not been one statement by any representative of a neighbouring Arab State indicating readiness to respect existing agreements on the permanent renunciation of force, especially the Charter agreement or to recognize Israel's sovereign right to existence; or to apply to Israel any of the central provisions of the United Nations Charter.

For some time Israel showed a stoic patience in her reaction to these words of menace. This was because the threats were not always accompanied by a capacity to carry them into effect. But the inevitable result of this campaign of menace was the burden of a heavy race in arms. We strove to maintain an adequate deterrent strength, and the decade beginning in March 1957 was not monopolized by security considerations alone. Behind the wall of a strong defence, with eyes vigilantly fixed on dangerous borders, we embarked on a constructive era in the national enterprise. These were years of swift expansion in our agriculture and industry; of intensive progress in the sciences and arts; of a widening international vocation, symbolized in the growth of strong links with the developing world. And thus at the end of her first decade Israel had established relations of diplomacy, commerce and culture with all the Americas, and with nearly all the countries of Western, Central and Eastern Europe. In her second decade she was to build constructive links with the emerging countries of the developing world with whom we are tied by a common aspiration to translate national freedom into creative economic growth and social progress.

Fortified by friendships in all five continents; inspired by its role in the great drama of development; intensely preoccupied by tasks of spiritual co-operation with kindred communities in various parts of the world, and in the effort to assure the Jewish survival after the disastrous blows of Nazi oppression; tenaciously involved in the development of original social ideas—Israel went on with its work. We could not concern ourselves exclusively with the torrent of hatred pouring in upon us from Arab Governments. After all, in the era of modern communications a nation is not entirely dependent on its regional context. The wide world is open to the voice of friendship. Arab hostility towards Israel became increasingly isolated, while Israel's position in the international family became more deeply entrenched. Many in the world drew confidence from the fact that a very small nation could, by its exertion and example, rise to respected levels in social progress, scientific progress and the humane arts.

And so our policy was to deter the aggression of our neighbours so long as it was endurable; to resist it only when failure to resist would have invited its intensified renewal; to withstand Arab violence without being obsessed by it; and even to search patiently here and there for any glimmer of moderation and realism in the Arab mind. We also pursued the hope of bringing all the great Powers to a harmonious policy in support of the security and sovereignty of Middle Eastern States.

It was not easy to take this course. The sacrifice imposed upon our population by Arab violence was cumulative in its effects. But as it piled up month by month the toll of death and bereavement was heavy. And in the last few years it was evident that this organized murder was directed by a central hand.

We were able to limit our response to this aggression so long as its own scope appeared to be limited. President Nasser seemed for some years to be accumulating inflammable material without an immediate desire to set it alight. He was heavily engaged in domination and conquest elsewhere. His speeches were strong against Israel. But his bullets, guns and poison gases were for the time being used to intimidate other Arab States and to maintain a colonial war against the villagers of the Yemen and the peoples of the Arabian Peninsula.

But Israel's danger was great. The military build-up in Egypt proceeded at an intensive rate. It was designed to enable Egypt to press its war plans against Israel while maintaining its violent adventures elsewhere. In the face of these developments Israel was forced to devote an increasing proportion of its resources to self-defence. With the declaration by Syria early in 1965 of the doctrine of a "day by day military confrontation" the situation in the Middle East grew darker. The Palestine Liberation Organization, the Palestine Liberation Army, the Unified Arab Command, the intensified expansion of military forces and equipment in Egypt, Syria, Lebanon, Jordan and more remote parts of the Arab continent—those were the signals of a growing danger to which we sought to alert the mind and conscience of the world.

In three weeks between 14 May and 5 June, Egypt, Syria and Jordan, assisted and incited by more distant Arab States, embarked on a policy of immediate and total aggression.

June 1967 was to be the month of decision. The "final solution" was at hand.

There was no convincing motive for the aggressive design which was now unfolded. Egyptian and Soviet sources have claimed—and we heard the claim repeated today—that a concentrated Israeli invasion of Syria expressed by troop concentrations was expected during the second or third week in May. No claim could be more frivolous or far-fetched. It is true that Syria was sending terrorists into Israel to lay mines on public roads and, on one occasion, to bombard the Israeli settlement at Manara from the Lebanese border. The accumulation of such actions had sometimes evoked Israeli responses limited in scope and time. All that Syria had to do to ensure perfect tranquility on its frontier with Israel was to discourage the terrorist war. Not only did it not discourage these actions, it encouraged them. It gave them every moral and practical support. But the picture of Israeli troops concentrations in strength for an invasion of Syria in mid-May was a monstrous fiction. Twice Syria refused to cooperate with suggestions made by the United Nations authorities and accepted by Israel for a simultaneous and reciprocal inspection of the Israeli-Syrian frontier. On one occasion the Soviet Ambassador complained to my Prime Minister of heavy troop concentrations in the north of Israel. But when invited to join the Prime Minister that very moment in a visit to any part of Israel which he liked, the distinguished envoy brusquely refused. The prospect of finding out the truth at first hand seemed to fill him with a profound disquiet. There is only one thing to be said about Prime Minister Kosygin's assertion this morning that there were heavy concentrations of Israeli troops on the Syrian frontier in mid-May; the only thing to say about that assertion is that it is completely untrue. There is only one thing to be said about these descriptions of villages being burned and inhabitants being shot; these are false, inflammatory words of propaganda designed to inflame passions in an area already too hot with tension. By 9 May the Secretary-General of the United Nations from his own sources on the ground had ascertained that no such Israeli troop concentrations existed. This fact had been directly communicated to the Syrian and Egyptian Governments. The excuse had been shattered, but the allegation still remained. The steps which I now come to describe could not possibly have any motive or justification in an Israeli troop concentration in the north which both Egypt and Syria knew did not exist. Indeed the Egyptian build-up ceased very quickly even to be described by its authors as the result of any threat to Syria. Let us now see how the design of May and June began to unfold.

On 14 May Egyptian forces began to move in strength into Sinai.

On 16 May the Egyptian Command ordered the United Nations Emergency Force to leave the border. The following morning the reason became clear. For on 17 May, at 6 in the morning, Radio Cairo broadcast that Field Marshal Amer had issued alert orders to the Egyptian armed forces. Nor did he mention Syria as the excuse. His orders read:

"1. The state of preparedness of the Egyptian Armed Forces will increase to the full level of preparedness for war, beginning 14.30 hours last Sunday.

"2. Formations and units allocated in accordance with the operational plans will advance from their present locations to the designated positions.

"3. The armed forces are to be in full preparedness to carry out any combat tasks on the Israel front in accordance with developments."

On 18 May, Egypt called for the total removal of the United Nations Emergency Force. The Secretary-General of the United Nations acceded to this request and moved to carry it out, without reference to the Security Council or the General Assembly; without carrying out the procedures indicated by Secretary-General Hammarskjoid in the event of a request for a withdrawal being made; without heeding the protesting voices of some of the permanent members of the Security Council and of the Government at whose initiative the Force had been established; without consulting Israel on the consequent prejudice to its military security and its vital maritime freedom; and without seeking such delay as would enable alternative measures to be concerted for preventing belligerency by sea and a dangerous confrontation of forces by land.

It is often said that United Nations procedures are painfully slow. This one, in our view, was disastrously swift. Its effect was to make Sinai safe for belligerency from north and south; to create a sudden disruption of the local security balance; and to leave an international maritime interest exposed to almost certain threat. I will not say anything of the compulsions which may have led to those steps; I speak only of consequences. I have already said that Israel's attitude to the peace-keeping functions of the United Nations has been traumatically affected by this experience. What is the use of a fire brigade which vanishes from the scene as soon as the first smoke and flames appear? Is it surprising that we are resolved never again to allow a vital Israeli interest and our very security to rest on such a fragile foundation?

The clouds now gathered thick and fast. Between 14 May and 23 May, Egyptian concentrations in Sinai increased day by day. Israel took corresponding precautionary measures. In the absence of an agreement to the contrary, it is of course legal for any State to place its armies wherever it chooses in its territory. But it is equally true that nothing could be more uncongenial to the prospect of peace than to have large armies facing each other across a narrow space, with one of them clearly bent on an early assault. For the purpose of the concentration was not in doubt. On 18 May, at 24 hours, the Cairo Radio *Saut El Arab* published the following Order of the Day by Abdul Muhsin Murtagi, the General then Commanding Sinai:

"The Egyptian forces have taken up positions in accordance with a definite plan.

"Our forces are definitely ready to carry the battle beyond the borders of Egypt.

"Morale is very high among the members of our armed forces because this is the day for which they have been waiting—to make a holy war in order to return the plundered land to its owners.

"In many meetings with army personnel, they asked when the holy war will begin —the time has come to give them their wish."

On 21 May, General Amer gave orders to mobilize reserves.

Now came the decisive step, the turning point. All doubt that Egypt had decided upon immediate or early war was now dispelled. For, appearing at an air force base at 6 o'clock in the morning, President Nasser announced that he would blockade the Gulf of Aqaba and the Strait of Tiran to Israeli ships, adding: "The Jews threaten war and we say by all means we are ready for war."

On 25 May, Cairo Radio announced:

"The Arab people is firmly resolved to wipe Israel off the map and to restore the honour of the Arabs of Palestine."

On the following day, 26 May, Nasser spoke again:

"The Arab people wants to fight. We have been waiting for the right time when we will be completely ready. Recently we have felt that our strength has been sufficient and if we make battle with Israel, we shall be able, with the help of God, to conquer. Sharm-el-Sheikh implies a confrontation with Israel." —These are Nasser's words.—"Taking this step makes it imperative that we be ready to undertake a total war with Israel."

Writing in Al Ahram on 26 May, Nasser's spokesman, Mr. Hasanein Heykal, wrote, with engaging realism:

"I consider that there is no alternative to armed conflict between the United Arab Republic and the Israeli enemy. This is the first time that the Arab challenge to Israel attempts to change an existing fact in order to impose a different fact in its place."

On 28 May, President Nasser had a Press conference. Indeed, he was now having them every day. He said:

"We will not accept any possibility of co-existence with Israel." And on the following day:

"If we have succeeded to restore the situation to what it was before 1956, there is no doubt that God will help us and will inspire us to restore the situation to what it was prior to 1948."

There are various ways of threatening Israel's liquidation. Few ways could be clearer than to ask to move the clock of history back to before 1948, the date of Israel's establishment.

The troop concentrations and blockade were now to be accompanied by encirclement. The noose was to be fitted around the victim's neck. Other Arab States were closing the ring. On 30 May, Nasser signed the defense agreement with Jordan, and described its purpose in these terms:

"The armies of Egypt, Jordan, Syria and Lebanon are stationed on the borders of Israel in order to face the challenge. Behind them stand the armies of Iraq, Algeria, Kuwait, Sudan and the whole of the Arab nation.

"This deed will astound the world. Today they will know that the Arabs are ready for the fray. The hour of decision has arrived."

These are not the words of response to any anticipated aggression. These are words of indoctrination about a warlike initiative.

Similarly, on 4 June, Nasser made a statement on Cairo Radio after signing the Protocol associating Iraq with the Egyptian-Jordanian Defense Pact. Here are his words:

"We are facing you in the battle and are burning with desire for it to start in order to obtain revenge. This will make the world realize what the Arabs are and what Israel is . . .".

Nothing has been more startling in recent weeks than to read discussions about who planned, who organized, who initiated, who prepared, who wanted and who launched this war. Here we have a series of statements, mounting crescendo from vague warning through open threat to precise intention.

Here we have the vast mass of the Egyptian armies in Sinai with seven infantry and two armoured divisions, the largest force ever assembled in that peninsula in all its history. Here we have 40,000 regular Syrian troops poised to strike at the Jordan Valley from advantageous positions in the hills. Here we have the mobilized forces of Jordan with their artillery and mortars trained on Israel's population centres in Jerusalem and along the vulnerable narrow coastal plain. Troops from Iraq, Kuwait and Algieria converge towards the battlefield at Egypt's behest. Nine hundred tanks face Israel on the Sinai border, while two hundred more are poised to strike the isolated town of Elath at Israel's southern tip. The military dispositions tell their own story. The Southern Negev was to be sundered in a swift decisive blow. The Northern Negev was to be invaded by armour and bombarded from the Gaza Strip. From 27 May onward, Egyptian air squadrons in Sinai were equipped with operation orders—which are now in our hands—instructing them in detail on the manner in which each Israeli air field—and they are pathetically few in number—were to be bombarded, thus exposing Israel's crowded cities to easy and merciless assault. Egyptian air sorties came in and out of Israel's southern desert to reconnoitre, inspect and prepare for the attack. An illicit blockade had cut Israel off from all its commerce with the eastern half of the world.

Those who write this story in years to come will give a special place in their narrative to the blatant decision to close the Strait of Tiran in Israel's face. It is not difficult to understand why that outrage had such a drastic impact. In 1957 the maritime nations, within the framework of the United Nations General Assembly, correctly enunciated the doctrine of free and innocent passage through the Strait. When that doctrine was proclaimed—and incidentally, not challenged by Egypt at the time—it was little more than an abstract principle for the maritime world. For Israel it was a great but unfulfilled prospect; it was not yet a reality. But during the ten years in which we and the other States of the maritime community have relied upon that doctrine and upon established usage, the principle has become a reality consecrated by hundreds of sailings under dozens of flags and the establishment of a whole complex of commerce and industry and communication. A new dimension has been added to the map of the world's communications, and on that dimension we have constructed Israel's bridge towards the friendly States of Asia and East Africa, a network of relationships which is the chief pride of Israel in its second decade and on which its economic future largely depends.

All this, then, has grown up as an effective usage under the United Nations flag. Does Mr. Nasser really think that he can come upon the scene in ten minutes and cancel the established legal usage and interests of ten years?

There was in this wanton act a quality of malice. For surely the closing of the Strait of Tiran gave no benefit whatever to Egypt except the perverse joy of inflicting injury on others. It was an anarchic act, because it showed a total disregard for the law of nations, the application of which in this specific case had not been challenged for ten years. And it was, in the literal sense, an act of arrogance, because there are other nations in Asia and East Africa which trade with the Port of Elath, as they have every right to do, through the Strait of Tiran and across the Gulf of Aqaba. Other sovereign States from Japan to Ethiopia, from Thailand to Uganda, from Cambodia to Madagascar, have a sovereign right to decide for themselves whether they wish or do not wish to trade with Israel. These countries are not colonies of Cairo. They can trade with Israel or not as they wish, and President Nasser is not the policeman of other African and Asian States.

When we examine, then, the implications of this act, we have no cause to wonder that the international shock was great. There was another reason for that shock. Blockades have traditionally been regarded in the pre-Charter parlance, as acts of war, and now as acts of aggression. To blockade, after all, is to attempt strangulation—and sovereign States are entitled not to have their trade strangled.

The blockade is by definition an act of war, imposed and enforced through armed violence. Never in history have blockade and peace existed side by side. From 24 May onward, the question who started the war or who fired the first shot became momentously irrelevant. There is no difference in civil law between murdering a man by slow strangulation or killing him by a shot in the head. From the moment the blockade was imposed, active hostilities had commenced and Israel owed Egypt nothing of her Charter rights. If a foreign Power sought to close Odessa, or Copenhagen or Marseilles or Montreal or New York harbour by the use of force, what would happen? Would there be any discussion about whether a shot had been fired? Would anyone ask whether aggression had begun? Less than a decade ago the Soviet Union proposed a draft resolution in the General Assembly on the question of defining aggression. The resolution reads:

"In an international conflict that State shall be declared an attacker which first commits one of the following acts:

(a) Naval blockade of the coasts or ports of another State."

This act constituted in the Soviet view direct aggression as distinguished from other specified acts designated in the Soviet draft as indirect aggression. In this particular case, the consequences of Nasser's action had been fully announced in advance. On 1 March 1957, the Minister for Foreign Affairs, my predecessor, announced that:

"Interference, by armed force, with ships of Israel flag exercising free and innocent passage in the Gulf of Aqaba and through the Strait of Tiran, will be regarded by Israel as an attack entitling it to exercise its inherent right of self-defence under Article 51 of the United Nations Charter and to take all such measures as are necessary to ensure the free and innocent passage of its ships in the Gulf and in the Strait."

The representative of France declared that any obstruction of free passage in the Strait or Gulf was contrary to international law "entailing a possible resort to the measures authorized by Article 51 of the Charter".

The United States, inside and outside of the United Nations, gave specific endorsement to Israel's right to invoke her inherent right of self-defence against any attempt to blockade the Gulf. Nasser was speaking with acute precision, therefore, when he stated that Israel now faced the choice either to be choked to death in her southern maritime approaches or to await the death blow from northern Sinai.

Nobody who lived those days of Israel between 23 May and 5 June will ever forget the air of heavy foreboding that hovered over our land. Penned in by hostile armies ready to strike, affronted and beset by a flagrant act of war, bombarded day and night by predictions of our approaching extinction, forced into a total mobilization of all our manpower, our economic and commerce beating with feeble pulse, our main supplies of vital fuel choked by a belligerent act, we in Israel faced the greatest peril to our existence that we had known since our resistance against aggression nineteen years before, at the hour of our birth.

By the end of May, our children were building air-raid shelters for their schools. There was peril wherever Israel looked, and she faced it in deepening solitude. On 24 May and on succeeding days, the Security Council conducted a desultory debate which sometimes reached a point of levity. Russian and oriental proverbs were wittily exchanged. On 24 May, the Soviet representative asserted that he saw no reason for discussing the Middle Eastern situation at all. The Bulgarian representative uttered these unbelievable words:

". . . at the present moment there is really no need for an urgent meeting of the Security Council." (S/PV.1341, page 16)

Those words were spoken on 24 May, one and a half days after the imposition of the blockade, which held world peace trembling in the balance.

A crushing siege bore down upon us. Multitudes throughout the world began to tremble for Israel's fate. The single consolation lay in the surge of public opinion which rose up in Israel's defence. From Paris to Montevideo, from New York to Amsterdam, tens of thousands of people of all ages and parties, groups and affiliations, marched in horrified protest at the approaching stage of politicide, the murder of a State. Writers and scientists, religious leaders, trade union movements, liberal and labour movements, and even the communist parties in France, Holland, Switzerland, Norway, Austria and Finland asserted their view that Israel was a peace-loving State, whose peace was being wantonly denied. In the history of our generation it is difficult to think of any other hour in which progressive world opinion rallied in such tension and agony of spirit to any cause.

To understand the full depth of pain and shock, it is necessary to grasp the full significance of what Israel's danger meant. A small sovereign State had its existence threatened by lawless violence. The threat to Israel was a menace to the very foundations of the international order. The State thus threatened bore a name which stirred the deepest memories of civilized mankind, and the people of the threatened State were the surviving remnant of millions who in living memory had been wiped out by a dictatorship more powerful, though scarcely more malicious, than Nasser's Egypt. What Nasser had predicted, what he had worked for with undeflecting purpose had come to pass—the noose was tightly drawn.

So on the fateful morning of 5 June, when Egyptian forces moved by air and land against Israel's western coast and southern territory, our country's choice was plain. The choice was to live or perish, to defend the national existence or to forefeit it for all time. I will not narrate what then transpired.

From these dire moments Israel emerged in five heroic days from awful peril to successful and glorious resistance. Alone, unaided, neither seeking nor receiving help, our nation rose in self-defence. So long as men cherish freedom, so long as small States strive for the dignity of their survival, the exploits of Israel's defence forces will be told from one generation to another with the deepest pride. Today, again, the Soviet Union has described our resistance as aggression and sought to have it condemned. There is no foundation for this assertion, and we reject it with all our might. Here was armed force employed in a just and righteous defensive cause, as righteous as the defenders of freedom at Valley Forge; as just as the expulsion of Hitler's bombers from the British skies; as noble as the protection of Stalingrad against the Nazi hordes, so was the defence of Israel's security and existence against those who sought our nation's destruction. What should be condemned is not Israel's action, but the attempt to condemn it. Never have freedom, honour, justice, national interest and international morality been so righteously protected.

While fighting raged on the Egyptian-Israel frontier and on the Syrian front, we still hoped to contain the conflict. Jordan was given every chance to remain outside the struggle. Even after Jordan had bombarded and bombed Israel territory at several points, we still proposed to the Jordanian monarch that he abstain from any continuing hostilities. I sent a message to him to this effect through General Odd Bull, the United Nations representative, at 12:30 p.m., some hours after the beginning of hostilities. A message to this effect reached him several hours after the outbreak of hostilities on the southern front on 5 June.

Jordan tragically answered not with words but with a torrent of shells. Artillery opened fire fiercely along the whole front with special emphasis on the Jerusalem area. It was a day of ordeal and of agony, and of death and of bereavement in Jerusalem streets. Thus Jordan's responsibility for the second phase of the concerted aggression is established beyond doubt. Surely this responsibility cannot fail to have its consequences in the peace settlement. As death and injury rained on the city, Jordan had become the source and origin of Jerusalem's fierce ordeal. The inhabitants of that city can never forget this fact, or fail to draw its conclusions.

I have spoken of Israel's defense against the assaults of neighboring States. This is not the entire story. Whatever happens in the Middle East for good or ill, for peace or conflict, is powerfully affected by what the great Powers do or omit to do. When the Soviet Union initiates a discussion here, our gaze is inexorably drawn to the story of its role in recent Middle Eastern history. It is a sad and shocking story; it must be frankly told.

There was in Soviet policy a brief but important period of balanced friendship. In 1948 the Soviet Union, in the Security Council, condemned what it called "Arab aggression". But in the last fourteen years the picture has changed. First of all there has been the arms race.

Since 1955, the Soviet Union has supplied the Arab States with 2,000 tanks, of which more than 1,000 have gone to Egypt. It has supplied the Arab States with 700 modern fighter aircraft and bombers; more recently with ground missiles, and Egypt alone has received from the USSR 540 field guns, 130 medium guns, 200 120-mm mortars, 695 anti-aircraft guns, 175 rocket launchers, 650 anti-tank guns, 7 destroyers; a number of Luna M and Sopka 2 ground-to-ground missiles, 14 submarines and 46 torpedo boats of various types, including missile-carrying boats. The Egyptian army has been trained by Soviet experts. Most of the equipment was supplied to the Arab States after the Cairo summit conference of Arab leaders in January 1940, which agreed on a specific programme for the destruction of Israel; after they had announced and hastened to fulfill this plan by accelerating arms purchases from the Soviet Union. The great proportions of Soviet assistance in the military field are attested to by the startling fact that in Sinai alone the Egyptians abandoned equipment and offensive weapons of Soviet manufacture whose value is estimated at $2 billion.

Together with the supply of offensive weapons, the Soviet Union has encouraged the military preparations of the Arab States.

Since 1961 the Soviet Union has assisted Egypt in its desire to conquer Israel. The great amount of offensive equipment supplied to the Arab States strengthens this assessment.

Thus a great Power, professing devotion to peaceful settlement and the rights of States, has for fourteen years afflicted the Middle East with a headlong armaments race; with the paralysis of the United Nations as an instrument of security; and with an attitude of blind identification with those who threaten peace against those who defend it.

The constant increase and escalation of Soviet armaments in Arab countries have driven Israel to a corresponding though far smaller procurement programme. Israel's arms purchases were precisely geared to the successive phases of Arab, and especially Egyptian rearmament. On many occasions in recent months we and others have vainly sought to secure Soviet agreement for a reciprocal reduction of arms supplies in our region. These efforts have borne no fruit. The expenditure on social and economic progress of one-half of what has been put into the purchase of Soviet arms would have been sufficient to redeem Egypt from its social and economic ills, and corresponding diversion of resources from military to social expenditure would have taken place in Israel. A viable balance of forces could have been achieved at a lower level of armaments, while our region could have moved forward to higher standards of human and social welfare. For Israel's attitude is clear. We should like to see the arms race slowed down. But if the race is joined, we are determined, for our very existence, not to lose it. A fearful waste of economic energy in the Middle East is the direct result of the Soviet role in the constant stimulation of the race in arms.

It seems clear from Arab sources that the Soviet Union has played an alarmist role in spreading incendiary reports of Israeli intentions amongst Arab Governments.

On 9 June President Nasser said:

"Our friends in the USSR warned the visiting parliamentary delegation in Moscow at the beginning of last month, that there exists a plan of attack against Syria."

A great Power is telling Egypt that Israel is about to attack Syria. This is ten days after the Secretary-General of the United Nations has published a report stating that there are no troop concentrations at all in northern Israel against Syria.

Similarly, an announcement by TASS of 23 May states:

"The Foreign Affairs and Security Committee of the Knesset have accorded the Cabinet, on 9 May, special powers to carry out war operations against Syria. Israeli forces concentrating on the Syrian border have been put in a state of alert for war. General mobilization has also been proclaimed in the country . . .".

There is not one word of truth in this story. But its diffusion in Arab ears could only have an incendiary result.

Cairo Radio broadcast on 28 May an address by Marshal Gretchko at a farewell party in honour of the former Egyptian Minister of Defence Shams ed-Din Badran:

"The USSR, her armed forces, her people and Government will stand by the Arabs and will continue to encourage and support them. We are your faithful friends and we shall continue aiding you because this is the policy of the Soviet nation, its party and government."

Now this promise of military support came less than a week after the illicit closing of the Strait of Tiran, an act which the Soviet Union had done nothing to condemn. So much, then, for the arms race and for the portrayal of Israel, in anxious Arab ears, as being poised for some fictitious aggression.

At the same time, the Security Council's role had been paralysed, for the Soviet Union has exercised its veto right there five times. Each time a just or constructive judgment has been frustrated. It is important that we should analyse what these vetoes have been.

On 22 January 1954, France, the United Kingdom and the United States presented a draft resolution to facilitate irrigation work on the west bank of the River Jordan in the Bnot Yaakov Canal project. The Soviet veto paralysed regional water development for several years. On 29 March 1954, a New Zealand resolution, simply reiterating United Nations policy against blockade on the Suez Canal, was frustrated by Soviet dissent. On 19 August 1963, a United Kingdom and United States resolution on the murder of Israelis at Almagor, on Israel territory, was denied adoption by Soviet opposition. On 21 December 1964, the Soviet Union vetoed a United Kingdom and United States resolution deploring incidents at Tel Dan, including the shelling of Dan, Dafne, Shaar Yashuv. Finally, on 2 November 1966, Argentina, Japan, Netherlands, New Zealand and Nigeria joined to express regret at "infiltration from Syria and loss of human life caused by the incidents in October-November 1966"—a mild expression of regret at the loss of life by Syrian infiltration, one of the few resolutions in United Nations history sponsored by representatives from all the five continents.

Let me then summarize what the proposals are that have been vetoed: The use of water for irrigation instead of being wasted—veto. Free passage in international waterways—veto. An expression of regret that Israeli citizens had been murdered on Israeli soil—inadmissible, veto. An expression of regret at the bombardment of Israeli villages from Syrian guns—impossible, veto. And a resolution by eight countries, from five continents, expressing, in the most mild terms, regret at the infiltration from Syria and loss of human life in October-November 1966—the door is closed even to such mild expressions of condemnation.

Now this use of the veto has had a dual effect. First, it has prevented any resolution to which an Arab State was opposed from being adopted by the Council. The Council has therefore become a one-way street. Secondly, it has inhibited the Security Council from taking constructive action in many disputes between an Arab State and Israel because of the certain knowledge that the veto would be applied in whatever was deemed to be an Arab interest. The consequences of the Soviet policy have been to deny Israel the possibility of just and equitable treatment in the Security Council, and very largely to nullify the Council as the constructive factor that it should be in the affairs of the Middle East.

Does all this really add up to a constructive intervention by a great Power in the Arab-Israel tension? The position became graver when we recall the unbridled invective against the Permanent Representative of Israel in the Security Council. In its words and in a letter to the Israel Government, the Soviet Union has formulated an obscene comparison between the Israel defence forces and the Hitlerite hordes which overran Europe in the Second World War. There is a flagrant breach of elementary human decency and of international morality in this odious comparison—Israel with Hitler Germany. Our nation never compromised with Hitler Germany. It never signed a pact with Hitler Germany, as did the Soviet Union in 1939. To associate the name of Israel with the accursed tyrant who engulfed the Jewish people in a tidal wave of slaughter is to violate every canon of elementary taste and of fundamental truth.

In the light of this history, the General Assembly will easily understand Israel's reaction to the Soviet initiative in convening this special session, not for the purpose of proposing constructive or balanced solutions, but for the purpose of condemning our country and recommending the withdrawal to the position and situation that existed before 5 June.

In respect of the request for a condemnation, I give a simple answer to the Soviet Government. That Government's record in the stimulation of the arms race, in the paralysis of the Security Council, in the encouragement throughout the Arab world of unfounded suspicion of Israel's intentions, the constant refusal to say a single word of criticism at any time of declarations threatening the violent overthrow of Israel's sovereignty and existence—all this gravely undermines your claims to objectivity. You come here in our eyes not as a judge or as a prosecutor, but rather as a legitimate object of international criticism for the part that you have played in the sombre events which have brought our region to a point of explosive tension. If the Soviet Union had made an equal distribution of its friendship amongst the peoples of the Middle East, if it had refrained from exploiting regional tensions for the purposes of its own global policy, if it had stood in even-handed devotion to the legitimate interests of all States, then the crisis which now commands our attention and anxiety would never have occurred.

To the charge of aggression, I answer that Israel's resistance at the lowest ebb of its fortunes will resound across history, together with the uprising of our battered remnants in the Warsaw Ghetto, as a triumphant assertion of human freedom. From the dawn of its history the people now rebuilding a State in Israel has struggled often in desperate conditions against tyranny and aggression. Our action on 5 June falls nobly within that tradition. We have tried to show that even a small State and a small people have the right to live. I believe that we shall not be found alone in the assertion of that right, which is the very essence of our Charter.

Similarly, the suggestion that everything goes back to where it was before 5 June is totally unacceptable. The General Assembly cannot ignore the fact that the Security Council, where the primary responsibility lies, has emphatically rejected such a course. It was not Israel, but Syria, Egypt and Jordan, which violently shattered the whole fabric and texture of inter-State relations which existed for a decade since 1957. That situation has been shattered to smithereens. It cannot be recaptured. It is a fact of technology that it is easier to fly to the moon than to reconstruct a broken egg. Something organic has been destroyed; something new must be built. Therefore, the Security Council acted wisely in rejecting the backward step now advocated again by the Soviet Union. To go back to the situation out of which the conflict arose would mean that all the conditions for renewed hostilities would be brought together again. I repeat what I said to the Security Council. Our watchword is not backward to belligerency, but forward to peace.

What the Assembly should prescribe, in our view, is not a formula for renewed hostilities, but a series of principles for the construction of a new future in the Middle East. With the cease-fire established, our progress must be not backward to an armistic regime which has collapsed under the weight of years and the brunt of hostility. History summons us forward to permanent peace. The peace that we envisage can only be elaborated in frank and lucid dialogue between Israel and each of the neighbouring

States. We dare not be satisfied with intermediate arrangements which are neither war nor peace. Such patchwork ideas carry within themselves the seeds of future tragedy. Free from external pressures and interventions, imbued with a common love for a region which they are destined to share, the Arab and Israel nations must now transcend their conflicts in dedication to a new Mediterranean future in concert with a renaissant Europe and an Africa and Asia emerging at last to their independent role on the stage of history.

In free negotiations with each of our neighbours, we shall offer durable and just solutions redounding to our mutual advantage and honour. But surely the Arab States can no longer be permitted to recognize Israel's existence only for the purpose of plotting its elimination. They have come face to face with us in conflict. Let them now come face to face with us in peace.

In peaceful conditions we could build a new region, with communications running from Haifa to Beirut and Damascus in the North; to Amman and beyond in the East. The opening of these blocked arteries would stimulate the life, thought and commerce in the region beyond any level otherwise conceivable. Across the Southern Negev communication between the Nile Valley and the Fertile Crescent could be resumed without any change in political jurisdiction. The Kingdom of Jordan, now cut off from its natural maritime outlet, could freely import and export its goods on the Israeli coast. On the Red Sea, co-operative action could expedite the port developments at Elath and Aqaba, which give Israel and Jordan their contact with a resurgent East Africa and a developing Asia.

And so the Middle East, lying athwart three continents, could become a busy centre of air communications, which are now impeded by boycotts and circuitous routes. Radio, telephone and postal communications which now end abruptly in midair would unite a divided region. The Middle East with its historic monuments and scenic beauty could attract vast movements of travellers and pilgrims if existing impediments were removed. Resources which lie across national frontiers—the minerals of the Dead Sea and the Araba—could be developed in mutual interchange of technical knowledge.

In the institutions of scientific research and higher education on both sides of the frontiers, young Israelis and Arabs could join in a mutual discourse of learning. The point is that the old prejudices must be replaced by a new comprehension and respect, born of a reciprocal dialogue in the intellectual domain. In such a Middle East, military budgets would spontaneously find a less exacting point of equilibrium. Excessive sums devoted to security could be diverted to development.

Thus, in full respect of our region's diversity, an entirely new story, never known or told before, could unfold across the Eastern Mediterranean. For the first time in history, no Mediterranean nation is in subjection. All are endowed with sovereign freedom. The challenge now is to use this freedom for creative growth. There is only one road to that end: the road of recognition, of direct contact and of true co-operation, of peaceful coexistence. And this road leads to Jerusalem.

Jerusalem, now united after its tragic division, is no longer an arena for gun emplacements and barbed wire. In our nation's long history there have been few hours more intensely moving than the hour of our reunion with the Western Wall. A people had come back to the cradle of its birth. It has renewed its link with the mystery of its origin and its continuity. How long and how deep are the memories which that reunion evokes.

For twenty years there has not been free access by men of all faiths to the shrines which they hold in unique reverence. This access now exists. Israel is resolved to give effective expression, in co-operation with the world's great religions, to the immunity and sanctity of the Holy Places.

The prospect of a negotiated peace is less remote than it may seem. Israel waged its defensive struggle in pursuit of two objectives—security and peace. Peace and security, with their juridical, territorial, economic and social implications, can only be built by the free negotiation which is the true essence of sovereign responsibility. A call to the recent combatants to negotiate the conditions of their future coexistence is surely the only constructive course which this Assembly could take.

We ask the great Powers to remove our tormented region from the scope of global rivalries; to summon its Governments to build their common future themselves; to assist the Middle East, if they will, to develop social and cultural levels worthy of its past.

We ask the developing countries to support a dynamic and forward-looking policy and not to drag the new future back into the outworn past.

To the small nations which form the bulk of the international family we offer the experience which teaches us that small communities can best secure their interests by maximal self-reliance. Nobody helps those who do not help themselves. We ask the small nations, in the solidarity of our smallness, to help us stand firm against intimidation and threat such as those by which we are now assailed.

We ask world opinion which rallied to us in our plight to accompany us faithfully in our new opportunity.

We ask the United Nations, which was prevented from offering us security in our recent peril, to respect our independent quest for the peace and security which are the Charter's higher ends. We are going to do what the Security Council decided should be done—maintain the cease-fire—and reject the course which the Security Council emphatically and wisely rejected but a few days ago. It rejected the concept of returning to the situation of belligerency out of which the crisis arose—back to the old situation.

It may seem that Israel stands alone among numerous and powerful adversaries. But we have faith in the undying forces in our nation's history which have so often given the final victory to spirit over matter, to inner truth over mere quantity.

The Middle East, tired of wars, is ripe for a new emergency of human vitality. Let the opportunity not fall again from our hands.

A NEW AMERICAN FOREIGN POLICY

Mr. McGOVERN. Mr. President, one of the most farsighted and prudent views of American foreign policy which has yet come to my attention is an address by the distinguished Senator from Wisconsin [Mr. Nelson] to the Unversity of Wisconsin Law School Student Bar Association on May 1, 1967.

Senator Nelson, who is one of our most thoughtful foreign policy observers, has pointed out that the constantly changing world in which we live demands a foreign policy that takes account of new realities.

I ask unanimous consent that this superb statement by the junior Senator from Wisconsin be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

A New American Foreign Policy for the Last Third of the 20th Century

(An address by Senator Gaylord Nelson to the University of Wisconsin Law School Student Bar Association)

I want to discuss with you the kind of foreign policy which I think we must develop to deal with the problems our nation will face in the last third of the 20th century. In connection with this discussion, I will deal with the problem in Vietnam, but my real desire is to show that American foreign policy must be broad enough to deal with all the problems of the world and must not become imprisoned in one especially serious problem in one especially troubled area.

Some thoughtful commentators have said that the problem of American foreign policy is that it tends to lag behind the times. We live in a constantly changing world. We have learned now that, content as we might be in our happy land, we cannot stem the tides of change that continue to sweep the rest of the globe. In fact, we can only assume that the changes of the future will be much more sudden and much more sweeping than the changes of the past.

The first third of the 20th century marked the emergence of the United States as a mature, industrial nation, but it was marred for us by our involvement in World War I. We were deeply distressed by that tragic war and disillusioned at the way in which we seemed to lose the peace afterward. We seemed to conclude that that war was a result of diplomatic folly and greed on the part of European powers and we all but swore we would never involve ourselves in such problems again.

This sad experience in the first third of the 20th century largely determined our foreign policy as we moved into the second third of the century. As a result of our plunge into isolationism we had no adequate policy to deal with the threats facing our nation during the rise of fascist dictatorships bent on world conquest.

The second third of the 20th century was dominated by World War II and the emergence of the United States as possibly the most powerful nation in the world and the single protector of the peace, holding its nuclear umbrella over much of the civilized world.

Convinced by the experiences leading up to World War II that we would not allow another military dictatorship to threaten world conquest, we based our foreign policy largely on the containment of the expansionist aims of Soviet communism. Regretting that we had not stood firm against fascism in Ethiopia and Nazism in the Rhineland and in Czechoslovakia, we did stand firm against Soviet communism in Greece and in Berlin, and against its Chinese communist ally in Korea as a part of the United Nations peacekeeping force.

As necessary and successful as this policy of containment was, few thinking students of world affairs think that it still provides an adequate foreign policy for the United States in the world today.

Yet our government continues to talk as though it does.

Explaining foreign policy to the man in the street is always a difficult and frustrating task. Therefore, a beleaguered official may be excused if he deals in the strong, simple terms which people understand and if he draws upon the lessons of the past which loom so large in the public's memory.

Thus, we find the Secretary of State today stating that the situation we face in Vietnam today is the same situation we faced in Greece in 1948 and in Korea in 1950. We are told that unless we stand firm against communism in South Vietnam (as we should have stood against Japanese imperialism in Manchuria and German Nazism in Europe) we will soon be facing the same communist hordes in the Philippines or in San Francisco.

It is this apparent reluctance to face the realities of a changing world which, more than anything else, has made me skeptical all along about the wisdom of our policy in Southeast Asia.

For the simple fact is that the world of 1967 is not the world of 1947. The central fact of world affairs today is not the urgent danger of Soviet expansionism or even Chinese expansionism.

The central fact of world affairs today is the utter collapse of the monolithic world communist movement and the emergence instead of hundreds of independent drives toward nationalism and self-determination in countries throughout Asia, Africa and Latin America.

Those who are still fighting a 20-year-old battle to contain Soviet communism and its Chinese ally should know that this thrust toward world conquest, originating in Moscow and later in Peking, has already been splintered by the new forces of nationalism.

They should also know that these same forces of nationalism will smash any effort America might make to contain them.

If America wants to be the preeminent world power (and I must say that for the hope of the world, I think we must strive to be just that) then we must not squander our resources and destroy our credibility in the eyes of all the emerging nations. We must not take upon ourselves the role of a fireman, rushing about the globe and trying to extinguish the flames of nationalism wherever they appear.

Instead, as the most successful new and independent nation founded in modern times, America should provide the creative leadership needed to encourage this new spread of nationalism, to channel it constructively, and to help extend, and not restrict, the boundaries of liberty throughout the world.

We must accept the fact that we live in what President Kennedy referred to as "a world of diversity." We must not make the shallow assumption that every nation not dominated by us will, therefore, be dominated by the Soviet Union or communist China.

We must make clear that we believe in our democratic institutions and that we would grant the same privilege to others to choose their own systems. We cannot use our tremendous military and economic power to preside over the world as a kind of judge, jury and executioner.

I don't intend to offer the detailed specifics of a new American foreign policy here today. In fact, I want to emphasize to you that if there is to be a new American foreign policy to suit the tremendous challenge of the last third of the 20th century, much of it is going to have to be written by people like you.

But the task can be done. America is frustrated in world affairs because it cannot use the awesome nuclear power which it has developed to eliminate a small but insidious war in Vietnam. This vast nuclear power will be of no greater value to us in the hundreds of new Vietnams which threaten to emerge in the years ahead.

We could seize the reins of world leadership if we could unleash the real power of the United States—the power to capture the imagination and the aspirations of men of all races and economic philosophies who want nothing more than to recreate in their homeland the American experience which has brought freedom and dignity to us. We have the history, born of revolution; we have the financial resources, we have the technical and economic know-how. And we still have a pretty good reputation as the one major power in the world which does not covet the territory of other people and which does not seek to impose its views—military, political, economic or religious—upon the people of other lands.

This is the real power of America, and if we will wield it in world affairs, it can make the last third of the 20th century a time of peace and an era in which the American dream can spread around the world.

REMARKS BY SENATOR EDMUND S. MUSKIE INTRODUCING A BACCALAUREATE SERMON BY THE REVEREND WILLIAM H. HUDNUT III, OF INDIANAPOLIS, IND., JUNE 22, 1967

Mr. MUSKIE. Mr. President, early this month I was privileged to attend the baccalaureate service of the commencement program at Hanover College, in Indiana. The baccalaureate sermon was given by the Reverend William H. Hudnut III, of the Second Presbyterian Church of Indianapolis, and I was impressed by his message.

Reverend Hudnut said that freedom requires discipline. He told the graduating class:

> From beginnnig to end, the Bible establishes a connection between liberty and self-restraint, teaching that the one cannot be enjoyed without the other.

Our society grows increasingly complex, and our opportunities and alternatives become increasingly varied. Many traditions and standards which guided earlier generations no longer seem to have validity for many.

Against this background, which confuses many young adults and perplexes and alarms their parents, the Reverend Hudnut's remarks have increased significance.

Mr. President, I ask unanimous consent that his baccalaureate sermon be printed in the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

FREEDOM IS NOT FREE

(Baccalaureate serman, Hanover College, June 4, 1967, Rev. William H. Hudnut III, Second Presbyterian Church, Indianapolis, Ind.)

(Text: Galatians 5:13: "For you were called to freedom, brethren; only do not use your freedom as an opportunity for the flesh, but through love be servants of one another.")

One of the clearest conclusions in Scripture is that freedom must be accompanied by discipline, or it will become license. Or, to put it another way, privilege must evoke a sense of accountability, or it will deteriorate into irresponsible behavior. From beginning to end, the Bible establishes a connection between liberty and self-restraint, teaching that the one cannot be enjoyed without the other.

Adam and Eve had freedom, freedom not to sin, freedom to eat anything they wanted except the fruit of one tree. But they could not voluntarily impose any limits on themselves. They disobeyed. They ate of the forbidden fruit. They were expelled from the Garden. And they lost their freedom not to sin.

The Israelites during the days of the ancient prophets and kings enjoyed a unique relationship with God, believing, that He had guided them into successful territorial conquest and cornucopian material accomplishment. But when their conduct degenerated, when drunkenness and prostitution and idolatry became the order of the day, when the poor were oppressed and the needy were sold for a pair of shoes, when the dark shadows of injustice stalked the streets of Israel's cities casting darkness across the land, there thundered forth from the wilderness the prophetic voice of the shepherd Amos:

"Hear this word that the Lord has spoken against you, O people of Israel, against the whole family which I brought up out of the land of Egypt: 'You only have I known of all the families of the earth: therefore I will punish you for all your iniquities.'"

What Amos meant was this: God has taken special care of you, blessed you in a very wonderful way. But you have flaunted Him. You have forsaken Him. You have failed Him. Therefore you will be punished, because you do not realize that your privileged position imposes upon you special obligations. And sure enough, a few years later, the capital city of Israel lay in ruins.

Or take another example, this one from the New Testament. Perhaps the most startling and immediate manifestation of the Good News that Christ preached, was that many many people who heard Him realized that it was not necessary for them to observe the thousands of jots and tittles in the Jewish law in order to please God or be saved. Christ actually broke a Jewish law—the one about working on the Sabbath—in order to demonstrate the validity of a higher law, the law of love. Some of the first-generation Christians, however, forgot about that higher law. Exhilarated by their new freedom from Jewish legalism, they went around abusing their Christian liberty, breaking laws willfully, doing whatever they pleased. Paul was very concerned about the direction they were heading, because he realized that it would utterly undo Christ's work if His followers became hedonists and libertines. "Take care lest this liberty of yours somehow become a stumbling block to the weak," he wrote the Corinthians (I Cor. 8:9). "You were called to freedom, brethren," he wrote the Galatians (5:13): "only do not use your freedom as an opportunity for the flesh, but through love be servants of one another." Here again, then, we encounter the same warning: If you do not use your freedom responsibly, you will lose it and become the slave of your passion and your peers and of evil itself.

The young people who toured our country last year under the banner of the "Sing Out '66" program, had a song that stated the point rather well:

"Freedom isn't free. You got to pay a price you got to sacrifice, for your liberty. In ancient Rome they felt so free doing what comes naturally, but they were so busy being merry ones, that they didn't notice the barbarians. From Vietnam to Alamein our fighting men will have died in vain, if we go on with our comfort and ease, doing exactly as we dang well please. Freedom isn't free. Each generation must win it anew. You got to pay a price, you got to sacrifice, for your liberty."

I think this is an important lesson for us to remember—not just at commencement time, although now seems an appropriate time to emphasize it, because you graduating seniors are gaining a new freedom today (maybe some of you would call it an emancipation!); you are beginning a new chapter in your lives, moving into new fields where you will have greater latitude—but throughout the year. Liberty cannot be preserved without self-discipline, self-restraint, and a strong sense of responsibility. Freedom without discipline leads to anarchy; discipline without freedom leads to despotism.

Our founding fathers knew this. That's why they built a series of checks and balances into our system of government, so vaulting ambition could be checked before it o'erleaped itself, and one wing of government could not usurp prerogatives that belong to the other. John Adams wrote in 1765:

"I always consider the settlement of America with reverence and wonder, as the opening of a grand scene and design in Providence for the illumination of the ignorant and the emancipation of the slavish part of mankind all over the earth." (Cousins, *In God We Trust*, p. 84)

But Adams and his contemporaries also appreciated the truth that this magnificent emancipation, this new freedom, has to be guaranteed by virtue, or it would be lost. Said Washington in his Farewell Address: "Of all dispositions and habits which lead to political prosperity, religion and morality are indispensable support . . . virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government." Which is to suggest, the founding of our country was based on the presupposition that a free way of life can be successfully established only if the throwing off of an external yoke of political or ecclesiastical despotism is accompanied by a voluntary assumption on the part of the people of a solemn moral obligation to impose restraints upon one's self from within.

In an article entitled "A Fourth of July Reminder: Freedom is a Two-Edged Sword," which appeared in *The Reader's Digest* in July, 1966, Arthur Gordon recounted an incident that he witnessed one Fourth of July. A group of people had been listening to a patriotic address on the meaning of Independence Day, in which the speaker made the customary remarks about our heritage of Freedom and the courage of the men who signed the Declaration of Independence. As the applause was dying away after his speech, a voice spoke from the crowd suddenly and unexpectedly: "Why don't you tell them the whole truth?"

Startled, everyone looked around. The words came from a young man in a tweed jacket with untidy hair and intense angry eyes. "Why don't you tell them that freedom is the most dangerous gift anyone can receive?" he asked. "Why don't you tell them it's a two-edged sword that will destroy us unless we learn how to use it, and soon? Why don't you make them see that we face a greater challenge than our ancestors ever did? They only had to fight for freedom. We have to live with it!" The young man stared for a moment at the blank uncomprehensive faces. Then he shrugged his way through the crowd and disappeared.

Well, he made a telling point. Arthur Gordon calls it "a swift and stunning insight." Freedom is a two-edged sword. It can be a dangerous thing, because it implies the possibility of choosing the wrong path. A young person who finally wins a driver's license after much practice and testing, gains a new and long-dreamed of freedom, freedom to drive a car, freedom to pick up one's girl at her house oneself instead of having Dad do the driving, freedom to get to school on one's own instead of riding the school bus, freedom to travel, freedom to get around, freedom to move, freedom to feel the breeze in one's face and watch the landscape go whizzing by, but this freedom is dangerous, ominous. It can be misused. A wrong choice can be made, turning a license to drive into a license to kill. A car can blight rather than bless when it is used without restraint. It can become a 3200-pound vehicle of death-dealing destruction in twisted steel, crumpled chrome and shattered glass. Freedom to drive a car presupposes awareness of the limits within which driving is safe; without commitment to observe those limits, freedom becomes license and life is threatened by death.

This is but one example of the more general point, that we must always try, as students, as American citizens, and as Christians, to connect liberty with responsibility, opportunity with obligation, and freedom with discipline.

We have freedom of speech, but we should not use it as an occasion for talebearing, gossiping, falsehood and half-truthing.

We have freedom to buy on credit, but we should honor our debts and fulfill our financial commitments.

We have freedom to work in whatever job we want, but should not allow job security to serve as an excuse for feather bedding, free loading or laziness.

We have freedom to disassociate ourselves from the prevailing view, believing as we do that ultimately God alone is Lord of the conscience, but we should not let our disagreement deteriorate into irrational emotional excesses that incite people to anarchy or brand the responsible leaders of our country as "buffoons," and worse; nor should we seek to tyrannize the majority with our minority point of view, remembering that the majority has its rights too.

We have freedom to exercise the franchise, to vote under the secret ballot, to participate in public dialogue, but we should not take it for granted, this freedom, and fall into apathy and indifference; because, as Edmund Burke once reminded the English, the best way to assure the triumph of an evil cause is for good men to do nothing.

We have freedom to petition peacefully for redress of grievances, but we should not allow this to lead to riot and destruction of property.

We have freedom to affirm our support of national policy, as in Vietnam, for example; but we should not attempt to stifle discussion about this vexing issue; nor should we, if we belong to the majority, trample the rights of the minority, remembering that "there are truths and forms with respect to which men of good character may differ;" nor should we join the witch hunters and fear mongers and neighborhood vigilantes who are always eager and ready to brand dissent as treason, unorthodoxy as heresy, and discontent as disloyalty.

We have considerable freedom to express ourselves sexually, what with the new openness that informs public discussion of this subject and the increasing availability of the "pill," etc.; but we should understand that sex has a spiritual dimension to it; that without things like love and honor and respect and sensitivity, it is debased into animal gratification; and that the ultimate form of sexual freedom lies not in promiscuity, but in loyalty to one's beloved within the discipline and delight of the marriage vow.

We have freedom to choose where and how we will worship but should not understand this as freedom from religion, or use it as an excuse to boycott the church.

I think some people in our country today, both young and old, misunderstand freedom, because they suppose it means being able to do anything anywhere any time. They suppose it implies emancipation from things like self-discipline, a sense of duty, hard work, suffering and self-sacrifice. An old saying has it that "a man's worst difficulties begin when he is able to do what he likes." The danger is that this corrupted understanding of freedom will produce softness in the moral backbone of the nation. If the only law that counts is the law of self, self-gratification, self-expression, self-aggrandisement, then the floodgates have been opened for the nation to be inundated by moral laxity, dishonesty, greed, materialism, promiscuity, apathy, and anarchy, which is indeed, a rather terrible form of slavery. Arthur Gordon is right:

"The time has come in our national life when we need to look straight at some of the ugly areas in our society—the divorce statistics, the crime statistics, the weakening of family ties, the swirling clouds of racial hatred, the sex explosion on our campuses, the grim persistence of alcoholism, the death toll on our highways—and ask ourselves to what extent these things stem from a distorted concept of freedom which leaves men free to be selfish, free to be lazy, free to be ignoble, free to be weak."

The message that I would like to hear from the pulpits of our churches this graduation weekend when students all over the country are gaining a new measure of freedom, is that your new-found independence does not mean license to do whatever you want. That's the meaning of our text: "You were called to freedom, brethren; only do not use your freedom as an opportunity for the flesh, but through love be servants of one another." Independence involves a mature understanding of liberty, a responsible attitude toward one's obligation to one's neighbors and one's God, and a strong self-discipline. True freedom comes only when we confess our bondage to the higher laws of mutual responsibility and love. That's why in the Christian church we sometimes sing, "Make me a captive, Lord, and then I shall be free."

An eloquent plea for this case has come from the pen of a private in the Army, named John J. Hogan, an American G.I., who was killed in the Pacific theater during World War II. We will conclude by reading the words of the last letter he sent home before he fell in battle. Listen to what he wrote:

"DEAR FAMILY: I don't know when mail from home has meant so much to me. As I write, the sun is setting on one of those beautiful Pacific days that more than makes up for the rainy ones. It's got me thinking about our country.

"The American people have emerged today with more power and prestige than any country in the family of nations. Mankind is knocking at our gates, seeking wisdom from our leaders, the hope of peace from our people. Before we can fulfill our destiny to lead the world to sanity and harmony, we shall have to rebuild the fiber of our national life.

"Suppose we as a nation find again the faith our fathers knew? Suppose our statesmen learn again to listen to the voice of God. Then we shall know once again the greatness of a nation whose strength is in her obedience to the moral law of God, whose strength is in the spirit of her people.

"There is only one other road. Those who divide and conquer, those who would make money and materialism the philosophy of our national life, pride and power the goals of our living, they too have a road to offer—and at its end is racial and class warfare and national suicide.

"America, choose the right road. Unless there is born again in our people the spirit of sacrifice and service, of moral responsibility, my comrades and I who fight on the beaches and those of us who will die here will have been exploited and betrayed and fought and died in vain.

"It is the eleventh hour. By your choice you will bless or blight mankind for a thousand years to come.

"Which road will it be America?"

EDITORIAL SUPPORT FOR TEACHERS CORPS

Mr. NELSON. Mr. President, next week the current authorization for the Teachers Corps expires.

Due to legislative delay and difficulties, the new authorization has not yet been passed, and the supplemental appropriation for this coming summer is in danger of being lost.

Extraordinary efforts are being made by the Senate Education Subcommittee, under the leadership of Senator MORSE, to report out the bill in time to meet the June 30 deadline and similar action is underway in the House.

An editorial published in yesterday's New York Post states the urgent need for swift congressional action to save the Teachers Corps.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TEACHER DROPOUTS

It is a troublesome enough problem already that so many kids in slum neighborhoods are dropping out of school. It becomes a near-disaster when teachers in slum schools begin dropping out.

But that is happening, solely because of Congressional neglect of the National Teachers Corps. Its volunteer members, both experienced teachers and teacher-interns, have been forced to leave the fund-starved Corps in increasing numbers—to seek teaching jobs that pay regularly.

This week, after protracted political bargaining between the Administration and Chairman Green (D-Ark.) of the House Higher Education subcommittee, the House Education and Labor Committee approved a three-year extension of the Corps and new funding for it. There are only a few days for the House and Senate to act on the extension before a summer recess—scheduled to begin as the Corps expires.

This should be treated as priority legislation. It is a final examination which Congress cannot flunk. The kids and the teachers should both have practical encouragement to stay in school.

CRISIS IN THE COURTS

Mr. DIRKSEN. Mr. President, each Wednesday since April 12 the articles entitled "Crisis in the Courts," written by Howard James, have appeared in the Christian Science Monitor. Because I believe these articles to be of interest to Members of Congress, I have placed them in the RECORD. Today I ask unanimous consent that article 11 be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, June 21, 1967]

DOES THE PRESS SWAY JUSTICE?

(By Howard James)

The people who live in the suburbs west of Chicago were stunned when 10-year-old Debbie Fijan was found murdered Feb. 11, 1966. after school.

In the public reaction that followed, newspapers, radio, and television stations and the national wire services sent reporters out to ask the Du Page County sheriff's office what was being done to capture the killer.

Sheriff Stanley A. Lynch was under pressure from all sides. And it wasn't long before his men nabbed a suspect—one of Debbie's teachers, Loren Schofield.

Debbie had been timekeeper at an elementary school basketball game on the afternoon she was slain. Loren Schofield coached that game.

IN THE HEADLINES

On Feb. 15 one paper reported: "Schofield Questioned for More Than Nine Hours."

A Chicago newspaper story on Feb. 15 began: "A young gym teacher who flunked a series of lie tests was charged with murder Tuesday in the stabbing death of 10-year-old Debbie Fijan.

" 'I think I could have done it,' the accused teacher, Loren Schofield, told Du Page County sheriff's police. 'I am sick and I need help.' "

The following day Page 1 headlines in another paper announced:

"Lab Tests Charred Clothes of Teacher . . . Punish Killer, Girl's Father Pleads. . . . 'We've Got Our Man,' Sheriff Says."

On that same day a Chicago reporter wrote: "Loren Franklin Schofield's inner torture was a secret he apparently betrayed to no one.

"His friends, neighbors, and acquaintances had his own word for it Wednesday, relayed by Sheriff's police, that he was 'sick—I shouldn't be allowed to walk the streets.'

"And yet no one among them had ever detected any sign that Schofield was the kind of man capable of the ghastly crime he is accused of, the mutilation-stabbing of 10-year-old Debbie Fijan."

SHERIFF ON TV

Stories ran daily and usually were accompanied by pictures of the young teacher, the little girl, her parents, the sheriff, and others involved in the story.

Sheriff Lynch went on television so often that one paper reported Feb. 19:

"His frequent appearances before the cameras prompted one law officer to refer to 'Lynch's Spectacular,' and spurred newspaper reporters to ask him Thursday for 'equal time.' "

Then on Feb. 18 another paper headlined:

"Coach Says He Did Not Slay Debbie . . . He Changes His Statement." The story quoted Deputy Milton L. Rowe as saying he had found, on the teacher's clothing, "stains that might have been blood." Further down in the same story was another line: "The crime lab, in a partial report to Sheriff Lynch, has said that the stains found on the clothing which Schofield said he wore last Friday were not blood. . . ."

CASE CALLED PUNY

One Chicago reporter wrote:

"Several law-enforcement officials said privately that Lynch and Hopf [the state's attorney] already have a puny case against Schofield, which they have further weakened by frequent statements before television cameras and newsmen.

"Among the weak points, all admitted by Lynch, are that no motive has been established, no weapon has been found, and it is not known where death occurred.

"However, Lynch has repeatedly asserted he is sure he has the 'right man' but has said that his men were 'working on the theory' that there could have been an accomplice."

Loren Schofield sat in jail 15 days. His school suspended him from his job. Finally bail of $50,000 was set, and his parents were able to scrape up enough to get him released.

STIGMA CLINGS

On April 26, some 70 days after the arrest, a county grand jury listened to four hours of testimony. He was freed after only 35 minutes of deliberation.

But for Mr. Schofield, the nightmare isn't over. He and his wife and their child, and other close relatives, must live with the stigma of the accusations. No other suspect has been found. The sheriff—considered by most to be a responsible man—made flat, positive statements of Mr. Schofield's guilt.

In talking with residents of Du Page County I found some, and perhaps there are many, who still believe the ex-schoolteacher is the killer, and that he wriggled out of the charge by hiring smart lawyers, or on a technicality.

What does the Loren Schofield case mean to what is popularly known as the "fair trial-free press" dispute?

Curiously enough, both sides can argue it shows they are at least partly right—indicating the complexity of the problem.

To understand why, one must first understand the conflict.

The fair trial-free press controversy is tied to two amendments to the Constitution of the United States. The First Amendment is clear:

"Congress shall make no law . . . abridging freedom of the press. . . ."

The Sixth Amendment states:

"In all criminal prosecutions, the accused shall enjoy the right to a speedy trial, by an impartial jury of the state and district wherein the crime shall have been committed. . . ."

CONFLICT INDICATED

The assassination of President Kennedy, the slaying of Lee Harvey Oswald, and the retrial of Dr. Sam Sheppard in Cleveland have prompted lawyers and judges to take a new look at the amendments. Some have concluded—perhaps partly on emotion as well as logic—that there is a serious conflict.

Dozens of lawyers and judges told me that it may be impossible to pick an impartial jury and to keep it insulated from prejudice when the press is free to write what it wants before the trial begins.

In the case of Loren Schofield, the press can point out that he was released by a grand jury despite aggressive—and perhaps sometimes less than factual—reporting.

It can also be argued that Mr. Schofield can seek further justice through the courts by filing civil suits against those who wronged him. In fact this has happened. Mr. Schofield's lawyer, has filed a $2 million suit against Sheriff Lynch and Deputy Rowe. It now is pending in neighboring Kane County. The attorney, Robert A. Chapski of Elgin, says he does not expect the trial to begin for another year.

OUTCOME PROBLEMATICAL

Whether Mr. Schofield can win the suit, of course, is another matter.

While no suit has been filed against the newspapers or radio and television stations, Mr. Chapski contends the press played a key role in injuring his client. A scrapbook filled with clippings will be a major piece of evidence against the sheriff, he says.

Actually, it is being contended that the courts and the jury system are on trial in the free press-fair trial dispute.

Supreme Court decisions have not commented on what the press does as much as on what the courts do not do to guarantee a free trial.

The high court did not, however, negate press responsibility for self-restraint and honest reporting.

LEGAL OPINION DIVIDED

A national survey of the fair trial-free press dispute by this newspaper reveals:

A few of the nation's busiest trial lawyers and some judges assert that except in rare cases press coverage has little effect on whether or not a jury that can hand down a fair verdict can be selected.

"Given a good judge, pretrial publicity has no effect on the trial," says Warren Burnett, of Odessa, Texas, considered by many to be one of the best lawyers in the Southwest. "No system can be devised to meet the problems that arise in the exceptional case like Oswald or Ruby.

"I have seen judges set up a few simple ground rules and inspire the respect of the press and everyone else involved. A good judge will change venue [shift the trial to another city].

"Some judges are reluctant to do this [because they like the publicity of a major case, or feel it will be a reflection on their ability to be fair] and so they clutch a case to their breast."

This is especially true in states where judges run for office. Like other politicians, judges may feel they need the publicity.

Newspapers are often guilty of excesses in "big" cases. This is more often true in communities where papers are competing for business with other papers, or with radio and television stations.

Screaming headlines and titillating stories are examples of crass commercialism that "sells papers," regardless of who is hurt.

Yet more often than not the problem of fair trial vs. free press stems from the actions of judges, prosecutors, or police officials.

VIRULENT PUBLICITY RECALLED

When the Supreme Court of the United States, in an 8–1 decision, overturned the 1954 murder conviction of Dr. Sam Sheppard because "virulent publicity" deprived him of his right to a fair trial, Tom C. Clark, then Associate Justice, placed the responsibility on the public officials involved—not the press.

Writing on a long list of errors made by the judge and other officials, Mr. Justice Clark said:

"The court's fundamental error is compounded by the holding that it lacked power to control the publicity about the trial. . . . The carnival atmosphere at trial could easily have been avoided since the courtroom and courthouse premises are subject to the control of the court. . . .

"The court should have made some effort to control the release of leads, information, and gossip to the press by police officers, witnesses, and the counsel for both sides. Much of the information thus disclosed was inaccurate, leading to groundless rumors and confusion. That the judge was aware of his responsibility in this respect may be seen from his warning to Steve Sheppard, the accused's brother, who had apparently made public statements in an attempt to discredit testimony for the prosecution."

Commenting on the case, George Edwards, Judge of the Sixth United States Circuit Court of Appeals, said recently:

"That was the worst murder trial ever recorded. The trial judge's son was a member of the Cleveland police detective unit that investigated the case and laid the groundwork for the indictment. The trial judge and the prosecutor were both candidates for election to the common pleas bench during the trial. The trial was recessed on election day for campaigning. The trial judge and prosecutor posed together in mutual congratulations after they had been elected. The jury was not sequestered."

Martin S. Hayden, editor of the Detroit News, recently said at a seminar in that city: "The charges the bar wants to make [against the press] fall into the Cleopatra syndrome. You'll recall that when she learned that Mark Antony had been unfaithful she had the slave [who brought the message] killed. Ever since there has been a tendency to take it out on the bearer of bad news."

Defense lawyers contend that once the prosecutor or police give information—too often material that is not admissible as evidence in court—to the press, they have little choice but to issue counterstatements to protect the client.

PRESS CRITICIZED

"The press seems to fail to realize what they do by reporting everything that the prosecutor or police feed them," says John Flynn of Phoenix, a trial lawyer whose name became nationally prominent after he won the landmark Miranda case before the Supreme Court of the United States. [On July 15, 1966, the court threw out the conviction of Ernesto Miranda on charges of kidnaping and rape because it said he had not been advised by interrogating police of his constitutional right to remain silent.] Pretty soon the defense attorney is participating, and the case is being tried in the newspapers."

Reporting fiction, gossip, inadmissible evidence, and police and prosecutor conjecture continues.

Yet many papers are starting to weigh information made available to them in a criminal case carefully. They evaluate it for truth and motive as carefully as they do in other areas of reporting.

The Toledo Blade, and its sister paper, the Morning Toledo Times, have been among the pioneers, announcing last August a set of guidelines they would follow in reporting criminal news before a trial.

They now print: (1) the name, age, and address of the accused person; (2) how the arrest was made and when and where; (3) the charge against the accused and the identity of the complainants; (4) the fact that a grand jury has returned an indictment and that a trial date has been set.

They are not printing, at the time of arrest, (1) any prior criminal record of the accused (which is not admissible in court unless the defendant takes the stand); (2) any reference to a confession other than the fact that an accused has made a statement to police—even then not indicating its nature; (3) any statements by officials or others, construed as detrimental or beneficial to the accused; (4) any statements by attorneys either detrimental or beneficial to the accused or concerning any defense that is to be made during trial; (5) any names of jurors selected for a particular trial; and (6) any arguments made in court in the absence of the jury or any evidence excluded in court.

This came about when the publisher of the two papers, Paul Block Jr., told his editors:

"A maturing press must give some recognition to the realization that keeping a sharp eye on government and the effectiveness of law enforcement does not require us to jeopardize a life. Nor can we argue that thoroughly reporting any single case can keep the courts or police in line. This is a matter of over-all impact resulting from persistent watchfulness and a resulting awareness that we may blow the whistle at any time."

RESPONSIBILITIES RECOGNIZED

While honoring the Sixth Amendment to the Constitution the Two Toledo papers assert they have not backed off from their responsibilities under the First Amendment. In announcing the guidelines, the paper said:

"It should be understood, however, that we also have other responsibilities under the Constitution and that these cannot be waived. The First Amendment guarantee to a free press, for example, imposes an obligation to guard the public interest in all phases of governmental activity. Thus [we] will always investigate thoroughly—with or without the cooperation of official agencies—any evidence of malfeasance, misfeasance, or nonfeasance of anyone in public office."

While rejecting sensationalism, the Toledo papers also noted that guidelines will not apply when they see:

The threat of a breakdown in law enforcement;

A crime wave requiring more than normal information to reassure the public;

Sensational reports spread by out-of-town publications or newscasts requiring the local newspapers to take account of the information or misinformation spread by others;

Attempts to thwart investigations of misbehavior by public officials.

In an interview, Blade editor James C. MacDonald said reporters will continue to gather information about criminal cases and turn it into memo form for possible use after trial. And the paper will be more conscientious in covering trials, he adds.

The guidelines came about after the Toledo papers realized they were often getting only one side of a story in criminal reporting—the police side.

A man might be "convicted" in print shortly after a crime was committed "based on statements by public officials," and later an investigative reporter might discover that there was another side to the story, including negligence on the part of the accusing public officials, he explained.

While the Blade has pioneered in responsible crime news coverage, it has taken its lumps from other newspapers. They see its stand as close to surrender to the bar and bench which, they assert, needs to put its own house in order.

Some more militant editors interviewed call the exceptions to guidelines "loopholes" that make the guidelines a fraud.

PRESS DUTY SUGGESTED

There is little doubt that the press has a duty flowing from the First Amendment to serve as a watchdog for the too-often apathetic public. Wrote Mr. Justice Clark in the Sheppard decision:

"The principle that justice cannot be served behind walls of silence has long been reflected in the 'Anglo-American distrust for secret trials.' A responsible press has always been regarded as the handmaiden of effective judicial administration, especially in the criminal field. Its function in this regard is documented by an impressive record of service over several centuries.

"The press does not simply publish information about trials but guards against the miscarriage of justice by subjecting the police, prosecutors, and judicial process to extensive public scrutiny and criticism. The court has, therefore, been unwilling to place any direct limitations on the freedom traditionally exercised by the news media. . . ."

Adding "we sometimes deplore its sensationalism," he notes that the court has also held that "legal trials are not like elections, to be won through the use of the meeting hall, the radio, and the newspaper."

The fair trial-free press question has long been a smudge-pot controversy. High octane fuel was thrown on it after President Kennedy's assassination and the televised slaying of Lee Harvey Oswald—and more recently in the Sheppard decision.

BAR STANDARDS OFFERED

The Warren Commission said in its report: "The experience in Dallas during Nov. 22–24 is a dramatic affirmation of the need for steps to bring about a proper balance between the right of the public to be kept informed and the right of the individual to a fair and impartial trial."

While the commission called for balance, many law-enforcement officials overreacted, clanged the door of information shut, and turned the key.

For example, in Fairbanks Kassen's Weekly, which bills itself as the "all-Alaska weekly," recently told its readers:

"Because of extreme difficulties in the coverage of court news, including at times being locked out of the courthouse while proceedings are in process, we have decided to suspend until further notice coverage of our court beat and individual court cases.

"We shall instead, concentrate on the operation of the court system in general.

"It is with great reluctance that we decide to suspend this coverage, but we feel the present inadquate hit-or-miss coverage is an injustice to both the public and the individual concerned."

While researching this series I ran into stiff resistance in Anderson, S.C., from Sheriff James H. Williams.

As in other cities, I asked for information about who was in jail and why they were there. A deputy told me he was not authorized to give out the information, although under South Carolina law it is public record. Sheriff Williams was the only one who could give it out, he said. And the sheriff would not be available until the following day.

Puzzled over this, I began checking around the courthouse. Soon I discovered that a seven-year-old and ten-year-old had been jailed on the sheriff's orders. And that an Indiana man had been jailed for months for failing to return a rental trailer, and was awaiting extradition to Indiana. And that others were being or had been held under questionable conditions.

The following morning I met the sheriff, identified myself, explained what I was doing, and asked to look at the records—as I had in cities across the nation.

He said the records were "none of your business."

I then went to the local newspaper—the Anderson Independent and Mail—to see if they could get the material I needed. I discovered that they found it as difficult to get information as I did.

After discussing the problem with Monitor editors, local newsmen, and with several courthouse officials, I engaged G. Ross Anderson Jr., a leading local lawyer.

The following morning Mr. Anderson asked for a court order opening the jail records to the public, as provided by the state statute.

REQUEST DENIED

Circuit Judge Harry Agnew first sided with the sheriff, saying that in his opinion the information requested was "none of your business." Later he denied our request because the word "sheriff" does not appear in the law. Instead the phrase "peace officer" is used, and the judge said he didn't know what that meant.

We asked if he would consider another writ—including the names of deputy sheriffs, since they were specifically mentioned in the law.

Judge Agnew said he couldn't possibly do that for a week or longer. Later a new motion was filed before a visiting judge in the name of the Monitor. G. Carey Hayes Jr., city editor of the Anderson Daily Mail, joined in the action.

The visiting judge worked out a "compromise"—asserting we had the right to look at a book containing part of the information normally available to the press and public. But we were not allowed to look at record cards similar to those shown to me in other cities.

Sheriff Williams later was challenged in federal district court in Greenville, S.C., by one of the men he had jailed, Joseph P. Furguile, who was represented by attorney Fox B. Cahaly.

DAMAGES AWARDED

On May 24 a jury in that court found Sheriff Williams guilty of violating the man's legal rights, and awarded Mr. Furguile $18,500 in damages.

Motions have been made in the sheriff's behalf but have yet to be ruled upon.

Mr. Furguile was jailed for "investigation" on Sept. 2, 1965, when some rings disappeared from a woman's home, and was held until Sept. 27—25 days. The day after his release the woman notified the sheriff she had found the rings in a drawer in her home.

Mr. Furguile testified he was "never served with a warrant, never taken before a magistrate, never advised of his constitutional right to have a lawyer, and was never told he was being held for anything other than suspicion of larceny."

The freedom-of-information center at the University of Missouri's School of Journalism keeps a running tab on judges and others who block reporters from gathering news. The list is long. Examples:

"Oct. 18, 1966—Officials in Luray, Va., clamped a lid of secrecy on the death of a man shot two days before. Police say they were ordered by Commonwealth Attorney A. E. Hackley to make no comment on the shooting, and Hackley also refuses to comment, saying ABA rules prevent him from giving out any information.

GUIDELINES PROPOSED

"October 27, 1966—Starke County, Ind., Circuit Court Judge Marvin D. McLaughlin orders photographers not to take pictures of a defendant in the courthouse, in the jail across the street, or on the street between the two buildings. The judge also tells reporters to confine their stories to testimony presented in court, and announces that in future cases he will hold pretrial news conferences to outline to reporters what they will be permitted to report. In so doing the judge declares, he is following the Sheppard guidelines.

"November, 1966—prosecuting and defense attorneys in the murder trial of Richard Speck issued proposed guidelines for coverage of the trial. Among points listed are: names of prospective or selected jurors will not be released; only what occurs in the courtroom and is a matter of public record should be reported; and witnesses should not be sought out and questioned before the trial for purposes of seeking information for pretrial publication.

"Superior Court Judge Robert H. Beaudreau talks to Springfield, Mass., Union reporter Peg Shaw after a three-hour pretrial hearing held in open court and orders her not to write anything about it. Understanding the judge to mean she could not write anything until after the jury was selected, after it had been empaneled she writes:

" 'Before the trial started Judge Beaudreau denied a motion to suppress evidence on the grounds the evidence was secured by illegal search and seizure.'

"The following court day Judge Beaudreau declares a mistrial (because of what she has written). Several days later he finds Miss Shaw in contempt of court and fines her $100."

Thus the conflict grows.

It is the American Bar Association committee, headed by Paul C. Reardon, a justice of the Supreme Judicial Court of Massachusetts, that is causing most press concern. A report issued by a committee of the American Society of Newspaper Editors tells the story:

"The mere possibility that the bar's tentative proposals for news restrictions may be . . . formalized is causing almost daily attempts to muzzle the press so law enforcement can operate behind closed doors.

"Quite naturally, more and more editors and publishers are beginning to fight back, and at all levels, at the police station, at the city hall where policemen get their orders, at the ballot box where judges and prosecutors are elected, and in the highest courts.

". . . Bitterness is growing. Hard-liners have become more vociferous on both sides. A kind of open warfare threatens in the year ahead."

Judge Reardon says the committee believes there is "a substantial number of cases, greater than is generally believed." where publishing news about a case "poses a significant threat to the fairness of the trial itself."

ATTORNEYS BLAMED

He also points out that the "principal sources of this information was not the media" but rather "the attorneys in the case, and even more often, law-enforcement officials."

By their release of "ill-timed public statements of personal opinion or of matters that may turn out to be inaccurate, incomplete, or inadmissible in evidence" the entire community may "prejudge the case in a manner totally incompatible with the right possessed even by the guilty, to a fair and impartial trial," says Judge Reardon.

Most controversial is the committee's suggestion that police be restrained from talking with the press, and suggestions that judges use their power of contempt to limit publication of news that might affect the fairness of a trial.

Much of what is proposed in the Reardon report is included in the code issued by the Toledo newspapers. Yet it goes further—calling for penalties against lawyers, newspapers, and others.

In early January the Reardon report was answered by the American Newspaper Publishers Association, which contends that "there is no real conflict between the First Amendment guaranteeing a free press and the Sixth Amendment which guarantees a speedy and public trial by an impartial jury."

The ANPA report warned of the dangers "to the public in the restriction or censorship at the source of news, among them secret arrest and ultimately secret trial."

JUDGE QUOTED

It quoted Federal Judge Frank W. Wilson of Chattanooga, Tenn.:

"History has taught us that if the public is to know, the press must be free to report. If it is to be free, it must be free to fail as well as to succeed, to err as well as to be correct."

He adds that when the press errs, it does not err so badly that it prevents a fair trial.

Discussing codes of conduct for newspapers, Judge Wilson says:

"In the preparation and negotiations on such codes, the participants should always bear in mind that freedom of the press is not their exclusive right to bargain with. Freedom of the press is the right of the public to know, not merely the right of any particular publisher to report as he chooses. No publisher or group of publishers and no member of the bar or bar associations has the prerogative to bargain away the public's right to know."

The ANPA report also states:

"In a study covering a 10-year period from 1955 it was shown that American newspapers devoted only 3 percent of their space to crime news," the report contends. In the same period the crime rate in America increased by 73 percent.

"Just as only a small minority of criminal cases—less than 10 percent—ever reach the jury state, an even smaller minority of crime reports reaches public print," the report adds. "A survey in New York City in January 1965, showed that of 11,724 felonies committed, only 41 of those were even mentioned in one newspaper that pays more attention than others to crime news."

"Thus, rather than the curtailing of crime-news reporting, it would indeed seem that much more such reporting is needed in a day when crime is increasing by alarming proportions."

The ABA, editors, and publishers were joined in the free-for-all last Feb. 23 when the Bar of the City of New York's special committee on radio, television, and the administration of justice issued its own report, differing on several points with the ABA's Reardon committee. The New York report was headed by Judge Harold R. Medina, a retired member of the United States Court of Appeals in New York.

ALTERNATIVE SEEN

The Medina report argues that "guarantees of the First Amendment will prevent the use of the contempt power to control the news media even where the impartiality of a petit jury is endangered."

"Furthermore, more recent decisions of the Supreme Court suggest that the court has found in judicial housecleaning an alternative approach to controlling prejudicial publicity that is more consistent with the traditional American preference for an uncensored press."

The Medina committee in answering its own question—"During the pretrial period should the courts and the judges impose controls on the police, the lawyers, and the press?"—took a far different stand than that of the published draft of the Reardon report:

"The prospect, in this pretrial period, of judges of various criminal courts of high and low degree sitting as petty tyrants handling down sentences of fine and imprisonment for contempt of court agaist lawyers, policemen, and reporters and editors is not attractive. Such an innovation might well cut prejudicial publicity to a minimum. But at what a price."

The committee also said it is "firmly of the opinion" that the courts do not have "any power whatsoever" over the police or the press during the early stages of the pretrial period except to control "activities in and around the courthouse."

"In the opinion of the committee, during the pretrial period the news media are restrained only by their own voluntary act from publishing information independently discovered by private persons, and protected by the First Amendment," it adds.

While the Medina report is highly respected, and undoubtedly has had an impact on the thinking of the Reardon committee, as has a report issued by the American Civil Liberties Union, it is still the Reardon study for the ABA that could well affect the press across the nation.

MEETINGS HELD

News-media representatives have been meeting with the Reardon committee to iron out differences, and J. Edward Murray, managing editor of the Arizona Republic and chairman of the American Society of Newspaper Editors' committee working on freedom of information, sees some softening in the Reardon committee position.

"Judge Reardon has issued a set of amendments," says Mr. Murray, "that moves toward the press viewpoint."

Lawyers would still be disciplined by the bar (censure, fine, or disbarment) for giving out information not on the authorized list, but punishing lawyers through contempt proceedings has been dropped, he says. And contempt against news media would be limited to the willful efforts of someone to publish material that would affect the outcome of the trial.

Other changes have been made, another draft is in the works, and the editors have been given an opportunity to present their case to the ABA in Hawaii.

Already press-bench-bar guidelines have been hammered out in roughly a dozen states. Meetings are being held across the nation.

Yet several nationally known trial lawyers interviewed in the past few weeks are deeply concerned over a serious breakdown in press-bar communications.

MORATORIUM ASKED

In the State of Washington, where much progress has been made in ironing out differences, the Bench-Bar-Press Committee, formed in 1964 and headed by Chief Justice Robert C. Finley, asked the Reardon committee to call a "moratorium on American Bar Association final action and recommendations" until state and local groups can meet.

The Washington State committee asserted that it believes "this is a problem which can be resolved only at the state or local level," and that "any restrictive action taken by the American Bar Association would negate the progress and understanding achieved in this state and in other states."

The Washington committee was formed in 1965 and is made up of two members of the State Supreme Court, four Superior Court judges, two from the Magistrates' Association, five members of the state bar association, six newspaper representatives, two from the weekly papers, two from radio, two from television, two from the wire services, one representative from the University of Washington School of Communications, one from the state Prosecuting Attorneys' Association, one from the Association of Sheriffs and Police Chiefs, and a representative of the State Board of Prison Terms and Paroles.

The guidelines are impressive and, according to Justice Finley, "The State of Washington has both free press and fair trial."

There is little question that guidelines are needed, and that the press should carefully and objectively consider its responsibility to the public.

There is evidence that the bench and bar are beginning to put their house in order. The comments by Mr. Justice Clark on the responsibility of the courts indicates the need, as have the findings of this series.

NEVER FEAR TO NEGOTIATE

Mr. BARTLETT. Mr. President, in his inaugural address, President Kennedy said:

> Let us never negotiate out of fear, but let us never fear to negotiate.

Mr. President, as these words are being written, President Johnson is on his way to Glassboro, N.J., to meet with Soviet Premier Kosygin. In light of this meeting, regardless of how it may turn out, in light of world conditions in general and in Vietnam and the Mideast in particular, I think it is most important that we recall and reaffirm the words of President Kennedy. It is most important that this body take the lead in creating public support for the principle embodied in those words so that President Johnson will know he has widespread backing for efforts to settle international disputes through negotiations.

Events of recent days have again underscored that armed conflict, rather than solving disputes, really represents a failure of policies, and does nothing more than set a stage—perhaps with a change of scenery—for new policies, for new negotiations.

I do not contend that a change of scenery does not sometimes help move a plot ahead, but I do contend mere changes of scenery do not make a successful play or successful foreign policy.

There has been a war in the Mideast, and the scenery has been changed. However, the same problems which policies failed to solve before the war still exist and, in some cases, in greater degree than before.

Hatred and demagoguery are still rampant, perhaps made more intense by the humiliation of massive defeat.

As yet, no progress has been made in bringing about face-to-face negotiations among governments of the area which could lead to lasting guarantees of territorial integrity.

As yet, the problems of refugees and water are no closer to satisfactory and humane solutions.

As yet, there is little hope that the arms race in the Mideast will be curtailed.

As yet, there are no indications that the efforts of all the governments will be redirected from the waste of building war machines to the benefits of building better economics for all the people of these nations.

As before war broke out, these problems await negotiated settlement.

However, Mr. President, I do believe that the Mideast conflict proved one thing and indicated another.

It proved the game of brinkmanship, whether played by major or minor nations, is a dangerous game in which no one can be sure of controlling the players so that the brink is not breached.

It indicated that the leaders of the Soviet Union share an interest, or at least in the instance, shared an interest in avoiding a major war. This interest, perhaps bred because of backing a loser, in no way lessens the responsibilities the Soviet Union must carry for encouraging the actions which led to the war. I do submit, however, that in the spirit of President Kennedy's inaugural address, we should not fear to act on and to try to expand this mutual interest. I do not foresee a sudden breakthrough leading to sweetness and light between the Soviet Union and the United States. I do contend that if we are sincerely interested in avoiding a nuclear halocaust, we cannot afford not to attempt to explore the extent of this mutual interest. If this mutual interest is limited to a rejection of nuclear war as an arm of foreign policy, I submit the world will be a great deal better off for that mutual interest.

So it is that I speak today in support of negotiation. So it is that I urge this body to take the lead in building support so that the President never fears that public opinion bars taking advantage of opportunities to negotiate.

Any concrete improvements in the Mideast will result from negotiations. Similarly, the war in Vietnam will eventually end in negotiations. Here again, the President should know that this body subscribes to the words of President Kennedy that we should never negotiate out of fear, but we should never fear to negotiate.

SUPERSONIC TRANSPORT DEVELOPMENT AND FINANCING IS A CREATIVE PARTNERSHIP BETWEEN GOVERNMENT AND INDUSTRY

Mr. METCALF. Mr. President, when President Johnson recently announced that the United States is moving ahead with plans for construction and operation of a supersonic transport, he heralds a new day in cooperative efforts of the private sector, public interest and investor resources.

Much careful thought, study and planning has been put in the total SST program. Engineers, airmen, and financiers have joined forces for this huge undertaking.

Before the SST is finished, the economic impact of the myriad design and production phases of this new technology will be felt in all parts of our land and throughout the world. For example, we in Montana believe that a fine military facility—Glasgow Air Force Base—scheduled to be closed at the end of June 1968—may well play a key role in construction and training of a variety of aerospace components including the SST. The SST will require thousands of new jobs. It will require understanding by citizens and government leaders.

On May 22, 1967, speaking to the Aero

Club of Washington, Maj. Gen. J. C. Maxwell, of the Federal Aviation Administration, described the plans for financing and cost recovery of the Government-industry cooperative SST effort. I commend his speech to the Senate as we seek a wider understanding of this important new development that will have a huge impact on our lives and fortunes. I ask unanimous consent to have General Maxwell's address printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of Maj. Gen. J. C. Maxwell, Before the Aero Club of Washington, May 22, 1967

The usual way to begin a talk is to say I am delighted to be here. With me, that's not the case. I have tried to avoid this for some months and thought I might have succeeded when Stu Tipton graciously took over a couple months ago to talk about the SST because we didn't have a program decision yet. I thought after that, that perhaps I had managed to escape, but Gene Norris, in his dual role as promoter of the aviation business—and the Boeing Company, wouldn't let me get away, so here I am.

Maybe I am not the one who should be up here talking anyway. There are several people at the head table who were involved in the beginning of the program. I was not. General Quesada undertook the feasibility studies of the SST and Mr. Halaby brought it to project status. Mr. Jim Mitchell served on the General Cook Committee that did the initial planning for the supersonic transport. If the program is successful you now know who to give the real credit—if it is a failure, all you have to do is remember the name Maxwell.

It is difficult to imagine how anybody can talk with an aviation group today just a few hours after the 40th anniversary of Lindbergh's historic transatlantic flight without at least mentioning the event. Lindbergh's flight is still probably the greatest single event in aviation history since the Wright Brothers flight. However, as an Air Force Officer, I must admit that the thing about his flight which impressed me the most was the fact that he took off from New York as a Captain and when he landed in Paris 33 and ½ hours later he was promoted to Colonel. That is what is known as supersonic promotion. Of course, no one ever deserved the honor more than Lindbergh. His flight not only paved the way for regular transoceanic travel but it gave the great impetus and public support to aviation in general.

I noted in the morning paper that the replica of Lindbergh's airplane had just arrived in Paris yesterday and that there was a slight misfortune. It seems that the reviewing stands, on which there must have been a great number of officials, slowly sank in the midst of the crowd. Those stands were constructed of material well-known to the state-of-the-art. In fact, we have used them for many centuries. I believe it is a substance called wood. Maybe they should explore the use of titanium!

Just 20 years after Lindbergh crossed the Atlantic at an average speed of just over 100 miles per hour, aviation had progressed to a point where supersonic flight was possible. Chuck Yeager, of course, was the first man to break through the so-called sound barrier. He did it on October 14, 1947, in the Bell X-1. Yeager was in the air less than fifteen minutes from takeoff to landing—but that was long enough to open the door to a whole new era in air transportation. (Incidentally, it is interesting to note that Yeager was a Captain when he took off and a Captain when he landed—all of which goes to prove something—but I'm not sure what.)

Today—40 years after Lindbergh flew the Atlantic and 20 years after Yeager broke through the "sound barrier"—we are preparing to cross a new frontier in aviation—supersonic commercial flight. As you know, we already have begun the prototype construction phase of the supersonic transport. President Johnson gave us the go-ahead for this on April 29, and we signed contracts with the Boeing and General Electric companies two days later. Boeing, of course, is building the prototypes with engines being developed by General Electric.

Our schedule calls for the first prototype to fly before the end of 1970 with the second one not far behind. We hope to complete 100 hours of flight test work in these aircraft by the middle of 1971. This experience will provide the technical basis for proceeding into the certification and production phases of the SST. If all goes well, the production model could be certificated and ready for airline service before the end of 1974.

The SST will be a most remarkable airplane—flying three times as fast and twice as high as the current breed of commercial jets. However, since this is the 40th anniversary of Lindbergh's transatlantic flight, I would like to make the obvious comparison here—that is, the SST vs. the Spirit of St. Louis—to show how far aviation has come in just four decades.

The Spirit of St. Louis was 27 feet, 8 inches in length, with a wing span of 46 feet. The SST will be 306 feet long with a wing span extended of 180 feet, 4 inches. Each SST engine, in fact, will be almost as long as Lindbergh's plane—25 feet and 3 inches, to be exact.

The Spirit of St. Louis had a maximum speed of about 120 miles per hour. The SST will cruise at 1800 mph—15 times as fast.

The Spirit of St. Louis normally carried one person only—and not very comfortably at that. The SST will accommodate 280 passengers in a mixed first-class/tourist configuration.

The Spirit of St. Louis had maximum gross takeoff weight of 5,250 pounds. The figure for the SST is 670,000 pounds—120 times as large.

The Spirit of St. Louis had a fuel capacity of 450 gallons, compared to the SST's 53,000 gallons. The SST will burn more fuel taxiing out for takeoff than Lindbergh had—at least the petroleum industry would say that's progress.

But development of an airplane with the tremendous capabilities of the SST will require huge capital outlays and involve considerable risks—both technical and economic risks. Then, too, there is a long period of 12 to 15 years between the time of initial investment and the time profits can be expected. This is why the Government is involved in the program. The usual private financing methods simply are not feasible for a development program of this size and complexity. I would like to emphasize at this point, however, that the Government has no contractual commitment to the program beyond Phase III, the prototype construction and flight test phase. Our plan is to turn the whole program over to the private sector without any government support as soon as feasible, and we hope this can be done at the end of Phase III, but it remains to be seen whether that will be possible.

In his statement of April 29 announcing the Phase III go ahead, President Johnson referred to the SST program as a "creative partnership" between Government and industry. I would like to talk a bit about this partnership today because I do not believe it is widely understood. In fact, I know it is not.

I think the average person reads in his daily newspaper or hears on his favorite television or radio newscast that the President is asking Congress for $198 million in SST funds for the 1968 fiscal year and automatically assumes that this is some sort of a subsidy. Somehow, the facts about industry cost sharing and recoupment of Government funds, don't register or, perhaps, don't sound very impressive or convincing. As a result, we get letters—letters from very intelligent people—protesting what they call a "Government give away."

Still, I can understand the concern of those good people who worry about industry getting a free ride in this program at the taxpayers' expense. On its face, the manufacturers' cost share of 10 percent just doesn't sound like very much money. But this 10 percent figure doesn't tell the whole story. In fact, if the Government's Phase III cost estimate of $1,144 million holds up then the manufacturers' share of contract costs will be considerably greater than 10 percent of the total program cost.

This is true because the manufacturers have agreed to share 25 percent of all contract costs in excess of the negotiated price. The contract price estimates for the Phase II work are considerably below the Government's estimate—$193 million less to be exact. Boeing and General Electric believe that they can stay within these negotiated prices. For the record, I don't believe they can—although I certainly want to see them try. And if I am right and they are wrong, then they will have to ante up another $48 million to add to the $91 million they will have expended by the time the costs reach the negotiated price.

This total of $139 million in contract costs still doesn't tax the imagination, does it? (After all, Elizabeth Taylor and Richard Burton may have made that much on their last picture.) But for an aerospace company, $139 million is a great deal of money. The total net worth of the Boeing Company, for example, is about $560 million.

Moreover, this $139 million isn't the full extent of the manufacturers' financial liability in Phase III. They also must bear on their own certain additional expenses which are usual and normal to the commercial world's way of doing business but are not "allowable expenses" under the Federal Procurement Regulations. I speak specifically of interest on borrowed money, selling expenses and the money necessary to capitalize new and peculiar facilities required to undertake a development program of this nature. These are not small expenses. As a matter of fact, we estimate that Boeing and G.E. will have to put up about $78 million for noncontract items and some $54 million for new facilities just to carry out the prototype phase.

Adding these figures to the $139 million Boeing and G.E. probably will expend under their contracts, we get a true picture of the manufacturers' dollar involvement in Phase III. There are those who may not be impressed by this total of $271 million, but I certainly am. Furthermore, I can assure you that the Boards of Directors at Boeing and G.E. are impressed.

It also is important to remember that most of this total of $271 million will be at risk under virtually all conditions of program failure. I say "most" of the $271 million because obviously the facilities have some residual value. I say "virtually" all conditions of program failure because the manufacturers are given protection in the event the Government unilaterally withdraws from the program. But even in this event, the manufacturers stand to lose about one-third of their dollar investment, not including the unamortized cost of facilities. Moreover, there is no ceiling on the amount of money the manufacturers may be required to risk. If the program should suffer large overruns, the manufacturers must provide their 25 per cent share regardless of the amount.

Now many of you out there are probably thinking that Boeing and G.E. have some kind of out from these contracts—that there are escape avenues, such as change clauses, written in which will work to their benefit and the taxpayers' detriment. That simply isn't the case. We have told both companies that any design changes to meet the contract objectives and which increase the cost of the program, even if they are approved by the Government, will be shared at the 25% rate if they cause the cost to exceed the negotiated price. Furthermore, there is no escalation clause in either of the contracts.

Another important thing that is often forgotten in estimating the cost of resources that the contractor is contributing to the program is that they must make available some of their finest technical talent and best development facilities to support this program. These are people and resources that might otherwise be earning some profit for the company. The usual way of recognition for use of such resources is through a fee. There is no fee in the SST contract. Rather the manufacturers are actually contributing these resources and sharing substantially in the program costs.

Another matter is the very important contributions of risk capital being made by the major U.S. airlines. To date, ten carriers have agreed to contribute a total of $52 million toward the cost of prototype construction—that is, $1 million for each SST delivery position they now hold. This money is to be used in the development program in lieu of Government appropriated funds. In other words, the Government's share of development costs will be reduced by $52 million because of these agreements with the airlines. Moreover, Boeing and the Government are currently developing a revised allocations policy which will require contributions of risk capital to the development program for any future allocations of delivery positions. This money will be used to offset program costs and reduce billings to the Government by whatever amounts are collected from the sale of delivery positions.

I have thrown a lot of numbers your way today, and if I have lost any of you along the way, I apologize. The point I have been trying to make, however, is that industry has a very substantial financial commitment to the SST program and is not getting a free ride by any means. In fact, the total contributions by the manufacturers and the airlines during the course of Phase III will be about $323 million. This figures out to just about 25 per cent of the total Phase III cost. And bear in mind that all the manufacturers and the airlines will have to show for their $323 million at the end of Phase III are two prototype aircraft which may or may not be produced.

Of course, we think it will be produced—and produced in quantity. Our economic surveys show a market for 500 SSTs by 1990 on the overwater routes alone. Such a market would not only be profitable for the manufacturers but also enable the Government to recover its investment with an acceptable rate of return. Moreover, if sonic boom does not prove an insurmountable obstacle to overland operations, the market for this airplane would more than double—as many as 1,200 might be sold by 1990. Personally, I feel the actual market lies somewhere between these figures. If so, the SST program will prove to be the most successful commercial aircraft program in history.

Now there are many people who worry about the monopoly problem. They say that in event the program is as successful as we are forecasting, that Boeing and General Electric will be in a position to reap huge profits. Ironically, most of those who worry about monopoly are the same people who say the program is going to be a big flop.

A great deal of thought has been given to the so-called monopoly problem during the past year and a half. It has been an issue in our financial planning, our economic studies and has determined much of the contracts we negotiated. I think it is clear that the simple and direct solution to monopoly is competition. There would have been many advantages to a dual prototype program, but it had one major drawback. We simply could not afford it.

Our contracts with Boeing and General Electric provide that the government could, through its SST patent rights and data, help to set up a competitive manufacturer. Of course, it would take a lot of know how and major financing but I believe that the U.S. airspace industry inherently has this ability and that if the SST program proves outstandingly successful then financing should be available. Of course, if the SST proves to be a loser, then the question of monopoly resolves itself. We are fully prepared to deal with success. I am not prepared for failure.

ADDRESS BY SENATOR RANDOLPH BEFORE NATIONAL ASSOCIATION FOR PRACTICAL NURSES EDUCATION AND SERVICE

Mr. MURPHY. Mr. President, recently Los Angeles and the State of California had the honor to be host to the 26th annual convention of the National Association for Practical Nurses Education and Service. California was further honored by the presence of one of the distinguished Members of the Senate, my colleague and friend, Senator Jennings Randolph, of West Virginia. Senator Randolph was honored by NAPNES for his "notable contributions to the care of our Nation's sick."

I have the privilege of serving with the distinguished Senator from West Virginia on both the Committee on Public Works and the Committee on Labor and Public Welfare. As a member of the Subcommittee on Health, I am, of course, aware of the Senator's deep interest and support for programs designed to insure that quality medical service is available to all our citizens.

There is little question, Mr. President, that the entire medical team, which includes practical nurses, will have to be expanded and strengthened if we are to meet the challenges of the next decade. Senator Randolph's address to this convention entitled "Practical Nursing—Its Past, Present, and Future," not only traces the development of practical nursing, but also peeps into the future.

In his concluding remarks, the Senator expresses confidence that the Association and its membership will be able to meet the greater challenges of tomorrow, saying:

> This responsibility which we share is to work to deliver the best quality of health care to all of those who need it. I know that each of you will meet this beckoning challenge. Couple with your education and training the warm glow of service.

Mr. President, I ask unanimous consent that the speech of the distinguished Senator from West Virginia and an editorial published in the June issue of the Journal of Practical Nursing be printed in full in the Record.

There being no objection, the address and editorial were ordered to be printed in the Record, as follows:

PRACTICAL NURSING—ITS PAST, PRESENT, AND FUTURE

(By Senator Jennings Randolph, West Virginia)

It is a genuine pleasure to join you at the 26th annual convention of the National Association for Practical Nurse Education and Service. The successful achievements of your first quarter-century of service, which you brought to a close last year in Louisville, rightfully earned you the tribute of the late President Kennedy and of President Johnson. You are the champions of the cause of better health for more Americans. Your efforts coincide with the Nation's growing concern for the extension of better and wider health programs. Now that you have entered your second quarter-century of dedication to the improvement and advancement of practical nursing, I am confident that the record of the past will be matched, and indeed surpassed by successes of the future.

In doing my homework for this meeting, I was very impressed by the progress made by the practical nursing profession since World War II—as well as by the substantial contribution made by NAPNES to this advancement. Prior to the Second World War practical nurses were associated mainly with the care of the chronically ill in private residences and nursing homes. The aid of the practical nurse in the hospital, which we now consider almost commonplace, was then often a matter of dispute among hospital administrators. Registered nurses were reluctant to recognize the role that practical nurses could perform in nursing service. No state had a regular procedure for licensing practical nurses. The ability and dependability of the practical nurse was largely untested.

World War II, and with it the formation of the Association of Practical Nurse Schools (original name of NAPNES), opened new doors. Hospitals suffered severe nursing shortages as registered nurses enlisted for military duty. Bedside care deteriorated; hospital wards had to be closed. The answer to the problem was supplied by practical nurses, who began to be employed by hospitals in large numbers. They proved their capabilities and their devotion.

Your organization—which was then a long way from being the 30,000 strong that it is today—began to work for the strengthening of the profession of practical nurse education. Standards were established. Schools started to be approved. State associations of practical nursing were encouraged and assisted. State licensure, necessary to assert the qualifications of a trained practical nurse, became an early goal of NAPNES.

Development and progress continued through the fifties and has carried into the sixties. In 1950 there were only 10 state approved schools for practical nursing, in 1960 there were 662. Today there are more than 900. The Federal Government has provided greater support to the profession, authorizing an additional $5 million annually beginning in 1956. The Manpower Training and Development Act of 1962, as well as the Vocational Education Amendments of 1963, have expanded the program of federal aid for the training of LPNs. Licensed practical nurses—because now the profession is indeed licensed in all 50 States, the District of Columbia and the territories—have reached the plateau of recognition. This is a worthy attainment of which you can be proud.

I believe, however, that the real challenge is ahead of you, as it is for all of us. This decade of the sixties has been unique for the surge of national concern with improving health and medical care. The inadequacies in the health care available to many Americans have become painful sores which we can no longer ignore. Advances in science and technology have seemed to widen the gap between what is possible in the way of medical care, and what is actually being provided. It is a period of experimentation and innovation for those citizens involved in the Nation's health. The Congress has sought to legislate programs which will help to heal some of the most painful sores, by establishing a community mental health program; by accentuating research in the leading killers, heart disease, cancer, and stroke; by establishing a comprehensive system of health care for the elderly; and by assisting each state to create programs for its medically indigent population.

I know that you discussed the challenges of Medicare and Medicaid at your convention last April. Now that the program is underway, in nursing homes and hospitals, I think we can safely say that the demand placed on health professions, and especially on nursing, is no less, and in some instances is greater, than anticipated. There are approximately 17 million older Americans enrolled in the medical insurance program and about 19 million under the hospital insurance program. In addition, more than half of the states have already inaugurated their own medical assistance programs under Title XIX of the Social Security Amendments.

In order to provide the care that is promised by these historic programs, without sacrificing quality of service, it is obvious that we must increase both the efficiency of our health care and the number of people who are educated to administer it. This task has special meaning for practical nursing, I think, as it does for all of the professions which comprise the nursing team. For you particularly, this is a period for reexamining the function which you have traditionally performed, for finding your place in the emerging, highly developed organization of health care.

I do not profess to know the answers. I am aware of some of the current trends and some of the conflicting views on the place of the practical nurse. LPN programs are in the process of change to meet new demands on the profession. Curricula are being strengthened by the inclusion of geriatric nursing, the psychological aspects of patient care, the administration of medication, and rehabilitative nursing. These are moves which should be encouraged not only because they will give the practical nurse greater understanding to cope with patients, but also because more and more hospitals are calling on practical nurses to perform duties previously carried out by RNs.

Whether this latter practice is to be welcomed as an opportunity for advancement, or to be frowned on as a violation of the purpose of practical nursing is, I presume, a question open to controversy. The fact is, however, that in the face of critical nursing shortages, LPNs are being asked to perform more complicated tasks than their traditional duties. It is important, certainly, that practical nurse education and training be realistic in its impact. For this reason, hospital inservice training programs, which enable LPNs with basic preparation to develop their potential, fulfill a valid task in enriching practical nurse education.

There are uncertainties in the future of licensed practical nursing. These uncertainties concern the relationship between the practical nurse and the nurse's aide. The exact duties which will fall to practical nursing, which are surely going to include more comprehensive bedside care of patients, are in an area where there is experimentation today. What is not uncertain in the future, however, is the permanence of licensed practical nursing. The licensed practical nurse is accepted as an indispensable member of the nursing team. Recognition of this worth is virtually absolute.

In conclusion, I reiterate my congratulations to you as members of NAPNES for enabling the profession of practical nursing to reach the high level of performance and esteem which it enjoys. There is no doubt in my mind that without your efforts, the caliber of practical nursing could not be as high as it is today. Without your work of the past 26 years, practical nursing would not be prepared to face the challenges of the coming decades. Without your dedication and assistance in the future, the profession would lack a powerful ally in meeting the demands placed on it. If the course of the future is uncertain, at least our responsibilities are not. This responsibility which we share is to work to deliver the best quality of health care to all of those who need it. I know that each of you will meet this beckoning challenge. Couple with your education and training the warm glow of service.

An Award of Honor—To a Distinguished Man

The Honorable Jennings Randolph, Senator from West Virginia, was presented a citation at the 26th Annual Convention of the NAPNES. This special honor is in recognition of his notable contribution to the care of our nation's sick through his consistent supportive efforts toward the advancement of practical nursing. The Senator's actions reflect his sensitivity to the needs of all people from the disadvantaged to the affluent when they are faced with that common denominator—ill health.

Senator Randolph is a member of a distinguished group who under the leadership of President Lyndon B. Johnson have enacted legislation to bring the best possible health to the greatest number of the American people. The growing interest of our elected leaders in matters affecting the health and welfare of this country reflects the public's expectations of increased federal responsibility in providing adequate numbers of physicians and nurses for the prevention, care and cure of disease; and in establishing accessible, well-equipped patient care facilities.

The American public is communicating its health needs through Congress on a scale never before paralleled. This represents a break-through in an area which was once sacrosanct where there was little interchange between the public and the dispensers of medical care. Decisions were made for an unenlightened public both as to their needs in health and disease and as to the ways and means through which these needs could be fulfilled.

Gradually over the past quarter century, increasing amounts of material have appeared in the mass media on various diseases and the ways in which they affect physical, social and economic well being. Articles appeared which described programs of other countries, which were different from the American approach, but where the health standards equaled and in some cases exceeded those of the United States. The public was thus exposed to new possibilities in their search for improved individual and collective solutions to their needs.

Some members of Congress were quick to sense the changes in public sentiment brought about in this enlightened era. As a consequence within the last five years, legislation has been passed which promises to revolutionize medical care as this country has known it in the past.

The country will be forever grateful for the wisdom and foresight of American leaders such as the Honorable Jennings Randolph.

FEDERAL METAL AND NONMETALLIC MINE SAFETY ACT

Mr. METCALF. Mr. President, last year I had the pleasure of participating in the enactment of the Federal Metal and Nonmetallic Mine Safety Act, the first broadscale Federal effort to establish health and safety standards in the Nation's metal and nonmetallic mines.

A full list of the Members of both Houses who contributed significantly to the passage of this act would be long indeed, but I shall run the risk of slighting some of my deserving colleagues and mention, as a particular leader in this effort, my old and valued friend, the distinguished Representative from Michigan, Jim O'Hara.

For a number of reasons, the full effect of this legislation will be felt only gradually by the men who work in the mines. But one important milestone was passed on June 16 when the Secretary of the Interior, Stewart Udall, announced the appointment of three advisory committees who will work with him in developing the Federal standards which are central to this legislation. The members of these three advisory committees have a major responsibility, and I am sure that the breadth and depth of experience which the appointees bring to their task will help make the eventual standards ones which will indeed serve to improve working conditions in the mines, and, above all, to save lives.

I am particularly gratified to note on the list of committee members, two distinguished gentlemen from my own State, Mr. J. P. Mooney of the International Union of Mine, Mill & Smelter Workers, and Mr. Albert E. Wilkinson, a mining consultant recently retired from the Anaconda Co.

Mr. President, I wish these committee members Godspeed in their urgent and vital task. I ask unanimous consent that the Interior Department's announcement be printed in the Record.

There being no objection, the announcement was ordered to be printed in the Record, as follows:

[A Release of the U.S. Department of the Interior, June 16, 1967]

Committees Established To Advise Interior on Safety Standards for Metal and Nonmetal Mines

Secretary of the Interior Stewart L. Udall today announced appointment of three advisory committees to assist him in developing health and safety standards applicable, under Federal law, to the Nation's metal and nonmetallic mines.

One of the committees, he explained, will deal with sand and gravel operations, while the other two will cover open pit mining and underground mines (excluding coal mines). After standards are devised, the committees will make recommendations as to which should become mandatory, to be applied by Bureau of Mines inspectors just as coal mining standards are applied today under past legislation.

"Members of these committees will play a critical role in expanding the benefits of Federal health and safety inspection to the metal and nonmetallic mining industries, which together employ some 200,000 workers," Secretary Udall declared. "We carefully studied the many nominations submitted by labor, management, and National and State organizations. We believe we have selected men whose knowledge and experience will greatly facilitate development of health and safety standards that are both rigorous and realistic enough to achieve the purposes of the law."

The Federal Metal and Nonmetallic Mine Safety Act of 1966 specifies that each advisory committee shall have an equal number of members representing labor and management, as well as at least one representing a State safety or mine inspection agency. Standards drawn up with the help of the committees will become effective one year from the date of their publication in the Federal Register.

The committee members are:

SAND AND GRAVEL

Labor

Thomas H. Owens (Maryland), Director, National Division of Building Material and Construction Drivers, International Brotherhood of Teamsters.

William Gray (Arizona), Vice President, International Union of Operating Engineers and Western Conference of Operating Engineers, Managers of Arizona Local 428.

Karl Rogers (Missouri), President, Local 541, International Brotherhood of Teamsters; member, Policy Committee, National Division, International Brotherhood of Teamsters.

Management

V. P. Ahearn, Jr. (Maryland), Assistant Managing Director, National Sand and Gravel Association.

Richard E. Sansom (Missouri), President, American Limestone and Knoxville Sand and Gravel Divisions, American Zinc Company.

Henry D. Altobello (Connecticut), President, The York Hill Trap Rock Quarry Co., Inc.; The L. Suzio Construction Co. Inc.; The L. Suzio Sand and Gravel Co.; Chairman of the Board, L. Suzio Concrete Co., Inc.; L. Suzio Asphalt Co., Inc.

State

Jed H. Mosgrove (Kentucky), Director, Division of Mining; Kentucky Department of Mines and Minerals.

Herman G. Kidd (Missouri), Special Consultant to the Director, Missouri Division of Mine Inspection.

OPEN PIT MINING

Labor

J. P. Mooney (Montana), International Representative, International Union of Mine, Mill and Smelter Workers.

George W. Haycock (Utah), Representative, United Steel Workers of America, AF of L-CIO.

Michael Pasternak (Pennsylvania), Assistant to the President, District 50, United Mine Workers of America.

J. D. Rogers (New Mexico), President, Local 177, United Stone and Allied Products Workers of America.

Management

Ivan Le Gore (Illinois), Safety Director, Portland Cement Association.

Albert E. Wilkinson (Montana), Mining Consultant, Retired from Anaconda Copper.

T. E. Armstrong, Sr. (Texas), President, Texas Gypsum Company, Inc.

Robert R. Williams, Jr. (Colorado), Director of Mines and Quarries, CF&I Steel Corporation.

State

W. F. Mullins (Virginia), Chief Mine Inspector, State of Virginia Division of Mines.

Carlyle F. Gronning (Utah), Commissioner of Safety for Utah; Chairman, Industrial Commission of Utah.

UNDERGROUND MINES

Labor

Verne Curtis (Utah), Member, International Executive Board of the International Union of Mine, Mill and Smelter Workers.

Peter J. Bensoni (Minnesota), Representative, United Steelworkers of America, AF of L-CIO.

W. Carl Griner (Idaho), Chairman, Page Mining Safety Committee, Page Mine of the American Smelting and Refining Company.

Management

Edward C. Leonard (Michigan), Superintendent of Industrial Relations and Safety, Inland Steel Company.

Gordon Miner (Idaho), Vice President for Operations Hecla Mining Company.

Frank Zimmerman (New York), Safety Director National Gypsum Company.

State

William Hays (New Mexico), State Inspector of Mines, New Mexico.

Albert Getz (New Jersey), State of New Jersey Chief Mine Safety Engineer.

MORE ON CUBA, THE CRISIS AT OUR BACK DOOR

Mr. HANSEN. Mr. President, I spoke Tuesday before the Senate concerning the great threat to the freedom and integrity of the Western Hemisphere posed by Castro's Communist Cuba.

This contention is further documented each day by the American press. Two such articles have recently come to my attention.

One is an article from U.S. News & World Report entitled, "What 100 Castro-Type Guerrillas Can Do," and concerns the activities of "a well-organized professionally trained guerrilla force" in Bolivia. Most of these 400 to 500 guerrillas have been trained in Cuba.

The other is an article from a continuing series by Carl T. Rowan, in which he describes in vivid detail the police state that Castro has established in Cuba.

As Mr. Rowan puts it:

> If you've been waiting for Fidel Castro's Communist regime to be crushed by popular revolt, forget it.

It is from such a base that Castro has moved out into Latin America.

Mr. President, I ask unanimous consent that these two timely articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the U.S. News & World Report, June 26, 1967]

WHAT 100 CASTRO-TYPE GUERRILLAS CAN DO

LA PAZ, BOLIVIA.—This country's basic stability may now be undermined by a band of Castro Communists who don't have enough manpower to make a first-class Wild West movie.

The guerrillas—perhaps 60 to 100 in all—operate in an isolated, rugged jungle about 400 miles from this capital city as the crow flies. And, as things stand, there's no chance a guerrilla column will come marching across the 12,000-foot-high plateau that rings La Paz.

But as long as the guerrillas continue to operate, it is the judgment of many observers that the country faces real danger of skidding into another military coup, wild inflation, and even civil strife.

The outbreak of guerrilla skirmishing is an almost classic repetition of how Cuba's Fidel Castro now goes about developing and supporting subversion.

In a communiqué on June 12, the Bolivian Army charged that at least 17 members of the band are Cubans.

The existence of a well-organized guerrilla force in Bolivia came to public attention last March. But its real beginning goes back much further, at least to 1961. That year Bolivians began making trips to Communist Cuba for various kinds of training. About a year later, Bolivians were showing up in Russia and Red China. It is estimated that, by now, between 400 and 500 Bolivians have received some sort of Communist training—mostly in Cuba.

As of last November, about 100 of them were known to have returned to Bolivia. It is calculated that the guerrillas started organizing in August, 1966, receiving reinforcements from abroad from November onward.

The actual discovery of their presence was largely accidental.

Early this year, two unemployed tin miners were recruited for the guerrilla band with promises of high pay and a chance to play important roles in the coming "revolution."

After a few weeks of disappointment, the two fled, stealing a .22-caliber rifle which they tried to sell in a nearby town. Police and Army security officers questioned them around the clock about the gun. Finally, the ex-miners revealed they had come from a "guerrilla training camp" on an abandoned ranch near the town of Camiri.

An Army patrol, sent out a few days later, spotted the camp from a distance.

On March 23, a bigger patrol was ambushed as it moved toward the guerrilla campsite. Eleven soldiers were killed. Seven more from another patrol were killed in a second ambush.

Independent examination of the two ambush sites, plus the discovery of a recently abandoned jungle camp, left little doubt that a well-organized, professionally trained guerrilla force was operating in Bolivia.

The campsite in the jungle-clad foothills of the Andes was a skillfully prepared base. The trail to the camp was guarded by interconnected weapons pits. Inside the camp were neat vegetable gardens, a butcher shop and an oven big enough to bake bread for 100 men.

In a nearby field hospital were empty packets of surgical dressings, antibiotics and medical instruments from both the U.S. and Europe, and receipts for $5,000 worth of medical supplies bought through dummy companies.

Also at the campsite was found most of the physical evidence linking the guerrillas to Castro and the Communists: a Spanish translation of a speech by North Vietnamese Gen. Vo Nguyen Giap, and a picture of Ernesto ("Ché") Guevara, evidently taken some years before he vanished from the role of Castro's guerrilla expert and economics planner. Indoctrination manuals by Guevara have been found in the guerrilla zone.

GANG OF OUTLAWS?

There are a few sources with considerable knowledge of Bolivia who still insist the guerrillas are nothing more than a gang combining outlaws and political foes of President René Barrientos. The overwhelming judgment, however, is that there is operating in Southeast Bolivia a sizable band of hard-core guerrillas, well-trained, professionally led, and inspired and helped from Cuba.

Some intelligence specialists think the guerrillas are perfecting a new pattern for subversion.

Previously, guerrilla doctrine emphasized winning the support of local peasants. This was basic to tactics of both China's Mao Tse-tung and Cuba's Guevara. In Bolivia, however, the guerrillas established themselves in a thinly populated region and made no effort to win over the few peasants there.

This may be a tactical adaptation to a Latin-American reality: Peasants in Venezuela, Colombia, Peru and elsewhere have been largely apathetic or even openly hostile to guerrillas operating among them. Current guerrilla thinking, it is said, may be to create in some isolated area a force so strong that back-country dwellers will co-operate out of self-interest rather than ideology or belief in revolutionary benefits.

Guerrilla intentions and tactics may be clouded in mystery, but there is no mystery about the possible threat to Bolivia's stability. This is already developing along several lines.

Bolivia's Army is becoming frustrated, with almost nothing to show for two months of chasing guerrillas. Both President Barrientos and the Army Chief of Staff, Gen.

Alfredo Ovando Candia, have lost prestige because of the apparent confusion and indecision.

There is growing concern that the Army will use its unpreparedness as an excuse to demand greatly increased military spending. This could touch off a new wave of inflation, and perhaps even undermine the small, delicately balanced Bolivian economy, observers here are warning.

The military, along with most other Bolivian Government agencies, took cutbacks in funds in this year's budget when President Barrientos decreed "austerity" in everything except economic development.

Even before the guerrilla outbreak, this was causing grumbling among some officers. The Army now is demanding a special fund of a million dollars a month for the guerrilla campaign, plus bigger sums later on. Continued over many months, this would be big money in Bolivia, with a national budget of only 60 million dollars a year.

Bolivia's economy, which teetered on the brink of collapse for years, now is rated strong enough to absorb some shocks.

The state-owned tin mines, which produce 90 per cent of the country's foreign-exchange earnings, are working profitably for the first time since they were nationalized in 1952.

Direct U.S. economic aid is putting 30 million dollars a year into Bolivia. Other loans and private investments will add several millions more during 1967.

Construction, a major source of employment, is reviving.

But the economy is not strong enough to resist many sizable political shocks—such as a military take-over triggered by officer dissatisfaction with the Government's handling of the guerrillas. That is the longer-range worry posed by the continued presence of the guerrillas.

THE U.S. VIEWPOINT

The guerrilla outbreak also poses a real quandary for the U.S.

Washington would like to see the guerrillas defeated, quickly and decisively. But the U.S. is avoiding any appearance of getting involved in any fighting.

At Bolivia's request, U.S. training of Bolivian Army units in antiguerrilla tactics has been speeded up. A 15-man Special Forces training team is working with a Bolivian battalion that, it is expected, ultimately will become the main force against the guerrillas. Helicopters and some communications equipment have been delivered for antiguerrilla work.

But U.S. military men—and even Peace Corps men—have been pulled out of the guerrilla zone. Bolivian requests for napalm, heavy military equipment and more aircraft were turned down.

In La Paz, there is genuine doubt that the U.S. could, through military involvement or economic aid, shape the future of a country like Bolivia even if it wanted to.

Says one seasoned follower of Bolivian affairs: "The U.S. cannot defeat the guerrillas in Bolivia. The Bolivians still can, if they have the will to do it. Bolivia has the potential to be a prosperous, free country—if Bolivians, themselves, have the will."

[From the Washington Star, June 21, 1967]

CASTRO FORGES STRONG SUPPORT

(By Carl T. Rowan)

If you've been waiting for Fidel Castro's Communist regime to be crushed by popular revolt, forget it.

Cuba's government is the most stable in Latin America and there is "absolutely no serious opposition to Castro," according to totally reliable reports from Havana.

Under Russian guidance, Castro has set up a police state apparatus that diplomats call "one of the most effective in the world."

And he has moved shrewdly to toss favors to students and lift old injustices off the peasants and Negroes, with the result that even his bitterest enemies admit that the bearded ex-rebel has a significant popular following.

Beyond that, of the three men most likely to challenge Castro's leadership, he has had one killed, another imprisoned, the third, Ernesto (Che) Guevara, dropped out of sight on March 21, 1965.

The key to governmental stability in Cuba is Interior Minister Ramiro Valdez, "the J. Edgar Hoover of Cuba—plus," as some diplomats describe him.

Under Russian guidance, Valdez set up a neighborhood spy system called the Committee for the Defense of Revolution. This group gives out free polio shots, issues ration cards and engages in various public service projects to maintain close rapport with the people. Its main purpose, however, is to ensure that every Cuban is watched by several others.

The Department of State Security has a covert unit whose responsibility is to penetrate every factory, women's club, children's group. These hidden informers have played havoc with non-Communist efforts to maintain intelligence agents on the island.

But Castro's solid position also arises from the fact that Cuba has about 100,000 "becados," or students with government scholarships. Castro has made education his big push, and non-Communist diplomats concede that he has made great progress.

Thus Cuban students are said to form the core of Castro's backers.

Then, one of Castro's first acts was to declare all beaches open to all Cubans. This scored heavily with Cuba's Negroes and urban workers whom the Batista regime had barred from choice bathing areas.

One Negro, Juan Almeida, is now acting minister of defense and made the May Day speech normally given by Fidel. Fidel's brother, Raul, still holds the title of defense minister, but rumors have it that Fidel gave power to Almeida when he had a falling out with Raul. Other reports, seemingly more reliable, say Raul broke his kneecap skiing in Eastern Europe and is merely recuperating.

Fidel's strong position is evidenced by the fact that the armed bands that opposed him early in his regime no longer roam the countryside. There is now no visible overt opposition to Castro in Cuba.

American officials have concluded that if Castro is to be overthrown, it will come through a "palace revolt" that no one now expects.

Castro moved to close the door on palace revolts years ago when he had his men shoot down the plane of Camilo Cienfuegos, a sort of coequal during the revolution. Then, in the summer of 1959, another top fellow-rebel, Huber Matos, was hauled before a kangaroo court after he protested the drift toward communism, Matos is still in prison.

And Che Guevara? Every diplomat and intelligence agent has his own guess as to whether Castro had him killed, or whether this architect of insurgency is doing just what Castro claims, sneaking about Latin America planning other revolutions.

Castro has about 50,000 political prisoners behind bars. There are also about 28,000 Cubans whom Castro distrusts and calls "gusanos" (worms). He has put them in UMAPs (Military Units to Aid Production), a sort of combination concentration camp-Georgia chain gang-job corps operation.

Told that Castro and the Communists seem to have Cuba in an iron grip, an ever-hopeful American asked a free world diplomat if maybe bad health would get the Cuban dictator.

"No, he seems strong as an ox," was the reply. "And he's even got the sense to take whiskey and women in moderation."

PERMANENT SETTLEMENT OF CRISIS IN THE MIDDLE EAST

Mr. FULBRIGHT. Mr. President, in the weeks and months ahead we would be wise to consider all sensible and feasible proposals for a permanent settlement to the crisis in the Middle East. I have received a letter from a professor of Middle Eastern studies who makes what appears to be several sensible proposals. In order to share these comments and recommendations with the Senate, I ask unanimous consent that a letter from Prof. R. Stephen Humphreys of the Department of Near Eastern Languages and Literatures of the University of Michigan be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF NEAR EASTERN
LANGUAGES AND LITERATURE, UNIVERSITY OF MICHIGAN,
Ann Arbor, Mich., June 12, 1967.

Hon. J. W. FULBRIGHT,
Senate Office Building,
Washington, D.C.

DEAR SENATOR FULBRIGHT: Now that the recent Arab-Israel war seems to have ended, at least for the time being, the United States will inevitably find itself profoundly involved in any attempts by the belligerents and interested parties to reach a settlement. I wish to express my hope and confidence that you will exert all possible influence to keep this country from any policy of narrow partisanship or vindictiveness.

The easy thing for this country would be to kick Nasser now that he appears to be down, for we have long been bedeviled by his ambitions, and irritated (perhaps unduly) by his contemptuous rhetoric. And now he has been brought to the edge of disaster precisely by his own ambition and vainglory. It would be easy for the United States to support Israel's harsh demands, all the more as religion, sentiment, and our own large Jewish community unite us to this latter country. Even so, we must resist these all too human temptations, and recall our tradition of humanity and understanding towards the vanquished—a tradition which was once, in the Reconstruction Era, abandoned with disastrous results. In particular, we cannot forget our great material and cultural interests in the Arab world, nor that the Arabs do indeed have a case against Israel and Zionism, however ineptly Messrs. Tomeh and Awad al-Kony may present it.

Our material interests are basically access to the oil of the Near East, and the forestalling of a monopoly of Russian influence in the area. Culturally, the United States has many ties to the Arab world, and it will suffice to name the American University of Beirut, the American University of Cairo, and the fellowships and archaeological expeditions sponsored by the American Research Center in Egypt. All this will surely be sacrificed, and so needlessly, if the United States takes a partisan and emotional stand in its future policy towards the Arab world. It is essential that we make every effort to establish peace terms which are at once acceptable to both parties, and give some hope of stability. This will be no easy task, to say the very least, and will surely require an infinite patience on our part. But if such terms exist at all, the United States should be in a strong position to find them and get them accepted, since this government has, or ought to have, a considerable influence with Israel, while the Arabs are in an extremely weak position, albeit their demands and claims will have a very self-interested Russian support.

A settlement along the following lines would, I think, adequately safeguard our own interests and the legitimate goals of the belligerent parties:

I. The frontiers ought to be drawn along the 1949 armistice lines, with the exception of Jerusalem. These boundaries are not always terribly rational, I know, but to change them around would surely create more problems than it would solve. In particular, Israel cannot be permitted to retain the west bank of the Jordan River, because this tract, small as it is, is the only part of Hussayn's kingdom which makes Jordan at all economically viable. The Gaza strip, too, with its large population of Arab refugees, cannot very well be absorbed in a Jewish state without great further hardship to these people.

II. Israel has a legitimate interest in securing herself from further commando raids from the Arab side of the line, and therefore I would recommend a system of broad demilitarized zones. These would remain under the administrations of the countries out of which they were carved, but they would be patrolled by U.N. security forces, whose presence would have to be guaranteed by international agreement. It should be clear that the countries which administered these districts would have full economic, political, and fiscal rights in them. Tentatively, I would suggest the following demilitarized zones: all parts of Jordan west of the Jordan River; on the rest of Israel's eastern border, Jordanian and Syrian troops would withdraw east of a line marked by Qneitra, Irbid, Karak, and Petra; the Gaza Strip and large parts of eastern Sinai, with al-Arish being the closest permissible Egyptian outpost. Israel is rather too narrow a country for such large withdrawals on its side of the line, but it too should remove its armed frontier posts at least.

This sort of arrangement will certainly be most unpalatable to both parties, and Israel especially will not wish to accept it, but the kind of unmediated confrontation of hostile forces which has existed for the last twenty years is a severe threat to peace and local security, and cannot be permitted to be reinstituted.

III. Jerusalem ought to be internationalized if at all possible. If Israel cannot be made to surrender her jurisdiction, then she must provide for free access to the city and its shrines for all three faiths, and for citizens of all states.

IV. The Straits of Tiran and the Suez Canal must be declared international waterways, open to ships of all states not in a condition of active hostility to Egypt. But the administration and revenues of Suez must remain in Egyptian hands, for the canal is vital to her terribly strained economy.

V. Some system of arms control must be instituted. This is not an area which I pretend to know anything about, but it would seem to me that a multi-lateral agreement between the Powers would be the most effective instrument or arms control.

VI. Finally, there is the problem of the refugees from the war of 1948. (Pray God we have none from this last struggle.) This is surely the most intricate and emotion-laden of all the issues confronting Israel and the Arabs, and I would be deceiving only myself if I pretended to have an easy solution. Nevertheless, until this question is settled, there cannot be peace between the Arabs and Israel. Essentially, a solution will require that the Arabs give up the delusion that they can sweep the Jews out of Palestine and thereby restore the refugees to their old lands; but it will equally require that the Israelis stop turning their backs on a group of people for whose plight they bear a most heavy responsibility. It is impracticable to resettle these refugees in Israel, of course, but perhaps she could bear a certain proportion of the cost of establishing them elsewhere. Something must be done, at any rate, in spite of all the opposition that any plan will have to face, and we cannot realistically expect the Arab states to bear the whole burden of a solution. They will be badly enough taxed to absorb the refugees into their social-economic structures.

These arrangements ought to be embodied in a treaty signed by Israel and the Arab states. Such a treaty, of course, will be an implicit admission by the Arabs that Israel does in fact exist as a state, and hence that they no longer have the right to call for her annihilation. This admission of what to us appears a patent fact will prove a severe strain for the Arab leaders, and an even greater one for their people. We must realize that any Arab leader who makes such an admission is as good as forfeiting the loyalty of his people, for a time at least, and he will need all the support we can give him to hope to stay in power.

I shall conclude by noting that last week's war was the product of fifty years of mutual hostility and contempt between Arab and Jew. We cannot expect that the arrangements which I have outlined above, or any others, will do away with this heritage. Nevertheless, I feel that we can no longer afford the luxury of avoiding an attempt to bring this confrontation to an end. Those of us who are students of the Near East often comment that only Israel unites the Arabs, but we know that is not the case. The Palestine problem is the thing which most of all rends the Arab world and turns its members against themselves. It is the thing which makes impossible a rational calculation of national goals, agreements between the Arab states based on common interests, etc. It is long since time that the United States did its utmost to rid the world of this curse.

With sincere regards,

R. Stephen Humphreys.

PAYMENT OF PHYSICIANS UNDER MEDICARE

Mr. MURPHY. Mr. President, I send to the desk a much-needed amendment to the Social Security Act Amendments of 1965. Under part B of medicare, the Supplemental Medical Insurance Benefits for the Aged, a physician may receive payment for covered services in two ways. These two methods are referred to as "direct billing" and "assignment." Under the latter, the patient and the doctor complete the insurance form, and the doctor sends the completed form to the carrier. Under the direct billing method, the doctor sends to the patient an itemized bill, the patient pays the physician, receives a receipted itemized bill, and this is sent to the carrier for reimbursement.

It is when the direct billing alternative is used that a most serious problem has arisen insofar as the senior citizen patient is concerned. To illustrate this point, I shall quote from the testimony that the poverty subcommittee received from Mr. William R. Hutton, executive director of the National Council of Senior Citizens:

> One reason many elderly poor do not benefit from Medicare is direct billing by doctors who treat the elderly. How this deprives seniors of needed health care is shown in the case of the National Council member who reported waiting six months for reimbursement of a doctor bill for major surgery.
>
> In order to get a receipted itemized bill so he could collect Medicare insurance, the member borrowed from a personal loan firm to pay his doctor bill. The member tells us the loan accumulated interest at a frightening rate.
>
> As the months passed, with no Medicare reimbursement, the loan firm became impatient for repayment. It threatened court action. To satisfy the lender that the loan actually went to pay a doctor bill covered by Medicare, our member asked the Medicare payment agency, in this case Blue Shield, for a statement confirming the fact it was considering the Medicare claim of our member. The payment agency refused this request.
>
> Fortunately for our member, the Medicare reimbursement came through before the loan firm could file a collection suit.
>
> The National Council of Senior Citizens recommends a system that requires doctors to send their bills directly to Medicare payment agencies as they presently do under Blue Shield plans or allow patients to send unreceived bills instead of receipted ones as the law now directs. Medicare would either pay the doctor directly or send the reimbursement to the patient for transmission to the doctor.

Obviously, Mr. President, this kind of situation cannot and should not be allowed to continue. It is strange indeed that a measure, the purpose of which was to relieve the financial strain and hardship for many of our senior citizens, has resulted in some cases in heartache, frustration, and hardship. The bill that I introduce will eliminate this hardship.

My bill, Mr. President, would permit the patient to be reimbursed on the basis of an itemized bill. The patient would be able to secure payment from the carrier by presenting an itemized bill instead of a paid receipt. This would eliminate the case illustrated by the testimony of Mr. Hutton and others where the citizen had to borrow money to pay his doctor bill. I urge that the Committee on Finance act expeditiously on the bill.

LUCE SPEAKS TO NATIONAL COAL ASSOCIATION

Mr. BYRD of West Virginia. Mr. President, the Honorable Charles F. Luce, Under Secretary of the Interior, spoke to those attending the 50th anniversary convention of the National Coal Association on June 19, delivering an effective discussion of coal's promising future.

I have secured a copy of his remarks and wish to make them available to the Members of the Senate in continuing the observance of this week as National Coal Week.

This week of June 18 through June 24 was so designated by Presidential proclamation, which it was my privilege to read to those in attendance at the convention on June 19.

I ask unanimous consent that a copy of Under Secretary Luce's remarks be printed in the Record at this point.

There being no objection, the copy of the remarks was ordered to be printed in the Record, as follows:

Remarks of Charles F. Luce, Under Secretary of the Interior, Before the 50th Anniversary Convention of the National Coal Association, Washington, D.C., June 19, 1967

Your organization grew out of a request by President Woodrow Wilson in 1917, through his Secretary of War, Newton D. Baker, for organized assistance from the coal industry in the war effort.

An anniversary, especially a Golden Anniversary, is traditionally an occasion to reminisce. Today, however, I want to take only a very brief look backward, and then turn to the challenges and opportunities confronting the National Coal Association today and tomorrow.

In retrospect, coal was the foundation upon which our great American industrial society was built. The coal industry has weathered many changes in the national economy and national defense requirements. You have successfully met the competition of rapid growth of alternate sources of energy by devising new concepts of management and new technologies in the mining, processing, transportation and utilization of coal. Your remarkable accomplishments in recent years, characterized by a gain in average productivity from 7 to more than 18 tons per man day in little over a decade, have received worldwide recognition. Coal production, this year an estimated record 550 million tons, is expected to reach 800 million tons by 1980. All of these developments and projections are evidence that the coal industry—both management and labor—has some imaginative, forward looking thinkers.

Although the outlook for coal is generally favorable, your industry is confronted with challenges that will put to the test your ingenuity and technology. You are well aware of these challenges. Foremost among them are the accelerating growth of nuclear power generation and the compelling environmental problems of air pollution, stream contamination and land surface destruction. You have your work cut out for you.

With coal no longer powering the Nation's railways, the generation of electricity is its chief market. But nuclear power has established a foothold in one of coal's major market areas—the TVA region—and nuclear is obtaining an unexpectedly rapid increase in commitments for new electric generating capacity throughout the Nation. Over 50 percent of the new capacity ordered last year was nuclear and I have seen estimates that it will reach 75 percent this year. As for uranium supply, the AEC estimates that reserves are double the highest estimates for nuclear fuel requirements by 1980, by which time breeder reactors are expected to be developed, and that while there may be some cost increases they will not be great enough to upset the present competitive position of nuclear energy.

On the other hand, electric power production is doubling every 10 years and nuclear energy will not drive coal out of that market. Coal currently provides more than 55 percent of our total generation of electric power and can still double its sales for power production by 1980. But to do so it will have to become increasingly cost competitive with nuclear, and more importantly, solve the problems of air pollution.

Transcending all other problems for coal in the eyes of the public is air pollution. The American public has become aroused over the dangers of air pollution. This is a good thing. But it has special meaning for the coal industry. Let me give you just one example. In New York City there exists a very active Citizens-for-Clean-Air organization. Just the other day I saw a newspaper clipping quoting its chairman as follows: "It's a joke in the nuclear age . . . to go on building coal-burning powerplants." This quote to me dramatizes one of the big problems facing the coal industry.

It serves no good purpose to point out that air pollution is caused by many of man's activities that have no relationship to coal. The fact that only about $\frac{1}{3}$ of contaminants in the atmosphere result from generation of heat and power by fuel combustion is beside the point. The point is that coal is a significant contributor to air pollution, particularly in areas of heavy industrial concentration and large population centers, and the public demands that air pollution be attack and defeated.

This may mean increased costs for new processes and equipment to reduce air pollution from the burning of coal. If we fail to develop the new processes or equipment, it will mean lost markets. The Department of the Interior's coal experts advise me that if air pollution regulations with respect to SO_2 levels at Federal installations in New York, Philadelphia and Chicago are extended to all plants in those three cities—just those three cities—and if we do not clean up the coal combustion process, between 1966 and 1980 you will sell some 100 million tons less of coal.

Just as Americans are aware of the unpleasantness and unhealthfulness of air pollution, we must recognize that costs of a cleaner atmosphere will have to be absorbed by producers, users, and the ultimate beneficiaries—the public. All must share the burden.

It is gratifying to know that independently and in cooperation with others, including the government and the electric power utilities, your industry has taken steps toward reducing air pollution from coal. Are you doing all that you can? Only you can answer that question.

In the Department of the Interior we, too, ask ourselves: "Are we doing all we can?" Our frank answer has to be "no." But we aren't relaxing; we are looking for the means to do more.

Our marching orders came last January from President Lyndon B. Johnson in his message on Protecting our National Heritage. He said:

"Sulfur compounds—created wherever coal or oil is burned—threaten the environment of almost every city and town in America.

"We must recognize that in dealing with fuels for industry and motor vehicles, we are dealing with matters of enormous importance to every section of the nation and to many economic interests. America's technology and natural resources development are intimately involved in any program that affects fuels and their uses. Great investments have been made on given assumptions about these fuels and uses.

"These considerations require that we approach the pollution problem with respect for its complexity and its economic implications.

"But the health of our people, and indeed the health of the whole urban and rural environment, also require us to approach the pollution problem with urgency and tenacity."

An exciting prospect in the air pollution field, we believe, is a project Interior has undertaken with welcome help from the Public Health Service to perfect an alkalized alumina process for the removal of sulfur dioxide from residues of fossil fuel combustion. This process appears to thrive on sulfur-rich fuels—the more sulfur in the fuel, the more we can remove and sell to balance the costs with the benefits. We would like to move our process along more rapidly—the times demand quick action—and we think we can do this, possibly quite soon.

Not only are we exploring the economic reclamation of sulfur, sulfuric acid and other commercial useful products from the residues of fossil fuel combustion, but we are studying methods for increasing efficiencies in combustion. The gains would be twofold: cleaner air and more efficient use of our natural resources. This is conservation with a capital "C."

There may be little need to remind you that land and water despoilation have become serious problems for all extractive industries. The President has called for a national crusade to restore and protect the quality of our environment. Other national and state leaders as well as business and citizen groups have warned that in our search for clean water and usable space America can no longer afford practices that harm such resources.

At this point I want to commend those responsible producers of your industry who voluntarily have instituted effective programs of land restoration and acid drainage prevention in advance of regulations. The Mined-land Conservation Conference, an affiliate of your Association, has actively promoted educational programs on land conservation.

To alleviate the problems of land and water despoilation, the Bureau of Mines and other Interior agencies are working to develop a variety of land and water pollution prevention and control methods. We are putting the finishing touches on the nationwide study of strip and surface mining authorized by the Appalachian Regional Development Act. Our recommendations coming out of this study have gone to the Executive Office of the President.

If coal is to realize its potential in the future, large sums will be required for research and development in all phases of production, distribution and utilization of coal, including programs of environmental improvement and protection. Government will help where it can and should. The goal must be maximum public benefit at minimum cost.

Because coal contains an almost infinite number of chemical constituents, I have the feeling that one day, under the quickening pace of technological research, its role as a chemical resource will be applied to countless purposes—from fabrics to sophisticated fuels for the space age—and that its values for such uses may approach and exceed its value for conventional uses as we know them today. Already the potentials for coal are being explored for such a wide range of uses as proteins in our food, the manufacture of carbon black, and the production of gasoline.

Recently Secretary Udall dedicated at Cresap, West Virginia, our Office of Coal Research's pilot plant aimed at the conversion of coal to competitive priced gasoline. It is our first pilot plant. The decision to move to pilot plant stage came only after successful benchwork and process development, and after very careful independent analysis. The plant is now in the "shake-down" phase of operation, and the entire plant will be on stream within the next few months. Secretary Udall expressed the hope that this pilot plant will provide the data needed for deisgn of a commercial plant by the early 1970s, and operation of a commercial plant by industry prior to 1975.

If this supplemental source of gasoline provides as little as 10 percent of the market by 1980, it will account for approximately 100 million tons of coal; and if the savings are as low as one cent per gallon, total savings to the American public will approximate $2 billion per year.

Another substantial project of our Office of Coal Research is development of several processes for synthetic pipeline gas from coal. These processes include hydro-gasification in which the American Gas Association is participating; the gasification of lignite; and the two-stage, high-pressure gasifier at your own BCR lab.

When the production of high B.t.u. gas from coal becomes economically feasible as a supplement to natural gas, it seems reasonable that costs to consumers will be less than if natural gas were the only source of supply. Here again, if only 10 percent of the market in 1980 were to be supplied by gas from coal, it would provide markets for another 100 million tons per year of coal.

The successful conversion of coal to both liquid and gaseous fuels not only will benefit consumers and your industry, but it will add importantly to our nation's security through flexibility of energy supplies and opportunities for substitutions and interchanges among fuel and energy sources. The war in the Middle East and the possible consequences to our supply of foreign oil dramatizes the point.

Another OCR program scheduled for operation this year is a pilot plant at the University of West Virginia for the production of bricks and other construction materials from fly-ash. The Bureau of Mines program includes the testing of a fluidized-bed process for increasing the efficacy and lowering the costs of fly-ash removal. This is the kind of double-play action we're coming to expect from Walter Hibbard and George Fumich.

Development of a commercial market for these waste materials should induce electric generating plants to install equipment in their plants for more efficient fly-ash collection. Our people estimate that the use of fly-ash for bricks could result in by-product credits that would reduce power plant fuel costs by two cents per million B.t.u.'s, and thus help coal remain competitive with nuclear.

The OCR also hopes to make a major contribution to the use of coal by the development of a new system for treating sewage and organic wastes with coal. OCR and our Water Pollution Control Administration are working jointly on this program. If successful, a large new market for coal would be created, with beneficial effects on both our water resources and our national economy. This is an excellent example of today's integrated approaches to matters of environment and resource use.

Other important activities of our Department pertaining to coal include the exploration and related programs of the geological Survey in providing information on the location, extent and quality of our coal reserves. This is particularly significant in the growth of the coal industry in the West. Also, the Survey, along with the Water Pollution Control Administration and the Bureau of Mines, is engaged in a cooperative program of acid mine drainage control, one of the toughest technical problems we face.

We continue to be deeply involved in research in mine safety. Mine safety involves not only the obvious and important humanitarian considerations, but also is essential to efficiency and economic operations. Among significant recent achievements has been the development of a highly effective automatic methane monitor to reduce explosions. Other promising projects include new methods of roof bolting, the use of liquid plastic to stabilize fractured rock, and the development of a system approach to mining in relation to safety. Great progress has been made in safety over the years, to which your industry has contributed immeasurably. Increasing mechanization and productivity of your industry require continuing changes in safety equipment and procedures. Our programs of safety research and education will be adjusted accordingly.

The Department of the Interior, as the principal Government agency dealing with the full range of energy problems, is deeply concerned that there be an assured dependable supply for energy from diverse resources at lowest cost consistent with other national objectives. Let me state, broadly, some of the other major objectives for energy, as we see them:

To preserve the quality of the environment—air, water and land— while obtaining the needed energy resources.

To conserve the Nation's fuel, geothermal and hydropower potential resources by using them wisely and efficiently.

To maintain sufficient reserves for national security.

To maintain safe and healthy working conditions during extraction and processing of fuel resources.

To provide a climate for industry to produce efficiently under competitive conditions the fuels required for the domestic economy and foreign trade.

Within these broad energy objectives there is room for coal to grow. Without question, your industry is on the go. Notwithstanding the complex problems you face, the outlook for coal is brighter now than at any time in recent history. How fast and how far you go towards attaining production of 800 million tons per year by 1980 will depend largely on the effectiveness with which all of us meet the challenges of competitive energy sources and environmental problems.

As a Nation, we have been blessed with an abundance of coal reserves—by far the largest of our fossil fuels—dispersed throughout most of the country. Your industry has a remarkable record of achievements. You have demonstrated progressive foresight, technical competence and managerial ability. You have the support of industries with which you have close operational and economic affinity. I think, on this 50th anniversary of your Association, you can look forward to the fulfillment of coal's great promise with utmost confidence!

WHEAT ACREAGE ALLOTMENT FOR 1968 CROP

Mr. BURDICK. Mr. President, this afternoon Secretary of Agriculture Orville L. Freeman announced the wheat acreage allotment for the 1968 crop. The figure he arrived at was 59.3 million acres, a reduction of 9 million acres from the allotment in effect for this year's crop.

I would like to go on record here as being in full accord with the Secretary that a reduction in the allotment was in order.

Much has been said and written lately about the population explosion and food shortages, and I share the concern of those who see this as perhaps our most difficult problem in the future.

Nevertheless, today there is reserve agricultural production capacity in this country. If this reserve were turned loose, surpluses would build up once again and the farmer would suffer from the resulting lower prices.

The wheat certificate program which is now in effect is basically a good program. Under it we have worked off the surpluses, expanded our sales of wheat abroad and have increased returns to the farmer.

Secretary Freeman has projected that the 59.3-million-acre allotment for next year will result in a level of production ample to meet our domestic and foreign needs yet not so large that it would add to the present reserve, which is now at about the level it should be.

I congratulate Secretary Freeman for his effective administration of the wheat certificate program and for wisely deciding that the 1968 allotment should be reduced.

KOSYGIN'S PROPAGANDA VERSUS PRESIDENT'S PROGRAM FOR PEACE

Mr. BYRD of West Virginia. Mr. President, regarding the appearance of Russian Premier Kosygin at the United Nations earlier this week, I wish to call the attention of my colleagues to an excellent editorial which appeared in the June 20 edition of the Huntington, W. Va., Advertiser.

In part the editorial states that Kosygin's speech charging the United States with aggression in Vietnam as well as the responsibility for the Middle East conflict was a brazen propaganda effort to gloss over the bloody hands of Communist pirates committed to a policy of world conquest and to discredit the only nation strong enough to thwart their aims.

Now that Kosygin's fingers are burned, he is trying to use the General Assembly of the United Nations to pull his chestnuts out of the fire.

The General Assembly can strengthen its own prestige as well as encourage lasting peace in the Middle East by supporting the sound American program.

I commend the editor of the Advertiser for so clearly and candidly outlining the true reality of Soviet ambitions in the Middle East.

There is no question in my mind that Premier Kosygin's United Nations appearance was simply calculated to draw attention from the dreadful failure of the Soviet's foreign policy in the Middle East.

I think we can assure Premier Kosygin that he has fooled no one but himself.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

KOSYGIN OFFERS PROPAGANDA—JOHNSON, PROGRAM FOR PEACE

Soviet Premier Alexei N. Kosygin's charge before the U.N. General Assembly that the United States was to blame for the Middle East war was as absurd as Arab claims that our planes had attacked them.

His speech charging the United States with aggression in Vietnam as well as with responsibility for the Middle East conflict was a brazen propaganda effort to gloss over the bloody hands of Communist pirates committed to a policy of world conquest and to discredit the only nation strong enough to thwart their aims.

The string of lies fully supported predictions that the purpose of the Soviets in calling for the emergency meeting was to spread their own poison propaganda rather than to bring peace and justice to the tortured Middle East.

His attempt to blame Israel for the conflict with the Arabs was no more convincing than his attack upon the United States. He had supplied Egypt's Gamal Abder Nasser and his Arab allies with mountains of tanks, planes, guns and munitions for threats against Israel.

His government had supported Nasser in his warlike action of barring Israeli ships from the Gulf of Aqaba. His representatives in the United Nations had stalled and obstructed when the United States tried to obtain action to avoid an explosion.

He did not show his concern until the overwhelmingly larger force of Arabs that he had armed began taking a historic thumping from little Israel.

The crushing defeat of Nasser and his allies humilitated the Soviet Union, Premier Kosygin and his fellow hoodlums as well as the Arabs.

Now that Kosygin's fingers are burned, he is trying to use the General Assembly of the United Nations to pull his chestnuts out of the fire.

In contrast to his transparent propaganda tirade, President Johnson presented a realistic picture of world problems and offered sensible means of solving them during his address Monday morning to the National Foreign Policy Conference for Educators.

Besides reviewing American efforts for peace and progress in the Latin states, Europe, Asia and Africa, he presented a specific five-point program for solving the difficulties of the Middle East.

The program included:

ing the National Coal Association today and tomorrow.

In retrospect, coal was the foundation upon which our great American industrial society was built. The coal industry has weathered many changes in the national economy and national defense requirements. You have successfully met the competition of rapid growth of alternate sources of energy by devising new concepts of management and new technologies in the mining, processing, transportation and utilization of coal. Your remarkable accomplishments in recent years, characterized by a gain in average productivity from 7 to more than 18 tons per man day in little over a decade, have received worldwide recognition. Coal production, this year an estimated record 550 million tons, is expected to reach 800 million tons by 1980. All of these developments and projections are evidence that the coal industry—both management and labor—has some imaginative, forward looking thinkers.

Although the outlook for coal is generally favorable, your industry is confronted with challenges that will put to the test your ingenuity and technology. You are well aware of these challenges. Foremost among them are the accelerating growth of nuclear power generation and the compelling environmental problems of air pollution, stream contamination and land surface destruction. You have your work cut out for you.

With coal no longer powering the Nation's railways, the generation of electricity is its chief market. But nuclear power has established a foothold in one of coal's major market areas—the TVA region—and nuclear is obtaining an unexpectedly rapid increase in commitments for new electric generating capacity throughout the Nation. Over 50 percent of the new capacity ordered last year was nuclear and I have seen estimates that it will reach 75 percent this year. As for uranium supply, the AEC estimates that reserves are double the highest estimates for nuclear fuel requirements by 1980, by which time breeder reactors are expected to be developed, and that while there may be some cost increases they will not be great enough to upset the present competitive position of nuclear energy.

On the other hand, electric power production is doubling every 10 years and nuclear energy will not drive coal out of that market. Coal currently provides more than 55 percent of our total generation of electric power and can still double its sales for power production by 1980. But to do so it will have to become increasingly cost competitive with nuclear, and more importantly, solve the problems of air pollution.

Transcending all other problems for coal in the eyes of the public is air pollution. The American public has become aroused over the dangers of air pollution. This is a good thing. But it has special meaning for the coal industry. Let me give you just one example. In New York City there exists a very active Citizens-for-Clean-Air organization. Just the other day I saw a newspaper clipping quoting its chairman as follows: "It's a joke in the nuclear age . . . to go on building coal-burning powerplants." This quote to me dramatizes one of the big problems facing the coal industry.

It serves no good purpose to point out that air pollution is caused by many of man's activities that have no relationship to coal. The fact that only about ⅓ of contaminants in the atmosphere result from generation of heat and power by fuel combustion is beside the point. The point is that coal is a significant contributor to air pollution, particularly in areas of heavy industrial concentration and large population centers, and the public demands that air pollution be attack and defeated.

This may mean increased costs for new processes and equipment to reduce air pollution from the burning of coal. If we fail to develop the new processes or equipment, it will mean lost markets. The Department of the Interior's coal experts advise me that if air pollution regulations with respect to SO_2 levels at Federal installations in New York, Philadelphia and Chicago are extended to all plants in those three cities—just those three cities—and if we do not clean up the coal combustion process, between 1966 and 1980 you will sell some 100 million tons less of coal.

Just as Americans are aware of the unpleasantness and unhealthfulness of air pollution, we must recognize that costs of a cleaner atmosphere will have to be absorbed by producers, users, and the ultimate beneficiaries—the public. All must share the burden.

It is gratifying to know that independently and in cooperation with others, including the government and the electric power utilities, your industry has taken steps toward reducing air pollution from coal. Are you doing all that you can? Only you can answer that question.

In the Department of the Interior we, too, ask ourselves: "Are we doing all we can?" Our frank answer has to be "no." But we aren't relaxing; we are looking for the means to do more.

Our marching orders came last January from President Lyndon B. Johnson in his message on Protecting our National Heritage. He said:

"Sulfur compounds—created wherever coal or oil is burned—threaten the environment of almost every city and town in America.

"We must recognize that in dealing with fuels for industry and motor vehicles, we are dealing with matters of enormous importance to every section of the nation and to many economic interests. America's technology and natural resources development are intimately involved in any program that affects fuels and their uses. Great investments have been made on given assumptions about these fuels and uses.

"These considerations require that we approach the pollution problem with respect for its complexity and its economic implications.

"But the health of our people, and indeed the health of the whole urban and rural environment, also require us to approach the pollution problem with urgency and tenacity."

An exciting prospect in the air pollution field, we believe, is a project Interior has undertaken with welcome help from the Public Health Service to perfect an alkalized alumina process for the removal of sulfur dioxide from residues of fossil fuel combustion. This process appears to thrive on sulfur-rich fuels—the more sulfur in the fuel, the more we can remove and sell to balance the costs with the benefits. We would like to move our process along more rapidly—the times demand quick action—and we think we can do this, possibly quite soon.

Not only are we exploring the economic reclamation of sulfur, sulfuric acid and other commercial useful products from the residues of fossil fuel combustion, but we are studying methods for increasing efficiencies in combustion. The gains would be twofold: cleaner air and more efficient use of our natural resources. This is conservation with a capital "C."

There may be little need to remind you that land and water despoilation have become serious problems for all extractive industries. The President has called for a national crusade to restore and protect the quality of our environment. Other national and state leaders as well as business and citizen groups have warned that in our search for clean water and usable space America can no longer afford practices that harm such resources.

At this point I want to commend those responsible producers of your industry who voluntarily have instituted effective programs of land restoration and acid drainage prevention in advance of regulations. The Mined-land Conservation Conference, an affiliate of your Association, has actively promoted educational programs on land conservation.

To alleviate the problems of land and water despoilation, the Bureau of Mines and other Interior agencies are working to develop a variety of land and water pollution prevention and control methods. We are putting the finishing touches on the nationwide study of strip and surface mining authorized by the Appalachian Regional Development Act. Our recommendations coming out of this study have gone to the Executive Office of the President.

If coal is to realize its potential in the future, large sums will be required for research and development in all phases of production, distribution and utilization of coal, including programs of environmental improvement and protection. Government will help where it can and should. The goal must be maximum public benefit at minimum cost.

Because coal contains an almost infinite number of chemical constituents, I have the feeling that one day, under the quickening pace of technological research, its role as a chemical resource will be applied to countless purposes—from fabrics to sophisticated fuels for the space age—and that its values for such uses may approach and exceed its value for conventional uses as we know them today. Already the potentials for coal are being explored for such a wide range of uses as proteins in our food, the manufacture of carbon black, and the production of gasoline.

Recently Secretary Udall dedicated at Cresap, West Virginia, our Office of Coal Research's pilot plant aimed at the conversion of coal to competitive priced gasoline. It is our first pilot plant. The decision to move to pilot plant stage came only after successful benchwork and process development, and after very careful independent analysis. The plant is now in the "shake-down" phase of operation, and the entire plant will be on stream within the next few months. Secretary Udall expressed the hope that this pilot plant will provide the data needed for deisgn of a commercial plant by the early 1970s, and operation of a commercial plant by industry prior to 1975.

If this supplemental source of gasoline provides as little as 10 percent of the market by 1980, it will account for approximately 100 million tons of coal; and if the savings are as low as one cent per gallon, total savings to the American public will approximate $2 billion per year.

Another substantial project of our Office of Coal Research is development of several processes for synthetic pipeline gas from coal. These processes include hydro-gasification in which the American Gas Association is participating; the gasification of lignite; and the two-stage, high-pressure gasifier at your own BCR lab.

When the production of high B.t.u. gas from coal becomes economically feasible as a supplement to natural gas, it seems reasonable that costs to consumers will be less than if natural gas were the only source of supply. Here again, if only 10 percent of the market in 1980 were to be supplied by gas from coal, it would provide markets for another 100 million tons per year of coal.

The successful conversion of coal to both liquid and gaseous fuels not only will benefit consumers and your industry, but it will add importantly to our nation's security through flexibility of energy supplies and opportunities for substitutions and interchanges among fuel and energy sources. The war in the Middle East and the possible consequences to our supply of foreign oil dramatizes the point.

Another OCR program scheduled for operation this year is a pilot plant at the University of West Virginia for the production of bricks and other construction materials from fly-ash. The Bureau of Mines program includes the testing of a fluidized-bed process for increasing the efficacy and lowering the costs of fly-ash removal. This is the kind of double-play action we're coming to expect from Walter Hibbard and George Fumich.

Development of a commercial market for these waste materials should induce electric generating plants to install equipment in their plants for more efficient fly-ash collection. Our people estimate that the use of fly-ash for bricks could result in by-product credits that would reduce power plant fuel costs by two cents per million B.t.u.'s, and thus help coal remain competitive with nuclear.

The OCR also hopes to make a major contribution to the use of coal by the development of a new system for treating sewage and organic wastes with coal. OCR and our Water Pollution Control Administration are working jointly on this program. If successful, a large new market for coal would be created, with beneficial effects on both our water resources and our national economy. This is an excellent example of today's integrated approaches to matters of environment and resource use.

Other important activities of our Department pertaining to coal include the exploration and related programs of the geological Survey in providing information on the location, extent and quality of our coal reserves. This is particularly significant in the growth of the coal industry in the West. Also, the Survey, along with the Water Pollution Control Administration and the Bureau of Mines, is engaged in a cooperative program of acid mine drainage control, one of the toughest technical problems we face.

We continue to be deeply involved in research in mine safety. Mine safety involves not only the obvious and important humanitarian considerations, but also is essential to efficiency and economic operations. Among significant recent achievements has been the development of a highly effective automatic methane monitor to reduce explosions. Other promising projects include new methods of roof bolting, the use of liquid plastic to stabilize fractured rock, and the development of a system approach to mining in relation to safety. Great progress has been made in safety over the years, to which your industry has contributed immeasurably. Increasing mechanization and productivity of your industry require continuing changes in safety equipment and procedures. Our programs of safety research and education will be adjusted accordingly.

The Department of the Interior, as the principal Government agency dealing with the full range of energy problems, is deeply concerned that there be an assured dependable supply for energy from diverse resources at lowest cost consistent with other national objectives. Let me state, broadly, some of the other major objectives for energy, as we see them:

To preserve the quality of the environment—air, water and land— while obtaining the needed energy resources.

To conserve the Nation's fuel, geothermal and hydropower potential resources by using them wisely and efficiently.

To maintain sufficient reserves for national security.

To maintain safe and healthy working conditions during extraction and processing of fuel resources.

To provide a climate for industry to produce efficiently under competitive conditions the fuels required for the domestic economy and foreign trade.

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In contrast to his transparent propaganda tirade, President Johnson presented a realistic picture of world problems and offered sensible means of solving them during his address Monday morning to the National Foreign Policy Conference for Educators.

Besides reviewing American efforts for peace and progress in the Latin states, Europe, Asia and Africa, he presented a specific five-point program for solving the difficulties of the Middle East.

The program included:

1. Every nation has a fundamental right to life and to the respect of its neighbors.
2. All nations of the area must attack the problem of according justice to the Palestine refugees.
3. The right of free maritime passage through international waterways must be assured all nations.
4. The large nations of the world as well as the small powers of the area must limit the wasteful and destructive arms race.
5. Political independence and territorial integrity must be granted all nations of the area.

These principles recognize the rights and the just claims of those on both sides of the prolonged conflict. Only by giving proper attention to them will old animosities be removed and a lasting peace assured.

Instead of trying to use the General Assembly to impose demands upon either side, as Kosygin did in his attack on Israel, President Johnson declared the parties to the conflict should themselves work out the just terms of peace.

Once they have done that, he declared, "they can count with confidence upon the friendship and the help of the people of the United States.

"In a climate of peace, we will do our full share to help with a solution for the refugees. We will do our share in support of regional cooperation. We will do our share, and more, to see that the peaceful promise of nuclear energy is applied to the critical problem of desalting water."

The contrast between the two addresses mirrored the differences between the peoples of the Soviet Union and the United States and between the objectives of their governments.

Kosygin spread propaganda for Communist expansion. President Johnson charted a conscientious course for peace and human progress.

The General Assembly can strengthen its own prestige as well as encourage lasting peace in the Middle East by supporting the sound American program.

MEMORIAL IN SUPPORT OF DEEPER AND WIDER SHIP CHANNELS IN COLUMBIA AND WILLAMETTE RIVERS, OREG.

Mr. MORSE. Mr. President, I ask unanimous consent, on behalf of my colleague, Senator HATFIELD, and myself, that Enrolled House Joint Memorial 5, adopted by the House of Representatives and the Senate of the Legislative Assembly of Oregon, in support of the deepening and widening of the ship channels in the Columbia and Willamette Rivers, Oreg., be included in the RECORD at this point in my remarks.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

HOUSE JOINT MEMORIAL 5

(Sponsored by Representatives Bennett, Bradley.)

To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the Columbia and Willamette Rivers are the major waterways in the Northwest open to seagoing commerce; and

Whereas there is a complex of facilities now under construction, known as the Rivergate Project, and possibly others, that will greatly increase demands made upon these rivers as avenues for marine transportation; and

Whereas seagoing vessels are being built much larger, with consequently greater demand for deeper and wider channels; and

Whereas the present channel depth of the Columbia and Willamette Rivers does not accommodate these largest vessels of today; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized expeditiously to provide for the deepening and widening of the ship channels in the Columbia and Willamette Rivers to such extent as will accommodate larger vessels, so that the economy of the nation may be benefited and the prosperity of the Northwest and its ports be continued and promoted.

(2) The Chief Clerk of the House of Representatives shall cause a copy of this memorial to be sent to the President of the United States, to the presiding officer of each house of Congress and to each member of the Oregon Congressional Delegation.

AUTO WORKERS' STATEMENT ON MIDDLE EAST

Mr. HARTKE. Mr. President, Mr. Walter Reuther, of the United Auto Workers, has presented me with a copy of a statement adopted unanimously by that international union's executive board, dealing with the situation in the Middle East, at its meeting in Toronto on June 16.

Because this is a thoughtful assessment of the needs for a peace settlement with durability, recognizing the realities of the severe problems before us as a result of the Arab-Israel explosion, and properly advocating the fullest use of United Nations resources, I ask unanimous consent that the text of this expression of concern by the UAW may appear in the CONGRESSIONAL RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

UAW EXECUTIVE BOARD URGES DIRECT NEGOTIATIONS BY MIDEAST NATIONS—ASKS U.N. ECONOMIC DRIVE TO AID REGION

The following statement was adopted unanimously by the UAW International Executive Board at its quarterly meeting in Toronto, Ontario, on June 16, 1967 and is being released simultaneously in Detroit and Washington:

"In the tragic area of the Middle East, the guns are now silenced and a precarious cease fire is in effect. If hostilities are not to recur, there must be a frank facing up to underlying and unresolved problems and of the hard realities which now exist in the region, and a concerted and determined effort must be made to find a peaceful solution to these problems.

"While the major responsibility for dealing with these issues rests with the Arab states and with Israel, the world powers and other nations have an obligation to help create a climate of trust and cooperation in the region, without which there can be no substantial progress toward a lasting peace.

"For many years there has been a drumbeat by certain Arab leaders and nations inflaming passions by a call for a 'holy war to annihilate Israel and the Jews.' For 20 years the blind hatred and irrational passion of certain Arab leaders have inflamed relations in the Middle East. These leaders have refused to recognize the existence of Israel and its right to live as a sovereign and independent nation and as a member of the community of nations. Instead of accepting Israel in a spirit of cooperation and coexistence, these Arab leaders have continued their propaganda of a holy war directed at the destruction of the reckless and indefensible attitude and triggered the unprovoked action demanded by the United Arab Republic for the withdrawal of U.N. forces from the Gaza strip and the Straits of Tiran and the closing of the Gulf of Aqaba to Israeli ships.

"These actions followed by the full mobilization of Arab military forces surrounding the border of Israel and the open threats by Arab leaders to wage a holy war of annihilation against Israel and its people constituted, by any rational standard, an act of aggression against the State of Israel.

"It certainly does not serve the cause of peace or coexistence for leaders of the Soviet Union and the Arab nations to further inflame these passions by making deliberately wild and malicious charges which seek to equate Israel's defense against these calculated efforts to annihilate her with the brutal military aggression of the Hitler regime. What is needed is reason, not recrimination.

"As is always the case in war, it has many innocent victims. Thousands of civilians have been injured and many more have been up-rooted from their homes and swell the already large numbers of displaced refugees. It is of the highest priority that the United Nations, through its appropriate agency and backed by full support of the UN members, move with all speed and compassion to provide adequate emergency care for the injured and aid the homeless. In addition, the UN should call upon Israel and each of her Arab neighbors to enter into direct negotiations in an effort to settle not only the basic issues in conflict but also to find a just, equitable and compassionate resettlement of the thousands of refugees.

"There can be no basis for peace between Israel and the Arab nations without a firm and open acceptance by all of the right of each nation and its people to exist. Basic to this fundamental and elemental principle is the right of each nation to free and innocent access to and passage through international waterways essential to world commerce and national survival. This specifically includes access and passage through the Suez Canal and the Gulf of Aqaba.

"The right of a people not to be strangulated is not a negotiable matter. It must be an uncontested right underscored and guaranteed by the community of world nations.

"The world anxiously awaits an extension of the current precarious cease fire into a negotiated and durable peace treaty among the nations of the Middle East. If this hope is to be achieved, it must be anchored in agreements directly entered into through voluntary negotiations between Israel and each of her Arab neighbors. Tempting as it may be to certain world powers, history, none-the-less, tragically reveals that the terms of a just and lasting peace cannot be imposed from without.

"It is also equally clear that a return to past formulas on the terms of the 1949 or 1956 settlements which have demonstrated their own weakness and unworkability and finally ended in hostilities is not the answer. Such difficult issues which involve questions of national security, boundaries and borders, resettlement of refugees and other matters can best be settled through direct negotiations. In such direct confrontation there can evolve a realization that each has more in common than in conflict.

"To achieve this will require a turn away from an ever escalating and devastating arms race, which has been encouraged by the major powers, and a turn toward a common effort to develop the vast economic and social resources of the entire region and its people. The desert thirsts for water which can make it bloom. Parched and rocky hillsides can become lush with orchards and vineyards. Disease and illiteracy, which have been the historic legacy of vast areas of the

Middle East, can be eliminated. It is toward these tasks of economic development and a common effort to raise living standards that each nation in the region should devote its energies and resources.

"The war has disrupted and seriously threatens the economies of many of the countries of the Middle East. If chaos and political instability are to be avoided, substantial external economic assistance must be mobilized and diverted to the region. The United Nations, rather than become embroiled in fruitless recriminations which can only further inflame passions in the area and further divide people and nations, should concentrate its energies and efforts on the creation of a special UN Economic and Social Development Authority for the Middle East to spearhead the urgent tasks confronting the people of the entire region. Such rewarding peaceful efforts should command the generous and wholehearted support of all nations.

"The need is for a sustained period of calm and serious and direct negotiations pointed toward a settlement of major issues and regional economic cooperation to stimulate growth and a drive toward improved health, education and higher living standards.

"This region, which has contributed so much to the cultural heritage of civilized man, can and must find its way to contribute equally to man's search for peace and justice."

MRS. VIRGINIA MAE BROWN: FRIEND OF THE RAILROAD PASSENGERS

Mr. BYRD of West Virginia. Mr. President, the increasingly critical situation involving rail service in and out of the State of West Virginia has not escaped the attention of Mrs. Virginia Mae Brown, a West Virginian and member of the Interstate Commerce Commission. And, having delved into the facts of the matter, I note that Mrs. Brown has applied greatly needed commonsense to the tangled situation involving the continued scheduling of trains in the eastern areas including Virginia, West Virginia, and Ohio.

Mrs. Brown's vigorous action in the recent Chesapeake & Ohio proceedings, following the Chesapeake & Ohio Railway Co.'s petition to discontinue certain passenger train service, has been applauded in an editorial in the Fairmont, W. Va., Times on June 20. Having supported her appointment to the Commission, I am especially gratified to note her actions as a member of the ICC. I feel that my faith in her judgment and conscientious performance of duty is being vindicated.

I join with the Times editor in calling her, "Champion of the Passengers."

I ask unanimous consent that this newspaper editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CHAMPION OF THE PASSENGERS

A champion of the people who still prefer to ride passenger trains has been found on the Interstate Commerce Commission in the person of *Virginia Mae Brown*, the former West Virginia insurance commissioner. President Johnson may not have had this angle in mind when he named Mrs. Brown to the ICC, but train-riders may live to reap the benefits of her presence on the committee.

The Interstate Commerce Commission has for far too long listened to the wails of railroad executives about the losses being incurred on passenger traffic. Some of the requests for abandonment of trains can doubtless be supported by the red-ink figures on the operation charts, but there are cases where the roads are simply trying to get out from under.

The Chesapeake & Ohio Railway went to the ICC for permission to abandon two of its best-known passenger operations, the Sportsman and the Fast Flying Virginian, leaving only one "name" train on its main line through Southern West Virginia. The C & O, with the Baltimore & Ohio firmly in its grasp and looking for additional corporate acquisitions, raised the usual argument that "diminishing passenger traffic" was forcing it to give up the trains in question.

Mrs. Brown showed by the road's own figures that travel increased by 15,400 passengers from 1964 to 1966 instead of "diminishing" as the C & O contended. She filed a vigorous dissent to an order requiring the railroad to continue running the trains for six months, insisting that the full legal limit of a year should have been invoked.

The C & O isn't the only railroad that has been cutting back passenger service to an almost irreducible minimum. Its "affiliate," the B&O, may be offering fewer trains through this part of the state than when its main line first went through in 1852. "Name" trains are disappearing all over the country.

The ICC has tolerantly permitted abandonment of passenger traffic in order that the railroads can pile up profits handling freight. The C&O-B&O, for instance, makes a great deal of money hauling coal out of West Virginia, but it doesn't give a tinker's damn whether anyone rides its passenger trains.

Vigorous dissent by Commissioner Brown and all those she can align on her side to the current ICC policy seems to be the only means of keeping a single passenger train running anywhere east of the Mississippi.

SOCIAL SECURITY EXEMPTION FOR AID TO DEPENDENT CHILDREN

Mr. MORSE. Mr. President, on behalf of my colleague, Senator HATFIELD and myself, I ask unanimous consent that there be inserted in the RECORD at this point in my remarks, a copy of enrolled House Joint Memorial 17 which was adopted by the House of Representatives and the Senate of the Oregon Legislative Assembly.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

ENROLLED HOUSE JOINT MEMORIAL 17

(Sponsored by Representative Peck, Senator Fadeley, Representatives Bessonette, Bradley, Carson, Davis, Elder, Graham, Harlan, Holmstrom, Jernstedt, Kennedy, Leiken, Meek, Redden, Richards, Frank Roberts, Rogers, Thornton, Willits, Senators Bain, Eivers, Ireland, Morgan, Musa, Thiel.)

To the Honorable Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas most categories of public assistance include an earnings exemption whereby recipients are allowed some earnings without reduction in grants; and

Whereas the earnings of an adult on an Aid to Dependent Children grant, other than a small allowance for extra costs, are fully deductible from the grant; now, therefore,

Be it Resolved by the Legislative Assembly of the State of Oregon:

memorialized to amend the Social Security

(1) The Congress of the United States is Act so as to extend an earnings exemption to adults on Aid to Dependent Children grants comparable to that given recipients of other categories of aid.

(2) A copy of this memorial shall be sent to each member of the Oregon Congressional Delegation.

EDWARD L. JAMES

Mr. BYRD of West Virginia. Mr. President, the June 20 issue of the Fairmont, W. Va., Times commented on the death of a West Virginian of unusual merit—Edward L. James.

One aspect of his life, his firm belief in education, is especially noteworthy. His own efforts to continue his personal education through reading and study were meritorious, and his diligence in enabling his seven children to secure college degrees is worthy of equal attention and commendation. His contribution toward resolving complex issues of our times will be long remembered within the State of West Virginia.

I ask unanimous consent that this newspaper editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EDWARD L. JAMES

Those who knew Edward L. James during the half-century of his interest in State Democratic politics will regret to hear of his tragic death on Sunday.

The 74-year-old produce company president was fatally injured when an ambulance headed for the scene of a drowning collided with his car.

The shocking accident removed from an active role in business, civic and political affairs one of Charleston's best known residents. He was often a member of the West Virginia delegation at Democratic National Conventions and made numerous appearances before committees at such gatherings.

Although he was graduated as valedictorian of his class at the old Garnet High School in Charleston, he entered his father's produce business immediately and did not continue his formal education. But constant reading and research made him a well-informed man, especially in those areas where his interests centered.

Probably nothing gave him as much satisfaction as seeing all seven of his children receive college degrees. Two are in the family firm and the rest have entered the professions.

While he was a leader of his own race, honors came to him not so much because he was an outstanding Negro but because he had distinguished himself by his own efforts. He and Mrs. James were twice guests at state dinners in the White House, and he was on familiar terms with the great men of his time.

Eddie James brought great credit to the state of West Virginia and the tragedy of his death at 74 will be widely mourned.

MOVEMENT TOWARD BILINGUAL EDUCATION IN ENGLISH AND SPANISH

Mr. YARBOROUGH. Mr. President, it was heartening to me to see an article in the Dallas Morning News of Sunday, June 18, 1967, reporting what is, to me, one of the most exciting educational movies of this decade as applied to the Southwest—the attempt to provide an equal educational opportunity for the Spanish-speaking. These people, who comprise 12 percent of the population of the Southwestern United States, have always had the obstacle of language to overcome in our American schools, and sometimes have encountered actual punishment for any slip into their own mother tongue, Spanish.

To encourage and to utilize this promising movement toward a better method of instruction for Spanish-speaking students, I introduced in the Senate S. 428, the bilingual American education bill, cosponsored by a number of my colleagues in the Senate, which is mentioned in the UPI article by Preston McGraw. Presently the Special Senate Subcommittee on Bilingual Education is holding hearings on the bill, with California hearings scheduled for this weekend in Los Angeles.

The article reports on the progress of the movement toward methods of education which will eliminate by education, not ignore, the language problem. The movement, which began in the educational realm, has in several States become a legislative matter now, as it has here in the U.S. Senate and in the House of Representatives.

I ask unanimous consent that this well-written article by Preston McGraw of United Press International, from the June 18 Dallas Morning News be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Dallas Morning News, June 18, 1967]

MOVEMENT GROWS FOR USE OF INSTRUCTIONS IN SPANISH IN SOUTHWEST'S SCHOOLS

(By Preston McGraw)

A movement is growing in the Southwest to provide instructions in Spanish to Mexican-American students in public schools and solve the worst dropout problem in the country.

Dr. Faye L. Bumpass of Texas Technological University at Lubbock recently stated the nub of the problem in testimony before a Senate subcommittee on bilingual education.

"In the 5-state area (Texas, New Mexico, Colorado, Arizona and California) there exist today at least 1,750,000 school children with Spanish surnames, whose linguistic, cultural and psychological handicaps cause them to experience, in general, academic failure in our schools or at best limit them to only mediocre success," she said.

The average number of school years completed by the Anglo child in the Southwest is 12.1 years. For the Negro, it is 9 years. And for the Mexican-American it is 7.1 years.

"A report of the Texas Education Agency shows that in 1957—the only year such a survey was made—about 80 per cent of non-English-speaking children had to spend two years in the first grade," says Dr. Dwain Estes, executive director of the Interamerican Educational Center at San Antonio.

The problem is greater in Texas than in the other states because it has 40 per cent of the 1,750,000 school children with Spanish surnames.

Sen. Ralph Yarborough, Texas Democrat, has introduced a bill to provide $32 million over the next three years to school districts with large Spanish-speaking populations, so Spanish-speaking students may be taught in Spanish.

As chairman of the Senate subcommittee, Yarborough has been going about holding hearings—he has held three in Texas—on the language barrier before Spanish-speaking students.

Spanish-speaking persons generally are at or near the bottom of the economic heap in the Southwest. The majority of migrant laborers are Spanish-speaking. Supporters of bilingual education have these facts in mind.

California Gov. Ronald Reagan late in May signed into law a bill permitting the state's school districts to provide instruction in a language other than English.

The bill was aimed primarily at teaching California's 461,000 Spanish-speaking school children in Spanish when they do not have an effective knowledge of English. The measure does require that they also be taught English.

"This measure will be of tremendous benefit to many Californians, particularly Spanish-speaking children who will be afforded more and better opportunities for quality education," Reagan said.

Gov. John Connally of Texas publicly committed himself to a 2-language system in Texas schools, but a bill providing bilingual instruction failed to get through the Legislature.

The reason was thought to be because the first version of the bill specified that the second language was to be Spanish. German-speaking residents and Texans living near French-speaking areas of Louisiana took exception. By the time the bill was rewritten, legislators were afraid of more controversy.

In New Mexico the breakdown in school enrollment is 60 per cent Anglo 30 per cent Spanish-speaking and 10 per cent Indian. The 10 per cent Indian makes the language problem even more difficult.

Dr. Henry Pascual head of the New Mexico Department of Education's bilingual division said in the last three years teachers in his state have spent more time trying to increase the English-speaking proficiency of Mexican-American children.

"It's met with fine success where we've tried this approach" he said. "It has spread all over the state but of course is somewhat limited now. Education is something that moves rather slowly. There still are deficiencies. It takes time."

In the border city of Laredo, Texas, where possibly the most successful bilingual teaching program in the Southwest is flourishing, authorities agree that it takes time.

The United Consolidated School District of Laredo is 400 square miles bigger than the state of Delaware. Some students come 55 miles.

For the past three years the day that pupils started school they were taught in two languages—English and Spanish. English-speaking students learned Spanish: Spanish-speaking students learned English.

The program has been extended a grade a year so that next fall it will be in the fourth grade. District Supt. Harold C. Brantley is almost evangelical about the results.

"We envision by the time these kids come through six years of elementary school they will be ready for an entirely new program so they can take a course in either language and what language it is won't be determined by whether the student's name is 'Martinez' or 'Smith'," he said.

Some authorities are not so sure a completely bilingual program is what is needed. Among them is John Gonder superintendent of the Harlandale Independent School District adjoining the San Antonio district.

For the past 18 months an experimental program has been in effect in Gonder's district. It primarily emphasizes the English language and uses the Spanish language enough to explain.

"We think it promotes social acceptance adjustment and understanding" Gonder said.

TAX-EXEMPT MUNICIPAL BONDS

Mr. NELSON. Mr. President, some time soon the Congress will have to face the issue head on of the abuse of municipal bond financing for private ventures.

The June 12 issue of U.S. News & World Report featured a special article which states some of the issues quite clearly.

Treasury Secretary Fowler is quoted from a recent speech where he said:

> Now more and more, this device is being used by corporations which are financially strong and quite capable of obtaining their funds through normal market channels.
>
> When they turn to the local issuing agency for these funds they—and the local agency—are getting into an arrangement which distorts the tax-exemption privilege and which, in the long run, simply forces the Federal tax-system to support their financing.

So long as a struggling company which has to pay a premium for financing is willing to locate in an area that is classified as distressed under rules of the Economic Development Administration, I have no quarrel with the system. But the abuse as presently employed must be examined by the Congress and inequities corrected.

I ask that the article, titled "A Tax Incentive That's Coming Under Fire," be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A TAX INCENTIVE THAT'S COMING UNDER FIRE

(NOTE.—Steam is building up behind a plan to prevent States and localities from selling tax-exempt bonds to build factories for private companies. Even some States that use the practice want it banned. The Johnson Administration, too, wants early action. Industrial-aid bonds, though, may have too many friends to be stopped now.)

A long feud between the Federal Government and State and local governments appears to be coming to a head now.

The issue is a rush by communities to sell their tax-exempt bonds to finance construction of industrial plants for leasing to private corporations.

Officials in Washington regard that growing practice as an "abuse" of the tax-exemption privilege that permits States and localities to finance public projects at lower rates of interest than they otherwise would pay.

Support now appears to be building up rapidly for Administration efforts to stamp out such activities by denying tax exemption for future issues of municipal industrial-aid bonds. Some evidence of that growing support:

On May 31, the Investment Bankers Association issued a new policy statement saying that "the situation is rapidly deteriorating" and that "abuses of tax exemption have expanded to alarming proportions."

For the first time, the IBA adopted a resolution backing the Treasury plan to prevent this kind of bond.

On May 24, nine U.S. Senators and 16 Representatives joined to demand an end to industrial-aid bonds, which, they said, are being used by many States to pirate industries from other States.

On May 23, North Carolina's legislature, acting, as it said, "reluctantly as a defensive measure and with reservations," adopted a bill to permit the use of such bonds by communities.

In doing that, the legislature also adopted a resolution denouncing the practice it was authorizing and calling on the President, Congress, and its "sister States" to stop it.

Governors of a number of States particularly Northern States, have recently demanded action from Congress. One such State, Pennsylvania, is going ahead to adopt its own law authorizing industrial bonds while it waits.

SPREADING PRACTICE

The use of tax-free bonds to finance private plants has been spreading rapidly.

Already in 1967, three States—in addition to North Carolina—have authorized their issuance. The three are Texas, Colorado and Utah.

This brings to 35 the number of States seeking to attract industry with this lure. Several others have authorized use of industrial-aid bonds on a limited basis.

In addition, a number of other States are in the process of adopting bills to authorize them. Wyoming's new law will be ready for use after a court test.

The chart on this page shows the big rise in offerings of these bonds.

Not until 1959 was as much as 15 million dollars' worth issued in a year. Last year, a tally by the IBA has just disclosed, the volume of new industrial-aid bonds going to market exceeded half a billion dollars.

So far this year, the volume is running well ahead of last year's, and the IBA says it estimates "conservatively" that the 1967 total will be at least three quarters of a billion dollars.

The biggest users of tax-free industrial bonds in most recent years have been Southern and Border States, though the practice has become widespread since it was first used in Mississippi in 1936.

Last year, for example, nearly two thirds of the half-billion-dollar total was offered by communities in Kentucky, Alabama, Georgia, Arkansas and West Virginia. Sizable offerings also came from Delaware and Iowa.

PROS AND CONS

Those States are not the only friends which industrial-aid bonds have now.

Many members of the IBA itself are among the investment banking firms that underwrite new issues of these bonds.

Proponents to tax-free industrial bonds say they offer low-income, labor-surplus areas an effective method of attracting new industry, particularly corporations that lack capital to build new plants or credit to finance them at reasonable cost.

Administration officials, however, contend that communities now are getting further and further from that idea. Treasury Secretary Henry H. Fowler, in a recent speech, had this to say:

"Now, more and more, this device is being used by corporations which are financially strong and quite capable of obtaining their funds through normal market channels.

"When they turn to the local issuing agency for these funds they—and the local agency—are getting into an arrangement which distorts the tax-exemption privilege and which, in the long run, simply forces the federal tax system to support their financing."

CASES IN POINT

The IBA, on May 31, gave these examples of recent issues sold or scheduled:

82.5 million dollars in bonds by Middletown, Ohio, for Armco Steel Corporation.

20 millions in bonds by Nevada, Mo., for Minnesota Mining & Manufacturing Company.

30 millions in bonds by Warren County, Ky., for Firestone Tire & Rubber Company.

80 millions in bonds by Wickliffe, Ky.—population 917—for West Virginia Pulp & Paper Company.

60 millions in bonds by Fort Madison, Ia., for a subsidiary of Sinclair Oil Corporation.

Other large companies for which substantial issues of tax-free bonds have been sold recently included American Can Company, Skelly Oil Company, Phoenix Steel Corporation, Rockwell-Standard Corporation and Air Reduction Company.

Objections to these bonds are offered by members of Congress who are pressing bills to apply income taxes to such issues in the future. In a May 24 statement they listed these arguments:

"Municipal industrial-development bond issues use public credit for essentially private purposes. . . .

"These bonds encourage the pirating of industrial plants . . . causing economic dislocation in the area abandoned. . . .

"These bonds hurt legitimate municipal borrowing. . . .

"These bonds cause unfair competition. . . ."

MATTER OF SELF-INTEREST?

The IBA itself bases its opposition on what it regards as the self-interest of its members and of State and local governments.

Its fear: that resentment against industrial-aid bonds will rise to a point that will endanger tax exemption for all future issues of State and local bonds.

Is Congress likely to ban industrial-aid bonds? Officials decline to make any prediction.

However, there is this to note: The most powerful friend these bonds have is Representative Wilbur D. Mills, chairman of the Ways and Means Committee, which would have the job of writing the legislation. Mr. Mills's State, Arkansas, is a user of these bonds and issued 131 million dollars' worth of them in the four years 1963–66.

JUSTICE DOUGLAS PRAISES PROPOSED BIG THICKET PARK, SUGGESTS WILDERNESS TRAILS FOR TEXAS

Mr. YARBOROUGH. Mr. President, Justice William O. Douglas has made an important contribution to the conservation of this country's wilderness land as well as to literature, in his new book, "Farewell to Texas: A Vanishing Wilderness." In this book he points out that the State of Texas is one of the few remaining areas containing wilderness areas of any great extent.

On June 11, the Houston Post ran an article, "Nature Trails for Texas," featuring an interview with Justice Douglas in which he sets forth some very helpful suggestions for the preservation of these wilderness areas. He recommends especially the creation of hiking and riding trails through these natural areas, to preserve the wilderness aspect which makes them unique in today's world of superhighways, and rapid-moving transportation. The interview was of Justice Douglas while he was in Texas recently to attend the annual meeting of the Big Thicket Association.

I commend Justice Douglas on his foresight, in working now to preserve areas of natural beauty for the people of tomorrow, when these areas will be a rarity. It is such a task that I am trying to perform for the people of America, in S. 4, the pending Big Thicket National Park bill, to create a national park in southeast Texas, to which Justice Douglas alludes in this article.

I ask unanimous consent that this article by Diana Hobby from the Sunday, June 11, 1967, Houston Post be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Nature Trails for Texas

(By Diana Hobby)

Texas could have a series of hiking and riding trials through its wilderness areas to rival the Appalachian trail, which runs 2,100 miles from New Hampshire to Georgia, if its citizens act on the advice of Chief Justice William O. Douglas.

Justice Douglas' new book, "Farewell to Texas: A Vanishing Wilderness" (McGraw-Hill), is pessimistic about the future of our few remaining wilderness areas, but the Justice himself had a bagful of hopeful suggestions when he stopped in Houston last week. He was on his way to attend a meeting of the Big Thicket Association, a nationwide conservation association.

"You are dealing with a distressed condition all over the country," Justice Douglas said.

"The population is growing so fast, the pressure to put roads in is so great, that recreation is thought of in terms of roads. Once a road is put into a wilderness area, the wilderness character is gone, the fishing drops off, the rare species leave.

"The big job now is to save tracts, five-acre ones, and ten thousand-acre ones, before they're all gone.

Justice Douglas had some hard knocks for the National Park Service.

"The Park service wants revenue-getting recreational facilities, to show Washington they're self-supporting. They get hooked on making money the way you can get hooked on drugs. The pressure on them is great, for so many people want to go in by oar, and then it's no longer a wilderness. But the conservationists have a theory of the rights of minorities, which has historically been upheld in this country.

"The Big Thicket is now being cut at the rate of 50 acres a day. Sen. Yarborough has introduced a bill in Congress to establish the Big Thicket National Park, which would be composed of a series of units, not contiguous, under one administration."

Asked how the public might gain access to waterways such as the Guadalupe River, which is mostly surrounded by privately-owned land, Justice Douglas dismissed as impractical any attempt at legal action.

"The only way," he said, "is to lay out a trail, with the owners' permission." In his book Justice Douglas recommended an LBJ trail in the Hill Country, to let people walk through that part of Texas which President Johnson has revealed to so many people.

"The only expense is getting the signs made. Some Texas artist should design a distinctive Texas Trail Marker, and it should be used throughout the state. The Appalachian Trail was laid out in this way, mostly over private land. There are huts at average day's walking distances, for overnight camping, and those can be put up individually by clubs, foundations, ladies' groups.

"You need an expert to determine where the trail should be placed, then you get the owners' permission, and you let the boy scouts and the girl scouts lay out the trail.

"In the Guadalupes, there is a wonderful opportunity for a trail system, from El Capitan, running up into New Mexico. That's great horseback country. There are elk there, although the goats are all gone. There's even Douglas fir there, relics of the Pleistocene Age when Texas was a wet, wet place.

"The fourth trail area would be the Davis Mountains, which is wonderful hiking country.

We asked Justice Douglas what areas the State of Texas should advertise as seasonal tourist attractions. He listed the Big Bend, the Guadalupes, and the Davis Mountains as choice year-round vacation areas, for horseback, camping, or walking, and the Big

Thicket and the Hill Country as ideal winter resort areas, especially for hiking.

"This is largely a problem for civic leadership," Justice Douglas concluded. "The Texas State Park System has been something of a disgrace. It is up to the leadership of clubs such as Rotary and Kiwanis to help maintain the wilderness places. Texas still has a tremendous group of natural resources."

AN EXCITING NEW APPROACH TO TAX SHARING

Mr. TYDINGS. Mr. President, last Sunday in Ocean City, Md., Senator James Pearson delivered an important speech on Federal-State tax sharing. Speaking before the annual conference of the Maryland Municipal League, Senator Pearson proposed a 50-percent credit against Federal tax payments for State and local income taxes to help State and local governments meet the rapidly escalating cost of delivering essential government services to their people.

I believe the approach to Federal-State tax sharing suggested by Senator Pearson has great merit. As an author of a tax-sharing proposal myself, I recently spent several hours discussing the entire problem of tax sharing with the Honorable Terry Sanford, former Governor of North Carolina, who now directs the study of American States project at Duke University. Governor Sanford and I discussed at considerable length the merits of using the tax credit approach to induce States and localities to raise, through graduated income taxes, the revenues necessary for modern government.

This approach to tax sharing is an exciting new departure, worthy of most serious consideration. As Senator Pearson said, the tax credit for State and local income taxes is a fiscally responsible stimulus which is grounded on the most fundamental tenet of American life—reliance on local initiative." I ask that the full text of Senator Pearson's remarks be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Creative Federalism and the Cities

(Statement by Senator James B. Pearson, before the annual conference of the Municipal League, Ocean City, Md., June 18, 1967)

Today the urban areas of the United States, the supposed showcases of our county's culture and civilization, are plagued with monumental problems of rising crime rates, overpopulation, traffic congestion, chronic unemployment, air and water pollution, festering slums, and explosive racial unrest. Almost daily it seems, throngs take to the streets of one or more of our cities to protest the quality of American urban life.

Many of the causes espoused in these demonstrations are spurious or misguided. Many of the philosophies expressed are uninformed or irrational. Nevertheless, considered in the whole, these signs of unrest reflect a disturbing, if not an alarming unease and dissatisfaction with the operation of that unique system of government we refer to as the Federal system.

This disquietude may be understandable in the light of the gravity of the problems which confront our cities and their apparent inability, and sometimes unwillingness, to offer adequate solutions. Yet I am persuaded that the institutions of local government are sound and that the Federal system as a political mechanism is not defective. Local governments, lacking financial resources and sometimes political authority, find themselves in a position of imbalance within the system.

If we are to revitalize our Federal system, if we are to achieve that "creative federalism" we hear so much about, then such architects of such a modern scheme of governing ourselves need as a starting place, not only knowledge of traditional political principles, not only a recognition of organizational charts outlining the legal relationship of one unit of government to another—but also an understanding of the distribution of public functions and the sharing arrangement which characterizes government decision making.

The American form of government is often symbolized as being a three-layer cake—the federal, state and the local government. A far more accurate metaphor, however, would be a marble cake, characterized by a mingling of different functions which would appear as vertical and diagonal strands.

The Federal grant-in-aid programs are the most obvious example of these mixed functions. These projects utilize the great tax collecting abilities of the Federal Government and establish nationwide goals and standards. Yet they seek to serve government responsibilities traditionally carried out under state law and with considerable state and local discretion.

Even in the absence of joint financing, the Federal-state-local pattern of collaboration remains a characteristic mode of government operation. One example associated with every day life is Federal expertise which provides the standards for state and local personnel in regard to protecting housewives against dishonest butcher scales. This pattern of shared sovereignty also exists when viewed from the local side of government, States and localities assume important responsibilities in the development of national programs for atomic energy, civil defense, the regulation of commerce and the protection of purity in food and drugs.

Thus, the functions of government are not neatly divided among its many levels. They are shared and it is difficult to find any governmental activity which does not involve all three levels of the Federal system.

For many, the conditions just described represent an evil development. One authority has contended that the main tradition of American federalism is the tradition of separateness. Lord Bryce in his classic, *The American Commonwealth*, described the Federal and state governments in the 19th Century as, "distinct and separate in their actions."

Moreover, throughout the 19th Century the United States Supreme Court wrote many decisions referring to areas of exclusive action to be exercised by the Federal Government or by the state governments.

Yet the real thrust of most of these decisions was designed to limit government power rather than to deal directly with the issue of cooperation versus separation between various levels of government.

In the past dozen years, as you well know, many commissions and committees have been established to reform and reorganize the Federal system. Several have advocated establishing "functional separateness," that is, the parceling out of our governmental functions to that level of government best suited and financially able to render a given service.

Suffice it to say that no such retrenchment has been implemented by legislative, executive or judicial action. And the truth appears to be that, despite certain theories and concepts, the American Federal system does not seem to have ever been a system of separate or horizontal levels of public action.

Even before our Constitution was drawn, a statute of 1785, reinforced by the Northwest Ordinance of 1787, gave grants-in-aid to states for public schools. Thus, the national government was a prime force in making possible what is now taken to be the most local function of all—primary and secondary education.

Throughout the 19th century, grants-in-aid from the Federal Government went to the state governments and their local subsidiaries, not only for elementary education, as mentioned, but also for colleges, roads, canals, rivers, harbors and railroads, etc.

Aid also went in the other direction. For example, state governments became real partners in Federal programs for homesteading, reclamation, inland waterways and the nation's internal communications system, including highway and railroad routes.

Thus, the limitation of governmental power the founding fathers sought to create was achieved not so much by virtue of a separation of government activities at each level of government, but by virtue of the dispersal or the sharing of a given power among the various levels of government.

While the recent efforts to separate governmental functions have not been successful, there still remains an urgent need to improve our system of shared government roles. If more efficient and economical methods of intergovernmental cooperation can be devised, if the disbursal of governmental powers among the various levels of government can be restored to its original balance, the phrase "Creative Federalism" can become much more than a simple slogan to justify an expansion of grant-in-aid programs.

At present there are approximately 220 such programs administered by 21 departments and agencies. In such a confusing situation, a further proliferation will only create more problems than it solves.

Moreover, many of the most serious burdens of urban administration are not greatly helped by these Federal programs. As Professor Alan K. Campbell, Director of the Metropolitan Studies Program at Syracuse University said, "the traditional municipal functions—police, fire, sewerage and refuse collections . . . these non-aided municipal functions which place such a severe fiscal burden on central cities are also the functions least aided by either the state or Federal government."

A number of alternatives have been put forth recently, most of them dealing with some system of Federal revenue-sharing with the states. Many of these proposals merit serious consideration. Indeed, they may offer the best long-run solution to the problem of raising greater state and local revenue while avoiding cumbersome Federal controls. Moreover, tax sharing can be effectively used to equalize revenues among the states.

While I am a cosponsor of a tax sharing proposal in the Senate, I recognize that such an approach presents several difficulties.

For example, tax sharing means separating the responsibilities involved in the power to tax and the power to spend. It is important that those who spend public funds also bear the duty of justifying and raising the needed revenue.

Tax-sharing also would do little to reduce the competition that exists today among state and local governmental jurisdictions to obtain Federal funds. On the contrary, it might encourage it. Such competition can be unhealthy, for it may tend to become a substitute for state efforts to improve their own revenue system and to promote more equitable and progressive tax structures. Pressures for desirable state and local reforms must not be reduced.

In addition, tax sharing involves direct payments from the U.S. Treasury. This year the Administration will probably incur the largest budgetary deficit in our history—perhaps as much as $20 billion. Given the prospect of a deficit of this immense scope, Congress will probably prove unwilling to enact any large-scale programs of tax sharing at the present time.

As an alternative, I have introduced the Tax Credit Act of 1967 to amend the Internal Revenue Code to permit the taxpayer to deduct 50 percent of his state and local income taxes from his Federal income tax payment. Such a credit would put a reasonable portion of the Federal taxing power at the service of our state and city governments with little danger of stultifying bureaucratic control.

As noted by the Committee for Economic Development in its recent endorsement of the Federal tax credit approach, income taxes are virtually the last revenue source available to our cities and states. Other forms of taxation are nearly exhausted. In addition, these are the only taxes which grow with the local economy and are not regressive. They are also collected with little administrative difficulty and at relatively low cost.

Because of the near Federal monopoly of income tax revenue, it is incumbent upon the national government to stimulate our states and cities to better utilize this revenue source.

As an aside, let me say that while a special session of the General Assembly will be necessary to make certain mechanical corrections in the recent tax reforms of the Agnew Administration, Maryland has nonetheless taken a significant step in modernizing its tax structure and has given ample proof of the type of revitalization that could occur in other areas with a creative Federal stimulus.

The size of the present Federal income tax monopoly is demonstrated by the fact that in 1962, out of all income taxes collected, the Federal Government garnered 93.8 percent. State and local governments collected only 6.2 percent.

In the same year, 80.3 percent of Federal revenue came from income taxes compared to only 10.5 percent for state and local units. In fact, as you know, most of our local revenue is generated from sales and property taxes. In the majority of our cities and surrounding suburban areas, the opportunities for expanding these taxes are severely limited.

For example, high property taxes in the older sections of a city can actually cause blight and decay. A prohibitive tax structure tends to discourage owners of older buildings from maintaining or improving their property. Thus, these measures often worsen the very social ills they are attempting to cure.

A 50 percent income tax credit, such as the one proposed in my bill, would go far toward stimulating our states and cities to enact adequate income tax levies of their own. Such a credit would operate quite simply. For example, if a married couple filed a joint return on a taxable income of $3,000 their Federal tax would be approximately $450. If they lived in a city with a one percent income tax (the present average), their local payment would be $30. If their state tax were four percent (the present average), their state payment would be $120. Thus, their combined state and city tax bill would be $150.

Under the Tax Credit Act, 50 percent of these taxes could be deducted as a credit from their Federal tax payment. Therefore, they could subtract $75 from their Federal payment—$15 for their local tax, and $60 for their state tax.

In addition, the bill permits taxpayers the opportunity of listing state and local taxes as deductions as an alternative to the partial credit.

The cost of such a credit system would not be prohibitive, and it would generate more revenue for state and urban improvement than does the present hodgepodge of Federal grants.

The Federal Government, of course, already sustains a revenue loss under the current tax system. It is estimated that every dollar of income tax currently collected by the state and local governments results in about a 24¢ reduction in Federal income tax liability, which is currently costing the Federal Government approximately $1 billion. The additional 1967 cost of a 50 percent credit would be somewhere around an additional $1 billion in lost individual income tax revenue.

Furthermore, it must also be remembered that this Federal revenue loss would be associated with a greater rise in state collections.

It is true future costs to the U.S. Treasury would probably be greater than the figures I mentioned. But it is unlikely that they would prove to be unreasonable because of the political limitations imposed by the public on irresponsible tax policies—limitations which probably have their greatest effect on the local level.

I have written many governors and mayors soliciting their views on this tax credit approach to encourage the development of greater local revenues. Many of the governors are in favor and some are opposed. The mayors, on the other hand, have been almost universally in favor of the tax credit, perhaps because they are more aware of the difficulties involved in raising adequate revenue to meet metropolitan needs, especially, as Professor Campbell noted, in areas where the state government has been of little assistance. Those governors who are opposed to a tax credit generally are from those states which do not levy income taxes. They make the point that the introduction of a credit for state and local income taxes would discriminate against these areas which currently rely on other sources of revenue. In effect, therefore, they are saying that they prefer to be handed money which is collected by the Federal Government rather than take the necessary steps to enact income taxes of their own to take advantage of the increased tax base made available by the partial tax credit.

To this view I can only say that tax credits are not designed to replace Federal grant-in-aid programs. They are designed to offer an alternative to an overly rapid growth of those programs which could be better devised and administered on the local level if adequate revenue were available. In addition, it is this very reliance on Federal rather than local initiative which is frustrating the potential of our political system.

Certainly it might be politically painful to enact income taxes to collect the revenue made available by a partial Federal credit. Nonetheless, it must be done if sufficient local revenues are to be generated to restore the proper balance in the mix of government functions that is characteristic of our Federal system. If such a credit were not available, the needed income, property or sales levies would eventually become unbearably burdensome to the individual taxpayer.

Furthermore, if constitutional revisions are needed to modernize the fiscal powers of the state and local governments then they should be made. In this connection, let me take this opportunity to congratulate Maryland on its historic effort to rewrite and revitalize its Constitution this fall. I wish you every success.

A wise man once observed, "the office of government is not to confer happiness but to give men opportunity to work out happiness for themselves."

We should act now to give the millions in our states and cities that opportunity. They merely ask for a chance to use their insight and imagination. A partial tax credit will not solve all their myriad problems. But at least it is a start.

It is a fiscally responsible stimulus which is grounded in the most fundamental tenet of American life—reliance on local initiative. The tapping of this well-spring of creativity and imagination must not be further delayed.

THE CLERGY'S ROLE IN CONTEMPORARY SOCIETY

Mr. MONDALE. Mr. President, the Minneapolis Tribune has recently featured a series of articles by eminent churchmen expounding their view of the clergy's role in contemporary society.

I have found one of these articles, authored by the Reverend David Preus, pastor of the University Lutheran Church of Hope and a member of the Minneapolis Board of Education, to be an unusually eloquent and instructive statement on the mission of the church in the modern world. I have the honor to invite Pastor Preus' observations to the attention of the Senate.

All who have joined or observed the great struggle for the achievement of full legal and civil justice for all our countrymen are aware of the unique contribution made by members of every religious community. Pastor Preus provides a forceful apologia for that action, asserting that the church, literally defined as "the people of God," lives under a divine imperative.

Pastor Preus provides a definition of Judeo-Christian love which makes it impossible for any man, least of all churchmen, to escape full responsibility for a wise and self-giving stewardship over creation in all its parts. That stewardship, says Pastor Preus, extends from the eradication of every form of human sorrow to the restoration of the natural purity of our environment.

Mr. President, I ask unanimous consent that the article by Pastor Preus be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CLERGYMEN MUST PARTICIPATE IN SOLVING WORLDLY PROBLEMS

(EDITOR'S NOTE.—As a result of recent debate over the participation of churchmen in street marches and other forms of political activity, the Tribune asked six eminent Minneapolis clergymen to give their views of the clergy's role in contemporary society. This is the second of six articles.)

(By The Reverend David Preus, pastor, University Lutheran Church of Hope (and a member of the Minneapolis School Board))

The move of the church and its clergy into the world is pure gain! It is valid response to a whole host of Biblical commands. How can we love our neighbors without positive participation in the wider society? How can we be the salt of the earth if we spurn her for her earthiness? How can we be a servant church and ignore the society that both forms man and is formed by him?

I do not believe in a quiet clergy. I have not chosen nor do I feel called to, a cloistered life. The clergyman shares with every other citizen responsibility for the over-all health of the neighborhood, city, state, nation and world. Ordination in no way diminishes that responsibility. In fact, I do not know how we could exhort our parishioners to create a just and joyful society while excusing ourselves from the hard work necessary to bring it about. Clergymen do not have access to special wisdom that will solve our social woes.

Clergymen can and do err! The greatest error is to wrap ourselves in a pious cloak and withdraw from the action fronts.

The highest form of Jewish and Christian worship has to do with loving people. The prophets made this clear when they insisted that God was not served by a lot of ritual unrelated to our life in the world. Micah put it thus. "What does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?" Jesus belabored the formally religious whose worship had no bearing on the nature of man's relationship to his fellow man. He said, "By this shall all men know that you are my disciples, that you love one another."

Love is not a sentimental feeling, a vague attitude of good will. It is self-giving action directed toward the well-being of one's fellows. Love can be very personal in application, a visiting of the sick and sorrowing, a giving of food, clothes or money to one in need, an act of forgiveness or a word of encouragement. Love is also expressed impersonally, in the pursuit of social justice for all people.

Look at your neighbors, the children, for instance. How do you love them? Play with them, be friends with them, open your cookie jar to them, invite them to church with you? Certainly, if these things seem needed in their lives. But look again. They will go through life with their wings clipped if they do not receive a quality education.

I submit that love for your neighbors, the children, requires provision for excellent education. If so, the love quickly becomes citizens' committees, planning meetings, millage campaigns, voting and money. In your expenditure of time, energy and resources you may not meet a single flesh and blood child. Yet you will have acted in love toward them.

The same thesis applies in all kinds of areas. How do you love the disenfranchised, the dropout, the impoverished, the handicapped or any other people who cannot solve their problems by themselves? Certainly they need personal friendship and individual attention. We all do. They also need the services that can only be provided by the joint action of society.

Legislation, research projects, agencies and institutions devoted to specialized services are all possible avenues of opportunity and justice for people. None of them just happen. They come into being as people care enough to give themselves to the battle for them. Civil rights acts, mental health programs and rehabilitation centers are illustrative of acts of love in the public domain. They represent ways by which men and women, clergy included, have responded to the command to love they neighbor.

Consider the Biblical command to be stewards of the gifts of God. That requires the acknowledgement that God is the fee owner of the whole creation. We are his stewards, temporary trustees, charged to return an earth that has been improved by our management. As stewards we are to use the created order to ennoble man's life, to bring joy and fullness to his earthly stay. A proper stewardship of the earth can do that.

A moment's reflection indicates how far we are from the ideal. By treating the creation as our own, to be exploited for our momentary pleasure, we pollute and corrupt and deface and dehumanize. What kind of stewards will receive clear lakes and rivers and hand back open sewers and littered sloughs?

As stewards we have the opportunity, yes the responsibility, to create communities, cities and nations that are warm and human, brimming with beauty and brightness, designed to enable people to work and play, laugh and cry, live and die without ugliness, bitterness and warfare as daily companions.

To make such a possibility a reality requires devoted public service, as well as private action, by a whole array of citizens. Clergymen are included!

TILLAMOOK, OREG., SOUTH JETTY PROJECT

Mr. MORSE. Mr. President, on behalf of my colleague from Oregon [Mr. HATFIELD] and myself, I ask unanimous consent that there be printed in the RECORD, a copy of Enrolled House Joint Memorial 9, adopted by the House of Representatives and the Senate of the Oregon Legislative Assembly, in support of funds for planning and construction of the south jetty at Tillamook Bay, Oreg.

Although the President's budget does not request funds for the Tillamook south jetty project for fiscal 1968, I am pleased to state that Senator HATFIELD and I are giving enthusiastic support to the request for an appropriation of $500,000 for this project for the coming fiscal year. This is the amount that could be used, effectively and efficiently, by the U.S. Army Corps of Engineers, subject to the usual limitations set forth by the corps. The project is urgently required to prevent erosion damage on Bay Ocean Spit in the vicinity of Tillamook Bay, Oreg. The initiation of construction work on this project in the coming fiscal year and the advancement of the project to that extent, will reflect economy in the long run due to constantly increasing costs in connection with public works projects.

The Tillamook Bay south jetty project is most meritorious and initial construction should be undertaken this year.

There being no objection, the memorial was ordered to be printed in the RECORD, as follows:

[Oregon Legislative Assembly, 1967 regular session]

HOUSE JOINT MEMORIAL 9

(Sponsored by Representative Hanneman, Senator Naterlin.)

To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:

We, your memorialists, the Fifty-fourth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas Tillamook Bay is the only potential deep water port between Newport and Astoria, a coastal distance of more than 100 miles; and

Whereas the absence of a deep water port along the north central coast of Oregon creates a severe hazard to the safety of coastal shipping; and

Whereas a considerable amount of funds have already been spent for rehabilitation of the north jetty; and

Whereas the Federal Government has previously recognized the necessity for construction of the south jetty in order to complete the project; now, therefore,

Be it Resolved by the Legislative Assembly of the State of Oregon:

(1) The Congress of the United States is memorialized to appropriate sufficient funds for planning and construction of the south jetty at Tillamook Bay, Oregon.

(2) A copy of this memorial shall be transmitted to the President of the United States and to each member of the Oregon Congressional Delegation.

THE KENNEDY ROUND, CANDOR, AND THE RULE OF CONFIDENTIALITY

Mr. HANSEN. Mr. President, the Kennedy round of trade negotiations will be consummated on June 30 with the signing of the final instruments of negotiation by the participating nations, including the United States.

While near-final arrangements were announced to the press some weeks ago, negotiations about specific commodities and precise tariffs is still going on in Geneva, and probably will continue until shortly before the June 30 expiration of the legislation which permits U.S. participation in the Kennedy round.

A number of Senators have attempted to learn prior to the finalizing of arrangements, what the Kennedy round has in store for particular commodities. Most lawmakers have learned, to their consternation, that specifics of the intricately built tapestry of tariff will not be revealed to them until after the fact—after the signing of final instruments on June 30.

On June 8, I wrote the Honorable William Roth, Special Representative for Trade Negotiations, requesting information as to "any contemplated decrease in the tariff rate on raw wool." I was informed by letter June 16:

> Participants have agreed that the rule of confidentiality of offers must prevail until the final agreement is signed. I am, therefore, unable to comment on the possibility of tariff reductions on any specific items.

Three days after receiving Mr. Roth's letter, I was notified by the Department of Agriculture that Ambassador Roth "has informed us that specific information about items that may be subject to trade negotiation cannot be disclosed at this time."

Mr. President, I am fully in accord with the necessity for some degree of confidentiality. The intricate web of give and take in tariff and related matters is like the wall of interlocking stones which collapses when any stone is removed. To this extent, I can sympathize with our trade negotiators in wishing to secure finalization of their many years of effort, so that a general liberalization of tariffs worldwide can be achieved.

But, in my judgment, it is distorting the issue when Senators and Congressmen are kept in the dark on a subject which is constitutionally within their purview.

The Trade Expansion Act of 1962 notwithstanding, the Constitution reposes in the Congress prerogatives for the establishment of tariffs. Despite the finalization of the Kennedy round in only a week, the U.S. Congress will certainly be in a position to legislate changes in the international agreement; however, as the office of Ambassador Roth has informed me, such action could either reopen negotiations, or could bring about the invocation of sanctions or the imposition of penalties against the United States.

There are two ancillary agreements which will come before the Senate for ratification in the form of treaties. However, the basic provisions of the Kennedy round will not be something which will be subject to Senate ratification in toto. The Senate will have before it the international grains agreement and a treaty with respect to the American selling price.

The basic question which disturbs me is the lack of information made available to the one-third of Government which, as a matter of fact, is charged with the responsibility for tariff setting. With respect to Mr. Roth's comments about the rule of confidentiality, his office clarified this position. It admitted flatly that the remarkably convenient "executive privilege" is the instrument of latitude behind which the specifics of tariff negotiation are being concealed. It is gratifying to know that Congress is not being exempted from important facts by a gentleman's agreement reached at Geneva.

Much has been said on and off the Senate floor about the credibility gap—about Government's secrecy and lack of candor. This, in my mind, is one more example of the Government's disinclination to tell the truth at the only time when the truth can have value. It will be tenfold more difficult for the Senate to protect American business interests after June 30. The Congress has a right to know what the Kennedy round means to each of our domestic industries before it is too late to influence the final form of the agreements.

Were the Senate to be informed about what the Kennedy round means in time for the passage of resolutions, or at least for the wishes of the Senate to be brought to bear, there might be time for constructive changes, short of breaking down an entire, elaborately constructed mechanism for international tariff arrangements.

THE MIDDLE EAST AND THE SUMMIT: THANKFULNESS AND HOPE

Mr. HARTKE. Mr. President, I cannot help wondering how many people in the United States and elsewhere feel as I do about the present world situation. And I have mixed feelings.

I am so thankful that the conflict in the Middle East did not bring the nuclear powers into another countdown. As terrible as the suffering, death, and destruction were in those countries, the threat to all people of the whole world was much greater.

The nuclear powers are always involving every human being when they face one another in a crisis. The issue is not country or nationality but humanity itself. We dare not become casual or calloused about this fact.

I am so thankful that the President and Premier Kosygin have gotten together at Glassboro for a meeting. It was unbelievable that these leaders could let political formalities stop conversation. The fate of the future—of mankind—is involved with the behavior of these men.

There is cause for being thankful for the limited crisis in the Middle East and the summit meeting at Glassboro. But is there really cause for hope?

So quickly the human victory gives way to the threat of defeat. I am thankful for the conversations of the world leaders but I must see some cooperation if I am to have hope. Today's newspapers dramatically announce the summit meeting and on the same page show pictures and statistics of the gory realities of Vietnam.

This is why I have mixed feelings. I want to be thankful. But I also want to be hopeful. To be hopeful is almost foolish as long as the fighting in Vietnam is fueled and escalated by Russia and the United States. What we are both actually doing there speaks for our future, and it looks hopeless to many.

The people of the United States and the people of Russia—both just people of the human race—must let the world leaders know that their hopes are more important than petty politics. They must let these leaders know that losing face or political prestige is not the greatest problem. They must applaud conversation and insist on cooperation.

Pouring military aid into the Middle East and the Far East, by Russia and the United States, has gotten us both into deeper involvements. Especially when we both claim to preserve national interests by supporting military regimes which actually involve our own military might more and more.

This is not to say that military considerations are unimportant. It is to say that the total interests of the Nation and the world must be evaluated in terms broader than those seen in the present military course of the great powers.

Mr. President, this is a plea for rationality. This is a plea for increased conversation and cooperation by the United States and Russia. This is a plea for Americans and Russians to take a fresh look at their national interests and their foreign policies, with respect to each other.

This is a plea for world politics which uses power to promote peace. We must avoid the devilish temptation to use peace only as an excuse for proving power.

This is a plea for peace which has its proof in mankind's hope for the future. Thankfulness for things past is a good feeling. Hopefulness for things to come is of greater consequence and a good feeling that we cannot do without.

JUSTICE MARSHALL OF MARYLAND

Mr. BREWSTER. Mr. President, last week President Johnson nominated Solicitor General Thurgood Marshall to be a Justice on the U.S. Supreme Court. The retirement of Justice Tom C. Clark could be equaled only by the appointment of an equally fine master of the law.

Solicitor General Marshall's record as an advocate and jurist is unsurpassed to date. He has appeared before the Supreme Court more than 50 times, winning 29 of 32 cases before being elevated to the Second Circuit Court of Appeals.

While serving as legal counsel for the NAACP, he pioneered the legal theory that persuaded the Court to adopt the 1954 Brown decision, making unconstitutional school segregation.

Thurgood Marshall brings the total of Marylanders who have served on the High Court to six. Since the day he attempted to enter the University of Maryland School of Law until his nomination last week, he has made every effort to point up inequities and injustices in our system and yet take concerted and constructive steps to terminate them.

As the senior Senator from Maryland, I acknowledge and praise him as a loyal son, and solicit and encourage Senators to bring about the speedy confirmation of the nomination of one of Maryland's finest men—Thurgood Marshall.

I ask unanimous consent that an editorial published in the Baltimore Afro-American of June 17, 1967, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RIGHT THING, RIGHT TIME, RIGHT PLACE, RIGHT MAN

When the U.S. Senate confirms the appointment of Solicitor General Thurgood Marshall as an associate justice of the Supreme Court—a certainty—an historic legal cycle will have been completed.

President Lyndon Baines Johnson, history will show, is the first President in the history of this nation to select a lawyer of color to serve on the highest court of the land.

It will further show that Solicitor Marshall, the first man of his race to serve as the No. 3 man in the U.S. Department of Justice, is the sixth Marylander to become a Supreme Court justice.

Other Marylanders have been:

Justice Robert H. Harrison, 1789 to 1790.
Justice Thomas Johnson, 1791 to 1793.
Justice Samuel Chase, 1796 to 1811.
Justice Gabriel Duval, 1812 to 1835.
Chief Justice Roger B. Taney, 1836 to 1864.

It is more than poetic justice that Mr. Marshall is the first Marylander to be named to the high court since Mr. Justice Taney.

As Chief Justice 100 years ago it was Judge Taney who delivered the infamous 6 to 3 Dred Scott Decision which legally preserved slavery.

The majority verdict, read by Chief Justice Taney, held that:

"Dred Scott was a slave, not a citizen, hence he had no rights under the Constitution, which was made by whites for whites."

That decision, which angered President Abraham Lincoln and tormented both slaves and abolitionists alike, was rendered March 6, 1857.

On May 17, 1954 the Supreme Court, headed by the current Chief Justice, Earl Warren, ruled:

"Segregation in public schools is inherently unequal and therefore unconstitutional."

For all practical purposes that decision sounded the death knell for all forms of legally-sanctioned segregation—or slavery in a more sophisticated form.

The one man mostly responsible for that historical decree is Thurgood Marshall, who unleashed a brilliantly slashing, and relentless attack on the institution of slavery and all of its ramifications, including school segregation.

He was chief counsel in the case of Brown vs. Board of Education of Topeka, Kans.

It was on the plaintiff's side of the bar in the hallowed chambers of the Supreme Court that Mr. Marshall's booming voice thundered the evils of school segregation.

It echoed around the world and thus put into motion judicial wheels which churned out the beginning of the social revolution.

Now Mr. Marshall has been designated a member of the court before which he so eloquently pleaded.

When he is confirmed there is no apprehension here of his performance.

Truth is, there never has been, whether he was pleading the cause of victims of discrimination and segregation as he did for a quarter century;

Or writing an opinion for the U.S. Second Circuit Court of Appeals in New York, or advocating the government's cause as Solicitor General, there was never any doubt about his ability and in most cases, the outcome.

As the nation's most brilliant civil rights lawyer, Justice-designate Marshall argued and won 29 Supreme Court cases.

A brilliant attorney, distinguished jurist, and able Federal officer, his appointment to the nation's highest court seems natural.

President Johnson said it best:

"I believe he earned that appointment; he deserves the appointment. He is best qualified by training and by very valuable service to the country.

"I believe it is the right thing to do; the right time to do it; the right man and the right place."

We can only add:

"Mr. President, we concur!"

PRESIDENT JOHNSON: ARCHITECT OF A NEW FEDERALISM

Mr. MUSKIE. Mr. President, President Johnson has long advocated a close partnership between the Federal Government and the States. This partnership is indispensable if our Federal grant-in-aid programs are to accomplish their goals.

The President knows the States and localities receiving assistance under Federal programs are the final link between national programs and the individuals such programs are designed to serve. Because of this knowledge and because of his belief in the importance of strengthening our democratic system of government, he is working to improve relationships between Federal and State and local officials.

Two recent comments from the Midwest have praised the President for his leadership in strengthening the role of the States in our federal system. I think they are worthy of note by my colleagues.

The first is a statement by the Honorable Harold E. Hughes, the dynamic young Governor of Iowa, who told a New York Times reporter:

> I look for one of the finest relationships in 100 years between the Governors and the Executive Branch. In fact, that relationship is probably the best it has ever been right now.

Governor Hughes' comments are typical of the new attitude of Governors toward the Federal Government. They understand the growing importance of Federal assistance to their efforts to meet the needs of the people in their States. Federal grants-in-aid have reached $15 billion dollars a year, and within the next 5 years they are expected to reach $60 billion.

But more important than the increase in financial aid under the Johnson administration is the effort the President has made and the steps he has directed his Cabinet officers and agency heads to take in helping the States. The Wichita, Kans., Eagle observed "that the President was not just talking when he said he wants to give increasing responsibility to the States in federally financed programs, as a counterpoise to the increasing power of the Federal Government."

Presidential teams of high administration officials have visited 40 States to help Governors achieve the maximum results from present Federal grants, and to plan for use of future funds in highway construction, water and air pollution control, model cities, economic development, education, hospital construction, antipoverty, and all the other elements of the Great Society program.

The President personally traveled to New England to meet with the Governors there.

He has appointed a special ambassador from the Foreign Service to act as State Department liaison man for the Governors on foreign policy and foreign economic matters.

The President has on many occasions invited all Governors to come to Washington for high level briefings on the conflict in Vietnam, and on other critical domestic and international problems.

And finally, the Federal Government—and the Congress—have geared expanding efforts to strengthen State and local government through financial and technical aid.

I believe these developments are important to us in our efforts to improve the quality of life for all Americans. As a former Governor I appreciate the contribution the President is making to the vitality of our federal system.

I ask unanimous consent that the interview with Gov. Harold E. Hughes, of Iowa, which appeared in the New York Times of June 16, 1967, and the editorial entitled "Johnson Plan Ingenious for Federal-State Liaison," published in the Wichita, Kans., Eagle of June 10, 1967, be printed in the RECORD.

There being no objection, the interview and editorial were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 16, 1967]

GOVERNOR HUGHES, OF IOWA, IN SWITCH, PRAISES JOHNSON

(By Douglas E. Kneeland)

DES MOINES, IOWA, June 14.—Gov. Harold E. Hughes of Iowa, who last year shocked the Johnson Administration by an outspoken attack on the President's relationships with the states, has high praise today for Mr. Johnson's efforts to promote Federal-state cooperation.

As a result of this cooperation, the Democratic Governor said in an interview here, "I look for one of the finest relationships in 100 years between the Governors and the executive branch. In fact, that relationship is probably the best it has ever been right now," he added.

Mr. Hughes said he was speaking bipartisanly. However, he talked optimistically of the President's chances in 1968 in the Middle West.

Up till now the unhappiness of farmers and the general discontent of much of the rest of the population has led some Democratic strategists to all but write off most of the electoral votes of the Midwest.

LEADER IN REVOLT

Last December at the National Governors' Conference in White Sulphur Springs, W. Va., Governor Hughes was the spokesman for what was characterized by many as a "revolt" by Democratic Governors against the Administration and much of its domestic program.

Following bitter losses in the November election, the Governors made no secret of the belief that they had been hurt by a lack of communication on domestic programs such as those encompassed by the antipoverty drive and the slump in the President's personal popularity.

Although the criticisms were worked out by the Democratic Governors' caucus, it fell to Governor Hughes, as chairman, to enunicate them.

The reverberations from what he told newsmen about the caucus left the craggy featured, 45-year-old Iowan with a reputation as a bitter critic of the Johnson Administration, a role that associates say he has not relished.

The Governor is still chairman of the Democratic caucus and a member of the executive committee of the National Governors' Conference. For this reason, his praise of the President's moves apparently marks a substantial victory for Mr. Johnson in his campaign to improve relations.

Since the White Sulphur Springs meeting, Mr. Hughes said, the work of Farris Bryant and other Federal officials has brought about a vast improvement in cooperation with the states.

Mr. Bryant, a former Governor of Florida, is director of the Office of Emergency Planning. During the last four months, he has served as the President's envoy in leading a group of experts on visits to 40 state capitals to tackle Federal-state problems.

Mr. Hughes was also enthusiastic about the plan disclosed last week under which each member of the President's Cabinet would be assigned four or five states as his personal responsibility, with instructions to maintain personal contact between Governors and the White House.

ST. LOUIS CONFERENCE

The first formal meeting of the Democratic Governors' Caucus, which Governor Hughes had called for July 1 in St. Louis, is apparently further evidence of the rapprochement between the Governors and Mr. Johnson.

Mr. Bryant has accepted an invitation to attend, as has Winthrop G. Brown, former Ambassador to South Korea who has been designated to act as the State Department's representative to the states, informing them on foreign policy and representing them abroad.

In discussing the St. Louis meeting, Governor Hughes emphasized that its purpose was to strengthen the Governor's organization and prepare it for a more effective political role rather than to renew last December's attacks on the Administration.

NEW LINE OF THINKING

"I hope to be able to weld it into a unit," he said, "that will be effective and forceful not only between the Governors and the Administration but also in national politics.

"Problems that arise will be political as well as others. And we hope to be able to work effectively with the National Committee."

The determination by Governor Hughes to build an effective national political organization among the Governors reflects a considerable departure from recent thinking in the Middle West.

Most observers have felt since last November that the major question facing Democratic Governors in the area was how to detach themselves from the President's apparently shrinking coattails.

Governor Hughes, however, spoke optimistically of the President's chances in 1968 in the Middle West, where the unhappiness of farmers and the general discontent of the rest of the population has led some Democratic strategists to all but write off the area.

Although few observers at the moment share the Governor's optimism about the President's 1968 prospects, there has been a noticeable slackening in farmers' criticism of late.

One long-time watcher of farm protests, noting the end of the threat of drought, said here this week: "There's nothing like three inches of rain to cool off a farmer."

[From the Wichita Eagle, June 10, 1967]

JOHNSON PLAN INGENIOUS FOR FEDERAL-STATE LIAISON

Washington has announced an ingenious plan of establishing diplomatic relations with the states of the union.

The President has approved a plan under which each member of the cabinet would be assigned four or five states as his personal responsibility, with instructions to maintain personal contact between the governors and the White House.

In addition, beginning in September, each state will have special "days" in Washington. State officials with responsibilities related to federal-state programs would meet with their federal counterparts. Then the state men would confer with their governor, who then would have a personal meeting with the President to discuss important questions.

Eventually, it is hoped, there will be a Washington official (preferably the vice president) assigned permanently to federal-state relations, who would have the prestige to work directly with cabinet members on sticky state problems.

There may be some booby-traps in the plan somewhere that would make it unworkable. Just on a guess, Congress might not give whole-hearted approval because it would give the states much more direct access to the executive branch, lessening some of a congressman's influence and prestige. But from here it looks like a plan that at least is headed in the right direction. Multiplying federal domestic programs make it increasingly necessary for states to confer with Washington. With a cabinet member acting as its den mother, with the President regularly able to hear the state's complaints and suggestions, a state would be less at the mercy of untold numbers of bureaucrats.

It shows that the President was not just talking when he said he wants to give increasing responsibility to the states in federally-financed programs, as a counterpoise to the increasing power of the federal government.

PEACE IN EVERY FORUM—PRESIDENT JOHNSON'S PROPOSAL FOR PROGRESS IN THE MIDDLE EAST

Mr. MONTOYA. Mr. President, President Johnson has proposed to the nations of the Middle East, and the nations of the world, a plan for peace based on cooperation, on a resolution of standing refugee problems, on respect for national existence, and innocent maritime passage.

It was a proposal typical of the United States, reflecting the policies or the Johnson administration, aimed at peace, coupled with national and political integrity of all states throughout the world.

Indeed, what the United States is proposing for the Middle East is, in a very similar regard, what it has proposed for Vietnam and Southwest Asia, and other areas where freedom has been threatened.

President Johnson has proposed a political settlement for the Middle East. But he knows full well that such a political settlement must be based on regional economic and social cooperation. And he said, pointedly:

> In a climate of peace we will do our full share to help with a solution for refugees. We will do our share, and more, to see that the peaceful promise of nuclear energy is applied to the critical problem of desalting water.

I am proud that the President has taken the high road to peace in the Middle East, in contrast to the efforts of some others at stirring up trouble.

I am proud that President Johnson reiterated his support for the territorial integrity of all nations in the Middle East, and the right to life of all nations.

These two principles are essential to a lasting peace, and it is fitting that the President stressed them throughout his speech.

Now is the time for work, for cooperation, and for diplomatic tact.

The United States has shown itself to all peoples to be fair, impartial, and just.

I commend the President for having lifted American peacemaking efforts in foreign affairs to new heights.

PRESIDENT JOHNSON'S ANTIPOVERTY PROGRAM—A LANDMARK IN AMERICAN SOCIAL HISTORY

Mr. MONDALE. Mr. President, 3 years ago Lyndon Johnson had been President of the United States but for a brief time. Yet his first major legislative effort was to declare all-out war against poverty in America.

Three years later, that war is running in high gear.

Three years later, millions of Americans have been helped to move out of poverty into economic and social security.

Three years later—with the statistics of success all around us—the Republican Party is again trying to wreck this forward-looking effort.

This is the testing time for the war on poverty. We cannot let willful men destroy it for political reasons with catch phrases like "opportunity crusade."

I want to recite some of the success statistics which our opponents would like to mask as they attack President Johnson and the nationwide poverty effort.

Nine hundred thousand men and women have been enrolled in Neighborhood Youth Corps across the land. This is one of the most successful programs because it gives young people meaningful jobs and keeps them off the streets and in society—rather than outside it.

More than 200,000 talented but poor students will attend colleges this fall under education opportunity grants.

Has anyone ever calculated just how many doctors, lawyers, teachers, scientists, businessmen, and other leaders this program will produce?

Have our Republican opponents calculated what it means to citizens when their Government declares that economic status will no longer bar talented youngsters from getting all the education their minds can absorb? This is, indeed, a revolutionary effort, and that is why the backward thinkers in this country oppose President Johnson's efforts. They are afraid of progress.

Over 1.5 million preschool children have already benefited from Project Headstart, and school districts in low-income areas have welcomed the volunteers of the Teacher Corps—a program now being threatened by the Republican meat ax.

This year's budget, presented by the President some months ago, sets aside over $25 billion for programs to aid the poor. This is almost double the amount invested 4 years ago. It is indicative of the importance which President Johnson places on the war to eliminate or alleviate poverty.

I could go on, citing legal aid programs supported by poverty funds, where people long deprived of legal advice and counsel are now receiving it for the first time.

I could cite the health programs and physical examinations and medical and dental care now provided for young boys and girls, many of whom never saw a doctor or dentist before.

Our Republican opponents claim the war against poverty is mismanaged.

They claim that splitting up responsibilities among a host of Federal departments would improve it.

Certainly, we have not achieved the millenium with our efforts against poverty.

Certainly, President Johnson knows that the cycle of poverty will not disappear with the infusion of even $25 billion.

Yet, he has not been afraid to make a start.

He has been willing and anxious to begin the battle against poverty to demonstrate that the poor need not always be with us.

President Johnson has been willing to experiment, yes, even make some mistakes. But he has tried. He is not willing to sit back and see our adversaries write off the hopes and futures and dreams of millions of Americans.

In brief, Lyndon Johnson has done one essential thing in his war on poverty. He has made sure that the benefits and responsibilities of being an American citizen do not have a price tag on them.

This is the meaning of the war against poverty.

I join the President in calling for an expansion and improvement of the war on poverty.

I ask the Congress to keep the program unified and intact.

I ask every man and woman who has ever felt the need for justice—not pity—for the poor, to come to the aid of one of the finest pieces of social legislation ever to grace the Halls of Congress.

Mr. President, I ask unanimous consent that an editorial published in a recent edition of the New York Times, pointing up the crucial contribution being made by the Office of Economic Opportunity to the effort to attack the root causes of civic strife, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, June 18, 1967]

No Truce in Poverty War

As violence and the threat of violence mounted last week in a number of American cities, the Federal program that most directly attacks the root causes of civic strife—the war on poverty—was beginning an ordeal in Congress that threatens its survival.

A House committee opened hearings on President Johnson's proposal to spend $2 billion on the poverty war this year and other Administration proposals designed to correct operating deficiencies in the Office of Economic Opportunity (O.E.A.). Also before the committee are Republican proposals to slash antipoverty spending and dismantle O.E.O. From the tenor of Congressional questioning, it is evident that O.E.O. is headed for a tough fight.

The agency is not without faults, but the war on poverty at least represents a serious Federal effort to come to grips with the problems of discrimination, ignorance and neglect that have driven millions of Americans to the brink of desperation. O.E.O. provides coordination for this effort and an innovative flexibility impossible if the whole campaign is left to old-line Federal bureaucracies.

This is no time to scuttle O.E.O. It is time, if anything, to step up the war on poverty under a strengthened, unified command. Under the best of circumstances, the war will be a long one. It will be even longer if it is deprived of funds, imagination and effective leadership.

CAMP McCOY JOB CORPS CENTER

Mr. NELSON. Mr. President, I invite the attention of the Senate to an article about the McCoy Job Corps Center in western Wisconsin. The article appeared in the spring issue of Electronic Age, printed by RCA, which operates the McCoy Center. But before I talk about this article, I wish to clarify the matter of the cost of our Job Corps centers now in operation. A series of wild cost figures have been thrown around recently in discussing Job Corps costs—from $13,000 up to $40,000 to train an enrollee.

These figures are incorrect. The average per enrollee man-year cost is $7,150. This is quite a bit of money for training a high school dropout. But what are the alternatives—to let thousands of youths who need training continue to swell our relief rolls—to continue ignoring the youth in ghettos that are the breeding group for juvenile delinquency.

Also, there has been an attempt recently to compare the cost of an enrollee at a Job Corps center with the cost of a child enrolled in our public schools. Of course, this is impossible because the money now spent in the public schools does not include the needs of many of our disadvantaged youths in the 16 to 21 age group who come to the Job Corps for training. For example, the money spent in our public schools does not include medical and dental treatment—it does not include remedial reading and arithmetic programs for 17-year-olds who cannot read a simple sentence or add a simple column of numbers—it does not include a program directed at giving the youngsters some realistic idea of the world of work—it does not offer individual guidance and counseling which might help offset the years in which a young person went without essential help from a father or mother—it does not eliminate bitter experience encountered through racial, religious, and social intolerance—it does not provide the basic skills required for seeking, holding, and making progress in employment—it does not provide contact with people who can assist in the transition from dependent childhood to independent manhood—it does not provide clothing—it does not provide the obvious: a full-time residential program which will enable the young person to break away—physically and psychologically—from the walls of poverty. If the public schools would take on such an effort, as the Job Corps has done, the cost for a child enrolled in the public school would immediately climb to a figure equaling the cost of the enrollee of the Job Corps.

The McCoy Job Corps Center is providing all the needs I have mentioned. The youths there are receiving a second chance, a second chance to avoid the city ghettos and the impoverished farms by acquiring basic vocational and educational skills to find a better life for themselves, through a productive and substantial job with decent working conditions. I commend this article to the Senate, and I ask unanimous consent it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

McCOY: SECOND CHANCE FOR DROPOUTS

(NOTE.—Hopeful youths from city ghettos and impoverished farms are acquiring basic educational and vocational skills at the McCoy Job Corps Center in western Wisconsin.)

(By William Robersen)

The story of the poor boy who leaves home, works hard, studies, and becomes a success is one that has been told countless ways and countless times. But what about the American unsuccess story? What happens to those young people who do not leave home, do not work or study, and never will make the grade?

The truth is they stay behind, they never escape the ghetto or the small farm. They go on drawing relief checks or barely earning enough money to feed their growing families. Or, they finally rebel against their lot. Their protest often involves the use of a gun, or narcotics . . . the vehicle does not matter, so long as it is something that at least makes them feel successful for a while. Then it's frequently off to prison.

Being poor has been described in many ways. It must be like quicksand for some youngsters, who through television, movies, and automobiles can see what a great world there is on the outside as they slowly suffocate in poverty, squalor, and ignorance.

When a child's parents are poor, when his father is unemployed, or even unknown to him, when success is measured by what can be gained by cheating, and education is more appealing in alleys than classrooms, then he begins to realize what poverty is all about.

There is another terrible aspect to poverty. It is usually handed down from generation to generation like a tattered overcoat. If a youngster never has the opportunity to break the poverty cycle, he is going to beget it.

This is not just a truism. In the past 10 years, the population of the United States has increased 18 per cent. In that same period of time, relief rolls have grown by 46 per cent. Mere percentages do not begin to tell the story of the increase in crime.

Slowly, too slowly, perhaps, Americans have become aware of the problem of chronic poverty and are beginning to do something about it. Our government has declared a "war on poverty" and has created a national agency, the Office of Economic Opportunity, to wage it. There are many fronts, as there are forms of poverty, where the battle is being fought. One of these projects is the Job Corps, a program that owes something of its origins to the old Civilian Conservation Corps (CCC) formed in the 1930s to offer remunerative and healthful employment to jobless youths.

There are basic differences, however, in the two programs. CCC offered temporary employment for a token salary in forests and on conservation projects.

The purpose of the Job Corps is to help young men learn a trade. Conservation work is done but only in those camps termed "conservation centers." But corresponding to the increasing urban character of American society, many of the Job Corps schools are urban training centers.

At present, more than 30,000 young people between the ages of 16 and 21 are enrolled in 113 Job Corps centers, both urban and conservation, around the country. The urban centers are set up as resident training schools. The Office of Economic Opportunity has certain academic qualifications that determine whether a young man should go to a conservation center or an urban center. There are many instances in which a corpsman graduates to an urban center from a conservation center.

One of the newest of these urban centers is located in the woods and marshes of western Wisconsin on about 10 per cent of sprawling Camp McCoy, an Army base used primarily for training National Guard and Reserve units. McCoy Job Corps Center is operated by RCA Service Company in conjunction with the University of Wisconsin. The University is charged with educational responsibility.

McCoy received its first enrollees on October 5, 1966, and expects to reach its capacity of 1,000 in the early spring of 1967. The young men come from all over the country but primarily from the Midwest and the South. A recent survey showed that 55 per cent were Negro, 40 per cent Caucasian, and the remaining 5 per cent other minority groups including Indian and Mexican. The enrollees come from both large city ghettos and small farms.

Many of the young men come from broken homes or have had to leave school to help support the family. Mere willingness to work is not, however, a sufficient qualification to gain a decent living in our modern, technical society. There are jobs, but the better ones are only for those who are trained.

An example of this was supplied by a McCoy placement specialist who learned from one large Milwaukee concern that it would not even consider someone for the position of janitor unless he had received a high school diploma.

Despite state laws requiring school attendance to a certain age, the fact is that 40 per cent of youngsters who reach the sixth grade do not graduate from high school. Many of these youngsters leave out of economic necessity, others because of broken homes, or parental indifference.

Moreover, many American school systems, perhaps out of necessity, do not cater to the slow learner. Teachers have much more time for their better students, while those who have problems are left to fend for themselves, or are left behind. Also, poor young boys or girls find that the clothes they wear, or the fact that they do not live in nice homes, makes them outcasts at the ages of six, seven, or eight.

The mission of the Job Corps is to rehabilitate these youthful failures. That is why the McCoy education is different from that offered by the public school system. Still another difference, perhaps the most important one of all, is that the Job Corps student is a volunteer. These young men and women want to change, they want to learn, they do not want to spend their life on relief. Even more simply stated: "I want to get a job and go to work."

This is what the government, private industry, and a great university want as well.

McCoy is 7 by 21 miles in area, and the Job Corps occupies some 160 of the old Army buildings, which were rehabilitated on the inside. Three additional buildings, including an auditorium, are being constructed. Because McCoy is some distance from the nearest town, it has to provide many of its own housekeeping services.

It is the performance of all these services—which operate 24 hours a day, seven days a week—that makes Job Corps an expensive proposition, at least on paper. As the center has progressed, however, more and more enrollees are taking on some of these responsibility-building tasks.

This represents a great deal of the basic philosophy of the McCoy education: namely, that young men must exercise responsibility and experience the satisfaction that comes with a job well done.

An incentive reward situation is created wherever possible. When a boy has known repeated failure, it can be quite important to receive some sort of reward for almost any measure of success.

In the education system, this is started as soon as possible. For example, when an enrollee completes his orientation he is presented a certificate that identifies him as a Job Corpsman. When he begins his vocational training, the least degree of progress is rewarded in some fashion.

Vocational programs offered at McCoy include welding, various engine and automotive training courses, drafting, basic electronics, culinary preparation, operation of office machines, maintenance service, and the repair of large and small appliances.

A student progresses in these fields at his own speed—he does not have to compete with his peers for an "A" or "B" grade. He also is taught basic education in reading, writing, and arithmetic as it applies to his vocation. For example, a young man learns to spell "carburetor," then how to compute miles per gallon, and then he works on the instrument itself.

This program of education is accomplished by teams of teachers. In each classroom building, there are at least two teachers, one for the vocation, the other for basic education.

All of this is calculated to teach a young man how to do a job. What it does not do is teach the young man how to hold a job. As most employers will tell you, attitude is as important as training.

So when not in the classroom, a McCoy corpsman is still learning. The subject is catalogued as "life adjustment," and it simply means learning to live with people in society.

One method used is what McCoy terms "neighborhood living." It works this way: four corpsmen share a cubicle called a family. There are five families on a dormitory floor, two floors in each dormitory, and three dormitories in each neighborhood. The various units have their own governments, responsibilities, and even spirited competition in intramural sports and other activities.

Then there are such details as learning about installment buying, driving a car, health habits, family relationships, and that great American pastime: filling out an income-tax form.

All of this is tied together outside the classroom and even outside the confines of McCoy Job Corps Center. Enrollees will be able to have on-the-job training and an internship program. They also are allowed to go into town for recreation purposes.

McCoy corpsmen's towns includes the three nearby communities of Sparata, Tomah, and La Crosse, plus Milwaukee, Chicago, and Minneapolis and St. Paul. There the young men have the opportunity to practice what they have learned.

As corpsmen receive $30 per month spending money (less the tax deductions, of course), there is not too much activity they can afford, and the temptation to return to their former way of life is great. One way this is counteracted is in the formation of Community Relations Councils in the various cities. These councils help in finding worthwhile activities and also provide liaison between the communities and the Job Corps centers.

Actually, McCoy has not had many of the problems other centers have had. This is in part because it was able to learn from the mistakes of other centers. There have been a few incidents, but it would be folly to expect that these can be eliminated altogether, any more than on a high school or college campus. It is just that Job Corps is in the public eye more than, for example, a state teachers college.

In fact, it is the corpsmen who actually sell Job Corps. These young men can and do talk with civic groups and other people about McCoy. It is proving to be the center's best public relations program.

But, that is as it should be. These young men want the opportunity to be able to tell the American success story about themselves.

SHAKEDOWN IN PERU

Mr. SMATHERS. Mr. President, in these tense days, when there is tangible evidence of the horrors which can be wrought by arms races, an editorial which appeared in the Washington Post of June 21 is especially noteworthy.

As a longtime student of Latin American affairs, I have deplored repeated efforts by various Latin States to invest a disproportionate amount of their limited capital in armament, in the face of unmet social needs.

I have long contended—and still propose— that a permanent Inter-American Peace Force would do the job of keeping the peace in the Latin nations and permit the respective governments to turn a larger share of their revenues toward upgrading the lives of the inhabitants.

I, therefore, commend the editorial, entitled "Shakedown in Peru," as a warning and guide to our foreign aid efforts this year. Our loans and assistance should be geared to peaceful development projects, if given at all.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SHAKEDOWN IN PERU

Last year the military in Peru got $130 million, which was 14.7 per cent of the budget and far more than the country's security requires. The salt in this financial wound was the fact that the budgetary deficit was $160 million. Meanwhile Peru's economy, one of the more stable in Latin America, entered on harsh times. The population last year rose more than 3 per cent.

So this year the military is getting $196 million, or 18.9 per cent of the budget, an appalling, intolerable increase which tells all too much about the armed forces' hunger for hardware and about the political deterioration which permits the military to take a bigger bite. Peru's security needs have not changed a whit in the last year. The military, whose year-long seizure of power in 1962 is in the back of every politician's mind, simply took advantage of the country's distress to grab itself more toys.

Even more distressing is the military's new appetite for supersonic jets. No other Latin air force has them and their acquisition by Peru would quite likely set the continent's other irresponsible airmen to clamoring for them too. The United States and, at American bidding, Britain had refused to sell supersonic aircraft to Peru but France, irresponsibly practicing an independent policy, has reportedly decided to make the sale.

Peru is running a huge budgetary deficit this year and wants Washington to help bail it out with a "program loan," the aid euphemism for a bundle of cash. The United States absolutely should not underwrite the Peruvian military's blackmail, or the French armaments industry. To do so would be to damage the aims of the Alliance for Progress and give every tinpot flyboy in Latin America an incentive to shake down his own government.

THE ROLE OF COLLEGES IN THE SOLUTION OF OUR URBAN PROBLEMS

Mr. BREWSTER. Mr. President, I invite the attention of the Senate to a speech made by Representative JOHN BRADEMAS before the graduating class of Baltimore Junior College last week.

In this speech, Mr. BRADEMAS discusses what college graduates can do to help alleviate many of the problems our cities now face.

I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

President Bard, Senator Brewster, members of the graduating class of Baltimore Junior College, faculty, and friends, I am delighted to be here tonight.

I am especially pleased to be present with my valued friend and colleague, your distinguished senior Senator, Daniel B. Brewster. Senator Brewster and I were elected to the House of Representatives at the same time, in 1958, and I know that he has served the people of Maryland with distinction both in the House of Representatives and in the Senate.

I am happy as well to pay tribute to Maryland's other distinguished U.S. Senator, Joseph D. Tydings, for his outstanding leadership in your State and in the Nation.

I come before you today full of ecumenical fervor. Last week I took part in graduation ceremonies at St. Mary's College in my home town of South Bend, Indiana. Yesterday I participated in commencement exercises at Brandeis University, a predominantly Jewish institution in Waltham, Massachusetts. Only this morning I addressed the graduating seniors at the University of Wittenberg, a Lutheran institution in Springfield, Ohio. My list would be complete if I were to receive an invitation to graduation exercises at the University of Cairo but that, I feel sure, is not in the offing! In any event, I am happy to be with you this evening at these ceremonies in Baltimore.

The subject I want to discuss with you—the problems that confront our cities and the role of institutions like Baltimore Junior College, and of Students like you, in solving them—is in nature secular, or perhaps public is a better word. For there is nothing very religious about the ills that beset American cities today—except perhaps if one views them as since righteously visited by an angry God upon an errant people.

GROWTH OF URBAN AMERICA

Let me begin by outlining the staggering dimensions of our urban problems, for these dimensions help explain precisely how thorny our problems are and why they often appear to defy solution.

Only fifty years ago barely half of all Americans lived in urban areas. Today that figure is 70% and it is rising inexorably.

"In the remainder of our century," President Johnson has said, "urban population will double, city land will double, and we will have to build in our cities as much as all that we have built since the first colonist arrived on these shores. It is as if we had 40 years to rebuild the entire urban United States."

Or as Robert Weaver, the distinguished Secretary of the Department of Housing and Urban Development, has observed, beginning in 1970 we will add the equivalent of 15 cities of 200,000 population each year. By 1980 we will add annually the equivalent of 20 cities of 200,000 population!

But the key question about this massive urbanization is: What kind of cities are we to have? Will they adhere to the depressing pattern of so many of today's cities—a pattern that sees urban excitement and sophistication give way before urban sprawl and blight? Our cities can still liberate the spirit with ticker tape parades and foreign restaurants, festivals of little Italy and Chinatown, symphony orchestras and art galleries. But increasingly they also imprison the spirit with poisoned air, polluted lakes and rivers, disease-r[illegible]n slums, racial ghettoes, traffic-choked streets, scarce and misused land, and the crime and delinquency often bred of poverty.

Indeed, it is an irony of our times that our great resources of intellect and technology enable us to measure with deadly precision the decline and fall of the cities—but not, apparently, to halt it. We have, for example, remarkably complete statistics on urban crime, but crime rates continue to soar. There is very little we don't know about urban traffic flow and accidents, except how to improve the former and prevent the latter. We can predict almost to the day and hour when city reservoirs will fall to the point that water rationing becomes necessary, without providing adequate new sources of water. And we can measure the lethal effects of air pollution and predict how many cases of heart seizure or suffocation will ensue even as we watch pollution levels rise. In short, we can measure with amazing accuracy the pathology of the cities, but even as we do so the patient is hovering between life and death.

THE RESPONSE OF GOVERNMENT

The response of Government at all levels to the growing ills of our cities has simply failed to match the magnitude of the task. At the local level governments remain highly fragmented and are saddled with outdated restrictions on their operation and frustrated by inadequate revenues. Metropolitan planning too often remains alive only in the ambitious plans of bright young planners and political scientists and seldom in the minds of municipal officials.

State governments meanwhile are becoming more alive to the problems of cities—thanks in part to the growing effect of reapportionment of State legislatures on the disproportionate influence of the rural interests that for so long dominated those bodies—but the pace of this new recognition of the cities is not nearly fast enough.

Some observers, moreover, have suggested that the new political strength in our State legislatures will come from affluent suburbia and not from the hard-pressed inner cities. These observers warn, therefore, that reapportionment of State legislatures may bring no sure solution to the ills of cities.

At the Federal level we in Congress have enacted during the past five years such landmark measures as the Economic Opportunity Act, the Elementary and Secondary Education Act, the Model Cities Act, and a host of other programs that hold promise for city dwellers across the Nation. But I am the first to confess that our tools are still far from perfect and that we are not yet prepared to give our most promising ones the chance to prove themselves. Only several weeks ago, for example, the House of Representatives voted to provide no funds at all for the rent supplements program and only a pittance for the promising model cities program. And a number of Members of Congress would kill or severely maim the fledgling Teacher Corps, a most modest program but one which, in my judgment could, with adequate support, make a significant difference in the quality of education afforded the children who attend both urban and rural slum schools.

Right now, we on the House Education and Labor Committee are considering another measure that bears heavily on the cities. I am speaking of the Higher Education Act Amendments of 1967, which our Committee should report to the full House soon. Title I of that historic act, which provides institutions of higher learning with funds to expand their programs of adult education, community service, and extension, has already proved a valuable resource in meeting a host of community needs in cities and towns across the Nation—needs ranging from training seminars for local government officials to citizen conferences on air and water pollution.

HIGHER EDUCATION AND THE PROBLEMS OF THE CITY

As we consider what is, and what ought to be, the role of today's institutions of higher learning in responding to the problems of our cities, it is, I believe, useful to recall that since the early days of American cities—since the first days of electrification, the elevator, and mass transportation—higher education has been closely associated with the solution of urban problems. That early period in the life of American cities was the heyday of the institute, the advance guard of higher education in urban America. Teacher training institutes sprang up in most cities, and vocational schools of all sorts flourished to give the new city dweller, especially the immigrant, valuable skills in manual arts, home economics, retail business, pharmacy, printing, law, accounting, and insurance, to name only a few of the skills demanded by a bustling young industrial society.

While today we are less concerned with woodworkers and saddlemakers than with demographers and psychiatric social workers and computer programmers, we still find the city looking to higher education—to the colleges and universities—to help train and retrain the manpower that it requires to survive.

When we were primarily a rural nation, farmers looked to colleges and universities to help them manage crops more effectively, devise improved methods of budgeting, fight pests and blight, repair machinery, and operate effectively in the market place. These were the enormous and highly productive tasks of the land-grant colleges, and the cost of these efforts was heavily underwritten by both the Department of Agriculture and the Office of Education. Today our urban problems require a corresponding effort in urban extension, and the cost of this effort too should be heavily underwritten by the Federal Government.

Of course, I do not mean to suggest that colleges and universities have failed completely to undertake a modern urban extension effort of this kind. For many institutions of higher learning have seen new responsibilities for themselves and have assumed them. Hence on one campus, for example, the faculty of physical education works closely with the bureau of alcoholism in the State department of mental health. On another a distinguished professor has designed a garbage disposal ship for the city of Boston. The faculty of a third institution, at the request of a large private employer, trains firemen at the employer's plant, and the medical school faculty on another campus has developed plans to provide medical care for an entire neighborhood that has been torn by race riots. These are not isolated examples, but at the same time they are not nearly widespread nor comprehensive enough.

VISION FOR SOCIETY

Let me make it quite clear that I am not calling on colleges and universities to abandon the pursuit of first-class research and to become instead what Arthur Naftalin, the mayor of Minneapolis, calls "a service station for State and local governments." As a former college teacher of political science I feel strongly that our institutions of higher learning must hold firmly to their primary duties—searching out new knowledge and educating their students. They must resist the appeal of municipal governments to become all-purpose consultants in fields ranging from land-use policy to crime control. For colleges and universities derive perhaps their greatest strength from their detachment, from their disciplined objectivity. William James hit the mark when he pointed out the "infinite value" of "the capacity for non-habitual perception". Institutions of higher learning must retain their capacity for a fresh viewpoint, for they are the only major institutions in our society that now enjoy it.

As John Gardner, the distinguished Secretary of Health, Education and Welfare, has observed, most men who go about the business of our society "are simply tending the machinery of that part of the society to which they belong. The machinery may be a great corporation or a great law practice or a great university. These people tend it very well indeed, but they are not pursuing a vision of what the total society needs."

Colleges and Universities, at least at their best, are uniquely capable of providing that vision of what our society needs.

At the same time, however, this special property imposes certain unavoidable obligations on colleges and universities. As John Corson suggests, can a university be true to itself, and to the society that nourishes it, if it fails to use the knowledge at its command, or within the reach of its research facilities, to alleviate some of the great social problems of our cities? Can it fail to bring hope and joy to the lives of crippled children through services provided by its medical school? Can it indeed fail to help maintain a stable world order if it has at its command the knowledge to improve the education, health, food production, or administration of poor nations?

THE ROLE OF 2-YEAR COLLEGES

The response of colleges and universities to these questions must, in my judgment, be negative. They must not fail while adhering to their responsibilities in teaching and research, they must also work to apply, or to see applied, their solutions to the problems that society brings to them.

It is in this process of applying solutions—solutions to urban problems in particular—that the two-year colleges like yours have come in the past few years to play a far more significant role than most observers would have predicted. For as common sense and hard experience both make clear, the urban extension role of too many colleges and universities is more myth than reality. Faced with hard choices in the allocation of scarce faculty resources, and lured by the sirens of academic prestige and scholarly detachment, many colleges and universities have effectively opted out of their community responsibilities. One major urban studies center, for example, decided to take on the problems of Sao Paulo but could find no time at all for a dying city not far from its campus that desperately sought its help.

The junior colleges of this country have stepped forcefully into this serious gap between the potential and the performance of many colleges and universities in the solution of urban problems. In a heartening number of cases two-year colleges have stood fast in the inner cities if the face of lower land costs, more room for expansion, and the all-American atmosphere of the suburbs that beckon them. They have in many instances agreed with Harold Gores that "the battle ground is in the city—stay and fight where you are." This conviction, of course, is by no means universal, and the record is replete with institutions that have failed to understand, or have not wanted to understand, the great promise of a *community* college, and have traveled instead with utmost speed in the direction of what in some instances may prove to be only the bogus respectability of a four-year institution. But this conviction obtains nevertheless in enough of the 800 junior colleges in the country to justify optimism about the results we can expect from the fifty new junior colleges that are opening each year across the country.

THE OPEN-DOOR POLICY OF 2-YEAR COLLEGES

The open-door policy of many two-year colleges—the commitment to provide education and training for all who seek it, whatever their needs, not just for those bound for the professions—is one of the boldest and most courageous programs for action ever developed in American education. It is also one of the most democratic programs ever developed, for it refuses to foreclose the advantages of the two-year college to anyone in the community who can benefit from them. It operates not from sparkling new facilities located far from the maddening cores of the cities, but wherever the action is—from beachhead campuses in churches, neighborhood-schools, storefronts, warehouses, and factories. At its best the open-door institution will open great new opportunities for people of every background, and in the process it will create new opportunities for the cities they inhabit.

The two-year college, then, is in a unique position to link the needs of students with those of the community. Here at Baltimore Junior College, for example, your urban development assistant program, which trains assistants to city planners and to professional personnel in urban development and renewal activities, meshes a profound community need with a first-class training opportunity. I regret to say that too many colleges and universities have in the past tended to balk at programs like this one which prepare middle-level or semi-professional personnel, for these programs will permit no academic aloofness: They require continuing cooperation with community agencies, and the hiring of part-time faculty members whose academic backgrounds may not be strong. I am particularly impressed by the fact that this urban development assistant program has produced requests from two other agencies for training programs—the Baltimore County department of welfare has asked for subprofessionals trained in social work and the Baltimore community action agency has sought trained professional assistants to work in poverty areas.

I have outlined for you this evening some of the massive problems that now confront urban America, and the inadequacy of current responses. I have also discussed the critical role of the higher education community in helping the cities of America come to grips with the thorniest of their problems, and the unique and highly exciting role of two-year colleges in particular in this regard.

A CHALLENGE FOR JUNIOR COLLEGE GRADUATES

What does all this mean for you as students who are completing your course of study at Baltimore Junior College? It means this: As students you have satisfied a wide range of educational and career goals during your two years here, and next year you will go on to just as wide a range of activities. But you share at least one seminal experience in addition to your similarly embossed diplomas. For you have all spent two of your finest years at the heart of this city in an institution that is deeply concerned with this city's problems. Let me suggest to you that above and beyond the formal training you have received, you have had an enormously valuable confrontation with the problems of urban America.

It may be that having had that confrontation, your first temptation is to move out of Baltimore City, away from the smoke and dirt, the poverty and pollution, and head for Baltimore County or parts unknown to undertake a life of well-kept lawns and well-scrubbed kids. That is certainly your privilege. But I believe that you are in a far better position than most young people of your age to understand the problems that confront urban America and to identify the steps required to solve those problems. You have rare knowledge to build upon, knowledge that I feel it would be unfortunate to waste.

If you must go off to Baltimore County, I trust that you will have been sensitized sufficiently by your education here to realize that this wealthy suburban county also has its urban problems: According to 1960 census figures, 14% of the county's families live on a yearly income of less than $5,000; 37% of the adult residents have less than an eighth grade education; 10% of all housing units are dilapidated or deteriorating and lack essential plumbing. In rich Baltimore County, too, you will find the problems of an urban complex, and you must be prepared to cope with them. In fact, wherever you go, it will be difficult to escape the problems of urban America, for the mathematics of urbanization are compelling indeed!

That is why I believe that your two years here in Baltimore will stand you in excellent stead wherever you go and whatever you decide to do. And it is why I believe also that you would do well to build upon your experience here in Baltimore and enter the fray to help solve the problems of an increasingly urban America.

Some years ago I had the privilege of serving on the staff of Adlai E. Stevenson and I recall how he used to encourage young people to become candidates for public office, to seek elected positions, to plunge into what Governor Stevenson called "combat politics".

President Kennedy, in his own life and in a number of the programs he championed, such as the Peace Corps, gave similar encouragement to young Americans to involve themselves in attacking the most pressing problems of the day.

I hope then that you who are tonight graduating from Baltimore Junior College will in like fashion decide to bring what you have learned here to bear on solving the difficulties and dilemmas of urban America.

AHRCO—ACTION IN PITTSBURGH

Mr. PERCY. Mr. President, last Tuesday I had the privilege of joining the two distinguished Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT] in Pittsburgh for the kickoff dinner for the Allegheny Housing Rehabilitation Corp.—Ahrco. I can truly say that it was one of the most enjoyable and inspiring evenings I have ever spent, and I wish all Senators had had the opportunity to join us for that event.

Ahrco is a corporation conceived and developed by ACTION-Housing, a Pittsburgh organization that for years has dedicated itself to bringing together the resources to make possible an increase in decent housing at prices the people of Pittsburgh can afford. Attending the dinner were approximately 175 of the most outstanding leaders of the Pittsburgh area, representing such companies as Westinghouse, United States Steel, Pittsburgh Plate Glass, and Alcoa, to name but a few; the United Steelworkers and the Building Trades Council; the great financial institutions of western Pennsylvania; Mayor Joseph Barr and the city government; the University of Pittsburgh; religious organizations, and the distinguished and very able Ray Shafer, Governor of Pennsylvania.

The highlight of the dinner was the presentation of a documentary film describing the work of ACTION-Housing in rehabilitating a block of Cora Street. in Pittsburgh, turning it from a miserable slum into a street of decent homes within the reach of the previous tenants. Following the film was a presentation of ACTION-Housing's proposal for the creation of Ahrco, a new private sector corporation to undertake large-scale rehabilitation for rental and sale to low- and moderate-income families. An integral part of the proposal is the creation of a research corporation to devise and field test new ideas for applying advanced building materials technology to achieve efficient, low-cost rehabilitation of housing.

Nowhere, Mr. President, do I know of such a comprehensive, well-conceived attack on slum housing and community problems, nor have I ever seen such a concerted effort by every sector of the community to build a better city. Again, the city that turned blight into the golden triangle is truly showing the way in this vital area.

There are those who scoff at such ventures. There are those who say that business and labor and Government and other groups can never reach a smooth, effective, working agreement to achieve such lofty goals. I invite those people to go to Pittsburgh, as I did, and see for themselves.

At the head table sat corporation presidents and labor leaders side by side, along with city officials and Commissioner Brownstein of FHA. Of the many who contributed brief remarks, none struck me so forcefully as those of Mr. Anthony J. Furlan, president of the Pittsburgh Building Trades Council, AFL-CIO.

Mr. Furlan spoke only briefly, but he said a lot. He said that Pittsburgh's building tradesmen recognized the need for a massive joint effort, that they wanted to do their share in revitalizing their home city; that they were willing to expand membership opportunities for minority groups; and that they were willing to ease traditional jurisdictional lines in the building trades to facilitate the training of newcomers. Mr. Furlan proved that one does not have to speak at length to say something vitally important. I cannot commend too highly the building tradesmen of Pittsburgh, for whom he is the spokesman, for their constructive attitude and the vision in lending their wholehearted cooperation, just as I cannot fail to commend the many great corporations and other groups who have pledged their resources to achieve their common goal.

Mr. President, I believe this example of private sector action in Pittsburgh shows how large-scale community improvement can be undertaken. This sort of joint effort forms the major premise of the National Home Ownership Foundation Act—S. 1592—which I have joined in sponsoring with 38 other Senators and some 111 Members of the House.

Were the Foundation in existence today, I could envision the creation of an excellent and mutually beneficial working relationship between it, as a financing and technical assistance agency, and Ahrco, as a local development group. In fact, the National Home Ownership Foundation Act was designed with just such projects as Ahrco in mind.

Mr. President, I mentioned the outstanding film presented by ACTION-Housing to exhibit their Cora Street project. I have obtained permission from ACTION-Housing's able executive director, Bernard Loshbough, to show this film in Washington for Senate personnel. For that purpose I have reserved the Senate auditorium—NSOB—at 2 p.m. on Tuesday next—June 27—and would like at this time to extend an invitation to all Senators and their staff members and interns to see this impressive film. It is in color and runs about 25 minutes.

Mr. President, I again wish to congratulate Mr. Stanley Purnell, chairman and president of ACTION-Housing, Mr. Bernard Loshbough, its executive director, and the many others who have joined them in launching this impressive undertaking. I ask unanimous consent that a description of the proposed Allegheny Housing Rehabilitation Corp. be printed in the RECORD as it will serve as a useful guide for other communities which wish to organize their leadership and resources in a similar fashion.

There being no objection, the proposal was ordered to be printed in the RECORD, as follows:

REHABILITATION CORP. ALLEGHENY HOUSING—A PROPOSAL

INTRODUCTION

Pittsburgh once again has an opportunity to lead the nation in providing a creative and effective solution to a troublesome public problem.

The need for adequate shelter still persists as a basic fact of life for millions of people, particularly those trapped in our urban ghettos.

Until recently, the attack on the problem has centered on complete obliteration of neighborhoods, with the resultant dislocation of large numbers of people, which in turn has led to accelerated decay elsewhere. We are now experiencing a quickened and encouraging exploration of the potential of renewal through rehabilitation of basically sound structures. It is estimated there are some five million substandard houses in the blighted areas of our cities that are good prospects for rehabilitation.

From the public point of view, it is clear that a massive effort is needed to turn this potential into a meaningful reality in a reasonably short period of time. And the most likely source for this kind of effort is the private sector, particularly our large corporate entities with their tremendous resources in human talent, technological know-how, financial strength, and problem-solving capabilities.

From the private point of view, the motivation for an individual company's involvement in this effort may vary from one company to another. But whether it be enlightened self-interest for those that have a direct stake in the general community environment, or the acceptance of the challenge of civic responsibility, or direct commercial interest in terms of enlarging the market for products and services in the housing field, here is another opportunity for business to demonstrate what it can achieve through the appropriate application of its capabilities in an area of broad public concern.

The profit motivation for those companies whose capabilities mesh with the commercial opportunities inherent in this field should not be de-emphasized. To be perfectly pragmatic, in the long run this motivation offers the most potent stimulant for action on a massive scale. After all, our profit-motivated system has proven itself to be the most prolific provider for human needs and wants yet known to man.

What is called for then, is a mechanism which can successfully blend all of these motivations into a single concerted attack on the problem of mass housing rehabilitation and at the same time provide a laboratory for experimentation in this field through which individual companies can gain experience and confidence, and ultimately, hopefully, proliferate this effort on an ever-expanding scale.

This is rally what the following ACTION-Housing proposal is all about.

SUMMARY

This proposal recommends the formation of a new corporation, capitalized at $3,000,000 to $4,000,000 to engage in the rehabilitation of structurally sound but deteriorating housing in the Pittsburgh Metropolitan Area on a profit-motivated basis, in cooperation with the local, state and federal agencies.

The Pittsburgh demonstration by the proposed Allegheny Housing Rehabilitation Corporation (AHRCO) would, when experience has proven it successful, constitute a prototype which could be repeated in many cities throughout the nation.

Participating companies will commit to purchase common stock or debentures. Policy will be established by a board of their selection. Professional staff and management personnel will be provided by the newly created company (AHRCO).

PROPOSAL

Allegheny County contains 503,000 dwelling units, of which it is estimated approximately 90,000 need and are susceptible of rehabilitation. Of these, 40,000 are in the city of Pittsburgh. A total of approximately 17,000 dwelling units in the City and County are beyond restoration and should be demolished.

Total clearance and redevelopment of the areas in which these units are located is monetarily and otherwise not feasible. Public housing in Pittsburgh has averaged less than 325 units per year in the last thirty years, although the rate has increased in the last few years to about 430. At this rate, including consideration of private building and rehabilitation, Allegheny County's inventory of substandard housing will increase.

As a demonstration, ACTION-Housing, Inc. undertook in 1966 the rehabilitation of 22 row houses on Cora Street in the Homewood-Brushton area of Pittsburgh. ACTION-Housing acquired the properties for about $4,000 each and expended approximately $6,000 additional per unit to provide good housing for 22 families in that neighborhood at a rental only slightly higher than previous payments.

Construction work was performed by a private contractor; interim financing was provided under a participation agreement by the Mellon National Bank and Trust Company and the Development Fund of ACTION-Housing. The permanent mortgage financing was obtained from the Federal government under its below market interest rate program (Section 221 (d)(3) of the National Housing Act), which provides 3 percent funds and up to a 40-year mortgage term for 100 percent of the total costs where the mortgagor is a nonprofit corporation like ACTION-Housing, Inc. Limited dividend corporations could secure a mortgage for 90 percent of the total costs.

The Cora Street rehabilitation has had a distinct advantage in being located in a neighborhood which has a strongly structured Citizens Renewal Council, a pioneer urban extension group which ACTION-Housing helped to organize and has given professional guidance to over seven years. The Council has leadership and participation by neighborhood people, as well as backing by the major industries and merchants of the neighborhood. When Cora Street was first publicly announced, the then President of the Council said: "The modernization of whole sections of basically sound housing will provide the visible evidence of change that should inspire us all."

Although Cora Street has demonstrated obstacles and need for changes in procedures, the following conclusions were reached:

(1) Such work is feasible and provides a good end-result for tenants of low and moderate income without major dislocation. Tenants are happy with the housing.

(2) A reasonable profit is available to developers, subject to normal business risks, and to persons providing services (architect, contractor, lender, attorney, realtor, etc.)

(3) This form of private enterprise development provides advantages in cost, markets and time over new construction and other current housing programs.

(4) Major expansion of this concept requires substantial capital and private enterprise production techniques and purchasing power.

(5) Such an undertaking provides an immense sociological benefit to older neighborhoods in decaying urban communities—an urgent necessity in halting further deterioration and social strife.

Major capital, private enterprise methods, and the affirmative cooperation of Federal, state and local governments are essential to provide quantity rehabilitation for impact upon Allegheny County communities.

The Federal government, through the Department of Housing and Urban Development's Secretary, Robert C. Weaver, has expressed great interest in this effort and a willingness to give it strong support.

The Secretary explored with a number of ACTION-Housing's Board of Directors various forms this support might take. They include steps to relieve "red tape" and, at least initially, to assure the financing mechanism essential to this process.

Continuity of such financing support is dependent upon future Congressional action. Further evidence of the Federal commitment is the fact that, subject to creation of the proposed organization, Secretary Weaver has expressed confidence that Pittsburgh, along with another major American city, would be designated for concentration of a special prototype effort in this field.

The City of Pittsburgh, the City Planning Department and the Urban Redevelopment Authority, have also indicated their full cooperation for such an undertaking.

Mayor Barr stated, "Please be assured that the City of Pittsburgh will make every effort to implement the matters contained in your proposed agreement with HUD and in the development of this undertaking. This proposal, if effected, will be a vital step in our entire renewal program, and particularly for our Model City proposal."

A brief survey by qualified appraisers indicates that sufficient housing might be acquired on the open market to initiate a major rehabilitation program. Continuation of the program over an extended period will require close cooperation of the Urban Redevelopment Authority. As the program progresses, high annual rates of acquisition will force the market up, but the Urban Redevelopment Authority by providing necessary "write-downs" where required, can control this cost factor. This cooperation would make it possible for AHRCO to rehabilitate old housing for families of low and moderate income at a monthly cost they could afford to pay.

The Allegheny Housing Rehabilitation Corporation would acquire housing units, arrange for interim financing, secure architectural services and perform or contract for their rehabilitation.

Completed units could be sold to eligible nonprofit corporations, limited dividend entities, cooperatives, or individuals, approved by FHA and eligible for the Special Assistance Mortgage programs available under existing housing acts. An alternative approach is the sale of units to public housing agencies under the so-called turnkey program. AHRCO also would have the option of retaining units for long-range investment.

Inasmuch as no housing rehabilitation industry exists today, major development effort will be required of material suppliers, architects, contractors and labor. New materials, methods of work, training programs for business and labor, and financing are indicated for long term success of a major housing rehabilitation program.

RECOMMENDATION

It is recommended that the major Pittsburgh-based companies and others to the extent that they are interested in housing rehabilitation, form an operating company (AHRCO) capitalized at $3,000,000 to $4,000,000 for the purpose of buying structurally sound but substandard housing principally in, but not limited to, Allegheny County, rehabilitating and selling, or holding and renting them.

The level of financing suggested is believed to be sufficient to build up to and sustain a rate of 1,000 housing units annually, provided that housing units are turned over in about one year. Based on the assumptions shown on the attached exhibits, cash flow would be sufficient in the fifth year after formation to commence payment of dividends.

It is also recommended that a nonprofit research organization be formed to which AHRCO would subscribe 10 percent of its gross profits. The research company, with grants from foundations, governments and AHRCO, would sponsor research on construction methods and material application problems requiring solution.

Upon acceptance in principal of this proposal by a sufficient number of companies, ACTION-Housing will undertake to form a shareholders committee to draw up the required agreements for formation and financing the proposed operating company (AHRCO). After formation of the company, ACTION-Housing, Inc. would be retained by it in a consulting capacity.

THE CONSTITUTIONAL RIGHT TO DISSENT

Mr. FULBRIGHT. Mr. President, the American Civil Liberties Union recently published a document concerning the status of the constitutional right to dissent in America today. This paper, entitled "The Vietnam War and the Status of Dissent," begins by stating:

> The voicing of dissent in the midst of military conflict is a key test of American faith in the free speech guarantees of the First Amendment.

After an examination of the pressures today against dissent, the paper describes the other side of the coin, as follows:

> This appeal for protection of dissent is not to open the door to license. Certainly where dissenters act to interfere with the safety or the right to speak of those with whom they disagree, such behavior cannot be condoned. Just as a patriotic veterans' organization may not lawfully disrupt a meeting so that anti-Vietnam speech cannot be heard, so a student demonstration which drives pro-Vietnam speakers from the platform does not enjoy the protection of the First Amendment.

This document deserves the attention of Members of Congress and the public generally. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

The Vietnam War and the Status of Dissent

The voicing of dissent in the midst of military conflict is a key test of Americans' faith in the free speech guarantees of the First Amendment. The fear and tension of war lead citizens and officials to curb, and even silence, those who disagree with government policy and the prevailing majority view. In war-time civil libertarians quite rightly take alarm at such pressures, decry violations of the right of free expression, and fight even harder to keep open the channels of communication.

The present status of dissent over the Vietnam War, perhaps mirroring the intricacies and tragedies of war itself, is even more complex, more uncertain. Dissent *is* in trouble, serious trouble, yet the voices and protests of those who believe our current course in Vietnam is wrong, have not been silenced. Marches and rallies are held, speeches are made, publications are uncensored—covering the wide range of dissenting opinion on the war. The highest government officials, including the President and Secretary of Defense McNamara, have defended the right of protest. Such official support of dissent enlarges public awareness of its importance; this public sensitivity is the ultimate guarantee of the continued protection of the right of dissent.

Some observers have compared the present period to the black night of McCarthyism which covered American life in the 1950's, when near-hysteria over Communism gripped our citizens. This is an inaccurate judgment, and three main factors stand out as contributing to the healthier state of the right of dissent today.

(1) The splits and divisions within the Communist world have altered the view of Communism as a monolithic force, moving relentlessly and collectively to a preconceived goal. This change has lessened our fears of it as a hostile force and our irrational desire to silence its proponents. When the Soviet Union and China hurl invectives at each other as a daily diet of propaganda, those in our country who fear the influence of Communism find a less favorable climate for their efforts to stifle unorthodox opinion.

(2) We are benefitting from the reservoir of civil liberties understanding which has flowed from judicial decisions of the past decade upholding and supporting rights of politically unpopular groups. The voiding of loyalty oaths for teachers and passport restrictions on Communist Party members; the curbs placed on federal and state anti-subversive investigating committees; and the weakening of federal statutes aimed at punishing the advocacy of Communist thought, have been a persuasive educational force among the public in restoring to high station the freedoms of the First Amendment.

(3) Perhaps most importantly, members of a new generation of young people coming into manhood and unstained by the experience of the McCarthy period, are proudly exercising their rights of free speech. They believe the Bill of Rights is not merely a piece of historical parchment, but a living document which a free people can use to correct the conditions of life which they feel imperil their freedom or restrict social advance and change. To these young people, and some of the not-so-young who join them, who use the rights of speech, association and assembly to expose the evils of discrimination and segregation and to state their views on war and peace, the nation owes a debt of gratitude. They have brought sharply to public consciousness the intrinsic value of the First Amendment; they remind us of the true meaning of our heritage.

But to applaud the fact that dissent has not been muted, despite the rising emotionalism of the Vietnam War, is not to say we may relax the civil libertarians' vigil. There are signs, ominous signs, that a storm is brewing, that we may indeed be in the eye of a hurricane. The time to worry, and to act, is not after dissent has been choked off, but when the evidences of repression come on the horizon. As the war escalates, and citizens continue to demand more bombing—or the end of bombing, or negotiation or outright withdrawal of American troops—clear and discernible pressures are rising for restraints on and punishment of those who oppose the war. The random collection of incidents attached to this statement, some previously reported, some disclosed here for the first time, illustrate the steadily accelerating strains on unpopular expression. Some of the symptoms of a gathering storm are these:

General Westmoreland's warning that dissent threatens military morale and encourages North Vietnam;

The White House statement that the FBI is making reports on the "Communist influence" in the Spring Mobilization for Peace march (conveniently disclosed for the press on the day of the April 15 march);

Demands by congressmen for the jailing of those who, by speech, urge resistance to the draft, despite Assistant Attorney General Vinson's calm comment that the Constitution forbids it;

The cry of "conspiracy" hurled by Representative Mendel Rivers, Chairman of the House Armed Services Committee, against the Justice Department and certain federal judges who he feels are preventing prosecution of those who advocate defiance of the draft;

The widespread practice by city police of photographing and checking license plates of those participating in anti-Vietnam War meetings (and who reserve this technique for use against those with whom they disagree);

The penalization of professors who publicly advocate an end to the war;

The over-night stripping of Muhammed Ali of his boxing title by the New York, Texas, and Kentucky Boxing Commissions when the heavy-weight champion, on grounds of conscience and erroneous classification, refused to be inducted.

Such instances show that dissent is now the object of official and private intimidation and harassment. Unless these, and others, are vigorously and courageously opposed, unless the right and importance of dissent are re-affirmed and defended, the nation could slip back into a new era of McCarthyism with its dangers to a free society—fear, conformity and sterility.

Pressures on dissent are not produced by an impersonal administrative machine. Just as dissent is produced by people, it can be destroyed by people, caught in the ground swell of emotion which squeezes tighter and tighter, until dissent is crushed. It is not a big step from official statements that dissent injures the war effort to official and unofficial moves to punish those who refuse to keep silent, by economic coercion, public condemnation, or criminal penalties. This is the atmosphere which steadily is enveloping us.

In times of mounting emotions people tend to blur the line between legitimate dissent and harmful action, particularly as speech leaves its more traditional forms and takes the shape of draft-card burning or flag-burning, events which stir so strongly feelings of patriotism and love of country. But the intensity or the manner of expressing dissent is not sufficient reason to forbid it. The constitutional protection afforded such symbolic speech is now before the courts where the ACLU will continue to argue that it deserves the protection of the First Amendment. It is in this calm legal arena, where reason can be heard, rather than in the hurly-burly of legislative chambers, that these complicated constitutional questions can be determined.

But the bounds of dissent are set not only by legalistic formulae decided by judges. They are set by men and women who, as members of a democratic society, should vividly keep before them the value of dissent to their society. Many opinions should be aired in time of crisis, when there is hesitation to criticize official policy and when as much wisdom about that policy as can be obtained is essential. Without such criticism there is danger of authoritarian decision-making, so foreign to our idea of free government. Moreover, government leaders may miscalculate the temper of public opinion and commit the nation to a position which does not represent true national feeling.

This is why we are deeply distressed by the comment heard in far too many quarters that "too much free speech is dangerous." We remind those who argue in this vein that freedom of speech is not a right reserved only for the majority, and criticism of American policy is not equivalent to "anti-Americanism." This "dissent but" philosophy reflects inadequate understanding that precisely at this time, when the public mood may turn to diminution of speech, this unique and most prized element in our American tradition should be fully exercised. To do less is to dishonor the whole purpose of the First Amendment and reduce our citizens to mere puppets.

This appeal for protection of dissent is not to open the door to license. Certainly where dissenters act to interfere with the safety or the right to speak of those with whom they disagree, such behavior cannot be condoned. Just as a patriotic veterans' organization may not lawfully disrupt a meeting so that anti-Vietnam speech cannot be heard, so a student demonstration which drives pro-Vietnam speakers from the platform does not enjoy the protection of the First Amendment. However, the nature of the interference in individual cases must be carefully examined to make certain that speech actually is interrupted; too often demonstrations that may inconvenience but not actually interfere with the safety and speech of others are regarded as outside the pale, especially when the content of the demonstration may be inflammatory or touch sensitive and controversial issues.

In stating our concern that the expanding frustrations and tensions of the Vietnam War are evoking new threats to dissent, the American Civil Liberties Union expresses no organizational position on the war itself. All over the United States, within and without the ACLU, mature and responsible men and women are expressing different views. Some consider the objects of this war wrong, some object to its conduct, some believe the President should bomb more vigorously, some believe all bombing and killing wrong and futile whatever its object.

But as individuals they all share the same rights provided by the First Amendment. The freedoms of inquiry, belief and expression, to which the First Amendment is bound, provide the indispensable safeguard of a nation whose government derives its power from the consent of the governed. Whenever that awesome power is wrongly used, to deny speech, to harass people and make them less free to voice opinion, then those who cherish freedom must protest. This we do in appealing to private citizens and government officials alike not to limit dissent, that vital ingredient of a free nation, lest, as a nation, we become less free.

AMERICAN FOREIGN POLICY—AN ADVENTURE IN ADVERSITY

Mr. PERCY. Mr. President, I invite the attention of Senators to an important speech, "American Foreign Policy: An Adventure in Adversity," made at Northeastern University, Boston, on June 18, 1967, by the distinguished Member of Congress, Hon. F. BRADFORD MORSE. His analysis of the necessary ingredients of U.S. foreign policy and his practical suggestions for mutual deescalation in Vietnam make a significant contribution to public dialog. I ask unanimous consent that the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

AMERICAN FOREIGN POLICY: AN ADVENTURE IN ADVERSITY

(Remarks of Hon. F. BRADFORD MORSE, Member of Congress, Commencement Exercises, Northeastern University, Boston, Mass., June 18, 1967)

Despite America's best intentions, our foreign policy has inspired the hostility of the world and aroused the suspicion of significant segments of our own society.

Europe—where the NATO Alliance brought affluence and security—apprehensive—even fearful—of American leadership.

Africa—where people know the inhumanity of apartheid—suspicious of America's devotion to the democracy it declaims.

Latin America—where greed and poverty coexist uneasily—convinced that America's concern extends little beyond the protection of its economic interests.

Asia—where fear and famine, illness and ignorance, destitution and despair, constitute the daily diet—torn in a war in which American involvement and American motives are misunderstood.

The Middle East—where thousands have died in a war which a world which regards itself as civilized could not prevent—with all nations of the area in agreement on but one proposition: that America cannot be trusted.

American foreign policy—an adventure in adversity.

And there are specifics:

Cypress in 1964—where two trusted and trusting allies of the United States lost confidence in American objectivity.

The Dominican Republic in 1965—where American involvement violated in many Latin eyes the sacred principle of non-intervention.

The Indian Sub-continent on that same year—where many Pakistanis regarded the U.S. efforts to achieve peace as an act of exorbitant treachery.

Rhodesia today—where 4 million Black Africans, knowing of America's pledge that "All men are created equal," fail to understand our seeming indifference when a white minority thumbs its nose at our principal ally in order to protect and perpetuate the fiction of white supremacy.

There are so many areas of the world where U.S. foreign policy has encountered adversity.

And not the least significant of those areas is the United States itself.

The political right deplores any comfort which the United States my provide for the victim of apartheid in South Africa or any hope it may extend to the oppressed Black African in Rhodesia or Southwest Africa.

The left abhors, in an equally doctrinaire response, any intercourse between our government and a Latin American government which does not pretend to imitate the United States political system.

Some Americans of Eastern European origin resist exchange with the homelands of their forebears, for fear that any contact will strengthen the Communist regimes which have been imposed there.

Americans of Arab origin are convinced that the United States has lost its objectivity in the Middle East because of the political power of American Jews, while the latter are convinced that the solemn commitments of the United States government undertaken by at least four American presidents were ignored when the chips were down.

And untold thousands of Americans of varied national backgrounds and ideological persuasions conscientiously question U.S. policy in Vietnam.

For you, who today begin your professional careers, who will in the days ahead be asked to bear the sometimes intolerable personal burden of U.S. foreign policy, the question must arise:

Why?

Why is the foreign policy of a country, which has sought no territorial gain, which has sought to impose no ideology on the world, which has historically sought peace and tranquility, so mistrusted and so misunderstood?

Why?

To a large degree, people of all nations still think about foreign policy in 19th century terms, when national interest was the paramount, indeed exclusive standard. Great powers strove to maintain a balance of power, to protect their overseas investments with colonial regimes, to play one nation against another. Foreign policy was designed to advance national interest, and national interest was defined in the traditiol terms of military security, economic interest, and all too frequently, expansion of empire.

A different world emerged from World War II. For a brief period, nations realized that nationalism encouraged conflict, that antagonistic national interests nurtured war.

The nations of the world, fresh from the horror and tragedy of world war, in a surge of idealism, hope and confidence, created the United Nations, in an effort to subordinate national advantage to international good.

A major power, the United States, deliberately sought, through the Marshall plan, to strengthen another potentially competitive power unit. It voluntarily offered to abdicate its monopoly of atomic weapons. The colonial powers of Europe prepared to disband their empires.

Soviet aggressiveness, stimulated by ideological ambition, prompted the nations of the west to enter into multi-national alliances through which common defense was intended to protect the common good. NATO, SEATO, CENTO sprang forth, grounded in the United Nations charter, as evidence of the new interdependence.

Yet the compelling magnetism of nationalism was too strong.

New affluence in Europe, unsatisfied aspirations of the people of Latin America, Africa and Asia, the advance of nuclear technology—all of these factors conspired to seduce nations into making foreign policy decisions based on their subjective interpretations of their respective national interests. Yet today, national interest—nationalism—unlike earlier days has prompted retreat and isolation.

Great Britain has reduced her troop commitments on the Rhine and east of Suez in order to cope with her internal economic problems.

France has withdrawn from the NATO military alliance, relying instead on her diplomacy and on her own nuclear capability.

Latin American nations have begun to proceed toward economic integration only after considerable encouragement from the United States.

Tanzania, filled with sovereign pride, has departed, as have other African states, on a new nationalistic course that may make East African regionalism all but unattainable for years.

The cry of Arab nationalism has threatened World War III.

So, too, in our own country are the forces of nationalism and isolationism at work. The extreme right rejects concern for Black Africa, the new left demands withdrawal from Vietnam, and others, throughout the political spectrum, oppose involvement in other parts of the world.

Thus, while nationalism prospers throughout the world, and the embers of isolationism glow at home, the United States, almost alone in the community of nations, struggles to preserve and advance the ideal of international cooperation.

Had the idealistic hope of 1945 that the United Nations could resolve national rivalries been fulfilled, the role of the United States would have been vastly different, and enormously easier. But in spite of our efforts to make the U.N. an effective, universal peace-keeping mechanism—efforts which we must continue and intensify—the reality has not been achieved.

Hence, while other nations of the world have reverted to national self-interest as the exclusive test of foreign policy, the United States, blessed with incredible resources, postured as a result of World War II as the natural, if unwilling, leader of the free world, has—even in the face of internal opposition—been required to fashion a foreign policy which considers and respects other standards.

This is the rub.

Were national self-interest the *only* criterion for U.S. foreign policy, a persuasive case might be made for indifference to African affairs, for the retention of the status quo in East-West relations, even for withdrawal from Vietnam.

As things stand, foreign nationals view U.S. foreign policy from the traditional point of view. Many of them conscientiously believe that every action or reaction of the United States in its external relations is motivated by self-interest. Small wonder that the world is suspicious of the U.S. foreign assistance program; small wonder that it regards U.S. intervention in the Dominican Republic as a revival of gun-boat diplomacy; small wonder that it deems U.S. involvement in Vietnam as nothing more than latter-day imperialism.

But, as I have noted, there are other ingredients, and the formulation of U.S. foreign policy requires that these other elements be harmonized and reconciled with U.S. national interest. These other considerations must be respected, it seems to me, so long as they are not antagonistic to the national self-interest of the United States. In other words, although most other nations of the world have regressed to the luxury of self-interest as the exclusive test of foreign policy, the unique role of the United States, resulting from its position, its power and its heritage, imposes upon us unique responsibilities. These responsibilities permit self-interest to be the paramount, but not the exclusive criteria of our foreign policy.

What are these other ingredients?

The first is the reality of nuclear power.

We are linked to the world by a common humanity which faces an uncommon danger. The United States, as the first and foremost nuclear power, must act with maturity and restraint, both to avoid nuclear confrontation and to set an example to the other nations of the world, including the nuclear powers and those nations which aspire to nuclear status.

Even though the Soviet Union has backed away from nuclear confrontation in Cuba and the Middle East, the very fact of nuclear power gives us an awesome and continuing responsibility to prevent nuclear war. As John Spanier tells us in *World Politics in an Age of Revolution*, "Man has never possessed greater power, but because he can use his power only at the risk of suicide, he has never been more impotent."

No course we may pursue in world affairs can be charted without full knowledge of the nuclear shoals.

The second ingredient is the persistent ambition of the Soviet Union.

Let us first admit that many of the truths of the 1940's and 1950's no longer have relevance. Moscow's unchallenged control over the Communist world has been eroded by the same nationalistic fever that has infected the rest of the world. Satellite states have become client states. Peking competes for bloc leadership—the schism is real, and damaging to Communist interests.

But let no one delude himself. To admit that the monolith has been fractured is not to say that the USSR has forsaken its plans for the extension of Communism. It has an undiminished capacity for mischief. Its aggressive encouragement of the arrogant designs of Nasser should shock anyone who had been persuaded that cold war was a thing of the past. It armed Nasser to achieve Soviet dominance in the Middle East; it unleashed him to crush Israel. Soviet support of the UAR was also designed to apply additional pressure on the United States, an objective not unrelated to the situation in Southeast Asia.

We cannot disregard the declared intention of the mainland Chinese leaders to lead the countryside of the world in wars of national liberation against the developed nations.

It has become clear that the U.S.S.R. at least, does not expect to succeed by direct military conflict. Its techniques are indirect, devious, unhurried and potentially very effective. They include support of guerrillas attempting to overthrow legitimate governments in Latin America, assistance to terrorists who seek to obtain support through fear and torture in Asia, and continuing crescendo of propaganda blasted at the downtrodden of the world.

Were the United Nations an effective mechanism to prevent such activities, the United States, as the major force in the West, could comfortably ignore the threat of Communist expansionism. But it is not.

Nor could any other nation of the world, nor any combination of nations from which the United States was excluded, inhibit Soviet ambitions.

Thus the bitter cup comes to us.

The ingredient of Soviet intentions is a factor which must be considered at every turn in the formulation and execution of American foreign policy.

But why, you may ask, should Communist expansion in remote parts of the world be of concern to us?

It is because of the third precept which must be respected in the development and administration of U.S. foreign policy: self-determination.

"We hold these truths to be self-evident: that *all* men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness."

In our national infancy we recognized the right of all men to determine their own destinies. We cannot ignore those rights today.

Our several formal commitments to the concept of territorial integrity, our support for resistance to the overthrow of legitimate governments by subversion or by the military intervention of other states, are but expressions of our devotion to the concept of self-determination, as is our advocacy and support of international institutions which could insure the right of nations to chart their own futures.

If we believe in the dignity of man, we must also believe in the dignity of nations. This belief requires our devotion to the principle of self-determination as a factor which must be respected in our external affairs. Communist ambitions threaten the right of self-determination of many nations.

Finally, we must constantly be mindful of the aspirations of the peoples of the developing world. Our resources and the talent, energy and industry of our people have given us wealth far greater than that of any other nation.

Most of the rest of the world, especially those nations in the southern hemisphere, have just begun the process of development. People are crying for modernization and reject the despair and denials of the past. Albert Camus told us, "The masses have become stronger and keep people from forgetting them."

It can be argued that we must not forget them for reasons of our own self-interest; in order to head off the conflict between north and south, between rich nations and poor nations that so many geopoliticians have predicted.

But I think there is a more compelling reason: it is right that we do so. While we are not our brothers' keepers, we are our brothers' brothers.

Our history, our resources and our humanity require that we contribute our experience, our talent, and our treasure to help others realize their aspirations. Another nation with another heritage could ignore the responsibility. We cannot.

Thus the problem of U.S. policy: national self-interest, yes; but modified by other considerations to which other nations of the world can afford to be indifferent.

These complexities are little understood and inadequately explained. They have led to bitterness at home and to hostility abroad.

We cannot avoid the fact that respect for these principles will from time to time seem to cast us in a posture inconsistent with our declared intentions. Thus the charge has been made, principally as the result of our Vietnam involvement, that we have sought to become the "policeman" of the world.

I shall address myself to Vietnam in a moment, but first let me dispute the allegation that the U.S. desires to be the planet's police force.

Let us recall the restraint that the United States exercised in the current Middle East crisis. Even after U Thant's precipitous withdrawal of the United Nations Emergency Force last month, the United States, in spite of demands for direct military involvement, chose rather to work through the United Nations in an effort to avoid the eruption of violence.

This is hardly the response of a nation bucking for a patrolman's badge.

Yet ambiguities and conflicts arise which would tax the perspective and self-assurance of any nation. They are particularly difficult for a nation as vast as our own. Only a thoughtful and mature citizenry can hope to cope with the anxieties and frustrations which predictable conflicts will create.

And perhaps never have the people of the United States been faced with a greater challenge than that resulting from our involvement in Vietnam.

To some measure, the concern has resulted from our failure to understand the complexities of U.S. foreign policy. Were traditional self-interest the only test, the problem would be simple. But the formula, as I have stated, is far more complicated. Each of the other ingredients is relevant to some degree, and must be fed into the equation. Our presence involves the right of the South Vietnamese to determine their own destiny; it involves their aspirations for development; it involves resistance to Communist expansionism.

These factors, modifying as they do our national self-interest, make withdrawal unacceptable.

This is not to say, however, that we should not continue to explore every possible approach to peace. I am not convinced that we have done so.

We are fighting a war different from any the world has experienced. There is no doubt that our adversary is to a very large extent indigenous to South Vietnam. There is equally no doubt that the adversary receives the heavy support of men and materiel from the North, from the Soviet Union, and indeed, from mainland China.

Because the war is so complex, it cannot end through a single gesture. The cessation of all bombing in North Vietnam is more likely to prolong hostilities by convincing our adversaries of our lack of determination to see the struggle through. I do not believe that it would bring them to the conference table. An increase in the bombing would undoubtedly strengthen the resolve of the North Vietnamese rather than persuade them to negotiate.

We must pursue careful, quiet, and persuasive diplomacy. Its first goal must be to establish the credibility of both sides. Negotiations can never be successful unless all combatants have a far greater degree of mutual confidence that any agreements made will be respected. And this will require more effective communications with Hanoi and with the National Liberation Front.

Nor can any party appear to be "losing face" by coming to the conference table. A limited war, with limited objectives, cannot be ended if one side insists on the unconditional surrender of the other.

What can we do to help bring the war to a conclusion that will achieve our limited objectives, that will not jeopardize our own military forces nor lead to expansion to a wider war? I believe this result can best be achieved through a number of steps that will permit both side to reduce the level of the fighting gradually over a given period of time.

On our part we might agree to reduce the geographic areas of North Vietnam subject to bombing in a systematic series of steps. On their part, it could be a termination of use of certain infiltration points or the cessation of terrorism in certain clearly defined areas of South Vietnam. Thus could each side demonstrate its good faith and lay the foundation for a permanent political settlement.

This approach would help reinforce our claim of limited objectives for we seek no territorial gains, only the right of the South Vietnamese to live in peace, free of terrorism and infiltration, and their right to make their own decisions about their political future.

A mutual staged de-escalation would also help lead to a reduction of the American presence and the creation of a situation more within the capacity of the United Nations to manage during the inevitable transition period that would follow a negotiated settlement of the political issues.

We have no assurance that such an approach would be successful. It, too, could be rejected by our adversaries as has every initiative toward peace that the United States has undertaken. But, in my judgment, it is worthy of a serious effort—without fanfare and with maximum use of all available diplomatic channels.

The great danger is that, disappointed in our earlier efforts at diplomacy, we will simply cast those tools aside and concentrate exclusively on the military aspects of the war. Even now the proportion of our effort on the political side is inadequate. Staged de-escalation could assist here, too, by expanding the areas in which physical security is sufficient to permit political development.

It is my hope that such an approach will find its way into U.S. policy in Vietnam in the days ahead.

But even when the guns are silent in Southeast Asia, other problems, other challenges will face us, because of our unique role in world affairs.

They will be complex problems, which will not yield to simplistic solutions.

Just as new responsibilities and new obligations require greater maturity of individuals, so too they demand greater maturity of nations.

American foreign policy is your business, and as you think about the relations of the United States with the rest of the world, I would urge you to tax your mind as the complexities of the world tax our diplomacy.

IMPROVING INLAND BARGE SERVICE

Mr. HARTKE. Mr. President, improved technology on the inland rivers, particularly the introduction of more powerful towboats in recent years, has made possible better service to shippers at substantially reduced freight rates.

With my colleague, Senator MAGNUSON, chairman of the Committee on Commerce, I have introduced S. 1314, a bill to modernize section 303(b), the so-called dry-bulk exemption. The proposal would allow the barge lines to continue assembling economical, large tows on the inland rivers.

The St. Louis Post-Dispatch recently analyzed the problem covered by S. 1314 in an editorial which I would like to share with my colleagues and ask unanimous consent to have it printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BOTTLENECK ON THE RIVERS

Removal of a legal barrier to volume movement of freight on the inland waterways in a single tow, as proposed by Senator Magnuson of Washington, is just about the minimum that is required in the interest of economical transportation. We should hope Congress will go at least that far and preferably farther.

The barrier in question is contained in the Transportation Act of 1940 which placed the domestic water-carrier industry under regulation but exempted bulk and liquid commodities. The act provided that not more than three exempt commodities could be shipped in a single tow, and that exempt commodities could not be mixed with regulated commodities in tow, without loss of the exemption.

Until recently an interpretation of the 1940 act by the Interstate Commerce Commission permitted mixing of exempt and regulated cargoes under certain conditions, so that the restrictions did not become crushingly burdensome though complying with them took some pretty tortured footwork on the part of barge-line managements. Then the ICC withdrew its former interpretation of the restrictions and the Supreme Court upheld its decision.

The consequence is that the full burden of the restrictions has fallen upon the barge lines 27 years after their enactment. The impact is far more damaging than it would have been in 1940. Then an average tow carried 4800 tons of cargo; today the average ranges from 24,000 tons on the Ohio to 55,000 tons on the Lower Mississippi. To break up these tows would increase costs and rates with a vengeance.

The corrective proposed by Senator Magnuson is the most politic at hand. But we would prefer to see Congress make a far better corrective politically possible and repeal the exemptions altogether.

They have never made much sense, they are unfair to other modes of transportation whose freight movements are regulated, and they serve no useful purpose.

DAIRY IMPORTS SHOULD BE LIMITED BY EXECUTIVE ACTION

Mr. HARTKE. Mr. President, imports of butterfat-milk solids and certain cheeses have increased in overwhelming proportions in the last few months, creating chaos in our agricultural economy. It is because of my concern for this situation that I have joined in sponsoring S. 612, introduced by Senator PROXMIRE, which would require limitation on such imports by legislative action.

However, there is another way in which the same result can be achieved immediately. Under section 22 of the Agriculture Adjustment Act of 1933, executive action is permitted to curtail any quantity of importation which interferes with farm policy pursuant to domestic price support and other programs. No specific further authorization is needed for the Secretary of the Treasury to refuse to admit imports, although in practice such action is usually preceded by suggestions from the Secretary of Agriculture that imports are in fact hurting a domestic price support program. The Treasury can take action following study by the Tarff Commission, which would act at the request of the President.

The farm segment of our economy is far enough behind the rest in its return for investment and labor. We have the tools available to correct this situation. We should move immediately.

EXCESSIVE IMPORTS OF POTASH INJURIOUS TO NEW MEXICO

Mr. MONTOYA. Mr. President, my home State of New Mexico has for years been the dominant supplier of potash in the United States. Together with the two other primary components, nitrogen and phosphate, of fertilizer, potash, in the form of potassium oxide, has enabled the American farmer not only to supply all our own food needs, but also to help make up a substantial percentage of the world's food deficiencies.

The seven or eight major American suppliers of potash have for years mined this mineral in the area of Carlsbad, N. Mex. This industry has become so important to us that anything that would affect its prosperity, would also have serious impact on the economy of my State as a whole.

In the last few years two factors have come into being which threaten not only the existence of our potash mines, but will have most deleterious results for the whole State of New Mexico. I refer specifically, first, to the new domestic potash mining ventures, either mineral or brine, in Utah, California, and Arkansas; and, second, to foreign imports, particularly from Canada. Hitherto our mining companies have been able to ship potash in its various grades of coarse, standard or granulated, to all parts of the Nation for mixing with the other ingredients of artificial fertilizers.

The price of potash as shipped from Carlsbad has never been excessive; even now it averages around $23 per short ton f.o.b. Shipping costs could be lowered by about $4 a ton if the Interstate Commerce Commission would allow our mining companies to route shipments through Pecos, Tex., instead of through Clovis, as at present.

Our producers in New Mexico are now getting concerned about the latest production by the brine method in Arkansas, Utah, and California. The costs of this type of potash production are much lower than those of our crushed rock method. The newer mines are also much closer to offset areas in the United States so that they have a distinct competitive advantage. If we could get cheaper basing point rates from New Mexico we could live with this domestic competition.

What now especially concerns me, on behalf of our Carlsbad potash producers and on behalf of my State, is the fact that imports of potash are now inundating our east coast and St. Lawrence Seaway ports. A port like Baltimore Harbor has built special piers to handle imports of potash from Israel and other Mediterranean lands. And our northern ports and international gateways to Canada are open to a large volume of duty-free potash imports from Saskatchewan. This Province of Canada with its phenomenal rising production of potash is rapidly becoming a dominant consideration in the world fertilizer industry. Canadian output of potash has risen from 627,000 short tons in 1963 to 1,430,000 tons in 1965. Industry authorities estimate that Saskatchewan's production will reach 7 million tons by 1970.

Currently our own consumption of potash runs to about 5,000,000 tons a year. Last year we imported about 2,380,000 tons. Over 2,000,000 tons came from Canada comprising nearly her total production.

Why am I concerned? I am vitally concerned because the ever-increasing production in Canada is the lowest cost in the world. Consider the following: World reserves of recoverable potash are estimated at 120 billion short tons with an average grade of 15 percent pure potash. The Saskatchewan deposits comprise 60 billion tons and with an average pure-potash content of 25 percent.

Although some mineral is mined, the newer method of pumping water down boreholes and then recovering the dissolved potassium salts by evaporation and crystallization makes the latter type of potash the cheapest in the world. We in New Mexico cannot compete in price and with no import tariffs our domestic producers are currently at a serious competitive disadvantage. If imports are allowed to increase the end result will simply be that our mines will have to close—with resultant serious economic dislocation in New Mexico.

I am pointing up the painful impact for our higher cost mines in older producing areas. Certainly we face a phasing out of marginal operations and a decline in potash production if unlimited cheap supplies of Canadian potash are allowed to come in.

The Tennessee Valley Authority released a report a short while ago that potash production in the world will increase to around 24 million tons per year by 1970 with most of the newer increase in production occurring in Canada. World needs for expanded food production would be around 16 to 18 million tons of potash by 1970. The question is, since Canada needs scarcely any potash and world markets will not absorb more than half her projected production of potash, will the balance of her production be diverted to our markets—much to the injury of our own domestic producers?

Mr. President, I will have more to say on this subject in the future after we have analyzed the problem in greater degree, but I wish at this time to point up the problem of excessive importations of potash and the possible effect of such importations on a very essential industry in my State.

Mr. President, I ask unanimous consent to have inserted at this point two tables, one showing the imports of muriate of potash by country of origin for the years 1964–66, and the second table detailing the exports by country of destination for these same years.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Potash (potassium chloride, muriate of potash, TSUSA No. 48050) imports by country of origin, 1964–66

[Quantity in short tons, value in dollars]

Country of origin	1964		1965		1966 [1]	
	Quantity	Value	Quantity	Value	Quantity	Value
Canada	837,357	$19,365,218	1,485,148	$36,463,555	2,015,838	$50,952,835
Mexico	50	600	150	2,547		
Belgium	22,562	734,263	16,776	849,035	16,598	451,066
France	165,062	5,454,769	81,764	2,766,699	105,865	3,127,192
West Germany	135,742	3,799,423	133,416	3,802,411	192,426	4,843,974
Spain	34,944	929,451	44,269	1,269,140	23,951	706,420
Colombia			18,144	680,614	13,640	486,440
Chile			614	28,397	12,748	84,237
Israel					1,102	423,165
British Guiana					53	1,426
Total	1,195,717	30,283,724	1,780,281	45,862,398	2,382,221	61,076,755

[1] Preliminary.

Source: Bureau of the Census, U.S. Department of Commerce.

Potash (potassium chloride, muriate of potash, No. 5610025) exports by country of destination, 1964–66

[Quantity in short tons, value in dollars]

Country of destination [1]	1964		1965		January to November 1966 [2]	
	Quantity	Value	Quantity	Value	Quantity	Value
Canada	48,091	$1,515,229	12,059	$501,584	4,775	$223,215
Mexico	31,307	757,815	35,909	860,553	40,466	1,032,116
El Salvador	8,851	249,386	3,859	106,550	7,384	225,855
Honduras	1,459	67,005	3,297	165,063	1,600	71,402
Nicaragua	201	11,995	1,620	60,284	2,200	84,609
Costa Rica	11,573	353,897	7,252	228,762	7,331	222,822
Dominican Republic	4,100	160,365	5,064	208,888	3,000	118,800
Leeward-Windward Islands			1,002	32,118	3,480	107,673
Netherlands Antilles	15,292	415,291	13,210	373,746	8,265	265,994
Colombia	34,633	1,034,958	24,265	728,328	23,664	832,103
Venezuela	2,254	83,115	11,132	339,309	27	1,200
Ecuador	2,513	93,372	2,529	97,042	1,212	39,201
Chile	12,018	381,205	17,184	558,253	11,926	291,502
Brazil	26,512	971,008	49,373	1,824,575	66,245	2,032,629
Sweden	10,473	295,950	15,828	472,224	4,913	152,780
Finland	2,205	64,150	4,409	129,755	8,761	259,701
Denmark			2,795	98,888		
Ireland	5,544	145,084				
Italy	2,564	75,767	11,672	353,355		
India			2,685	143,642		
Pakistan			8,063	11,615	4,521	185,567
Vietnam	1,695	63,543	2,189	95,277	10,124	465,164
Philippine Republic	7,486	232,681	3,979	118,766	2,251	60,069
Korea Republic	49,571	1,533,481	143,704	4,358,308	75,171	2,080,895
Taiwan	11,574	410,739	38,085	1,298,595		
Japan	385,794	11,969,086	326,609	10,216,140	334,070	10,483,091
Australia	66,378	1,884,651	47,619	1,349,508	91,789	2,845,294
New Zealand	114,795	3,955,605	74,582	2,358,506	36,489	1,091,926
West Germany	3,145	28,336				
Republic of South Africa	51,009	1,446,803	41,561	1,196,212	15,031	436,501
Norway	4,884	147,540				
Other countries [1]	4,055	144,236	2,005	97,781	2,010	91,498
Total	919,976	28,492,293	913,540	28,683,627	766,705	23,701,607

[1] Countries receiving less than 2,000 short tons are included in the category "other countries."
[2] Preliminary.

Source: Bureau of the Census, U.S. Department of Commerce.

PROGRAM

Mr. DIRKSEN. I want to get the attention of the Members of the Senate before they leave.

The **VICE PRESIDENT.** Will the Senate be in order?

Mr. DIRKSEN. I want to ascertain what the business will be on Monday after the 2-hour period allotted to the distinguished Senator from Idaho [Mr. CHURCH].

AMENDMENT OF SECTION 408 OF THE NATIONAL HOUSING ACT, AS AMENDED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 1542, a bill to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies be made the pending business and taken up upon the completion of routine morning business on Monday morning next.

The **VICE PRESIDENT.** The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1542) to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies.

The **VICE PRESIDENT.** Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

ADJOURNMENT UNTIL MONDAY

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, in accordance with the order previously entered, and as a further mark of respect to the memory of the late distinguished Representative from California, J. Arthur Younger, I move that the Senate stand in adjournment until 10 o'clock a.m. on Monday next.

The motion was unanimously agreed to; and (at 4 o'clock and 29 minutes p.m.) the Senate adjourned until Monday, June 26, 1967, at 10 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 23 (legislative day of June 12), 1967:

POSTMASTERS

ALABAMA

James E. Ivey, Albertville.
Lucy F. Sanders, Goshen.
Charles C. Polk, Jr., Grady.
Ramona N. Sellers, Kent.

ALASKA

Wilmer C. Grout, Aniak.
Bernice K. Lundgren, Naknek.
Gloria O. Day, Valdez.

ARIZONA

Stark E. Stephenson, Elfrida.
B. Hughe Mullins, Ganado.
C. Wendell Shelley, Joseph City.
Charles R. White, Sedona.
Wilbur V. Cook, Youngtown.

ARKANSAS

Virgil L. Brooks, Jacksonville.
Vaughan C. Jackson, Newport.

CALIFORNIA

Elizabeth P. Zachary, Adelanto.
Anne A. M. Woempner, Boulevard.
James M. Hurley, Campbell.
Leona M. Wade, Central Valley.
Robert S. Senini, Delano.
Cecilia M. Custard, Isleton.
Jack R. Tallman, Plymouth.
Patricia A. Herrington, Pollock Pines.
Lim P. Lee, San Francisco.
John C. Sanchez, Santa Clara.
Porfirio Q. Lopez, San Ysidro.
Jack L. Faulkner, Trinidad.
Robert V. Newell, Twentynine Palms.
Charles B. Herald, Jr., Yountville.

COLORADO

Joseph R. Montano, Antonito.
Byron M. Jacobsen, Ault.
Maxine A. Steele, Bennett.
Axel T. Bernhard, Granby.
Leslie M. Cogswell, Pierce.

CONNECTICUT

Luzerne L. Bristol, Durham.
E. Louise Oatley, East Killingly.
Stanley Dombrowski, Jr., Oakdale.
Thomas J. Kaylor, Washington.

FLORIDA

Kenneth L. Rhodes, Lake Wales.

GEORGIA

Alto Hanner, Jr., Buena Vista.
Lon P. Black, Dawson.
Eugene C. Grant, Tate.
Mary C. Townsend, Wildwood.

HAWAII

Hazel K. Kobayashi, Kealia.

IDAHO

Lena E. Quincy, Tensed.

ILLINOIS

Lester J. Morr, Altamont.
Frances M. Trowbridge, Beason.
John I. Stoltz, Bellmont.
William F. Johnson, Bradley.
Hubert L. Goforth, Carbondale.
Merabello Pelini, Chillicothe.
Charles W. Cornish, Dunlap.
Albert L. Dussliere, East Moline.
William F. Cooley, Eldorado.
Walter L. Moss, Eldred.
Harold R. Bonar, El Paso.
Franklin D. McFarland, Forsyth.
Donald R. Clark, Freeport.
Charles E. Smith, Geff.
Lynn O. Ogg, Gibson City.
Roland F. Laking, Grant Park.
Leona M. Vogt, Hillsdale.
K. Neil Thurmond, Johnston City.
Clark D. McKenna, Kankakee.
Donald E. Figg, Keithsburg.
Floyd E. Garrett, Kinmundy.
Sarah E. Jones, Latham.
Marion G. Jahn, Lee Center.
William F. Clinton, Madison.
James C. Bukowski, Momence.
Bernard S. Olinski, Northbrook.
Francis M. Pope, Ramsey.
John W. Hoban, Riverton.
Ruth L. Hood, South Elgin.
Evelyn M. Haigh, Steward.
Janet M. Monahan, Strawn.
William Lippert, Washington.
Noble D. Lowery, Westfield.
Estle D. Rogers, Xenia.

INDIANA

George A. Bouse, Claypool.
William H. Hauser, Coal City.
Joe Silotto, Dana.
Hubert N. Ellis, Hazleton.
Mrs. M. Louise Davenport, Henryville.
Karl T. Hammerle, Liberty.
Daniel A. Markley, Montpelier.
Juanita O. LaFollette, Ridgeville.
Irvin Edward Almonrode, Saratoga.
Emma B. Wiley, Vevay.

IOWA

Donald H. Degen, Bancroft.
Raymond F. Weber, Fairbank.
Leota M. Ekle, Gilbert.
David W. Springer, Jr., Kellogg.
Dwayne D. Dygert, Panora.

KANSAS

Thelma M. O'Brien, Abbyville.
John M. James, Arma.
Willis J. Truhlicka, Barnes.
John D. Cawby, Fontana.
Roscoe D. Godsey, Gaylord.
Berniece L. French, Rossville.

KENTUCKY

Thomas J. Carnes, Alexandria.
Ruby M. Gish, Bremen.
John M. Hiles, Jr., Foster.
Charles N. Skillman, Hardinsburg.
Billie J. Pennington, Tilford.

LOUISIANA

Floyd C. Cloutier, Morgan City.

MAINE

I. James Coolbrith, Long Island.

MARYLAND

Lois J. Horney, Chester.
Ward K. Livengood, Friendsville.
Romie G. Robbins, Linkwood.
Guy L. Widdowson, Westover.

MASSACHUSETTS

Edward F. Leddy, East Taunton.
Robert P. Foley, Leicester.
Willard P. Wright, Shrewsbury.
Donald C. Morris, Southboro.
Thomas F. McDonough, Sudbury.

MINNESOTA

Oliver Medalen, Belgrade.
Roger A. Baldwin, Big Lake.
Thomas T. Cotter, Brewster.
Lawrence L. Kent, Clontarf.
Francis E. Osborne, Madelia.
Robert J. Farley, Mound.
Stephen J. Dasovich, Nashwauk.
Norman S. Boehne, Parkers Prairie.
Ovid R. Sitz, Park Rapids.
Edward J. Pietrek, Sturgeon Lake.

MISSISSIPPI

Sarah E. Tolar, Anguilla.
Charlie M. Woods, Bolton.
William E. Galey, Jr., Greenwood.
Hugh W. Godbold, Magnolia.
Gary C. Terrell, Pass Christian.
Bart W. LaHatte, Redwood.
Essie C. Sanders, Tinsley.
Bettie P. Webb, Tunica.

MISSOURI

Treacil B. Myers, Ash Grove.
Leonard G. Drummond, Coffey.
Joy F. Messick, El Dorado Springs.
Billy D. Harwood, Fair Grove.
Marvin L. Staley, Garden City.
Myrtle M. Sapp, Hartsburg.
Edgar A. Slusher, Jr., Lexington.
Francis M. Bryan, New Bloomfield.
Ethelbert T. Chaney, Wheatland.

MONTANA

Drury G. Phebus, Baker.
Edward A. Anklam, Culbertson.
Clara P. Evans, Lakeside.
Marie K. Stein, Loma.
Leneus H. Erickson, Turner.

NEBRASKA

Earl D. Ommert, Cambridge.
Joyce M. Bartu, Comstock.
Thomas R. Carmin, Doniphan.
Woodrow E. Grove, Edison.
Richard A. Donovan, Greeley.
Edward D. Dunn, Inavale.
Robert L. Dowding, Seward.
Robert J. Behrns, Stromsburg.
Welton A. Juilfs, Talmage.

NEVADA

Maurice E. Lewis, Reno.

NEW JERSEY

Rachel B. Hill, Cape May Point.
Thomas S. Price, Eatontown.
John J. Masterson, Garwood.

Mildred A. Roche, Gibbstown.
Franklin H. Obenhaus, Haddon Heights.
William V. Heffernan, Jersey City.
Frank Leone, Oakland.
John L. Burke, Princeton Junction.
Patricia A. Caul, Wallpack Center.

NEW MEXICO

Lester O. Downey, Aztec.
Edna A. Taylor, Whites City.

NEW YORK

Charles M. Baez, Castle Point.
Ruby I. Breakey, Copenhagen.
Henry Betke, Coxsackie.
John A. Braymer, Delhi.
William M. Supple, Elmira.
Chester L. Phillips, Ferndale.
Helen H. Braun, Glenford.
Carl W. Lewis, Gouverneur.
Daniel C. Bohl, Guilderland.
Frank P. Fallica, Holtsville.
Harry H. Emmons, Interlaken.
John P. Coultry, Malone.
Gerald E. Morrow, Maplecrest.
Gerald J. Mulderig, Medford Station.
Robert G. Lind, Millerton.
Lillian I. Hazen, Napanoch.
Irene A. Welch, Neversink.
Herbert J. Dowd, New Hartford.
John R. Strachan, New York.
Francis J. Wilson, Portville.
Warren P. Schofield, Waddington.
James F. Ryan, Wadhams.
Thomas M. Murray, Warnerville.

NORTH CAROLINA

F. Delores Burrus, Hatteras.
Everett D. Tate, Nags Head.
William E. Derrick, Paw Creek.
George W. Grayson, Spindale.
Frank H. Powell, Turkey.
Winfred F. White, Windsor.

NORTH DAKOTA

Myles F. Boyle, Buchanan.
Reuben H. Zeller, Carson.
Richard A. Mahin, Dawson.

OHIO

Adam F. MacAdam, Crestline.
Darrell K. Anderson, Dellroy.
Benjamin K. Pfeiffer, Gnadenhutten.
Richard H. Thibaut, La Rue.
Bernard M. Turanchik, Pleasant City.
Eleanor R. Fior, Yorkville.
Wallace L. Pealey, Zoarville.

OKLAHOMA

George G. Murray, Jr., Colbert.
Gordon B. Grant, Edmond.
Atwood W. Chestnut, Elk City.
Howard W. Thomas, Pawnee.

OREGON

Robert G. Schneider, Gresham.
George T. Lyons, Odell.
Archie L. Lane, Powers.

PENNSYLVANIA

Robert W. Anthony, Altoona.
Albert I. Nagle, Auburn.
Richard R. Bell, Clintonville.
Hugo J. DeSolis, Devon.
William F. Yohe, Fairless Hills.
Lester S. Poorman, Lock Haven.
James C. Basler, Mill Creek.

PUERTO RICO

Atanasio Lugo, Bajadero.
Ramon Mulero, Carolina.
Alma A. G. Head, Penuelas.

RHODE ISLAND

Arthur K. Payte, Charlestown.
Raymond F. Cahill, Oakland.

SOUTH CAROLINA

George A. Lemons, Lockhart.
Fletcher C. Gause, Jr., Loris.
William P. Hogan, Pacolet.
James R. Coleman, Travelers Rest.
Esther S. Kearse, Ulmers.

SOUTH DAKOTA

Clair T. Eggen, Astoria.
Julia V. Buck, Egan.
Paul J. Cooney, Kennebec.
Allan L. Anderson, Mansfield.
Christian G. Christiansen, Sisseton.

TENNESSEE

Frank C. Moore, Chattanooga.

TEXAS

Joyce L. Beasley, Enochs.
Norman G. Duren, Goldthwaite.
Mike A. Carlisle, Holland.
John H. Muennink, Hondo.
Douglas W. Meriwether, Lockney.
Mayme M. McBrayer, Lorena.
Larry F. Lattimore, Ore City.
William R. Bunker, Jr., Salado.
Wade A. Majors, Jr., Turkey.

UTAH

John E. Jones, Vernal.

VERMONT

James M. Hastings, Ludlow.
Franklin D. Henry, Norton.

VIRGINIA

Randall L. Marsh, Lancaster.
William B. Newton, Mechanicsville.
James L. Staubus, Mount Solon.
Mary F. Campbell, Piney River.
Frances S. Vincent, Skippers.

WASHINGTON

George Knaus, Acme.
U. Scott Hull, Brewster.
Allen L. Millard, Greenacres.
Maxine A. Meyers, Lyman.
Leonard E. Amundson, Marysville.
Harvey D. Thompson, Yelm.

WEST VIRGINIA

Robert F. Heavner, French Creek.
Harold K. Carpenter, Harrisville.
Denzil Price, Sinks Grove.

WISCONSIN

Walter H. Reasa, Albany.
Joyle H. Anderson, Amery.
Howard M. Frane, Curtiss.
William J. Gendrich, Honey Creek.
Edward J. Prem, Loganville.
Arthur G. Hubbard, Mondovi.
Kenneth L. Kunde, Sheboygan.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 26, 1967

The House met at 12 o'clock noon.

The Reverend Father Eugene P. McManus, S.S.I., chairman of the New Orleans Archdiocesan Commission on Housing and Community Life, New Orleans, La., offered the following prayer:

Almighty God from whom all existence flows, we are grateful for Your providence.

At no time in history has man amassed such tremendous wealth and power.

We are grateful to live in a nation which is perhaps more blessed than any.

Today, we stand before the leaders of this great Nation—men chosen from among millions of Americans to act as custodians of this awesome power and prestige.

Their intelligence, their judgment, and their dedication have prompted their fellow citizens to choose them as leaders and to place upon their shoulders the burden of guiding the destiny of their Nation, indeed, of the world.

Heavenly Father, whose infinite power is one and the same with Your wisdom and love, give to these men the light and the judgment to use their power with wisdom and love for the benefit of all mankind. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 22, 1967, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a resolution, as follows:

S. RES. 139

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. J. Arthur Younger, late a Representative from the State of California.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, when the Senate adjourns today, it do so as a further mark of respect to the memory of the deceased.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 66. An act for the relief of Dr. Alfredo Roboredo-Newhall.

THE PRESIDENT'S ANTICRIME PROGRAM

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, the President has again made it clear that he believes crime is a threat to the basic integrity of society, and that we must take all possible measures to control and prevent it.

The President has recommended program after program to strengthen law enforcement at the local level, and help the courts dispose of cases as speedily as possible.

But he has not been content to deal only with the outward signs of crime—crime which increasingly has a younger face—he has devoted major Government resources to preventing crime and to eliminating the conditions which breed crime.

The Safe Streets and Crime Control Act, proposed by the President is meant to aid local and State police agencies.

The Juvenile Delinquency Prevention Act will, for the first time, enable local communities to plan their own assaults on delinquency—to prevent careers in crime before they develop.

The President's major opportunity programs will foster the conditions which encourage the socially responsible personality to develop.

Although crime is not absolutely identifiable with poverty, the President told the National Council on Crime and Delinquency, we all know that poverty breeds crime.

And so along with all our crime control measures; along with our efforts to build better prisons and have more modern police forces, must go the tools to root out causes of crime.

This President Johnson has done since his first days as President.

He has continually stressed the youth of those involved in crime.

He has continually asked us to ask ourselves if we can save some of these young people for themselves and for society.

And we can only save them by offering meaningful work, by needed health services, by a good useful education, by eliminating discrimination, and by guaranteeing that every American shares in the fruits of American prosperity.

In short, many of the Johnson programs now before the Congress, and in committee, are anticrime programs, because they are pro-opportunity programs.

As he told a visiting group this morning, we must all go back to our communities with the commitment to prevent crime careers before they begin.

Only true opportunity programs can achieve that.

I join this Congress in saluting the President for his strenuous efforts to keep our society whole and to make everyone in it proud to be an American.

FRED LOWERY RODEO IS NATIONAL HEADLINE EVENT

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I would like to invite the Members of the House of Representatives and their families to the Fred Lowery Memorial Rodeo in Lenapah, Okla., from July 1 through the 4th.

The rodeo has attracted national recognition because of the caliber of the rodeo performers who participate in the various events of one of the Southwest's oldest and most popular sporting events. Lenapah, by the way, proudly claims more world rodeo champions than any other place in the Nation.

While in Nowata County, visitors might also wish to visit the Chief Johnnycake Museum which contains the refurnished and restored home of Chief Johnnycake. The memorial grounds also house a small wildlife ranch containing animals native to northeastern Oklahoma. Overnight campgrounds and a park are also provided for the convenience of people visiting the area.

Situated in the heart of northeastern Oklahoma's rich farmlands, Nowata County is surrounded by some of the most scenic terrain in Oklahoma. The county borders the clear waters of the manmade Oologah Reservoir, which was constructed as a part of the Arkansas River navigation program. The reservoir area has excellent camping facilities for sportsmen and visitors.

Come to Oklahoma this summer for a great vacation experience.

SUPREME COURT RULING COULD SKYROCKET THE COST OF NEW HOMES

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, a recent Supreme Court ruling could skyrocket the cost of a new home, propel it out of reach of the average American family, and frustrate the attainment of the goal of a decent home for every American.

I refer to the 5-to-4 ruling that members of the Carpenters' Union can refuse to install prefabricated doors.

I believe Congress should clarify the law on this point and thus undo the harm done by this decision.

If strictly interpreted, it will deny the buyer of a new home the benefits of modern technology and mass production. Instead of buying components made in a factory ready to install, he will have to pay for their assembly and construction on the home site.

If the ruling were to be literally enforced, every workman on a construction job could insist on making by hand every piece that goes into a house. If so, the cost of building a home would be prohibitive.

This is not a question of union labor versus nonunion labor. Prefabricated building materials are made in union plants. The central issue here is whether buyers of homes are to benefit from progress, research, innovation, and cost reduction in the homebuilding industry.

I speak from my own experience, as one who spent 12 years in the construction industry before coming to Congress.

GLASSBORO AND THE NONPROLIFERATION TREATY

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, for the information of all Members of the Congress I have obtained unanimous consent for this reproduction below of my report of this date to the House GOP conference:

[From the office of Representative CRAIG HOSMER, Republican, of California]

JUNE 26, 1967.

From: Representative CRAIG HOSMER, Chairman, Committee on Nuclear Affairs.

To: House GOP Conference.

Subject: Glassboro Conferences Nonproliferation Treaty Implications.

Both President Johnson and Premier Kosygin expressed hopes for a nuclear weapons nonproliferation treaty following their two conferences at Glassboro. Some people may get the idea this means the treaty is as good as negotiated and signed.

This is true only if the United States throws all caution to the winds and caves in completely to the Soviet viewpoint regarding clauses of the treaty still in dispute.

One of the disputes concerns the manner in which the treaty might later be subject to amendments. This is a troublesome but not vital issue.

The major dispute concerns the issue of inspection of civilian nuclear activities in nonnuclear weapons countries to provide assurance that fissionable materials are not secretly diverted to establish surreptitious nuclear arsenals.

The USSR insists that inspections be conducted only by the International Atomic Energy Agency headquartered in Vienna. The USA supports the view that where existing regional international organizations already maintain inspection machinery, such as Euratom in Western Europe, these organizations should continue their responsibilities.

The USA position recognizes the sanctity of the Treaty of Rome which binds the Euratom countries together and with which IAEA inspection would be in conflict. It also recognizes, as a practical matter, that Euratom has established inspection procedures of much greater strength and standing than the IAEA's fledgling efforts at inspection.

To wipe out Euratom inspection and impose IAEA inspection would be disruptive of Euratom and also of NATO, since many Euratom partners are NATO members. West Germany is particularly sensitive to the manner in which inspections would be carried out. It depends on the USA to achieve an inspection clause it can live with.

In-as-much-as the USSR is particularly hostile to NATO and to West Germany, the reason for its dogged adherence to an "IAEA only" inspection clause is apparent; namely, it is divisive as to the USA and its European allies and therefore makes trouble for the non-Communist West.

An additional problem which may result from nonproliferation treaty euphoria arising out of Glassboro is that the very serious problem of contemporaneously amending the existing Limited Test Ban Treaty to permit peaceful uses of atomic explosives may be neglected.

Peaceful plowshare techniques are much needed by both advanced and under developed countries for such things as canals, irrigation and reclamation, and other activities of similar nature. Unless amending the Test Ban Treaty is made part of the nonproliferation treaty package, Soviet contumacy is likely to stall it indefinitely.

THE GLASSBORO SUMMIT CONFERENCE

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, it is only natural that there be a feeling of disappointment and letdown at the apparent failure of the Glassboro meeting between President Lyndon B. Johnson and Soviet Premier Aleksei N. Kosygin to achieve substantial areas of agreement.

However, every path to peace must be explored, and I think that it is of some encouragement to know that lines of communication are open. The road to peace is undoubtedly beset by many agonizing and frustrating difficulties, but impassable roadblocks must not be erected.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. This is District of Columbia day. The Chair recognizes the gentleman from South Carolina [Mr. McMillan], chairman of the Committee on the District of Columbia.

ADDITION OF NAME OF SPOUSE TO VEHICLE REGISTRATION

Mr. McMILLAN. Mr. Speaker, by direction of the House Committee on the District of Columbia, I call up the bill (S. 763) to amend the act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer.

The Clerk read the bill, as follows:

S. 763

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (d) of section 2 of title IV of the Act entitled "An Act to provide additional revenue for the District of Columbia, and for other purposes", approved August 17, 1937 (50 State. 680), as amended (sec. 40–102(d), D.C. Code), is amended by inserting immediately after the second sentence of such subsection the following: "If a motor vehicle or trailer be registered in the name of an individual, the name of the spouse of such individual may be added to the registration as a joint owner, subject to applicable provisions of law relating to the titling of the motor vehicle or trailer."

PURPOSE OF THE BILL

Mr. McMILLAN. Mr. Speaker, the purpose of the reported bill is to amend subsection (d) of section 2 of title IV of the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937 (50 Stat. 680), as amended—section 40-102(d), District of Columbia Code—to permit an individual owner to add to the registration of a motor vehicle or trailer the name of the spouse of such owner, as a joint owner, without obtaining an entirely new registration with full fees. This would insure that one of the two persons so designated would, on the death of the other, be able to obtain immediate possession of the motor vehicle or trailer.

BACKGROUND

Under existing law, there is only one time during the year when a person may add the name of his or her spouse to the title of a motor vehicle in the District of Columbia without the payment of a substantial fee. This is when the vehicle is registered for the coming registration year. At any other time of year, if a person wishes to add the name of his or her spouse to the title of a motor vehicle, he must pay not only a $1 transfer fee, but also a new registration fee ranging between $23 to $33, depending on the size of the car.

PROVISIONS OF THE BILL

S. 763 is designed to correct this situation as a convenience to the public, by providing that at any time during the year a person may add the name of his or her spouse to the certificate of title in the District without the payment of any fee whatever. The principal application of this would be in a situation where either a husband or wife is approaching death, and the family wishes to take action so that the vehicle can be put in both names in order to avoid the complex and intricate estate proceedings, and the expenses attributable to same. Thus, while the provision of this proposed legislation will not affect a great number of people in the District during any one year it will be of great assistance to a few persons each year under the conditions described above.

HEARING

At a public hearing conducted by Subcommittee No. 4 on June 19, 1967, testimony in favor of this proposed legislation was presented by spokesmen for the Board of Commissioners of the District of Columbia and for the District of Columbia Department of Motor Vehicles. No opposition was expressed to the enactment of the bill, which was approved by the Senate on June 13, 1967.

COMMISSIONERS' LETTER

The following is the letter from the President of the Board of Commissioners of the District of Columbia, dated January 10, 1967, requesting this legislation.

Government of the District of
Columbia, Executive Office,
Washington, January 10, 1976.

The Honorable the Speaker,
U.S. House of Representatives,
Washington, D.C.

My Dear Mr. Speaker: The Commissioners of the District of Columbia have the honor to submit herewith a draft of a bill "To amend the Act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer."

The bill provides that in cases where the registration of a motor vehicle or trailer is in the name of an individual, the name of the spouse of such individual can at any time be added to such registration, upon payment of a fee commensurate with the cost of providing such service, as the Commissioners shall from time to time determine and establish. This would permit an individual owner to add to the registration of a motor vehicle or trailer the name of his spouse, as a joint owner, thereby insuring that one of the two persons so designated would, on the death of the other, be able to obtain immediate possession of the motor vehicle or trailer.

Section 2 of title IV of the Act of August 17, 1937 (50 Stat. 680; § 40–102, D.C. Code), presently makes no provision for the addition of a name to a registration during a registration year, thus necessitating the taking out of a new registration with full fees in cases where the individual owner merely wishes to add a name to the registration and no sale of all or part of the motor vehicle or trailer is contemplated. The Commissioners are informed by the Director, Department of Motor Vehicles, that this requirement is a constant source of complaint by motor vehicle and trailer owners, and that most, if not all, of the States presently permit the addition of names to motor vehicle registrations.

The Commissioners believe that the owner of a motor vehicle or trailer should be permitted to add the name of his spouse to the registration of such vehicle or trailer without obtaining an entirely new registration with full fees. Accordingly, they recommend the enactment of the bill.

Sincerely yours,
(S) Walter N. Tobriner,
President, Board of Commissioners,
District of Columbia.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISSUANCE OF A MARRIAGE LICENSE IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (S. 1226) to transfer from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions the authority to waive certain provisions relating to the issuance of a marriage license in the District of Columbia.

The Clerk read the bill, as follows:

S. 1226

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 3 and 6 of the Act entitled "An Act to require premarital examinations in the District of Columbia, and for other purposes", approved October 15, 1966 (80 Stat. 959), are amended by striking "United States District Court for the District of Columbia" and inserting in lieu thereof "District of Columbia Court of General Sessions".

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from Iowa.

Mr. GROSS. Do I understand that this waives the compulsion to provide blood tests?

Mr. McMILLAN. Mr. Speaker, if the gentleman will yield; no, sir, it does not. It transfers the jurisdiction from the U.S. district court to the court of general sessions.

Mr. GROSS. Then, in order to administer the law it does require blood tests; is that correct?

Mr. McMILLAN. That is correct.

Mr. GROSS. And that may not be waived?

Mr. McMILLAN. Well, of course, the court has been waiving them; yes.

Mr. GROSS. That is not new in this procedure, or is it new in this bill?

Mr. McMILLAN. No; it is not new.

Mr. GROSS. It is not new in this bill?

Mr. McMILLAN. No, sir.

Mr. GROSS. In other words, this bill does not waive that authority?

Mr. McMILLAN. No, sir.

PURPOSE OF THE BILL

Mr. Speaker, the purpose of S. 1226 is to transfer from the U.S. District Court for the District of Columbia—hereinafter referred to as the "U.S. district court"—to the District of Columbia court of general sessions—hereinafter referred to as the "court of general sessions"—the authority to waive the premarital blood test requirements of section 2 of the act of October 15, 1966—80 Stat. 959—and the waiting period requirement of section 2 of the act of August 12, 1937—District of Columbia Code, section 30–109—related to the issuance of a marriage license in the District of Columbia.

NEED FOR THE LEGISLATION

Public Law 89–493, approved July 5, 1960—80 Stat. 263—transferred certain functions, including the issuance of marriage licenses within the District of Columbia and functions related thereto, from the U.S. district court to the court of general sessions effective November 1, 1966.

However, under section 3 of Public Law 89–682 approved October 15, 1966, an act to require a laboratory blood test of parties contemplating marriage, with a view to ascertaining whether they are affected with syphilis in a communicable stage, the authority, under certain circumstances, to waive this requirement and the 3-day waiting period requirement between the application for an issuance of a marriage license established by section 30–109 of the District of Columbia Code, was vested in the judges of the U.S. district court rather than the judges of the court of general sessions.

Thus, although under Public Law 89–493 the functions related to the issuance of a marriage license have been placed in the court of general sessions, under Public Law 89–682, the authority to waive the aforementioned related requirements now rests in the U.S. district court.

The design of Public Law 89–493 was to place all functions related to the issuance of marriage licenses in the District of Columbia in the court of general sessions. The aforementioned waiver authority is an important part of those functions. S. 1226 is needed to transfer such authority to the court now charged with administering the marriage license laws.

HEARINGS

At a public hearing conducted by Subcommittee No. 4 on June 19, 1967, a spokesman for the District of Columbia expressed approval of this proposed legislation. Your committee was advised also that enactment of the bill is favored also by the chief judge of the U.S. district court. No opposition was expressed to this bill, which was passed by the Senate on June 13, 1967.

COMMISSIONERS' LETTER

The following is the letter from the President of the Board of Commissioners of the District of Columbia, under the date of February 24, 1967, requesting this legislation:

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
EXECUTIVE OFFICE,
Washington, February 24, 1967.

The Honorable the SPEAKER,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: The Commissioners of the District of Columbia have the honor to transmit herewith a draft bill "To transfer from the United States District Court for the District of Columbia to the District of Columbia Court of General Sessions the authority to waive certain provisions relating to the issuance of a marriage license in the District of Columbia."

The purpose of this draft bill is set out in a letter to the President of the Board of Commissioners, dated December 6, 1966, from the Honorable Edward M. Curran, Chief Judge, United States District Court for the District of Columbia, as follows:

"Section 3 of Public Law 89–682, 89th Congress, H.R. 3314, which will become effective ninety days after October 15, 1966, states in substance that a Judge of the United States District Court for the District of Columbia may waive provisions for premarital blood tests and the three-day waiting period between the application for and the issuance of a marriage license.

"Under Public Law 89–493, 89th Congress S. 1611, which is now in force and effect, the Marriage License Bureau and its functions have been transferred from the United States District Court for the District of Columbia to the District of Columbia Court of General Sessions. It would appear most desirable in view of the latter bill that Section 3 of the former bill be amended by striking the phrase 'United States District Court for the District of Columbia' and inserting in lieu thereof 'District of Columbia Court of General Session.'

"If you agree with this suggestion any assistance you may give by way of legislation to accomplish the desired result would be greatly appreciated."

The Commissioners concur in these views of the Chief Judge of the United States District Court and recommend that section 3 of the Act approved October 15, 1966, be amended as indicated for the purpose of placing in the District of Columbia Court of General Sessions all functions related to the issuance of marriage licenses.

Sincerely yours,
WALTER N. TOBRINER,
President, Board of Commissioners,
District of Columbia.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASE NUMBER OF JUDGES ON DISTRICT OF COLUMBIA COURT OF APPEALS

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 8582) to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia court of appeals from two to five, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

H.R. 8582

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Subchapter I of chapter 7 of title 11 of the District of Columbia Code is amended as follows:

(1) Section 11–702(a) is amended by striking out "two" and inserting in lieu thereof "five".

(2) Subsection (c) of section 11–703 is amended to read as follows:

"(c) Two judges shall constitute a quorum of a division of the court, and four judges shall constitute a quorum of the court sitting in banc."

(3) (A) The following new section shall be added at the end:

"§ 11–705. Assignment of judges; divisions; hearings

"(a) Judges of the court shall sit on the court and its divisions in such order and at such times as the court directs.

"(b) (1) Cases and controversies shall be heard and determined by divisions of the court unless a hearing or rehearing before the court in banc is ordered. Each division of the court shall consist of three judges.

"(2) A hearing before the court in banc may be ordered by a majority of the judges of the court in regular active service. The court in banc for a hearing shall consist of the judges of the court in regular active service.

"(3) A rehearing before the court in banc may be ordered by a majority of the judges of the court in regular active service. The court in banc for a rehearing shall consist of the judges of the court in regular active service, except that a retired judge may sit as a judge of the court in banc in the rehearing of a case or controversy if he sat on the court or a division of the court at the original hearing thereof."

(B) The table of sections is amended by adding at the end the following new item:

"11–705. Assignment of judges; divisions; hearings."

SEC. 2. (a) The first sentence of section 17–301(b) of the District of Columbia Code is amended by striking out "the chief judge and associate judges" and inserting in lieu thereof "three judges".

(b) The fourth sentence of such section is amended by striking out "all the judges are of the opinion that an" and inserting in lieu thereof "the three judges are of the opinion that the".

PURPOSE OF THE BILL

Mr. McMILLAN. Mr. Speaker, the purpose of H.R. 8582 is to authorize the appointment of three additional associate judges to the District of Columbia court of appeals, thus increasing the number of such associate judges from two to five. This expanded court is to be separated into divisions consisting of three judges each, for hearing and determining cases and controversies, except when a hearing or a rehearing is ordered before the court in banc. Two judges shall constitute a quorum of a division of the court, and four judges a quorum of the court sitting in banc.

BACKGROUND

Prior to 1942, there existed in the District of Columbia two local courts, the municipal court with jurisdiction in civil cases where the amount involved did not exceed $1,000, and the police court with jurisdiction over misdemeanors and violations of municipal regulations. There was no right of appeal from either of these courts, although, application for writs of error could be made to the U.S. court of appeals.

By act of Congress of April 1, 1942, the municipal court and the police court were combined into one court. The municipal court for the District of Columbia, and the jurisdictional limitation in civil cases was increased to $3,000. The same act created the municipal court of appeals with jurisdiction to hear appeals, civil and criminal, from the new municipal court. The new municipal court had

10 judges and the municipal court of appeals three judges.

In 1949, three additional judges were added to the municipal court, giving it a total of 13 judges. However, the number of judges on the municipal court of appeals was not increased.

In 1956, exclusive jurisdiction of all domestic relations cases was transferred from the U.S. District Court for the District of Columbia to the municipal court. Three additional judges were appointed for the domestic relations branch of the municipal court, giving this court a new total of 16 judges.

In 1962, the civil jurisdiction of the municipal court was increased to include cases involving not more than $10,000. The act giving this increased jurisdiction changed the name of the municipal court to the District of Columbia court of general sessions, and changed the name of the municipal court of appeals to the District of Columbia court of appeals.

In 1966, five more judges were added to the court of general sessions, giving it a total of 21 judges. Again, however, there was no increase in the number of judges for the court of appeals.

Thus, over a period of 25 years since its inception as the municipal court of appeals, the present District of Columbia court of appeals has handled all the cases of appeal, both civil and criminal, from a lower court whose judicial personnel has grown from 13 to 22 judges and whose jurisdictional limitation in civil cases has expanded from $3,000 to $10,000—with no increase whatever in its own judicial manpower, which has remained at one chief judge and two associate judges.

INCREASE IN APPEALS CASES

Over this period of time, the increase in the jurisdiction of the court of general sessions, and the increase in the number of its judges, have naturally led to an increase in the number of appeals from that court. The following tabulation shows the increase in the appeals in the District of Columbia court of appeals:

Cases filed in fiscal year ending—	
June 30, 1944	141
June 30, 1949	159
June 30, 1954	167
June 30, 1959	217
June 30, 1964	211
June 30, 1965	241
June 30, 1966	295

In the 10 months of the present fiscal year 262 appeals have been filed, and the indications are that more than 300 appeals will be filed in this fiscal year.

Another cause for the increase in appeals has been the rulings of higher courts relating to the rights of indigent defendants in criminal cases to appeal, to have counsel appointed, and to have transcripts of testimony at Government expense. In the year 1964, the District of Columbia court of appeals had 56 criminal appeals. In 1966, there were 112 criminal appeals. In the first 10 months of the current fiscal year, there have been 140 criminal appeals.

The foregoing figures relate only to the general docket of the District of Columbia court of appeals. In addition, there is an original docket on which are filed many special matters, such as applications for appeals from the small claims branch of the court of general sessions and in criminal cases where a fine of less than $50 is imposed, motions for reduction of bail bonds and supersedeas bonds, motions to stay, motions seeking special relief such as writs of mandamus, motions to proceed in forma pauperis, and motions to dismiss. All such motions, applications and petitions, are time consuming.

Although the court of general sessions furnishes the bulk of appeals, the District of Columbia court of appeals has had jurisdiction since 1942 of appeals from the juvenile court, and over the years has been given jurisdiction of appeals from a dozen or more of administrative agencies of the District of Columbia government, such as the Director of Motor Vehicles, the Real Estate Commission, the Architect's Board, Board of Pharmacy, the District of Columbia Physical Therapists Examining Board, and the Public Service Commission in its administration of the District of Columbia Securities Act.

PRESENT BACKLOG OF COURT

Until recent years, the three judges of the District of Columbia court of appeals have been able to maintain the work of the court on a current basis. However, the workload of the court has now reached such a level that this is no longer possible.

As of April 30, 1967, the court had 196 cases pending and unheard. Of these cases, 128 were civil and 68 were criminal. The court has given preference to criminal appeals, which accounts for the disproportionate number of civil cases unheard. Criminal cases are being heard approximately 4 months after ready for hearing, but civil cases are not heard until approximately 10 months after ready for hearing.

With the five new judges recently added to the court of general sessions, it is anticipated there will be more trials in that court, resulting in more appeals. Furthermore, it is reported that the trial court will soon seek five additional judges.

NEED FOR LEGISLATION

With the exception of the tax court of the District of Columbia, the District of Columbia court of appeals is now the only court in the District which has not had an increase in the number of its judges since 1942. Meanwhile, the volume of business reaching the District of Columbia court of appeals has become so great that three judges are simply unable to dispose of the appeals with reasonable promptness.

For this reason, your committee feels strongly that the prompt enactment of this proposed legislation is imperative. The increase in the number of judges from three to six, and the authority to have appeals heard by divisions of the court sitting with three judges, are the only practical means to enable the District of Columbia court of appeals to eliminate its present backlog and to keep its docket current. It should be noted that the U.S. courts of appeal now use the division system to keep up with their work, and the U.S. Court of Claims has recently been authorized also to sit in divisions.

REPORT OF PRESIDENT'S COMMISSION ON CRIME IN DISTRICT OF COLUMBIA

The jurisdiction of the District of Columbia court of appeals and its increasing workload is extensively discussed in the report of the President's Commission on Crime in the District of Columbia at pages 289 through 298. The discussion concludes with this sentence:

> As recent developments have an accelerating effect on the cases filed, we suggest that the D.C. Court of Appeals document its increasing workload and begin planning for whatever additional judges or supporting staff may be needed.

HEARING

At a public hearing conducted on June 19, 1967, by Subcommittee No. 4, spokesmen for the Board of Commissioners of the District of Columbia, the District of Columbia court of appeals, the District of Columbia Bar Association, and the District of Columbia Judicial Council testified in favor of this bill. No testimony was offered in opposition to its enactment.

Testimony at the hearing disclosed that the court of appeals actually sits only 1 day per week to hear arguments. With the additional judges granted in this bill, together with provision for setting up two divisions of the court, it will be presumed that the court will devote an increased portion of its time to hearing cases, thus helping to dispose of the backlog of appeals, as well as keeping current with new ones filed.

COMMISSIONERS' LETTER

The following is the letter from the President of the Board of Commissioners of the District of Columbia, under the date of June 16, 1967, expressing the Board's approval of this proposed legislation:

GOVERNMENT OF THE DISTRICT OF
COLUMBIA, EXECUTIVE OFFICE,
Washington, June 16, 1967.

The Honorable JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

DEAR MR. MCMILLAN: The Commissioners of the District of Columbia have for report H.R. 8582, 90th Congress, a bill "To amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia Court of Appeals from two to five, and for other purposes."

The bill amends title 11 of the District of Columbia Code, enacted into positive law by Public Law 88–241 (77 Stat. 478), approved December 23, 1963, to increase the number of associate judges on the District of Columbia Court of Appeals from two to five and to provide that the court shall consist of two divisions of three judges each, with each division hearing cases separately unless a hearing or re-hearing before the court in banc is ordered.

The Commissioners believe that because of the large backlog of cases caused by an increased caseload, and recent laws and decisions of higher courts which require careful review of prior decisions by the District of Columbia Court of Appeals, three additional judges are required by the court.

The number of judges on the District of Columbia Court of Appeals has been fixed at three since the creation of the court in

> 1942 as the Municipal Court of Appeals. In the first six years of the court's existence it averaged 89 opinions per year. In the last six years it has averaged 179 opinions per year. In Fiscal Year 1965 a record 241 cases were filed in the court, in 1965–66, 295 cases were filed, and from July 1, 1966 to May 25, 1967, 281 cases were filed. On July 1, 1965 the backlog of pending cases was 97, on July 1, 1966, 186, and on May 26, 1967, 234. The Commissioners are informed it would take almost 1½ years of work to dispose of the backlog even if no new cases were filed.
>
> The Commissioners believe that it would be preferable to have two divisions of the court since it would reduce the number of cases each judge would hear, allow more time for research and the writing of opinions, and better serve to reduce the present backlog of pending cases.
>
> In view of the foregoing, the Commissioners strongly recommend the enactment of the bill.
>
> The Commissioners have been advised by the Bureau of the Budget that, from the standpoint of the Administration's program, there is no objection to the submission of this report to the Congress.
>
> Sincerely yours,
>
> /s/ WALTER N. TOBRINER,
> *President, Board of Commissioners,*
> *District of Columbia.*

Mr. GROSS. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, the addition of three judges to the court of appeals in the District of Columbia, it seems to me, is uncalled for at this time, especially in view of the language contained in the report which will accompany the so-called District crime bill and which will be brought up by the committee later today.

Mr. Speaker, permit me to read to those who may not have read the report a few excerpts.

The committee says:

> Despite these facts, the D.C. crime rate has increased almost 250 percent in 10 years, about double the national average rate, and crime clearance here has dropped from 57 percent to 25 percent. Yet during the same time the D.C. prison population at Lorton has dropped from approximately 2,000 to about 1,100. Why?

In other words, a drop of 1,100 in the prison population.

Yet, Mr. Speaker, the crime rate moved up 250 percent.

What is wrong with the courts in the District of Columbia that fewer criminals are being sent to prison?

Let us see what the committee says about the courts in the District of Columbia, again reading from the report dealing with the crime bill:

> The most shocking aspect of the crime wave in the District of Columbia is the fact long known, and established again at our hearings, that not even 3 percent of the felonies reported each year in Washington results in convictions in the courts.

Yet you are today asking for three additional judges, when the present courts, according to your own report, are incompetent to handle the crime wave.

The report goes on to say that the criminal is just not punished in the District of Columbia. He continues to roam the streets of Washington, increasing month by month his murders, his rapes, his robberies, and aggravated assaults, his housebreaking, larceny, and auto thefts, not to mention the less serious crimes committed by the thousands.

The report from this same Committee on the District of Columbia, which asks for these three additional judges, says in terms of the most recent nationwide crime rates, the District of Columbia has the disgraceful distinction of ranking at or near the top for crimes committed, compared with 15 other cities of the United States in the 500,000 to 1 million population class.

I say to the House that if the present judges were doing their jobs in the District of Columbia, and giving the police department as well as the entire constabulary the support it deserves and must have in the enforcement of the law, we would have a far different crime rate.

Mr. Speaker, I must say that the committee does not come to the House in good grace asking for three additional judges for the court of appeals.

It seems to me that I have read that the present court of appeals judges average one case per week each. Am I correct on that?

Mr. McMILLAN. I think they handle more cases than one a week.

Mr. GROSS. How many cases do they handle in a week?

Mr. McMILLAN. The judges have an excellent reputation, both the court of appeals judges and the general sessions judges have an excellent reputation of handling cases, and rendering good judgments.

However, I did not hold the hearings on this bill, so I will ask the chairman of the committee who held the hearings to answer your question.

Mr. GROSS. Is it not true that from a financial standpoint they handle cases involving only $10,000 or less?

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Of course I will yield. I am glad to yield to the gentleman.

Mr. WHITENER. I am sure the gentleman will remember that some 2 or 3 years ago the Congress increased the jurisdiction of the court of general sessions appreciably. This of course in turn increased the number of cases that go to the appellate court, the District of Columbia court of appeals which has jurisdiction of appeals of cases coming from the court of general sessions.

There has been no increase in the number of judges on the District of Columbia court of appeals since 1942.

If the gentleman will refer to the report on the bill H.R. 8582, on page 2, he will note for the fiscal year 1966 there were more than twice as many cases appealed to the District of Columbia court of appeals than was true in the fiscal year 1944.

Mr. GROSS. It seems to me the pertinent question is this: How many cases do they handle per week, each of these judges that presently constitute the District of Columbia court of appeals?

Mr. WHITENER. Of course, the judges on the District of Columbia court of appeals do not handle cases individually, they handle them as a panel, and under this plan it is contemplated that there can be at least two panels whereas now it is possibly to have only one panel.

However, to get back to the gentleman's question on how many cases the court will handle, in fiscal year 1966 there were 295 appeals filed with that court.

So that is the breakdown when you divide by 52 to get the number that they would handle in 1 week.

I might point out that the District of Columbia Board of Appeals, according to the evidence before our subcommittee, is that they have administrative functions that are not common to the State appellate courts. They have certain other matters and motions that they handle in chambers.

While I agree with the gentleman that the record of some of our courts here may be subject to criticism, I do not believe that the record of the District of Columbia court of appeals is subject to the criticism that they are not doing a full-time job.

Mr. GROSS. I think the gentleman's statements that some of the courts here may be subject to criticism is probably an understatement. Because in your own report dealing with the crime bill, it says that the courts here are not doing their duty; that they are not obtaining the convictions and they are not administering justice as they should. Your own report with respect to this bill is an indictment of the courts of the District of Columbia.

I do not see how it is possible to stop or even diminish the crime wave by adding three more judges to the court of appeals in the District of Columbia.

If you will show me that the courts of the District of Columbia are doing their jobs, and that they are overworked, I will go along with you for more judges. But first I want the proof. I want the proof that they are overworked and cannot handle their caseloads; that therefore they cannot do a better job of discharging justice.

Mr. WHITENER. My reply to the gentleman would be that would be casting too great a burden upon me and I would not undertake to offer such proof—I am afraid that I could not.

But in this particular court, so far as our subcommittee knows, there has never been one voice raised in criticism of the functioning of that court, or of the propriety of its activities. I think that Judge Hood, the chief justice, is a very conscientious man. Also I am sure his colleagues on the bench are as well.

I would just express the hope that if and when we do increase the size of the court that men of his caliber will be placed upon it rather than people who seem to be dedicated to striking down law enforcement.

Mr. GROSS. That is one of the troubles we have here in dealing with the crime situation in the District of Columbia and in increasing the number of judges. The decisions of the courts have been too liberal and increasingly so in the past few years. We are asked to live in hope but apparently we are going to die in despair so far as crime is concerned.

I would like to ask the chairman whether the present three judges are good golf players—or are they on the job?

Mr. WHITENER. I think they are really on the job all the time. These three men are really dedicated judges.

Mr. GROSS. I am not just about to buy three additional judges for any court in the District of Columbia until there is proof that they intend to do something about this unholy crime rate in the District of Columbia. I am opposed to this increase.

Mr. WHITENER. I would certainly agree with the gentleman.

Mr. DEVINE. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I would like to direct a question to the gentleman. About a year ago or so, we added three or four additional judges to the District of Columbia Juvenile Court.

Mr. McMILLAN. There were five new judges added.

Mr. DEVINE. I would like to ask the gentleman this question. As the result of that action by the Congress, has the backlog of cases been reduced appreciably during this period of time or has the backlog remained the same.

Mr. McMILLAN. From what I understand, it has been reduced. Like my colleague, the gentleman from Iowa [Mr. GROSS] I may not agree with some of the decisions that have been rendered by the court.

Mr. DEVINE. I would agree in that statement so far as some of the decisions are concerned. But it seems to me, we used just about the same argument when we passed the legislation increasing the number of judges here in the District; that due to the great backlog we had to have new judges and now they are coming in again and asking for three more new judges, with no guarantee and no appreciable evidence that that is going to solve any of the problems. It is just going to add more people to the Federal payroll.

I might ask also—has anything been done in the gentleman's committee or elsewhere in the Congress as to setting the qualifications for the judges to be appointed to positions of this nature?

Mr. McMILLAN. I wish that there was something we could do to correct that problem. However, I do not think there is anything we Members of Congress can do since the qualifications of a judge are left to the judgment of the Department of Justice and the President.

Mr. DEVINE. I would like to ask the gentleman a question on that particular point. I again last week introduced legislation that would require certain qualifications and guidelines in the selection of Federal judges in the future.

We cannot do anything about those that have already been appointed, but it seems to me that these judges should have judicial experience. I might point out that there is no requirement that any justice of the U.S. Supreme Court be lawyers, and I think that is also something that should be corrected.

Mr. McMILLAN. Such a measure would be extremely difficult to get through the committee, through the House, and then through the Senate and to the President for his signature.

Mr. DEVINE. I appreciate the gentleman's remarks. I associate myself with the remarks of the gentleman from Iowa [Mr. GROSS]. We should have some proof of the need for additional judges and that they will help solve some of the serious crime problems in the District of Columbia.

Mr. McMILLAN. The only proof I have at my disposal is the fact that it has been 25 years since the court of appeals has had additional judges, and the cases in the past year have doubled in number.

Mr. DEVINE. There not only seems to be a tendency of softness on the part of the Attorney General, the new Attorney General, but also the courts seem to be preoccupied with the rights of criminals and have lost interest in the rights of victims. We ought to do something to help the 95 or 96 percent of the law-abiding, God-fearing citizens of this country.

Mr. McMILLAN. The gentleman might be interested to know that we are going to spell out that need in a crime report.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. DEVINE. I yield to the gentleman from Iowa.

Mr. GROSS. Does it not seem incredible to the gentleman that there would be a 250-percent increase in the crime rate in the District of Columbia while the Lorton prison population goes down, from 2,200 to 1,100? This just does not make sense, and you can increase the number of judges from now until doomsday; add to the judicial force in the District of Columbia, and it will not cure the crime condition unless these judges work at their jobs and otherwise do their duty.

Mr. McMILLAN. I certainly agree with the gentleman from Iowa.

Mr DEVINE. It seems to me that it is putting the cart before the horse to appoint judges and then to accumulate proof that they are needed. It seems to me that we ought to have the proof prior to the passage of the bill.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. DEVINE. I yield to the gentleman from Minnesota.

Mr. NELSEN. It is my information that the judges on the court of appeals of which we are speaking deal only with misdemeanors and not with felonies. The area of felonies is dealt with in the U.S. district court, and that seems to be the area that is presently under attack, as evidenced by the colloquy here.

Mr. DEVINE. I would say to the gentleman that the function of the court of appeals largely is to correct the mistakes of an inferior court. However, the court of appeals about which we are speaking does not have to correct such mistakes because the lower courts are turning everyone loose and the court of appeals does not get to examine those cases.

Mr. NELSEN. The information which I just related is the information I have had. I just wanted to make the point that misdemeanors are handled in this court, not felonies.

Mr. DEVINE. I thank the gentleman.

Mr. KYL. Mr. Speaker, I move to strike the last word.

The SPEAKER. The gentleman from Iowa is recognized for 5 minutes.

Mr. KYL. While we are considering matters pertaining to the courts in the District of Columbia, I wonder if the chairman of the committee could give us some up-to-date information on this proposition. Until recently, according to public information, we have had judges in the juvenile system who have been feuding with one another. One judge does all the arraigning, the case is tried by another judge, and then the sentencing must be done by the first or still another judge. There seems to be a duplication of effort in going through all the trial testimony and so on. Does that condition still exist?

Mr. McMILLAN. I understand that it has improved somewhat, but there are many improvements that should be made.

I would like to point out that a few years ago the District of Columbia Committee, after 6 months of investigation, reported a bill to the floor of the House that I thought would correct a lot of the conditions that relate to the situation existing in the court at the present time. However the House, after the bill reached the floor, amended the bill and appointed two new judges, and by this action negated everything we had attempted to do. I believe it has been proven that the two judges did not solve this problem in connection with the juvenile court.

Mr. KYL. I presume the committee has been looking into the situation which seems to be holding up the work of the juvenile court.

Mr. McMILLAN. We are looking into that problem and attempting to find ways in which it can be solved.

Mr. KYL. I thank the gentleman.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 335, nays 6, not voting 91, as follows:

[Roll No. 153]

YEAS—335

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson,
  Tenn.
Andrews, Ala.
Andrews,
  N. Dak.
Annunzio
Arends
Ashley
Ashmore
Baring
Bates
Battin
Belcher
Bell
Bennett

Betts
Bevill
Biester
Blackburn
Blanton
Boggs
Bolling
Bolton
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Brotzman
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah

Bush
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Chamberlain
Clancy
Clausen,
  Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Corbett
Cowger
Cramer

Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Denney
Devine
Dickinson
Dingell
Dole
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Flood
Flynt
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Garmatz
Gathings
Gettys
Gilbert
Gonzalez
Goodell
Goodling
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gude
Gurney
Hagan
Haley
Halleck
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Hathaway
Hays
Hechler, W. Va.
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Irwin
Jarman
Joelson

Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Karth
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kornegay
Kupferman
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Miller, Calif.
Miller, Ohio
Mills
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Konski
Olsen
O'Neal, Ga.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Railsback

Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Rhodes, Pa.
Riegle
Rivers
Robison
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ruppe
Ryan
Satterfield
St Germain
Saylor
Schadeberg
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thomson, Wis.
Udall
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zwach

NAYS—6

Buchanan
Davis, Wis.

Gross
Kuykendall

Michel
Quillen

NOT VOTING—91

Anderson, Ill.
Ashbrook
Aspinall
Ayres
Barrett

Berry
Bingham
Blatnik
Boland
Bow

Broomfield
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.

Button
Byrne, Pa.
Carey
Cederberg
Celler
Clark
Corman
Curtis
Dent
Derwinski
Diggs
Donohue
Evins, Tenn.
Fino
Fisher
Ford, William D.
Gallagher
Giaimo
Gibbons
Gray
Gubser
Hall
Halpern
Harvey
Hawkins

Hébert
Heckler, Mass.
Helstoski
Howard
Ichord
Jacobs
Jones, Mo.
Jones, N.C.
Kastenmeier
Kluczynski
Landrum
McEwen
Macdonald, Mass.
MacGregor
Mathias, Calif.
Meskill
Minish
Moore
Murphy, N.Y.
Nix
O'Hara, Mich.
O'Neill, Mass.
Ottinger
Philbin
Pool

Pryor
Reuss
Rhodes, Ariz.
Roberts
Rodino
Rooney, N.Y.
Roush
Sandman
St. Onge
Scherle
Scheuer
Sisk
Smith, N.Y.
Staggers
Stephens
Stratton
Stuckey
Thompson, N.J.
Tiernan
Tuck
Tunney
Ullman
Utt
Williams, Miss.
Willis
Zion

So the bill was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mrs. Heckler of Massachusetts.

Mr. Hébert with Mr. Anderson of Illinois.

Mr. St. Onge with Mr. Gubser.

Mr. Reuss with Mr. Scherle.

Mr. Dent with Mr. Moore.

Mr. Kastenmeier with Mr. MacGregor.

Mr. Thompson of New Jersey with Mr. Sandman.

Mr. Barrett with Mr. Ayres.

Mr. Donohue with Mr. Broomfield.

Mr. Philbin with Mr. Cederberg.

Mr. Rooney of New York with Mr. Bow.

Mr. Minish with Mr. Button.

Mr. Rodino with Mr. Fino.

Mr. Celler with Mr. Diggs.

Mr. Byrne of Pennsylvania with Mr. Hall.

Mr. Blatnik with Mr. Rhodes of Arizona.

Mr. Giaimo with Mr. Meskill.

Mr. Staggers with Mr. Mathias of California.

Mr. Tiernan with Mr. McEwen.

Mr. Aspinall with Mr. Harvey.

Mr. Kluczynski with Mr. Brown of Michigan.

Mr. O'Hara of Michigan with Mr. Nix.

Mr. Pryor with Mr. Brown of Ohio.

Mr. Evins of Tennessee with Mr. Broyhill of North Carolina.

Mr. Boland with Mr. Utt.

Mr. Jones of North Carolina with Mr. Curtis.

Mr. Macdonald of Massachusetts with Mr. Smith of New York.

Mr. Sisk with Mr. Halpern.

Mr. Stephens with Mr. Ashbrook.

Mr. Gray with Mr. Hawkins.

Mr. Carey with Mr. Berry.

Mr. Murphy of New York with Mr. Derwinski.

Mr. Tunney with Mr. Zion

Mr. Jacobs with Mr. Pool.

Mr. Roberts with Mr. Ottinger.

Mr. Stuckey with Mr. Helstoski.

Mr. Bingham with Mr. Brown of California.

Mr. Clark with Mr. Landrum.

Mr. Corman with Mr. Fisher.

Mr. Gallagher with Mr. William D. Ford.

Mr. Gibbons with Mr. Howard.

Mr. Scheuer with Mr. Willis.

Mr. Stratton with Mr. Williams of Massachusetts.

Mr. Ullman with Mr. Tuck.

Mr. Roush with Mr. Ichord.

Mr. GOODLING changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AMEND DISTRICT OF COLUMBIA *FIRE AND CASUALTY ACT*

Mr. McMILLAN. Mr. Speaker, I call up the bill (H.R. 7831) to amend the Fire and Casualty Act and the Motor Vehicle Safety Responsibility Act of the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

H.R. 7831

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. Section 27 of the Fire and Casualty Act, approved October 9, 1940 (54 Stat. 1076; D.C. Code, sec. 35–1331), is amended by inserting "(a)" immediately after "SEC. 27." and by adding at the end thereof the following new subsection:

"*(b) No automobile liability or motor vehicle* liability policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance, or use of a motor vehicle or motor vehicles shall be delivered or issued for delivery in *the District of Columbia to an insured with* respect to any motor vehicle registered or principally garaged in the District of Columbia unless coverage is provided therein or supplemental thereto, in limits for bodily injury or death set for in section 19 of the Motor Vehicle Safety Responsibility Act of the District of Columbia, approved May 25, 1954, as amended (68 Stat. 126; D.C. Code, sec. 40–435), under provisions approved by the Superintendent, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles because of bodily injury, sickness, or disease, including death, resulting therefrom. The named insured shall have the right to reject such coverage, and, unless the named insured requests such coverage in writing, such coverage need not be provided in or supplemental to a renewal policy where the named insured had rejected the coverage in connection with a policy previously issued to him by the same insurer."

SEC. 102. The amendment made by section 101 of this Act shall take effect on the ninetieth day after the date of enactment of this Act.

TITLE II

SEC. 201. Section 10 of the Motor Vehicle Safety Responsibility Act of the District of Columbia (68 Stat. 124; D.C. Code, sec. 40–426) is amended by striking out "$100" and inserting in lieu thereof "$50".

SEC. 202. Section 11 of such Act (D.C. Code, sec. 40–427) is amended by adding at the end thereof the following new sentence: "The Commissioners may rely upon the accuracy of this information, unless and until they have reason to believe that such information is erroneous."

SEC. 203. Section 16 of such Act (D.C. Code, sec. 40–432) is amended to read as follows:

"SEC. 16. APPLICATION.—The provisions of this Act, requiring deposit of security and giving proof of financial responsibility after an accident and suspensions for failure to deposit security and give proof of financial responsibility after an accident, subject to certain exemptions, shall apply to the driver and owner of any vehicle of a type subject to registration under the motor vehicle laws of the District of Columbia which is in any manner involved in an accident within the District of Columbia, which accident has resulted in bodily injury to or death of any person or damage to the property of any one person in excess of $50."

Sec. 204. Section 17 of such Act (D.C. Code, sec.. 40–433) is amended to read as follows:

"Sec. 17. Determination of the Amount of Security.—(a) The Commissioners, not less than twenty days after receipt of a report of an accident as described in the preceding article, shall determine the amount of security which shall be sufficient in their judgment to satisfy any judgment or judgments or damages resulting from such accident, as may be recovered against each driver or owner, but which in no event shall be less than $500. Such determination shall not be made with respect to drivers or owners who are exempt under succeeding sections of this Act from the requirements as to security, proof, and suspension.

"(b) The Commissioners shall determine the amount of security deposit required of any person upon the basis of the reports or other information submitted. In the event a person involved in an accident as described in this Act fails to make a report or submit information indicating the extent of his injuries or the damage to his property within fifty days after the accident and the Commissioners do not have sufficient information on which to base an evaluation of such injuries or damage, then the Commissioners, after reasonable notice to such person, if it is possible to give such notice, otherwise without such notice, shall require a deposit of security in the minimum amount of $500. If the Commissioners find that a person required by this subsection to make such report or submit such information is or was physically incapable of so doing within the specified fifty-day period, the Commissioners shall permit such person to make such report or submit such information within thirty days after becoming physically able so to do.

"(c) The Commissioners within fifty days after receipt of report of any accident referred to herein and upon determining the amount of security to be required of any person involved in such accident or to be required of the owner of any vehicle involved in such accident shall give written notice to every such person of the amount of security required to be deposited by him, and that he is required to give proof of financial responsibility, and that an order of suspension will be made as hereinafter provided upon the expiration of ten days after the sending of such notice, unless within said time security be deposited and proof of financial responsibility given as required by said notice."

Sec. 205. So much of section 18 of such Act (D.C. Code, sec. 40–434) as precedes paragraph (1) of such section is amended to read as follows:

"Sec. 18. Exceptions to Requirements as to Security and Proof and Suspension.—The requirements as to security, proof of financial responsibility, and suspension in this article shall not apply."

Sec. 206. Section 18 of such Act (D.C. Code, sec. 40–434) is further amended by striking out "or" at the end of paragraph (8), by striking out the period at the end of paragraph (9) and inserting in lieu thereof: "; or" and by adding at the end thereof the following new paragraph (10):

"(10) to the owner or driver of any motor vehicle if at the time of the accident the driver was an employee of the United States or the District of Columbia and the motor vehicle was operated within the scope of such employment."

Sec. 207. Subsection (a) of section 20 of such Act (D.C. Code, sec. 40–436) is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "and in no case less than $500."

Sec. 208. Section 21 of such Act (D.C. Code, sec. 40–437) is amended to read as follows:

"Sec. 21. Failure To Deposit Security and Give Proof of Financial Responsibility—Suspensions.—In the event that any person required to deposit security and give proof of financial responsibility under this article fails to deposit such security and give proof of financial responsibility within ten days after the Commissioners have sent the notice as hereinbefore provided, the Commissioners shall thereupon suspend—

"(1) the license and all registrations of each driver in any manner involved in the accident;

"(2) the license and all registrations of the owner of each vehicle of a type subject to registration under the laws of the District of Columbia involved in such accident;

"(3) if the driver is a nonresident the privilege of operating, within the District of Columbia, a vehicle of a type subject to registration under the laws of the District of Columbia; and

"(4) if such owner is a nonresident, the privilege of such owner to operate or permit the operation within the District of Columbia of a vehicle of a type subject to registration under the laws of the District of Columbia

"Such suspension shall be made in respect to persons not otherwise exempt under this Act who are required by the Commissioners to deposit security and give proof of financial responsibility and who fail to deposit such security and give such proof of financial responsibility, except as otherwise provided under this Act."

Sec. 209. Section 23 of such Act (D.C. Code, sec. 40–439) is amended to read as follows:

"Sec. 23. Adjudication of Nonliability—Release From Requirement of the Deposit of Security.—A person shall be relieved from giving proof of financial responsibility and from the requirement for deposit of security in respect to a claim for injury or damage arising out of the accident in the event such person has been finally adjudicated not to be liable in respect to such claim"

Sec. 210. (a) Subsection (b) of section 24 of such Act (D.C. Code, sec. 40–440) is amended to read as follows:

"(b) The Commissioners, to the extent provided by any such written agreement filed with them, shall not require the deposit of security and shall terminate any prior order of suspension and the requirement of proof of financial responsibility, or if security had previously been deposited, shall return such security to the depositor or his personal representative, or pay such security to the depositor's assignee, as the case may be, when all payments required by such agreement have been made in full, when an amount equal to such security has been paid in accordance with such agreement, or when such security is assigned to the person injured or damaged as a result of said accident."

(b) Subsection (e) of section 24 of such Act (D.C. Code, sec. 40–440) is amended to read as follows:

"(e) The Commissioners may accept evidence of a payment to the driver or owner of a vehicle involved in any accident by any other person involved in such accident or by the insurance carrier of any other person involved in such accident on account of damage to property or bodily injury as a settlement agreement relieving such driver or owner from the security and suspension provisions of this article, if proof of financial responsibility has been given, in respect to any possible claim by the person on whose behalf such payment has been made might have for property damage or bodily injury arising out of the accident. A payment to the insurance carrier of a driver or owner under the carrier's right of subrogation for the purposes of this article shall be considered the equivalent of payment to such driver or owner."

Sec. 211. Paragraphs (1) and (2) of section 27 of such Act (D.C. Code, sec. 40–443) are amended to read as follows:

"(1) such person shall deposit and file or there shall be deposited and filed on his behalf the security and proof required under this article; or

"(2) two years shall have elapsed following the date of such suspension and evidence satisfactory to the Commissioners has been filed with them that during such period no action for damages arising out of the accident resulting in such suspension has been instituted; provided such person files proof of financial responsibility."

Sec. 212. Subsection (c) of section 28 of such Act (D.C. Code, sec. 40–444) is amended to read as follows:

"(c) (1) Upon receipt of certification that the operating privilege of a resident of the District of Columbia has been suspended or revoked in any State pursuant to a law providing for suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident, or for failure to deposit both security and proof of financial responsibility, under circumstances which would require the Commissioners to suspend a nonresident's operating privilege had the accident occurred in the District of Columbia, the Commissioners shall suspend the license of such resident and all of his registrations. Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such State relating to the deposit of security; and until such resident files proof of financial responsibility if required by such law.

"(2) The provisions of this subsection shall be applicable only to a certification from a State which by its laws has made provision for the suspension or revocation of the license and all registrations of a resident of such State for failure to deposit security for the payment of any judgment arising out of a motor vehicle accident in the District of Columbia, or failure to give proof of financial responsibility, or for failure to make payment of an agreed amount with respect to all claims arising from such accident, in accordance with the provisions of this Act."

Sec. 213. Section 29 of such Act (D.C. Code, sec. 40–445) is amended to read as follows:

"Sec. 29. Commissioners Authorized To Decrease Amount of Security.—The Commissioners may reduce the amount of security ordered in any case within six months after the date of accident if in their judgment the amount ordered is excessive, except that such security shall not be reduced to an amount less than $500. In case the security as originally ordered has been deposited, the excess deposit over the reduced amount shall be returned to the depositor or his personal representative forthwith."

Sec. 214. Paragraph (2) of subsection (a) of section 31 of such Act (D.C. Code, sec. 40–447) is amended by striking out "one year" and inserting in lieu thereof "two years".

Sec. 215. The first sentence of section 32 of such Act (D.C. Code, sec. 40–448) is amended by striking out "one year" and inserting in lieu thereof "two years".

Sec. 216. Section 37 of such Act (D.C. Code, sec. 40–453) is amended by adding at the end thereof the following new subsection:

"(c) Whenever the Commissioners suspend the license of any person, upon receiving record of a conviction, and such person was not the owner of the motor vehicle used at the time of the violation resulting in conviction, the Commissioners shall also suspend the license and all registrations in the name of the owner of the motor vehicle so used, if such vehicle was operated with such owner's permission or consent at the time of violation, unless such owner has previously given or shall immediately give and maintain proof of financial responsibility. This subsection shall not apply to such owner if he had in effect at the time of the violation an automobile liability policy or bond with respect to such motor vehicle; or if there was in effect an automobile liability policy or bond with respect to the operation of the motor vehicle; or if the liability of such operator or owner was then, in the judgment of the Commissioners, covered by any other form of liability insurance policy or bond; or if the owner or operator was then qualified as a self-insurer under section 79 of this Act."

SEC. 217. Paragraph (1) of subsection (a) of section 68 of such Act (D.C. Code, sec. 40-484) is amended by striking out "three" both places it appears and inserting in lieu thereof at each such place "five".

SEC. 218. Subsection (b) of section 68 of such Act (D.C. Code, sec. 40-484) is amended by striking out "one year" and inserting in lieu thereof "two years".

SEC. 219. Subsection (c) of section 68 of such Act (D.C. Code 40-484) is amended by striking out the word "three" both places it appears and inserting in lieu thereof at each such place "five".

SEC. 220. Article VII of such Act is amended by inserting immediately after section 79 the following new sections:

"SEC. 79A. REINSTATEMENT OF LICENSES AND REGISTRATION; FEE.—Whenever a license or registration is suspended or revoked and the filing of proof of financial responsibility is, by this Act, made a prerequisite to reinstatement of such license or registration, or both, or to the issuance of a new license or registration, or both, no such license or registration shall be reinstated or new license or registration issued unless the licensee or registrant, in addition to complying with the other provisions of this Act, pays to the Commissioners a fee of $25. Only one such fee shall be paid by any one person irrespective of the number of licenses and registrations to be then reinstated for or issued to such person. The fees paid pursuant to this section shall be used by the Commissioners to administer this Act.

"SEC. 79B. IMPOUNDMENT.—(a) Any motor vehicle in any manner involved in an accident, with respect to which the Commissioners are required to suspend the operator's license or nonresident's operating permit shall be subject to impoundment immediately after such accident. Except as provided in subsections (d) and (f) of this section, the owner of each such motor vehicle or his representative shall within forty-eight hours after the accident cause such motor vehicle to be stored at the expense of the owner, in such private or public garage or storage place in the District of Columbia as the owner or his representative may select and shall continue such storage for such period of time as is provided in this section. Such storage shall constitute impoundment within the meaning of this section. So long as the impoundment is in force no person shall remove the impounded vehicle or permit it to be removed from its place of impoundment except upon the order of the Commissioners.

"(b) Immediately following the commencement of the impoundment, such owner or his representative shall forthwith—

"(1) Notify the Commissioners in writing of the street address and city or municipality where said motor vehicle is stored, and

"(2) If the owner is a resident of the District of Columbia, return the registration certificate and registration plates with respect to such motor vehicle to the Commissioners.

If the owner or his representative fails to return such registration certificate and registration plates, the Commissioners are authorized to take possession thereof or to direct any peace officer to take possession thereof and to return the same to the office of the Commissioners.

"(c) The impoundment shall continue until the owner or operator of such motor vehicle, or both, shall furnish security required under section 17 of this Act. Such impoundment shall not be operative pending the determination by the Commissioners of the amount of security to be required if security in the sum of $500 is furnished.

"(d)(1) If repairs to a motor vehicle subject to impoundment are necessary and immediately desired by the owner, the owner may, notwithstanding the provisions of subsection (a), cause such motor vehicle to be taken to such repair shop or garage as he may select for the purpose of having it repaired. Upon completion of such repairs, such motor vehicle shall be impounded as provided in subsection (a).

"(2) Where the Commissioners are satisfied by a certificate signed by a qualified mechanic, or by such other written or documentary evidence as he deems sufficient, that any motor vehicle is so damaged that it is impracticable to restore it to operable condition, the Commissioners may, upon such conditions as they deem proper, consent to the release of such motor vehicle from the requirement of impoundment.

"(e) The Commissioners shall order the release of the motor vehicle from impoundment, and if the term for which the registration certificate and registration plates surrendered to the Commissioners has not expired, shall return such certificates and plates to the owner, when—

"(1) security has been furnished in accordance with the requirements of section 37 of this Act, or

"(2) the owner has obtained a release or a final judgment in his favor has been rendered in an action at law to recover damages resulting from the accident, or

"(3) any judgment against the owner or operator in any such action has been satisfied as provided in section 25 of this Act, or

"(4) two years have elapsed since the date of the accident and no notice has been given to the Commissioners, on a form prescribed by them, of the institution of any action against such owner to recover damages because of such accident, or

"(5) a judgment has been rendered against the owner and the motor vehicle has not, within sixty days from the date of the judgment become final, been seized under an execution issued on such judgment.

"(f)(1) Upon receipt of notice of an accident involving a motor vehicle owned by a nonresident of the District of Columbia which may require the Commissioners to take action under section 37 of this Act, the Commissioners shall notify the motor vehicle Commissioner or other officer performing the functions of such a Commissioner of the State in which such nonresident resides, of the occurrence of such accident, if the law of such other State provides for action similar to that provided for in this subsection. The owner of such vehicle shall not be required to impound such vehicle in the District of Columbia provided it shall be removed from the District of Columbia within forty-eight hours after the accident, or within forty-eight hours after the necessary repairs thereto are completed.

"(2) A resident of the District of Columbia owning a motor vehicle involved in an accident in other State and with respect to which a motor vehicle Commissioner or other officer thereof may be required to suspend operating privileges, shall impound such motor vehicle in the District of Columbia within forty-eight hours after the vehicle is returned to the District of Columbia and such resident shall comply with subsection (b) of this section, if the law of such other State provided for action similar to that provided for in this subsection. Such impoundment shall continue until such motor vehicle is ordered released by the Commissioners upon a showing that the owner is entitled to a release thereof in accordance with the provisions of the law of such other State.

"(g) If a judgement has been recovered in an action against the owner of the motor vehicle impounded pursuant to this section and the motor vehicle has been seized under an execution issued pursuant thereto, the Commissioners shall order the motor vehicle to be released to the person making the seizure.

"(h) No owner, including a purchaser under a conditional sales contract, of a motor vehicle subject to impoundment hereunder shall transfer title to said motor vehicle nor his interest therein unless he furnishes to the Commissioners security in an amount which the Commissioners are satisfied is equivalent to the value of said vehicle or his interest therein, but not exceeding the amount of security fixed by the Commissioners under section 37 of this Act.

"(i) Nothing contained in this section shall affect the rights or remedies of any persons holding prior valid liens on impounded vehicles, including the right to take possession: *Provided*, That such persons shall, after the sales of such vehicles for the satisfaction of any liens thereon, remit to the Commissioners deposits of security under section 37 of this Act, on behalf of the former owners or purchasers of such vehicles any sums which such owners or purchasers would otherwise be entitled to receive to the extent of the required deposits.

"(j) Any person who violates any of the provisions of this section shall be guilty of misdemeanor and shall be punished by a fine of not less than $100 and not more than $1,000 for each offense or by imprisonment for not more than ninety days, or both."

SEC. 221. The amendments made by this title shall take effect on the ninetieth day after the date of enactment of this Act.

Mr. MONTGOMERY. Mr. Speaker, I move to strike the requisite number of words.

The SPEAKER. The gentleman from Mississippi is recognized for 5 minutes.

Mr. MONTGOMERY. Mr. Speaker, I commend the distinguished chairman on this bill, and I commend him on the uninsured motorist's endorsement which is in the bill. As I understand, this endorsement will further protect the person who is responsible and buys automobile insurance, this endorsement will be added onto his policy in the future, and if he is one of those hit by an uninsured motorist, he and the person in his car will be covered if the uninsured motorist is at fault. I commend the gentleman and the committee.

I would like to ask the chairman this question. I cannot find a limit of the bodily injury coverage on this provision. Is it $5,000 and $10,000?

Mr. McMILLAN. Yes, sir; $5,000 and $10,000.

Mr. MONTGOMERY. I would like to ask the distinguished chairman one more question. The language provides—and in my opinion this is the way it should be—that a person who has liability insurance will be required to have this uninsured motorist's endorsement added onto his policy unless he does not want this endorsement. How would that come about? How would he say to the insurance agent or to the District of Columbia that he does not want this endorsement?

Mr. McMILLAN. I yield to the gentleman from Texas [Mr. DOWDY] to answer the question.

Mr. DOWDY. He will just tell his insurance agent that he does not want it, and it will be eliminated from his policy.

Mr. MONTGOMERY. I would like to recommend that possibly it should be a written request that will go in his policy file, because if he should tell the insurance agent verbally and then he should have a wreck, he might not remember or the agent might not remember, and there could be some dispute.

The reason I mention this point is that in our State we have found such a provision very workable. We have an uninsured motorist's endorsement and a provision that the endorsement must be in writing if the insured does not want the uninsured motorist's coverage.

Mr. DOWDY. Mr. Speaker, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Texas.

Mr. DOWDY. I feel that the insurance companies would protect themselves to that extent without having such provision written into the law.

Mr. MONTGOMERY. I would recommend to the committee that this be watched, and at a future date that this point be reexamined. The insurance carrier should get some type of written endorsement from the insured that he does not want the uninsured motorist's coverage.

I would like to ask the distinguished chairman one more question. Was the possibility of the uninsured motorist's endorsement including property damage along with bodily injury damage looked into?

Mr. McMILLAN. The subcommittee looked into that matter. The gentleman from Texas [Mr. DOWDY] held the hearings on this bill and I yield to him.

Mr. DOWDY. It is my memory that we had hearings on this bill last year, and the subject was brought up again subsequently. It is also my memory that we made inquiry about that. Because of the difficulty involved we did not attempt to write any provision into the bill along that line.

Mr. MONTGOMERY. In other words, it is the gentleman's feeling that property damage is not covered under this endorsement at this time. It is just bodily injury coverage of $5,000 on one person and $10,000 on two or more persons.

Mr. DOWDY. That is correct.

Mr. MONTGOMERY. Again, I commend the committee. This is rather new in the insurance field. It goes to protect the person who buys the automobile liability insurance against the person who does not buy the automobile liability insurance. I commend the committee for bringing this before the House so we may vote on it.

Mr. McMILLAN. I thank the gentleman. I feel this legislation is long overdue.

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of the bill is to provide protection to individual drivers, passengers, and pedestrians of the District of Columbia streets, from financially irresponsible uninsured motorists.

The legislation reported would, in title I, amend the Fire and Casualty Act of the District of Columbia and make uninsured motorist coverage a required part of every automobile liability policy, with the right of the insured to reject the coverage if he does not want it. This is a simple, direct way of meeting the problem, obviating all the administrative details, involving no State fund, involving no additional work on the part of insurers or their producers, and making it unnecessary for the Government to become in any way involved.

Title II would amend the District of Columbia Motor Vehicle Safety Responsibility Act, strengthening it greatly to make it more effective.

The enactment of this legislation would afford protection through uninsured motorist coverage to all insured motorists who might be injured through the fault of an uninsured motorist, whether a resident of the District of Columbia or elsewhere. Not only does this protection apply to the insured motorist, but in addition it covers anyone riding in his car, and extends to the insured and relatives resident in his household involved in any kind of automobile accident whether as an occupant in any car or as a pedestrian.

In addition to protecting against accidents caused by uninsured motorists, it protects against those caused by hit-and-run drivers, operation of a car without permission of the owner, and cases where the motorist is insured but the insurer disclaims coverage. The coverage under this policy would apply to accidents both within and without the District of Columbia.

Admittedly, persons in the category of non-car-owning families injured as pedestrians or while passengers in uninsured cars, where the car causing the injury was uninsured, would not be protected by this coverage, but we believe the number of such cases would be relatively small. Furthermore, this coverage is available to non-car-owners at a relatively small cost, so they also have the opportunity to protect themselves.

It is believed this legislation will assist substantially in solving the uninsured motorist problem in the District; afford greater protection to persons injured by uninsured motorists; and serve to increase the number of persons insuring, a result which will also serve to alleviate the problem.

SUMMARY OF BILL'S MAJOR PROVISIONS

TITLE I

This title—which amends the District of Columbia Fire and Casualty Act, approved October 9, 1940, 54 Stat. 1063, District Columbia Code, title 35, section 1301 et seq.—would require that all motor vehicle liability insurance policies insuring against bodily injury or death shall contain uninsured motorist coverage. However, the named insured would have the right to reject such coverage.

This form of insurance coverage, as presently conceived, was developed back in 1954–55. It is extremely broad in scope. It affords protection for the named insured and, while residents of his household, his spouse, and relatives of either, while riding in an insured car and while they are pedestrians, or in the event they are injured in a hit-and-run accident. It also affords protection to guests in the insured car while it is being operated by the named insured or his spouse or with his or her permission, and in the event it is involved in a hit-and-run accident. The coverage afforded extends only to bodily injury claims; property damage claims are not covered because there are other readily available forms of coverage which are far more suitable for this type of exposure. Uninsured motorist coverage in the District of Columbia, your committee was informed, costs between $6 and $7 per year for an entire family and its passengers. Incidentally, pedestrian non-car-owners can purchase similar protection for about $15 a year, according to testimony before your committee.

TITLE II

In brief, this title—which amends the District of Columbia Motor Vehicle Safety Responsibility Act approved May 25, 1954, 68 Stat. 120, District Columbia Code, title 40, section 401 et seq.—would—

First. Reduce from $100 to $50 the property damage necessary before an accident report is required, and security is required to be given.

Second. Provide that the Commissioners may rely upon the accuracy of insurance information contained in the accident report.

Third. Provide for suspension of both the license and registration of both the owner and the operator of an uninsured vehicle involved in an accident or in a serious traffic violation if the requirements of the law are not met.

Fourth. Add a requirement of a minimum security deposit of $500 in all cases in which security is required.

Fifth. Provide that security is to remain on deposit for a minimum of 2 years, and provide for suspension of at least 2 years where security is not deposited and claims are not settled.

Sixth. Add a provision requiring proof of financial responsibility following an accident—in addition to security—on the part of the owner of the automobile as well as the operator.

Seventh. Require that in all cases in which a person must give proof of financial responsibility for the future, he shall maintain such proof for a period of 5 years.

Eighth. Impose a $25 fee for reinstatement of a license suspended under the law.

Ninth. Provide impoundment of uninsured motor vehicles involved in accidents, without affecting rights or remedies of persons holding prior valid liens.

BACKGROUND

Members of Congress for some years have been greatly concerned over the lack of adequate protection for residents of the District of Columbia, as well as to the millions of visitors to the District, from hazards and losses resulting from automobile accidents in the Nation's Capital.

For several years now the chairman of your committee, along with other members, has sponsored various bills aimed at securing proper protection to individual drivers and to pedestrians of the District streets, protection against financially irresponsible motorists, protection against uninsured motorists.

Also, the legislation culminates a long period of effort of a number of businesses and organizations and persons in seeking a solution to the irresponsible motorist problem in the District of Columbia. Simply stated, the problem is that in the District of Columbia a number of motorists have not, through the purchase of liability insurance coverage or other accepted means of providing for their financial responsibility, taken steps to protect persons who will be injured as a result of their negligent operation of an automobile. As a result, injured persons may not receive compensation for injuries to their person or damage to their property.

The Director of Motor Vehicles of the District of Columbia advised your committee that as of May 31—June figures are not yet available—the gross number of motor vehicles registered so far this year—March 1 to May 31, 1965—is 213,569. Of this total number, 208,156 are paid registrations. The remainder are free registrations for vehicles such as those belonging to the U.S. Government and District of Columbia government and the diplomatic corps. Last year there were a total of 235,760 registered motor vehicles in the District.

It was reported to your committee that 41,179 motor vehicles were involved in accidents in the District of Columbia in fiscal 1964. Of this number 30 percent, or 12,445, were uninsured. Of the total 41,179 vehicles, 22,968 were District of Columbia registered and 18,211 were nonresidents.

Significantly, of the District of Columbia registered motor vehicles involved, 43 percent, or 9,956, were not insured—as contrasted with only 15 percent, or 2,489, of the nonresidents who were not insured.

The figures referred to are as follows:

Motor vehicles involved in accidents in District of Columbia in fiscal 1964

	District of Columbia registered	Nonresident	Total vehicles
Uninsured	9,956	2,489	12,445
Insured	13,012	15,722	28,734
Total	22,968	18,211	41,179

It is this situation which accentuates the need for legislation dealing with this subject in the District of Columbia, and which has prompted the introduction of numerous bills with respect thereto.

Full hearings were held by Subcommittee No. 4 on July 1 and 12, 1965, at which representatives of the insurance industry, of the Corporation Counsel's Office on behalf of the District of Columbia Commissioners, the Bar Association of the District of Columbia, and others were heard. The proposals considered were those set forth in the reported bill, as well as those in other bills which included provisions for compulsory insurance, and provisions for setting up an unsatisfied judgment fund.

Your committee, after fully considering the merits of these various bills as well as the experience in various States, is of the opinion that the approach set forth in the reported bill most nearly meets the needs of the District of Columbia.

COMMITTEE ACTION

Your committee found almost no support for compulsory insurance-type legislation such as has been in effect in Massachusetts, New York and North Carolina, and which has not been adopted elsewhere. Likewise, despite the number of years devoted by many responsible groups in the District of Columbia to arrive at acceptable legislation, the unsatisfied judgment fund proposal submitted by the Commissioners and the bar association has no widespread acceptance, only North Dakota, New Jersey, Maryland, and New York having adopted similar proposals. The experience in these States, as testified to before your committee—as Maryland with a $3.7 million deficit after only 6 years' operation and despite a $70 fee collected from uninsured motorists—does not commend this approach as desirable for approval by the Congress for the District of Columbia.

On the other hand, the strengthening of the financial responsibility laws—as are already in effect in 50 States and the District of Columbia—designed to encourage motorists to become insured by imposing financial requirements on them if they are involved in accidents causing bodily injury or death, or property damage, appears the preferable approach and more in the public interest. H.R. 7831 does not pretend to be a panacea for all the problems arising out of injuries in automobile accidents in the District of Columbia. Your committee was not advised of any plan or system, or combination of methods, which furnishes a full and complete solution to the problems at hand. But in the judgment of your committee, the reported legislation more reasonably and effectively meets the uninsured motorist menace and affords better protection against the uninsured and financially irresponsible motorist.

The manner of meeting the problem through uninsured motorist coverage legislation—with the right of rejection reserved to the insured—has been accepted as a solution in 15 States. Indeed, in the past several years this has been a pattern which the States have been following in arriving at a solution. On the other hand, your committee was informed, no States have enacted either compulsory insurance laws since the enactment of the New York law in 1956 and North Carolina in 1957, or unsatisfied judgment fund laws since the enactment in New Jersey in 1953 and Maryland in 1957.

Your committee is quite aware that none of the basic legislative approaches contained in the various bills considered can guarantee a satisfactory or completely satisfying answer to the uninsured motorist problem. But your committee feels that the provisions of H.R. 7831 are more in the public interest and hence recommends its adoption.

The bill as reported has the strong support of all but one of the local insurance companies. Even that company does not oppose this legislation, but merely prefers the unsatisfied judgment fund approach with compulsory uninsured motorist coverage included therein.

Also this legislation has the support of the National Association of Independent Insurers whose trade association represents 348 property and casualty insurers of all types—stock companies, mutual companies, reciprocals, and Lloyd's plan insurers—80 of whose members are licensed to do business in the District of Columbia. It has the support also of the District of Columbia Association of Insurance Agents.

It should be pointed out that not all persons injured by uninsured motorists are presently without redress. It was represented to your committee that under the present District of Columbia Motor Safety Vehicle Responsibility Act, a fairly substantial number of uninsured motorists involved in accidents either deposit the required security, which is available to the injured party upon recovery of a judgment, or settle with the injured person in order to avoid suspension of license.

Further, many cases against uninsured motorists involve situations where the uninsured is not at fault and therefore the injured party is not entitled to any recovery.

Additionally, many of these cases involve damages in small amounts, and the inability to recover would not constitute any real social problem. All these factors, it seems to us, must be taken into account in considering the extent of the problem and the solution required.

PRECEDENTS FOR THIS LEGISLATION

Briefly, there are four basic approaches which have been proposed (sometimes one or more of these approaches are joined) in an effort to assure the financial responsibility of motorists on the highways of our country.

These are, first, mandatory uninsured motorist insurance coverage for inclusion in motor vehicle or automobile liability insurance policies—with or without the right of rejection reserved to the insured motorist; second, financial responsibility laws; third, unsatisfied judgment fund laws; and, fourth, compulsory insurance laws. The reported bill combines features of the first two approaches.

Title I deals with the coverage afforded under the uninsured motorist endorsement, sometimes called family protection coverage.

This coverage is designed to place the insured who has been involved in an accident with a financially irresponsible motorist in substantially the same position he would have been had he been injured by an insured motorist. It provides protection against not only the uninsured motorist but also hit-and-run accidents and accidents involving stolen cars. Further, it protects against accidents both inside a State and outside a State or the District of Columbia regardless of where the vehicle is registered. It not only protects the insured motorist against these hazards but also protects all the occupants in his car when involved in an accident; and it also protects as pedestrians or occupants of another car the insured, his or her spouse, and relatives of either who are resident in the household.

Fifteen States—Arizona, Arkansas,

California, Colorado, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Nebraska, North Carolina, Ohio, Pennsylvania, and Rhode Island—have enacted laws that require all motor vehicle liability insurance policies to contain uninsured motorist coverage, unless rejected by the insured. This type of law is embodied in title I of the reported bill.

Five States—New Hampshire, New York, Oregon, South Carolina, and Virginia—require insurers to include such coverage but do not give the insured the right of rejection thereof. Your committee believes that the insured should specifically be given the right to either accept or reject uninsured motorist coverage, and title I so provides.

Title II amends the District of Columbia Motor Vehicle Safety Responsibility Act. Similar financial responsibility laws are in effect in each of the 50 States. Such laws are designed to encourage motorists to become insured by imposing financial requirements on them in the event they are involved in accidents causing bodily injury, death, or property damage above a stated amount—usually $50 or $100. In such cases, the States require a security deposit designed to assure that irresponsible motorists assume responsibility for these accidents. Failure to make the required deposit results in the suspension of the offender's driver's license and, in most jurisdictions, in suspension of the motor vehicle registration.

Most States return the security deposit if there has been no action brought against the depositor within a specified period or if he has been released from liability.

Proof of financial responsibility for the future is the next step. Its aims are to make certain that the financially irresponsible motorist becomes and remains financially responsible for a specified period in the future, usually 3 to 5 years.

In 48 States and the District of Columbia, the financial responsibility laws provide that motorists found guilty of certain traffic violations shall be required to show such proof. Twenty-one States require both the security deposit and proof of future responsibility from persons involved in accidents. This usually involves showing a certified policy of liability insurance.

Your committee was advised that financial responsibility laws have raised the number of insured motorists nationally from 25 percent in 1920 to an estimated 90 percent today. Also, reciprocity agreements between States provide a means of dealing with the interstate motorists. Thus, motorists whose licenses are revoked in one State can be denied licenses in other States.

Strengthening amendments to the existing District of Columbia Motor Vehicle Safety Responsibility Act are set forth in title II of the reported bill and are summarized heretofore in this report.

CONCLUSION

For several years, subcommittees of your committee have studied various bills referred to them, dealing with motor vehicle insurance, have held many conferences with the District of Columbia government officials and other interested parties, and have sought to secure unanimity among the groups actively considering such legislation. However, your committee can delay no longer, as it appears that no full agreement can be reached. Meanwhile, problems created by the uninsured motorist are so acute and so diverse as to require prompt legislative action.

Your committee believes that this bill, strengthening amendments to the District's safety responsibility law and providing for uninsured motorist coverage subject to the right of rejection, offers an efficient and economical package program which will first, provide a highly effective means of inducing the financially irresponsible motorist to provide protection for those persons they may injure, and second, reduce the problem of the financially irresponsible motorist to a point where it will no longer be of social significance.

This bill is identical to H.R. 9918 of the 89th Congress, as reported by the District of Columbia Committee on August 5, 1965, House Report 737. That bill was amended and approved by the House on August 9, 1965.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND DISTRICT OF COLUMBIA UNIFORM GIFTS TO MINORS ACT

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 5799) to amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such act may be deposited in savings and loan associations and related institutions, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

H.R. 5799

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Uniform Gifts to Minors Act (chapter 3 of title 21 of the District of Columbia Code) is amended as follows:

(1) Section 21–301 of such Act is amended—

(A) by striking out "bank" in paragraph (3) and inserting "financial institution";

(B) by renumbering paragraphs (7) through (15) as (8) through (6), respectively; and

(C) by inserting immediately after paragraph (6) the following:

"(7) 'Financial institution' means—

"(A) any bank,

"(B) any homestead or building association, building and loan association, savings and loan association, or Federal savings and loan association, or

"(C) any Federal credit union,

having an office in the District of Columbia."

(2) Section 21–302(a)(4) of such Act is amended (A) by striking out "bank" where such term first appears and inserting "financial institution"; and (B) by striking out "bank with trust powers" and inserting "trust company".

(3) Sections 21–303(b), 21–304(g), and 21–306 of such Act are each amended by striking out "bank" and inserting "financial institution".

With the following committee amendment:

On Page 2, line 2, strike out "(6)" and insert in lieu thereof "(16)".

The committee amendment was agreed to.

PURPOSE OF THE BILL

Mr. McMILLAN. Mr. Speaker, the purpose of H.R. 5799 is to amend the District of Columbia Uniform Gifts to Minors Act so as to provide that monetary gifts to minors in the District may be deposited in savings and loan associations, credit unions, and related institutions, as well as in banks.

BACKGROUND

In its present form, the District of Columbia Uniform Gifts to Minors Act—79 Stat. 744; title 21, section 3, District of Columbia Code—provides that a gift of money to a minor may be deposited in a bank, for credit to an account in the name of the donor or other adult, or a bank with trust powers, as custodian of that monetary gift for the minor. In that act, the term "bank" is defined as "a person or association of persons carrying on the business of banking, whether incorporated or not, in the District of Columbia." While there is no definition of "banking" in the act, the term is defined in Black's Law Dictionary, fourth edition, in part as follows:

> Banking. The business of receiving money on deposit, loaning money, discounting notes, issuing notes for circulation, collecting money on notes deposited, negotiating bills, etc.

The District of Columbia Bar Association became interested in this provision of the Gifts to Minors Act, feeling that the provision mentioned above unfairly excludes other financial institutions such as savings and loan associations, credit unions, and others, from being authorized as depositories for monetary gifts to minors.

Accordingly, H.R. 3827 was introduced in the 89th Congress at the request of the District of Columbia Bar Association, for the purpose of correcting this situation. This bill sought to expand the definition of the word "bank" in the act so as to include some of these related financial institutions. A public hearing on this measure was held on August 1, 1966. However, members of the subcommittee felt that it would not prove satisfactory to expand the definition of "bank" beyond its usual context, and suggested that the District of Columbia Corporation Counsel's office and other interested parties seek to develop a better solution to the problem.

As a result of this conference, the bill H.R. 5799 was introduced on February 20, 1967.

PROVISIONS OF THE BILL

Basically, H.R. 5799 seeks to solve the problem referred to above by substituting the term "financial institution" for the word "bank" throughout the Uniform Gift to Minors Act.

In addition, "financial institution" is then defined in these amendments to include "any bank, homestead or building association, local savings and loan association, Federal savings and loan association, or Federal credit union, having an office in the District of Columbia". This language is felt by all parties concerned to embody a correct solution to this situation.

HEARING

At a public hearing conducted by Subcommittee No. 4 on June 20, 1967, testimony favoring the enactment of this proposed legislation was submitted by spokesmen for the Board of Commissioners of the District of Columbia and for the District of Columbia Credit Union League. In addition, your Committee was advised that the bill has the endorsement of the District of Columbia Bar Association and of the Pepco Federal Credit Union. No opposition to the passage of the bill was expressed.

CONCLUSION

Your committee is advised that the laws governing gifts to minors in at least 40 of the States now permit such monetary gifts to be deposited in trust in other standard financial institutions as well as in banks. Hence, it is our opinion that this same latitude of authority, as is provided in H.R. 5799, should be made a part of the District of Columbia Uniform Gifts to Minors Act.

COMMISSIONERS' LETTER

The following is the letter from the President of the District of Columbia Board of Commissioners, expressing the Board's approval of this bill.

GOVERNMENT OF THE DISTRICT OF COLUMBIA, EXECUTIVE OFFICE,
Washington, D.C., June 14, 1967.

The Honorable JOHN L. MCMILLAN,
Chairman, Committee on the District of Columbia, U.S. House of Representatives, Washington, D.C.

DEAR MR. MCMILLAN: The Commissioners of the District of Columbia have for report H.R. 5799 and H.R. 6277, 90th Congress, substantially identical bills "To amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such Act may be deposited in savings and loan associations and related institutions, and for other purposes."

Basically, the bills amend the Uniform Gifts to Minors Act by substituting for the word "bank" the term "financial institution", defined to include any bank, any homestead or building association, building and loan association, savings and loan association, Federal savings and loan association, or any Federal credit union having an office in the District of Columbia. In practical effect, the amendments made by the bill will enable an adult donor to make a gift of money to a minor by paying or delivering such money to any of the above-designated financial institutions as can now be done, under existing law, by deposits made only to a bank, broker, or trust company.

The Commissioners are aware of no reason why gifts of money to minors may not be made through any homestead or building association, building and loan association, savings and loan association, Federal savings and loan association, or Federal credit union, and are of the view that for such transactions, these financial institutions should be placed on a par with banks. One of the purposes of such associations is to encourage and promote savings and thrift. It is particularly appropriate, therefore, that they be permitted to receive and serve as a depositary of such funds. Accordingly, the Commissioners strongly recommend enactment of either of the bills.

The Commissioners wish to point out to the Committee that in line 2 on page 2 of H.R. 5799 the parenthetical numeral "6" should be "(16)".

Sincerely yours,
WALTER N. TOBRINER,
President, Board of Commissioners, District of Columbia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the District of Columbia bills passed today immediately prior to the passage of the bills.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

AUTHORIZING THE DISTRICT OF COLUMBIA TO PARTICIPATE IN MEDICAID PROGRAM

Mr. McMILLAN. Mr. Speaker, at this time I yield to the gentleman from Texas [Mr. DOWDY], to call up the bill that came from his subcommittee.

Mr. DOWDY. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 10964) to enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10964

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled That (a) the Board of Commissioners of the District of Columbia (hereafter in this Act referred to as the "Board") may submit under title XIX of the Social Security Act to the Secretary of Health, Education, and Welfare (hereafter in this Act referred to as the "Secretary") a plan for medical assistance (and any modifications of such plan) to enable the District of Columbia to receive Federal financial assistance under such title for a medical assistance program established by the Board under such plan.

(b) Notwithstanding any other provision of law, the Board may take such action and promulgate such rules and regulations as may be necessary to submit such plan to the Secretary and to establish and carry out such medical assistance program, except that in prescribing the standards for determining eligibility for and the extent of medical assistance under the District of Columbia's plan for medical assistance, the Board may not prescribe criteria which would permit an individual or family to be eligible for such assistance if such individual or family—

(1) would be ineligible, solely by reason of his or its income, for medical assistance under the District of Columbia's medical assistance program in effect in the fiscal year ending June 30, 1967; or

(2) would be ineligible, solely by reason of his or its other resources, for medical assistance both under the plan of the State of Maryland approved under title XIX of the Social Security Act and under the plan of the State of Virginia approved under such title.

SEC. 2. The Board may enter into an agreement (and any modifications of such agreement) with the Secretary under section 1843 of the Social Security Act pursuant to which (1) eligible individuals (as defined in section 1836 of the Social Security Act) who are eligible to receive medical assistance under the District of Columbia's plan for medical assistance approved under title XIX of the Social Security Act will be enrolled in the supplementary medical insurance program established under part B of title XVIII of the Social Security Act, and (2) provisions will be made for payment of the monthly premiums of such individuals for such program.

With the following committee amendment:

On page 2, strike out lines 3 through 21 and insert in lieu thereof the following:

"(b)(1) Notwithstanding any other provision of law, the Board may take such action and promulgate such rules and regulations as may be necessary to submit such plan to the Secretary and to establish and carry out such medical assistance program, except that in prescribing the standards for determining eligibility for and the extent of medical assistance under the District of Columbia's plan for medical assistance, the Board may not (except to the extent required by title XIX of the Social Security Act)—

"(A) prescribe maximum income levels for recipients of medical assistance under such plan which exceed (i) the title XIX maximum income levels if such levels are in effect or (ii) the Board's maximum income levels for the local medical assistance program if there are no title XIX maximum income levels in effect; or

"(B) prescribe criteria which would permit an individual or family to be eligible for such assistance if such individual or family would be ineligible, solely by reason of his or its resources, for medical assistance both under the plan of the State of Maryland approved under title XIX of the Social Security Act and under the plan of the State of Virginia approved under such title.

"(2) For purposes of subparagraph (A) of paragraph (1) of this subsection—

"(A) the term 'title XIX maximum income levels' means any maximum income levels which may be specified by title XIX of the Social Security Act for recipients of medical assistance under State plans approved under that title;

"(B) the term 'the Board's maximum income levels for the local medical assistance program' means the maximum income levels prescribed by the Board for recipients of medical assistance under the District of Columbia's medical assistance program in effect in the fiscal year ending June 30, 1967; and

"(C) during any of the first four calendar quarters in which medical assistance is provided under such plan there shall be deemed to be no title XIX maximum income levels in effect if the title XIX maximum income levels in effect during such quarter are higher than the Board's maximum income levels for the local medical assistance program."

The committee amendment was agreed to.

CONGRESS AND THE DISTRICT

Mr. McMILLAN. Mr. Speaker, at this point it is deemed proper to include references to some of the many programs and expenditures by the Congress to and on behalf of the District of Columbia. As the result of such appropriations by the Congress, the District for some years has ranked at or near the top of 17 U.S. cities of comparable size—500,000 to 1 million in population—in expenditures in major categories affecting the public welfare, as for police, fire protection, health and hospitals, public welfare, and public education.

As stated above under the reported bill, it is estimated by the District of Columbia Department of Public Health that approximately 179,200 persons in the District will benefit, at a net cost to the District of $30.7 million per year, which together with $25.7 million appropriated to the Department for other health programs, makes a total of $56.4 million public health appropriations by the Congress to the District for fiscal 1967. In addition, it is estimated the Department of Health will receive over $9 million in Federal grants in the same period.

The Congress likewise has appropriated $33.8 million for the District of Columbia Department of Public Welfare for fiscal 1967, which will benefit more than the 140,000 persons who received benefits in 1966. In addition, it is estimated that that Department will receive over $16 million in Federal grants in the same period.

The following tabulations show that the Congress over the years has well discharged its fiscal responsibility to the District in these areas.

APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA, 1961-67

The following figures show the total appropriations for the fiscal years 1961 through 1967 for public health and public welfare in the District of Columbia.

During this period, the appropriations for public health have increased by $19,885,227, and that for welfare by $11,563,650.

	Public Health	Public Welfare
1961:		
Operating expenses	$38,759,973	$20,282,650
Capital outlay		2,033,000
Total	38,759,973	22,315,650
1962:		
Operating expenses	40,285,000	21,332,090
Capital outlay	940,000	4,682,200
Total	41,225,000	26,014,290
1963:		
Operating expenses	44,022,800	21,488,301
Capital outlay	12,670,000	1,031,000
Total	56,692,800	22,519,301
1964:		
Operating expenses	46,909,536	23,118,355
Capital outlay	182,000	1,128,100
Total	47,091,536	24,246,455
1965:		
Operating expenses	49,283,625	26,160,595
Capital outlay		486,500
Total	49,283,625	26,647,095
1966:		
Operating expenses	51,544,569	28,659,782
Capital outlay	1,334,950	4,679,400
Total	52,879,519	33,339,182
1967:		
Operating expenses	57,442,200	32,510,500
Capital outlay	11,203,000	1,368,800
Total	58,645,200	33,879,300
Grand total, 1961-67	344,578,653	215,054,338

FEDERAL GRANTS TO THE DISTRICT OF COLUMBIA

In addition to the annual Federal contribution or payment to the District of Columbia, the District for fiscal 1968 will receive, it is estimated, a total of over $167 million under the Federal grant programs.

This represents an increase of $38.2 million over 1967 Federal grants to the District.

These grants plus the Federal payment, add up to a total Federal expenditure to the District that belies any allegation of "neglect" of the District on the part of the Congress.

Summary of the Federal grants for 1967-68 follows:

Agency	Estimated, 1967	Estimated, 1968
Executive Office	$21,000	$35,064
General Administration	215,599	309,827
Public Service Commission	1,562	5,897
Planning and Zoning	2,162	21,162
Commissioners' Youth Council	15,500	50,050
Urban Renewal and Redevelopment Land Agency	3,500,000	3,780,000
Council on Human Relations	2,991	2,961
Public Library	496,480	496,480
Office of the Surveyor	6,814	6,814
Police Department	1,177,353	227,075
Fire Department	10,800	10,800
Office of Civil Defense	312,724	198,316
Juvenile Court	11,030	11,030
Corrections	128,792	89,810
Licenses and Inspections	29,207	41,279
Public Schools	18,464,639	17,872,579
Recreation	2,180,608	1,255,274
Vocational Rehabilitation	1,902,124	1,735,302
Public Health	9,416,002	7,949,860
Public Welfare	16,627,422	20,141,620
Highways and Traffic	72,221,379	111,328,088
Sanitary Engineering	1,542,502	1,661,575
Grand total	128,347,780	167,211,893

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 10964 is to authorize the Board of Commissioners of the District of Columbia to take such action and to promulgate such regulations as may be necessary or required to furnish medical assistance to eligible residents of the District of Columbia under the program established by title XIX of the Social Security Act, as added by the Social Security Amendments of 1965—79 Statutes at Large, 286; Public Law 89-97—and to permit publicly owned District of Columbia hospitals and other medical facilities to provide health and medical care and services to eligible aged individuals under the hospital insurance benefits program and supplementary medical insurance benefits program established by title XVIII of such act. Such programs would be conducted in the District within the limits set forth in the bill, pursuant to regulations issued and policy and procedural guidelines established by the Secretary of Health, Education, and Welfare.

BACKGROUND

The Social Security Amendments of 1965—approved July 30, 1965, Public Law 89-97; 79 Statutes at Large, 286—contain health legislation which has a very significant impact on the District of Columbia government and particularly upon its Department of Public Health. The law makes it possible to greatly broaden the scope and to improve the quality of the health and medical services which are available to individuals in the District, particularly to those persons whose ability to obtain adequate medical care is impeded by the inadequacy of their finances.

Specifically, the District of Columbia will be entitled under an approved program to Federal reimbursement of 50 percent of the cost of medical and health services to persons who come within the eligibility provisions of title XIX of the Social Security Act as amended.

Since the enactment in 1965 of these amendments to the Social Security Act, 26 States and two territories have enacted legislation and adopted medical assistance plans to implement title XIX of that act in their jurisdictions. These States and territories are the following:

*California
*Connecticut
Delaware
Hawaii
xIdaho
*Illinois
*Kentucky
xLouisiana
xMaine
Maryland
*Massachusetts
*Michigan
Minnesota
xNebraska
xNew Mexico
*New York
North Dakota
xOhio
Oklahoma
*Pennsylvania
*Rhode Island
Utah
xVermont
Washington
*West Virginia
*Wisconsin
Puerto Rico
*Virgin Islands

The 11 States above marked with an asterisk have established income eligibility levels higher than the $3,360—for a family of four—level for the District of Columbia. All the remainder established lower levels. The eight States marked with an "x" do not include the "medically needy" and thus limit their participation to cash assistance recipients.

PROVISIONS OF THE BILL

1. AUTHORITY TO QUALIFY UNDER TITLE XIX

The bill authorizes the District of Columbia Board of Commissioners to submit to the Secretary of Health, Education, and Welfare a plan for a program of medical assistance, which will enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for the operation of such program.

2. INCOME LEVELS FOR ELIGIBILITY

The bill further provides that the income levels in effect for the fiscal year 1967 for the medical assistance program operated by the District of Columbia government shall be established for eligibility under the District's medical assistance program under title XIX of the Social Security Act, during any calendar quarter for which no income qualification levels are specified in title XIX of that act; and further, in any of the first four calendar quarters of the District of Columbia's participation in such program, these 1967 income levels shall serve as a ceiling even should income qualification levels be established in title XIX, should these latter levels be higher than were those for the District during 1967.

Provision is also made for a certain flexibility in the application of these maximum income standards for eligibility to the extent that consideration is to be given not only to the individual's income but also to the medical costs incurred.

The eligibility standards for this present medical assistance program were established by the District of Columbia Board of Commissioners' Order No. 59-2276, and became effective on May 1, 1960. These income standards, which are essentially the same as those established in 1946, are as follows:

Single person	$2,100
2 person family	[1] 2,400
3 person family	2,820
4 person family	3,360
5 person family	3,840
6 person family	4,320
For each additional person, aid	420

[1] $2,800 under the M.A.A. plan for persons 65 years of age and older.

In the 20 States and territories which include the medically needy under title XIX programs, income eligibility levels for families of four range from $2,600 to $6,000, with an average requirement of $3,500. In Maryland, the eligibility level for a family of four is $3,240.

In view of the fact that the Nation's costs under title XIX thus far have greatly exceeded original estimates, and since the Congress has under consideration the administration's recommendation for changes in titles XVIII and XIX of the Social Security Act, it is the opinion of your committee that a moderate approach for the District's participation should be adopted, and that the present income levels should be continued until such time as the results of the program can be reviewed and the outcome of proposed changes in the provisions of title XIX become known.

In this connection, it is the intention of your committee to review this legislation after the first year of its operation, with particular attention to the eligibility standards.

3. DETERMINATION OF FINANCIAL RESOURCES

The bill provides also that in determining the financial resources of an applicant for medical assistance under the program assisted under title XIX, the value of the applicants' real property, life insurance, and other assets readily converted into cash which may be included shall be no higher than the highest value established by an adjoining jurisdiction.

In Maryland, an individual eligible under the plan may own a home unless it involves a substantial investment, and as much as $2,500 in other assets for a family of one or two, plus $420 for each additional person. At the present time, Virginia has not submitted a plan for participation under title XIX.

4. AUTHORITY TO "BUY IN" UNDER TITLE XVIII

The final provision of H.R. 10964 gives the Board of Commissioners of the District of Columbia the authority to enroll in the title XVIII—medicare—program the aged medically needy of the District; that is, those persons who are not enrolled under title XVIII and who are eligible for medical assistance under Title XIX—Medicaid.

At present, the District of Columbia Department of Public Welfare adds $3 per month to the cash payments to about 2,000 of its 2,200 aged recipients of public assistance, to defray the monthly cost of their enrollment under the medicare program.

Legislation to further amend the Social Security Act—H.R. 5710—is presently pending before the House Committee on Ways and Means. One provision of this bill would permit the various States to "buy in" to the medicare program for the medically needy aged persons, as well as for aged recipients of public assistance. It is further provided that in the event a State fails to "buy in" for aged individuals eligible for medical assistance there would be no Federal matching for expenditures for services that would have been covered under the supplementary medical insurance programs—part B of title XVIII—had the individuals been enrolled in the medicare program. The proposal is designed to encourage States to provide and maintain supplementary medical insurance coverage for all eligible needy aged persons.

NEED FOR LEGISLATION

At public hearings conducted on March 14, April 4, and April 18, 1967, your committee was advised that the medical assistance program as presently operated by the District of Columbia Department of Public Health for the people of the District of Columbia, although quite extensive, has long left much to be desired in both the efficiency and the economy of its operation.

A spokesman for the Health Department testified that although some 161,000 persons in the District are eligible for medical care at public expense under the Department's existing programs, a total population of nearly 260,000 is actually receiving care at the city's expense, with some 100,000 of these being treated only as medical emergencies.

Most such emergency patients are brought to District of Columbia General Hospital for treatment and care. These medical emergencies at best have only marginal ability to finance their own medical expense, and while they are above the established income level the vast majority of them actually cannot afford to pay for the medical services they receive. Moreover, because of the fact that their illnesses are not treated until they become emergencies, their hospital stays are longer and more expensive than the average, and many of these persons find their way to the welfare rolls either during or after their illness. Furthermore, this places a heavy burden on the facilities of District of Columbia General Hospital.

This highly unsatisfactory situation may be remedied in large part, your committee is advised, by the enactment of H.R. 3792, which would establish a system of Federal reimbursement under which patients may go to the private physicians or dentists of their own choice for care, and the Health Department will then pay the bill according to a previously negotiated rate.

SCOPE AND REIMBURSEMENT ESTIMATES

It is estimated that under the provisions of this bill, approximately 179,200 persons in the District of Columbia will be eligible under the District's medical assistance programs, of whom some 105,600 will be covered by Federal title XIX reimbursement. Of this total of 179,200 persons eligible, 61,300 will be under the age of 21, 91,100 aged 21 through 64, and the remainder of 26,800 will be 65 years of age or older. The Health Department informs your committee that they estimate a continuing necessity to provide emergency medical care to a total additional target population of some 80,800 persons.

The total District of Columbia program has an annual estimated cost of $32.9 million, of which $2.2 million is reimbursed from Federal—Kerr-Mills—funds. This leaves a net cost to the city of $30.7 million per year. Under the title XIX program, if the District of Columbia's medical assistance programs are maintained at approximately their present level, it is estimated that the Federal reimbursement will be approximately $8.25 million annually, or about one-fourth of the total cost.

This would mean a saving of some $6 million of District of Columbia funds, which will then be available for other serious needs in the public health services to the Nation's Capital.

The total appropriation by Congress to the District of Columbia Department of Public Health for fiscal 1967 is $56.4 million. It should be noted that Federal funds which the District is now receiving, other than those currently reimbursed for medical care provided to persons 65 years of age and older, are not matchable under title XIX. The $32.9 million cited as the base for the District of Columbia title XIX program includes, as stated, $2.2 million of such funds. This leaves for 1967 a District of Columbia funded base of $30.7 million, supplemented as follows:

Programs	*Millions of dollars*
For services matchable under title XIX, medical assistance programs (as above)	30.7
For services not matchable under title XIX:	
Mental Health and Retardation:	
St. Elizabeths Hospital	21.0
Other services	.7
Total	21.7
Environmental health program	.9
Preventive services	.7
Medical care (contract, etc.)	.7
Administration	1.7
Total	25.7
Total	56.4

CHILD HEALTH CARE

A member of the professional staff at Children's Hospital testified that it is imperative that the health care of the indigent children of the District of Columbia must become more comprehensive. That is, it must include continuing health supervision so that early detection of illness may result in early initiation of treatment and shortening of convalescence. It also must include more extensive nursing and social services, preventive medical and dental care, and care directed toward treatment of psychological disorders. It must include the counseling of parents so that superstition, ignorance, and error in child rearing can be replaced by practices such as will result in a physically, mentally, and socially healthy child.

Your committee was advised that all these aspects of child health care can be carried out in a more effective manner under title XIX. This law would allow a freedom of choice for the vendor of health care, thus establishing a physician-family relationship which would be instructive in the population group least likely to have similar relationships in other aspects of their lives. In this manner, fear of disease and suspicion of preventive measures can be eliminated, and early detection of illness would certainly result. Under this system, there would be an integration of curative and preventive measures directed toward the group most in need of them.

The committee was advised further that the staff at Children's Hospital is limited by funds and space in delivering this type of comprehensive care to many of the indigent families who seek this hospital to administer acute care to their sick children. The staff of this hospital has experienced a "professional unrest" in not being able to deliver this type of care to all the patients making up the 100,000 outpatient-visits and 61,181 inpatient-days annually. During fiscal year 1964, the hospital contributed about $230,000 worth of health care to eligible children beyond the amount of reimbursement by the medical services program of the District of Columbia Health Department. In fiscal year 1965, this contribution amounted to $185,000 of services, and in fiscal 1966, a total of $282,000. This contribution on the part of the hospital and its staff was necessary because the Health Department is not permitted under present law to pay the audited cost of those patients' care.

In addition, each year the hospital has provided medical care for a large number of children from medically indigent families for whom no one accepts financial responsibility. The fact is that in recent years, Children's Hospital has operated on a very tenuous basis, and at times its continued existence has been seriously threatened, due to shortage of funds. Only through the generous contributions of thousands of individuals in the metropolitan area has this hospital been able to continue in operation.

Your committee is informed that in order to continue as a vendor of these vitally needed services, Children's Hospital must become eligible for reimbursement under a title XIX program. This would amount to about $455,000 for outpatient care and approximately $625,000 for inpatient care of the medically indigent. Reimbursement in these amounts will enable Children's Hospital to continue not only as a vendor of services to the needy children of the District of Columbia, but also as the specialized child health resource which it is for all infants and children, rich or poor.

COMMITTEE'S CONCLUSIONS

It is the opinion of your committee that the prompt enactment of this proposed legislation, designed to bring the District of Columbia into the nationwide Federal health reimbursement program under title XIX of the Social Security Act as amended, with a conservative original approach to the matter of eligibility standards to be reviewed at the end of a year of operation, is in the best interests of all the citizens of the District of Columbia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA CRIME

Mr. McMILLAN. Mr. Speaker, at this time, I yield to the gentleman from North Carolina [Mr. WHITENER] so he may call up the bill that came from his subcommittee.

Mr. WHITENER. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 10783) relating to crime and criminal procedure in the District of Columbia and ask unanimous consent that it be considered in the House as in Committee of the Whole.

Mr. SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. TAFT. Mr. Speaker, I object.

The SPEAKER. The gentleman objects to the unanimous-consent request that the bill be considered in the House as in Committee of the Whole? Does the Chair understand the gentleman, that he objects?

Mr. TAFT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. TAFT. If an objection is made at this time, will the bill be on the floor for argument?

The SPEAKER. If there is no objection to the request of the gentleman from North Carolina that the bill be considered in the House as in Committee of the Whole, then the bill will be before the House for consideration under the 5-minute rule.

Mr. TAFT. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10783

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. Section 397 of the Revised Statutes of the United States, relating to the District of Columbia (D.C. Code, sec. 4–140), is amended to read as follows:

"SEC. 397. (a) An officer or member of the Metropolitan Police force may arrest without a warrant and take into custody any person who commits, or threatens or attempts to commit, in the presence of, or within the view of, such officer or member any breach of the peace or offense directly prohibited by an Act of Congress or by any other law in force in the District.

"(b) An officer or member of the Metropolitan Police force may arrest a person without a warrant if he has probable cause to believe that such person (1) has committed any offense listed in subsection (c) of this section, and (2) unless immediately arrested, may not be apprehended, may cause injury to others or damage to property, or may tamper with, dispose of, or destroy evidence.

"(c) The offenses referred to in subsection (b) of this section are—

"(1) those offenses specified in the following sections of the Act of March 3, 1901; Section 806 (relating to assault) (D.C. Code, sec. 22–504), section 824 (relating to unlawful entry) (D.C. Code, sec. 22–3102), and section 829 (relating to receiving stolen goods) (D.C. Code, sec. 22–2205); and

"(2) attempts to commit the offenses specified in the following sections of the Act of March 3, 1901: Section 823 (relating to housebreaking) (D.C. Code, sec. 22–1801), section 826 (relating to grand larceny) (D.C. Code, sec. 22–2201), and section 826b (relating to unauthorized use of vehicles) (D.C. Code, sec. 22–2204)."

TITLE II

SEC. 201. Section 927 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 24–301), is amended to read as follows:

"SEC. 927. (a) (1) A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect he lacks substantial capacity either to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law.

"(2) The term 'mental disease or defect' does not include an abnormality manifested only by repeated criminal or otherwise antisocial conduct.

"(b) Evidence that the defendant in a criminal proceeding suffered from a mental disease or defect shall be admissible whenever it is relevant to prove that the defendant did or did not have a state of mind which is an element of the offense.

"(c) (1) Mental disease or defect excluding responsibility is an affirmative defense which the defendant must establish by the preponderance of the evidence.

"(2) Mental disease or defect excluding responsibility shall not be a defense unless the accused or his attorney files with the court and serves upon the prosecuting attorney written notice of his intention to rely upon such defense. Such notice shall be filed and served (A) no later than thirty days prior to trial if there has been no court order for mental examination or fifteen days after receipt by the court of the report of the examining physician if there was a court order for mental examination, or (B) at such other time as the court may for good cause permit. The court may extend the time for such notice in order to prevent injustice.

"(3) Whenever mental disease or defect excluding responsibility is asserted as a defense the prosecuting attorney may demand a trial by jury.

"(4) When the defendant is acquitted on the ground of mental disease or defect excluding responsibility, the verdict and the judgment shall so state.

"(d) (1) Whenever a person is arrested, indicted, charged by information, or is charged in the Juvenile Court of the District of Columbia, for or with an offense and, prior to the imposition of sentence or prior to the expiration of any period of probation, it shall appear to the court from the court's own observations, or from prima facie evidence submitted to the court, that the accused is of unsound mind or is mentally incompetent so as to be unable to understand the proceedings against him or properly to assist in his own defense, the court may order the accused committed to the District of Columbia General Hospital or other mental hospital designated by the court, for such reasonable period as the court may determine for examination and observation and for care and treatment if such is necessary by the psychiatric staff of said hospital. For purposes of this paragraph, the term 'court' includes any officer empowered to commit persons charged with offenses against the laws of the United States (including such laws which apply only to the District of Columbia).

"(2) If, after such examination and observation, the superintendent of the hospital, in the case of a mental hospital, or the chief psychiatrist of the District of Columbia General Hospital, in the case of the District of Columbia General Hospital, shall report to the court having jurisdiction of the offense charged that in his opinion the accused is of unsound mind or mentally incompetent, such report shall be sufficient to authorize the court to commit by order the accused to a hospital for the mentally ill unless the accused or the Government objects, in which event, the court, after hearing without a jury, shall make a judicial determination of the mental condition of the accused. If the court shall find the accused to be then mentally incompetent to stand trial, the court shall order the accused confined to a hospital for the mentally ill subject to the provisions of subsection (e) of this section. If the court shall find the accused to be then competent to stand trial, but of unsound mind, the court shall order the accused confined to a hospital for the mentally ill pending trial.

"(3) For purposes of this subsection, a person of unsound mind is a person who is mentally ill and is likely by reason of such illness to cause injury to himself or others.

"(e) Whenever an accused person confined to a hospital for the mentally ill is restored to mental competency in the opinion of the superintendent of said hospital, the superintendent shall certify such fact to the clerk of the court in which the indictment, information, or charge against the accused is pending and such certification shall be sufficient to authorize the court to enter an order thereon adjudicating him to be competent to stand trial, unless the accused or the Government objects, in which event the court, after hearing without a jury, shall make a judicial determination of the competency of the accused to stand trial.

"(f) If any person tried upon an indictment or information for an offense is acquitted on the ground of mental disease or defect excluding responsibility, the court shall order such person to be confined in a hospital for the mentally ill whether or not such person relied in such trial on the defense of mental disease or defect excluding responsibility.

"(g) In the case of any person who has been confined in a hospital for the mentally ill pursuant to subsection (f) of this section, if (1) the superintendent of such hospital certifies that (A) such person has recovered his sanity, (B) in the opinion of the superintendent, such person will not in the reasonable future be dangerous to himself or others, and (C) in the opinion of the superintendent, the person is entitled to his unconditional release from such hospital, and (2) such certificate is filed with the clerk of the court in which the person was tried, and a copy thereof served on the United States Attorney or the Corporation Counsel of the District of Columbia, whichever office prosecuted the accused, such certificate shall be sufficient to authorize the court to order the unconditional release of the person so confined from further hospitalization at the expiration of fifteen days from the time such certificate was so filed and served; but the court in its discretion may, or upon objection of the United States or the District of Columbia shall, after due notice, hold a hearing at which evidence as to the mental condition of the person so confined may be submitted, including the testimony of one or more psychiatrists from such hospital. The court shall weigh the evidence and, if the court finds that such person has recovered his sanity and will not in the reasonable future be dangerous to himself or others, the court shall order such person unconditionally released from further confinement in such hospital. If the court does not so find, the court shall order such person returned to such hospital. Where, in the judgment of the superintendent of such hospital, a person confined under subsection (f) above is not in such condition as to warrant his unconditional release, but is in a condition to be conditionally released under supervision, and such certificate is filed and served as above provided, such certificate shall be sufficient to authorize the court to order the release of such person under such conditions as the court shall see fit at the expiration of fifteen days from the time such certificate is filed and served pursuant to this section. The provisions as to hearing prior to unconditional release shall also apply to conditional releases, and, if, after a hearing and weighing the evidence, the court shall find that the condition of such person warrants his conditional release, the court shall order his release under such conditions as the court shall see fit, or, if the court does not so find, the court shall order such person returned to such hospital.

"(h) If an accused person is acquitted solely on the ground of mental disease or defect excluding responsibility and ordered confined in a hospital for the mentally ill, such person and his estate shall be charged with the expense of his support in such hospital.

"(i) Nothing herein contained shall preclude a person confined under the authority of this section from establishing his eligibility for release under the provisions of this section by a writ of habeas corpus.

"(j) The jury shall not be told by the court or counsel for the Government or the defendant at any time regarding the consequences of a verdict of not quilty or acquittal on the ground of mental disease or defect excluding responsibility.

"(k) The provisions of subsections (d) through (i) of this section shall supersede in the District of Columbia the provisions of any Federal statutes or parts thereof inconsistent with the section.

"(l) This section shall apply only to proceedings brought by information or indictment in the United States District Court for the District of Columbia and the District of Columbia Court of General Sessions and, except for the provisions of subsections (a), (b), and (c), to proceedings brought in the Juvenile Court of the District of Columbia."

SEC. 202. Nothing contained in the amendment made by section 201 of this title shall be deemed to alter, amend, or repeal section 928 or section 929 of the Act of March 3, 1901 (D.C. Code, secs. 24–302, 24–303), or the Act entitled "An Act relating to the testimony of physicians in the courts of the District of Columbia", received by the President May 13, 1896 (D.C. Code, sec. 14–308).

TITLE III

SEC. 301. (a) An officer or member of the Metropolitan Police force of the District of Columbia may arrest or detain any person abroad whom he has probable cause to believe is committing or has committed a crime, and may demand of him his name, address, business abroad, and whither he is going.

(b) Any person so questioned who fails to identify himself and explain his action to the satisfaction of the officer or member (as the case may be) may be further interrogated with respect to any matter for a period not to exceed four hours. In the case of a person detained under this section, such detention shall not be recorded as an arrest in any official record. At the end of such detention the person so detained shall be released or be arrested and charged with a crime.

TITLE IV

SEC. 401. Section 862 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22–703), is amended to read as follows:

"SEC. 862. (a) Whoever corruptly, by threats of force, endeavors to influence, intimidate, or impede any juror, witness, or officer in any court in the District in the discharge of his duties, or, by threats or force, in any other way obstructs or impedes or endeavors to obstruct or impede the due administration of justice therein, or whoever willfully endeavors by means of bribery, misrepresentation, intimidation, or force or threats of force, to obstruct, delay, or prevent the communication to an investigator of the District of Columbia government by any person of information relating to a violation of any criminal statute in effect in the District of Columbia, or injuries any person or his property on account of the giving by such person or by any other person of such information to any such investigator in the course of the conduct of any criminal investigation, shall be fined not more than $1,000 or be imprisoned not more than three years, or both.

"(b) As used in this section, the term 'criminal investigation' means an investigation relating to a violation of any criminal statute in effect in the District of Columbia, and the term 'investigator' means an individual duly authorized by the Commissioners or their designated agent to conduct or engage in such an investigation."

TITLE V

SEC. 501. The definition of "crime of violence" contained in section 1 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (D.C. Code, sec. 22–3201), is amended by inserting immediately after "burglary," the following: "robbery,".

TITLE VI

SEC. 601. Section 803 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22–501), is amended by inserting immediately after "for not" the following: "less than two years or".

SEC. 602. Section 823 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22–1801), is amended to read as follows:

"SEC. 823. BURGLARY.—(a) Whoever shall, either in the nighttime or in the daytime, break and enter, or enter without breaking, any dwelling, or room used as a sleeping apartment in any building, with intent to break or carry away any part thereof, or any fixture or other thing attached to or connected thereto or to commit any criminal offense shall, if any person is in any part of such dwelling or sleeping apartment at the time of such breaking and entering, or entering without breaking, be guilty of burglary in the first degree. Burglary in the first degree shall be punished by imprisonment for not less than five years nor more than thirty years.

"(b) Except as provided in subsection (a) of this section, whoever shall, either in the night or in the daytime, break and enter, or enter without breaking, any dwelling, bank, store, warehouse, shop, stable, or other building or any apartment or room, whether at the time occupied or not, or any steamboat, canalboat, vessel, or other watercraft, or railroad car or any yard where any lumber, coal, or other goods or chattels are deposited and kept for the purpose of trade, with intent to break and carry away any part thereof or any fixture or other thing attached to or connected with the same, or to commit any criminal offense, shall be guilty of burglary in the second degree. Burglary in the second degree shall be punished by imprisonment for not less than two years nor more than fifteen years."

SEC. 603. Section 810 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22–2901), is amended by striking out "six months" and inserting in lieu thereof "four years".

SEC. 604. Section 869e of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, Sec. 22–1513), is amended by adding the following new subsection at the end thereof:

"(f) Nothing in this section shall be construed to prohibit the giving or offering of any bonus or extra compensation to any manager, coach, or professional player, or to any league, association, or conference for the purpose of encouraging such manager, coach, or player to a higher degree of skill, ability, or diligence in the performance of his duties."

Sec. 605. Section 2 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (D.C. Code, sec. 22–3202), is amended to read as follows:

"Sec. 2. If any person shall commit a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, he may in addition to the punishment provided for the crime be punished by imprisonment for an indeterminate number of years up to life as determined by the court. If a person is convicted more than once of having committed a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapons, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, then, notwithstanding any other provision of law, the court shall not suspend his sentence or give him a probationary sentence."

Sec. 606. Section 872 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec 22–2001), is amended to read as follows:

"Sec. 872. Obscenity.—(a) (1) It shall be unlawful in the District of Columbia for a person knowingly—

"(A) to sell, deliver, distribute, or provide, or offer or agree to sell, deliver, distribute, or provide any obscene, indecent, or filthy writing, picture, sound recording, or other article or representation;

"(B) to present, direct, act in, or otherwise participate in the preparation or presentation of, any obscene, indecent, or filthy play, dance, motion picture, or other performance;

"(C) to pose for, model for, print, record, compose, edit, write, publish, or otherwise participate in preparing for publication, exhibition, or sale, any obscene, indecent, or filthy writing, picture, sound recording, or other article or representation;

"(D) to sell, deliver, distribute, or provide, or offer or agree to sell, deliver, distribute or provide any article, thing, or device which is intended for or represented as being for indecent or immoral use;

"(E) to create, buy, procure, or possess any matter described in the preceding subparagraphs of this paragraph with intent to disseminate such matter in violation of this subsection;

"(F) to advertise or otherwise promote the sale of any matter described in the preceding subparagraphs of this paragraph; or

"(G) to advertise or otherwise promote the sale of material represented or held out by such person to be obscene.

"(2) (A) For purposes of subparagraph (E) of paragraph (1) of this subsection, the creation, purchase, procurement, or possession of a mold, engraved plate, or other embodiment of obscenity specially adapted for reproducing multiple copies or the possession of more than three copies, of obscene, indecent, or filthy material shall be prima facie evidence of an intent to disseminate such material in violation of this subsection.

"(B) For purposes of paragraph (1) of this subsection, the term 'knowingly' means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry of, the character and content of any article, thing, device, performance, or representation described in paragraph (1) of this subsection which is reasonably susceptible of examination.

"(3) When any person is convicted of a violation of this subsection, the court in its judgment of conviction may, in addition to the penalty prescribed, order the confiscation and disposal of any materials described in paragraph (1), which were named in the charge against such person and which were found in the possession or under the control of such person at the time of his arrest.

"(b) (1) It shall be unlawful in the District of Columbia for any person knowingly—

"(A) to sell, deliver, distribute, or provide, or offer or agree to sell, deliver, distribute, or provide, to a minor—

"(i) any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body, which depicts nudity, sexual conduct, or sado-masochistic abuse and which taken as a whole is patently offensive because it affronts prevailing standards in the adult community as a whole with respect to what is suitable material for minors; or

"(ii) any book, magazine, or other printed matter however reproduced or sound recording, which depicts nudity, sexual conduct, or sado-masochistic abuse or which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sado-masochistic abuse and which taken as a whole is patently offensive because it affronts prevailing standards in the adult community as a whole with respect to what is suitable material for minors; or

"(B) to exhibit to a minor, or to sell or provide to a minor an admission ticket to, or pass to, or to admit a minor to, premises whereon there is exhibited, a motion picture, show, or other presentation which, in whole or in part, depicts nudity, sexual conduct, or sado-masochistic abuse and which taken as a whole is patently offensive because it affronts prevailing standards in the adult community as a whole with respect to what is suitable material for minors;

unless such person made a reasonable bona fide attempt to ascertain the true age of such minor.

"(2) For purposes of paragraph (1) of this subsection:

"(A) The term 'minor' means any person under the age of seventeen years.

"(B) The term 'nudity' includes the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state;

"(C) The term 'sexual conduct' includes act of sodomy, masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person be a female, breast.

"(D) the term 'sexual excitement' includes the condition of human male or female genitals when in a state of sexual stimulation or arousal.

"(E) The term 'sado-masochistic abuse' includes flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound, or otherwise physically retained on the part of one so clothed.

"(F) The term 'knowingly' means having a general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry or both of—

"(i) the character and content of any material described in paragraph (1) of this subsection which is reasonably susceptible of examination by the defendant; and

"(ii) the age of the minor.

"(c) It shall be an affirmative defense to a charge of violating subsection (a) or (b) of this section that the dissemination was to institutions or individuals having scientific, educational, or other special justification for possession of such material.

"(d) A person convicted of violating subsection (a) or (b) of this section shall for the first offense be fined not more than $3,000 or imprisoned not more than one year, or both. A person convicted of a second or subsequent offense under subsection (a) or (b) of this section shall be fined not less than $1,000 nor more than $5,000 or imprisoned not less than six months or more than three years, or both."

Sec. 607. Section 825a of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22–3105), is amended by striking out "or by imprisonment not exceeding ten years." and inserting in lieu thereof the following: "and by imprisonment for not less than four years or more than ten years.".

Sec. 608. Whoever shall make or cause to be made to the Metropolitan Police force of the District of Columbia, or to any officer or member thereof, a false or fictitious report of the commission of any criminal offense within the District of Columbia, or a false or fictitious report of any other matter or occurrence of which such Metropolitan Police force is required to receive reports, or in connection with which such Metropolitan Police force is required to conduct an investigation, knowing such report to be false or fictitious; or who shall communicate or cause to be communicated to such Metropolitan Police force, or any officer or member thereof, any false information concerning the commission of any criminal offense within the District of Columbia or concerning any other matter or occurrence of which such Metropolitan Police force is required to receive reports, or in connection with which such Metropolitan Police force is required to conduct an investigation, knowing such information to be false, shall be punished by a fine of not exceeding $300 or by imprisonment not exceeding thirty days.

TITLE VII

Sec. 701. Section 10 of the Act of March 3, 1933 (D.C. Code, sec. 23–610), is amended by inserting "(a)" immediately after "Sec. 10.", and by adding the following new subsections:

"(b) An officer or member of the Metropolitan Police force who, in accordance with section 397 of the Revised Statutes of the United States, relating to the District of Columbia, arrests without a warrant a person for committing a misdemeanor may, instead of taking him into custody, issue a citation requiring such person to appear before an official of the Metropolitan Police force designated under subsection (a) of this section to act as a clerk of the District of Columbia Court of General Sessions.

"(c) Whenever a person is arrested without a warrant for committing a misdemeanor and is booked and processed pursuant to law, an official of the Metropolitan Police force designated under subsection (a) of this section to act as a clerk of the District of Columbia Court of General Sessions may issue a citation to him for an appearance in court or at some other designated place, and release him from custody.

"(d) No citation may be issued under subsection (b) or (c) of this section unless the person authorized to issue the citation court to commit by order the accused to a hospital for the mentally ill unless the accused or the Government objects, in which event, the court, after hearing without a jury, shall make a judicial determination of the mental condition of the accused. If the court shall find the accused to be then mentally incompetent to stand trial, the court shall order the accused confined to a hospital for the mentally ill subject to the provisions of subsection (e) of this section. If the court shall find the accused to be then competent to stand trial, but of unsound mind, the court shall order the accused confined to a hospital for the mentally ill pending trial.

"(3) For purposes of this subsection, a person of unsound mind is a person who is mentally ill and is likely by reason of such illness to cause injury to himself or others.

"(e) Whenever an accused person confined to a hospital for the mentally ill is restored to mental competency in the opinion of the superintendent of said hospital, the superintendent shall certify such fact to the clerk of the court in which the indictment, information, or charge against the accused is pending and such certification shall be sufficient to authorize the court to enter an order thereon adjudicating him to be competent to stand trial, unless the accused or the Government objects, in which event the court, after hearing without a jury, shall make a judicial determination of the competency of the accused to stand trial.

"(f) If any person tried upon an indictment or information for an offense is acquitted on the ground of mental disease or defect excluding responsibility, the court shall order such person to be confined in a hospital for the mentally ill whether or not such person relied in such trial on the defense of mental disease or defect excluding responsibility.

"(g) In the case of any person who has been confined in a hospital for the mentally ill pursuant to subsection (f) of this section, if (1) the superintendent of such hospital certifies that (A) such person has recovered his sanity, (B) in the opinion of the superintendent, such person will not in the reasonable future be dangerous to himself or others, and (C) in the opinion of the superintendent, the person is entitled to his unconditional release from such hospital, and (2) such certificate is filed with the clerk of the court in which the person was tried, and a copy thereof served on the United States Attorney or the Corporation Counsel of the District of Columbia, whichever office prosecuted the accused, such certificate shall be sufficient to authorize the court to order the unconditional release of the person so confined from further hospitalization at the expiration of fifteen days from the time such certificate was so filed and served; but the court in its discretion may, or upon objection of the United States or the District of Columbia shall, after due notice, hold a hearing at which evidence as to the mental condition of the person so confined may be submitted, including the testimony of one or more psychiatrists from such hospital. The court shall weigh the evidence and, if the court finds that such person has recovered his sanity and will not in the reasonable future be dangerous to himself or others, the court shall order such person unconditionally released from further confinement in such hospital. If the court does not so find, the court shall order such person returned to such hospital. Where, in the judgment of the superintendent of such hospital, a person confined under subsection (f) above is not in such condition as to warrant his unconditional release, but is in a condition to be conditionally released under supervision, and such certificate is filed and served as above provided, such certificate shall be sufficient to authorize the court to order the release of such person under such conditions as the court shall see fit at the expiration of fifteen days from the time such certificate is filed and served pursuant to this section. The provisions as to hearing prior to unconditional release shall also apply to conditional releases, and, if, after a hearing and weighing the evidence, the court shall find that the condition of such person warrants his conditional release, the court shall order his release under such conditions as the court shall see fit, or, if the court does not so find, the court shall order such person returned to such hospital.

"(h) If an accused person is acquitted solely on the ground of mental disease or defect excluding responsibility and ordered confined in a hospital for the mentally ill, such person and his estate shall be charged with the expense of his support in such hospital.

"(i) Nothing herein contained shall preclude a person confined under the authority of this section from establishing his eligibility for release under the provisions of this section by a writ of habeas corpus.

"(j) The jury shall not be told by the court or counsel for the Government or the defendant at any time regarding the consequences of a verdict of not guilty or acquittal on the ground of mental disease or defect excluding responsibility.

"(k) The provisions of subsections (d) through (i) of this section shall supersede in the District of Columbia the provisions of any Federal statutes or parts thereof inconsistent with the section.

"(l) This section shall apply only to proceedings brought by information or indictment in the United States District Court for the District of Columbia and the District of Columbia Court of General Sessions and, except for the provisions of subsections (a), (b), and (c), to proceedings brought in the Juvenile Court of the District of Columbia."

SEC. 202. Nothing contained in the amendment made by section 201 of this title shall be deemed to alter, amend, or repeal section 928 or section 929 of the Act of March 3, 1901 (D.C. Code, secs. 24-302, 24-303), or the Act entitled "An Act relating to the testimony of physicians in the courts of the District of Columbia", received by the President May 13, 1896 (D.C. Code, sec. 14-308).

TITLE III

SEC. 301. (a) An officer or member of the Metropolitan Police force of the District of Columbia may arrest or detain any person abroad whom he has probable cause to believe is committing or has committed a crime, and may demand of him his name, address, business abroad, and whither he is going.

(b) Any person so questioned who fails to identify himself and explain his action to the satisfaction of the officer or member (as the case may be) may be further interrogated with respect to any matter for a period not to exceed four hours. In the case of a person detained under this section, such detention shall not be recorded as an arrest in any official record. At the end of such detention the person so detained shall be released or be arrested and charged with a crime.

TITLE IV

SEC. 401. Section 862 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22-703), is amended to read as follows:

"SEC. 862. (a) Whoever corruptly, by threats of force, endeavors to influence, intimidate, or impede any juror, witness, or officer in any court in the District in the discharge of his duties, or, by threats or force, in any other way obstructs or impedes or endeavors to obstruct or impede the due administration of justice therein, or whoever willfully endeavors by means of bribery, misrepresentation, intimidation, or force or threats of force, to obstruct, delay, or prevent the communication to an investigator of the District of Columbia government by any person of information relating to a violation of any criminal statute in effect in the District of Columbia, or injuries any person or his property on account of the giving by such person or by any other person of such information to any such investigator in the course of the conduct of any criminal investigation, shall be fined not more than $1,000 or be imprisoned not more than three years, or both.

"(b) As used in this section, the term 'criminal investigation' means an investigation relating to a violation of any criminal statute in effect in the District of Columbia, and the term 'investigator' means an individual duly authorized by the Commissioners or their designated agent to conduct or engage in such an investigation."

TITLE V

SEC. 501. The definition of "crime of violence" contained in section 1 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (D.C. Code, sec. 22-3201), is amended by inserting immediately after "burglary," the following: "robbery,".

TITLE VI

SEC. 601. Section 803 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22-501), is amended by inserting immediately after "for not" the following: "less than two years or".

SEC. 602. Section 823 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22-1801), is amended to read as follows:

"SEC. 823. BURGLARY.—(a) Whoever shall, either in the nighttime or in the daytime, break and enter, or enter without breaking, any dwelling, or room used as a sleeping apartment in any building, with intent to break or carry away any part thereof, or any fixture or other thing attached to or connected thereto or to commit any criminal offense shall, if any person is in any part of such dwelling or sleeping apartment at the time of such breaking and entering, or entering without breaking, be guilty of burglary in the first degree. Burglary in the first degree shall be punished by imprisonment for not less than five years nor more than thirty years.

"(b) Except as provided in subsection (a) of this section, whoever shall, either in the night or in the daytime, break and enter, or enter without breaking, any dwelling, bank, store, warehouse, shop, stable, or other building or any apartment or room, whether at the time occupied or not, or any steamboat, canalboat, vessel, or other watercraft, or railroad car or any yard where any lumber, coal, or other goods or chattels are deposited and kept for the purpose of trade, with intent to break and carry away any part thereof or any fixture or other thing attached to or connected with the same, or to commit any criminal offense, shall be guilty of burglary in the second degree. Burglary in the second degree shall be punished by imprisonment for not less than two years nor more than fifteen years."

SEC. 603. Section 810 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22-2901), is amended by striking out "six months" and inserting in lieu thereof "four years".

SEC. 604. Section 869e of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, Sec. 22-1513), is amended by adding the following new subsection at the end thereof:

"(f) Nothing in this section shall be construed to prohibit the giving or offering of any bonus or extra compensation to any manager, coach, or professional player, or to any league, association, or conference for the purpose of encouraging such manager, coach, or player to a higher degree of skill, ability, or diligence in the performance of his duties."

SEC. 605. Section 2 of the Act entitled "An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes", approved July 8, 1932 (D.C. Code, sec. 22–3202), is amended to read as follows:

"SEC. 2. If any person shall commit a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, he may in addition to the punishment provided for the crime be punished by imprisonment for an indeterminate number of years up to life as determined by the court. If a person is convicted more than once of having committed a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapons, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, then, notwithstanding any other provision of law, the court shall not suspend his sentence or give him a probationary sentence."

SEC. 606. Section 872 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec 22–2001), is amended to read as follows:

"SEC. 872. OBSCENITY.—(a) (1) It shall be unlawful in the District of Columbia for a person knowingly—

"(A) to sell, deliver, distribute, or provide, or offer or agree to sell, deliver, distribute, or provide any obscene, indecent, or filthy writing, picture, sound recording, or other article or representation;

"(B) to present, direct, act in, or otherwise participate in the preparation or presentation of, any obscene, indecent, or filthy play, dance, motion picture, or other performance;

"(C) to pose for, model for, print, record, compose, edit, write, publish, or otherwise participate in preparing for publication, exhibition, or sale, any obscene, indecent, or filthy writing, picture, sound recording, or other article or representation;

"(D) to sell, deliver, distribute, or provide, or offer or agree to sell, deliver, distribute or provide any article, thing, or device which is intended for or represented as being for indecent or immoral use;

"(E) to create, buy, procure, or possess any matter described in the preceding subparagraphs of this paragraph with intent to disseminate such matter in violation of this subsection;

"(F) to advertise or otherwise promote the sale of any matter described in the preceding subparagraphs of this paragraph; or

"(G) to advertise or otherwise promote the sale of material represented or held out by such person to be obscene.

"(2) (A) For purposes of subparagraph (E) of paragraph (1) of this subsection, the creation, purchase, procurement, or possession of a mold, engraved plate, or other embodiment of obscenity specially adapted for reproducing multiple copies or the possession of more than three copies, of obscene, indecent, or filthy material shall be prima facie evidence of an intent to disseminate such material in violation of this subsection.

"(B) For purposes of paragraph (1) of this subsection, the term 'knowingly' means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry of, the character and content of any article, thing, device, performance, or representation described in paragraph (1) of this subsection which is reasonably susceptible of examination.

"(3) When any person is convicted of a violation of this subsection, the court in its judgment of conviction may, in addition to the penalty prescribed, order the confiscation and disposal of any materials described in paragraph (1), which were named in the charge against such person and which were found in the possession or under the control of such person at the time of his arrest.

"(b) (1) It shall be unlawful in the District of Columbia for any person knowingly—

"(A) to sell, deliver, distribute, or provide, or offer or agree to sell, deliver, distribute, or provide, to a minor—

"(i) any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body, which depicts nudity, sexual conduct, or sado-masochistic abuse and which taken as a whole is patently offensive because it affronts prevailing standards in the adult community as a whole with respect to what is suitable material for minors; or

"(ii) any book, magazine, or other printed matter however reproduced or sound recording, which depicts nudity, sexual conduct, or sado-masochistic abuse or which contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, or sado-masochistic abuse and which taken as a whole is patently offensive because it affronts prevailing standards in the adult community as a whole with respect to what is suitable material for minors; or

"(B) to exhibit to a minor, or to sell or provide to a minor an admission ticket to, or pass to, or to admit a minor to, premises whereon there is exhibited, a motion picture, show, or other presentation which, in whole or in part, depicts nudity, sexual conduct, or sado-masochistic abuse and which taken as a whole is patently offensive because it affronts prevailing standards in the adult community as a whole with respect to what is suitable material for minors;

unless such person made a reasonable bona fide attempt to ascertain the true age of such minor.

"(2) For purposes of paragraph (1) of this subsection:

"(A) The term 'minor' means any person under the age of seventeen years.

"(B) The term 'nudity' includes the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state;

"(C) The term 'sexual conduct' includes act of sodomy, masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if such person be a female, breast.

"(D) the term 'sexual excitement' includes the condition of human male or female genitals when in a state of sexual stimulation or arousal.

"(E) The term 'sado-masochistic abuse' includes flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound, or otherwise physically retained on the part of one so clothed.

"(F) The term 'knowingly' means having a general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry or both of—

"(i) the character and content of any material described in paragraph (1) of this subsection which is reasonably susceptible of examination by the defendant; and

"(ii) the age of the minor.

"(c) It shall be an affirmative defense to a charge of violating subsection (a) or (b) of this section that the dissemination was to institutions or individuals having scientific, educational, or other special justification for possession of such material.

"(d) A person convicted of violating subsection (a) or (b) of this section shall for the first offense be fined not more than $3,000 or imprisoned not more than one year, or both. A person convicted of a second or subsequent offense under subsection (a) or (b) of this section shall be fined not less than $1,000 nor more than $5,000 or imprisoned not less than six months or more than three years, or both."

SEC. 607. Section 825a of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 22–3105), is amended by striking out "or by imprisonment not exceeding ten years." and inserting in lieu thereof the following: "and by imprisonment for not less than four years or more than ten years.".

SEC. 608. Whoever shall make or cause to be made to the Metropolitan Police force of the District of Columbia, or to any officer or member thereof, a false or fictitious report of the commission of any criminal offense within the District of Columbia, or a false or fictitious report of any other matter or occurrence of which such Metropolitan Police force is required to receive reports, or in connection with which such Metropolitan Police force is required to conduct an investigation, knowing such report to be false or fictitious; or who shall communicate or cause to be communicated to such Metropolitan Police force, or any officer or member thereof, any false information concerning the commission of any criminal offense within the District of Columbia or concerning any other matter or occurrence of which such Metropolitan Police force is required to receive reports, or in connection with which such Metropolitan Police force is required to conduct an investigation, knowing such information to be false, shall be punished by a fine of not exceeding $300 or by imprisonment not exceeding thirty days.

TITLE VII

SEC. 701. Section 10 of the Act of March 3, 1933 (D.C. Code, sec. 23–610), is amended by inserting "(a)" immediately after "SEC. 10.", and by adding the following new subsections:

"(b) An officer or member of the Metropolitan Police force who, in accordance with section 397 of the Revised Statutes of the United States, relating to the District of Columbia, arrests without a warrant a person for committing a misdemeanor may, instead of taking him into custody, issue a citation requiring such person to appear before an official of the Metropolitan Police force designated under subsection (a) of this section to act as a clerk of the District of Columbia Court of General Sessions.

"(c) Whenever a person is arrested without a warrant for committing a misdemeanor and is booked and processed pursuant to law, an official of the Metropolitan Police force designated under subsection (a) of this section to act as a clerk of the District of Columbia Court of General Sessions may issue a citation to him for an appearance in court or at some other designated place, and release him from custody.

"(d) No citation may be issued under subsection (b) or (c) of this section unless the person authorized to issue the citation has reason to believe that the arrested person will not cause injury to persons or damage to property or that he will make an appearance in answer to the citation.

"(e) Whoever willfully fails to appear as required in a citation, shall be fined not more than the maximum provided for the misdemeanor for which such citation was issued or imprisoned for not more than one year, or both. Prosecution under this subsection shall be by the prosecuting officer responsible for prosecuting the offense for which the citation is issued."

Sec. 702. (a) Section 2 of the Act entitled "An Act to establish the District of Columbia Bail Agency, and for other purposes" approved July 26, 1966 (80 Stat. 327) is to read as follows:

"Sec. 2. There is hereby created for the District of Columbia the District of Columbia Bail Agency (hereinafter referred to as the 'agency') which shall secure pertinent data and provide for any judicial officer in the District of Columbia or any officer or member of the Metropolitan Police force issuing citations, reports containing verified information concerning any individual with respect to whom a bail or citation determination is to be made."

(b)(1) Section 4 of such Act is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and by inserting the following new subsection after subsection (c):

"(d) The agency, when requested by a member or officer of the Metropolitan Police force acting pursuant to court rules governing the issuance of citations in the District of Columbia, shall furnish to such member or officer a report as provided in subsection (a)."

(2) The second sentence of subsection (f) of such section 4 (as so redesignated by paragraph (1) of this subsection) is amended by inserting ", including requiring the execution of a bail bond with sufficient solvent sureties," immediately after "such conditions".

TITLE VIII

Sec. 801. (a) The Commissioners of the District of Columbia or their designated representatives are hereby authorized to supervise persons released into their custody in accordance with judicial orders issued pursuant to section 3146 or 3148 of title 18, United States Code.

(b) Notwithstanding the provisions of section 4(c) of the Act of July 26, 1966, the District of Columbia Bail Agency is authorized to provide reports to the Commissioners of the District of Columbia or their designated representatives with respect to any person released into their custody pursuant to section 3146 or 3148 of title 18, United States Code. The report so furnished shall be used only in connection with the supervision of released persons.

Sec. 802. (a) Section 5024 of title 18, United States Code, is amended by striking out ", and to youth offenders convicted in the District of Columbia of offenses under any law of the United States not applicable exclusively to such District and to other youth offenders convicted in the District to the extent authorized under section 5025." and inserting in lieu thereof the following: "and in the District of Columbia."

(b) Section 5025 of such title is amended to read as follows:

"§ 5025. Applicability to the District of Columbia

"(a) The Board of Commissioners of the District of Columbia is authorized to provide its own facilities and personnel for the treatment and rehabilitation of youth offenders convicted of any law of the United States applicable exclusively to the District of Columbia or to contract with the Director of the Bureau of Prisons for their treatment and rehabilitation, the cost of which may be paid from the appropriation for the District of Columbia.

"(b) When facilities of the District of Columbia are utilized by the Attorney General for the treatment and rehabilitation of youth offenders convicted of violations of laws of the United States not applicable exclusively to the District of Columbia, the cost shall be paid from the 'Appropriation for Support of United States Prisoners'.

"(c) All youth offenders committed to institutions of the District of Columbia shall be under the supervision of the Board of Commissioners of the District of Columbia, and the Board shall provide for their maintenance, treatment, rehabilitation, supervision, conditional release, and discharge in conformity with the objectives of this chapter."

(c) The table of sections of chapter 402 of such title is amended by striking out the item relating to section 5025 and inserting in lieu thereof the following:

"§ 5025. Applicability to the District of Columbia."

Sec. 803. Section 4122 of title 18, United States Code, is amended—

(1) by inserting in subsection (d) "(1)" immediately after "(d)",

(2) by amending subsection (e) by striking out "(e)" and inserting in lieu thereof "(2)", and by striking out "subsection (d) of this section" and inserting in lieu thereof "paragraph (1) of this subsection", and

(3) by adding at the end the following new subsection:

"(e)(1) The provisions of this chapter shall apply to the industrial employment and training of prisoners confined in any penal or correctional institution under the direction of the Board of Commissioners of the District of Columbia to the extent and under terms and conditions agreed upon by the Board of Commissioners, the Attorney General, and the Board of Directors of Federal Prison Industries.

"(2) The Board of Commissioners of the District of Columbia may, without exchange of funds, transfer to the Federal Prison Industries any property or equipment suitable for use in performing the functions and duties covered by an agreement entered into under subsection (e)(1) of this section.

"(3) Nothing in this chapter shall be construed to affect the provisions of the Act approved October 3, 1964 (D.C. Code, sections 24-451 et seq.), entitled 'An Act to establish in the Treasury a correctional industries fund for the government of the District of Columbia, and for other purposes.'"

Sec. 804. (a) Section 15-714(a) of the District of Columbia Code is amended to read as follows:

"(a) The fees and travel allowances to be paid any witness attending in a criminal case in the District of Columbia Court of General Sessions shall be the same as those paid to witnesses who attend before the United States District Court for the District of Columbia."

(b) Section 15-716 of the District of Columbia Code is amended by striking "not exceeding $500 at any one time,".

TITLE IX

Sec. 901. Whoever, prior to the date of enactment of this Act, commits any act or engages in any conduct which constitutes an offense under provision of law amended by this Act, shall be sentenced in accordance with the law in effect on the date he commits such acts or engages in such conduct.

Sec. 902. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction or control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

Sec. 903. If any provision of or any amendment made by this Act or the application thereof to any person or circumstance is held invalid, the other provisions of or other amendments made by this Act and the application of such provisions and amendments to other persons or circumstances shall not be affected thereby.

With the following committee amendments:

Page 11, line 19, strike out "investigation." and insert "investigation.'".

Page 18, line 21, strike out the semicolon and all that follows down to, but not including, the period in line 23.

Page 19, line 18, strike out "undergarments," and insert "undergarments or".

Page 25, line 11, insert "violations of" after "convicted of".

The committee amendments were agreed to.

Mr. ADAMS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

(By unanimous consent, Mr. ADAMS was allowed to proceed for 5 additional minutes.)

Mr. ADAMS. Mr. Speaker, I support legislation dealing with the crime problem in Washington, D.C., and many sections of the bill before us I wholeheartedly endorse. There are certain other sections which should have additional work before enactment into law.

I want to express my appreciation to the gentleman from North Carolina [Mr. WHITENER] for his courtesy to me and to others on the subcommittee which prepared this bill. I was therefore surprised when the bill went from subcommittee through the full committee and was brought to the floor without consideration by the full committee of the bill. Memorandums were presented to the subcommittee and to the best of my ability I circulated these to members of the full committee regarding some of the remaining problems in the bill and some suggestions for additional provisions.

I would say to the committee that I am going to support this bill going to the other body with the hope that hearings and full consideration be given to it by that body. For this purpose a number of us have filed separate views to point out the difficulties remaining in the present proposal. If I believed there would be additional consideration in the District of Columbia Committee, I would vote against the bill or vote in favor of a recommittal motion, but the chairman and a majority of the committee have firmly indicated they do not want to consider the matter further, and none of us want to delay this legislation.

As a former U.S. district attorney and as a lawyer in private practice, I have spent a great portion of the last 10 years of my life working with the crime problem.

I want to sound a warning to those who believe the fault lies solely with the police departments or with the recent court decisions. These are a small part of the problem which really stems from a lack of public attention to the entire criminal law system for over 25 years. I am enclosing with these remarks a copy of a speech I made a month ago to the heads of the intelligence units of the metropolitan police departments of America, and included with that is a short, simple anticrime test which can be applied to most metropolitan communities. I hope my colleagues will examine this and ask questions based on it in their local communities.

Basically the problem is one of reorganizing and modernizing the police departments with new techniques—spending the money necessary to produce the police departments, court systems, probation, and correctional facilities—and producing enlightened effective executive action. Simply stated, this means the public should turn its attention and energy to this area, and if we spend anything like the time and attention on this problem that we do on others, we would soon reverse the present skyrocketing trends.

These are the immediate tactical efforts that must be made so that we can apply the long-range techniques which are the only real solution to the crime problem. This does not mean a simple statement that you can eliminate poverty or rebuild ghettos and crime will disappear. It means spending time, money, and effort on research to determine the catalyst that will turn a law-abiding citizen into criminal activity. We know, for example, that most modern criminal activity does not arise from an individual stealing to buy bread, but more generally is in the field of a man becoming completely frustrated with his existence. The man who through his family background, educational background, and yes, the color of his skin, has been placed in a position where he has no hope of meeting any of his legitimate expectations through the employment he can obtain and has no stake in the society in which he lives. He has no home, no family, no material possession, and therefore no motivation to maintain and be a part of the society around him. When this is coupled with an attempt to apply usual suburban police techniques, the result is a chasm between the people and the police department through no individual fault of either.

I will not go into detail on the specific objections we have to this legislation because these points are set forth in detail in the separate views contained in the report.

I do want to stress, however, that my comments and those of many others are based not just on personal knowledge or on the committee hearings, but on the monumental work that has been done in the last 18 months by the District of Columbia Crime Commission and the National Crime Commission. I am very disheartened that we in the House have not exercised our full judgment on this bill and on others which can be developed from the tremendous work that has been done on this problem in the District of Columbia.

I would just state briefly that I cannot see why a very simple pistol registration law should be objectionable to anyone, and as has been repeatedly stated, we would be most happy to consider amendments or changes if any portions of this seem to be inadequate or unduly oppressive.

One final comment on title III of this proposed bill. It may surprise the chairman and others, although it should not because I have repeatedly tried to make the point in subcommittee and elsewhere, that I favor a statute allowing and defining police questioning of suspects. There are presently statutes on the books in five States on this matter and I have grave doubts that the proposed title III is the type of model statute we want to draft for the District of Columbia. I have indicated to the subcommittee and I want to state to all of my colleagues that I would have no objection to changes in the Mallory rule to allow evidence obtained from limited questioning to be used if it were being excluded from a mere lapse of time under rule 5(a). I also believe that street questioning of suspects under suspicious circumstances is a vital tool for prevention of home and street crime, and a statute authorizing this type of questioning under the New York Code is presently pending before the Supreme Court. The separate views further comment on this section.

It has been the hope of many of us that we can develop in Washington, D.C., a model system of law enforcement. I believe this bill contains many sections to improve and update the criminal law system, but I am hopeful that it will not be considered as any sort of a solution but only that first step in a long journey. I plead with the members of the District of Columbia Committee and the whole House to not sit back and say we have passed a crime bill and now it is everyone else's fault if crime continues to rise in the District. For example, we should pass legislation which has been suggested by Congressman HAGAN and others to remove chronic alcoholics and narcotic offenders from the criminal law system to relieve needed manpower and to give humane treatment. We should consider legislation on pistols. We must obtain movement in the U.S. district court and the District of Columbia court of general sessions to remove the tremendous felony case backlog which in my opinion probably contributes to street crime in this area more than any other single factor.

There is no such thing as a tough as opposed to soft crime bill, nor hard as opposed to easy. The words to use are "effective" as opposed to "ineffective." Let us hope, my colleagues, that we will really concentrate on this problem which is rapidly becoming the most pressing domestic problem of our generation.

I include herewith an address I made before the intelligence units of the metropolitan police departments of the United States, on May 25:

COMBATING CRIME IN THE STREETS

(Address of Congressman BROCK ADAMS, to the intelligence units of the Metropolitan Police Departments of the United States)

It is a rare opportunity to have the heads of the intelligence units of most of our major police departments as a captive audience.

First let me say what I am not going to say. This speech is not going to be a regurgitation of tired cliches, damning the Supreme Court or damning the policeman. I have spent a great portion of the last ten years of my life working at various levels of our criminal law system. Today those of us on the District of Columbia Committee are drafting a comprehensive anticrime bill incorporating many of the suggestions I will make on local law enforcement. We are here today to attack America's most awesome domestic malady—violent crime in the homes and streets of our major cities.

I have made these recommendations available to you in shortened form as an appendix to this speech. I hope you will take this with you and pass it along to your Mayor, Chief of Police, or any other official who might find it helpful. If you want to leave the mailing address of any of these officials, I will be happy to mail them copies.

Before getting into the specifics of this attack on crime, I should put the recommendations which will follow into perspective. We cannot yet identify that crucial element which transforms the law-abiding man into a violent criminal in our central cities. We know the criminal statistically. We can put a profile on his age, his family background, and his economic status. We can in fact pile up a portfolio of data on the chronic offender. But we cannot identify that catalytic agent which turned him to crime in the first place.

We know that the violent criminal in the cities is younger than he used to be. We also know that violent crimes occur in our city ghettos more often than elsewhere and that a great percentage of our violent offenders come from ghettos. But, for example, it would not be true if we simply inferred that crime is *caused* by poverty. That answer is as simple as it is untrue.

It is imperative that we abandon the cliches of old and, instead, focus the research and development skills of America on the question of how to prevent crime. I am hopeful that concentrated study will turn up new ways to deter criminal activity. The youthful offender begins criminal activity, probably, because of a number of reasons made more complex by modern society:

A set of hopes and expectations are spread before him at a very young age, brought on by ever-improving communications, and especially television.

He finds out as he grows into adolescence that his ability to meet these expectations are severely limited by his family background, his inability to gain a good education, and, often, the color of his skin.

He becomes increasingly aware of the better lives his fellow citizens in the suburbs have. He is surrounded by wealth but does not share in it.

Whatever deters a man from committing a crime decreases as he begins to realize how little he has to lose if caught. If he does not have a job, owns no home, and has no stable family background, he will take a chance the more middle class citizen will not risk.

This may not be absolutely accurate but it indicates the necessity for learning what is truly happening in our central cities so we can provide true long-range solutions which will reduce the production of offenders in our central cities.

This is not, however, the topic of my speech today because we must first stop violent crime in the streets and homes of our major cities if our cities are to survive at all. Crime itself is the greatest problem in the debilitated central areas of our cities. We must roll back violent street crime so that permanent solutions can be pursued. If we do not stop crime in our streets and homes in our central cities, other improvements will be useless because these areas will become walled off from the rest of our society. Citizens are afraid to venture forth or invest their future in these areas of violent crime. Crime creates a wall as high and unsurmountable as one made of bricks and mortar. For example, in New York City last week a woman cab driver summed it up for me very well when she said, "I don't go into Harlem any more—two robberies on two trips are enough for me."

I. HOW TO ESCALATE THE WAR ON CRIME

The criminal law system in America's free society has four critical points: (1) police departments; (2) courts; (3) institutions for incarceration; and (4) probation and parole back into the community.

Attached to this speech is an appendix containing a simple set of test questions which can be directed toward any city's criminal law system to see if it is really functioning. I would suggest you take this test and apply it to your city. Make it available to your public officials and local media so that they can make their own applications of this test.

It is vital to stress that the criminal law system must be whole and complete from beginning to end like an electric light cord. If the cord is frayed and does not conduct at any one place, the entire system breaks down.

More than anything else I would like to emphasize to you today that praising or damning the police department and praising or damning the Supreme Court will not solve the crime problem. As you will see in my suggestions, the police department must be modernized. In turn, the Supreme Court must gain new faith in the procedures of a modernized police department so that police departments are not defensive and ossified in their criminal prevention techniques. Likewise, the courts should stop acting as administrators for the police departments. We need more—not less—contact between the courts and the police departments so that instead of competing they each realize they are parts of a great system: even-handed apprehension—fair determination of truth as to violation—enlightened disposition of the offender. All of this is done by the public in the public interest so that society can survive. When it breaks down, civilization falls and we have a jungle.

II. SPECIFIC STEPS

A. Police-street operations

The department must make a real effort to be involved in the community. It must adopt the new special techniques in community relations, in handling street crowds, in utilizing special tactical units to operate in hard-core neighborhoods, in improving radio communications between all units, from mobile units to the beat patrolman through store front police offices. Police must make their presence felt in these neighborhoods through the new techniques in apprehension, such as the use of nonlethal weapons and adoption of modern FBI interrogation techniques.

There should be better utilization of officer time by eliminating many of the social babysitting functions that presently burden the police, such as processing chronic drunks, nonsupport cases and other nonviolent social offenses. These sap a department's strength. If appearances in court are necessary they should be court scheduled to avoid tying up large numbers of officers for long periods of time. In Washington, D. C. a program is now developing for handling chronic drunks that can remove 40,000 cases a year from the police and court operations.

B. Police administrative operation and techniques

Hand in hand with the improvements on the street must come improvements in the office and in the supervisory ranks and central offices. Central dispatching and central communications must be improved. Traditional "kingdoms" in local precincts must be eliminated. The departments must use attorneys and administrative personnel on a day-to-day basis to communicate changes in the law and new techniques to the men in the field. Above all, there must be a change in the recruiting and promotional policies of the departments to bring in the best possible men at higher pay and with assurance of rapid promotion. In Washington, D. C. we have advocated a starting pay to policemen of $7,500 instead of $6,700. (The present starting pay is $300 less than for a bus driver.) We are advocating quicker promotions and large increases in total number of personnel. This does not require that anyone be fired but it provides an opportunity for the excellent professional lawman to be recruited and advanced and modernizes the department. Better contact with the community is gained by establishing new positions and by recruiting local boys. These men will work better in an area they know, and where they are known. They produce fairness, knowledge and feeling—particularly if minority groups are involved.

C. Juvenile courts

Each of us knows, and national statistics confirm, that the white hot point of violent crime is now beginning to center in the 13- to 25-year-old group, and the heavy emphasis there is on those between 13 and 18. The recent Supreme Court decision in *Gault v. Arizona* holds that juveniles who face incarceration must be accorded the same criminal law protections granted to adult offenders. This decision has two effects: (1) juveniles now have all the basic criminal law protections that adults have; and (2) chronic juvenile offenders should now suffer penalties heretofore reserved for adults. They should continue to be separated from the adult process, and protection from an early criminal record can be preserved, but simple-minded leniency because he is under 21 should be stopped. The juvenile courts, because of their secrecy and parental approach, have acted like swinging doors for chronic offenders. This must end. We should be lenient on the first offense, but we are doing society an injustice by excusing repeaters. For example, in a recent visit to the juvenile facilities at Laurel, Maryland, I found that of the eight girls being processed that day, all had been through the juvenile court at least twice, and all except two had been through the juvenile court between four and six times. The chronic juvenile offender must be treated as the chronic adult offender and removed from his environment in the interest of neighborhood survival.

D. Federal, State, or local prosecutors

Prosecutors are overloaded, have difficulty recruiting experienced help, are often isolated from the law enforcement groups they work with, and are required to try many cases in which no factual issue is involved. For example, in the office of the chief prosecutor in Washington, D.C., trial attorneys are presently carrying a daily caseload of 90 triable felony cases. This backlog in the office has now reached 900 pending felony cases, and each month this backlog grows to 40 cases. As a result, chronic offenders who have been released on money or personal recognizance bond are returned to their neighborhoods for five to seven months before trial. Another result of the backlog is that prosecutors reduce felony charges to misdemeanors so that the cases can be disposed. Some of these offenders should clearly be tried on felony charges, but they escape imprisonment because they are not considered as "dangerous" as others with pending court cases. On visiting the arraignment calendar in Washington a month ago, I personally observed one offender who had a prior record, was indicted for armed robbery, assault with a deadly weapon and burglary, leave the courtroom under a personal recognizance bond with a statement that "a trial date would be set later."

The results of this can be dramatically shown in the statistics of what happened in Washington, D.C. for fiscal year 1965: 25,000 felonies were reported; 6,000 arrests occurred; 3,800—no paper; 1,526—indicted; 981—convicted; 716—plea; 265—by trial—90% appeal—20% reversed.

E. Defense of the chronically accused and nonwealthy

Modern criminal law requires representation of every defendant. When this is left to the tiny number of available local criminal lawyers, or to the hastily-recruited, inexperienced, court-appointed noncriminal lawyers, the result in appalling. In some cases, lawyers drag cases on to trial because they'll get a higher fee. In others, green civil lawyers will demand an unnecessary trial because they feel guilt-bound to provide the offender, though guilty as sin, with a defense. The answer is a public defender system of experienced criminal trial lawyers for the indigent. This can produce more rational decisions as to whether a factual "issue" exists which must be tried.

F. The criminal courts

Criminal courts have long been the stepchild of the American judicial system. As a result they are understaffed and overloaded. The most common cliche about the courts, however, is not true—and that is that they are all overworked.

Cleveland has one of the worst big city criminal backlogs in the country with 1,049 criminal cases pending as of March 27th. The accused in jail wait eight to ten months to go to trial, and defendants out on bail can wait longer. Yet Cleveland closes down its courts for the entire month of August. Pittsburgh judges take two months off during the summer. Chicago, which has the biggest backlog in the country, has 114 new courtrooms, but on a typical day less than half of these courtrooms are in use. On my recent visit to the District Court in Washington, D.C., on a Friday, I found that the courts worked a four-day week. Fridays are reserved by most judges for motions, which take a couple morning hours at most.

Court administrators and the white light of publicity are needed so we will know what the true situation is in each court and can deal with it forthrightly.

G. Incarceration facilities

In this country, the term "correctional institution" is a misnomer. For the most part, American incarceration facilities are not designed to rehabilitate. Rather, they are holding-tanks where amateurs become professional criminals. The lack of correctional facilities is a glaring example of our neglect and misunderstanding of the problem. The Lorton, Maryland, men's reformatory is a classic example. Here the prisoner is under too much security for most and not enough for some. In such a restrictive atmosphere no rehabilitative process can take place. In contrast, the youth corrections center has a very adequate outer double fence arrangement but the men inside all move freely about except those who are a real security risk. As a result, maximum security people are under true restraint and others are under sufficient restraint so that escape is difficult while rehabilitation is possible.

We have not even scratched the surface in correctional programming. What can be done to remove offenders from the central core city into variable type restraint where the individual will be treated according to his risk to the community? We know it is absolutely necessary to remove convicted felons from their neighborhood environments for long periods of time; otherwise their repeated and unpunished crimes would have a cancerous effect on their community. This does not mean, however, that maximum security incarceration is the proper punishment. Punishment should be dealt out according to the crime and the relative possibility of rehabilitating the criminal. Punishments should run the gamut from work release programs, to minimum security camps, to medium security institutions, to maximum security institutions—these for hardened felons only.

H. Probation and parole

Probation and parole are also misnomers. In most of the country, probation and parole are really less expensive methods for handling offenders than maintaining them in institutions, and parole has become like a department store escalator which can only hold so many people. When somebody comes in at the bottom, somebody must get out at the top. This results in releasing many offenders who do not in fact belong back in the community. In addition, when parolees return to the community they receive little or no parole officer guidance. For example, the parole officers in the Washington, D.C. area carry as many as 300 cases and are unable to do more than interview each man once a month. This system has simply broken down. It will take time, money, and dedicated people to repair it.

I. Day-to-day prevention

The day-to-day prevention of crime translates into a heavy emphasis on police contact with the community. The officers in daily contact should be drawn from the community in which they will work. Community support is given in most areas because the community has a stake in good law enforcement. Community support is withdrawn in other areas because the community has no stake in bad law enforcement. Community support is obtained by deeds, not words, and a community, as we all know, must help police itself.

In Washington, D.C. the 14th Precinct is in a "hard" area but its relationship with the community is very good. Its roll room is used for community meetings. Its grounds have athletic facilities open to the public. It maintains reserves who are men living in the area. All of this is the work of a fine captain who made up his mind ten years ago that the police would be part of this community.

J. Long-range solutions

As I mentioned in my opening remarks, I believe an exhaustive study must be undertaken to determine the root causes of violent crime in our cities. As Henry David Thoreau once said:

"For the thousands who are hacking at the branches of evil, there is only one going to the roots."

We need to know motivations for crime because only if we know these will we know the deterrents to crime. And only then can we formulate techniques for breaking the criminal pattern once established. The first step, however, is to let everyone know that crime will not be tolerated in any part of our cities, rich or poor. The low-income neighborhood is a part of our civilized society, and we will not abandon it.

K. Conclusion

We in the federal government are not advocating a national police force. We realize that you are the vanguard, that the attack on crime must be carried out by you in your local departments. It is necessary, however, that the federal government provide national institutes for you where you can meet to exchange new ideas on law enforcement. It is also necessary that the federal government provide a clearinghouse for the promulgation of knowledge about criminal activity. It is also necessary, in my opinion, that we provide grants-in-aid to local police departments, as we do for other city agencies, and that we make available scholarships and money for those who want to pursue their profession of law enforcement. To this end I have introduced H.R. 9369, "Safe Streets and Crime Control Act of 1967,"—to assist local government by grants for law enforcement; H.R. 9368—to establish a National Institute of Criminal Justice; H.R. 9366—to provide assistance to students pursuing programs of higher eduction in law enforcement. On the local level in the District of Columbia, we are now finishing what I hope will be a good overall law enforcement bill.

I am one of a growing number of public officials who want you to know that we support you. All we ask in return is that you police your own departments and destroy the sacred cows of so-called traditional old-time law enforcement. In this day of vaulting crime rates, we cannot afford to use cliches, to protect old-time law enforcement, or to spend our time damning the Supreme Court. Everything else is going modern and our criminal law system must also.

Our greatest domestic challenge—yours as law officers and mine as a legislator—is to solve the grave crime problem within the boundaries acceptable to a free society. We can no longer afford the luxury of sitting idly by. We must act now to bring our police methods, our courts, our probation and parole system, and our prison systems into the 1970's so that our cities will achieve their goal of becoming a cultural, aesthetic and social haven for our citizens. The full flowering of the achievements of our free society and our industrial genius can then reach its fruition in the great cities of our country.

APPENDIX.—CONGRESSMAN BROCK ADAMS' ANTICRIME TEST

(There are ten major areas within the criminal law system which have a direct and casual relationship to crime rates. If any of these areas breaks down, the rest of the system must compensate, and if enough weakening occurs the crime rate will increase accordingly. If you can answer "yes" to each question below, your community is coming to grips with the crime problem. Negative answers indicate major areas which are allowing crime to grow in your community.)

I. POLICE-STREET OPERATIONS

Does your Metropolitan Police Department have an effective relationship with the hardcore, central city areas utilizing local area recruitment, specially trained men for crowd control, individual street-to-headquarters communications, and utilization of new pacification techniques such as nonlethal weapons?

II. POLICE ADMINISTRATIVE OPERATION AND TECHNIQUES

Does your Metropolitan Police Department pay adequate salaries to fill authorized vacancies and thereafter provide an opportuity for advanced education and rapid promotion to attract young men to the profession of police work from all strata of the community? Does your police system provide for access by the public to make complaints and does it provide day-to-day legal and administrative advice for the men in the department? Do department heads in your police force readily accept change when change means improvement?

III. JUVENILE COURTS

Is your court calendar current and does the court remove chronic juvenile offenders from the community for substantial periods of time?

IV. PROSECUTORS—DISTRICT ATTORNEYS

Are your prosecuting officials current and do they resist breaking down felonies to lesser charges? Do they spend time working closely with the Police Department to give help and advice on a day-to-day basis?

V. DEFENSE OF THE CHRONICALLY ACCUSED AND NONWEALTHY

Do you have a public defender system to defend indigents with adequately prepared and experienced criminal trial lawyers as opposed to an inadequately prepared criminal lawyer or drafted and inexperienced civil lawyer? (The unprepared or inexperienced lawyer will badly clog the criminal trial system and often produce an improper result.)

VI. THE CRIMINAL COURTS

Is your municipal and trial court calendar current and are dangerous felony suspects moved from apprehension to trial within 30 days? Are adequate sentences being given to chronic violent offenders?

VII. INCARCERATION FACILITIES

Are your institutions modern, providing both maximum and minimum security sections for a division of offenders? Do they provide an opportunity for rehabilitation programs, work release systems, and other alternatives which can separate offenders from society without placing them for long periods in maximum security?

VIII. PROBATION AND PAROLE

Are offenders being released at a proper time and when paroled, is proper supervision given them so the community is protected? Are prisoners paroled because they deserve it, not because of inadequate institutional space or because of a mechanical time formula which returns unsupervised felons to the central city prematurely?

IX. DAY-TO-DAY PREVENTION

Do you have a broadly-based citizens committee working with the police on central city problems, such as securing jobs for young people, publicizing shortcomings within the system, aiding parole officers, and forming block clubs to improve slum neighborhoods?

X. LONG-RANGE SOLUTIONS

Do you have a statewide planning group to update your criminal code, to study, and thereafter to advocate adequate police training programs and to work with the state and national governments in determining the root causes of crime in your specific crime "hot spots"?

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. As I was coming into work this morning I heard a radio account of this. I know those are not always full and complete, but the point made was that 4 hours was too long a time to hold an individual prior to arraignment.

As a former district attorney, I could not help but think that our police are people who do not want to hold anybody without cause. If they have cause, that is certainly not a long length of time.

I took the floor to mention that all the recommendations I have seen, including this bill, failed to point the finger where it has to be pointed, to the Supreme Court and the courts bound by it, and the Department of Justice.

We have tried every way in the world to find some outside reason for this wave of crime. Unless we give to our officers the right to hold somebody, with probable cause—and they have probable cause, or they would not hold them—and unless the courts put the general welfare of the public ahead of these newly found individual rights, this thing is going to get worse. When one reads that a bank has been robbed five times in 18 months in the District of Columbia, I believe it indicates we ought to study this matter to make the control stronger, if I may say so to my friend.

Mr. ADAMS. All right. I am glad that the gentleman as a former U.S. attorney took the floor on this, because, as a former U.S. district attorney, I have also had some recent experience in this field. One of the great problems, I want to point out to the gentleman from Mississippi, with title III is, if you examine the District of Columbia police regulations, this makes it more difficult for them to stop a man. The second point is with regard to the 4 hours that are involved. This 4-hour time period runs directly counter to the statutes passed for stop-and-frisk laws in New York, Delaware, New Hampshire, and Rhode Island, which we believe will be one of the ways to start proper questioning on the street. I agree with the gentleman and support a questioning section in the bill. My problems are set forth in the separate views. I will be most happy to give the gentleman the memorandum we supplied to the subcommittee showing this would have a detrimental effect on the proper interrogation rather than beneficial.

Mr. WHITTEN. I thank the gentleman, and I did interrupt him because I have the highest respect for his integrity, experience, and knowledge in these areas and I am glad to have his statement on it.

Mr. ADAMS. I would like to follow on with that and state that I addressed the Intelligence Units of the Metropolitan Police Departments of America less than 3 weeks ago on this point. One of the basic solutions we must proceed with is reorganizing and modernizing the police departments.

Mr. WYMAN. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. Let me finish on this point and I will be happy to yield.

Simply stated, what we are trying to bring to the attention of the House is that this bill is a small step in many ways. Public attention has to go to the whole spectrum. I appreciate the remarks of the gentleman from Iowa on the court system. One of the problems in Washington, D.C., at the present time is not the period of questioning as much as it is the fact that you have a 6- or 8-month waiting period before felons who have been previously convicted are brought in as suspects and have their case set for trial as a felony matter to appear before the court. It is a straight matter of calendar and time.

Mr. WYMAN. Will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from New Hampshire.

Mr. WYMAN. Did I understand the gentleman made reference to the State of New Hampshire as having passed an act recently that confused or repealed the so-called stop-and-frisk law?

Mr. ADAMS. No. There are five States that have a stop-and-frisk law. The particular sections that are involved—and I will call them to the gentleman's attention if he wants to look at them—are Massachusetts in section 98(a), Rhode Island chapter 7, New York section 180(a). I do not have the New Hampshire section with me.

Mr. WYMAN. If I might say so to the gentleman as a former attorney general of New Hampshire for more than 8 years, we have the 4-hour law in the State of New Hampshire, and we have never had trouble with it since it was enacted in 1941, more than a quarter of a century ago.

Mr. ADAMS. It is my understanding the law you have in New Hampshire is what is known as a stop law, which is similar to the stop-and-frisk law of the State of New York. That provides—and many people lose track of it in the emotions which are aroused over this question—that there is no rule against stopping an individual on the street and having a reasonable suspicion that he has committed or is about to commit a specific crime and asking him questions such as what his name is, what he is doing, and where he is going. The problem you reach here is you change the rules and provide for detention against a man's will. No matter what you call it, it becomes an arrest, and the Mallory rule begins to apply.

Mr. WYMAN. May I observe to the gentleman that this is exactly what we have in New Hampshire. We do permit a detention for investigation for up to 4 hours, but if you do not charge the person after the 4 hours are over, there is no arrest record permitted. We have never had any difficulty with it.

Mr. ADAMS. I will say to the gentleman, I am very pleased for him. I think he is very fortunate with this, as he has not had the version of the Mallory rule, section 5(a), applied to the 4-hour period, having had the suspect held for that period under 5(a). I would like to mention this, also: There are immediate technical problems that have to be handled. I agree we need statutory changes. In fact, many of them suggested here, such as arrest for misdemeanor without a warrant and use of citations, are to relieve police manpower.

But, if we do not spend the time, money, and effort upon research as to what turns a law-abiding citizen into a criminal, then we are wasting our time in these areas.

Mr. Speaker, for example—and I shall just use this as an example and not an answer—we do not know the catalyst that causes this in the central metropolitan area. We do know that men do not steal for bread and money; we do know that men do engage in criminal activity because they cannot obtain their legitimate activities and expectations from the jobs they can hold and other activities which they can perform.

Mr. Speaker, these are caused by a number of factors. Sometimes it is the job involved. Sometimes it is the family background. Sometimes it is a lack of education. And yes, sometimes it is because of discrimination, because of the color of his skin. When this occurs in the central metropolitan areas, we find that we begin to have a breakdown of law and order.

Mr. Speaker, those Members of the House who come from suburbia and small areas and who have been prosecutors and district attorneys in those areas have entirely different problems than those in the metropolitan areas. In other words, when you employ police techniques that look well in suburbia and compare them with the factors that work in the metropolitan area, this creates a chasm between the police department and the individuals in that area. That is not the fault of the individuals—it is not the fault of the policeman and it is not the fault of the suspect.

Mr. Speaker, these are some of the things that we have to do in these areas.

I would like to say in regard to the section of the legislation dealing with this subject that we have had performed a monumental work in this area in the District of Columbia Crime Commission report and it is my opinion that we should spend the necessary time implementing that report.

Mr. Speaker, my plea is that this bill should not be considered as an omnibus crime bill and that the House will say, "We have done our job and it is up to somebody else," because it is not. I say this because there are many things left to do.

We tried to work out some kind of gun control law prohibition as all Members of the House will recall. I am not for national legislation against guns and legislation to tell innocent citizens whether or not they can have a gun. But I will say that there is some type of legislation which we can pass in this area, and that is legislation to require people to register their guns, but no test required. Then establish a prohibited class with reference to narcotics addicts, alcoholics, and ex-felons, and through this type of legislation we can begin to trace the various weapons which are in the hands of these individuals when these weapons are taken from a home or a liquor store, if they have been registered. In other words, you can trace them and when another felony occurs you have an automatic track——

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Washington has expired.

(By unanimous consent, Mr. ADAMS was allowed to proceed for 3 additional minutes.)

Mr. ADAMS. Mr. Speaker, thus, you have an automatic device to tie together those crimes and those individuals. This, I would apply only to pistols in the District of Columbia.

But, let us do it in an orderly fashion, because we cannot begin to rehabilitate narcotics addicts and alcoholics, unless we undertake to do it in the civil process rather than the criminal process. Why should we do this?

Mr. Speaker, the gentleman from Ohio mentioned the backlog in the number of cases now pending in the court of general sessions as running up to 40,000 cases and thus jamming that court to the point to which it has been described as "swimming in litigation."

Mr. Speaker, you cannot handle it in that way. However, if we give them the manpower and the supporting staff—clerical staff—it will be much more effective.

One final comment, and I would direct this to the gentleman from New Hampshire, with reference to specific problems in title III of this bill.

In our opinion—and by that I say it is shared by a number of others—when the detention takes place, you will have a great problem. That is why we wanted this report from the Department of Justice before we enacted this bill.

The present regulations in the District of Columbia provide that the police can stop—and I will read you subsection 1:

> Persons encountered under suspicious circumstances, but where there is no probable cause for arrest, should be stopped and interrogated, but not detained against their will.

Will this statute become an overlay on this or will it preempt it and say that you must only stop for probable cause? We do not know.

Under the Mallory rule will the evidence obtained during the 4-hour period be allowed as evidence, or will it be tainted as is the fruit of a poisonous tree?

I would point this out to the House, that the District of Columbia does not have 24-hour magistrates, and a man who is picked up on the street here can be picked up and held for as many as 8, 10, 12, or 14 hours before he can be taken before the magistrate. But the court of appeals here have held you can only use so much of that time for questioning, and if they start that period of time to run when they are picked up then you may knock out evidence that would otherwise be held admissible during this 5-hour period.

Gentlemen, in closing I would like to just say this: I hope there will be additional legislation proposed to handle some of these problems. I hope the other body will spend some time on these matters and then bring it back for a conference, so that maybe we can iron out the problems.

I also hope the Department of Justice will come in and bring in a report on these sections, and on some of the regulations.

I would just finish my remarks by saying that I am going to check to see whether the increase in salaries for the police department has been put in. If it has not, I am going to say right now, as soon as I am finished I am going to draft that up to increase salaries from $6,700 to $7,500, and to have a master patrolman's rank, which means if you have so many years of college then you can receive a step-up in amount, so that we can start to modernize the department.

I suggest also that it is best to wait to see if the other body goes along with additional bills so that we can put additional money in the police department so that we can modernize it. Perhaps we can consider this further later on in the year.

I hope the other bills which have been suggested will come out of the committee.

Mr. WYMAN. Mr. Speaker, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman.

Mr. WYMAN. Does the gentleman seriously contend citizens of this country should not be subjected, with the rising crime rate, to detention for investigation on probable cause for a 4-hour period, for example, when the police officer has probable cause that the individual has committed a crime? Does the gentleman seriously suggest that the Miranda case prohibits that kind of a situation until an arrest has been made?

Mr. ADAMS. I certainly say two things: First, you arrest him when he is detained against his will and that under the Miranda ruling you can hold him, but if you do hold him the evidence you obtain will be stricken if Miranda is not followed.

Mr. WHITENER. Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, in the time that I will take, it will not be possible to go into a broad background discussion of the reasons for this type of legislation. I hope my colleagues will read the committee report which sets forth some cold, hard facts which make up one of the most shameful stories of human conduct to be found anywhere in the civilized world.

As one who has been privileged to serve as chairman of our subcommittee in three Congresses, when the matter of crime and this legislation we have here today for the most part, have been talked about, discussed, witnesses have testified, conferences have been held, I believe 33 staff and member conferences have been held between the House and the Senate in the last Congress, the 89th Congress, I say to you we have had about all the discussion we should need.

My good friend, the gentleman from Washington [Mr. ADAMS], again, as has been customary by those who oppose doing something about crime, has raised the issue of the bill not having had adequate consideration. This was presented last year by some of those who urged a veto of the legislation that we passed. They said it was the closing days of the Congress, and that adequate consideration had not been given to the bill even though it had been under serious study for two full Congresses.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I will be glad to yield.

Mr. ADAMS. I would ask the gentleman to answer two questions.

Mr. WHITENER. I will if the gentleman will make them brief, because I believe he has already talked at great length on this subject.

Mr. ADAMS. The first question is this: Are there a series of new sections in this proposed bill which were not in the bill last year?

Mr. WHITENER. Every one of which was advocated by the gentleman from Washington, and which the committee accepted.

I am going to get into that matter.

Mr. ADAMS. I appreciate that, but I have another question.

Mr. WHITENER. What is the other question?

Mr. ADAMS. The other question is this: How much time was spent in the full committee in consideration of this bill?

Mr. WHITENER. May I ask the gentleman a question in return?

Is there anything in this bill the gentleman does not understand?

Mr. ADAMS. No.

Mr. WHITENER. One single thing?

Mr. ADAMS. Not a thing.

Mr. WHITENER. What is the gentleman complaining about?

Mr. ADAMS. That we spend greater time on it and the other Members of the House have a chance to know what is in it whether I proposed it or someone else.

Mr. WHITENER. And the gentleman has spent a great deal of the committee's time, he has examined witnesses and he has been given every opportunity. So he has no complaint now.

The gentleman from Washington has criticized the full committee procedure. If my friend, the gentleman from Washington, and other Members of the Congress at this time do not know what is in this bill, I think then we might just as well give up.

My friend, the gentleman from Washington, has again, as was done in the subcommittee, undertaken to confuse title III of this bill with the so-called stop-and-frisk law.

This was a constant contention that we had in the subcommittee and I think we made it clear to the gentleman that our committee two Congresses ago rejected the idea of any stop-and-frisk law for the District of Columbia.

The gentleman has talked about gun control legislation. The Department of Justice sent up a bill which the gentleman embraced and after we examined the witnesses from the Department of Justice, they saw, even though they did not just come right out flatfootedly and say so, that we had all the gun control law in the District of Columbia that we now need.

Then the gentleman mentioned the Hagan intoxication bill. I thought it was made very clear, and I do not know that the gentleman had any other understanding of it, that since that bill was before another subcommittee, our subcommittee would not bother with it and would leave it to them. So I do not understand why that is mentioned.

The gentleman mentions that nobody knows what the Department of Justice view is on the application of title III or its effect in the light of the Miranda decision.

I can say to the gentleman that we have been in constant discussion with the Department of Justice during the conference last year with the other body and we had the Assistant Attorney General in charge of the criminal division of the Department of Justice testify before our subcommittee to give us their views on it.

Then we get the same old argument about increasing police pay as being the answer to this problem.

Let me tell you a little of the history about that.

Just in the last Congress, before our subcommittee, when we had pay raise legislation there, we had the head of the District government and other representatives of the Government testifying that any increase above 3.2 percent in police salaries would be unwarranted.

The committee and the Congress raised those salaries about 9 percent—or 9.9 percent I believe on the average.

So we did our share on that. So let us not raise this issue that this committee has not done what it should do in the matter of police pay. We would have raised them more, I am sure, had it not been for the threat that it would do such violence to the budget.

I do not mean to be unkind to my friend, the gentleman from Washington, but I note in his minority views he talks about the section on insanity being so bad. He says that this is the reason it is so bad—that it makes insanity an affirmative defense.

But yet, one of the titles in this bill, the obscenity title, which the gentleman from Washington and I agreed to, after it was presented to us by the Department of Justice specifically creates two affirmative defenses. So I do not know why that is so bad.

My friends, this is a bill which will not solve all of the crime problems, but it will help to solve those problems. This bill will not meet the problem that my friend, the gentleman from Iowa [Mr. Gross] mentioned earlier about 25,000 felonies being committed in 1 year and yet only 981 felons were convicted. It will not meet that problem but it will increase the punishment for some of those who are convicted. I believe it will have a deterring effect upon criminals and upon those who engage in crime regularly.

I think it is a shame to live in a city where good, law-abiding citizens have to wear a mask and a hood in order to come out and testify in public about what has happened to them in their places of business.

I think it is a disgrace and one which should cause all of us to get away from this nit picking and squeamish talk when the chairman of a board of directors of a bank appears on television, as one did last week, and announces that his firm was going to have to close their bank because of robberies. I think it is a terrible indictment of all of us, whether we are for this legislation or whether we are those who nit pick at it; and also when a good Jewish woman here in the heart of this city was shot down like a dog as she stood in her jewelry store on Wednesday or Thursday of last week by hoodlums who wander about this town.

Then someone says, "Let us worry about holding them for 4 hours."

The Department of Justice came in with what is title I of this bill and they said that they thought we should pass this bill, which would give police officers, when they have probable cause to believe that one has committed a crime, the right to pick him up. Title III says that after you pick him up you can talk to him. Yet there are those who say that there is something wrong about that.

I cannot understand how anyone who lives or moves in this area would not be willing to take almost any step to do something about the crime situation.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Washington.

Mr. ADAMS. Will the gentleman state whether or not he believes the Mallory rule would be suspended during the 4 hours?

Mr. WHITENER. I know the gentleman's question and I can answer it very briefly. The Mallory rule was based upon rule 5(a) of the Federal Rules of Criminal Procedure. This legislation will be a direct legislative act by the Congress. I think there is no question but that Congress can do away with a rule of criminal procedure by legislative act.

When you talk about Miranda, you are talking about a different matter, because that case went off on constitutional grounds. This bill does not affect Miranda.

It is said here that in some way we have been derelict. This House of Representatives, by more than a 2-to-1 vote, as I said, on two occasions—and I hope today will make the third occasion—has shown its feeling that something should be done about crime in the District of Columbia. I want to say this to you, my friends, that I, for one, am willing to try to do something about it. We have worked hard on this legislation over a period of years. It means no more to me than it does to you. But I can say to you that it means a lot to these fine little women, such as the little Jewish lady who was shot down the other day, and shopkeepers such as the little Greek man who was found in a clump of hedges near the Capitol practically beaten to death, and many others who have been seriously affected by criminal conduct.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Ohio.

Mr. HARSHA. If there is any question about the Miranda decision affecting title III of the bill, can or cannot that problem be remedied by merely requiring the police to give the Miranda warning?

Mr. WHITENER. If this bill should in some way upset those original instructions that have been given to the policemen, I see nothing here to prevent them from giving further oral guidance or written guidance to them.

Mr. HARSHA. In response to the statement of the gentleman from Washington that there are several new sections in this bill, is it not true that the new sections that are in the bill are identical with sections that appear in the administration bill that was introduced by the gentleman?

Mr. WHITENER. That is correct. They were adopted in this bill. I do not understand that the gentleman from Washington is complaining about our going along with him. He just does not agree with us on other provisions.

Mr. HUNT. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from New Jersey.

Mr. HUNT. I would like to take this opportunity to commend the gentleman from North Carolina. I like his forthright statement about this nit picking. I perhaps am one of the most qualified men in the House on criminology. I spent 28 years in criminal investigation. When you spoke of nit picking you hit the nail right on the head. Our difficulty today is that we have not handcuffed criminals; we have handcuffed the police, and they are restricted in every way, shape, or form by those persons who seek social reforms at the expense of the average good citizen. It is about time that we in this country began to realize that crime is rampant, and either we shall take strong deterrent action or we shall go the way of all previous nations.

I wish again to commend publicly the gentleman from North Carolina for his well-grounded arguments, and I will support the bill.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Georgia.

Mr. FLYNT. I wish to congratulate the gentleman in the well for the statement which he has just made in support of and in explanation of the bill.

I certainly believe that he and his subcommittee and the full Committee on the District of Columbia deserve the admiration and the thanks of the House of Representatives and of the American people for the action which has been taken.

I believe it is particularly appropriate that this bill is explained by one of its principal advocates, a man of considerable experience in the field of law enforcement and in the conduct of the courts in the great State of North Carolina, which sends him to this body. I associate myself with the remarks of the gentleman from North Carolina [Mr. Whitener] and express my appreciation for what he has done.

Mr. WHITENER. I thank the gentleman for his kind remarks.

Mr. WIGGINS. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from California.

Mr. WIGGINS. Mr. Speaker, under the bill is it possible to detain a person on grounds that would not be sufficient to justify his arrest?

Mr. WHITENER. Of course not. The bill uses the words "probable cause." In fact, there was some argument on that point, as to whether we should have gone to language quite so strong. This is the American Law Institute formula, the model code provision, with the exception of the 4-hour provision. It is what the ALI has developed.

Mr. WIGGINS. In the District of Columbia, is it possible to arrest a person without a warrant for a misdemeanor not committed in the presence of the officer?

Mr. WHITENER. I am sorry, I did not hear the gentleman.

Mr. WIGGINS. I will ask it another way. Based on the probable cause alone, in the District of Columbia, is it possible to arrest a suspect for a misdemeanor violation?

Mr. WHITENER. If the gentleman will note in the Ramseyer section of our committee report—and I do not want to take too much time—we have dealt with that by showing existing law as compared to the proposed changes.

Mr. WIGGINS. I will ask the question more directly: Is it possible for an officer in the District of Columbia to detain a suspect because of probable cause of violating a misdemeanor section?

Mr. WHITENER. May I read the gentleman the present law:

[Sec. 397. The several members of the police-force, including the commissioners of police, shall have power and authority to immediately arrest, without warrant, and to take into custody any person who shall commit, or threaten or attempt to commit, in the presence of such member, or within his view, any breach of the peace or offense directly prohibited by act of Congress, or by any law or ordinance in force in the District, but such member of the police-force shall immediately, and without delay, upon such arrest convey in person such offender before the proper court, that he may be dealt with according to law.]

Mr. WIGGINS. I am familiar with that section, but the detention section has been subject to much debate. The present law requires only probable cause and does not require that the offense be committed in the presence of the officer.

Mr. WHITENER. Under this proposed section, this is the American Law Institute model code provision. Of course, in the different States, in the different jurisdictions, they do not agree on the length of detention, but they agree with the principle of the American Law Institute provision.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Speaker, the present law does not permit the police department or the police officers to make an arrest for a misdemeanor that has not been committed in the presence of an officer. It must be committed in his presence or he must have a warrant.

Mr. WHITENER. In his presence. That is correct.

Mr. Speaker, as I conclude, may I express my thanks to the committee which has worked so diligently on this legislation for the District, including some of the gentlemen who now file dissenting views. I express my sincere appreciation for their contribution in the development of this legislation.

We are here today in the Capital of this great Nation of ours, where for 60 consecutive months we have had an increase in the incidence of violent and serious crime.

I believe it is high time that the Congress acted, and acted with some force. I believe that this legislation will be some force in that direction, even though were I free to invoke my own mind I would prefer to write much stronger legislation.

Mr. BROYHILL of Virginia. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, today, for the third time in three consecutive Congresses, the House Committee on the District of Columbia is asking this body to approve a bill designed to deal effectively with the appalling problem of crime and lawlessness in the Nation's Capital.

The seriousness of this situation and the urgent need for this legislation cannot be overstated. The District of Columbia has reached a point where law-abiding citizens are denied the privilege of using its public streets and parks for fear of their personal safety. Nor can they find this safety in the city's stores, churches, places of amusement, or, even in their own homes.

The shameful statistics are all too eloquent. Since 1957, the incidence of serious crime in the District of Columbia has shown a steady increase, and in May of 1967 this figure showed an increase of 41 percent over the same months of the previous year.

In addition to the danger to personal safety which faces every citizen in Washington—the risk of assault, robbery, rape, even murder—this crisis of lawlessness poses a real threat also to the economic lifeblood of the city, its business people both large and small. Businesses of all types suffer major financial losses each year through theft and vandalism, and small merchants live in fear for their lives as well as their property. Many have been forced out of business by the ever-increasing reign of crime which has become the pattern of life in the District of Columbia.

The District of Columbia Board of Trade recently conducted a cost-of-crime survey of 35 major firms doing business in the Metropolitan Washington area, which shows losses of cash, merchandise, and property damage resulting from robberies, burglaries, and planned thefts. It does not include losses resulting from shoplifting and pilferage. These 35 firms reported that in the year 1966 their losses from these sources totaled $503,000, of which approximately $26,000 occurred in Virginia, $109,000 in Maryland, and the staggering sum of $296,000 in the District of Columbia.

At public hearings on this proposed legislation conducted by the House District Committee this year, testimony was submitted showing this appalling picture in detail. We were informed that since 1965, there have been more than 250 armed holdups of liquor stores in the District of Columbia, in the course of which four merchants were murdered. In addition, there have been countless burglaries, window breakings, larcenies, and assaults, as a result of which many liquor stores in the District can no longer obtain insurance.

The District of Columbia automobile dealers report practically no traffic on their showroom floors after dark. The dealers in the city cite tremendous monetary losses through theft of cars, tires, batteries, wheels, accessories, and other equipment from the open-air lots on which cars are both stored and offered for sale. As a result, automobile dealers in recent years have been relocating in the suburbs in increasing numbers.

The Washington Area Trucking Association reported that one of its member companies in the District has suffered 12 break-ins within the past 2 years, and two armed robberies in the past few months. In one of these, the cashier was pistol-whipped and severely injured. Neither of these crimes has been solved. Another member company has lost more than $5,200 in four thefts within the past month, again with none of the cases solved.

The Washington Building Congress states that they dare not leave any construction site in the District of Columbia unprotected. This expense of hiring watchmen and guards is added to increase in building costs. One member reports that theft and vandalism in his business continue to increase, and that not only will the thieves take anything movable, but they rip out pipes from within the walls to sell the copper tubing.

A new apartment building in Southeast Washington was 90 percent rented shortly after completion, and most of the shops in connection with it were let, when the neighborhood began to be plagued with disturbances and lawlessness. Today, merchants refuse to rent the remaining store space, and the apartment building itself is only 20-percent occupied. The owner hired two retired policemen as watchmen, and when one of these apprehended a suspect on the property, before police could arrive neighborhood residents beat the watchman severely and released the suspect. As a result of this situation, the owner of this building has been forced to go into bankruptcy, and the building has been turned back to FHA.

For some reason, school construction projects seem particularly attractive to young hoodlums, who systematically loot and destroy property. As a result, one of the largest construction firms in Washington now refuses to bid on school construction, and some insurance companies will no longer insure construction companies that build schools in certain neighborhoods in the city. In fact, we are told that it is getting increasingly difficult for builders to get adequate insurance on District of Columbia building projects of any kind, and the rates have increased accordingly.

And so the testimony continued, as witness after witness testifying for the drugstores, the printing industry, the hotel business, the service station business, the banks—a cross section of the city's entire commercial life—painted this grim picture of the plight facing the business people in the city which has become a mecca for criminals. The situation may be graphically summarized by the fact that the dollar cost of crime in the District of Columbia during the year 1966 was in excess of $9 million.

The responsibility for the restoration and maintaining of law and order in the Nation's capital rests primarily, of course, upon two entities: the police and the courts of the city.

I am convinced that the Metropolitan Police Department is of the highest caliber. Its personnel is able, conscientious, and well trained, and its administration is both capable and dedicated. However, this excellent force cannot effectively perform the vital work of apprehending violators of the law in the District, under certain handicaps which seriously impede its efforts. The most serious of these problems is that of recruitment and retention of personnel. Today there are 331 vacancies in the authorized strength of the Department.

This situation exists because the District of Columbia Police Department finds it very difficult to enlist the services of qualified young men, despite an attractive salary scale, and also because the resignation rate from the District of Columbia police force is one of the highest among major U.S. cities.

High among the reasons for this dangerous shortage of police personnel in the District of Columbia is the hardship and danger inherent in police work. During fiscal year 1966, for example, there were 181 cases of assaults against policemen in the District, including two homicides. It is true, of course, that this is a hazard incident to police work everywhere. It is also true that all large cities are finding it difficult to recruit qualified young men for this work. In the District of Columbia, however, this is only one of a number of major factors which contribute to the difficulty in recruitment and retention of young men for the police force.

Important among these factors are the extreme difficulty of obtaining convictions in the District courts, the District of Columbia Board of Commissioners' order prohibiting investigative arrests, the fact that in making an arrest a District of Columbia police officer faces the very real danger of a successful lawsuit against him, or of being fired by reason of complaints brought against him for "brutality," and the Commissioners' virtual ban on the use of police dogs in the most dangerous and crime-ridden precinct in the city. These and other problems, which I believe to be peculiar to the District of Columbia, make the policeman's life one of frustration and harassment.

This proposed legislation promises some real help to the District of Columbia police force in certain of these problem areas, by providing for a realistic procedure for the detention of suspects for questioning for a period not to exceed 4 hours when probable cause exists to believe that a crime has been committed, and also by providing at least the legal means for more realistic treatment of criminals in the courts.

As for the courts in the District of Columbia, despite the efforts of some very fine and conscientious judges, the cold fact remains that convictions and realistic sentences for criminal acts in the District of Columbia are far too difficult to obtain. The Mallory and Durham rules have seriously hampered the work of these courts in recent years, and I am pleased to say that H.R. 10783 will greatly improve these two areas of difficulty. It also will provide help to the courts in providing increased maximum sentences in certain areas of serious crime, and also the first meaningful law in the District against the traffic in obscene literature and other materials.

I wish to state at this point, however, that the provisions of this bill, forceful and far reaching as I and my colleagues hope they will prove to be, will not serve alone to eliminate this scourge of lawlessness which today pervades this Capital City of the world's greatest Nation. The best efforts of the Congress to provide more effective laws to curb crime in the District of Columbia must be supplemented by changed attitudes toward crime in certain vital areas.

For example, it appears obvious that the District of Columbia Parole Board should become far more realistically guided in the matter of releasing criminals from prison on parole. In recent months, it is apparent that this Board has grown far more lenient in these cases than the dictates of good judgment can justify. Far too frequently, we read in the newspapers of crimes committed in the District by parolees with long and vicious records of criminal acts, whose freedom to prey further on decent citizens hardly seems to be in the public interest.

It is my earnest conviction that law and order will be restored in the District of Columbia only when all those responsible for law enforcement in the city—the courts, the police, the Parole Board, the Board of Commissioners—become as tough as the criminals. When criminals know that there is a strong likelihood of swift and severe punishment for their misdeeds, then and only then will there be a significant reduction in the city's crime rate.

Thus, after much study and effort, we members of the House District Committee submit this bill to our colleagues in the House and ask its approval, in the hope that the legal tools it provides for the better control of crime in the District may be used wisely and effectively, to the end that the good citizens of this city may enjoy once more the freedom from fear which is their rightful heritage.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from North Carolina.

Mr. WHITENER. The gentleman is mentioning some of the results of crime here, and I commend him for his attention in his presentation as well as his work with the committee.

However, the gentleman from Virginia did not mention one of the areas about which we hear so much, and that is public housing or housing for the people in the District of Columbia.

I know that the gentleman, having served on the subcommittee with some of us, knows that we have provided and have been very diligently insisting upon adequate housing. But, yet, according to one of the witnesses who appeared before our committee—I believe a member of the Board of Realtors of the District of Columbia—stated that the Green Valley project, a public housing project with 350 units available for rent, that 109 of them are now vacant because of vandalism and that people are afraid to live there because of vandalism.

Mr. BROYHILL of Virginia. Well, I was making reference to that particular housing development in my remarks earlier, before the gentleman asked me to yield.

Mr. WHITENER. Mr. Speaker, if the gentleman will yield further, I think it is also significant to point out the fact that this same witness testified that since 1956 there had been only six prosecutions for vandalism in the District of Columbia. Of course, I am sure that the gentleman from Virginia is concerned about that as others of us are.

Mr. BROYHILL of Virginia. As Judge Pine pointed out in his minority report to the District of Columbia Crime Commission's study and report, there had only been 1,000 convictions out of 27,000 charges, and hence the chances were 27-to-1 that the vandal would get off scot free in the District for the commission of such crimes.

Mr. WHITENER. Mr. Speaker, if the gentleman will yield further——

The SPEAKER pro tempore (Mr. ALBERT). The time of the gentleman from Virginia has expired.

(By unanimous consent (at the request of Mr. WHITENER) Mr. BROYHILL of Virginia was allowed to proceed for 2 additional minutes.)

Mr. WHITENER. Mr. Speaker, will the gentleman yield further?

Mr. BROYHILL of Virginia. I yield further to the gentleman from North Carolina.

Mr. WHITENER. Another area about which we hear a great deal is the area wherein there is the accusation that we in the Congress are not concerned about education in the District of Columbia. Yet, according to the evidence which was presented before our committee during the past 12 years there have been $1 million worth of windowpanes broken out of schools in the District of Columbia by vandals. So far as I know there have been no efforts made to adequately prosecute the vandals who committed that destruction.

Would the gentleman from Virginia agree with me on that point?

Mr. BROYHILL of Virginia. I would say that the Committee on the District of Columbia, as well as the Congress as a whole, has been severely criticized and has had made against it the allegation that it was indifferent to the cost of education in the District of Columbia and has not appropriated sufficient funds for the purposes of education. However, it is my opinion that we have proved rather conclusively the fact that the Congress has been most generous along that line to the District of Columbia, and that the schools in the District of Columbia compare favorably in this respect with other cities of comparable size throughout the country.

Mr. WHITENER. Mr. Speaker, if the gentleman will yield further, I believe the gentleman will agree with me also that the Chairman of the President's Commission on Crime, the Honorable Herbert Miller, a former Assistant Attorney General, testified that in 1965, 25,648 felonies were reported and in 19,000 of those cases no arrests were made and that they finally wound up with only 981 convictions, 716 of them representing pleas of guilty and 265 by trial.

So the odds against the felon being prosecuted in the District of Columbia are rather favorable for him, are they not?

Mr. BROYHILL of Virginia. Yes; the fact of the matter is that the record is so full of the lack of convictions, and that the odds are so much in favor of the felons, as to attract the potential felon to the Nation's Capital.

Mr. WHITENER. And, Mr. Speaker, if the gentleman from Virginia will yield further, I do not suppose that these 19,000 felons who were not arrested were worried about the victims of their crimes, the poor victims that they left in their own blood on the street and were not worried about the property which they took. However, I am confident that the victims are wondering what we who are charged with the responsibility are going to do about protecting the rights of the innocent victims of crime which such victims have under the Constitution of the United States.

Mr. BROYHILL of Virginia. The Congress has spent a large proportion of its time worrying about the rights of the criminal and in seeing that those rights are protected, but we have not heard anything with reference to the rights of the poor victims involved.

The SPEAKER pro tempore. The time of the gentleman from Virginia has again expired.

(By unanimous consent (at the request of Mr. DEVINE) Mr. BROYHILL of Virginia was allowed to proceed for 1 additional minute.)

Mr. DEVINE. Mr. Speaker, will the gentleman yield for the purpose of answering a question?

Mr. BROYHILL of Virginia. I yield to the gentleman from Ohio.

Mr. DEVINE. Mr. Speaker, I would like to say to the gentleman from Virginia that I wish to commend both the chairman of the subcommittee, the gentleman from North Carolina [Mr. WHITENER], and the gentleman from Virginia [Mr. BROYHILL] for their work upon this legislation.

I would like to ask one question, however:

In the gentleman's original remarks he said that we, in the legislative processes, have to compromise. I think it is admitted that this is a watered-down version of the bill passed by the House by a 2-to-1 margin last year. I would ask the gentleman whether he can answer that question or would ask it of the gentleman from North Carolina.

Whether or not any assurances have been received from the White House that the President will not again veto legislation designed to reduce crime in the District of Columbia?

Mr. BROYHILL of Virginia. I will say to the gentleman that I have not received any assurances. I do not know whether the gentleman from North Carolina has or not, but I will predict that if the President vetoes this bill before the Congress adjourns, both Houses of the Congress will override his veto overwhelmingly.

Mr. DEVINE. But the gentleman knows of no advice received by the committee or the committee staff from the White House as to the President's position on this legislation?

Mr. BROYHILL of Virginia. No, I have no assurances whatsoever.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. ADAMS. Also was the Department of Justice or the President asked to comment on this bill before it came out on the floor, or was that requested?

Mr. BROYHILL of Virginia. I cannot answer the gentleman's question, but I have not heard of such a request.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DOWDY. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I had planned to write additional views to go with the committee report, but due to the extremely limited time before it was filed I had no opportunity to do so.

This bill we have before us today is a watered-down bill compared to the one we had last year. The House passed a bill last year that was weakened when it went to conference with the other body, and again it was weakened before being presented here today; and the reason given was that it would have to be further weakened in a conference, and also to meet the fact that the previous bill was vetoed last year.

Mr. Speaker, it is my thought the House has a duty to perform, and it should perform, disregarding what somebody else might do.

I have gone along with the introduction of this bill this year, with the knowledge that I was going to offer some amendments to the bill, which I will get to shortly.

Mr. Speaker, I might point out that among the things said by the President's National Crime Commission was a prediction that at least 40 percent of the male children now living in the United States will be arrested for a nontraffic offense some time in their lives. God knows I hope this is a wrong prediction. If we are getting to the point where 40 percent of the people in this country are going to be arrested for nontraffic offenses during their lives, then we are getting into a very serious situation.

So I say if this is the best bill that we can enact, then let us enact it.

I also hope the amendments I offer will be favorably considered by the House. I will not attempt to explain them here, but when they are offered I will do so, and I will not take a lot of time on any of them because I know we wish to get through and we want to pass a bill.

Mr. Speaker, in connection with my remarks here, I would like to make a part of my remarks an explanation of the antiobscenity provisions in the bill:

SECTION 606, OBSCENITY

Mr. Speaker, the present law relating to obscene materials is 64 years old, is without penalties of consequence and lacks other provisions which provide effective means of dealing with such traffic.

Your committee has favorably reported legislation which I sponsored dealing with obscene materials in each of the last three Congresses. In each Congress, such provisions were approved by the House or by both the House and the Senate. In each proposal, the language was most carefully drawn to meet the tests required under the latest Supreme Court decisions.

The new language in this section provides criminal processes in contrast to the injunctive procedures provided in previous bills. These provisions have likewise been drawn to conform to the most recent court cases.

Subsection (a) sets forth the acts and obscene, indecent, or filthy materials proscribed as offensive when measured by adult community standards. When a person is convicted of a violation of the section, materials mentioned in the charge may be confiscated in addition to the imposition of the penalties provided.

Subsection (a)(1) provides that it shall be unlawful for a person knowingly (A) to sell, deliver, distribute, or provide, or to offer or agree to do any of the same as to any obscene, indecent, or filthy writing, picture, sound recording or other article or representation; (B) to present, direct, act, or participate in the preparation or presentation of any obscene, indecent, or filthy play, dance, motion picture, or other performance; (C) to pose for, model for, print, record, compose, edit, write, publish, or otherwise participate in a publication, exhibition, or sale of any obscene, indecent, or filthy writing, picture, sound recording or other article or representation; (D) to sell, deliver, distribute, or provide, or to offer or to agree to do the same as to any article, thing, or device intended for or represented as being for indecent or immoral use; (E) to create, buy, procure, or possess such described materials with the intent to disseminate it in violation of the subsection; (F) to advertise or otherwise promote the sale of such materials described; or (G) to advertise or otherwise promote the sale of material represented held out by a person to be obscene.

Subparagraph (a)(2)(A) provides that for the purpose of subparagraph (e) of subsection 1, the creation, purchase, procurement, or possession of a mold, engraved plate, or other embodiment of obscenity which is especially adopted for producing multiple copies or the possession of more than three copies of the material described shall be prima facie evidence of intent to disseminate such material in violation of the subsection.

Subparagraph (a)(2)(B) provides that for the purposes of paragraph 1 of the subsection, the term "knowingly" means that the person has general knowledge of, or reason to know, or belief or ground for belief that would warrant further inspection or inquiry of the character or content of any article, thing, device, or performance described in paragraph (1) and which is reasonably susceptible of examination.

Subsection (a)(3) provides that whenever a person is convicted of violation of the subsection, the court in its judgment of conviction may also order confiscation and disposal of any materials named in the charge and which were found in possession or control of the person at the time of his arrest.

Subsection (b) sets forth the acts and obscene materials proscribed as to minors under the age of 17 years. The detailed description and the definition of terms used make clear the burden placed upon a person who engages in any obscene traffic with a minor which affronts the prevailing standards of the adult community with respect to what is suitable for minors.

Subsection (b)(1) applies to obscene materials in relation to minors under the age of 17 years. Subsection (b)(1)(A) makes it unlawful for a person knowingly to sell, deliver, distribute, or provide or to offer or to agree to do the same to a minor (i) any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person which depicts nudity, sexual conduct, or sado-masochistic abuse which, taken as a whole, is patently offensive since it affronts the prevailing standards in the adult community as a whole with respect to what is suitable for minors, or (ii) any book, magazine, or other printed matter however reproduced, or sound recording which depicts the foregoing matter or which contains explicit and detailed descriptions or narrative accounts of sexual excitement, sexual conduct, or sado-masochistic abuse which, taken as a whole, is patently offensive because it affronts the prevailing standards of the adult community as a whole with respect to what is suitable for minors.

Subsection (b) (1) (B) provides that it shall be unlawful for a person knowingly to exhibit to a minor or to sell or provide an admission ticket to, or pass to, or admit a minor to, premises where there is exhibited a motion picture, show, or other presentation which in whole or in part depicts nudity, sexual conduct, or sado-masochistic abuse and which taken as a whole is patently offensive to the adult standards of the community as a whole with respect to what is suitable material for minors.

The prohibitions in subsection (b) (1) are prohibitions which apply unless the person having the material described makes a bona fide attempt to ascertain the age of the minor and the minor is under the age limit to which the prohibitions apply.

Subsection (b) (2) defines the terms of the subsection: (A) a minor is a person under 17 years of age; (B) defines the term "nudity" as a showing of certain parts and conditions of the male or female person; (C) defines "sexual conduct" to include natural and unnatural acts relating to sex; (D) the term "sexual excitement"; (E) defines the term "sado-masochistic abuse"; (F) defines the term "knowingly" to include general knowledge or reason to know or belief or ground for belief which warrants further inspection or inquiry as to (i) the character and content of material described in paragraph (1) which is susceptible to examination by the defendant and (ii) the age of the minor.

Subsection (c) provides that the defendant in any action may show, as an affirmative defense to a charge of violation of subsection (a) or (b) of this section, that the materials in question were disseminated to institutions or individuals having scientific, educational, or other special justification for possession for such material.

Subsection (d) provides penalties for violation of the provisions of the section. A person convicted of violating subsection (a) or (b) on first offense shall be fined not more than $3,000 or imprisoned not more than 1 year or both. For a second or subsequent offense under subsection (a) or (b) shall be fined not less than $1,000 nor more than $5,000 or imprisoned not less than 6 months or more than 3 years or both.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman.

Mr. ANDREWS of Alabama. I wonder if the gentleman will agree with me when I say that in my opinion one of the reasons we have such a bad record on crime in the District of Columbia is the fact that the juries and the courts are too lenient with the criminals, if and when they are apprehended and convicted?

Mr. DOWDY. That is my thought, and I believe it is backed up by what has happened here.

For instance, last year after the crime bill was vetoed, rioting broke out here in the District of Columbia, and the crime rate has multiplied.

In connection with my amendment on the insanity provisions of the bill, which I will discuss, and I might mention it now, that 3½ years prior to the adoption of the Durham ruling in the District of Columbia there were three persons found not guilty by reason of insanity, and committed to St. Elizabeths.

During the 10 years subsequent thereto there were 585 found not guilty by reason of insanity.

Mr. ANDREWS of Alabama. I will ask the gentleman do we still have capital punishment in the District of Columbia?

Mr. DOWDY. Yes and no. I do not believe it has been used recently.

Mr. ANDREWS of Alabama. I was going to say to the gentleman that many capital offenses have been committed here in the District of Columbia, just as anywhere in the United States of America, and I do not know what the rate would be, but I would say it averaged five capital offenses a week ever since I have been here.

I have been here for 24 years and there has been only one execution and that happened shortly after I got here.

Mr. DOWDY. I know that there are a lot of capital offenses committed here every week, but I do not have the exact number at hand; I am confident the average is more than one per day.

Mr. HARSHA. Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, I rise in wholehearted support of this bill which is a studied and valiant attempt to cope with the exploding crime crisis in the Nation's Capital and I plead with my colleagues to follow suit. A vote for this bill is a vote for a return to sanity and reason in the now one-sided battle against the thug and the rapist who now have a decided edge over the police.

I will not attempt to discuss all the provisions of the bill but will concentrate my remarks on title 3 which, in effect, provides that a police officer will be empowered to stop, detain, and question a person if he has probable cause to believe the person is committing or has committed a crime. Such detainment will not be considered an arrest. If the person fails to identify himself and explain his actions to the satisfaction of the officer he may be further interrogated for a period of 4 brief hours—then either released or arrested and charged with a crime. If cleared and released there would be no stain of an arrest mark in his record. Currently, if a person is arrested and later proven innocent, the arrest notation remains as a permanent stigma.

In essence, title 3 rearms the police with an absolutely imperative weapon with which to protect our terrorized public. As it is now, our Washington police are severely handicapped by recent court decisions and the incredibly stringent regulations under which they must try to operate. This Congress must give them relief and this bill, hopefully, will nudge the pendulum in the direction of protecting an agonized citizenry too terrified to walk the streets of Washington even during the daylight hours. Near-anarchy is upon us while the "bleeding hearts" beat their breasts and rend their garments about the right of the accused. What of the right of society and the rights of the individual to walk the street or remain in his home unmolested. Just last week a kindly storelady who was wholly or partially supporting five poor families in her neighborhood was shot to death in cold blood by a brutal thug. As you well know, this is an all-too-common occurrence in Washington.

Operating under severe handicaps, the police morale in Washington has reached the point where some previously zealous and dedicated officers will turn their backs on an obvious criminal situation rather than become involved simply because they—the officers—are liable to find themselves up on charges—no matter how spurious—rather than the criminal. Even with a hefty increase in salary, the Washington police are currently short about 300 authorized positions and recruiting is getting even more critical.

Let me try to describe what the police currently have to contend with in Washington: Under District police regulations, a policeman—after having been alerted that a crime has been committed—is permitted to stop and question suspicious persons as to their name, address, and what they are up to.

This so-called authority is meaningless. The hangup comes in that the officer is powerless to detain an uncooperative person to extract the necessary answers and the only way he can effectively hold the person is by making an arrest. But the regulations hold that you cannot make an arrest without "probable cause" which means in effect that you must have a convincing reason to feel that the suspicious person is the criminal. Therefore, if the police officer in a high-crime area—acting prudently—does attempt to question a suspicious person and that person refuses to answer and proceeds on his way, the officer is powerless to detain the person unless he makes an arrest. Once arrested, rule 5(a) of the Federal Rules of Criminal Procedure under which the District police operate requires that the arrested suspect must be taken without unnecessary delay before a committing magistrate and be formally charged and arraigned. He may well not be the criminal. But no time is permitted to the police to make an investigation which might quickly clear the suspect which could be done under title 3 without the stigma of an arrest remaining on the record. Additionally, under the present procedure, the officer may be reluctant to make an arrest of a possibly dangerous criminal even if he feels he has probable cause for fear that later he will be hit by a suit for false arrest.

The suspect detained under title 3 may

talk or remain mute for the entire 4 hours. He would, of course, be advised of his constitutional rights. If he chose to make a statement, his story may be verified or betray him; witnesses may identify or free him; evidence such as fingerprints, weapons, or clothing, may lead to his formal arrest and arraignment or to his release. All this must be done within 4 hours—pathetically little time for what amounts to a herculean job for the police. To challenge the bill's constitutionality because no Miranda warning is required can easily be remedied by requiring the police to give such a warning.

Other jurisdictions are not forced to operate under the stringent Federal Rules of Criminal Procedure which were drafted for the handling of the more sophisticated types of Federal law violations such as counterfeiting and tax evasion. The Federal rules were hardly designed to cope with the senseless and brutal types of hit-and-run street crimes now terrorizing Washington. The Washington force, required to operate under these Federal Rules of Procedure, is the most handicapped in the country.

The incumbent Attorney General made the statement not so long ago that the current crime crisis was exaggerated. Indeed. The incidence of crime in the United States is increasing at up to five times the rate of population growth. Crime in the District of Columbia in May increased 4 percent over the same month last year. Crimes of violence in Washington is more than double the national average. I would be interested in the Attorney General's reaction to whether these facts are an exaggeration.

During May, a total of 3,022 felonies were reported in Washington, an increase of 880 offenses over May of last year. Homicide rose 171.4 percent; robbery was up 88.2 percent; housebreaking was up 53.8 percent, and auto theft was up 55.2 percent. An incredible picture. And these are only the crimes that are reported. We are informed that there are possibly a very large number of crimes that are never reported—one reason being fear of retaliation on the part of either victim or witnesses.

The increases for May brought the total number of offenses for the past 12 months to 33,911, an increase of 8,898 offenses or 35.6 percent over the same period ending in May of 1966, and an increase of 243.6 percent from the low point of April 1957. Equally dismal, the record of crimes solved for the past 12 months was down to 25.2 percent as compared with 27.7 percent for the 12-month period ending in May 1966.

It is an unbelievably ugly picture. Serious crimes—especially crimes of violence—are skyrocketing. Ten years ago 57.9 percent of the crimes committed were solved or cleared as compared to the alltime low of 25.2 percent of last year. Convictions have plummeted. Less than 3 percent of the felonies reported each year in Washington, resulted in conviction in the courts. The courts have a huge backlog of cases with felons walking the streets while awaiting trial; many of them whiling away the time by pulling stickups. In addition, the prison population has fallen off considerably.

Crime, regardless of what the Attorney General says, has reached crisis proportions in Washington. Our only defense—short of martial law—is a strong and adequately weaponed police force with authority. They must be permitted to mount an effective assault against the army of thugs who prowl the streets and alleys of Washington. They desperately need the tools to fight with. They need the time to interrogate criminal suspects. They need the opportunity and the authority to stop, hold, and question suspicious persons. They must be allowed to make the streets of Washington unsafe for the thug. If the law-abiding public is going to be protected, the police must have their authority restored.

It is fashionable now to talk about individual civil rights—that is fine. There is a Bill of Rights; thank God for it. But I am also aware of the fact that there is something in the preamble of the Constitution that talks about the purposes of the Constitution which is to protect the public welfare and promote the public tranquillity. Under existing circumstances little protection is offered the public and certainly there is a great gap in the tranquillity of the law-abiding citizens of Washington.

Suppose the police find a man in a dark alley at 3 a.m. Naturally, the obvious step that the police would take would be to find out who he is and what he was doing there. Today, incredibly, the Washington police cannot do this and there are those who foster the claim that the police should not have this authority. These people are out of touch with reality. I would hazard a guess that these same people who are opposed to giving the police this right would be the first ones who would insist it be done if their home had been burglarized, their daughter raped and murdered, or they themselves had been yoked and robbed on the street. They would expect the police to go looking for the man who did it and to use these very processes that they are opposed to in principle.

We have been awash for years with the pious drivel of the breast beaters who bleat their concern ad nauseum for the rights of the thug and the rapist. Today, we are reaping the harvest of their handiwork which has made the Capital City of the United States a veritable jungle.

In February of this year the President told the Congress:

> Lawlessness is like a plague. Its costs, whether economic, physical, or psychological, are spread through every alley and every street in every neighborhood. It creates a climate in which people make choices, not out of confidence, but out of fear.
>
> For them and for all of us, crime—and the fear of crime—has become a public malady. Its extent and gravity may be subjects for debate. But its existence is certain. So is our duty to seek its cure with every means at our command.

This bill is one means of curing this malady. Certainly the Nation's Capital should be the principle showcase for law and order and should be free of all serious incidents of crime.

I am proud to have cosponsored this bill and I strongly urge my colleagues to take this first step in rebalancing the scales of justice by voting for this important legislation.

Mr. GROSS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I want the Record to show if there is not to be a rollcall vote on this bill, I support it.

I want also to commend the committee for the excellent majority report accompanying the bill.

I do think in light of the statements that have been made on the floor in the consideration of this bill that the cart was put before the horse in the earlier legislation this afternoon dealing with additional Federal judges.

I think too that the proponents of the pending bill have made a case against the beefing up of the judiciary in the District of Columbia on the basis of the number of cases—the number of felonies, for example, reported in 1965, when there were 25,648 felonies and only 981 convictions.

I say again, as I said earlier this afternoon, you can increase the pay of the Police Department—and policemen ought to be well paid—but you can increase the pay of members of the Police Department to your heart's content and you can beef up the judiciary by adding judges—and it has been done—there is hardly a year when there is not a bill here to increase the number of judges of one kind or another in the District of Columbia—but you will not solve the crime situation until the courts mete out punishment to the criminals and provide justice for the general public.

I say that the cart was before the horse. This bill should have been enacted and the additional judges withheld until there was a demonstration on the part of the judiciary here in the District of Columbia that they intended to do something effective about the crime situation.

Mr. HARSHA. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. HARSHA. We have endeavored to put some teeth in the administration of justice by this bill and in addition there are a number of changes in the minimum sentences required under existing law. So we feel that this will answer to some extent the questions that the gentleman has raised.

Mr. GROSS. But you just enacted a bill to beef up the judiciary at a cost to the taxpayers of around $150,000, with the $25,000-a-year salaries for three judges, plus their staffs and the additional court facilities. So you have a nice, neat bill and yet you do not have the slightest idea whether the additional judges are going to amount to a pinch of snuff.

Mr. HARSHA. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I certainly yield to the gentleman.

Mr. HARSHA. All I can say is that we do not know what judges the President will appoint. But there certainly was a showing before the subcommittee that additional judges are needed. There have been no additional judges appointed in the District of Columbia court of appeals in the last 25 years and yet we have raised or increased the civil jurisdiction of the court of general sessions from $3,000 to $10,000 and increased the judges in that general session's court from some 13 to 22. This obviously would increase the workload of the District of Columbia court of appeals so they do need the additional judges to take care of this backlog of cases.

Mr. **GROSS.** I question how badly they were needed when you have 25,648 felony cases reported, 716 pleaded guilty and only 265 cases went to trial. In view of that record I cannot see the tremendous need for three additional judges on the court of appeals of the District of Columbia.

Mr. **HARSHA.** Mr. Speaker, will the gentleman yield further?

Mr. **GROSS.** I yield to the gentleman from Ohio.

Mr. **HARSHA.** You are confusing judicial systems, the court systems. We are not talking about the U.S. court of appeals or the U.S. district court. We are talking about the District of Columbia court of appeals, which deals with misdemeanors and certain civil cases.

Mr. **GROSS.** That simply makes it even worse, if you are dealing with misdemeanors only.

Mr. **HARSHA.** Would the gentleman support an increase in the number of U.S. District court of appeals judges to handle this backlog?

Mr. **GROSS.** Not until someone brings in more evidence that the additional judges will not be out on the golf courses. Not until there is better evidence that the present judges are on the job 8 hours a day and 5 days per week.

Mr. **MULTER.** Mr. Speaker, I move to strike the requisite number of words.

The **SPEAKER** pro tempore (Mr. BOLLING). The gentleman is recognized for 5 minutes.

Mr. **MULTER.** Mr. Speaker, I think we ought to put these things in proper focus. No one claims that this bill will be a cure-all or a panacea for the District of Columbia. We all hope it will go a long way toward helping to alleviate the crime situation in the District.

Let us remember, as members of the committee tried to make clear a moment ago, that the increase of three judges in the appellate court has nothing to do with the trial of cases in the criminal courts. After a man has been convicted and found guilty, he then has the right of appeal from the criminal courts to the appellate courts. But neither doubling the number of appellate court judges nor tripling the number of criminal court judges, will increase the number of arrests of criminals. We should keep clearly in mind exactly what has happened here in the District, as it has happened throughout the country. If you refer to the report on the bill, you will find that there were reports of some 25,648 felonies in fiscal 1965 in the District of Columbia.

In 19,000 cases there were no arrests. We cannot blame that on the courts or on the judges and prosecuting attorneys.

This bill will not cause any more arrests. Something must be done about that. Whatever will be done along that line will be brought about by better enforcement, by building up the morale of the police department, by giving it more and better support, and by more and better citizen cooperation with the police department. Those 19,000 cases never got to any court. So do not blame the judges for not having convicted people who were not even arrested.

Of the 6,000 felony arrests, 3,800 apparently fell by the wayside because they were never prosecuted as felonies but were reduced to misdemeanors.

Of the 1,527 cases where indictments were presented, there were 981 convictions; that is a pretty good average for any area of the country.

When we talk about misdemeanors, I think we ought to have in mind precisely what the statistics are as set forth in the report, which I believe are accurate. There you will find that three out of four persons who were charged with misdemeanors were found guilty in the courts. So let us not blame the courts for all the trouble in the District. They can only dispose of the cases that are presented to them.

Out of 15,000 misdemeanants reported, only half were arrested. Of the half arrested, 2,800 were nolle prossed; that is, the defendants did not contest the charge. Of the balance of 4,758, 3,200 were convicted. That is a mighty good record.

In the bill before us we do increase the penalties. Some of them we make mandatory. I have my doubts as to whether that is going to do anything with reference to reducing crime. Our experience in New York State, where we had mandatory penalties imposed in connection with criminal cases, showed that that did not improve the situation. We got fewer convictions instead of more because of the severe penalties and the mandatory penalties that were imposed.

I believe the bill does go a long way toward trying to improve the overall situation in the District.

Whether or not that provision for detention of suspects will stand up in the courts when its constitutionality is tested is questionable. We will have the answer, we believe, very shortly when the New York State "frisk" law case is decided by the Supreme Court, where it is now pending. Until that decision comes down, we do not know whether we have an effective piece of legislation here or not.

In the light of that decision, if the law is upheld, it will help, I think, the police officers in making investigations. On the other hand, if the Supreme Court holds it unconstitutional in the form it is presented in that statute, we will probably have to rewrite this statute.

The subcommittee is to be commended for their diligent efforts and their long and arduous work. They have done this job in good faith, bringing forth what they believe is a good bill.

I have my doubts as to some of the provisions in the bill, I have my doubts as to whether or not they will be effective, and I have my doubts as to whether or not they are constitutional. Nevertheless, it is a step forward.

I believe when the bill gets to the other body and then gets to conference, we may get an even better bill. I do not believe we gave sufficient consideration to this bill in full committee, but the subcommittee did do a long and arduous and good job as far as they went. I believe we did get a little rush act in the full committee. It is now here. We can send it to conference and hope there we can get a better bill. If not, we may have to do more later in the session or in the next session.

May I call the attention of the House to the fact that we have no gun control bill, no alcoholic bill, no narcotics bill, no prison bill, no rehabilitation bill, no bill revising the criminal laws of the District, just to mention a few of the pieces of legislation which are not covered by this bill and which are crying for our attention.

I withhold any references to the many other bills requiring our attention and which should attack the fundamental ills of the community, which give rise to so much criminality.

Mr. **GUDE.** Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. **GUDE.** Mr. Speaker, as a member of the District of Columbia Committee and a representative of a suburban section of the metropolitan area of Washington, I, as well as other Members of Congress, have been concerned with the constantly increasing crime rate in the Nation's Capital and all areas of the country.

Recent FBI statistics show that for the first 3 months of 1967, crime in the District of Columbia increased 42 percent over the same 3 months of 1966. The national average increase for the same period was only 20 percent. It is common knowledge that it is unsafe to walk the streets of Washington at night. Few of us are eager to venture out at night, let alone permit members of our family to go out unescorted. In ranking Washington with 15 other major cities in the country for the first 3 months of this year, we come out first in robbery, second in assault, third in murder, fourth in housebreaking, fifth in larceny, sixth in auto theft, and seventh in rape. With a rating like that, it is a wonder that even the criminals are not afraid to be on the streets.

H.R. 10783, if enacted into law, will be one move to help control this devastating trend. I am in agreement with the views of certain members of the committee who feel that some of the titles of the bill could be improved. There has been considerable effort in the District Committee to incorporate the features of both last year's omnibus crime bill and this year's proposal by the administration. The bill is a melding of the divergent views and is the best that can be obtained under the circumstances.

There are several outstanding improvements in the law which will result if H.R. 10783 is enacted.

First. Title 6 makes needed changes in the District of Columbia Code in respect to the selling and dissemination of obscene literature. This section is particularly desirable because of its effort to keep this unfit material out of the hands of children.

Second. Title 2, dealing with insanity, helps eliminate possible surprise in the District of Columbia courts by requiring a defendant to make known his intention of raising a plea of insanity. This provision is in accordance with the present trend of the Federal Rules of Criminal Procedure by guaranteeing a fair trial to all parties concerned.

Third. Title 1 gives the police the right to arrest for misdemeanors not committed within their presence or view. I feel the effect of this section will greatly curtail certain types of crime.

Fourth. Title 4 increases the penalty and makes it a felony for anyone charged with the obstruction of justice. This section is greatly needed if the police are going to be an effective crime fighting force.

This bill will not solve the District crime situation overnight, but it does represent the sincere effort of many people who are extremely concerned with the crime problem in the District. Many objections lie primarily with title 3 which is ambiguous. It gives the impression of bypassing the Miranda decision which can be changed only by a constitutional amendment or by Supreme Court action. This section also does not clearly determine whether the Mallory rule is suspended for a period of 4 hours.

There has been concern that this title might be used in an oppressive manner. However, to the extent that there is concern that any individual, guilty or innocent, might be deprived of his rights, any examination must consider the manner in which the law is actually operating rather than in a purely hypothetical framework. Both Mallory and Miranda will certainly be applicable in the detention process as is provided in this section. Therefore, unless the administration of title 3 is carefully worked out to conform to Mallory and Miranda guidelines, the end result could well be that the individuals guilty of crime will escape punishment because of police failure to comply with provisions of title 3 in the context of the court decisions.

However, it is obvious that both now and in the immediate future, further consideration and debate will not yield substantial alterations of these and other controversial aspects of this measure. It is unfortunate that this is termed the omnibus crime bill. Such a name gives the connotation that it is a panacea for crime problems. Presently, there are other bills pending before the District Committee dealing with such subjects as gun control, juvenile arraignment, alcoholic, and narcotic offenses, all of which are important to the reduction of crime. Effective crime control requires efforts to improve the effectiveness of the crime control apparatus starting with the police and ending with rehabilitation. Vast improvements to be made in all areas are well documented in both the District and National Crime Commission reports.

In the fight on crime, it cannot be repeated too often that the business and private sectors of our society must be as concerned and involved as the Government sector. In addition to my concern about legislation, I have been exerting particular effort to improvements in the District's juvenile and narcotics programs. Juvenile offenders are extremely important in the crime picture of the District. Seventy percent of the adults charged with crimes have juvenile records.

I have been exploring the possibility of graduate programs in area universities serving as a source of counselors who could help to overcome inadequate staffing at the juvenile center in Laurel. This is an important area of juvenile rehabilitation which needs improvement. Another area in which legislation and appropriations are needed is the field of narcotics. The confusion in the District courts as to what to do with narcotics offenders is compounded by the fact that there are no adequate treatment centers.

Proposals have been made for providing a comprehensive treatment center in the District, and what I have seen personally of District of Columbia facilities indicates the immediacy of the need for substantial improvements. The District Health Department has only the most primitive facilities for dealing with narcotics addicts. The Department has applied to OEO for funds to provide the District with a complete modern narcotics rehabilitation program ranging from adequate institutional care, including counseling, to followthrough programs designed to help the addict become a useful member of the community. I have personally urged OEO to grant the necessary funds.

Adoption of the proposed reorganization plan for the District, now pending before the Government Operations Committee, would bring centralization of executive and administrative authority, thereby greatly facilitating the organization and deployment of all available resources of the District government against crime.

Crime is a major problem in every metropolitan area of the country. Not only government, but society too, is losing the fight. We must retake the initiative and win the fight against crime with combined effort and decisive action.

Mr. TAFT. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I commend the members of the committee and of the subcommittee for tackling this very difficult problem. I want to join with them in expressing the great need for the bill to deal with the appalling problems that it attempts to attack.

I do not want to nit pick. At the same time, I do want to sound a note of warning for the other body. I am not going to oppose this bill, because I believe it is vital that we move ahead somewhat in this direction. At the same time, addressing myself to title III—if we call it nit picking—I believe if we do not correct it, the action of the House in passing this bill is likely to turn out to be in vain. To allow 4 hours of interrogation without a formal arrest, I believe is certain to raise serious question of a veto and almost certainly result in the Supreme Court setting aside this section and perhaps other sections of the bill.

The Escobedo and Miranda cases were addressed to this question. I quote the court:

> Incommunicado interrogation of individuals in a police-dominated atmosphere, resulting in self-incriminating statements, without full warnings of constitutional rights.

But the court, in Miranda, went on and indicated that when a person is being interrogated, if at any time he desires to discontinue the investigation, or gives any indication to that effect, no matter how slight it may be, the interrogation must cease.

We can easily see in any future attempt to set aside evidence coming from such an interrogation, it is going to be very easy and a question of fact and of fact only under that language of the Miranda case as to whether such an indication was given. We bring the Miranda case into this section of the bill automatically by the way it is written.

I believe we can have an honest, brief, on-the-scene interrogation when there is reasonable cause to believe a crime has been committed. I believe we should have such a provision. I, myself, testified before the subcommittee on this subject. I have a bill, H.R. 7808, on the subject calling for up to 20 minutes of on-the-scene interrogation without any arrest taking place. Then, if it is necessary to go ahead with the interrogation, my bill would provide for taking the man into custody, giving him proper warnings and proper protection under Miranda and otherwise.

I then specify that they may go ahead and interrogate another 3 hours without danger of the evidence being set aside under Miranda.

I do not believe the door has been closed by the Supreme Court, which has left a considerable degree of latitude in the language. At one point in Miranda they state as follows:

> Our decision is not intended to hamper the traditional function of police officers in investigating crime. See *Escobedo* v. *State of Illinois*, 378 U.S. 478, 492, 32 O.O. (2d) 31, 37, 84, S. Ct. 1758, 1765. When an individual is in custody on probable cause, the police may, of course, seek out evidence in the field to be used at trial against him. Such investigation may include inquiry of persons not under restraint. General on-the-scene questioning as to facts surrounding a crime or other general questioning of citizens in the fact-finding process is not affected by our holding. It is an act of responsible citizenship for individuals to give whatever information they may have to aid in law enforcement. In such situations the compelling atmosphere inherent in the process of in-custody interrogation is not necessarily present.

I believe the House should act today on this bill.

I am not going to offer an amendment to cut back the time here. I do not believe this is the proper place to do so, and I have had my say in the committee as to what should be the proper form of the bill.

I call this matter, and this particular objection, to the attention of the other body and of its appropriate committee, so that it may be considered when they go into this measure.

I believe we must do something. I hope we shall do something. In this bill, unfortunately, I believe we have gone too far in saying how long an individual may be held without formal arrest and how long he may be interrogated.

Mr. WIGGINS. Mr. Speaker, will the gentleman yield?

Mr. TAFT. I yield to the gentleman from California.

Mr. WIGGINS. Would the gentleman agree that under title III of the bill it would be possible to detain a person for grounds which would not justify his arrest?

Mr. TAFT. Let me say this: under title III as it is written I do not think so, because I believe the period of detention would be held to be excessive.

If we should put in a much shorter period, I believe under those circumstances it would be different.

I recommended 20 minutes in my bill. A committee of the American Law Institute 2 years ago, before the Miranda decision took place, tried to define time in this area and came up with 20 minutes. I believe it is reasonable.

I might say that I have circulated my bill to police officers all over the country and have received a great deal of commendation for the form of the bill and for the idea. No one has objected to the 20 minutes provision for holding for interrogation on the scene, on the street and not in the police-dominated atmosphere. If further questioning is necessary there should be a formal arrest.

Mr. WIGGINS. Mr. Speaker, H.R. 10783 is a difficult bill to oppose. In all but one of its titles the bill proposes positive and constructive tools for more effectively dealing with crime in the District of Columbia.

But title III stands out as an unfortunate, and probably unconstitutional, attempt to grant to police officers the right to deprive innocent citizens of their liberty. Under the title in question, a police officer may detain for a period up to 4 hours a citizen whom the officer "has probable cause to believe has committed a crime." The citizen may be taken against his will to a place of detention and there interrogated "with respect to any matter" apparently till he has explained his reason for his presence in a lawful place to the satisfaction of the police officer.

In the first place, Mr. Speaker, it is not my understanding that a citizen must explain his presence in a lawful place under penalty of detention. Admittedly the bill is not quite that harsh. The right to detain is limited to those cases where the officer first has probable cause to believe that a crime has been committed. If the "crime" is a felony—generally, those specified in section 397 (c) of the bill—no injustice results, because the officer may make an actual arrest under those circumstances. But on the other hand, if the "crime" is a misdemeanor, the situation exists where a person may be "detained" for reasons which would not justify his formal arrest. Such a deprivation of liberty should not be condoned.

I am aware of no constitutional reason why an arrest without a warrant for a misdemeanor could not be justified upon probable cause alone. But where a distinction is drawn between felony and misdemeanor arrests and the power of the police to effect such arrests governed thereby, the destruction of that distinction by a sweeping power to detain borders upon unconstitutionally arbitrary and capricious legislation.

Were title III of the bill merely unwise, I could perhaps support the entire bill, since its overall salutary effect is obvious. I cannot, however, support a measure, a portion of which I believe to be unconstitutional. Regretfully, Mr. Speaker, I must vote "no" on H.R. 10783.

GENERAL LEAVE

Mr. WHITENER. Mr. Speaker, I ask unanimous consent that all Members have 2 legislative days in which to revise and extend their remarks on the bill, H.R. 10783.

The SPEAKER pro tempore (Mr. Bolling). Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. CABELL. Mr. Speaker, I move to strike the requisite number of words.

In rising to support this bill, I do so not only as a Member of this body charged with the responsibility of enacting necessary laws for the prevention of crime and for the incarceration and prosecution of criminals, but also as a citizen and as a former municipal officer of many years' experience, in seeking to obtain better law enforcement, in seeking to obtain a higher quality of law enforcement officer, and in seeking to build respect for law and order and for those who enforce the law.

I certainly subscribe to any theory or to any principle which says we should try innovations in assisting to accomplish these results. But, may I also say, when those innovations have been tried and have been found wanting and have been found ineffective in law enforcement, then it is time to return to the old time religion, if I may use a rural term.

In this case I point to the old-time religion as being that the greatest deterrent to crime is swift arrest, swift incarceration, and certain punishment for the crime involved.

Nothing in the world destroys the morale of a law enforcement organization more than does a situation in which an enforcement officer arrests a man as many as three or four or five times in one month and sees that man walking out of the jailhouse before he has finished making out his beef sheet.

This is what we run into in this day and time.

I believe nothing better can be done than to go to some of those tried and true principles of law enforcement and respect for the people charged with enforcement of our laws.

In conclusion, I should like to reply to a question raised by the gentleman from Washington, when he asked another speaker in the well if this bill had been cleared with the Attorney General.

May I express my humble personal opinion that this should have been completely unnecessary. Possibly I have the wrong concept and am laboring under a false impression, but it appears to me that the responsibility for enacting laws is in the Congress and not in the administrative or the executive branch. If this Congress should enact a law referring to criminals and their prosecution, then it would be the duty and the obligation of the Attorney General to enforce those laws whether he believes them constitutional or not. It is not up to him to second guess the Supreme Court as to whether these laws will be held constitutional or unconstitutional. So, in answer to the question from the very erudite and astute gentleman from Washington, may I say that contacting the Attorney General on this matter was completely superfluous, and I think it weakens the integrity of this Congress if we have to get his advice on the laws we pass.

Mr. MACHEN. Mr. Speaker, will the gentleman yield?

Mr. CABELL. I will be glad to yield to the gentleman from Maryland.

Mr. MACHEN. Mr. Speaker, as a former prosecuting attorney and as a longtime practicing attorney, I am deeply disturbed with the rising crime in the Washington metropolitan area and the continuing abuse that is being heaped upon our law enforcement officers.

During the period of 1959 to 1965, the District of Columbia had an increase in serious crime nearly double the average increase of comparable cities. There is a variety of reasons for this increase—some we are able to cite and some are not yet clear. However, some recent court decisions, certain demagogs who incite to riot with the false cry of police brutality and a general breakdown in family and social institutions have all played their part.

It is also my belief that the increased street crime is directly related to a prevailing disrespect for law, and low police morale. Observers for the National Crime Commission have found that the morale problem within the Washington Police Department is acute. Some of this can be attributed to the frustration of the officer who faces harassment when he attempts to enforce the law and discouragement when he sees the suspects released on technicalities of one kind or another.

In 1965 the House passed an omnibus crime bill. My maiden speech on this floor was in support of that bill. But, unfortunately it was vetoed and never became law. We now have another chance and I hope that we will take it.

The 4-hour detention period for suspects that is provided for in this new bill would give our police a tool that would greatly facilitate their work. I believe that this is a good rule and that it should be sustained without change. The question of constitutionality should be decided by the courts in this matter. I am convinced that this rule would be applied prudently by the Police Department and that it would not be used to justify mass investigative arrests.

I agree completely with the committee's statement concerning the necessity of "putting out the fire." Of course, I would support measures aimed at alleviating the conditions that breed crime—the long-range efforts against poverty, unemployment, disease, and inadequate educational opportunities. But social evils do not justify criminal anarchy. The safety and security of its citizens is the first duty of government. Yet today, violence and the fear of violence have made living, traveling, and working in certain sections of Washington, D.C., as dangerous and restricted as though it were a hostile foreign country.

Clearly, we the Congress have a duty to enact legislation that would change this shameful situation. I believe the bill that we are considering today is a giant step toward improvement and I hope that it is passed without substantial amendment.

Mr. McMILLAN. Mr. Speaker, I move to strike the last word.

I want to take this opportunity to thank and congratulate every member of the House District Committee for the days, weeks, and months they have spent trying to solve this most difficult problem. I think every member of the committee fully realizes this bill will not completely do away with crime in the Nation's Capital. However, it will show the people of this Nation that we are trying to do something about the crime situation. It will prove to the people we are trying to keep the Nation's Capital a decent and safe place for them to visit, and will show the people who are trying to do business here that we are trying to protect them as much as possible.

Mr. Speaker, I want to thank every Member of the House for the consideration and support they have given us in previous years in passing similar bills. It is true this bill is not as strong as the one we passed last year, but we did everything possible to meet the objections of the executive department in writing this legislation. We do hope it will prove to be of some benefit to the law enforcement officers.

You and I all know that during the past 2 years the law enforcement officers have been handcuffed to such an extent that they are almost afraid to arrest any person for fear of losing their jobs.

Mr. Speaker, I also want to take this opportunity to thank the gentleman from Texas, the former mayor of Dallas, for the fine contribution he has made in assisting us.

The anticrime bill, H.R. 10783, reported from the House Committee on the District of Columbia, is the product of more than 8 years of study and legislative effort. This is the fourth consecutive Congress in which similar legislation has been favorably reported to the House. In the 87th, 88th, and 89th Congresses, the House approved such legislation by about 2-to-1 majorities on a rollcall vote. This House should approve this legislation by a comparable vote.

The District of Columbia is the only jurisdiction in the Nation where common-law crimes such as murder, rape, robbery, burglary, and other lesser crimes and misdemeanors are offenses against the Federal Government. The courts have imposed on the District, rules of law and procedure which were not applicable in State jurisdictions for similar criminal offenses. Two such rules were those set out in the Durham and Mallory cases. Ten years ago, crime in the District was decreasing at a time when it was increasing nationally and in practically in every other city. With the Mallory and Durham rules operative in the District, crime has increased at a faster rate than in any other city in the Nation.

During these last 10 years, crime has increased more than 250 percent in the District. This increase has been almost without exception during the past 60 months. At the same time, the clearance of crime by the police has decreased from more than 50 percent to about 25 percent of the cases. At the same time, the prison population at Lorton has been declining.

In more and more cases, the handling of criminals in the District of Columbia is becoming a revolving door procedure. During the 10 years, 53 defendants charged with murder were found not guilty by reason of insanity. The penalties for murder in the District are death or life imprisonment. Twenty-seven of the 53 defendants committed to St. Elizabeths Hospital were released to society in less than 5 years. Three of these murderers were at large in the community within 6 months. Technicalities under the Mallory decision have resulted in the release of known and admitted criminals back to the community. These are factors which money, equipment, and an increased police force will not remedy.

H.R. 10783 is a modification of the crime bill approved by the House and Senate in the last Congress. A great majority of local organizations supported the similar bill approved by the last Congress. Some of them are as follows: the Evening Star, the Washington Daily News, the Chairman of the President's District of Columbia Crime Commission, Washington Board of Trade, the Association of Oldest Inhabitants, the National Conference of Police Associations, the International Association of Police Chiefs, the Federation of Citizens Associations, the Veterans of Foreign Wars, and many others.

The same groups which urged the veto of this bill last year are now attacking the pending bill. Among them are: the Washington Post, the American Civil Liberties Union, the United Planning Organization, the Americans for Democratic Action, the District of Columbia Coalition of Conscience, the Council on Human Relations, and others.

The objections of such groups have been examined and reexamined. If the District of Columbia is going to have any effective law enforcement, it must begin with criminal law that is effective in aiding police to conduct their necessary functions of investigation and interrogation without handcuffs and with expeditious action by the courts without convenient escapes for those who commit crimes. Your committee has increased the judicial capacity of our courts and presents legislation today to further increase the capacity of our courts to deal with crime. If the march of crime is to be halted or reversed, legislation such as is presented today should be approved by an overwhelming vote in this House.

Mr. KYL. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, bad as the crime situation is, I feel it is yet a symptom of a much greater problem. It has become so popular in our Nation to throw out old standards on the basis of the belief that they are no longer relevant to our time and yet we substitute nothing new to replace those old standards which are being discarded. We reach a point where we have a kind of spiritual or moral vacuum. We lose faith in everything, believe in nothing. There is no place to return for strength. In fact we have a sort of spiritual anarchy which in the long run must be much more destructive than a political anarchy.

In the limited time that is available to us today I would like to talk about a few specific items. The chairman of the committee has said this is not a perfect bill and it is not going to solve all of the crime problems of the District. He is so right in that, because there are many problems, many specific things, which call for very hard decisions—decisions which we would, if we had the opportunity, leave to someone else.

Mr. Speaker, let us be perfectly specific for the moment.

In the District of Columbia we had a ruling a year or two ago to the effect which says that drunkenness is not a crime; it is a disease; and so the police are now reluctant to arrest anyone for drunkenness, or to take a person into custody because he is drunk. What happens to that individual? He walks one block and he is either mugged or robbed or "rolled" as the parlance goes. If he falls to the ground, it is only a matter of minutes before his pockets are turned inside out. What have we done for the inebriated?

Mr. Speaker, let us take a look at another situation which in my opinion calls for a very hard decision. I mention an extreme case, but it can be pictured in hundreds and perhaps thousands of cases in the District of Columbia.

We have on record the instance of one man who has sired 13 children by 13 different women. Neither he nor any of the women has ever been married and 12 of the offspring are known to the courts. What kind of decision do we make here? Is sterilization the answer? Do we permit legal abortions? How do we solve this specific problem which exists here in the District of Columbia and elsewhere?

Mr. Speaker, let us look at another specific problem which in my opinion right now offers as great a problem to the people of the District of Columbia as any other, and it is another case about which people do not like to talk. This is the problem of homosexuality. Oh, yes, I know this is a subject about which you do not want to talk. However, having studied psychology just enough to be dangerous, I know there are numerous kinds of homosexuals, and I am speaking now of the female impersonator, so-called, who is a male prostitute and who abounds in very great numbers in the District of Columbia. Now, do not argue that this is not a crime, because in almost every single case there is another party—the so-called Murphy man—who, in turn, intimidates, and robs the victim or subjects him to blackmail.

Mr. Speaker, the police know hundreds of victims who fall prey in this particular category. And, there are additional hundreds of cases never reported because of the circumstances surrounding the crime.

I do not think the average person is yet excited about this business of crime, because there is still a vicarious experience—a secondhand experience. Mr. Speaker, any Member of this House may go to one or more areas in this city tonight, tomorrow night, Friday night, or Saturday night and observe these situations going on—prostitution both male and female, the bookies, the numbers peddlers, the narcotics, the bunco play—all the petty crimes, from which the serious crimes flow.

Mr. Speaker, this situation is here and there are very, very hard decisions that will have to be made and they must be made by specific legislation. Sooner or later, we will have to face up to these problems.

There are those who tell us that most of these things spring from economic or socioeconomic conditions. However, if we admitted, that the sole cause of the problem lies in socioeconomic factors, which it does not, and if we had answers to the socioeconomic problems, which we do not, we would still have to admit that it would take 10 or 20 or 30 years to do the job. What do we do with crime in that period? Obviously, we must act now. Let no one think this bill is the total answer. It is a meager start.

The SPEAKER pro tempore (Mr. Bolling). The time of the gentleman from Iowa has expired.

Mr. O'HARA of Illinois. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, at the outset I would make it crystal clear that I have great respect for the Committee on the District of Columbia. There is not a finer gentleman in the Congress than the distinguished chairman of that committee, the gentleman from South Carolina [Mr. McMillan] He and the gentleman from Illinois may not always be in agreement, but I do not know of any man who has a more understanding mind and more gentle and courteous manners than the chairman of this committee.

But, Mr. Speaker, being a counsel for the defense by heart and by habit—a habit fixed by too many years of practice and of conviction to be cast aside—I cannot approach a study of crime from exactly the same place and in exactly the same mood as my colleagues who have distinguished records as prosecutors.

I know that there were some 3,000 crimes committed in the District in the month of May—3,000 people who committed crimes and I wish the criminals detected are punished and I would quickly end the rein of crime if I could.

But, Mr. Speaker, I am thinking also of the hundreds of thousands of men, women, and children in the District of Columbia in the month of May who did not commit any crime.

Mr. Speaker, I do not want anyone who did not commit a crime in the month of May in the District of Columbia falsely arrested, accused, imprisoned, and perhaps convicted, all because we are more interested in exacting revenge than protecting the innocent from false accusation. The report of the committee in my hand speaks of the bleeding hearts who presumably are opposing this bill. I do not like that term. I suppose I am a bleeding heart, and in the sense that I have feeling for the hundreds of thousands in the District that committed no crime in May I hope that I am. I think that every one of my colleagues on both sides of the aisle is a bleeding heart in that sense. They respond to the cries of humanity and decency—and are not ashamed to bleed at the heart when there is grief and injustice.

The report of the committee says too many bleeding hearts have forgotten that the oldest function of government is to uphold law and order. True, but the oldest function of government, as I understand it, is in the upholding of law and order in order to protect the innocent from false accusations.

Then again the report of the committee says—and I also do not like this language—"but coddling criminals and soft justice will never rid society of those who insist on taking the law into their own hands." Coddling criminals? Does one coddle criminals when he insists that the hunt for the criminals and their speedy and vigorous prosecution go hand in hand with the full protection of the law? Many good people would sooner have a few guilty felons escape punishment than to have one innocent person go to jail or prison for one day.

Mr. Speaker, there are some provisions of this bill that, in my judgment, should be changed, but it does represent, I think, a large amount of hard, dedicated work on the part of the members of the committee, and I am going to vote for it, but somewhat in the manner voiced by the gentleman from Ohio, the grandson of a great Chief Justice of the Supreme Court of the United States in the years before his Presidency. I am voting for the bill with the hope and the expectation that the other body will take out some of the provisions such as the 4-hour provision that I think objectionable, and leave in the many good features, so that by compromise we may get a bill that will satisfy all of our viewpoints.

Mr. WYMAN. Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, earlier the distinguished gentleman from Ohio [Mr. Taft] suggested in commenting upon title III of this bill that a questioning for 20 minutes would be adequate.

With all due respect to his vast knowledge, training, and background, I disagree with the gentleman. Twenty minutes is not enough for the police to be able to protect society in detaining and questioning persons under suspicious circumstances, in order to solve crime.

For example, if at 3 o'clock in the morning a person is stopped on suspicion found running in a darkened alley, 20 minutes may not be adequate. The illustrations of the practical problems the police face in this country can be multiplied a thousandfold.

No matter how you slice it, detention for questioning on probable cause is not arrest. There is no record of arrest unless the person detained within the 4-hour period, is actually arrested. It is an inconvenience, undoubtedly, but it is the type of inconvenience to which all citizens should yield, willingly, in the interest of checking crime and apprehending criminals.

To urge that anytime a person in this position wants to stop the interrogation, the interrogation must cease, is to recite a truism that merely confuses clear thinking in these cases. Whether detained on suspicion for questioning or actually under arrest, there is no obligation upon the subject to incriminate himself out of his own mouth. This is clear under many judicial precedents. So, if a person in such a situation wants to remain mute, he or she has the constitutional right to do so.

Miranda warnings may or may not still be necessary. But this does not alter the basic truth that in the first flush of such early apprehension enforcement officers seeking to protect the people and to find out about crime are likely to obtain a great deal of information. There is all the difference in the world between a person's attitude when he is first caught or first detained and hours or days later when he has a mouthpiece to instruct him and act as his gladiator.

Of course, he may insist that "I'm not talking until I have my lawyer." This is his right. This statute does not change this. But in the meantime with the right of detention for questioning or investigation, police can teletype to find out who this person is and often such teletypes will elicit a response to the effect that the individual is Joe Smith with a long criminal record in another jurisdiction.

No citizen should complain of making himself available for up to 4 hours if an officer has reasonable grounds to suspect that he has committed a serious crime.

The gentleman from Washington [Mr. Adams] suggested that in New Hampshire we have a "stop and frisk" law. Well, we have a statute in New Hampshire on this subject almost identical to the statute now before the House. I have it with me and it is very brief. It authorizes questioning and detaining suspects in Revised Statutes annotated chapter 594. It provides:

> (a) A peace officer may stop any person abroad whom he has reason to suspect is committing, has committed or is about to commit a crime, and may demand of him his name, address, business abroad and whither he is going.
>
> (b) Any person questioned as provided in subsection (a) who fails to identify himself and explain his action to the satisfaction of the peace officer stopping him may be detained and further questioned and investigated.
>
> (c) In no case shall the total period of detention provided for by subsections (a) and (b) exceed four hours. Such detention shall not constitute an arrest and shall not be recorded as such in any official record. At the end of any such detention period the person so detained shall be released unless arrested and charged with a crime.

We urgently need this kind of legislation in the District of Columbia.

The subject of aggravated assault is a term that is well understood in the law. It has been a recurrent problem with District of Columbia police.

The bill that is before the House gives an added tool to law enforcement in the District of Columbia by providing that if any person shall commit a crime of violence in the District when armed with or having ready or available any pistol or other firearm or other dangerous or deadly weapon—he does not have to use it—provided it is available to him.

If convicted of the commission of a crime of violence in these circumstances he can be punished by imprisonment up to life. This will be a strong deterrent in the Nation's Capitol. This is an added penalty—added to that provided for the offense itself. For two convictions there is no discretionary suspension or probation permitted.

With a 40-percent crime increase in the District of Columbia, Mr. Speaker—with this kind of situation in the District of Columbia, this is exactly what we need, plus a new firmness from the courts handling crime from day to day.

I think it is wrong to suggest that the courts would have to declare unconstitutional statutes of this type which are designed and needed to help and protect law-abiding members of the society in a reasonable and rational way.

Mr. Speaker, I support this bill and urge its passage.

Mr. TAYLOR. Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, how are we faring in our never-ending struggle to maintain law and order? The answer to this question can be found in the stark statistics of crime. The law enforcement agencies of the Nation reported over 2,700,000 serious crimes committed last year—the highest total ever recorded. In each one of these crimes there was at least one victim. Every 2½ minutes last year there was a victim of a murder, assault to kill, or forcible rape. Each 5 minutes there was a victim of robbery, every 28 seconds there was a burglary victim; a victim of a major larceny each 45 seconds; an auto-theft victim every minute.

According to figures made available on June 16, 1967, through the FBI's uniform crime reports, serious crime in the United States jumped 20 percent in the first 3 months of 1967 when compared with the same period in 1966. The increase here in Washington was even greater. Crime in the District of Columbia increased 41 percent in May 1967 as compared to May 1966. Robbery increased from 220 to 414; burglary from 754 to 1,160; murder increased 171 percent.

Most of our citizens are thinking that they were lucky that crime passed them by last year. Well, it did not. Maybe they were lucky enough not to be one of the prime 2,700,000 victims, but they were a victim just the same.

The criminals of this Nation have their hands in everyone's pockets. You are a victim of crime virtually every time you reach for your wallet. Each time you buy an item in the store you are paying for it and helping pay for the millions of items stolen by shoplifters and other thieves. Your home and automobile insurance premiums include a tribute to the car thief and the house burglar.

Crime is costing this Nation $27 billion per year, an average of $574 per family, and the cost continues to rise as crime continues to increase six times faster than the population growth of our country.

The time has passed when Americans can take a casual position with reference to crime. The lives and property, the well-being of every American, and indeed the future of our Nation, stand in jeopardy from the mounting waves of lawlessness sweeping across our land.

In a message to Congress on March 8, 1965, the President said:

> Crime has become a malignant enemy in America's midst . . . We must arrest and reverse the trend toward lawlessness.

Many say that crime is the product of poverty, ignorance, poor housing, lack of recreational facilities, and unhealthful living conditions. Others just as emphatically declare that crime is on the rise because we are undergoing a social revolution in America and that the stress and strain of our way of life are too much for our national character.

There is, of course, some truth in these contentions. I would like to point out, however, to all of those who offer these excuses for crime that we are enjoying today the highest standard of living in the history of our Nation, the highest level of prosperity, the best housing conditions, the best of health, the highest level of education, and the greatest amount of employment ever experienced.

Yet we have more crime than in the heart of the great American depression. The fact of the matter is we cannot explain away crime by making economic and sociological excuses.

I feel that we in the Congress have tolerated, with too much patience, what I consider to be the prime cause of increased criminal activity at every level of our society and in every section of our country.

As one devoted to legal principles and trained to respect the dignity and the justness of the courts, it gives me no pleasure to say it is my sincere belief that one basic reason we have so much crime in the country today is the failure of the Federal courts to protect the life and property of the average American citizen.

In decision after decision since World War II the Federal courts have seriously weakened the whole structure of American criminal law in an attempt to protect the constitutional rights of the person accused of crime.

Federal court decisions have shattered legal precedents, have annulled State laws, and have declared void State court decisions. What has resulted is a legal jungle wherein lawyers and judges grope their way through a maze of court decisions, all having as their effect a weakening of the police power.

The dangerous imbalance between the rights of the accused and the rights of society to the protection of life and property must be corrected. The effect of court decisions upsetting State laws and precedents and unleashing thousands of criminals has had a profoundly demoralizing effect on law enforcement in our country.

The Federal court has strengthened the rights of the criminal and restricted the power of the police. It has dropped a legal curtain of protection around hardened, unreformed criminals. It has placed handcuffs on the policeman who tries to enforce the law.

The Congress of the United States should speak up and let the judiciary know in clear and unmistakable terms that the time has come when the rights of society must be restored and protected. The passage of this District of Columbia crime bill is a fitting place to begin.

The American people must awaken to the seriousness of the problem which confronts us. The law enforcement officer at all levels and in all jurisdictions needs, and must have the backing of an aroused citizenry.

We are witnessing today an accelerating trend of civil disobedience and disrespect for law, in addition to the upsurge in standard criminal activity. Civil disobedience has nearly reached the state of anarchy in many sections of our country.

In addition to the shackles which have been placed on law enforcement officers by Federal court decisions, the civil disobedience brought about by those who preach the wholly un-American doctrine that one can obey laws in which they believe and disobey those they dislike has spawned an increase in crimes of violence against person and property.

While protecting the constitutional rights of the accused, action must be initiated to give law enforcement officers the procedural means whereby they can effectively investigate, arrest, and interrogate persons accused of crimes. And State prosecutors and judges must be allowed to administer justice without undue interference from the Federal courts.

The criminal has long since received all of the protection to which he is entitled under the Constitution. Now is the time to protect the constitutional rights of the law-abiding citizen.

The safety and security of its citizens is the first duty of government.

Mr. COLLIER. Mr. Speaker, each and every one of us—those who live in the United States and those who live in other lands—are affected by what happens in Washington. When we talk about what goes on in the Nation's Capital, we usually have in mind the legislation that Congress passes, the actions of the President and the huge and powerful Federal bureaucracy, and the decisions that are handed down by the Supreme Court. There are some other things that are going on in Washington about which I wish to say a few words.

We have heard a great deal lately about model cities. If there is any metropolis that ought to be a model city, it is Washington, D.C., the Capital of the United States, the center of political, diplomatic, military, and financial power for the entire globe, the mecca for visitors from all over the world, and the showcase for those who appreciate the finer things of life.

The population of the District of Columbia is slightly over 800,000, less than one-fourth that of Chicago, which the congressional district that I have the honor to serve adjoins. Like Chicago, Washington has a large suburban population but, unlike Chicago, it has fewer inhabitants than its suburbs. While Chicago has about half a million more people than its suburbs in Illinois and Indiana, the Nation's Capital has only a third as many inhabitants as its suburbs in Maryland and Virginia.

Many of Washington's neighbors commute to work in the city each weekday morning by automobiles and trains, returning in the evening to what are known as "bedroom suburbs." Thousands of other suburbanites visit the city on business. Members of Congress and their families now spend most of the year in Washington.

The population of the city is augmented, especially during the spring and summer months, by tourists from every State in the Union, including an army of schoolchildren accompanied by their teachers, who come to see the Capitol and White House, the Washington Monument and Lincoln Memorial, and the many other historic shrines. Other visitors include people who have business with the departments and agencies that make up the Federal Government. These come not only from throughout the United States, but from every other country on earth. There are, of course, many foreigners who come to Washington just to see the sights.

All these people—residents, suburbanites, Congressmen, and visitors—have a right to live in the Nation's Capitol, to work in it, and to visit it. They have a right to attend social, political, business, cultural, or sports function in the evenings without fear, whether they are motorists or pedestrians.

Instead of becoming a model city, Washington has become a place where men as well a women are afraid to go out at night. The old legal maxim, "a man's home is his castle," no longer holds true. The right to dwell in safety in one's own home and the right to venture forth after dark on legitimate business or pleasure seem to have gone down the drain as jurists, politicians, bureaucrats, and academicians display an obsession for the rights of criminals and suspects.

Certainly anyone who is merely suspected of having committed a crime has definite rights under our Constitution and laws. Even a criminal has some rights, but let us not lose sight of the fact that law-abiding citizens and victims of crime also have rights.

One of the members of the President's Commission on Crime in the District of Columbia was David A. Pine, who is also one of the judges of the U.S. District Court for the District of Columbia. Judge Pine, who was born in Washington, D.C., educated in its public schools and at its Georgetown University, has been a member of the District of Columbia bar for over 53 years. Certainly these words from his minority report are entitled to respect:

> It is common knowledge that our city's streets are no longer safe, that our police are often ineffective in our protection and in solving crimes, and that our courts do not dispense swift, certain, and sure justice. . . . . Crime has increased, law enforcement has lost the respect it once had, and criminals now go free.

Here are some figures that will give my listeners an idea of how serious the crime problem in the Nation's Capital has become. Behind these cold numbers are several hundred thousand human tragedies varying in degree from housebreaking to murder and from purse snatching to rape. Statistics may seem impersonal, but one never knows when he himself, a member of his family, or a close friend or associate will be the victim of a crime.

Crime statistics that are issued by the Metropolitan Police Department of the District of Columbia cannot tell the whole story, as residents of Washington, for various reasons, fail to tell police about a great many crimes, particularly housebreakings and larcenies. Because of embarrassment, shame, or a fear of publicity, many rape victims do not report assaults to police. Numerous thefts of property of little value, frequently involving housebreakings, go unreported.

The following table shows how part I offenses increased by 72 percent from fiscal 1950 to fiscal 1966. Part I felonies include murder, manslaughter, rape and attempted rape, robbery and attempted robbery, aggravated assault, housebreaking, larceny of property valued at $100 or over, and automobile theft. These increased by 89 percent between 1950 and 1966. Part I misdemeanors, which increased by 47 percent between 1950 and 1966, include negligent homicide, attempted housebreaking, and larceny of property valued at less than $100.

Fiscal year	Felonies	Misdemeanors	Total
1950	12,229	7,934	20,163
1951	12,156	8,034	20,190
1952	14,066	8,525	22,591
1953	15,251	8,667	23,918
1954	11,917	8,113	20,030
1955	11,488	7,422	18,910
1956	10,048	7,562	17,610
1957	9,155	6,399	15,554
1958	9,895	7,152	17,047
1959	10,193	7,322	17,515
1960	11,714	8,215	19.929
1961	12,948	8,854	21,802
1962	13,274	8,260	21,534
1963	15,191	8,003	23,194
1964	19,693	8,776	28,469
1965	23,174	8,879	32,053
1966	23,089	11,676	34,765

The next table breaks the felonies down into categories:

Fiscal year	Murders	Rapes and attempted rapes	Robberies	Aggravated assaults	Housebreakings	Grand and petit larcenies	Auto thefts
1950	65	212	1,139	4,228	3,507	9,669	1,317
1951	68	236	958	4,246	3,715	9,670	1,273
1952	59	226	1,137	4,547	4,849	10,274	1,465
1953	68	198	1,458	4,598	5,243	10,313	2,023
1954	73	234	1,089	4,431	3,772	8,754	1,693
1955	44	214	1,121	4,550	3,562	7,935	1,459
1956	55	219	1,069	[1] 2,824	3,407	8,179	1,827
1957	63	199	937	2,545	3,077	7,053	1,725
1958	77	160	1,076	2,791	2,196	7,782	1,767
1959	69	158	1,039	2,505	3,823	7,878	2,018
1960	72	154	1,298	3,067	4,409	8,951	1,953
1961	82	147	1,863	2,900	4,922	9,683	2,183
1962	85	129	2,012	2,956	4,701	9,134	2,496
1963	82	142	2,436	2,998	5,789	8,955	2,774
1964	104	162	2,633	2,754	8,209	9,968	4,606
1965	155	159	3,945	2,474	9,309	10,253	5,736
1966	146	196	3,797	2,823	9,221	13,262	5,295

[1] 1st full year of reclassification (in late 1955 the Metropolitan Police Department began to reclassify as simple assault those assaults initially reported as aggravated but which were relatively minor in character).

Since 1950 the frequency of aggravated assault has decreased, although the number of offenses has remained relatively constant since 1956. The 1950–56 decrease may in part have been due to crime reporting practices of the Metropolitan Police Department, which in late 1955 began to reclassify as simple assault those assaults initially reported as aggravated but which were relatively minor in character.

Housebreaking—burglary—is the entrance, with or without force into a home, room, store, apartment, or office—whether or not the premises are occupied—with the intent to commit a crime. The thief who picks the lock of an apartment door, enters, and removes a radio, is guilty not only of theft—larceny—but also of housebreaking. The crime is punishable by 15 years imprisonment. Among the victims of residential housebreakings in December 1965, 88—17 percent—out of 532 had been housebreaking victims before. Of the commercial establishments, 45 percent—141 out of 313—had been prior victims; 69—49 percent—of the 141 had been burglarized in 1964 or 1965.

Larceny is the unauthorized taking of another's property with the intent to deprive the owner of the property or to convert it to the use of the thief or another. Larceny of property worth less than $100 is petit larceny; larceny of property worth $100 or more is grand larceny. Petit larceny is a misdemeanor punishable by a maximum of 1 year imprisonment and grand larceny is a felony punishable by 10 years imprisonment.

Although "theft" implies larceny, what is commonly referred to as "auto theft" in the District is not larceny but the use of another's automobile without the owner's consent. Unlike larceny, auto theft does not require that the thief intend to deprive the owner of his property permanently; "borrowing" a car for a brief "joy ride" and then abandoning the vehicle is an auto theft. The crime is punishable by 5 years' imprisonment.

DEFINITIONS

Homicide, the unlawful taking of a human life, includes the crimes of first and second degree murder, manslaughter, and negligent homicide. Only first and second degree murders are included in the above compilation. First degree murder is the willful, premeditated killing of another and is punishable by death. Second degree murder is the killing of another without premeditation but with malice, and is punishable by life imprisonment. The number of murders increased by 125 percent between 1950 and 1966.

Whoever has sexual relations with a female forcibly and against her will, or with a girl under 16 years of age, even without force and with her consent, is guilty of rape. Rape is punishable by death.

In 1950–60, 55 percent of all rape victims were under 16 years of age; for 1961–65 the figure was 50 percent.

The Metropolitan Police Department reported that 258—66 percent—of 369 rape complaints in 1961–65 involved intercourse with consenting victims under 16 and were therefore reported as carnal knowledge offenses. A survey by the President's Commission on Crime in the District of Columbia suggests that the Department may be improperly reporting as carnal knowledge a number of forcibly rapes involving victims under 16. Of 76 cases surveyed involving girls under 16, 65 were recorded as carnal knowledge offenses and 11 as rape. According to information supplied by the police, 30 of the 65 carnal knowledge cases in fact involved forcible attacks. If these reporting practices were generally followed, nearly half of the 258 carnal knowledge cases recorded in 1961–65 may have involved the use of force or threats and should have been recorded as forcible rapes.

Robbery is the forceful taking of something of value from the person or immediate possession of another. Under District of Columbia law it includes pickpocketing—stealthy seizure—purse snatching—seizure or snatching—yoking and mugging—against resistance—and holdups—putting in fear. A robber may be imprisoned for 15 years.

An assault is an offer or attempt to do injury to another with the present apparent ability to carry it out. An assault is "aggravated" when it is committed with a dangerous weapon—usually a knife or gun—or with an intent to kill or to commit mayhem. Certain aggravated assaults are punishable by imprisonment for 15 years.

Inasmuch as about five-eighths of the District's population is Negro, it stands to reason that most of the crimes would be committed by Negroes, barring extenuating circumstances. If we consider extenuating circumstances, such as poverty and its accompanying ills, it could reasonably be expected that they would commit considerably more than a majority of the crimes. Looking at the other side of the coin, however, we find that the victims of the majority of the crimes committed in the Nation's Capital were themselves Negroes. Here are the blunt facts.

Seventy-eight percent of the 1,214 murder victims during the 1950–65 period were Negroes and 86 percent of the 505 victims in 1961–65 were Negroes.

The majority of rape victims are Negroes—over 80 percent consistently since 1950. Of victims under 16 in 1961–65, 91 percent were Negroes. In 1950–60 over 59 percent of Negro victims, as compared with 35 percent of white victims, were under 16, and in 1961–65 girls under 16 represented 57 percent of all Negro victims, as compared with 23 percent of all white victims. In 1961–65, 45 percent of all victims were Negro girls under 16.

Negroes were the victims in 86 percent of all aggravated assaults in 1956–65.

In December 1965, among the victims of residential housebreakings, Negro females outnumbered white females by 159 to 95, and Negro males outnumbered white males by 160 to 114. Totals were 319 to 209—60 percent Negro.

The President's Commission on Crime in the District of Columbia conducted a survey of all auto thefts reported during January 1966. This study of 390 cases disclosed that 66 percent of auto theft victims were Negroes. Of the complainants who were residents of the District of Columbia, 76 percent were Negroes.

Robbery is the only crime of violence in which white persons are victimized more often than Negroes. Whites were victims in 56 percent of the robberies during 1950–65, in 55 percent in 1961–65.

OTHER CRIMES

In addition to the serious crimes already mentioned, there are other offenses which may cause substantial harm to persons and property. A "simple" assault may inflict severe injury. Embezzlements, forgeries, counterfeitings, and other frauds may cost innocent victims a great deal of money.

Crimes categorized as part II offenses by the police include arson, forgery, fraud, embezzlement, weapons offenses, sex offenses, prostitution, drug offenses, and gambling. Some part II offenses are felonies—for example, forgery, arson—some are misdemeanors—for example, simple assault, offenses against the family, vagrancy—and some, depending on the quality of the offense, may be either—for example, weapons offenses, liquor law violations, prostitution, gambling law violations.

The bulk of part II offenses have been misdemeanors—78 percent in the period 1960–65. Of these misdemeanors, 69 percent consist of simple assaults, liquor law violations, and "other offenses"—defined by the police as including violations of dog control and muzzling regulations, false fire alarms, false reports to the police, cruelty to animals, and failure to pay a board bill. In 1960–65 the volume of simple assaults and liquor law violations remained fairly constant, but "other offenses" rose from 2,716 to 4,146 and were primarily responsible for the 1,399 rise in total part II offenses.

Forgery, counterfeiting, gambling, and drug law offenses make up the major part of the part II felonies. Based on official reports filed with the Bureau of Narcotics, there are over 1,100 "active" narcotics addicts in the District.

WHAT HAPPENS TO THE CRIMINALS?

The following table shows how a smaller percentage of crimes is being cleared as time goes on, the downward trend having now continued for 7 consecutive years:

Year	Reported	Pt. I felonies [1] cleared	Percent cleared
1952	14, 066	8, 197	58. 3
1953	15, 251	7, 798	51. 1
1954	11, 917	6, 989	58. 6
1955	11, 488	7, 453	64. 9
1956	10, 048	5, 996	59. 7
1957	9, 155	5, 304	57. 9
1958	9, 895	5, 746	58. 1
1959	10, 163	6, 167	60. 7
1960	11, 714	6, 311	53. 9
1961	12, 948	6, 647	51. 3
1962	13, 274	6, 493	48. 9
1963	15, 191	6, 770	44. 6
1964	19, 691	7, 921	40. 2
1965	33, 387	10, 947	34. 1
1966	36, 066	9, 159	26. 3

[1] Pt. I felonies include all offenses in the pt. I classification except negligent homicide and attempted housebreaking (which together usually comprise only about 1 percent of the pt. I classification) and petit larceny (which usually comprises about 40 percent of the pt. I classification).

The chances are 1 in 28 that an adult felon whose crime is reported to the police will ever be held accountable for it. The factor of unreported crime makes the felon's chances of escaping justice even greater. Considering the 25,648 felony offenses reported to the police in fiscal 1965, the breakdown is as follows: 24.4 percent—6,266—of these crimes resulted in an arrest, 9 percent—2,315—were charged as felons by the police, 5.9 percent—1,526—were indicted, and 3.6 percent—927—were finally convicted. Of those who are found guilty, over 90 percent will appeal and one-fifth or more of these will have their convictions reversed. In 1950 there were 2,116 criminal cases filed in the U.S. District Court for the District of Columbia—in 1966, despite the huge increase in crime, there were 1,453.

Let me briefly contrast the manner in which one suspected of having committed a crime is treated as compared with the lot of the victim. The suspect is immediately surrounded with all the protections contained in the Constitution of the United States, plus the new protections that the Supreme Court has discovered by torturing the Bill of Rights. The suspect cannot be interrogated by the police unless his attorney is present. If he has no attorney, the police will get one for him. The suspect may, if he chooses to do so, remain silent. Should he decide to confess, orally or by means of a signed statement, the odds are that such confession cannot be used against him. The suspect is guaranteed a fair trial. If he is convicted of a crime, there exists the possibility of a series of appeals.

What about the victim of a crime? He can no longer carry a gun to protect himself from violence when he walks down the street. As the result of the crime he may lose his money, he may lose an eye, he may even lose his life. If he escapes with his life from a brutal attack, there may be doctor and hospital bills to pay at a time when his employment and the income therefrom may be interrupted. He could become permanently incapacitated and unable to make a living for himself and his family as the result of an attack. Oh, yes, he can sue the vicious criminal who made it necessary for him to spend time in the hospital and to lose time from his work, but if the criminal possessed the kind of money that would make a lawsuit worthwhile the chances are he would not have resorted to crime in the first place.

A high recidivism rate was revealed by a Federal Bureau of Investigation study of 7,992 offenders arrested in the District for felonies and selected misdemeanors such as sex offenses, bogus checks, and narcotics offenses from January 1963, through July 1965. Of the offenders sampled by the FBI, 83 percent had been arrested previously. Over 30 percent of those convicted of a felony in the District during fiscal 1965 had a prior conviction for a crime of violence.

The huge increase in crime in the District of Columbia cannot be blamed on an increase in population. The census of 1950 showed a population of 802,000. By 1960, when the next decennial census was taken, the number of inhabitants had dropped to 764,000. The Bureau of the Census estimated the population on July 1, 1966, at 808,000, an increase of less than 6 percent since 1960 and of but three-fourths of 1 percent since 1950.

The increase in crime in the Nation's Capital cannot be blamed on an inadequate police force. Proportionate to the population it serves, the Metropolitan Police Department is the largest police force in the United States. It is also the most costly per citizen served. In fiscal 1966 Congress provided more than $38 million for the operations of the District's police force; for fiscal 1967 the Department obtained $42,129,000. The median per capita cost of departments in cities of comparable size is $21.82, in contrast to the District of Columbia's $32.49.

While poverty and lack of education may very well be responsible for part of the increase in crime in Washington, D.C., it would be absurd to dismiss the problem of crime with so simple an answer. The District of Columbia has had one of the highest per capita expenditures in the United States for new school facilities and has had the highest or close to the highest per capita operating expense for schools in any major American city. It has, within recent years, doubled its expenditures for relief and welfare. It has spent tremendous sums for slum clearance and public housing. Per capita income levels in the District of Columbia are among the highest in the Nation and Washington has one of the lowest unemployment rates of any city in the United States.

Jobs for needy youngsters are actually going begging. Edward Aronov, Director of the National Housing Authority, said just this week that he had received only 43 applications for 300 full-time summer jobs out of an estimated 5,000 boys who live in public housing projects in the District of Columbia. During the school year Mr. Aronov was able to fill only 98 out of 154 available part-time jobs. Building contractors have frequently mentioned the difficulty they have in securing workers for unskilled and semiskilled construction jobs.

According to testimony presented in 1965 by Walter N. Tobriner, one of the District of Columbia's commissioners, more than one-half of the District's operating budget of $277,400,000 was expended, directly or indirectly, on poverty and the social conditions which produce crime and delinquency, that is, on welfare, health, housing, police, courts, and prisons. This amounted to about $170 for every man, woman, and child in the District. This did not take into account the vast sums of money made available to the District out of general appropriation acts nor the sums expended by the many private agencies.

Three decades ago we had more poverty, more slums, poorer schools, and lower educational achievement, but a significantly lower crime rate than today. From 1931 to 1935, during the early years of the greatest economic depression in our entire history, while the Nation's population grew by better than 3,000,000, the number of robberies and automobile thefts decreased by 35.2 percent, burglaries decreased by 8.9 percent, and aggravated assault and larceny remained relatively constant. Murder and nonnegligent manslaughter decreased from a daily average of 4.5 in 1931 to four in 1935. The only increase reported was in rapes, from a daily average of 3.5 in 1931 to 4.4 in 1935. Keep in mind that these statistics refer to the entire Nation, not the District of Columbia—I am merely refuting the argument that poverty alone is to blame for crime.

There are many other victims of crime besides the ones I mentioned earlier. Numerous stores have gone out of business because of the many holdups to which they have been been subjected. Apartment houses have high vacancy rates even though there is a need for more housing. Hotels also have an unusual number of vacancies, as convention attendance falls off and the number of school tours declines. Vandalism, together with numerous more serious crimes, lowers property values and many business enterprises can no longer obtain insurance.

Rioting and other anarchic behavior has plagued the Nation all during the 1960's and the Nation's Capital has not escaped this particular brand of lawlessness. On Thanksgiving Day, 1962, a race riot occurred at a high school football game. More than 300 whites and 30 Negroes suffered injuries. About 100 persons were injured in an outbreak at a carnival in August 1965.

On April 11, 1966, violence, which began at the Glen Echo Amusement Park in Maryland, spread into the District of Columbia as thousands of youths terrorized Washingtonians. Three days later, rebellious participants in a "poor people's convention" in the Nation's Capital booed, jostled, and shouted down Sargent Shriver, director of the administration's war on poverty. Mr. Shriver left the meeting saying:

> I will not participate in a riot.

Capitol Hill, where the people's representatives meet to make the laws, has not been spared. Secretaries on the staffs of several Members of this body, as well as employees of Members of the other body, have been attacked not only on the streets, but in their apartments. One woman secretary was attacked as she worshipped at a nearby church. A Member of this body was attacked in his office. I myself have twice been the victim of burglars.

Mr. Speaker, if we cannot maintain law and order in the seat of the National Government, how in heaven's name can we have the temerity to pass laws dealing with crime throughout the United States?

According to the Constitution of the United States—

> The Congress shall have power . . . to exercise exclusive legislation in all cases whatsoever over such district . . . as may . . . become the seat of Government of the United States . . . and to make all laws which shall be necessary and proper for carrying into execution the foregoing [power].

It is up to the Congress to discharge its responsibilities and help to make the Nation's Capital safe for everyone who lives in it or visits it for any lawful purpose.

I hope this bill will be a step in this direction.

Mr. ABBITT. Mr. Speaker, I rise in support of H.R. 10783, the omnibus crime bill for the District of Columbia.

Of course, no bill is perfect and this bill will not solve all of the problems of crime in our Nation's Capital. Nevertheless it is another attempt to deal with a growing problem which has reached outrageous proportions. I need not remind you again that Congress last year passed a good crime bill for the District only to have it vetoed after we had gone home and could do nothing about it. Reaction to that veto was widespread throughout the country but it was particularly disappointing to the law-abiding citizens of the Nation's Capital who are subjected daily to the effects of crime.

I am sure that there are other cities which face problems of similar or greater magnitude. A solution will not be found easily. However, this Congress does not have immediate responsibility for problems in other cities of America. In the case of the District of Columbia, Congress is the governing body and Congress should exercise its authority in a most direct and effective manner.

Everywhere we go in America people are incensed over the reports of crime in the Nation's Capital. Because of the widespread attention focused on Washington perhaps crime is more noticeable here than it may be in the hinterland but one would have to travel far to find a more disgraceful situation than exists in the District of Columbia.

Law-abiding citizens are forced to stand by and watch the criminal and hoodlum element run rampant. Some of the courts seem to be blind to the facts or else disregard them in favor of the rights of the criminals in many instances. Elements of the press and other communications media far too often tend to glorify those who have committed crimes and ignore or belittle those who are the victims. Just this past Sunday, the Washington Post carried an extensive three-page article on a man at St. Elizabeths Hospital who was convicted for multiple rapes. The whole sense of the article it seems to me was designed to have society look upon this individual in a sympathetic and tolerant manner. The article was replete with pictures and embellished with flowery phrases tending to show that this man had been mistreated by society. Of course, some reference was given to his victims and in one instance the lady's statement as to how she was treated by the police and hospital authorities was given mention. The point is that the entire article demonstrates one of the major problems that we face here in the District of Columbia.

Time does not permit citing other cases but I believe that all of us are aware of what has been going on in Washington for the past decade or more. Cases of heinous crimes have been many but good solid convictions have been few. In many cases where the police have done a good job in apprehending criminals the courts have let them off scot free or accepted pleas of insanity which have doubtful validity because of certain rulings of a majority of our so-called Supreme Court.

I frankly have very little confidence in many of the divided rulings of the Supreme Court and some of the other Federal courts when it comes to dealing with matters of this kind. On the basis of recent decisions of the Supreme Court, the police are handcuffed in their operations. Policemen are now taught to keep one eye on the criminal and the other eye on the courts. Every rookie policeman is taught that any arrest he might make could eventually come before the Supreme Court. The whole philosophy has served to confuse and confound our police, has handcuffed them in the administration of the law, and has put the police at the mercy of those criminal elements who are blindly supported by civil rights and civil liberties organizations.

Crime in the District of Columbia is shocking and unless this Congress takes affirmative action to remedy the situation I believe that in a few years the District of Columbia will no longer be the focal point of the Nation. Already its schools are enmeshed in controversy, large areas are blackened by slums, and its streets are dreaded pathways for violence. Large areas of the Nation's Capital are unsafe for people to walk at night. Churches have abandoned evening services because people are afraid to attend. Women have been assaulted at church altars and in the shadow of the Capitol Building. Even a Member of this House was attacked in his office and employees of both Houses of Congress have been assaulted on the streets or in their apartment buildings.

How much more do we need to be reminded of the seriousness of the situation? How much longer will we tolerate what we know to be the truth? Are we blind to what is happening or do we not care what kind of image our Nation's Capital shows forth to the rest of the country?

In integrating the schools of the District of Columbia in the middle 1950's, it was said that Washington should become a showplace for the Nation. It is a showplace all right, but not one in which we can take pride. No one factor can be considered as the reason for rampant crime in the District of Columbia but I do not believe that there is a Member of Congress who will deny that something ought to be done.

I urge the passage of this bill and I would hope that if Congress does enact this legislation, the Chief Executive will sign it and that the enforcing authorities will use the new law to the fullest extent. No law—regardless of how well meaning—is any good unless it is enforced, and no enforcement is effective or fruitful unless the courts properly interpret it. We have to start somewhere and I believe that this is at least a first step. We need to unshackle the police and to curb the power of the majority of the Supreme Court in their all-out effort to protect the criminal element of the Nation. Our police have been handcuffed and their effectiveness reduced by recent divided decisions of the Supreme Court and we need to take affirmative action to restore the rights of our law-enforcement officers to apprehend criminals, question them under proper conditions, and then to prosecute them in a court of law so that the law-abiding people will be protected in their right to live in peace and free from molestation by hoodlums.

Mr. WHITENER. Mr. Speaker, as a part of my remarks I include the following background statement and section-by-section analysis of the bill as appears in our committee report:

STATEMENT

It is the judgment of your committee that a great majority of Washington citizens stand firmly for better law enforcement and sterner measures to aid the police, the public prosecutors, and the courts in apprehending and punishing criminals in this crime-ridden city.

It is the sincere opinion of your committee that the reported bill reflects the most comprehensive anti-crime legislation which can be enacted in this Congress for the District of Columbia.

THE PURPOSE OF THE BILL

The purpose of this bill as set forth in H. Rept. 387, is to give to the people in Washington, its citizens, and those temporarily sojourning here, as well as the millions of visitors who come here annually, some measure of surcease from the ever-growing criminal element which too long, outrageously and indefensibly, has been a threat to life, limb and property in the District of Columbia.

Your Committee is not aware of any period in the Capital's history when crime was so rampant as now, when the police have been so shackled, when prosecutors because of technicalities, and courts because of unrealistic philosophies, have contributed to a major breakdown of law enforcement, and there has been such shocking failure in large part of the machinery of justice to bring to punishment admitted murderers, rapists, and others guilty of aggravated assaults and robberies. This is a crime infested city; let there be no ignoring that fact!

Your Committee places the blame squarely on the shoulders of those who are failing in their administration of justice, those who in their administration of local government deny support to the police, and to the complacency of the community at large which permits too often, and many times supports, a few rabble-rousers to divert police from their pursuit of criminals to a defense of themselves against the unmerited hue and cry of police brutality.

"One of the finest police forces in the country" is the reputation the Metropolitan Police Department in Washington has held and deserved for years, but now they are more hamstrung than ever by Commissioners' orders of doubtful legality, limiting police questioning of suspects and curtailing police use of the Canine Corps, and by pronouncements threatening them if they make slight errors of judgment in the exercise of their authority or misread a criminal's mind. As if the police could engage in the elementary solution of crime and the apprehension of those guilty thereof without the wherewithal to perform their functions in society!

Background

In the past few Congresses your committee favorably reported to the House legislation dealing with the crime problem in the District of Columbia. In each of these Congresses, the House approved such legislation by overwhelming majorities.

In the last Congress the other body amended and approved such legislation, and after conferences extending over a period of nearly 8 months, the conference report was adopted by the House by a vote of 208 to 79, and by the other body without a dissenting vote. That bill (H.R. 5688) was given a pocket veto by the President after the Congress adjourned.

The reported omnibus bill (H.R. 10783) was adopted after thorough consideration of various bills by your committee since the beginning of this session. Very thorough and exhaustive hearings were held during March and April of 1967, and a minimum of opposition was expressed therein by any witnesses to any titles included in the bill as reported.

This legislation (H.R. 10783), co-sponsored by 15 members of your committee, is a compromise anti-crime bill. It contains most of the titles of the omnibus bill as approved in the last Congress, and most of the titles of the so called Administration Crime Reduction Bill.

Thus, Title I (arrest without warrant), Title IV (obstruction of justice), Title VII (citations) and Title VIII (miscellaneous provisions) came from the Administration Crime Reduction Bill. On the other hand, Title II (*Durham* Rule), Title III (detention for questioning), Title V (robbery a crime of violence) and Title VI (revisions of sentences to be imposed) emanated from the omnibus bill of the last Congress. The obscenity provisions of Title VI are revisions suggested by the Department of Justice.

Amendments were made to many provisions which were taken from the omnibus bill of the last Congress, in order to obviate certain objections raised with respect thereto in the veto message. Likewise, amendments were made to some of the provisions of the Crime Reduction Bill to clarify same. Some of the provisions and amendments adopted were suggested or approved by the Department of Justice, by the United States Attorney's Office of the District of Columbia, and by others.

The legislative provisions were approved by the subcommittee by a preponderant vote, and a clean bill (H.R. 10783) was reported and approved by the full committee by a vote of 13 to 3.

This legislation is urgently needed, as will be hereinafter shown, and your committee recommends its speedy enactment.

TITLE I—ARREST WITHOUT A WARRANT

Title I amends the present section of the District of Columbia Code (D.C. Code, section 4–140) to substitute "Metropolitan Police force" for "police force", and to delete the requirement for prompt arraignment, a procedural matter; and to extend the authority of the police to make arrests without warrant.

The general provision of the present law (section 4–140) empowers and authorizes members of the police force to arrest a person without a warrant if an offense is committed in the member's presence or if he has probable cause to believe that a felony has been committed. Other specific violations subject to arrest without a warrant, upon probable cause, are narcotics matters (section 33–402), and possession of implements of crime, dangerous weapons, lottery tickets, and fruits of petit larceny (section 23–306). As a general rule an officer cannot arrest for a misdemeanor not witnessed by him unless he first secures a warrant. Consequently the officer must often make a decision on evidence which may be argued for days before a court, or be faced with charges of unlawful arrest. This limitation on effective enforcement was recognized in the first draft of the American Law Institute's Model Code of Pre-arraignment Procedure which takes the view that arrests without warrant should be permitted for all misdemeanors in the circumstances prescribed herein.

The proposed statute permits the police to make arrests without warrant in certain circumstances for certain misdemeanors not committed within his presence or view. The circumstances are these: the arresting officer has probable cause to believe that the suspect has committed a misdemeanor of the group listed, and further he has probable cause to believe that, unless immediately taken into custody, the suspect may escape apprehension, or may cause injury to other persons or to property, or may tamper with evidence. The misdemeanors specified in this title are: assault, unlawful entry, receiving stolen goods; and attempts to violate sections relating to housebreaking, grand larceny, and unauthorized use of vehicle.

TITLE II—CRIMINAL RESPONSIBILITY

In the 87th, 88th, and 89th Congresses, your Committee favorably reported and the House of Representatives approved a test for criminal responsibility to be applied in the courts of the District of Columbia. Title II of H.R. 10738 provides for the same test for criminal responsibility.

Your Committee has again reviewed the question of need for and desirability of a better test of criminal responsibility for the courts of the District of Columbia and not presently embodied in the Durham Rule as modified and interpreted by subsequent cases. Attention has been given to recent court decisions and to the discussions by the majority and minority in the report of the President's Commission on Crime in the District of Columbia. Your Committee finds no significant changes in the desirability or necessity for the provisions of Title II in this bill since its last previous review during the 89th Congress.

Proposed rule for criminal responsibility

The rule for criminal responsibility again proposed by your Committee in H.R. 10783 is the formulation developed by the American Law Institute. The American Law Institute has studied the problem over a long period of time and has considered the matter in a most profound manner. Such leaders of the bench as the late great Judge John J. Parker, Judge Edward Jordan Dimock, and the late Judge James Alger Fee participated in the preparation of the formulation proposed in the bill.

Title II of the bill amends Section 927 of the Act of March 3, 1901 as amended (D.C. Code, Sec. 24–301). The rule relating to criminal responsibility in Subsection (a)(1) states the rule, which is, that a person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect, he lacks substantial capacity to know or appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law. Stated another way, a person, under this Title of the bill, would be responsible for his conduct if he has substantial capacity to know or appreciate the wrongfulness of his conduct and to conform his conduct to the requirements of law.

It may be noted that in the 13 years since the *Durham* decision, no other U.S. Circuit Court of Appeals has adopted the rule set forth in that case. Also, it may be noted that the rule has been rejected repeatedly in state jurisdictions. However, the American Law Institute formulation as proposed in this bill, has been adopted by the Second Circuit Court of Appeals. (U.S. v. Freeman, 357 F. 2d 606 (1966) and by the Tenth Circuit Court of Appeals with modifications in Wion v. U.S., 325 F. 2d 420 (1964)).

The second part of the section provides that mere repeated criminal or other antisocial conduct, of itself, does not constitute evidence of mental disease or defect. However, the defense of insanity may be asserted if there is sufficient evidence of mental illness along with the repetitious criminal or antisocial conduct.

The defense of insanity may be raised at any time when it is relevant to prove that the defendant did or did not have a state of mind which is an element of an offense.

Existing law is amended by providing that the defense of insanity is an affirmative defense which the defendant must establish by a preponderance of the evidence. It is similar to the requirement in about 20 other States and not as stringent as that required in the State of Oregon, where the burden is upon the defense to establish the existence of insanity beyond reasonable doubt. The Supreme Court did not find this quantum of proof excessive in *Leland* v. *Oregon* (343 U.S. 790 (1952)). Any lesser burden of proof will merely continue the recurrent problems faced by the prosecution and the courts in the District of Columbia.

If a defendant intends to raise the question of criminal responsibility in his defense, he is required to file with the Court and serve written notice of his intention upon the prosecution. Such notice may be filed no later than 30 days prior to trial or within 15 days after receipt of any report of an examining psychiatrist pursuant to Court order for a mental examination. However, the Court may, for good cause, permit an extension of time in order to prevent injustice.

In any case where insanity is asserted as a defense, the prosecution may demand a trial by jury.

Whenever an accused is found not guilty by reason of insanity the verdict and the judgment shall so state.

Changes are made in existing law relating to mental examination or observation of any person who is arrested, indicted, or charged by information for an offense. If the Court observes or has prima facie evidence that an accused is of unsound mind or mentally incompetent and unable to understand proceedings against him and assist in his defense, the Court may then, or prior to imposition of sentence or prior to the expiration of any period of probation, order the accused committed for a reasonable period for examination and observation and for care and treatment if necessary. The term "Court" is defined to include any officer who is empowered to commit persons charged with offenses against the laws of the United States.

When an examination is completed, a report shall be made to the Court having jurisdiction of the offense charged. If the report indicated that the accused is of unsound mind or mentally incompetent to stand trial, the report shall be sufficient to authorize the Court to commit the accused to the hospital for the mentally ill. In the event the accused or the Government objects, the Court, after a hearing, shall make a determination of the mental condition of the accused. If the accused is found mentally incompetent to stand trial the Court shall order the accused committed to the hospital for mentally ill until such time as the Superintendent of the hospital shall certify that the accused is competent to stand trial. If the accused is found competent to stand trial but of unsound mind, the accused shall be confined to the hospital pending trial.

If the accused or the Government objects to the finding that the accused is competent to stand trial, the Court, after a hearing, shall make a determination of the competency of the accused.

Subsection (f) clarifies the intent of Congress in existing law that persons acquitted on the ground of mental disease or defect excluding responsibility shall be confined to a hospital for the mentally ill. It is the clear purpose that any person so acquitted, for his own benefit and for the protection of the community, shall be confined to the hospital for the mentally ill until he has recovered from such illness. This intent applies whether or not the person relied at trial upon the defense of insanity. The clear intent of Congress that civil commitment procedures may not be applied to criminal cases is set forth in the Act of September 14, 1965 (79 Stat. 751).

The balance of the provisions of this Title are identical to those in H.R. 5688 approved by the House and Senate in the last Congress.

TITLE III—DETENTION OR ARREST OF PERSONS

The provisions of Section 301 are essentially the same as those in the Title III of the bill approved by the House and Senate in the 89th Congress. Its purpose is to provide at least some limited opportunity for interrogation and investigation in connection with crimes.

Where a police officer has probable cause to believe that a person is committing or has committed a crime, he may arrest or detain such person and request him to identify himself and explain his actions. If the person fails to identify himself or explain his actions to the satisfaction of the officer, he may be questioned with respect to any matter for a period not exceeding four hours.

If the officer shall have effected an arrest or whenever any detention shall constitute an arrest, the person shall be warned and advised of his rights under applicable law as to any statements or admissions he may make. At the end of four hours, any person detained shall be released or arrested and charged with a crime. When any person is released after detention, such detention shall not be recorded as an arrest.

The four hour delay in arraignment of an arrested person or arraignment of a person detained and arrested shall not constitute unnecessary delay and shall not affect the admissibility of any voluntary statement or confession otherwise admissible under law.

Interrogation vital to law enforcement

Interrogation of persons is vital to the processes of law enforcement of criminal law. In *Crooker* v. *California* (357 U.S. 433 (1958), the Supreme Court of the United States observed that to preclude police questioning would have a devastating effect on the criminal law. In the case of *Trilling* v. *United States* (104 U.S. App. D.C. at 182) three members of the District of Columbia Appellate Court joined in the view that—

> "At least one of the prime functions, if not the prime function, of the police is to investigate reports of crime or the actual commission of crime. The usual, most useful, most efficient method of investigation is by questioning people. It is all very well to say the police should investigate by microscopic examination of stains and dust. Sometimes they can. But, of all human facilities for ascertaining facts, asking questions is the usual one and always has been. The courts use that method."

An even cursory examination of the problems which are faced by law enforcement officers will reveal the dilemma presented to police by the prohibition of or serious limitation in the questioning of persons during the investigation of and solution of crimes. There are many instances in the course of law enforcement when proper interrogation has resulted in clearing a person accused of a crime. Any procedures which are imposed upon the law enforcement officers of the community which enhance the probability that innocent persons, in respect to whom probable cause appears to exist, will be charged with a crime on presentment to a magistrate, or any procedures which because of their stringency enhance the opportunities of the probable criminal to escape apprehension, are undesirable. Such procedures are inimical to any concept of effective modern law enforcement and offensive to the people.

Law-abiding citizens of the District of Columbia are properly concerned when violent crimes are increasing at a rate more than double that of the national average. Innocent persons, against whom probable cause may appear, should not be compelled to face the hazard of being charged with a crime and presented before a committing magistrate solely because a police officer, in the performance of his duty, is precluded from reasonable questioning and investigation which would permit exculpatory statements by the person charged justifying his release.

The problem involved in identification of a suspect is well known to all police and prosecutors and demands caution and substantiation. False accusations motivated by any one of many causes such as jealousy, spite or hatred, may result in an innocent person being falsely accused of a crime. There is also the problem raised by "the alibi". Interrogation in all of these instances is necessary either to strike down or to verify or substantiate an alibi in order that the suspect may be either charged with the crime or exonerated in accordance with the facts ascertained by the police.

An arrested person held for interrogation may talk or remain mute during questioning; his alibi may prove credible or betray him; witnesses may identify or exculpate him; tangible evidence such as fingerprints, weapons, or clothing, may lead to his presentment or his release. There are matters of "necessary delay" in the essential activity of our law enforcement.

If the information available to the police was such as to indicate that the person arrested was guilty beyond reasonable doubt or that the information presented prima facie evidence of guilt, the offender could be charged with the crime and thereafter presented to a magistrate. Where the quantum of evidence is substantially less but still sufficient to support probable cause for arrest, the elements of detention and interrogation become important for the protection of the innocent on the one hand and for the protection of the public against the criminal on the other.

TITLE IV—OBSTRUCTION OF JUSTICE

Title IV broadens the scope of existing law relating to the obstruction of justice and increases the maximum penalty.

Present law is directed to the prevention of obstruction of justice during court proceedings, and carries a maximum penalty of $200, three years imprisonment, or both. It makes no provision with respect to obstruction of justice prior to the institution of criminal proceedings.

The effective administration of justice in criminal matters is and can be hampered or thwarted completely by interference with investigation outside actual court proceedings. Investigation is meaningless if persons who can supply pertinent facts are intimidated. There is no statutory penalty applying in such cases. This title therefore amends the present law to make it a felony to endeavor to or to obstruct or delay the giving of pertinent information to one officially investigating a violation of a criminal statute of the District.

The penalty provided for obstruction of justice, either in court proceedings or in preliminary investigations into criminal law violations, is a maximum of $1,000 fine, 3 years imprisonment, or both.

TITLE V—ROBBERY, CRIMES OF VIOLENCE

This title of the omnibus bill is very brief. It merely adds to the present District of Columbia Code definition of "crimes of violence" (D.C. Code, sec. 22–3201), the crime of "robbery."

TITLE VI—CRIMINAL PENALTIES AND OBSCENITY

Title VI of H.R. 10783 is composed of eight sections, all of which amend existing sections of the District of Columbia Code with exception of section 608 which codifies a police regulation. In general these amendments amplify existing law and tighten the penalties applying to certain crimes.

Your committee recognizes the difference in opinion regarding the use of mandatory and indeterminate sentences. An examination of the practice throughout States in connection with the common law crimes with which the District of Columbia police must deal indicates that mandatory sentences are used by a majority of the States. Although increasing stress has been placed on the use of indeterminant sentences, your committee has not been presented with convincing evidence that indeterminant sentences and early release of prisoners has resulted in significant rehabilitation. The fact that Federal prison statistics indicate that 70 percent of those convicted are recidivists does not support a view that indeterminant sentences encourage rehabilitation.

Section 601. Assault with intent to kill, rob, rape, or poison

Present law in the District of Columbia (D.C. Code, sec. 22–501) does not provide any minimum penalties for a person convicted of assault with intent to kill, rob, rape, or poison another. The maximum penalty is 15 years. The amendment provided in this section establishes a minimum sentence of 2 years on conviction and retains the maximum penalty of 15 years.

Section 602. Burglary

The present section of the District of Columbia Code (D.C. Code, sec. 22–1801), amended by this section, relates to housebreaking, which is defined as the breaking and entering, or entering without breaking, with the intent to carry away any property or commit any criminal offense. The penalty provided is imprisonment for not more than 15 years.

This section defines the crime of burglary in two degrees.

Burglary in the first degree constitutes the breaking and entering, or entering without breaking, of any dwelling or room used as a sleeping apartment actually occupied at the time with the intent to take property or commit a criminal offense. The punishment for such crime shall be not less than 5 years or more than 30 years.

Burglary in the second degree constitutes breaking and entering, or entering without breaking, into other premises whether occupied or not. The penalty is imprisonment for not less than 2 nor more than 15 years.

Section 603. Robbery

The present provision of law (D.C. Code, sec. 22–2901) permits a minimum penalty for robbery of 6 months. The amendment provides an increase in the minimum penalty to 4 years. The maximum penalty of 15 years is unchanged.

Section 604. Corrupt influence in connection with athletic contests

This section amends existing law (D.C. Code, sec. 22–1513) relating to the offering or giving of a bribe to any individual related to an athletic event with the intent to influence the result.

The amendment adds a new subsection which permits the payment of bonuses to any person related to a professional athletic contest for the purpose of securing superior performance.

Section 605. Additional punishment for committing crimes while armed

Section 605 amends section 2 of the act of July 8, 1932 (D.C. Code, sec. 22–3202), so as to revise it to provide that if any person shall commit a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, he may, in addition to the punishment provided for the crime, be punished by imprisonment for an indeterminate number of years up to life as determined by the court. If a person is convicted more than once of having committed a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, then, notwithstanding any other provision of law, the court shall not suspend his sentence or give him a probationary sentence.

Section 607. Placing explosives with intent to destroy or injure property

This section amends existing law (District of Columbia Code, sec. 22–3105) relating to the use of explosives with an intent to destroy or damage property. The penalties under the present law provide for a fine not exceeding $1,000 or imprisonment not exceeding 10 years.

The amendment provides a minimum sentence of not less than 4 years.

Section 608. False reports to the Metropolitan Police Department

The purpose of this new section is to codify the provisions in the regulations of the Metropolitan Police Department relating to the offense of making, or causing to be made, false or fictitious reports regarding criminal offenses or other matters within the purview of the Police Department, with knowledge that such report is false or fictitious.

There is similar provision in the District of Columbia Code relating to false reports made to the Fire Department. The committee recommends that similar provisions be enacted in relation to false reports to the Police Department.

The penalties provided are a fine not exceeding $300 or imprisonment not exceeding 30 days, or both.

TITLE VII—CITATIONS

This title establishes a procedure by which members of the Metropolitan Police force may issue a citation for later appearances in lieu of otherwise formally charging one accused of a misdemeanor violation.

There is no comparable provision in existing law. Under present procedure, the arresting officer is required to bring the accused to the precinct, book him, and unless conditional release is authorized, he must be brought before an officer of the court.

The citation procedure is similar to that of traffic tickets. Members of the police force may issue a citation on the street without formally arresting the accused, or at the precinct after arrest without a warrant. It may be used only if the issuing official has reason to believe that the accused will not engage in further unlawful conduct and that he will appear to answer the charges. The accused is not removed from the judicial process; willful failure to appear in court does not in itself carry a penalty, but the court may in such case impose the maximum penalty for the misdemeanor charged by the citation, one year imprisonment or both.

The procedure reduces the time required of arresting officers as well as the costs of supervising personnel in cases of minor misdemeanor charges, and saves the innocently accused person of unnecessary procedures and confinement. It has been successfully used in the City of New York and in certain California communities.

It is the intent of the Committee that

issuance of a citation constitutes an arrest under the District of Columbia Code, section 4-143, to satisfy the requirement that a member of the police force make an arrest for a misdemeanor committed within his presence.

The D.C. Bail Agency Act is also amended to bring within its scope persons chargeable by citation, and to clarify existing law by inserting a clause specifically permitting a judge to require a cash or surety bond, in lieu of personal recognizance bonds in each case.

TITLE VIII—SUPERVISION OF OFFENDERS; WITNESS FEES

Section 801(a) authorizes the Commissioners of the District of Columbia or their representatives to supervise persons released into their custody under provisions of the Bail Reform Act of 1966.

Subsection (b) extends the scope of the District of Columbia Bail Agency to the furnishing of reports to the Commissioners with respect to persons released to them under the Bail Reform Act of 1966.

Section 802 amends the Federal Youth Corrections Act, title 18, United States Code.

Subsection (a) removes from applicability provisions, section 5024, the distinction between youth offenders convicted in the District of Federal violations not exclusively local and those convicted of violations of exclusively local law.

Subsection (b) amends and revises section 5025, with respect to applicability to the District of Columbia, by (a) authorizing the Commissioners to provide or contract for the treatment and rehabilitation of youth offenders convicted of exclusively local law; (b) providing for reimbursement for Federal use of District facilities from the "Appropriation for Support of United States Prisoners"; (c) providing that youth offenders committed to District institutions be under the supervision of the Commissioners, and requiring the Commissioners to provide for their maintenance, treatment, rehabilitation, supervision, conditional release, and discharge. Subsection (c) amends the index.

Section 803 amends section 4122, title 18, United States Code, relating to Federal Prison Industries, to make services available to District penal or correctional institutions subject to agreement between the Commissioners, the Attorney General and Board of Directors of the Federal Prison Industries. It is provided specifically that this amendment does not affect existing provisions relating to the District's correctional industries fund.

Section 804 amends present law, section 15-714(a) of the District of Columbia Code, relating to fees and travel allowance paid to witnesses in the criminal division of the Court of General Sessions, so that such fees and allowances shall conform to those paid in the United States District Court for the District of Columbia, and in subsection (b) eliminates the present $500 maximum limitation in section 15-716 on advances for this purpose made to the clerk of the Court of General Sessions.

TITLE IX—EFFECTIVE DATE

This title contains three general provisions.

Section 901 sets out date of applicability of penalties provided by this Act.

Section 902 provides that this Act shall not affect authority vested in or delegated by the Commissioners pursuant to Reorganization Plan No. 5 of 1952.

Section 903 provides that, should a part of this Act be held invalid, the remainder of its provisions shall not be affected thereby.

Mr. ASHLEY. Mr. Speaker, I rise to announce my profound concern with H.R. 10783—the omnibus District of Columbia crime bill.

Very simply, Mr. Speaker, my objection to this bill centers around the fact that Members of the House have not had adequate time to properly consider and study the complex committee recommendations. The bill was voted out of the District of Columbia Committee on Wednesday, June 21, and is before us today—1 legislative day later. The committee report—Report No. 387—was not available to Members of the House until today at midmorning. The committee report, including separate views, is 59 pages in length and covers such difficult subjects as arrest without a warrant, criminal responsibility—including modification of the Durham rule, detention or arrest of persons—providing a 4-hour delay in arraignment of an arrested person, mandatory minimum sentences in a number of instances, in addition to a number of technical amendments. In view of the subject matter of this proposed legislation, I am at a loss to understand this rush to passage.

There is no Member of this body more cencerned than I with the alarming increase in crime in the District of Columbia and, indeed, throughout the United States. I certainly feel that there is an immediate need to develop effective means of thwarting increases in crime and reversing the statistical trend.

However, I am constrained to suggest that so complex a bill, riddled with potential constitutional questions that could provoke years of litigation and uncertainty, must be carefully studied and reviewed. Several members of the committee requested that the full committee obtain a report from the Department of Justice prior to sending the final version of the bill to the floor. I, for one, hesitate to proceed further with a measure substantially similar to the one that received a Presidential veto last year—upon recommendation of the Department of Justice—without receiving their views on this current measure.

Therefore, Mr. Speaker, I am going to vote "nay" on this measure without prejudice to the merits of the bill to allow adequate time to fully explore this measure.

Mr. FRASER. Mr. Speaker, I will vote for the District of Columbia crime bill today, but with serious reservations about some of its provisions, especially those dealing with "prearrest" detention and mandatory minimum sentences.

My reservations are explained more fully in the "additional views" of the committee report.

I would like to praise the members of the committee who spent such long hours in developing this crime bill. Commendation should go to the subcommittee chairman, the gentleman from North Carolina [Mr. WHITENER], who has wrestled with the crime problem here for many years. Another member who deserves special praise is a newcomer to the committee, the gentleman from Washington [Mr. ADAMS]. Mr. ADAMS' contribution to the District of Columbia Committee's crime bill helped to bring forth a bill which could be supported by an overwhelming majority of the Members of the House.

Mr. RYAN. Mr. Speaker, the measure before us, H.R. 10783, is substantially the same repressive bill which President Johnson vetoed last year on the advice of the Attorney General, the majority of the District of Columbia Bar Association, the two civilian Commissioners who reside in the District, and every Federal agency which commented on the bill, on grounds of its probably unconstitutionality and unwisdom.

The bill succumbs to the lure of procedural shortcuts at the expense of our historic constitutional guarantees. After the Miranda decision last year, the Washington Post's cartoonist, Herblock, portrayed a policeman holding a copy of the Bill of Rights and asking: "You mean this thing applies to riff-raff?" If constitutional safeguards are of any value, they must apply to every citizen.

In the *Escobedo* decision—378 U.S. 478, 490, 1964—the U.S. Supreme Court wrote:

> If the exercise of Constitutional rights will thwart the effectiveness of a system of law enforcement, then there is something wrong with that system.

Title I represents another attempt by the District Committee to eliminate the Mallory rule, which requires prompt arraignment. The existing statute (DDC 4-104) provides that officers shall "immediately, and without delay upon arrest, convey in person such offender to the proper court." Under the new language of title I persons may be held indefinitely unless habeas corpus or other legal proceedings are instituted. This is a clear violation of due process.

Title III is also repugnant to our constitutional guarantees. It permits police to detain a suspect for 4 hours, prior to formal arrest. The language of the title states that "such detention shall not be recorded as an arrest in any official record." However, semantic distinctions notwithstanding, the District of Columbia Circuit Court has held that any "restraint of locomotion" is in fact an arrest. *Coleman,* 295 F. 2d 555 D.C. Cir. 1961, and *Kelly,* 298, F. 2d 310 D.C. Cir. 1961.

Under title III the officer would be permitted to interrogate the suspect on "any matter." It is not unlikely that information obtained from such interrogation might be used to establish the probable cause required for the detention. Presumably, the purpose of the interrogation would be to elicit incriminating information. However, unless the strict procedural requirements of the Miranda decision—384 U.S. 436, 1966—are met, such information could not be used. Although this year's omnibus crime bill was drafted since Miranda, the principal change from the last version is to reduce the time for interrogation from 6 to 4 hours. One might argue that it is now only two-thirds as unconstitutional as the earlier version. This provision may encourage star chamber tactics, and confuse the proper functions of the police and the judiciary. To define the interrogation as "not an arrest" renders it in fact an inquisition. If no record is kept, how would the person seek redress? Whether or not third-degree tactics were, in fact, used, under this provision the police would be wide open to accusations that they had been used.

Titles I and III are steps in the direction of the knock in the middle of the night. The careful evolution of constitutional safeguards should not be sacri-

ficed in the effort to reduce crime, as worthy as that goal is. Let us not forget that innocent and guilty alike are caught in this kind of net. While more sophisticated, substantial citizens are protected by their knowledge or even their appearance, titles I and III patently discriminate against the less knowledgeable, less fortunate members of society.

Title II is a reversion toward the antiquated McNaughten rule of ability to distinguish "right from wrong" as a test of criminal insanity. It would annul the more enlightened evaluation of District of Columbia Federal court decisions, relying upon the Durham rule, as modified by the McDonald case. The Durham and McDonald rules provide that a person is not criminally responsible if his act was the product of a mental disease or defect which impairs behavior control. Title II disregards 50 years of development of the behavioral sciences. In the hearings last year, the U.S. attorney for the District of Columbia, David Acheson, testified:

> The Department of Justice feels that it would be best for the system here if we could live with those *McDonald* rules a little longer before the criteria were changed again by statute, and give us a chance to work our problems out with the court under that quite promising set of rules. (Hearings p. 148.)

Title II provides that the jury shall not be told of the consequences of a verdict of not guilty or acquittal on grounds of mental disease. The minority views of last year's report state:

> Hospital authorities are very conservative about recommending release of a person committed after a criminal charge.

Juries should be aware of the procedures. In addition, under this bill the defendant would have to establish mental disease as a defense by a preponderance of the evidence.

Mr. Speaker, the proponents of this measure claim that it will result in a lower crime rate. However, nothing in the bill will favorably affect the deep social roots from which crime grows. Nothing in it will improve the quality of law enforcement, nor will it provide for more efficient practices in the courts. It simply grants sweeping powers of arrest and harsher penalties.

Last year, acknowledging the urgent need to remedy the growing crime rate, President Johnson vetoed the District of Columbia crime bill. Specifically he objected to: police interrogation prior to arrest, the detention of material witnesses under harsh conditions, prior restraint of publications that might be obscene, and mandatory minimum sentences, which he termed "a step backward in judicial and correction policy." Fundamental constitutional questions, the President said, pervade the bill.

Two of the grounds upon which President Johnson vetoed the measure—police interrogation prior to arrest and mandatory minimum sentences—remain. In addition, title I adds a new repugnant provision for preventative detention on probable cause without a warrant.

I firmly second the President's position that the solution to crime lies in better trained and paid policemen, better staffed courts, and "a great national effort to lift the blight of bad housing, poor education, and unemployment from our cities." This effort, said the President in his veto message, "attacks the conditions which nourish high crime rates."

I might add that the existence of this bill, and of the shocking conditions within sight of the Capitol which produce crime, are further arguments in favor of meaningful home rule. Shortsighted measures, which show contempt for due process, neither contain crime, nor stem its causes.

Mr. HAGAN. Mr. Speaker, all responsible persons are concerned with the rehabilitation of convicted criminals. But of late we have noted an appalling tendency on the part of many well-intentioned people toward considering rehabilitation as the only, or prime, solution to the staggering crime problem now running rampant in the District of Columbia.

These same people apparently ignore the fact that rehabilitation must follow arrest, trial, and conviction of the criminal. Yet every year, thousands of felons are not arrested and brought to trial. In some cases, this is because their crimes are never reported. In other cases, they are not arrested even though their crimes are reported. Experts tell us that only about 3 percent of those responsible for crimes in the District are arrested. And so rehabilitation, while a necessary part of remedying the crime problem, can reach only a small portion of those it would affect, under present circumstances.

Our prime consideration must be protection of lives and property. This cannot be accomplished by the spoon-feeding of criminals or the hamstringing of our law enforcement agencies.

We must have a means of swift arrest and trial of felons, coupled with more stringent laws and stiffer penalties. Then and only then can rehabilitation be considered a valid part of combating crime.

One of the greater factors in considering the overall crime picture in the District of Columbia is the practice of reducing felony charges to misdemeanors. Unfortunately, this practice is becoming more prevalent every day in District courts. Of 369 felony charges filed last month in the District of Columbia U.S. attorney's office, 175 were reduced to misdemeanors. This practice is condoned on the dubious grounds that it prevents a formidable backlog of cases from overloading the District court, since such reduction of charges moves a case from District court to the District of Columbia court of general sessions.

This practice has two major negative consequences; it encourages those "repeaters," who know they will get off with a lighter sentence than their crime deserves, and it fosters in the law-abiding citizen a growing disrespect for the courts and the laws.

Mr. COHELAN. Mr. Speaker, I want to associate myself with the separate views on H.R. 10783 on page 56 of the committee's report and signed by six distinguished members of the committee.

One cannot have served on the District of Columbia Committee, as I did for some years without being aware of its many critical problems. Like all large cities in the United States, Washington, D.C., has, among other things, a serious crime problem. However, from my own experience with legislation similar to that presently before the House, I have my own misgivings which are well expressed in the separate views relating to the provisions of titles II and III. I feel that before final action is taken on this legislation these sections should be perfected. There are other recommendations concerning the crime problem in the District of Columbia that should also receive favorable consideration.

Specifically, I oppose any erosion of the Durham rule relating to the criminal responsibility of an accused if his unlawful act was a product of mental disease or mental defect. There are a number of court decisions which carefully define this rule, and the bill before us today would appear to upset this growing body of law. To shift the burden of proof to the defendant in cases where the plea is insanity raises, in my judgment, serious constitutional questions.

I am inclined to believe that the investigative arrest as now set forth in the bill, and despite the statements made in support of it, will prove to be unconstitutional. Moreover, it has been proven in many thorough studies that investigations of this type very seldom lead to convictions on the charges.

Mr. Speaker, I vote for this bill today with strong reservations. I do so in the hope that the Senate-House conference committee will remove these imperfections in the bill. If the offending titles are not perfected I will not be able to vote for the conference report.

Mr. CONYERS. Mr. Speaker, the proposed District of Columbia crime bill, H.R. 10783, is unconstitutional. I opposed the omnibus District of Columbia crime bill, as offered by the District Committee in 1965, as unconstitutional. I was greatly heartened by President Johnson's veto of the bill last fall. Though the sponsors of this bill claim it is a compromise between last year's crime bill and the bill proposed by the administration, it is, in fact, still unconstitutional and quite objectionable, just as was the bill that the President vetoed.

I only have a short time allotted to me to discuss this bill. I would like to summarize my objections to the bill by reading from the statement on the bill prepared by the Washington Bar Association, on my request, which is an excellent and exhaustive analysis of each section of the bill.

First of all, the bill tramples on basic constitutional rights by overriding the Mallory rule, which requires that an arrested person be taken immediately before a court. This bill instead allows a 4-hour delay.

Second, the bill drastically alters the Durham rule requiring plea of insanity as a defense against criminal charges. The Durham rule is clear and well defined, and requires that a defendant must prove by the substantial body of the evidence that he was not responsible for his conduct. This bill would instead put upon the defendant the much greater burden of establishing his innocence of the criminal charge on the basis of a preponderance of the evidence. This extreme and unusual burden upon the defense in

a criminal prosecution certainly goes against the entire basic tenets of American justice, which requires that the major burden of proof be laid upon the prosecution and not upon the defense. The Durham rule was established some years ago and has proven that it promotes justice and does not result in any extreme burden upon law enforcement.

Mr. Speaker and my colleagues, I cannot stress too much that this bill will not cure the crime problem in the District of Columbia. The basic problems of crime can only be dealt with by meeting the basic causes of crime. What this bill does is attempt to eliminate injustice against some Americans, the victims of crime, by perpetrating injustice against those who happen to be accused of crime.

Because of the very short time allowed me during this debate, I am inserting the complete statement of the Washington Bar Association opposing this bill, as prepared by its president, Attorney Alexander Benton, a distinguished member of the District of Columbia bar, to be inserted in the RECORD immediately following my remarks. This statement is an excellent and thorough analysis of the bill and I commend it highly to my colleagues:

THE WASHINGTON BAR ASSOCIATION, INC.,
Washington, D.C., June 26, 1967.
Hon. JOHN CONYERS, Jr.,
The House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CONYERS: Pursuant to your request, enclosed please find a statement on behalf of the Washington Bar Association in opposition to Crime Bill H.R. 10783.

If and when it becomes advisable a representative of the Association will be available to appear before the appropriate Congressional Committee and testify in opposition to the bill.

Very truly yours,
ALEXANDER L. BENTON,
President.

STATEMENT OF ALEXANDER L. BENTON ON BEHALF OF THE WASHINGTON BAR ASSOCIATION IN OPPOSITION TO THE DISTRICT OF COLUMBIA CRIME BILL REPORTED BY THE HOUSE DISTRICT COMMITTEE—H.R. 10783

As early as 1963, at the time the Senate District Committee was holding hearings on the omnibus crime bill, the Washington Bar Association went on record as opposing the bill. More recently, the Washington Bar Association had occasion to forward a special letter to the President expressing opposition to the crime bill passed last year and urging him to veto it.

The bill just reported out by the House District Committee is essentially the same as the Omnibus Crime Bill, although its sponsors claim it is a compromise between last year's crime bill and the bill proposed by the Administration. Be that as it may, an examination of key sections merits special comment and because of the objections raised thereto the bill as a whole becomes unacceptable. In considering the bill one cannot help but note the ostensible purposes of the bill, the backgrounds of the sponsors, the racial constituency of the District of Columbia and the people who are most likely to be affected, in a direct manner, by operation of the bill.

The specific titles objected to and the reasons therefor are set forth herein below.

TITLE I

Sec. 101. This section of the bill extends the arrest authority of police officers of the Metropolitan Police Department to cover certain situations and offenses not previously covered under existing sections of the District of Columbia Code but at the same time it takes away a basic constitutional right of the arrested person, a right which is recognized in the current corresponding section of the D.C. Code, that is, the bill eliminates the requirement that the arrested person be taken immediately and without delay, before the proper court or a judicial officer.

TITLE II

This title is objectionable in several respects.

It substitutes the American Law Institute test of insanity for the Durham Rule, as clarified and supplemented by McDonald. Because the Durham Rule, as it is known in the District of Columbia, is the product of case law developed by the courts in a number of decisions, it's dynamic and viable and has some flexibility and elasticity. Accordingly, to put it in static statutory form at this time would be a grievous mistake. Moreover, the American Law Institute test shifts emphasis in the test from a focus of disease-offense to one of conduct-law requirements, with no substantial difference in ultimate results in the event the defendant is in fact mentally ill.

Sec. 201(c)(1). This section not only requires the defendant to affirmatively plead the insanity defense but it also requires that the insanity defense be established by a preponderance of the evidence. This is contrary to the Federal due process presumption of innocence and the prosecution's burden of persuasion and truth. Moreover, it flies directly in the face of the Supreme Court test applied in the Davies case to the effect that if there is "some" (emphasis supplied) evidence supporting the defendant's claim of mental disability, he is entitled to have that issue submitted to the jury.

Sec. 201(j). This section would prohibit the court or counsel for the government or the defendant from advising the jury as to the consequences of a verdict of not guilty on the ground of mental disease or defect excluding responsibility. This is an ill-conceived and arbitrary provision. It can only result in many sick, mentally ill and diseased and defected persons being found guilty and being sent to prison when they should be sent to a hospital for treatment. This is true notwithstanding other provisions in this title designed to safeguard against such by providing for post-trial and conviction machinery, via hearing and receiving evidence of mental illness prior to imposition of sentence. Furthermore, for those that do not escape the attention of the court and enjoy the benefits of the post-trial hearing it can only mean a duplication of effort on the part of the court, the prosecutor, the defense attorney, with attendant additional costs and expense and consumption of time to do what could have been done at the time of the trial on the merits, simply by advising the jury as to the consequences of a not guilty by reason of insanity verdict.

TITLE III

Title III is particularly troublesome and obnoxious. It is dangerous. This title would empower any officer of the Metropolitan Police Department to detain any person abroad whom the officer reasonably believes is committed or has committed a crime. Moreover, this title would deny that a person is arrested when in fact the person is arrested. It would require a citizen to answer questions upon the demands of a police officer when he has not been arrested, contrary to the Fifth Amendment to the Constitution and despite Miranda. Under this title the police are clothed with too much authority, and it makes the police officer both judicial officer and prosecutor.

This title can only lead to widespread, dragnet arrests without probable cause and serve as a vehicle for harassment. In addition, the obvious objection to this bill is that under this title police officers would be provided with an open sesame to resort to third degree tactics; and would be further provided with pseudo short cuts to solving crimes, at the risk of sacrificing the Constitutional Rights of citizens. The foregoing factors become increasingly important when consideration is given to the fact that the citizenry of the District of Columbia is more than 62% Negro while the composition of the Metropolitan Police Department is approximately 90% white and the vast majority are nonresidents. Therefore, it would appear that the bill should have a concomitant provision for improving the standard of training and calibre of the constituents of the Police Department, requiring members to be residents of the District of Columbia, and providing machinery for improving police-community relations.

Excerpts from an editorial in the Washington Post under date of October 24, 1966 in connection with last year's crime bill are particularly apropos:

"Title III of this bill empowers any Metropolitan policeman to 'detain any person abroad whom (sic) he has probable cause to believe is committing or has committed a crime.' It empowers the police, in their absolute and unchecked discretion and without requiring any judicial determination as to whether probable cause existed, to detain and interrogate suspects for a period of four hours. It says expressly that 'such detention shall not be recorded as an arrest in any official record.' And it neglects to say anything which would forbid the police to rearrest suspects and detain them for another four hours over and over again when the initial detention period has expired.

"Make no mistake about the purpose and effort of this bill. It is meant to reinstitute arrests for investigation. The detention and interrogation can have no other intent. They are designed to circumvent the courts and give the police an absolute power. But the situation would be even more dangerous than under the old system of arrests for investigation outlawed by the District Commissioners. For, by pretending that detention does not constitute arrest, the bill would permit police to hold suspects indefinitely without any record of their incarceration—without affording relatives or friends or lawyers any means of finding them.

"This is the very definition of a police state. Such police power existed in Nazi Germany and in Fascist Italy; it exists today in the Soviet Union and in Communist China. But it has never, until now, been countenanced in the United States. To say that such power is not dangerous is to deny the whole of the American experience."

TITLE VI

Sec. 602—Burglary.
Sec. 603—Robbery.
Sec. 605—Committing crime when armed—Added punishment.

This title divides burglary into two degrees, with different penalties for each. First degree burglary carries a penalty of "not less than five years nor more than thirty years." Second degree burglary carries a penalty of "not less than two years nor more than fifteen years."

The crime of robbery has been made more serious in the sense that the penalty has been increased with respect to the minimum sentence. Under the bill it is "not less than four years."

The penalty for the offense of committing crime when armed has been made more severe and the offense broadened. The bill provides that the additional punishment to that provided for the crime may be "an indeterminate number of years up to life as determined by the court." And if convicted more than once of the offense "the court shall not suspend his sentence or give him a probationary sentence." The existing Code has been broadened to include a number of weapons and instruments other than a pistol or firearm and to include any and all items falling in the category of "or other dangerous or deadly weapon."

The harsh provisions of this title are sheer tyranny and smack of savagery. While it is safe to assume that the mandatory minimum sentence provisions of the bill are designed to deter crime, it is equally safe to say that such assumption is contrary to the facts based on years of experience compiled by noted penologists. On the contrary, experience has demonstrated quite conclusively that mandatory minimum sentence provisions are self-defeating. Not only do they fail, quite miserably, to deter crime but they also create additional and special problems for the courts, the prosecutors and the law enforcement officials. The harsh mandatory provisions can only result in injustices because it leaves no discretion to the judge to make distinctions between the nature of the circumstances surrounding different offenses.

Currently, the District of Columbia is not only sending more persons to prison with respect to percentage of population but also imposing stiffer sentences than other jurisdictions for the same type offenses.

Mandatory minimum sentences create special problems for prison officials. Persons confined to prison under such sentences are almost always recalcitrant and difficult to deal with. They feel that they have nothing to lose, they have very little hope, and rehabilitation is almost impossible because such persons can perceive no goal to obtain.

The present provision of the District of Columbia Code dealing with additional punishment for committing a crime when armed is sufficient. It has served and will continue to serve its purpose. The proposed amendment will not serve as a crime deterrent. On the contrary, the additional phrase, "or other dangerous or deadly weapon" is constitutionally vague in the face of the absence of the requirement of specific intent with respect to the crime.

The crime problem in the District of Columbia will not be solved by H.R. 10783. The most effective way to solve the problem has already been made clear and pointed out and that is by the implementation of the President's Crime Report.

Respectfully,

ALEXANDER L. BENTON,
President.

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. DOWDY: On page 4, line 1, insert before the period the following: "and the accused submits himself to examination (at such reasonable place and time as the court may determine) by psychiatrists selected by the prosecuting attorney and answers questions asked by such psychiatrists in such examination, except that if the accused refuses to answer such questions and the court determines after a hearing that the accused's refusal to answer such questions is a result of the mental condition of the accused, the accused's refusal to answer such questions shall not prevent him from asserting the defense of mental disease or defect excluding responsibility".

Mr. DOWDY. Mr. Speaker, this amendment deals with the insanity clause or title of the bill. It is based upon a statement by Judge Pine in connection with this report on the question of crime in the District of Columbia.

Judge Pine was and is a fine judge. He understands the problems we are confronted with. He was formerly the chief judge of the U.S. Court of the District of Columbia.

In commenting on the Durham decision in his statement in this report, he says that during the 3½ years prior to the Durham decision, three persons were found guilty by reason of insanity in the District of Columbia. In the subsequent 10 years after the Durham decision, there 588 persons found not guilty by reason of insanity.

He compares the Durham decision with the model penal code approved by the American Law Institute, but he said:

> A completely new law does not seem desirable in view of the Durham rule.

But he says that the Durham rule should be amended or the law should be amended in connection with the burden of proof in insanity cases.

Here is what he says:

> Still another reason for proposing a change in the burden of proof, and one which is the subject of a further recommendation, concerns an accused who raises the insanity defense and refuses to cooperate with the Government psychiatrists in making their necessary examinations.

He says—

> It seems intolerable to impose the burden of presumption upon the Government while allowing the accused to foreclose access to essential data which can be obtained only from the defendant himself, and which the prosecution require in order to discharge its burden. An uncooperative defendant who takes advantage of a recognized defense, but precludes the Government from carrying its burden, thwarts the entire adversarial system and its search for truth.

He gives as an illustration the case of United States against Schurmann. In that case the defendant was accused of raping a 12-year-old girl. This girl came into Washington aboard a bus. When she arrived in the District of Columbia in the early morning hours the bus came to a temporary stop and she, with the other passengers, alighted. The defendant approached her and persuaded her to take a walk with him to a nearby park, where he—with force and threats with a knife—raped her. He was indicted, released on bond, and consulted a private psychiatrist, who filed a report.

He stated in his opinion the defendant was suffering from mental disease at the time of the offense.

The United States thereupon filed a motion for the commitment of the defendant for a mental examination. The defendant opposed this, but he was sent to St. Elizabeths, and the defendant there refused to cooperate in an examination by the members of the psychiatric staff in that he refused to converse with them.

As a result, a trial was had and the prosecution had nothing at all to show that the defendant was not insane because of his refusal to cooperate. Nevertheless, he was tried and there he was, with no expert testimony from the Government involving the defendant's mental condition. The defendant was found insane within the Durham rule, and the jury had no alternative but to find the defendant not guilty by reason of insanity.

After the verdict he was sent to St. Elizabeths Hospital again. Now he cooperated with the psychiatrist and they found that he was not insane. So 3½ months later he was discharged free for the brutal rape of a 12-year-old child.

All this amendment would do would be to require a defendant who is pleading insanity to cooperate and talk with the psychiatrist, so they can decide whether he was sane or insane. Of course, if he is too insane to know what he is doing, then he could still plead insanity, and that is the purpose of the amendment—to make available to the prosecution in insanity cases an opportunity to make proof one way or the other as to whether the defendant is insane. I ask that my amendment be adopted.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the amendment offered by the gentleman from Texas. The amendment was agreed to.

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. DOWDY: On page 10, after line 16, insert the following new subsection:
>
> "(c) In the courts of the District of Columbia, any statement or confession which is made by any person interrogated under the authority of subsection (b), and which is otherwise admissible, shall not be inadmissible solely because of delay in taking such person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States."

Mr. DOWDY. Mr. Speaker, this amendment deals with the Mallory case and that alone. There has been discussion in the general debate about whether or not the Mallory rule would prevail in the light of title III, which provides for 4 hours detention of a prisoner. The committee report in itself states in connection with title III that the 4-hour delay in the arraignment of an arrested person or arraignment of a person obtained and arrested shall not constitute unnecessary delay and shall not attack the admissibility of any voluntary statement or confession otherwise admissible under the law. All this amendment does is to write that into the law.

I move the adoption of this amendment.

Mr. WHITENER. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I have been somewhat surprised that both this amendment and the previous one have been offered, because I had no knowledge they were going to be offered—not that it was necessary.

Mr. DOWDY. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Texas.

Mr. DOWDY. Mr. Speaker, the gentleman from North Carolina particularly requested me in committee, when we were considering the bill, not to offer them at that time, and to offer them on the floor, so I offer them now on the floor.

Mr. WHITENER. But the gentleman has not shown them to us, as far as I know.

Mr. DOWDY. I handed them to the gentleman during the committee meetings, and he requested me at that time to delay offering them until the bill reached the floor.

Mr. WHITENER. This is news to me if he did.

Let me say—and I believe I have the floor now, so I will proceed—this particular amendment which the gentleman offers is one which I favor, as far as the language is concerned. I just do not favor our doing it in this particular bill. My reason for taking that attitude is that this proposal constituted one of the battlegrounds between the Congress and the Executive when we passed the last bill.

I support language which the gentleman has in his amendment as a matter of general principle. I do not support it at this time as a matter of tactics.

I believe the gentleman from Texas need not be concerned if we vote down his amendment, because this House on six occasions has passed legislation identical to the gentleman's amendment. It went to the other body and there hit a longjam on six occasions, three times on legislation from the District Committee, and three times from the Judiciary Committee.

I know the gentleman from Texas, who serves on our subcommittee, is just as interested as I in doing something effective in the battle against crime. I would not want anything I said to be interpreted as meaning that the gentleman is not equally concerned about it. I do express the fear, however, that what the gentleman is proposing here may cause us not to have any crime legislation at all.

While I support what he aims to do, I hope that we can vote down his amendment.

If he will offer a separate bill, or if he wants me to do so, I will offer it, and we will do our very utmost to get the bill passed as a separate bill. From our past experience, I believe there will be no problem getting this House to pass it.

In the consideration of our bill the subcommittee in its wisdom—or lack of wisdom—made the decision, after serious consideration, not to put this language in. This amendment by the gentleman from Texas is the old title I of last year's omnibus crime bill. We decided in subcommittee that it was advisable to leave it out of this bill. That is why we did it. It is not because we do not concur with the gentleman's position at all, but we just believe it would be unfortunate to do it here and in the present legislation.

Mr. HARSHA. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I rise in support of this amendment. We passed it here in the House a number of times. We had it in the crime bill last year. I believe it substantiates what we are trying to do in title III of the present bill. Certainly if it is questioned, if there is a question of veto involved, the House can take that step in stride. I believe the will of the House has been expressed a number of times in support of this proposition. If we are to be faced with a veto, I believe we can handle that matter as it comes up.

Mr. WHITENER. Mr. Speaker, if the gentleman will yield. It goes to a question much broader than that. As the gentleman knows, we went to conference last year with the other body with this exact language in the bill. We came out of that conference with entirely different language substituted for it. It is no problem to pass this proposition in the House. It cannot be passed in the other body, and we might just as well be sensible and practical about it. We cannot do it.

Mr. HARSHA. Does the gentleman mean he is telling this House that approval of a change in the Mallory rule would be a vain thing? That it would pass the House but not the other body? It certainly is no sound argument against the amendment that he would introduce a separate bill containing this language then.

Mr. WHITENER. I said I would be happy to support it and do all we can to get it passed here, but I have never contended I can take the magic wand to the other body and get some of those gentlemen, with whom we have dealt before on this problem, just to change their minds.

We have to work within the area of practicability.

Mr. HARSHA. I support the amendment as a constructive effort to improve the bill, but I want it understood that is my personal opinion on the matter and certainly does not represent the opinion of the minority members of the subcommittee.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY].

The question was taken; and on a division (demanded by Mr. CRAMER) there were—ayes 10, noes 29.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY: On page 20, line 19, strike out the quotation marks, and after line 19 insert the following new subsection:

"(e)(1) The United States attorney for the District of Columbia is authorized to petition the United States District Court for the District of Columbia for a preliminary injunction and a permanent injunction to restrain (A) the sale, exhibition, distribution, production, disposition, or removal of any matter described in subparagraph (A), (B), or (C) of paragraph (1) of subsection (a) of this section, (B) the sale, exhibition, distribution, or disposition to a person under the age of seventeen years of the matter described in paragraph (1) of subsection (b) of this section, and (C) of the use of any real or personal property for the purposes described in clause (A) or (B). A hearing on the petition for the preliminary injunction shall be had not more than five days, excluding Sundays and holidays, after service upon the defendant of a copy of the petition.

"(2) After the hearing provided in paragraph (1) of this subsection such court may issue a preliminary injunction which will remain in effect until final determination of the petition for the permanent injunction, but not more than thirty calendar days from the issuance of the preliminary injunction.

"(3) If, after a trial of the issues, the court shall order a permanent injunction in the case of a petition for an injunction brought with respect to matter described in subparagraph (A), (B), or (C) of paragraph (1) of subsection (a) of this section, such injunction shall include a provision for the immediate seizure and impoundment of such matter, and forbidding its reproduction or duplication. Such injunction shall also include a provision providing for the disposition of such matter so impounded in such way as the court may determine desirable (including the destruction of such matter), but in no event shall such matter be destroyed until after the expiration of the period during which an appeal may be taken or, if an appeal is taken, during the pendency of such appeal. Any permanent injunction issued by the court shall permanently enjoin the use of any real or personal property for the purpose of violating subsection (a) or (b) of this section. In the trial brought for a permanent injunction the determination of all issues of fact shall be by jury if either party demands it.

"(4) For the purpose of obtaining a preliminary or permanent injunction under this subsection, it shall not be necessary for the United States attorney to allege or prove that an adequate remedy at law does not exist or that substantial and irreparable damage would result from the violations alleged.

"(5) Proceedings pursuant to this subsection shall be governed by the Federal Rules of Civil Procedure, except as they may be inconsistent with the provisions and purposes of this section."

Mr. DOWDY (interrupting the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DOWDY. Mr. Speaker, this is merely an additional aid to the prosecutors in trying to enforce the antiobscenity laws in the District of Columbia, providing that they may obtain injunctions against habitual violators of this law. It is a very strictly written amendment. The preliminary injunction could only prevail for 30 days in the absence of making it permanent. There is a provision for appeals, of course.

In the amendment I provide that a jury trial may be demanded by either party.

As Members all realize, enforcement of the antiobscenity laws is very difficult. This amendment will put an additional tool in the hands of the prosecution to try to protect the people from this character of business.

It is a big business here in the District of Columbia. A lot of this material is published here.

I have been interested for a long time in trying to get proper laws enacted to protect the people. I believe this will go far in strengthening the bill as reported by the committee.

I ask that the amendment be adopted.

Mr. MULTER. Mr. Speaker, I rise in opposition to the amendment.

This amendment was not considered in the full committee before we reported this bill. I know the subject matter was discussed in the subcommittee.

I believe it would be a bad thing to add this amendment to the bill at this time. The committee struggled long and hard over this title of the bill, which seeks to restrict the dissemination and publication and distribution of obscene literature.

I think that the language now in the bill has been worked out very carefully with the Department of Justice. They think they can live with the provisions as they now appear in the bill. By that I mean they believe it can probably withstand any attacks on it because of unconstitutionality. There is no doubt when we deal with items of this kind we are getting close to the constitutional question as to what you may disseminate and what you may not disseminate. There is no doubt but that we must be very careful in the language we use when we try to restrict anything that may be published. I think the committee has done a better job this year than in the last session. I hope that what we have done in this bill will withstand any attack against its constitutionality, although some people have raised the question that even this goes too far. If we add this additional provision to that part of the bill, we will only be buying more trouble and rather than helping the situation we will probably not do anything except give additional incentive to those who would like to distribute this kind of obscene literature. The amendment creates the opportunity to tie us up in the courts indefinitely with injunctions and appeals. It is always a very dangerous procedure to try to prevent the distribution of literature of any kind by the injunctive process.

This amendment retains the vice of last year's bill in that it indiscriminately condemns entire issues of newspapers and other publications because of a single item that someone may deem obscene.

A publisher could easily be put out of business because of an innocent violation, if this injunctive provision were written into the bill.

Mr. Speaker, therefore I urge that the amendment be voted down.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and the Speaker pro tempore being in doubt, the committee divided, and there were—ayes 10, noes 31.

So the amendment was rejected.

Mr. WHITENER. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. KYL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 355, nays 14, answered "present" 1, not voting 62, as follows:

[Roll No. 154]

YEAS—355

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashmore
Baring
Bates
Battin
Belcher
Bell
Bennett
Betts
Bevill
Biester
Bingham
Blackburn
Boggs
Boland
Bolling
Bolton
Brademas
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Mich.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Cowger
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gilbert
Goodell
Goodling
Gray
Green, Oreg.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Halleck
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hardy
Harrison
Harsha
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kornegay
Kuykendall
Kyl
Kyros
Laird
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Konski
Olsen
O'Neal, Ga.
Ottinger
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reifel
Reinecke
Rhodes, Pa.
Riegle
Rivers
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ruppe
Satterfield
St Germain
Saylor
Schadeberg
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tiernan
Tunney
Udall
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalley
White
Whitener
Whitten
Widnall
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zwach

NAYS—14

Ashley
Brasco
Burton, Calif.
Conyers
Dow
Edwards, Calif.
Green, Pa.
Helstoski
Kupferman
Morse, Mass.
Reid, N.Y.
Ryan
Whalen
Wiggins

ANSWERED "PRESENT"—1

Gonzalez

NOT VOTING—62

Anderson, Ill.
Ashbrook
Aspinall
Ayres
Barrett
Berry
Blanton
Blatnik
Bow
Broomfield
Brown, Calif.
Brown, Ohio
Broyhill, N.C.
Corman
Diggs
Evins, Tenn.
Fino
Ford, William D.
Gibbons
Hall
Halpern
Hansen, Wash.
Harvey
Hawkins
Hébert
Howard
Ichord
Jones, N.C.
Kastenmeier
Kluczynski
Landrum
McEwen
Macdonald, Mass.
MacGregor
Mathias, Calif.
Meskill
Moore
Murphy, N.Y.
Nix
O'Hara, Mich.
O'Neill, Mass.
Patman
Pollock
Resnick
Reuss
Rhodes, Ariz.
Roberts
Rooney, N.Y.
Roush
Sandman
St. Onge
Scherle
Sisk
Smith, N.Y.
Stratton
Stuckey
Thompson, N.J.
Tuck
Ullman
Utt
Williams, Miss.
Zion

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. St. Onge for, with Mr. Gonzalez against.

Mr. Evins of Tennessee for, with Mr. Reuss against.

Until further notice:

Mr. O'Neill of Massachusetts with Mr. Broomfield.

Mr. Hébert with Mr. Bow.

Mr. Kluczynski with Mr. Ayres.

Mr. Kastenmeier with Mr. Hawkins.

Mr. Thompson of New Jersey with Mr. Pollock.

Mr. Barrett with Mr. Hall.

Mr. Rooney of New York with Mr. Fino.

Mr. Roush with Mr. Utt.

Mr. Stratton with Mr. Sandman.

Mr. Blanton with Mr. Zion.

Mr. Aspinall with Mr. Rhodes of Arizona.

Mr. Sisk with Mr. Halpern.

Mr. Patman with Mr. Brown of Ohio.

Mr. Ichord with Mr. Berry.

Mr. Blatnik with Mr. Nix.

Mr. Jones of North Carolina with Mr. Broyhill of North Carolina.

Mr. Brown of California with Mr. Diggs.

Mr. Resnick with Mr. Smith of New York.

Mr. Murphy of New York with Mr. Anderson of Illinois.

Mr. Williams of Mississippi with Mr. Ashbrook.

Mr. Corman with Mr. Scherle.

Mr. William D. Ford with Mr. MacGregor.

Mr. Howard with Mr. Meskill.

Mr. Macdonald of Massachusetts with Mr. Moore.

Mr. Landrum with Mr. McEwen.

Mr. O'Hara of Michigan with Mr. Harvey.

Mrs. Hansen of Washington with Mr. Mathias of California.

Mr. Stuckey with Mr. Ullman.

Mr. Gibbons with Mr. Roberts.

Mr. GONZALEZ. Mr. Speaker, I have a live pair with the gentleman from Connecticut [Mr. St. Onge]. If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Scheuer] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I have voted for the District of Columbia crime bill. It is a substantially better bill than the measure which the President properly vetoed last year.

I regret that no report on the final bill has been received from the Justice Department.

I consider the bill imperfect in several important respects and wholeheartedly support the separate views on H.R. 10783 filed with the committee report by eight of my distinguished colleagues.

I hope that their constructive observations will be considered in the other body and that the House will have an opportunity to vote finally on a bill which will eliminate those matters which our colleagues consider to be objectionable.

Mr. Speaker, I am authorized to state that the following Members are in thorough agreement with my views and voted for the bill with the same reservations I hold:

Mr. Hugh L. Carey.
Mr. Jonathan B. Bingham.
Mr. John Brademas.
Mr. Dominick V. Daniels.
Mr. Morris K. Udall.
Mr. Richard L. Ottinger.
Mr. Jeffery Cohelan.

CONTINUING APPROPRIATIONS, 1968

Mr. MAHON. Mr. Speaker, pursuant to order of the House of Tuesday last, I call up the joint resolution (H.J. Res. 652) making continuing appropriations for the fiscal year 1968, and for other purposes, and I ask unanimous consent that the joint resolution be considered in the House as in Committee of the Whole.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the joint resolution, as follows:

H. J. Res. 652

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1968, namely:

Sec. 101. (a) (1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1967 and for which appropriations, funds, or other authority would be available in the following appropriation Acts for the fiscal year 1968:

Treasury, Post Office, and Executive Office Appropriation Act;

District of Columbia Appropriation Act;

Department of Defense Appropriation Act;

Independent Offices and Department of Housing and Urban Development Appropriation Act;

Departments of Labor, and Health, Education, and Welfare Appropriation Act;

Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act;

Legislative Branch Appropriation Act; and

Department of Agriculture and Related Agencies Appropriation Act;

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act.

(3) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this subsection as passed by the House is different from that which would be available or granted under such Act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an Act listed in this subsection has been passed by only one House or where an item is included in only one version of an Act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower: *Provided,* That no provision which is included in an appropriation Act enumerated in this subsection but which was not included in the applicable appropriation Act for 1967, and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution unless such provision shall have been included in identical form in such bill as enacted by both the House and Senate.

(b) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1967 and are listed in this subsection at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority:

Activities for which provision was made in the Public Works Appropriation Act, 1967;

Activities for which provision was made in the Military Construction Appropriation Act, 1967;

Activities for which provision was made in the Foreign Assistance and Related Agencies Appropriation Act, 1967;

Activities of the Office of Economic Opportunity;

Activities of the Department of Transportation;

Activities of the National Aeronautics and Space Administration;

Activities under the Food Stamp Act;

Activities of Interagency Boards of Examiners, Civil Service Commission;

Activities under the Appalachian Regional Development Act of 1965;

Assistance to Indian children pursuant to titles I, II, and III of the Elementary and Secondary Education Act of 1965;

Activities under part B, title V of the Higher Education Act of 1965: *Provided,* That after June 30, 1967, and prior to the enactment of legislation extending the authorization for the National Teacher Corps beyond June 30, 1967, no new members shall be enrolled and no new contractual arrangements shall be entered into, other than those providing for the summer training of present National Teacher Corps members;

"Assistance for Repatriated United States Nationals", under section 1113 of the Social Security Act, as amended;

Activities under "Grants to States for Public Assistance", pursuant to sections 406(b) (2), 407, 408, 409, and the second sentence of section 1115 of the Social Security Act, as amended;

Activities under the Older Americans Act of 1965;

Administrative activities under title III, part IV (Salaries and expenses) of the Communication Act of 1934, as amended; and

Activities of the Federal Water Pollution Control Administration, Department of the Interior.

(c) Such amounts as may be necessary for continuing projects or activities for which disbursements are made by the Secretary of the Senate, and the Senate items under the Architect of the Capitol, to the extent and in the manner which would be provided for in the budget estimates for the fiscal year 1968.

Sec. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity, or (c) August 31, 1967, whichever first occurs.

Sec. 103. Appropriations and funds made available or authority granted pursuant to this joint resolution may be used without regard to the time limitations set forth in subsection (d) (2) of section 3679 of the Revised Statutes, as amended, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whichever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

Sec. 104. No appropriation or fund made available or authority granted pursuant to this joint resolution shall be used to initiate or resume any project or activity which was not being conducted during the fiscal year 1967. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

Mr. MAHON. Mr. Speaker, I move to strike the last word.

Mr. Speaker, this resolution is necessary in order to enable many of the agencies and departments of the Government to operate following the end of the current fiscal year 1967 on June 30 of this week. Only one appropriation bill for fiscal 1968 has been enacted into law—the Interior and related agencies bill.

We have passed through the House as of this date, at this session, 11 appropriation bills. Two of those were supplemental appropriation bills for fiscal year 1967. This means we have approved in the House thus far, nine of the regular appropriation bills for fiscal year 1968.

Yet remaining to be passed are five appropriation bills.

Except for the closing supplemental, the Committee on Appropriations generally is ready to present these bills, but since we are lacking authorizations, as the committee report on the pending resolution explains, we are not in position, under the rules, to present the bills to the House.

The bills yet to come are:

The public works appropriation bill. The funds necessary for the Atomic Energy Commission have not been authorized, although apparently this may take place—in the House at least—in the very near future. Of course, both bodies will have to concur in the legislation, and the President will have to sign the legislation into law before the appropriation bill can be acted upon.

The foreign assistance appropriation bill cannot be reported because of lack of authorization legislation.

The military construction appropriation bill cannot be considered by reason of lack of authorization.

As to the new Transportation Department appropriation bill, an outgrowth of the establishment of this new department of government, it will be ready for presentation right after the upcoming recess. For a considerable period of time, it was partially dependent on authorization legislation for the Coast Guard, which was only very recently cleared to the White House for signature.

Then there will probably be, as always, a closing supplemental bill. We cannot say when it will come to the floor, but it will consist very largely of items deferred from earlier appropriation bills for lack of legislative authorization at the time those bills were reported.

So, Mr. Speaker, it is necessary to pass this continuing resolution or else the wheels of government will come to a halt in some of the most vital agencies of the Government, including the Department of Defense, this coming Friday. While the House has passed 11 appropriation bills at this session, including two supplemental bills, only one of the nine regular bills, as I mentioned, which we passed in the House has been passed by the other body and enacted into law, and that is the Interior and related agencies appropriation bill. The House and the Senate have passed the Post Office and Treasury Department bill and conferees are scheduled to meet tomorrow to try to iron out the differences between House and Senate versions. But as of the moment, only one of the regular appropriation bills for fiscal 1968 has been enacted into law. Therefore, it is vital that the pending continuing resolution be enacted this week.

I believe this is the sentiment of members of the Committee on Appropriations on both sides of the aisle. I believe the gentleman from North Carolina [Mr. JONAS], who is the acting minority leader on his side for the committee, will concur in the statements which I have made.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield.

Mr. JONAS. Mr. Speaker, I do support the resolution, but I intend to offer a pro forma amendment in order to get 5 minutes so as to make a few other observations.

I would like to ask the gentleman, for the purpose of making a little legislative history here, to refer to the middle of page 2 of the report in which it is said:

> While this resolution—as in the case of similar resolutions of previous years—does not enumerate specific amounts that may be obligated and expended for the countless activities of Government during the two-month July–August period, the controlling factor, known to all who have any responsibility for the management of the programs or the obligation of the funds, is that whatever is used during this interim must be taken out of, or charged against, whatever amount is finally appropriated in due course for the whole year.

The SPEAKER. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. MAHON was allowed to proceed for 3 additional minutes.)

Mr. MAHON. I yield further to the gentleman from North Carolina.

Mr. JONAS. That is the position of the Committee on Appropriations. I think it ought to be clear that it is our intention and purpose in this resolution that those expenditures will ultimately come out of the final appropriation.

Mr. MAHON. The gentleman is entirely correct.

Mr. Speaker, I ask unanimous consent to place at this point in the RECORD the scope of the resolution which covers this particular matter and which is printed on pages 1, 2, and 3 of the committee report.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Committee on Appropriations, to which was referred House Joint Resolution 652, making continuing appropriations for the fiscal year 1968, and for other purposes, report the same to the House without amendment and with the recommendation that the joint resolution be passed.

This is the customary type of resolution brought before the House on the eve of the new fiscal year to avoid interruption of continuing governmental functions. The authority conveyed by this resolution is necessary to provide for the interim between June 30 and final approval of the applicable annual appropriation acts for the fiscal year 1968, which begins on July 1, next. The resolution follows the form and concept of similar resolutions of past years. Last year's initial resolution became Public Law 89–481.

The time period covered by the resolution is limited to the 2-month period ending August 31, 1967—identical to the initial continuing resolution in the last session.

SCOPE OF THE RESOLUTION

Comporting with previous versions, the emphasis in the resolution is on the *continuation of existing projects and activities* at the lowest of one of three rates, namely, the current (fiscal year 1967) rate; the budget request, where no action has been taken by either House; or the more restrictive amount adopted by either of the two Houses. The whole thrust of the resolution is to keep the Government functioning on a minimum basis until funds for the full year are supplied in the regular course of events.

In those instances where the applicable 1968 appropriation bill has passed both Houses, but the amount or authority therein differs, the pertinent project or activity continues under the lesser of the two amounts and under the more restrictive authority.

In those instances where a bill has passed only one House, or where an appropriation for a project or activity is included in only one version of a bill as passed by both Houses, the pertinent project or activity continues under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current fiscal year 1967 rate or the rate permitted by the one House, whichever is the lower.

In those instances where neither House has passed the applicable appropriation bill for the fiscal year 1968, appropriations are provided for *continuing* projects or activities conducted during fiscal year 1967 at the current rate or the rate provided for in the budget estimate for 1968, whichever is lower, and under the more restrictive authority.

The resolution does not in any way augment the appropriation for a given project or activity in the regular bills for the fiscal year 1968. In the words of the resolution itself:

> "* * * expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law."

In other words, while this resolution—as in the case of similar resolutions of previous years—does not enumerate *specific* amounts that may be obligated and expended for the countless activities of government during the two-month July–August period, the controlling factor, known to all who have any responsibility for the management of the programs or the obligation of the funds, is that whatever is used during this interim must be taken out of, or charged against, whatever amount is finally appropriated in due course for the whole year.

Only one appropriation bill—the Interior Bill—for fiscal year 1968 has cleared Congress. Thus, prompt enactment of this resolution is the proper course of action under the circumstances. *The resolution ceases to apply* to an agency or activity concurrent with approval by the President of the applicable appropriation bill in which provision for such agency or activity is made. Thus *the scope of the continuing resolution constricts as each bill is enacted; the resolution will be wholly inoperative after the last bill for 1968 is approved.*

Inasmuch as the defense appropriation bill for 1968, already passed by the House, embraced the budget proposition that certain expenditures for support of local forces in Laos and Thailand, and for support of international military headquarters, heretofore charged to the military assistance budget, be charged to military functions appropriations, it is assumed that any necessary expenditures on these accounts after June 30 will be charged to and financed from military function appropriations of the Department of Defense. This is the most direct and the simplest way.

Section 101(b) of the resolution is drawn along the conventional lines of similar past resolutions, and, generally, encompasses those activities to be considered in connection with appropriation bills not yet reported from the Committee. This includes a number of items that had to be laid aside for lack of legislative authorization at the time the appropriation bills in which they normally would have been considered were reported earlier in the session.

One such item relates to continuation of the National Teacher Corps on a minimum basis until the question of further legislative authorization is settled. So that there will be no doubt about it, that part of the resolution dealing with the Teacher Corps explicitly provides that—

> "* * * after June 30, 1967, and prior to the enactment of legislation extending the authorization for the National Teacher Corps beyond June 30, 1967, no new members shall be enrolled and no new contractual arrangements shall be entered into, other than those providing for the summer training of present National Teacher Corps members."

Mr. JONAS. Mr. Speaker, will the gentleman yield further?

Mr. MAHON. I am glad to yield to the gentleman.

Mr. JONAS. And on page 2, in the

second paragraph below the one to which reference was made, I want to make it clear where the words are used, "it is assumed that any necessary expenditures on these accounts after June 30 will be charged to and financed from" that that is more than an assumption. It is the intention of the committee and the House in passing this resolution that that shall be done.

Mr. MAHON. That is the clear intention. The gentleman is precisely correct in his statement.

Mr. JONAS. I thank the gentleman.

SCHEDULE OF APPROPRIATION BILLS FOR 1968

Mr. MAHON. Mr. Speaker, under leave granted, I include a further excerpt from the committee report, showing the reporting and adoption schedule for the appropriation bills for fiscal 1968:

The Committee's original reporting plan, released on April 10, was to bring all of the 13 regular annual bills for fiscal 1968 to the House during the period March 20–June 30. The last one, for the new Department of Transportation, was scheduled to be reported on June 30.

The first 9 bills for 1968 were reported on schedule, but 3 of the 4 bills remaining are either wholly or in significant part delayed for lack of enactment of a number of related annual authorization bills; some have not even been reported from committee.

A fifth bill for 1968—the closing supplemental—will likely consist in large measure of amounts for going programs that could not be included in earlier appropriation bills as usual because of lack of authorizing legislation.

Following is a tabulation comparing the original committee reporting schedule with the status of the 13 regular annual bills for 1968, four of which remain to be reported—again, not counting the customary closing supplemental bill:

The 13 regular annual appropriation bills as of June 26, 1967

Bill	Committee reporting schedule, Apr. 10, 1967	Reported to House	Passed House	Passed Senate	Final congressional action	Notes
Treasury-Post Office	Mar. 20	Mar. 20	Mar. 22	May 23	--------	
District of Columbia	Apr. 14	Apr. 13	Apr. 18	--------	--------	
Interior	Apr. 21	Apr. 21	Apr. 27	May 18	June 12	Bill omitted provision for saline water program for lack of authorization bill (budget, $13,482,000).
Independent offices-HUD	May 12	May 12	May 17	--------	--------	Bill omitted NASA, budget $5,100,000,000, plus a couple of small items due to authorization bill delay.
Labor-HEW	May 22	May 22	May 25	--------	--------	Bill omitted antipoverty program, budget $2,060,000,000, and 10 or a dozen other programs, budgets totaling some $261,840,100, due to lack of authorization bills.
State, Justice, Commerce, and the judiciary	May 26	May 25	May 31	--------	--------	Bill omitted Appalachia item, budget $33,000,000, due to lack of authorization bill.
Legislative	May 26	May 25	June 1	--------	--------	
Agriculture	June 2	June 2	June 6	--------	--------	Bill omitted an Appalachia item, budget $3,000,000, due to lack of authorization bill.
Defense	June 9	June 9	June 13	--------	--------	
Public works	June 16	--------	--------	--------	--------	Awaiting AEC authorization bill, budget $2,646,100,000, plus 4 small items, budgets $15,385,000.
Military construction	June 16	--------	--------	--------	--------	Awaiting authorization bill, budget $2,937,000,000.
Foreign assistance	June 23	--------	--------	--------	--------	Awaiting authorization bill, budget $3,818,736,000.
Transportation	June 30	--------	--------	--------	--------	Authorization bill for Coast Guard (budget $107,014,000) just recently cleared.

Note.—Supplemental bill for 1968, for which no reporting date was set, is not listed, but it is scheduled to carry, in addition to any necessary last minute supplements, such major items as the space program, the antipoverty program, and so on.

APPROPRIATION BUSINESS OF THE SESSION

Under leave granted, and for general information, I include excerpts from the committee report on the pending continuing resolution, and supporting tables, on the status of the appropriation business of the session.

BILLS TO DATE

The House has considered, at this session, 11 general appropriation bills—2 supplemental bills for the fiscal year 1967 and 9 regular annual bills relating to fiscal 1968, as follows:

Supplemental bills for fiscal 1967

Defense Supplemental (Vietnam).
Second Supplemental.

Bills for fiscal 1968

Treasury-Post Office.
District of Columbia.
Interior.
Independent Offices-HUD.
Labor-HEW.
State, Justice, Commerce, and Judiciary.
Legislative.
Agriculture.
Defense.

In the 11 bills of the session, the House has considered budget requests for appropriations of $126,888,078,065. Against that aggregate, the House approved appropriations totaling $123,849,049,467, an overall reduction of $3,039,028,598. The total of every bill was less than the corresponding budget requests. Relatively minor further reductions in 3 of the 11 bills reported from the Committee on Appropriations were made on the House floor, involving a combined floor cut of $27,952,118 from the reported versions.

BILLS FOR FISCAL 1967

The 2 bills for fiscal 1967 involved budget requests for appropriations of $14,410,802,833. The House approved $14,238,346,133, a reduction of $172,456,700. The major portion of the total approved was in the special supplemental for Southeast Asia military requirements—$12,196,520,000.

BILLS FOR FISCAL 1968

The 9 bills for fiscal 1968, as considered in the House, involved budget requests for appropriations of $112,477,275,232. The House approved $109,610,703,334, an overall reduction of $2,866,571,898. These sums include advance funding for fiscal 1969 for the urban renewal and urban mass transit programs (budgets, $980,000,000; House approved, $925,000,000).

While the amounts involved do not enter into the appropriation or spending authority totals, House actions in certain of the bills on the requests, submitted pursuant to the Participation Sales Authorization Act of 1966, for authority to issue participation certificates against pooled loan paper do directly affect the budgeted deficit. Proceeds from such sales are counted in the budget as offsets to budget expenditures rather than as budget receipts. The House acted on $4,300,000,000 of such sales authority requests but, as a result of floor actions, approved only $1,946,000,000, and thus, by so doing, "increased" the administrative budget deficit by the difference of $2,354,000,000, although, as noted, did not thereby increase government appropriations or spending authority or actual governmental expenditure outlays.

Of the $126.9 billion of budget requests thus far considered in the House, $83,859,870,000 involve Defense purposes; $43,028,208,065 relate to non-defense bills. Of the total reduction of $3,039,028,598 thus far made by the House in the 11 bills, $1,670,878,598 was cut from the non-defense requests, $1,368,150,000 is the net cut recommended from the two defense bills thus far considered—the defense supplemental for fiscal 1967 some weeks ago and the regular annual defense bill for fiscal 1968 adopted in the House just recently.

TOTALS TO BE CONSIDERED

The $126.9 billion of budget requests for appropriations thus far considered in the House represents roughly 85 percent of the total appropriations which it is now tentatively indicated will be submitted for action in bills this session. Unforeseen circumstances could, of course, intervene and alter the outlook, but it is now indicated that Congress will be asked to appropriate, at this session, largely for fiscal years 1967 and 1968 and to a very limited extent for advance funding for fiscal 1969, something on the order of $163,000,000,000 for administrative budget purposes, counting roughly $15,200,000,000 of so-called permanent appropriations such as interest on the national debt that must be reckoned in the totals even though such appropriations do not come before the Congress for votes in the annual appropriation bills.

Summarizing the figures another way, the $163 billion probable total administrative budget requests for appropriations at this session—the total may be a little higher than 163—would involve—

(*a*) about $87,000,000,000 in 3 defense bills of the session (the fiscal 1967 supplemental earlier in the spring; the regular annual bill for fiscal 1968; and the military construction bill not yet reported from committee);

(*b*) about $61,000,000,000 in 13 other bills of the session; and

(c) about $15,000,000,000, plus, in so-called permanent appropriations that accrue under laws of earlier years and must be counted but which are not before the House for action in bills of the session.

AMOUNTS YET TO BE REPORTED

The foregoing overall probable budget and appropriation total for the session includes $20,814,774,872 of specific budget requests *presently* involved in the 5 bills still pending in the Committee on Appropriations of the House, as follows:

1. Public works, $4,867,813,000,
2. Foreign aid, $3,818,736,000,
3. Military construction, $2,937,000,000,
4. Transportation (general budget funds), $1,718,618,772, and
5. Closing supplemental (space, poverty, etc., budgets deferred from earlier bills for lack of authorization), $7,472,607,100.

The $7.5 billion figure for the closing supplemental, and thus the $163 billion approximation as a session total of the budget requests for appropriations, may be on the low side by some presently indeterminate hundreds of millions of dollars for any necessary last minute supplements not yet received from the President.

SENATE ACTION

The Senate has passed 4 of the 11 appropriation bills thus far messaged to it from the House—the 2 supplementals for fiscal 1967 and 2 regular bills for fiscal 1968, namely, the Interior Bill and the Treasury-Post Office Bill. The 4 bills involved budget appropriation requests of $23,606,840,652 considered by the Senate. They would have appropriated $23,411,293,483, a net reduction of $195,547,169.

The appropriations in the 4 bills as passed by the Senate exceeded the amounts in the House versions of the bills by $308,407,200. The amount of the budget estimates considered by the Senate, however, in connection with the bills exceeded those considered by the House by $138,457,819.

FINAL ACTION

Three appropriation bills have received final clearance this session—the two supplementals for fiscal 1967 and the Interior appropriation bill for fiscal 1968. They involved $15,991,692,652 of budget requests for appropriations. They appropriated $15,777,299,767, a reduction of $214,392,885.

A summary of the grand totals on the bills to date follows:

Summary of action on budget estimates of "appropriations" in appropriation bills, 90th Cong., 1st sess., as of June 26, 1967

[Does not include any "back-door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	All figures are rounded amounts		
	Bills for fiscal 1967	Bills for fiscal 1968	Bills for the sessio
A. House actions:			
1. Budget requests for "appropriations" considered	$14,411,000,000	[2 3] $112,477,000,000	$126,888,000,000
2. Amounts in 11 bills passed by House	14,238,000,000	[2 3] 109,611,000,000	123,849,000,000
3. Change from corresponding budget requests	−173,000,000	−2,866,000,000	−3,039,000,000
B. Senate actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	9,073,000,000	23,606,000,000
2. Amounts in 4 bills passed by Senate	14,457,000,000	8,954,000,000	23,411,000,000
3. Change from corresponding budget requests	−76,000,000	−119,000,000	−195,000,000
4. Compared with House amounts in these 4 bills	+219,000,000	+90,000,000	+309,000,000
C. Final actions:			
1. Budget requests for "appropriations" considered	14,533,000,000	1,458,000,000	15,991,000,000
2. Amounts approved in 3 bills enacted	14,394,000,000	1,383,000,000	15,777,000,000
3. Comparison with corresponding budget requests	−139,000,000	−75,000,000	−214,000,000

[1] Permanent appropriations were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968.

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House, $925,000,000).

[3] And participation sales authorizations as follows: Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000.

Summary of action on budget estimates of "appropriations" in appropriation bills, 90th Cong., 1st sess., as of June 26, 1967

[Does not include any "back door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Budget estimates considered by House	Passed House	Budget estimates considered by Senate	Passed Senate	Enacted	(+) or (−), latest action compared to budget
Bills for fiscal 1968:						
Treasury-Post Office	$7,613,787,000	$7,499,230,000	$7,615,148,000	$7,555,167,000		−$59,981,000
District of Columbia:						
Federal payments	63,499,000	59,499,000				−4,000,000
Federal loan appropriation	49,600,000	48,100,000				−1,500,000
Interior	1,443,793,000	1,365,310,150	1,458,218,000	1,399,359,550	$1,382,848,350	−75,369,650
Loan and contract authorizations	(30,700,000)	(16,200,000)	(30,700,000)	(16,200,000)	(16,200,000)	(−14,500,000)
Independent offices-HUD	[2 3] 10,804,642,700	[2 3] 10,013,178,782				−791,463,918
Contract authorization	(40,000,000)					(−40,000,000)
Labor-HEW	[3] 13,322,603,000	[3] 13,137,488,000				−185,115,000
State, Justice, Commerce, and the judiciary	[3] 2,342,942,000	[3] 2,194,026,500				−148,915,500
Legislative	231,311,132	228,089,952				−3,221,180
Agriculture	[3] 5,021,097,400	[3] 4,770,580,950				−250,516,450
Loan authorization	(859,600,000)	(859,600,000)				
Defense	71,584,000,000	70,295,200,000				−1,288,800,000
Public works	[4] (4,867,813,000)					
Military construction	[4] (2,937,000,000)					
Foreign assistance	[4] (3,818,736,000)					
Transportation	[4] (1,718,618,772)					
Supplemental (NASA, poverty, other deferred items; usual supplementals)	([4 5])					
Subtotal, 1968 bills	112,477,275,232	109,610,703,334	9,073,366,000	8,954,526,550	1,382,848,350	−2,808,882,698
Supplementals for fiscal 1967:						
Defense supplemental (Vietnam)	12,275,870,000	12,196,520,000	12,275,870,000	12,196,520,000	12,196,520,000	−79,350,000
2d supplemental	2,134,932,833	2,041,826,133	2,257,604,652	2,260,246,933	2,197,931,417	−59,673,235
Subtotal, 1967 bills	14,410,802,833	14,238,346,133	14,533,474,652	14,456,766,933	14,394,451,417	−139,023,235
Cumulative "appropriation" totals for the session:						
House	126,888,078,065	123,849,049,467				−3,039,028,598
Senate			23,606,840,652	23,411,293,483		−195,547,169
Enacted			15,991,692,652		15,777,299,767	−214,392,885

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[1] Permanent "appropriations" were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968. (All forms of permanent "new obligational authority" for 1968 were tentatively estimated in the January budget at $17,452,899,000).

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House bill, $925,000,000).

[3] And participation sales authorizations as follows: Independent Offices-HUD, $3,235,000,000 in budget estimates and $881,000,000 in House bill; Labor-HEW, $115,000,000 in budget estimates and House bill; State, Justice, Commerce, and the judiciary, $150,000,000 in budget estimates and House bill; Agriculture, $800,000,000 in budget estimates and House bill. Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000.

[4] These are the amounts presently pending consideration in the committee.

[5] Several billion.

Mr. JONAS. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I concur in the statement of the distinguished chairman of the House Committee on Appropriations that this resolution is necessary if the Government is to continue functioning after June 30. For this reason I support the resolution, although I regret that for another year now we are not prepared, as we approach the end of the fiscal year, with all of the appropriation bills that will be required to finance the operations of the Government in the new year beginning July 1, 1967.

I believe it is fair to say, however, that as the gentleman from Texas has already pointed out, the Committee on Appropriations cannot proceed with the five remaining bills until authorization legislation clears Congress. Our committee has cleared all appropriation bills for which authorization has been granted.

Mr. Speaker, as the gentleman from Texas pointed out, we still have five additional bills that will have to be considered, four regular bills and a wrapup supplemental bill. We can be sure that the final supplemental bill will be a substantial one. It will probably contain from $4 billion to $5 billion with which to finance NASA appropriations for next year. That final supplemental bill will probably contain about $7.5 billion.

When one adds that to the funds that will be included in the four regular appropriation bills, it will be seen that we still have about $20.8 billion in appropriation items to be considered after we actually get into fiscal year 1968.

Mr. Speaker, while we are considering this continuing resolution, it might be well to invite the attention of the Members of the House and the attention of those who will read the RECORD to the fact that in the 11 bills that have been approved so far this year we have cut budget requests by $3,039,028,598, of which sum $172,456,700 was applicable to the two supplemental bills.

But in the regular bills, nine of which have been considered already, the budget cuts amount to $2,866,571,898.

Mr. Speaker, it had been my hope—and I still hope—that before this year is over, we still reduce budget requests by at least $5 billion. We still have $20.8 billion in appropriations to consider.

So, Mr. Speaker, we still have a fair chance to reach that $5 billion figure. We only have $2,133,428,102 to go and have five bills to consider aggregating some $20.8 billion in requests.

In my opinion it is important that we reach that goal, because the fact is that we are in fiscal difficulties in this country today.

Mr. Speaker, I read in the Sunday Star of yesterday that Treasury bonds last week sold at a 40-year low—40-year low. The first sentence of the article reads:

> Government bond prices sagged again last week, with some dropping to the lowest level in over 40 years.

Mr. Speaker, the distinguished Secretary of the Treasury, while appearing recently before the House Committee on Ways and Means with reference to the Debt Limit Extension Act, predicted that the budget deficit next year—instead of being $9 billion as projected by the President last January, would probably be up to $11 billion. Then, just a day or so ago he was before the Finance Committee of the other body and increased that deficit projection next year to $13.5 billion.

Mr. Speaker, these items alone, if one does not consider anything else, seem to me to be clearly indicative of the need for Congress to do its part in reducing expenditures in order to hold this deficit down to manageable proportions at least.

Therefore, Mr. Speaker, I am hoping, as I say, that before the work of the year is over, we will at least have reached that goal of total reductions of $5 billion, the goal toward which I at least have been working.

Mr. Speaker, I ask unanimous consent to include at this point in the RECORD a table showing the unobligated balances on hand in the executive branch of the Government at the end of fiscal year 1967.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The table referred to follows:

Balances of obligational authority—Start of 1968, end of 1967

[In millions]

	Obligated	Unobligated	Total
Executive Office of the President	$3	(1)	$3
Funds appropriated to the President	8,756	$9,379	18,135
Department of Agriculture	4,922	3,161	8,083
Department of Commerce	1,357	169	1,526
Department of Defense—military	33,433	14,073	47,506
Department of Defense—civil	388	136	524
Department of Health, Education, and Welfare	6,623	586	7,209
Department of Housing and Urban Development	6,231	10,340	16,571
Department of the Interior	974	322	1,296
Department of Justice	23	32	55
Department of Labor	473	309	782
Post Office Department	566		566
Department of State	91	2	93
Department of Transportation	934	475	1,409
Treasury Department	109	33	142
Atomic Energy Commission	1,451		1,451
General Services Administration	354	263	617
National Aeronautics and Space Administration	1,823	137	1,960
Veterans' Administration	723	1,467	2,190
Other independent agencies	5,973	9,335	15,308
District of Columbia		110	110
Special allowances	50		50
Total, executive branch	75,258	50,330	125,588
Legislative branch	15	38	53
The judiciary	7		7
Total, administrative budget	75,280	50,368	125,648

[1] Less than $500,000.

Source: p. 51, table 10, Budget for Fiscal 1968.

Mr. ALBERT. Mr. Speaker, I move to strike out the requisite number of words.

Mr. Speaker, I take this time to commend the distinguished gentleman from Texas, the chairman of the Committee on Appropriations, and his committee for the expeditious manner in which they have handled the very important work of that very important committee. That committee has reported and brought to the floor all of its bills except those not in order because of the lack of authorizing legislation. The distinguished chairman made an announcement earlier this year as to his schedule, and except for the lack of authorizations he has followed that schedule. Two of those authorizations are ready, and we hope will be disposed of this week.

Some of the authorizations are not ready, partly because the legislative committees did not receive position papers from the administration until several weeks after we had convened. But I do believe all Members of the House will be pleased to know that the Committee on Appropriations is up to schedule as we come to the end of the fiscal year. We congratulate them on the fine and cooperative effort which they have made.

Mr. CRAMER. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I take this time to ask two questions of the distinguished chairman of the Committee on Appropriations. As I understand the resolution, and as he stated, this does not include any moneys for which Congress has not passed the authorizing legislation. The instance I have in mind is the highway beautification program. Is that correct?

Mr. MAHON. The gentleman is correct in that we do not supplement by this resolution the amount that any activity of government may get in the regular bill in due time. But the resolution does, of course, provide for continuation of going programs, on a minimum basis, if the budget proposed that they continue during 1968, and that is so regardless of whether the continuation has been authorized or not. Foreign aid, space, AEC, the Teachers Corps, and so on, are examples of this. But I emphasize again, that whatever is expended under this resolution must come out of what is approved in the regular bill for the whole year.

Mr. CRAMER. Mr. Speaker, the second question I have of the distinguished chairman of the Committee on Appropriations relates to the amendment passed, that I offered to the HUD appropriation bill when it was before the House relating to nonimplementation of section 204 of title II of Model Cities dealing with the requirement of having areawide planning agencies as a condition precedent for receiving any Federal money for any project in an area which has not conformed to areawide planning, or metro government by July 1 of this year in the field of highway planning, sewage treatment plant construction, library construction, Hill-Burton hospital construction, and a number of other specified programs.

This House in its wisdom by an overwhelming vote said that that provision could not and should not be put into effect July 1, because it is impractical and could not be done and because it is forced metro by Federal fiat. That is metro-government forced upon local communities in a statistical metropolitan area, whether local communities want it or not, whether they have been consulted or not. I would like to ask the distinguished gentleman in that the House did write such restrictive language into the HUD appropriation bill, according to this resolution, will not HUD be bound by that more restrictive language, and the lack of funds not provided for implementation of title II rather than a broader authority?

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the distinguished chairman.

Mr. MAHON. I am advised that the gentleman is probably referring to the following language:

> That no part of this or any other appropriation in this Act may be used to provide metropolitan expediters, or for the administration or implementation of section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 (Public Law 89-754)—

Which appears in the independent offices-HUD appropriation bill for fiscal 1968 as it passed the House. That bill is now pending in committee in the other body.

Mr. CRAMER. Mr. Speaker, the distinguished chairman is not correct. The amendment to which I refer followed this proviso and stated that—

> no part of (the appropriation) may be used . . . for the administration or implementation of section 204. . . .

Mr. MAHON. Mr. Speaker, I would call the gentleman's attention to page 3 of the joint resolution now before the House, and address his attention to line 11 and the words, as follows:

> *Provided*, That no provision which is included in an appropriation Act enumerated in this subsection—

And the independent offices appropriation bill is enumerated in this subsection—

> but which was not included in the applicable appropriation Act for 1967—

And this provision relating to section 204 was not applicable to 1967 as I understand—

> and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution unless such provision shall have been included in identical form in such bill as enacted by both the House and Senate.

So under these provisions, it would seem to me that the provision relating to section 204, which I read, would not be applicable. Of course, I cannot say at the moment what the agency would determine with respect to the matter, but it seems to me that it would not be embraced in this joint resolution.

Mr. CRAMER. I had hoped that if this joint resolution passes, my restrictive amendment to model cities appropriation would still be in effect. In other words, this continuing resolution should, in my opinion, not in effect repeal the restrictive language but should incorporate that restrictive language. In other words, this continuing resolution should do away with what the House voted to do in the form of this restriction.

Mr. MAHON. No; but this is what the House is saying.

Mr. CRAMER. I understand that according to the gentleman's answer.

Mr. MAHON. The Senate has not acted. The provision is not yet the law and it seems to me that we would be bound by the language on page 3, lines 11 through 19, which I read. This would seem to preclude the operation of the provision to which the gentleman refers. This is the interpretation that we would make of that.

Mr. CRAMER. I would hope that a different intrepretation would be taken.

Mr. MAHON. I would be pleased if the agency would proceed and give consideration to the particular action by the House in the earlier bill, whether it is in the law or not. But we do not know, so I do not think we could enact it into law in this joint resolution because this resolution requires the concurrence of the other body.

We are proceeding in the traditional way in which we handle matters of this sort in these continuing resolutions. Of course, I can understand the gentleman's viewpoint, but I believe under the circumstances there is hardly any other practicable course to follow.

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. LAIRD. I think there is every good reason to believe that the agency will follow the language of the House until the conference has been resolved. I think the chairman of the committee would agree to that because this resolution and the report provides that any expenditures that are made during the fiscal year 1968 will have to be deducted from any amounts that are appropriated at a later date by the Congress. I believe a Federal agency would be inclined to follow the language of the bill even though the conference has not finally resolved this question. I think the conference will resolve the question in favor of the position taken by the House. I would think that an agency, in view of the language in this report, would probably without any question follow that mandate which was adopted by the House until the conference has resolved the question.

Mr. CRAMER. I appreciate that and, of course, the gentleman is an authority on the subject. I appreciate the gentleman's suggestion as to what they might do and I hope they do that. I am glad to get this on the legislative record and that if they do what the gentleman suggests it will stop what they are doing right now and will conform to the will of the House already expressed.

Contrary to this House mandate, HUD has sent letters on June 16 to every Governor in the United States, despite the action of the House and despite the fact that way back on May 17 when the House expressed its will overwhelmingly opposing implementation of section 204. I have a copy of that letter here and I will put it in the RECORD.

The letter is dated June 16—almost a month later of the House action nullifying section 204—HUD sent to every Governor in the United States this letter saying, "You have to conform to section 204."

Every single Governor was so advised—you must conform to section 204. HUD even went so far as to refer to the so-called Cramer amendment nullifying section 204 in the HUD appropriation bill and they say, in effect:

"So far as we are concerned, it becomes effective on July 1—relating to the 1968 appropriations—and these requirements have to be met by June 30 despite this restriction."

This June 30 date requiring compliance with section 204 is effective and this prohibition by the Congress is not effective so says HUD. HUD advised every State that it must conform to section 204 despite the will of the House of Representatives to the contrary. They also sent a similar notification to every agency.

I think this is another example of the executive branch of the Government saying to the Congress: "We do not care what you think, we do not care what restrictions you pass, we do not care how you express yourselves, we are going to do what we please."

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. JONAS. I have asked the gentleman to yield in order to say that I concur in the view already expressed on this point. Certainly the Department will not proceed beyond July 1 to obligate funds for this purpose until this conference agreement has been made. I would hate to believe that the Department would ignore an obvious purpose and intent of this branch of the Congress. But I would say with respect to the last comment of the gentleman from Florida that, of course, the limitation that he got into the bill does not apply to 1967 and goes into effect on July 1, 1967, for fiscal year 1968.

Mr. CRAMER. I fully appreciate that, but this is clearly an expression of the intent on the part of the House, where that intent is being clearly subverted by HUD. By not following the expression of intent of the House, when after July 1 most of the damage will have been done, I think is a subversion of the will of the House clearly and unequivocally.

Mr. JONAS. I agree with the gentleman.

Mr. CRAMER. I thank the gentleman. I wish the Members would read this letter in the RECORD to the Governors and the instruction to the areawide agencies designated by HUD in which he says you must have these areawide agencies designated and you must conform by July 1, and he even quotes the amendment to the contrary adopted by the House and says HUD is going to ignore it. I place them in the RECORD herewith.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,
Washington, D.C., June 16, 1967.

DEAR GOVERNOR: Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 requires that all applications made after June 30, 1967, for Federal loans or grants for selected Federal aid projects in metropolitan areas must be submitted for review and comment to an areawide comprehensive planning agency. It further specifies that such an agency may be an official State or metropolitan regional agency, an organization of representative local public officials, or such other agency or instrumentality as the Governor(s) concerned may designate to perform such planning.

Bureau of the Budget Circular A–82 (attached) provides that the Secretary of Housing and Urban Development shall determine whether there is an existing areawide agency for each metropolitan area and that, whereever such an agency does not exist, he shall request the Governor or Governors concerned to designate an agency. It further provides that the Secretary shall, before June 30 and on the basis of these determinations certify to the Federal Departments and agencies the areawide agency for each metropolitan area to which applications for projects covered by Section 204 shall be submitted for review and comment.

As you may know, the House of Representatives recently passed an amendment to this Department's fiscal 1968 appropriation bill which provides "that no part of (the appropriation) may be used . . . for the administration or implementation of Section 204. . . ."

This amendment has not yet been considered by the Senate. Due to the existing statutory deadline, we are sending you a list of metropolitan areas within your State indicating (a) those areas where it appears that the Secretary will be able to certify an areawide agency directly and the name of the agency, and (b) those areas where designation of a single areawide agency by the Governor will be necessary.

The geographical areas indicated were determined on the basis of the Standard Metropolitan Statistical Area modified in light of the actual urbanized or urbanizing areas. Where States have adopted planning districts larger than the SMSA or where a functioning agency already covered a greater area, that local determination has been followed. In areas where a question concerning the geographic or other adequacy of the agency remains unresolved, the agency has been listed with an asterisk and will be certified on an interim basis pending clarification of its status.

In some cases, particularly in western States where counties are very large, such areas may extend far beyond the limits of urbanized or urbanizing areas. In such cases, review under Section 204 may be inappropriate. Because of the importance of these boundaries to State administration, we are asking your assistance in making such modifications to the boundaries of metropolitan areas which may be desirable and appropriate to the purposes of Section 204.

I would appreciate it if you would inform me as soon as possible of the agency you wish to designate in the areas where that is necessary, so that the appropriate Federal agencies may be notified prior to July 1, 1967. Where the list indicates that the area is entirely within your State, we would recommend that you consider designating the State comprehensive planning agency pending the formation of an appropriate metropolitan agency. If you choose to designate a local or regional body, your attention is drawn to Section 6(b) of the Circular concerning "consultation with the chief executive officers of the major units of general local government" in the area. In the case of areas located in more than one State, we would recommend that you and the Governors of the other States involved jointly designate an agency or instrumentality to perform the review function. However, Section 204 permits each Governor to designate separately an appropriate agency for that portion of the metropolitan area lying within his State. In that case, it will be necessary for these agencies to establish acceptable procedures for coordination of the review function for the entire area.

During the first 60 days when Section 204 is in effect, the need to expedite review will be especially important, inasmuch as many projects may have been awaiting submission pending the availability of Federal funds for fiscal year 1968. Therefore, we would hope that we may count on your good offices in urging the areawide review agencies in your States to move with all possible speed in reviewing applications.

If you have any questions or if we can help you in any way, I hope that you will contact our Regional Administrator. This Department and every other Federal agency involved intend to make every effort to prevent any delays which might affect Federal assistance for local projects from your State.

Sincerely yours,

Peter A. Lewis,
Deputy Assistant Secretary.

Letter to Heads of Area-Wide Agencies as Designated by HUD, June 21, 1967

This is to inform you that, pursuant to Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, your agency has been certified by the Secretary of Housing and Urban Development as the areawide review agency for the geographic area listed in the enclosed attachment. I am also enclosing a copy of the Bureau of the Budget Circular A–82, issued in accordance with Section 204(c).

As you may know, the House of Representatives recently passed an amendment to this Department's fiscal 1968 appropriation bill which provides "that no part of [the appropriation] may be used . . . for the administration or implementation of section 204. . . ." This amendment, however, has not yet been considered by the Senate and action by that body is unlikely before section 204 goes into effect on July 1.

Under the Act, the comments of your agency will be advisory only, and are intended for the benefit of the applicants for federal financial assistance and for the Federal agencies so that they may evaluate the consistency of the project with comprehensive planning and with other projects being developed in the area. Favorable review of any project by your agency, however, will not relieve the applicant from demonstrating to the appropriate Federal agency that it has met any requirement of the Federal programs involved.

Certification of your agency for reviewing applications pursuant to section 204 does not in any way imply that the activities of the agency meet any areawide planning requirements in existing programs nor involve any evaluation of the scope or quality of the planning presently being carried out by the agency.

It is hoped that this Section 204 review procedure will contribute to the orderly and economical growth of our metropolitan areas. Your cooperation in making timely and meaningful reviews is, of course, essential if this objective is to be achieved. Because of the number of applications which are waiting to be submitted when funds become available in the new fiscal year, it will be particularly important to review as promptly and expeditiously as possible applications during the first 60 days. In order to help assure that no delay will occur the Secretary has requested this Department to begin processing applications at the same time as they are being reviewed by the areawide agencies.

We recognize that in some instances the area covered by an agency may extend considerably beyond the bounds of present urbanization. In such cases, it may be unnecessary to require review over the entire area. We have requested the Governors to review the boundaries of designated areas so as to assure the most appropriate delineation, and we should also like to request any comments you may have with respect to this question.

It should be understood that each designated agency has considerable flexibility in determining how it will carry out the review process in its area. The agency may prefer *not* to review certain classes of projects which are generally of such small scale as not to have regional significance. In such cases, provision may be made for a blanket "no comment" in advance. Similarly, where the agency covers a wide area, it may provide with the concurrence of the Department of Housing and Urban Development that no review will be made for projects in areas where no significant urbanization is expected in the foreseeable future. Review agencies should study questions such as these carefully so as to admit the most practicable and expeditious application of Section 204.

Please call upon the Regional Office of the Department if you have any questions about Section 204 or if you need any other assistance in this matter.

Sincerely yours,

Peter A. Lewis,
Deputy Assistant Secretary.

Mr. DENT. Mr. Speaker, I move to strike the requisite number of words.

The SPEAKER. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. DENT. Mr. Speaker, I know there is nothing we can do on the legislation before us except to pass it, because we do not want to cut down part of the Government. But I pay my respects to the chairman and the members of the committee. They cannot do much about the gripe I am going to present to the floor.

On my way to the Capitol this morning I read the Wall Street Journal and I saw on the front page of that newspaper a very interesting article. It states that a group of Polish nationals have just come home from Vietnam and they have pledged their full support to Hanoi until Hanoi wins the war.

I voted for Public Law 480. One of the bills of great interest among the unfinished business of the five appropriation bills is the so-called foreign aid bill. I have discussed it with my colleague from Pennsylvania [Mr. Morgan], and he assures me that there is nothing in that bill for Poland. However, in looking up the past records I find we have done quite a bit for Poland.

I also know that when I voted for Public Law 480 I might have been a little lax in duties here and not realized that I was sending money in the form of Public Law 480 foods to Poland. Over the years I have felt that it was a very worthwhile thing to send our surplus food to help people who need it. But I have come to the point where I am darned if I will vote one cent more if those funds are to go to any nation that will take that money and use it to defeat the causes and the programs of this Nation aimed at helping other people.

If the foreign aid bill contains 1 cent of aid in any way, shape, or form to Poland or any other country that is aiding and abetting the Hanoi government, for the first time in my life I intend to vote against it.

I have not said one word on this floor, one way or the other, on the Vietnam situation. I have believed it would be sufficient if I followed the leadership of my Government. Sometimes I do not agree, but in a matter of this kind I felt that it was not only my patriotic duty but also my congressional duty to support my Government. It takes me a long time to crystallize a thought on a matter as serious as this, and I do not do it overnight, but I say if they have money to spend in aid to Vietnam, then they have got money to buy food with. Further than that I do not intend to support any kind of legislation that is going to open up the markets of this country to more Polish dinnerware, more Polish hams, more trade, and that is going to give them more money to pour into Hanoi and into Vietnam.

I believe the time has come when some stand has to be made. I cannot make a stand on the position of this country in its efforts to do what it has to do, or what it seems it has to do, in Vietnam. I am not on a treatymaking body of this Congress. But I am at the point where I do not believe anybody in his right mind can stand in this House and vote, and vote honestly, to do these kinds of things which, in my mind, are direct aid.

We might as well vote guns. We might as well vote food, and we might as well vote supplies directly, as to do it the way we are doing it. I believe we have to quit this double look at things. We have to quit looking at people buying cigars from Cuba—with tobacco from Cuba but cigars coming from another foreign country.

Either we have a situation where we are in a war, or we are not. If Members do not believe we are at war, they can talk to the mothers and fathers and brothers and sisters and sweethearts of those who have been killed in Vietnam, as I do almost weekly in my district.

I say that I have not popped off about it. I do not go about wearing a banner, or wearing a sandwich board on my back stating how I feel. I have spent as many sleepless nights as any other Member of this Congress, but I am not going to spend any more of them on account of any action of mine in this Congress. I say advisedly I will refuse to vote for anything for anybody who gives anything to Hanoi.

Mr. GUBSER. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I take this time to bring to the attention of the House an acute problem which concerns the school districts of California, and which I understand is serious in many other States of the Union.

To describe the problem, we must first accept a reality. Whether we are for or against the principle of Federal aid to education on a philosophical basis, it is a program which is definitely here to stay. Accepting that reality, I believe it behooves us then to make that program work as efficiently as we possibly can.

Unfortunately, due to the fact that the appropriations process—through no fault of the Appropriations Committee, and through no fault of the leadership, and through no fault of this House—simply consumes so much time that we reach the end of a fiscal year without final action on appropriation bills and continuing resolutions like the one under consideration become necessary.

In the State of California—and across the Nation—there are frequent occasions when local school administrators do not know how many Federal dollars they will receive under the Elementary and Secondary Education Act until sometimes as late as November and December and even January of the school year in which they are operating.

Under the laws of the State of California, there is a cutoff date of March 15, when a teacher who is employed in a program must be notified that he will not be rehired, or otherwise he is automatically rehired. So the school boards of the State of California are required on the 15th of March to make a commitment for a teacher who is employed under a federally financed program in a school year that does not begin until September. But the school board will not know how many Federal dollars it will have to finance their program until probably as late as October or November. It is obvious that these school boards cannot intelligently plan for the use of these Federal dollars under such circumstances.

I have introduced a resolution, Mr. Speaker, which would provide that early in the legislative year we would pass a continuing resolution similar to the one which we are considering here today, which would authorize the U.S. Office of Education to commit funds under the Elementary and Secondary Education Act to local school districts up to 75 percent of the funding which that school district received in the previous school year.

I recognize, in defense of the Appropriations Committee, that such a continuing resolution could not come before the House until such time as the appropriation was authorized in law. So I recognize that my effort to straighten out this situation, which is denying us the best use of our Federal education dollars, must be a two-pronged attack.

I respectfully suggest to the distinguished chairman of the Committee on Education and Labor that early in the year his committee bring a temporary authorization to the floor, which would authorize the Appropriations Committee to bring in a continuing resolution authorizing 75 percent of the amount used by local school districts in the previous school year.

If we would do this, if the authorizing committee and the Appropriations Committee could act jointly, we could utilize our dollars more efficiently. We would make the Elementary and Secondary Education Act an act which could be intelligently planned for at the local level. We would make it a better act, which would do more for education.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. GUBSER. I yield to the distinguished chairman of the Committee on Education and Labor.

Mr. PERKINS. I agree generally with the remarks made by the gentleman from California. The chief complaint from all of the school people throughout the Nation for many years, especially since the enactment of the Elementary and Secondary Education Act, has been the untimely authorizations, more so than the untimely appropriations, because up to the present time we have not acted in time to give the Appropriations Committee much opportunity to act.

We are hoping, with the amendments of 1967, that comprehensive planning can be done in advance.

Likewise, I hope that we may work out something whereby we can get the appropriations through the House in April, so that all of the school districts throughout the country will know the amount of money they are going to receive before hiring teachers and before finalizing programs.

The gentleman has made a significant statement. His complaint is well taken. I certainly agree with the gentleman's statement.

Mr. GUBSER. I thank the gentleman.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution (H.J. Res. 652) was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members speaking on the joint resolution be permitted to revise and extend their remarks and include appropriate tables.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDING AND EXTENDING TITLE V OF THE HIGHER EDUCATION ACT OF 1965

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 664 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 664

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10943) to amend and extend title V of the Higher Education Act of 1965, and all points of order aganst said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Edcation and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska [Mr. Martin] pending which I yield myself such time as I may consume.

Mr. Speaker, the rule that has just been read provides for an open rule waiving points of order and 3 hours of general debate. Points of order are waived because of the transfer of funds. I understand there is some controversy on the legislation made in order by this rule, but I know of no controversy on the rule. Therefore, I reserve the balance of my time.

Mr. MARTIN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, as the able gentleman from Missouri stated, House Resolution 664 provides for 3 hours of debate and an open rule waiving points of order.

This is a piece of legislation which we are considering this afternoon which is a great deal larger in scope and which involves a great deal more money than might appear on the surface. The report on this bill is somewhat misleading in the manner in which it has been written. I would like to call your attention to the fact that there is a total authorization here in fiscal year 1969 and 1970 of $877.4 million. If you add to that an additional authorization for fiscal year 1968, which is included in this bill, you have a total authorization involving over $900 million.

To start with, this is a bill to extend the Teachers Corps. Let us go back and review very quickly the history of the Teachers Corps as far as House action is concerned. The National Teachers Corps was created in the Higher Education Act of 1965. In that bill $36.1 million was authorized to be appropriated for fiscal year 1966 and $64,715,000 for fiscal year 1967. The bill was passed after the appropriation bill cleared the House. Funds were rejected in the first supplemental by House action. Then on May 13, 1966, $9.5 million was appropriated and agreed on in a conference with the Senate in regard to an appropriation for the Teacher Corps. In the House appropriation bill for fiscal year 1967 all funds were deleted. The Senate, however, added $7 million in the final appropriation bill last September. The House deferred action on the second supplemental appropriation bill, and then on May 3, 1967, after the other body had included the funds for the National Teacher Corps the conferees agreed on $3,823,700, but a stipulation was added that this money could not be used unless the Teachers Corps was authorized, before June 30, 1967, a matter of only a few days away.

Mr. MINSHALL. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Ohio.

Mr. MINSHALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

Mr. MINSHALL. Mr. Speaker, I withdraw my point of order.

Mr. MARTIN. I thank the gentleman.

So the conferees agreed on May of this year on an appropriation of $3,823,700 to carry on the work of the National Teachers Corps with a provision that unless an authorization was passed by June 30, 1967, this money could not be spent.

Mr. Speaker, I wish to call the attention of the Members of the House to this fact, particularly, because if the House approves this legislation, then this $3.8 million will be immediately available.

In addition to that, the House has already taken action on the appropriation bill this year for the Department of Health, Education, and Welfare, without any appropriation for the Teachers Corps and that bill is currently pending over in the other body for its consideration.

Mr. Speaker, this bill calls for an authorization for the Teachers Corps of $33 million for fiscal year 1968, which will undoubtedly be included, or at least part of it, in the appropriation bill as it comes back from the other body. Then, Mr. Speaker, the conferees between the House and the other body will have to settle those differences.

Also, Mr. Speaker, we note contained in this report a table which appears on page 13 thereof to the effect that there is very little being expended under the 1968 estimate for these programs. The authorization for the Teachers Corps is $33 million, as I have earlier pointed out.

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. MARTIN. Mr. Speaker, I yield myself 5 additional minutes.

The SPEAKER. The gentleman from Nebraska is recognized for 5 additional minutes.

Mr. MARTIN. And, Mr. Speaker, there are no additional figures under the 1968 estimates for the other programs.

Now, I grant you that two of these programs are completely new programs that we are considering here today. They are for and directed toward attracting qualified teachers with which to meet critical teacher shortages, and grants to States—both of which are new programs. This latter program calls for $50 million in 1969 and an authorization of $65 million in 1970 and the other a $2.5 million program in 1969 as well as $5 million in 1970—a program to attract qualified persons into the field of education; again a new program.

So, Mr. Speaker, let us take a look at the other programs included herein.

The third program on this list provides for the authorization of $195 million for 1969 and $240 million for 1970. This is a fellowship program for teachers in the elementary and secondary education teacher program. Now, under title V, part (c) of the Higher Education Act of 1965, there is an authorization for this purpose of $275 million, but the appropriation therefor was only $35 million for fiscal year 1968, as it cleared the House of Representatives. But here we are in this bill, with an unrealistic figure, asking for $195 million in 1969.

Then, Mr. Speaker, in the next program, "Grants for fellowships for teacher training and for service and teacher careers in higher education," there is an authorization of $21.5 million for 1969 and $36 million for 1970.

Now, Mr. Speaker, this includes the NDEA program under title IV. In title IV the authorization is indefinite. It is an open-end authorization. Appropriations for that program for fiscal year 1968 were $86.6 million.

Then the program to improve training opportunities for personnel serving programs in education other than higher education, $70 million authorized in 1969, $90 million in 1970, again is in the National Defense Education Act program under titles V and VI with a total authorization in 1968 of those two titles of $55,250,000, and an appropriation of $47,450,000.

Due to the great haste that has been used in bringing this bill out of the Committee on Education and Labor, and in asking for a hearing before the Committee on Rules and in scheduling this legislation on the floor of the House, I think the House should reject this legislation as of today and return it to the committee.

This bill, with almost a $900 million authorization involved, has not been given adequate consideration. Although I favor the rule, Mr. Speaker, I feel that the House should return this bill to the committee.

Mr. BOLLING. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. Flood], and ask unanimous consent that he may speak out of order.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PROPOSED NEW PANAMA CANAL TREATY

Mr. FLOOD. Mr. Speaker, I thank the gentleman for these 3 minutes. I wish the Members would listen to this, because a number of the Members are interested.

I have very big ears, besides a big mouth, and my spies report to me—you know about my spy system in this town, I have spies every place, I do not use a crystal ball—but I just heard that the treaty with Panama has been concluded, and that the Panamanians have left New York for Panama with a draft in Spanish. It will take them about a week to translate that, even in their own Spanish.

Also that on the President's desk in Washington is our draft in English, and it may be announced today.

Under our Constitution there is not much the House can do except talk for a short time, but I know what many Members on both sides of the aisle feel about this.

I asked those people did the situation in the Suez Canal and in the Middle East affect them in any way, did it have any effect, did it mean anything? The answer was it is an entirely different situation.

How do you like that? An entirely different situation.

Americans think by treaty the canal is their sovereign territory, and it has been for 50 years, and I appeal to you, Mr. Speaker, and to the Members of the House, whatever influence we have, if any, with the other body, to take the floor hour after hour—if there ever was such a thing as a filibuster—and I might say I never wanted to be in the Senate, but I would like to be there for about 3 days so I could talk on this one. I think some of the Members do as well.

So I put the Members on guard if they want to say something, and I think every Member of the House should say something. The Members at least can talk.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to my friend.

Mr. GROSS. Mr. Speaker, I want to commend the distinguished gentleman from Pennsylvania, who has fought long and hard for the sovereignty of the United States in administering the Panama Canal for putting the House on notice of this impending matter, and say to him that I wonder if there is anything left that this country can give away?

Mr. FLOOD. In the coal fields we have some expressions that are not too polite, but I am so mad about this, coming so close upon the Middle East situation—I am so mad I could spit. I do not know whether that is parliamentary or not.

Mr. Speaker, I yield back the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10943) to amend and extend title V of the Higher Education Act of 1965.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 10943, with Mr. Vanik in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Kentucky [Mr. Perkins] will be recognized for 1½ hours and the gentleman from Ohio [Mr. Ayres] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Kentucky [Mr. Perkins].

Mr. PERKINS. Mr. Chairman, there is no question that all levels of education—elementary and secondary, higher education, vocational, preschool, and adult education—need a greatly expanded supply of teachers and other professionals. Not only is there a critical need but the need is immediate. H.R. 10943, as reported by the Committee on Education and Labor, offers a well-designed and balanced response to the challenge. It represents extensive consideration by the special Subcommittee on Education, and the Committee on Education and Labor.

I wish particularly to compliment the gentlelady from Oregon [Mrs. Green], chairman of the special subcommittee, the gentleman from Minnesota [Mr. Quie], the ranking minority member of the subcommittee, and the gentleman from Indiana [Mr. Brademas], and in fact all the members of the special Subcommittee on Education, for this bill also represents the untiring efforts of these members in bringing to the floor today a meaningful and significant step forward in expanding and improving educational opportunity for teachers and school administrators.

Mr. Chairman, it is a step which has acceptability on both sides of the aisle.

Federal programs now in operation have made a significant impact in meeting educational manpower needs, in terms both of attracting new persons into the teaching profession and of updating the skills of those already in the profession.

More than 60,000 teachers and supervisors have attended 1,500 institutes authorized by title XI of the National Defense Education Act of 1958. Of these, 13,000 has received special training in English, 10,000 in history, and 9,000 in modern foreign languages.

In the critical area of guidance and counseling, more than 600 institutes authorized under title V–B of the National Defense Education Act have trained nearly 21,000 school counselors.

More than 4,000 prospective and experienced elementary and secondary school teachers have received graduate training under title V–C of the Higher Education Act of 1965, although the program has been in operation only 2 brief years.

Our Nation's teacher shortage continues, despite these efforts. It is estimated that 169,000 additional teachers are currently needed to meet the demand for teachers, to reduce class size, to replace teachers leaving their positions, and to eliminate the number of teachers—approximately 90,500—who do not have adequate training.

Current programs are handicapped in meeting these needs. Legislative authority is spread among many laws, each enacted to meet a specific need and each administered in accordance with separate legislative intent. In too many cases, program applications must be fashioned to meet the differences in law instead of educational needs. Let me give you some examples of the inflexibility of our current educational personnel training programs:

Title XI of the National Defense Education Act, even after its liberalization to include more subject-matter areas, cannot provide training at less than the graduate level. Subprofessionals, who might relieve classroom teachers of some educationally related duties, cannot be trained. Our proposed part D to title V of the Higher Education Act will meet this need.

Institutional development grants are given only in conjunction with fellowships under title V–C of the Higher Education Act. Yet an institution of higher education may need such a grant to prepare a good fellowship program. The committee proposes that development grants also be given to institutions which, with such assistance, will be able to develop high-quality graduate programs.

The teacher fellowship program under title V–C does not support the training of junior and community college teachers. Yet these institutions are growing rapidly and are experiencing the same staffing problems as elementary and secondary schools. The proposed part E of title V of the Higher Education Act will assist institutions of higher education in training persons for careers in higher education.

Institute authority includes many subjects; other important ones are not supported. In addition, education programs for a specific group or problem, such as preschool education, may not readily fit into any specific subject area. By eliminating subject-matter limitations, the committee has provided that teacher-training programs may be more effective because of the flexibility allowed.

H.R. 10943 revises and extends the teacher fellowship program authorized by title V–C of the Higher Education Act through fiscal year 19670. In addition, it proposes the establishment of a National Advisory Council on Education Professions Development and four new programs, which would begin in fiscal year 1969. These four programs would provide:

Grants and contracts for the purpose of attracting qualified persons to the field of education;

Grants to local educational agencies experiencing critical shortages of teachers to carry out programs to attract and qualify teachers and teacher aides;

Grants and contracts to provide advanced training and retraining, including preservice and inservice training, for personnel serving in programs of elementary and secondary education; and

Fellowships, traineeships, institutes, and preservice and inservice training for personnel serving as teachers, administrators, or educational specialists in colleges and universities.

NATIONAL ADVISORY COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT

Since the amendments proposed in H.R. 10943 would provide support for training opportunities for educational personnel at all levels of education, the committee considered it appropriate to repeal the authority of the Advisory Council of Quality Teacher Education, which has a more limited jurisdiction, and authorize instead a National Advisory Council on Education Professions Development. This Council would be appointed by the President and would be independent of the Department of Health, Education, and Welfare. It would be charged with reviewing all Federal agency programs providing support of training opportunities for educational personnel and with making recommendations for improvement. An authorization of $100,000 for fiscal year 1968 and $200,000 for each of the next 2 years is provided, thus enabling the Council to hire its own staff.

TEACHER FELLOWSHIPS

H.R. 10943 proposes to broaden the already successful teacher fellowship program authorized by title V–C of the Higher Education Act of 1965, making eligible for fellowships persons teaching or planning to teach in preschool, adult, and vocational educational programs. Since programs for the education of the disadvantaged have shown the value of preschool and vocational curriculums in meeting the needs of the educationally deprived, the committee felt that the fellowship program required broadening to assist in the development in education of teachers for these curriculums.

As I mentioned earlier, the Committee also felt that many graduate programs were unable to qualify for the fellowship program due to their lack of development. Therefore, the provision for institutional development grants, now available only to institutions participating in the fellowship program, was broadened to permit assistance to other graduate programs, if this assistance would assure graduate programs of high enough quality to be approved for the fellowship program.

IMPROVED TRAINING OPPORTUNITIES FOR PERSONNEL SERVING IN PROGRAMS OF EDUCATION OTHER THAN HIGHER EDUCATION

The various authorities for training of educational personnel under the National Defense Education Act—titles V and XI—expire at the end of fiscal year 1968. House Resolution 10943 proposes to authorize a more flexible program of support for training opportunities, beginning in fiscal year 1969. This proposed program would be noncategorical. However, no discipline now itemized in the National Defense Education Act programs as eligible for support would receive less support under the new authority than it has been receiving under the categorical program.

In addition to institutions of higher education, State educational agencies and local educational agencies would be eligible to carry out preservice and inservice training programs or summer or regular session institutes. Programs might include training or retraining of teachers and supervisors in all subject-matter areas, training or retraining of personnel in guidance, counseling, school social work, and child psychology, programs to train teacher aides, and programs to prepare persons from other professions to teach or assist in educational programs. For these purposes, the Committee recommends an authorization of $70 million for fiscal year 1969 and $90 million for fiscal year 1970.

TRAINING PROGRAMS FOR HIGHER EDUCATION PERSONNEL

Although personnel shortages occur throughout higher education, two areas deserve special attention. The growth of junior and community colleges has led to a great need for teaching and administrative personnel with advanced training, not necessarily at the doctoral level. Second, the vast expansion of student financial assistance in all our colleges has created a need for capable administrative personnel on campuses across this country. Yet there is no Federal program to prepare personnel for either of these critical areas. The only program administered by the Office of Education to provide training opportunities for prospective college teachers is the national defense fellowship program authorized by title IV of that act. That program is limited to persons who undertake graduate training leading to the doctorate.

H.R. 10943 proposes a new part E of title V of the Higher Education Act, authorizing the Commissioner to make grants or contracts with institutions of higher education to assist them in training persons serving or preparing to serve as teachers, administrators, or educational specialists in institutions of higher education. Training of the type eligible for support under title IV of the National Defense Education Act is specifically excluded, but other fellowship programs might be conducted. In addition, funds could be used for short-term or regular session institutes, preservice and inservice training, and traineeships. Participants would be eligible to receive a stipend comparable to that awarded under other Federal training programs. For these purposes, the committee recommends that $21.5 million be authorized to be appropriated for fiscal year 1969 and $36 million for fiscal year 1970.

Mr. Chairman, I feel that the proposed Education Professions Development Act, H.R. 10943, will be of significant importance in assuring that highly trained educational personnel will be available at all levels of education. The coordination, broadening, and strengthening of educational training programs which this act will provide will provide a better foundation for meeting the critical needs of the Nation for educational personnel.

TEACHERS CORPS

It would appear to me that we should be debating increasing the size of the Teachers Corps, and enlarging support to institutions engaged in preparing teachers, instead of spending 3 hours of debate on a mere extension. The Committee on Education and Labor and the special Subcommittee on Education conducted hearings at length, and it appears that the educational community throughout the Nation is wholeheartedly in support of the Corps. Contrary to the imagined fears of some Members, institutions of higher education, local school administrators, and all national organizations endorse the Teachers Corps. The results obtained in 1 year of operation have been highly successful and the superintendents in the school systems involved stated that the quality of teaching had been greatly improved as a result of the Corps participating in the impoverished school districts.

I think we should bear in mind that the Corps is not to replace regular teachers but is to augment and strengthen and give individual attention to the children most in need. There can be no argument, after reading the language in the bill, that the program is locally controlled—lock, stock and barrel. Previous fears expressed in this regard, although not present in the actual administration of the program, should now be permanently put to rest as a result of the strict language written into H.R. 10943, to govern the conduct of the program.

I hope to see the Congress quickly extend this program that has been so successful and productive. We should not break faith with the 1,000 or more interns and other young teachers who are already participating, or are engaged in the first phase of their training this summer. Very little money has been expended on the Corps and we should act without delay in order that the $3.8 million made available for fiscal year 1967 may salvage the national investment in these trainees.

I have urged for a long time that we do more in the disadvantaged areas in the way of increasing teacher salaries and constructing adequate facilities for the inner cities and impoverished areas. If we fail to act favorably, the victims will be the children living in these areas. Many of these youngsters of the inner cities are going to school in buildings 100 years of age. Hundreds of buildings date back to the 19th Century. I hope that this Chamber will approve H.R. 10943 overwhelmingly, and that the bill will go to the President at an early date.

Time is precious, if we are going to have a Teachers Corps doing a meaningful job for American children.

Mr. Chairman, I yield the gentlewoman from Oregon [Mrs. GREEN] such time as she may consume.

Mrs. GREEN of Oregon. Mr. Chairman, first of all may I say that the Committee on Education and Labor brings this bill to the floor with strong bipartisan support. It was reported out of the committee by a vote of 26 to 2. I am grateful not only for the very able members of the subcommittee on my side of the aisle, but I am also most appreciative of the efforts and the fine contributions made by the very distinguished gentleman from Minnesota, who speaks with great knowledge and understanding on matters of education.

May I also say, Mr. Chairman, that the bill which is brought to the House today is the result of many long hours of work and a most cooperative effort on the part of all of the members of the subcommittee. To repeat, I am very grateful to these members on both sides of the aisle for the conscientious work they did on this bill. This legislation reflects suggestions and recommendations from each of the Members. The distinguished and very knowledgeable chairman of the full committee was more than cooperative even to the extent of postponing some hearings on the poverty legislation—which is also urgent—so that action on this bill could be speeded up and brought to a vote.

There was a difference of opinion certainly on the various parts of this legislation when it came to the subcommittee. The Teachers Corps itself has been highly controversial as all of the Members of this House know. But the compromise which was finally reached is a good compromise. I believe it is good legislation. In reaching that compromise we did not settle for the lowest common denominator because the provisions of this bill are very significant and will contribute greatly to the quality of education and also will contribute to meeting the critical shortage of adequately trained education personnel in this country.

The chairman of the committee has very carefully pointed out some of the provisions of this legislation. May I discuss some of the other parts of this bill. The legislation does call for the appointment of a National Advisory Council on Education Professions Development. This Council of 15 members would be appointed within 90 days after the enactment of this legislation.

There is only a small authorization for fiscal year 1968 of $100,000 and $200,000 for each of the years of 1969 and 1970. The subcommittee would like to see people on this committee who are broadly representative of the fields of education, the arts, the sciences, and the humanities. And the language specifically says that a majority of the members shall be engaged in teaching or in the education of teachers.

The legislation also authorizes the Commissioner of Education to appraise the Nation's existing and future personnel needs in the field of education. In studying these educational manpower needs the Commissioner is to make maximum use of statistical and other information from the Bureau of Labor Statistics and State agencies and any other appropriate public and private agencies.

In section 504 of the legislation the Commissioner is authorized to make grants and/or contracts with local school districts, State educational agencies, or colleges or universities for the purpose of attracting qualified individuals to the field of education. After consulatation with the National Advisory Council, if the Commissioner believes that a significant contribution would be made, he is also authorized to enter into contracts with private agencies.

The Teachers Corps is, as I said earlier, probably the most controversial part of this legislation. Because of this very fact major attention has been given to this part by every member of the subcommittee. Major changes have been made in the original legislation. Instead of a national recruitment program, the recruitment, selection, and enrollment will be done by local educational agencies and the colleges and universities. One of the major benefits of the Teachers Corps program during the last 2 years has been to focus public attention on the critical shortage of teachers. Another change in the legislation provides that the maximum Federal share will not exceed 90 percent, except in very exceptional cases. A further change in the bill would allow college students at the junior or senior year to enter the Teachers Corps program. We would hope by this provision that additional people might be attracted to the education profession.

The continuation of the Teachers Corp program is a recognition by this Congress that there is a very urgent need for additional educational personnel. But it is a local program designed and carried out by local authorities to meet local needs. The national office will give technical assistance, will serve as a clearinghouse for applicants and will provide information for individuals and school districts.

Another part of the legislation provides Federal funds for local school districts which are experiencing a critical shortage of teachers. These funds will be used to attract and qualify, first, teachers and, second, teacher aides. Because of the emergency nature of this provision the funds within a State will be spent where the critical shortage is most acute. Ordinarily this critical shortage occurs in depressed urban areas and yet other school systems experienced substantial difficulties in the 1966–67 school year.

Let me point out that this would by no means be limited to those who had teacher training at one time but had been otherwise engaged since, but could very well also include those who had recently been graduated from college and could be attracted to teaching. Preservice and inservice training could well serve to provide the educational training or the refresher course needed.

Newspapers across the country reported on the severe teacher shortage for the year 1966–67. The Wall Street Journal of last August said:

> Teacher shortage worsens as school opening nears. Ohio reported 2,000 vacancies; Philadelphia 1,000; Los Angeles nearly 1,000; Detroit 4,000; New York City 3,000.

The Christian Science Monitor for September 10, 1966, said:

> The worst teacher shortage in 20 years has caught Washington along with the rest of the nation by surprise.

Time magazine for last September said:

> New York alone reported a Statewide deficiency of 12,000 certified teachers; Texas 10,300; Michigan 5,000. Missouri has almost three times as many vacancies as last year. Some big city systems had a tough time opening. Chicago had 600 vacancies on opening day.

The Washington Post for September 1, said:

> Illinois, which has about 120,000 teachers, was trying to fill 21,000 vacancies. The Michigan State Department of Public Instruction said an average of 40 school districts a day were asking permission to use partly-trained teachers.

H.R. 10943 would provide grants to assist local education agencies under a State plan, Up to one-third of the funds could be used for attracting and training teacher aides. The remaining funds would be used for intensive training programs for teachers. There is restrictive language in this part of the bill which would prevent the funds from being used for 1- or 2-day conferences or symposia or workshops. In addition, the funds are to supplement local efforts and not to supplant local effort. The formula for the distribution of funds among the States is to be based on the enrollment in public and private elementary and secondary schools in any State compared to the total enrollment in public and private elementary and secondary schools in the 50 States.

This program is not to go into effect until 1969 because sufficient time must be allowed to make plans at the local school district level, to develop worthwhile programs, to formulate the State plans which are required and to allow a review of those plans by the commissioner of education.

The existing legislation provides for a fellowship program. This is continued and the language is broadened to make eligible teachers in preschool education, in adult education, and in postsecondary vocational education. Development grants will be given not only to those institutions attended by the recipients of the fellowships, but also the development grants may be given to certain institutions which will thereby be helped to provide a wider geographical distribution of high quality programs. For the fiscal year 1969 it is estimated that the authorized funds would provide fellowships for about 14,000 individuals and hopefully this would be increased in fiscal year 1970 to about 17,350. When we consider the total shortage of teachers this seems like a small number, but it is actually a very significant number and would help to ease the shortage in many areas.

Part D provides for training opportunities for various kinds of personnel. This legislation takes the place of the present NDEA institutes at the beginning of fiscal year 1969. Categorical limitations will be removed. Grants or contracts may be made by the Commissioner of Education with institutions of higher education and State educational agencies. Also grants may be made to local educational agencies if assurance is given by the State department that such programs will be coordinated with other teacher training efforts. In this part of the bill language is also provided that discourages seminars or workshops or conferences unless they are a part of a continuing program of inservice or preservice training. Some members of the subcommittee felt that too often the funds are used for travel, and expenses for 1- or 2-day conferences or symposia that do little to improve the quality of instruction.

The last part of the bill which is before us today provides for training programs for higher education personnel. There is no duplication with title IV of the National Defense Education Act. These funds would cover the cost of training programs for those who are doing graduate work but not necessarily working for a doctorate degree. Title IV on the other hand is designed exclusively for those who are working for a Ph. D. and are planning to teach in institutions of higher learning. Under part E of this bill people who plan to teach at the junior college level might be eligible for fellowships or traineeships; student financial aid officers might well take advantage of this program, and there is a shortage of such people. There is also a great need for additional personnel in campus administration. Educational specialists are needed and would be eligible for the program under this part of the bill.

The Michigan State Department of Public Education said an average of 40 school districts per day were asking permission to use partly trained teachers.

Mr. Chairman, I have tried to outline briefly some of the more important parts of this legislation. Except for the establishment of the National Advisory Council and the Teacher Corps, all of the other parts of the bill have 2-year authorizations for fiscal years 1969 and 1970. The Teachers Corps and the National Advisory Council are 3-year authorizations beginning in fiscal year 1968. The total authorization is considerably less than the original administration request.

Mr. Chairman, in conclusion, may I urge the Members of this House to support this legislation which is directed to what is probably the most critical need of the country today, namely, a larger number of adequately trained teachers. We can provide all kinds of programs and all kinds of facilities but if we do not have a highly qualified teacher in the classroom then the educational program is weak indeed.

Mr. PERKINS. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. Yes. I will be very glad to yield to my chairman.

Mr. PERKINS. How much money is authorized for the first program you mentioned of grants and contracts for the purpose of attracting qualified persons to the field of education—am I correct in that? These new training programs do not become effective until fiscal year 1969.

Mrs. GREEN of Oregon. That is correct. All of the parts of the bill are only effective in fiscal years 1969 and 1970 with two exceptions. One is the Teachers Corp which will be effective for fiscal year 1968. The provision for the appointment of a National Advisory Council goes into effect in fiscal year 1968. However, the rest of the bill is for the 2 fiscal years 1969 and 1970.

The charge might be made since all of the other provisions are still in effect in 1968 there is no need for this legislation at this time. May I say that the gentleman from California a few moments ago spoke of late funding. The chairman, in that colloquy on the floor, commented on this serious problem—and all of the members of the subcommittee are aware that this situation must be changed. This effort to enact this legislation today, even though most of it is for fiscal years 1969 and 1970, is made because we need to give school districts, colleges, and universities the time to tool up and to plan their programs, and time for the State departments of education to make State plans so that they can wisely use every dollar appropriated.

Mr. PERKINS. For the first time there is only a small amount, $2.5 million, authorized for the program of grants to attract qualified persons to education?

Mrs. GREEN of Oregon. That is right. For attracting qualified personnel. That part of the program is an authorization for only $2.5 million for fiscal 1969 and $5 million for fiscal year 1970.

Mr. PERKINS. How much money would be authorized for the new section providing grants to local educational agencies for recruitment and preservice and inservice training program?

Mrs. GREEN of Oregon. The authorization there is for $50 million for the year 1969 and $65 million for fiscal year 1970.

Mr. PERKINS. The third program in the bill would provide grants and contracts to provide advance training and retraining, including preservice training for personnel in elementary and secondary schools. How much money would we be authorized for this program? Will this replace the program carried on under title XI of the NDEA?

Mrs. GREEN of Oregon. This is part D, Mr. Chairman?

Mr. PERKINS. Yes.

Mrs. GREEN of Oregon. We are asking for $70 million for fiscal year 1969 and $90 million for fiscal year 1970. May I say the total amount for the authorization for this legislation is considerably less than the administration requested. We are well within the budget even though one new program is provided in the legislation.

Mr. PERKINS. Does the gentlewoman agree that these programs have been most helpful but that in the future we are going to have to spend much more money and establish a program providing funds for teachers' salaries? If we are to really face the issue and help in solving the problem of attracting and retaining teachers, I think we must make a greater contribution in the future toward assisting local educational agencies in providing better salaries for the teachers of our children. Does the gentlewoman agree with me?

Mrs. GREEN of Oregon. I am in complete agreement with the chairman of the Committee on Education and Labor, the gentleman from Kentucky [Mr. Perkins], and it is my opinion that we should have a much greater Federal investment than we have at the present time and an even greater investment than this particular legislation calls for. But the legislation now pending before us is good legislation and at least it represents a start on one of the most urgent needs in the country and one which requires our immediate attention.

Mr. PERKINS. Mr. Chairman, if the gentlelady will yield further, I wish to personally commend her for her outstanding work on this bill. It is my opinion that the gentlelady should be commended by all the Members of this body for bringing such an important piece of legislation to the floor of the House. This bill represents extensive consideration by the Special Subcommittee on Education working under her leadership and able chairmanship. Her untiring efforts have resulted in a significant and well designed program to assist in the job of educating this Nation's youth.

Mr. Chairman, I agree with the distinguished gentlewoman that this bill represents one of the best possible approaches toward obtaining better qualified and more experienced teachers in our schools. I am sure that all of us are hopeful—and I am certainly hopeful—that the other body will accept H.R. 10943.

Mr. Chairman, if we can get the Teachers Corps underway and if the funds provided therefor can be taken advantage of during this fiscal year, we will be making great progress in providing for improved education for children in disadvantaged areas.

Mrs. GREEN of Oregon. I thank the chairman of the full Committee on Education and Labor and again may I say that it is because of his untiring efforts that we are able to bring this bill to the floor today with such strong bipartisan support.

Mr. QUIE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ayres] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. AYRES. Mr. Chairman, the bill we consider here today—H.R. 10943—is an important part of the continuing national effort to improve the quality of education for all of our citizens. It is also a symbol of the bipartisan support for national programs in education, and I am pleased to be a cosponsor of this legislation.

H.R. 10943 also represents the efforts of Congress functioning as a genuinely independent body, for it was carefully and studiously shaped by the Special Subcommittee on Education over many weeks, and the result is a measure far improved over the bill originally presented by the administration. I want to congratulate the gentlewoman from Oregon [Mrs. Green], who heads the subcommittee, and the gentleman from Minnesota [Mr. Quie], who is the ranking Republican member. On our side, Mr. Quie was ably assisted by Mr. Reid, of New York, Mr. Gurney, of Florida, Mr. Erlenborn, of Illinois, Mr. Esch, of Michigan, and Mr. Gardner, of North Carolina, and each of them deserves much credit for a thorough and constructive piece of work.

This bill goes to the very heart of education. Its aim is to provide Federal help to States, local schools, and colleges and universities to continuously improve and upgrade the competency of teachers, and to attract new people into the teaching profession. All else that we try to achieve in education hinges upon the ability and preparation of the classroom teacher. Fine buildings, adequate libraries, modern equipment—all are but the setting and tools for teaching; without an able teacher in the classroom they are wasted. The purpose of this legislation is to help assure that there is an able teacher in every classroom. Obviously, the Federal Government cannot do the whole job, and this bill leaves the major responsibility for teacher preparation where it has always been—with our schools and institutions of higher learning. But these Federal programs, properly administered, can and do make a vital contribution toward progress in education.

The major programs continued under this legislation—like so many other sound and productive programs used today—were conceived and initiated under President Eisenhower.

In 1956 and 1957 the National Science Foundation, greatly concerned that the knowledge and techniques of elementary and high school science and math teachers were not keeping pace with rapid and revolutionary advance in these subjects, initiated small pilot projects of summer institutes for classroom teachers. These were conducted by various colleges and universities with Federal funds. They were enormously successful and gratefully recieved by teachers.

Even before the Soviet sputnik satellite in the fall of 1957 gave urgency to our concern for scientific education in the United States, the Eisenhower administration was designing the legislation which became the National Defense Education Act of 1958. This included fellowships for prospective college teachers and institutes for teacher of modern foreign languages and guidance and counseling personnel. There was also a vast increase in the NSF program of teacher education in the sciences and mathematics.

The bare statistics of these wise programs—since expanded to include teachers of other subjects and other school personnel—are impressive, and they tell much about the progress of our work in behalf of education.

Since 1959 the National Science Foundation has expended over $323 million for 6,431 summer sessions, regular sessions, and part-time teacher institutes for 298,847 teachers, mostly high school teachers, of mathematics and the sciences.

Under the NDEA since 1959, the Office of Education has funded 2,604 institutes for over 102,000 elementary and high school teachers and guidance and counseling personnel.

These programs have made contributions of incalculable worth toward improving the professional skills of over 400,000 teachers, with resulting benefits to millions and millions of schoolchildren. Some of the pupils of the first teachers to attend NSF institutes undoubtedly are Ph. D.'s today and charting new frontiers in space or opening new avenues to the attack on disease and hunger in our world. There is no way to adequately measure the benefits of education and of the things we do to advance education—but those benefits can be seen and felt in every accomplishment of our society.

The legislation before us, of course, does not affect the National Science Foundation programs, but it extends and broadens the scope of the equally important programs of the U.S. Office of Education. They do not, in my judgment, give any undue or new powers to the U.S. Commissioner of Education, but simply expand the methods by which he can assist our educational institutions to produce more—and more adequately prepared—teachers.

Those of us who helped enact the original National Defense Education Act can scarcely help looking back with pride upon the beginning of this task, and I am proud to have my name on this bill which continues these important contributions to a better, a more prosperous, and a freer America.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Illinois [Mr. ERLENBORN].

Mr. ERLENBORN. Mr. Chairman, I rise in support of H.R. 10943, the bill now under consideration. It is my opinion that it is obvious this bill represents a vehicle for the continuation of the Teachers Corps. However, I further believe it is more than that. It also represents an attempt—and I believe a successful attempt—to coordinate the programs for providing the educational personnel that we need for the schools of this country.

Mr. Chairman, I believe all of us remember the recent history of the Teachers Corps program. It is a rather thorny history which weaves itself through the course of the last Congress. In addition earlier this year the administration attempted to divide the authorization for the Teachers Corps, placing a part of it in the Elementary and Secondary Education Act and leaving a part of it in the Higher Education Act.

Mr. Chairman, this House very firmly rejected that approach and now we are back with what I believe is a more responsible approach designed toward coordinating the programs for providing additional educational personnel, rather than the fractionalization of these programs.

Mr. Chairman, I support this legislation because I am satisfied it is designed to expand somewhat the present programs in teacher education, without in any way interfering with the responsibility of local or State school boards or colleges and universities.

Mr. Chairman, the changes made in the Teachers Corps, for example, leave the recruitment, selection, and enrollment of teachers and teacher interns entirely at the local level in cooperation with institutions of higher learning. The State educational agencies would have approval powers over the disposition of Corps members and of their training. The financial arrangements now provide for substantial local contributions for the cost of the Corps. The whole focus of the program is shifted from Washington to the States and the communities.

The Teachers Corps in this bill bears little resemblance to the Corps as constituted now, and it is significantly changed from the Corps as proposed by the administration, which seems to have a fixation on centralism and Federal dictation as the only way of doing things.

Mr. Chairman, there are other, many other, changes throughout this bill which move away from the administration position of unlimited discretion in the hands of the U.S. Commissioner of Education and toward the concept of a creative Federal role without Federal domination.

Mr. Chairman, the gentleman from Minnesota [Mr. QUIE] has expressed the intention to discuss those changes in considerable detail. Therefore, I shall merely indicate their general effect.

This bill also, Mr. Chairman, moves in the direction of a consolidation of Federal programs in education. In our study of the Office of Education last year our special subcommittee held hearings all across the country, and almost without exception, educators and school administrators expressed concern to us about the growing tangle of Federal programs.

There are so many separate although similar authorizations that all but the largest and most sophisticated of our school systems are having difficulty keeping up with them. The very number of Federal programs in itself has come to be a burden on our educational system. This bill is a small step in easing that unnecessary burden.

While I support this bill I feel there may be additional ways in which we can tighten up its language and sharpen the congressional intent to limit the Federal role in teacher education. With this in mind, we should give very careful consideration to amendments offered to this bill.

In particular, it would be well I believe to give close attention to the authorization levels established by the bill. They are suggested by the administration in lieu of the open-ended spending power that they originally sought, and I am not satisfied they are completely justified.

For example, title V, part C, currently carries an authorization of $275 million for teacher fellowships for fiscal 1968. The bill reduced this to $195 million for fiscal year 1969, and $240 million for 1970. However, the President has only requested $35 million for this purpose for next year. It is apparent to me that $100 million could be cut from this authorization for each of 2 years and still leave room virtually to triple the program in 1969 should the budget situation permit, and to quadruple it in 1970.

In practical terms it is doubtful that the program can accommodate even this enormous expansion in such a short time, and retain its high quality.

These enormously exaggerated authorization figures tend only to confuse and to mislead the academic community as to the Federal intentions on funding. I personally am much opposed to the "wild blue yonder" approach to authorizing appropriations when everybody in the Government knows that the money will not be appropriated. Our authorizations should match our realistic appraisal of the rate at which the programs are to be funded.

Therefore I suggest that we review these authorizations right here on the House floor in the Committee of the Whole House.

I also want to enter a note of caution for my colleagues on the other side of the aisle. While I support this bill in its present form, I cannot and shall not support it if the other body changes it back to the original administration-sponsored form with vast and loosely defined discretionary power for the U.S. Commissioner of Education. The very fact that the administration constantly requests such delegations of authority for the Commissioner of Education, knowing of the determined opposition to such grants on both sides of the aisle in this House, leads me to be more than a little suspicious of their ultimate design for this legislation.

In my judgment we have a very good bill now before us thanks in large part to the perception and skill of the gentlewoman from Oregon [Mrs. GREEN], and the gentleman from Minnesota [Mr. QUIE], and the administration I believe will be well advised to leave it alone.

Mr. QUIE. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. GURNEY].

Mr. GURNEY. Mr. Chairman, my remarks will be directed partly in favor and partly in opposition to H.R. 10943, which amends title V of the Higher Education Act of 1965.

In understanding legislation, it is always helpful to go behind the language of a bill, and try to discover the reasons why it is before the House.

It is fair to say that the main reason why H.R. 10943 is before the House for action, is the Teachers Corps part of it. It is hoped that this bill will nail down the Teachers Corps as a permanent fixture in Federal aid to education. This bill is designed to clothe it in dress of respectability, and remove it from the arena of controversy where the Teachers Corps has always been, to finalize another step, another stride in the direction of the Federal Government directing and controlling elementary and secondary school education.

As other speakers have already described in detail, the bill also does a number of other things, the purpose of which is designed to help cure a threatened teacher shortage in elementary and secondary schools. Generally speaking, the bill seeks to provide ways of interesting, motivating, recruiting, and training teachers for our elementary and secondary schools.

In further probing the reasons underlying this legislation, there would seem to be three major motivations.

First. There is the political motivation. The Johnson Great Society administration wants this bill passed because it will fix permanently another soap opera type sales slogan—Teachers Corps to be used for Great Society political advertisement.

Second. There is the bureaucratic power motivation.

Commissioner Harold Howe and the Office of Education wants this legislation to further inject the Federal Government into elementary and secondary school education. It occurs to many that the overall intent of Mr. Howe and the Office of Education is to eventually direct and control all educational policies of this Nation centrally from Washington.

Can one think of a better tool to use to shape this idea of central control, than a national Federal elite body of teachers. Every power-hungry government has always used this means. Plant the ideas into the young receptive and pliant minds, this is the surest way to work one's will. We saw it work so well in Germany with the Hitler youth. While I do not for an instant suggest that the present administration, or its Office of Education, has the same ideas for planting that Hitler did, I do say that the basic method is the same, a central control of teaching, with standardized ideas for all from the Federal bureaucracy. Setting up a Nation Teachers Corps creates the machinery that can be used in the future by some power-bent person of this Nation.

Third. There is the motivation behind this legislation to do something constructive about teacher shortages and the special training of teachers for demanding work in teaching the disadvantaged children. I do not doubt this was a common motivation for all of the members of the subcommittee of higher education who worked on this bill. However, regardless of this high purpose which is behind this legislation, we must also ask ourselves if it is necessary. Does it duplicate other programs. Can we afford it at this time. There are some of us who question whether the bill stands up when exposed to this searchlight examination.

Since the main reason for this bill is to legitimize the Teachers Corps, let us look at that first.

It is well to recall to mind the birth of this controversial idea. I am not sure where this instant answer to ghetto teaching problems was conceived, but we do know it was hatched over in the other body by a few of the Members. The idea was then grabbed by President Johnson who slapped on the Great Society label of Teachers Corps.

In typical, thorough, Great Society handling of legislation, it became law in 1965, with absolutely no hearings conducted by any committee over here. The other body tacked it on to the Higher Education Act of 1965 in conference. When the conference report came back the rubberstamp 89th Congress passed the conference report and the Teachers Corps was authorized.

But even the compliant 89th Congress looked upon this national venture into elementary and secondary school education with jaundiced eye. The controversy was so bitter that the Teachers Corps was not funded in the first supplemental appropriation for fiscal 1966, and received a bare bones $9½ million in the second supplemental bill.

It was not funded in the fiscal 1967 Health, Education, and Welfare appropriation as passed by the House.

The Senate put in $7½ million and this was retained in conference.

The next chapter in the checkered career of the Teachers Corps occurred this year. The administration thought the Corps would do better in the elementary and secondary education bill. However, as we all know this idea backfired and in a compromise, it was split between elementary and secondary bill and the higher education bill.

As sometimes happens, this compromise produced nothing except more trouble, and the Teachers Corps was stricken from the elementary and secondary bill when the House processed this last month.

Now we find the Corps back before us again. It has changed its trappings once more. This time it is clothed in greater respectability, wearing the sober and more acceptable garments of State rights and local control.

This design is expected to make the Corps more pleasing to the eyes of Republicans and conservative Democrats than the bikini and miniskirt garb of an elite Great Society National Teachers Corps.

As the Republican supplemental views proudly state "Even the word 'national' is struck from its title," as if this made any difference.

I will concede that the Teachers Corps as provided in this bill is an improvement over the 1965 reversion. It is true that there is no longer national recruitment and that the selection of the corpsmen and women will be done at the local level.

What is more local than a selective service draft board? But after the board selection, the training of a recruit for the Army, Navy, or Air Force is all Federal.

Now, of course, this Teachers Corps cannot be truly compared with the national Armed Forces.

But it is also just as true, that no matter what the language of this bill provides, as long as Uncle Sam is footing the bill, and Commissioner Howe is running the education shop over at Health, Education, and Welfare, the Federal Government is going to have its hands in this Teachers Corps business, right up to its elbows.

And there is no one in this House naive enough to think differently.

All you have to do is read the language of the bill and you will see who is going to call the shots.

Turn to page 10 and it says:

> The Commissioner is authorized to enter into contracts with educational agencies to recruit, select—

And so forth and so on. The Commissioner of Education will run pretty much the whole show under this bill.

It is obvious what is going to happen. He will push through those contracts and arrangements—and that is an excellent choice of words because that is just what it will be a convenient arrangement—that suits him. He will quickly take care of the willing and eager-to-cooperate clients, and he will drag his heels on those who may not agree with him.

Has anyone here found the bureaucracy to work any other way?

It was just the other day in committee that one of our very liberal colleagues on the Education and Labor Committee, who supports all legislation of the Great Society 100 percent was complaining:

> We write legislation, put language in a bill and then the bureaucrats do exactly what they want to do.

There are many other arguments against the Teachers Corps which will be found in my formal statement.

It has been pointed out that this program will drain off good teachers from their present schools thus lower the quality of good schools. I expect this is a potential danger, if the Corps is greatly expanded over the years.

Right now, though, I think the argument that the size of the program is such a drop-in-the-bucket affair that it will accomplish little or nothing except Great Society political propaganda.

Of more concern is how descriptive the Corps people will be in the local school system. There is bound to be a good deal of envy and jealousy by the older teachers when part-time teachers come in at the same pay, with their graduate expenses being picked up by Uncle Sam as well.

The estimated cost of $8,480 annually to train and pay one of the teacher corpsmen is far too expensive for value received.

It overlaps and duplicates the present NDEA institute program and the present teacher fellowship program under this same title V of the Higher Education Act.

The supervisor teacher of the Teacher Corps teams may, and probably will be, making more salary than experienced resident teachers with greater experience, because the Commissioner of Education can set the salary of the supervisory teachers.

The Teacher Corps people will probably not be subject to the same supervision or discipline from the local school administration because he may be hesitant to properly supervise the Federal employee.

It may tend to discourage local school districts to recruit new teachers because of the almost free ride of the Teachers Corps moneywise.

It may tend to influence colleges and universities in teaching methods, adopting federally generated ideas rather than their own methods.

These arguments against the Teachers Corps are probably with or without merit, depending on the facts and circumstances of individual cases.

I consider them as incidental, to the overriding argument against the Teacher Corps, that we are here creating a federally paid elite teachers cadre. Whether it is locally or federally controlled in its inception, does not matter. If it is continued and expanded over the years, it is bound to be federally, centrally inspired, and controlled eventually. For that is the inevitable course of Federal legislation.

The basic reason for opposition to the Teachers Corps remains unchanged, reluctance of this House to make this far-reaching step into further Federal control of elementary and secondary school education.

A word about the duplication of programs.

We already have the NDEA institute program and the teacher fellowship program. These could be easily directed to zeroing in on the special problem of teaching the disadvantaged children.

If the Office of Education were really as concerned about this problem as they claim, or if they were better organized to cope with it, they could easily use their good present programs to grapple with the problem.

But, no, instead, they must try some new Great Society Madison Avenue advertising gimmick approach.

The House should continue to reject this Teachers Corps idea as it has pretty much done in the appropriation process heretofore.

As for the rest of the legislation, it cerainly should be pointed out that it is not needed now. All other programs affected by this bill, are authorized through June 30, 1968. If we did not enact the bill at all, nothing but the Teachers Corps would be affected.

However, it is well to point out that the bill greatly expands the scope of the NDEA program for teachers institutes. There are listed nine categories covering every imaginable school occupation and authorizes these among others. Everything including the kitchen sink is thrown in.

I question if this is wise. The whole point of this legislation is to get some basic principles of education across to some very disadvantaged children.

Indeed, what is needed is to get across to these children reading, writing, and arithmetic and an ability to grasp some understanding of learning, to spark a desire to learn more. The bread and butter of teaching and learning is needed; not the desserts and frills.

A new part authorizes the similar wide training authority for people going into higher education. Here again, while all this is a commendable goal, it takes the emphasis off the desperately needed areas of teaching fundamentals in the disadvantaged areas.

The Commissioner of Education is given new authority to make periodic appraisal of educational needs. I would have thought this was an ever-continuing responsibility of him and his Office. He should not need jacking up to do what is his job anyway.

However, I strongly disagree with the new authority to make grants and contracts with a wide variety of institutions to attract persons into the field of education.

Under this new authority you can count on these new persons to be either already motivated, or soon to be by the Commissioner, to the concept of Uncle Sam running all education. I do not count this as any comforting thought.

The bill also sets up a National Advisory Council on Education.

Here is created another commission to waste our tax money in studies and reports, which probably will not be read, and if they are, probably will have little to offer except more ways to get the Federal Government further involved in elementary and secondary school education.

One last comment: Subpart II of part B sets up a new program of grants to States to attract teachers to meet critical teacher shortages.

This would be completely administered by the States, through their educational agencies.

If this legislation has anything new and constructive, this is the part.

I support this portion of the bill. This is worth a try to see if this new approach can contribute to help eliminate the teacher shortage.

In summary, this bill attempts to deal with two very real problems in present-day American education, a teacher shortage generally and specifically in the ghetto schools where large numbers of disadvantaged children are concentrated.

Teachers Corps, teachers institutes and fellowships, other programs, all of these may help to correct the problem just a little bit.

But it seems that in the long run, the only cure is to upgrade teachers salaries by a substantial amount. There are cities in this Nation that offer top quality education. Where this happy state exists, one also finds top teacher salaries.

The attack on the problems proposed in this bill are like trying to kill a tiger with a fly swatter, or to cure a deadly disease with aspirin.

I believe the proper approach to be to upgrade teachers salaries with sizable Federal tax sharing with the States.

Of course, I would advocate safeguards so the tax sharing would go to teachers salaries and the States continue their own contribution.

Make the teaching profession attractive to seek as a career economically and the teacher shortage, all around, including the ghetto schools will disappear.

I expect we shall come to this before very long. In the meantime let us not hurt the good school system we already have, by putting it under the heavy thumb of Federal bureaucracy.

Mr. PERKINS. Mr. Chairman, I yield 2 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, in view of the fact that the President has just made an announcement regarding the Panama Canal Treaty, as chairman of the Subcommittee on the Panama Canal I feel I can now speak.

The new treaty with Panama is not in the best interest of the United States, and I intend to continue to fight against it and to urge the Senate not to ratify it. It seems to me that we are only opening the way to surrendering the canal to the Republic of Panama. I wonder if the British and French would have deliberately made the Suez Canal subject to expropriation by Egypt if they could have prevented it in any way. Yet that is just what we are doing with the Panama Canal.

Right now it is the property of the United States of America—of the Government—and not subject to seizure by Panama. But under this treaty, the canal becomes the property of a non-American-government authority, and on the soil of Panama rather than under the American flag. There are no safeguards against expropriation except a requirement for "fair payment." Since the "fair payment" would come out of higher tolls paid, in most instances, on shipping to or from the United States, we would be paying ourselves out of our own pockets for the privilege of having the Panama Canal taken away from us. And how we would pay.

The Suez Canal has been closed twice in the past 10 years. It is an Egyptian waterway, subject to the whims of the Egyptian Government. The most recent closing has meant a very substantial increase in the budget of the United States because of the increased cost of shipping grain and other foreign aid cargoes to parts of Asia. It will certainly have an impact on the price of oil to Americans, because oil shipments from this hemisphere will have to replace the Middle East oil which normally goes to Europe, and the Europeans will be bidding against us for Venezuelan oil. These are just a few of the consequences to us of a single nation's sovereignty over the Suez Canal.

If we let ourselves get in the same situation with the Panama Canal—if we just give away our rights there as this treaty would do—the consequences to our economy would be vastly greater than the consequences of Egyptian control over Suez.

I am not at all sure the American negotiators realize the full damage of expropriation. I intend to try to make sure that the Senate does realize it before it acts on this treaty.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. I thank the distinguished chairman of our committee.

Mr. Chairman, I rise in support of H.R. 10943. I am pleased to be numbered among its cosponsors.

H.R. 10943 represents a most significant advance in strengthening our program for attracting and training more persons to engage in careers in education at every level.

I want to commend the able chairman of the special Subcommittee on Education, the gentlewoman from Oregon; the ranking minority member of our subcommittee, the gentleman from Minnesota; and indeed all the members of our subcommittee who worked so diligently on this significant measure.

This is a good bill. I hope it will be passed with strong support from both sides of the aisle.

Enactment of H.R. 10943 will mean more and better teachers for American education from the preschool through the graduate school level.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CAREY].

Mr. CAREY. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of this legislation.

This morning, coming down to Washington, I noticed in one of the public prints an announcement of numerous Federal grants going to various organizations in the field of public health and private research. These grants were for the purpose of developing something more along the line of an effective mechanical heart.

I notice also in the same public print that last year better means of heart massage and dealing with heart failures by instantaneous treatment immediately following on a seizure saved the lives of 50,000 Americans. All of these programs dealing with the health of the country began under national leadership and they began because it was felt that agencies existing in the field—State, local, and private—were not equal to the task of coping with something where a remedy could be found if coordinated activity could be brought to bear by some Federal agency. This is analogous to what we witness today. We know the problems which beset the teaching profession and the critical shortages existing in the big city schools. We know how hard it is to train for the problems of ghetto children and the inadequacy of training which is meant to deal with the problems of ghetto children. We know that this exists not just in an isolated area in one part of our country but it pervades—and I am indebted to my colleague from Indiana for this term—it pervades the whole seamless garment of American education.

The question is not whether or not we seek Federal control or an unneeded program which is in the offing, but the question is whether we are going to bring to bear on the needs of American education the same kind of concern, the same kind of hope, and the necessary steps which we brought to bear on the health deficiencies of this Nation. If this Nation has a real heart, and not a mechanical one, which is run by 50 States and their agencies and means to do something, how can we say that $270 million over the next 2 years directed to the needful area of teacher training is not a necessary expenditure? As the gentlewoman from Oregon so admirably pointed out—and she has done a magnificent job in bringing this bill together—as she has pointed out, we have billions of dollars of new programs all going to different kinds of difficulties, with disadvantaged area remedies. But until this moment really nothing formidable in terms of doing something for the necessary ingredient in quality education; namely, the teacher in the classroom, has been accomplished.

I would like to advert to a statement made by a teacher who came from the best possible source of teacher education, who felt she was equipped to deal with slum schools and committed herself to go in and teach in these slum schools.

What is it like to teach—or try to teach—in a school in Spanish Harlem? I found the comments of one young teacher a chilling indictment—not of the school system but of society. I also found them an eloquent if unintentional endorsement of the Teachers Corps.

Writing to the dean of the Harvard Graduate School of Education, where she earned her master's degree, this young woman described her day:

> The whole place is mad and absurd. My classes are devoted to trying to get the kids to open their notebooks, stay seated, stop talking, stop fighting, stop exhibiting themselves, stop writing obscenities in the text, stop asking to go to the bathroom, stop blowing bubbles, stop, stop, stop!
>
> Please to God—

She concluded—

> if you are going to send Harvard Graduate School students into urban schools, prepare them a bit more than I was prepared. The dynamics of the classroom situation are overwhelming; they must be studied and solved before anything can be taught and learned.

This disillusioned young teacher was not a member of the Teachers Corps. There was no Teachers Corps when she wrote these words a year or so ago. But the Teachers Corps was created by the last Congress to help in just this kind of school with just these kinds of troubled youngsters.

The Corps recognizes that the children are not to blame. They are casualties in the war to survive the poverty, the misery, the tedium, and the hopelessness of life in Harlem and other slums. The Corps also recognizes that the teachers are not to blame. Most of them come from middle-class homes and are trained by middle-class colleges to teach in middle-class schools.

The Teachers Corps is a unique attempt to bridge the gap between teacher and pupil. Participating colleges and universities are training young corpsmen to understand what makes children of the slum act and react the way they do.

I say, Mr. Chairman, that we have a solemn obligation to support and encourage this new understanding that the Teachers Corps has uncovered.

Mr. Chairman, I would like to say a few words based on experience in my own area in support of the Teachers Corps bill now before us.

The director of the Corps project at New York University, Sam Keys, is enthusiastic about his teacher interns or trainees. They are all veterans of the Peace Corps who went into the Teacher Corps on their return from overseas.

I do not need to tell you that New York has a ghetto problem with a vengeance. Half of the city's 7,800 ghetto area teachers are not certified. Only one graduate in 10 from New York University's education program chooses a ghetto school. The rest scatter to the suburbs.

But these teacher-interns have not been discouraged by assignments in the ghettoes. On the contrary, they are planning to remain in inner city schools.

They have a motivation and a sense of community responsibility that produces surprising results. One of them at a junior high school made such a favorable impression on his students that apparently they started talking about him at home. Pretty soon older brothers and sisters—school dropouts in most cases—started coming around asking if he could help them. The upshot was that this young trainee rented a store front at $45 a month, paid out of his own pocket, to hold classes at night for dropout brothers and sisters.

Another example I would like to cite is the project at Junior High School 118 in the Bronx, one of the six schools the NYU teams are working in. The school has many gifted college-bound youngsters but at least as many slow learners apparently intimidated by the brighter students. After working with the slow students for a while, the Teachers Corps team realized they did not have the psychological background to cope with their problems and asked the psychology departments of Fordham and NYU for help. The result is a clinic staffed by volunteers giving special guidance to help the slow learners.

In another storefront operation, interns during their "off" time after school hours are holding classes in English and Spanish for their pupils' parents. Still another team at Junior High School 111 in Brooklyn has taken over a vacant shop to conduct language classes, an employment counseling office, and a tutorial center. The interns have recruited bright high school and college students to do the tutoring and supervise the project.

I could go on indefinitely, but the good works that these teams are doing has convinced me that the Teachers Corps is the finest thing that has struck American education in a long time and deserves our wholehearted support.

I submit to my colleagues, especially those in opposition, that additional teachers' salaries and money is not going to draw this kind of person into a teaching experience and keep her there. I can say, and with authority, that in all the collective bargaining activities in the city schools of New York today again and again it has been said by the heads of American education and of teachers unions that the pay scale is secondary to the improvement of teaching conditions and their training to cope with big city ghetto problems. This is a step in that direction.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PERKINS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. CAREY. Mr. Chairman, I want to conclude by stating that this is the time to cope with remedies available to us to help us to bring the best of teaching talent, well prepared, into the ghetto schools. One of the finest things I have seen done in my experience on this committee was the class we took to New York City where the committee saw at firsthand what was going on in the city schools. This is the biggest warrant for coming here today and passing this bill to improve the service and bring about a better kind of teacher training and to go on with this function in this new Department of Education which is long overdue and should be passed without further argument.

It was almost 1 year ago that I brought to the attention of my fellow Members of the House of Representatives what I considered a serious deficiency in our program of Federal aid to educational programs. Along with my admonition that the Congress had been remiss in its obligations, I introduced corrective legislation. I was privileged, at that time, to be associated with the distinguished gentleman from Wisconsin, Congressman MELVIN LAIRD, and my good friend, a revered Member of this House, the late Congressman John E. Fogarty. Had John been permitted to live he would have joined his good name to the effort which Congressman LAIRD and I are continuing in this Congress, that of providing meaningful instruction to our schoolchildren as to the true and correct facts about health, enabling them to better cope with the torrent of vested interest advertising they will be confronted with throughout their lives.

I shall not take the time of Members for a lengthy reiteration of the evidence which fully substantiates my contention. A complete account of both the problem and the remedial action which I have proposed in H.R. 7678 can be found in the CONGRESSIONAL RECORD of March 22, 1967. But in pressing my objective I have studied carefully the provisions of H.R. 10943, the bill now before the House, and while I do not intend to propose any amendment appropriate to this point I wish to make my own view clear as to the intent of a provision of this bill which affects directly the needed objective. Section 531(b)(1) provides assistance for the training or the retraining of instructors of courses generally taught in school and I wish to make it crystal clear that although the health instruction generally taught is grossly inadequate, I do not view the language of the bill as a mandate to continue this farce where outdated information must be taught by teachers who neither want nor are prepared to provide meaningful health instruction. In my opinion funds available under section 531(b)(1) must be directed to the training and retraining of teachers who will be enabled to provide to our schoolchildren scientific health facts, the latest knowledge, with no distortion and no biases, about their own and their community health. In this day of seemingly insurmountable community health problems such as air pollution, water pollution, solid waste disposal, and highway safety, to cite but a few, how else can we expect the next generation to make other than the sorry record we have made? Without the opportunity to learn how will they be enabled to best protect their own health?

Mr. QUIE. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, I support this legislation in its present form and I commend the distinguished subcommittee chairman, the gentlewoman from Oregon [Mrs. GREEN], and the ranking minority member, the distinguished gentleman from Minnesota [Mr. QUIE], as well as the chairman of the full Committee on Education and Labor [Mr. PERKINS], and others who have done the work in resolving many of the problems that confronted us in the past, in our viewpoint, with reference to the Teachers Corps. It is a good product with which they have come forth, and I urge the support of my colleagues in behalf of this legislation.

Mr. Chairman, I wish to insert at this point in the RECORD a statement on behalf of myself and eight of my colleagues in support of H.R. 10943. The statement is as follows:

> We support and urge enactment of this legislation which we believe will strengthen and consolidate existing Federal programs of assistance for teacher training while preserving State, local, and private initiative and control in their administration.
>
> ### BILL REFLECTS REPUBLICAN VIEWS
>
> This legislation has been drastically altered in committee—consistent with the views of Republican members—and no longer concentrates wide discretionary powers in the U.S. Office of Education as proposed by the Johnson administration. The following major changes were made in the administration proposal:
>
> (1) The Teacher Corps will no longer involve national recruitment, selection, or enrollment, or assignment of members without State approval, or Federal dictation of the terms of their training.
>
> (2) Proposed new authority for the Commissioner to arrange for teacher institutes and other inservice training through grants and contracts with a wide variety of private profit and nonprofit agencies and organizations, or directly with local school districts without consulting the States, was deleted, and the bill now provides a desirable flexibility in arrangements for inservice and preservice training without giving carte blanche authority to the Federal Office of Education.
>
> (3) A new program of grants to the States to help meet emergency teacher shortage situations, with complete administration through State educational agencies, was designed in the subcommittee with unanimous Republican support.
>
> (4) Proposed new authority for the Commissioner to make (completely at his discretion) "developmental" grants to undergraduate teacher training institutions, and to graduate schools without any relation to fellowship awards, was deleted since it gave unwarranted power to the Commissioner.
>
> (5) "Open-ended" authorizations were deleted throughout the bill and reasonable authorizations were substituted; the huge authorization for teacher fellowships—most of which was not requested in the current budget—was reduced to accommodate new programs without unduly increasing the overall authorizations for the existing programs.
>
> At numerous other points minor but worthwhile changes were made in the administration proposal to define and narrow administrative powers.
>
> ### THE NEW, LOCALLY CONTROLLED TEACHER CORPS
>
> The Teacher Corps as authorized in this bill is a program which most Republican members can conscientiously, and even enthusiastically, support. Most of us had vigorously opposed a National Teacher Corps which was recruited, selected, enrolled, and training criteria established, entirely at the discretion of the U.S. Commissioner of Education, with 100 percent Federal financing, and operated in local schools without State approval. We opposed an elite guard of Federal teachers under any circumstances.
>
> The program will no longer have any of these characteristics. Even the word "National" is struck from its title. Recruitment, selection, and even enrollment will not be the exclusive province of institutions of higher education and local educational agencies. Arrangements for training will be made by the same agencies or by the State educational agencies. Teacher Corps "teams" will be made available to local schools only with the approval of the appropriate State educational agencies, and local school districts will be required to pay at least 10 percent of the cost of services rendered, and all such costs if they can afford to do so.
>
> The authority of the Commissioner of Education will be limited to rendering technical services upon request and making information about the Corps available to the public.
>
> This is a complete change from the National Teacher Corps in operation this last year, and we are confident that had these suggestions been followed in the first place there would never have been a controversy over the Teacher Corps. We are deeply concerned over the plight of inner city and isolated rural schools, and this bill provides a practical, proven means of helping to upgrade these schools without turning them into Federal installations.
>
> We believe that these Republican-sponsored amendments to the Teacher Corps exemplify truly creative federalism which the administration would be well advised to adopt as a pattern for other legislation. Creativity stems from a genuine partnership in solving problems—not from "carrot and stick" domination by the Federal Government.
>
> ### CONSOLIDATION OF TEACHER TRAINING PROGRAM
>
> The Eisenhower administration recognized the urgent necessity of continuous upgrading of teacher skills and education to keep pace with advances in knowledge. A small, but proven pilot program of the National Science Foundation of teacher institutes for math and science teachers was expanded into a major effort, and the National Defense Education Act added authority for the Commissioner of Education to arrange similar training for teachers of modern foreign languages and for school counseling and guidance personnel. These NDEA categories have since been expanded to include various other categories of instruction as well as school librarians and teachers specializing in helping deprived children. This has been a sound program and the educational contribution has been one in which Republicans can take great pride.
>
> At the same time, it is apparent that, to reserve balance in the total education program and to meet additional needs of school personnel for such training, the advantages of this program should be available to a

much wider spectrum of elementary and secondary educators. Several of us proposed elimination of categories in the NDEA 2 years ago to accomplish this purpose, but were unable to act because of a technical parliamentary situation. The bill under consideration accomplishes this desirable purpose without giving unnecessary new authority to the Commissioner of Education.

The reported bill, however, bears little resemblance to the wide-open administration proposal, which would have empowered the U.S. Commissioner to arrange for any type of training, for any school personnel, by any public or private, profit or nonprofit agency or organization. We regarded this proposal as a blank check to the Commissioner, and it has been effectively reworked at our insistence so that the Commissioner may make arrangements for training only with institutions of higher learning and State and local educational agencies (local school districts only after consultation with the State educational agency), and the type of training has been limited to substantial programs.

Since this authorization is not effective until fiscal 1969, at the expiration of the authority for NDEA institutes, it is intended to consolidate that authority within it. We believe that this is a desirable step toward the consolidation of Federal education programs which we have long advocated.

TWO NEW PROGRAMS

The bill authorizes a program of inservice training for college teachers and administrators similar to the institutes for elementary and secondary personnel, but specifically prohibiting any overlapping of title IV NDEA fellowships for college teachers. We believe that this is a logical development of our total effort to assist in upgrading education and a desirable extension of Federal assistance. The burden of assuring continued progress in our society falls squarely upon our colleges and universities and the entire educational structure, public and private, is anchored upon the excellence of these institutions.

Another program, rounding out the total assistance offered to improve teaching in our schools, was suggested by the chairman of the Subcommittee on Special Education. It authorizes grants to the States, with complete administration at the State level through a State plan submitted by the State educational agency, for assistance to local school districts in overcoming emergency teacher shortages. We approve both the purpose of this program and the administrative structure which guarantees complete State and local control over the funds provided. This is the structure which most of us have diligently sought to preserve in all programs of Federal aid to States for educational purposes. Its inclusion in this bill is another victory for those who—unlike the administration—seek to preserve State and local control of our schools.

REASONABLE APPROPRIATIONS AUTHORIZATIONS

The bill does authorize increases in authorizations for fiscal years 1969 and 1970 over those authorized in existing acts for fiscal 1968. Through consolidation of existing programs (the 1968 authorization for title XI teacher institutes is $50 million) and a reduction of the authorization for teacher fellowships (1968 authorization is $275 million), a little over $10 million is added in 1969 and $107 million is added in 1970. These additional authorizations accommodate both the new programs and expansion of existing programs.

These authorizations represent the amounts the administration anticipates requesting, and were substituted for the "open-ended" authorizations proposed by the Administration.

We urge the Office of Education to exercise restraint in utilizing expanded training authority and to begin to adhere to some sense of priorities of need. We intend to keep a close watch over the administration of these programs.

SUMMARY

Our firm purpose is to enable the Federal Government to assist our college and universities and our State and local school systems in a continuous process of improving both the quality and the availability of education, but within the framework of State, local, and institutional control of both the actual administration of education and of its decisionmaking process. We do not believe it is desirable, either, to replace the major financial responsibility of these non-Federal agencies for educational training; the Federal effort should be supportive and supplementary—not preemptive.

The bill as reported by our committee, while not a perfect instrument from our point of view, fits these purposes. We urge its enactment.

William H. Ayres,
Albert H. Quie,
Chas. Goodell,
Alphonzo Bell,
John N. Erlenborn,
John Dellenback,
Marvin L. Esch,
Edwin D. Eshleman,
William A. Steiger.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Chairman, I thank the gentleman from Minnesota for yielding to me this time.

Mr. Chairman, I rise in support of H.R. 10943 which, among other things, contains a long overdue and significant extension of the Teachers Corps. I am glad that the authorizations for the Teachers Corps for fiscal years 1968, 1969, and 1970 are finally coming to the floor, albeit some 5 days before the present legislation is due to expire.

As I have already mentioned, during the debate on the Elementary and Secondary Education Amendments last month, any further delay now would be highly unfortunate. The Teachers Corps should have been assigning contracts with universities for the training of Corps members this spring and this summer. School district budgets and plans for next year are now being put in final forms. Reports in recent days indicate that the uncertainty about future funding has resulted in many members leaving the Teachers Corps in order to obtain secure positions for next fall. Funds for this and all educational programs, I believe—and I believe there is a consensus in the committee on this subject—should obviously be available early in the calendar year and no later than April 1. These reports reflect a loss of talent of dedicated and concerned young men and women who, in their own ways, have made a major impact on many ghetto and rural areas across the country. In particular, the Teachers Corps represents the kind of innovation which is imperative if urban public education is to respond to the immense challenges facing our city schools today.

Mr. Chairman, the essential point now is that the Congress pass this bill promptly and that sufficient appropriations be made to enable a meaningful program to get moving again.

Mr. Chairman, the second supplemental appropriations bill for fiscal year 1967, now public law, contains a mere $3.8 million for the Teachers Corps—and that sum is contingent upon the passage of the 1968 authorization. It is imperative that, if this bill is passed, as I hope it will be, the Congress will uphold its commitment and appropriate the full authorizations in this legislation—$33 million for fiscal year 1968, $46 million for fiscal year 1969 and $56 million for fiscal year 1970.

Mr. Chairman, from the inception of this program, the Congress has not shown full and prompt support for the Teachers Corps. No funds were authorized in its first year of operation and only $7.5 million out of a total authorization of $65 million was provided for this fiscal year. I am hopeful that by our votes today we will put an end to that less-than-distinguished record and indicate clearly our backing of the Teachers Corps. No program has a chance to launch meaningful projects if its funding is inadequate and the endorsement of the Congress is halfhearted.

Finally, Mr. Chairman, the principal amendment to the Teachers Corps that this legislation proposes would make local educational agencies and colleges and universities responsible for the recruitment, selection, and enrollment of Teachers Corps members. In addition, State education agencies must approve arrangements for training of Teachers Corps members as well as the local educational agency's request for a Teachers Corps team.

While there are clear arguments that may be made in favor of these local recruitment procedures, and one must hope they will be shown to be accurate, the fact remains that the original concept of the Teachers Corps was to recruit young men and women of ability nationally to go into disadvantaged areas because certain localities either were unwilling or unable to do the recruiting themselves.

I believe, Mr. Chairman, the Congress should give this every trust, but certainly we should be prepared to return to or make provision for national recruitment in those instances in which local recruitment fails to prove effective and in which it is clear that institutions of higher learning and localities—and States in the case of training and placement of Teachers Corps members—are unable or unwilling to carry out the explicit intent of the Congress to assist all disadvantaged children.

Further, this bill would establish four teacher recruitment and training programs under title V of the Higher Education Act and make certain modifications in existing programs under that title. It is estimated that some 900,000 new secondary school teachers and 925,000 new kindergarten and elementary teachers may be needed by 1975.

The programs established under this legislation hold promise for keeping up with this demand, as well as for meeting the acute teacher shortage that is already affecting many communities—as was clear when school opened last fall. These four programs are—

First. Grants and contracts for the

purpose of attracting qualified persons to the field of education: State and local educational agencies, colleges and universities, and public and nonprofit organizations would be eligible for grants from the Commissioner to "identify capable youth in secondary schools who may be interested in a career in education and to encourage them to pursue educational programs which will prepare them for careers in education." Recruiting programs would also be established to encourage former teachers to return to the active practice of their profession.

Second. Grants to local educational agencies experiencing critical shortages of teachers to carry out programs to attract and qualify teachers and teachers aides: States may receive grants to attract persons to return to teaching with the assistance of short-term training institutes. One-third of the funds may be used to establish programs for the training of teachers aides. This series of grants may do much to alleviate the pressing need in many areas for full-time teachers as well as for aides whose experience with children can make them valued assistants in many aspects of individual instruction and group supervision.

Third. Grants and contracts to provide advanced training and retraining—preservice and inservice—for personnel serving in programs of elementary and secondary education: Short-term programs may be established by institutions of higher education and State educational agencies to provide advanced training and retraining in elementary and secondary education, including preschool and vocational training. This section would replace sections of titles V and XI of NDEA which now provide advanced training institutes in certain specified subjects. The new program would remove the categorical limitations—although the committee intends that certain broad subjects be stressed—and expand the training offered to include preservice and inservice as well as advanced. Particular emphasis will be given to training programs for teachers of vocational education.

Fourth. Fellowships, traineeships, institutes, and preservice and inservice training for personnel serving as teachers, administrators, or educational specialists: Grants and contracts will be made to institutions of higher education for programs to prepare persons in these fields. If we are to accommodate—with a high standard of quality—the large influx of college students—which is expected to double the present enrollment by 1970 and triple by 1985—well-trained professional and administrative personnel are essential. In particular, junior colleges—whose enrollment is expected to double by 1974—require staff who can creatively make use of this new and unique form of education in the best interests of their students. Moreover, their diverse academic curricula can provide the framework for many of the programs contemplated by this section of the act.

A total of $144 million, earmarked for the specific programs, is authorized for fiscal year 1969, the first year of operation for these new projects. Some $196 million is authorized for fiscal year 1970. Hopefully, the year leadtime thus provided will result in well-planned and meaningful programs that are sufficiently funded.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. ESCH].

Mr. ESCH. Mr. Chairman, I rise in support of the bill H.R. 10943.

This bill deals exclusively with the recruitment, preparation, and inservice training of teachers and other key educational personnel. For this reason, it may well be the single most important education bill in this Congress, because it gets to the central core of all educational problems. In the past few years, the Federal Government, private foundations, universities, and a host of other agencies have produced voluminous studies of our schools in all their relationships to our society and to the process of social change, and virtually every such study, either explicitly or by necessary implication, has concluded that the classroom teacher is the single most vital factor in education.

If the teacher is not truly an educated individual, if the teacher does not possess the skills of the profession, or if the teacher is unprepared to cope with special problems of children which may present enormous obstacles to learning, then the whole educational system fails at that point. This is a simple truth, but one with profound implications for both public policy and educational planning, and it cannot be stressed too much. The education and training of teachers is the foundation of the whole structure of education.

We need only to recognize this to also recognize that we are dealing in an extremely sensitive area of public policy. The responsibility for setting teacher qualifications and for providing their formal and informal preparation, and for their recruitment and placement in the schools, is diffused among a wide range of institutions. Certain requirements are set by State law, some by professional associations, others by local boards of education, and still others by institutions of higher learning. There is great resistance to any overt Federal intrusion into these areas of responsibility, and I think quite properly so. The role of the Federal Government should be supportive of those who bear the basic responsibility for teacher education. There are those high in the Federal educational agencies and other counsels of government who are anxious—overanxious, in my judgment—to mandate change in line with their own views of the requirements for successful teaching in a changing educational environment. They tend to see the Federal agencies not as political instrumentalities subject to all the weaknesses and dangers of political instrumentalities, but rather as giant private foundations supported through fortunate circumstance by the taxing power of the Federal Government. I reject this view, however well meaning, sincere and able the Federal officials may be.

That is why I am pleased with this legislation. It was hammered out line by line in our Special Education Subcommittee in such a way as to provide continued and substantial Federal support for teacher education without giving unnecessary administrative discretion to Federal officials. It carefully preserves the crucial decisionmaking powers for State and local educational agencies and for institutions of higher education, where they rest by law and custom and where they properly belong.

We do have a large task to accomplish in up-grading teacher education and in helping great numbers of teachers to be effective in very difficult school environments. But there is no single solution or any single "best" answer to the question of how this job should be accomplished. The literature and related experience in this field suggest that we have yet much to learn about how to bring about the most effective classroom teaching in widely varied circumstances, and that experimentation and improvisation will continue to be the order of the day. The programs authorized by this bill can make an important contribution to that process, without freezing it into any mold of centrally conceived "solutions."

We know that with continuous advances in both knowledge and the techniques of conveying knowledge, short-term and inservice training for teachers is a continuous need. This bill broadens the scope of the highly successful program of teacher institutes which have been conducted since 1959 under the National Defense Education Act.

We know that infusions of new ideas, fresh enthusiasm, and dedication are needed in those schools which must deal with overwhelming concentrations of culturally disadvantaged children. This bill authorizes a Teachers Corps as a project testing one method of providing this infusion of talent, and very carefully divorced from any suggestion of Federal control or identification as a Federal corps of teachers.

We know that special help must be available to school districts which face—often suddenly and unexpectedly—a crippling shortage of teachers. This bill authorizes grants to the States, under complete State and local administration, in accordance with State-devised plans, to assist in meeting such emergencies.

And we know that, increasingly, teachers require education beyond the baccalaureate degree to be prepared adequately to cope with increasingly complex subject matter. This bill continues the program of teacher fellowships initiated 2 years ago. It also authorizes special programs for training college and university personnel to deal with the growing complexities of college administration.

Finally, by consolidating these programs within a single legislative framework, and by concentrating advisory responsibilities in a Presidential-level Council on Education Professions Development, this bill moves us toward a long-needed coordination of Federal programs in this field. In time, I trust a short time, the bewildering array of Federal education programs should be consolidated and simplified in their administration.

This bill represents a step in the right direction.

Mr. Chairman, I am satisfied that H.R. 10943 is a constructive and carefully drawn bill directed to a vital objective. I urge its enactment.

Mr. QUIE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I support the bill, H.R. 10943. I shall not offer any amendments to the bill and I hope that we can pass it as it is presently written.

As I mentioned to my colleagues in the committee, if I were going to write this I would not write it identically to the way it is now. But we do not always have our way completely, and many of my colleagues on the other side of the aisle have written it identical to its present language.

However, a compromise was reached. I believe that when such a compromise is reached, we ought to do what we can to enact the legislation in the form in which it is presented here so that it can go on to the other body and be enacted into law.

I believe that this bill will provide for substantial progress in our preparation of teachers in order to help meet the need, not only so far as quantity is concerned, but with respect also to improving the quality of instruction in our schools.

The Teachers Corps has the greatest prominence here because of the controversy with respect to it in the past.

It still carries the name "Teachers Corps" even though the adjective "national" was dropped, and there may be a visceral reaction from some people when they hear the name "Teachers Corps."

I must admit that because of the battles we fought in the last Congress and in the early part of this Congress, I still have some reaction when I hear the name.

However, as it is presently drafted, I believe that I can support it and support it strongly. For this reason I believe it would be a bit picayune for me to say that we ought to change the name of the program.

After all, I will not make any fuss about that name being attached to the legislation.

I noted that the Commissioner of Education, when he was testifying before a committee of the other body, mentioned that there were changes in the Teachers Corps and he felt that they could live with it and that it was worked out in cooperation between himself and the Director of the Corps, Mr. Graham, and members of our committee.

He mentioned in his comments that local educational agencies would be given the responsibility of recruiting and selecting and enrolling Teachers Corps members, but he left out one group—the institutions of higher education that share this responsibility under the bill.

There are two groups, the local educational agencies and the institutions of higher education and I would expect in most instances the two groups would recruit and select and enroll Teachers Corps members in a cooperative arrangement.

But if anyone has that sole responsibility, it will undoubtedly be the institutions of higher learning.

He lists a number of changes that were made in the Teachers Corps.

A number of them were administration amendments such as the requirement that State educational agencies be required to approve local education agency requests.

We standardized the subsistence or stipend pay for teacher interns at $75 a week plus $15 for each dependent which is consistent with Federal fellowship programs.

The recommendations they made to tighten it up included dropping the word "national," and they also recommended authority to use Teachers Corps teams with migrant children and migrant agricultural workers and the Indian children in schools operated by the Bureau of Indian Affairs.

We made some other changes. One would require the local educational agency to pay what it can according to its ability for the compensation of interns and of master teachers while serving in school.

Whatever amount is appropriated, this will enable the money that we authorize to go much further than would be the case if the local school did not pay a share of it, and in no case, except for extreme poverty in a school system, should the Federal share be more than 90 percent.

There was also an amendment to eliminate the power of the Commissioner to establish the curriculum for Teachers Corps interns. The curriculum will be developed by the local institution of higher learning.

In the past the Teachers Corps was at least purported to have had as one of its purposes the task of bringing new people into the teaching profession, individuals who had, during their baccalaureate years, not planned to go into the teaching profession but later, because of the Teachers Corps and other reasons, have been stimulated to pursue this profession. The program will no longer be limited to such individuals, but may include people who are presently teaching, but who are not dealing with the special problems of the culturally and socially deprived.

Also there was the amendment which was originated by the gentlewoman from Oregon, which I think was an excellent suggestion, relating to the inclusion of students in the third and fourth year of undergraduate study, making them also eligible for teaching internships. I think all of this will enable this program to be conducted for three purposes, as I look at it: First, to bring additional people into the teaching profession; second, to give special training to culturally deprived children; third, to use the intern method of training.

I believe it is extremely important that the Teachers Corps be part of the Teacher Professional Development Act, so it can be considered in conjunction with the other teacher training programs.

Using the intern method of training may be wise in other programs as well, and not be confined merely to preparing teachers for the culturally- and socially-deprived. It ought to be expanded if that is the case.

Also the move toward the consolidation of the teacher training program under one title is wise. In blocking them together, the Congress will be able to look at them as one title, and therefore more easily provide for the coordination of these programs that is necessary.

I also want to add my word about the warning of the gentleman from Illinois [Mr. ERLENBORN] that this committee studied thoroughly the legislation that was presented before us, and we did remove the loose and indefinitely-defined discretionary authority of the Commissioner of Education. We intentionally removed that, and I believe we have strengthened the legislation to make certain that the responsibility is assumed by institutions of higher learning, the States under State plans, and the local educational agencies.

It was intentional that the program of undergraduate development grants be dropped from the act. It was intentional that the authority to contract with nonprofit agencies, including professional and scholarly associations, be dropped from the act.

It was not a hasty consideration that was given to this legislation, but very thorough and studious consideration, and this is the result we arrived it—with one exception, and that is the amount of money. We asked the administration what they would be asking for in 1968, 1969, and 1970. As you note from the committee report, there is no additional money asked for in 1968. Ten million dollars additional is authorized in 1969 because of the plans for the reduction in the authorization for fellowships and an increase in some new programs. For 1970, there is $107 million in additional authorizations. However, we did not ask the administration to come up and give us the kind of line-by-line evaluation of how they would spend the money, such as the Appropriations Committee would do. Therefore, for myself, I would say that the Appropriations Committee still has the responsibility to do that sort of detailed analysis. We have not assumed their responsibility at all. But these authorizations are "in the ball park" in which we are willing to go with respect to the levels of funding for this legislation.

Mr. Chairman, the changes in the legislation, I am convinced, will enable us to bring new people into the teaching profession. I think there are some new ideas incorporated in this legislation that will prove to be good. It will strengthen the ability to bring people into the teaching profession, which is necessary if we are to give every young person in this country an opportunity for education commensurate with his ability.

If we do this, I think it will pay off in dividends and rewards which are worthwhile for the expenditures we make in title V of the Higher Education Act.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. DANIELS].

Mr. DANIELS. Mr. Chairman, I rise in support of H.R. 10943.

I commend the able and dedicated chairman of the Special Subcommittee on Education, the gentlewoman from Oregon, for her leadership in bringing this bill to the floor, as well as the distinguished gentleman from Minnesota, the ranking minority member of the subcommittee, and the other members of the subcommittee for their efforts and their help in proposing amendments to the Teacher Corps which vastly improved this bill.

The Teachers Corps is needed. The Teachers Corps program should be continued. This is a good bill.

Mr. Chairman, the amendments incorporated into the Teachers Corps by the House subcommittee have vastly improved the bill.

Previously, the Teachers Corps was the sort of program that could ultimately lead to Federal control of local school systems.

Now with the amendments attached, emphasis is placed on local autonomy and the possibility of Federal intervention seems remote. Recruiting and placement of Teachers Corps interns is now the function of the local school district.

Corpsmen were previously paid as much as any beginning teacher—quite a large amount for a teacher-trainee who does not even have his certificate. Now, an amendment provides that the Teachers Corps intern is given the traditional fellowship stipend of $75 per week—an amount more in line with student subsistence.

There are many beneficial effects this little program could have on our educational system—especially in those areas where it needs help the most.

There are too few dedicated teachers in poverty area schools. Those assigned the less desirable schools are either inexperienced young teachers, or older rejects, passed over for the better assignments. The system of assigning the more experienced teachers to the wealthier schools has left the slums schools in critically short supply of dedicated teachers. It is this gap that the Teachers Corps fills. Young corpsmen are not repelled by the ugliness of the slum school so much as they are challenged to "reach" the incredibly cynical youngsters who populate our inner city and rural slum areas.

While corpsmen fill the teacher gap in the slum areas, they also fill a communications gap between the university and the local school system. As part-time teachers, part-time students, corpsmen have awakened teacher-college faculties to some of the realities of the slum school situation. And as a result, colleges are developing special programs geared to training their students to teach children of the poor, and to cope with the unusual sociological conditions that make teaching the poor so difficult.

The Corps has recruited into teaching individuals who might never have considered teaching as a career. And it has encouraged teachers to specialize in teaching the underprivileged.

There remains some kinks in the program that I feel can be ironed out with experience. It is not perfect. But it has already shown promise to be one of the most important programs in developing new teaching methods, recruiting teachers to the weaker areas in our public school systems, and equalizing the educational opportunities.

The Teachers Corps has earned my full support. It deserves the support of Congress.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the gentleman from Maine [Mr. Hathaway].

Mr. HATHAWAY. Mr. Chairman, I rise in support of the bill H.R. 10943. I want to state it has been a pleasure to work on the subcommittee on this important piece of legislation. I commend the Members on both sides of the aisle for their support in bringing about a compromise of the title in question. I am sure that as a result of the give and take we had in the subcommittee, we avoided a floor fight which could have seriously impaired the teacher training and recruitment program. I commend especially the chairman of the subcommittee, the gentlewoman from Oregon [Mrs. Green], and the ranking minority member on the committee, the gentleman from Minnesota [Mr. Quie], for their leadership in bringing about this compromise.

I would like to mention some of the innovations contained in H.R. 10943.

First. Section 503 provides that the Commissioner shall from time to time appraise the Nation's existing and future educational personnel needs and the adequacy of the Nation's efforts to meet these needs. This is more than an evaluation of the effectiveness of present programs but a tailoring of programs to meet the future. This bill represents a heroic attempt to meet the present critical teacher shortage. If we are ever going to do more than an adequate job, we must plan for the future. Planning for the future requires a study of future needs. Therefore, this bill not only meets the needs of today but offers hope for tomorrow.

Second. Section 504(a)(8) encourages artists, craftsmen, artisans, scientists, and persons from other professions and vocations and homemakers to undertake teaching or related assignments on a part-time basis or for temporary periods. This is a unique calling forth of the resources of the community to meet the teacher shortage. By this provision, various members of the community will be able to teach at the local school on a part-time basis; lawyers could teach history, doctors biology. By this means, the school truly becomes a part of the community.

Third. Section 518 emphasizes a change that runs throughout this bill. We are no longer content with hoping that enough people decide to teach. We are actively going out in the universities and the communities to attract teachers. This is, I hope, a humane search-and-seize operation. As everyone knows there are two kinds of dropouts from the school system—the student and the teacher. Section 518 will try to bring this second kind of dropout back into the school system.

We need such innovations and more to maintain and expand our teaching force in this Nation.

Mr. PERKINS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. Scheuer].

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I yield to the gentleman from California.

Mr. COHELAN. Mr. Chairman, I thank the gentleman from New York for yielding.

I rise in support of this legislation, H.R. 10943.

The need for teachers grows more acute each year.

Last fall, this country faced an unprecedented shortage of nearly 170,000 qualified teachers.

The committee's report on H.R. 10943 points out to us that—

> By 1975, 900,000 new secondary school teachers and 925,000 new kindergarten and elementary teachers may be needed.

It also goes on to say:

> By 1977, literally tens of thousands of additional teachers and related professional persons will be needed in the Nation's junior colleges and technical institutes and at the freshman and sophomore levels at the institutions offering 4 years of undergraduate study.

The bill before us today, through the grants, contracts, fellowships, et cetera, which it provides, will help to meet this critical shortage and will encourage local and State educational agencies and colleges and universities to actively attack the problem. I support these programs.

H.R. 10943 also provides for the extension and continuation of the Teachers Corps program.

Mr. Chairman, despite the unusual obstacles this program has met in Congress, and despite inadequate funding, the Teachers Corps has already proved its worth.

Today, 1,213 Teachers Corps members are at work in areas where the shortage of teachers is particularly severe. These areas are the last place the job-hunting, well-trained, competent educator usually chooses to seek employment—in the urban slums and depressed rural areas.

The testimony from those who worked closely with these 1,213 Corps members indicates strong, enthusiastic support for the contribution which they have made and can continue to make.

Disadvantaged children, previously handicapped for lack of trained personnel, were reached by Teachers Corps members.

Colleges have engaged in developing new curriculums to prepare personnel more effectively to teach in depressed areas.

And as the National Advisory Council on the Education of Disadvantaged Children concluded after evaluating 16 school districts and 11 universities connected with the Teachers Corps:

> The major contribution made by the Corps . . . is that it is an instrument for harnessing the idealism of an unusual group of young people who but for the Corps would never have been drawn to the teaching profession.

Mr. Chairman, I urge the extension of the Teachers Corps by the adoption of H.R. 10943.

Mr. SCHEUER. Mr. Chairman, I rise in support of the bill H.R. 10943. It is a measure that is long overdue. I believe if there is anything that every Member of this House knows down to his boots, it is that we do not have enough qualified teachers in this country, especially those qualified to serve the painful needs and limitations of our educationally disadvantaged youth.

This legislative product which we are voting on today was not easily born. I wish to pay deep tribute to the chairman of the subcommittee, our colleague from the State of Oregon, for her monumental patience and fortitude and tact in working out the endless numbers of problems that were resolved successfully in the subcommittee. I congratulate again the Members on the other side of the aisle for attacking this piece of legislation in a nonpartisan and workmanlike fashion. They and we spent untold hours, in the mornings and afternoons and evenings, and while the results, as my colleague from Maine so aptly described, were not entirely satisfactory with every dotted "i" and crossed "t" to each Member, still it is a compromise with which we can all feel comfortable and well satisfied, and it is a job well done.

I can cite the overwhelming importance of the passage of this bill now by telling that at this very moment in New York City our teachers' union is threatening to go out on strike because they insist on the right to bargain collectively over the conditions of their teaching. One of the arguments that they are pressing most vigorously is that they want to be able to negotiate a reduction in class sizes from the present 35 down to the 15 or 20 or 22 that they know to be a proper size for classes for disadvantaged kids.

There are two basic problems there. One, of course, is the problem of money. In New York City it costs $8 million to reduce the class sizes by one. So we are talking about reducing class sizes from 35 down to 20, which will be in excess of over $100 million a year. But even if we could do that, and if we could extricate ourselves from our involvement in a high rate of military expenditures in Vietnam, let us say, tomorrow morning, we still would not have the talented cadre of teachers who could come into New York City and other great urban centers and reduce the class sizes to what we as laymen and the State offices of education and others in the profession tell us is an appropriate class size.

So I urge my colleagues to get on with doing this job. This bill was hammered out in infinite detail, with enormous patience on both sides. It is a bill with which we can all be happy.

It is only a beginning step, but a desperately needed beginning step in meeting the need for teachers who are trained and given orientation in meeting the basic limitations of the pressing needs of our disadvantaged children.

Mr. QUIE. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. Steiger].

Mr. STEIGER of Wisconsin. Mr. Chairman, I should like to join with my colleagues in paying tribute to the subcommittee which handled this legislation, and particularly the chairman, the gentlewoman from Oregon [Mrs. Green], and the ranking minority member, the gentleman from Minnesota [Mr. Quie].

I rise in support of the legislation. I hope that it can be promptly passed so that the Senate can consider it and hopefully pass it, if it can be done, prior to the end of the fiscal year, so that the Teachers Corps as proposed in this legislation can be continued.

On May 24, during the debate on the Elementary and Secondary Education Act amendments I was joined by a number of my colleagues in urging the continuation of the Teachers Corps with modifications, At that time we said:

> The priority needs of our society must include the human resources of those in both rural and urban areas who, through no fault of their own, do not enjoy the full educational advantages to which we believe they are entitled. The needs of the disadvantaged are great and the Teacher Corps is a means of meeting the challenge that exists.

We went on to say that:

> Certainly, one of the most dramatic and creative results of the Teacher Corps has been its impact on the training of teachers in institutions of higher education in this country. We are persuaded that the Teacher Corps should not be isolated but rather must be a part of the total effort by the Congress and the country to bring quality educational opportunity to all of our children and to help redirect the method by which we train teachers for our society. The Teacher Corps rightfully belongs with the other educational profession's programs of the Federal Government.
>
> Lastly, because the Teacher Corps faces a June 30, 1967 deadline, we will support every effort to bring the authorization legislation from the Committee on Education and Labor to the floor for early action and will support the necessary funding for the program.

The Members of this body who joined in that statement were Tom Railsback, of Illinois; John Paul Hammerschmidt, of Arkansas; Edwin D. Eshleman, of Pennsylvania; Marvin L. Esch, of Michigan; Edward G. Biester, Jr., of Pennsylvania; Gilbert Gude, of Maryland; Dan Kuykendall, of Tennessee; Jack H. McDonald, of Michigan; Donald W. Riegle, Jr., of Michigan; and Philip E. Ruppe, of Michigan.

Following the recommendation of the House Committee on Education and Labor in favor of H.R. 10943, this group was joined by the gentleman from Kentucky [Mr. Cowger] in a statement praising the committee's actions in recommending this legislation now before us, including the amendments he urged be adopted.

Mr. Chairman, H.R. 10943 represents sound legislation which will do much to help strengthen the programs of teacher training and insure wide support for the education professions programs contained herein.

The amendments to the Teachers Corps program, particularly, are designed to provide for attracting more personnel into the teaching profession while at the same time retaining the Federal Government's role as supportive to the efforts of State and local educational agencies.

In Wisconsin the redesigned Teachers Corps has already received editorial support from two of my State's finest newspapers.

The Milwaukee Journal on May 26 said:

> There seems to be little reason why both Houses of Congress cannot agree on modifications to the Teachers Corps program along the lines suggested by "freshmen Republican Congressmen."

They went on to say:

> The proposals sound reasonable. They appear to be acceptable to Richard A. Graham, the corps director. They should satisfy many House critics of the program and give a promising and highly praised experiment in education a new lease on life.

The Green Bay Press Gazette, in an editorial on June 14, 1967, said about the proposals made by my colleagues and myself:

> The suggestions for some change are sound.

This editorial went on to state:

> It has been well demonstrated that there are wide variations in the quality of education throughout the country. Rural areas with small populations and low tax bases and the crowded slum schools need the help most desperately. While the needs can usually be pinpointed locally, they cannot always be so met nor do all States meet this responsibility. The Teachers Corps deserves a chance and the money to prove itself.

The other portions of this legislation, Mr. Chairman, have been discussed in detail by the other members of the Committee. The recommendations for improving and extending the other teacher training programs are excellent and deserve the support of the House.

In particular, I am pleased with the provisions of the legislation which provides grants, with a State plan, to assist local educational agencies to attract to teaching potential active teachers within their communities and to provide them with training as well as the provision that one-third of the sums made available may be used to obtain the services of teaching aides. It is very important that we give additional emphasis to teaching assistants in order to increase the effectiveness of classroom teachers.

This legislation represents a bipartisan effort to meet the critical needs in the teaching profession.

I am proud to join in urging passage of this bill.

Mr. QUIE. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. Michel].

Mr. MICHEL. Mr. Chairman, I was one of those who originally opposed the Teachers Corps, principally after hearing the testimony before our HEW Subcommittee on Appropriations.

This Member did not like the power and the authority that was given to the Commissioner of Education.

I did not like the idea that we were federally recruiting these Teachers Corps people, that it was a 100 percent federally financed program.

I did not like the idea that there were no minimum education hours required of the individual corpsman. That is to say, we kept talking all of the time about giving the underprivileged and poverty stricken better education and better teachers, but we were making no improvement in the standards of those people chosen to be teaching. In other words, there were no real minimum education hours required, as there would be for any individual teaching in a local school district, to get certification.

It seemed to me that more emphasis was being placed on those with undergraduate degrees getting an assist toward getting a graduate degree, a master's or doctor's degree, or whatever the case might be, rather than placing an emphasis on the upgrading of the education of those children who supposedly were deprived.

Many of us, I might say, have been somewhat maligned for our criticism of this program from its very inception, but I say today, notwithstanding any improvements which might have been made by way of the legislation presently drafted, these corrections would not have come about had it not been for those of us who took the time and pointed out some of the deficiencies in this program and in this scheme and the fact that it was so ill-conceived in some areas.

I believe we performed a public service in raising those criticisms when we did.

I am concerned about the amount of money involved here, because sooner or later they will be coming before our subcommittee asking us to ante up the money.

As I understand it, in the fiscal year 1968 it will be $33 million, in 1969, $46 million, and in 1970, $56 million, and then of course there is a provision in the bill for at least a 1-year extension for all those who already have embarked upon a program, which means a minimum again of $56 million in 1971 and possibly more.

Notwithstanding the corrections which may or may not have been made in this particular bill, I do have several questions I should like to ask some member of the Committee on the floor today.

First, Mr. Chairman, would it be possible for an individual, a trainee, or a recruit in this program, to evade the draft by virtue of service in the Teachers Corps?

Mr. PERKINS. A person would not be able to evade the draft. The bill is completely silent on any provision of that type. Members of the Corps would be subject to the draft.

Mr. MICHEL. If one were accepted in the Teachers Corps and attempted to use that as a means of evading the draft, he would still be eligible?

Mr. PERKINS. He would be just like any other citizen.

Mr. MICHEL. It would be up to the discretion of the local draft board as to whether or not he was chosen?

Mr. PERKINS. That is correct.

Mr. MICHEL. In fiscal year 1966, according to the testimony before our subcommittee, there were 380,000 staff members who were added to the school system through title I of the ESEA. When Secretary Gardner was asked as to why the Teachers Corps could not be funded under title I of ESEA, he said:

> I would think an item that has aroused as much discussion as this ought to be dealt with separately and its funding discussed and decided separately.

Last year during our hearings it seemed to me there was no doubt that this program could have been funded under title I, but if the Teachers Corps concept is in such great demand, then why is it that not one title I program has been patterned after the Teachers Corps? Is there an answer to that?

Mr. PERKINS. The purpose of the Teachers Corps is twofold. In addition to strengthening educational opportunities available to children in areas having concentrations of low-income families, the program is also for the purpose of encouraging colleges and universities to broaden their programs of teacher preparation. It is my understanding that some local school districts have used title I funds to carry on inservice training programs for teachers serving educationally deprived children. However, the need to bring services and programs to disadvantaged children is paramount in the title I program. The Teachers Corps does this, but also acts to attract to teaching in disadvantaged areas recent college graduates. This is why the specific authority in this bill for the Commissioner to carry out a national program of information dissemination on the purposes and objectives of the Teachers Corps is essential. With the limited amount of funds available under title I local school districts have only been able to carry on a minimum amount of what they feel is necessary.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. QUIE. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. MICHEL. As I understand it, in this bill, then, there is provided roughly 6,000 corpsmen in the year 1968, 7,500 in 1969, and 9,600 in the following year.

Mr. PERKINS. That is correct.

Mr. MICHEL. On the strength of that figure as against the 380,000 staff members, for example, I think 200,000 of them were teachers in title I back in 1966. Now, of course, this is just a small, miniscule number. Will it make a dent and will it do any good?

Mr. PERKINS. I think it will make a terrific impact on school districts in the most impoverished areas of the country. The gentleman must bear in mind that this is a program to strengthen and augment and not to replace teachers. This is a program to recruit and attract, for the most part, young, energetic persons to teaching in schools serving deprived areas after preservice training they teach for a period of 2 years as interns under a team teacher. The services of the team are in addition to the regular teachers in the school system. They are under the direction of an experienced teacher. Unquestionably this has and will make a significant contribution in the most impoverished districts in the country. I know in the district I represent we have two teams in Breathitt County, Ky. One of the teams goes to classes at the University of Kentucky, a distance of 100 miles.

They are doing a terrific job. These people are well trained and are serving in the areas of greatest need where there are real shortages of teachers.

Mr. MICHEL. Well, I would like to interrogate the gentleman from Kentucky further, although, of course, I have the floor, but the gentleman from New York made a point about the bargaining for teachers in the city of New York.

Mr. Chairman, I am reminded of my own school district at home which was prepared to pay a bonus to teachers to go down and teach in the areas where such teaching was considered to be a hazardous duty so to speak, where they might be assaulted or pop-bottled by the students, or whatnot, but the Teachers Union opposed the payment of a bonus to good teachers to go to teach in those deprived areas.

So, there you have the Teachers Union opposing on their own what we propose to do on the national level.

However, Mr. Chairman, I have another question. The gentleman from Kentucky mentioned his own University of Kentucky where they have these interns participating. The gentleman mentioned the distance of 100 miles which was involved in their participation.

Mr. PERKINS. That is an unusual situation.

Mr. MICHEL. Naturally, these interns are going to be teaching in the poverty-stricken areas. Are all of those areas close enough to an institution of higher learning to the point that it is not impractical for them to participate?

Mr. PERKINS. Mr. Chairman, if the gentleman will yield further, by and large the members of the Teachers Corps will be close enough to a college or university so that it will be convenient for them to take their training. This is particularly true under the modifications proposed in H.R. 10943 which makes this a local program addressing local needs.

Mr. MICHEL. But there would certainly be some isolated instances?

Mr. PERKINS. Mr. Chairman, if the gentleman will yield further, there might be some isolated instances such as the one I described. I mentioned Breathitt County, Ky., which is located some 100 miles from the University of Kentucky. The people in that community are proud and complimentary of the valuable work that the Teachers Corps team is doing.

Mr. MICHEL. Well, this so-called "mother superior" and her interns—is there any limitation on the number of interns that the "mother hen" has around her?

Mr. PERKINS. Mr. Chairman, this will depend on the plan of the local school system. Usually a team consists of an experienced teacher and four interns. There is no limitation in the statute on the size of teams, however, there is an allocation formula which will determine the maximum number of Teachers Corps members of each State.

Mr. MICHEL. Mr. Chairman, I still have some additional questions, but I do not wish to impinge upon the time of the House at this moment.

Mr. QUIE. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MICHEL. Mr. Chairman, I notice on page 12 of the bill, reading from the bottom of page 11 having to do with the 90 percent of Federal funds and 10 percent of local funds—reading from line 24, page 11: "but not in excess of 90 percent thereof, except that, in exceptional cases, the Commissioner may provide more than 90 percent of such compensation during the first year of any agency's participation in the program."

Now, if there is a 2-year stint—and you say only 1 year—and if the communities do not come up with the necessary finances in the first year, what happens in the second year if they cannot find the money?

As you say here, "only 1 year." You say you only provide it for only 1 year.

Mr. PERKINS. It would be mandatory upon the local educational agency to supply the remaining 10 percent. I cannot visualize any eventuality where that could not happen. In my judgment, in all cases, where the program is started, the local educational agency will be most eager to keep the program going in the second year.

Mr. MICHEL. On page 20 of the bill, reading from line 12:

> "(7) provides assurance that no person will be denied admission to training programs carried on under this subpart because he is preparing to teach or serve as a teacher aide in a private school;

Does this mean that nuns, for example, could qualify under this program?

Mrs. GREEN of Oregon. Mr. Chairman, if the gentleman will yield.

Mr. MICHEL. I yield to the gentlewoman.

Mrs. GREEN of Oregon. This is the same provision, I would say to the gentleman from Illinois, that is in the present institute program under the National Defense Education Act. Teachers in any public or private school are eligible for the training under the institute program. This just simply continues it.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman.

Mr. QUIE. For some time the National Science Foundation has permitted nuns who are teaching in church-related schools to participate in the NSF institute program. We did this with the institute program of the National Defense Education Act, and this just continues the policy that has been established for some time. The very fact that they happen to be from a religious order does not preclude their opportunity to take part in such programs. However, their training does not constitute any religious or theological type training, but the same type of training courses as a lay person would take.

Mr. MICHEL. I appreciate the gentleman's response to my questions, as I do the responses from the chairman, and it is conceivable when we read the bill tomorrow under the 5-minute rule we may have something further to say on the subject.

Mr. QUIE. Mr. Chairman, I have one additional request for time, which should take only a couple of minutes.

The gentleman had a couple of questions to ask.

Since this is the last request on time, even though it is a few minutes after 6, I believe we ought to complete that so that we can go ahead with the reading of the bill tomorrow.

Mr. PERKINS. I believe we should complete the debate on the bill.

Mr. QUIE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. RAILSBACK].

Mr. RAILSBACK. Mr. Chairman, I do have only a couple of questions. Generally speaking, I rise also in support of this bill. I am concerned, however—and I will direct my inquiry, if he will permit, to the ranking minority member of the subcommittee—I have a question relating to the fact that the allocation under section 519 of title V apparently bears no relationship to the low-income or other educationally deprived children that may be in the public or private school systems. In other words, the teaching teams we are talking about under the Teachers Corps proposal relate to low-income areas under section 513, but the funds to be allocated bear no reference really to low-income or educationally deprived areas.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. RAILSBACK. I yield to the gentleman.

Mr. QUIE. Mr. Chairman, I would say that in trying to make equitable distribution among the States it was virtually impossible to do this based on the number of low-income children. The gentleman will recall the difficulties we have had in trying to determine in title I of the Elementary and Secondary Education Act, whether to count children from families with incomes of $2,000, or less than $3,000, or as well as some provisions of the law relating to children from families with less than $1,000. All that census information is available only from the 1960 census, which mean 1959 figures, and they would be completely obsolete. The problems of the economically deprived child and the educationally deprived child are great in all States, so that wherever an institution of higher learning wants to conduct such a program looking toward special low-income families and looking toward the educationally deprived child or children in the neighborhood, it is felt this could be worked out with the commissioner within the authority he has under the act.

Mr. RAILSBACK. Was it then the sense of the committee and of the subcommittee that funds should be used in the low-income areas and the educationally deprived areas, but that for reasons of administration, this would not be practicable?

Mr. PERKINS. That is true. In determining whether children are educationally deprived or not, it is easiest to make the determination based on low-income families within school districts within the States.

Mr. RAILSBACK. I have one further question which relates to the salary that I understand will be paid to the interns participating in the programs. As I understand it, they are limited really depending on the size of their family to $75 plus, I think it is, $15 for every additional dependent; is that correct?

Mr. PERKINS. That is correct—unless the beginning wage of a teacher happens to be less than that and then it will be the beginning salary of the teacher.

Mr. RAILSBACK. Frankly, that seems to me to be rather minimal, if we are trying to get people to participate in this program.

I have one other question. What are the additional benefits accruing to an individual who is willing to go into one of these, let us say, low-income areas and teach, other than just the salary?

Mr. PERKINS. It is patterned after the other fellowship programs. So the $75 stipend plus $15 for each dependent is a standard figure, and to this time the Teachers Corps has turned it to be the most lucrative program that a person could enter into for their masters degree. To prevent that from being the case, they requested that we standardize the stipend, which I think was a wise move.

Mr. RAILSBACK. I thank the gentleman.

Mr. QUIE. Mr. Chairman, the gentleman from Florida [Mr. GURNEY] informs me that he has several additional questions to put to the committee, and if the committee will bear with us for a few minutes, I now yield 2 minutes to the gentleman from Florida.

Mr. GURNEY. If I may have the attention of the chairman of the committee, I want to ask a question or two at this point about the National Defense Education Act institutes.

I have here a pamphlet which is a publication of the Health, Education, and Welfare Department describing some of these institutes for advanced study.

One of the sections sets forth a number of universities and programs that are directed to teaching teachers of disadvantaged youths. There are several pages setting forth this information.

Would the chairman explain to me how this program differs from the Teachers Corps program?

Mr. PERKINS. The National Defense Education Act institute program is for persons engaged in, or preparing to engage in teaching. Under the National Defense Education Act program, short term summer programs and some, but few, regular session institutes are supported to provide refresher training for teachers. The program does not support the type of preservice or continuous inservice training carried on in connection with the Teachers Corps program. Also it is the purpose of the Teachers Corps to attract persons to teaching who heretofore have not demonstrated an interest in teaching.

Mr. GURNEY. As I understand these institutes, the whole thrust of the program of training here for teachers is to train them to handle the problems of disadvantaged youths; is that correct?

Mr. PERKINS. That is correct. The purpose is to provide short term training for teachers.

Mr. GURNEY. To make them go back into these communities and to teach these children in the ghetto areas.

Mr. PERKINS. I should add that the training under the Teachers Corps program is over a 2-year period and consists of summer courses, inservice training and courses leading to a degree. Also under the amendments proposed in H.R. 10943 juniors and seniors in college would be able to participate in the Teachers Corps. Only persons having a bachelor's degree can participate in the institute program but the Teachers Corps training is continuous, day in and day out, for a period of 2 years. And most importantly local school systems with disadvantaged children receive the service of the teaching teams. This is not the case under the institute programs.

Mr. GURNEY. Is it not a fair observation to make that had the Department of Health, Education, and Welfare wanted to, they could have extended the program of the institutes to lengthen the training of teachers of disadvantaged youth and train more of these teachers and accomplish the same purpose?

Mr. PERKINS. I disagree with the gentleman. The training programs could not extend over a 2-year period, nor could the services of the teaching teams be provided to the local schools.

Mr. GURNEY. I thank the chairman for explaining in answer to my question, and I would simply make the observation that as I understand these institutes, they are indeed for the purpose of the intense training of teachers who work in the area of disadvantaged youth. It would seem to me that we could have expanded this program, an ongoing program, a program that has performed useful service and accomplished the same purpose we are doing in the Teachers Corps. Moreover, having done it without creating a National Teachers Corps, a federally paid, federally oriented group of teachers, we could simply have expended the worthwhile training we are doing here and avoided duplication. We could have cut down on costs and, above all, we would not have adopted the idea of an elite Federal Teachers Corps.

Mr. QUIE. Mr. Chairman, I yield myself 1 minute.

It seems to me that the purposes of the Teachers Corps can be accomplished in the institute program and the fellowship program. The one prohibition I can see is that the institute program cannot be as long as the 2-year program in the Teachers Corps. That would be the one difference. If this had continued to be a National Teachers Corps, one where the Commissioner would recruit, enroll, and select them, I would be as strongly opposed as the gentleman from Florida. However, now it looks to me as if there are various avenues that could be pursued by an institution of higher learning: the institute program, the fellowship program, or what we still call the Teachers Corps, to help teachers gain an understanding and a capability of reaching these culturally and socially deprived children.

If there is not sufficient money in the Teachers Corps, I would say to the administration that there is money in the fellowship and institute program that would accomplish that purpose, and they should be able through a wise use of all these programs to greatly increase the number of men and women who have the capability of reaching the culturally and socially deprived in the ghettos of this country.

Mr. PERKINS. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I rise in support of H.R. 10943, and I wish to congratulate the Committee on Education and Labor for having brought this bill to the floor and the thought that they have given to it.

The Committee on Science and Astronautics is charged with scientific education and scientific scholarships. We are in an age of technology. We are more rapidly going into this age at an accelerated rate. This country has been a leader in the field of technology. It has been a leader in the field of technology because of its great university system. I am always proud to discuss this with Europeans. In fact, they recognize the universities of this country have been the ones that have carried us along. Now the University of Paris is going into the multiuniversity phase.

The universities must have their foundation in a good solid basis of education, starting with the elementary schools, the underprivileged, and all others. It would be to our great advantage to educate these people, to bring them into the mainstream of the educational process, and to do so on the lowest system, which is the basis of education, in order to build the pyramid that will be indispensable to the future economy of this country.

Mr. RYAN. Mr. Chairman, I support H.R. 10943. The need for qualified teachers is urgent. According to testimony presented to the committee, nearly 2 million teachers will be needed at the elementary and secondary levels by 1975. The legislation speaks to this need in a number of imaginative ways. The Teachers Corps and the program of graduate fellowships will be extended. In addition, four new programs will improve the skills of existing persons in the teaching professions and attract new talent. All of these efforts are urgently needed.

The bill before us makes several changes in the existing act in the direction of increased State and local control. The major changes involve the formula of grants to State and local authorities. I regret the changes in the National Teachers Corps which was designed to be an imaginative national program, with national recruitment and enforceable minimum standards.

"Local control" is an appealing catchphrase. It can also be a synonym for local recalcitrance. Let us recall that much of the stagnation in elementary and secondary education results from outmoded practices and recalcitrant school boards. Financial inadequacy is part of the picture; unimaginative methods are another part. It has always been a principle of Federal assistance that certain standards must be met. If we apply this criterion in the construction of highways, we should do at least as much in the education of children.

Innovation is sometimes painful. Some of the most imaginative thinking in the area of education has come from the U.S. Office of Education, and it is self-defeating for a program of Federal aid to assist in the entrenchment of archaic practices.

We have a responsibility to the taxpayers to insure that minimum standards are met. The young people of the Teachers Corps can be the bearers of fresh ideas, and it would be unfortunate if innovations which might seem threatening to vested interests, could result in the expulsion of the Teachers Corps member, with no counterbalance from Washington.

It is also regrettable that the Teachers Corps has received such a buffeting from the Congress that a minimal authorization for its continuance must come less than a week before the absolute deadline. For fiscal year 1967, $64.7 million was authorized. Only $7.5 million was appropriated, which permitted barely 1,000 teachers to be placed in the field. The request for fiscal year 1968 is only $33 million.

Insuring that our children have adequate teachers is one of our highest priorities. The tragedy of the Vietnam war is underscored every time we in this House must fight for the privilege of passing a minimal program to meet a vital domestic need.

I am pleased to support this legislation. I hope that the time will not be distant when this House will be in a position to give educational and other domestic necessities the attention and the resources that are so urgently needed.

Mr. GALLAGHER. Mr. Chairman, the Teachers Corps is such a tiny part of the whole structure of Federal assistance to education that it seems astonishing to me that it should be the subject of so much debate. I do share some of the criticism of the name—this proliferation of paramilitary appellations for domestic programs makes me believe that we are incongruously promoting Athenian ideals under Spartan labels. I do note that in sensitivity to the vastly overstated suspicion of Federal programs, we have dropped "National" from its name; henceforth, this program will merely be the Teachers Corps. The appropriation recommended is a sizable one and I would be more than willing to drop "Corps" in return for even more money.

Mr. Chairman, I strongly support extending and expanding the Teachers Corps. In spite of its short history, its insecure funding, the miniscule number of people in the field, the great doubt about its future, it has received an unprecedented amount of praise. If all the discussion of local resentment to Federal involvement in schools had any merit, I would have expected that the local administrators would have bent over backward to discover fault in this federally sponsored program. Instead, the hearings on the Teachers Corps discovered, under the astute and consistent questioning by the very able gentleman from Indiana, Congressman BRADEMAS, and others, that local school administrators welcomed and supported these "outsiders."

This overwhelming approval by those in the closest contact with, and the greatest reason to be suspicious of, the Teachers Corps tells me two important and hopeful things. First, the administrators on the local level are among the most dedicated people in the Nation.

Their willingness to embrace a new and bold approach, under Federal auspices, shows to me that they are genuinely committed to any program that assists them in their central task: to spread the quality of education more evenly among all children in their district.

Second, we have learned that the Teachers Corps is worthy, workable, and, in spite of all the doubt and haste in assembling its mechanism, it is working. It has been successful in convincing dedicated and talented noneducation majors to give thought to teaching as a profession. It has shown the most ignored members of our society—in the cities and in the rural areas—that the Federal Government recognizes their needs and wishes to encourage their aspirations.

Mr. Chairman, when President Johnson signed the Elementary and Secondary Education Act of 1965, he said:

> Education is the only valid passport from poverty.

The Teachers Corps must be continued because it has demonstrated its ability to encourage many disadvantaged children to apply for that passport.

Mrs. MINK. Mr. Chairman, I rise to express my unqualified support for H.R. 10943 and to urge my colleagues to act favorably on this important legislation today to implement the upgrading of the quality of teaching at every level in our educational system from preschool through college. It is the most comprehensive legislation ever brought before the Congress to give employed teachers the opportunity to renew their own knowledge and to bring qualified individuals into the field of teaching. This bill, H.R. 10943, amends the Higher Education Act of 1965 and the National Defense Education Act of 1958, and it is appropriately designated the "Education Professions Development Act."

In effect, this act consolidates all existing Federal programs that authorize teacher training institutes, fellowships, and similar types of aid. It is intended to extend and expand title V of the Higher Education Act which provides federally financed graduate fellowships for elementary and secondary teachers, and also is the authority for the controversial Teachers Corps which has had such rough sledding in the appropriations process ever since it was created.

The Educational Professions Development Act will continue both of these programs through 1970, with significant changes in the Teachers Corps which would now be under the direction of local educational agencies and institutions. Control of recruitment, selection, and enrollment of volunteers would now be a local function, and approval of State educational agencies would also be required. In the bill the Teachers Corps would have $33 million for fiscal 1968, $46 million for 1969, and $56 million for 1970.

The graduate fellowships under title V would also be extended through 1970, and this program will be broadened by making eligible any persons teaching in preschool and adult education programs or teaching or planning to teach vocational education in secondary schools or postsecondary schools. Over 4,000 teachers have benefited from fellowships under this authorization, and the proposed amendments will enable greater numbers of teachers or prospective teachers to prepare themselves in fields of recognized national need.

In addition to extension of these existing programs, H.R. 10943 authorizes four new broad categories of Federal assistance designed to "coordinate, broaden, and strengthen programs for the training and improvement of teachers and other educational personnel so as to improve the quality of teaching and to help meet the critical shortages of adequately trained educational personnel," in the language of the committee report.

Under the first of these new programs, local school districts, State agencies, and colleges and universities will be assisted in identifying persons interested in the education profession, encouraging them to pursue such careers, and publicizing the range of available opportunities in education. When we consider that our Nation's schools were short almost 170,000 qualified teachers when they opened their doors last fall, we realize that we must assign high priority to attracting more people into teaching, and we want to authorize $2.5 million in grants and contracts in fiscal 1969 for this purpose and $5 million in 1970.

The second key program will consist of grants to local educational agencies to attract into teaching any qualified teachers in the community who have left the profession for any reason. Such individuals would receive preservice and inservice training to update their capabilities, and grants would also be available for training of teacher aides under this section. The proposed funding is $50 million for 1969 and $65 million the following year.

A third innovation in H.R. 10943 will replace and broaden the title XI teacher training institutes of the National Defense Education Act. Whereas in the past only colleges could conduct such institutes, now local and State educational agencies would become eligible for Federal assistance to conduct preservice and inservice training, summer institutes, or yearlong academic programs for teachers. I was personally gratified to see this provision adopted by the committee, since it reflects the intent of my sabbatical leave bill which I introduced in both the 89th and 90th Congresses to provide for intensive educational opportunity for teachers. Federal support under this provision also will go to the heart of another problem my sabbatical bill is designed to alleviate, the shortage of certified teachers and the great numbers who are employed in our classrooms without having even a bachelor's degree. Some concern has been expressed over the elimination of references to specific subject authorizations as was the case in title XI of NDEA, but the new program will allow more flexibility to meet changing conditions and to reflect the needs of the local jurisdiction. Core subjects—English, reading, history, math, geography, civics, economics, science, industrial arts, foreign languages, health, physical education, and so forth—will all be emphasized and should receive increasing funding in the establishment of training institutes.

The fourth category in H.R. 10943 will provide fellowships for those planning to teach in colleges but who are not in a doctorate program. This is designed specifically to reverse the present lack of Federal assistance for individuals preparing to teach in junior colleges and technical institutes, as well as to strengthen the present minimal program of aid to potential college teachers. College enrollments are burgeoning, junior and community colleges are springing up rapidly, and we hope that this act will fill a need by authorizing preservice and inservice programs for such prospective teachers. Administrators and educational specialists such as financial aid officers will also be eligible for this type of training assistance.

I feel that we have a much-needed bill in the Education Professions Development Act, which is designed broadly and flexibly to meet the critical shortage of teachers and educational personnel throughout our school systems. Besides providing extensive financial support, it shifts the emphasis from federally determined priorities to the control and authority of local educational bodies in several ways. I feel that this is a highly desirable goal in Federal aid to education, for it is at the local level that our educational endeavors are underpinned and will either rise or fall depending on the participation and determination at the grassroots.

Mr. Chairman, H.R. 10943 will form a strong link in our continuing endeavor to improve the quality of education in America and to continue to move our schools apace with our rapidly changing society. By approving this bill today, we will signal to the Nation our deep and lasting commitment to providing the very best education possible to all of our youth to meet the challenges and demands of the future.

Mr. PERKINS. Mr. Chairman, we have no further requests for time.

Mr. QUIE. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 10943

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the purpose of this Act to coordinate, broaden, and strengthen programs for the training and improvement of the qualifications of teachers and other educational personnel for all levels of the American educational system so as to provide a better foundation for meeting the critical needs of the Nation for personnel in these areas.

Mr. PERKINS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. Bolling) having resumed the chair, Mr. Vanik, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10943) to amend and extend title V of the Higher

Education Act of 1965, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill (H.R. 10943).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

SUMMIT CONFERENCES

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, no one should be surprised that the summit conferences between President Johnson and Chairman Kosygin solved no major problems. They could not be expected to. The differences in the stated aims of the United States and Russia are much too far apart to be resolved in two brief conferences between the heads of state of the respective countries. By the same token, the meetings were extremely useful and could well point to needed progress in future negotiations at other levels. It is a matter of more than a little moment that Kosygin agreed to the conferences. He came to this country to find a world audience through the United Nations for stating the case for Russia and the Arab nations in the Middle East. Obviously, to meet with the President of the United States meant some diluting of the picture of strength he had sought to portray. It also exposed the Russians to sharp criticism from the Red Chinese and from France's De Gaulle. It appears clear that Russia does seek a measure of accord with the United States, at least in the future, or Kosygin would not have agreed to meet with President Johnson.

Americans are prone to expect too much too soon from conferences. Our conferences with the Russians have been generally unproductive. However, some areas of agreement have been reached in conferences and we would be foolish indeed to put aside the possibility of achieving further accord. There are great problems ahead of us and monumental decisions still to be made.

We are engaged in a war in Vietnam where progress is dragging and about which the American people are growing impatient. On the problem of the Middle East, we are way ahead on points, thanks to the Israelis and not to our own efforts. But that situation still has to run the gamut of diplomatic negotiations where we may yet be outsmarted. There is growing concern over the need for an anti-ballistic-missile system which is further aggravated by the rapid progress of the Chinese toward a capability for nuclear warfare. Here we have already lost ground defensewise for the Russians are well along on the construction of such a system. On these and on many other issues, it is better to try to find common ground with the Russians than to keep them at sword's point. The mistake we must avoid is that of compromising our position or assuming too much progress from negotiations. We must constantly be on guard and show it in effective diplomacy and in armed strength. The Communists play for keeps and the Russians are Communists. The ground rules are different in this conflict than any other in which this country has been engaged and nothing, regardless of appearances, should be taken for granted.

RETIREMENT OF THE REVEREND DR. ROBERT J. McCRACKEN

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the retirement of Dr. Robert J. McCracken from the pastorate of the Riverside Church is a matter for deep regret, not only for the members of his congregation, but to all who have felt they knew him through his writings, through his radio preaching, and through the wide-spreading influence of his personality. Through his 21-year service at the Riverside Church, Dr. McCracken has profoundly affected the spiritual life and social awareness of the New York community. We are truly more of a neighborhood because Dr. McCracken has lived and served among us. The vigor and simplicity of his message, combined with the warmly human nature of the man, have won him the respect and friendship of vast numbers of people of all creeds.

Dr. McCracken, a deeply learned theologian, with numerous degrees both earned and honorary, has always fought shy of academic and ecclesiastical jargon, and of what might be called the "churchly tone," in both his writing and his speaking. He seems always simply a plain man, speaking what he thinks and feels to other plain men. In his preaching he has combined the urgency of moral fervor with a practical good sense. This is well illustrated in the portion of his farewell sermon, preached on June 4, published in the New York Times story of the following day:

> The great need of the world today is fellowship. The lack of fellowship is hell. Physically, we are closer together than we have ever been; in every other way, have the peoples of the earth ever been further apart than we are now? If civilization is not to perish from the earth, we must find some means of rising above the animosities that set man against man, class against class, nation against nation; some other way than war which, when all is said and done, settles nothing. . . . We must get humanity to be one in a deeper way than has ever been done before. For that we require more than a herd-consciousness which brings people together in crowds. What we require is a spiritual unity that will bind up a classes, nationalities, races. We can get it. It is available.

The courage and plain speaking of Dr. McCracken have been evident in his sermons and public remarks, in which he has advocated such causes as opposition to the war in Vietnam, support of action for civil rights, and advocacy of the concern of the church with social and political questions. He said:

> I count myself fortunate that I am a preaching minister of a church that provides me with a free pulpit, what our nonconformist forebears called an "untuned" pulpit, and does not confine its concerns only to "spiritual" matters, but seeks to relate the Gospel of Christ to every province of life, the political no less than the personal.

Although Dr. McCracken's own education and background are Baptist, the Riverside Church of which he has been pastor belongs to the United Church of Christ as well as to the American Baptist Convention, and has a history of interdenominational membership. The personality and convictions of Dr. McCracken have thus been thoroughly in tune with the feeling of his congregation, and he has been a vigorous leader of a receptive and enthusiastic following. The clue to his effective leadership lies perhaps in his rejection of the authoritarian approach to his position as pastor. Declining to be considered a "prince of the pulpit," he asserted in a recent interview that the time for such rule was over. He said:

> The clergy have to be active and the church has to be where the action is. The preacher has a far better chance to be listened to if he is identified with what's going on.

Dr. McCracken, though retiring from his active pastorate on account of his own health and the health of his wife, will continue his radio preaching through the months of July, August, and September. His many, many friends will hope and fervently pray that this lighter schedule of activity and responsibility will prove beneficial, and that he may continue for many years, through his sermons, lectures, and writings, to serve the cause of justice and brotherhood.

Mr. Speaker, I include at this point in the RECORD, two articles by Val Adams which were published in the New York Times on June 3 and 5.

[From the New York Times June 3, 1967]

DR. McCRACKEN WILL BE HEARD IN FAREWELL SERMON TOMORROW—IT MAY BE SHORTEST, BUT IT WON'T BE EASIEST, MINISTER AT RIVERSIDE OBSERVES

(By Val Adams)

The Rev. Dr. Robert J. McCracken will deliver his last sermon as preaching minister of Riverside Church at 11 A.M. tomorrow. The 65-year-old clergyman announced in April that he would leave his pastorate two years sooner than originally planned because of failing health.

Dr. McCracken's final sermon—"The Abiding Verities"—probably will be the shortest he has preached since he came to Riverside in 1946, because tomorrow is Communion Sunday. The sermon will last about 13 or 14 minutes, contrasting with the usual length of 25 to 27 minutes.

"It will not be the easiest sermon I've preached," Dr. McCracken said yesterday in an interview in his office in the church on Riverside Drive and 122nd Street.

"I have a feeling of deep regret because my association with this church and its members has been a family relationship. On the other hand, there is the satisfaction of handing over something that is well in hand. It has been an enriching experience."

Dr. McCracken, who is known as Jim to his associates, has not made definite plans for the future. He hopes to fill a pulpit occasionally as a guest preacher and to do lecturing and writing. His recent book—"What Is Sin? What Is Virtue?"—was published last year by Harper & Row.

Physicians have advised Dr. McCracken to rest as much as possible. In a letter to church members in April he referred to his heart ailment, agina pectoris, and said it had curtailed his activities.

"In the pulpit on Sundays," he said yesterday, pressing his hand to his chest, "it has been hard going the last five to 10 minutes."

CONTINUES BROADCASTS

In addition to the Riverside ministry, Dr. McCracken is a nationally known radio preacher and he will continue to broadcast through September.

This month he will be heard on "The Protestant Church Hour" over WHN at 10:05 A.M. each Sunday. During July, August and September, he will fill "The National Radio Pulpit" over the National Broadcasting Company network. The program will be presented here by WNBC at 10:05 A.M. each Sunday.

Dr. McCracken's Sunday sermons at Riverside have been broadcast by WRVR, an FM station owned by the church. He is pleased by the additional audience that the station has provided for his sermons. Asked about listener response, he chuckled and said:

"Well, I've heard from some Roman Catholic priests who said they were surprised to hear a Protestant preacher who was so soundly Catholic in what I was preaching. It proves there are affinities between Protestants and Catholics. There is far more that unites us than divides us."

But the minister has great doubt about the emergence of one American church with Roman Catholicism at the center, which was forecast as a possibility in a report made to the General Board of the National Council of Churches at a meeting in Boston on Thursday.

"I've never envisioned that," Dr. McCracken said. "Just to get all the Protestants united is going to take a long time. There are more than 250 denominations. This is one great weakness of Protestantism. Think of all the duplication. What a waste in buildings, staff and good money!"

HAS LIBERAL OUTLOOK

Dr. McCracken's sermons have reflected a liberal outlook on the world. He has opposed the war in Vietnam, urged civil rights action, and rebelled against complacency within the church. In a sermon on the Vietnam war last year, he said:

"I count myself fortunate that I am a preaching minister of a church that provides me with a free pulpit, what our nonconformist forbears called an 'untuned' pulpit and does not confine its concerns only to 'spiritual' matters, but seeks to relate the Gospel of Christ to every province of life, the political no less than the personal."

The Baptist minister said yesterday he applauded last week's action by the United Presbyterian Church in the U.S.A., which adopted "The Confession of 1967." It makes social action officially a part of basic church doctrine and obligates members to work for racial integration, peace and elimination of poverty.

"It was inevitable that his would happen," Dr. McCracken said.

Riverside Church, which is interdenominational, is a member of both the American Baptist Convention and the United Church of Christ. Dr. McCracken said the time had come when it "is hopeless" for any church to live in "spendid isolation."

"I believe that ministers used to be called princes of the pulpit." he added. "This is over. The clergy have to be active and the church has to be where the action is. The preacher has a far better chance to be listened to if he is identified with what's going on."

FAVORS TOPICAL SERMONS

As a young minister in his native Scotland, Dr. McCracken was an expository preacher, but when he came to New York he changed.

"I was bred on expository preaching," he said. "I started with a text and stuck to it. But here I changed to topical teaching—plopping right into a situation and later linking it to the Bible. This is also called 'life situation' preaching."

Dr. McCracken, who has blue-gray eyes and hair that he says is whitening, finds amusement is response to various types of sermons that are categorized as social, inspirational, psychological and ethical. Listeners to WRVR are invited to write for copies of his sermons.

"If I preach on the Christian view of history," he said, "there will not be many requests for copies. The most requests come in when I preach on how to take hard knocks and come up smiling."

During Dr. McCracken's pastorate, Riverside Church has developed many activities in serving the communtly. Something is going on each day of the week.

"I think of it as a city hospital where the doors are never closed," said Dr. McCracken.

[From the New York Times, June 5, 1967]

McCracken Issues Fellowship Plea—In Final Sermon, He Urges Surmounting Animosities

(By Val Adams)

Fellowship must replace war "if civilization is not to perish from the earth," the Rev. Dr. Robert McCracken said yesterday in his final sermon as minister of Riverside Church. In many ways, he added, the peoples of the earth seem further apart than ever.

"The great need of the world today is fellowship," Dr. McCracken declared. " 'The lack of fellowship,' William Blake said, 'is hell.' Physically, we are closer together than we have ever been; in every other way, have the peoples of the earth ever been further than we are now?

"If civilization is not to perish from the earth we must find some means of rising above the animosities that set man against man, class against class, nation against nation; some other way than war which, when all is said and done, settles nothing."

URGES SPIRITUAL UNITY

Dr. McCracken, who is leaving the Riverside pastorate after almost 21 years, urged a spiritual unity to relieve mankind's animosities.

"We must get humanity to be one in a deeper way than has ever been done before," he said. "For that we require more than a herd-consciousness which brings people together in crowds. What we require is a spiritual unity that will bind up all classes, nationalities, races. We can get it. It is available."

The one way humanity can be unified, the minister said, is through Christ.

"He is the one hope of a world where men will dwell together in peace and concord as brothers," Dr. McCracken said.

In discussing his subject, "The Abiding Verities," Dr. McCracken said:

"To choose a text for the last sermon I shall deliver as your preaching minister was not difficult. I turn to the apostolic benediction in constant use for 20 centuries in stately cathedrals, simple chapels, in churches of all denominations. It is the benediction I have used throughout my ministry at baptisms, marriages, funerals and at the conclusion of worship services."

The minister then went on to discuss various meanings of the benediction: "The grace of our Lord Jesus Christ and the love of God and the fellowship of the Holy Spirit be with you all."

Yesterday's attendance at Riverside Church was 2,343, and Mr. McCracken seemed pleased to comment that it was an "unusually large congregation" for a Sunday in June. Attendance on Sundays usually runs 1,800 to 2,200.

Dr. McCracken, who is 63 years old, is retiring two years earlier than he had planned because of his and his wife's failing health. His successor will be chosen by a pulpit committee that is now screening candidates.

Dr. Jess Lyons, pastoral minister at Riverside, said yesterday that it might require a year to find a successor. Meanwhile, guest preachers will fill the pulpit.

The church, which is at 122d Street and Riverside Drive, is Protestant and is affiliated with both the Baptist and the United Church of Christ denominations.

U.S. INDUSTRY PARTICIPATION AT PARIS AIR SHOW

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, supplementing my earlier remarks about the recent Paris Air Show, and the highly commendable participation of American industry in the U.S. exhibits this year, I wish to call particular attention to the noteworthy participation of the Garrett Corp.

Two major contributions to the world of aviation were displayed by the Garrett Corp. during the Paris Air Show.

In the U.S. Pavilion, Garrett featured the history of air conditioning and pressurized flight—the equipment which enables man to fly higher and faster—a field pioneered by the Los Angeles based firm.

Garrett also displayed a history of small gas turbine engines. These engines were originally produced by Garrett to start military and commercial jet aircraft. When placed aboard a jet, these turbines are called auxiliary power units. Auxiliary power units do for jet aircraft, what electric starters did for the Model "T" Ford.

Garrett's pressurized flight display told the story of how man has left his normal habitat to explore the atmosphere and hostile environment of space. It displayed equipment dating back to 1940, and built for the world's first massed-produced pressurized aircraft.

This milestone in the history of aviation proved to be a harbinger of modern-day aircraft. Nearly all postwar commercial airliners and military aircraft have since been built for pressurization. Today, more than 90 percent of the aircraft in the free world rely on Garrett-built environmental equipment.

One of the original cabin pressure regulators, produced more than a quarter century ago, was featured in Garrett's display. Also exhibited was present-day equipment which permit modern jet liners such as the Boeing 707 to fly at altitudes of 40,000 feet and above, while passengers enjoy living room comfort.

Beyond the realm of conventional aircraft, the exhibit traced the development of environmental control systems designed to support life in the airless void of space.

This segment of aviation history was depicted by models of the Projects Mercury, Gemini, and Apollo life support systems built by Garrett for the U.S. manned space program.

The world's leading manufacturer of environmental control systems for manned aircraft and spacecraft, Garrett is currently developing systems for supersonic flight and advanced, long-duration space missions.

While Garrett pioneered pressurized flight, it was also producing, in 1946, the world's first successful small gas turbine engine.

Since the small gas turbine—usually defined as 1,000 horsepower and under—is not a shrunken version of the large aircraft propulsion turbine, the development was significant. Its design and construction presented many new problems and resulted in new design concepts and turbine technology.

An array of these small gas turbine engines, from auxiliary power units to prime propulsion engines, was displayed by Garrett in the U.S. Pavillion.

Garrett developed the world's first small gas turbine as a lightweight, take-along auxiliary powerplant for use on the U.S. Navy P5Y turboprop flying boat. This auxiliary power turbine—APU—provided pneumatic power for main engine starting. The new Garrett turbine proved itself the answer to remote location starting for the P5Y, and through the years improved versions of small gas turbines have been uncovering more problems to solve.

Since 1946, Garrett has designed and built thousands of gas turbine APU's—about 80 percent of all such engines below 1,000 horsepower built to date. In addition, air turbine starters, motors and related turbomachinery have become major Garrett production units.

From on-board military aircraft, such as the C–130, C–133, C–141 and KC–135, Garrett turbines have moved into production for such sleek commercial jetliners as the Boeing 737, DC–9, BAC 111 and many other turbine aircraft. They are also used aboard business aircraft such as the DH–125, and Grumman Gulfstream. These turbines provide all groundpower needs—such as electricity, heating or cooling, engine starting, and so forth—and emergency airborne power.

Now natural gas burning turbines are finding use in new buildings for on-site power needs. Here they produce all electricity, heating, cooling, hot water, and so forth, in a concept called a "total energy package." Garrett-AiResearch turbine energy packages are now in operation in the United States, Canada, and Holland.

Based on past experience Garrett-AiResearch naturally "thought turbine" in 1963 when the U.S. Army Medical Service challenged industry to improve on its existing portable field hospitals. In fact, quite appropriately, the final "T" in MUST—medical unit self-contained transportable—the new U.S. Army hospital, might well stand for "turbine," since it was completely designed by AiResearch around the unique capabilities of this reliable little machine.

The MUST utility pack turbine produces three forms of usable power: shaft, heat energy, and pneumatic. The shaft power is used to drive generator to produce electricity. The heat from its exhaust provides heating, hot water, and cooling for the portable MUST buildings, and the compressed air inflates the special fabrics MUST wards.

Only its compact turbine-driven 5 by 9 by 7 foot, complete utility pack makes the MUST hospital the mobile, set-up-anywhere masterpiece it is. And only the tiny, reliable turbine with its multi-type power producing capabilities makes this helicopter-lifted utility package practical.

Until 1964 Garrett gas turbines were built exclusively for auxiliary power uses. In that year AiResearch invaded the propulsion field with the introduction of its TPE–331 fixed-shaft aircraft turboprop engine. Initially a 605 eshp commercial version, and a 660 eshp military version, the T76, were offered.

The simple, rugged 331 has found acceptance on the Aero Commander Turbo Commander, the MU–2, various conversions, such as the Volpar Beech 18 and Carstedt Dove, and the Turbo Porter. The military T–76 version powers the North American OV–10 triservice counterinsurgency aircraft.

Higher horsepower versions of both the military and commercial turboprop propulsion engine have recently been announced. The AiResearch 331 is the first turboprop of its kind and class designed and built in the United States.

Another new industrial turbine family engine is now undergoing trials powering a Budd Co. high-speed rapid transit railcar. A marine propulsion version is also under development.

Mr. Speaker, again I wish to say that Garrett's exhibits and participation at the Paris Airshow added considerably to the prestige of the United States, and exemplified most admirably the accomplishments of our American industry in the aerospace and defense areas.

TREATY FOR EAST AFRICAN COOPERATION

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is with great satisfaction and with high compliment to the African nations that are parties to the pact that I announce the signing of the treaty of East African Cooperation.

Addressing the Kenya National Assembly, President Kenyatta of Kenya said:

> It will be seen from all that I have said that the Treaty is a far-reaching document. It is, in fact, a comprehensive document which brings together for the first time all aspects of East African Co-operation under one basic legal document.
>
> Honorable members will now appreciate the historic significance of the document before us. Nowhere else have countries been able to move so close together in so short a time. I am sure that we would all have been happy had it been possible to announce a fully-pledged political federation of East Africa, or, for that matter, a much larger Community of African States.
>
> All my life I have worked and hoped for the independence of our people and the Unity of Africa. I still hope and work for these same ideals.
>
> What now needs to be done is to consolidate our achievements and look for new opportunities to strengthen and expand our co-operation. It does not require much thinking to shout Federation. But this will require a lot of patience, restraint, tolerance and understanding to achieve unity of the measure we have now attained.

Mr. Speaker, the treaty of East African Cooperation brings closer the unity of Africa long advocated by the Presidents of Kenya and Tanzania as well as many others.

INCLUSION OF ZANZIBAR IN TREATY

In a speech before the Parliament of Tanzania on June 14, 1967, during which Amir Jamal, the Tanzanian Minister of Finance presented the 1967–68 budget; he announced that exchange controls against Kenya and Uganda imposed following bank nationalizations in Tanzania in February 1967 were lifted as of June 14.

Minister Jamal announced that the East African Customs and Excise Act is extended to Zanzibar "with immediate effect." The development marks the inclusion of Zanzibar which is a part of the United Republic of Tanzania in the Treaty for East African Cooperation.

TEXT OF KENYATTA'S REPORT

The following is the text of the report made by President Mzee Jomo Kenyata:

> In the Kanu Manifesto of 1963, we pledged to build on the foundations of the East African Common Services Organisation and the East African Common Market to strengthen the co-operation between the peoples of East Africa.
>
> We expressed the hope of a closer political association. Since then we have worked consistently and persistently to maintain and strengthen the ties between Kenya, Uganda, and Tanzania.
>
> Our East African Co-operation has survived the adverse predictions of the enemies or African Unity. It is indeed one of the most advanced stages of co-operation between Sovereign States anywhere in the world. We have something of which we can be proud.
>
> Today, therefore, I welcome the opportunity to announce to this House, and to lay on the table, the terms of the Treaty for East African Co-operation. This document was signed on Tuesday, 6th June, 1967, at Kampalo, Uganda, by the President of Uganda, Dr. A. Milton Obote, the President of Tanzania, Mwalimu Julius Nyerere and myself. The Treaty comes into effect on 1st December, 1967.
>
> The Honourable members will remember that the Heads of State of the East African Governments decided in August, 1965, to set up a commission under the following terms of reference:
>
> To examine existing arrangements in East Africa for co-operation between Kenya, Tanzania and Uganda on matters of mutual interest, and having due regard to the views of the respective Governments, to make

agreed recommendations on the following matters:—

(A) How the East African Common Market can be maintained and strengthened and the principles on which, and the manner in which, the Common Market can in future be controlled and regulated;

(B) The arrangements necessary for effective operation of the Common Market consequential upon the establishment of separate currencies;

(C) The extent to which services at present maintained in common between the three countries can be continued, and the form which such services should take;

(D) The extent to which (if at all) new services can be provided in common between the three countries and the form which such services should take;

(E) The extent to which the management of different services can be located in various parts of East Africa;

(F) The manner in which the Common Services should be financed;

(G) The legal, administrative and constitutional arrangements most likely to promote effective co-operation between the East African countries in the light of the recommendations made under paragraphs (A), (B), (C), (D), (E), and (F).

To submit their final Report to the Governments not later than 1st May, 1966.

The Commission consisted of Professor K. Philip of Denmark, who was loaned to us by the United Nations, as Chairman, and three Ministers from each state. In the case of Kenya, we were represented by Mr. Gichuru, Mr. Mboya, and Mr. McKenzie, with Mr. Kibaki as an alternate.

The Commission submitted its Report in May, 1966, and was then instructed to prepare a draft treaty based on their recommendations.

It has thus taken one year and nine months hard and continuous work to produce the document now before us. When Honourable members will have had the time to read it, I am sure they will agree with me that it was well worth waiting for.

I would like to take this opportunity before I continue to express my very deep thanks and appreciation to the Commission for its historic work. In particular, I know you will join me in sending our compliments to Professor K. Philip, whose services East African will always remember. I also know that you will join me in paying tribute to our own Ministers for their effective representation of Kenya on the Commission.

Some of you will remember Paper 191 in 1947 which was superseded by Paper 210 of 1948, which established the East African High Commission. The peoples of East Africa had no say in them, and apart from European settlers, the African people were not even consulted. The East African High Commission thus became the organ for co-ordinating British policy in East Africa, and in the process, was also used as a means to bring together some aspects of services in what was then British East Africa. When Tanganyika was about to become independent, a Conference was held in London to decide the future of the East African High Commission. It was then decided to replace the Commission with a new organisation—The East African Common Services Organisation. It must be recorded that this decision was made possible by Tanganyika's decision to continue to share in the East African Services and Common Market. The same decision was taken by Uganda on becoming independent.

At this time, although we had agreements between Sovereign States and the British Government which represented at first Kenya and Uganda and, later, Kenya alone, it was not until Kenya became independent in December 1963 that the East African Common Services became the genuine property and Association of African States. We inherited a useful instrument, but as yet, it did not represent the conscious work of the three States. As we came to decide upon our various paths of development, we also began to discover the weaknesses and inadequacies of EACSO. We came to appreciate that we had a Common Market whose structure and procedures had never been worked out consistently and which in fact had no formal legal foundations.

But it is still fair to say that what we inherited was a highly advanced instrument for co-operation between nations.

The terms of reference to which I have referred speak for themselves and clearly indicate the resolve of our three Governments to travel together along the road of African Unity. The outcome of the deliberations of the Commission testify to the firm commitment of our three countries to continue and strengthen East African Co-operation.

It is not my intention today to analyse or explain each chapter of the Treaty. The document will be available to all Honourable members and will be on sale at the Government Printers for members of the public. The point of my statement is to convey to this House the Government's firm belief in the need for East African Co-operation and our resolve to work for even greater unity and co-operation in the future.

The House should take note of the fact that for the first time the East African Common Market will exist in law under an International Treaty between Sovereign Nations. Until now our Common Market has depended entirely on goodwill and faith between our Governments and peoples. It will now have a definite structure, procedures, scope, and even sanctions. This in itself is a great achievement in these times when all over the world disunity and threats of disintegration and conflict between nations is the order of the day. The Treaty also preserves the Common Services under a new structure. Railways are separated from Harbours Organisation so as to ensure more logical and natural development of each of these vital services. And then the Railways, Harbours, Posts and Telecommunications become statutory corporations like East African Airways, with the declared objective that in future they must all be run on a commercial basis.

Last, but not least, we have gone a step further than any other Common Market—indeed, here lies the reason for calling ourselves an East African Community and not just a Common Market or a mere Economic Community. The Treaty provides for a Development Bank which will be the instrument for co-operation in development. We shall all put in money with the desire that we should truly co-operate in development. We are pledged to work together and to help each other. This institution is unique and it is a direct translation into practical action of all those hopes we have so often expressed at numerous Pan-African Conferences.

Let me now refer to the Constitution of the Community. Here again the Treaty reflects major advances on similar groupings in other parts of the world. We have taken a major political step forward in providing for East African Ministers and Deputy Ministers who will not have any other portfolios in their own National Government. They will replace the cumbersome system of Ministerial triumvirates which existed under EACSO. East African affairs will, for the first time, have persons with direct political responsibility and who will devote all their time to serving East Africa. In addition to this, the services will be under New Boards of Directors so as to provide specialist interest and attention to the development and expansion of the services.

[It will be seen from all that I have said that the Treaty is a far-reaching document. It is, in fact, a comprehensive document which brings together for the first time all aspects of East African Co-operation under one basic legal document.] There have been some commentators who have merely concentrated on discussing the new institutions or services. In fact, such commentaries are both inadequate and misleading. It is necessary to examine and discuss the Treaty in its entirety in order to understand and appreciate its significance. I suggest that Honourable members do this if their later discussions are to be of any assistance.

The East African Authority will continue as before but assisted by the East African Ministers. The Central Legislative Assembly is to be replaced by a new body which will bear more relation to its function instead of a Parliament responsible to no one, as at present.

These changes in the Constitution will go a long way towards streamlining the working of the Community and to ensuring its effective relations with the partner states.

Another subject of great interest is that relating to the re-location of Headquarters. A closer look at the Treaty will show that each partner State will have at least two Headquarters, for example, Railways and Airways in Kenya, Posts and Telecommunications and the Development Bank in Uganda, while Harbours and Community Headquarters go to Tanzania. This helps to foster among all East Africans a sense of belonging and gives the Community a truly East African personality. We in Kenya have always believed in this approach to African Unity. To think in selfish terms would be contrary to our commitment, purpose and pledges. The moving of some East African Headquarters from Nairobi, for example, Posts and Telecommunications, does not include the installations but rather the offices of Chairman and General Manager with their staffs. Each partner State will have in addition an effective Regional Organization.

One other matter which is of interest to us in Kenya is the introduction of the system of the Transfer Tax. It should be noted that by this decision all the restrictions originally placed on Kenya Manufactures will be removed. Instead, a Transfer Tax may be introduced in the case of some of our goods. It is necessary to study how this system will work. Transfer Tax can only be introduced by Tanzania or Uganda to protect an already existing industry. An industry which is to be so protected must be capable of producing not less than 15 per cent or Shs. 2,000,000/- ex-factory value of the domestic consumption of that kind of good. It is then provided that no such tax will last for more than eight years. But the whole system will be subject to review after five years. The Treaty lays down that when an industry which enjoys the protection of a Transfer Tax is capable of exporting 30 per cent of its total production to the other two partners, the tax will automatically cease. It is further laid down that when a country's trade with the other two partner States reaches 80 per cent, that country ceases to have the right to impose the Transfer Tax. The Transfer Tax itself will not be more than 50 per cent of the rate of duty prescribed by the customs tariff in respect of the import of the same kind of item into East Africa. But if the same kind of item is not chargeable with any duty in import, no Transfer Tax may be imposed.

I would like to emphasize that the Community lays down that the three partner states will have a Common External Tariff.

I have tried to explain this point in some detail because I know it greatly interests our manufacturers and prospective investors. It must be obvious that such a requirement should not have an adverse effect on our development or trade. What it does is to pose a challenge to our producers. Provided they maintain the right scale of operation and they are efficient in their production and maintain the highest standards in quality, they have the entire East African Market at their disposal. This is the time for our industries to come forward with imaginative production and marketing techniques. The uncertainties and doubts about the future of the East African Market has been removed permanently. When you invest in Nairobi or any part of Kenya, you are investing in East Africa. The facilities, superior services and infra-structure already available must make this decision even more attractive.

The Treaty provides for a Common Market Tribunal which will resolve any disputes and help with problems interpretation. The Treaty itself covers a fifteen year period, after which the partner states will review the position.

Honourable members will now appreciate the historic significance of the document before us. Nowhere else have countries been able to move so close together in so short a time. I am sure that we would all have been happy had it been possible to announce a fully-pledged political federation of East Africa, or, for that matter, a much larger Community of African States. All my life I have worked and hoped for the independence of our people and the Unity of Africa. I still hope and work for these same ideals.

What now needs to be done is to consolidate our achievements and look for new opportunities to strengthen and expand our co-operation. It does not require much thinking to shout "Federation." But this will require a lot of patience, restraint, tolerance and understanding to achieve unity of the measure we have now attained.

My Government will continue to work for the aims laid down in the Kanu Manifesto and I am sure that the road we have taken will lead us to peace and prosperity goal.

COMPLETE SUMMARY OF HISTORIC PACT

Mr. Speaker, I regard the signing of the treaty for East African Cooperation as truly a historic step in the reach for African unity, and of such importance and interest to Africa's many friends in the Congress, as well as among the people of the United State, that I am extending my remarks to include a summary of an analysis of this document, as follows:

1. *What are the most important points about the Treaty?*

(i) *First,* that every matter has been most carefully thought about and considered in detail bearing in mind the different national interests of the three countries. Unlike other countries which have rushed into grandiose "decisions" or announcements to form political or economic units, and then attempted to build down from the roof, the East African countries have begun, patiently and pragmatically, to build up from the foundations, and have not called the public in to admire the building until it is all finished.

(ii) *Second* that there will in future be detailed rules for the running of the Common Market (something which has rather grown up by custom) and that there will be proper machinery, including the proposed Tribunal, to see that the rules are observed.

(iii) *Third,* that the existing Common Services have all been preserved by the deliberate choice of the three States.

2. *Surely the Common Market is not going to be a real common market if transfer taxes are put on goods passing between the three countries and there are restrictions on major agricultural crops?*

(i) It is true that transfer taxes can be imposed under the Treaty, but only for a limited time and in specified circumstances. Their purpose is to encourage, by protection, the faster establishment of industrial investment in the less industrially developed countries. But it must be remembered that all quantitative import restrictions on local manufactured goods are banned under the Treaty, with very few exceptions; that this is a real stride forward; and that the Treaty looks ahead to a time when there will be full free trade.

(ii) As regards agricultural products, there are obvious difficulties in full free trade when the basic produce, like maize, which is used as a staple food, is specially marketed so as to insure against famine and to secure a fair return to farmers. But even here the long-term aim on agriculture is declared as full free trade by the Treaty.

3. *Why is the proposed Development Bank to split its Investments unfairly between the three countries? Surely each should have an equal share.*

The percentages of 38¾%, 38¾% and 22½% set for the investment of the Bank's money over a five-year period are intended to reflect and help correct the position now, at which Uganda and Tanzania are less advanced industrially than Kenya. The correction will be done in a positive way, by helping to steer new investments rather than by harming existing investments. The percentages will only operate over a five-year period (*not* year by year) and will be reviewed after ten years; and each proposed investment will have to be shown to be economically sound and technically feasible. Roughly two-thirds of the money will go equally to the three countries (22½% to each), and the remaining third will be devided between Uganda and Tanzania.

4. *When will the headquarters of the various services be moved? Will this not create a lot of hardship and administrative difficulties?*

It is essential to have some distribution of headquarters, because the present concentration of buildings in Nairobi leads people in Uganda and Tanzania to feel that the Common Services, in a deep sense, are not "theirs". If there were a full political Federation then perhaps the capital (wherever that was) could be the site of all the headquarters; but this is not so now. The moves will not take place at once, but only as soon as possible in the light of what is administratively practical—this will be decided by the relevant authorities in the new Community, such as the Boards, the Communications Council and the East African Ministers. As regards administrative difficulties, the arrangements for Boards of Directors and permanent East African Ministers will do much to reduce current problems of administration, and with improved communications and constant political and management control there is no reason why geographical separation should cause undue difficulties.

5. *Is the new Treaty a step in the direction of Federation?*

The Treaty must be read and taken as it stands. In one sense it is clearly a move to closer economic and political cooperation, in certain defined areas; in another, it is also an alternative to a full political union, since there are arrangements (for instance on currency) which are not at all appropriate to a Federation. It is perhaps likely that the three countries will want to give the new arrangements a good trial, before deciding whether they should be superseded by anything else.

6. *Will the Treaty have to be ratified by the three Parliaments?*

No, it is already binding on all three countries, because the three Heads of State have signed it. But each Parliament will be asked to pass a national law, to which the Treaty will be attached, to give the Community a legal existence and to ensure that its laws have effect in that country. This is what was done in 1961 when EACSO came into being.

7. *What sanctions will there be if a country breaks the Treaty on the Common Market, and does not comply with a decision of the Tribunal?*

None. But this is of course so with any international court—for instance, the International Court of Justice at the Hague. The good faith and serious intentions of the Partner States are shown by their determination to conclude the Treaty, and it must be expected that they will all respect their obligations under it. The Treaty will, of course, be registered with the United Nations.

8. *Are the new Councils not just reincarnations of the old Ministerial Committees of EACSO?*

There are two main differences. First, the day-to-day running of the various services will be left largely in the hands of the new East African Ministers and the new Boards of Directors; the Councils will have a much more consultative role, in general, than the old Committees. Second, the East African Ministers will be members of all the Councils, and so will bring a greater measure of continuity both to their membership and to their discussions.

9. *What effect will the Treaty have on the Currency? Will freedom of currency exchange be restored?*

The terms of reference of the Commission presupposed the continuance of three separate national currencies. The Treaty does not prevent exchange control from being exercised by each State, but it requires those States freely to permit all *bona fide* current account payments (which are carefully defined) and to give all necessary permissions and authorities without undue delay. Moreover, control over capital payments may only be exercised for furthering economic development and an increase in trade "consistent with the aims of the Community", and may not be imposed in such a way as to hamper the Community, the Corporations or the Bank in performing their functions under the Treaty. Arrangements are also guaranteed under which currency notes may be exchanged at par value, without exchange commission, within the three countries.

10. *Will the Treaty apply to Zanzibar?*

Yes.

11. *Will there be Customs posts established at the borders of the three countries to administer the new transfer taxes?*

It will be for the Customs and Excise Department and the Governments imposing the transfer taxes to decide how they are administered in each case. It is probable that some form of fixed post will be established at certain places, but if so such posts will almost certainly be designed only for checking, and not for the collection of the taxes.

MAIN PROVISIONS IN TREATY

THE PREAMBLE

Refers amongst other points to the fact that Tanzania, Uganda and Kenya have enjoyed close commercial, industrial and other ties for many years, and to the determination of the three Partner States to strengthen those ties and their common services, by the establishment of an East African Community, and a Common Market as an integral part of the Community.

CHAPTER I

(Articles 1–4) establishes the Community and describes its aims and institutions. A general undertaking is included that the three countries shall make every effort to plan and direct their policies with a view to creating conditions favourable for the development of the Common Market and the achievement of the aims of the Community.

CHAPTER II

(Articles 5–8) deals with external trade and includes pledges that the three countries will maintain a common customs tariff, will not enter into agreements whereby tariff concessions negotiated with any foreign country are not available to all three Partners, and will take effective measures to counteract any deviation of trade, resulting from barter agreements, away from goods produced in East Africa to goods produced outside the Common Market.

CHAPTER III

(Articles 9–16) lays down the general rules for trade between the three countries. There are provisions guaranteeing the freedom of transit across one State of goods destined for another country, subject to the normal customs and other rules; and provisions that the customs duty collected on goods imported into one of the three countries, but in transit to another, shall be paid to the second country. The difference between imported and East African goods is defined, and amplified in *Annex I*. There are declarations that there will be no internal tariffs, except for the transfer tax system, and no quantitative import restrictions upon goods produced in East Africa. Exceptions are, however, made in respect of goods covered by certain special obligations (listed in *Annex II*) and certain agricultural goods (listed in *Annex III*) and for restrictions imposed for certain defined reasons (for instance, the control of arms and ammunition) or in defined circumstances, such as balance of payment difficulties. There are also rules against any one country engaging in discriminatory practices against goods from either or both of the other countries.

CHAPTER IV

(Articles 17–18) deals with excisable goods. It provides for the removal of present differences in the excise tariff which the Common Market Council determines to be undesirable in the interests of the Common Market, and the establishment of a generally common excise tariff; and for excise duty collected on goods produced in one country, but transferred to another country to be transferred to the second country.

CHAPTER V

(Articles 19–21) is called "Measures to Promote Balanced Industrial Development", and contains provisions for three separate measures; the first is the harmonisation of fiscal incentives offered by each country towards industrial development; the second is the transfer tax system, and the third is the establishment of the East African Development Bank.

Article 20, the longest Article in the Treaty, deals with the transfer tax system. It lays down that States which are in deficit in their total trade in manufactured goods with the other two States may impose transfer taxes upon such goods originating from the other two countries, up to a value of goods equivalent in each case to its deficit with that country. The deficit is to be that shown in the annual trade statistics produced by the Customs and Excise Department, and the list of manufactured goods is given in *Annex IV*. A transfer tax can only be imposed, however, if goods of a similar description to those taxed are being manufactured, or are reasonably expected to be manufactured within three months, in the tax-imposing country. Moreover, the industry to be protected by the tax must have a productive capacity equivalent to at least 15% of the total domestic consumption of such products in the tax-imposing State or to a value of Sh. 2,000,000 per year, whichever is the less. The maximum rate of a transfer tax is limited to 50% of the equivalent external customs tariff imposed on such goods coming from outside East Africa. The value of the goods on which the tax is to be imposed is to be decided by rules set out in *Annex V* to the Treaty. The Customs and Excise Department is given the duty of collecting, administering and managing all transfer taxes, but the costs are to be borne by the country or countries which impose the tax. No transfer tax can be imposed for longer than eight years, and all such taxes are to be revoked fifteen years after the Treaty comes into force; there will, however, be an examination of the effectiveness of the system five years after the first tax is imposed. If a significant deviation of trade takes place to goods produced outside the Common Market from goods produced inside, as a result of the imposition of transfer taxes, measures shall be taken to counteract such a deviation. If a tax-protected industry is able to export 30% of its yearly production to the other two countries, the transfer tax must be revoked, and if its exports to all countries including foreign countries reach 30%, the situation can be considered by the Common Market Council. A country which comes into 80% balance in its total trade in manufactured goods inside East Africa loses the right to impose new transfer taxes, although existing taxes will continue in force. Provisions are made against the transfer of manufactured goods at a price lower than their true value, in such a way as to prejudice the production of similar goods in another Partner State, and against export subsidies for such goods (other than tax incentives and refunds of a general and non-discriminatory kind).

The Charter of the East African Development Bank is set out in *Annex VI*. The objectives of the Bank are given as—

(a) to provide financial and technical assistance to promote the industrial development of the Partner States;

(b) to give priority, in accordance with the operating principles contained in the Charter, to industrial development in the relatively less industrially developed Partner States, thereby endeavoring to reduce the substantial industrial imbalances between them;

(c) to further the aims of the East African Community by financing, wherever possible, projects designed to make the economies of the Partner States increasingly complementary in the industrial field;

(d) to supplement the activities of the national development agencies of the Partner States by joint financing operations and by the use of such agencies as channels for financing specific projects;

(e) to co-operate, within the terms of the Charter, with other institutions and organizations, public or private, national or international, which are interested in the industrial development of the Partner States; and

(f) to undertake such other activities and provide such other services as may advance the objectives of the Bank.

"Industry" is defined to mean manufacturing, assembling and processing industries but not the building, transport or tourist industries. The Bank's members are to be the three Partner States together with such other non-Governmental bodies, enterprises or institutions as become original or subsequent members with the approval of the three Governments. The total initial subscriptions by the Governments to paid-in shares of the capital stock will be Sh. 120,000,000, payable in four instalments, and the total authorized capital will be twice that amount. The Bank will conduct both ordinary operations and special operations, the latter being conducted with money handed to the Bank for special use on projects designed to promote its objectives; the accounts of Special Funds will be kept separate from those of ordinary operations. A limit of 1½ times the subscribed capital, reserves and surplus on ordinary account is placed on the total amount of loans, equity investments and guarantees outstanding on ordinary account at any one time; and a limit of 10% of paid-up capital, reserves and surplus on ordinary account is placed on the Bank's investments in equities, and also on its guarantees.

Article 13 of the Charter sets out the Bank's operating principles, the first of which is that the Bank shall be guided by sound banking principles and shall finance only economically sound and technically feasible projects, and shall not make loans or undertake any responsibility for discharging or refinancing earlier commitments by borrowers. Another important principle is that, taken over consecutive five-year periods, that Bank shall so conduct its operations that it shall have loaned, guaranteed or otherwise invested as nearly as possible 38¾% of its total investments from ordinary and special funds in Tanzania, 38¾% in Uganda and 22½% in Kenya. These percentages will, however, be reviewed by the Governments after ten years and may be altered at that time by order of the Authority, after consultation with the Directors of the Bank. The Bank will maintain a reasonable diversification of its investments, will seek to revolve its funds, and will only enter a project after receiving a written report by its Director-General upon an adequate proposal made by the applicant. It will be prohibited from political activity and from accepting any funds which might adversely affect its objectives or functions. The Bank will have its headquarters in Kampala, and will be governed by a Board of Directors appointed by the members, whose voting power will be proportionate to their stake in the equity. The Director-General, who will head the staff, will be appointed by the Authority after consultation with the Board.

CHAPTER VI

Of the Treaty (Article 23) provides that the present system of industrial licensing shall continue, in respect of articles now scheduled, until twenty years have expired from the commencement of the original legislation.

CHAPTER VII

(Articles 24–28) deals with currency and banking. Article 24 provides, subject to exchange control laws and regulations not in conflict with the Treaty, for the exchange of currency notes of the three countries, and for remittances between the three countries, at official par value without exchange commission and without undue delay. Article 25 constitutes an undertaking to permit *bona fide* current account payments (as listed in *Annex VII*) between the three countries, and to ensure that all necessary permissions and authorities are given without undue delay; but control may be exercised on capital payments and transfers under certain conditions. An undertaking is included to endeavour to harmonize monetary policies and for meetings of the three central bank Governors at least four times a year. Provision is also made for reciprocal credits from one Partner State to help another which is in need of balance of payments assistance, up to defined limits and for a period of not more than three years.

CHAPTER VIII

(Article 29) lists other fields in which the three countries declare their intention to cooperate. These include advice from the Counsel to the new Community on the harmonization of commercial laws in operation in each State, and the co-ordination of surface transport policies.

CHAPTER IX

(Articles 30–31) deals with the Common Market Council which will be the main organ in the new Community to supervise the functioning and development of the Common Market under the Treaty, to keep its operation under review, and to settle problems arising from the implementation of the Treaty concerning the Common Market.

The Council will consider and deal with allegations of a breach of any obligation relating to the Common Market, subject to the matter being referred to the Common Market Tribunal if the Council cannot agree.

The Council will also consider what can be done to help create closer economic and commercial links with other States, associations of States, or international organizations. The central secretariat of the Community will assist the Council by collecting facts and referring to it any matter which seems to merit examination.

CHAPTER X

(Articles 32–42) establishes the Common Market Tribunal as a judicial body composed of a judicial Chairman and four members of impartiality and independence, one each being chosen by each State and the fourth by the other three members and the Chairman acting in common agreement. Only a Partner State will be able to make references to the Tribunal, though the Council may seek advisory opinions. The decisions of the Tribunal will be reached by majority, and no dissenting opinions will be permitted. Under Article 41 the Partner States agree to accept the Tribunal's decisions. The detailed Statute of the Tribunal is in *Annex VIII* to the Treaty.

CHAPTER XI

(Articles 43–45) sets out the functions of the new Community, which will operate the services listed in *Annex IX*, most of which are those now operated by EACSO. The Community may also perform services on an agency basis, as agreed by the Authority, and pass laws on the matters listed in *Annex X*. Its procedural rules are set out in *Annex XI*.

CHAPTER XII

(Articles 46–48) establishes the East African Authority, consisting of the Presidents of the three Partner States, which will have general direction and control over the executive functions of the Community.

CHAPTER XIII

(Articles 49–51) prescribes the appointment and functions of three East African Ministers, one from each country, to assist the Authority in the exercise of its executive functions and to advise it generally on the affairs of the Community. Ministers will have no national responsibilities but will be able to attend and speak at meetings of the Cabinet of the country by which they were nominated.

CHAPTER XIV

(Article 51) allows the Authority, if at any time it considers it desirable, to appoint three Deputy East African Ministers to assist the Ministers.

CHAPTER XV

(Articles 53–55) establishes five Councils; these are—

a) the Common Market Council
b) the Communications Council
c) the Economic Consultative and Planning Council
d) the Finance Council
e) the Research and Social Council.

Each of these is to consist of the three East African Ministers plus a varying number of national Ministers (one from each country in the Communications and Finance Councils, three from each country in the other Councils). The functions of the Councils are to be—

(a) *Common Market Council:* as set out in Chapter IX.

(b) *Communications Council:* as set out, in relation to the Corporations, in *Annex XIII* to the Treaty, and to provide a forum for consultation generally on communications matters.

(c) *Economic Consultative & Planning Council:* to assist the national planning of the Partner States by consultative means, and to advise the Authority on the long-term planning of the common services.

(d) *Finance Council:* to consult in common on the major financial affairs of the Community (other than the Bank) and to consider and approve of major financial decisions relating to the services administered by the Community including their estimates of expenditure and loan and investment programmes.

(e) *Research and Social Council:* to assist, by consultative means, in the co-ordination of the policies of the Partner States and the Community on research and social matters.

CHAPTER XVI

(Articles 56–60) establishes an East African Legislative Assembly, with nine members appointed from each country, together with the East African Ministers and Deputy Ministers (if any), the Secretary General, the Counsel to the Community, and a Chairman.

CHAPTER XVII

(Articles 61–64) provides for the senior staff of the Community, including a Secretary General and a Counsel to the Community, and for the establishment of a Community Service Commission on the lines of the present EACSO Public Service Commission, but with no responsibilities in relation to staff of the new Corporations.

CHAPTER XVIII

(Articles 65–70) deals with the finances of the Community, the creation of a General Fund and special funds, and the authorisation of Community expenditure. It is also provided that the General Fund may meet, amongst other things, the full net recurrent cost of the University of East Africa and half the net recurrent cost of the three University Colleges until 30th June 1970 or until the Colleges cease to be constituents of the University. The source of the General Fund is laid down as the customs and excise revenue and the tax on gains or profits of companies engaged in manufacturing or finance business (as defined in *Annex XII*); these are the same sources as provide the present General Fund of EACSO, although the method of financing will be somewhat different. In addition it is laid down that there will be a Distributable Pool Fund, created on the same basis as the present D.P.F. administered by EACSO, and distributed equally to the three countries; but the money coming into the Fund is to be reduced by half as soon as the first transfer tax has been imposed, and will cease altogether one year after the Partner States have paid the second instalment of their full initial subscriptions to the paid-in capital of the Development Bank.

CHAPTER XIX

(Articles 71–79) deals with the four Corporations within the Community, that is, the East African Railways Corporation; the E. A. Harbours Corporation; the E. A. Posts and Telecommunications Corporation; and the E. A. Airways Corporation. It is laid down that they shall conduct their business according to commercial principles. They are each to be controlled by a Board of Directors consisting of a Chairman and three members chosen by the Authority, one chosen by each Partner State, and a Director-General. In the case of E.A.A.C. there will be two members chosen by the Authority and two by each Partner State, apart from the Chairman and Director General.

The Boards are to be responsible for the appointment and discipline of staff, and are required to produce annual accounts and reports. The division of powers between the Boards, the Communications Council and the Authority is given in *Annex XIII*.

CHAPTER XX

(Articles 80–81) provides for the continuation in being of the present Court of Appeal for Eastern Africa as the Court of Appeal for East Africa.

CHAPTER XXI

(Articles 82–85) makes provision for preserving pension rights of staff and for the local investment of pension funds in East Africa. Article 84 declares that the law relating to trade disputes in each country will apply to disputes between the Community or the Corporations and their staff, except that the power to make binding awards or orders in disputes relating to salaries or other conditions of service will be conferred upon a special East African Industrial Court, established by Article 85.

CHAPTER XXII

(Articles 86–88) deals with decentralization, the location of headquarters and the new East African Tax Board. The agreed decentralization measures are given in *Annex XIV* and include the creation of strong and functionally comparable regional headquarters for the Railways and P. & T. Corporations in each of the Partner States; the establishment of Mwanza as the operating headquarters for the inland marine services (leaving the workshops and dockyard at Kisumu); the establishment of diesel locomotive facilities and carriage and wagon depots in Uganda; the giving of special consideration to the development of harbours in Tanzania; the establishment of Commissioners in each country for Customs & Excise and Income Tax, with devolved powers, under two Commissioners-General; the establishment of Directors of Civil Aviation in each country under a Director-General, and of Sub-Flight Information Centres first in Dar-es-Salaam and later in Entebbe; the establishment in each country of senior officers in the Meteorological Department, with comparable status and responsibilities; and an examination by E.A.A.C. proposals for future development in Uganda and Tanzania, including a workshop in Uganda to overhaul all Pratt & Whitney piston engines and a possible transfer of the maintenance base for piston-engined aircraft to Entebbe.

Article 85 lays it down that the Community headquarters shall be at Arusha; the Railways headquarters in Nairobi; the Harbours headquarters in Dar-es-Salaam; and the P. & T. headquarters in Kampala. The E.A.A.C. headquarters will be at Nairobi.

Article 86 provides for a Tax Board including representatives of the Customs and Excise and Income Tax Departments, the Community, and the three Governments. Amongst its tasks will be to study the correlation of taxation systems, to keep the two Departments' work under review and ensure their co-ordination, and to assist, where asked, in taxation planning.

CHAPTER XXIII

(Article 87) provides for audit and the functions of the Community Auditor-General.

CHAPTER XXIV

(Article 88) brings into operation the trausitional provisions in *Annex XV*.

CHAPTER XXV

(Articles 89–96) provides that the Treaty shall come into force on 1st December 1967; that the parts of the Treaty dealing with the Common Market shall remain in force for 15 years and then be reviewed; that other countries may negotiate with the Partner States for association with the Community or participation in its activities; for modification of the Treaty by common agreement; for implementation measures by way of national legislation in the three countries; and for the abrogation of the EACSO Agreements and past agreements on the Common Market.

OTHER DECISIONS AGREED ON

The following matters have been decided upon by the three Heads of Government in tne light of the original Report of the Commission on East African Co-operation, but are not for technical reasons included in the text of the Treaty:

1. UNIVERSITY OF EAST AFRICA

There has been general agreement between the Governments on the continuation of the present University of East Africa with its three constituent Colleges of Makerere, Nairobi and Dar es Salaam for at least the next triennial planning period which ends on 30th June 1970; but it is expected that at some time thereafter the expansion in higher education facilities will lead to the natural growth of three or more separate Universities in place of the present bodies. There will, however, even beyond that point continue to be a need for some common action upon certain matters, especially academic matters such as co-ordination of entrance, study and examination standards.

In view of this it has been decided to make some attempt towards the forward contingency planning of higher education arrangements, so that for instance national long-term planning can take account of possible development in this field. The Governments have therefore agreed that they should, through the Authority, set up a Working Party on Higher Education, with the following terms of reference and composition—

Terms of reference

In view of—

(a) The increasing needs for expansion of facilities for higher education within East Africa;

(b) The likelihood that at some time after the next triennial planning period (ending in mid-1970) this will lead to the natural growth of three or more separate Universities in place of the present three constituent Colleges of the University of East Africa; and

(c) The desirability of maintaining some types of co-operation between the three constituent Colleges when they develop into separate Universities in certain special matters which are of interest to the people of East Africa as a whole:

To consider and recommend upon—

(i) The way in which, and the pace at which, the various facilities now provided by the three Colleges could be expected to develop as purely national concerns:

(ii) The arrangements under which any specialised facilities could operate, for so long as they continue to serve students drawn from all over East Africa:

(iii) The arrangements necessary to ensure continuing co-ordination on such matters as entrance, study and examination standards, the development of an East African examinations structure, and the coherence of educational policy in professional and specialised disciplines at different institutions:

(iv) The financial arrangements appropriate to any recommendations made under (i), (ii) and (iii) above;

(v) The constitutional, legislative and administrative arrangements which would be necessary as a result of any recommendations made under (i) (ii) (iii) and (iv) above.

Report

The Working Party should report to the Authority.

Composition

Its composition should be one representative from the University central office, one from each College, one from each Government, an independent Chairman who would be an educational administrator, and a secretary from the proposed central secretariat."

2. ELECTRIC POWER

Amongst other matters, the central secretariat of the Community will study and report to the relevant body in the East African Community upon problems of co-operation in the development and use of electric power in the three countries.

3. COOPERATION IN TOURISM

A high-level committee of the three Ministries concerned will study the question of how much cooperation should be undertaken by the three National Tourist Boards on such common problems as facilitation of movement for tourists and promotion and publicity in certain overseas countries, and whether this cooperation should be put into effect through an officer in the central secretariat of the Community.

4. STUDY OF THE SITING OF RESEARCH

A study will be made of the possibility of regrouping and resiting some of the existing E.A. research stations, in the interest of more effective administration and operation.

5. EXPANSION OF INDUSTRIAL RESEARCH

The Economic Commission for Africa Conference at Lusaka in October/November 1965 recommended the expansion of industrial research throughout Eastern Africa by the development of five specialized research institutes, one in each country, to serve the three East African countries, Ethiopia and Zambia; and that they should come under the operational control of a regional Council for Industrial Research and Development. It has been agreed in principle that such a Council should be set up initially within East Africa, on the lines of the existing Natural Resources and Medical Research Councils.

6. FOOD AND AGRICULTURAL MARKETING RESEARCH

Agreement has been reached in principle to set up a new East African Marketing Research Institute under the new Community.

7. STAFF

Staff now in the service of EACSO will continue on their existing terms and conditions of service as employees of the Community or the new Corporations. Their pension rights are specifically guaranteed by Article 82 of the Treaty. Steps will also be taken to mitigate the difficulties now caused to staff by significant differences in direct taxation, which occur when officers are required to serve outside their own countries. The Heads of State recognize, however, that some individuals may nevertheless suffer genuine hardship, which cannot be averted by administrative action, as a result of the reorganization, including the move of certain headquarters. An impartial body will have to satisfy itself that genuine hardship exists, and those concerned will then be able to retire prematurely with appropriate benefits.

As regards industrial relations machinery, the Settlement of Disputes (EACSO Employees) Act, 1965, will be repealed and disputes between the Community or a Corporation and its staff will henceforth be dealt with under the national law obtaining in each country. Disputes on salaries or other conditions of service, however, will be referred for adjudication under the national law to a special East African Industrial Court established by Article 85 of the Treaty, consisting of the President of each national tribunal or another member nominated by him. This Court will operate within guidelines laid down by the Authority, and will have power to make binding awards.

WANTED: AN EXPLANATION FROM THE AID-TO-POLAND SUPPORTERS

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the Philadelphia Inquirer of today, June 26, 1967, carries an item entitled, "Poland Arms Hanoi—What Price U.S. Aid?" which quotes a member of the Poland Communist Politburo, Zenon Kliszko, as saying to the North Vietnamese:

> We are glad that Polish guns are bringing concrete results to you in your fight.

According to the story, the "concrete results" which Kliszko refers to are 40 American planes which have been shot down or damaged by an antiaircraft unit in Hanoi with "equipment furnished by Polish workers, technicians, and engineers."

As a number of us here in Congress have contended for years, when the chips are down the Polish Communists, the captors of the longsuffering Polish people, will be right in there pitching with the Soviet Communists. What better proof do we need that all the talk about winning the Polish Communists away from the Soviets is nothing but dangerous daydreaming.

It is time for the American people to demand an explanation from those unrealistic officials who have been pushing the "building bridges" baloney with the East European Communist leaders.

I include the above-mentioned item from the Philadelphia Inquirer of June 26, 1967, in the RECORD at this point:

WHAT PRICE U.S. AID? POLAND ARMS HANOI

WARSAW, June 25 (AP).—Poland pledged full assistance Sunday to the Vietnamese Communists "until complete victory" and disclosed that Polish firearms already have been sent to Hanoi.

"We are glad that Polish guns are bringing concrete results to you in your fight," Polish Communist Politburo member Zenon Kliszko was quoted as saying in a Polish Press Agency account of his just-completed five-day visit to North Vietnam.

"We are giving and we will continue to give material, political and military aid," he said.

Kliszko, regarded as the top Polish Communist next to party leader Wladyslaw Gomulka, was addressing a Hanoi antiaircraft unit which has been armed with "equipment furnished by Polish workers, technicians and engineers," and has shot down or damaged 40 American planes, the agency said.

(Poland has received United States aid since 1957 under a policy intended to reduce Warsaw's dependence on the Soviet Union. Total aid through June 30, 1965, was $979 million. Some $425 million in food and machinery was provided between 1957 and 1960 alone. Last January, President Johnson announced he was ready to help Poland ease the burden of its debt to the U.S. involving $500 million for surplus food deliveries.)

Kliszko returned to Warsaw on Saturday night after talks in Moscow with Soviet Communist Party chief Leonid I. Brezhnev.

The first disclosure of Polish arms in Vietnam coincided with publication of a Polish-North Vietnamese communique harshly assailing not only the American military effort but also "the deceitful maneuvers of the Johnson Administration for so-called peace negotiations without any initial conditions."

U.S. FOOD TO EGYPT, JORDAN, AND SYRIA?

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, it

was very disturbing on Friday morning to read an Associated Press report datelined Rome, June 22, which hints broadly that the United Nations Food and Agricultural Organization already expects us to give a large boost to the Arab Nations this fall.

Imagine. The nations of Egypt, Jordan, and Syria—who may well enough have a food shortage facing them—are already looking to the nation they have so recently condemned, cursed, and criticized in order to keep their populace fed.

I would ask the three nations where their Soviet friends are hiding now that they are needed?

On June 25 the United Press International in Moscow made note of the fact that last year's grain harvest in Russia set an alltime record, and approximated some 190 million tons. Yet only a dribble of grain was sent by the Russians to Egypt, Jordan, and Syria.

Can it be that the Soviets are only willing to supply arms in large quantity, and not life-sustaining grain? If we are to believe the dispatch telling of the United Nations Food and Agriculture Organization, the token amount of grain shipped by the Russians last year to the three Arab nations will only scratch the surface of real need, and the United States will be expected to turn the other cheek and supply some 1.5 million tons of grain to build the Arab Nations back into fighting trim.

Perhaps, Mr. Speaker, the U.N. will also suggest that we supply large amounts of building material to rebuild our legations and Embassies so recently stoned and damaged in the nations of Jordan, Syria, and Egypt.

The American public has certainly shown a real reluctance when the Congress talks of promoting East-West trade. Is it any wonder when they read of such outlandish proposals as the one the U.N. group now makes?

And if I may also point out, Mr. Speaker, the Assistant Secretary of State for Congressional Relations, Mr. William B. Macomber, Jr., advised me on June 23 that his Department is continuing the restriction on travel into the three Arab nations mentioned above. The governments named in the United Nations assessment are still so hostile to us that they will not even allow travel by Americans inside their borders; yet from all indications, we will be expected to feed their hungry.

It is my fervent hope, Mr. Speaker, that the Members of the Congress will take a cold, hard look at any proposal which would obligate our Government to supply individuals who absolutely hate us. I do not have sufficient faith in the muddled minds of our State Department officials to believe that they will be able to see anything incongruous in our possibly expanding aid to hostile governments such as those of Egypt, Jordan, and Syria.

WHO IS TO BLAME FOR INCREASE IN CRIME?

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ARENDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ARENDS. Mr. Speaker, who is to blame for the alarming increase in crime throughout the United States? Who is to blame for the widespread rioting? Who is to blame for the looting, the vandalism, and the general lack of respect for law and order?

Not the people, Mr. Speaker. It is they who are the victims of crime and lawlessness. The majority of the American people are God-fearing, law-abiding citizens. They are not apathetic. They are disturbed and distressed in their helplessness. They have appealed and urged that something be done.

Nor are our State and local law-enforcement agencies and officers to blame. Considering the limitations imposed on them, particularly by the courts, they have done a remarkable job under the most adverse circumstances.

Nor is the Congress to blame, Mr. Speaker. We have repeatedly sought to strengthen our laws only to meet with obstruction from the Department of Justice. We received no assistance whatever in trying to write an antirioting provision into the civil rights bill last year. The Department opposed the Pool bill which dealt with stoppage of our troop trains. The Attorney General has taken a passive attitude toward the prosecution of draft-card burners and draft dodgers. An omnibus crime bill for the District of Columbia was vetoed.

It was Vice President HUMPHREY who said that he might go so far as to lead a riot himself. For several years the Johnson administration spokesmen have excused lawlessness, and to excuse is to condone and to condone is to encourage.

Mr. Speaker, it is President Johnson himself and the policy followed by his administration that is to blame for the grave moral situation confronting our country. It is he, and his Attorney General, that have been apathetic.

Under leave to revise and extend my remarks I am inserting in the RECORD an editorial entitled "Blaming the People," which appeared in the Washington Evening Star of last Friday, June 23:

BLAMING THE PEOPLE

Now he tells us! According to our commander-in-chief in the war on crime in this country, the people have themselves to blame for the ever-rising crime wave.

"I hope," said the President, "that everyone in this country will become alarmed at what is happening and ask their representatives in Congress to do something about it." For good measure, he added that people who say they are against crime should "show it by their votes as well as by their voices."

This from a President who vetoed last year's crime bill for the District. This from a President who has ignored the recommendation by a majority of his own crime commission for legislation to authorize carefully supervised wiretaps and other modern devices in detecting crime and apprehending criminals. This from a President whose selection of men to serve on our highest court has hampered and probably will continue to hamper the police in the interrogation of criminal suspects—an essential weapon in law-enforcement. This, in summary, from a President who has advocated legislation which, over the long haul, may be helpful in combating crime, but who has proposed little or nothing to deal effectively with the crime which is engulfing the country right now and which in too many places has made law-abiding people afraid to leave their homes at night.

If the President thinks the public is apathetic or indifferent to the impact of crime, we have a suggestion to offer. He should listen to the people who are the victims of crime, which, according to the FBI, jumped 20 percent in the first three months this year over the comparable period last year. He should also stop listening to his new Attorney General who thinks there is "no wave of crime" in this country, but who wishes there was because waves rise and recede.

THE NATION'S MOST OUTSTANDING COLLEGE GIRL

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mrs. MAY. Mr. Speaker, I am very proud that the young lady who has been named "the Nation's most outstanding college girl," is a student from my hometown of Yakima, Wash. And I am more than pleased that this outstanding example of today's ideal young woman is a student intern in my congressional office this summer.

Miss Judy Hill, a sophomore at the University of Washington, was selected a few days ago as the National College Queen of the 1967 National College Queen Pageant in New York City. One college girl from every State competed for this high honor.

This pageant is an annual event which gives recognition to students for their scholastic ability. It is not a beauty contest. Judging is based on academic accomplishment—as well as attractiveness, charm, and personality.

Of course, when a scholarship committee in my congressional district selected Judy as a summertime intern for my office from among many students who applied, we had no way of knowing that she would be receiving national recognition, as she has. I was more than delighted to be advised of Judy's public recognition in winning her way through a demanding set of competitive events to the title of the "National College Queen of 1967."

We, who serve as national legislators, are deeply aware of the challenging problems that face our Nation, and I rejoice that through programs such as the National College Queen Contest, young women from throughout the Nation receive public recognition for helping to preserve the qualities that have made our country great.

And I wish to congratulate the sponsors of the National College Queen contest, the Best Foods Division of Corn Products Co., for their fine public service. I would hope that this type of public service becomes even more prevalent among American businesses to focus public attention to the fine qualities of young Americans.

BROADCAST REGULATION

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, from time to time there is discussion in the Congress and in the Nation's news media about the proper role of the Federal Government in regulating the content of radio and television programs and commercials.

Two questions often are asked. First: Does the American public feel it should be the responsibility of the Federal Government to exert stronger control? And second, would stronger control by the Federal Government be consonant with our basic freedom of the press?

Insofar as the first question is concerned, I would like to bring to the attention of the Congress a recent study conducted by the National Research Center of the University of Chicago for the National Association of Broadcasters.

The study utilized a public opinion poll to provide statistics, and I would like to cite some of the results.

Sixty-four percent of the American public said they think broadcasters themselves should do the policing of radio and television programs. Twenty-eight percent thought it should be a Federal Government function, and 8 percent had no preference.

The study also sampled the feelings of persons who react favorably and those who tend to react unfavorably to programs and commercials. There was virtually no difference in the results. In fact, paradoxically, 64 percent of those who react favorably preferred self-regulation by the industry, against 63 percent for the "unfavorable" group.

The second question cannot be answered through public opinion polls, but must be put to the test by Congress and the regulatory bodies which we have established and will establish. It is a matter which must be put to not only legal tests, but also to the more basic criteria of commonsense and conscience, not only by the 90th Congress, but, I suspect, by all future Congresses.

There will always be those who want to legislate absolute Federal control over all activities of the American citizens, and those who argue against any and all Federal regulations. Typically, Congress must continue to decide wherein lies the public interest—for its own as well as future generations.

I believe that the broadcasting industry, backed by the NAB Radio and Television Codes, is equipped to police itself, and as long as this industry is diligent about keeping its own house in order I would oppose Federal takeover of these very sensitive functions.

TRIBUTES TO DR. WILLIAM G. CARR BY THE NATIONAL EDUCATION ASSOCIATION

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, recently the National Education Association held a banquet to honor Dr. William G. Carr. Dr. Carr served the NEA for 38 years. He has provided inspiring and dedicated leadership.

What follows is the tributes paid to Dr. Carr on the evening of May 20. They certainly are deserved.

THE NATIONAL EDUCATION ASSOCIATION BANQUET IN HONOR OF WILLIAM G. CARR

Dr. Applegate, president, National Education Association: It seems to me that never before has a presiding officer had a task such as mine, for it would take a person far more learned than I to arrange the guests tonight in their proper order of protocol. I could abdicate my responsibility and refer you to the printed list; I could save the best until the last as has been done by many faced with such a challenge, but I shall not. I shall instead exercise a woman's prerogative and ask the person who I am sure all of us acknowledge as the most-to-be-honored guest here tonight to join me. I'm sure that you know that I refer to Mrs. William G. Carr.

Mrs. Carr, I'm sure that you would agree with me that much has been said and written concerning the attributes of women and wives, some complimentary and some not. Victor Hugo said, "Men have sight; women insight," and Oliver Wendell Holmes said, "Man has his will, but woman has her way." And then there was the anonymous Frenchman—anonymous to me, at least—who said, "Cherchez la femme," which has been freely translated to mean that behind every great man stood an even greater woman with gentle persuasion and encouragement. I'm sure that Dr. Carr would be the first to say that without your help he would long since have succumbed to the rigors of Association leadership.

We have gathered tonight to celebrate the fact that Dr. William G. Carr is emerging victorious from thirty-eight years of devoted service to the National Education Association, but we must not lose sight of an even greater record—the slightly longer length of service that you have given to the great man that we honor tonight and in so doing we honor you more. On behalf of the officers and staff of the National Education Association, please accept this small momento of the high esteem in which all of us hold you—and this is a Certificate of Merit to Mrs. William G. Carr! How about that!

"The National Education Association of the United States proudly presents this Citation of Appreciation to Elizabeth Vaughan Carr

"For giving generously of her energy and talents for more than thirty-eight years in service to the Association

"For setting an inspiring example of faith and courage in periods of adversity and crisis

"For devoted support of the Association's efforts to improve the status of the teaching profession and to advance the cause of education

"For gracious hospitality and genuine friendship freely given to thousands of members of the Association and to the educational leaders of many lands.

"Awarded at the banquet and reception honoring Dr. and Mrs. William G. Carr, Mayflower Hotel, Washington, D.C., May 20, 1967."

Before I go on to introduce people in the audience, I would like to share some telegrams to Dr. Carr from people who could not be with us tonight:

"I have asked our mutual friend, Ralph Yarborough, to tell you how much I wish I could join all of your other friends tonight to express again my warm appreciation for your lifelong service to the cause of education. Children for generations to come, will have reason to bless the name of William Carr.

"LYNDON B. JOHNSON."

"This is an evening which warms the hearts of all Americans of all friends of American education. In saluting your long and magnificent service, as executive secretary of the National Education Association, and in so many other good works, we salute the very best in our teaching profession. It would have been a joy to be with you on this wonderful occasion—only my previous commitments out of town prevent my joining with so many other dear friends from near and far in commending all that you have so notably accomplished. The best is yet to be. I am sure that in the bright years ahead you will continue to give generously of your experience, your wisdom and your talent for the nation's young people. Warmest personal regards.

"HUBERT H. HUMPHREY."

"Mrs. Flora joins me in expressing sincere regrets in being unable to attend the reception and banquet honoring William G. Carr. The National Education Association honors itself in paying tribute to Dr. Carr for his contribution to the organized teaching profession in the United States and throughout the civilized world. Please express our deep regret at being absent.

"A. C. FLORA,
"Member Emeritus,
NEA Board of Trustees."

From time immemorial learned men have been committed to the concept of a body of guiding truths. In the history of education, it was William G. Carr who applied this philosophy to the governance of the education profession. To bring into closer focus Dr. Carr's contributions in the founding and development of the Educational Policies Commission I give you the current Vice Chairman of the Educational Policies Commission, Dr. Stephen J. Wright.

Dr. WRIGHT. President Applegate, Dr. and Mrs. Carr, distinguished dais guests, and other distinguished guests. I couldn't begin what I prepared to say in honor of Dr. Carr without paying tribute to the presiding officer for this occasion. There's no place on the program to recognize her talents. I think in my long and tedious life I've not seen anyone who does this with such ineffable charm and wit.

I said to Paul Miller that I knew that he was going to deliver a *magnum opus* and that I was delighted to speak before he did. Both of us recognized that each had only five minutes to do an hour's work. He said to me, "You know that we are old college presidents and it takes a college president, particularly an ex-president, five minutes to clear his throat."

Every major advance in human progress stems I think, from the imagination, the insight, the vision, and the fortitude of individual men. Civilization unfortunately was not sufficiently advanced to record for posterity the earliest advances in human progress but innovators who have been instrumental in the development of ideas that lead to the improvement of the human condition are man's greatest benefactors. In the confusion of modern times and as new generations take over, it is easy to forget to credit those who have been instrumental in human progress and we take for granted the fruits of their labors.

Tonight we are privileged to honor William G. Carr, a giant in the field of education, to acknowledge a debt to him that we can never repay and to record for the history of education in America just a few of his achievements. It is my special privilege to do this significant part of his life—that part which he devoted to the Educational Policies Commission. He was Secretary of this Commission for the first 17 years of its life—from 1935 to 1952. During this period he was instrumental in establishing its image, its style, and its reputation as an innovator in American education. As we look back over the first 17 years of the life of this Commission, there are at least six publications whose influence on American higher education is absolutely beyond measure. *The Unique Function of Education in American Democracy,* 1937, and how Dr. Carr managed to get Dr. Charles A. Beard to write this report, I do not know. *The Purposes of Education in American Democracy,* 1938; *Learning the Ways of Democracy,* 1940, a publication that led to the Citizenship Education Project financed by the Carnegie Corporation at three million dollars. Even in these inflated times this would be a supergrant for anything except a scientific project! *Education and the People's Peace,* 1943; this perhaps more than any other single thing gave Dr. Carr the opportunity to be one of the architects of UNESCO. *Education for All American Youth,* 1944; *Education for All American Children,* 1948. These last two documents had a profound influence upon the democratization of public education in America, on the development of relevant and meaningful purposes of education, on the training of teachers and the development of leaders for American higher education. As he lays down the active mantle of leadership, we of the EPC, Jim Russell and the staff and the members of the Commission, want Bill Carr to know that we shall do our best to carry on and be worthy of the traditions that he established but more than this we want him and America to know that we number him among the greats in American educational history.

Dr. Applegate. If you look around the room it must be apparent that our honored guest has long been an integral part of the international mosaic. His leadership in UNESCO and the World Confederation of Organizations of the Teaching Profession is but a part of the total picture. To enlarge upon Dr. Carr's significant involvement in international relations may I present Dr. Luther Evans, Director of International and Legal Collections, Columbia University.

Dr. Evans. Madame President, former colleagues and fellow educators, I don't know whether I am the appropriate element here to represent the international activities of Bill Carr. I did know him for many years, however, in connection with UNESCO's program. The first time I met him was at the London Conference in 1945 when we wrote the constitution of UNESCO. He was one of the people helping to manage that conference along with Sir Alfred Zimmern and others. Finding out that he represented school teachers, I began at that early stage to ponder the role of teachers in the UNESCO program.

Two years later I met both him and Betty at Mexico City when we had the second General Conference of UNESCO. As a matter of fact we stayed in the same hotel. They lived not far from me and my roommate, Kenneth Holland, who is now head of the Institute of International Education. We lived a somewhat different regime from the Carrs. We were very much afraid of microbes in Mexico and we got a case of Vat 69. We made it a principle never to eat a meal without having had Vat 69 since the preceding meal. We slept quite different hours from the Carrs and we used frequently to tip-toe by their room as we went to bed and when we went to an early meeting of the U.S. Delegation. I remember the name of the beverage we used because Vat 69 happens to be the Pope's telephone number. John XXIII was permanent delegate of the Vatican to UNESCO and used to watch the developments at our conferences.

I think it was partly under the influence of Bill Carr that I used the authority I had to shape UNESCO to be more education-centered than I found it. UNESCO means education, science and culture but in the Constitution we wrote another area of operations which isn't reflected in the name of the organization. That area is mass communication. If you spread all of these out before you, there seems little left to work on. UNESCO was like Stephen Leacock's Don Quixote, who "mounted his horse and rode off in all directions." One of the things I tried to do while I was there was to focus it more than before on education.

People like Bill Carr (and that persistent lady who worked on me for higher subsidies to WCOTP, Sarah Caldwell) kept calling my attention to the fact that we weren't going to be important at all unless we tried to educate the new generation. Adult education was all right but the adults are mostly beyond redemption and we'd better work on the kids because they could be influenced to do better than the older generation. One of the great projects in UNESCO in my early days there was to promote teachers organizations. I did not appreciate as fully the importance of this idea as did some of my colleagues. I remember the Montevideo conference in 1964 when Sarah was there cracking her blacksnake whip over my head, all the time under Carr's instructions.

One of the great men of UNESCO, Sir Ronald Adam, who had been a General at Dunkirk but who later, as adjutant general of the British Army, got interested in education and became Chairman and President of the British Council—said to me one day after one of these wrestling matches with Sarah in the program committee, "You know, I think we ought to pay more attention to teachers' organizations because if we get those people behind us even the politicians and scientists can't stop us." So we modified our attitude although we didn't increase our subvention. One of my regrets is that we didn't fully understand what Bill and Sarah and others were driving at in terms of the importance of teachers organizations not only for education but also for influencing the political powers to give more support to education. Without this support, financial and otherwise, it is difficult to do the job of education as it should be done.

When I was at UNESCO one of the things I did was to try to democratize the operation in three directions. I tried to have a great deal of consultation within the Secretariat. Second, I tried to regard the wishes, felt needs as we called them, of the member states. For that reason I travelled a great deal, so much indeed that the Executive Board wondered whether I was in Paris enough to justify drawing my salary. Third, I tried to bring the nongovernmental organizations into a live relationship with our program. We even invited Bill Carr once to come all the way from Washington to Paris as a representative of important educational forces in our international life, to advise us on the development of UNESCO's program in education. Education's portion of the budget grew considerably while I was there. I regarded Carr as one of our world leaders in education; and as one of the strong men in developing teachers organizations. It was a pleasure, therefore, after I left UNESCO, to become one of Bill's colleagues in NEA Headquarters. I was not there very long but I was engaged in a very interesting project. It was a pleasure to have Bill Carr as the big boss and Larry Derthick as the little boss. We dealt a lot more, George Arnstein and I, with the little boss than we did with the big boss, but we always had his sympathetic consideration for our problems. I will always list Bill Carr among one of the people that it was a great pleasure to work for. I am amazed that the time has come for him to retire. He impresses me as just a boy beginning to get ahead in life. I'm sure he will keep getting ahead in life. I will end with a little bit of doggerel. My sense of rhythm isn't very good except for Latin American music, so that these lines may not come out exactly right:

> "There were two people named Carr
> Who were known to teachers near and far
> They served steadily and long
> The people to whom they belong
> And their work was always above par."

Thank you very much.

Dr. Applegate. There's a group of people who have not been recognized at this point. I did not recognize the people who are representing the NEA Departments; we have some department secretaries, we have some members of the executive committees of some of the NEA departments, and some of our state executive secretaries. Will the people who fall into this category rise?

I'm sure you would all agree that there is a marriage between Government and Education. Sometimes our simile may seem a little more apt than at other times. But in the determination of this evening's program it was impossible to separate the two. In looking for the man most adept at wearing two hats they prevailed upon our next speaker to reveal to us Dr. Carr's astute intermingling of government and education. May I introduce to you the Assistant Secretary in the Department of Health, Education, and Welfare, the Honorable Paul A. Miller.

Dr. Miller. Madame President, Mr. and Mrs. Carr, Mr. and Mrs. Lambert, my colleagues, leaders all of education in our country. As I came to this distinctive privilege I could not but help feel the paradox in it. The program explains "One Voice" speaking for Government. But Government is an area of many voices. The diversity of voices make up the local, the State, the governmental covenant which represents American education. Then, as a newcomer to the Washington scene, I felt as Francina and I came to this meeting somehow inappropriate. Yet I can say to you, to Mr. and Mrs. Carr, there is a reason why it is appropriate for me to accept this assignment tonight. In this city, few if any others sensed in our coming that feeling of uncertainty and responded to it with a genuine handclasp of friendship and warmth and a kind of quiet understanding and insight. My sense of history and my judgment of the man, leads me to conclude that, as the people in government reflect upon this unique man's career, there will be a certain rise in adrenalin and a certain rise in anxiety. On the one hand they will remember that for twenty years he knew more about what took place inside government than the people who were there, thanks to that research mind, the vast and amazingly efficient system of information-gathering which the organization represents.

There will be those who will remember those countless times when they were really unsure from which vantage point he spoke. Was he speaking as a teacher, for that he was. Was he speaking from the vantage point of administration, a process for which he had a healthy disregard. Was he speaking from the vantage point of an internationalist and from his heart and mind which had gone out to envelop teachers around the world and all of the labors which they were pursuing. Then I suppose there will be those in government who remember those cryptic messages to the Office of Education and other sectors of the Federal establishment, long on candor, short on words, cryptic messages calling forth long weekends of reply always wondering whether the answer should be equally cryptic. I can still see him reading those messages back with wry amusement wondering why the people of the government couldn't answer the questions as cryptically as he had put them. I am sure there will be those in government who will continue to remember the times in which they wondered if in the three days of those many conferences he would ever laugh, and there were those who would remember the many bets that were placed that he would not and lost them when he did and told a joke sometimes besides.

I think that all others in the room tonight will need a while to winnow out the career of this quiet, this dignified, sometimes sweet and sometimes not so sweet man of deepfelt conviction. I think it will take us awhile to sort out the history. When we do, Ladies and Gentlemen, there will be thousands of people across America who will have been taught a lesson of the importance of service over popularity. There will be countless teachers who will conclude that in their own lives their voices are louder because for 40 years a quiet one persistently prodded them on. There will be those in government who will remember and learn something about the matter of conviction. There will be teachers around the world who will be closer to the people and the kindred interests of all mankind in the children as we winnow out the history. But for me, there's one reason if not the greatest, the testament that here's a man who jumped through no one's hoops, who would not be called to another side of the road unless there was a reason for it, a man who knew how to be himself, and Sir, that's the expression of my gratitude tonight.

Dr. APPLEGATE. In this room tonight there are several who, were it another year either past or future, would be standing where I am. I am glad it is me and I am glad it is tonight. If I am counting correctly, there are among us tonight six past, one present, and one future president of the NEA. It seems to me that the seven of us might well advise our junior colleague that one thing he will learn in the year ahead is the vast amount of knowledge and patience and sagacity and crusading spirit required of the NEA's executive secretary. I can think of no one better qualified to comment on William G. Carr's service to the profession than one of my predecessors—Dr. Lois Edinger, past President of the National Education Association.

Dr. EDINGER. Madame President, Dr. Carr and Mrs. Carr, distinguished head table guests, distinguished guests in the audience and fellow teachers, friends. If you think that government speaks with many voices, Sir, I would like to tell you that the NEA speaks sometimes with many voices. I forgot to check the exact membership figure but there are over a million people who could stand here this evening where I stand and who could certainly do the tribute from the professional organization. I must say, as Irvamae has said, I am glad I was chosen for whatever reason.

The influence, the impact on education and the professional organization of William G. Carr cannot be evaluated in the space of five minutes. I would not be so presumptuous or so foolhardy to try. But perhaps in these brief moments I can highlight a lifetime of service to his chosen profession and express to him the gratitude of the members of the NEA. Our profession and the professional organization has had the direct service of Dr. Carr for 38 years, the last fifteen of which he has served in a dynamic way as executive secretary of the world's largest professional organization. Consider the growth and development of this country. Consider the shifting societal forces beginning with the second quarter of the twentieth century. Consider too the quickening pace of change in the last fifteen years and what this has done to educational philosophy and the school program. Then reflect that such times required an individual with vision, common sense, practical know-how, humor, wisdom and infinite patience to interpret and relate all these forces to a dynamic program for the improvement of education and the enhancement of the teaching profession. These were the qualities needed in a leader; these were the qualities of William G. Carr.

Under Dr. Carr's leadership, membership in our organization has more than doubled. The NEA program has been changed and strengthened to keep pace with professional needs. In both the number of employees and organizational structure the NEA has grown. Welfare and special services have been added to the program and the complementary programs of Teacher Education and Professional Standards, and Professional Rights and Responsibilities have come of age and changed the image of the teacher. Joint endeavors with other groups in our society who share our concern for education have been extended. Attention has been increasingly given to the newer media, to the technological revolution, to special problems and projects in the schools, and to the improvement of instruction.

Legislative relations have been expanded and a major breakthrough in Federal aid to education achieved. Copyright laws have been amended in the interest of teachers. The whole profession adopted a code of ethics. The teacher as a political citizen has been given increasing visibility. Through all this, Dr. Carr has been a firm and eloquent spokesman for the improvement of educational opportunity for all children and adults and for the protection of teacher rights.

These are some of the quantitative tangible results of Dr. Carr's leadership but there is another aspect perhaps even more significant in which he has made a major contribution. We cannot measure it. We cannot catalog it. We cannot store it in archives, but it may be more real than all the rest. It is the feeling he imparted to teachers in this country and abroad that theirs is the greatest, the noblest profession—that what they are about is the most critical business of this age or of any age. He has responded to the often unspoken need but a very real need, I think, of us all to see ourselves as professional persons and to see our profession as a mature one. How can one do this? Only by his behavior, his commitment, his philosophy, his very being. When one sees or talks with Bill Carr, he cannot doubt that here is a teacher, a researcher, a scholar, an educational statesman, and proud to be so. It is this, I think, intangible though it is that brings the profession itself represented by the NEA to honor him this evening. And how can we express our gratitude, Sir. Simply, I suppose, by saying Thank you, William G. Carr, for the educational philosophy you have shared with us through the written and spoken word and through your own life. For your dedication to public education and to the boys and girls and the adults for whom it is planned; for your commitment to the purposes of professional organization which has held you firm in your own approach when there were all sorts of forces to draw you off course, for the pride you exhibited in the profession, and for the dignity you have brought it, thank you.

Dr. APPLEGATE. I believe it was Steele who said, "Simplicity, of all things, is the hardest to be copied." And it was Disraeli who said, "Eloquence is the child of knowledge."

The NEA staff, looking at the monumental record of a giant of a man, felt that they could never be eloquent enough to say in a few thousand or a few million words what Dr. Carr's career had meant to them. They did feel, however, that there was one among them who could best be described as an artist in surveying a situation, appraising it, and summarizing it with a truly esthetic economy of clear, concise and cogent vocabulary. They felt too that a man who could transform pure hard fact into prose and make it sound like poetry deserved a tribute written by a master of elocution and perhaps even circumlocution. In looking about for a scribe both economical of words and eloquent of expression, they came upon the writings of one who said, "Time is one seamless fabric. The pattern woven by the loom of history, if pattern there be, is so vast and complicated that we can never be sure whether it is repeating itself or beginning some unforeseen variation. Minutes and years and centuries are merely convenient human inventions. The clock ticks and the leaves of the calendar flutter aside, but they do not cut the pattern—they cannot halt the loom. The shape of things to come is determined not only by the past but also by every action or failure to act in the present." And so, Dr. Carr, the staff of the National Education Association has asked me to say to you that they have found a writer who can do the job justice and have asked me to present to you on this occasion a souvenir of May 20, 1967—*The Words of William G. Carr.*

Dr. CARR. Madame President, Mr. Secretary, Mr. Commissioner, distinguished guests and friends all! There is, they tell me, a sign over the prescription counter of one of the drug stores here in Washington which reads as follows: "We Dispense with Accuracy." May heaven forgive all those who have spoken about me tonight in such touching terms. A man would be stone indeed if he could respond to them adequately. I am grateful to each of the four speakers for stretching the truth just as far as he could in my behalf. I think it was Mark Twain who said of some acquaintance, "Truth is his most precious possession; that's why he uses it so sparingly."

The situation reminds me a little of the man who went before one of those Senatorial committees such as I had the pleasure of testifying to before Senator Yarborough yesterday. But the Committee in this story was a very hostile one. The poor witness was an expert in some specialty in agriculture. After they had sworn the witness and started to take the testimony, one of his tormentors said, "Well, Sir, you think you are pretty knoweldgeable in this field, you have a degree in this field and so on?" He answered, "Well, yes, I'm trained in this field."

The inquisitor said, "I suppose you'll tell us next that you know more about this than anybody in Washington?" And the witness said, "Well, to tell you the truth, I guess I do."

They kept after him and made him admit that he was the most informed person in the nation and then in the world and moved on to interstellar space if there were any conscious intelligence in those areas. They made the poor man admit that he was the best informed person in his specialty anywhere in the universe.

After this ordeal, he was walking home with a friend who had heard the testimony. The friend said, "Well, old man, the committee gave you pretty rough treatment, but I really think you went too far. You didn't have to be so boastful and take in so much territory." And the expert responded, "Well, you must remember—I was under oath." Please remember that not one of my four friends who has spoken tonight was under oath.

I'd like to say a word or two to you about the city in which my wife and I have had the privilege of living for nearly forty years. About six o'clock in the morning just around daybreak, on the 2nd of January, 1929, the Crescent Limited pulled into Union Station from Los Angeles, with a change of trains in New Orleans. My wife and I left the platform with a little boy between us, how old, two, three? Anyway, too big to carry and too small to walk without stumbling. The three of us climbed the long stairs from the Southern Railway tracks and walked into Union Station and thus to the capital of the United States for the first time. In those days, Union Station was—there will be a few here who can remember it—a magnificent piece of architecture. The great hall was painted, vaulted, exquisitely proportioned, and uncluttered. No one had yet added a dirty little shed for the station master and an even more dirty and garish little shed for the pinball machines. In the great waiting room beyond, where the pairs of statues stand guarding what was then the railroad capital, I suppose, of the United States, there were no signs that advertised toothpaste or whisky [or even Vat 69]. It was an impressive sight. We went on through the station, two young people with a little boy, and emerged into the area in front of the station. We saw the great park with its fountains and the bare trees just beginning to show through the morning mist. We could hear the splashing of the Columbus Fountain where the great navigator stands in marble on the marble prow of his marble ship with the water rushing eternally underneath the prow (staring stubbornly southward when he ought to be looking westward). Lorado Taft made him that way and the eyes of the statue and ours were then fixed upon the illuminated dome of the Capitol of the United States, brilliant against the early morning sky. We drew in our breath and gasped at the glory and the splendor and the challenge before our eyes. If my wife and I have recalled that moment once in our lives together, we have probably spoken of it a hundred times.

Washington has been very good to us. Washington, and the people of Washington who are largely represented here tonight, have been our friends and our helpers and our inspirers all these years. By the way, we were hungry when we arrived. We hadn't had breakfast. John Norton, who was then Director of the Research Division and Margaret Alltucker, the Associate Director, had come down at that ungodly hour in the morning to meet us. They suggested that we go into the Savarin Grill for breakfast, an invitation which we quickly accepted. Margaret Alltucker, you know, later became Mrs. Norton. I mention this because quite a few of the ladies on the NEA staff at present are still single and I just wanted to point out that quite a few men in the NEA staff lists still do not have asterisks beside their names. Well, anyway, the Nortons (or rather, Mr. Norton and Miss Alltucker) seated us in the Savarin Grill. In those days it was one of those dignified types of station restaurants, a little stuffy, a little plush, a little potted-palm, and your host wrote your order down on a slip of paper. Mr. Norton took charge and began to write down how many cornflakes and how many this and how many that, including the beverages. My wife and I both asked for coffee; I believe the little boy wanted milk, and so on. A few minutes later the waiter came back with the most puzzled and worried look on his face. He bent down and whispered to Dr. Norton and finally through the whispering and the mumbled conversation we made out what had happened. Dr. Norton had for years held that coffee was not good for people and he had fallen into the habit of terming the coffee in slang, "poison." So what had been written on that slip was "three poisons." I've always thought it very touching proof of the indomitable good will of the common man that that relatively uneducated waiter would come back to that Ph. D. and call his attention to the fact that he had made a mistake and not just go on and serve poison anyway. For all the waiter knew, the Director of Research had taken one good look at the new Assistant Director of Research and his family and decided to serve them poison. That was a very intelligent waiter. I've always been grateful to him.

That same day, Frank Hubbard took us around to see apartments. Gene Hubbard was teaching at the time so he had the day to himself. The Ashbys helped. Mrs. Ashby looked after the little boy while we got located. The Nortons and the Ashbys and the Hubbards were the first six people we met in Washington. I'm sorry that Dr. Norton can't be here tonight because of illness but our longest time friends in Washington, Frank and Gene Hubbard and Lyle and Annette Ashby are here. Would you indulge me a minute if I ask them to stand? There they are.

I hope I am doing all right on this. You know, a fellow gets very little practice at making this kind of speech. In fact, I suppose it's just one time at bat and you're out.

There's one other person I'd like to mention. I've known fifty presidents of the NEA. My memory of NEA presidents goes back to George D. Strayer who was president in 1919,—and one or two others even earlier than that. But there is one president every executive secretary of the NEA, as long as the organization runs, will always remember most sharply. That is the person who is president when he becomes executive secretary. This is a time of exploration, of finding one's way to a new set of responsibilities. I was fortunate in (if you'll excuse the expression) "my" first president. This lady later became a member of the executive committee of the World Confederation of Organizations of the Teaching Profession. Dr. Evans has already related how she pestered him, finally broke his spirit, and got more education into UNESCO. She is the only practising classroom teacher on the executive committee of WCOTP. For a long time she was the only woman in this group of thirteen people. She was president of the NEA when the Building Fund Drive was started. She was president of the Association when for the first time in history, we held a national professional convention in the South with completely integrated housing and feeding. She rendered enormous service to the teachers of this country. I wonder if you'd allow me to introduce my first president, Dr. Sarah Caldwell of Akron, Ohio.

Well, let's see, we were in 1929, walking through the station and admiring the scenery. That was the year when we were keeping cool with Coolidge. Herbert Hoover was en route to take over as President of the United States.

The Senate Foreign Relations Committee was taking up the Pact of Paris. Later it was ratified by the United States and many other powers. The Pact of Paris said that the signatory powers would forever renounce war as an instrument of national policy. That was in 1929, too.

This was a year of boom and speculation in the stock market.

A young chap named Lindbergh had recently flown the Atlantic in a monoplane. It took him just under 34 hours, not of course, including the time it took him to claim his baggage afterward.

Admiral Byrd was down poking in the ice around Antarctica and building a base which later became Little America.

There was a military revolt in Spain.

A tyrant named Benito Mussolini was coming to power in Italy.

In Moscow a chain of events had begun which would in a few months make Josef Stalin the undisputed master of the greatest land mass in the world and inaugurate a period of terror of such extent and duration as has rarely been equaled in all history.

In Africa that year, a little man named Haile Selassie had just taken over the throne of Ethiopia as the King of Kings and the Lion of Judah.

In Turkey, Kemal Ataturk was moving his country in one generation from the 17th to the 20th century, mainly by means of reforms in education.

Further to the East, two men, Gandhi and Nehru, were trying to secure self-government or independence for India.

Still further to the East, in Northern China, a young soldier named Mao Tse-Tung was making war on the legal government.

In our Congress the main topics of discussion in 1929 were the tariff and prohibition.

I've drawn this hasty picture of 1929 partly to remind you of how different things are now, and partly to predict that 38 years from now things will be as different from today as today is from 1929.

In the years since 1929 the Avenue which leads to the Capitol has been through some thrilling and sad sights. Shortly after we arrived here, it was the miserable march of the ragged, hungry, desperate bonus marchers. I remember the night the Senate voted that it would not pay the veteran's bonus in advance. There was an ugly crowd outside the Capitol until somebody started to sing "The Star Spangled Banner" and then the men went back to their miserable little shacks along the Potomac and drifted away back home. Down that Avenue FDR dragged the forty pounds of metal on his leg six or eight times. Down that Avenue Dwight Eisenhower came on several different occasions and in several different capacities. The one I like to remember was when he wore the full uniform of a General of the Army of the United States, standing up in the back seat with that big grin on his face and the V for Victory sign in his fingers to celebrate his triumphant return to this country. In more recent times the whole nation saw the gun carriage and the horse without a rider as John Kennedy made his last trip up that Avenue while somehow, in spite of the sadness and the anger, the frustration and bitterness, that journey made some sort of triumph for the American people.

It's been a great experience to live in Washington. We are grateful for the opportunity to have been here and to have known all of you and so many others whose company and comradeship we have enjoyed. Cicero said that, "In life, as on the stage, it is not necessary that an actor's part shall continue to the end of the drama," but I hope to have the opportunity to watch from the wings as long as I can while the drama proceeds.

It isn't easy to be the executive secretary of the NEA—at least not for me. I have that "healthy disregard for administration" to which one of the previous speakers has referred. I feel like the parson in a small town who loved to go down to the train yards and watch the great locomotives pull and push the cars back and forth. They said, "Preacher, why do you like to go down there? You spend hours just watching those things." And the preacher replied, "You just don't know how much pleasure I get to see something moving when I'm not pushing."

When I became secretary of the NEA, many of my friends gave me good advice. Dr. Conant confided in me as an experienced college administrator. He said, "You will find that administration is the art of making essential decisions upon the basis of inadequate evidence." I think this was a very true observation. The administration of the affairs of a voluntary organization, perhaps especially of a voluntary organization of teachers, is especially demanding. I sometimes think that an educational organization is like a snake—if you touch it at any point, it wriggles all over.

I thank all who came to this dinner. I thank the committee who arranged it. I especially thank the four who have spoken of my work in such glowing terms. I thank Senator Yarborough particularly for bringing the message from his luncheon with President Johnson. I thank Vice President Humphrey and Dr. Flora whose messages were also read to you.

I would like to thank my wife for standing by me when she said she would do it, "in sickness and in health." It was certainly true in her case. She's stood up under a great deal of pain arising from protracted illness. Ill or not, she's seen me go away for two or three months to the farthest ends of the earth or the farthest ends of the United States and always had a smile for me when I left and a smile for me when I returned. Somebody this evening said, "A man has his will and a woman has her way." My wife has had her way and her Will—and that's me.

Dr. Lambert, there's still a lot to be done when you take over the first of August. All our good wishes will go with you. I bespeak for my very able successor, the same fine cooperation in multiplied measure as has been extended to me. As long as there's any child in the world who is hungry or sick or afraid or lonely, or otherwise unloved or untaught, there will always be work for educators. This city which we first saw in 1929 represented by that great glowing dome is the symbol of a nation that cares about youth and the promise that youth gives. It has been a pleasure to live in it and to serve in it.

DURABLE PRESS AND THE FUTURE OF COTTON

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CURTIS. Mr. Speaker, an excellent article in the May 1967, edition of the Monthly Economic Letter of the First National City Bank of New York, comprehensively discusses the effects of a major technological change on consumer uses for certain types of cotton in combination with "manmade" or synthetic fibers.

Thus the "Citibank" article dissects the effects of the durable press "revolution" in the context of the Federal Government's price support and cotton production control programs. It observes that, "viewed over the years, it is clear that Government cotton programs have been an important factor in hastening the decline of cotton in domestic and foreign markets." The essential problem, it argues, is the confusion in the Federal Government cotton program of welfare goals and sound economic policy:

> What is required is a separation of the welfare aspects of farm programs from the production aspects. Under the current cotton program shackles are put on producers of high-quality fibers, who require little or no help, for the sake of small growers whose allotments are often too tiny to yield a decent livelihood.

The effect of the remarkable "revolution" called durable press on this situation has been manifold. On the one hand durable press has resulted in scarcity of the long-staple cotton fibers that are needed in combinations with polyester manmade fibers, like Dacron, to permit successful use of the durable press process. This shortage has resulted in higher prices for long-staple cotton fibers, and this in turn, it is feared, will result in increased foreign production of long-staple fibers which will compete against American long-staple cotton exports in overseas markets.

The response of the Department of Agriculture to this situation does not seem intended to strike at the root of these problems:

> The current program, under the Food and Agriculture Act of 1965, is deliberately designed to lower cotton prices to a competitive level at home and abroad while maintaining growers' incomes through direct payments. It is also intended to whittle down the Government's surplus stocks by reducing current production below domestic mill consumption and exports, which are estimated at 14.5 million bales this season. It is proving to be a highly expensive program: In the first months of the current fiscal year, payments under the cotton program came to $710 million, while realized losses on disposal may be figured at $400 million.

Since at the same time all cotton growers must cut their acreage by at least 12.5%, the supply of long, as well as of short, staple fiber will be decreased. Given the fact that the Commodity Credit Corporation cotton stocks are already depleted of long-staple fibers, the current Agriculture Department program, it seems, will not result in an increase in production of long staple fiber now in demand in the market. This only leaves further room for the incursion of man-made fibers, whose new, lower, prices make them even more attractive as a cotton substitute.

The Citibank article explains the impact of this major breakthrough in cotton. But the durable press "revolution" and its effects on cotton are only one side of the durable press "story." This second side of the story is the effect of durable press on manmake fiber supplies, and on imports of polyester cotton blend fabrics and apparel.

A major innovation seized on by retailers and consumers, durable press resulted in a large buildup of orders well in advance of deliverable dates, and in expansion of polyester production capacity. Imports were also ordered to meet expected demand. Then, it appears that in about the middle of 1966, at the peak of defense demand for textiles, production capacity was diverted from cotton-polyester blends of cotton. And at the same time, it is reported that the durable press process lost some of its bloom, as housewives discovered that the press was durable, but not permanent.

These two effects, it is reported, had the further effect of permitting a big increase of imports of polyester-cotton blends, and also of price decreases for polyester fibers. According to the Citibank article, "With demand rising steeply makers of polyester have been rapidly expanding their capacity. So rapidly in fact that the price of polyester staple fiber has fallen from $1.08 a pound in 1964 to 72 cents a pound currently."

These are only some of the effects on production patterns of a major technological change, the kind of change that occurs, in little ways and big, every day in a dynamic economy. The importance of the durable press process is not only the process itself but its effects on traditional products and on patterns of trade and consumption. In the case of durable press, these side effects are very important and only now beginning to be apparent.

Incidentally, it would be helpful if representatives of the textile industry, the chemical industry (man-made fibers) and the cotton growers would criticize these comments including the article of the Citibank, too often misconceptions develop because those knowledgeable in an area, being too busy or whatever, neglect to move a dialogue forward by giving the public the benefit of their knowledge and wisdom.

The article referred to follows:

Durable Press and the Future of Cotton

Throughout history, economic progress has been identified with great industrial innovations. When we think of progress today, we naturally think of such spectacular advances as automation, electronic computers, jet airliners, and nuclear power. But more modest inventions are no less vital for a rising standard of life and leisure. For our comfort and convenience, the man who invented the button was hardly less important than the man who invented the wheel.

For the housewife today, one of the most remarkable of recent innovations has been the durable-press process, which imparts a permanent wrinkle-free appearance to clothing and household textiles. Since this process promises to free the housewife of much of the drudgery of ironing and to cut laundry bills sharply, it is not surprising that sales of durable-press clothing have been soaring. While durable press is being adopted in a wide range of apparel, it has been especially popular in men's and boys' shirts.

As incomes rise and opportunities for employment and leisure activities expand, time becomes increasingly valuable to the housewife. The coming of durable press, therefore, has been a special boon to women. Moreover, with laundry costs rising at a rate of around 6 per cent a year, and likely to climb even faster with the jump in minimum wage rates, durable press offers a way to help check the increase in living costs.

DURABLE PRESS AFFECTING FIBER DEMAND

Such a major development inevitably causes far-reaching changes in economic life. Most importantly, durable press is causing a major shift in the demand for textile fibers. On the one hand, it has sharply increased the demand for polyester fiber, popularly known under such trade names as Dacron, Fortrel, and Kodel. Because of its strength and wrinkle-resistant properties, polyester has been commonly blended with cotton, wool, and rayon in most apparel uses. For men's shirts, it is typically blended with cotton in ratios of 50 per cent or 65 per cent. With demand rising steeply, makers of polyester have been rapidly expanding their capacity. So rapidly in fact that the price of polyester staple fiber has fallen from $1.08 a pound in 1964 to 72 cents a pound currently.

At the same time, however, the spread of durable press is increasing the pressure on the ailing cotton industry. Because present durable-press finishes weaken the abrasion resistance of cotton, cloth containing 35 per cent to 65 per cent polyester has been found superior to all-cotton fabrics in most uses. The result is that cotton is threatened with further loss of markets. For example, in dress shirts, traditionally dominated by all-cotton fabrics, it is estimated that more than 90 per cent of all shirts will be made of polyester-cotton blends by next year. In its March *Cotton Situation* report, the Department of Agriculture observed that:

> The non-cellulosic staple fibers are displacing cotton through fiber blending, both for apparel and household uses. Among other factors, their rapid increase reflects large-scale promotion and advertising, as well as declining prices.

COTTON SHORTAGES AMIDST SURPLUS

This development comes at a time when the Federal Government is spending more than $1 billion a year to cut cotton production and reduce surplus stocks. The cutback is dictated by the fact that the cotton carry-over on August 1, 1966 reached a record high of 16.9 million bales—enough to operate domestic textile mills for about 21 months. (But despite the huge surplus and massive expenditure of Federal money, an actual shortage of the best-quality cotton has been developing.) In contrast to polyester, prices of the most desirable types of cotton have been rising. One grade of longer-staple California cotton has been selling for over 35 cents a pound, some 60 per cent more than the national average for ordinary cotton.

Thus, we have the paradox of a developing shortage amidst a general surplus of cotton. This situation is primarily the result of a Federal production-control system that is relatively unresponsive to changing market conditions and technological developments. Restrictions on cotton acreage apply equally to producers of high-quality, longer-staple fibers and to growers of inferior, short-staple cotton. For efficient operation, however, a modern high-speed textile mill requires the stronger, longer-staple cotton, preferably with fibers of 1 1/16 inches or longer. Demand for longer-staple fiber has been further accentuated by durable press, which requires longer-staple yarns to be blended with polyester in order to maintain strength and abrasion resistance of the fabric. But since cotton production is being reduced across the board—the 1966 crop was down to 9.6 million bales from 15.0 million bales in 1965—the supply of longer-staple cotton has been sharply reduced.

To fill their needs, cotton buyers have turned to the stocks of the Commodity Credit Corporation (CCC), which handles the Government's holdings of agricultural surpluses. Already, however, CCC holdings of longer-staple cotton have been largely exhausted. And with plantings for the 1967 crop estimated at around 10 million acres—the smallest acreage since shortly after the Civil War—the shortage of better-quality fiber is expected to continue.

By raising price supports on longer-staple cotton while lowering them for poorer types this year, the Department of Agriculture is trying to encourage farmers to produce the kind of cotton that textile mills are demanding. It is hoped that many farmers who have been growing cotton with the simple aim of selling it to the Government for the stockpile will now shift to producing what the market needs. While this change is expected to have some beneficial effect in improving the supply of better-quality cotton, it is clearly inadequate from the standpoint of the long-run future of the cotton industry.

FARM PROGRAMS SHRINK COTTON MARKET

Viewed over the years, it is clear that Government cotton programs have been an important factor in hastening the decline of cotton in domestic and foreign markets. The durable-press revolution is only the latest chapter in a series of developments that have been steadily undermining the position of U.S. cotton in the fiber markets. Whereas cotton accounted for more than 80 per cent of U.S. mill consumption of fibers before World War II and 71 per cent as late as 1951, its share fell to a new low of 51 per cent last year. While much of this decline was inevitable, it was hastened by policies of high price supports for cotton throughout much of this period.

While rayon and acetate posed the biggest threat to cotton in the earlier years, their inroads have been checked after abandoning the policy of high price supports after 1964. But competition from the non-cellulosic synthetic fibers is proving to be much tougher. As the chart shows, the share of these newer man-made fibers has expanded from less than 1 per cent in 1950 to 10 per cent last year. Developed and improved for specific uses by the chemical companies, the non-cellulosic fibers have been winning markets despite relatively high prices. More recently, however, as fiber producers have expanded their production capacities, competition has intensified and fiber prices have tended to fall closer to the price range of cotton. Mill consumption of non-cellulosic fibers increased 17 per cent last year, compared with only a 3 per cent rise for cotton even though the latter benefited from strong military demands.

At the same time, U.S. cotton has suffered a steady shrinkage in its share of markets abroad. American cotton, of course, was the dominant factor in world markets throughout most of the nineteenth and early twentieth centuries. As late as 1949, U.S. production accounted for nearly half of the world total; last year, however, this country's share had shriveled to only a fifth of world output. Again, the damage to U.S. cotton was largely self-inflicted. It is widely conceded that the United States forfeited much of the world market to foreign producers by maintaining artificially high prices and severely restricting crop acreage. Since the shortage of longer-staple cotton is also reflected in high prices abroad, it is feared that foreign growers will expand their production of the longer-staple varieties and increase their share of overseas markets at the expense of American growers.

The challenge of durable press has come at a time when cotton growers are largely prevented from making a flexible response to changing prices and market opportunities. While cotton production has been price supported ever since the mid-Thirties, the current four-year program, which took effect with the 1966 crop, incorporates the most drastic production controls ever enacted. The restrictiveness of the program is indicated by the fact that harvested acreage fell to 9.6 million in 1966, compared with an average of 14.6 million acres in 1961–65.

The basic problem today is that the cotton program is so oriented to various welfare purposes that its complicated machinery of controls and subsidies gets in the way of efficient cotton production for the market. Thus, for 1967, growers must cut back production by a minimum of 12½ percent and a maximum of 35 percent from their allotted acreages for which they are paid 10.78 cents per pound of normal yield. At the same time, the cotton price is supported by an average price-support loan of 20.25 cents per pound (basis, middling 1 inch), but allowance is made according to a schedule of premiums and discounts for differences in staple length, grade, and fineness. On top of this, growers are given an additional price-support payment of 11.53 cents per pound on their domestic allotment.

The current program, under the Food and Agriculture Act of 1965, is deliberately designed to lower cotton prices to a competitive level at home and abroad while maintaining growers' incomes through direct payments. It is also intended to whittle down the Government's surplus stocks by reducing current production below domestic mill consumption and exports, which are estimated at 14.5 million bales this season. It is proving to be a highly expensive program: In the first 8 months of the current fiscal year, payments under the cotton program came to $710 million, while realized losses on disposal may be figured at $400 million.

Since cotton growers across the country are required to cut their acreage by a minimum of 12½ percent below their allotments, it reduces the supply of high-quality, longer-staple cotton as well as that of the shorter-staple, inferior varieties that nobody really wants. The quality problem is compounded by the fact that what is left in the Government's stockpile is cotton that has already been picked over and rejected by textile mills and cotton merchants. As a result of recent sales by the CCC, practically all the most desirable types of cotton have been claimed. Of the CCC's remaining stocks last month, some 59 percent consisted of staple lengths shorter than 1 inch. Even at lower prices, use of shorter-staple lengths tends to be costly for mills because it entails running equipment at slower speeds and incurring more breakage.

Thus, with a shortage of longer-staple cotton developing, it is not surprising that rayon makers see new opportunities opening up for their product in the durable-press field.

FREEDOM VERSUS WELFARE IN COTTON

It is still too early to gauge how far the swing toward polyester-blended, durable-press apparel will go. Meanwhile, there is some hope that new durable-press finishes less injurious to cotton will be developed. But it is clear that cotton production cannot be left shackled to out-dated production controls.

The ironic fact that a shortage of better-quality cotton should develop at the very time that the costs of the cotton program are running at the highest rate in history underscores the anomalous nature of the current program. The obvious need is a change in the program to permit enterprising farmers to expand their production of better-quality cotton without penalty or special subsidy. This would not only help the consumer get the full benefits of the durable-press revolution but also help expand the nation's commercial exports.

More basically, however, what is required is a separation of the welfare aspects of farm programs from the production aspects. Under the current cotton program, shackles are put on producers of high-quality fibers, who require little or no help, for the sake of small growers whose allotments are often too tiny to yield a decent livelihood. The aim of any new program should be to deal with the welfare problems of non-commercial farmers separately, while freeing commercial farmers to produce cotton in the qualities and amounts required by the market.

PROBLEMS WITH APPRENTICESHIP PROGRAMS

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CURTIS. Mr. Speaker, apprenticeship programs are of great importance in upgrading the American labor force, but currently existing efforts are failing to match their potential.

Thus, I call to your attention a survey of State apprenticeship directors recently released by the Division of Manpower of the New York State Department of Labor. An article about their concerns over problems facing the program appeared in the June issue of Training in Business and Industry

Some States have paid programs financed through negotiated contracts with sponsors. Unfortunately because of the many federally financed training programs, sponsors tend to offer short-term programs rather than longer, apprentice-type activities. In addition, they pointed out there are often unnecessary duplications among agencies promoting apprenticeship.

The directors also stated that the GI bill should be expanded to cover apprenticeship training and that methods should be found to effectively tie together on-the-job training and apprentice training.

I was happy to see that there was a consensus that a review should be made of possible tax credits for apprenticeship programs. Over 100 Republicans in the House are sponsoring the Human Investment Act, which deals with the vital need to find ways to encourage private industry to invest more heavily in development of human resources.

Under unanimous consent, I include the article referred to in the Record at this point:

What's Hindering Apprenticeship

State apprenticeship directors are concerned. They're anxious about promotional activities, financing apprenticeship training programs, and updating instructional methods. The New York State Department of Labor's Division of Manpower discovered these concerns last year when it surveyed state apprentice directors on current practices and problems.

Apprenhensive about promotional activities, state directors are developing training materials and programs for school counselors and junior and senior high school youths. Special courses for youth counselors and contests are aimed at high school students. Some state directors are operating apprenticeship information centers and using statewide and local committees and agencies for apprenticeship promotion. Other promotional outlets are radio, television, newspapers, industrial and labor groups, and annual apprenticeship conferences.

Many directors say they are hampered by a lack of adequate staff funds, public relations materials, and qualified candidates. Apprentice training does not have a strong status image, and many employers are reluctant to sponsor programs. There are problems of politics, pirating of apprentices, and pressure to accept less-qualified candidates.

Financing adequate programs, such as on-the-job training under the Manpower Development and Training Act (MDTA), is another major concern. Significance of MDTA efforts in relationship to apprentice training appears to be small. Some states have paid programs financed through negotiated contracts with sponsors. These training funds underwrite the cost of operation of Journeyman Apprentice Councils (JAC), apprenticeship training programs, as well as specialized training for journeymen.

Because of the many federally financed training programs, sponsors tend to offer short-term programs rather than longer, apprentice-type activities. There are also unnecessary duplications among agencies promoting apprenticeship. The survey also found that:

Many directors feel MDTA should be expanded to underwrite additional costs related to apprenticeship training.

The GI Bill should be expanded to cover apprenticeship training.

Methods to effectively tie together on-the-job training (OJT) and apprentice training must be instituted.

Realistic allowable costs to underwrite apprenticeable training need to be obtained.

Federal grants-in-aid to states need to be explored.

States should increase their participation.

There should be a review of possible tax credits.

Program needs should be identified and appropriate legislative activities aimed at resolving current issues established.

There is a consensus among directors regarding the need to clarify the role of institutions in the skilled training area. The New York State Department of Labor believes institutions cannot provide a complete training program since an on-the-job phase is essential in turning our qualified journeymen.

Directors cite a need for developing materials for specialized, advanced journeyman programs. Related instruction materials, they say, should be continuously reviewed and updated and support should be provided for these undertakings. Apprenticeship instruction methods in rural areas do not seem to be adequate. Directors feel ways must be found to make it so.

There is a need to train apprentices to qualify in more than one trade. Although this presents some real jurisdictional concerns, directors believe the solution may lie in selected trades for year-round employment. They feel the time it takes to achieve journeyman status should be "more flexible" and that minimum admission age into an apprenticeship program should be lowered.

In evaluating programs, particular emphasis should be placed on acceptable journeyman performance standards. Questions concerning journeyman certification and licensing should also be examined. Finally, there should be more research and demonstration programs related to apprentice training.

PROVIDING WELFARE RECIPIENTS WITH AN INCENTIVE TO WORK

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CURTIS. Mr. Speaker, in the Republican views of the March 17 report of the Joint Economic Committee, the minority members recommended that "In order to provide a positive incentive to train or work, we would reduce public assistance benefits substantially less than the added income arising from wages or the training allowance." An editorial in the Wall Street Journal on June 19, 1967, called attention to New York City's implementation of this recommendation.

Under New York's new plan, welfare recipients will be allowed to keep a larger share of their earnings while still receiving welfare assistance. The purpose of the new rules, under which only 70 percent of earnings in excess of $85 a month will be deducted from welfare payments, is to encourage welfare recipients to work.

The Journal found that the program met most of the objections raised against it.

First. The program will not significantly increase the bill to taxpayers, because "the extra income for recipients will not come from the public, but from their work."

Second. The conclusion of Presidential Assistant Joseph A. Califano, Jr., that only 50,000 of the 7,300,000 on the Nation's welfare rolls are capable of working is fallacious. His assumptions are shown to be inaccurate and his argument that mothers on relief should not work is disproven by experience. Instead, the Journal accepted the figures of Mitchell I. Ginsberg, the city's welfare commissioner, that 120,000 could work in New York alone.

The article summarized the program as an experiment that may yet be smothered by the "influence of traditional welfare attitudes." Nonetheless, it concluded that the innovation is "worth a try."

Because of the importance of finding new solutions to the welfare problem, and because this editorial described a constructive innovation, I insert this article in the Record at this point.

Experiment in Welfare

New York City has launched some innovations in public welfare that may affront untempered Puritanism. The program is even more interesting, though, for its challenges to the liberal myths that have long dominated welfare programs.

Under the new plan, welfare recipients will be encouraged to work by allowing them to keep a larger part of their earnings while still receiving welfare assistance. Under the city's old rules, any earnings of more than $40 a month were deducted directly from welfare payments. The new rules will deduct only 70% of earnings in excess of $85 a month.

The rules further provided that a recipient with a family of four, once he or she is accepted in the program, may earn up to $4,900 a year before public benefits are stopped entirely. Since a not inconsiderable percentage of taxpayers earn less, there is an obvious problem of equity.

As a practical matter, though, the program should not prove harder on taxpayers than the old one. Mitchell I. Ginsberg, the city's welfare commissioner, says that the only additional expense will be a small one for incidentals. The extra income for recipients will not come from the public, but from their work. Indeed, taxpayers could conceivably benefit if the program stimulates more recipients to earn some part of their own support, let alone learn the benefits of working well enough to get off the welfare rolls entirely.

New York will open the program, moreover, only to hard-core cases such as those who have been unemployed more than six months. Here is an implicit recognition that these people are a problem to society, and that society's money is best spent on a program which conceivably might provide an incentive to reduce the problem. If this departs from Puritansim, it also departs from the typical liberal approach. There is no talk of "preserving the dignity" of those who need the support by making sure it also goes to those who do not.

For a more profound contrast with run-of-liberalism attitudes, consider the recent speech by Presidential assistant Joseph A. Califano Jr. Mr. Califano would have us stop worrying so much about getting welfare recipients to work because, he says, of the 7,300,000 on the nation's welfare rolls, only 50,000 are capable of working anyway. That is passing strange, since Mr. Ginsberg finds 120,000 who could work in New York City alone.

The difference is that Mr. Califano assumes that nowhere in this broad land is there one mother on welfare who can work. He further ignores that when a head of family gets off the relief roll, so do the children. The New York figures indicate that families headed by able-bodied adults make up half or more of all recipients. Thus, there is important potential for reducing the rolls through encouraging work, even if the encouragement is incomplete.

Mr. Califano justifies with a long-familiar sophistry the idea that mothers on relief should not work. He asks whether "it is desirable to take two or three hundred thousand mothers away from their minor children." The question is no real question, but an affirmation disguised by indirect language. How much more sensible it would be to "ask" something like, "wouldn't the children on welfare profit more from the example of someone in their family working than from the extra few hours a day with their mothers?"

Mr. Ginsberg obviously is attuned to the logic of the latter question. For one thing, he is hiring some welfare mothers to babysit and free others for work, an idea so eminently sensible we wonder it hasn't been done often before. And his incentive proposal is squarely aimed at demonstrating the all-important lesson that trying does help.

The New York program, as we have noted, does suffer from more than trivial philosophical objections. Even in practice, it is only an experiment. We will not be surprised if the smothering influence of traditional welfare attitudes yet squeezes out the breath of common sense and turns it into merely another round of pointless handouts. Yet, the current public assistance program being what it is, almost any innovation may be worth a try.

Particularly so if it recognizes that while Puritanism can be pushed to excess, it does embody a neat bit of truth: That from a purely practical point of view the problems of welfare, for both society and the individuals involved, often are best treated with the time-tested remedy of work.

POPULATIONS OF U.N. MEMBER NATIONS

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. COLLIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. COLLIER. Mr. Speaker, the following table gives the population of each of the 122 nations that are members of the United Nations organization. Under leave to extend my remarks I include this table, as I am certain that many of my colleagues will find the data interesting, informative, and instructive.

Please note that 62 members, a majority, have a total population of 148,722,000, considerably less than that of the United States. If we add six more members to make 68, we find that they have a total population of 196,813,000, almost 3,000,000 fewer than that of our own country.

Eighty-two members of the international organization have a total population of 323,504,000 and cast two-thirds of the votes.

California, the largest of the 50 States of the United States in population, has 18,918,000 inhabitants. Ninety-five of the members of the United Nations have fewer, ranging from the Maldive Islands' 98,000 to South Africa's 18,881,000.

New York City, the headquarters of the international body, has a population of 7,960,000. Each of the 69 smallest members of the United Nations has fewer inhabitants, although these countries comprise seven more than a majority of the organization's total membership.

The United States has more than any single one of the 121 other countries, except India, that are enrolled in the United Nations, yet any individual member can kill our vote—even the Maldive Islands, which have considerably less than a fourth as many people as I represent in the Congress of the United States.

The table follows:

United Nations members population

[In thousands]

1. Maldive Islands	98
2. Iceland	192
3. Barbados	245
4. Malta	317
5. Luxembourgh	333
6. Gambia	338
7. Kuwait	467
8. Gabon	470
9. Botswana	576
10. Cyprus	598
11. Guyana	647
12. Congo (ex-French)	840
13. Lesotho	859
14. Trinidad and Tobago	975
15. Mauritania	1,000
16. Liberia	1,066
17. Mongolia	1,087
18. Panama	1,287
19. Costa Rica	1,463
20. Togo	1,659
21. Libya	1,677
22. Nicaragua	1,685
23. Jamaica	1,827
24. Albania	1,865
25. Singapore	1,890
26. Jordan	1,976
27. Central African Republic	2,088
28. Paraguay	2,094
29. Dahomey	2,244
30. Sierra Leone	2,290
31. Honduras	2,363
32. Lebanon	2,490
33. Somalia	2,500
34. Israel	2,635
35. New Zealand	2,698
36. Uruguay	2,749
37. Burundi	2,800
38. Ireland	2,881
39. El Salvador	3,000
40. Laos	3,000
41. Rwanda	3,073
42. Chad	3,307
43. Niger	3,433
44. Senegal	3,490
45. Guinea	3,500
46. Ivory Coast	3,500
47. Norway	3,741
48. Bolivia	3,751
49. Dominican Republic	3,754
50. Zambia	3,780
51. Malawi	4,000
52. Tunisia	4,458
53. Guatemala	4,575
54. Mali	4,576
55. Finland	4,626
56. Haiti	4,660
57. Denmark	4,835
58. Upper Volta	4,858
59. Yemen	5,000
60. Syria	5,120
61. Cameroon	5,210
62. Ecuador	5,326
A majority of the members has	148,722
63. Cambodia	6,300
64. Malagasy Republic	6,336
65. Austria	7,255
66. Uganda	7,551
67. Ghana	7,740
68. Sweden	7,789
Less than population of United States	196,813
69. Cuba	7,833
70. Saudi Arabia	8,000
71. Bulgaria	8,227
72. Iraq	8,262
73. Greece	8,500
74. Byelorussia	8,533
75. Chile	8,800
76. Venezuela	9,030
77. Malaysia	9,395
78. Belgium	9,499
79. Kenya	9,643
80. Hungary	10,160
81. Nepal	10,294
82. Tanzania	10,515
A two-thirds majority has	323,504
83. Ceylon	11,232
84. Algeria	11,290
85. Peru	12,011
86. China (Nationalist)	12,767
87. Netherlands	12,921
88. Morocco	13,323
89. Australia	13,705
90. Sudan	13,940
91. Czechoslovakia	14,194
92. Afghanistan	15,350
93. Congo (ex-Belgian)	15,986
94. Colombia	18,068
95. South Africa	18,881
96. Romania	19,105
97. Yugoslavia	19,756
98. Canada	19,919
99. Ethiopia	22,590
100. Argentina	22,691
101. Portugal	23,084
102. Iran	24,190
103. Burma	25,246
104. Egypt	30,054
105. Thailand	30,591
106. Turkey	31,391
107. Poland	31,619
108. Spain	32,403
109. Philippines	33,477
110. Mexico	42,231
111. Ukraine	45,100
112. France	50,769
113. Italy	52,931
114. Nigeria	57,500
115. United Kingdom	61,725
116. Brazil	84,679
117. Japan	98,710
118. Pakistan	104,138
119. Indonesia	108,000
120. Soviet Union	178,236
121. United States	199,693
122. India	499,000
Total	2,456,000

Figures include overseas provinces, colonies, etc., in case of France, Netherlands, Portugal, United Kingdom, etc. Note that Byelorussia and Ukraine, each of which has a vote, are listed separately from Soviet Union, whose total population is 231,869,000.

ABORIGINAL LAND CLAIMS IN ALASKA

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. POLLOCK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. POLLOCK. Mr. Speaker, I am today introducing a bill drafted by the Alaska Federation of Native Associations designed to solve the problem of aboriginal land claims in Alaska. This group was formed last fall following a conference of native organizations in Anchorage, Alaska. It is the first statewide native group to be formed in Alaska and it is considered the chief spokesman for thousands of our native citizens.

For many years native groups in Alaska have claimed ownership to vast areas of land they inhabited and have inhabited for centuries. Despite promises that their claims would be dealt with, nothing has happened on most of the claims since Alaska was acquired from Russia in 1867. For decade after decade the matter was put off. Recently, however, the native people have spoken in a stronger, more united voice. The realization that action could come only through unity resulted in the founding of the Alaska Federation of Native Associations. This has produced results. For the first time government agencies, elected officials, and others are acting in a way that they should have acted before. Solutions are actually being proposed.

One solution is that of the Department of the Interior and is embodied in S. 1964 introduced by Senator ERNEST GRUENING. This is a highly controversial issue, and as can be expected the proposed solutions are controversial too. S. 1964 has been found completely unacceptable by the native federation. I, too, have strong reservations about that bill and I intend to express them at the hearings.

The bill I am introducing today is the solution proposed by the native federation. Under this proposal the Court of Claims would be empowered to hear the aboriginal claims of native groups and to grant relief by conveyance of land or compensation. No limitation is placed on the amount of land that may be conveyed. In addition no lands subject to a claim may be disposed of by the United States pending the disposition of a claim.

This proposal has been opposed by the Governor of Alaska as an impediment to the State land selections granted under the Alaska Statehood Act.

I also have reservations about the bill and cannot give it my full endorsement. Nevertheless, I am introducing it because it represents the thinking of Alaska's native leaders and as such is entitled to an important place at the hearings that are to be held. I am hopeful that out of the divergent views an acceptable solution can be found. The bill I am introducing will be a vital and necessary contribution to that solution.

The text of the bill is as follows:

H.R. 11164

A bill conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the Indians, Eskimos, and Aleuts of Alaska, or any tribe or band thereof, may have against the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

JURISDICTION

SECTION. 1. Jurisdiction is hereby conferred upon the Court of Claims to hear, determine and enter judgment upon the claims against the United States of any tribe, band, village, community, association, or other identifiable groups of residents of a locality (all hereafter collectively referred to as Natives of Alaska or a "claimant").

Jurisdiction is also conferred upon the Court of Claims to hear, determine and render judgment upon all claims that the natives of Alaska may have against the United States in connection with lands to which the natives of Alaska claim Indian title by virtue of the aboriginal use on occupancy of such lands from time immemorial. In determining lands to which the natives of Alaska had or have Indian title for purposes of this Act, the court shall not exclude any lands solely by reason of the fact that such lands were abandoned by the natives of Alaska involuntarily or because lack of game or other changed conditions not under their control made the continued use of such lands impractical. In considering any claim pursuant to this Act, the court is hereby empowered to conduct its own investigations into the facts as well as to rely upon the evidence furnished by the claimants.

LANDS DISPOSED OF TO THIRD PARTIES

SEC. 2. (a) With respect to any claim by the natives of Alaska pursuant to this Act involving lands to which the natives of Alaska claimed Indian title and which the United States disposed of to third parties, the Court of Claims, if it determines that the natives of Alaska had Indian title to such lands so disposed of, shall render judgment on behalf of the natives of Alaska for such amount as the court shall find to be the fair market value of such lands.

(b) With respect to any claim by the natives of Alaska pursuant to this Act involving lands to which the natives of Alaska claim Indian title, and which have not been disposed of by the United States to any third party, the court, if it determines that the natives of Alaska have Indian title to such lands so claimed, shall award the natives of Alaska a judgment of ownership of such lands.

FILING AND PRESENTATION OF CLAIMS

SEC. 3. Any claim cognizable under this Act may be filed and presented to the court, in a representative capacity, by any member of a claimant, or by a segment of a claimant, or by a successor organization to the claimant, or by an organization in which the identity or interests of the claimant have merged, provided, that wherever there exists a governing body or other organization of a claimant recognized by the Secretary of the Interior as having authority to represent such claimant, such governing body or organization shall have the exclusive right to represent the claimant in the absence of fraud, collusion, or laches on the part of such governing body or organization. No filing or other fees shall be charged to claimants.

LIMITATION OF TIME FOR FILING CLAIMS

SEC. 4. Claims may be filed for a period of three years after the date of this Act, provided, that for good cause shown, the court may grant extensions, not exceeding a total of one year, in which to file claims.

DEFENSES OF LIMITATIONS AND LACHES BARRED

SEC. 5. All claims under this Act may be heard and determined notwithstanding any statute of limitations or laches, but all other defenses shall be available to the United States.

COMPROMISE OF CLAIMS

SEC. 6. The United States and the claimants are authorized to compromise claims with the approval of the court. The court shall establish appropriate procedures to encourage the compromise of claims.

ATTORNEY'S FEES

SEC. 7. The fees of attorneys shall be determined in accordance with the standards established in section 15 of the Indian Claims Commission Act (25 U.S.C. 70a) and shall not exceed ten per centum of the amount recovered in any case.

USE OF DOCUMENTS AS EVIDENCE

SEC. 8. In any suit instituted hereunder any letter, paper, document, map, or record in the possession of any officer or department of the United States (or certified copies thereof) may be used in evidence, and the department of the Government of the United States shall give full and free access to the attorney or attorneys for said natives of Alaska to such letters, papers, documents, maps, or records as may be useful to said attorney or attorneys in the preparation for trial or trials of such suit or suits.

DISPOSAL OF LAND

SEC. 9. Following the date of the enactment of this Act, no lands with respect to which a claim is filed pursuant to this Act and over which the United States had jurisdiction shall be disposed of by the United States pending the final disposition of such claim.

A HOPEFUL LOOK AT A TROUBLED LAND

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mrs. DWYER. Mr. Speaker, graduations—like other ceremonial occasions which mark our lives—come and go with the regularity of the years and the seasons. But this very regularity sometimes tends to make it easier for us to forget the meaning of the occasion once the emotion of the moment has passed. Forget, that is, until a particular ceremony has so embedded itself in our consciousness or an individual writer has so captured its sense and significance that it remains a living part of our minds.

For me, the recent commemoration of Flag Day here in the Chamber of the House of Representatives was one such occasion. Another, in which I participated only vicariously through the written word, was the graduation of the sixth grade of the Jefferson School in Maplewood, N.J., last Tuesday, June 20. My participation, and that of other readers, was made possible by George Kentera, managing editor of the Newark News, who, as the father of one of the young graduates, described the ceremony in the Newark Sunday News of June 25.

By means of his sensitive appreciation and breadth of experience, Mr. Kentera has transformed what might have been only a matter of local interest into an experience of universal meaning. For this reason, Mr. Speaker, I include Mr. Kentera's report as a part of my remarks in the RECORD:

A HOPEFUL LOOK AT A TROUBLED LAND—AMID UGLINESS AND CRISIS THERE IS ALSO A VISION OF GRACE AND PROMISE

(By George Kentera)

This is the graduation season, a time of endings and beginnings. In a period marked by international ugliness and domestic crisis, it is also a time of grace and promise.

The sixth grade—43 girls, 40 boys—of Jefferson School in Maplewood was graduated last Tuesday. My daughter Jean was a member of that class, so I attended the ceremonies. And as I sat in the balcony and saw those fresh young faces and heard those touching young voices, I wished that the audience could include all those who preach hate and vengeance, all those who revile their country and their fellow man.

A great deal of bitterness has been engendered in this country by the war in Vietnam. This bitterness has led to language of the most intemperate kind. Those who question the U.S. role in Southeast Asia have often been called names of which "Communist" has been the mildest. Those questioners, in turn, have often resorted to similar slanders and called their country immoral, their leaders murderers.

FALSE PICTURE

I do not argue here the rightness or wrongness of our participation in the Vietnamese war. I do argue that this is not the kind of country depicted by the extremists and the slanderers who allow their emotions to betray their eyes and their minds.

We are, I hold, the kind of country represented by that graduation ceremony in the auditorium of Jefferson School.

The sixth-graders, who in the fall will ascend to the lofty heights of junior high school, marched to their seats to music by the 35-member school orchestra. Then David Leiwant, the school's color bearer, turned over to his successor, Keith Lynott, custody of the school flag.

MORAL MOMENT

It was a solemn, patriotic and moral moment. Handing the colors to Keith David urged him "to guard them jealously, carry them proudly." And Keith responded with his belief in the United States as a democracy whose government, in those wonderful words from the Declaration of Independence, derived its "just powers from the consent of the governed." Then David led everyone in the Pledge to the Flag—"One nation, under God, indivisible, with liberty and justice for all"—and it was a nice thing to see.

The children, their voices high and pure, sang "God Bless America" and Julia Lancaster came to the stage to give the Scripture reading, the 100th Psalm: "Make a joyful noise unto the Lord, all ye lands." And the children sang again, a beautiful song "Eternal Father Strong to Save." They were halfway through it when I remembered the last time I had heard the tune—played by a military band outside the Capitol in Washington as John F. Kennedy's body lay in state in the great rotunda.

There were selections by the orchestra. There were speeches, by Mr. Kopf, the principal; Mrs. Donald P. Mitchell, president of the Jefferson PTA, and my friend, Karl C. Gruen, a member of the South Orange-Maplewood Board of Education whose daughter Laura was also being graduated. The children, as always at graduations, were praised and exhorted, reminded of the past and forwarned of the future, humored and instructed.

WHAT WE ARE

And that's the kind of country we are. Children grow up—their voices deepen, their cares increase, their innocence is lost, they reach adulthood and take on the heavy responsibilities of citizenship. They make mistakes. But by and large, they make up a nation that reflects the virtues seen in graduation ceremonies—love of country, of religion, of mankind, of learning, of righteousness, of education, of music.

The ceremonies ended with the singing of "O Jefferson," the school song. But for me, the high point had been reached a half-hour earlier, when the children sang a song with such beautiful opening words. They were:

"Let there be peace on earth; And let it begin with me."

They are noble words. I recommend them to the shouters and the sneerers, the doves and the hawks, the New Left and the Ultra Right, the pros and the cons.

THE SUPREME COURT IS NOT SUPREME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska [Mr. CUNNINGHAM] is recognized for 60 minutes.

Mr. CUNNINGHAM. Mr. Speaker, I would like to call the attention of my colleagues to a matter which is of tremendous importance to the preservation of our democratic form of government—the unauthorized usurpation of legislative power by the majority of our new "activist" Supreme Court.

My understanding of our constitutional form of government has always been that there are three coequal branches of the Federal Government—the Congress, the judiciary, and the executive. The drafters of our Constitution worked carefully and wisely to achieve a "balance of power" wherein each of these branches would be checked and balanced by the other branches. Somehow, however, the careful balance sought to be achieved has been lost. The U.S. Supreme Court has become dominant, having the effective power to veto, by declaring unconstitutional, the duly enacted legislation of the Congress. And, unlike the veto of the U.S. President, specifically provided for by article I, section 7, of the Constitution, the veto of the Supreme Court apparently cannot be overridden by the Congress.

For many years I have been deeply concerned about this obvious imbalance among the respective branches of our Federal Government. I have searched the Constitution and have nowhere found the slightest indication that the drafters of that magnificent document intended that the Supreme Court should be the final arbitrator of what is, and what is not, within the authority of the Congress. Having specifically provided for Presidential veto power over congressional acts, would the framers of the Constitution have left a similar power in the judiciary to be created by implication? I certainly cannot believe this to be true.

My interest in this important matter was heightened when the heavy hand of the Court fell upon legislation which I personally had authored. On May 25, 1965, the U.S. Supreme Court declared unconstitutional, and therefore void, an act of Congress which had sought to regulate the free flow of unsolicited Communist political propaganda through the U.S. mails. Substituting its judgment for the judgment of the Representatives and Senators in Congress elected by and responsible to the people of this Nation, the Court handed down the landmark decision of Lamont versus Postmaster General. That decision led me to do extensive research in the area of constitutional law and, ultimately, to reach the conclusions which are the subject of this speech. In short, I have concluded that the power of judicial review as exercised by the U.S. Supreme Court is totally a usurpation of authority clearly within the province of the Congress and that, to put the point bluntly, the Supreme Court is not supreme.

At my request, an attorney has prepared "A Critical Appraisal of the Recent Exercise of Judicial Review by the Supreme Court." This excellent document is a scholarly and detailed presentation tending to prove that the framers of the Constitution did not contemplate the establishment of a judiciary having the power to invalidate, by declaring unconstitutional, duly enacted laws passed by the U.S. Congress. On the contrary, the drafters of our Nation's highest charter clearly rejected any notion of judicial review of the laws enacted by the elected representatives of the people. It is the major premise of this paper that the power of judicial review of acts of Congress was not among the powers originally delegated to the judiciary. Rather, a very strong case is made to the effect that the judicial veto was grafted on to the original Court powers by the historically and logically unjustifiable decision of Chief Justice Marshall in the case of Marbury against Madison handed down by the Supreme Court in 1803. With this conclusion, I am in complete agreement.

Mr. Speaker, the paper—which represents more than 5 months of painstaking research—is one of the most interesting and worthwhile presentations challenging the "activist" policies of Supreme Court I personally have ever seen. I cannot recommend too highly that each and every Member of Congress interested in the preservation of constitutional government take the time to familiarize himself with the development of this topic. In order to make this research available to all those who would benefit by having read it, I am causing it to be printed in its entirety at this point in the RECORD:

A CRITICAL APPRAISAL OF THE RECENT EXERCISE OF JUDICIAL REVIEW BY THE SUPREME COURT

I. HISTORY OF JUDICIAL REVIEW PRIOR TO MARBURY *V.* MADISON, 1 CR. 137 (1803)

1. In England and in Continental European countries

"At the time of the American revolution the power of the judiciary to annul legislation regularly enacted by the legislative department did not exist anywhere in the civilized world" (Louis B. Boudin, Government by Judiciary, 26 Pol. Sci. Qu. 238, 242 (1911)). Although not operating under a written constitution, the courts of the mother country, England, had not declared an act of Parliament void since the Revolution of 1688; and only rarely had done so prior to that year. Before the Reformation its judges on several occasions had ruled that ecclesiastical rights were exempt from alteration by the Parliament and that enactments minimizing such rights were unenforceable; and in the period preceding the Revolution of 1688 laws which encroached on the rights of the Monarchy on occasion had been condemned. Elsewhere on the continent of Europe, where the nations later were to favor written constitutions, the courts thereof, as for example in France, Switzerland, and the German States, had acquired no power to declare acts of the national legislative body void (Brenton Coxe, *Judicial Power*, pp. 147, 165 (1893); William Trickett, The Great Usurpation, 40 Am. L. Rev. 356, 370 (1906)).

In his *Commentaries on the Laws of England*, published in 1785, William Blackstone appraised the power, or rather the absence of power on the part, of English tribunals to invalidate laws of Parliament as follows:

"If the parliament will positively enact a thing to be done which is unreasonable, I know of no power in the ordinary forms of the constitution that is vested with authority to control it; and the examples usually alleged in support of this sense of the rule do none of them prove that, where the main object of a statute is unreasonable, the judges are at liberty to reject it; for that were to set the judicial power above that of the legislature, which would be subversive of all government . . . There is no court that has the power to defeat the intent of the legislature, when couched in such evident and express words as to leave no doubt whether it was the intent of the legislative or no . . . So long therefore as the English constitution lasts, we may venture to affirm that the power of parliament is absolute and without control" (Introduction, p. 91, Book I, p. 162).

2. *Ineffectual attempts by American State courts, prior to 1787, to exercise the power of judicial review*

"Shortly before the time of the adoption of the Constitution, a few state judges [had] made isolated and timid attempts to exercise" the power of judicial review; but "their attempts aroused general indignation and the judges were called into account for their conduct". Significant rulings in this category include the following:

(a) *Holmes* v. *Walton* (New Jersey Supreme Court, 1780; unreported; 4 Amer. Hist-Rev. 456): In this litigation a New Jersey law providing that certain cases were to be triable by a jury of six was held to be in conflict with the New Jersey Constitution. Yielding to protests provoked by this holding, the lower House of the New Jersey Legislature endeavored to reaffirm the law, but the upper house, or Council, opposed such action. However, the case was compromised.

(b) *Commonwealth* v. *Caton,* (Va.) 4 Call. 5 (1782), James Bradley Thayer, *I Cases on Constitutional Law,* 55 (1895): Although frequently cited as an early precedent for judicial review, this case is "not in point" for the reason that the Virginia court "had before it nothing resembling a legislative enactment". All that the court had before it "was an attempt on the part of one house of the legislature to grant a pardon to certain persons convicted of treason. On its face the alleged pardon was nothing but a bill which had failed to become law, and no court in the world would have treated it as possessing any force. [Professor Thayer of Harvard reprinted] the case because the judges declared *obiter* that they were competent to determine the validity of legislative enactments alleged to be in conflict with the constitution of the state".

(c) *Rutgers* v. *Waddington*. Mayor's Court of New York City, 1784 (Thayer, op. cit., p. 63): In this instance, an inferior court had before it a New York statute alleged to be in conflict with the law of nations and a treaty of peace with Great Britain. In the course of upholding legislative power as supreme, the city court disregarded that part of the statute at issue on the ground that "the legislature could not have intended to violate the law of nations and bring the United States into conflict with treaty obligations". After popular dissatisfaction with this holding had been adequately expressed at mass meetings, and in the adoption of resolutions protesting such judicial usurpation, the New York Assembly adopted the following resolution. "Resolved, that the judgment aforesaid is, in its tendency, subversive of all law and good order and leads directly to anarchy and confusion; because if a court instituted for the benefit and government of a corporation may take upon them to dispense with and act in direct violation of a plain and known law of the State, all other courts, either superior or inferior, may do the like; and therewith . . . legislatures become useless". The case was compromised and never reviewed by an higher court.

(d) *Trevett v. Weedon,* Superior Court, Rhode Island (1786) Thayer, op. cit., p. 73; This case probably may be viewed as the first holding in which a statute was declared unconstitutional. Presented with an enactment of the Rhode Island Legislature which made it a crime for inhabitants to refuse to accept the state's paper currency in lieu of specie and which abolished jury trials in prosecutions for this offense, the Rhode Island Superior Court ventured to hold invalid the provision for abolition of trial by jury. Immediately thereafter the Rhode Island Legislature adopted a resolution "condemning the decision and cited the judges to appear before its bar and answer for their conduct. The judges obeyed but justified their conduct by claiming independence." Although a motion to remove them was introduced, the legislature elected to permit these judges to serve the brief remaining portion of their term; and then superseded all but one of them with new appointees who entertained no claim to a power of judicial review.

(e) *Bayard v. Singleton,* 1 N.C. 5; 1 Mart. 48 (1787): Decided during the period when the Constitutional Convention was in session at Philadelphia, this case represented another instance in which a state tribunal ruled unconstitutional an unpopular and oppressive state law which abolished trial by jury. Among those who participated in the criticism of the state court was Richard D. Spaight, a delegate from North Carolina to the Convention. His denunciation of the court is contained in the following statement:

"I do not pretend to vindicate the law . . .; it is immaterial what law they have declared void; it is their usurpation of the authority to do it, that I complain of, as I do positively deny that they have any such power. . . . It would have been absurd, and contrary to the practice of all the world, had the Constitution vested such power in them, as would have operated as an absolute negative on the proceedings of the legislature, which no judiciary ought ever to possess, and the state, instead of being governed by the representatives in general assembly would be subject to the will of three individuals, who united in their own persons the legislative and judiciary powers, which no monarch in Europe enjoys, and which would be more despotic than the Roman decemvirate, and equally insufferable".

(f) "In a letter from John B. Cutting to Thomas Jefferson, dated London, July 11, 1788, it was stated that a law of Massachusetts had been pronounced unconstitutional by the Massachusetts Supreme Court and that it had been repealed at the next session of the Legislature [Massachusetts Historical Society. 17 Proceedings (2d ser.) 507 (1903)]. Of this case there is no record.

"Such were the 'state' precedents and such was the temper of the people at the time of the Philadelphia Convention met to frame the Constitution. Small wonder that Chief Justice Marshall did not refer in his decision in *Marbury v. Madison* to these 'precedents' " (Boudin, op. cit., pp 245–247; Coxe, op. cit., pp. 223, 234, 252; Thayer, op. cit. pp. 55, 63, 72–73)

3. *Judicial Review and the Deliberations of the Constitutional Convention at Philadelphia in 1787:* Insofar as the Convention devoted any attention to the participation of the Judicial Branch in the policy-making, or lawmaking, process, its consideration was limited to the review and ultimate rejection of several proposals which would have accorded the Supreme Court a share in the appraisal of measures before the latter became finally operative, or, specifically, a participation together with the President in the exercise of substantially a veto power. Thus, early in the Convention, Edmund Randolph of Virginia proposed that the President "and a convenient number of the National Judiciary ought to compose a council of revision with authority to examine every act of the National Legislature before it shall operate, and every act of a particular Legislature before a Negative thereon shall be final; and that the dissent of the said Council shall amount to a rejection; unless the Act of the National Legislature be again passed, or that of a particular Legislature be again negatived by the members of each branch."

This proposal was defeated by a vote of 8 (states against) to 3 (states for).

On August 15, 1787 James Madison "proposed as an amendment to the Thirteenth Section of Art. VI of the draft reported by the committee of detail the following: Every bill which shall have passed the two Houses shall, before it becomes a law, be severally presented to the President of the United States and to the Judges of the Supreme Court, for the revision of each. If upon such revision they shall approve of it, they shall respectively signify their appropriation by signing it, but if, upon such revision, it shall appear improper to either or both, to be passed into law, it shall be returned, with the objections against it, to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider the bill; but if, after such reconsideration, two-thirds of that House, when either the President or a majority of the judges shall object, or three-fourths, where both shall object, shall agree to pass it, shall together with the objections, be sent to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds or three-fourths of the other House, as the case may be, it shall become a law."

This proposal of Madison also was defeated by a vote of 8 (states against) to 3 (states for). (Max Farrand. I *The Records of the Federal Convention of 1787,* pp. 21, 97–98, 131; II: pp. 73, 75, 80, 294–295 (1911); 5 Elliott. *Debates on the Adoption of the Federal Constitution,* pp. 126, 128, 151, 155, 164, 166, 344–349, 428–429 (Lippincott, 1939); a partial summary of the debates on these proposals also was noted by Justice Black, dissenting in *Griswold* v. *Connecticut,* 381 U.S. 479, 514–515 (1965)).

Assessing the records of the Convention, one commentator concluded that "there is absolutely no evidence whatever of any intention on the part of that body to invest the judiciary with any sort of control over federal legislation or over state legislation in matters admittedly within the legislative competence of the states. The judiciary article as finally formulated was adopted without a dissenting vote and almost discussion. It is absurd to assume that the many avowed opponents of judicial control of legislation who sat in the Convention would have agreed to the articles without a murmur had they suspected that it contained even a part of the enormous power which our judiciary now exercises" (Boudin, op. cit. pp. 248–249).

Also by way of refuting contentions rejecting the proposition that neither the Convention nor the preponderant portion of the delegates in attendance had gone on record as favoring the principle of judicial review, another writer asked the following question: "If it was the expectation of the Convention that judges should have the power, despite the passing of a bill by the President, or by the reconsidering houses, into 'law' to deprive it of the properties of law, why did they thus reject . . . [the proposal advocated by James Madison] . . . . The Convention was willing that the President should participate in the lawmaking power, by a responsive veto. It was not willing that the courts should share this veto. If the framers did intend that the courts should have an absolute veto why did they not say so?" (Trickett, op. cit., pp. 360, 361).

Admittedly, certain writers, relying upon data other than that contained in the record of the official decisions of the Constitutional Convention, have endeavored to establish that a substantial number of individual delegates to that Convention together with those who served in the ratifying conventions of the states, entertained views favorable to the assumption by federal courts of the function of judicial review.

For almost every author who advanced conclusions thus supported, another may be cited for purposes of refutation. By way of rebuttal those in the latter category have advanced the following contentions.

"The Convention was composed of fifty-five members. Of these, thirty-nine signed the Constitution. There is nothing better than surmise that ten of these gentlemen knew of any of the" state court decisions, hitherto summarized which served as precedents favorable to the assumption of judicial review. "Of those who knew, we have no evidence that more than five or six regarded the annulment of statutes a judicial function. We know that [four or five] did not regard it as such. . . . It would be sheer imbecility to infer from the preponderance of the number who have spoken for, over those who have spoken against a measure or view, when four times as many as both of these classes of speakers have remained silent, that a majority of the members shared the view of the major part of the speakers. . . . A microscopic investigation of the speeches made in both the Federal Convention, and the thirteen ratifying Conventions has satisfied . . . [one commentator] that 'no less than thirteen' of them spoke with approval of judicial nullification of statues. In the fourteen Conventions there were at least fifteen hundred members. . . . To rest a great constitutional power, such as that of judicial avoidance of acts of Congress, . . . upon inferences from the speeches of these thirteen persons [out of 1500] . . . is to rest it on mist and darkness" (William Trickett, Judicial Dispensation from Congressional Statues. 41 Har. L. Res. 65, 74, 82, 91 (1907); Horace A. Davis. Annulment of Legislation by the Supreme Court. 7 Am. Pol. Sci. Rev. 541–587 (1913)).

II. CRITICAL APPRAISAL OF MARBURY *v.* MADISON, 1 CR. 137 (1803)

In this litigious controversy, one, Marbury, had received a "midnight" appointment by the retiring Administration of President John Adams to the post of justice of the peace in the District of Columbia. The commission evidencing Marbury's entitlement to this job had been executed by the latter Administration but James Madison, the Secretary of State in the newly installed Administration of Thomas Jefferson, refused to deliver this document. Relying on the following provision in the Judiciary Act of 1789 (1. Stat. 73, 80–81 § 13) which empowered the Supreme Court to issue "writs of mandamus in cases warranted by the principles and usages of law, to any courts appointed or persons holding office under the authority of the United States", Marbury invoked the original jurisdiction of that Court, and sought the issuance of the writ directing the Secretary of State to deliver the commission sustaining Marbury's right to obtain the aforementioned post.

Departing from accepted judicial standards, in conformity with which courts resolve only those questions that are essential to the disposition of the controversy before them, Chief Justice Marshall enumerated and assessed three issues, only the last or third one of which was directly pertinent to the settlement of the controversy before the Court. The Chief Justice first inquired as to whether Marbury had a right to the commission, and upon answering that question in the affirmative, he thereupon inquired as to whether mandamus was the appropriate remedy for perfecting that right. According an affirmative answer to the second inquiry, the Chief Justice then addressed himself to the third and final question, the only one which the Court was obliged to consider; namely, whether the Supreme Court was competent to grant the relief sought by Marbury. That the Chief Justice had departed from conventional standards of judicial performance in resolving questions wholly unnecessary for the disposition of Marbury's petition was acknowledged by the Supreme Court more than a century later when it declared that Marshall "had therefore nothing before [him] . . . calling for a judgment upon the merits of the question of issuing the mandamus. . . . The whole statement [of the Court in *Marbury* v. *Madison* that the writ in a proper case would issue] was certainly *obiter dictum* with reference to the judgement actually reached" (*Myers* v. *United States*, 272 U.S. 52, 140, 141 (1926); Westel W. Willoughby. I *The Constitutional Law of the United States*, 25–26 (2d Ed., 1929)).

Even in the course of answering the third and final question in the negative, to wit, that the Court was not competent to issue the writ of mandamus, Chief Justice Marshall readily could have avoided holding § 13 unconstitutional as an impermissible attempt by the Congress to expand the Supreme Court's original jurisdiction. Extending as it does merely to controversies in which a state shall be a party and to cases affecting ambassadors, public ministers and consuls (art. III § 2 cl. 2), that original jurisdiction manifestly did not embrace the litigation instituted therein by Marbury; but in informing him that he had erred in selecting the Supreme Court as the appropriate tribunal in which to obtain a remedy, the Chief Justice was not compelled to construe § 13 of the First Judiciary Act as an ineffective endeavor to empower the Supreme Court to entertain an original suit by a private citizen for issuance of the writ of mandamus compelling the Secretary of State to deliver Marbury's commission. On the contrary, § 13 might have been interpreted merely as an attempt by Congress to equip the Court to issue that writ whenever the grant of that remedy was appropriate to a *valid* exercise of its original and appellate jurisdiction. "It is certain that the court has more than once entertained motions by original suitors for injunctions to . . . [federal] officers (*Mississippi* v *Johnson*, 4 Wall. 475 (1867)), and it is apparent that . . . an application for a writ of mandamus must rest on the same footing" (Edward S. Corwin. *The Doctrine of Judicial Review*, pp. 7–8 (1914)).

No less vulnerable to criticism is the logic relied upon by Chief Justice Marshall to sustain his most significant conclusion in *Marbury* v. *Madison*, especially, the arrogation by the Supreme Court of the power to nullify enactments and determinations of the Executive and Legislative Branches, respectively, ascertained by it to be violative of the Constitution. Apart from the allocation thereof, the exercise of this power was deemed by him to have been rendered unavoidable by the very fact that the Constitution not only had been reduced to writing but also embraced a provision (art. VI) expressly stipulating that its terms thereafter shall prevail as the supreme law of the land. As to the identity of the agency of the National Government possessed of superior competence to assert this prerogative, he justified the claim of the Supreme Court thereto on the ground that this function was inherently judicial in nature and accordingly as a tribunal of last resort the Supreme Court merited recognition as the inheritor thereof. Errors discernible in this *a priori* form of reasoning on the part of the Chief Justice are adequately set forth in the following quoted statements.

"The aforegoing reasoning of Marshall is by no means convincing. In every government operating under a written constitution the function of finally determining its meaning must be located somewhere, but it does not follow that this function must necessarily be exercised by the courts. For the fact is that in nearly all countries which possess written constitutions, except the United States, the legislatures are empowered to determine for themselves, without judicial or other interference, the extent of their constitutional powers. It is true that, at the time Marshall rendered his opinion, these other written constitutions did not exist, but the fact that this constitutional practice has since existed and now exists, makes it evident that the doctrine of judicial supremacy does not necessarily find application in the operation of a government that derives its powers from a written constitution.

"Throughout . . . this reasoning of Marshall . . . there runs the premise . . . that there is something in the very nature of a written constitution that necessitates the vesting of its final interpretation in the judiciary. That this reasoning is not convincing was conspicuously shown in the elaborately argued dissent from it by Chief Justice Gibson of Pennsylvania in the opinion which he filed in 1825, in the case of *Eakin* v. *Raub*, 12 Serg. & R. 330, and by the echoes of this dissent which have continued to appear down to the present time in the public press" (Willoughby, op. cit., pp. 5, 6, 7). Hereinafter presented are excerpts from Chief Justice Gibson's opinion.

"I am aware that a right to declare all unconstitutional Acts void, without distinction as to either Constitution, is generally held as a professional dogma; but I apprehend, rather as a matter of faith than of reason . . .

"The Constitution and the right of the legislature to pass the Act, may be in collision. But is that a legitimate subject for judicial determination? If it be, the judiciary must be a peculiar organ, to revise the proceedings of the legislature, and to correct its mistakes; and in what part of the Constitution are we to look for this proud preeminence? Viewing the matter in the opposite direction, what would be thought of an Act of Assembly in which it should be declared that the Supreme Court had, in a particular case, put a wrong construction on the Constitution of the United States, and that the judgment should therefore be reversed? It would doubtless be thought a usurpation of judicial power. But it is by no means clear, that to declare a law void which has been enacted according to the forms prescribed in the Constitution, is not a usurpation of legislative power. It is an act of sovereignty; and sovereignty and legislative power are said by Sir William Blackstone to be convertible terms. It is the business of the judiciary to interpret the laws, not scan the authority of the lawgiver; and without the latter, it cannot take cognizance of a collision between a law and the Constitution. So that to affirm that the judiciary has a right to judge of the existence of such collision, is to take for granted the very thing to be proved.

"But it has been said to be emphatically the business of the judiciary, to ascertain and pronounce what the law is; and that this necessarily involves a consideration of the Constitution. It does so: but how far? If the judiciary will inquire into anything beside the form of the enactment, where will it stop? There must be some point of limitation to such an inquiry; for no one will pretend that a judge would be justifiable in calling for the election returns, or scrutinizing the qualifications of those who composed the legislature . . .

"The notion of a complication of counter checks has been carried to an extent in theory, of which the framers of the Constitution never dreamt. When the entire sovereignty was separated into its elementary parts, and distributed to the appropriate branches, all things incident to the exercise of its powers were committed to each branch exclusively. The negative which each part of the legislature may exercise, in regard to the acts of the other, was thought sufficient to prevent material infractions of the restraints which were put on the power of the whole; for, had it been intended to interpose thhe judiciary as an additional barrier, the matter would surely not have been left in doubt . . . .

"But the judges are sworn to support the Constitution, and are they not bound by it as the law of the land? In some respects they are. In the very few cases in which the judiciary, and not the legislature, is the immediate organ to execute its provisions, they are bound by it in preference to any Act of Assembly to the contrary. In such cases, the Constitution is a rule to the courts.

But what I have in view in this inquiry, is the supposed right of the judiciary to interfere, in cases where the Constitution is to be carried into effect through the instrumentality of the legislature, and where that organ must necessarily first decide on the constitutionality of its own act. The oath to support the Constitution is not peculiar to the judges, but is taken indiscriminately by every officer of the government, and is designed rather as a test of the political principles of the man, than to bind the officer in the discharge of his duty; otherwise it were difficult to determine what operation it is to have in the case of a recorder of deeds for instance, who, in the execution of his office, has nothing to do with the Constitution. But granting it to relate to the official conduct of the judge, as well as every other officer, and not to his political principles, still it must be understood in reference to supporting the Constitution, only as far as that may be involved in his official duty, and, consequently, if his official duty does not comprehend an inquiry into the authority of the legislature, neither does his oath. It is worthy of remark here, that the foundation of every argument in favor of the right of the judiciary, is found at last to be an assumption of the whole ground in dispute. Granting that the object is to secure a support of the Constitution in the discharge of official duty, its terms may be satisfied by restraining it to official duty in the exercise of the ordinary judicial powers. Thus, the Constitution may furnish a rule of construction, where a particular interpretation of a law could conflict with some constitutional principle; and such interpretation, where it may, is always to be avoided. But the oath was more probably designed to secure the powers of each of the different branches from being usurped by any of the rest: for instance, to prevent the House of Representatives from erecting itself into a court of judicature, or the Supreme Court from attempting to control the legislature; and, in this view, the oath furnishes an argument equally plausible against the right of the judiciary. But if it require a support of the Constitution in anything beside official duty, it is in fact an oath of allegiance to a particular form of government; and, considered as such, it is not easy to see why it should not be taken by the citizens at large, as well as by the officers of the government. It has never been thought that an officer is under greater restraint as to measures which have for their avowed end a total change of the Constitution, than a citizen who has taken no oath at all. The official oath, then, relates only to the official conduct of the officer, and does not prove that he ought to stray from the path of his ordinary business to search for violations of duty in the business of others; nor does it, as supposed, define the powers of the officer.

"But do not the judges do a positive act in violation of the Constitution, when they give effect to an unconstitutional law? Not if the law has been passed according to the forms established in the Constitution. The fallacy of the question is, in supposing that the judiciary adopts the Acts of the Legislature as its own; whereas the enactment of a law and the interpretation of it are not concurrent acts, and as the judiciary is not required to concur in the enactment, neither is it in the breach of the Constitution which may be the consequence of the enactment. The fault is imputable to the legislature, and on it the responsibility exclusively rests. In this respect, the judges are in the predicament of jurors who are bound to serve in capital cases, although unable, under any circumstances, to reconcile it to their duty to deprive a human being of life" (*Eakin* v. *Raub*, op. cit., pp. 345, 348, 349, 352, 353–354).

Meriting notation at this point is the prospect that by amplification of its "political questions" doctrine (*Luther* v. *Borden*, 7 How. 1 (1849), the Court might have been enabled to dispense with judicial review altogether. By appraising controversies as to the validity of acts of Congress or of determinations of the Executive Branch as presenting questions that were "political" in nature, the Court, consistently with that doctrine, could have reserved to these "political" departments the final resolution of constitutional problems.

The conclusions of a commentator who very recently completed a survey of the historical record pertaining to the origins of judicial review also merit presentation by way of conclusion:

"Marshall did not establish beyond reasonable doubt his contention that all who have framed written constitutions contemplated them as forming the fundamental and paramount law, enforceable in court at the cost of nullifying the inconsistent expressions of elected officials. Add to this Marshall's failure . . . to wring out of the words in the document or the declared intentions of the men who drafted and ratified it irrefutable proof that the Constitution is effective law binding on judges. Put together these efforts to persuade which definitely fell short of full persuasion and one reaches a grand conclusion that the power of judicial review was not established in 1803 beyond refutation by a fair resort to evidence and reasoning.

"It must be acknowledged that men who fear extensive judicial power may reasonably cling to a conviction that a doctrine of judicial review was not originally incorporated in the Constitution but was grafted onto it by subsequent practice. A doubt that the whole package of present judicial power was legitimately conferred consequently lurks in the background of American politics and emerges to help convert grievance into passion when any sector of the population is greatly disappointed with the behavior of the Supreme Court in constitutional cases." (Charles S. Hyneman. *The Supreme Court on Trial*, p. 114 (1963))

III. APPRAISAL OF JUDICIAL REVIEW AS CURRENTLY EXERCISED BY THE SUPREME COURT

1. Judicial activism replaces judicial restraint

Insofar as the Court has invited criticism by forsaking a traditional policy of restraint for that of judicial activism, the condemnation which it has elicited has been directed principally at its holdings in the area of political and civil liberties. In revewing the constitutionality of federal and state legislation regulative of the domestic economy, the Court very recently in *Ferguson* v. *Skrupa*, 372 U.S. 726, 730 (1963) appeared to suggest that it was abandoning substantive due process and returning to the standard enunciated in *Munn* v. *Illinois*, 94 U.S. 113 (1877) to the effect "that courts do not substitute their social and economic beliefs for the judgment of legislative bodies". How steadfastly it will adhere to this resolution cannot be foretold; but the outlook is not entirely reassuring; for not more than two years later it departed therefrom in *Griswold* v. *Connecticut*, 381 U.S. 479, 513 (1965). Criticizing the Court for having resurrected purely subjective or substantive due process standards in voiding a Connecticut law forbidding the use of contraceptives, Justice Black, who dissented, maintained that "such an appraisal of the wisdom of legislation is an attribute of the power to make laws, not of the power to interpret them."

In disposing of controversies embracing civil and political liberties the Court presently appears inclined to proceed in precisely the opposite direction. In so doing the Justices are alleged to have been impelled by the notion that it is incumbent upon the Court affirmatively to intervene and through definitive adjudication to rescue the country from the consequences of its own indifference and from the reluctance borne of such indifference manifested by its elected representatives to settle long unresolved national problems. Under this approach the Court, without any mandate from the American people, appears to have arrogated to itself the function of serving as an authoritative spokesman of the national conscience and from time to time proclaiming what, in its estimation, that conscience is presumed to demand. Exemplifying this current propensity of the Court is the following statement of Justice Douglas in *Bell* v. *Maryland*, 378 U.S. 226, 243, 244–245 (1964):

"The whole Nation has to face this issue [service of patrons without discrimination in places of public accommodation: restaurants]. Congress is conscientiously considering it, . . . the question is at the root of demonstrations, . . . violence in various areas. The issue in other words consumes the public attention. Yet we stand mute, avoiding decision of the basic issue by an obvious pretense . . . .

"Yet we leave resolution of the conflict to others, when, if our voice were heard, the issues for the Congress and for the public would become clear and precise. The Court was created to sit in troubled times as well as in peaceful days . . . .

"We have in this case a question that is basic to our way of life and fundamental in our constitutional scheme. No question preoccupies the country more than this one; it is plainly justiciable; it presses for decision one way or another; we should resolve it. *The people should know that when filibusters occupy other forums, when oppressions are great,* when the clash of authority between the individual and the State is severe, they can still get justice in the courts. *When we default,* as we do today, the prestige of law in the life of the Nation is weakened" (emphasis supplied).

On at least two occasions other Justices have voiced objections to the prevailing activist inclinations of the Court. More than a decade ago the late Justice Jackson recorded the following comment:

"This cult . . . of liberation judicial activists . . . appears to believe that the Court can find in a 4,000-word eighteenth-century document or its nineteenth-century Amendments, or can plausibly supply, some clear bulwark against all dangers and evils that today beset us internally. This assumes that the Court will be the dominant factor in shaping the constitutional practice of the future and can and will maintain, not only equality with the elective branches, but a large measure of supremacy and control over them . . . [This] seems to me a doctrine wholly incompatible with faith in democracy, and in so far as it encourages a belief that the judges may be left to correct the result of public indifference to issues of liberty in choosing Presidents, Senators, and Representatives, it is a vicious teaching" (*The Supreme Court in the American System of Government*, pp. 57–58 (1955)).

No less critical of the Court's predisposition in favor of judicial activism is the more recent comment of Justice Harlan in his dissenting opinion the apportionment case of *Reynolds* v. *Sims*, 377 U.S. 533, 624–625 (1964):

"This view, in a nutshell, is that every major social ill in this country can find its cure in some constitutional 'principle', and that this Court should 'take the lead' in promoting reform when other branches of government fail to act. The Constitution is not a panacea for every blot upon the public welfare, nor should this Court, ordained as a judicial body, be thought of as a general haven for reform movements . . . . This court, . . . does not serve its high purpose when it exceeds its authority, even to satisfy justified impatience with the slow workings of the political process".

Hereinafter reviewed are a number of precedents recorded during the last ten or fifteen years which are deemed to exemplify the Court's pursuance of a course of activism and which by reason thereof invariably have generated controversy. Although a major portion of the coverage has been devoted to the desegregation and apportionment rulings, holdings in such other areas as civil liberties and criminal procedure have been examined and evaluated in terms of their effect on the federal system of government and upon the position of the Court in relation to the other departments of the Government.

(a) *Desegregation:* The initial decree in 1954 voiding racial segregation in public schools together with related holdings rendered subsequently thereto are assessed herein solely for the purpose of underscoring the amplification of judicial power accruing to the Court in the wake thereof. On the occasion of its ruling in *Brown* v. *Board of Education*, 347 U.S. 483 (1954) it is important to underscore the historical record which confronted the Court. Absent therefrom, and hence not before it for review as to its constitutionality, was any statutory determination by the Congress, enacted pursuant to its power to implement the Equal Protection Clause (Amendment 14, § 5), that segregation of the races in public schools, or in any other facilities, offended that Clause. In contradistinction to any such authoritative construction as to what the Equal Protection Clause required, the Court did have before it interpretive precedents, accumulated over more than a century, to the effect that state legislation providing for the separation of the races did not contravene that constitutional prohibition, that such legislation amounted to no more than official recognition of prevailing social customs, and that the elimination of such customs or social prejudices by government, or at least by legislative flat was impracticable (*Plessy* v. *Ferguson*, 163 U.S. 537 (1896)). Superimposed above these precedents was a raft of decisions in matters not pertaining to racial distinctions wherein the Equal Protection Clause had been construed as not compelling the states to enforce their regulatory laws uniformly and in identically the same manner as to all their inhabitants.

Until the Brown ruling the Court had elected not to deviate from these precedents. Insofar as it addressed itself to the disposition of controversies in which the educational facilities accorded by the states to Negro pupils was at issue, it chose not to depart from the separate-but-equal facilities doctrine of *Plessy* v. *Ferguson*; and contented itself merely with ascertaining whether such educational facilities in fact were equal to those made available to white students. Moreover, on the four occasions prior to *Brown* in which it found that secondary educational facilities either had been withheld from Negro students altogether or were patently inferior to college and university facilities which certain states had made available to white students, the Court in none of these instances ventured to ascertain whether desegregation henceforth could be rendered unavoidable by reason of the financial inability of states to duplicate for Negroes the institutions of higher learning which had been constructed originally for the exclusive use of white students (*Missouri ex rel. Gaines* v. *Canada*, 305 U.S. 337 (1938); *Sipuel* v. *Board of Regents*, 332 U.S. 631 (1950); *Sweatt* v. *Painter*, 339 U.S. 629 (1950); *McLaurin* v. *Oklahoma State Regents*, 339 U.S. 637 (1956)). It is against this background that the significance of Court's holding in *Brown* v. *Board of Education* is to be appraised. Labelling the Supreme Court's performance in *Brown* v. *Board of Education* and in subsequent rulings pertaining to desegregation as "without equals as examples of judicial ventures into policymaking," one author alludes to the following contentions which have been advanced in support of the assertion that the Court exceeded its authority in decreeing the end of segregation; namely (1) that the separate-but-equal facilities doctrine was consonant with the Constitution and that in overruling it the Court either departed from the Constitution or modified it; and (2) that insofar as the termination of segregation was susceptible of any constitutional justification, the power to effect that result was vested in an agency of the National Government other than the Supreme Court. As to the argument in behalf of the first contention it is essentially that the separate-but-equal facilities standard was widely applied in the states prior to the ratification of the Fourteenth Amendment, that the framers thereof, in the course of effecting its adoption, were never shown to have entertained any intention of overriding or supplanting that standard, and, finally, that the pre-Brown precedents disclose the Court as prepared to abide by this assessment of the historical record as confirming the proposition that the Fourteenth Amendment did not outlaw segregation.

To support the second contention the reasoning of those prepared to defend *Brown* v. *Board of Education* may be utilized. Conceding that the framers of Amendment 14 did not intend § 1 thereof to apply to segregation, supporters of the Court have elected to abandon together any reliance on the historical record and to opt for a "living constitution" type of justification; namely that Amendment 14 § 1 deserves to be liberally construed with a view to adapting it to current social needs. (Alexander Bickel. The Original Understanding and the Segregation Decision, 69 Har. L. Rev. 58–59 (1955)). However, even if one is prepared to acknowledge that many provisions of the Constitution, notably the commerce clause (art. 1 § 8 cl. 3) has undergone considerable adjustment to changing conditions over a century and one-half, acceptance of the latter standard of constitutional interpretation still leaves unresolved the issue as to which Branch of the National Government is best prepared to effect such adaptation. As a representative institution, the Congress would appear to be vested with a mandate superior to that claimed for the Court by its defenders in ascertaining natural will and national needs for purposes of achieving any corresponding alteration of the meaning to be accorded a specific constitutional provision such as the first section of Amendment 14. Acceptance of the contrary proposition that the Court and not the Congress enjoys a preeminence in such matters would appear to entail an act of faith.

Vindication of the latter criticism is deducible from a very recent source. Dissenting in *Harper* v. *Virginia Bd. of Elections*, 383 U. S. 663, 677, 678, 679 (1966), wherein state exaction of payment of a poll tax as a qualification for voting was held violative of the Equal Protection Clause, Justice Black declared that "the people, in § 5 of the Fourteenth Amendment, designated the governmental tribunal they wanted to provide additional rules to enforce guarantees of that Amendment. The Branch of Government they chose was not the Judicial Branch but the Legislative. I have no doubt at all that Congress has the power under § 5 to pass legislation to abolish the poll tax in order to protect the citizens of this country if it believes that the poll tax is being used as a device to deny voters equal protection of the laws. . . . But this legislative power which was granted to Congress by § 5 of the Fourteenth Amendment is limited to Congress. . . .

"The Court's justification for consulting its own notions rather than following the original meaning of the Constitution . . . apparently is based on the belief of the majority of the Court that for this Court to be bound by the original meaning of the Constitution is an intolerable and debilitating evil; that our Constitution should not be 'shackled to the political theory of a particular era', and that to save the country from the original Constitution the Court must have constant power to renew it and keep it abreast of this Court's more enlightened theories of what is best for our society."

In a footnote to this dissent Justice Black adds that he "did not vote", in *Brown* v. *Board of Education*, "to hold segregation in public schools unconstitutional on any such theory", but rather on the ground that "the holding in *Brown* . . . was compelled by the purpose of the framers of the Thirteenth, Fourteenth and Fifteenth Amendments completely to outlaw discrimination against people because of their race or color."

Of equal, if not greater, magnitude than the Court's holding in *Brown* v. *Board of Education* was the progeny of rulings generated thereby. Before presentation of an assessment of the scope of the latter, comment is merited as to manner in which many of these subsequent decisions were handed down. By the very nature of the precise controversy before the Court in *Brown* v. *Board of Education*, that precedent, on its face, appeared to encompass no more than a pronouncement of the validity of the separate-but-equal facilities principle as it hitherto had been applied in the field of public education. Thereafter in a number of *per curiam* decisions the Court extended desegregagtion to other areas, notably to governmental facilities, without offering any explicit justification for such amplification. Lower federal courts or state appellate courts merely were sustained or were advised to reconsider the disposition of the problem before them in the light of *Brown* v. *Board of Education* (*Muir* v. *Louisville Park Theatrical Association*, 347 U.S. 971 (1954); *Baltimore Mayor & City Council* v. *Dawson*, 350 U.S. 877 (1955); *Holmes* v. *City of Atlanta*, 350 U.S. 879 (1955); *Gayle* v. *Browder*, 352 U.S. 903 (1956); *State Athletic Commission* v. *Dorsey*, 359 U.S. 533 (1959)).

As for estimates of their significance, Brown and related holdings have been appraised as having launched an "egalitarian revolution" and as having "not only set in motion forces which will eventually change the whole pattern of education in the South but triggered a whole host of race relations campaigns, statutes, demonstrations, agreements and commissions which are now and will be for some time a very prominent feature of American political and social life" (Philip B. Kurland, The Supreme Court: 1963 Term, 78 Harv. L. Rev. 143, 144 (1964); Martin Shapiro, Judicial Modesty: Down with the Old!—Up with the New, 10 U.C.L.A. L. Rev. 533, 552 (1963): *see also: United States* v. *Jefferson County Board of Education*, 372 F. (2d) 836 (1966)). Moreover, commentators are convinced that the outermost boundaries of the revision of the social order precipitated by *Brown* v. *Board of Education* and related cases have not yet been delineated by the Court; and accordingly have been tempted to engage in forecasts as to how much farther the Court will go in expanding the obligation imposed upon the states by Amendment 14 to combat discrimination.

Embraced within these forecasts is the prospect that the Equal Protection Clause will be construed as imposing upon states and their local subdivisions not merely a negative obligation to refrain from initiating, by incorporating within their laws or administrative practices, policies which discriminate against classes of individuals, whether distinguished by race or other considerations, but an affirmative duty to intervene, by way of providing corrective remedies, for purposes of putting an end to discriminatory practices originated by their inhabitants. In short, mere inaction on the part of a state under the latter set of circumstances would become judicially appraised as a state action violative of the Equal Protection guaranty. For ascertainment of the outermost extent of state interference into the private affairs of its population pursuant to this expanded obligation one would have to consult relevant precedents assessing the limitations on state power imposed by the Due Process Clause of Amendment 14. Already having been utilized by the Court no less effectively than the Equal Protection Clause for purposes of liquidating public school segregation in the District of Columbia *Bolling* v. *Sharpe,* 347 U.S. 497 (1954), the Due Process Clause should prove more than serviceable for determining the legality of inequities founded upon considerations not limited to race or social status.

Stated in terms of precise holdings the aforementioned prophesies or forecasts have encompassed future rulings which would permit a householder to continue to practice discrimination in selecting guests for attendance at social functions held at his residence but which would preclude that householder, in the pursuit of a commercial calling, from engaging in racially discriminatory practices in the selection of employees, or in the refusal to sell or lease residential property to prospective purchasers or tenants of a specific race, religion, or national origin. Whether the Court might be persuaded to intervene and correct fiscal practices of a municipality which effected the following discrimination has been the subject of speculation by another commentator. A city is found to have regularly voted sums which have proved adequate to maintain in good repair the streets in white residential areas; but for want of equally generous appropriations the streets traversing Negro neighborhoods have been permitted to deteriorate. Even if the Supreme Court were to order the locality to disburse its street maintenance funds on a more equitable basis, implementation of such ruling might obligate a federal district court to keep the city officials under surveillance to the extent of condemning future budgets of the municipality which fail to allocate funds requisite to correct the aforementioned injustice. Also presented by the same commentator is an hypothetical case in which the Court, under continued expansion of the Equal Protection Clause, might prove willing to resolve is the following.

If a state so drafts its health laws that inadequate provision is made for eradicating a disease which afflicts its Negro population, upon whom major industries are dependent for their work force; and it is proven that such deficiency in the health code is attributable to racial prejudice, are there any prospects that the Supreme Court would sustain a lower federal court decree commanding the state legislature to effect such amendment of its health laws and to expand such sums on medical research as will eradicate the aforementioned debilitating ailment? In a lighter vein this author also toys with the prospect that capital punishment might be condemned as discriminatory in a jurisdiction in which criminal statistics reveal that only the poor, but never the rich have been sentenced to death (Hyneman, op. cit. pp. 200–203).

(b) *Apportionment:* Also contributing to the amplification of federal judicial power were the rulings wherein the Court agreed to review and resolve on their merits controversies pertaining to the reapportionment of seats in legislative bodies. Having steadfastly refused in the past to enter this "political thicket", the Court's election in 1962, in *Baker* v. *Carr,* 369 U.S. 186, to depart from past precedent has been attributed, at least by commentators and by one dissenting Justice, to be a belated conclusion that in consonance with its assumed role as keeper of the nation's conscience, it was bound to intervene to correct an inequity which, by reason of the protracted nonperformance of duties constitutionally assigned to state legislatures, had grown to intolerable proportions. To defer an attempted judicial resolution of a problem thus assessed conceivably may have been viewed as inviting recourse to undesirable modes of solution on the part of urban majorities too long denied adequate representation in legislative assemblies.

Whether or not in fact motivated by such an appraisal, the Court proceeded to consummate its assertion of power to order the eradication of malapportionment at all legislative levels, the House of Representatives no less than in state and local assemblies, by observance of a course of action not appreciably divergent from that pursued in the desegregation holdings. This approach again entailed (1) the reversal of past precedents, in which was embedded an obstacle in the form of the nonjusticiable, political questions doctrine, (2) the choice as a standard for guiding the correction of malapportionment an idealistic solution unsupported in past history or experience, and (3) the encouragement of lower federal courts, whenever confronted with a persistent refusal on the part of state legislative bodies to effect an equitable reapportionment, to formulate remedial decrees necessitating judicial assumption of virtually the entire assignment of realigning representative districts. As to issue of *stare decisis,* the Court in its first pertinent ruling, *Baker* v. *Carr,* op. cit., p. 209, refused to acknowledge that it was departing from past rulings in deeming malapportionment to present "no nonjusticiable 'political question'.

"The cited cases", it maintained, "do not hold the contrary". Commenting on the latter assertion one writer reacted by stating that "it is impossible to believe that the Court was as artless as it represented itself to be; it is difficult to believe that the Court thought it could find an audience ingenious enough to accept the assertion" (Kurland, op. cit., p. 149).

Having concluded that malapportionment presents a litigious issue which, if sustained by the evidence, is violative of the Equal Protective Clause, the Court thereafter applied itself, in two cases decided subsequently to *Baker* v. *Carr,* to devising a formula by which state legislatures were to be guided in recasting districts from which representatives were to be elected (*Wesberry* v. *Sanders,* 376 U.S. 1 (1964); *Reynolds* v. *Sims,* 377 U.S. 533 (1964)). In championing the one-man-one-vote formula, which it declared to be no less applicable in drawing congressional districts boundaries than in redefining state legislative districts, the Court was exposed to an avalanche of criticism founded largely upon two considerations: (1) that the standard selected could derive no justification from past history, and (2) that it was impracticable of application. As to the absence of any historical support for this standard, abundant corroboration thereof is contained in the following excerpts from the opinions of Justice Frankfurter dissenting in *Baker* v. *Carr* and of Justice Harlan dissenting in *Wesberry* v. *Sanders, Reynolds* v. *Sims* as well as in *Baker* v. *Carr.*

"The notion that representation proportioned to the geographic spread of population is so universally accepted as a necessary element of equality between man and man that it must be taken to be the standard of a political equality preserved by the Fourteenth Amendment—that is, . . . 'the basic principle of representative government'—is, to put it bluntly, not true. However desirable and however desired by some among the great political thinkers and framers of our government, it has never been generally practiced today, or in the past. It was not the English system, it was not the colonial system, it was not the system chosen for the national government by the Constitution, it was not the system exclusively or even predominantly practiced by the State at the time of adoption of the Fourteenth Amendment, it is not predominantly practiced by the States today . . . .

"For the guiding political theorists of the Revolutionary generation, the English system of representation, in its most salient aspects of numerical inequality, was a model to be avoided, not followed. Nevertheless, the basic English principle of apportioning representatives among the local governmental entities, towns or counties, rather than among units of approximately equal population had early taken root in the colonies . . . This resulted in grossly unequal electoral units . . . .

"Such inequalities survived the constitutional period. The United States Constitution itself did not largely adopt the principle of numbers. Apportionment of the national legislature among the States . . . involving State representation in the Senate and the three-fifths compromise [ratio for counting slaves]—left neither chamber apportioned proportionately to population [Justice Frankfurter, dissenting in *Baker* v. *Carr,* op. cit., pp. 301–302, 307–308].

"If, then, slaves were intended to be without representation, Article I [§2] did exactly what the Court says it prohibited, it 'weighted' the vote of voters in the slave States. . . .

"In entire disregard of population, At. I, § 2, guarantees each of [the smallest] . . . States and every other State 'at least one Representative'. It is whimsical to assert in the face of this guarantee that an absolute principle of 'equal representation in the House for equal numbers of people' is 'solemnly embodied' in Article I. . . . The provision for representation of *each* State in the House of Representatives is not a mere exception to the principle framed by the majority [of the Court]; it shows that no such principle is to be found. . . .

"The delegates [to the Constitutional Convention] were well aware of the problem of 'rotten boroughs'. . . . It cannot be supposed that delegates to the Convention should have labored to establish a principle of equal representation only to bury it, one would have thought beyond discovery, in § 2, and omit all mention of it from [Art. I] § 4, which deals explicitly with the conduct of elections. Section 4 states without qualification that the state legislatures shall prescribe regulations for the conduct of elections for Representatives and, equally without qualification, that Congress may make or alter such regulations. There is nothing to indicate any limitation whatsoever on this grant of plenary initial and supervisory power. . . .

"Whatever the dominant political philosophy of the Convention, one this seems clear: it is in the least degree unlikely that most of even many of the delegates would have subscribed to the principle, 'one person, one vote'. . . . In all of the discussion surrounding the basis of representation of the House . . . , there is nothing which suggests even remotely that the delegates had in mind the problem of districting within a State. . . .

"The debates in the ratifying conventions . . . indicate that under § 4 the state legislatures, subject only to the ultimate control of Congress, could district as they chose. . . .

"For a period of about 50 years [1872–1929] . . . Congress, by repeated legislative act, imposed on the States the requirement that congressional districts be equal in population. . . . Congress eliminated that requirement [in 1929; 46 Stat. 21], with the intention of permitting the States to find their own solutions. Since then, despite repeated efforts to obtain congressional action again, Congress has continued to leave the problem and its solution to the States.

"It cannot be contended therefore that

the Court's decision today filled a gap left by the Congress" (Justice Harlan, dissenting in *Wesberry* v. *Sanders*, op. cit., pp. 27, 29, 30, 31, 32, 34, 41, 45).

As to the composition of state legislatures at the time of the ratification of the Fourteenth Amendment, Justice Harlan is convinced that the historical record demonstrates "beyond any doubt: (1) that Congress, with full awareness of and attention to the possibility that the States would not afford full equality in voting rights to all their citizens, nevertheless deliberately chose not to interfere with the States' plenary power in this regard when it proposed the Fourteenth Amendment; (2) that Congress did not include in the Fourteenth Amendment restrictions on the States' power to control voting rights because it believed that if such restrictions were included, the Amendment would not have been adopted; and (3) that at least a substantial majority, if not all, of the States which ratified the Fourteenth Amendment did not consider that in so doing, they were accepting limitations on their freedom, never before questioned, to regulate voting rights as they chose . . . The problems which concern the Court now were problems when the Amendment was adopted. By the deliberate choice of those responsible for the Amendment, it left those problems untouched" (Justice Harlan, dissenting in ***Reynolds*** v. ***Sims***, op. cit. pp. 607, 608).

After reviewing the record of contemporary state legislative apportionment, Justice Frankfurter also concluded that "the stark fact is that if among the numerous varying principles and practices that control state legislative apportionment today there is any generally prevailing feature, that feature is geographic inequality in relation to the population standard. . . . [Present] figures show more than individual variations from a generally accepted standard of electoral equality. They show that there is not—as there never has been—a standard by which the place of equality as a factor in apportionment can be measured" (***Baker*** v. ***Carr***, op. cit., pp. 321, 322–323).

With reference to the feasibility of application of the one-man-one-vote formula, not even friendly critics of the Court anticipated that it would elect to devise and exact compliance with a standard which has been so widely criticized as least susceptible of beneficial utilization. Thus, one commentator, venturing a prediction after *Baker* v. *Carr*, but before *Reynolds* v. *Sims*, stated that "the decision in *Baker* v. *Carr* represents a gamble that extracurial processes of political adjustment and compromise will produce an issue digestible, as it were, by the Court. In carrying out the commitment it undertook in *Baker* v. *Carr*, the Court will find itself . . . compelled to tread a difficult middle course. If, on the one hand, it lays down standards that are too exacting and comprehensive, it will stifle the indispensable preliminary processes of adjustment and compromise. . . .

"The architectural design of legal institutions and procedures obviously cannot be drawn by adjudicative decision . . . A court acting as such can neither write a constitution nor undertake a general managerial supervision of its administration" (Lon L. Fuller. *The Morality of the Law*, p. 178 (1964)). Labelling the one-man-one-vote principle "a simplistic criterion" that was "question-begging in the case of a collegial body to be chosen with a view to balanced representation", another writer prophesied that the Court might be compelled to reject this formula for the reason that "the problem for the courts in reapportionment . . . is . . . to maintain direction while avoiding the confounding of the rational with the doctrinaire" (Paul Freund. New Vistas in Constitutional Law, 112 U. Pa. L. Rev. 631, 639 (1964)).

Exceeding these commentators in the severity of their criticism of the unpracticability of the one-man-one-vote formula is Justice Harlan who dissented in the hitherto cited apportionment rulings. According to Justice Harlan:

"Generalities cannot obscure the cold truth that cases of this type are not amenable to the development of judicial standards. No set of standards can guide a court which has to decide how many legislative districts a State shall have, or what the shape of the districts shall be, or where to draw a particular district line. No judicially manageable standard can determine whether a State should have single-member districts or multimember districts, or some combination or both. No such standard can control the balance between keeping up with population shifts and having stable districts. In all these respects the courts will be called upon to make particular decisions with respect to which a principle of equally populated districts will be of no assistance whatsoever. Quite obviously, there are limitless possibilities for districting consistent with such a principle. Nor can these problems be avoided by judicial reliance on legislative judgments so far as possible. Reshaping or combining one or two districts, or modifying just a few district lines, is no less a matter of choosing among many possible solutions with varying political consequences, than reapportionment broadside . . ." (***Reynolds*** v. ***Sims***, op cit., pp. 621–622).

Remaining to be appraised is the quantum of authority which has accrued to the federal judicial system by virtue of the Supreme Court's determination to invade the apportionment thicket. Fortified by the approval of the Supreme Court, federal district courts, in endeavoring to correct malapportionment, have not been constrained to employ wholly conventional judicial directives whereby members of state legislatures have been accorded instructions as to how they might proceed to overcome a constitutionally impermissible alignment of state or congressional districts. On several occasions, when confronted by protracted recalcitrance on the part of state legislative bodies, federal district courts have arrogated to themselves in its entirety the normally legislative task of devising a set of state legislative or congressional districts conforming to the one-man-one-vote standard. For evidence of such amplification of judicial power the following precedents may be cited: (1) ***Roberts*** v. ***Babcock***, 246 F. Supp. 396 (1965) (Montana congressional redistricting); (2) *Klahr* v. ***Goddard***, 250 F. Supp. 537 (1966) (Arizona congressional and legislative redistricting); (3) ***Maryland Citizens Committee for Fair Cong. Redist.*** v. ***Tawes***, 253 F. Supp. 731 (1966); (4) ***Reynolds*** v. ***State Election Board***, 233 F. Supp. 323 (1964) (Oklahoma legislative redistricting); (5) *Sims v. Baggett*, 247 F. Supp. 96 (1965) (Alabama legislative redistricting); (6) *Harrison* v. *Schaeffer*, 251 F. Supp. 450 (1965); aff. 383 U. S. 269 (1966) (Wyoming legislative redistricting); (7) *Swann* v. *Adams*, 263 F. Supp. 225 (1967) (Florida legislative redistricting). Whereas Justice Frankfurter could not foresee that such intervention on the part of lower federal courts was imminent or feasible (*Baker* v. *Carr*, op. cit. pp. 327–328), Justice Harlan conceded that such exercise of authority might be recorded. However, he described such assumption of power as dangerous "experimentation"; and acknowledged that "it is difficult to imagine a more intolerable and inappropriate interference by the judiciary with the independent legislatures of the States . . . [The picture is that] "of courts threatening to take action" in an area in which they have no business entering, inevitably on the basis of political judgments which they are incompetent to make" (*Baker* v. *Carr*, p. cit., p. 339; ***Reynolds*** v. ***Sims***, op. cit. pp. 615, 620).

That the increased measure of authority which already has accrued to federal courts by reason of this assumption of jurisdiction over apportionment controversies is destined to undergo further enlargement also has been forecast. In the course of sustaining its competence to review apportionment issues as litigious problems no longer comprehended within the political questions doctrine, the Court appears to have excised from the coverage of the latter controversies pertaining to the "federal judiciary's relationship to the states" (*Baker* v. *Carr*, op. cit., p. 210). Accordingly, insofar as disputes hereinafter arising under art. 4 § 4 of the Constitution guaranteeing a republican form of government to the states do not involve federal courts in any direct confrontation with the coordinate Branches of the National Government, there arises the prospect that the federal judiciary will cease to treat them as political in nature and will proceed to adjudicate them on their merits. Also included in this forecast of expanded judicial activity is the likelihood that federal courts may claim a competence to dispose of issues arising under Amendment 14 § 2 providing for the curtailment of congressional representation of states which improperly disenfranchise their inhabitants (Thomas I. Emerson. Malapportionment and Judicial Power, 72 Yale L. J. 64, 66–68 (1962)).

(c) *Civil Liberties and Criminal Procedure:* Available for utilization in furtherance of a policy of aggressive judicial review in the areas of civil liberties and criminal procedure are several standards or guidelines which hitherto have been formulated either by the Court itself or by proponents of judicial activism. Foremost among these is the so-called "preferred position" to be accorded to rights protected by Amendment 1 and the correlative "presumption of invalidity", as distinguished from the conventional assumption of constitutionality, alleged to prevail against legislation challenged as impairing such rights. Subordinated or relaxed, in conjunction with the application of the aforementioned norms, have been the rule of *stare decisis* or respect for past precedents, the maxims that the Court will refrain from adjudicating constitution issues not requisite for the disposition of the case or controversy before it or which have not been submitted for review through appropriate inclusion thereof in appellate records, and the balancing test whereby the Court accords deference to the judgment of the Legislative Branch, federal or state, as to what public safety or security requires, weighs the significance of individual rights jeopardized thereby against the importance of the social interest sought to be enhanced by the legislative determination, and decides whether the scales of justice are to be tipped in favor of society and against the individual.

As a prelude to reviewing cases which exemplify application of the new, and departure from the older, standards previously considered, the substantive content of the preferred position—presumed invalidity—balancing test rules warrants amplification.

More forthright than any judicial espousal of the presumed invalidity test is the following statement of one commentator. The "doctrine of presumption should be completely eradicated in cases involving civil liberties. In that area, a presumption of unconstitutionality should prevail. In free speech cases in particular, the Supreme Court has no business paying 'great deference' or indeed any deference to the judgment of the legislature. It should do the exact opposite" (John P. Frank (Edmund Cahn, Ed.). *Supreme Court and Supreme Law*, p. 132 1954)). Earlier in ***United States*** v. ***Carolene Products Co.***, 308 U.S. 144, 152 n. 4 (1938), Justice Stone had stated the case for the presumed invalidity rule as follows: "There may be narrower scope for operation of the presumption of constitutionality when legislation appears on its face to be within a specific prohibition of the Constitution, such as those of the first ten amendments".

For an exposition of the proposition that civil liberties, or more particularly, Amendment 1 guarantees, deserve to be accorded a preferred position in constitutional construction and for that reason are immune from application of the balancing test, the opinions of Justice Black, the most ardent champion thereof may be cited:

"The First Amendment . . . [puts] these freedoms wholly 'beyond the reach' of federal power to abridge. No other provision of the Constitution purports to delete the scope of these unequivocal commands of the First Amendment. Consequently, I do not believe that any federal agencies, including Congress and this Court, have power or authority to subordinate speech and press to what they think are 'more important interests'. . . . I do not subscribe to [the] . . . doctrine . . . that permits constitutionally protected rights to be 'balanced' away whenever a majority of this Court thinks that a State might have interest sufficient to justify abridgment of those freedoms" (*Smith* v. *California* 361 U.S. 147, 156–158 (1959); *Kongsberg* v. *State Bar,* 366 U.S. 36, 61 (1961); *In Re Anastaplo,* 366 U.S. 82, 112 (191)).

Previously recorded in opposition to the preferred position—presumption of invalidity tests were Justices Frankfurter and Jackson. In *Kovacs* v. *Cooper,* 336 U.S. 77, 90 (1949) the former stated that "(the preferred position' . . . [is] . . . a mischievous phrase, if it carries the thought, which it may subtly imply, that any law touching communication is infected with presumptive invalidity". According to Justice Jackson, "we cannot give some constitutional rights a preferred position without relegating others to a deferred position; we can establish no firsts without thereby establishing seconds" (*Brinegar* v. *United States,* 338 U.S. 160, 180 (1949)).

Expository of the balancing test as a rule of judicial self-abnegation are the following excerpts from two decisions in which the Supreme Court sustained as not violative of Amendment 1 guarantees federal legislation directed at subversion activities. In *Communications Assn.* v. *Douds,* 339 U.S. 382, 399, 400, 401, 411–412 (1950), wherein the Court upheld the non-Communist affidavits which Congress exacted of union officers by § 9(h) of the Taft-Hartley Act (29 U.S.C. 159(h)), Chief Justice Vinson set forth the case for application of the balancing test as follows:

"When particular conduct is regulated in the interest of public order, and the regulation results in an indirect, conditional, partial abridgment of speech, the duty of the courts is to determine which of these two conflicting interests demand the greater protection under the particular circumstances presented . . . . In essence, the problem is one of weighing the probable effects of the statute upon the free exercise of the right of speech and assembly against the congressional determination that political strikes are evils of conduct which cause substantial harm to interstate commerce and that Communists and others identified by § 9 (h) pose continuing threats to that public interest when in positions of union leadership . . . . Insofar as that problem is one of drawing inferences concerning the need for regulation of particular forms of conduct from conflicting evidence, this Court is in no position to substitute its judgment as to the necessity or desirability of the statute for that of Congress. . . . Considering the . . . . deference due the congressional judgment concerning the need for regulation of conduct affecting interstate commerce and the effect of the statute upon rights of speech, assembly and belief—we conclude that § 9 (h) . . . does not unduly infringe freedoms protected by the First Amendment".

Again, in *Dennis* v. *United States,* 341 U.S. 494, 524–525, 550–552 (1951), wherein the validity of the Smith Act (18 U.S.C. 2385) was sustained, Justice Frankfurter, in a concurring opinion, further underscored the significance of the balancing test as a rule of judicial self-restraint.

"The demands of free speech in a democratic society . . . are better served by a candid and informed weighing of the competing interests . . . than by announcing dogmas . . . .

"But how are competing interests to be assessed? [Who] is to balance the relevant factors and ascertain which interest is in the circumstances to prevail? Full responsibility for the choice cannot be given to the courts. Courts are not representative bodies . . . .

"Primary responsibility for adjusting the interests which compete in the situation before us of necessity belongs to the Congress . . . .

"It is not for us to decide how we would adjust the clash of interests which this case presents were the primary responsibility for reconciling it ours . . . . Congress has determined that the danger created by advocacy of overthrow justifies the ensuing restriction on freedom of speech . . . .

"Can we establish a constitutional doctrine which forbids the elected representatives of the people to make this choice? . . .

"It is as absurd to be confident that we can measure the present clash of forces and their outcome as to ask us to read history still enveloped in the clouds of controversy" (see also: Shapiro, op. cit., pp. 543–546).

(1) *Loyalty tests and oaths:* At odds with the last two cited holdings is *United States* v. *Brown,* 381 U.S. 437, 465, 471, 472 (1965) wherein the Court, by a bare 5 to 4 majority, cast aside both the rule of presumptive validity and the balancing test and held unconstitutional as a bill of attainder § 504 of the Labor Management Reporting and Disclosure Act of 1959 (29 U.S.C. 504) which made it a crime for one who belongs to the Communist Party or who has been a member thereof during the preceding five years wilfully to continue to serve or remain a member of the executive board of a labor organization. To underscore the extent to which this holding represents a departure from the standards of judicial restraint observed in the two preceding rulings, reference is made to the following excerpts from the opinion of the four dissenting Justices (White, Clark, Harlan, and Stewart).

"[In the Douds case] the Court accepted congressional findings about the Communist Party and about the propensity of Party members 'to subordinate legitimate trade union objectives to obstructive strikes when dictated by Party leaders, often in support of the policies of a foreign government'. Moreover, Congress was permitted to infer from a person's 'political affiliations and beliefs' that such persons would be likely to instigate political strikes. Like § 504, the statute . . . under consideration . . . [in the Douds case] . . . did not cover all persons who might be likely to call political strikes. Nevertheless, legislative findings that *some* Communists would engage in illegal activities were sufficient to sustain the exercise of legislative power. The Bill of Attainder Clause [is now construed to forbid] . . . Congress to do precisely what was validated in Douds.

"[Moreover], if the disqualification of Party members in the Subversive Activities Control Act [*Communist Party* v. *Subversive Activities Control Board,* 367 U.S. 1 (1961)] is not a bill of attainder neither is § 504 . . . Congress . . . provided in . . . the Subversive Activities Control Act for an adjudication about Communist-action organizations, the nature of the Party has now been adjudicated and an adequate probability about the future conduct of its members established to justify the disqualification which Congress has imposed . . . .

"[Today the Court concludes that] § 504 . . . . [imposes] punishment on specific individuals because it has disqualified Communist Party members without providing for a judicial determination as to each member that he will call a political strike. A likelihood of doing so based on membership is not enough. By the same token, a statute disqualifying Communists (or authorizing the Executive Branch to do so) from holding sensitive positions in the Government would be automatically infirm, as would a requirement that employees of the Central Intelligence Agency or the National Security Agency disclaim membership in the Communist Party, unless in each case it is proved by evidence other than membership in the Communist Party, the nature of which has already been adjudicated, that the individual would commit acts of disloyalty or subordinate his official undertakings to the interests of the Party."

Through a similar abandonment of the balancing test and the rule of presumed validity the Court very recently has effected a comparable reversal of position with reference to the validity of state laws exacting loyalty oaths from teachers, civil servants, and other public employees. In several decisions rendered during the early 1950's, the Supreme Court sustained the right of states and their local subdivisions to bar from employment or office persons who refused to submit to a loyalty oath requiring affirmation that they knowingly were not members of, or affiliated with, any organization which advocated or preached the doctrine of forcible overthrow of government (*Garner* v. *Los Angeles Board,* 341 U.S. 716 (1951); *Gerende* v. *Election Board,* 341 U.S. 56 (1951); *Adler* v. *Board of Education,* 342 U.S. 488 (1952)). Assigned in justification of legislation imposing such loyalty oaths was the legitimacy of a state's interest in protecting its institutions, and, more particularly, its educational system, from subversion. Today, as in 1951–1952, the Court continues to acknowledge the merits of the latter objective; but in a trio of decisions recorded during the interval, 1964–1967, it appears to have done its level best to render constitutionally impracticable continued state promotion thereof by reliance upon the loyalty oath (*Baggett* v. *Bullitt,* 377 U.S. 360 (1964), *Elfbrandt* v. *Russell,* 384 U.S. 11 (1966); *Keyishian* v. *Board of Regents,* 385 U.S. 589 (1967)).

Whereas the Court in the earlier cases had proceeded upon the premise that civil servants, including teachers "may work for the [state or a municipal subdivision thereof] . . . upon the reasonable terms laid down by the proper authorities . . . [thereof, and] . . . if they do not choose to work on such terms, they are at liberty to retain their beliefs and associations and go elsewhere. . . ." This assumption, the Court announced in *Keyishian* v. *Board of Regents,* op. cit., pp. 605–606, has ceased to be tenable. No longer is one warranted in concluding that a civil servant, "denied employment because of membership in . . . [an organization listed as subversive] . . . 'is not thereby denied the right of free speech and assembly' ", and suffers at the most no more than a limitation " 'on his freedom of choice between membership in the organization and employment' ", by a state or municipality. Under currently applied standards courts are not disposed to abide by the contention that "public employment which may be denied altogether may be subjected to any conditions regardless of how unreasonable" entailing an infringement of the employee's constitutional rights.

Moreover, "mere knowing membership without a specific intent to further the unlawful aims of [a subversive] . . . organization . . . [no longer] is a constitutionally adequate basis for exclusion from" public employment. In short, "mere Party membership even with knowledge of the Party's unlawful goals . . . [today] cannot suffice to justify . . . a finding of moral unfitness" meriting dismissal.

To warrant the latter proof must be amassed that the employee (1) not only is aware of the illegal goals of the group with which he has affiliated, but also (2) "shares its unlawful purposes", and (3) actively "participates in its unlawful activities". Consequently, a loyalty oath statute which permits a "presumption of disqualification arising from proof of mere membership" to be rebutted solely "by (a) denial of membership, (b) a denial that the organization advocates the overthrow of government by force, or (c) a denial that the . . . [employee] has knowledge of such advocacy" today will be viewed as constitutionally defective. To be contrasted with this approach is that of the dissenting Justices who contend that even if it be conceded that a state "may not take *criminal action* against" officers and civil servants "who become Communists knowing of the purposes of the Party . . . , it need not retain the member as an employee and is entitled to insist that its employees disclaim, under oath, knowing membership in the designated organizations and to condition future employment upon future abstention from membership". (*Elfbrandt* v. *Russell*, op. cit., pp. 23; *Keyishian* v. *Board of Regents*, op. cit., pp. 606, 607, 608; emphasis supplied).

Further indicative of the Court's reversal of its position as to the validity of loyalty oath legislation is its present disposition to impute unconstitutional vagueness to provisions therein which hitherto it had presumed would be accorded a reasonable construction by state agencies charged with their enforcement. Thus, in *Garner* v. *Los Angeles Board*, op. cit., pp. 723–724, the Court stated that "we assume that scienter is implicit in each clause of the oath . . . We take for granted that the ordinance will be so read as to avoid raising difficult constitutional problems which any other application would present". At odds with the latter presumption is the Court's construction of the following provisions of the New York law invalidated in *Keyishian* v. *Board of Regents*, op. cit., pp. 599–601. "Subdivision 1(a) of § 105 bars employment of any person who 'by word of mouth or writing wilfully and deliberately advocates, advises, or teaches the doctrine' of forcible overthrow of government. This provision is plainly susceptible of sweeping and improper application. It may well prohibit one who merely advocates the doctrine in the abstract without any attempt to indoctrinate others, or incite others to action in furtherance of unlawful aims. . . . And in prohibiting 'advising' the 'doctrine' of unlawful overthrow does the statute prohibit mere 'advising' of the existence of the doctrine, or advising another to support the doctrine? Since 'advocacy' of the doctrine of forcible overthrow is separately prohibited, need the person 'teaching' or 'advising' the doctrine himself 'advocate' it? Does the teacher who informs his class about the precepts of Marxism or the Declaration of Independence violate this prohibition?"

To the dissenting Justices, these "strained and unbelievable suppositions . . . could hardly occur. As we said in Dennis . . . 'we are not convinced that because there may be borderline cases' the State should be prohibited the protection it seeks. . . . Where there is doubt as to one's intent or the nature of his activities we cannot assume that the administrative boards will not give him full protection. Furthermore, the courts always sit to make certain that this is done. . . . The majority has by its broadside swept away one of our most precious rights, namely, the right of self-preservation" (*Keyishian* v. *Board of Regents*, op. cit., pp. 627–628).

(ii) *Waivers of immunity; self-incrimination:* Also lending emphasis to the current propensity of the Court to exhalt the rights of the individual, with consequences adverse to community interest found to conflict therewith, are two rulings in 1967 which protect licensed practitioners and state employees subjected to investigation for alleged misconduct. In *Spevack* v. *Klein*, 385 U.S. 511 (1967) the Court overruled a precedent of only six years' duration, *Cohen* v. *Hurley*, 366 U.S. 117 (1961). Under the earlier holding the Court originally had maintained that an attorney, consistently with fulfillment of the duties of his profession was not entitled to invoke the privilege against self-incrimination and to refuse to produce records and to answer questions addressed to him by a court investigating alleged professional misconduct. As a penalty for such noncooperation disbarment might be imposed. Subsequently the four Justices who dissented in *Cohen* v. *Hurley* were enabled to prevail; for in *Spevack* v. *Klein*, op. cit., p. 516, the Court maintained that there is "no room in the privilege against self-incrimination for classifications of people so as to deny it to some and extend it to others. Lawyers are not excepted from" the coverage of the protection afforded by the privilege against self-incrimination. Disagreeing, four Justices (Harlan, Stewart, Clark, White) in dissents maintained that the Court was creating "a novel and entirely unnecessary extension of the privilege which would . . . seriously inhibit the protection of the public interests." Consistently with *Cohen* v. *Hurley*, they reiterated that disbarment was not a penalty imposed for invocation of the privilege but for the failure, through noncooperation, to manifest fitness to retain a professional license (*Spevack* v. *Klein*, op. cit., p. 529).

Of like import in that it similarly permitted individual rights to prevail over "the protection of other important values" was *Garrity* v. *New Jersey*, 385 U.S. 493, 508, 531 (1967). Therein the Court concluded that when municipal officers, suspected of official wrongdoing, submit to investigation and make damaging admissions against interest under the compulsion of a state law which imposed a forfeiture of office for refusal to cooperate or upon invocation of the privilege against self-incrimination, such testimony was involuntary and thereafter could not be introduced in evidence against them in a criminal prosecution. In joining three other dissenters, Justice White suggested that the logic of the Court was broad enough to prevent even the discharge, as well as the criminal prosecution, of policemen who refuse "to cooperate with an investigation into alleged misconduct".

(iii) *Coerced confessions; self-incrimination:* In defending judicial activism as practiced in the area of the administration of criminal justice proponents of such policy invariably have stressed the superior competence of the courts to protect the rights of oppressed minorities and have attributed this alleged superiority to the fact that the judicial, unlike the political, branch of government, is less likely to capitulate to the pressures exerted by despotic majorities (Arthur S. Miller and Ronald F. Howell. The Myth of Neutrality in Constitutional Adjudication. 27 U. Chi. L. Rev. 694 (1960)). Whether any, or none, of the Justices now presiding on the Court subscribe to these assumptions cannot be ascertained, but the Court's performance in *Miranda* v. *Arizona*, 384 U.S. 436 (1966) scarcely is calculated to disappoint the expectations of judicial activists.

Too little time has elapsed since the latter ruling for the accumulation of evidence uncontrovertibly sustaining the predictions of the Justices who therein dissented. In criticizing this holding as "neither compelled . . . by the language of" the self-incrimination guaranty of Amendment 5, as being "at odds with American and English legal history", and as involving "a departure from a long line of precedent", three dissenters (White, Harland, and Stewart) charge the Court with having formulated new rules which not only will prevent "the use of compelled confessions but for all practical purposes [will forbid] interrogation except in the presence of counsel . . . Even if the new concept [of the Court] can be said to have advantages of some sort over the present law, they are", according to the dissenters, "far outweighed by its likely undesirable impact on other very relevant and important interests.

"Without the reasonably effective performance of the task of preventing private violence and retaliation, it is idle", say the dissenters, for the Court "to talk about human dignity and civilized values . . .

"The rule announced . . .", they fear, "will measurably weaken the ability of criminal law to perform [effectively] . . . It is a deliberate calculus to prevent interrogation, to reduce the incidence of confessions and pleas of guilty and to increase the number of trials . . . There is . . . every reason to believe that a good many criminal defendants, who otherwise would have been convicted on what this Court has previously thought to be the most satisfactory kind of evidence, will now, under this new version of the Fifth Amendment, either not be tried at all or acquitted if the State's evidence, minus the confession, is put to the test of litigation . . .

"In some unknown number of cases the Court's rule will return a killer, a rapist or other criminal to the streets and to the environment which produced him, to repeat his crime whenever it pleases him. As a consequence there will not be a gain, but a loss, in human dignity. The real concern is not the unfortunate consequences of this . . . decision on the criminal law as an abstract, disembodied series of authoritative prescriptions, but the impact on those who rely on the public authority for protection and who without it can only engage in violent self-help with guns, knives, and the help of neighbors similarly inclined . . . Nor can this decision do other than have a corrosive effect on the criminal law as an effective device to prevent crime . . . The easier it is to get away with rape and murder, the less the deterrent effect on those who are inclined to attempt it" (*Miranda* v. *Arizona*, op. cit., pp. 526, 531, 536, 539, 541, 542, 543).

(iv) *Disposing of issues not presented in the record on appeal:* In two recent decisions in the areas of criminal procedure and civil liberties Justices who dissented therein have accused the Court of reaching out and disposing of contentions which originally had not been presented for review. Thus, in *Stevens* v. *Marks*, 383 U.S. 234, 246–247 (1966), Justices Harlan and Stewart contended that "this Court granted certiorari limited to a question which . . . the record does not present and which the Court does not answer . . . Certiorari was limited to the question whether a law is constitutional which requires the discharge and bars the rehiring of any public officer who refuses to sign a waiver of immunity and claims his privilege against self-incrimination. 382 U.S. 809 [1965] . . . The judgments below are now reversed on different grounds never properly set forth by petitioner. With this background, a good case could be made for dismissing the writs as improperly granted . . . In the courts below the significance of an important . . . [state] statutory change was overlooked." However, the court relied on this statutory change which was said to have the effect of substituting for automatic immunity an immunity conferred only upon strict compliance with the procedural requirements exacted in the altered law. The latter immunity not having been extended, the Court ruled that a police officer, requested to give testimony on a charge of bribery, was at liberty to withdraw a previous waiver and invoke his privilege against self-incrimination as a justification for remaining silent.

Subsequently, in *Redrup* v. *New York*, 386 U.S. —— (1967), Justice Harlan and Clark included in their dissent the following:

"Two of these cases, *Redrup* v. *New York* and *Austin* v. *Kentucky*, were taken to consider the standards governing the application of the *scienter requirement* . . . The third case, *Gent* v. *Arkansas*, was taken to consider the validity of a comprehensive Arkansas anti-obscenity statute, in the light of the doctrines of 'vagueness' and 'prior restraint'. The writs of certiorari in *Redrup* and *Austin*, and the notation of probable jurisdiction in *Gent*, were respectively limited to these issues, thus laying aside, for the purposes of these cases, the permissibility of the state determinations as to the obscenity of the challenged publications. Accordingly, the obscenity *vel non* of these publications was not discussed in the briefs of oral arguments of any of the parties.

"Today the Court rules that the materials could not constitutionally be adjudged obscene by the States, thus rendering adjudication of the other issues unnecessary. In short, the Court disposes of the cases on the issue that was deliberately excluded from review, and refuses to pass on the questions that brought the cases here.

"In my opinion these dispositions do not reflect well on the processes of the Court. . . ."

(d) *Adverse effects on Federalism attributed to judicial review as currently exercised:* To the extent that a substantial increment of power has accrued to the Court as the result of its aggressive utilization of judicial review, the allocation of authority among the remaining component units of our federal system is believed to have been distorted, and the principal victim of that distortion have been the states. Indicative of that development has been the relentless subjection of the states to uniform national standards coupled with unavoidable diminution of their discretion to employ diverse means for performance of the functions still entrusted to them. In support of these observations the following precedents, classified under relevant titles, have been assessed.

(i) *The cult of equality* which has developed in the wake of the desegregation ruling, *Brown* v. *Board of Education*, 347 U.S. 483 (1954).

"Equality demands uniformity of rules. Uniformity cannot exist if there are multiple rulemakers. Therefore, the objective of equality can be achieved only by the elimination of authorities not subordinate to the central power" (Kurland, op. cit., p. 144).

(ii) *Apportionment of the upper and lower houses of each state legislature in conformity with a simple, national standard of one-man-one-vote:* Admittedly, compliance with this standard leaves the states with extremely few options. In his dissent in *Reynolds* v. *Sims*, 377 U.S. 533, 624 (1964), Justice Harlan tendered the following appraisal of the effect on Federation likely to be produced by those rulings:

"These decisions also cut deeply into the fabric of our federalism. What must follow from them may eventually appear to be the product of State Legislatures. Nevertheless, no thinking person can fail to recognize that the aftermath of these cases, however, desirable it may be thought in itself, will have been achieved at the cost of a radical alteration in the relationship between the States and the Federal Government, more particularly the Federal Judiciary. Only one who has an overbearing impatience with the federal system and its political processes will believe that the cost was not too high or was inevitable."

Of like import are the comments of another dissenter, Justice Stewart:

"I am convinced these decisions mark a long step backward into that unhappy era when a majority of the members of this Court were thought by many to have convinced themselves and each other that the demands of the Constitution were to be measured not by what it says, but by their own notions of wise political theory. The rule announced today is at odds with long-established principles of constitutional adjudication under the Equal Protection Clause, and it stifles values of local individuality and initiative vital to the character of the Federal Union . . . .

"What the Court has done is to convert a particular philosophy into a constitutional rule, binding upon each of the 50 States, . . . without regard and without respect for the many individualized and differentiated characteristics of each State, characteristics stemming from each State's distinct history, distinct geography, distinct distribution of population, and distinct political heritage. My own understanding of the various theories of representative government is that no one theory has ever commanded unanimous consent among political scientists, historians, or others who have considered the problem. But even if it were thought that the rule announced today by the Court is, as a matter of political theory, the most desirable general rule which can be devised as a basis for the make-up of the representative assembly of a typical State, I could not join in the fabrication of a constitutional mandate which imports and forever freezes one theory of political thought into our Constitution, and forever denies to every State any opportunity for enlightened and progressive innovation in the design of its democratic institutions, so as to accommodate within a system of representative government the interests and aspirations of diverse groups of people, without subjecting any group or class to absolute domination by a geographically concentrated or highly organized majority . . . .

"I do not know enough to be aware of the great variations among the several States in their historic manner of distributing legislative power—of the Governors' Councils in New England, of the broad powers of initiative and referendum retained in some States by the people, of the legislative power which some States give to their Governors, by the right of veto or otherwise, of the widely autonomous home rule which many States give to their cities. The Court today declines to give any recognition to these considerations and countless others . . . . Instead, the Court says that the requirements of the Equal Protection Clause can be met in any State only by the uncritical, simplistic, and heavy-handed application of sixth-grade arithmetic" (*Lucas* v. *Colorado Gen. Assembly*, 377 U.S. 713, 747, 748, 749, 750 (1964)).

(iii) *Administration of criminal justice:* By rendering applicable to the States, through their absorption into the Due Process Clause of Amendment 14, Amendment 4, the self-incrimination provision in Amendment 5, and the right to counsel guaranty of Amendment 6, the Court has subjected state administration of criminal justice to the same rigid standards which these three constitutional provisions hitherto imposed upon the National Government. As a consequence all states are now obligated to apply the exclusionary rule which renders inadmissible at a trial evidence obtained in violation of the searches and seizures guarantee of Amendment 4 (*Mapp* v. *Ohio*, 367 U.S. 643 (1961)). Likewise, with the overruling of *Betts* v. *Brady*, 316 U.S. 455 (1942) by *Gideon* v. *Wainwright*, 372 U.S. 335 (1963), the states lost the privilege of according to defendants the protection of counsel in conformity with the fair trial doctrine, whereunder the peculiar circumstances of each case determined whether counsel was to be afforded. Today counsel is to be provided in State criminal trials in conformity with the same standards which federal courts must observe consistently with the requirements of Amendment 6. In like manner states must now resolve issues concerning self-incrimination by application of rules approximating those employed in federal courts.

Recorded in opposition to this federalizing trend, as manifested in the area of state administration of criminal justice, is Justice Harlan. On the advisability of subjecting states to rigid conformance with the searches and seizures guarantee of Amendment 4, he has commented as follows:

"Heretofore there has been a well-established line of demarcation between the constitutional principles governing the standards for state searches and seizures and those controlling federal activity of this kind. Federal searches and seizures have been subject to the requirement of 'reasonableness' contained in the Fourth Amendment, as that requirement has been elaborated over the years in federal litigation. State searches and seizures, on the other hand, have been judged . . . by the more flexible concept of 'fundamental' fairness, of rights 'basic to a free society', embraced in the Due Process Clause of the Fourteenth Amendment . . . . Today this distinction in constitutional principle is abandoned. Henceforth state searches and seizures are to be judged by the same constitutional standards as apply in the federal system.

"In my opinion this further extension of federal power over state criminal cases . . . is quite uncalled for and unwise. It is uncalled for because the States generally, . . . , are increasingly evidencing concern about improving their own criminal procedures, . . . , and because the Fourteenth Amendment's requirements of fundamental fairness stands as a bulwark against serious local shortcomings in this field. The rule is unwise because the States, with their differing law enforcement problems, should not be put in a constitutional strait jacket, and also because the States more likely than not, will be placed in an atmosphere of uncertainty since this Court's decisions in the realm of search and seizure are hardly notable for their predictability" (*Ker* v. *California*, 374 U.S. 23, 44–45 (1963); *Mapp* v. *Ohio*, 367 U.S. 643, 680–81 (1961)).

On the issue of establishing uniform procedures to be observed by the states pertaining to the submission to juries of confessions alleged to have been coerced, Justice Black expressed the following observation:

"My wide difference with the Court is its apparent holding that it has constitutional power to change [state] trial procedures because of its belief that they are not fair. There is no constitutional provision which gives this Court any such lawmaking power . . . . I think that the [state law or procedure] . . . should not be held invalid by this Court because of a belief that the Court can improve on the Constitution" (*Jackson* v. *Denno*, 378 U.S. 368, 407, 408 (1964)).

(iv) *Obscenity:* Although only a bare majority of the Justices have been recorded as supporting the following conclusion, the Court, in *Jacobellis* v. *Ohio*, 378 U.S. 184, 192–195 (1964) announced that the test for determining whether published materials are obscene, as originally formulated in *Roth* v. *United States*, 354 U.S. 476 (1957), is a nationwide test or standard, as distinguished from "the standards of the particular local community from which the [obscenity] case arises". As embellished in subsequent holdings that test may be stated as follows: "A State may not constitutionally inhibit the distribution of literary material as obscene unless (a) the dominant theme of the material taken as a whole appeals to a prurient interest in sex; (b) the material is patently offensive because it affronts [national] contemporary community standards relating to the description or representation of sexual matters, and (c) the material is utterly without redeeming social values . . . . The 'three elements must coalesce' " (*Memoirs* v. *Massachusetts,* 383 U.S. 413, 418 (1966); *Redrup* v. *New York,* 386 U.S. —— (1967)).

At least four Justices have recorded their doubts as to whether the Court, in reviewing obscenity cases on appeal, will be enabled to exact observance throughout all areas of the nation of one, single standard for determining obscenity. Excerpts from their dissenting opinions are hereinafter set forth.

"Different States will have different attitudes toward the same work of literature. The same book which is freely read in one State might be classed as obscene in another . . . . No overwhelming danger to our freedom to experiment and to gratify our tastes in literature is likely to result from the suppression of a borderline book in one of the States, so long as there is no uniform nation-wide suppression of the book, and so long as other States are free to experiment with the same or bolder books" (Justice Harlan, dissenting in *Roth* v. *United States,* op. cit. pp. 505, 506).

"There is no provable 'national standard,' and perhaps there should be none. At all events, this Court has not been able to enunciate one, and it would be unreasonable to expect local courts to divine one. It is said that such a 'community' approach may well result in material being proscribed as obscene in one community but not in another, and, in all probability that is true. But communities throughout the Nation are in fact diverse, and it must be remembered that, in cases such as this one, the Court is confronted with the task of reconciling conflicting rights of the diverse communities within our society and of individuals (Chief Justice Warren and Justice Clark, dissenting in *Jacobellis* v. *Ohio,* op. cit., pp. 200–201).

"Nothing that I see in any position adopted by the majority of the Court today and nothing that has been said in previous opinions. . . . leaves me with any kind of certainty as to whether the 'community standards' referred to are world-wide, nation-wide, section-wide, statewide, country-wide, precinct-wide or township-wide. But if some definite areas were mentioned, who is capable of assessing 'community standards' in such a subject? Could one expect the same application of standards by jurors in Mississippi as in New York City, in Vermont as in California? So here again the guilt or innocence of a defendant charged with obscenity must depend in the final analysis upon the personal judgment and attitudes of particular individuals and the place where the trial is held" (Justice Black dissenting in *Ginzberg* v. *United States* 383 U.S. 463, 479–480 (1966)).

Whether in adjudicating an issue that a specific publication is obscene, the Court can continue to function in a conventional manner as an appellate tribunal presents a serious problem in terms of the work load imposed by such controversies. As was noted in the motion picture censorship cases, the Court, in ruling on obscenity, is confronted with questions of fact so inextricably intertwined with the issue of constitutionality that the Court is unable to exclude the former from consideration of the latter, and must treat each obscenity case appealed to it almost as if it were *sui generis* and accord it a broader measure of review. Justice Brennan for the majority, and Justice Harlan, for the dessenters, both acknowledge this difficulty. Because of the burden imposed, no less than on constitutional grounds. Justice Black would prefer to avoid the problem altogether. Only Chief Justice Warren, with Justice Clark in agreement, entertains the hope that obscenity cases may by disposed of by the conventional method of appellate review. Their respective views are set forth below.

"We are told that the determinations whether a particular motion picture, book, or other work of expression is obscene can be treated as a purely factual judgment on which a jury's verdict is all but conclusive, or that in any event the decision can be left essentially to state and lower federal courts, with this Court exercising only a limited review such as that needed to determine whether the ruling below is supported by 'sufficient evidence'. The suggestion is appealing, since it would lift from our shoulders a difficult, recurring and unpleasant task. But we cannot accept it. Such an abnegation of judicial supervision in this field would be inconsistent with our duty to uphold the constitutional guarantees. . . . Hence we reaffirm the principle that, in 'obscenity' cases as in all others involving rights derived from the First Amendment guarantees of free expression, this Court cannot avoid making an independent constitutional judgment on the facts of the case as to whether the material involved is constitutionally protected" (Justice Brennan, in *Jacobellis* v. *Ohio,* op. cit., pp. 187–188, 190).

"Every communication has an individuality and 'value' of its own. The suppression of a particular writing or other tangible form of expression is therefore, an *individual* matter, and in the nature of things every such expression raises an individual constitutional problem, in which a reviewing court must determine for itself whether the attacked expression is suppressible within constitutional standards. Since these standards do not readily lend themselves to generalized definitions, the constitutional problem in the last analysis becomes one of particularized judgments which appellate courts must make for themselves.

"I do not think that the reviewing courts can escape the responsibility by saying that the trier of facts, be it a jury or a judge, has labelled the questioned matter as 'obscene', for if 'obscenity' is to be suppressed, the question whether a particular work is of that character involves not really an issue of fact but a question of constitutional *judgment.* . . . I do not understand how the Court can resolve the constitutional problems now before it without making its own independent judgment upon the character of the material upon which these convictions are based" (Justice Harlan, dissenting and concurring in *Roth* v. *United States,* op. cit., pp. 497, 498).

"I would commit the enforcement of . . . [the Roth test of obscenity] to the appropriate state and federal courts, and I would accept their judgments made pursuant to the *Roth* rule, limiting myself to a consideration only of whether there is sufficient evidence in the record upon which a finding of obscenity could be made. If there is no evidence in the record upon which such a finding could be made, obviously the material involved cannot be obscene. . . . But since a mere modicum of evidence may satisfy a 'no evidence' standard, I am unwilling to give the important constitutional right of free expression such limited protection. However, protection of society's right to maintain its moral fiber and the effective administration of justice require that this Court not establish itself as an ultimate censor, in each case reading the entire record, viewing the accused material, and making an independent *de novo* judgment on the question of obscenity" (Chief Justice Warren, with Justice Clark joining, dissenting, in *Jacobellis* v. *Ohio,* op. cit., p. 202).

". . . This Court is about the most inappropriate Supreme Board of Censors that could be found. So far as I know, judges possess no special expertise providing exceptional competency to set standards and to supervise the private morals of the Nation. . . . We are told that the only way we can decide whether a State or municipality can constitutionally bar movies is for this Court to review and appraise each movie on a case-by-case basis. Under these circumstances, every member of the Court must exercise this own judgment as to how bad a picture is, a judgment which is ultimately based at least in large part on his own standard of what is immoral. The end result of such decisions seems to me to be a purely personal determination by individual Justices as to whether a particular picture viewed is too bad to allow it to be seen by the public. Such an individualized determination cannot be guided by reasonably fixed and certain standards. Accordingly, neither States nor moving picture makers can possibly know in advance, with any fair degree of certainty, what can or cannot be done in the field of movie making and exhibiting. This uncertainty cannot easily be reconciled with the rule of law which our Constitution envisages" (Justice Black, concurring in *Kingsley Pictures Corp.* v. *Regents,* 360 U.S. 684, 690–691 (1959)).

"The federal judiciary is the least appropriate branch of government to take over censorship responsibilities by deciding what pictures and writings people throughout the land can be permitted to see and read. When this Court makes particularized rules on what people can see and read, it determines what policies are reasonable and right, thereby performing the classical function of legislative bodies directly responsible to the people. Accordingly, I wish once more to express my objections to saddling this Court with the irksome and inevitably unpopular and unwholesome task of finally deciding by a case-by-case, sight-by-sight personal judgment of the members of this Court what pornography (whatever that means) is too hard core for people to see or read" Justice Black, dissenting in *Mishkin* v. *New York,* 383 U.S. 502, 516–517 (1966)).

(v) *Diminution of plenary authority over traffic in alcoholic beverages deemed to have been accorded to the states by Amendment 21;* Unmindful of the original intention of the sponsors of Amendment 21 thereby to return to the states an " 'absolute control' of liquor traffic", the Court, in *Dept. of Revenue* v. *James Beam Co.,* 377 U.S. 341, 348 (1964), ruled that the export-import clause (art. I § 10 cl. 2) still precludes a state from taxing imported Scotch whiskey while it remains "in unbroken [original] packages in the hands of the importer prior to [his] resale or use" thereof. Similarly, in *Hostetter* v. *Idlewild Liquor Corp.,* 377 U.S. 324, 338, 340, (1964) New York was prevented from terminating the license of an airport dealer who, under the sanction of federal customs laws, acquired "taxfree liquors for export" from out-of-state sources for sale exclusively to airline passengers, with delivery deferred until the latter arrive at foreign destinations. In dissenting in both holdings, Justice Black stated that "it seems a trifle odd that an Amendment adopted in 1933 in specific terms to meet a specific twentieth-century problem must yield to a provision [commerce clause, art. I § 8 cl. 3 and export-import clause] written in 1787 to meet a more general, although no less important problem". These holdings, he added "make inroads upon the powers given the States by the Twenty-first Amendment".

(vi) *Congressional power to enforce Fourteenth Amendment* (§ 5): Two recently decided cases (*United States* v. *Guest,* 383 U.S. 745 (1966) and *Katzenbach* v. *Morgan,* 384 U.S. 641 (1966)) construing this power have been described as having "potentially revolutionary implications for the future of federalism" (George R. Pochner, Fourteenth Amendment Enforcement and Congressional Power to Abolish the States, 55 Calif. L. Rev. 293 (1967)). Whereas prior to 1966, federal intervention to enforce Fourteenth Amendment rights was conditioned upon "state action" contributing to a denial thereof, and accordingly, did not extend, and could not be invoked, to reach interference with individual rights attributable to the behavior of other individuals acting privately and free and clear of any involvement with state or local officers, the *Guest* holding eliminated "state action" as a condition precedent to the execution of federal legislation adopted to implement Amendment guarantees. Among the issues before the Court in *Guest* was a stipulation in an indictment charging defendants with violating 18. U.S.C. 241 by conspiring to deprive Negro citizens of their right to equal use of public, state and municipal, facilities. Read literally § 241 is not limited to conspiracies entailing state participation, but imposes penalties on two or more persons who conspire to injure or intimidate any citizen in the exercise or enjoyment of rights secured by the Constitution and laws of the United States, or who go on disguise in the highway or on the premises of another with intent to hinder him in his exercise of any right thus secured. With a view to harmonizing § 241 with the conventional "State action" requirement, Justice Stewart, in speaking for the Court, asserted that proof of state involvement was afforded by allegations in the indictment that the defendants had caused the arrest of the Negroes by tendering false reports to police authorities that the Negroes had committed criminal acts (*United States* v. *Guest,* op. cit., pp. 756–757).

With this approach no less than six Justices disagreed. In one opinion written by Justice Brennan, and supported by Chief Justice Warren and Justice Douglas, the former asserted that § 241 could be enforced against private citizens acting individually. He stated that he could find "no principle of federalism nor word of the Constitution that denies Congress power to determine that in order adequately to protect equal utilization of state facilities, it is also appropriate to punish other individuals—not state officers themselves and not acting in concert with state officers . . ." (*United States* v. *Guest,* op. cit., p. 784). As assessed by Justice Brennan such literal enforcement of § 241 would not entail an exercise of authority not sanctioned by the Constitution.

In a second opinion, with which Justices Black and Fortas were recorded in agreement, Justice Clark also maintained "that the specific language of § 5 empowers Congress to enact laws punishing all conspiracies—with or without state action—that interfere with Fourteenth Amendment rights" (*United States* v. *Guest,* op. cit., p. 762).

On their face these latter two opinions are distinguishable in that Justice Clark viewed Congress as competent under § 5 to enforce Amendment 14 rights only as against private conspiracies whereas Justice Brennan deems that enforcement power to encompass the imposition of restraints upon private citizens acting individually. In a legal sense, however, it is believed that the two views are not susceptible of differentiation; for there would appear to be no basis for distinguishing on constitutional grounds an attack on Amendment 14 rights originating with a single person or with a group of individuals acting in concert.

To those who are in quest of an exposition of the reasons underlaying rejection of the contention that since the restrictive provisions of Amendment 14 embrace only state violations thereof and accordingly that an individual enjoys a right to protective intervention on the part of the Federal Government only in the event that the denial of said right is traceable to state action, the opinions of Justices Brennan and Clark doubtless will prove unsatisfactory. The latter did not embellish their conclusions with any explanation of the mode of constitutional derivation of the expanded individual rights which they deem Congress is authorized to protect via its power of implementation derived from § 5. For a speculative analysis of the bases of such derivation, embracing an extended essay in abstract juristic theory, one must have recourse to the law journals (Poehmer, op. cit., pp. 302–305; Archibald Cox. Constitutional Adjudication and the Promotion of Human Rights. 80 Harv. L. Rev. 91, 110–119 (1966)).

Prior to deciding ***Katzenbach*** v. ***Morgan,*** 384 U.S. 641 (1960), the Court in *Lassiter* v. *Northhampton Election Bd.,* 360 U. S. 45 (1959), sustained as consistent with the Equal Protection Clause a nondiscriminatory state exaction of proof of literacy in English as a qualification for voting. Manifestly deductible from the import of the earlier holding is the conclusion that Puerto Rican citizens, who are disenfranchised under a similar state law for the reason that they are literate in Spanish but not in English, would not be exposed to discrimination violative of the Equal Protection Clause. Notwithstanding the latter implication, the Court in *Katzenbach* v. *Morgan,* proceeded to sustain § 4(e) of the Civil Rights Act of 1965 (42 U.S.C. 1973 b(e)) which prohibited enforcement of state laws exacting proof of literacy in English, to the extent of withholding voting rights from citizens who were literate in another language by reason of having completed six years of education in an American non-English language school.

Encompassed within the latter holding are the following conclusions: (1) the validity of enforcement legislation enacted by Congress pursuant to § 5 of Amendment 14 is in no way dependent upon a prior judicial determination that the state law (here the New York literacy test law) or state activity subsequently circumscribed by such federal enactment is violative of that Amendment; (2) that the competence of Congress, under § 5, to outlaw state activity or state legislation not previously found to be unconstitutional by the Court lends no support to the converse proposition that § 5 empowers Congress to validate as consistent with Amendment 14 state legislation or conduct hitherto judicially condemned as violative thereof; (3) that the scope of the implementing authority vested in Congress by § 5 is as broad as the power expressed in the necessary and proper clause and by the implied powers doctrine of constitutional interpretation enunciated in *McCulloch* v. *Maryland,* 4 Wheat. 316, 321 (1819); and finally, (4) that the Court will respect as reasonable a determination of a coordinate branch of the Government, the Congress, that disenfranchisement based solely upon illiteracy in English, as distinguished from another language, effects a denial of equal protection and *will not review* congressional resolution of such factors as the assessing and weighing of such various considerations as "the risk or pervasiveness of the discrimination in governmental services, the effectiveness of eliminating state restrictions on the right to vote as a means of dealing with the evil, the adequacy or availability of alternative remedies, and the nature and significance of the state interests that would be effected by the nullification of the English literacy test requirements as applied to residents who have successfully completed the sixth grade in a Puerto Rican school" (***Katzenbach*** v. ***Morgan,*** op. cit., p. 653, emphasis supplied). Having elected not to require evidence that Congress in fact had balanced these enumerated factors, the Court thus saddled upon the litigant contesting the validity of this congressional enactment the entire burden of proving the contrary of what the Court had presumed; specifically, the unreasonableness of such legislative determination.

As to the significance of these two decisions in terms of the quantum of power that might become exercisable by the National Government by way of a deduction therefrom, the following estimate of one commentator is set forth. This writer emphasizes, however, that there is no immediate likelihood that Congress would venture to rely upon these two precedents as a justification for effectuating any of the drastic alterations of our federal system embraced within his appraisal.

"Any reasonable reading of the [*Morgan*] opinion leads at least to this result: Congress can displace any state regulation which utilizes a distinction between classes of people by making a reasonable judgment that the distinction is an invidious discrimination. . . . Hence it appears that Congress need only make reasonable judgments that specified state practices work an invidious discrimination or deny due process to support its action in displacing and superseding those state practices.

". . . In any area in which the Supreme Court has applied the equal protection or due process clause against actions taken by the states, Congress can nationalize enforcement of individual rights. All restrictions on the right to vote which Congress reasonably finds to be invidious can be removed. The actions which a state may take with respect to criminal defendants [such as, . . .] cruel and unjust punishment [or] involuntary confessions . . ., may be subjected, in a large measure, to Congress's jurisdiction. Congress may regulate, to a great extent, the state's educational system, its provision of recreational facilities, and the scope of authority accorded to law enforcement officers. Moreover, Congress can declare those clauses applicable in areas of state practice which the Court has not yet considered and even in situations where they have been held inapplicable. These powers are limited only by the requirement that Congress must make a reasonable judgment that the state practices involved violated the due process or equal protection clause. . . . The greatest increase in federal power would come through the due process clause since it incorporates much of the Bill of Rights. For an indication that Congress can enforce the provisions of the first nine amendments against the states through the exercise of its enforcement power, see *Monroe* v. *Pape,* 365 U.S. 167 (1961) . . . [sustaining a federal civil cause of action against municipal officers for an unreasonable search and seizure]. . . .

"The . . . *Guest* . . . decision . . . removes all limitations upon the groups or persons to which enforcement legislation can be applied, given the finding that a constitutional right is involved. The . . . *Morgan* . . . decision . . . allows Congress the power to make reasonable specifications of the rights defined generally by the equal protection and due process clauses. When these two expansions of federal legislative power are considered together, congressional authority under the fourteenth amendment is extended further than might appear from their separate consideration. These increased powers, because of their complementary nature, are cumulative. Thus, in reliance upon *Morgan*, Congress can formulate a reasonable judgment that specified state activities contravene either the due process or the equal protection clause. Then, in reliance upon *Guest*, it can prohibit both states and private groups or individuals, from committing these acts. Furthermore, Congress could make a reasonable determination that an existing state of affairs is contrary to the requirements of the fourteenth amendment, and then, consistent with the *McCulloch* test which *Morgan* applied to Congress's enforcement powers, require that states or individuals take specific, affirmative steps to rectify the situation. If the affirmative action so required by Congress is reasonably adapted to the correction of the situation which Congress has reasonably found to violate the equal protection or due process clause, the requirement is a valid exercise of Congress's enforcement powers, unless the means chosen violate some express limitation upon these powers. . . .

". . . Congress could require, for example, that the Federal Rules of Civil Procedure be used in all state courts by making a reasonable judgment that this was necessary to enforce the due process clause. Congress could, by making a similar determination, supplant all state and penal codes. To enforce the equal protection clause, federal law enforcement agencies could be used to replace their state counterparts. Reflection leads one to the conclusion that, under these expanded fourteenth amendment powers, Congress could, for all practical purposes, abolish the states" (Poehner, op. cit., pp. 311, 312, 315).

(e) *Undesirable consequences attributable to inability of the Supreme Court Justices to attain consensus either in concurrence with, or in dissent from, the rulings of the Court:* On August 23, 1958 the Conference of State Chief Justices at Pasadena, California approved the following statement contained in the Report of its Committee on Federal-State Relationships:

"We find that in constitutional cases unanimous decisions are comparative rarities and that multiple opinions, concurring or dissenting, are common occurrences. We find next that divisions in result on a 5 to 4 basis are quite frequent. We find further that on some occasions a majority of the Court cannot be mustered in support of any one opinion and that the result of a given case may come from divergent views of individual Justices who happen to write on one outcome or the other of the case before the Court" (Harv. L. Sch. Rec., October 23, 1958, p. 6).

Inasmuch as no discernible abatement in the writing of multiple opinions on the part of the Justices has been recorded during the last 15 years, it is believed that the following assessment, written in 1954, of the ill effects produced by the inability of members of the Court to agree either in concurrence or in dissent, has retained its pertinence.

"Although perforce a majority of the Court votes as a unit to decide a case one way or another, the several members have so many times arrived at decisions by different modes of reasoning, have each criticized the modes employed by the others that the concept of the 'oneness' of the Court has been largely destroyed. In one way or another many of the individual Justices have joined in debunking what Federal Circuit Judge Jerome Frank has called 'The Cult of the Robe', to the end of revealing not only that the Court as a whole is a power group rather than the dedicated instrument of the law, but also that individual Justices are themselves competitors for power and for the individual prestige of determining the course of legal rationalization. . . .

"The new Justices . . . accepted the earlier heresy that the Court was something more than a passive mouthpiece of the law, that it was one of the several governmental institutions moulding public policy. This acceptance meant that neither the Justices themselves nor those who agreed with them on this point had the reverence for the Court that had been inspired by the concept of the Court as virtually the instrument of a higher power. The new Justices were also committed to the position that their conservative predecessors had exercised too much power in curbing legislation regulating the exercise of property rights. They deemed it necessary to overrule a number of restrictive decisions of recent decades to clear the constitutional highway for a socially desirable regulatory program, apparently assuming at first that once the highway had been cleared, it would be possible to rationalize new outlines for the constitutional system without difficulty.

"The difficulty proved greater than had been assumed. . . . They splintered in all directions in a riot of legal diversity. . . .

"All this is not to imply that Justices must initially agree on the handling of cases or must ever reach full agreement as to all of them. No such agreement is to be expected or even desired. The point is more subtle than that. Even if the Court can no longer persuade an intelligent and critical public that it is but the passive instrument of the law, making use of the intelligence but not the wills and preferences of individual Justices, something pointing in that direction may be demanded of it. . . .

"The nine [Justices] are expected to function as a Court, and not as an aggregation of prima donnas. They are expected not necessarily to agree, but to strive for agreement. As Justices they are expected to concentrate on the maximum of agreement to be be reached, and not magnify their strife in public. . . . They have a high function to perform, but for the most part it is an institutional rather than an individual function. . . .

"The Supreme Court . . . is needed . . . for the task of synthesis. The nine Justices have a task uniformly their own. They cannot and should not attempt to play all the instruments in the band. They take over where all other performers leave off. Through counsel appearing before them and the briefs presented, they need to have their minds fed from all possible streams or relevant thought.

"But their responsibility is that of weighing, of assessment, and of synthesis. We . . . are having serious difficulty getting judicious weighing and adequate synthesis from Justices who conceive it their duty to discuss individually the multitude of intricate problems involved in each of the areas under discussion . . . . While there is presumably no possibility of returning Justices to their earlier status as a kind of high priesthood of the law, there were desirable elements in that status. Not only did it bring public respect to the Court; it also impressed upon the Justices the propriety of acting toward each other, and indeed toward themselves, with mutual respect and deference. This quality is badly needed on the Supreme Court today . . . .

". . . We may well ask that the Justices forbear in face of temptation to use the Court as a forum for display of personal learning and personal opinions, choosing instead to limit dissenting and concurring opinions to unusual circumstances. We may ask, in other words, that the nine Justices give us the very best they can provide in the way of synthesis on legal problems, leaving to others the task of educating us in the variety of possible approaches to legal problems" (Carl Brent Swisher. The Supreme Court—Need for Re-Evaluation, 40 Va. L. Rev. 837, 844. 845, 846, 847, 848, 849, 850–851 (1954)).

(f) *Judicial supremacy attained through judicial review*

Prior to the Supreme Court's ruling in *Cooper* v. *Aaron*, 358 U.S. 1, 18 (1958) constitutional historians had observed that notwithstanding its arrogation, in 1803, in *Marbury* v. *Madison* of the function of judicial review, the Court had cautiously refrained, not only in that precedent, but also in those which were recorded prior to 1958, from ever acknowledging that it thereby had attained a position of preeminence over that of the other two Departments in construing the Constitution and in determining what it sanctions and disallows. Casting aside previously observed restraint, the Court in *Cooper* v. *Aaron* openly proclaimed that the meaning of the Constitution is synonymous with interpretations thereof contained in its decisions and that the latter are embraced within the coverage of the principle of National Supremacy (art. VI).

"The decision [*Brown* v. *Board of Education*, 347 U.S. 483 (1954)] declared the basic principles that the *federal judiciary is supreme in the exposition of the law of the Constitution*, and *that principle has ever been respected by the Court and the Country as a permanent and indispensable feature of our constitutional system*. It follows that the interpretation of the Fourteenth Amendment in the Brown case is the supreme law of the land, and Art. VI of the Constitution makes it of binding effect on the States 'any thing in the Constitution or laws of any State to the contrary notwithstanding'" (*Cooper* v. *Aaron*, op. cit., p. 18, emphasis supplied).

2. *The case for judicial restraint:* Whether advocacy of the case for judicial restraint at this late date is timely has been questioned by one commentator. "For all the talk about judicial restraint and what Justices shouldn't do, we are living in an age in which Justices emphatically are doing. . . . There is no use telling judges what they can't do. They have already done it. And for all the battles fought and enemies made, they have been successful. These cases prove two things. First much of the discussion of judicial modesty has become academic and second, the Court itself has rejected much of the academic discussion" (Shapiro, op. cit., p. 552).

Notwithstanding these observations, the argument in favor of judicial restraint appears well founded enough to merit restatement. Militating in favor of a restrained exercise of the power of judicial review are two fundamental considerations; first, the absence of any express mandate which warrants arrogation by the Supreme Court, via judicial review, of any share in the policy-making process, and two, the absence of any especial competence which qualifies the Justices for the latter assignment. As a non-elected and accordingly, the least representative, and also as the least powerful branch, of the National Government, the Supreme Court is believed obligated to tread warily; for every exercise on its part of the function of judicial review is vulnerable to challenge as without sanction and as an undemocratic act. Equally persuasive as a justification for practicing restraint is the prospect that insofar as its exercise of judicial review embroils it in any protracted controversy with the political departments, the Court, for want of the aforementioned legal and political resources, is least likely to emerge as the victor. All that the Court can rely upon for sustenance is the tacit approval or tolerance of the public and even the latter asset can never be precisely measured by recourse to anything resembling a referendum.

Yet the Court risks the forfeiture of even this intangible popular support by the very act of intervening in the policy-making process, for that support or popular approval is said to rest upon nothing more substantial than a presumption that the Court always functions as an impartial arbiter in its disposition of litigious controversies. By substituting its will for that of the political branches when, through an exercise of judicial review, it overrides as unconstitutional an act of the Congress, the Court tends to undermine popular faith in its impartiality. Indeed, popular suspicion on this score is all the more likely to arise in the event that the Justices are unable to preserve unanimity on the occasion of such ruling of unconstitutionality. Indeed, it is estimated that nothing is better calculated to encourage popular belief that the Justices have forsaken impartiality for their individual predilections than the divisiveness and discord manifested so frequently of late in rulings attended by multiple concurring and dissenting opinions. "Paradoxically, then, the more the Court exercises its most political power", namely, judicial review, "the less power it will have because its only real power is the prestige conveyed by the popular myth about its impartiality" (Shapiro, op. cit., p. 535; Learned Hand. *The Bill of Rights*, pp. 71–73 (1958)).

On still another ground is the Court's propensity to engage in policy-making via judicial review vulnerable to condemnation;

namely, that the Court is possessed of no competence superior to that of the political departments such as might support its claim of entitlement to participate in the formulation of policy. Even if the Court were to limit its intrusion into the latter area to those instances in which there has been an alleged default or failure to act on the part of the Congress and the President, doubts would still persist as to the capacity of the Court to make even the latter determination. Just how does a body of judicial officers whose incumbency is not the result of any popular mandate, and who are precluded by the standards of permissible behavior applicable to their posts for maintaining direct contacts with the electorate or in indulging in public opinion sampling, acquiring an expertise surpassing that accruing to members of the political departments for purposes of ascertaining what the public wants and how urgent is the popular demand for corrective action on the part of the National Government?

There is certainly little reason to believe that documented appeal briefs and arguments complementing the former tendered by counsel will provide the Court with more accurate estimates of popular will and popular needs than is acquired by incumbents of the political departments who periodically must stand for re-election. On the basis of experience it would appear that the Court would be warranted in respecting as sound and accurate, in terms of the measurement of popular aspirations, the inaction of elected representatives who, by miscalculation of the wishes of their constituents, otherwise would invite defeat at the polls.

What the Court may misinterpret as a default on the part of elected representatives may be deliberate inaction by the latter borne of a conviction that although a need for relief by way of governmental intervention is discernible, their constituents thus far have manifested a total unawareness of such need. Another factor contributing to inaction by elected representatives may be a well founded inability to agree among themselves on a policy calculated to solve a problem which is acknowledged to exist and to be ripe for settlement. Such inability to reach accord frequently may reflect accurately comparable divisions of opinion among the electorate. Yet a Court which, for want of competence to make a correct assessment of the causes of such inaction, is tempted to intervene with a solution of its own may encounter popular resistance of such magnitude as to preclude for a long time to come an effective implementation of its ruling "with all due speed". In short, the Court, by eschewing policy formulation for adjudication, exposes itself to the prospect of jeopardizing its especial competence to discharge the latter. "In a political system built on the balance and clash of power, the Court's principal power, its reputation as the impartial guardian of the Constitution, tends to be undermined precisely at the point it begins to enforce its particular and necessarily partial vision of the Constitution" (Shapiro, op. cit., p. 536).

Finally, judicial restraint may be defended on the ground that "the Court has no right to decide. Not that the Court has no right to decide this way or that, to support this theory or that, this interest or the other, but that the Court is an improper agency for making any decision . . . . No court . . . has the competence, or the jurisdiction to weigh evidence which is 'sociological' rather than legal in character. The impact of school segregation upon the psychology of Negro children, upon the crime rate, upon the health of the economy, these are political matters, not legal ones, and are properly the business of legislators, not judges. Similarly, the proper method for apportioning state legislatures, so as fairly to represent all social strata and groups, is a matter not of legal right and wrong (and so within the competence of courts) but of balancing interests and compromising disagreements (in short, the business of the political branches)" (Thomas J. Bennett and Quentin L. Quade. The Court as Legislator: A Crucial Symptom, 10 St. Louis U.L.J. 92, 96 (1965)).

Widely acknowledged as a superb statement of the case for judicial restraint is the following excerpt from a concurring opinion written by the late Justice Frankfurter:

"Even where the social undesirability of a law may be convincingly urged, invalidation of the law by a court debilitates popular democratic government. Most laws dealing with economic and social problems are matters of trial and error. That which before trial appears to be demonstrably bad may belie prophecy in actual operation. It may not prove good, but it may prove innocuous. But even if a law is found wanting on trial, it is better that its defects should be demonstrated and removed than that the law should be aborted by judicial fiat. Such an assertion of judicial power deflects responsibility from those on whom in a democratic society it ultimately rests—the people . . .

"But there is reason for judicial restraint in matters of policy deeper than the value of experiment: it is founded on a recognition of the gulf of difference between sustaining and nullifying legislation. This difference is theoretical in that the function of legislating is for legislature who have also taken oaths to support the Constitution, while the function of courts, when legislation is challenged, is merely to make sure that the legislature has exercised an allowable judgment, and not to exercise their own judgment, whether a policy is within or without 'the vague contours' of due process. Theory is reinforced by the notorious fact that lawyers predominate in American legislatures. In practice also the difference is wide. In the day-to-day working of our democracy it is vital that the power of the non-democratic organ of our Government be exercised with rigorous self-restraint. Because the powers exercised by this Court are inherently oligarchic, Jefferson all of his life thought of the Court as 'an irresponsible body' and 'independent of the nation itself'. The Court is not saved from being oligarchic because it professes to act in the service of humane ends. As history amply proves, the judiciary is prone to misconceive the public good by confounding private notions with constitutional requirements, and such misconceptions are not subject to legitimate displacement by the will of the people except at too slow a pace. Judges appointed for life whose decisions run counter to prevailing opinion cannot be voted out of office and supplanted by men of views more consonant with it. They are even farther removed from democratic pressures by the fact that their deliberations are in secret and remain beyond disclosure, either by periodic reports or by such a modern device for securing responsibility to the electorate as the 'press conference'. But a democracy need not rely on the courts to save it from its own unwisdom. If it is alert . . . unwise or unfair legislation can readily be removed from the statute books . . .

"Because the Court is without power to shape measures for dealing with the problems of society but merely has the power of negation over measures shaped by others, the indispensable judicial requisite is intellectual humility, and such humility presupposes complete disinterestedness. And so, in the end, it is right that the Court should be indifferent to public temper and popular wishes . . . . Courts can fulfill their responsibility in a democratic society only to the extent that they succeed in shaping their judgments by rational standards, and rational standards are both impersonal and communicable. Matters of policy, however, are by definition matters which demand the resolution of conflicts of value, and the elements of conflicting values are largely imponderable. Assessment of their competing worth involves differences of feeling; it is also an exercise in prophecy. Obviously, the proper forum for mediating a clash of feelings and rendering a prophetic judgment is the body chosen for those purposes by the people. Its functions can be assumed by this Court only in disregard of the historic limits of the Constitution" (*A.F. of L.* v. *American Sash Co.,* 335 U.S. 538, 553, 555–556, 557 (1949)).

IV Statistics on recent exercise of judicial review

During the interval, 1937 to 1959 inclusive, a total of six federal enactments were held unconstitutional by the Supreme Court. However, within the last four years and five months the Court has voided a total of eight congressional statutes. Thus the record for the most recent interval, 1963–June 1, 1967, exceeds the number of federal laws held invalid during the preceding interval which spans all told, twenty-two years. The statutes embraced within these two periods are described below.

1937–1957 ACTS HELD UNCONSTITUTIONAL

1. 66. Act of June 25, 1938 (52 Stat. 1040): Federal Food, Drug, and Cosmetic Act of 1938, section 301(f), prohibiting the refusal to permit entry or inspection of premises by federal officers *held* void for vagueness and as violative of the due process clause of the Fifth Amendment. (United States *v.* Cardiff, 344 U.S. 174 (December 8, 1952).)

2. 67. Act of June 30, 1938 (52 Stat. 1251): Federal Firearms Act, section 2(f), establishing a presumption of guilt based on a prior conviction and present possession of a firearm, *held* to violate the test of due process under the Fifth Amendment. (Tot *v.* United States, 319 U.S. 463 (June 7, 1943).)

3. 68. Act of October 14, 1940 (54 Stat. 1169, sec. 401 (g)); as amended by Act of January 20, 1944 (58 Stat. 4, sec. 1): Provision of Aliens and Nationality Code (8 U.S.C. 1481 (a)(8)), derived from the Nationality Act of 1940, as amended, that citizenship shall be lost upon conviction by court martial and dishonorable discharge for deserting the armed services in time of war, *held* invalid as imposing a cruel and unusual punishment barred by the Eighth Amendment and not authorized by the war powers conferred by Article I, section 8, clauses 11 to 14. (Trop *v.* Dulles, 356 U.S. 86 (March 31, 1958).)

4. 69. Act of November 15, 1943 (57 Stat. 450): Urgent Deficiency Appropriation Act of 1943, section 304, providing that no salary should be paid to certain named federal employees out of moneys appropriated, *held* to violate Article I, section 9, clause 3, forbidding enactment of bill of attainder or *ex post facto* law. (United States *v.* Lovett, 328 U.S. 303 (June 3, 1946).)

5. 70. Act of May 5, 1950 (64 Stat. 107): Article 3(a) of the Uniform Code of Military Justice subjecting civilian ex-serviceman to court martial for crime committed while in military service *held* to violate Article III, section 2 and the Fifth and Sixth Amendments. (Toth *v.* Quarles, 350 U.S. 11 (November 7, 1955).)

6. 71. Act of May 5, 1950 (64 Stat. 107): Insofar as Article 2(11) of the Uniform Code of Military Justice subjects civilian dependents accompanying members of the armed forces overseas in time of peace to trial, in capital cases, by court martial, it is violative of Article III, section 2, and the Fifth and Sixth Amendments. (Reid *v.* Covert, 354 U.S. 1 (June 10, 1957).)

Insofar as the aforementioned provision is invoked in time of peace for the trial of noncapital offenses committed on land bases overseas by employees of the armed forces who have not been inducted or who have not voluntarily enlisted therein, it is violative of the Sixth Amendment. (McElroy *v.* United States, 361 U.S. 281 (January 18, 1960).)

Insofar as the aforementioned provision is invoked in time of peace for the trial of noncapital offenses committed by civilian dependents accompanying members of the armed forces overseas, it is violative of Article III, section 2, and the Fifth and Sixth Amendments. (Kinsella *v.* United States, 361 U.S. 234 (January 18, 1960).)

Insofar as the aforementioned provision is invoked in time of peace for the trial of a capital offense committed by a civilian employee of the armed forces overseas, it is violative of Article III, section 2, and the Fifth and Sixth Amendments. (Grisham *v.* Hagan, 361 U.S. 278 (January 18, 1960).)

ACTS HELD UNCONSTITUTIONAL, 1963–JUNE 1, 1967

1. 72. Act of September 27, 1944 (58 Stat. 746, sec. 401(J)); and Act of June 27, 1952 (66 Stat. 163, 267–268, sec. 349(a)(10)): Section 401(J) of Immigration and Nationality Act of 1940, added in 1944, and section 349(a)(10) of the Immigration and Nationality Act of 1952 depriving one of citizenship, without the procedural safeguards guaranteed by the Fifth and Sixth Amendments, for the offense of leaving or remaining outside the country, in time of war or national emergency, to evade military service are invalid. (Kennedy *v.* Mendoza-Martinez, 372 U.S. 144 (February 18, 1963).)

2. 73. Act of June 27, 1952 (66 Stat. 163, 269, sec. 352(a)(1)): Section 352(a)(1) of the Immigration and Nationality Act of 1952 depriving a naturalized person of citizenship for "having a continuous residence for three years" in state of his birth or prior nationality is violative of the due process clause of the Fifth Amendment. (Schneider *v.* Rusk, 377 U.S. 163 (May 18, 1964).)

3. 74. Act of September 23, 1950 (64 Stat. 993, sec. 6): Subversive Activities Control Act of 1950, section 6, providing that any member of a Communist organization, which has registered or has been ordered to register, commits a crime if he attempts to obtain or use a passport, *held* violative of due process under the Fifth Amendment. (Aptheker *v.* Secretary of State, 378 U.S. 500 (June 22, 1964).)

4. 75. Act of October 11, 1962 (76 Stat. 832, 840, sec. 305(a)): Postal Service and Federal Employees Salary Act of 1962, section 305(a), providing for detention by Postmaster General upon arrival of certain foreign mail matter containing Communist political propaganda and delivery thereof only after notification of addressee and receipt of his request therefor, *held* invalid as abridging freedom of speech and press contrary to Amendment I. (*Lamont* v. *Postmaster General*, 381 U.S. 301 (May 24, 1965).)

5. 76. Act of September 14, 1959 (73 Stat. 519, 536, sec. 504): Labor-Management Reporting and Disclosure Act of 1959, sec. 504, which makes it a crime for a member of the Communist Party to serve as an officer or employee (other than in clerical or custodial post) of a labor union, *held* invalid as a bill of attainder proscribed by Article I, section 9, clause 3. (*United States* v. *Brown*, 381 U.S. 437 (June 7, 1965).)

6. 77. Act of September 23, 1950 (64 Stat. 987, 995, sec. 8 (a, c)): Enforcement of Subversive Activities Control Act of 1950, sec. 8 (a, c) requiring members of a Communist-action organization, upon default of the latter to register pursuant to a final order of the Subversive Activities Control Board, to register with the Board as a member of such organization, *held* to subject said members to a denial of their Fifth amendment privilege against self-incrimination. (*Albertson* v. *Subversive Board*, 382 U.S. 70 (November 15, 1965).)

7. 78. Act of September 2, 1958 (72 Stat. 1275, 1399, sec. 201); Excise Technical Changes Act of 1958, sec. 201, (26 U.S.C. 5601 (b)(1) providing that presence of a defendant at the site of an illegal distilling apparatus shall be evidence of unlawful possession, custody or control thereof, *held* violative of due process under the Fifth Amendment for the reason that there is no rational connection between the fact proved and the fact presumed. (*United States* v. *Romano*, 382 U.S. 136 (November 22, 1965).)

8. 79. Act of October 14, 1940 (54 Stat. 1137, 1169 sec. 401(e); Section 401(e) of the Nationality Act of 1940 (8 U.S.C. 148 (a)(5)) providing that a United States citizen shall lose his citizenship by voting in a political election in a foreign state, *held* violative of the Citizenship Clause (§ 1) of Amendment 14 which protects "every citizen . . . against a congressional forcible destruction of his citizenship". (*Alforyim* v. *Rusk*, 386 U.S. (May 29, 1967).)

CONGRESS MUST JOIN PRESIDENT JOHNSON IN THE TASK OF PREVENTING CRIME IN AMERICA

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Corman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CORMAN. Mr. Speaker, a few days ago, at the White House, President Johnson had some persuasive words to say about the problems of crime and juvenile delinquency.

I think the Members of the 90th Congress would do well to heed the President's words. For he made it clear that the problem of crime cannot be solved merely by passing anticrime legislation, but by also passing vital social welfare legislation that seeks to alleviate the conditions that cause criminal acts.

I strongly support the President's view if we clean up conditions that cause poverty, illiteracy, and hopelessness, we will go a long way toward solving the crime problem in this country.

There is no such thing as a born criminal. But, unfortunately, there are thousands of young Americans who are born into criminal neglect. These are the young people who need particular attention—better schooling, job training, and the opportunity to show what they can do.

Yes, we must pass—and quickly—the Juvenile Delinquency Prevention Act and the Safe Streets and Crime Control Act of 1967.

But this legislation cannot produce a cure-all to the problem of a rising crime rate.

This legislation cannot stand alone. We must pass the other measures pending before us that deal with better housing, better job opportunities, better training and education for our people.

The 90th Congress has a unique chance to do something important to drastically reduce crime in America.

And we can do so by passing the war on poverty, the Teacher Corps, and other vital programs that will help to give thousands of young people their first chance to reach toward a better and more productive life.

RESULTS OF A QUESTIONNAIRE ON MAJOR ISSUES, 25TH CONGRESSIONAL DISTRICT OF NEW YORK

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. OTTINGER. Mr. Speaker, recently I circulated to the approximately 160,000 families in the 25th Congressional District of New York a questionnaire inviting them to express their opinions on what I considered to be the major national and international issues at that time.

Nearly 20,000 constituents took the time to sit down, review the issues, and answer 21 questions dealing with such diverse topics as Vietnam, East-West relations, tax sharing, tax increases, social security, the Selective Service System, and wiretapping. In addition, many took the time and trouble to write detailed and thoughtful comments on many of these issues.

I am presenting for inclusion in the Record a tabulation of the results of this questionnaire in the hope that it will be helpful and informative to my colleagues:

A questionnaire from your Congressman Richard L. Ottinger, 25th District, New York

	Percent		
	Yes	No	Undecided
1. Vietnam. Should the United States—			
(a) Wage unlimited war, vastly increasing troop commitments, invading North Vietnam and bombing population centers in attempt at military victory?	27	63	10
(b) Continue present policy of increased military pressure plus insistence on mutual deescalations as a condition of negotiations?	52	40	8
(c) Take new settlement initiatives, continuing military pressure, but trying U Thant's proposal for a cessation of bombing North Vietnam to obtain negotiations?	44	47	9
(d) Unilaterally withdraw our military effort?	23	70	7
(e) Other (specify):			
2. East-West relations:			
(a) Should the Senate ratify a treaty to permit additional consulates in Russia and the United States to give greater protection to traveling residents?	61	30	9
(b) Should the United States expand trade with Soviet bloc countries in pursuit of increased trade now going to Europe and Japan and to relax international tensions?	61	34	5
(c) Should the United States expand trade with the Soviet bloc nations only if reciprocal diplomatic or economic concessions are obtained?	53	33	14

A questionnaire from your Congressman Richard L. Ottinger, 25th District, New York—Continued

	Percent		
	Yes	No	Undecided
3. Tax sharing. Assuming a substantial Federal tax surplus in the future:			
(a) Should Federal programs seeking to encourage new State and local approaches to education, poverty, health and other problems be increased?	57	35	8
(b) Should a percent of Federal income taxes collected be returned to the State governments to be used as they see fit?	44	45	11
(c) Should any sharing be for limited uses such as for education?	51	36	13
(d) Should the Federal Government maintain accountability for assuring proper use of any shared funds?	64	27	9
(e) Should Federal income taxes be reduced to permit higher State income taxes?	33	52	15
4. Tax increase. Should Congress approve the President's proposed 6 percent surcharge to check inflation?	18	70	12
5. Social security. Should Congress authorize—			
(a) Immediate social security increases to bring benefits more in line with the cost of living?	56	34	10
(b) Flexible payments that would increase automatically with cost-of-living increases?	62	28	10
6. Selective service. Should Congress authorize—			
(a) A national lottery to select Armed Forces inductees?	45	41	14
(b) Termination of college exemptions?	37	53	10
(c) A National Service Corps which could be chosen as an alternative to military service?	43	45	12
(d) No change in the present draft system?	32	54	14
7. Wiretapping. Should Congress outlaw all wiretapping, public and private, except when the national security is at stake?	49	43	8

LEGISLATION TO MODERNIZE GRAIN STANDARDS ACT

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PURCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. PURCELL. Mr. Speaker, I have introduced today legislation to modernize the U.S. Grain Standards Act, which was enacted originally in 1916.

This legislation would strengthen some parts of the existing authority and would relax the authority in some areas. The changing picture of grain marketing, especially of grain transportation, during the half century since the original Grain Standards Act was enacted, makes it most desirable that we bring the act up to date.

This legislation has the endorsement of the Department of Agriculture. Secretary of Agriculture Orville L. Freeman addressed a letter to the Speaker on June 20, 1967, which explains the proposal in more detail. I include the letter at this point in the RECORD:

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 20, 1967.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: There is enclosed a proposed bill to modernize the United States Grain Standards Act, as amended (7 U.S.C. 71-87).

When enacted in 1916, the Act eliminated the confusion resulting from the use of many different sets of grain standards applied by many different grain inspection organizations without national coordination and supervision. The Act, in general, provided for the establishment of official United States grain standards of quality and condition, required that grain sold by grade and shipped in interstate or foreign commerce be sold by an official grade fixed in such standards, prohibited description of grain shipped in such commerce as being of any grade other than one fixed for such grain in the standards, required that grain sold by grade and shipped in interstate or foreign commerce from or to a place where a licensed inspector was located be inspected and graded by a licensed inspector, provided for the licensing of grain inspectors to inspect and certify the grade of grain for shipment in interstate or foreign commerce, provided administrative sanctions for selling grain in interstate or foreign commerce under a false or misleading name or description and similar offenses, and provided criminal penalties for knowingly grading grain improperly or issuing false certificates of grade and certain other offenses. The Act was amended in 1956 to provide criminal penalties for knowingly sampling grain improperly or knowingly or willfully causing or attempting to cause the issuance of false or incorrect certificates of grade by deceptive loading, handling, or sampling of grain, or by any other means.

The proposed bill would, in general, continue the present United States standards for grain, improve the national grain inspection system by authorizing additional inspection services under the Act, eliminate certain requirements which appear to be a burden on interstate commerce and which are apparently no longer needed by the commercial grain trade, strengthen the requirements for export grain, make certain activities self-funding, provide for entering into cooperative agreements and contracts with official inspection agencies and others, and strengthen the prohibitions to further protect the integrity of the national grain inspection sysem.

The bill would authorize the establishment of national standards similar to those established under the present Act, and would authorize the utilization of additional criteria in the standards for measuring characteristics of grain. The standards now established would be continued in effect under the amended Act unless modified by the Secretary.

Since the Act was passed in 1916, grain merchandising practices have changed greatly. Domestic traders are more knowledgeable and specification buying is more common. As a result, reference to official grades and official inspection is not desired in many of today's commercial transactions in domestic commerce. There is, therefore, no logical justification for continuing the requirement that grain sold by grade in domestic commerce be sold only by an official grade and be officially inspected. The needs of the trade, rather than Federal law, should determine when official grain grades and inspection are used for such commerce. This is now true for rice, beans, eggs, dairy products, fruits, vegetables, and most other agricultural commodities.

Since the Act was passed, grain transportation methods have also changed greatly. A large percentage of the grain now shipped in interstate commerce is shipped by truck. An ever-increasing percentage is being shipped by rail under special point-to-point rates. Official inspection of much of the trucklot grain and most of the grain moving under the special point-to-point rates is apparently not desired and is not obtained by the trade even though official inspection of much of such grain is technically required by the Act. To provide official inspection for trucklot grain would require stationing official inspection personnel on a 24-hour basis, particularly during the harvest season, or require that the trucks and the loading and receiving elevators wait for official inspection. Official inspection of trucklot grain has been found feasible in only a few of the larger terminal markets. If the mandatory inspection requirements were enforced with respect to trucklot grain, it would increase the cost of merchandising the grain and would apparently serve no useful purpose to the trade. Furthermore, it is discriminatory to require the official inspection of grain shipped by water, or by rail under conventional rates, and not require the official inspection of grain shipped by truck or by rail under special point-to-point rates. It is also discriminatory to require the official inspection of grain shipped from or to a place where a licensed inspector is located and not require the official inspection of grain shipped from or to other points. Therefore, the inspection of grain in domestic commerce should be entirely on a permissive or voluntary basis in accordance with the needs of the trade.

Accordingly, the proposed bill would not require the use of official grades or official inspection for grain in domestic commerce, although the bill would authorize the inspection of such grain, as well as other grain, upon request of interested persons.

Since 1916, the exportation of U.S. grain has shown a substantial increase. Much of our grain production is now shipped to foreign markets. Because of the importance of grain exports to the economy of the United States, because of the complexities of international trading, and because many foreign buyers rely solely on the U.S. grain standards for expressing their quality needs, export grain that is sold, or offered or consigned for sale, by grade, should be required to be officially inspected at the time the grain is loaded in the export carrier. Accordingly, the proposed bill would require that such export grain be officially inspected at the time of loading and that the inspection certificates be forwarded promptly to the buyers in order to facilitate international trade. It would also require the use of official grade designations in describing the grade of grain in connection with its sale for shipment from the United States. These requirements are not intended to impose an unreasonable restriction on international trade.

The proposed bill would restrict the licensing of personnel to perform official sampling or other inspection functions to individuals employed or operating independently under a cooperative agreement between the Secretary and State or other inspection agencies or persons, or operating under a contract with this Department for the performance of functions such as sampling. To avoid undesirable competition between inspection agencies, not more than one cooperative agreement would be effective at any one time in a city, town, or other area covered by any cooperative agreement. In areas where grain inspection was needed and not otherwise available from State or other inspection agencies or persons under cooperative agreements, the service would, when practical, be performed by Federal employees and contract licensees. Licenses now in effect or issued under the amended provisions of the Act would terminate every 3 years at times fixed by regulation of the Secretary.

Provision is made in the bill for refusal of renewal, and for suspension or revocation, of licenses for specified causes after the licensee is afforded opportunity to present his views. Provision is also made for refusal to provide official inspection service under certain circumstances, including opportunity for a formal hearing under the administrative procedure provisions in 5 U.S.C. 556 and 557 in the case of inspection service required under the Act, and opportunity to present views in other cases. The provisions for presentation of views contemplate informal procedures, not subject to 5 U.S.C. 556 and 557, which could vary, depending upon the type of action under consideration and the reason therefor. For example, in a proceeding to refuse the renewal of an inspector's license on grounds of incompetency, based on the failure of the inspector to pass an examination under subsection 9(c) of the bill, the procedure would consist of notice of such failure and of the proposed action and an opportunity for the inspector to state his views briefly in writing. More extensive procedures, including oral hearing, would be provided when deemed necessary in other types of cases, such as proceedings for denial of permissive or voluntary inspection service.

The bill also would close several loopholes in the regulatory features of the present Act to further protect the integrity of the grain inspection system; e.g., it contains various new prohibitions, including a prohibition against knowingly making false representations that grain has been inspected under the Act. The use of an official grade designation such as U.S. No. 1 Durum wheat, would not in itself be deemed to constitute a representation that grain has been officially inspected, within this prohibition. However, the knowing use of an official grade designation on a container of grain would be prohibited by another provision of the bill unless the grain in the container was officially inspected as required by the bill.

The bill would provide for issuance of rules and regulations to effectuate the purposes of the Act. It is contemplated that inspection procedures and inspection equipment would be prescribed by the Secretary to achieve uniform inspection results.

The bill would have no adverse effect on operations under the Commodity Exchange Act or the United States Warehouse Act, or on the uniform grain storage agreements under the Commodity Credit Corporation price-support programs. Official inspection under the official standards could be required under the uniform grain storage agreements or in any commercial contract in exactly the same manner as at present. Industry and Government costs would be reduced without impairing the usefulness of the national standards or the grain inspection system.

Under the present statute the inspection of grain by licensed grain inspectors has been financed by fees charged by such licensees to the user of the service. Annual appropriations have been provided to cover the cost of the Federal activities under the Act with the exception of the cost of overtime, night and holiday work which was made self-funding in 1958 by an amendment of section 6 of the Act. Also the cost of appeal inspections has been borne by the users of the service.

In accordance with the policy of the administration of charging users, for special benefit services, the proposed bill authorizes the collection of reasonable fees to cover the estimated total costs of official inspection services if the inspection is performed by employees of the Department or by contract licensees. It is contemplated that the fees would be reasonable and equal as nearly as practicable to the costs of furnishing the services including the cost of overtime, night and holiday work (after taking into consideration any proceeds from the sale of samples). No provision is made for the Department to share in the fees collected by licensed inspectors for inspections performed by them under cooperative agreements.

Based on present workload estimates, fees collected from appeal inspection services performed by employees of the Department and money obtained from the sale of surplus Federal samples of grain will amount to about $782,000 in fiscal year 1967. Of this amount, $682,000 is to be deposited into miscellaneous receipts in the Treasury and $100,000 deposited as a reimbursement to the appropriation. Under the proposed bill, if the amount of grain inspected should continue at its present level, this total revenue of approximately $782,000 would be deposited in a fund which would be made directly available for financing these "special benefit" services. All fees collected for other inspections performed by Department employees or contract licensees under the bill would also be deposited in such fund. A net cost to the Government of about $2.2 million would be financed from appropriated funds. Reductions in Federal employment would occur to the extent that more effective inspection arrangements can be adopted or that the volume of inspected grain declines under a voluntary domestic program.

A summary of the proposed changes is also enclosed for your convenience.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

Orville L. Freeman,
Secretary.

NATIONAL WHEAT ACREAGE ALLOTMENT

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Purcell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. PURCELL. Mr. Speaker, the announcement last Thursday that the national wheat acreage allotment for 1968 is 59.3 million acres will be good news to many wheatgrowers. All the available information on the wheat situation indicates that an allotment of that size will not create a surplus but will meet our domestic needs and exports, including shipments to those nations who look to us for food assistance.

From the wheatgrowers standpoint the cut in the allotment from the 68.2-million-acre allotment for 1967 will increase the proportion of the production for which domestic marketing certificates will be paid. This, along with the use of the price-support loan as an assist to orderly marketing of the 1968 crop, should make it possible for wheatgrowers to improve their income situation.

The decision of the Secretary is in line with the recommendations made at a recent series of informal hearings of the 1968 allotment. So, I am hopeful that wheatgrowers generally will participate in the 1968 wheat program and give it their full support. The Secretary deserves a pat on the back for his careful consideration of the wheatgrower in making his decision.

NATIONAL FLOOD INSURANCE ACT OF 1967

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. PEPPER. Mr. Speaker, I today have introduced legislation which would establish a program for national flood insurance. I am happy to have as cosponsors of this legislation in the other body the junior Senator from New Jersey [Mr. Williams] and 27 other Senators who joined Senator Williams of New Jersey on Friday, June 23, 1967, in sponsorship of a National Flood Insurance Act.

We all are aware of the heavy damages to property and loss of life that have been caused by floods, including those caused by hurricanes and wind-driven water. Heavy flooding seems to be on the increase, rather than on the decrease, in spite of protective measures taken by individuals and by governmental bodies.

In keeping with my interest in the need for this type of legislation, I introduced H.R. 8979. This bill had been drafted by the National Association of Insurance Commissioners under the able leadership of Florida's insurance commissioner, the Honorable Broward Williams. As I stated at that time, it was my hope that the administration would come up with workable and effective legislation according to the guidelines of the State insurance commissioners to aid flood victims. This has now been done and I am most pleased to sponsor the administration's proposals for a National Flood Insurance Act.

Mr. Speaker, I also want to commend the able Senator from New Jersey for taking the leadership in this matter by having both proposals before his Subcommittee on Securities of the Senate Banking and Currency Committee. His subcommittee will be conducting hearings on this flood insurance legislation June 26, 27, and 28.

I know the Congress will want to adopt a consistent and comprehensive program of flood insurance to provide relief to flood victims—a matter of doing the right thing for all citizens thus victimized, rather than responding on a case-by-case basis through specific and limited legislation to provide relief following each major disaster.

I would like to have printed at this point in the Record a section-by-section analysis of my bill H.R. 11142:

Section-by-Section Summary of the National Flood Insurance Act of 1967

Section 1. Short Title: This section provides for the Act to be cited as the "National Flood Insurance Act of 1967".

Section 2. Findings and Declaration of Purpose: This section states Congressional findings and purposes, highlighting the fact that a flood insurance program is feasible, can be initiated, and should complement and encourage measures to prevent flood damage; that if the program is commenced on a gradual basis, time and experience will enable it to be reappraised and expanded to make flood insurance available to other persons needing it; that the program can be carried out most effectively through a cooperative effort on the part of the Federal government and the private insurance industry; and that a critical ingredient of such a program will be the encouragement of State and local governments to adopt land use regulations to govern the development of land exposed to flood damage. This section also calls for the President to submit to the Congress, within two years after the effective date of the Act, a unified national program for flood plain management, including any further proposals for the allocation of costs among beneficiaries of flood protection.

Section 3. Amendments to the Federal Flood Insurance Act of 1956: This section would repeal all sections of the now inactive Federal Flood Insurance Act of 1956 (for which program funds were never appropriated), *except* section 15(e). That section vested the Administrator of the Department's predecessor agency (the Housing and Home Finance Agency) with authority to borrow $500 million in the aggregate (or greater sums if authorized by the President) from the Secretary of the Treasury. Under section 106 of the bill, this authority would be made available to the Secretary of Housing and Urban Development to carry out certain responsibilities vested in him by the new flood insurance legislation.

TITLE I—THE NATIONAL FLOOD INSURANCE PROGRAM

Section 101. Basic Authority: This section would provide the basic authority for the Secretary of Housing and Urban Development to establish and carry out a program to facilitate the purchase of flood insurance to provide against physical damage to real or personal property resulting from flood.

This program would be implemented, to the maximum extent practicable, through arrangements for financial participation and risk-sharing by companies in the private insurance industry, and by other appropriate participation on a nonrisk-sharing basis by insurance companies, agents, brokers, or adjustment organizations.

Section 102. Scope of Program and Priorities: This section would authorize the flood insurance program to be made available initially for 1- to 4-family residential properties, and would authorize the Secretary to extend coverage of the flood insurance program when, on the basis of studies and other information, he determined that extension was feasible. Future coverage of the program could extend to any types and classes of (1) other residential properties, (2) business properties, (3) agricultural properties, (4) properties occupied by private nonprofit organizations, and (5) properties owned by State and local governments and agencies thereof.

Flood insurance would be made available only in those States or areas (or subdivisions of areas) which the Secretary determined had evidenced a positive interest in the flood insurance program, and had given satisfactory assurances that by June 30, 1970, permanent land use and control measures consistent with prescribed criteria for land management and use would have been adopted, and that application and enforcement of these measures would commence as soon as technical information on floodways and on controlling flood elevations is available.

Section 103. Nature and Limitation of Insurance Coverage: This section would authorize the Secretary, after consultation with a public-industry flood insurance advisory committee, and representatives of the State insurance commissioners, to provide by regulation for the general terms and conditions of insurability applicable to properties eligible for flood insurance. A representative organization of all State insurance authorities, such as the National Association of Insurance Commissioners, would undoubtedly be called upon for purposes of this consultation.

These terms and conditions would include the types and locations of eligible properties; the nature and limits of insurable losses; the classification, limitation, and rejection of risks; and appropriate minimum premiums and loss-deductibles (to prevent low-loss claims).

Insurance coverage for 1- to 4-family residential properties would be limited to $15,000 aggregate liability for any dwelling unit and $30,000 for any dwelling structure with more than one unit. Liability for contents would be limited to $5,000 per dwelling unit subject to an appropriate loss-deductible clause. For any other properties which may become eligible for flood insurance coverage in the future (such as small business properties), the aggregate liability for any single structure would be $30,000. Insurance coverage could be doubled under this section, but any excess over the above limits would require the payment of premium rates at full cost.

Section 104. Estimates of Premium Rates: This section would authorize the Secretary, on the basis of studies and investigations and on information from the government agencies most experienced in assessing the risks in flood plains, to estimate on an area, subdivision, or other appropriate basis (giving priority to those States or areas that have evidenced a positive interest in flood insurance), (1) risk premium (full-cost) rates for flood insurance, (2) the rate which would be reasonable, would encourage the purchase of flood insurance, and would be consistent with the purposes of the Act, and (3) the extent to which Federally assisted or other flood protection measures initiated after the effective date of the Act affect the estimates of rates mentioned in (1) and (2) above.

The Secretary would base estimates of risk premium rates on a consideration of the risks involved and accepted actuarial principles. The rates would reflect applicable operating costs and allowances of participating private insurers, and, on a discretionary basis, non-developmental Federal administrative expenses which may be incurred in carrying out the flood insurance program.

In conducting the necessary rate studies and investigations, the Secretary would utilize the services, on a reimbursement basis, of the Army Corps of Engineers, the Geological Survey, the Soil Conservation Service, the Environmental Science Services Administration, the Tennessee Valley Authority, and other appropriate Federal or State agencies.

Section 105. Establishment of Chargeable Premium Rates: This section would authorize the Secretary, after consultation with the flood insurance advisory committee and representatives of the State insurance authorities, and on the basis of rate estimate discussed above, to establish chargeable premium rates and the areas, terms and conditions for the application of such rates. In prescribing chargeable rates the Secretary would be guided by a number of factors, including the consideration of the respective risks involved, the differences in risks due to land use measures, flood proofing, flood forecasting and similar measures. The Secretary could, however, prescribe chargeable rates, at reasonable levels, lower than those computed on the above basis where necessary, in order to encourage the purchase of flood insurance.

Essentially, chargeable rates for existing properties will reflect either (1) the risk premium (full cost) rate estimated under section 104 or (2) the estimated "reasonable" rate under that section. In low risk areas the chargeable rate for existing properties would be the same or close to the estimated full cost rate. The higher the flood risk for an area, the lower the chargeable rate (if based on the estimated "reasonable" rate) would be in relation to the estimated full cost rate.

The chargeable rates would be stated so as to reflect their basis, including the difference (if any) from the estimated full cost risk premium rates.

In the case of property on which construction was started or substantially improved after identification of flood plain areas which have special flood hazards have been published, the chargeable rate for insurance of such property in such area would not be less than the estimated (full cost) risk premium rate.

Where any chargeable premium rate is equal to the estimated risk premium for the area and includes an amount for administrative expenses of the Federal government in carrying out the flood insurance program, a sum equal to that amount would be paid to the Secretary.

Section 106. Treasury Borrowing Authority: This section would provide that the authority vested in the Housing and Home Finance Administrator by section 15(e) of the Federal Flood Insurance Act of 1956 (pertaining to the issue of notes or other obligations to the Secretary of the Treasury in the aggregate of $500 million), would be available to the Secretary in carrying out his responsibilities under this Act. Borrowed Treasury funds would be deposited in the National Flood Insurance Fund established under section 107 of the bill.

Section 107. National Flood Insurance Fund: This section would authorize the Secretary to establish in the U.S. Treasury a National Flood Insurance Fund. Premium equalization payments to private insurers, reinsurance claims of insurers, repayments of borrowed monies to the Secretary of the Treasury, and administrative expenses in carrying out the flood insurance program would be charged to the fund. The fund would also be available to finance the operation of the flood insurance program if the Secretary finds that it should, in whole or in part, be carried out through the facilities of the Federal government, including costs incurred in the adjustment and payment of loss claims and payment of applicable operating costs of private insurers.

The fund would be credited with (1) borrowed Treasury funds, (2) reinsurance premiums payable by private insurers, (3) amounts advanced to the fund from appropriations in order to maintain it at adequate levels, (4) interest on the investment of surplus amounts in the fund, (5) administrative expenses included in chargeable premium rates and which have been paid to the Secretary, and (6) receipts from other operations incident to the insurance program; and, in the event the flood insurance program is carried out through the facilities of the Federal government, the insurance premiums paid.

The Secretary would have to pay interest to the Secretary of the Treasury on any amounts paid from the fund for reinsurance payments to the private insurance industry.

This section would also provide for the investment of any surplus monies in the fund in obligations issued or guaranteed by the United States, if (1) all outstanding obligations have been liquidated, and (2) any outstanding amounts that have been advanced to the fund from an appropriation have been credited to that appropriation, with interest accrued at a rate based on the average current yield on outstanding marketable obligations of the United States of comparable maturities.

Section 108. Operating Costs and Allowances: This section would direct the Secretary to negotiate with appropriate representatives of the insurance industry, from time to time, for the purpose of prescribing a current schedule of operating costs applicable to risk-sharing and non-risk-sharing participants in the program, and a current schedule of operating allowances applicable to risk-sharing insurers.

Operating costs would include (1) expense reimbursements covering the direct and necessary expenses of selling and servicing flood insurance coverage, (2) reasonable compensation or commissions payable for selling and servicing flood insurance coverage, (3) loss adjustment expenses, and (4) other direct and necessary expenses which the Secretary finds are incurred in connection with selling or servicing flood insurance.

Operating allowances would include amounts for profit and contingencies which the Secretary finds reasonable and necessary to carry out the purposes of the Act.

Section 109. Payment of Claims: This section would authorize the Secretary to prescribe regulations establishing methods for the adjustment and payment of claims for losses to property covered by insurance under the flood insurance program.

Section 110. Dissemination of Flood Insurance Information: This section would direct the Secretary to make information and data available to the public and to any State and local agency with regard to (1) the flood insurance program, its coverage and objectives, and (2) estimated risk and chargeable flood insurance premium rates, including the basis for and difference between such rates.

Section 111. Prohibition Against Certain Duplications of Benefits: This section would prevent Federal disaster assistance from being made available to compensate for any loss to the extent it is covered by flood insurance, or could have been covered (at the maximum limits) if flood insurance was available more than one year prior to the loss.

"Federal disaster assistance" would include any Federal financial assistance made available to any person as a result of (1) a major disaster, as determined by the President pursuant to "An Act to authorize Federal Assistance to State and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g); (2) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961; (3) a disaster with respect to which loans may be made under section 7(b) of the Small Business Act.

This section would also make the term "financial assistance" as used in section 10 of the Disaster Relief Act of 1966 (which directs that Federal assistance programs be administered to avoid duplication of benefits) be deemed to include flood insurance.

Section 112. State and Local Land Use Controls: This section would provide that after June 30, 1970, no new flood insurance coverage (including renewals) would be provided in any area unless an appropriate public body had adopted permanent land use and control measures, with effective enforcement provisions, which the Secretary finds consistent with the comprehensive criteria for land management and use prescribed under the Act.

Section 113. Properties in Violation of State and Local Law: This section would prohibit any new flood insurance (including renewals) for property duly declared to be in violation of State or local laws, regulations, or ordinances intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Section 114. Coordination with Other Programs: This section would direct the Secretary to consult with other Federal agencies, and interstate, State and local agencies having responsibilities for flood control, flood forecasting, and flood damage prevention, in order to assure mutual consistency between the programs of these agencies and the flood insurance program.

Section 115. Advisory Committee: This section would direct the Secretary to appoint a flood insurance advisory committee composed of up to 15 representatives from the insurance industry and the public. The committee would advise the Secretary with respect to policy matters and in the preparation of regulations prescribed in accordance with this Act. Committee members, while attending meetings, would be compensated at a rate fixed by the Secretary but not exceeding $100 a day and would in addition receive travel and living expenses when serving away from their homes or regular places of business.

Section 116. Initial Program Limitation: This section would provide that the fact amount of flood insurance coverage outstanding and in force at any given time could not exceed $2,500,000,000.

Section 117. Report to the President: This section would direct the Secretary to include a report on the operations of the flood insurance program in his annual report to the President for submission to the Congress.

TITLE II—ORGANIZATION AND ADMINISTRATION OF THE FLOOD INSURANCE PROGRAM

Section 201. Organization and Administration: This section would direct the Secretary after such consultation with representatives of the insurance industry as may be necessary, to implement the flood insurance program in accordance with part A of this title—providing for an industry program with Federal financial assistance—or, if he finds it necessary, in accordance with part B providing for a Federal program with industry assistance.

Part A—Industry program with Federal financial assistance

Section 211. Industry Flood Insurance Pool: This section would authorize the Secretary to encourage and assist private insurers to join together in a pool to provide flood insurance coverage and to participate financially in underwriting the risks assumed and in adjusting and paying claims for losses.

The Secretary would authorize to prescribe appropriate requirements for private insurers participating in the pool, including minimum capital or surplus or assets requirements.

Section 212. Agreements with Flood Insurance Pool: This section would authorize the Secretary to enter into agreements with a pool to specify the terms and conditions under which (1) risk capital would be available for the adjustment and payment of claims, (2) the pool and its participants would participate proportionately in premiums received and profits or losses, including the maximum amount of profit which might be realized, (3) operating costs and allowances might be paid, and (4) premium equalization payments and reinsurance claims would be paid.

The agreements would also contain such provisions as the Secretary finds necessary to assure that (1) no qualified insurer wishing to participate in the pool would be excluded, (2) insurers participating in the pool would provide continuity of flood insurance coverage by the pool, and (3) other insurance companies, agents and brokers would to the maximum extent practicable be permitted to cooperate with the pool as fiscal agents or otherwise on a nonrisk-sharing basis.

Section 213. Judicial Review: This section would authorize private insurers participating in a pool to adjust and pay claims for losses and would permit any claimant, upon disallowance of a claim, to institute an action, within one year after notice of disallowance was mailed, in the U.S. district court for the district in which the insured property or the major portion of it was situated. Jurisdiction would be conferred on the district court without regard to the amount in controversy. Claimants could also avail themselves of legal remedies in State courts.

Section 214. Audit of Accounts: This section would require any pool and its participating insurers to maintain an integral set of accounts subject to audit by the Secretary.

Section 215. Premium Equalization Payments: This section would direct the Secretary to make periodic payments to the pool of insurers in recognition of any reductions made in chargeable premium rates under estimated risk premium rates in order to provide flood insurance on reasonable terms. Payments could be made for (1) losses and (2) operating costs and allowances.

Payments for a share of the claims paid in a given period would be based on the aggregate amount of flood insurance retained by the pool after ceding reinsurance in accordance with section 216, and would not exceed in any payment period an amount determined by the following ratio:

$$\frac{\text{periodic payments}}{\text{proved and approved claims in the designated period}}\ \text{(equals)}\ \frac{\text{estimated risk premiums less chargeable premiums for the period}}{\text{estimated risk premiums for the period}}$$

(Any Federal administrative expenses reflected in estimated risk premiums would be excluded for purposes of this computation.)

To illustrate, assume that in a single period payable insurance claims amounted to $1.5 million, that premiums charged amounted to $1 million, and that estimated risk premiums amounted to $3 million. The Federal payment would be up to $1 million. Let X equal the periodic payment.

$$\frac{X}{1.5}=\frac{3-1}{2}=\frac{2}{3}$$

then X equals $1 million

Subject to the limiting terms and conditions of the basic agreement between the Secretary and the pool under section 212, the Secretary would also be authorized to make payments to the pool for a proportionate amount of "applicable" operating costs (including only administrative expenses) and allowances on the same ratio basis as used to determine the sharing of claim payments.

The Secretary would be authorized to establish designated pay periods and the methods for determining the sum of premiums paid or payable during such periods.

Section 216. Reinsurance Coverage: This section would authorize the Secretary to negotiate an excess loss agreement with the insurance industry pool whereby claims above a certain limit would be submitted to the Secretary on a portfolio basis and paid by the Federal government. Reinsurance premiums would be paid by the pool during those periods when claims and expenses of underwriting for which the private companies were responsible and profit allowances did not absorb all collected premiums and would be equal to the remaining premiums collected.

The reinsurance program would be designed to ensure that the private insurance industry bears a share of the losses consistent with the objectives of the flood insurance program, but would recognize that even with premium equalization payments to the pool, it cannot bear its proportionate share of heavy or catastrophic losses above a stipulated amount of risk capital and that excess risk must be borne by the Federal government.

Part B—Government program with industry assistance

Section 221. Federal Operation of the Program: This section would authorize the Secretary, after consultation with representatives of the insurance industry and after making a determination that the flood insurance program cannot be effectively carried on through the insurance pool, to take the necessary steps to operate the program through the facilities of the Federal government, and to utilize, to the extent practicable, insurers, agents, brokers, and adjustment organizations as fiscal agents of the United States.

Section 222. Adjustment and Payment of Claims: This section would authorize the Secretary to adjust and pay claims, and would authorize any claimant, upon disallowance of a claim, to institute an action, within one year after notice of disallowance was mailed, in the U.S. district court for the district in which the insured property or the major portion of it was situated. Jurisdiction would be conferred on the district court without regard to the amount in controversy.

Part C—Provision of general applicability

Section 231. Services by Insurance Industry: This section would provide the necessary legal authority for the Secretary to enter into the necessary arrangements with the private insurance industry in order to implement the flood insurance program, including provisions for payment of applicable operating costs and allowances for such facilities and services.

Such arrangements would be exempted from any provisions of Federal law requiring competitive bids or requiring that contracts or purchases of supplies or services by the Federal government be made only after advertisement is provided for a sufficient time to allow competitive proposals to be made.

Section 232. Use of Insurance Pools, Companies, or other Private Organizations for Certain Payments: This section would authorize the Secretary, in order to achieve maximum efficiency in the administration of the flood insurance program, to enter into contracts with a pool, insurance companies or other private organizations he finds acceptable to assume certain responsibilities on a reimbursement basis, including (1) estimating and determining amounts of Federal payments, (2) receiving from the Secretary, disbursing and accounting for funds in making such payments, and (3) auditing participating insurers, agents, brokers, or adjustment organizations, as may be necessary to assure that proper payments are made.

The Secretary would be authorized to require a surety bond from any organization performing such responsibilities and any of its officers and employees. No individual designated to certify payments would be liable with respect to payments certified by him in the absence of gross negligence or intent to defraud the United States. No officer disbursing funds in accordance with a proper certification of payments would be liable with respect to such payments in the absence of gross negligence or intent to defraud the United States.

Contracts would be automatically renewable from year to year in the absence of notice from either party as to termination, except that the Secretary may terminate a contract after reasonable notice if he determines that the other party has substantially failed in its obligations or is carrying them out in a manner inconsistent with the efficient and effective administration of the flood insurance program.

Contracts authorized by this section would be exempted from any provisions of Federal law requiring competitive bidding or requiring that contracts or purchases of supplies or services by the Federal government be made only after advertisement is provided for a sufficient time to allow competitive proposals to be made.

Section 233. Settlement and Arbitration: This section would authorize the Secretary to make final determination and settlement of any claims arising from financial transactions he is authorized to carry out. The Secretary would be authorized to refer disputes to arbitration, which would be advisory in nature.

TITLE III—COORDINATION OF FLOOD INSURANCE WITH LAND MANAGEMENT PROGRAMS IN FLOOD-PRONE AREAS

Section 301. Identification of Flood-Prone Areas: This section would authorize the Secretary, utilizing the Army Corps of Engineers, the Geological Survey, Soil Conservation Service, the Environmental Science Services Administration, TVA, and other Federal, State or local agencies, to identify and publish information within five years after the effective date of the Act with respect to all flood plain areas, including coastal areas in the United States, which have special flood hazards; and to establish, within 15 years, flood risk zones in such areas and to make estimates with respect to the rates of probable flood-caused loss for the various flood risk zones for each of these areas. For purposes of facilitating these identification responsibilites, the Secretary could utilize interagency procedures such as could be developed by such agencies of the Federal government with coordinating responsibilities as the Water Resources Council.

Section 302. Criteria for Land Management and Use: This section would authorize the Secretary to carry out studies or investigations with regard to the adequacy of State and local measures in flood-prone areas, as to land management and use, flood control, flood zoning, and flood damage prevention. These studies and investigations would deal with laws, regulations, or ordinances relating to encroachments and obstructions on stream channels and floodways, the orderly development and use of flood plains of rivers or streams, floodway encroachment lines or flood plain zoning, building codes, building permits, and subdivision or other building restrictions.

Based on the studies and investigations, the Secretary would be authorized to develop comprehensive criteria designed to encourage, where necessary, the adoption of permanent State or local measures which will lessen the exposure of property and facilities to flood losses, improve the long-range land management and use of flood-prone areas, and inhibit, to the maximum extent feasible, unplanned and economically unjustifiable future development in such areas.

The Secretary would also work closely with and provide any necessary technical assistance to State, interstate, and local governmental agencies to encourage the application of such criteria and the adoption and enforcement of such measures as may be necessary to help in reducing any unnecessary damages resulting from floods.

Section 303. Purchase of Certain Insured Properties: This section would authorize the Secretary to negotiate with owners of real property covered by flood insurance, located in any flood-risk area, and damaged substantially beyond repair by flood, for the purchase of such property for subsequent transfer to State or local agencies which agree to use the property for at least 40 years for only such purposes as the Secretary may, by regulation, determine to be consistent with sound land management and use.

TITLE IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

Section 401. Definitions: This section would define (1) "flood" as having such meaning as prescribed in regulations of the Secretary, and may include inundation from the overflow of streams, rivers, or other bodies of natural waters, and from tidal surges, abnormally high tidal water, tidal waves, hurricanes, and other severe storms or deluge; (2) "United States" and "State" as including the District of Columbia, the territories and possessions, and the Commonwealth of Puerto Rico; (3) "insurance company", "other insurers", "insurance agents and brokers", and "insurance adjustment organizations," as organizations or individuals authorized to engage in the insurance business under the laws of any state; (4) "person" as any individual, group of individuals, corporation, partnership, association, or other organized group, including State local governments and agencies; (5) "Secretary" as the Secretary of Housing and Urban Development.

Section 402. Studies of Other Natural Disasters: This section would authorize the Secretary to make studies to determine the extent to which insurance protection against earthquakes or other natural disasters is not available and the feasibility of making such insurance protection available. Studies would be made in cooperation with other Federal, State or local agencies, and the Secretary would be authorized to enter into agreements for the conduct of such studies with other Federal agencies, on a reimbursement basis, or with State and local agencies.

Section 403. Payments: This section vests discretion in the Secretary to make payments in advance of their actual need, or by way of reimbursement. Because of the possibility of large sums of money which could be involved in the flood insurance program, it will be necessary to make advances in certain situations so that the industry will not be required to pay large claims in advance of the receipt of Federal funds due them. For this reason, it is contemplated that with such authority to make advance payments, the letter of credit method recommended by the Department of the Treasury for similar situations will be adopted in making premium equalization payments and in paying reinsurance claims where large advance payments that will involve Federal liability have to be made by the participating private insurance companies.

Section 404. Government Corporation Control Act: This section would make the provisions of the Government Corporation Control Act applicable in the administration of the flood insurance program to the same extent as applicable to wholly owned Government corporations.

Section 405. Finality of Certain Financial Transactions: This section would provide that any financial transaction under this Act or payment received or made in connection with it shall be final and conclusive upon all officers of the Government.

Section 406. Administrative Expenses: This section would provide that any administrative expenses of the Federal Government in carrying out the flood insurance program may be paid out of appropriated funds.

Section 407. Appropriations: This section would authorize, without fiscal year limitation, the appropriations necessary to carry out the flood insurance program, including sums to cover administrative expenses and to reimburse the National Flood Insurance Fund for premium equalization payments and reinsurance claims paid out of the Fund.

Section 408. Effective Date: This section would provide for the Act to become effective 120 days following the date of enactment, except that the Secretary would be authorized to extend the effective date up to 180 days after enactment if he finds conditions necessitate a long preparatory period.

THE GI BILL AND THE GREAT AMERICAN TRANSFORMATION, 1945–67

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. TEAGUE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, Prof. Sidney A. Burrell, professor of history in Boston University's College of Liberal Arts, has written an extremely interesting article in the spring 1967 issue of the Graduate Journal of Boston University. It is entitled "The GI Bill and the Great American Transformation, 1945–67." For those of us who had part in this great program which started as Public 346 of the 78th Congress, some of Professor Burrell's conclusions will come as a surprise, and we will be glad to note, as I am, the lasting and unique contribution which this legislation made to the welfare and well-being of our country.

The article follows:

THE GI BILL AND THE GREAT AMERICAN TRANSFORMATION, 1945–67

(By Sidney A. Burrell)

It is difficult for those of us who were part of it to realize that more than twenty years have gone by since the beginning of the first great postwar crisis of the American university system. Immersed as the academic community is in its contemporary problems, it is sometimes hard to recollect after two decades just how great a strain was imposed on the facilities of academia by the flood of returning veterans which rolled into our half-empty universities in 1945. Now that that great tide of young men has reached middle age we may begin to assess the results of the great experiment that made higher education possible for them with some measure of historical perspective.

At the outset it is well to remember that it was an intense, impatient, highly motivated generation which came back to the campus at the end of the Second World War. In many ways there are superficial similarities between them and their successors in the American universities today. The student veterans were critical of university life because their standards of expectation were high, but they also had strong hopes that the education they were seeking would give them certain fairly direct vocational returns if only they were patient enough to stay the course. All of them were more directly concerned with their own personal objectives than some members of today's student community, and the energy and thrust which they directed toward achieving their goals was to bring about what may have been the most important educational and social transformation in American history. It is the intention of this essay to speculate rather broadly on some of the significant effects of that transformation during the almost generation that has passed since millions of Americans came home from Hitler's and Tojo's wars.

Like most young persons who have lived through long periods of confrontation with personal danger and doubtful future, the postwar student veterans were not notably reverent toward the academic *status quo*. At times, in fact, they were less than kind. Eminent faculty who had lectured in arcane fashion for years often found themselves challenged for lack of clarity in presentation, for repetitious dullness, for failure to keep abreast of the latest scholarship that their auditors sometimes knew far better than they. The discontent could be very vocal. One distinguished professor whose classes I attended was told by a delegation of students that his lectures were badly organized, difficult to follow, and impossible to take notes on. The critics were right too.

In another instance sharp classroom rejoinder very nearly reduced a young instructor to tears. The student veteran hated cant, wanted to understand what he heard, and fully expected his instructors to have things thought out carefully before stepping into a lecture room.

Student motivation must have reached some sort of a peak between 1945 and 1950. Many graduates and undergraduates were married and had little time for participation in college activities of the kind that had absorbed so much time in the pre-war years. For that reason the drive that carried the postwar student to academic success was not always the result of a dispassionate search for knowledge. The student veteran was vocationally oriented even when he went on to graduate school in the arts and sciences. He knew what he had missed in four or five years absence from study. If he lacked a degree before the war he had probably served as an enlisted man who noted the very important distinction between himself and his officers who, more usually, were college graduates. The result was that many veterans reurned to study with a burning desire to erase the difference that had made them feel inferior for so long. They had learned the lessons some school dropouts learn only too late that status and function in a society like ours frequenty depend upon the opportunity conferred by formal education, and most of them never forgot it. If the degree was a means to enlarged opportunity, then it was the degree they wanted, and they were willing to work hard in order to get it. The social and psychological effects of the service experience in this respect have never been and probably never can be properly assessed, but certainly they were part of the powerful motivation behind much of the student veterans' academic achievement in the late 1940's. The number of returned veterans of my acquaintance who had been prewar college failures and who later returned to do outstanding work up through the level of graduate and professional schools is significantly large enough so that I cannot count them easily. If ever there was a time in American educational history when the late bloomer came into his own and began to function at a reasonable level of capacity it was during those postwar years.

In spite of the student veteran's sharply critical attitude toward the shortcomings of academic life and his determination to get from it all that he could, his outlook, on the whole, was coolly purposeful. He was not particularly interested in criticism for its own sake and had no desire to stir things up in the academic community for any alleged reasons for intellectual stimulation. He resented crowded classrooms, overtaxed library facilities, and housing stortages, but he had probably experienced something of the sort while in service and was willing to put up with inconvenience for a few years longer in order, as he believed, to leave it all behind forever. He was not a notable participant in agitation for social causes and, from his point of view, for very good reason. He had just participated in the greatest social crusade of his generation. Totalitarian Nazism and Fascism had been destroyed through his efforts, and he owed nothing more to society than that. Now it was his time to achieve as an individual what he had been denied for so long, and he did not intend to let irrelevant concerns keep him from his goal any longer than was absolutely necessary. The youthful undergraduate enthusiast who asked *him* to picket or to sign petitions was likely to get short shrift. That kind of thing was kid stuff to a man who had been shooting at ideological enemies for four or five years. Moreover, he was driven by a sense of urgency, an awareness that years had been lost and could not be regained. He needed no respite from the pressures of student life in order to find himself. He already knew what the great world outside was like, and because his *Wanderjahre* were behind him he was ready for a settled existence.

Admittedly, of course, he had certain advantages, apart from purely psychic ones, that students of this present generation do not have. The process of postwar readjustment in higher education had not yet begun to have serious economic effects on the student community. Universities had lived in a kind of cocoon during the war years. The attitudes and expectations of university faculties and administrators were still those of the 1930's, and this situation worked clearly to student advantage. Tuition in even the expensive Ivy League colleges was only about four hundred dollars a year, while university-owned housing and food costs were at a comparable level. Faculty salaries stood about where they were in 1939. The five-thousand-dollar-a-year full professor was well paid, and instructors thought one hundred to one hundred and fifty dollars a month adequate if not munificent. Princeton, in fact, made national headlines when, in 1946, it announced that henceforward all starting instructors at that institution would receive an annual salary of twenty-five hundred dollars.

Indeed, the decade that began with the end of the war and lasted into the middle fifties was to be the golden age of university expenses so far as students were concerned. The national economy, stimulated by the inflationary effects of wartime expansion, had so improved the economic capacities of middle class America that higher education even in expensive private universities became one of the great bargains of all time. Tuition was still low enough so that a working college student could hope to meet most or all of its annual cost with a well-paying summer job. If he worked for his meals as well, he had only housing to be concerned about, and, while housing was perhaps his greatest problem in the larger universities, it was not an insurmountable one. The ratio of college expenses to family income was far lower than it was in the 1930's, and the massive student loan for undergraduate education was still something of a rarity. Students borrowed money, of course, but the size of their indebtedness did not mortgage their futures for inordinately long periods of time as it sometimes does now.

For the student veteran and for the beneficent government which provided him with the GI Bill of Rights this state of affairs offered an unparalled opportunity. We are often reminded by historians of higher education what a truly remarkable and even revolutionary act the famous GI Bill was. The assertion is a commonplace. What, on the contrary, is often overlooked in this judgment is the fact that a combination of probably non-recurring factors in American history made it possible for the student veteran and society alike to reap unique advantages. Costs were low enough so that even married men with families could commit themselves without serious deprivation to lengthy programs of study. For the benefit of those who may not know or may have forgotten, it may be pointed out that the financial support of students under the bill was, if not generous, certainly satisfactory enough so that a bit of additional employment made things livable. If one happened to find a veterans' housing development like the Shanks Village project at Orangeburg, New York, which Columbia maintained for five years after the war, circumstances could even be pleasant.

If the reader will forgive a personal allusion, I think my own case may be useful for illustration. My tuition as a graduate student was fully covered all the way to the Ph.D. by an annual stipend of up to five hundred dollars. Since Columbia's tuition during the time I was meeting residence requirements never exceeded four hundred dollars, I had an additional hundred a year to apply toward the cost of books with which kindly, conniving faculty members padded their required reading lists in order to certify purchase by the Veterans Administration. The monthly living allowance for a married couple with children began at ninety dollars a month in 1945 and was twice raised: to one hundred and five dollars and later to one hundred and twenty dollars, all of it tax free. Furthermore, the married student veteran was also permitted to earn up to two hundred dollars a month without loss of living allowance. Since our rent and utilities (exclusive of heat) were provided at forty-one dollars a month, it is scarcely surprising that many of us who lived through those years look back to them as financially carefree to an extent scarcely realized since. My graduate career was happily closed when the Veterans' Administration certified the payment of three hundred dollars to cover the typing costs of my dissertation. The whole expense of my own graduate education, so far as I can estimate from fallible memory, was probably well under five thousand dollars. I had the equivalent of a very useful fellowship all the way and came out of graduate school debt free. Today the tuition alone would come to very nearly that figure, while comparable costs for a married student with family would probably run to an estimated six thousand dollars a year.

The result of this peculiarly advantageous economic situation was that the federal government and American society were able to realize a disproportionately large return on what seemed at the time an astronomical, partially wasteful social investment. A very high percentage of student veterans was relieved of economic pressure which permitted them not only to begin but to complete various phases of higher education because the allotment of projected cost in each individual case was at least reasonably close to actual cost and remained that way for several years. Equally important was the demographic structure of American society whose college population began to be affected by the post-1929 birth pattern just about the time that the great wave of student veterans rolled into the universities. As a result, the veteran did not have to compete for admission with rising absolute numbers but only with rising aspirations. It was not so difficult for him to get into college as it would have been in the fifties or sixties. Admission to both graduate and undergraduate education had not yet become so rigidly mechanical nor so strongly grade oriented as it would be a decade later. For this reason many persons whose interest in higher education had been stimulated by wartime experience and who had reasonably good but not outstanding academic records were able to utilize the opportunity afforded them by the GI Bill. As I have indicated, the circumstances were also such that some persons with relatively poor records received a second chance which a great many of them turned to advantage. Furthermore, many university administrators treated the tide of returning veterans with that special consideration which was regarded as patriotic during the war itself. They tried to accommodate all they could, though it must also be remembered that, at the time, there were some fairly sound financial arguments in favor of so doing. The universities, like the rest of American society, lived in anticipation of recurring depression. The war was thought of by many as a hiatus, an artificial stimulus which had alleviated but perhaps not entirely cured the economic ills of the thirties. It was still expected almost momentarily that the economy might relapse into something like the condition of the late thirties, and this foreboding was reinforced by the sudden sharp decline of the stock market in September, 1946. To the universities, therefore, the hordes of returning veterans seemed a huge windfall. These were students who needed no scholarships, few fellowships, and made heavy demands only on faculty time and building space. They were an economic nest egg against the possible return of evil days and they were welcomed up to and in some cases almost beyond the extent of existing facilities. A consequence of this huge extension of effort was the creation of something so valuable for the American future as to be unique in national and perhaps in world history.

What was thus created was a whole new productive segment of society on a larger scale than any ever known before. Not only had more people gone on to college and to advanced degrees, but this vastly expanded body of intellectual, academic, and vocational expertise provided a continuous thrust, a quality of liveliness, that has been one of the major contributing factors to the American expansion of the past fifteen years. Furthermore, this expertise was spread more widely through society than ever before in the national history.

The effects of this dispersion have been more than materially productive, though the huge increase in the gross national product undoubtedly owes something to it. The thrust of postwar educational expansion also had an exhilarating effect that has reached into every area of American endeavor. Technology, science, the academic community, business, the arts have all felt the impact of the social decision that sent so many thousands of veterans into the universities after 1945. Indeed, it might be argued that the two most successful experiments in socio-economic expansion undertaken by successive American governments since World War II were those which involved our commitment to the rehabilitation of Europe under the Marshall Plan and our internal investment in veterans' education. It would be hard to say which of the two has been more significant, but they have something in common that is seldom noted by observers of the world economic scene. Each of the two policies represented capital investment in human resources which were capable of highly active rationalized responses because both were part of a long established tradition of sophisticated social and economic achievement. In the case of postwar western Europe the investment was made in societies which, although often heavily damaged by war, were themselves historic extensions of a centuries-long, indigenously spontaneous process of economic and technological growth.

The American internal investment tapped the same sources of European tradition but with an added difference. What was done here by extending higher educational opportunity on an unprecedented scale was to stimulate an expansive process which began with the founding of the colonial colleges and was carried forward by the proliferation of public land-grant and private universities during the nineteenth century. Lord Snow (C. P. Snow), who is often sharply critical of American folkways, has argued that this extension of educational opportunity even to seemingly marginal students, although expensive and often wasteful, may perhaps be the most significant social invention of American society. One might amplify this judgment and say that possibly our most important recent innovation was the decision to invest heavily in our own national manpower at the end of the Second World War.

The results of this innovation have been so many and so various that it is hard to single out one or two of them as more important than the rest. In a positive sense there have been obviously beneficial effects for American society and perhaps ultimately for the world as a whole. The result has not been all gain in immediate terms, however, for the upsurge of American activity in so many fields at once has created peculiar domestic and international problems that remain to be solved. Nevertheless, on the positive side it is quite clear that the United States has moved upward in quantity and quality of scientific and technological achievement as has no nation in history in so short a period. The only comparably rapid historic transformation was the great breakthrough that occurred in Britain in the last decades of the eighteenth century which we still describe rather loosely and not altogether accurately as The Industrial Revolution. As might be expected, our own transformation has not been free of serious growing pains. We continue to be plagued by shortages in human expertise and we are still dependent to a significant degree upon the parasitism that robs other nations of skill and brainpower. Our very shortages, however, are an indication of the success of American internal expansion, for we seem to be in need of more trained manpower than any society in history has ever been able to produce. Inevitably, we must in time face up to the question of whether we can maintain this spiral of expansion by a process which robs so many other nations of rare human resources. For the present, at least, it is clear that if we had not created for ourselves a larger reserve of expertise than any nation has previously possessed, we might, indeed, have returned to the depression levels of the 1930's with serious social and economic consequences for us all. But more than that, the sheer increase in the size of the American scientific, academic, and managerial elite has had a major generating effect in terms of power to attract similar elites in other nations. The process of attracting skill from abroad is not simply an outgrowth of affluence, though larger economic rewards are certainly important.

The point was made to me clearly three years ago by Dr. Geoffrey Ball, professor of metallurgy at the Imperial College of Technology (University of London), who came to this country in 1964 at the request of the British government to determine just what it was that led so many young English scientists and engineers to take positions here. Professor Ball told me he found three attractions generally cited by these men as important in coming to a decision. Salary was one of the attractions, but most insisted that it ranked well behind the others in its influence on them. Of major secondary consideration were the facilities and amenities spread so widely through American society. In Britain, he went on to point out, there were only a handful of great companies with attractive research programs; here the number is legion. The same was true of the universities. Professor Ball believed that the facilities of his own institution, the new Royal College of Technology at Glasgow, and some few of the older universities were as good as anything in this country. The only difficulty, from his point of view, was that there were at least twenty-five or thirty similar institutions in the United States. More important even than the capacities and amenities of research, however, was the third and most important attraction, namely, the size of the scientific and engineering community and the numerous areas in which significant research was going forward. The young English scientist or engineer, as reports in the *New York Times* have recently confirmed, felt that he might be missing something intellectually exciting if he remained at home. In short, the very size and variety of American research commitments convinced him that this is where the scientific action is, and he simply had a strong desire to be a part of it. Professor Ball concluded that there were—and are—in this country more persons engaged in projects of broad significance, either in universities or industry, which offer extensive contacts with larger numbers of one's compeers and a sense of intellectual excitement to dedicated minds, than one can find anywhere else in the world.

If we are still in large measure dependent on foreign expertise to keep our expansion rolling, we must not forget that we *have* produced significant numbers of trained and educated persons to serve our own complex needs. The number of them is certainly far greater than it would have been had the government not made its fortunately timed educational investment during the 1940's. The generation which benefited from the original GI Bill is now in its forties and fifties. It has now reached a position in every area of activity where it may be said to comprise the establishment of American society. While its contributions have unquestionably been significant in every sphere, its most important contribution to the ongoing expansiveness of American life may perhaps lie in the field of education—more particularly in higher education. The postwar upsurge in the number of higher degrees prepared the nation fortuitously for the great population swell of the fifties and sixties. Crowded as our universities are and disproportionate though the ratios between students and instructors may be, consider what the situation might well have been had the production of Ph. D.'s alone remained at the level of the 1930's. For all of our difficulties we have at least managed to hold our own by providing the students of the last decade with sufficient academic personnel to make the academic expansion of that period bearable. The process has become a spiralling continuum, a kind of academic "take-off," which has given and will continue to give us significant advantages over most of the other advanced nations of the earth for the next few years at least.

The growing awareness on the part of the rest of the world of the importance of what is now called "the education revolution" has been shaped in large measure by the American example, and it is astonishing to note how even the various European nations have come to be conscious of the success of this most recent American innovation for all of their criticisms of its mass nature and all of their uncertainties about the average quality of the educational product. Education, and particularly university education, has become the apparent solvent of most human problems, and it is not surprising, therefore, that the rest of the world is beginning to move in the American direction however painful and difficult the acceptance of the American example may be. As the nineteenth-century American system of mass secondary education provided an enlarged literate mass for the vocational needs of an earlier period, so the outpouring of persons with some form of higher education has more recently created a new kind of vocational mass at a somewhat higher level to serve the needs of a far more complex society. At the right moment in time this nation had the good fortune to sow an extraordinary harvest.

If that were an end to the story one might think of the future with an almost Pollyannaish optimism. Unfortunately, the good things of history cannot always be realized simply or easily. The increase of American expertise and the expansion of American society have created their own unique problems, not the least of which is the much discussed effect of automation on the huge number of unskilled persons who, for one reason or another, have not benefited to any significant degree from the transformation we have been describing. If there is a recognizable gap in wealth between the developed and undeveloped nations, so there is also an internal gap between those whose lack of skills or abilities make it impossible for them to share in domestic abundance. We are all aware enough of the various solutions offered for this dilemma. They range from the traditional socialist solution which advocates some form of social control of both the means of production and distribution to suggestions that billions in capital be invested in the poor or that they receive a fixed annual wage. The difficulty with any such solution is that unless some response can be evoked which will increase the skill potential of those for whom some sort of massive social investment is advocated, no permanent transformation can occur. Expertise of one sort or another by its relative scarcity inevitably imposes its own conditions for the distribution of the national product in any society, as the Soviet Union began to learn some years ago and as Red China seems to be in the painful process of learning at the moment. Moreover, the problem has international ramifications of both a short and long range nature. At present and possibly for the next few years there appears to be an identifiable "technological gap" between the United States and even so advanced and sophisticated an aggregate of societies as those which compose the whole of western Europe. The gap between this country and Europe, if it really exists to any significant degree, is evidently only a temporary one and, in fact, probably does not exist in certain areas of technology at all. As worst, we may not expect Europe to fall significantly and permanently behind the United States. More serious, however, is the position of large areas of the non-European world where a gap between them and the more advanced countries appears to be opening rapidly, ominously, and possibly permanently.

When one ponders the implications of these present circumstances, one is likely to feel an inward uncertainty about the large and easy solutions so frequently offered for the problems of human poverty at home or abroad. It may be that not all men under all conditions can respond as a large part of our own society responded to the massive social investment of the post World War II period. It may even be that we will have to face up to some sort of permanent subsidy, both foreign and domestic, for those who lack the skills or education to respond to larger opportunity as our own population has responded. At best, however, such a solution is only a palliative, for it does not erase the unhappiness and resentment which must arise among those who will still see a marked difference between their own position in the social order and the position of those whose expertise of one kind or another enables them to enjoy greater amenities without being subsidized. The great problem—and perhaps the great mystery—of our time is clearly delineated in this dilemma. No amount of expropriation, redistribution of wealth, or subsidization will resolve it alone. Men must find a way to strike the sparks of inner motivation. If the task seems impossible, we may still find some measure of hope in the great postwar educational experiment of this society.

AN APPEAL OF CONSCIENCE TO MR. KOSYGIN

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MULTER. Mr. Speaker, ever since the defeat of the Arabs, and in effect, of the Soviet dream of dominating the Middle East, Russia has repeatedly accused Israel of "aggression" and Hitlerite atrocities and war crimes.

It is unthinkable that Russia, which has dominated Eastern Europe and which knowingly practices anti-Semitism, should accuse another people of being inhumane, especially one which has known the destruction of one-third of its number by these "Hitlerite atrocities."

I commend to the attention of our colleagues "An appeal of Conscience to Mr. Kosygin," by the Conference of Presidents of Major American Jewish Organizations. The conference asks the representative of the Soviet Union to concentrate on attaining a lasting peace in the Middle East, instead of making false accusations.

The appeal follows:

An Appeal of Conscience to Mr. Kosygin

In statement after statement since the collapse of Russia's Arab allies in the Middle East, the Soviet Union has made repeated charges in the United Nations that Israel has committed "Hitlerite atrocities and war crimes."

The Soviet representatives and their supporters have indulged in vilification and abuse to represent as Nazi aggression Israel's successful defense against an enemy which has sworn to destroy her in a "Holy War."

The Soviet Government has sent insulting and threatening notes to the Government of Israel, a fellow member of the United Nations, which it insists on describing as "the Tel Aviv authorities." The Soviet Government newspaper *Izvestia* has made the lying charge that Israeli troops have shot down women and children in public executions.

This vicious and unscrupulous propaganda is a potentially explosive form of warfare. Under Soviet incitement the Arabs initiated and lost the hot war for Soviet influence in the Middle East. Now the USSR has taken upon itself the full responsibility for verbal aggression. This is supported by renewed arms shipments to the Arabs.

This powerful country, the USSR, has never published a word of criticism about the Nazi war criminals who are actively mobilized in Cairo and Damascus in the war against the Jews. The Soviet Government has given unstinting support to the Arab States which disseminate the crude anti-Semitism of the "Protocols of the Elders of Zion."

The very country which is preventing the development of Jewish life within its own borders, does not hesitate to fasten the hideous label of Nazism on the survivors of a small Jewish nation which lost a third of its members in Nazi atrocities.

The accent of present Soviet propaganda is the accent of the Stalinist doctors' plot and the destruction of Soviet Jewish society. It is the accent of Soviet anti-Semitic propaganda against Judaism, of the fever of Jew-hatred that periodically seizes the Soviet press. It means that the incorrigible anti-Semites who infest Russian society are again being given their hour.

It is not the first time in this century that a major power has accused Jews of subhuman crimes and threatened dire punishment for imaginary evils. The world knows the terrible price the Jewish people have paid for such monstrous accusations. The Soviet Union should think again before it follows the appalling example of the power whose pathological hatred of Jews was the beginning of a process that brought death and destruction to many nations.

The undersigned, representing the Jewish community of the United States call upon the Soviet Union to put aside the delusion of quick and facile propaganda victories. Let it strive for a lasting peace in the Middle East, recognizing that Israel, like the Arab States, has every right to exist and prosper. The Soviet Union should consider carefully whether it indeed wishes to follow in the footsteps of those whose hatred of Jews led to the cataclysm of twenty-five years ago.

Conference of Presidents of Major American Jewish Organizations:

American Israel Public Affairs Committee.

American Jewish Congress.

American Zionist Council.

American Trade Union Council for Histradrut.

B'nai B'rith.

Central Conference of American Rabbis.

Hadassah.

Jewish Agency for Israel—American Section.

Jewish Labor Committee.

Jewish War Veterans of the U.S.A.

Labor Zionist Movement.

Mizrachi-Hapoel Hamizrachi.

National Community Relations Advisory Council.

National Council of Jewish Women.

National Council of Young Israel.

Rabbinical Assembly.

The Rabbinical Council of America.

Union of Orthodox Jewish Congregations of America.

Union of American Hebrew Congregations.

United Synagogue of America.

Zionist Organization of America.

CONGRESSMAN LESTER WOLFF'S REPORT ON THE INTERNATIONAL AIR SHOW

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Karth] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. KARTH. Mr. Speaker, as a charter member of the House Committee on Science and Astronautics, I have attempted over the years to keep myself and the Congress informed on what the United States and other countries are doing in research and the technological development in the broad field of aerospace research.

As part of that effort, I have tried to attend meetings and functions where there was a possibility that I might enhance this knowledge.

Mr. Speaker, this year I was unable to attend the International Air Show recently held in Paris. As chairman of the Subcommittee on Space Science and Applications, I did encourage our colleague, Lester Wolff, of New York, to attend if possible and make a report to me on what he saw and what he found. So often I have found this information to be of great value during subcommittee hearings.

Since the value of these kinds of meetings is sometimes questioned by the news media, I feel it important that a summary of these findings be printed in the Record for everyone to see.

Mr. Speaker, I want to commend the gentleman from New York for having done an excellent job and submit for the Record a synopsis of that report, as follows:

Congress of the United States,
House of Representatives,
Washington, D.C., June 22, 1967.

Hon. Joseph E. Karth,
Chairman, Subcommittee on Space Science and Applications, Committee on Science and Astronautics.

Dear Mr. Chairman: As you know I recently had the privilege of attending the International Air Show as a representative of the Committee on Science and Astronautics, Subcommittee on Space Science and Applications.

It is with pride that I can report on the trip. The United States exhibitions were excellent. The Congressional delegation had valuable and potentially profitable discussions with foreign officials and business executives.

Permit me to turn first to the American space and aviation exhibits. These displays, which showed a marked improvement over our displays during the 1965 International Air Show, were certainly the best of this year's show. The exhibits by the United States Government and private industry were far more impressive than the exhibits of all the other competitors including the Union of Soviet Socialist Republics.

While Russia and other nations, were content to display hardware without giving it meaning or purpose, the United States exhibits displayed much more. Yes, certainly our finest hardware was there. But with it were competent guides with complete display explanations for the interested visitors. The hardware was brought to life; the nuts and bolts became the work of men to achieve age-old dreams of men.

An example of our excellence in this regard was the heavy and positive emphasis on our unmanned technical programs in space. These very important and difficult feats, which do not capture the headlines in the manner of manned flights, were brought into proper perspective. The high level of achievement we have had in our unmanned flights and the invaluable data gathered were clearly and interestingly portrayed.

In addition to our displays the United States provided the outstanding flying exhibitions of the show. The TFX flight was acknowledged by people from every country as a high point of the week. Our aerobatic teams also excelled with their demonstration of expertly executed disciplined flying.

Another significant contribution by the United States to the Air Show was the first commercial trans-Atlantic flight of the Douglas DC–8–61, the enlarged passenger jet. The Congressional delegation was privileged to fly to Le Bourget on the inaugural flight of this aircraft which created a sensation at the Air Show. Every day we were there thousands queued up to view this new luxury aircraft. Compared to the mock-ups of the Concorde and the Russian commercial jet aircraft, the Douglas plane was the star of the show. The quality of this plane, combined with the fact that it is in actual service, give us reason to believe the United States can maintain the lead in the international race for major aircraft business. I am optimistic that this will prove highly beneficial, as it has in the past, in overcoming our balance of payments deficit.

The Congressional delegation, Mr. Chairman, besides viewing all the exhibits and representing our country at various official functions also met with foreign representatives of our government and the private sector. We discussed with these Americans, who spend most of their time abroad, their problems in dealing with foreign governments. These meetings will provide us with valuable information in assisting in the work of these technical ambassadors-of-good-will.

All of the points I have discussed thus far, Mr. Chairman, are quite important and required our presence at the Air Show. But we were fortunate enough to add a very significant bit of diplomatic activity to our trip.

I had, early in our stay, the opportunity to arrange a meeting between some members of the French Chamber of Deputies and our delegation headed by Chairman Miller. After our first meeting we were invited to and visited the Chamber of Deputies where we had the invaluable opportunity to view the Chamber in session and meet many Deputies. We were able to exchange opinions with these Deputies.

One goal of our discussions, Mr. Chairman, was to find out if there is a basis for a rapprochement between France and the United States. Although our discussions were in the area of space science and aviation the excellent relationship our delegation established with the Deputies proved that there is a basis for sound partnership between France and the United States if we can circumvent De Gaulle and correct some misconceptions on the Deputies' part.

We discussed with the Deputies the problems of overflight and sonic boom involved in their Concorde and our Supersonic Transport. They had little background in these important areas and we had the opportunity to share our knowledge and experiences with them.

If I appear optimistic about the long-term effect of our visit, Mr. Chairman, I have reason to. There will be a meeting in September between a group of Deputies, led by a leading Gaullist, Charles de Chambrun, and several representatives of our space committee. The purpose of the meeting will be to hold preliminary discussions on questions of mutual interest to both countries. This is just an example of many important areas in which the United States and France can cooperate.

Mr. Chairman, the Congressional delegation to the International Air Show returned proud and optimistic. Our country is the world leader in aviation and in space. Our future is bright. And that future may enjoy the additional benefit of increased cooperation between the United States and an old friend, France, on matters of mutual interest.

Respectfully,

Lester L. Wolff,
Member of Congress.

BANK CRIMES

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FASCELL. Mr. Speaker, on May 25, 1967, I called the attention of the House to an article which appeared in the American Banker by Mr. J. Edgar Hoover on the subject of crimes against banking institutions.

These crimes have been a subject of continuing concern to the Subcommittee on Legal and Monetary Affairs of the House Committee on Government Operations, of which subcommittee I am chairman. In my statement on May 25 I mentioned the hearings we held in 1963 on the problem of bank crimes and reported some of the findings and recommendations we made at that time.

Two events in the Washington area this week have dramatically underscored the continuing validity of the findings, conclusions, and recommendations of the subcommittees. These two events have impressed me once again with the urgency of our need for improved security in our banking institutions.

On Monday, June 19, 1967, a man walked into the Wildwood Center branch of the Bank of Bethesda carrying a paper bag. He threatened that the bag contained dynamite and that he would blow up the building if the employees did not give him access to the vault. He walked out of the bank carrying $78,700 and he remains at large.

The Washington Post for Wednesday, June 21, 1967, carried an article on the closure of the Oxon Hill branch of the Southern Maryland Bank & Trust Co. Bank officials state that the closing of this branch is due to conditions beyond their control. The "conditions" were identified as five armed holdups in the 18 months since December 1965.

These two examples are merely isolated cases originating in the same general area but, according to articles in the June 1967 issues of Protective Bulletin—issued by the Insurance and Protective Committee of the American Bankers Association—and Banking: Journal of the American Bankers Association, the numbers of burglaries, robberies, and larcenies affecting banking institutions have been rising steadily throughout the nation during the last few years.

Mr. J. Edgar Hoover's answers to questions incorporated in the article in the June 1967 issue of Banking indicate his belief that the increase in bank crimes is partially due to increased numbers of branch banks in suburban areas.

Mr. Hoover said:

> Such banks, by the nature of their locality and design, are easier to rob and burglarize. The buildings generally have fewer security features; they are easier to "case" and scout prior to the job; police protection is less concentrated; and escape routes are more accessible and better concealed.

The Protective Bulletin of June 1967 states:

> There are certain external and internal conditions about a bank which can either favor or discourage an after dark attack.
>
> In addition, the bulletin says:

The initial line of defense against burglars is the bank building itself.

Especially important is the design of doors, windows, ventilation ducts, and other openings into the building which could be utilized for entrance.

The report of the Legal and Monetary Affairs Subcommittee which was approved and published on February 20, 1964, included the following findings and conclusions:

> Modern bank design and the increase in outlying branches have contributed to the increase in bank holdups.
>
> There is a direct relationship between the lack of security and the incidence of external crimes.
>
> There is ample information available on the means of preventing both internal and external crimes. There are numerous aids and devices available for use in the prevention of crimes and for the apprehension of criminals. However, many bankers resist the use of these means and devices.
>
> Practically all losses by banking institutions resulting from crimes are covered by insurance. While insurance protects the institutions, its existence has had a tendency in some cases to make bank management lax as regards security against banking crimes.

The incidence of these crimes continues to increase despite repeated warnings and persuasion from Congress, the trade journals, responsible bankers, Federal and State regulatory agencies, and banking associations; in spite of bank examiners' interest and emphasis on security measures; in spite of full cooperation by the FBI and local law enforcement agencies; and in spite of increasing reluctance of insurance companies to underwrite low security banks.

I find it very discouraging that banking institutions, the backbone of the business community and the pillar of dependability, have not taken sufficient precautions to reduce these crimes significantly. The burden of responsibility for the continued vulnerability of banks and jeopardy to customers' accounts and valuables lies squarely and undisputably on bank management. Over the years bank management, with the concurrence of the regulatory agencies and banking associations, has taken the position that it is management's responsibility to determine what security measures are to be utilized in each individual bank.

In 1964 the Legal and Monetary Affairs Subcommittee made a number of recommendations designed to prevent these crimes. We believe that if our recommendations had been completely accepted and fully implemented by positive action on the part of the regulatory agencies and the individual bankers there would have been no increase in the number of bank crimes. There could have been a decrease. Furthermore, we believe that the recommendations contained in our report are still applicable to the situation today, and we strongly urge the banking community to adopt them.

Mr. Speaker, in light of the demonstrated effectiveness of security measures available to banks it is intolerable for the customers' interests to remain vulnerable to thieves and robbers. We should not allow further crimes against banks when we have the means to prevent them.

INTEROCEANIC CANAL PROBLEM: THE BEST SOLUTION

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RARICK. Mr. Speaker, I have received a copy of a most informative letter on the question of increased capacity for the Panama Canal from Capt. C. H. Schildhauer, U.S. Naval Reserve, retired, that was addressed to Chairman EDWARD A. GARMATZ, of the House Committee on Merchant Marine and Fisheries.

As the nephew of Edward Schildhauer, one of the most distinguished builders of the Panama Canal, Captain Schildhauer has been interested in canal problems since early youth. In the course of his naval career, he has made many transits of that interoceanic link, thus supplementing his readings with navigational experience.

In 1966, he was principal speaker before the annual meeting of the Panama Canal Society of the District of Columbia on the timely subject of "The Problem of a New Canal: The Best Solution," which he mentions in his letter to Chairman GARMATZ.

The indicated letter of Captain Schildhauer should be of high interest to all Members of the Congress and others concerned with canal problems. To make his 1966 address easily available for reference along with the letter, I quote both as parts of my remarks:

> OWINGS MILLS, MD.,
> *June 13, 1967.*
>
> Hon. EDWARD A. GARMATZ,
> *Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.*
>
> DEAR CONGRESSMAN GARMATZ: As a student of interoceanic canal problems, I have read with great interest the hearings on H.R. 6791 before the Subcommittee on the Panama Canal on May 9 and 18, 1967. I have also read the speech by the Honorable Leonor K. Sullivan made on May 25 before the St. Louis World Trade Seminar, as covered in the CONGRESSIONAL RECORD of May 31, 1967, page 14303. The contents and substance of this speech, though made in St. Louis is definitely applicable to the commerce flowing in and out of the Chesapeake Bay area, which I know you are always interested in. We do not want a Suez Canal in this hemisphere whose usefulness can be destroyed by a short-run grab for a fast dollar, as mentioned by Representative Sullivan in the concluding sentence.
>
> It is obvious from the testimony of Ambassador Robert B. Anderson and other witnesses that the present canal inquiry is not an independent one but a study rooted in Executive Agencies and limited in scope to only one pre-determined objective. It is also clear that the function of this investigation is purely informative and not directed toward bringing about early action on urgently needed major operational improvements and increase of capacity of the existing Panama Canal now approaching saturation. Moreover, such modernization is neither contemplated nor desired by those directing the present inquiry.
>
> In this connection, I would invite attention to the fact that on January 17, 1944, when Governor Glen E. Edgerton, who headed the Canal organization under trying conditions in World War II, recommended the proposal for eliminating the bottleneck locks at Pedro Miguel for comprehensive investigation, he warned the Secretary of War that advocates of a Canal at sea level would oppose "unjustifiably" such major improvement on the ground that it would "defer the time" when a sea level project might otherwise be authorized. (Par. 71 in Report quoted by Senator Thomas E. Martin, CONGRESSIONAL RECORD, June 21, 1956.) Subsequent handling of the Canal question in the Executive Branch has fully justified the warning of Governor Edgerton.
>
> As regards the Third Locks Project on which some $75,000,000 of the taxpayer's money was expended, huge excavations for lock sites at Gatun and Miraflores were completed but no excavation was started at Pedro Miguel. It was estimated in 1941 that completion of the locks after the excavation would require 1200 calendar days, and that the additional lock capacity provided by the completed projects would be "ample to care for increased shipping for a long future period." (Gov. Glen E. Edgerton, The Third Locks Project, 1941, p. 2.)
>
> The Third Locks Project (1200′ x 140′) adapted to include the features of the Terminal Lake Plan, which has been approved in principle by two Governors of the Panama Canal and important maritime interests of our government as the proper form of modernization of the existing canal, should not require longer for construction than the original Third Locks Project. A 1966 address by

me on "The Problem of a New Canal: The Best Solution," and entered in the Congressional Record of Wednesday, July 13, 1966, by the Honorable John G. Tower, in the Senate is attached.

In his carefully reasoned and able address to the House on April 1, 1965, Representative Daniel J. Flood summarized the pattern that has featured the handling of the canal problem as follows:

"First, delay, confusion, or ignoring of crucial issues. Second, refusal to consider the canal question on the basis of merit. Third, circumvention of the Congress by irregular, if not illegal, procedures. Fourth, management of news with the evident purpose of preventing informed public consideration and discussion. Fifth, disregard of the principles of Public Law 841, 81st Congress, the purposes of which were to improve the management of the Canal and to place it on a self-sustaining basis." (Ho. Doc. No. 474, 89th Congress, p. 436.)

The chronology of significant events in recent canal history as listed on p. 45 of the May 9 hearings is more than adequate proof of the pattern described by Representative Flood. The subject has been studied to the point of confusion, ignoring the logical solution that would remedy the existing situation facing the Panama Canal in the least time and at lowest cost. Moreover, the Terminal Lake-Third Locks Plan would supply the best operational Canal practicable of achievement and at least cost for all except a few superdimension vessels, some of which, like the huge Japanese Tankers, that are not intended for transit of the Canal; enable the maximum utilization of all work so far done on the Canal, including the Third Locks Project excavations and enlargement of Gaillard Cut; and avoid the need for negotiating a new treaty with Panama, which last consideration is vital. (See "Minority Report" on pp. 69–83 in *Panama Canal Issues and Treaty Talks,* published by the Center for Strategic Studies, Georgetown University 1967.)

In line with best thought of experienced engineers and other Canal experts since 1945, I would respectfully urge the Committee on Merchant Marine and Fisheries to take a strong stand for the Terminal Lake-Third Locks Plan, to report against H.R. 6791, and to support the creation of an independent Interoceanic Canals Commission as called for by six bills in the present Congress.

I have, of course, no pecuniary interest involved, either directly or indirectly; but as a retired officer with extensive navigational experience, including numerous transits of the Panama Canal, I do feel a deep interest in the overall subject and trust that members of your committee because of its grave responsibility in the premises will also support the concept of Representative Sullivan, the retention of our present sovereignty in the Canal Zone.

Sincerely yours,

C. H. Schildhauer.

[From the Congressional Record, July 13, 1966]

THE PROBLEM OF A NEW CANAL: THE BEST SOLUTION

(Address by Capt. C. H. Schildhauer, U.S.N.R., retired, before the Panama Canal Society of Washington, D.C., May 21, 1966)

Mr. President, distinguished guests, ladies and gentlemen: Meetings such as this one make me wonder what are the feelings of the family of the man commemorated. Now I know.

From the bottom of my heart, I am deeply grateful for the splendid tribute of Governor Thatcher to my late uncle. On behalf of all members of the Schildhauer family, I express their fullest appreciation for the signal honor accorded by this memorial program in the capital city of our country.

Naturally, the thoughts of all of us are directed to the question of a new Isthmian Canal, either at the present route or at some other location. Because of the grave importance of the subjects involved, I venture to give you my own views on the matter of the best solution trusting that they will be considered objectively. Notwithstanding the fact that there has been legislation providing for consideration of only one solution, the canal matter is of such vast consequence that any inquiry purporting to be comprehensive should consider other treatments. In so doing, the key issues are site and type; and I shall express views which, I believe, reflect the judgment of most of the survivors of the construction of the present canal, including engineers so engaged. All these can appraise the problem realistically because of their intimate experience with, and knowledge of, the extreme difficulties which accompanied the original construction. In this connection, I especially refer to the tremendous question of slides, which would be vastly enlarged in any effort to go deeper into the earth for a so-called "sea-level" project if the present site should be recommended as now seems most likely or in any other area.

In recent years much has been published about inter-oceanic canal problems. Writers have vied with one another to make the subject appear new but, as experienced students of Isthmian history well know, the major questions involved are old. The only new feature in the equation is a new crop of advocates and diplomats who have ignored the lessons of experience and have proceeded purely on the theoretical considerations.

The Panama Canal was opened to traffic on August 15, 1914, yet, within ten years, the subject of the type of canal, despite a most careful evaluation of the matter, was still being agitated. In a letter on May 31, 1924, to former Chief Engineer John F. Stevens, who had designed the Panama Canal and brought the project to a point where its success was certain, Governor Jay J. Morrow, one of its ablest governors, made this incisive and prophetic statement:

"The sea-level project is a hardy perennial, and apparently there will always be someone to argue for it, no matter how often the impossibility of realizing any such scheme within practicable limits of time and cost may be demonstrated."

The years passed. With the approach of World War II, our authorities became concerned about the problems of the Panama Canal and sought legislation for increasing its capacity through the construction of what was described as the Third Locks Project. Authorized in 1939 at a cost of $277,000,000 after insufficient study and inadequate investigations, this proposal provided for one set of larger locks (140′ x 1200′ x 50′) near each of the existing locks but somewhat removed from them and for connecting the new locks with the existing channels by means of by-pass channels. (H. Doc. No. 210, 76th Cong., 1st Session.)

The proposed arrangement at the Atlantic end of the canal was logical because it duplicated a sound layout that had been tested by more than 50 years of successful operation at Gatun. At the Pacific end, however, the original third lock channel plan had three sharp bends that would have created operating problems and navigational hazards of the gravest character. This appraisal is based on navigational experience, study and observation, including many transits of the Panama Canal on naval vessels. Also, it should be especially noted that this project had undisclosed features for converting the canal to sea level according to a plan that had been neither comprehensively studied nor specifically authorized by the Congress!

Active construction started in 1940 and was placed on a rush basis until it was suspended in May 1942 after an expenditure of more than $75,000,000 mostly on lock site excavations at Gatun and Miraflores. Fortunately, no excavation was undertaken on the Pacific side at Pedro Miguel, which left the way open for a re-examination of the project in the light of marine experience before it was too late.

The Panama Canal at that time was the scene of tremendous activities in connection with its military protection and the transit of our naval vessels to and from combat areas in the Pacific. These demands created keen interest among canal authorities, both operating and engineering, in the study of canal operational, navigational and engineering problems with regard to planning as derived from lessons learned under war conditions.

Eventually, these efforts inspired the development in the Panama Canal organization itself of what today is known as the Terminal Lake-Third Lock Plan, which proposal would consolidate all Pacific locks in one set south of Miraflores similar to the existing layout at Gatun and provide a summit-level lake anchorage in the Pacific sector to serve as a traffic reservoir.

Recognized immediately by respected canal engineers as the greatest single contribution in the way of canal planning since the removal of the Bohio Dam and Locks at Gatun to form Gatun Lake, the proposal attracted wide support from navigation interests that use the canal, including local naval authorities and, eventually, Fleet Admiral Ernest J. King and Secretary of the Navy Knox.

In its study of the plan, the Navy Department sent the Assistant Secretary of the Navy and a member of the General Board to the Canal Zone to look it over in the field. The General Board recommended strong Naval support of the plan and, in its principal report, made this significant statement: "The General Board is much impressed by the great preponderance of evidence in favor of the lock type and considers that the opinions presented, supported as they are by experience, fully justify the abandonment of the idea of a sea-level canal across the Isthmus of Panama." (Congressional Record, vol. 111, pt. 5, p. 6758.)

Extensive studies at the time in the Canal Zone, and later in the Navy Department, showed the lake-lock design to be the best canal plan for the transit of vessels practicable of achievement, and at "comparatively low cost", estimated in 1943 at less than $300,000,000 and without the necessity for negotiating a new treaty with Panama. The last is a paramount consideration.

Eventually, the terminal lake proposal was submitted on September 7, 1943, by the Secretary of the Navy to President Franklin D. Roosevelt, who indicated his approval of it as a post-war project. It was subsequently approved in principle by two Governors of the Panama Canal as the preferred form for the modification of the authorized Third Locks Project to meet future navigational needs.

Upset by the wide acceptance of the terminal lake idea for a new lake-lock type canal, advocates of the old and rejected "sea-level" plan, after the startling advent of the atomic bomb in 1945, seized upon that nuclear development as the psychological lever for obtaining legislation for a canal inquiry under a statute, the bill for which was drafted by themselves at the height of public hysteria.

The ensuing act of the Congress (Public Law 280, 79th Congress, approved December 28, 1945) directed the Governor of the Panama Canal to make a comprehensive investigation of the means for increasing its capacity and "security" to meet future needs of interoceanic commerce and "national defense"; and also for a restudy of the Third Locks Project, and a study of canals at other locations.

Taking advantage of the "security" factor inserted in the bill by advocates of the "sea-level" type, the 1946–47 investigators interpreted this factor as paramount and controlling, and money costs not a "governing consideration" and sympathetic propagandists urged it as a "mandate of the Congress!" According to informed members of the Congress at that time, this was a far more extreme interpretation of the statute than was intended by the Congress which enacted it.

The report of this inquiry was submitted in 1947. As expected, it recommended only the so-called Sea-Level Project in the Canal Zone on an alignment different from the existing channel for major canal construction, initially estimated to cost $2,483,000,000 primarily on the basis of its alleged greater "security". It ignored such matters as the vital treaty question involved, and what would be its costs for a huge indemnity to Panama, a greatly increased annuity, and the effect on tolls, all of which would have to be borne by maritime interests that use the canal or by our overburdened taxpayers. No wonder such report failed to receive Presidential approval! When President Truman transmitted it on December 1, 1947, to the Congress, he did so without comment or recommendations, and the Congress took no action thereon, not even authorizing its printing. Three years later, in the Act of 1950, the Congress, on its own initiative, reorganized the Panama Canal enterprise, placing it on a self-sustaining basis.

As time passed, transits through the Panama Canal increased, and by 1964 its capacity was approaching saturation. On Executive recommendations, without adequate hearings, debate or information, the Congress enacted Public Law 88–609, 88th Congress, approved September 22, 1964, under extraordinary circumstances for so gravely important a matter.

In the Senate, the bill for this law was passed by voice vote without debate; in the House, under a rule procedure that prevented adequate debate on the vital issue. Moreover, the House acted without the benefit of published hearings before the Committee on Merchant Marine and Fisheries that conducted them and those hearings to this day have never been printed!

The statute authorized the President to appoint a so-called "commission" of five men not subject to Senate confirmation to determine the feasibility of constructing only a "sea-level" canal connecting the Atlantic and Pacific Oceans. This action, unwisely restrictive and unprecedented in character, served to exclude from consideration the solution that many competent independent and experienced engineers and other experts considered to be the best and most economic solution when the problem is evaluated from all key angles.

This body is now functioning. It is not the independent and broadly-based commission that situation requires and as was employed in the building of the present canal. The sea-level interests because of the alleged vulnerability of the present high-level lake-lock type canal are using the 1964 enactment to advance the 1947 "sea-level" recommendations with utter disregard of costs or consequences as a "mandate from the Congress" for the second time since World War II.

Meanwhile, the proper handling of the overall inter-oceanic question has been complicated by a series of developments affecting the Isthmus that started when Alger Hiss of the State Department in 1946 listed the Canal Zone as an "occupied area", thereby classifying it as a non-United States possession. Then followed in 1953 the negotiation of the Eisenhower-Remon treaty of 1955, which was supposed to end Panamanian demands for years to come. But efforts to appease, as was foreseen by informed members of the Congress and others, only resulted in greater efforts to extort. Today we are in the process of negotiation with Panama for new treaties affecting the canal that would cede back to that country full sovereignty over the Canal Zone. As to that, I can think of no greater disaster for the continued efficient maintenance and operation of the Panama Canal or to Panama itself. It would be far better for Panama if the United States stayed on the Isthmus in perpetuity, for our presence there is the only guaranty for its continued independence.

It is pertinent to observe that the United States would never have undertaken to construct the Panama Canal except under conditions of complete and perpetual control. Moreover, long experience on the Isthmus shows that the present canal could not have been built nor subsequently maintained and operated with requisite efficiency with less authority than our government has exercised under the 1903 Treaty. This is in no sense imperialism but plain common sense, for our responsibilities require adequate authority.

As to the original decision of our government for the high-level lake-lock plan, the wisdom of it has been completely established. It was not a fly-by-night action by irresponsible and incompetent officials or a political compromise as claimed by some propagandists but a reasoned decision after the fullest consideration by some of the best engineers and ablest statesmen that our country ever produced, after extensive debates in the Congress.

The principal arguments used by "sea-level" advocates during United States control have always been of hypothetical military character, "security" and "national defense"; not the actual problems of navigation and operations.

During the 1904–06 "battle of the levels", it was the alleged "vulnerability" of the high-level plan to naval gunfire, which was an important factor in causing the division of the Pacific locks into two sets separated by the intermediate level Miraflores Lake—the major error in the design of the Panama Canal. Parenthetically, I may add that the consolidation of the two sets of Pacific locks were originally urged by Chief Engineer John F. Stevens in 1906 and later attempted by Colonel William L. Sibert but was not done because of public pressure in the United States for immediate action.

In 1939, it was the alleged danger of enemy bombing attacks that led to the hasty authorization of the Third Locks Project and its hazardous channel layout, and, as previously indicated, without adequate study of the crucial navigational and operational features involved.

In 1945 it was the alleged greater "security" of the "sea-level" type against destruction by nuclear attack, which fallacious premise has been extensively exposed in the Congress.

In 1964, it was the alleged greater "vulnerability" of the high level plan to destruction, even by "two sticks of dynamite".

Thus, it is abundantly evident that advocates of a "sea-level" canal adjust their terminology and justifications to their needs for advancing their predetermined objective. They never mention the obvious facts that nothing can be constructed of indestructible proportions, that the greatest dangers in any type of canal in the entire Canal Zone are massive slides, that the critical slide area is in the high central mass, and that any canal, regardless of design, can be destroyed by nuclear attack. Nor do these advocates ever give the costs and complications involved in negotiating a new treaty with Panama to determine the specific conditions for constructing a "sea-level" undertaking in the Canal Zone, which project is not covered by existing treaty and would require a new one.

It is to be noted that "sea level" advocates ignore the fact that the design that they have in mind is not, in any sense, an open strait, such as the Strait of Magellan, but that tidal locks and many miles of lateral dams, diversion channels, and flood control structures on both sides of the ship channel, would be necessary. They also ignore these facts: (1) that a greatly deepened cut required by the so-called "sea-level" design would present a greater peril for nuclear attack than the existing canal and (2) that, as warned by the Board of Consultants, Isthmian Canal Studies, 1957–60, there would be "serious danger of a long interruption to traffic * * *" (Ho. Rept. No. 1960, 86th Cong. 2nd Sess., p 5, para. 16). Such lack of forthrightness in a matter so grave, is indeed, incomprehensible and, in fact, constitutes a betrayal of our own and Western Hemispheric interests, including those of Panama itself.

In following the canal subject closely over a period of years, I have read extensively in the CONGRESSIONAL RECORD many of the thoughtful objective addresses and statements of Representative DANIEL J. FLOOD of Pennsylvania, as well as the writings and utterances of distinguished and informed authors. In the quality of their documentation, clarity of expression and force of arguments, Congressman FLOOD's contributions on the canal question are unique in our history and should be studied by all who wish to understand the canal problem. As summarized by him in a statement to the House of Representatives on March 1, 1966, the key issues in the Isthmian question are obvious and simple.

First, the transcendent responsibility of our Government to safeguard the indispensable sovereign rights, power, and authority of the United States over the Canal Zone territory as granted under the 1903 Treaty.

Second, the subject of the major increase of capacity and operational improvement of the existing high-level lake-lock canal through modifying the Third Locks Project to provide a summit lake and anchorage at the Pacific end of the canal to correspond with the layout at Gatun, on which, as previously stated, some $75,000,000 of the taxpayer's money has been spent on lock site excavations only at Gatun and Miraflores. The major part of these excavations can be utilized under the proposed lake-lock plan.

Third, the matter of a new Panama Canal of so-called "sea-level" design to replace the present canal, which, in addition to other structures previously mentioned, requires tidal locks near the Pacific end of the canal where the tidal range has a maximum of 22 feet.

Fourth, the question of a new canal at another site in Panama or Colombia or Nicaragua.

Despite the enactment of the 1964 canal statute, three bills were introduced in the present Congress by Representatives ANDERSON of Tennessee, Bow of Ohio and FLOOD of Pennsylvania to create an independent and broadly-based Interoceanic Canals Commission. The Commission would be authorized and directed to make and conduct a comprehensive investigation and study of all problems involved or arising in connection with plans or proposals for:

An increase in the capacity and operational efficiency of the present Panama Canal through the adaptation of the Third Locks Project (53 Stat. 1409) to provide a summit-level terminal lake anchorage in the Pacific end of the canal to correspond with that in the Atlantic end, or by other modification or design of the existing facilities;

The construction of a new Panama Canal of sea-level design, or any modification thereof;

The construction and ownership, by the United States, of another canal or canals connecting the Atlantic and Pacific Oceans.

You will note that these bills include consideration of the major improvement of the present Panama Canal through modification of the Third Lock Project. This is not included in the 1964 statute which only refers to a "sea-level" canal to meet future requirements. The enactment of these bills, to include consideration of increasing the capacity and efficiency of the present canal, should be included in the full and complete investigation and study of canal problems. The increase of capacity and operational improvement of the less expensive and functionally superior high-level lake-lock canal to meet the basic requirements mentioned in the statute cannot be overlooked in any inquiry that purports to be "full and complete." Moreover, it should be independent.

The high-level lake-lock type of modernization, when considered from all angles, offers the best solution. Besides it could pay its way while the necessary improvements are made. In contrast, a "sea-level" tidal lock canal must be completed to full dimensions at once and its enormous construction cost would be a substantial addition to the national debt for a very long time, to which must be added the diplomatic costs for a new treaty.

Indeed, meeting the canal problem by the major improvement of the existing lock-type canal would inure to the very great advantage of Panama by keeping the canal on the Isthmus, preventing the destruction of Panamanian economy, and insuring the continued independence of Panama itself.

My uncle and his top level associates in building the Panama Canal were not men moved by sentiment in making crucial decisions but tough-minded realists. They, like those who follow the sea, had a great respect for the powerful forces of nature, so often exhibited at Panama in the form of massive slides. Were they here today, they would not be influenced by any sentimental feelings evoked by saving their own work but only by the intrinsic realities of the situation that they so well understood. I have every reason to believe from many conversations with him that they would favor the lake-lock plan that I have discussed as the proper solution and would oppose the resurrected idea of a so-called "sea-level" canal, which would require an unprecedented expenditure of the taxpayer's money and open a veritable box of pandora of difficulties of every character. I, therefore, believe that the wisest and best solution is to keep the present canal and enlarge its capacity and improve its operations to meet future needs of shipping by means of the indicated highlevel lake-lock design.

LOGAN MARTIN DAM

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from from Alabama [Mr. NICHOLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. NICHOLS. Mr. Speaker, on Saturday afternoon, June 24, Alabama Power Co. dedicated the second of its electric power dams authorized by the Federal Power Commission on the Coosa River between St. Clair and Talladega Counties.

Logan Martin Dam represents an investment of more than $47 million, and was named for the late William L. Martin, who was general counsel and a former director of this great Alabama utility. Logan Martin Dam, in addition to its generation capacity of 128,250 kilowatts, creates a 150,000-acre reservoir, and already Logan Martin Lake has become one of Alabama's most popular spots for recreation where numerous year-round homes, marinas, motels, and restaurants have been built and many more are planned.

Mr. Speaker, Alabama Power Co. has pioneered the development of hydroelectric generation in my State. Men like Logan Martin, F. C. Weiss, Captain Lay, Louis Smith, and the late distinguished Alabamian and great American industrialist, Mr. Thomas C. Martin, have all left their mark in a most indelible way in promoting the industrial growth of my State.

These pioneers have thrown the torch to those responsible for today's operations, and men like President Walter Bouldin, Alvin Vogtle, R. L. Harris, and the thousands of loyal, dedicated employees who wear the hard yellow hats and climb the poles and string the lines are carrying on the traditions of this great company in moving my State to the forefront in hydroelectric generation capacity.

Mr. Speaker, because Logan Martin Dam is such an important addition to hydroelectric generation, future navigation, streamflow regulations, recreation, and many other benefits to the people of my State, I include the dedication speech delivered by Alabama's able Lt. Gov. Albert C. Brewer in today's RECORD:

ADDRESS BY ALABAMA'S LT. GOV. ALBERT BREWER, ON THE OCCASION OF THE DEDICATION OF LOGAN MARTIN DAM

Thank you, Mr. Bouldin, Mrs. Martin, distinguished guests, ladies and gentlemen.

I appreciate being asked to fill in today for our lovely and gracious First Lady. And, Mr. Bouldin, you are correct. I did have to rearrange a very hectic schedule—I had to get a golf date cancelled in order to be with you. And I enjoy filling in for the First Lady of Alabama, the Governor, on occasions such as this, but I am afraid sending me as substitute for her is rather like sending her husband to substitute for Joe Namath. Although I am not sure he could not do it.

No one could appear before a gathering such as this today without recalling the words of a very great Alabamian and one that Bill Nichols referred to a few moments ago, that we heard in the Legislature of Alabama, Mr. Thomas W. Martin, when he said that the second half of the Twentieth Century belongs to the south. This dynamic statement has been made famous world-wide by Mr. Martin, and today's event is further evidence of the proof of this great man's words. The second half of the Twentieth Century does belong to the south, and every citizen of our wonderful area is called upon to do his or her part to make the dreams of this century come true.

We are now moving into the middle of the last half of the Twentieth Century. We can say that Alabama Power Company is doing its part in writing what can be called the success story of the sixties. Today as we dedicate Logan Martin Dam, another important chapter of this book is written. It is an accepted fact that the great growth and economic strength of the United States has hinged on a well managed capitalistic system. Today we have a happy example of the investment of money for the reward of deserved profit. Here we see a free choice of putting initiative and desire into productive pursuits. I think you know how your state leaders feel about this philosophy.

We have striven constantly to protect and to foster these precepts. We believe strongly in the rights and privileges of men to work, invest, and produce under the protective shield of constitutional law. We believe in a constitutional law that provides freedom from arbitrary and capricious rules and regulations imposed by agencies or bureaus seeking to control by edict and manifesto.

Today, in addition to giving our state this great economic boost, our purpose is to honor a very great citizen, Judge William Logan Martin. The name Martin is prominent in Alabama history. Perhaps no brother team anywhere has contributed more to a single state than Judge William Logan Martin and his brother, Thomas W. Martin. Judge Martin would probably have been a great military leader had he remained in the army following his graduation from West Point. Luckily, the military's loss was our gain, and he returned to this, his native state, to cast his lot in the building of the greater Alabama.

Probably few men have won as many honors or worn them as well as Judge Martin. Few have held as many important positions in state legal circles as he. Civic duties of all kinds had his careful attendance and direction. He was especially proud of the part that he and his brother played in establishing the Southern Research Institute, but probably Judge Martin will be permanently best known for the magnificent service he performed during the years of the great expanse and growth of Alabama Power Company.

He was a man of foresight. He was a man of vision. Alabama Power Company has been blessed with such leaders throughout its history. The story of this company is one of progress. It is a utility which has marched forward hand and hand with our state.

For more than fifty years, already Alabama Power Company has been developing the state's river systems. Alabama Power Company's first major hydro project was Lay Dam on the Coosa River which went into use in 1914, and dedication of Logan Martin Dam brings near completion a ten year plan program which started in 1958. I am told that this was a 246 million dollar undertaking. A 246 million dollar vote of confidence in the future of Alabama.

When this program is finished in 1968, Alabama Power Company will have 13 hydro electric plants in Alabama that will be capable of producing more than 1,300,000 kilowatts of electricity. This program will also greatly increase the conservation and wise utilization of one of our prime nature resources, water.

No one can estimate the value of water. It is written that before the earth was created, there was water, and ever since it has been an important element in the great plan of man's life. Water is the blood of the soil; the husband of the seed; the father of all plants on earth. The life in a seed dies and lies dormant until water vitalizes it. It then awakens to active action and life on its own.

Water is nature's greatest gift to all growing things. It is the fountain of life. Water is mentioned 800 times in the Bible. The responsibilities of water is infinite. It must be present everywhere, always. Man cannot exist without water; animals cannot live without water. Birds can't live without water. Plants die without water. Water turns the turbines to produce the world's power. It is the soul of ships at sea. It is the wide highway that reaches all nations. It is the life sustaining fluid used in practically all human endeavor and even though it is our greatest wealth, it is still probably this nation's cheapest product. But it must be used carefully and conservatively.

The Logan Martin Dam is an example of how this great product may be carefully and gainfully used. This is another fine example of a great utility, Alabama Power Company, using a natural resource skillfully.

How fortunate we are in Alabama with all the great natural essentials that the Lord has given us. Few realize that North America today is facing a terrific water problem. To our forefathers, the country seemed endless and its natural resources were ever bountiful. We developed wasteful habits. We did not properly manage our water sheds. Floods and erosion followed the plow and the axe, over-grazing and plowing. Industrial and municipal pollution has made many water sources useless. These are things which constantly have been carefully avoided by the Alabama Power Company in its use of these resources.

As a matter of fact, I had the privilege just three years ago, on behalf of Governor Wallace, to present to Mr. Bouldin on behalf of this utility, the Governor's Conservation Award for Water Conservation Practices and for the contributions of Alabama Power Company through the years in preserving Alabama's valuable water resources.

These practices are becoming more and more important. Our American population is increasing. Areal farm land is decreasing. The forecasts indicate that by the year 2000, the population of the United States will have doubled. This is only 33 short years away. Thus, far less land will have to produce far more food. For this, more water will be required.

A few years from now water may be America's most valuable commodity. I am told that at one time on the plains of Montana, water was selling for $1.00 per barrel while oil was selling for $0.10 per barrel. It is not that bad now, but the cost of water is going up every year.

The once mighty Colorado River doesn't have enough water to go around and the western states are competing for it. Water levels in the Great Lakes are at an all time low, restricting the tonnage of ship's cargoes. Electric utilities and shippers in that area claim that they are losing one hundred million dollars per year because of the lowered levels and reduced discharge. East, West, North and South—water is a number one problem.

Recently Dr. Phillip Lamoureux, our state geologist, released some facts disclosing how the good Lord has smiled on Alabama in the matter of water. Dr. Lamoureux spoke of the proposed 30 year international project which would cost over one hundred billion dollars and would be the greatest project of its kind ever known.

Under this project water would be brought all the way from Alaska and Canada to the arid sections of the western United States and Mexico. It seems almost an unthinkable proposal, yet water experts predict that it eventually will have to be done. Under this one hundred billion dollar project, the experts figure that an additional 78 million acre feet of water can be brought to the western and Rocky Mountain states.

Ladies and Gentlemen, it is estimated that Alabama already has an estimated 95 million acre feet of water. These other states are going to spend one hundred billion dollars to get just 78 million acre feet of water.

As a matter of fact, Alabama has 1/59th of the land surface of the United States, but Alabama has 1/14th of all the surface water in our country. In addition we have an annual rainfall of over 50'' compared to the national average of 30''. I think this illustrates just how blessed we are.

The Alabama Power Company officials states that Logan Martin Dam has a total rated generating capacity of over 128,000 kilowatts. Through its long range planning, the Alabama Power Company can furnish our state an almost inexhaustible, unlimited supply of power. At the same time Alabama Power Company predicts that it can make contributions, the value of which cannot be measured in terms of dollars, to navigation, stream-flow stabilization, flood control, agriculture, water supply, recreation, industrial development and many other public benefits.

Let me not close without also praising the men and women of this great utility. I mean those in the shops, those in the offices, those in climbing spikes and those manning the plants, as well as the officials. They follow a well defined company policy of worker participation in all phases of community life. Alabama Power men and women are always found out front when it is an activity for community or state betterment.

There is another important aspect of the project such as the one we dedicate here today. It is apparent only if we make an effort to recognize and understand what we see.

It is reported that reservoirs created by this company's 11 dams afford nearly 150,000 acres of water playground that have over 2800 miles of Alabama shoreline.

As many of you know, Governor Wallace has a lake home near Montgomery. You can add her name to the list of those who have been seriously infected by the fishing germ. I understand by Mr. Bouldin that there is only one cure for this terrible and dread disease and that is to take the victim out to a place in the sun on a boat or river bank with a fishing pole in hand. This is said to be the only known cure. Behind this dam lies over 15,000 acres of unlimited opportunity for persons to take the cure, to fish, to swim, to sail, powerboat and water ski.

Alabama's lakes, rivers, creeks, bays and gulfs are one of her major attractions, not only for tourists and sportsmen, but also for industry.

Any time a northern or eastern industrial leader looking for a new plant site comes to Alabama we know almost immediately what he is going to say. He is going to say that his people are tired of congested, traffic-bound living. They are tired of air and water pollution. They are tired of high land costs, boosted taxes, and shortsighted labor policies. And then he reveals that they are simply carried away with the unlimited recreational possibilities offered by our state.

Of course, this great company which we salute here today is responsible for much of the great development of our state in the past twenty years. It has carried more than its share of the load in the development of our recreational areas and has helped make our state a veritable water wonderland. For this we are grateful.

We thank you Alabama Power Company people for your power, for your people, for good citizens, for conservation practices, for recreation, for our industrial development. In fact, we thank you today for a thousand things you have done for the advancement of Alabama, one of the finest of which we dedicate here today.

Thank you very much.

RESPECT FOR THE AMERICAN FLAG

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. NICHOLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. NICHOLS. Mr. Speaker, the American flag is one of the few visible symbols of national authority. It is a symbol that demands respect and loyality, yet today this respect and this loyality is not present in the hearts of some of our people. Desecration of the American flag is an act that borders treason, and I am pleased that this Congress has realized this.

I am aware that Congress cannot legislate respect; for such respect must be learned in the home. However, actions such as those in Central Park cannot be tolerated just as murder is not tolerated.

It is tragic that H.R. 10480 was ever needed, but the lack of patriotism by some few Americans made this bill mandatory. It is time that we consider what caused this loss of patriotism in America, and I think the first place we should look is to some of the recent Federal Court decisions.

THE DICKEY-LINCOLN SCHOOL HYDROELECTRIC PROJECT

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, much has been said on the floor of the House during the past 2 years about the Dickey-Lincoln School hydroelectric project in my district. More recently remarks have appeared concerning an Appropriations Committee staff study of this project. It is with great pleasure that I bring to your attention today an editorial from the Evening Bulletin of Providence, R.I. This article shares my belief that the committee staff study report is favorable to the project, and that the construction of the Dickey-Lincoln School hydroelectric project should proceed without further delay.

The editorial follows:

A SENSIBLE PROJECT

Congress is in a sound position to proceed with the Dickey-Lincoln public power project in Maine now that the thicket of contradictory statements about its economic value has been cut away.

The controversial hydroelectric project conceived to relieve New Englanders from the highest power rates in the country was authorized in 1965, but getting planning appropriations through Congress has been like pulling teeth.

The reason was that Congress did not know whom to believe. Federal agencies like the Federal Power Commission and the Army Corps of Engineers have said right along that the project is economically feasible, whereas the Electric Coordinating Council of New England has reported that private utilities could produce base power for the Maine area with a nuclear plant cheaper than the federal government could with Dickey-Lincoln.

Under instructions from Congress, the staff of the House appropriations committee has completed a review of studies by public and private agencies concerning the potential of Dickey-Lincoln. In the process, it has discredited many statistics submitted by the council which represents private power groups opposing the project.

The staff reports that federally financed nuclear or fossil-fuel plants in Boston and Maine would produce cheaper power than Dickey-Lincoln, but that privately financed sources of power—subject as they are to higher debt costs and taxes—would not. On the other hand, says the staff, the Dickey project would afford flood protection and create new recreation centers which would not be the case with either federally or privately financed nuclear or conventional plants.

The staff clears up another disputed point in finding that the project would have a favorable benefit-cost ratio; that is, the dollar value of its benefits would exceed the dollar cost of operating it. The council had reached the opposite conclusion—that cost would exceed the value of benefits—but the staff contends the council erred in that conclusion by figuring the life of the project at 50 years instead of 100 years.

Clearing up the point is vital because Congress puts much weight on benefit-cost ratio in helping it decide which public projects to undertake. In the last four years, it has approved seven hydroelectric projects with lower benefit-cost ratios than the one figured by the staff for Dickey-Lincoln.

The staff report does not presume to advise Congress what should be done, but by removing contradictions that have obscured Dickey-Lincoln's worth, it establishes a basis for the thesis that getting on with the project makes good sense. Congress should take the hint.

CARDINAL SPELLMAN SPEAKS OUT AGAINST COMMUNISM

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I would like to call to the attention of my colleagues a news release issued by the archdiocese of New York on June 19, 1967, stating that the archdiocese will join the American Bar Association this summer in a program aimed at disseminating greater knowledge about the differences between democracy and communism.

I commend the distinguished and great American, Francis Cardinal Spellman, for the forthright position he has taken on this particular problem and for his outstanding contributions to the unrelenting war against communism being waged by all freedom-loving Americans.

Recently, Cardinal Spellman declared that when students read Lenin, Mao Tse-tung, and others, "they can see for themselves that class war, deception, subversion and the strategy of terror are not outworn myths but the preferred instruments of the Communist Party."

It is important, therefore, that we acquaint ourselves with the facts of totalitarian life, in order that we may become better equipped to protect any encroachment on our precious liberties and on the well-being of our great democratic Nation.

The news release follows:

Francis Cardinal Spellman announced today (June 19) that the Archdiocese of New York will join with the American Bar Association this summer to equip social studies teachers throughout the archdiocesan school system with greater knowledge of the differences between Democracy and Communism.

A program developed by the ABA's Standing Committee on Education About Communism and its Contrast With Liberty Under Law will be telecast via the Archdiocesan Instructional Television Network to some 200 teachers in 90 Catholic high schools over a 15-week period.

The ABA Committee instituted the program five years ago when it discovered that U.S. school teachers as a whole were "woefully lacking" in the background needed to acquaint students with the facts of totalitarian life, according to ABA president, Orison Marden, who also attended the meeting at Cardinal Spellman's residence.

Mr. Marden, a senior partner in the New York firm of White and Case, said the Committee since 1962 has furnished lecturers and study materials for summer institutes on "Democracy versus Communism" for nearly 10,000 high school teachers in 45 states, who in turn have reached an estimated 3,000,000 students.

These institutes, normally offering academic credit, have been held, he said, at such centers of learning as the universities of Colorado, Miami, Southern California and Vanderbilt, demonstrating "to the satisfaction of most educators that teaching about Communism is no longer controversial."

Cardinal Spellman said that three interacting historical trends make it timely to add this type of program to the social studies curriculum of the Archdiocese: the ecumenical movement with its emphasis on perspective; the growing responsibility of the U.S. to preserve stability in world affairs; and the increasing importance of electronics communications media as aids to education.

The Archdiocese of New York is composed of ten counties: Manhattan, Richmond, Bronx, Westchester, Rockland, Orange, Putnam, Sullivan, Dutchess and Ulster.

"While America cherishes the right to dissent," Cardinal Spellman said, "debate is always improved if the participants have done their homework. When students read Lenin, Mao Tse-Tung, Stalin and Lin Piao, they can see for themselves that class war, deception, subversion and the strategy of terror are not outworn myths but the preferred instruments of the Communist Party.

"In our revolutionary world it is vital that understanding of social justice, individual responsibilities and threats to world order keep pace with rapid scientific discovery. Young Americans are idealists, looking for meaning in their own lives and for good causes to serve. The freedom and well-being of people all over the world for years to come may depend in no small measure on the wisdom and competence of ascending generations in this nation."

The ABA program, it was explained, features, academic experts, journalists and consultants to government on such subjects as: (1) The Principles and Potential of Modern Democracy; (2) Permanent Factors in Soviet Foreign and Defense Policy; (3) Soviet and Chinese Youth Today; (4) Communist Propaganda Techniques; (5) Schisms in the Empire of Marx; and (6) Modern Capitalism and the Economic Dogma of Marx.

Each lecturer or panelist is cross-examined by a team of outstanding teachers who relate problems in the classroom to the expertise of the scholar.

Participants in the course are furnished copies of a teacher's syllabus entitled, "Democracy Confronts Communism in World Affairs." This 297-page syllabus of 34 chapters was prepared under the auspices of the ABA Committee.

Also attending the meeting were the following members of the ABA's co-sponsoring committee: Morris I. Leibman, chairman, a member of President Johnson's Advisory Panel on International Problems; Charles Maddock, chairman-elect, the General Counsel of Hercules, Inc.; and Louis B. Nichols of New York City, executive vice president of Schenley Industries, Inc.

Representing the Archdiocese School System at the meeting were Rt. Rev. Monsignor Raymond P. Rigney, superintendent of schools; Rt. Rev. Monsignor Edward M. Connors, associate superintendent of schools; Rt. Rev. Monsignor Joseph T. O'Keefe, director of communications center; and Brother Augustine, director of secondary curriculum.

The lecture series will include the following:

1. Modern Democracy: Principles, Paradox and Potential.

2. Twentieth Century Totalitarianism: Common Characteristics.

3. God, Man and Society: The Premises of Communism.

4. Humanism, Individualism and the Moral Premises of Western Civilization.

5. Origins of the Cold War.

6. Permanent Factors in Soviet Foreign and Defense Policy.

7. Controversial Issues in the Court of World Opinion: Peace, Poverty, Race and Class (Myth vs. Reality).

8. Rich Nations and Poor Nations.

9. Propaganda: Magnitude, Methods and Major Themes.

10. Schisms in the Empire of Marx: Tito, Mao, The new Soviet Intellectuals, the European Satellites.

11. Soviet and Chinese Youth today.

12. Modern Capitalism and the Economic Dogma of Marx—a panel discussion.

13. The law, The Citizen and The State: Contrasts between U. S. A. and U. S. S. R.

14. The Russian Proletariat in contrast to American Labor, Aims, Methods and Achievements.

15. Religion under the Commissars.

ADA RESOLUTION MARKS SOVIET AND ARABS AS AGGRESSORS

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RESNICK. Mr. Speaker, questions have been raised regarding the view of liberals in the United States toward the Middle East crisis. These questions arose, to some extent, as a result of the newspaper report that Prof. Arthur Schlessinger refused to sign a strong statement denouncing the Arab-Soviet action in the Middle East and the view attributed to him that this situation was parallel to the conflict in Vietnam. I was particularly pleased, therefore, to receive a copy of the resolution adopted by the National Executive Committee of Americans for Democratic Action on this subject. This is the organization with which Professor Schlessinger is most prominently identified. The resolution clearly marks the Soviets and the Arabs as the aggressor, voicing support for Israel's right to have taken the action she did.

I insert this resolution at this point in the Record:

I—REASON FOR CONCERN

ADA is greatly concerned with the problems of instability and human suffering that are now so painfully evident in the Middle East. It is concerned that Israel's future security should not become a pawn of Great Power confrontations in the area; that the instrumental functions of the United Nations should be fully utilized; and that the resolution of conflicts in the Middle East should be reached through intensive negotiation by all States in the area.

II—ADA'S PERSPECTIVE

It is imperative that a durable and equitable settlement be pursued in the Middle East. In seeking for it ADA identifies itself with the following axioms of policy:

(a) The territorial integrity of every nation within the U.N. must be firmly and legally respected. So, too, must the principle of free and innocent passage in international waterways.

(b) Under Article 51 of the U.N. Charter, Israel was fully entitled to take measures necessary for its self-defense. Naturally sympathetic to the Israelis' defense of their democratic system against the belligerent threats of their neighbors, ADA is convinced that a lasting and equitable settlement of the present conflict cannot be achieved until the sovereignty of Israel and of its frontiers is respected in law and in fact.

(c) ADA condemns the callous attacks upon Israel indulged in or prompted by Soviet officials. The viciousness of these assaults reflect a contempt for the procedures of debate in the U.N. and a genocidal attitude towards Israel's destruction.

(d) A humane solution to the desperate problem of displaced Arab communities will be found only if all countries in the area should agree to a permanent armistice, to a just revision of frontiers, and to a rapid plan for economic resettlement and expansion.

(e) The intervention of the Great Powers in this settlement should be actively discouraged. A settlement dictated by cold war interests and massive military assistance can only be ephemeral. Agreement must come, therefore, between the indigenous States. Only they can determine whether tensions are to be relaxed, arms races are to be dampened, and disinterested economic growth is to be fostered. It is the responsibility of the Great Powers to ensure that all deliberate speed be used to bring the States of the Middle East together and to promote negotiations for a just settlement.

(f) It is unrealistic to demand that the U.N. should impose peace upon the region or force an agreement between the great and small powers embroiled in the conflict. The U.N. can serve as a vital instrument in bringing States together and in policing agreements which eventually emerge. Every effort must be made to relieve the U.N. of intractable disputes so that its functions of truce supervision, peace keeping, and collective economic expansion can be promoted.

III—ADA CALLS FOR ACTION

Bearing these axioms in mind, ADA calls upon the U.S. Government to pursue those courses of action that will most rapidly involve the States in the region in a permanent and just disposition of their conflicts. Utilizing all deliberate speed to bring these States together, the U.S. should reaffirm that it is motivated by the following concerns:

(a) The sovereignty of all nations and of their mutually agreed frontiers must be fully respected. A "state of belligerency" cannot persist between one U.N. member and another, and it is inconsistent with the spirit of the U.N. Charter to force any member—such as Israel—to accept frontiers that are neither just nor secure.

(b) International waterways, such as the Straits of Tiran and the Suez Canal, must remain open to the free and innocent passage of ships of all nations.

(c) The revision of boundaries, the resettlement of population, and the protection of ethnic minority rights must be first determined in a cooperative manner by indigenous States and then implemented under the supervision of U.N. agencies.

(d) The military non-intervention in Middle East affairs by outside States should be guaranteed by U.N. inspection procedures.

(e) Massive economic and agricultural assistance must be provided in the immediate future. Once an armistice and a non-intervention agreement have been signed, it is vital that life-sustaining assistance should be channelled through multilateral institutions.

(f) Region-wide institutions (along the lines of the Asian Bank) must be encouraged to bridge the gap between the rich and the pauperized Arab nations and to plan the economic development of the area in a truly collective manner.

(g) The truce supervision, peace keeping, humanitarian, and economic development functions of the U. N. must be firmly consolidated and adequately financed. The U.S must make a generous and unconditional offer to help finance any reasonable scheme for international development.

(h) Until such time as these agreements have been obtained and implemented, ADA calls upon the U. S. Government to act in a manner that will avoid as far as possible the following pitfalls. It must *not*

—exacerbate Great Power tensions and rivalry;

—undermine Israel's survival capabilities;

—delay immediate sustenance for the Arab people;

—provoke Arab antagonisms and revenge seeking;

—deadlock or by-pass the authority of the U. N.;

—seek temporary compromises at the cost of obtaining long-range agreements.

ADA expresses confidence that the President will continue to handle Middle East affairs with the restraint and sense of justice that has so far been demonstrated.

SMALL BUSINESS ADMINISTRATION'S ECONOMIC OPPORTUNITY LOAN PROGRAM

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DENT. Mr. Speaker, as a member of the Committee on Education and Labor, I have been closely concerned with the Small Business Administration's economic opportunity loan program.

This program was authorized under an amendment to title IV of the Economic Opportunity Act, and its purpose is to wage war on poverty by encouraging and assisting disadvantaged persons to start their own small businesses, or to enlarge and improve those they now own.

I believe that this can become a truly effective way of fighting poverty because it is in essence the fulfillment of the American free enterprise system.

Americans have always cherished the belief that any man, or woman, who has an idea, a special talent, and ambition, should have the opportunity to strike out for himself.

Indeed, this is the door of opportunity that has enabled millions of Americans to become prosperous and independent, a nation of imaginative and hard-working men and women that is the envy of the world.

I am confident that there is no better way of building a man's confidence, self-respect, and independence, and of imbuing him with a sense of responsibility to the community of which he is a part, than by helping him enter the mainstream of American business.

It was with great interest, therefore, that I followed the testimony of the Honorable Bernard L. Boutin before the Committee on Education and Labor on June 23. It was only a little more than a year ago that President Johnson appointed Mr. Boutin as Administrator of the Small Business Administration.

When he took office, SBA's economic opportunity loan program was operating on a very limited basis, being available only in 44 communities in 24 States.

As Administrator Boutin so aptly put it in his testimony—

> We had the paradox of a program that was aimed at ending discrimination in small business, yet its benefits were available in portions of only 24 States.

Last fall after the Congress amended title IV of the Economic Opportunity Act, giving SBA authority over the entire loan function of this program, Administrator Boutin acted swiftly to open up the program to all sections of the country. He gave it a high priority and allocated additional funds to be used for economic opportunity loans.

I am very much impressed by the bold new concept that Administrator Boutin has given to this program, and the results so far attained. He has boldly seized the initiative and has given SBA employees a new sense of urgency and purpose.

Through the Agency's Out-reach program, it is now able to offer the benefits of this program to smaller cities and rural areas, in addition to the large metropolitan centers.

The results of this vigorous new approach speak for themselves. During the first 6 months of operation, SBA has approved twice as many economic opportunity loans as formerly, and the dollar volume has increased 147 percent.

Even more pleasing to me are Administrator Bouton's plans for the future. He is eager to push into new territory as he carries into reality President Johnson's injunction to "reopen doors that were closed too long."

During fiscal 1968 Administrator Boutin plans to step up SBA's programs of management assistance to small businessmen. By utilizing the resources available through other Government agencies, and assistance from private organizations; such as, chambers of commerce, neighborhood service centers, and other community based organizations, he plans to create a program nationwide in scope, that will open new avenues of opportunity that have been so long closed to many people.

I particularly commend to the Congress Administrator Boutin's determination, as he expressed it in his testimony, to "get down to the business of reopening still more economic doors: doors that the trends of the last few decades—the urbanization, the automation, the explosions in population and knowledge—have tended to close to so many ambitious but less fortunate citizens."

Mr. Speaker, I most heartily endorse Administrator Boutin's plans for the future of the economic opportunity loan program. I respectfully urge the Congress to give him, and President Johnson, full support for their plans to further extend the coverage of this essential program during the coming year.

PRESIDENT JOHNSON ASKS FOR A NATIONAL EFFORT TO CONTROL DELINQUENCY AND CRIME

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from

New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RODINO. Mr. Speaker, in remarks prepared for delivery before the National Council on Crime and Delinquency, President Johnson made clear his intention to wage war against crime with every legal and economic tool at his disposal.

He made it clear that there is a local and a national responsibility in this fight.

He made it clear that he would rather control crime, or prevent it, than have to fill our jails with more and more people—most of them very young people.

He made it clear that certain programs now pending before the Congress are essential to a crime control program.

These are laws which must be approved to strengthen police forces and help law enforcement agencies.

There are laws which must give communities greater financial resources to prevent juvenile delinquency.

There are laws which will create opportunity, combat personal failure, break the cycle of poverty, and give everyone a share in American society.

"The problem of crime," the President said, "is embedded in the conditions of society itself." And, if we want to save society—as we must—then we must act now to help society overcome the conditions which breed crime.

I do not believe criminals are born. They are made. And, if they are made, they can be unmade.

I believe that President Johnson deserves the support of the people in his national effort to control delinquency and crime.

I applaud him for the laws he has proposed, and for the human element which he has always kept foremost in his mind.

I believe that we can beat crime back, and so does President Johnson.

Let us give him all the support he needs today.

Let us be partners in a program to assure every American, life and security and dignity.

NUMBERS RACKET FLOURISHES AMID NEW YORK LOTTERY

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. PATMAN. Mr. Speaker, it has been contended by those supporting lotteries as a method of raising tax revenue that such lotteries would wipe out illegal gambling, particularly the numbers racket.

It is argued that the illegal gambling cannot survive when placed in competition with the legalized gambling.

Indeed, one of the dissenting views in the Banking and Currency Committee's report on H.R. 10595, a bill which would prohibit federally insured financial institutions from engaging in gambling activities, quotes fom the January 27, 1966, issue of the New York Times, as follows:

> The larger the area of legalized gambling, the less the area that will remain for illicit gambling, benefiting the underworld, corrupting officials who protect it for bribes, and robbing the State of revenue it badly needs.

It is interesting to note that the June 22, 1967, issue of the New York Times reports that despite the legalized New York State lottery, the numbers racket in New York flourishes and, in fact, may be gaining customers.

With regard to banks selling lottery tickets, the article quotes a confirmed numbers player, as follows:

> The only business I have in a bank is to pay a loan. I wouldn't go in to buy a lottery ticket.

An effective argument can be made that the New York State lottery, rather than drying up the illegal numbers racket, actually boosts the numbers racket, since it whets the appetite for gambling. The lottery payoffs occur only once a month, while the numbers racket pays off daily, thus providing daily "action" while waiting for the big drawing.

Shortly, H.R. 10595 will be on the floor for debate. It is a certainty that those opposing this legislation will raise the argument that lotteries in fact drive out illegal gambling. In order to show Members that this is not true, I am enclosing a copy of the New York Times article, which clearly shows that the New York State lottery has in no way hampered the operations of the numbers racket.

[From the New York Times, June 22, 1967]

BETTING ON NUMBERS IS HOLDING ITS OWN DESPITE THE LOTTERY

(By Jack Roth)

"We welcome the lottery," a policy gambling operator said yesterday. "Numbers players haven't quit us because they now realize that our odds are better. We pay off immediately and there's no waiting. And furthermore, no winner has to worry about paying income taxes."

Several other persons close to the numbers racket said the state lottery had had no effect on policy gambling. They also said that a lottery winner whose name was made public was bound to have "a bunch of mooching relatives and friends hanging around him."

"If someone hits a number," one of those interviewed said, "no one knows about it unless he wants to tell."

A numbers player, who asked not to be identified, although it is only illegal to accept bets, not to place them, compared the numbers game and the lottery.

"There's action every day but Sunday in numbers," he said. "Who wants to wait for months to find out if he wins money on a lottery?

"Let me tell you this: If they could tax numbers and maybe get the bankers to give a fair accounting of what they took in, there would be a school on every corner of the city in no time at all."

One lawyer, who has on many occasions represented numbers runners, or collectors, said he himself plays not only the numbers but has also bought 15 lottery tickets.

"It's only because I'm a gambler," he said. "I don't expect to hit the lottery but I have hopes of hitting a number once in a while."

An inveterate numbers player said: "The only business I have in a bank is to pay a loan. I wouldn't go in to buy a lottery ticket."

Asked why he didn't purchase a ticket on the lottery in a hotel, he answered: "There aren't many hotels where I live."

Then, he added, what might be a key point: "I get service," he said. "A numbers collector has a route. He comes to me to ask if I have any action. I don't have to go looking to place a bet. Why should I maybe wait in line to buy a lottery ticket and take time out from my work?"

A member of the Harlem community, where most numbers are played, according to the police, spoke from a very personal point of view.

"By playing numbers," he said, "at least I keep money in my own area."

The District Attorney's office has reported that the lottery has brought no change in arrests for gambling violations.

The payoff on most numbers is at 600 to 1. The winning number is arrived at through a complicated system based on the race results at a predetermined race track.

A survey conducted by the State Tax Department that runs the lottery for the support of education has shown that the sale of tickets is running far behind expectations.

The survey showed that during the first nine days only 4.6 million of the $1 tickets were sold.

THE SOUTHWEST'S NEED FOR WATER

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TUNNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TUNNEY. Mr. Speaker, with the summer drought season approaching, and Florida's Everglades already experiencing another water crisis, this is not an inappropriate time to remind my fellow House Members that it is always dry in the Pacific Southwest. We have learned to live with the sparsest rainfall and the most developed river in the Nation; water shortage is a year-round threat in southern California and other States of the Colorado River Basin.

It is a story which Congress has heard time and again but it bears repeating at every opportunity. Now, however, it deserves special emphasis because the situation is fast passing from the merely threatening to the critical stage. The estimated time at which the Colorado River will be totally incapable of meeting all the demands of the seven States dependent upon this dwindling waterway is 1990—less than 25 years away. It is a tragic consequence which will come to pass unless some means is found, and found quickly, to import meaningful quantities of water into the mainstream of the Colorado.

What the Colorado River means to California and why an importation program is so desperately needed for sustaining the present and future economy of the seven-State region is graphically described in two documents which I insert for the RECORD. They were prepared and made public by Dallas E. Cole, chief engineer of the Colorado River Board of California. One, outlining California's

stake in the Colorado River, was presented at the recent Senate hearings on the proposed Colorado River Basin project legislation, and the other is the text of a speech delivered May 11 to a seminar of northwest water experts at Oregon State University. In it Mr. Cole meticulously details the Southwest's need for water.

California's Stake in the Colorado River

(Statement of Dallas E. Cole, chief engineer, Colorado River Board of California, before the Subcommittee on Water and Power Resources of the Committee on Interior and Insular Affairs of the U.S. Senate, on S. 861, 90th Congress and other bills related to the Colorado River)

The State of California depends on the Colorado River for much of its sustenance. About half of the present population of the State is in whole or in part dependent upon the Colorado River for its water supply for irrigation, domestic, municipal and industrial purposes. Eighty percent of the water supply of Southern California and twenty percent of the total water use in the State of California is from the Colorado River. Hydroelectric plants on the river furnish a substantial supply of power at low cost.

The metropolitan areas of Southern California situated on the coastal plain and foothills in Ventura, Los Angeles, San Bernardino, Riverside, Orange, and San Diego Counties, with a present population in excess of 10,000,000 inhabitants and assessed valuation in excess of 20 billion dollars, are dependent upon the Colorado River as a source of supplemental water supply for domestic, industrial, and municipal purposes. They are using more than 1,100,000 acre-feet a year through the Colorado River Aqueduct built by The Metropolitan Water District of Southern California. Without the supply made available since 1941 from the Colorado River, the great development that has taken place in Southern California would not have been possible. Southern California has become the space and electronics capital of the United States; continued development of these new technologies is of utmost importance to the future of the Southwest and to the national welfare.

Colorado River water is the only supply available to serve 700,000 acres of land being irrigated in the Palo Verde, Imperial, and Coachella Valleys of California. Irrigation of these lands requires about 4,000,000 acre-feet annually.

Imperial Irrigation District has over 505,000 acres under irrigation which every year produces crops valued at more than $200 million, including values added by cattle feeding. Principal crops are vegetables, melons, lettuce, sugar beets, alfalfa, cotton, and barley. Because of the large quantity and high quality of the winter and early spring vegetables and fruits, Imperial Valley is known as "America's Winter Garden."

Coachella Valley County Water District is currently irrigating 60,000 acres of a potential 161,000 acres north and west of the Salton Sea. Crops valued at $56 million a year are grown, including dates, grapefruit, grapes, vegetables, alfalfa, cotton, grain, and values added by livestock feeding operations.

Palo Verde Irrigation District is located around the City of Blythe and has 90,000 acres under cultivation. Principal crops are lettuce, cantaloupes, watermelons, alfalfa and cotton, which are valued in excess of $36 million annually, including values added by cattle feeding.

The Reservation Division of the Yuma Federal Reclamation Project was one of the first projects authorized under the Reclamation Act. About 11,000 acres are now under irrigation in California producing crops valued at $3.4 million each year.

The day is rapidly approaching when the demands upon the waters of the Colorado River System will exceed the average supply. Water shortage on the Colorado affects the entire Southwest, which as a whole is already short, and existing partly on overdrafts. Curtailment of uses by existing California projects on the Colorado probably will commence as soon as the Central Arizona project is built. In order to prevent curtailment of existing uses and to assure future development of the Southwest to its full potential, additional water from other sources will be needed.

Experience has shown that a span of 25 or more years is generally required to accomplish the necessary investigations, formulation of plans, negotiations, authorization, financing, design, and construction of a major water project. In order to anticipate the need for new sources of water for the Pacific Southwest, it is imperative to initiate as soon as possible the studies that will lead to the provision of water supplies adequate to meet future needs. In order to evaluate properly all possibilities and to develop the maximum benefits for all areas, including areas of surplus water, the problem should be studied as one of regional scope; and the solution should be one of integrated regional water resource development, taking into account all legitimate uses for water in the region.

The Southwest's Need for Water

(Presentation by Dallas E. Cole, chief engineer, Colorado River Board of California—Oregon State University seminar, May 11, 1967, Corvallis, Oreg.)

The need of the Southwest for more water than the area produces is real, not fancied, and the need to start meaningful steps to do something about it is urgent. Some parts of the region are in bad straits now, notably central Arizona. The water deficiency region-wide is presently about 1.5 million acre-feet a year, and is expected to grow rapidly as the population continues to increase and the economy to expand.

Water resource engineers have studied, and continue to study, the region's water supplies and water requirements all ways from Sunday, over and over, and they always come out with the same negative answer—not enough water to meet the projected needs. And their estimates of dependable supply include allowances for future increase in conservation and salvage of water and continued improvement in efficiency of use.

The region of water deficiency, defined roughly and somewhat arbitrarily for convenience, covers the entire Colorado River drainage area plus parts of the seven basin states outside the drainage area but which are or may be served with Colorado River water. It includes roughly the southern half of Wyoming, most all of Colorado and Utah, all of Arizona, Western New Mexico, Southern Nevada and Southern California. Its area is about 350,000 square miles, its present population about 15 million, of which about 10 million are in Southern California. It includes such important population and industrial centers as Salt Lake City, Denver, Las Vegas, Phoenix, Tucson, Los Angeles and San Diego, all dependent upon Colorado River System for all or portions of their water supplies. Total assessed valuation of the region runs into many billions of dollars, more than 20 billion in Southern California alone. Effects of the vast industrial complex of the area fan out over the earth, occasionally to the moon and to outer space. The region contains some 5 million acres of irrigated land, of which more than 4 million are irrigated with Colorado River System water. (Actually the area of water deficiency is larger than here defined, and includes probably all the Great Basin, all of New Mexico and part of the Great Plains region.)

The Southwest is the fastest growing region of the U.S. Its population has increased more than 85 percent since 1950, and there is no sign of let-up. It is expected to at least triple in the next half century. The Southern California coastal area will be almost completely urbanized, and farmlands will shrink accordingly. People keep moving to the Southwest, and must be provided with water for their homes, farms and factories, as well as for recreation. Water-oriented recreation is assuming greater and greater proportions, not only in the demands of the citizens but in many of the local economies.

The Southwest is rich in resources, except water, and exploitation of those resources is on the upgrade. The region accounts for 99 percent of the nation's domestic uranium production, and more than half its copper. Vast coal deposits are being developed, principally for generation of electricity. Many trillions of barrels of oil are present in shale deposits covering 16,500 square miles in Colorado, Utah and Wyoming; with exploitation on a significant scale expected to begin momentarily, and projected to reach 2 million barrels a day of petroleum by 1980. All this will require more water.

Irrigated agriculture and livestock raising are major elements of the area's economy. The seven Colorado River basin states produce within their boundaries more than five billion dollars' worth of crops and livestock annually, about one-sixth of the U.S. total. About a billion dollars of this comes from areas irrigated by Colorado River water.

Because of warm climate and long growing seasons the southern half of the Southwest ships to eastern markets in the dead of the eastern winter enormous quantities of fresh fruits and vegetables. For example, at the height of the winter lettuce harvest, as many as 2800 carloads of this perishable crop are sent to market from the Imperial Valley, California, each month.

The nation simply cannot afford to let this vital segment of its economy go downhill for lack of water. Economic growth of each major region of the U.S. is interlocked into the continuing welfare and prosperity of the nation. To be convinced of this one has only to travel the broad reaches of the Southwest and see the dozens of trainloads and many thousands of truckloads of goods going in and out of the region each day of the year, including shipments to and from the great Pacific Northwest.

The largest and most important single source of water in the region is the Colorado River System. Its water nurtures the important agricultural economy, and its water and power are vital to the booming industrial developments near the metropolitan centers and along the entire south coastal plain of California. Other sources are relatively small streams in the Great Basin in Utah and Nevada, and small coastal streams in Southern California, all inadequate to meet local demands.

The Colorado itself is rapidly approaching bankruptcy; some areas of the basin, most notably central Arizona, are already in the red. There the groundwater reserves, accumulated through the centuries by percolation from the Gila River system which is tributary to the Colorado at Yuma, are being depleted at the rate of about 1.5 million acre-feet a year in excess of average recharge. Groundwater basins in Southern California are also being overdrawn, about half a million acre-feet a year, and would be depleted faster were it not for the water imported by Los Angeles from Owens River and by the Metropolitan Water District of Southern California from Colorado River.

The Colorado is the first major river system in the U.S. to become fully utilized. For the past decade, and before that only because of lack of storage which now exists to hold back flood waters, no appreciable quantities have flowed from the mouth of the river into the Gulf of California. Gila River at its mouth has been dry longer than that. So far the system has been able to supply the demands placed upon it, partly because of overdraft and partly because the upstream states have not developed to their full potential and legal use from the river and its tributaries.

A 1922 interstate compact divided the use of the water as between the Upper and Lower Basins, the division point being at Lee Ferry on the main stream near the Utah-Arizona line. By virtue of the compact the Upper Basin has the right to more water than it is now using, i.e., the right of recall, and the Lower Basin projects, being more fully developed are dependent to some extent on interim use of water that belongs to the Upper Basin. Sad to relate, however, the compact negotiators on the basis of pre-1922 records overestimated the dependable flow of the stream, and divided more water than it produces. To add to the problem, a 1944 U.S.-Mexico treaty burdens the river still more by guaranteeing Mexico 1.5 million acre-feet a year off the top.

The compact also provides that the Upper Basin cannot deplete the flow at Lee Ferry below a stated total in any 10 years, and because of the diminishing average production of the stream system it is now apparent that the quantity of water recallable by the Upper Basin is not enough to meet its additional needs or to supply the amount apportioned by the compact. This is the reason why the Upper Basin states show no small concern over the proposal to build a new project to take more than a million acre-feet of water a year from the lower mainstream into central Arizona, where it is badly needed to help relieve the overdraft and help sustain the economy of the state. The quantity of water recallable by the Upper Basin would, however, cut drastically into the uses of existing Lower Basin projects. This is the reason why California insists that legislation to authorize the Central Arizona Project contain protection of existing Lower Basin uses and be coupled with a meaningful intent to augment the water supply of the Colorado River System.

Corollary to the diminution of water quantity in the lower river is the accompanying deterioration of water quality; the two problems are inseparable. High in mineral content to begin with, the water in the Lower Basin is becoming more heavily burdened with dissolved solids as more water is consumed upstream, and the process will continue. Already there has been an international fracas with Mexico because Mexican farmers complained that the water delivered to them was so highly mineralized by drainage returns from U.S. irrigation that it was reducing crop yields and damaging soils. The problem, temporarily alleviated by the U.S. quick construction of a drainage by-pass channel, is by no means settled.

Farmers in Arizona and California also worry over the increasing salinity of the river water, and the accompanying increase in water requirements and costs. This problem threatens to aggravate the interstate and interbasin dissensions and could even mature into troublesome and costly litigation. The only way to avoid some such calamity, in the eyes of the water resources and water quality experts is to dilute the river's salinity with water imported from a better source.

Water shortage on the Colorado is inevitable, the only question being how soon? As a whole the Southwest is short now, and is living on overdrafts. Taken as a whole the Southwest needs at least 1.5 million acre-feet a year of supplemental water supply right now; will need four or five million more within a few decades and possibly as much as another Colorado River eventually, in addition to the 2.5 million acre-feet a year that will arrive in Southern California from the north four or five years hence when the California Aqueduct is finished.

All these estimates take into account such considerations as continuing change from agricultural to urban land use in certain areas, increased efficiency in irrigation, reduction of channel losses along streams and canals, and increased reclamation and reuse of sewage water. Further studies and improvements in technology can only refine the results of the supply-demand equation, not change the algebraic sign from minus to plus.

Some solution to the Southwest's distressing water problem has to be found and will be found. That much is inevitable, but just how it will be done is still a matter of argument.

Let us examine some of the ideas that have occurred to various people about how to resolve the Southwest's water problem.

The idea of sending the people where the water is instead of transporting water, surely is not meant to be taken seriously. In this country people cannot be ordered to pull up their roots and move in great numbers to another region. If the authority were vested, many of us in the Southwest would be glad to send certain segments of our population elsewhere. But such authority vests in no one. By the same token, no one has the authority to keep people out of a state when they start to move in. That has been tried in California and the attempt declared unconstitutional. People migrate where they please, and when they get there, must be fed, housed, clothed, employed, educated and watered. They demand and are entitled to these necessities.

The notion of shifting large segments of our agriculture to where the water is cannot effectively solve the problem either, although it may take place in the course of time to some extent in response to economic pressures such as increasing demand for urban land. However, none of the well-watered areas of the west can match the tens of thousands of carloads of winter vegetables, fruits and melons, and of citrus, grapes and dates that are shipped each year from the magnificent farm lands of southeastern California and southern Arizona, where growing seasons are 365 days long, and as many as three crops can be grown in a season on the same piece of land. Gross crop returns per acre from these lands are by far the highest in the world. Neither can other regions raise the enormous cotton crop which the Southwest produces. We need all the highly productive acreage we can get to help feed and clothe present and future generations. Irrigated acreage in wetter areas will increase in response to increasing needs, not to displace existing acreage.

Some observers appear to believe sincerely that if the Southwest would husband its water resources more carefully and use its water more efficiently it could make do with what it has. Southwesterners do not agree. If Californians, for example, believed it the State would not be building its two-billion-dollar project to import into its central and southern areas more than four million acre-feet of water a year from northern California.

Southwesterners are and always have been keenly aware of the need for conservation, salvage and efficient use of water. They have to be. Southern California pioneered in the early 1900's in capturing storm runoff and conveying it to spreading areas for recharge of the groundwater basins. A quarter of a million acre-feet were so conserved in the area in 1966. In its program for better management of the lower Colorado River the U.S. Bureau of Reclamation is at great expense undertaking to reduce backwaters and river-bottom vegetation, in addition to improving facilities and methods of control, in order to reduce losses and wastes. This program is not without controversy, either. Strong conflicts of interest arise between those who would preserve the sloughs, side channels and wild growth for the sake of the hunting, fishing and recreation opportunities, and those whose primary interest is to save water. A fair and reasonable balance has to be struck, but that is far from easy, fraught with emotion and politics as well as engineering and economics.

Manipulation of watershed vegetation to increase water yield is past the research stage and being practiced in many areas, including the high country of northern Arizona. Other ideas are being explored to increase runoff, some rather far out, in my opinion, such as covering parts of watersheds with impervious blankets to reduce percolation into the soil. But they do indicate the universal desire to save and use as much as possible of the precipitation.

As to efficiency of use by the ultimate consumers, most all the public water supplies for domestic use are fully metered, and the costs are generally high enough to discourage extravagance. However, utilities can force absolute frugality upon the consumer only in times of imminent danger to water supplies.

Reclamation and reuse of sewage water for certain safe purposes are growing endeavors in the Southwest. Much remains to be done in this field, but there are economic limits as well as difficult problems of Engineering and Esthetics. Sewage water renovation is important as part of the water budget only on the seacoast, where sewage may be discharged to the ocean; 30mgd are now being reclaimed in Southern California, and reclamation of some 200mgd more is planned. Farther inland, the used water stays within the hydrologic basins and is purified artificially or naturally and reused probably several times.

Southwestern farmers, already among the world's most efficient, are continually encouraged and are striving to adopt irrigation practices that will improve their efficiency of water application and use. They have to, where water is scarce and expensive. Irrigation canals, laterals and farm ditches are being lined with concrete, asphalt or other materials at a rate of many miles a year, particularly in the lower Colorado River service areas. However, much of the present seepage from conveyance systems is not permanently lost. It gets back into the supply either on the surface or underground, and can be reused, so the overall water saving from ditch lining is not as great as it may seem. Pump-back and reuse of irrigation tailwater is common practice.

Another idea sometimes expressed, apparently with the thought that it would increase the overall regional efficiency of water use, is to so manipulate the water price structure as to convert to a so-called "higher" use of water; supposedly from agricultural to urban or industrial. Presumedly this process would increase population density, in contrast to the suggestion of sending the people elsewhere.

The water price structure is too manifold and complex for effective manipulation to the end implied. Thousands of irrigation districts are involved, having vested water rights and owning their water facilities, with varied means of supplying and pricing water. Many thousands of companies and individuals including farmers pump their own supplies from underground. The means do not exist to price these people out of business. Naturally where land use changes from agricultural to urban, as it is doing at a rate of about 25,000 acres a year on the coastal plain of southern California and somewhat less rapidly in other southwestern metropolitan areas, the type of water use changes too, but water price manipulation will neither hasten nor retard the process significantly. This trend from agricultural to urban land use is taken into account in

Southwest projections and water studies, and the internal water budget of the region still shows a deficit. Incidentally, the changeover does not necessarily reduce the water requirements per acre of land. In other areas of the region, irrigation farming and livestock raising will continue to be leading segments of the economy, and must be kept healthy for the sake of the essential products they supply the nation. No one wants to or can deliberately force these activities out of existence by manipulating water prices. If they diminish in volume they will do so as a result of normal, not artificial economic pressure.

Other ideas are to increase the total water supply in the region, by tapping the clouds to increase precipitation, or tapping the Pacific Ocean to convert salt water to fresh. Cloud seeding at considerable expense is being practiced in numerous places in the Southwest, with results, if any, hard to prove and so far relatively insignificant in the overall water budget. Weather modification is in its infancy; its effectiveness or lack of it in providing more water won't be proven conclusively for years, despite the rosy optimism of some high government officials. Hair-raising legal, political and diplomatic problems have already arisen even in the experimental phases of rain-making, which threaten to hamper further progress in this field. Competent scientists say we don't yet know enough about simple weather processes to afford much large-scale tampering. The Southwest simply cannot afford to wait for a happy day which may never come.

Desalination of ocean water, although it may help some day if costs are reduced, and can't be ruled out, is unlikely to provide the complete answer. Economic, social, physical and political problems are enormous. The proposed 150mgd plant off the coast of Orange County, California, will supply the present peak demand of the Metropolitan Water District service area for little more than an hour a day. To supply the 13 million more people forecasted to be in the South Coastal area before the end of the century would require at least 20 such plants, costing perhaps $8 billion, exclusive of the cost of additional storage and distribution facilities. Unit cost of the water, even at the optimistically low estimates projected would be prohibitive for agriculture and probably too high for most any use far inland. Although salt water conversion may furnish supplemental and emergency supplies near the coast, it seems obvious that it cannot serve the overall water needs of the Southwest.

No possibility such as increased conservation, salvage and reuse of water, rainmaking or desalting can be ruled out, and should be fully considered in the overall approach to solution of the Southwest water problem. However, it is extremely unlikely that any or all of them can provide the total answer. The most optimistic estimates of what can be accomplished by such measures fail by a wide margin to swing the answer to the region's water equation from negative to positive.

Consequently, and as a matter of course, those officials and agencies legally responsible for supplying water to the people of the region turn to the prospect of inter-basin diversion, including importation of supplemental water to the Colorado, as the only real hope of a timely and enduring solution. Inter-basin transfer of water from areas of surplus to areas of deficit is by no means new. For half a century the Colorado River Basin states have been conditioned to such transfers, and several large regional projects are built, being built or being planned in the Southwest to take water to where people want to live. The California State Water Project is a prime example. When finished in four or five years it will carry about 2½ million gallons of water a minute into the arid south half of the state from the north half. Even so, it will not reach the vital agricultural areas in the southeast corner, will not directly help the other states of the Colorado River Basin, and will not even take care of the metropolitan coastal plain after about 1990. Long before that, additional plans must be laid.

California has enough water within its boundaries to take care of its own requirements into the foreseeable future, and could take the provincial attitude of ignoring the straits of its less fortunate neighbors. However, the state recognizes that in this age of economic interdependence and national unity the parochial approach is unwise and that the better and logical approach lies in regional water development to the mutual benefit of all concerned. In this connection California must decide soon which road it is to take, and once made, the decision will be irreversible. The state prefers the cooperative road.

For the Southwest as a whole, excluding northern California, the solution appears to lie in the importation of supplemental water from an outside source not only to augment the quantity of water in the Colorado but also to improve its quality. The growing water deficiency simply cannot be overcome by better conservation and use or by more studies and plans based solely on the presently available water resources. The search for additional water must begin immediately. Timing is running out.

Because the search must extend far beyond the Southwest it cannot be insulated from the water problems of other regions of the West. It must be founded on a broad regional approach, transcending political boundaries, to integrate west-wide water resource development. Prerequisite are regional studies made cooperatively under common guidelines and coordinated under a centralized control, to determine where water surpluses exist, whether they can be taken without detriment, hopefully with benefit, to the areas of origin, and what means would be most feasible, most widely beneficial and most suitably integrated into a regional framework of development.

The most logical and practical source of surplus water cannot be conclusively determined on the basis of present data and knowledge. California's north coast for example produces considerably more water than it is expected ever to need, but to what extent the surplus can be captured and diverted elsewhere at feasible cost is problematical. The quantity that is feasible for export may all be needed ultimately in central and southern California. People of the north coast are becoming keenly aware however of the benefits they would derive, such as stepped-up flood control and added tourist attractions, as part of a larger regional plan of water resource development.

Similarly, the irrigation of many thousands of acres of land in eastern Oregon could be less costly as increments of a regional plan involving inter-basin water transfer than if it were undertaken separately.

It is only natural that water men of the Southwest should eye the Columbia covetously, as they watch that river produce more than ten times the runoff of the Colorado, although the two drainage basins are about equal in size. Nevertheless few if any will express a professional opinion as to whether the Columbia discharges water that is really surplus to the needs of the Northwest, pending the results of further studies. Moreover, no plan of diverting water from the Columbia has been proposed or endorsed officially by southwestern states. Schemes that have been put forth by various parties are merely suggestions, and perhaps even pipe-dreams. None has been studied in depth, with sufficient expertise to judge its practicability. Such ideas, including also the export potential of California's north coast, should be examined in detail, to determine where and what real water surpluses there may be, whether interregional transfer is practical and if so what plan would be most feasible and most generally acceptable. Some such procedure is what the southwestern states have been trying to have started on a cooperative, coordinated, west-wide basis. Until this is accomplished by competent authorities, answers to the many questions raised and problems involved cannot be assured.

But the need to get coordinated regional studies under way is urgent, because of decisions that have to be made soon, and because of the inevitable time-lag of 20 to 30 years between the beginning of reconnaissance and the completion of a regional project of the size needed, if one is found feasible.

The Southwest cannot afford to mark time.

THE SPACE AGE

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the conquest of space depends upon many technologies, but only two are preeminent—man must have machines to propel him through space, and he must have some means of preserving his life while in space. It is this second field of endeavor which is indebted to the work of that specialized branch of medicine known as aerospace medicine.

Aerospace medicine in this country is, and always has been, primarily an enterprise of the military, because the military has always been on the far frontier of space flight, and air technology

Aerospace medicine began in earnest when the phenomenon of anoxia was discovered; we found that men could not survive in high-altitude flight without some help. Today, aerospace medicine must do more than find out about oxygen and heat; it must produce a miniature environment, from air to food for a man to survive in when he travels outside the envelope of the earth's atmosphere. Much of this work is done in San Antonio, at Brooks Aerospace Medical Center, under the direction of Dr. Hubertus Strughold, chief scientist of the Center's medical division. I count it an honor to know him, and a privilege to share some of his recent remarks on the conquest of space.

The remarks follow:

HEMISFAIR 1968 IN THE SPACE AGE

(By Hubertus Strughold, M.D., Ph. D., Chief Scientist, Aerospace Medical Division (AFSC), Brooks Air Force Base, Tex., presented at the San Antonio Council of Presidents annual awards banquet, St. Anthony Hotel, San Antonio, Tex., June 5, 1967)

Mr. President, ladies, and gentlemen, it is a great honor and privilege for me to have been invited by your President, Mr. Bradfield, to speak at this Annual Council of Presidents Awards Banquet about *"HemisFair 1968 in the Space Age."* Since the year 1968 coincides with the Fiftieth Anniversary of Flight Medicine, it seems appropriate to discuss the role *medicine* has played in *man's advance on the vertical frontier* through the atmosphere into space, and some related points of general interest.

In 1918 at Hazelhurst, Mineola, Long Island an Air Service Research Laboratory was founded to study the causes and prevention of airplane accidents, pilot selection, visual problems in flight, etc. This installation was the original nucleus of the later School of *Aviation Medicine*. When the propeller planes soon flew higher than the highest mountains, aviation medicine became interested in oxygen deficiency and protection.

Actually the study of high altitude effects goes back to the 17th Century when Jose de Acosta, a Spaniard, described them in a book about the life of the Indians living in the high, thin air in the Andean Mountains in Peru. Later, in the last quarter of the past century, important observations were made by numerous balloonists who ascended to altitudes as high as 10 km, or 6 miles. For aviation medicine the effect of high altitudes became one of its most important research areas. This aeromedical field received a tremendous impetus when Charles Lindberg crossed the ocean in 1927, initiating intercontinental—or we might also say—interhemispheric flight. When propeller-driven planes were gradually replaced by jet planes the sonic barrier was broken, in 1947, which extended subsonic into supersonic flight and put the factor of speed into the focus of interest.

And, finally, in the Fifties the rocket opened the gate into space which led to an extension of aeromedicine into space medicine. Its birthplace was in this hemisphere at Randolph Field when General Harry Armstrong, Commandant of the School of Aviation Medicine, founded a special Department of Space Medicine in 1949. Since that time the various human factors involved in manned space flight have been studied, such as artificial atmospheres, the effect of high acceleration, weightlessness, and radiation. The significance of these early studies was generally not recognized at that time but space medicine got a tremendous boost by a son of this hemisphere, or more specifically of Texas, the then Senate Majority Leader Lyndon B. Johnson, who was present when we completed at Randolph Field an 8-day experiment with an airman in a space cabin simulator. This did very much to make the somewhat exotic-considered ideas about space flight and space medicine acceptable in official circles on Capitol Hill and elsewhere.

Soon after an early mouse-, dog-, monkey-phase of rocket flight, man ventured into near earth space. All the medical knowledge that had been gained in rocket tests and in the laboratories in the pre-satellite and post-satellite time have provided the basis for the safety, health, comfort and performance capability of man in space, and have made vital contributions to the impressive success of the Mercury and Gemini flights. Furthermore, in the control of these flights the space physicians like Dr. William Douglas and Dr. Charles Berry played an important role.

In this connection I would like to mention that I had the honor to be present one day in the Control Room of the Manned Spacecraft Center in Houston when Astronauts McDivitt and Ed White were in orbit. I had the opportunity to observe during five orbits their heart rate, pulse pressure, and respiration on television. This was the historic flight during which Ed White, a great and unforgettable son of San Antonio, performed his fantastic walk in space under the careful guidance of McDivitt as the Command Pilot on the spacecraft.

As it is now well-known, practically all the specific medical studies in actual space flight and in the research laboratories have resulted in what is called "fall-out" for use in medicine in general. The state of weightlessness, for instance, has led to a more detailed study of the effects of bed rest on patients and of the most effective methods of isometric and isotonic exercise. Communications satellites, such as the "Early Bird" can be used by hospitals to send the electrocardiogram and the electroencephalogram of patients over intercontinental distances for clinical consultation purposes. This is *medical teleservice*. And what we have learned from recent aerospace medical studies of the sleep and wakefulness cycle and its regulation might be helpful for those visitors of the HemisFair coming from Europe, Africa, Australia, and Asia—more than six time zones away—to adapt their physiological clock—or more specifically, their stomach clock and head clock—to the day-night cycle of Texas Time.

One of the primary goals of manned space flight is to find out if there is life outside the earth as, for instance, on the Moon and Mars. This new branch of biological science is called astrobiology or cosmobiology. To get some idea if life of the kind known to us on Earth could be possible on Mars, for instance, bacteria and plants have been put in so-called "Mars Chambers," in which most of the Martian environmental conditions are simulated. These laboratory studies carried out first at Randolph in the early 1950s, later at Brooks AFB, and now at various Universities sponsored by NASA, have shown that certain microorganisms and even lower plants survive the severe Martian climate.

The prime goal of astronautics is to explore the space around us, the physical conditions and the question of life on the neighboring celestial bodies, such as the Moon, the Green and Red Planet-Mars, and maybe the Yellow Planet-Venus, but we learn also from outer space more about our own Blue-Green Planet-Earth, its structure and continental, or hemispheric profiles.

The human eye in space, of course, plays an important role in this respect, in addition to space photography. With regard to the latter, I would like to mention only that during the Gemini flights photographs were made of the San Antonio area from an altitude of about 300 km, or 200 mi. They show for the first time a space perspective panorama of the face of Texas, and detailed features of the place where the HemisFair 1968 will take place, the highways, and the various Air Bases surrounding the City in the Sun.

All these visual observations and photographic pictures of the Earth from space have stimulated also the study of the geological history of the Earth and its continents. One billion years ago there were only two giant continents, called Gondwanaland and Laurasia; but, due to a decrease of gravity, the earth expanded slightly in the course of millions of years leading to fissures and faults within these two ancient super continents. This resulted in their breakup into half a dozen continents which gradually drifted apart in the primordial ocean. But two of these continents, one from the northern and one from the southern supercontinent, drifted together and some 500 million years ago formed this great hemisphere, now called North and South America. Today, despite its geographic separation by the Atlantic and Pacific Oceans from the other continents, its ideologic, social, and economic influence extends over the whole globe. The global attraction of this relatively young hemisphere is clearly reflected in the participation of so many nations all over the world in the exposition of the HemisFair 1968 in San Antonio, Texas—or Tejas—the Land of the Friendly People. And in this space age communication satellites can be used to make the exhibits visible on television around the globe, thereby making the geographically hemispheric fair optically a world fair.

As mentioned earlier, at the same time next year the School of Aerospace Medicine, Brooks AFB, celebrates its Golden Anniversary in February 1968. It is the 50th Anniversary of Aviation Medicine and the 20th Anniversary of Space Medicine. In connection with this event, in June (24–27 June, 1968) during the HemisFair, the *Fourth International Symposium* on *"Bioastronautics and the Exploration of Space,"* will be conducted by the Aerospace Medical Division, Brooks Air Force Base, and organized by the Southwest Research Institute in San Antonio. The main topic of this congress will be the environmental and medical problems associated with man's past and future ventures "Beneath the Sea, Across the Ocean, Around the World, Now to the Moon, and Next to the Planets." Among the thirty speakers are some of those whose names are connected with important scientific and technological developments and breakthroughs during the past twenty-five years. We expect some 1500 scientists from all over the world, and this Golden Anniversary Celebration of Aerospace Medicine, I hope, will give the HemisFair 1968 a kind of *scientific space* or *cosmic flavor*, and make it the first and real *HemisFair in the Space Age*.

CANADA'S 100TH ANNIVERSARY

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, Saturday, July 1, 1967, marks the 100th anniversary of Canada's life as a nation. This date is in one sense the equivalent of America's Fourth of July, for it commemorates that date in 1867 on which the British North America Act was effected by royal proclamation, bringing four separate Provinces into the single nation of Canada.

The tremendous progress that has been made by that nation may be seen this year by all who visit Expo–67 in Montreal. As one who has had the privilege of viewing this splendid hallmark of Canadian achievement, I would urge all visitors to the exposition to include in their tour a trip to the Canadian pavilion. There especially one can enjoy a graphic portrayal in capsule form of Canada's remarkable growth during the 100 years of her existence as a nation.

May I join today with Canada's multitude of friends in sending her America's best wishes for continued growth and prosperity in a future filled with peace and happiness.

A REDWOOD COMPROMISE?

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. COHELAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. COHELAN. Mr. Speaker, in the last two Congresses I have introduced legislation to establish a Redwood National Park on Redwood Creek on California's north coast. Because the lumber companies have been cutting continuously it has been urgent that Congress act as soon as possible. I am delighted that tomorrow the House Committee on Interior and Insular Affairs will begin its hearings on this legislation.

I am also delighted that one of the Nation's leading newspapers, the New York Times, continues editorially to recognize that "the forests most worth protecting are in the Redwood Creek valley." In an editorial today in anticipation of the hearings, the Times said:

> Here are the tallest, largest, and purest stands of redwood trees. The National Park Service recognized in its 1964 report that here are the best virgin redwoods, not now protected in any way. This area would be covered under the pending Metcalf-Cohelan bill; but unfortunately the Administration has become committed to a smaller, less costly, far less satisfactory plan for a national park in the Mill Creek area that already contains two state parks.

The entire editorial will interest the Members of Congress.

The editorial follows:

A Redwood Compromise?

If a Redwood National Park is to become a reality, Congress has to act soon. The pressure of private lumber companies to continue their logging operations threatens to destroy the park quality of both of the possible sites on California's northern coast, Mill Creek and Redwood Creek.

Governor Reagan of California, although he has shifted to support of a national park in principle, still seems to be under the misapprehension that a park constitutes a "sacrifice" by California for which the state deserves some kind of compensation. As every existing national park already demonstrates, a national park generates much tourism and confers lucrative economic benefits on the locality.

The lumber companies, however, continue their tireless opposition to a national park. The position of these private firms, notably Georgia-Pacific, is that all the redwoods worth saving are already in the small state parks and that, anyway, there is not much difference between cut-over land with second-growth trees and a grove of virgin redwoods that are 2,000 years old.

The forests most worth protecting are in the Redwood Creek valley. Here are the tallest, largest and purest stands of redwood trees. The National Park Service recognized in its 1964 report that here are the best virgin redwoods, not now protected in any way. This entire area would be covered under the pending Metcalf-Cohelan bill; but unfortunately the Administration has become committed to a smaller, less costly, far less satisfactory plan for a national park in the Mill Creek area that already contains two state parks.

Against the opposition of the lumber companies to any park, the conservationist forces have to reconcile their differences and put up a united front. Either the limited Administration bill, sponsored by Senator Kuchel of California, or the far preferable Metcalf-Cohelan bill could pass the Senate. The real difficulty will be in getting a bill out of the House Interior Committee, where pressures are more effective and resistance much stronger.

In shaping its bill, the Senate Interior Committee has to keep in mind the political reality that as long as the Vietnam war is under way there will be budgetary restraints on the size of any park. But since Mill Creek is already partially protected by the existing state parks, a substantial start could be made on acquisitions in the irreplaceable Redwood Creek valley with perhaps a declaration of intent by Congress that both units would be expanded into a two-part park when funds became available after the war.

If Congress fails to take positive action soon, the lumber industry will have written one more—and a particularly ugly—chapter in the history of the loss of America's irreplaceable natural resources.

FREEDOM NECESSARY IN SOUTH VIETNAM

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WOLFF. Mr. Speaker, last week I introduced House Concurrent Resolution 382 to send six Members of the House of Representatives and three Members of the Senate to observe the South Vietnamese elections scheduled for the fall of 1967. As I said at the time I introduced the resolution, I am concerned that the people of South Vietnam might be denied their right of self-determination.

A disptach from Saigon by Tom Buckley in today's New York Times has increased by concern that the electorate's freedom of choice may be limited.

According to the dispatch, the South Vietnamese Constituent Assembly has drafted a resolution demanding the abolition of Government censorship of the press. Freedom of the press was guaranteed by the Constitution that went into effect in South Vietnam this past April 1. But that freedom has been restricted.

Phan Khac Suu, President of the Constituent Assembly, made the problem clear and striking when he said:

> It's better not to have elections at all than to have unfair elections.

Unfair elections would provide an improperly elected government with the unearned validity of an elected government.

In addition, I explained at the time I introduced House Concurrent Resolution 382 that a freely elected, representative government would have the greatest opportunity to negotiate a just peace with the Vietcong and North Vietnamese. This point was also reaffirmed by the story in today's Times.

As Mr. Buckley wrote from Saigon:

> A civilian government represents the only way of achieving a negotiated peace with the Vietcong and North Vietnamese.

If freedom of the press is obstructed and thus truly free elections prevented in South Vietnam there is little chance a civilian will be elected President. If, in fact, free elections do take place there is an excellent chance that a civilian will be elected and thus create an opportunity for negotiations leading to an end of the war.

I cannot overemphasize the importance of free elections and believe the dispatch in today's New York Times provides additional evidence that a team of congressional observers would prove desirable in Vietnam this fall. I feel most strongly that it is in the best interests of the United States and the people of South Vietnam that House Concurrent Resolution 382 receive speedy and favorable consideration.

The dispatch follows:

Saigon Assembly Asks Free Press—Bid To End Censorship Could Affect Premier's Campaign

(By Tom Buckley)

SAIGON, SOUTH VIETNAM, June 25.—The Constituent Assembly has drafted a resolution demanding the abolition of Government censorship of the press.

Phan Khac Suu, the President of the Assembly, which is South Vietnam's highest elected body, said today that the document would probably be presented to the military junta in the next few days.

The resolution declares that freedom of the press and of public assembly are guaranteed by the new Constitution, which was drawn up by the Assembly and went into effect on April 1.

However, Premier Nguyen Cao Ky, who, like Mr. Suu, is one of the nine announced candidates for the presidency of the republic, has kept censorship in force. And, although the new electoral law limits the period of campaigning for office to one month before the Sept. 3 elections, Premier Ky has plastered Saigon with posters and is making many public appearances regarded by observers as political.

"It's better not to have elections at all than to have unfair elections," Mr. Suu said in an interview.

SUU IN DECLINING HEALTH

Mr. Suu, a chief of state in the last of the short-lived governments between the deposition of Ngo Dinh Diem in 1963 and the establishment of the Ky government in 1965, is 63 years old. He is frail and has been in declining health in recent years.

With him, though, was his running mate for vice president, Dr. Phan Quang Dan, a vigorous 49-year-old American-educated physician who was tortured and imprisoned by the late Mr. Diem. He was a member of South Vietnam's former National Assembly and was elected to the Constituent Assembly last year from a district just outside Saigon.

Dr. Dan said that, although he and Mr. Suu were "terribly handicapped financially" in running a campaign, he thought they would be able to set up an effective national political organization.

CANDIDATES' FUNDS CITED

He said that Premier Ky, and to a lesser extent his only military rival for the presidency, the chief of state, Lieut. Gen. Nguyen Van Thieu, would be able to use their supporters in the Saigon bureaucracy, the armed forces and the police and in provincial and district headquarters to work for them, and will have substantial funds.

Dr. Dan and Mr. Suu said they had been in touch with associates of Tran Van Huong; a former Premier and the only other civilian candidate considered to have a serious chance of election.

Neither Dr. Dan nor Mr. Suu would rule out the possibility that either they or the Huong ticket might withdraw in favor of the other to improve the chance of a civilian victory. If both tickets ran, they would divide the vote of Vietnamese who believe a civilian government represents the only way of achieving a negotiated peace with the Vietcong and the North Vietnamese.

SPECIAL PROJECT TRAINS MACHINE OPERATORS

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, job training has opened new doors of opportunity for thousands of Americans once trapped in menial, low-paying jobs.

For 150 men in Oak Ridge, Tenn., the words "job training" are today taking on a special significance. Through a manpower development and training project, these men are receiving on-the-job training in a variety of production skills from machining to glassblowing.

An article in the May 25 issue of the Machinist, weekly publication of the International Association of Machinists and Aerospace Workers, describes the progress of the enrollees, especially the 46 who are learning to become machine production operators. Most of the men had known working lives of only dull and unskilled jobs.

Under unanimous consent I insert into the Record this article, which I consider heartening evidence of the opportunities created by job training programs for our unemployed and underemployed people who deserve a chance for a better life:

Special Project Trains Machine Operators

An experiment in training production workers is under way at Oak Ridge, Tenn. It is called the Training and Technology Project and involves special training in machining, welding, electronics, mechanical design drafting, physical testing and glassblowing.

R. W. Hagood, representative of IAM Local 480 and a member of the project's advisory committee, reports that 150 men are now in training, 46 of them in machining occupations.

Unlike most training projects, Hagood points out, this one is teaching men to run production machines and does not pretend at making them journeymen. In fact, training is compressed into 52 weeks. Next year, the committee hopes to shorten the time to 42 weeks.

FEDERAL PROJECT

The project is supported by the Federal government under the Manpower Development and Training Act, and by the U.S. Office of Education. Most of the trainees are eligible for MDTA training allowances. Trainees work under journeyman machinists, experienced engineers and technicians at the Union Carbide Corp., Nuclear Division, at the Atomic Energy Commission's Oak Ridge Y-12 plant.

The majority of the 46 persons training to become production machine operators had little or no industrial machine shop experience before joining the project. Most were service station attendants or restaurant workers. Six had vocational school experience. Nine had been to college for varying periods, although little of their college work was related to machining.

Now these 46 men take 40 hours of concentrated training each week. The machinists training group is divided into two shifts. In the shop, two foremen instruct and oversee the training on each shift. Four journeyman machinists are on the job in the training area to assist.

INDIVIDUAL ACHIEVEMENT

Training puts emphasis on individual achievement in particular jobs rather than on a wide variety of machines. Each trainee must demonstrate that he is capable of planning, setting up, fabricating, inspecting and assembling a particular job before he can move on to another machine or another phase of training. When he graduates, the trainee's certificate will certify him on specific jobs and machines.

Instead of working on regular shop jobs, students make and assemble parts designed by the instruction staff specifically to develop particular skills. At first, students get simple rods and bars for setups. Then parts become more complex, requiring more skill and knowledge.

Training is conducted on a variety of machines including engine, duplicator and turret lathes, vertical or horizontal milling machines, horizontal boring mill, jig bore, drill press, radial drill and numerical controlled jig bores and lathes.

In addition to shop training, students spend 30 minutes a day on theory. They also take related studies in shop mathematics and blueprint reading.

Guidance services and education assistance are provided to the trainees through the University of Tennessee. The project is managed and coordinated by the Resource Development Office of Oak Ridge Associated Universities, a corporation of 41 southern universities.

Hagood reports that students apparently like the training program. Since it was started In December, 1966, the machining group has lost only four of its original class of 50.

MULTIPLE USE OF OUR LAND AND RESOURCE BASE

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. Baring] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BARING. Mr. Speaker, I wish to call to the attention of my colleagues an address delivered by the distinguished Chairman of the House Committee on Interior and Insular Affairs, the Honorable Wayne N. Aspinall, of Colorado, at the Wildlife Conservation Liaison Committee of the American Petroleum Institute at Washington, D.C., on June 21, 1967.

In his remarks, Chairman Aspinall discusses the problems and the progress that has been made in applying the concept of "multiple use" to the public lands of the United States. In my opinion, as a Representative from the State of Nevada where the Federal Government still owns and controls 87 percent of the land area of the State, true multiple use of federally owned lands is an absolute necessity for the economic survival and continued growth of the western public land States. As is so clearly pointed out in the chairman's remarks, the day is past when this country can afford to lock up large acreages of land for a single restricted purpose except in very unusual circumstances.

I have long been concerned over the constantly increasing trend by the administering land agencies to restrict the use of the public lands, to classify lands for multiple use but at the same time to segregate those lands from many uses, to withdraw, to control and to prohibit their public use and enjoyment. I heartily endorse the remarks of Chairman Aspinall, and I commend them to all Members interested in the management and development of our public lands and resources. The remarks follow:

Remarks of the Honorable Wayne N. Aspinall, a Representative in Congress From Colorado, Chairman of the House Committee on Interior and Insular Affairs and Chairman of the Public Land Law Review Commission, Before the Wildlife Conservation Liaison Committee of the American Petroleum Institute at Washington, D.C., June 21, 1967

The invitation to speak to you this morning affords me an unusual opportunity to present for your consideration certain observations and comments on the multiple use of our land and resource base. First, may I observe that it is quite apparent that everyone here must believe in multiple use—according to his own particular definition and concept of the term—or he would not be in attendance. I would also like to state that I think we have progressed down the road of multiple use much farther and much more painlessly than most of us thought possible within the period of time since we first embarked on this venture. Fortunately, many of the problems which at first seemed insurmountable and irreconcilable have somehow been solved, reconciled, and harmonized. The mere fact that there are gathered here today many groups with diverse public land interests, which in the past have not always seen eye to eye, indicates to me that we have surmounted the first and most difficult hurdle, that of establishing a dialogue and showing a sincere willingness to consider viewpoints other than those we represent and with which we are closely associated. This to me is a major accomplishment and upon this base I am confident we can continue the progress.

Let us not be naive, however, and ignore the fact that, as we have had strong differences of opinion in the past, there will undoubtedly be differences in the future which can be worked out only through sincere effort over extended periods of time. So let us not assume that the race has been won nor the game completed for in my opinion at least, it has just started. Of one thing we can be sure, and that is as long as land continues to be the scarcest commodity in this period of exploding population, multiple use is not some vague academic objective, but an absolute necessity that must be faced squarely. How well we face and solve this problem will determine the future well-being of a large part of our country's land area and most all of its citizens. We need land for recreation; but, we also need land for homes and business expansion in Western communities now surrounded and largely land locked by public lands. Along with our need for recreation and homes we simultaneously need the resources that go with the land: water to drink, water for industry, unpolluted water to swim in, and water for fishing and recreation. Equally, or possibly more important to our economic growth, is the assurance of the continued availability of minerals such as oil, gas, coal, oil shale and uranium, for our energy base which is expanding as never before. In addition to the energy minerals, there are a host of other minerals too long to mention, without which this country cannot exist. We must have building materials, of which lumber is still a major component, if we are to fulfill that hope and dream that every American will be properly and adequately housed—preferably in a house of his own and of his own choosing. We must also have the beef and mutton now produced on our public lands.

I need not tell you that these are uncertain and difficult times. The demand upon this Nation's resources, human as well as those raw materials basic to our existence, are more severe than ever before. This means that when there is a demand for land and resources for various purposes, they must be available: that people will not only have an opportunity for recreation, but that communities and industry will have an opportunity for orderly growth in order to provide the jobs and economic security necessary for us to enjoy recreational opportunities.

Now, in case anyone has the impression that I am saying that the public lands can be all things to all people, let me set the record straight. I know and you know this is impossible. There is not enough land, nor resources on those lands to satisfy everyone—in the way they would like to be satisfied. The only possible solution is to attempt to strike a balance—to utilize the land and resources to their fullest extent where this is consistent with established policy. Where such multiple use is not possible, for any number of reasons, some hard choices and difficult decisions must be made. These decisions have been made in the past and they will continue to be made in the future—logically and correctly, I hope.

The principle of multiple use is part of the history of our basic public land policies. Multiple use has been practiced, possibly unconsciously, for many years. Traditional policy, which I vigorously support, has never excluded multiple use, it has in fact, in the broad sense encouraged multiple use of our lands. Back in the 1890's and early 1900's when the recognized conservation movement was getting under way, under the sponsorship and encouragement of personalities like Theodore Roosevelt and Gifford Pinchot, it appears to me there was very little inclination to exclude multiple use. This great conservation movement that swept the country was not a movement in favor of locking up our great stores of natural resources and of natural beauty and simply putting them in a deep freeze. It was a movement against waste, a movement in favor of wise use, and a movement which did not, except in isolated situations, exclude multiple use. In my way of thinking 'wise use' may in some cases tend toward a single use, as for instance our national parks. But it will in most situations, and whenever possible, mean the multiple use of all our resources by as wide a segment of our total population as possible. It will not mean, except again in the most unusual circumstances, a policy of nonuse, a policy of locking up or of preserving simply for the sake of preserving. The latter is a luxury—no I should say a waste—that we cannot afford. I need not remind you that we are no longer in a position to dedicate unlimited areas of these public lands to any single purpose—where other competing uses can conceivably be accommodated at the same time. The 1.8 billion acres of land that the United States acquired by cessions from the 13 original states and by treaties over the years between the Louisiana Purchase in 1803 and the Alaska Purchase in 1867 has shrunk to a little over 712 million acres. Of these about 359 million acres are in Alaska and 353 million in the contiguous continental United States. Moreover, of these remaining lands in the 'lower 48' only a little over 160 million acres have not been as of this time devoted to some specific government use. Large as this 160 million acres plus seems—and concentrated as it is in 11 Western states—the pressures on it for all sorts of development—military bases, city growth, grazing, timber, mineral production, watershed protection, recreation, agriculture development, roads and highways—is tremendous and is growing. All of these uses and a host of others are meritorious and must be accommodated.

Congress has not been unaware of this need for multiple use on the public lands. As you are aware, traditionally the public lands of the United States have been free and open to entry by all citizens. The Homestead Act of 1862 and the mining laws of 1866 and 1872 embodied this principle and the concept was later carried forward by subsequent statutes. However, as a matter of fact, the public lands are no longer "free and open to entry" and they have not been open to unrestricted entry for many years. The first change was brought about by the Taylor Grazing Act of 1934, which removed the lands from unrestricted entry but left them open to application. Additional restrictions were placed upon the application process by the Secretary of the Interior in 1961. However, it was not until 1964, under the Classification and Multiple Use Act that for the first time the principle of free entry on the public lands was reversed. This Act authorizes the Secretary of the Interior to classify the public lands for a particular purpose before they can be made available to the public. Another significant feature of this Act is the establishment for the first time in the statutes that vacant, unappropriated public lands need not be disposed of but that they may be retained and managed under the principle of multiple use to produce a sustained and continuing flow of products and services. This Act is strictly of a temporary nature and its authority expires June 30, 1969. Those of us in the Congress had two basic objectives in mind when considering this bill. First, we were aware that the Secretary of the Interior needed some additional authority to permit a more orderly disposal and management of public lands in certain critical areas. Secondly, we hope to gain experience from the implementation of this Act that would be useful to the Public Land Law Review Commission in its overall study of the public land laws. I wish to emphasize that in my opinion at least, it was not the intent of the Congress that the Secretary of the Interior should attempt to classify all public lands within the four year life of the Act. This would be a needless waste of time and funds, particularly so when there is no assurance that it is either desirable or necessary to continue or extend the Act beyond its stated terminal date. The experience gained from this Act and the public acceptance of its provisions and concepts of multiple use management will serve as an invaluable laboratory study for the members of the Public Land Law Review Commission. I am certain that its progress will be carefully observed and that its strong and weak points carefully analyzed before any final recommendations are submitted to Congress on the future management of public lands.

As I pointed out earlier, it would be naive to think that all problems of multiple use have been solved and that the future is without problems. This is not so, and it must be recognized that it is not so. However, we in Congress who are charged with the responsibility of enacting legislation for the future disposition or management of our public lands have a feeling of satisfaction that we are on the right road and that we can continue to go forward on the job that we had begun. With your assistance and cooperation, and the cooperation of all others interested in the future use of public lands, we can and will be successful.

ANOTHER STEP TOWARD USURPING CONGRESSIONAL POWERS

Mr. VANIK. Mr. Speaker, I ask unanimous consent that the gentleman from Nevada [Mr. Baring] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BARING. Mr. Speaker, the recent policy decision by the Treasury Department relative to new taxes for certain nonprofit organizations is just another step toward usurping congressional powers.

The IRS has authority to issue regulations interpreting the law Congress passes. But it also has the obligation to maintain the intent of Congress in those regulations.

It is quite clear to me that the IRS has no intention of fulfilling its obligations.

The policy decision by the Commissioner of the IRS to impose a 48-percent tax on the net advertising income for over 700 education, scientific, trade, and labor organization publications is based on a 17-year-old law. A law which was enacted for the purpose of curbing an abuse on the part of a tax-exempt university, which sought to acquire a macaroni factory and use it for educational revenue in direct competition with other producers of the same product.

For the past 17 years that the law has been on the statute books no administration has made proposals to tax this particular form of income. That is, until now. Now, by means of administrative action, the IRS proposes to bypass Congress and to substitute different rules for determining unrelated business taxable income.

It was never the intent of Congress that the 1950 amendments were ever intended to apply to the advertising income of tax-exempt organizations.

Now, Mr. Speaker, let us take a look at a few of these organizations whose publications the IRS seeks to impose a 48-percent tax on the net advertising income. Publications dedicated and using their resources to promote a better life for our youth, for progress in science, medicine, and law.

National Education Association, dedicated to developing and publicizing improved methods and higher educational prerequisites for teachers.

Shriners Hospital for Crippled Children, whose work in the healing of crippled children is known worldwide.

Kiwanis International, that excellent organization whose untiring efforts for the betterment of mankind, likewise is known worldwide.

The American Medical Association, whose medical journals strive to improve the level of the public health.

The American Legion and the VFW, whose periodicals keep veterans advised rights on subjects they might not otherwise be aware.

The National Geographic, one of the finest educational publications in the world.

There are many, many more, Mr. Speaker, that have already been mentioned on the floor of the House by my colleagues. But all with the same goal, to promote a better life for our youth, for progress in all walks of life.

It is a fact, Mr. Speaker, and a very important fact. The revenue from such public service publications do not go into the private pockets of any of our citizens, which is more than you can say for some of the leading tax-exempt foundations.

Mr. Speaker, if these excellent nonprofit organizations are to fulfill their functions, they must communicate with their membership and they do this, to a large degree, through their magazines.

These organizations should be strenghened rather than weakened by taxation. The general exemption from taxation both on a Federal and a local level has been a blessing to these organizations. It has enabled them to exist without Government subsidies.

Mark my words. If Congress allows the IRS proposal to become law, what little revenue the Government will obtain from such taxation will be wiped out when these organizations seek—and will get—a Government subsidy to continue their programs.

LITHUANIAN WAYSIDE SHRINE

The SPEAKER pro tempore (Mr. BOLLING). Under a previous order of the House, the gentleman from New York [Mr. ADDABBO] is recognized for 15 minutes.

Mr. ADDABBO. Mr. Speaker, on June 17, 1967, at the Flushing Meadows Corona Park, which is the former New York World's Fair site, in an area called Garden of Meditation it was my proud privilege and honor to join with the Lithuanian-American Wayside Shrine Committee of the Lithuanian-American Community of the U.S.A. District of New York, whose chairman is Mr. Peter C. Wytenus, in the rededication of the "Lithuanian Wayside Shrine" and in this rededication was commemorated the protest to the mass deportations from the Baltic States to Siberia by the Communists. I believe that the words of the chairman and the committee as set forth in their program best describes the full meaning and intent of this rededication and commemoration. These words follow:

> We are pleased and proud that the City of New York and Parks Department has accepted our Lithuanian Wayside Shrine as a permanent feature in Flushing Meadows—Corona Park.
>
> The shrine will serve as a beacon to travelers in the air and on the highway; it is visible from the Expressways and many parts of the park. Visitors will be enthralled with the artistic work and the historical significance, as were the millions who saw it during the New York World's Fair in 1964–1965.
>
> Ancient pagan motifs—sun, moon, fire, were combined with Christian symbols—Christ, the "Worrier", the Madonna, the cross, in the designs of the ancient crosses, shrines and chapels. Historical and current events also were depicted on some. Thousands of these shrines that had been tenderly hand-carved and placed on roadways and farmsteads ever since Lithuania became Christianized in the 13th Century during the reign of King Mindaugas have been destroyed by the Russian communists who forcibly occupied Lithuania in 1940.
>
> It is, indeed, a privilege to live in a free and independent country like our United States of America where a monument like this can be venerated publicly.
>
> The shrine was blessed by Most Reverend Joseph P. Denning, Auxiliary Bishop of Brooklyn and dedicated on the site on which it now stands in June, 1964.
>
> Due to the very successful Lithuanian Day, August 24, 1964, at the Singer Bowl and other outstanding events at the Fair, permission to erect a flagpole and display the Lithuanian flag in the area of the shrine was granted by President Robert Moses and the New York World's Fair Corporation.
>
> This year, a second flagpole has been installed—and it is our hope that our American flag and the flag of Free Lithuania, symbolically flanking the Lithuanian Wayside Shrine, will withstand not only the natural elements but also the hate and fear transgressing the world.
>
> When the tenure of the Lithuanian-American Committee for the New York World's Fair expired, its records, finances, and unfinished business reverted to its parent organization, Lithuanian-American Community of the U.S.A. (Lietuviu Bendruomene), District of New York. The Wayside Shrine and the protective metal cage that had enclosed Michelangelo's Pieta between seasons and which had been purchased from the Vatican Pavilion to protect our shrine, were among the archives.
>
> In turn, the present Lithuanian-American Wayside Shrine Committee was formed to continue projects relative to the shrine. The usual cooperation from Lithuanian-Americans was taken for granted. However, the prompt and overwhelming response in our behalf from the non-Lithuanian press, government officials, civic, religious, veterans, fraternal groups and leaders, when the feasibility of retaining the shrine on the site was questioned, came as a surprise and was very gratifying. We trust that our mutual interest will continue.
>
> It is our sincere desire that the intention—of those who initially made the shrine a reality and those who are now contributing time, money and effort towards maintenance—will be fulfilled . . . That its message of hope and freedom will extend far beyond its environs.

Mr. Speaker, as the wondrous occasion was celebrated we must also remember that the coming weeks will mark a sad anniversary for citizens of the Baltic States and for free men everywhere. For a full 27 years now, since June 15, 1940, Lithuania, Latvia, and Estonia—the Baltic States—have remained captives of the Soviet Union. During the last quarter century, the citizens of these tiny countries have been subjected not only to political control by a foreign power but, even more outrageously, to inhumane imprisonment and deportation on a massive scale. The forced departure of many Balts from their homelands, furthermore, has been increasingly followed by an influx of Russian colonials, reflecting a Soviet policy aimed at destroying the ethnic makeup of the Baltic countries.

On June 21, 1965, I joined with many of my colleagues in securing passage of a meaningful House resolution reaffirming this country's recognition of the Baltic peoples' rights of freedom and self-government. That resolution was an attempt to bring world opinion to bear on the Soviet Union on behalf of these tragically subjugated peoples. Further, it asked the United Nations and other appropriate international organizations to take action on the Baltic problem. The other body passed an identical resolution just last year. Because no satisfactory steps have been taken to rectify the present situation in the Baltic countries, I ask that House Concurrent Resolution 416 be placed in the RECORD once again, and our Ambassador to the U.N., Ambassador Goldberg, move this question in the U.N.

I believe that before Premier Kosygin can ask any free nation to surrender land valiantly won against an aggressor he must first come in with clean hands and should be willing to permit this question be debated before the United Nations. House Concurrent Resolution 416 follows:

> Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and
>
> Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and
>
> Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and
>
> Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and
>
> Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and
>
> Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it
>
> *Resolved by the House of Representatives (the Senate concurring)*, That the House of Representatives of the United States urge the President of the United States—
>
> (a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and
>
> (b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

BILL PRESSER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. FEIGHAN], is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, last night Bill Presser presented to Anthony O. Calabrese, Jr., president of Parents' Volunteer Association for Retarded Children, Inc., a check in the amount of $100,000—the proceeds from the testimonial dinner in his honor. There were in attendance at the Cleveland-Sheraton Hotel ballroom more than 2,000 persons from all segments of our community, including Gov. James A. Rhodes, and our distinguished colleagues, Mrs. FRANCES P. BOLTON and WILLIAM E. MINSHALL.

It was my privilege to attend and join with others in paying honor and tribute, so richly deserved, to my good friend, Bill Presser.

Under leave granted I include in my remarks the program on this occasion which contains testimony as to the reason why Mr. Presser was honored by so many people:

> In 1952, a void existed in the leadership of the Teamster movement here in Cleveland. What was needed was a man who could

speak the language of the rank and file and still command the respect of the leaders of industry with whom he must deal; a man who knew the uncertainties of earning his daily bread and at the same time the economic facts of business life; a man who could think on his feet and cope with the immediate problem and at the same time be aware of the overall picture and the far-reaching results of any action or decision; a man who could act and speak with conviction whether across the bargaining table, in the barns and shops, in private conversations with the leaders of the community or in the councils of the International.

Such a man was found in the person of William Presser, whom we honor here tonight.

A strong man, a fair man, a man with the wit and determination to succeed—not for himself, but for the people whom he represents—this is the man we honor tonight, William Presser.

William Presser was born in Cleveland on July 14, 1907, one of six children of immigrants from Austria who had come to find a better life in America. After working in New York for a number of years, Bill's father came to Cleveland where he established a window cleaning and janitorial service business which is still being run today by another son and a grandson.

Bill attended school on the east side—Miles Standish Elementary School, Empire Junior High School and Glenville High School

During his summers in high school, Bill had worked in dry cleaning and hat cleaning shops. And so, after finishing school, he opened such an establishment himself. In his first year of business, he joined the Master Tailors Guild and before the year was over, he was elected its President and Business Manager. A few years later when this organization became affiliated with the AFL Dry Cleaners Union, he devoted full time to running its affairs and organizing extensively.

After exercising his executive abilities in the vending and electrical unions for 19 years, Bill transferred in 1950 into the Teamster movement. At that time he became President and Business Manager of Local 555 (the Taxicab Drivers Union), a post which he still retains. Bill became an officer of Teamsters Council 41 in 1952, and was elected to the office of President in November of that year.

Today in addition to his duties with Local 555 and Teamsters Council 41, Bill Presser is a Trustee of the International Union, Secretary-Treasurer of the Central States Drivers Council, President of the Ohio Conference of Teamsters, Chairman of the Ohio Highway Drivers Insurance Fund and a Trustee of the Central States Pension Fund.

In addition, as Chairman of Ohio DRIVE, the political action arm of the Teamsters movement, he has been instrumental in making this organization the most active and aggressive among all the Teamster conferences. In this area Bill has been scrupulous in avoiding any identification between the Teamsters and any particular political party. As he says, "All we ask is a fair shake," and like Samuel Gompers, he seeks to reward the friends of labor by supporting their political campaigns through DRIVE, and defeating the enemies of labor by withholding such support.

And how do 15 years of William Presser's leadership as President of Teamsters Council 41 add up? One measure of the acknowledgement of his abilities is the roster (found on succeeding pages of this book) of the Arrangements Committee, the Chairman, the Co-chairmen and the Civil Committee—a broad spectrum of the community.

An equally important measure of the stature of William Presser is to be found in the opinions of the men who work with him day by day. Here is a sampling of those opinions:

"He's a really fearless man. He's not afraid to say 'no,' even in the face of unpopular opinion."

"He has a shrewd insight into the labor laws. With all of these new laws, which would take a Philadelphia lawyer, to understand, he has been tremendously helpful in advising us in our negotiations."

"When Bill says something, you better believe it; he knows what he's talking about."

"You can trust Bill because with him a promise given is a promise kept."

"He's a big, tough guy on the outside, but he has a real heart—and when it comes to the underdog, he's a real softie."

"No rank and file member has ever hesitated to knock on his door because he will always take time to listen to the little fellow who needs help or advice."

"In the times we are going through today, when labor is confronted with harassment from all sides, we're lucky to have a man like Bill Presser who has the strength and character to act forcefully."

"One of the really great things about Bill is his ability to get along with people from all walks of life. He's on a first-name basis with every important political figure in our city, state, and in the nation's capital."

And how does William Presser look back at a lifetime of labor leadership, one filled with activities that often invited unwelcome publicity and narrow-minded sniping:

"In any walk of life, those who do nothing are never targets for criticism by anyone. Those people who believe in what they are doing and fight for the cause—especially those who are trail-blazers—have always been a focal point for criticism by people of limited stature.

"Believing in the cause of labor, having spent my entire adult life in working to the best of my ability in behalf of this cause, and taking controversial positions from a political point of view as well as from the standpoint of organized labor, I have many times been confronted with painful personal decisions.

"But, believing as I have, my position has always been never to 'run out' on myself, my fellow workers or on the people I represented.

"My thinking for the future will be no different than it has been over the past 40-odd years. I shall remain faithful to my principles, to the cause of organized labor, and to over 100,000 members in the state of Ohio for whose welfare I am responsible."

It is also a measure of the man to note that William Presser's closest personal friendships derive from his daily contacts as a labor leader. His relationship with General Vice President Frank E. Fitzsimmons and the other top leaders of the International is one of great trust and confidence. Moreover, Bill Presser numbers James Hoffa among his very closest and dearest friends, with the greatest admiration for Mr. Hoffa's executive abilities in his drive for greater achievement on behalf of the Teamster movement.

How else do you measure a man? The sages say that one of the highest forms of charity is to give without being asked. And so, each year, working with other union people, Bill Presser and the Teamsters contribute to hospitals and orphanages. They maintain a gymnasium for underprivileged children where the children are taught to protect themselves and to grow up as decent, law-abiding citizens. These facilities are available to all children free of charge. And the very fact that he would consent to this testimonial banquet, only on the condition that all proceeds be donated to The Parents' Volunteer Association for Retarded Children, is the true hallmark of William Presser.

In his personal life, Bill spends his time with his wife and co-worker (Mrs. Presser is President of the DRIVE Ladies Auxiliary), their three sons and daughter, and their seven delightful grandchildren.

THE STATE OF OHIO,
OFFICE OF THE GOVERNOR,
State House, Columbus, June 24, 1967.

Judge VICTOR COHEN,
Chairman, William Presser Testimonial Dinner, Cleveland, Ohio

DEAR JUDGE: As Governor of Ohio, it is a privilege for me to join so many fellow citizens in this tribute and recognition to Bill Presser.

It has been my pleasure to have known Bill for many years. I have followed his untiring efforts on behalf of his devotion to creating better working relationships between labor and management—basic to the growth of any community.

How very typical of Bill to have asked that this testimonial dinner be used to benefit retarded children, a cause to which he and his wife have given unselfishly. Symbolically, it provides an insight into the Bill Presser who is being honored so signally by those who know him best.

Sincerely,

JAMES A. RHODES,
Governor.

CITY OF CLEVELAND,
June 1967.

DEAR MR. PRESSER: It is a pleasure for me to join with your co-workers and this distinguished assembly in honoring you for a lifetime of dedication to the cause of Labor.

You also are to be commended for devoting your time and energies in support of The Parents Volunteer Association For Retarded Children, which has done an outstanding job for children and our City.

May I take this opportunity of offering my personal congratulations, as well as that of the people of Cleveland, for a job well done.

Best wishes for continued success in your community efforts.

Sincerely,

RALPH S. LOCHER,
Mayor.

PARENTS' VOLUNTEER ASSOCIATION
FOR RETARDED CHILDREN, INC.,
Cleveland, Ohio, June 24, 1967.

MR. WILLIAM PRESSER: In this busy world of tensions and pressures, we are aware of the fact that your problems are manifold and more complex than the average. It is gratifying to know, however, that you still find time to devote to lessening the burden of your fellow man.

We are familiar with your activities in the field of welfare and charity. We are overwhelmed by the fact that the Parents' Volunteer Association for Retarded Children has been singled out as the beneficiary of the funds to be realized from the deserved testimonial dinner on your behalf, thus making it possible to accomplish many things for the retarded children that heretofore have been beyond our reach.

We know too that "P.V.A." has, for many years, been in the hearts of the Presser Family, especially your lovely wife, Faye, who has been so very active and a working director of many years in "P.V.A."

May the Lord grant many years of good health to you and your family, and help you continue your efforts, as you have in the past, for your fellow man.

Gratefully yours,

ANTHONY O. CALABRESE, Jr.,
President, Parents' Volunteer Association for Retarded Children.

ARRANGEMENTS COMMITTEE

Chairman: Judge Victor Cohen, Anthony O. Calabrese, Jr., Harold Friedman, Bernard Goldfarb, N. Louis Triscaro, Albert Young, Ernie L. Zeve.

COCHAIRMEN

Judge Joseph W. Bartunek, Congresswoman Frances Bolton, Judge Hugh P. Brennan, Mr. Walter Brewster, Senator, Anthony O. Calabrese, Monsignor Francis W. Carney S.T.D., Mr. Robert Cassidy, Dr. Leslie Y. Ch'eng, Prosecutor John Corrigan, Mr. Peter DiLeone, Mr. Jay Ehle, Mr. Robert Evans, Congressman Michael Feighan, Judge Angelo J. Gagliardo, Mr. Henry S. Gottfried, Mr. Ernest M. Green, Mr. John Hull, Mr. Wm. P. Hulligan, Dr. Victor D. Ipolitto, Mr. Martin A. Janis, Mr. Ed Jeffrey, Mr. Albert Kaufman, Mr. Robert Knee, Sr., Mr. Julie Kravitz, Mr. Jack Lashko, Mr. Ormand Lattavo, Mayor Ralph S. Locher.

Mr. Alan Lowe, Mr. Sebastian Lupica, Judge Donald Lybarger, Helen J. Lyons, Dr. Dale Mann, Mr. George Mantho, Mr. Emil Masgay, Mr. Arthur B. McBride, Mr. Thomas McDonald, Judge Frank J. Merrick, Mr. Howard Miller, Mr. Rudy Miller, Mr. Art Modell, Mr. Patrick O'Malley, Mr. F. J. O'Neill, Sr., Auditor Ralph Perk, Mr. Max Ratner, Mr. Charles W. Rinehart, Rabbi Rudolph Rosenthal, Mr. Raymond W. Schmelzer, Mr. William C. Schmidt, Mr. Louis B. Seltzer, Mr. Curtis Lee Smith, Mr. James Stanton, Mr. Robert F. Todd, Mr. Thomas Unik, Congressman Charles A. Vanik, Judge Daniel Wasserman, Senator John H. Weeks, Judge Charles White.

CIVIC COMMITTEE

Mr. Max Amdur, Mr. Alfred S. Andrews, Judge John L. Angelotta, Judge Joseph A. Artl, Cong. William H. Ayres, Mr. Phil Barragate, Mr. Allen J. Bartunek, Mr. Louis S. Belkin, Mr. Thomas L. Boardman, Mr. Sol R. Borstein, Mr. Frank M. Brennan, Chief Justice Richard M. Brennan, Mr. Paul L. Bright, Mr. Sam Brooks, Mr. Ted W. Brown, Mr. Thomas A. Burke, Mr. William L. Calfee, Mr. John J. Carney.

Judge James T. Cassidy, Judge Frank D. Celebrezze, Mr. James P. Celebrezze, Dr. Kenneth W. Clement, Mr. Roger Cloud, Mr. William O. Clyne, Rabbi Armond E. Cohen, Mr. Joseph E. Cole, Judge Bernard J. Conway, Judge Hugh A. Corrigan, Judge J. J. P. Corrigan, Judge John V. Corrigan, Mr. Michael E. Cozza, Mr. Harry L. Davis, Jr., Mr. Jack G. Day, Mr. A. L. DeMaiorribus, Mr. Don DeRocco, Mr. Irving W. Distel, Mr. Nate Dolin, Mr. Dan W. Duffy, Mr. Edward J. Dworkin, Mr. John E. Elder, Mr. Frank Evans, Judge Edward F. Feighan, Mr. Mervin B. France, Judge Bernard Friedman, Mr. Harvey Friedman, Mr. Max Friedman, Mr. Anthony J. Garofoli.

Mr. John H. Garver, Rabbi David L. Genuth, Dr. Samuel R. Gerber, Dr. Phil L. Gilbert, Mr. Louis Golden, Mr. Zolton Gombos, Mr. Frank J. Gorman, Mr. Martin F. Graham, Mr. Robert J. Grogan, Mr. Alex J. Gruszka, Dr. Ross E. Hamilton, Mr. Leon A. Harris, Mr. Ken Hawthorne, Mr. John D. Herbert, Rabbi Jack Herman, Mr. Thomas E. Hill, Judge Earl R. Hoover, Mr. Lee C. Howley, Mr. James N. Iafelice, Mr. M. Morris Jackson.

Judge Perry B. Jackson, Judge Harry Jaffee, Mr. Troy Lee James, Rev. Werner H. Jurgens, Mr. Harold G. Karklin, Mr. Nelson G. Karl, Mr. James P. Kilbane, Mr. Sam Klein, Mr. Anthony Kolk, Mayor Irving Konigsberg, Mr. William J. Kraus, Mr. Alvin J. Krenzler, Judge Blanche Krupansky, Mr. David Kutash. The Very Reverend David Loegler, Mr. Joseph J. LoPresti.

Mr. Abe Luntz, Mr. John A. MacLellan, Judge John M. Manos, Judge Harry T. Marshall, Mr. Maurice Maschke, Jr., Mr. George E. Mastics, Judge John L. Maxwell, Mr. William J. McCrone, Mr. Dave McDonald, Mr. James J. McGettrick, Mr. Jack McGinty, Mr. Thomas E. McGuire, Judge John J. McMahon, Judge Roy F. McMahon, Judge George J. McMonagle, Mr. Nick J. Mileti, Mr. Ronald M. Mottl, Mr. Joseph E. Murphy, Mr. Donald R. Nowack.

Hon. William J. O'Neil, Judge Thomas J. Parrino, Judge John T. Patton, Mr. Gabe Paul, Judge Louis Petrash, Mr. Frank R. Pokorny, Mr. Sam Pollack, Mr. A. S. Porter, Mr. William R. Pringle, Judge August Pryatel, Mr. Albert B. Ratner, Mr. Leo E. Rattay, Mr. Louis A. Rippner, Mr. John H. Ritter, Mr. Jack P. Russell, Mr. Anthony J. Russo, Judge Anthony A. Rutkowski, Judge Eugene J. Sawicki, Mr. William B. Saxbe.

Dr. Marvin Schermer, Dr. Robert Schermer, Mr. Mark C. Schinnerer, Mr. Ray Schoessling, Mr. Paul E. Schremp, Mr. Bernard H. Schulist, Mr. Richard W. Schultz, Dr. Haskell H. Schweid, Mr. Paul Sciria, Mr. Nate Shafran, Mr. Ben Shouse, Mr. Lou Seigal, Judge Joseph H. Silbert, Judge Samuel H. Silbert, Mr. James O. Simpkins, Mr. Dave Sindell, Judge Lee E. Skeel, Mr. Larry G. Smith.

Judge Joseph Stearns, Miss Arlene B. Steuer, Mr. Carl B. Stokes, Mr. William W. Taft, Judge Francis J. Talty, Dr. Joseph Tomarkin, Judge John J. Toner, Dr. William V. Trowbridge, Mr. Ray Vacha, Mr. Thomas Vail, Mr. Louis Viny, Mr. George V. Voinovich, Mr. W. O. Walker, Judge Paul D. White, Judge Herbert R. Whiting, Mr. Dan Wiles, Bishop William R. Wilkes, Judge Theodore H. Williams.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Kluczynski (at the request of Mr. Rostenkowski), for the balance of the week, on account of death in family.

Mr. Kastenmeier (at the request of Mr. Albert), for the remainder of the week, on account of official business.

Mr. Blatnik (at the request of Mr. Albert), for today and tomorrow, on account of official business.

Mr. Corman, for June 26, on account of official business.

Mr. Tuck (at the request of Mr. Hardy), for June 26, on account of illness.

Mr. Moore (at the request of Mr. Gerald R. Ford) for the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Cunningham, for 60 minutes, today, to revise and extend his remarks and include extraneous matter.

Mr. Gude (at the request of Mr. Burke of Florida), for 30 minutes, on June 28; to revise and extend his remarks and include extraneous matter.

Mr. Lipscomb (at the request of Mr. Burke of Florida), for 1 hour, on July 13; to revise and extend his remarks and include extraneous matter.

Mr. Keith (at the request of Mr. Burke of Florida), for 5 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Addabbo (at the request of Mr. Vanik) for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Feighan (at the request of Mr. Vanik), for 15 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Brooks and to include extraneous matter.

Mr. Hanna.

(The following Members (at the request of Mr. Goodling) and to include extraneous matter:)

Mr. Blackburn.

Mr. Collier.

Mr. Keith.

(The following Members (at the request of Mr. Vanik) and to include extraneous matter:)

Mr. Fisher.

Mr. Wright.

Mr. Pucinski in three instances.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 66. An act for the relief of Dr. Alfredo Reboredo-Newhall.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 23, 1967, present to the President, for his approval, a bill of the House of the following title:

H.R. 4717. An act to authorize the conveyance of certain lands owned by the United States to the State of Tennessee for the use of Memphis State University, Memphis, Tenn.

ADJOURNMENT

Mr. VANIK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 26 minutes p.m.) the House adjourned until tomorrow, Tuesday, June 27, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

858. A letter from the General Counsel, National Council on Radiation Protection and Measurements, transmitting a report on examination of accounts of the National Council on Radiation Protection and Measurements, as of December 31, 1966, pursuant to the provisions of Public Law 88–376; to the Committee on the Judiciary.

859. A letter from the Chairman, Select Commission on Western Hemisphere Immigration, transmitting a progress report of the activities of the Select Commission on Western Hemisphere Immigration, as of July 1, 1967, pursuant to the provisions of Public Law 89–236; to the Committee on the Judiciary.

860. A letter from the Executive Director, Pacific Marine Fisheries Commission, transmitting the 18th annual report of the Pacific Marine Fisheries Commisison for the year 1965, pursuant to the provisions of Public Law 80–232; to the Committee on Merchant Marine and Fisheries.

861. A letter from the Acting Secretary of Commerce, transmitting the annual report on the relative cost of shipbuilding in the various coastal districts of the United States, pursuant to the provisions of section 213(c) of the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

862. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to repeal certain acts relating to containers for fruits and vegetables, exportation of tobacco plants and seed, naval stores, and wool, and for other purposes; to the Committee on Science and Astronautics.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 21, 1967, the following bills were reported on June 23, 1967:

Mr. McMILLAN: Committee on the District of Columbia: H.R. 7831. A bill to amend the Fire and Casualty Act and the Motor Vehicle Safety Responsibility Act of the District of Columbia (Rept. No. 385). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia: H.R. 10964. A bill to enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes; with amendment (Rept. No. 386). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia: H.R. 10783. A bill relating to crime and criminal procedure in the District of Columbia; with amendment (Rept. No. 387). Referred to the Committee of the Whole House of the State of the Union.

[*Submitted June 26, 1967*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CELLER: Committee on the Judiciary: H.R. 8630. A bill to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States (Rept. No. 388). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary: H.R. 10805. A bill to extend the life of the Civil Rights Commission (Rept. No. 389). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 390. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARING (by request):

H.R. 11133. A bill to amend the enabling acts of the States of New Mexico, Arizona, and Hawaii with respect to enforcement of trust provisions; to the Committee on Interior and Insular Affairs.

By Mr. BIESTER:

H.R. 11134. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. DORN:

H.R. 11135. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 11136. A bill arranging for orderly marketing of certain imported articles; to the Committee on Ways and Means.

By Mrs. MAY:

H.R. 11137. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 11138. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MULTER (by request):

H.R. 11139. A bill to authorize the establishment of a coordinated, modernized system of Federal savings associations and to expedite the conversion of State-chartered savings banks thereto by the amendment of the Home Owners' Loan Act of 1933, title IV of the National Housing Act, and the Federal Home Loan Bank Act, as amended; to the Committee on Banking and Currency.

By Mr. PATMAN:

H.R. 11140. A bill to amend section 3110, title 38, United States Code, to permit payment in certain cases of increased benefits to a child or parent for the month of a veteran's death; to the Committee on Veterans' Affairs.

By Mr. PELLY:

H.R. 11141. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 11142. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

H.R. 11143. A bill to provide for the orderly marketing of articles imported into the United States, to establish a flexible basis for the adjustment by the U.S. economy to expanded trade, and to afford foreign supplying nations a fair share of the growth or change in the U.S. market; to the Committee on Ways and Means.

By Mr. RIVERS:

H.R. 11144. A bill to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of brigadier and major general; to the Committee on Armed Services.

By Mr. ROGERS of Colorado:

H.R. 11145. A bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 11146. A bill to amend title 5, United States Code, to eliminate U.S. citizenship requirements with respect to employment of personnel by the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WATTS:

H.R. 11147. A bill to amend title II of the Social Security Act to provide that a woman need not have been married to an insured for any particular period of time to qualify as his widow for benefit purposes if he was a member of the Armed Forces in time of war or armed conflict when he died, and for other purposes; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 11148. A bill to amend the Interstate Commerce Act to require that railroad crossing gates located at railroad-highway crossings be painted so as to be visible at night, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMS:

H.R. 11149. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salary rates and provide certain benefits for purposes of recruitment and retention of privates in the Metropolitan Police force, to establish the rank of master patrolman, to change the titles of certain Metropolitan Police officials, and for other purposes; to the Committee on the District of Columbia.

By Mr. DENT:

H.R. 11150. A bill to amend the Manpower Development and Training Act of 1962, as amended; to the Committee on Education and Labor.

By Mr. EILBERG:

H.R. 11151. A bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products in certain instances or a joint committee or joint board empowered to interpret provisions of collective bargaining agreements; to the Committee on Education and Labor.

H.R. 11152. A bill to establish a Department of Education, and for other purposes; to the Committee on Government Operations.

H.R. 11153. A bill to amend title 38 of the United States Code so as to increase the amount of home loan guarantee entitlement from $7,500 to $10,000, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 11154. A bill to amend title 38 of the United States Code in order to provide additional beds in Veterans' Administration hospitals for the care and treatment of veterans afflicted with alcoholism; to the Committee on Veterans' Affairs.

By Mr. HALPERN:

H.R. 11155. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence, and to allow the owner of rental housing to amortize at an accelerated rate the cost of rehabilitating or restoring such housing; to the Committee on Ways and Means.

By Mr. WILLIAMS of Pennsylvania:

H.R. 11156. A bill to relieve the Postmaster General of responsibility for determining mailability under the congressional frank, and for other purposes; to the Committee on Rules.

By Mr. CULVER:

H.R. 11157. A bill to amend title 5, United States Code, to provide for restoration of survivor annuities to certain remarried spouses whose remarriages are dissolved by death, annulment, or divorce, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUDE:

H.R. 11158. A bill to authorize and direct the Commissioners of the District of Columbia to enter into an agreement for the payment of a portion of the cost of a dam on the North Branch of the Potomac River, and for other purposes; to the Committee on the District of Columbia.

By Mr. FULTON of Pennsylvania:

H.R. 11159. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. POAGE (for himself and Mr. QUIE):

H.R. 11160. A bill to provide indemnity payments to dairy farmers; to the Committee on Agriculture.

By Mr. POAGE:

H.R. 11161. A bill to extend for 3 years the special milk programs for the Armed Forces and veterans' hospitals; to the Committee on Agriculture.

By Mr. PURCELL:

H.R. 11162. A bill to provide for U.S. standards and a national inspection system for grain, and for other purposes; to the Committee on Agriculture.

By Mr. DUNCAN:

H.R. 11163. A bill to exempt from the antitrust laws certain combinations and arrangements necessary for the survival of failing newspapers; to the Committee on the Judiciary.

By Mr. POLLOCK:

H.R. 11164. A bill conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the Indians, Eskimos, and Aleuts of Alaska, or any tribe or band thereof, may have against the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. DULSKI:

H.J. Res. 674. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. FINO:

H.J. Res. 675. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.J. Res. 676. Joint resolution to authorize the President to issue annually a proclamation designating the 7-day period comprising the first full week in October of each year as Spring Garden Planting Week; to the Committee on the Judiciary.

By Mr. WINN:

H.J. Res. 677. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. KARTH:

H. Con. Res. 384. Concurrent resolution to express the sense of Congress with respect to an investigation and study to determine the potential of railroad passenger and mail transportation in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK:

H. Con. Res. 385. Concurrent resolution relative to Citizens Radio Service; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of Ohio:

H. Res. 669. Resolution for the consideration of H.R. 421; to the Committee on Rules.

By Mr. TEAGUE of California:

H. Res. 670. Resolution providing for the consideration of H.R. 421; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

242. By the SPEAKER: Memorial of the Legislature of the State of Arkansas, relative to restoration of all Federal aid highway funds which have been reduced by order of the President; to the Committee on Ways and Means.

243. Also, memorial of the Legislature of the State of Florida, relative to the distribution of Federal highway funds; to the Committee on Public Works.

244. Also, memorial of the Legislature of the State of Texas, relative to the removal from Federal reclamation laws of the 160-acre limitation; to the Committee on Interior and Insular Affairs.

245. Also, memorial of the Legislature of the State of West Virginia, relative to protective import tariffs on agricultural products; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DUNCAN:

H.R. 11165. A bill for the relief of Quinton F. Horton; to the Committee on the Judiciary.

Mr. Mr. KING of New York:

H.R. 11166. A bill for the relief of Earl S. Haldeman, Jr.; to the Committee on the Judiciary.

By. Mr. MINSHALL:

H.R. 11167. A bill for the relief of John Murray Evans; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 11168. A bill for the relief of Miss Peyravi Pary Parichehr; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 11169. A bill for the relief of Him Toy Quon; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

110. By the SPEAKER: Petition of American Veterans Post 64, Peoria, Ill., relative to the elimination of the 33d Infantry Division, National Guard; to the Committee on Armed Services.

111. Also, petition of Henry Stoner, Portland, Oreg., relative to placing a statue of Tom Payne in Statuary Hall; to the Committee on House Administration.

112. Also, petition of New York State Council Columbiettes, Saugerties, N.Y., relative to desecration and defiling of the U.S. flag; to the Committee on the Judiciary.

113. Also, petition of Independent Fundamental Churches of America, Chicago, Ill., relative to ethics in government; to the Committee on Rules.

114. Also, petition of Unitarian Universalist Association, Boston, Mass., relative to reform of congressional operation; to the Committee on Rules.

115. Also, petition of Dorothy J. Clark, La Jolla, Calif., and others, relative to the inclusion of the services of chiropractors under the medicare program; to the Committee on Ways and Means.

SENATE

MONDAY, JUNE 26, 1967

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

Elder Donald L. Ream, high priest, Latter-day Saints Church, Las Vegas, Nev., offered the following prayer:

Our Father in Heaven, in gratitude and humbleness we gather together in this great legislative body of Congress. Heavenly Father, wilt Thou bless the proceedings today, that it might be important to the welfare and well-being of the people of these United States. Wilt Thou bless those who present bills and discuss the problems, that they might be under Thy influence, and for the betterment of mankind.

A special blessing, Heavenly Father, we ask upon President Johnson, that he might be able to evaluate those things that he has discussed with the various leaders of the world, that united they may strive for world peace, and that the conflicts that exist throughout the world might come to an end, and the brotherhood of man might be made known, that we truly are our brothers' keepers.

Wilt Thou bless us to this end in these deliberations, we ask in the name of Thy Son, Jesus Christ. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 23, 1967, was dispensed with.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. HATFIELD in the chair). Under the order of Friday, the Senator from Idaho [Mr. CHURCH] is recognized.

Mr. MANSFIELD. Mr. President, will the Senator from Idaho yield to me for 2 minutes?

Mr. CHURCH. I am happy to yield to the Senator from Montana.

DEFENSIVE BARRIER ACROSS SOUTH VIETNAM SHOULD NOT INVOLVE CAMBODIA

Mr. MANSFIELD. Mr. President, it has appeared to me, and I have so stated on many occasions, that a defensive barrier across South Vietnam, south of the 17th parallel and extending through Laos to Savannakhet or Thakhek on the Thai border, would offer a preferable military alternative to the bombing of North Vietnam. Manned largely by South Vietnamese, this military barrier might succeed, I believe, in doing what aerial bombardment was expected to do but has not done. That is, the barrier might shut off the bulk of the movement of men and materiel from North Vietnam into the south. At the same time, if the barrier were effective, the North Vietnamese and Vietcong might be persuaded to join us in seeking to negotiate a peaceful solution of the war. Above all else, a defensive land barrier appeared to me to offer some hope of curbing the present proclivities of the war in Vietnam to spiral and spread.

A defensive barrier was proposed by me, in short, to bring peace nearer in Southeast Asia, not to spread the war further. It was proposed in order to restrain casualties by restricting the arena of conflict, not to multiply the carnage by enlarging the number of combatant nations. While it is true that what was proposed involves Laos and, hence, is a further retreat from the Geneva accord of 1962, the fact is that that agreement has long since been rendered inoperative by military and other actions on all sides.

In any event, the proposal I made to establish a defensive barrier in Vietnam in no way, shape, or form envisioned military action against Cambodia or anywhere in its immediate vicinity. To draw from my proposal, a rationale for the extension of a defensive barrier into Cambodia would be not only distortion of its fundamental concept but also, in my judgment, a grievous and unwarranted expansion of military operations in Southeast Asia. It would not bring the end of the war in Vietnam any nearer. It would certainly raise the cost of the war in American lives and resources, not to speak of the new arena of death and devastation which would be opened up in Cambodia, in that peaceful nation which has sought and has succeeded largely by its own efforts in forging a satisfactory, independent, and self-reliant way of life for its people.

It would be nothing short of tragic to the Cambodians, to us, and to all concerned if Cambodia should be drawn into the vortex of Vietnam. And it would be as ironic as it is invalid, if a suggestion of mine pertaining to a war-limiting military barrier through Vietnam and Laos should be so misconstrued as to become the basis for a war-expanding projection of the barrier into Cambodia.

THE JOHNSON-KOSYGIN DISCUSSIONS

Mr. MANSFIELD. Mr. President, the overt results of the Johnson-Kosygin talks and press conferences are now apparent. There was no open reconciliation of difference, but I feel certain that there was a better understanding of the position of both countries on the basis of personal discussions held in Glassboro.

The Soviet Premier was undeviating in his public utterances, especially as they affected the Mideast and Southeast Asia. President Johnson, in his public utterances, indicated more resiliency in his outlook but stated publicly the differences which existed between the two.

I congratulate the President for his demeanor, his frankness, and his understanding of the difficulties involved in a meeting of this sort, and also for the friendship and understanding which he showed. The importance of this conference is not what was said publicly but what was said privately.

Premier Kosygin has now had a chance to size up President Johnson at firsthand on the basis of 10 hours of personal conversations. He should be able now to take back to Chairman Breshnev, the No. 1 man in the Soviet hierarchy, his impressions of President Johnson as a Chief of State and also the results of his get-together.

The Glassboro meeting was but a prelude. Both men conducted themselves with candor and dignity. Kosygin was rigid in his outlook publicly. President Johnson left himself open to reason. The two men stood together and were seen by the peoples of the world. The results may well be summed up in the baseball phrase, "no runs, no hits, no errors," which is what anyone, who understood this meeting, thought would be the result.

The important thing now is the followup in Moscow and Washington; and it is my belief and hope that on the basis of the Glassboro foundation, it may well be possible to build a more secure structure in the months and years ahead.

The result has been, I believe, a better understanding between the two leaders, certainly not a great leap forward but a first step on the journey to a possible peace.

The people of Glassboro are to be congratulated for the welcome which they gave to this conference, and in so doing, they represented not just a small town U.S.A. but the people of this Nation as a whole.

PROBABILITY OF THE DEBT CEILING BILL BEING REPORTED TODAY.

Mr. BYRD of Virginia. Mr. President, will the Senator from Idaho yield to me for the purpose of directing a few questions to the Senator from Montana?

Mr. CHURCH. I am happy to yield.

Mr. BYRD of Virginia. Mr. President, I would prefer to direct this question to the chairman of the Finance Committee, but since he is not on the floor, I should like to address it to the majority leader.

Does the majority leader know when the debt ceiling increase bill might be presented to the Senate?

Mr. MANSFIELD. It is my understanding that it may well be reported today.

Mr. BYRD of Virginia. The indications are that it will be reported today?

Mr. MANSFIELD. That is the best knowledge I have at the moment. As I have indicated, the committee has the right to meet in session until 1 o'clock.

Mr. BYRD of Virginia. I thank the Senator.

Mr. MANSFIELD. Mr. President, will the Senator from Idaho yield so that I may suggest the absence of a quorum?

Mr. CHURCH. I yield.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Will the Senator from Idaho yield further?

Mr. CHURCH. I yield.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. BYRD of West Virginia, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Merchant Marine and Fisheries of the Committee on Commerce.

The Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare.

The Subcommittee on Securities of the Committee on Banking and Currency.

ARSENAL DIPLOMACY: THE FAILURE OF A POLICY

Mr. CHURCH. Mr. President:

> In Via Dolorosa and the Mosque of Amman in a protected gateway a knot of Israeli soldiers ruefully examined more than 20 crates of ammunition, grenades, and rockets left by the Jordanians. On each crate was a sticker showing two hands clasped across a red, white and blue blackground, the symbol of American aid.

Thus read a paragraph in an account in the June 11 Washington Post of the Israel army's capture of Old Jerusalem. These crates of ammunition illustrate the bitter fruits of our arms aid policies in the Middle East. The handclasp symbol of American aid appears on weapons, military equipment, and ammunition crates throughout the region. Since the end of World War II, the United States has doled out $322 million in military aid to the Arab nations which joined in the most recent attempt to obliterate Israel. Egypt and Sudan are the only Arab nations missing from our arms sales and giveaway list. Jordan has been the recipient of $55.6 million in military aid, not including a quantity of F-104 Starfighters sold only last year; Saudi Arabia has received $162 million; Iraq, $47 million; Morocco, $37.3 million; and Lebanon, Libya, Syria, and Yemen lesser amounts.

Under a policy which assumes that we can exercise a restraining influence by judicious distribution of our weapons, we have also sold Israel $28 million in arms. Events of the last month have proven that this misguided attempt to prevent "polarization" of western arms in Israel against Soviet arms in Arab hands, and still keep on friendly terms with both sides, called for omniscient qualities of judgment which our Defense officials, or indeed any mortals, do not possess. Outside Old Jerusalem, American tanks manned by Jordanians met American tanks manned by Israelis, repeating the Pakistan-India confrontation of "made-in-America" tanks on the Rann of Kutch less than 2 years ago. Both of these tragic wars illustrate the folly of the thesis that the United States can defuse arms by supplying weapons.

The administration is now reviewing its arms aid and sales policy toward nations of the Middle East. This is somewhat like closing the barn door after the horse has galloped away, but it is not too late for our Nation to play a constructive leadership role, to prevent a recurrence of the tragic events of recent days, by a drastic change in our arms aid and sales policy. I propose that the United States announce—unilaterally and unequivocally—that it will no longer give or sell arms to the Arab world. This country should not be a party to any Soviet-supported effort of the Arab nations to rearm for another shot at Israel. A prerequisite to peace in the Middle East is a stop in the arms race, and, whether or not officials in the executive branch are candid enough to admit it, America bears a share of the responsibility for supplying the powder which exploded so violently. Withdrawal from the brink must begin with one step and, as a demonstration of our sincere desire to lessen tensions and create a basis for a lasting peace in the Middle East, it is appropriate that the richest, most powerful nation in the world take that first step.

The President's call for reporting to the United Nations of arms shipments to the area is a constructive proposal, and I hope that it will be adopted by the General Assembly. But the President's proposal will not stanch the flow of arms to the Middle East, it only brightens the spotlight of world opinion focused on a threat to peace about which the world is already aware. As the Vietnam war demonstrates, when great power interests collide, world opinion is usually somewhat impotent.

Therefore, as a second step back from the brink, I urge that the United States make every effort to reach agreement among the suppliers of arms to the region—the great powers—on an arms embargo or a stringent arms limitation applicable to Arab and Israeli alike.

Such an agreement is the only effective way to put out the smouldering sparks in this tinderbox.

I hope that, while U.S. officials ponder the fruits of our arms aid policy, a similar review will be going on in Moscow, but recent reports indicate that Soviet arms shipments to the Middle East have already been resumed. The Soviets, who equipped the Egyptian and Syrian military forces, witnessed a grand debacle of their military aid policy. The lightning destruction by the Israel forces of hundreds of millions of dollars in Russian military investments in Egypt and Syria should have furnished the Soviet Union with ample evidence that arms competition in the Middle East can lead only to disaster. Fortunately, this explosion was contained. But both the United States and the Soviet Union should now base their policies on the valid assumption that the next blowup could end in a thermonuclear disaster for the entire world.

Until the great powers refrain from giving or selling arms in volatile situations such as these, the world will never experience true peace. The arms aid the United States has bestowed on the nations of that region is like the tip of a vast iceberg—there are far more faults in our military aid policy than the mere giving of arms to Arab nations which have vowed to wipe Israel off the map. The review being carried out by the executive branch should not be limited to the Middle East, it should be directed to the basic philosophy of the entire military aid program. Do our present arms aid and sales policies actually serve our long-range national interests? My answer, after adding up the facts, is a resounding "No."

In the eyes of much of the world, the United States seems more intent on furnishing swords than plowshares. During the past 17 years, we have bestowed on foreign governments $8 billion in military vehicles and weapons, $7 billion in aircraft, $5 billion in ammunition, $2 billion in ships, $2 billion in communications equipment, $1.5 billion in missiles, and $3 billion in other supplies. Services granted in the form of base construction, training, repair, and spare parts amounted to an additional $8 billion, for a staggering total of $37 billion dispensed abroad since 1950.

The armaments which these sums represent are no less staggering: 4,385 F-84 fighters; 2,812 F-86 fighters; 3,292 aircraft trainers; 20,279 tanks; 75,995 trailers; 150,552 2½-ton trucks; 1,362,000 carbines; 2,106,000 rifles; 72,777 machineguns; 29,716 mortars; 30,340 missiles.

As if to augment these massive gifts of arms, the Defense Department is now engaged in a mushrooming sales campaign. Direct sales to foreign governments already exceed $16 billion, while Pentagon officials anticipate orders worth another $15 billion in the next decade.

Clearly, the supplying of munitions, quite apart from ordinary commercial sales by private American manufacturers, has become a big business in which the U.S. Government plays a central role. Today, the Federal Government is the principal arms dispenser of the world; giving away, advancing credit, and promoting the sale of a volume of arms over six times that of our nearest rival, the Soviet Union.

It was not always so. Before World War II, sentiment in this country was decidedly against the export of weapons. Munition makers were scorned; their trafficking in arms condemned as mischievous, if not evil. Legislation in 1912 and 1922 placed embargoes on the export of war materials to China and certain Latin American countries. The Neutrality Acts of 1935 and 1939 sought to limit arms trade by setting up a licensing system which subjected export sales to close governmental scrutiny. Furnishing arms abroad, both the public and Government then believed, could entrap us in unwanted foreign wars. American politicians found favor by sternly rebuking the "merchants of death."

The shift came in 1940 with the desperate plight of Great Britain. Fearing a Nazi conquest of Europe, President Roosevelt sanctioned the transfer of 50 American destroyers to the British Navy in exchange for base rights in the Western Hemisphere. The gates to the American arsenal, thus pried apart, were soon thrown open to the enormous demands of the war. Congress approved the far-reaching Lend-Lease Act, signed into law on March 11, 1941, which empowered the President "to authorize the manufacture of defense articles for any foreign government whose defense he deemed vital" and to sell, transfer title to, exchange, lease, lend to any such government any defense articles." By the end of the war, we had furnished $48.5 billion worth of weapons and supplies to 42 foreign governments, the bulk of which had gone to Great Britain, $32 billion; the Soviet Union, $11 billion; and France, $3 billion.

These weapons helped our fighting partners greatly in the common struggle to defeat the Axis powers, thereby saving the lives of many American soldiers. Much of the assistance was given without thought of repayment. But even for that part "leased" or "loaned," in the genuine expectation of repayment, we have received nothing. After the war, for example, negotiations with the Soviet Union proved fruitless; and today, in consequence, we are still paying—in interest charges on our national debt—for this huge wartime disbursement of arms.

Nonetheless, the guns had hardly fallen silent before we commenced a new program of arms aid. In the Far East, from 1945 to 1949, to bolster Chiang Kai-shek's faltering grip on China, we granted arms and supplies worth $800 million in original acquisition cost.

In the Middle East, starting in 1947 with the Truman doctrine, we came to the help of Greece, threatened by a Communist guerrilla war, and Turkey, then under intense Soviet pressure. The onset of the cold war brought additional demands for further military aid—demands which intensified with the invasion of South Korea. Congress, in 1950, voted $1.3 billion in military assistance to 14 countries for "the performance of specific tasks" which we, presumably, would otherwise have had to undertake. The postwar period of "arsenal diplomacy" had begun.

Two years later we were spending $6 billion in 26 countries. The dollars rained so thick and fast that, at one point, unfilled orders in the "pipeline" exceeded $12 billion, resulting in Congress leveling off new appropriations at about $1.5 billion a year. Still, the number of recipients continued to grow, reaching in 1963, an alltime high of 69 foreign governments, each with its own special shopping list brought to our disbursement window.

Procedures were fast standardized by the burgeoning bureaucracy charged with the administration of the new program. American military attachés assigned to our Embassies abroad were called upon, not only to befriend their host counterparts, but to study their arms needs. From this contact, came requests for special purpose military missions or for the establishment of American advisory groups, pursuant to bilateral mutual assistance agreements.

Today some 12,000 Americans are engaged abroad in training, advising, and supervising the armed services of no less than 35 foreign countries. Each American detachment helps the local military work up a 5-year plan of training and weapons needs. Invitations are issued to participate in military training within the United States or at special schools operated for this purpose abroad. To date, some 277,000 foreign soldiers have been trained in this manner, with millions more receiving American training inside their own countries. In addition about 1,400 senior foreign officers enjoy a free "orientation" trip to the United States each year.

Naturally, out of this exposure, comes an appetite for the sophisticated weaponry we have developed. Using an inventory of all American stocks available, requests are drawn up and submitted by the local foreign government to the American Ambassador. These are then forwarded to the Department of State, where a decision is reached after consultation with the Defense Department.

Last year Defense Secretary McNamara told Congress that all this is changing, that the United States is deliberately easing out of the grant-in-aid business in many areas. After all, apart from Vietnam, is not the military aid budget down almost half since 1962?

This reduction, however, must be viewed in its proper context. Much of what we gave away yesterday we are selling today. The fact is that our total addition to the armament inventory of other nations is now higher than for any period since the Korean war.

The United States now spends $70 billion a year on its own Armed Forces. The rapid technological progress generated by this investment often produces weapons which turn obsolescent soon after they come off the assembly line. For years our defense industry has sought to prolong their use through arms sales abroad. In 1961 this drive shifted into high gear with the establishment, in the Pentagon, of the Office of International Logistics Negotiations.

Under the direction of Deputy Assistant Secretary Henry J. Kuss, Jr., the office has steadily grown in size and substance. Today, its staff, with the support of experts from each of the three armed services, and the guidance of a 25-man advisory committee from private industry, travels the world in quest of new contracts. Working in tandem with private industry, Defense's arms salesmen employ the full range of American promotion techniques. Kuss has proudly boasted that "behind the success of our military export program lies the fact that no other nation can touch us in overall technological know-how, quality, price, delivery time, followup logistical support, and credit terms."

Sales may be for cash or on easy credit terms, with financing available through a Defense Department revolving credit account, the Government-owned Export-Import Bank, or private banking facilities. Since 1964, Kuss has been authorized to guarantee credit extended by private banks to foreign governments buying weapons from us. The working policy of the Office of International Logistics, as described in a recent laudatory article: "has always been 'if you need credit, we'll get it for you', and they have yet to fail to do so." Nearly $3 billion of the arms sales in the last 5 years were on credit.

Two years ago, for his "unparalleled ability as an international negotiator," Secretary McNamara awarded Kuss with the Meritorious Civilian Service Medal. And for good reason. Until 1961, sales had averaged $300 million a year. Since then, Kuss has signed up orders and commitments on $11.7 billion in arms sales, thereby providing our munitions industry with an added billion dollar profit. "Buy American," Business Week magazine reported recently, "is becoming an increasingly prevalent slogan in the world arms market."

So it has happened that, within the short span of 30 years, the pendulum of our governmental policy toward the export of arms has swung all the way from naive abstention to zealous promotion. I reject both extremes and believe the time has come for us to seek a more sensible balance.

To be sure, our present involvement is based, like a stool, on the legs of three rather compelling arguments. First, that we give military aid to help foreign governments resist Communist aggression from without and subversion from within. Second, that we give it to strengthen our influence with the military elite in other lands, frequently an important bulwark against Communist penetration. Third, that the sales program of weapons helps to redress the deficit in our balance of payments caused, in large part, by the overseas deployment of our own troops.

None of these arguments lack force; none can be summarily dismissed. Let me weigh each of these arguments upon the scales of our experience.

In the wake of World War II, the westward thrust of Russian power threatened to engulf all of Europe. The retention of an American army in Germany, together with the formation of the NATO alliance, became indispensable. Western Europe lay prostrate, her cities in ruins, her peoples demoralized, her economy shattered by the remorseless hammer blows of the war. Our economic aid, swiftly administered through the Marshall plan, proved a brilliant success, but our military grants-in-aid were equally necessary to enable the Europeans to assume their proper place in manning the NATO defense line.

The Marshall plan-NATO formula produced spectacular results in rejuvenating the war-torn economy of Western Europe and forging a common shield against the Soviet Union. So jubilant were we with its success that we continued military aid long after the need had passed. In 1964, for example, 8 years after we had ended our economic aid to Western Europe, the United States was still providing over $300 million in military grants to our now rich and thriving NATO allies.

The explanation rests, in part, on the tendency of any bureaucracy to remain in business. Programs once started are always hard to stop. The situation was compounded by cold war apprehensions, so that Congress was also reluctant to intervene. It took 3 years before Congress would approve an amendment I proposed to the Foreign Assistance Act, finally prohibiting further grants of military assistance to rich countries. Unfulfilled commitments could be continued, however, and aid is still being furnished to some affluent nations of Europe.

The general success of our postwar policy in Europe inoculated our thinking on other fronts. Around the whole periphery of the Communist world, in the Middle East, and Asia, we were soon applying the same formulas for assistance that had worked so well in Western Europe. But in these seething countries which had just thrown off colonial rule, conditions called for a highly discriminating kind of military aid. Instead, the United States slapped it on with eager hands.

We agreed to support force levels totally devoid of strategic reality, as though it were possible for Turkey or Iran, without American intervention, to defend themselves successfully against a major Russian attack, or for Taiwan to resist an all-out invasion from the mainland of China. The result, in some cases, was little less than grotesque, as on the island of Taiwan, where the real protection has always been furnished by the American 7th Fleet, but where we were induced to give over $2.5 billion in injections of military aid to equip an army twice too big for its tactical role in any future defense of the island but not a 10th big enough to ever threaten the mainland.

Such unrealistic force levels, fed by our military assistance programs, have inevitably imposed topheavy burdens on the fragile economies of many of these underdeveloped lands, with the result that we have had to prop them up with huge financial transfusions just to prevent their collapse. Accordingly, we have had to use some $10 billion—from a total of $27.5 billion in economic aid—just to provide budgetary support to sustain the very military levels we ourselves encouraged.

This depressing cycle of missed opportunity has drained billions of dollars away from possible development aid which could have improved living conditions and stimulated economic expansion. Thus we have robbed our own effort to better the threadbare life of the multitudes, as we fostered that repugnant spectacle, so familiar around the rim of Asia today, a "combination of ill-fed people and well-fed armies deploying the most modern equipment."

The scale of our military aid has in the past led to scandalous waste. Many a country on the periphery of the Communist world has been turned into a dumping ground for American military equipment. General Accounting Office investigation reports, as Senators know so well, have decried the excesses: rows of tanks inoperative for the lack of trained mechanics; parking lots filled with rusting vehicles that have no protection from the tropical sun and rain; huge quantities of random supplies and spare parts piling up unused.

But these logistical excesses are more than matched by the political naivete which has characterized our military assistance programs in Asia and the Middle East. With the containment of Russia and China our avowed objective, we have been easily seduced into fueling regional arms races motivated more by ancient rivalries than by any shared concern over the threat of Communist aggression. We armed Greece and Turkey to strengthen their defense against the Soviet Union, but today they are spoiling over Cyprus, where U.N. troops must police an uneasy truce.

We armed Pakistan that she might better resist invasion by Russia or China, but Pakistan knew that the arms had value only as against India. Indeed, our Ambassador to India at the time, John Galbraith, expressed the opinion, in testimony before the Foreign Relations Committee last year, that our military assistance program actually activated the Indo-Pakistan war:

> The full consequences of the policy of indiscriminate arms aid have revealed themselves with a kind of heroic clarity in south Asia. Rarely, I think, does history work itself out with such majestic, and also ironic, completeness . . . The arms we supplied . . . caused, and I underline the word, the war last autumn between India and Pakistan . . . If we had not supplied arms, Pakistan would not have sought the one thing we wanted above all to avoid; namely, a military solution.

(At this point, Mr. BYRD of West Virginia assumed the chair.)

Mr. CHURCH. Mr. President, thus, rather than contributing to an effective defense against the Communist threat, as we conceived it, the actual result of our arms aid was to foment war between two non-Communist governments, both of which were friendly to the United States. On the plains of Punjab and the Rann of Kutch we reaped a bitter harvest of resentment from both sides, and I daresay that our relations with both countries have never been the same since. And at Tashkent, to complete the circle, the Russians emerged as the peacemakers, providing, as Galbraith observed, "the crowning irony when the Soviets, at whom these arms were meant to be pointed, stepped in and obtained a settlement of the conflict."

Still, even this debacle seems not to have dampened our ardor for manning Communist boundaries with foreign armies heavily subsidized by the United States. And, indeed, if we were really willing to rely upon them, the savings might be sizable. Secretary McNamara has told Congress that it costs $4,500 annually to support an American soldier, a against $540 for a foreign soldier in the "forward defense countries"; that for our money, so to speak, we get eight times as many sentinels. The flaw in the argument, however, is that in the one place where we might really have deferred to a foreign army to hold a defense line—in Korea at the 38th parallel—we have been unwilling to do it. Korea is the ideal test case; the peninsula is such that, as between the two halves of this divided country, the south is fully capable of maintaining an impregnable defense against the north. We have equipped 18 ROK divisions to American standards, making the South Korean army not only larger than its adversary across the line, but also the most modern in Asia. Furthermore, as a deterrent against any renewed threat from China, the United States could continue in effect its treaty obligations to come to the defense of South Korea in case of attack, a pledge readily implemented by virtue of our unchallenged command of the sea, our domination of the air, and the close proximity of our gigantic island bases. Yet, despite these favorable conditions, we still insist, 14 years after the truce in Korea, on stationing more than 50,000 American combat troops near the 38th parallel.

All of this is not to say that we should never have embarked upon a military assistance program in Asia or in the Middle East. In some places, as in Korea, arms aid was essential to deal with the militant nature of the Communist threat. But the program should have been restricted to countries where the need was clearly apparent, and, where given, scaled to the capacity of recipient countries to absorb. Never should we have given it in situations ripe for local wars unrelated to our strategic goals and adverse to our national interests. In sum, what was called for was a disciplined program, applied with prudence and restraint. Instead, we have had a runaway program that has yet to be effectively checked.

The second broad justification for serving up American military hardware on a global platter, much of it to countries far removed from Communist neighbors, is that it serves to bolster resistance to subversion from within, and gives us added leverage with the military "elite" in many foreign lands. Frequently, it is argued, the army constitutes the only organized force opposing Communist infiltration. By supplying American weapons, so the argument goes, we can win favor with the army commanders and thus contribute to the maintenance of internal stability. The problem here is that we either fail to appreciate, or simply misjudge, the dynamics of change in underdeveloped societies.

Violent revolution will eventually occur wherever legitimate grievances can find no other outlet. Impoverished and patient people throughout the underdeveloped world will doubtlessly topple many a shaky government before conditions improve sufficiently for universal order to prevail. We do not have bayonets enough in our arsenal, or money enough in our Treasury, to quench the smouldering embers of revolution everywhere. This means, once more, that instead of globalizing our military assistance in pointless proliferation, we should converge it on those particular fires which, in our own national interest, we must try to put out.

Nowadays, the revolutions which concern us most are those the Communists either start or try to take over. Usually they are labeled by the insurgents as "wars of liberation." When any government is so challenged, its survival depends less upon the weapons we supply, than upon the willingness of the population to rally behind it. If the great bulk of the people are loyal, then the guns and ammunition we furnish can make the difference. This was the case for us in Greece, as it was for the British in Malaya.

But Vietnam is a poignant example of the failure of American guns to create loyalty out of fear and distrust. Our involvement there began with the military aid we extended to Ngo Dinh Diem, equipping him with forces vastly superior to the Vietcong. Yet, his unpopular regime, and those succeeding it, steadily lost ground. Massive injections of U.S. weapons, ammunition, equipment, and supplies, failed to turn the tide against the insurgents, though they were much overmatched in numbers and totally outgunned. Our own troops had to be summoned and the war converted into an American engagement. Today we have a far larger expeditionary force in Vietnam than we sent into Korea. The brunt of the fighting is ours, with current American battle casualties often exceeding those of South Vietnam.

The lesson of Vietnam should make us wary of instituting new military aid programs elsewhere. But it has not happened that way. Instead, Defense officials have been supplying military aid in the most unlikely place of all, Africa. Here the favorite rationalization is that the gift of arms may gain us favor with the restless young African armies which have either seized, or threaten to seize, political power. We cling to this belief, despite all of the evidence which has accumulated against it. As an institution, particularly in unstable lands, the military will often assert control over the government. But its allegiance can never be bought by the gift of arms.

The army we equipped in Iraq brought down the government we supported in a coup which caught us completely by surprise. The military assistance we furnished the armed forces of the Dominican Republic did not prevent them from overthrowing the elected regime of Juan Bosch, which we strongly favored at the time. Moreover, the same army later proved unable to put down the subsequent uprising in the streets of Santo Domingo, where the landing of American Marines only underscored, as in Vietnam, the failure of military aid.

For that matter, the Communist powers have done no better. In Indonesia, it was a Soviet-equipped army which turned upon the Indonesian Communist Party, putting 200,000 or more of its members to the sword. In Algeria, it was Russian-furnished tanks which ringed Ben Bella's palace and helped overthrow the Soviet-supported leader. Even in Egypt, the military aid Nasser received from the Soviet Union equipped the very security forces that suppressed Communist activity on the Nile. Whenever I hear the argument that we must give arms to some foreign government "or else the Russians will do it," as we heard so often about our gifts and sales of arms in the Middle East, I am tempted to exclaim: "Please let them, for our sake." The fallaciousness of this argument is epitomized by what happened in Iran recently. Pentagon salesmen sold Iran a squadron of F-4 Phantoms, the most advanced jet fighter in our arsenal, after Iran threatened to turn to the Soviet Union for her arms needs. No sooner had the deal been consummated than Iran, a member of the CENTO alliance, made a $110 million arms deal with the Russians.

Not only have we refused to recognize that foreign armies are a risky investment, but we seem never to take into account the political cost we bear for supporting them. In any poor country of Asia, Africa, or Latin America, where there is an unconscionable concentration of wealth and landownership in the hands of the few, where civil liberties are suppressed and despotism governs, the army is usually the hated symbol of the status quo. Military governments, however stable they may appear, tend to be brittle as well as repressive. Lavishing upon them "made-in-America" tanks and jet fighter planes cannot help but estrange the United States from the populace, delivering into Communist hands a lively issue to exploit against us. Former elected President of Guatemala, Miguel Ydigoras-Fuentes, who was ousted by a military coup in 1963, recently wrote that—

> Generally speaking, modern weapons are not used by the military to defend the territorial integrity of their respective countries, but to repress popular aspirations and undermine democratic institutions.

For these reasons, I believe our military grants-in-aid, which have become a routine part of the package we offer foreign governments, ought to be terminated in most cases. The giveaway arms program should be drastically curtailed.

As for the sale of the wares of war, there is obvious appeal in the argument that it helps to erase our balance-of-payments deficit. But our anxiety to ease the payments problem must not blind us to far more important long-range foreign policy considerations. And I fear we have put the blinders on.

I concede that it makes good fiscal sense to sell arms to such developed nations as Great Britain, West Germany, Belgium, Canada, or Australia. Rich nations which enjoy the protection of our defense umbrella should help offset the costs we incur by maintaining so many American troops abroad—such as the 350,000 we maintain in Western Europe—by purchasing weapons from us. If we refrain from entering the market these countries will fill their orders elsewhere, or manufacture the weapons themselves.

On the other hand, we should avoid export sales into troubled regions, where war hangs in the balance, and we should never promote sales contracts in conflict with our basic foreign policy objectives. Yet today, the tail wags the dog, for we have permitted our short-range concern over balance of payments to override more fundamental interests.

Congress is obviously uneasy about the trend in our sales program. Last year's Foreign Assistance Act directed that sales be ". . . administered so as to encourage regional arms control and disarmament agreements and so as to discourage arms races, especially among less developed countries." This language is nothing more than a statutory restatement of what is supposed to be standing U.S. arms sales doctrine. But how well have the guidelines been followed? Not very, the record reveals.

Early last year, we agreed to sell Argentina 50 subsonic A-4B combat aircraft for an air force which has never fired a shot in anger, except against its own government. Secretary McNamara justified this sale to the Foreign Relations Committee by saying that—

> The alternative was that the Argentine would accept the offer of another nation to sell 50 airplanes at a much higher price, which would involve a much greater diversion from her economic resources.

He seemed to look upon this sale of an unneeded military weapon, as he called it, as a victory for U.S. foreign policy. The victory has proved a Pyrrhic one. Argentina's traditional rival, Chile, reacted by purchasing 21 British Hawker Hunter jet fighters, a superior plane, at a cost of $20 million. This came on the heels of the withdrawal of a U.S. offer to sell Chile A-4B's because of Vietnam demands. The third act in the escalation saw Peru, determined to get its aerial nose ahead of Argentina and Chile, initiate negotiations with the United States, the British, and later the French for even more advanced jet fighters.

Yet Secretary McNamara contends that our military aid and sales program to Latin America "has resulted in our being able to help control a potential arms race and dampen it down."

This is the most sophisticated argument that has yet been advanced, and is one of the latest arguments advanced, in the Committee on Foreign Relations in justification for our military assistance program. Many other arguments have been urged in the past; but, when analyzed carefully, they have been discarded, one by one.

We are now told that the reason we are supplying arms is to enable us to exert control over the arms race itself and dampen it down, and that the furnishing of American fighters to Argentina had that result.

I disagree. By adopting the notion that we can defuse arms races by supplying arms, we implicate ourselves in a chain reaction, the end of which we cannot possibly foresee. Recent events in the Middle East were illustrative of the logical end result of this theory.

And what is true in the Middle East is true over the world; we are needlessly involving the prestige of the United States in local quarrels by selling arms; either to make a handful of dollars or in the vain assumption that we can play the role of Solomon.

It is true that the Defense Department has at times turned down purchase orders. Officials have said "no" on occasion, but not nearly often enough. Although it is entirely proper for the United States to sell to industrial countries which can afford to pay—and at least four-fifths of our arms sales for this year are in that category—we should not dangle our enticing military wares in front of poor countries, whose leaders delude themselves in the belief that a few planes and tanks constitute power and prestige.

The report of the Foreign Relations Committee on the military aid bill last year states:

> The U.S. balance of payments is not in such perilous condition that it has to be salvaged by taking blood money from poorer countries.

If we turned down every sales request for useless military equipment to nations which cannot afford such expensive baubles, the effect on our balance of payments would scarcely be noticed. But the same cannot be said for the obvious contradiction between these sales and the stated goals of American policy. Can it be seriously argued that the sale last summer of 55 M-41 tanks to Brazil was consistent with President Johnson's plea urging Latin America to spend less on useless military hardware, or that the sale was a step toward achieving the goals of the Alliance for Progress?

Foreign Minister Gabriel Valdez, of Chile, has lamented the fact that $1.4 billion is being spent each year in maintaining Latin America's armed forces at the expense of economic development. President Johnson voiced the same concern at the ceremonies marking the fifth anniversary of the Alliance for Progress. In speaking of the necessity for avoiding excessive military expenditures in Latin America, he said that these costs "take the clothes off the backs and food from the stomachs and education from the minds of the children." The arms salesmen in the Defense Department should read that speech. I was pleased that the declaration agreed to at the recent conference at Punta del Este contained a commitment of the Latin American leaders to eliminate unnecessary military expenditure. The United States can do much to help these nations keep that pledge by cutting back drastically on the military aid and sales program for Latin America.

Finally, I think we must face down the argument that if we do not sell to poor countries, they will buy elsewhere. This is nothing less than a demand for prostituting our own principles. If our announced policy of curtailing arms races has any validity, then we must resist the temptation of the opposite course, simply because other countries may choose to follow it. Principles are still important in this cynical world and people everywhere would applaud if we began to practice what we preach on arms limitations. Rabelais wrote that "coin is the sinew of war." This coin we can well afford to cast out of our collection.

The pressures which have made the United States the leading arms merchant to the world must be thoroughly probed. The beginning of wisdom is the recognition that there is a problem, and then the search for answers can begin.

At the hearing last fall on the appointment of Samuel De Palma as Assistant Director of the Arms Control and Disarmament Agency, which is charged with the responsibility for bringing some rationality into the world arms race, he was asked what voice the Agency had in proposed military sales to foreign countries. He answered that the Agency is not consulted. The Agency with the statutory duty to "deal with the problem of reduction and control of armaments" should have some voice in whether or not we give or sell weapons to foreign governments.

The statute creating the Agency states that:

> This organization must have such a position within the Government that it can provide the President, the Secretary of State, other officials of the executive branch, and the Congress with recommendations concerning United States arms control and disarmament policy, and can assess the effect of these recommendations upon our foreign policies, our national security policies, and our economy.

Clearly, the Agency is neither in this "position" nor can it carry out the responsibility assigned to it by the Congress. Its budget for this year amounts to one three-hundredth part of our total military sales and aid programs we planned for this year. Such is the emphasis given to bringing the arms race under control.

The executive branch has shown no real indication that it is prepared to start turning off the weapons spigots. The military aid request presented to the Congress for the 1968 fiscal year, ignoring some budgetary sleight-of-hand, is greater than the amount Congress voted last year. Sales continue unchecked. Congress must put the program on a rational basis, and, fortunately, the Senate has shown signs that it may start cutting it down to size.

The Senate last year restricted to 40 the number of countries which could receive grant assistance, except for those receiving only training in the United States. Mind you, 40 was the restriction placed by the Senate upon the number of foreign governments that may receive our arms giveaways. Although this resulted in dropping only three countries from the giveaway list, Congress, for the first time, forced a numerical limitation on the executive branch. I hope that the

Defense Department's list will be cut even more drastically this year. But the most effective congressional action is a tightening of the purse strings.

Last year an amendment I sponsored lopped $100 million from the foreign aid authorization bill in the Senate, and this led to additional cuts in the appropriations for a net reduction of $125 million in the program.

This year subcommittees of the Committee on Foreign Relations have held a series of in-depth hearings on our military sales and aid policy which have proven the need for a substantial cutback in this program and a general overhaul in our policies. I plan to offer a number of amendments to the foreign aid bill, both in committee, and if necessary here on the floor of the Senate, to accomplish this purpose.

But aside from what the Congress might do to get the program on the right track, the administration should effect a significant change in course as a matter of principle. There is ample opportunity for initiatives to be taken, directly between governments or through the United Nations, toward arms limitations, border guarantees, or regional arms freezes. President Johnson's proposal to the Geneva Disarmament Conference that "countries, on a regional basis, explore ways to limit competition among themselves for costly weapons often sought for reasons of illusory prestige," should be given teeth through judicious use of leverage available to us under our overall foreign aid program.

The greatest danger to world peace—assuming we can prevent the war in Vietnam from widening into a world war—is from some regional dispute igniting into a conflagration which spreads out of the control of those who supplied the arms which touched it off.

The recent crisis in the Middle East proved that there is no conflict between our interests and those of the Soviet Union on this score. Neither nation wants to be drawn into a brushfire war which may lead to a nuclear conflagration. Surely, if there is room for agreement between us on defusing the nuclear race, there must be room for joint United States-Soviet initiatives in limiting the spread of conventional armaments. I would hope that our Nation will take the lead in pushing for United Nations action to control regional arms races, and by a change in its own arms sales and giveaway arms aid policies point the way for the other great powers to take unilateral steps to lessen world tensions.

Of course, there is no assurance that U.S. proposals of this kind would evoke a ready response or inspire the spirit of enlightened self-interest so necessary for international accord. But experience has taught us that failure cruelly crowns inaction or listless resignation. There is cause for neither in the United States. Our power—massive, ever expanding, unparalleled in the world's history—is such that we have a unique opportunity to influence others by the example we set. It is time for us to end the "arsenal diplomacy" which for years has vitiated and distorted our foreign policy.

I yield the floor.

(The following colloquy occurred during the delivery of Mr. CHURCH's address, and is printed at this point in the RECORD by unanimous consent:)

Mr. CLARK. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. I should like to commend the Senator from Idaho for the splendid and incisive address which he has just delivered on the subject of "Arsenal Diplomacy: The Failure of a Policy."

The Senator was kind enough to furnish me with a copy of his remarks, which I have had an opportunity to look over, and I have also heard a good portion of what he has had to say.

I share the deep concern of the Senator from Idaho at our present policy with respect to sales and grants of military hardware to the other nations of the world. I hope that, as a result of the Senator's address, the executive branch of our Government, particularly the Department of Defense, the State Department, and the Arms Control and Disarmament Agency, will take another hard look at our arms sales and grant policy. I agree with the Senator from Idaho that that policy has been a terrible failure.

I should like to explore briefly with the Senator from Idaho a possible alternative policy or a series of alternative policies in various parts of the world where the arms race is being accelerated, with the unfortunate consequences to which the Senator has referred.

First, I raise what may seem to be a relatively minor matter, but I ask the Senator how he thinks the United States could deal with it constructively. This relates to the recent announcement that the Government of Peru is purchasing from the French modern, up-to-date military aircraft.

Before asking the Senator to respond, I point out to him in the vernacular, that I think the Government of Peru needs modern jet fighting and bombing aircraft about as much as it needs a hole in the head.

Peru is one of those countries which are presently governed, at least in part, by a directly elected President, a man for whom I have the highest regard—Belaunde Terry.

It is true that his legislature is not under President Terry's control. It is probably also true, that he has the same problems with the military which we have in this country and which plague almost every other country in the world having a democratic form of government, and even some countries with a totalitarian form of government. But it would occur to me that since Peru has unresolved controversies with its neighbor to the north, Ecuador, and with Chile to the south, the purchase of this equipment from the French by the Peruvian Government is almost certain to escalate an arms race on the west coast of Latin America.

We have no control over the French. How could we go about stopping this kind of activity? Does the Senator think that through the United Nations, or perhaps through the 18-nation Disarmament Conference in Geneva where to be sure the French are not represented, anything can be done to prevent other European countries from moving into the vacuum created by U.S. determination no longer to furnish arms in any significant amounts to Latin America?

I note for the RECORD that it was on the initiative of the Senator from Idaho that we seriously curtailed our military aid program to Latin America last year.

What does the Senator think we can do as a constructive matter to prevent other nations from moving into this vacuum?

I note the Senator refers to this on page 11 of his mimeographed manuscript, where he speaks of facing down the argument that if we do not sell to poor countries they will buy elsewhere, and he states that this is nothing less than a demand for prostituting our own principles.

However, it is rather cool comfort to think that we stand up for principle, yet cannot influence the countries of the free world when they move into the vacuum we have created.

Mr. CHURCH. I would say to the Senator, first of all, that he raises a very important question. My answer to it would be that although we have no control over French, British, or Russian policy, we do have control over our own.

There is no compelling reason for us to supply unneeded weapons to Latin American countries simply because other countries may choose to do so.

I think that we should begin by asserting control over our own policy, setting an example for other countries which might well be emulated in time.

But when we use the argument that if we do not sell arms, others will, we throw away the one opportunity we have to set the right kind of example.

In connection with the particular transaction to which the Senator refers, I think it is interesting to note that Secretary McNamara, some months ago, justified the sale of military aircraft to Argentina upon the ground that the alternative was that the Argentine would accept the offer of another nation to sell 50 airplanes which would involve a much greater diversion from their economic resources.

The Secretary seemed to look upon this sale of unneeded military equipment, as he called it, as a victory for U.S. foreign policy. But I would point out to the distinguished Senator that the victory, if indeed it was one, was a Pyrrhic one, because soon thereafter, Chile, a traditional rival of Argentina, reacted by purchasing 21 British Hawker Hunter jet fighters, a superior plane, at a cost of $20 million. And then, following that, came the Peruvian interest in securing fighter planes. So that what began as kind of self-proclaimed effort on our part to temper the arms race turned out in the end simply to have added fuel to it.

I think this is contrary to American goals—that is, the best interests of the United States with respect to Latin America—and I find it very difficult to justify a policy so inconsistent with our long-term objectives in Latin America.

Mr. CLARK. Will the Senator yield further?

Mr. CHURCH. I am happy to yield.

Mr. CLARK. Also Brazil, a potential rival of Argentina, has been sold, given, or lend-leased American naval vessels, which are ostensibly for a peaceful mission and not directed against Argentina; but certainly an escalation of the size of the Brazilian Navy must be of some concern to the Argentine Navy, I would think. Does not the Senator agree?

Mr. CHURCH. Yes; I agree with the Senator.

Mr. CLARK. I wonder if the Senator would also agree that not only should the United States abandon its present policy of selling or granting conventional arms to a wide variety of countries around the globe, but also we should—at the highest diplomatic level and with every bit of diplomatic energy, through normal diplomatic channels headed by the Secretary of State, but also through the United Nations under the auspices of Ambassador Goldberg, and finally, through the 18-nation disarmament conference at Geneva under the leadership of our Ambassador, William Foster—try to obtain an arms embargo agreement with the nations which have arms to furnish, which will stop once and for all the supplying of all military hardware to underdeveloped countries of the world.

Should not this be a matter of high priority for our Government?

Mr. CHURCH. I think it should. I am not very sanguine as to the chances that we can secure such an agreement at this time, but that is no reason why it ought not to be one of the primary objectives of American policy.

Mr. CLARK. I would make another suggestion to the Senator from Idaho, and wonder whether we should look with a jaundiced eye at the continuation of economic aid to countries which dissipate their own scarce resources by purchasing and utilizing military aid, with the inevitable increase in their budget and the decrease in their resources.

Mr. CHURCH. I agree.

Mr. CLARK. I believe, when the foreign aid bill comes up for markup, this is a matter to which the Senator from Idaho and I, as members of the Foreign Relations Committee, should give our careful attention.

If the Senator will indulge me for a few minutes more, I would like to turn to the area in which the arms race is considerably more critical than anywhere else on the globe, and that is the Middle East. As the Senator knows, I have strongly commended President Johnson for including as one of the five points on which a permanent peace in the Middle East should be based a cessation of the arms race there and the imposition of an embargo on further shipments of arms to that country. We have seen, to my great disappointment, however, that the Russians apparently are rearming the Arab nations to recompense them for the hundreds of millions of dollars, if not billions of dollars, of Russian arms which were surrendered or abandoned as a result of the successful military operations of Israel.

I have been of the view that the Russians might very well be persuaded, if we were to take the initiative, that, having furnished the Arab nations of the Middle East with military hardware said by some to total $3 billion—certainly at a minimum, running well over $1 billion—they should be reluctant to start the same vicious circle again, particularly since, I have been reliably informed, they have not been paid for about $1 billion of the arms already furnished the Middle Eastern countries.

So it is entirely possible, if we exert ourselves enough diplomatically, to come to terms with the Russians on ending the rearming of the Middle East.

I point out, in this connection, that probably the Russians would not come to any such agreement unless we could make a certain agreement with respect to the Israelis, who have always said they were interested in complete and total disarmament in the Middle East. So if there is going to be any more fighting in the Middle East, let it be with bows and arrows, and not with tanks and airplanes.

I wonder if the Senator agrees that here is an area in which we should use all available diplomatic weapons to persuade the Russians to join us in this effort?

Mr. CHURCH. I agree with the Senator. I repeat that present indications are that the Soviet Union is not interested in such an arms embargo. However, again, I think it ought to be a primary objective of American policy, so that we make it clear to the world that we are prepared, when other countries such as the Soviet Union, France, the United Kingdom, and the other principal suppliers of arms to the Middle East, are willing to enter into an agreement, to join them in a common effort to either eliminate or reduce the flow of arms into this very volatile, dangerous, incendiary region of the world.

Mr. CLARK. Would the Senator not agree that, as a first step in that direction, Congress should endeavor to have our Defense Department stop furnishing any more arms to any Arab nation?

Mr. CHURCH. I think we will put an end to the arms giveaway program only by congressional action. I have long been convinced of this. The Senator will recall that, some years ago, I sponsored an amendment to the foreign aid bill to prohibit the further grant of our arms aid to rich countries.

In 1964, 8 years after we had terminated further economic aid to the countries of Western Europe, we were still supplying some $400 million worth of arms annually to countries that had fully recovered from the effects of the war, and, indeed, were enjoying a higher level of prosperity than ever before—countries like West Germany, Italy, France, the United Kingdom, the Scandinavian countries, and Japan. Yet, we continued to supply them with very large grants of military aid simply because the program, once established, continued to operate on its own momentum.

It was only after a 3-year effort in Congress that the amendment I sponsored was made a part of the foreign aid bill. It simply prohibited further grants of military aid to countries that had become self-sustaining and were able, on their own, to maintain and equip their own armed forces. That finally began to turn the spigots off.

I think until Congress stands up and undertakes to cut back either the amount of the appropriation each year, or the authorized ceiling for the program—in other words, until the Congress pulls back on the purse strings—this general arms giveaway program will continue. I have no confidence that those who administer the program will soon be disposed to put themselves out of business.

Mr. CLARK. The Senator will recall that he went further last year and sponsored an amendment, which was passed by the Senate and agreed to at least in part by the House of Representatives, substantially curtailing the total amount of military aid to all countries and terminating military aid to Latin America, an action for which I congratulate him.

I point out to the Senate that earlier this year I made a report to the Committee on Foreign Relations entitled "War or Peace in the Middle East," in which I suggested that the Egyptian economy was close to disaster or chaos, and that an international consortium would probably have to be organized to save the Egyptian people from the mass starvation which would result from the disintegration of their whole economic system.

I suggested at that time that as a condition of participation in such an international consortium, the United States should insist that Nasser be required to bring his troops home from Yemen and stop spending about 25 percent of his budget on military hardware and military training, as a condition of receiving badly needed economic aid.

Since that report was written, the Suez Canal has been closed and tourists can no longer safely go to Egypt, with the end result, as we see in the papers this morning, that the Egyptian economy is on the verge of disaster. So I wonder if the Senator from Idaho will not agree that our policymakers in the Treasury, in the State Department, and elsewhere, should be thinking long and hard as to the possibility of organizing an international rescue mission for the Egyptian economy, which would have, as one of its requirements, no more arms for Nasser.

Mr. CHURCH. I would say to the Senator from Pennsylvania that I think the United States should admit, here and now, that the policy of arming Arab countries has been a failure, and resolve that we are through doing it, we are finished, we do not intend to resume it again. The rationale behind the program has now been exposed as thoroughly fallacious. As the Senator knows, for years the program has been justified by the argument that it would help prevent a polarization in the Middle East—that if the United States supplied military aid to Arab countries, and balanced that aid in such a way as to maintain some kind of theoretical military equilibrium, it would prevent a situation where the Soviet Union would be linked up with the Arab countries and the United States with Israel, a polarization which would be awkward and adverse to the best interests of the United States. But that idea is pure fancy.

Mr. CLARK. It has not worked, certainly.

Mr. CHURCH. Of course it has not worked. Anyone familiar with the birth of Israel knows that the United States played a role there that identifies this country as midwife at the birth of Israel, and that the bonds that exist between some 6 million Jewish citizens of this country—cultural, religious, and ethnic in character—constitute a tie with Israel that all the world recognizes exists, and particularly so the Arab countries. When the moment of truth came, a few weeks ago, all the Arab countries arrayed themselves against Israel, proclaimed the Soviet Union their champion, and then marched forth into a military debacle swiftly administered to them by the Israeli armies in 4 days of brilliant military achievement, following which they then proceeded to blame the United States for their humiliation. All that our arms aid policy accomplished was to add to the sum total of the warmaking potential of the Arab countries, helping to embolden them to mass against Israel, thus contributing in a very direct and undeniable way to the war itself. The policy was a failure; and there is nothing that is quite so good for the soul as a candid admission of failure, and a readiness to adopt new policies which will demonstrate that we have learned our lesson.

I say to the Senator from Pennsylvania that if we are incapable of learning from our own experience, if this country has become a kind of huge dinosaur, with policies permanently emplaced by a treadmill bureaucracy—policies which will not change even in the wake of such a devastating demonstration of failure—then our country, like the dinosaur, may be headed for extinction.

Mr. CLARK. Finally, I ask my friend to comment on this thought: As the Senator knows, there is a pretty good working arrangement, at the scientific level, between Russian and American nuclear scientists. It has been my good fortune to have some slight contact with both groups, though a good deal more, naturally, with the Americans than with the Russians.

I have come to believe that the Russian scientists are just as much disillusioned with the military policies of the Kremlin as the Senator from Idaho and the Senator from Pennsylvania are with the arms control and disarmament policies of our own Government. One can pick up in Moscow, without too much trouble, the general view: "Kosygin is a patsy for his military, and the Russian antiballistic missile system is no good."

We have a somewhat similar situation in our country. Unfortunately, in Russia the Presidium of the Supreme Soviet does not seem to have even the relatively mild impact on policy which the U.S. Congress still has. But I would hope that by speaking on the floor this way, by our activities in the Committee on Foreign Relations, by our handling of the foreign aid bill, and in a number of other ways, we could encourage those agencies in the executive branch of the U.S. Government which are supposed to be working for peace and not war to stand up against the Joint Chiefs of Staff and our military. I refer specifically not only to the State Department—which to my way of thinking is pretty much in the pocket of the Pentagon—but also the Arms and Disarmament Agency, which has the statutory responsibility for dealing with these matters, but which, as the Senator points out so well in his speech, is not even consulted when these arms problems come up for decision at the highest level in our Government.

I thank the Senator for his kindness in yielding to me. I congratulate him again on his splendid speech, and I express the hope once again, not entirely in a lighter vein, that many of the good citizens of Idaho will read this speech and come to the conclusion that they have as the senior Senator from that great State one of the two or three most effective disciples in the U.S. Senate of the cause of peace, arms control, and the general relaxation of world tension, and that they be guided accordingly when they cast their ballots.

Mr. CHURCH. I thank the Senator very much for his generosity.

Mr. GRUENING. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I am happy to yield to the Senator from Alaska.

Mr. GRUENING. I should like to say, first, that the Senator from Idaho has made one of the most important, most needed, and most eloquent presentations concerning one of the great errors in our foreign policy. I consider Senator CHURCH's logic to be completely unanswerable. He has demonstrated conclusively, and he has taken this position before—unfortunately, not heeded by the administration—that our sale of arms to foreign nations, as we have carried them out, has been the height of folly. It has helped precipitate conflict between recipients for purposes not intended by Uncle Sam, the supplier of arms, and, as the Senator pointed out many times, the arms sold to nations designed to contain communism in various parts of the world have been used, instead, to fight each other.

Particularly in the case of Argentina and Chile, which Senator CHURCH discusses, and other South American nations, and has been the subject of discussion before, the Senator has made clear that in these nations, all of which are inadequately pursuing their policies of economic progress, development, and social reform we are or have been spending vast sums of money on foreign aid.

I wonder whether the Senator would not think it advisable and good policy, if and when alternatives as presented in the case of Secretary McNamara when he stated that if we do not sell arms to them, they will buy them from someone else, to say to these nations receiving our economic aid and expressing a need for it, "We will not give you any economic aid unless you spend all the money for constructive nonmilitary purposes."

Two years ago I made a report, as chairman of the Subcommittee on Foreign Expenditures for the Government Operations Committee, to show that our program in Chile, which was perhaps the most favorable of all South American nations from the standpoint of probable success, was an example of failure.

President Eduardo Frei Montalva of Chile, than whom there is no more enlightened president of a Latin American country, a sound progressive whose strong and democratic leanings in an article in the April issue of Foreign Affairs, the quarterly which is the official organ of the Council of Foreign Relations and a highly responsible publication, is only critical of our arms policy in Latin America and points to the arms race as one of the reasons for the failure of the Alliance for Progress. It is pertinent to quote at this point what he wrote:

> The armaments race also conspires against the strengthening of the Alliance. The annual expenditure of the Latin American countries on armaments has reached $1.5 billion. Yet the average yearly sum made available by the United States to Latin America in the period 1961–65 was $1.1 billion. The two figures clearly show that present arms purchases seriously undermine the objectives of the Alliance. A Latin American country in 1965 had, in proportion to population, approximately the same number of men under arms as the United States . . .
>
> Nobody can possibly suppose that these weapons and armies are going to deter an aggressor from outside Latin America. Equally, the assertion that to stop subversion these countries must purchase fifty-ton tanks, supersonic aircraft and battleships, defies belief. The armaments race encourages distrust and nationalism and these in turn are among the chief enemies of integration. It also diverts important resources which should be utilized to satisfy the urgent need for economic and social development. . . .

And it is pertinent elsewhere in his article, he adds:

> There has been no strengthening of the political and social foundations for economic progress in Latin America. This is the reason why the ultimate objective of the Alliance—the formation of just, stable, democratic and dynamic societies—is as distant today as it was five years ago . . .

The Senator from Idaho recited the case of the sale of arms to Argentina, and Chile promptly responded with a request for arms also. I think it would not be imposing an undue restriction to say to these nations, "We want to help you. We want to help you develop. We know you have grave need for that help because you have insufficient schools, inadequate health facilities, deplorable situations all over which we would like to help you rectify; but we do not propose to pour our dollars into your country when you spend this money on arms which are used only to upset existing governments and create tensions with your neighbors which are wholly unnecessary."

I wonder whether the Senator from Idaho would feel that such a position by the United States would be an undue invasion of the sovereignty of these nations? I would point out that it seems to me no nation, after all, is obliged to accept our foreign aid. Neither are we obliged to give it. I think we would be fully justified in saying to them: "We will give you all kinds of economic aid, as we have in the past. We want to help you, but we are not going to subsidize military expenditures either by the sale of arms or by permitting you, if you do not receive them from the United States, to buy them from other nations."

I wonder whether the Senator from Idaho would comment on that.

Mr. CHURCH. I think that the Senator from Alaska makes an extremely strong point. Let us not fool ourselves. We are serving certain national objectives through our foreign aid program in Latin America. The President of the United States has declared that one of our primary objectives is to reduce the arms race and the level of expenditures in these countries for unneeded armaments.

I should think the United States should use all the influence at its command to achieve that objective.

Instead, we are not only selling arms in direct contradiction to the stated goal of American policy, but we are also giving away arms to Latin American countries, as well as to the newly emerging countries in Africa and elsewhere.

When we send the wares of war across the continents of the world, as we have done, then we should not be surprised when these wares of war are put to use on the battlefield, for purposes totally unrelated to what we thought at the time we disbursed the arms.

Mr. GRUENING. Not only unrelated, but in direct opposition.

Mr. CHURCH. Yes, and often to the great injury of the United States.

Mr. GRUENING. Correct.

Mr. CHURCH. As was the case in India and Pakistan, and is now clearly the case in the Middle East.

All I ask is that we learn from our experience.

Although the Senator from Alaska has advocated a much more far-reaching policy, with which I have much sympathy, all I am asking today is that we recognize our mistake, and that we do not reinstitute a program which has been such a notable failure.

I recognize, at the same time, that there will be places where the situation may call for American arms aid. I do not speak for any blanket rule of universal applicability; rather I speak against what has happened, against military aid as a routine part of the package we offer foreign governments. In fact, we have done a great deal—as I pointed out in my remarks—to stimulate these foreign governments to ask us for military aid of various kinds which we then, promptly and eagerly, slapped on.

This has been not only an indiscriminate policy, but a foolish and injurious one.

I certainly want to associate myself with the sentiments the distinguished Senator from Alaska has expressed relative to our arms aid policy in Latin America.

Mr. GRUENING. May I point out also, in connection with the Senator's very illuminating discussion of the Middle East situation, that we not long ago sent a lot of arms to Jordan. Indeed, we rushed them there. The role of Jordan, as presumably our Government visualized it, was a kind of buffer state, a sort of pacifier, a state which, while Arab, was less extreme than the more highly antagonistic and belligerent states, as far as Israel was concerned, such as Syria and Egypt. Yet on the very eve of this concerted Arab attack, little King Hussein rushed over, embraced Nasser, and said, "I am with you." This was in the face of the fact that before this last war actually broke out the Israeli Government had approached the Jordanian Government and said, "We will not attack you if you do not attack us." That offer was disregarded, with the result that Jordan has lost a tremendous amount of area, many lives, and added to the casualties on both sides, with complete disaster to itself. If the United States had not sent arms to Jordan, this tragic situation might have been avoided. Both Jordan and Israel needlessly lost lives. This is a dramatic illustration of the point the Senator from Idaho has made.

Mr. CHURCH. I point out to the Senator from Alaska that this year we had planned to disburse, in the ordinary distribution of our routine military aid program, $47 million of new military equipment, ammunition, weapons, and supplies, to Arab countries. What is the point of such a policy? To add to their military capabilities? To embolden them to go to war?

I am happy to say that it is now impossible for us to proceed with this planned disbursement of $47 million of military equipment, because some of these countries have now broken off diplomatic relations with the United States, and, in that situation, it is hard for us to press our aid upon them.

Mr. GRUENING. Let me point out to the Senator that in past years it has frequently been our policy to press our aid on nations whose policies were antagonistic to ours. We nevertheless pressed them to accept our financial aid.

It seems to me that this is an extremely shortsighted policy. I feel we have taken a position again and again, which is a compulsive attitude, that we must give everybody aid. In all history no nation has ever squandered so much on so many. This has gone on for many years when it had long been obvious that those nations were following policies which were directly antagonistic to those that we were pursuing.

While we have temporarily suspended that policy—and I hope it will be permanent as long as they continue to pursue aggressive policies—it is a fact that until a year ago we were giving aid to Nasser, despite that his every action had been contrary to the things we profess to seek. He engaged for over 3 years in an undeclared war in Yemen, at a cost of half a million dollars a day, using funds we had provided to help his undernourished Egyptians. While waging that aggressive war he was preparing to attack Israel; was building up an arsenal of arms, using ex-German Nazi scientists; was urging his Lybian neighbors to kick us out of Wheelus Air Force Base, a request which Egypt now has renewed; interposed no objection to the burning of the Kennedy Library; shot down an unarmed American plane which had flown over Egypt with the loss of two lives. Nasser supported the Communists in the Congo. He poured oil on the brush fires in Cyprus. Finally, the grain we were sending him to help feed Egyptians he resold to the Iron Curtain countries.

If that experience has not taught us to change our policy, I do not know what will. I am painfully impressed by the fact that in our foreign policy we do not seem to learn by experience.

I have followed the foreign aid program with increasing apprehension during the years I have been in the Senate, because I feel that some foreign aid is needed and could be useful both to the recipients and to us, but it has often gone to the wrong people. It has gone to dictators. It has gone to oppressive regimes. It has gone to places where it has been obviously misused and where, far from achieving the results which it was supposed to, has produced opposite results.

We need an entire revision of our foreign program. I am hoping the Foreign Relations Committee, of which the Senator from Idaho is a distinguished member, will take a much harder look than it has in the past at the program.

I regret to say that it is my impression generally that in the past the Foreign Relations Committee has accepted, perhaps not enthusiastically, the presentations of the State Department and AID officials, on the assumption that Congress could not do much about it. I think it is past time to have a revision of that attitude.

I now see on the floor another distinguished member of the Foreign Relations Committee, the senior Senator from Tennessee [Mr. GORE]. I hope he too will join in a careful, critical examination of our foreign aid program in the future, so that at least, following the suggestions of the Senator from Idaho, we will not continue to give or sell arms to nations which have used them for entirely different purposes than for the objectives which we profess.

The time has come, with respect to a larger aspect of this issue, that the Senate should recapture some of its prerogatives as a part of the legislative branch, take a more active part in making foreign policy and exerting its influence in what appears to it to be in the public interest and not yield supinely to the pressures of the executive branch.

Mr. CHURCH. I thank the Senator from Alaska for his comments. As I said before, the United States was the midwife at the birth of Israel, and the Arab countries have been determined, ever since, to kill the child. Yet as late as January 1967—and I read from the Washington Post—we were airlifting arms into Jordan.

Mr. GRUENING. They got there just in time to enable Jordan to embrace Nasser.

Mr. CHURCH. The Senator is correct. They got there in time for Jordan to embrace Nasser and to join in the Arab encirclement of Israel. It is quite obvious that those arms were used by the Jordanians in the fighting that later broke out between the Jordanian and Israeli armies.

Would it not be refreshing if the American people were to get up some morning soon and read a candid admission in the newspapers that, following a review of our policy in the Middle East, it had been determined that we had made a mistake? How many dentures would fall on the breakfast plates of this land if ever that were to occur? Yet, how good it would be for us to acknowledge that the hundreds of millions of dollars in arms that we had been supplying Arab countries, some of which were turned against Israel in recent weeks, were a part of a policy that did not advance the best interests of the United States and did not, in fact, contribute to the peace and stability of the Middle East but, rather, added to the war potential of the Arab countries, which had proclaimed, over the years, their intention to drive the Israelis into the sea. As a result of this mistaken policy, the United States might conclude that it would not again furnish arms to the Arab countries for such a purpose or, indeed, for any reason, because of our judgment that the supplying of arms would only contribute once more, as it has in the past, to the outbreak of dangerous warfare in the Middle East.

Mr. GRUENING. I share the view of the Senator from Idaho that it would be wonderful if the American people were to wake up some morning and listen to a confession of error by our administration. I am hopeful that that day will come, but I am not too optimistic.

Mr. CHURCH. Perhaps it is not in the nature of governments to admit error. I was speaking facetiously. Still, it would be good for the soul.

Mr. McGOVERN. Mr. President, will the Senator yield, or does he prefer to finish his speech?

Mr. CHURCH. I shall suit the preference of the Senator from South Dakota.

Mr. McGOVERN. I wish to join in congratulating the Senator from Idaho on an excellent speech, one that has been thoughtfully prepared. I am only sorry that I was not present to hear the entire speech delivered. However, the Senator was kind enough to give me a copy in advance, and I have read it. I think it is the most thorough statement that I have yet seen of a problem that growing numbers of people are coming to recognize.

It was the Senator from Idaho who led the way last year in bringing about a reduction of $100 million in military aid that was moving under our aid program. His concern not only last year but also previously in trying to scale down military aid shipments has been borne out by the tragic events in the Middle East during the last few weeks.

My understanding is that some $4 billion worth of military equipment was wrecked over there in the course of about 3 or 4 days of fighting, which indicates the folly of trying to build military strength on a foundation of misrule, poverty, and misery of the kind that exists in so much of the Middle East. Even laying aside the moral and political issues involved, it is impossible to build an effective fighting force on that kind of foundation of sand. Such a foundation of economic, social, and political injustice will not permit even military forces to be effective.

I recall that about 10 years ago, on the first overseas mission I ever made as a Member of Congress, then serving in the House of Representatives, I visited nearly all of the countries in the Middle East. At that time, I was disturbed about the flow of American military equipment into areas that seemed to have so many other needs that should have had priority. Water resource development, improvements in their agriculture, improvements in their educational system—all of those things, it seemed to me, should have had much higher priority. But we were told that the reason for the military aid was to build a kind of bulwark there against Soviet penetration in the Middle East.

At that time, one of the most friendly governments to us was the Government of Iraq, with its capital at Baghdad; and everywhere I went in the Middle East, I was told that that was the classic example of the effectiveness of our military aid program. Yet within a few weeks after that study mission was completed, I read in the press that that comparatively pro-American Government—headed, I believe, by Premier Said—had been deposed and destroyed by the very military organization we had helped to build.

I think that again underscores what the Senator has said. Even in Greece, which we think of as a fairly successful recipient of our military aid, we have seen in recent months a government of liberal pro-Western orientation deposed by a military clique whose future and inclination are uncertain and unclear.

I think more often than not, instead of our military aid being used to repel invasion from abroad, it has been used to defeat reform from within—reform that is essential if democracy and freedom are to grow and prosper in those areas.

So I commend the Senator enthusiastically and with great appreciation for the excellent statement he has made here today.

Mr. CHURCH. I thank the Senator very much. I wish to say just one further word about the point he raises.

Foreign armies are a notoriously unreliable investment, either for the United States or for any other country. Our experience has been mirrored by the Russian experience; and the notion that we can secure some kind of friendship by being generous with the supply of arms we extend to any given foreign army simply represents the triumph of naivete over experience.

The Russians generously supplied the Algerian Army. As I pointed out a few moments ago, the tanks they furnished were the ones that ringed Ben Bella's palace, bringing down the government that the Russians so strongly favored. In Indonesia, the Russians supplied large quantities of arms for an Indonesian Army, which then put 200,000 Communists to the sword in the most devastating reprisal against communism that has occurred in the postwar period.

I must say that I am very happy that the Russian military aid program proved such a failure for the Russians; but I point out that our aid program has also, in many instances, proved a failure for us; and we must recognize that fact and deal with it. Nowhere is it more evident than in the recent conflict in the Middle East. Clearly the contribution we made in supplying military equipment, ammunition, and firepower to the Arab countries, adding to their total military capacity, helped embolden them to seek a military reckoning with Israel. So our policy backfired against our own interests in the Middle East, even as it did against our own interests in the Indo-Pakistani war a year or so ago.

That is why I plead here today that we take these lessons to heart, and that we stop the practice of furnishing routine military assistance on a global basis, because, as the Senator well knows, for years military aid has simply been a part of the package we have offered in the most indiscriminate way. I hope now, with the reassessment of policy that follows the disaster in the Middle East, having learned our lesson, we will drastically curtail our arms sale and giveaway program.

I note, in this connection, that the distinguished Senator from Tennessee [Mr. GORE] is on the floor. He is chairman of the Disarmament Subcommittee of the Committee on Foreign Relations and has conducted some very useful and important inquiries into this subject matter.

Mr. GORE. Mr. President, will the Senator yield?

The PRESIDING OFFICER. (Mr. SPONG in the chair). Does the Senator from Idaho yield?

Mr. CHURCH. I yield.

Mr. GORE. Mr. President, I have listened with great interest to the able address by the distinguished Senator from Idaho.

I compliment him on making a thoughtful and provocative speech.

It has occurred to me as President Johnson and Mr. Kosygin were conferring, as it has occurred to me before, that at no time in history am I aware of an instance when two nations have so great a mutuality of interest as is the case now with the United States and the Soviet Union.

What is that mutuality of interest? It is self-preservation. In the event of a nuclear war, where would destruction be wreaked?

Of course, it might fall in other places, but in case of a nuclear exchange between the United States and the Soviet Union, we may be sure that the destruction would fall primarily upon the people of the United States and the people of the Soviet Union.

During the course of our hearings on the deployment of antiballistic missiles, it was testified that there are in place now, with aiming devices in perfected readiness, weapons trained upon the population and industrial centers of the United States by the Soviet Union, and weapons of the United States are placed and trained and aimed upon the industrial and population centers of the Soviet Union, in silos, on submarines, and in planes, some of which are always in flight.

It was testified that each country had the capacity in a quick exchange, in a matter of hours, to kill an estimated 120 million people in each country and, in addition, render large portions of each nation uninhabitable.

What greater mutuality of interest

could any two peoples have than to avoid such a catastrophe?

Mr. CHURCH. May I interject at this point to indicate how ironic it is that, with the awesome arsenals of nuclear weapons that the United States and the Soviet Union have accumulated, we are not the most secure people of the world, but rather the most imperiled people of the world. That is, the end product has been to render us, as the Senator has so vividly described, subject to nuclear hammer blows which would effectively destroy both countries as places of consequence for generations to come, and transfer the mainstream of civilization to countries on the periphery of the holocaust. I believe that this is hardly ever emphasized, so military-minded have we become, and yet it is the most significant thing that can be said about the nuclear arms race between the United States and the Soviet Union during the postwar period.

Mr. GORE. Will the Senator yield further?

Mr. CHURCH. I am happy to yield.

Mr. GORE. In view of this fact, it would appear that it would be greatly in the interest of both countries not only to achieve a better understanding of their leaders—as now I am pleased to think has occurred—and to establish and practice lines of communication between themselves, moreover, to promote varied cultural exchange and treaty and economic relations, all of which are avenues of friendship, but also to be keenly aware of the danger of armaments races between smaller countries and the danger of a world conflagration flowing from a breakout of war such as the tragedy we have just witnessed in the Middle East.

This leads me to the conference now underway in Geneva, seeking a treaty on the nonproliferation of nuclear weapons. As I have understood the problem, the United States and the Soviet Union have been near agreement upon the terms of a treaty for some time now. One outstanding matter lacking agreement has to do with safeguards. Surely, we can find enough mutual interest in preventing the proliferation of nuclear weapons to find an area of agreement on safeguards. The greatest safeguard is to stop the spread of nuclear weapons.

As chairman of the Subcommittee on Disarmament, I have been invited to come to Geneva and participate in the conferences, and I believe I shall go pretty soon.

Mr. CHURCH. I certainly hope the Senator will go.

Mr. GORE. I hope other members of the subcommittee can go, also, to lend whatever encouragement we can to conclusion of a treaty. It should not be delayed longer, if it can be concluded on terms upon which we can rely.

Let us suppose that in the tragedy of the last few weeks in the Middle East, those countries had had an arsenal of nuclear weapons—even two or three. Can the Senator doubt that, in order to forestall defeat, the temptation would have been almost irresistible to use the weapons, had Nasser had them in his arsenal?

Mr. CHURCH. The danger would have been extreme.

Mr. GORE. Or let us turn it the other way: that Israel, having guns trained upon her from all directions, except from the sea, and her life threatened, the temptation to have used nuclear weapons would have been almost irresistible, self-preservation being the first law of nature and nations. But if self-preservation is the first law of nations, it seems to me that it should be the first law of the greatest of nations, whose peril, as the Senator has said, is more imminent and more threatened now than any other.

So in considering the problem of armament sales and armament gifts—military aid—it seems that our country and the Soviet Union should be keenly aware that the armaments races between countries in Latin America, in the Middle East, in Africa, or wherever, indeed pose a threat to the great powers themselves.

Mr. CHURCH. The Senator is correct. In all likelihood, if we are ever incinerated in the funeral pyre of a thermonuclear war, it is quite likely that it will be the end product of some peripheral war, some so-called brush fire war, which rages out of control. And if it were to be a war fueled, in the first instance, by the disbursement of American armaments, it would indeed be a Frankensteinian tragedy—a policy turned back upon us, which destroys the Republic.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. COOPER. I ask the Senator if other countries buy through regular channels or through Government channels in addition to the 40 countries the Senator has mentioned.

Mr. CHURCH. Yes. This restriction applies only to the donation by the United States of military hardware—ammunition, guns, and equipment. Other governments may buy from us. The Senate did not impose any restriction with respect to them.

Mr. COOPER. In connection with the foreign aid bill which is pending in the House of Representatives, and which will come to the Committee on Foreign Relations, does the Senator have an estimate as to the total amount requested for the grant program? What was the total?

Mr. CHURCH. The total asked for this year is $596 million, but that excludes the military aid for Laos and Thailand, which, as the Senator knows, is very substantial.

Mr. COOPER. The total for Vietnam, Laos, and Thailand must be about a half billion dollars.

Mr. CHURCH. The Senator is correct. The total program for those three countries is very large indeed. However, in addition to this program, the administration is asking for nearly $600 million for military aid to these other 40-some countries.

Mr. COOPER. Is there any restriction at all placed upon the program by the Government, through license or otherwise, on the sale of arms to countries?

Mr. CHURCH. I am not aware of any such restriction. There was, at one time, a law that imposed serious restrictions on the sale of American armaments abroad. However, that restriction was 30 years ago when we thought that supplying arms to foreign governments might embroil us in unwanted foreign wars. Our attitude has changed completely.

Mr. COOPER. I note that in the speech of the Senator from Idaho he said that as late as 1964 we still had a grant program for affluent countries in Europe.

Mr. CHURCH. Yes.

Mr. COOPER. Later the Senator said we were still supplying some of those countries with arms.

Are we still providing military grants to countries in Europe?

Mr. CHURCH. As a result of the enactment by the Congress of an amendment I proposed to the foreign aid bill, the law presently prohibits the further grant of military aid to self-sufficient, affluent countries; these countries being located, in the main, in Western Europe, but including Japan.

However, when the amendment was passed, it did not apply to commitments that had already been made but not yet fulfilled. These commitments, made previous to the adoption of the amendment, have continued to be implemented. I am not certain whether the last spigots of aid have been finally turned off to the prosperous countries of Western Europe. I am advised that some aid is still being extended but this is only because the amendment did not relate to commitments that were in effect at the time of the adoption of the amendment.

Mr. COOPER. I compliment the Senator for having given a comprehensive statement of our military aid policy, which appears to be a policy to promote arms sales throughout the world.

I agree with the Senator that the situation in the Middle East could have developed into a confrontation between the United States and the Soviet Union, which should give us all cause for pause, and give the administration great concern.

I hope very much that the proposal of the President to try to limit the arms race in the Middle East—which I think we all approve—will be successful; but I believe that we should take the lead, as the Senator has suggested, by cutting down on arms sales throughout the world. I believe that the Senator has made a great contribution in this matter. I also appreciate the remarks of the distinguished Senator from Tennessee [Mr. GORE], who developed the theme that led into the entire problem of disarmament.

Mr. CHURCH. I thank the Senator very much for his remarks. It is always with great pleasure and respect that I serve with him on the Committee on Foreign Relations.

Mr. YOUNG of Ohio. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. YOUNG of Ohio. Mr. President, I have listened to the speech of the Senator from Idaho in its entirety and I shall continue to listen until the Senator has completed his remarks.

I commend the distinguished senior Senator from Idaho [Mr. CHURCH] on the truly magnificent speech he is making. He has performed a real public service. His remarks today are without question an important contribution to world peace.

I agree with him that our military assistance program, so-called, more often than not operates against our best national long-range interests. Furthermore, it serves to intensify tensions in many areas of the world rather than to decrease them.

The most recent obvious example of the bankruptcy of this program was the war in the Middle East. It is well known that we engaged with the Soviet Union in an armaments race in that tension-ridden area. We have seen the results.

Mr. President, last Wednesday I noted an excellent editorial in the Washington Post entitled "Shakedown in Peru," which deplored the fact that this year the military in Peru is spending $196 million, a $36 million increase over last year. This represents 19 percent of the Peruvian budget. The fact is that Peru's security needs have not changed in the least during the last 12 months. Even more distressing is the fact that Peru has requested supersonic jet aircraft from us. No other Latin American air force has them. Their acquisition by Peru would in all probability result in our being requested by military leaders in almost every other Latin American nation to furnish latest model jet warplanes as needed military aid to these various Republics.

Just as the distinguished Senator from Idaho has pointed out, it is high time that the philosophy behind our providing military hardware to Latin American governments be reviewed and drastically modified. With our neighbors to the south facing so many serious economic problems and faced with serious social ills, it is unconscionable that we continue to provide hundreds of millions of dollars annually for guns, tanks, and planes to every tinpot Latin American dictator or military junta. This is just one example of many to point out the efficacy of the remarks made by our colleague this morning.

I shall certainly support him in his efforts to reduce appropriations for military assistance to nations which do not at all require it including nations ruled by fascist dictators such as Franco in Spain and that tyrant Duvalier in Haiti. In fact, much of this equipment is earmarked not for defense but for potential aggressive purposes.

Mr. President, as I pointed out to the Senate in a speech earlier this month, the recent and continuing events in the Middle East should have made clear to the leaders of nations the folly of continuing the arms race in the Middle East and in other areas of the world. If the world has learned anything from this recent tragic experience, it should be a recognition of the futility, the folly, and the extreme danger to world peace created by the escalation of armaments to tension-filled areas of the world.

One of the foremost topics discussed at the Glassboro meetings between President Johnson and Chairman Kosygin was how to decrease the production and distribution of conventional armaments and to prevent the spread of nuclear weapons. This is the key to all efforts to bring about lasting peace.

I am hopeful that the discussions which took place at Glassboro between the leaders of the world's two greatest powers will be a prelude to efforts to solve the Vietnam war and the Arab-Israel conflict. The atmosphere in which the meetings were held and the obvious eagerness of both leaders to begin to try to reach an understanding toward reducing world tensions bode well for mankind. Let us hope that the spirit of Glassboro will continue through the perilous weeks and months ahead.

The Arab-Israel war carried the seeds of a third world war. A miscalculation or a misjudgment by any of the nations involved could have thrust the world into a nuclear holocaust. It made thinking men the world over realize the even greater dangers that could have resulted if the parties in this conflict possessed nuclear weapons and in desperation used them.

It is therefore of vital importance that our President be supported to the utmost in his efforts to negotiate international agreements limiting not only the spread of conventional armaments but also the spread of nuclear weapons. The recent war in the Middle East has shown the world how important it is that a treaty for the nonproliferation of nuclear weapons be concluded with the ratification of every nation which could conceivably become a nuclear power.

Whether or not this is done will determine whether future generations will enjoy a peaceful world or will continue to live as we have lived throughout the last 20 years in a grim period of international anarchy marked by sporadic wars and haunted by the threat of nuclear war.

May I again congratulate the distinguished Senator from Idaho [Mr. CHURCH] on his efforts today to help assure that our children and our grandchildren may live in peace and security with the great productive power of our Nation providing plowshares and food for the needy of the world rather than war planes, tanks, bombs, and guns for those who might conceivably destroy mankind.

Mr. CHURCH. Mr. President, I thank the Senator from Ohio very much for his remarks. I certainly appreciate his indicated offer of support for the attempts which I will make, at the appropriate time, when the foreign aid program is before the Senate, to cut back on this continuing arms giveaway, because for reasons the Senator himself has noted, it has so often backfired against the United States.

Mr. BYRD of West Virginia. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I am happy to yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. I commend the Senator for an enlightening and challenging speech. He has presented a forthright and reasoned argument in support of a cessation of the arms race in the Middle East and elsewhere. I hope that our people in the State Department and in other areas of the executive branch will take heed.

I join the Senator in his thesis that the arms competition in which the great powers have been engaged cannot bring peace through military equilibrium of a sort. It can only result in continued wars and rumors of wars which can engulf not only little, would-be Caesars but also the great powers themselves.

It is foolhardy for the United States and Russia to continue playing with fire by providing modern arms and economic assistance to countries whose feeble resources should be channeled not into the pursuit of arms but rather to the pursuit of activities which will strengthen their economies and raise the standards of living of their people.

It is utter folly to supply modern arms to primitive countries in South America, for example, whose meager budgets need to be concentrated upon the provision of better social services, improved health services, and better roads and schools for their illiterate, poverty-stricken, and burgeoning populations.

As the distinguished senior Senator from Idaho has stated, there may be exceptions to a policy of nonsupply of arms to small and fledgling countries in South America, the Middle East, Africa, and elsewhere, but the time has come for us to take a new look—a critical look—at our policy of providing arms to countries which use those arms for purposes that are foreign to our own purposes, inimical to our own good interests, and injurious to the peace of the world.

It is also necessary that we reevaluate and revise what amounts to a policy of utter folly in providing economic assistance to countries which use their own meager finances to buy military equipment, thus arming themselves to the teeth while American farmers and taxpayers provide the feed and grain for their impoverished people.

I am encouraged by the position taken by the Senator from Idaho. I hope that he will continue to express that position and that we will all continue to press for a reassessment of our military and economic aid policy.

In so doing, we will not only render a service to the American taxpayer, who bears a grievously onerous burden, but we will also serve the cause of peace and, in the long run, the cause of American mothers and fathers who have to pay the price of giving their sons when the necessity arises to prevent small wars from growing into great wars.

I thank the distinguished and able senior Senator from Idaho for yielding to me.

Mr. CHURCH. I want to say to the distinguished Senator from West Virginia that I appreciate his remarks immensely. He has not only summarized my position in the course of his remarks, but he has done so more thoroughly and accurately than I could myself have done.

It has been my general impression that our routine military aid program served up on a global platter, has been more the product of the State Department's urging than of the Pentagon's advocacy.

Mr. President, I do not want my speech today to be interpreted as an assault upon American military thinking. My experience has been that most military men have very little confidence in foreign armies. They place their confidence in American strength—and properly so. This is chiefly an indictment of a foreign policy, administered by the Department of State, that has placed such reliance upon the massive distribution of arms to so many foreign countries.

Mr. PELL. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. PELL. I did not have the opportunity to be in the Chamber for the entire speech of the Senator from Idaho but I did have an opportunity to read it. I congratulate the Senator from Idaho for having made an excellent speech, the main thrust of which I found myself in agreement. The speech of the Senator helps me to confirm my position in the past—which I shall carry on in the future—in voting against military assistance programs where the people in those areas are fighting with primitive weapons, whether they be bows, arrows, and spears, or perhaps more sophisticated weapons. There is no reason to make them more sophisticated.

The research that has gone into the speech and the cogency of the arguments presented are obvious. I hope that the speech will be read by our administration.

Mr. CHURCH. I thank the Senator for his generous remarks.

Mr. PELL. Mr. President, I ask unanimous consent to have printed in the RECORD an article which was published in the New York Times of Sunday, June 25, 1967, entitled "A Dove Versus a Dog Catcher," which I thought to be both accurate and perceptive, and which I hope bodes well for the Senator's future in the coming election.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A DOVE VERSUS A DOGCATCHER

(By William Barry Furlong)

KOOSKIA, IDAHO.—"I want to talk to you today about some things close to Kooskia," said Senator Frank Church. He was standing near the lunch counter of the Selway Cafe, talking to 40 citizens of this logging community (population: 801). Behind him, a fan beat the air; the temperature was in the eighties. Church was tieless and coatless.

For 18 minutes, he spoke earnestly of things close to Kooskia—the fish hatchery that he had arranged to be built with Federal funds ("I can honestly say I don't think I could have done this in my first year in the Senate"), his sponsorship of a water-development bill for southern Idaho ("We can double the future of Idaho"), his petition against proposed Federal firearms legislation ("We've got 30,000 signatures on it already").

But only twice, and then in passing quips, did he mention the thing that was closest to the mind of Kooskia—and Kamiah and Ketchum and, indeed, all of Idaho: the petition to recall him as United States Senator.

Never has a Senator been recalled by the people of his state. The institution of recall exists in only 13 states (New York is not among them), and indeed might prove unconstitutional if applied to a Federal official.

The petition against Church offers two specific reasons why he should be recalled: (1) because he has "consistently opposed military measures which would help win the war in Vietnam and save the lives of hundreds of Americans dying in Vietnam each week the war continues," and (2) because "at a time when Americans are being killed in Vietnam by Russian bullets fired from Russian guns, Senator Church, contrary to the best interests of the citizens of Idaho, has supported the Soviet consular treaty, thereby giving aid and comfort to the Soviet Union." It was presented by a citizen of Idaho, Gene M. Mileck of St. Maries, but it was printed in California. The chief adviser for the recall movement, Ronald Rankin, was once a leader of the right-wing political movement in Orange and Los Angeles Counties in California before moving to Idaho two years ago. To some people, therefore, the recall movement in Idaho appears to be the opening gun in a far more widespread campaign by right-wing extremists.

Twenty-three Democratic Senators—including Church—will be up for reelection next year, and about a third of them—including such men as Joseph S. Clark of Pennsylvania, Wayne Morse of Oregon, George McGovern of South Dakota, Gaylord Nelson of Wisconsin and J. W. Fulbright of Arkansas—are in varying degrees of trouble with their voters primarily because of their "doveishness." The recall movement, says Senator Church, "might prove to be intimidating to other members of Congress."

In recent years, Idaho has been moving to the right. Church (who was first elected in 1956 by a margin of 43,000 votes and reelected in 1962 by a margin of 25,000 votes) is the only remaining Democrat to hold statewide office—and the rest of the public officials are not only Republicans but, by and large, conservative Republicans.

When Mileck first approached Rankin with the recall proposal this spring, Rankin's initial reaction was negative. But then he began thinking: "Even if you defeat Church in the election coming up next year, he's still in Congress for the next year and a half." Nothing could upset an ultra-right-winger more.

Church not only has a generally liberal voting record (for foreign aid, the atomic test ban treaty and aid to higher education, etc.; against the poll tax and filibusters, etc.). He is a member of the United States delegation to the U.N. And, most of all, he has been one of the most articulate spokesmen in the Senate against the United States' increasing involvement in the war in Vietnam. He sees that war primarily as an internal rebellion. He acknowledges that Communism grafts itself onto nationalistic movements whenever possible, and he believes that the United States must carry out the pledges it has made to the Government of South Vietnam—but when it comes to escalation, he is a dove.

The mechanics of a recall in Idaho is simple. Only 10 per cent of the votes in the last gubernatorial election—25,538 signatures—are necessary for a successful petition (most states that provide for recalls require 20 per cent to 25 per cent). Once the signatures have been filed and certified, the person subject to recall has five days in which to resign; if he does not, an election must be held within 30 days. There is simply a yes or no vote on the ballot. This is ideal for those extremists whose basic drive is negative: they can be inspired to campaign aggressively against an incumbent without being confused or frustrated by having to support someone else.

Gene Mileck is a muscular, compact man (5 feet 6 inches, 185 pounds) of 42 who says: "I sat around a long time, listening to the propaganda the John Birch Society and those deals put out. But then I got sick and tired of waiting for them to do something—other than write letters. So I decided to do something, and if you're going to do something, you've got to do it yourself."

Mileck is very much the loner pitted against a hostile world. In a 12-hour conversation recently he recounted a life of strife and struggle with everybody from his employers to the telephone company to his father-in-law (he says he once started an alienation-of-affection suit against his father-in-law, then remarried the girl who was at the center of it). He devotes a good deal of energy to legal struggles and usually he acts as his own counsel. "I'm no lawyer," he says, indicating his law books, "but I'm no damn fool either."

He has been described as a dogcatcher in St. Maries, but actually he has been, over the years, everything from embalmer to seaman, from logger to house painter. He says he became a dogcatcher a few months ago because the people of St. Maries were not keeping their dogs leashed and one of those free-roaming dogs had left droppings which infected one of his three toy poodles. "They said the job couldn't be done," he says, "so I took it" at $3 for each dog caught. ("He's a bounty hunter," says a Church supporter in Kooskia, "and if there's anything I hate it's a bounty hunter.") Mileck carried out the job with gusto, picking up more than 100 dogs in two months or so.

Mileck is hardly the ideal of the organization man, and it seems more than likely that when it comes to his Victory in Vietnam Committee—which is nominally behind the recall petition—he *is* the committee. He will not say how many members there are.

He insists that he is not the tool of Ron Rankin in setting up the recall movement and that, in fact, he once considered Rankin suspect. "To tell you the truth about it," says Melick, "I thought he was trying to usurp me." He accepted the advice which Rankin offered. "But I didn't want him to be getting any ideas about 'partnership.' If I run something," he says, "I run it—otherwise I'm out."

It is clear that Rankin has been more than slightly influential in guiding the recall movement—that, for example, he arranged to have the petition printed, apparently at the expense of William Penn Patrick, a southern California ultra. But though Rankin concedes that he is supported by elements outside the state, he insists that he is not controlled by them "I am a free agent to go and do what and where I choose," he told me. "I answer to no one except my wife, my church"—he is a Mormon—"and my conscience."

So far, the Melick committee has sent out 5,500 petitions and some 40,000 to 50,000 copies of a newsprint brochure detailing the "sins" of Frank Church. (Each packet costs at least 16 cents in postage, which means a total of $630 for this mailing alone. "I send some of them back to myself," says Melick, holding up a packet. "I don't trust the post office.") Melick still has some 2,000 or 2,500 petitions that might be sent out. The committee could thus accumulate—at the maximum—some 160,000 signatures. It hopes to gather 35,000, roughly 10,000 more than the minimum needed. It will not say how successful it has been; in fact, it instructs its workers not to file the petitions with county clerks' offices, where the progress of the campaign might be checked. Instead, it intends to file all its signatures at one time. When that will be no one knows.

For Senator Church, the danger is really not so much the recall petition as the possibility that insinuations and charges answered now many return to haunt him in the future, that Idahoans may feel: "I'll be fair-minded and go along with him to beat the recall this year. Then next year I'll vote against him in the election."

So the Senator returned to his state in late spring to mend some fences and to resume what he calls his "courthouse campaign." Since his first election, Church has made a point of visiting in turn the courthouse in each of Idaho's 44 counties to talk with anybody who wants to talk with him. No appointments are necessary; the visitors are received on a first-come, first-served basis. It takes him a total of three months to make the entire swing and he has to take advantage of lulls in Senate action—usually over holidays—to achieve it. "It's the best way I know to give satisfaction to the grass-roots voter in Idaho," he says.

He has a lot going for him. Idaho is traditionally a state of crossover voting. "If the people here trust you, they'll vote for you, even if they don't agree with you down the line," says Mrs. Church. "This is the essential thing about Idaho politics." And Church has a firm hold on the personal regard of the people of his state. In high school some 25 years ago, he won a national oratory contest sponsored by the American Legion. He used the money to pay for his college education and he used the opportunity to start touring the state, as an oratorical showpiece. He is still remembered as the "boy orator of Idaho"—though he now has a son in college (a son who startled his father's Boise office staff by walking in with a goatee one day recently).

To be sure, there are many newcomers who do not remember him or the traditions of Idaho—"a lot of Californians are coming in here and buying land and giving us trouble," says one woman who moved to Idaho from Missouri some years ago. Church knows how to exploit this unrest over the newcomers, particularly as it applies to the recall petition. "I think that the people of Idaho have too much sense to allow this state to be taken over politically and economically by carpetbaggers from California," he says.

He augments this stand with a number of positions that are inevitably attractive to the people of Idaho. He has offered amendments to the beef-import law which will, he hopes, satisfy the cattlemen in his state. He has introduced a bill to preserve the wild rivers in the nation, including three segments in Idaho, not so much from use by the people of the states as from development by dambuilders. He has even dipped into the conservative grab bag for an occasional issue that would please the people of his state. Thus his fight, for instance, against Federal control of firearms.

Church began his latest round of stumping in Boise. One morning he stopped off for a coffee-break speech at the Link Business School. "Do you think we'll stay on in Vietnam though we say we don't want to establish a permanent base there?" asked a young man down front.

"This is what Ho Chi Minh believes," said Church. "He looks at Korea and apparently concludes that, when we say we will move out, we don't mean it."

The young man followed up with: "Has there ever been an installation that has been abandoned by occupying forces?" Church talked about Austria and the successful treaty negotiated there. "I hope we could manage to do the same thing in Southeast Asia," he said. "I believe that permanent American enclaves on the mainland of Asia would only exacerbate the problem."

Thereupon an earnest, husky, tanned young man with curly hair and pleasant mien spoke up: "Is there any department of the United States Government that studies the Bible?" Church reeled only slightly. "No, not that I know of," he said. Then he fell back upon the doctrine of the separation of church and state.

A few hours later, Church visited a meeting of the Wednesday Club, a group of Boise Democrats. The questions were focused primarily on local issues. Only once did a question come up about the war in Vietnam—and none at all about the recall movement. But Senator Church seized the opportunity to respond to both issues. "Anybody," he said in part, "who plays upon the war to catch votes, or waves a flag as a substitute for good hard analysis of the situation—these are the people I loathe most." He offered his own solution: "I would say we should concentrate on South Vietnam, where our pledges and our promises have to be carried out. There has never been a war won by bombing alone. That's why it's wrong to say if we drop a bigger bomb we could win the war easily."

The town that Church was to speak in that noon—and then to hold a courthouse session in—was Council (population: 827). As he neared the town, he began reviewing the matters he might discuss at the luncheon at the Chamber of Commerce. He was asked how he would end the war in Vietnam. "As a man who was against us getting involved in the first place, and getting more deeply involved since then, I'm not the best guy in the world to ask, 'How do we get out?' " he said. But he had to have an answer—for Council and Grangeville and Kooskia and Nezperce and every other town along the route.

He was not militantly against the present policy in Vietnam: "I believe the choice of President Johnson to keep the war within manageable limits is a wise one." This was not the most doveish of positions. His own solution was, by and large, to "seal off the war at the 17th Parallel"—even extending the seal through Laos if needed—"and concentrate our fire power on the infiltration routes." He would oppose an invasion of North Vietnam, or mining the harbor at Haiphong. On the continued bombing of North Vietnam, he feels: "Suspension of the bombing might be conducive to reaching a negotiated settlement."

In the dining room of Betty's Cafe in Council, Church outlined his position. Despite his opposition to our increasing involvement in the war, he emphasized: "I naturally supported every appropriation to give American boys fighting this war every protection that they could have." This was his answer to one of the charges of the recall petition, though he made the point without mentioning the recall ("I just don't talk much about it"). He did not have to volunteer his position on the other accusation in the petition. "Tell us about this consular treaty," said one man.

Church girded himself. "This is the kind of thing that plays on people's fears," he began. Quickly he outlined the significance of the treaty—how it would mean the opening of an American consulate in Leningrad in return for the opening of another Soviet consulate in the United States, "probably in Chicago."

He deplored the thought that the United States would be completely undermined by the addition of another Soviet consulate in this country. "I can't understand people who are so frantic about this country, so lacking in confidence in its great strength, so full of fear that it is about to fail."

Question. "I was wondering why the Russians promoted this thing."

Answer. "They didn't. We approached them . . ."

Question. "But they egged us on."

Church responded by pointing out that treaties are agreed to by both sides in the idea that the self-interest of both is served.

Question. "But aren't we almost committed to stamping out a snake where we find it?"

This was a question that reflected concern over the indecisiveness of the Vietnam war as well as over the consular treaty. It was in response to Church's feeling that we should "try to confine this war in Asia to where we made our commitments."

"As far as osc-u-lation is concerned," continued the questioner, "can we control them? Believe me, the Russians are going to want to extend their borders."

Church explained that, although Russia and Red China are now helping Vietnam, "nowhere is this aid as large as that—in soldiers and supplies—we're extending to South Vienam."

Now another man interjected his thoughts. "The gist of my question—if it is a question, maybe just general conversation—was Russia isn't going to let us rest. The Mideast and India—they're gonna elbow us in the eye every chance they get."

"Well," said Senator Church, "I wouldn't react to every bombastic statement they make."

Eventually, he went on to make some other points: "The thing to remember about the United Nations is that it is just a tabby cat in a world of lions. And we told that tabby cat to prevent the lions from fighting. I don't think we should blame it when it can't do that, because we didn't give it any power. And if you think we want to give it power, think of the fight you'd have with the American people if you tried it. So don't blame the United Nations for its failures. Rather, consider that it is remarkable for what it has accomplished."

He cited the rising pressures from "big-city" states to get gun-control legislation and he pointed out that the Senate, with its equal representation for all states, large or small, is the last bulwark for blocking this legislation. "I would prefer that the various states enact it into law, not the Federal Government." Immediately one of the men most upset by the war in Vietnam and the consular treaty remarked:

"That's my big fight—states' rights. There are probably 25 proposals that I think should be handled by the states, not the Federal Government."

"And I would probably agree with you on most of them," said Church. "I think we should examine each issue on its merits . . ."

Thus the meeting ended, without rancor and with a sense of self-expression that did damage to no one and gave satisfaction to everyone. Gradually Frank Church made his way from the cafe to the old red-brick courthouse atop the highest hill in town. His petition against firearms legislation was already circulating in the town's poolroom. "It'll be filled before nightfall," said one townsman (he couldn't think of anybody in town who was circulating the anti-Church recall petition).

Ten or 15 people were waiting on the hard varnished benches of the courtroom to talk to Senator Church. Among them were some men from the Cattlemen's Association who wanted to discuss beef prices; a small logger in competition with big-time companies who wanted to restore the practice of sealed bids for rights on forest land owned by the Government, a man from the Wool Growers Association who was worried about the way coyotes were preying upon sheep and who wanted Federal help on "predator control."

The sun was still high and hot when, shortly before 8 P.M., Church entered the Scout Hall in New Meadows—some 18 miles up the road—to carry on another dialogue. There were 25 or 30 people gathered in a circle about his chair and another 15 or so came in during the discussion. Among them were three or four of the top Republicans in the county. The session opened easily enough: "Frank, what about this gun-control law?"

"Well, frankly, I'm worried . . ."

The discussion shifted to Vietnam and Church cited the statement that he and 15 other Senators—all described generally as doves—had made to Ho Chi Minh several weeks before. It warned Ho that dissent in the United States did not forecast defeat of the United tSates. He pointed out that he had been requested, a year earlier, by the then-Under Secretary of State, George Ball, to issue a statement to Ho warning the North Vietnamese against placing captured U.S. fliers on trial by way of making a public forum of their execution. "They heard us then," he said (the trial of the prisoners never took place), "and I hope they'll hear us now."

Through all the discussion ran a strain of anti-Federalism. One man complained about the Government's spending $9,000 a year on individuals in the Job Corps camp in Idaho. "I raised three kids and if I ever made $9,000 a year in my life they'd go to the best college there ever was," he said. Senator Church expressed sympathy with him but pointed out the difficulties that many youngsters have in growing up in a highly complex urban society.

"Don't forget," said Church, "that your three kids grew up with their father."

"Don't hold that against him," said another voice—and laughter eased the tension.

All through the meeting a cattleman was worrying at the canker of falling beef prices. "Seems like the Government is working against me," he said. "I don't think the Government *wants* the price of beef to come up on food."

He kept referring to the people in Washington as "you," and Church kept insisting that there was a difference—"By 'you,' you don't mean me." The cattleman agreed that he didn't mean Church—but he did mean what he said. "With all that messin' around down there, I don't know if it's worth while stayin' in business," he said. "The way I look at it, as long as Johnson is in there, there's no hope."

Senator Church replied calmly: "I've been there almost 11 years now and I know the problems didn't start with the Johnson Administration and they won't end when the Johnson Administration leaves."

(After the meeting, the cattleman approached Mrs. Church. "You needn't worry, ma'am," he said, "I'll be for your man—but I'll be damned if I'll be for L.B.J." Mrs. Church smiled sweetly. "I've only got one man," she said pointedly.)

Nobody in New Meadows brought up the recall petition. "Nobody in the state of Idaho is working for it, as far as I can see," said one man. Another said: "I'll tell you what he should do. He should go up there [to St. Maries] and give him [Gene Mileck] $500 to keep it up."

Throughout his swing, Church was dealing with individuals even more than with issues. In one town he saw 27 people in one afternoon—insurance men who resented the competition of the Federal Government in insuring crops, a man who wanted to funnel more money for the school district out of timber fees collected by the Government, a woman who was upset because her son was not allowed to go into Special Services when he enlisted.

There was a private pleasure in meeting some of the individuals. Church took time out to visit one old friend who had recovered from an illness and now—as the man approached 80—was back to canning his own pickles ("D.D.D., for Dad's Dago Dills," he said) and making his own soap ("Smell that, it's a new recipe. Got a little citronella in it").

Some of the individuals afforded the Senator public pleasure. Fred Boynton, a 78-year-old Republican in blue jeans, came into the courthouse in Grangeville to say, "I don't like the way they're doin' this thing up north"—*i.e.*, the recall. "The people of Idaho voted him into office and the people of Idaho will vote him out of office when they damned well please."

There was a comment made by Mrs. Louisa Williams at a breakfast meeting in Riggins: "How safe are we in the sanctity of our vote?" She saw the recall motion as violating the sanctity of her vote because it was inspired by Californians—"this outside power, these insidious people"—who wanted to nullify the vote cast by Idahoans. "I'm concerned about how we can vote a man into office and then sit back and let something like this happen." Her concern was more significant because she was a Republican leader in the neighborhood.

"If any Idaho people sign these things"—the recall petitions—"and are being paid to distribute them, then *they* are traitors," she went on. Her husband, Howard, nodded and said, "We've got to stop this thing at the source." Jim Quinlan, a card-carrying Democrat sitting at the same table, asked with an air of bemusement, "You mean we should go down and shoot 'em in California?" "No," said Williams, "but there's got to be some way of stopping 'em from buying so much property in the state."

In one town, a retired Marine master sergeant was drawing up a petition to back Church's position on water-resources development. It did not bother the ex-marine that he disagreed with Church on Vietnam or that he disagreed with Church's enemies on the recall petition.

"This recall is a smokescreen for something else," he said. What? "Water! Senator Church is the only champion of water resources for Idaho!" He saw a plot by water-hungry southern California to send agents to Idaho to eliminate the Senator, who was against diverting so much of Idaho's water to other states (though the principal diversion is to Washington and Oregon).

It had come full circle: the ultras who suspected dark plots in the likes of Frank Church as an enemy of the state—so to speak—were themselves suspected of being dark plotters, even of being enemies of the state. "Idaho water for Idahoans!" said the ex-marine.

Mr. HART subsequently said: Mr. President, I was detained at a committee meeting this morning and could not be present when Senator CHURCH delivered his speech on "Arsenal Diplomacy." However, I had an opportunity to read his remarks and want to congratulate the Senator on speaking out on this critically important topic.

Especially do I concur in his comment about the lack of involvement of the U.S. Arms Control and Disarmament Agency in the munitions disposal program of the armed services. I agree fully that the Agency authorized by Congress to deal with control of armaments should participate in the decisions that are made by this Government to sell or donate arms.

We are indebted to the Senator from Idaho for bringing this situation into public focus.

(This marks the end of the colloquy which occurred during the delivery of Mr. CHURCH's address. It was printed in the RECORD at this point by unanimous consent.)

ROUTINE BUSINESS

The PRESIDING OFFICER. Under order of Friday last, the Senate will proceed to transact routine morning business under the 3-minute limitation.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 763. An act to amend the act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer; and

S. 1226. An act to transfer from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions the authority to waive certain provisions relating to the issuance of a marriage license in the District of Columbia.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 66) for the relief of Dr. Alfredo Reboredo-Newhall, and it was signed by the Vice President.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Repeal of Certain Acts Relating to Containers for Fruits and Vegetables

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to repeal certain acts relating to containers for fruits and vegetables, exportation of tobacco plants and seed, naval stores, and wool, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

Report on Final Settlement of Claim of Certain Indians

A letter from the Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of the *Emigrant New York Indians ex rel., Julius Danforth, Oscar Archiquette, Sherman Skenandore, Mamie Smith and Arvid E. Miller,* v. *The United States of America,* docket No. 75 (with an accompanying paper); to the Committee on Appropriations.

National Flood Insurance Act of 1967

A letter from the Secretary of Housing and Urban Development, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

Report on Relative Cost of Shipbuilding in the Various Coastal Districts of the United States

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report on relative cost of shipbuilding in the various coastal districts of the United States, dated May 1967 (with an accompanying report); to the Committee on Commerce.

Fees for Services Performed on Certain Aircraft or Vessels

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for a flat fee for services performed in connection with the arrival in, or departure from, the United States of a private aircraft or private vessel, and for other purposes (with an accompanying paper); to the Committee on Commerce.

Report on Private Enterprise in Developing Countries

A letter from the Assistant Administrator for Private Resources, Agency for International Development, Department of State, transmitting, pursuant to law, a report on private enterprise in developing countries (with an accompanying report); to the Committee on Foreign Relations.

Progress Report of Select Commission on Western Hemisphere Immigration

A letter from the Chairman, Select Commission on Western Hemisphere Immigration, Washington, D.C., transmitting, pursuant to law, a progress report of that Commission (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the **PRESIDENT** pro tempore:

A concurrent resolution of the Legislature of the State of Texas; to the Committee on Interior and Insular Affairs:

"House Concurrent Resolution 146

"Whereas, The high standard of American living has been established in large part through mass production and assembly-line techniques in agriculture as well as industry; and

"Whereas, It has become virtually an economic impossibility for small farms to successfully compete with large and mechanized competitors; and

"Whereas, Labor shortages and efforts to reduce costs require the utilization of expensive machinery which is only economical and practical when capital costs can be spread over larger acreages; and

"Whereas, The 160-acre limitation in the federal reclamation laws is outmoded and impractical in view of the expansion of farm operation which modern economy now requires; now, therefore, be it

"Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Legislature of the State of Texas respectfully memorializes the President and the Congress of the United States to remove from the federal reclamation laws the 160-acre limitation or to provide for the reasonable adjustment of the existing acre limitation commensurate with modern agricultural pursuits; and, be it further

"Resolved, That the clerk of the House is directed to transmit copies of this Resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from Texas in the Congress of the United States.

"Preston Smith,
"Lieutenant Governor,
"President of the Senate.
"Ben Barnes,
"Speaker of the House.
"Dorothy Hallman,
"Chief Clerk of the House.
"Charles Schnabel,
"Secretary of the Senate.

"Approved: June 18, 1967,
"John Connally,
"Governor."

A memorial of the Legislature of the State of Florida; to the Committee on Public Works:

"Senate Memorial 1257

"A memorial to the Congress of the United States requesting distribution of federal highway funds on the basis of annual population estimates rather than on the basis of the decennial census figures; requesting responses from Florida's congressional delegation

"Whereas, existing law specifies that distribution of funds under the federal highway program shall be partly on the basis of population according to the 'latest available federal census,' and

"Whereas, present distribution of such funds is actually made on the basis of 1960 population figures which is unfair to a fast growing state like Florida whose population has increased an estimated 19.09 per cent since 1960 as compared with an estimated 7.68 per cent increase for the nation as a whole and whose population growth is projected to make Florida the eighth largest state in 1970, and

"Whereas, because of the use of the 1960 census Florida has already lost $4,905,778.00 (roughly estimated due to the lack of an adequate annual federal census) in the first five years of the decade and is expected to lose over $6,000,000.00 in the last five years, so that the disparity between Florida's population and the amount of funds Florida receives is continually increasing, while the amount of road user taxes paid by the citizens is increasing at a rate far greater than the rest of the nation, and

"Whereas, it is known that distribution of funds under many federal programs is made on the basis of annual estimates of population, now, therefore,

"Be it resolved by the Legislature of the State of Florida:

"That the Congress of the United States is hereby requested to require that the distribution of funds under the federal highway program be made on the basis of the annual estimates of population prepared by the Bureau of the Census rather than on the basis of the most recent federal decennial census, as presently being calculated.

"Be it further resolved that copies of this memorial be dispatched to the President of the United States Senate, the Speaker of the United States House of Representatives and each member of Florida's delegation to the United States Congress.

"Be it further resolved that each member of Florida's congressional delegation, and particularly any said member who might be a member of a congressional committee responsible for federal highway legislation, is respectfully asked to reply to this memorial to the President of the Florida Senate and the Speaker of the Florida House of Representatives, with particular emphasis being placed on the question of whether present federal law actually requires the use of the federal decennial census as above set forth and what course of action said congressional delegation recommends and intends to follow to correct the distribution of federal highway funds on population factors based upon the federal decennial census.

"Filed in Office Secretary of State June 19, 1967.

"I, Tom Adams, Secretary of State of the State of Florida, Do Hereby Certify That the above and foregoing is a true and correct copy of Senate Memorial No. 1257, adopted by the Florida Legislature, Regular Session 1967, as shown by the records of this office.

"Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the 21st day of June A.D. 1967.

"Tom Adams,
"Secretary of State."

A concurrent resolution of the General Assembly of the State of Arkansas; to the Committee on Public Works:

"Senate Concurrent Resolution 13

"Resolution urging Congress to restore all Federal aid highway funds which have been reduced by order of the President

"Whereas, by order of the President of the United States, the amount of federal aid highway funds authorized by the Congress and programmed for distribution to the states for highway purposes have been severely reduced and such reduction in federal highway funds was not contemplated by the states and will result in serious curtailment of progress contemplated for construction this year; and

"Whereas, the State of Arkansas has geared its highway planning to provide for steadily increasing construction under promises, announced policies, budgets, statutes, and urging of federal government, resulting in the employment of a heavy proportion of construction engineers and consultant engineers; and

"Whereas, the private construction industry has increased its employment and capital investments to meet anticipated highway construction programs; and

"Whereas, the federal aid cut-back will create employment difficulties in both state government and private industries, and in addition, many private construction contractors will face serious economic loss of their capital investment if anticipated projected construction projects are not fulfilled; and

"Whereas, the federal aid cut-back of approximately Twelve and one half Million Dollars ($12,500,000), in funds previously anticipated for construction in this State, will mean a reduction of approximately Twenty Million Dollars ($20,000,000) in anticipated highway construction in this State; and

"Whereas, in order to meet the anticipated requirements of federal aid matching obligations, the Arkansas General Assembly met in Special Session in the Spring of 1965 and enacted a comprehensive highway user tax program designed to make available adequate highway program and to match contemplated federal funds; and

"Whereas, the people of this State assumed this additional tax burden in order to carry out an adequate highway program and to match contemplated federal funds; and

"Whereas, the federal aid cut-back will severely curtail this State's efforts to achieve an adequate highway transportation system and to fulfill its obligations to complete the portion of the Interstate Highway System located in this State,

"Now, therefore be it resolved by the Senate of the Sixty-Sixth General Assembly of the State of Arkansas, the House of Representatives concurring therein:

"That the Congress of the United States is respectfully requested, at the earliest possible date, to devise and approve legislation which will restore all federal aid highway funds to the level of projected authorization of expenditures in effect and contemplated in November, 1966, prior to the cut-back thereof as ordered by the President of the United States.

"We further resolve that upon adoption hereof a copy of this Resolution shall be furnished the Director of the United States Bureau of Public Roads, the President of the Senate and the Speaker of the House of Representatives of the United States Congress, and to each member of the Arkansas Congressional Delegation.

"Knox Nelson."

A resolution adopted by the Southern Association of State Departments of Agriculture, Charleston, West Virginia, praying for the enactment of legislation relating to import tariffs on agricultural products; to the Committee on Finance.

RESOLUTION OF GENERAL ASSEMBLY OF STATE OF SOUTH CAROLINA

Mr. THURMOND. Mr. President, on behalf of myself and my colleague, the junior Senator from South Carolina [Mr. Hollings] I send to the desk a concurrent resolution adopted by the General Assembly of the State of South Carolina.

This concurrent resolution memorializes Congress to enact pending legislation which would protect the flag of the United States of America from desecration. I ask unanimous consent that this resolution be printed in full in the Record and appropriately referred.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution was referred to the Committee on the Judiciary, as follows:

Calender No. S. 530

A concurrent resolution memorializing Congress to enact pending legislation which would protect the flag of the United States of America from desecration

Whereas, on this day, June 14, 1967, which is Flag Day, Congress is considering legislation which would protect the flag of the United States of America from desecration and impose a one thousand dollar fine or a year's imprisonment on any person guilty of publicly mutilating, defacing, defiling, or trampling upon it; and

Whereas, the State of South Carolina, years ago, provided such protection not only for the flag of the United States but for the flags of South Carolina and of the Confederacy; and

Whereas, the desecration of the flag of the United States of America is regarded, legally and morally, as an offense against the United States by the people of South Carolina. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the Congress of the United States is hereby memorialized to enact, without delay, pending legislation which would protect the flag of the United States of America from desecration and impose a one thousand dollar fine or a year's imprisonment on any person guilty of publicly mutilating, defacing defiling, or trampling upon it.

Be it further resolved that copies of this Resolution be forwarded to each member of Congress from South Carolina.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SMATHERS, from the Committee on Finance, without amendment:

H.R. 3349. An act to continue until the close of September 30, 1967, the existing suspension of duties on certain forms of nickel (Rept. No. 355);

H.R. 3652. An act to continue until the close of June 30, 1970, the existing suspension of duties on manganese ore (including ferruginous ore) and related products (Rept. No. 356); and

H.R. 10867. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes (Rept. No. 357).

By Mr. SMATHERS, from the Committee on Finance, with an amendment:

H.R. 4880. An act to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965 (Rept. No. 358).

By Mr. SMATHERS, from the Committee on Finance, with amendments:

H.R. 5615. An act to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap (Rept. No. 359).

By Mr. TYDINGS, from the Committee on the District of Columbia, with amendments:

S. 944. A bill relating to the establishment of parking facilities in the District of Columbia (Rept. No. 360).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF:

S. 2004. A bill for the relief of M. Alice Wohl and her daughters, Paul Uken Mullis, Marsha Joan Wohl, and Margaret Emily Wohl; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2005. A bill for the relief of Dr. Anacleto C. Fernandez; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 2006. A bill to provide for compliance with constitutional requirements in the trials of persons who are charged with having committed certain offenses while subject to trial by court-martial, who have not been tried for such offenses, and who are no longer subject to trial by court-martial; and

S. 2007. A bill to provide for compliance with constitutional requirements in the trials of persons who, while accompanying the Armed Forces outside the United States, commit certain offenses against the United States; to the Committee on the Judiciary.

(See the remarks of Mr. Ervin when he introduced the above bills, which appear under a separate heading.)

By Mr. SMATHERS:

S. 2008. A bill to extend second-class mailing privileges of certain publications of offices of State secretaries of state; to the Committee on Post Office and Civil Service.

By Mr. ERVIN (for himself, Mr. Bayh, Mr. Fong, Mr. Long of Missouri, Mr. Williams of New Jersey, and Mr. Bible):

S. 2009. A bill to further insure due process in the administration of military justice by prescribing uniform rules of procedures to be followed by the Armed Forces in the case of administrative discharge boards, by establishing a Judge Advocate General's Corps in the Navy, by creating single-officer general and special courts-martial, by establishing in each Armed Force a Court of Military Review, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE:

S. 2010. A bill to amend section 39–201 of the District of Columbia Code; to the Committee on the District of Columbia.

By Mr. BIBLE (by request):

S. 2011. A bill to amend the act of June 6, 1924, chapter 270 (43 Stat. 463), relating to the National Capital Park and Planning Commission, as amended;

S. 2012. A bill to amend the District of Columbia Public School Food Services Act;

S. 2013. A bill to provide that the Corporation Counsel of the District of Columbia shall represent plaintiffs in actions brought in the District of Columbia to enforce duties of support;

S. 2014. A bill to authorize the Commissioners of the District of Columbia to delegate the function of approving contracts not exceeding $100,000;

S. 2015. A bill to amend section 11–1902, District of Columbia Code, relating to the duties of the coroner of the District of Columbia;

S. 2016. A bill to authorize the purchase of meals for District of Columbia employees and National Guardsmen and U.S. Park Police on special duty; and

S. 2017. A bill to authorize the Commissioners of the District of Columbia to enter into contracts for the inspection, maintenance, and repair of fixed equipment in District-owned buildings for periods not to exceed 3 years; to the Committee on the District of Columbia.

By Mr. MAGNUSON:

S. 2018. A bill for the relief of Wong Wah Sin; to the Committee on the Judiciary.

S. 2019. A bill to provide for a more descriptive term to designate the genus of bacteria known as Salmonella; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Magnuson when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. GRUENING (by request):

S. 2020. A bill conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the Indians, Eskimos, and Aleuts of Alaska, or any tribe or band thereof, may have against the United States, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Gruening when he introduced the above bill, which appear under a separate heading.)

TRIALS OF PERSONS CHARGED WITH CERTAIN OFFENSES

Mr. ERVIN. Mr. President, at this time I introduce, for appropriate reference, two proposals for extending the jurisdiction of Federal district courts to crimes occurring outside the territorial limits of the country. These bills are identical to S. 761 and S. 762 of the 89th Congress. They are designed to confer on Federal district courts criminal jurisdiction over certain offenses by Americans which are presently cognizable in no American court. The bills are directed at solving the problems created by the Supreme Court rulings some years ago that exservicemen cannot be tried by military courts for crimes committed while in uniform and that civilian employees of the services stationed overseas and dependents of servicemen are also not subject to military law. Since present law does not grant jurisdiction to Federal courts over offenses by individuals in these circumstances, they are totally immune from any American legal responsibility. At the same time, foreign governments are usually loath to enforce American criminal law.

The 1966 hearings confirmed that a need exists for resolving this perplexing problem. Recent reports from Vietnam indicate that the large numbers of American noncombatants in that country have created a problem of law enforcement which cannot be handled by local courts, and which as a matter of comity would probably be handled by American tribunals if any were available.

Despite the need for some solution, the proposals I introduced last year have produced no agreement within the various executive agencies long concerned with this problem. There are practical and constitutional problems involved in conducting a criminal trial in America thousands of miles from the scene of the offense. For these reasons, I am introducing those proposals as individual measures and not as a part of the omnibus bill. I hope that in the coming months some resolution of this void in the American legal system can be found.

I ask unanimous consent that the text of these bills and memorandums explaining their purpose be printed in the Record at this point.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the text of the bills and the memorandums will be printed in the Record.

The bills, introduced by Mr. Ervin, were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 2006. A bill to provide for compliance with constitutional requirements in the trials of persons who are charged with having committed certain offenses while subject to trial by court-martial, who have not been tried for such offenses, and who are no longer subject to trial by court-martial:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 803 (article 3) of title 10, United States Code, is amended to read as follows:

"(a) Subject to section 843 of this title (article 43), any person not subject to trial by court-martial who is charged with having committed, while in a status in which he was subject to trial by court-martial, an offense against this chapter punishable by confinement for five years or more, and who, while in such status, was not tried for such offense may be tried upon indictment for such offense—

"(1) in the United States district court for any judicial district in which any act or omission constituting an element of such offense was commtted, if such offense was committed in the United States, or

"(2) in the United district court for the judicial district in which such person is found or into which he is first brought, if such offense was committed outside the United States or on the high seas.

No person may be tried in any district court for any such offense if (1) the offense is one for which such person could not be tried by court-martial without his consent if he were in a status subject to trial by court-martial, or (2) such person has been previously tried in a State court for substantially the same offense. For the purpose of all proceedings for or ancillary to the trial of any person for any such offense in any district court of the United States, such offense shall be considered to be an offense prohibited by and punishable under the provisions of title 18, United States Code."

SEC. 2. The amendments made by the first section of this Act shall be effective with respect to any offense committed on or after the date of enactment of this Act.

The memorandum accompanying Senate bill 2006 is as follows:

PROPOSED BILL TO PROVIDE AN AMERICAN FORUM, SUBJECT TO THE U.S. CONSTITUTION, FOR TRIAL OF SERIOUS OFFENSES BY PERSONS WHO HAVE BEEN SEPARATED FROM THE ARMED SERVICES

Background memorandum: Under the articles of war no American forum existed to prosecute offenses against those articles by a serviceman who was discharged before charges had been preferred against him. As a result, World War II produced several incidents where persons who allegedly had committed serious crimes were immune from trial because they had been discharged and were no longer subject to trial by court-martial and also were not subject to trial in any American civil court. Congress attempted to close this jurisdictional loophole by enacting article 3 of the Uniform Code of Military Justice; but the Supreme Court, in the famous case of *Toth* v. *Quarles*, 350 U.S. 11, held this provision unconstitutional. In light of the Toth case, courts-martial lack jurisdiction to try a serviceman for predischarge violations of the Uniform Code, however serious they may be (unless the ex-serviceman later reenlists); and so frequently there is no American court which can try the accused for his crime. Of course, if the crime was committed overseas in a foreign country and if the accused either has remained there or can be extradited to that country, prosecution may still be possible; but in that event the ex-serviceman is brought to trial in a foreign court, which is not subject to the U.S. Constitution and may not furnish some of the procedural safeguards with which we are familiar.

In light of these circumstances and of the fact that the Supreme Court did not say in the Toth case that jurisdiction could not be granted to prosecute persons like Toth in a Federal civil court, the best solution would appear to be through amendment of article 3 to authorize trial in Federal district courts of ex-servicemen whose crimes were committed while they were in the Armed Forces and who would not otherwise be subject to trial for the offense in a State or Federal court. In this manner the jurisdictional hole can be plugged; but trial can take place in an American tribunal, where every constitutional safeguard will be present. Furthermore, in instances where the alleged crime occurred overseas, there will be considerably less occasion to deliver or extradite the ex-serviceman to a foreign court for trial, since an American court would also have the power to try for the same misconduct. On the other hand, under present laws trial by an American court is impossible; and therefore foreign prosecution is the only alternative to condoning the crime.

The armed services have been interested in the problem and legislation was studied after the Toth decision to help meet the problem created there. (See subcommittee hearings at 852, 910, 946). However, somewhere along the line action apparently has bogged down.

To implement this proposal, it would seem desirable to:

(a) Amend article 3(a) of the Uniform Code to provide that, subject to the provisions of article 43 (which is the statute of limitations), any person charged with having committed, while in a status in which he was subject to the code, an offense against the Uniform Code, which, under the code and the regulations prescribed by the President and in effect at the time of the alleged offense, would be punishable by confinement of 5 years or more and for which that person cannot otherwise be tried in the courts of the United States or any State or territory thereof or the District of Columbia, shall be subject to trial for that offense in a Federal district court. If the offense occurred within the United States, then venue to try the offense shall be in any district where there occurred any of the acts or omissions complained of. If the acts or omissions all occurred on the high seas or outside the United States, then venue shall lie in the district where the defendant first comes or is brought back to the United States (the intent here being to conform the venue requirements under this article to the general venue requirements of the United States Code). Trial by a State court for substantially the same act or omission which it is proposed to try under this article shall preclude trial under this article by a Federal district court. (This is designed to clarify that a person who already has been tried by a State court cannot be tried under this article in a Federal district court; this may be especially important because of the wide scope of art. 134.)

S. 2007. A bill to provide for compliance with constitutional requirements in the trials of persons who, while accompanying the armed forces outside the United States, commit certain offenses against the United States:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended by adding after chapter 47 a new chapter as follows:

"CHAPTER 48.—TRIAL OF CERTAIN PERSONS WHO ACCOMPANY THE ARMED FORCES OUTSIDE THE UNITED STATES

"Sec.

"951. Persons subject to trial; jurisdiction of United States district courts; offenses for which persons may be tried.

"952. Statute of limitations; maximum punishment; general provisions.

"§ 951. Persons subject to trial; jurisdiction of United States district courts; offenses for which persons may be tried

"(a) Any citizen, national, or other person owing allegiance to the United States who commits any offense referred to in subsection (b) of this section while serving with, employed by, or accompanying the armed forces outside the United States shall be guilty of an offense against the United States and shall be tried for such offense in the United States district court for the judicial district in which such person is found or into which he is first brought.

"(b) The offenses for which any person described in subsection (a) of this section may be tried in a United States district court are those offenses specified in—

"(1) sections 877 through 881 of this title (articles 77–81) insofar as such sections relate to offenses referred to in clauses (2) through (5) of this subsection;

"(2) section 882 of this title (article 82);

"(3) sections 907 through 911 of this title (articles 107–111);

"(4) sections 913, 914, and 916 of this title (articles 113, 114, and 116); and

"(5) section 934 of this title (article 134) to the extent of crimes and offenses not capital.

"§ 952. Statute of limitations; maximum punishment; general provisions

"(a) An indictment may be found at any time without limitation with respect to any offense referred to in section 951(b) of this title for which the death penalty may be imposed. Except as provided in section 843(f) of this title (article 43(f)), no person shall be prosecuted, tried, or punished under this chapter for any offense, not capital, unless the indictment is found or the information is instituted within three years next after such offense shall have been committed. No person may be tried under this chapter for any offense if such person has been tried for substantially the same offense in a foreign country pursuant to a treaty or agreement to which the United States is a party.

"(b) The maximum punishment which may be imposed in the case of any person tried for an offense pursuant to this chapter shall be the same as that applicable to persons subject to trial by courts-martial for the same offense, but the provisions of chapter 47 of this title relating to the forfeiture of pay and allowances shall not be applicable in the case of any person tried under authority of this chapter.

"(c) Any offense for which a person is indicted and tried under authority of this chapter shall, for the purpose of all proceedings for or ancillary to the trial of such person, be considered to be an offense prohibited by and punishable under the provisions of title 18, United States Code.

"(d) Nothing in this chapter shall be construed as depriving courts-martial, military commissions, provost courts, or other military tribunals of concurrent jurisdiction with respect to offenders or offenses that by statute or law of war may be tried by courts-martial, military commissions, provost courts, or military tribunals.

"(e) As used in this chapter, the term 'outside the United States' means outside the several States, Commonwealth of Puerto Rico, Virgin Islands, Canal Zone, and the special maritime and territorial jurisdiction of the United States."

SEC. 2. (a) The table of chapters at the beginning of title 10, United States Code, is amended by inserting immediately below

"47. Uniform Code of Military Justice.... 801"

the following:

"48. Trial of Certain Persons Who Accompany the Armed Forces Outside the United States.......... 951"

(b) The table of chapters preceding chapter 31 of title 10, United States Code, is amended by inserting immediately below

"47. Uniform Code of Military Justice.... 801"

the following:

"48. Trial of Certain Persons Who Accompany the Armed Forces Outside the United States.......... 951"

The memorandum accompanying Senate bill 2007 is as follows:

PROPOSED BILL TO PROVIDE AN AMERICAN FORUM, WITH FULL CONSTITUTIONAL SAFEGUARDS, TO TRY PERSONS ACCOMPANYING THE ARMED FORCES OUTSIDE THE UNITED STATES

Background memorandum: Until the present century, the United States had no large forces operating overseas, and so, with a few exceptions, American civil courts were available to try any crimes that might be committed by civilians who were employed by, serving with, or otherwise accompanying the Armed Forces. On the other hand, the United States now maintains large military contingents overseas, where no American civil courts are available to try American civilian dependents or employees who may commit serious crimes. In a few instances, provisions of the Federal Criminal Code could be invoked as a basis for prosecuting the conduct of Americans outside the country; but, generally speaking, Federal criminal statutes were not intended to apply extraterritorially.

In order to provide an American forum for trial of civilian employees and dependents with our Armed Forces overseas, Congress enacted article 2(11) of the Uniform Code of Military Justice, which subjected to the code "all persons serving with, employed by, or accompanying the Armed Forces without the continental limits of the United States and without certain territories." Thus, civilian employees and dependents of the Armed Forces overseas were made subject to trial by court-martial. Ultimately, article 2(11) was invalidated by the Supreme Court, with the result that, in most instances, there is now no American court, either military or civil, that has jurisdiction to try serious crimes committed by American civilian employees or dependents overseas. Therefore, the only courts which can prosecute those offenses are foreign courts, which are not subject to the U.S. Constitution and may not provide the safeguards available in American courts. There is no indication that the foreign courts are anxious in most instances to try crimes committed by American civilian employees or dependents overseas, but the only alternative is to let the crime go completely unpunished.

The relationship of the conduct of civilian employees and dependents to the maintenance of discipline and morale in the armed services is great enough to give considerable support to the argument made by several dissenters in the Supreme Court that article 2(11) was constitutional under Congress' power to "make Rules for the Government and Regulation of the land and naval Forces." Because of this relationship it seems important to provide a forum for trial of crimes committed by civilian employees and dependents overseas. If this forum is a foreign court, the civilian accused loses the benefit of the safeguards provided by the U.S. Constitution. The Supreme Court has held that this forum cannot be a court-martial. *Kinsella* v. *Singleton*, 361 U.S. 234; *Grisham* v. *Hagan*, 361 U.S. 278; *McElroy* v. *Guagliardo*, 361 U.S. 281. Therefore, virtually by a process of elimination, the Federal district courts seem to be the proper forum for the trial of such misconduct.

Prior to its hearings in 1962, the Subcommittee on Constitutional Rights was informed that the Department of Defense had prepared draft legislation to deal with this problem (hearings 848–51, 910, 946). However, this draft legislation has apparently bogged down somewhere between the Pentagon and the Department of Justice.

If jurisdiction is to be given the Federal district courts with respect to serious crimes committed overseas by civilian dependents and employees, it would seem desirable to apply the usual venue provisions governing Federal trials of offenses committed outside the United States or on the high seas. Also, since a serviceman cannot be prosecuted in a court-martial after trial by a foreign court in a country which is a party to the NATO Status of Forces Agreement, the civilian employee or dependent should receive the same protection and not be subject to trial in a Federal civil court after trial in a foreign court. Articles 107–132 of the Uniform Code of Military Justice prohibit certain acts which might be committed by a civilian employee or dependent and perhaps with disastrous consequences; in article 134 of the code there is a prohibition of "crimes and offenses not capital" which serves to incorporate by reference the Federal Criminal Code. Accordingly, it would seem to suffice to make a civilian employee or dependent punishable in an American district court if he committed an act or is guilty of an omission for which a member of the Armed Forces, who did the same thing could be punished under articles 107–132 of the Uniform Code or under the "crimes and offenses" provision of article 134.

To implement this proposal it seems necessary to:

(a) Amend article 2(11)—or enact a separate article—to provide that "all persons serving with, employed by, or accompanying the Armed Forces without the United States, the Canal Zone, Puerto Rico, and the Virgin Islands" shall be subject to trial by a Federal district court for all acts or omissions which, on the part of a member of the Armed Forces would constitute a violation of articles 107 through 132 or "crimes and offenses not capital" within the meaning of article 134.

(b) Provide that the statute of limitations which would apply to the prosecution of a member of the armed forces under article 43 shall apply to misconduct by a civilian prosecuted in a Federal district court under this article and the maximum punishment authorized shall be that which would be authorized for the same act or omission if committed at the same time by a member of the Armed Forces.

(c) Provide that venue shall be the same as for offenses committed outside the United States under the venue provisions of the Criminal Code (18 U.S.C. 3231–3243 and especially 18 U.S.C. 3238).

(d) Provide that it shall be a defense to prosecution if the defendant has been tried for the same act or omission by the courts of a foreign country and with respect to acts or omissions which allegedly took place within the boundaries of that foreign country.

MILITARY JUSTICE ACT OF 1967

Mr. ERVIN. Mr. President, on behalf of myself and Senators Bayh, Fong, Long of Missouri, Williams of New Jersey, and Bible, I introduce, for appropriate reference, a bill to revise and perfect certain aspects of the system of justice administered in the Armed Forces. This omnibus bill, entitled the "Military Justice Act of 1967," represents, with a few modifications, proposals previously contained in 20 different bills introduced in the 88th and 89th Congresses. It is the product of long and painstaking work by the Senate Subcommittee on Constitutional Rights.

Our purpose is to modernize a system of justice untouched for almost two decades. When the Uniform Code of Military Justice was enacted in 1950, it represented a revolution in military law. Until that year, the American in uniform had been at the mercy of legal procedures older than the Revolutionary War, procedures originally designed for foreign mercenaries—not for citizen soldiers loathe to give up the rights for which they are fighting. So antiquated and unjust was the system, that after World War II a great protest came from returning veterans demanding reforms which would guarantee basic American principles of due process of law. They wanted a law which dispensed justice, not discipline.

Once again the country is in a period very much like that which existed in the 1940's. More and more private citizens are being called to service in an ugly war. More than 400,000 men are now fighting in Vietnam, and this figure may increase to over 600,000 by 1968. At the same time, the selective service is also undergoing revision, and it is likely that younger men will be called to service—19-year-olds, barely out of high school.

We cannot wait, as we did a generation ago, until all these men return to civilian life with their stories of injustice. The subcommittee has enough cases already which prove the clear need for legislation. As we call upon millions of young men to offer their lives in defense of American principles, we are bound by conscience to offer them the best legal system we can devise to protect and judge them while they are in uniform. This means a modernized court-martial system, such as proposed by title III of this bill. This means providing the services of skilled legal counsel and full-time military judges. This also means that young men will not be stigmatized with the indelible mark of "undesirable," "unfit," or "unsuitable," unless they first have had the benefit of fundamental procedural rights.

The Military Justice Act of 1967 will accomplish these reforms and many others.

The proposals in this bill are not new, even if they are long overdue. Each provision of the bill is the result of intensive study for many years—in some cases as long as 17 years—by the Subcommittee on Constitutional Rights, by a special subcommittee of the Committee on Armed Services, and by the Defense Department and experts from each of the services, judges of the Court of Military Appeals, knowledgeable lawyers in the field of military law, and interested laymen. Two different series of hearings have been held in the Senate on these reforms. In 1962, following hundreds of complaints from servicemen and their families and an intensive field investigation, the Constitutional Rights Subcommittee held its first set of hearings. Testimony was received from witnesses with a wide range of experience with military law. Later, a comprehensive questionnaire was delivered to each of the services which developed additional information on particular problem areas in military law. The published hearings consisted of over 1,000 pages. A summary report of the hearings published in 1963 presented the subcommittee's conclusions and recommendations.

Based upon this groundwork, I introduced on August 6, 1963, S. 2002 through S. 2019 of the 88th Congress—18 separate legislative proposals designed to more adequately protect the constitutional rights of servicemen and to perfect the administration of justice in the military. Senators Bayh, Cooper, Fong, Hruska, and Humphrey joined with me in sponsoring most or all of these bills.

During the succeeding months, the proposals were subjected to intensive study both within the military and without. Alternative suggestions and revised language were submitted from many sources.

The 18 bills were reintroduced in the 89th Congress on January 26, 1965, as S. 745 through S. 762, with the cosponsorship of Senators HRUSKA, BAYH, FONG, LONG of Missouri, WILLIAMS of New Jersey, and the late Olin D. Johnston, of South Carolina. Hearings on this legislative package, plus two additional bills, S. 2906 and S. 2907, drafted by the Defense Department and introduced previously in the House by Congressman BENNETT, were held in January and March of 1966 before the Constitutional Rights Subcommittee and a special subcommittee of the Armed Services Committee. The subcommittees received testimony from 28 witnesses, including Assistant Secretary of Defense Thomas Morris, the Judge Advocate General, the judges from the Court of Military Appeals, representatives of interested bar associations, and private practitioners of military law. This record, too, extends over 1,000 pages, including an extensive appendix and over 200 pages of data submitted by the services in response to two additional detailed questionnaires.

Today's bill is a product of this history. It was drafted in the months following the 1966 hearings to combine in one comprehensive package those proposed changes in military law which over the course of this study have proved to be necessary and beneficial. With few exceptions which I shall enumerate presently, the bill incorporates the provisions of the 20 bills introduced in the 89th Congress.

The omnibus bill is divided into five titles. Title I contains a code of procedure for the consideration and issuance of administrative discharges based upon fault or culpable misconduct. To a large extent, it codifies existing Department of Defense regulations.

Title II would create a Navy Judge Advocate General Corps to replace the current organizational system of lawyers in that service. Presently, Navy law specialists are classified as "special duty officers" along with communications officers, photographers and public relations men. A legal corps was first recommended in 1946. The proposal has been endorsed by the Defense Department, the Navy and the Navy's legal branch. It is many years overdue. I consider it one of the more important provisions of the bill.

Title III would alter procedures in the Uniform Code of Military Justice, which governs the system of criminal law utilized through the court-martial structure of the Armed Forces. One important change is the authorization of single-officer general and special courts-martial in those cases in which the accused waives trial by the military equivalent of a jury. Another is the extension of the accused's right to legally qualified counsel to the special courts-martial. A third change is the creation of a "field judiciary" system of senior military lawyers to sit in courts-martial. The "law officers" also would be given greater stature and responsibility in the conduct of the trial. In keeping with this new authority, these officers are redesignated as "military judges." A fifth change would establish a pretrial procedure in courts-martial to expedite and improve the course of the trial itself. Title III also strengthens the prohibitions against command influence, discourages use of the summary court-martial, and makes certain other necessary procedural changes in the Uniform Code.

Title IV would accomplish the long-needed transformation of the intermediate body which reviews courts-martial convictions from an administrative board to a formal court. The reconstitution of these bodies as appellate courts acknowledges their proper role in the administration of military justice; it should do much to improve the prestige and the quality of these intermediate "courts."

Finally, title V would consolidate the existing separate Boards for the Correction of Records and bring consistency to the dispensation of military justice for necessary service-dictated diversity.

Aside from a number of technical changes adopted as a result of last year's hearings, the omnibus bill differs from the 20 military justice bills introduced in the 89th Congress in only three major respects. First and most important is the procedural code contained in title I for governing administrative discharges. The earlier bills were also aimed at securing basic due process rights in the administrative discharge system, but their approach was quite different. They would have offered to any serviceman facing a charge which might result in an undesirable discharge, an opportunity to demand a trial by court-martial instead of being processed administratively. The theory was to permit an individual to elect a procedure assuring him the basic legal rights present in a criminal trial.

During the 1966 hearings this approach was carefully analyzed and certain weaknesses in it were discussed. As a result, today's bill proposes instead to incorporate basic procedural rights directly into the administrative discharge system. The new code would govern all administrative proceedings where the basis for the proposed discharge or separation is conduct involving fault or culpability. Title I is essentially a codification of regulations presently in force in the services. It applies to discharges or separations of enlisted men and officers.

The second major change concerns the controversy over retention of the summary court-martial. In 1961, the Congress enacted a major expansion of the article 15 powers of military commanders—the so-called nonjudicial or company punishment provision. One reason for this change was the expectation of the Defense Department that by making the disciplinary powers of the commanding officer equivalent to the judicial powers he had as the summary court-martial officer, the reliance of commanders on that court would decline to a point where it could be abolished.

In the years since that amendment became effective the use of the court has declined dramatically—in the Army and Navy by 50 percent, and in the Air Force by over 70 percent. Nonetheless, I feel it is administratively impossible for the services to dispense entirely with the court at present. For that reason, the omnibus bill does not propose its abolition. This is no expression of confidence in the summary court. The findings of the Constitutional Rights Subcommittee in 1962 are still valid—the summary court is an inferior court in concept, procedure, and in the quality of justice it dispenses. Until such time as the court can be totally eliminated from the Uniform Code, the omnibus bill proposes to remove a technical restriction in the existing right of servicemen to refuse summary trial. In this way no citizen would be forced to stand trial against his will in an American court where the same man is judge and jury, prosecutor and defense counsel.

A third difference between this bill and its predecessors is a new requirement that legally trained counsel be assigned for all special courts-martial. Under existing law, junior officers entirely untrained in the law can and often are assigned to defend servicemen against serious accusations. By contrast, the right to legal counsel in the civilian system has undergone considerable expansion in recent years, notably as a result of the Criminal Justice Act of 1964. Further, the Court of Military Appeals, in the recent case of United States against Tempia, has ruled that legal counsel must be provided in the interrogation stage of military justice. For these reasons, I believe it is now necessary that the military law recognize by statute the minimum requirements of the right to legal counsel to which citizens are entitled under the Constitution. Military justice, which for so long guaranteed many rights that the civilian system did not, can no longer deny this basic right to Americans in uniform.

Mr. President, in introducing the omnibus bill I wish to reiterate that the proposals in this legislation have been exhaustively studied for many years. While any piece of legislation can be improved from a technical standpoint, I believe that the necessity of these changes has been thoroughly established. I hope that the legislation will be considered expeditiously. I can think of no more fitting expression of this country's appreciation for the sacrifices these young men are called upon to make than to grant them the same rights they are defending.

I ask unanimous consent that the text of the bill and a sectional analysis be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 2009) to further insure due process in the administration of military justice by prescribing uniform rules of procedures to be followed by the Armed Forces in the case of administrative discharge boards, by establishing a Judge Advocate General's Corps in the Navy, by creating single-officer general and special courts-martial, by establishing in each armed force a Court of Military Review, and for other purposes, introduced by Mr. ERVIN (for himself and other Senators), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 2009

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. That this Act may be cited as the "Military Justice Act of 1967."

TITLE I—ADMINISTRATIVE DISCHARGE BOARDS

SEC. 101. Title 10, United States Code, is amended by adding after chapter 47 thereof a new chapter as follows:

"Chapter 48.—Administrative discharge boards

"Sec.
"941. Definitions.
"942. Persons subject to this chapter.
"943. Restrictions on discharges under other than honorable conditions; restrictions on administrative discharges for misconduct, unfitness, or security.
"944. Jurisdiction of administrative discharge boards; functions; composition.
"945. Who may appoint administrative discharge boards; who may serve on such boards.
"946. Detail of legal adviser to board.
"947. Detail of counsel to represent respondent.
"948. Detail or employment of recorders; duties.
"949. Detail or employment of reporters.
"950. Secretary of Defense to prescribe rules.
"951. Unauthorized attempt to influence board actions.
"952. Notice to respondent.
"953. Notice to parents of respondent.
"954. Notice to counsel of respondent.
"955. Waiver of rights by respondent; resignation for the good of the service.
"956. Sessions of the board.
"957. Challenges.
"958. Oaths.
"959. Prohibition on use of certain evidence.
"960. Opportunity to obtain witnesses and other evidence.
"961. Voting and rulings.
"962. Record of the board proceedings.
"963. Action of the discharge authority.
"964. Type and character of administrative discharges; grounds for awarding.
"965. Discharge for the convenience of the Government.
"966. Review of administrative discharge actions.

"§ 941. Definitions

"In this chapter:

"(1) 'Member' means an enlisted member, a warrant officer, or a commissioned officer of the armed forces.

"(2) 'Administrative discharge board' is an administrative board appointed under regulations of the Secretary concerned for the purpose of making findings and recommendations with respect to whether or not a respondent should be retained in the armed forces or administratively discharged therefrom and to recommend the type of discharge to be furnished when discharge is recommended.

"(3) 'Board' means an administrative discharge board unless otherwise indicated.

"(4) 'Respondent' means a member of the armed forces who has been notified that action has been initiated with a view to administratively discharging him from the armed forces pursuant to the provisions of this chapter.

"(5) 'Discharge authority' is an official authorized to take final action with respect to the administrative discharge of any respondent.

"(6) 'Appointing authority' is any official designated by regulations of the armed force concerned to appoint an administrative discharge board.

"(7) 'Administrative discharge' or 'administratively discharged' means discharge by administrative action as provided in this chapter or by other provisions of law, but does not include discharge or dismissal from military service pursuant to the sentence of a general or special court-martial.

"(8) 'Discharge' means complete severance of a member from the armed forces or his separation from active duty.

"(9) 'Legal advisor' means a commissioned officer qualified under section 827(b)(1) of this title (article 27(b)(1)) and certified by the Judge Advocate General of the armed force of which such officer is a member to be qualified for duty as a legal adviser to administrative discharge boards.

"(10) 'Honorable Discharge' means discharge from an armed force with honor.

"(11) 'General Discharge' means discharge from an armed force under honorable conditions.

"(12) 'Undesirable Discharge' means discharge from an armed force under conditions other than honorable.

"§ 942. Persons subject to this chapter

"The provisions of this chapter are applicable to all members of the armed forces who are serving on active duty and to all members of the armed forces not serving on active duty who are serving in a reserve component.

"§ 943. Restrictions on discharges under other than honorable conditions; restrictions on administrative discharges for misconduct, unfitness, or security

"(a) Unless otherwise authorized by law, no member may be discharged under other than honorable conditions except for misconduct, unfitness, or security, and no member may be discharged for misconduct, unfitness, or security except in accordance with the provisions of this chapter.

"(b) Except as provided in section 964 (c) and (d) or as otherwise authorized by law, no member may be administratively discharged for misconduct, unfitness, or security by reason of conduct which constitutes an offense punishable under chapter 47 of this title.

"§ 944. Jurisdiction of administrative discharge boards; functions; composition.

"(a) An administrative discharge board is a fact-finding body whose function it is to—

"(1) conduct a fair and impartial hearing of the alleged grounds for the proposed administrative discharge of a respondent;

"(2) receive and consider evidence on the question of whether a respondent should be administratively discharged;

"(3) make findings on the basis of the evidence presented to it;

"(4) determine, on the basis of the evidence, whether the respondent should be retained in the armed forces or administratively discharged therefrom;

"(5) recommend to the discharge authority that the respondent be retained in the armed forces or administratively discharged therefrom;

"(6) recommend the type of discharge to be issued if the board recommends that the respondent be discharged; and

"(7) specify the reasons for its recommendations.

The findings of the board shall be supported by substantial evidence and its recommendations shall be supported by the findings.

"(b) An administrative discharge board shall be composed of not less than three commissioned officers at least one of whom shall be serving in the grade of major, or the equivalent thereof, or higher. If the respondent is a commissioned officer, no voting member of the board shall be junior to him in rank or grade. If the respondent is an enlisted member who holds an appointment as a Reserve commissioned or warrant officer, the membership of the board shall be composed of a majority of Reserve officers if reasonably available; and if a majority is not available, the voting membership of the board shall include at least one Reserve component officer. Voting members of the board shall be senior to the respondent's Reserve grade. If the respondent is an enlisted woman, the board shall include a female officer as a voting member.

"§ 945. Who may appoint administrative discharge boards; who may serve on such boards

"(a) Administrative discharge boards may be appointed by the President of the United States, the Secretary of any armed force or by any commanding officer designated as an appointing authority by the Secretary concerned.

"(b) Any commissioned officer on active duty is eligible to serve on an administrative discharge board convened under authority of this chapter.

"(c) When appointing an administrative discharge board, the appointing authority shall detail as members thereof such members of the armed forces as, in his opinion, are best qualified for the duty by reason of age, education, training, experience, length of service, and judicial temperament. No member of an armed force is eligible to serve as a member of an administrative discharge board if he is a complainant against the respondent, is to give testimony before the board concerning the respondent, has information or knowledge of the respondent which may affect his judgment in the proceedings before the board, or served as a member or recorder of a board before which the respondent previously appeared as a respondent.

"§ 946. Detail of legal advisor to board

"The appointing authority may detail a legal advisor to any administrative discharge board appointed by him when he considers such action desirable because of the complexity of the legal issues involved or because of other factors. He shall detail a legal advisor to any such board upon the written request of the board or the respondent unless there are compelling reasons for refusing such request. Any person detailed as a legal advisor to an administrative discharge board shall be a commissioned officer qualified under section 827(b)(1) of this title (article 27(b)(1)) and certified to be qualified for such duty by the Judge Advocate General of the armed force of which he is a member. A person qualified as a military judge under chapter 47 of this title shall be qualified as a legal advisor under this chapter. In any case in which the appointing authority refuses to detail a legal advisor to a board hearing after having been requested by the board or the respondent to detail a legal advisor to such hearing, the appointing authority shall submit a statement explaining the reasons for such refusal and such statement shall be included as a part of the record.

"§ 947. Detail of counsel to represent respondent

"The appointing authority shall detail counsel to represent any respondent ordered to appear before an administrative discharge board. Counsel detailed to represent a respondent shall be qualified under section 827(b)(1) of this title (article 27(b)(1)). A respondent may be represented by military counsel of his choice if reasonably available or by civilian counsel at the expense of the respondent.

"§ 948. Detail or employment of recorders; duties

"Under such regulations as the Secretary concerned may prescribe, the appointing authority shall detail or employ a person to serve as recorder to every administrative discharge board. The recorder shall not be a member of the board and shall have no vote. It shall be the duty of the recorder to present evidence to the board and to keep a record of all proceedings before the board, and to perform such other duties not inconsistent with the provisions of this chapter as the Secretary of Defense may prescribe by regulation.

"§ 949. Detail or employment of reporters

"Under such regulations as the Secretary of Defense may prescribe, the appointing authority shall detail or employ qualified reporters to record the proceedings of and testimony taken before administrative boards appointed by such appointing authority.

"§ 950. Secretary of Defense to prescribe rules

"(a) The Secretary of Defense shall prescribe by regulation the rules of procedure, including the kinds of evidence which may be presented, to be followed in cases before administrative discharge boards. All rules and regulations made under this section shall be uniform insofar as practicable, shall not be contrary to or inconsistent with the provisions of this chapter, and shall be reported to the Congress. The procedural safeguards prescribed in this chapter shall be considered minimum requirements in the case of all board proceedings conducted under this chapter, and nothing herein shall be construed as prohibiting the Secretary of Defense from providing any procedural safeguard for the benefit of respondents not required by this chapter.

"(b) Regulations promulgated by the Secretary of Defense regarding evidence shall require that no evidence shall be admitted before any administrative discharge board unless such evidence is relevant and material to the case under consideration. Such regulations shall require that the finding and recommendations of the board and the action of the discharge authority be based on the evidence presented to the board; that the burden of establishing the facts alleged as the basis for administratively discharging the respondent from the armed forces is on the armed force concerned; and that the provisions of section 831 of this title (article 31), relating to self-incrimination, shall be applicable with respect to the respondent in any such board proceeding.

"(c) The Secretary of the Treasury shall prescribe the rules and regulations required under the first two subsections of this section for the Coast Guard when not operating as a service in the Navy.

"§ 951. Unauthorized attempt to influence board actions

"(a) No appointing authority, nor any other commanding officer, may censure, reprimand, or admonish any administrative discharge board, other board, court of inquiry, or commission, or any member, legal advisor, recorder, or counsel thereof, with respect to the findings and recommendations made by such board, court, or commission, or with respect to the exercise of its functions and duties in the conduct of any past, pending, or future proceedings before such board, court, or commission. The foregoing provisions of this subsection shall not apply with respect to general instructional or informational courses relating to board, court, or commission proceedings if such courses are designed solely for the purpose of instructing members of a command in the substantive or procedural aspects of these proceedings.

"(b) No person subject to this chapter may attempt to coerce or, by any unauthorized means, influence the action of any administrative discharge board, other board, court of inquiry, or commission, or of any member of such board, court, or commission in reaching the findings or recommendations in any proceeding before such board, or the action of any appointing, approving, or reviewing authority with respect to his acts of approval or disapproval of the findings or recommendations made by any such board, court, or commission.

"(c) Any person subject to this chapter who is guilty of violating subsection (a) or (b) of this section shall be punished as a court-martial may direct.

"(d) In the preparation of an effectiveness, fitness, or efficiency report, or any other report or document used in whole or in part for the purpose of determining whether a member of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of a member of the armed forces, or in determining whether a member of the armed forces should be retained on active duty, no person subject to this chapter may, in preparing any such report (1) consider or evaluate the performance of duty of any such member as a member of a board, court, or commission, or (2) give a less favorable rating or evaluation of any member of the armed forces because of the zeal with which such member, as counsel, represented any respondent before any such board, court, or commission.

"§ 952. Notice to respondent

"(a) An administrative discharge board may not begin consideration of the case of any respondent unless such respondent has been notified, as provided in this section, that action has been initiated to administratively discharge him from the armed forces. Such notice shall be given in writing not less than 15 days prior to the date on which the board is to begin consideration of the case and shall inform the respondent of (1) the nature of the board hearing, (2) the allegations and evidence against him, including the names and addresses of all persons expected to present evidence before the board for the Government, (3) the applicable statutes and regulations, (4) his right to be represented by counsel, (5) his right to present evidence in his own behalf, to call witnesses, to cross-examine all witnesses called by the board, (6) his right to remain silent, and (7) actions which may be taken by the board.

"(b) If a respondent is in civil confinement, and such fact is known by the appointing authority, notice of proposed board hearing must be sent to the respondent by registered mail not less than 30 days prior to such proposed board hearing.

"(c) If a respondent has been absent without official leave, notice of the proposed board hearing shall be mailed to him at his known address and to his next of kin, if known.

"§ 953. Notice to parents of respondent

"In any case in which a member is ordered to appear as respondent before an administrative discharge board and such respondent is under twenty-one years of age, or is twenty-one years of age or older and is unable for any reason to understand and appreciate the nature, purpose, and possible consequences of the proposed board hearing, written notice of the proposed board hearing shall be sent by registered mail to the last known address of the parents of the respondent or to his next of kin if both parents are deceased.

"§ 954. Notice to counsel of respondent

"Whenever the appointing authority has been notified that the respondent is to be represented by counsel before an administrative discharge board, a copy of all notices and information relating to the proceeding before such board which are given to the respondent shall also be given to counsel.

"§ 955. Waiver of rights by respondent; resignation for the good of the service

"(a) A respondent may waive his right to a hearing before an administrative discharge board if he certifies in writing that he understands the consequences of such action and has consulted with counsel qualified under section 827 (b)(1) of this title (article 27 (b)(1)) and detailed to represent him. A waiver shall not be accepted if executed by a respondent within a period of twenty-four hours after receipt of notification of the proposed board hearing, or if the appointing authority determines that the waiver was improvidently made or that the respondent does not fully comprehend the consequences of his decision.

"(b) A respondent who is in civil confinement or who has been absent without official leave and who fails to respond within a period of 30 days after the date on which notice has been mailed to him may be deemed to have executed a written waiver of his right to a board hearing under this chapter.

"(c) A respondent may be permitted to resign or accept a discharge for the good of the service in lieu of administrative discharge board action if he certifies in writing that he understands the consequences of his actions and has consulted with counsel qualified under section 827 (b)(1) of this title (article 27 (b)(1)) and detailed to represent him. The discharge authority may order a discharge under honorable conditions in the case of any respondent permitted to resign for the good of the service if he determines on the basis of the service record of the respondent and other evidence that such action is in the interest of justice. The discharge authority may not order an Undesirable Discharge in the case of any such respondent if the grounds alleged for administrative board action would not have supported an Undesirable Discharge.

"§ 956. Sessions of the board

"(a) When an administrative discharge board deliberates or votes, only the voting members of the board may be present. All other proceedings of the board shall be made a part of the record and, except as otherwise provided in subsection (b) of this section, shall be in the presence of the respondent, his counsel, and the legal adviser if one has been detailed.

"(b) In any case in which the respondent is unable to appear before the board because of civil confinement, the board may convene and hear the case of such respondent in absentia if the appointing authority so directs and the respondent is represented before the board by counsel qualified under section 827 (b)(1) of this title (article 27 (b)(1)) or by counsel of his choice.

"§ 957. Challenges

"Members of an administrative discharge board, the recorder, and the legal adviser, if one has been detailed, may be challenged by the respondent for cause. The board shall determine the relevancy and validity of challenges for cause when no legal adviser has been detailed to the board.

"§ 958. Oaths

"(a) Members of an administrative discharge board, the recorder, the legal adviser, if one has been detailed, military counsel, and the reporter shall take an oath prescribed by the Secretary of Defense to perform their duties faithfully. The Secretary of Defense may provide by regulation that once an oath to perform faithfully duties as legal adviser, military counsel, and recorder has been taken by an officer certified to be qualified or competent to perform any such duties, such an oath need not be taken each time such officer is detailed to perform such duties.

"(b) Each witness before any such board shall be examined under oath.

"§ 959. Prohibition on use of certain evidence

"(a) No act or omission on the part of any respondent shall be admitted in evidence against him before any administrative discharge board if such act or omission occurred more than three years prior to the date of the order directing such board to hear the case of the respondent, or prior to the current enlistment or current tour of active duty of the respondent plus any voluntary or involuntary extensions thereof, whichever period is longer; and no such act or omission shall be alleged or mentioned in any evidence presented to the board.

"(b) Notwithstanding the provisions of subsection (a) of this section, evidence relating to an act or omission of the respondent which occurred in the enlistment preceding the respondent's current enlistment or tour of active duty may be alleged and admitted in evidence against the respondent in showing that his current enlistment or tour of active duty was based upon a material misrepresentation or fraud which would have prevented or delayed his enlistment or tour of active duty and could not have been discovered by the exercise of due diligence on the part of the armed force concerned.

"(c) No act or omission on the part of any respondent shall be admitted in evidence against him before any administrative discharge board if such act or omission was wholly or in part the basis of any charge for which he was tried by a civil court or a court-martial and acquitted; or for which he was not acquitted or convicted but for which he cannot again be tried by reason of former jeopardy.

"(d) No evidence shall be admitted at any hearing conducted by an administrative discharge board unless such evidence is relevant, material, and probative. No information adverse to the respondent shall be presented to the board over objection unless the respondent has had an opportunity, through counsel, to cross-examine by deposition or in person before the board the person giving such information. No investigative report shall be admitted into evidence at any such hearing unless a copy of the report has been made available to the respondent and his counsel a reasonable period of time in advance of the hearing, and an opportunity has been given to cross-examine the person who conducted the investigation on which such report is based and to rebut the material contained therein. Whenever any matter has been deleted on the grounds of security from an investigative report offered in evidence before a hearing conducted by an administrative discharge board, such matter shall not be shown to the board; and whenever matter deleted from any such report substantially lessens the evidential value of such report, the report shall not be admitted in evidence.

"§ 960. Opportunity to obtain witnesses and other evidence; depositions; right to present and examine evidence

"(a) An administrative discharge board and respondent shall have equal opportunity to obtain witnesses and other evidence in accordance with such regulations as the Secretary of Defense may prescribe. Process issued in board cases to compel witnesses to appear and testify and to compel the production of other evidence shall be similar to that which courts of the United States having criminal jurisdiction may lawfully issue and run to any part of the United States, territories, commonwealths, and possessions.

"(b)(1) At any time after a respondent has been notified that he is to appear before an administrative discharge board, any party may take oral or written depositions unless the appointing authority forbids it for good cause.

"(2) The party at whose instance a deposition is to be taken shall give to every other party reasonable written notice of the time and place for taking the deposition.

"(3) The Secretary of Defense shall issue regulations governing the taking and use of depositions under this chapter. The regulations shall provide for the appointment where necessary of assistant counsel to represent a party in the taking of depositions.

"(c) The respondent shall have the right to submit to the board any sworn or unsworn statement, affidavit, certificate, or stipulation in his own behalf. He may, if he chooses, submit to examination by the board under oath. He and his counsel shall be given the opportunity to examine all witnesses called before the board and shall be permitted to examine all documents, papers, exhibits, and other evidence presented to the board.

"§ 961. Voting and rulings

"(a) The findings and recommendations of administrative discharge boards shall be by majority vote. Except as provided in subsection (b) rulings made by the board shall be by majority vote.

"(b) Whenever a legal adviser has been detailed to an administrative discharge board he shall rule on the admissibility of evidence and on all motions. He shall decide whether a member of the board shall be dismissed because of a challenge for cause. When no legal adviser has been detailed the members shall rule on challenges for cause, the challenged member not voting, and a tie vote disqualifies the member challenged.

"§ 962. Record of the board proceedings

"(a) A record of the proceedings before an administrative discharge board shall be kept. The record shall be authenticated in such manner as may be prescribed by the Secretary of Defense. A copy of the authenticated record shall be given the respondent.

"(b) An Undesirable Discharge may not be recommended unless a verbatim record is kept of all proceedings before the administrative discharge board by the reporter detailed to such board. A verbatim record shall be kept in any other case in which (1) the board determines that a verbatim record is necessary for a fair and impartial review of the board proceedings, (2) the discharge authority so orders, or (3) regulations of the Secretary of Defense require such action.

"§ 963. Action of discharge authority

"(a) In any case in which the administrative discharge board recommends that the respondent be discharged from the service, the appointing authority may—

"(1) approve the recommendations of the board if he determines that the findings and recommendations of the board are substantially and convincingly supported by the evidence in the record;

"(2) disapprove the recommendations of the board with respect to the type of discharge to be given the respondent and order a higher type discharge if he determines that such action is warranted by the evidence in the record or in the interests of justice;

"(3) approve the board's recommendation for discharge but change the basis therefor if the record indicates such action would be appropriate, but he may not designate unfitness or misconduct as the basis of the discharge if the board has recommended discharge for unsuitability;

"(4) disapprove the recommendations of the board and appoint a new board to consider the case of the respondent if he determines that a legal error was committed prejudicial to the rights of the respondent or that the interests of justice would be served by such action, but he may not approve any finding or recommendation made by the new board which is less favorable to the respondent than the findings and recommendations made by the previous board if the evidence before the second, or subsequent, board is substantially the same as the evidence that was before the previous board;

"(5) disapprove the recommendations of the board and order that the respondent be retained in the service; or

"(6) approve the board's recommendation for discharge but suspend the execution of the discharge for such period of probation as he deems appropriate.

"(b) In any case in which an administrative discharge board recommends that the respondent be retained in the service, the case is closed, and no new board may be appointed to consider the case of the respondent if the evidence before the second, or subsequent, board is substantially the same as the evidence before the previous board.

"(c) In any case in which the findings and recommendations of an administrative board were based in whole or part on fraudulent information or evidence submitted by the respondent, the appointing authority may appoint a new board to consider the case of the respondent and the findings and recommendations of the subsequent board shall not be limited by the findings and recommendations of the previous board.

"(d) The Secretary of Defense shall provide by regulation the procedures for vacating the suspension of a discharge authorized under paragraph (6) of subsection (a) of this section.

"§ 964. Type and character of administrative discharges; grounds for awarding

"(a) The type and character of administrative discharges shall be based solely on a member's military record during the current enlistment or term of service plus extensions and shall be determined according to the following standards:

"(1) The issuance of an honorable discharge will be conditioned upon proper military behavior and proficient performance of duty with due consideration for the member's age, length of service, grade, and general aptitude.

"(2) The issuance of a general discharge is appropriate when a member's military record is not sufficiently meritorious to warrant an honorable discharge as prescribed by the regulations of the military department concerned.

"(3) An undesirable discharge may be issued for misconduct, unfitness, or security reasons based on the approval of the recommendations of an administrative discharge board, or waiver of the right to board action, or resignation or request for discharge for the good of the service as provided in subsection 955 of this chapter.

"(b) A member discharged from the service on grounds of unsuitability shall receive an honorable or general discharge. The type of discharge issued such member shall be based on his military record taking into consideration his mental and physical capabilities. A discharge for unsuitability may be given for mental, physical, or psychological disabilities described in regulations issued by the Secretary of Defense.

"(c) A member discharged from the service on the grounds of misconduct shall receive an undesirable discharge unless the circumstances in his case warrant a more favorable type of discharge. A discharge for misconduct may be given a member convicted by civil authorities for a crime involving sexual perversion or narcotics, the penalty for which under chapter 47 of this title is one year imprisonment or more; or a crime for which a punitive discharge may be awarded by a court-martial under chapter 47 of this title. A discharge for misconduct may also be given if the member was adjudged a juvenile offender, wayward minor, or juvenile delinquent by civil authorities for a crime involving sexual perversion or narcotics, the penalty for which under chapter 47 of this title is one year imprisonment or more. A discharge for misconduct may also be given a member convicted by civil authorities for an offense not listed in chapter 47 of this title, the maximum penalties for which authorized by title 18, United States Code, or the District of Columbia Code, whichever is lesser, is one year imprisonment or more.

"(d) A discharge for misconduct may also be given for any unauthorized absence from jurisdiction of the armed forces of one year or more, or for the procurement of a fraudulent enlistment, induction or extension of a period of active duty through any deliberate material misrepresentation, omission, or concealment which if known by the appropriate authorities at the time of the procurement would have resulted in rejection of the member for service.

"(e) A member discharged from the service on the grounds of unfitness shall receive an Undesirable Discharge unless the circumstances warrant a more favorable type of discharge. A discharge for unfitness may be given a member for one or more of the following:

"(1) Frequent involvement of a discreditable nature with civil or armed force authorities.

"(2) Sexual perversion.

"(3) Drug addiction, habituation, or the unauthorized use or possession of narcotics, hypnotics, sedatives, tranquilizers, stimulants, hallucinogens, or other harmful or habit-forming drugs or chemicals.

"(4) An established pattern for shirking official duties and responsibilities.

"(5) An established pattern showing dishonorable failure to pay debts or to contribute adequate support to dependents, or failure to comply with orders, decrees, or judgment of a civil court concerning support of dependents.

"(f) A member discharged from the service on the grounds of security shall receive an Undesirable Discharge unless the circumstances warrant a more favorable type of discharge. A discharge for security reasons may be given a member when the retention of such member is not consistent with the interests of national security.

"(g) In any case in which an Undesirable Discharge is authorized under this chapter, a member may be awarded an Honorable or General Discharge, as appropriate, if during his current enlistment, period of obligated service, or any voluntary or involuntary extensions thereof, or period of prior service he has been awarded a personal decoration as defined by the armed force of which he is a member, or if otherwise warranted by the circumstances of his case.

"(h) No member may be discharged from the service for misconduct under subsection (c) of this section if an appeal of the conviction has been filed and such appeal is still pending. Notwithstanding the foregoing, in any case in which the discharge authority receives a written opinion from the Judge Advocate General of the armed force concerned stating that an appeal by any member is frivolous or without legal merit, the discharge authority may order the discharge of such member without waiting for final disposition of such appeal. If a member is discharged pursuant to the authority of the foregoing sentence and his conviction is reversed on appeal, or his case is returned for retrial and is not retried, or if any other action is taken on appeal which results in the member not having been legally convicted of a felony, he shall receive all pay, allowances, and other benefits, insofar as practicable, he would have received had he not been discharged. The Secretary shall, in any case in which an Undesirable Discharge was issued, change such discharge to an Honorable or General Discharge, as warranted by the service record of the respondent; if a General Discharge was issued the Secretary may change it to an Honorable Discharge if the service record of the respondent warrants such action.

§ 965. Discharge for the convenience of the Government

"A member may be discharged from the armed forces for the convenience of the Government with an Honorable or General Discharge as warranted by his service record, for reasons other than those prescribed in this chapter, pursuant to regulations promulgated by the Secretary of Defense or as otherwise authorized by law.

"§ 966. Review of administrative discharge action

"(a) The Secretary of Defense shall provide by regulation for such review of administrative discharge board proceedings and of discharge authority actions as he determines necessary to determine that (1) the board proceedings were conducted in a fair and impartial manner, (2) the evidence in the record substantially supports the findings of the board, (3) the recommendations of the board are supported by the findings, (4) the action of the discharge authority was legal and appropriate, and (5) all procedures and actions were consistent with the provisions of this chapter. In no case may the decision on review be less favorable than the action ordered by the discharge authority. The regulations shall provide that no discharge under other than honorable conditions shall be issued until affirmed upon such review and, where so ordered in cases reviewed by it, the Court of Military Appeals.

"(b) The Court of Military Appeals shall prescribe by rule for the review under section 867(b)(4) of this title (article 67(b)), by the court of cases arising under this chapter, specifying the grounds upon which such a review may be obtained by the respondent or the armed force concerned and the time within which any such review must be requested. In no case may the decision by the Court of Military Appeals be less favorable than the action ordered by the discharge authority."

SEC. 102. (a) The table of chapters at the beginning of subtitle A (relating to general military law) of title 10, United States Code, is amended by inserting immediately below

"47. Uniform Code of Military Justice.. 801"

the following:

"48. Administrative Discharge Boards.. 941".

(b) The table of chapters at the beginning of part II of subtitle A of title 10, United States Code, is amended by inserting immediately below

"47. Uniform Code of Military Justice.. 801"

the following:

"48. Administrative Discharge Boards.. 941".

SEC. 103. (a) Subsection (b) of section 867 (article 67) of title 10, United States Code, is amended by—

(1) striking out "all cases" at the beginning of clauses (1), (2), and (3), and inserting in lieu thereof "all court-martial cases";

(2) striking out "and" at the end of clause (2);

(3) striking out the period at the end of clause (3) and inserting in lieu thereof a semicolon and the word "and"; and

(4) adding after clause (3) a new clause as follows:

"(4) such cases arising under chapter 48 of this title as are authorized for review pursuant to section 966(b) of such chapter and with respect to which (A) respondents have petitioned the Court of Military Appeals for review and on good cause shown such court has granted a review, or (B) the armed force concerned has ordered sent to such court for review."

(b) Subsection (d) of such section is amended by (1) striking out the word "case" in the first, second, and third sentences and inserting in lieu thereof "court-martial case" and (2) inserting after the third sentence thereof the following new sentence: "In any case referred to in subsection (b)(4) of this section which is reviewed upon petition of a respondent, the court shall take action only with respect to issues of law, and in any such case ordered sent to the court for review by the armed force concerned, the court shall take action only with respect to the issues of law raised by the armed force."

(c) The first sentence of subsection (e) of such section is amended by striking out "sentence" and inserting in lieu thereof "sentence of a court-martial case".

(d) The first sentence of subsection (f) of such section is amended by striking out "case" and inserting in lieu thereof "court-martial case".

(e) Such section is further amended by redesignating subsection (g) as subsection "(h)" and adding after subsection (f) the following new subsection:

"(g) After it has acted on any case referred to in subsection (b)(4) of this section, the Court of Military Appeals may return the record to any reviewing officer or body designated under section 966(a) of this title to review cases arising under chapter 48 of this title for further consideration or action in accordance with the decision of the court, or may, in any case appealed by a respondent, return the record to such officer or body designated under such section 966(a) or directly to the appropriate discharge authority for further consideration or action in accordance with the decision of the court."

SEC. 104. (a) Subsection (c) of section 870 (article 70) of title 10, United States Code, is amended by inserting "in a court-martial case" immediately after "shall represent the accused".

(b) Subsection (d) of such section is amended by inserting "in a court-martial case" immediately after "The accused".

(c) Such section is further amended by adding at the end thereof the following new subsections:

"(f) Appellate counsel shall represent before the Court of Military Appeals a respondent whose case is before the court pursuant to the provisions of section 867(b)(4) of this title (article 67(b)(4))—

"(1) when he is requested to do so by the respondent;

"(2) when the armed force concerned is represented by counsel;

"(3) when the armed force concerned has sent the case to the Court of Military Appeals. A respondent has the right to be represented before the Court of Military Appeals by civilian counsel if provided by him.

"(g) The armed force concerned may be represented by counsel before the Court of Military Appeals in any case reviewed by such court pursuant to section 867(b)(4) of this title (article 67(b)(4))."

SEC. 105. Section 801 (article 1) of title 10, United States Code, is amended by adding at the end thereof a new paragraph as follows:

"(13) 'Respondent' means a member of the armed forces against whom administrative discharge proceedings have been initiated under chapter 48 of this title."

SEC. 106. (a) Subsection (a) of section 266 of title 10, United States Code, is amended by striking out "Each" and inserting in lieu thereof, "Subject to the provisions of chapter 48 of this title, each".

(b) Subsection (b) of such section is amended by striking out "Each" and inserting in lieu thereof, "Subject to the provisions of chapter 48 of this title, each".

SEC. 107. (a) Section 1161 of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(c) No commissioned officer may be discharged under the authority of section 3814, 3818, 6392, 6393, 8814, 8817, or 8818 of this title or under section 321 of title 14, United States Code, for misconduct, unfitness, or security (as described in chapter 48 of this title) or discharged under conditions other than honorable except pursuant to the provisions of chapter 48 of this title."

(b) The catch line of section 1161 of such title is amended to read as follows:

"§ 1161. Commissioned officers: limitations on dismissal and discharge.

(c) The table of sections at the beginning of chapter 59 of such title is amended by striking out

"1161. Commissioned officers: limitations on dismissal."

and inserting in lieu thereof

"1161. Commissioned officers: limitations on dismissal and discharge."

SEC. 108. Section 1162 (a) of title 10, United States Code, is amended to read as follows:

"(a) Subject to the provisions of chapter 48 and other provisions of this title, reserve commissioned officers may be discharged at the pleasure of the President. Subject to the provisions of chapter 48 of this title, other reserves may be discharged under regulations prescribed by the Secretary concerned."

SEC. 109. (a) The first sentence of subsection (a) of section 1163 of title 10, United States Code, is amended by striking out "An" and inserting in lieu thereof "Subject to the provisions of chapter 48 of this title, an".

(b) Paragraphs (1) and (2) of subsection (c) of such section are amended to read as follows:

"(1) he is discharged under conditions other than honorable pursuant to an approved sentence of a court-martial or pursuant to the approved findings and recommendations of an administrative discharge board appointed under chapter 48 of this title; or

"(2) he consents to a discharge under conditions other than honorable with a waiver of proceedings of a court-martial or an administrative discharge board (as provided in chapter 48 of this title), as the case may be."

SEC. 110. Section 1165 is amended by adding at the end thereof a new sentence as follows: "No warrant officer may be discharged under the authority of this section or section 1166 of this title for misconduct, unfitness, or security (as described in chapter 48 of this title) or discharged under conditions other than honorable except pursuant to the provisions of chapter 48 of this title."

SEC. 111. Section 1166 of title 10, United States Code, is amended by adding at the end thereof a new sentence as follows: "The burden of justifying the separation for cause of any permanent regular warrant officer shall be on the armed force of which he is a member."

SEC. 112. (a) Sections 3781, 3782, and 3783 of title 10, United States Code, are amended to read as follows:

"§ 3781. Selection boards: composition; duties

"The Secretary of the Army may at any time convene a board of officers to review the record of any commissioned officer on the active list of the Regular Army to determine whether he should, because the performance of his duty has fallen below standards prescribed by the Secretary, be removed from the active list.

"§ 3782. Boards of inquiry: composition; duties

"(a) Boards of inquiry, each composed of three or more officers, shall be convened at such places as the Secretary of the Army may prescribe, to receive evidence and make findings and recommendations with respect to whether an officer shall be removed from the active list of the Regular Army whenever such action has been recommended by a board of officers pursuant to section 3781 of this title.

"(b) If the board of inquiry determines that there was sufficient evidence before the board of officers convened under section 3781 of this title to support a recommendation that the officer be removed from the active list, the board of inquiry shall conduct a fair and impartial hearing to determine whether the officer should be removed from the active list.

"(c) If a board of inquiry determines that the officer should not be retained on the active list, it shall send the record of its proceedings to a board of review.

"(d) If a board of inquiry determines that the officer should be retained on the active list, his case is closed. However, at any time after one year from the date of that determination, his case may again be considered under section 3781 of this title.

"§ 3783. Board of review: composition; duties

"(a) Board of review, each composed of three or more officers, shall be convened by the Secretary of the Army, at such time as he may prescribe, to review the records of cases of officers recommended by boards of inquiry for removal from the active list of the Regular Army under section 3782 of this title.

"(b) If, after reviewing the record of the case, a board of review determines that the evidence before the board of inquiry was sufficient to justify a recommendation of the officer's removal from the active list, it shall send its recommendations to the Secretary for his action.

"(c) If, after reviewing the record of the case, a board of review determines that the evidence before the board of inquiry was insufficient to justify a recommendation of the removal of such officer from the active list, his case is closed. However, at any time after one year from the date of that determination, his case may again be considered under section 3781 of this title."

(b) Section 3785 of title 10, United States Code, is amended—

(1) by striking out "Each" and inserting in lieu thereof "(a) Each";

(2) by striking out clause (1) and inserting in lieu thereof the following:

"(1) notified in writing, at least 30 days before the hearing of his case by a board of inquiry, that a hearing will be held to determine whether he should be removed from the active list;"; and

(3) by adding at the end thereof the following new subsections:

"(b) In addition to the rights and procedures prescribed in subsection (a) of this section, all rights and procedures prescribed in chapter 48 of this title (relating to administrative discharge boards) shall be applicable to boards of inquiry convened under section 3782 of this section.

"(c) The burden of justifying the removal for cause of any officer from the active list of the Regular Army shall be on the Department of the Army."

SEC. 113. (a) Sections 3791, 3792, and 3793 of title 10, United States Code, are amended to read as follows:

"§ 3791. Selection boards: composition; duties

"The Secretary of the Army may at any time convene a board of general officers to review the record of any commissioned officer on the active list of the Regular Army to determine whether he should, because of moral dereliction, professional dereliction, or because his retention is not clearly consistent with the interests of national security, be removed from the active list.

"§ 3792. Boards of inquiry: composition; duties

"(a) Boards of inquiry, each composed of three or more general officers, shall be convened at such places as the Secretary of the Army may prescribe, to receive evidence and make findings and recommendations with respect to whether an officer shall be removed from the active list of the Regular Army whenever such action has been recommended by a board of officers pursuant to section 3791 of this title.

"(b) If the board of inquiry determines that there was sufficient evidence before the board of officers convened under section 3791 of this title to support a recommendation that the officer be removed from the active list, the board of inquiry shall conduct a fair and impartial hearing to determine whether the officer should be removed from the active list.

"(c) If a board of inquiry determines that the officer should not be retained on the active list, it shall send the record of its proceedings to a board of review.

"(d) If a board of inquiry determines that the officer should be retained on the active list, his case is closed. However, at any time after one year from the date of that determination, his case may again be considered under section 3791 of this title.

"§ 3793. Boards of review: composition; duties

"(a) Boards of review, each composed of three or more general officers, shall be convened by the Secretary of the Army, at such times as he may prescribe, to review the records of cases of officers recommended by boards of inquiry for removal from the active list of the Regular Army under section 3792 of this title.

"(b) If, after reviewing the record of the case, a board of review determines that the evidence before the board of inquiry was sufficient to justify a recommendation of the officer's removal from the active list, it shall send its recommendations to the Secretary for his action.

"(c) If, after reviewing the record of the case, a board of review determines that the evidence before the board of inquiry was insufficient to justify a recommendation of the removal of such officer from the active list, his case is closed. However, at any time after one year from the date of that determination, his case may again be considered under section 3791 of this title."

(b) Section 3795 of title 10, United States Code, is amended—

(1) by striking out "Each" and inserting in lieu thereof "(a) Each";

(2) by striking out clause (1) and inserting in lieu thereof the following:

"(1) notified in writing, at least 30 days before the hearing of his case by a board of inquiry, that a hearing will be held to determine whether he should be removed from the active list;"; and

(3) by adding at the end thereof the following new subsections:

"(b) In addition to the rights and procedures prescribed in subsection (a) of this section, all rights and procedures prescribed in chapter 48 of this title (relating to administrative discharge boards) shall be applicable to boards of inquiry convened under section 3792 of this section.

"(c) The burden of justifying the removal for cause of any officer from the active list of the Regular Army shall be on the Department of the Army."

SEC. 114. Clause (1) of section 3811 (b) of title 10, United States Code, is amended to read as follows:

"(1) as provided in chapter 48 of this title;".

SEC. 115. Section 5864 of title 10, United States Code, is amended by adding at the end thereof the following: "However, no officer may be discharged under authority of this section unless the board proceedings conducted under section 5862 of this title were conducted in accordance with the procedural requirements prescribed in chapter 48 of this title."

SEC. 116. (a) The first sentence of section 6407 of title 10, United States Code, is amended by striking out "Each" and inserting in lieu thereof "(a) Each".

(b) Such section 6407 is further amended by adding at the end thereof a new subsection as follows:

"(b) No officer shall be removed from the active list of the Navy or Marine Corps for reasons of misconduct, unfitness, or security pursuant to the action of a selection board convened under chapter 543 of this title unless the proceedings were conducted in accordance with the procedural requirements prescribed in chapter 48 of this title."

(c) The catch line of such section 6407 is amended to read as follows:

"§ 6407. Communication with selection board; justifying removal from active list."

(d) The table of sections at the beginning of chapter 573 of title 10, United States Code, is amended by striking out—

"6407. Communication with selection board."

and inserting in lieu thereof

"6407. Communication with selection board; justifying removal from active list."

SEC. 117. (a) Sections 8781, 8782, and 8783 of title 10, United States Code, are amended to read as follows:

"§ 8781. Selection boards: composition; duties

"The Secretary of the Air Force may at any time convene a board of officers to review the record of any commissioned officer on the active list of the Regular Air Force to determine whether he should, because the performance of his duty has fallen below standards prescribed by the Secretary, be removed from the active list.

"§ 8782. Boards of inquiry: composition; duties

"(a) Boards of inquiry, each composed of three or more officers, shall be convened at such places as the Secretary of the Air Force may prescribe, to receive evidence and make findings and recommendations with respect to whether an officer shall be removed from the active list of the Regular Air Force whenever such action has been recommended by a board of officers pursuant to section 8781 of this title.

"(b) If the board of inquiry determines that there was sufficient evidence before the board of officers convened under section 8781 of this title to support a recommendation that the officer be removed from the active list, the board of inquiry shall conduct a fair and impartial hearing to determine whether the officer should be removed from the active list.

"(c) If a board of inquiry determines that the officer should not be retained on the active list, it shall send the record of its proceedings to a board of reivew.

"(d) If a board of inquiry determines that the officer should be retained on the active list, his case is closed. However, at any time after one year from the date of that determination, his case may again be considered under section 8781 of this title.

"§ 8783. Board of review: composition; duties

"(a) Boards of review, each composed of three or more officers, shall be convened by the Secretary of the Air Force, at such times as he may prescribe, to review the records of cases of officers recommended by boards of inquiry for removal from the active list of the Regular Air Force under section 8782 of this title.

"(b) If, after reviewing the record of the case, a board of review determines that the evidence before the board of inquiry was sufficient to justify a recommendation of the officer's removal from the active list, it shall send its recommendations to the Secretary for his action.

"(c) If, after reviewing the record of the case, a board of review determines that the evidence before the board of inquiry was insufficient to justify a recommendation of the removal of such officer from the active list, his case is closed. However, at any time after one year from the date of that determination, his case may again be considered under section 8781 of this title."

(b) Section 8785 of title 10, United States Code, is amended—

(1) by striking out "Each" and inserting in lieu thereof "(a) Each";

(2) by striking out clause (1) and inserting in lieu thereof the following:

"(1) notified in writing, at least 30 days before the hearing of his case by a board of inquiry, that a hearing will be held to determine whether he should be removed from the active list;"; and

(3) by adding at the end thereof the following new subsections:

"(b) In addition to the rights and procedures prescribed in subsection (a) of this section, all rights and procedures prescribed in chapter 48 of this title (relating to administrative discharge board) shall be applicable to boards of inquiry convened under section 8792 of this section.

"(c) The burden of justifying the removal for cause of any officer from the active list of the Regular Air Force shall be on the Department of the Air Force."

SEC. 118. (a) Sections 8791, 8792, and 8793 of title 10, United States Code, are amended to read as follows:

"§ 8791. Section boards: composition; duties

"The Secretary of the Air Force may at any time convene a board of general officers to review the record of any commissioned officer on the active list of the Regular Air Force to determine whether he should, because of moral dereliction, professional dereliction, or because his retention is not clearly consistent with the interests of national security, be removed from the active list.

"§ 8792. Boards of inquiry: composition; duties

"(a) Boards of inquiry, each composed of three or more general officers, shall be convened at such places as the Secretary of the Air Force may prescribe, to receive evidence and make findings and recommendations with respect to whether an officer shall be removed from the active list of the Regular Air Force whenever such action has been recommended by a board of officers pursuant to section 8791 of this title.

"(b) If the board of inquiry determines that there was sufficient evidence before the board of officers convened under section 8791 of this title to support a recommendation that the officer be removed from the active list, the board of inquiry shall conduct a fair and impartial hearing to determine whether the officer should be removed from the active list.

"(c) If a board of inquiry determines that the officer should not be retained on the active list, it shall send the record of its proceedings to a board of review.

"(d) If a board of inquiry determines that the officer should be retained on the active list, his case is closed. However, at any time after one year from the date of that determination, his case may again be considered under section 8791 of this title.

"§ 8793. Boards of review: composition; duties

"(a) Boards of review, each composed of three or more general officers, shall be convened by the Secretary of the Air Force at such times as he may prescribe, to review the records of cases of officers recommended by boards of inquiry for removal from the active list of the Regular Air Force under section 8792 of this title.

"(b) If, after reviewing the record of the case, a board of review determines that the evidence before the board of inquiry was sufficient to justify a recommendation of the officer's removal from the active list, it shall send its recommendations to the Secretary for his action.

"(c) If, after reviewing the record of the case, a board of review determines that the evidence before the board of inquiry was insufficient to justify a recommendation of the removal of such officer from the active list, his case is closed. However, at any time after one year from the date of that determination, his case may again be considered under section 8791 of this title."

(b) Section 8795 of title 10, United States Code, is amended—

(1) by striking out "Each" and inserting in lieu thereof "(a) Each";

(2) by striking out clause (1) and inserting in lieu thereof the following:

"(1) notified in writing, at least 30 days before the hearing of his case by a board of inquiry, that a hearing will be held to determine whether he should be removed from the active list;"; and

(3) by adding at the end thereof the following new subsections:

"(b) In addition to the rights and procedures prescribed in subsection (a) of this section, all rights and procedures prescribed in chapter 48 of this title (relating to administrative discharge boards) shall be applicable to boards of inquiry convened under section 8792 of this section.

"(c) The burden of justifying the removal for cause of any officer from the active list of the Regular Air Force shall be on the Department of the Air Force."

SEC. 119. Clause (1) of section 8811 (b) of title 10, United States Code, is amended to read as follows:

"(1) as provided in chapter 48 of this title;".

SEC. 120. (a) Sections 321, 322, and 323 of title 14, United States Code, are amended to read as follows:

"§ 321. Review of records of officers

"The Secretary may at any time convene a board of officers to review the record of any officer of the Regular Coast Guard to determine whether such officer should be removed from active duty—

"(1) because his performance of duty has fallen below the standards prescribed by the Secretary, or

"(2) because of moral dereliction, professional dereliction, or because his retention on active duty is not clearly consistent with the interests of national security.

"§ 322. Boards of inquiry

"(a) Boards of inquiry shall be convened at such places as the Secretary may prescribe to receive evidence and make findings and recommendations with respect to whether an officer shall be removed from active duty whenever such action has been recommended by a board of officers pursuant to section 321 of this title.

"(b) If the board of inquiry determines that there was sufficient evidence before the board of officers convened under section 321 of this title to support a recommendation that the officer be removed from active duty, the board of inquiry shall conduct a fair and impartial hearing to determine whether the officer should be removed from active duty.

"(c) If a board of inquiry determines that the officer should be removed from active duty, it shall send the record of its proceedings to a board of review.

"(d) If a board of inquiry determines that the officer should be retained on active duty, his case is closed. However, at any time after one year from the date of the determination in a case arising under section 321, an officer may again be considered for removal from active duty.

"§ 323. Boards of review

"(a) Boards of review shall be convened at such times as the Secretary may prescribe to review the records of cases of officers recommended by boards of inquiry for removal from active duty.

"(b) If, after reviewing the record of the case, a board of review determines that the evidence before the board of inquiry was sufficient to justify a recommendation of the officer's removal, it shall send its recommendations to the Secretary for his action.

"(c) If, after reviewing the record of the case, a board of review determines that the evidence before the board of inquiry was insufficient to justify a recommendation of the removal of such officer, his case is closed.

However, at any time after one year from the date of the determination in a case arising under section 321, an officer may again be considered for removal from active duty."

(b) Section 325 of title 14, United States Code, is amended—

(1) by striking out "Each" and inserting in lieu thereof "(a) Each";

(2) by striking out clause (1) and inserting in lieu thereof the following:

"(1) notified in writing, at least 30 days before the hearing of his case by a board of inquiry, that a hearing will be held to determine whether he should be removed from active duty."; and

(3) by adding at the end thereof the following new subsections:

"(b) In addition to the rights and procedures prescribed in subsection (a) of this section, all rights and procedures prescribed in chapter 48 of title 10, United States Code (relating to administrative discharge boards) shall be applicable to boards of inquiry convened under section 322 of this title.

"(c) The burden of justifying the removal for cause of any officer from active duty in the Regular Coast Guard shall be on the Coast Guard."

Sec. 121. The amendments made by this title shall become effective on the first day of the sixth calendar month following the month in which it is enacted.

TITLE II—ESTABLISHMENT OF A JUDGE ADVOCATE GENERAL'S CORPS OF THE NAVY

Sec. 201. (a) Section 801 (11) of title 10, United States Code, is amended to read as follows:

"(1) 'Law specialists' means a commissioned officer of the Coast Guard designated for special duty (law), or an officer of the Marine Corps designated to perform legal duties."

(b) The first sentence of section 806(a) of such title is amended by striking out "and Air Force and law specialists of the Navy and Coast Guard" and inserting in lieu thereof a comma and the following: "Navy, and Air Force and law specialists of the Coast Guard".

(c) The last sentence of section 815(e) of such title is amended by striking out "or Air Force, a law specialist of the Navy" and inserting in lieu thereof a comma and the following: "Navy, or Air Force".

(d) Section 827(b)(1) of such title is amended by striking out "or the Air Force, or a law specialist of the Navy" and inserting in lieu thereof a comma and the following: "Navy, or Air Force, or a law specialist of the Marine Corps".

(e) Section 865(c) of such title is amended by striking out "or the Air Force, a law specialist of the Navy" and inserting in lieu thereof a comma and the following: "Navy, or Air Force, a law specialist of the Marine Corps".

(f) Section 936(a)(1) of such title is amended by inserting immediately after "Army" a comma and the following: "the Navy".

Sec. 202. (a) Section 5148 of title 10, United States Code, is amended by redesignating subsections (a), (b), and (c) as subsections "(b)", "(c)", and "(d)", respectively, and by inserting a new subsection (a) as follows:

"(a) The Judge Advocate General's Corps is a Staff Corps of the Navy, and shall be organized in accordance with regulations prescribed by the Secretary of the Navy."

(b) The third sentence of subsection (b) of such section (as redesignated by subsection (a) of this section) is amended by striking out "Navy or the Marine Corps" and inserting in lieu thereof "Judge Advocate General's Corps of the Navy or officers of the Marine Corps designated to perform legal duties".

(c) The catch line of such section is amended to read as follows:

"§ 5148. Judge Advocate General's Corps: Office of the Judge Advocate General; Judge Advocate General; appointment, term, emoluments, duties".

(d) The table of sections at the beginning of chapter 513 of such title is amended by striking out

"5148. Office of the Judge Advocate General; Judge Advocate General; appointment, term, emoluments, duties."

and inserting in lieu thereof

"5148. Judge Advocate General's Corps: Office of the Judge Advocate General; Judge Advocate General; appointment, term, emoluments, duties."

Sec. 203. Section 5149 of title 10, United States Code, is amended to read as follows:

"§ 5149. Office of the Judge Advocate General: Deputy Judge Advocate General; Assistant Judge Advocate General; pay, succession to duties

"(a) An officer of the Judge Advocate General's Corps of the Navy or an officer of the Marine Corps designated to perform legal duties who has the qualifications prescribed for the Judge Advocate General in section 5148(b) of this title shall be detailed as Deputy Judge Advocate General of the Navy. While so serving he is entitled to the rank of rear admiral (upper half) or major general, as appropriate, unless entitled to a higher rank under another provision of law. The Deputy Judge Advocate General is entitled to the same privileges of retirement as provided for chiefs of bureaus in section 5133 of this title.

"(b) An officer of the Judge Advocate General's Corps of the Navy or an officer of the Marine Corps designated to perform legal duties who has the qualifications prescribed for the Judge Advocate General in section 5148(b) of this title shall be detailed as Assistant Judge Advocate General of the Navy. While so serving he is entitled to the rank of rear admiral (lower half), or brigadier general, as appropriate, unless entitled to a higher rank under another provision of law. An officer who is retired while serving as Assistant Judge Advocate General of the Navy, or who, after serving at least twelve months as Assistant Judge Advocate General of the Navy, is retired after completion of that service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the grade of rear admiral or brigadier general, as appropriate. If he is retired as a rear admiral, he is entitled to the retired pay of a rear admiral in the lower half of that grade, unless entitled to higher pay under another provision of law.

"(c) When there is a vacancy in the office of Judge Advocate General or during the absence or disability of the Judge Advocate General, the Deputy Judge Advocate General shall perform the duties of the Judge Advocate General until a successor is appointed or the absence or disability ceases.

"(d) When subsection (c) cannot be complied with because of the absence or disability of the Deputy Judge Advocate General, the Assistant Judge Advocate General shall perform the duties of the Judge Advocate General."

Sec. 204. Section 5404 of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(c) The Secretary of the Navy, as of January 1 of each year, shall establish the authorized strength of the active list of the Navy in officers in the Judge Advocate General's Corps."

Sec. 205. Section 5508 (b) of title 10, United States Code, is amended—

(1) by redesignating clauses (6), (7), and (8) as clauses "(7)", "(8)", and "(9)", respectively; and

(2) by inserting after clause (5) a new clause (6) as follows:

"(6) Officers in the Judge Advocate General's Corps."

Sec. 206. (a) Chapter 539 of title 10, United States Code, is amended by adding after section 5578 a new section as follows:

"§ 5578a. Regular Navy; Judge Advocate General's Corps

"(a) Original appointments to the active list of the Navy in the Judge Advocate General's Corps may be made from persons who—

"(1) are at least 21 and under 35 years of age;

"(2) are graduates of accredited law schools; and

"(3) have physical, mental, moral, and other professional qualifications satisfactory to the Secretary of the Navy.

For the purposes of determining lineal position, permanent grade, seniority in permanent grade, and eligibility for promotion, an officer appointed in the Judge Advocate General's Corps shall be credited with the amount of service prescribed by the Secretary of the Navy, but not less than three years.

"(b) Under such regulations as the Secretary of the Navy may prescribe, appointments to the active list of the Navy in the Judge Advocate General's Corps may be made from officers of the Navy, including the Naval Reserve, in the line or in another staff corps who meet the qualifications prescribed in subsection (a) of this section. Notwithstanding any other law, an officer appointed under this subsection shall have a running mate assigned to him under regulations to be prescribed by the Secretary of the Navy."

(b) Section 5587(c) of such title is amended by striking out "law,".

(c) Chapter 539 of such title is amended by adding after section 5587 a new section as follows:

"§ 5587a. Regular Marine Corps: Officers designated to perform legal duties

"(a) With the approval of the Secretary of the Navy, any officer on the active list of the Marine Corps who is qualified under section 827(b) of this title may, upon his application, be designated to perform legal duties.

"(b) For the purposes of determining lineal position, permanent grade, seniority in permanent grade, and eligibility for promotion, a person appointed to the active list of the Marine Corps as an officer designated to perform legal duties shall be credited with the amount of service prescribed by the Secretary of the Navy, but not less than three years."

(d) Section 5600(b) of such title is amended—

(1) by adding at the end of clause (1) a new item as follows:

"(D) Judge Advocate General's Corps—3 years;"; and

(2) by striking out in clause (2) "Naval Reserve with a view to designation as a law specialist" and inserting in lieu thereof "Marine Corps Reserve with a view to designation to perform legal duties".

(e) The table of sections at the beginning of chapter 539 of such title is amended—

(1) by inserting

"5578a. Regular Navy: Judge Advocate General's Corps."

immediately below

"5578. Regular Navy: Dental Corps."; and

(2) by inserting

"5587a. Regular Marine Corps: officers designated to perform legal duties."

immediately below

"5587. Regular Navy: officers designated for engineering duty, aeronautical engineering duty, and special duty."

Sec. 207. (a) Subsection (g) of section 202 of title 37, United States Code, is amended by striking out "or as" and inserting in lieu thereof a comma and the following:

"Deputy Judge Advocate General of the Navy, or".

(b) Subsection (h) of such section is amended—

(1) by striking out "or" at the end of clause (6);

(2) by redesignating clause (7) as clause "(8)"; and

(3) by adding immediately after clause (6) a new clause (7) as follows:

"(7) Deputy Judge Advocate General of the Navy; or".

(c) Subsection (i) of such section is amended by striking out clause (3) thereof and by redesignating clauses (4) and (5) as clauses "(3)" and "(4)", respectively.

(d) Such section is further amended by adding at the end thereof a new subsection as follows:

"(k) Unless appointed to a higher grade under another provision of law, an officer serving as Assistant Judge Advocate General of the Navy is entitled to the basic pay of a rear admiral (lower half) or brigadier general, as appropriate."

SEC. 208. All law specialists in the Navy are redesignated as judge advocates in the Judge Advocate General's Corps of the Navy. Each law specialist of the Navy who is on a promotion list on the day before the effective date of this Act shall be placed on the appropriate promotion list for the Judge Advocate General's Corps and shall be eligible for promotion when the officer who is to be his running mate in the next higher grade becomes eligible for promotion in that grade. All provisions of title 10, United States Code, not inconsistent with this Act, relating to officers of the Medical Corps of the Navy shall apply to officers of the Judge Advocate General's Corps of the Navy.

SEC. 209. Nothing in this title shall operate to terminate or reduce the term of an officer who was serving as Deputy or Assistant Judge Advocate General of the Navy on the day before the effective date of this title or to deprive him of the rank, pay, allowances, or retirement privileges to which he was then entitled. Notwithstanding any other provision of law, an officer who was so serving on the day before the effective date of this Act shall be deemed to be detailed as Deputy Judge Advocate General, pursuant to section 5149 of title 10, United States Code, as amended by this Act, and, in addition to rights and benefits then accrued, to be entitled to the rank and retirement benefits authorized by that section. For the purposes of determining his eligibility for the retirement benefits authorized by section 5149 of title 10, United States Code, as amended by this title, an officer who is serving as Deputy Judge Advocate General on the effective date of this title shall be credited with all service performed under appointment or detail as Deputy and Assistant Judge Advocate General before the effective date of this title.

SEC. 210. The amendments made by this title shall not affect rights accrued, duties matured, or proceedings commenced prior to the effective date of such amendments.

SEC. 211. The provisions of this title shall become effective on the first day of the third calendar month following the month in which such title is enacted.

TITLE III—MILITARY JUDGES; COMPOSITION OF COURTS-MARTIAL; PROCEDURAL CHANGES

SEC. 301. Section 801 (10) (article 1 (10)) of title 10, United States Code, is amended to read as follows:

"(10) 'Military judge' means an official of a general or special court-martial detailed in accordance with section 826 of this title (article 26)."

SEC. 302. Section 816 (article 16) of title 10, United States Code, is amended to read as follows:

"§ 816. Art. 16. Courts-martial classified

"(a) The three kinds of courts-martial in each of the armed forces are—

"(1) general courts-martial, composed of—

"(A) a military judge and not less than five members; or

"(B) only a military judge, subject to the provisions of subsection (b) of this section;

"(2) special courts-martial, composed of—

"(A) a military judge and not less than three members;

"(B) not less than three members; or

"(C) only a military judge, subject to the provisions of subsection (b) of this section;

"(3) summary courts-martial, composed of one commissioned officer.

"(b)(1) A general court-martial, or a special court-martial to which a military judge has been detailed, shall be composed of only a military judge if the accused (A) has submitted a request in writing to the convening authority that he be tried by a court-martial composed of only a military judge, (B) has submitted such request more than twenty-four hours prior to the time set for the assembling of the court for his trial, and (C) has conferred with counsel having qualifications not less than those prescribed under section 827(b) of this title (article 27(b)) prior to submitting such request. An accused may be tried by a court-martial composed of only a military judge if he submits a written request to the convening authority within a period of less than twenty-four hours prior to the time set for the assembling of the court for his trial if (A) the military judge and the trial counsel consent thereto, and (B) the accused has conferred with counsel having qualifications not less than those prescribed under section 827(b) of this title (article 27(b)) prior to submitting such request.

"(c) In any case in which an accused is to be tried by a general court-martial, or a special court-martial to which a military judge has been detailed, the accused shall be notified, not less than forty-eight hours prior to the assembling of the court for his trial, of the identity of the military judge detailed to the court for the trial of the accused.

"(d) The accused in any case may withdraw his request to be tried by a court-martial composed of only a military judge if, subsequent to submitting such request to the convening authority, the military judge detailed to such case is a miliary judge other than the one indicated to the accused prior to the submission of his request.

"(e) No person shall be tried by a general court-martial composed of only a military judge if death is authorized as punishment for the offense with which such person is charged and the convening authority has not directed that the case be treated as noncapital."

SEC. 303. Section 819 (article 19) of title 10, United States Code, is amended by striking out the last sentence and inserting in lieu thereof the following: "No person shall be tried by a special court-martial without a military judge if a bad-conduct discharge may be adjudged as punishment for the offense with which such person is charged. A bad-conduct discharge may not be adjudged in any case unless (1) a military judge was detailed to the trial, (2) a verbatim record of the proceedings and testimony was made, and (3) except in time of war, the accused was represented or afforded the opportunity to be represented at the trial by counsel having the qualifications prescribed under section 827(b) of this title (article 27(b))."

SEC. 304. The second and third sentences of section 820 (article 20) of title 10, United States Code, are amended to read as follows: "No person with respect to whom summary courts-martial have jurisdiction may be brought to trial before a summary court-martial if he objects thereto. If objection to trial by summary court-martial is made by an accused, trial shall be ordered by special or general court-martial, as may be appropriate."

SEC. 305. Section 825(c)(1) (article 25 (c)(1)) of title 10, United States Code, is amended—

(1) by striking out in the first sentence "before the convening of the court" and inserting in lieu thereof "not less than twenty-four hours before the court is assembled for the trial of the accused"; and

(2) by striking out "convened" in the last sentence and inserting in lieu thereof "assembled".

SEC. 306. (a) Section 826 (article 26) of title 10, United States Code, is amended to read as follows:

"§ 826. Article 26. Military judges of general and special courts-martial

"(a) The authority convening a general court-martial shall, and, subject to the regulations of the Secretary concerned, the authority convening a special court-martial may, detail as military judge thereof a commissioned officer who is a member of the bar of a Federal court or of the highest court of a State and who is certified to be qualified for duty as a military judge by the Judge Advocate General of the armed force of which such military judge is a member. A commissioned officer certified to be qualified for duty as a military judge shall be qualified to serve in such capacity on either a general or special court-martial, including general or special courts-martial composed of only a military judge.

"(b) A military judge shall be designated by the Judge Advocate General, or his designee, of the armed force of which the military judge is a member for detail by the convening authority.

"(c) A commissioned officer who is certified to be qualified for duty as a military judge shall be assigned and directly responsible to the Judge Advocate General, or his designee, of the armed force of which the military judge is a member. A military judge shall perform such duties of a judicial nature other than those relating to his primary duty of military judge of a court-martial whenever such duties are assigned to him by or with the approval of the appropriate Judge Advocate General. Duties of a nonjudicial nature may not be assigned to any military judge except with the approval of the appropriate Judge Advocate General, and approval shall be given only in cases in which the appropriate Judge Advocate General has determined that the performance of nonjudicial duties will not interfere with or adversely affect the performance of the judicial duties of such military judge. Except in the case of a court-martial convened by the President or the Secretary concerned, neither the convening authority nor any member of the staff of the convening authority shall prepare or review any report concerning the effectiveness, fitness, or efficiency of any military judge designated by the appropriate Judge Advocate General for detail by such convening authority.

"(d) Any military judge of one armed force may be detailed to serve as military judge of a court-martial of a different armed force with the consent of the Judge Advocate General of the armed force of which such military judge is a member. No person is eligible to act as a military judge in a case if he is the accuser or a witness for the prosecution or defense or has acted as investigating officer or as counsel in the same case.

"(e) The military judge of a court-martial may not consult with the members of the court, except in the presence of the accused, trial counsel, and defense counsel, nor may he vote with the members of the court."

(b) The table of sections at the beginning of subchapter V of chapter 47 of such title is amended by striking out

"826. 26. Law officer of a general court-martial."

and inserting in lieu thereof

"826. 26. Military judges of general and special courts-martial."

Sec. 307. Section 827 (article 27) of title 10, United States Code, is amended—

(1) by inserting "or special" in subsection (b) immediately after "general".

(2) by striking "or a member of the bar of a Federal court or the highest court of a State," in subsection (c)(2).

Sec. 308. Section 829 (article 29) of title 10, United States Code, is amended—

(1) by striking out in subsection (a) "accused has been arraigned" and inserting in lieu thereof "court has been assembled for the trial of the accused";

(2) by inserting in the first sentence of subsection (b) immediately after "court-martial" a comma and the following: "other than a single-officer general court-martial,"; and by amending the last sentence of subsection (b) to read as follows: "The trial may proceed with the new members present after the recorded evidence previously introduced before the members of the court has been read to the court in the presence of the military judge, the accused, and counsel.";

(3) by inserting in the first sentence of subsection (c) immediately after "court-martial" a comma and the following: "other than a single-officer special court-martial,"; and by amending the last sentence of subsection (c) to read as follows: "The trial shall proceed with the new members present as if no evidence had previously been introduced at the trial, unless a verbatim record of the evidence previously introduced before the members of the court or a stipulation thereof is read to the court in the presence of the military judge, if any, the accused and counsel,"; and

(4) by adding the following new subsections at the end thereof:

"(d) If the military judge of a court-martial is unable to proceed with the trial because of physical disability, a challenge for cause, or for other good cause, the trial shall proceed, subject to the provisions of section 816(d) of this title (article 16(d)), after the detail of a new military judge as if no evidence had previously been introduced, unless a verbatim record of the evidence previously introduced or a stipulation thereof is read in court in the presence of the new military judge, the accused, and counsel.

"(e) Notwithstanding the provisions of subsections (a) through (d) of this section, in any case in which a new member or a new military judge is detailed to a court-martial after the court has been assembled for the trial of the accused, the court shall proceed as if no evidence had previously been introduced if the military judge or, if none, the court determines that such procedure is necessary or desirable to insure a fair and impartial trial."

Sec. 309. The second sentence of section 835 (article 35) of title 10, United States Code, is amended to read as follows: "Except in time of war, no person may, against his objection, be brought to trial, or be required to participate by himself or counsel in a session called by the law officer under section 839(a) of this title (article 39(a)), in a general court-martial case within a period of five days after the service of charges upon him, or in a special court-martial case within a period of three days after the service of charges upon him."

Sec. 310. (a) Section 837 (article 37) of title 10, United States Code, is amended—

(1) by inserting "(a)" at the beginning of the first sentence thereof;

(2) by adding at the end thereof the following new sentence:

"The foregoing provisions of this subsection shall not apply with respect to (1) general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of courts-martial, or (2) to statements and instructions given in open court by the military judge, president of a special court-martial, or counsel."; and

(3) by adding after subsection (a) (as designated by paragraph (1) hereof) a new subsection as follows:

"(b) In the preparation of an effectiveness, fitness, or efficiency report, or any other report or document used in whole or in part for the purpose of determining whether a member of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of a member of the armed forces, or in determining whether a member of the armed forces should be retained on active duty, no person subject to this chapter may, in preparing any such report (1) consider or evaluate the performance of duty of any such member as a member of a court-martial, or (2) give a less favorable rating or evaluation of any member of the armed forces because of the zeal with which such member, as counsel, represented any accused before a court-martial."

(b) The amendments made by this section shall become effective on the first day of the first calendar month following the month in which this title is enacted.

Sec. 311. The last sentence of section 838 (b) (article 38 (b)) of title 10, United States Code, is amended by striking out "president of the court" and inserting in lieu thereof "military judge or by the president of a special court-martial without a military judge."

Sec. 312. Section 839 (article 39) of title 10, United States Code, is amended to read as follows:

"§ 839. Art. 39. Sessions

"(a) At any time after the service of charges which have been referred for trial to a court-martial composed of a military judge and members, the military judge may, subject to section 835 of this title (article 35), call the court into session without the presence of the members for the purpose of—

"(1) hearing and determining motions raising defenses or objections which are capable of determination without trial of the issues raised by a plea of not guilty;

"(2) hearing and ruling upon any matter which may be ruled upon by the law officer under this chapter, whether or not the matter is appropriate for later consideration or decision by the members of the court;

"(3) if permitted by regulations of the Secretary concerned, and subject to the provisions of section 845 of this title (article 45), holding the arraignment and receiving the pleas of the accused; and

"(4) performing any other procedural function which may be performed by the military judge under this chapter or under rules prescribed pursuant to section 836 of this title (article 36) and which does not require the presence of the members of the court.

Such proceedings shall be conducted in the presence of the accused, the defense counsel, and the trial counsel and shall be made a part of the record.

"(b) When the members of a court-martial deliberate or vote, only the members may be present. All other proceedings, including any consultation of the members of the court with counsel or the military judge, shall be made a part of the record and shall be in the presence of the accused, the defense counsel, the trial counsel, and, in cases in which a military judge has been detailed to the court, the military judge."

Sec. 313. Section 840 (article 40) of title 10, United States Code, is amended to read as follows:

"§ 840. Art. 40. Continuances

"The military judge, or the president of a special court-martial without a military judge may, for reasonable cause, grant a continuance to any party for such time, and as often, as may appear to be just."

Sec. 314. The first two sentences of section 841(a) (article 41(a)) of title 10, United States Code, are amended to read as follows: "The military judge and members of a general or special court-martial may be challenged by the accused or the trial counsel for cause stated to the court. The military judge or, if none, the court shall determine the relevancy and validity of challenges for cause; and the court, when no military judge is detailed, may not receive a challenge to more than one person at a time."

Sec. 315. Section 842(a) (article 42(a)) of title 10, United States Code, is amended to read as follows:

"(a) Before performing their respective duties, military judges, members of general and special courts-martial, trial counsel, assistant trial counsel, defense counsel, assistant defense counsel, reporters, and interpreters shall take an oath to perform their duties faithfully. The form of the oath, the time and place of the taking thereof, and the manner of recording the same shall be prescribed in regulations of the Secretary concerned. Such regulations may provide that once an oath to perform faithfully duties as a military judge, trial counsel, assistant trial counsel, defense counsel, or assistant defense counsel has been taken by a judge advocate, law specialist, or other persons certified to be qualified or competent to perform any such duties, such an oath need not again be taken each time the judge advocate, law specialist, or other person is detailed to perform such duties."

Sec. 316. Section 845 (article 45) of title 10, United States Code, is amended—

(1) by striking out "arraigned before a court-martial" in subsection (a) and inserting in lieu thereof "after arraignment"; and

(2) by amending subsection (b) to read as follows:

"(b) A plea of guilty by the accused may not be received to any charge or specification alleging an offense for which the death penalty may be adjudged and which the convening authority has not directed be treated as non-capital. With respect to any other charge or specification to which a plea of guilty has been made by the accused and accepted by the military judge or by a court-martial without a military judge, a finding of guilty of the charge or specification may, subject to the provisions of subsection (a) of this section and if permitted by regulations of the Secretary concerned, be entered immediately without vote. This finding shall constitute the finding of the court unless the plea of guilty is withdrawn prior to announcement of the sentence, in which event the proceedings shall continue as though the accused had pleaded not guilty."

Sec. 317. Section 849(a) (article 49(a)) of title 10, United States Code, is amended by inserting "the military judge or court-martial without a military judge hearing the case or, if the case is not being heard," immediately after "unless".

Sec. 318. (a) The first sentence of subsection (a) of section 851 of title 10, United States Code, is amended to read as follows: "Voting by members of a general or special court-martial on the findings and on the sentence, and by members of a court-martial without a military judge upon questions of challenge, shall be by secret written ballot."

(b) The first three sentences of subsection (b) of such section 851 are amended to read as follows: "The military judge or, except for questions of challenge, the president of a court-martial without a military judge shall rule upon all questions of law and all interlocutory questions arising during the proceedings. Any such ruling made by the military judge upon any question of law or any interlocutory question other than the mental responsibility of the accused, or by the president of a court-martial without a military judge upon any question of law other than motion for a finding of not guilty, is final and constitutes the ruling of the court. However, the military judge may change his ruling at any time during the trial."

(c) The first sentence of subsection (c) of such section 851 is amended by striking out "the law officer of a general court-martial and the president of a special court-martial shall, in the presence of the accused and counsel, instruct the court as to the elements of the offense and charge the court" and inserting in lieu thereof "the military judge and the president of a court-martial without a military judge shall, in the presence of the accused and counsel, instruct the members of the court as to the elements of the offense and charge them".

(d) Such section 851 is further amended by adding at the end thereof a new subsection as follows:

"(d) The military judge of a single-officer general or special court-martial shall determine all questions of law and fact arising during the proceedings, rule on all motions, and, if the accused is convicted, adjudge an appropriate sentence."

SEC. 319. Section 852 (article 52) of title 10, United States Code, is amended—

(1) by inserting "as provided in section 845(b) of this title (article 45(b)) or" immediately after "except" in subsection (a)(2);

(2) by striking out the period at the end of subsection (c) and inserting in lieu thereof a comma and the following: "but a determination to reconsider a finding of guilty or, with a view toward decreasing it, a sentence may be made by any lesser vote which indicates that the reconsideration is not opposed by the number of votes required for that finding or sentence."; and

(3) by adding at the end thereof a new subsection as follows:

"(d) The provisions of subsections (a), (b), and (c) of this section, insofar as they relate to the number of votes required by members of a court-martial, are not applicable to the trial of an accused by a general or special court-martial composed of only a military judge."

SEC. 320. (a) Section 854(a) (article 54(a)) of title 10, United States Code, is amended to read as follows:

"(a) Each general court-martial and each special court-martial in which a military judge is required to be detailed shall keep a separate record of the proceedings in each case brought before it, and the record shall be authenticated by the signature of the military judge. If the record cannot be authenticated by the military judge by reason of his death, disability, or absence, it shall be authenticated by the signature of the trial counsel or a member. If the proceedings have resulted in an acquittal of all charges and specifications or, if not affecting a general or flag officer, in a sentence not including discharge and not in excess of that which may otherwise be adjudged by a special court-martial, the record shall contain such matters as may be prescribed by regulations of the President."

"(b) Section 854(b) (article 54(b)) of title 10, United States Code, is amended by striking "Each special and" and inserting in lieu thereof "Each special court-martial in which a military judge is not required by section 819 (article 19) of this title to be detailed and each".

SEC. 321. Sections 806(c) (article 6(c)), 827(a) (article 27(a)), 837 (article 37), 841(b) (article 41(b)), and 936(b) (article 36(b)) of title 10, United States Code, are amended by striking out "law officer" wherever it appears in such sections and inserting in lieu thereof "military judge".

SEC. 322. The amendments made by this title shall become effective on the first day of the tenth calendar month following the month in which it is enacted, except that the amendments made to section 837 (article 37) of title 10, United States Code, shall become effective on the first day of the first calendar month following the month in which this title is enacted.

TITLE IV—COURTS OF MILITARY REVIEW

SEC. 401. Section 866 (article 66) of title 10, United States Code, is amended to read as follows:

"§ 866. Art. 66. Courts of Military Review.

"(a) There is established for each military department an intermediate appellate court which shall have authority to review, as provided in this section, courts-martial cases tried by that military department for which such court is established. Each such court is a court of record and shall be known as the Court of Military Review for the military department for which it is established. The Court of Military Review for any military department shall, for administrative purposes only, be located in such department.

"(b) The Secretary of each military department shall appoint persons to serve as judges of the Court of Military Review for that military department. Not less than one-third of the total number of judges appointed to the Court of Military Review of any military department shall be appointed from civilian life. The Secretary shall divide, as equally as possible, judges appointed to the Court of Military Review into three classes. Judges assigned to the first class shall serve for a period of one year, judges assigned to the second class shall serve for a period of two years, and judges assigned to the third class shall serve for a period of three years from the date on which the original appointments are made to the Court of Military Review under this section, and thereafter the term of each judge appointed to such court shall be three years from the date of the term for which his predecessor was appointed, so that one-third of the total membership of such court may be appointed every year. Whenever a vacancy shall occur among the members of such court the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of the member whose place he was selected to fill. The Secretary of the military department concerned shall from time to time designate one of the judges of the Court of Military Review for such military department as chief judge of such court. The Secretary shall choose the chief judge on the basis of seniority of service on the Court of Military Review and his judicial and administrative abilities. The Court of Military Review for each military department shall consist of as many three-judge panels as the Secretary of the department concerned shall deem necessary.

"(c) Any civilian and any commissioned officer of the armed forces shall be eligible for appointment to a Court of Military Review if such person is a member of the bar of a Federal court or the highest court of a State and meets such other qualifications as may be prescribed by the Secretary concerned.

"(d) The Court of Military Review for each military department shall sit in panels of three judges each for the purpose of reviewing courts-martial cases. The composition of such panels shall be determined by the chief judge of the court concerned; but the chief judge on his own motion, or on the request of at least one-half of the judges of the court concerned, may require the court to sit en banc for the purpose of reviewing any particular court-martial case. A judge of the Court of Military Review of one military department may sit as a judge of the Court of Military Review for another military department when authorized to do so by the Secretaries of the military departments concerned.

"(e) The compensation of judges appointed from civilan life to the Courts of Military Review of the military departments shall be fixed by the Secretary of Defense and shall be uniformly applicable to the Courts of Military Review of all military departments. The Secretary of Defense shall fix the rate of compensation for such judges at a rate equal to that of officers and employees of the United States who hold positions involving comparable responsibility and professional qualifications, as determined by the Secretary of Defense, and whose compensation is fixed in accordance with the General Schedule of the Classification Act of 1949, as amended.

"(f) During the term for which they are appointed, judges of the Court of Military Review may be removed from such office by the Secretary concerned, upon notice and hearing, for neglect of duty or malfeasance in office, or for disability, but for no other cause.

"(g) Judges of the Courts of Military Review shall be assigned duties of a judicial nature other than those relating to the review of court-martial cases only with the approval of the Secretary concerned, and such approval shall be given by the Secretary only if he determines that the performance of such other duties will not interfere with or adversely affect the performance of their duties as judges of the Courts of Military Review, and in no case shall such judges be assigned duties of a nonjudicial nature.

"(h) Any person appointed to a Court of Military Review shall be known as a military judge, and any commissioned officer appointed to serve on a Court of Military Review shall, in all matters relating to the work of such court, be addressed and referred to as a military judge without reference to his military grade.

"(i) The Judge Advocate General shall refer to the Court of Military Review the record in every case of trial by court-martial in which the sentence, as approved, affects a general or flag officer or extends to death, dismissal of an officer, cadet, or midshipman, dishonorable or bad-conduct discharge, or confinement for one year or more.

"(j) In any case referred to it, a Court of Military Review shall act only with respect to the findings and sentence as approved by an officer exercising general court-martial jurisdiction. It shall affirm only such findings of guilty, and the sentence or such part or amount of the sentence, as it finds correct in law and fact and determines on the basis of the entire record, should be approved. It may, also, suspend all or any part of the sentence. In considering the record it shall have the authority to weigh the evidence, judge the credibility of witnesses, and determine controverted questions of fact, recognizing that the trial court saw and heard the witnesses.

"(k) If a Court of Military Review sets aside the findings and sentence it may, except where the setting aside is based on lack of sufficient evidence in the record to support the findings, order a rehearing. If it sets aside the findings and sentence and does not order a prehearing it shall order that the charges be dismissed.

"(l) The Judge Advocate General shall, unless there is to be further action by the President, or the Secretary of the Department, or the Court of Military Appeals, instruct the convening authority to carry out the mandate of the Court of Military Review. If the Court of Military Review has ordered a rehearing and the convening authority finds a rehearing impracticable, he may dismiss the charges.

"(m) The Chief Judges of the Courts of Military Review shall prescribe uniform rules of procedure for the Courts of Military Review and shall meet periodically to formulate policies and procedures in regard to review of court-martial cases in such courts.

Such rules of procedure and policies and procedures shall not become effective unless approved by the Court of Military Appeals.

"(n)(1) There is established an appellate court which shall have authority to review, as provided in this section, courts-martial cases tried by the Coast Guard. Such court is a court of record and shall be known as the Court of Military Review for the Coast Guard. Such court shall, for administrative purposes only, be located in the Department of the Treasury.

"(2) The Court of Military Review for the Coast Guard shall consist of three members to be appointed by the Secretary of the Treasury, at least one of whom shall be appointed from civilian life. Each member of such board shall be appointed for a period of three years except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of office of the members first appointed to such board shall expire, as designated by the Secretary of the Treasury, one at the end of one year, one at the end of two years, and one at the end of three years.

"(3) Judges of the Court of Military Review for the Coast Guard may be assigned duties of a non-judicial nature only with the approval of the Secretary of the Treasury on the recommendation of the General Counsel of the Department of the Treasury, and such approval shall be given by the Secretary only if he determines that the performance of such other duties will not interfere with or adversely affect the performance of their duties as judges of such court.

"(4) Except as otherwise provided in this subsection, all provisions of this section applicable to Courts of Military Review for the military departments shall be applicable to the Court of Military Review for the Coast Guard.

"(5) The Secretary of the Navy shall provide by regulation for the appropriate assignment of Judges of the Court of Military Review for the Coast Guard whenever the Coast Guard is operating as a service in the Navy."

Sec. 402. (a) Section 865(b) (article 65(b)), section 867 (b), (c), (d), and (f) (article 67 (b), (c), (d), and (f)), section 870 (b), (c), and (d) (article 70 (b), (c), and (d)), and section 871(c) (article 71(c)) of title 10, United States Code, are each amended by striking out "board of review" wherever it appears in such sections and inserting in lieu thereof "Court of Military Review".

(b) The first sentence of section 868 of such title (article 68) is amended by striking out ", and to establish in such branch office one or more boards of review".

(c) The last sentence of section 868 of such title (article 68) is amended to read as follows: "That Assistant Judge Advocate General may perform for that command, under the general supervision of the Judge Advocate General, the duties which the Judge Advocate General would otherwise be required to perform in respect to all cases involving sentences not requiring approval by the President."

(d) Section 869 of such title (article 69) is amended by—

(1) striking out "Every" in the first sentence and inserting in lieu thereof "(a) Every";

(2) Striking out "reviewed by a board of review" in the second sentence and inserting in lieu thereof "transmitted for review to a Court of Military Review"; and

(3) adding the following new subsections at the end thereof:

"(b) Notwithstanding section 876 of this title (article 76), the findings or sentence, or both, in any court-martial case which has been finally reviewed, but has not been reviewed by a Court of Military Review, may be vacated or modified, in whole or in part, by the Judge Advocate General on the ground of newly discovered evidence, fraud on the court, lack of jurisdiction over the accused or the offense, or error prejudicial to the substantial rights of the accused.

"(c) The Judge Advocates General shall meet periodically to formulate policies and procedures in regard to review of court-martial cases in the office of the Judge Advocate General."

(e) Section 873 of such title (article 73) is amended to read as follows: "At any time within two years after approval by the convening authority of a court-martial sentence, the accused may petition the Judge Advocate General for a new trial on the grounds of newly discovered evidence or fraud on the court. If the accused's case is pending before a Court of Military Review or before the Court of Military Appeals, the Judge Advocate General shall refer the petition to the appropriate court for action."

Sec. 403. The provisions of this title shall become effective on the first day of the sixth calendar month following the month in which it is enacted, except that the amendment made by section 402 (d) (3) is effective upon the date of its enactment, and the amendment made by section 402(e) is effective with respect to a court-martial sentence approved by the convening authority on and after, or not more than two years before, the date of its enactment. Any case pending before a board of review on the effective date of this title shall be transmitted to the appropriate Court of Military Review for review and disposition.

TITLE V—BOARD FOR THE CORRECTION OF MILITARY RECORDS

Sec. 501. Subsections (a) and (b) of section 1552 of title 10, United States Code, are amended to read as follows:

"(a) (1) There is hereby established in the Department of Defense a board to be known as the 'Board for the Correction of Military Records' (hereinafter in this section referred to as the 'Board'). The Board shall be composed of nine members appointed from civilian life by the Secretary of Defense. No person who has served on active duty with the armed forces for a period of ten or more years or who is eligible for retirement pay, including disability retirement pay, based on service in the armed forces shall be eligible for appointment to the Board.

"(2) Each member of the Board shall be appointed for a period of three years, except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of office of the members first appointed to the Board shall expire, as designated by the Secretary of Defense at the time of appointment, three at the end of one year, three at the end of two years, and three at the end of three years. The Secretary of Defense shall designate from time to time one of the members of the Board to serve as Chairman.

"(3) The compensation of members of the Board shall be fixed by the Secretary of Defense. The rate of compensation for such members shall be fixed at a rate equal to that of officers and employees of the United States who hold positions involving comparable responsibility and professional qualifications, as determined by the Secretary of Defense, and whose compensation is fixed in accordance with the General Schedule of the Classification Act of 1949, as amended. No duties other than those directly concerned with the administration of this section may be assigned to members of the Board if such duties in any manner interfere with or adversely affect the proper administration of this section.

"(4) The Board shall prescribe its own rules of procedure for the conduct of its affairs. A vacancy in the Board shall not impair the right of the remaining members to exercise the power of the Board. The Secretary of Defense may remove any member of the Board, after notice and hearing, for neglect of duty or malfeasance in office, or for mental or physical disability, but for no other cause.

"(5) Upon his certificate, each member of the Board is entitled to be paid by the Secretary of Defense (A) all necessary traveling expenses, and (B) his reasonable maintenance expenses, but not to exceed $15 a day, incurred while attending Board meetings or transacting official business outside the District of Columbia.

"(b) It shall be the function of the Board to review, upon application, any record of a military department and to correct such record when it considers such action necessary to correct an error or to remove an injustice. The power of the Board shall include authority to modify, set aside, or expunge the findings or sentence, or both, of a court-martial case not reviewed by a Court of Military Review pursuant to section 866 of this title (article 66) when it considers such action necessary to correct an error or to remove an injustice; and in any case in which the Board determines that an error has been committed or an injustice suffered as the result of a court-martial trial which has been reviewed pursuant to section 866 (article 66) it may recommend to the Secretary concerned that the Secretary exercise his power under section 874 or 875 of this title (article 74 or 75). Before making a change in the record of any military department, or granting any other relief authorized by this section, the Board shall request the views and recommendations of the Secretary concerned and shall give due consideration to such views and recommendations before taking any action with respect to such record or before granting any other relief authorized by this section. Except when procured by fraud, a correction under this section is final and conclusive on all officers of the United States."

Sec. 502. Section 1152 of title 10, United States Code, is further amended by—

(1) redesignating subsections (c), (d), and (e) as subsections "(d)", "(e)", and "(f)", respectively;

(2) adding after subsection (b), as amended by this section, a new subsection (c) as follows:

"(c) No correction may be made under subsection (b) of this section unless the claimant or his heir or legal representative files a request therefor before October 26, 1961, or within three years after he discovers, or by the exercise of due diligence should have discovered, as determined by the Board, the error or injustice, whichever is later. However, the Board may excuse a failure to file within three years after discovery (or after discovery should have been made) if it finds it to be in the interest of justice.";

(3) striking out "who was paid under subsection (c)" in subsection (e), as redesignated by this Act, and inserting in lieu thereof "who was paid under subsection (d)"; and

(4) adding at the end thereof the following new subsections:

"(g)(1) The Secretary of the Treasury is authorized to establish in the Treasury Department a board to review and correct military records of members and former members of the United States Coast Guard. Such board, if established, shall be composed of three civilian members, appointed by the Secretary of the Treasury. No person who has served on active duty with the armed forces for a period of ten or more years or who is eligible for retirement pay, including disability retirement pay, based on service in the armed forces shall be eligible for appointment to the Board. The members of such board, if established, shall be appointed for a term of three years, except that (A) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of office of the members first appointed to the board shall expire, as designated by the Secretary of the Treasury at the time of appointment, one at the end of one year, one at the end of two years, and one at the end of three years. The Secretary of the Treasury shall designate from time to time one of the members of the board to serve as chairman. The board shall have the same powers and functions regarding the correction of military records of members and former members of the Coast Guard as the board established under subsection (a) of this section has with regard to the correction of military records of members and former members of the armed forces. The chairman of the board established for the Coast Guard under this paragraph and the chairman of the board established for the military departments under subsection (a) of this section shall meet together periodically for the purpose of coordinating the policies and procedures of their respective boards so that such policies and procedures shall be as uniform as practicable.

"(2) In the event the Secretary of the Treasury does not elect within one year after the date of enactment of this paragraph to establish a board pursuant to paragraph (1) hereof, the board established under subsection (a) of this section to correct military records of members and former members of the armed forces shall have authority to review and correct military records of members and former members of the Coast Guard in the same manner and to the same extent as it may review and correct military records of members and former members of the Army, Navy, Air Force, and Marine Corps.

"(h) Under such rules and regulations as the Secretary of Defense may prescribe, boards established under this section shall have authority to compel the appearance of witnesses and to compel the production of other evidence. Process issued under authority of this subsection shall be the same as that provided for courts-martial under chapter 47 of this title."

SEC. 503. Any case pending before any board established under section 1552 of title 10, United States Code, on the effective date of this title shall be transferred for review and disposition to the appropriate board authorized to be established pursuant to the amendments made by this title.

SEC. 504. Section 1553 of title 10, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(d) Under such rules and regulations as the Secretary of Defense may prescribe, boards established under this section shall have authority to compel the appearance of witnesses and to compel the production of other evidence. Process issued under authority of this subsection shall be the same as that provided for courts-martial under chapter 47 of this title."

SEC. 505. The amendments made by this title shall become effective on the first day of the sixth calendar month following the month in which it is enacted.

The section-by-section analysis, presented by Mr. ERVIN, is as follows:

MILITARY JUSTICE ACT OF 1967—SECTION-BY-SECTION ANALYSIS

TITLE I

Title I establishes basic rules of procedure for administrative discharge boards and similar proceedings in the armed forces.

Section 101 adds a new chapter 48, title 10, United States Code, prescribing the minimum procedural due process applicable in administrative discharge boards considering discharges under conditions other than honorable. Chapter 48 consists of 25 sections, as follows:

Section 941 contains the definitions applicable for chapter 48.

Section 942 makes chapter 48 applicable to all members of the armed forces whether in active status or serving in the reserve forces.

Section 943 provides that no member may be discharged under conditions other than honorable except for reasons of misconduct, unfitness, or security and that discharges for these reasons must be pursuant to the procedures set forth in the chapter.

Section 944 defines the administrative discharge board as a fact-finding body consisting of three or more officers whose duty it is to conduct a fair and impartial hearing, receive evidence, find facts based upon substantial evidence, and recommend on the basis of the evidence and the facts found, whether a member should be retained or discharged from the armed forces. The board is also to recommend the type of discharge and to specify reasons for its recommendations.

Section 945 authorizes the President, the Secretary of each service and officers designated by them as appointing authorities. Members of the board are required to be officers of mature judgment and temperament. Officers who have participated in previous hearings at which the member was a respondent may not be members.

Section 946 permits the appointment of a legally qualified advisor to the board when the case presents legal or other questions of such complexity as to make the presence of a legal advisor advisable or when the board or the respondent so requests. The appointing authority is directed to comply with the request unless there are compelling reasons for refusing. A statement of the reasons must be included in the record if the request is not granted.

Section 947 requires the appointment of legally qualified counsel for the respondent. The member may have military counsel of his own choice if reasonably available and may also retain civilian counsel at his own expense.

Section 948 authorizes the appointment of a non-voting recorder to present evidence to the board and to keep a record of the proceedings.

Section 949 provides for the appointment of reporters to record the proceedings and testimony presented at the hearing.

Section 950 authorizes the Secretary of Defense to prescribe rules and regulations for implementing chapter 48. The Secretary of the Treasury is similarly authorized to prescribe rules for the Coast Guard when it is not operating as a service in the Navy. The section states that the procedural safeguards established by chapter 48 are to be considered minimums and that the Secretary may grant additional procedural safeguards to respondents. The rules are to be as uniform as possible and are to be reported to the Congress.

Section 951 parallels section 837 of title 10 (article 37 of the Uniform Code of Military Justice) in prohibiting improper interference with the independence and impartiality of discharge boards, courts of inquiry and military commissions.

Subsection (a) prohibits any reprimand of a board because of the findings or recommendations arrived at in a case. General instructions relating to the duties and responsibilities of board members are permitted.

Subsection (b) prohibits coercion or improper influencing of boards with a view to affecting the impartiality of the proceedings.

Subsection (c) makes violation of this section punishable as a court-martial offense.

Subsection (d) prohibits the evaluation of a member's performance as a board member for purposes of promotion or assignment. Also, the zeal with which counsel represents a respondent may not be regarded as an adverse factor for promotion or assignment.

Section 952 requires that 15 days notice be given to a member against whom administrative discharge proceedings have been initiated. The notice must inform him of his rights to have legal counsel, to present evidence and cross-examine adverse witnesses, and to remain silent if he chooses. The notice must also inform him of the nature of the action contemplated, the charges and evidence against him, the names of prospective government witnesses, the applicable regulations, and the possible consequences of the proceedings.

Section 953 requires that the parents of respondents less than 21 years old must be notified of the initiation of discharge action. Such notice is also to be sent when the respondent is over 21 but is considered unable to appreciate the nature of the action being taken.

Section 954 requires that counsel be sent copies of all notices and other information sent to the respondent.

Section 955 (a) provides that a written waiver of the right to a board may be made only after consultation with counsel. The waiver is not valid if made within 24 hours of notice under section 952. The appointing authority may also reject a waiver if he determines that it was improvidently made.

Subsection (b) permits the appointing authority to deem a waiver of a board hearing to have been made if a respondent in civil confinement or absent without official leave fails to respond within 30 days of notice.

Subsection (c) permits a respondent to resign or be discharged for the good of the service if he so requests in writing after consultation with counsel. The discharge awarded may be honorable or under honorable conditions if such is warranted in the interests of justice. An undesirable discharge may not be awarded if the grounds alleged for board action would not have supported such a discharge.

Section 956 requires that all proceedings of the board be recorded and that, except when the board deliberates or votes, they occur in the presence of counsel, the respondent, and the legal advisor if one has been detailed. Only the voting members of the board may be present when the board deliberates or votes. The board may hear the case in absentia only when the respondent is represented by qualified counsel.

Section 957 provides for challenges to board members only for cause. Challenges are determined by the other members of the board when no legal advisor has been detailed.

Section 958 requires members of the board, counsel, and reporter to take an oath to perform their duties faithfully. Witnesses are examined under oath.

Section 959 prohibits the admission into evidence of acts occurring more than three years prior to the order appointing the board or prior to the current enlistment or tour of duty of the respondent, whichever is longer. However, evidence of fraud or misrepresentation affecting the current enlistment is admissible if the service could not have discovered the misrepresentation or fraud.

Subsection (c) prohibits introduction of evidence of acts or omissions which were the subject of a previous court-martial or civil trial which resulted in acquittal or for which the rule against double jeopardy prevents a second trial.

Subsection (d) requires that any evidence admitted must be relevant, material, and probative. It prohibits any ex-parte evidence and introduction of investigative reports unless a copy has been furnished to the respondent in advance and the investigating officer is available for examination as a witness. Matter deleted from the report for security may not be shown to the board. The report may not be introduced if deletions have substantially reduced its evidential value.

Section 960 (a) grants equal rights to the respondent to obtain witnesses and evidence under regulations prescribed by the Secretary of Defense. Subpoena power is authorized.

Subsection (b) permits the taking of depositions upon reasonable notice unless forbidden upon good cause. The Secretary of Defense is to issue regulations governing the taking of depositions.

Subsection (c) grants the respondent the right to submit any sworn or unsworn statement in his own defense and to submit to examination under oath if he chooses. Cross-examination of all witneseses and examination of all documents and other evidence submitted is permitted respondent and counsel.

Section 961 provides that all rulings, findings, and recommendations shall be by majority vote of the members of the board. When a legal advisor is detailed, he rules on the admissibility of evidence, on motions, and on challenges for cause.

Section 962 requires that a record be kept of all proceedings and that a copy be presented to the respondent. The record must be verbatim in cases of undesirable discharges and in all other cases where ordered by the appointing authority, required by regulations, or where required for a fair and impartial review of the board proceedings.

Section 963 (a) authorizes the appointing authority to approve the findings of the board if he determines that they are substantially and convincingly supported by the record. He may disapprove the discharge recommended and issue a higher type of discharge or order a new hearing if he determines the existence of error prejudicial to the respondent, or in the interests of justice. He may not approve findings or recommendations of the new board less favorable to the respondent if the evidence presented is substantially the same as that presented in the earlier hearing. The authority may also retain the member or suspend the execution of a discharge. The basis for the discharge may be changed, but no discharge recommended on the grounds of unsuitability may be changed to the grounds of unfitness or misconduct.

Subsection (b) provides that when a board recommends the retention of the respondent, the case is closed, and no subsequent board may again consider the charges if the evidence presented is substantially the same as that presented earlier.

Subsection (c) permits a subsequent board unlimited by previous findings or recommendations only if fraudulent evidence submitted by the respondent formed the basis in whole or in part for the findings of the first board.

Section 964 (a) prescribes the standards for the types of discharges permitted.

Subsection (b) provides that a member discharged for unsuitability may receive an honorable or general discharge based upon his military record considered in the light of his mental and physical capabilities.

Subsection (c) authorizes an undesirable discharge on the grounds of misconduct after a civil conviction for a crime involving narcotics or sexual perversion, where State law authorizes imprisonment for one year or more; after conviction of a crime classified as a felony under title 18, United States Code, or the District of Columbia Code, or for which the Uniform Code of Military Justice authorizes the award of a punitive discharge; or after conviction of a crime of sexual perversion for which the respondent was adjudicated a juvenile offender.

Subsection (d) authorizes a discharge for misconduct for unauthorized absence of more than one year or for fraud or misrepresentation at the time of enlistment which if known at the time would have resulted in the rejection of the member by the service.

Subsection (e) authorizes an undesirable discharge on the grounds of unfitness based upon frequent involvement with authorities, sexual perversion, drug addiction, a pattern of shirking duties, or a pattern of dishonorable failure to pay debts.

Subsection (f) authorizes an undesirable discharge on the grounds of security.

Subsection (g) permits the issuance of a discharge other than undesirable in cases where the respondent has received a personal decoration by his service, or where otherwise warranted by the facts of the case.

Subsection (h) prohibits the execution of a discharge for misconduct for civil conviction if an appeal is still pending unless the Judge Advocate General of the service certifies that the appeal is frivolous or without merit. If a discharge is executed prior to the final disposition of the appeal and the appeal later results in the member not having been legally convicted of a felony, he must receive all pay and benefits he would have received if he was not so discharged. An undesirable discharge so issued shall be changed to a general or honorable discharge, and a general discharge may be changed to an honorable discharge if warranted by the individual's record.

Section 965 authorizes honorable or general discharges based upon grounds other than those prescribed in this chapter, as prescribed by law or provided in regulations issued by the Secretary of Defense.

Section 966 authorizes the Secretary of Defense to issue regulations providing for the review of discharge actions to determine that all proceedings were fair and impartial and that they were conducted consistent with the provisions of the chapter. No decision on review may be less favorable than the action ordered by the discharge authority. Review by the Court of Military Appeals may be obtained. No decision upon review by the Court may be less favorable than the action ordered by the discharge authority.

Section 102 conforms the table of chapters of subtitle A, title 10, United States Code, to the changes made by the addition of chapter 48.

Section 103 (a) amends section 867 of title 10 to provide for review by the Court of Military Appeals of cases in which petition for review is made under section 966(b).

Subsection (b) limits review of such cases to issues of law specified in the grant of review or raised by the armed force.

Subsection (g) specifies that cases reviewed by the Court of Military Appeals are to be returned to the reviewing authority specified by section 966(a) for further consideration or action in accordance with the decision of the court.

The other subsections of section 103 make technical changes in accordance with these provisions.

Section 104 provides for the amendment of section 867(b)(4) to authorize the representation by appellate military counsel of respondents whose cases are before the Court of Military Appeals.

Section 105 adds the definition of "respondent" to section 801.

Section 106 makes section 266 of title 10, relating to the composition of boards for appointment, promotion, demotion, and involuntary release of Reserves, subject to the provisions of chapter 48.

Section 107 amends section 1161 of title 10, relating to dismissals of commissioned officers, to provide that no commissioned officer may be discharged for reasons of misconduct, unfitness, or security under conditions other than honorable, except pursuant to chapter 48.

Sections 108–110 amend sections 1161–1165 of title 10 to make discharges under those provisions subject to provisions of chapter 48.

Section 111 amends section 1166 of title 10 to require that in actions considering the separation of regular warrant officers the burden of justifying the separation is on the government.

Section 112 amends sections 3781, 3782, 3783 and 3785 of title 10 to require that in the proceedings of selection boards, board of inquiry, and boards of review considering the removal of regular commissioned officers because of substandard performance of duty, the burden of justifying the removal is on the government. All rights and procedures set forth in chapter 48 govern these proceedings.

Sections 113–114 make similar changes with respect to such boards considering the removal of general officers.

Sections 115–119 make similar changes in the sections of title 10 concerning analogous proceedings in the Navy, Marine Corps, and the Air Force.

Section 120 amends sections 321–323, and 325 of title 14, United States Code, to make similar changes in analogous proceedings in the Coast Guard.

Section 121 provides that the amendments made by Title I are to be effective on the first day of the sixth calendar month following the month in which it is enacted.

TITLE II

Title II creates a Judge Advocate General's Corps for the Navy.

Section 201 amends section 801 (11) of title 10 and other provisions of the Uniform Code of Military Justice to reflect the redesignation of Navy Law specialists as judge advocates.

Section 202 adds a new subsection (a) to section 5148 of title 10 to establish the Judge Advocate's Corps as a Staff Corps in the Navy. Appropriate amendments are made to the catchline of the section and to the table of sections at the beginning of chapter 513.

Section 203 provides for the detail of an officer of the new Corps or an officer of the Marine Corps designated for legal duties as Deputy Judge Advocate General in the rank of rear admiral, upper half, or major general, respectively. Retirement privileges are those entitled to Chiefs of Bureaus under section 5133.

The section also provides for an Assistant Judge Advocate General in the rank of rear admiral, lower half, or brigadier general, as appropriate. The Deputy Judge Advocate, or failing this, the Assistant Judge Advocate General, is authorized to perform the duties of the Judge Advocate General in the event the office is vacant, or during the absence or disability of the Judge Advocate General.

Section 204 authorizes the Secretary of the Navy to fix the authorized strength of the Corps.

Section 205 establishes the rank of officers in the new Corps next after the Civil Engineer Corps and immediately preceding the Dental Corps to conform to the historical order of the founding of Office of the Judge Advocate General.

Section 206 amends chapter 539 of title 10 to provide for the appointment of judge advocates in the Corps and for the designation of Marine Corps officers to perform legal duties. Original appointments may be made of graduates of accredited law schools between the ages of 21 and 35 who have personal and professional qualifications satisfactory to the Secretary of the Navy. Officers so appointed shall receive at least three years credit for amount of service. Similar provisions apply for officers in the Marine Corps designated to perform legal duties.

Section 207 amends section 202 of title 37, United States Code, relating to pay and allowances of the uniformed services, to reflect the establishment of the offices of Deputy and Assistant Judge Advocate General of the Navy.

Section 208 redesignates law specialists of the Navy as judge advocates and provides for their promotion along with the line officers who are their running mates. Provisions of title 10, relating to officers in the Medical Corps of the Navy, not inconsistent with this Act, apply to officers in the Judge Advocate General's Corps.

Section 209 is a saving clause relating to officers serving as Deputy or Assistant Judge Advocate General on the day before the effective date of the Act to prevent reduction in pay, rank, term of service and similar matters and to credit service in the previous assignment as service under this Act.

Section 210 is a general saving clause with respect to duties, rights, and proceedings prior to this Act.

Section 211 provides that this title shall become effective on the first day of the third month after the month in which the title is enacted.

TITLE III

Title III amends chapter 47 of title 10, United States Code, the Uniform Code of Military Justice, by redesignating "law officers" as "military judges", by providing for courts-martial before a military judge sitting without the jury members of the court, and by making certain other procedural changes in courts-martial.

Section 301 amends section 801(10) (article 1(10) of the Uniform Code of Military Justice) by redesignating "law officers" as "military judges" and including in the definition military judges detailed to special courts-martial.

Section 302 changes the composition of general and special courts-martial set forth in section 816 (article 16).

Subarticle 16 (a) authorizes a military judge to conduct the trial upon the waiver of trial by the military equivalent of a jury.

Subarticle (b) permits the accused, after having consulted with legally qualified counsel, to elect to waive trial by the full court if he makes a written request not less than 24 hours before trial commences. Requests made within 24 hours of trial must be approved by the trial counsel and the military judge.

Subarticle (c) requires that the identity of the military judge be made known to the accused not later than 48 hours before trial.

Subarticle (d) permits the accused to withdraw his waiver if the military judge is later changed.

Subarticle (e) prohibits waiver when the penalty of death is authorized as punishment for the offense charged.

Section 303 amends section 819 (article 19) by requiring that a military judge must preside over a special court-martial when the authorized penalty is a bad-conduct discharge. A verbatim record and, except in time of war, representation by legally qualified counsel are also prerequisites for adjudging a bad-conduct discharge.

Section 304 amends section 820 (article 20) to permit a person who objects to nonjudicial punishment to ask for trial by court-martial and, if he also objects to trial by summary court, ask for a special or general court.

Section 305 amends section 825 (c)(1) (article 25 (c)(1)) to require that the request for the presence of enlisted members on a court be made not less than 24 hours prior to trial.

Section 306 rewrites section 826 (article 26) to provide a statutory basis for the military field judiciary program of the services.

Subarticle (a) requires the convening authority of a general court, and permits the convening authority of a special court, to appoint a military judge to preside over the trial. A military judge is a legally trained officer certified by the Judge Advocate General of his service as qualified to perform the duties of military judge on a special or general court-martial.

Subarticle (b) provides that the Judge Advocate General or his designee will designate military judges for detail by the convening authority.

Subarticle (c) states that military judges are assigned and directly responsible to the Judge Advocate General and may perform other duties of a judicial nature in addition to the primary function of presiding over courts-martial. Duties of a non-judicial nature require the approval of the Judge Advocate General and his determination that they will not adversely affect the performance of judicial duties. Neither the convening authority nor any officer under his authority may prepare or review an effectiveness, fitness, or similar report on a military judge.

Subarticle (d) permits a military judge of one service to be detailed to preside over a court-martial of another service with the consent of the Judge Advocate General for the judge's service. No officer may serve as military judge in any case in which he is the investigating officer, accuser, witness, or otherwise connected with the case.

Subarticle (e) prohibits the military judge from consulting with the members of the court except in the presence of the accused and counsel, and specifies that he has no vote.

Section 307 amends section 827 (article 27) to require the presence of legally qualified counsel in special courts-martial as well as in general courts-martial.

Section 308 makes technical changes in the wording of section 829 (article 29) to reflect the establishment of the single-officer general and special courts, to eliminate ambiguity in existing language, and to provide for situations in which the original military judge is unable to proceed with the trial. A new subarticle (e) is added for situations in which the membership of the court unavoidably falls below the statutory minimum.

Section 309 amends section 835 (article 35) to apply the minimum time requirements between service of charges and commencement of trial to the time between service of charges and commencement of the pre-trial sessions authorized by the amendment in article 39 (a).

Section 310 amends section 837 (article 37) to exclude from the prohibition against unlawful influencing of a court-martial, general instructional or informational courses solely for explaining the substantive and procedural aspects of courts-martial. A new subarticle (b) is added which prohibits the consideration of an officer's performance as a member of a court-martial or the zeal of a counsel's representation of an accused in evaluating the officer's service for promotion, assignment, or retention in the armed forces. This change is effective on the first day of the month following enactment.

Section 311 amends section 838 (b) (article 38 (b)) by authorizing the military judge to excuse associate defense counsel if desired by the accused.

Section 312 amends section 839 (article 39) to authorize the holding of pre-trial sessions by the military judge.

Subarticle (a) permits the holding of a pre-trial session with the accused and counsel for the purpose of hearing and determining motions, for holding arraignment and receiving pleas of the accused, and for performing other authorized procedural functions not requiring the presence of court members.

Subarticle (b) permits only the members of the court to be present when they deliberate and vote. All other proceedings must be in the presence of the accused and counsel, and the military judge when one has been detailed. The judge is not permitted to consult with the members on the proper form of the findings.

Section 313 makes a technical change in section 840 (article 40) to make clear that the military judge, if detailed, is authorized to grant continuances.

Section 314 amends section 841(a) (article 41(a)) to authorize the military judge to rule on challenges for cause.

Section 315 provides that under section 842(a) (article 42(a)) military judges, counsel, court-martial members, interpreters, and reporters must take an oath to perform their duties faithfully. Military judges and counsel need take an oath only once.

Section 316 conforms section 845(b) (article 45(b)) to the civilian practice of allowing a judge to enter a finding of guilty after a guilty plea is made without the formality of convening the full court to vote on findings. If the plea is withdrawn prior to the judgment of sentence, the trial continues as under a plea of not guilty.

Section 317 amends section 849(a) (article 49(a)) to vest in the military judge, or the court if sitting without a judge, the authority to forbid the taking of depositions upon good cause.

Section 318 makes technical changes in section 851 (article 51) to reflect the increased authority of the military judge. The military judge, or the president of a court sitting without a judge, is authorized to rule on all questions of law and all interlocutory questions, except for matters such as mental responsibility or a finding of not guilty.

Section 319 makes technical amendments to section 852 (article 52). Subsection 52(c) is also changed to permit the reconsideration of a sentence or a finding of guilty when a sufficient number of court members so vote. The number required for reconsideration must be such that the majority required for making that finding or imposing that sentence no longer exists.

Section 320 amends section 854(a) (article 54(a)) to provide for the authentication of the record of a general court-martial by the military judge, or if he is unable to authenticate it, by a member of the court or the trial counsel.

Section 321 amends chapter 47 of title 10 by substituting "military judge" for "law officer" wherever it appears.

Section 322 provides that with the exception of the amendments to article 37, the amendments made by this title become effective on the first day of the tenth calendar month after the month in which it is enacted. Article 37 becomes effective on the first day of the first month following enactment.

TITLE IV

Title IV replaces the service boards of review established under section 866 of title 10 (article 66) with appellate Courts of Military Review for each of the armed forces.

Section 401 rewrites section 866 (article 66) as follows:

Subarticle 66 (a) establishes appellate Courts of Military Review in each of the military departments for the purpose of reviewing the courts-martial cases arising in the individual services. The courts are independent and are located in the departments solely for administrative purposes.

Subarticle (b) authorizes the Secretaries of the departments to appoint judges to serve on that department's court for three-year terms. At least one-third of the judges must be from civilian life and the terms of the judges are staggered so that only one-third of the positions become vacant each year. The Chief Judge, who may be civilian or military, is appointed on the basis of seniority of service on the court and his judicial and administrative abilities. The court may be divided into as many three-judge panels as necessary.

Subarticle (c) establishes the qualifications for service on the court. Judges must be members of the bar of the highest court of a State or of a Federal court, and must meet other qualifications established by the service Secretary.

Subarticle (d) authorizes the Chief Judge to determine the composition of the three-judge panels and to provide for the court to sit *en banc* at his direction or on the motion of at least one-half the court membership.

Subarticle (e) authorizes the Secretary of Defense to establish compensation for the civilian judges of the courts at a rate equal to that paid other federal officials holding positions of comparable responsibility.

Subarticle (f) permits judges to be removed from office, after notice and hearing, only for neglect of duty or malfeasance.

Subarticle (g) permits a judge to perform other judicial duties only when the service Secretary determines that these additional duties will not interfere with the judge's performance on the Court of Military Review.

Subarticle (h) provides that persons appointed to the courts shall be known as "military judges" without reference to military grade.

Subarticle (i) directs the Judge Advocate General to refer the same kind of court-martial cases to the courts as were previously referred to the boards of review.

Subarticle (j) authorizes the court to act with respect to the findings and sentence as approved by an officer with general court-martial jurisdiction and to approve only those which it finds correct in law and fact on the basis of the entire record. The court may suspend all or part of a sentence. It may weigh evidence and determine controverted issues of fact.

Subarticle (k) permits the court to order a rehearing or to dismiss the charges when a rehearing is not ordered.

Subarticle (l) directs the Judge Advocate General to carry out the mandate of the court, except when there is to be further action by the President, the Court of Military Appeals, or the service Secretary, and to direct dismissal of the charges when a rehearing is impractical.

Subarticle (m) authorizes the Chief Judges of the Courts of Military Review to establish uniform rules of procedure and to meet periodically to formulate common practices and procedures. Such rules and practices must be approved by the Court of Military Appeals.

Subarticle (n) establishes a similar three-member Court of Military Review for the Coast Guard when not acting as a service of the Navy. Except as otherwise provided, the provisions applicable to the Court of Military Review of the military departments are also applicable to the Coast Guard Courts of Military Review. The Secretary of the Navy is authorized to establish by regulation provisions for the assignment of the Coast Guard Court of Military Review judges when the Coast Guard operates as a service in the Navy.

Section 402 makes various technical changes in the Uniform Code of Military Justice. Articles 68, 69, and 73 are amended to retain the review of court-martial cases performed in the offices of the Judge Advocate General, and in branch offices, where established.

Section 403 provides that the provisions of this title become effective on the first day of the sixth month following enactment. Cases then pending before boards of review are to be transmitted to the appropriate Court of Military Review for review and disposition.

TITLE V

Title V replaces the individual departmental boards for the correction of military records with one military-wide board acting under the Secretary of Defense.

Section 501 amends subsections (a) and (b) of section 1552 of title 10, United States Code, as follows:

Subsection (a) creates the Department of Defense Board for the Correction of Military Records consisting of nine members appointed from civilian life for terms of three years. The compensation is to be fixed at a level equal to other positions of comparable responsibility in federal employment. Duties which interfere with the member's service on the Board may not be assigned. Rules of procedure are to be fixed by the Board. Members may be removed after notice and hearing only for neglect of duty, disability, or malfeasance. Travel allowances are authorized.

Subsection (b) empowers the Board to review and correct the service records of servicemen from any military department and to modify, remove, or expunge the findings or sentence of courts-martial not reviewed by a Court of Military Review where necessary to remove an injustice. Where injustice or error exists in cases reviewed under article 66, the Board may recommend the exercise of the service Secrtary's power to remit or suspend sentences or to restore rights, privileges, and property affected pursuant to a court-martial sentence. The Board is directed to secure the views and recommendations of the service Judge Advocate General before exercising its powers of correction.

Section 502 inserts a new subsection (c) to section 1552 which requires that applications to the Board must be made within three years from the time of discovery of the error, or within three years from the time when by due diligence, the error should have been discovered. The Board may excuse a failure to apply within the time limit when such is in the interests of justice.

Subsection (g) is added to section 1552 to provide for the establishment by the Secretary of the Treasury of a Coast Guard Board for the Correction of Military Records for the same purposes as that performed by the Department of Defense Board for the Correction of Military Records. The policies and practices of the two Boards shall be as uniform as possible. Should the Secretary of the Treasury determine not to establish a separate Board for the Correction of Military Records, the Department of Defense Board is authorized to review Coast Guard cases to the same extent as it reviews cases from the military departments.

Subsection (h) is also added to section 1552 to permit, under such regulations as the Secretary of Defense shall issue, compulsory process to issue for the appearance of witnesses and the production of other evidence.

Section 503 provides that cases pending before the individual service Boards for the Correction of Military Record on the effective date of this title are to be transferred for review and disposition to the Boards established under these amendments.

Section 504 gives to the boards of review established under section 1553 of title 10, United States Code, the authority to compel the attendance of witnesses and evidence under regulations issued by the Secretary of Defense.

TO PROVIDE A MORE DESCRIPTIVE TERM TO DESIGNATE THE BACTERIA KNOWN AS SALMONELLA

Mr. MAGNUSON. Mr. President, in recent years newspapers and other media have given wide publicity to the genus bacteria salmonella and the resultant infection salmonellosis—a common form of food poisoning—and although there is no relationship whatsoever, I have been regularly advised that the constant use of the term has had an effect in the sales of salmon in this country.

Actually, this very dangerous bacteria was discovered by Dr. Daniel E. Salmon back in 1885, but it was not until the mid-1940's that the bacteria was associated with his name. It is not my intention to detract from the good work of Dr. Salmon, or to deprive him of credit due for his discovery. Unfortunately, however, many consumers are resisting purchases of salmon due to an erroneous association connecting the name of this bacteria and the wholesome food product—salmon.

My proposed legislation would require that all Federal agencies hereafter use the term "sanella" to describe the bacteria, and "sanellosis" to describe the resultant infection. We have not arrived at this suggested name change without considerable thought.

First, of course, we avoid the danger of confusion with the fine foodfish salmon. Second, we do not depart to any great degree from the present name used and, third, the proposed new terms have some relation to the word "sanitation." I would call to your attention the fact that poor sanitation usually causes the growth of this bacteria. My staff has contacted affected Federal agencies as well as members of the fishing industry in an effort to determine the most suitable substitute for the terms "salmonella" and "salmonellosis." The consensus at this point seems to favor the terms my legislation suggests. This does not mean, however, that the industry would not be prepared to accept other nomenclature which the Government felt was more suitable, provided it avoided the present unfavorable association with a specie of wholesome fish.

I ask unanimous consent that the text of my proposed bill be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2019) to provide for a more descriptive term to designate the genus of bacteria known as salmonella, introduced by Mr. MAGNUSON, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2019

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) it is the policy of the Federal Government that the term "sanella" shall be employed to designate the particular genus of bacteria presently designated by the term "salmonella" and that the term "sanellosis" shall be employed to designate the particular disease presently designated by the term "salmonellosis".

(b) At the earliest practicable date after the enactment of this Act, the Secretary of Health, Education, and Welfare shall cause to be published in the Federal Register an appropriate notice advising all Departments, agencies and instrumentalities of the Federal Government of the policy set forth in subsection (a). Following the expiration of 30 days after the publication of such notice in the Federal Register, all Departments, agencies, and instrumentalities of the Federal Government, in carrying out their duties and functions, shall comply with the policy set forth in subsection (a).

A BILL TO SETTLE ALASKA NATIVE LAND CLAIMS ENDORSED BY NATIVE ORGANIZATIONS

Mr. GRUENING. Mr. President, on June 16, I introduced, by request, the bill, S. 1964, "to settle the land claims of

Alaska natives, and for other purposes," at the request of the Department of the Interior. I stated at the time of introduction that the bill was drafted in the Interior Department and represented the determination of that Department as to the best means of solving certain very difficult problems which have arisen in connection with claims for land by Indian, Eskimo and Aleut citizens of Alaska. I made clear that I did not agree with some of that bill's provisions.

The draft which the Interior Department submitted to me represents a document which, whatever its form, I had repeatedly requested from the Department for months, and, indeed, years since it became clear legislative action is necessary to resolve, finally, the question of what rights to land in Alaska should be established by Congress for the native citizens of my State.

It now appears that the bill which the Department of the Interior believes to be in the best interest of the natives has been completely rejected by a major organization of native citizens.

Mr. Emil Notti, president of the Alaska Federation of Natives, in a telegram to me today states the total opposition of his organization to S. 1964 and requests that I introduce a bill which has been endorsed by various native organizations in Alaska. This bill represents a quite different approach to the determination of rights to land in Alaska than that proposed by the Department of the Interior. The bill endorsed by the Alaska Native Federation and by the Alaska Native Brotherhood would authorize the U.S. Court of Claims to adjudicate "all claims that the natives of Alaska may have against the United States in connection with lands to which the natives of Alaska claimed Indian title by virtue of the aboriginal use and occupancy of such lands from time immemorial." The draft of this bill which was made public at the Statewide Native Conference at Anchorage in October 1966, has received widespread publicity in Alaska and appears to represent the manner in which an important group of native leaders believe their land claims should be adjudicated. After this measure has become well publicized, Gov. Walter J. Hickel of Alaska made an address on February 7, 1967, on the subject of native land claims and expressed specific opposition to the bill proposed by the native groups. Thus, it may be expected this bill will not be acceptable to other groups of Alaskans.

However, since the Alaska Federation of Natives by telegram from Mr. Notti has requested that I introduce the bill that organization endorses, I am introducing it today, by request, as I introduced the Interior Department's draft, S. 1964, by request.

Obviously, wide divisions of opinion are held on the kind of legislation which Congress must enact to settle the question raised.

Nevertheless, the time has come when legislative action, first called for in the organic act of 1884, must be taken. That act stated that:

> The Indians or other persons . . . shall not be disturbed in the possession of any lands actually in their use or occupation or now claimed by them.
>
> The terms under which such persons [the Indians or other persons] may acquire title to such lands are reserved for future legislation by Congress.

Similar language in the Alaska Statehood Act, which also authorizes conveyance to the State of Alaska of approximately 103,000,000 acres of land from the public domain makes it imperative that Congress create an established right to ownership of land by the Alaska natives.

The bill I introduced on June 16, which is the product of Interior Department deliberation, and the bill I introduce today represent carefully considered, but widely differing approaches to the determination of native rights to land. I believe both of these proposals should be given consideration and that the people of Alaska should have an opportunity to state their positions on this matter. If other bills proposed by those who disagree with the drafts now presented are desired, they too should be introduced. It is my hope hearings may be held as soon as possible on those bills.

I ask unanimous consent that the text of the bill be included in the RECORD at the close of these remarks together with a newspaper article from the Anchorage News of June 24, 1967, entitled "Natives To Fight Land Claims Bill," a newspaper article from the Anchorage Times entitled "Natives Hope To Stop Bill," a telegram to me from Mr. Emil Notti, president of the Alaska Federation of Natives, and my reply to him.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, articles, telegram, and letter will be printed in the RECORD.

The bill (S. 2020) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the Indians, Eskimos, and Aleuts of Alaska, or any tribe or band thereof, may have against the United States, and for other purposes, introduced by Mr. GRUENING, by request, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 2020

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

SECTION 1. *Jurisdiction.* Jurisdiction is hereby conferred upon the Court of Claims to hear, determine and enter judgment upon the claims against the United States of any tribe, band, village, community, association, or other identifiable group of Eskimos, Aleuts, or Indians, resident in Alaska including identifiable groups of residents of a locality (all hereafter collectively referred to as Natives of Alaska or a "claimant").

Jurisdiction is also conferred upon the Court of Claims to hear, determine and render judgment upon all claims that the Natives of Alaska may have against the United States in connection with lands to which the Natives of Alaska claim Indian title by virtue of the aboriginal use and occupancy of such lands from time immemorial. In determining lands to which the Natives of Alaska had or have Indian title for purposes of this Act, the Court shall not exclude any lands solely by reason of the fact that such lands were abandoned by the Natives of Alaska involuntarily or because lack of game or other changed conditions not under their control made the continued use of such lands impractical. In considering any claim pursuant to this Act, the Court is hereby empowered to conduct its own investigations into the facts as well as to rely upon the evidence furnished by the claimants.

SEC. 2. *Lands disposed of to third parties.* (a) With respect to any claim by the Natives of Alaska pursuant to this Act involving lands to which the Natives of Alaska claimed Indian title and which the United States disposed of to third parties, the Court of Claims, if it determines that the Natives of Alaska had Indian title to such lands so disposed of, shall render judgment on behalf of the Natives of Alaska for such amount as the Court shall find to be the fair market value of such lands.

(b) With respect to any claim by the Natives of Alaska pursuant to this Act involving lands to which the Natives of Alaska claim Indian title, and which have not been disposed of by the United States to any third party, the Court, if it determines that the Natives of Alaska have Indian title to such lands so claimed, shall award the Natives of Alaska a judgment of ownership of such lands.

SEC. 3. *Filing and presentation of claims.* Any claim cognizable under this Act may be filed and presented to the Court, in a representative capacity, by any member of a claimant, or by a segment of a claimant, or by a successor organization to the claimant, or by an organization in which the identity or interests of the claimant have merged, provided, that wherever there exists a governing body or other organization of a claimant recognized by the Secretary of the Interior as having authority to represent such claimant, such governing body or organization shall have the exclusive right to represent the claimant in the absence of fraud, collusion, or laches on the part of such governing body or organization. No filing or other fees shall be charged to claimants.

SEC. 4. Limitation of time for filing claims. Claims may be filed for a period of three years after the date of this Act, provided, that for good cause shown, the Court may grant extensions, not exceeding a total of one year, in which to file claims.

SEC. 5. Defenses of limitations and laches barred. All claims under this Act may be heard and determined notwithstanding any statute of limitations or laches, but all other defenses shall be available to the United States.

SEC. 6. Compromises of claims. The United States and the claimants are authorized to compromise claims with the approval of the Court. The Court shall establish appropriate procedures to encourage the compromise of claims.

SEC. 7. Attorneys' Fees. The fees of attorneys shall be determined in accordance with the standards established in Section 15 of the Indian Claims Commission Act (25 U.S.C. 70a) and shall not exceed 10 per centum of the amount recovered in any case.

SEC. 8. Use of documents as evidence. In any suit instituted hereunder any letter, paper, document, map, or record in the possession of any officer or department of the United States (or certified copies thereof) may be used in evidence, and the department of the Government of the United States shall give full and free access to the attorney or attorneys for said natives of Alaska to such letters, papers, documents, maps, or records as may be useful to said attorney or attorneys in the preparation for trial or trials of such suit or suits.

SEC. 9. Disposal of land. Following the date of the enactment of this Act, no lands with respect to which a claim is filed pursuant to this Act and over which the United States had jurisdiction shall be disposed of by the United States pending the final disposition of such claim.

The material, presented by Mr. GRUENING, is as follows:

[From the Anchorage News, June 24, 1967]

NATIVES TO FIGHT LAND CLAIMS BILL

(By Janet Archibald)

Alaska's native leaders have decided to fight a bill for settlement of native land claims which has the endorsement of the federal government.

Emil Notti, president of the Alaska Federation of Natives, yesterday termed the bill "totally unacceptable . . . in no way fair to the native people of Alaska."

The federation has called a special meeting for noon Sunday in the Sydney Laurence Auditorium to consider remedial action on land claims legislation before Congress moves ahead on the bill now before it. The native land claims legislation—S. 1964—was introduced June 16 by Sen. Ernest Gruening, D-Alaska.

Leaders from outlying villages will be flown into Anchorage to attend the special meeting.

Commercial pilot Fred Notti is enroute from Nome and Barrow where he picked up some of the federation board members. A second flight may be made to assure the attendance of as many of the widely scattered board members as is possible.

At a special session of the Cook Inlet Native Association's board of directors last night, board members voted unanimously against the bill now under consideration in Congress and called for the substitution of legislation dealing with native land claims prepared last October by the Alaska Federation of Native Associations. This group later became the present Alaska Federation of Natives.

The Federation's proposal calls for granting jurisdiction to the Court of Claims to hear, examine, adjudicate and render judgment in claims the native people of Alaska have against the United States.

Present legislation before Congress provides for granting up to 50,000 acres to each native village, use of adjacent acres for hunting and similar purposes for a specified period of time, sets up a trust arrangement and calls for monetary settlement of valid land claims at March 30, 1867 values.

Federation president Notti yesterday fired off a series of telegrams off to members of Alaska's congressional delegation and to Secretary of Interior Stewart Udall.

Briefly, the telegrams outline the federation's position on the native land claims bill.

"It is degrading and an insult to our intelligence. We will never be satisfied with the conditions set forth in the bill," Notti's wire to Udall states.

Gruening was informed that the federation is "categorically opposed to S.1964. There can be no compromise."

The delegation's support for federation-backed legislation was requested.

Don Wright, president of the Cook Inlet Native Association, said last night the association feels S. 1964 is designed to turn trusteeship of Alaska's natives over to the state.

"We feel we are citizens and entitled to our rights," the association's president declared.

Wright said the native land claims bill now before Congress is "worse than nothing, as far as I'm concerned."

Wright listed specific points of the legislation to which he objects:

It does not recognize the native's ability to manage his own affairs, he said.

The secretary can reject any representatives the native people choose.

Although an upper limit of 50,000 acres is set on lands which could be granted to a village, there is no minimum.

[From the Anchorage Times, June 24, 1967]

NATIVES HOPE TO STOP BILL

Alaska native leaders are gathering here for a meeting Sunday to discuss action to halt the progress of land claims bill S–1964 now before the U.S. Senate.

The bill, introduced June 16 by U.S. Sen. Ernest Gruening, D-Alaska, provides for the granting of no more than 50,000 acres of land to each native community excluding Tlingit and Haida communities, which have a claim pending.

Alaska Federation of Natives President Emil Notti sent telegrams protesting the bill to Alaska Congressional delegates and Stewart Udall, secretary of the interior, Friday.

In his telegram to Udall, Notti said, "After studying S–1964 we find it totally unacceptable. It is in no way fair to the native people of Alaska." The native groups are asking Gruening to introduce a land bill worked out by them in a statewide conference last October in place of the one currently before the Senate.

ANCHORAGE, ALASKA,
June 24, 1967.

Hon. ERNEST GRUENING,
U.S. Senator,
Washington, D.C.:

We are categorically opposed to S. 1964. There can be no compromise. We request you introduce the native land bill as proposed October 1966 for committee substitute of S. 1964. Please wire reply.

EMIL NOTTI,
President, Alaska Federation of Natives.

JUNE 26, 1967.

EMIL NOTTI,
President, Alaska Federation of Natives,
Anchorage, Alaska:

Re your telegram, wish to emphasize S. 1964 is the proposal of the Interior Department introduced for the purpose of holding hearings and seeking action to attempt to solve a long overdue Alaskan problem. The bill will be the subject of hearings by the Senate Interior and Insular Affairs Committee to determine what amendments are necessary. Meanwhile in response to your request, I am introducing the bill endorsed by the Alaska Federation of Natives for consideration at the same time hearings are held on S. 1964. I believe all legislative proposals to solve the issues involved should be considered.

ERNEST GRUENING,
U.S. Senator.

INCREASE OF PUBLIC DEBT LIMIT—AMENDMENTS

AMENDMENTS NOS. 215 AND 216

Mr. BYRD of Virginia submitted two amendments, intended to be proposed by him, to the bill (H.R. 10867) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENTS NOS. 217, 218, AND 219

Mr. WILLIAMS of Delaware submitted three amendments, intended to be proposed by him, to House bill 10867, supra, which were ordered to lie on the table and to be printed.

AUTHORIZATION OF APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—AMENDMENTS

AMENDMENT NO. 220

Mr. PERCY. Mr. President, I send to the desk an amendment I intend to propose to S. 1296, the NASA authorization bill, on behalf of myself and Senators BROOKE and JORDAN of Idaho, and ask that it be printed at this point in the RECORD.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

> On page 15, between lines 22 and 23, insert the following new section:
>
> "SEC. 6. The Administrator of the National Aeronautics and Space Administration shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautics and Space Sciences of the Senate fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration."
>
> On page 15, line 15, strike out "SEC. 6" and substitute "SEC. 7".

Mr. PERCY. Mr. President, the purpose of the foregoing amendment to S. 1296 is to place upon the Administrator of NASA an affirmative responsibility to keep the Aeronautical and Space Sciences Committee of the Senate, and the Committee on Science and Astronautics of the House fully and currently informed on NASA activities. It is principally aimed, in the words of the Senate report on S. 1296, "to keep the members of the committee fully and currently informed of all problems which NASA encounters in carrying out our national civilian space program."

Mr. President, the amendment which I propose is responsive to a situation with which I am sure every Member of this body is familiar, through newspaper reports of your Space Committee's hearings on the tragic Apollo 204 accident. It developed that there had been important developments affecting progress in our manned spaceflight program, of which the committee was not aware until the hearings on the accident. Moreover, it was the feeling of many members of both House and Senate committees that, but for the accident and the diligent efforts of the committees to look into that situation, this valuable and essential information about the progress of our space efforts might not have come to light.

Specifically, Mr. President, I am referring to the Phillips report, which contained some very strong observations, not only on the conditions surrounding and quality of performance of the Apollo contract by North American at the time of the report, but of the general state of performance of this important work. The report stated:

> As the [Apollo] program progressed, NASA has been forced to accept slippages in key milestone accomplishments, degradation in hardware performance and increasing costs.

The report went on to detail specific program performance shortcomings discovered by a NASA inspection team constituted for the express purpose of reviewing "the continual failure of NAA—North American Aviation Corp.—to achieve the progress required to support the objective of the Apollo program."

Coming from Gen. Samuel C. Phillips, the Apollo program director, these statements are of no small significance.

Accordingly, many members of your committee, including this Senator, were somewhat surprised and disquieted at the reticence which met our efforts, first to secure the report itself and information about it, and second, to understand why the committee had not been kept more fully informed of the problems NASA faced in securing performance of this important contract.

The Phillips report itself is one thing; the possibility that there are other similar situations raises the question, in my judgment, as to whether your committee is in the best position possible to maintain the oversight responsibility which I am sure all Senators expect. There is a substantial question as well, as to whether the committee is in a position to assist and support NASA in these matters, as situations and conditions may require.

Mr. President, despite the statement in the committee report, I am not convinced the present law places an affirmative requirement on the Commissioner to come forward with this information. Section 303 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2454) relates to "Access to Information" and reads as follows:

> Information obtained or developed by the Administrator in the performance of his functions under this Act shall be made available for public information except (A) information authorized or required by Federal statute to be withheld, and (B) information classified to protect the national security: *Provided, That nothing in this Act shall authorize the withholding of information by the Administrator from the duly authorized committees of the Congress.* (Emphasis supplied.)

It is well to note that the analysis of this provision of the original bill in the Senate report thereupon stated, referring to the proviso of section 303:

> All information, however, is to be made available promptly to the duly authorized committees of the Congress.

It is hard to imagine that the section itself requires affirmative disclosure: the section italicized above only negates withholding of information. The language of the report is no more helpful in placing a requirement on the Administrator, it obviously cannot enlarge the scope of the legislation itself. Thus, the House committee was correct in stating that this amendment complements existing law.

Mr. President, the need for this amendment is clearly stated in the Senate report, at page 95, in language identical to that in that amendment. It should be noted that, unlike section 206 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2476), disclosures which affect the National Security, or fall within the purview of proprietary information may easily be made available to the committee in executive session, as were the details of the Phillips report. I might add that this Senator found that particular executive session very informative, and of great assistance to adequate discharge of my responsibility.

Mr. President, any corporation or business in our great land is constantly required to divulge its operations, to its stockholders and to an incredible extent to the Government. I urge that this clear mandate be adopted requiring NASA to do the same. It is not intended that we oversee or review NASA's judgments on all matters or that we try to administer the programs. Far from it. But there is—in candor—a necessity for the fuller disclosure of significant matters in the future, that this language is designed to elicit.

I urge the support of all Senators for this amendment.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 26, 1967, he presented to the President of the United States the enrolled bill (S. 66) for the relief of Dr. Alfredo Reboredo-Newhall.

SUPREME COURT UPHOLDS UNION PERSECUTION OF EMPLOYEES

Mr. FANNIN. Mr. President, the Supreme Court recently held by a 5-to-4 decision that unions have the right to fine members who cross picket lines. This is a most disturbing decision and will serve only to increase the mounting power of union officials.

On January 11, 1967, I introduced a bill (S. 19) which would prohibit the levying by unions of fines against employees in cases such as these. Thus, it would overturn this illogical and unfortunate holding.

Mr. President, I ask unanimous consent that there be printed in the RECORD editorials about this decision published in the Wall Street Journal of June 23, 1967, and the Washington Post of June 26, 1967.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 23, 1967]

FRIGHTENING CONTORTIONS

As the Supreme Court packed away for the summer, it left behind one rather frightening decision reaching new heights in contortions to expand the powers of labor unions.

In a 5–4 decision, the Court upheld union-assessed fines against members who crossed picket lines at Allis-Chalmers Manufacturing Co. The majority decided not only that it was perfectly all right for unions to levy fines on the charge of "conduct unbecoming a union member," but also that such fines can be enforced through the American court system.

This despite the relevant sections of the Taft-Hartley Act: "Employes shall have the right . . . to engage in . . . concerted activities . . . and shall also have the right to refrain from any or all such activities. . . . It shall be an unfair labor practice for a labor organization or its agents . . . to restrain or coerce . . . employes in the exercise of rights guaranteed . . . provided that this paragraph shall not impair the right of a labor organization to prescribe its own rules with respect to the acquisition or retention of membership therein."

Because the effect of the Court's opinion is primarily to obscure rather than elucidate the actual ground for the decision, it proves hard to come to grips with the logic offered. Let several things be said. First that the majority decision overturns the literal language of the law; this on a reading of legislative history that argues the Taft-Hartley Act was not meant to curb union power.

To support this reading, the majority stresses statements by the law's proponents that it was not intended to interfere with "internal union affairs." Ergo, the court tells us, it clearly sanctions court-enforced fines for crossing picket lines. Yet it manages to ignore Senator Taft's comments that the purpose of this section was to prevent "coercive acts of unions against employes who did not wish to join or did not care to participate in a strike or a picket line."

The majority goes on to draw a fantasy-ridden distinction between "full" union membership and some undefined other type an employe is expected to create for himself to protect his right to refrain from "any or all" collective union activity. Finally, the law clearly does permit unions to expel members for disciplinary purposes, though they may not force employers to discharge expelled members. The majority concludes that therefore the law necessarily embraces the "lesser" disciplinary action of fines enforced by the powers of the state.

This grab-bag of non sequiturs admits only one explanation. As Justice Black puts it in dissent, "The real reason for the Court's decision is its policy judgment that unions, especially weak ones, need the power to impose fines on strikebreakers and to enforce those fines in court."

This extent of pro-union bias indicates a hardening of ideological arteries. Labor unions may well have needed more power at the time the Justices were emerging from intellectual puberty. But today a man gazing on the world about him, if he be anything but the most heated partisan, can see that far more mischief is caused by abuse of union power than by lack of it.

Beyond that, the ruling clearly is not aimed at expanding labor's power vis-a-vis management or anyone else with effective power to fight back. It rules, as Justice Brennan so bluntly stated for the majority, that national policy "extinguishes the individual employe's power to order his own relations with his employer. . . . The employe may disagree with many of the union decisions but is bound by them."

He is bound by them, let us further note, by a system of union tribunals of uncertain standards and certain prejudice. It is a particular mark of ill grace that the Justices incorporate these kangaroo courts into the nation's legal system just when they are sharply restricting procedures of real courts in the name of defenseless individuals.

Some of the Justices, it seems, have solicitude for the little guy only if he has confessed to murder or rape. When he happens to be persecuted by an organization intended to protect his own interests, the Justices not only abandon him but invoke rhetorical magic to lend the full weight of sovereign powers to his persecutor.

[From the Washington Post, June 26, 1967]

BEFOGGING THE LAW

It is difficult to recall a decision of the Supreme Court which rested on arguments as flimsy as those advanced by Justice Brennan and four colleagues in the *NLRB* v. *Allis-Chalmers* case. The Court decided that a union may fine its members for refusing to participate in a strike and enforce such fines through the courts. But the National Labor Relations Act gives union members a right to work during a strike, if they wish, and makes it an unfair labor practice for a union to "restrain or coerce" employes in the exercise of that right. In trying to reconcile its ruling with this seemingly clear and unequivocal language, the Court said in effect that such fines are not coercive.

The Court seems to say that only simple and unsophisticated minds would read "restrain or coerce" in their literal sense. When judicially refined, they acquire an "inherent imprecision." Fines imposed on workers to achieve a union's purpose are no more coercive than fines to compel payment of income taxes. In our innocence we had supposed that that was the essence of coercion.

Justice Brennan spanks the Seventh Circuit Court of Appeals for reading the words of the statute literally, without bothering to delve into its legislative history. He then sifts the legislative history without himself finding anything conclusive about the meaning Congress sought to give the language in question. In the history written into the Court's opinion and the dissent, there is more to contradict the majority than to sustain it, for Senator Taft, author of the Act, said that this particular section was designed to warn unions "that they do not have the right to interfere with or coerce employes, either their own members or those outside of the union." But the truth is, as Justice Black noted in his powerful dissent, that "the legislative history is at best brief, inconclusive and ambiguous."

Why should the Court in the face of such historical uncertainties, befog language that seems perfectly clear? The answer of the dissenters—Justices Douglas, Harlan and Stewart as well as Justice Black—is pointed and severe: "The real reason for the Court's decision is its policy judgment that unions, especially weak ones, need the power to impose fines on strikebreakers and to enforce those fines in court." The dissenters go on to say that the Court has written this "new proviso" into the law despite a strong and clear purpose of Congress "to leave workers wholly free to determine in what concerted labor activities they will engage or decline to engage."

Fortunately, Congress can always say the last word in controversies of this kind. If the Court has grossly distorted its intent, it can amend the statute to say again what it means. In any event the devastating dissent will make good reading on Capitol Hill, and we shall be very much surprised if it does not produce prompt action.

SOME PROGRESS IN ATTACKING POPULATION PROBLEMS

Mr. GRUENING. Mr. President, little by little the President's recommendations concerning proper ways to meet the worldwide population crisis are being understood.

Now the Department of Health, Education, and Welfare announces that it will, in the near future, divide the responsibilities of its able but overworked Deputy Assistant Secretary for Science and Population, Dr. Milo D. Leavitt, and will name two Deputy Assistant Secretaries—one for population and the other for science.

Step by half-step our Federal Government agencies are moving. For far too long the executive agencies ignored or gave only token service to the population mandates of President Johnson.

Sometimes those of us in Congress wondered if the creativity of this democracy had floundered on a self-created rock of inactivity. Evidence received during the course of the 28 public hearings on the population crisis held in the 89th Congress by my Government Operations Subcommittee on Foreign Aid Expenditures amply substantiated a growing national and international interest in family planning by individuals, groups, and government.

The unwritten and unspoken taboo believed to have prevented a public dialog on the many aspects of the population crisis has recently proved to be a paper tiger. Public interest and concern have been substantial.

Many of us in Congress persisted in our efforts to encourage the Federal agencies concerned with the population problems of our Nation and others to move positively. We pointed to the desirability of establishing offices for population in the Department of Health, Education, and Welfare to coordinate and disseminate domestic family-planning information between the States. We stressed the need for a similar office in the Department of State to coordinate and disseminate family-planning information between the nations of the world.

On June 7, 1967, Under Secretary of Health, Education, and Welfare, Wilbur J. Cohen, spoke to persons attending the Conference on Behavioral Sciences and Family Planning in Bethesda, Md., called by the National Institutes of Health. Under Secretary Cohen spoke of the "new awareness of the importance of individual equality of opportunity."

Under Secretary Cohen added:

> Bold, new, imaginative approaches must be adopted to improve the effectiveness of the resources we have—in terms of manpower, facilities and services . . .

And he reminded us that only 2 years ago a survey showed that in 80 percent of the medical schools fewer than 4 hours were devoted to family planning and education.

He further reminded us how very little we know about human reproduction and human development and he cited the "dearth of new approaches to research in reproductive biology."

He admitted that—

> Far more knowledge of contraceptive methods, and their effectiveness and safety to the child and mother must be developed because the freedom to choose the size and spacing of one's family is a fundamental human right . . . Individuals must know the choices that are available, if intelligent decisions are to be made.

Because the complete text of the remarks of Under Secretary Cohen are important and do represent encouraging change in the thinking of the Department of Health, Education, and Welfare, I ask unanimous consent that the speech be printed in the RECORD as exhibit 1 at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRUENING. I am pleased that population problems are receiving ever-increasing attention in the domestic department which, quite properly, should be concerned. I commend the announcement that a Deputy Assistant Secretary for Population is to be named, and express today the hope that this individual will be named shortly and will be supplied with the necessary staff and funding to do the job properly. Indeed the issue is sufficiently important and urgent that the posts be filled not by a Deputy Assistant Secretary, but by an Assistant Secretary. If President Johnson really wants his more than 30 vigorous exhortations for population control measures to be implemented, he will, himself, sponsor such a move. Such an office is needed in the Department of Health, Education, and Welfare, and one of equivalent status in the Department of State. For the problem exists both at home and abroad, and while our leadership falters the problem becomes steadily aggravated.

EXHIBIT 1

FREEDOM OF CHOICE[1]

(By Wilbur J. Cohen, Under Secretary of Health, Education, and Welfare)

I am indeed pleased to participate in this very important conference on family planning. And I would like to express the appreciation of the Department of Health, Education, and Welfare to Bernard Berelson, Dr. Hudson Hoagland and the American Association for the Advancement of Science for their efforts in helping the National Institutes of Health bring together this eminent group of scientists.

A truly remarkable shift has taken place in recent years in attitudes toward family planning. The vast majority of the American people now favor the availability of family planning information to all who desire it. Federal, State and local governmental officials, Senators and Congressmen, and other public and religious leaders no longer need to whisper about the subject and they are making forthright statements in favor of family planning.

Nor have changed attitudes toward family planning been confined to officials of the United States. At the Twentieth World Health Assembly, held in Geneva last month, 74 nations adopted resolutions which stressed the importance of the relationship between health problems and population dynamics.

There are a number of reasons for the change in attitude—from a hush-hush approach to the problem, to an open, intelligent discussion of this once taboo subject. The population shift to urban centers, with concurrent problems of overcrowding and poverty, the growing cooperation of the medical and public health professions, the development of improved methods of family planning, and the acceleration of medical research and technology have helped to change the thinking about family planning.

But perhaps most importantly there is a growing concern, a new awareness of the importance of individual equality of opportunity. It is now widely recognized that family planning should no longer be the quiet privilege of the middle and upper classes but should be available to all citizens.

New attitudes toward human dignity and the importance of the quality of life of an individual are emerging. The Nation is committed to extending the limits of freedom of information and freedom of personal choice for each individual citizen, beginning with the time he is born, to enable him to make the most of his life and to enrich the national heritage, which is the responsibility of each succeeding generation. Family planning is an integral part of the overall effort to reduce poverty, raise educational levels, improve health and general welfare, and thus make possibe a greater freedom of individual choice.

Growing recognition of the close correlation between poverty, low educational attainment, poor health, lack of equal opportunity, and the unavailability of family planning information and services has brought about greater national investments in health, education, and welfare. These investments should result in great dividends in terms of a strengthening of the family.

The barriers of silence about family planning that have prevented many people from being able to choose the number and spacing of their children are gradually being removed.

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[1] Presented to the Conference on Behavioral Sciences and Family Planning, Bethesda, Maryland, June 7, 1967, 8:00 P.M., EDT.

ROLE OF THE FEDERAL GOVERNMENT

As you know the active involvement and responsibilities of the Federal Government in this field are quite recent. Although recognition of the need for family planning and the desire for the Federal Government to do something about it has been growing for some time, the real turning point in the Federal policy did not come until President Johnson said in his State of the Union Message in 1965 that the United States would ". . . seek new ways to use our knowledge to help deal with the explosion in world population and the growing scarcity in world resources."

Again in March 1966, President Johnson expressed his concern when he stated in his special Message to the Congress on Health and Education:

"We have a growing concern to foster the integrity of the family and the opportunity for each child. It is essential that all families have access to information and services that will allow freedom to choose the number and spacing of the children within the dictates of individual conscience."

Today, primarily through the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Agency for International Development, the Federal Government's role in family planning activities encompass a broad range. All told the Federal Government is spending about $33 million this year on family planning and population problems.

ROLE OF THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Secretary of Health, Education, and Welfare, John Gardner, has provided strong leadership in implementing the President's policies.

In January of 1966, he established for the first time a departmental policy on family planning. In a memorandum to the heads of the operating agencies of the department, he clearly defined the policy on population dynamics, fertility, sterility, and family planning in these words:

"The policy of this Department is to conduct and support programs of basic and applied research on the above topics; to conduct and support training programs; to collect and make available such data as may be necessary to support, on request, health programs making family planning information and services available; and to provide family planning information and services, on request, to individuals who receive health services from operating agencies of the Department.

"The objectives of the Departmental policy are to improve the health of the people, to strengthen the integrity of the family and to provide families the freedom of choice to determine the spacing of their children and the size of their families.

"Programs conducted or supported by the Department shall guarantee freedom from coercion or pressure of mind or conscience. There shall be freedom of choice of method so that individuals can choose in accordance with the dictates of their consciences.

"The Department will make known to State and local agencies that funds are available for programs of the sort described above, but it will bring no pressure upon them to participate in such programs.

"Each agency shall assure the effective carrying out of this policy, the regular evaluation of programs and the reporting of information on programs to this office.

"The Assistant Secretary for Health and Scientific Affairs will serve as the focal point for Departmental policy and program coordination; will review and evaluate policies and programs; will conduct liaison with other Departments; and will cooperate with interested public and private groups."

The Department's objective is to enable individual families to have the number of children they want, when they want them. The Department's policy is based on the firm conviction that family planning is a matter of individual and personal decision. Each individual is guaranteed the full right to choose from all the family planning information available needed to make an intelligent choice, without coercion or pressure of mind.

A number of significant developments followed the issuance of the policy statement; three of the most significant were:

A Deputy Assistant Secretary for Science and Population, Dr. Milo D. Leavitt, was appointed to advise the Secretary on policy development, program evaluation, and coordination, and to maintain liaison with other departments and outside governmental agencies. Because of the increasing activities and growing responsibilities in both areas, science and population, we will, in the near future, divide the responsibilities between two deputy assistant secretaries—one for Population and the other for Science. In this way greater attention can be focussed on each of these important areas.

A Departmental Task Force on Family Planning was established which organized nine regional meetings, to provide information to States and localities on Federal resources available for family planning services. The Conferences were highly successful in bringing together community leaders in the fields of health, education, and welfare, along with many religious leaders to exchange ideas about how to improve communications between people who want family planning help and those who can provide the help.

"The Office of Education has established a new policy on family life education and sex education. It will assist communities and educational institutions wishing to initiate or improve programs in this area; support family life and sex education as an integral part of curriculum at all levels; and support training for teachers and health and guidance personnel as well as provide aid to programs designed to help parents carry out their roles in family life and sex education."

The Department's activities in the family planning field fall into certain broad categories: basic and applied research, demonstration and training, operating programs for providing services, and international activities. These activities are in turn related to all the health, education, and welfare measures being undertaken by the Department, in partnership with the States and localities, to strengthen the family, and to help the individual realize his potential.

The major Departmental support for family planning services is through the Children's Bureau of the Welfare Administration. The Bureau supports, through grant programs, maternal health and family planning services, training of personnel, demonstration projects and research in studies of maternal care, family planning and population dynamics.

The Childrens' Bureau provides formula grants to State Health Departments and project grants to State and local health departments. This year (Fiscal Year 1967) about $5,600,000 of maternal and child health funds are being programmed specifically for family planning services. Fifty-four material and child health projects have been approved and nearly all of these include family planning services as part of the grant proposal. State and local health departments are using the maternal and child health formula grants authorized under Title V of the Social Security Act to provide family planning services. These projects have made family planning services available to an increasing number of low-income families who have never had access to these services before.

Through the Bureau of Family Services of the Welfare Administration, the Department also assists in family planning by supporting the Medical Assistance Program (Title XIX) of the Social Security Act and through medical vendor payments in the Federally aided public assistance program. Federal grants to States can be used to hire personnel for family planning programs and to pay for services, drugs, supplies, and transportation.

State public welfare agencies that wish to initiate or expand family planning programs are also actively supported. So far 43 jurisdictions have policies in their public assistance programs which permit them to offer family planning services.

The Partnership for Health Act of 1966 is providing a mechanism to develop comprehensive planning within States and local communities to meet current and future health needs. It serves to encourage the development of comprehensive State and locally administered public health services (which can include family planning) designed to meet the specific needs of each community.

The Public Health Service may also support training programs ranging from short term traineeships oriented toward family planning programs, to longer term graduate training programs concerned with demographic and population studies.

The only direct provision of family planning services is through the Public Health Service to specific groups who received Federal health care—American Indians, Alaskan natives and dependents of the uniformed services.

Some of the most exciting and fundamental activities in family planning are carried on at the National Institute of Child Health and Human Development. I am very proud to have served as Chairman of the Task Force that recommended to President John F. Kennedy the establishment of the Institute. By encouraging basic research in the broad area of child health, President Kennedy focussed attention on the long-range and fundamental issues involved in human reproduction and family planning. The Institute, established by Congress in 1963, is developing the basic knowledge on which fertility regulation and family planning programs can be based. Through research grants for more than 700 projects, its activities in the field of research in human reproduction are among the most important conducted today. These studies are concerned with the clinical, biological, and behavioral aspects of repreduction including both the short and long term effects of different contraceptive practices on the health of the mother and her child.

The Institute is also concerned with helping couples who want to have children, but who have not been able to do so.

In 1966, the Institute spent a total of $22.8 million in research on human reproduction. Of this total, about $5 million was devoted to population studies.

The Department also works very closely with the Agency for International Development in helping to develop training programs for foreign personnel and in sending advisers to foreign countries to assist them in developing family planning programs.

Total Departmental expenditures for family planning activities this year (Fiscal Year 1967) will amount to about $18 million.

FURTHER EFFORTS REQUIRED

This is a good beginning, but it is just a beginning. We must do far more. And when I say we, I mean State and local agencies, and voluntary groups, universities, social and behavioral scientists as well as the Federal Government. Although the Nation is spending over $40 billion this year on health care, only a small fraction of this amount is being expended on family planning services.

As part of our efforts to improve health and welfare in the United States, a basic structure has been built for the delivery of medical care services including family planning services. One of the big problems today, though, is improving the quality and effectiveness of these services. In spite of the rapid advancements in science and medical technology, too many people have *not* benefitted from these remarkable advancements. The high risk groups, to whom pregnancy represents an unwanted hazard to themselves, as well as their frequently unwanted babies, have not been reached. Many who want family planning help have been denied access to it for many reasons.

There are about 5 million medically indigent women who want family planning services—but only about 500,000 of these women receive these services. This neglect is reflected in infant mortality rates. It is scandalous that the United States, the wealthiest Nation in the world, has a higher infant mortality rate than at least twelve or more other nations. All of us know that there is a close relationship between family planning services and the reduction of infant mortality rates. As substantiated by the British Perinatal Survey, infant mortality rates are considerably higher than average among fourth and subsequent live births. Planned Parenthood-World Population has just released a very significant study showing the high correlation between infant mortality and the availability of family planning services.

Infant mortality, of course, is more than a health problem. Adequate medical care is basic to a solution, but there are other elements that are essential—housing, nutrition, education, adequate incomes and other social welfare services. Thus it is imperative that we weave together all of our health, welfare, and educational services.

The American people in recent years have made it quite obvious, through their Congress, that physical, mental and social wellbeing should be the birthright of every individual, yet too many barriers to that right still exist.

We must do far more to improve the delivery of essential health and welfare services. We face serious manpower shortages in these fields. And we need far more conveniently located facilities and services. It is essential that services be available to people who need them, when and where they need them.

The organization and delivery of services must be improved. Although more workers must be trained, we must also make better use of the trained professional manpower we have by delegating nonprofessional aspects to trained auxiliary nonprofessional personnel. Bold, new, imaginative approaches must be adopted to improve the effectiveness of the resources we have—in terms of manpower, facilities and services.

For example, one of the hurdles that must be overcome if the need for family planning is to be met, is the lack of family planning education in many disciples. There are too few courses for professionals in all fields on family planning. Even the medical schools offer little on this subject. A survey conducted two years ago showed that in 80 percent of the medical schools fewer than four hours were devoted to the teaching of the subject. The teaching that is going on almost completely lacks an interdisciplinary approach.

At the present time many State and local health departments are ill equipped to develop or handle family planning programs. Thus it is important that leadership come from the medical profession—State and local medical societies and the university medical centers. Most women turn to their family physician for this information, thus the quality and intensity of the training in the medical schools are vital to the total family planning effort.

But medical students are not the only ones who need family planning education. Public health workers, teachers, social workers, sociologists, politicians, Federal, State and local administrators and many other specialists need a far better understanding of family planning.

And the public, too, must be informed about family planning. This means the introduction of family life education and sex education as an integral part of the curriculum from preschool to college and adult levels. One of the bottlenecks at the present time is that few teachers are well enough informed about the subject to teach it intelligently. Less than one out of every 23 students training to become elementary and high school teachers is receiving a minimum of preparation in sex education. Very few colleges even offer a specific course in teaching sex education. This raises the question of from where will the instructors come if we are going to support family life education and sex education in the communities that wish to initiate these programs?

There is a pressing need for research on ways to improve teaching methods and materials for family life and sex education which include not only human reproduction, but also considerations of the psychological, sociological, economic and social factors that may affect personality and personal adjustment to the family and society.

Ways must be explored to encourage and support the dissemination of knowledge derived from this educational research.

NEED FOR MORE RESEARCH

We still have many barriers to cross if freedom of choice in family planning is to become a reality for all. The development of both research and action programs must be accelerated. Research geared to understanding the utilization of family planning services as related to motivation, capacity, opportunity and attitudes of different cultural, socio-economic, ethnic and religious groups should be strengthened.

Our basic knowledge of human reproduction and human development must be extended. People from many disciples—medicine, biology, the behavioral and social sciences—must continue to unravel the mysteries of the basic life processes, the biology of reproduction, and the maturation and aging process.

There is a dearth of new approaches to research in reproductive biology. This certainly is true in proportion to the social need. The processes of reproduction are remarkably intricate. For example, we know little of the process of fertilization in the human.

Far more knowledge of contraceptive methods, and their effectiveness and safety to the child and mother must be developed. The ideal contraceptive should be safe, effective, inexpensive, irreversible and acceptable. It is unlikely that any single method will fulfill all the criteria for all people, but presently no available method meets all these requirements. An array of methods, suitable for different applications must be developed.

The safety of contraceptives has received a great deal of necessary attention in recent years. Contraceptives are used widely by many people. Many methods are available. We must make certain that all these methods and many new ones are safe. The National Institute of Child Health and Human Development is negotiating with Kaiser-Permanente to develop the capability to monitor the long-term effects of contraceptives on women; another contract is being negotiated with an association of hospitals in New York City to study the long-term effects of contraceptives on progeny.

It is hoped that these two contract studies and others that may be negotiated will provide the means to study recognized problems of oral contraceptives and provide a means to assess the safety of other techniques as they are developed.

Going beyond the study of reproductive biology and the development of safe and effective contraceptive methods, the entire field of the psychological and social aspects of family planning remains relatively untouched.

This untapped research area includes along with demography, sociology, politics and economics, the application of the behavioral sciences to family planning programs. This is where the hope lies in developing improved services and communications with the people who may wish to use the services. The work now being supported at NICHD is a step in the right direction. For example, NICHD is funding a survey of American family planning practices conducted by Dr. Westoff of Princeton University. The survey is identifying the number of women using oral contraceptives and other methods.

I would like to refer you to an article by Catherine Chilman in the April 1967 issue of *Welfare in Review*, "Poverty and Family Planning in the United States," which is an excellent review of research in social and psychological aspects of family planning and the implications for programs and policy. As she points out, past studies have provided valuable information and insights, but there are many hunches about family planning with little empirical data to back up some of them.

There is a pressing need for more research on how the desire for family planning services can most effectively be met. While good evidence exists of the desire for services, more information is needed which can be derived from well-planned experiments and careful evaluation of effective methods of delivering these services.

Further demonstration projects conducted in local communities would help to develop a body of knowledge of the different types of family planning services as they relate to different kinds of communities. Far more imaginative and flexible approaches must be tried if freedom of choice in family planning is going to become a reality for all.

A relatively unexplored area is the social, psychological side effects of family planning. What, for example, are the effects of family size on a women's role in society?

Nor do we have very much knowledge of what effect family planning may have on their husbands or children. Is a child influenced by family size? To what extent do family size or spacing of family effect mental health problems?

Do unwanted children have more mental health problems throughout life than wanted children? We do have evidence that the unwanted child often becomes an abused child. Psychiatrists tell us that the greatest psychological blessing that can be conferred upon a child at birth is to be wanted by his parents.

What effect does family planning and the availability of contraceptives have on attitudes toward sex and particularly on youth's morals? To what extent are family and sex education courses in the schools effective in fostering responsible attitudes toward sex and the family? How effective will long run improvements in educational levels and other instruments of social change be in controlling population increase?

For example, what are the effects of fertility on personality or behavior? What are the motivational, cultural or social factors involved in planning families? To what extent does improved technology, e.g. improved contraceptive methods influence motivation? Why do some people resist using contraceptive methods? These and a host of other questions still beg answers.

CONCLUSION

The freedom to choose the size and spacing of one's family is a fundamental human right. This right must become a reality for the poor and the uneducated as well as the affluent. For many, this opportunity to choose may be their first opportunity to influence the direction of his or her life. It may be the turning point in their life, giving more confidence and assurance that they have control over their own destinies. It can foster self-confidence, individual responsibility and competence.

This opportunity to choose is, of course, an awesome responsibility requiring a great degree of education and self-discipline. Individuals must know the choices that are available, if intelligent decisions are to be made.

The choices that are made will have important implications in terms of infant mortality, maternal health, dependency and the education and training of women.

I am confident that as family planning information is made more readily available to all who desire it:

Infant mortality rates will be drastically reduced.

Every child will be blessed at birth by being wanted and well borne.

The dignity of the individual and his opportunities for self-fulfillment will be enhanced.

The vicious cycle of poverty with its accompanying deprivation, despair and discrimination can be broken.

With childbearing and child-rearing completed by many women while they still have many active years ahead, their possibilities of resuming interrupted careers or beginning new ones or of contributing to meaningful volunteer activities will provide them with a new dimension of choice in their lives. Many more opportunities will be open to women and knowing that they have control over a key element in their lives, determining their family, they will be able to take advantage, many for the first time, of those opportunities. Knowing this in advance may influence educational and career decisions.

The final outcome of American affluence and greater investments in health, education, and welfare will be to offer each individual a greater freedom of choice of what he wants to do with his life. And this freedom of choice must extend throughout his life and give greater meaning to it. In a truly open society no restrictions will be placed on opportunities for education or training or occupation because of sex or race. The freedom to choose the size and spacing of his family is an essential component of this growing freedom. The dividends are great in terms of a strengthening of their family and parental responsibilities.

We have been called a Nation of Seekers. We seek to assure that every child will be well borne, that he is wanted, that he has the opportunity to realize his full potential, to acquire a good education, to receive all the medical services he needs and to become a responsible citizen in his community.

We are not just seeking exits from poverty, despair, disease, ignorance, and other social blights, but rather *entrees* to the positive enjoyment of life through good health, adequate education, meaningful employment, and opportunities for creative and satisfying leisure.

It is true that all have not yet gained entree to this enjoyment. But I am confident that all of us working together can help to open the doors for all citizens of this Nation and the World by making freedom of choice in family planning a reality to those for whom the door has been too long closed.

AN INCREASING RECOGNITION OF THE DANGER OF CUBA, THE QUIET CRISIS AT OUR BACK DOOR

Mr. HANSEN. Mr. President, Friday afternoon as I placed in the RECORD articles concerning the increasing threat to the free western world posed by Castro's Communist Cuba, the Washington Star came out with two excellent articles on this subject.

These articles are further evidence of the growing concern over Cuba's position as a Communist beachhead in the Carribean.

Mr. Carl T. Rowan, in his excellent series on Cuba, has given the American public valuable insight into the nature of the problem. In his article Friday, he heavily documented his point that—

> The notion that Castro's regime could be broken through a rigid economic boycott has turned out to be a serious miscalculation.

The reason for this failure, he contends, is the trade that other western countries have maintained with Cuba, especially Britain, Spain, France, and Japan.

A possible partial solution to this problem emerges in the light of a news article by the highly respected Latin American writer for the Star, Jeremiah O'Leary. Reflecting on the fact that a five-member committee on the Organization of American States will be conducting "a special investigation of charges that Communist Cuba has equipped, trained, and sent guerrillas against Venezuela in a clear act of aggression," Mr. O'Leary points out:

> The hope in the OAS is that the evidence of Cuba's international lawlessness in the report will be a moral weapon that may have some impact on Havana's trading partners . . . (especially) Canada and the Europeans.

Mr. President, I ask that these two highly significant articles be printed in the RECORD with my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Star, June 23, 1967]

OAS UNIT TO INVESTIGATE VENEZUELA INFILTRATORS

(By Jeremiah O'Leary)

A five-member committee of the Organization of American States leaves Washington today to conduct a special investigation of charges that Communist Cuba has equipped, trained and sent guerrillas against Venezuela in a clear act of aggression.

Chairman of the investigating body is Costa Rica's ambassador to the OAS, Fernando Ortuno. Other members include U.S. Ambassador Sol M. Linowitz; Minister Jose Camacho Lorenzana of Colombia; Alternate OAS representative Andres Aramburu of Peru and Enriquillo del Rosario, OAS ambassador of the Dominican Republic.

The committee is scheduled to spend from three days to a week in Venezuela and already has charted a numbered of procedures. Among other things, the OAS committee will interview the Cuban army officer captured in the act of escorting a boat-load of guerrillas ashore on the Venezuelan coast from a Cuban vessel.

MAY 8 LANDING

Members also will question witnesses to the May 8 landing and Venezuelan officials with expert knowledge of Cuban assistance to local Communists who have been attempting to overthrow the Caracas government since 1960.

The committee expects to compile a report readily on the most recent Cuban intrusion but in much shorter form than the bulky document assembled by other OAS investigators after a Cuban arms cache was discovered on Venezuela's Falcon Peninsula several years ago. The Falcon report, which clearly indicated Castro's role in the subversion, resulted in severance of trade and diplomatic relations with Cuba by all OAS nations except Mexico.

The OAS dawdled for well over a month before deciding to investigate the recent incident, which Havana has long since publicly and boastfully acknowledged. But it is expected the OAS will move more rapidly once the five-nation committee returns with its findings.

Publicly, the OAS intends no move stronger than a condemnation of Cuba which will be brought to the attention of the United Nations. But diplomatic sources said today the report will be used quietly in a far more meaningfully way by individual OAS nations to bring pressure on other countries to discontinue trading with Castro.

Presumably, these nations would include Canada, Britain, Spain and others friendly to OAS members but which continue to supply Cuba with products the island can no longer obtain from OAS countries.

Informed sources said there is a strong likelihood that individual OAS nations will make important use of the report as leverage on Cuba's free world trading partners. Indications are that some OAS nations would like to stimulate a trade boycott of the Havana government by Canada and the Europeans although few of them are ready to do so openly.

Some labor unions, such as Venezuela's dockworkers, have refused independently to unload ships of nations trading with Cuba but it appears unlikely that coffee, sugar, banana and metal-producing nations of the OAS will hand Canada and the Europeans a trade boycott ultimatum.

The hope in the OAS is that the evidence of Cuba's international lawlessness in the report will be a moral weapon that may have some impact on Havana's trading partners other than the Communist countries.

[From the Washington Star, June 23, 1967]

U.S. FRIENDS AID CASTRO WITH TRADE

(By Carl T. Rowan)

U.S. officials were certain in 1962 that they could choke communism out of Cuba by tightening an economic noose around the neck of Fidel Castro.

This was why, in order to get Soviet offensive missiles off the island and end a threat of nuclear war, President Kennedy promised former Soviet Premier Nikita Khrushchev that the United States would not invade Cuba.

But the notion that Castro's regime could be broken through a rigid economic boycott has turned out to be a serious miscalculation. For, thanks to some crucial financial help from the United States' best friends, Cuba shows no signs of economic collapse.

The Soviet Union is, of course, Castro's number one economic saviour. The Russians will buy 3 million tons of Cuban sugar (half the entire harvest) this year at six cents a pound, or well over twice the world market price.

But it is Britain, Spain, France and Japan that have given Castro an economic breakthrough that permits him to thumb his nose at Uncle Sam as he boasts of fomenting strife in Venezuela and the rest of Latin America.

At the end of 1966 Cuba had only $50 million left in hard currency. Some American analysts again figured he might soon be on the rocks. But Castro today can draw upon $140 million worth of credit extended by the countries of Western Europe.

Britain ripped the first great gap in what the United States hoped would be a crushing economic boycott. Over American protests, the British sold Castro 900 Leyland buses with government-backed credit two and one-half years ago.

France came along with $20 million in credit for trucks and heavy roadbuilding equipment.

Spain began purchasing Cuban sugar at

6½ cents a pound, a price even higher than the Soviet Union was paying. Spain has paid by providing Castro with trucks, buses and several large fishing trawlers.

These fishing trawlers are used primarily to haul Cuban agents, commandoes, arms and supplies to Latin countries where Castro has pledged to export his revolution.

Recently, when hopes were renewed that Cuba was feeling the economic pinch, Britain came through with a five-year $39 million government-backed loan for construction of a fertilizer plant in Cuba.

Japan is the best non-Communist purchaser of Cuban sugar, buying more than 450,000 tons a year. It was not by accident, then, that Venezuela picked a Japanese ship as the first victim of a boycott it has begun to express Venezuelan anger at the way non-Communist nations are financing Castro's efforts to undermine democracy in Venezuela.

For Cuba's non-Communist trading partners, the economic benefits seem to override political considerations.

Castro makes his loan payments without delay, thanks to Soviet support. So West Europeans continue to make favorable credit arrangements with the knowledge that they are gambling on Russia's credit rating, not Castro's.

The net result is that Cuba's gross national product is now back to the level of 1957, which was a good year for Cuba. Population increases mean that the per capita GNP is still 10 per cent below 1957, but there are no economic woes of the sort that might spark an anti-Castro uprising.

Cuba is having some trouble cutting and processing canes, but sugar production this year will probably exceed 6.2 million tons, the second best year since Castro came to power.

The Cuban people no longer have pork, Coca-Cola or many other items they were used to, "but no one is hungry," according to recent diplomatic reports.

The poor are better off because Castro has dragged down the level of living of the rich.

It seems clear that the bearded dictator has used vast supplies of Soviet arms, a ruthless police state system and vitally needed economic help from the West to make Cuba a fairly secure bastion of communism.

It is also clear that Cuba's main mission is to export communism to the rest of the hemisphere.

And that may yet put Castro and his Soviet supporters on a collision course with Uncle Sam.

FROM BUSH FLYING TO JET AGE

Mr. BARTLETT. Mr. President, what happens in this jet age is almost incredible even to those who are involved in it constantly or occasionally.

For example, about 4 o'clock yesterday morning, Washington time, Brig. Gen. Joseph P. Adams, USMC, retired, was making a speech in Anchorage, Alaska. From there he flew down to Seattle, and after waiting a couple of hours for a connection to the east was in Washington 2 or 3 hours before the time came for him to meet an evening engagement.

General Adams, who is executive director and general counsel of the Association of Local Transport Airlines, did not go to Anchorage to celebrate the jet age. His mission was directed toward an earlier day in aviation. With Tex Noey, he was the joint master of ceremonies at the Centennial Bush Pilots Salute banquet at the Anchorage Westward Hotel, with about 350 persons in attendance. Likewise, he was the principal speaker, and his subject revolved around those early day Alaska aviators, true pioneers, who broke the sky trails and replaced the dog team with the airplane. No place in the world is more dependent upon aviation than is Alaska, and as one who has flown with most of the early-day Alaska aviators, I think this banquet at which they were so uniquely honored was particularly appropriate.

Early-day Alaska flyers who were in attendance at the dinner were: Robert C. Reeve, Merle Sasseen, John Lynn, Frank Whaley, Bill Lavery, Owen Meals, Clayton Scott, Al Lyle, Johnny Moore, Jim Dodson, Nat Browne, Ray Peterson, Clarence "Slim" Walters, Jack Peck, Vern Bookwalter, and Merle Smith.

At the conclusion of his speech, General Adams, who himself was a former flier with the Marines and a former member of the Civil Aeronautics Board, was presented with a beautiful plaque inscribed:

> In recognition of his service to aviation and Alaska.

Mr. President, I ask unanimous consent that the text of General Adams' speech at Anchorage be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS BY JOSEPH P. ADAMS, EXECUTIVE DIRECTOR, ASSOCIATION OF LOCAL TRANSPORT AIRLINES, AT THE BUSH PILOT SALUTE BANQUET, ANCHORAGE ALASKA, JUNE 24, 1967

Chairman Brady, first, heartiest congratulations on the success of your Alaska Purchase Centennial Commission program.

It is a great pleasure for me to participate in the work of your Aviation Committee and join in a "Salute to the Bush Pilot."

Alaska is like a second home to me, as I was brought up on almost daily recitals by my Father, a blacksmith-prospector, of his Alaskan ventures. He made Dyea, Whitehorse, Chilkoot Pass, the Klondike, Dawson City and St. Michael household words. In all, I believe he participated in seven "Stampedes," "Excitements" and "Beach at Nome."

"Like father, like son," I shipped out for Alaska on the S. S. Northwestern from Seattle on July 5, 1924 as a waiter and later on that summer reached Kotzebue and the Arctic on the S. S. Sabesna. On my first trip, I was assigned the care and well-being of 150 Mexican cannery workers that were packed into the forepeak. We didn't lose one.

To cover the period from 1912, when the first airplane was built at Nome but didn't fly, to the first flight of a plane at Fairbanks on July 4, 1914, through the prewar years of greatest bush pilot activity would take a series of talks that would busy a chatauqua tour all summer. I will refer to some firsts, some contributions and salute the bush pilots by brief remembrances of their finest hours.

Actually, we pause tonight to honor those bush pilots who responded to the messages cut with spruce boughs: Help, Hungry, Land, or the many distress signals and calls for help received by dog collar notes.

Hopefully, other banquets during this Alaska Centennial Celebration will honor the historic and heroic dog driver of Alaska who looked skyward in 1924 from the Nenana-McGrath trail and saw Carl Ben Eielson wave to him from his airplane sent from the folks in Washington, D.C. It was 20 days by dog team and only hours by plane.

Ben Eielson, as he was always known in Alaska, who, when he soloed, became the 36th pilot in the U.S. Army, can truly be credited with founding aviation in the Far North.

Second only to his flying was his incredible ability to arouse community and government support for aviation. He first encouraged Fairbanks to put up $1,000.00 and purchase an OX–5 Jenny. He rewarded his local civic sponsors by flying for President Warren G. Harding on his visit to Fairbanks in 1923.

Next and even more incredible, he wrote to some folks in Washington, D.C., and the Post Office Department sent him a DH plane with a Liberty engine.

With this plane he inaugurated mail service to Kuskokwin on February 21, 1924. Here, in a few hours he covered a trail that took 20 days by dog team and, although he landed in trees at night on his return, the citizens carried him on their shoulders to the hangar and the Mayor gave him a gold watch.

Truly a memorable flight and a great beginning.

He went on to greater glory with a 1927 landing on the ice pack and the memorable flight "across the top of the world" to Spitzenbergen with Explorer Wilkins. President Hoover presented Eielson with the Harmon Trophy for the outstanding air contribution of 1928.

Alaska was now on the air routes of the World.

Today, it would be difficult to apply by telegram and be hired as a pilot, but that's how bush pilot Joe Crosson came to Fairbanks in 1926.

His first flight was in a Jenny to return a prospector to his diggings. Thus was born the partnership of aviation and the developers of Alaska, the prospector. This first flight was followed by many sand bar landings and much "hiking out."

At the time of preparation for the Wilkins-Eielson flights, he accepted a charter to fly a reporter from Fairbanks to Point Barrow, 1,580 miles roundtrip in a Swallow-Hisso. This was a milestone for such equipment—another successful page in Alaska's development.

Joe Crosson became the pilot of "Mercy Flights" and in 1935 flew out the bodies of Will Rogers and Wiley Post.

His final contributions were as chief pilot of Pan American Airways' operations in 1932, with a wartime assist in the preparation of an operations manual that was a Bible for WWII pilots.

Today's scientific weather forecasting can well be traced to the first contract made by the U.S. Weather Bureau in 1936 with Harold Gillam.

Gillam, who learned to fly in Alaska, was featured in the mercy flight to the "Nanuck," coined the expression "Gillam Weather" and, as a result of his Weather Bureau contract, he spiraled to 17,000 feet daily in a Pilgrim to sample on-the-spot meteorology.

He successfully flew a Star Route between Fairbanks and Bethel, 525 miles with 20 stops.

In January of 1951, it was my good fortune to be appointed a Member of the Civil Aeronautics Board and, from that time on, it was my pleasure to become acquainted with many of you pioneers.

The CAB was not legislated until 1938, so they couldn't have been the people Ben Eielson wrote to in Washington, D.C., in 1924, asking for a plane; but in 1951, they were in a sense your "Men in Washington."

This association with the Civil Aeronautics Board brought me in touch with a whole family of bush pilots, the Wiens. When Noel Wien came to Fairbanks in 1924 to work for Jimmy Rodebaugh and the Fairbanks Airplane Company, he ended up by bringing his brothers, Ralph, Fritz and Sig.

Noel Wien was the first pilot to fly across the Arctic Circle and land on the North side at Wiseman.

He flew the first commercial flight of 540 miles from Fairbanks to Nome in 1925 in a Fokker with a German B.M.W. engine. This flight was the greatest contribution to commercial mining in Fairbanks and Nome as the passengers were with the U.S. Smelting and Refining Co. of Boston, and it gave birth to the introduction of today's huge commercial dredges.

Pilot Brother, Sig Wien, flew to Cape Prince of Wales to rescue Father Cunningham, an heroic "Mercy Flight."

In my first official trip after becoming a Member of the CAB, I travelled to Alaska and flew with Sig to Fort Yukon. Here I learned at first hand that he is known to the Eskimos as "Sigwien" and he has brought the Eskimos a new way of life.

During WWII Sig Wien made a significant contribution to the geologists who operated the Navy's Arctic oil drilling program by putting them "on site."

Next on my first official CAB visit, I met Robert C. Reeve, "The Glacier Pilot."

Bob was a self-taught barnstorming pilot in Texas, and in 1929 first turned South and flew as one of the first pilots on Pan American-Grace Airways' pioneer mail run. He made a record in 1930 when he flew the mail 1,476 hours.

Stowing away in a ship's chain locker, he arrived in Valdez where he repaired and then rented a crashed Eaglerock.

In one week he ferried 18 tons of supplies to the Big Four mining claim on Brevier Glacier at 6,000 feet. These experimental flights inaugurated the unique trade of "Glacier Flying."

Reeve spearheaded the Brad Washburn attack on Mt. Luciana in the Canadian Yukon where he successfully landed the party on the Walsh Glacier.

In WWII Reeve made a great contribution to the Army when he flew over 200 trips "to the Westward," carrying 1,000 soldiers and 1600 tons of military freight.

He continues his contributions to Alaska today as President of Reeve Aleutian Airways.

On this same CAB trips to Alaska, as the first Member of the Board to visit you, I flew with my good Bush Pilot friend, Raymon I. Petersen.

Ray flew out of the Eskimo village of Bethel from 1935 to 1941. This flying was performed with the first Wasp Travelaire to arrive in Alaska through British Columbia from Chicago.

He organized Bethel Airways, later to become Northern Consolidated, which pioneered the first prop-jet aircraft to be flown in Alaska in 1958.

From the days when someone asked "how many airplanes does Ray Petersen have?" and received the answer, "Ray has airplanes scattered all over Alaska," to today when he serves as President of Northern Consolidated Airlines, represents years of solid transportation contributions to Alaska.

Fred Moller made a significant contribution beginning in 1928 when he pioneered the use of the airplane in prospecting. He may have been the first as Fairbanks Air Express, to advertise "hot sandwiches and coffee served during flights and special rates for prospectors."

Jack Jefford was not only an outstanding bush pilot, but the records indicate he was the first to become an Alaskan instrument pilot.

Another of his firsts was a government contract using a tri-motored Stinson to make a reindeer survey.

He was the first to use an airplane to guide a ship through the ice pack, the S.S. Columbia in 1939.

His bush freighting ability proved most useful in locating navigation station sites and pioneering Alaska's wonderful navigation network in use today.

One problem that developed at once when I assembled these notes was the fear that I would omit mention of pilots due the greatest salutes. On arriving at Merrill Field, I realized the name of the field honored Russell Merrill, an ex-Navy pilot who arrived in 1925 and pioneered air service out of Anchorage. He was followed at Anchorage by Oscar Winchell's Flying Service, Christenson Air Service, Art Woodley, the pioneer bush pilot who launched Pacific Northern Airlines, and others.

Further mention is due A. A. Bennett of Fairbanks and the Bennett-Rodebaugh Airplane Company, Ed Young, Hans Mirow and Bill Munz of Nome.

When, in 1957, I became Executive Director and General Counsel of the Association of Local Transport Airlines (ALTA), it was my pleasure to represent many of these air pioneers in Washington, D.C.

One of the most colorful of these ALTA members and Anchorage operators is Merle K. (Mudhole) Smith. Smitty has continued his bush pilot contributions to Alaskan development, and in 1966 Cordova Airlines flew 90,000 pounds of copper ore from a mine of 85% pure copper.

S. B. (Shell) Simmons of Alaska Coastal Airlines pioneered in a significant manner and developed the world's only completely amphibious operation. Alaska Coastal today represents a merger with Ellis Airlines, and my really closest flying contact with an original bush pilot, Bob Ellis. We flew together, he in the Naval Reserve and myself in the Marine Corps Reserve at the Naval Air Station, Seattle, Washington in the late 20's. Captain Ellis contributed greatly to U.S. Navy operations in Alaska in WWII.

It is the people and the pilots of the territory themselves who brought wings to the wilderness and, in a sense, all Alaskans became pilots. To fly as passengers during the period and times mentioned here required as much nerve as the pilots. My neighbor in Washington, D.C., and a member of the Aviation Subcommittee of the Senate Commerce Committee, the Honorable E. L. Bob Bartlett, has flown some 42 years in Alaska in every conceivable type of craft. Truly, he is a bush pilot in spirit and accomplishments.

Simply stated, Alaska lives and grows because of air transportation and tonight we salute the Bush Pilots who made it all possible. The bush pilots did as much to develop Alaska as land grant transcontinental railroads did to develop the whole of the 48 States.

In closing and in the language of one of those we salute, Archie Ferguson, I give you his words: *"Christ, I love ta fly."*

I believe these words are symbolic.

THE 26TH ANNIVERSARY OF MASS DEPORTATION OF LITHUANIANS TO SIBERIA

Mr. KENNEDY of New York. Mr. President, this month we commemorate the 26th anniversary of the mass deportation of Lithuanians to Siberia. Twenty-six years ago, in late June 1941, more than 34,000 persons were deported to Siberia and the Arctic.

The Lithuanian horror is a part of a larger tragedy that began with the secret Hitler-Stalin treaty of August 23, 1939, in which Hitler agreed that Stalin could take over at will any of the Baltic States of Estonia, Latvia, and Lithuania. Each country objected to Russian troops and bases, but finally succumbed to Russian threats.

Although all of the Baltic countries resented the Russian takeover, the Lithuanians were particularly hostile. When the German-Russian war began in June 1941, the Lithuanians, including many who were in the Russian Army, rebelled against Russia. The mass deportation of tens of thousands of Lithuanians followed.

Mr. President we cannot forget such a terrible tragedy from the past. We cannot forget the bravery of the people of Lithuania, and the brutality which they endured. Indeed, long after the supposed political advantage of such brutality has been forgotten, the memory of the Lithuanians' desire for freedom shall remain.

THE 12TH SCOUT WORLD JAMBOREE

Mr. JORDAN of Idaho. Mr. President, an event of significant national and international importance will take place a little over a month from now when thousands of Boy Scouts, Explorers, and leaders from throughout the world gather at Farragut State Park, in Idaho, for the 12th Boy Scout World Jamboree.

This great encampment between August 1 and 9 on the banks of Lake Pend Oreille will be the first such event held in the United States, and Idaho, of course, is highly honored to have been selected as the site.

The theme and purpose of the jamboree is "For Friendship." An avenue of flags representing each participating country will lead to a 60-foot tower to be called the Friendship Tower. It is here that the jamboree will be officially opened when the Flame of Friendship is lighted by a torch given to a Scout of the Boy Scouts of America at the close of the last world jamboree at Marathon, Greece, in 1963.

Every aspect of the jamboree is designed to promote the advancement of international understanding at the basic person-to-person level. I am sure that the jamboree will make a very meaningful contribution to the spirit of human brotherhood.

My enthusiasm for the potential in understanding of this event is strengthened by the seriousness with which the Boy Scouts of America have taken their role as hosts. They have laid impressive plans to make all foreign Scouts feel welcome during their stay with us. Knowing that the preparations for this immense event are of interest to Senators, I ask unanimous consent that an article entitled "Welcome, Brother Scouts," written by Irving Feist, chairman of the 12th World Jamboree Committee, and published in the July-August issue of Scouting magazine be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WELCOME, BROTHER SCOUTS

(By Irving Feist, International Commissioner, Boy Scouts of America; Chairman, XII World Jamboree Committee and XXI World Conference)

Across the Nation, thousands of Scouts, Explorers, and their families are eagerly awaiting the arrival of XII World Jamboree guests. During July and August—before and after the XII World Jamboree at Farragut State Park, Idaho, August 1–9—upwards of 7,000 Scouts and their leaders from a hundred countries will be visiting in the homes of B.S.A. members and in council camps.

What will our new Scout friends from other countries be like? We don't really know and, if we did, we wouldn't tell! The fun as well as the deeper value of a Jamboree is the personal discoveries Scouts make about each other.

This we will say: Avoid any preconceived notions about him. An ability to remain open-minded and a willingness to learn from one another are essential attributes.

Of course we've "boned up" on life in our visitor's native land. We've tried to learn what foods are popular in his country, what sports he likes, something of his customs. A basic and generous display of warmth and friendship will usually transcend all barriers of language or custom.

Our attitude is all-important in building friendships. Obviously, we should avoid the "here's-how-we-do-it-in-the-USA" attitude. At the same time, we've nothing to be apologetic about, either. But people do grow weary of hearing "it's the tallest or the biggest or the fastest in the world."

Ask questions. Try to learn about our visitors and their countries. Later on, we can answer his questions about our country. Good conversation is the most valuable thing we can give our brother Scouts.

Welcome frank comments about our country—favorable and unfavorable. Don't be afraid to admit it's not perfect. What country is? But also, tell him what we're doing to try to make it perfect. Maybe our visitors will come up with some good suggestions. So, be good listeners.

These all-too-short visits need not be ended when our visitors depart. Many will correspond with their new friends and develop lifelong friendships. Some may visit their new friends.

Even before our guests reach inland councils, where they may visit in Scout homes from 2 days to a week, they will be greeted by a reception team. Welcoming groups will be at every port of entry. They will set up Friendship Centers at airports and piers.

The United States Government has waived its passport and visitor visa requirements for authorized participants in the XII World Jamboree and in the XXI World Conference to be held in Seattle, Wash., after the Jamboree.

The reception teams will provide transportation, information, and sightseeing escorts for troops whose schedules permit. The teams will also arrange for interpreters as needed (more than a score of languages will be spoken at the Jamboree) and provide information on lodging, camps, etc., for those staying overnight en route.

Approximately a thousand visiting Scouts and leaders plan overnight, or longer, visits to one or more of nine National Parks before or after the Jamboree. The National Parks are waiving entrance fees for these Scouts from outside the U.S., and are being especially helpful in arranging accommodations for them.

Philmont Scout Ranch and Explorer Base in northeastern New Mexico is making special arrangements for groups from other countries to get "on the trail" for 3 days or longer with some of our Explorers. Those who can't stay 3 days will find accommodations at the base camp.

At the Jamboree, a Host Corps of 514 Eagle Scouts, one from each council of the B.S.A., will assist in the reception and orientation of visiting patrols and troops. The corps will maintain liaison with these troops and the Jamboree organization and assist, where needed, in any area of Jamboree participation.

Many Host Corpsmen will be bilingual. These young men will assist their visitors in solving problems ranging from locating missing equipment to getting sick Scouts to a doctor, from securing extra foodstuffs for a party to keeping the troop informed on all program developments. The corpsmen will be "ambassadors for world friendship."

The entire Jamboree program will provide unending opportunities for developing international friendships. The wide game to be played on the morning of August 2 is an excellent example.

Scouts will seek to form teams of 10. After breakfast each Scout will be given a large card with a single letter of the alphabet on one side. When 10 Scouts have lined up so their letters spell a 10-letter word (not to be disclosed until game time), they will report at one of the judging areas. Here they will be given a simple project to prove their unity as a friendship team.

Upon completion of the project, the team members will receive an award and remain together the rest of the morning. Many patrols will work out an exchange friendship lunch between two or more Scouts.

During the Jamboree, Scouts will have an opportunity to talk with friends back home by radio. Of special interest to ham enthusiasts will be the 10th Jamboree-on-the-Air to be held from Saturday, August 5, starting at 0001-GMT, to 2359 Sunday, August 6. See Scoutergram (page 2) for frequencies of Jamboree stations.

Back home, Scouts unable to attend the World Jamboree are urged to participate with their units in a "friendship campfire" or meeting during the Jamboree period. Some Scout Associations have developed a plan to recognize all units that hold special ceremonies during the first week of August.

Following the Jamboree, Scouters of the Seattle area will entertain in their home the representative to the Boy Scouts World Conference who will meet in Seattle, August 11–17.

This is the world Scouting organization, composed of the national Scout Associations of 87 countries. The biannual conference helps keep the movement unified, exchanges ideas, plans ways to extend Scouting to more boys, and strengthens the national Associations. Each member Association is autonomous and must adhere to the established principles and ideas of Scouting: duty to God, helpfulness to others, loyalty to country, world brotherhood, self-reliance, initiative, trustworthiness, etc.

The Jamboree theme "For Friendship" is no hollow phrase. The host Scouts and Scouters of the B.S.A. will do their utmost to make the XII World Jamboree a showcase of international skills in camping, outdoor craft, and folklore—a living example of Scouting's fellowship and brotherhood that transcends national boundaries.

ALASKA'S HONOR IS UPHELD

Mr. BARTLETT. Mr. President, last Thursday, June 22, 1967, many important events took place in the world.

Glassboro, N.J., with a population of 14,000-plus, was chosen as a mutually convenient site for a meeting between President Johnson and Soviet Premier Kosygin, the first such summit conference in over 3 years.

The Federal Communications Commission approved for a second time the merger of the International Telephone & Telegraph Corp. with the American Broadcasting Co., a decision which, if carried through, will have far-reaching effect on the communications industry for many years to come.

French Foreign Minister Maurice Couve de Murville warned that "so long as the war in Vietnam continues, peaceful prospects will not appear in the Middle East."

Former Representative Hamilton Fish was married to a blond Russian-born widow in the chapel of St. James Episcopal Church in New York City.

The Atomic Energy Commission signed its first contract to process nuclear fuel for use in civilian powerplants. The AEC signed this contract with a Swedish firm having a name too long for me to pronounce but which has the initials OKG.

President Johnson urged Congress to keep the Office of Economic Opportunity intact rather than dismembering OEO and sending the pieces to old-line agencies.

The House Administration Committee cracked down on travel expense allowance regulations for both House Members and committee staffs.

In sports—baseball in particular—the Washington Senators stoutly and bravely fought to a 9 to 9 tie in an exhibition game with the Cincinnati Reds and "called it quits after 10 innings." After all it was only an exhibition game.

As I said before Mr. President, many important events took place in the world on June 22, 1967.

But an event which did not make international, national, or even local news headlines occurred on that day which I must announce here in order to uphold the dignity and honor and pride of all citizens of the great State of Alaska; citizens, I might add, of which I count myself very lucky to be one.

Mr. President, allow me to digress.

For many years prior to 1959 a certain State north of the Rio Grande and south of the State of Oklahoma boasted of having the biggest, the tallest, the widest, the deepest, the best, the most beautiful, and the richest of anything and everything worth mentioning.

I shall not beat around the bush. The State was Texas.

Then along came Alaska in 1959.

Things changed rapidly.

Alaska has, if truth be known, twice as much of anything Texas ever had, and then some. I say this not boastingly. I say this in all humility.

But on June 21, 1967, by way of the son-in-law and daughter of the President of the United States, Texas shouted to the world that "at last, here indeed, is a truly Texas-sized accomplishment." Patrick Lyndon Nugent was presented to the world in full color and bigger than life size.

Well, Mr. President, with all due respect and sincere best wishes to Patrick, Luci, and Patrick Lyndon Nugent, and with congratulations to the new grandparents, Alaska simply could not be outdone.

Which brings us back to June 22, 1967.

On that day, I am proud to announce, Alaska's honor was upheld.

On that day Alaska's dignity was maintained.

On that day Alaska's pride was reinforced. On that day, to one of my loyal staff members, a native of Alaska, and an Eskimo at that, was born an Alaska-sized boy. On that day, Mr. President, at 4:22 p.m., Jason David Gardner came into this world; weighing not a Texas-sized 8 pounds and 10 ounces, but an Alaska-sized 9 pounds and 15 ounces; measuring not a Texas-sized 21 inches, but an Alaska-sized 23 inches.

Of course, giving credit where credit is due, half of this effort belongs to Ireland, that beautiful island across the Atlantic Ocean.

The justifiable proud parents are George and Donna Gardner. George was born and raised in Alaska and has been with me for 3 years. Donna is his very lovely Irish wife. The grandparents are James and Mary Dunne, of Dublin, Ireland, and Lee S. Gardner, of Manley Hot Springs, Alaska.

Finally, Mr. President, I will say to Texas, as an Alaskan, and speaking for all Alaska: "Nice try, but keep the faith."

HISTORICAL DEVELOPMENT OF WORLD BANK AND INTERNATIONAL DEVELOPMENT ASSOCIATION

Mr. PEARSON. Mr. President, the other day our former colleague, Hon. A. Willis Robertson, now with the International Bank for Reconstruction and Development, was good enough to send me a copy of the speech by Mr. Leonard Rist, a senior economist of the World Bank, describing the historical development and present activities of the World Bank and its subsidiary, the International Development Association.

Because Mr. Rist so ably describes the activities of these two extremely valuable organizations, I think it would be most useful to make the speech available to all Senators. Therefore, I ask unanimous consent that the speech delivered by Mr. Rist before the New Orleans Chamber of Commerce on April 26, 1967, be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

ADDRESS TO NEW ORLEANS CHAMBER OF COMMERCE AND INTERNATIONAL HOUSE BY LEONARD RIST

Mr. Chairman, gentlemen, it is both an honour and a pleasure for me to address you today. New Orleans is the second biggest center of international trade in the U.S. and as befits a great harbour it is deeply interested in international affairs and particularly international economic affairs. Therefore we are happy in the World Bank to seize this opportunity to exchange with you some thoughts on the development of less-developed countries.

I have, however, some more personal reasons for enjoying this visit. After more than twenty years in Washington I know of the great influence of the State of Louisiana. The two Senators and the Representatives of this State play such an important role in the affairs of this country that their names and their views are referred to almost daily in the news. In addition, for me, as a Frenchman, it is a moving experience to visit your city and find so many traces of common heritage. It is actually even more personal than that.

One of my ancestors was a trader in Le Havre and in the 1830's he used to sail to New Orleans once a year to bring back a cargo of cotton, and my family Bible has a note to the effect that he had visited New Orleans during the cholera epidemic in 1833 and remained unscathed. In 1847 another of my forebears, on the advice of the Rothschild Bank in Paris, bought some securities of a New Orleans enterprise, I believe it was streetcars. This simply goes to show that international investment dates back a good many years and, after all, it is international finance that I have come here to discuss.

The best way to explain the World Bank Group and how it operates is to give you a description of its organization including where our resources come from, then to give you a picture of the extent of our loan and credit operations and how they have been distributed around the world until now, and third, to indicate for which purposes we have provided financial assistance and how we study and select the projects.

To understand the set up of our institutions one must place them in their historical perspective. At the Bretton Woods Conference in 1944 the Allies showed remarkable foresight by discussing the main financial issues that would arise after the war. The U.S. and Great Britain were in a way the leaders at the conference. On the one hand they created the International Monetary Fund to deal with the extremely serious currency problems which beset the world—and not only just after a war—and to assist in bringing about some degree of monetary stability. On the other hand the experts were aware of the great need for long-term capital both for reconstruction in war-torn Europe and for economic development in the less-favored parts of the world. One of their main concerns was how to mobilize the considerable amounts of long-term capital which would be needed.

After the First World War reliance had been placed on public borrowing in the financial markets but this was now out of the question. Not only were the amounts involved too great, and indeed the Marshall Plan had to step in in 1947, but confidence in foreign borrowers was at a low ebb: too many defaults had taken place during the depression and during the war. Hence, the idea that if the creditor countries could give their guarantee to borrowings made for the benefit of capital-thirsty nations, the financial markets would be more receptive.

This is the basic concept of the *International Bank for Reconstruction and Development*, the World Bank as we call it, and the principle has worked well.

The capital of the Bank was subscribed by governments—106 of them today—and amounts to 22.6 billion dollars. Of this, only 10 percent is payable in cash and we shall come back to that in a minute. The balance of 90 percent, or over $20 billion, is callable only to cover the Bank's bond obligations in case it should not be able to service them out of its own resources. Of this 90 percent capital, the so-called creditor countries have subscribed over 70 percent (and, incidentally, they also have over 70 percent of the votes). The U.S. alone has a guarantee subscription of over $5½ billion. This certainly goes a long way to explain that we have been able to issue bonds in the financial markets without difficulty, and we are proud to see our bonds classified as "triple A". As you probably know, we have just issued $250 million of bonds in New York at a 5⅜ percent yield. But New York is not our only market. We have sold bond issues in the main financial markets of the world and to a number of Central Banks. Over the 20 years of our existence we have issued a total of over $5 billion 600 million of bonds, of which about $3.2 billion are outstanding today. Of the 104 issues which we have made, 57 were in U.S. dollars, 18 in Swiss francs, 14 in Deutsche marks plus a few others in Belgian francs, Canadian dollars, Italian lire, Dutch guilders and Pounds sterling.

But bond issues are only part of our resources. Our own funds are anything but negligible. The capital subscription of our member countries includes as I have pointed out 10 percent in cash. This provided us with cash resources amounting to $1.8 billion freely available for our lending operations. A further $400 million has not yet been made convertible. Add to this $1.8 billion the very substantial reserves which have been accumulated over 20 years and now amount to over $1 billion, and you find that our own funds, from capital and reserves, amount to about $2.8 billion. All of this is freely available for our operations, except $300 million reserve which must be kept in liquid form as a special reserve against losses.

We must of course adjust our lending conditions to the cost of our borrowing. At present our rate of interest is 6 percent. This compares with 4¼ percent for our first loans in 1947, when, as you will remember, market rates were much lower than today. The terms are normally for 15 to 25 years, occasionally 30, a period of grace without amortization is usually allowed during the first few years.

We have been fairly selective in choosing the countries to whom we lend from those whose debt servicing capacity, or rather "creditworthiness", appeared satisfactory to us. This is not only good banking practice, it is also self-preservation as the holders of our bonds do not only consider the guarantee afforded by our shareholders but also, to some extent, the quality of our portfolio.

But as the years passed, we realized that some of the countries which had well justified capital requirements for soundly conceived investments could not, in all fairness, undertake a heavy debt service burden. Hence the creation in 1960 of another organization called the International Development Association.

The International Development Association, or IDA, grants "credits" rather than loans. Normal terms are 50 years of which 10 years is without amortization. The credits are without interest but a commission of ¾ of 1 percent is charged on the outstanding amount. It was obviously impossible to expect such an organization to borrow and all its resources must be provided by direct subscriptions from our member countries. Of the World Bank members 97 are members of IDA. Of these, 18 are classified as Part I countries. They are the ones I called "creditor countries" a little earlier. They subscribed to 75 percent of the total capital, entirely in convertible currency, and most of them have already repeated their contribution once in 1964. While the amount subscribed by the United States is the largest of any nation, that contribution encouraged 96 other nations to participate in an international program of development. As a Part I country, it is understood that they do not expect to ask the IDA for assistance. The other countries are classified as Part II and, at first, they are expected to pay only 10 percent of their subscription in convertible currency. The total amount which IDA will have had at its disposal by June 30 1967 will be around $1 billion 700 million of which more than $1.5 billion comes from the 18 Part I countries, $42 million from the Part II countries and $200 million are contributions from the World Bank itself out of its current earnings over the last three years.

I should add that the two organizations have the same Board of Directors representing their member countries, the same President, Mr. George Woods, and the same staff. As we shall see later this facilitates the work of both institutions since IDA projects are appraised and supervised as carefully as loans by the World Bank. The Bank lends under normal or quasi normal conditions and is confident that it can extend its operations by further borrowings; IDA lends for the same purposes, but in cases where future balance of payment prospects of the borrowing country do not allow for heavy debt service and its resources are limited to the contributions of its Part I members. You will not be surprised to hear that IDA is now reaching the point where its available funds are nearing exhaustion. New negotiations have become necessary to obtain new contributions from the Part I countries. They should allow IDA to continue, or hopefully even increase, its credit operations over the next three or four years.

In view of the limitation imposed on the availability of funds in IDA, we cannot simply divide our member countries into

IDA-worthy and Bank-worthy—some of them fall into either of these two categories but a number have received both Bank loans and IDA credits; we like to call them "blend countries".

Now, to the third institution in the World Bank Group. Providing long-term capital is of course basic in the process of assisting economic development but it became clear after a while that one particular field had requirements which did not always fit the general pattern, namely industrial enterprises and more particularly, private enterprise. We can in the Bank and IDA finance industry and we have done so, but our Articles of Agreement require that we should only lend to governments or under a government guarantee. This clause proved to act as a restraint for some private enterprises which did not wish to call on the direct assistance of their government in that way. It is for this reason that in 1956 the member countries of the Bank organized the *International Finance Corporation*. The IFC finances industrial enterprises either through loans or through equity participations. It has also taken a lively interest in development financing corporations which in turn redistribute the funds entrusted to them to local industry. Its resources are much more limited than those of the Bank. Its capital, subscribed by 83 of the World Bank member countries, amounts to $100 million and it has recently borrowed another $100 million from the Bank (as the Bank is authorized to lend a total of $400 million to IFC). This indicates that it can expand its operations over the next few years without being too concerned about the availability of funds. Here again the Board of Directors includes the same people as the World Bank and IDA, and the president is Mr. George Woods. Some of the staff members devote all their time to IFC, others are also World Bank staff members.

This being the institutional framework of our group—to whom have we lent? The first loans of the Bank date back to 1947. They were for reconstruction purposes. France, Holland, Denmark and Luxembourg received a total of almost $500 million in long-term loans. Their post-war requirements were too obvious not to be heeded and, by the way, all of this has been repaid now except for about $16 million. But as you doubtless remember, the reconstruction needs were infinitely greater than anything the Bank could hope to contribute. The inauguration of the Marshall Plan soon relieved us of the task of financing reconstruction. We then devoted ourselves entirely to development and that included not only assistance to productive investment in the poorer countries, which is our primary task, but also the satisfaction of extraordinary equipment needs of countries like Belgium, Italy, Australia, New Zealand or Japan.

For the timebeing I shall discuss the Bank and IDA. I shall discuss the IFC later. As of March 1967, and including the four reconstruction loans already mentioned, the Bank had made 496 different loans for a total of over $10 billion. Of this total commitment, almost $8 billion have been actually disbursed and taking into account both repayments and sales to third parties of securities held by us, there are a little over $7 billion of loans in the Bank portfolio today. About 38 percent of these loans went to Asia—India, Japan and Pakistan head the list, followed by Thailand, Iran and the Philippines. 31 percent went to Latin-America with Mexico, Brazil, Colombia, Venezuela, Chile and Peru heading the list. 14 percent went to Europe including Yugoslavia, Italy, Finland and Spain, 11 percent to Africa—divided among 23 countries, and 4 percent to Australia and New Zealand. The proportions are different for the IRA credit. Out of $1 billion 693 million divided into 102 credits, Asia received 77 percent, most of which was for India and Pakistan. 13 percent went to Africa, 6 percent to ten Latin America countries and 4 percent to Europe, namely Turkey.

Some of our friends have been surprised by the large amount of lending to India and Pakistan. They have on occasion pointed out that the distribution of our financial resources seemed to favour these two countries, implying thereby that this may be to the detriment of other possible borrowers. But they soon realized that with a combined population of 650 million, India and Pakistan together were bigger than Africa and Latin-America together. Their poverty is well-known but so are their development possibilities. It was natural that the Bank and IDA should be particularly keen to find attractive investment opportunities in the Indian subcontinent.

There are of course substantial differences between our commitments in various countries. But our purpose is not to be the sole provider of development assistance to our members. On the contrary, in a number of cases we have assisted them in their most difficult period and then they have been able to call on the financial markets of the world. Good instances are Japan, Australia and Italy. In other cases they have received considerable loans or other assistance from other organizations, bi-lateral or multilateral. This is the case of most of our developing member countries including Latin-America, Asia and Africa. We were only too happy to see our assistance multiplied by others but there are times when this creates problems for our appraisal of their credit-worthiness. Borrowings, particularly short-term borrowings, do increase the debt servicing obligations of the receipient countries and if this increase is too quick balance of payment problems may ensue and impair our own lending ability to them. In other words, we cannot, and we never do, consider that the study we have made a year or two ago of any given country sets our policy towards this nation for any length of time. We have to revise our appraisal of their borrowing capacity continuously and this is certainly one of the most time-consuming but also one of the most interesting tasks of our staff.

I should add that the International Finance Corporation has still other considerations in mind, namely the business prospects of the enterprises which it is asked to finance. True, the total amount of its operations was, as you noticed, in terms of millions rather than billions. At the end of its 10th year it had entered into 131 agreements. They involved actual investments amounting to $167 million plus underwriting commitments of $25 million or a total of almost $200 million of which $133 million had actually been disbursed. Thanks to sales out of its own portfolio the net disbursements, after sales, amounted to a little less than $100 million. The distribution of these commitments was distinctly different from that of the two other institutions of the group. Here we have 55 percent for enterprises in Latin America, 22 percent in Asia, 14 percent in Africa 8½ percent in Europe and just about 1 percent for enterprises in Australia.

The picture I have just drawn may perhaps seem a little complicated but the fact is that our historical record has been complicated. As I have hinted before, we never wanted to divide our available resources among our member countries on the basis of a pre-conceived equity concept. We started from the point of view, which we still hold, that our member countries who are in need of substantial amounts of capital which cannot be secured elsewhere and for purposes which are clearly constructive economically, are entitled to call on us for financial assistance.

What then do we consider priority investment needs? It is not enough to say that we wish to reach the greatest number of people and assist in improving their standard of living. To achieve these aims we must select the investments which will promote the economy, increase resources and allow or even stimulate the nationals of the borrower country to give the full measure of their energy and ability. The choice to be made depends, of course, on the economic structure of each country and the extent to which they are able to carry out new projects, and the division among types of projects is in a way rather enlightening. For this purpose we can treat the World Bank and IDA as one since the study of the project is identical in both cases. Disregarding the reconstruction loans and the $100 million lent to IFC, Bank and IDA *together* had, by the end of 1965, committed a total of nearly $11.5 billion in loans and credits. Of this total about two-thirds went to basic services such as transportation (railways, roads and harbours) and power. In addition, 18 percent went to industry, 8 percent to agriculture (irrigation, livestock credit, etc.) and the balance to communications (telephones and telegraphs), to education and to a few general loans to satisfy temporary industrial import needs. This list indicates the importance attributed to basic facilities or infrastructure. Clearly transportation and power, or rather the lack of them, are in many countries the bottleneck which prevents the development of industries or mines, many of which could find financing if only they had these basic services at their disposal. Furthermore, roads and harbours are very important for local agriculture. You may be interested in the great number of harbour projects we have assisted, since your shipping lines probably frequently call at many of them. But the list is long and includes thirty names, so let me just say that there are at least six in Africa, 11 in Asia, at least 6 in Spain and Turkey, and the following in Latin-America: Guayaquil in Ecuador, Puerto Cortes in Honduras, Corinto in Nicaragua, Asuncion in Paraguay, and Callao, Paita and Pisco in Peru.

The roads we financed in Central America and Colombia and Ecuador have been of direct assistance in the development of agricultural exports.

Perhaps more important than the amounts devoted to each sector is the searching investigation to which we submit each project. This may involve months or sometimes years but we want to be sure that the project is going to be really useful, that it is actually needed at this time—in other words, that it is a priority investment—and that it is organized on a sound basis both from the point of view of administration and finance. The number of discussions in which we have engaged concerning public utility or transportation rates is really staggering. The same applies to the conditions under which agricultural credit institutions are run. For roads it is of course not possible to be quite so precise but we do want to be convinced that traffic has every chance of increasing. Our main concern in education projects is that the students will have the qualifications which will make them immediately useful in the community. This is why we have supported technical schools, industrial training and secondary schools, rather than primary or university education, even though these are badly needed in so many countries.

It will not surprise you to to hear that in a great number of countries the needs are clear but the programs or the projects are not sufficiently advanced to allow for financing—hence our interest in technical assistance. As a result we have willingly helped our less-developed member countries to prepare their plans or programs, to identify their projects and to engineer them properly. Technical assistance has become part of our job. For this we often call on consultants and of course on other international agencies such as FAO and UNESCO in particular.

Once the project has been started and the financing agreed, our job is far from finished. The equipment needed from abroad must be imported and its installation properly carried out. On equipment imports as well as building contracts entered into by foreigners, we have always insisted on international competitive bidding. The result is that we are assured that the project is carried out at the lowest possible cost. We have thus financed American exporters, contractors and consultants for at least $2.3 billion or perhaps 30 percent of our total disbursements—most of the balance went to Europe or Japan. No doubt a substantial part of the American exports was shipped from New Orleans and I am sorry I do not have exact details.

But checking contracts is not enough. We still have to supervise the actual carrying out of the project. As long as it is not finished our engineers travel to the site and examine its progress. I don't mind adding that sometimes disbursements are slower than we had expected, practical difficulties are bound to arise, but in practice we can say that the loans and credits we have granted have been used for good purposes and have been as economical as possible.

I hope, gentlemen, that I have not conveyed the impression that we are the only institutions active in this field. We well know that quite apart from our first cousin the Monetary Fund, there are other international lending institutions such as the Inter-American Bank, the newly created African Development Bank and the Asian Development Bank. More important, we know that bi-lateral aid is being carried out on a substantial scale by our most important shareholders. Generally speaking our financial assistance is in the neighborhood of 15 percent of the total flow of funds to developing countries. This implies that we must co-operate with these agencies and we insist on conferring with them as often as possible so that we should not act contrary to one another. For certain countries such as India, Pakistan, Colombia or Ecuador there exists so called 'consortia' or consultative groups where the creditor countries assemble to discuss together their present and future assistance to the recipient country, and we are happy to notice that in many cases the views presented by our reports on the potential debtor or beneficiary of international aid are given most serious consideration by the other aid givers.

You may have detected in my exposition an underlying feeling of pride. We are indeed proud of being so well considered by our bondholders, and to find that our richer member countries support our action with their contributions to IDA and by opening their financial markets to our issues, and further to find that the countries who receive our loans and credits not only make good use of them but also take our advice and solicit our views on a number of policy issues. I sincerely believe that this is due both to the fact that we are a banking institution and therefore financial and economic realities are foremost in our mind, and to the fact that we are a group of co-operative international institutions and must therefore remain above political considerations, and it is a great reward to find that our interest in the welfare and progress of less-developed nations is shared by institutions as prominent as those which you represent.

SHARING THE LOAD

Mr. BARTLETT. Mr. President, the junior Senator from New Jersey [Mr. WILLIAMS] has introduced a bill to establish a national flood insurance program. I am pleased to cosponsor the bill.

The bill is the result of a study which the Congress, through a provision of the Southeast Hurricane Disaster Relief Act of 1965, directed the Department of Housing and Urban Development to make on the feasibility of national disaster insurance programs. Once again, the junior Senator from New Jersey took the lead in introducing legislation authorizing the study. I cosponsored that bill, and the junior Senator from Washington [Mr. JACKSON] and I successfully proposed that it be expanded to include a feasibility study on establishing a national earthquake insurance program.

The Department of Housing and Urban Development was to complete its study of flood insurance in 1 year; the earthquake study in 3 years.

I am greatly encouraged that the Department of Housing and Urban Development has completed the flood study and has come up with a proposed national flood insurance program.

I am informed that the legislation enjoys widespread support in the insurance industry and among State insurance officials. That information, if correct, is especially encouraging, for it indicates that it will be possible to develop a program involving private industry risk participation.

As I understand the policy on which the bill is based, the aim is to help spread some of the cost of flood damage among property owners through payment of premiums and to discourage new construction in areas with high flood probability rates.

Mr. President, in recent years Congress has reacted magnificently and promptly in enacting legislation to aid areas hit by major disasters. I know that Alaskans will be forever grateful for the unprecedented Federal aid poured into the State following the 1964 earthquake. I know residents of other States which have suffered severe damage from natural disasters are also grateful for Federal recovery assistance.

However, I also know that most people would prefer to pay their fair share of recovery costs through such means as insurance premiums.

Mr. President, I look on this legislation in two ways. From a national viewpoint, the bill holds out hope that residents of the United States, no matter where they live in the Nation, will have an opportunity to purchase protection for their property heretofore not available at reasonable rates. The bill holds out the hope of more orderly recovery efforts following major disasters.

From an Alaska viewpoint, the bill holds the hope that a national earthquake insurance program is feasible. Certainly such a program would be of great importance to Alaskans, present and future, as protection for their investments and to Alaska as a program which would ease the fears of some persons who would like to move to the State but do not do so because such protection is not available.

Life is full of ironic twists, Mr. President. As this statement was being prepared, word was received that Fairbanks had just experienced a magnitude six earthquake, nature's not-so-gentle way of emphasizing the importance of this program.

I am happy to report that progress has been made on the feasibility study of earthquake insurance. On January 30 and 31, representatives of the scientific community and of the Environmental Science Services Administration met to discuss what was known about earthquakes and what information needed to be developed so that sound actuarial tables can be developed. The Coast and Geodetic Survey, a branch of ESSA, is charged with providing the basic engineering and scientific information which the Department of Housing and Urban Development needs to evaluate possible assistance programs. The survey's final report is due at the end of this month.

That report will include:

First. The most comprehensive documentation of historical seismicity ever attempted for the conterminous United States.

Second. An analysis of the significance of differences in ground amplification which are related to geology and the importance of these differences in controlling earthquake damage patterns.

Third. A detailed description of the materials and techniques essential for the estimation of earthquake damage and loss statistics.

Looking ahead, data must still be gathered on probable maximum dollar loss resulting from earthquakes. This information will have to be compiled by region. Obviously this portion of the study will take some time. In correspondence with the Department of Housing and Urban Development, I learned that no decision has yet been made of how to fund the next phase of the earthquake study. I understand that decision is to be made early next month. I hope so, for this is too important a study to fall by the wayside through inadvertent bureaucratic inaction. I realize that a good many agencies are conducting research projects on earthquakes, and I am quite sympathetic to the desire to pull these programs together under a single roof. However, Congress gave the Department of Housing and Urban Development 3 years to complete its earthquake study. I am most anxious that that study be completed on schedule.

Mr. President, to close on a positive note, I want to commend the administration for coming up with a proposal for a national flood insurance program and the junior Senator from New Jersey [Mr. WILLIAMS] for his leadership in this most important project.

SHOULD THE VOTING AGE BE LOWERED TO 18?—WINNING ESSAYS IN THE McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGee Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "Should the Voting Age in the United States Be Lowered to 18?" and each year

I am impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most oustanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Grace Marie Rounds, of Sundance, Wyo., and Robert E. Brown, of Gillette, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

SHOULD THE 18-YEAR-OLD BE ALLOWED TO VOTE?

(By Grace Marie Rounds, Sundance, Wyo.)

Today, more than ever before, it is vital that the United States maintain a strong, united country. Because America is the symbol of freedom in our world, we must constantly strive to protect our liberty and that of the oppressed nations who turn to us. The experiment of a self-governing republic has succeeded in the past, even through the agony of Civil War, because it was entrusted to the hands of the American people who loved and honored it. In order to preserve this form of government "by the people", we must depend on the conscientious voter of today and tomorrow.

Twenty years from now our eighteen-year olds will govern America. Hundreds of them will be Congressmen, and, one may be President. Today we see these young people preparing for this job in schools, homes, churches, and, perhaps, abroad. Yet, they have not reached the magic age, twenty-one, which will open all those doors "closed to adolescents".

This brings us to the very core of the question, "Is the eighteen-year old still too immature to take on the responsibility of voting, or is the young adult of today as changed as the world he lives in?" To arrive at an answer, we must determine the merits of this young person, and compare them with those of the voter over twenty-one.

Despite the criticism directed at our young people, we must realize that there is a great deal of responsibility already entrusted to them. This age group, from eighteen to twenty, comprises approximately ten million Americans. Thirteen percent of these are married by the age of nineteen, and in many states they can legally be married without consent of a parent or guardian. Seventy-five percent of these young adults receive incomes ranging from $500 to $5,000 annually. They have a tremendous buying power, as can be seen from the general direction of advertising today. Many of our young people are now serving abroad in the Peace Corps or the Armed Forces. Over 5,570,000 are attending college, a goal many of their parents could never have hoped to reach. A number of states have already given the vote to eighteen-year olds in state elections.

I also believe that the eighteen-year old of this new, scientific age has a much broader, more complete understanding of the world he lives in than was possible for the young adult of 100, 50, even 20 years ago. In the past, maturity was gained in great extent by accepting hardships as a part of life and by using a lot of ordinary "elbow-grease." Today life is lived on a little higher level, with new comforts, new opportunities, and new hardships. Life it not easier. The young person of today's complex society is a pioneer; he faces a greater challenge than ever before. Instead of savage Indians he faces constant decisions concerning politics, religion, and morals. He must stand up to heavy competition and demands rather than flood or drought. In lieu of the question of equal suffrage for women, he strives for a voice in his government.

I hope that many will agree that the eighteen-year old of today is a more mature individual than at any other time in our history. Yet, I believe that his greatest asset, and qualification to vote, is his education. This world, this age is demanding at least that much of him. Three million young people will graduate from high school in 1967 with an extensive background in American history and present American problems. Still, there are now over 2½ million people over twenty-one who are completely illiterate and 35 million who never reached the eighth grade. To me, this is a definite sign of discrimination against our educated young people who cannot vote.

I believe that education would be a very reasonable requirement in obtaining the right to vote. Let us examine the facts:

Today in the United States there are over 90,500 elementary schools, 30,800 secondary schools, plus countless small rural schools, where any youngster from age five to eighteen can receive a free, public education. We are fortunate that in our country there is equality in educational opportunity, regardless of family wealth or background. Because of the Civil Rights movement, the Negro child now finds it possible to attend these schools. Even the adult, who feels that his education is lacking, can further or complete his education through special courses offered all over the country.

In addition to regular public education, our country has had the added benefit of $3,377,869,688.00 in federal aid for this purpose, which is distributed through sixty-seven different programs, with a number of new projects being put into effect quite recently. Through these, hundreds of thousands of underprivileged, impoverished, handicapped, or isolated children and previous "drop-outs" can continue to learn.

One man, with a deep understanding and love of Americanism, said, "No natural boundary seems to be set on the efforts of man, and in his eyes, what is not yet done is only what he has not yet attempted to do." He was the Frenchman, Alexis de Tocqueville. I would also like to think of my fellow Americans as an ambitious people, who can set any goal, and through striving and sacrifice can reach that goal. Acquiring a free education is not asking too much, and higher education is possible for anyone who really wants it and feels that it is worth the "supreme effort."

How should we determine the eligibility of an individual to vote? I would propose a standard, non-discriminative test to be given to every American citizen over the age of eighteen. An individual could pass it regardless of "race, religion, or creed." He could pass it, providing he could read, write, make a mature decision, and understand, at least in part, what our country stands for.

A plan advocating education for the eighteen-year old and universal suffrage for persons twenty-one or older would be as senseless as no plan at all. The illiterate citizen would simply wait three years to vote for policies he couldn't possibly grasp with such limited knowledge. I would hope that a plan, such as the one I suggested, would provide an even greater incentive for our Americans, rich or poor, black, brown, or white, to obtain an education and an understanding of America. It could produce not only a more responsible, mature, American vote, but a more stable Union, a Union of strong, intelligent, and capable Americans.

Finally, I hope that we still possess that deep pride in our nation—felt by the brave pilgrim, the dissatisfied patriot, the sturdy pioneer—and that we continue to believe in "liberty and justice for all." If this is true, then, no matter what decision is made concerning suffrage for the youth of America, I am confident that it will be made with that ideal in mind, and with real love for our great country.

Statistics from: 1966 report from U.S. Census Bureau.

SHOULD THE VOTING AGE BE LOWERED TO 18?

(By Robert E. Brown, Gillette, Wyo.)

". . . Voting is a public function, not merely a personal right. It is the act by which the people choose men to occupy public offices and to govern the community. From this point of view, the question is whether lowering the voting age will tend to produce an electorate that is superior to the present on and better qualified to choose honest and capable public officials."[1]

The question of who should have the privilege of helping to determine our legislative future is a timely one, indeed. In this topic, two major contentions present themselves for consideration. First, will the inclusion of those eighteen to twenty-one years of age tend to create a better electorate? Secondly, does this group of people (those 18 to 21) have certain responsibilities and obligations, yet have no voice or representation at this time?

Will we create a better electorate by including Americans over eighteen years of age? To answer this issue, we shall ask ourselves about the characteristics of a good voter. In order to make an intelligent decision at the polls, there are four prerequisites:

1. The voter must be familiar with the issues involved.
2. The voter must know the position of the candidates on these issues.
3. The voter should be familiar with the background of the candidates.
4. The voter should have the ability to make an intelligent choice based on mature judgment.

Thus, our first major contention has resolved itself into the application of these four criteria to the age group in question.

"The 18-year-old of today," said the late Adlai Stevenson, "is more aware of national and world events than ever before." The development of TV, the higher average level of education, higher academic standards, and the fact that many schools require students to attend civics and government classes all add up to one inescapable conclusion. Today's young Americans are better informed than ever before. So it seems that the answer to the first three questions is, "Yes, lower the voting age!"

The answer to the fourth question, or prerequisite lies in the determination of relative maturity. The "younger generation" is faced with a bewildering set of problems that force maturity at an earlier age. The threat of nuclear annihilation has hung over this generation's head since its birth.

Our youth are thrust into dealing with sex, automobiles, liquor, drugs, and intense competition for college at an earlier age than any generation which has gone before it. School curiculums are being improved and enriched to give the student a broader and more challenging education than was ever possible before. Of course, not all teenagers are ready to vote at 18, but then, there are many who are never ready to make a mature decision at the polls, even at 40, 50, or 60!

In addition to these arguments, there are several other advantages to lowering the voting age. Averill Harriman, a State Department official, pointed out, "Young people are encouraged to take an interest in government in high school, and the right to vote would maintain this interest without lapse." How about allowing some of youth's enthusiasm to fire the electoral contests? Does a three-year lapse insure the same retention of interest in government that is stimulated in the classroom?

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[1] "Voting: 18 or 21?" *America,* (Feb. 5, 1966), pp. 189–190.

It seems that youthful Americans are charged with all the responsibilities of government except the right to vote. Although the question involves more than the clitche, "If they're old enough to fight, then they're old enough to vote," this is certainly a part of the question. Americans of this age group are allowed to marry, raise children, pay taxes, own property, and, of course, participate in the draft. This component of our citizenry certainly has a stake in America, although they have no power to help determine the laws which govern it. Or, as General Eisenhower put it, "It is far worse than taxation without representation. It is sacrifice without representation!"

Opponents of lowering the draft, however, would like to logically discredit the "fight and vote" theory by carrying it to *reducto absurdum*. They maintain that if we carry the argument to its logical end, we arrive at the ridiciulous conclusion that "if you are old to fight, then you are also too old to vote." This reasoning, rather obviously, is not correct, however. This line of thought ignores the countless other responsibilities placed on the shoulder of these youth, responsibilities which don't end with the passing of one's fighting ability.

Only one other main stumbling block remains, possible infringement on states' rights, that is, if the federal government were to enact legislation on this subject. There are two answers to the issue of states' rights. One, why should an eighteen-year-old in Georgia and Kentucky be considered an adult, yet that same person would be a minor in most other states? It does not seem very logical to determine maturity and grant privileges (or rights) on the basis of arbitrary geographical boundaries. Secondly, the voting age should be lowered for the sake of uniformity. The precedent for federal intervention has been clearly established. If the states will not do what is in the best interests of the nation, then the congress must see that it is done.

In review, it appears that the inclusion of eighteen-year-olds in the electorate would tend to improve that electorate because today's youth are, relatively speaking, well informed and mature enough to make intelligent decisions. Secondly, this segment of our population has a definite investment in the activities of our government, yet they have no legislative voice in controlling its future. ". . . no segment of the community should be excluded from the electorate, if its rights and interests cannot be adequately safeguarded by an electorate of which it does not form a part."[2]

Should the voting age be lowered to eighteen? As a high school student who is interested in our nation's future, I must stand with 56.5% of high school students in answering a resounding *Yes*!

SAVES SON FROM BEAR

Mr. BARTLETT. Mr. President, in these days of urban civilization, with our pioneering days supposedly behind us, few parents are called upon to shoot a bear to save a son's life.

Yet, pioneering days are not over in Alaska, and only last month Tom Gregory brought down a huge grizzly only a few feet away from his 2½-year-old son.

What happened was described in the Juneau, Alaska, Empire of May 24. I ask unanimous consent that what the newspaper had to say about an experience that could have had a tragic ending, but which turned out happily, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tom Gregory, Angoon fish buyer and skipper of the "Nellie B", downed a 650-pound silver-tipped grizzly last week about seven paces from his son, Kevin, 2½, 20 feet from their Angoon home on Admiralty Island. Gregory's quick action probably saved the child's life, sources said. "The bear was moving toward the boy when I spotted him. We had been loading a skiff and I'd put Kevin on a rock near the beach to wait for for me, near the skiff while I went back for the last load of supplies. I grabbed one of my guns (a .30–06), then shot the bear in the spine from about 20 yards to break him down," Gregory said. It took approximately 7 or 8 more rounds to finish the bear off.

THE TETONS OF WYOMING AND IDAHO

Mr. HANSEN. Mr. President, the July issue of the Ford Times, published by the Ford Motor Co., contains an article about an area very dear to my heart and important to all Americans—the Teton country of Wyoming and Idaho.

Entitled "The Other Side of the Tetons," the article is the work of Jack Goodman and Roy Kerswill and is a splendid descriptive piece on the majesty which is the Tetons, east and west.

I ask that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Other Side of the Tetons

(By Jack Goodman, paintings by Roy Kerswill)

Just beyond storied Jackson Hole, the snow-tipped peaks of the Teton Range pierce the blue Wyoming skies, towering in picture-postcard fashion above meadowland, forest, and Jenny and Jackson lakes. Buttressed by the enormous bulk of massive Mount Moran (12,594 feet), and culminating in the 13,766-foot high Gothic spire of the Grand Teton, the east-facing profile of this lofty, lovely range is world-famous—and justly so.

Unfortunately so, some outdoorsmen will add.

Nowadays sightseers crowd bumper-to-bumper to glimpse the Tetons from the smooth highways and well-developed viewpoints along this eastern flank. These past half dozen years, state and federal forces, striving to relieve the crowding for the nearly two million visitors who come to Jackson Hole annually, have completely rebuilt U.S. 89 and 187, improved old roads, and rebuilt bridges within Grand Teton National Park boundaries. Campgrounds, viewpoints, visitor centers, lodges, marinas and well-ordered villages have been built along lakeshores.

However, the major paved highway east of the Tetons is likewise the major south entry and exit route for nearby Yellowstone National Park. Due to the dual popularity of the nearly adjacent parks, crowds keep building, rather than thinning. On holiday weekends it is sometimes difficult to find room enough for picturetaking at highway vista points overlooking the Grand Teton.

Fortunately there is a ready solution for the vacationist willing to drive just half-a-hundred miles to seek more than a crowd's eye view of those entrancing peaks.

Overlooked by the majority of mountain-country visitors is the fact that the Tetons have two faces.

To sight-see, hike, fish or camp on the uncrowded Idaho, or western, side of the Tetons, you simply locate Wyoming State Highway 22, which crosses the Snake River six miles west of bustling, tourist-filled Jackson. The two-lane asphalt pavement loops up 8,429-foot-high Teton Pass, climbing through country in which views can only be described as breathtaking. Descending the hogback to the Idaho-Wyoming line via the drainage of swift-flowing Trail Creek, the pavement brings the wayfaring stranger into the Teton Valley—the Pierre's Hole of the mountain men—as beautiful and bucolic a slice of country as most of us will ever discover in a lifetime of searching.

NEW LOOK IS OFFERED

This little-known route over the Tetons, following the lone "passable pass" in nearly 100 miles of high-country wilderness, is a mere 24 miles long. However, the steep grades and switchbacks, coupled with eye-stopping views across sun-spangled peaks and shadowy forests, will mean an hour's drive for most motorists seeking the "other side" of the Tetons.

What lies on the Idaho slope? A single paved highway (State 33) parallels the Teton Range for just under 20 miles, then jogs west, then north again to connect, near Felt, with State 32, which in turn leads to Ashton and U.S. 20 and 191, the entry road to West Yellowstone. In this entire Teton Valley area are perhaps 2,500 people, twice that many cattle—and, one sometimes thinks, almost that many trout-filled lakes and streams.

UNCROWDED SANCTUM

Perhaps the views of the Tetons' western flank are not quite as spectacular as those much-photographed Wyoming vistas. But whether seen from such near-at-hand crossroad towns as Victor, Driggs and Tetonia, or glimpsed from Ashton 50 miles away, they are the same startling, snow-sprinkled, tip-tilted Tetons. Actually, the comparative isolation of the countryside immediately west of the Teton Range is something of an anomaly, since the peaks whose melting snows water this forest and range country were first glimpsed from the west—by seekers after beaver who entered this valley country from Canada.

Twin roadside markers, erected with the cooperation of the Idaho Historical Society, tell the story succinctly. Near Ashton, a simple marker points the eye towards the Three Tetons, and notes that "perhaps as early as 1819, French-speaking trappers were calling them the Trois Tetons—the three breasts. More prosaic English-speaking mountain men named them the Pilot Knobs, but the French name struck." Between Victor, on the Union Pacific branch line at the foot of Teton Pass, and the Mormon hamlet of Driggs, another Historical Society sign recalls that "Old Pierre Tevanitagon, an Iroquois Indian fur trapper for the Hudson's Bay Company, gave his name to this beaver-rich valley. Pierre's Hole was the scene in 1832 of the annual rendezvous of mountain men and suppliers—the Great Rocky Mountain Fair. That wild party ended in a free-for-all battle with the Gros Ventre Indians, which the trappers and their Indian friends won. The valley was permanently settled in 1882."

If equipped to do so, today's sojourner in Pierre's Hole should emulate the mountain men and camp outdoors, although Uncle Sam's forest rangers hope you won't do battle with any passing Indians. West of the Teton's crest, extending in a great semicircle of 1,700,000 acres around the headwaters of the Snake River, the Targhee National Forest protects the region's aspen-carpeted slopes, upland basins and lakeside valley lands. Over in Grand Teton National Park rangers often despair of finding tent space to assign to would-be campers. Here, in the Targhee, it is still possible to make camp out of sight and sound of other wilderness seekers.

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[2] "Universal Voting at 18?" *Senior Scholastic* (Oct. 24, 1964), p. 10.

Don't expect pavement, though. Two graded country roads between Victor and Driggs, and one partially-surfaced road east of Tetonia, strike out bravely towards the base of the Tetons. Paralleling Fox, Darby and Leigh creeks, they soon peter out into scraped trails in the rocky wilderness near the base of the range. Next, fording the available creeks, they deteriorate completely into horse-and-hiker trails as they climb towards the 10,000-foot elevations of Housetop Mountain, Mt. Bannon, Table Mountain and Little Peak. Did I say deteriorate? It's all in the point of view.

From Targhee Forest campgrounds west of the Tetons, backpackers can follow trails across the Alaska Basin to the Phelps Lake country in Grand Teton National Park, or pack into the seldom-visited Bechler River country in the extreme southwest corner of Yelowstone. However, such trail trips require a week's time, considerable hardihood and a good guide. The average vacationist, discovering this country, should settle in at a campsite on any of the score of mountain streams rushing down from the Tetons. Amiable Mormon ranchers in the countryside near Driggs are willing to provide an outlander with clean bed, solid food, and advice on nearby fishing holes.

Island Park Reservoir and such locally famed resorts as Ponds and Mack's Inn, long favored by anglers and hunters, are scarcely 50 miles north. Henry's Lake, which some westerners insist is the most productive trout fishery in the country, is also less than two hours distant for those who make camp in the Pierre's Hole country, or settle in at a ranch or motel. And, whether you're fishing from a power boat on one of the big lakes, standing beside foaming Mesa Falls, floating lazily down the Teton River, or just sitting on a roadside rail fence in Pierre's Hole, chances are you'll look up, catch a glimpse of those snowy peaks on the horizon, and wonder why you never thought to come come around to this side of the Tetons long ago.

PROGRAM EVALUATION AND FEDERAL SPENDING PRIORITIES

Mr. MONDALE. Mr. President, an editorial appearing in today's issue of the Washington Post warrants serious consideration by Members of Congress and the public at large. The editorial concerns one of the most difficult problems confronting every Congress—namely, how to apply truly rational analysis to the vast and competing demands for money which face Congress each year.

There is a particular significance in this statement of editorial opinion for me, for I have introduced S. 843, a bill which is designed to provide a mechanism through which such a rational analysis can be applied to the entire complex of Federal spending programs.

A unique seminar-type hearing on this proposal is today being held by the Subcommittee on Government Research of the Committee on Government Operations. The conclusion of the Post editorial is that contemporary American Government must be operated not on the basis of some intuitive prescience about national goals and goal implementation, but on the basis of rational inquiry and program evaluation. This is singularly helpful at a time when legislators are beginning to be troubled about the inadequate data and evaluations on which critical decisions of national program priorities must be based.

Mr. President, whatever the merits of any specific mechanisms which may be proposed for bringing some order, systematization, and elemental reason to the efforts of Congress to pick and choose among the multitude of programs competing for Federal funds, few questions before the American public are more vital than the one posed by this editorial and today's hearings on the Full Opportunity and Social Accounting Act.

I commend the Washington Post for its important contribution to the growing dialog on the question, and ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ON FEDERAL SPENDING

The Administration won the battle of the national debt when the House voted narrowly to raise the ceiling to $358 billion in 1968 and $365 billion in 1969. But the fundamental issue—Congress's inability to control the growth of Federal spending—is unresolved, and like a canker on the body politic, it will continue to erupt.

There is no body of scientific knowledge, no objective criterion that can be invoked in determining appropriate levels of Federal expenditures. Economic theorists advance propositions that purport to be useful, but on scrutiny they prove to be either tautological or nonoperational. And some observers, who despair of ever subjecting the question to a rational analysis, argue that there is nothing objectionable about permitting the level of Federal expenditures to grow rapidly since that growth reflects a democratically expressed need for additional public services.

But the issue of Federal spending—and the parallel issue of how fast private spending will be permitted to grow in the future—cannot be resolved so easily.

The argument that Federal expenditures faithfully reflect the preferences of the electorate is seriously flawed. It presupposes a degree of prescience, a concept of goals and a knowledge of goal implementation that simply do not exist. As consumers the electorate knows precisely how to gratify its desires for automotive transportation by choosing among more than 200 models of foreign and domestic vehicles. But it does not know how to translate its compassion for the poor into effective Government action. It relies upon its representatives in Congress who in turn rely largely upon the recommendations of the incumbent Administration. And the results, judging by the experience with the "war on poverty," leaves much to be desired.

Nor is account taken of the self-perpetuating dynamics of bureaucracy. It is the rare bureaucrat, who upon accomplishing a stated mission, voluntarily relinquishes his claim upon funds. As a consequence, obsolete Federal programs, like old soldiers, never seem to die. Indeed, it is the bureaucratic momentum which in part explains why the growth of Federal expenditures rarely lag far behind the growth of tax revenues.

It may be that the proportion of real income absorbed by the Federal sector is determined by some inexorable and undiscoverable social law. But before surrendering to fate or lassitude, a rational attack should be made on the issue. Chairman Wilbur D. Mills of the Ways and Means Committee proposes that a bipartisan Government Program Evaluation Commission (H.R. 10520) be established. That body, its 12 members being appointed by the President, the House and the Senate, would be empowered to hold hearings and obtain relevant evidence for the purposes of evaluating Federal programs and making recommendations for priorities in the allocation of Federal funds. This proposal, which was sent to the Committee on Government Operations, deserves the strongest support.

DEFEAT IN THE HOUSE OF "BLOCK GRANT" CONCEPT OF FEDERAL AID TO EDUCATION

Mr. THURMOND. Mr. President, the Monday, June 5, 1967, issue of the State newspaper in Columbia, S.C., contains an excellent editorial supporting the block grant concept of Federal aid to education.

Although this concept was defeated by a narrow vote in the House, I hope that the Senate will adopt an amendment to the bill so as to incorporate such a concept. Many Members of Congress have believed that more effective use of Federal moneys for education could be accomplished if the States were allowed to exercise more control.

Each State is faced with different problems and different needs. Therefore, there seems little doubt that a plan to distribute Federal school aid to the States in lump sums to use as each State sees fit would provide for a general strengthening of education programs throughout the Nation.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE STRINGS REMAIN

The defeat of the "block grant" concept of federal aid to education cost the state and local governments of the nation an important round in their continuing struggle to regain powers lost to Washington.

But it was not a total defeat. The strong, Republican-led effort to substitute the so-called Quie Amendment for the Administration's elementary and secondary education act of 1967 produced a few concessions from the Administration and gave promise that block grants may win favor in the future.

Minnesota Rep. Albert H. Quie's proposal would have distributed federal school aid to the states in lump sums to use almost as the states saw fit. The Administration bill would continue the present "carrot" concept, under which Washington dangles earmarked grants in front of the states in order to get them to do things that are conceived to be in the federal interest.

This grant-in-aid, or "carrot," concept is employed in many types of legislation. In education, Washington has used grants to force desegregation and improve the educational opportunities available to children from poor families.

The Quie Amendment was so appealing to people in all sections of the country that it forced the Johnson administration to mount a major campaign, bringing to bear the influence of parochial school, civil rights and other lobbies, to salvage its bill.

The votes of many Southern Democrats (none came from South Carolina) were needed to save the day for President Johnson. In the confusion of shattered party lines, amendments passed to give state departments of education a bigger hand in certain programs and to apply the federal school guidelines uniformly to all 50 states rather than only to the 17 Southern and border states.

Another successful amendment prohibits the government from withholding federal funds from school districts until there has been a full hearing and an official finding of discrimination.

So, *some* gains were made in the big debate. But the House by a 197 to 168 vote turned down the important block grants policy.

It is doubtful that the Senate, which now has the bill, will pass such an amendment.

One reason this concept has trouble in Congress is that it has no organized lobby pushing it. Even grants for specific purposes often require pressure from farmers, educators, urban groups and the like.

Furthermore, many congressmen like to act as brokers of federal largess. They want the schoolmen, the mayors, etc. to come hat in hand, to Washington. Handing money directly to governors and mayors enhances the political power of state and local officials and perhaps builds up future campaign opposition to the congressmen.

But the block grant concept is gaining in popularity. One of these days Congress may be forced to accept it.

NO PROGRESS FOR FREEDOM IN SOUTH VIETNAM

Mr. GRUENING. Mr. President, in the famous Honolulu Declaration of February 8, 1966, Premier Ky of South Vietnam promised:

> We are dedicated to the eradication of social injustice among our people. We must bring about a true social revolution and construct a modern society in which every man can know that he has a future; that he has respect and dignity; that he has the opportunity for himself and for his children to live in an environment where all is not disappointment, despair and dejection; that the opportunities exist for the full expression of his talents and his hopes.

Those were high-sounding objectives when they were issued over 16 months ago. However, two news items in recent days indicate that no progress has been made in safeguarding individual freedoms or in providing economic freedom in South Vietnam.

Thus, this morning's Washington Post carried a story under the byline of able correspondent Richard Harwood, datelined Saigon, June 25, 1967, relating the story of how "the novelist and literary critic, Vu Hahn, was secretly arrested by the special branch of the national police" and held incommunicado from his friends and reporters.

The report continues to describe the so-called freedom of the press in South Vietnam—or rather, the nonexistence of such a free press:

> "It is not very different now," a respected journalist said yesterday, "than under the Diem regime. The controls are very effective.
>
> "No magazine or newspaper can be published without the consent of the Ky government. No writer can be accredited without first passing a security investigation. . . No article can appear without the approval of Ky's censors."

At Honolulu, Premier Ky promised ratification of the constitution by secret ballot and elections rooted in that constitution. Without a free press the elections are a sham and a mockery.

Is it any wonder, therefore, that the New York Times last Sunday, June 25, 1967, carried a dispatch from Saigon headed: "Landowners Win in Vietnam Vote: Hamlet Chiefs Keep Control in Most of 4,476 Districts."

South Vietnam is plagued by a problem of absentee landlords of its farmlands. Two-thirds of the farmers in agricultural areas are tenant farmers and even today, as it has been since Diem's day, when a village is pacified, the representatives of the absentee landowners ride in with the soldiers to collect back rents.

While the much publicized village elections have been held, it should be noted that district and province chiefs, under whose direction and control the elected village chiefs must operate, are still appointed by Premier Ky's government in Saigon.

I ask unanimous consent that the story in the Washington Post for this morning, June 26, 1967, entitled "Novelist's Arrest Seen Tied to Ky's Campaign" and the dispatch to the New York Times, which appeared in that paper on June 25, 1967, entitled "Landowners Win in Vietnam Vote" be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, June 25, 1967]

Landowners Win in Vietnam Vote—Hamlet Chiefs Keep Control in Most of 4,476 Districts

(By Tom Buckley)

Saigon, South Vietnam, June 24.—The traditional wielders of local power in Vietnam apparently will continue to wield it as a result of elections for hamlet chiefs over the last two months.

According to a study prepared by the Vietnamese Government of the 4,476 hamlets in which elections were held, the winners, by occupation, were: farmers, 2,263; former hamlet and village officials, 1,676; businessmen, 284, and former civil servants, 247. No occupation was given for six persons.

Although no breakdown of the farmers' income level was available, it was considered likely that most were landowners rather than tenants, who make up about two-thirds of the population of agricultural areas.

The good show of the landowners had been unexpected. It echoed the elections for 988 village councils in April and May. Nevertheless, American observers were encouraged by other factors.

Among these was the large percentage of voters. Of 2,933,000 registered, 2,310,000 went to the polls. The figures for the earlier elections were 3,233,000 and 2,511,000.

LESS VOTER COERCION

The observers did not rule out the possibility that the results might have been affected by coercion or stuffing of ballot boxes, but they doubted whether this had accounted for more than 1 or 2 per cent of the total.

There also was less interference by the Vietcong during the hamlet elections than during the earlier village voting. A total of 555 terrorist incidents were counted in the first and only 35 in the second.

Elections were canceled in only 133 hamlets, because officials decided that they were not adequately secure.

The voting was held only in what were thought to be the most secure of the country's 2,535 villages and 13,805 hamlets. Elections in 275 more villages and 1,500 more hamlets are tentatively scheduled in late autumn after the South Vietnamese presidential and Senate elections in September.

Observers, were also pleased by the restoration of the traditional hamlet and village electoral process, which was abruptly ended by Ngo Dinh Diem when he was president.

President Diem, who was assassinated in 1963, was a believer in strong central authority. He canceled the elections in 1956 and thereafter appointed village and hamlet officials from Saigon. This hardened the countryside against him, aided the Vietcong and led to his downfall.

The restoration of elections was resolutely pushed by William Porter, former Deputy Ambassador of the United States, despite the less-than-enthusiastic support of the central Government.

The results of the elections, one source said, gave "unquestioned evidence of the political vitality of the Vietnamese villages."

Questions have been raised, however, about the organization of the village administration. This consists of an elected council of 8, 10 or 12 members, depending on the size of the village. The candidate who gets the largest number of votes becomes the chairman.

The chairman, with the consent of the council, then appoints a member to act as executive chief of the village. The chairman, however, is excluded from holding that position. As a result, it is said, the natural leader of the village plays an advisory role in the conduct of day-by-day village affairs and the village chief becomes the most powerful single official.

Villages in Vietnam are administrative groupings of several hamlets. The village itself has no physical existence. Its offices are generally situated in the largest or most central of the hamlets.

The hamlet chief is an administrative arm of the village council. In recent years his major concern has been security against Vietcong or North Vietnamese attack. In turn he has become a frequent target of terrorism.

Observers acknowledge that a marked improvement in democratic institutions in Vietnam must await the end of the system of central appointments of district and province chiefs. But they believe that the existence of popularly elected councils will force higher officials to take account of what the people want.

[From the Washington Post, June 26, 1967]

Novelist's Arrest Seen Tied to Ky's Campaign

(By Richard Harwood)

Saigon, June 25.—On the first or second day of June—the precise date is uncertain—the novelist and literary critic, Vu Hanh, was secretly arrested by the special branch of the national police.

His fate became known last week; the police announced that Hanh was in custody and had confessed to "helping the Communists in their attempt to conquer South Vietnam."

The police refused to elaborate on Hanh's alleged crime. They refused the request of American journalists to interview the writer and refused to make available copies of his confession.

VAST NUMBERS

American officials estimate that thousands of political prisoners are being held by the Ky government in jails and detention camps throughout South Vietnam. "Vast numbers," according to a document issued by the U.S. Agency for International Development last November," . . . have never been tried and . . . have no idea when or how they will ever be released."

Only yesterday, a prominent local businessman, Ngu Tang, whose family had reported him kidnaped some time ago, turned up in the hands of the police. He was charged with conducting Communist propaganda among Saigon intellectuals. Earlier this month, the writer, Nguyen Si Hong, was arrested, although that fact has not yet been officially announced, nor the charges against him.

The case of Vu Hanh, however, was in some ways different. Nearly six months ago the rabblerousing Saigon Newspaper, Song, accused Hanh of pro-Communist leanings. The charge stirred a major controversy in journalistic and literary circles, with a majority of the Saigon newspapers and writers coming to Hanh's defense. The government propaganda ministry, which controls the Vietnamese press, was forced to intervene and stop the debate.

In effect, the ministry exonerated Hanh of pro-Communist leanings. Hanh thereupon filed a slander suit against Song and its free-swinging publisher, Chu Tu. If successful, he would have collected damages and Tu would have been forced to close down his newspaper.

DELAY GRANTED

Tu asked the court for a postponement of the suit. It was granted. He then asked for another postponement and it was granted. But a firm trial date was then set—June 10.

With Hanh's arrest, Tu got another reprieve, perhaps a permanent one.

The arrest and the slander suit appeared to be unrelated except for one coincidental circumstance. Song's newspaper is supported, according to a written report made by the joint U.S. Public Affairs Office some weeks ago, by both Premier Ky and Brig. Gen. Nguyen Ngoc Loan chief of the national police and director of military security.

Many of the articles in Song are written by officers of Ky's regime. Gen. Loan, a powerful and shadowy figure in Vietnamese affairs, is actively promoting Ky's presidential aspirations through the instrument of the national police.

SUSPICIONS STIMULATED

These circumstances have aroused speculation in the Vietnamese literary community that Hanh was arrested, in part, to protect Song from the consequences of the slander suit and hence to protect an organ that may prove important in General Ky's campaign.

These suspicions have been further stimulated by the belief that Hanh was not arrested on any warrant issued by a Vietnamese court but was seized on the orders of General Loan, who has virtually unlimited authority to detain any person "considered as dangerous to national defense and public security."

American officials here have taken a wholly indifferent attitude toward the case. One of the highest officials in the American civilian mission, when asked about the case, replied:

"We don't have time to go around investigating every arrest that's made in Saigon."

Vietnamese writers, when guaranteed anonymity, are pessimistic.

"It is not greatly different now," a respected journalist said yesterday, "than under the Diem regime. The controls are very effective."

No magazine or newspaper can be published without the consent of the Ky government. No writer can be accredited without first passing a security investigation conducted by General Loan's agency. No article can appear without the approval of Ky's censors.

One of Hanh's literary friends said yesterday:

"The only people who have profited from this arrest are the Vietcong and Hanoi. Their broadcasts are already full of it. They are using it as proof that there is no intellectual freedom in South Vietnam."

AMENDING THE BANKRUPTCY LAWS

Mr. MONDALE. Mr. President, testimony before the Committee on Banking and Currency has frequently pointed to the rising number of consumer bankruptcies as evidence of overextension of consumer credit and of the need for a truth-in-lending bill. The Subcommittee on Financial Institutions has unanimously reported S. 5, to require full disclosure of credit costs in terms of dollars and cents as well as annual percentage rates.

Consumer bankruptcies have increased by 80 percent since 1960, and by over 600 percent since 1950. This increase has been even larger than the rise in consumer installment debt outstanding—up by 74 percent since 1960, and by over 400 percent since 1950.

A truth-in-lending bill can afford a first line of defense for consumers against overcommitment to heavy debts loaded with concealed and complicated finance charges.

I have been distressed to learn that the House Committee on the Judiciary now has under consideration a bill that would seal the fate of wage earners who have failed to keep up with the burden of their debts. The bill, H.R. 1057, would deny the relief of straight bankruptcy to overburdened wage earners unless they could make an affirmative showing that they cannot repay their debts out of future earnings in accordance with an arrangement under chapter XIII of the Federal Bankruptcy Act. This proposal to attach future earnings of distressed debtors, through procedures of the Federal Courts, would apply only to wage earners and not to any other class of debtor. All other debtors would retain the right to a discharge of debts through straight bankruptcy. Thus, the proposal discriminates against wage earners and is unfair.

Mr. President, I do not believe Congress should take away the last inhibition upon certain lenders and sellers to refrain from excessive extensions of credit to those in the lowest income brackets whose incomes have the least protection. Most responsible leaders of the credit industry have no desire to extend credit to those who cannot afford it. Yet, H.R. 1057 would make it easier for the cutrate operator to extend even more excessive amounts of credit. Such a proposal is not only against the interests of wage earners—it is against the long-term interests of a responsible credit industry.

To its credit, the AFL–CIO has come forward and forthrightly opposed H.R. 1057. I ask unanimous consent to have printed in the Record the testimony on the bill delivered by Mr. Andrew J. Biemiller, legislative director of the AFL–CIO, on May 25, 1967, before Subcommittee No. 4 of the House Committee on the Judiciary.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Statement by Andrew J. Biemiller, Director, Department of Legislation, American Federation of Labor and Congress of Industrial Organizations, to Subcommittee No. 4 of the House Committee on the Judiciary, on H.R. 1057, a Bill To Amend the Bankruptcy Act With Respect to the Use of Chapter XIII, May 25, 1967

Mr. Chairman, my name is Andrew J. Biemiller. I am the Director of the Department of Legislation of the AFL–CIO. I am appearing today in opposition to H.R. 1057, a bill to amend the Bankruptcy Act with respect to the use of chapter XIII.

Mr. Chairman, this bill would foreclose a wage earner from obtaining the benefit of a petition in bankruptcy unless he can prove that he is unable to make a chapter XIII arrangement to pay his debts out of future earnings. Since we in the AFL–CIO represent thirteen and one half million wage earners and their families, we feel it our duty to inform the Congress of our strong feelings about the bill. Our responsibility is emphasized by a 1963 Northwestern National Life Insurance survey which shows that the typical bankrupt grosses between $4,000 and $6,000 a year. In short, the typical bankrupt is a worker.

Our objections rest in three main categories. The bill, contrary to the principles of our bankruptcy laws, precludes an honest debtor from a discharge of the burdens of his debt. The bill discriminates against a wage earner denying him privileges which are left available to all other debtors, including corporations. Lastly, the bill does not cure the economic evil of supereasy credit, the dominant cause of wage earner bankruptcy, but encourages easier credit still by placing another collection weapon in the hands of the already too heavily armed creditor.

The bill prevents an affected wage earner from exercising his right to a discharge of his debts. According to one leading authority, the bankruptcy law of the United States has for its fundamental object, "the securing of possession of an insolvent's assets and the procuring of their equitable division among creditors, preventing and avoiding attempts of one creditor to obtain unfair advantage over other creditors therein; and second, the liberation of worthy debtors from the burden of unpaid debts" *1 Remington § 16*.

The idea of "liberation of worthy debtors from the burden of unpaid debts" as an essential purpose of bankruptcy is ingrained in our law. It operates, as the Supreme Court said in a 1918 decision "to aid the unfortunate debtor by giving him a fresh start in life." The court went on to note that "(Its) decisions lay great stress on this feature of the law."

H.R. 1057 would deny to this single underprivileged, overburdened class of debtors, the wage earners, their right to one fundamental purpose of the Act. H.R. 1057 says to the wage earner, "If you can pay your debts from your future earnings you shall not be discharged in bankruptcy." To so preclude the worker from this right, while preserving it inviolate to the fictitious corporation, the proprietor, the partner, the farmer, the professional man, would cast our bankruptcy law almost back to its origin—the debtors prison.

Mr. Chairman, we believe that men have a *moral* obligation to pay their debts. But our law recognizes that this obligation cannot always be met because of other considerations and that in due time the *legal* obligation may diminish. That is why, Mr. Chairman, our law does not require dire insolvency as a condition of bankruptcy. The petition needs only to allege that the debtor has debts he cannot pay.

Of course there are abuses. There have no doubt been cases brought before the committee of persons with irresponsible debts and a clear and unfettered ability to pay them from future earnings. But it is repugnant to the AFL–CIO and our system of law itself that the abuse of a right by some should result in the denial of the right to all.

The coercive feature of the proposed legislation raises a serious issue of an individual's right to privacy, not present so long as a Chapter 13 plan is purely voluntary. The Court not only protects the wage earner against harassment but equally important it assumes complete management of the wage-earner's personal financial affairs.

The debtor and his family in effect become a ward of the Court. If such an arrangement is coercive, rather than voluntary, the debtor is reduced to the status of a minor or a mental incompetent without adjudication as such. We suggest that this raises serious questions of personal liberties and rights.

I have already touched upon the discriminatory aspect of H.R. 1057. Briefly the bill applies only to wage earners. They are denied straight bankruptcy on failure of a burden to show inability to comply with a chapter XIII arrangement. But the fictitious corporate and non-wage earner debtors may avail themselves of straight bankruptcy without obligation to the appropriate chapter and arrangement. Were not the responsible officers of the corporation or the non-wage earner just as liable for the detriment of the creditors? I hasten to assure the committee that we do not challenge their rights under the system. We simply want to preserve the same status for the wage earner.

This gross discrimination becomes more stark when the situation is looked at in another light. Under a chapter XI or chapter XIII arrangement a debtor may abandon the whole deal and revert back to straight bankruptcy on any fraudless motive, as he should be able to. But we wonder, doesn't H.R. 1057 forbid this since it virtually precludes straight bankruptcy in the first place? We think it does.

I want to emphasize that our opposition to H.R. 1057 should not be construed as opposition to chapter XIII itself. The whole thrust of chapter XIII is to give the able and conscientious debtor the *voluntary* means to pay his just debts. Indeed over 28,000 debtors opted chapter XIII in Fiscal 1966 and based on present unofficial estimates some 32,000 will do so in Fiscal 1967. We insist, however, that chapter XIII be kept purely optional lest it become, as is proposed, perverted from a protective and rehabilitative mechanism to relieve debtors into a coercive collection method to relieve creditors.

Finally, we suggest that H.R. 1057 takes a narrow and inhumane approach, primarily in behalf of creditors rather than debtors, to the whole problem of excessive use of credit and ensuing wage-earner bankruptcies. The AFL–CIO has long been concerned with abuses in credit and wage garnishment legislation of which rising bankruptcy filings are symptomatic.

We have asked that the Congress enact a truth-in-lending bill to compel the full disclosure of actual costs of consumer credit in terms of dollars and cents and in terms of the often shocking rates of true annual interest. We have called attention to abusive wage garnishment statutes and other credit abuses. In a 1959 Resolution, for example, the Convention Resolution on Consumer Protection included the following statement:

"We recommend to state legislatures that they extend and improve laws regulating operations of small loan companies and the terms of retail installment sales. We urge the further establishment and improvement of laws protecting workers against onerous terms of wage garnishment in payment of debts and that effective means be found to curb the operations of unscrupulous merchants seeking to possess themselves of workers' paychecks by deceptive extension of credit."

Garnishment laws and wage assignment laws in particular are an invitation to the irresponsible extension of credit. The creditor who knows he can collect through wage attachment proceedings cares little whether the debtor is a good credit risk or not. Where garnishment laws are harsh, a worker may be driven directly into bankruptcy to escape garnishment, and more especially where the worker is threatened frequently, with the loss of his job on account of a garnishment. Or he may desperately attempt to stave off bankruptcy by contracting further debts from loan companies or debt poolers, thus compounding his financial distress.

In a November 1966 pamphlet entitled "Garnishment and Debt Pooling in Relation to Consumer Indebtedness", the U.S. Department of Labor, Bureau of Labor Standards called attention to the high ratio of wage earner bankruptcies in those states which have harsh garnishment laws. For example, in 1965, in California where garnishment is obtained easily there were 25,580 personal bankruptcies while in Pennsylvania, with no garnishment there were only 512. (I have attached a more detailed excerpt from this study as Appendix A). The obvious conclusion is that easy credit exists where protected and encouraged by garnishment statutes and garnishment drives wage earners to bankruptcy. Most writers and even some proponents of this bill will agree that garnishment is a key factor in personal bankruptcy. Workers who become over-extended on credit under the threat of having all or nearly all of their wages garnished, and, in some cases are threatened with their jobs, will naturally choose the out that the law from time immemorial provides—the bankruptcy route.

We suggest that H.R. 1057, far from ameliorating the problem of over-extension of credit, will contribute to further abuses by giving creditors a more certain guarantee of repayment of debt through coercive use of Chapter XIII debt repayment plans. The bill is not a cure, but only a liniment for the serious situation underlying the tremendous rise in wage-earner bankruptcies in recent years. Far more fundamental reform is needed in the array of creditors' weapons against borrowers in the form of harsh garnishment laws, cognovit notes, deficiency judgments, and the like.

In March, 1966, the Executive Council of the AFL–CIO called upon the Congress to "undertake or authorize a comprehensive study of consumer credit laws and practices."

One such study, directed toward wage garnishment laws, is already under way, by order of President Johnson. The President in his Message to the Congress on Urban and Rural Poverty, made the following announcement:

"Hundreds of workers among the poor lose their jobs or most of their wages each year as a result of garnishment proceedings. In many cases, wages are garnished by unscrupulous merchants and lenders whose practices trap the unwitting workers.

"I am directing the Attorney General, in consultation with the Secretary of Labor and the Director of the Office of Economic Opportunity, to make a comprehensive study of the problems of wage garnishment and to recommend the steps that should be taken to protect the hard-earned wages and the jobs of those who need the income most."

We respectfully urge that the Committee withhold its approval of H.R. 1057.

APPENDIX A

WAGE GARNISHMENT

Wage garnishment is a collection method used by creditors to force payments of an employee's debts by requiring the employer to deduct payments from the employee's earnings before he receives his paycheck. Garnishment is a dangerous prospect for the wage earner because it reduces his available income for other day-to-day expenses, and because of the possibility he may lose his job, due to the employer's unwillingness to become involved in the garnishment process. (New York this year became the first State to prohibit discharging an employee solely because his pay is garnished.)

Garnishment laws include some protection for the debtor by exempting a portion of his earnings from the garnishment proceedings, to enable him to continue to support himself and his family. The portion of wages that may be garnished is limited to some extent in 48 States, the District of Columbia, and Puerto Rico; in a few of these States it is very strictly limited. Wages are not subject to garnishment in Texas and Pennsylvania.

The exemptions, and the circumstances under which they may be claimed, vary greatly from State to State. Some jurisdictions exempt a percentage of the worker's earnings, while others exempt a specified amount. Sometimes the exemption is allowed only to a head of family or only to residents of the particular State. Under some laws, it is still possible to garnish a worker's wages for two or more debts at the same time. Thus some States give more protection to a debtor than others. For instance, the California law exempts 50 percent of the worker's wages in all cases, and up to 100 percent if necessary for the use of the debtor's family, except for debts for necessaries. In actual fact, however, a very small minority of those garnished obtain an exemption of over 50 percent due to the complexities of the law. In Maine the exemption is $30 for the preceding month. On the other hand, Hawaii exempts from garnishment 95 percent of the first $100 per month, 90 percent of the next $100, and 80 percent of the balance.

Sometimes the debtor must specifically claim the exemption himself or must prove to the court that the family needs his earnings. The person living in poverty and ignorance is not likely to be aware of his rights, and in some cases his entire paycheck may be garnished.

There seems to be a direct connection between the number of garnishments and the number of personal bankruptcies. Studies have shown that States which have harsh garnishment laws and and poor credit regulation have the highest number of personal bankruptcies proportionate to their population. States with less harsh laws, such as New York which exempts 90 percent of the debtor's pay, have a much lower rate of personal bankruptcies than do States with inadequate exemption provisions.

In 1965 the number of personal bankruptcies filed in Federal courts increased for the 13th straight year. Over 180,000 bankruptcies were filed, of which 163,400 (over 90 percent) were personal or "consumer" bankruptices. A survey of referees in bankruptcy, conducted early in 1965 by the Administrative Office of the United States Courts, stated "The harsh garnishment laws of California, Minnesota, Ohio, Tennessee, Virginia, and Michigan were given as a major cause of insolvency. Loose credit was frequently blamed. Grasping practices, harsh collection laws, inadequate exemptions, unregulated finance charges on retail credit sales and unrealistic deficiency claim judgments were blamed along with reckless buying and cognovit notes."[1] The report indicated that when a collection agency goes after a debtor's wages, facing his employer's policy of nongarnishment, he files bankruptcy in order to save his job. Other States also cited as "bankruptcy capitals" are Alabama, Colorado, and Oregon.

In the States mentioned above, the following number of voluntary bankruptcies were filed by employees in 1965:

Alabama	9,522
California	25,580
Colorado	3,203
Michigan	5,877
Minnesota	2,567

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[1] A cognovit note, or confession of judgment, is a prior written admission of liability for a debt given by a debtor as security for the debt. Its effect is to simplify later legal procedures for the creditor to collect on the debt and, conversely, to make more difficult the debtor's efforts to contest it.

Ohio	14,850
Oregon	3,080
Tennessee	8,602
Virginia	4,049

These figures can be compared with the number of employee voluntary bankruptcies in States that prohibit or strictly limit garnishment of wages:

Alaska	76
Florida	507
Pennsylvania	512
South Carolina	140
South Dakota	144
Texas	329

A law allowing only limited garnishment would be a deterrent to easy credit, because the businessman would be less inclined to use the courts as his collection agency, as is often the case now.

JOINT ECONOMIC COMMITTEE WINS SCORECARD ON WAR SPENDING

Mr. PROXMIRE. Mr. President, the effects of Vietnam war expenditures represents one of the biggest uncertainties facing both business economists and public policymakers alike. Last year, for example, the understatement of Vietnam expenditures and the absence of timely information on increases made it impossible for Congress to deal adequately with inflationary pressures.

The Joint Economic Committee, which I have the honor to chair, has worked hard for the past 6 months to correct some of the existing omissions. One result of our efforts is the publication of a new series on defense financing by the Department of Defense entitled "Selected Defense Department Indicators." This series will report contract and related economic information on a monthly basis. It will help appreciably to keep the Congress and the public informed on the discussion of defense expenditures.

A preliminary version of the report has already been issued by the Joint Economic Committee. Utilizing fiscal year 1967 figures, the report indicates that signs showing defense expenditures would surpass budget estimates were notable as early as the March–June quarter. Had Congress had such a compilation of data before it when these danger signals first appeared in 1966, more effective action might have been taken to head off developing inflationary pressures and avoiding the subsequent excessive reliance on restrictive monetary policy.

The report should prove valuable for planning purposes also. For example, many businessmen and private analysts could have used the information noted above in late 1966 when forecasts and spending outlines for 1967 were being drawn up. But they were hampered by a lack of information concerning future Defense spending trends. Were they to have known the third quarter Defense obligation figure of $19.2 billion, they would have been able to gage the continued expansion of military demand. It would thus have finally laid to rest the obsolete January 1966 budget estimate that Defense obligations would decline somewhat in the 1967 fiscal year.

The report represents a beginning. We expect further improvements. The Office of Statistical Standards of the Budget Bureau, in particular, should coordinate efforts of the several statistical agencies to improve related statistical series to provide greater insight into the response of various sectors of the economy to shifts in Defense plans.

One vital information area covers the monthly census data on shipments, orders and inventories in industries from which the Defense Department is a large buyer. Better figures showing effects of changing Defense activities on these industries are needed so that defense-oriented changes can be separated from the influence of changing civilian demand. It would be extremely valuable, also, if Bureau of Labor Statistics data could be improved and rearranged to show the impact of Defense activity on private employment as well as to provide appropriate measures of prices paid for defense-related products.

Mr. President, the June 26, 1967, New York Times carries an article by Robert A. Wright entitled " 'Score Card' Set on War Spending." I ask unanimous consent that this account may appear in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

"Score Card" Set on War Spending—Defense Department Plans To Publish Data Monthly as Urged by Congress

(By Robert A. Wright)

The Defense Department will begin publishing Friday what will amount to a monthly economic score card for the Vietnam war.

Entitled "Selected Defense Department Indicators," the new monthly report represents fruition of a long campaign by Senator William Proxmire, Democrat of Wisconsin and chairman of the Joint Economic Committee, and Representative Thomas B. Curtis, Republican of Missouri, its ranking minority member.

In announcing the publication, Senator Proxmire said: "It should fill a significant gap in Government reporting of its activities that was revealed during recent hearings of the Joint Economic Committee on the economic effects of the Vietnam war.

"It will be of tremendous help in attempting to gauge the course of defense expenditures over the next year."

In fiscal 1967, which ends Friday, the Vietnam war costs of $20-billion are about double what the Administration contended they would be, despite Congressional estimates that were much closer to the mark. The House Appropriations Committee and the Senate Preparedness Committee now estimate that the fiscal 1968 budget, at $22-billion, is $6-billion below the mark.

DISAGREEMENT ON "GOOF"

Last year's miscalculation caused Congress to commit a "monumental goof" when it did not reduce spending or raise taxes, Senator Proxmire has charged. Budget Director Charles L. Schultze contended in rebuttal that expenditures in 1966 were close to estimates until the third quarter of the year.

In a preliminary version of the new publication, Senator Proxmire and Representative Curtis attempt to show the usefulness of having the report issued monthly.

They say the figures show that the first signs that defense spending would appreciably outrun budget estimates began to show up in the March-June quarter of last year, when gross defense obligations rose to $21.6-billion from $15.1-billion in the preceding quarter. This was a level, the legislators declare, that "clearly indicated" that the Vietnam build-up "was continuing at a rapid pace and would have a serious impact on the American economy during the early part of the year."

Senator Proxmire noted that much of the data in the new report was already available from the Defense Department in one form or another but that the new monthly for the first time would bring such data together in a single package for the convenient use of a wide audience—Congress, the public, economists and business analysts.

LOOKING FOR SIGNALS

He added: "Had the Congress had such a compilation of data before it, when these danger signals first appeared in 1966, more effective action might have been taken to head off developing inflationary pressures and to avoid the subsequent excessive reliance on restrictive monetary policy.

"Such a report would also have been of value later in 1966 when many businessmen and private analysts were preparing their economic forecasts and plans for 1967. At a time when they were uncertain about the future trend of defense spending, the third-quarter defense obligation figure of $19.2-billion, if promptly and widely available, would have clearly confirmed the continued expansion of military demand."

Senator Proxmire said that, although the new publication went a long way toward satisfying the needs the committee's hearings had disclosed, he expected other Government agencies to seek further improvements in reporting.

THE UNCONSCIONABLE DRAFT

Mr. GRUENING. Mr. President, "wretched" is the term which the New York Times applies editorially to the draft bill extension enacted by the Congress and now awaiting the President's signature. That to a degree accounts for the fact that despite the widespread assumption that the draft is necessary and its approval by Congress, nevertheless 24 Senators, one less than one-fourth of that body, voted against the conference report on the bill, and that 29 Members of the House voted against it. True, the greater number of these dissenters, as the debates in both Senate and House showed, voted against the inequities and discriminatory provisions of the bill. A few of these shared my view that the whole draft itself is inequitable at this time, and as the Senator from Oregon, Mark Hatfield has so well put it, "pernicious in its invasion of individual liberty that eight generations of Americans have fought to preserve."

The draft is particularly inequitable because it discriminates against the young Americans who by it are compelled, whether they will it or not, to engage in an illegal, immoral, unjustifiable, unnecessary and monstrous war. The truth, which has so long been concealed by official propaganda, is that the U.S. unilateral military invasion of Southeast Asia was not in response to any attack on the United States and that no vital interest of the United States was in jeopardy. The truth, which will ultimately become known, is that the United States invited itself into South Vietnam unasked, helped precipitate a civil war in which we took the side, first of a puppet whom we installed whose oppressive policies triggered the civil war, and when he was no longer serviceable approved his removal, and then continued to support a series of self-imposed corrupt juntas having little or no popular support and unresponsive to their people's needs. And when we began violating existing treaties to which we were signatories and our specific commitments to support the elections provided by the Geneva accords, and began bombing north and south, and landing combat troops, it is we, the United States, who became the aggressor. To this may be added that some 25 percent of the South Vietnamese Army have been deserting. In 1965 their number was 96,000. Last year it rose to 110,000.

Why should we draft our young men to take the place of these deserters? Our "white hope" Marshal Ky, whose hero by his own statement is Adolf Hitler, has just called for an increase of GI's to 600,000. He is willing to fight to the last American boy!

This whole shameful military adventure is getting us deeper and deeper into a ground war on the continent of Asia, which President Johnson repeatedly in his 1964 campaign speeches pledged not to do.

Our alleged establishment of democratic principles and practices among the South Vietnamese is farcical. We are supporting a corrupt dictatorship under which neither freedom nor democracy exist.

As for stopping communism, our efforts are, on the contrary, aiding communism. Thus far, neither the Chinese nor the Russians have committed a single soldier to combat. Yet we have to date sacrificed over 11,000 fine young Americans killed in combat—fighting a primitive peasant people—and over 60,000 of our boys have been wounded, many crippled for life—blinded, paralyzed, armless, legless. And our casualties and costs are steadily mounting.

If the United States had been attacked, if any vital U.S. interest had been imperiled, as in previous wars, there would be little need of a draft—or there would be little opposition to it. As it is, it is an outrage. It is too bad that the President cannot be persuaded to veto it, but unfortunately he has committed himself so deeply that he has been unable to extricate himself and our Nation from this needless mess.

I ask unanimous consent that the editorial entitled "Unmuddling the Draft," published in the New York Times, which at least expresses a part of the objectionable aspects of the present legislation, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 26, 1967]

UNMUDDLING THE DRAFT

The imminent expiration of the current Selective Service law gives President Johnson no option except to sign the wretched extension bill Congress passed last week. But it would be grossly unfair to millions of young Americans to let the new draft measure stand unchanged for all of its four-year term.

Congress itself has provided the opportunity for another look a year from now by insisting that the President submit for specific approval the plan he intends to draw up for drafting nineteen-year-olds by random lottery. The consideration of that plan ought to be accompanied by a rectification of the many other inequities in the draft Congress has newly created or left uncorrected.

A Presidential election year is hardly a propitious time for changing the rules governing the draft, but Congress must recognize that it is freezing or aggravating in the new law the discriminations that already throw a disproportionate share of the burden of national defense on sons of low-income families.

So many haphazard factors are introduced into the whole selection system that the President may have to defer indefinitely the projected shift to reliance on nineteen-year-olds as the primary draft group, even though it is plainly the desire of Congress as well as the Administration to eliminate the uncertainties posed for all young men up to the age of 26 by the present oldest-first rule.

The cavalier manner in which both houses of Congress junked the major reforms proposed by a Presidential study commission is bound to stir growing resentment among parents and youths as the consequences of the new measure become clear. Perhaps then the legislators will recognize that equity must be the foundation of any democratic draft system.

FEDERAL RESERVE BOARD BACKS REMOVAL OF GOLD COVER

Mr. FULBRIGHT. Mr. President, on Wednesday of last week the senior Senator from Indiana [Mr. HARTKE], introduced a bill calling for removal of the 25 percent gold cover now required by statute as backing for Federal Reserve notes, in order that there may be a most substantial increase in the availability of gold for official settlements with other governments. That bill, S. 1983, was referred by unanimous consent to the Finance Committee, of which I am also a member.

Today, in a speech delivered in Toledo, Ohio, Federal Reserve Board Chairman William McChesney Martin has endorsed that procedure, saying in his address to the Rotary Club of Toledo:

> I have come to the conclusion that we should also act now to eliminate the 25 percent gold cover requirement against Federal Reserve notes, and thus remove any uncertainty concerning the availability of our gold for official settlements with other governments.

I ask unanimous consent that the text of Chairman Martin's address may appear in the CONGRESSIONAL RECORD, together with the text of a cover letter accompanying its transmission to Senator HARTKE, who is presently attending an international conference in Moscow on behalf of the Commerce Committee. I ask unanimous consent also that there may appear the text of a report on S. 1983 addressed to Chairman LONG of the Finance Committee.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,
Washington, D.C., June 26, 1967.

Hon. VANCE HARTKE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HARTKE: I appreciate your courtesy in sending me an advance copy of your remarks on your bill, S. 1983. As the author of that legislation, you may be interested in the enclosed copy of remarks that I will make today. In response to Chairman Long's request for the Board's views on S. 1983, I have today sent to him a report in which the Board recommends enactment of the bill.

Sincerely yours,

WM. McC. MARTIN, Jr.

SUMMARY OF REMARKS BY WM. McC. MARTIN, JR., CHAIRMAN, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, BEFORE THE ROTARY CLUB OF TOLEDO, OHIO, JUNE 26, 1967

As all of you are undoubtedly aware, the Federal Reserve System moved promptly into a policy of monetary ease last fall as soon as the inflationary forces that marred economic progress in 1966 had been brought under control. This policy of ease, pursuit of which has continued this year, has cushioned the impact on the economy of adjustment to the inflationary excesses of 1966, especially the adjustment to the excessive inventories accumulated during the period of inflationary expectation.

The System's policy of monetary ease, together with stimulative fiscal actions, particularly in the form of higher-than-expected Government expenditures, has been successful in preventing the economic adjustments from becoming cumulative. Now, after only a short pause, the economy is beginning to show signs of moving ahead again.

As a result of the System's expansionary monetary policy, the nation's money supply has increased at an annual rate of 6 percent this year and total credit outstanding at all commercial banks has expanded at more than an 11 percent annual rate in the same period. The liquidity of financial institutions generally has improved as has the liquidity of many corporations and of consumers generally.

In the face of such monetary ease, many persons find most puzzling recent financial market developments that have returned long-term interest rates to levels in the neighborhood of their peaks of late last summer, while short-term rates have shown substantial declines and, in some areas, are more than two full percentage points below their 1966 highs.

The explanation lies in the huge demand pressures that have been exerted on the bond market by corporations and by state and local governments trying to raise record amounts of long-term funds. Publicly offered corporate bonds, for example, amounted to approximately $6 billion in the first five months of this year in contrast to $8 billion for the whole of last year and only $5.6 billion in all of 1965.

This concentrated outpouring of new security issues is related to three basic reasons: First, many corporations found their liquidity positions reduced to uncomfortably low levels during the 1966 boom and there has been an understandable desire to rebuild their cash reserves from sources outside the banking system. Secondly, current business spending for plant and equipment has continued at exceptionally high levels requiring more cash than has been generated by internal flows. Similarly, total outlays by states and municipalities, including those for capital improvements, exceed currently available funds by a substantial margin.

Finally, and most important, market participants seem to feel that no matter how high interest rates may be pushed by their efforts to raise long-term funds now, the situation may be even worse before the end of the year. Borrowers, investors, and market professionals all are expecting a large Federal deficit in the fiscal year ahead. They fear that financing such a deficit will put additional heavy pressures on the market and that a deficit of this size, along with resurgence in private demands, harbors the potential of reviving inflationary pressures by the boost it will give to spending and to private incomes, in turn stimulating additional credit demands.

The problem of trying to change market expectations as deeply ingrained as these appear to be is difficult indeed, but change them we must if bond markets are to become less susceptible to upward rate pressures and if we are to avoid the possibility of renewed diversion of funds from mortgage markets that would seriously hamper the recovery of housing.

It is for these reasons that I am firmly convinced that we must have adequate, effective—and above all—prompt tax action that would whittle down the prospective deficit for the coming fiscal year to one of manageable proportions.

From the beginning, I have favored the President's proposal for a 6 per cent surtax. In light of the recovery under way in the economy and the current rate of Government spending, I would be prepared now to support an even higher amount, if it is warranted when appropriations by Congress for Government spending during the coming year have been completed. But we should not delay in coming to grips with the problem, for delay would permit inflationary forces to gain momentum as well as permit market expectations to become even more deeply embedded.

It goes almost without saying that I am equally in favor of holding down or cutting back Government spending wherever that is possible without impairing the efficient provision of public services the country has determined it wants to have. Ours is a great and a prosperous nation and we can undertake whatever programs we feel we need, so long as we are willing to assume the financial obligations involved. When we fall into the habit of perpetual deficit financing the soundness of our currency and the strength of our economy will eventually be undermined.

From my experience, the American public will support any policy which they are convinced is essential in the national interest. The public recognizes that the war in Vietnam—which after all accounts for the major share of added Government expenditures—must be paid for. I believe that a tax increase now deserves, and will receive, broad public support. I'm confident, too, that Congress will reflect this support and take the actions to provide, in appropriate measure and timing, the fiscal discipline we need to ensure sustained economic progress.

There is another proposal I should like to put before you that in my view is equally deserving of public support and adoption by the Congress. I have come to the conclusion that we should also act now to eliminate the 25 per cent gold cover requirement against Federal Reserve notes, and thus remove any uncertainty concerning the availability of our gold for official settlements with other governments.

The readiness of the U.S. Treasury to buy and sell gold at the fixed price of $35 an ounce in transactions with foreign monetary authorities has greatly contributed to the willingness of foreign monetary authorities and private foreign residents to hold dollar reserves and working balances. As a result, the dollar has attained a unique position in international commerce and finance, and the universal acceptability of dollars has greatly facilitated the record expansion of international trade. Since 1950 world trade has tripled, rising from less than $60 billion to $180 billion last year. Thus, the availability of U.S. monetary gold holdings to meet international convertibility needs is a matter of vital importance not only to the United States but to the entire present system of international payments on which the free world relies.

Over the years ahead, the continued growth of U.S. economic activity will require continuing monetary expansion consistent with a stable dollar. Under prospective conditions, it appears all but certain that the gold certificate reserve ratio of Federal Reserve Banks, for domestic monetary purposes alone, will steadily decline, even if gold sales to foreign monetary authorities are small. Of course, any substantial further outflow of gold would accentuate the decline.

At the end of May our total gold stock amounted to $13.2 billion, of which almost $10.0 billion was earmarked as the 25 per cent reserve required against Federal Reserve notes outstanding. This left "free gold" totaling $3.2 billion. The steady increase in Federal Reserve notes in circulation each year to meet the needs of a growing economy amounts to about $2 billion, thus reducing the "free gold" by about $500 million per year. Net sales of monetary gold for domestic industrial and artistic uses approximate another $150 million per year. Future purchases and sales of gold by official foreigners cannot be predicted, but so long as the United States continues to run large balance-of-payments deficits, it is reasonable to expect additional gold losses for that reason as well.

Board of Governors of the
Federal Reserve System,
Washington, D.C., June 26, 1967.

Hon. Russell B. Long,
Chairman, Committee on Finance,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: This is in response to your request of June 22, 1967, for a report on S. 1983, a bill to eliminate the requirement that the Federal Reserve banks maintain gold certificate reserves against Federal Reserve notes in circulation. The Board favors enactment of the bill.

Continued growth in the volume of Federal Reserve notes in circulation will necessitate a change in the gold certificate reserve requirement in the near future. Enactment of S. 1983 would free the United States' gold stock for use as an international monetary reserve—the principal function performed by gold today—and, in conjunction with continued strong efforts to achieve a sustainable equilibrium in United States' international transactions, would strengthen the international position of the dollar.

A technical amendment should be made correcting the reference in line 7 of page 1; it should read "section 15" rather than "section 16."

Sincerely yours,
Wm. McC. Martin, Jr.

ELECTRIC POWER RELIABILITY ACT LEGISLATION THAT IS VITALLY NEEDED

Mr. KENNEDY of New York. Mr. President, on June 8, 1967, the Federal Power Commission transmitted to the President of the Senate its proposed bill, entitled the Electric Power Reliability Act of 1967, to bring the Federal Power Act in line with the contemporary technological and social problems confronting this country's electric utility operations. The administration has strongly supported the bill and has asked for its speedy enactment. The proposed measure was promptly introduced in the Congress on June 12, 1967. I was privileged to cosponsor the Electric Power Reliability Act as S. 1934, together with 16 other Members. The chairman of the Committee on Commerce has advised the Senate that the committee "will soon announce early dates for beginning hearings on this bill." It is essential to the well-being of Americans who depend upon, and are affected by, the electric utility industry, that congressional consideration of this measure proceed rapidly.

The need for this legislation has been spelled out in two editorials dated June 23, 1967, which I ask be included in the Record at this point. The first appeared in the New York Times and is entitled "Preventing Blackouts," the second appeared in Life magazine and is entitled "The Second Battle of Antietam." I believe each of these analyses should be included in the Record to further public consideration of S. 1934.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York Times, June 23, 1967]

Preventing Blackouts

The second massive power blackout in less than two years has spurred the Federal Power Commission to submit a comprehensive legislative program to guard against future breakdowns.

In presenting its proposals to Congress the F.P.C. reaffirms its faith in regional grid systems. But it recognizes that they must be strengthened by increased planning and integration on the part of local utilities, supplemented by interconnections—lines between major utilities—that could be used to iron out variations in demand.

Without such safeguards, which call for extending the authority of the commission, there is always a danger that a breakdown in one area of a regional system will trigger failure elsewhere. The F.P.C. does not favor retreating to an entirely local system, which would make for many small blackouts. Instead, it is hoping, with the cooperation of the nation's utilities, to set up conditions that will provide maximum assurance against paralyzing power failures, large or small.

This is a tall order, but a society that is increasingly urbanized and so wholly dependent on power cannot be satisfied to aim for anything less. Although New York City's Commissioner of Water Supply, Gas and Electricity, James L. Marcus, says New York's electric reserves are adequate, the Public Service Commission has warned that reserves may be too low for peak demands, indicating this area could be in trouble again. So could other metropolitan centers.

There may have been some excuse for the Commission's long deliberations in drawing up its plans. But there is no excuse for further delay. After the crippling failure that recently struck twelve power companies in four Middle Atlantic states, Congress should give its swift approval to the F.P.C.'s reasonable and realistic proposals.

[From Life magazine, June 23, 1967]

The Second Battle of Antietam

In the holy writ of the engineers who design high voltage transmission lines, the first commandment reads, "Thou shalt not deviate from a straight line between Point A and Point B." To stray from the straight and narrow costs money, even though a detour might save a choice historic area or beautiful vista from festoons of cables and the Eiffel towers used to support them.

When, occasionally, outraged citizens attempt to save an area they soon come up short against an extraordinary fact. The majority of power companies in the country can take what land they want by eminent domain. Twenty states allot full control over choice of routes—from which there is essentially no appeal—to private companies. Other states require certificates of necessity, but since electric power is an unquestioned necessity today, the companies' right to condemnation is seldom hampered. In the majority of such proceedings, even though the land-taker is a private company, the only appeal possible is one against the amount of money offered, not the land-taking itself.

The latest group to make this discovery is now fighting the second battle of Antietam. The Potomac Edison Company has laid out a right of way that cuts straight through one of the most historic areas of Maryland. The towers, up to 110 feet tall, built on a 200-foot right of way, would dominate an area that includes the Antietam and South Mountain battlefields, John Brown's farm and the Chesapeake and Ohio Canal near Sharpsburg.

The proposed power line has been condemned by everybody from members of the local zoning boards on up to Interior Secretary Stewart Udall. But nobody has the power to stop the march of the towers.

There is no argument with the country's multiplying needs for electric power—the demand doubles every 10 years. And since nobody wants transmission lines in their own backyard, some form of eminent domain taking is inevitable. But it is a perversion of the democratic process to allow the private power companies to be the final judge of what they will take.

In effect, the companies have been ceded one of the great powers of government—without having to accept the responsibility that goes with it. Deciding what is the greatest good for the greatest number in an eminent domain proceeding is outside the province of a private company responsible to its stockholders.

The final decision on whether a land-taking creates values greater than those it destroys must be returned to the government which is responsible to all the people involved. And since high voltage transmission lines are now mainly interstate in nature, the logical arbiter would be the Federal Power Commission.

A number of bills now before Congress would accomplish just that end. Though designed primarily to avert massive inter-system blackouts, the best of the measures would also direct the FPC to consider esthetics in the granting of licenses. The need for such a law is urgent if the latest battle of Antietam is not to be lost.

METROPOLITAN EXPEDITER PROGRAM

Mr. MONDALE. Mr. President, I am deeply troubled by the recent action in the House of Representatives eliminating the metropolitan expediter program. The expediter idea, which was championed by the distinguished junior Senator from Maine [Mr. MUSKIE], was one of the most creative and innovative concepts to emerge from the deliberations on the Demonstration Cities and Metropolitan Development Act last year. It establishes a program that can assist the local communities in a metropolitan area as they deal with the maze of Federal programs and guidelines by providing the long-needed liaison between the local community and the Federal agencies.

It is still not clear what prompted the House action. Some have suggested that it was an economy move, while others cited possible fear that the expediter would be some sort of threat to local autonomy. Yet, Mr. President, the law was written in such a manner to protect the interests of the local community.

The local officials must request the Secretary of Housing and Urban Development to appoint an expediter for the metropolitan area. The Secretary is then required to consult with other officials in the communities of the metropolitan area to obtain their approval for the expediter program.

The functions of the expediter are clear. He is to provide information and assistance to the local community as it attempts to identify and solve its problems. He advises which Federal programs would best meet the particular needs and circumstances of the local situation. Likewise, he attempts to reduce the time-lag between grant application and grant approval.

Mr. President, one of the major criticisms of the present Federal programs in the urban field is that the time period before approval is too long and that the city must wait while one review after another is completed. This program is designed to "expedite" the applications and meet this criticism. It is, therefore, one of the most important sections of our present legislation.

This provision of the law was not funded last year; however, the Department of Housing and Urban Development attempted to demonstrate the merits of the program by initiating it in four select areas. The House this May added a proviso to the appropriations bill for independent offices—H.R. 9960—which prohibits the use of any future funds for the implementation of the expediter program—page 36, lines 8, 9, and 10. If the Senate does not take some restorative action the program will be eliminated, and this worthwhile effort, which provides technical and informational assistance to the local communities in a metropolitan area, will end.

The four test areas for this program were: Providence, R.I.; Allentown-Bethlehem-Easton, Pa.; St. Louis, Mo., and Minneapolis-St. Paul, Minn. Local officials in all four areas have been pleased with the success of the expediter program in the metropolitan region. Although the program is less than 4 months old in the Twin Cities, the initial reaction has been extremely good.

I have talked to the executive director of the housing and redevelopment authority in Minneapolis, and he indicates that the expediter has been able to offer advice in selecting the proper combination of urban renewal programs. He also pointed out that in many cases urban renewal is connected with other Federal programs, such as the Interstate Highway System administered by the Bureau of Public Roads. Prior to the appointment of the expediter, local officials were forced to spend needless hours dealing with the various agences trying to establish a plan that met the approval of all participants. However, since the appointment of the expediter, this time has been reduced as the expediter has been able to handle some of these consultations and speed the approval process.

Mr. President, this is not the only praise I have received from the officials in the Twin Cities area. I ask unanimous consent that three representative letters be placed in the RECORD at the conclusion of my remarks to indicate the breadth of support for the expediter.

I do not consider the expediter to be a costly program. The initial budget request for fiscal year 1968 was for $1,580,000 for the salaries for these expediters. This is minor when compared to the $40 million appropriated this year in the House for urban planning grants.

The cost of this program is more than justified by the more efficient and effective mix of urban projects that will result.

Because of my firm belief in the merits of this program, I have written the distinguished senior Senator from Washington [Mr. MAGNUSON], who is chairman of the Subcommittee on Independent Offices Appropriations. In this letter, I request that the committee eliminate the proviso added by the House of Representatives and restore the salary request to the original figure, which would permit the appointment of up to 150 expediters.

This program has been in operation for only 4 months and in only four areas. This is not a fair trial of its potential. We need more experience with the program before we can decide to kill it; therefore I hope that the Appropriations Committee will deem to reevaluate the decision of the House and give the metropolitan expediter program a real test period.

Mr. President, I ask unanimous consent that the following three newspaper articles, which highlight the importance of the expediter program and act as an argument for its continuance, be printed in the RECORD: Robert B. Semple, Jr., "Envoys to the Cities Barred by the House," New York Times, June 17, 1967; Richard Kleeman, "U.S. Abolishes Twin Cities Expediter Job," Minneapolis Tribune, June 20, 1967; Steve Van Drake, "Federal Expediter Becomes Full-Time Problem-Solver," St. Paul Dispatch, May 17, 1967.

There being no objection, the letters and articles were ordered to be printed in the RECORD, as follows:

CITY OF MINNEAPOLIS, MINN.,
June 6, 1967.

Hon. WALTER F. MONDALE,
U.S. Senator, Senate Office Building,
Washington, D.C.

DEAR FRITZ: Can you be helpful in restoring the appropriation for the metropolitan expediter? Many mayors are concerned about the elimination of the position and I would like to help get it restored.

Best wishes.

Sincerely,

ARTHUR NAFTALIN,
Mayor.

THE HOUSING AND REDEVELOPMENT AUTHORITY,
St. Paul, Minn., June 16, 1967.

Senator WALTER F. MONDALE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: Greetings from home.

I am sure that all persons who are truly interested in community development within the Twin Cities Metropolitan Area are deeply disturbed by the announcement in today's newspapers that the position of Metropolitan Expediter has been abolished due to lack of the necessary Congressional appropriation.

Senator, this program, full of promise to the knowledgeable and full of hope for our cities, has not even been given time for testing.

The current incumbent in our area, Mr. Elmer C. Binford, is one of the outstanding young men in government in our Nation. Since his appointment on April 1, 1967, he has maintained a quality of excellence in his performance which already has paid very high dividends to our total community. The Twin Cities area cannot afford the termination of this kind and caliber of service.

We therefore respectfully request that you do everything in your power toward re-establishment of this position or, if that be impossible, the establishment of a comparable position under currently available appropriations or, failing in that, a request to Secretary Weaver that Mr. Binford be reassigned to a similar position of service within the Twin Cities Metropolitan Area. We need him desperately.

I speak for many in Minnesota when I assure you of our deep and abiding gratitude for your assistance in this urgent matter.

My best in all things always.

Cordially yours,
HAROLD J. MORIARTY.

HOUSING AND REDEVELOPMENT AUTHORITY,
St. Paul, Minn., June 16, 1967.
Hon. WALTER F. MONDALE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: For the past several months, the Twin Cities has been fortunate in participating in one of the most creative programs developed recently by the Federal Government. I am referring to the Metropolitan Expediter experiment. In a short time, Mr. Elmer Binford, the Federal Expediter for the Twin City metropolitan area, has proved of inestimable value to the City of St. Paul, Ramsey County, and other municipalities of this area. Several delicate and complicated problems involving overlapping departments of the Federal Government were solved through Mr. Binford's vigorous assistance.

Thus, it is with great distress that I noted in the morning's newspaper that this program will terminate before the end of the month.

I would urge that you do all you possibly can to see that this creative program does not die. I know that Mayor Byrne is concerned about this situation, also.

Sincerely,
EDWARD N. HELFELD,
Executive Director.

[From the Minneapolis (Minn.) Tribune, June 20, 1967]

U.S. ABOLISHES TWIN CITIES' "EXPEDITER" JOB

(By Richard P. Kleeman)

WASHINGTON, D.C.—The "metropolitan expediter" experiment, in which the Twin Cities was one of four guinea-pig areas assigned a federal trouble shooter and information dispenser, will be terminated before the end of the month, it was learned Thursday.

The pilot program will be ended—less than three months after Elmer C. Binford was named expediter for the Minneapolis-St. Paul area—because the House refused to appropriate 1967–68 funds for its continuance last month.

Since the Senate has not yet acted on the appropriation for the Department of Housing and Urban Development (HUD), the possibility remains that the program could be revived by Senate insistence. This, however, is not likely before fall.

Meanwhile, federal operations will be maintained after June 30 by Congress under a "continuing resolution." William Arntz, HUD's assistant director of intergovernmental relations, pointed out that such resolutions always command that federal programs continue at minimum operating levels.

Since the expediter program, while authorized by Congress, never was officially given funds—its first-year costs were "absorbed" by HUD to prove its value—the decision to terminate it was inevitable, Arntz said.

Other metropolitan areas whose expediters will be withdrawn are Providence, R.I., where the first expediter was named in March; St. Louis, Mo., and the Allentown-Bethlehem-Easton area of Pennsylvania and New Jersey.

"No one will be selling apples in the park, since our department is looking for people," said Arntz, whose job status also will change, since he has been in charge of the program.

The fate of each deposed expediter will be up to the regional HUD administrator—John McCullom in Chicago, Ill., in Binford's case.

Binford will be assigned other duties in the area or returned to the Chicago HUD staff, where he had been federal urban renewal representative for four years before his April 1 appointment as expediter.

In denying the $1.5 million that HUD had requested for 50 expediters, the House Appropriations Committee took the position that HUD regional staffs in collaboration with the various cities could perform the same functions of co-ordinating federal city-oriented programs. HUD reportedly is seeking $350,000 extra to strengthen its regional offices toward this end.

"I feel that if we had another six months or so, we could have demonstrated the value of the expediter program," Arntz said. Even in their brief existence, he added, he found the officials "received into the community and sought out for counsel much more than we had expected."

[From the St. Paul (Minn.) Dispatch, May 17, 1967]

FEDERAL EXPEDITER BECOMES FULL-TIME PROBLEM-SOLVER

(By Steve Van Drake)

You're a young up and coming federal problem-solver asked by Mayors Thomas Byrne and Arthur Naftalin to assist federal grant-in-aid programs in the metropolitan area.

What's your first problem?

Elmer C. Binford, 32, a career federal man, in an interview, said his toughest task was to find an office in the Twin Cities without offending St. Paul or Minneapolis.

"Having worked in Minnesota before, I was aware of the don't-cross-the-river dilemma," Binford said. "So I asked whether there was a federal building . . . that usually solves the problem."

"They both do!" I was told. Binford was stumped.

"And then my superior grumbled he'd see if I could work out of Fort Snelling . . . and that's when I balked," Binford mused.

Binford finally compromised, finding a desk in the Minneapolis Federal building, 110 S. Fourth st., and living in the Hotel St. Paul. That was two weeks ago.

Binford is a member of a new breed of bureaucrat who is no paper pusher. He's one of six expediters for the federal department of housing and development (HUD), assigned to consult and advise local governments about grant-in-aid programs—from urban renewal to OEO anti-poverty.

He's a one-man HUD office running much of his business out of an attache and suitcase, who's meeting with city officials at breakfast and citizens at evening information sessions.

If he's able to become an effective go-between for a number of communities in the seven-county metro area, and if the entire pilot expediter project is pegged a success, another 50 expediters will be assigned to core cities throughout the country.

As an expediter, he "can't just cry wolf, and call Washington and ask a project be speeded up just because Binford says so." Meaningful renewal with a big "R" is his job in phase two of a pioneer-advise, "not to duplicate duties of any renewal authority or OEO office," he said.

For Binford his new job is phase two of a pioneering adventure.

Since 1962, he has been working with urban renewal programs in Nebraska, North and South Dakota and Minnesota as a straight-line representative for HUD, making sure funded communities conform to federal standards.

He hooked onto HUD as a summer intern and recent MA degree graduate in business administration from the University of Michigan. "One month led to another, the job was challenging, there was lot of action so I became a full-timer," he said.

When he heard he was going to cover the "Northwest territory," he liked the idea. "After all," he chuckled, "that does have pioneering overtones."

"With my first HUD job, I got a new suitcase and soon began averaging about 2,000 miles a week," he added. Even now, as the eyes and ears of the Chicago HUD office, he flies there at least once every two weeks.

Busy Binford symbolizes a progressive trend toward paying good salaries for talented young career men who want to go where the action is.

Binford, who'll soon be earning $17,500 a year as an expediter, said, "If they (the federal government) put emphasis on a program that needs talented people, they will pay the kind of salaries to get them."

Many young men are recruited as summer interns for HUD or other departments.

"I liked the idea of renewal with a big 'R,' looking at a community's development from beginning to end, making it meaningful; I'm the kind of guy who likes to meet and deal with people, who likes to be part of a progressive organization, just part of big thinking . . . and it's turned out to be as exciting as I thought it would."

[From the New York Times, June 17, 1967]

"ENVOYS" TO CITIES BARRED BY HOUSE—FEDERAL PROJECT ENDS JUNE 30—MAYORS SEEK REVIVAL

(By Robert B. Semple, Jr.)

WASHINGTON, June 16.—An experimental program to improve relations between cities and the Federal Government and to give substance to President Johnson's vision of a new "creative federalism" will apparently be terminated June 30 as a result of Congressional opposition.

There is a possibility that the Senate will restore the program later in the year. A number of mayors from large and small communities, who believe that the program has considerable promise, have decided to work to influence the Senate to take such a step.

Under the program, the Department of Housing and Urban Development sent officials known as "metropolitan expediters" to four major metropolitan areas—Providence, the Allentown-Bethlehem-Easton area of Pennsylvania, Minneapolis-St. Paul and St. Louis.

The main task of the expediters was to help communities find their way through the maze of about 400 separate Federal grant-in-aid programs, to pick those that best suited the communities' needs and to act as a liaison between the communities and Washington. It was the first such program in the history of Federal-local relations.

BACKERS: REUSS AND MUSKIE

Under the prodding of Representative Henry S. Reuss, Democrat of Wisconsin, and Senator Edmund S. Muskie, Democrat of Maine, the expediter program was written into last year's legislation authorizing the model cities program. But Congress refused to appropriate any funds for it, with the result that the housing agency has been paying for the program out of its own pocket—that is, from general administrative expenditures.

"We felt there was so much interest in this that we were willing to juggle our own funds to try it out on an experimental basis," a housing agency official declared today.

The agency was on the verge of sending two more expediters to Miami and Portland when the House decided to kill the program May 17. Without significant protest, it accepted the Appropriations Committee's recommendation that not only denied the $1.58-million that the Administration had requested to run the program in the fiscal year 1968, but also prevented the housing agency from using any of its funds for metropolitan expediters.

Accordingly, officials here have decided to close the program June 30, the end of the present fiscal year. They are prepared to revive it if the Senate can reverse the House action, either by granting the Administration's request for funds or by allowing the housing agency to use its own money to keep the program going on an experimental basis.

FOES' REASONS UNCLEAR

The reasons for the House action are still unclear, but the most widely accepted explanation here is that many members felt that the expediter would sooner or later begin exercising control over and threatening, the autonomy of the local governments, even though the Government could not assign an expediter unless the locality asked for one.

This line of argument, adopted and vigorously promoted by Representative Paul A. Fino, Republican of the Bronx, helped kill last year's proposal for "Federal coordinators" to act as a liaison between Washington and cities participating in the model cities program.

The "metropolitan expediters" proposed by Mr. Reuss and Mr. Muskie were, in fact, just another version of the Federal coordinators.

The main difference was that under the Muskie-Reuss plan the expediters would make their services available not only to cities but to metropolitan areas and especially to smaller communities that lacked the staff to maintain regular communication with Washington.

The response from the four communities with expediters has been enthusiastic, the housing agency says. The expediter in St. Louis had become a crucial part of that city's model cities program, and officials in St. Louis—along with those in the Bethlehem and the Providence areas—are reported to be pressuring their Senators to reverse the House decision.

Moreover, the expediter idea has won the informal approval of the National League of Cities and the National Conference of Mayors, the two principal lobbying organizations for local officials.

Housing agency officials estimated that the $1.58-million requested for fiscal 1968 would have provided a metropolitan expediter, a staff assistant and secretary in 50 major metropolitan areas.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER**. Is there any morning business? If not, morning business is closed.

SAVINGS AND LOAN HOLDING COMPANY AMENDMENTS OF 1967

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The **PRESIDING OFFICER**. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1542) to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies.

The **PRESIDING OFFICER**. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with amendments, on page 2, line 25, after the word "subsection", to insert a comma and "but does not include any trust (other than a pension, profit-sharing, shareholders', or voting trust) with respect to any insured institution or savings and loan holding company, if such trust by its terms must terminate within twenty-five years or not later than twenty-one years and ten months after the death of individuals living on the effective date of the trust;

"(E) 'multiple savings and loan holding company' means any savings and loan holding company which directly or indirectly controls two or more insured institutions;

"(F) 'diversified savings and loan holding company' means any savings and loan holding company whose subsidiary insured institution and related activities as permitted under paragraph (2) of subsection (c) of this section accounted, on either an actual or a pro forma basis, for less than 50 per centum of its consolidated net assets at the close of its preceding fiscal year and of its consolidated net earnings for such fiscal year;"; on page 3, at the beginning of line 19, to strike out "(E)" and insert "(G)"; at the beginning of line 21, to strike out "(F)" and insert "(H)"; at the beginning of line 25, to strike out "(G)" and insert "(I)"; on page 4, line 3, to strike out "institution." and insert "institution; and"; after line 3, to insert:

> (J) "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

In line 12, after the word "than", to strike out "10" and insert "25"; in line 15, after the word "institution", to strike out "or"; on page 5, line 1, after the word "other", to strike out "company." and insert "company; or"; after line 2, to insert:

> (C) a trust if the person is a trustee thereof.

After line 3, to insert:

> (3) Notwithstanding any other provision of this subsection—
>
> (A) no company shall be a savings and loan holding company by virtue of its ownership or control of voting shares of an insured institution or a savings and loan holding company acquired in connection with the underwriting of securities of such shares are held only for such period of time (not exceeding one hundred and twenty days unless extended by the Corporation) as will permit the sale thereof on a reasonable basis; and
>
> (B) no bank shall be a savings and loan holding company by virtue of its control, held in a fiduciary capacity, of an insured institution or a savings and loan holding company.

On page 6, line 12, after the word "located", to strike out "not less than two reports during each year, and such additional" and insert "such"; on page 7, line 4, after the word "authority.", to insert "The Corporation shall, to the extent deemed feasible, use for the purposes of this subsection reports filed with or examinations made by other Federal agencies or the appropriate State supervisory authority."; in line 20, after the word "this", to strike out "subsection, no savings and loan holding company or subsidiary thereof which is not an insured institution shall" and insert "subsection"; in line 23, after "(1)", to insert "no savings and loan holding company or subsidiary thereof which is not an insured institution shall"; on page 8, line 1, after the word "institution", to insert "(other than those activities or services specified in paragraph (2) of this subsection)"; in line 4, after the word "regulation", to strike out "or" and insert "and"; in line 5, after "(2)", to insert "no multiple savings and loan holding company or subsidiary thereof which is not an insured institution shall"; in line 18, after the word "institution", to strike out "or"; in the same line, after "(E)", to insert "acting as trustee under deed or trust, or (F)"; in line 25, after the word "for", to strike out "a" and insert "an additional"; in line 26, after the word "exceeding", to strike out "five" and insert "three"; on page 9, at the beginning of line 14, to insert "(other than a service corporation as authorized by law)"; on page 12, line 7, after "(i)", to strike out "to acquire the control of an insured or uninsured institution or to retain the control of such an institution acquired or retained in violation of this section as heretofore or hereafter in effect;" and insert "to acquire, except with the prior written approval of the Corporation, the control of an insured institution or a savings and loan holding company, or to retain the control of such an institution or holding company acquired or retained in violation of this section as heretofore or hereafter in effect;"; in line 17, after the word "acquire", to insert "except with the prior written approval of the Corporation"; on page 13, line 3, after the word "subsidiary", to strike out "or more" and insert "or, in the case of a multiple savings and loan holding company, to so acquire or retain more"; in line 10, after "(iv)", to strike out "to retain, for more than three years after the enactment of this amendment, control of an insured institution the principal office of which is located in a State other than the State which such savings and loan holding company shall designate, by writing filed with the Corporation within sixty days after its registration hereunder, as the State in which the principal savings and loan business of such holding company is conducted;" and insert "to acquire the control of an uninsured institution, or to retain for more than one year after the effective date of this amendment or from the date on which such control was acquired, whichever is later, the control of any such institution;"; in line 24, after the word "company", to insert "except with the prior written approval of the Corporation,"; on page 14, line 3, after the word "acquire", to strike out "or retain the control of more than one insured institution" and insert "the control of one or more insured institutions"; after line 5, to strike out:

> (2) The prohibitions of subparagraphs (A)(i), (A)(ii), and (B) of paragraph (1) of this subsection shall not apply to any acquisition which has been approved by the Corporation upon a determination by it that such acquisition is advisable to assist in preventing the commencement or continuance of involuntary liquidation of an insured institution.

And, in lieu thereof, to insert:

> (2) The Corporation shall not approve any acquisition under subparagraphs (A)(i), (A)(ii), and (B) of paragraph (1) of this subsection except in accordance with this

paragraph. In every case, the Corporation shall take into consideration the financial and managerial resources and future prospects of the company and institution involved, and the convenience and needs of the community to be served, and shall render its decision within one hundred and eighty days from receipt of application for approval hereunder. Before approving any such acquisition, the Corporation shall request from the Attorney General and consider any report rendered within thirty days on the competitive factors involved. The Corporation shall not approve any proposed acquisition—

(A) which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the savings and loan business in any part of the United States, or

(B) the effect of which in any section of the country may be substantially to lessen competition, or tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed acquisition are clearly outweighed in the public interest by the probable effect of the acquisition in meeting the convenience and needs of the community to be served.

On page fifteen, after line 13, to insert:

(3) No acquisition shall be approved by the corporation under this subsection which will—

(A) result in the formation by any company, through one or more subsidiaries or through one or more transactions, of a multiple savings and loan holding company controlling insured institutions in more than one State; or

(B) enable an existing multiple savings and loan holding company to acquire an insured institution the principal office of which is located in a State other than the State in which such savings and loan holding company shall designate, by writing filed with the Corporation within sixty days after its registration hereunder, as the State in which the principal savings and loan business of such holding company is conducted.

On page 16, at the beginning of line 4, to strike out "(3)" and insert "(4)"; in line 15, after the word "for", to strike out "a period" and insert "an additional period"; in line 16, after the word "exceeding", to strike out "five" and insert "three"; in line 22, after the word "any", to strike out "cash"; on page 17, at the beginning of line 6, to insert "which is not an insured institution"; after line 9, to strike out:

"(2) The provisions of paragraph (1) of this subsection shall not apply to the issuance, sale, renewal, or guaranty of any debt security, or the assumption of any debt, if such security or debt (A) is payable on demand, or matures within nine months (exclusive of days of grace), after the date of issuance, sale, renewal, guaranty, or assumption thereof, and (B) aggregates (together with all such other securities or debt then outstanding of a maturity of nine months or less (exclusive of days of grace), as to which such holding company or subsidiary is primarily or contingently liable) not more than 5 per centum of the consolidated net worth of such holding company or subsidiary at the end of the preceding fiscal year.

And, in lieu thereof, to insert:

(2) The provisions of paragraph (1) of this subsection shall not apply to—

(A) a diversified savings and loan holding company or any subsidiary thereof; or

(B) the issuance, sale, renewal, or guaranty of any debt security, or the assumption of any debt, by any other savings and loan holding company or any subsidiary thereof, if such security or debt (i) is payable on demand, or matures within nine months (exclusive of days of grace), after the date of issuance, sale, renewal, guaranty, or assumption thereof, and (ii) aggregate (together with all such other securities or debt then outstanding of a maturity of nine months or less (exclusive of days of grace), as to which such holding company or subsidiary is primarily or contingently liable) not more than 5 per centum of the consolidated net worth of such holding company or subsidiary at the end of the preceding fiscal year.

On page 19, after line 8, to insert:

The Corporation may also approve any application under this paragraph if it finds that the act or transaction would not be injurious to the operation of any subsidiary insured institution in the light of its financial condition and prospects.

On page 20, after line 7, to insert:

"(6)(A) If the Corporation finds that a diversified savings and loan holding company does not meet the test prescribed in subparagraph (B) of this paragraph, such holding company or any subsidiary thereof may not accept, use, or receive the benefit of any dividend on stock from a subsidiary insured institution, and such institution may not declare or pay any dividend on its stock to such holding company or subsidiary, unless the Corporation fails to object, within thirty days of receipt of notification under subsection (f) of this section, to such dividend as being injurious to the insured institution in the light of its financial condition and prospects.

"(B) The prohibition of subparagraph (A) of this paragraph shall not apply to a diversified savings and loan holding company or any subsidiary thereof if, excluding its subsidiary insured institution, its consolidated net income available for interest for its preceding fiscal year was twice its consolidated debt service requirements for the twelve-month period next succeeding such fiscal year, as determined in accordance with regulations issued by the Corporation.

On page 22, line 14, after the word "discretion", to strike out "apply to" and insert "bring an action in"; in line 17, after the word "States", to strike out "for an order enjoining" and insert "to enjoin"; at the beginning of line 18, to strike out "or for an order enforcing" and insert "to enforce"; in line 19, after the word "thereunder", to insert "or to require the divestiture of any acquisition in violation of this section, or for any combination of the foregoing,"; on page 23, line 8, after the word "than", to strike out "10" and insert "25"; in line 16, after the word "than", to strike out "10" and insert "25"; in line 17, after "(A)", to insert "except with the prior approval of the Corporation,"; at the top of page 25, to insert:

(k) JUDICIAL REVIEW.—Any party aggrieved by an order of the Corporation under this section may obtain a review of such order by filing in the court of appeals of the United States for the circuit in which the principal office of such party is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the Corporation be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Corporation, and thereupon the Corporation shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the Corporation. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section 1254 of title 28 of the United States Code.

And, at the beginning of line 23, to strike out "(k)" and insert "(l)"; so as to make the bill read:

S. 1542

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Savings and Loan Holding Company Amendments of 1967".

SEC. 2. Section 408 of the National Housing Act, as amended (12 U.S.C. 1730a), is hereby amended to read as follows:

"SEC. 408. (a) DEFINITIONS.—(1) As used in this section, unless the context otherwise requires—

"(A) 'insured institution' means a Federal savings and loan association, a building and loan, savings and loan, or homestead association or a cooperative bank, the accounts of which are insured by the Federal Savings and Loan Insurance Corporation;

"(B) 'uninsured institution' means any association or bank referred to in subparagraph (A) hereof, the accounts of which are not insured by the Federal Savings and Loan Insurance Corporation;

"(C) 'company' means any corporation, limited partnership, trust, joint-stock company, or similar organization, but does not include the Federal Savings and Loan Insurance Corporation, any Federal Home Loan Bank, or any company the majority of the shares of which is owned by the United States or any State, or by an officer of the United States or any State in his official capacity, or by an instrumentality of the United States or any State;

"(D) 'savings and loan holding company' means any company which directly or indirectly controls an insured institution or controls any other company which is a savings and loan holding company by virtue of this subsection, but does not include any trust (other than a pension, profit-sharing, shareholders', or voting trust) with respect to any insured institution or savings and loan holding company, if such trust by its terms must terminate within twenty-five years or not later than twenty-one years and ten months after the death of individuals living on the effective date of the trust;

"(E) 'multiple savings and loan holding company' means any savings and loan holding company which directly or indirectly controls two or more insured institutions;

"(F) 'diversified savings and loan holding company' means any savings and loan holding company whose subsidiary insured institution and related activities as permitted under paragraph (2) of subsection (c) of this section accounted, on either an actual or a pro forma basis, for less than 50 per centum of its consolidated net assets at the close of its preceding fiscal year and of its consolidated net earnings for such fiscal year;

(G) 'person' means an individual or company;

(H) 'subsidiary' of a person means any company which is controlled by such person, or by a company which is a subsidiary of such person by virtue of this subsection;

(I) 'affiliate' of a specified insured institution means any person or company which controls, is controlled by, or is under common control with, such insured institution; and

"(J) 'State' includes the District of Columbia and the Commonwealth of Puerto Rico.

"(2) For purposes of this section, a person shall be deemed to have control of—

"(A) an insured institution if the person directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, or holds with power to vote, or holds proxies representing, more than 25 per centum of the voting shares of such insured institution, or controls in any manner the election of a majority of the directors of such institution;

"(B) any other company if the person directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, or holds with power to vote, or holds proxies representing, more than 25 per centum of the voting shares or rights of such, other company, or controls in any manner the election or appointment of a majority of the directors or trustees of such other company, or is a general partner in or has contributed more than 25 per centum of the capital of such other company; or

"(C) a trust if the person is a trustee thereof.

"(3) Notwithstandingg any other provision of this subsection—

"(A) no company shall be a savings and loan holding company by virtue of its ownership or control of voting shares of an insured institution or a savings and loan holding company acquired in connection with the underwriting of securities if such shares are held only for such period of time (not exceeding one hundred and twenty days unless extended by the Corporation) as will permit the sale thereof on a reasonable basis; and

"(B) no bank shall be a savings and loan holding company by virtue of its control, held in a fiduciary capacity, of an insured institution or a savings and loan holding company.

"(b) Registration and Examination.—(1) Within one hundred and eighty days after the enactment of the Savings and Loan Holding Company Amendments of 1967, or within ninety days after becoming a savings and loan holding company, whichever is later, each savings and loan holding company shall register with the Corporation on forms prescribed by the Corporation, which shall include such information, under oath or otherwise, with respect to the financial condition, ownership, operations, management, and intercompany relationships of such holding company and its subsidiaries, and related matters, as the Corporation may deem necessary or appropriate to carry out the purposes of this section. Upon application, the Corporation may extend the time within which a savings and loan holding company shall register and file the requisite information.

"(2) Each savings and loan holding company and each subsidiary thereof, other than an insured institution, shall file with the Corporation, and the Federal home loan bank of the district in which its principal office is located, such reports as may be required by the Corporation. Such reports shall be made under oath or otherwise, and shall be in such form and for such periods, as the Corporation may prescribe. Each report shall contain such information concerning the operations of such savings and loan holding company and its subsidiaries as the Corporation may require.

"(3) Each savings and loan holding company shall maintain such books and records as may be prescribed by the Corporation.

"(4) Each savings and loan holding company and each subsidiary thereof shall be subject to such examinations as the Corporation may prescribe. The cost of such examinations shall be assessed against and paid by such holding company. Examination and other reports may be furnished by the Corporation to the appropriate State supervisory authority. The Corporation shall, to the extent deemed feasible, use for the purposes of this subsection reports filed with or examinations made by other Federal agencies or the appropriate State supervisory authority.

"(5) The Corporation shall have power to require any savings and loan holding company, or persons connected therewith if it is not a corporation, to execute and file a prescribed form of irrevocable appointment of agent for service of process.

"(6) The Corporation may at any time, upon its own motion or upon application, release a registered savings and loan holding company from any registration theretofore made by such company, if the Corporation shall determine that such company no longer has control of any insured institution.

"(c) Holding Company Activities.—Except as otherwise provided in this subsection—

"(1) no savings and loan holding company or subsidiary thereof which is not an insured institution shall engage in any activity or render any services for or on behalf of an insured institution (other than those activities or services specified in paragraph (2) of this subsection) which, if performed by the institution, would constitute a violation of law or regulation; and

"(2) no multiple savings and loan holding company or subsidiary thereof which is not an insured institution shall commence, or continue for more than two years after the enactment of this amendment or for more than one hundred and eighty days after becoming a savings and loan holding company or subsidiary thereof (whichever is later), any business activity other than (A) furnishing or performing management services for a subsidiary insured institution, (B) conducting an insurance agency or an escrow business, (C) holding or managing or liquidating assets owned by or acquired from a subsidiary insured institution, (D) holding or managing properties used or occupied by a subsidiary insured institution, (E) acting as trustee under deed of trust, or (F) furnishing or performing such other services or engaging in such other activities as the Corporation may prescribe by regulation as being a proper incident to the operations of insured institutions and not detrimental to the interests of savings account holders therein. The Corporation may, upon a showing of good cause, extend such time from year to year, for an additional period not exceeding three years, if the Corporation finds such extension would not be detrimental to the public interest.

The provisions of this subsection shall not apply to any company which is an insured bank of the Federal Deposit Insurance Corporation and which has become a savings and loan holding company by virtue of its acquisition of the control of an insured institution or of a savings and loan holding company pursuant to a pledge or hypothecation to secure a loan, or in connection with the liquidation of a loan.

"(d) Prohibited Transactions.—No savings and loan holding company's subsidiary insured institution shall—

"(1) invest any of its funds in the stock, bonds, debentures, notes, or other obligations of any affiliate (other than a service corporation as authorized by law);

"(2) accept the stock, bonds, debentures, notes, or other obligations of any affiliate as collateral security for any loan or extension of credit made by such institution;

"(3) purchase securities or other assets or obligations under repurchase agreement from any affiliate;

"(4) make any loan, discount, or extension of credit to (A) any affiliate, except in a transaction authorized by subparagraph (A) of paragraph (6) of this subsection, or (B) any third party on the security of any property acquired from any affiliate, or with knowledge that the proceeds of any such loan, discount, or extension of credit, or any part thereof, are to be paid over to or utilized for the benefit of any affiliate;

"(5) guarantee the repayment of or maintain any compensating balance for any loan or extension of credit granted to any affiliate by any third party;

"(6) except with the prior written approval of the Corporation—

"(A) engage in any transaction with any affiliate involving the purchase, sale, or lease of property or assets (other than participating interests in mortgage loans to the extent authorized by regulations of the Corporation) in any case where the amount of the consideration involved when added to the aggregate amount of the consideration given or received by such institution for all such transactions during the preceding twelve-month period exceeds the lesser of $100,000 or 0.1 per centum of the institution's total assets at the end of the preceding fiscal year; or

"(B) enter into any agreement or understanding, either in writing or orally, with any affiliate under which such affiliate is to (i) render management or advertising services for the institution, (ii) serve as a consultant, adviser, or agent for any phase of the operations of the institution, or (iii) render services of any other nature for the institution, other than those which may be exempted by regulation or order of the Corporation, unless the aggregate amount of the consideration required to be paid by such institution in the future under all such existing agreements or understandings cannot exceed the lesser of $100,000 or 0.1 per centum of the institution's total assets at the end of the preceding fiscal year; or

"(C) make any payment to any affiliate under any agreement or understanding hereinabove referred to in subparagraph (B) where the institution has previously paid to affiliates during the preceding twelve-month period, pursuant to any such agreements or understandings, an amount aggregating in excess of the lesser of $100,000 or 0.1 per centum of the institution's total assets at the end of the preceding fiscal year.

The Corporation shall grant approval under this paragraph (6) if, in the opinion of the corporation, the terms of any such transaction, agreement, or understanding, or any such payment by such institution, would not be detrimental to the interests of its savings account holders or to the insurance risk of the Corporation with respect to such institution.

"(e) Acquisitions.—(1) It shall be unlawful for—

"(A) any savings and loan holding company directly or indirectly, or through one or more subsidiaries or through one or more transactions—

"(i) to acquire, except with the prior written approval of the Corporation, the control of an insured institution or a savings and loan holding company, or to retain the control of such an institution or holding company acquired or retained in violation of this section as heretofore or hereafter in effect;

"(ii) to acquire, except with the prior written approval of the Corporation, by the process of merger, consolidation, or purchase of assets, another insured or uninsured institution or a savings and loan holding company, or all or substantially all of the assets of any such institution or holding company;

"(iii) to acquire by purchase or otherwise, or to retain for more than one year after the enactment of this amendment, any of the voting shares of an insured institution not a subsidiary, or of a savings and loan holding company not a subsidiary, or, in the case of a multiple savings and loan holding company, to so acquire or retain more than 5 per centum of the voting shares of any company not a subsidiary which is engaged in any business activity other than those specified in paragraph (2) of subsection (c) of this section; or

"(iv) to acquire the control of an insured institution, or to retain for more than one year after the effective date of this amendment or from the date on which such control was acquired, whichever is later, the control of any such institution;

"(B) any other company, except with the prior written approval of the Corporation, directly or indirectly, or through one or more subsidiaries or through one or more transactions, to acquire the control of one or more insured institutions.

(2) The Corporation shall not approve any acquisition under subparagraphs (A)(i), (A)(ii), and (B) of paragraph (1) of this subsection except in accordance with this paragraph. In every case, the Corporation shall take into consideration the financial and managerial resources and future prospects of the company and institution involved, and the convenience and needs of the community to be served, and shall render its decision within one hundred and eighty days from receipt of application for approval hereunder. Before approving any such acquisition, the Corporation shall request from the Attorney General and consider any report rendered within thirty days on the competitive factors involved. The Corporation shall not approve any proposed acquisition—

"(A) which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the savings and loan business in any part of the United States, or

"(B) the effect of which in any section of the country may be substantially to lessen competition, or tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed acquisition are clearly outweighed in the public interest by the probable effect of the acquisition in meeting the convenience and needs of the community to be served.

"(3) No acquisition shall be approved by the Corporation under this subsection which will—

"(A) result in the formation by any company, through one or more subsidiaries or through one or more transactions, of a multiple savings and loan holding company controlling insured institutions in more than one State; or

"(B) enable an existing multiple savings and loan holding company to acquire an insured institution the principal office of which is located in a State other than the State in which such savings and loan holding company shall designate, by writing filed with the Corporation within sixty days after its registration hereunder, as the State in which the principal savings and loan business of such holding company is conducted.

(4) Any savings and loan holding company, which is an insured bank of the Federal Deposit Insurance Corporation, may, without regard to the provisions of this subsection, acquire the control of an insured institution or of a savings and loan holding company, pursuant to a pledge or hypothecation to secure a loan, or in connection with liquidation of a loan, but it shall be unlawful for any such company to retain such control for more than one year after the enactment of this amendment or from the date on which such control was acquired, whichever is later, except that the Corporation may upon application by such company extend such one-year period from year to year, for and additional period not exceeding three years, if the Corporation finds such extension is warranted and would not be detrimental to the public interest.

"(f) Declaration of Dividend.—Every subsidiary insured institution shall give the Corporation not less than thirty days' advance notice of the proposed declaration by its directors of any dividend on its guarantee, permanent, or other nonwithdrawable stock. Such notice period shall commence to run from the date of receipt of such notice by the Corporation. Any such dividend declared within such period, or without the giving of such notice to the Corporation, shall be invalid and shall confer no rights or benefits upon the holder of any such stock.

"(g) Holding Company Indebtedness.—(1) No savings and loan holding company or any subsidiary thereof which is not an insured institution shall issue, sell, renew, or guarantee any debt security of such company or subsidiary, or assume any debt, without the prior written approval of the Corporation.

"(2) The provisions of paragraph (1) of this subsection shall not apply to—

"(A) a diversified savings and loan holding company or any subsidiary thereof; or

"(B) the issuance, sale, renewal, or guaranty of any debt security, or the assumption of any debt, by any other savings and loan holding company or any subsidiary thereof, if such security or debt (i) is payable on demand, or matures within nine months (exclusive of days of grace), after the date of issuance, sale, renewal, guaranty, or assumption thereof, and (ii) aggregates (together with all such other securities or debt then outstanding of a maturity of nine months or less (exclusive of days of grace), as to which such holding company or subsidiary is primarily or contingently liable) not more than 5 per centum of the consolidated net worth of such holding company or subsidiary at the end of the preceding fiscal year.

"(3) The Corporation shall, upon application, approve any act or transaction not exempted from the application of paragraph (1) of this subsection if the Corporation finds that—

"(A) the proceeds of any such act or transaction will be used for (i) the purchase of permanent, guarantee, or other nonwithdrawable stock to be issued by a subsidiary insured institution, or (ii) the purpose of making a capital contribution to a subsidiary insured institution; or

"(B) such act or transaction is required for the purpose of refunding, extending, exchanging, or discharging an outstanding debt security, or for other necessary or urgent corporate needs, and would not impose an unreasonable or imprudent financial burden on the applicant.

The Corporation may also approve any application under this paragraph if it finds that the act or transaction would not be injurious to the operation of any subsidiary insured institution in the light of its financial condition and prospects.

Applications filed with the Corporation pursuant to this subsection shall be in such form and contain such information as the Corporation may prescribe.

"(4) If a State authority or any other agency of the United States, having jurisdiction of any act or transaction within the scope of paragraph (1) of this subsection, shall inform the Corporation, upon request by the Corporation for an opinion or otherwise, that State or Federal laws applicable thereto have not been complied with, the Corporation shall not approve such act or transaction until and unless the Corporation is satisfied that such compliance has been effected.

"(5) As used in this subsection, the term 'debt security' includes any note, draft, bond, debenture, certificate of indebtedness, or any other instrument commonly used as evidence of indebtedness, or any contract or agreement under the terms of which any party becomes, or may become, primarily or contingently liable for the payment of money, either in the present or at a future date.

"(6)(A) If the Corporation finds that a diversified savings and loan holding company does not meet the test prescribed in subparagraph (B) of this paragraph, such holding company or any subsidiary thereof may not accept, use, or receive the benefit of any dividend on stock from a subsidiary insured institution, and such institution may not declare or pay any dividend on its stock to such holding company or subsidiary, unless the Corporation fails to object, within thirty days of receipt of notification under subsection (f) of this section, to such dividend as being injurious to the insured institution in the light of its financial condition and prospects.

"(B) The prohibition of subparagraph (A) of this paragraph shall not apply to a diversified savings and loan holding company or any subsidiary thereof if, excluding its subsidiary insured institution, its consolidated net income available for interest for its preceding fiscal year was twice its consolidated debt service requirements for the twelve-month period next succeeding such fiscal year, as determined in accordance with regulations issued by the Corporation.

"(h) Administration and Enforcement.—(1) The Corporation is authorized to issue such rules, regulations, and orders as it deems necessary or appropriate to enable it to administer and carry out the purposes of this section, and to require compliance therewith and prevent evasions thereof.

"(2) The Corporation may make such investigations as it deems necessary or appropriate to determine whether the provisions of this section and rules, regulations, and orders thereunder, are being and have been complied with by savings and loan holding companies and subsidiaries and affiliates thereof. For the purpose of any hearing, investigation, or any other proceeding under this section, the Corporation or its designated representatives shall have power to administer oaths and affirmations, to issue subpenas and subpenas duces tecum, to take evidence, and to require the production of any books, papers, correspondence, memorandums, or other records which may be relevant or material to the hearing, inquiry, or proceeding. The attendance of witnesses and the production of any such records may be required from any place in any State or in any territory or other place subject to the jurisdiction of the United States at any designated place of hearing. The Corporation may apply for the enforcement of such subpenas and subpenas duces tecum to the United States district court, or any other court of the United States, within the jurisdiction of which such hearing, investigation, or proceeding is being carried on, or where any witness or company subpenaed resides or carries on business, and such courts shall have jurisdiction and power to order and require compilance therewith.

"(3) Whenever it shall appear to the Corporation that any person is engaged or has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this section or of any rule, regulation, or order thereunder, the Corporation may in its discretion bring an action in the proper United States district court, or the United States court of any territory or other place subject to the jurisdiction of the United States, to enjoin such acts or practices, to enforce compliance with this section or any rule, regulation, or order thereunder, or to require the divestiture of any acquisition in violation of this section, or for any combination of the foregoing, and such courts shall have jurisdiction of such actions, and upon a proper showing an injunction, decree, restraining order, order of divestiture or other appropriate order shall be granted without bond.

"(4) All expenses of the Federal Home Loan Bank Board or of the Corporation under this section shall be considered as nonadministrative expenses.

"(i) Prohibited Acts.—It shall be unlawful for—

"(1) any savings and loan holding company or subsidiary thereof, or any director, officer, employee, or person owning, controlling, or holding with power to vote, or holding proxies representing, more than 25 per centum of the voting shares, of such holding company or subsidiary, to hold, solicit, or exercise any proxies in respect of any voting rights in an insured institution which is a mutual institution;

"(2) any director or officer of a savings and loan holding company, or any person owning, controlling, or holding with power to vote, or holding proxies representing, more than 25 per centum of the voting shares of such holding company (A), *except with the prior approval of the Corporation,* to serve at the same time as a director, officer, or employee of an insured institution or another savings and loan holding company, not a subsidiary of such holding company, or (B) to acquire control, or to retain control for more than two years after the enactment of this subsection, of any insured institution, not a subsidiary of such holding company; or

"(3) any individual, except with the prior approval of the Corporation, to serve or act as a director, officer, or trustee of, or become a partner in, any savings and loan holding company after having been convicted of any criminal offense involving dishonesty or breach of trust.

"(j) Penalties.—(1) Any company which willfully violates any provision of this section, or any rule, regulation, or order thereunder, shall upon conviction be fined not more than $1,000 for each day during which the violation continues.

"(2) Any individual who willfully violates or participates in a violation of any provision of this section, or any rule, regulation, or order thereunder, shall upon conviction be fined not more than $10,000 or imprisoned not more than one year, or both.

"(3) Every director, officer, partner, trustee, agent, or employee of a savings and loan holding company shall be subject to the same penalties for false entries in any book, report, or statement of such savings and loan holding company as are applicable to officers, agents, and employees of an institution the accounts of which are insured by the Corporation for false entries in any books, reports, or statements of such institution under section 1006 of title 18 of the United States Code.

"(k) Judicial Review.—Any party aggrieved by an order of the Corporation under this section may obtain a review of such order by filing in the court of appeals of the United States for the circuit in which the principal office of such party is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the Corporation be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Corporation, and thereupon the Corporation shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the Corporation. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section 1254 of title 28 of the United States Code.

"(l) Saving Clause.—Nothing contained in this section shall be interpreted or construed as approving any act, action, or conduct which is or has been or may be in violation of existing law, nor shall anything herein contained constitute a defense to any action, suit, or proceeding pending or hereafter instituted on account of any act, action, or conduct in violation of the antitrust laws."

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the rule relating to the limitation of staff members who may be present to assist in the presentation of the bill be waived in this case.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, the Senator from Utah [Mr. Bennett], the ranking minority member of the committee, is on his way to the Senate Chamber. I am told that he will be here very shortly, but that we may proceed even in his absence.

Mr. President, on June 22, the Committee on Banking and Currency reported favorably S. 1542, the Savings and Loan Holding Company Act Amendments of 1967. I would like briefly to describe the background of this important legislation and to outline the principal elements of the bill.

HISTORY OF HOLDING COMPANY LEGISLATION

Holding companies in the savings and loan field have existed for over 20 years, but their principal growth took place during the middle and late 1950's. The rapid growth of holding companies in the late 1950's led Congress to enact the Spence Act of 1959 which placed a freeze on further holding company growth.

In its report on the Spence Act, the Senate Banking and Currency Committee indicated it was acting "to promote and preserve local management of savings and loan associations by protecting them against encroachment by holding companies."

The savings and loan business has always been considered a local business, and the Banking and Currency Committee and the Congress have endeavored to insure that savings and loan associations are responsive to the needs of their communities rather than the corporate policies of absentee owners.

Although the Spence Act prohibited existing holding companies from acquiring additional savings and loan associations, it was possible under the Spence Act for additional holding companies to be formed provided they controlled no more than one association. In addition, there was no prohibition in the Spence Act on a savings and loan holding company from acquiring additional businesses, such as banks, insurance companies, real estate development corporations, or any other business.

Finally, the Spence Act was limited in its enforcement and administration provisions. The Federal Home Loan Bank Board, which supervises savings and loan associations and administers the Spence Act, did not have any direct administrative control over holding companies. The rapid growth of savings and loan holding companies in the last 7 years and the lack of adequate information has led the Board to recommend in the 88th and 89th Congresses that the provisions of the Spence Act be strengthened. A similar recommendation was contained in the Economic Report of the President in 1966 and 1967. On April 14, the Chairman of the Federal Home Loan Bank Board, Mr. John E. Horne, transmitted a bill to the Congress, with advice from the Bureau of the Budget, that enactment of the proposed legislation would be in accordance with the program of the President. I introduced this legislation by request on April 14.

SIZE OF THE SAVINGS AND LOAN HOLDING COMPANY INDUSTRY

Mr. President, despite the prohibitions in the Spence Act, savings and loan holding companies have experienced a phenomenal rate of growth since 1959. At the time the Spence Act was passed, there were 44 holding companies which controlled 93 savings and loan associations, with assets of $4.3 billion. By the end of 1966, the number of holding companies had grown to 98. These holding companies controlled 134 savings and loan associations with assets of $16.2 billion. In 1959, holding companies controlled 7 percent of the entire savings and loan industry; but by 1966 this control had nearly doubled to 12.5 percent. Most of the growth in holding companies has taken place in the companies which existed prior to the Spence Act. In 1959, these companies accounted for $4.3 billion in savings and loan assets; whereas, by 1966 these assets have grown to $12.8 billion, or an increase of 300 percent. In addition, 65 new holding companies have been formed since 1959 and these holding companies control an additional $3.4 billion in savings and loan assets.

Thus, the portion of the savings and loan business controlled by holding companies has grown to a size where it constitutes a substantial portion of the industry today.

Most of the holding companies are concentrated in California, although they are also organized in 11 other States and territories. In 1959, 88 percent of holding company controlled assets were in California; however, by 1967 this percentage had declined to 83 percent. Thus, the holding company form of organization is gradually spreading to other parts of the country.

THE NEED FOR LEGISLATION

In his testimony before the committee, Chairman Horne indicated the Spence Act has been largely effective in keeping new holding company formation predominantly local in orientation. However, the Board's experience has also shown that the provisions of the Spence Act have not been as effective as required to safeguard against possible abuses in holding company activities.

The Board has encountered numerous cases where the lack of any regulation over the holding company has enabled the holding company to be used as a way of evading statutory provisions governing the operation of savings and loan associations.

The experience of the Board has also revealed cases where a conflict of interest between the parent holding company and the subsidiary savings and loan association has been resolved in favor of the holding company and to the potential detriment of the controlled association.

The effect of holding company control can be seen in the statistics which measure the performance of savings and loan associations. One significant figure is the percentage of substandard loans. In 1966, 6.3 percent of the loans made by holding company controlled associations were substandard, compared to a figure of 2.4 percent for the rest of the industry. In other words, the percentage of riskier loans was nearly three times higher in the case of holding company controlled associations.

Another significant measure of the impact of holding company control can be found in the records of the Home Loan Bank Board. The Board keeps track of the number of associations in financial difficulty. At the end of 1966, there were 20 of these associations with assets of $2.3 billion which were in serious trouble. In terms of assets, 63 percent were located in holding company associations, whereas, holding companies represented only 12 percent of the industry. In other words, holding companies have more than five times their proportionate share of financial trouble.

A third measure of the influence of holding companies can be seen in the foreclosure rate. Savings and loan associations which were not controlled by holding companies foreclosed on five of every 1,000 loans in 1966. The figure for associations controlled by holding companies is 16 per thousand, or over three times higher.

Many holding companies also have an excessive debt structure which have had serious repercussions on their savings and loan associations. There are some companies who during the late 1950's had borrowed on the stock of their subsidiary savings and loan associations in order to obtain funds to buy still more associations. As long as the price of the association's stocks continued to rise, this form of dubious policy worked. However, in the last few years, the price of association stocks has been declining. As a result, the creditors of the holding company are pressing the holding company to pay up or to provide additional collateral. These pressures on the holding company are often transmitted down to the subsidiary savings and loan associations. The pressure results in a riskier lending policy by the association and higher dividend payments in order to service the excessive holding company debt structure.

For example, in 1966, which was a year of severe financial difficulty for the savings and loan industry, holding companies withdrew a total of $17.8 million from their subsidiary association in the form of dividends and fees. This left the holding company controlled associations in a considerably less liquid position than other associations and at a most critical time.

Chairman Horne in his testimony before the Banking and Currency Committee and in subsequent material furnished to the committee has pointed out a number of instances of holding company activities which have caused the subsidiary institutions to engage in practices which are not in the best interest of the savings account holders. Public policy might be indifferent to the holding company form of organization if the subsidiary companies were not vested with a public purpose. However, savings and loan associations represent a vital element of our growing economy; they provide a safe and sound method for savings for millions of shareholders; and they provide a ready source of funds for the mortgage market. The Federal Savings and Loan Insurance Corporation would become immediately liable in the event a savings and loan association became insolvent and went into receivership. Public reaction to associations which become insolvent is likely to be widespread, even though the actual failures may occur in only a small geographic section of the country. The public is not likely to make fine distinctions regarding which associations are controlled by holding companies and which ones are not. Thus, the problem of associations controlled by holding companies is a national problem affecting the entire savings and loan business.

In recommending legislation to provide additional control over holding companies, the committee does not mean to imply or infer that holding companies in the savings and loan field are evil in themselves. Indeed, most of the problems seem to have been concentrated in relatively few areas. Testimony has been presented which shows that holding companies can perform a valid and useful function in the savings and loan field. The committee does not intend to stigmatize those associations which are corporately owned. They are entitled to the same fair treatment that any other association receives. However, the committee is convinced that the experience of the Board demonstrates the need for some additional regulatory authority in the savings and loan holding company field.

WHAT THE BILL DOES

Mr. President, I would like to have printed in the RECORD following my remarks a section-by-section summary of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SPARKMAN. Mr. President, for the benefit of the Senate, I would like to summarize briefly the principal provisions of this legislation.

First of all, the legislation would require the registration of all the holding companies with the Federal Home Loan Bank Board. Holding companies would be required to issue periodic reports. In addition, the Board would be given investigative and examination authorities over the activities of savings and loan holding companies. These provisions have been generally agreed to by the savings and loan industry.

Second, the bill would tighten up several loopholes in the Spence Act prohibiting self-dealing financial transactions between the controlled savings and loan association and the parent holding company or its subsidiaries. The prohibition on self-dealing would be extended not only to the immediate parent company or its subsidiaries but to any affiliate however complicated the tier of corporate ownership may be.

Third, the bill would require holding companies which control more than one association to divest themselves of unrelated activities. This provision is similar to the policy contained in the Bank Holding Company Act. The basic premise behind the policy is that those who control financial institutions should not be placed in a position where a conflict could arise between the needs of the financial institution and the needs of other components of the corporate empire. The interests of the holding company are not always identical to the interest or financial well-being of its underlying subsidiaries. This conflict would be of no public concern in the case of a holding company which solely controlled manufacturing or other similar enterprises. However, when financial institutions are involved, vested with a public purpose, and exercising a fiduciary relationship over the savings of its depositors, there are substantial grounds for public concern. If the non-savings-and-loan portion of a holding company's operation were to suffer a financial setback, this could cause the parent holding company to exert greater pressures on the savings and loan association to engage in riskier loans and to pay higher dividends. From the standpoint of the holding company this might be a sound policy. From the standpoint of the shareholders, the Federal Savings and Loan Insurance Corporation, and the public at large, it is a harmful policy. This committee, therefore, has recommended that these conflicts of interests be removed by requiring holding companies with more than one association to divest themselves of unrelated activities.

These holding companies would be given 2 years to divest with an additional period of up to 3 years upon the approval of the Home Loan Bank Board. This provision is comparable to the Bank Holding Company Act. Of the 98 holding companies, there are 12 holding companies with more than one association who would be affected by this provision of the bill.

Fourth, the bill provides the Federal Home Loan Bank Board with additional authority over the debt structure of the holding companies. The Board would have the authority to approve all the long-term debt and all short-term debt in excess of 5 percent of net worth for a holding company primarily in the savings and loan business. In the case of a holding company with only one association and which was primarily in a line of business other than the savings and loan business, the Board would be given additional authority over the dividend practices of the subsidiary savings and loan association.

Fifth, the legislation also contains a provision prohibiting future holding companies from acquiring savings and loan associations in two or more States. This will preserve the essentially local character of the savings and loan business. There are three existing interstate holding companies which would be exempt from the provision since they have acquired their associations prior to this expression of congressional policy.

Sixth, the bill would repeal the present provision of the Spence Act prohibiting holding companies from acquiring additional savings and loan associations through acquisition and merger. In view of the additional regulatory authorities provided the Bank Board with respect to holding companies, it is no longer necessary to prohibit the growth of such companies. However, acquisition either through purchase or merger would be subject to the approval of the Federal Home Loan Bank Board. The Board would apply the identical standards for such acquisitions or mergers as are contained in the Bank Holding Company Act and the Bank Merger Act.

I believe this committee has recommended to the Senate a reasonable and constructive bill which provides the Federal Home Loan Bank Board with the authority it needs to regulate this rapidly growing form of corporate ownership. At the same time, it provides the industry with the flexibility it needs to continue to serve the needs of the American public. Any stock association would be free to sell its shares to the general public or to a corporate enterprise, provided that corporation had no other savings and loan associations. This will insure the future marketability of savings and loan stock associations at the same time providing the Home Loan Bank Board with adequate authority over holding companies. I believe this is a reasonable bill and in the public interest. I urge its adoption by the Senate.

EXHIBIT 1

SECTION-BY-SECTION SUMMARY

The bill would amend section 408 of the National Housing Act (12 U.S.C. 1730a) to provide as follows:

Subsection (a)—Definitions.—(1) As defined in the present statute, the term "company" includes any corporation, business trust, association, or similar organization. Under the bill, a "company" would be defined as "any corporation, limited partnership, trust, joint-stock company, or similar organization". This latter definition is deemed to be the more realistic of the two because it encompasses the types of entities which, because of their lengthy duration or limited liability, would be most likely to be able to raise the necessary capital to finance the acquisition of savings and loan associations and to engage in holding company operations.

Control of one insured institution by any company would make that company a "savings and loan holding company" under the bill. However, any short-term trust (other than a pension, profit-sharing, shareholders' or voting trust) which by its terms must terminate within 25 years or not later than 21 years and 10 months after the death of individuals living on the effective date of the trust, would be exempted from coverage as a "savings and loan holding company." The definition of a short-term trust is taken from the Bank Holding Company Act.

Any savings and loan holding company that controls two or more insured institutions would be a "multiple savings and loan holding company"; and a "diversified savings and loan holding company" would be any savings and loan holding company whose subsidiary insured institution and related activities, as permitted under paragraph (2) of subsection (c) of the bill, accounted for less than 50 percent of its consolidated net assets at the close of the preceding fiscal year and of its consolidated net earnings for such year.

A "subsidiary" would be defined as any company which is controlled by a "person" (i.e., an individual or a company) or by a company which is a subsidiary of such person. Any person which controls, is controlled by, or is under common control with, an insured institution would be an "affiliate" of that institution. For example, if insured institution A and company B were both controlled by savings and loan holding company C, which in turn was a subsidiary of individual D, then B, C, and D would be "affiliates" of A, and transactions between A and B, C, or D would be subject to the restrictions on transactions between subsidiary insured institutions and "affiliates" imposed by subsection (d) of the bill.

(2) The definition of "control" in the proposed bill would be more comprehensive, but requires a higher percentage of stock ownership, than the definition in the present statute. Under the bill, a person would be deemed to have "control" of an insured institution or other company, if the person directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, (A) owns, controls, or holds with power to vote, or holds proxies representing, more than 25 percent of the voting shares of such insured institution, or controls in any manner the election of a majority of the directors of such institution, (B) owns, controls, or holds with power to vote, or holds proxies representing, more than 25 percent of the voting shares or rights of such other company, or controls in any manner the election or appointment of a majority of the directors or trustees of such other company, or is a general partner in or has contributed more than 25 percent of the capital of such other company, or (C) is the trustee of a trust. As used in the definition of "control", the term "acting in concert" presupposes an agreement or understanding, written or tacit, of the parties.

In sum, an insured institution or other company which is owned or controlled by a subsidiary of a savings and loan holding company would be deemed to be indirectly owned or controlled by such holding company. For example, if company A owned, controlled, or held with power to vote, or held proxies representing, more than 25 percent of the voting shares of company B, or controlled in any manner the election of a majority of the directors of company B, and the latter owned, controlled, or held with power to vote, or held proxies representing, more than 25 percent of the voting shares of insured institution C, or if company B controlled in any manner the election of the majority of the directors of institution C, company A would be a holding company with respect to institution C, company B would be both a holding company and a subsidiary of A, and both A and B would be deemed to have control of institution C.

(3) Exemptions from coverage as savings and loan holding companies are also provided for (A) companies controlling an insured institution in connection with the underwriting of securities, if such control is held for 120 days or less, unless such period is extended by the Corporation, and (B) any bank holding control of an insured institution in a fiduciary capacity.

Subsection (b)—Registration and examination.—Within 180 days after enactment of the proposed bill, or within 90 days after becoming a savings and loan holding company, whichever is later, each holding company would be required to register with the Corporation and to furnish such information with respect to its financial condition, ownership, operations, management, and intercompany relationships as the Corporation may require.

In addition, each holding company and subsidiary thereof would be required to file financial reports with the Corporation and the Federal Home Loan Bank of the district in which its principal office is located, and to maintain such books and records as the Corporation may require. Moreover, each holding company and subsidiary thereof would be subject to such examinations as the Corporation may prescribe. To the extent deemed feasible, the Corporation would use examination or other reports filed with or made by other Federal agencies or State supervisory authorities.

The Corporation's authority under paragraph (5) of subsection (b) to require the irrevocable appointment of agents for service of process is intended to enable the Corporation to obtain jurisdiction over any foreign based savings and loan holding company, and not to require needless appointments of such agents by domestic holding companies or persons connected with noncorporate holding companies within the jurisdiction of the United States.

Subsection (c)—Holding company activities.—This subsection would restrict the nature of the activities or business which could be conducted by savings and loan holding companies. Specifically, the bill would prohibit—

(1) Any holding company, or subsidiary thereof which is not an insured institution, from engaging in any activity or rendering any service for or in behalf of an insured institution which, if performed by the institution, would constitute a violation of law or regulation; or

(2) Any multiple savings and loan holding company, or subsidiary thereof which is not an insured institution, from commencing, or continuing for more than 2 years after the enactment of the bill, or for more than 180 days after becoming a savings and loan holding company or subsidiary thereof (whichever is later), any business activity other than (A) furnishing or performing management services for a subsidiary insured institution, (B) conducting an insurance agency or an escrow business, (C) holding or managing or liquidating assets owned by or acquired from a subsidiary insured institution, (D) holding or managing properties used or occupied by a subsidiary insured institution, (E) acting as trustee under deed of trust, or (F) furnishing or performing such other services or engaging in such other activities as the Corporation may prescribe by regulation as being a proper incident to the operations of insured institutions and not detrimental to the interests of savings account holders therein. Upon a showing of good cause, the Corporation could extend, from year to year, the time for compliance with the above-mentioned provisions for an additional period not exceeding 3 years.

In sum, subsection (c) of the bill would (1) make it unlawful, for example, for any holding company to solicit withdrawable capital for its controlled insured institution in any manner prohibited by applicable law or regulation to such institution, and (2) apply the prohibition against engaging in unrelated activities only to those holding companies controlling more than one savings and loan association.

The provisions of subsection (c) would not apply to an insured bank of the Federal Deposit Insurance Corporation which became a savings and loan holding company by virtue of its acquisition of control of an insured institution or a savings or loan holding company pursuant to a pledge or hypothecation to secure a loan, or in connection with the liquidation of a loan.

Subsection (d)—Prohibited transactions.—Subsection (d) of the bill is designed to curb transactions between an insured institution in a holding company chain and any of its affiliates. Accordingly, it would be unlawful for a controlled insured institution to (1) invest its funds in the stock, bonds, debentures, notes, or other obligations of any affiliate (other than a service corporation as authorized by law), (2) accept the stock, bonds, debentures, notes, or other obligations of any affiliate as collateral security for any loan made by the institution, (3) purchase securities or other assets or obligations under repurchase agreement from any affiliate, (4) make any loan or extend credit to any affiliate, except in a transaction authorized by subparagraph (A) of paragraph (6) of subsection (d), or to any third party on the security of any property acquired from any affiliate, or with knowledge that the loan proceeds are to be paid over to or utilized for the benefit of any affiliate, or (5) guarantee the repayment of or maintain compensating balances for any loan to any affiliate by any third party.

Subsection (f) of the present statute contains prohibitions similar to those provided in clauses (1) through (4) above. Clause (5) is designed to prohibit transactions such as one involving the purchase of certificates of deposit by a subsidiary insured institution under an arrangement whereby such certificates were to serve as compensating balances for bank loans to other subsidiaries of the holding company.

Paragraph (6) of subsection (d) would regulate transactions which could result in the use of insured institutions for the benefit of their affiliates through devices such as management or service contracts or the purchase or sale of assets. Thus, except with the prior approval of the Corporation, it would be unlawful for any subsidiary insured institution—

(A) To engage in any transaction with any affiliate involving the purchase, sale, or lease of property or assets in any case where the amount of the consideration involved when added to the aggregate amount of the consideration given or received by such institution for all such transactions during the preceding 12-month period exceeds the lesser of $100,000 or 0.1 percent of the institution's total assets at the end of the preceding fiscal year; or

(B) To enter into any agreement under which any affiliate is to (i) render management or advertising services for the institution, (ii) serve as a consultant, adviser, or agent for any phase of the operations of the institution, or (iii) render services of any other nature for the institution, other than those which may be exempted by regulation or order of the Corporation, unless the aggregate amount of the consideration required to be paid by such institution in the future under all such existing agreements cannot exceed the lesser of $100,000 or 0.1 percent of the institution's total assets at the end of the preceding fiscal year; or

(C) Make any payment to any affiliate under any agreement referred to in (B) above where the institution has previously paid to affiliates during the preceding 12-month period, pursuant to any such agreement, an amount aggregating in excess of the lesser of $100,000 or 0.1 percent of the institution's total assets at the end of the preceding fiscal year.

The exception from the requirement of prior Corporation approval of those transactions and agreements where the consideration or payments made thereunder do not exceed the above-mentioned dollar limitations would, of course, relieve the Corporation of the necessity of passing upon numerous applications for its approval of matters of a routine nature or of little or no consequence. Where prior approval is required, the bill provides that the Corporation shall grant approval if, in its opinion, the terms of the transaction or agreement, or the payment by the institution, would not be detrimental to the interests of its savings account holders or to the insurance risk of the Corporation with respect to the institution.

Subsection (e)—Acquisition.—The bill would control holding company expansion by requiring Corporation approval for all additional holding company acquisitions of insured institutions, whether by purchase of stock or assets, merger, or consolidation.

(1) (A) Under this paragraph, it would be unlawful for any savings and loan holding company or subsidiary thereof (i) to acquire, except with prior approval of the Corporation, control of an insured institution or a savings and loan holding company, or to retain control of such an institution or company acquired or retained in violation of section 408 as heretofore or hereafter in effect, (ii) to acquire, except with prior approval of the Corporation, by the process of merger, consolidation, or purchase of assets, another insured or uninsured institution or a savings and loan holding company, or all or substantially all of the assets of any such institution or holding company, (iii) to acquire by purchase or otherwise, or to retain for more than 1 year after the enactment of the bill, any of the voting shares of an insured institution or a savings and loan holding company, not a subsidiary, or, in the case of a multiple savings and loan holding company, more than 5 percent of the voting shares of any company not a subsidiary which is engaged in any business activity other than those specified in paragraph (2) of subsection (c) of the bill, or (iv) to acquire, or to retain for more than 1 year, control of an uninsured institution.

(B) Any company (not a savings and loan holding company) would be prohibited, except with prior approval of the Corporation, from acquiring control of one or more insured institutions. This provision is designed to control the creation of any new unitary or multiple holding company systems.

(2) In acting upon applications for approval of proposed acquisitions under subparagraphs (A) (i), (A) (ii), and (B) of paragraph (1) of subsection (e), the Corporation shall take into consideration the financial and managerial resources and future prospects of the company and institution involved, and the convenience and needs of the community to be served. The Corporation would be required to render its decision within 180 days after receipt of any such application. However, approval of any acquisition would not be given for 30 days after receipt of an application for approval thereof, to provide the Attorney General with an opportunity to report on the competitive factors involved.

As in the case of the Bank Merger Act and the Bank Holding Company Act, no proposed acquisition could be approved if the Corporation found that it would violate the antimonopoly provisions of section 2 of the Sherman Act, or the anticompetitive provisions of section 7 of the Clayton Act, unless the Corporation found that the anticompetitive effects of the acquisition would be clearly outweighed in the public interest by the probable effect of the acquisition in meeting the convenience and needs of the community to be served.

(3) No acquisition could be approved by the Corporation which would (A) result in the formation of a savings and loan holding company controlling insured institutions in more than one State, or (B) enable an existing multiple savings and loan holding company to acquire an insured institution the principal office of which is located in a State other than the State designated by such savings and loan holding company as the State in which its principal savings and loan business is conducted.

(4) A savings and loan holding company which is an insured bank of the Federal Deposit Insurance could, without regard to the provisions of subsection (e), acquire the control of an insured institution or a savings and loan holding company, pursuant to a pledge or hypothecation to secure a loan, or in connection with the liquidation of a loan; but it would be unlawful for any such company to retain such control for more than 1 year, except that the Corporation could extend such period from year to year, for an additional period not exceeding 3 years.

Subsection (f)—Declaration of dividend.—Every subsidiary insured institution would be required to give the Corporation 30 days advance notice of the proposed declaration of any dividend on its guarantee, permanent, or other nonwithdrawable stock. Any such dividend declared within such 30 day period, or without the giving of notice to the Corporation, would be invalid.

Subsection (g)—Holding company indebtedness.—(1) No savings and loan holding company or subsidiary thereof which is not an insured institution could issue, sell, renew, or guarantee any debt security of such company or subsidiary, or assume any debt, without the prior approval of the Corporation.

(2) The provisions of paragraph (1) would not apply to (A) a diversified savings and loan holding company or any subsidiary thereof, or (B) short term indebtedness (payable on demand or maturing within 9 months) of any other savings and loan holding company or any subsidiary thereof which aggregates, together with all such other short term debt as to which the holding company or subsidiary is primarily or contingently liable, not more than 5 percent of the consolidated net worth of such company or subsidiary at the end of the preceding fiscal year.

(3) The Corporation would, upon application, approve any act or transaction not exempted from the application of paragraph (1) if it found that—

(A) The proceeds would be used for (i) the purchase of permanent, guarantee, or other nonwithdrawable stock to be issued by a subsidiary insured institution, or (ii) the purpose of making a capital contribution to such an institution; or

(B) Such act or transaction is required for the purpose of refunding, extending, exchanging, or discharging an outstanding debt, or for other necessary or urgent corporate needs, and would not impose an unreasonable or imprudent financial burden on the applicant.

The Corporation could also approve any application under paragraph (3) of subsection (g) if it found that the act or transaction would not be injurious to any subsidiary insured institution in the light of its financial condition and prospects.

(4) No act or transaction within the scope of subsection (g) would be approved unless the Corporation is satisfied that there has been compliance with all State or Federal laws applicable thereto.

(5) This paragraph defines the term "debt security."

(6) This paragraph would exempt a diversified savings and loan holding company from all restrictions under subsection (g) if, excluding its subsidiary insured institution, its consolidated net income available for interest for its preceding fiscal year was twice its consolidated debt service requirements for the 12-month period succeeding such fiscal year, as determined in accordance with regulations issued by the Corporation.

If the Corporation finds, however, that a diversified savings and loan holding company has not met the above-mentioned earnings test, such company or any subsidiary could receive dividends on stock from a subsidiary insured institution, and such institution could declare or pay any such dividend, only if the Corporation failed to object within 30 days of receipt of notification under subsection (f) to such dividend as injurious to the insured institution in the light of its financial condition and prospects.

Subsection (h)—Administration and enforcement.—(1) The Corporation would be authorized to issue such rules, regulations, and orders as it deems necessary or appropriate to enable it to define and administer section 408 and to require compliance therewith.

(2) The Corporation could make investigations to determine whether the provisions of section 408 and rules, regulations, and orders thereunder are being complied with by holding companies and subsidiaries and affiliates thereof. For the purpose of any hearing, investigation, or other proceeding under this section, the Corporation or its designated representatives could issue subpenas and subpenas duces tecum; it could require the attendance of witnesses and the production of books and records from any place in the United States; and the Corporation could apply to the U.S. district courts for the enforcement of such subpenas.

(3) The Corporation would also be authorized to bring an action in the U.S. district courts to enjoin violations of or to enforce compliance with the proposed section 408, or any rule, regulation, or order thereunder, or to require the divestiture of any illegal acquisition. Thus, for example, if the Corporation determined that a savings and loan holding company or a subsidiary thereof had acquired control of an insured institution in violation of the act, or was engaging in or performing proscribed activities or services, the Corporation could apply to the proper U.S. district court for an appropriate order of divestiture of such control or for an order requiring compliance with the provisions of the act.

(4) All expenses of the Federal Home Loan Bank Board or of the Corporation under section 408 would be considered as nonadministrative expenses.

Subsection (i)—Prohibited acts.—It would be unlawful for (1) any holding company or subsidiary thereof, or any director, officer, employee, or person owning, controlling, or holding more than 10 percent of the voting shares of such holding company or subsidiary, to hold, solicit, or exercise any proxies in respect of any voting rights in an insured mutual institution, or (2) any director, officer, or person owning, controlling, or holding more than 25 percent of the voting shares of a holding company (A), except with prior approval of the Corporation, to serve at the same time as a director, officer, or employee of an insured institution or another savings and loan holding company, not a subsidiary of such holding company, or (B) to acquire control, or to retain control for more than 2 years after enactment of the bill, of any insured institution, not a subsidiary of such holding company. The above-mentioned prohibitions would be consistent with other provisions of the proposed bill designed to control further holding company acquisitions of insured institutions.

(3) It would also be unlawful for any individual, except with the prior approval of the Corporation, to serve or act as a director, officer, or trustee of, or become a partner in, any savings and loan holding company after having been convicted of any criminal offense involving dishonesty or breach of trust.

Subsection (j)—Penalties.—For the willful violation of any provision of the proposed section 408 or any rule, regulation, or order thereunder the offending company or individual would be subject to criminal sanctions and, upon conviction, the company would be subject to a fine of not more than $1,000 for each day the violation continued, and the individual would be subject to a fine of not more than $10,000 or imprisonment for not more than 1 year, or both.

Moreover, every director, officer, partner, trustee, agent, or employee of a holding company would be subject to the same penalties for false entries in any book, report, or statement of such holding company as are applicable to officers, agents, and employees of insured institutions for false entries in any books, reports, or statements of such institution under 18 U.S.C. 1006. This provision corresponds to section 8 of the Bank Holding Company Act. See 12 U.S.C. 1847.

Subsection (k)—Judicial review.—Any aggrieved party could obtain judicial review of an order issued by the Corporation under this section by filing a petition for review in a U.S. court of Appeals within 30 days after service of the order.

Subsection (l)—Saving clause.—This section provides that nothing contained in the bill shall be construed as approving any act or conduct in violation of law, or shall constitute a defense to any action involving violation of the anti-trust laws.

Mr. BENNETT. Mr. President, the legislation which is presently before us has been recommended by the Senate Banking and Currency Committee to allow the Federal Home Loan Bank Board to deal with certain problems which have occurred in savings and loan holding companies. Although by far the majority of savings and loan holding companies are well-run institutions, presenting no problems to the Federal Home Loan Bank Board, there have been some important exceptions in which the holding company has engaged in activities which have weakened its savings and loan subsidiaries or affiliates.

Information provided in our hearings by Chairman Horne, of the Federal Home Loan Bank Board, shows that holding company controlled associations possess about 12 percent of the assets of the savings and loan industry, but account for 63 percent of the assets of the serious problem group. These statistics, however, represent an average and are unduly affected by a very few large holding companies which are having difficulty. A closer look at the statistics brings out the fact that in some States savings and loan associations held by holding companies are in far better condition, according to the measures used, than are nonholding company savings and loan associations. The point I want to make is that this legislation is not intended to be an indictment of savings and loan holding companies. It is important to recognize, however, that when a holding company owns an insured savings and loan institution, the Federal Home Loan Bank Board, which insures the accounts of such associations through the Federal Savings Loan Insurance Corporation, has an important interest in the activities of the holding company—the company that owns the savings and loan affiliate.

Last year, Congress provided additional supervisory powers to the Federal Home Loan Bank Board which were intended to make it possible for the agency to better supervise savings and loan associations. In that legislation, authority was given to examine the activities of holding companies which controlled savings and loan associations. In our hearings, however, the Chairman of the Federal Home Loan Bank Board explained that in some instances there has been a conflict between the interest of the parent holding company and the subsidiary savings and loan association, and that this conflict has usually been decided in favor of the holding company, to the detriment of the controlled association. Because of this, additional regulatory authority was requested.

The bill, as introduced, would have caused all holding companies engaged in both savings and loan activities and nonsavings and loan activities to divest themselves of one or the other. This would have left only holding companies which were engaged in the savings and loan business. The bill also would have prevented the acquisition of additional savings and loan associations by either merger or direct purchase. A third important provision would have prohibited a holding company from controlling savings and loan associations in two or more States. In addition to these major provisions, certain reporting, registration, and examination requirements were included in the original bill, along with prohibitions of certain types of activities by holding companies.

After hearing the problems which presently exist among savings and loan associations controlled by holding companies and the testimony of individual companies which do not have these problems, the committee decided that it would be desirable to allow any corporation, regardless of its type of business, to own or control one savings and loan association.

In this respect, we adopted the pattern already in existence for banks and bank-holding companies. With respect to banks, an outside group, otherwise engaged in business, can acquire one bank without becoming a holding company. With respect to savings and loan institutions, however, any company acquiring even one savings and loan institution would be required to register as a savings and loan holding company and would be required to comply with other provisions of the act regarding examination, prohibited transactions, and would have an earnings test which, if not met, would allow the Federal Home Loan Bank Board to disapprove upstream dividend payments to the parent company.

This difference in the status of the relationship between the holding parent and one subsidiary is significant, but we felt that the problems involved required the difference and required the provision which made all outside or parent organizations holding one savings and loan institution to be subject to certain regulations of the Federal Home Loan Bank Board.

So long as the holding company, which is primarily engaged in non-savings-and-loan business, has a consolidated non-savings-and-loan income greater than twice the holding company's debt service requirements, it would be exempt from any debt restrictions by the Federal Home Loan Bank Board. However, if the ratio of income to debt were to drop below the 2-to-1 figure, the Federal Savings and Loan Insurance Corporation would have authority to veto dividend payments of the subsidiary to the parent company.

Companies which are engaged primarily in the savings and loan business would have certain restrictions on the amount of debt which they could acquire without authority of the Federal Home Loan Bank Board. This authorized debt control has been granted to the Federal Home Loan Bank Board so that the holding company could not put pressure on its affiliated savings and loan association to engage in activities which would not be in the interest of the affiliated association.

The bill which is before us is a compromise between the recommendations of the Federal Home Loan Bank Board and the position taken by savings and loan holding companies. One of the major problems in the original bill was that it would have restricted the marketability of savings and loan stock, since under the original bill, no corporation could purchase more than 10 percent of an association without becoming a holding company and without divesting itself of all non-savings and loan activities. The 10-percent stock ownership requirement was increased to 25 percent. In this respect, it matches the specifications for bank holding companies. As I have already mentioned, all companies are to be permitted to own one savings and loan institution, and ownership is defined as the ownership of 25 percent or more of the capital stock of that association.

Those which presently hold one are allowed to retain that one without any additional action. Those investment groups or companies that do not now own a savings and loan association and wish to acquire one in the future will be required to get approval from the Federal Home Loan Bank Board before even one can be acquired.

The bill which is now before us allows both mergers and acquisitions under conditions comparable to those contained in the Bank Merger Act. It also allows holding companies which now control savings and loan associations in more than one State to retain those associations. However, additional interstate operations will be prohibited in the future.

It is my view that we have developed a reasonable compromise, one in which we have tried to minimize the possible adverse effect on the savings and loan holding companies now in existence and on the value of the shares in stock savings and loan companies, both those which are affiliates of holding companies and those which are not.

It is my view that this legislation, in conjunction with the Supervisory Act of last year, provides the authority necessary for the Federal Home Loan Bank Board to properly administer its functions and prevent future improper activities by savings and loan holding companies which would adversely affect their affiliate savings and loan associations.

Mr. President, if we should discover after some experience with actual operation under this bill that we have either imposed an undue and unnecessary hardship on the holding companies, or if we have left the Federal Home Loan Bank Board without the weapons and power it needs to control and eliminate the difficulties whose existence have resulted in a legislation request for this, then I am sure the Committee on Banking and Currency will go back again to reconsider the problem and try to develop additional legislation, should that be necessary. However, on the basis of the showing made in the hearings and in the judgment of the committee, I think we have a good bill on which to start, and I hope that it will be passed by the Senate.

Mr. SPARKMAN. Mr. President, prior to the consideration of the bill by the committee, I received a letter from the Senator from California [Mr. KUCHEL] regarding the bill in which he made a number of recommendations on the measure. In his letter he made several significant remarks.

He suggested that the bill follow generally the approach of the Bank Holding Company Act and that holding companies be permitted to hold one association without the divestiture requirements being applicable. Second, he suggested the prohibitions against holding companies acquiring additional associations through purchase or merger be rescinded. Third, he suggested we revise the definition of control to be 25-percent stock-ownership in lieu of 10 percent. We have agreed with the three recommendations that the Senator from California has made and we have incorporated them in the bill.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from the Senator from California [Mr. KUCHEL], and a copy of my reply to the Senator from California.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JUNE 9, 1967.

Hon. JOHN SPARKMAN,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I write this letter in opposition to S. 1542, the Savings and Loan Holding Company Amendments of 1967. There are a number of provisions contained in this proposal which, if enacted, would seriously affect the economy of the State of California.

The savings and loan industry in my State represents assets totaling close to $30 billion. Family earnings are deposited in over 7 million savings accounts in these associations. A large majority of the families in California own their homes through the availability of funds from savings and loan associations. The key position of the industry in the area of savings and home financing represents a vital element in the economy of my State.

In recent months, however, the industry has had to face the serious challenge of inflation, primarily brought on by inconsistent and ill-timed fiscal policies dealing with interest rates. These economic gyrations resulted in a serious slump in the California housing industry, the real estate market, and ultimately in the savings and loan industry. There are indications today that this industry is slowly emerging from its recent economic crisis.

As recently as 1966, the Banking and Currency Committee has dealt with holding company legislation. In the 89th Congress, we adopted amendments to the Bank Holding Company Act of 1956. I believe that the guidelines that control banking ought to be generally the same guidelines followed by similar financial institutions. There is no justification for the kind of discriminaton in the various provisions of S. 1542.

This bill generally would prohibit a savings and loan association owned by a holding company from merging with or acquiring another association. A bank owned by a bank holding company, however, can merge with or acquire another bank subject to agency approval. Why should a different rule apply to a savings and loan agency? I cannot agree with the philosophy of regulation which would deny outright the power of approving a possible merger or acquisition to the Federal Home Loan Bank Board.

More importantly, S. 1542's limited holding company definition, along with the other provisions, will force a number of companies to divest themselves of ownership in savings and loan associations. This bill defines a savings and loan holding company in terms of ownership of more than 10 percent of a single association. The Bank Holding Company Act, on the other hand, defines a bank holding company in much broader terms of control—25 percent of the voting shares of each of two banks. Under the restrictive and discriminatory formula and provisions of S. 1542, divestiture will flood the market with and severely curtail the marketability of savings and loan shares. Such consequences, at the expense of the public interest, would strike clearly at the very stability of the economy of my State and the nation.

These are but a few of the highly prohibitive regulations provided by S. 1542. I oppose this legislation in its present form. I would support legislation providing for reasonable and equitable regulations in this area, generally along the lines of Federal legislation affecting banking institutions. That, it seems to me, is the path along which the public interest lies.

I respectfully urge you and your Committee to weigh carefully S. 1542 in light of the views which I have presented in this letter. It is my hope, as I am sure it is yours, that fair and equitable regulatory legislation for all financial institutions can be enacted by the Congress.

Sincerely yours,

THOMAS H. KUCHEL.

JUNE 26, 1967.

Hon. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: Thank you for your letter of June 9 regarding S. 1542, the Savings and Loan Holding Company Amendments of 1967. Your letter together with the testimony of the representatives of savings and loan holding companies has been most helpful to the Committee in considering this important legislation. I have inserted your letter in the record of the hearings along with the statement of your colleague, Senator George Murphy.

With respect to the points raised in your letter, I believe the Committee in its meeting on June 22 has included a number of your recommendations.

First of all, the Committee has amended the proposal to remove the present restrictions on the growth of holding companies through mergers and acquisitions. The Committee felt that in view of the additional regulatory authority which the Home Loan Bank Board would have with respect to holding companies, the prohibitions on further growth are no longer needed.

Secondly, the Committee has adopted your suggestion that the definition of control by a holding company be made comparable to the Bank Holding Company Act. As you know, the Bank Holding Company Act defines a holding company as a company which controls 25 percent or more of the stock of a subsidiary bank. We have adopted a similar provision with respect to savings and loan holding companies.

Thirdly, the Committee has also decided to recommend comparability with the Bank Holding Company Act with respect to the divestment of unrelated activities. Under the Bank Holding Company Act, a company

> would have to control two or more banks before it would be required to divest itself of unrelated activities. We have adopted a similar provision for savings and loan holding companies. However, unlike the Bank Holding Company Act, companies which control only one savings and loan association would be considered a holding company and would be subject to the examination, registration, and reporting provisions of S. 1542.
>
> I believe this compromise will provide the Bank Board with the authority it needs in this field while at the same time insuring the marketability of existing unaffiliated savings and loan associations.
>
> Your suggestions to the Committee were most helpful in considering this important legislation. I appreciate the interest you have taken and the work you have done on this bill.
>
> With best wishes, I am,
>
> Sincerely,
>
> John Sparkman,
> *Chairman.*

Mr. SPARKMAN. Mr. President, unfortunately the Senator from Texas [Mr. Tower] could not be here today. He left a statement, which he authorized me to have printed in the Record, concerning the fact that the provisions of S. 1542 have the approval of the Committee on Banking and Currency. The remarks were addressed to me.

I ask unanimous consent that the statement of the Senator from Texas [Mr. Tower] be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Tower

> I have been more than pleased with the fairness of the Committee in its consideration of the opposition of the Savings & Loan Holding Companies and the Savings & Loan stock companies to some of the provisions contained in the original bill submitted by the Home Loan Bank Board.
>
> As is generally the case in controversial legislation, the opposition to the bill gained some points and lost some points, but I believe the compromises were offered by both sides in the spirit of sincere cooperation.

Mr. BENNETT. Mr. President, it had been my purpose to suggest the absence of a quorum to enable the Senator from Colorado [Mr. Allott] to come to the Chamber, because I understood he desired to speak on the bill. However, he has now come to the Chamber, so I yield the floor.

Mr. ALLOTT. Mr. President, I have not taken the floor in order to make a speech about the bill. However, over a period of the last several months, many inquiries have come to my office about the proposed legislation. Also, rumors have been expressed concerning what was going to happen in the holding company field. I am sorry that the bill has been called up at this time in this way. I realize the situation in which the majority leader found himself, but this is a complicated bill.

Unfortunately, in my opinion, the bill affects some associations which have not caused the Federal Home Loan Bank Board any difficulties; yet the bill will affect them adversely. Therefore, I should like to ask a few questions of the distinguished chairman of the Committee on Banking and Currency. First, I read from page 5 of the report:

> In recommending legislation to provide additional control over holding companies, the committee does not mean to imply or infer that holding companies in the savings and loan field are evil in themselves. Indeed, most of the problems seem to have been concentrated in relatively few areas.

I am sure that the chairman of the committee subscribes to that statement.

Then, a little further on, the report continues:

> The committee does not intend to stigmatize those associations which are corporately owned.

However, since the need for the proposed legislation has arisen in one or two places, does not the chairman of the committee believe that the bill might perhaps be subject to later revision, in view of the problems that may be posed for smaller associations and smaller holding companies which technically come within the act but which have certainly not been a part of the problems with which the Federal Home Loan Bank Board has been concerned?

Mr. SPARKMAN. Of course, we cannot very well see into the future to know what will happen, but the call for this legislation is largely on the basis of experiences which have demonstrated a need for revision. In effect, the bill is a revision of the Spence Act, which was passed in 1959. It is entirely possible that after a few years experience with this measure, further revision of the law may be called for.

Mr. ALLOTT. The chairman is, of course, acquainted with the situations. Both situations exist in Colorado. For example, as to the marketability of stock, it seems to me that the bill proposes a throwing out of the baby with the bath water, in a manner of speaking, because, as the chairman knows—and I shall not mention the names of States—the big difficulties have been confined mostly to two States. Surely, some method could be found by which the marketability of the stock of these fine savings and loan associations would not be affected. As I understand the language as it is now written in the bill, the associations could not sell stock to or exchange stock for the stock of any corporation which held another savings and loan institution.

Mr. SPARKMAN. We provide that any holding company can hold one association without being required to divest itself of unrelated activities.

Mr. ALLOTT. That is what I said, except I said it in the reverse.

Mr. SPARKMAN. Yes. I was trying to boil it down to a very few words.

Mr. ALLOTT. Yes.

Mr SPARKMAN. They could not acquire a second, if they hold one without becoming subject to the divestment provisions. This is the same as the Bank Holding Company Act. Let me add one thing here. We define control to be at least 25 percent stock control. It was recommended to us that we define control of 10 percent of stock ownership, but we raised that level because we thought it was more realistic, and we set it at 25 percent.

Mr. ALLOTT. What this means for the marketability of stock is simply this, that no holding company of any kind, nor any company which could be construed as a holding company, can be a prospective customer now for the stock of any savings and loan association if they already own 25 percent or more of any other savings and loan institution.

Mr. SPARKMAN. If they control as much as 25 percent. That is correct.

Mr. ALLOTT. I do think that the committee made a wise decision in raising the amount from 10 percent to 25 percent, but I am concerned—and I have talked with some other Senators, too, who are concerned about how this will affect the marketability of the stock of private associations mostly built by one man or one family over a period of 40 to 50 years. By the action of the committee, I think it has greatly reduced the marketability of that stock. I would hope that some way might be found in the future to do something about that.

I note, for example, in looking at the figures provided here, that in many States which have holding companies—10 or 11 I guess there are——

Mr. SPARKMAN. I think there are 11.

Mr. ALLOTT. The largest State by far is California.

Mr. SPARKMAN. That is correct.

Mr. ALLOTT. It now has 48 holding companies controlling 72 savings and loan associations. That means that some of them are controlling only one, for a total of $13 billion.

In my own State, five control nine, which is not even two for one, for $409 million.

The next to the largest, as I read the figures, is Ohio, which has 14 controlling 14, for $809 million.

Texas has seven controlling 13, not quite two apiece, for $688.8 million.

I simply wanted to try to call attention to that, which I certainly think deserves to have attention called, that this legislation has had to be enacted mainly to take care of the situation in one or two States. I believe that the marketability factor, plus the fact that some holding companies which have been doing a legitimate job and happen to own two or three, are going to be quite adversely affected by this legislation, unless some means are found to regulate them, provide inspection, or something which will permit them to carry on. This is an expensive procedure, as the Senator knows.

Mr. SPARKMAN. Companies would initially have 2 years to divest and would have as much as 5 years with Board approval. This will certainly give us time to see how things go.

By the way, that is in accordance with the Bank Holding Company Act, also.

Mr. ALLOTT. I understand that. If we are going to have our heads chopped off——

Mr. SPARKMAN. We can do it better in 5 years, or immediately.

Mr. ALLOTT. There is no difference between 2 or 5 years; but it is true that perhaps we could get the Senator, in his wisdom, if he finds out that this is too burdensome, to provide some relief for these relatively small associations which are hurt very much.

Mr. SPARKMAN. So far as I am concerned, I am glad to say that we will watch it most carefully. We do not want to see any of them hurt.

Let me say to the Senator from Colorado that the Senator from California [Mr. Kuchel] had somewhat similar views. He has written a letter, which I placed in the Record a few minutes ago, in which he recommends specific changes which we put in the bill.

The Senator realizes that there is a great deal of difference between the bill we are presenting to the Senate and the one originally introduced.

Mr. ALLOTT. I understand that very well, I thank the Senator very much.

Mr. SPARKMAN. I thank the Senator from Colorado for his remarks.

Mr. President, the Senator from Colorado might want to stay. I do not see the Senator from Utah in the Chamber. There are one or two brief amendments to be agreed to.

Mr. President, I send to the desk an amendment and ask that it be stated, and also that there be printed as a part of the Record, immediately following the presentation of the amendment, a brief comment that I have.

The PRESIDING OFFICER. The committee amendments must be agreed to first.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama?

There being no objection, the committee amendments were agreed to en bloc.

Mr. SPARKMAN. Mr. President, I send forward an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The Assistant Legislative Clerk. It is proposed, on page 25, line 24, after the word "section" to insert the following: ", other than mergers or acquisitions approved under section 408(e)(2).".

Mr. SPARKMAN. Mr. President, this amendment corrects the savings clause. The original language said nothing in the act shall be construed as providing authority to violate the antitrust laws. However, section 408(e)(2) gives the Board authority to apply standards different from the antitrust laws when approving acquisitions and mergers. The language is comparable to the Bank Holding Company Act and the Bank Merger Act. The amendment insures these two provisions are technically consistent.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

Mr. SPARKMAN. May I say, before the vote is put, the Senator from Utah [Mr. Bennett] is in agreement with regard to this amendment

The amendment was agreed to.

Mr. SPARKMAN. Mr. President, I send forward another amendment.

The PRESIDING OFFICER. The amendment of the Senator from Alabama will be stated.

The Assistant Legislative Clerk. It is proposed, on page 8, line 21, following the word "may", to insert the following: "approve or may".

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

Mr. SPARKMAN. Mr. President, this amendment gives the Board authority to approve a holding company's retention of activities closely related to the savings and loan business on a case-by-case basis. The present wording would have permitted such approval only by the issuance of general regulations.

I make the same remarks previously made with regard to the agreement of the Senator from Utah [Mr. Bennett] to this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

Mr. SPARKMAN. Mr. President, I ask for the third reading of the bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question now is on the passage of the bill as amended.

The bill (S. 1542) was passed, as follows:

S. 1542

An act to amend section 408 of the National Housing Act, as amended to provide for the regulation of savings and loan holding companies and subsidiary companies

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Savings and Loan Holding Company Amendments of 1967".

Sec. 2. Section 408 of the National Housing Act, as amended (12 U.S.C. 1730a), is hereby amended to read as follows:

"Sec. 408. (a) Definitions.—(1) As used in this section, unless the context otherwise requires—

"(A) 'insured institution' means a Federal savings and loan association, a building and loan, savings and loan, or homestead association or a cooperative bank, the accounts of which are insured by the Federal Savings and Loan Insurance Corporation;

"(B) 'uninsured institution' means any association or bank referred to in subparagraph (A) hereof, the accounts of which are not insured by the Federal Savings and Loan Insurance Corporation;

"(C) 'company' means any corporation, limited partnership, trust, joint-stock company, or similar organization, but does not include the Federal Savings and Loan Insurance Corporation, any Federal Home Loan Bank, or any company the majority of the shares of which is owned by the United States or any State, or by an officer of the United States or any State in his official capacity, or by an instrumentality of the United States or any State;

"(D) 'savings and loan holding company' means any company which directly or indirectly controls an insured institution or controls any other company which is a savings and loan holding company by virtue of this subsection, but does not include any trust (other than a pension, profit-sharing, shareholders', or voting trust) with respect to any insured institution or savings and loan holding company, if such trust by its terms must terminate within twenty-five years or not later than twenty-one years and ten months after the death of individuals living on the effective date of the trust;

"(E) 'multiple savings and loan holding company, means any savings and loan company which directly or indirectly controls two or more insured institutions;

"(F) 'diversified savings and loan holding company' means any savings and loan holding company whose subsidiary insured institution and related activities as permitted under paragraph (2) of subsection (c) of this section accounted, on either an actual or a pro forma basis, for less than 50 per centum of its consolidated net assets at the close of its preceding fiscal year and of its consolidated net earnings for such fiscal year;

"(G) 'person' means an individual or company;

"(H) 'subsidiary' of a person means any company which is controlled by such person or by a company which is a subsidiary of such person by virtue of this subsection;

"(I) 'affiliate' of a specified insured institution means any person or company which controls, is controlled by, or is under common control with, such insured institution; and

"(J) 'State' includes the District of Columbia and the Commonwealth of Puerto Rico.

"(2) For purposes of this section, a person shall be deemed to have control of—

"(A) an insured institution if the person directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, or holds with power to vote, or holds proxies representing, more than 25 per centum of the voting shares of such insured institution, or controls in any manner the election of a majority of the directors of such institution;

"(B) any other company if the person directly or indirectly or acting in concert with one or more other persons, or through one or more subsidiaries, owns, controls, or holds with power to vote, or holds proxies representing, more than 25 per centum of the voting shares or rights of such other company, or controls in any manner the election or appointment of a majority of the directors or trustees of such other company, or is a general partner in or has contributed more than 25 per centum of the capital of such other company; or

"(C) a trust if the person is a trustee thereof.

"(3) Notwithstanding any other provision of this subsection—

"(A) no company shall be a savings and loan holding company by virtue of its ownership or control of voting shares of an insured institution or a savings and loan holding company acquired in connection with the underwriting of securities if such shares are held only for such period of time (not exceeding one hundred and twenty days unless extended by the Corporation) as will permit the sale thereof on a reasonable basis; and

"(B) no bank shall be a savings and loan holding company by virtue of its control, held in a fiduciary capacity, of an insured institution or a savings and loan holding company.

"(b) Registration and Examination.—(1) Within one hundred and eighty days after the enactment of the Savings and Loan Holding Company Amendments of 1967, or within ninety days after becoming a savings and loan holding company, whichever is later, each savings and loan holding company shall register with the Corporation on forms prescribed by the Corporation, which shall include such information, under oath or otherwise, with respect to the financial condition, ownership, operations, management, and intercompany relationships of such holding company and its subsidiaries, and related matters, as the Corporation may deem necessary or appropriate to carry out the purposes of this section. Upon application, the Corporation may extend the time within which a savings and loan holding company shall register and file the requisite information.

"(2) Each savings and loan holding company and each subsidiary thereof, other than an insured institution, shall file with the Corporation, and the Federal home loan bank of the district in which its principal office is located, such reports as may be required by the Corporation. Such reports shall be made under oath or otherwise, and shall be in such form and for such periods, as the Corporation may prescribe. Each report shall contain such information concerning the operations of such savings and loan holding company and its subsidiaries as the Corporation may require.

"(3) Each savings and loan holding company shall maintain such books and records as may be prescribed by the Corporation.

"(4) Each savings and loan holding company and each subsidiary thereof shall be subject to such examinations as the Corporation may prescribe. The cost of such examinations shall be assessed against and paid by such holding company. Examination and other reports may be furnished by the Corporation to the appropriate State supervisory authority. The Corporation shall, to the extent deemed feasible, use for the purposes of this subsection reports filed with or examinations made by other Federal agencies or the appropriate State supervisory authority.

"(5) The Corporation shall have power to require any savings and loan holding company, or persons connected therewith if it is not a corporation, to execute and file a prescribed form of irrevocable appointment of agent for service of process.

"(6) The Corporation may at any time, upon its own motion or upon application, release a registered savings and loan holding company from any registration theretofore made by such company, if the Corporation shall determine that such company no longer has control of any insured institution.

"(c) HOLDING COMPANY ACTIVITIES.—Except as otherwise provided in this subsection—

"(1) no savings and loan holding company or subsidiary thereof which is not an insured institution shall engage in any activity or render any services for or on behalf of an insured institution (other than those activities or services specified in paragraph (2) of this subsection) which, if performed by the institution, would constitute a violation of law or regulation; and

"(2) no multiple savings and loan holding company or subsidiary thereof which is not an insured institution shall commence, or continue for more than two years after the enactment of this amendment or for more than one hundred and eighty days after becoming a savings and loan holding company or subsidiary thereof (whichever is later), any business activity other than (A) furnishing or performing management services for a subsidiary insured institution, (B) conducting an insurance agency or an escrow business, (C) holding or managing or liquidating assets owned by or acquired from a subsidiary insured institution, (D) holding or managing properties used or occupied by a subsidiary insured institution, (E) acting as trustee under deed of trust, or (F) furnishing or performing such other services or engaging in such other activities as the Corporation may approve or may prescribe by regulation as being a proper incident to the operations of insured institutions and not detrimental to the interests of savings account holders therein. The Corporation may, upon a showing of good cause, extend such time from year to year, for an additional period not exceeding three years, if the Corporation finds such extension would not be detrimental to the public interest.

The provisions of this subsection shall not apply to any company which is an insured bank of the Federal Deposit Insurance Corporation and which has become a savings and loan holding company by virtue of its acquisition of the control of an insured institution or of a savings and loan holding company pursuant to a pledge of hypothecation to secure a loan, or in connection with the liquidation of a loan.

"(d) PROHIBITED TRANSACTIONS.—No savings and loan holding company's subsidiary insured institution shall—

"(1) invest any of its funds in the stock, bonds, debentures, notes, or other obligations of any affiliate (other than a service corporation as authorized by law);

"(2) accept the stock, bonds, debentures, notes, or other obligations of any affiliate as collateral security for any loan or extension of credit made by such institution;

"(3) purchase securities or other assets or obligations under repurchase agreement from any affiliate;

"(4) make any loan, discount, or extension of credit to (A) any affiliate, except in a transaction authorized by subparagraph (A) of paragraph (6) of this subsection, or (B) any third party on the security of any property acquired from any affiliate, or with knowledge that the proceeds of any such loan, discount, or extension of credit, or any part thereof, are to be paid over to or utilized for the benefit of any affiliate;

"(5) guarantee the repayment of or maintain any compensating balance for any loan or extension of credit granted to any affiliate by any third party;

"(6) except with the prior written approval of the Corporation—

"(A) engage in any transaction with any affiliate involving the purchase, sale, or lease of property or assets (other than participating interests in mortgage loans to the extent authorized by regulations of the Corporation) in any case where the amount of the consideration involved when added to the aggregate amount of the consideration given or received by such institution for all such transactions during the preceding twelve-month period exceeds the lesser of $100,000 or 0.1 per centum of the institution's total assets at the end of the preceding fiscal year; or

"(B) enter into any agreement or understanding, either in writing or orally, with any affiliate under which such affiliate is to (i) render management or advertising services for the institution, (ii) serve as a consultant, adviser, or agent for any phase of the operations of the institution, or (iii) render services of any other nature for the institution, other than those which may be exempted by regulation or order of the Corporation, unless the aggregate amount of the consideration required to be paid by such institution in the future under all such existing agreements or understandings cannot exceed the lesser of $100,000 or 0.1 per centum of the institution's total assets at the end of the preceding fiscal year; or

"(C) make any payment to any affiliate under any agreement or understanding hereinabove referred to in subparagraph (B) where the institution has previously paid to affiliates during the preceding twelve-month period, pursuant to any such agreements or understandings, an amount aggregating in excess of the lesser of $100,000 or 0.1 per centum of the institution's total assets at the end of the preceding fiscal year. The Corporation shall grant approval under this paragraph (6) if, in the opinion of the Corporation, the terms of any such transaction, agreement, or understanding, or any such payment by such institution, would not be detrimental to the interests of its savings account holders or to the insurance risk of the Corporation with respect to such institution.

"(e) ACQUISITIONS.—(1) It shall be unlawful for—

"(A) any savings and loan holding company directly or indirectly, or through one or more subsidiaries or through one or more transactions—

"(i) to acquire, except with the prior written approval of the Corporation, the control of an insured institution or a savings and loan holding company, or to retain the control of such an institution or holding company acquired or retained in violation of this section as heretofore or hereafter in effect;

"(ii) to acquire, except with the prior written approval of the Corporation, by the process of merger, consolidation, or purchase of assets, another insured or uninsured institution or a savings and loan holding company, or all or substantially all of the assets of any such institution or holding company;

"(iii) to acquire by purchase or otherwise, or to retain for more than one year after the enactment of this amendment, any of the voting shares of an insured institution not a subsidiary, or of a savings and loan holding company not a subsidiary, or, in the case of a multiple savings and loan holding company, to so acquire or retain more than 5 per centum of the voting shares of any company not a subsidiary which is engaged in any business activity other than those specified in paragraph (2) of subsection (c) of this section; or

"(iv) to acquire the control of an uninsured institution, or to retain for more than one year after the effective date of this amendment or from the date on which such control was acquired, whichever is later, the control of any such institution;

"(B) any other company, except with the prior written approval of the Corporation, directly or indirectly, or through one or more subsidiaries or through one or more transactions, to acquire the control of one or more insured institutions.

"(2) The Corporation shall not approve any acquisition under subparagraphs (A)(i), (A)(ii), and (B) of paragraph (1) of this subsection except in accordance with this paragraph. In every case, the Corporation shall take into consideration the financial and managerial resources and future prospects of the company and institution involved, and the convenience and needs of the community to be served, and shall render its decision within one hundred and eighty days from receipt of application for approval hereunder. Before approving any such acquisition, the Corporation shall request from the Attorney General and consider any report rendered within thirty days on the competitive factors involved. The Corporation shall not approve any proposed acquisition—

"(A) which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the savings and loan business in any part of the United States, or

"(B) the effect of which in any section of the country may be substantially to lessen competition, or tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed acquisition are clearly outweighed in the public interest by the probable effect of the acquisition in meeting the convenience and needs of the community to be served.

"(3) No acquisition shall be approved by the Corporation under this subsection which will—

"(A) result in the formation by any company, through one or more subsidiaries or through one or more transactions, of a multiple savings and loan holding company controlling insured institutions in more than one State; or

"(B) enable an existing multiple savings and loan holding company to acquire an insured institution the principal office of which is located in a State other than the State in which such savings and loan holding company shall designate, by writing filed with the Corporation within sixty days after its registration hereunder, as the State in which the principal savings and loan business of such holding company is conducted.

"(4) Any savings and loan holding company, which is an insured bank of the Federal Deposit Insurance Corporation, may, without regard to the provisions of this subsection, acquire the control of an insured institution or of a savings and loan holding company, pursuant to a pledge or hypothecation to secure a loan, or in connection with the liquidation of a loan, but it shall be unlawful for any such company to retain such control for more than one year after the enactment of this amendment or from the date on which such control was acquired, whichever is later, except that the Corporation may upon application by such company extend such one-year period from year to year, for an additional period not exceeding three years, if the Corporation finds such extension is warranted and would not be detrimental to the public interest.

"(f) Declaration of Dividend.—Every subsidiary insured institution shall give the Corporation not less than thirty days' advance notice of the proposed declaration by its directors of any dividend on its guarantee, permanent, or other nonwithdrawable stock. Such notice period shall commence to run from the date of receipt of such notice by the Corporation. Any such dividend declared within such period, or without the giving of such notice to the Corporation, shall be invalid and shall confer no rights or benefits upon the holder of any such stock.

"(g) Holding Company Indebtedness.—(1) No savings and loan holding company or any subsidiary thereof which is not an insured institution shall issue, sell, renew, or guarantee any debt security of such company or subsidiary, or assume any debt, without the prior written approval of the Corporation.

"(2) The provisions of paragraph (1) of this subsection shall not apply to—

"(A) a diversified savings and loan holding company or any subsidiary thereof; or

"(B) the issuance, sale, renewal, or guaranty of any debt security, or the assumption of any debt, by any other savings and loan holding company or any subsidiary thereof, if such security or debt (i) is payable on demand, or matures within nine months (exclusive of days of grace), after the date of issuance, sale, renewal, guaranty, or assumption thereof, and (ii) aggregates (together with all such other securities or debt then outstanding of a maturity of nine months or less (exclusive of days of grace), as to which such holding company or subsidiary is primarily or contingently liable) not more than 5 per centum of the consolidated net worth of such holding company or subsidiary at the end of the preceding fiscal year.

"(3) The Corporation shall, upon application, approve any act or transaction not exempted from the application of paragraph (1) of this subsection if the Corporation finds that—

"(A) the proceeds of any such act or transaction will be used for (i) the purchase of permanent, guarantee, or other nonwithdrawal stock to be issued by a subsidiary insured institution, or (ii) the purpose of making a capital contribution to a subsidiary insured institution; or

"(B) such act or transaction is required for the purpose of refunding, extending, exchanging, or discharging an outstanding debt security, or for other necessary or urgent corporate needs, and would not impose an unreasonable or imprudent financial burden on the applicant.

The Corporation may also approve any application under this paragraph if it finds that the act or transaction would not be injurious to the operation of any subsidiary insured institution in the light of its financial condition and prospects.

"Applications filed with the Corporation pursuant to this subsection shall be in such form and contain such information as the Corporation may prescribe.

"(4) If a State authority or any other agency of the United States, having jurisdiction of any act or transaction within the scope of paragraph (1) of this subsection, shall inform the Corporation, upon request by the Corporation for an opinion or otherwise, that State or Federal laws applicable thereto have not been complied with, the Corporation shall not approve such act of transaction until and unless the Corporation is satisfied that such compliance has been effected.

"(5) As used in this subsection, the term 'debt security' includes any note, draft, bond, debenture, certificate of indebtedness, or any other instrument commonly used as evidence of indebtedness, or any contract or agreement under the terms of which any party becomes, or may become, primarily or contingently liable for the payment of money, either in the present or at a future date.

"(6) (A) If the Corporation finds that a diversified savings and loan holding company does not meet the test prescribed in subparagraph (B) of this paragraph, such holding company or any subsidiary thereof may not accept, use, or receive the benefit of any dividend on stock from a subsidiary insured institution, and such institution may not declare or pay any dividend on its stock to such holding company or subsidiary, unless the Corporation fails to object, within thirty days of receipt of notification under subsection (f) of this section, to such dividend as being injurious to the insured institution in the light of its financial condition and prospects.

"(B) The prohibition of subparagraph (A) of this paragraph shall not apply to a diversified savings and loan holding company or any subsidiary thereof if, excluding its subsidiary insured institution, its consolidated net income available for interest for its preceding fiscal year was twice its consolidated debt service requirements for the twelve-month period next succeeding such fiscal year, as determined in accordance with regulations issued by the Corporation.

"(h) Administration and Enforcement.—(1) The Corporation is authorized to issue such rules, regulations, and orders as it deems necessary or appropriate to enable it to administer and carry out the purposes of this section, and to require compliance therewith and prevent evasions thereof.

"(2) The Corporation may make such investigations as it deems necessary or appropriate to determine whether the provisions of this section and rules, regulations, and orders thereunder, are being and have been complied with by savings and loan holding companies and subsidiaries and affiliates thereof. For the purpose of any hearing, investigation, or any other proceeding under this section, the Corporation or its designated representatives shall have power to administer oaths and affirmations, to issue subpenas and subpenas duces tecum, to take evidence, and to require the production of any books, papers, correspondence, memorandums, or other records which may be relevant or material to the hearing, inquiry, or proceeding. The attendance of witnesses and the production of any such records may be required from any place in any State or in any territory or other place subject to the jurisdiction of the United States at any designated place of hearing. The Corporation may apply for the enforcement of such subpenas and subpenas duces tecum to the United States district court, or any jurisdiction of which such hearing, investigation, or proceeding is being carried on, or where any witness or company subpenaed resides or carries on business, and such courts shall have jurisdiction and power to order and require compliance therewith.

"(3) Whenever it shall appear to the Corporation that any person is engaged or has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this section or of any rule, regulation, or order thereunder, the Corporation may in its discretion bring an action in the proper United States district court, or the United States court of any territory or other place subject to the jurisdiction of the United States, to enjoin such acts or practices, to enforce compliance with this section or any rule, regulation, or order thereunder, or to require the divestiture of any acquisition in violation of this section, or for any combination of the foregoing, and such courts shall have jurisdiction of such actions, and upon a proper showing an injunction, decree, restraining order, order of divestiture or other appropriate order shall be granted without bond.

"(4) All expenses of the Federal Home Loan Bank Board or of the Corporation under this section shall be considered as nonadministrative expenses.

"(i) Prohibited Acts.—It shall be unlawful for—

"(1) any savings and loan holding company or subsidiary thereof, or any director, officer, employee, or person owning, controlling, or holding with power to vote, or hold proxies representing, more than 25 per centum of the voting shares, of such holding company or subsidiary, to hold, solicit, or exercise any proxies in respect of any voting rights in an insured institution which is a mutual institution;

"(2) any director or officer of a savings and loan holding company, or any person owning, controlling, or holding with power to vote, or holding proxies representing, more than 25 per centum of the voting shares of such holding company (A), except with the prior approval of the Corporation, to serve at the same time as a director, officer, or employee of an insured institution or another savings and loan holding company, not a subsidiary of such holding company, or (B) to acquire control, or to retain control for more than two years after the enactment of this subsection, of any insured institution, not a subsidiary of such holding company; or

"(3) any individual, except with the prior approval of the Corporation, to serve or act as a director, officer, or trustee of, or become a partner in, any savings and loan holding company after having been convicted of any criminal offense involving dishonesty or breach of trust.

"(j) Penalties.—(1) Any company which willfully violates any provision of this section, or any rule, regulation, or order thereunder, shall upon conviction be fined not more than $1,000 for each day during which the violation continues.

"(2) Any individual who willfully violates or participates in a violation of any provision of this section, or any rule, regulation, or order thereunder, shall upon conviction be fined not more than $10,000 or imprisoned not more than one year, or both.

"(3) Every director, officer, partner, trustee, agent, or employee of a savings and loan holding company shall be subject to the same penalties for false entries in any book, report, or statement of such savings and loan holding company as are applicable to officers, agents, and employees of an institution the accounts of which are insured by the Corporation for false entries in any books, reports, or statements of such institution under section 1006 of title 18 of the United States Code.

"(k) Judicial Review.—Any party aggrieved by an order of the Corporation under this section may obtain a review of such order by filing in the court of appeals of the United States for the circuit in which the principal office of such party is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the Corporation be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Corporation, and thereupon the Corporation shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the Corporation. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section 1254 of title 28 of the United States Code.

"(*l*) SAVING CLAUSE.—Nothing contained in this section, other than mergers or acquisitions approved under section 408(e)(2), shall be interpreted or construed as approving any act, action, or conduct which is or has been or may be in violation of existing law, nor shall anything herein contained constitute a defense to any action, suit, or proceeding pending or hereafter instituted on account of any act, action, or conduct in violation of the antitrust laws."

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. PROXMIRE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

STANDARDS OF CONDUCT IN THE SENATE

Mr. CLARK. Mr. President, I desire to speak on the subject of standards of conduct in the Senate.

Now that the debate on the Dodd censure resolution has terminated, and the will of the Senate has been expressed, I think it is most important to consider the broader implications of this matter.

Our verdict has been rendered. But beyond the walls of this Chamber the Nation is still sitting in judgment on the Senate. And their verdict—the verdict of the American people on us—will be rendered not merely on the basis of the action which we have taken with regard to Senator DODD, but also, and more importantly, in the light of the action we take, or fail to take, to bring about ethical reform in the Senate.

Senators will recall that earlier this year, in the course of the debate on the Monroney-Madden legislative reorganization bill, I offered three amendments to the Senate Rules—the so-called Bobby Baker amendments. They were tabled on rollcall votes of 45 to 30, 37 to 22, and 49 to 28, after the Senator from Mississippi (Mr. STENNIS) gave his assurance that the Select Committee on Standards and Conduct would consider them and make legislative recommendations in time for the Senate to take action this year.

Several weeks ago, while the Senate was considering the Gore-Williams amendment to the presidential campaign financing law, I introduced three separate bills which in my judgment provide a realistic, comprehensive solution to the campaign financing dilemma.

Taken together, these proposals constitute a six-point program to rehabilitate the moral reputation of the Senate.

Point 1. Strict financial disclosure for Senators and Senate aids. This proposal, which was one of my three "Bobby Baker" amendments, would require every Senator and every Senate officer or employee compensated at a gross rate in excess of $10,000 per annum to file a financial report each year. The report, which would be maintained as a public record by the Secretary of the Senate for a period of 6 years, would contain the following kinds of information:

First. Assets: The market value of any asset having a fair market value of $5,000 or more.

Second. Liabilities: The amount of each liability in excess of $5,000, and the name and address of the creditor.

Third. Capital gains: The source and amount in excess of $5,000.

Fourth. Income: The source and amount of every item of income for the calendar year, in excess of $100, including gifts other than gifts from a relative.

Fifth. Assets belonging to a trust: Assets, liabilities, capital gains, and income of a spouse, and capital gains earned through a strawman, are all covered. Family owned and tax-exempted charitable entities are exempt.

Sixth. Associations with a professional firm which practices before the Federal Government agencies.

Seventh. Service as director, officer, or employee in a business enterprise.

Point 2. Strict controls on financial dealings between Senators and Senate aids and lobbyists. This proposal would bar gifts of over $100 from lobbyists to Senators and their assistants, and would prohibit Senators and Senate aids from engaging in joint business ventures with lobbyists.

Point 3. Regulation of moonlighting by Senate employees. Under this rule, full-time Senate employees would be allowed to hold outside jobs only if the extracurricular employment is not inconsistent with the conscientious performance of their official duties, and express permission had been granted by the Senator under whom they work. Special leave of the Senate would be required to serve as the manager of a business enterprise or conduct a regular professional practice.

Point 4. Strengthened and more comprehensive campaign finance disclosure. The Election Reform Act of 1967, which I have introduced in the present Congress as S. 1546, is an improved version of the administration's election reform bill, which I introduced last year. It has been strengthened by the addition of a stiffer enforcement section which gives the Comptroller General the duty of checking election finance statements and reporting violations to the Attorney General. It would also authorize the Comptroller General to set up an automatic information retrieval system to handle campaign data.

Point 5. Tax incentives for small campaign contributions. As a substitute for the tax-checkoff plan, which the Senate has now voted to make ineffective pending the adoption of adequate safeguards, I have introduced S. 1547, the "Fair Campaign Finance Act of 1967." This bill would create a 50-percent tax credit up to a total credit of $20 per contributor—$40 for a husband and wife—for political contributions, not just to presidential candidates, but to candidates for any Federal, State, or local office in a general election or a primary campaign. This is similar to the approach advocated by President Kennedy's Commission on Campaign Costs, chaired by Alexander Heard, but it also borrows the best features of President Johnson's recommendations to the Congress last year.

Point 6. Free television and radio time for political candidates. Under the terms the Fair Campaign Broadcasting Act of 1967, S. 1548, which I introduced last month, the Federal Communications Commission would be directed to develop regulations, after appropriate hearings, requiring every commercial television and radio licensee to make available to candidates for Federal, State, and—where feasible—local office, free commercial broadcast time on a fair and equitable basis, as a condition to renewal of its license. Skyrocketing television costs have made it harder and harder for men and women of modest means to seek elective office without obligating themselves to the fat cats who represent private interests. I see no reason why broadcasters who are licensed to use the public airwaves for commercial purposes should not be obliged to make available a reasonable amount of time in the public interest for political campaign purposes.

These six points mark a dramatic departure from the easygoing, casual approach to the closely related problems of Senate ethics and election finance which has prevailed in the Congress in the past. Yet I submit that nothing less will do if we in the Senate seriously intend to demonstrate to the public our determination to see to it that the level of morality in our political life is as high as it must be to insure that our representative government truly reflects the will of the American people.

It was Grover Cleveland, in the presidential campaign of 1884, who first publicized the thought of Matthew Henry's 17th-century British Biblical commentary that public office is a public trust. Far more rigorous standards are exacted of trustees with respect to their beneficiaries than apply in the marketplace. A trustee must be scrupulously honest. He may not deal in business affairs where his personal interests may be in conflict with those of his cestui que trustant. He is required periodically to make complete financial disclosure of his management of the assets of the trust.

Thomas Jefferson remarked in 1807 to Baron von Humboldt that when a man assumes a public trust he should consider himself as public property. Remarks similar to those made by Cleveland and Jefferson can be found in the writings and speeches of Edmund Burke, Henry Clay, and John C. Calhoun. It has never been thought until recently that a public official who discloses his interests thereby becomes a second-class citizen.

My plea today is that we in the Senate impose on ourselves the same high standard of conduct that the law of trusts, developed over the centuries of Anglo-American jurisprudence, presently imposes on trustees.

Mr. President, I yield the floor.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business, for action on nominations.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. SMATHERS, from the Committee on Finance:

Leo H. Irwin, of North Carolina, to be a judge of the Tax Court of the United States;

C. Moxley Featherston, of Virginia, to be a judge of the Tax Court of the United States; and

Bruce E. Clubb, of Virginia, to be a member of the U.S. Tariff Commission.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

AGENCY FOR INTERNATIONAL DEVELOPMENT

The assistant legislative clerk read the nomination of James P. Grant, of Virginia, to be an Assistant Administrator.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

NATIONAL LABOR RELATIONS BOARD

The assistant legislative clerk read the nomination of Arnold Ordman, of Maryland, to be General Counsel of the National Labor Relations Board for a term of 4 years.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COASTAL PLAINS REGIONAL COMMISSION

The assistant legislative clerk read the nomination of J. Russell Tuten, of Georgia, to be Federal Cochairman of the Coastal Plains Regional Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD, Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendars Nos. 338, 339, and 340, in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN SERVICE ANNUITIES ADJUSTMENT ACT OF 1967

The bill (S. 2003) to provide certain increases in annuities payable from the Foreign Service retirement fund, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2003

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Service Annuities Adjustment Act of 1967".

SEC. 2. The first sentence of section 821(a) of the Foreign Service Act of 1946, as amended, is amended by striking out "thirty-five" and substituting "forty".

SEC. 3. Section 882 of such Act is amended to read as follows:

"(a) Each month after October 1966 the Secretary shall determine the per centum change in the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics. Effective the first day of the third month which begins after the price index shall have equaled a rise of at least 3 per centum for three consecutive months over the price index for the base month, each annuity payable from the fund which has a commencing date not later than such effective shall date shall be increased by the per centum rise in the price index (calculated on the highest level of the price index during the three consecutive months) adjusted to the nearest one-tenth of 1 per centum. The month of October 1966 shall be the base month for determining the per centum change in the price index until the next succeeding increase occurs.

"(b) Eligibility for an annuity increase under this section shall be governed by the commencing date of each annuity payable from the fund as of the effective date of an increase, except as follows:

"(1) Effective from its commencing date, an annuity payable from the fund to an annuitant's survivor (other than a child under section 821(c)), which annuity commences after January 1, 1967, shall be increased by the total per centum increase the annuitant was receiving under this section at death; or if death occurred between January 1, 1967, and date of enactment, the per centum increase the annuitant would have received;

"(2) For purposes of computing an annuity which commences after January 1, 1967, to a child under section 821(c), the items $600, $720, $1,800, and $2,160 appearing in section 821(c) shall be increased by 10 per centum and thereafter by any increases that accrue under section 882(a), as amended, and in case of a deceased annuitant, the items 40 per centum and 50 percentum appearing in section 821(c) (1) and (2) shall be increased by 10 per centum and thereafter by any increases which accrue under section 882(a), as amended, and in force under this section to the annuitant at death.

"(c) No increase in annuity provided by this section shall be computed on any additional annuity purchased at retirement by voluntary contributions.

"(d) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar, except that such installment shall after adjustment reflect an increase of at least $1."

SEC. 4. Such Act is amended by adding after section 882 a new section as follows:

"SEC. 883. Each month after July 1967 the Secretary shall note any change in the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics. In the event the price index declines to a level which is at least 3 per centum less than the price index for the last month for which the price index showed a per centum rise forming the basis for a cost-of-living increase in annuities payable from the fund, and holds at or below such level for three consecutive months, the Secretary shall make a detailed study to determine whether or not the annuities payable from the fund should be adjusted to reflect the percentage increase in the price index. In making such study the Secretary shall consider the specific items for which prices decreased, the likelihood of any further consecutive decreases in the price index, the type or types of annuities which should be adjusted, if any, and the extent of any such adjustment, and all other factors pertinent to whether or not any such annuities should be adjusted. Upon completion of any such study, the Secretary shall transmit to the President and Congress a full report thereon, together with his determination as to whether or not any such annuities should be adjusted and his recommendations for any legislation which he deems to be necessary or appropriate."

SEC. 5. (a) Annuities paid from the Foreign Service Retirement and Disability Fund on the date of enactment of this Act shall be increased effective on January 1, 1967, in accordance with the following schedules:

(1) The first schedule is applicable to annuities of

(A) former participants; and

(B) survivors, except children, of participants who died in service.

If annuity commenced—	Annuity shall be increased by—
Prior to January 2, 1965	5.7 per centum
January 2, 1965, through December 31, 1965	10.0 per centum
January 1, 1966, through January 1, 1967	3.9 per centum

(2) The second schedule is applicable to annuities of survivors, except children, of deceased annuitants when the survivor annuity commenced on or before January 1, 1967:

If the former participant's annuity commenced—	Annuity shall be increased by—
Prior to January 2, 1965	5.7 per centum
January 2, 1965, through December 31, 1965	10.0 per centum
January 1, 1966, through January 1, 1967	3.9 per centum

(3) The annuities of all surving children whose annuities commenced on or before January 1, 1967, shall be increased by 5.7 per centum.

(b) Survivor annuities, except children's, which become payable subsequent to January 1, 1967, shall be increased on the commencing date of the survivor annuity by the percentage received by the former participant under the above schedule; or if death of the annuitant occurred between January 1, 1967, and date of enactment of this Act, the percentage the annuitant would have received under the above schedule.

(c) No increase in annuity provided by this section shall be computed on any additional annuity purchased at time of retirement by voluntary contributions.

(d) The monthly installment of annuity after adjustment under this section shall be fixed at the nearest dollar, except that such installment shall after adjustment reflect an increase of at least $1.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 352), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

The main purpose of this bill is to place annuitants of the Foreign Service retirement system on the same basis as civil service annuitants for purposes of computing future cost-of-living increases in annuities. It would also provide retired Foreign Service personnel and their survivors with the same cost-of-living increases already accorded annuitants under the civil service retirement system. The bill would also increase the maximum creditable service toward annuity computation under the Foreign Service retirement system from 35 to 40 years.

PROVISIONS OF THE BILL

The provisions of the bill are summarized as follows:

1. Maximum creditable service toward annuity computation under the Foreign Service retirement system is changed from 35 to 40 years.
2. Future cost-of-living annuity increases will be determined by the same formula now applicable to civil service annuities.
3. The Secretary of State is directed to make a study and submit recommendations to the President and the Congress when the Consumer Price Index decreases by at least 3 percent over a 3-month period.
4. Percentage increases in annuities, in varying amounts, are authorized for annuitants who were on the rolls on January 1, 1967, to provide them with essentially the same percentage increases that have been applied to civil service annuities during the past 2 years.

COMMITTEE ACTION

S. 624 was introduced by Senator Fulbright on January 24, 1967, at the request of the executive branch, and referred to the Committee on Foreign Relations. The committee heard testimony on the bill on April 11 from Mr. M. Steeves, Director General of the Foreign Service, and his associates. At that meeting a number of changes were suggested by committee members. The bill was considered further on April 18 and, on June 22, the committee voted to report a clean bill which incorporated the principle changes proposed by committee members.

DISCUSSIONS OF THE PROVISIONS OF THE BILL

Public Law 89-308, enacted during 1965, authorized cost-of-living increases for Foreign Service annuitants through a formula which delays increases until the cost-of-living index over an entire year has increased by 3 percent over the base period. This was identical to the formula provided for the civil service retirement system in 1962 by Public Law 87-793. Under this formula Foreign Service annuitants who retired before January 2, 1965, received a 4.3 percent annuity increase, effective April 1, 1966. In the meantime, the cost-of-living adjustment formula for the civil service was liberalized by Public Law 89-205. Under this formula an increase in civil service annuities is triggered automatically when the cost of living in each of 3 consecutive months increases by 3 percent or more over the base period. Civil service annuitants were granted a 6.1 percent increase in their annuities under that law, as amended by Public Law 89-314, effective December 1, 1965. The formula has operated so as to provide an additional increase of 3.9 percent for civil service annuitants, effective January 1, 1967, for a total increase of 10 percent in the last 2 years.

Under the provisions of the Foreign Service cost-of-living formula applicable to the Foreign Service retirement system, annuitants of that system are not expected to be eligible for another cost-of-living increase until April 1, 1968. Thus, Foreign Service annuitants whose annuities began before January 2, 1965, are 5.7 percent behind civil service retirees, those whose annuities began between January 2 and December 31, 1965, are 10 percent behind, and those whose annuities began since then are 3.9 percent behind their civil service counterparts. The provisions of this bill would provide percentage increases in annuities, in varying amounts, to annuitants who were on the rolls on January 1, 1967, in order to provide essentially the same percentage increases that have been applied to civil service annuities during the past 2 years. Those who retired prior to January 2, 1965, would receive an increase of 5.7 percent; those who retired from January 2, 1965, through December 31, 1965, a 10-percent increase; and those who retired from January 1, 1966, through January 1, 1967, a 3.9-percent increase. Appropriate increases would also be made in the annuities of survivors of annuitants. These increases will equate the cost-of-living increase provided under the two systems and the formula change to be authorized under the bill will insure that future cost-of-living increases are applicable in the same manner to annuitants under both systems.

The cost estimates for providing these increases, and the impact this bill would have on the Foreign Service retirement fund are as follows:

COST ESTIMATES ON S. 624, AS AMENDED [1]

The first year cost of this Foreign Service annuity increase would be $611,000. This represents an average increase of approximately 6 percent for each Foreign Service annuitant now on the rolls. The breakdown is as follows:

Percentage increase	*1st-year cost*
5.7	$433,000
10.0	125,000
3.9	53,000
Total, 1st-year cost	611,000

This compares to a first year cost of $67 million for the 3.9 percent civil service annuity increase which became effective January 1, 1967. Increases in the unfunded liability for the two systems are as follows:

	6-percent average Foreign Service annuity increase	3.9-percent civil service annuity increase
Increase in unfunded liability	$7,800,000	$739,000,000
Annual interest cost at 4 percent	312,000	29,560,000

The committee bill also provides for appropriate recommendations by the Secretary of State to the President and the Congress in the event the Consumer Price Index falls by at least 3 percent during a 3-month period. This provision requires the Secretary of State to make a study whenever the price index has fallen by 3 percent or more in a quarter to determine if annuities should be adjusted downward to reflect the decrease in the cost of living. The results of his study shall be submitted to both the President and the Congress. It is appropriate that attention should be directed toward possible reduction of annuities, which have been increased as a result of price index changes, whenever the justification for such increases no longer exists.

The cost-of-living provisions of the bill are the same in principle as those contained in S. 3247 passed by the Senate October 5, 1966, but which did not pass the House prior to adjournment of Congress. The basic provisions would implement the following recommendation of the President's Cabinet Committee on Federal Staff Retirement Systems:

C. 4. FOREIGN SERVICE ANNUITY ADJUSTMENTS [2]

Recommendation

The Foreign Service annuity adjustment formula based on changes in the Consumer Price Index should be made identical to the civil service formula. In addition, current cost-of-living increases should be approved for the Foreign Service comparable to those approved for the civil service under Public Law 89-205, formerly known as the Daniels bill.

Cost estimate

One hundred and thirty-six thousand dollars annually.

Discussion

The Foreign Service Annuity Adjustment Act of 1965, Public Law 89-308 made certain changes with respect to survivor annuities and, in addition, extended to the Foreign Service a cost-of-living annuity adjustment formula. The formula enacted was similar to the formula in the CSR act prior to its amendment by Public Law 89-205. The old formula was enacted because H.R. 4170, which became Public Law 89-308, was drafted long before the Daniels bill was introduced. Because of the legislative logjam that developed in the closing days of the 1st session of the 89th Congress, it would not have been possible to amend H.R. 4170 before adjournment. Rather than delay its passage until the second session, it was passed in its existing form.

This old formula, which delays increases until the cost of living over an entire year has increased by 3 percent over the base period, should be amended to conform to the recently enacted formula for the civil service which provides automatic annuity increases as soon as the cost of living in each of 3 consecutive months increases 3 percent or more over the base period.

Public Law 89-308, applicable to the Foreign Service, will result in an annuity increase effective April 1, 1966, of approximately 4-percent (depending on the average cost-of-living change during 1965) in annuities which commenced prior to January 2, 1965. Public Law 89-205 (formerly known as the Daniels bill) as amended by Public Law 89-314, applicable to the civil service, resulted in a 4.6-percent annuity increase under the revised formula and also provided a supplemental 1.5-percent cost-of-living increase in all annuities which commenced on or before the effective date of the increase. The latter varied from December 1, 1965, to January 1, 1966, depending on the commencing date of the annuity. Public Law 89-205, also authorized an additional 5-percent increase in annuities which commenced prior to October 2, 1956, so that the total increase in such annuities was 11.1 percent. This additional 5-percent increase was granted in recognition of the less favorable formula used to compute CSR annuities prior to October 2, 1956. Since there was no comparable change in the FSR annuity computation formula, this 5-percent increase should not be authorized for Foreign Service annuitants. However, legislation based on the other provisions of Public Law 89-205 should be sought for the Foreign Service in order to provide comparable treatment under CSR and FSR.

We believe that legislation to implement this recommendation should be enacted promptly and that it should not be made a part of an omnibus bill on retirement.

The committee also recommends an increase from 35 to 40 in the maximum years of service creditable toward annuity computation under the Foreign Service retirement system. The present restriction, allowing only 35 years to be included in the annuity computation, has the effect of limiting Foreign Service annuities to a maximum of 70 percent of the high-5 average salary, whereas the maximum applicable to the civil service retirement system is 80 percent.

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[1] Source: Department of State.

[2] Source: Federal Statutory Salary Systems, message From the President of the United States, H. Doc. 402, 89th Cong., sec. sess., pp. 48-49.

This provision would implement a recommendation of the President's Cabinet Committee on Federal Staff Retirement Systems that the maximum annuity limitation of 80 percent of the high-five average salary should be applicable to both the civil service and the Foreign Service retirement systems.

The pertinent portion of that report follows:

"C. 2. MAXIMUM ANNUITY [3]

"Recommendation

"The maximum limitation on a foreign service annuity should be raised from 70 to 80 percent of the high-5 average salary.

"Cost estimate

"Two hundred thousand annually.

"Decision

"Traditionally, annuity computation formulas have been designed to limit annuities to some fractional part of employees' average salaries. This is entirely appropriate. However, the committee believes that the maximum limitations should be the same, at least as between CSR and FSR.

"Sixty percent of average salary for the 10 years preceding retirement was the maximum established under both systems at their inception. Over the last 40 years, both formulas have been liberalized until today the civil service maximum is 80 percent of high-5 average salary and the Foreign Service maximum is 70 percent of high-5 average salary.

"The committee recommends that the Foreign Service maximum be increased to 80 percent of the high-5 average salary so that it equates to the civil service maximum.

"The committee considered a proposal to establish a minimum annuity of 50 percent of high-5 average salary for Foreign Service personnel retiring with between 20 and 25 years of service. Justification for the proposal is the substantial risk that careers of Foreign Service personnel will be foreshortened either because of the selection-out program or because of the arduous and unhealthful conditions under which some Foreign Service personnel must serve for substantial periods. The proposal would provide a 25-percent increase in annuities for those retiring with 20 years of service. The committee believes that such a large increase would be both unwarranted and too costly and disapproved the proposal."

The cost estimates for this provision of the bill is as follows:

Estimated cost of increasing from 35 to 40 the maximum number of years creditable toward Foreign Service retirement

1st-year cost	$5,000
Increase in unfunded liability	2,700,000
Level annual cost of benefit:	
Normal cost plus interest on unfunded liability	200,000

Source: Department of State.

The committee recommends passage of this bill on the simple grounds of doing equity to retired Foreign Service personnel and their survivors. The only reason Foreign Service annuitants were not treated the same as civil service annuitants in 1965, when Congress passed separate bills for cost-of-living adjustments in each system, was because the formula in Public Law 89-308, the Foreign Service Annuity Adjustments Act of 1965, was drafted long before the bill which liberalized the civil service formula was introduced. It was not feasible in the last days of the session to amend the bill to correspond to the civil service bill formula and, rather than delay the bill's passage to the second session, it was passed in its existing form. Foreign Service annuitants were the innocent victims of the legislative logjam at the end of that session and the failure of the House to act on S. 3247, which passed the Senate late last session, made them victims of yet another adjournment logjam. This bill will correct those inequities and do justice to Foreign Service annuitants and their survivors.

PAYMENT IN LIEU OF TAXES FOR REAL PROPERTY TRANSFERRED BY THE RECONSTRUCTION FINANCE CORPORATION

The bill (H.R. 4241) to extend for 2 years the period for which payment in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 350), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of this bill is to extend for 2 years from December 31, 1966, the period during which payments in lieu of taxes may be made to State and local taxing authorities by the Federal Government with respect to certain real property on which payments were authorized by Public Law 388, 84th Congress. H.R. 241 was reported favorably by the House Committee on Government Operations on May 17, 1967 (H. Rept. 265), and was approved by the House of Representatives on June 5, 1967.

Public Law 388, which became law on August 12, 1955, was designed to furnish temporary relief for local taxing authorities which were under an undue and unexpected burden as the result of the transfer of taxable real property from the Reconstruction Finance Corporation, or its subsidiaries, to another Federal agency or department, which transfer operated to take such property out of taxation. The act authorized payments in lieu of taxes with respect to such property only if it was transferred by the RFC, or one of its subsidiaries, to another Federal agency or department on or after January 1, 1946, and only if title to such property has been held continuously by the United States since such transfer.

With respect to real property meeting these conditions, the Government department having custody or control was required by Public Law 388 to pay the local taxing authority, for the period commencing on January 1, 1955, and terminating on December 31, 1958, an amount equal to the real property tax which would have been payable on any date on which such taxes would have been due during the specified period if the property were privately owned. Bills extending the program for 2-year periods have been approved by this committee and enacted into law in the 85th, 86th, 87th, and 88th Congresses. The present extension expired on December 31, 1966, and, unless a further extension is approved as proposed by H.R. 4241, no further payments under the program can be made. In the 89th Congress, the House approved a bill to extend the program for 2 additional years, but the Senate did not act on that legislation.

According to information furnished by executive branch agencies, the extension of this program for 2 additional years involves annual expenditures of approximately $3,600,000 or a total of $7,200,000 for the 2-year period. These payments would be made to 27 cities, counties, and townships and one school district, located in 15 States.

It may be noted that, in reporting H.R. 4241, the House Committee on Government Operations stated that it had—

> * * * considered the pros and cons of the matter and agreed that a further (but possibly final) 2-year extension was warranted. Such an extension would be accomplished by this bill and payments that fell due after December 31, 1966, would be covered. The sudden cutoff that resulted from the failure of the 89th Congress to enact the extension undoubtedly creates special problems for the local communities and would seem to us to be unfair. The recipient local communities should now become aware of the prospect that payments in lieu of taxes on these properties will not extend beyond 1968, if this bill is enacted, and adjust their finances accordingly. We will, however, make a careful study of this matter before we reach a final decision (H. Rept. 265, 90th Cong., p. 2).

BACKGROUND

Basic legislation authorizing or establishing certain Government corporations included provisions subjecting the real property of such corporations to local taxation, or requiring that these agencies make payments to local taxing authorities in lieu of taxes. Thus, the real property of the Reconstruction Finance Corporation was specifically made subject to special assessments for local improvements and to State and local taxation to the same extent according to its value as other real property (15 U.S.C. 607).

In addition, the Congress authorized payments in lieu of taxes on real property declared to be surplus by Government corporations when legal title to such property remained in the Government corporations. This authority was continued by section 210 (a)(9) of the Federal Property and Administrative Services Act of 1949, as amended (64 Stat. 581), but only as to property declared surplus under the Surplus Property Act of 1944, prior to July 1, 1949. The General Services Administration followed the established policy and practice of leaving legal title to such property in the Government corporation when such property was declared surplus to the needs of such Government corporation and was transferred to another Government agency.

As a result of this practice, local taxing authorities were protected against losses which they would otherwise have incurred when such property was transferred to another Government agency (thus becoming tax exempt); and when the property was finally disposed of to private interests, it was then subject to taxation again, as in the case of any other property.

This procedure worked well until July 15, 1952, when the Court of Claims in a case involving a subsidiary of the Reconstruction Finance Corporation, held that, although no change in the tax status of property owned by a Government corporation occurs by the mere declaration that it is surplus, when the transferee agency accepts accountability for such property, even though the corporation retains title, it is immediately taken out of taxation. This was based upon the theory that unless the Federal Government specifically consents to waive its immunity from local taxation, its property cannot be taxed. Although such consent had been given in the case of the Government corporation, the court found that the retention by the corporation of legal title, without any retention of

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"[3] Source: Federal Statutory Salary Systems, message from the President of the United States (H. Doc: 402, 89th Cong., second sess., pp. 46-47).

control, did not operate to continue the property in a taxable status, so long as it appeared that the transferee agency was the true user and was accountable for such property (*Board of County Commissioners of Sedgwick County* v. *United States,* 123 Ct. Cls. 304).

In October 1952, the Comptroller General of the United States issued an opinion in a similar situation which resulted in barring payment of taxes by any transferee agency once accountability for the transferred property has been accepted (32 Comp. Gen. 164). The immediate result of the decision and the ensuing opinion of the Comptroller General was to cut off a source of revenue upon which the local taxing authorities had come to rely.

PREVIOUS COMMITTEE ACTION AND CURRENT STATUS

As previously indicated, Public Law 388 was enacted in the 84th Congress in order to afford temporary relief to local taxing authorities which suffered an unexpected hardship as the result of the removal of Reconstruction Finance Corporation property from the tax rolls of State and local taxing authorities.

At the time of the original enactment, this committee was engaged in the development of a comprehensive program which was designed to afford permanent relief to all State and local taxing authorities which were being deprived of tax revenues as the result of Federal ownership of property which would have been subject to taxation if privately owned. Although this committee twice reported favorably bills which were expected to accomplish this objective, and one of them, S. 910, was approved by the Senate in the 86th Congress, no final action was taken on the measure in the House of Representatives.

Because it was felt that fairness to the fiscal situations of the communities involved justified a continuation of temporary relief, the program provided for by Public Law 388 of the 84th Congress was extended in the next four Congresses for periods of 2 years each. As indicated previously, payments under the program terminated on December 31, 1966.

Information submitted to the committee by the Department of Defense and the General Services Administration, which control all of the properties involved, reveals that, since the inception of the program, there has been a significant decline in both the number of properties concerned and the total payments. This decline has resulted from the fact that agencies which hold title to the properties have been disposing of some of them to private enterprise. Thus, in fiscal year 1961, the Department of Defense paid $4,346,230 on 40 properties; and the General Services Administration paid a total of $340,555 on nine properties. In fiscal year 1962, the Department of Defense paid a total of $2,611,218 on 27 properties; and the General Services Administration paid a total of $286,770 on seven properties. In fiscal year 1963, the Department of Defense paid a total of $2,846,992 on 30 properties;[1] and in fiscal year 1964, $2,618,522 on 25 properties. In fiscal year 1965, $3,195,847 was paid on 28 properties; $2,906,454.55 was paid on 28 properties in fiscal year 1966, and, if this legislation is enacted, an estimated $2,077,132.98 will be paid by the Department of Defense on 24 properties in fiscal year 1967.[2]

The General Services Administration reports that in fiscal year 1964, $514,843 was paid on three properties and an additional sum of $66,100 was obligated but not paid because of the pendency of tax litigation. Payments on three remaining properties of the General Services Administration totaled $575,807.50 in fiscal year 1965 and $514,832 in fiscal year 1966; an additional sum of $70,760 has been allocated but not paid in 1966, due to a contested assessment, $522,220 has been budgeted for fiscal year 1967 and $552,500 for fiscal year 1968. Additional amounts of $59,125 for fiscal year 1967 and $61,400 for fiscal year 1968 have been allocated but not paid, due to contested assessments.

Tables showing the payments made, budgeted, or allocated by the Department of Defense and the General Services Administration on each property for fiscal years 1965, 1966, and 1967 (and 1968 for the General Services Administration only) are set forth in appendix A.

At the present time, only 26 properties remain; of this number, the General Services Administration owns three and the Department of Defense 23. The Department of Defense properties are distributed as follows: Air Force, 11; Navy, five; and Army, seven. This represents a decrease of 11, since 1963, when a total of 34 were reported: General Services Administration, four; and Department of Defense, 30, of which the Air Force owned 14; the Navy eight; and the Army eight.

The Army advises that the plants it still owns are being retained because (1) privately owned capacity is inadequate to support defense requirements; (2) private industry, in many cases, is not equipped to produce military items and will not finance the specialized production equipment needed to manufacture these items, particularly if it has no foreseeable commercial use for the equipment, thus requiring it to finance the required capacity; (3) in some instances, it is necessary to establish an entire Government-owned plant; (4) efforts to sell these plants, subject to restrictions which would guarantee their capacity for defense production when required, have not been successful, although an offer is pending for one such plant.

The Navy advises that the plants it owns are being retained either because of defense requirements or because the contractor, in the case of a plant leased under a facilities contract, is unwilling to purchase it because of its age and condition.

The Air Force advises that all of its plants are part of the departmental industrial reserve and are being used by various contractors for the production of military hardware, except for one which is used as a fuel storage facility. They advised further that although none of these properties are excess to Air Force needs and are not available for public sale, the facilities are being sold to contractors when all the conditions for such sales can be met.

AGENCY COMMENTS

The Department of Defense and the Comptroller General have advised the committee that they would have no objection to the enactment of the pending bill.

The Bureau of the Budget does not object to its enactment, in view of possible hardship to the taxing jurisdictions involved as a result of failure to extend it at this time. However, the Bureau raises a question as to whether this program should be continued beyond December 31, 1968, since the basic purpose of the program has been accomplished.

The General Services Administration opposes enactment of H.R. 4241 and any further extension of the program, pointing out that (1) it was enacted as a temporary measure in 1955, to alleviate immediate hardships to taxing jurisdictions resulting from removal of RFC properties from the tax rolls and (2) the basic purposes for which the program has been enacted have been accomplished. (Comments on S. 826, a companion bill, submitted by the departments and agencies involved, are set forth in app. B.)

CONCLUSION

Public Law 388 was enacted in 1955 as a 4-year emergency program, designed to alleviate the hardship and unexpected burden to a number of communities throughout the country resulting from the removal of Reconstruction Finance Corporation property from the tax rolls of State and local taxing authorities. During the first 4 years of operation, the owning agencies paid out in lieu of taxes a total of $11,727,834 on 86 properties, and it was anticipated that these properties would be disposed of ultimately by the owning agencies and restored to the tax rolls.

In fiscal year 1966 these agencies paid approximately $3,600,000 on 31 properties. Although this represents a very substantial reduction in the number of properties upon which payments are still being made, and four properties were disposed of in fiscal years 1966 and 1967, it appears that most of those remaining will probably be retained indefinitely by the owning agencies.

It appears further that after 12 years, the affected taxing authorities have had ample opportunity to rearrange their respective tax bases so as to eliminate the unexpected tax hardship which resulted from the original transfers.

In view of the foregoing, the committee is reluctant to extend this program which appears clearly to have accomplished the purpose for which it was enacted. However, in order to afford an additional opportunity to the local taxing authorities involved to rearrange their tax bases, the committee has reluctantly agreed to permit this further extension through December 31, 1968. During that period, the problem will be reexamined with a view to determining whether any continuation of the program is justified.

AMENDMENT OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Senate proceeded to consider the bill (S. 805) to amend section 202(h) of the Federal Property and Administrative Services Act of 1949, which had been reported from the Committee on Government Operations, with an amendment, on page 2, line 2, after the word "handling", to insert "and in the discretion of the Administrator responsibility for inventory controls and accountability"; so as to make the bill read:

S. 805

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202(b) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 384), as amended (40 U.S.C. 483(b), is hereby amended to read as follows:

"(b) Each executive agency shall (1) maintain adequate inventory controls and accountability systems for the property under its control, (2) continuously survey property under its control to determine which is excess property, and promptly report such property to the Administrator, (3) perform the care and handling of excess property: *Provided, however,* That when so determined by the Administrator, care and handling and in the discretion of the Administrator responsibility for inventory controls and accountability of excess real and related personal property may be performed by General Services Administration, and (4) transfer excess property or dispose of surplus property as promptly as possible in accordance with authority delegated and regulations prescribed by the Administrator."

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[1] The increase in the number of properties on which payments were made in fiscal year 1963 does not reflect the acquisition of new properties during that period, but is due to the fact that no payments were made on some properties during fiscal year 1962.

[2] Four properties were sold in fiscal years 1966 and 1967.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 351), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The proposed legislation would amend section 202(b) of the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of the General Services Administration, in his discretion, to perform care and handling functions for excess real and related personal property.

The Federal Property and Administrative Services Act of 1949, as amended, now authorizes the Administrator of General Services, in his discretion, to perform care and handing functions for surplus property. This proposal provides the Administrator with the same authority with regard to excess real property and related personal property.

Enactment of S. 805 would enable the General Services Administration to determine the level of care and handling of excess real property upon the basis of plans for future use or disposition of such properties. Determinations by the Government's property management experts should assure that maintenance levels are commensurate with potential use, should promote efficiency, and results in economies in the overall administration of excess real property.

BACKGROUND INFORMATION

When the Administrator of General Services submitted this measure to the President of the Senate for introduction, he included the following additional information and justification for enactment of the bill:

This legislation is desirable because it will enable the care and handling of excess property under the control of other executive agencies by General Services Administration in those instances where the Administrator determines, upon the basis of contemplated plans for the future use or disposition of such properties, that economies will result.

These economies may be reflected in terms of increased sales return directly attributable to assuring that maintenance levels are commensurate with the potential uses of the properties and their consequent value. In other instances this same action will be reflected in decreased protection and maintenance costs. Engineering decisions made with current professional knowledge by the Government's property management and disposal experts will avoid uneconomic expenditures for protection and maintenance. Still other instances have occurred where another Federal agency had a foreseeable need for excess property but was unable for some period of time to obtain authorization for the transfer of the property. In such instances the property sometimes remained in an excess category for a longer period of time than the reporting agency would willingly perform normal or substantial protection and maintenance. We believe it to be more appropriate in such instances that performance of protection and maintenance commensurate with proposed use of the property be a responsibility of GSA. A determination by the Administrator that such action is in the best interests of the Government would be a necessary prerequisite to assumption by GSA of the care and handling responsibility from the reporting agency.

In addition, the proposed arrangement will enable those agencies which determine that properties are no longer required by them for the performance of their program responsibilities to discontinue devotion of agency resources to nonprogram related functions. Any unexpended protection and maintenance funds appropriated to the owning agency prior to assumption of protection and maintenance responsibility by GSA would be transferred to GSA in those instances where the Administrator determines that GSA should assume such responsibility.

The proposed revision of section 202(b)(4) is a technical amendment for purposes of clarifying its language to conform to administrative interpretation.

TO INCREASE THE PUBLIC DEBT LIMIT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 10867, the so-called debt limit bill. I do this so that it may be the pending business before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10867) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ORDER FOR ADJOURNMENT—LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, there will be no debate on the pending business this afternoon, but I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Tomorrow, it is anticipated that we will also take up four small trade bills, which I understand likewise have a time expiration date of June 30, and it is anticipated, all other things being equal, that following the consideration of those measures, such measures as the National Aeronautics and Space Administration authorization, the Teacher Corps, and others will be brought before the Senate this week.

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Government Research of the Committee on Government Operations be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF FEDERAL RESERVE ACT RELATING TO LOANS TO EXECUTIVE OFFICERS BY MEMBER BANKS OF FEDERAL RESERVE SYSTEM

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 714) to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committee, and members of the credit committee of Federal credit unions which was, to strike out all after the enacting clause and insert:

SECTION 1. Section 22(g) of the Federal Reserve Act (12 U.S.C. 375a) is amended to read:

"(g)(1) Except as authorized under this subsection, no member bank may extend credit in any manner to any of its own executive officers. No executive officer or any member bank may become indebted to that member bank except by means of an extension of credit which the bank is authorized to make under this subsection. Any extension of credit under this subsection shall be promptly reported to the board of directors of the bank, and may be made only if—

"(A) the bank would be authorized to make it to borrowers other than its officers;

"(B) it is on terms not more favorable than those afforded other borrowers;

"(C) the officer has submitted a detailed current financial statement; and

"(D) it is on condition that it shall become due and payable on demand of the bank at any time when the officer is indebted to any other bank or banks on account of extensions of credit of any one of the three categories respectively referred to in paragraphs (2), (3), and (4) in an aggregate amount greater than the amount of credit of the same category that could be extended to him by the bank of which he is an officer.

"(2) With the specific prior approval of its board of directors, a member bank may make a loan not exceeding $30,000 to any executive officer of the bank if, at the time the loan is made—

"(A) it is secured by a first lien on a dwelling which is expected, after the making of the loan, to be owned by the officer and used by him as his residence, and

"(B) no other loan by the bank to the officer under authority of this paragraph is outstanding.

"(3) A member bank may make extensions of credit to any executive officer of the bank, not exceeding the aggregate amount of $10,000 outstanding at any one time, to finance the education of the children of the officer.

"(4) A member bank may make extensions of credit not otherwise specifically authorized under this subsection to any executive officer of the bank, not exceeding the aggregate amount of $5,000 outstanding at any one time.

"(5) Except to the extent permitted under paragraph (4), a member bank may not extend credit to a partnership in which one or more of its executive officers are partners having either individually or together a majority interest. For the purposes of paragraph (4), the full amount of any credit so extended shall be considered to have been extended to each officer of the bank who is a member of the partnership.

"(6) Whenever an executive officer of a member bank becomes indebted to any bank or banks (other than the one of which he is an officer) on account of extensions of credit of any one of the three categories respectively referred to in paragraphs (2), (3), and (4) in an aggregate amount greater than the aggregate amount of credit of the same category that could lawfully be extended to him by the bank, he shall make a written report to the board of directors of the bank, stating the date and amount of each such extension of credit, the security therefor, and the purposes for which the proceeds have been or are to be used.

"(7) This subsection does not prohibit any executive officer of a member bank from endorsing or guaranteeing for the protection of the bank any loan or other asset previously acquired by the bank in good faith or from incurring any indebtedness to the bank for the purpose of protecting the bank against loss or giving financial assistance to it.

"(8) Each day that any extension of credit in violation of this subsection exists is a continuation of the violation for the purposes of section 8 of the Federal Deposit Insurance Act.

"(9) Each member bank shall include with (but not as part of) each report of condition and copy thereof filed under section 7(a)(3) of the Federal Deposit Insurance Act a report of all loans under authority of this subsection made by the bank since its previous report of condition.

"(10) The Board of Governors of the Federal Reserve System may prescribe such rules and regulations, including definitions of terms, as it deems necessary to effectuate the purposes and to prevent evasions of this subsection."

Sec. 2. Section 8 of the Federal Credit Union Act (12 U.S.C. 1757) is amended—

(1) by changing, in paragraph (5) thereof, "shall exceed the amount of his holdings in the Federal Credit Union as represented by shares thereof plus the total unencumbered and unpledged shareholdings in the Federal Credit Union of any member pledged as security for the obligation of such director or committee member" to read "may be made except as authorized under paragraph (6) of this section";

(2) by redesignating paragraphs (6) through (13) of that section as paragraphs (7) through (14), respectively; and

(3) by inserting, immediately after paragraph (5), the following new paragraph:

"(6) to make loans to its own directors and to members of its own supervisory or credit committee, but all such loans shall be reported to the Director at least annually, and such a loan may be made only if—

"(A) the loan complies with all lawful requirements under this Act with respect to loans to other borrowers and is not on terms more favorable than those extended to other borrowers;

"(B) upon the making of the loan, the aggregate amount of loans outstanding to the borrower will not exceed the total amount of shareholdings in the credit union, not otherwise encumbered or pledged, which are pledged as security for loans to the borrower, or $5,000, whichever is greater;

"(C) upon the making of the loan, the aggregate amount of loans outstanding under authority of this paragraph will not exceed 20 per centum of the unimpaired capital and surplus of the credit union;

"(D) the loan is approved by the credit committee and by the board of directors after the submission to them of a detailed current financial statement by the borrower, and

"(E) the borrower takes no part in the consideration of his application and does not attend any committee or board meeting while his application is under consideration;".

Sec. 3. Paragraph (D) of section 8(8) of the Federal Credit Union Act is amended to read: "(D) in shares or accounts of savings and loan associations or mutual savings banks, the accounts of which are insured by the Federal Savings and Loan Insurance Corporation or the Federal Deposit Insurance Corporation;"

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the House amendment to S. 714.

The motion was agreed to.

ECONOMY AT MIDYEAR SUPPORTS FISCAL ACTION

Mr. PROXMIRE. Mr. President, the state of the American economy at the midyear point offers the usual jumble of hopeful signs as well as foreboding ones, which makes economic predictions a particularly hazardous task. But in general, sharp spending cuts, or a large tax increase, or both, seem to be called for. Administration officials are apparently unanimous in their prediction of a return to a bullish economy in the second half of the year, after a sluggish first half.

Their optimism is mainly fueled by the May statistics, which show a healthy increase in the number of orders reaching durable goods manufacturers, as well as increases in retail sales and in house construction.

I might also add that they are very pleased with the fact that inventories seem to have worked down considerably, and thus achieved a kind of needed adjustment. We had a very sluggish and slow first quarter of the year because there was a large overhang in inventories; and obviously, when manufacturers have excess inventories, they do not do the kind of production planning and they do not hire the employees that they do when they have a need for production.

These heavier inventories, which most economists feel with the most sluggish aspect of the economy, the element which would slow it down the most, have, as I say, been to some extent worked down. Nevertheless, there are some shoals ahead that are a particular source of worry to Government economists. One of these, points out Eileen Shanahan in an excellent economic forecast article in the New York Times of June 25, is the threat of another squeeze in the money markets such as the one last summer. Says Miss Shanahan:

> Long term interest rates have already risen far too much to suit the Administration, and the general belief in the capital is that this has been caused mainly by psychological factors.

The element in the psychology which carries the biggest wallop, says Miss Shanahan, is "the prospect the money markets foresee of huge Federal Government borrowings to finance a budget deficit that is expected to exceed $20 billion by a considerable margin."

It is here, of course, that a change in the prevailing attitude in Congress toward significant cuts in Federal spending could have a particularly good effect. Deferring expenditures in certain areas such as in public works, the space program, and the development of a supersonic transport would do much to reverse that psychology Miss Shanahan describes.

There are still some elements of sluggishness in the economy now that will continue to have some, but a lesser impact, in the second half of the year. There is the drag on production resulting from the still large but diminishing "overhang" of manufacturers' inventories and there is the continuing squeeze on corporate profits particularly in the automobile, glass, textile, and lumber industries.

Mr. President, the Joint Economic Committee, which I have the honor to chair, is and has been very much concerned about the state of the economy and, more particularly, about the growing prospects that the Nation faces the largest budget deficit since World War II in the coming fiscal year. The committee begins hearings at 10 o'clock tomorrow morning on the economic outlook and its policy implications. The hearings will run for 3 days and during that time we will hear Gardner Ackley, Chairman of the Council of Economic Advisers; Tilford C. Gains, vice president of the First National Bank of Chicago; George Katona, economics professor at the University of Michigan; Louis J. Paradiso of the Department of Commerce; Michael Sumichrast of the National Association of Home Builders; Paul Samuelson of MIT, and J. Fred Weston of UCLA.

The homebuilding industry is the industry that suffered most severely from the impact of tight money in the beginning of last year.

The hearings will be an effort to wrest some clear meaning out of the complex semaphore of economic signals reported daily.

The financial writers of the New York Times have done an excellent job of analyzing these signals in the June 25 edition. Yesterday's Times was a banner issue for those interested in the economic outlook. I commend their articles to the attention of my colleagues and ask unanimous consent that they be printed in the Record together with a thoughtful article by A. J. Livingston on the financial outlook that appeared in the June 26 edition of the Washington Post.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, June 25, 1967]

United States Is Confident Over Predictions—Top Planners in Washington Say Upturn Will Produce Need for a Tax Rise

(By Eileen Shanahan)

Washington, June 24.—"If the President asks me, I'm ready to recommend a tax increase right now."

This was the private comment last week of one of the Administration's top economic policy planners, who definitely would be asked for advice by the President on any tax increase and probably has been already.

The official added one more sentence: "A month ago, I wouldn't have said that."

The business statistics for May, just about all of which have become available in the last several weeks, have turned the Administration's economic thinking from doubt to confidence—and not a little pride.

The forecast officially made by the Council of Economic Advisers in January that business would be sluggish in the first half of the year but then pick up strongly is being fulfilled before their eyes, the responsible officials believe.

They acknowledge that their January prediction was a trifle on the optimistic side.

Even with the strong fourth quarter they now foresee, the gross national product is not going to reach the January forecast of $787-billion. But they see it reaching $781-billion, with an increase of $10-billion in the current quarter, at the annual rate; of $12-billion in the third quarter and of $16-billion in the final quarter—a potentially inflationary rate.

CONTRAST SHOWN

Those figures contrast with a rise of less than $4.5-billion in the first quarter, which translated into an actual slight shrinkage in total output when the effects of price increases are eliminated from the figures.

This optimistic judgment on business trends ahead is held with apparent unanimity in all of the various agencies and departments that deal with economic policy questions, possibly because there is a lot of joint staff work, nowadays, in working out the forecasts.

The device known as the "troika," which brings together high officials of the Treasury, the Council of Economic Advisers and the Bureau of the Budget for consideration of policy issues, also brings together their respective staffs for examination of fundamental assumptions and forecasts.

What has made the Washington economics corps so optimistic? Mainly, it is the May statistics, which show a big pickup in orders reaching durable goods manufacturers, in retail sales, and in house construction.

And, though only April statistics are available so far on business inventories, these figures, in the words of one high official, "are beautiful." They show almost no inventory accumulation in April.

The large overhang of excessive inventories with which the economy entered this calendar year was the major single source of concern to Government economists in January.

But the economy has now survived a tremendous swing in inventories—from an accumulation rate of $16.4-billion in the fourth quarter last year to a rate of $5.6-billion in the first quarter—a move that had the effect of taking a full $11-billion out of production in the first quarter. But it happened without any rise in unemployment or other serious economic effects.

Government economists note that inventory accumulation could go to zero, or even a substantial negative figure, in the current quarter without reaching anything like the $11-billion quarter-to-quarter change that the economy has already survived

Thus, the confidence. Businesses are bound to begin building inventories again sometime, perhaps as early as the fourth quarter, Government economists think. And they also believe despite the fact that few businessmen appear to agree, that business spending on new plant and equipment will also start to rise around the fourth quarter.

As the Government's experts look at the situation, they see lots of reasons for business strength ahead.

SITUATION IN HOUSING

They think the housing industry is about on target in a rise toward a rate of construction of 1.4 million new houses by the end of this year. The trajectory implies a $2-billion increase, at annual rates, in quarterly expenditures on housing.

Another $2-billion in spending increases can be seen in the quarters ahead from Federal Government outlays, even without any revision in military spending plans.

And another $2-billion quarterly comes, with great reliability, from the spending of state and local governments.

Thus, even without considering consumer spending, there is a foreseeable $6-billion quarterly rise in the G.N.P. rate. And consumer spending should go up at a rate of $8-billion a quarter shortly, the Government's experts figure, even without a big drop in the unusually high level of recent consumer savings.

It all adds up to a $14-billion quarterly rise—or even more.

If it goes too far past $14-billion for very long, a tax increase will be needed to stave off inflation, in the view of the Government's economists. That is exactly what they are expecting to happen.

The Administration's policy makers, particularly in the Treasury and the Federal Reserve, are also worried about something else, possibly even more than the prospect of inflation.

This is another tremendous squeeze in the money markets, reminiscent of last summer's near-crisis, with rising interest rates and some borrowers turned away regardless of price.

Long-term interest rates have already risen far too much to suit the Administration, and the general belief in the capital is that this has been caused mainly by psychological factors.

The biggest element in the psychology is the prospect the money markets foresee of huge Federal Government borrowings to finance a budget deficit that is expected to exceed $20-billion by a considerable margin.

Other elements relate simply to what happened last year: both money lenders and money borrowers want to avoid getting caught short again. Corporate treasurers are no longer investing every idle dollar but are building liquidity again in anticipation of another money squeeze.

Savings and loans are paying back advances from the Government rather than writing as many mortgages as they could. Banks are trying to get set for another onslaught of tight money.

PROTECTING MONEY MARKETS

Though Administration officials will acknowledge that this building of cash reserves will come to an end at some point—that money rates might even ease a bit, as a result, at the very time business is picking up—they nevertheless believe that a tax increase will be necessary to preserve the money markets from another round of extreme tightness.

They believe that the Federal Reserve Board, concerned again about inflation, would tighten up hard if the Administration just let the business pickup ride—and the deficit, too—with no effort to increase taxes.

But can a tax increase be sold to Congress? Administration officials are quite aware that the present Congress is proving a fractious one, rejecting debt-ceiling bills, railroad strike legislation and other Administration measures.

Still, they believe Congress can be persuaded to vote a tax increase, though possibly for the wrong reasons. There is a large deficit—and a growing war. Even Congressmen who understand the uses of tax increases in fighting inflation and the niceties of the money markets prefer to have a patriotic reason to take to their constituents to explain a vote for higher taxes. The Administration has reasonable confidence that a tax increase can be gotten through Congress on that basis.

Will it be the 6 per cent proposed in January or something larger?

On the basis of pure economic analysis, Administration officials are inclined to think that 7 or 8 percent might be wiser. But they hesitate because they believe an increase of more than the 6 per cent originally announced would be appreciably harder to get passed.

When will the bill go to Congress? Maybe about the end of July, present thinking goes, when the House Ways and Means Committee should be finishing up the complicated Social Security bill.

What effective date will be asked for the increase? Sept. 1 is a good current guess, although the Administration would be pleased, indeed, actually to get an Oct. 1 date. It fears that Congress leans more toward a Jan. 1 date, as Ways and Means chairman Wilbur Mills of Arkansas indicated this week.

But the Administration thinks the need for a tax rise might be pretty urgent before Jan. 1 and it hopes to be able to persuade Congress that an effective date as far as possible from the November, 1968, elections might be the safest course for political as well as economic reasons.

[From the New York Times, June 25, 1967]

BUT PRIVATE SECTOR SHOWS HIGH-LEVEL SLUGGISHNESS

(By John H. Allan)

The state of the American economy at the close of the second quarter of 1967 is a peculiar one, difficult to define and difficult to predict.

Signs of a business upturn so far are scant, but there has been no pronounced downturn either. Most economic indicators stand near their highest level in history.

But the private sector is showing little vigor.

The Morgan Guaranty Trust Company labels the situation "high-level sluggishness." This phrase is as apt as any. "Mini-recession" and "recessionette" have been coined to describe what is happening on the business scene, but these appellations seem forced.

Despite the fact that no dramatic changes have occurred in the last year, most economists seem convinced that business activity is going to pick up in the months ahead—certainly by the fourth quarter.

Several incongruities are noticeable. Bank credit is expanding rapidly. Yet some long-term interest rates last week topped the peaks they reached during the tight-money squeeze late last summer.

President Johnson recently reinstituted the 7 per cent tax credit for corporations investing in new equipment. Yet the Administration is still calling for at least a 6 per cent surcharge on Federal income taxes.

Government economists are predicting that a new boom may be just around the corner. Yet private economists say the financial press has not stressed sufficiently the soft spots—such as industrial production and corporate earnings—that already have darkened the picture.

On Tuesday the Joint Economic Committee of Congress is scheduled to begin three days of hearings on the economic outlook and its implications for Federal policy. Whether these sessions will bring the future into sharper focus remains to be seen, but several economists in New York last week voiced their doubts.

In announcing the hearings, Senator William Proxmire, chairman, said the committee was "very much concerned" about the state of the economy and the growing prospects that the United States faced its largest Federal budget deficit since World War II.

On a national-income-account basis—the basis that most clearly registers the full impact of the Government on the economy—the deficit may run as high as $17-billion, the Wisconsin Democrat said.

"Deficits of these magnitudes, if realized, coming on top of the built-in cost-push inflationary pressures caused by wage and price increases over and above the Administration's guidelines, would in all probability bring about a return of excessively high interest rates and tight-money conditions similar to, if not worse than, last year," Senator Proxmire said.

A recurrence of that tight-money bind would be a "meat-ax" solution to economic problems, he declared in calling for a "fresh review" of the economic situation. During the three days of hearings the committee will listen to testimony by Gardner Ackley, chairman of President Johnson's Council of Economic Advisers, and by six more leading economists.

Tilford C. Gaines, vice president of the First National Bank of Chicago, will talk about conditions in the financial markets.

George Katona, economics professor at the University of Michigan, will describe consumer expectations.

Louis J. Paradiso, associate director of the Office of Business Economics, will discuss business inventories and spending for plant and equipment.

Michael Sumichrast, economist for the National Association of Home Builders, will present the outlook for residential construction.

In a final session, devoted to the economic outlook and recommendations for economic policies in the immediate future, Paul A. Samuelson and J. Fred Weston will address the committee. Professor Samuelson, whose college textbook has influenced a generation of economics students, is at the Massachusetts Institute of Technology. Professor Weston is at the University of California at Los Angeles. No witness from the Defense Department, by far the biggest single influence on the United States economy, is scheduled to appear before the committee.

For forecasters looking into the murky months ahead, the greatest uncertainties are caused by the Vietnam war and, more recently, by the struggle in the Middle East. No one knows how these international situations will develop or how they will affect the American economy.

Meanwhile, the economy is showing cross-currents of sluggishness and expansiveness. Most economists seem to be betting that growth will win out.

The gross national product rose to $739.1-billion last year. Estimates for 1968 still range as high as $800-billion, with the most optimistic forecasters pinning their hopes on a strong fourth quarter.

The total value of goods and services produced in the nation ran at an annual rate of $763.7-billion in this year's first quarter and reached a rate of $771-billion to $772-billion in the second quarter, according to Martin Gainsbrugh, economist for the National Industrial Conference Board. Unlike the gain from the fourth quarter of 1966 through the first quarter of 1967, the most recent quarter-to-quarter increase in the gross national product was not caused entirely by rising prices.

For the year as a whole, Mr. Gainsbrugh predicts the gross national product will reach $777.7-billion. At this level, the volume of goods and services would be 5 per cent higher than in 1966, with two-fifths of the increase caused by higher prices and three-fifths by greater economic activity.

TWO CURRENTS

Two currents of sluggishness stand out in the current economy:

The still-substantial "overhang" of manufacturers' inventories, a condition that is expected to continue as a drag on production in the third quarter.

The squeeze on corporate profits, especially in such industries as automobile manufacturing, glass companies, textiles, and lumber.

Offsetting these two trends will be several forces that seem likely to overpower inventory and profit problems.

The chief one that economists cite is defense spending. If the Vietnam war is not ended this year, it may rise to an $80-billion annual rate by the end of the year, $10-billion above the defense-spending rate during the January-March quarter.

OTHER REASONS

In addition to defense spending, business analysts point to several other reasons why activity ought to pick up later this year.

The money supply—currency outstanding plus demand deposits at commercial banks—has been growing sharply since late last November, when the Federal Reserve Board voted to move to make credit conditions easier.

Consumers, who saved at an abnormally high rate earlier this year, are expected to loosen their purse strings in the months ahead.

The tax increase proposed by the Johnson Administration will not be enacted soon enough to hurt the economy.

Housing starts have risen from an annual rate of 830,000 units last October to 1,154,000 in April and most economists are counting on some continued improvement even if the pace does not get back to the 1.6 million high of the early 1960's.

The Federal budget deficit for the fiscal year ending June 30, 1968, which may reach $30-million if everything goes awry, may lead businessmen to speed expansion plans to get bricks and mortar in place before prices go up.

EFFECT OF WAGE RISES

Inflationary wage settlements may cause some cost-saving capital spending, too. The impact of the pay increases (several will average 6 or 7 percent a year over the next three years) will also have the adverse effect of lowering profits and adding to the sluggishness in business.

What might throw these predictions to the winds is the international situation. As one leading banker indicated last week, his chief worry was that the Middle East crisis might eventually have a greater impact on the United States economy than Vietnam. His fear is that Europe will run short of oil and its economy will falter. This, in turn, would cause a slowdown in the American economy.

THE WEEK IN FINANCE—ECONOMY GIRDING FOR FASTER GROWTH AFTER 6 MONTHS OF TRYING ADJUSTMENT

(By Thomas E. Mullaney)

The nation's economy is winding up six months of a rather trying adjustment without any substantive damage and is now girding for an accelerated movement in the second half of the year.

The stock market seems to be poised for the same type of performance.

Neither the market nor the economy were emitting any such signals last week, however. It was a rather subdued period for both—hardly surprising in view of the numerous uncertainties and problems that have introduced, once again, a state of worry and caution in the financial world.

Talk of prospective tax increases—large ones—fills the air. There is renewed buoyancy in long-term interest rates. And there continues to be abundant discussion—and concern—about many unresolved political and economic issues created by the recent war in the Middle East.

The summit meeting of President Johnson and Premier Kosygin on Friday gave them an opportunity to dispel some of the mistrust and discord that has arisen over world problems. Whether it accomplished anything constructive was not known, but Wall Street was heartened by the meeting.

However, the stock market, which had been drifting aimlessly toward lower territory most of last week, failed to show any dramatic reponse as the historic meeting was taking place.

After two weeks of recovery, the stock market slipped back again and posted moderate losses for the week. Some aerospace-defense, glamour and speculative issues, however, resisted the trend and moved up.

Meanwhile, the bond market also had a rather gloomy week. Prices had dropped sharply over the last two weeks under a heavy load of new offerings, but prices rallied on Wednesday and Thursday in response to the highest yield in 45 years and to some strong Federal Reserve purchases of Treasury issues.

There's a lot of pessimism in bond circles these days. Most of it is based on the fact that, since the Government will have to borrow so much money this year to finance a high Federal deficit, interest rates will have to remain high.

Apart from the summit meeting and the increasing dialogue on the likelihood of tax increases, the principal subject of interest in the financial and business community these days is the probable course of the domestic economy during the second half of 1967.

With the major indicators of business still showing nothing better than a continuation of high-level stability, the present climate is hardly conducive to a strong degree of bullishness or optimism. And yet such sentiments are clearly developing as midyear approaches.

For one thing, the troublesome inventory adjustment process seems to be proceeding rather well. Moreover, Government and business spending, strong props for the economy are definitely headed higher. And consumer buying, more satisfactory than conceded earlier this year, holds promise of substantial expansion in the months ahead.

The most encouraging news last week was the Commerce Department report that new factory orders for durable goods had jumped 6.6 per cent in May, their sharpest gain since last September.

At $23.8-billion, the month's new orders topped shipments of $22.9-billion for the first time this year. Should the trend continue, it would be quite bullish for the economy.

Another heartening development was the continuation of slight gains in auto sales. The sales pickup in the last 50 days has convinced Detroit analysts that the worst of the auto industry's downturn is over. Sales of cars in the middle third of June showed a 2 per cent increase over the level in the period last year.

Consumer income after taxes has been rising at a rate of 7 per cent this year, but the public has been saving more and borrowing less and thus, according to the Chase Manhattan Bank, there was a "cut in potential demand at an annual rate of some $4-billion."

This pattern, the bank adds, may be shifting again. It believes that spending from now on might rise in line with income. It might be helped by the marked improvement in consumer confidence since January, by lower food prices since last fall's highs, and by expanded purchasing power resulting from the round of wage increases now in motion.

Another major New York bank, the Morgan Guaranty Trust Company, also offered a somewhat optimistic business assessment last week. It said that conditions favorable to business acceleration in the second half of 1967 were developing and added:

"Present indications are that second-quarter gross national product will show an appreciably larger rise than was recorded in the first three months this year, with all major components of G.N.P. except business investment in inventories and capital goods likely to make a contribution to the advance. A gain on the order of $9-billion to $10-billion at an annual rate seems likely, compared with a first quarter advance of only $4.4-billion."

Morgan Guaranty said the possibility of larger increases in the gross product during the third and fourth quarters was enhanced by the continuing stimulating influence of both fiscal and monetary policy.

The vastly increased availability of credit this year, plus lower short-term interest rates and the 6 per cent gain in the money supply since January, have provided great stimulus for the economy on the monetary side.

The fiscal spur to the economy has arisen from the massive Federal deficit that is in prospect. Federal cash spending, the Chase Bank noted, will be up $50-billion from fiscal 1965 to the budget estimates for fiscal 1968—an increase at an annual rate of 12 per cent, compared with the average yearly gain of 5.4 per cent in the period between fiscal 1960 and 1965.

The spending increase, however, is clearly excessive. To assure continued growth with price stability, some dramatic Government action will have to be taken—either a tax increase or a reduction in nondefense spending, or a combination of the two.

Will Washington make such a move, and when? Government officials are beginning to hint that an overture for higher taxes—perhaps for a 10 per cent surcharge—will be made soon. The best guess is that the request will go to Congress in mid-summer after next month's review of the budget. An effective date of Jan. 1 may be the target.

Although many economists and businessmen have come to accept the inevitability of a tax increase in view of the serious discrepancy between revenues and expenditures in the Federal budget, there is by no means universal agreement that such a step is the correct one.

A tax increase, they fear, will curtail the economic recovery just as it is starting to take root. Their recommendation is a deep cut in nondefense spending, which has been rising much too sharply.

This point was stressed by a leading New York banker, who indicated he was highly worried about the Middle East situation. He said it could have a greater impact eventually on the United States economy than the Vietnam war, particularly if the flow of oil is cut off from Europe.

Faced with such an uncertain situation, the bank executive said he was grudgingly against a tax increase. Domestic spending programs, particularly in agriculture, ought to be cut first, he asserted, adding that a Federal budget deficit on the order of $30-billion would be "unconscionable."

Other views on the outlook expressed last week by many leading businessmen were, in general, quite cautious.

A spokesman for the United States Steel Corporation, for instance, commented, "We expect steel shipments in the third quarter to be steady at about the same rate as those of the first and second quarters (which were down about 8 per cent from the levels in the year-earlier periods), but they probably will improve in the fourth quarter as a result of the conclusion of inventory liquidation."

Stuart Saunders, chairman of the Pennsylvania Railroad and vice chairman of the Business Council, was not very bullish in his appraisal of the economic situation. He remarked:

"Right now—and for the period immediately ahead—things don't look very good. I've been disappointed because of the lack of any sign of a pickup. Other than some gain in the automobile industry, we haven't seen any pickup and we don't see it in the immediate future.

"Our present business is not as good as it was in April and in May. On a volume basis, we are down 5 per cent so far this year."

A rather mixed assessment also came from James H. Binger, chairman of Honeywell, Inc., which manufactures computers and automatic controls for homes and buildings.

"The prospects for all industry in the second half of the year," he said, "appear to be characterized by unevenness in much the same way that the first half turned out.

"However, the most significant factor from Honeywell's standpoint is the continued rapid growth of our computer business.

"On the other hand, the domestic housing market continues to be sluggish. There are no present indications of an upturn, despite efforts to stimulate the economic climate for home building."

Simon Strauss, vice president of the American Smelting and Refining Company, said labor would play a big part in deciding whether, and how far, the economy goes forward in the second half of the year.

"If no crippling strikes occur," Mr. Strauss said, "the second half should be distinctly better than the first. We see signs of an improvement in the auto and construction markets.

"Major capital expansion probably will also turn upward, partly because the investment tax credit has been restored and partly because corporations can see more inflation ahead and want to commit their dollars while the money will still buy advantageously."

The head of the nation's largest aluminum company also struck a quite optimistic note. John D. Harper, president of the Aluminum Company of America, had this comment:

"Our expectation is that the economy will improve through the balance of the year and into 1968.

"Considerable upward push should be generated by the termination of inventory correction, continued improvement in residential construction, and the resumption of capital-expansion programs, now that the investment tax credit has been restored. In addition, the good financial position of purchasers should enhance sales of consumer items of all kinds."

Another optimistic view was expressed by Lewis P. Seiler, chairman of the Associated Dry Goods Corporation, who remarked:

"I have been bullish about the second half of the year since January and nothing has changed my mind. I think retailing will have a good fall and a good year, in general. Apparently, there will be an increase in personal income taxes and possibly one on corporate taxes, but I don't think the income-tax boost will affect retail business much."

James M. Roche, president of the General Motors Corporation, also had an optimistic appraisal of economic prospects.

"I believe," he said, "that current economic trends provide good reason for continued optimism about the expansion of the economy through the second half of 1967.

"In the absence of a major revision in national defense expenditure estimates as presented in the Federal budget for the fiscal year 1968, I look forward to a well-maintained growth throughout the remainder of the year.

"A further encouraging note is the improvement in consumer confidence clearly apparent in the trend of new-car sales."

H. I. Romnes, chairman of the American Telephone and Telegraph Company, had a bright comment, too. "Our business," he said, is experiencing good growth. For the year, it appears, our revenues will increase between 7 and 7½ per cent above last year, and 1966 was a period of exceptional growth. Some months ago the Bell System's construction budget was estimated at $4.2-billion and expenditures are running at about this level."

None of these satisfactory outlook statements found reflection in last week's stock market, however. The market drifted along, with more issues declining than advancing and the averages tilting down slightly for the first time in three weeks.

A total of 766 stocks fell last week, while 676 rose. Volume on the New York Stock Exchange slipped to 47.3 million shares, from 54.7 million the week before.

The Dow-Jones industrial average lost 7.63 points for the week and closed at 877.37. The New York Times combined average eased 3.57, to 516.33, and Standard & Poor's 500-stock combined index dipped 0.54, to 92.00.

[From the New York Times, June 25, 1967]

Six Economists Discuss Outlook for Final Half

CHARLES B. REEDER, E. I. DU PONT

"We're pretty cautious about the oulook for the balance of the year, a little bit skeptical of the official Government forecast for a substantial rise in the second half.

"There have been some bad disappointments in the first half. The inventory adjustment has been steeper and more rapid than expected at the first of the year. Industrial production has declined.

"There is a recognition here that the Government cannot control the economy, and accordingly we feel it is prudent to be fairly cautious on the outlook.

"A second round of disappointment, in the second half of this year, would be very bad psychologically. We've ridden through one year pretty well, but it would be pretty hard to face another.

"The prime element of strength has been increases in defense spending. But a lot of the impact of this has been already felt. Expenditures henceforth will be a factor in the gross-national-product framework, but less so in physical production, employment and orders. The stimulus of rising defense expenditures is largely behind us.

"From a budget standpoint there is a need for a tax increase. But we don't think we've seen the full impact of the profit squeeze. Housing may again be affected by tight money.

"If things should turn around we can adjust to this; operating rates are below those of last fall; we're in a good position. But if it turns out to be the other way around and the upturn does not occur, we could be hurt and experience actual inventory liquidation in the second half."

JAMES J. O'LEARY, LIONEL D. EDIE & CO.

"Our feeling is that there are three main forces that will be moving the economy ahead during the rest of this year:

"Rising Federal Government spending, through the third quarter of next year, coupled with a continuing rise in state and local government spending;

"A budget deficit that will be a very important force for expansion; we may have as much of a deficit on a national income basis as $15-billion in fiscal 1968.

"Aggressively easier monetary policy.

"There will be some upturn in the third quarter, but the main thrust will be in the fourth quarter.

"On a seasonably adjusted annual-rate basis, defense spending will rise from $70-billion in the first quarter of this year to $79-billion in the fourth quarter. State and local government spending on the same basis should reach $88-billion in the fourth quarter.

"As far as gross national product is concerned, it looks as if it will reach $773-billion in the second quarter, $791-billion in the third quarter and $808-billion in the fourth quarter, for an average of $784-billion. This is somewhat below the Council of Economic Advisers forecast, but still is a pretty good rise.

"The Federal Reserve industrial-production index should reach 159 in the fourth quarter, compared with 157 in the first quarter.

"Personal-consumption expenditures will rise from an annual rate of $480-billion in the first quarter to $505-billion in the fourth quarter, much of this in nondurables and services."

WILLIAM C. FREUND, PRUDENTIAL INSURANCE

"The sluggishness we have had is going to disappear. There are several reasons for this:

"The inventory correction is largely over. It represented a subtraction in the first quarter of $11-billion in gross national product. There is a much more balanced picture in inventories ahead. Even if accumulation rates level, it isn't going to reduce output.

"Basing gross-national-product estimates on the assumption that the troop commitment in Vietnam is going to rise, defense expenditures will continue to rise through mid-1968. The current budget was based on the assumption that there would be a leveling out of defense expenditures at the end of this calendar year. This is not going to happen. Meanwhile, state and local government expenditures continue to rise.

"Housing, which was in a recession all of its own in 1966, is coming out of a slump. Starts have strengthened recently.

"As far as consumer spending is concerned, there has been some reluctance to spend. The savings ratio has risen. But I think that consumers are going to loosen up on their purse strings.

"In the past, whenever savings ratios have jumped it has been short-lived.

"The increase in Social Security benefits will add another $3-billion to $4-billion to the potential spending stream. This will be realized as soon as the increase becomes effective.

"On the other hand, there will not be much forward momentum for business capital spending. The restoration of the 7 per cent investment tax credit will not be felt until well into 1968."

ALBERT T. SOMMERS, NICB

"Here is the situation as it looks to me. At present business conditions are being pulled in opposite directions by rising government spending on the one hand and by a mild but continuing recession in the private sector on the other. The latter is marked by a declining rate in business spending for plant and equipment, by a strong desire to stop the growth of inventories and by continued sluggishness in spending for consumer goods.

"As a result, income flows in the private sector have grown slowly and have actually been reduced in the corporate sector. Tax receipts of the Federal Government have come down at the same time that the government spending rate has gone up. It is obvious we are heading for a substantial deficit.

"This is an unstable situation. The powerful stimulative influence of government spending is cushioning the decline in the private sector. But it must, in time, turn it around again, and when this happens it will be necessary for government policy to be much less stimulative.

"A tax increase will then become necessary.

"The recession in the private sector is not over. But before the end of 1967 retail trade should begin to recover and assume a more normal relationship to income. This should, in turn, revise the inventory outlook.

"My own view is that within a couple of quarters this sharply divided state of the economy, these divergent forces, will coalesce into a more coherent environment in which the whole thing will start to grow again."

NAT GOLDFINGER, AFL–CIO

"The second quarter moved up somewhat and the third quarter will be up a bit more, but when you add up the first three quarters I don't think there will be any substantial amount of economic growth.

"The inventory liquidation situation has been a major factor, and this will continue. Retail sales are not going as fast as they should in order to maintain these inventories.

"Plant and equipment expenditures are not expected to rise very rapidly.

"Housing, coming out of last year's depression, is moving up, but at a relatively slow rate.

"Inventory liquidation is likely to continue through the third quarter, easing off in the fourth. There should be a fair-sized amount of economic growth in the fourth quarter.

"Government spending is moving up somewhat faster than expected in the beginning of the year. However, I think that some people seem to forget the almost fantastic ability of this economy to adjust to sharp increases in demand for quite a bit of time.

"The private sector has been sluggish as the Government sector has been moving up. Until we achieve some better balance in the private economy the increases in defense expenditures will be essentially offsetting weaknesses in private activity.

"At this point the tax-increase question is a matter of watch, wait and see. In light of the imbalances in the private economy, our view is that no tax increase should be enacted for lower-income taxpayers and that there should be a differential in a tax increase as between individuals and corporations."

RAYMOND J. SAULNIER, BARNARD COLLEGE

"It is now quite plain that the United States economy has successfully staved off the over-all recession threatened earlier this year. A downturn did occur, but owing to a strongly rising volume of defense spending it was mild, did not last long and was limited entirely to nondefense manufacturing and construction.

"The question that remains is: What kind of advance can be looked for? On this, the evidence suggests the following conclusions:

"In contrast to the relatively smooth and vigorous recovery and growth that followed 1960–61, it is more likely in this case that the pick-up will proceed relatively slowly and along a rather bumpy path. New appropriations for capital expenditures by business have been reduced significantly; reduced sales have made manufacturers' inventories more 'excessive' now than they were in January; a recovery in home building is under way, but is proceeding uncertainly because borrowing costs, which never did decline much, are still high and are now increasing again.

"The advance, in this case, will be accompanied by further increases in costs and prices, almost certainly by an acceleration of the increases in recent months, and by continued pressure on profit margins. Indications are that pressure on margins will continue, which implies that profits will increase less, as volume rises in the upcoming recovery, than they did in 1961–65.

"Finally, the expansion is vulnerable to being checked at an early date, especially if it moves briskly, by a resumption of credit tightness or by the imposition of higher taxes, or both."

[From the Washington (D.C.) Post, June 26, 1967]

AT MIDYEAR: ECONOMISTS STILL OPTIMISTIC

(By J. A. Livingston)

A jest—"you don't really understand a subject until you're confused"—summarizes the business outlook as foreseen by 54 of America's top ranking economists.

"Will we escalate some more in Vietnam or get out? That is the key question . . . If war worsens, it may lead to controls instead of boosting the standard of living and profits . . . I have little or no confidence in my estimates for 1968—matters are now more confused than ever . . .

"Because of the 1968 Presidential election, the government will probably see to it that nothing worse than an industrial slowdown takes place . . . Forecasting nowadays has to have major footnotes attached . . . Conditions are too unsettled for confidence in predictions, but predictions have to be made . . ."

Yet out of such confusion (those are actual comments) came consensus: Business will be good, though nothing to brag about, from now through December, 1968.

The economists[1] resolved uncertainty—How long will Vietnam last, will further escalation take place?—into an assumption: The war will continue. Could they assume anything else?

Military spending is expected to rise 16%. It will wag production, employment and retail sales upward.

Only one respondent foresees a decline in total output of goods and services—Gross National Product—during the next 18 months, and only after a tremendous rise to $880 billion in mid-1968. So he's a one-year optimist.

Two other economists foresee declines in industrial production between now and December. But they, too are optimists. They predict that subsequent recovery will be rapid.

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[1] Participating Economists: Adolph G. Abramson, SKF Industries, Inc.; Henry B. Arthur, Harvard Graduate School of Business Administration; Kenneth V. Berry, director of research, Babson's Reports, Inc.; Dean O. Bowman, vice president, Autonetics, Anaheim, Calif.; William H. Chartener, Goldman, Sachs & Co., members of the New York Stock Exchange; Ewan Clague, consultant, U.S. Department of Labor; Carrol L. Coburn, director research dept., U.A.W. International Union; George W. Coleman, economic adviser, American Bankers Assn.; Morris A. Copeland, School of Business and Public Administration, University of Missouri; Andrew T. Court, Detroit, Mich.

James W. Dawson, vice president, National City Bank, Cleveland; David P. Eastburn, vice president, Federal Reserve Bank, Philadelphia; R. J. Eggert, manager marketing research, Lincoln-Mercury Div., Ford Motor Co.; Richard W. Everett, business economist, The Chase Manhattan Bank; Philip J. FitzGerald, Dean Witter & Co., members of the New York Stock Exchange, San Francisco; James W. Ford, economist, Ford Motor Co.; Douglas Greenwald, McGraw-Hill, Inc.; David L. Grove, chief economist; International Business Machines Corp.; Waltrous B. Irons, president, Federal Reserve Bank, Dallas.

Homer Jones, vice president, Federal Reserve Bank, St. Louis; John W. Kendrick, George Washington University, Washington, D.C.; L. R. Klein, Wharton School, University of Pennsylvania; R. L. Kozeika, School of Business Administration, University of Minnesota; Edwin Kuh, School of Industrial Management, Massachusetts Institute of Technology; A. Moyer Klup, senior vice president, Wellington Management Co.

Werner Lehnberg, Goodbody & Co., members of the New York Stock Exchange; Wesley Lindow, senior vice president, Irving Trust Co., New York; Carl H. Madden, chief economist, Chamber of Commerce of the U.S.; Todd May, Jr., economist, Union Carbide Corp.; Paul W. McCracken, University of Michigan; David C. Melnicoff, vice president, Federal Reserve Bank, Philadelphia, Edmund A. Mennis, senior vice president, Republic National Bank, Dallas; H. Le Brec Micoleau, economist, General Motors Corp., Robert R. Nathan, Robert R. Nathan Associates, Inc., Washington; Reynolds I. Nowell, vice president, The Equitable Life Assurance Society of the United States.

Louis J. Paradiso, assoc. director, Office of Busines Economics, U.S. Department of Commerce; Sanford S. Parker, Fortune; Robert W. Paterson, director, School of Business and Public Administration, University of Missouri; Richard S. Peterson, Bank of America, N.T. & S.A.; W. H. Peterson, economist, United States Steel Corp.; Casimir A. Sienkiewicz, chairman, Central-Penn National Bank, Philadelphia; Arthur A. Smith, vice president, First National Bank, Dallas; Beryl W. Sprinkel, vice president, Harris Trust & Saving Bank, Chicago; Lazare Teper, director of research, International Ladies' Garment Workers' Union; W. W. Tongue, University of Illinois.

M. L. Upchurch, administrator, Economic Research Service, U.S. Department of Agriculture; Arthur R. Upgren, Macalester College; Henry C. Wallich, Yale University; D. S. Warning, director of marketing research, American Oil Company; Robert M. Weidenhammer, economist, U.S. Senate Committee on Finance; Rudolph L. Weissman, W. E. Hutton and Co., members of the New York Stock Exchange; J. P. Wernette, University of Michigan; Simon N. Whitney, New York University; Charles E. Young, director of economic and market research, Western Wood Products Assn.

The questionnaires were sent out just before the Middle East war, but most of the replies came in after the Israeli victory.

Twenty-five economists, who answered early, were given a second chance: Does the war modify your stance? One raised his forecast. The others stood pat. Reasoning: Military outlays and foreign aid are so high a little more wouldn't matter.

By the end of the year, helped along by inflation at the rate of 3% a year, an $800-billion economy will be a reality. The Gross National Product is expected to graduate from an estimated annual rate of $773 billion in the current quarter to $797 billion by December, 1967. By mid-1968 it will hit $823 billion and by the end of 1968 $847 billion.

But half the 6% annual rate of gain will come from "price." So the real growth rate is only 3%.

Industrial production now at 155.5 in the Federal Reserve Board index, will advance to 168 by the end of next year. This is an 8% overall gain, or a 5% annual rate. The forecasters expect a quick comeback from the sag so far this year.

Nevertheless, unemployment is expected to rise ever so slightly—from 3.8% to 4% of the labor force. But this won't cramp unions. Weekly earnings in manufacturing will advance from $113 to $120, or about 4% per year.

Residential construction—new housing starts—will rise 17% from 1,286,000 annually to about 1,500,000. Assumption: Mortgage money will be plentiful.

The capital-goods boom may not be over the hill, but the climb gets harder. Plant and equipment outlays are expected to rise 6½% from a $62 to $66 billion annual rate between now and the end of next year. But higher construction costs account for most of it if not all of that. Effect: No "real" gain.

Farm prices will advance about 4% and so will the cost of living. And householders, who have been savings-conscious, will resume their spending ways. Retail sales are forecast to rise 10%.

But don't expect a boom in autos. Sales will climb from present levels of 8.5 million a year to just under 9 million by the end of 1968. This 5% gain would leave the total below 1965's 9.3 million and last year's 9.1 million. Wall Street will follow the business returns. Industrial stocks will rise 11%—5% between now and the end of the year, then a slight slowdown.

This gradual advance doesn't gee with Wall Street behavior. J. P. Morgan, the elder, is said to have said of the stock market, "It will fluctuate." That thought didn't refer to the gentle undulations of a baby's cradle.

GRADUATED PROSPERITY

Economists expect output of goods and services to increase at an annual rate of 6% between now and December, 1968. But one-half of this would be inflation. A 3% annual increase in prices (the cost of living) is guesstimated over the 18-month span. Retail sales will increase by 10%, even though passenger car sales will not regain the nine-million-a-year rate of 1965 and 1966. A jump in home building to 1,500,000 starts a year is foreseen.

Indicator	Latest	December 1967	Consensus, June 1968	December 1968
PRODUCTION				
Gross national product (billions, 1, A)	[1] $773	$797	$823	$847
Industrial production (2,B)	[2] 155.5	159.9	163.9	168.0
New plant and equipment (billions, 1,3,A)	[1] $62	$63	$64	$66
Housing starts (thousands, 1,A)	[2] 1,286	1,325	1,420	1,500
Defense spending (billions, 1,A)	[3] $70	$76	$79	$81
PRICES				
Wholesale prices (4,B)	[2,4] 105.8	106.7	107.9	108.9
Farm prices (5,C)	[2] 252	258	261	263
Cost of living (4,B)	[2,4] 115.5	116.9	118.5	120.0
Stock prices (6,D)	[5] 100	105	107	111
UNEMPLOYMENT, WAGES, RETAIL SALES				
Unemployment rate (percent, 4)	[2] 3.8	3.9	3.9	4.0
Weekly wages in manufacturing (4)	[2] $113	$116	$118	$120
Retail trade (billions, 1)	[2] $26.1	$27.1	$28.0	$28.8
Automobile sales (thousands, 7)	[2] 8,500	8,650	8,810	8.940

[1] 2d quarter estimate.

[2] May.

[3] 1st quarter.

[4] Preliminary.

[5] June 21.

NOTES

1. Department of Commerce; 2. Federal Reserve Board; 3. SEC; 4. Department of Labor; 5. Department of Agriculture; 6. Standard & Poor's; 7. Auto companies.

A. Annual rate; B. 1957-59=100; C. 1910-14-100; D. 1941-32=10.

CONVENTION ON GENOCIDE DESERVES THE ATTENTION OF THE SENATE—XCV

Mr. PROXMIRE. Mr. President, I have arisen during every meeting of the 90th Congress in an effort to secure the passage of five human rights conventions. One of these, the Convention on the Prevention and Punishment of the Crime of Genocide has been collecting dust for 18 years, and no action has yet been taken.

What is genocide? The term "genocide" was coined in 1946 by the distinguished international legal scholar, Prof. Raphael Lemkin, "Genos" is the Greek word for race or tribe and "cide" the Latin suffix which means killing. Literally, then, the word means the killing of a race or a tribe.

The mass murder of 6 million Jews by the Nazis was the most vivid, violent, and tragic expression of genocide; but this century alone has seen others—Armenians, gypsies, Chinese, Slavs. Some 20 million people have been systematically exterminated because of their racial, religious, or ethnic backgrounds.

In the language of the Convention, genocide means certain specifically defined acts "committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such." The specific acts are: killing members of the group, causing serious bodily harm to members of the group, deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, imposing measures intended to prevent births within the group, and forcibly transferring children of the group to another group.

Since its adoption, the genocide convention has been ratified by 70 nations, including the Federal Republic of Germany. Few European or Latin American countries have failed to ratify. The most prominent absentee has been, and continues to be, the United States of America.

Mr. President, there is no reason for any Member of this body to disagree that the above defined acts are criminal. No one in the civilized world should be permitted to commit such reprehensible acts free from sanction. I, therefore, urge once again that the Senate give its attention to the genocide convention. Given the serious thought that a matter as significant as this deserves, I am certain the Senate will reverse its 18-year policy of inaction, and ratify this most significant treaty during the 90th Congress.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUDICIAL RESTRAINT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that a column by James J. Kilpatrick, entitled "Hugo Black Speaks Up for Judicial Restraint," which appeared in the Washington Sunday Star of June 25, 1967, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HUGO BLACK SPEAKS UP FOR JUDICIAL RESTRAINT

(James J. Kilpatrick)

One of these days, when a definitive biography is written of Justice Hugo Black, it may well be said that June 12 was his finest single day on the bench. In the twilight of his long career, the Alabamian is laying down some superlative law.

Most of us who sit in judicial bleachers, watching their eminences perform on the basepaths, have tended to classify Black as a liberal activist on the court. Whatever may have supported that appraisal in the past, the judgment plainly demands review and modification. It is a mischievous thing to say so—and Black will fume at seeing the thought in print—but he appears to be pursuing the same course that Felix Frankfurter pursued in his last year on the court. By the time he retired in 1962, Frankfurter had become a great conservative bulwark. Black moves in the same direction.

One of the landmark cases of June 12 was

United States vs. Wade, in which a majority of the court (a) laid down the rule that a defendant is entitled to counsel at the time of a police lineup, and (b) prescribed new standards for State courts on the admissibility of certain evidence of a defendant's identification. Black went along with the first rule. He dissented strongly on the second.

"There is no constitutional provision upon which I can rely that directly or by implication gives this Court power to establish what amounts to a constitutional rule of evidence to govern, not only the Federal government, but the States in their trial of State crimes under State laws in State courts. The Constitution deliberately reposed in States very broad power to create and to try crimes according to their own rules and policies."

In Black's view his brothers not only were whittling away at sound principles of federalism, but also were rewriting the due process clause of the Fourteenth Amendment. For his own part, "I have never been able to subscribe to the dogma that the due process clause empowers this court to declare any law, including a rule of evidence, unconstitutional which it believes is contrary to tradition, decency, fundamental justice, or any of the other wide-meaning words used by judges to claim power under the due process clause. I have an abiding idea that if the Framers had wanted to let judges write the Constitution on any such day-to-day beliefs of theirs, they would have said so instead of so carefully defining their grants and prohibitions in a written constitution."

In the companion case of Stovall vs. Denno, Black expanded on his theme. His colleagues were laying down a constitutional formula which substitutes "this Court's judgment of what is right for what the Constitution declares shall be the supreme law of the land." They were asserting power "to determine what the Constitution should say instead of determining what the Constitution does say."

Black's dedication to strict construction appeared most eloquently in the masterful dissent he filed in Berger vs. New York. This was the case in which a five-man majority held that New York's carefully drawn wiretapping law was unconstitutional. It was the single worst decision of the 1966–67 term.

"As I see it," wrote Black, "the differences between the Court, and me in this case rest on different basic beliefs as to our duty in interpreting the Constitution. This basic charter of our government was written in few words to define governmental powers generally on the one hand, and to define governmental limitations on the other. I believe it is the court's duty to interpret these grants and limitations so as to carry out as nearly as possible the original intent of the framers. But I do not believe that it is our duty to go further than the framers did on the theory that the judges are charged with responsibility for keeping the Constitution 'up to date.' "

In still another case, this one involving an interpretation of the National Labor Relations Act. Black again spoke up for judicial restraint. His activist brothers, he thought, were usurping the responsibilities of Congress. If the rules of labor relations were to be changed, in order to give fresh weapons to weak unions, it was not the court's job to do it.

Yet Black was being entirely consistent, in Gilbert vs. California, when be asserted his own conviction that a "liberal construction should always be given to the Bill of Rights." His point was that when the Constitution lays down a positive, unequivocal commandment, that commandment must be obeyed all the way. An accused person cannot be compelled to incriminate himself. In Black's view, there is an end to it. Nothing more needs to be said.

Black's reputation as a judicial liberal, after 30 years on the bench, is too firmly entrenched to be easily upset. In the popular view, he doubtless will remain so classified. But through most of this term, and especially on June 12, Black was expounding the soundest conservative doctrine. With Thurgood Marshall about to come on the court, Black's latter-day conversion—if that is what it is—merits a round of applause.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HANSEN in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be permitted to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. BYRD of West Virginia. Mr. President, what is the pending business, to be considered by the Senate tomorrow?

The PRESIDING OFFICER. H.R. 10867, the debt limit bill, is the pending business.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 12 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, June 27, 1967, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 26, 1967:

AGENCY FOR INTERNATIONAL DEVELOPMENT

James P. Grant, of Virginia, to be an Assistant Administrator of the Agency for International Development.

NATIONAL LABOR RELATIONS BOARD

Arnold Ordman, of Maryland, to be General Counsel of the National Labor Relations Board for a term of 4 years.

COASTAL PLAINS REGIONAL COMMISSION

J. Russell Tuten, of Georgia, to be Federal Cochairman of the Coastal Plains Regional Commission.

EXTENSIONS OF REMARKS

Simon A. Miller Winner of High Award

EXTENSION OF REMARKS

OF

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 26, 1967

Mr. BLACKBURN. Mr. Speaker, it is with a deep sense of pride that I pay tribute to an outstanding young man from the Fourth Congressional District of Georgia, Simon A. Miller, 1624 Briarcliff Road NE., Atlanta, who recently was declared the winner of one of the highest and most distinguished educational awards in our country.

Mr. Miller has been presented with the top cash award of $5,000 in the fourth annual educational fund awards program, sponsored by Great Books of the Western World. The worldwide competition, with thousands of participants, involved a series of preliminary examinations and essays on the great books.

The presentation was made to Mr. Miller by the eminent philosopher and literary authority, Dr. Mortimer J. Adler, at a recent Decatur Rotary Club meeting.

As Dr. Adler so aptly pointed out:

> Education is the largest single enterprise in this country.

This is a profound truth, and certainly it behooves all of us to encourage our young men and women to pursue learning as avidly as does Mr. Miller—to enable them to realize and use their full potential for the development of their own lives, and in the best interests of our Nation.

Simon Miller has brought special honor to himself and to his family, to Druid Hills High School, where he is a student, to our State of Georgia, and indeed to our country. He can well serve as an inspiration to all young people, and as an example of ability and intelligence developed to the highest degree. His future promises to be a brilliant one, and I look forward to following his progress with great personal interest and gratification.

Uncommon Valor Was a Common Virtue

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 26, 1967

Mr. PUCINSKI. Mr. Speaker, Gen. William Sherman said, "War is cruel and you cannot refine it." The war in Vietnam is no exception. The cruelest aspect of this war, as in all other wars, is the destruction of the lives of the most fit and able young men of a nation.

The decisions made in Washington must be made with the full awareness that it is the soldier in the field who must implement them. We must make certain that the policy of the United States is to attain our stated goals with the least expenditure of lives. That is why I have called for a serious reconsideration of the "search and destroy" tactics presently being used.

Mr. Speaker, I read into the Record a list of the men who gave their lives in Vietnam from June of 1966 to May of 1967 who resided in the 11th District of Illinois. I do this, to provide due recognition and respect to these men and their families and to emphasize that I have always been aware of the personal nature of war.

It was said many hundreds of years ago that "War spares not the brave." Mr. Speaker, the names of the brave of the 11th District are:

Army Pfc. Gerald Warzecha, 18, of 4533 North Meade Avenue.

Army Sp5c. George L. Gavaria, 21, of 4925 North Oriole.

Navy Hospitalman Donald J. Rion, 24, of 5931½ Northwest Highway.

Army Sp4c. James Wendolowski, 21, of 5102 West Ainslie.

Marine Cpl. Donald W. Bollman, 21, of Norridge.

Marine Cpl. James W. Lohrey, 22, of 5306 North Mulligan.

Navy Corpsman John Rapey, 31, of 6555 West Addison.

Army Sp4c. Kenneth Wells of 4248 North Odell.

Army Sgt. Michael J. Kotulla, 21, of 5728 North Oleander.

Marine Pfc. Neil J. Cacciottolo, 20, of Norridge.

Marine Pfc. John E. Cronin, 20, of 5043 North Kostner.

Army Sp4c. Kevin T. Gorman, 22, of 5930 North Kolmar.

Army Pfc. Richard P. Hilgart, 22, of 4407 North Winchester.

Marine Pfc. Stephen M. Lee, 19, of 4621 North Winchester.

Army Sp4c. Peter J. Niccolini, 21, of 6907 North Owen.

Army Pfc. Walter A. Wilks, of 4825 North Oak Park.

Cape Cod National Seashore

EXTENSION OF REMARKS

OF

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 26, 1967

Mr. KEITH. Mr. Speaker, during the last few weeks a number of people have called my office asking for information on the Cape Cod National Seashore and the nearby islands of Martha's Vineyard and Nantucket, one of our Nation's finest vacationlands and an area I am fortunate enough to represent.

As our colleagues leave their offices today and step out into Washington's summer weather, I hope they will reflect upon Cape Cod and the islands—summer nights are breezy and cool, summer days are perfect for swimming, sunning, and golf. Cape Cod, Martha's Vineyard, and Nantucket have facilities for everything from horseback riding to rocking on the front porch.

They may—during the July 4 recess—want to visit the Cape Cod National Seashore with its magnificent beach and heavy surf, or the artists' colony at Provincetown. The picturesque towns of Truro, Eastham, Wellfleet, Chatham, Hyannis, and Falmouth are on your way. If they are curious about sea life, the Woods Hole Oceanographic Institution's museum is located conveniently near the Martha's Vineyard and Nantucket ferry wharf.

Not far from the Cape is Plymouth, site of the Pilgrims' landing. Nearby New Bedford, the old whaling port, is replete with historic sites. Here, one can still buy the same kind of pickled limes the whalers took to sea to prevent scurvy. The seafaring town of Fairhaven pays tribute to our State and national flags during their Festival of Flags, July 5 to 9.

How would you like to get away from the sultry Washington summer with its blue and orange heat haze? As you drive through tonight's rush hour with hot pavement radiating the day's heat under your tires, think of the cape and islands.

If you would like more information on the cape, the islands, Plymouth, or New Bedford, you are invited to contact my office. My staff will be delighted to help you.

Wise Words From President Johnson on the Best Ways To Fight Crime

EXTENSION OF REMARKS

OF

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 26, 1967

Mr. BROOKS. Mr. Speaker, President Johnson last week spoke about a matter of vital public concern—the rising crime rate. He noted that two important pieces of legislation—the Juvenile Delinquency Prevention Act and the Safe Streets and Crime Control Act—are now before Congress.

The need for this legislation is obvious—and I am sure my colleagues will promptly and positively enact both of these bills.

But as the President noted in his remarks to the National Council on Crime and Delinquency, "the problem of crime is embedded in the conditions of society itself. It involves the question of how people live, and what kind of stake they have in the life of their Nation."

What is this stake? It is based on full opportunity, on adequate schooling, on a decent home and neighborhood, on the chance for a good job and a good future.

And the President rightly noted that vital programs to provide these opportunities are now pending before Congress.

It is clear, as the President said, that we cannot do our duty to the thousands of young Americans who want a chance at a decent future by objecting to such programs as the model cities, the war on poverty, or to the Teacher Corps.

We are against crime. But that is not enough. We must be for progress—progress or bettering the human condition, for improving the economic and social standards of our people, and for expanding the boundaries of opportunity for all Americans.

The 90th Congress must keep faith with the people's needs.

Under unanimous consent I insert into the Record the text of the President's remarks to the National Council on Crime and Delinquency:

TEXT OF THE REMARKS OF THE PRESIDENT BEFORE THE NATIONAL COUNCIL ON CRIME AND DELINQUENCY

I welcome you here as companions in concern for America's future.

Maintaining public order is the basic need of society. Your concern for that basic issue—as citizens, as leaders of the business community—is a promise that this Nation's attack on crime and delinquency can succeed.

The work of the National Crime Commission—just completed this spring—threw light on some dark landscapes. One lesson became clear: if we can reduce juvenile delinquency, we will have the key to reversing the rising rate of crime.

The facts are tragic:

400,000 American boys and girls were behind bars last year awaiting trial; 100,000 of them were locked up with hardened criminals—in jailhouses instead of schoolhouses.

One out of every six boys in our land will go to juvenile court before his 18th birthday.

The rate of repeated crime is highest among criminals who began as juvenile delinquents.

These are confessions of failure. The day a boy appears before the bar of justice to answer for a crime, he has failed. But on that same day, we have failed, too—as a society—because we did not prevent that confrontation.

Before the Congress now is a major Juvenile Delinquency Prevention Act. For the first time, it will enable communities to plan their own assaults on delinquency—to prevent careers in crime, not just to punish them.

Before the Congress now is the Safe Streets and Crime Control Act—a proposal to strengthen the police forces, the correctional systems and the courts of this country. The House Judiciary Committee this morning reported the Safe Streets and Crime Control Act of 1967. This is a major step forward in Crime Control and Safer Streets for every citizen.

America needs that legislation now. I urge the House and Senate to promptly complete action on that measure.

But the problem of crime is imbedded in the conditions of society itself. It involves the question of how people live, and what kind of stake they have in the life of their Nation.

Most juvenile delinquency—although not all—is rooted in poverty.

Most careers in crime begin in a world without hope.

The most urgent picture of delinquency is of a boy, trapped in that world, who cannot find his way out.

He is surrounded by America's abundance—but he feels failure in his own heart.

Before he is a man, he faces his future over the point of a knife or the end of a gun.

We can never conquer delinquency until we can break that cycle of failure.

That is why the problem is more than improved courts and correctional systems and police procedures—fundamental though these are.

Our task is to build a ladder for the young Americans born into that dark and hopeless world.

For most boys and girls in this nation, the rungs of that ladder are normal conditions of life:

Medical care to provide health for the body.

Adequate schools with competent teachers.

A decent home to live in.

The opportunity to train for a good job at a good wage.

Programs to provide these are now before the Congress.

But we are hearing again old voices of fear and distrust, which have always blocked progress.

They object now to the Model Cities Program. They object to the War on Poverty. They object to the Teacher Corps.

The voice of the people—willing to plan and invest in the future of this Nation—must be louder than that tired old chorus of objection.

I hope you will go back to your communities and inspire your neighbors with a new understanding. Help them to see that we can stop careers in crime before they begin—and convert them into careers of promise and productivity.

Thank you for coming here today.

James B. Conlisk, Jr.: Chicago's New Police Chief

EXTENSION OF REMARKS
OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 26, 1967

Mr. PUCINSKI. Mr. Speaker, on Friday, June 23, Mayor Richard Daley announced the appointment of James B. Conlisk, Jr., as the new police superintendent of the city of Chicago, effective August 1.

August 1 will mark the end of a 7-year period of leadership on the part of O. W. Wilson. During that period and under that leadership Chicago has acquired the best police force of any major city in the United States. The police department facilities, such as the extensive and rapid communications system and the large number of constantly cruising police vehicles, have been greatly expanded and improved under the leadership of retiring Superintendent Wilson.

With the retirement of O. W. Wilson, the city's police force will be headed by a man who has served the city and the force for over 20 years. James Conlisk, like so many other Chicago policemen, comes from a family who have long been members of the department. His father, James B. Conlisk, Sr., was a policeman for 46 years and served as administrative assistant to three commissioners. The newly designated superintendent has two brothers that are with the force. And one of his two sons has expressed the desire to become a policeman.

The new superintendent's credentials indicate the wisdom of the choice made by the mayor after reviewing the names of potential replacements submitted by the Chicago Police Board.

Mr. Conlisk joined the department in 1946 and by 1959 had risen to the rank of captain. In 1960, Superintendent Wilson named Captain Conlisk as deputy superintendent for field services. In that capacity, Mr. Conlisk acted as Superintendent Wilson's top aide.

On the announcement of the appointment, the retiring superintendent said of Deputy Superintendent Conlisk: "No man in or outside of Chicago is as well qualified."

I am certain that the men and women of the department and the people of Chicago are pleased with the appointment of this most qualified and dedicated Chicago police official. I take a special pride in that James Conlisk resides in the 11th District of Illinois and therefore is one of my constituents.

James Conlisk has been named to a formidable job but he brings to it formidable credentials. Deputy Superintendent Conlisk, shortly to be Superintendent Conlisk, said:

> I pledge a continuation of the leadership that has brought Chicago to the forefront as one of the eminent police departments of the world.

All of Chicago wishes the new superintendent well.

Freedom for the Baltic States

EXTENSION OF REMARKS
OF

HON. HAROLD R. COLLIER

OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 26, 1967

Mr. COLLIER. Mr. Speaker, last Friday and yesterday, President Johnson met with Soviet Premier Kosygin in Glassboro, N.J. Presumably they discussed such substantive matters as the Middle East, Vietnam, a treaty to bar the proliferation of nuclear weapons, and the possibility of an agreement regarding antiballistic missiles. According to the White House press secretary, "each side could raise issues of interest."

Certainly all these matters are important, not only to the peoples of the great nations represented by the two leaders, but also to hundreds of millions of other people throughout the world. I am confident that President Johnson did his best to forcefully present the viewpoints of the United States and to let the Soviet visitor know in no uncertain terms that America will protect its interests in the Middle East and simultaneously prosecute the war in Southeast Asia to victory.

One subject that the Chief Executive should have brought up was the restoration of de facto independence to the Baltic countries. Although the annexation of Estonia, Latvia, and Lithuania occurred on July 14, 1940, the incorporation of these three nations into the Soviet empire has never been recognized by the United States. While the policy of nonrecognition is commendable, it appears to me that it is too passive. We should do more than merely pass by on the other side when an international brigand steals the territory of his neighbors. Under present-day circumstances, a policy of nonrecognition amounts to acquiescence.

Mr. Speaker, not only should President Johnson have raised the question of independence for the Baltic nations during his conversations with Premier Kosygin, but Arthur Goldberg, our representative in the United Nations Organization, should likewise have brought up the subject during the Soviet leader's appearance at the United Nations.

The Soviet Union and its satellites have frequently used the international organization as a sounding board to spout Communist propaganda and to insult the United States, its leaders, and its people. The Soviet representatives have abused our hospitality by their vicious tirades in the United Nations, which is located in our largest city and is financed largely with money paid by American taxpayers and loaned by American bond purchasers. The Soviet leaders have forgotten how American blood was spilled and how American funds were expended during World War II to save the Soviet Union and its satellites from defeat.

While the Soviet Union's chief weapon is the use of lies, America does not need to retaliate by employing such a weapon. All America needs to do is tell the truth about the Communist empire. The independence of Estonia, Latvia, and Lithuania should be restored and those who speak for the United States and its people should constantly reiterate this truth by shouting it from the housetops whenever the opportunity presents itself. Why not start in the United Nations?

Speech Before Veterans of Foreign Wars

EXTENSION OF REMARKS
OF

HON. JIM WRIGHT

OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 26, 1967

Mr. WRIGHT. Mr. Speaker, our able and distinguished colleague, Hon. JAMES KEE, spoke last Saturday in Clarksburg, W. Va., to the Annual Department Convention of the Veterans of Foreign Wars.

His remarks are so timely and so inspiring, and were so enthusiastically received by those who heard them, that I have sought this privilege of having them printed here in the CONGRESSIONAL RECORD. I commend them to all Americans:

REMARKS OF THE HONORABLE JAMES KEE, OF WEST VIRGINIA, BEFORE THE 46TH ANNUAL WEST VIRGINIA DEPARTMENT CONVENTION OF THE VETERANS OF FOREIGN WARS AT THE VFW POST HOME, CLARKSBURG, W. VA., ON JUNE 24, 1967

Mr. Chairman, Department Commander Williams, reverend clergy, delegates, and guests, it is with humility that I accept your kind invitation to address the 46th annual department convention of the Veterans of Foreign Wars.

It is an honor to have this opportunity to visit with you in the VFW Post 573 home here in Clarksburg.

Your organization received its charter from Congress a little more than 3 decades ago. But there were veterans of foreign wars in this country long before that. In fact—since its inception as a nation—the United States has been blessed by brave men who did not hesitate to fight for their country on foreign seas and foreign shores.

Much of the fighting during the revolution took place outside the territorial limits of the 13 colonies. Our country was only a few years old when United States Marines were first dispatched abroad to protect the lives of American citizens. In the early days—our naval forces were often sent to foreign ports—*when local authorities were unable—or unwilling—to guarantee the safety of American lives or property.*

But it was during the 2 world wars that American soldiers and sailors first learned what it meant to battle for freedom and democracy at the 4 corners of the globe. There are now cemeteries for our heroic dead on three foreign continents. And even as we meet here—*our servicemen are once again proving their valor on jungle battlefields—nearly 10,000 miles from their homeland.*

I have discussed this brief historical review for one purpose only—to remind you once again that if there were no foreign war veterans—*there would be no United States of America.* The price of liberty comes high today—*just as it did in the time of our forefathers.*

The primary aims of your organization may be summed up under three headings:

1. To care for disabled veterans and their families;

2. To care for the widows and orphans, and;

3. To preach the basic creed of Americanism as expressed in the Bill of Rights.

You have performed the first 2 duties exceedingly well. From experience I know your interest in the veteran in need and his family will never slacken.

But today, the 3rd point, *the need to explain Americanism to the young people, is the overriding duty of our times.*

The people of the United States today are enjoying an abundant prosperity never before seen on this earth. And they are enjoying something infinitely more precious, the right to order their own lives under a democratic government. They have free speech, freedom of assembly, and freedom of worship. In contrast to conditions in Communist countries, there is no despotic government to tell them where to live and where to work, what to do or what to think.

It would seem that democracy has proved itself as the finest form of government ever devised by man. Unfortunately—there are disquieting signs that an organized campaign is underway to downgrade the worth and value of democracy among the young citizens of our country.

The right of protest is a sacred right guaranteed by our Constitution. The Nation's young people in our colleges and universities have as much right as the rest of us to express their views. *But the right of protest is strictly limited by the rules of fair play and by the absolute duty of loyalty to one's country.* The news reports of recent months indicate that in too many instances—those who claim the right of dissent have over-stepped these boundaries.

At one university a prominent official was howled down when he attempted to deliver a scheduled address. At another a speaker was threatened by mob violence and had to be rescued by police. On too many occasions young men have been encouraged *by those who know better,* to burn their draft cards in public.

A well known cartoonist said these current mobs are acting like the brown shirts of Hitler, and the black shirts of Mussolini, *who brought Europe to disaster in the 1930's.*

The Honorable J. Edgar Hoover—Director of the Federal Bureau of Investigation—has warned his countrymen that the Communists have an organized campaign to corrupt the students in our colleges and universities.

There was a meeting in New York City a few weeks ago which illustrated the shocking tactics employed by those who claim they are merely expressing the right of dissent. The purpose of the meeting was to protest the participation of the United States in the war in Vietnam. One speaker denounced President Johnson as a buffoon and Secretary of State Rusk as a fool. There was the usual burning of draft cards by publicity seeking young men. And then came the crowning act of outrage, the burning of an American flag. The only purpose of this act was to wound the most sacred feelings of the American people. You will be scandalized to learn that the wives of several prominent Americans went up to New York by special plane to witness this ceremony.

After reviewing the dark side of the picture let us see the bright side. Along with several of my colleagues I have introduced a bill to make it a felony, punishable by heavy penalties of fine and imprisonment, to desecrate the flag of the United States. I am pleased to be able to report to you that on Tuesday, June 20th, the House of Representatives passed this measure by a vote of 385 to 16. We have just entered the 191st year following the official adoption of our flag by the Continental Congress.

According to reliable witnesses, the vast majority of young people today are hardworking, serious about their duties, and intensely patriotic.

One of the most effective answers I have seen to the placard wavers and the draft card burners was written by Mr. Ray Cromley of the Scripps Howard newspapers. His story appeared under the appealing headline, "In Viet Nam They Protest With Their Lives." His remarks were so good that I am going to quote a couple of paragraphs:

"In the past 5 months more than 15,000 officers and men who completed their year's tour of duty in Viet Nam volunteered for an additional tour of duty.

"Of the 441,000 troops in Viet Nam, 335,000 are there because they volunteered for service or extra service in the Army, Navy, Air Force, and Marines—most realizing they'd likely be sent to Vietnam.

"More than 85 percent of the Americans killed in Viet Nam volunteered for service or extra service at a time when it was certain they'd serve in Vietnam.

"These American protesters in Viet Nam are laying their lives on the line. We read many battle stories about their bravery. We hear much less about their beliefs or the things they're doing for Viet Nam when they are not fighting."

I believe the foregoing by Ray Crumley constitutes an inspiring and moving tribute to the decency, the bravery, and the patriotism of this generation of young Americans.

Now I would like to quote another tribute to these young men from a soldier who should know, General Earle G. Wheeler, Chairman of the Joint Chiefs of Staff. To tell the story properly it is necessary to use a few more figures.

General Wheeler pointed out that until mid-December of last year some 29,000 servicemen had received awards for valor in Viet Nam and more than 40,000 had received the Purple Heart. During that period, 11 had received the Medal of Honor, the highest of all decorations, and more than 200 had received the Distinguished Cross.

How good is the American fighting man today? Some feared that too much prosperity had made the average youngster too soft for the harsh demands of the battlefield. To such misgivings General Wheeler gave this reply:

"When aroused he is tough, resourceful and tenacious. Above all he is a confident fighter, confident that he is well trained, that he fights for a nation whose cause is worthy and that his Nation supports him.

"I am a member of your generation—and this may be an admission against interest—but I am convinced that all in all our fighting men today are better than any we have ever produced in the past. They prove themselves on the battlefield."

So you experienced and older veterans should be on the alert because General Wheeler says the next crop of candidates for admission to your organization are the best fighting men Uncle Sam ever had. I believe you will be proud and delighted to know that.

We all know that if the American flag ever stops flying, liberty will disappear in this country. A newspaper in Australia—surveying the present world scene—gave us an additional thought. This newpaper pointed out that, except for American military might, the whole free *world would fall into the hands of the Communists like a ripe plum.*

In other words, *if the American flag ever stops flying, liberty will disappear from this earth.*

I hope these thoughts will prove a fresh inspiration in your campaign to teach the young folks what Americanism really means.

NLRB's Failures Make Labor Court Necessary

EXTENSION OF REMARKS

OF

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 26, 1967

Mr. FISHER. Mr. Speaker, the National Labor Relations Board has been weighed in the balance and found wanting. The time has come when it should be replaced by a labor court. With that in mind I have introduced H.R. 8640. Under this bill the court would be composed of 15 members, appointed for terms of 20 years, with staggered terms.

The need for this change has become quite apparent in recent years. In this industrial age it is imperative that we update our means of coping with problems growing out of labor-management relations. There is too much involved to continue to treat this issue lightly, and leave in irresponsible hands the solution of problems which deserve the best solutions that this enlightened age can provide.

Mr. Speaker, hardly a week goes by when we do not hear of one or more instances of the failure of the NLRB to measure up to its responsibilities. It is utterly lacking in the exercise of judicial conduct. That fact has become well known. The simple and undeniable fact is that the Board, and its subordinates, have become stacked with people who consistently show a callous indifference to the legitimate rights of buiness enterprises and constant bias in favor of labor unions. These charges are well founded and can be thoroughly documented.

The American people can hardly comprehend the awesome power of the

NLRB. By delays, arbitrary decisions and contradictory actions, designed to hamper business, this agency can detroy a thriving business and subject thousands of enterprises to intolerable and inexcusable expenses. And this has happened in many instances.

The NLRB should be investigated. Instances of its pattern of unfairness have mounted to the point that something should be done to protect business, workers, and the public interest against the exercise of arrogant and arbitrary power, such as is now lodged in the NLRB.

STEVES SASH & DOOR CO. CASE

Mr. Speaker, a score of cases have recently been called to my attention, which originated in the area I represent, wherein the NLRB has been tested and found wanting. I shall take the time to cite but a few of them, with respect to which I have sought and obtained some facts.

In the case of Steves Sash & Door Co., of San Antonio, a 2-year contract was agreed to after a harrowing experience by management, covering a period of more than a year of negotiations. I shall not detail them here. During that period the union changed chief negotiators six times, and repeatedly reneged on agreements previously reached. And during that period the record is replete with evidence of all sorts of acts of coercion and intimidation applied to the company by those inspired and directed by union negotiators.

A number of what appears to have been wholly unwarranted complaints against the company were issued by NLRB's Houston regional office, many of which were obviously done for the sole purpose of helping the union. I defy any fair-minded person to read the record and come to any other conclusion.

The record in that case also reveals that charges against the union were filed in several instances. But, although supported by the strongest of evidence, they were either dismissed or no action was taken on them by the regional director.

It is significant that in every instance where the union filed a complaint against the company, the Houston office ruled the complaint had merit, irrespective of the facts to the contrary.

The record of this case, which is voluminous, reveals a sordid pattern of complete unfairness toward the company on the part of the regional office. Yet, under the present system the company was helpless. Its only recourse against this exercise of autocratic power was to hire lawyers and file appeals, at intolerable cost.

PATIO FOODS, INC., CASE

Mr. Speaker, on last May 19 I inserted in the CONGRESSIONAL RECORD an instance of utter unfairness exhibited by the NLRB's Houston office in the case of Patio Foods, Inc., also of San Antonio. I there documented a most remarkable case of repeated instances of utter disregard for the rights of the company in the course of negotiations with a union.

Again, I defy any fairminded person to examine the record of that case and not agree, without reservation, that the regional director arbitrarily and repeatedly ignored the legitimate rights of the company and resorted to extreme measures in favor of the negotiating union. It is a record that is lopsided with bias and completely devoid of any evidence of efforts to make decisions which were fair and reasonable.

LONE STAR TEXTILES, INC.

Another instance of this pattern of unfairness was the case of Lone Star Textiles, Inc., of Halletsville, Tex. In that case three relatively small cotton mills which were about to be closed were bailed out by a family, which then undertook to keep the workers employed and make the plants succeed. But since the acquisition the company has been plagued with a long series of union demands, slowdowns, intimidations, and severe economic losses.

Here is another case where the union's repeated charges of unfair labor practices were on every occasion upheld by the NLRB's Houston regional office. And, in keeping with scores of other cases, every charge filed by the company was summarily disallowed.

This is another record that is replete with a pattern of repeated and consistent bias in favor of the unions involved. The company's grievances were brushed aside, and the NLRB's Houston office entered into a virtual partnership with the unions and showed no evidence whatever of fairness in resolving the issues. This office has repeatedly aided and abetted in pursuing efforts to harass, intimidate, and coerce—in case after case.

A fair and impartial investigation will confirm everything I have said about this case.

B. & W. ENGINEERING MANUFACTURING CO.

Mr. Speaker, I shall refer to but one other instance of misconduct on the part of the NLRB and its personnel. This one relates to the B. & W. Engineering and Manufacturing Co., of San Angelo, Tex., a foundry which employs about 40 people. Although the company paid good wages and enjoyed pleasant relations with its employees, it found itself suddenly beset by a strike called by a visiting union organizer who claimed he had authority to represent a majority of the plant's workers. There had been no election by the employees, no official determination, to support this claim.

Almost immediately after first making the demand for recognition, the organizer ordered a strike, and on the same day filed a large number of charges against the company, even though the company had not declined to discuss the matter with the organizer. The organizer then employed the most ruthless forms of lawlessness, threats, and coercion in bringing pressure upon the company to yield.

The next day the company filed a formal request to have an election held, insisted the visiting organizer did not have authority to represent a majority of the workers, and agreed to abide by the results of an election which it requested the NLRB to hold. The organizer did not want that. And the NLRB's regional office in Fort Worth held that no election would be allowed while charges against the company were pending.

The question of the validity of the charges was submitted informally to NLRB's counsel in Washington, at the request of the company after the regional director had indicated the charges would stand. After a few weeks the company was notified that the charges would be dismissed. Following that the union filed an appeal to the NLRB with respect to the dismissal. Weeks later the NLRB counsel reversed the prior finding and ruled that the charges of unfair labor practices would not be dismissed. That brings the case up to date.

This presents a case of utter disregard for the rights of a small, struggling business. Here the NLRB has condoned an unwarranted assumption of authority on the part of an organizer who would not dare agree to a fair, supervised election to confirm his alleged authority. Why? Obviously because he knows he would lose. That in itself serves to prove the bad faith of the organizer.

The case will now go to the Federal court of appeals, and perhaps to the Supreme Court. Hundreds of man-hours will be wasted. Production at the plant has been retarded. Many thousands of dollars will be expended by the company in protecting its legitimate interests—which the NLRB was created to respect and protect.

Mr. Speaker, the conduct of these people who act for the NLRB, whose salaries are paid by American taxpayers, smacks of totalitarianism. A complete NLRB housecleaning is overdue. The substitution of a labor court seems to be the best answer.

Delinquency Prevention Proposal

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 26, 1967

Mr. PUCINSKI. Mr. Speaker, recently the North American Newspaper Alliance distributed an article which I had written regarding the growing problem of juvenile delinquency.

Here in Washington, the Washington Star carried the article in its entirety. I take the privilege of placing this article in the RECORD today, as follows:

DELINQUENCY PREVENTION PROPOSAL

(By ROMAN C. PUCINSKI)

Congress is on the doorstep of a move to cool the annual crises in long hot summers and it seems to be acting just in the nick of time.

With continued support from local communities, the House of Representatives should vote within a month on one of the lowest-cost programs in its history, and one that offers the first hope of solving the dilemma of juvenile delinquency.

The nation-wide cost of delinquency is about $4 billion annually. Of more interest—it may soon involve about one-quarter of our population.

The beginning can be made with the legislation known as "The Juvenile Delinquency Prevention Act of 1967." I emphasize "prevention" because the measure has been drafted to provide incentives which would require communities to combine their resources and best talents in one plan of action.

As the chairman of the General Subcommittee on Education of the House Education and Labor Committee which is considering the legislation, I have been startled and rudely awakened by the nature and extent of juvenile crime as unfolded by witnesses who have endeavored for years to stir public concern to this danger.

COMMISSION FINDINGS

Need for this legislation has been bolstered by the year-long study made by the President's Crime Commission. Let me state some of the more important findings of the report:

1. Juvenile arrests increased 9 percent in 1966.

2. Youths between 11 and 17, comprising 13 percent of the population, were convicted of 50 percent of all burglaries, larcenies and car thefts.

3. Half of all crimes against property were committed by minors.

4. Of all ages from cradle to grave, our 15-year-olds are arrested more frequently.

Attorney General Ramsey Clark sought to bring home the problem even more clearly in his testimony before my subcommittee when he stated:

"Today we know that four out of every five felons, before committing their more serious crimes, had been convicted of misdemeanors, generally as youths. We know that most of this could have been prevented. We know that four out of every five juvenile courts have no psychiatrist or psychologist available, and one-third have no probation officer or case worker.

"Of the 400,000 youths in jails last year, 100,000 were imprisoned with hardened criminals."

ACT HOLDS HOPE

To this distressing report, the President's Crime Commission added, "America's best hope for reducing crime is to reduce juvenile delinquency and youth crime."

I believe the "Juvenile Delinquency Prevention Act of 1967" holds that hope. It has the strong support of the Administration and, although it authorizes a modest $25 million initial expenditure, I am hopeful that—based on compelling evidence of need—Congress will increase the initial authorization by at least another $25 million.

While the initial authorization is modest, it escalates sharply in the next four years providing a total of $475 million for Federal and local community programs in the next five years.

The legislation would provide Federal grants up to 90 percent to states and their communities to develop comprehensive plans to prevent delinquency. It also offers Federal aid to carry out projects designed to prevent lawlessness, for some construction projects and for increased research in this area.

To be eligible, an applicant must first submit a comprehensive plan for work on juvenile delinquency.

This means that our schools take an active role in combating and preventing delinquency, as well as juvenile courts, probation officers, prosecuting attorneys, law enforcement officers and all community service groups.

A NEW RESOURCE

Out of this combination of talents should evolve a new resource—a coordinated service in the community to which other agencies can refer problem youths and upon which families and youths can call for help and assistance.

If nothing else, it will show our young people that we are interested in them.

A recent decision by the U.S. Supreme Court overturning the conviction of Gerald Francis Gault by an Arizona juvenile court now places added responsibilities—with resulting higher costs—on local communities to guarantee the rights of minors who must appear in courts.

The High Court said, in effect, that juveniles who are charged with offenses which may be punishable by some form of detention, must be given the right to be represented by counsel, to cross-examine witnesses against them and to have full protection against self-incrimination.

I believe the court had the duty to define these protections and the effect of this landmark decision will be to force communities to bend every effort to prevent delinquency, rather than pay the increased cost of providing attorneys for juveniles and taking the added time of judges, law enforcement officers and prosecuting attorneys after a youth commits a criminal act.

COMMUNITY ACTION

If we ignore this crisis among our youth, there is every reason to believe that the Gault decision may cause more distress in many communities than the historic 1954 school desegregation ruling. The demands made upon the communities to protect the rights of juveniles can be vastly more costly than providing adequate schools for all.

The Children's Bureau of the Department of Health, Education, and Welfare has many reports that stress the need for more community action for youngsters.

In its spot checks of delinquency care around the country, it has uncovered routine practices of placing juveniles in jails and detention homes for a "cooling-off" period of up to seven days. This is done without any order of the court but merely on the choice of law-enforcement officers. Undoubtedly, it is a violation of human rights and a matter of community concern.

The "Juvenile Delinquency Prevention Act of 1967" should force us to look at all practices affecting our young people. It is what we need to meet this responsibility.

There are now 48,500 youngsters in state training schools throughout the country, costing taxpayers $144 million annually for upkeep alone. There are another 220,000 youngsters throughout the U.S. under some form of court supervision, costing taxpayers another $70 million annually for supervisory personnel.

With these figures destined to grow, and grow, and grow, it is time we Americans realized that juvenile delinquency prevention is a wise investment.

Report No. 2: "A Strategy for a Livable Environment"

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 26, 1967

Mr. HANNA. Mr. Speaker, as I indicated I would do in my initial favorable comments on the HEW task force report regarding "a strategy for a livable environment," I am today offering more specific comments about the report. In upcoming days, I intend to continue this practice.

It is my sincere hope that my colleagues will see fit to add their thoughts on this most pressing and serious topic; the improvement of man's environment.

The task force has produced a highly intelligent report, most deserving of careful attention by each Member of Congress, by members of the executive branch, and by all citizens interested in resolving environmental problems.

Unfortunately, time is against us. Every day we delay, every day we wait to see if nature will resolve man's pollution problems, is a day lost in one of mankind's toughest battles. Had there been foresight and concerted action years ago, perhaps many urban dwellers would not be faced today with periodic smog alerts. Perhaps rivers would be conducive to swimming, rather than dangerous to life. It is now incumbent upon us to act speedily by giving prompt and serious consideration to all proposed legislation in the fields of air and water pollution, lest we be completely inundated by man-made wastes—the destroyers of nature's balanced environment.

As I mentioned previously, we must not focus exclusively on the most obvious and publicized problems. We cannot afford to ignore the more subtle elements of deterioration, such as noise, crowding, and urban decay, among others. These forces are growing more dangerous daily. Radiation hazards and traffic congestion are too often conveyors of death to innocent bystanders. Land has shown a propensity to sink radically in places as diverse as Long Beach and the San Joaquin Valley in California. These are among the many challenges which we should now begin meeting earnestly rather than waiting for the problems to become so overwhelming that we must adopt a "crisis approach," much as we are being forced to act in air pollution.

To help pinpoint potential problem areas as well as to begin developing possible solutions for environmental maladies which are yet not overly publicized, I am in firm agreement with the task force report's suggestion of establishing a Council of Ecological Advisers. The Council would "provide an overview assessment of activities in public and private sectors affecting environmental change." Hopefully, the Council would be able to arrive at a coordinated, nationwide environmental policy. It seems to me that the Council of Ecological Advisers would resemble the President's Council of Economic Advisers. By making recommendations ahead of crises, by attempting to foresee potential problems, and by providing direction for an integrated national effort in overcoming environmental problems, the Council can serve a critical need which is not being adequately met.

Perhaps one of the greatest contributions that a Council of Ecological Advisers could provide would be the publication at regular intervals of an extensive bibliography of current articles and books relating to the environment. At present, there are a large number of fairly specialized publications which do a respectable job in recapitulating major developments in their specific fields. What I have in mind is a rather ambitious project, an attempt at listing as many relevant articles pertaining to all aspects of man's environment as is possible. I am fully aware that to list every conceivable journal, magazine, or newspaper article; every book; every pamphlet; every academic dissertation would be a hopeless task. But this does not mean that we should abandon attempts at forming a "Bibliography of Current Environmental News." Modern computer technology could be most helpful in making such a bibliography fairly comprehensive and inclusive, a handy guide for people interested in being fully aware of the "happenings" in man's environment.

As you have undoubtedly noticed, Mr. Speaker, I have not been very specific in this proposal. But this is only a proposal at this stage. I welcome comments from my colleagues on this subject and also hope to receive suggestions from professionals who are actively engaged in environmental research. At some later date, I hope to produce a specific, coherent proposal along these lines.

A second major administrative proposal enunciated by the report is the establishment of an HEW Office of Assistant Secretary for Research and Development. The purpose of this office would be to insure that HEW activities are integrated into a total systems approach, thereby a concentration and intensive coordination of research developments in the department being assured. This would undoubtedly be a constructive and ultimately a money-saving goal, as needless duplication of effort would be avoided.

Finally, in the administrative suggestions of "A Strategy for a Livable Environment" there is one section which distresses me. Perhaps I am misreading the report at this juncture, but it seems to plainly state that HEW should establish liaison offices in other governmental departments to coordinate environmental programs and research. It seems to me that this would eventually lead to proliferating demands from other government departments involved in aspects of man's environment for their own liaison offices in other departments. Parkinson's law would quickly be implemented and we would be faced with a morass of interdepartmental liaison offices.

In my humble opinion, the proposed Council of Ecological Advisers should be entrusted with such a task. The Council would be in an ideal position to coordinate the various activities relating to man's environment by being entrusted with the task of keeping informed of what all departments are doing in this field. Each department would be in charge of the actual implementation of programs that they are entrusted with.

But the Council would be able to pinpoint quickly and accurately who is doing what. In other words, it could serve as a "clearinghouse" on governmental activities relating to the environment. In fact, ideally, the Council would be able to keep abreast with all activities pertaining to man's environment—be they Federal, State, local, private, or nonprofit foundation programs.

Funds for the training of manpower to help combat environmental problems is one of the high priority items of the report. Additionally, public awareness of various environmental hazards is imperative. An aroused public is one effective catalyst for congressional action. While I would not support the establishment of a gigantic executive propaganda agency to coordinate public pressures on Congress, I would say that public education is most important.

In my next comments about the task force report, I will delve further into the areas of manpower training, public awareness, and most importantly, the need for intensive school education in environmental health.

SENATE

TUESDAY, JUNE 27, 1967

The Senate met at 12 o'clock meridian, and was called to order by Hon. ALBERT GORE, a Senator from the State of Tennessee.

Father Eugene P. McManus, S.S.J., chairman, Archdiocesan Commission on Housing and Community Life, Archdiocese of New Orleans, New Orleans, La., offered the following prayer:

Almighty God from whom all existence flows, we are grateful for Your providence.

At no time in history has man amassed such tremendous wealth and power.

We are grateful to live in a nation which is perhaps more blessed than any.

Today, we stand before the leaders of this great Nation—men chosen from among millions of Americans to act as custodians of this awesome power and prestige.

Their intelligence, their judgment, and their dedication have prompted their fellow citizens to choose them as leaders and to place upon their shoulders the burden of guiding the destiny of their Nation, indeed, of the world.

Heavenly Father, whose infinite power is one and the same with Your wisdom and love, give to these men the light and the judgment to use their power with wisdom and love for the benefit of all mankind. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 27, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ALBERT GORE, a Senator from the State of Tennessee, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. GORE thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on June 24, 1967, the President had approved and signed the act (S. 1352) to authorize adjustments in the amount of outstanding silver certificates, and for other purposes.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawing the nomination of Arnold R. Aklestad to be postmaster at Bigfork, Mont., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H.R. 7831. An act to amend the Fire and Casualty Act and the Motor Vehicle Safety Responsibility Act of the District of Columbia;

H.R. 10783. An act relating to crime and criminal procedure in the District of Columbia;

H.R. 10964. An act to enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes; and

H.J. Res. 652. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H.R. 7831. An act to amend the Fire and Casualty Act and the Motor Vehicle Safety Responsibility Act of the District of Columbia;

H.R. 10783. An act relating to crime and criminal procedure in the District of Columbia; and

H.R. 10964. An act to enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes; to the Committee on the District of Columbia.

H.J. Res. 652. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes; to the Committee on Appropriations.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 26, 1967, was dispensed with.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committee and subcommittees were authorized to meet during the session of the Senate today:

The Committee on Commerce.

The Subcommittee on Government Research of the Committee on Government Operations.

The Subcommittee on Manpower, Employment, and Poverty of the Committee on Labor and Public Welfare.

The Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. BIBLE, from the Committee on the District of Columbia:

Catherine B. Kelly, of the District of Columbia, to be associate judge of the District of Columbia court of appeals;

John D. Fauntleroy, of the District of Columbia, to be associate judge of the juvenile court of the District of Columbia; and

Alfred Burka, of Maryland, to be associate judge of the District of Columbia court of general sessions.

EXECUTIVE REPORTS OF COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL. Mr. President, from the Committee on Labor and Public Welfare, I report favorably sundry nominations in the Public Health Service. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

The nominations are as follows:

Victor E. Archer, and sundry other persons, for personnel action in the regular corps of the Public Health Service.

The PRESIDING OFFICER. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

TAX COURT OF THE UNITED STATES

The legislative clerk proceeded to read sundry nominations to the Tax Court of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that both nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. TARIFF COMMISSION

The legislative clerk read the nomination of Bruce E. Clubb, of Virginia, to be a member of the U.S. Tariff Commission.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide authorization for crediting the buildings management fund with receipts received from concessionaires to reimburse the Government for its costs in furnishing cafeteria equipment and other services (with an accompanying paper); to the Committee on Government Operations.

EMPLOYMENT SERVICE ACT OF 1967

A letter from the Secretary of Labor, transmitting a draft of proposed legislation entitled "Employment Service Act of 1967" (with an accompanying paper); to the Committee on Labor and Public Welfare.

STANDARDS TO BE APPLIED UNDER HIGHWAY SAFETY PROGRAM

A letter from the Secretary of Transportation, Washington, D.C., transmitting, pursuant to law, standards to be applied under the highway safety program (with an accompanying paper); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Armed Services:

"SENATE JOINT RESOLUTION 24—RELATING TO MILITARY PAY STRUCTURE

"Whereas, The military pay structure and wage allotment policy of the federal government presents hardships to some enlisted personnel; and

"Whereas, These personnel are asking to be subsidized by county government through its general assistance program in increasing numbers; and

"Whereas, It is felt that it is not reasonable for persons so employed by the federal government to be subsidized by local government; now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to review the military salary and wage allotment policies so that all military personnel, particularly in the lower enlisted grades, can maintain their family responsibilities without the need to request public assistance from local government; and be it further

"*Resolved,* That the Secretary of the Senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the House of the State of Missouri; to the Committee on Interior and Insular Affairs:

"HOUSE RESOLUTION 212

"Whereas, figures compiled by the Department of Defense for the fiscal year 1966 show that of the 4,873 servicemen who lost their lives in the fight for freedom in Vietnam during this period, 873 or 20.4 per cent were buried in national cemeteries; and

"Whereas, although one in five were actually interred in national cemeteries, many more would probably have also been buried in a national cemetery had there been available space near the home of next of kin; and

"Whereas, over the past three years there has been a determined effort on the part of some federal agencies to sharply curtail or do away altogether with any further provision for national cemeteries; and

"Whereas, present day burial expenses are sufficiently high without placing on the veteran's and serviceman's dependent the added cost of purchasing a burial plot; and

"Whereas, the burial allowances of the Veterans' Administration and that provided under Social Security are far too meager to provide for the last rites of most veterans and servicemen; and

"Whereas, there are presently plans to end the national cemetery system just as soon as present facilities are exhausted and this procedure would be a rank departure from the long-time precedent that veterans who have served their nation in time of war are entitled to burial sites provided by the United States government;

"Now, therefore, be it resolved by the House of Representatives of the 74th General Assembly that we strongly urge the Congress of the United States to take such action as necessary to forestall the present plans of the Bureau of the Budget, and oppose the position of the Department of Defense, which position is against further expansion of the national cemetery system, with the exception of the Arlington National Cemetery, as many national cemeteries have already exhausted available space and several others are scheduled for closing this year; and

"Be it further resolved that the Department of Defense be urged to establish an adequate and permanent national cemetery system to make national cemeteries available with burial spaces for all U.S. Military servicemen and women who are entitled to the same, and wish to be interred there; and

"Be it further resolved that copies of this resolution shall be sent to the Honorable Lyndon B. Johnson, President of the United States; the Honorable Carl Hayden, President Pro Tempore of the Senate; and the Honorable John McCormack, Speaker of the House of Representatives; the Honorable Robert S. McNamara, Secretary of Defense; the Honorable Charles L. Schultze, Director, Bureau of the Budget; and the members of the Missouri delegation in the Congress."

CONCURRENT RESOLUTION OF SOUTH CAROLINA GENERAL ASSEMBLY

Mr. HOLLINGS. Mr. President, I have received a concurrent resolution from the South Carolina General Assembly requesting the U.S. Secretary of Agriculture to require notice of indebtedness to certain Federal agencies to be noted on tobacco marketing cards.

I ask unanimous consent that the entire text of this concurrent resolution be printed in the RECORD, and appropriately referred.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution was referred to the Committee on Agriculture and Forestry, as follows:

S. 560

(Introduced by Senators Graham and Zeigler.)

A concurrent resolution requesting the U.S. Secretary of Agriculture to require notice of indebtedness to certain federal agencies be noted on tobacco marketing cards

Whereas, in order to engage in farming, tobacco growers in South Carolina and others engaged in agricultural pursuits find it necessary to borrow funds from time to time upon which to operate and carry on their farm operations; and

Whereas, Farm Home Administration and many other Federal Agencies advance and lend funds to tobacco farmers and others engaged in crop production; and

Whereas, in order to secure payment of such loans and advances, the Federal Agencies require the tobacco farmers to execute a crop mortgage or lien upon their respective crops; and

Whereas, it is stipulated under such crop mortgages that such loans shall be repaid from the proceeds arising from the sale of the crops; and

Whereas, when such crop mortgages are duly recorded in the county of the residence of the tobacco grower such recording under Federal statutes is deemed notice to the world, notwithstanding the fact that the average person would not check the records to ascertain if a lien for advances existed against the crops covered by the mortgage; and

Whereas, many tobacco growers sell their crops and the proceeds arising from the sale are distributed to the growers by tobacco warehousemen without the warehousemen being aware of such lien; and

Whereas, in order for the warehousemen to be aware of such lien and have actual notice thereof; it would be necessary to check all of the public records in the State, which would be prohibitive from a financial standpoint; and

Whereas, as a result of not having notice of such lien, many tobacco warehousemen have had to repay loans to such Federal Agencies after funds arising from the sale of crops had been paid over to the farmer and which resulted in a financial loss to the warehousemen; and

Whereas, requiring a warehouseman to pay the indebtedness of a farmer when it is impracticable for the warehouseman to determine the existence of a recorded lien is unfair and disruptive of orderly marketing procedure; and

Whereas, a tobacco farmer, in order to sell his tobacco crop, is issued a marketing quota card identifying him and permitting the sale of his tobacco on the warehouse floors; and

Whereas, such marketing card could be stamped or marked in such a manner as to notify the warehousemen the tobacco producer is a debtor of one of the Federal lending agencies; and

Whereas, with the marketing card being so marked, the warehousemen would then know to deduct any indebtedness due the Federal Agencies; and

Whereas, this has been done in the States of Virginia and North Carolina and to some extent in South Carolina, but not on a uniform basis; and

Whereas, tobacco marketing allotment cards are issued through the County ASC offices in those counties where tobacco is grown; and

Whereas, the Farm Home Administration and other Federal lending agencies could furnish the County ASC office of the county in which the tobacco grower produced tobacco, the names of those persons indebted to the respective agencies, and the ASC office could in turn stamp the marketing card in such a manner as to notify the warehousemen of the indebtedness, who could then deduct same from the proceeds of the sale. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That it is hereby requested that the Honorable Orville L. Freeman, Secretary of Agriculture, direct the Farm Home Administration and the various Federal Agencies in the United States Department of Agriculture to supply the County ASC offices of the respective counties in South Carolina, where tobacco is grown and produced, with a list of their debtors and direct the ASC offices in the respective tobacco producing counties issuing a marketing card to a tobacco producer to mark or stamp the debtors' marketing card in such a manner as to show the producer is indebted to the Federal Government or one of its lending agencies.

Be it further resolved that copies of this Resolution be forwarded to the Honorable Orville L. Freeman, Secretary of Agriculture; to the United States Senators from South Carolina and to members of the United States House of Representatives from South Carolina.

L. O. THOMAS,
Clerk of South Carolina Senate.

RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. PELL. Mr. President, on behalf of myself and the distinguished senior Senator from Rhode Island [Mr. PASTORE] I send to the desk for appropriate reference a resolution of the Rhode Island General Assembly urging the Congress to insure and provide a sound and healthy domestic trawl fishery through tariff or quota protection on imported groundfish.

Mr. President, I have a special interest in this resolution because of my interest in maritime matters and the general field of oceanology, which is of increasing importance to the economy of my State. We do need to provide a healthy environment for the development of our fisheries through a number of approaches, one of which is suggested in this resolution, and I hope the resolution will be duly noted for this reason. I ask that the resolution be printed in the RECORD at this point.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution was referred to the Committee on Commerce, as follows:

S. 791

A resolution memorializing the Congress of the United States to take appropriate action to ensure and provide a sound and healthy domestic trawl fishery through tariff or quota protection on imported groundfish

Whereas, the importance and nutritional value of fish and shellfish in the world (F.P.C.) and the American diet are becoming increasingly more important as a protein resource; and

Whereas, our federal agencies involved have found on three occasions since 1953–1954 that our domestic trawl fish industry was being hurt or injured by importations, and yet executive administrative action has not been forthcoming to provide this needed protection; and

Whereas, the United States domestic fishery production has decreased and diminished consistently since 1954 to the point of having dropped in world production from second place to fifth place (1964) with Norway overtaking the United States in 1966; and

Whereas, the domestic fishing industry, having been severely criticized for not having up-graded itself, has found so doing impossible as long as any and all foreign nations can so conveniently ship fishery products into the United States; and

Whereas, the United States production of these species in 1966 was only 19.2% of the total United States supply and that from imports was 80.8% (U.S.D.I. Bureau of Commercial Fisheries Annual Summary, "Packaged Fishery Products—1966", C.F.S. No. 4343); and

Whereas, foreign fishing on our coasts and importations are one and the same problem, and are destroying the domestic trawl industry; and

Whereas, some processing plants in the United States are limiting the landings of other trawled seafoods due to the heavy and steadily increasing imports of similar species; now, therefore be it

Resolved, that the Congress of the United States take appropriate action to ensure and provide a sound and healthy domestic trawl fishery through tariff or quota protection on imported groundfish, and be it further

Resolved, that duly certified copies of this resolution be transmitted forthwith by the secretary of state to the vice-president of the United States, to the speaker of the house of representatives of the United States, and to each of the senators and representatives from the state of Rhode Island in the congress of the United States, earnestly requesting that each use his best efforts to enact legislation which would carry out the purposes of this resolution.

RONALD E. LEMAY,
Second Deputy Secretary of State.

PETITIONS WITH 150,145 SIGNATURES OPPOSING AID IN ANY FORM TO OUR COMMUNIST ENEMIES

Mr. THURMOND. Mr. President, I send to the desk numerous petitions which contain 150,145 signatures. The petition calls upon Congress to exert authority and influence in all honorable ways to have this administration stop, promptly and completely, giving aid in form, directly or indirectly, to our Communist enemies. I ask unanimous consent that these petitions be received and appropriately referred.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The petitions were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOLLAND, from the Committee on Agriculture and Forestry, without amendment:

H.R. 5702. An act to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased (Rept. No. 361); and

H.R. 8265. An act to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of tobacco acreage allotments and acreage-poundage quotas (Rept. No. 362).

By Mr. BREWSTER, from the Committee on Post Office and Civil Service, with an amendment:

S. 271. A bill to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and for other purposes (Rept. No. 364).

By Mr. RANDOLPH, from the Committee on Post Office and Civil Service, with amendments:

S. 1028. A bill to extend certain benefits of the Annual and Sick Leave Act, the Veterans' Preference Act, and the Classification Act to employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes (Rept. No. 365).

By Mr. HAYDEN, from the Committee on Appropriations, without amendment:

H.J. Res. 652. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes (Rept. No. 366).

By Mr. KENNEDY of Massachusetts, from the Committee on Labor and Public Welfare, with amendments:

H.R. 10730. An act to amend the Older Americans Act of 1965 so as to extend its provisions (Rept. No. 367).

By Mr. McINTYRE, from the Committee on Banking and Currency, with amendments:

S. 1862. A bill to amend the authorizing legislation of the Small Business Administration, and for other purposes (Rept. No. 368).

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE—REPORT OF A COMMITTEE

Mr. HILL, from the Committee on Labor and Public Welfare, reported the following original resolution (S. Res. 141); which was referred to the Committee on Rules and Administration:

S. Res. 141

Resolved, That the Committee on Labor and Public Welfare is hereby authorized to expend from the contingent fund of the Senate, during the Ninetieth Congress, $25,000 in addition to the amount, and for the same purpose, specified in Section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946.

AMENDMENT AND EXTENSION OF TITLE V OF THE HIGHER EDUCATION ACT OF 1965—REPORT OF A COMMITTEE—INDIVIDUAL AND SUPPLEMENTAL VIEWS (S. REPT. NO. 363)

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report an original bill (S. 2028) to amend and extend title 5 of the Higher Education Act of 1965, and for other purposes.

I ask unanimous consent to file a report with individual and supplemental views before midnight tonight.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Oregon.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated June 16, 1967, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF (for himself, Mr. Mansfield, Mr. Bartlett, and Mr. Gruening):

S. 2021. A bill to authorize the appropriation of funds for the construction, reconstruction, and improvement of the Alaska Highway; to the Committee on Public Works.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 2022. A bill for the relief of Dr. Mario Jose Ramirez DeEstenoz; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 2023. A bill for the relief of Virgilio A. Arango, doctor of medicine; to the Committee on the Judiciary.

By Mr. MOSS:

S. 2024. A bill to provide for the reauthorization of the project on the Weber River, Utah, in the interest of flood control and allied purposes; to the Committee on Public Works.

By Mr. RIBICOFF:

S. 2025. A bill for the relief of Louis Winokur; to the Committee on Armed Services.

By Mr. MUSKIE:

S. 2026. A bill for the relief of Yvonne Davis; to the Committee on the Judiciary.

By Mr. HART:

S. 2027. A bill to exempt from taxation certain property of the Washington Gallery of Modern Art; to the Committee on the District of Columbia.

By Mr. MORSE:

S. 2028. A bill to amend and extend title V of the Higher Education Act of 1965, and for other purposes; placed on the calendar.

(See the remarks of Mr. Morse when he reported the above bill, which appears under the heading "Reports of Committees".)

By Mr. BAYH (for himself, Mr. Nelson, Mr. Proxmire, and Mr. Hartke):

S. 2029. A bill to amend the National Traffic Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500; to the Committee on Commerce.

(See the remarks of Mr. Bayh when he introduced the above bill, which appear under a separate heading.)

By Mr. MOSS:

S. 2030. A bill for the relief of Chau Ngan Lung, Cheng Ping, Ng Hoi Leong, Kui Ngan Kam, Fong Po Kan, Tong Tsang Yao', and Yeung Ko Ngan; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 2031. A bill for the relief of certain employees at the Naval Air Test Center, U.S. Naval Air Station, Patuxent River, Md.; to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 2032. A bill to establish the Government Program Evaluation Commission; to the Committee on Government Operations.

(See the remarks of Mr. Proxmire when he introduced the above bill, which appear under a separate heading.)

RESOLUTIONS

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. HILL, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 141) relating to additional funds for the Committee on Labor and Public Welfare, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. Hill, which appears under the heading "Reports of Committees.")

PETITION TO THE PRESIDENT TO PROCLAIM THE 30TH ANNIVERSARY OF THE SIGNING OF THE BONNEVILLE PROJECT ACT

Mr. MORSE (for himself, Mr. Magnuson, Mr. Church, Mr. Hatfield, Mr. Jackson, Mr. Mansfield, and Mr. Metcalf) submitted a resolution (S. Res. 142) petitioning the President of the United States to officially proclaim the 30th anniversary on August 20, 1967, of the signing of the Bonneville Project Act, which, by unanimous consent, was referred to the Committee on Interior and Insular Affairs.

(See the above resolution printed in full when submitted by Mr. Morse, which appears under a separate heading.)

INTRODUCTION OF BILL TO IMPROVE THE ALASKA HIGHWAY

Mr. METCALF. Mr. President, when Alaska was purchased from the czar in 1867, the United States first faced the problem of overland transportation to her new territory. Since that time, Alaska has become our 49th State, the largest State in the Union—rich in natural resources and breathtaking beauty. Today, 100 years later, there is still no adequate roadway linking Alaska with other continental States.

The 49th State is of strategic military importance. Only a few miles separate Alaska from the Soviet Union. The early warning defense systems, Strategic Air Command and missile bases, and tracking stations in Alaska are our first line of defense.

In the past century, there have been numerous studies, reports, and recommendations on providing adequate transportation. There has been a lot of talk, but little action. The people of

Montana and the Rocky Mountain States are particularly interested in improving and reconstructing the Alaska Highway.

A blacktopped highway between Alaska and Northwestern United States is important to Alaska and to Montana.

The base for such a highway link exists in the Alaska Highway, which extends from Great Falls, Mont., to Fairbanks, Alaska. The road is paved from Great Falls northwest to Dawson Creek and from Fairbanks southeast to the Canadian border. Between those two points is a 1,300-mile stretch of dirt and rough gravel which should be rebuilt and surfaced.

It is in such bad condition and has received such unfavorable publicity from travelers that it carries only a fraction of the traffic which the route should attract. Paving of the highway will substantially increase commercial and tourist travel. The increased movement of people and goods over the surfaced highway will in turn affect the economies of Alaska, Montana, the Rocky Mountain States, and the Nation.

On behalf of the senior Senator from Montana [Mr. MANSFIELD], the senior Senator from Alaska [Mr. BARTLETT], the junior Senator from Alaska [Mr. GRUENING], and myself, I introduce a bill to authorize the United States to match with the Canadian Government the cost of construction, reconstruction and improvement of that part of the Alaska Highway.

Our bill provides that Canada will: grant reciprocal recognition of vehicle registration and drivers licenses, provide year-round maintenance, including snow removal; will not: impose any charge for the use of the highway by U.S. citizens or vehicles that does not apply also to Canadians.

Mr. President it is fitting that we consider this legislation, so important to Alaska and the other continental States, during Alaska's centennial year.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2021) to authorize the appropriation of funds for the construction, reconstruction, and improvement of the Alaska Highway, introduced by Mr. METCALF (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 2021

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there are hereby authorized to be appropriated such sums as may be necessary, to remain available until expended, to enable the United States to cooperate with the Government of Canada in the construction, reconstruction, and improvement of the Alaska Highway within the borders of that country.

SEC. 2. Expenditure of the sums herein authorized shall be subject to receipt of satisfactory assurances from the Government of Canada that appropriate commitments have been made by that Government to assume at least one-half of the expenditures proposed to be incurred henceforth by that country and the United States in the improvement of the Alaska Highway within the boundaries of Canada, specifically a single highway extending from Dawson Creek, British Columbia, to Fairbanks, Alaska, with a connection to Haines, Alaska.

SEC. 3. The construction work authorized by this Act shall be under the joint administration of the Secretary of Commerce and the Minister of Public Works, or other similar official, of the Government of Canada. The Secretary of Commerce shall consult with the Secretary of State with respect to matters involving the foreign relations of the United States, and such negotiations with the Government of Canada as may be required to carry out the purposes of this Act.

SEC. 4. Construction work to be performed under contract shall be advertised for a reasonable period by the Minister of Public Works, or other similar official, of the Government of Canada, and contracts shall be awarded pursuant to such advertisements with the concurrence of the Secretary of Commerce; but no part of the appropriations authorized in this Act shall be available for obligation or expenditure until the Government of Canada shall have entered into an agreement with the United States which shall provide, in part, that said Government—

(1) will provide, without participation of funds herein authorized, all necessary rights-of-way for the construction of the Alaska Highway, which shall forever be held inviolate as a part of the highway for public use;

(2) will not impose any highway toll, or permit any such toll to be charged, for use by vehicles or persons of any portion of the highway construction under the provisions of this Act;

(3) will not levy or assess, directly or indirectly, any fee, tax, or other charge for the use of said highway by vehicles or persons of the United States that does not apply equally to vehicles or persons of such country;

(4) will grant reciprocal recognition of vehicle registration and drivers licenses; and

(5) will provide for the year-round maintenance of the highway, including snow removal, after its completion in condition adequately to serve the needs of present and future traffic.

SEC. 5. The provisions of this Act shall not create or authorize the creation of any obligation on the part of the Government of the United States with respect to any expenditures for highway construction heretofore or hereafter undertaken in Canada, other than the expenditures authorized by the provisions of this Act.

Mr. GRUENING. Mr. President, I am delighted to cosponsor this proposed legislation to pave the Alaskan highway which has been introduced by the distinguished senior Senator from Montana [Mr. MANSFIELD] and the distinguished junior Senator from Montana [Mr. METCALF]. Paving the highway makes sense economically and logistically. The 1,300 miles of the Alaska Highway which is gravel and dirt surface today should be paved.

During this centennial purchase year in Alaska it seems especially appropriate to authorize the paving of the highway which links Alaska with its contiguous sister States.

AMENDMENT OF NATIONAL TRAFFIC MOTOR VEHICLE SAFETY ACT OF 1966

Mr. BAYH. Mr. President, I rise to introduce a bill as an amendment to the National Traffic Safety Act of 1966. This amendment is of critical importance to manufacturers of limited-production automobiles.

Seven motor vehicle manufacturers in the United States face extinction because of the testing procedures and other requirements of the 20 motor vehicle standards issued on February 3, 1967.

These seven companies are small businesses. Two of the companies are located in Indiana. The others are in California, Connecticut, Florida, New York, and Wisconsin.

Each company employs skilled craftsmen to produce a few hundred cars per year. The administration staff of each is at a minimum, with each administrator having a variety of responsibilities. Each car model is carefully designed by one or two engineers.

Besides having a limited number of employees, each of these companies operates on a low cash reserve, as do most small businesses. Further, their resources of working capital are extremely limited.

The initial standards, as adopted by the National Traffic Safety Agency, have been generally well received by the major manufacturers in the industry. Dr. William Haddon, administrator of the agency, and his staff, are to be commended for promulgating significant initial standards, the small companies have found themselves in the difficult position of contesting nearly all of the standards because of certain requirements they cannot meet due to their limited operation.

Many of the standards require highly sophisticated and expensive testing equipment and procedures to determine compliance with the standards. This is the root problem for these small businesses.

First of all, none of these companies owns the testing equipment necessary to determine compliance with the standards. Only the major automobile manufacturers can afford this equipment. The small companies must contract with one of the major companies for testing services.

Second, the cost of these tests is of significant consequence to these companies. I have been given various estimates of the cost of testing by industry sources, and these estimates generally fall in the neighborhood of $200,000. In addition, it should be pointed out that five or more vehicles likely will be required for these tests—at least two of which will be destroyed. Destroying vehicles in tests is, of course, costly to any company; however, it is a very significant loss to a company which manufactures only a few hundred units per year.

In other words, Mr. President, a company with limited facilities and an expected operating income of less than $1 million cannot reasonably be expected to absorb the burden of an additional 20 to 30 percent in operating overhead that the testing would require under the standards.

I asked the National Traffic Safety Agency if an administrative remedy to this problem was possible. In a letter to me dated March 23, 1967, Dr. Haddon stated:

> Although the law does permit differences

in standards, the report of the Senate Commerce Committee (S. Report 1301, p. 7) states that "such differences . . . would be based on the type of vehicle rather than its place of origin or any special circumstances of its manufacturer."

Thus, if these small companies are to be permitted to exist, Congress must provide the remedy.

The most ideal solution, from the point of view of the companies, would be complete exemption from the standards. Another solution would be to grant the companies a delay in complying with the standards. Still another could grant the Administrator the power to delay the effective date of each standard as they apply to each company. There is a fourth alternative that I wish to discuss later.

However, complete exemption, in my view, is not within the public interest nor within the spirit of the law that Congress enacted last year. While this solution would certainly guarantee that the companies could continue to produce their cars, it would not insure that all vehicles on our highways meet these critical and necessary safety standards. Whatever we do, we want to insure that every car on the road is as safe as any other.

A 1- or 2-year delay in enforcement has similar pitfalls. It would do nothing to insure that these companies would be able to produce an automobile that poses no unnecessary threat to any other car. Further, Congress would only be postponing the date for compliance, and the critical problem to the small firms of the testing costs would not be alleviated. Rather, the problem would be compounded by additional refinements of the standards that probably would be issued in the interim.

A delay in compliance for each standard individually would not inspire confidence on the part of the public in the product of each company, nor in the companies for their own future. It would place in each of these businesses the burden of petitioning the Administrator of the program for a delay of each standard that it cannot meet. Each petition would have to state the reasons for the request—reasons that would create severe hardship if enforced.

An adverse ruling by the Administrator could well mean the end of the company.

Mr. President, after exploring and rejecting the foregoing proposed solutions, I sought a way to harmonize the diverse interests of this small segment of the automobile industry with those of the general public regarding safety.

In my view, my bill protects the safety of the public and would still preserve in our Nation the opportunity for a small businessman to manufacture a limited number of distinctive automobiles.

The bill would do the following:

First. Establish a new type of motor vehicle similar to the definitions of the act to be known as the limited-production vehicle. The applicability of this section would be determined at the discretion of the Secretary of Transportation upon petition of a manufacturer. The provisions of this section would not be applicable to any vehicle manufactured in quantities of more than 500 units annually.

Second. Require these vehicles to comply with all standards that affect the probability of that vehicle causing or being involved in an accident with other cars, objects, or pedestrians; in legal terms of the amendment, these vehicles must comply to all "accident-prevention standards". They would be exempted from those standards that the Secretary of Transportation determines are not accident-prevention standards.

Third. Require the notification of the first purchaser of each such vehicle that the vehicle has not been tested for standards other than accident-prevention standards.

Fourth. If the effective standard could cause extreme hardship if compliance was to be enforced, the Secretary of Transportation at his discretion could order a delay in enforcement.

Mr. President, I believe this to be a reasonable solution to a perplexing problem. I have arrived at these conclusions after the most careful and thorough consideration. Every conceivable alternative, in my opinion, has been examined. Only after this effort did I conclude that this is the best solution.

This bill contains every possible safeguard to insure that only truly limited-production vehicles are allowed this special certification. The amendment, while limiting the applicability to the vehicle manufactured in 500 units or less annually, gives the Secretary of Transportation complete discretion to insure that only a distinctive type or model of a vehicle is granted this certification. Further, the Secretary has the prerogative to establish all other criteria for this certification, and I have every confidence that his determinations will be based upon a careful evaluation of each vehicle and the capabilities of each company.

Further, Mr. President, I believe that this bill protects the motoring public while insuring that these companies have the opportunity to remain in operation. As I stated earlier, careful consideration of the problems of the companies involved can lead only to the conclusion that they can never comply with the requirements of the standards. I firmly believe that it is in the interests of Congress to take steps to protect these small businesses, just as we have enacted laws in the past to improve the operating posture of small businesses and protect their position in the marketplace.

Because we must also protect the motoring public, my bill requires limited-production vehicles to comply with all standards of the "accident prevention" type. These are the standards that directly affect the probability of the vehicle being involved in or causing an accident. Further, this amendment requires that these vehicles comply with all standards concerning pedestrian safety. By complying with these standards, the limited-production vehicle is as safe as any other car in the probability of not causing an accident. This amendment in no way compromises the safety of the "other driver" or "the other car."

The bill further requires the notification of the first purchaser that the vehicle has not been tested for any standard that is not applicable to the vehicle. This section is in the law to insure that the purchaser is completely aware that he is buying a vehicle that may not meet all of the Federal standards.

The fourth provision of the bill is of importance to these small businesses. It is a safeguard to insure adequate lead-time to these companies to meet future standards. If, in the opinion of the Secretary of Transportation, the enforcement of a standard will cause severe hardship to the companies, he may delay the effective date of that standard for the company. This section further requires the company to notify the purchaser of the noncompliance of the vehicle with any standard.

Mr. President, let me reiterate my belief that this bill represents the best alternative to a critical problem that can only be solved by legislation. As a strong supporter of the National Traffic Safety Act of 1966, I firmly believe that this bill does not compromise the overall program nor the safety to other drivers, vehicles, or pedestrians. This bill would cover approximately 2,000 of the 9 million cars to be sold in the United States next year.

By passing this bill, we will be insuring the right of these small businesses to remain in the marketplace, a place that they cannot maintain if they must comply with all of the requirements of the standards.

These companies do not wish to market an unsafe product. This is far from their objective. They share the objective of everyone concerned with safety to place the safest possible vehicles in interstate commerce.

Their only interest is to be permitted to survive without compromising the safety of any driver. I think it well to help them in this effort.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2029) to amend the National Traffic Motor Vehicle Safety Act of 1966 relating to the application of certain standards to motor vehicles produced in quantities of less than 500 introduced by Mr. BAYH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

COMMISSION TO SET FEDERAL SPENDING PRIORITIES

Mr. PROXMIRE. Mr. President, Monday's Washington Post contained an excellent editorial which points out with great truth that "obsolete Federal programs, like old soldiers, never seem to die." This phenomenon has deeply concerned me as a member of the Senate Appropriations Committee and as one who is convinced that we should make substantial budget cuts in fiscal 1968 to avoid a gargantuan budget deficit. So often new programs come under attack because they have not been in existence long enough to build up a group of beneficiaries who will fight tooth and nail to see that benefits continue to flow their way. Yet older programs which may well be outmoded, even unless, continue on because of empire building in the executive branch and the efforts of a select group of program beneficiaries.

A system of priorities would be of immense help to the Congress in determining how much should be appropriated in a given fiscal year and for what purposes. We tend now to look at more than a dozen individual appropriations bills, each of which may have its own set of priorities, but it is extremely difficult to take a balanced look at the whole picture. For example, I serve on five subcommittees of the Senate Appropriations Committee. These subcommittees are where the real work is done. This means that I really have little to do with deliberations on seven other appropriations bills. I am not criticizing this arrangement. It is eminently sensible, for each of us only has 24 hours in his day and a great deal of committee work to do. What I am saying, however, is that a system of priorities could help us immeasurably in seeing each segment of the Federal budget in a more significant overall context.

In this connection, the Post editorial makes reference to proposed legislation introduced in the House of Representatives by the chairman of the House Ways and Means Committee, Hon. WILBUR MILLS. This proposal would create a Government Program Evaluation Commission to evaluate old and new Federal programs to determine whether these programs are cost effective, whether they should be continued, and what priority they should be assigned. The Commission would report to the President and the Congress on or before February 1, 1969. It would be composed of members from private life appointed by the President, the Speaker of the House, and the President pro tempore of the Senate.

Mr. President, I am delighted to introduce a companion Senate bill today. It is time we took a fresh look and assigned meaningful priorities to Federal programs. Such an approach would help the President, it would help Congress, and, most important, it would help the people whose tax dollars pay for everything the Federal Government does. I ask unanimous consent that the bill, together with the Post editorial, be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and editorial will be printed in the RECORD.

The bill (S. 2032) to establish the Government Program Evaluation Commission, introduced by Mr. PROXMIRE, was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 2032

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT OF COMMISSION

SECTION 1. There is hereby established a bipartisan commission to be known as the Government Program Evaluation Commission (in this Act referred to as the "Commission").

DUTIES OF COMMISSION

SEC. 2. The Commission shall make a full and complete study and evaluation of existing Federal programs and activities (old and new) and of projected expansions of such programs and activities for the purpose of determining, in the light of the fundamental needs of the Nation and its vital objectives—

(1) the effectiveness of each such program or activity in terms of its present and projected costs,

(2) whether such program or activity should be continued and, if so, the level at which it should be continued, and

(3) in the allocation of Federal funds, the relative priority which should be assigned to such program or activity.

REPORT OF THE COMMISSION

SEC. 3. The Commission shall, on or before February 1, 1969, submit to the President and to the Congress a comprehensive report of its study and evaluation, together with the recommendations (including any recommendations as to constitutional amendments, legislative enactments, and administrative actions) of the changes in Federal programs and activities which in its judgment are necessary to meet the fundamental needs and vital objectives of the Nation.

MEMBERSHIP OF THE COMMISSION

SEC. 4. (a) The Commission shall be composed of twelve members from private life as follows:

(1) Four appointed by the President of the United States;

(2) Four appointed by the President pro tempore of the Senate; and

(3) Four appointed by the Speaker of the House of Representatives.

(b) Of each class of four members mentioned in subsection (a), not more than two members shall be from each of the two major political parties.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

ORGANIZATION OF THE COMMISSION

SEC. 5. The Commission shall elect a Chairman and a Vice Chairman from among its members.

QUORUM

SEC. 6. Seven members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 7. Each member of the Commission shall be entitled to receive $100 for each day during which he is engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties.

STAFF OF THE COMMISSION

SEC. 8. (a) The Commission may appoint and fix the compensation of such personnel as it deems advisable without regard to (1) the provisions of title 5, United States Code, governing appointments in the competitive service, and (2) the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, except that no individual so appointed shall be paid at a rate in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of such title.

(b) the Commission may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code.

POWERS OF THE COMMISSION

SEC. 9. (a) The Commission may for the purpose of carrying out this Act hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission may deem advisable. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) When so authorized by the Commission, any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

(c) The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairman or Vice Chairman of the Commission such department or agency shall furnish such information to the Commission.

The editorial, presented by Mr PROXMIRE, is as follows:

ON FEDERAL SPENDING

The Administration won the battle of the national debt when the House voted narrowly to raise the ceiling to $358 billion in 1968 and $365 billion in 1969. But the fundamental issue—Congress's inability to control the growth of Federal spending—is unresolved, and like a canker on the body politic, it will continue to erupt.

There is no body of scientific knowledge, no objective criterion that can be invoked in determining appropriate levels of Federal expenditures. Economic theorists advance propositions that purport to be useful, but on scrutiny they prove to be either tautological or nonoperational. And some observers, who despair of ever subjecting the question to a rational analysis, argue that there is nothing objectionable about permitting the level of Federal expenditures to grow rapidly since that growth reflects a democratically expressed need for additional public services.

But the issue of Federal spending—and the parallel issue of how fast private spending will be permitted to grow in the future—cannot be resolved so easily.

The argument that Federal expenditures faithfully reflects the preferences of the electorate is seriously flawed. It presupposes a degree of prescience, a concept of goals and a knowledge of goal implementation that simply do not exist. As consumers the electorate knows precisely how to gratify its desires for automotive transportation by choosing among more than 200 models of foreign and domestic vehicles. But it does not know how to translate its compassion for the poor into effective Government action. It relies upon its representatives in Congress who in turn rely largely upon the recommendations of the incumbent Administration. And the results, judging by the experience with the "war on poverty," leaves much to be desired.

Nor is account taken of the self-perpetuating dynamics of bureaucracy. It is the rare bureaucrat, who upon accomplishing a stated mission, voluntarily relinquishes his claim upon funds. As a consequence, obsolete Federal programs, like old soldiers, never seem to die. Indeed, it is the bureaucratic momentum which in part explains why the growth of Federal expenditures rarely lag far behind the growth of tax revenues.

It may be that the proportion of real income absorbed by the Federal sector is determined by some inexorable and undiscoverable social law. But before surrendering to fate or lassitude, a rational attack should be made on the issue. Chairman Wilbur D. Mills of the Ways and Means Committee proposes that a bipartisan Government Program Evaluation Commission (H.R. 10520) be established. That body, its 12 members being appointed by the President, the House and the Senate, would be empowered to hold hearings and obtain relevant evidence for the purposes of evaluating Federal programs and making recommendations for priorities in the allocation of Federal funds. This proposal, which was sent to the Committee on Government Operations, deserves the strongest support.

THE 30TH ANNIVERSARY OF THE BONNEVILLE PROJECT ACT

Mr. MORSE. Mr. President, nearly 30 years ago, on August 20, 1937, President Franklin D. Roosevelt signed the Bonneville Project Act, beginning three decades of unprecedented hydroelectric-power and general economic development in the Pacific Northwest.

The act created the Bonneville Power Administration to serve as marketing agency for Bonneville Dam, the first Federal dam on the then untamed Columbia River. Three years later, the Bonneville Power Administration assumed a similar function in transmitting and marketing power from Grand Coulee Dam, which was then and remains today the mightiest electric-power station in the United States.

Thus the Federal Columbia River power system was born at exactly the right moment in history to provide urgently needed power to support the Pacific Northwest aircraft factories, shipyards, and other industries that played so vital a role in defeating the Axis Powers in the Second World War.

In the succeeding quarter-century power from Grand Coulee, Bonneville, and 19 other Federal projects on the Columbia system has proved to be power for peaceful progress, as well as for national defense.

Today, Pacific Northwest families use more than 10 times as much electricity as they did in 1940 and nearly two and a half times the U.S. national average. And rates throughout this region of nearly 6 million people are among the lowest in the world.

Less than 25 years ago about half of the farms in the region were electrified, as compared with more than 99 percent today.

The Bonneville Power Administration has brought to the region many new payrolls, including an aluminum industry that is an important factor in national defense and on the plus side of the international balance-of-payments picture. Its contribution to the tax base of the five Pacific Northwest States is all but incalculable. It markets approximately 60 percent of all power generated in Oregon, Washington, northern Idaho, and Montana west of the Continental Divide.

The 21 existing Federal dams in the Columbia system have a capacity of 6,678,150 kilowatts. This figure will be more than doubled within 10 years, as the system is presently engaged in its greatest dam-building program in history. Nine Federal dams are under construction, and ground-clearing work is underway for the third powerhouse at Grand Coulee.

To transmit the vast new blocks of power, the Bonneville Power Administration is constructing a 500-kilovolt grid overlay of its existing system. It is expected to be the largest and most dependable extra-high-voltage grid system in the United States.

In addition, the first of four extra-high-voltage lines linking the Bonneville grid with the Pacific Southwest will be in operation this summer, providing for economic exchanges of power of enduring benefit to both regions. The Northwest-Southwest intertie is the largest single transmission program ever undertaken in this country. It is being built by a combination of Federal and non-Federal utilities, both publicly and privately owned. Although there was some doubt at the outset, we finally won the battle to include a Federal "yardstick" transmission line from the Bonneville system to Hoover Dam.

In the future, Bonneville will play a pivotal role in complex power system operations involving diverse systems and projects extending from the Canadian Treaty dams in British Columbia to Los Angeles and Phoenix.

And with all of this, every cent that the American taxpayers have invested in the Federal Columbia River power system is being returned—with interest. In its first 20 years of operation, the Bonneville Power Administration has returned to the Treasury approximately one and a quarter billion dollars in system revenues. A total of $433 million has been applied to interest costs, some $366 million to operation and maintenance, and nearly $456 million to repay the investment.

I could go on at great length describing the importance of the Bonneville Power Administration to the regional and national economies and the still greater role planned for the future of this unique Interior Department agency.

But my prime purpose in these remarks is to call attention to the foresight displayed by President Roosevelt and that handful of dedicated Northwest public power leaders who were determined that the power potential of the mighty Columbia should be utilized for the benefit of all the people.

Today, when the benefits of the Federal Columbia River power system are apparent to everyone—including the privately owned utilities that are among Bonneville's 145 customers—it is difficult to appreciate the degree of controversy that accompanied Bonneville's birth.

Bonneville Dam was called a white elephant and Grand Coulee was ridiculed as a gigantic boondoggle to "provide kilowatts for jackrabbits." The construction of a transmission system by the Federal Government to assure the widest possible distribution of power at the lowest possible cost was bitterly contested.

Yes, today when there is more emphasis in the west coast electric-utility industry upon cooperation than upon controversy—when the various utilities are working together to meet mounting power demands—we ought not to forget the uphill battles that resulted in that most significant victory for the people of the United States, the enactment of the Bonneville Project Act.

It has been my pleasure during nearly a quarter century in the U.S. Senate to give consistent support to the great region-building program of the Bonneville Power Administration.

It is my privilege to have as cosponsors of this Senate resolution, my colleagues Senators MAGNUSON, MANSFIELD, JACKSON, METCALF, HATFIELD, and CHURCH.

Mr. President, I introduce, for appropriate reference, a resolution relative to the Bonneville Power Administration, Department of the Interior, requesting the President of the United States to proclaim the 30th anniversary, on August 20, 1967, of the signing of the Bonneville Project Act.

Mr. President, because of the close relationship of this subject to the work of the Senate Committee on Interior and Insular Affairs, I ask unanimous consent that this resolution be referred to that committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, I send the resolution to the desk to be referred to the Committee on Interior and Insular Affairs, and I ask unanimous consent that the resolution be printed at this point in my remarks.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will be printed in the RECORD.

The resolution (S. Res. 142) was, by unanimous consent, referred to the committee on Interior and Insular Affairs, as follows:

S. RES. 142

Whereas, the signing of the Bonneville Project Act by President Franklin D. Roosevelt on August 20, 1937, initiated three decades of unprecedented Pacific Northwest hydroelectric resource development;

Whereas, the Bonneville Power Administration developed in those three decades into the Nation's largest hydroelectric utility, operating the region's backbone electric transmission grid;

Whereas, the United States Columbia River Power System has contributed immeasurably to the economic growth of the Pacific Northwest, from the Continental Divide to the Pacific;

Whereas, under the terms of the Columbia River Treaty with Canada, the Bonneville Power Administration is aiding in the complete, multipurpose development of one of the Continent's greatest river resources;

Whereas, through operation of the Northwest-Southwest Intertie, the Bonneville Power Administration will play a key role in providing an economic and reliable supply of electricity to the whole of the Far West;

Whereas, the Bonneville Power Administration has been and remains a leader in electric-power transmission technology and a pioneer in direct-current transmission in the United States; and

Whereas, in less than three decades of operation the Bonneville Power Administration has returned to the United States Treasury about one and a quarter billion dollars in system revenues and has scheduled full repayment, plus interest, on the Federal Government's capital investments in Northwest power facilities, as well as substantial payments to irrigation projects: Now, therefore, be it

Resolved, That the Senate of the United States respectfully petitions the President of the United States to take official note by proclamation of the 30th anniversary on August 20, 1967, of the signing of the Bonneville Project Act.

AUTHORIZATION OF APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—AMENDMENTS

AMENDMENTS NOS. 221 AND 222

Mr. PROXMIRE submitted two amendments, intended to be proposed by him, to the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS AND CONCURRENT RESOLUTION

Mr. McCARTHY. Mr. President, I ask unanimous consent that the names of Senators Kuchel, Murphy, and Hruska be added as sponsors of the bill—S. 1947—to expand the definition of deductible moving expenses incurred by an employee, and that their names be listed among the sponsors at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, earlier in this session, Senator Carlson and I joined in submitting a concurrent resolution—Senate Concurrent Resolution 13—to provide for the creation of an Atlantic Union delegation. I ask unanimous consent that the names of the following Senators be listed as cosponsors of this concurrent resolution: Senators Cooper, Dodd, Fong, Gruening, Hartke, Hatfield, Inouye, Javits, Mondale, Metcalf, Moss, Pell, Prouty, Proxmire, and Williams of New Jersey—and that their names be listed among the sponsors at the next printing of the concurrent resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ANDERSON. Mr. President, earlier this month I introduced S. 1975, to amend section 202 of the Agricultural Act of 1956, which would bar the importation of extra-long staple cotton from any country that has severed relations with the United States. I ask unanimous consent that, at the next printing of this bill, the name of the distinguished junior Senator from Arizona [Mr. Fannin] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from South Carolina [Mr. Hollings] I ask unanimous consent that, at the next printing of the bill—S. 1796—to impose quotas on the importation of certain textile articles, the name of the distinguished Senator from Arkansas [Mr. McClellan] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Jersey [Mr. Williams] I ask unanimous consent that, at the next printing of the bill—S. 1985—to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes, the name of the senior Senator from Connecticut [Mr. Dodd] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON NOMINATION OF WOODROW W. JONES, OF NORTH CAROLINA, TO BE U.S. DISTRICT JUDGE, WESTERN DISTRICT OF NORTH CAROLINA

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, June 28, 1967, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of Woodrow W. Jones, of North Carolina, to be U.S. district judge, western district of North Carolina, vice J. Braxton Craven, Jr., elevated.

At the indicated time and place, persons interested in the above nomination may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. McClellan], chairman, the Senator from Florida [Mr. Smathers], and the Senator from Nebraska [Mr. Hruska].

NOTICE OF CIVIL RIGHTS HEARINGS

Mr. ERVIN. Mr. President, as chairman of the Subcommittee on Constitutional Rights, I wish to announce that hearings will be held on S. 1026, the administration's proposed Civil Rights Act of 1967, and other pending civil rights legislation beginning at 10:30 a.m. in room 2228, New Senate Office Building, on July 13, 1967.

These hearings were originally scheduled to begin on May 23. However, the subcommittee was forced to cancel its hearings in May and again on June 20 at the request of the Senate leadership because of business pending on the Senate floor. We had rescheduled hearings to begin on June 28, but it is necessary to cancel these as a result of a meeting of the full Judiciary Committee.

Any person wishing to testify at the rescheduled hearings should communicate with the Subcommittee on Constitutional Rights, room 102B, Senate Office Building. Those who have already requested an opportunity to testify will be notified of the date on which to appear.

NOTICE OF HEARINGS ON MEASURES PENDING BEFORE THE SUBCOMMITTEE ON HOUSING AND URBAN AFFAIRS OF THE COMMITTEE ON BANKING AND CURRENCY

Mr. SPARKMAN. Mr. President, I wish to announce that the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency will begin hearings on July 17, 1967, on all measures pending before the subcommittee. The hearings will run from July 17 through July 28, 1967. They will be held in room 5302, New Senate Office Building, and will commence at 10 a.m. each day.

Persons wishing to testify on the pending measures should contact Mrs. Dixie Lamb, of the subcommittee staff, room 5228, New Senate Office Building; telephone 225-6348 or 225-5405.

Mr. President, I ask unanimous consent that a list of the pending bills, with a brief description of each, be printed in the Record.

There being no objection, the list was ordered to be printed in the Record, as follows:

S. 511 (Senator Williams of New Jersey): Amends Urban Mass Transportation Act of 1964 to authorize certain grants assuring adequate commuter service.

S. 560 (Senator Lausche): Adjusts mortgage insurance claims by deducting "discounts".

S. 588 (Senator Ribicoff): Amends Title I of Demonstration Cities and Metropolitan Development Act of 1966 to require studies and research in planning of the program.

S. 591 (Senator Ribicoff): Provides financial assistance for the control of rodents in urban areas.

S. 593 (Senator Ribicoff): Would expand Title VIII of the Housing Act of 1964 by providing matching grants to states for advanced education in urban affairs.

S. 842 (Senator Hart): Amends Section 203 of the National Housing Act to authorize FHA insurance of seasonal (vacation) homes.

S. 991 (Senator Kennedy of Massachusetts): Would authorize financial assistance for street lighting facilities in the prevention of crime.

S. 1082 (Senator Case): Requires safety latches on medicine cabinets in Federally insured housing.

S. 1198 (Senator Javits): Would establish a Federal Guarantee Program for obligations issued by local housing authorities.

S. 1200 (Senator Javits): Authorizes rehabilitation grants to families and to individuals of low income, and provides for interest-free advances to cities to aid in cost of rehabilitating sub-standard properties acquired by the localities.

S. 1201 (Senator Javits): Authorizes grants to states and localities donating private property, or providing tax benefits with respect to such properties, to private organizations engaged in providing housing for low-income families.

S. 1249 (Senator McClellan): To protect the interests of the United States in the FHA insurance of certain multi-family mortgages.

S. 1386 (Senator Carlson): Amend Title I of Housing Act of 1949 to extend Rule determining acquisition price of property damages by subsidence of coal mines to "other mines".

S. 1433 (Senator Ribicoff): A bill to encourage and assist in the formulation of local organizations by residents of urban neighborhoods for the purpose of improving the physical, economic, and social conditions prevailing in such neighborhoods.

S. 1434 (Senator Ribicoff): A bill to amend Section 203 of the National Housing Act to assist low and moderate-income persons to realize the goal of home ownership.

S. 1435 (Senator Ribicoff): A bill to amend the Housing and Urban Development Act to provide for the establishment of a Business Advisory Committee.

S. 1445 (Senator Sparkman): "Rat Extermination Act of 1967" and "Housing and Urban Development Amendments of 1967".

Amendment No. 165 to S. 1445 (Senator Scott): "Comprehensive Planning and Coordination Act of 1967".

S. 1447 (Senator Williams of New Jersey): A bill to amend Section 213 of the National Housing Act (Cooperative Housing Insurance).

S. 1492 (Senator Sparkman): A bill to provide for the further development of FNMA as a secondary market facility and to enable it to deal in conventional mortgages.

S. 1493 (Senator Sparkman): A bill to reconstitute FNMA as an independent corporate instrumentality of the United States and to enable it to deal in conventional mortgages.

S. 1528 (Senator Javits): A bill to make certain expenditures made by the Village of Fairport, New York, eligible as local grant-in-aid.

S. 1589 (Senator Sparkman): A bill to amend Section 701 of the National Housing Act encouraging local governments to develop voluntary cooperative planning programs.

S. 1592 (Senator Percy): National Home Ownership Foundation Act.

S. 1607 (Senator Hart): Grant-in-aid for urban renewal project in Garden City, Michigan.

S. 1616 (Senator Kennedy of Massachusetts): Loans to private non-profit organizations to finance certain cultural facilities.

S. 1675 (Senator Pearson): Amends Section 110(d) of Housing Act of 1949. Makes three year roll-back provision under urban renewal apply to date application is accepted rather than the date of authorization of loan and grant contract.

S. 1713 (Senator Mondale): Amends title VII of Housing Act of 1961—authorizes financial assistance to develop pilot projects for improved methods for preventing, removing and controlling pollution in public lakes.

S. 1721 (Senator Ribicoff): Amends Section 203 of National Housing Act with respect to payment of premiums on certain properties owned by servicemen.

S. 1787 (Senator Long of Missouri): Grant-in-credit for Kansas City, Missouri.

S. 1984 (Senator Metcalf): Amend Title VII of the Housing Act of 1961 to authorize Federal grants under the open-space land program for the development and redevelopment of existing open-space land and for the acquisition of outdoor and indoor recreational buildings, centers, facilities, and equipment.

S. 2000 (Senator Javits): To amend title IV of the Housing Act of 1950 to authorize annual grants to reduce the cost of private borrowing by educational institutions (direct college housing loans).

NOTICE OF HEARINGS ON SENATE BILL 836

Mr. HARRIS. Mr. President, in the further consideration of S. 836, a bill to establish a National Foundation for the Social Sciences, the Subcommittee on Government Research of the Committee on Government Operations will hold hearings tomorrow, Wednesday, June 28, 1967, at 8 a.m.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 27, 1967, he presented to the President of the United States the following enrolled bills:

S. 714. An act to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committee, and members of the credit committee of the Federal credit unions;

S. 763. An act to amend the act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer; and

S. 1226. An act to transfer from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions the authority to waive certain provisions relating to the issuance of a marriage license in the District of Columbia.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. METCALF:

Statement by him relating to Manpower Development and Training Act as a supplement to traditional concept of education.

By Mr. HANSEN:

Address by him before Sigma Tau Engineering Honorary, University of Wyoming, April 28, 1967.

By Mr. COOPER:

Addresses by Ambassador B. K. Nehru and Vice President HUMPHREY at presentation of collected works of Mahatma Gandhi, in Washington, D.C., January 7, 1967.

PUBLIC LAW 89–544, THE LABORATORY ANIMAL WELFARE ACT

Mr. CLARK. Mr. President, the question of the appropriation for the implementation of Public Law 89–544, the Laboratory Animal Welfare Act, is now part of the business before the Senate Subcommittee on Agriculture of the Committee on Appropriations. As one of the original authors of the bill, which became Public Law 89–544, I feel it incumbent upon me to alert the Senate to a danger now facing it.

The House sent H.R. 10509, the agriculture appropriations bill, over to the Senate after cutting the original administration budget request of $1.5 million to $300,000. If this cut is allowed to stand, it will, in effect, smother the life out of the law by making the inspection and certification function impossible to perform. I hope the Senate will undo the damage done by the House by appropriating the full $1.5 million, the minimum necessary to administer the program effectively. I also hope the Senate will then be prepared to insist on its changes when the measure goes to conference.

I have called this matter to the attention of the senior Senator from Florida, the chairman of the Senate Committee, and pointed out to him that this legislation passed the Senate last year by an overwhelming vote, was cosponsored by Senator MAGNUSON and myself, and was strongly supported by Senator COTTON, Senator MONRONEY, and a number of other Senators.

This legislation resulted from a bill which the Senator from Washington [Mr. MAGNUSON] and I introduced exactly 2 years ago as a result of the dognaping of a dearly loved pet from a Slatington, Pa., family by a commercial dog dealer.

It would seem to be most unwise to permit the Subcommittee on Appropriations of the House of Representatives now to cripple the legislation passed by the Senate unanimously and the House of Representatives by an overwhelming majority after extensive and exhaustive hearings in both bodies.

I am heartsick to contemplate the possibility that this act might now be starved by the very proponents who enacted it, simply because we, its parents, are too parsimonious to keep our child alive.

I urge Senators, and those Senators in particular who serve on the Subcommittee on Appropriations of the Committee on Agriculture, to remember the overwhelming sentiment in favor of this program expressed through the literally hundreds of thousands of letters sent to us by people from all over the country. Their dream of an effective animal welfare bill can only become a reality through the appropriation of the necessary funds.

Mr. President, I ask unanimous consent to have printed in the RECORD editorials in support of Public Law 89–544 which appeared in the Christian Science Monitor, the Washington Post, the Waco News-Tribune, the Birmingham News, and the New York Times.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, June 17, 1967]

SELF-CERTIFICATION FOR DOG DEALERS?

Self-certification by licensees is an unsound basis for the issuing of licenses of any kind. Yet that is the incredible situation that now exists with relation to P.L. 89–544, the Laboratory Animal Welfare Act passed last year by overwhelming majorities in the House and Senate.

At that time no appropriations were made for the Department of Agriculture to inspect dealers' premises. Unable to inspect, the department was unable to certify dealers as complying with the law.

At this point, Rep. Jamie L. Whitten, chairman of the subcommittee for agricultural appropriations of the House Appropriations Committee, who had consistently opposed every proposal for supplemental appropriations, was suddenly filled with virtuous zeal. Declaring that the flow of laboratory animals must not be held up, he insisted that licenses be issued, inspection or no inspection. The Department of Agriculture was therefore obliged to allow the dealers to certify themselves. Nothing has been done to change this.

Appropriations for fiscal 1968 are now being acted upon. The budget request for implementing P.L. 89–544 is $1,500,000. The House has acted to reduce this appropriation to $300,000, thus eliminating four-fifths of the needed amount. Congressman Whitten stated that this sum would be used for a "Washington Central Office," but with no definite appropriation for inspection, which is the key factor in the proper working of the law.

Damage has been done, but it is not too late for repair. The Senate, which has not yet acted on the appropriation, should immediately act to restore the full requested budget, and make definite provision for inspection. Unless this is done, funds will be woefully inadequate, and dealers will very likely go on certifying themselves.

Thousands of citizens demanded the passage of P.L. 89–544. Eighty-five members of the Senate and 352 members of the House voted for it. This mandate must not be circumvented by a hostile minority working behind the scenes.

[From the Waco (Tex.) News-Tribune, June 7, 1967]

DOG-STEALERS UNPOPULAR BUT THEY KNOW THE ROPES

The U.S. House Appropriations committee this week may decide whether the Laboratory Animal Welfare Act, passed overwhelmingly by Congress last year, is to work or not.

Last year, hidden opposition to the act in a subcommittee of the House appropriations committee, gutted the enforcement appropriation so that the Department of Agriculture had insufficient funds to license laboratories and animal dealers in accordance with the new law.

Believe it or not, the department decided the only way the licensing could be done was to allow the dealers and laboratories to license themselves, filing affidavits that their treatment of laboratory animals was humane, sanitary and otherwise in compliance with the act.

Two weeks ago the national news associations reported an incident of a family pet dog that was stolen, bootlegged through an animal dealer into a government hospital laboratory and was found only by chance there by one of its original owners. The dealer was one of those self-licensed under the crippled new law.

Senator Monroney of Oklahoma and Rep. W. R. Poage of Waco who fought valiantly to secure passage of the animal act have said that it is incredible to see the near-unanimous will of Congress frustrated by a hatchet job in a subcommittee. Nevertheless, unless the 83 members of the Senate and 352 members of the House who voted to enact the new law make their weight felt quickly, the dog-stealing and animal degradation against which the act was aimed will continue.

The new appropriation request of $1.5 million, endangered by the same surreptitious opponent who swung the ax a year ago, should be provided to enforce this law.

[From the Washington Post, June 18, 1967]

SABOTAGE

There's more than one way to skin a law. Deprived of funds to make it work, the best of legislation can be nullified. This is precisely what has been done—quite deliberately and cynically, it would seem—to the Laboratory Animal Welfare Act, the legislation designed to require humane treatment of animals sold to hospitals and research institutions for medical experimentation and, in particular, to put an end to the wanton cruelty of those ugly buccaneers who steal family pets, starve them, maltreat them and sell them to laboratories in the name of science.

Last August, after due consideration, Congress passed a law to bring this heartless traffic under control. Responsibility for administering it was assigned to the Department of Agriculture which, with the approval of the Bureau of the Budget, asked for $1½ million to do the job. A House Appropriation subcommittee under the chairmanship of Rep. Jamie Whitten of Mississippi recommended that this sum be cut to $300,000; and the House followed the recommendation.

Small wonder that Representative Resnick, author of the protective legislation, wailed that it came "as a terrible shock for one to learn that all of this hard work, all of this effort and the will of the Congress has been tossed aside and that the bill has been completely emasculated." Unable to defeat the measure in the open and unwilling to endorse the sordid traffic which the measure was intended to control, opponents have now found a comfortable way to sabotage it. We hope that the Senate will restore the needed funds. Americans want this hideous cruelty stopped.

[From the Birmingham News, June 11, 1967]

FUNDS HASSLE LOOMS ON PETNAPPING ACT

(By James Free)

WASHINGTON.—A Senate vs. House fight is shaping up over enforcement of the anti-petnapping act passed with an overwhelming vote by Congress last year.

And before it's over the legislators are going to get another large barrage of mail from citizens who think Congress is too casual about the need for federal regulation of unnecessary cruelty to animals in research programs.

How could there be a dispute over enforcement of the Laboratory Animal Welfare Act that passed the Senate 85 to 0 and the House by 352 to 10 (and the 10 were not against the act, they were protesting that the act did not go far enough)?

It comes on the question of whether funds are needed to finance Agriculture Department inspection of dealers who supply dogs and cats for the research market. Testimony last year showed that many unscrupulous dealers buy stolen dogs and cats, and these dealers were the target of the act.

Chairman Jamie Whitten, D.-Miss., of the House Agriculture Appropriations Subcommittee sold a House majority on the idea that $300,000—to cover expenses of a "supervisory group" in Washington in the next fiscal year—will do the job. He said that the present 6,000 persons in inspection and control activities of the Agricultural Research Service can handle the additional work.

Department spokesmen say all their research service personnel have their hands full with inspections of existing animal disease control programs, that all their time and expenses have to be allocated and must necessarily be devoted to funded programs.

Moreover, they point out that during the current year, when the House cut down an $800,000 Senate appropriation for dealer inspection to $300,000, the department was forced to plan a program which the dealers could certify themselves as being in compliance with the law.

Rep. Whitten said that these self-certifications will qualify dealers for a department license under the new law "until the inspectors gets there to clear them."

Rep. Joseph Y. Resnick, D.-N.Y., protested on the House floor that the plan outlined by Whitten would wreck the dealer inspection program, for which Congress last year authorized $1.5 million annually.

It is plain that a number of senators disagree with the Whitten-House approach. Sen. Mike Monroney, D.-Okla., has been the most vocal. "I do not think we want to start off a law with self-certification," he has warned, "letting people sign an affidavit that they think their quarters are all right. Of course, they think they are all right because they have been doing this for years, selling stolen dogs and keeping animals in the most tragically inhumane quarters with no exercise pens, and dead animals lying around the place."

Chairman Spessard Holland, D.-Fla., of the Senate Agriculture Appropriations Subcommittee says: "I voted for (the Animal Laboratory Act) it, and I intend to see that adequate funds for its operation are made available."

Other Deep South senators on this subcommittee are Lister Hill, D.-Ala., John C. Stennis, D.-Miss., and Richard B. Russell, D.-Ga. Hill has advised supporters of the inspection program that he will "help all I can" to secure adequate funds.

A traditional pattern in such disputes over the level of appropriations for specific programs is for the Senate to raise the House figure and then for House-Senate conferees to compromise between the two.

In any event, by the time the Senate subcommittee takes up the House-passed bill week after next, its members likely will have received many letters from humane organizations. Mrs. Roger Stevens, president of the Animal Welfare Institute, is one of those urging such a letter-writing campaign. She calls the House action "shocking," and she doesn't think the Senate will go along with it when all the facts are known.

[From the New York Times]

CURBING ANIMAL ABUSE

When Congress last year passed the Laboratory Animal Welfare Act, it reflected the nation's determination to establish minimum standards for the care of dogs and other animals used in medical research. But what Congress did, one man has now undone.

Providing animals for laboratories has become a thriving interstate business. Many dealers trim costs by keeping animals in crowded, unsanitary conditions, transporting them in pens too small for them to stand or turn around in and failing to provide sufficient food, water and exercise. The new law was intended to curb such abuses.

However, Mississippi's Representative Whitten, chairman of the House Agricultural Appropriations subcommittee, has succeeded in cutting the funds requested to enforce the law in the fiscal year beginning July 1 from $1.5 million to a mere $300,000. This makes proper inspection of animal dealers impossible.

Even before the present slash, insufficient funds and personal pressure from Representative Whitten prompted the Agriculture Department to revise downward in April the licensing standards it had promulgated only two months earlier. Instead of granting a license to a dealer only after inspecting his premises, the department has now agreed to permit the dealers to license themselves by certifying that they are in compliance with the Federal standards.

The inspection will follow when and if the funds ever become available. Since it is more difficult to withdraw a license once granted than it is to withhold it in the first place, this shift in position has already complicated enforcement of the law.

The members of the House as usual feebly deferred to the whim of one of their Appropriations subcommittee chairmen. The Senate has an obligation to repair Mr. Whitten's sabotage.

ELIMINATION OF REQUIREMENT THAT FEDERAL RESERVE BANKS MAINTAIN CERTAIN RESERVES IN GOLD CERTIFICATES AGAINST FEDERAL RESERVE NOTES

Mr. CLARK. Mr. President, I call to the attention of the Senate the fact that on March 16, 1967, I introduced a bill to eliminate the requirement that the Federal Reserve banks maintain certain reserves in gold certificates against Federal Reserve notes. This bill was referred, as it should have been, to the Committee on Banking and Currency, of which the able Senator from Alabama [Mr. SPARKMAN] is the chairman. No hearings have been held on the bill because the administration intends to present legislation along these lines in the near future and has asked that no hearings take place in advance.

However, in the meantime, on June 21, 1967, my honored friend, the distinguished Senator from Indiana [Mr. HARTKE], introduced almost identical legislation which, by unanimous consent, he had referred to the Committee on Finance. I was not notified of this impending referral. In his comments on the legislation he asked consent that the bill be referred to the Committee on Finance when reported; that committee should, however, have referred it to the Committee on Banking and Currency.

Under rule XV it is very clear that jurisdiction over this matter belongs to the Committee on Banking and Currency and not to the Committee on Finance. Mr. President, I ask unanimous consent to have rule XV printed in the RECORD at this point.

There being no objection, the rule was ordered to be printed in the RECORD, as follows:

RULE XXV (25.1 e)

(e) COMMITTEE ON BANKING AND CURRENCY, to consist of fourteen [2] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials and other matters relating to the following subjects:

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[2] Number changed from thirteen to fifteen, S. Jour. 56–57, 83–1, Jan. 9, 1953; number changed from fifteen to fourteen, S. Jour. 44, 89–1, Jan. 8, 1965.

1. Banking and currency generally.
2. Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.
3. Deposit insurance.
4. Public and private housing.
5. Federal Reserve System.
6. Gold and silver, including the coinage thereof.
7. Issuance of notes and redemption thereof.
8. Valuation and revaluation of the dollar.
9. Control of prices of commodities, rents, or services.

Mr. CLARK. Mr. President, I have feelings only of the greatest friendship for the distinguished Senator from Indiana [Mr. HARTKE] and I have no doubt that his action was perhaps inadvertent. However, I do hope that the Committee on Banking and Currency will consider this legislation and in due course will move to have it referred to the committee which under rule XV has jurisdiction, rather than to the Committee on Finance, which has no jurisdiction.

I wish to point out for the record that a good deal of legislation has been referred to the Committee on Finance over which it has no jurisdiction, including legislation dealing with election reform and campaign financing.

SENATOR HOLLINGS SERVES 100TH HOUR AS PRESIDING OFFICER

Mr. MANSFIELD. Mr. President, I am happy to point out to the Senate that the distinguished occupant of the chair, the junior Senator from South Carolina [Mr. HOLLINGS] will, by virtue of his service today, record his 100th hour as Presiding Officer of this body.

This is a milestone seldom achieved in a single session. That the Senator from South Carolina has attained it so early this year is a tribute to his high degree of parliamentary skill, his willingness to give unselfishly of his valuable time, and his devotion to duty in one of the truly important jobs in the U.S. Senate.

The leadership salutes Senator HOLLINGS for these high qualities and assures him that we genuinely appreciate the splendid cooperation which he has shown.

I might also point out that the record of the Senator from South Carolina becomes more impressive when viewed in the overall context of Senate activity this year. Prior to today's meeting, this body had been in session 484 hours. The 100 hours achieved today represents a significant part of the total. At this rate, the distinguished occupant of the chair should easily surpass the current record of 138 hours and 57 minutes attained in a single session.

Again I salute the distinguished Senator from South Carolina [Mr. HOLLINGS], who now occupies the chair, and his fellow Presiding Officers for doing such a fine job in this most important post in this session.

Mr. BYRD of West Virginia. Mr. President, I wish to join with the majority leader in commending the distinguished and able junior Senator from South Carolina [Mr. HOLLINGS]. I am now serving my 9th year as a Senator, and I am serving my first year as secretary of the Democratic conference. As secretary, I am on the Senate floor throughout every day the Senate is in session, from the time the Senate convenes until it adjourns, and I have thus had the opportunity to observe the fine and exemplary way in which Senator HOLLINGS has exercised the duties of the chair. On several occasions I have commented to other Senators about the excellent manner in which Senator HOLLINGS presides, and the fact has not escaped the attention of my colleagues. Senator HOLLINGS presides with dignity, he is careful to see that the decorum of the Senate is preserved, and he is always alert and giving attention to the Members who speak from the floor. All of this is conducive to an orderly transaction of Senate business.

I have noted some other things about the junior Senator from South Carolina. As a member of the Senate Committee on Commerce, and particularly as a member of the Textile Subcommittee of the Committee on Commerce, he has been very active in promoting legislation beneficial to the textile workers. As a member of the Committee on Post Office and Civil Service, he has been equally active in fighting for the good interests of our postal and Federal employees. And as a member of the Senate Committee on Agriculture and Forestry, he has evidenced great interest in behalf of our farmers and in behalf of the proper conservation of our natural resources.

As one who has been greatly disturbed by the rising rate of crime in this country, and by the growing disrespect for law and order, I have been pleased, too, to see Senator HOLLINGS take a strong stand for legislation to control the spiraling incidence of crime. He has joined with Senator ERVIN, MCCLELLAN, myself and others in sponsoring crime legislation, and he has spoken out forcefully and effectively in support of such legislation.

Senator HOLLINGS has talked with me and with others, not only with regard to his interest in fighting crime, but also with regard to his support of tax-sharing legislation which would permit a return of a portion of the Federal tax take to the States so as to allow the States to do those things which they can best do themselves.

I just mention these things, as they have come to mind at the moment, because I think that they should be said. I have always felt that the meritorious work of people should be recognized, and I am so delighted that the majority leader and others are taking the time today to take note of the outstanding service that is being performed by this fine, young, and handsome Senator from the State of South Carolina.

One of Benjamin Franklin's favorite passages of Scripture was a passage that had been taught to him by his father:

> Seest thou a man diligent in his business, he shall stand before kings.

That Scriptural passage proved to be a light to Franklin's feet and his path led him, indeed, to stand before the great men of earth. Senator HOLLINGS is a man who is diligent in his business, and I predict that he will enjoy a great future. And just as he is honored to serve the great people of South Carolina, he brings honor to them and he brings honor to the Senate.

I am happy to salute him on having been the first Senator during the 90th Congress—and, I believe, during several recent Congresses—to preside over the Senate for 100 hours.

Years ago, I memorized a bit of verse which seems appropriate as we join in saying "Well done" to our esteemed colleague from South Carolina. I recall its lines thusly:

> It isn't enough that we say in our hearts
> That we like a man for his ways;
> It isn't enough that we fill our songs
> With psalms of silent praise;
> Nor it is enough that we honor a man
> When our confidence upward mounts,
> But it's going right up to the man himself
> And telling him so that counts.
>
> Then when a man does a deed that you really admire,
> Don't leave a kind word unsaid
> For fear to do so might make him vain,
> And cause him to lose his head.
> But reach out your hand and tell him, "Well done!"
> And see how his gratitude swells.
> It isn't the flowers that we strew on the grave;
> It's the word to the living that tells.

Mr. RUSSELL. Mr. President, I wish to associate myself with the laudatory remarks about the distinguished junior Senator from South Carolina [Mr. HOLLINGS] which were prompted by the occasion of his having completed 100 hours presiding over the Senate.

He is particularly qualified to serve in the capacity of Presiding Officer. His voice booms through the Chamber with clarity and distinction, as if he were still a cadet officer at The Citadel giving parade ground commands. But more importantly, he brings to the Senate an unusually outstanding background in parliamentary procedure as a result of long service as the presiding officer of the South Carolina Senate.

While his service in the chair in past weeks has been conspicuously praiseworthy, he is also a man of many parts and has distinguished himself in performing all of his senatorial duties in a manner which makes him deserving of this recognition.

Mr. BYRD of Virginia subsequently said: Mr. President, earlier today the distinguished majority leader and other Senators made comments regarding the distinguished junior Senator from South Carolina [Mr. HOLLINGS]. I was not present at that time because I was at a meeting of the Armed Services Committee.

I associate myself with the remarks made by the distinguished Senator from Montana [Mr. MANSFIELD] and other Senators concerning the service being rendered to the Senate by the junior Senator from South Carolina [Mr. HOLLINGS].

The Senator from South Carolina [Mr.

HOLLINGS] has served for 100 hours as a Presiding Officer in the Senate during this session of Congress.

The Senator from South Carolina, all of his colleagues will agree, has handled the duties of Presiding Officer with ability, patience, and dignity.

I am most happy to join this afternoon in the remarks made earlier today by many of the colleagues of the Senator from South Carolina.

I commend the Senator from South Carolina for the service he has rendered to the Senate during the 90th Congress.

DISARMAMENT

Mr. CLARK. Mr. President, yesterday, during the colloquy which followed the very able speech delivered by the distinguished Senator from Idaho [Mr. CHURCH] with respect to the sale of military hardware by our country to underdeveloped nations in general, and Latin America and the Middle East in particular, the able chairman of the Subcommittee on Disarmament, the Senator from Tennessee [Mr. GORE], expressed his hope that he and other members of the Subcommittee on Disarmament would soon visit the 18-Nation Disarmament Conference in Geneva to assist our able delegation, headed by Ambassador William Foster, in an effort to secure a treaty for nonproliferation of nuclear weapons. The Senator from Tennessee urged all members of the subcommittee to join him if they were able to do so.

I would like the RECORD to show that some 3 weeks ago, while I was attending the Pacem in Terris II Convention in Geneva, I spent a day at the 18-Nation Disarmament Conference. I was welcomed by Ambassador Foster and briefed on the status of the Nonproliferation Treaty negotiations.

I would hope that as a result of the conference between Mr. Kosygin and President Johnson, the treaty will soon be agreed to by the Soviet Union and this country, and the other members of the 18-Nation Conference.

However, I wish to point out that there have been substantial objections to the draft of the treaty by a number of the other delegations at the Geneva Disarmament Conference which are concerned with obtaining a Nonproliferation Treaty that will meet not only the needs of Russia and ourselves, but also the needs of the other 16, or really 15 nations which are members of that Disarmament Conference. The difference in the number of nations to which I have just referred arises because France has never taken its seat.

One of the most provocative and interesting speeches on the Nonproliferation Treaty and the legitimate interests of other powers attending that conference was delivered by Mrs. Alva Myrdal, chairman of the Swedish delegation to the 18-nation Committee on Disarmament, on Tuesday, May 30, 1967.

Mr. President, I ask unanimous consent that a copy of Mrs. Alva Myrdal's speech be printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

STATEMENT BY MRS. ALVA MYRDAL, CHAIRMAN OF THE SWEDISH DELEGATION TO THE 18-NATION COMMITTEE ON DISARMAMENT ON TUESDAY, MAY 30, 1967

Mr. Chairman, it is with considerable hesitation that I take the floor today. More than three months of precious time has elapsed since our session began with many optimistic statements from all quarters that this would be *the* ENDC session of success. A formidable agenda was before us in the form of a number of resolutions, adopted by large majorities of Member States at the United Nations General Assembly and clamouring for urgent action.

When now half the time has passed which is normally at the disposal of the ENDC for its yearly session there is regrettably very little progress, if any at all, to register. No draft text of a non-proliferation treaty, which was supposed to be our main working document, has been presented. And as yet no discussion has even begun on the other important items, mandated to the Conference by the General Assembly. Worse still, while our work has lingered the political climate seems to have become less and not more favourable.

Under these circumstances I feel compelled to add the voice of my delegation to those here who have already aired their disappointment and misgivings.

The justification for this is that my Government, as I believe all others here represented, ardently do desire progress with regard to nuclear disarmament and definitely favour a containment of the spread of nuclear weapons by an internationally binding treaty.

My delegation is so positively interested, indeed, that we could not conceal a certain disappointment about the long period of non-consultation within the ENDC, which is, after all, the main negotiating body for disarmament. (Vide our statement at the last meeting before the recess, ENDC/PV. 296.) We are all in this Committee, whether classified as aligned or non-aligned States, the trustees of the United Nations, with a task to find solutions to disarmament issues which are beneficial to all and acceptable to all. In this stage we should not be solipsistically confined to the national considerations which ultimately will decide whether our Governments adhere or not to specific treaty formulations. We are here, joined in a collective responsibility to find a constructive outline for such a treaty which might be acceptable to all states. But the nonaligned members of this Committee run an extra risk that because they can only submit their amendments—which are of course legitimately in order—at a relatively advanced stage, they might then be accused of delaying the negotiations.

There are particularly three issues on which some rather fundamental differences of approach remain and where it will be necessary to express our views: the general question of assurances as to tangible steps of nuclear disarmament to be coupled with or follow a non-proliferation treaty; further the more specialized problems of so-called nuclear explosions for peaceful purposes and of control measures, i.e. international safeguards. A solution of these issues, and perhaps most crucially the one of what control system to apply, could only be furthered by the give-and-take in an open debate, unfettered by positions locked in advance. As a contribution, I would want today to devote some attention to this issue, leaving the new and exciting subject of nuclear explosions for civilian uses to be examined at a subsequent meeting.

Mr. Chairman, the question of control in connection with non-proliferation of nuclear weapons is one of truly universal concern. During the recent period of recess this issue was apparently in the focus of intense discussions outside the framework of this Committee, and more particularly in one of the regional groupings. Fears were expressed by some quarters, public and private, that unbalanced control measures could cause severe drawbacks for non-nuclear weapon States in the ways of technological underdevelopment, industrial espionage and commercial discrimination.

It would be very useful if we in this Committee made a comprehensive overhaul of the problems involved and in a final way disposed of the worries or reduced them to reasonable proportions. Let us then start by recognizing that the methods of controlling nuclear activities must be subject to two separate sets of considerations: one, their value for achieving the goal of facilitating disarmament, second, their obligation not to hurt unnecessarily interests of economic development and fair competition in commerce.

"Not to hurt unnecessarily" is a key phrase in this connection. If there should be intrinsic conflict between the two sets of interest, I take it we would agree that the disarmament value should by all of us be given supremacy. But first we are duty-bound to study such control arrangements which would satisfy both criteria.

It should then have become evident already by statements made in this Committee, based on qualified expert advice, that the fears in relation to "spin-off" and "industrial espionage" have been exaggerated.

Relying on our own experience, my delegation is convinced that research, development and production in reactor technology and similar fields would not have to be hampered by lack of knowledge obtained through the manufacture of nuclear weapons. Twenty years ago this may have been the case, but since then nuclear technology has been widely disseminated to and further developed by many non-nuclear weapon States.

There remains, however—besides the use of nuclear explosives for civil engineering projects which I intend to speak about at another time—the demand that control measures should not hurt equal opportunities for trade or, to use the more negative expression, preserve or increase the risk of commercial discrimination. Some such risks exist in the world today. It must be the function of a non-proliferation treaty to eliminate them, or at least reduce them, certainly not to aggravate them.

Long before any serious negotiations on non-proliferation started, the major countries exporting atomic fuel and equipment assumed on an individual basis the responsibility that their contribution to the internationalization of the peaceful atom should not at the same time lead to a promotion of the spread of nuclear weapons. Exclusive peaceful use has thus usually been made a condition for the sale of such products. A structure of agreements providing for bilateral, regional or international safeguards has indeed been built up over the years, now covering such a large proportion of the plutonium production in non-nuclear weapon countries that a considerable arms control effect has in fact been achieved. This control machinery has been established within the context of international trade and cooperation, without any plan for how it should be fitted into a disarmament measure such as a non-proliferation treaty. Obviously, a transition from this complicated network of rights and obligations to a straight-forward control formula contained in a non-proliferation treaty will give rise to many problems on the bilateral and regional level. Such transition will necessarily take some time, a consideration which ought to be incorporated in the treaty in some way and made applicable to all signatories, not only those of the European regional system of cooperation. A similar stipulation for arranging the transition is contained in the Latin American Denuclearization Treaty.

Recently, many bilateral arrangements

have been or are in the process of being replaced by IAEA safeguards, thus providing in effect a certain amount of streamlining. This by the way refers to my country, as the Swedish Government has expressed itself in favour of placing all its present nuclear activities, those hitherto governed by bilateral safeguards agreements and those hitherto uncovered, under IAEA control. This increasing use of IAEA safeguards is an important element when it comes to choose the method of control, because it should be above discussion that the application of *one* system of safeguards on the activities of *all* countries would be the perfect solution. Thereby interests of disarmament and of fair and equal opportunities would be simultaneously vouchsafed.

When the control measures for a treaty on non-proliferation are to be prescribed one must bear in mind at least three very different situations which might entail rather stark imperfections—as some of them already do. This is to say that we are confronted with at least three types of challenges to be surmounted. The most dangerous and untractable one is, of course, that of non-signatory States, where there is a latent risk that they might turn toward nuclear weapon production and a probably more definitive risk that they would profit in the commercial field, by not being tied to common rules. A second category is that of nuclear weapon States, if they would not be submitted to the same obligations as others; they would evidently then be free not to participate in the disarmament undertaking and also left to continue only voluntarily to apply safeguards rules to their exports. The third situation is met with in regard to closed regional systems such as the one operated within the European Economic Community, if controls should continue by such inspection of the peaceful nuclear activities within their countries and if the universal system of control obligations should not be specifically prescribed for their exports. As within each of these groups are to be found the technologically and commercially strongest nations in regard to nuclear activities, the problems confronting us are of no small dimensions.

The emphasis has here been laid on the control through a safeguard system. In addition, however, supplier nations in the nuclear field have exercised a variety of policies in order to diminish the consequences of possible non-compliance with agreed obligations. Stipulations as to first option for buyback of surplus plutonium produced with supplier fuel, requests for specifications of any project involved before a fuel delivery is approved, and reservation as to approval beforehand of any resale of supplied fuel and equipment to third countries are some examples of these policies.

It seems reasonable to assume that these policies will continue as part of the trade treaty structure also after a non-proliferation treaty has been signed. But after the conclusion of a treaty with its general prohibition to use nuclear material for weapons production and its special control rules, the need for rigidity in applying this other kind of rules would have decreased.

The question of safeguards should, of course, not be confused with this question of other restricting policies by supplier nations. The fears for commercial discrimination under a non-proliferation treaty expressed in the public debate seem to a large extent to have been connected with these policies rather than with the question of safeguards as such. On the other hand, the present confused situation as to various safeguards systems may also be detrimental to trade in the nuclear field. In fact, commercial policy-makers appear to be postponing further action in the hope that the ENDC will provide a streamlined framework for international safeguards by using the Agency set up i.a. for this purpose, IAEA.

When arriving at the stage where we should be formulating the principles on controls the work must be governed by four criteria: effectivity of coverage, credibility of safeguards, balance of obligations and commercial equity.

I will deal briefly with some alternatives, trying to show how these criteria would work out in practice. There is indeed a wide difference in value and hence in acceptability between the top and the bottom on such a list of formulae with decreasing ambitions.

1. The most effective and the most balanced solution would be a universal and obligatory submission to safeguards of *all* nuclear industry of *all* parties to a treaty and of *all* transfers of nuclear material, principal nuclear facilities and certain specialized equipment for all purposes from, to and between *all* parties.

The effectivity of the measure where accepted is striking. It would mean a real cut-off, thus showing the interrelation existing between horizontal and vertical proliferation and the inherent value of safeguards as a tool for disarmament.

This formula would further assure equity in relation to industrial development and commercial opportunities. The only remaining inequity would be caused by the existence of non-signatories. However, also they would have to accept some control, unless they prefer completely to avoid imports from the treaty area.

2. A second but weaker formula would be the compulsory submission to safeguards of *all* peaceful nuclear activities—I stress: only the peaceful activities—of *all* parties and of *all* transfers from, to and between *all* parties.

This formula would mean a complete stop for *all* horizontal proliferation, including additions from abroad to nuclear weapon powers. Their weapon manufacture would be isolated from foreign supply and from any connection with peaceful activities. It would, however, have no disarmament effect on the independent production of nuclear weapons among those countries who engage in such production. Balance is achieved in so far as the controls are concerned, with the just mentioned exception of military activities. It would assure complete commercial equity except in relation to transfers to non-signatories in cases of competition between a signatory and a non-signatory State. This would constitute a serious disadvantage.

3. If in a third example the specific provision for safeguards on *all* peaceful nuclear activities within the nuclear weapon parties is dropped from this last formula, controls will still remain on all their activities relying on foreign supplies, because all transfers would be controlled. The complete stop for *all* horizontal proliferation will, however, as under the previous alternative remain unchanged. A certain amount of imbalance would, however, be introduced, creating in addition to the imbalance in relation to disarmament also the possibility of discrimination in regard to commercial markets within the nuclear weapon States between domestic and foreign suppliers. The deficiency in regard to non-signatories remain as before.

4. At our 281st meeting on August 11 of last year my delegation proposed as the earliest and easiest step on a three rung ladder towards a cut-off agreement, the application of safeguards initially simplified so as to cover—not activities within countries—but *all* transfers for *all* purposes between *all* States. We continue to regard this as an important and urgent measure, but would, it goes without saying, prefer those mentioned earlier. This later formula, of course, enters as an element in all of them. It is a balanced measure but is somewhat deficient in effectivity with regard to disarmament. It would leave only partly covered some States that are self-supporting both in uranium and in nuclear technology, while the same effect on the nuclear weapon States was already accounted for in my formula number three. It would strike at and stop all foreign supply for cooperation in the manufacture of nuclear weapons.

A limitation of this measure to transfers for peaceful activities only cannot be accepted, as it would provide an opportunity for unsound discrimination within the market of countries producing nuclear weapons. A nuclear weapon country could assign any project as a military one, thus avoiding controls on it.

5. The current debate has also provided us with completely unbalanced formulae, for instance the one whereby safeguards would be applied to all peaceful nuclear activities of non-nuclear weapon States only, and to all transfers *to* these States only. Such a formula is very unsatisfactory. It is imbalanced in all respects. From a commercial point of view it does not fit even the actual situation in the world, where many important suppliers request safeguards also on exports to nuclear weapon States. Whether safeguards on such transfers are stipulated in a treaty or not, suppliers who want to avoid any military utilization of their products, would of course be free to continue, voluntarily and unilaterally, to request safeguards on these transfers. But this policy will probably put them in an awkward position of commercial discrimination, making precisely those States, who are the most ambitious ones in terms of disarmament, also the ones commercially most discriminated against.

6. Finally, we must complete the list of alternatives by mentioning the zero-formula: no safeguards clause at all. If recourse were taken to this solution as the outcome of the work of the ENDC on a non-proliferation treaty, the credibility of adherence to the treaty would be severely damaged. In addition, such a treaty would inherit the present complicated structure of control systems with all the risks for commercial compromising and discrimination at the expense of disarmament interests and with inequities between countries which would become more glaring as the technological and industrial development proceeds in the nuclear field. We hope that such will not be the outcome of our endeavors.

Reviewing the existing situation and the various possibilities to satisfy the demands, first, of disarmament interests but also of equity and balance between nations in regard to prospects of development in the nuclear energy field, we can only come to the conclusion that a very strong code of ethics has to be built into the control clause of a non-proliferation treaty. Such a reliable and durable system of control has to be implemented through one single safeguard system, universally accepted and applicable, as is that of IAEA. For some leeway in regard to time-limited transitional arrangements, I have, however, already argued. But the sooner IAEA is given the over-all responsibility for verification, the better—both for the sake of equity and, first and foremost, for the sake of credibility of non-proliferation pledges.

Mr. Chairman, may I in a second and final section touch on the major policy question which has so prominently preoccupied participants in the international debate on non-proliferation, namely the insistence that assurances be given that a treaty for this purpose should be "coupled with or followed by related measures for nuclear disarmament". I have sought not to lengthen my statement today by inserting quotations, but I cannot refrain from repeating the warnings uttered by Lord Chalfont and General Burns at our last session.

Lord Chalfont said in his farewell address: ". . . the principle must be accepted and clearly understood that if a non-proliferation treaty is not followed by serious attempts amongst the nuclear Powers to dismantle some of their own vast nuclear armoury, then the treaty will not last, however precise its language may be. There is in my mind no doubt that if the non-nuclear Powers are to be asked to sign a binding non-proliferation treaty it must contain the necessary provisions and machinery to ensure that the nuclear Powers too take their proper share of the balance of obligation." (ENDC/PV.299, p. 7–11) Just as lucidly the distinguished Representative of Canada:

"There is one prediction about this treaty which, in the Canadian view, can be made with assurance; that is, that if there is no progress towards real disarmament, an agreement on non-proliferation will not endure for more than relatively few years. This we believe, is the reality of the situation." (ibid., p. 22)

The non-aligned members of the ENDC have throughout the discussions on non-proliferation formulated this as a demand that a treaty must contain an acceptable balance of mutual responsibilities and obligations of the nuclear and the non-nuclear weapon countries. That this opinion is shared by the wide majority of States has been amply demonstrated during the debates over the last years in the General Assembly of the United Nations. Its most pregnant form is found, of course, in the resolution of the General Assembly, 2028 (XX), quoted so often by us all in this Committee.

When there is repeated reference to this insistence on balanced obligations it does certainly not stem from any desire to cause unnecessary difficulties in the already complicated discussions on the non-proliferation issue. On the contrary, it is intended to try to make clear that any draft treaty text that would not reflect this prospect for effective nuclear disarmament could hardly fulfill its purpose, namely to induce all the non-nuclear weapon States of importance in this connection to come forward and accept *their* share of the obligations. What the world needs are trustworthy signals of a definite change of direction: a turn *downwards* of the whole nuclear race. What I do when I insist on such signs is not to defend any interest of any country in having nuclear weapons. But it is, I admit, engaging in a campaign for nuclear disarmament for the sake of the world.

The Swedish delegation has for long maintained that this general aim as well as a guarantee for the effectiveness of the immediate treaty on non-proliferation could best be obtained through simultaneous discussions, intended for planning in a coherent way decisions on the items most closely related.

With your forebearance, Mr. Chairman, I will emphasize once again the logical interdependence of the three elements which we have chosen to enter into "the package," realizing, of course, that other items might be substituted.

1. Besides the non-proliferation treaty, which is intended to achieve a blocking of what has been called *horizontal* proliferation of nuclear weapons to the present non-nuclear weapon countries, there is an urgent need for

2. a treaty banning underground nuclear tests. This in order to hamper the race between nuclear weapon Powers to increase the *quality* and refinement of their nuclear arms, and also of

3. a cut-off agreement, implying the prohibition of the production of fissionable material for weapon purposes in all States, a measure directed against vertical proliferation, as it would effectively prevent the nuclear weapon Powers from increasing in the *quantative* sense their present nuclear arms stocks.

Both the latter agreements would also act as effective stoppers to proliferation by manufacture in presently non-nuclear weapon States.

We have to recognize, however, that at the present juncture the more or less simultaneous acceptance of this "package" is not immediately attainable. But what we must uphold is the demand that we should not, within the framework of the agreement which is now foremost on our minds, the non-proliferation treaty, quieten our demands for *recognition of the necessity for rapid progress towards effective freezing and reversion of the present situation in the nuclear armament field.*

This recognition might in the context of a non-proliferation treaty be obtained through various means. One method might be the one which has already been presented by other representatives of the non-aligned delegations, notably by the distinguished Representative of the United Arab Republic in his eloquent address to the Committee on March 16, 1967 (ENDC/PV.294, p. 9). This would consist in establishing a formal link between, on the one hand, the obligations in the treaty of the non-nuclear weapon countries not to acquire or produce nuclear weapons and, on the other hand, an obligation by the nuclear weapon countries to commit themselves to genuine disarmament measures in the nuclear weapon field. Mr. Khallaf, in the intervention I just referred to, stated that this responsibility of the nuclear Powers should be embodied not in the preamble to the treaty but in a separate article, so as to endow it with full legal effect and an incontestably compelling character.

Without taking a final stand on this question before we have seen any treaty text, I must intimate that just to insert a vague reference to an intention to proceed with further disarmament steps in a preamble can hardly be enough in the eyes of the non-nuclear weapon States. Nearly four years ago the preamble of the Moscow Treaty offered that the nuclear weapon States as "original parties" were "seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end." But instead of signs of any advanced preparation for a comprehensive test-ban we find underground tests proceeding into a relentless crescendo both in regard to tempo and to yield. What was meant to be a temporary exemption from prohibitory rules seems instead to have been interpreted as a legitimization of underground testing.

Without pronouncing myself on the *formalities* by which non-proliferation should be bound up with the pledge to proceed to real disarmament, I want to explain that our worries are most concerned with the realities of the world today. The actual trends give no reassuring signs. The psychological climate would become different if the non-nuclear weapon majority of States were given to know that e.g. real preparations were under way to dismantle test laboratories, that planning for an underground test-ban were proceeding among experts, or that opinion-building were under way in public and parliamentary circles. A similar raise in trust would be gained, for instance, if we were informed that agreement between the Super-Powers to halt the ABM race was nearing completion. To conclude: any offer to forgo a nuclear option on the part of the nuclear weapon States would serve as a reassurance to the have-nots that this first treaty would be effective and viable, and that it would truly initiate the process of nuclear disarmament.

There is a deep worry and anxiety prevailing in the world today. Perhaps it already amounts to a lack of confidence in promises about disarmament. So many more signs point in the opposite direction—towards continued escalation everywhere, and not least in the nuclear armament race. How shall we be able to muster the optimism needed?

PRESIDENT JOHNSON'S CHOICE

Mr. PASTORE. Mr. President, President Johnson's nomination of Thurgood Marshall to the Supreme Court reminds us of the Senate that that Court which is physically close to us is also spiritually close.

This is because we have the privilege and the power of passing on the qualifications of those nominated by the President to membership in that Court.

It is, as it were, the moment of the meeting of the minds of the three great departments of government—the executive, the legislative, and the judicial.

No appointment in the power of the President is more important than that to the Supreme Court. For the President is making a judgment not merely for the moment—not merely for an emergency, not merely for his own term of office—but one with the greatest of influences on the lives of all Americans for the lifetime or the period of service of that nominee.

The nominee will share an awesome authority—one that under certain circumstances can supersede the will of the Congress and the President.

The Supreme Court represents the conviction of democracy that first decision should have a second thought, and it represents the conscience of America that debatable practices of the past must conform to principles that are eternal.

This has been called the responsibility to preserve, and yet to change.

This responsibility demands judges not only of competency and integrity but also with a deep concern for the human side of the law.

I was happy to see this quality—concern for the human side—headlined in the splendid coverage the Providence Journal gave to President Johnson's historymaking announcement of his choice of Solicitor General Thurgood Marshall to succeed the retiring Justice Tom C. Clark.

Few life stories hold such human interest. It is interest for all of us humans—for the character and career of Thurgood Marshall will now hold a major meaning in the history of our times.

President Johnson has chosen wisely. The Providence Journal editorial of June 15, 1967, makes a splendid summation under the heading, "An Excellent Choice."

Among other editorials I have seen, I especially like that of the St. Louis Post-Dispatch of June 14 with its comment on "The Marshall Appointment."

I commend President Johnson for being the first Chief Executive to appoint a Negro to his Cabinet, and now to the Supreme Court, and I commend Thurgood Marshall for the distinguished public servant he has proved himself to be.

I conclude by asking unanimous consent that these two editorials of well deserved praise—both for the President and for his nominee—be inserted in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Providence Journal, June 15, 1967]

AN EXCELLENT CHOICE

President Johnson's nomination of Solicitor General Thurgood Marshall to the United States Supreme Court fittingly caps the career of one of the nation's outstanding Negro leaders. His selection also honors his country because it brings to the court, as successor to Justice Tom Clark, a vigorous mind of rare quality.

Mr. Marshall is the great-grandson of a slave, and his achievements so far in the 58 years of his life attest not only to the driving energy that has marked him clearly but also to the existence of opportunities in reach of Americans of all colors. Civil rights leaders understandably are elated by the appointment of Mr. Marshall to the top bench.

No opposition has been voiced by Southerners in Congress, and no opposition is expected in the Senate when his nomination is offered for formal confirmation. Certainly, his competence is beyond question, he has won all but three of the 32 cases he has argued before the Supreme Court, a remarkable record for any lawyer in the land.

It would be shameful, therefore, if opposition is mounted covertly because of his race and color. The President has nominated a man who needs no defense of his competency and integrity—and by what other standards can the Senate apply to the task of his confirmation?

Mr. Marshall will be the first Negro to sit on the nation's highest court. The President did well to select him; the Senate will do well to confirm him with a clear, strong voice. The country can rest secure in the knowledge that the court has been well served by the nomination of Thurgood Marshall as one of its justices.

[From the St. Louis Post-Dispatch, June 14, 1967]

THE MARSHALL APPOINTMENT

President Johnson's appointment of Thurgood Marshall will be noted historically for placing the first Negro on the Supreme Court, but this should not shadow the fact that the judiciary can profit from the addition of a man of ability, courage and good humor.

The appointment may have been years in the making. The late President Kennedy seemed to have it in mind when he named Mr. Marshall to the second highest court, the Court of Appeals for the District of Columbia. President Johnson was openly reported to be thinking ahead to the Supreme Court when he induced Mr. Marshall to become Solicitor General.

Despite the apparent political maneuvering to make a Negro a Justice, it was Thurgood Marshall himself who made the result possible. Apart from his record in office, there was his prior record as goad to the nation's conscience about equality before the law. He was the attorney who won the landmark 1954 decision for public school integration. It was not his first or last victory for civil rights, and Mr. Marshall became well acquainted with and respected by the court on which he will soon serve.

Since he will succeed Justice Tom C. Clark, who is retiring, the inevitable question is what difference the change will make in the Supreme Court. Presumably Mr. Marshall will strengthen court support of individual and civil rights, but predictions about Justices are unsafe and sometimes unfair to them.

Justice Clark had so conservative a record when appointed by President Truman that progressives decried the move. Yet years later it is difficult to fit Justice Clark into a precise mold. He wrote a most thoughtful decision upholding both the rights of fair trial and free press in the Samuel Sheppard case. And while, as a former Attorney General, he often defended police procedures against court challenge, his very last opinion overturned a New York wiretapping law and warned police to heed the Constitution.

Justice Clark served well, as Thurgood Marshall may be expected to do. As for the court itself, other personnel changes are possible, for four remaining Justices are older than Tom Clark. But in a decade the Supreme Court has established a generally sound course for equal rights and individual liberties. It is a firm course, inviting no sudden twists and turns.

A REPUBLICAN ATTACK ON U.S. SLUMS

Mr. KUCHEL. Mr. President, on April 20, 1967, the distinguished junior Senator from Illinois [Mr. PERCY] introduced a new and progressive proposal aimed at ridding our Nation of its slums. I was proud to join Senator PERCY and my 34 other Republican colleagues in cosponsoring this splendid legislation. At the time of its introduction, I stated:

> Those of us who have joined him in sponsoring this proposal look upon it as a fresh, new, intriguing, encouraging, and progressive piece of legislation, under which America can pass succeeding milestones as it seeks progress for its people.

The Los Angeles Times, in an editorial dated April 30, 1967, recognized this proposal as a "refreshing demonstration of the Republican Party's ability to generate progressive solutions to the human problems of our modern, urban society." I believe, as Senator PERCY does, that homeownership can generate a spirit of independence, self-help and initiative for the people who live in the slums of America.

The Times points out that this proposal is not a "magic cure for the bitterness and despair which afflict the people who live at the bottom of the heap in America. But his plan is the most hopeful alternative yet proposed to the public housing approach."

Something better than the present public housing program must be sought by the Congress. I believe, with the Los Angeles Times, that the answer lies in the housing proposal offered by the junior Senator from Illinois.

I ask unanimous consent to have the editorial of the Los Angeles Times printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Apr. 30, 1967]

NEW ATTACK ON U.S. SLUMS

Sen. Charles Percy (R-Ill.) is the first to agree that his bill to encourage home ownership in the slums is not a magic cure for the bitterness and despair which afflict the people who live at the bottom of the heap in America.

But his plan is the most hopeful alternative yet proposed to the public housing approach, which plainly is not working, and it is encouraging that the bill has already won strong support.

Percy's bill is co-sponsored by all 32 GOP members of the Senate, and more than 100 Republicans have swung behind a companion bill introduced in the House by Rep. William Widnall (R-N.J.).

This is a refreshing demonstration of the Republican Party's ability to generate progressive solutions to the human problems of our modern, urban society.

The Illinois Republican's proposal had its genesis in last fall's senatorial campaign, which brought home to him the fact that public housing units quickly deteriorate, all too often, into new slums just as bad as the old ones.

". . . These new quarters may have fewer rats than the old," observes Percy, "but the crucial element of human dignity has been shoved aside . . . Indeed, in many cases, the people packed into public housing are worse off than before."

"The reason is not hard to discover," adds the senator. "Poor people living in a landlord's slum and those living in a public housing cell block have one thing in common—they are the slaves rather than the masters of their environment . . . They have nothing of their own, nothing to cherish or protect."

By encouraging and subsidizing home ownership in the slums, Percy is convinced that society can help generate the spirit of independence, self-help and initiative which is so often missing now.

As he explains it, "A man who owns his own home acquires with it a new dignity. He begins to take pride in what is his own, and pride in conserving and improving it for his children. He becomes a more steadfast and concerned citizen of his community."

Similar conclusions have been reached by others—including Sens. Robert Kennedy (D-N.Y.) and Jacobs Javits (R-N.Y.), who are backing the Bedford-Stuyvesant experiment in New York.

But Percy's bill is the first concrete proposal which is national in scope.

It would create a National Home Ownership Foundation, which would be authorized to sell up to $2 billion in U.S.-backed bonds in the private money market.

The NHOF would make loans to local nonprofit housing associations for purchase and rehabilitation of dilapidated slum housing—whether individual units or tenement buildings.

Low-income residents of the neighborhood would be enabled to borrow money, at low interest, for purchase of the refurbished units.

Those unable to afford the down payment would be encouraged to contribute their own labor in order to gain "sweat equity" in their new homes. Contractors would be expected to hire residents of the neighborhood to the maximum extent possible.

Obviously, the Percy bill offers no magic panaceas for the problems of the slums. But it has several attractive features.

First, since it is designed to attract private investment into slum housing, it requires less federal investment than does public housing. Each $10 million of government money is expected to generate $333 million worth of housing.

In addition, the program should help stop the deterioration of slum neighborhoods. Since the affected property would remain on the tax roles, local communities would benefit.

If things worked as planned, jobs would be created.

As Sen. Edward Brooke (R-Mass.) has warned, however, the public must not be led to expect miracles, for there are serious problems to be ironed out.

One of the big questions is whether the construction unions will cooperate in the hiring of neighborhood residents for the rehabilitation jobs. If they don't, then much of the logic for Percy's approach evaporates.

There is the question whether costs can be kept low enough for sale of the housing units to the people they are intended to help.

No one should be under any illusions, either, that the psychology of home ownership is generated with the mere signing of a mortgage. More will be required.

These are the kinds of questions that must be tackled when the Senate Banking Committee begins its promised hearings this summer.

The obstacles, however, should not be allowed to obscure the need for something better than the present public housing program.

SILVER MINERS GETTING WORLD PRICE

Mr. JORDAN of Idaho. Mr. President, evidence continues to mount that the U.S. Treasury has lost control of the silver market and can no longer hold the price at $1.29 an ounce.

Domestic producers are now being paid the London price which is about $1.70 an ounce. World demand is much greater than world production. Treasury holdings of free silver continue to drop.

Not too long ago, the Treasury Department was telling us that we had enough silver to meet our needs for 10 to 15 years. But today the crisis is upon us. It is highly questionable, in view of the speed of the drain on our stocks, that the efforts to increase the supply of free silver through stopgap demonetizing will leave us with enough of this vital commodity to meet our national security needs by the end of this year.

A number of us have argued that we should set aside enough silver for our strategic stockpile immediately. We have said that if we wait any longer, it will be a very expensive proposition for the Government to acquire the necessary amount which the Office of Emergency Planning has set as our minimum requirement. I believe events are bearing this out.

I ask unanimous consent to have an excerpt from an article relating to this matter published in the June 15 issue of the Wallace Miner of Wallace, Idaho, printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Silver Miners Getting World Price—While the U.S. Treasury Department continues to talk about holding the price of silver at $1.29 an ounce, silver producers, including those in the Coeur d'Alene Mining District, are being paid the London price for their production, which is now $1.70 per ounce. This is about a 40 per cent increase over the $1.29 they have been receiving since 1964.

Bunker Hill Pays the London Price—The Coeur d'Alene District mining, smelting and refining firm now is purchasing domestic and foreign silver ores and concentrates at the prices prevailing in London, and also selling its processed metal in the London market. So is American Smelting & Refining and Cominco of Canada . . . The U.S. Treasury lost control of the world market recently when it stopped selling to foreigners in order to preserve its fast-dwindling silver supply. In the week ended June 2, Treasury silver holdings dropped 11 million ounces to 45 million ounces of free silver.

VICE PRESIDENT HUMPHREY'S ADDRESS TO COLLEGE OF ST. THOMAS AT ST. PAUL, MINN.

Mr. McCARTHY. Mr. President, Vice President HUBERT H. HUMPHREY addressed the graduating class of St. Thomas College, St. Paul, Minn., last month. In his address Vice President HUMPHREY spoke about the needs of the peoples of the world and the demands of social justice to assist them in advancing toward a better way of life. He emphasized not only the principles involved, but also the practical means for development of the economies of needy nations.

I ask unanimous consent to have the address by Vice President HUMPHREY printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COMMENCEMENT ADDRESS OF VICE PRESIDENT HUBERT H. HUMPHREY, COLLEGE OF ST. THOMAS, ST. PAUL, MINN., MAY 27, 1967

"We should live in our age, know it, be in touch with it . . . our work is in the present and not in the past."

Those words were not spoken last week, but in 1897 by the founder of this college, Archbishop John Ireland.

In Archbishop Ireland's time, the old frontier was fading before the new industrial revolution.

Individual relationships were yielding to struggle between capital and labor.

The industrial revolution, and the resulting urbanization of society, were destroying the bonds of human solidarity which had bound Americans together in a largely rural society.

Archbishop Ireland was among the first to see that the critique of industrial exploitation—and the plea for social justice—contained in Pope Leo XIII's encyclical "Rerum Novarum" applied to the United States as well as to Europe.

Monsignor John A. Ryan, a Professor at St. Thomas College, exposed the moral hollowness of the prevailing *laissez faire* philosophy, and played an important role in achieving a general recognition in the United States that social justice—not unrestrained profit-seeking—should be the guiding norm for society.

For Monsignor Ryan, and others, recognized that men needed each other, and that man's interdependence, increasingly a physical fact of life, was also a moral necessity.

Pope Leo XIII, Archbishop Ireland and Monsignor Ryan addressed themselves to the problem of social justice in a national context. Today we must focus on justice in a global setting.

Pope Paul in his new encyclical on "The Development of Peoples" has stated the situation clearly: "Today the principal fact we must all recognize is that the social question has become world-wide."

Yes, the world has become a "village planet."

But, regrettably, too many of our loyalties and institutions remain tribal, not planetary.

To replace the tribal community with a global community requires the growth of new loyalties . . . the establishment of new institutions . . . and the acceptance of new obligations.

In building such a global community, we face one clear and overwhelming challenge: The widening gap between the rich nations and the poor.

Everywhere we see people caught between soaring hopes and immovable traditions.

Everywhere we see a revolution against what Emmanuel Mounier called the "established disorder."

And we know that, in today's world, peace can be threatened by social and economic deprivation, by destitution and hunger as well as by armies crossing borders and bombs falling from the sky.

How do we meet this threat? Pope Paul VI has rightly stated that "Development is the new name for peace."

But "development" cannot be limited to economic growth. It must promote the good of the whole man.

"Development" is not just a matter of eliminating hunger, or even of reducing poverty. The struggle against physical destitution is not enough.

It is a question rather of building a world where each man, no matter what his race, religion or nationality, can live a fully human life . . . a world where each man may be freed from the servitude imposed on him by other men or by natural forces he is unable to control.

It is a question, in short, of building a world where freedom is not an empty word.

In this striving for real development, we who live in the Western world have a special responsibility.

It was we who launched the technological revolution that has produced such dazzling wealth in the midst of squalor.

It is we who have spread it to the world at large.

And today we tolerate—by limited exertion if not by inaction—inconceivable and growing disparities of wealth and destitution.

The hard facts are these:

In this world, only some 800 million people have per-capita income of over 750 dollars a year.

Another 400 million earn between 250 and 750 dollars a year.

The remaining 2.2 *billion* earn less than 250 dollars per year. (And almost half of these earn less than 100 dollars a year).

Does anyone think this disparity can continue without the eventual outbreak of serious violence and war—without new Cubas, Congos and Dominican Republics?

How are we going to close this gap?

It will require determined effort by local leaders to mobilize local resources.

And by "local resources" I mean not just material resources. I mean, also, resources of vision and will and determination on the part of leaders who would bring their nations into the 20th century.

But no matter how much the poor nations help themselves, we cannot evade the fact that they stand little chance of success without the help of those which are rich.

It is not necessary here to engage in a detailed analysis of the process of development. Once we recognize the existence of a universal common good and of international social justice—and show a willingness to commit ourselves to it—the technical problems of assistance can be solved. Not without difficulty—but they can be solved.

In the final analysis the most difficult questions which you and I must answer—are those stated bluntly by Pope Paul in his encyclical:

"Let each one examine his conscience, a conscience that conveys a new message of our times. Is he prepared to support out of his own pocket works and undertakings organized in favor of the most destitute? Is he ready to pay higher taxes so that the public authorities can intensify their efforts in favor of development? Is he ready to pay a higher price for imported goods so that the producer may be more justly rewarded? Or to leave this country, if necessary and if he is young, in order to assist in this development of the young nations?"

History has shown that man will pay a high price for the victories of war. It remains to be seen whether he will sacrifice for the development required for peace.

We are challenged, then, today to transfer the standard which has become an accepted norm in modern national societies to the international community. This is revolutionary doctrine.

It will entail, among other things, revision of the existing North-South pattern of international trade.

As Pope Paul's encyclical pointed out: "An economy of exchange can no longer be based solely on the law of free competition. Freedom of trade is fair only if it is subject to the demands of social justice."

The Pope's admonition has already been heeded to some degree in the Kennedy Round trade negotiation. In that negotiation the rich nations have agreed to a new program of food aid for the poor. And they are now considering the *immediate* extension of trade concessions to the developing countries which will not be fully extended to the developed for another five years.

But this is only a beginning.

As we prepare for the next meeting of the United Nations Conference on Trade and Development, to be held in New Delhi in 1968, we must re-examine many of our old basic premises.

For instance, President Johnson has already indicated that we are ready now to explore the possible benefit of temporary preferential tariff advantages for *all* developing countries in the markets of *all* the industrialized countries.

What about development assistance aside from trade?

The United States—and other developed nations—are contributing less than .7 of one per cent of their Gross National Product today. We stand guilty, just as others do.

I know there are experts who claim the poor nations cannot usefully absorb too much more.

But the World Bank estimates that developing nations *can* efficiently absorb twice the amount of capital today as a decade ago. Yet the trend in contributions continues downward.

Not only is the amount of financial assistance inadequate.

There is the obvious need for achieving a better balance between population and available resources.

Debt burdens have mounted to staggering heights.

And trained talent is steadily drained from developing countries—depriving them of not only technical talent but of their natural political and social leaders as well.

As we celebrate this June the 20th anniversary of the Marshall Plan, I believe the industrialized nations of the world must renew their determination to provide aid at the level that it is needed.

I say the World Bank is right. According to present rates of economic growth, the foreign aid contribution of developed countries could well be doubled.

As we look toward the next decade, we should not exclude the possibility that the Soviet Union and Eastern European countries can cooperate in carrying this burden.

The participation of the Soviet Union in the World Bank's consortia for India and Pakistan would be a welcomed first-step—which could lead to broader participation in the future.

If we are to meet this challenge in all its aspects, we must strengthen every economic institution we have—and develop new ones if need be. If our existing financial and development institutions—all formed two decades ago with the establishment of the United Nations—need to be supplemented or modified, we should not hesitate to do so.

To make the moral weight of the Church felt at the grassroots level, the Pope established in January of this year a Papal Commission on Justice and Peace.

Working with parallel national secretariats, and cooperating closely with the World Council of Churches, the Commission on Justice and Peace can do much to mobilize public support for the development of efforts ahead.

We know that basic social injustices will be corrected—whether the race problem in our nation, or the poverty problem in our world—*only* when public opinion has been aroused. Our experience has shown that justice has triumphed over injustice . . . the conscience of the present over the memory of the past, only after men and women of conscience formed in a Judeo-Christian tradition took their convictions seriously and translated them into action.

Closing the gap between rich and poor is not something to be achieved in a period of months or even years. We must avoid becoming what the poet Meredith called "too soon despairers." But we must close that gap—not just because it is in our own interest, not just because of the Communist challenge—but as President Kennedy said in his inaugural mesage: "Because it is right."

Finally, may I add this: We should be careful not to confuse a recognition of the moral unity and interdependence of mankind with the political messianism of a nation, class or race.

Our acceptance of the obligation to help the poor does not mean that we have either the obligation or intention to impose our political and social institutions on other countries or continents.

Our recognition of our responsibility carries with it no claim that power and virtue are synonymous, that the power of the most powerful must be harnessed to spread one version of virtue. It does not imply that any one nation can claim to be the engine that makes the moral universe go around.

It is the task of both the graduation class of 1967 and of our generation to convince the legislatures and the executives—of all developed nations—that moral imperatives as well as physical security require a substantial commitment to long-range economic and technical assistance to the developing nations of the world.

"Development *is* the new name for peace."

All men profess to seek peace. But peace is like a flower—it needs fertile soil in which to grow. It cannot grow in the rocks of bitterness and poverty, in the dry sands of backwardness and despair. It needs the fertile soil of education and food, and of health and hope.

The pursuit of peace resembles the building of a great cathedral. It is the work of generations. In concept it requires a master architect; in execution, the labors of many.

The pursuit of peace requires time—but we must use time as a tool and not as a crutch.

It is our task today, and it will be yours tomorrow, to bring men closer to the day when social justice for *all* is no longer a dream but a reality, all over this world.

SENATOR VANCE HARTKE OF INDIANA DISCUSSES QUALITY STABILIZATION BILL

Mr. McCARTHY. Mr. President, the Senator from Indiana [Mr. HARTKE] recently addressed a group of retail pharmacists at the Northwest Pharmaceutical Exposition in Portland, Oreg.

In his remarks Senator HARTKE discussed the quality stabilization bill (S. 1460) which he and other Senators joined me in introducing in Congress.

I ask unanimous consent that his speech about the purposes and effects of the quality stabilization measure be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

TO DO WHAT'S RIGHT

(Address by SENATOR VANCE HARTKE, to Northwest Pharmaceutical Exposition, Portland, Oreg., June 13, 1967)

"Don't pray for wisdom. We know what's right. Pray for courage. We often fail to do what's right."

There are two significant reasons why it is appropriate to stress this quotation in starting my remarks before a group of retail pharmacists from the Pacific Northwest—from Washington—from Oregon—from Idaho—and from Alaska.

First because we have just started with a favorite saying of one of the great, if not the greatest, statesmen to come out of the Pacific Northwest, the late Senator William E. Borah of Idaho.

Second, all of us present know that the subject of our remarks today, Quality Stabilization, is right for our country. But, we must concern ourselves with convincing Congress that it must do what's right; that it must give to the consumers, the retailers, the wholesalers, and the manufacturers the Quality Stabilization Act.

Therefore, we are all here with a challenge. We must ask for ourselves the wisdom and the courage to take those steps that are necessary to accelerate the legislative process so that Quality Stabilization will become the law of the land. You pharmacists are here with your well-informed leaders and there are other industries represented. The challenge involves an awareness of all that has gone before, an appraisal of the current situation, and your decision to work with your leaders to communicate effectively as constituents with all your Members of Congress, particularly as the bill moves through the legislative process to the desk of each one of them.

Lets' start by agreeing that you as a group do not need from me a lesson on the importance of Quality Stabilization to you as retailers, but let's also agree that we cannot spend too much time talking about the importance of Quality Stabilization to the consumer. When you Washington Staters note that your Senator Warren G. Magnuson as the powerful Chairman of the Senate Commerce Committee calls together members of his committee (including Alaska's Senator Bartlett) to deliberate concerning Quality Stabilization you can be assured that the first and most important consideration must be the benefits that will accrue to the consumer from Quality Stabilization. Further, I am sure that you agree that it is politically important for the consumer to understand this benefit.

As a member of Senator Magnuson's committee I find that we are constantly asked to examine many ways that the public's health, safety, and economic climate can be protected by government agencies through legislation that strives to tell businessmen how to design, how to manufacture, how to promote, how to advertise, how to label, how to package, how to test, how to sell, and how to service.

One of the most interesting experiences that I have enjoyed since coming to the Senate involved the privilege of being Chairman of the Subcommittee of the Commerce Committee that held hearings on the Quality Stabilization Bill during the 88th Congress. It was particularly stimulating to find that the more we listened to witnesses both pro and con, the more we were convinced that the great American consumer has such a vital stake in the success of this proposed legislation.

Let me share with you today what I learned about these consumer benefits to be attained through Quality Stabilization. In this way I can best communicate that the ultimate success of Quality Stabilization does depend to a great deal on our ability to convince the Chairman and a majority of his other committee members that an impressive number of substantial manufacturers, wholesalers, and retailers in the state of Washington and in the other states thoroughly understand the relationship of Quality Stabilization to the consumer. Further, that understanding alone is not enough, we must strive to communicate this true meaning to the consumer in his own community.

Yes, while Congress through hearings will be examining the consumer benefits, you businessmen are challenged to communicate the true meaning of Quality Stabilization to the consumers. In our favor I'll predict that we will be constantly reminded that the interests of our "consumers" who are businessmen are common interests with the best interests of all other consumers. I have found to a very substantial degree that these common interests are concerned with integrity, with the elimination of confusion, and with the preservation of competition.

We can strike a blow for integrity. A manufacturer who chooses to bring his trademarked product to market under the proposed new rules will be compelled to have the highest type of integrity to be successful. To begin with the new law will definitely be applicable only to products "in free and open competition." When a manufacturer assumes increased responsibilities under the new law, he better not try to renege on his promises. If he in turn starts violating the Robinson-Patman Act, or any of the other parts of the Antitrust Laws, he would be silly to try to live with Quality Stabilization.

Congress through Quality Stabilization can offer a means whereby the manufacturer with a dedicated belief in quality marketing will be able to strengthen his marketing policies and enhance his reputation for possessing those qualities. He will find it necessary to have a marketing organization that is thoroughly educated concerning these policies and trained in the sales techniques necessary to carry out these policies. He will find it necessary to take steps within his own organization to make sure that he takes his quality-stabilized product to market with clean hands.

We'll help eliminate confusion! We'll light up the marketplace with superior *value* standards in many commodity lines. Manufacturers will have an increased incentive to offer quality features brightly illuminated by nationally-advertised prices. Consumers will be able to compare the resulting known value standards with those of all the other available competitive products. This will mean that better measuring sticks of value are available to all. We move firmly out of the world of the unknown and back to brand name standards.

And customers are confused with increasing emphasis on price that seems to come from everywhere including recognized government leaders. The resulting dialog whether in government, in the market place, or in the home tends to direct attention away from "Value." After all aren't your customers seeking Value? Quality Stabilization recognizes that price and quality are essential ingredients of Value, and abhors the quality deteriorating trend when price alone is emphasized with the resulting confusion concerning Value.

The majority of American consumers do have the intelligence and discernment to purchase, in the long run, those articles which give honest values. The position that we take is that if the consumer is given an opportunity under Quality Stabilization to choose between competing trademarked articles price-stabilized at various levels and those articles sold on price alone he or she can decide, in any purchase, whether he or she is primarily interested in serviceability and quality or primarily in price; and which article affords the best value.

Fair competition will prevail. The last business census tells us that over a five year period there was a marked reduction in the total number of retail establishments while retail sales in dollars increased substantially. For example, in Washington State the shrinkage was over one thousand from 27,612 to 26,430 despite over a half billion increase in total sales. Every sign tells us that this decrease in number of retail enterprises in relation to gross sales continues. Every year mass marketers come up with a greater percentage of the gross and attain a better position to dictate and dominate. The retailers, particularly specialty shops, who look to brand name products as jewels of industry and not as bait to be used by predators, will be encouraged to fight back when they are offered Quality-Stabilized products. There will be more incentive to stay in business, to expand, to keep their sons in the business. Others will act on their plans to open new business. Does anyone want to argue with us when we state that "more competitors will mean more competition?" The consumer will have a wider choice between different kinds of competition.

There are some very favorable conditions that we take into this 1967 campaign:

1. It's the identical bill that was reported out favorably by the House Interstate and Foreign Commerce Committee and the Senate Subcommittee in the 88th Congress.

2. The bill is firmly based on the "Old Dearborn' case (U.S. Supreme Court). In 1964 the United States Supreme Court and in the last few months both the Ohio and Arizona Supreme Courts have all cited the same basic propositions in law from the "Old Dearborn" case in upholding fair trade acts.

3. Current success in other industries with existing Fair Trade Laws, particularly in New York State, is in our book, a strong indicator that important segments of the consumer market are ready to intelligently and effectively make use of Quality Stabilizaion.

4. It's good that when Senator Magnuson puts on one of his other hats as Chairman of the Subcommittee on Independent Offices of the Senate Appropriations Committee he'll readily recognize that Quality Stabilization will not require a single dollar more to be appropriated to such economic policers as the Federal Trade Commission. He'll like that.

5. The seventy National Trade Associations and the hundreds of state, regional and local organizations who have endorsed the bill have the strength to effectively tell the story in every locality in the country. From your industry we have the National Association of Retail Druggists, the American Pharmaceutical Association, the National Conference of State Association Secretaries, the Metropolitan Cities Drug Association Secretaries, the National Association of Chain Drug Stores, and the Toilet Goods Association.

6. Leaders in Washington recognize that the movement has strong and effective leadership. That exciting Hoosier, John W. Anderson, the President of Quality Brands Associates has lived the principles over 40 years to the point that he now builds to quality and sells value through over 150,000 automotive outlets. He leads, by example, with thorough knowledge and with intense determination.

Today we have for the most part avoided statistics. We have not bothered to answer our critics. We have not stressed the marketing tactics of the kind of retailers most prone to attack Quality Stabilization.

I do not believe we will win this fight with statistics. I am certain that we must not let our adversaries crowd us into a defensive position. In my judgment the most important elements in this fight are your belief in yourselves, your belief in your way of doing business, your belief that you are important to your customers, and your ability to communicate to your members of Congress what Quality Stabilization means to your customers—what Quality Stabilization means to you.

Perhaps these points will be even clearer to you if I use one of your leaders as an example. I join with you in your pride that tomorrow night Chris Haleston will receive the A. H. Robins "Bowl of Hygeia" honoring him as "Pharmacist of the Year," the most coveted award in Oregon pharmacy. I'm sure we all agree that year-in-year-out Chris' regular customers receive more value, more service than do those price-driven customers chasing here and there after the bargains heralded in bold-face type. While I am not intimately familiar with his particular business activities I know in general the kind of service business that he operates. You can be certain his strategy for growth involved identification with the established products of brand name manufacturers. He knew that these manufacturers needed and wanted the type of long range representation in his community that he was prepared to offer. He knew that his community would benefit when he became its purchasing agent bringing the products of the brand name manufacturers into his store and offering them for sale.

But Chris is concerned when he sees that the brand name manufacturer under existing laws finds it difficult to protect this brand name and goodwill from predatory practices that unfairly injure both the small merchant and the brand name manufacturer. He can see that in many communities his kind of store is losing ground to the so-called mass merchant. He remembers the many hurdles that he has crossed on his way to his present successful status, as he sees the giant clouds kicked up by free-for-all marketing that features the famous brand name at the low-low bait price. He worries about the hurdles facing his kind of merchant. In the light of chaotic competitive conditions what are the answers.

Should we remodel?

What about the new store?

Should we buy the building or keep on renting?

Then there is the problem involving the new line?

Is my inventory too high?

Shall we help promote the new products?

How much to budget for advertising?

Can we afford improved delivery service?

I know we need the new cash register?

Must we wait longer for air conditioning? For office equipment?

Can we keep an extra clerk busy?

More local bank credit is available, is this the time to use it?

Is there a place for my son in the business?

Can I afford to attend the annual convention?

Yes, Chris has no doubt asked himself these kinds of questions and I am happy to note that his son John now is a pharmacist and manages their pharmacy.

Now reassure yourselves that a Quality Stabilization Bill will help you answer these questions in a manner that will make it possible for you to better serve your customers. And when you communicate with your members of Congress tell them in positive manner how you will be encouraged to better serve your customers, how you will take progressive steps that will help stimulate your business community, when the new Quality Stabilization Act brings to main street, to the shopping center, and to the corner drug store a healthier business climate featuring more genuine integrity, less confusion, and healthy free and open competition.

VISTA VOLUNTEER FROM NEW HAVEN

Mr. RIBICOFF. Mr. President, our Nation, if it is to remain vigorous and strong, needs young men and women willing to work for the benefit of others less fortunate than themselves.

One such selfless young man is 24-year-old Ken Aiden of New Haven, Conn.

Ken is a VISTA—Volunteers in Service to America—worker who is helping solve some of the problems that face residents of a public housing project in Baltimore.

The New Haven Register, in its Sunday pictorial section of May 21, published an article on Ken Aiden and on the vital service he is providing.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article

was ordered to be printed in the Record, as follows:

Vista Volunteer

In Baltimore, Ken Aiden, a 24-year-old New Havener, slammed down the phone. It was a day of crisis for his newly-formed food buying club and the more than 100 women who were members looked to him for help. The food wholesaler from whom the group had been buying would no longer sell to them. Too many complaints from the local grocers.

Aiden, who is nearly blind, is a VISTA volunteer—a Volunteer In Service To America—and the food buying club was, until this moment one of his most successful projects. Started when many of the women in the East Baltimore public housing project where he was serving began to share his concern over the high prices of local grocers, the club had managed to bring grocery bills down by some five to seven dollars per month per family.

For a few hours, Aiden searched for another company to do the job. That afternoon, Mrs. Bonnie Ellis solved the problem. A resident of the project, a mother and a part-time school crossing guard, Mrs. Ellis had spent her day making her own calls to wholesalers.

"I've got one, Kenny," she said excitedly over the phone. "Can you get right over here." Aiden lost no time in enlisting a ride to her home.

The greatest crisis to date had been momentarily solved—not by a VISTA Volunteer, but by a representative of the very people they are trying to help.

When Aiden first come to Baltimore, he made his home in the depressing anonymity of the 11-story housing project, which was varied only by the bright red, green and blue doors on each unit.

"I'd wake up to that cement floor and hear the woman next door hollering at her kids and I'd ask myself why was I here," he said. "Apathy? You've got to have it if you're going to live like this. When people have always said 'no' to you, you need it to survive.

"You can't have a candy bar, not because it will spoil your dinner, but because there isn't a nickel. Or, you can't come in here because you're black. Wouldn't you be apathetic?"

Apathy is the disease that Aiden is fighting in Baltimore and he found the best way to start community action was through the food co-op. "Money talks, you can't deny it," said Aiden. "Once I reach these women on the subject closest to their hearts, I can show them how they can change other things."

In his year in Baltimore the short stocky Aiden has used his aggressiveness and interest in people to help many of them through personal crises and to encourage them to do for themselves. "If I wanted to talk to businessmen all day, I would have become a grocer. My field is people, and I'd rather get an old woman some eyeglasses or get a kid a part-time job," he said.

Aiden has done this and much more. Last year, he and two other volunteers started and staffed a nursery school because there was "no one else to do it." Now he has started a story hour once a week to introduce the preschoolers to the Center's library.

Other than supervising the co-op, his main function is troubleshooter and liaison between the women in the building and the various agencies. "I tell them about planned parenthood, tenant councils, jobs available, and other services in the area. Then it's up to them," he said.

Aiden, the son of Robert and Sary M. Aiden of New Haven, joined the War on Poverty because, as he puts it, "I am not physically able to join the Armed Forces and would like to be a 'soldier' on another front." A graduate of Hillhouse High School and New Haven College, he received an Associate of Arts degree from Goddard College in Vermont. He was active in the "Big Brother" program back in the Elm City.

Aiden expects ultimately to join the staff of the Community Action Agency in Baltimore on a salaried basis, but worries about Civil Service requirements concerning his vision.

"Anyone who worries about Ken Aiden's vision though," said Stanley Mazer, his supervisor, "just hasn't seen him work."

GRANT OF EQUAL TIME TO SOUTH CAROLINA BY NATIONAL BROADCASTING CO.—RESOLUTION OF SOUTH CAROLINA SENATE

Mr. HOLLINGS. Mr. President, I have received from the Senate of the South Carolina General Assembly a resolution requesting the National Broadcasting Co. to give equal time to South Carolina in reply to a program shown on its network on June 16, 1967.

The Senate of the South Carolina General Assembly believes that this program unfairly presented a picture to a national audience that is untrue and incorrect as to conditions existing in a certain portion of South Carolina.

I ask unanimous consent that the entire text of the resolution be printed in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Calendar No. S. 569

(Introduced by Senators Mozingo and Mason)

A Senate resolution requesting the National Broadcasting Company to give equal time to South Carolina in reply to a program shown on its network on June 16, 1967

Whereas, on the night of June 16, 1967, the National Broadcasting Company allowed to be shown over its network a program referred to as the Huntley-Brinkley Report; and

Whereas,the Huntley-Brinkley Report was severely critical of the handling of local government affairs in South Carolina and in particular Williamsburg County; and

Whereas, the report unfairly presented a picture to National viewers that is untrue and incorrect as to the conditions existing in this portion of South Carolina. Now, therefore,

Be it resolved by the Senate of the State of South Carolina:

That the National Broadcasting Company is hereby requested under its rules and regulations to assign a thirty minute time interval at the same time of night and same day of the week as the program given by the Huntley-Brinkley Report in order that, under the rules of fair play, honesty and integrity, the National audience shall have an opportunity to view conditions as they really exist and not hypothetical ones as slanted and taken out of context by the Huntley-Brinkley Report.

Be it further resolved that copies of this Resolution be sent to the President of the National Broadcasting Company, to the United States Senators from South Carolina and to each member of the House of Representatives from South Carolina.

"DOCTOR'S WIFE," A NEW HYBRID TEA ROSE

Mr. HATFIELD. Mr. President, the women's auxiliary to the Oregon Medical Association is a constructive and active group in Oregon. As Governor, I assisted them last fall in dedicating a park and playground at the school for retarded children in Aloha, Oreg.

Their most recent activity in their fundraising efforts for the development of the park is to promote a new rose, "Doctor's Wife." This hybrid tea rose is salmon pink in color. It is a hardy bush with large, well-formed blooms and deep green foliage. This bush grows to a height of 3 or 4 feet and should do well in most climates. This rose bush was hybridized by Von Abrams and developed by horticulturist Fred Edmunds of Wilsonville, Oreg., and registered with the American Rose Society.

I am pleased to note the Oregon auxiliary ladies promoted this rose at the American Medical Association convention last week in Atlantic City.

COMMENCEMENT ADDRESS BY DR. ARTHUR LARSON AT UTAH STATE UNIVERSITY

Mr. MOSS. Mr. President, it was most appropriate, I believe, that Dr. Arthur Larson should have been chosen to make the commencement address at the Utah State University at Logan, Utah, this June. Last December USU dedicated a new center for the study of the causes of war and conditions for peace, and Dr. Larson has spent much of his life working to create a world in which wars can be prevented and peace can be kept.

In 1956 he was appointed by President Eisenhower as Director of the U.S. Information Agency, making him responsible for the country's overseas information, cultural, library, press, cinema, television, people-to-people, book, magazine, and Voice of America programs. Later he became a Special Assistant to President Eisenhower, and is currently director of the Rule or Law Research Center at Duke University, consultant to the State Department, and consultant to President Johnson on international affairs.

In his commencement address, Dr. Larson addresses himself to the very interesting question "Can Knowledge Bring Peace?" I ask unanimous consent that this thought-provoking address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Can Knowledge Bring Peace?

(Commencement address by Arthur Larson, June 3, 1967)

In view of the recent creation here of the Center for the Study of the Causes of War and Conditions for Peace, I thought no topic could be more fitting for this occasion than the question: Can Knowledge Bring Peace?

At a time like this, with crisis piled upon crisis, anyone who would speak on peace has a difficult choice. He can talk about the latest developments in the world's storm centers, and about how at least to get through next week-end with our hides still intact. Or he can try to deal with the long-range question of how to build world peace and order so that people now graduating from college can look forward to something better than the seemingly endless succession of dangerous confrontations and clashes that seems to be the dreary pattern of our times.

I have decided to talk about the latter, precisely because it is so easy to forget the long-range task at a time like this. Everyone is running about trying to put out fires. But if everyone is putting out fires, who will build the new city—the city of order and peace? Suppose by some miracle we could put the

Vietnam and Arab-Israel conflicts behind us—does anyone doubt that there are other crises waiting in the wings to stride onto the center of the stage in their turn? Will it be Nigeria next, or Somaliland, or Rhodesia, or Aden, or Angola, or Southwest Africa, or Kashmir, or Bolivia?

It is of crucial importance, then, that in the time gained by putting out current fires, somebody keeps working at the job of dealing with the basic causes of war and constructing the conditions of peace.

In approaching this long-range task, I would like to take as my text a line from President Daryl Chase's eloquent statement in the program for the dedication of the Center here last December: "Accurate knowledge should precede all important action."

Now it is a curious and tragic paradox of our civilization that man has, for some reason, never quite accepted the fact that knowledge—and the techniques of scientific intellectual investigation—can be applied to solving problems not only of physical science but of human affairs.

There are three ways to approach knowledge: scientific, non-scientific, and pseudoscientific.

The scientific approach begins with finding the true facts, through direct examination and experiment, and then applies to these facts tested methods of analysis and verification.

The non-scientific approach merely reacts blindly to the environment, guided by nothing but instincts, emotions, prejudices and superstitions.

The pseudo-scientific approach borrows the trappings of the scientific, including elaborate paraphernalia, complex demonstrations, and polysyllabic terminologies; unfortunately the approach suffers from two oversights: failure to get the facts in the first place, and failure to test results against reality.

The tragedy of man's attempt to bring order into his political and social relations is that this attempt has floundered from the non-scientific to the pseudo-scientific without ever coming to rest on the scientific.

Before the Age of Science, if you wanted to find out what the inside of the human body was like, you did not open a human body, you opened Aristotle. When Galileo, to test whether the speed of falling objects increased with their weight, dropped two balls of differing weights from the Leaning Tower of Pisa instead of accepting the answer contained in the books, this was considered a piece of impertinence. Today we can hardly believe this story—yet for the most part our conduct of political and international affairs is still dominated by pre-Galileo methods.

World wars have been started with less real investigation of the true facts bearing on the probable outcome than a scientist would put into a dietary habit of an obscure insect.

We know now that the Kaiser was convinced that the British would never enter World War I, and that in his wildest dreams he never suspected that the United States would be aligned against him. With this lesson of history behind him, Hitler nevertheless made precisely the same error of fact. In neither case is there any indication that the slightest effort was made to check the true facts on which these momentous decisions rested. Indeed, the memoirs of Walter Hines Page recount the maddening frustration he suffered when he tried to get someone to listen to what he had to say, as Ambassador to the Court of St. James, on what the United States would probably do. Similarly, we learned later that Hitler formed his judgment on the probable British reaction on the strength of such data as the Oxford Union Society's vote, after a debate in 1933, that "This House Will Not Fight For King And Country." If he had checked the facts of this debate, at which I was present, he would have known that the vote was nothing but a tribute to the witty and almost hypnotic eloquence of the philosopher C. E. M. Joad.

How well are we doing today in applying the power of intelligence to this most crucial of all tasks? The answer is that, until recently, it never seems to have occurred to the world's leaders that the techniques of intellectual research had anything to contribute to solving the problem of war.

A rational approach to any problem begins with getting the facts—facts which are accurate and current. International relations today are being conducted on the basis of facts that are from 18 to 300 years out of date. Is it any wonder that the results make no sense? Admittedly this is partly due to the unprecedented rapidity with which the facts have been changing in recent times; but this only multiplies the urgency of making a major effort in the time still remaining to us to grasp the new realities of international life and to take the actions that they clearly dictate.

I should like now to submit a sort of check-list of current misconceptions of fact, and of the corresponding true state of facts of international life bearing on the ultimate issue of war and peace, and on the measures that must be taken to dispose of international disputes and order world affairs without large-scale organized violence.

The first misconception is that diplomacy is the only valid method of settling international disputes. The true fact is that old-fashioned power-politics diplomacy is virtually obsolete as a method of settling major disputes. When you couple this with the fact that old-fashioned power-politics diplomacy is still almost the only technique used in international relations, we can begin to understand why the world's main divisive issues—divided Germany, divided Korea, and divided Viet Nam, to name only the most obvious illustrations—are as far from solution as they were when they first arose.

Why is diplomacy obsolete? The reason is this. War, as we have all been told a thousand times, is unusable as an instrument of national policy. It is unusable legally, because we have made it so in the United Nations Charter. It is unusable practically, because the possible extinction of all life in the northern hemisphere which might result is, in the language of the Pentagon, unacceptable. Practically everyone in the world seems to understand and accept this now, except perhaps the Communist Chinese. But what is not adequately understood is that, when war becomes obsolete, methods of dispute-settling that depended upon the ultimate availability of war themselves also become obsolete. Old-fashioned diplomacy was not typically an exercise in finding the intrinsic rights and wrongs of a controversy, such as a boundary dispute. The outcome did not depend upon the cogency of the relative evidence adduced, as it would in court. What the parties really were concerned about was: Which one could defeat the other if matters came to a military showdown? If country A could convince country B that it had decisively superior military power, the boundary would move to the disadvantage of B. But if neither could convince the other of such superiority, sooner or later there would be a military collision. One side would lose; one would win; and the process would start over again. This, somewhat simplified, has been the story of international dispute-settling through most of human history.

But now, for the first time, something new has been added which completely disrupts this dispute-settling pattern. Because of the unusability of nuclear weapons, we have complete military deadlock between the Great Powers on the major issues. The new fact of life is that when you have military deadlock you also have diplomatic deadlock. Yet in the teeth of this plain observable fact, we go on trying to settle disputes by diplomacy as if we were still living in the days of Machiavelli or Metternich.

The second misconception, closely related to the first, is that in all international situations it is power that ultimately counts. We have just seen that, as between the nuclear giants, the only effect of power is not to gain advantage but only to preserve a stalemate. But even as between a nuclear power and a small nation, nuclear power is virtually useless.

For example, at the time of the Korean conflict, the use of nuclear weapons to bring about a quick end to the struggle and save the lives of thousands of American soldiers was apparently never a serious enough possibility even to have public discussion. There is no evidence that the Soviet Union, in its contest with the People's Republic of China, is enjoying any advantage because of this overwhelming superiority in military strength. Poland and other satellites are taking a more independent line toward Moscow than before Russia acquired effective nuclear armaments. The overwhelming destructive capacity of the United States is of no use to it in relation to Cuba, and does not prevent such a humiliating episode as the Bay of Pigs invasion; nor is nuclear strength of any relevance in South Viet Nam, Malaysia, Yemen, Cyprus, the Northern India border, and the many other trouble-spots in Africa, Asia, and around the world. In the Congo, poisoned darts have figured prominently in battles, but not nuclear weapons.

The third misconception is that, even though it is clear that power, or the threat of power in the form of diplomacy, is not solving current disputes, nations cannot bring themselves to accept settlement of their important disputes by peaceful means such as arbitration and adjudication. The true fact is that nations have repeatedly submitted controversies involving high interests and high public excitement to peaceful settlement. During the nineteenth century 177 major disputes between nations were resolved by arbitration, including 79 to which the United States was a party. Nor will it do to try to explain this fact away by saying that nations only submit unimportant issues to peaceful settlement. No type of controversy in international affairs is more emotion-packed than a dispute over territory. One recalls Hamlet's soliloquy about how nations will fight over a strip of ground too small to bury the dead in. Yet Norway (which, by the way, was the country that prompted Hamlet's observation) gave up East Greenland to Denmark as the result of a court decision. In the last few years, boundary disputes important enough to provoke armed conflict between Nicaragua and Honduras, and between Cambodia and Thailand, have been settled in the World Court. The actual fact is that adjudication or arbitration on the merits is usually the only way a hotly-contested boundary dispute can be settled. The reason is that no government could make a diplomatic settlement giving away the sacred soil of the motherland and still survive politically at home; but a judicial settlement reaching the same result involves no such political disaster.

The fourth misconception is that, since there is no world government with overwhelming military power to enforce law, nations will not pay any attention to judicial or arbitral decisions which they do not like. The actual fact is that there is no case on record of disobedience to a decision of the Permanent Court of International Justice, and only one case of disobedience to a decision of the current International Court of Justice; and among the hundreds of other judicial and arbitral awards, there are only a few cases in which the losing party has refused to give effect to the decision. It is generally agreed by scholars that the record of compliance with international decisions compares favorably with that of compliance with domestic decisions.

In the same bundle of outdated notions is the idea that all conflicts in the world can ultimately be explained as communism versus anti-communism. It would be difficult to calculate how many blunders of policy and errors of strategy this persistent fallacy has produced and may still produce. A large part of the quarrels now going on around the world go back to animosities and rivalries that were old before communism was even heard of; between Arabs and Jews, between Hindus and Moslems, between dozens of African tribes, between Greeks and Turks, between innumerable nations, groups, religions, and factions in all parts of the world with old scores to settle and new frictions attendant upon the decolonization process. True, communism is not averse to fishing in these troubled waters; but this is quite a different matter from supposing that if communism could somehow be made to go away the world's conflicts would largely disappear.

The bipolar picture of global conflict is discredited even more decisively by the very real break between the Soviet Union and Communist China. It has become crystalline clear that this is no mere ideological debate. It is a dead-earnest national struggle between two natural rivals, involving the largest territorial dispute in the world, a life-and-death battle for the allegiance of a large part of the world's population, and a growing racial conflict which could dwarf any racial conflict we have yet seen, as the Communist Chinese try to mobilize racialism on a global basis.

This, then, is a mere sampling of erroneous notions which too often take the place of accurate facts in the conduct of international affairs. The list could be extended to dozens of other items, large and small. What then is to be done about this dangerous state of affairs?

The fundamental requisite is acceptance of the idea that the techniques of research, scholarship, and the scientific method have much more to contribute to the amelioration of human and international troubles than has ever been suspected. It is curious how difficult it is to get this point accepted. I recall that at one of our Soviet-American Citizens' Conferences we were trying to demonstrate that a three-man "troika" instead of a single Secretary-General of the United Nations simply would not work. One of my colleagues, Professor Louis Sohn, cited a detailed research study done at Harvard, investigating the workings of various kinds of international boards, panels, committees and commissions of various sizes. The study showed very clearly that, of all possible bodies, the three-man group worked worst. One reason was the tendency, familiar to all seasoned committee workers, of two men in a three-man group to gang up on the third. Every triumvirate has its Lepidus and its Caesar. I gently reminded the Russians that they had recently had a demonstration of this phenomenon in the triumvirate that succeeded Stalin. On the other hand, a board of five or seven or nine members was found by the study to eliminate most of these kinds of difficulty. I pointed out to the Russians that if a comparable study with a comparable mass of data had shown what happens when you combine two hydrogen atoms with one oxygen atom, they would not hesitate to accept the validity of the study's findings. But merely because the subject of the study was human behavior, apparently we must ignore the observed facts and go on and on making the same mistakes forever.

About six years ago there was a significant turning in this entire story: the upsurge of what may be called the peace research movement. The central conviction of this movement is that the scholarly and research community have an important and indeed vital role to play in building the structures and procedures and attitudes that are essential to peace. The physical sciences should probably be credited with having taken the lead. At a time when inspection was the cornerstone of our disarmament position, it inevitably became apparent that no meaningful political discussion of inspection could be undertaken unless a vast amount of scientific data was developed, bearing on such obvious questions as the distance from which particular kinds of underground blasts could be detected. To continue the example of disarmament; the lawyers and economists soon saw that their disciplines also bore upon crucial points. As a matter of law, could our negotiators really promise that Russian inspectors could enter private plants in the United States, even if the owners objected? As a matter of economics, could disarmament be accomplished without severe depression and unemployment?

Research centers began to be formed for the express purpose of methodically supplying the needed data and analysis. The Rule of Law Research Center was started at Duke University in 1958, and now has a staff of twenty-seven. Early in the game, I made up *a Design for Research in International Rule of Law*, containing 113 identified research jobs. A number have been completed by ourselves and others, and we have thirty-five projects in progress now. A little later, several of us formed a Peace Research Committee, which produced designs for research in science and technology, economics, communications, and decision-making, in addition to the one in law. Over 500 projects are described in these books. The Committee then led to the Peace Research Institute, Inc., with Ambassador James J. Wadsworth as its first president. Now there are active peace research institutes and programs in dozens of countries. The new importance of research is seen in the prominent place occupied by research in the purposes and budget of the Arms Control and Disarmament Agency. Certainly one of the most exciting, significant and promising developments in this story is the establishment at Utah State University of the Center for the Study of the Causes of War and Conditions for Peace.

The significance of all this is that, for the first time, we are witnessing a massive and methodical intellectual assault upon the stubborn problems, both fundamental and detailed, whose solution is a precondition to any workable and structured peace. This is not a matter of preaching peace in generalities or slogans, nor is it a matter of dreaming up shining models of a totally reconstructed world order. It is a matter of beginning from where we are, working with what we have and within the limits of the possible, and finding ways both to handle the day's troubles more effectively and to construct gradually better procedures, laws, and institutional arrangements for the settling of all disputes and the prevention of all threats to the peace as they arise.

The world we hope to build in this way may not be much more utopian one hundred years from now than our present world, but it should not be much worse either—and that, in view of the cumulating crescendo of threats and dangers, would be, in the long story of man's adaptation to his changing environment, a triumph of sorts in itself.

PROBLEMS OF THE TEXTILE INDUSTRY—REMARKS OF SENATOR PASTORE

Mr. HOLLINGS. Mr. President, the distinguished Senator from Rhode Island [Mr. PASTORE] was scheduled to be the guest speaker at the 59th Annual Convention of the Southern Textile Association in Asheville, N.C., on June 16, 1967. The untimely loss of his mother prevented Senator PASTORE from making these remarks.

I have read his speech and found it to be characteristically well-prepared and thought-provoking. Senator PASTORE has graphically pointed up the problems of the textile industry and has ably pointed out what must be done. In his words, the solution is to provide quantitative limitations or quotas on imports of all textiles—whether of cotton, wool or manmade fibers. He further said these controls "must be global in scope and industrywide in application. This will avoid import concentrations which disrupt our markets and cause unemployment."

Mr. President, I recommend this speech to every Senator and ask unanimous consent that it be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF U.S. SENATOR JOHN O. PASTORE AT THE 59TH ANNUAL CONVENTION OF THE SOUTHERN TEXTILE ASSOCIATION AT ASHEVILLE, N.C., JUNE 16, 1967

I appreciate your invitation to be with you this morning to talk about the textile industry—your industry and mine—to speak a little of its past—of its present—its future—its problems and its promise

I speak of textiles as *my* industry because I was born and brought up in the shadow of the textile mills in Rhode Island. My State—then and now—counts textiles as one of its leading industries—a most important factor in our economy—a leading employer.

My deep concern for textiles as Governor I have carried to my years in the Senate which has given me a special responsibility toward the industry in its national and international relations.

It is no small responsibility when four million American jobs are involved—all told—in textile activities.

You yourselves are part of a work force numbering a million people in these United States—you who transform natural and artificial fibers into yarn and cloth which in turn is made into apparel and into household and industrial products beyond all count. There are two million people in this country producing fibers. There is another million apparel workers. These are American jobs determining the prosperity and security of American homes.

The importance, therefore, of the textile industry to a prosperous and growing peacetime economy is beyond question.

In time of war our country recognizes textiles as a defense essential second only to steel.

At all times in this country we must have a strong and growing economy. That is one reason why you and I and our colleagues are so vitally interested in this industry.

In a world where limited wars are a reality and unlimited wars are a constant threat, it is tremendously important that we maintain a vigorous and flexible textile industry.

In the 1950's the textile industry suffered from adverse Federal policies. Employment was way down. Earnings fell. Serious, indeed, were the problems which faced numerous States in New England and the Southeast. Many of you worried through these times.

We spoke out—but our voices were not heard in Washington. Federal policies were conceived and carried out without regard to their effect on the hundreds of thousands of people in the textile industry. Such policies were the two-price cotton—and the subsidizing of foreign mills with United States dollars.

It has taken us a long time to cultivate—in high places—an understanding of this dynamic industry. The job is not completed—perhaps, in a sense, never to be completed. It is a task which you men must continue to shouler—and we, in the Congress, must continue to share.

In 1958 the United States Senate established a special Subcommittee on Textiles of which I have the honor to be Chairman. Senator Thurmond of South Carolina and Senator Cotton of New Hampshire served on the Subcommittee. Senator Hollings of South Carolina is now a member.

We held long and thorough hearings in Washington, Clemson, Charlotte—in Hartford, Connecticut—in Concord, New Hampshire—in my own Providence—and in New York City.

A broad cross section of the industry participated.

This thorough investigation focused on those Federal policies which hurt the industry. We sought a program which would serve both textiles and the nation. The hearings resulted in a deeper understanding of our problems and support of a program to remedy them.

The inequity of the two-price cotton system was obvious. I am glad to say that legislation corrected it.

American textiles deserved to have the best and most modern tools to work with—and a faster depreciation allowance for textile machinery and equipment was needed to permit that. That was taken care of promptly.

But the most serious problem was that of unrestrained imports of textiles and textile products to the United States. Our Committee recognized that—and found the remedy.

It was really a simple remedy for a complicated and sometimes confusing situation.

The solution is to provide quantitative limitations or quotas on imports of *all* textiles—whether of cotton, wool or man-made fibers. It is no solution to put import quotas on the products of only one fiber—or to put them on all textile products but from a limited number of sources.

Controls must be global in scope—and industry-wide in application. These limitations must be broken down by different categories of textiles and textile products. This will avoid import concentrations which disrupt our markets and cause unemployment.

Quotas are necessary because tariffs have been lowered—and probably will be lowered further. In addition, costs of production vary greatly between countries exporting to us—countries of Europe and the Far East. Therefore, a uniform tariff would have the effect of discriminating in favor of the areas with the lowest wages. This is the very opposite of what we would like to accomplish.

These were our recommendations in 1958. Further investigations followed. They confirmed our findings—and we repeated our recommendations.

Our pleas fell on deaf ears—until 1961.

Then President Kennedy moved into the White House. Promptly he moved to develop a Textile Program based on the recommendations of the Senate Subcommittee. This program was developed by his Cabinet Committee headed by Secretary of Commerce Luther H. Hodges and was announced on May 2, 1961 as the historic Seven-point Textile Program.

By the end of that summer of 1961 the first International Agreement—global in scope covering cotton textiles and apparel—had been concluded with the understanding that a long-term arrangement would be worked out within the year. This was done—and has now been extended until 1970.

Although there have been problems with the administration of this Long-Term Arrangement, it has provided a useful mechanism for controlling these imports.

However, no arrangement will have a meaningful result unless it is properly administered—and this we have a right to expect from the Executive Department.

This—coupled with the one-price cotton legislation and the more favorable tax treatment in connection with new machinery and equipment—has, as you know, restored a high degree of confidence in the cotton textile sector of our textile industry.

We must remember, however, that there is no remedy or solution to the textile import situation unless it is industry-wide. Piecemeal approaches only shift the points of disruption from one target to another.

Our Subcommittee stressed this. President Kennedy emphasized this. President Johnson has made it equally clear—not only in Providence, Rhode Island when he was there with me—but also when visiting in Georgia.

Three United States missions have gone to Europe and to Japan to seek an international agreement covering trade in wool textiles and apparel.

So far these governments, which themselves restrict imports, have not been willing to agree to rational control of trade with the United States. If this continues, we have no alternative but to enact legislation which will restrict such imports—or take whatever unilateral action is necessary.

The volume of imports of man-made textiles was relatively small when the Textile Program began. But in the last few years it has increased with startling rapidity. From small imports these imports of man-made fiber textiles, including blends, have reached a current annual rate of over a billion square yards equivalent. This is about 10 per cent of the total United States market. Relatively, it is almost twice as high as was cotton import when the Program was initiated in 1961.

You gentlemen who live with textiles every day realize more than any one else the changes that are taking place in your market. You see the shift from all-cotton fabrics to fabrics blended with man-made fibers or wholly of synthetic fibers.

This whole area of our market is wide open to imports.

It is essential that we move ahead—at once—to implement our Program so as to control the quantity of man-made fiber textiles as well as the wool textiles.

This is what was originally contemplated. This is what was originally pledged. This is what must be done.

You men who represent management in this vast industry—you who are in day-to-day contact with the manufacturing process—you who are so close to the million people earning their living in this industry—you men bear a special responsibility.

This is a big undertaking. This is not a one-man job. It is not a two-man job. Nor is it a job that can be done by Washington alone. We need your help. It is your responsibility to keep your Senators and Representatives completely and intelligently informed of what is going on—and the help you need from us.

Your central trade association, the ATMI under the leadership of many able men—including Mr. Fred Dent—does a fine job.

I am sure, however, that they would be the first to agree with me when I say that you men must also put your heads and your hands to this task. Your counsel is invaluable. Your voice will be heard. Your advice will be heeded. Your direct, daily association with the thousands of men and women at every level of the industry places you in a strategic position for two-way communication between Government and workers.

Do not be discouraged by difficulties. Do not surrender to setbacks. Persistence produces progress. Just count our gains of these past five years.

Your industry has the loyalty of your hearts—just as it has the dedication of your minds.

The textile industry has proved itself too resourceful to be frustrated—too deserving to be denied—too dynamic to be defeated.

And your industry has a following. It has friends. It has loyal friends who know its bread-and-butter values to our economy—whether it be one neighbor's job—or four million jobs at stake.

It begets in government an appreciation of the promise of national security inherent in a prosperous textile industry.

It invites a pledge to make that prosperity a reality.

As I look back again to my Rhode Island beginning—I see now that such a pledge to textiles has been a life-time commitment.

So it shall remain as long as I am in the Senate of the United States—as long as textiles have their problems.

I shall proudly join with you in solving them—and, together, we shall share the satisfaction of a more secure United States.

FIVE-YEAR CENSUS NEEDED NOW

Mr. SMATHERS. Mr. President, on April 3 of this year I introduced for myself and the Senator from California [Mr. KUCHEL] a bill to improve the statistics of the United States by providing for a census of population, housing, and unemployment in the years 1968, 1975, and every 10 years thereafter. The effect of the bill will be to establish a reasonably complete national census every 5 years.

The need for such quinquennial census information is becoming more apparent every day. From a different segment of society, virtually every week, we see evidence that the statistical information developed in the last decennial census is outdated or inadequate. The results of such statistical deficiencies are well-known to State and local officials in the United States, who must cope with both a highly mobile and burgeoning population in schools, essential services, and countless other programs.

While the bill proposed by Senator KUCHEL and myself would not be used for legislative reapportionment, the statistics developed would be extremely useful to local units of government in developing more effective programs more closely geared to actual population.

The most recent editorial view expressed on the subject appeared in today's Washington Post, under the caption "Every 5 Years." I commend the editorial to Senators for their study and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EVERY 5 YEARS

The Census Bureau's national head count is the most important statistic that the Federal Government collects. Dozens of kinds of Federal and state aid are allocated according to the Census; representation in Congress, State legislatures and local governments is based on it. A conference here on social statistics has concluded that the 1960 Census erred as much as 10 per cent in counting Negroes and, as Professor Moynihan of Harvard observed, Census errors have massive consequences.

Since the errors are not evenly distributed, a nationwide error of 10 per cent means a much larger error in certain neighborhoods, particularly in urban slums with many young men and many small children. The conference was entirely correct in urging a complete national census every five years. The 1960 Census material for a rapidly changing area like metropolitan Washington is an extremely unreliable guide to public policy in 1967.

AIR AND WATER POLLUTION—A NEW MORAL PROBLEM

Mr. MUSKIE. Mr. President, as an example of the increasing public awareness of the necessity of improving our environment, I invite the attention of the Senate to a recent sermon delivered by the Reverend Michael Hamilton, cathedral canon of the Washington Cathedral. Entitled "Air and Water Pollution—A New Moral Problem," Canon Hamilton's sermon is an excellent statement outlining the problems and urging enlightened citizen action to help to correct them. As he points out, political decisions affecting man and his natural environment "include elements of moral responsibility as well as technical choices." We must not lose sight of this fact.

Mr. President, I ask unanimous consent that the text of this fine sermon be printed in the RECORD.

There being no objection, the sermon was ordered to be printed in the RECORD, as follows:

AIR AND WATER POLLUTION—A NEW MORAL PROBLEM

(Sermon preached by Canon Michael Hamilton)

"Air pollution interferes with, and sometimes imperils transportation in the air and on the highway. It soils, corrodes or otherwise damages material goods of all varieties, from skyscrapers to nylon hose, from the guttering on a house to the suspension bridge linking two cities. The damage is not limited to cities and towns. Air pollution affects forests and farm lands alike; it causes hundreds of millions of dollars of damage to agricultural crops each year; it contributes to the burden of ugliness in all regions of the country. The diverse economic damages of air pollution on property are measured in billions of dollars annually.

"If the problem threatened us in no other way than these, we would have reason enough to increase our efforts to control it. We have, however, an even more compelling reason: air pollution threatens our health." *Dr. William H. Stewart*, Surgeon General, Public Health Services (U.S. Department of Health, Education, and Welfare), quoted from their pamphlet entitled "Air Pollution—Time for Action".

"And I brought you into a plentiful country, to eat the fruit thereof and the goodness thereof; but when ye entered, ye defiled my land, and made mine heritage an abomination." *Jeremiah, Chapter 2, verse 7.*

"For the past four years the Senate Subcommittee on Air and Water Pollution has been developing and enacting laws designed to make possible more effective control and improvement of our environment. We have focused on the authorization of air and water pollution control programs which include enforcement authority, grants for construction of abatement facilities, grants and contracts for research and development, grants for state, interstate and local control programs and the creation of regional plans and programs to implement various parts of these programs." *Senator Edmund S. Muskie of Maine*, chairman, Senate Subcommittee on Air and Water Pollution. Quoted from the speech he gave on 14 April 1967 to the Texas Chemical Society, Villa Capri, at Austin, Texas.

When Jeremiah inveighed against the Israelites for defiling the land of Palestine into which they had come, he did so because many of them had turned from the worship of Jahweh to the worship of Baal, the God of the Canaanites. This idolatry was described as a defilement of the land. There was an immediate connection in the minds of the Jews between man and his environment, a relationship of responsibility between man, God, and the natural world which God had created for man's welfare. To sin spiritually had the effect of defiling the good earth. To misuse the land was an offense against God.

Pollution, of course, was an ancient problem. Before the Israelites lived in their tents and developed a meticulous sanitation code for both religious and health reasons, prehistoric man had smoke problems when he lit bonfires in his cave. In the Middle Ages in London, there were restrictions on the burning of some kinds of fuel and in 1306 a coal merchant was hung for violating them. In our century it has been the poor, living "on the other side of the tracks", who were exposed to pollution and the suffering it causes. Today it is an issue for all of us.

Now why should one presume to preach on pollution? It is not the Gospel message, for it is about the salvation of our bodies, not of our souls. A lecture could be delivered on this subject by a Jew, a Moslem or a twentieth century Humanist which would include most of the material I will be using. The Church has no answers to the technical questions involved, and no priest is given scientific wisdom on this matter because of his ordination. These arguments to my mind are strong and I have no wish to discount them. However, there are compelling reasons which, I believe, occasionally justify a minister speaking from a Cathedral pulpit on this kind of topic. Firstly, because decisions which include elements of moral responsibility as well as technical choices have to be made. Secondly, because God is concerned about the health of man, as Christ clearly showed in his healing ministry on earth, and we as churchmen should share that concern in relation to the hazards of pollution. Lastly, when we preach the Gospel, we should also teach the attitude toward Nature which is reflected in that Gospel. Jesus himself was a good Jew, and it is from the Judeo-Christian tradition that I shall be speaking.

If these arguments are persuasive, then pollution rightly claims our attention. And if we are to be involved, we must also be informed. Because it is a relatively new problem it is not wise to take this knowledge for granted, so bear with me as I outline the essential aspects of a disaster that may come upon us.

The primary causes of air pollution are industrial smoke and gases, automobile and heating furnace exhausts. These urban phenomenon are often aggravated by a climatic condition, as in Los Angeles, which keeps the warm soiled air on the ground level rather than permitting it to rise up or be blown away. Unless curbed these sources of pollution are going to increase. The need for electric power in America for example, will at least double in the next decade. In addition to these major origins of pollution there are a host of less important sources such as cement factories, paper mills, dry cleaning plants, restaurants, and the uncontrolled burning of refuse in dumps. This last pollutant happens to be a major, not a minor, source in Washington, D.C. Finally, there are such natural sources as pollen, soil dust, volcanos and forest fires.

The good news is that there are means of controlling nearly all of these problems. Controlling in relation to this subject means not eliminating pollution completely, but making significant reductions which will negate the present dangers. We can trap the smoke so that the particulates are not dispersed into the atmosphere. Pittsburgh, Pennsylvania is an excellent example of a city that cleaned itself this way. The fire at the Kenilworth refuse dump in Washington, could and should be put out, and the refuse transported elsewhere for land fill, or disposed of in a modern incinerator. One can also neutralize the ill effects of most of the chemical gases. It is technically possible to remove a good part of the poisonous sulfur from coal, but so far it has not been deemed economically feasible. The solution of building high smoke stacks so that the sulfur is dispersed by the air currents over a wide geographical area only distributes the health hazard to one's neighbors, and can hardly be considered a friendly solution.

Industry as a whole, in spite of the exhortations of some of its leaders, has only spent a tiny fraction of its income on research and control machinery, and has resisted State and Federal moves to develop legislation that would enforce standards of control. On the other hand, when legislation has come into being many firms like Kaiser's Steel Foundry in Fontana, California, have done an excellent and effective job of control.

There is a need for legislation as more and more citizens are beginning to realize in quite personal terms. The damage to agricultural crops, to farm animals and wildlife, to buildings and indeed to everything that is exposed to smog, is extensive and increasing. It is estimated, in a 1966 report of the Department of Health, Education, and Welfare, that air pollution does material damage of over 12 billion dollars a year. But this figure hardly reveals the personal suffering involved. The discomfort of city smogs is the experience of us all, but do you know that the rate of death by emphysema in the United States has increased ten times since 1950? This disease involves the gradual destruction of the hair-like tissues on the walls of the lungs, and the medical evidence that this is caused by air pollution is overwhelming. If you live in an urban area you are twice as likely to contract it than if you live in a rural region. Information is accumulating that other kinds of diseases which affect the respiratory system, bronchitis, cancer and asthma, are also related to pollution. When air pollution reaches a high concentration level, the old and weak are quickly affected. In 1948 in Donora, Pennsylvania, there was a six day calamity in that small community which caused 20 deaths. In 1952 it is estimated that there were 4,000 extra deaths in a smog period in London, and in 1953 in New York, an unexpected 200 deaths during a similar episode were discovered afterwards by statistical research. This situation is getting worse as the cities grow bigger, and our responsibility to take preventative measures becomes much greater when we realize that our children's lives, even more than our own, depends upon what we do.

Let me turn now to the subject of controls and the factors that bear on the development of legal instruments to achieve them. Bear in mind that the technology of control, with the exceptions of diesel engine exhausts and of the sulfur content of coal, are largely available. Why are they not used?

Because it costs money. Industries do not wish to invest the capital because it raises the price of their product. If one company does apply controls and a rival does not, the company that has shown civic responsibility loses out in competition. And if a whole national industry cleans itself, it may be at a disadvantage in international sales. The only answer to this unfair domestic situation is for legislation to apply to all companies in an industry. But what about a company that has deliberately built its new plant in a relatively low populated area where its emissions would be absorbed into the atmosphere without severe damage to the immediate region, should it also have to hold to the same legislative standards as applied to a competitor in an urban area? What about the company with old equipment, should it be obliged to invest in new and expensive control machinery? There are no easy answers to these questions, but in spite of the difficulties, it is clear from increasingly painful experience, that control must be applied. It is also becoming obvious that, without major citizen support, Municipal and even State governments are not strong enough to write legislation which would coerce industry. What local elected body would dare threaten the income of its inhabitants by passing laws which would cause the town industry to lose money, or possibly close up and move away? State laws by themselves are also inadequate because air pollution pays no attention to State boundaries or differing State standards. Lastly, as was evidenced in auto-exhaust controls, industries would prefer to adjust their production to one Federal law than to fifty different State requirements. So, while local legislation is useful to supplement a basic Federal standard, the case for Federal controls is clear on a number of pragmatic grounds. Since Public Law 159 was passed in 1955, and the Clean Air Acts of 1963 on, it has been Federal money that has supported the major research, and through hearings begun to alert the public to the dangers. As a result of the 1966 amendments to the Clean Air Act, all 1968 model cars will have to conform to standards affecting crank case and exhaust emissions. The major legislative step required now is the establishment of National standards which define minimum clean air, or provide fixed limits to pollutants emerging from each industrial process. *I believe the American citizen is willing to pay an estimated $20.00 a year extra in order to gain healthy air and fresh water. If this is so, neither industry nor Congress has a moral right to block such a legitimate request. Their responsibility is to find the best means of implementing it.*

It is not feasible in this sermon to do more than mention some other important problems of pollution, both of them originating in contemporary technology. I am referring to the disposal of radio-active wastes from atomic power plants, and the pollution of the outer atmosphere by man's rockets and space craft. They will become of increasing importance and deserve careful and imaginative attention. Atomic plants have an obvious advantage over coal and oil burning furnaces—as far as we know they do not cause major air pollution. However, the production of uranium for use in power plants is a hazardous enterprise. Preliminary news stories and medical reports suggest the high incidence of lung cancer among our uranium miners is caused by excessive radiation. If this is true, then the state of safety regulations, or their lack of enforcement, is a national disgrace and should be remedied immediately. Afflicted miners and their families must be given at least monetary compensation.

There is of course one other major pollution problem—the contamination of our waterways, lakes and the sea around us. Everyone living in cities is aware of the lack of clean air, the existence of polluted water is less widely recognized, though the situation is in some ways more serious. The air can be rendered fresh again in a relatively short period of time—it just takes money and the will to effect it. However, many of our lakes and rivers have accumulated refuse on their beds which cannot be removed, and the fish and vegetation that have been destroyed cannot be revived as a fresh wind brings new air. We have a backlog of damage estimated at about 20 billion dollars—if such matters can have a meaningful price tag.

The long standing causes of water pollution are human sewage and industrial wastes. There are no technical difficulties involved in the treatment of sewage so that the obnoxious elements are separated and disposed of in a sanitary fashion, and yet today large quantities of sewage are dumped directly into the rivers and lakes from towns and individual residences. Many more municipalities give only primary and inadequate treatment to their sewage, simply because it is less expensive. By the same token, there are means available for the processing of industrial wastes of all kinds which, if taken, would insure that our waterways are kept clean. Some factories who draw on rivers for cooling purposes return the water at such a high temperature that it kills animal life in the vicinity. It is estimated that at least 50 million game fish were destroyed between 1961 and 1964 because of this exposure to hot water.

The business, legal, financial and technological factors which surrounded the issue of air pollution are also present in relation to water contamination. Civic groups like the Isaac Walton League have been of great benefit in coordinating political pressure to achieve legislative standards. The Water Quality Act of 1965 provided for a system of surveillance of inland waters and funded the research to ascertain quality controls. Later amendments gave grants of up to 55% of the cost of improving or constructing sewage treatment plants which were to be over the next few years. This promise of financial aid has in effect just been broken by the Administration's proposal to cut appropriations for these grants. Goodness knows what confusion this is costing local authorities whose budget plans included substantial Federal aid!

Having attempted to give an outline of the problems involved, let me also share with you illustrations of some bizarre and complex aspects of the subject. Consolidated Edison of New York is the major power company that provides electricity for that city. It uses soft coal with a high sulfur content which it imports from Venezuela. In spite of production improvements its plants are still major contributors to New York air pollution. If it were to raise its consumer rates and buy better quality coal, trade with Venezuela would decrease, and that country's economy would be endangered. The stability of the government of Venezuela, which is presently friendly to the United States, would then be affected. Incidentally, all the power companies could not switch to good quality coal even if they wished—there isn't enough available in the world.

When the 1968 cars come out with control devices, city air will improve. However, this gain will be lost in a few years unless much more effective devices are invented. The reason is that the increase in the number of cars will outweigh the decrease in individual car emissions! If electric battery operated cars replace the present internal combustion types, that would sound like a solution. Can you guess what the catch is? It is because each car would have to be plugged into an electric outlet at night to be re-charged, and we are back again to the problem of controlling the pollution from the electric power plants!

A petroleum refining plant in Southern California refused to introduce local air pollution controls. An indignant citizens group organized the return of thousands of that company's gasoline credit cards. The company invested in new control machinery within a few weeks!

Finally, there is a river in Toledo, Ohio called the Maumee which is so contaminated that in 1962 there was a fire on it!

I shall close by making some recommendations, things we can do to redeem this tragic situation, acts of civic responsibility which also have religious dimensions.

1. We must change our way of looking at the world around us. Air and water are in limited supply. We live on a small planet and our survival depends upon our willingness to adapt our community life to the reality of those limitations.

2. Since pollution can no longer be considered a nuisance to be endured, but is rather a deadly evil, we must understand the problem, be willing to spend money to combat it, and join civic organizations which lobby for the necessary coercive legislation.

3. Men like Senator Edmund S. Muskie from Maine, and Representative John A. Blatnik from Minnesota, who have done so much for the cause of combatting pollution on the Federal level, must be given national recognition and political support. If equally farsighted state and local elected officers and legislators bring in needed reforms, their leadership must not also cause them to lose their jobs.

4. We must address ourselves to the problems related to pollution. If all the technical, financial and political aspects of pollution were resolved, and the disastrous growth in world population not also reversed, we still will have failed.

In conclusion, I believe the attitudes which undergird our most profound understanding of these issues come from the Judeo-Christian heritage which enjoins us to be unselfishly concerned for the welfare of our neighbor, and to avoid defiling the good land which God has given us.

THE WESTERNERS HONOR THE CENTURY'S FOREMOST WESTERNER, CARL HAYDEN, OF ARIZONA

Mr. YARBOROUGH. Mr. President, here in Washington there meets every month in the Cosmos Club a group called the Potomac Corral of the Westerners, 125 people who have discovered that they all have the same favorite subject—the American West. The club members are historians, descendants of the Western pioneers, and American Western buffs—and sometimes all three.

The group organized in Washington in 1954, and named as head officer a sheriff, as his aides a deputy sheriff, tallyman, and a chuck wrangler. Other cities have Westerner Clubs also. The success of the Westerner is attested to in the great growth the Westerners have seen, now having 25 member Corrals, in such dissimilar places as West Germany, Paris, and Tokyo.

Recently, on May 25, 1967, we Westerners—I am a member of Potomac Corral—headed by Washington Sheriff A. Frank Krause, honored the senior Senator of the United States, Carl Hayden, naming him "The Westerner of the Century"—which the Senator, a former Arizona sheriff, a national rifle shot champion, a great pioneer, and always a statesman, has eminently proved himself to be. Carl Hayden has long been a legend, himself, and we are glad to recognize him as another modern day character in the story of the American West. While such men continue to be born and raised to eminence in the Western United States, the proud tradition which we Westerners honor will continue to live and grow.

Mr. President, I ask unanimous consent that the speech by Ray Elson, entitled "Carl Hayden: Westerner of the Century"; the remarks by Carl Hayden accepting the award as Westerner of the Century and the program of May 26, 1967, be printed at this point in the Record.

There being no objection, the remarks and program were ordered to be printed in the Record, as follows:

Carl Hayden: Westerner of the Century

(An address by Roy Elson, May 25, 1967)

Trying to condense the "Life and Times of Carl Hayden" into a 15 or 20 minute talk is an almost impossible task.

Where do you begin? In the year 1776 when his grandfather fought with the Connecticut militia in the Revolutionary War? In 1848, when his father became a trader along the Santa Fe Trail and helped supply the pioneers of Gold Rush Days?

Or do you begin with that day, October 2, 1877, when Carl Hayden was born at Hayden's Ferry on the Salt River in the Territory of Arizona?

If we restrict our task to chronicling the 89 years of Carl Hayden's life, then, it seems to me, we are going to fail in our attempt to describe the essence of the man.

For the United States of America was just over 100 years old when he was born. In History's stream, then we can all marvel at knowing Carl Hayden indeed does represent yesterday, today, and tomorrow in the life of our Nation.

Tonight I am going to do something for which the Senator may reprimand me tomorrow. I'm going to enlarge the theme of "Westerner of the Century" from that of Carl Hayden as a son of the great American West, and enlarge it to depict him in the context of Western Civilization of about the past 100 years.

There is some precedent for talking about the Senator in a context other than cowboys and Indians.

We know that as a boy, he read so constantly he won a reputation for being, according to his family, lazy. One day, when he was eleven years old, he was supposed to help his father get in the alfalfa hay ahead of threatening rain. But in the humid-hot air, Carl disappeared. His father found him, however, in the shade of a haystack reading a book four inches thick. It was Volume 3 of Redpath's *History of the World*. Upon questioning him, his father learned that he had read all three books. "Why did Rome fall?" asked his father sternly.

"Because," the future Senator said, "the people grew soft and pampered themselves."

So it is apparent that Carl Hayden has long been interested in world affairs as well as domestic affairs.

When Carl Hayden was born in that frontier settlement called Hayden's Ferry, the global problems with which he has had to contend most of his adult life, were also being born.

Let us begin in Europe, during that period historians have termed "The New Imperialism," when an intercontinental scramble for extraterritorial possessions was occurring. A scramble which even today we are trying to unscramble.

Consider, if you will, that while Carl Hayden's father was helping in the conquest of the untamed Western United States, with Chiracahuas and Apache raiders as his foes, King Leopold II of Belgium was seizing control of the Congo River Territory in Central Africa. The Congo, as we all know, is not yet tamed. Brazzaville and Tshombe and Hammarskjold are the proper nouns and names that remind us of it, only too well.

Then Great Britain, France, Germany, and Italy all followed Belgium into the vastness of Africa. Today we have the Rhodesian problem, yesterday the Algerian War. And the signs of oppression, protest and uprising still are amply manifest.

And while the troubles of Africa were in the making, problems were aborning in the Asian Continent, too. The Russians had secured their Asian territory long before 1877. The British had acquired the Island of Hong Kong in the 1840's and had made India a crown possession in 1858. And it was during the same era that the French established a protectorate over Indo-China.

Thus, we see colonialism and imperialism, as our international aggressors have so often reminded us during the past twenty years—with some distortions I might add—were born roughly between the years 1875 and 1900. So when Carl Hayden surveyed the globe during his first quarter century on earth, he saw the same storm clouds in the same places that our twenty-five year olds see them today.

This should not be misconstrued as an indictment of his generation's failure to solve the world's problems. For to indict age or ancestry for failing to establish a permanent peace is unfair.

Peace is a block-building process. No stonemason, alone, built the Nation's Capitol. Not even a single architect conceived it as it appears today. So it is with international harmony. No man alone, or no generation alone can achieve it.

Senator Hayden is not a member of the Foreign Relations Committee. He always says this and he has never pretended to be a foreign relations expert. But, I submit, he has had his moments in foreign policy, and he does have a commendable record.

These moments are the unpublished highlights of his career. They are distinct from his record of building great highways and dams and irrigation projects and securing Federal funds for Indian schools and hospitals.

They represent the few bricks of peace he has helped lay and they tell us a great deal about the man as a "Westerner of this Century."

But let me first tell a story—reputedly a true story—about the Senator during his days as Maricopa County Sheriff and which, I believe, indicates the manner of man he prefers to be in dealing with his fellowmen, whether friend or foe.

In 1907, when he became Sheriff, we are told that there were cynics who believed he was too much of a gentleman to sling a gun, or direct a posse's search for western badmen. One episode proved them wrong. Two tough Woodson brothers from Oklahoma held up a passenger train near Gila Bend, robbed everybody, pulled the emergency cord, and escaped on horses they had staked in the desert brush. The script in today's television dramas would call for the Sheriff to ride out hell-for-leather at the head of a big posse, dust flying, and gun down the robbers in the rocks of a windblown mountain canyon.

Sheriff Carl Hayden *did* send out a posse. And its dust telegraphed its presence for miles around—a fact very much appreciated by the Woodson brothers. But the Sheriff himself commandeered an Apperson Jackrabbit automobile, circled fast toward the mountain and, just as the script would call for, cut them off at the pass.

Since he was in a car, the Woodson boys thought he was a rich mining man surveying his claims. So they played it cool, hid their guns under their saddle blankets and waited for the rich miner to pass them by. Imagine their surprise when they realized they were looking into the muzzle of Sheriff Hayden's gun.

After he locked them up, his wife, Nan, expressed her concern for his life. Sheriff Hayden comforted her by saying, "Don't worry, I couldn't have hurt them because my gun had no cartridges in it. I never carry a loaded gun."

My point is, if it needs to be explicitly stated, that Carl Hayden would much prefer to confront all world problems with an unloaded gun. His father always made it a point to lay aside his weapons when he was not on the trail. In fact, his father was quoted as saying that he never carried a gun in town because, "if anything ever happened to me, everyone would know it was murder."

Senator Hayden's pacifistic tendencies then, undoubtedly stem from his father's Ghandism.

Carl Hayden has been unable to maintain an "unloaded gun" policy in his own approach toward world peace. But he is, after all, a practical man.

When the United States emerged as a World power from the Spanish American War, she was ensnared in the web of international intricacies once and for all.

On May 9, 1914, Carl Hayden was a freshman Congressman. But, Congressman Hayden demonstrated anything but naivete on the floor of the House of Representatives that day. There was pending a bill to provide for raising the volunteer forces of the U.S. in time of actual or threatened war. Congressman Hayden was asking for a resolution to print a document entitled, "Military Policy of the United States in the Mexican War," by Major General Emory Upton, author of "Upton's Tactics," one of the great works on American military history. In calling it to the attention of the House, the Congressman suggested every member of the House should read it.

"The Gentleman thinks that this special chapter may be of value in the present situation?" Congressman Hamilton of Michigan querried facetiously of the freshman legislator.

"We can only judge the future by the past," replied Mr. Hayden.

The Speaker cut off debate abruptly at that point and said, "The question is on the resolution." The next and final line in the *Congressional Record* reads conclusively, "The resolution was agreed to."

As World War I developed, there arose a great debate over this Nation's military draft policy. Congressman Hayden played a significant role in that debate. Essentially, the issue was between those who favored a compulsory draft law and those who would rely on a purely voluntary system.

In 1916, Congressman Hayden had offered an amendment to an Army reorganization bill that provided for organization of reserve battalions when National Guard units were in service in time of war.

As finally adopted, the Hayden amendment provided that if there were not enough voluntary enlistments to keep the reserve battalions at prescribed strength, a sufficient number of unorganized militia would be drafted into the service to maintain each of the battalions at prescribed strength.

This principle of voluntary enlistments coupled with conscription is the basis of our draft law today.

In view of the present day draft debate, it is interesting to review the remarks Congressman Hayden made on the floor of the House on April 25, 1917, when that body was attempting to authorize President Wilson to increase temporarily the size of the military.

I quote, "When this country goes to war, it is not your war or my war, but everybody's war and America has the right to say that liability to bear the brunt and burden and the agony of the struggle shall rest on all her sons.

"When that time comes, no man should be permitted to pick and choose whether or not he will serve in his country's cause."

For his own part in that war, Congressman Hayden joined with three of his colleagues to defy an Executive Order forbidding Members of Congress to volunteer for military duty, and was sent to Camp Lewis, Washington, as Commander of a battalion. Armistice came, however, before his unit completed training and he did not go overseas.

Congressman Hayden may have tempered his "unloaded gun" theory in World War I, but he was definitely Wilsonian in his outlook toward the post-world war period.

For he said, "I pray that the result of this war will be a peace so just and so profound that the American people will not be called upon to endure even the most democratic form of conscription."

He strongly supported Woodrow Wilson and the League of Nations. In fact, he mailed to all his constituents copies of Wilson's July 10, 1919, speech, on the Peace Treaty and League of Nations.

The failure of the U.S. Senate to ratify the Peace Treaty and the subsequent failure of democracy on the European continent, however, did not make Carl Hayden an isolationist.

In 1929, he used the floor of the Senate to defend the Panama Canal against unfair railroad competition.

In 1930, he spoke up in behalf of Philippine Island Independence and alluded to the little known fact that Filipinos had sent 5,000 men to serve in the U.S. Army during World War I.

Then in 1934, Senator Hayden was sent to the Philippine Islands by the Senate Committee on Territories and Insular Affairs to make a preliminary investigation of the Philippine situation with respect to independence.

In a letter dated August 6, 1934, in Manila, Senator Hayden wrote to the late Senator Millard E. Tydings, who was Chairman of the Insular Affairs Committee.

Before relating some of the contents of that letter, we should perhaps first of all review the world scene at that time. Chaos was supreme. Depression was rampant. Economic nationalism with its attendant high tariffs, import quotas, exchange controls and barter agreements made the term "international trade" almost a mockery. The World Economic Conference in London had failed in 1933. The United States was still in the straits of depression.

In the face of this economic anarchy—about this time it was accompanied by political anarchy in many nations, too—Senator Hayden had the courage and reasonableness to say in his letter to Senator Tydings,

Quote, "All that I have to say is based upon the idea that the Filipino people are to have a government of their own. . . ." He continued, "Any serious study of the facts compels one to conclude that an independent Philippine government cannot obtain the revenue to maintain itself either nationally or in its local branches, without continued access to American markets. . . ."

"Complete application of U.S. tariff laws to the Philippines means that this experiment in self-government will fail."

Senator Hayden's remedy was reciprocal trade with the Philippines. A very tranquil solution considering the turbulence of the times.

And, in a manner reminiscent of his capture of the Woodson brothers, he concluded by saying,

"A way can be found to advance the Philippines welfare without injury to our own country. I hope that what I have written will be helpful in that respect."

Who is prepared to say, as we view the "Philippine situation" some thirty years later, that Carl Hayden's preliminary investigation was not helpful?

Immediately after the Philippine Study, Senator Hayden travelled to China, Manchuria, Korea, and Japan. It was everywhere evident to him that war was in the making. Japan had already taken Manchuria. The military was in command of her government. China was arming against a Japanese invasion.

And on the European Continent, German democracy had collapsed and the dictatorship was tearing up the disarmament provisions of the Treaty of Versailles.

Senator Hayden returned to the United States determined that he would do all he could to strengthen his country's military preparedness.

In March, 1935, he could be heard on the floor of the Senate arguing against military appropriations cuts and arguing for new military installations and new warships and increasing the size of the regular Army.

"We sadly needed a Regular Army nucleus when World War I broke out," he said.

He knew that an unloaded gun would be of no use in international affairs from that point onward.

He supported Lend Lease and he helped make it possible for General George C. Marshall to hold maneuvers in Louisiana so he could train his troops and select his field commanders.

His reliance on military hardware, however, did not undermine his essentially humanistic and pacifistic characteristics. He found time to comment on war profits but when he was offered a position on the War Investigating Committee, he declined, even though he knew it was destined to become vitally important.

It is interesting to know that when the Senate created the War Investigating Committee, the Vice President appointed Senator Hayden to be a member of it. Not having been a lawyer, he refused to serve and Harry Truman became its Chairman.

As Chairman of that Committee, Senator Truman gained national prominence. As we all know, fate later put Harry Truman into the White House itself. But for Carl Hayden, he might have remained relatively unknown. I can say this. Senator Hayden would never say it, for he believes, rightly, there is little use in second-guessing fate.

However disappointing the post World War II period may have been, it is to the credit of President Truman and the Congressional leadership of that period that the United States did live up to her new obligations of power and responsibility in international affairs.

Russia's disruptive aggression immediately after the war never permitted a mood of bliss and security to pervade the western world. But neither did the Soviet obstruction dampen the spirit of internationalism which created the United Nations.

Senator Hayden was among those who voted to adopt the United Nations Charter on July 28, 1945. The vote count was 89 to 2—overwhelmingly indicative that there was no mood of isolation at the end of World War II as there had been at the end of the previous war.

Though there was a spirit of internationalism, it was tempered with caution. This was evident when, on August 2, 1946, the Senate had the resolution providing for adherence to the World Court under consideration, and the Connally amendment was adopted, which protects the "domestic jurisdiction of the United States." When repeal of the Connally amendment was proposed at a later date, Senator Hayden said, ". . . it will take a very convincing argument to persuade me that I made a mistake when I voted for the Connally amendment." That is his position today.

In this period, the Senator fully supported the Truman Doctrine, European Emergency Aid, and the Marshall Plan. He never backed down from foreign aid appropriations. As he expressed it, "foreign aid is one of the ways that must be used to combat the advance of world-wide Communism."

But he has always pointed out that economic aid must be accompanied by military aid—another indication that he reluctantly relies on the loaded gun.

Korea proved the wisdom of maintaining a military and naval nucleus. But to the Senator, maintaining military might does not mean he is flatly opposed to disarmament proposals.

He once explained disarmament this way, "Our Government views disarmament and arms control as a means of achieving a more secure world and, therefore, a more secure United States. It does not look upon disarmament as an end in itself. Consequently, it will not disarm unilaterally on the assumption that such action might secure peace.

"Its firm purpose," he concluded, "is to obtain international agreements which, while they promote peace, do not lessen national security."

Senator Hayden has witnessed the Cuban Revolution, the Berlin Wall, the French defeat in Vietnam and, recently, the French pull-out of NATO—all the events that are disruptive of present day peace. And, he is painfully aware of the conflict in Vietnam, which in reality began about the time he was born. He supports the President there, fully!

But as he recently said, "I talk less about peace and appropriate more in the hope of achieving it."

I have, then, uncovered a few bricks of peace which Carl Hayden has placed in the structure of world harmony. I hope you've found them interesting and enlightening.

They tell us, I believe, a great deal about all Westerners of this Century.

Thank you.

Remarks of Senator Carl Hayden in Acceptance of the Award as "Westerner of the Century," May 25, 1967

Ladies and gentlemen, distinguished guests, fellow Westerners, I am very grateful to be with you tonight and to receive this award as "Westerner of the Century."

If you want to know about a real Westerner, let me tell you about my father, Charles Trumbull Hayden, a Connecticut Yankee, who, as a young man, became a trader at Independence, Missouri. He bought goods in the East which were shipped by steamboats down the Ohio and up the Mississippi and Missouri Rivers to Independence. There was no Kansas City at that time.

He left Independence in 1848, with ox teams loaded with a stock of goods and established a store in Santa Fe. The next year he brought out a larger stock of goods which he sold at a handsome profit to the 49'ers who came there after gold was discovered in California.

For the next fifteen years he traded from Santa Fe down the Rio Grande and on to the City of Chihuahua in Mexico. On one trip he had to wait until a battle between two rival governors was over when he brought a number of the wounded into the City in his wagons.

In 1860 gold was discovered at Pinos Altos in what is now Southwestern New Mexico. I will read statements from an article in the Panhandle-Plains Review for 1928, entitled, "Memoirs of Hank Smith."

"The Apaches had followed up back and made a raid on the Mexican settlers on the head of the Rio Membres, who had a number of irrigated farms and a big crop of corn. The Mexicans sent for help to the Pinos Altos mines to help save their crop from the Indians, but help came too late. The Indians had gotten all the corn and run the Mexicans off to the Santa Rita copper mines, where we found them.

"Charles Hayden had just arrived from the Rio Grande with a train load of mining material. The Mexicans employed him to take them back to the Rio Grande. He loaded them up and pulled out for White Water, twelve miles below the copper mines, making camp about three o'clock in the evening.

"About day break the next morning the Apaches attacked the train and Charles Hayden had just time to get his mules into the corral, and saved them. The Indians killed two young white men that had worked at the copper mines. The Indians made spread eagles of the men in sight of Hayden's camp and tortured them to death, shooting and lancing them and taking the whole scalp.

"The men at camp could not help them on account of a ravine where the Indians done the killing—the wagons being on a flat, so that their fire would not reach the Indians under the hill. We arrived after the killing of the two boys. We buried them where they lay and made Hayden hitch up his teams, and started with the outfit to the Hot Springs where the whole outfit would be safe from attack from the Indians, as Indians are very superstitious about Hot Springs."

Not long afterwards, my father was again in Southwestern New Mexico, when he detached a trail wagon and six mules from his train to deliver some supplies to a nearby mining camp. He sent two men along with the driver. On returning with the empty wagon, they found their way blocked by a large pile of brush that had been set afire by the Apaches at a place where the road went through a narrow pass between two hills.

The driver saw that he would have difficulty in getting the mules to haul the wagon through the fire, so he unhitched them. Each man mounted one mule and led the other.

They rode around the fire and went through the pass as quickly as they could. Many shots were fired at them by the Indians who were evidently not good marksmen. The only injury they incurred was the loss of a finger that was hit by a bullet when one of the men held his hand up above his head.

None of the mules, which the Indians wanted more than anything else, since they enjoyed eating mule meat, was seriously hurt. Mr. Hayden learned that the Apaches had set fire to the wagon so made no attempt to recover it.

It was probably during this same period that my father killed an Apache under the following circumstances: After delivering a trainload of supplies, he obtained a return cargo of shorn wool in long sacks. His wagons, as usual, had been parked in a circle for the night with the mule teams and the bell mare inside. Instead of sleeping on the ground, he made his bed on top of a load of wool, taking with him his rifle and a fine shepherd dog.

After dark an Apache crawled in the grass from the west and apparently was waiting for the moon to rise so that he could take good aim at my father on the skyline. The dog suddenly jumped from the wagon, the Apache fired at the dog, revealing his hiding place so that my father could shoot him.

On another occasion a group of Apaches appeared on the top of a hill not far from where his wagon was parked. From what they thought was a safe distance, the Indians cursed the men and dared them to come out and fight. My father had recently returned from the East where he had been presented with a new Sharps rifle. Becoming tired of their abuse, he decided to see if a bullet would drive them off. Resting his rifle on the rear wheel of a freight wagon, he took careful aim and fired. All of the Apaches promptly disappeared except one who limped as he went away.

Not long afterwards, on a return trip from Chihuahua, when his long train of wagons had been parked in a circle, a large band of mounted Apaches appeared. A group of them tied up their horses, approached the wagons on foot, and said that they wanted to talk. They were permitted to come in. They told the drivers, all of whom were New Mexicans, that my father had wounded one of their Chiefs and that if he were given to them, they would let the train go without an attack. They then left, saying that they would return later for an answer.

Some of the drivers favored turning my father over to the Indians, but the wagon master would not agree. He ordered all of them to conceal their weapons under their blankets, where they were sleeping on the ground, and to fire on the Apaches when he did.

What finally happened that night is indicated by a statement in a report on Indian depredations and military operations in New Mexico in 1863, made by Captain Ben C. Cutler, Assistant Adjutant General:

"In May, Charles T. Hayden, citizen, reports that Indians attacked his train near the line of Chihuahua; they were defeated with a loss of eleven killed, including the renowned Copiggan. Three horses were captured in this fight."

In a letter addressed to Brigadier General Joseph R. West, on May 30, 1863, Brigadier General James H. Carleton stated:

"Mr. C. Trumbull Hayden seems to have done well in helping punish these savages who delight in roasting their victims."

May I again thank the Westerners for the honor they have conferred upon me.

THE POTOMAC CORRAL OF THE WESTERNERS HONOR CARL HAYDEN, PIONEER, SHERIFF, STATESMAN, AS "THE WESTERNER OF THE CENTURY", MAY 25, 1967, WASHINGTON, D.C.

Sheriff: A. Frank Krause, Jr.
Deputy Sheriff: Robert E. Williams.
Tallyman: Robert H. Rose.
Chuck Wrangler: Robert S. Crites.
Roundup Foreman: Philip L. Jones.
Range Rider: Ben O. Osborn.
Faro Dealer: F. Bill Kelley.
Registrar of Marks and Brands: Tarleton A. Jenkins.
His Honor The Judge: George Metcalf.
Cocktails: *The Garden, Cameron and Tayloe Rooms*, 7:00 P.M.
Dinner: 8:00 P.M.

PROGRAM

Honorary co-chairmen

Senator Clinton P. Anderson, New Mexico.
Senator Ralph W. Yarborough, Texas.
(Both longtime distinguished Corral members).

Invocation: Dr. Frederick Brown Harris, Chaplain, United States Senate.
Welcome: Sheriff A. Frank Krause, Jr.
Remarks: Hon. John R. Foley.
Speaker: Roy L. Elson, "The Life and Times of Sen. Carl Hayden".
Presentation of the Scroll, "The Westerner of th Century".
Unveiling and Presentation of the portrait of Sen. Carl Hayden. Painted by Western artist Wm. Loechel.
Response: Senator Carl Hayden, Dean of United States Senate.

A 2,000-PERCENT MARKUP FROM FARMER TO CONSUMER

Mr. SYMINGTON. Mr. President, all of us from farm States, are aware of the cost-price squeeze so keenly felt by the people of agriculture in our States, but sometimes it is difficult to explain this matter to our nonfarm friends.

As an example of the spread between the prices received by the farmer for his products and the prices paid for that commodity in the grocery store or in the restaurant, I ask unanimous consent to have printed in the RECORD a letter from Mr. M. R. Irwin, president of the Colonial Poultry Farms, Inc., Pleasant Hill, Mo., reporting that he paid 40 cents for an egg he had sold for 2 cents.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COLONIAL POULTRY FARMS,
Pleasant Hill, Mo., June 21, 1967.

Hon. STUART SYMINGTON,
U.S. Senate,
Washington, D.C.

DEAR MR. SYMINGTON: What does one egg for breakfast cost in the dining room of a Washington hotel?

Grade A large eggs are now 24¢ per dozen at our farm. They have been as low as 21¢ here, and in some areas they are 15¢ to 16¢ per dozen.

Last Saturday, in Springfield, Missouri, I ordered one egg. It was 40¢ . . . a modest price by restaurant standards. However, our 2¢ market egg had increased in value by 20 times!

This great disparity in price between what the producer receives and the amount charged for the end product does not make sense to me.

I am enclosing an article from a recent issue of Poultry & Eggs Weekly—"Egg Market Called Worst in History". Note that the price of 25¢ at Chicago on large white eggs is only 1 penny higher than 100 years ago!

We are now on a schedule of increasing wages for farm help. This is fine, but the problem as I see it is how can agriculture with prices of 100 years ago pay the costs of 1967–68?

Increasing taxes and costs with depressed farm prices is creating an impossible situation in agriculture.

With best regards, I am,
Very truly yours,
COLONIAL POULTRY FARMS, INC.,
M. R. IRWIN, *President.*

DR. WILLIAM CARR, RETIRING HEAD OF NEA

Mr. RIBICOFF. Mr. President, on June 19, 1967, former Senator William Benton spoke at a luncheon honoring Dr. William Carr, the retiring head of the NEA. Dr. Carr's long career of distinguished service is indeed worthy of note and his many outstanding contributions will enrich our society for many years to come.

I ask unanimous consent that the text of Senator Benton's remarks be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH BY THE HON. WILLIAM BENTON AT LUNCHEON HONORING DR. WILLIAM CARR, RETIRING HEAD OF NEA, UNIVERSITY CLUB, WASHINGTON, D.C., JUNE 19, 1967

I share with most non-scientists a kind of awe at the laser. I first became conscious of it as a cutting instrument of fantastic power. Then I learned somewhere that this beam of coherent light could serve as a high powered carrier of multiple channels of communication. Lately I have heard that somehow it can be used to give a third dimension to television or other flat visual images. I am also told that the laser is opening new frontiers in the storage and retrieval of information.

In some fashion I don't comprehend, its components are articulated, prevented from darting off to this side or that, focused relentlessly in one direction. I believe that an application of magnetism is what does the job.

To the colleagues of Bill Carr what I have said makes it apparent that I am talking about him as well as the laser. This is a day and an occasion for extravagant talk. I only regret I have not been able to think of anything more extravagant. For our subject richly deserves it. Here in Bill Carr is a bundle of coherent human energy that, in some fashion I cannot explain scientifically, has been focused as though magnetically. Bill has been articulated and made coherent—into a tool of fantastic power. I learned about *that*—to my sorrow—when I once tried to beat him to the draw on Capitol Hill. Bill won't budge on a matter of principle or on an issue which affects the welfare of the NEA or its membership. He reminds me of Paul Porter's story of Augustus Owsley Stanley, former Governor of Kentucky. Paul ran into Governor Stanley one day on the street and congratulated him on his long career of public service. Governor Stanley replied: 'I've been serving on the Canadian Boundary Commission here in Washington for a quarter of a century, and I want to assure you, Mr. Porter, that during that quarter century the Canadian Boundary hasn't moved one inch."

While this human laser won't give an inch on his basic principles, he is a remarkable instrument for cutting through diversions, verbiage, camouflage, conflicting interests. Of course he's had plenty of practice!

Does not Bill Carr also somehow bring that third dimension to the profession of education and the application of education to peace? Does he not make the teaching profession, that many have previously conceived as simply flat—does he not now make it stand out in dimensional form? Bill Carr understands Mark Twain's dictum, "You're not going to improve the quality of the jails unless you improve the quality of the people you put in them."

And how about the storage and retrieval of information? Each bit of data accumulated in a long and coherent career is stored. Few men can equal his ability to fish up whatever fact or bit of history is required to coerce, cajole or con others into doing what he wants done.

How does he do it? How does this laser work? I don't know the formula—and that's a pity. If I did, I would have been such success in politics that I might have taken over the country.

Last week Dorothy Parker died. In the moving obituary in the New York Times Ogden Nash was quoted, "To say that Dorothy Parker writes well is as fatuous as proclaiming that Cellini was clever with his hands". My remarks thus far about Bill Carr should indeed persuade you that I am fatuous.

I've had the opportunity to watch Bill Carr in operation—indeed I've had the privilege of working with him—ever since we both emerged in public affairs.

I must defer to Bill on the United Nations conference in San Francisco in 1945. I had been at Chapultepec and was disappointed to miss San Francisco. But later that year we worked together in London at the Constitutional Convention of UNESCO. We were together again at the Second General Conference in Mexico City, and Bill's service to UNESCO throughout its twenty-two years has been a comfort and an inspiration to me as to all of his associates.

I need not detail for you the specific accomplishments of his career, for you are as familiar with them as I. You might be amused, however—as he may be—at a "calendar" I have contrived to mark up some of the highlights in his life.

As publisher of the Encyclopaedia Britannica, I might tell you that I feel I have made a significant contribution to education. I might tell you more about it if Bill Carr were not here to dwarf any contribution of mine.

As I reflected on Bill's vital statistics, I saw them in Encyclopaedia Britannica terms: he was born with our 10th edition, in 1902. He was a schoolbody in England when the immortal 11th edition appeared in 1910–11.

He got his M.A. in 1924 with the appearance of the 13th. His Ph.D.—the last of his earned, and the precursor of his many honorary degrees—was bestowed in 1929 as the 14th, the last numbered edition of Britannica, arrived on the scene. As Executive Secretary of the NEA, in 1952 he welcomed the 500,000th member to NEA. This was the year the Britannica launched its 54-volume set, *The Great Books of the Western World*. This year of 1967, as he welcomed the millionth member, Britannica is publishing the finest and most up-to-date encyclopaedia set in all history. With our 1967 printing, we have completed an unprecedented 10-year revision program in which we have rewritten nearly all of the 36½ million words in the set. Bill Carr has at the same time completed an unprecedented 43-year career as an educator—an educator of educators if you will—and who is harder to educate than an educator? (By now you should have learned that I know how to plug more than one product at a time.)

To help equip Bill for the long and productive years ahead—for the freest and possibly most useful years he has known—as well as to signal our deep affection for him—I present him on your behalf and my own own with the 1967 printing of Encyclopaedia Britannica, of which this Yearbook is a portable representation. Bill, I shall do better than that. I shall send you a set bound in full Morocco. Normally, this is only purchased for the Pope and crowned heads, not for retiring heads of states like you, no matter how affectionately they are remembered.

Some years ago Bill Carr said, "Teachers are not willing to wait until retirement and then be overwhelmingly grateful for a farewell luncheon and an engraved silver tray, or misty-eyed at a set of matched luggage." So I never expect to see *him* misty-eyed. I just want him to spend more time with his eyes fixed on the printed page. I conceive it as my job as publisher of the Britannica to persuade the present and past executives of the NEA to be readers. Further, if Bill doesn't like the article on education in the Britannica—or on the NEA—I won't mind if he shows off at my expense. The Britannica, like the NEA, thrives on criticism.

Indeed I expect him to continue—after some conspicuous relaxation—working like the very devil for the great causes of education and peace to which he has devoted the whole prelude to his alleged retirement. I expect to continue to work with him in my role as U.S. Ambassador to UNESCO and in his as the only Secretary General in the history of the World Confederation of the Organization of the Teaching Professions, which he helped to organize in 1946.

Bill, your career is off to a most promising start. Please become a reader. And we wish you Godspeed.

ARRIVAL OF ENTERTAINERS FROM BEHIND THE IRON CURTAIN

Mr. BIBLE. Mr. President, an event of cultural significance occurs this week that is especially heartening in these days of internal stress and tension. It is another example—and there have been many in recent years—that while nations may differ in the arenas of politics, global strategy and even on the battlefield, there is room for harmony and understanding in the fields of the drama, arts, and entertainment.

A group of entertainers, indeed some of the foremost entertainers from behind the so-called Iron Curtain, arrive Tuesday in New York on their way for a world premiere engagement at the opening of the Frontier Hotel in Las Vegas, Nev.

These guests to our country include a national group of folkloric dancers from Czechoslovakia, singers from Bohemia, a choral group from Slovakia, acrobatic groups, a comedy team, the Black Theatre of Praha and the celebrated Laterna-Magica.

The fact that these stars and entertainers will come from Czechoslovakia and will reside in Las Vegas as our guests for many months, proves that the hands of friendship are extended across the continents and the oceans.

It was no simple feat to arrange such an exchange of culture. Mr. Maurice H. Friedman, chairman of the board of Vegas Frontier, Inc., the operating company for the Frontier Hotel, tells me that he and his producer, Alan Lee, conceived the idea early in 1966. They had heard of the great acts and entertainers behind what we call the Iron Curtain and determined to present them to America.

The wish and the dream was not easily turned into reality. Mr. Friedman and Mr. Lee, starting in October 1966, were in constant consultation and conference with agencies of both governments—the United States and Czechoslovakia. In this country, they met repeatedly with representatives of the State Department and the Labor and Immigration Departments. It is a tribute to these agencies that they cooperated to every degree in forwarding this worthy venture.

> When I was in Las Vegas recently—

Mr. Friedman said—

> at all levels I met nothing but the highest degree of cooperation and desire to help us.

It is important, also, that Mr. Friedman and Mr. Lee, were supported by the same spirit of good will in Czechoslovakia, especially from the Ministry of Culture and the Office of the President.

Mr. Friedman made two trips to the country and Mr. Lee visited Czechoslovakia six times to interview the personalities, review the acts, and confer with officials of the country.

Perhaps they accomplished even more than they realized. Certainly their efforts have strengthened the spirit of harmony between our two countries.

Therefore, I would like to welcome—not only to Las Vegas and to Nevada—but to the entire United States, these representatives of the arts and culture of Czechoslovakia.

May their stay in this land be filled with happiness, friendship, and understanding.

HEAVY LOSSES FROM RECENT FLOOD DEMONSTRATE WHY MORE LEVEES NEEDED IN MISSOURI RIVER VALLEY

Mr. SYMINGTON. Mr. President, for more than 2 weeks, now, unusually heavy rains have been falling in the Missouri River Valley, flooding hundreds of thousands of acres of some of the richest farmlands in America.

To some of us this may have been only an item in the morning or evening weather report, but to the farm families whose fields and homes are flooded, it has been a crisis they will always remember and a financial blow from which it will take them many years to recover.

The Kansas City Times of Wednesday morning, June 21, reported that losses were then estimated at $23.6 million in the Kansas City district of the U.S. Army Engineers; with 690,000 acres under water, 400,000 of them along the main stem of the Missouri River. And the rains were still falling.

Much of the loss this past month has been as a result of the failure of farm levees built and maintained by individual farmowners in the effort to protect their land—land on which they have suffered hundreds of millions in flood losses over the past 20 years, since authorization of the Missouri River Pick-Sloan plan, while the Government has been trying to decide whether it is "economically feasible" to build agricultural levees.

The dollar loss would have paid the entire cost of this levee system, not to mention the frustration and heartbreak these citizens feel as they watch their crops being destroyed and, all too often, their homes, and farm buildings floating off down the river.

Mr. President, because the damage this month could have been prevented by the authorized levee works, it is tragic. But there is one bright note in the flood story of June 1967—as reported in that Kansas

City Times article, damage from the floods would have been at least $190 million more had it not been for the flood control reservoirs on the main stem of the Missouri and some of its tributaries.

Hopefully, the administration will request and the Congress will provide the money to move ahead on these projects in accordance with the capability of the Corps of Engineers for that work.

Mr. President, I ask unanimous consent that the article from the Kansas City Times of Wednesday, June 21, be printed at this point in the Record, as well as an editorial published in the Brunswicker.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the Kansas City Times, June 21, 1967]

Hold Off Big Flood—Federal Projects in Missouri and Kansas Prevent Spreading of Waters Which Would Have Caused $190 Million More in Damage

The worst of the flooding has been along the Missouri below Kansas City. Work on the big federal levees below the Kaw mouth was postponed for years until some of the Kansas tributary reservoirs could be completed to carry their part of the protection load. So far only on Army engineer levee has been completed below Kansas City, the Atherton unit on the south bank.

GOOD WORK BY DAMS

Colonel Kratz said the performance of the Tuttle Creek dam on the Big Blue river near Manhattan, Milford on the Republican above Junction City and Perry, under construction on the Delaware northwest of Lawrence, had been notable.

Hydrologists assigned 46 per cent of the flood storage benefits along the Kaw to Tuttle Creek, 28 per cent to Perry and 26 per cent to Milford.

Perry is only 65 per cent completed overall but the dam itself is up to project height. An emergency power hookup was rigged to close the gates there and a temporary lake was impounded which on June 14 covered more than 10,000 acres, storing 180,000 acre-feet of floodwaters.

Tuttle Creek, which was drawn down 12 feet below normal conservation level during the drought last fall, was that many feet above normal pool this week, with a giant lake of 20,200 acres stretching north along the Blue valley from Manhattan to Marysville.

During the flood threat in the lower Missouri basin, Colonel Kratz said, the big Pick-Sloan dams on the Missouri's main stem in the Dakotas and Montana have stored water to curb flows.

RELEASES ARE REDUCED

Releases at Gavins Point, the lowermost dam, have been cut in half from navigation season levels to about 16,000 cubic feet a second. But heavy inflow from tributaries below the dams, especially the Platte in Nebraska, have swollen the Big Muddy.

The upstream dams are estimated to have reduced the flood crest at St. Joseph by 1.7 feet and those dams plus the Kaw basin reservoirs lowered the Kansas City crest by 5.5 feet. The crest of 23.9 feet here June 13 was nearly two feet above bankfull, but still 18 feet below the tops of the levees.

Other flood crest reduction estimates included 3.9 feet at Waverly, 2 feet at Boonville and 3.3 feet at Hermann, Mo.

Kaw in Check—Col. William G. Kratz Says U.S. Levees Are Holding

(By Karl Peterson)

Federal flood protection projects have prevented 190 million dollars in damages so far during the present floods in Missouri and Kansas, Col. William G. Kartz, Kansas City district Army engineer, said yesterday.

Actual losses since the series of rainstorms began June 8 now are estimated at 23.6 million dollars in the Kansas City district, with 690,000 acres under water, 400,000 of them along the Missouri river. A total of 159 local farm levees now have failed or been overtopped, but none of the completed federal levees along the Missouri, which are larger and stronger, is involved.

CREDIT TO RESERVOIRS

Colonel Kratz said that the operation of flood reservoirs so far completed in Eastern Kansas, plus the still incomplete Perry dam northwest of Lawrence, had made it possible to throttle the Kaw river down to only half bankfull stage at the present.

The dollar figure on flood damages prevented is based on what would have occurred if none of the existing federal dams or levees—some of them dating back almost 20 years—were in existence.

These include the Kansas City levee and floodwall system and levees at Topeka, Manhattan, Ottawa, Salina and Abilene.

[From the Brunswick (Mo.) Brunswicker, June 22, 1967]

A Matter of Priority

Last Friday, as flood waters washed down over Missouri croplands, I happened to read two articles written nearly 10 years apart, dealing with unrelated subjects. Bitterly, I thought, they were sort of related after all.

The first was a guest editorial written for me by Doug Price in January, 1958, less than a year after I had become editor of The Brunswicker. Doug, without even knowing then that he would lose his entire crop to a flood in July of that year, had written of the Grand River Basin Plan, a project to end flooding in the Grand Basin. He told how floods could be a thing of the past and the area could be turned into a recreation vacationland, by building seven reservoirs.

He enumerated how we must first overcome opposition upstream, at Pattonsburg, how we must enlist the support of Gov. Blair and our congressmen.

As I said, that was written in January, 1958. Much progress has been made on the basin plan since then, but all the water it has held back from croplands since then could be contained in a shot glass.

Our representatives in government—Bill Hibler, Bill Hull and Stuart Symington—to name three—have, I believe, gone the extra mile these past 10 years in efforts to realize flood control. The gains which have been made have been mostly the work of these men and others like them.

The obstacles to flood control construction have been many. We have spent millions on studies, restudies, hearings, public meetings, planning and re-planning.

The obstacle now, we are told almost apologetically by our representatives—who by now must feel a little weary about the whole thing—is money, and the money, we are told, is being spent in Vietnam.

I don't doubt for a minute that it is. Enough American dollars are lost in the Vietnamese black market annually, I imagine, to build reservoirs and palaces all up and down the Grand.

Back to the other thing I read Friday. It was a Newsweek magazine account of the Middle-East War, the one in which America's policy was officially neutral and obviously sympathetic to the Jewish cause. But Newsweek reported among the heavy cost of the five-day Jewish blitzkrieg across the desert was "a large chunk of the $5.6 million in military aid the U.S. had given Jordan," who proved to be the toughest of the Arab states overrun by Israel.

So it's not a matter of having enough money to build flood control reservoirs. It's a matter of priority, and for some reason, our government has always had plenty of money to spend in places like Vietnam, Jordan, Saudi Arabia, Africa, South and Central America—many places where the American flag is spat upon and embassies are burned.

If just an infinitesimal part of the money our government has spent in these places since Doug Price wrote his editorial 10 years ago had been allocated to flood control in Missouri, we wouldn't have the stench of rotting crops here in Chariton County this summer.

Mr. SYMINGTON. Mr. President, I also ask unanimous consent to have printed in the Record five additional articles and editorials published in Missouri newspapers these past few days. They show the seriousness of the flooding and the value and need of water control projects to avert such disasters.

There being no objection, the article and editorials were ordered to be printed in the Record, as follows:

[From the Kansas City Times, June 15, 1967]

Dams and the Floods That Didn't Happen

With at least a temporary halt in the relentless rains and an easing of the area flood crests, it is pertinent to note where it flooded and where it didn't.

The Missouri river, soaring to above bankfull stage for the first time in years, was two feet above flood level at Kansas City—but still 18 feet below the tops of the levee and floodwall system. Again this sturdy, 41-million-dollar network of disaster barriers, rebuilt and strengthened after the 1951 flood, paid off in averted flood losses. Below here, where the proposed federal agricultural levees still are not in place, the Big Muddy broke through small, inadequate farm levees and poured over thousands of acres of cropland.

At Smithville, the rain stopped just in time for the town to escape a third bad flood in four years. There is $200,000 in planning funds for the Smithville reservoir in the current federal public works budget, but money in a budget can't contain the Little Platte river—not yet. Another notorious floodmaker, the Marais des Cygnes, flowed almost peacefully between the levees at Ottawa—but the Pomona reservoir level a few miles west was up four and a half feet.

Despite nightly downpours reminiscent of 1951, the Kaw failed even to reach predicted below-banks crests. How come? The answers are to be found at such places as Tuttle Creek, Milford and Perry. Last fall water sports enthusiasts were glum because Tuttle Creek had been drawn down 12 feet below normal level to sustain river flow through a severe drought. Many doubted that Tuttle Creek lake would come back this summer. She did that and then some. Swollen by flood flows of the Blue river from Nebraska, the reservoir is eight feet above conservation stage and still rising.

Milford, placed in operation last January near Junction City, has been filling slowly. With rises on the Republican river, it now has jumped up nine feet in the last four days. Perry, northwest of Lawrence, is only 65 percent completed. But the contractor and the Army engineers rigged an emergency power setup and closed the gates on the dam. Now 179,000 acre-feet of Delaware river water is temporarily trapped behind the embankment. This action, needless to say, proved highly popular downstream at Lawrence, where the long-planned levee system still is on paper.

At Topeka, these storms surely would have put tough old Soldier creek out in the streets in the old days. But Soldier creek has a new, manmade bypass channel, a strait jacket of stone and concrete that scooted the high water out of town in a hurry. Again, the public works budget includes the first money for the Pattonsburg dam—but this week the Grand river was way out of its banks from Chillicothe on down.

So far this year, a Vietnam-conscious Congress has been reluctant to invest in river projects at the usual rate. When the full figures are available on the floods that didn't happen in soggy Missouri and Kansas these last few days, they just might change their mind.

[From the St. Joseph (Mo.) News Press, June 17, 1967]

THE VALUE OF LEVEES

Northwest Missouri's current flood tragedy is demonstrating the value—where they exist—of levees and reservoirs.

In unprotected areas, flood damage is likely to be high. Thousands of acres of farmland have been inundated, and some persons have been forced to flee their homes.

There has been flooding along the Grand, Platte, and Little Platte rivers. Reservoirs authorized for the Little Platte and the Grand could have prevented much of this.

The value of the reservoirs and the levees has been demonstrated in this area. Reservoirs on various rivers in Kansas have helped control the water flow there, keeping the Kaw and the lower Missouri at manageable levels.

In the St. Joseph area, levees have prevented flooding at Rosecrans Field and at Elwood, and have protected much other low land to the south.

Water is among man's greatest blessings, but too much of it can be a curse if steps have not been taken to control it. The reservoirs are a key to proper water management.

The current floods are another reason why Northwest Missourians should continue to push for water resource projects on the Little Platte and the Grand—already authorized—and on the Platte itself. Such reservoirs will in the future help prevent the type of damage which has occurred so often in the past and is happening again right now.

The success of the levee—even though it is only partially completed—is proof of the wisdom of those who planned the structure and are carrying it to completion.

[From the Chillicothe (Mo.) Constitution-Tribune, June 14, 1967]

GRAND REACHES HIGHEST MARK SINCE RECORD FLOOD OF 1947—STAGE IS 32.08 EARLY THIS AFTERNOON HERE BUT IT MAY REACH 33 FEET; SOME FAMILIES FORCED TO EVACUATE

The Grand River south of Chillicothe missed its predicted crest for the second straight night as floodwaters covered approximately 80,000 acres of land in Livingston County today.

Heavy rains north of here Monday night and Tuesday caused the river to continue to rise late yesterday and last night after weather bureau officials had predicted a crest of 31 feet at midnight last night. The Grand at 1 o'clock this afternoon was 32.08 and holding steady. A crest of 33 feet was expected for Chillicothe later today.

The present 32.08 reading is the fifth highest recorded here, according to records kept on the Grand since 1909. The river today is at its highest stage since the record flood of 1947.

The water moved to the southwest edge of Chillicothe overnight causing one family to evacuate their home on Keith street at 3 a.m. Water also was reported in four rooms of the Bend Motel and an antique shop just south of the city limits.

Furniture and other items were being moved to the east part of the motel by Edwood Allnutt this morning. The floodwaters were at the edge of a trailer court west of old highway 65, and across from the Bend.

U.S. 65 near Farmersville was closed to passenger traffic last night and only large trucks were being permitted to travel north from here. The highway department told The Constitution-Tribune shortly before 2 o'clock this afternoon that water was still over the highway but all traffic was now using the road.

For the first time since 1947 water was across old highway 36 south of Chillicothe in the Bear Lake bottoms. Traffic was heavy on highways 65 and 36 last night as hundreds of vehicles traveled the area south and west of here to get a view of the floodwaters.

The Grand topped the 30-foot level yesterday at 1 p.m. and by 8 o'clock last night had climbed another foot to 31.03. By 7 a.m. today it had risen more than another foot and was at 32.05.

The Thompson fork of the Grand at Trenton started falling last night. Hobart Sparks, weather observer, reported the reading at Trenton at 6:30 yesterday was 21.72 and this morning it was down to 19.74. Water was reported to be dropping fast there today.

Trenton police reported heavy rain there again this morning and the showers moved on north. Depending on how much rain was received north of here, the worst seems to be over.

Some families residing in the low areas west and south of here left their homes Monday and yesterday. It is not known for sure how many families have moved out of their homes in Livingston County because of the flooding waters.

Railroad crews have been on duty since Monday at the Burlington railroad bridge just west of U.S. 36 where it crosses the river. The men have attempted to keep heavy drift from piling up against the bridge.

Several large levees protecting bottom land broke late yesterday and last night. Volunteers worked through the night at several locations attempting to keep water off the bottom land between U.S. 36 and old 36 and south of the old highway.

Harold Beetsma and Joe Ruppel started calling for volunteers yesterday afternoon to sand bag levees in those areas. The men and a large number of high school boys worked through the night loading sand bags and carrying them to several locations along the levees and on old 36 near Utica.

Beetsma farms approximately 3,200 acres and Ruppel has about 900 acres. Beetsma said this morning that all of his levees had broken and they were now concentrating their efforts near west edge of old 36. The workers were attempting to protect 400 acres of beans and about 80 acres of corn south of the old highway.

The Corps of Engineers at Glasgow provided 4,000 sand bags and they arrived here yesterday afternoon. Sand was donated by many persons along with trucks and boats. The Five-Watt Wizards, a local CB radio club, was also on duty. They provided radio communications and brought water and coffee to the workers.

The Salvation Army also provided coffee. Most of the efforts were washed aside by the high waters, but Beetsma told a Constitution-Tribune newsman he just couldn't stand by and watch the water roll over the levees. "We felt like we had to try to hold it back, but it just kept coming," he said.

This was the first serious flood since Sept. 22, 1965 when the Grand reached a crest of 31.70. That flood caused $1,178,000 in damage to crops alone in Livingston County.

The Grand is higher now, but the loss might not be so great because planting of crops has been restricted because of excessive rainfall during the last two months.

Thousands of acres of cropland are under water in the Sumner and Brunswick areas. The Grand is expected to crest 10 feet over bankfull stage at Sumner Friday. A crest of 36 feet is expected there at 3 a.m. Friday and at Brunswick it is expected to reach a crest of 22.50 by midnight Friday. Flood stage at Brunswick is 12 feet.

The only levels higher than today's 32.08 here were July 7, 1909 (33.60), June 3, 1930 (32.20), June 7, 1947 (33.82) and June 24, 1947 (33.53).

Levees south of Wheeling and near Roach Lake were reported to still be holding back the floodwaters this afternoon, but one large levee south of Sampsel was reported to have broken at midnight last night.

[From Kansas City (Mo.) Times, June 16, 1967]

NEW FLOOD BLOW NEAR—WITH MORE THAN 15,000 ACRES OF LAND UNDER WATER IN RAY AND CARROLL COUNTIES, THE MISSOURI CONTINUES TO RISE—WATCH A LEVEE—ELWOOD AND WATHENA, KANS., AND ROSECRANS FIELD SAFETY DOUBT

The flooding Missouri river is giving the state of Missouri a one-two punch. The second punch is expected to be worse than the first.

A crest of 30.5 feet is forecast to reach the Glasgow, Mo., area by this morning. This would be 5½ feet above flood stage.

KEEPING CLOSE WATCH

On hand in that area are 52 Army engineer personnel and some 600 workmen watching the rising waters and reinforcing weakened levees.

The second flood, caused by two days of heavy rains in Nebraska and Iowa, is expected to cause heavy rises in the Missouri river from Nebraska City to Jefferson City.

"In many cases," the weather bureau said, "the rises will exceed those of the last week."

Many highways already are closed by high water.

RAIL LINES CLOSED

Several railroads have been forced to suspend operations in some areas. The Chicago, Burlington & Quincy lost a bridge at Rosendale, near St. Joseph. The Rock Island still is closed between Atchison, Kans., and St. Joseph and the Missouri Pacific is closed between Kansas City and Jefferson City.

Estimates indicated that more than 15,000 acres of land were under water in Ray and Carroll counties on the north side of Big Muddy. This includes land between the banks and the levees.

Sheriff Paul Johnson of Carroll County said a break in the Davis-Merrill-Nolan levee on the north bank of the Missouri just above Waverly is so big it can't be repaired until the water recedes.

He said water was pouring through a gap 6 feet deep "and two telephone poles wide." Sixty to 70 families were moving out of their homes.

The river fell about a foot during the night in the Waverly area. Still closed was U.S. 65, which is under 2½ feet of water between Waverly and Carrollton.

Tributaries of the Missouri are gradually falling. The Grand was expected to drop within banks at Pattonsburg and Gallatin last night and at Chillicothe by Sunday. The morning stage at Chillicothe was 32.6 feet, about 8 feet above flood stage.

CHECKING NEW RISE

Col. W. G. Kratz, Missouri district engineer for the Army, said his agency was keeping a close watch on the new rise and its effect on water-soaked levees along the stream.

Under close watch, he said, is the new 16-mile levee protecting Elwood and Wathena, Kans., and the Rosecrans air field, near St. Joseph. He said additional efforts would be made to bolster the levee protecting Sherman air field at Ft. Leavenworth.

The Big Muddy is expected to crest at 25.5 feet at Rulo, Neb., tomorrow afternoon. This would be only .1 of a foot under the record set in the 1952 flood.

A stage of 25 feet, 7 feet above flood stage, is forecast at St. Joseph next Sunday morning.

Points below the flood crest area are also under close watch. The Army engineers have 47 persons on duty at the mouth of the Gasconade, where three acres of the corps boat yard already is under water.

The annual summer field training exercise of the Kansas, Utah and Wyoming National Guard units at Camp Guernsey, Wyo., was mired down in mud.

The operation was changed from a tactical maneuver because of dangerous conditions caused by heavy rains in the canyon areas around the camp. Guard officials said it would be hazardous to transport heavy equipment, including 155-millimeter howitzers, over the soggy terrain.

A temporary ramp built to support a bridge across the North Platte river was washed out by the high water. It has been raining nearly steadily for two days and two nights.

Rains last night in those sections ranged up to six inches south of Beaver City, Neb., and three inches at Oberlin and Norton in Kansas and Stamford in Nebraska.

TO REACH 1966 LEVEL

The bureau said the flooding south of Beaver City will be about the same as that in June, 1966, on Sappa creek. At Oberlin, where flood stage is 11 feet, a crest of 13.5 to 14 feet was expected.

The creek flows into the Upper Republican river.

The Red Cross set up emergency shelters in Grand Island, Neb., and more than 100 persons spent the night in the high school in the town of Kenesaw, about 30 miles southwest of Grand Island. High waters on the Big Blue followed another night of heavy rains ranging more than 6 inches in Southwestern Nebraska.

In Montana high water severed the east-west main line of the Northern Pacific railroad east of Livingston. Bridges were washed out and Interstate 90 was closed between Big Timber and Columbus, Mont. Possible flooding in Billings, Mont., was expected as the Yellowstone river was gorged with incoming tributary waters.

[From the Kansas City (Mo.) Times, June 17, 1967]

Missouri Levees Out—Swollen by Repeated Rainstorms, River Crests Breach Many Banks Along the Way to St. Louis—Acres Flooded—Army Engineers Report 40 Breaks Along Stream

The Missouri river, swollen by new rains over the last 24 hours, sent new flood crests racing downstream between Miami, Mo., and St. Louis, breaking or overflowing levees and inundating around 50,000 acres of farmland.

The Army Corps of Engineers office at Glasgow reported about 40 levees breached with over 1,000 persons working on sandbagging and earth moving operations in an effort to stem existing breaches and prevent new breaks.

GLASGOW CREST TO DROP

At Glasgow, the river maintained a crest of 30.7 feet between 6 o'clock and 10 o'clock last night but corps officials expected this to drop by Monday.

Predictions of a 29.5-foot crest by Monday at Glasgow would still put the river four and a half feet over bankfull with corresponding situations downstream.

The engineers reported no towns were threatened and no farm houses had been ordered evacuated.

The severity was indicated by the size of the break in the David-Noland-Merrill levee south and east of Carrollton. That breach had widened to 70 yards yesterday afternoon. Unofficial sources said the amount of land covered in Carroll County is 10,000 acres. Some 50 families have been evacuated from the lowlands in the county.

BOONVILLE BRACING ITSELF

River forecasters expect further trouble this morning downstream at Boonville where the river is predicted to top at 27.7 feet, almost seven feet over bankfull. The surge is expected to hit Jefferson City with a 26.5 reading tonight.

The heavy line of thunderstorms that moved across Eastern Kansas and Western Missouri yesterday afternoon will not make any appreciable difference to rivers here swollen by recent downpours.

A second flood crest is coming down the Missouri river but the weather bureau reports it will not be as high as forecast previously.

The Missouri here is expected to top off at 21.5 feet at 8 o'clock tomorrow night. Bankful is 22 feet but levees can handle a further 20 feet rise.

Today's forecast calls for a 20 per cent chance of rain and a 10 per cent chance tonight.

ST. JOSEPH CREST TOMORROW

A crest of 21.5 feet is expected at St. Joseph tomorrow afternoon. This is more than 4 feet over flood stage but river forecasters expect no flooding.

The swift current in the Missouri has deepened the channel there by churning up bottom sand which becomes suspended in the water allowing the river to carry the same amount of water at a lower stage.

Yesterday's storm, which dumped .36 of an inch of rain on the Kansas City area, brought the 24-hour rain total to .43.

Windstorms also did some damage in the area.

TRAILER HOME TOPPLED

The five members of the Ernest Brewster family escaped with only superficial injuries yesterday when high winds blew their trailer home over on its top at Lawrence, Kans.

"I had a premonition and was watching the clouds," Brewster said. "The rain had stopped when I saw debris blowing by, and over we went."

Mr. and Mrs. Brewster and their three children—Michele, 4½, Jonathan, 2, and Lorraine, 1—were in the kitchen of the trailer. It was demolished, and they crawled out through a hole in one end. Michele had a cut on one foot, and the others had scratches.

The trailer was parked on the Old Baldwin road about six miles south of Lawrence near the Vinland community.

The winds destroyed a shed and blew down several trees at the home of a neighbor, Darryl Saile.

BIG RAIN AT EMPORIA

Emporia, in East Central Kansas, recorded 3.11 inches of rain in six hours.

Rains Thursday and Friday halted the Kansas wheat harvest from Great Bend west.

As the rains moved southeast. Loyal Fortmyer, director of the state harvest labor control office in Great Bend, said the harvest undoubtedly will be delayed in south-central counties, too.

Rains of 1 to 3 inches were reported through much of the area where the wheat is ready, and Fortmyer said he does not expect the harvest to be resumed until the first of next week.

In Grand Island, Nebr., thousands of residents, Air Force personnel and national guardsmen hauled sandbags and moved furniture as water from the Wood river swirled northward into the city of 25,000.

NEBRASKA HIT HARD

Evacuation centers accommodate several hundred Nebraskans during the night. About 30 per cent of Grand Island was covered by flood water, but there was none in the main business district.

In Eastern Nebraska hundreds of acres of farm land were under water and many highways were flooded or closed by bridge washouts.

Ten tornadoes by official count were sighted in Nebraska Thursday night—the tenth straight day of violent weather in the area.

Serious flooding continued in Central Montana, although the Yellowstone river began to subside. The Northern Pacific railroad's main line was still closed yesterday near Greycliff. Some flooding was reported along the Gallatin river, U.S. 10 between Big Timber and Columbus, Mont., remained closed.

STORMS IN CHICAGO AREA

The Chicago area was raked by a violent thunderstorm. Midway airport reported hailstones three-quarters of an inch thick. The official Midway airport reporting station measured 1.40 inches of rain in 15 minutes—an all-time record for a 15-minute rainfall in the Chicago area.

Before power failure shut off the wind measuring instrument at Midway airport it had recorded winds at 63 miles an hour. Some hangars were partly unroofed, planes were tossed about and damaged and windows were blown out. A Beechcraft Bonanza, which flipped over on its back, was registered to Troy Arnold of Richmond, Va.

Debris from the roofs of hangars was blown into Cicero avenue and traffic was tied up for 45 minutes.

Winds shattered display windows in Chicago Heights.

A funnel cloud was sighted west of Mokena, Ill., and visibility in the Kanakee, Ill., area was reduced to zero by heavy rain and strong winds. Earlier funnel clouds were sighted in Madison, Wis., and Milwaukee. Moline, Ill., was pelted by soft hail and gusty winds.

THE SITUATION IN THE MIDDLE EAST

Mr. GRUENING. Mr. President, recent national polls have shown that the overwhelming number of people in the United States who have any opinions on the Arab-Israel conflict believe that the Israelis were right and the Arabs were wrong. This is not surprising in the least. For 19 years Israel has struggled to maintain its independence to develop its economy, to accept without limit refugees from oppression and to foster democratic institutions which advance the dignity of the individual. During this period the Arab countries have maintained a policy of unrelenting hostility to the very concept of the existence of Israel. They have devoted their scant resources not to the betterment of their illiterate and abjectly impoverished peasants but to the acquisition of billions of dollars of weapons with the avowed purpose of using them to destroy Israel. Their people remain mired in a feudal society which barely sustains their existence and which gives them little hope for their future.

The smashing military victory of the Israelis, in which the combined armed forces of the Arab countries were destroyed in 60 hours, has been properly hailed as one of the most successful military campaigns ever waged. The dread of every military leader is the necessity to fight on two fronts. Israel, surrounded by hostile countries on all sides, had to face an enemy on four fronts and to engage the enemy actively on three in order to insure its survival.

The results of that conflict are now a matter of history, but analysts will seek for years to come the reasons which enabled a country of some two and a half million people to defeat countries with a population 50 times greater and occupying an area 100 times as great. One fact, however, is evident. The Arab armies, poorly trained and poorly led, with no stomach for laying down their lives for governments which had given them no reason for devotion, were no match for the Israelis. The latter knew, down to the last soldier and airman, down to the last worker and farmer reservist, that the survival of Israel as a nation and of the Israelis as a people was at stake.

Radio Cairo had for weeks called for a "jiddah," a holy war against Israel. Egypt had mobilized its armies and had poised seven divisions in Sinai at the Israeli borders. Nasser had taken over military command of the Arab Legion of Jordan, had blockaded the Gulf of Aqaba, and had ordered the United Nations Emergency Force to leave, clearing the way for an assault through the Negev. Syrian forces, entrenched on the heights above the Sea of Galilee and assisted, apparently by Russian officers, had poured an unrelenting fire down onto Israel villages.

Under these conditions the Israelis knew that they could not wait to see whether President Johnson would succeed in persuading other maritime nations to test the Gulf of Aqaba blockade, neither could they wait for the Arab armies to cross their borders.

Whether the Israelis struck first is only of academic interest. When an individual points a loaded gun at you and states repeatedly that he is going to kill you, the law provides and commonsense dictates that you do not wait until he shoots you before taking reasonable measures to resist the aggression. The situation in the Middle East on June 5, 1967, was as simple as that.

The Arab nations for 19 years had been waging an aggressive guerrilla war against Israel, had indeed declared a perpetual war on that little nation, and had given plain intention that they were about to launch a formal attack against Israel. What were the Israelis to do? Wait until the Arab air forces in their Russian planes had bombed Tel Aviv and Haifa? Wait until the Arab armies had moved onto Israeli soil? If Israel was to survive, it could not conduct a military campaign within the borders of its country—a tiny land scarcely larger than Connecticut and so poorly demarcated from a military viewpoint that Jordanian troops were already in position to shell Tel Aviv, a bare 15 miles from Jordanian territory.

What a poor joke it is for Russia to bring a charge of aggression against Israel in the United Nations General Assembly. Soviet Russia has further stoked the fires of Arab aggression with massive military aid and has lent support to the Arab dream of driving Israel into the sea. Russia sought to find in the instability of the Arab governments and in the desperation of the masses a fertile ground for the intrusion of its power and influence in that area of the world. It has made the Middle East a pawn in its cold war tactics against the United States.

The record of arms shipments by Russia to Arab countries in the last 10 years makes a mockery of her accusations of aggression against Israel. The Soviet Union, according to data accumulated by the Government of Israel, has supplied the Arab countries with 2,000 tanks, of which 1,000 have gone to Egypt. The Kremlin has delivered 700 modern fighter aircraft and bombers. The Israeli sweep through the Sinai disclosed that the Egyptians had received Russian surface-to-air missiles. Egypt alone had received 540 field guns, 130 medium field guns, 200 120-millimeter mortars, 695 anti-aircraft guns, 175 rocket launchers, 14 submarines, and 46 torpedo boats, including missile carrying boats. The Egyptian army and air force has been trained by Soviet military experts. Recent reports from American newspaper reporters indicate that some Syrian forces raining artillery fire on Israeli territory were under the direction of Russian military advisers.

Nor has Russia followed a constructive role in the United Nations in the search for peace in the Middle East. Its repeated use of the veto in the Security Council insured that the Arab countries could continue their aggression against Israel by means of guerrilla attacks without fear of censure, while Israel could take action to protect itself only at the risk of incurring a Security Council censure.

I wish I could say that the actions of the United States in the Middle East in the last 10 years were commendable. Unfortunately, the United States is greatly at fault for what has occurred. For years, U.S. policy has been to attempt to maintain a kind of balance in that troubled area, to balance the phenomenal growth of the Israel economy, achieved in large measure through its own efforts, by giving massive economic assistance to the Arab world and attempting to tie Jordan to the United States by supporting its military budget almost in its entirety. This policy has failed.

The United States sought to appease those nations bent on the destruction of Israel.

The policy of appeasement failed.

It did not secure peace and stability in the Middle East. The Arab world has become more unstable, notably Syria, Iraq, Algeria, and Yemen. The economic and military assistance we provided the Arabs became a means of their acquiring the strength to launch an aggressive attack against Israel. I have protested against this policy of subsidizing Nasser for many years. However, it was not until 1966 that our massive food shipments to Egypt were cut off—shipments which enabled Nasser to conserve his scanty foreign exchange which he used to equip his armies. And even then we continued large-scale aid to the other Arab countries.

Illustrative of some of the difficulties that the prospects for peace in the Middle East face is the performance of Jordan's King Hussein. Coming to this country to appear before the United Nations, he had the gall to warn the General Assembly that if Israel were allowed to keep "even 1 square foot" of the land it had taken, the United Nations would never again be able to make a cease-fire stick anywhere.

The fact is that of the many discredited figures in the Arab fiasco none is more so than King Hussein. The United States has supported his country lavishly, paying a large share of his budget and quite mistakenly supplying him with arms. These arms were presumably to be used again Communist aggression. But typically, as in many other examples, these arms were not used for the purpose for which they were intended but indeed for the opposite purpose, for Russian communism was supporting Arab aggression. Jordan has little justification as an independent state, and its role, as the U.S. policymakers have indicated, was as a kind of peacemaking buffer state which, though Arab, would be less hostile and less aggressive in its purposes and designs against Israel than the other.

Before the outbreak of this 4-day war the Israel Government sent messages to the king urging him not to attack and saying that if he did not there would be no counterattack or action by the Israel troops across the Jordanian border. King Hussein not only rejected this peace offer but rushed to embrace Nasser, joined him in his attack, started the bombing of Israel and brought upon himself the inevitable reprisal.

He has no case whatever in the record of history or in the court of public opinion. He is and should be thoroughly discredited for his double-dealing, for his aggression, and for the folly deliberately embarked on, which not only cost many lives of Jordanians but quite a few Israelis who did everything in their power to obviate action on the Israel-Jordan front. Hussein has no legitimate claim of the kind that he makes. He alone is responsible for the loss of previously Jordanian terrain.

But now the fat is in the fire and we must begin to develop a policy to extinguish the flames of hostility. The prospects are none too bright. The Arab countries, stung by their humiliating defeat, will not be inclined to enter into direct negotiations with Israel, much less formally admit to the existence of the State of Israel which for 20 years they have denied. The Soviet Union, likewise deeply humiliated by the fiasco of its Middle East policy seeks to allay the growing suspicions of the value of its support by resuming military aid to Egypt and by fanning the illusions of the Arabs that the situation that existed before June 5, 1967, can somehow be restored. Within a few days after the Arab defeat Russian arms were again on their way to Egypt.

Nor can we look to the United Nations to provide the forum out of which meaningful proposals for a long-range solution to the problems of the Middle East can be expected to emerge. Indeed, the failure of the United Nations to carry out any of the assurances given to Israel in 1957 has dealt a staggering blow to the hopes we have held that that organization can be a major force for peace in this troubled world.

It must be recalled that in March 1957, after the Israelis had, for the second time, defeated the Arab armies, the General Assembly assured Israel of free passage through the Suez Canal and the Strait of Tiran. A United Nations Emergency Force was to separate the armies in Sinai and Gaza and terrorist attacks against Israel were to cease. Israel accepted these assurances and withdrew its forces from Gaza and from the entrance to the Strait of Tiran and from Sinai. In effect Israel placed its trust and hopes for security in the international community acting through the United Nations. But these hopes were misplaced. Since 1962 Nasser has been preparing his people for armed attack against Israel and as the tempo of these preparations increased the United Nations stood by unwilling or unable to enforce the 1957 agreements. By 1966 it had become evident that the Arab world was determined to destroy Israel. President Al-Atassi of Syria had declared:

> We raise the slogan of the people's liberation war. We want total war with no limits, a war that will destroy the Zionist base.

Egypt had proclaimed that—

> The noose around Israel's neck is tightening gradually—Israel is no mightier than the empires which were vanquished in the Arab east and west—the Arab people will take possession of their full rights in their united homeland.

In May 1967, Egyptian forces began to move into the Sinai. At the request of Egypt, the United Nations Emergency Force was removed from its positions between Israel and Egyptian forces. A general mobilization of reservists was conducted by Egypt. And finally the decisive step—Egypt announced the blockade of Israel shipping in the Gulf of Aqaba and the Strait of Tiran.

While the United Nations Security Council endlessly debated the situation, and while the United States unsuccessfully sought to arrange a grouping of maritime nations to test Egypt's blockade in the Gulf of Aqaba, time was running out. Finally Israel did what she had to do as an act of elementary self-defense and to insure her own survival. The Arab forces of aggression were destroyed and Israel occupied such territory in Jordan, Syria, and the Sinai as would assure that such aggression could not occur again. History can record no more brilliant military performance.

The Arab countries, having failed in their plans for the destruction of Israel, are now engaged in a massive effort with the support of the Soviet Union, to turn the clock back to May 1967 and to reestablish all of the conditions of instability and intransigence in the Middle East.

But this cannot be done.

Israel did not sacrifice its citizen-soldiers—a loss to that small country comparable to the death of 50,000 Americans—to see Arab armies once again poised on its borders, its shipping, so vital to its economy, barred from the Suez Canal and from the Gulf of Aqaba, and the Palestine Liberation Army carrying out its murderous attacks once more on Israeli villages.

Stability and peace can be assured in the Middle East, but not by acceding to the demands that Israel relinquish the territories she now occupies and which the bitter lesson of recent days shows she must retain at least until adequate and trustworthy arrangements for her security are obtained. No pressure from a United Nations General Assembly, which has shown itself incapable and unwilling to establish peace in the Middle East, should be allowed to negate the consequences of defeat for the Arab world. Nasser and his allies have chosen to find an outlet for their implacable hostility to Israel in a test of military strength. The choice was theirs. They are now tasting the bitter fruits of their frustrated ambitions.

Let them gaze out from Cairo and Amman and Damascus on their lands now occupied by Israeli forces and ponder whether the time has not come to admit the utter futility of their rabid hate.

It is being said that the humiliation of defeat is so bitter to the Arabs that they can never agree to meeting with Israel to work out a solution to the manifold problems of the Middle East. But, the only cure for this state of paranoia, is a constant confrontation with reality. Their armies are smashed, their economies are near ruin, and some of what was once their soil is occupied by a hostile force.

The Arab leaders must get over the idea that they cannot even with Russian assistance undo the consequences of their aggression and their defeat. When this is realized the possibility for direct negotiations between the Arab countries and Israel will become real and the first step in achieving a permanent solution in the Middle East will have been taken.

For the moment, the United Nations and the great powers need do no more than address themselves to the two most urgent tasks: providing relief for the refugees who have fled before the Israel armies and those who now find themselves in Israel-occupied territory. Therefore, it is encouraging that the administration is providing Israel with $30 million in food shipments—if more is required to feed the Arab population in the Gaza strip and in West Jordan more should be made available. On the other hand, no purpose is served by continuing food shipments to Algeria, the Sudan, Syria, Iraq and above all to the United Arab Republic. Over 23,000 tons of foodstuff is now scheduled for delivery to these countries. Economic assistance of any kind should not be given to the Arab countries which have broken diplomatic relations with the United States or which make clear their determination to continue their warfare against Israel. I had sent a telegram to Secretary of State Rusk on this matter some days ago and am encouraged to note that some technical assistance contracts with the UAR have now been terminated. But more can and should be done in halting the flow of aid still in the pipeline and in insuring that no further aid programs are undertaken until a peace settlement is negotiated.

The solution of the refugee problem, however, will require more than the shipment of food and clothing and the establishment of new camps, necessary as these things may be. There are, in my view, two important requirements which must be met if a just and equitable solution to this long-festering problem is to be achieved. The million or more refugees must be integrated into the social and economic structure of the Middle East. The preservation of refugee camps as centers for political opposition to the existence of the State of Israel can no longer be tolerated. Plans for the absorption of the refugees should be drawn up by the Arab States and by Israel and Israel should recognize its responsibility for achieving a solution to this problem. This will take some time. However, immediate action can be taken to correct a serious shortcoming in the administration of refugee programs by the United Nations. In my October 1963 report on the Middle East, I pointed out that 99 percent of the employees of the United Nations Relief and Works Agency are locally recruited. Most of them are refugees themselves. Even if the UNRWA leadership was dedicated to the concept of training Arab refugees and settling them in Arab countries or in other countries as useful, productive citizens, the vast majority of UNRWA employees could not, because of their backgrounds, be dedicated to carrying out such a policy.

At the time I wrote the report, I advocated the establishment of a United Nations Middle East Peace Corps. This would be formed along the lines of our own Peace Corps, composed of volunteers from countries, other than the countries involved, to work with the refugees in a well-financed program to educate and train the refugees, to help them obtain employment, and to assist in their resettlement. Funds could be made available from aid grants and from local currencies owned by the United States which resulted from the sale of agricultural commodities under Public Law 480.

These recommendations are as valid now as they were when they were made in 1963. I ask unanimous consent to include in the CONGRESSIONAL RECORD excerpts in the chapter on refugees contained in my Middle East report at the conclusion of my remarks.

However, the most disturbing aspect of the Middle East situation which has developed since the end of hostilities is the fact that the Soviet Union and perhaps Czechoslovakia are determined to reequip Egypt with military weapons and aircraft. While such action poses no immediate military threat to Israel—recent events have shown that the possession of large numbers of modern military weapons does not transform the Arabs into effective soldiers—it can have the most serious consequences in fostering the Arab delusion that the results of their defeat can be wiped out and the clock turned back to May 1967. The Arabs would, once again, be encouraged to devote their energies to chasing the will-o'-the-wisp of military supremacy over Israel at the expense of economic development and internal reconstruction. Once more, the Middle East would become an area of cold war conflict between the United States and the Soviet Union, with all the dreadful possibilities of a direct military confrontation.

Unfortunately, the initial press reports on the meeting between President Johnson and Premier Kosygin do not indicate that any agreement was reached on curbing the incipient resumption of the arms race in the Middle East. Nonetheless, this remains an area in which American diplomacy can and should operate. First, by sharply curtailing its military equipment deliveries to the Middle East. Data I have obtained from the Department of Defense indicate that substantial aid in the form of grants and sales of military equipment were made to the Middle East countries in 1967. Second, by seeking out opportunities for a meeting of the principal countries supplying arms to the Middle East.

The June 17, 1967, issue of the New Republic carried an excellent editorial which made two important points: Israel, in defeating Arab aggression, scored a victory for the United States and Europe the magnitude of which can be appreciated if one contemplates the situation if there had been an Israeli defeat; and, second, the best course for the United States to follow in the Middle East is to let the dust settle and await the emergence of new directions and forces in the Arab world.

In my report on the Middle East already referred to, I questioned the wisdom of continuing U.S. economic aid program to Nasser in view of his announced intention of using such aid for aggression, and of our contributing to the arms race in the Middle East. The Department of State defended these programs as contributing to the lessening of tensions in that area. As events have shown, the Department of State could not have been more wrong. Perhaps it is not too much to hope that we have now learned the lesson that our military and economic assistance will not divert a country bound on a course of aggression.

I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks the editorial from the New Republic of June 17, 1967, entitled "The Israeli Victory," an article by military writer S. L. A. Marshall entitled "Middle East War: The First Ever Won by Air Power," which appeared in the Anchorage News on June 26, 1967; an article by Nadav Safran and Stanley Hoffmann in the Nation for June 26, 1967, entitled "Guidelines for Policy," and selected excerpts from my report on the Middle East submitted on October 1, 1963, to the Senate Committee on Government Operations.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Nation, June 26, 1967]

THE MIDDLE EAST: GUIDELINES FOR POLICY

(By Nadav Safran and Stanley Hoffmann)

(NOTE.—*Mr. Safran and Mr. Hoffmann are both professors of government at Harvard University, the former specializing in Middle Eastern affairs and the latter in international relations. Their recent publications are as follows: Safran*—The United States and Israel *and* Egypt in Search of Political Community (*both Harvard University Press*); *Hoffmann*—The State of War (*Praeger*) *and* Contemporary Theory in International Relations (*Prentice-Hall.*)

Crises such as the present one in the Middle East are very dangerous moments for the international community generally and for the United States specifically, but they are also moments of great opportunity if they are wisely treated. After the Cuban missile crisis came the opportunity for the test-ban treaty and a détente in Europe. Positions that have been frozen may melt in the heat of war; assumptions that served as a premises for rigid positions may be confirmed or denied by the test of reality. Consequently, notions which appeared totally unrealistic only a week or two earlier become premises for sound action. The crucial aim is to allow vision and imagination to catch up with the changed realities.

The first notion to be assimilated in the present context is that the recent Israeli-Arab war *was not like* the war of 1956. This time all the Arab countries were involved, the leading Arab country had taken the initiative in altering the *status quo*, and had openly challenged Israel to an armed test. Israel, for its part, acted without the help of outside powers, and at the risk of losing its political existence if its expectations of military success had proved wrong. Consequently, what is involved now is no mere violation of the armistice agreements, which could be repaired and sanctioned by the restoration of the *status quo ante* as the UN chose to do it in 1956 (under U.S. leadership and despite Israel's objections; Israel's warnings about the dangers of such a restoration—merely camouflaged by the fragile presence of UNEF—have been vindicated). Whatever international lawyers may say juridically on this question, there is no doubt that the premises of the armistice agreements have entirely collapsed. A complete revision of the political relations in the area is required.

The most important change wrought by the war is the possibility it opens up, for the first time since 1949, for the conclusion of peace: real, formal, lasting peace treaties. There were two fundamental reasons why the Israel-Arab conflict has been so intractable since the conclusion of the 1949 armistice agreements. One was that the Arab countries, with the exception of Jordan, had very little if anything to gain from peace, while Israel had very little it could concede to the Arabs to induce them to make peace. The Arab governments sensed they could avoid making peace both because, thanks to the machinery of the armistice agreements established by the UN, the formal continuation of a state of war did not expose the Arab states to the possibility of penalization through the resumption of hostilities (this has been throughout history a crucial factor in inducing the losers of a war to move on to peace), and because a formal state of war gave them the advantage of denying Israel some of the benefits of peace (such as diplomatic relations and free passage through the Suez Canal). Arab governments therefore found it convenient to sit back and dream of revenge.

The second reason was that Egypt, as the leading Arab country, exerted a heavy pressure to discourage other Arab countries from making peace. It is significant in this respect that the other Arab countries did not dare to sign even the armistice agreements until Egypt itself had signed.

The present war has affected the first reason fundamentally. Israel has made crucial war gains which it can concede back in exchange for peace, and the Arab countries have an incentive to give something in order to recover their losses. The United States can make this a key to an enduring settlement if we do not encourage any impression on the part of the Arabs that periodic defeats can be incurred on the battlefield because they will soon thereafter be erased on the diplomatic front.

And the present war has also drastically affected the second reason which has kept the Arab countries from accepting peace. Egypt has led its Arab associates into a war in which its own armed forces have been crushed and the other Arab countries have suffered grievous losses; any Egyptian claim to leadership has been shattered and Egypt's capacity to intimidate other Arab countries from reaching a settlement with Israel has been diminished. This is particularly true with regard to Jordan. Of course, President Nasser has shown in the past a capacity to convert military defeat into political victories; but he has succeeded heretofore *only with the help of outside powers*—like ourselves and the Russians in 1956—and only where the setback suffered was neither as total and unmitigated nor as obviously inflicted by tiny Israel as is the present one. If, therefore, we make it our conscious purpose not to do anything to help restore Nasser's Pan-Arab leadership and, on the contrary, do what we can to convey the facts of his defeat to his people and the other Arab peoples, the second fundamental obstacle to peace in the past will have been minimized.

Another factor which must be considered in this connection is the attitude of the Russians. Until very recently, the implicit expectation of Nasser and of the Syrian Government that in a showdown with Israel the Russians would come decisively to the rescue, as they did in 1956, has encouraged them to think in terms of an eventual violent and "final solution" of the Israeli problem rather than of some kind of peaceful accommodation. The attitude which the Russians actually took in the recent war—stopping as it did short of action—must be reckoned as encouraging a fundamental settlement.

Indeed, the Russian attitude may well forecast a basic reorientation of Soviet Middle East policy which, if the United States helps, could be extremely useful in arriving at an enduring solution. In the four or five years following the first Soviet "breakthrough" in the Middle East by means of the 1955 arms deal with Egypt, the Soviets tried at each crisis occasion to achieve recognition as a member of the club of Middle Eastern powers, only to be repeatedly rebuffed by us. Accordingly, they went on to build their position in the area through intensive cooperation with Nasser's Egypt and with other willing Arab countries and succeeded so well that when we, early in the present crisis, finally invited them to join the club, *they* decided to hold back. Apparently they hoped that a triumph by Nasser would eliminate the West completely and leave Russia as the one big Middle Eastern power. The collapse of Nasser's position after the Russians had invested so much in building it up might lead the USSR back to the idea of asserting its influence on Middle Eastern affairs through the big powers' club rather than on its own. This does not mean that the Russians would abandon their involvement with Nasser, Syria, et al., since those associations would remain useful as a justification for their membership claim. But it does mean that they would be more interested in a stabilized situation. And it is consonant with the present course and long-term interests of U.S. policy to make the USSR a partner, as long as Soviet behavior contributes to moderating the international system.

It should not be lost sight of that that defeat of Nasser (and his allies) not only unfreezes the positions underlying the Israeli-Arab dispute and opens up prospects of a far-reaching reorientation of Russian policy but also makes likely the liquidation of the Yemen conflict and the easing of the problem of Aden and South Arabia. The materialization of these prospects, as of all the other opportunities, would depend decisively on our *not* doing anything that might permit Nasser to regain a position of Arab leadership.

Against this background it becomes possible to suggest what we, in the United States, should seek to accomplish by taking advantage of the new opportunities for settlement. As often at such moments, there are maximal and minimal objectives.

As a maximal objective, we should strive to achieve complete formal peace, including a solution to all the key problems of refugees, boundaries, transit of men and goods through waterways, on land and in the air. The means through which this might be achieved must be left to the professional diplomats; but two crucial observations must be kept in mind:

(*1*) *We must avoid at all costs putting the Arab countries together on one side of the table and Israel on the other*. This would be a sure formula for the reassertion of Nasser's Pan-Arab leadership and for encouraging intransigence. The example to follow is that of Ralph Bunche, who presided in 1949 over the conclusion of the armistice agreements, and who succeeded only by bringing the Israelis face to face with one Arab country at a time. Reinforcing this experience is the sad lesson of the Palestine Conciliation Commission which doomed its mission of peace to failure from the moment it got the Arab countries together as one collective side in the negotiations.

(*2*) We should not dump the problem of finding a settlement in the lap of the United Nations—General Assembly or Security Council. This would be a sure formula for disaster. The Israeli-Arab conflict is one of the most complex international problems. It calls for alert, patient, wise statesmanship, and not for UN resolutions. These are inspired by a motley of extrinsic considerations on the part of the voters (often totally ignorant of the elementary facts of this situation), and they can obtain the number of votes necessary for adoption only at the cost of either extreme vagueness or dangerous political compromises. The UN may be made to play an important role only as a subsidiary and support to the work of quiet and deliberate statesmanship. This must be provided by the big powers jointly and separately, in conjunction with the Middle Eastern countries concerned. A Lucarno-type agreement might be a useful framework, permitting the formal association of the big powers with a peace settlement in the role of parties and guarantors.

The *minimal* objective should consist of some package such as the following:

(*1*) Joint and separate big powers formal guarantees of the territorial *status quo* before the crisis, rectified to reduce the most glaring threats to Israel's security, plus specific guarantees regarding free navigation in the Gulf of Aqaba and the Suez Canal.

(*2*) An arms rationing scheme for the Middle East to which would adhere all potential suppliers, restricting shipments to weapons needed for minimum internal security.

(*3*) The placement of all nuclear installations in the area under the control of an international atomic energy agency.

(*4*) A specific *formal* commitment by Egypt renouncing belligerent rights, with particular reference to the Suez Canal and the Gulf of Aqaba, and similar commitments on the parts of all other Arab countries with specific references to control of borders, infiltration into Israel, etc.

(*5*) The Gaza Strip to be put under Israeli military control, wtih an appropriate presence of and role for the United Nations.

(*6*) The big powers, jointly and separately, to launch a major program of economic and technical assistance to all Middle Eastern countries in order to encourage them to turn their attention to problems of development and welfare. This, together with the diversion of resources which have gone into the arms race since 1955, should open up hitherto undreamed-of prospects of real progress. It would be criminal to allow a return to a situation whereby Egypt, for example, spent $4 billion over a twelve-year period on defense and armaments, while its people were starving and while its government had to go begging for a measly $60-million loan. The same applies *mutatis mutandis* to all the other countries of the area.

One final note on the tragic problem of the refugees: *As part of the maximal plan,* one might expect Israel to make a significant contribution by taking back a certain number of refugees and compensating the remainder. The other Arab countries and the world at large should also make a contribution by absorbing additional numbers. For the remainder, a program of rapid development supported by the United States and the world should provide opportunities to reconstruct their lives.

As part of the minimal program, the placing of the Gaza Strip under Israeli control should permit the launching of rehabilitation programs on a massive scale, should facilitate the movement of the refugees to places anywhere in the world where opportunities beckon, and should depoliticize and defuse the most embittered and miserable concentration of refugees. As for the refugees elsewhere, the measures envisaged in relation to the maximal scheme above would apply to them.

In conclusion, American steps in relation to the current crisis in the Middle East should be based on the following considerations:

¶ The basic U.S. interests and purposes in the area are to keep the peace; to assure secure transportation, communication and trade, and to keep any actual or potential enemy from controlling its resources.

¶ The foregoing basic purposes entail these operational objectives: (*1*) To terminate the nineteen-year-old Arab dream of the eventual destruction of Israel. (*2*) To prevent control of the Middle East by any single political leader or group actually or potentially hostile to the United States. (*3*) To contain Nasser, and oppose any political leaders who may arise of the type of Nasser, Ben Bella, Nkrumah, or Sukarno. (*4*) To prevent growth of Soviet power in the area while seeking to channel Soviet influence through a collective big-power concert.

[From the Anchorage News, June 26, 1967]

Middle East War: The First Ever Won by Air Power

(By S. L. A. Marshall)

Although I have been closer to Israel's armed forces than any other westerner during the past decade and have written more words in praise of its professional competence than any other critic, it is a bit embarrassing now to discover that I erred on the side of understatement. They were better than I knew.

This month's conflict made the 100-hour war of 1956 a study in slow motion. Spellbound, we all witnessed a war that went only 70 hours from the opening gun to the cease-fire, and it was David, not Goliath, who won. More impressive still, the decisive blow was struck in the first three hours and the tactical follow-through, though dramatic, was anticlimactic.

Any resemblance to the 1956 war was incidental. Air operations by the two sides in 1956 were marginal in their effect on the battle as a whole. This time they were decisive. The first war ever to be won primarily by air power, it was a fulfillment of the late Gen. Billy Mitchell's dream, more than 40 years after he said the balance would be that way from then on. The Nazi blitz against Poland in 1939 had much the same design, but that one was relatively clumsy and Hitler failed to win a war with it.

Israel had to win in the way she did, such was the aggregate superiority in modern heavy weapons and aircraft that the Arab states possessed. In big machine power, their advantage was approximately 2 to 1. The debacle did not prove that Soviet-built heavy weapons are inferior, but only that Russians had entrusted them to inferior hands.

Massive shock surprise is the only key to swift, sure success in war. With the Arabs in a frenzy and screaming for war, with armored columns lunging toward Israel's borders, it looked to the world as if her chance for a smashing surprise was rapidly slipping away. United Nations inertia and big power procrastination were about to compel Israel to accept a hopeless envelopment.

Israel achieved surprise through the sheer unprecedented violence, superb timing and extreme accuracy of the opening blow. That first strike ranged from Baghdad to Damascus to Cairo, an operating radius of about 750 miles, and the synchronization had to be little short of perfect.

Then there was something else: Israel had accurate, complete intelligence of the enemy air and armor, which fact was proved in the opening round. The credit for that should go to my old friend, Gen. "Rabbit" Yariv, the former attaché for Israel in Washington, now 62, of Israel's general staff. As the curtain went up, 25 enemy air bases were hit, while on the ground Israel's columns at first sideslipped Egypt's tank concentrations to knock off the Gaza Strip and get on the high road to Suez, a coup demoralizing to the Egyptians.

Note that it was well after the air battle was fought and won, by which time it became possible for the sky fighters to assist the armored spearheads through the worst of the Sinai defiles, that the Egyptian tanks massed around Abu Agueila and strung out along the Kuntilla-Mitla Pass axis could be taken on separately and beaten. These are elementary tactics. All field commanders love them. Few pay the sedulous attention to detail that wins great prizes at low cost.

After the Arab air threat was shattered, mainly on the ground, Israel's armor could take the full gamble, spreading thin, to race West and overrun all of Sinai. The risk was acceptable only because by then Israel's air power ruled the Middle East skies.

About Arab intelligence, it suffices to say that there is no such thing really. In 19 years of living next door, the Arabs have learned absolutely nothing about how Israel's military think and fight, and of this came their great fall. The Arab military affliction is a binding pride combined with a stimulated hatred of Israel, and these things themselves exclude a reasoned reckoning of military problems.

Maximum use was made of Israel's several military advantages. They are: (1) A compact population and highly mobile reserve that enable the call-up and outfitting for combat within 48 hours; (2) interior lines that afford a choice of which enemy to smash first, in this case, Egypt; (3) a superior doctrine on war-making that emphasizes velocity, acceptance of extreme risk, the need to keep battle forces moving and the moral quality in leadership.

We have beheld no miracle, no master stroke by one genius, but a redoubtable performance by the many, boldly planned, bravely executed.

[From the New Republic, June 17, 1967]

The Israeli Victory

To appreciate the shattering significance of Israel's victory, one must try to imagine the world as it would have been had Israel lost on the battlefield or remained passive only to expire later from slow strangulation. The Middle East would have become an exclusive Soviet preserve. The Arab chauvinists who called themselves socialists would have had either to do Russia's bidding or be swept away. All U.S., all Western influence, would have been eliminated in very quick order. And these repercussions would have been felt far beyond the Middle East. Let us not, therefore, forget what we owe the Israelis.

The Russians had staked Nasser and every other inflammatory anti-Israel fanatic in the area. A Russian triumph would have been regarded by the entire world as Moscow's impressive revenge for a series of defeats suffered in recent years—Soviet rebuffs in Berlin, the retreat in Cuba, the failures in the Congo, Ghana, Latin America, Europe. The present defensive posture of the Soviets in Europe would in all probability have changed overnight. Moscow would surely have been greatly tempted to launch immediately a propaganda barrage aimed at bringing West Germany into line, would have reestablished command by disciplining such wayward "satellites" as Rumania. Communist parties in non-socialist countries, in France particularly (de Gaulle notwithstanding), would have been under heavy pressure to again switch the line from coexistence to revolutionary class struggle. All this was in the cards, because the laws governing totalitarian movements—whether communist, fascist or Arab socialist—require an offensive along the entire front, once there is a major breakthrough in one sector. Russia would have recovered the undisputed leadership of the communist camp and would have presented Washington with one of two choices: divide the world for the time being into spheres of influence, with the U.S. withdrawing into a "Fortress America"; or face the likelihood of an atomic confrontation.

Moreover, this sharp swing in the pendulum of power would have come at a time when American morale was sapped by a series of moral and political disasters. An Israel that did not have the courage to strike for its own survival would have been demanding that the U.S. fulfill its commitments—commitments which four American Presidents gave her, and which Lyndon Johnson solemnly reaffirmed only two weeks ago. But would the President have done it? Would he have run American ships through the Egyptian blockade of the Gulf of Aqaba? The best hunch is that he would not, though Washington's pledges were incomparably stronger and incomparably more binding than the loose promise of economic help, under conditions which were never met, which President Eisenhower gave to the late Diem of Saigon and which are the origin of the present American open-ended involvement in Vietnam. And what of the American domestic scene had Israel been forced to demand that Lyndon Johnson make good his word that the waterway to Eilat must be kept open?

As it worked out, the President could talk and do little. And that was most fortunate for the US—and perhaps for Israel, too. How could Mr. Johnson have been expected to do more than he did? Had not most of the Vietnam hawks in Congress suddenly become the most lenient doves in the Middle East? And the Vietnam doves who became Middle East hawks, what did they propose if not vigorous action? There was no consensus here. In the United Nations, had not U Thant precipitously and shamelessly bowed to Nasser's ultimatum to withdraw UN troops? Quite plainly, the UN was not prepared either to protect Israel or to prevent Israel from protecting itself, and the Security Council discussions gave final proof of the world organization's incapacity to act decisively when the Great Powers are not of one mind. Furthermore, had not most of the reputed experts on world strategy painted an awesome picture of Soviet capability, indeed of the Soviet willingness to throw large military forces into any Middle Eastern battle? And think of Lyndon Johnson's predicament had Israel gone down under a combined Arab onslaught, and the problem then would have no longer been political or strategic, but action simply to prevent genocide?

This grim scenario was, happily, never played out, for Moshe Dayan made good his promise that Israel wanted no American or British boys to die for his country. Israeli boys did it alone. Their victory has changed the world balance of power more decisively than anything that has happened since World War II, including the Soviet retreat in Cuba. For the first time in decades, the United States, without firing a shot—while proclaiming its nonbelligerence and even neutrality—has scored an immense victory, one equivalent to the ruin of Soviet prestige in the Middle East and everywhere else. There has been an unprecedented defeat of the most vociferous haters of America. And last but not least, events have proved that de Gaulle, this modern symbol of political sophistication and of cold realism, can be deadly wrong, and that limitless cynicism is not always the best policy.

The final score has not been marked up, however, and depends on what the US does in the months, perhaps years, ahead.

How can this potential victory be made real? First by remembering that American initiatives in the Middle East in recent years have been a mixture of folly and naiveté. Washington initiated the Baghdad Pact (then refused to join it at the last moment). That pact, instead of stabilizing the Middle East and guarding it against Russian penetration, opened the gate wide to Soviet influence. In 1956, the US rescued Nasser, for which it got no credit whatsoever; the credit went entirely to Moscow. What the US did was to help undermine Britain as a world power, feed anti-Americanism in France and jeopardize Israel's security. Hoping against hope, the State Department after Suez poured into Nasser's Egypt, into Algeria, into most of the other Arab states, immense amounts of American foodstuffs, money, and in some cases arms, for which it got little but abuse. Our off-and-on-again flirtation with the enemies of Israel not only made life more precarious for the Israelis but created grave problems for such non-Arab countries as Iran and Ethiopia.

Now what? The President and his advisers should make haste very slowly. Let the dust of the fighting settle. Let's see what regimes the Arab states will have in a month or six months hence. None of the governments responsible for the Arab defeat in 1948 survived for long. Many Arab regimes may not survive the current debacle.

If one thing has been learned in the past week, it is that the Israelis can take care of themselves and have a pretty realistic sense of what is feasible. They have no intention of keeping all land their soldiers occupy. Obviously, however, the Israelis will not return to the *status quo* which gave rise to the conflict. They will certainly do whatever they believe necessary to prevent the Arabs from starting a fourth round. Added territory poses immense political, economic, social and moral problems for the Israelis. They will have to establish a new coexistence with a large Arab majority, which cannot and should not be turned out, and which no one in Israel dreams of expelling. The wisest course for the US will be to help Israel in this undertaking, when and if such help is invited. Later, too, the time will be ripe for a generous American offer to the Arab world, which does not breed only more hatred, as have our interventions in the past.

Outside the Middle East, thanks to the Israelis, the US is in a position she has not been in since the resolution of the Cuban missile crisis. Temporarily, at least, new opportunities beckon. The US can today do many things it could not do, or thought it could not do, only two weeks ago. We have often spoken of negotiating from strength. Now, the President can, without fear of any loss of face, offer to de-escalate the war in Vietnam. He can afford a pause in the air raids against North Vietnam, and wait for Hanoi and the Viet Cong to ponder whether the moment for negotiations there has not arrived.

[Excerpts from the report of a study of U.S. foreign aid in 10 Middle Eastern and African countries, submitted by Senator ERNEST GRUENING, Oct. 1, 1963]

III–J—EGYPT (UNITED ARAB REPUBLIC)

II. Current political background

Col. Gamal Abd el-Nasser, President of the United Arab Republic (Egypt), has been responsible, more than any other single individual, for keeping the political caldron boiling furiously in the strife-torn, arid Middle East since July 23, 1952. He has also been responsible for the other nations in this area diverting funds from sorely needed economic developments to arms.

He is still, 11 years later, pouring oil on whatever brush fire breaks out there, seeking his own personal and Egypt's national aggrandizement, in that order.

And he is doing so with the assistance of the United States which still continues to prop him up and, whenever he gets in over his head, to bail him out.

That is not to say that the dove of peace would have settled in the Middle East during these past 11 years if there had been no Colonel Nasser. There is in that troubled area of the world too long a history of political instability and the existence of such factors as poverty and disease to attribute all the woes of the Middle East to Colonel Nasser alone.

But the fact remains that he is the only ruler of any of the nations in that area who avowedly and persistently seeks to export his own brand of economic and political socialism and urges the violent overthrow of neighboring governments. In this regard, he is on a par with the Communists with whom he is professedly at loggerheads, but whose arms and economic aid he willingly accepts.

The parallel between Khrushchev's Russia, Nasser's Egypt, and Hitler's Germany is striking.

Both Egypt and Russia are police states where individual freedoms are ruthlessly suppressed. So was Nazi Germany.

Both Egypt and Russia are states in which the central government owns and operates the total economy. So did Nazi Germany.

And, most importantly, both Egypt and Russia want to export their own brands of government, being willing—and speak openly of their willingness—to repress resistant peoples by force if necessary.

So did Nazi Germany.

As one highly qualified writer has stated: [1]

"The promotion of a regime like that of Egypt therefore would seem to be dangerous. For while it is entirely possible to stabilize it through subsidies, it cannot, in the presence of the Soviet Union, be influenced in the direction of a peaceful or liberal development. American assistance has only a very indefinite assurance of Egyptian good will to go on. And even while stabilizing the authoritarian regime it indirectly serves to finance Cairo's subversive campaigns in the neighboring countries.

"Many Americans who listen to these criticisms with complete understanding nevertheless ask: 'But what else can we do but help Nasser? Can we look on passively while he slides into the Russian fangs, or is the victim of a putsch in his own country? Who will guarantee that his successor will not be even more dangerous? Should one give the Soviets the opportunity to nestle even more comfortably in the country via their economic policies?'

"It seems to us that such questions overestimate the danger of a pro-Communist overthrow in Egypt today, but *fail to envisage clearly enough the possibility of a Communist*

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[1] "The United States and Egypt," Arnold Hottinger, Swiss Review of World Affairs, October 1962, p. 17.

revolution after 5 or 10 more years of authoritarian state socialism. Today, it seems to us, there is still a chance for a return to power of an older generation of Egyptians which grew up with liberal ideals." [Emphasis added.]

This same thought was brought forcefully home to me when I visited Egypt in February 1963. It is definitely a police state, as much so as Communist Russia, which I visited 2 years ago. There, too, Nasser is "Big Brother" just as Lenin and Stalin were in Russia, and as Khrushchev seeks to be. The economy is controlled by the state just as firmly as it is in Russia.

As I stood in one of the principal squares in Cairo watching preparations for a major speech by Colonel Nasser that evening and saw the multitude of large posters bearing his picture and as later I heard his speech with its slogans and stirring platitudes, I, too, felt that all that it would take to have that government become a Communist bloc nation would be to add a few slogans and change a few pictures—or maybe the pictures would not have to be changed.

It must be remembered that it was Colonel Nasser himself, after the Suez Canal fiasco in 1956, who gave the Russians their first foothold in the Middle East. It was Colonel Nasser who invited them into Egypt with their arms and their technicians.

In that connection, the following testimony before the House Committee on Foreign Affairs on April 30, 1963, on H.R. 5490 (Foreign Assistance Act of 1963) at page 437 is most interesting:

"Mr. Farbstein. According to the book, there were 150 U.S.S.R. personnel in Yemen in 1961, but since the revolution in September 1962 the number of U.S.S.R. personnel has risen to about 450. How many do we have there?

"Mr. Grant. [Deputy Assistant Secretary for Near Eastern and South Asian Affairs, Department of State]. Is it under a hundred?

"Mr. Gaud [Assistant Administrator, Bureau for the Near East and South Asia, Agency for International Development]. It is under a hundred Americans.

"Mr. Grant. I might note on that, Mr. Farbstein, that it was the leader of the present royalist regime that invited the Russians in, several years ago. So that we have an interesting reversal of positions.

"Mr. Farbstein. Except that the facts as I stated them are correct, aren't they?

"Mr. Grant. Yes; there have been increases. One of our real concerns there has been that the Russians would greatly increase the number of technicians that they have in Yemen. They have been making notable efforts to try to get an enlarged position.

"Mr. Farbstein. * * * You say you assume they are trying to have more people admitted into Yemen, the suggestion being, therefore, that *they couldn't get them in under the old regime. Now, with the new regime, they are trying to get them in, and not only are they trying, but they are succeeding*." [Emphasis added.]

Representative Farbstein's interrogation serves to point up a disturbing aspect of the relationship of Egypt, Syria, and Yemen's new regime to the Kremlin. (Iraq can be included in this trio, but it is not included in these Comments because it was not among the 10 countries studied.) Egypt has been the most adept at playing the Soviets off against the United States. All three of these Arab States are absolutely dependent upon Soviet arms—so much so that Soviet transport jets were standing by to transport Egyptian troops to Yemen even before the revolt broke out there and have continued to furnish the transportation for the Egyptian troops in Yemen and their supplies. All three countries, while blowing hot and cold with respect to local Communists, continue to welcome technicians in sizable numbers from the Soviet bloc countries. And most recently on September 3, 1963, in the Security Council of the United Nations, the Soviet Union vetoed a resolution sponsored by the United States and the United Kingdom condemning the "wanton murder" of two Israeli farmers by Syrians within Israeli territory 2 weeks before. The resolution was supported by the United States, the United Kingdom, France, Nationalist China, Brazil, the Philippines, Norway, and Ghana. It was the third time since 1954 that the Kremlin had vetoed a resolution opposed by the Arab nations. Despite the military maneuvering of these three countries with the Soviet bloc nations, United States economic assistance continues and most generously. This policy is in sharp contrast to the threatened U.S. crackdown on Pakistan because Pakistan had signed an agreement with Communist China providing for the establishment of flights between Dacca and Chinese cities and had signed agreements with Communist China with respect to border demarcation and trade.

When I spoke to Colonel Nasser he stated that, after the poor showing made by his soldiers against the English, French, and Israelis, his officers had demanded that he accept the Soviet offer of arms.

Against this statement must be placed the fact that the three-party invasion was precipitated by his rash action, in a fit of pique, in seizing the Suez Canal—a lifeline for Britain, France, and Israel.

Today, militarily, Egypt is completely dependent on Soviet bloc countries. Colonel Nasser has maneuvered himself into the position of being completely dependent on Communist Russia for a continued flow of arms and parts. Should that flow be cut off, Egypt is militarily unarmed. Syria and Iraq are in the same position. And those are the very countries in which the Nasserites seem strongest.

It is difficult to obtain any reliable figure as to how much military and economic aid has been going to Nasser from the Soviet Union. The best figures are that it is roughly equivalent to $920 million, although not on as liberal terms as ours. We sell Colonel Nasser Public Law 480 food and fiber for Egyptian pounds which are used for the development of Egypt and its people. Soviet Russia sells Egypt weapons in exchange for cotton which is used for the benefit of Soviet Russia and its people.

One cannot help but wonder where our policy vis-a-vis Colonel Nasser will ultimately lead.

What have been the reasons advanced for this buildup by the United States of Colonel Nasser as the big man in the Middle East?

The State Department justification for its policy of appeasement was ably set forth by Warren Unna, a staff reporter for the Washington Post in his News Analysis on January 11, 1963, before the revolt in Syria and Iraq. Mr. Unna stated:

"Moreover, to justify its gamble on Nasser, the administration points to the following 'positive' steps he has taken:

"Nasser now is trying to reestablish the United Arab Republic's links with the West, particularly in Europe, and last month provisionally joined with the General Agreement on Tariffs and Trade (GATT).

"He and his country have done a complete turnabout in the Congo—from being one of the chief supporters of the late Patrice Lumumba and his leftist successor, Antoine Gizenga, to joining ranks behind the United Nations in its current efforts for Congo unity.

"Nasser has played down his country's Arab holy war with Israel, proposed to his colleague's a while back that the issue be put in the icebox and, for his pains, has been accused by Syria of "subversion."

"Nasser personally kept a strict silence a few months ago when it became known that the United States was going to sell Hawk missiles to Israel to help that country defend itself. In former years, this would have been the occasion for a major anti-U.S. campaign.

"Nasser proved more forthright than many of his fellow nonalined leaders at the August 1961 Belgrade conference when he condemned the Soviets' sudden resumption of nuclear testing.

"Nasser, a big booster of Cuban Premier Fidel Castro in the past, is considered to have been surprisingly moderate when the United States had its showdown with the Soviet Union over Cuban missile bases last fall.

"All of these factors are said to convince administration officials that Nasser, despite his penchant for interfering in the internal affairs of his Arab neighbors, still comes out on the plus side, in permitting room for reasonably friendly relations with the Free World."

Mr. Unna's column is set forth in full as exhibit III-J-A.

"Exhibit III-J-A

"[From the Washington Post, Jan. 11, 1963]

"American Aid for Nasser Faces Review

"(By Warren Unna, staff reporter)

"United Arab Republic President Gamal Abdel Nasser's open participation in the revolt in Yemen and his hospitality to potential Saudi Arabian and Jordanian rebel leaders are beginning to raise questions over the wisdom of the United States friendly aid program to the United Arab Republic.

"The Israelis fear the success of the Nasser-assisted Yemeni military group in pushing out Yemen's antiquated imamate may encourage Nasser in other foreign adventures in the Middle East.

"The London Daily Telegraph this week said the United States, in making Nasser 'its instrument in the Middle East * * * is committed to the support of an expansionist revolutionary who must, by the very nature of his appeal to Arab sentiment, continually threaten the stability which the United States is hoping to preserve.'

"It was about a year ago that the Kennedy administration decided to take a hard look at Nasser as an independent whom the United States could deal with in the same arm's-length respectful way it deals with Yugoslavia's President Tito.

"The idea was that Nasser now had decided to emphasize domestic needs over Arab and Communist-bloc involvements. U.S. officials thought there could be mutual regard, no hope or thought of conversion, but conviction that since Nasser is keeping his own house in order he and the United Arab Republic would remain within at least a halloo distance of the free world.

"U.S. economic aid to the United Arab Republic was stepped up to $146 million a year, most of it in the surplus food stocks Nasser so badly needed to raise the subsistence level of his people.

"And more recently, preliminary consideration has been given to Nasser's desire for an international consortium, similar to India's and Pakistan's, that would enable the United Arab Republic to double her national income of $140 by the end of her second 5-year plan in 1970.

"But now comes Yemen, in which the United Arab Republic has invested troops, aircraft, and political direction to turn out one neighboring Arab government it didn't like and keep another in.

"And Egyptians have given considerable publicity to the four Saudi Arabian royal princes, all brothers of ailing King Saud, who defected to Cairo and recently proclaimed the 'Democratic Republic of the Arabian Peninsula.'

"Nasser's government also makes no secret of its delight over providing asylum for the Jordanian Air Force chief of staff who, along with several other Jordanian pilots, recently defected to Cairo.

And Nasser's annoyance with the regimes in his fellow Arab states of Syria and Iraq has been repeatedly proclaimed.

"Nasser also undeniably has been putting a lot of money in arms and a large army which might otherwise be devoted to economic improvement.

"But the United States still does not think it has misplaced its bets on Nasser. Administration officials are aware that his meddling in other Arab countries conflicts with U.S. policy to maintain stability and avoid Middle East disputes. But they have no objection to his doctrine of 'Arab socialism' which is aimed at raising the economic level of the Middle East.

"And they consider Nasser the one big figure of the Middle East who neither can be ignored or forced, through economic needs, into any further dependency on the Communist bloc.

"Nasser already gets arms from the Communists, and the Soviet Union is financing the construction of his giant Aswan Dam. But observers report that Nasser has sensed the danger to his own country's independence of too much involvement with the Communist well-wishers.

"Moreover, to justify its gamble on Nasser, the administration points to the following 'positive' steps he has taken:

"Nasser now is trying to reestablish the United Arab Republic's links with the West, particularly in Europe, and last month provisionally joined the General Agreement on Tariffs and Trade (GATT).

"He and his country have done a complete turnabout in the Congo—from being one of the chief supporters of the late Patrice Lumumba and his leftist successor, Antoine Gizenga, to joining ranks behind the United Nations in its current efforts for Congo unity.

"Nasser has played down his country's Arab holy war with Israel, proposed to his colleagues a while back that the issue be put in the icebox and, for his pains, has been accused by Syria of 'subversion.'

"Nasser personally kept a strict silence a few months ago when it became known that the United States was going to sell Hawk missiles to Israel to help that country defend itself. In former years, this would have been the occasion for a major anti-U.S. campaign.

"Nasser proved more forthright than many of his fellow nonalined leaders at the August 1961 Belgrade conference when he condemned the Soviets' sudden resumption of nuclear testing.

"Nasser, a big booster of Cuban Premier Fidel Castro in the past, is considered to have been surprisingly moderate when the United States had its showdown with the Soviet Union over Cuban missile bases last fall.

"All of these factors are said to convince administration officials that Nasser, despite his penchant for interfering in the internal affairs of his Arab neighbors, still comes out on the plus side in permitting room for reasonably friendly relations with the Free World."

Mr. Alfred Friendly, Managing Editor of the Washington Post, 3 months later on March 27, 1962, under a Cairo dateline, had a slightly different analysis. He said:

"To what purpose does the United States support President Gamal Abdel Nasser's United Arabic Republic? Why, already in this fiscal year, had it poured some $200 million worth of aid (mostly wheat) into a nation that is a political dictatorship, a police state, and a roaring advocate of economic socialism?

"Americans here * * * have several answers, not the least of which is the argument that no better alternative can be seen. Were Nasser toppled, he would be succeeded by one of his own clique, not so able, or by the Communists. Remnants of the old regime scarcely exist, which may be just as well, since it was a remarkably conscienceless pack of boodlers. In any event, they could never command the people's support.

"A variation of the same argument points out that cutting off American aid simply means presenting the United Arab Republic as a gift to the Soviet Union. Egypt must have huge wheat imports to survive, and will get them from Russia if it cannot obtain them from the United States. It would be in no position to bargain; Moscow could call the tune down to the last note."

Of late a new argument has been advanced in support of our Nasser buildup. That argument is that Nasser has matured since the Suez crisis and is no longer the impetous "young officer" he was then. Thus Arnold Beichman writing for the Washington Post on July 20, 1962, from Cairo stated:

"American policy in the Middle East, and particularly since President Kennedy took office, has been to seek the disengagement of the Nasser regime from any close Soviet relationship. That policy has succeeded because of:

"Soviet ineptitude.

"U.S. firmness vis-a-vis Nasser military adventurism whether against other Arab countries or Israel.

"Tremendous internal economic problems in Egypt itself, whose solution depends on foreign aid.

"Development of a close personal understanding between President Kennedy and Nasser chiefly through a continuing exchange of letters. None of these letters has been published and their contents are not known.

"*What is described hopefully is the coming of some mature, statesmanlike wisdom to the 45-year-old President Nasser.*" [Emphasis added.]

All these arguments in support of our foreign policy toward Egypt have been advanced repeatedly by our State Department and by many columnists whose columns reflect the State Department indoctrination.

But many of these arguments do not become tenable no matter how often they are repeated.

Consider, for example, the argument of "U.S. firmness vis-a-vis Nasser military adventurism whether against other Arab countries or Israel." The fact is that Nasser has since September 1962 been carrying on a war of destruction against the people of Yemen in which 28,000 of his troops are engaged and in which he is aided by Soviet fighter planes. The fact also is that his powerful radio transmitters constantly beam messages of hate and destruction against Jordan, Saudi Arabia, and Israel. Until he succeeded in bringing about the revolutions in Syria and Iraq, his radio urged the violent overthrow of the government of those countries. Now he is engaged in a hate campaign against the Baathists in Syria because they have not seen fit to go out of existence in favor of Nasser's own followers in Syria.

The current official suggestion is to disregard Nasser's radio hate campaign because that is the way things are done in the Middle East and that both sides are doing it. A careful study of foreign radio broadcasts in that area will show that this statement is not in accord with the facts. Nasser's radio beamed for outside consumption is the only radio preaching the violent overthrow of other governments.

It is indeed ironic that Nasser's proficiency in radio propaganda—and everyone admits that he is proficient—should have been achieved—or aided—through the use of AID funds. Thus, AID project 263–G–22–AA, for which over $1 million has been obligated through fiscal year 1963 is "to assist the United Arab Republic to establish and operate within 5 years a 'Telecommunications Research and Training Institute' * * *. The U.S. Government set out in fiscal year 1961 to assist the United Arab Republic staff in operating this institute so that, in time, it will be well organized and efficiently operating. * * *"

I was in the Middle East when the United States recognized the revolutionary Government in Yeman and can attest that our action was greeted by our friends in Lebanon, Jordan, Syria (former government), Israel, and Greece, as anything but showing "firmness vis-a-vis Nasser military adventurism."

It should be remembered that when Nasser embarked upon his costly expedition to Yemen, his prestige was at low ebb. H. B. Sharabi of Georgetown University has described the situation accurately in his article on "The Egyptian Revolution" in April 1962 issue of Current History:

"The setback to Nasser's leadership in the Arab world came suddenly and soon, long before Syria's revolt in September 1961. In itself, the Syrian-Egyptian union was only a first step, which, if not carried further, was meaningless in terms of pan-Arab unity; in order to exist the United Arab Republic had to grow, and the natural direction of growth was in the Fertile Crescent—in Lebanon, Jordan, and Iraq. The crucial decision in these countries was made in the summer of 1958. Jordan was rocked by a series of attempts to bring down the Hashimite monarchy; Lebanon was plunged into civil war; and Iraq experienced a military 'coup d'etat' which toppled the pro-Western regime of Muri al-Sa'id. But the outcome of these events was unfavorable to the United Arab Republic. King Hussein's position, which for a while seemed desperate, was strengthened; in Lebanon a compromise between the pro-Nasser Muslim faction and the separatist Christian groups led to the consolidation of Lebanese independence; and in Iraq, the most important country in this configuration, the new revolutionary regime, after a short period of friendship with Nasser, broke with the United Arab Republic. The Cairo-Baghdad rivalry was resumed with new fury.

"With their hopes frustrated, the Egyptians now resorted to desperate methods to bolster Nasser's declining prestige. Tactics included diatribes on the Voice of the Arabs, open support of Shawwaf's anti-Kassim uprising in Iraq (March 1959), and ringleadership throughout the area in incidents of subversion and violence such as the dynamiting in Amman of the Prime Minister's office which cost many lives including that of the Jordanian Premier (August 1960). Meanwhile, as the drive toward Arab unity began to meet with reverses, relations between Syrians and Egyptians also started to deteriorate. The United Arab Republic was beginning to crack at the seams."

There are also those who believe that the United States is out on a limb because it has sought to save Nasser by recognizing Yemen. Thus Patrick Seale in the New Republic for January 26, 1963, wrote:

"By the turn of the year, then, most neutral observers of the fighting were agreed (*a*) that Sallal's Republic would not survive an Egyptian withdrawal; (*b*) that the Egyptians themselves were in embarrassing straits, committed to a grim war with little prospects of victory: (*c*) that the royalists had scored considerable successes but did not seem to have the weapons or the organization for a really decisive push. This was the situation in which the United States recognized Marshal Sallal's regime. * * * The Yemen is the latest area in which Nasser has needed and has secured U.S. help. What are the arguments behind the U.S. decision to recognize Marshal Sallal?

"One view expressed by some American officials in the Middle East is that the initiative came from keen young New Frontiersmen in Washington, determined at all costs to disassociate America from the old, shaming, 'feudal' regimes of Saudi Arabia and Jordan and throw their weight on the side of progress and the forces of history. Another view is that support for Sallal was, in a roundabout way, a pro-Saudi move, intended to 'scare' the Saudi Princes into reforming themselves.

"A third, more convincing explanation, derived from more authoritative sources, is that the initiative for the American recognition came from U.S. Ambassador Badeau's Embassy in Cairo and that it was intended as a rescue operation for President Nasser. The calculation was as follows: American recognition would be followed by Britain's; the Saudis and Jordanians would falter in their support of the Imam: Sallal would breathe freely for awhile and, in the lull, Nasser could withdraw his troops with honor, claiming that even the 'imperialists' had conceded that Sallal's Yemen Republic was firmly established. The operation was presented to the world as an American-Egyptian agreement whereby Nasser undertook to withdraw his forces in return for American recognition. (Actually, Nasser's agreement to disengage was conditional on cessation of Saudi and Jordanian aid to the royalists.)

"But something went wrong with the predictions: there has been no lull; Britain has not recognized Sallal; the Imam is determined to press home his advantage and Nasser is faced with the painful dilemma of withdrawing ignominiously or doubling his stakes by throwing in more troops. In the meantime, American diplomacy is out on a limb having secured no quid pro quo for its overt support for Sallal's precarious regime."

A careful analysis of many other explanations advanced for our policy toward Nasser will show that we are interpreting Nasser's words as indicating his intentions rather than his actions.

True, he did not rant and rave when it was announced that the United States would sell Israel the Hawk missiles. True, he is accepting economic aid which he vitally needs. True, as a supporter of Fidel Castro, he was "surprisingly moderate" at the time of the crisis over Cuban missile bases—but so was Khrushchev.

But these are words. What of the deeds?

While he was talking softly, he was constructing missiles so that he could proudly parade them in Cairo on July 23, 1963—missiles constructed through the know-how of former German Nazis. Jay Walz reported that parade from Cairo in the New York Times for July 24, 1963, as follows:

"The United Arab Republic paraded two new rockets today and announced that it has developed 'the first Arab submarine, which will be tested at sea within 15 days.' One of the new rockets was a Soviet-made SA-2 ground-to-air weapon recently demonstrated in the desert near Cairo. The second was the first two-stage missile developed in the United Arab Republic. * * * This missile, called Pioneer, is of ground-to-ground type. * * * A jet fighter that thunderously broke the sound barrier over the Nile was identified as the first faster-than-sound fighter built in the United Arab Republic. * * * The Palestine Army, recruited among refugees at Gaza, participated. This army is being trained to participate in the 'liberation of occupied Palestine (Israel)' that President Nasser has promised. * * *"

Two points must be stressed in connection with this arms buildup by Nasser:

1. He is doing it with U.S. AID dollars just as surely as though the AID dollars were going directly to Russia for the purchase of jet fighters or directly into the pockets of the German Nazis master-minding the design and construction of these weapons. There are some with blinders who would say that this is a misstatement—that AID dollars go for Public Law 480 food and fiber and for worthwhile development projects. To the extent that we relieve Nasser's normal budget of the cost of food, fiber, and development projects we permit Nasser to have his cake and eat it too. He can divert that much into his arms budget for an arms buildup and let the United States pick up the check for the food, fiber, and development projects.

There may also be some who would say that if the United States did not sell Nasser the food and fiber the Russians would be glad to do so. This does not jibe with the facts. The Russians are not giving anything to Nasser. They are bartering arms for cotton. They are loaning him money to build the Aswan Dam. And, finally, Russia's agricultural economy is not good enough to take on the added burden of feeding 22 million Egyptians. Russia has trouble doing that for Castro and herself.

2. Nasser's diversion of AID dollars to an arms buildup requires his neighbors to follow suit—at the expense of their own sorely needed economic development and, in the case of Jordan, and formerly Israel, at the expense of the U.S. taxpayer. (The New York Herald Tribune for Jan. 2, 1963, reported Israel's defense spending up 17 percent for this year.) Here again there will be those with blinders who will say that we have given no military assistance to Israel and comparatively little to Jordan. Here, too, those who make such statement will have missed the point. To the extent that Jordan or Israel have had to divert badly needed funds from their own economic development, because they felt it necessary to be prepared to defend themselves against Nasser's open threats, to that extent has the United States been forced to give both Israel and Jordan economic assistance which in the case of Jordan has amounted to $325.3 million and in the case of Israel to $878.9 million.

Many have been sharply critical of our policy toward Nasser.

Thus Vincent Sheean in the New York Standard for February 12, 1963, in an article entitled "Gamal Nasser: Tricky Riverboat Gambler of the Nile," wrote:

"The Government in Washington recognized the puppet republic of the Yemen on December 19, 1962, as Gamal's wish, just in time to save him again from a terrible disaster—this time, no doubt, the final disaster. He had supported the revolt in that dismal wasteland (if he did not, in fact, create it) in the obvious hope of striking at Saudi Arabia from there. * * * Gamal seems to know exactly how far he can travel with his American guarantee. He let Syria go without a whimper, for instance; the Americans would not have liked to see Egyptian troops in Damascus (where, in sober fact, no Egyptian troops would survive long). And yet our present Government, then new to its tasks, purred and looked the other way when he sent troops to the Yemen. His patrons in Peiping and Moscow must have laughed heartily. They do not trust him any more than we do (perhaps even less) but they work him for all they can get out of him, which is quite a lot under the present conditions. * * *"

Thus Carl Leiden writing in the National Review for July 3, 1962:

"Nonetheless, it would be inaccurate to suggest that Egypt is moving in any other direction than the extreme left and it is wishful thinking on the part of those who suggest otherwise. Still there are many who do think in this fashion, including no doubt a goodly percentage of those who officially represent the United States in Egypt."

Thus Arnold Hottinger in the article previously referred to:

"Returning to the question of American aid, * * * one suddenly realizes that virtually every argument of the proponents of this aid is of a tactical nature. Tactically, they believe Nasser may be used—for the moment at least—as a Pan-Arab nationalist Egyptian barrier against communism. They even hope to stabilize for a short time the chronically unsettled region by the predominance of 'Nasserism,' although the last 4 years have shown that 'Nasserism' is not so easy to sell outside of Egypt.

"To this argument one may well reply that if the strategic aim is to promote liberal institutions and to preserve and strengthen existing liberal systems or beginnings, then the measures which help consolidate the authoritarian Egyptian regime or extend its influence are clearly harmful. Stability purchased at the price of freedom may be a tactical necessity in certain cases; at the same time however it is a loss in terms of the overall strategic aim."

No discussion of the current political scene in Egypt would be complete without a discussion of Nasser's use of former German Nazis to work on his missile program.

Even before going to Egypt I was intrigued by a book by Sedar and Greenberg entitled "Behind the Egyptian Sphinx," which detailed charges that former German Nazis were being extensively used as a regular part of Nasser's government to train his troops, to organize the Egyptian youth along Hitler's line, and to work on missile projects.

The book was so replete with names, dates, and places that I was surprised that even though it had been published recently it had created so little stir. For example:

"Colonel Nasser's chief military and geopolitical adviser, intimate foreign collaborator, and confidant, is none other than the full-blooded Nazi, SS Col. Otto Skorzeny, who was dispatched to Cairo in 1953 upon the advice of his father-in-law, Dr. Hjalmar Schacht, Hitler's former financial wizard, now president of a Düsseldorf bank, specializing in the promotion of German-Arab trade. * * * As a double insurance against another defeat by the Israeli Army, the Nasser regime has formed an Arab Foreign Legion to fight against the Jewish State. Its nucleus consists of 400 former Nazis and Gestapo veterans, who were recruited by Arab League agents in Germany. The entire project came to light when in September 1959 the authorities of Hamburg arrested Herr Wilhelm Adami, one of the principal German recruiting agents. * * * [Adami] was a Gestapo Storm Trooper and served in Poland with the Dirlewanger Extermination Brigade. * * * Nasser's State Security Cadre * * * under the direction of Lieutenant Colonel Al-Nasher, whose real identity is Leopold Gleim, chief of Hitler's personal guard and Gestapo Security Chief of German-occupied Poland, who was sentenced to death for war atrocities. * * * In the fields of political and psychological warfare, vicious anti-Western and anti-Israeli propaganda is unremittingly carried on by the Nasser regime under the direction of Johann von Leers, one of the former high-ranking Nazi propagandists in the Berlin Foreign Ministry. * * * von Leers * * * has assumed the Arabized name of Man Amin von Leers. * * *"

The book contained the following specific charge:

"Only the French, with the cartesian sense of realism, thought that the presence of so many Germans in the Nile Valley was an ominous sign and could not be taken lightly nor easily be explained. Devoid of illusion, they rightly concluded that the Germans were in Egypt for the express purpose of reestablishing their power and influence in the Middle East at the expense of the United States, Britain, and France. * * * Skorzeny's ultimate aim is to create, in conjunction with Nasser, the Grand Mufti of Jerusalem, and the Arab League, a German-Egyptian dominated third-power bloc and empire stretching from Berlin to Capetown, and from Bonn to New Delhi. The time is not yet ripe, however, to unmask themselves and operate in the open."

In another book, "The Boss," by Robert St. John, published in the same year, 1960, was found a repetition of these charges:

"There were hints of other activities that disturbed many people, inside and outside Egypt. Naguib had quietly appointed one of Adolph Hitler's economic experts, Dr. Wilhelm Voss, head of the Egyptian Central Planning Board and chief adviser to the War Ministry. Dr. Johann von Leers, who had been one of Goebbels' most trusted anti-Semitic rabble-rousers, was named political adviser to the Information Department. * * * Voss and von Leers were only two. Every day additional names were whispered. Other foreigners might be trying to get out of Egypt, but the ex-Nazis were pouring in. There were hundreds of them, who saw in post-revolutionary Egypt a place they could fish in troubled waters. They changed their names so as not to embarrass their hosts. * * * Many of these men had been brought in by Farouk, but they were not unpopular with Free Officers like Anwar el Sadat, who had seen nothing wrong with Hitler except that he lost."

When in Cairo in the latter part of February 1963 I questioned the Ambassador and his top political advisers concerning these charges. They stated they had not read "Behind the Egyptian Sphinx" and that they were unaware of the infiltration of the Nasser Government by former Nazis. Our military attachés, however, were well aware of this and called my attention to it.

On April 30, 1963, I stated on the floor of the Senate:

"I visited the Middle East last fall and this winter as a member of the Committee on Government Operations, to look into the operations of our foreign aid program. I found that throughout the Middle East there was great apprehension about the growing power of Nasser and a resentment over the manifestly lavish aid which the United States was giving to him, which he uses to achieve his objectives—the objectives of conquest and domination of that entire area, the extermination of the free State of Israel and driving its people into the sea.

"We found these objectives voiced by officials in Turkey, in Iran, in Syria before the latest revolt, in Lebanon, in Jordan, and in Greece. Their expressions varied, but there was wonderment as to why we neglected our friends and built up our potential enemies, and their enemies.

"President Nasser has made no secret whatever of his purposes and intentions. His broadcasts, both through the official radio station, radio Cairo, and through the secret radio station which he entirely controls, clearly show his intentions. Opinion and expression in Egypt and the United Arab Republic are 100 percent controlled, with no freedom of the press whatsoever. In fact, there is greater control—more nearly absolute control—than is found almost anywhere else. Not only are the newspapers forbidden to print anything that President Nasser does not want, but also they are instructed precisely what to print, what not to print, what to conceal, and how to slant and color the news. Thus the people become pawns in Nasser's ambitious programs and cannon fodder in the wars of his making and planning.

"Through the years President Nasser has preached openly the assassination of the rulers and other officials of the countries which he wishes to subvert.

"It has been alleged by some defenders of our policy in this area that Nasser is softening his tone, that he is not as rambunctious or violent in his declarations as he has been in the past. That is not the case. He continues to preach assassination. He continues to preach violence. He continues to incite subversion in neighboring countries. He continues to preach warfare. He makes no secret whatsoever of his determination to destroy the little country of Jordan, which is one of the democratic hopes in the Middle East, and little Israel.

"I very much fear unless the U.S. policy of building up Nasser by pouring in money to enable him to carry on his military and subversive ventures is reversed, that there will be a bloody war in the Middle East, for which we shall bear a considerable responsibility, and into which we shall perhaps be inevitably drawn.

"As recently as March 19 of this year there was a broadcast of the voice of the Arab Nation from Cairo. I could cite and quote from many other such broadcasts, but this is a clear illustration of what is going on today; not 5 years ago, not 2 years ago, and not 1 year ago although it went on then. This type of propaganda—this type of incendiary preachment of assassination of rulers and officials of friendly countries—has been going on all through this period of time.

"The Voice of Cairo on March 19 broadcast as follows: 'Free officers, soldiers, students, and Arab brothers in Saudi Arabia and Jordan, how long are you going to tolerate Saud and Hussein?' Saud and Hussein are the respective monarchs of those two countries.

"'The time has come for the army and the people to purge the Arab land of the imperialist vestiges—the lackeys who have sold their honor and dignity and who cooperate with the archenemies of the Arabs—the English, *the Americans*, and the Jews.' [Emphasis added.]

"These are the words of the Voice of Cairo in a country which we have subsidized and are continuing to subsidize to the extent of millions of dollars, and in greater amounts now than ever previously. These words list us among, indeed call us—Americans—the 'archenemies of the Arabs.' This is but one more example, among many, of 'biting the hand that feeds you.'

"The broadcast goes on:

"'Free Arab soldiers and officers, the people call on you to shoulder your full responsibilities in the forthcoming battle for the liberation of Palestine. You will not be able to do so as long as the traitorous renegade clique is controlling the fate of the country.'

"Those words are addressed to the people of Saudi Arabia and of Jordan.

"'Even the Arab people in other parts of the Arab homeland will meet great difficulties in the battle for the liberation of Palestine as long as there are people like Hussein in Jordan and people like Saud and Feisal in the Arabian Peninsula.

"'Imperialism was able to establish the State of Israel in 1948 after deceiving the Arab people with the lackey Arab rulers to whom it entrusted leadership.

"'Free men in Jordan and Saudi Arabia, the situation is serious. Our Arab people are irrevocably determined to wipe away the disgrace of Israel and to purge the Holy Land of the remnants of Zionism, which is hostile to the Arabs and humanity.

"'Our Arab people call upon the free Arabs, both military and civilian, to unite their efforts to purge Jordan and the Arabian Peninsula of the traitors. All the Arab people stand at the side of the Arab liberation revolutions in any part of the Arab homeland, because the Arab liberation battles and the aims as regards the fate of the Arab nation are indivisible units.

"'Free officers, come forward and fix the zero hour; surge like flames to the palaces in Riyadh and Amman'—the respective capitals of Saudi Arabia and of Jordan—'and destroy the hireling traitors—enemies of God and of the people.

"'We will then march together on our dear usurped land—Jerusalem, Jaffa and Haifa—and the crime of Israel will no longer exist.

"'We call the army and the people in the Arabian Peninsula and Jordan to quick action and to bloody revolution. Death to the enemies of God and of the people.'

"This comes as the official voice of the ruler whom the Western World and the United States in particular have repeatedly saved from extinction. The United States saved him at the time of the Suez crisis. Since that time we have poured in hundreds of millions of dollars to help him, presumably to rehabilitate Egypt's economy, but in effect, finance his wars. He went into the Yemen some 9 months ago, sending in first 18,000 men, and then 20,000, and now, I am reliably informed, 28,000 troops by daily airlifts in Russian-supplied planes. That war is costing Nasser, at the very least, $500,000 a day. It has continued for 9 months. It has cost him more than $100 million to date. While we are pouring in money on the one hand to aid him in domestic rehabilitation he is pouring it out in warfare on the other.

"What kind of policy is that for people of the United States who are dedicated to promoting peace in the world?

"At the same time Nasser is receiving military aid from Soviet Russia, he has a great many ex-Nazis working to provide the modern weapons of destruction for his purpose to carry on the war against Jordan and Israel. In a recent book entitled "Behind the Egyptian Sphinx," which was called to our attention by our American military in Egypt, are listed a number of ex-Nazis who are wanted in Germany for their manifest crimes, who are not merely safely ensconced in the United Arab Republic but are employed to help Nasser in his sinister purpose to destroy his peaceful neighbors.

"I read the names of a few:

"SS Col. Otto Skorzeny, son-in-law of Dr. Hjalmar Schacht, who is recruiting former Nazis, and is an importer—arranges for arms shipments into Egypt.

"SS General Dirlewanger, known as the 'Butcher of Warsaw,' a Nasser military adviser on guerrilla warfare.

"SS Sturmführer Baumann, alias Ali ben Khader, who is with the Algerian rebel government in Cairo, and was involved in Warsaw massacre.

"Willi Berner, alias Ben Kashir, who is with the Algerian rebel government in Cairo, and was an SA führer and guard at Mauthausen Concentration Camp.

"Karl Luder, alias Abdel Kader, who is with the Algerian rebel government in Cairo, and was a Hitler youth leader in Danzig.

Dr. Erich Alten, alias Ali Bella, who is with the Algerian rebel government in Cairo, who played a major role in the assassination of Prof. Theodor Lessing at Carlsbad in 1934, and who was gestapo 'Commissar for Jews' in Galicia.

"Leopold Gleim, alias Lieutenant Colonel Al-Nasher, who is in charge of Nasser's state security cadre, modeled after Hitler's SS corps, and was a chief of Hitler's personal guard, and a gestapo security chief in Poland.

"Joachim Daemling, who is an adviser on special activities—concentration camps in Egypt—a former chief of the gestapo in Düsseldorf.

"Dr. Hans Eisele, who is a cochief of medical program at concentration camps; who is a former chief physician at Buchenwald.

"SS Haupstarzt Heinrich Willermann, alias Lt. Col. Naim Fahum, who is a cochief of medical program at concentration camps and the former medical director at Dachau.

"SS Führer Bernhardt Bender, alias Col. Ben Salem, who is in charge of Nasser's security police which runs the prisons, and was chief of intelligence service of Wehrmacht security division in Ukraine.

"SS Gruppenführer Moser, alias Col. Hassan Suleiman, who is in charge of youth training.

"SS Gruppenführer Buble, alias Lieutenant Colonel Amman, who is assistant to Moser.

"Johann von Leers, alias Oman Amin von Leers, who is in charge of propaganda work for Nasser, and was formerly in the Berlin Foreign Ministry.

"Louis Heiden, alias Louis al-Hadsch, former chief of Deutsche Press Agenter; works with Leers—distributes Arabic translation of 'Mein Kampf.'

"Daniel Perrit-Gentil, former SS führer, worked for Wehrmacht Intelligence Service in France during war—sentenced to death by France but expelled. Now is French program director of Radio Cairo.

"Georges Dieudonné, alias Georges Oltramare, former leader of Swiss Nazi Party. Works on anti-Semitic and anti-Israel propaganda with von Leers.

And so forth.

"What possible justification can there be for the United States to be pouring in its dollars, not only to support, but to encourage, a regime of this kind, which has drawn to itself all the elements which are antithetic to the professed purposes of the United States, in order to carry on a warfare which Nasser has never ceased to preach and for his objective to conquer and destroy.

"Unless the United States reverses its program promptly, and does more than merely study, review, and view with alarm, unless we act definitely, there is going to be a destructive war to the death in the Middle East in which thousands of people will be killed and in which we will inevitably be involved.

"I may have more to say on this subject at a future time, but I think I should again pay tribute to and commend the fine statement of the Senator from New York and say that in my view he is absolutely correct. We have been led down a false trail in the Middle East.

"It is about time that we supported and prevented the destruction of the one free nation in that area, the one that has worked for the rehabilitation of its own and other people, the one that has manifested only peaceful intentions, that is trying merely to exist and do its work to advance civilization at home and abroad.

"If the United Arab States, under Nasser would, instead of planning to go to war, emulate Israel, work to educate their people, to sanitate their countries, irrigate their deserts, and make a contribution to peace, we would have peace in the Middle East and all its countries would progress and prosper.

"It is a notable fact that of the many nations in the Middle East which have received our foreign aid, none was more conspicuous in the effective utilization of foreign aid than was Israel. None showed more public appreciation of this aid. It is somewhat depressing to note in many countries which we have helped to lift up from dire destitution, to see how little they have shown their appreciation. That has not been the case with Israel. Not only did we see signs on highways proclaiming that the roads were built as a result of joint efforts by the United States and Israel, but Israel has, at its own expense, issued a very beautiful documentary film in color, going into detail giving an historic account of what U.S. aid has done to help the people of Israel rehabilitate themselves.

"I think it is time that we realized that this is one country that honestly is for peace and civilization, that is firm in its democratic faith, whose people enjoy all the freedoms, a little country which has no aggressive designs, that merely wants to live and let live, but which is actually also doing something for backward countries by sending its own scientists there, and that we ought to affirm the policy which we should long ago have stood for; namely, that we will not countenance invasion and destruction of Israel. We will not permit our funds to be used to finance an aggressive war in the Middle East, which, unless we adopt such a policy, is bound to come."

Previously, however, concerned about the worsening situation, I addressed the following two letters to the President:

APRIL 10, 1963.

MY DEAR MR. PRESIDENT: I recently returned from the Middle East on an official trip for the Senate Committee on Government Operations.

What I saw there disturbed me greatly and, after talking to Mike Feldman, I thought I would pass on to you my observations even ahead of my official report, which will, in the main, deal with our AID program in the countries visited.

I visited Turkey, Iran, Syria, Lebanon, Jordan, Israel, Greece, Tunisia, Libya, and Egypt.

It is my firm conviction that U.S. foreign policy in the Middle East is set on a disaster course just as surely as it was when we thought we could appease Hitler.

I fervently hope that no future historian will be able to write a book concerning this period of U.S. activity in the Middle East entitled "While America Slept."

We propped Nasser up at the time of the Suez crisis—in fact saved him from extinction—and have been his mainstay since. Nasser's prestige in the Middle East declined with the Syria breakaway and continued to slide downward until, when his armies were bogged down in Yemen, we came to his rescue again and recognized the revolutionary government in Yemen. I have no doubt that the revolution in Yemen was Nasser-inspired and Nasser-instigated. The speed and the manner in which Egyptian troops were rushed to Yemen on Russian planes demonstrate that we are dealing with a new Egyptian military force and confirm the reports that it has been completely revamped with the aid of Russian technicians and former German Nazis.

What is hurting U.S. prestige in the other nations in the Middle East and what is hurting the administration's posture here at home with a sizable segment of our population is that Nasser is carrying on this war in Yemen for personal aggrandizement with U.S. money.

It is conservatively estimated that the Yemen adventure is costing Nasser $500,000 per day. At that rate, since the Yemen revolution on September 26, 1962, Nasser has spent over $100 million in waging his war in Yemen. Thus, in six months he has spent the equivalent of our economic aid to Egypt for a whole year. Of course, a portion of this is in Public Law 480 grains—but without those grains he would sooner realize the futility of his present predicament and might listen to reason. On the other hand, part of our economic aid is in the form of U.S. dollars for the purchase of goods here in the United States which Nasser needs.

The implications of our early recognition of Yemen—that it was a boost for Nasser and Nasserism—were forcibly called to our attention by officials in many of the countries visited. Officials in Turkey, Jordan, Iran, Syria (former regime) and Lebanon were especially vehement. I do not believe that the precipitate manner in which we recognized Yemen (especially before such a recognition by the United Kingdom) has helped our prestige in this area or served to strengthen the Jordanian or Iranian Governments. Had I written to you earlier, I would have added the Syrian Government to this list, but events have overtaken my report.

One important point concerning the effectiveness of our Foreign Service that strikes one in this area is the fact that very few of our representatives abroad (or, for that matter, working on the Near East Desks in Washington in the Department of State) have ever been to Israel. Such a situation is completely unintelligible to me. Our so-called Near East hands are thus representing the interests of the United States in this area without adequate appraisal of the facts. Is it any wonder that after all these years we are no nearer a peaceful solution of the problems of this area?

And finally, Mr. President, Israel itself should hold a special place in U.S. efforts in the Middle East. As the only true democracy in that area, as the one nation which has made determined and successful efforts to raise its economic level, as the one nation in the area that freely and publicly acknowledges that it has received and benefitted from U.S. aid, we cannot afford—from the standpoint of our own security—to continue a policy which builds up a Frankenstein monster in that area that, openly, frankly and persistently announces the order of its next victims—Jordan, Saudi Arabia, and Israel—and whose official radio voices continue to preach assassination of the officials of these countries.

The oft repeated excuses that the Nasser line on this point is "softer" than it was a year ago are not borne out by the facts. In this connection I must point out that when Hitler published widely his plans in "Mein Kampf" people likewise refused to heed.

We are doing the same thing with Nasser.

Will we again wait too long—until grown strong with our help and independent of that help, he turns and swallows up country after country, including Israel?

One thing which will, I believe, relieve the pressures in this area is for the United States promptly to guarantee the borders of Israel in the same manner in which the borders of Saudi Arabia were guaranteed. We have backed and filled so often in the past with Nasser that we must give him no chance at misunderstanding our purpose and intent. A public guarantee of the borders of Israel by the United States would do much to assuage the fears of Israel—which today, with Nasser's increased trained military force, has much more to fear than ever before—and might also serve Nasser with an excuse to desist from his threats.

I would be glad to come up to talk to you at any time convenient to you.

With all best wishes, I am,

Sincerely yours,

ERNEST GRUENING,
U.S. Senator.

APRIL 12, 1963.

MY DEAR MR. PRESIDENT: This is to supplement my letter to you of April 10, 1963, after my conversation with Mike Feldman, concerning U.S. policy in the Middle East.

In that letter I did not underscore strongly enough the thought that we are supporting an arms race in the Middle East just as surely as though American dollars were used directly to pay for the arms purchased.

Under Public Law 480 we are supplying a vital part of the food needs of the Egyptian people. As a consequence, Nasser is left free to exchange his cotton for Russia's missiles. Because Nasser has missiles, Israel must purchase the Hawk from us, at an expense upward of $25 million and an increase in the size of her standing army trained to use these modern, sophisticated weapons. This $25 million could be spent to a much better purpose on the economic development of Israel just as the $100 million spent so far by Egypt on Nasser's war in Yemen could have been better spent on the economic development of Egypt. Similar comparisons could be made with respect to the other countries aided by us in the Middle East such as Jordan and Iran which feel compelled to step up their own defense budgets.

I make these comments to you with a full awareness of the historical and political background of the tensions in the Middle East. But the time has surely come for the United States to take a firm stand and declare that it will no longer permit its aid dollars to be used for an arms race or for aggressive adventures beyond a Nation's own borders. We cannot continue to aid—directly or indirectly—in maintaining or increasing the tensions in the Middle East. As Nasser subverts one country after another, his high-powered radios—also indirectly supported by the United States—blare across the Middle East preaching violence against Jordan, Saudi Arabia, and Israel and actual assassination of their rulers. About 3 weeks ago Nasser's radio was predicting: "But the day will come when those who sought shelter with Husayn [Hussein, King of Jordan] will lament their fate, when they watch the people dragging Husayn in the streets."

I earnestly believe that at least one way to lessen the tension in the Middle East would be through a U.S. declaration that we will guarantee the borders of Israel and Jordan just as we have made similar declarations recently with respect to Saudi Arabia's borders. We should of course not continue to subsidize Nasser's costly military adventures beyond his borders.

But it is essential that our intent to safeguard the borders of Israel, Jordan, and Saudi Arabia is made crystal clear, publicly, not only to Nasser but to the entire world.

With all best wishes, I am,

Cordially yours,

ERNEST GRUENING,
U.S. Senator.

I have now received the following letter from Assistant Secretary of State Fred Dutton:

DEPARTMENT OF STATE,
Washington, D.C., July 25, 1963.

DEAR SENATOR GRUENING: The President has asked the Department of State to comment further on matters raised in your letters regarding U.S. policy in the Near East. The Department is pleased to have this opportunity to review with you some of the elements of this policy.

The Department believes that the principal questions which you have raised concerning our policies in the Near East do not arise from any failure of our policies with respect to the Free World confrontation with Communism in that area. It should be remembered that Free World interests in the Near East were at their greatest peril in the mid and late fifties, when we had no aid program to the United Arab Republic, and that our policies of recent years have been paralleled by a material but gradual reversal of that dangerous situation. Today Soviet presence, prestige, and influence in the Near East have diminished to the lowest point in many years. At the same time, the capacity of the United States to exert a constructive influence on a wide variety of issues important to the Free World, while still limited, is far greater now than at any time in the past, and the United States is listened to with respect in every capital in the area.

The Department agrees, of course, that tension and danger are inherent in many of the specific points you list. The Department is very much aware of this situation and is determined that these tensions and dangers not be excited by a U.S. posture governed by impatience and hastiness rather than planning and perseverance.

The President's statement of May 8, in which he reiterated this Government's opposition to the use or threat of force in the Near East, relates directly to the principal recommendation of both your letters. The President emphasized not only that the United States would support appropriate measures in the United Nations and adopt other courses of action, but also that it supports the security of both Israel and her neighbors.

As the President pointed out, the balance of military power in the area has not been changed by recent developments. This does not, however, mean lack of concern with the Near East arms race and the dangers it carries for the future. The United States is unalterably opposed to the introduction of nuclear weapons of any kind into the area and considers the acquisition of sophisticated offensive weapons to be a luxury which neither side can afford. The United States does not condone the diversion of the scarce resources of the area to the arms race or to such tragic events as the Yemen strife. It has avoided contributing to the arms race and continues to work to reduce the tensions which foster it. In the case of Yemen, as you know, the United States has exerted efforts to arrange a disengagement of the United Arab Republic and Saudi Arabia.

The Department appreciates the concern expressed in your letters that U.S. assistance might make it possible for the United Arab Republic to acquire arms thus presenting an increasing threat to Israel and other countries, to engage in radio propaganda, and to become involved in the internal affairs of other Arab countries such as Yemen. It has accordingly kept the program under stringent review to assure against such possibility. Again it is worth noting what the situation was in 1957 and 1958 when there was no U.S. program of assistance to the United Arab Republic. During those years, Arab-Israeli hostility was most intense, Syria and Egypt merged to form the United Arab Republic, Yemen and Egypt affiliated themselves, the pro-Western Government of Iraq was overthrown, the United Arab Republic carried out the greatest expansion of its armed forces and, as noted above, Communist influence soared.

In determining its policy toward the United Arab Republic, the United States has done so only after thorough consideration of all factors in the light of its national interests. Assistance to the United Arab Republic, as noted above, continues to be designed as carefully as possible to assure its use for internal development purposes. Over three-fourths of U.S. assistance to the United Arab Republic has been in the form of surplus agricultural commodities mainly sold for local currency, part of which is used to meet U.S. expenses and the balance of which is used for economic development purposes.

As in the case of many countries seeking to meet national security requirements, military programs of countries in the Near East inevitably absorb resources which might otherwise contribute to development. But U.S. interests, the Department believes, will not be served by ignoring or rejecting legitimate requests for assistance to facilitate economic progress or, for that matter, for food itself. It would only increase the tensions without curbing priorities which are given to military preparedness. The absence of the oft-alleged correlation between U.S. economic assistance and United Arab Republic arms acquisition is well illustrated by the fact that the United Arab Republic's most intensive procurement of arms occurred while the United States suspended aid in the post-Suez period. This procurement was financed then, as now, primarily through surplus United Arab Republic cotton not disposable in Western markets at reasonable prices. On the other hand, the United Arab Republic's more than threefold increase in its economic development budget has occurred after U.S. economic assistance was resumed. The $700 million increase in the United Arab Republic's annual development accounts is some four times larger than the amount of U.S. aid.

Of course, our program of assistance to the United Arab Republic has been paralleled by development assistance to other countries in the Near East which has contributed substantially to their growth and stability. During the period fiscal years 1949–62, for example, we provided Israel and Jordan with over $400 and $190 per capita respectively, while providing $26 per capita to the United Arab Republic.

With reference to your concern that officers dealing with Near Eastern affairs either at our posts in the area or in Washington may not have visited Israel, the Department wishes to assure you that many of our Foreign Service officers in the Near East have visited Israel and are encouraged to do so. Most of the Department's Near Eastern specialists have visited Israel, some of them a number of times.

In closing, the Department would like to assure you that it is not and cannot be indifferent to the dangers of the Near Eastern situation. The Department has taken and is taking steps designed to reduce or eliminate the tensions underlying the Arab-Israel dispute and to keep to a minimum the flow of arms to the area. The Department seeks to conduct these policies and actions so that they will not of themselves precipitate an adverse chain of events which would be difficult if not impossible to contain and be welcome only to the Soviet Union.

It has been amply demonstrated in the Near East that the use of an assistance program in this area as a bludgeon to force solutions will not work where deepseated beliefs and longstanding grievances are held. Experience also has shown that the American interest in denying the Communists a position dangerous to us in the Near East and our interest in easing the tensions of the area to permit increasing stability is best served by maintaining and multiplying ties with the countries of the Near East.

If I can be of further assistance, please do not hesitate to call on me.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant-Secretary.

* * * * *

IX. The refugee problem

Six years ago, the able and distinguished senior Senator from Minnesota, Mr. Humphrey, in his report on "The Middle East and Southern Europe" had this to say about the refugee problem:

Since the responsibility for creating the Arab refugee problem derives from the Palestine war and the U.N. partition resolution, the world community must share the blame for letting the problem go unsolved for 10 long years. In the United Nations we have salved our consciences by contributing to the support of these wretched people without coming to grips with the real problem of helping them to find a new and decent way of life. It is high time that the United States took the initiative in and out of the United Nations to bring about a generous and effective solution of the problem.

Excerpts from Senator Humphrey's report are reprinted as exhibit IX–A.

"EXHIBIT IX–A

"EXCERPT FROM THE MIDDLE EAST AND SOUTHERN EUROPE REPORT OF SENATOR HUBERT H. HUMPHREY ON A STUDY MISSION

"* * * Nor can the United States or the West afford to temporize further with the problem of Arab refugees. Living on a bare subsistence level in wretched camps maintained by the United Nations, rootless, jobless, disillusioned, and embittered, these hapless people, now numbering 900,000, are a challenge to the conscience of humanity.

"The refugee camps have become hotbeds of political intrigues deliberately fomented by Communist and anti-Western Arab agitators. They are breeding grounds of hatred for the United States and sources of political instability for the countries that harbor them.

"Half of the refugees are now under 15 years old, a fact of tremendous significance in terms of an ultimate solution of this problem. It means that, despite the clamor of professional refugee leaders for a return to Palestine and the insistence of the Arab Governments on repatriation to their former homes, half of the refugees have in fact no roots in Palestine at all. They were either less than 5 years old when they left that country, or were born in the refugee camps in Arab States. To return them now to an alien society they have been taught to despise would be as self-defeating and unsatisfactory as abandoning them to mature in the appalling atmosphere of hopelessness which now pervades the refugee camps. The destiny of these young Arabs clearly lies in an opportunity for a productive and self-reliant life in an Arab environment and culture.

"Since the responsibility for creating the Arab refugee problem derives from the Palestine war and the U.N. partition resolution, the world community must share the blame for letting the problem go unsolved for 10 long years. In the United Nations we have salved our consciences by contributing to the support of these wretched people without coming to grips with the real problem of helping them find a new and decent way of life. It is high time that the United States took the initiative in and out of the United Nations to bring about a generous and effective solution of the problem.

"The facts of the situation themselves point to the only possible solution—the provision for the vast majority of permanent homes and tolerable livelihoods in the Arab States, and a commitment by Israel to accept a limited number of token repatriates.

"Iraq is desperately short of people. Rich in resources of oil, land, and water, Iraq needs additional population to exploit its potential productive capacity. Experts estimate that the country could absorb at least 3 million, perhaps 5 million, additional people. Iraq, moreover, has shown a disposition to accept immigrants from the refugee population. Five thousand have already been taken in without any appeal for U.N. assistance by the Government of Iraq. With help from the international community to defray costs of resettlement, the entire refugee population could readily be absorbed in that country alone, with benefit to the indigenous population.

"Syria, while less richly endowed with natural resources, is also underpopulated. With some help, it could assimilate a substantial number of refugees with benefit to itself. As many as 200,000 refugees could be settled in the Jordan Valley if the Johnston plan of the United States for developing the Jordan River Valley were accepted by the Arab States.

"The fact is that the Arab States have for 10 years used the Palestinian refugees as political hostages in their struggle with Israel. While Arab delegates in the United Nations have condemned the plight of their brothers in the refugee camps, nothing has been done to assist them in a practical way, lest political leverage over Israel be lost.

"This is not to say that Israel has no responsibility for an ultimate solution of the problem. The Government of Israel has already disclosed its willingness to compensate the refugees for property left in former Palestine; the United States has offered to lend Israel the money. All that is necessary is to set up the machinery and establish the procedures under which compensation would be paid.

"On the other hand, repatriation of all, or even a large number of refugees, by Israel is no longer possible. In the first place, Israel has accepted and settled some 900,000 immigrants, many of whom were in fact refugees from Arab States where repressive measures had made their lives intolerable. Furthermore, surrounded by nations which insist upon exercising rights of belligerency against her, it would be suicidal for Israel to admit a large group of immigrants whose whole indoctrination for the past 10 years has been one of hatred for the Jewish state. To do so would be to establish a fifth column inside the country.

"Moreover, from the viewpoint of the refugees themselves, repatriation to Israel would result in bitter disillusionment. They would necessarily have to live in a society foreign to their own background and culture, and assume all the obligations of citizenship in a state which they have been taught to despise.

"Nevertheless, Prime Minister David Ben-Gurion told me that the Government of Israel would be prepared to admit a limited number of refugees who would pledge to become constructive and productive Israeli citizens and not subversives. I am convinced that Israel would be willing to recognize the principle of repatriation, provided that that principle is implemented only by token numbers of refugees, perhaps admissible on a quota basis.

"All of these things should be carefully explored by a new United Nations Good Offices Commission. It should be the duty of such a commission to press resolutely and unremittingly for a breakthrough on this critical refugee problem, exploiting every opportunity for initiating diplomatic conversation with and among the governments concerned."

Six years—and over $118 million U.S. dollars—later Senator Humphrey's remarks are still direct and to the point. In the intervening years the United States has not exercised the leadership in and out of the United Nations so vital to any meaningful effort to prevent the continued use of these refugees as a political football in the tense Middle East.

We seem to have lost sight of the fact that we are dealing with men, women, and children who should not be sacrificed for a cause, but who can, if they wish, have a life of economic usefulness.

Each year we have gone through vitriolic, recriminatory debate in the United Nations about renewing the mandate for the United Nations Relief and Works Agency and each year we have ended the debate with a renewal of its mandate in the same plodding, pedestrian old way.

FINDINGS AND RECOMMENDATIONS

Findings

Forty percent of the Arab refugees were not born in what is now Israel. Fifty percent of the total 1.1 million refugees are under the age of 18. Of the total of $38.5 million received by the United Nations Relief and Works Agency from governments in calendar year 1962, the United States contributed $24.7 million or over 70 percent. These are the basic three positive factors working in favor of a practical solution of the Arab refugee problem and of making them productive, useful citizens.

There are two negative factors working against such a solution. The first is the fact that many Arab leaders want to continue to use the Arab refugees as pawns in their continuing fight against the existence of Israel. The second factor mitigating against a practical solution of the problem is that of the total of 11,651 personnel employed by UNRWA, 11,469—over 99 percent—are locally recruited persons most of whom are themselves Arab refugees. Therefore, even if during all these years of its operation UNRWA had been in its top leadership dedicated to the concept of training the Arab refugees and settling them in Arab countries or other countries as useful, productive citizens, the vast majority of its employees were not and could not because of their backgrounds be dedicated to carrying out such a policy. These refugees have been placed in charge of teaching the young and therefore have been inculcating in them the belief that any resettlement into the community will delay the day of their return to what they have been taught is their homeland, even though they have never been there. Such teachings cannot but continue to engender hate, unrest, and idleness.

A new approach must be found so that these Arab refugees will no longer be a thorn in the flesh of the world but will lead useful, productive lives.

It is therefore recommended

The United States should exercise immediate leadership in and out of the United Nations, offering, if necessary, to pay the total cost, but making every effort to have the cost shared, in proposing the following program:

(*a*) The establishment of a United Nations Middle East Peace Corps, along the line of our own Peace Corps, composed of volunteers from countries other than the countries involved, to work with the refugees in a well-financed program to educate and train the refugees, to help them obtain employment in the Arab countries or elsewhere, to assist financially in their resettlement in their places of employment, including resettlement grants and the granting of Cooley loans and loans and grants from Public Law 480 proceeds;

(*b*) Present local-hire employees of UNRWA should be replaced by Peace Corps employees—who should be international public servants—as soon as these local-hired employees of UNRWA can be retained and placed in jobs elsewhere, being given training and resettlement grants, financial assistance in resettling their families, purchasing homes etc.

TRIBUTE TO ERNEST G. WARREN OF THE PRESS GALLERY

Mr. PELL. Mr. President, I should like to pay tribute to a very distinguished member of the Press Gallery, Mr. Ernest G. Warren, the Associated Press New England correspondent, who recently retired from an illustrious journalistic career that spanned 40 years.

All of us who have worked with Ernie Warren will always value his sense of fair play which is the highest tradition of American journalism. He is truly a gentleman and he always brought qualities of good humor, sensitivity, and warmth to his associations with Senators and staff members who were his news sources.

I, for one, shall miss his friendly presence in the Senate Press Gallery a great deal. But I wish him long years of good health and happy retirement, which he has so well deserved.

RULES VERSUS POLICIES IN EDUCATION, THE VIEWS OF HOWARD A. MATTHEWS

Mr. GRUENING. Mr. President, the Director of the Division of Manpower Development and Training in the U.S. Office of Education is Dr. Howard A. Matthews, former Alaskan official in the field of education and a constituent of mine. Dr. Matthews has been a student of administrative law for many years.

The May 1967 issue of the American School Board Journal contains an article by Dr. Matthews entitled "Differentiate Between 'Rules' and 'Policies,'" based on a doctoral study he made at George Washington University in June 1964 of the practices and procedures of about 500 randomly selected school boards in the important area of making policies and implementing rules and regulations. Dr. Matthews' observations and recommendations suggest a model for administrative policy and rulemaking which he believes would insure the maximum possible participation of those likely to be affected by the policymaking function of school boards, if followed.

I ask unanimous consent that the full text of Dr. Matthews' article be printed in the Record at the conclusion of my remarks so that readers of the Congres-

SIONAL RECORD may have the opportunity to consider his findings. Better communication between school boards and the general public seems necessary since Dr. Matthews points out that "approximately one-third of the school boards don't even publish their policies and rules."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the American School Board Journal, May 1967]

DIFFERENTIATE BETWEEN "RULES" AND "POLICIES"

(By Howard A. Matthews, Director of the Division of Manpower Development and Training, U.S. Office of Education)

(NOTE.—This article was written by Mr. Matthews in his private capacity. No official support or endorsement by the Office of Education is intended or should be inferred.)

In his talk with the National Committee for Support of the Public Schools in April, 1966, John W. Gardner, Secretary of Health, Education, and Welfare, admonished members to pay special attention to the operations of local school boards. He asserted that board members spent too much time meddling in the internal administrative affairs of school districts rather than in establishing broad policies to guide administrators in the operation and maintenance of the school program.

A similar charge, in a slightly different frame of reference, was leveled at school administrators—both school board members and superintendents—by Harold Howe II, U.S. Commissioner of Education, when he told a Conference of School Administrators in New York City, last June, that problems of *de facto* segregation, highlighted by the report of *Review and Outlook* (produced under the direction of Professor James S. Coleman of Johns Hopkins University and recently released), were attributable in large measure to the failure of local schools to update their procedures for setting and achieving educational goals.

Many minority group leaders at the recent White House Conference on Civil Rights asserted that the problems of the Negro and other minority groups in the blighted neighborhoods of large city districts were attributable in large measure to their lack of representation on the policy-making boards which run our school districts. As a solution, minority group leaders suggested in press interviews that the size of school boards be increased to allow for the appointment or election of representatives from the minority groups of school districts.

Throughout the nation, the daily newspapers seldom are without articles deploring the failure of school boards to come to grips realistically with the vexing social, economic, and political problems which directly affect the climate for learning within the school district.

Is the answer to the problems of the minority groups really additional representation on larger, more unwieldy school boards? Hardly! If each of the many minorities in metropolitan areas had equal board representation, school boards would have to be of colossal size as they were in the early Colonial days when some boards had as many as 160 members on them in an effort to represent all communities of interest in a city.

Will "professional leadership" solve problems of malevolence in school board operations? It hasn't done so as yet! A review of the educational literature covering the past decade discloses a plethora of pontification on improving the operation and management of the public school system—running the full range from how to arrange the flowers in the board room in order to enhance the decision-making atmosphere of a school board meeting to how to graciously snub the teachers' union. In fact, more ink has been spilled in the professional journals in recent years on the care and feeding of school boards and upon "democratic school administration" than almost any subject, except perhaps the slick-sheet advertisements of school furniture, floor wax, and "cure-all" teaching machines, and the problems persist or worsen.

POLICIES VERSUS RULES

In 1955, the American Association of School Administrators and the National School Boards Association, searching for a solution to problems of board superintendent relationships, averred that perhaps things would be better if more school boards began putting their policies in writing and, if they would also make a distinction between "policies" and "rules and regulations." At that time, the two groups opined in a joint publication that ". . . *Much of the confusion arising from efforts to draw a line between what is policy and what constitutes rules and regulations had grown out of lack of a clear understanding of the relationship of the school board and its chief administrative officer, the superintendent of schools.*"

They further concluded that ". . . Clear understanding between the school board and the superintendent concerning policy formation and policy execution is one of the most important aspects of a good school board policy statement."[1]

In reviewing the writings in the professional magazines and journals covering the decade since the issuance of this statement by the AASA and the NSBA, I have been struck by the repeated use of the term "board policies" and the ambiguity of authors laboring to explain it.

The court of record cases covering a like period as well as the legislative enactments creating local school boards in the first place are almost devoid of the term "school board policies." In fact, almost all references in the legal bibliography are to "rules and regulations." Moreover, jurists have held that the term "policy" is perhaps the "most expansive and widely comprehensive phrase known to law . . . being of such vague and uncertain meaning and of such variable quantity, the term has frequently been said not to be susceptible of exact or precise definition . . . ."[2]

A few writers in the school board literature during the past decade who have sought to implement the AASA-NSBA recommendations have suggested that policies issued by school boards should be very broad statements of principles designed to serve as guides for action by the superintendent or other agents of the school board, and that such policy statements should avoid spelling out the conditions of their applicability. For example, a *policy statement* might say ". . . Children under six years of age may, upon finding of suitability to profit from school experiences, be admitted to the first grade." The policy statement as a guide for discretionary action by administrators would contain little or no more detail than that in the quotes.

THE WRITER'S STUDY

The "rules" implementing the policy would be detailed statements issued by administrators specifying the manner in which the policy would be carried out. In the quoted example rules would specify what is meant by "suitability," how tests or measures of suitability are to be enforced, by whom, and how exceptions to the rules, if any, would be handled.

A recent study[3] of the rule-making practices and procedures of 500 boards by the present writer revealed that at least three-quarters of the school boards in the nation do make a distinction between "policies and rules" similar to that outlined. The data in the study shows, however, that boards making the distinction between policies and rules *actually are less likely to delegate rule-making to administrators than boards not making the dichotomy.* Analysis of responses from board chairmen according to the standard enrollment size groupings of school districts further revealed that size of school district has little significant influence on the delegation of rule-making to superintendents. Chairmen for school districts enrolling 600 to 1200 pupils indicated their boards were about as unlikely to delegate rule-making powers to superintendents as did the chairmen of districts of 25,000 or more pupils.

For years, the professors of education, writing as experts in school law, have drawn a heavy theoretical line of demarcation between the legislative, judicial, and executive powers of school boards. They would restrict the superintendent as an agent or employee of the board to executive or purely ministerial functions. They argue that boards are without authority to delegate to superintendents the discretionary powers required to establish policies or make rules and cite in support of this position, the time-honored doctrine of "constitutional limitation."

SEPARATION OF POWERS

According to this doctrine there is constitutionally imposed a separation of powers into the trifurcation, legislative, judicial, and executive. The basic manifestation of the separation doctrine is the maxim against delegated power. This means that the powers the people have vested in the legislative and judicial branches by a constitution cannot be merged and delegated to a single administrative board, let alone redelegated to an administrative officer. Therefore, there has grown over the years considerable support in the school law and school administration community for the notion that boards of education are without authority to delegate to superintendents and other administrative officers powers to promulgate rules having the force, and effect of law. *Superintendents who attempt to work in opposition to this concept frequently find it occupationally hazardous.* However, many board chairmen who respond in the author's study indicated they would delegate rule-making to their superintendent, if he would accept the responsibilities that accompany such a delegation.

Burrus says that it is a matter of historic fact that proscription of such delegated power as well as the rigid separation of which it is an offshoot simply have failed to survive the ravages of time. He asserts that "delegation of legislative and judicial power, though frequently softened by the appellative 'quasi,' is at this date uniformly acknowledged as proper and in fact as a necessary ingredient of modern government."[4] Burrus concludes that "modern conditions have required its (doctrine of separation) virtual emasculation from the national and state scenes, pious averments in court opinions, state constitutions, and textbooks on government to the contrary notwithstanding."[5]

Administrative rules and regulations of federal, state, and local administrative boards having the force and effect of law control more of the daily activities of the American citizen (and occupy more shelf space) than do the statutes at large of the federal and state governments put together. It would be unthinkable for a law to be enacted by the Congress or a state legislature without public knowledge of the substance of the statute contemplated, and ample opportunity afforded any interested citizen to present his views to his duly elected representative. At the same time, countless rules having the force and effect of law are made daily in all parts of the country by administrative boards, often without regard for the views of interested or affected parties.

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[1] "Written Policies for School Boards," *AASA-NSBA*, 1955.

[2] F. F. Leeds and Harold Gilbert (ed.), *Corpus Juris Secundum*, A Complete Restatement of the Entire American Law (Brooklyn: American Law Book Company).

[3] Howard A. Matthews, Rule-Making Power of School Boards, unpublished Doctoral Dissertation (Washington, D.C.: George Washington University, 1964).

[4] Bernie R. Burrus, *Administrative Law and Local Government* (Ann Arbor: Legislative Research Center, University of Michigan Law School, 1963), p. 19.

[5] *Ibid.*, p. 93.

ADMINISTRATIVE LAW ENACTMENT

In legal theory these administrative rules actually are "administrative laws" because they have the full force and effect of statutes. The National Commissioners on Uniform State Laws, as well as authorities in administrative law, generally are agreed that the process of rule enactment should provide for at least the following:

1. Notice of the proposed rules, amendment, or repeal, to the public and particularly to interested parties, or parties likely to be affected.

2. Legislative type hearings to afford individuals an opportunity to be heard both orally and in writing on proposed rules, amendments, or repeals.

3. Publication and systematic revision and updating of all rules affecting the public. (Rules not published and filed with appropriate officials such as chief state school officer, county recorders, clerks of the court, or others having custody of public documents, would have no force or effect.)

4. Delayed effectiveness of a rule, amendment, or repeal, to allow adjudicative review and an opportunity for affected parties to challenge proposed rules, amendments, or repeals in a court of competent jurisdiction, and stay their becoming operable if substantial and material rights of affected parties would be prejudiced because the administrative process or decisions are (a) arbitrary; (b) outside the powers of the board; (c) accomplished without proper regard for the procedure required in policy setting or rule enactment; (d) in violation of the law; or, (e) unsupported by competent evidence in view of the record.

No logical reason can be found why local public school boards should not follow a similar orderly and systematic administrative procedure in policy setting, and their agents in rule enactment, particularly where the rights and privileges of individuals are concerned.

Board chairmen were asked in the writer's study whether their boards consistently and deliberately afforded persons likely to be affected by their policies and/or rules an opportunity to present their views (orally or in writing) prior to final action on a policy or rule by the board. The responses indicated that less than one-third of the nation's boards consistently invite parties likely to be affected (other than a rule proponent) by a proposed rule to be heard on the proposal, and that only about 25 percent of the boards even ask the proponent of a new rule to make his case in writing. In fact, slightly less than half of the boards ask their superintendents for a written presentation on a proposed new rule, and a little more than 20 percent of the board chairmen do not ask their superintendents to make an oral presentation on a new rule (or an amendment or repeal).

According to board chairmen, a little over two-thirds of the local school board members actually involve themselves in the administrative details of bringing rule proposals before the board. Approximately 70 percent said that any member of their school board could propose a new rule for adoption directly to the board without going through any intermediary official. Board chairmen said that, while their school boards expect individuals, officials, or organizations to make their rule proposals known to the superintendent, their boards for the most part will not refuse to accept a proposal for a new rule or a rule change which does not come through the superintendent. With some exceptions (depending upon the source of the rule proposal) *larger school districts apparently are more likely to allow individuals, officials, or organizations to come to them directly with rule proposals than school boards not making such distinctions.*

LITTLE STATE CONTROL OF RULES

School board chairmen seem to be very confused as to the control, if any, that exist over their rule-making procedures. The study disclosed that about 45 percent of the chairmen were of the opinion that in addition to certain controls by the state education agency, their rule-making procedures also are controlled in some respects by a comprehensive state administrative procedures statute. At least 16 states have such statutes which actually apply only to agencies of the state government and not to local school boards. Board chairmen in states having such laws were found to be no more or no less confused about the application of such statutes to their boards than were chairmen of local boards in states not having such laws. About one-third of the school board chairmen are of the opinion that there is no special control over their rule-making procedures.

In some states, either the laws provide, or the courts have ruled, that the business of a public school board must be conducted by a majority of a board present and by vote; that the vote must be recorded, notice given to board members of the time and place of a meeting, etc. It appears that some board chairmen may have erroneously confused such statutes or "judge law" to be administrative procedures laws.

It is highly unlikely that problems of school integration, curriculum innovation, personnel systems, board-superintendent relationship, etc., will be permanently improved on a piecemeal, pressure point basis. *They will only begin to approach solutions when clear-cut administrative procedures are established which boards of education (and other regulatory boards such as City Councils) must follow in establishing policies or* implementing rules that affect the rights, privileges, and interests of parties likely to be affected by such policies and/or rules. At present there is undoubtedly no more tractless area in the whole bibliography than the rules and regulations (and policies) of the local public boards of education. In fact, approximately one-third of the school boards don't even publish their policies and rules.

TWENTY-FOUR RECOMMENDATIONS

To bring about improvement in the practices and procedures in the exercise of the rule-making powers by school boards, I would urge serious consideration by all boards of education of the following recommendations:

1. Boards should issue only board statements of policy. Such statements of policy should meet the definition of policy as set forth in this paper, and there should not be included within the statement the rules setting forth the conditions of policy application, related penalties, enforcement, etc. These rules should be issued by the school administrative staff in the manner outlined in the following statements.

2. All board policy statements should be in writing and should be codified by subject matter area, and published. The actual drafting or wording of board policy statements should be accomplished by the superintendent or other appropriate school administrative staff member with legal assistance from the school attorney and, where feasible, the state education agency. Policy statements should become final and effective only when established according to the administrative procedures outlined in paragraphs 6 through 14.

3. The rules for implementing board policies should meet the definition of rules as set forth in this paper and should be promulgated by the superintendent or other appropriate administrative school official. Rules should be codified by subcode numbers which identify the policy statements implemented by such rules. Rules should become effective only after they have been reviewed by the school board for conformity to the policy statements they implement.

4. Each school board should have written bylaws published in a special publication and available to the school board, school district employees, and the public. Included in the bylaws should be rules governing both formal and informal procedures to be employed by the board in setting policy and by its administrators in the promulgation of the rules to implement such policies. All such bylaws, or rules of procedure, also should be filed with the chief state school officer and with a local public official such as a county recorder or clerk of the courts who has general custody of public records in the geographical area served by the district. They also should be placed in all school libraries and in the the public libraries in the community, and should be free of charge.

5. To assist persons dealing with the school board or its administrative officials who exercise rule-making powers, each board should, insofar as practical, supplement its bylaws with descriptive statements of the procedures individuals, organizations, or agencies should follow in dealing with the board, or its administrative officials, in proposing policies to the board or implementing rules to the administrative staff. All contact by such parties with the board should be through the superintendent.

6. At least 30 days prior to the final vote and adoption of any proposed board policy statement (or amendment or repeal) which involves the rights, interests, or privileges of employees, pupils, or the public, unless otherwise provided by law, each school board through the superintendent should publish or otherwise circulate in the school district notice of the proposed policy (or amendment or repeal) and afford interested person or persons to be affected by the proposed policy (or amendment or repeal) an opportunity to submit data or views, orally or in writing, concerning the proposed policy (or amendment or repeal). Such interested or affected persons should be afforded an opportunity to be heard informally before the superintendent or other appropriate administrative official if a request for such hearing is filed with the superintendent in writing at least 20 days in advance of the effective date of the proposed policy (or amendment or repeal). Affected parties should be afforded a formal hearing before the board only under circumstances outlined in paragraphs 10 and 11.

Final voting actions

7. The final voting action upon board policy statements, unless otherwise provided by law, should be in an open public meeting.

8. Policy statements should be adopted by the school board only after the rules to implement such policies have been prepared by the superintendent or other appropriate school administrative official and reviewed by the board to insure conformity to board policy.

9. Each policy statement adopted by the school board and implementing rules promulgated by administrative officials should be filed with the public officials named in paragraph 4. Unless otherwise provided by law, policy statements and proposed rules involving the rights, interests, or privileges of employees, students, or the public should take effect not earlier than 30 days following

such filing except that emergency policy statements and rules concerning health, safety, and morals should take effect immediately upon filing.

10. Regarding informal hearings, any person to be affected by the provisions of a proposed policy statement (or amendment or repeal) who desire to contest the provisions or intent of the proposed statement, and who request a hearing in writing delivered to the superintendent at least 20 days in advance of the effective date of the proposed policy statement, should be afforded an opportunity to appear before the superintendent or other appropriate official (other than a school board, or member thereof). The superintendent or other hearing official should make a finding of fact and prepare a written report and a proposed, written statement of decision for the school board. Such report and statement should be delivered to all board members and handed or mailed to the party contesting the proposed policy (or amendment or repeal).

11. Concerning formal hearings, any affected party who desires to contest the report of the superintendent provided in paragraph 10, and/or the proposed statement of decision prepared by the superintendent or other hearing official for the board and who so requests in writing within 10 days following receipt of such materials from the superintendent, should be afforded a formal hearing before the school board provided, however, that his written request for such hearing shows how such person will be adversely affected or his rights, interests, or privileges impaired or prejudiced by the proposed policy statement or the proposed statement of decision for the board prepared by the superintendent or other hearing officials.

12. The affected party contesting the proposed policy statements (or amendment or repeal) should be notified in writing of the formal hearing date, time and place, and the facts at issue at least 10 days in advance of the formal hearing. At such hearing, the complainant should have the right to legal counsel, to examine witnesses, and to present evidence.

13. The decision rendered by the board should be in writing and stated in full in the board minutes. It also should be delivered or mailed to the complainant within five days following the final action of the board.

Must follow procedures

14. The superintendent and/or other appropriate school administrative official responsible for the issuance of rules to implement contested policy statements should defer issuing rules implementing a contested policy statement pending adjudicative action by the school board.

15. Any policy statement (or amendment or repeal) involving rights, interests, or privileges of employees, students, or the public not adopted in conformity with the procedures enunciated in paragraphs 6 through 14, should be void and of no effect.

16. After the complainant has exhausted the remedies described here or otherwise provided by law, he should be able to seek judicial review of the proposed policy statement (or amendment or repeal) by filing an action in a court of competent jurisdiction through an attorney. The reviewing court should be able, at its discretion, to stay the effectiveness of the policy statement (or amendment or repeal) upon such terms as it deems proper. The final action of the court should be either to affirm the decision of the board or reverse or modify the decision, if substantial rights of the affected party would be prejudiced because the administrative findings, inferences, or decisions are: (a) arbitrary; (b) outside the powers of the board; (c) accomplished without proper regard for the administrative procedures required in policy setting; (d) in violation of the law; or (c) unsupported by competent material and substantial evidence in view of the entire record as submitted.

17. The superintendent of schools or other appropriate school administrative official should cause to be published annually a compilation of new policies, amendments, or repealed policies resulting from board or court action. Such compilations also should include new or amended implementing rules for such policies as a separate section and should be filed with the officials named in paragraph 4, as well as with all administrative officials of the school district, libraries of the community and the school district, and such other individuals, organizations, or agencies as may request these compilations, which should be free of charge.

Review every 3 years

18. Policy statements of the school board and implementing rules of its officials should be reviewed and revised at least every three years for the purpose of incorporating the content of the annual compilations described in paragraph 17.

19. The traditional curriculum for the preparation of the superintendent of schools and other administrative positions should be drastically overhauled to lessen the emphasis upon "court law," and increase the emphasis upon administrative law, and updating archaic statutes.

20. The position of the superintendent of schools should be strengthened by legislation, if necessary, making him an administrative official with rule-making powers to be exercised in the manner described earlier.

21. Professional staff and other employees of the school districts should be involved in all policy-making and rule-making procedures.

22. In addition to the adjudicative hearings discussed previously school boards, in developing policies, and superintendents, in developing rules, should make greater use of legislative hearings where interested parties or the public in general are specifically invited to present their views in public forum (and in writing) on proposed policies and rules for the district.

23. State departments of education should assume responsibility for leadership in helping local boards develop sound administrative rule-making practices and procedures and should assume the further responsibility of seeking administrative procedures, statutes which will safeguard the rights, interests, and privileges of those directly affected by the policies and rules of the districts.

24. The state education agencies and state school boards associations should cooperatively develop materials specifically designed for use in instructing board members in the legal aspects and implications of policy and rules of the districts.

CRIME: AMERICA'S NO. 1 DOMESTIC CRISIS

Mr. HANSEN. Mr. President, the Nation has been continually shocked at the fantastic increase in the rate of crime in our country today. Twentieth century America is described as the most crime-ridden Nation on earth. In the first quarter of 1967, crime in our metropolitan suburban communities increased 22 percent. Murder has gone up in the same time period by 23 percent.

But the real horror of crime in our Nation is not totally realized until one examines the day-to-day, person-to-person effects. The murder of eight young girls in Chicago touched and damaged forever the lives of 16 parents. And the life of the "lucky one," the lone survivor, will never be the same. Never will she forget that night alone.

The Washington Daily News, in the second of its series by Richard Starnes on the "Forgotten Victims of Crime," has written of such a survivor—a man robbed, shot and left for dead—whose life will never be the same.

> I was paralyzed . . . they told me at first I'd never walk . . . I know I'll never be able to work again, but I'd sure like to be able to drive.

Mr. President, this story is not an atypical one. Unfortunately, crimes of this kind occur every day in every city in the country. In 1965, a robbery occurred every 4.5 minutes; a murder every hour. There is a very real problem here—a problem that necessitates a positive solution—if only for the unfortunate, forgotten victims of crime.

Mr. President, I ask unanimous consent to have this moving article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FORGOTTEN VICTIMS OF CRIME—"YOU JUST THINK ABOUT EVERYTHING"

(By Richard Starnes)

PATASKALA, OHIO, June 27.—"It was murder. Nothing but cold-blooded murder."

It shakes you to hear a man describe himself as a murder victim, almost as if a voice were speaking from beyond the grave.

"He meant to kill me," Ray Sigler says obstinately, as if to justify his description of the crime as a murder, when in fact it was armed robbery and assault with a deadly weapon.

"He made me put my hands up against the washroom wall, just the way policemen do crooks on TV, and then he shot me twice. You know, you don't feel those bullets go in, but by God, mister, in 10 minutes the pain is something you just can't believe."

On Sept. 3, 1965, Ray became one of the casualties in the endless war between society and the army of miscreants that has won for 20th century America the ugly distinction of being the most crime-ridden nation on earth.

Much attention has been lavished on the apprehension, punishment and rehabilitation of criminals. But relatively little has been shown for their victims.

The embezzler often wins a species of sympathy when it is discovered that he (or she) was the soul of generosity with the purloined wealth. But the ruined employer frequently finds himself remembered only in bankruptcy statistics.

The rapist is likely to win forgiveness when it is learned that his childhood was traumatic, and when it is observed that he has grown to adulthood in a society where sex symbolism screams from every billboard. All too often, however, his victim is subject to the endless indignities of being investigated, of testifying (and living thru a savage cross-examination at the hands of defense lawyers), and then is forgotten—left to live out her years with enduring memories that are unendurable.

The victim of the stickup artist or the strongarm thug is left for dead. If he lives he will live a life of pain and despair, a burden to his family and himself. Ray Sigler is such a man—a specimen example of what it really means to become the victim of a gun thug.

Ray worked as night manager of the Paylett Service Station on E. Main-st in the suburbs of Columbus, O. He is 51. He belonged to a vanishing breed that gets to work early, leaves late, and is always conscientious about cleaning the back windows as well as the windshield.

"We had 13 pumps, and on a Friday, which is when this happened, I would start to get busy somewhere between 2 a.m. and 4 a.m. When this car pulled in I didn't even think about looking at the license plate. I'd thought about the possibility of being held up, of course, but I decided that if you can't have a job without worrying about it you might as well give up the job. So I never really worried about it.

I recognized the car. It was a gray Corvair, 1961 or 1962, in good repair. It needed washing. The same car had been in the previous two or three Friday mornings, always between 2 a.m. and 4 a.m. The man in the car was in his forties, well-dressed, white. He talked as if he were an educated person."

Ray goes thru the painfully slow and complicated process of extracting a cigaret from a package and lighting it with hands that are curled into grotesque knots by paralysis.

"The man got out of the car and told me to fill it up. There wasn't anything unusual about it, altho he'd never gotten out of the car in his earlier visits. I filled the tank and did the windshield. That's when he took a little square zipper case out of his pocket, unzipped it, and took a pistol out of it. 'O. K.,' he said, 'this is a stickup. I want your money.' "

Ray gestures awkwardly toward a shirt pocket. "I gave him my money, about $90, and I asked him if he wanted my change carrier as well. He said no. It's funny, isn't it, that a man would hold you up and then not take your change carrier?

"He asked me if the washroom in the station had a lock on it, and I said no. Then he asked me if I'd seen his license tag number. I told him I hadn't, which was the truth. Then he told me to march into the station."

"I'll never forget that man's eyes. They were just like pieces of steel—no feeling in them at all. And he had a voice that made you understand that he meant what he said."

Ray grimaces at the effort it takes to sort out his horror, disbelief and shock at being shot. "I tell you," he says at length, "that nobody can really describe it. There are bright lights, like skyrockets. And you just think about everything—everything.

"I fell down on the floor with my head under the wash basin. The doctors told me I was only shot twice but I'd swear there were three shots. Two of the bullets are still in me but the police never found the third bullet, so I don't know. I was conscious all the time, but I couldn't move my arms or legs. I was paralyzed. And at first I couldn't speak, either. I was losing a lot of blood, but there was nothing I could do but lie there and hope somebody would come along."

Within a short time someone did, and Ray Sigler met one of another apparently growing group of Americans—the uninvolved people.

"I heard a car pull into the station," he continues, "and by then my voice was back. I heard them walk into the office and I called out. They opened the door to the washroom. I couldn't see who they were, but I said, 'I've been robbed and shot.' "

To this day Ray doesn't know who his second visitor was. Whoever it was contented himself with calling the police. He didn't linger to offer any help to the wounded man.

One of the bullets came to rest close to Ray's spinal column, the other one narrowly missed one of the vital carotid arteries before coming to a stop under his chin. Doctors at St. Anthony's Hospital in Columbus quickly decided that any attempt to remove the bullets would be too dangerous.

"They told me I was lucky to be alive," the victim goes on. "I was paralyzed. They had to feed me intravenously, and my weight went down to 90 pounds. If I'd moved a quarter of an inch that bullet would have hit an artery and I would have bled to death long before help got there."

Ray Sigler's mother, a tall, angular, tireless widow, pops a pill into his mouth and hands him a glass of water. He manages the glass with fair proficiency, but it is clear that his fingers cannot answer the challenge of anything as difficult as a pill.

"They told me at first I'd never walk, and then they told me I'd never be able to walk unless I used a walker. I told them I'd be darned if I ever used one of those things."

"I walked him," his mother supplies firmly. "Every day."

"I wouldn't even use a stick," Ray says proudly. "I did it by sheer stubbornness and bullheadedness.'

"Don't forget," his mother says pointedly, "I walked you like a baby."

"Yes," Ray says softly. "I guess when mother goes that'll be the end of it."

Ray stayed in the hospital until after Christmas, and then was moved to a nursing home, where he spent another four months. Then he returned home, with the help of his strong-willed mother to try to fight his way back to health.

"I haven't had any physical therapy since I left the nursing home," Ray says simply, "altho I know I ought to have it, and that it would help me. The workmen's compensation paid my hospital bills and pays me $47 a week now. My lawyer has been trying to get my full Social Security for me—all I get now is $29.10—but the Government says that's all I'm entitled to. That's all we've got."

"We've got my pension," old Mrs. Sigler says.

"Yes, my father was a railroad man and mother gets a pension."

Mrs. Sigler and her son (he was divorced six years ago) live near this little community in the environs of Columbus. The police still bring photographs of known hoodlums out in hopes that the victim can identify the man who shot him. So far he hasn't been able to.

"But I can tell you," he says, "if I ever do see him, I know what I'm going to do. I'm going to ask him just two questions, and then if I can I'm going to shoot him like a dog, just as he did me."

In the background his mother makes a vague noise of disapproval.

"I know it isn't the right thing to say," Ray Sigler continues, "but I've thought about it for a long time, and that's what I'm going to do."

And the two questions? In the endless, pain-wracked years what two questions do you decide you will ask the man who destroyed your life, left you a helpless cripple, almost killed you?

"The first thing I'd ask him is, 'Why did you do me the way you did?' I'd given him the money; there was no need for him to shoot me."

And the second question?

"I'd ask him why he didn't take my change carrier. It just doesn't make any sense to rob a man and then not take his change carrier."

Ray Sigler is one of the walking wounded left after a minor skirmish with an armed hoodlum.

"I'd like to get to the point where I could drive a car again," Ray says. "I know I'll never be able to work again, but I'd sure like to be able to drive." Thoughtfully, concentrating every inch of the way, he reaches for a cigaret.

"They say live in hope and die in despair," he says.

PRESIDENT JOHNSON'S GREAT RECORD IN RECTIFYING LONG-STANDING INJUSTICES TO OUR COLORED CITIZENS

Mr. GRUENING. Mr. President, one of the gratifying and most commendable of achievements of the Johnson administration is a persistent implementation of social and economic gains for our Negro citizens. The President's interest in civil rights is long standing. As Senate majority leader, he helped secure passage of historic civil rights legislation. As President, he has made certain that qualified Negro Americans are considered for and appointed to important positions of responsibility and trust in our Federal Government. Never before in our history have our Negro citizens had the opportunity to demonstrate conclusively that, given the opportunity, they can and will perform admirably.

The Honorable Robert C. Weaver, first Negro to be appointed to the President's Cabinet, serves as the Secretary of the Department of Housing and Urban Development. Secretary Weaver's curriculum vitae illustrates his distinguished career. He has brought to his office vast experience in urban problems. Author and distinguished public servant, he has pioneered all his life.

Pending today before the Senate is President Johnson's nomination of the Solicitor General of the Department of Justice, the Honorable Thurgood Marshall, as the first Negro to sit on our Supreme Court as an Associate Justice. Solicitor General Marshall, first Negro to hold that position, has been active throughout his life in helping bring equality to all men and women.

To list in detail the names of all Negro men and women who serve our Nation would be difficult and I would not presume to recount the complete story today, but here are some of the men and women who have amply demonstrated that for the dignity of man and the destiny of democracy, what President Lyndon Johnson describes as the American promise, is being fulfilled:

Andrew F. Brimmer, former Assistant Secretary of Commerce, Governor of the Federal Reserve Board;

Hobart Taylor, previously Chairman of the President's Committee on Equal Employment, Director of the Export-Import Bank;

Lyle Carter, Assistant Secretary of Health, Education, and Welfare;

Roger W. Wilkins, Director, Community Relations Service, Department of Commerce;

Mrs. Patricia Harris, Ambassador to Luxembourg;

Elliott P. Skinner, Ambassador to Upper Volta;

Dr. James Nabrit, President, Howard University, Washington, D.C.;

Dr. Samuel M. Nabrit, Atomic Energy Commission;

Clifford L. Alexander, Jr., Associate Special Counsel to the President;

Ronald B. Lee, White House Fellow;

Mrs. Aileen Hernandez, Equal Employment Opportunity Commission;

Roy Davenport, Deputy Assistant Secretary, Defense;

Howard B. Woods, Associate Director of USIA;

Theodore Jones, regional director, Office of Economic Opportunity—Chicago;

Dr. Emmett J. Rice, U.S. Alternate-Executive Director of the World Bank;

Edward C. Sylvester, Jr., Director of

Office of Federal Contract Compliance, Department of Labor;

Carl Holman, Deputy Director, Civil Rights Commission;

Maurice Dawkins, Assistant Director, OEO;

Anthony Rachel, special assistant to the Chairman, Civil Service Commission;

Charles Duncan, Corporation Counsel, District of Columbia;

Kermit Bailer, Director, Workable Program Standards and Services Staff, Housing and Urban Development;

Ofield Dukes, special assistant to the Vice President;

Samuel Allen, General Counsel, U.S. Community Relations Service, Department of Justice;

Clifford L. Alexander, Jr., associate special counsel to the President;

George L. P. Weaver, Assistant Secretary of Labor;

Hugh Smythe, Ambassador to Syria;

Mercer Cook, Ambassador to Senegal;

Franklin Williams, Ambassador to Ghana;

Clinton E. Know, Ambassador to Dahomey;

Judge William Hastie, U.S. Court of Appeals—Philadelphia;

Judge James B. Parsons, U.S. district court—Chicago;

Judge A. Leon Higginbotham, U.S. district court—Philadelphia;

Judge Spottswood Robinson, U.S. district court—Washington, D.C.;

Judge Wade McCree, U.S. district court—Detroit;

Judge Constance Baker Motley, U.S. district court—New York;

Judge William Benson Bryant, U.S. district court—Washington, D.C.

Judge James L. Watson, U.S. Customs Court—New York;

Judge Aubrey Robinson, District of Columbia;

Maj. Hugh Robinson, Army aide to the President;

Cecil F. Poole, U.S. attorney for North California;

Merle M. McCurdy, U.S. attorney for northern Ohio;

Mrs. Frankie Muse Freeman, U.S. Commission on Civil Rights;

Mrs. Marjorie Lawson, U.S. Representative, Social Commission, United Nations Economic and Social Council;

Samuel G. Jackson, Equal Employment Opportunity Commission;

John B. Duncan, Commissioner of the District of Columbia;

James Washington, Chairman of the District of Columbia Public Utilities Commission;

Howard Jenkins, Jr., National Labor Relations Board;

Chester Carter, Deputy Chief of Protocol;

Alfred L. Edwards, Deputy Assistant, Secretary of Agriculture;

Samuel Z. Westerfield, Deputy Assistant Secretary, State Department;

Wiley Branton, special assistant to the Attorney General;

Theodore M. Berry, Assistant Director, Office of Economic Opportunity;

Robert Mangrum, regional director, Office of Economic Opportunity—New York;

Mrs. Charlotte M. Hubbard, Deputy Assistant Secretary of State for Public Affairs;

Shelton Granger, Deputy Assistant Secretary for International Affairs, HEW;

Barbara M. Watson, Acting Administrator of the Bureau of Security and Consular Affairs, State Department;

Lawrence Davis, National Advisory Commission on Rural Poverty;

Cara Jackson, National Advisory Commission on Rural Poverty;

Stephen Wright, National Advisory Commission on Libraries;

Marian Anderson, National Council on the Arts;

Cleveland Dennard, Advisory Commission on Adult Basic Education;

Ralph Ellison, Kennedy Center on the Performing Arts;

Walter Fauntroy, Study Commission for Providing Facilities for Visitors to the Nation's Capitol;

Luther Foster, American Revolution Bicentennial Commission;

Harry Alexander, District of Columbia court of general sessions;

Richard Atkinson, District of Columbia court of general sessions;

Austin Fickling, District of Columbia court of general sessions;

Wade McCree, Sixth Circuit Court of Appeals;

Luke More, judicial appointment as U.S. marshal, District of Columbia;

Aubrey Robinson, Circuit Court, District of Columbia;

Joseph Waddy, District Court, District of Columbia;

William L. Porter, Commissioner, Public Service Commission, District of Columbia;

Ralph Bunche, Under Secretary for Special Political Affairs, United Nations;

No one has shown more knowledge concerning what the President has properly termed "an American problem," and I ask unanimous consent that the President's two classic and memorable speeches concerning our problem appear as exhibits 1 and 2 at the close of my remarks. Exhibit 1 is President Johnson's address to the Congress on March 15, 1965. Exhibit 2 is the speech the President delivered at Howard University in Washington, D.C., on June 4, 1965.

A great deal remains to be done. As I said on September 14, 1966, here in the Senate:

> Colored Americans have been incredibly patient. They have been patient for a century. For this we may be thankful and for this we must give a measure of credit to a system of government, which while imperfect, is still the best man has.

The irony, of course, is that the war in Vietnam has largely eroded some of the very programs which, if properly implemented, would rectify the situation in which the impoverished of our Nation, both colored and white, find themselves. Great and commendable reforms are authorized, then inadequately funded, thereby not affecting the masses. So our wars on poverty and crime prove to be campaigns in name only and our Nation and all of us are the poorer because of the tragedy of Vietnam. And therefore while the upper and middle class—economically speaking—have been greatly benefited, the masses, the poorer, have relatively not fared as well as the regrettable riots and disturbances in the ghetto slums of our big cities testify. But there, at least, there is hope.

So colored Americans have every reason to be grateful to Lyndon B. Johnson as should all others who welcome the great change that has come in our public life to diminish the long-standing blot on our national escutcheon—namely, discrimination based on race.

There being no objection, exhibits 1 and 2 were ordered to be printed in the RECORD, as follows:

EXHIBIT 1

The PRESIDENT. Mr. Speaker, Mr. President, Members of the Congress, I speak tonight for the dignity of man and the destiny of democracy.

I urge every member of both parties—Americans of all religions and of all colors—from every section of this country—to join me in that cause.

At times history and fate meet at a single time in a single place to shape a turning point in man's unending search for freedom. So it was at Lexington and Concord. So it was a century ago at Appomattox. So it was last week in Selma, Ala.

There, long-suffering men and women peacefully protested the denial of their rights as Americans. Many were brutally assaulted. One good man—a man of God—was killed.

There was no cause for pride in what has happened in Selma.

There is no cause for self-satisfaction in the long denial of equal rights of millions of Americans.

But there is cause for hope and for faith in our democracy in what is happening here tonight.

For the cries of pain, and the hymns and protests of oppressed people, have summoned into convocation all the majesty of this great Government, the Government of the greatest Nation on earth.

Our mission is at once the oldest and most basic of this country: to right wrong, to do justice, to serve man.

In our time we have come to live with the moments of great crisis. Our lives have been marked with debate about great issues—issues of war and peace, issues of prosperity and depression. But rarely, in any time, does an issue lay bare the secret heart of America itself. Rarely are we met with the challenge, not to our growth or abundance, or our welfare or our security—but rather to the values and the purposes and the meaning of our beloved Nation.

The issue of equal rights for American Negroes is such an issue. And should we defeat every enemy, and should we double our wealth and conquer the stars and still be unequal to this issue, then we will have failed as a people and as a nation.

For with a country as with a person, "What is a man profited, if he shall gain the whole world, and lose his own soul?"

There is no Negro problem. There is no southern problem. There is no northern problem. There is only an American problem.

And we are met here tonight as Americans—not as Democrats or Republicans—we are met here as Americans to solve that problem.

This was the first nation in the history of the world to be founded with a purpose. The great phrases of that purpose still sound in every American heart, north and south: "All men are created equal"—"Government by consent of the governed"—"Give me liberty or give me death." And those are not just clever words and those are not just empty theories. In their name Americans have fought and died for two centuries and tonight around the world they stand there as guardians of our liberty risking their lives.

Those words are a promise to every citizen that he shall share in the dignity of man. This dignity cannot be found in a man's possessions. It cannot be found in his power or in his position. It really rests on his right to be treated as a man equal in opportunity to all others. It says that he shall share in freedom, he shall choose his leaders, educate his children, provide for his family according to his ability and his merits as a human being.

To apply any other test—to deny a man his hopes because of his color or race or his religion or the place of his birth—is not only to do injustice, it is to deny America and to dishonor the dead who gave their lives for American freedom.

Our fathers believed that if this noble view of the rights of man was to flourish, it must be rooted in democracy. The most basic right of all was the right to choose your own leaders. The history of this country in large measure, is the history of the expansion of that right to all of our people.

Many of the issues of civil rights are very complex and most difficult. But about this there can and should be no argument. Every American citizen must have an equal right to vote. There is no reason which can excuse the denial of that right. There is no duty which weighs more heavily on us than the duty we have to insure that right.

Yet the harsh fact is that in many places in this country men and women are kept from voting simply because they are Negroes.

Every device of which human ingenuity is capable has been used to deny this right. The Negro citizen may go to register only to be told that the day is wrong, or the hour is late, or the official in charge is absent.

And if he persists, and if he manages to present himself to the registrar, he may be disqualified because he did not spell out his middle name or because he abbreviated a word on the application.

And if he manages to fill out an application he is given a test. The registrar is the sole judge of whether he passes this test. He may be asked to recite the entire Constitution, or explain the most complex provisions of State law and even a college degree cannot be used to prove that he can read and write.

For the fact is that the only way to pass these barriers is to show a white skin.

Experience has clearly shown that the existing process of law cannot overcome systematic and ingenuous discrimination. No law that we now have on the books—and I have helped to put three of them there—can insure the right to vote when local officials are determined to deny it.

In such a case our duty must be clear to all of us. The Constitution says that no person shall be kept from voting because of his race or his color. We have all sworn an oath before God to support and to defend that Constitution.

We must now act in obedience to that oath.

Wednesday I will send to Congress a law designed to eliminate illegal barriers to the right to vote.

The broad principles of that bill will be in the hands of the Democratic and Republican leaders tomorrow. After they have reviewed it, it will come here formally as a bill.

I am grateful for this opportunity to come here tonight at the invitation of the leadership to reason with my friends, to give them my views, and to visit with my former colleagues.

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It will provide for citizens to be registered by officials of the U.S. Government if the State officials refuse to register them.

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Finally, this legislation will insure that properly registered individuals are not prohibited from voting.

I will welcome the suggestions from all the Members of Congress—I have no doubt that I will get some—on ways and means to strengthen this law and to make it effective. But experience has plainly shown that this is the only path to carry out the command of the Constitution.

To those who seek to avoid action by their National Government in their home communities—who want to and who seek to maintain purely local control over elections—the answer is simple.

Open your polling places to all your people.

Allow men and women to register and vote whatever the color of their skin.

Extend the rights of citizenship to every citizen of this land.

There is no constitutional issue here. The command of the Constitution is plain.

There is no moral issue. It is wrong—deadly wrong—to deny any of your fellow Americans the right to vote in this country.

There is no issue of States rights or National rights. There is only the struggle for human rights.

I have not the slightest doubt what will be your answer.

But the last time a President sent a civil rights bill to the Congress it contained a provision to protect voting rights in Federal elections. That civil rights bill was passed after 8 long months of debate. And when that bill came to my desk from the Congress for my signature, the heart of the voting provision had been eliminated.

This time, on this issue, there must be no delay, or no hesitation, or no compromise with our purpose.

We cannot, we must not refuse to protect the right of every American to vote in every election that he may desire to participate in.

And we ought not and we cannot and we must not wait another 8 months before we get a bill. We have already waited a hundred years and more. And the time for waiting is gone.

So I ask you to join me in working long hours, nights, and weekends if necessary to pass this bill. And I do not make this request lightly, for from the window where I sit with the problems of our country I recognize that from outside this Chamber is the outraged conscience of a nation—the grave concern of many nations—and the harsh judgment of history on our acts.

But even if we pass this bill, the battle will not be over. What happened in Selma is part of a far larger movement which reaches into every section and State of America. It is the effort of American Negroes to secure for themselves the full blessings of American life.

Their cause must be our cause too, because it is not just Negroes but really it is all of us, who must overcome the crippling legacy of bigotry and injustice. And we shall overcome.

As a man whose roots go deeply into southern soil I know how agonizing racial feelings are. I know how difficult it is to reshape the attitudes and the structure of our society.

But a century has passed—more than 100 years—since the Negro was freed. And he is not fully free tonight. It was more than 100 years ago that Abraham Lincoln, a great President of another party, signed the Emancipation Proclamation. But emancipation is a proclamation and not a fact.

A century has passed—more than 100 years—since equality was promised. And yet the Negro is not equal.

A century has passed since the day of promise. And the promise is unkept.

The time of justice has now come. And I tell you that I believe sincerely that no force can hold it back. It is right—in the eyes of man and God—that it should come. And when it does, I think that day will brighten the lives of every American.

For Negroes are not the only victims. How many white children have gone uneducated and how many white families have lived in stark poverty—how many white lives have been scarred by fear because we have wasted our energy and our substance to maintain the barriers of hatred and terror.

And so I say to all of you here and to all in the Nation tonight that those who appeal to you to hold on to the past do so at the cost of denying you your future.

This great, rich, restless country can offer opportunity and education and hope to all—all black and white, all North and South, sharecropper and city dweller. These are the enemies—poverty, ignorance, disease—they are our enemies, not our fellow man, not our neighbor. And these enemies too—poverty, disease, and ignorance—we shall overcome.

Now let none of us, in any section, look with prideful righteousness on the troubles in another section or the problems of our neighbors. There is really no part of America where the promise of equality has been fully kept. In Buffalo as well as in Birmingham, in Philadelphia as well as Selma, Americans are struggling for the fruits of freedom.

This is one nation. What happens in Selma or in Cincinnati is a matter of legitimate concern to every American. But let us look within our own hearts and our own communities, and let each of us put our shoulder to the wheel to root out injustice wherever it exists.

As we meet here in this peaceful, historic Chamber tonight, men from the South, some of whom were at Iwo Jima, men from the North, who have carried Old Glory to far corners of the world and brought it back without a stain on it, men from the East and from the West, are all fighting together without regard to religion or color or region in Vietnam. Men from every region fought for us across the world 20 years ago.

And now, in these common dangers and these common sacrifices, the South made its contribution of honor and gallantry no less than any other region of the Great Republic, and in some instances—a great many of them—more.

And I have not the slightest doubt that good men from everywhere in this country—from the Great Lakes to the Gulf of Mexico, from the Golden Gate to the harbors along the Atlantic—will rally now together in this cause to vindicate the freedom of all Americans. For all of us owe this duty, and I believe that all of us will respond to it.

Your President makes that request of every American.

The real hero of this struggle is the American Negro. His actions and protests—his courage to risk safety, and even to risk his life—have awakened the conscience of this Nation. His demonstrations have been designed to call attention to injustice, designed to provoke change, designed to stir reform. He has called upon us to make good the promise of America. And who among us can say that we would have made the same progress were it not for his persistent bravery and his faith in American democracy?

For at the real heart of battle for equality is a deep-seated belief in the democratic process. Equality depends not on the force of arms or tear gas, but depends upon the force of moral right—not on recourse to violence but on respect for law and order.

Office of Federal Contract Compliance, Department of Labor;

Carl Holman, Deputy Director, Civil Rights Commission;

Maurice Dawkins, Assistant Director, OEO;

Anthony Rachel, special assistant to the Chairman, Civil Service Commission;

Charles Duncan, Corporation Counsel, District of Columbia;

Kermit Bailer, Director, Workable Program Standards and Services Staff, Housing and Urban Development;

Ofield Dukes, special assistant to the Vice President;

Samuel Allen, General Counsel, U.S. Community Relations Service, Department of Justice;

Clifford L. Alexander, Jr., associate special counsel to the President;

George L. P. Weaver, Assistant Secretary of Labor;

Hugh Smythe, Ambassador to Syria;

Mercer Cook, Ambassador to Senegal;

Franklin Williams, Ambassador to Ghana;

Clinton E. Know, Ambassador to Dahomey;

Judge William Hastie, U.S. Court of Appeals—Philadelphia;

Judge James B. Parsons, U.S. district court—Chicago;

Judge A. Leon Higginbotham, U.S. district court—Philadelphia;

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Judge Wade McCree, U.S. district court—Detroit;

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Judge William Benson Bryant, U.S. district court—Washington, D.C.

Judge James L. Watson, U.S. Customs Court—New York;

Judge Aubrey Robinson, District of Columbia;

Maj. Hugh Robinson, Army aide to the President;

Cecil F. Poole, U.S. attorney for North California;

Merle M. McCurdy, U.S. attorney for northern Ohio;

Mrs. Frankie Muse Freeman, U.S. Commission on Civil Rights;

Mrs. Marjorie Lawson, U.S. Representative, Social Commission, United Nations Economic and Social Council;

Samuel G. Jackson, Equal Employment Opportunity Commission;

John B. Duncan, Commissioner of the District of Columbia;

James Washington, Chairman of the District of Columbia Public Utilities Commission;

Howard Jenkins, Jr., National Labor Relations Board;

Chester Carter, Deputy Chief of Protocol;

Alfred L. Edwards, Deputy Assistant, Secretary of Agriculture;

Samuel Z. Westerfield, Deputy Assistant Secretary, State Department;

Wiley Branton, special assistant to the Attorney General;

Theodore M. Berry, Assistant Director, Office of Economic Opportunity;

Robert Mangrum, regional director, Office of Economic Opportunity—New York;

Mrs. Charlotte M. Hubbard, Deputy Assistant Secretary of State for Public Affairs;

Shelton Granger, Deputy Assistant Secretary for International Affairs, HEW;

Barbara M. Watson, Acting Administrator of the Bureau of Security and Consular Affairs, State Department;

Lawrence Davis, National Advisory Commission on Rural Poverty;

Cara Jackson, National Advisory Commission on Rural Poverty;

Stephen Wright, National Advisory Commission on Libraries;

Marian Anderson, National Council on the Arts;

Cleveland Dennard, Advisory Commission on Adult Basic Education;

Ralph Ellison, Kennedy Center on the Performing Arts;

Walter Fauntroy, Study Commission for Providing Facilities for Visitors to the Nation's Capitol;

Luther Foster, American Revolution Bicentennial Commission;

Harry Alexander, District of Columbia court of general sessions;

Richard Atkinson, District of Columbia court of general sessions;

Austin Fickling, District of Columbia court of general sessions;

Wade McCree, Sixth Circuit Court of Appeals;

Luke More, judicial appointment as U.S. marshal, District of Columbia;

Aubrey Robinson, Circuit Court, District of Columbia;

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For at the real heart of battle for equality is a deep-seated belief in the democratic process. Equality depends not on the force of arms or tear gas, but depends upon the force of moral right—not on recourse to violence but on respect for law and order.

There have been many pressures upon your President—and there will be others as the days come and go—but I pledge you tonight that we intend to fight this battle where it should be fought, in the courts and in the Congress and in the hearts of men.

We must preserve the right of free speech and the right of free assembly. But the right of free speech does not carry with it, as has been said, the right to holler "fire" in a crowded theater. We must preserve the right to free assembly, but free assembly does not carry with it the right to block public thoroughfares to traffic.

We do have a right to protest and a right to march under conditions that do not infringe the constitutional rights of our neighbors. And I intend to protect all those rights as long as I am permitted to serve in this office.

We will guard against violence, knowing it strikes from our hands the very weapons with which we seek progress—obedience to law, and belief in American values.

In Selma, as elsewhere, we seek and pray for peace. We seek order. We seek unity.

But we will not accept the peace of stifled rights, or the order imposed by fear, or the unity that stifles protest. For peace cannot be purchased at the cost of liberty.

In Selma tonight—and we had a good day there—as in every city, we are working for a just and peaceful settlement. And we must all remember—after this speech I am making tonight, after the police and the FBI and the marshals have all gone, and after you have promptly passed this bill—the people of Selma and the other cities of the Nation must still live and work together. And when the attention of the Nation has gone elsewhere they must try to heal the wounds and to build a new community. This cannot be easily done on a battleground of violence, as the history of the South itself shows. It is in recognition of this that men of both races have shown such an outstandingly impressive responsibility in recent days—last Tuesday, and again today.

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Somehow you never forget what poverty and hatred can do when you see its scars on the hopeful face of a young child.

I never thought then in 1928 that I would be standing here in 1965. It never even occurred to me in my fondest dreams that I might have the chance to help the sons and daughters of those students—and to help people like them all over this country.

But now I do have that chance and I will let you in on a secret—I mean to use it.

And I hope that you will use it with me.

This is the richest and most powerful country which ever occupied this globe. The might of past empires is little compared to ours.

But I do not want to be the President who built empires, or sought grandeur, or extended dominion.

I want to be the President who educated young children to the wonders of their world.

I want to be the President who helped to feed the hungry and to prepare them to be taxpayers instead of tax-eaters.

I want to be the President who helped the poor to find their own way and who protected the right of every citizen to vote in every election.

I want to be the President who helped to end hatred among his fellow men and who promoted love among the people of all races and all regions and all parties.

I want to be the President who helped to end war among the brothers of this earth.

And so at the request of your beloved Speaker and the Senator from Montana, the majority leader, Mr. MANSFIELD, and the Senator from Illinois, the minority leader, Mr. DIRKSEN, and Mr. MCCULLOCH and others, Members of both parties, I come here tonight not as President Roosevelt came down one time in person to veto a bonus bill; not as President Truman came down one time to urge the passage of a railroad bill. But I come here to ask you to share this task with me and to share it with the people we both work for.

I want this to be the Congress—Republicans and Democrats alike—which did all these things for all these people.

Beyond this great Chamber—out yonder in the 50 States are the people we serve. Who can tell what deep and unspoken hopes are in their hearts tonight as they sit there and listen? We all can guess, from our own lives, how difficult they often find their own pursuit of happiness; how many problems each little family has. They look most of all to themselves for their future.

But I think that they also look to each of us.

Above the pyramid on the great seal of the United States it says in Latin, "God has favored our undertaking."

God will not favor everything that we do. It is rather our duty to divine His will. I cannot help but believe that He truly understands and that He really favors the undertaking that we begin here tonight.

EXHIBIT 2

REMARKS OF THE PRESIDENT AT HOWARD UNIVERSITY, WASHINGTON, D.C.

Dr. Nabrit, my fellow Americans: I am delighted at the chance to speak at this important and this historic institution. Howard has long been an outstanding center for the education of Negro Americans. Its students are of every race and color and they come from many countries of the world. It is truly a working example of democratic excellence.

Our earth is the home of revolution. In every corner of every continent men charged with hope contend with ancient ways in the pursuit of justice. They reach for the newest of weapons to realize the oldest of dreams, that each may walk in freedom and pride, stretching his talents, enjoying the fruits of the earth.

Our enemies may occasionally seize the day of change, but it is the banner of our revolution they take. And our own future is linked to this process of swift and turbulent change in many lands in the world. But nothing in any country touches us more profoundly, and nothing is more freighted with meaning for our own destiny than the revolution of the Negro American.

In far too many ways American Negroes have been another nation: deprived of freedom, crippled by hatred, the doors of opportunity closed to hope.

In our time change has come to this nation too. The American Negro, acting with impressive restraint, has peacefully protested and marched, entered the courtrooms and the seats of government, demanding a justice that has long been denied. The voice of the Negro was the call to action. But it is a tribute to America that, once aroused, the courts and the Congress, the President and most of the people, have been the allies of progress.

Thus we have seen the high court of the country declare that discrimination based on race was repugnant to the Constitution, and therefore void. We have seen in 1957, 1960, and again in 1964, the first civil rights legislation in this nation in almost an entire century.

As majority leader of the United States Senate, I helped to guide two of these bills through the Senate. And, as your President, I was proud to sign the third. And now very soon we will have the fourth—a new law guaranteeing every American the right to vote.

No act of my entire administration will give me greater satisfaction than the day when my signature makes this bill too the law of this land.

The voting rights bill will be the latest, and among the most important in a long series of victories. But this victory—as Winston Churchill said of another triumph for freedom—"is not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning."

That beginning is freedom; and the barriers to that freedom are tumbling down. Freedom is the right to share, share fully and equally, in American society—to vote, to hold a job, to enter a public place, to go to school. It is the right to be treated in every part of our national life as a person equal in dignity and promise to all others.

But freedom is not enough. You do not wipe away the scars of centuries by saying: Now you are free to go where you want, or do as you desire, and choose the leaders you please.

You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, "you are free to compete with all the others," and still justly believe that you have been completely fair.

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This is the next and the more profound stage of the battle for civil rights. We seek not just freedom but opportunity. We seek not just legal equity but human ability—not just equality as a right and a theory, but equality as a fact and equality as a result.

For the task is to give twenty million Negroes the same chance as every other American to learn and grow, to work and share in society, to develop their abilities—physical, mental and spiritual, and to pursue their individual happiness.

To this end equal opportunity is essential, but not enough, not enough. Men and women of all races are born with the same range of abilities. But ability is not just the product of birth. Ability is stretched or stunted by the family you live with, and the neighborhood you live in, by the school you go to and the poverty or the richness of your surroundings. It is the product of a hundred unseen forces playing upon the little infant, the child, and finally the man.

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These are proud and impressive achievements. But they tell only the story of a growing middle class minority, steadily narrowing the gap between them and their white counterparts.

But for the great majority of Negro Americans—the poor, the unemployed, the uprooted and the dispossessed—there is a much grimmer story. They still, as we meet here tonight, are another nation. Despite the court orders and the laws, despite, the legislative victories and the speeches, for them the walls are rising and the gulf is widening.

Here are some of the facts of this American failure.

Thirty-five years ago the rate of unemployment for Negroes and whites was about the same. Tonight the Negro rate is twice as high.

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Between 1949 and 1959, the income of Negro men relative to white men declined in every section of this country. From 1952 to 1963 the median income of Negro families compared to white actually dropped from 57 per cent to 53 per cent.

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Since 1947 the number of white families living in poverty has decreased 27 per cent while the number of poorer nonwhite families decreased only 3 per cent.

The infant mortality of nonwhites in 1940 was 70 per cent greater than whites. Twenty-two years later it was 90 per cent greater.

Moreover, the isolation of Negro from white communities is increasing, rather than decreasing as Negroes crowd into the central cities and become a city within a city.

Of course Negro Americans as well as white Americans have shared in our rising national abundance. But the harsh fact of the matter is that in the battle for true equality too many are losing ground every day.

We are not completely sure why this is. We know the causes are complex and subtle. But we do know the two broad basic reasons. And we do know that we have to act.

First, Negroes are trapped—as many whites are trapped—in inherited, gateless poverty. They lack training and skills. They are shut in slums, without decent medical care. Private and public poverty combine to cripple their capacities.

We are trying to attack these evils through our poverty program, through our education program, through our medical care and our other health programs and a dozen more of the Great Society programs that are aimed at the root causes of this poverty.

We will increase, and we will accelerate, and we will broaden this attack in years to come until this most enduring of foes finally yields to our unyielding will. But there is a second cause—much more difficult to explain, more deeply grounded, more desperate in its force. It is the devastating heritage of long years of slavery; and a century of oppression, hatred and injustice.

For Negro poverty is not white poverty. Many of its causes and many of its cures are the same. But there are differences—deep, corrosive, obstinate differences—radiating painful roots into the community, and into the family, and the nature of the individual.

These differences are not racial differences. They are solely and simply the consequence of ancient brutality, past injustice, and present prejudice. They are anguishing to observe. For the Negro they are a constant reminder of oppression. For the white they are a constant reminder of guilt. But they must be faced and they must be dealt with and they must be overcome, if we are ever to reach the time when the only difference between Negroes and whites is the color of their skin.

Nor can we find a complete answer in the experience of other American minorities. They made a valiant and a largely successful effort to emerge from poverty and prejudice.

The Negro, like these others, will have to rely mostly on his own efforts. But he just can not do it alone. For they did not have the heritage of centuries to overcome, and they did not have a cultural tradition which had been twisted and battered by endless years of hatred and hopelessness, nor were they excluded—these others—because of race or color—a feeling whose dark intensity is matched by no other prejudice in our society.

Nor can these differences be understood as isolated infirmities. They are a seamless web. They cause each other. They result from each other. They reinforce each other.

Much of the Negro community is buried under a blanket of history and circumstance. It is not a lasting solution to lift just one corner of that blanket. We must stand on all sides and we must raise the entire cover if we are to liberate our fellow citizens.

One of the differences is the increased concentration of Negroes in our cities. More than 73 percent of all Negroes live in urban areas compared with less than 70 percent of the whites. Most of these Negroes live in slums. Most of these Negroes live together—a separated people.

Men are shaped by their world. When it is a world of decay, ringed by an invisible wall, when escape is arduous and uncertain, and the saving pressures of a more hopeful society are unknown, it can cripple the youth and it can desolate the man.

There is also the burden that a dark skin can add to the search for a productive place in society. Unemployment strikes most swiftly and broadly at the Negro, and this burden erodes hope. Blighted hope breeds despair. Despair brings indifference to the learning which offers a way out. And despair, coupled with indifference, is often the source of destructive rebellion against the fabric of society.

There is also the lacerating hurt of early collision with white hatred or prejudice, distaste or condescension. Other groups have felt similar intolerance. But success and achievement could wipe it away. They do not change the color of a man's skin. I have seen this uncomprehending pain in the eyes of the little Mexican-American schoolchild that I taught many years ago. But it can be overcome. But, for many, the wounds are always open.

Perhaps most important—its influence radiating to every part of life—is the breakdown of the Negro family structure. For this, most of all, white America must accept responsibility. It flows from centuries of oppression and persecution of the Negro man. It flows from the long years of degradation and discrimination, which have attacked his dignity and assaulted his ability to provide for his family.

This, too, is not pleasant to look upon. But it must be faced by those whose serious intent is to improve the life of all Americans.

Only a minority—less than half—of all Negro children reach the age of 18 having lived all their lives with both of their parents. At this moment, tonight, little less than two-thirds are at home with both of their parents. Probably a majority of all Negro children receive Federally-aided public assistance sometime during their childhood.

The family is the cornerstone of our society. More than any other force it shapes the attitude, the hopes, the ambitions, and the values of the child. And when the family collapses it is the children that are usually damaged. When it happens on a massive scale the community itself is crippled.

So, unless we work to strengthen the family, to create conditions under which most parents will stay together—all the rest: schools, and playgrounds, and public assistance, and private concern, will never be enough to cut completely the circle of despair and deprivation.

There is no single easy answer to all of these problems. Jobs are part of the answer. They bring the income which permits a man to provide for his family.

Decent homes in decent surroundings and a chance to learn—an equal chance to learn—are part of the answer.

Welfare and social programs better designed to hold families together are part of the answer.

Care for the sick is part of the answer. An understanding heart by all Americans is another big part of the answer.

And to all these fronts—and a dozen more—I will dedicate the expanding efforts of the Johnson Administration.

But there are other answers still to be found. Nor do we fully understand even all of the problems. Therefore, I want to announce tonight that this fall I intend to call a White House conference of scholars, and experts, and outstanding Negro leaders—men of both races—and officials of Government at every level.

This White House conference's theme and title will be "To Fulfill These Rights." Its object will be to help the American Negro fulfill the rights which, after the long time of injustice, he is finally about to secure; to move beyond opportunity to achievement; to shatter forever not only the barriers of law and public practice, but the walls which bound the condition of man by the color of his skin; to dissolve, as best we can, the antique enmities of the heart which diminish the holder, divide the great democracy, and do wrong—great wrong—to the children of God.

And I pledge you tonight this will be a chief goal of my Administration, and of my program next year, and in years to come. And I hope, and I pray, and I believe, it will be a part of the program of all America.

For what is justice? It is to fulfill the fair expectations of man.

Thus, American justice is a very special thing. For, from the first, this has been a land of towering expectations. It was to be a nation where each man could be ruled by the common consent of all—enshrined in law, given life by institutions, guided by men themselves subject to its rule. And all—all of every station and origin—would be touched equally in obligation and in liberty.

Beyond the law lay the land. It was a rich land, glowing with more abundant promise than man had ever seen. Here, unlike any place yet known, all were to share the harvest.

And beyond this was the dignity of man. Each could become whatever his qualities of mind and spirit would permit—to strive, to seek, and, if he could, to find his happiness.

This is American justice. We have pursued it faithfully to the edge of our imperfections, and we have failed to find it for the American Negro.

There have been many pressures upon your President—and there will be others as the days come and go—but I pledge you tonight that we intend to fight this battle where it should be fought, in the courts and in the Congress and in the hearts of men.

We must preserve the right of free speech and the right of free assembly. But the right of free speech does not carry with it, as has been said, the right to holler "fire" in a crowded theater. We must preserve the right to free assembly, but free assembly does not carry with it the right to block public thoroughfares to traffic.

We do have a right to protest and a right to march under conditions that do not infringe the constitutional rights of our neighbors. And I intend to protect all those rights as long as I am permitted to serve in this office.

We will guard against violence, knowing it strikes from our hands the very weapons with which we seek progress—obedience to law, and belief in American values.

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Nor can these differences be understood as isolated infirmities. They are a seamless web. They cause each other. They result from each other. They reinforce each other.

Much of the Negro community is buried under a blanket of history and circumstance. It is not a lasting solution to lift just one corner of that blanket. We must stand on all sides and we must raise the entire cover if we are to liberate our fellow citizens.

One of the differences is the increased concentration of Negroes in our cities. More than 73 percent of all Negroes live in urban areas compared with less than 70 percent of the whites. Most of these Negroes live in slums. Most of these Negroes live together—a separated people.

Men are shaped by their world. When it is a world of decay, ringed by an invisible wall, when escape is arduous and uncertain, and the saving pressures of a more hopeful society are unknown, it can cripple the youth and it can desolate the man.

There is also the burden that a dark skin can add to the search for a productive place in society. Unemployment strikes most swiftly and broadly at the Negro, and this burden erodes hope. Blighted hope breeds despair. Despair brings indifference to the learning which offers a way out. And despair, coupled with indifference, is often the source of destructive rebellion against the fabric of society.

There is also the lacerating hurt of early collision with white hatred or prejudice, distaste or condescension. Other groups have felt similar intolerance. But success and achievement could wipe it away. They do not change the color of a man's skin. I have seen this uncomprehending pain in the eyes of the little Mexican-American schoolchild that I taught many years ago. But it can be overcome. But, for many, the wounds are always open.

Perhaps most important—its influence radiating to every part of life—is the breakdown of the Negro family structure. For this, most of all, white America must accept responsibility. It flows from centuries of oppression and persecution of the Negro man. It flows from the long years of degradation and discrimination, which have attacked his dignity and assaulted his ability to provide for his family.

This, too, is not pleasant to look upon. But it must be faced by those whose serious intent is to improve the life of all Americans.

Only a minority—less than half—of all Negro children reach the age of 18 having lived all their lives with both of their parents. At this moment, tonight, little less than two-thirds are at home with both of their parents. Probably a majority of all Negro children receive Federally-aided public assistance sometime during their childhood.

The family is the cornerstone of our society. More than any other force it shapes the attitude, the hopes, the ambitions, and the values of the child. And when the family collapses it is the children that are usually damaged. When it happens on a massive scale the community itself is crippled.

So, unless we work to strengthen the family, to create conditions under which most parents will stay together—all the rest: schools, and playgrounds, and public assistance, and private concern, will never be enough to cut completely the circle of despair and deprivation.

There is no single easy answer to all of these problems. Jobs are part of the answer. They bring the income which permits a man to provide for his family.

Decent homes in decent surroundings and a chance to learn—an equal chance to learn—are part of the answer.

Welfare and social programs better designed to hold families together are part of the answer.

Care for the sick is part of the answer. An understanding heart by all Americans is another big part of the answer.

And to all these fronts—and a dozen more—I will dedicate the expanding efforts of the Johnson Administration.

But there are other answers still to be found. Nor do we fully understand even all of the problems. Therefore, I want to announce tonight that this fall I intend to call a White House conference of scholars, and experts, and outstanding Negro leaders—men of both races—and officials of Government at every level.

This White House conference's theme and title will be "To Fulfill These Rights." Its object will be to help the American Negro fulfill the rights which, after the long time of injustice, he is finally about to secure; to move beyond opportunity to achievement; to shatter forever not only the barriers of law and public practice, but the walls which bound the condition of man by the color of his skin; to dissolve, as best we can, the antique enmities of the heart which diminish the holder, divide the great democracy, and do wrong—great wrong—to the children of God.

And I pledge you tonight this will be a chief goal of my Administration, and of my program next year, and in years to come. And I hope, and I pray, and I believe, it will be a part of the program of all America.

For what is justice? It is to fulfill the fair expectations of man.

Thus, American justice is a very special thing. For, from the first, this has been a land of towering expectations. It was to be a nation where each man could be ruled by the common consent of all—enshrined in law, given life by institutions, guided by men themselves subject to its rule. And all—all of every station and origin—would be touched equally in obligation and in liberty.

Beyond the law lay the land. It was a rich land, glowing with more abundant promise than man had ever seen. Here, unlike any place yet known, all were to share the harvest.

And beyond this was the dignity of man. Each could become whatever his qualities of mind and spirit would permit—to strive, to seek, and, if he could, to find his happiness.

This is American justice. We have pursued it faithfully to the edge of our imperfections, and we have failed to find it for the American Negro.

So, it is the glorious opportunity of this generation to end the one huge wrong of the American nation and, in so doing, to find America for ourselves, with the same immense thrill of discovery which gripped those who first began to realize that here, at last, was a home for freedom.

All it will take is for all of us to understand what this country is and what this country must become.

The Scripture promises: "I shall light a candle of understanding in thine heart, which shall not be put out."

Together, and with millions more, we can light that candle of understanding in the heart of all America.

And, once lit, it will never again go out.

CRIME: AMERICA'S NO. 1 DOMESTIC CRISIS

Mr. HANSEN. Mr. President, we hear much today concerning the criminals of our land. We hear a great deal concerning their often humble beginnings; their deprived nature; their inability to cope adequately with our modern, fast-moving society.

Very recently, we have heard of the many times that they are denied their constitutional rights. These are often cases for sadness. Certainly we are all disturbed that theirs is such need in the midst of such abundance.

But, Mr. President, I fear that in our attempt to aid these individuals, we have ignored the other side of the coin of crime—that is, the victims of our Nation's ever-increasing crime rate.

Crime in our Nation's Capital from April 1966 to April 1967 increased 60 percent. Serious crime nationwide has increased in the first quarter of 1967 20 percent. The widely publicized crimes that we hear of over the radio and read about in the press are not isolated examples. They are part of a shocking trend toward lawlessness in this country.

The Washington Daily News has begun a series on this subject. The first of the series, written by Richard Starnes, concerns a young secretary in the Washington area who was abducted by three men last October and raped five times in the course of 4 hours. The criminals were quickly apprehended, but as one detective pointed out:

> The only thing that was wrong was that no power on earth could ever make that girl forget what happened to her.

But then as Capt. Vernie E. Tate, head of the Metropolitan Police sex squad, adds:

> I guess you would say she was one of the lucky ones. I have known of women who committed suicide after an experience like that. And others wind up in St. Elizabeths. I guess no one ever gets over something like that completely.

Another shocking detail of this case is that two of the men have not, as yet, been brought to trial, and may never be.

> Their indictments were dismissed by a Maryland judge who . . . concluded that their Constitutional rights had been violated.

J. Edgar Hoover once stated that the three deterrants to crime were speedy capture, speedy trial, and just, but strict punishment. The court system in this country today has distorted the latter two criteria. It has tipped the balance of interests ever toward the criminals—and away from their victims. It is time, I feel, that we reverse this trend.

In the weeks and years ahead, as we are asked, as lawmakers, to deal with the problem of crime, it would be well for us to remember the case of this young girl and other such victims of crimes.

Mr. President, I ask unanimous consent that this article, which is a great credit to the News and to Mr. Starnes, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Forgotten Victims of Crime—"No Power on Earth Could Make That Girl Forget"

(By Richard Starnes)

As long as Joanne Smith remains hidden in the anonymity of a column of statistics no one need be troubled by what happened to her.

But after you have talked to her she becomes a real person. And ever after that, when you see a pretty girl walking on a dimly lit street, you will find yourself thinking about how it really is to be caught in an interminable nightmare from which there is no waking up.

Joanne is not her real name, but she is 29, small-boned and willowy, with dark hair and brown eyes combined with unusually fair skin. This gives her a cameo-like quality that will stay in your mind.

Until the night of Oct. 2, 1965, Joanne dwelt in the tidy, secure world of well-brought up young women who come here to find careers with the Federal Government.

"October second was a Saturday," is the way she begins the story. Her voice has a throaty quality that will also stay with you. "I'd spent the day taking two little girls—daughters of a friend—to see the World's Fair in New York. We saw every hot dog stand and souvenir shop that was there, but I don't remember that we saw much else." There is the throaty laugh, brief and self-conscious. "I was tired when we finally got home, I remember that."

Home is a comfortable, clean-as-a-pin duplex apartment in Georgetown.

"I put the two little girls to bed," Joanne recalls, "and then Olga, my roommate, remembered that she'd left some groceries in her car. I said I'd go with her to get them. I don't know now why I did it; it was after midnight but neither of us is timid. But I went, and I took Bijou with me."

Joanne smiles at Bijou, a toy French poodle that lies curled in her lap. "Poor Bijou. She's such a coward; she was no use at all."

Joanne and Olga (also a pseudonym) reclaimed the groceries, and had turned to retrace their steps when a dispirited old Ford wheezed to a stop in the narrow, poorly-lighted street opposite them.

"They said they were looking for an address," Joanne continues. "We tried to help them, but neither of us could recognize the address they were talking about. Then one of the men got out of the car and came toward us."

At that point neither of the girls was alarmed and even Bijou the coward, betrayed no concern. "The man held a piece of paper in his hands," Joanne says.

"The address, I suppose, but it still didn't mean anything to us. We started walking back toward our apartment, and then the one who'd gotten out of the car started to follow us.

"That's when we began to think there was something wrong. We started walking faster."

Joanne and Olga had gone only a few more steps when the man seized Joanne by the waist and dragged her toward the old Ford.

"I screamed and dropped Bijou," Joanne continues. "And I remember that Olga screamed, too. I kicked and kept screaming, 'No, no' but I couldn't get away. He wasn't really very big, but he was a lot stronger than I was. He dragged me to the car—I remember that I lost a shoe there someplace—and the man beside the driver got out and helped him push me into the back seat.

"Then the first man got in beside me, and scrunched me down on the seat. He said they wouldn't hurt me if I'd quit screaming. I did, until we stopped at an inter-section and I could see the lights of another car. Then I sat up and screamed for help, but the other car just drove away. I don't know if they hadn't heard, or just didn't want to become involved."

When Joanne screamed at the passing auto, the man beside her reacted angrily. He clapped a hand over her nose and mouth, and held it in place until she was convinced he meant to smother her to death.

"I knew then—I thought, anyway—that they meant to kill me. I said to myself, 'Well, this is it' and I can recall that I consciously hoped they wouldn't do it in any particularly painful or unpleasant way. And I thought about my parents. They're both old, and I'm an only child. I felt sad about them.

"Finally, just when I thought I'd pass out for lack of breath, the man took his hand away. He said if I'd promise to be quiet and co-operate they wouldn't hurt me. I promised. I didn't believe them—still thought they were going to kill me—but I decided anything was worth trying. I promised."

In describing what happened in the next four hours—during which she was raped five times—Joanne takes refuge in an air of detachment so absolute that it is almost eerie. She talks about her ordeal as if she were relating the plot of a horror film she'd watched on the Late Show.

The three men were white, in their early 20's, dressed in sports shirts and slacks. All had been drinking but—apparently responding to some warped code of rapist chivalry—all three were carefully circumspect in their language.

"They were people who had obviously never had any advantages," Joanne says, using a favorite expression, "but they didn't use any profanity or obscenity."

Out of the swirling kaleidoscope of horror Joanne extracted two bits of information that were to be key elements in what was to become almost a textbook case of swift and efficient police work in later identifying her abductors.

"It was a two-door sedan," Joanne continues, "and the back of the right front seat was broken. They used a piece of wood to prop it up."

The second clue was provided by the man in the back seat.

"He showed me where his hands were tattooed. L-O-V-E was tattooed on the knuckles of his right hand and H-A-T-E on his left.

"He told me he was a born loser." The listener is surprised at the note of compassion in Joanne's voice.

"He said he'd been on a chain gang in the South, that he would be better off in prison, that he'd been arrested before for rape. He kept apologizing, saying he hoped he hadn't hurt me. I told him I thought my nose was broken."

Joanne was unable to tell where the old car was taking her. "I couldn't see anything but the tops of trees. We stopped once so that the one next to the driver could get out of the car and get sick. Finally we stopped. I was surprised to see that we were out in the country some place. I didn't know at the time where it was, tho."

"In many ways," a detective who worked on the case said recently, "the whole thing was a model of co-operation between the Washington Metropolitan Police, the Montgomery County police and the FBI.

"These three mugs were all stupid, and

one department or the other was bound to get them eventually. They just made too many mistakes, of which crossing a state line and making it an FBI case was only one. One is all that is ever needed, and these bums made a dozen."

In the darkness and the horror and the fear of that October night, however, Joanne had no way of knowing that the elaborate and implacable machinery of the law had already begun, in its ponderous fashion, to move. Joanne attended a good eastern college, and is a bright girl, but in many ways she is still refreshingly naive. She refers, for example, to "my lawyers" when she talks about the trial, altho she means the Government prosecutors.

The three hoodlums started back toward Georgetown sometime between 3 a.m. and 4 a.m., and for the first time Joanne began to think she might survive her ordeal. "They got lost out in Maryland, but by then they had let me sit up, and I recognized an intersection and told them which way to go. Then the one with the tattoos raped me again. He asked me what my name was. I gave him a fictious name, and then he asked me if I would go out with him. I said I didn't think that would be a good idea.

"Finally they let me out of the car in Georgetown. I only had one shoe, and I must have looked a sight. I saw a house with a light on and I ran up and knocked on the door. I wanted to get off the street; I was afraid they'd change their minds, come back and get me. In the house was an old woman. At first she didn't want to let me in, and I don't blame her. It was 4 a.m., and I looked like the wrath of God."

Within a week, all three of the hoodlums were collared. To no avail they had repainted the old car, replaced the broken front seat, discarded the wooden prop, the rear floor mat, the distinctive tail pipe extensions. The tattooed man had sought to obliterate his tattoos by having tiny beer mugs superimposed over each letter.

But catching them was not difficult, and the case against all three seemed unbeatable.

"The only thing that was wrong," said one grizzled detective who is still outraged by the case, "was that no power on earth could ever make that girl forget what happened to her."

For all her carefully cultivated detachment, Joanne would agree with the detective's gloomy prognosis.

"They had taken me to the hospital right away, and the doctors treated me. But they told me they couldn't really be certain everything would be all right." She pauses, wondering if there is a proper way for a well brought up young woman to describe what happened next. "I guess I've gotten to be a real expert on VD," she says at last. "Ten days after it all happened I learned that I had contracted a venereal disease."

There is the same detachment, as if the pretty, fair-skinned girl long ago made up her mind it all happened to someone else.

"I went to my doctor, but he said it would save me money if I went to the Public Health clinic. So I did. They couldn't have been nicer and it was no fun. But I took my pills faithfully and they cured it."

Joanne is not a person to whom dissembling comes easily.

"I knew I'd have to keep it from my parents. It wouldn't help me if they knew about it, and it would have been more than they could bear. My mother, especially. But it was not easy. For example I had two terrible black eyes that just wouldn't go away. My parents don't live very far away, and I had to keep making excuses for not going to see them. I think my father finally figured out something had happened, but my mother, especially. But it was not easy. For—

"At first I had to force myself to go out after dark. But I made up my mind I wouldn't let it ruin my life."

"I just don't think about it," is as close as Joanne Smith can come to explaining her remarkable recovery. "It's in the past."

Captain Vernie E. Tate, who is head of the Metropolitan Police sex squad, remembers Joanne's case very well.

"I guess you would say she was one of the lucky ones," he said recently. "I have known of women who committed suicide after an experience like that. And others wind up in St. Elizabeths. I guess no one ever gets over something like that completely, but she has apparently made a good adjustment."

A proper epilogue to the story would be a brief recital of the sentences meted out to the three hoodlums. Unfortunately, however, there is no proper epilogue that will square with the facts.

Joanne did testify against the tattooed man, who went to trial separately because he alone had sought refuge in a plea of insanity. He was adjudged sane, convicted, and sentenced to 20 years in prison.

"I felt sorry for his wife," Joanne says. "She obviously was a person who had never had any advantages. After they sentenced him, Olga and I went to the ladies' room at the courthouse, and I had my second good cry of the whole business."

But what of the other two men?

They have not yet gone to trial, and may never do so. Their indictments were dismissed by a Maryland judge who, in his wisdom, concluded that their Constitutional rights had been violated because they had spent seven months in jail awaiting trial. The state appealed the decision, and the Maryland Court of Appeals recently ordered the indictments reinstated.

"But," said the pair's defense attorney, "we're going all the way to the Supreme Court if we have to. It'll be a long time before those boys go to trial—if they ever do."

THERE CAN BE NO FREE ELECTIONS IN SOUTH VIETNAM WITHOUT A FREE PRESS

Mr. GRUENING. Mr. President, news stories emanating from Saigon continue to stress the fact that there is the tightest form of censorship of the press in all of South Vietnam. It is obvious that with such strict regulation of the press and other media of mass communication, there is no hope for free elections in South Veitnam, and that the way is being smoothed for the election of Premier Nguyen Cao Ky as President.

Those who have studied the history of U.S. involvement in South Vietnam since midcentury see history repeating itself again, and again, and again.

What Premier Ky is trying to do in South Vietnam is what Diem did years ago when he too conducted rigged elections. He, too, failed to win the "hearts and minds" of his people by such a dishonest election and by his repressive police-state tactics. It is predictable that, in the long run, General Ky will also fail. It is obvious from the news stories that General Ky either has no concept of what free elections mean and entail or, knowing, has deliberately chosen to mock the democratic processes.

This morning's June 27 Washington Post, in a story out of Saigon by Daniel Southerland, reports that South Vietnamese Chief of State Nguyen Van Theiu—Ky's chief rival in the presidential race—is complaining that, contrary to law, General Ky is actively campaigning—prematurely—while censoring speeches made by his rival.

Thieu predicted that if the election is unfair, "the people will lose confidence in the Government. They will not cooperate with the Government. And the Communists will win the war politically in 2 or 3 years."

Thieu went on to say that South Vietnam would not be ready for peace negotiations for 3 years after the elections this September 3. Another story appearing in the same paper this morning from Saigon quotes General Ky as saying that there should be no negotiations until after the elections.

This, of course, is contrary to the statement made by both President Johnson and General Ky in Honolulu on February 8, 1966, declaring the commitment of both Governments "to search for just and stable peace." Nothing was said at that time about waiting to negotiate until after elections were held 19 months later. This qualification certainly brings into question the validity of the statements in the declaration of Honolulu that—

> The U.S. Government and the Government of Vietnam remain determined that no path to peace shall be unexplored.

I ask unanimous consent that the two news stories from the Washington Post of June 27, 1967, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Saigon Chief of State Accuses Ky Aide of Censoring Speeches

(By Daniel Southerland)

Saigon, June 26 (UPI).—South Vietnamese Chief of State Nguyen Van Thieu complained Monday that his speeches and interviews were being censored by the government of Premier Nguyen Cao Ky, his military rival for the presidency.

Thieu, a three-star Army general, is head of the ruling military junta. But Ky controls the government machinery and Ky's information minister, Gen. Nguyen Bao Tri, is in control of censorship.

"I myself have been a victim of General Tri's censorship," Thieu said in an interview. He was referring to the blank spaces which have appeared in local newspaper reports of his speeches and interviews.

[The Constituent Assembly today called for the abolition of censorship before the presidential election. Reuters reported. The Assembly resolution addressed to the Ky government said the move would help guarantee that the balloting was free.]

"I would never use the police or the pacification workers or put pressure on the province chiefs" to solicit votes, Thieu said.

He did not elaborate but some critics maintain Ky is using, or plans to use, such tactics to round up votes in his bid to become South Vietnam's first elected president in the national balloting scheduled Sept. 3.

Another sore point between Thieu and Ky has been the appearance of posters in the streets of Saigon bearing the slogan, "The Nguyen Cao Ky government is the government of the poor."

Although Thieu has remained silent about the posters, his supporters complain Ky had been campaigning illegally, since all election activity, including the use of posters is banned before the official opening of the month-long election campaign Aug. 3.

Thieu warned if the election is unfair "the people will lose confidence in the government. They will not cooperate with the government. And the Communists will win the war politically in two or three years."

Thieu also said in the interview that South Vietnam would not be ready for peace negotiations with the Communists until three years after the presidential election.

Ky Picks Nguyen Lok as His Running Mate

Saigon, June 27 (Tuesday) (AP).—Premier Ky announced Tuesday that his running mate in the presidential election will be Nguyen Van Loc, chairman of the Military-Civilian Council.

Ky's press secretary said Loc would seek the vice presidency. Loc, a 40-year-old attorney, is from the south. Ky is from Hanoi. Loc, a civilian, also balances the ticket from this standpoint, since Ky is vice marshal of the South Vietnamese air force.

The Military-Civilian Council was created to make recommendations to the government on policy matters.

Earlier, Ky told newsmen that there should be no negotiations for peace until after the elections. He said it would be better to demonstrate national unity before any move toward peace talks.

[A State Department spokesman questioned about Ky's statement said, "We have never said that negotiations would depend on another event such as an election taking place.]

HEAVY FLOODS IN KANSAS

Mr. PEARSON. Mr. President, again today I invite attention to heavy flooding in the State of Kansas, where the destruction of property may reach an ultimate loss of more than $23 million. Mr. President, the work we have done in the past on flood protection has eased this damage estimate by more than $100 million. The Corps of Engineers reports that rampaging waters of swollen streams and rivers could have caused five to six times more damage than actually occurred if foresight and planning had not produced the dams and flood control projects which are today trapping untold millions of gallons of floodwater.

Many streams continue to flood, and the dams that should be containing this overflow, remain on the drawing boards and in the planning stage. Mr. President, we must not forget these reservoirs and projects when the Public Works opportunities bill comes before us for action, because these new projects will be the protection for tomorrow.

The Kansas City Star has published an editorial on this subject, and presents in clear and concise terms the problems we still face in many parts of the State. I ask unanimous consent that the editorial, entitled "Some Changes in Flood Danger Since 1951," be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Some Changes in Flood Danger Since 1951

The serious flooding that has already occurred in this area inevitably turns concerned thoughts to the billion-dollar Kaw river tragedy of 1951. Certainly we are not out of the woods yet, and additional damage is probable before the flooding ends.

But there are, fortunately, two important differences between 1951 and now. The weather pattern is one: in 1951, a stable front over this area dumped rain almost nightly for 40 days before the flood deluge. What we have been getting recently is more a series of rain-triggering fronts, the weather bureau explains. It may seem that it has rained every night, but there have been significant breaks in the storm sequence. And this type of pattern is more likely to break up at any time, bringing dry relief. "More likely" we say, knowing how perverse weather can be when a change is urgently needed.

The second and much more tangible factor is the existence of numerous flood protection reservoirs and levees which were not in place in 1951. Such dams as Tuttle Creek, Milford and Perry—the latter not yet completed—have performed heroically in trapping hundreds of thousands of acre-feet of rushing floodwaters.

In unprotected areas, damages are estimated by the Army engineers to have reached more than 23½ million dollars with the cost still rising. But the corps figures that an additional 190 million dollars in flood damages would have occurred without any protection projects in place. This is an enormous and, to be sure, hypothetical figure. With this area's flood history, it would be unthinkable to have no projects built by now. And many industries and homes would not now be located on flood plain land except for the protection of dams and levees. Still, this is a rough measure of where we would be without those projects—and a reminder of the importance of getting on with others proposed but not yet built.

Storms such as we have been having are going to flood basements and yards and block streets, causing some local damage. No project can stop this. But a design plan of tributary reservoir storage, plus levees to pass the remaining flow safely past high-value municipal and industrial areas, can handle the cumulative superflood rolling down a major stream.

Missouri river bottomland farmers already have been badly hurt by this flood. Their small local levees couldn't contain the big Muddy on the rampage. Certainly the 400,000 acres under water along the Missouri re-emphasize the value of the big federal agricultural levees, only a few of which have been built from Sioux City to the mouth. This program has been delayed too long by doubts and surveys.

The list of streams now flooding where the reservoirs still are on paper makes sad reading: The Wakarusa (Clinton dam), the Grand (Pattonsburg and others), the Marmaton (Fort Scott), Pottawatomie creek (Garnett) and so on. Back in Washington the House public works committee is preparing to report out the public works appropriations bill. The June floods in Missouri and Kansas—and they're not over yet—should provide them a healthy reminder that, for all the burdens on the federal budget, flood protection still rates a high priority.

RAMPART DAM: VARYING REACTIONS TO SECRETARY UDALL'S OPPOSITION

Mr. GRUENING. Mr. President, on June 16, the Secretary of the Interior, Hon. Stewart Udall, held a press conference at which he made an announcement which surprised no one that the Department of the Interior would not recommend to the Corps of Engineers construction of Rampart Dam on the Yukon River in Alaska. The Secretary made it quite clear that the reason for the decision was fear of damage to wildlife in Alaska—fears which I do not share at all.

In the course of his press conference, Secretary Udall acknowledged that he probably would lose popularity in Alaska as a result of his announcement; however, he expressed the view that after Alaskans had a chance to think about it they would be grateful to the Department for the decision it had made. It is now becoming clear that Alaskans do not agree with this at all.

Since the Secretary announced that the Department of the Interior had given way to the "duck hunter element" and had decided against recommending construction of Rampart because many conservation groups had stirred up "a very considerable controversy," which some of his own Department personnel engaged in actively, the reaction of Alaskans and other supporters of the Rampart project have been made known. At the close of my remarks I ask unanimous consent that there be included in the Record an excellent editorial from the Anchorage Daily News expressing the views of Alaskans on this matter, views which I share except that I disagree with the gloomy conclusion of the editorial that the Secretary of the Interior has signed a "death warrant" for Rampart. It is my full expectation that the Rampart Dam will be built and that the recent actions of the Department of the Interior will be, in years to come, regarded as shortsighted.

In addition to the Anchorage Daily News editorial, I ask unanimous consent to have printed in the Record the text of a report on this question appearing in the weekly newsletter of the American Public Power Association and an excellent analysis of the Rampart project appearing in the Rural Electric Newsletter, published by the National Rural Electric Cooperative Association.

Also, I ask unanimous consent to have printed in the Record an article from the New York Times of June 25, 1967, reporting the action by Secretary Udall.

There being no objection, the editorial and letter were ordered to be printed in the Record, as follows:

The Secretary Ran for Cover

Rampart Dam would be a national asset—not the federal government's gift to Alaska.

That seems quite apparent. Yet little notice was taken of it in the death warrant for Rampart signed by Secretary of the Interior Stewart Udall. Udall took the occasion to outline other Alaska developments in which his department is engaged. It was all a smokescreen to hide the demolition of Rampart.

It seems perfectly obvious that the Secretary decided that the political battle involved in gaining appropriations for Rampart Dam was too risky and troublesome. The safest course was to do nothing—or worse, to take refuge in the standard bureaucratic answer to delicate problems: form a committee. The committee can be expected to make a study. The study will result in a report that recommends action. And if the cycle is to continue a committee will be formed to implement that report.

The end result is that the greatest hydro power source in the free world goes unharnessed. Vague hopes of other dams at other locations or alternative methods of cheap power generation do not take the place of a definite decision to fill the power vacuum.

Certainly Rampart would benefit Alaska. But the motivation for its construction is its benefit to the nation.

Hoover Dam was not built as the federal government's generous gift to the people of Arizona or any other Rocky Mountain state. Cape Kennedy was not constructed because the economy of eastern Florida was lagging. There are national needs that must be met and exist until government leaders with sufficient backbone stand up straight and say, "Let's do it."

In this case, Secretary Udall did not even have the courage to say, "Let's not do it." He said let's form a committee instead. And then he insulted Alaska by making it appear that Rampart was nothing more than a homegrown public works project.

The Corps of Engineers has fought for Rampart. The national Rural Electrification Association has fought for Rampart. A nationally-respected consulting firm has demonstrated that all of Rampart's power would be marketed.

Alaska has been more conscious of Rampart because the location is here. But for a nation whose supply of low cost power appears as unsettled as ours, Rampart would be a national asset.

Secretary Udall's handling of his rejection notice indicates quite clearly that he viewed Rampart with narrow vision.—JR

INTERIOR DECISION TO SHELVE RAMPART DAM PROJECT CRITICIZED BY SENATOR GRUENING

Secretary of Interior Udall's announcement on June 16 of the Department's negative report on construction of the proposed Rampart Dam project in Alaska is described by Sen. Gruening (D., Alaska), as a "prejudicial" decision "in favor of the views of certain wildlife preservation societies."

Secretary Udall told a press conference that Interior's recommendation against building the 5,040 megawatt, $2-billion Rampart facility "at this time" is based on (1) the limited market for the enormous power potential; (2) the "non-competitive position" of the project's output for primary aluminum production in Alaska; (3) the tremendous investment required; and (4) the serious adverse effects on fish and wildlife.

Although Interior's action was taken in the form of a recommendation to the Army Corps of Engineers—which makes its own decision on such projects—Mr. Udall indicated that the Department consulted the Bureau of the Budget before acting.

ADMINISTRATION SUPPORTS ACTION

"This does represent a decision (made with) the support of the Administration," the Secretary said. "I would be surprised if the Corps of Engineers recommends approval at this time. The prudent thing for them to do is not to recommend it."

Mr. Udall admitted that the "duck hunter element" played a major role in the Rampart dialogue, with a number of conservation groups stirring up a "very considerable controversy," similar to the rumpus they raised over Interior's now-abandoned hydro development proposals in the Grand Canyon region.

Although the Secretary denied that its negative report permanently shelves the Rampart project—one of North America's outstanding hydro development possibilities—he conceded that the waterfowl situation, a dominant barrier, would not improve in the region.

Sen. Gruening—the foremost advocate of Rampart development—indicated that Interior's action was "not unexpected."

"It has been perfectly clear for years that Alaskans could never expect an unbiased, objective report on Rampart from the Interior Department. Secretary Udall's prejudice in favor of the views of certain wildlife preservation societies was completely disclosed by his statement to me that 'we can't afford to antagonize the sportsmen.' My disagreement with the Secretary's assessment of the possible damage to wildlife, a conclusion which I do not share—as compared with those of human beings—is well documented."

The Alaska Senator expressed his conviction that Rampart Dam "will be built," however, pointing out that the Corps of Engineers must consider factors other than just Interior's judgment in its decision.

GRUENING RESERVATIONS

Commenting on Secretary Udall's companion announcement on the establishment of an Alaska Power Administration "to help spur economic development of the State," Senator Gruening said "this has a fine ring to it". . . but "it must be meaningful," with adequate funding, equal rank with the Bonneville Power Administration and a definitive explanation of its function. "This is left quite vague by the Departmental announcement," he said. "Thus, although any progressive action for development of power resources of Alaska is welcome, I must express reservations about the proposed Alaska Power Authority—at least until more is known about it."

Alternatives to Rampart suggested by Mr. Udall include hydropower developments of much less capacity on the Susitna River, Bradley Lake, Lake Grace and Takatz Creek, in addition to thermal projects using fossil fuels and nuclear power.

RAMPART: FANTASY OR FANTASTIC?

"We must meet the challenge of Alaska—the challenge to reap its abundance, build its strength and provide a reservoir of natural wealth for a growing America. We must, of course, press forward with bold, and vitally needed, projects such as the Rampart Canyon Dam . . . I foresee a land of over one-million people—a giant electric grid stretching from Juneau to Anchorage and beyond. I see the greatest dam in the free world at Rampart Canyon, producing twice the power of TVA to light homes and mills and cities and farms all over Alaska."

Those are the words of John F. Kennedy. The vision of Alaska he saw as a result of development of the famed Yukon River has now been punctured by the Department of Interior, ironically headed by a man JFK appointed.

While the project, as Alaska Senator Ernest Gruening notes, isn't quite a corpse, it's suffering from a grievous wound inflicted by Interior's decision last week that it "cannot recommend the project at this time."

Who inflicted the wound, in this case, isn't nearly as important as why it was inflicted. That question goes to the heart of resource development projects not only in Alaska, but all over the nation.

"The Rampart project is one of the great hydroelectric potentialities of North America and the largest ever studied in the United States in terms of power production and reservoir size and capacity," notes the elaborately constructed report issued a week ago by the Department of Interior.

The report adds that the project would create a reservoir with a water surface of about 10,600 square miles, a maximum length of about 280 miles and a maximum width of about 80 miles—larger than Lake Erie. It would have an installed capacity of 5,040 megawatts, a prime power capacity of 3,904 megawatts and an average annual energy production of 34.2 billion kilowatt-hours.

Those figures alone are enough to give the Rampart project its enemies—people who lack the vision to see the benefits of such a tremendous undertaking. But in the final analysis, the Rampart wound came from another quarter: the so-called conservationists.

Almost from the very beginning, it has been the "sportsmen" who have fought against the Rampart project. "You name the organization, they've been against us," says Senator Gruening. Says the Interior report, in adopting almost completely the arguments of the "conservationists":

"The project would result in an estimated annual wildlife loss of 1.5 million ducks, 12,800 geese, 10,000 cranes, 20,000 grebs, 13,000 moose and 3.6 million commercial fur animals. The 1.5 million ducks are the fall population which includes the survivors and their offspring of the 500,000 breeding ducks. The latter represent about 1.6 percent of the total continental breeding population. The annual loss of anadromous fish (fish which go upstream to spawn) is estimated at between 231,000 and 430,000."

The figures sound imposing—until you stop to consider these facts:

Of all the ducks and geese shot in the United States, on all four major flyways, 85 percent come from breeding grounds in Canada, 11 percent from the lower 48 states and only four percent from *all* Alaska. In addition, dam proponents say that rather than destroying waterfowl breeding grounds, the project could enhance them. Present marshy areas fluctuate as much as 30 feet now; after the dam is built they would fluctuate only five feet.

There never has been a commercial run of fish along the upper Yukon River, say dam proponents. And, Interior itself points out that the reservoir itself has potential for development of a commercial fresh water fishery. In addition, artificial spawning areas for salmon and other measures would likely replenish or protect the fish supply.

The basis for the figures on animal losses are not given, but it's worth noting that land that would be covered by the project is only about two percent of the land area of the state. The ratio of the animals supposedly lost and the rest of the animal population of the state ("We're overrun with wildlife now," says Senator Gruening) isn't given.

At any rate, as the price tag for "mitigating" the losses to wildlife that supposedly will occur, Interior has tacked $634-million on to the cost of the Rampart project. The construction of the dam, reservoir and powerplant proposed by the Corps of Engineers is estimated to cost $1,222-million, exclusive of wildlife costs. According to the Interior report, the additional wildlife expense would just about double the cost of producing power at Rampart.

Using these power cost figures, the Department concluded that there would be "limited opportunities for marketing the project power" and that there is an "availability of favorable, less costly alternatives" for power.

These conclusions are in sharp variance with earlier ones brought out in a report to the Senate Public Works Committee by a research firm headed by David E. Lilienthal and Gordon R. Clapp. Clapp, former TVA head, noted:

"The growth of this market will, in our judgment, occur at a pace which will fully consume Rampart power substantially as it becomes available. This market trend will create a demand within the area for low-cost power in addition to Rampart soon after Rampart is in full operation. Should requirements increase more rapidly than we have projected, which we consider a reasonable possibility, additional low-cost power sources will be needed in the area before full Rampart power is available."

The report was completed in 1962 and assumed 27 years of lead time—including 18 years for the reservoir to fill and seven years for construction. So even if the Rampart project were authorized today, it is likely that it would not be in full operation until 1995. By then, power demands in Alaska will certainly have increased sharply.

The earlier report made its predictions on the basis that the Rampart project would provide low-cost power—on the order of two to four mills delivered to the load centers. With those rates, the report noted, Alaska would most surely attract high poweruse industries, such as aluminum plants.

To the framers of the earlier report, the decision to build or not to build Rampart will "shape the pattern of Alaska's economic and industrial developments through the rest of the 20th Century and on into the next.

"To appraise the future market for five-million kilowatts of low-cost power in Alaska is really to appraise the future of Alaska if Rampart is built. The availability of Rampart power will in itself be an important stimulus for the development of Alaska."

Of special interest is this paragraph in Clapp's covering letter to the Senate Committee:

"The United States faces a crucial period of rapid growth during the next generation. There will be a large increase in our population, in our labor force, and in our stock of industrial capital. New needs for electrical energy, especially at low cost, will be very large. Our sources of low-cost power are limited. Rampart is the largest single undeveloped source of low-cost hydroelectric power in the nation. There is no source or means which could, at the time Rampart power would become available, provide an equivalent amount of electric power at so low a cost within the United States. In terms of the hundreds of millions of additional kilowatts which will need to be added to the nation's power supply between now and 1990 if lack of power is not to be a severe brake on national economic growth, Rampart would constitute a small portion of that additional capacity. But it is a portion which in our judgment can be fully used, and used in ways which will serve important national interests."

All of this contradictory evidence points out just one thing: When you're planning for 30 years into the future, the assumptions you make are the controlling factor. And, in this case, the assumptions are apparently based on whose duck is being shot at.

It's worth more than passing mention that Rampart is not the only victim of what Senator Gruening calls "extremist conservationists." He points out that needed development on the Potomac River (in an area now suffering from a power shortage) and on the Lower Colorado River have been delayed or killed by these same "wilderness" people. The Senator also notes that these prophets of gloom are often wrong in the predictions. He cites Bureau of Reclamation figures which show that wildlife has increased rapidly in Bureau development areas. And he calls attention to Lake Powell behind Glen Canyon dam. "This project was a tremendous enchancement for the area. It's quite the opposite of desecration," he says.

But to the conservation extremists, anything touched by human hands constitutes "desecration." One of these zealots, in a hearing on the Rampart project, said he wanted the Yukon River to remain in its natural state as a "strong feature of the original Alaska which we admire."

One is left to wonder, if he will ever visit the place or will just admire it from afar. One wonders, too, what this country would be like today if this attitude had prevailed when our pioneers were marching westward across our "natural" America.

Dam on the Yukon Stymied by Udall—Alaska Power Panel Set Up—Gruening Fights Move

(By William M. Blair)

Washington, June 24—The Administration appeared today to have cut the ground from under the Army Engineers and supporters of one of the largest water projects over proposed.

The move came from the Department of the Interior in establishing an Alaska Power Administration and rejecting the Army Engineers' proposed $2-billion Rampart Dam on the Yukon River.

The chief supporter of the project, Senator Ernest Gruening of Alaska, former Democratic Governor of the state, vowed that he would fight on and criticized the action of Secretary of the Interior Stewart L. Udall.

Mr. Udall, the Senator said in an interview, was "in the grip of the extremists among my fellow conservationists." The Secretary, he said, "was more concerned about the alleged future of a duck than in the future of the people" in Alaska.

The dam has come under heavy criticism from conservationists, including the Federal Fish and Wildlife Service, which has said that "nowhere in the history of water development in North America have the fish and wildlife losses anticipated from a single project been so overwhelming."

The dam would create a reservoir 400 miles long and 80 miles wide, 100 miles northwest of Fairbanks. The water would cover wilderness area the size of New Jersey and larger than Lake Erie.

Secretary Udall and Senator Gruening are agreed that the availability of electric power is essential to the future economic development of Alaska, but they disagree on how this should be accomplished.

Mr. Udall said that the development could be forwarded by abundant low-cost power of lesser magnitude than the five million kilowatt Rampart Dam. He said that "he had to face the fact of a limited market for the enormous power potential of the project, the noncompetitive position of Rampart power for primary aluminum production in Alaska and the tremendous investment required."

OTHER MEASURES SHOWN

He said that Interior Department studies had shown alternative measures, including water developments for Susitna River, Bradley Lake, Lake Grace and Takatz Creek. In addition, he said, thermal power may be developed near population centers, using fossil fuels and nuclear power.

Senator Gruening, however, said that five million kilowatts from Rampart would supply less than 1 per cent of the total electric needs of the country by 1980 when needs will have more than doubled.

The Senator insisted that the "situation is not foreclosed," although he said that the interior report was "somewhat damaging." However, he said, it is not "conclusive" and Congress is still the judge.

Mr. Udall stressed at a recent news conference that the recommendation against Rampart was not his department's alone. He said that his proposal for a power administration and alternative suggestions had to go through the Budget Bureau and agreed that the inference was that he had Administration approval.

"The other thing," he said, "let me be quite candid about this, the Rampart Dam proposal, like the Grand Canyon argument, has stirred up very considerable controversy.

"And, of cousre, any project of this kind, with the type of cost tag it has on it, you're always being confronted with a state which has one Congressman out of 435, and this makes it very difficult to—politically—get a project that is even mildly controversial."

He said that he would be "surprised if the Corps of Engineers, in light of the new program we have put forward, attempts to recommend authorization at this time."

"I think," he said, "that the prudent thing for the corps to do is to conclude their study and leave it in a posture where, if at some future time the project is more attractive, that it can be considered."

That time may come, he indicated, when pressures on the budget are not so great as now and a $2-billion cost may not mean so much as it does at present. But by that time, he said, the Interior Department's plan could be well under way and the steady economic development of Alaska assured.

The dam builders of the Army Engineers and the Interior Department's Bureau of Reclamation had feuded for years, although in recent years they have more or less divided the areas they will operate.

Mr. Udall's move was generally viewed as a move to head off the Army and get Alaska as a preserve for his department.

In addition to the alternative power proposals, the Interior Department is also developing a $50-million five-year accelerated Federal mineral and survery research program, including an Institute of Arctic Mineral Resources at the University of Alaska.

The department is also seeking early studies and planning by the Department of Transportation to determine how the Government-owned Alaska Railroad can be extended to provide economical all-season transportation to remote Alaskan areas of economic promise.

It is also working on a $26-million 15-year Federal fisheries program, including the creation of an Alaska Institute for Fisheries Development.

SUPPORT FOR THE UNITED NATIONS

Mr. McGEE. Mr. President, even if the performance of the United Nations leaves much to be desired at the present time, the U.N. nonetheless stands as the best international forum available and deserves support in the United States. This point was made clear Sunday by the lead editorial in the Washington Star, entitled "Even a Divided U.N. Serves a Vital Need." I ask unanimous consent that that editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Even a Divided U.N. Serves a Vital Need

The performance of the United Nations in the current Middle East crisis has plunged that organization into another of the periodic crises of confidence that have marked the 22-year history of the world council of governments.

No amount of rhetoric, no high-sounding phraseology or ringing declarations of purpose, can camouflage the fact that the exhibition staged by the United Nations, quite literally before the eyes and ears of millions the world over, was largely an international exercise in futility.

As the Arab tanks rolled eastward across the Sinai, President Nasser ordered the United Nations peace-keeping force to clear the way between his troops and the Israelis. Without any attempt at consultation or discussion, Secretary General U Thant started pulling out the 10-nation force. Thus the United Nations dramatized its inability to prevent the outbreak of hostilities.

During the first critical hours of the war, the Security Council was unable to agree on the wording of a simple cease-fire resolution.

With the cease-fire finally in effect, the Security Council was unable to agree on a resolution concerning permanent peace and the political reconstruction of the area.

And now, in the General Assembly, all indications are that the current debate will in the end produce nothing more meaningful than a multi-volumned record of tedious propaganda. No effective resolution will pass the polarized assembly. The first steps that could lead the world out of the shadow that has darkened the Middle East for 20 years will not be taken.

What has taken place over the past few weeks is a classic demonstration of a well-established fact of international life. When the Soviet Union and the United States agree—as they belatedly did on the advisability of calling for a cease-fire—the United Nations can take action and can exert considerable pressure on member nations to heed its resolutions. When the world's two superpowers clash—as they apparently do now over the political reconstruction of the Middle East—the United Nations is approximately as functional and effective as a beached whale.

Again and again the necessity for Russian-American cooperation in United Nations peace-keeping operations has been demonstrated. With varying degrees of success, the United Nations has intervened positively in Greece, Indonesia, Kashmir, Palestine, Suez, Lebanon, the Congo, West Irian, Yemen and Cyprus, always with backing—or at least the lack of active opposition—of the Big Two. The United Nations' most ambitious undertaking to date, the intervention in Korea, was made possible only because of Russia's inadvertent cooperation. The Soviets were boycotting the Security Council when the vote, amounting to a declaration of war on the North Koreans, was taken.

On the debit side of the ledger, in the list of United Nations' failures, are those cases in which the direct interests of the two major powers were involved. Thus Russia, in 1956, shrugged off a total of five resolutions condemning its invasion of Hungary to crush the anti-Soviet revolt. And thus the United States, in 1965, in effect told the United Nations to keep its nose out of the Dominican Republic; that the American intervention was strictly a hemisphere matter to be handled by the United States with an assist from the Organization of American States. Thus in the Middle East in 1948, in 1957 and again in 1967—following wars between Israel and the Arab states—a divergence of United States and the Soviet aims has prevented the United Nations from making any contribution toward a permanent peace in the area.

Of what use, then, is the United Nations? If it is effective only in those areas in which the United States and the Soviet Union have interests in common, does it follow that those two powers, acting in concert through regular diplomatic channels, would have been able to get results comparable to those achieved through the U.N.?

The most positive answer that can be given is perhaps. Perhaps the United Nations is an expensive, expendable luxury. Perhaps the brushfire wars that have sprung up in the past two decades would not have spread into humanity's funeral pyre. Perhaps. But the world cannot possibly afford to put that possibility to the test.

The fact is that, however divergent the long range interests of the United States and Russia may be, both nations are ultimately guided by the same immediate interest: The avoidance of a nuclear showdown. That fact was clearly demonstrated once again by the essential restraint shown by both powers while the fighting was in progress between Israel and the Arab world.

The United Nations—for all its shortcomings—provides the basic machinery to implement the policy of avoiding direct, armed confrontation. Propaganda speeches aside, it is also a private forum for direct, informal contact between representatives of opposing nations in which changes in policy and alterations in international bargaining positions can be instantly and authoritatively signaled. It is a public forum where all the nations, great and small, must adopt a posture that indicates the thrust of national policy.

These varied aspects of the United Nations' role in world politics have already come into play in the current crisis. Removed from the kleig lights of the public Security Council sessions, Ambassadors Goldberg and Federenko were able to agree on the wording of a cease-fire resolution that won the council's unanimous approval and finally brought a halt to the fighting. Now, through the bombast of the General Assembly circus, it becomes clear that the Arab world longs not for peace but for revenge. And, unless there is more to the Johnson-Kosygin talks than has met the eye, it appears that Russia is interested not in stability but in recouping prestige by backing Arab claims and rearming Arab forces. Israel and the nations willing to back Israel's right to survive are thereby clearly and inescapably forewarned about what lies ahead. They can react accordingly. And if their reactions—military and diplomatic—are the proper ones, a renewal of the fighting and of the danger of World War III may be avoided. If so, the decades of expense, effort and frustration will be well repaid.

The United States, in our view, should accept the United Nations for what it is—something half way between a world government and a world propaganda platform. We should continue to support it. We should encourage an expansion of the United Nations' peace-keeping capabilities.

We live, the late Adlai E. Stevenson said, "in a world which no longer dares to use absolute military power and, on the other hand, is not yet prepared to accept absolute law in the settlement of military differences."

In such an interim world, the imperfected United Nations is, perhaps, the best international forum that can be devised. And for all its foibles, it is a luxury this planet cannot afford to be without.

LAW DAY ADDRESS BY CHIEF U.S. MARSHAL McSHANE

Mr. TYDINGS. Mr. President, on Law Day, 1967, Chief U.S. Marshal James J. P. McShane delivered a noteworthy and inspiring address to the Advertising Club of Baltimore. I was much impressed with the address, and I believe that all Senators will be similarly impressed. Accordingly, I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LAW DAY, U.S.A.

(Remarks by Marshal McShane before the Advertising Club of Baltimore)

In special ceremonies on Friday, March 10, at the White House, President Lyndon Johnson signed the 1967 Law Day, U.S.A. proclamation. In signing this bill President Johnson said:

"I ask every American to respect the law, and to respect also the men who are pledged to its enforcement, and of those who wear the badge, I ask equal respect both for the law and for the rights of the people they are sworn to protect.

"Let there be reverence for the laws . . . let this reverence be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling books, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice."

And he continued on:

"Let it become the political religion of the Nation; and let the old and the young, the rich and the poor, the grave and the gay of all sexes, and tongues and colors and conditions, sacrifice unceasingly upon its altars."

"No man is above the law, and no man is below it." These words were written by Theodore Roosevelt in a message to the Congress 63 years ago. But they retain a special pertinence today. They affirm with great clarity the ideal which undergirds our whole system of justice; at a time of grave national concern about mounting crime, they also remind us that equality of justice is no less important than it ever was.

On this law day, the tenth annual observance of it, perhaps the most significant philosophy we could think of would be to rephrase the remark—the only thing constant is change.

In the law, certainly, there has been great change since the last observance of law day.

Recent decisions in both Federal and State courts have brought about radical departures from long established standards of due process and equal protection, which have necessitated a reappraisal of the methods and techniques of law enforcement.

In the modern era in which we live, the thing about change that never ceases to amaze me is not the quantity of change, but the rapidity with which it occurs.

This is true in the law as well as in all other phases of life.

In this age of instant communication, changes which took ten years to implement in the past now occur within months, weeks, and even days.

Yet, this is truly the American concept of law, a dynamic instrument, a living institution.

The Mosaic law, the law of the Roman Empire, and all these early rules for human behavior lacked the most praiseworthy element evident in American law.

In this country we believe that the law is an expanding concept which must grow with our culture and our economy.

Our democratic process has permitted us, with each generation, to further perfect our laws.

Ultimately, through trial and error, through growth in intellect, we will achieve rules of conduct approaching absolute protection for human rights and property rights alike.

As Chief United States Marshal, I have daily experience with the law in its most dynamic aspects.

I don't have to recite to this distinguished assemblage challenges with which my office is confronted in matters involving basic constitutional rights.

These may surface under an issue of religious freedom protected by our first amendment; again, it may be an alleged challenge of freedom of speech or of the press in a censorship or obscene literature case; it may be in the nature of a civil disturbance somewhere in our Nation. Again it may be one of a myriad of questions under the heading of civil liberties which may affront the fifth, the sixth or the fourteenth amendments. In any event, these matters usually contain profound questions and offtimes require subtle distinctions, but their denouement and nuances they present are the life's blood that surges through our judicial system.

I would like briefly, however, to mention a matter on a more mundane level, but nonetheless, significant, which has concerned me both as a citizen and as United States marshal.

That is, the apparent disrespect some of the teenage element in our society, particularly in our urban regions, has for duly constituted legal authority.

I believe that we are faced with a problem which requires the best thinking of all citizens in the community—not just jurists—not just lawyers—not just educators—not just policemen, but above all, the parents.

I have attended seminars where we have discussed this problem in depth.

The questions and remarks from the floor are heartening in that they show that law enforcement authorities are deeply concerned over this matter and share the hope of all that a solution can be found.

When many of us were young, the policeman in our community was regarded as a friend and protector. He was honored and respected.

Today, his image is not so honored.

Lawyers, businessmen, the clergy, educators, parents must do what they can to foster respect and appreciation for the policeman in his unenviable job of preventing society from devouring itself.

In other words, starting within the family circle, each citizen has a definite responsibility to engender respect for the law, but most of all the responsibility lies with the parents.

The courts of your State have taken the view that the common law duty still exists within our legal framework which requires a citizen to assist a police officer making an arrest or in helping to apprehend the criminal when requested to do so, when the same can be done without actual personal risk or bodily harm to the citizen.

What quicker way to create disrespect for the law among our youngsters than to have them see a responsible citizen stand by idly when he could aid a policeman?

What better way to instill respect for law in our youngsters than to have them witness a civilian coming to the aid of a police officer?

I know from personal experiences in New York where citizens have refused to furnish even the simplest aid to a policeman—a policeman's request for someone to telephone for help.

The past session of the Maryland legislature witnessed the introduction of a "Good Samaritan" law, which would have provided for means of compensation for medical expenses incurred by a citizen who was injured while coming to the aid of a police officer while he was in the process of making an arrest or apprehending a law breaker. Several states already have such laws on their legislative book. I understand that the "Good Samaritan" bill received a favorable reception in the editorial pages of the metropolitan press, yet it failed to pass.

I would strongly urge that your legislature again consider a "Good Samaritan" bill, for, in my considered opinion, it goes a long way to boost the morale of any police force. It also psychologically conditions the private citizen to embrace the concept that the preservation of the peace and welfare of society is every man's responsibility. The same is true of many other aspects of the law. Unless we show respect for law ourselves, respect that entails more than just saying—"that is right"—how can we expect our youngsters to show respect for the law?

In the last decade, since Law Day was first nationally commemorated, we have witnessed the great advances which minority groups have made in this country toward their messianic struggle for equal rights. I think it is well, on such an occasion as Law Day, to remind all the people of the land that the great milestones which mark the advance of human rights have ultimately been won in the courts and not on the streets.

The full enjoyment, fruition, and implementation of those rights can be realized only in a social climate where people have a deep and abiding respect for authority at the level of the humblest precinct.

In conclusion, I might remind you that there is a majesty and dignity inherent in the law, placed there by Him who has given a divine order to all things.

Yea, the law has honored us, yea, let us honor the law.

X-RADIATION AND TELEVISION: A SPUR TO FURTHER EFFORT

Mr. BARTLETT. Mr. President, there has recently been a great amount of understandable public concern over reports that X-ray leakage from certain television sets may be in excess of desirable levels of exposure. The General Electric Co. has recalled 90,000 large-screen color TV receivers manufactured between June 1966 and February 1967. Director James G. Terrill of the National Center for Radiological Health has now publicly confirmed that these defective sets produce X-radiation levels considerably in excess of the limit of 0.5 milliroentgen per hour recommended by the National Council for Radiation Protection and Measurement. Although the X-radiation beam in these defective receivers is directed downward, Mr. Terrill points out, there is a possibility that someone directly in front of the set could still receive a dangerous dosage from the scattering effects of the beam. And of course if the sets are elevated to a higher than normal position, or if they are being operated in the upper stories of an apartment building, individuals in the vicinity might well be exposed to the direct beam.

What is disturbing about this incident, Mr. President, is not simply that a number of television sets have been shown to be seriously defective, though that is surely disturbing enough.

What is even more alarming is the fact that only a month ago the Center was issuing assurances that there was no evidence that any television viewers might have received excessive exposure.

It was not until a year after these defective sets first came off the assembly line and 9 months after they first appeared on the market, that the responsible Federal agency apparently first had definite information about the hazards connected with the product. To say the least, Mr. President, this performance makes one wonder about the adequacy of our present efforts at surveillance and control.

I cannot help wondering if other television receiver models—those which are imported, as well as those manufactured domestically—might not involve similar dangers. I frankly do not know, and it is certainly not my intention to be an alarmist. But I am concerned that we find out more about the hazards of household electronic devices, that we obtain a clear picture of the scope of present regulatory efforts, and that we pass whatever legislation is necessary to establish effective surveillance and control. It is for this reason that I welcome the initiative recently taken in the House of Representatives by Representatives Rogers of Florida, Jarman, Moss, and others in calling attention to this situation and in proposing legislative remedies. The Public Health Subcommittee of the House Committee on Interstate and Foreign Commerce will be inquiring into these matters further as it holds hearings hearings next month on H.R. 10790, the Radiation Control for Health and Safety Act.

Mr. President, on June 24 the Washington Post printed an editorial on these matters entitled "Television Radiation." I ask unanimous consent that it be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection it is so ordered.

(See exhibit 1.)

Mr. BARTLETT. Mr. President, I am hopeful that this General Electric incident will spur Congress not merely to examine the potential hazards of television sets, but also to look more closely at the entire range of devices which emit X-radiation and to supplement our presently fragmentary knowledge of their potential dangers and of the areas where additional surveillance or regulation might be appropriate. For some 3 years I have been urging that we undertake such efforts.

It is encouraging to note that the President's proposed Medical Devices Safety Act would authorize the setting of standards for certain X-ray therapeutic devices. This proposal, however, is embedded among numerous other proposals for regulation, some of them highly controversial, and it does not cover diagnostic X-ray devices in any fashion.

The regulation of devices with a potential for emitting dangerous dosages of X-radiation is a matter of high priority, Mr. President, and I am concerned that we give the matter the attention it deserves. The General Electric incident should serve us as a warning—that our knowledge is dangerously fragmentary, that our present piecemeal efforts at monitoring and control are inadequate, and that the dangers involved are present and real.

Exhibit 1

Television Radiation

Considering the amount of time that many Americans spend in front of television sets, the news that dangerous amounts of radiation may be leaking out of some of those sets, even if from only a handful, is frightening. And the reaction from the National Center of Radiological Health since it heard a couple of months ago about just such a situation is hardly reassuring.

The Center said, on May 18, that the General Electric Co. had informed it that "higher than desirable levels of X-ray production" were coming out of certain kinds of color TV sets produced between June, 1966, and February, 1967. Pointing out that GE was calling back the troublesome sets for modification, the Center reassured the American people. It said that its studies of several sets during the preceding six months "did not give rise to concern" and that it had no evidence that any television sets "have excessively exposed viewers" to X-ray radiation.

We now learn, thanks to the efforts of Congressman Moss, that within the next month the Center discovered that evidence it did not know about made its assurances invalid. On June 8, the Center's director told Congressman Moss that the GE sets in question could expose viewers to dangerous amounts of X-rays if the sets were elevated higher than normal, as they might well be in bars or offices. It added that state health departments had been told to tell their local agencies that any suspected set should not be operated in such a position until it was modified.

This sequence leaves what might be called a credibility gap if it occurred elsewhere in government. It is not very comforting to be told that there is no danger before the facts are in and, a month later, that there really was and is danger. We wonder how many people were exposed to unnecessary radiation in the interim; even one would be too many. Congressman Moss is right in asking for congressional hearings.

NOMINATION OF ALFRED BURKA TO DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

Mr. TYDINGS. Mr. President, I am delighted that Alfred Burka has been nominated to be an associate judge of the District of Columbia court of general sessions. I am well acquainted with Mr. Burka and know him as a man of highest integrity. His presence on the bench will add distinction to the court of general sessions.

Mr. Burka has had a distinguished legal and civic service career. He was an assistant U.S. attorney for the District of Columbia from 1953 to 1958. From 1962 to 1965 he was assistant State's attorney for Montgomery County, Md. At the present time, he is engaged in the private practice of law. In addition, he was active in the Maryland State, Montgomery County, and District of Columbia Bar Associations. Of particular significance to his nomination to the court of general sessions, he was a member of the 1967 District of Columbia Judicial Conference Committee on the Administration of Justice, subcommittee of the court of general sessions.

In addition to his active legal career, Mr. Burka served from 1960 to 1962 as a councilman of the Town Council of Somerset, Md. He was a member, in 1961, of the Governor's Commission To Study the Blue Sky Laws of Maryland, and, in 1962, a member of the Commissioners' Committee To Study the District of Columbia Blue Sky Laws.

Alfred Burka attended Georgetown University where he received his B.S. degree in 1948 and his LL.B. degree in 1951. He served in the Army in Korea and was awarded a Bronze Star Medal and combat infantry badge. He lives in Somerset with his wife, Joan, and three children.

A PAVED HIGHWAY TO ALASKA

Mr. BARTLETT. Mr. President, since Alaska was admitted as a State 7½ years ago, no concrete progress has been made, despite several attempts, in providing an adequate roadway linking Alaska with the other 48 continental States and with her neighbor, Canada.

My State is one of great natural beauty, Mr. President, and one rich in natural resources. Mountains, lakes, glacial forests, white-water rivers and frozen tundra yield their beauty and their mystery to those who would venture there. Fish and wildlife overflow the rivers and forests. Timber, ore, and oil are plentiful. The people of Alaska are industrious and hardy, in the tradition of its indigenous population and the American frontier spirit.

Economists are agreed on the catalyzing effect highways can have on an area when it is in the "takeoff stage" of economic development.

Clearly, a key to the development of Alaska's resources by its people is a transportation network that could speed people and products between the State and the rest of the Nation.

The beginnings of this highway system exist in the portions of the Alaska Highway which are paved and open to all commercial traffic. These portions run from Fairbanks to the Canadian border and from Dawson Creek in British Columbia to Great Falls, Mont. What is missing, however, are 1,300 miles of paving in between.

The paving of this stretch of road, in cooperation with Canada, would be a positive benefit economically and militarily to Alaska, Canada, and the continental United States. For these reasons, I am happy to join with the Senators from Montana [Mr. MANSFIELD and Mr. METCALF] and the junior Senator from Alaska [Mr. GRUENING] in cosponsoring a bill to help to pave the Alaska Highway.

THE GLASSBORO MEETINGS

Mr. McGEE. Mr. President, the recent Glassboro meetings between President Johnson and Premier Kosygin of the Soviet Union have triggered a lot of talk. Some has been substantive, some pretty wild, in that it suggests that great compromises and settlements are in the offing as a result of this face-to-face encounter of the leaders of the world's two major powers in New Jersey. This, obviously, is not the case. But the other side of the coin is that the President and the Premier also did not develop any new complications, and that they parted with the intention and plan of continuing negotiations through their foreign officers and ambassadors. The importance of the meetings at Hollybush, then, is that these gentlemen met at all; that there was a confrontation. Beyond that, the hope lies in the continuing encounter at the somewhat lower levels of diplomacy.

Mr. President, I ask unanimous consent to have printed in the RECORD several items from the daily press regarding these meetings, including an editorial from today's Washington Post, a column by Richard Wilson from last evening's Washington Star, today's comment by columnist Joseph Kraft, who, writing in the Post, takes a look at the Russian domestic political scene, and an editorial from today's Christian Science Monitor.

There being no objection, the articles and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 27, 1967]

GLASSBORO

Meetings of heads of state arouse great hopes and involve great risks. The meetings which President Johnson and Premier Kosygin held at Glassboro are no exception. They inspired the hope that some great, dramatic and spectacular resolution of Soviet-American tensions might emerge; and they involved the risk that a direct meeting might worsen the situation, as the Vienna meeting between President Kennedy and President Khrushchev did.

No one has more eloquently defined the special risks of such confrontations than Secretary Rusk did in an article in *Foreign Affairs* magazine in 1960. He then wrote:

"The experienced diplomat will usually counsel against the direct confrontation of those with final authority. Negotiation *ad referendum* offers greater opportunity for feeling out the situation, exploring the opposing points of view, trying out alternative approaches, without commitment, testing general propositions by meticulous attention to detail. The process needs time, patience and precision, three resources which are not found in abundance at the highest political level. The direct confrontation of the chiefs of government of the great powers involves an extra tension because the court of last resort is in session. The costs of error or misunderstanding are multiplied by the seriousness of the issue and the power of those present."

The Glassboro meeting seems to fall midway between the worst fears of the diplomats and the highest hopes of laymen. It settled no outstanding issues, apparently; but neither did it complicate any issues, so far as can be seen at this distance. The Kosygin press conference, at many points, seemed unnecessarily abrasive. But it will be helpful to have Americans know how unyielding, uncompromising and unaccommodating the Soviet government is, on all points of difference. And it will be well for Americans to bear in mind that Kosygin was talking, not to Americans alone, or even chiefly to Americans, but to his clients in the Arab states, his rivals in China and his critics at home.

Neither leader had much choice about holding this meeting. If they had not met, inferences would have been drawn that might have been very hurtful to Soviet-American relations. But the meeting, with its attendant difficulties, lends new force to a piece of advice by Phillippe de Comines (cited by Dean Rusk in 1960) that "Two great princes who wish to establish good personal relations should never meet each other face to face but ought to communicate through good and wise ambassadors."

President and Premier have parted with an effort to have it both ways by capping their conference with a plan for continuing negotiations through their foreign offices and ambassadors. If anything constructive is to come out of Glassboro, it no doubt will emerge in these meetings, at a lower level where there is less tension and less attention.

Perhaps, in the end, nothing is lost by letting American citizens, anxious for peace, get a glimpse of how irreconcilable Soviet and American views really are on a long list of world problems. The conference destroys the lingering illusion that if only good will and politeness and courtesy and conciliation prevailed, peace could be achieved forthwith. We are confronted by a powerful, arrogant, uncompromising adversary who has purposes that cannot be reconciled with ours readily. If our own government sometimes fails to reach an accommodation, Americans now will more clearly understand that the fault and failure may not reside exclusively in their own officials.

[From the Evening Star, June 26, 1967]

SUMMIT AT GLASSBORO: THE STORY IS THE SAME

The spirit of Glassboro is at least no less reassuring than the spirit of Camp David, or Geneva, or Vienna, or anywhere else great leaders may have met to study their differences.

This is written in the gymnasium of Glassboro (N.J.) State College, the improbable site of a meeting between President Johnson and Soviet Premier Kosygin. It might as well have been written in the ballroom of Hotel du Crillon in Paris, or the Schoenbrun Palace in Vienna, or any of the other numerous places where the press has been assigned in the past two decades to do its work of covering the meetings of world leaders.

The story is the same. The great men pose for photographers, affecting either icy or warm smiles. They talk for a while, take their leave of each other and then nothing much happens.

Nothing approaching a continuous working relationship with the leaders of the Soviet Union is achieved. President Johnson found, as had British Foreign Secretary George Brown a day earlier, that Kosygin is unyielding in his positions about the Middle East and Vietnam. Progress can be made only on peripheral issue. No general detente or settlement can be approached. But this is not wholly discouraging. A little light occasionally filters through and then there is a cultural or commercial agreement and, in one instance, a limited ban on nuclear testing in the atmosphere.

The significance, however, of Kosygin's two meetings with Johnson should not be lost. They were more than courtesy meetings attending Kosygin's visit to the United Nations. And they involved a certain demeanment on Kosygin's part as he had to accommodate himself to Johnson's determination not to go to New York to see him.

This typically Johnsonian exercise of power must have been galling to Kosygin, but he had to hide it because he needed to see Johnson as much as Johnson needed to see him. Kosygin's world policies are unsuccessful—in China, in Southeast Asia, in the Middle East. Soviet foreign policy is running in bad luck attributable to poor planning and unrealistic goals.

The Soviet premier has a big salvage job on his hands and his erstwhile Chinese allies are making matters no easier for him, either in the Middle East or in Southeast Asia.

He does not need additional icy episodes in the cold war to complicate his already difficult problems. So he came to the obscure little New Jersey college town when a meeting in the comfort of the Waldorf Astoria Hotel in New York would have been more to his liking. He could not have expected to accomplish much except to assure the world that the flickering dialogue between the two super powers was not coming to an end.

There are some who say, after talking with Kosygin in New York, that his overriding concern is that the Chinese shall not move into a vacuum caused by the loss of Soviet power and prestige in the Middle East. He is said even to fear that in due course Peking may supply the Arab states with nuclear weapons. Therefore he is determined to maintain Soviet power in the Middle East as best he can.

But whether China is his main concern or not, he is unyielding about the Middle East. He will be returning to Moscow with nothing much accomplished in the United Nations, but he can at least report to the Council of Ministers in Moscow whether there is any possibility of doing business with Lyndon Johnson.

His week-long visit was a minor disaster in the growing list of Soviet failures.

[From the Washington Post June 27, 1967]

THE MORNING AFTER

(By Joseph Kraft)

People who thirst for miracles are now experiencing the morning after following their Glassboro spree. But for those who view summit meetings as a part of a complicated political process there is no hangover.

On the contrary, the Glassboro meetings shape up as necessary steps in the long, slow business of nursing the Soviet Union along toward the more rational view of things which is essential for progress toward a more stable world.

This process is essential because of the special nature of the present Soviet leadership. A part of that leadership, heading up in Premier Alexei Kosygin and President Nikolai Podgorny, have long experience as government production men.

They are believed to be keen on modernizing the economic plant of the Soviet Union, and sensitive to the need for more efficient use of resources. They thus have an interest in peaceful agreements with the United States which could spare Russia heavy expenses on military projects in far-away countries.

Another group of Soviet leaders, heading up in First Secretary Leonid Brezhnev, has risen to the top through the party hierarchy. They are interested in maintaining the keen ideological edge which favors tight Party control over Russia and the rest of the Communist world—the more so, now that there is a challenge from Communist China. They are determined particularly because it is the 50th anniversary year of the Soviet revolution, to realize for Russia any gains that can be made against "American imperialism."

This divided leadership has wobbled along cautiously for more than two years, with the Party faction prevailing more and more. Brezhnev has emerged as the undoubted No. 1 in Russia. The modernizers have had some success in pushing economic reform and a treaty against the spread of nuclear weapons. But they have been obliged to underwrite heavy expenses for air defense and for military assistance to North Vietnam and the Arab states of the Middle East.

Israel's lightning victory over the Arab states apparently had a dramatic impact on the world of the Soviet leaders. It seems to have created a climate of shock, favorable to the Party bosses with their elaborate suspicions and ready-made postures of ideological hostility. And their hand was further strengthened by bleats from the Chinese, and demands from the Near East and elsewhere for Soviet support of the Arab states.

This climate of shock found full expression at a meeting of the Party's Central Committee in Moscow last week. The Committee adopted a harsh resolution attacking Israel for "aggression in the Middle East." It also adopted a 50th anniversary statement emphasizing the struggle "against imperialism" as the "pivot of world politics."

At the same time, the man from the Party secretariat recently named to be head of the secret police, Yuri Andropov, was raised to be a candidate member of the ruling presidium—the first time the top cop has been in that body since the elimination of Lavrenti Beria back in 1953.

In this situation, the modernizers were obviously on the defensive. The best they could do was to play for time, trying to sort things out while putting off major decisions until a calmer period. Measured against that background, the Kosygin trip, and especially the visits with the President at Glassboro were not a failure.

To be sure, Kosygin's stance on the Middle East and Vietnam hardened between his opening statement to the General Assembly and his press conference last Sunday night. But that evolution seems only to have kept pace with the evolution of opinion in Moscow as expressed at the Central Committee meeting. Nothing that might have been gained was lost.

On the other hand, Kosygin's prestige has undoubtedly been increased. And he goes home better equipped to argue the case of the modernizers in many ways.

He has learned first-hand of the President's disposition to be conciliatory in Vietnam. He has also learned—and at his press conference he expressed the point with a clarity suggestive of sympathy—that the United States would not support withdrawal of Israeli troops until other issues in the Middle East had also been arranged. And he and the President have put new force behind the negotiations, now handed over to Secretary of State Dean Rusk and Soviet Foreign Minister Andrei Gromyko, for a non-proliferation treaty.

Eventually agreement on the treaty, as on Vietnam and the Middle East still awaits future decision. But the door has been kept open. Would it be open if the President had rebuffed Kosygin and refused to see him? For my part, I doubt it.

[From the Christian Science Monitor, June 27, 1967]

THE KOSYGIN TALKS

Those who expected any tangible, hold-in-the-hand results—let alone miracles—from the Johnson-Kosygin meetings were bound to be disappointed. The present disagreements between America and Russia are too deep, the outlook on world problems too dissimilar, the degree of prestige committed to different policies is too great for there to be any sharp change in the situation.

But those who believe that much can eventually be achieved through closer contacts, through the use of every opportunity to overcome misunderstanding, through face-to-face conversations, have a right to feel heartened as they look back on the two remarkable meetings at Glassboro. Even though no hard-and-fast agreements resulted, something important—and, we hope, lasting—was accomplished. For the second time during this month of crisis (the first was in the use of the White House-Kremlin "hot line") the leaders of the world's two superpowers spoke to each other to reduce tension and explain their views.

President Johnson is happily right when he says that, as a result of Glassboro, the world situation is a little less dangerous.

It is true that, in his remarkable press conference at the United Nations, Soviet Premier Alexei Kosygin reiterated what may be termed Moscow's "hard" line. Although he uttered no threats (and this bears underlining), he showed little sign of accommodation on either the Middle East or Vietnam. On both he repeated stands which appear to be unrealistically harsh. He demanded that Israel withdraw behind its pre-June 5 lines before talks on any other aspect of the Middle Eastern situation take place. He said that America must withdraw from Vietnam. Finally, he made it clear that he has no wish for President Johnson to visit the Soviet Union at this time. While a main reason for this may be because Russia fears the President might receive a tumultuous welcome (which under present circumstances would be diplomatically embarrassing to Moscow), Premier Kosygin's brusque answer to this question showed how deep the Moscow-Washington chill still is.

Yet, it must never be forgotten that Premier Kosygin and the Soviet regime are hard-headed and realistic. Their public statements may appear unyielding, but they are well aware of hard facts. Moscow knows its Arab protégés, and consquently its own Middle Eastern policy have suffered a severe setback. And Moscow, which is quick to seize any favorable opportunity for advance, knows that setbacks must be followed by some degree of accommodation.

But this accommodation cannot be such as to "rub in" unduly the Soviet embarrassment over the Middle East, nor should it be such as to play straight into the hands of Moscow's Chinese enemies. Thus Washington must also be accommodating.

In the end, the most important single subject on the world's diplomatic blackboard remains American-Soviet relations. On these relations, more than on any other single circumstance, hangs world peace. In fostering better relations the Holly Bush meetings were at the least a modest success. For this three billion human beings can be grateful.

NEW SELECTIVE SERVICE LAW

Mr. KENNEDY of Massachusetts. Mr. President, an editorial in Sunday's New York Times clearly states, I think, the dilemma many Members of Congress, particularly Senators, faced in voting on the selective service extension bill 2 weeks ago.

The editorial points out that "equity must be the foundation of any democratic draft system." This is certainly an incontrovertible proposition. But as many of us in this Chamber are aware, the extension bill does not bring our antiquated draft system any closer to the goal of equity; rather, it moves us further away from the reforms and the equity proposed by the President and the Marshall Commission.

I do not think we should let the extension bill lie fallow for 4 years, although it will now be more difficult to achieve any change because the pressure of expiration is now released.

Mr. President, I intend to continue

pressing for reform in the system. It is intolerable that we continue an inequitable draft system, when so much of our effort as a nation looks to raising equity in other fields. It was unfortunate that we were forced to choose between a bad draft bill and the June 30 expiration date.

Mr. President, I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 25, 1967]

UNMUDDLING THE DRAFT

The imminent expiration of the current Selective Service law gives President Johnson no option except to sign the wretched extension bill Congress passed last week. But it would be grossly unfair to millions of young Americans to let the new draft measure stand unchanged for all of its four-year term.

Congress itself has provided the opportunity for another look a year from now by insisting that the President submit for specific approval the plan he intends to draw up for drafting nineteen-year-olds by random lottery. The consideration of that plan ought to be accompanied by a rectification of the many other inequities in the draft Congress has newly created or left uncorrected.

A Presidential election year is hardly a propitious time for changing the rules governing the draft, but Congress must recognize that it is freezing or aggravating in the new law the discriminations that already throw a disproportionate share of the burden of national defense on sons of low-income families.

So many haphazard factors are introduced into the whole selection system that the President may have to defer indefinitely the projected shift to reliance on nineteen-year-olds as the primary draft group, even though it is plainly the desire of Congress as well as the Administration to eliminate the uncertainties posed for all young men up to the age of 26 by the present oldest first-rule.

The cavalier manner in which both houses of Congress junked the major reforms proposed by a Presidential study commission is bound to stir growing resentment among parents and youths as the consequences of the new measure become clear. Perhaps then the legislators will recognize that equity must be the foundation of any democratic draft system.

NEWSOM HOLESAPPLE, TUCSON, ARIZ.

Mr. FANNIN. Mr. President, on Friday, June 23, 1967, the Arizona Daily Star published a moving tribute to one of Tucson's most distinguished citizens, Newsom Holesapple, who is now fighting the most important, yet the last, fight of his life. His body infected with disease, and his doctors having abandoned all hope for his recovery, death for Newsom Holesapple is only hours or days away, thereby threatening to bring down the curtain on a life filled to overflowing with 60 years of selflessness, devotion, and dedication. Even in his final hours, as the editorial written by his good friend Bill Mathews tells so well, Newsom Holesapple's primary interest remains his community, his State and his Nation, to which he has contributed so very much of value.

Needless to say, Newsom Holesapple will be missed. There can be no replacement. But his memory will live on not only in words, Bill Mathews' or mine, but in his good works which stand as a symbol of everything he lived and worked for.

I honor Newsom Holesapple, and I thank Bill Mathews for paying him this wonderful, deserving praise.

Mr. President, I ask unanimous consent that the entire editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEWSOM HOLESAPPLE: HONOR THE LIVING

(By William R. Mathews)

As one who has been abundantly honored in recent years by my fellow citizens, it has occurred to me how wonderful it has been to receive these honors while I am still alive. The thought has come to me: why not sing some praises of good friends who have distinguished themselves by generous voluntary service to our community while they are still alive?

One of these beloved friends and generous good citizens, Newsom Holesapple, is desperately ill at the present moment. He has only a short time before he leaves Tucson to knock at the gates of St. Peter. He knows it and is fully reconciled to it. He is still cheerful and interested in the affairs of the Tucson community.

He is 60 years old today. Why not give him a good send-off on that day?

It is my privilege to have known him for nearly 30 years. But only within the last few years have I come to know him intimately. He has been one of the most successful real estate brokers Tucson has ever known. Year after year his sales and lease-making have gone well over a million dollars a year. Yet, throughout the years, he has been one of the softest touches in Tucson for a generous contribution to a worthy cause. He has done more than that; he has been one of the best solicitors for numerous worthy causes.

He has never been bashful or timid. He has always been cheerful, constantly testing out ideas for civic improvements as well as making real estate sales.

As an example, he learned a few years ago that the J.C. Penney Co. was looking for a new location. It was then located at 138 E. Congress St. He immediately telephoned the J.C. Penney manager and asked for the name and telephone number of the official who handled their property transactions in New York. When his call went through to the proper man, he put the question: "I am Newsom Holesapple, real estate broker in Tucson. I have three prime locations for your new store. How soon can you get out here?" The man agreed to come out the next Friday, giving Newsom three days to find those three prime locations. He made the deal that moved the J.C. Penney Co. to its new location on North Stone. He arranged for the purchase by Tucson Federal of the site occupied by Walgreen Drugstore and the present site of their new Tower Building. When the building was completed, he served as the leasing agent. He made more than his share of real estate sales and lease agreements, and engaged in extensive financing and appraising.

He started with the Tucson Realty and Trust Co. in the late 1930s. He went to war in 1944. He returned to Tucson Realty in 1946. In 1950 he was elected vice president of the firm. In 1965 he was further promoted to the position of senior vice president.

He belonged to numerous civic committees in which he took an active part in advancing certain civic projects. He is a member of Gov. Jack Williams' State Advisory Committee on Reappraisal.

Where Newsom Holesapple really did his great work was in raising money. He has been a continuous campaign worker for the United Community Campaign. He always commanded a division which sought large gifts and has always delivered his quota. He was on a St. Mary's Hospital campaign committee, but his biggest feat was in helping to originate the drive for funds for the University of Arizona Medical College. It worked this way.

In April of 1963, he, Oliver Drachman, President Richard Harvill and I met at lunch in a private dining room at the Old Pueblo Club. I didn't know what the subject of the meeting was to be. It turned out to be, first, getting my opinion on the creation of a junior college for Tucson. My opinion was that it was too early for that, and that there was something much more important pending, and that was to raise $2 million to insure the building of the University of Arizona Medical College. In the discussion that followed, Dr. Harvill asked me if I would head the campaign. My answer was a prompt yes.

In May of 1963, I started soundings of sentiment among my friends. In a relatively brief period I had verbal commitments for more than $300,000.

The next step was to stage a luncheon inviting around 20 men of known ability and financial responsibility. To them I presented the case of the Medical College. The response was most favorable. In the meantime, I had been keeping in touch with Newsom. After this luncheon he began to show his stuff in helping me to organize the big campaign committee and then go after funds.

Individually he raised close to $500,000. One of his feats was to talk the late Alfred Kerr of the Tucson Federal Savings & Loan Assn. into raising his personal contribution from $25,000 to $100,000. He produced numerous $50,000 and $25,000 contributions. He did not overlook himself; he gave generously. He worked by my side for more than a year in helping to organize the official drive with all of its duties and to make it a grand success.

He not only helped me in a subsequent drive for funds for the Tucson Medical Center but enlisted the services of his wife, Mildred. She really took the bit in her teeth, and much to the surprise of both of us, organized a large group of women who solicited funds from their women friends. They turned in a handsome total of medium and small donations.

Newsome has always been a restless man. When he could not find enough to do in selling real estate, or in helping along civic affairs, he delighted in playing pranks on his friends. He was one of the founders of the University of Arizona Foundation and singlehandedly raised $100,000, most of it in $5,000 chunks, to get that needed institution on its feet. He is a great, magnificent citizen, and a staunch and loyal friend. He has lived life vigorously and adventurously, and enjoyed it. Within weeks he will be taking leave from Tucson, never to return again. It is a pleasure to sing these praises of him while he is still alive.

SHOULD THE VOTING AGE BE LOWERED TO 18?—WINNING ESSAYS IN THE McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGEE Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "Should the Voting Age in the United

States Be Lowered to 18?" and each year I am impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation, and I ask unanimous consent that two of these essays, written by Cozette Ann Johnson, of Basin, Wyo., and Daryl Bonicelli, of Kemmerer, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the Record.

There being no objection, the essays were ordered to be printed in the Record, as follows:

Should the Voting Age in the United States Be Lowered to 18?

(By Cozette Ann Johnson, Basin, Wyo.)

The question of lowering the voting age to 18 is one which has been debated for many years. I, myself, am opposed to that enactment by the state legislatures. This is, of course, a matter each state must determine for itself. To make mandatory a uniform voting age would require a constitutional amendment.

When we consider how easily the people of my age are influenced—how passionately, but temporarily, we attach ourselves to a "cause" and how difficult it is for us to distinguish the true from the false, we can readily understand why the demagogue, the dictator, and the hypnotic orator have been able, throughout history, to influence the youth of the land, as they did during the times when Hitler and Mussolini were in power. It is not mere accident that at the present time the Communists are concentrating upon our youth in order to acquire power and influence. For sound psychological reasons, the age 21 has long been considered the beginning of maturity.

There have been a number of non-sequiturs used in arguments favoring the establishment of the 18-year-old voting age. A poll taken in our school revealed several of these as quite common.

"If he's old enough to fight and to die for our country, he's old enough to vote." The qualities that are required for a good soldier are hardly applicable to a good voter. Instant obedience, quick action upon command, the unquestioning attitude at all times, quick reflexes, and physical fitness are requisites of our military men. Mature scrutiny, on the other hand, as well as critical appraisal of all recommendations, an unbiased point of view, and a philosophy that considers the good of the majority are essential for effective voting. So, to say that a youth is old enough to vote because he is old enough to fight, hardly follows the principles of logic.

"If he's old enough to marry and to pay taxes, he's old enough to vote." In some states the age of consent to marry is as low as 16 years. Statistics show that the divorce rate among such marriages is higher than it is among marriages of more mature people. The fact of emotional and psychological maturity, therefore, does not follow the low age of consent. Many a girl and boy have earned enough each year to pay the required taxes. Many girls could earn money by baby-sitting; many boys could earn money by construction work. Just because these young people are old enough to marry or old enough to earn money, does that mean they are mature enough to vote?

Other arguments presented were that a person old enough to be judged by a court's harsh laws, should be old enough to vote. Another was that the 18-year-old today is much better informed and more highly educated than the 21-year-old living at the time when the Constitution was written. The youths that are civic-minded will stay that way; those who are interested and informed will not change. These youths will probably become even more so in the years between 18 and 21.

The poll I took in our school among students between 15 and 18 showed 54% supporting the lowering of the voting age, while 46% were against it. Although more approved it, those opposed have, it seems to me, stronger, more convincing arguments than do the others.

They believe that they should continue their education so that when they reach 21, they will be more alert and have wider knowledge to help them make the right decisions. Also, at 18 most people are still accepting their parents political views as their own.

At 21 every person wants to be an individual while at 18 most people want to be "in" with the crowd. They prefer to follow the group rather than to make a decision for themselves contrary to the group.

They also felt that the person voting should have a "civic conscience" and that all the young people don't have it. Only a person who has been independent or who is responsible for a family's living realizes the purpose and the seriousness of voting.

Another youth wrote that before 21, most people act on impulse without realizing the consequences. They would be unable to consider the importance of voting.

The Gallup Poll taken in 1965 revealed that a majority of America's adults believe that the voting age should be lowered—57% registering their support, 39% in disagreement, and 4% having no opinion; this has remained constant for 11 years. Though this is the representative opinion of many adults, those that have the power to change the voting age don't—because they feel that it would not be a benefit to our country. Many state legislatures have rejected the proposal of granting suffrage to 18-year-olds. At present only two states, Georgia and Kentucky, permit voting at 18, one state, Alaska, at 19, and one state, Hawaii, at 20. It is equally interesting to note that nearly every representative democracy has a minimum voting age of at least 21. This is no accident, for the history of representative government—based on the concept of consent by the governed—has proven the need for political and social maturity, and a greater emotional stability than is possessed by the 18-year-old. By the time they are 21, most will have matured and become civic-minded—then they will be ready to vote. By waiting, the vote, a great privilege and responsibility, has not been risked on those incapable of preserving it. Don't you agree that this wait would be worth it?

Should the Voting Age in the United States Be Lowered to 18?

(By Daryl Bonicelli, Kemmerer, Wyo.)

In my opinion, the voting age should not be lowered to eighteen years of age. I do not feel this way because a person who is eighteen is mentally incapable of voting compared to a person who is twenty-one years of age. On the contrary, in some cases an eighteen year old person is more intelligent than a twenty-one year old person, but there are such things as worldly experience, responsibility, and good judgment which in most cases cannot be taught in a classroom and are not wholly inbred into a person's character when he is eighteen. I am not saying that it is impossible for an eighteen year old person to vote conscientiously, but I do believe that the average person develops a sense of judgment and responsibility between the ages of eighteen and twenty-one. This is the time when most of us go out on our own, develop our own ideas of life, and begin our separate vocations.

Someone who is for lowering the voting age to eighteen might point out that at this age one is eligible for the draft and active duty in Vietnam. This is very true, but if they were to say that it takes judgment and common sense to pull a trigger, I would have to disagree with them. Anyone who is physically fit and reasonably intelligent can fight in a battle, but it takes real honest and wise judgment to choose the leaders of your government with the thought that they may end this conflict in Vietnam and maybe larger conflicts to come. This is not to say that the men in Vietnam are not qualified to vote, but if someone were to say that fighting is a prerequisite for voting, I would disagree with them heartily. It takes a person who can both fight for his country and be a critical judge of human character to be a good citizen and an able voter. The person who can do both of these things well is well qualified to be a voter. In my opinion, this sense of judgment is developed after leaving high school and not during high school since a person meets more people with whom he can try out this new sense when he has left school and has been exposed to the world. Also in high school, a boy or girl is not judged on ability and talent but more on popularity. This fact alone gives an average high school student a twisted idea of what an election is all about. It is more of a popularity contest than an election. When voting for a class president or secretary, a student will not normally think about their qualifications but about how good looking or "cool" they are. When the selfsame student gets out of school and tries to apply these philosophies in an election, he is going to get the shock of his life and will wonder which way to turn. Part of this "error in judgment" comes from the lack of social education and experience of the student. I say this because I feel that schools should offer a student a strong course in social education and emphasize more strongly the civic part of life instead of always the academic and scientific part. If this were the case today, perhaps an eighteen year old person would be qualified to vote; unfortunately it is not. Considering how much stress is put on practical things in high school, I think that more attention should be paid to rounding out a student's education by teaching him how to be a well informed and responsible citizen.

Another question to be considered is when or at what age are we socially mature? It is hard to pick a specific year or period when this happens. Some people never mature, some mature early and some late, but it is hard to draw even a feasible date at which we all, on the average, mature or grow up socially. Someone might say that this is irrelevant to the issue at hand, but I might ask them why they picked a year like eighteen for military conscription. Because it is an even figure? Or because it seemed like most of us grow up physically at this age? It is somewhat easier to pick an age when most of us will mature physically than it is to estimate when we will be socially mature. The best psychologist in the world could not tell us exactly and at what precise instant we are going to come to social maturity, and I challenge anyone else for that matter to even give an approximate average year when a normal person is ready to vote. This brings up the other side of the question as to why a person must be twenty-one years old to vote. Someone might say that setting the minimum voting age at twenty-one is hardly any different than setting it at eighteen. There is only a three year difference between these two ages, but a lot of things happen to a person during this time. He becomes independent and has to look for a job or go on to college. In some cases, he gets married and takes on the added responsibility of raising a family. In other words, he gains what no high school diploma can give him, a sense of judgment and responsibility.

In summation, I contend that lowering the voting age at this time would be a drastic mistake not only in Wyoming but all over the country. I have no doubt and a firm hope that in another ten years the voting age will be lowered if only because of the better educational "rounding" a student will obtain then but also because by then a young person will have more say in our government and *will know how to say it.* Perhaps in another ten years there will be more socially mature persons at an earlier age, but the fact remains that today no interest is taken in giving a student a strong foundation in *judgment* and *civics.* Unless this is improved there is little chance that a person of eighteen will be able to vote and vote in the right way.

THE TENSE MIDDLE EAST

Mr. McGEE. Mr. President, the time for basic steps to alleviate the always tense Middle East situation is right now. As columnist Howard K. Smith wrote in the Washington Star:

> The stunning Israeli victory has made things fluid. But they are already beginning to congeal again.

Mr. Smith's basic suggestion is a point well made and well worth repeating. He suggests that Israel, as a result of its overwhelming victory, is in the best position to exercise generosity and move toward solution of the Palestinian refugee problem. The Arabs, then, should recognize Israel's national existence, and the great powers should move in concert to damp down the local conflicts of the region. In this way, as President Johnson has suggested, each party can make concessions in nonessentials in order to secure what is essential—and that, of course, is an end to conflict. If this is not done, the Middle East will more than likely flare up again.

Mr. President, I ask unanimous consent that Mr. Smith's column, entitled "Basic Suggestions for a Mideast Settlement," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BASIC SUGGESTIONS FOR A MIDEAST SETTLEMENT

The Arab-Israeli conflict is complicated, but there is one simple thing that can be said about it—and that happens to be the basic thing:

The first elemental requirement for a successful policy anywhere is that it meet the basic test of plain, practical workability. Yet in this dispute, both sides base their policies on assumptions as unreal as the expectation that water will run uphill.

The Arabs expect Israel to accept national extermination, though Israel is strong enough to prevent it. Mr. Kosygin's proposal to the United Nations amounts simply to having Israel, though victorious, behave as though she had been defeated—and, though she is much the strongest nation in the region, his resolution would have her act as though she is the weakest.

And the Israelis expect the fiercely proud and hypersensitive Arabs to shrug their shoulders and live with defeat and humiliation—though 99 percent of Arab territory and 99 percent of their people remain intact, and they have friends and neighbors willing to stake them to another, and another, and another, try at wiping out the shame.

Nations simply do not behave the way each side expects the other to behave, and they are not about to begin behaving that way now.

So, the latest Israeli victory, however complete it seems, is likely to intensify the conflict rather than lead to a settlement. Moreover, since the Israelis have provided a textbook example of how to win—i.e., get in the first paralyzing smack before your opponent can even get his planes off the ground—the situation is more volatile and prone to explosion now than it was before.

The Arabs can be expected to begin retraining armies in remote areas of the vast territory available to them, far from Israel, and to bring their forces within effective striking distance only when ready for the next showdown. And do not count on the Arabs remaining militarily inept; history amply demonstrates that defeat is a more effective teacher than victory. And the Israelis, knowing all this, will be readier to strike the first blow before the Arabs are ready.

In his speech last week, President Johnson stated the only possible terms on which settlement can be approached: Negotiations in which each partner to the quarrel, nudged heavily by the great powers, makes substantial concessions in non-essentials in order to secure what it regards as essential.

The space occupied by the Israeli nation is not essential to the Arabs. They must be induced to recognize its national existence and to end their permanent state of war with Israel. (Incidentally, their insistence that they were already at war with Israel makes hash of their charge that Israel committed aggression this month; if war already existed, Israel was just getting in the first blow in a new battle, the way the Russians got in the first blow in their Stalingrad offensive.)

And the Israelis have to assuage Arab pride and make amends ("America will play her part," the President said) to the wretchedly treated Arab refugees who once owned 94 percent of the area that is now Israel. That will call for an act of humility by the Israelis, but it is a small price to pay for acknowledged nationhood.

The first step should be taken by Israel. Overwhelming victory is the best basis for copious generosity.

The immediate next step should be taken by the two great powers. The rapid progress of Red China towards becoming a thermonuclear power should prod them to begin immediately taking steps to damp down local conflicts which China has always exploited and will soon be able to exploit fatally.

The stunning Israeli victory has made things fluid. But they are already beginning to congeal again. If there is going to be constructive action, no more time can be allowed to pass.

JOHN KENNETH GALBRAITH'S "THE NEW INDUSTRIAL STATE" REVIEWED

Mr. McGEE. Mr. President, former Ambassador John Kenneth Galbraith, who needs no introduction to the Senate, has written an immensely important new book entitled "The Industrial State." On Sunday, Carroll Quigley, writing in the Washington Star, provided us with a solid, well defined review, opening with the advice that the book be read, analyzed, and discussed by citizens.

Mr. Galbraith's book is a warning, perhaps, accompanied by suggestions for reform, and constitutes a major commentary upon our American way of life. I ask unanimous consent that Mr. Quigley's review be printed in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

GALBRAITH'S NEW BOOK ON INDUSTRIAL STATE HAS STARTLING IMPACT

(By Carroll Quigley)

This is an immensely important book. It should be read, analyzed, and unemotionally discussed, not by economists, but by citizens. The economists, like most academicians, are hampered by their specialist training from seeing their subject in its full social context, and will be particularly offended by this volume, whose lessons, if generally accepted, would destroy economics as a separate intellectual discipline, or, at least, would reduce it back to *political economy* from which it emerged in the eighteenth century. But the warnings of this book should be considered by citizens who must pay the price in freedom, comfort, safety, and blood, if the description of our economy and of "the American Way of Life" presented here is true in only a major part.

TWO SYSTEMS

According to Galbraith, the American economy consists of two quite different economic systems: "the entrepreneuria economy" of over eleven million enterprises, largely controlled by owners and working in a competitive system to "maximize profits" which will go to these owners; and a mega-economy (which he calls "the industrial economy") of a few hundred super-corporations, which dominate the whole economy and all aspects of our lives and are making the future in which the whole world must live. The two economic systems are totally different, the competitive one almost helpless in the market which it cannot control, and threatened by government, labor, competitors, and the whims of consumers, while the mega-economy, controlled by a bureaucratic managerial group (Galbraith calls it "the technostructure"), which seeks power, not profits, and has been so successful in creating an antonomous area of such power that it can plan its own prices, production, and expansion, and has either neutralized or allied with the government, the owners, its competitors, and outside financiers, so that it can pass the costs of higher taxes, wages, costs, or even dividends onto the public by simply raising prices. It seeks profits only to the degree necessary to satisfy the stockholders, pay these needed expenditures, and retains the rest to finance the corporation's unremitting drive to expand its operations so that all forces capable of threatening its autonomy and freedom of action may be controlled or eliminated.

THE SUPER CORPORATION

The two elements of the super-corporation's economic environment which it cannot control are (1) aggregate demand, that is the total purchasing power in the community available to buy its products; and (2) possible shifts in consumers' tastes which might leave its products unwanted. The first has been reduced by an alliance between the mega-economic technostructure and the government, under which the latter sees to it that its fiscal policies and its own purchases provide a market for the goods the mega-economy produces. The second is controlled by the mega-economy's expenditure of billions of dollars for the mental conditioning of consumers to the point where a well-financed advertising campaign can create needs, even urgent needs, which were never conceived of before in human history. To this end we are systematically brainwashed, and our whole way of life is being re-shaped, distorted, and corrupted to provide markets for the mega-structure.

According to Galbraith, academic economists have been taken over by this system to the point where their theories seek to justify it and, in doing so, conceal from us what is happening. At the same time, he feels, the alliance of government and the mega-economy is so close that the distinction of public and private is now meaningless, and we should call the resulting union "The New Industrial State," as he does in his title.

THE GOAL IS POWER

According to Galbraith, the goal of the super-corporations is power, to be achieved by growth, that is by the corporation's neurotic drive to expand without limit in order to bring under its influence all the elements of its economic *and social* environment so that these can be controlled in an autonomous system by the technostructure. To explain this urge, which drives the members of the technostructure to longer and longer hours of work, and to deeper and deeper involvement in the rat-race which leads to the top, to ulcers, heart-failure, and to shattered family life, Galbraith examines, somewhat inadequately, the motivations of businessmen and firmly rejects the usual economic theory which holds that they are working to increase their monetary incomes. Instead, he finds their chief motivations in what he calls "identification" and "adaptation." He does not go sufficiently behind these words to link them with the corporation's drive for power and incessant growth, as he should have, but the implication seems to be that men who have failed to achieve personal identity and are psychically insecure in their personality patterns seek such security by identification with an organization in which they can share in a drive for power which helps to assuage their own inadequacies.

These are, of course, the same paranoid motivations which were the basis for joining or condoning the Nazi party organizations, although Galbraith, who makes much of the converging social patterns of the Soviet Union and the United States, makes no comparisons with Nazi Germany. This may be part of his growing verbal caution in the latter part of this volume, in which discretion frequently stops him from drawing the obvious conclusions of his own statements. To me his description of the American economy as he sees it has a very disturbing similarity to the impression I received in 1942 on reading Part Two of Franz Neumann's "Behemoth: The Structure and Practice of National Socialism." An economy driving neurotically for limitless expansion in a search for power and seeking to obtain total control of the factors which can influence its own activities (and which is blurring the distinction between the meta-economy and the government by constant interchange of personal, techniques, and joint or parallel decision-making) can hardly fail to lead to disaster, and the parallel should not be overlooked because the relative balance between mental-conditioning and compulsion is quite different in the two systems. Galbraith, however, stops well short of examining these possibilities.

CHANGE IN TONE

On the contrary, the careful reader of this book will notice a rather drastic change of tone and expression about three-quarters of the way through the volume: the tone becomes more critical, even alarmist, but the wording becomes more circumspect and evasive. He puts the mega-economy in its social context and shows how, like a cancerous growth (my words, not his), its search for power makes it necessary for it to take over all aspects of life: education, government, social living, our very thoughts and emotional reactions, in a gigantic brain-washing operation which will bring all life under the domination of the mega-economy.

He is very concerned about its impact on the educational system, where he sees the mega-economy steadily modifying the process of education and educational administration so that these also adopt the mega-economic goals of endless physical expansion, financed by the system in return for educational efforts to shape and condition the young into the narrowly trained, uncritical, materialistic persons which the mega-economy needs for its personnel and its customers. He is equally alarmed at its effect on government and our foreign policy, taking over the one and directing the other toward increasing militarization of policy and all life.

As in his earlier "Affluent Society," he shows that what the mega-economy wants done (like super-highways or moon-shots) is done, but what the mega-economy is not interested in (like legal, judicial, or tax reform, care of emotionally disturbed children, noise or pollution abatement, primary education or safety in the city streets) is not done. Galbraith implies that the influence of the mega-economy in these matters may well be unconscious, as simply unanticipated consequences of the technostructure's drive for its narrow and specific goals.

The critical tone of the latter part of this book is in sharp contrast with the earlier and major part of the volume, where he gives the impression that the development of the meta-economy is not only inevitable but also good. He attributes it to advancing technology and shows little real feeling that such technology and the resulting meta-economy with its technostructure are either undesirable or dangerous. Basing these on growing technology, he assumes that this is inevitable and desirable, and even justifies the technostructure's striving for power on the ground that power in the economy has always rested on whichever factor in the productive process was most difficult to obtain, a condition which allowed those who controlled that supply to use that control as a road to power. Thus he lists the customary economic factors of production (such as land, labor, capital, know-how) and decides that power in the economy has always gone in any period, "to the factor which is hardest to obtain or hardest to replace." Thus power rested with land two centuries ago, shifted to capital, when the need for that factor became acute, a century ago, but now rests with know-how, since that is the factor in shortest supply today. Thus, the author justifies the dominant role of management, not only within the super-corporation but outside it, as the technostructure steadily extends the area and scope of its power seeking to control all our actions, patterns of living, values, and thoughts, so that the corporation may continue to grow.

MANAGERIAL GROWTH

In the same way, Galbraith justifies, in his early pages, the growth of the managerial bureaucracy as an anonymous group, for whose decisions no individual can be held responsible and which must be accepted as inevitable natural phenomena, on the ground that the management must function in committee in order to pool the diverse knowledge and varied talents of the many kinds of expertise necessary for modern technological complexities. I think this is rationalization and suspect that Galbraith does too.

In his last seven chapters, Galbraith looks at the future of the "Industrial State" and makes suggestions to reform it. Here his alarm is apparent, but the discussion is both feeble and unrealistic. These last chapters could have been an alarm bell clanging in the night. Instead, they are a muffled drum, so muffled that neither the message nor the direction of the sound is clear. We can be saved, he believes, by "the intellectual and scientific estate," which must provide the necessary "political lead." The first task of these intellectuals will be to break the mega-economy's grasp on education, especially higher education. He warns that no reliance can be placed by these reforming intellectuals on economists, for the "economic stereotypes—the productive models that lend themselves to assembly-line instruction—insist on the approved sequence . . . they will continue to do so."

Quite so, but what Galbraith ignores is that economists are no better and no worse than any other intellectuals, scientists, and academicians; they are all mostly narrowly educated men-of-good-will trying to make a living, products of the educational system and society whose condition, according to Galbraith, is so bad it must be reformed. Galbraith should guard himself against the normal human error of believing that the people one knows best are worse than those one knows less well.

Even Galbraith, with all his broadness and background, is not able to offer a suggested reform nor even to see what is coming. His reform is old (and I had hoped discredited), that of more socialism (not his word) by trying to balance the mega-economy through increasing the sphere of action of the state. This is based on his belief that the state is independent of the mega-economy and can stand up against it, two points that his book shows to be untrue. In fact, his vision of the future, which sees the state and the mega-economy merging into symbiosis in which the distinction of public and private is no longer significant, sees this as a process by which the state is taking over the mega-economy. This is naive, for it is clearly a process by which the technostructure is taking over the state by conditioning its major goals, motives, techniques, and personnel.

THINKING ON REMEDIES

Galbraith's weakness in thinking on remedies and the future rests on two simple facts: he is too weak in history and in the social and psychological roots of our present crisis. He may distrust the economists, but he remains one of them. From the beginnings of economic thinking, six generations ago, economists ignored what every entrepreneur knew: that the "factors of production" included not only the "economic factors" of land, labor, capital, management, and the rest but required two preliminary needs: *an acquisitive outlook* in the people and *domestic tranquility* in the land.

As soon as economics ceased to be "political economy," the economists forgot these two, simply because the industrial system then had them, but, from before 1750 to after 1850, whatever economic thinkers believed, all businessmen and politicians saw the need for these two. Capitalism and industrialism could not function without the first: that subjective outlook and value-system which include self-discipline, punctuality, future-preference, and infinitely expandible material demand—what historians call "the acquisitive outlook." Lack of this outlook has been the chief obstacle in the introduction of modern industrial society into Asia, Africa, and Latin America, despite our efforts, costing billions of dollars, to give these areas the "economic factors" of production. We have been equally unsuccessful in introducing this outlook to at least one-sixth of our own people, as can be seen in any American urban slum. The British however gave it to their own people, largely in 1820–1850, through what they call "Non-Conformist religion."

The other neglected, but essential, non-economic factor of production is what we call "law and order," but our wiser ancestors called domestic tranquility"; it covers personal physical security and safety, respect for property, and non-violent settlement of personal disputes.

YOUTH'S RESENTMENT

The chief task of Britain, in the eyes of businessmen in 1790–1850, was to obtain these two things. The economists ignore this fact. Today both are vanishing rapidly. On the one hand, the middle-class adolescents are contracting out of the acquisitive outlook, while the slum adolescents, who never had it, are turning our cities into jungles. Both groups show their resentments against Galbraith's "Industrial State" by vandalism, increasing crimes against persons, and vandalism on property. Many others are simply refusing to join the system, with neither violence nor animosity, turning away from it to try to make their own nonaffluent, noncompetitive life outside the "American way of life." In the last few years middle-class young people have shown their rejection of it by decreased enrollments in engineering, exact sciences, and business studies, and, above all, by a 35 percent drop in applications for jobs in industry, at a time when total enrollments and applications to the Peace Corps are rising.

The future of the industrial State will not be settled by any superficial reforms by intellectuals in education or society as a whole, and not, I hope, by more socialism, but by many persons dropping out, in every way possible, probably by guerrilla warfare in American cities, and by the increasing numbers who come to believe that all vital reforms occur in peoples' minds and hearts. That was how it happened, to an oppressive system similar to ours, in the Roman Empire about 1,700 years ago.

VICE PRESIDENT'S COMMENCEMENT ADDRESS AT ANNAPOLIS—ELOQUENT CASE FOR HUMAN RIGHTS—XCVI

Mr. PROXMIRE. Mr. President, on June 7, Vice President HUBERT HUMPHREY delivered the commencement address at the U.S. Naval Academy.

In his characteristic style—so familiar to his former colleagues in this body—the Vice President made an eloquent and persuasive plea for universal respect for human rights.

As the Vice President so wisely observed:

> We know through our own experience that the rights of man are never real unless they are constantly reasserted. . . . We know in our hearts the rights of man are a never-ending unfinished business, a destination never quite reached.

The Vice President, in his memorable speech, has made a strong argument not only for human rights, but as well for Senate ratification of the Human Rights Conventions on Forced Labor, Freedom of Association, Genocide, Political Rights of Women, and Slavery.

> The quest for the rights of man can never end at our own doorway. Nor can it be pursued in any narrow, protective sense.

These words and thoughts are those of the Vice President: these sentiments are those of advocates of the Human Rights Conventions.

Mr. President, I ask unanimous consent that the remarks of Vice President HUBERT H. HUMPHREY at the U.S. Naval Academy on June 7, 1967, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, U.S. NAVAL ACADEMY, ANNAPOLIS, MD., JUNE 7, 1967

Gentlemen, I am honored to bring you today this message from the President:

"It is a pleasure for me to extend my best wishes as you complete your college education.

"You are graduating into a society in which you will be warmly welcomed. Our country has never had so great a need for highly educated men and women. Never have young Americans moved from the college campus into a world offering so broad a range of opportunities for individual fulfillment and contribution to the welfare of humanity.

"Your generation of students has been distinguished by its fresh and vigorous concern for the quality of American life and its commitment to American democracy. Perhaps the greatest opportunity awaiting you is the challenge to make this a life-long commitment.

"Today, Americans from every walk of life are striving together to shape a society that can offer a meaningful and rewarding life to all its members. Never have so many of our countrymen been so deeply dedicated to eradicating the old evils of ignorance, poverty, and bigotry from every corner of the land.

"Through your years of study, you have prepared yourselves for positions of leadership in this quest for a better America.

"I congratulate you, and urge you to take full advantage of that opportunity.

"LYNDON B. JOHNSON."

Gentlemen, in the spirit of that message, I call your attention to the future.

In your generation, only 33 years from now, our familiar 20th century will end and a new century will begin.

There are those who predict that we'll never make it alive through *this* century, much less the next . . . that nuclear Armageddon is bound to come.

But there are others, and I am among them, who believe that the year 2000 can bring not only a new century, but the beginning of a new millennium of human hope and happiness.

It will in large part depend on what we Americans do with our time.

There seems to be general agreement that we in America can be living in streamlined, chromeplated, airconditioned, automated, solid-state, all-electronic comfort in the year 2000.

Discussion of present and future progress almost always seems to be in terms of scientific and technological wonder or horror . . . comfort or cataclysm.

It is also largely in terms of the quantitative: How much? How many? How far? How fast?

For instance, in quantitative terms, we know today that we have a Gross National Product of three-quarters of a trillion dollars . . . the ability to produce a plane which will fly at 2 thousand miles per hour . . . a national inventory of 60 million TV sets . . . more than a half-million scientific papers published each year.

All these facts indicate economic prosperity and growth . . . a greater scientific and technological capacity . . . a wider ownership of material goods.

And we are told that these trends will surely continue.

Yet, if we look more closely we see other things too: That, for instance, in the shading of high-income areas on census maps, the shading never falls on neighborhoods where Negroes live; that, in a time of prosperity in the rich nations, per capita income is going *down* in the poor nations of the world.

And we increasingly feel—I know I do—that it is imperative to apply critical, *qualitative* measures to what we see—that it is necessary to see how change is affecting people and their lives.

We have over 2 thousand institutions of higher education in our country. The question is: What proportion of their students are receiving both a solid technical grounding and the ability to think for themselves?

We have, in our cities, billions of dollars of new investment in office buildings and luxury apartments. The question is: Are the families who live in the shadow of these buildings—that is, the majority of the people who live in our central cities—better-housed or worse-housed today than they were yesterday.

When he visited America a century ago, Thomas Huxley wrote: "I cannot say that I am in the slightest degree impressed by your bigness, or your material resources, as such. Size is not grandeur, and territory does not make a nation. The great issue, about which hangs the terror of overhanging fate, is *what are you going to do with all these things.*"

Today more and more Americans are asking Huxley's question of themselves: With our power, our resources, and our innovative capacity magnified a thousand times, what *are* we going to do with all these things?

I think the answer is clear.

Our goals are not and must not be confined to improvement in physical conditions and creature comforts. If the achievements of America are to be no more than the hardware of science, the machinery of technology, and the extension of material abundance, we will have made only a minor contribution to mankind.

We must not lose sight of this:

More important than the machines, and the wealth they produce, are the people who inhabit this earth and the rights they possess.

If a future historian set out to trace the preservation and realization of the rights of man in *this* millennium, he would be able to describe a pattern of progress.

He would, of course, note that in the Middle Ages only the ruling sovereign firmly possessed rights to own land.

He would dwell on the significance of the Magna Carta, issued by King John of England in 1215, defining the rights and duties of barons, and becoming a symbol of the rule of law for succeeding kings.

He would note the enactment by Parliament, in 1689, of what the British called the "Bill of Rights," which declared the rights and liberties of British subjects under the Crown.

He would, possibly, give a full page or chapter to the American Constitution adopted in 1789, the amendments added by our first Congress in 1791, and how they became known throughout the country and the world as the American Bill of Rights. They would have to be spelled out on our historian's pages: The right of free exercise of religion, of free speech and press; the right to assemble and petition the government; the right to be secure against unreasonable searches; the right of trial by jury; and more.

That historian of the future would relate two patterns of development which followed: How America itself, through action of Congress and the courts, refined and extended those rights to *all* its citizens, and how other peoples learned of and fought for the same rights.

And what then? What would our future historian report of the role of America in extending the rights of man as this millennium raced to a close?

Permit me to suggest a hopeful, hypothetical paragraph for that future historian. In the bland, detached prose of the scholar, he might write the following words about the United States in the year 1967:

"It was a time of crisis and challenge for the United States. While seeking to improve its own standards and redefine its own rights at home, that nation was tested as never before in its pronouncements that policies to help extend human rights to other areas of the world."

And then, in conclusion, we would hope that the historian would set down this paragraph:

"America met the test."

There are those who say history cannot be made; it must be accepted.

But we Americans have never looked upon human history with fatalism or a sense of despair. We have never written off the future to the winds of chance and the whims of nature.

It is good to know history. It is even better to make it.

But before the act must come the vision.

What are the rights—and what are the corresponding responsibilities—which man may envision in the century ahead, and which he may work toward today?

Man's past rights, as previously defined, have most largely protected him against coercion by his government.

But in a world where destruction is only a half-hour away, as the intercontinental missile flies, we all know that man's rights are affected by forces far beyond those possessed by his own immediate government.

None of us needs to be reminded of that fact this week.

We know that every major event—or trend—taking place on this earth sends ripples outward to all other places.

All this is a way of saying that this truly is one world, and will become even more so.

It is thus clear that, if we wish man's rights to be nourished and not to wither, we must move beyond the goal of merely helping him resist the incursions of his immediate government.

We must, too, move beyond the business of the protection of rights to a more positive doctrine—toward their assertion.

In short, we must help man become not just protected, but liberated.

Does this seem to be new and revolutionary doctrine?

It is revolutionary.

But it is hardly new. It is, in fact, the doctrine of Thomas Jefferson—doctrine that proclaims "life, liberty, and the pursuit of happiness" as the inalienable rights of all men.

Life that is more than mere existence.

Liberty that is not only proclaimed, but practiced.

Happiness that is found in only the full and rich life of men who are both secure *and* free.

We know through our own experience that the rights of man are never real unless they are constantly reasserted. We have seen what happens to them when they are left to fend for themselves.

We know in our hearts that the rights of man are a never-ending unfinished business, just as America is a nation never-finished, a destination never quite reached.

The quest for the rights of man can never end at our own doorway. Nor can it be pursued in any narrow, protective sense.

Therefore, I hope you will not consider me presumptuous if I say that, here and now, we as Americans must dedicate ourselves to a new Bill of Rights and Responsibilities for the 21st Century—rights and reasponsibilities which fit new times and circumstances.

Let us raise our sights beyond the past and present. Let us declare ourselves for the future rights which one day all men share:

The right to peace—so that man may live and hope free from the threat of those who would march to power.

The right to justice—so that man may stand before his peers and his society on truly just and equal basis with his neighbor.

The right to free expression—so that man may speak and be heard, despite the decisions and beliefs of any temporary compact majority.

The right to the search for knowledge—so that no man may remain another's slave through the denial of skill or education.

The right to public accountability—so that man may remain the master of the state, rather than the state become the master of man.

The right to a meaningful role in society—so that man may follow his own cadence and live with self-respect and dignity among his fellow citizens.

The right to full opportunity—so that man may lift himself to the limit of his ability, no matter what the color of his skin, the tenets of his religion, or his so-called social class.

The right to public compassion—so that man may live with the knowledge that his health, his well-being, his old-age and loneliness are the concern of his society.

The right to movement and free association—so that man may freely move and choose his friends without coercive restraints.

The right to privacy—so that man may be free of the heavy hand of the watchers and listeners.

The right to rest and recreation—so that the necessity of labor not be permitted to cripple human development.

These are the rights we seek—and must continue to seek—to make alive and real in our own nation. These are the rights, I believe, which we can do no less than seek for our brothers in mankind.

These rights will not be achieved at home, or in the world, without the exercise of consonant responsibility by men who would possess them.

Then what are the responsibilities of modern man?

The responsibility to participate—lest critical initiatives and decisions be left to those who would bend them to their own use.

The responsibility to speak out—lest silence in the face of injustice be interpreted as its acceptance.

The responsibility of public service—lest service be to self rather than fellow man.

The responsibility to support the rule of law—lest the law of the jungle become the law of human behavior.

The responsibility to protect ideals in the face of force—lest ideals be lost and violence be spread.

The responsibility to respect and defend the rights of others—lest freedom become license, and opportunity become coercion.

And these latter responsibilities, I might add, are nowhere more clearly spelled out than in two remarkable documents for the future: The Charter of the United Nations and the recent Encyclical of his Holiness, Pope Paul VI.

Both of these documents point the way to the future responsibilities in this world of the United States and other free nations. They point the way to the creative, constructive work that will be necessary if peace with freedom is ever to be achieved—the work of nation-building, of peace-keeping, of self-sacrifice in the cause of fellow man.

I know there are certain "realists" who believe both the United Nations Charter and the Pope's Encyclical to be the documents of dreamers. That they may be. But they are also realistic.

For I believe it is most unrealistic to expect man to survive through the years ahead if these documents are not heeded, and in the specific.

It is clear: The rights of each man must by necessity be limited by the rights of others and by the just-demands of the general welfare. Yet, within those limits, the possibilities of making men truly free are today but barely touched.

The first step is to have a vision of the rights we seek. The second step is to resourcefully find the means to their attainment. The third step is to have the courage to use those means to their attainment. The third step is to have the courage to use those means until the vision is achieved.

I have faith that America has within itself vision . . . and resourcefulness . . . and courage.

I give you the Words of Woodrow Wilson: "This is not America because it is rich. This is not America because it has set up for a great population great opportunities for material prosperity. America is a name which sounds in the ears of men everywhere as a synonym with individual opportunity because it is a synonym of individual liberty."

I have faith that we shall not be diverted, at home or in the world, by the temporary crises and distractions which tempt men to infringe on the rights of others or to abandon their responsibilities.

And I have faith that the year 2000 will dawn on a world not of emptiness and devastation . . . not of oppression and conformity . . . not of self-indulgence and materialism . . . but a world in which each man stands free and equal in his search for the happier, better life than can be his.

That is the promise of the 21st century. And that is the promise of America.

MILWAUKEE JOURNAL PRAISES PRESIDENT'S MIDEAST POSTURE

Mr. PROXMIRE. Mr. President, once again the Milwaukee Journal has hit the nail on the head in highlighting the essence and extolling the wisdom of President Johnson's position on the Mideast crisis. As an editorial in the June 20 issue of the Journal points out, the President has taken a realistic, hardheaded approach to the situation, recognizing that "the Israelis will always toe the brink of war if they insist on hanging on to all the Arab lands they won" while at the same time asserting that Israel should not give back any land until certain guarantees are granted. These guarantees includes free passage through the Gulf of Aqaba, limits on the arms race, and political independence and territorial integrity for all.

I ask unanimous consent that the Journal editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REALISM ON MIDDLE EAST

President Johnson's fine statement Monday on the middle east crisis establishes a constructive, realistic foundation for United States policy there.

Instead of reiterating the bland proclamation that this country respects the territorial integrity of all parties to the dispute, the president clearly charted a course the United States hopes to pursue in trying to restore stability and peace to the area.

That course rests on at least two key realities: That the Israelis have convincingly clobbered their Arab enemies and hold a powerful hand for future bargaining; that the Israelis will always toe the brink of all-out war if they insist on hanging on to all the Arab lands they won last week.

So most of the lands must be given back. But not, as the president stated, before certain guarantees are granted: Free passage through the Gulf of Aqaba; recognition of the "rights of national life" for the Jewish state; greater justice for the million or so Arab refugees; limits on the arms race; political independence and territorial integrity for all. Any settlement that ignores even one of these crucial conditions is almost certainly bound to fail.

Compared with the president's sensible and restrained remarks, the United Nations address of Soviet Premier Kosygin was a cloud of guff. The events of recent days undoubtedly helped dictate these respective postures. The Russians' clients lost; ours won.

The one glimmer of hope that emerged from Kosygin's diplomatic theatrics was his acknowledgment that Israel has a right to live. That raises possibilities for negotiation. If Kosygin can only impress his conviction on his Arab friends, the dark middle east tunnel may yet produce a flicker of light.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. SPONG in the chair). Is there further morning business? If not, morning business is closed.

PUBLIC DEBT LIMIT

Mr. SMATHERS. Mr. President, I move that the Senate proceed to consideration of Calendar No. 344, House bill 10867.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 10867) to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, this bill, H.R. 10867, provides a permanent debt ceiling of $358 billion to take effect on July 1. This bill is urgently needed because the current debt limitation will expire this Friday, June 30. Unless this bill is enacted by then, the Secretary of the Treasury will have to stop issuing Federal securities at the end of this week and the Treasury soon will be unable to pay the Government's bills.

In view of the very little time that remains before the present debt limit expires, your committee has approved the bill passed by the House and done so without change. It has refrained from amending it in any way. As I noted, the bill provides a new debt limitation of $358 billion. This limit will apply throughout the entire fiscal year 1968. Beginning in fiscal year 1969, the debt will be permitted to increase to as much as $365 billion during the course of a fiscal year, but must fall back to $358 billion at the close of each fiscal year.

Apart from the specific figures which I have referred to, the bill contains three other features which deserve description. First, the bill provides that the $358 billion debt limitation I have just described is to be a permanent limitation and not a temporary limitation. The members will recall this last February, when we last considered the debt limitation, that the Senate wanted the $336 billion provided in that bill to be a permanent limitation. We preferred this to retaining the permanent limitation of $285 billion with a temporary limitation of $336 billion. The Senate saw no reason for this demarcation between temporary and permanent, particularly when it was so obvious that the $285 billion limitation could not be restored in any practical sense at least for years to come.

A second special feature of this bill provides that participation certificates issued by the Federal National Mortgage Association during the fiscal year 1968 are to be included in the debt subject to limitation. As I will describe to you in somewhat greater length subsequently, the need for this action arises from the uncertainty as to whether participation certificates will be issued in the coming year or whether, in their place, additional debt will be acquired. This removes any difference insofar as the debt limitation is concerned, no matter which of these two courses is followed.

Finally, the bill extends the maximum period to maturity of Treasury notes from 5 to 7 years. Previously, indebtedness of between 5 and 7 years was classified as a bond. Bonds are subject to the 4¼-percent interest rate ceiling while Treasury notes are not. As I will explore with you in greater depth in just a short while, the purpose of this is to enable the Treasury to spread the maturity of indebtedness somewhat, while still not having any appreciable effect on interest rates.

THE NEED FOR PROMPT ACTION

It is important that we approve this bill promptly so that it can be enacted into law before this coming Saturday. On that day the debt ceiling is currently scheduled to fall from $336 billion to $285 billion. Since the debt outstanding will be around $327 billion, the Secretary of the Treasury will be in grave difficulty if we do not provide this new limit.

I regret that the Senate has been given so little time to debate this bill. It is not the fault of the administration, however, for they sent up the request very early in May. The legislation became delayed in the House. The House initially considered a debt limit proposal on June 7, but on that date the House rejected it. Following this action the House was unable to act on a limit to which it could reach agreement until this last Wednesday, June 21.

I do not like to see the Senate faced with the necessity of acting in haste on an important piece of legislation. I do not like it when the committee is forced to approve a bill without amendment in order to make sure that the Government's credit will be preserved. But I say to the Senate that I do not believe this situation will arise again.

I say this because this bill follows the action taken by the Senate in February and makes the debt limitation permanent. The limitation in this bill does not expire on any given date. There will not be the prospect in the future of a precipitous fall in the limit from $358 billion to $285 billion as has been the case in the past. In the future, therefore, if and when the debt ceiling has to be increased, there will be more time for the Senate to debate the question. There will not be this sharp fall overnight in the limit. There will be no fixed date on which the debt ceiling will fall to some unrealistic level. Therefore, while I do not like the fact that we must approve this bill promptly and without amendment, I can assure the Senate that this situation will not arise to harass us in the future.

THE SIZE OF THE DEBT

There is no question that the debt limit increase set forth in H.R. 10867 is a large one—an increase of $22 billion over the present limit. It is not, however, unprecedented. From 1941 to 1945, annual increases in the debt limit ranged from $40 billion to $85 billion. Although our economy is not on the full wartime footing that existed during World War II, the types of increases which occur in defense spending between the current period and that period presents certain parallels.

The fact is, however, that during the postwar period the economy has expanded more rapidly than has the size of the Federal debt. The debt has fallen steadily in relation to the ability of our citizens to carry that debt. In 1940, the public debt at the end of the fiscal year was $48.5 billion. This was equal to 51 percent of the Nation's gross national product. The debt rose during the Second World War to a peak of 134 percent of the gross national product. Today, while the debt has risen to $327 billion, it is equal to only 43 percent of the gross national product. It has fallen and will continue to fall steadily as a percentage of gross national product.

Before I conclude on this point, I want to make one further comment about the size of our national debt and its relationship to our economy. Not only has our debt gone down as a percentage of our gross national product, but the debt of the Federal Government has gone down when compared to the entire debt of our economy. In 1944 the national debt made up 58 percent of the total debt of our economy, while as of 1966 it represented only 22 percent of the total debt.

HOW THE $358 BILLION LIMIT FOR 1968 WAS ARRIVED AT

I want to be sure that each of the Senators knows exactly how the committee reached its conclusion that a limitation of $358 billion was required for the fiscal year 1968. I want you to appreciate, as fully as the committee does, that this is a realistic, but nevertheless tight, limitation for the coming fiscal year. Anything less than this for the fiscal year 1968 will almost surely mean that we would have to revisit this problem of the debt limitation in the fiscal year 1968.

The administration presented the committee with a table showing exactly what the debt can be expected to be on the first and fifteenth of each month in the fiscal year 1968, assuming a $4 billion cash balance and assuming that the deficit for the fiscal year 1968 is $11 billion—which is the deficit now projected on the basis of the administration's best current estimates. This table, which appears in the committee report as table No. 6, indicates on this basis the debt next March 15 is likely to be $345.2 billion. I want to emphasize to you again, however, that this computation makes no allowance for contingencies, not even the normal $3 billion contingency allowance that has been provided for in most of the debt limitations we have passed since early in the 1950's.

Actually, this year we need to make provision not only for the normal contingencies, but also for a series of extraordinary contingencies with which the country is now faced. Let me outline four such major special contingencies for you.

First, the administration's estimate of an $11 billion deficit for the coming fiscal year includes the assumption—I repeat, the assumption—that the 6-percent surcharge on individual and corporate income taxes will be effective on July 1 of this year. It is clear now that a surcharge will not be enacted in time to be effective by July 1. I do not mean to imply that it will be enacted at any time. However, should we subsequently decide to enact a surcharge, we could make it effective on January 1—or an earlier or a later date. Using the January 1, 1968, date as the basis for estimating the contingency, we find that receipts in fiscal year 1968 would be $2.2 billion less than the estimate the Treasury took into account in its determination of the $11 billion deficit.

Second, this bill requires that all FNMA participation certificates issued in fiscal year 1968 be included in the debt ceiling. The administration plans to issue $5 billion of participation certificates in fiscal 1968, most of them through FNMA. By the time of the peak debt limit in March 1968, it is projected that $3.5 billion of this amount will have been issued, or if Congress does not permit the issuance of participation certificates, other debt issues equal to that amount will have been issued.

Third, the revenue outlook is highly uncertain because the economy is not as buoyant as it was last year. The administration reduced its January estimates of revenue by $1.5 billion when Secretary Fowler and Director Schultze appeared before the Committee on Finance. The Joint Committee on Internal Revenue Taxation estimates that receipts will be $2.5 billion below this reduced administration estimate, and the Secretary of the Treasury told our committee that the staff estimates could very well approach the revenue picture more closely than the Treasury estimates. By the time of the March 1968 peak in the debt, the impact of this lower estimate of receipts should be about $1.1 billion.

Fourth, the most important contingency is the required level of military expenditures in Vietnam. We must in all events adequately support our men in Vietnam. Even without an intentional escalation on our part of our efforts in Vietnam, our expenditures there may rise above the budget figures. At your committee's hearings last Friday, Secretary of the Treasury Fowler acknowledged that the special cost of the Vietnam war alone would exceed the $22.4 billion which the administration had estimated in January of this year. We have to respond to the moves made by the enemy. If he steps up his campaign and his activities, we have to step up ours. When we are engaged in a military struggle, we have no choice other than the prudent choice to provide for the possibility that it will be necessary to increase expenditures over the initial estimates. However, for this purpose, I am assuming only a $3 billion increase up to the time of the peak debt rather than the $4 to $6 billion increase which has generally been discussed. The higher figures were, I believe, the estimates of the junior Senator from Mississippi [Mr. **STENNIS**], the chairman of the Preparedness Investigating Subcommittee, and indeed he may well be right.

These four contingencies show a need for a total contingency allowance of $9.8 billion. If we relate these four contingencies to the debt pattern projected on the basis of an $11 billion deficit, we arrive at the figure of $358 billion as the minimum realistic ceiling for fiscal year 1968.

We begin the calculation with table 6 in the committee report, which I have already referred to, which, with a constant $4 billion cash balance, and no allowance for contingencies, projects a debt of $345.2 billion on March 15, 1968. We add to this peak total the normal $3 billion peacetime allowance for contingencies and the $9.8 billion of special contingencies I have just referred to. These figures total, then, $358 billion.

The contingencies allowed for under this debt limitation, I believe and the committee believes, are set at minimum levels. It would have been more realistic to include larger allowances. But, because these allowances are minimums, there is no room for any increase in nondefense expenditures, and I add that there is no room for lowering the limitation.

THE ADVANTAGE OF A PERMANENT RATHER THAN TEMPORARY DEBT LIMITATION

There are advantages in a permanent rather than a temporary debt limitation. As I have already indicated to you, this is in line with the action the Senate has already taken and confirms our decision as made early in this year.

I pause at this point to congratulate, once again, the distinguished senior Senator from Delaware [Mr. **WILLIAMS**], who has, over the course of the last 4 or 5 years, talked about the need for making our debt limitation permanent. He has talked about the unreality of having the $285 billion limitation, and then having to raise it, as we periodically have had to do, every year. In a sense, this is a great victory for him and a compliment to him, and I am happy to be one of those who finally was convinced of the righteousness and justice of his position, and to have supported him thereon.

With a permanent limitation rather than a temporary limitation, if our estimates are correct, there will be no need for the administration to come back to the Congress for a new increase next May or June, as it automatically would have to do when we are operating under a temporary limit. Indeed, there is a possibility that, barring unforeseen events, with the increase to $358 billion with the temporary intrayear increase of $7 billion it will be the calendar year 1969 before we have to become involved with a debt-limit problem again.

Moreover, a permanent limitation, as I have indicated before, will mean that there is no need for us to rush a debt limitation bill through Congress in the future at the very tail end of June each year. For example, the present level of debt of approximately $327 billion is less than the temporary limit of $336 billion. But for the fact that the temporary limit expires on July 1, there would be no need for us to be going through this annual exercise even at this moment. By creating a new realistic permanent debt limit of $358 billion, Congress will only have to consider the question of the debt limit again when the new permanent ceiling is approached.

WHY A $7 BILLION INTRAYEAR ALLOWANCE IS REQUIRED AFTER 1968

You will recall that earlier I told you that in 1969 and subsequent years the debt limitation in this bill provides that the debt may rise $7 billion over the regular $358 billion limitation, but by the last day of each of those subsequent years it must fall back to $358 billion.

This grants flexibility for seasonal fluctuations. It is needed because Federal expenditures tend to be distributed evenly during a fiscal year, but Federal receipts are proportionately heavier at the end of each fiscal year. The debt, therefore, tends to reach a peak around March 15 and April 15, and then fall to a lower level toward the end of the calendar year. This is shown in every detailed debt tabulation the Treasury has ever presented to us. Look, for example, at the debt projected by the Treasury in table 6 in the committee report for the fiscal year 1968, which is based upon an $11 billion deficit. We will see the March 15 figure is $9.9 billion above the June 30 figure. Similarly, on March 14 of this year the national debt reached $333.2 billion and, at present, it is down to approximately $327 billion—a decline of $6.2 billion.

The Treasury Department was asked to compute the average variation from the peak to the yearend level in the past several years. On the basis of this record, it appears that the $7 billion allowance for seasonal fluctuations will be adequate.

I want to emphasize that under the terms of the bill, the level of the debt can be no higher than $358 billion at the end of any fiscal year. Whenever the Treasury Department uses any of the $7 billion additional allowance during a fiscal year, it must bring the debt back down to $358 billion before the end of that fiscal year. If the situation is otherwise, the Treasury will have to request an increase in the debt limitation from Congress.

This provision has great merit: it gives the Treasury sufficient flexibility in debt management during the course of the fiscal year so that the proposed $358 billion ceiling can be a truly permanent ceiling which must be respected when the books are closed each June 30.

PARTICIPATION CERTIFICATES

I now address myself to the problem of participation certificates.

The treatment accorded participation certificates in this bill, in effect, reduces the debt ceiling by $4 to $5 billion below $358 billion. Under the terms of the bill, participation certificates sold by the Federal National Mortgage Association during the fiscal year 1968 will be included within the total of the debt subject to limitation.

This has not heretofore been the case. We have not up to this time talked about seriously including within our debt these particular contingent liabilities.

This action is designed to remove a source of uncertainty. As a result of this action, it will not make any difference as far as the debt level is concerned whether the certificates are sold by FNMA or they are replaced by the issuance of debt obligations. In the budget, the administration proposed the sale of $4 to $5 billion of FNMA certificates.

Including the sale of these certificates in the debt ceiling, however, has the effect of making $4 to $5 billion of the $358 billion of debt subject to limitation unavailable for general debt purposes, as it would have been under the general debt limitation proposed by the administration. Therefore, the effect of the bill is to provide, in reality, a limitation lower than the $358 billion limit appears to be.

The FNMA participation certificates sold during fiscal year 1968 will be included within the debt subject to limitation as long as they remain outstanding. No change is contemplated, however, in the way these certificates are handled for accounting purposes in the Federal budget accounts. Nor is this provision intended to affect the nature of the Government's legal obligation with respect to these certificates.

In addition, this treatment of FNMA participation certificates does not necessarily represent the committee's view as to what constitutes the appropriate way of treating future issues and other currently outstanding issues of participation certificates. We intend to continue to study the question of how these certificates should be treated, and we will review any recommendations on this point made by the President's Commission on Budgetary Concepts.

By virtue of the debate some have thought contingent liabilities should be in part controlled by the debt limit, and some people have concluded that those contingent liabilities should not be a part of the debt. Others thought, as a matter of fact, that there should be a separate debt item referring to contingent liabilities.

In any event, the President appointed a commission on budget concepts to look into the matter. That commission is made up of Republicans, Democrats, public servants, and economists. The commission is to give us a report with its recommendations as to what it thinks should be done about this particular problem. When the commission makes that report, it seems to me that would be the time to decide what we want to do on this matter as a permanent measure.

TREASURY NOTES

The third provision in this bill authorizes the Treasury to issue U.S. notes which have a maturity of up to 7 years. Under present law, these notes can be issued only if they have a maturity of not more than 5 years. As we know, these notes are not subject to the 4¼-percent interest rate ceiling presently imposed on Government bonds.

The Treasury requested authority which would permit it to take steps to reduce the extent to which the average maturity of the outstanding debt is being shortened. It has difficulty doing so now because bonds with an interest rate no higher than 4¼ percent cannot be placed in the present market.

Right now, long-term interest rates are above the interest rate ceiling. During such a period, more and more of the debt becomes concentrated in issues with a relatively short period remaining to maturity. This development may become a problem for debt management and monetary policy if continued too long.

On the other hand, the committee recognizes that any increase in the interest rate on new issues of Government bonds would be viewed by some as an endorsement of a general policy of higher interest rates. This we certainly do not intend. It is, however, necessary to give the Secretary of the Treasury some added flexibility to prevent shortening of the maturity of the debt.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the distinguished Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I have listened with interest to the Senator's expression of concern that the administration may be labeled as supporting high interest rates if they take a realistic approach and repeal the ceiling interests to be paid on long-term bonds.

Does the Senator not think that is a rather belated concern coming from an administration which is presently fostering the highest interest in the history of America?

Does the Senator not think that is being a little bit hypocritical on the part of the administration and that the administration would do far better if it were to face this issue head on and repeal the ceiling, which, in effect, is nothing more than a farce, and is recognized as such throughout the country?

Mr. SMATHERS. The Senator would not expect me to say "Yes." I am sure that he understands that his question, while not politically motivated, has a lot of political implications contained in it.

I am sure that we do not want to get involved today in an argument over whether the Democrats are in favor of high or low interest rates. However, the fact of the matter is, as the Senator knows and as I know, that in the long run, the day might come when it might be wise to remove the interest rate limitation on Federal Government bonds. I do not think we ought to do it in this bill. I think we need considerably more discussion, debate, and dialog on the matter before we take action.

There are a number of Senators, including the distinguished chairman of the committee, the junior Senator from Louisiana [Mr. LONG], the senior Senator from Tennessee [Mr. GORE], and others, who are in favor of low interest rates. Those Senators believe that if we take off the limitation we may be endorsing a high interest rate.

I share somewhat the view of the distinguished senior Senator from Delaware. I do not really know whether the limitation has a lot to do with the determination of interest rates. I think interest rates follow the market. The Treasury when it has to go out and borrow money will have to pay whatever the current interest rate might be. However, I am sure that the distinguished Senator would not want me to say, when he reflects on it, that this administration is endorsing or encouraging high or low interest rates.

The Senator understands that I would not want to get involved in that particular debate.

Mr. WILLIAMS of Delaware. I understand the Senator may not want to say that.

Mr. SMATHERS. I knew the Senator would understand that.

Mr. WILLIAMS of Delaware. However, as the Senator knows, I have for a long time—both in the Eisenhower administration and in this administration—recommended that this ceiling on interest rates should be removed before it got us in trouble.

I really think it is getting us in trouble now.

I was very much concerned with the Treasury's estimate that the average maturity of the Government debt has dropped from the 10 or 12 years a few years back to less than 4 years.

In May of 1967 the average maturity of Government bonds was 4 years and 6 months, and the estimate is that by the end of 1968 it will be down to around 3 years and 8 months. This in effect is monetizing our debt. The Treasury Department has no choice in this matter except to sell short-term notes because today they cannot possibly sell a Government bond with maturity in excess of 5 years at 4¼ percent. That is simply a fact of life. Long-term Government bonds today are selling at discount to yield about 5 percent.

I believe that we have been negligent in our responsibilities by not having met this situation many years ago. I do not believe that removing this interest ceiling is an endorsement of high interest, any more than keeping it on is an indication that we are going to have low interest. Money is a commodity. Interest is the price the borrower pays when he goes to the money market, and the Government, just as industry, must pay the going rate of interest.

We should give the Secretary the flexibility required to manage the debt properly. That is the reason why I do not think the retention of this fictitious ceiling is holding interest rates down. I do not believe the repeal of it would have any effect so far as interest rates on the upward movement are concerned. It would merely give the Secretary of the Treasury the needed flexibility.

Mr. SMATHERS. As the Senator knows, and as I have said previously, I do not disagree with many aspects of his conclusion as a basic matter. I do not want to see it implemented in this particular bill, however, because we find ourselves faced with the prospect of the debt ceiling expiring on June 30. Obviously, if we change this bill in any respect, major or minor, it must go to conference and then back to the House. A chaotic situation could arise in which the Government could not meet its debts.

I have told the Senator—and we discussed it yesterday in the committee—that he is certainly very sound in asking the committee to consider the matter, and we should consider it. We should bring it up and have it discussed, but we should do it at a time when we are not operating under a tight time limitation with respect to the expiration of the debt ceiling.

I cannot help think that a 4¼-percent limitation is in some respects somewhat meaningless, other than as an indication that we want to keep interest rates low. But the fact is that when the Federal Government needs to borrow money when interest rates are high, what the Treasury does and is now doing—and to this extent the Senator from Delaware has been very helpful and has achieved some of his point—is to issue notes. Notes are not affected by the limitation of 4¼ percent. The fact is that the Treasury is not subject to the limitation when it issues notes.

I compliment the Senator on what he is saying and what he believes in. My only problem is that I must be realistic with respect to the situation in the other body. We had better pass this bill in its present form, if we do not want to be standing around here next week debating this matter.

Mr. WILLIAMS of Delaware. I certainly am not trying to delay this bill. As the Senator well knows, he and I went to the chairman of the committee 6 weeks ago and urged that we get moving on the bill to change the debt ceiling.

For the last 20 years it has been a habit that we always act in a great state of emergency. The Secretary seems to be always operating under a deadline. I sometime wonder if the B. for his middle name stands for "Brinkmanship." I raise the question: Would he be happy if he were not operating under a cloud of emergency?

I am not forgetting that in February we solved that problem for the Secretary by making a $336 billion figure permanent, and when we went to conference it was upon the recommendations of the Secretary of the Treasury that the House insisted on rejecting the Senate provision. So when we stand here today on what they refer to as the verge of chaos, it is because they deliberately planned it this way. The administration cannot be excused of its responsibility because it asked for it in conference last February.

Mr. SMATHERS. The record with respect to the extension of the debt—increasing the debt limitation—will show, without question, that the administration came over to the Ways and Means Committee of the House early in May. The legislation must originate in the House. The legislation cannot come to the Senate until it has cleared the House of Representatives. The administration went over there early in May. If the Senator looks at the date on the hearings in the House, he will see that they began on May 15. They had plenty of time.

The difficulty arose on the House floor. As we all know, the Ways and Means Committee reported one bill and brought it to the floor of the House. It was rejected there by a majority of the House. The Ways and Means Committee went back and finally arrived at another figure, a lesser figure, which we now have here. In all frankness, candor, and honesty, I do not believe we can say in this instance that the administration wanted it this way or that they like it this way. I believe they are pretty nervous about what is happening. Everybody in Government should be concerned about it.

The second point is that if we pass the bill which is now before us, we will not have the June 30 deadline facing us each year. The next time we will have to worry about the debt ceiling will be when the administration comes before us and says, "Look, we cannot stay below that permanent debt ceiling which you passed," and the Secretary and all the experts say that this may not happen until at least 1969.

Mr. WILLIAMS of Delaware. Will the Senator yield further?

Mr. SMATHERS. I yield.

Mr. WILLIAMS of Delaware. The Senator is correct as to the time that the administration recommended this bill. It is also true, as he said, that the House rejected the bill and that this partly accounts for the delay.

What I had reference to when I said that it was the administration's fault was that when we extended the debt ceiling by $6 billion in February of this year the Senate made that increase permanent. Had that ceiling been retained as permanent, we would not have this temporary expiration date of June 30 confronting us now. That is the point.

When we were in conference I was very disappointed that the Treasury Department did not support the Senate position at that time.

Mr. SMATHERS. The Senate did what the Senator from Delaware wanted. I supported it, the chairman of the committee supported it, and so did the other conferees. Our problem was that the House of Representatives would not take it.

The Senator says that the administration did not support it. As I recollect—and these matters are handled in executive session—the administration just adopted a sit-back-and-say-nothing attitude. They were afraid to get into the cross fire—which is understandable—between the Senate position and the House position. They do not like to get involved in those arguments if they can stay out of them.

RESULTS IF WE FAIL TO EXTEND THE DEBT LIMIT

I have already stated that under existing law, the present temporary limit of $336 billion will expire on June 30 and the debt limit will fall to $285 billion—the current permanent limit—on July 1, this Saturday.

If we allow this to happen, the Treasury Department will be unable to issue any new Government securities after June 30, because the level of the debt will be nearly $45 billion above the debt ceiling.

Not only will they be unable to issue securities that would increase the size of the debt, but they will also be unable to replace outstanding issues when they mature.

Under the circumstances, the Treasury's cash balances would quickly be exhausted. Nearly $11 billion of Treasury bills will become due in July. By the end of July, then, if not sooner, the Treasury Department would be unable to meet all the obligations of the Government as they came due.

Payments under Government contracts could well have to be delayed. Payments of salaries to Government employees might have to be delayed. Payments under the various loan and benefit programs, including grants to the States, might have to be delayed. While some of those affected could afford to wait for the payments due them, others would experience severe hardships. Their hardships would be transmitted to the merchants and other businessmen in the areas in which they live. Hardships would be most widespread in those areas where the persons who would be directly affected are concentrated; that is, areas where there are large numbers of Government employees or where there are large numbers of people working under Government contracts.

The results of such an experience would be felt long after an adequate debt limit was provided. For example, it would be difficult to restore the operation of the payroll savings plans disrupted during the time the Treasury could not issue bonds to participants. There would also be heavy adjustment costs for the banking system, since Government deposits would have to be withdrawn during the period of stringency.

Certainly we cannot or should not permit these things to happen.

CONCLUSION

The debt limitation provided in this bill is a tight limitation. Taking into account the treatment of participation certificates, it is $12 billion below what the administration originally requested for 1968. For fiscal years which follow after 1968, the limit is also below the original request, since the debt must be brought back down by the end of each of those subsequent fiscal years to the $358 billion level.

The bill will not open the doors to any increase in nondefense spending. In view of the contingencies which relate to the war in Vietnam, uncertain revenues, and the state of the economy, the limitation contains no reason for an increase in nondefense spending above the levels now budgeted.

Let me conclude with a note on fiscal responsibility. I am in favor of realistic efforts to cut nondefense spending. I believe, however, that a debt ceiling should be realistic—it should provide, at the least, for the contingencies which appear probable.

Fiscal responsibility to me does not mean that a Senator is justified in voting against a realistic debt limit just because he would like to see further expenditure cuts, or because he opposed expenditures which Congress has approved. We must remember that the money is appropriated by Congress, by Senators and Members of the House of Representatives. No money will be spent that the Congress does not appropriate and approve.

It is not, in my view, fiscally responsible to act in a manner that will make it impossible for the Government after June 30 to meet obligations to which it has already committed itself. Fiscal responsibility to me, in this case, means voting for this debt limitation.

I urge the adoption of this measure.

I know that a number of Senators wish to speak, and I therefore yield the floor.

Mr. BYRD of Virginia. Mr. President, with regard to the pending legislation, I concur in the statement of the Senator from Florida a few moments ago with respect to a realistic debt ceiling. I am prepared to support a realistic debt ceiling, but the pending proposal, in my judgment, is unwarranted, unjustified, and unnecessary in the amount at which it sets the debt ceiling.

It seems to me that for the Senate to accept this proposal would be to shirk its responsibility, give up its prerogatives, and give up its right to review periodically the level at which Government spending and the Government debt should rise. I think this is a vitally important subject.

The Senator from Florida said every department of Government was deeply concerned about this matter and I would hope that every Member of Congress is deeply concerned about the matter because I think it is vitally important to the taxpayers of our Nation.

I wish to make a few remarks about the pending legislation. I have two amendments I would like to present. However, it seems to me that for a bill of this magnitude we should have a quorum in the Senate. If there is no objection on the part of any Senator, I suggest the absence of a quorum, without losing my right to the floor.

The PRESIDING OFFICER (Mr. Burdick in the chair). Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 164 Leg.]

Aiken
Anderson
Baker
Bartlett
Bible
Burdick
Byrd, Va.
Clark
Cooper
Ellender
Ervin
Hansen
Harris
Hart
Hatfield
Hayden
Hill
Holland
Hollings
Jackson
Kennedy, Mass.
Lausche
Long, La.
Magnuson
Mansfield
McCarthy
McGovern
McIntyre
Miller
Mondale
Morse
Morton
Moss
Muskie
Ribicoff
Russell
Smathers
Sparkman
Spong
Stennis
Symington
Talmadge
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. Hartke] is absent on official business.

I also announce that the Senator from Hawaii [Mr. Inouye], and the Senator from North Carolina [Mr. Jordan] are absent because of illness.

I further announce that the Senator from West Virginia [Mr. Byrd], and the Senator from New Mexico [Mr. Montoya] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Colorado [Mr. Dominick] and the Senator from Hawaii [Mr. Fong] are necessarily absent.

The Senator from New York [Mr. Javits] is absent by leave of the Senate.

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms is instructed to execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott
Bayh
Bennett
Boggs
Brewster
Brooke
Cannon
Case
Church
Cotton
Curtis
Dirksen
Dodd
Eastland
Fannin
Fulbright
Gore
Griffin
Gruening
Hickenlooper
Hruska
Jordan, Idaho
Kennedy, N.Y.
Kuchel
Long, Mo.
McClellan
McGee
Metcalf
Monroney
Mundt
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Scott
Smith
Thurmond
Tydings
Williams, N.J.

The PRESIDING OFFICER. A quorum is present.

Mr. DODD. Mr. President, once again it has become necessary for the Congress to consider legislation to increase the permanent limit on the public debt.

We are being asked to raise the temporary debt ceiling from $336 billion to a permanent level of $358 billion.

Of course, there is no practical alternative but to go along. To do otherwise could result in serious consequences in the management of the public debt.

For this reason, I will support the pending bill but I do so reluctantly and with serious reservations.

While I was a Member of the House of Representatives, President Eisenhower requested an increase in the debt limit. At that time, I was fearful that we would go year after year raising the debt ceiling. This fear has become a reality.

In June of 1966 and again 5 months ago in February of this year it was necessary for the Congress to raise the debt limit. And now once again, we find ourselves raising it still further.

The time has come when we must exercise responsible leadership and call a halt to the use of this unfortunate and potentially destructive alternative for financing our Federal Government.

We must increase our efforts to keep our Nation financially sound. Expenditures must be trimmed down to bring them into balance with budget estimates. If this necessitates cutting back domestic expenditures until the completion of the Vietnamese war, then I believe we should make this sacrifice.

This we owe to ourselves and the generations to follow.

I am seriously disturbed by the prospect of an ever-increasing national debt with which our children and our children's children will someday have to reckon.

UNANIMOUS-CONSENT AGREEMENT

Mr. SMATHERS. Mr. President, I ask unanimous consent that, after the distinguished Senator from Virginia [Mr. Byrd] has made his opening speech with respect to the amendment which he will offer, the Senate operate on a time limitation of 1 hour for each amendment, 30 minutes to a side, 30 minutes to be handled by the proponent of the amendment, and 30 minutes in opposition to be handled by the acting chairman of the Finance Committee.

The PRESIDING OFFICER. Is there objection to the request?

Mr. WILLIAMS of Delaware. Mr. President, I have no objection to that request, but would the Senator include in his request that an hour be allowed on the bill, so that we could have a little time if we were running short of time?

Mr. SMATHERS. Mr. President, I add to my request that we allow 1 hour of additional time on the bill, so that Senators who find themselves caught short can be yielded additional time from the time on the bill.

Mr. President, I ask that that request be made 2 hours on the bill.

The PRESIDING OFFICER. Who would be in control of the time on the bill?

Mr. SMATHERS. The time to be under the control of the minority leader and a Senator appointed by the majority.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement proposed by the Senator from Florida? The Chair hears none, and it is so ordered.

Mr. BYRD of Virginia. Mr. President, I might say to the Senator from Florida that I have a brief opening statement, and I do not anticipate that, on the amendments, I would need anywhere near the 30 minutes that have been allotted; but I think it is a good unanimous-consent agreement which the Senator from Florida has asked for.

Mr. President, the pending bill to increase by $22 billion the ceiling on the public debt is, in my judgment, neither wise nor necessary.

It is unwise to raise the ceiling at this time by $22 billion, because it is not necessary to raise it by that amount.

Nothing in the Treasury figures to Congress justifies the enormous increase which is being sought for today.

The $22 billion increase sought in the pending legislation would be more than twice the amount the administration needs—according to its own figures—to carry it through the next fiscal year.

By the administration's own estimates, the debt will not reach the present authorized $336 billion level until October of this year. Then, it will edge upwards to a point of $345 billion in March 1968; but then it will fall back again to $335 billion by next June.

Thus, by the administration's own figures, the average debt for the fiscal year that begins Saturday and ends June 30, 1968, will be $336.5 billion.

Yet, the pending legislation seeks a debt ceiling of $358 billion. This is $22 billion more than the current $336 billion figure, and is $13 billion more than the expected March peak of $345 billion. In other words, the figure that is sought today by the pending legislation is $13 billion more than the expected March peak of $345 billion.

I grant there are contingencies which could change this picture somewhat. Revenues could be less than estimated; there could be a rise in the Vietnam war costs; the administration may not get the tax increase it wants, when it wants it. But I submit, Mr. President, that regardless of these possible contingencies, Congress always will be available if an unforeseen emergency occurs.

Also, there is another contingency which the administration has not seen fit to consider—the possibility of reducing nonessential domestic spending.

But even if that is not done, even if there is no reduction in nonessential domestic spending, a $22 billion increase in the debt ceiling is clearly unnecessary; and because it is unnecessary, is clearly unwise.

What Congress would be doing would be to say to the administration, "Go ahead and submit all the spending programs you want, we have taken the lid off."

I submit that that is no way to keep Government expenditures in line.

I submit that the debt ceiling serves a good purpose.

That is a debatable point, and many of my fellow Senators, as well as many Members of the House of Representatives, will not agree. But, in my opinion, the debt limit serves several good purposes.

One purpose of the debt ceiling is to put a restraint on the executive branch of Government. It is from the executive branch that the pressure comes to spend. It is true that Congress must appropriate the funds—and very frequently Congress is not economical enough, either. I would say that very frequently Congress fails to face up to its responsibilities in this regard. But if the executive branch submits a big budget, and does not show restraint, Congress is at a severe disadvantage.

Another very important purpose, in my judgment, for the debt ceiling is to focus public attention on Government spending and on the national debt.

I for one do not think we lose anything by debating the debt ceiling whenever it is necessary to do so, because I think it is important to make the country aware of the tremendous cost of Government. I submit that the debates on the debt ceiling serve a useful and important purpose in focusing attention on Government spending, or in focusing attention on the continued deficit that the Nation has been running and is running at the present time. It serves an important purpose in making the public aware of the high cost of Government.

I say that the proposed tremendous increase in the debt ceiling—a $22 billion increase—is politically inspired in the sense that by getting this additional authority, Government spending can go up sharply without the public being aware of it.

I say that Congress would be evading its responsibility and surrendering its power by approving a $22 billion increase in the debt ceiling, an increase which clearly is not needed. Congress should require the administration, whether it be a Democratic administration or a Republican administration, to prove its need before agreeing to an increase in debt ceiling.

Already the interest charges on the public debt—just the interest charges—represent the largest single nondefense item in the budget, $14.2 billion for the upcoming fiscal year.

The $22 billion increase—when this amount is utilized—will mean an additional billion dollars of interest charges to be paid by the taxpayers.

I submit, Mr. President, that it is time—indeed, long past time—for Congress and the President to face up to the very dangerous fiscal situation facing the U.S. Government.

Deficit spending continues year after year. For the last 7 fiscal years alone, 1961 through 1967, the deficit—just the deficit—totals $41 billion.

I ask unanimous consent that a table showing the deficit for the past 7 fiscal years and the interest paid on the debt during the past 7 fiscal years be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Federal deficit and interest paid, fiscal years 1961–67

[In billions]

Fiscal year	Deficit	Interest on debt
1961	$3.9	$9.0
1962	6.4	9.2
1963	6.3	10.0
1964	8.2	10.7
1965	3.4	11.4
1966	2.3	12.1
1967	10.5	13.5
Total	41.0	75.9

Source: Economic Report of the President, 1967.

Mr. BYRD of Virginia. The American people should not be misled into believing that defense costs alone are responsible for the deficits we have been seeing year after year.

Since 1960, expenditures for national defense are up 68 percent, including the amount budgeted for Vietnam in 1968.

Over the same period, nondefense expenditures of the Government have risen 97 percent. Expenditures for Federal welfare and health programs have increased 210 percent.

I submit that there is need for economy in Government spending. But we do not exert pressure for economy by unnecessarily increasing the debt ceiling.

I am willing to take the administration's own figures—although I feel they may be inflated. But I am willing to take its own figures as to what level the national debt will rise to during the next fiscal year. The Treasury Department places the high point at $345 billion. Yet this legislation would authorize, during the next fiscal year, a limit of $358 billion, and $7 billion over and above that the following year.

That being the case, Mr. President, I shall propose an amendment to the pending legislation which would fix the permanent debt ceiling at $348 billion, in place of the $358 billion sought by the administration.

The Senator from Florida [Mr. SMATHERS] in his very able remarks a little while ago said that there should be a realistic debt ceiling. The Senator from Florida feels that our debt ceiling is not realistic. I agree with the Senator. The present ceiling is not a realistic debt ceiling. I concur in the view of the Senator that here should be a realistic debt ceiling.

I submit that a ceiling of $348 billion is a realistic ceiling. The proposed $348 billion ceiling is $12 billion more than the present temporary ceiling. It would provide the maximum needed according to the Treasury figures, and in addition it would provide the Treasury with a $3 billion cushion.

The amount of the $348 billion, in my judgment, is all that Congress should authorize at the present time.

In my judgment, it would be outrageous to pass this debt limit bill with any figure higher than $348 billion, which is $3 billion more than the Treasury Department says will be the peak of the debt during the next fiscal year.

My amendment would give the administration all that it can justify asking of Congress. To go beyond the $348 billion would, in my judgment, be unjustified and a grave disservice to the taxpayers.

Mr. President, I find not only conservatives like the Senator from Virginia becoming concerned about the Government's fiscal situation, but I also find that many who do not call themselves conservative, including some newspapers which, by no stretch of the imagination, could be considered reactionary, are also becoming concerned, and justifiably so, over the Government's fiscal situation.

The Washington Post of June 26, 1967, published an editorial entitled "On Federal Spending." The first paragraph of that editorial reads:

> The administration won the battle of the national debt when the House voted narrowly—

I emphasize the word "narrowly"—

> to raise the ceiling to $358 billion in 1968 and $365 billion in 1969. But—

This is the point that I want to suggest—

> the fundamental issue—Congress's inability to control the growth of Federal spending—is unresolved, and like a canker on the body politic, it will continue to erupt.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ON FEDERAL SPENDING

The Administration won the battle of the national debt when the House voted narrowly to raise the ceiling to $358 billion in 1968 and $365 billion in 1969. But the fundamental issue—Congress's inability to control the growth of Federal spending—is unresolved, and like a canker on the body politic, it will continue to erupt.

There is no body of scientific knowledge, no objective criterion that can be invoked in determining appropriate levels of Federal expenditures. Economic theorists advance propositions that purport to be useful, but on scrutiny they prove to be either tautological or nonoperational. And some observers, who despair of ever subjecting the question to a rational analysis, argue that there is nothing objectionable about permitting the level of Federal expenditures to grow rapidly since that growth reflects a democratically expressed need for additional public services.

But the issue of Federal spending—and the parallel issue of how fast private spending will be permitted to grow in the future—cannot be resolved so easily.

The argument that Federal expenditures faithfully reflect the preferences of the electorate is seriously flawed. It presupposes a degree of prescience, a concept of goals and a knowledge of goal implementation that simply do not exist. As consumers the electorate knows precisely how to gratify its desires for automotive transportation by choosing among more than 200 models of foreign and domestic vehicles. But it does not know how to translate its compassion for the poor into effective Government action. It relies upon its representatives in Congress who in turn rely largely upon the recommendations of the incumbent Administration. And the results, judging by the experience with the "war on poverty," leaves much to be desired.

Nor is account taken of the self-perpetuating dynamics of bureaucracy. It is the rare bureaucrat, who upon accomplishing a stated mission, voluntarily relinquishes his claim upon funds. As a consequence, obsolete Federal programs, like old soldiers, never seem to die. Indeed, it is the bureaucratic momentum which in part explains why the growth of Federal expenditures rarely lag far behind the growth of tax revenues.

It may be that the proportion of real income absorbed by the Federal sector is determined by some inexorable and undiscoverable social law. But before surrendering to fate or lassitude, a rational attack should be made on the issue. Chairman Wilbur D. Mills of the Ways and Means Committee proposes that a bipartisan Government Program Evaluation Commission (H.R. 10520) be established. That body, its 12 members being appointed by the President, the House and the Senate, would be empowered to hold hearings and obtain relevant evidence for the purposes of evaluating Federal programs and making recommendations for priorities in the allocation of Federal funds. This proposal, which was sent to the Committee on Government Operations, deserves the strongest support.

Mr. BYRD of Virginia. Mr. President, the Washington Daily News on June 23, 1967, published an editorial which discussed the House action. The editorial concerned the lifting of the debt ceiling.

However, before I get to that, I should mention that I thought the House 2 weeks ago struck a real blow in behalf of a sounder fiscal program for the United States when it refused to go along with the proposal to raise the debt ceiling to $365 billion.

A few days later, the House did reverse itself, although on a technicality. It was claimed that the limit would be $358 billion—and for 1 year it would be $358 billion; but after that it would go to $365 billion.

I personally felt that the House of Representatives cast a good, solid vote 2 weeks ago when it took the first vote in regard to the debt ceiling.

The editorial entitled "The House and the Debt," published in the Washington Daily News on June 23, 1967, reads in part as follows:

> But the rising cost of the war in no way seems to have deterred Government spending for other purposes. This is the point 196 members of the House (including 20 Democrats) were trying to make in opposing even the $358 billion debt limit. Some day, somehow, there has to be a limit to Government deficits.

Mr. President, I ask unanimous consent that the editorial to which I have just referred be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE HOUSE AND THE DEBT

On the second go-around, the House of Representatives decided to give the Johnson Administration a leeway of up to $358 billion in raising the national debt.

The President and his Treasury Secretary, Henry H. Fowler, wanted a "permanent" debt ceiling of $365 billion—$20 billion higher than the current limit. The House voted that down two weeks ago.

What the President got from the House was permission to go as high as $365 billion at some point in the fiscal year, but by the end of each year the debt must be back down to $358 billion.

This sounds like a compromise, and it is.

But at least the Republicans in the House, who carried this fight, made a point. They put a slight brake on Administration spending.

Mr. Fowler and his assistants keep insisting that "if" we didn't have the Vietnamese war the Government would have a surplus. But there is a war—and the Administration consistently has under-estimated the probable costs. Stanley Surrey, assistant secretary of the Treasury, has just conceded in a speech that the cost of the war in the next fiscal year probably will exceed the $22.4 billion budget estimate and that this Government's income will be less than the budget estimate.

But the rising cost of the war in no way seems to have deterred Government spending for other purposes. This is the point 196 members of the House (including 20 Democrats) were trying to make in opposing even the $358 billion debt limit. Some day, somehow, there has to be a limit to Government deficits.

In the last 10 years, the Government has added more than $53 billion to the debt. Mr. Johnson estimates anywhere from $11 billion to $25 billion may be added next year. This is a sore point with a majority of the people—and the votes on the debt limit in the House of Representatives are reflecting that fact. Sooner or later the spenders in the Government will be obliged to get wise.

Mr. BYRD of Virginia. Mr. President, I concur thoroughly in the view that there should be a realistic debt ceiling. I concur, too, in the view that the present figure of $285 billion is not realistic.

The permanent ceiling as of today is $285 billion, and as the Senator from Florida so correctly pointed out, at midnight on Friday the present temporary ceiling will revert to $235 billion, a figure which, in my opinion, is not realistic. I believe that there should be a realistic figure.

With respect to the pending bill, $358 billion would, in my opinion, likewise be unrealistic or at least unnecessary.

At the appropriate time, I plan to call up an amendment which would make only one change; that is, to reduce the amount of $358 billion in the pending bill to $348 billion. In other words, I propose to reduction of $10 billion in the amount of the proposed permanent ceiling.

Mr. President, I call up my amendment No. 216 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> Strike out the figure "358" appearing on line 6, and insert "348."

Mr. BYRD of Virginia. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of Virginia. Mr. President, I yield myself 1 minute.

This is a simple amendment. It merely reduces the amount provided in the bill as the permanent debt ceiling from $358 billion to $348 billion. That is the only change the amendment would make in the bill. The proposed permanent debt ceiling as provided in the bill is $358 billion; my amendment would reduce the amount to $348 billion.

I mention again that $348 billion is $13 billion more than the highest level to which the debt is estimated to rise during the coming fiscal year.

The PRESIDING OFFICER. The time of the Senator from Virginia has expired.

Mr. PEARSON. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. Mr. President, I yield myself an additional 2 minutes.

Mr. PEARSON. Do I correctly underderstand that the administration, in asking for a ceiling of $358 billion, was predicating its request on a deficit of $11 billion in the budget next year? Has the Senator used that figure of $11 billion in proposing his amendment?

Mr. BYRD of Virginia. The figures I have used are not predicated on the deficit; they are predicated on the figures which appear on page 7 of the report. The report shows that on March 15, 1968, the debt will reach its highest level—$345.2 billion. That is the figure to which I was referring.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. The question asked by the Senator from Kansas is answered in the affirmative. In testifying before the committee, the Secretary of the Treasury, as is found at page 6 of the hearings, estimated that the deficit for fiscal 1967 would be $11 billion. For fiscal 1968 the deficit is estimated to be $11 billion to $11.5 billion. Based on those two estimates the figures quoted by the Senator from Virginia, which also appear in the committee hearings, show that the debt is not expected to rise above $345.1 billion between now and the end of fiscal year 1968.

Mr. PEARSON. I thank the Senator from Virginia and the Senator from Delaware.

The PRESIDING OFFICER. Who yields time?

Mr. BYRD of Virginia. Does the Senator from Delaware wish time?

Mr. WILLIAMS of Delaware. I should like 3 or 4 minutes.

Mr. BYRD of Virginia. I yield 4 minutes to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I am going to support the amendment of the Senator from Virginia because, as just pointed out by the Senator from Kansas, when the representative of the Treasury Department, testified before our committee he estimated the deficit for fiscal 1967 to be about $11 billion and for fiscal 1968 about $11 billion to $11.5 billion. That would make a total deficit of $22 billion for the 2 years. Under this bill they are asking for a $22-billion increase in the permanent debt and a $7-billion increase in the temporary debt. In addition, we gave them $6 billion about 4 months ago.

If this bill is enacted in its present form we shall be giving them an increase in the debt ceiling, for the first 6 months of this year, of $35 billion to offset the estimated deficit for the 2 fiscal years of only $22 billion.

Therefore, it is clear that we can roll back this estimate by the $10 billion, and they will still have $3 billion more margin than they had heretofore. I believe we can do it very conservatively—that is, if we accept the figures given to our committee by the Treasury Department last Friday.

On the other hand, if we leave all of this in the debt ceiling we will make it possible for them not only to finance the Great Society and the war on the basis of their present estimates, but also they can increase that spending by $10 to $12 billion without ever coming back to Congress, and Congress will have lost complete control over holding these expenditures down to a realistic level.

The question is often asked, why do we have a debt limit anyway? In the years before World War II Congress approved an authorization for the sale of each bond issue in practically the same manner as is now done by most of the State legislatures. Then, recognizing the need for rapid financing to cover the cost of World War I—and later, with greater emphasis, in World War II—Congress resorted to the simple practice of issuing a series of Government bonds at intervals whenever the Treasury Department agreed, and we only placed a limit as to the amount of these bonds.

In other words, under existing law they can issue Government bonds up to $336 billion. Under the proposed bill they would have a leeway up to $358 billion, and under the amendment of the Senator from Virginia it would be $348 billion.

Congress has expressed great concern over the possibility that we may have to raise taxes a little later over the continuous spiral of increased Federal spending not only for the war but also for domestic programs. If we are really serious in that concern, if we really want to hold down the expenditures of the Government we should adopt the proposed amendment. As I stated earlier, this would still leave them $3 billion more than they say they will need for the next 12 months.

Mr. PEARSON. Mr. President, will the Senator yield on that point?

Mr. WILLIAMS of Delaware. I yield.

Mr. PEARSON. I understood that the administration, in coming up with this figure of $358 billion as a permanent debt limit——

The PRESIDING OFFICER (Mr. McGovern in the chair). The time of the Senator has expired.

Mr. BYRD of Virginia. I yield 1 additional minute to the Senator from Delaware.

Mr. PEARSON. I understood that the administration, in coming up with this figure of $358 billion as a permanent debt limit, had included a $4 billion operating cash balance, but did not include the contingency fund in the permanent debt limit. It included a $3 billion contingency fund as that part that would fall over into the temporary limit. Is that not so? I would like to support the amendment of the Senator from Virginia.

Mr. WILLIAMS of Delaware. It could not fall over into the temporary limit, because the temporary limit—which is on another section of the bill, and which will be discussed later—does not become effective until a year from this July 1. So the only thing that will be effective for the next 12 months will be the $358 billion.

Mr. President, I ask unanimous consent that the chart furnished by Secretary Fowler to our committee and appearing on page 13 of the committee hearings be printed at this point in the Record.

There being no objection, the chart was ordered to be printed in the Record, as follows:

Estimated public debt subject to limitation in fiscal year 1968, assuming budget deficit of $11,000,000,000, and no allowance for contingencies (based on constant minimum operating cash balance of $4,000,000,000)

[In billions]

	Operating cash balance (excluding free gold)	Public debt subject to limitation
1967		
June 30	$4	$324.3
July 15	4	326.4
July 31	4	327.2
Aug. 15	4	329.7
Aug. 31	4	331.8
Sept. 15	4	335.0
Sept. 30	4	330.9
Oct. 15	4	334.7
Oct. 31	4	334.8
Nov. 15	4	337.3
Nov. 30	4	338.3
Dec. 15	4	341.9
Dec. 31	4	337.2
1968		
Jan. 15	4	339.3
Jan. 31	4	338.5
Feb. 15	4	339.4
Feb. 29	4	341.1
Mar. 15	4	345.2
Mar. 31	4	342.9
Apr. 15	4	344.9
Apr. 30	4	337.3
May 15	4	337.4
May 31	4	340.2
June 15	4	342.7
June 30	4	335.3

Mr. WILLIAMS of Delaware. This chart shows very clearly that the Treasury does not expect to reach the $345 billion figure at all prior to March 15 next. Even with the adoption of the proposed amendment they would still have a limitation of $348 billion, which is $3 billion extra, to take care of the contingencies. In addition they would have the cash reserves which are allowed for in these estimates.

Mr. MILLER. Mr. President, will the Senator from Virginia yield to me for a couple of minutes, so that I may ask a question of the Senator from Delaware?

Mr. BYRD of Virginia. How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. The Senator has 21 minutes remaining.

Mr. BYRD of Virginia. I yield 2 minutes to the Senator from Iowa.

Mr. MILLER. I thank the Senator.

I ask the Senator from Delaware whether or not participation certificates outstanding are to be taken into account in this debt ceiling limitation, and, if they are, whether or not they are reflected in the argument that the Treasury does not need to have a debt ceiling limit as high as it is asking.

Mr. WILLIAMS of Delaware. The participation certificates that will be sold in fiscal year 1968 are and will be included in the debt limit as a part of the debt limit. That was a part of it as reported by the House. The Secretary of the Treasury was testifying to our committee on the House bill when he gave these figures as the estimated projected deficit, and there is no reason for saying that he was not aware of what he was testifying about.

Mr. MILLER. In other words, when he testified on page 13 that they were assuming a budget deficit of $11 billion, that $11 billion would include any sales of participation certificates in determining the overall deficit picture?

Mr. WILLIAMS of Delaware. It would be included in the debt.

On June 23, last Friday, at which time he gave this figure, he testified that the debt was not expected to reach $345 billion between now and June 30, 1968. At that time he was testifying with respect to this bill, H.R. 10867, which at that time included the provisions as passed by the House, that the participation certificates sold during the next fiscal year would be in the debt limit. The answer is "Yes." Surely he was taking that into consideration at that time.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MILLER. I ask the Senator from Virginia if he will yield 1 minute to me so that I may ask him a question.

Mr. BYRD of Virginia. I yield 1 minute to the Senator from Iowa.

Mr. MILLER. I ask the Senator from Virginia whether in his calculation of the $348 billion figure, he is taking into account the participation certificates as a part of the national debt.

Mr. BYRD of Virginia. The $348 billion?

Mr. MILLER. The $348 billion.

Mr. BYRD of Virginia. I refer the Senator to page 7 of the report, in which the estimated high point of the public debt is shown as March 15, at $345.2 billion. My amendment would allow a cushion over and above that—$348 billion. I am taking the administration's figure.

Mr. MILLER. In other words, the participation certificates are included in the top figure?

Mr. BYRD of Virginia. I am not concerned with the participation certificates, whether they are included or not; but I am taking the figures submitted by the competent department of Government indicating what they feel the debt will rise to on that date.

Mr. MILLER. I am sympathetic with the Senator's amendment, as he well knows. But I wonder if we could have the manager of the bill clarify the matter of participation certificates, whether or not the report is accurate.

Mr. WILLIAMS of Delaware. If the Senator will yield, I believe I can clear this matter up.

Mr. SMATHERS. Mr. President, I yield myself 2 minutes so that I may answer the question of the Senator from Iowa.

The PRESIDING OFFICER. The Chair recognizes the Senator from Florida for 2 minutes.

Mr. SMATHERS. Mr. President, with respect to the figures which the distinguished Senator from Virginia is using, the statement made at that point by the Secretary of the Treasury did not include the so-called participation certificates. Therefore, the administration believed it would have an additional $5 billion to finance the deficit. If we now include participation certificates under the debt limit, we reduce that amount of money which the Government can use to finance expenditures by up to $5 billion. That is the testimony supported by the Secretary.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 minutes on the bill.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. WILLIAMS of Delaware. The bill as it came from the House of Representatives and with respect to which the Secretary was testifying, did include the projected participation certificates that were going to be sold in fiscal year 1968. The rough estimate for that would be about $5 billion. There are $7 billion or $8 billion outstanding and which will be outstanding as of June 30 of this year.

Those are not included, nor are those included which would be sold after June 30, 1968. But those that were sold during the 12-month period between July 1, 1967, and June 30, 1968, are in the House bill and are supposed to be included. The Secretary of the Treasury was testifying, and he must have known what he was talking about because he testified on this bill and those are the figures he gave us.

Mr. SMATHERS. Mr. President, I yield myself 2 minutes on that point.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. SMATHERS. Mr. President this is the testimony of the Secretary at the hearing:

> Let me review with you the background for that determination. The starting point is the table of projected debt levels appended to this statment, based on a prospective budget deficit of $11 billion in fiscal year 1968, and a constant cash balance of $4 billion. The highest point of debt projected in that table is $345.2 billion, reached on March 15, 1968.

This is the figure the distinguished Senator from Virginia is basing his argument on, that is, the projected debt level on March 15, 1968. The statement of the Secretary followed:

> But that is without any allowance at all for contingencies.

He then posed the need for allowances to cover; first, normal peacetime contingencies of $3 billion; second, possible delay in the effective date of the tax surcharge; third, a possible shortfall in revenue; fourth, a possible shortfall in sales of participation certificates, or, alternatively, provision for including participation certificates issued in the fiscal year 1968 under the debt limit; and, fifth, a hypothetical addition to defense costs of $3.5 billion.

Participation sales were not included in the original $11 billion figure.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MILLER. How much did the Secretary refer to in the figures on participation?

Mr. SMATHERS. Up to March 15, 1968, $3.5 billion, and $5 billion for the entire fiscal year.

Mr. MILLER. Do I understand from the Senator and from the testimony which he just read that it would be feasible to reconcile the position of the Senator from Florida and the Senator from Virginia by increasing the figure which the Senator from Virginia proposes by $5 billion?

Mr. SMATHERS. For that one contingency, but on my time I shall discuss four other contingencies that are ignored thus far in the statement of the Senator from Virginia.

Mr. MILLER. And the Senator from Florida takes the position he cannot be in agreement with the Senator from Virginia as between $348 billion and $353 billion because the participation certificates have to be put in, leading to the $353 billion figure.

Mr. SMATHERS. On that point, the Senator is correct.

Mr. LONG of Louisiana. Mr. President, will the Senator yield for a question?

Mr. SMATHERS. I am happy to yield to the distinguished chairman of the committee.

Mr. LONG of Louisiana. Is the Secretary assuming in those figures that he is going to get that $5.5 billion tax increase?

Mr. SMATHERS. Yes; he does so assume. That was the assumption. However, as Senators know, we have not done anything in that connection yet.

Mr. LONG of Louisiana. That is a very unwise assumption both on the side of the House of Representatives and on the Senate side. If we consider the possibility that the tax increase will not be enacted and add to this projected participation certificate sales of $5 billion, we have a total of $10.5 billion the Senator has not made any allowance for.

Mr. SMATHERS. I totally agree with the chairman.

The PRESIDING OFFICER. Who yields time?

Mr. SMATHERS. I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. SMATHERS. Mr. President, I commend the able Senator from Virginia for his statement. We know that the Senator from Virginia and his father, and those who have been associated with them, have long advocated economy. We highly commend the Senator from Virginia for continuing the program which his father so courageously and vigorously pursued in the Senate for so many years. I congratulate the Senator on his statement.

However, the problem in connection with his position is that he fails to take into consideration several contingencies; he simply ignores them, as the distinguished chairman of the committee has pointed out.

The Senator from Virginia arrives at his figure of $345.2 billion as the deficit on March 15 on the assumption that the tax surcharge of 6 percent on individuals and corporations is going to be passed and enacted by July 1—this Saturday—and that $5.5 billion of additional tax receipts will come into the Treasury in fiscal 1968.

I do not know how we can indulge in any magic and get that done at this point. I cannot conceive of the Senate or the House of Representatives at this point passing a tax increase and making it retroactive with respect to individuals. They have not done such a thing thus far, so far as I know, and I do not think they are going to do it in this instance. That is the first assumption which the Senator has ignored and which, therefore, makes his amendment somewhat unrealistic, although, as I have said, we commend him for what he is doing.

The second point that the Senator failed to observe is the testimony by the Secretary of the Treasury that he expects to receive less revenue next year than he estimated last January. The economy has not performed quite as well as was thought at the beginning of the year, and today we expect to receive today $1.1 billion less in revenue by March 15, 1968, than we thought we were going to have. His argument does not take that into consideration. It is the second contingency which he has ignored.

The third contingency concerns participation certificates. The administration presumed that they would not be included as a part of the public debt. If we include participation certificates within the limit, we in fact reduce the amount of additional expenditures which the administration can finance by the value of the participation certificates they expected to sell, which was about $5 billion in the original budget submission. The Senator has not considered that.

The Senator also ignores the fact—and I think this is the biggest fact—that we might well have an increase in the cost of the war in Vietnam. He has taken the figures and the estimates of the administration in January and based his amendment on that. Everybody knows that the war in Vietnam may be stepped up, and it is entirely conceivable that it will be enormously stepped up in the next year. We would hope that it will not, but we cannot impose a limit that is going to make it impossible to give the men in Vietnam what they need. If we were to put the Government under this limitation, this straitjacket, we might do just that. While I am for economy and the Senator from Virginia is for economy, certainly we do not want to put the Government into this type of straitjacket.

It is possible that even the Committee on Finance and the Ways and Means Committee of the House of Representatives have not made a high enough estimate for this contingency. For the additional costs for Vietnam we have provided a $3 billion contingency allowance over the amount which the administration has said would be the cost of Vietnam. The very distinguished junior Senator from Missisippi [Mr. STENNIS] and his Preparedness Investigating Subcommittee said that the amount will be $4 to $6 billion.

We do not want to have to come back before the fiscal year is well along and go through this same thing all over again. If we put this kind of amendment on this bill, undoubtedly we will have to come back to act on the debt limit.

I want economy as much as does the Senator from Virginia. I think that we should try to cut down, certainly, in areas of nondefense spending.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. SMATHERS. Mr. President, I ask unanimous consent to proceed for 3 additional minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 3 additional minutes.

Mr. SMATHERS. We come back here every year and we raise the debt limit by adding a temporary limit to the permanent $285 billion. We have operated that way for years. The actual fact is that if we want to reduce the amount of Government spending, we can do it directly. There is not one dime spent that this body does not vote on. The House votes on it. The Senate votes on it. There is no possible way for the executive branch of the Government to spend any money that Congress does not appropriate.

I say this is the way every one of us can act to hold down expenses. When a bill comes before the Senate which has to do with some program we do not think is essential, that is the time to reduce Government spending. Let us not strap the Government or put it in a straitjacket. Let us not make it difficult. Let us not bring ourselves back here in the next few months and say, "Look, we made a mistake. We put this in and now we have got to appropriate money and also raise the debt ceiling."

Mr. President, that is what we are trying to get away from doing. That is why we adopted the proposal of the Senator from Delaware last February, and why we are doing it now. If we pass this bill as it is before us, we may not have to review the problem of a debt ceiling again until 1969.

Mr. LONG of Louisiana. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I yield.

Mr. LONG of Louisiana. Is it not true that in some instances when we held the debt ceiling too tight, so that the administration could not live within it, that we have forced the administration to engage in various financial practices which actually cost the Government money rather than saving money?

Mr. SMATHERS. The Senator is absolutely correct. We have forced the Government to go out and borrow money at interest rates which have cost the taxpayers more money than was necessary when we have had an unrealistic debt limitation.

Mr. LONG of Louisiana. Have we not forced the Government in some instances to borrow money in a way that required them to pay higher interest rates for it?

Mr. SMATHERS. The Senator is absolutely correct.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. SMATHERS. Mr. President, I ask unanimous consent to proceed for 2 additional minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 additional minutes.

Mr. LONG of Louisiana. Is it not true also that the Senators have a bill before them that could, as I understand it, give the Government enough money to operate within the debt ceiling for much of the next 2 years?

Mr. SMATHERS. The Senator is correct.

Mr. President, I should like now to yield to the distinguished Senator from Kentucky [Mr. MORTON], a member of the committee, such time as he may desire.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MORTON. I thank the Senator from Florida for yielding to me.

Mr. President, first, let me agree with the objectives which are sought by the Senator from Virginia. I feel as he does that we must, indeed, curtail spending, or at least get spending more in balance with income on a national level. I commend him for his efforts.

However, I must disagree with the impact or the effect of the debt ceiling. Along with most of my colleagues now in this Chamber, I have served under four Presidents. During that time, we have had only five Secretaries of the Treasury. They have, I think, used their influence for economy. Historically, the Department of the Treasury is the one Department that tries to influence the Bureau of the Budget and others to keep some kind of a top or ceiling on expenditures, because it is through the Department of the Treasury that the revenues are raised.

Mr. President, I do not know of any budget which has been submitted to Congress by any President since I came to the Senate which has been drawn up with an eye toward the debt ceiling. I think Secretaries of the Treasury, Democrats and Republicans, and the Presidents, Democrats and Republicans, have attempted to hold down the budget in view of potential revenues. But that has not been done in response to a debt ceiling, as was freely admitted by the Senator from Virginia.

The $285 billion permanent ceiling we have had for some years is, and has been, unrealistic. I do not believe that when we in Congress vote appropriations for programs no matter how worthy—of course, to support the military effort in Vietnam or the general defense effort—but even in the welfare field, when we vote on the matter of the Teachers Corps, or the "Happy Pappy program" or the Headstart program, or this, that, and the other, I do not think we stop and think, "Well, I am going to vote against this appropriation because we have a debt ceiling."

I think it is not the pragmatic or the realistic approach to take.

The figure which the distinguished Senator from Virginia uses contemplates a deficit of some $11 billion this year and in fiscal 1968. But the Secretary of the Treasury, in testifying before the Ways and Means Committee, and under cross-examination, said that the deficit in fiscal 1968, depending on revenue, depending on what we do about the so-called surtax, and depending on the cost of the war in Vietnam, could very well go up to $25 billion or $26 billion. This shocked the country and I think it also shocked Congress. I think, therefore, perhaps, we had better give the latitude now.

Finally, Mr. President, a pragmatic and realistic problem we face today is the fact that here is another end of June. I do not like to act with a "gun" to my head because the House, because of delay, submits last-minute legislation to us, any more than the rest of my colleagues. I will say, however, that this time the House did try to act and give us at least 2 weeks for consideration of this matter. However, we all know that the legislation was defeated and then they came along and made a little change and passed something. We were faced with a hearing last Friday. Here it is Tuesday, with a bill pending in the Senate, and we either have to act or try to get some sort of conference through, which seems almost impossible between now and midnight of the 30th of June.

Thus, for these various reasons, although I certainly approve of the objectives that he seeks, I feel that I must oppose this amendment. I might say at this point that it is my intention to oppose all amendments to the bill for the pragmatic and political reasons I have just stated, even though I find myself in sympathy with many of them, especially one that I know is going to be offered by the distinguished senior Senator from Delaware [Mr. WILLIAMS].

I trust that we will proceed with our business. I hope the amendment will be defeated.

I reserve the remainder of my time.

Mr. BYRD of Virginia. Mr. President, I yield myself 2 minutes. When the Senator from Florida spoke a few moments ago, he indicated that I had not in my remarks considered the contingencies. So I will mention again what I stated in my original presentation, and I quote this paragraph again:

> Now, I grant there are contingencies which could change this picture somewhat. Revenues could be lesser than estimated. There could be a rise in the Vietnam war cost. The administration may not get the tax increase it wants when it wants it.

I brought all of that out in my presentation. I am reading from the draft of my speech. I brought all of that out.

Then I added this sentence, because it seems to me this is the important one:

> But the Congress always will be available if an unforeseen emergency occurs.

What is the Congress for? Why should we not be willing to come down here and legislate when it is necessary to do so? Why turn over more and more power to the executive branch of Government? I hear men in this Chamber and men in the other Chamber say day after day, "The Executive has too much power." Yet we want to give the Executive more and more power. We want to take care of all contingencies. I can think of a dozen more contingencies, and I am sure every head of the departments can think of a dozen more contingencies that may come up. But I submit these are contingencies. They are possibilities. They are not certainties.

Mr. President, I ask unanimous consent that we have a quorum call, the time not be taken from either side.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 165 Leg.]

Allott
Anderson
Bartlett
Bible
Boggs
Burdick
Byrd, Va.
Cannon
Case
Cooper
Cotton
Curtis
Dirksen
Eastland
Ellender
Ervin
Gore
Hansen
Harris
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Jordan, Idaho
Lausche
Long, Mo.
Long, La.
Mansfield
McCarthy
McGovern
Miller
Monroney
Morton
Mundt
Pastore
Pell
Percy
Prouty
Randolph
Ribicoff
Russell
Smathers
Smith
Talmadge
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Aiken
Baker
Bayh
Bennett
Brewster
Brooke
Church
Clark
Dodd
Fannin
Fulbright
Griffin
Gruening
Hart
Hollings
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Magnuson
McClellan
McGee
McIntyre
Metcalf
Mondale
Morse
Moss
Muskie
Nelson
Pearson
Proxmire
Scott
Sparkman
Spong
Stennis
Symington
Thurmond
Tydings
Williams, N.J.

The PRESIDING OFFICER. A quorum is present. Does the Senator from Virginia seek recognition?

Mr. BYRD of Virginia. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. BYRD of Virginia. May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will be in order.

Mr. BYRD of Virginia. Mr. President, the pending legislation would increase the permanent debt ceiling from the present unrealistic figure of $285 billion to the figure of $358 billion. My contention is that we should have a realistic debt ceiling. But I also contend that this $358 billion proposal is unwarranted, unnecessary, and unjustified.

The amendment upon which the Senate will soon vote would make only this change in the proposed legislation: Instead of the new permanent debt ceiling being $358 billion, it would reduce that figure by $10 billion, to $348 billion, as the new permanent debt ceiling. I submit that that is an adequate figure to take care of the Government's needs, as indicated by the Government's own figures as submitted in the report.

If Senators will note, on page 7 of the report, the highest level to which the public debt will rise, according to the administration's figures, will be $345.2 billion—to round it off, say $345 billion—next March.

Certain contingencies, certain possibilities, are listed.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of Virginia. Mr. President, I yield myself an additional 2 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized for an additional 2 minutes.

Mr. BYRD of Virginia. Mr. President, while five possibilities are listed, including a number of peacetime contingency allowances, any of us could think of an additional five or 25 contingencies if we wanted to do so. They are merely possibilities.

However, leaving out the contingencies, the Government itself says that the highest level to which the debt will rise by next March will be $345 billion.

My amendment would permit a debt ceiling of $348 billion, which is $3 billion more than the Government contends will be the largest possible amount of the debt by next March. That does not include $4 billion in cash.

So, there is $7 billion over and above the $345 billion debt limit which will be available to the Government.

I state that again very briefly. My amendment would make the debt limit $348 billion. However, on top of that there would be an additional $4 billion which the Government does not include in the figures.

We note on page 7 of the report that the operating cash balance, excluding free gold, is $4 billion. So, there is $7 billion over and above that $345 billion which the Government says it needs.

I submit that the issue gets down to whether the Congress wants to show some concern about this very grave fiscal problem which is facing the Nation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of Virginia. Mr. President, I yield myself an additional 2 minutes.

The PRESIDING OFFICER. The Senator from Virginia is recognized for an additional 2 minutes.

Mr. BYRD of Virginia. Mr. President, with respect to the other aspect concerning these contingencies, there is no question that my amendment would take care of the problem without the contingencies. However, in the event that some probability, or possibility, rather, were to come to pass, there would still be additional money available.

Congress will be in session, almost certainly, and why should we not then act to provide an additional debt limit if these contingencies develop?

Leaving out the contingencies, my amendment would take care of the needs as enunciated by the Government itself and would take care of the peak of the debt next March. It would still leave a $3 billion cushion plus an additional $4 billion which the Government has over and above the proposed debt limit.

Mr. President, I reserve the remainder of my time.

Mr. SMATHERS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Florida has 11 minutes remaining.

Mr. SMATHERS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. SMATHERS. Mr. President, I congratulate once again the distinguished Senator from Virginia for his desire to reduce Federal expenditures.

The Senator from Virginia, however, does not have a first mortgage on that desire. There are other Senators who also want to reduce nondefense expenditures.

Every Senator would like to see the Government operate more in balance, if it were possible.

The Senate Committee on Finance considered this matter very carefully. The Finance Committee reported the bill with, I think, probably one or two negative votes for the reason that after we considered it, we thought the pending bill is the right kind of a bill.

I like the Senator from Virginia very much, but his amendment would put the Government in a straitjacket and would require us to be back here before very long for the purpose of raising the debt ceiling once again.

That is what we are trying to get away from. We are trying to get away from forcing the Government to be compelled to live within an unrealistic debt ceiling.

Let us not kid ourselves. What makes the debt increase is the money which we appropriate.

The Senators have the opportunity—when they want to reduce the cost of Government—to vote against a program.

Putting on a debt ceiling does not save $1. It does not mean that money appropriated by Congress is going to be saved.

This ceiling which the distinguished Senator from Virginia has recommended is unrealistic and would require our being back here within a short space of time. It is unrealistic because, as I said earlier—and he has repeated his argument and I will have to repeat some of mine—while he mentions certain contingencies, he has omitted the consideration of them.

For example, in order to get within the limit which the Senator is talking about, $348 billion, one has to assume that we will pass a 6-percent surtax on the taxes of the individuals and corporations of America in time to have it start on July 1, this year. The Finance Committee submits that is an unrealistic assumption.

One has to assume further that we are going to reduce the deficit by an amount in excess of $5 billion with that tax increase. That assumption is not valid now. We do not know what action may be taken later in the year on a tax increase.

That is one of the unrealistic assumptions. Another unrealistic assumption is that we will have the amount coming into the Treasury that the administration last estimated. As a matter of fact, the best projection we have is that our economy has not been as buoyant and as strong in the first 6 months as we thought it would be.

We are receiving revenue at a rate that will be $1.1 billion less by March 15, 1968, than was originally estimated. That fact has not been taken into his calculations and consideration.

Another thing that the Senator does not consider is that we will include in the pending bill for the first time participation certificates, as we call them. They will be considered as a part of the debt. That will be under the limitation.

The Government, therefore, is restricted in the amount that it can spend by up to $5 billion which is the projected amount from sales of participation certificates.

The Senator has not considered that.

The last thing, and I think the most important thing, is that he has made no provision in the debt ceiling which he wants to put on for what might happen in Vietnam. The Senator has concluded that the costs in Vietnam will be the same as estimated in January.

We believe it is a more realistic conclusion that it will cost somewhere from $2 billion to $3 billion, or $4 billion or $5 billion more to operate the war in Vietnam than it has thus far.

As a matter of fact, the distinguished Senator from Mississippi, the chairman of the Preparedness Subcommittee, has said that its actual costs will be up to $6 billion additional. We took the assumption in the Finance Committee that it will cost an additional $3 billion.

The Senator from Virginia is assuming that it will cost no more than now estimated. That is unrealistic. We do not think that we should tie the hands of the Government. We think that we should give to the people in Vietnam everything they need.

The administration should not be obliged to come and ask Congress again and again: "Please raise the debt ceiling again so that we can send to Vietnam the type and character of armament they will need."

That is the judgment of the committee.

I hope that the Senate will reject the amendment.

If we do not reject the amendment, let me assure the Senate, for a fact, that we will have to go through the same debate again, very soon.

I hope that the amendment is rejected.

Mr. President, I yield such time as he may desire tc the Senator from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. MORTON. Mr. President, I will only take 2 minutes.

I, too, might be somewhat repetitious. However, I want to ask my colleagues whether they have ever voted for or against a particular appropriation or a particular authorization because of a debt ceiling.

I do not think any administration has sent to Congress a program tailored to a debt ceiling.

I think when we talk about a debt ceiling, we are not talking about something that actually is a restraining influence on our fiscal position or on our spending.

As I said before, we are in a situation where, if amendments to the pending bill are passed, we will have to go through with some kind of a continuing resolution to handle the problem in July. If the amendments are agreed to, we will have—as the Senator from Florida, the manager of the bill, pointed out—to go through it again in the not too distant future.

Congress has put restrictions upon the Secretary of the Treasury, not only upon the incumbent but also upon Secretary Snyder and others before him, which have cost us money. We have put on ceiling restrictions and interest restrictions—long-term and short-term restrictions. The result is that today our whole debt matures in 4.7 years. We are paying a terribly high rate because we did not sell many long-term bonds a few years ago when interest rates were much easier.

The more latitude we give to the Secretary of the Treasury—be he Mr. Fowler, be he Mr. Anderson, be he Mr. Dillon, be he Mr. Snyder—the more restrictions we put on him, the more it will cost us to manage this massive debt.

I trust that the proposed amendment will not be agreed to.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Virginia yield 1 minute to me?

Mr. BYRD of Virginia. I had agreed to yield 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I contemplate supporting the amendment offered by the Senator from Virginia.

It is my understanding that the debt ceiling principle was adopted by Congress to operate as a deterrent against extravagant spending. I concur in what the Senator from Kentucky has said, that until now that effect has not been realized.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. LAUSCHE. I have only 3 minutes.

But I respectfully submit, Mr. President, that it is in the interest of the taxpayers of the country to have this question rehashed, reargued, and redemonstrated to the citizenry at frequent intervals, so that they will know in what direction we are heading. This amendment probably will not be adopted, but it does point out to the citizenry to what extent our debt is rising.

I call attention to the fact that in the history of our country, the debts incurred in war, in every one except World War II, were practically amortized within 10 years after the debt was incurred. It was only after World War II that we did not pay off the debt. Our debt at the end of World War II was $265 billion. It is now up to $348 billion, at the minimum.

In the report of the committee, comparisons are made of the amount of the national debt with the gross national product, going back only to 1940. It is interesting to ask, Why is not the comparison made with the gross national product in the 1930's and in the 1940's? By 1927, the debt incurred in World War I was paid off practically in full. I challenge any effort to demonstrate that my statement is not correct.

If the report of the committee had contained comparisons of the gross national product with the total national debt in the 1920's, you would find that the debt was not more than about $16 billion in 1928 while the gross national product was $110 billion. The ratio of gross national product to debt was about $7 to $1. The debt was about $16 billion, the gross national product was $110 billion.

Today while this bill is being discussed the ratio is $1 of debt to $2 of gross national product.

What will be our position if we get into a gross international involvement? What reserves will we have to draw upon? They will be practically nil.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. I ask the Senator from Virginia to yield me 1 additional minute.

Mr. BYRD of Virginia. I yield 1 additional minute to the Senator from Ohio.

Mr. LAUSCHE. I wish to summarize. It is a healthy thing to let the people of the country know to what extent our debt is increasing. It will be wrong to set them into a state of security, by lifting the debt ceiling to a level now that will not require a rediscussion of the matter at regular intervals.

I will support the amendment of the Senator from Virginia.

Mr. BYRD of Virginia. I thank the Senator from Ohio. I believe the point he made a moment ago is one of the important aspects of a debt ceiling. It requires the executive branch to come back to Congress and to seek from Congress the right to exceed a certain stipulated figure. By doing that, public attention is focused on the debt, on the deficit, and on the Government's fiscal problems, of which we have many.

I yield 1 minute to the Senator from Delaware, if he desires.

Mr. WILLIAMS of Delaware. Mr.

President, I support the proposed amendment.

The Secretary of the Treasury testified before our committee that between now and July 1, 1968, he would need a debt ceiling as high as $345 billion. The adoption of the proposed amendment would increase the debt ceiling to $348 billion, and he would be given a leeway of an additional $3 billion.

I believe there is merit to the contention that as we hold a tight ceiling on the Secretary we can, by the same method, control to some extent the continued expansion of spending on many of the domestic programs. We cannot overlook the fact that with the blanket authorization already on the books but without a debt ceiling it would be possible for the executive branch to accelerate spending at the rate of $10 or $15 billion a year without ever coming to Congress for further authorization. This is the only control we have; and, as the Senator from Virginia has pointed out, we will be here if an emergency exists. If a change is necessary we can appropriate the money.

As to the needs of the war, I hope that when the Secretary of the Treasury testified before our committee last Thursday and gave us these figures, in which he set the maximum debt ceiling at $345 billion, he was aware that we are engaged in a war in Vietnam; and if he did not take that into account he should be removed from office.

The PRESIDING OFFICER. Who yields time?

Mr. SMATHERS. I yield myself 2 minutes, and this will be the last time.

With respect to the argument that we want to help the people of the country and that we should stop extravagant spending, let me say a debt ceiling does not stop extravagant spending. A debt ceiling that is unrealistic costs the taxpayers money. Never forget that.

Second, the Senators said they believe it is healthy to have this discussion. How many times must it be discussed? In fiscal 1962, we debated on two debt ceilings. In fiscal 1963, we debated three times. In fiscal 1964, we took it up again. We have taken time away from other very meritorious programs and projects and appropriation bills. In fiscal 1965 we took it up once. In fiscal 1966 we took it up once again. In fiscal 1967 we have had the matter before us twice. We could debate it every day, but I do not think it would be very realistic. It wastes the time of the Senate and the House of Representatives. We are mature. We know what we are doing. I think we underrate the intelligence of our average constituent. He knows what costs the Government money. He knows what it means when there is a vote of "aye" on the appropriation bill. Let us not strap the operation of the Government by placing an unrealistic limitation on the outstanding public debt.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 minute on the bill.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 1 minute.

Mr. WILLIAMS of Delaware. I thank the Senator from Florida for endorsing the next amendment to be offered under which the Secretary cannot finance the debt on long-term issues.

As to the suggestion of the Senator that in the past few years there has been a request before Congress every few months for an increase in the debt ceiling, the reason that it has happened so many times, every 6 months on the average, is that in submitting the budget the administration has been indicating that we have a balanced budget when they know that it is not. They have been operating at a deficit of $9 billion a year, on the average, for the last 4 years.

They have not faced up to the issue. That is why I support this amendment. The time is long past due when the administration should face up to the issue that in order to balance the budget they are going to have to cut down on spending.

Mr. BYRD of Virginia. Mr. President, I yield myself 2 minutes, and that will be the conclusion. I wish to make a few brief comments.

I do not agree with the Senator from Florida that it is a waste of time to be debating a matter as momentous as $348 billion.

I have not been a Senator very long but I have heard a great many matters debated that are not quite as important. I do not agree with the Senator in that respect.

The Senator from Florida said that if Congress approves the pending amendment we will be back here in July or August and we will have to raise the debt ceiling again.

That would mean, Mr. President, that somebody has in mind that this Government is going to spend $20 billion more in the next 2 months than the American people have been told about.

Mr. President, if Senators will look at page 7 of the report, which is a very important document, they will find that the Secretary of the Treasury, or whoever prepared this document, said that the debt will be, in round figures, $328 billion in July and August. Let us assume that all of the contingencies which the Senator from Florida has been talking about take place in the next 2 months. That would mean a total of $340 billion and this amendment provides for $348 billion.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of Virginia. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The time of the Senator has expired. Does the Senator ask for time on the bill?

Mr. BYRD of Virginia. I ask for 2 minutes on the bill.

Mr. MANSFIELD. Mr. President, I believe that the time on the bill is under the control of the leadership. How much time does the Senator desire on the bill?

The PRESIDING OFFICER. The Senator requested 2 minutes on the bill.

Mr. MANSFIELD. I yield 2 minutes to the Senator from Virginia on the bill.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 2 minutes.

Mr. BYRD of Virginia. Mr. President, I wish to make one statement, and then I shall be finished.

The statement has been made that having a debt ceiling has not held down expenses. Perhaps it has not. None of us could say categorically if it has or has not. It might be that we would be in worse shape without the debt ceiling but let us assume that it has not.

The Senator from Florida pointed out how many times the debt ceiling has been raised. On each of those occasions there has been a fight on the floor of the Senate and public attention has been focused on the matter.

I submit, Mr. President, that it takes the public a long time to acclimate itself to these complicated problems facing our Government; but because there has been a debt ceiling and because the Senate and the House of Representatives have from time to time in recent years focused public attention on it, I think the public today is more aware of this problem and the difficult plight our Government is in financially. I think that the public is going to show it in the next election, and if not then, in subsequent elections. As a Democrat, that is one reason I want to see this amount held down some, and I do want to see the fiscal problems of our Government held in hand.

Mr. COOPER. Mr. President, the Senate is considering today H.R. 10867, which would increase the public debt limit from the present temporary ceiling of $336 billion to a permanent ceiling of $358 billion and which provides for a further temporary ceiling of $365 billion on July 1, 1968.

The Finance Committee in its report, estimates that the public debt outstanding on June 30, of this year will be $327 billion. Thus, the difference between the present estimated debt and the new ceiling of $358 billion would amount to an additional borrowing authority for the Federal Government of $31 billion.

On June 1, I called the Senate's attention to an address given by the Honorable WILBUR D. MILLS on May 22, in Rochester, N.Y., which I felt deserved greater attention and circulation than was given by the press at that time. In the course of his remarks, Mr. MILLS offered a realistic and sobering appraisal of the very serious budgetary situation that confronts the Federal Government today and he concluded that the budget deficit for fiscal 1968 could go as high as $29.2 billion.

Yesterday, the Honorable William M. Martin, Chairman of the Federal Reserve Board, in an address at Toledo, Ohio, pointed out that prospective heavy Federal borrowing to cover the budgetary deficit would compete for funds with private borrowers with the result that this increased demand would send interest rates sharply higher.

In his statement Chairman Martin calls for an immediate tax increase. He stated:

> From the beginning, I have favored the President's proposal for a 6 per cent surtax. In light of the recovery under way in the economy and the current rate of Government spending, I would be prepared now to support an even higher amount, if it is warranted when appropriations by Congress for Government spending during the coming year have been completed. But we should not delay in coming to grips with the problem, for delay would permit inflationary

forces to gain momentum as well as permit market expectations to become even more deeply embedded.

Mr. President, I ask unanimous consent that Mr. Martin's statement be included in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. COOPER. Mr. President, in the coming fiscal year our country faces the largest budgetary deficit since World War II. In past months, the interest of the administration and the Congress has centered on the problems involved in the Vietnam war and, more recently, the crisis in the Middle East, with the result that I do not feel that sufficient attention has been directed to the problems of our projected budget deficits.

In this connection I note that the Joint Economic Committee has begun hearings today on the economic outlook and its policy implications. In announcing these hearings the distinguished chairman [Mr. PROXMIRE] stated:

> In the light of these worsening prospects, the Committee believes it desirable that Congress have the benefit of a fresh review of the economic situation and outlook in order to obtain a proper basis for the reassessment of Government fiscal and monetary policies. We shall have before the Committee representatives of the Administration as well as outside experts to provide the most up-to-date information on the state of the economy and the relative desirability of alternative means of dealing with the situation which their analysis reveals.
>
> Congress must soon act on spending programs for the coming fiscal year. If we do need a tax increase in addition to economy in expenditures, then we should know this as soon as possible. We also need to know whether the economy is strong enough to require such restraint or whether weaknesses in some sectors make at least some deficit in the budegt inevitable. In short, we need to know the facts so Congress can legislate intelligently and soon.

I support the Chairman's statement that "we need to know the facts so Congress can legislate intelligently and soon." Both the Congress and the administration must face up to their fiscal responsibilities and meet this problem head on. There are no easy solutions. We may have passed the point where cuts in Federal expenditures could in large part solve this problem and now, unattractive as the alternative is, both the administration and the Congress are compelled to consider increases in Federal income taxes.

I support the amendment of the senior Senator from Virginia [Mr. BYRD] to reduce the raise in the debt ceiling by $10 billion—from the $358 billion proposed, to $348 billion. It is probable that a further raise will have to be made—but at least the $10 billion reduction will compel the administration and the Congress to come to grips with more stringent fiscal responsibility.

EXHIBIT 1

SUMMARY OF REMARKS BY WM. MCC. MARTIN, JR., CHAIRMAN, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, BEFORE THE ROTARY CLUB OF TOLEDO, COMMODORE PERRY HOTEL, TOLEDO, OHIO, JUNE 26, 1967

As all of you are undoubtedly aware, the Federal Reserve System moved promptly into a policy of monetary ease last fall as soon as the inflationary forces that marred economic progress in 1966 had been brought under control. This policy of ease, pursuit of which has continued this year, has cushioned the impact on the economy of adjustment to the inflationary excesses of 1966, especially the adjustment to the excessive inventories accumulated during the period of inflationary expectation.

The System's policy of monetary ease, together with stimulative fiscal actions, particularly in the form of higher-than-expected Government expenditures, has been successful in preventing the economic adjustments from becoming cumulative. Now, after only a short pause, the economy is beginning to show signs of moving ahead again.

As a result of the System's expansionary monetary policy, the nation's money supply has increased at an annual rate of 6 per cent this year and total credit outstanding at all commercial banks has expanded at more than an 11 per cent annual rate in the same period. The liquidity of financial institutions generally has improved as has the liquidity of many corporations and of consumers generally.

In the face of such monetary ease, many persons find most puzzling recent financial market developments that have returned long-term interest rates to levels in the neighborhood of their peaks of late last summer, while short-term rates have shown substantial declines and, in some areas, are more than two full percentage points below their 1966 highs.

The explanation lies in the huge demand pressures that have been exerted on the bond market by corporations and by state and local governments trying to raise record amounts of long-term funds. Publicly offered corporate bonds, for example, amounted to approximately $6 billion in the first five months of this year in contrast to $8 billion for the whole of last year and only $5.6 billion in all of 1965.

This concentrated outpouring of new security issues is related to three basic reasons: First, many corporations found their liquidity positions reduced to uncomfortably low levels during the 1966 boom and there has been an understandable desire to rebuild their cash reserves from sources outside the banking system. Secondly, current business spending for plant and equipment has continued at exceptionally high levels requiring more cash than has been generated by internal flows. Similarly, total outlays by states and municipalities, including those for capital improvements, exceed currently available funds by a substantial margin.

Finally, and most important, market participants seem to feel that no matter how high interest rates may be pushed by their efforts to raise long-term funds now, the situation may be even worse before the end of the year. Borrowers, investors, and market professionals all are expecting a large Federal deficit in the fiscal year ahead. They fear that financing such a deficit will put additional heavy pressures on the market and that a deficit of this size, along with resurgence in private demands, harbors the potential of reviving inflationary pressures by the boost it will give to spending and to private incomes, in turn stimulating additional credit demands.

The problem of trying to change market expectations as deeply ingrained as these appear to be is difficult indeed, but change them we must if bond markets are to become less susceptible to upward rate pressures and if we are to avoid the possibility of renewed diversion of funds from mortgage markets that would seriously hamper the recovery of housing.

It is for these reasons that I am firmly convinced that we must have adequate, effective—and above all—prompt tax action that would whittle down the prospective deficit for the coming fiscal year to one of manageable proportions.

From the beginning, I have favored the President's proposal for a 6 per cent surtax. In light of the recovery under way in the economy and the current rate of Government spending, I would be prepared now to support an even higher amount, if it is warranted when appropriations by Congress for Government spending during the coming year have been completed. But we should not delay in coming to grips with the problem, for delay would permit inflationary forces to gain momentum as well as permit market expectations to become even more deeply embedded.

It goes almost without saying that I am equally in favor of holding down or cutting back Government spending wherever that is possible without impairing the efficient provision of public services the country has determined it wants to have. Ours is a great and a prosperous nation and we can undertake whatever programs we feel we need, so long as we are willing to assume the financial obligations involved. When we fall into the habit of perpetual deficit financing the soundness of our currency and the strength of our economy will eventually be undermined.

From my experience, the American public will support any policy which they are convinced is essential in the national interest. The public recognizes that the war in Vietnam—which after all accounts for the major share of added Government expenditures—must be paid for. I believe that a tax increase now deserves, and will receive, broad public support. I'm confident, too, that Congress will reflect this support and take the actions to provide, in appropriate measure and timing, the fiscal discipline we need to ensure sustained economic progress.

There is another proposal I should like to put before you that in my view is equally deserving of public support and adoption by the Congress. I have come to the conclusion that we should also act now to eliminate the 25 per cent gold cover requirement against Federal Reserve notes, and thus remove any uncertainty concerning the availability of our gold for official settlements with other governments.

The readiness of the U.S. Treasury to buy and sell gold at the fixed price of $35 an ounce in transactions with foreign monetary authorities has greatly contributed to the willingness of foreign monetary authorities and private foreign residents to hold dollar reserves and working balances. As a result, the dollar has attained a unique position in international commerce and finance, and the universal acceptability of dollars has greatly facilitated the record expansion of international trade. Since 1950 world trade has tripled, rising from less than $60 billion to $180 billion last year. Thus, the availability of U.S. monetary gold holdings to meet international convertibility needs is a matter of vital importance not only to the United States but to the entire present system of international payments on which the free world relies.

Over the years ahead, the continued growth of U.S. economic activity will require continuing monetary expansion consistent with a stable dollar. Under prospective conditions, it appears all but certain that the gold certificate reserve ratio of Federal Reserve Banks, for domestic monetary purposes alone, will steadily decline, even if gold sales to foreign monetary authorities are small. Of course, any substantial further outflow of gold would accentuate the decline.

At the end of May our total gold stock amounted to $13.2 billion, of which almost $10.0 billion was earmarked as the 25 per cent reserve required against Federal Reserve notes outstanding. This left "free gold" totaling $3.2 billion. The steady increase in Federal Reserve notes in circulation each year to meet the needs of a growing economy amounts to about $2 billion, thus reducing the "free gold" by about $500 million per year. Net sales of monetary gold for domestic industrial and artistic uses approximate another $150 million per year. Future purchases and sales of gold by official foreigners cannot be predicted, but so long as the United States continues to run large balance-of-payments deficits, it is reasonable to expect additional gold losses for that reason as well.

It seems inevitable then that the removal of the present gold cover requirement must come and the question becomes essentially one of timing. By acting now the Congress could erase any doubt or uncertainty due to this requirement that might affect confidence in the dollar.

There is an inescapable practical requirement that we maintain an adequate gold stock to back up the role of the dollar as a key currency in world trade. Hence the need to conserve our gold stock will continue to exert a disciplinary influence on monetary and other governmental policies.

All of us need to be mindful that sound money is not established by statute alone. In the end, our nation cannot have sound money unless its monetary and fiscal affairs are well managed. The fundamental elements in keeping our financial house in order are sound and equitable fiscal and monetary policies.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Virginia.

The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ERVIN (when his name was called). On this vote I have a pair with the Senator from Hawaii [Mr. INOUYE]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. HARTKE], is absent on official business.

I also announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from North Carolina [Mr. JORDAN], are absent because of illness.

I further announce that the Senator from West Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], and the Senator from New Mexico [Mr. MONTOYA], are necessarily absent.

I further announce that, if present and voting the Senator from West Virginia [Mr. BYRD], would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY] and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Colorado [Mr. DOMINICK] and the Senator from Hawaii [Mr. FONG] are necessarily absent.

The Senator from New York [Mr. JAVITS] is absent by leave of the Senate.

If present and voting, the Senator from California [Mr. MURPHY] and the Senator from Texas [Mr. TOWER] would each vote "yea."

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Kansas [Mr. CARLSON]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Kansas would vote "nay."

The result was announced—yeas 43, nays 44, as follows:

[No. 166 Leg.]

YEAS—43

Aiken
Allott
Baker
Bennett
Bible
Boggs
Brooke
Byrd, Va.
Cannon
Cooper
Cotton
Curtis
Eastland
Ellender
Fannin
Fulbright
Griffin
Gruening
Hansen
Hatfield
Hickenlooper
Holland
Hollings
Hruska
Jordan, Idaho
Lausche
McClellan
McGovern
Moss
Mundt
Pearson
Prouty
Proxmire
Russell
Scott
Smith
Spong
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.
Young, Ohio

NAYS—44

Anderson
Bartlett
Bayh
Brewster
Burdick
Case
Clark
Dirksen
Dodd
Gore
Harris
Hart
Hayden
Hill
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Morton
Muskie
Nelson
Pastore
Pell
Percy
Randolph
Ribicoff
Smathers
Sparkman
Symington
Tydings
Williams, N.J.
Yarborough

NOT VOTING—13

Byrd, W. Va.
Carlson
Church
Dominick
Ervin
Fong
Hartke
Inouye
Javits
Jordan, N.C.
Montoya
Murphy
Tower

So the amendment (No. 216) of the Senator from Virginia [Mr. BYRD] was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BYRD of Virginia. Mr. President, I call up an amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

Mr. MANSFIELD. Mr. President, will the Senator from Virginia yield to me?

Mr. BYRD of Virginia. I yield to the Senator from Montana.

Mr. MANSFIELD. May I ask Senators to please stay on the floor as much as possible? We do have a time limitation. I think it would speed things up if there could be a good attendance, if at all possible. The leadership would be most appreciative, because Senators offering amendments, as well as those presenting the bill, are entitled to a good attendance.

The PRESIDING OFFICER. The amendment offered by the Senator from Virginia will be stated.

The ASSISTANT LEGISLATIVE CLERK. It is proposed, on page 2, to strike out all of section 3.

The section proposed to be stricken by Mr. BYRD of Virginia is as follows:

SEC. 3. Effective July 1, 1968, and each July 1 thereafter, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) shall be temporarily increased by $7,000,000,000 during the period beginning on such July 1 and ending on June 29 of the succeeding calendar year.

The PRESIDING OFFICER. How much time does the Senator from Virginia yield to himself?

Mr. BYRD of Virginia. I yield myself 3 minutes.

I anticipate making but a few remarks, because what I stated a while ago with regard to the previous amendment applies also to this amendment.

If Senators will refer to page 2 of the bill, my amendment strikes section 3. Section 3 of the bill looks ahead a year, to July 1, 1968, and says at that time the debt ceiling shall be temporarily increased; that is, the $358 billion debt ceiling shall be temporarily increased $7 billion more, to $365 billion.

Maybe it will be necessary to do that next July, but I am just wondering why it is necessary, in June of 1967, to say we are going to increase the debt ceiling again, having already increased it tremendously this year, a year from now.

It occurs to me that if we are to get any semblance of fiscal responsibility in the Government of the United States, we ought not, now in 1967, say, "The lid is off, boys. We are going to increase the debt ceiling again a year from now, on July 1, 1968."

Why do we want to give away the authority and the power, and, yes, the responsibility—of U.S. Senators and turn it over to the executive department of Government and say a year from now—we do not know what the conditions will be then—we are going to raise the ceiling? We will do it so they will not have to worry. We are saying we do not want them to be concerned or feel cramped; that we want them to spend whatever budget they want to.

Mr. President, I realize that this is a sort of lost cause, but I present this amendment with the belief that the legislative branch of our Government would be unwise to say that today, in June of 1967, automatically we are going to increase the debt ceiling a year from now, when we have no idea of what the conditions are going to be.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. WILLIAMS of Delaware. Mr. President, certainly the very least the Senate can do is to adopt the amendment. By the previous vote the Senate has already decided it is going to increase the permanent ceiling by $22 billion, which would make it $358 billion.

I point out that this section works rather strangely. It was referred to in our committee as the "yo-yo" section. If this section is left in the bill it means that effective July 1, 1968, the debt ceiling will be raised to $365 billion. That is $7 billion above the $358 billion. It will remain at that level for 364 days. And then, on the 30th of June 1969, it will drop back again for 24 hours. Then on July 1 it will go back up again to $365 billion. It will do that in perpetuity.

This section will have the effect of providing that, beginning July 1, 1968, for 364 days—365 days in leap year—the ceiling on the debt will be $365 billion, but for 1 day, 24 hours, every year from now on at midnight the debt ceiling will drop $7 billion, and then it will go back up $7 billion more the following midnight.

That is the silliest kind of proposal I have ever heard of, and I say no member of the Finance Committee will stand up and endorse it.

I say that we ought to strike it out entirely and have Congress consider what kind of debt ceiling we will need next year. Let us not start a "yo-yo" debt ceiling. We already have a "yo-yo" tax policy, an off-again, on-again tax policy. Now it is proposed to have a "yo-yo" debt ceiling in order that for 1 day, the ceiling may be dropped by $7 billion so that it can be raised again in only 24 hours. It is proposed that for 364 days the debt ceiling will be $365 billion, and then for 1 day it shall drop $7 billion.

That provision in the bill should be rejected for two reasons. First, it is not needed. Second, it is not a wise provision. The amendment striking the provision should be accepted.

Mr. CURTIS. Mr. President, I rise in support of the amendment.

The PRESIDING OFFICER. How much time is yielded to the Senator from Nebraska?

Mr. CURTIS. May I have 5 minutes?

Mr. BYRD of Virginia. If the Senator will desist for a moment, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. BYRD of Virginia. I yield 5 minutes to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I rise in support of the amendment offered by the distinguished Senator from Virginia. It seems to me we should turn our attention to the national debt and the ceiling on it.

Mr. President, the bill before the Senate would authorize a double-barreled increase in Federal debt.

The debt is now limited by law to $336 billion. The pending bill would raise the statutory limit on direct Federal debt first, by $22 billion, to $358 billion, during the fiscal year beginning Saturday; and, second, by $7 billion more, to $365 billion, during the fiscal year beginning July 1, 1968.

This will be the Nation's deepest plunge into red ink—which, of course, makes it another world record in national debt.

These are not the only records this bill breaks.

It has become common practice for us to raise the limit on Federal Government debt more than once during a year—this will be the third time the ceiling has been raised since June 24, 1966.

But, this is the first time we have been called on to authorize increases in the debt limit two-at-a-time—in the same bill.

This will be the greatest increase in U.S. Federal debt ever authorized in a single bill, except to finance the global conflict in World War II.

Between World War II and this bill, the largest increase in a single year was $15 billion, piled up in three bills enacted between June 30, 1961, and July 1, 1962.

If this bill is enacted, the limit on Federal debt will have been raised by $72 billion in the 6 years since June 1961.

The fiscal disarray which has been allowed to develop in the Federal Government of the United States in these 6 years is almost beyond belief.

In these 6 years the Washington Government has collected more than a half trillion dollars from American taxpayers.

But over the same period the Washington Government has broken the $100 billion barrier against Federal spending, and now plans its spending at a rate of more than $135 billion a year.

The result of this volatile record of deficit financing in every one of these 6 years has been an aggregate of some $40 billion in deficits; and the worst is yet to come.

Deficit estimates for the year beginning Saturday run all the way up to $29 billion.

In its requests for increases in the debt limit for the past 2 years, the administration has used the Vietnam war almost exclusively to justify its debt-producing deficits.

Certainly, I shall vote for every dollar needed to support our half-million American fighting men now in the Vietnam war zone.

But it is another matter to increase the serious fiscal difficulties facing the Nation with continuing profligate spending for nonessential domestic programs in which the administration is relentless.

The first U.S. troops went into Vietnam in March 1965.

Increased spending in Federal domestic-civilian programs was started before we got into that war, and it has been locked in and continued at even faster rates since the shooting started.

The Federal Treasury statement for the month ending May 31 this year shows Department of Health, Education, and Welfare expenditures, exclusive of social security, in the first 11 months of this fiscal year, totaled $9.6 billion.

The total for the same period last year was $6.9 billion. This is an increase of almost 40 percent—nearly $3 billion—in less than a year.

Nondefense spending exclusive of social security, in 1961 totaled $36.8 billion. Comparable figures for nondefense spending in the year ending Friday are totaling $58.7 billion. This is a 59-percent increase—or $21.9 billion.

Over this 1961–67 fiscal period defense spending—including the Vietnam war buildup—has been increased 54 percent.

Nondefense Federal spending has been going up at a rate of some $3 billion a year or more since 1961, and since that date the expenditures in these areas have totaled approximately $300 billion.

It is this kind of spending which has produced the disarray in the Federal fiscal position, which has boxed the administration into a position of trying to make up its mind whether to increase taxes.

It is this kind of deficit spending which threatens disastrous inflation.

It is this kind of fiscal disarray which is causing foreign countries to drain off our gold supply to dangerously low levels.

The administration's answer to date to the fiscal dilemma it has produced is to borrow more money—and in this bill it wants authority to borrow in the unprecedented amount of $29 billion.

In the years of highest tax collections of all time there has been no thought of debt reduction against the time when urgent spending would be necessary for emergency such as war.

We have simply added to fiscal disarray in this great country by piling up more debt, with interest already estimated at more than $14 billion a year.

Reduction in nonessential Federal expenditures for strictly domestic-civilian programs would have been—and still is—in the interest of fiscal prudence and responsibility.

The Federal fiscal disarray faced by Congress and the country in consideration of this bill prompted Chairman WILBUR MILLS, of the Ways and Means Committee in the House of Representatives, to call for a "full and complete study and evaluation" of Federal programs and activities.

Competent evaluation of Federal spending programs had better be made soon if we are to preserve the fiscal stability of this country and the free world.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore (Mr. METCALF in the chair). Who yields time?

Mr. SMATHERS. Mr. President, just to make the record clear, I yield myself 4 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized for 4 minutes.

Mr. SMATHERS. Mr. President, there are those who argue—and I think with great persuasiveness—that this particular provision will bring about better fiscal management than any other provision in the bill, because what it does, in essence, is to say, "At the end of every fiscal year, you have got to have your house in order. In the 364 days which the Senator from Nebraska, the Senator from Delaware, and the Senator from Virginia are talking about, you can rise up over the figure of $358 billion, but in every fiscal year, after 1968, you have got to bring the debt back down and have your house in order—at least on the last day."

The rationale behind the thinking of the House of Representatives was this: Expenditures of the Government are on a pretty level basis, but income to the Government is on a very irregular basis. Most of income comes in during the latter part of the fiscal year, when people pay their income taxes. The Government has plenty of money at that time. Therefore, at that time of the year the Government can pay off part of its debt and bring the total debt down to within the statutory limit. However, earlier in the year, when expenditures are high, and there is less money coming in, this latitude is needed to be able to increase the amount of public debt outstanding.

That was the thinking of the House of Representatives, the Committee on Ways and Means, the Secretary, and others who thought such a provision would actually bring about better debt management. That is why the provision is in the bill.

I emphasize, it does not raise the cost of the Government one dime because, at the end of the fiscal year, the Government must bring the debt back within that limiting figure of $358 billion.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the distinguished chairman of the committee.

Mr. LONG of Louisiana. Is this not a situation where the House committee studied the matter and concluded that it was not necessary to have a $365 billion debt limit for the entire year? But it concluded that it was necessary to have the flexibility and the latitude to go beyond the $358 billion during certain parts of the year to meet contingencies that might arise. It was felt the limit should be flexible. Thus, the bill provides, that this debt limit of $358 billion could be exceeded during the year, but in order to hold the administration and the executive branch as closely within limits as possible, it must get back within the limit before the year is out. Is that not the Senator's understanding?

Mr. SMATHERS. The Senator has expressed it very lucidly and well, and I thank him for that contribution.

The Senator from Delaware has stated that he thought we ought not to approve the flexibility allowance at this time, but should consider it a little further. Mr. President, we have time to consider this particular amendment all of next year. It does not go into effect until July 1, 1968.

Mr. BYRD of Virginia. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the Senator from Virginia.

Mr. BYRD of Virginia. Then why pass it now? Why not wait until next year to pass it?

Mr. SMATHERS. I shall get to that point in a moment.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. SMATHERS. I yield myself 3 more minutes.

The bill, if enacted, will not go into effect until July 1968, for the fiscal year 1969. So if the Senator from Delaware and other Senators object to this reasoning on the part of the House, they have an opportunity to offer an amendment to other bills, to bring it up again, to introduce the legislation in the Senate, or to attach it to some bill from the House of Representatives, and we can debate the matter again, without being under the pressure of having the debt limit expire this coming Friday.

The other reason, possibly the principal reason, of the Finance Committee for pursuing this course is that we did not want to change the bill in any material respect. The House had a very difficult time in passing the bill. The first version of the bill came before the House, and was defeated because of the amount originally asked for.

The bill went back to the committee. The committee tried to develop a proposal which they could get through the House of Representatives.

This is one of the principal features which enabled them to get the bill through the House of Representatives.

If we do not reject the pending amendment, every Senator can be assured for an absolute fact that we are going to be back here on this problem on July 10 following our return from our vacation. We will have to be back here on this measure because the statement of the Secretary of the Treasury is that we may be out of money on July 12. If the debt limit is allowed to drop back to $285 billion. We could not pay our debts. We could not pay Government contracts. We could not pay employees.

I suspect that, with respect to grants-in-aid to the States, we will not be able to go forward with some of the programs.

I doubt if we can even pay the military personnel. So, if we agree to the pending amendment and send the bill to the House, we can be absolutely certain that we will be back here on the 10th, 11th, 12th, and 13th days of July and pass extension after extension.

We will have to be on this debt ceiling matter again in another 2 or 3 weeks.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. SMATHERS. Mr. President, I yield myself an additional 3 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized for an additional 3 minutes.

Mr. SMATHERS. Mr. President, in my judgment, that was one of the reasons why we accepted this particular proposition in the House bill.

If we do not want to pass this measure for this year, we will have to come back in July and debate it again.

I submit that this is still a sound measure. After the measure has been passed, the Government will not be allowed to be above the debt limit by $1 at the end of the fiscal year.

I hope the pending amendment will be defeated.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield 3 minutes to me?

Mr. BYRD of Virginia. Mr. President, I yield 3 minutes to the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Florida points out that if we do not defeat the pending amendment we will be back here on July 10 on a further extension of the debt ceiling.

I disagree with the Senator to the extent that Congress will not go home without extending the present ceiling beyond June 30. We cannot afford not to act before we go home.

Mr. SMATHERS. Does the Senator believe that we can act between now and Friday?

Mr. WILLIAMS of Delaware. Certainly we can.

Mr. SMATHERS. Both Houses of Congress?

Mr. WILLIAMS of Delaware. Certainly.

Mr. SMATHERS. And would that statement also include the action in conference committee?

Mr. WILLIAMS of Delaware. If nothing else, we could pass a simple resolution extending the June 30 expiration date and make it an amendment to another bill now on the Senate calendar.

Mr. SMATHERS. It would have to pass the House.

Mr. WILLIAMS of Delaware. The House is in session and would be able to act.

We certainly do not have to lick the boots of the administration every time it makes a request that we adopt its proposal without any debate or any change.

I disagree completely with the Senator.

Mr. SMATHERS. This is not necessarily an administration idea. This is a measure that was evolved by the House Ways and Means Committee.

Mr. WILLIAMS of Delaware. It was evolved by the House Ways and Means Committee, and I will get to the reason that it was included in the bill in its present form.

The statement that this is a good housekeeping procedure whereby the administration at the end of every year will be forced to cut down on expenses is a lot of "malarkey."

If we take the statements of the representatives of the administration this year and every year heretofore, we will find that the records show that the national debt has always been $8 billion to $10 billion lower on July 1 than 3 or 4 months earlier.

The mere fact that the debt will drop on July 1 of any given year does not mean that any economy has been effected. That is an automatic result in the financing of the Government. Larger revenue comes in between March and June, so there would be a drop in the national debt.

We get back to the question of why this gimmick is included in the bill.

It is included so that the administration can tell the American people, which they have done, with big headlines: "We are only raising the debt ceiling $22 billion."

The fact is that the bill as drafted raises the debt ceiling by $29 billion on 364 days of the year. It only raises it $22 billion for 1 day in the year—June 30.

For 364 days each year the debt ceiling will be $365 billion. For 24 hours—1 day—each year the ceiling will be $358 billion.

When they claim that they were only increasing the debt by $22 billion, that applies to only 1 day in the year. I repeat, the pending bill would increase the debt ceiling on our national debt in the amount of $29 billion for 364 days of the year, or 365 days in leap year, and it would increase it to $358 billion, or an increase of $22 billion, for 24 hours out of every calendar year.

It drops back on June 30, which is a convenient time since that is when they always have approximately $10 billion additional tax collections on hand.

I suggest that if the administration really wants this gimmick included in the bill, it should have made the effective date of the drop March 31 rather than June 30. It would then be perfectly timed for April Fool's Day. If the administration is determined to fool the American people why not do it on April Fool's Day.

Much is said about truth in packaging and truth in lending.

Let us give the American people the truth in Government.

Mr. SMATHERS. Mr. President, I yield back the remainder of my time.

Mr. BYRD of Virginia. Mr. President, I suggest the absence of a quorum.

Mr. MANSFIELD. Mr. President, to whom will the time be charged?

Mr. BYRD of Virginia. Mr. President, how much time do I have remaining?

The **ACTING PRESIDENT** pro tempore. The Senator from Virginia has 13 minutes remaining.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that we have a quorum call and that the time be charged to both sides.

Mr. MANSFIELD. Mr. President, I wish the Senator would not do that. We have a time limitation.

Mr. BYRD of Virginia. I would be glad to have the time charged to me.

Mr. SMATHERS. Mr. President, the Senator has already made his arguments. I already have made the arguments that I wish to make. I do not know why we should not get to a vote.

Mr. MANSFIELD. Mr. President, I suggest the brief absence of a quorum.

I ask unanimous consent that a quorum be called for 2 minutes.

The **ACTING PRESIDENT** pro tempore. The Senator from Florida has yielded back the remainder of his time.

Mr. MANSFIELD. I ask unanimous consent that that action be reconsidered.

Mr. SMATHERS. Mr. President, I ask unanimous consent that my yielding back of my time be reconsidered.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

The time for the quorum will be charged to both sides, and the clerk will call the roll for 2 minutes.

The legislative clerk proceeded to call the roll.

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, the 2 minutes having expired, it is so ordered.

Mr. BYRD of Virginia. Mr. President, I yield myself 2 minutes.

Mr. MANSFIELD. Mr. President, may we have order?

The **ACTING PRESIDENT** pro tempore. The Senate will be in order.

The Senator from Virginia is recognized.

Mr. BYRD of Virginia. Mr. President, as I understand section 3 of the proposal—and the proponents of the proposal can correct me if I am incorrect—it was an afterthought in the House of Representatives.

The original bill was in the amount of $365 billion, and the House resisted that—and in my judgment wisely resisted it.

Then, in order to effect a so-called compromise, section 3 was written into the proposal.

The best I can judge from the argument which was made by the distinguished and very able Senator from Florida is that it is important to pass H.R. 10867 in precisely the form it was sent from the House of Representatives, and if that is not done, the Members of Congress will be inconvenienced.

I believe we should vote on legislation as important as this on its merits, not on whether this is June 27 or any other date.

The Members of Congress asked for the job they have. I went through two campaigns last year to get this job, and other Members also campaigned. Certainly, we can inconvenience ourselves to some extent, if it is necessary to do so, on a matter of great importance.

Mr. President, if the Senator from Florida is ready to yield back the remainder of his time, I yield back the remainder of my time.

Mr. SMATHERS. I yield back the remainder of my time.

The **ACTING PRESIDENT** pro tempore. All time on the amendment having been yielded back, the question is on agreeing to the amendment of the Senator from Virginia. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from North Carolina [Mr. Ervin], the Senator from Indiana [Mr. Hartke], and the Senator from Georgia [Mr. Russell] are absent on official business.

I also announce that the Senator from Hawaii [Mr. Inouye], and the Senator from North Carolina [Mr. Jordan], are absent because of illness.

I further announce that the Senator from Idaho [Mr. Church], the Senator from Tennessee [Mr. Gore], and the Senator from New Mexico [Mr. Montoya], are necessarily absent.

On this vote, the Senator from Tennessee [Mr. Gore] is paired with the Senator from Georgia [Mr. Russell].

If present and voting, the Senator from Tennessee would vote "nay" and the Senator from Georgia would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Colorado [Mr. Dominick] and the Senator from Hawaii [Mr. Fong] are necessarily absent.

The Senator from New York [Mr. Javits] is absent by leave of the Senate.

If present and voting, the Senator from California [Mr. Murphy] and the Senator from Texas [Mr. Tower] would each vote "yea."

On this vote, the Senator from Colorado [Mr. Dominick] is paired with the Senator from Kansas [Mr. Carlson]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Kansas would vote "nay."

The yeas and nays resulted—yeas 42, nays 44, as follows:

[No. 167 Leg.]

YEAS—42

Aiken
Allott
Baker
Bennett
Boggs
Brooke
Byrd, Va.
Cooper
Cotton
Curtis
Eastland
Ellender
Fannin
Fulbright
Griffin
Hansen
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, Idaho
Lausche
Long, Mo.
McClellan
McGovern
Miller
Mundt
Pearson
Prouty
Proxmire
Scott
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—44

Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Dirksen
Dodd
Gruening
Harris
Hart
Hayden
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McIntyre
Metcalf
Mondale
Monroney
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pell
Percy
Randolph
Ribicoff
Smathers
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—14

Carlson
Church
Dominick
Ervin
Fong
Gore
Hartke
Inouye
Javits
Jordan, N.C.
Montoya
Murphy
Russell
Tower

The **ACTING PRESIDENT** pro tempore. On this vote there are 42 yeas and 44 nays. The amendment of the Senator from Virginia is rejected.

Mr. GORE. I vote "no."

The **ACTING PRESIDENT** pro tempore. The Senator's vote cannot be recorded. The result of the vote has already been announced.

Mr. MANSFIELD. Mr. President, I assume the statement of the Senator from Tennessee [Mr. Gore] will at least be carried in the Record.

The **ACTING PRESIDENT** pro tempore. Yes. The bill is open to further amendment.

Does the Senator from Delaware ask for recognition?

Mr. WILLIAMS of Delaware. Mr. President, I ask that I be recognized.

The **ACTING PRESIDENT** pro tempore. The Senator from Delaware is recognized.

Mr. MANSFIELD. Mr. President, will the Senator from Delaware yield briefly?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Before too many Senators leave the Chamber, can the Senator from Delaware give the Senate some ideas as to how long he thinks the amendment will take?

Mr. WILLIAMS of Delaware. I think we can vote within 20 minutes. I understand the Senator from Florida does not wish to take long on this matter, and it will not take me long to make my presentation.

Mr. MANSFIELD. I thank the Senator.

AMENDMENT NO. 218

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendment No. 218.

The **ACTING PRESIDENT** pro tempore. The amendment will be stated.

The legislative clerk proceeded to state the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered; and, without objection, the amendment will be printed in the Record.

The amendment, ordered to be printed in the Record, is as follows:

On page 2, strike out lines 14 through 18 and insert the following:

"Sec. 4. (a) The first sentence of the second paragraph of the first section of the Second Liberty Bond Act (31 U.S.C. 752) is amended by striking out 'not exceeding four and one-quarter per centum per annum,'.

"(b) The second sentence of section 22 (b)(1) of such Act (31 U.S.C. 757c) is amended to read as follows: 'Such bonds and certificates may be sold at such price or prices, bear such interest rate or afford such investment yield, or both, and be redeemed before maturity upon such terms and conditions as the Secretary of the Treasury may prescribe.'

"(c) The second sentence of section 22A (b)(1) of such Act (31 U.S.C. 757c–2) is amended to read as follows: 'Such bonds shall be sold at such price or prices, afford such investment yield, and be redeemable before maturity upon such terms and conditions as the Secretary of the Treasury may prescribe.'

"(d) Section 25 of such Act (31 U.S.C. 757c–1) is repealed."

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 5 minutes to explain the purpose of the amendment.

Under the existing law the Treasury Department cannot sell a Government bond bearing a maturity date in excess of 5 years and pay over 4¼-percent interest on that bond. We know that under existing interest rates, Government bonds with longer term maturity are selling and are quoted today to yield about 4.85 percent to 5 percent. Therefore, in order to finance its debt on a long-term basis, the Government would have to sell these bonds at 10 to 15 percent below par. That would be wrong, even though the Attorney General has ruled that it could be done under existing law. He has ruled that they could sell these 4¼-percent bonds at 85 to 95 percent of par and bypass the present ceilings, but it would be a dangerous precedent to sell Government bonds below par.

This has nothing to do with whether one is for or against low interest or higher interest. This amendment would make it possible for the official who is managing the public debt to finance it on a reasonable basis, as would be necessary in any business.

Mr. President, years ago the average maturity of our national debt was 10 to 12 years; but that has been whittled down in recent years, and as of May 1967 the average maturity of the national debt was 4 years and 6 months. The Secretary estimated that without any change in existing law, by the end of 1968 the average maturity would be 3 years and 8 months. We are gradually monetarizing our debt as these long-term bonds become due, and we have to refinance them on a short-term basis. He further pointed out that 85 percent of our national debt matures in less than 5 years and that 50 percent matures in less than 1 year. The time is long overdue when we should make this correction in existing law.

Under the provisions of this amendment the Secretary of the Treasury would be given leeway to sell the bonds with a maturity which he thinks is most favorable to the taxpayers.

We have one issue at 4¼ percent due in 1992 which we are selling today for 88.8 percent of par. They yield 5.04 percent on this basis. Certainly, we do not want the Federal Government to start financing its debt by borrowing $1 billion and issuing its note for $1,100,000,000. That situation would be distressing not only from the point of view of the taxpayer but from the standpoint of the effect on the economy.

The Treasury Department asked the House of Representatives to allow it to sell up to $2 billion without reservation. When that was rejected it asked if it might be permitted to sell notes with a 10-year maturity without regard to the rate. That was rejected, but the House of Representatives did allow them to extend the notes for 7 years, which means they can now sell without regard to the ceiling for bonds maturing up to 7 years.

But that does not do the job. They cannot manage the public debt properly unless they can have access to long-term markets. I certainly hope that this amendment will be adopted.

I point out one further argument for it. In order to bypass this 4¼-percent ceiling today, the Treasury Department or the administration has adopted a new scheme of selling participation certificates which are not under the legal 4¼-percent ceiling, with the result that they are selling these obligations to yield around 5⅝ percent up to 5¾ percent. They have an issue coming out the day after tomorrow which is expected to sell at 5⅞ percent with a 100-percent guarantee backed by the Government.

This is an indirect method of bypassing the law. It will cost the taxpayers ½ percent extra in order to finance the debt. The Treasury Department will admit that extra charge. If they would borrow this money and issue regular Government bonds that are recognized as Government bonds by all investors, they could borrow that same money with the same maturity at least ½ percent less than they are paying. There are about $13 billion in participation certificates outstanding. This means we are paying $65 million to $75 million annually in unnecessary interest charges in order to bypass this present law.

I think the sooner we repeal it the better.

There are many programs in the Government where we can use that $65 million to $75 million which is being thrown away. I hope that the amendment will be adopted by the Senate. Most Senators say they are in favor of it, so let us vote for it. Some argument has been made that this is not the time to deal with it. There is no better time to vote on it than when it is before us.

Mr. SMATHERS. Mr. President, I yield myself 3 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized for 3 minutes.

Mr. SMATHERS. I think the essence of the closing argument against the amendment of the Senator from Delaware [Mr. WILLIAMS] is: Are we going to be for high interest rates or do we want low interest rates? I think the general opinion is that we want to keep interest rates as low as we can possibly keep them. If we remove the limitation which we now have of 4¼ percent on U.S. Government bonds and allow that interest rate to go up to 6 percent, or whatever it is, it will be, in effect, the same as if the Senate wrote a letter to the homebuilding industry, and all the rest, saying, "We favor high interest rates."

Mr. MONRONEY. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I yield.

Mr. MONRONEY. Is it not true that 4¼-percent interest has been the limit since Senator Glass' time, when he was chairman of the Banking Committee, and which has served us through World Wars I and II, and also in Korea, and in periods of prosperity and depression?

This would be cutting loose the anchor wires and permit an almost immediate escalation of interest on bonds which will run for 20 to 30 years. Thus this new record-breaking interest rate which will be generated by this is unwise, and ill-advised. It is brought in here at the last minute, without adequate consideration, and no committee testimony. I think it would be extremely dangerous to go into this thing today.

Mr. SMATHERS. I agree with the Senator from Oklahoma and I congratulate him on what he is saying, that what we would be doing would be to place upon the backs of the taxpayers for 20 to 30 years into the future Government bonds which have been issued at a high interest rate when at that particular time the interest rate might be lower. It will cost the taxpayers more money.

Mr. MONRONEY. It is possible to have short-term notes issued running up to 7 years at a high interest rate, but we should not cement a recordbreaking high interest rate, I hope, into Government expenses. Such costs will have to be paid for by the Government over a period of 20 to 30 years.

Mr. LONG of Louisiana. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I yield.

Mr. LONG of Louisiana. Is it not true that this is the only thing we have in the law that can have a restraining influence on the continued rise in interest rates? At least, there is a problem for the Treasury when interest rates get beyond 4¼ percent. So that, in effect, if we adopt this now, we would not only give sanction to high interest rates but also encourage further increases in the future?

Mr. SMATHERS. The Senator is correct.

Mr. MILLER. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. Mr. President, I yield myself 3 additional minutes.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized for 3 additional minutes. Does he yield to the Senator from Iowa?

Mr. SMATHERS. I yield to the Senator from Iowa.

Mr. MILLER. I am not sure that I understand the argument of the Senator from Louisiana and the Senator from Oklahoma. It seems to me that either way we cut it, the Federal Government will have to pay some money out. It will either have to pay it in the form of high interest rates or in the form of lower interest rates and discount the bonds because if they do not discount the bonds, and people do not get the proper interest, they are not going to buy the bonds. So I am not sure I follow the logic of my good friends from Oklahoma and Louisiana.

It seems to me that the people and the Government of the United States are going to have to pay out money one way or the other, either in the form of high interest rates or in the form of maturity of the bonds which have been sold at a discount.

Mr. SMATHERS. I yield 2 minutes to the Senator from Oklahoma to reply.

Mr. MONRONEY. I need only 1 minute. The Government is not going to be putting out bonds that will be selling below par.

They will issue short-term notes so that we will not be locked in for a 20- to 30-year period on bonds requiring us to pay recordbreaking high interest rates. I think it would be very unwise action to adopt a policy which would result in higher interest rates on every borrower. This amendment would, if passed, guarantee that all who must borrow money on a car, farm, business, or whatever, will pay the highest interest rates of a decade or more.

It will cut loose a spiral which will occur by repealing this one deterrent to escalating interest rates. We have had this in the law since Senator Glass' time during World War I to provide that Government bonds would not yield more than 4¼ percent.

Issue the notes at a higher than 4¼ percent if we must. We can pay them off in a shorter period of time. But do not put them into the Government debts for 20 to 30 years at recordbreaking high interest rates which will occur if this amendment is passed.

Short-term money can be borrowed at a lesser interest rate. This will lower the cost of carrying the public debt. We talk about economy. This is the reverse of economy. We will find that the cost of carrying the public debt will skyrocket into more billions in a short period of time if this historic 4¼-percent interest rate ceiling is repealed here today.

The ACTING PRESIDENT pro tempore. The time of the Senator from Florida has expired.

Mr. MILLER. Mr. President, will the Senator from Florida yield further?

Mr. SMATHERS. I yield 1 minute to the Senator from Iowa.

The ACTING PRESIDENT pro tempore. The Senator from Iowa is recognized for 1 minute.

Mr. MILLER. Do I understand from the Senator from Oklahoma that the sum and substance of his argument is that the Federal Government is not going to be selling the long-term securities at a discount?

Mr. MONRONEY. We do not sell them at a discount. Private holders may sell some at a discount, those that they still hold. If this amendment passes today, there will be tens of thousands of present holders of these bonds who will suffer substantial losses from the breaking of the market. Thus those who had faith in the credit of the Government, will certainly have to dump them at below par and suffer severe losses.

(At this point, Mr. CANNON took the chair as Presiding Officer.)

Mr. METCALF. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I am glad to yield to the Senator from Montana.

Mr. METCALF. Mr. President, this is a great problem, a problem that we have studied in the Ways and Means Committee and the Finance Committee for many, many years. In addition to locking into the high interest rates at the highest interest rate period in this century, we will be locking them in for 30 years. We made no such provision as in other long-term bonds for redemption of bonds at an earlier period for the protection of people who have purchased the bonds at 2 percent, 3 percent, or lesser interest rates at an earlier time. This is a matter that should not and cannot be decided on the floor of the Senate in an amendment to a bill which has to be passed in the next 2 or 3 days. This is a matter that should have long, consistent, and expert hearings as to what effect it will have on the economy.

I suggest that if this amendment goes into the bill, we will never have a debt limit when the expiration comes at the end of the month.

Mr. WILLIAMS of Delaware. Mr. President, I am not at all persuaded by the arguments about the higher interest charges. The suggestion has been made that this law has been prevailing and has been effective through World War I, World War II, and the Korean war and that therefore it should not be changed. But those wars were yesterday. Today we are in the Vietnam war under President Lyndon Johnson, and we have the highest interest rates today that the country has had in the past 50 years. Let us face it. The Johnson administration is the highest interest rate administration in the history of our country.

So why all of a sudden do we get these crocodile tears and expressions of pity for the poor taxpayers who have to pay the high interest rates? If Senators really pity them, we should do something to stop this farce of financing our debt under the participation certificates and paying a one-half percent higher interest rate than necessary, an interest rate which goes to the bankers and not to the small investor. The only interest being held down by the Johnson administration is the interest rate paid on saving bonds purchased by the workers of America. They are lending their money to the Government at 4¼ percent while the big bankers are getting 5¾ percent, 6 percent, and 6¼ percent. Those are the facts if anyone is interested in the truth.

I ask those who are shedding crocodile tears if they have an answer to that situation.

If not, do they have an answer to the statement that the Johnson administration today is being operated as a bankers' administration? It is being operated for bankers who know that an FNMA participation certificate, which is 100-percent backed by the Government, is as good as an E-bond or any other Government bond. But the average individual does not know it, and that is the reason why the bankers are picking up an extra one-half of 1 percent interest on this type of Government obligation.

I shall be glad to discuss that matter if anyone wishes. I shall also be glad to discuss how the banks have made out under a Democratic administration. If one wants to get political I can get political, too. In fact, I welcome this opportunity to place some of the facts of the Democratic administration on the record.

In 1942 we sold at 2½ percent, 30-year bonds with a maturity date of 1972. These investors were locked in. In 1951, by Executive order, not by an act of Congress, an action was initiated that was criticized by the Senator from Virginia and myself. At that time the administration offered to exchange those 2½-percent, 30-year bonds, on which people were locked in for 21 more years, or until maturity in 1972, for a new bond bearing 2¾ percent interest but with an extended maturity date to 1980, or 8 more years.

Mr. President, I ask unanimous consent that two press releases making that announcement of the two offers be placed in the RECORD at this point.

There being no objection, the press releases were ordered to be printed in the RECORD, as follows:

A PRESS RELEASE FROM THE TREASURY DEPARTMENT, WASHINGTON, D.C., APRIL 12, 1951

[S-2661]

The Secretary of the Treasury today announced the subscription and allotment figures with respect to the current offering of 2¾ percent Treasury Bonds, Investment Series B–1975–80, dated April 1, 1951, open to the holders of 2½ percent Treasury Bonds of 1967–72, dated June 1, 1945, due June 15, 1972, and 2½ percent Treasury Bonds of 1967–72, dated November 15, 1945, due December 15, 1972.

Subscriptions and allotments were divided among the several Federal Reserve Districts and the Treasury as follows:

Federal Reserve district	June 15 bonds exchanged	Dec. 15 bonds exchanged	Total exchanges
Boston	$551, 448, 000	$560, 423, 000	$1, 111, 871, 000
New York	1, 892, 912, 000	2, 217, 588, 000	4, 110, 500, 000
Philadelphia	268, 349, 500	328, 172, 500	596, 522, 000
Cleveland	154, 941, 000	215, 437, 000	370, 378, 000
Richmond	91, 177, 500	129, 198, 500	220, 376, 000
Atlanta	42, 753, 000	73, 271, 000	116, 024, 000
Chicago	155, 361, 000	339, 045, 000	494, 406, 000
St. Louis	15, 598, 500	55, 264, 500	70, 863, 000
Minneapolis	52, 036, 500	127, 802, 500	179, 839, 000
Kansas City	36, 982, 000	43, 756, 000	80, 738, 000
Dallas	55, 190, 000	116, 660, 000	171, 850, 000
San Francisco	144, 597, 500	261, 613, 500	406, 211, 000
Treasury	32, 853, 500	26, 924, 500	59, 778, 000
Federal Reserve and Treasury accounts	2, 463, 502, 500	3, 119, 890, 500	5, 583, 393, 000
Total	5, 957, 702, 500	7, 615, 046, 500	13, 572, 749, 000

The breakdown of exchanges by investor classes will be made public when this information is available, which will probably be in about two weeks.

UNITED STATES OF AMERICA

1½ PERCENT FIVE-YEAR TREASURY NOTES

Dated and bearing interest from April 1 and October 1 of each year.

Due five years from issue date.

Interest payable April 1 and October 1.

ISSUED ONLY IN EXCHANGE FOR 2¾% TREASURY BONDS, INVESTMENT SERIES B–1975–80

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, March 26, 1951.

Department Circular No. 881, 1951
Fiscal Service,
Bureau of the Public Debt

I. Offering of notes

1. Treasury notes described herein are issued pursuant to the Second Liberty Bond Act, as amended, and are offered by the Secretary of the Treasury only to owners of 2¾ percent Treasury Bonds, Investment Series B–1975–80, and other persons entitled thereto, in accordance with the provisions of Department Circular No. 883, dated March 26, 1951.

2. The first issue of these notes will be dated April 1, 1951. The last issue will be dated October 1, 1979, or the April 1 or October 1 next preceding the date on which the 2¾ percent Treasury Bonds, Investment Series B–1975–80, cease to bear interest if called for redemption prior to maturity.

II. Description of notes

1. The notes will be issued each six months during the life of the 2¾ percent Treasury Bonds, Investment Series B–1975–80, in two series, to be dated April 1 and October 1 in each year. The notes to be dated April 1 will bear the series designation EA followed by the year of maturity and the notes to be dated October 1 will bear the series designation EO followed by the year of maturity. The notes will bear interest from their respective issue dates at the rate of 1½ percent per annum, payable semiannually on April 1 and October 1 in each year until the principal amount becomes payable. They will mature five years from their respective issue dates, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes shall be subject to all taxes, now or hereafter imposed under the Internal Revenue Code, or laws amendatory or supplementary thereto. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached will be issued in denominations of $1,000, $5,000, $10,000, $100,000 and $1,000,000. The notes will not be issued in registered form.

5. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. Issue of notes

1. The notes offered hereunder will be issued in exchange for 2¾ percent Treasury Bonds, Investment Series B–1975–80, following presentation and surrender of the bonds duly assigned for exchange. The new notes will ordinarily be issued within ten calendar days from the date of surrender of the bonds to a Federal Reserve Bank or Branch or to the Treasury Department. The notes will bear the April 1 or October 1 date next preceding the date of the exchange and interest will be adjusted to the date on which the notes are issued by the Federal Reserve Bank or Branch or the Treasury Department. Interest accrued at 2¾ percent on the bonds surrendered from the next preceding April 1 or October 1 to the date of exchange will be credited and interest at 1½ percent for the same period will be charged to the owner making the exchange and the difference will be paid to the owner at the time the exchange is made.

IV. Assignment of bonds

1. Treasury Bonds, Investment Series B–1975–80, tendered in exchange for notes offered hereunder should be assigned to "The Secretary of the Treasury for exchange for the current-series of EA or EO Treasury notes to be delivered to ----------------", in accordance with the general regulations of the Treasury Department governing assignments for exchange, and thereafter should be presented and surrendered with appropriate instructions to a Federal Reserve Bank or Branch or to the Treasury Department, Division of Loans and Currency, Washington 25, D. C. The bonds must be delivered at the expense and risk of the owners.

V. General provisions

1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to accept applications for the exchange of Treasury Bonds, Investment Series B–1975–80, for 1½ percent five-year Treasury notes, and following discharge or registration to issue the new notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the exchange offering, which will be communicated promptly to the Federal Reserve Banks.

E. H. FOLEY,
Acting Secretary of the Treasury.

Mr. WILLIAMS of Delaware. Mr. President, the press release described how that issue of 2.5-percent 1972 bonds were being rolled over for a 2¾-percent maturity date 8 years later, or 1980. This had the appearance of lengthening the debt by 8 years by paying an extra one-quarter percent interest.

On the face of it it would appear to be an excellent move, but if we read the fine print sent out to the banking institutions—and I venture to say that those individuals who bought some of these 2.5-percent issues originally did not know about it—it said the 2.75-percent 1980 issue carried an additional clause whereby it could be rolled over into a 5-year 1.5-percent bond at the option of the bondholder. That means that a bank which was locked in with a 2.5-percent bond for 21 years could as a result of two rollovers in 24 hours get his money out for reinvesting at the prevailing higher interest rates for the next 10 to 15 years. The only price he would pay would be 1 percent per year for 5 years.

I asked the Secretary of the Treasury how much this one administration decision had cost the taxpayers. He said it had cost something extra but that there was no way to figure out how much. To me that was an absurd answer, because anyone who has ever examined this type of operation knows that any banker can sit down and figure to the penny the advantage of rolling over or exchanging one bond issue for another.

I cite a specific example to show just how this worked.

Suppose Mr. X had a $1,000-bond bearing 2½ percent interest, due in 1972 for which he paid $1,000. In 1951 this bond had 21 more years before maturing. That meant that if he held it to maturity he would collect $25 interest per year for 21 years, or a total of $525.

Now, Mr. X takes advantage of the Treasury Department's offer to exchange this bond for a 2¾ percent bond due in 1980—with an additional option to exchange the new bond immediately for a 5-year note bearing 1½ percent interest. He exercises both options immediately with this result:

For 5 years Mr. X will collect $15 interest per year for a total of $75. Mr. X now has his $1,000 in cash since the latter bond has matured, and he can now reinvest at the prevailing rate of 4 percent.

This means that for the next 16 years he will collect $40 per year, or a total of $640. When this $640 is added to the $75 which he collected for the 5-year period he has a grand total of $715 interest on this $1,000 which had he not been given the opportunity to roll over would have netted him but $525 for the same period.

This example shows how this bondholder could pick up an extra $225 interest on just one bond, solely as the result of the gracious offer of the administration in 1952. Altogether a grand total of approximately $11 billion were rolled over under this administration offer with a loss to the taxpayers of nearly $1 billion.

Upon my request the Library of Congress took the Treasury Department's statistics outlining in detail this rollover and computed the minimum estimate of the extra cost to the Treasury Department as the result of this arbitrary decision. Based on its report this one transaction cost the American taxpayers an additional $938,276,500, and practically 100 percent of this windfall went to the lending institutions.

I first figured this cost myself and then sent to the Library of Congress asking one of its accountants to figure it out. I wanted to know just how much the Government lost by that one rollover transaction that was done by the Democratic administration.

This was a giveaway by the same administration that is always expressing sympathy for the small investors.

Really, this billion-dollar giveaway should be labeled the Democratic administration poverty program for the lending institutions.

I ask unanimous consent to have my correspondence with the Treasury Department and the Library of Congress printed at this point in the RECORD.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE TREASURY,
Washington, February 1, 1966.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in reference to your request for information on 5 year 1½% exchange notes. These exchange notes are not sold for cash. They are issued solely on demand in exchange for outstanding 2¾% Investment Series B bonds as a means of liquidating these nonmarketable obligations.

The 2¾% Series B bonds were issued in 1951 and 1952 and mature in April 1980 but are callable at the option of the Treasury beginning in April 1975. These bonds were offered primarily in exchange for some of the longer marketable 2½% World War II bonds in connection with the Federal Reserve-Treasury Accord of 1951. It was believed, at the time, that if the oversupply of marketable 2½'s could be relieved, the upward pressure on long-term rates in a free market environment would be reduced.

To prevent holders of the nonmarketable 2¾% Investment bonds from being completely "locked-in" until 1980 a penalty "escape" was provided. Holders of the 2¾'s were permitted to exchange them at any time for marketable 1½% 5 year notes. It was assumed that the capital loss entailed in liquidating the 1½'s would act as a deterrent to a rapid turn-in of the 2¾'s. Of the $15.3 billion Investment Series B bonds originally issued, $6.1 billion was acquired by official accounts. All of the 1½% notes which originated from this $6.1 billion Series B bonds were held until they matured. As of December 31, 1965, $2.8 billion of the Series B bonds was still outstanding, of which $2.1 billion was held by Government Investment Accounts, leaving $700 million in the hands of the public. The amounts of the 1½% notes issued (solely in exchange for the 2¾'s turned in) during the past 5 years are as follows:

Issued during—	Maturing	Amount (millions)
January to March 1961	Oct. 1, 1965	$180
April to September 1961	Apr. 1, 1966	675
October 1961 to March 1962	Oct. 1, 1966	357
April to September 1962	Apr. 1, 1967	270
October 1962 to March 1963	Oct. 1, 1967	457
April to September 1963	Apr. 1, 1968	212
October 1963 to March 1964	Oct. 1, 1968	115
April to September 1964	Apr. 1, 1969	61
October 1964 to March 1965	Oct. 1, 1969	159
April to September 1965	Apr. 1, 1970	88
October to December 1965	Oct. 1, 1970	22
Total		2, 596

The exchange of a 2¾% Series B bond for a 1½% note is on a par for par basis as a nontaxable exchange. The exchange is nontaxable because the right to exchange is an integral part of original 2¾% Investment bond offering. In the first instance, a capital loss is involved only when the original holder of the 2¾'s after exchanging, sells the 1½'s in the market. The 1½% coupon interest is taxable as ordinary income to any holder. However, to a secondary holder who sells the 1½'s, any appreciation in price is a capital gain and is a long-term capital gain if the notes have been held more than 6 months.

The yields on these deep discount low coupon notes undoubtedly have a substantial taxable equivalent value well above prevailing market rates to corporations and to high income individuals. From the Treasury's point of view, however, the low coupon for a 5-year period offsets the tax loss through capital gains treatment. In view of the current level of rates, the Treasury would of course be better off if the "escape" had not been provided, but it was deemed necessary in 1951 when the bonds were issued, and since the contract provides that the notes must be supplied on demand to any holder of the bonds, the Treasury has no alternative but to continue issuing them until they can be called beginning in April 1975 or finally mature in April 1980.

Sincerely yours,

HENRY H. FOWLER.

Amounts of 1½-percent notes issued in exchange for 2¾-percent investment series B bonds since Apr. 1, 1951

[In millions of dollars]

Issued during—	Maturing	Amount	Federal Reserve	Private holders
April to September 1951	Apr. 1, 1956	1, 007	1, 000	7
October 1951 to March 1952	Oct. 1, 1956	550	500	50
April to September 1952	Apr. 1, 1957	531	500	31
October 1952 to March 1953	Oct. 1, 1957	824	714	110
April to September 1953	Apr. 1, 1958	383		383
October 1953 to March 1954	Oct. 1, 1958	121		121
April to September 1954	Apr. 1, 1959	119		119
October 1954 to March 1955	Oct. 1, 1959	99		99
April to September 1955	Apr. 1, 1960	198		198
October 1955 to March 1956	Oct. 1, 1960	278		278
April to September 1956	Apr. 1, 1961	144		144
October 1956 to March 1957	Oct. 1, 1961	332		332
April to September 1957	Apr. 1, 1962	551		551
October 1957 to March 1958	Oct. 1, 1962	590		590
April to September 1958	Apr. 1, 1963	533		533
October 1958 to March 1959	Oct. 1, 1963	506		506
April to September 1959	Apr. 1, 1964	457		457
October 1959 to March 1960	Oct. 1, 1964	490		490
April to September 1960	Apr. 1, 1965	466		466
October 1960 to March 1961	Oct. 1, 1965	315		315
April to September 1961	Apr. 1, 1966	675		675
October 1961 to March 1962	Oct. 1, 1966	357		357
April to September 1962	Apr. 1, 1967	270		270
October 1962 to March 1963	Oct. 1, 1967	457		457
April to September 1963	Apr. 1, 1968	212		212
October 1963 to March 1964	Oct. 1, 1968	115		115
April to September 1964	Apr. 1, 1969	61		61
October 1964 to March 1965	Oct. 1, 1969	159		159
April to September 1965	Apr. 1, 1970	88		88
October 1965 to December 1965	Oct. 1, 1970	22		22
Total		10, 910	2, 714	8, 196

MARCH 3, 1967.

Mr. GEORGE BRITE,
The Library of Congress,
Washington, D.C.

DEAR MR. BRITE: Confirming our conversation of last week I am enclosing copies of my correspondence with the Treasury Department concerning the exchange of the 2½% 1972's for 2¾% 1980's and their subsequent roll-over into 1½%'s due in five years.

I would appreciate your computing the additional interest which was paid and which will be paid by the Government as the result of this Executive Order approving the roll-over.

In my efforts to compute this additional interest I used the following rates as appearing in the Wall Street Journal quotations which you furnished:

	Percent
1956	2. 90
1957	3. 65
1958	3. 00
1959	4. 20
1960	4. 00
1961	3. 90
1962	4. 00
1963	4. 00
1964	4. 10
1965	4. 10
1966	4. 80
1967	4. 00
1968	4. 00
1969	4. 00
1970	4. 00
1971	4. 00

I started with 1956 since the first 1½%'s were issued in 1951 and would mature in that year.

The average interest for 16-year bonds in 1956 was 2.90%, in 1957 for 15-year bonds it was 3.65%, the average for 14-year bonds in 1958 was 3%, etc. Beginning with 1967 through 1971 in computing the extra interest on the 1½%'s that would mature in those years I used the projected rate of 4%, which really is lower than what we expect; however, I did not want to inflate the answer which we are seeking.

Yours sincerely,

JOHN J. WILLIAMS.

THE LIBRARY OF CONGRESS,
Washington, D.C., March 14, 1967.

To: The Honorable JOHN J. WILLIAMS.
From: Economics Division.
Subject: Computation of estimated additional interest cost to the United States Government resulting from the exchange of 2½ percent marketable bonds for 2¾ percent Series B bonds and the roll-over of some of these bonds into 1½ percent five-year notes.

The correspondence and material furnished by your office concerning the exchange of 2½ percent marketable bonds for 2¾ percent Series B bonds and the roll-over of some of these Series B bonds into 1½ percent five-year notes is returned herewith.

Although the correspondence from the Secretary of the Treasury states that $15.3 billion of Series B bonds were originally issued, we have restricted the computation to the $11,023 million of Series B bonds that were exchanged for 1½ percent notes.

Table 1 indicates the approximate added interest cost to the United States Government resulting from the necessity of refinancing upon maturity the 1½ percent notes. The tabulation is based on the assumption that the U.S. Government refinanced the securities for the number of years required to cover the period to 1972, for example, 1½ percent notes maturing in 1956 were refinanced for a period of 16 years and notes maturing in 1960 were refinanced for a period of 12 years, etc. Also, it is further assumed that the new securities would have to be marketed at the yield rate in the market for such securities as of mid-year, i.e., 1956—2.90%; 1960—4.00%; 1966—4.80%. For the years 1967–1971, the interest rate of 4.00% was used. The approximate added cost resulting from the refinancing at specified interest rates substantially higher than the original 2½ percent, amounted to $1,328,751,500. For further details, please see Table 1 attached.

The tabulation in Table 1 does not take into account the effect of the added interest cost resulting from the slightly higher interest rate of Series B Bonds over the original bonds (2.75% compared to 2.50%). Also, the data compiled in Table 1 do not consider the effect of the reduced interest cost resulting from the lower interest rate paid for the five-year life of the 1½ percent notes.

Table 2 indicates the approximate added interest cost resulting from the exchange of the original 2½ percent marketable bonds for the Series B bonds and the exchange of these for 1½ percent five-year notes and their ultimate refinancing. Table 2 breaks down the approximate interest cost by security type. The approximate overall added interest cost amounts to $938,276,500. For details, please see Table 2 attached.

GEORGE K. BRITE,
Economist in Industrial Organization and Corporation Finance.

TABLE 2.—*Breakdown of additional interest cost resulting from conversion of 2½-percent marketable bonds into series B 2¾-percent bonds and exchange of these for 1½-percent 5-year notes*

	Estimated interest cost at 2.5 percent (original bond basis) (1)	Estimated interest cost resulting from bond exchange and rollover (2)	Variance between estimated original interest basis (2½ percent) and the exchange and rollover (3)	Approximate excess interest cost over the original financing basis (4)
$1,007,000,000:				
21 years, at 2.50 percent: $25,175,000 per year	$528,675,000			
5 years, at 1.50 percent: $15,105,000 per year		$75,525,000	($50,350,000)	
16 years, at 2.90 percent: $29,203,000 per year		467,248,000	64,448,000	$14,098,000
$550,000,000:				
21 years, at 2.50 percent: $13,750,000 per year	288,750,000			
5 years, at 1.50 percent: $8,250,000 per year		41,250,000	(27,500,000)	
16 years, at 2.90 percent: $15,950,000 per year		255,200,000	35,200,000	7,700,000
$531,000,000:				
21 years at 2.50 percent: $13,275,000 per year	278,775,000			
1 year, at 2.75 percent: $14,602,500 per year		14,602,500	1,327,500	
5 years, at 1.50 percent: $7,965,000 per year		39,825,000	(26,550,000)	
15 years, at 3.65 percent: $19,381,500 per year		290,722,500	91,597,500	66,375,000
$824,000,000:				
21 years, at 2.50 percent: $20,600,000 per year	432,600,000			
1 year, at 2.75 percent: $22,660,000 per year		22,660,000	2,060,000	
5 years, at 1.50 percent: $12,360,000 per year		61,800,000	(41,200,000)	
15 years, at 3.65 percent: $30,076,000 per year		451,140,000	142,140,000	103,000,000
$383,000,000:				
21 years, at 2.50 percent: $9,575,000 per year	201,075,000			
2 years, at 2.75 percent: $10,532,500 per year		21,065,000	1,915,000	
5 years, at 1.50 percent: $5,745,000 per year		28,725,000	(19,150,000)	
14 years, at 3 percent: $11,490,000 per year		160,860,000	26,810,000	9,575,000
$121,000,000:				
21 years, at 2.50 percent: $3,025,000 per year	63,525,000			
2 years, at 2.75 percent: $3,327,500 per year		6,655,000	605,000	
5 years, at 1.50 percent: $1,815,000 per year		9,075,000	(6,050,000)	
14 years, at 3 percent: $3,630,000 per year		50,820,000	8,470,000	3,025,000
$119,000,000:				
21 years, at 2.50 percent: $2,975,000 per year	62,475,000			
3 years, at 2.75 percent: $3,272,500 per year		9,817,500	892,500	
5 years, at 1.50 percent: $1,785,000 per year		8,925,000	(5,950,000)	
13 years, at 4 20 percent: $4,998,000 per year		64,974,000	26,299,000	21,241,500
$99,000,000:				
21 years, at 2.50 percent: $2,475,000 per year	51,975,000			
3 years, at 2.75 percent: $2,722,500 per year		8,167,500	742,500	
5 years, at 1.50 percent: $1,485,000 per year		7,425,000	(4,950,000)	
13 years, at 4.20 percent: $4,158,000 per year		54,054,000	21,879,000	17,671,500
$198,000,000:				
21 years, at 2.50 percent: $4,950,000 per year	103,950,000			
4 years, at 2.75 percent: $5,445,000 per year		21,780,000	1,980,000	
5 years, at 1.50 percent: $2,970,000 per year		14,850,000	(9,900,000)	
12 years, at 4 percent: $7,920,000 per year		95,040,000	35,640,000	27,720,000
$278,000,000:				
21 years, at 2.50 percent: $6,950,000 per year	145,950,000			
4 years, at 2.75 percent: $7,645,000 per year		30,580,000	2,780,000	
5 years, at 1.50 percent: $4,170,000 per year		20,850,000	(13,900,000)	
12 years, at 4 percent: $11,120,000 per year		133,440,000	50,040,000	38,920,000
$144,000,000:				
21 years, at 2.50 percent: $3,600,000 per year	75,600,000			
5 years, at 2.75 percent: $3,960,000 per year		19,800,000	1,800,000	
5 years, at 1.50 percent: $2,160,000 per year		10,800,000	(7,200,000)	
11 years, at 3.90 percent: $5,616,000 per year		61,776,000	22,176,000	16,776,000
$332,000,000:				
21 years, at 2.50 percent: $8,300,000 per year	174,300,000			
5 years, at 2.75 percent: $9,130,000 per year		45,650,000	4,150,000	
5 years, at 1.50 percent: $4,980,000 per year		24,900,000	(16,600,000)	
11 years, at 3.90 percent: $12,948,000 per year		142,428,000	51,128,000	38,678,000
$551,000,000:				
21 years, at 2.50 percent: $13,775,000 per year	289,275,000			
6 years, at 2.75 percent: $15,152,500 per year		90,915,000	8,265,000	
5 years, at 1.50 percent: $8,265,000 per year		41,325,000	(27,550,000)	
10 years, at 4 percent: $22,040,000 per year		220,400,000	82,650,000	63,365,000
$590,000,000:				
21 years, at 2.50 percent: $14,750,000 per year	309,750,000			
6 years, at 2.75 percent: $16,225,000 per year		97,350,000	8,850,000	
5 years, at 1.50 percent: $8,850,000 per year		44,250,000	(29,500,000)	
10 years, at 4 percent: $23,600,000 per year		236,000,000	88,500,000	67,850,000
$533,000,000:				
21 years, at 2.50 percent: $13,325,000 per year	279,825,000			
7 years, at 2.75 percent: $14,657,500 per year		102,602,500	9,327,500	
5 years, at 1.50 percent: $7,995,000 per year		39,975,000	(26,650,000)	
9 years, at 4 percent: $21,320,000 per year		191,880,000	71,955,000	54,632,500
$506,000,000:				
21 years, at 2.50 percent: $12,650,000 per year	265,650,000			
7 years, at 4.75 percent: $13,915,000 per year		97,405,000	8,855,000	
5 years, at 1.50 percent: $7,590,000 per year		37,950,000	(25,300,000)	
9 years, at 4 percent: $20,240,000 per year		182,160,000	68,310,000	51,865,000
$457,000,000:				
21 years, at 2.50 percent: $11,425,000 per year	239,925,000			
8 years, at 2.75 percent: $12,567,500 per year		100,541,000	9,140,000	
5 years, at 1.50 percent: $6,855,000 per year		34,275,000	(22,850,000)	
8 years, at 4.10 percent: $18,737,000 per year		149,896,000	58,496,000	44,786,000
$490,000,000:				
21 years, at 2.50 percent: $12,250,000 per year	257,250,000			
8 years, at 2.75 percent: $13,475,000 per year		107,800,000	9,800,000	
5 years, at 1.50 percent: $7,350,000 per year		36,750,000	(24,500,000)	
8 years, at 4.10 percent: $20,090,000 per year		160,720,000	62,720,000	48,020,000
$466,000,000:				
21 years, at 2.50 percent: $11,650,000 per year	244,650,000			
9 years, at 2.75 percent: $12,815,000 per year		115,335,000	10,485,000	
5 years, at 1.50 percent: $6,990,000 per year		34,950,000	(23,300,000)	
7 years, at 4.10 percent: $19,106,000 per year		133,742,000	52,192,000	39,377,000
$315,000,000:				
21 years, at 2.50 percent: $7,875,000 per year	165,375,000			
9 years, at 2.75 percent: $8,662,500 per year		77,962,500	7,087,500	
5 years, at 1.50 percent: $4,725,000 per year		23,625,000	(15,750,000)	
7 years, at 4.10 percent: $12,915,000 per year		90,405,000	35,280,000	26,617,500

TABLE 2.—*Breakdown of additional interest cost resulting from conversion of 2½-percent marketable bonds into series B 2¾-percent bonds and exchange of these for 1½-percent 5-year notes*—Continued

	Estimated interest cost at 2.5 percent (original bond basis) (1)	Estimated interest cost resulting from bond exchange and rollover (2)	Variance between estimated original interest basis (2½ percent) and the exchange and rollover (3)	Approximate excess interest cost over the original financing basis (4)
$675,000,000:				
21 years, at 2.50 percent: $16,875,000 per year	$354,375,000			
10 years, at 2.75 percent: $18,562,500 per year		$185,625,000	$16,875,000	
5 years, at 1.50 percent: $10,125,000 per year		50,625,000	(33,750,000)	
6 years, at 4.80 percent: $32,400,000 per year		194,400,000	92,150,000	$76,275,000
$357,000,000:				
21 years, at 2.50 percent: $8,925,000 per year	187,425,000			
10 years, at 2.75 percent: $9,817,500 per year		98,175,000	8,925,000	
5 years, at 1.50 percent: $5,355,000 per year		26,775,000	(17,850,000)	
6 years, at 4.80 percent: $17,136,000 per year		102,816,000	49,266,000	40,341,000
$270,000,000:				
21 years, at 2.50 percent: $6,750,000 per year	141,750,000			
11 years, at 2.75 percent: $7,425,000 per year		81,675,000	7,425,000	
5 years, at 1.50 percent: $4,050,000 per year		20,250,000	(13,500,000)	
5 years, at 4 percent: $10,800,000 per year		54,000,000	20,250,000	14,175,000
$457,000,000:				
21 years, at 2.50 percent: $11,425,000 per year	239,925,000			
11 years, at 2.75 percent: $12,567,500 per year		138,242,500	12,567,500	
5 years, at 1.50 percent: $6,855,000 per year		34,275,000	(22,850,000)	
5 years, at 4 percent: $18,280,000 per year		91,400,000	34,275,000	23,992,500
$212,000,000:				
21 years, at 2.50 percent: $5,300,000 per year	111,300,000			
12 years, at 2.75 percent: $5,830,000 per year		69,960,000	6,360,000	
5 years, at 1.50 percent: $3,180,000 per year		15,900,000	(10,600,000)	
4 years, at 4 percent: $8,480,000 per year		33,920,000	12,720,000	8,480,000
$115,000,000:				
21 years, at 2.50 percent: $2,875,000 per year	60,375,000			
12 years, at 2.75 percent: $3,162,500 per year		37,950,000	3,450,000	
5 years, at 1.50 percent: $1,725,000 per year		8,625,000	(5,750,000)	
4 years, at 4 percent: $4,600,000 per year		18,400,000	6,900,000	4,600,000
$61,000,000:				
21 years, at 2.50 percent: $1,525,000 per year	32,025,000			
13 years, at 2.75 percent: $1,677,500 per year		21,807,500	1,982,500	
5 years, at 1.50 percent: $915,000 per year		4,575,000	(3,050,000)	
3 years, at 4 percent: $2,440,000 per year		7,320,000	2,745,000	1,677,500
$159,000,000:				
21 years, at 2.50 percent: $3,975,000 per year	83,475,000			
13 years, at 2.75 percent: $4,372,500 per year		56,842,500	5,167,500	
5 years, at 1.50 percent: $2,385,000 per year		11,925,000	(7,950,000)	
3 years, at 4 percent: $6,360,000 per yer		19,080,000	7,155,000	4,372,500
$88,000,000:				
21 years, at 2.50 percent: $2,200,000 per year	46,200,000			
14 years, at 2.75 percent: $2,420,000 per year		33,880,000	3,080,000	
5 years, at 1.50 percent: $1,320,000 per year		6,600,000	(4,400,000)	
2 years, at 4 percent: $3,520,000 per year		7,040,000	2,640,000	1,320,000
$22,000,000:				
21 years, at 2.50 percent: $550,000 per year	11,550,000			
14 years, at 2.75 percent: $605,000 per year		8,470,000	770,000	
5 years, at 1.50 percent: $330,000 per year		1,650,000	(1,100,000)	
2 years, at 4 percent: $880,000 per year		1,760,000	660,000	330,000
$91,000,000:				
21 years, at 2.50 percent: $2,275,000 per year	47,775,000			
14 years, at 2.75 percent: $2,502,500 per year		35,035,000	3,185,000	
5 years, at 1.50 percent: $1,365,000 per year		6,825,000	(4,550,000)	
2 years, at 4 percent: $3,640,000 per year		7,280,000	2,730,000	1,365,000
2,000,000:				
21 years, at 2.50 percent: $550,000 per year	11,550,000			
15 years, at 2.75 percent: $605,000 per year		9,075,000	825,000	
5 years, at 1.50 percent: $330,000 per year		1,650,000	(1,100,000)	
1 year, at 4 percent: $880, 000 per year		880,000	330,000	55,000
Total ($11,023,000,000)	5,787,075,000	6.725.351,500		938,276,500

Note.—Figures shown in parentheses are negative and indicate a reduction in interest cost from what it would have been at the original 2½ percent. Approximate additional interest cost resulting from exchange and refinancing of the $11,023,000,000 originally financed by 2½ percent marketable bonds maturing in 1972—$938,276,500.

Breakdown of additional interest cost:

Assumed additional interest cost arising from necessity to refinance securities after 1½ percent rates matured (for breakdown, see table 1)	$1,328,751,500
Plus added interest costs of serious B bonds outstanding in various amounts for various periods	160,675,000
Total	1,489,426,500
Less reduction in interest cost resulting from 1½ percent notes for 5 years of the period	551,150,000
Approximate net added interest cost	938,276,500

Mr. WILLIAMS of Delaware. Mr. President, this one decision will cost the taxpayers $938 million. This extra interest went to the banks that owned the original bonds. This rollover decision unlocked the banks from a bad investment with the result that $938 million more went to the bankers by this Executive order.

If anyone wants to discuss further how the Democratic administrations have been financing the debt I shall be glad to talk about it all afternoon. I think the hypocritical manner in which this Democratic administration has been talking about being for low-interest rates and for the small bondholders and the people who buy savings bonds is outrageous. The arbitrary manner in which they are issuing Executive orders and managing the debt in a way that results in bankers making more money is indefensible. The only ones who are today lending the Government money at low rates of interest are the small investors who are buying savings bonds. The Government is borrowing their money through the sale of E bonds at an average of 1 percent less than they are paying the larger investors.

Heretofore an advantage had been given to the workingman who bought savings bonds. There was a limit put upon the person with more means as to the amount he could buy. This was to protect the small investors, but today we are penalizing the workingman who buys these series E bonds.

So I have no sympathy for the crocodile tears which are being shed here today about who is responsible for high interest. Let us face it. We are voting here today on the question of how best to finance the debt in a sound, businesslike way. Or do we want to continue having Executive decisions made in a way which will deceive the American people as to the cost of interest and as to the true deficit? Does the Congress want to pay one-half to three-quarter percent interest more than necessary?

The Secretary of the Treasury did not dispute the fact that participation certificates being sold today cost the taxpayers an extra $65 to $70 million a year.

It has been conservatively estimated—and this estimate has not been disputed by the administration—that the failure of Congress 10 years ago to repeal this fictitious 4¼-percent ceiling on long-term bonds is now costing us an extra $2 billion a year in interest charges.

Money is a commodity, and interest is the price the borrower has to pay for it. I do not care whether he is an individual, a private corporation, or the U.S. Government. When one goes into the money market to borrow money he pays the going interest rate or he just does not get the money.

The Government does borrow at a lower rate than industry because it has a greater degree of security, but the interest rates that it must pay are related to the prevailing interest rates in the money market on the date of the bond issue. The fact is that the present ceiling is only confusing people. Our Government is paying higher interest rates today than the taxpayers have paid in the last 40 or 50 years. This administration is going down in history as the high-interest-rate administration. It seems to be the policy of this great society that the higher the interest rate goes the better they like it.

I am always delighted to hear from the other side of the aisle these expressions of concern about high interest rates, but I respectfully suggest that they do something about it instead of just talking.

This is their chance to correct this situation by adopting the pending amendment.

Mr. McCARTHY. Mr. President will the Senator yield?

Mr. SMATHERS. I yield to the Senator from Minnesota.

Mr. McCARTHY. The Senator from Delaware has made a fine political speech.

Mr. WILLIAMS of Delaware. Well, it was so intended, to answer political propaganda of the spokesmen for the Great Society.

Mr. McCARTHY. I want to say this is the most deserving amendment the Senator has offered and supported, but it comes at the wrong time. I remember when the Republicans were in power and the Secretary came up with the proposition to raise the interest rates. He never pushed it too hard. I said, "If you will come out in favor of eliminating the debt ceiling, I think we can get support in eliminating the limit on interest rates." I think both of those actions should have been taken at the same time.

There is some substance in what the Senator says about the ceiling. The ceiling on the interest rates results in uneconomic financing. There are also arguments which support the Senator from Minnesota that the ceiling on the debt has resulted in undue cost. I think they should be removed at the same time. However, a concession has been made with respect to the legislation. It provides for the issuance of new kinds of obligations which carry interest of more than 4¼ percent.

So there is some relief from the pressure which has built up. There is the additional consideration that we really ought not to encourage the issuance of long-term Government bonds now; but we can take a look at the cost in 1969. Allowing increase in the interest rates on 7-year notes, at the present time, affords an opportunity to move in the direction of what the Senator would consider fiscal responsibility, and at the same time preserves what many Senators have felt was a kind of psychological position with reference to higher interest rates—it being a matter of concern what repercussions official approval of the higher rates here by Congress might have on the entire economy.

The Senator from Delaware has gained two or three points. He has got some higher interest rates on 7-year notes. He has raised the permanent debt ceiling to $358 billion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SMATHERS. I yield the Senator from Minnesota 3 additional minutes.

Mr. McCARTHY. I cannot understand why the Senator wants to raise the permanent debt ceiling so high. I would have thought it would encourage the people of the country if we set the ceiling at something like $10 billion, as an indication of what Congress had in mind—that we wanted them to be encouraged to think we were eventually going to eliminate the debt altogether. The Senator from Delaware says to put the permanent limit up to $358 billion. It seems to me this would be most discouraging to the people of the country who are supposedly as worried about this national debt as some Senators seem to think they are. But the Senator from Delaware has also gained a point with reference to participation certificates, in that, at least in fiscal year 1968, they will be included, though I think improperly, in the public debt.

But the Senator has, I think, done enough to confuse this budget and debt picture today; we ought not, therefore, to submit this particular amendment, and I urge that the amendment be rejected.

Mr. SMATHERS. Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. Tydings in the chair). All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Delaware. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Pennsylvania [Mr. Clark], the Senator from Indiana [Mr. Hartke], and the Senator from Georgia [Mr. Russell] are absent on official business.

I also announce that the Senator from Hawaii [Mr. Inouye] and the Senator from North Carolina [Mr. Jordan] are absent because of illness.

I further announce that the Senator from South Dakota [Mr. McGovern] and the Senator from New Mexico [Mr. Montoya] are necessarily absent.

I further announce that, if present and voting, the Senator from Georgia [Mr. Russell] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Colorado [Mr. Dominick] and the Senator from Hawaii [Mr. Fong] are necessarily absent.

The Senator from New York [Mr. Javits] is absent by leave of the Senate.

If present and voting, the Senator from Kansas [Mr. Carlson], the Senator from Colorado [Mr. Dominick], the Senator from Califorina [Mr. Murphy], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 23, nays 63, as follows:

[No. 168 Leg.]

YEAS—23

Aiken
Allott
Baker
Bennett
Boggs
Brooke
Cooper
Cotton
Curtis
Fannin
Griffin
Hansen
Hatfield
Hickenlooper
Hruska
Jordan, Idaho
Morton
Pearson
Prouty
Scott
Smith
Williams, Del.
Young, N. Dak.

NAYS—63

Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Dirksen
Dodd
Eastland
Ellender
Ervin
Fulbright
Gore
Gruening
Harris
Hart
Hayden
Hill
Holland
Hollings
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Pastore
Pell
Percy
Proxmire
Randolph
Ribicoff
Smathers
Sparkman
Spong
Stennis
Symington
Talmadge
Thurmond
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—14

Anderson
Carlson
Clark
Dominick
Fong
Hartke
Inouye
Javits
Jordan, N.C.
McGovern
Montoya
Murphy
Russell
Tower

So the amendment (No. 218) of Mr. Williams of Delaware was rejected.

Mr. MILLER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. The Senator from Iowa [Mr. Miller] proposes on page 1, line 6, strike the figure "$358 billion" and insert "$353 billion."

Mr. MILLER. Mr. President, I should like to have the attention of the majority leader.

I do not plan to take more than 3 minutes on the pending amendment.

Mr. MANSFIELD. Mr. President, will the Senate take note of what the Senator from Iowa has just stated, and will Senators remain in the Chamber, please?

Mr. MILLER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. Will the Senate be in order?

Mr. MILLER. Mr. President, on the

Byrd amendment the debt ceiling would have been reduced from $358 billion to $348 billion. There was a rather close vote.

My amendment splits the difference and makes the amount $353 billion.

There is more to it, however, than just splitting the difference.

I regret that I could not support the amendment of the Senator from Virginia for the reason that his amendment did not take into account the fact that the bill requires the inclusion of participation certificates sold this coming fiscal year.

Mr. STENNIS. Mr. President, would the Chair insist on order so that we can hear the speaker?

The PRESIDING OFFICER. May we please have order in the Senate Chamber?

The Senator may proceed.

Mr. MILLER. Mr. President, I could not support the Byrd amendment for the reason that it did not take into account the requirements under the pending bill that the sale of participation certificates in the coming fiscal year must be included in the national debt total.

It seems to me that if the pending bill passes with the requirement that the sale of participation certificates is going to require the inclusion of that amount in the national debt ceiling, we therefore ought to, in setting that debt ceiling, take into account the expected sale of participation certificates.

Generally the estimate is that there will be the sale of from $3.5 billion to $5 billion of participation certificates in the coming fiscal year. That is the reason that I have added $5 billion to the total proposed by the Senator from Virginia and have come out with a total of $353 billion.

I know the arguments of the other side, because I was here. The Senator from Florida points out that there are other contingencies.

The same arguments that pertain there pertain to my measure except for the fact that participation certificates are covered in my amendment.

I suggest that we should not have to take into account all possible contingencies in setting the debt limit.

I think we might take into account some.

My amendment does that.

Then, if there are contingencies which we have not foreseen, we can act on those either later this year or early next year.

My amendment is designed to meet the problem that I myself have encountered in this measure.

I hope that those who saw fit to support the amendment of the Senator from Virginia will see fit to support my amendment.

The PRESIDING OFFICER. Who yields time?

Mr. SMATHERS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. SMATHERS. Mr. President, I do not wish to belabor the point. We have argued this matter before.

The distinguished Senator from Iowa recognized a moment ago that the Senator from Virginia had overlooked a contingency. He has made allowance for one contingency, but he has made no allowance for the other three.

He has included the sale of participation certificates, but he has not made allowance for the fact that the administration believed that at this time we would have a surtax of 6 percent on the books, which would bring in an additional $5.5 billion in the fiscal year 1968. That has not been done.

The Senator also overlooked the fact that the present estimate of the revenue that will come to the Treasury was higher than the last estimate made by the staff. We may run $2.5 billion below that figure in all of fiscal year 1968.

The Senator has not taken into account or made provision for any additional amounts over the January estimates that we will need in Vietnam. The distinguished Senator from Mississippi [Mr. STENNIS], as I have already said, has estimated that we will have to spend $4 billion to $6 billion more in Vietnam than was estimated by the administration last January.

We all know that more will be needed.

So while the Senator from Iowa has made allowance for one contingency, he has failed to make allowance for the other major contingencies. Therefore, I hope the amendment is rejected.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question, merely for information?

Mr. SMATHERS. I yield.

Mr. LAUSCHE. On the one hand, McChesney Martin argues that we are in the midst of a boom, and therefore the surtax increase should be raised from 6 to 8 percent. If McChesney Martin is correct that we need a tax increase to eliminate the boom, how can it be argued that it is expected that revenues will decrease because of a decrease in the vigor of the economy? I merely ask for information.

Mr. SMATHERS. I must say that the Senator may be ringing a bell, but he is ringing at the wrong door. I do not know why McChesney Martin made that speech, and I do not agree with him. Therefore, I will not attempt to defend the argument that McChesney Martin made.

Mr. LAUSCHE. If it is proper that there be a 6-percent surtax imposed to eliminate the inflation that will be produced by the boom, how can it be argued that the expectation is that income taxes will be reduced?

Mr. SMATHERS. We do not argue that. I do not know that Congress will pass a 6-percent tax increase. The Senator is basing his argument on what Mr. McChesney Martin has said. Congress has not yet considered that matter.

The administration indicated earlier in the year that it wanted an increase, but it has not yet submitted a specific proposal. I do not know that we will have the boom in the economy that McChesney Martin indicates he thinks we will.

Mr. LAUSCHE. I am thankful to the Senator for his answer. It still leaves me in a state of doubt as to what we are to expect. Are we to expect a boom that will produce inflation, or are we to expect—not a depression, but a recession that will reduce income from the income tax?

SEVERAL SENATORS. "Vote."

Mr. SMATHERS. I yield back the remainder of my time.

Mr. MILLER. Mr. President, I believe that the line between the Senator from Florida and myself is very clear. What he wants to do is to take into account all of the contingencies. I suggest that we need not do that. Let us take into account that we may not sell all the $5 billion of participation certificates. If not, that gives us some flexibility to absorb other contingencies.

It is a question of how far to go with the national debt, whether you hit a moderate point or take into account all contingencies. I do not believe we have to, but if we should have to do so later on, then the Senate and House can come together and adjust the ceiling accordingly.

I yield back the remainder of my time.

The PRESIDING OFFICER. (Mr. HOLLINGS in the chair). All time having been yielded back, the question is on agreeing to the amendment of the Senator from Iowa. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ERVIN (when his name was called). On this vote I have a pair with the Senator from Hawaii [Mr. INOUYE]. If he were present and voting, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. McCLELLAN (when his name was called). On this vote I have a pair with the Senator from New Mexico [Mr. ANDERSON]. If he were present he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON] and the Senator from Indiana [Mr. HARTKE] are absent on official business.

I also announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from North Carolina [Mr. JORDAN] are absent because of illness.

I further announce that the Senator from New Mexico [Mr. MONTOYA] is necessarily absent.

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Colorado [Mr. DOMINICK] and the Senator from Hawaii [Mr. FONG] are necessarily absent.

The Senator from New York [Mr. JAVITS] is absent by leave of the Senate.

If present and voting, the Senator from California [Mr. MURPHY] and the Senator from Texas [Mr. TOWER] would each vote "yea."

On this vote, the Senator from Colorado [Mr. Dominick] is paired with the Senator from Kansas [Mr. Carlson]. If present and voting, the Senator from Colorado would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 36, nays 51, as follows:

[No. 169 Leg.]

YEAS—36

Allott
Baker
Bennett
Boggs
Brooke
Byrd, Va.
Cooper
Cotton
Curtis
Ellender
Fannin
Fulbright
Griffin
Hansen
Hatfield
Hickenlooper
Holland
Hollings
Hruska
Jordan, Idaho
Lausche
McGovern
Miller
Mundt
Pearson
Prouty
Proxmire
Russell
Scott
Smith
Spong
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NAYS—51

Aiken
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark
Dirksen
Dodd
Eastland
Gore
Gruening
Harris
Hart
Hayden
Hill
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McIntyre
Metcalf
Mondale
Monroney
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pell
Percy
Randolph
Ribicoff
Smathers
Sparkman
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—13

Anderson
Carlson
Dominick
Ervin
Fong
Hartke
Inouye
Javits
Jordan, N.C.
McClellan
Montoya
Murphy
Tower

So Mr. Miller's amendment was rejected.

The **PRESIDING OFFICER**. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read a third time.

Mr. **MANSFIELD**. Mr. President, I ask for the yeas and nays on the passage of the bill.

Mr. **SMATHERS**. Mr. President, I yield back the remainder of my time.

The yeas and nays were ordered.

The **PRESIDING OFFICER**. The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. **LONG** of Louisiana. I announce that the Senator from Indiana [Mr. Hartke] is absent on official business.

I also announce that the Senator from Hawaii [Mr. Inouye] and the Senator from North Carolina [Mr. Jordan] are absent because of illness.

I further announce that the Senator from New Mexico [Mr. Montoya] is necessarily absent.

Mr. **KUCHEL**. I announce that the Senator from Kansas [Mr. Carlson], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Colorado [Mr. Dominick] and the Senator from Hawaii [Mr. Fong] are necessarily absent.

The Senator from New York [Mr. Javits] is absent by leave of the Senate.

On this vote, the Senator from Kansas [Mr. Carlson] is paired with the Senator from Colorado [Mr. Dominick]. If present and voting, the Senator from Kansas would vote "yea" and the Senator from Colorado would vote "nay."

On this vote, the Senator from Hawaii [Mr. Fong] is paired with the Senator from California [Mr. Murphy]. If present and voting, the Senator from Hawaii would vote "yea" and the Senator from California would vote "nay."

On this vote, the Senator from New York [Mr. Javits] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from New York would vote "yea" and the Senator from Texas would vote "nay".

The result was announced—yeas 60, nays 30, as follows:

[No. 170 Leg.]

YEAS—60

Aiken
Anderson
Baker
Bartlett
Bayh
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Dirksen
Dodd
Gore
Griffin
Gruening
Harris
Hart
Hayden
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, La.
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McIntyre
Metcalf
Mondale
Monroney
Morse
Morton
Moss
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Randolph
Ribicoff
Scott
Smathers
Smith
Sparkman
Spong
Symington
Tydings
Williams, N.J.
Yarborough
Young, Ohio

NAYS—30

Allott
Bennett
Byrd, Va.
Church
Cotton
Curtis
Eastland
Ellender
Ervin
Fannin
Fulbright
Hansen
Hatfield
Hickenlooper
Hill
Holland
Hollings
Hruska
Jordan, Idaho
Lausche
McGovern
Miller
Mundt
Proxmire
Russell
Stennis
Talmadge
Thurmond
Williams, Del.
Young, N. Dak.

NOT VOTING—10

Carlson
Dominick
Fong
Hartke
Inouye
Javits
Jordan, N.C.
Montoya
Murphy
Tower

So the bill (H.R. 10867) was passed.

Mr. **SMATHERS**. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. **MANSFIELD**. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. **MANSFIELD**. Mr. President, the Senator from Florida [Mr. Smathers] is to be highly commended for his skillful handling of this measure which raises the permanent debt ceiling. His strong and articulate presentation, and his sharp and cogent reasoning throughout the discussion served immensely to carry the bill to overwhelming Senate approval. He may be proud of another outstanding achievement obtained in the same able manner that has characterized his many effective contributions to the Nation.

Urging his own strong and sincere views, the Senator from Delaware [Mr. Williams] displayed his usual cooperative spirit by assuring the efficient disposition of this measure. The Senate is grateful to him for the skillful and selfless manner that he, as the ranking minority member of the Committee on Finance, has consistently applied to legislative proposals.

Other Senators joined to make certain, prompt and orderly Senate action. I refer, of course, the the senior Senator from Virginia [Mr. Byrd], who along with the Senator from Iowa [Mr. Miller], expressed his conviction with a high degree of clarity.

We owe our thanks similarly to the senior Senator from Minnesota [Mr. McCarthy] and the Senator from Louisiana [Mr. Long], the chairman of the Finance Committee, for assuring swift action by the committee and for offering their keen and thoughtful views during the Senate's consideration of the measure.

The Senate may be proud of another achievement gained promptly and with full consideration for the views of every Member.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the following concurrent resolutions:

S. Con. Res. 23. Concurrent resolution authorizing the printing of additional copies of the hearings entitled "Federal Role in Urban Affairs"; and

S. Con. Res. 30. Concurrent resolution to print a report entitled "Mineral and Water Resources of Alaska."

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 714. An act to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committee, and members of the credit committee of Federal credit unions;

S. 763. An act to amend the act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer; and

S. 1226. An act to transfer from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions the authority to waive certain provisions relating to the issuance of a marriage license in the District of Columbia.

LEGISLATIVE PROGRAM

Mr. **DIRKSEN**. Mr. President, I should like to ask the majority leader about the legislative program for the remainder of the day, for tomorrow and, if possible, for Thursday.

Mr. **MANSFIELD**. Mr. President, this subject had been discussed tentatively with the distinguished minority leader. It is our intention this evening to consider some additional bills which were reported unanimously by the Committee on Finance and which have the approval of the entire Senate.

Then it is the intention to lay down S. 1296, the authorization bill for appropriations for the National Aeronautics and Space Administration for research and development, and so forth.

ORDER FOR ADJOURNMENT UNTIL 10 O'CLOCK A.M. TOMORROW

Mr. MANSFIELD. Mr. President, at this time, I ask unanimous consent that when the Senate completes its business this evening, it stand in adjournment until 10 o'clock a.m. tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM (CONTINUED)

Mr. MANSFIELD. Mr. President, following the disposition of the NASA measure, the next proposal to come before the Senate will be the extension of the Teacher Corps Act; then the Older Americans Act, and then various bills which have been reported will be considered.

It is hoped that bills covering matters having time limitations will be considered in ample time before the Thursday night deadline.

In that event, the Senate will not meet on Friday of this week as had been tentatively considered and which the leadership felt necessary to suggest because of the additional days allotted for the Fourth of July holiday recess. However, at the moment, it appears that we will be able to finish by Thursday night.

What will happen concerning the Railway Labor Act conference, I do not know.

It is my understanding that the conference report on the proposal for redistricting congressional districts is now ready and that the House will act on it first followed by the Senate.

The distinguished Senator from North Carolina [Mr. ERVIN] is in the Chamber. Several Members have asked me what might be expected concerning this conference report; it is a privileged matter. I would hope the Senator from North Carolina could offer his views at this time.

Mr. ERVIN. I hope to call it up after the House acts.

Mr. DIRKSEN. I was advised that the House will act tomorrow morning.

Mr. ERVIN. Yes.

Mr. MANSFIELD. Would there be any chance of its being carried over until we return after the Independence Day recess?

Mr. ERVIN. I would hope not. I would hope we would reach a time limit in which to vote on it.

Mr. MANSFIELD. The reason I ask is that there are some Members who are very interested in it. There are Members who are in opposition to the conference report and who plan to make speeches expressing their points of view. I am interested primarily in getting as much legislation passed as possible. I realize that a conference report is a privileged matter. I would hope, before the Senator from North Carolina took any definitive action, we would have a chance to have a private conference.

Mr. ERVIN. Yes.

Mr. BARTLETT. Mr. President, the full committee ordered to be reported the legislative appropriation bill. As I informed the majority leader a bit earlier, a request had been made that that bill not be acted upon until after the July Fourth recess. That objection has been withdrawn. I think every controversial feature of the bill has been eliminated. This question, then: Does the majority leader and does the minority leader desire to take the bill up before we go into the July Fourth recess?

Mr. DIRKSEN. I understood there was a good bit of controversy left in the bill.

Mr. BARTLETT. It does not matter to me. I had contacted certain Senators. I understood all controversial features had been eliminated. I guess I was misinformed.

Mr. DIRKSEN. Are the salary formulas still in the bill?

Mr. BARTLETT. That is not in the bill. Does the Senator refer to the salaries for Senate employees and staff assistants in Senator's offices?

Mr. DIRKSEN. Yes.

Mr. BARTLETT. That has been removed.

Mr. MANSFIELD. If we get stuck for legislation, we will take it up. If there is a question about it, we will not take it up. I think the leadership ought to be allowed a little flexibility to take advantage of events as they may happen.

Mr. BARTLETT. So far as I know, no member of the Legislative Appropriations Subcommittee cares whether it is taken up now or later.

Mr. TYDINGS. Mr. President, the Senator from Oklahoma [Mr. HARRIS] must leave for Korea. He is to be a cosponsor of an amendment which I am sponsoring, as well as other Senators. I would appreciate it if the bill could be postponed until after the July Fourth recess for action.

Mr. MANSFIELD. I would say, having watched the Senator for several years now, that he need have no fear of loss of cosponsors or the services of cosponsors, because he can handle matters himself. The leadership will discuss the matter with him before any decision is made.

LEAVE OF ABSENCE

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the distinguished Senator from South Carolina [Mr. THURMOND] and the distinguished Senator from Oklahoma [Mr. HARRIS] be excused for 2 days on official business in Korea. I should say for the RECORD that they have been designated to attend the inauguration of the new President of Korea.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTINUATION OF SUSPENSION OF DUTIES ON CERTAIN FORMS OF NICKEL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 342, H.R. 3349.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 3349) to continue until the close of September 30, 1967, the existing suspension of duties on certain forms of nickel.

There being no objection, the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, H.R. 3349 continues through September 30, 1967, the existing suspension of duties on certain forms of nickel.

On September 27, 1965, the tariff on unwrought nickel, nickel powder, and ferronickel was suspended from that date until June 30, 1967. The House bill would extend the duty suspension for an additional 90 days—until September 30, 1967. This short period is supposed to give our negotiators in Geneva bargaining leverage to get some concessions out of the EEC—particularly France—for our exports of nickel and nickel products.

The regular tariff on these products is 1.25 cents per pound—roughly equivalent to an ad valorem duty of 2.25 percent. This works out to a savings of about $10 to $15 per ton on stainless steel. The chief beneficiaries of this bill are U.S. manufacturers of stainless steel. In order to compete with stainless steel import, the U.S. industry needs the $10 to $15 per ton savings made possible by the continued suspension of the tariff.

Favorable reports on H.R. 3349 were received from the Department of State and the Department of Commerce and no objection to the measure was raised by either the Bureau of the Budget or the Department of the Treasury. Your committee recommends enactment of this legislation.

I ask unanimous consent that a letter, dated May 12, 1967, from the General Counsel of the Treasury to the chairman of the Finance Committee be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE GENERAL COUNSEL OF THE TREASURY,
Washington, D.C., May 12, 1967.

HON. RUSSELL B. LONG,
Chairman, Committee on Finance,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on H.R. 3349, "To continue until the close of September 30, 1967, the existing suspension of duties on certain forms of nickel."

The proposed legislation would amend items 911.21, 911.22 and 911.23 of the Tariff Schedules to extend until September 30, 1967, the existing suspension of duty on certain ferronickel, unwrought nickel, and nickel powders. The existing suspension of duty on these commodities will expire on June 30, 1967.

The Department anticipates no unusual administrative difficulties under the proposed legislation and would have no objection to its enactment.

We would like to point out that a beneficiary of this tariff suspension will be the French firm Societe Le Nickel S.A. This firm produces ferronickel in New Caledonia which it exports to the United States.

At the same time, Societe Le Nickel is buying nickel oxide sinter from Cuba under a three-year contract expiring in June, 1968, calling for delivery of 15,000 metric tons. This nickel oxide sinter is produced at the Nicaro nickel plant in Cuba, owned by the U.S. Government. The Nicaro plant and mines were seized by the Castro regime as were the nickel mines and processing plant at Moa Bay, Cuba, which belonged to the Freeport Gulf Sulphur Company of Louisiana. In both cases no compensation has been made by the Castro government.

We can assure the Committee, however, that this Department under the Cuban Assets Control Regulations has prevented any of the Cuban nickel from being marketed in the United States. We are also satisfied that no such nickel will enter the United States if this bill is enacted.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the Administration's program to the submission of this report to your Committee.

Sincerely yours,

FRED B. SMITH,
General Counsel.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

CONTINUATION OF SUSPENSION OF DUTIES ON MANGANESE ORE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 343, H.R. 3652.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 3652) to continue until the close of June 30, 1970, the existing suspension of duties on manganese ore (including ferruginous ore) and related products.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, this bill would suspend the import duty on manganese ore for an additional 3-year period through June 30, 1970. The tariff on this ore was originally suspended for a temporary 3-year period in 1964.

Generally, the duty on manganese ore is one-fourth of 1 cent a pound on the manganese content of the ore, except that manganese ore from Communist-controlled or dominated countries is dutiable at a rate of 1 cent per pound. Under the bill, the suspension of duty will not apply to this Communist ore; rather the full 1-cent duty will continue to apply.

U.S. manganese deposits are very limited and are generally of poor quality. Domestic manganese is used primarily in flashlight batteries, while higher grade imported manganese ore is relied upon almost entirely for industrial uses such as in the production of steel.

Imports of manganese ore come primarily from Brazil, Ghana, India, the Union of South Africa, and Mexico.

Suspending the duty on this ore should reduce costs to domestic producers of ferromanganese by about $10 per ton of alloy produced and thereby enable them to compete more favorably with foreign producers.

This bill would apply with respect to ore imported after the date of enactment.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be offered, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

CONTINUATION OF SUSPENSION OF DUTIES FOR METAL SCRAP

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 346, H.R. 5615.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 5615) to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments, on page 1, after line 7, to strike out:

(b) Items 911.10 (relating to copper waste and scrap) and 911.11 (relating to articles of copper to be used in remanufacture by melting) of such Schedules are each amended by striking out "6/30/68" and inserting in lieu thereof "6/30/69".

On page 2, at the beginning of line 3, to strike out "(c)" and insert "(b)"; and, in the same line, after the word "The", to strike out "amendments made by subsections (a) and (b)" and insert "amendment made by subsection (a)".

The amendments were agreed to.

Mr. SMATHERS. Mr. President, since 1942 the tariff on certain scrap metal has been suspended by a series of temporary acts. The metals involved are principally iron and steel, aluminum, magnesium, and nickel. Copper scrap generally has not been dealt with in these metal scrap suspension acts.

The duty suspension with respect to scrap metal terminates June 30 of this year, except that the tariff suspension on copper scrap terminates June 30, 1968—the same time the tariff suspension on copper ores and blister and unwrought copper expires. Tariffs on these copper imports were suspended last year as part of the administration's effort to relieve a serious copper shortage and to stop spiraling copper prices.

The House bill would extend the tariff suspension period for both copper scrap and other metal scrap until June 30, 1969.

The Committee on Finance received numerous complaints that copper scrap should not be dealt with as part of a bill relating to other scrap metals, but should be considered along with other copper imports—copper ore and blister and unwrought copper—when legislation respecting these products is considered next year. They point out that this is the way the original suspension legislation was enacted.

We looked into these complaints and can find no compelling reason to act on the copper scrap question more than a year before the present tariff suspension on this material expires. As a procedural matter the committee felt it would be preferable to consider all phases of the copper import problem together.

For that reason, we amended the House bill to delete references to copper scrap. Under the bill as amended the tariff on the scrap metals involved—principally iron and steel, aluminum, magnesium, and nickel, will continue to be suspended for the same 2-year period fixed by the House. Copper scrap, on the other hand, will remain subject to last year's act, under which the tariff is suspended through June 30, 1968.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

DISTRICT OF COLUMBIA PARKING FACILITY ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 347, S. 944.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 944) relating to the establishment of parking facilities in the District of Columbia.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia, with amendments, on page 4 at the beginning of line 8, to strike "the"; in the same line, after the word "Services", to strike "Administration"; on page 6, line 18, after the word "Board", to insert "in accordance with the provisions of section 20 (a)(11) of this Act"; on page 9, line 10, after the word "in", to insert "street"; at the beginning of line 18, to insert "Nothing in this Act shall be construed as modifying or superseding title 23, United States Code."; in line 21, after the word "Services", to strike out "Administration"; on page 12, line 6, after the word "at", to strike out "or above"; on page 13, line 13, after the word "established", to insert "under this Act"; on page 14, line 23, after the words "development", to insert "and zoning"; on page 29, line 9, after the word "approval", to strike out the comma; in line 11, after the word "streets", to insert "rights-of-way,"; on page 30, line 8, after "Sec. 13.", to strike out "(a)"; in line 20, after the word "bond", to strike out the semicolon and insert a comma; on page 31, line 24, after the word "lot", to strike out "used primarily" and insert "primarily open to public use"; on page 34, line 10, after the word "Columbia", to insert "Circuit"; on page 39, after line 2, to strike out:

(11) In accordance with the provisions of section 15 of the Act approved August 2, 1946 (60 Stat. 806, 810; 5 U.S.C.A. 55a), to employ, or to enter into contracts with, consulting engineers, architects, accountants, legal counsel, construction and financial consultants, managers, superintendents, and such other consultants and technical experts as in the opinion of the Parking Board may be necessary or desirable;

And, in lieu thereof, to insert:

(11) To employ, or to enter into contracts with, consulting engineers, architects, accountants, legal counsel, construction and financial consultants, managers, superintendents, and such other consultants and technical experts as in the opinion of the Parking Board may be necessary or desirable, without regard to section 3709 of the Revised Statutes, the civil servicce, classification and pay laws, and section 3109 of title 5, United States Code;

On page 40, line 3, after the word "exceed", to strike out "$1,000" and insert "$2,500"; on page 43, line 11, after the word "judgment", to insert "or, if the Commission so delegates, in the judgment of the Board of Zoning Adjustment,"; in line 24, after the word "the", to insert "District of Columbia"; on page 44, line 2, after the word "The", to insert "District of Columbia"; and, on page 47, line 2, after "Sec. 27.", to strike out "The provisions of this Act shall take effect sixty days following the date of its enactment." and insert "This Act shall take effect on the first day of the first month which begins more than ninety days after the date of its enactment."; so as to make the bill read:

S. 944

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

FINDINGS OF FACT: SHORT TITLE

SECTION 1. (a) The Congress finds that—

(1) the growth and development of the National Capital area has been accompanied by an ever-increasing number of persons entering the District of Columbia by motor vehicle which has resulted in serious traffic congestion;

(2) this congestion restricts the interchange of goods, services, and people between the District of Columbia and the surrounding suburbs, to the detriment of both; imposes hardships and inconvenience on residents, employers, employees, and tourists in the National Capital area; impedes the efficient conduct of the United States and the District of Columbia governments; and interferes with the rapid and effective disposition of police and firefighting equipment;

(3) the orderly growth and development of the National Capital area requires a balanced transportation system which provides residents of and visitors to the National Capital area a variety of economic and efficient means of travel into and through the District of Columbia;

(4) a balanced transportation system requires adequate highways, rapid rail transit, buses, and off-street parking facilities for motor vehicles;

(5) off-street parking facilities in sufficient numbers and at rates and locations adequate to meet the needs of the National Capital area have not been provided; and

(6) the establishment of a parking authority to supplement existing parking with additional off-street parking facilities is necessary to maintain and improve the economic well-being of the National Capital area, the safety, convenience, and welfare of the residents thereof and the visitors thereto, and the efficiency of the United States and District of Columbia governments.

(b) This Act may be cited as the "District of Columbia Parking Facility Act".

CREATION OF PARKING BOARD

SEC. 2. (a) There is hereby created and established a body politic and corporate of perpetual duration, to be known as the "District of Columbia Parking Board" (herein called the "Parking Board"). The Parking Board shall consist of three members, who shall be the members of the Board of Commissioners of the District of Columbia. The term of office of any member of the Parking Board shall be the same as his term of office as such Commissioner. Two members of the Parking Board shall constitute a quorum. The members of the Parking Board shall select from among their number a chairman and a vice chairman of the Parking Board.

(b) The Parking Board shall appoint, subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, an Administrator. The Parking Board may delegate to the Administrator such authority as may be necessary or convenient to carry out the purposes of this Act.

PARKING ADVISORY COUNCIL

SEC. 3. (a) There is hereby established a Parking Advisory Council (herein called the "Advisory Council"). The Advisory Council shall be composed of eleven members, consisting of the Secretary of the Interior or his designee, the Director of the District of Columbia Department of Highways and Traffic or his designee, the Administrator of General Services or his designee, the Chairman of the National Capital Planning Commission or his designee, the Administrator of the National Capital Transportation Agency or his designee, all ex officio, and six members from private life appointed by the Parking Board of whom one shall be designated biennially by the Parking Board to serve as chairman. The members from private life shall be chosen to reflect a range of experience in such fields as architecture, engineering, retail trade, real estate, financing, law, motor vehicle parking, and transportation.

(b) The members of the Advisory Council appointed by the Parking Board shall be appointed for a term of four years, except that with respect to the first appointments made after this Act becomes effective, one member shall be appointed for a one-year term, one member shall be appointed for a two-year term, two members shall be appointed for a three-year term, and two members shall be appointed for a four-year term. Any member appointed to fill a vacancy shall serve only for the unexpired term of the member he is replacing. Any member shall be eligible for reappointment.

(c)(1) Members of the Advisory Council who are officers or employees of the United States or of the District of Columbia shall serve without compensation in addition to that received in their regular public employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Council.

(2) Members of the Advisory Council, other than those to whom paragraph (1) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of such Council and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Council.

(d) It shall be the duty of the Advisory Council to advise and assist the Parking Board in carrying out its functions under this Act, including the overall planning of parking facilities, the acquisition, construction, design, and operation of such facilities and such other matters as the Parking Board shall request or the Advisory Council shall determine. The Parking Board shall request the views of the Advisory Council on each matter made subject to a public hearing by this Act, and shall include the report of the Council, if any, in the Parking Board's record.

(e) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board and subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to the employees of the District of Columbia, to appoint an executive secretary. Subject to reimbursement by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, and ex officio members of the Advisory Council and the Commissioners of the District of Columbia shall make available to the executive secretary such staff, information, and technical assistance as he shall require to enable the Advisory Council to carry out its responsibilities under this Act.

(f) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board, in accordance with the provisions of section 20(a)(11) of this Act to hire independent consultants to assist it in carrying out its responsibilities under this Act.

COMPREHENSIVE PARKING STUDY

SEC. 4. (a) The Advisory Council shall, within one year following the date of enactment of this Act, and not less than once each five years thereafter, prepare and distribute a comprehensive report on parking in the District of Columbia metropolitan area. Such report shall include—

(1) an inventory of existing parking facilities in the District of Columbia, both public and private, and an analysis of the manner and extent to which they are utilized;

(2) an inventory of the existing and reasonably anticipated transportation facilities in the National Capital area, including roads, highways, buses, and rapid rail transit, and an analysis of the manner and extent to which they are utilized;

(3) an analysis of the extent, type, and location of all parking facilities and on-street parking which are necessary or desirable for achieving balanced transportation and an efficient flow of traffic in the National Capital area together with recommendations as to the need, if any, for additional public parking facilities and the areas within which such facilities should be located; and

(4) any other information or recommendations that the Advisory Council determines to be useful to the Parking Board in carrying out its duties under this Act.

(b) The Advisory Council shall refer the parking report to all interested agencies in the National Capital area for their information and comments. The parking report and all relevant data used to compile the report shall be made available to owners and operators of private parking facilities in the District of Columbia in order to enable them more effectively to plan the operation and expansion of their facilities.

ACQUISITION OF PARKING FACILITIES

Sec. 5. (a) The Parking Board is authorized to acquire, in its own name, by purchase, lease, gift, exchange, condemnation, or otherwise, such property, real or personal, in the District of Columbia, including any rights or interests therein, as the Parking Board may require to carry out the provisions of this Act; except that in no case shall the Parking Board acquire by condemnation any real property on which there is located a parking facility, unless the Parking Board intends substantially to increase the number of vehicles which can be parked on such property: *Provided,* That if within thirty days after the Board institutes a condemnation proceeding to acquire land on which there is located a parking facility the owners of such property file with the court a signed statement to the effect that they plan to undertake such construction as is necessary to cause to be located thereon a parking facility equal in capacity to that proposed to be constructed thereon by the Board and that they will cause such construction to be commenced within one year after the date such statement is filed, the condemnation proceeding shall be stayed pending the completion of such construction. Upon such completion, the court shall enter an order dismissing the condemnation proceeding. If such construction does not commence within such one-year period and proceed expeditiously thereafter, the Board may proceed with the condemnation proceeding.

(b) The Commissioners of the District of Columbia are authorized to make available to the Parking Board, without consideration, air and subsurface rights in areas consisting principally of land in *street,* highway, railway, or subway rights-of-way, bridges, and other lands under their jurisdiction and control in the District of Columbia for use by the Parking Board in carrying out its duties under this Act. The Commissioners, to the extent feasible, shall exercise this authority to enable the Parking Board to locate parking facilities in such manner as to coordinate parking with any future highway or subway construction in the District of Columbia. *Nothing in this Act shall be construed as modifying or superseding title 23, United States Code.*

(c) The Secretary of the Interior and the Administrator of General Services are authorized, subject to such terms and conditions as they may prescribe, to make available to the Parking Board, without consideration, subsurface rights in lands in the District of Columbia under their respective jurisdiction and control for use by the Parking Board in carrying out its duties under this Act.

(d) The Parking Board shall take no final action with respect to the acquisition of a parking facility or the acquisition of any real property for the purpose of establishing thereon a parking facility (other than the taking of options) until the Parking Board has—

(1) obtained a study of such proposed facility from an independent expert qualified to evaluate the feasibility of any such facility, and

(2) held a public hearing to obtain views on the need for such facility, its proposed size, and its economic feasibility. The Board shall publish notice of any such hearing in at least one newspaper of general circulation in the District of Columbia at least twenty days prior to such hearing.

(e) No condemnation proceeding shall be instituted under this Act unless the Commissioners, acting in their capacity as Commissioners, shall have approved the filing of such proceedings. Condemnation proceedings brought pursuant to this section shall be brought in the name of the Parking Board. Such proceedings shall be instituted and conducted in the United States District Court for the District of Columbia, which court shall have jurisdiction of such proceedings, and shall be prosecuted in accordance with the procedure in proceedings instituted and conducted under the authority of sections 1311 through 1321 of title 16 of the District of Columbia Code, except that (1) wherever in such sections the terms "Board of Commissioners" or "Board" appear, such terms shall be deemed, for the purposes of this Act, to mean the Parking Board, (2) wherever in such sections provision is made for property to be taken in the name of the District of Columbia, such provisions shall, for the purposes of this Act, be construed to mean the Parking Board, (3) wherever in such sections reference is made to the District of Columbia (as a party to a proceeding instituted or conducted under the authority of such sections), such terms shall be deemed to refer to the Parking Board, and (4) wherever in such sections any payment is required by any of such sections to be made from appropriated funds, such payment is authorized to be made from any moneys of the Parking Board which are available for such purpose.

(f) The acquisition, by condemnation, of real property for use by the Parking Board under this Act shall be authorized only if, prior to the initiation of proceedings to condemn such property, the Parking Board shall have taken the following actions:

(1) Retained at least two qualified, independent real estate appraisers to assist it in establishing the fair market value of the property, and such appraisers have advised the Parking Board, in writing, of such value;

(2) Established a fair market value for the property based on such appraisal;

(3) Certified that it has been unable to purchase the property at such fair market value;

(4) Initiated condemnation proceedings within ninety days from the date of the certification required by paragraph (3): *Provided,* That in the event the Parking Board shall fail to initiate such proceedings within the prescribed period, the Parking Board shall be foreclosed from initiating any such proceeding against said real property for a period of at least five years from the expiration of said ninety-day period;

(5) Certified that decent, safe, and sanitary housing can reasonably be expected to be available to any families which may be displaced by such condemnation action at rentals they can reasonably afford; and

(6) Certified that, barring acts of God or other unforeseeable circumstances, it will commence, or cause to be commenced, construction of a parking facility upon such property within one year following the date of acquisition.

(g) In addition to any payments required by the preceding subsection, the Parking Board is hereby authorized to make relocation payments to persons displaced by reason of its acquisition of property under the authority of this section to the same extent as such persons would have been entitled to have received if such displacements had been within the purview of section 114 of title I of the Housing Act of 1949, as amended. The Parking Board and the District of Columbia Redevelopment Land Agency are authorized to enter into an agreement under which such Agency shall undertake to administer the payments authorized to be made by this subsection, and provide the Parking Board with relocation services in like manner as such Agency provides such services to the Commissioners.

(h) No parking facility shall be established under this Act upon any property zoned residential without the approval of the Zoning Commission of the District, which may grant such approval only after public notice and hearing in accordance with the provisions of section 3 of the Act of June 20, 1938 (52 Stat. 798 (1938); D. C. Code, sec. 5–415).

PARKING BOARD AUTHORIZED TO CONSTRUCT AND OPERATE FACILITIES

Sec. 6. (a) The Parking Board is authorized to undertake, by contract or otherwise, the clearance and improvement of any property acquired by it under this Act as well as the construction, establishment, reconstruction, alteration, repair, and maintenance thereon of parking facilities. The Parking Board shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have, with respect to the labor standards specified herein, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

(b) The Parking Board may, with respect to any facility acquired or constructed pursuant to this Act,

(1) lease space in such facility at or below the level of the street on which such facility fronts or abuts for commercial purposes, and

(2) lease or sell air rights above any parking structure of four or more stories for commercial purposes,

if the Parking Board determines that the utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development and zoning of the vicinity in which such facility is located: *Provided,* That no petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the rental or sales price of any real property or facility leased or sold pursuant to sections 7 and 8.

c) The Parking Board shall, as soon as practicable, lease or sell, pursuant to sections 7 and 8 hereof, any facility acquired or constructed under this Act unless the Parking Board determines that the public interest would best be served if it operated such facility itself, and includes in its record of the matter a statment as to its reasons therefor. Each such determination so made shall be reviewed by the Parking Board not less than every three years following the date on which such determination is made. The Parking Board shall extend to all qualified persons experienced in the business of motor vehicle parking who owned a parking facility on any land acquired by condemnation pursuant to section 5 of the right of first refusal with respect to any sale, or the right to meet the high bid, with respect to the leasing, of any parking facility constructed on such land.

(d) In operating any such facility, the Board shall, to the extent feasible, provide, by contract or otherwise, for such operation of its parking facilities by any person or management firm competent to manage the operation. Any such contract shall be subject to the Service Contract Act of 1965 (79 Stat. 1034).

PARKING BOARD AUTHORIZED TO LEASE FACILITIES

Sec. 7. (a) The Parking Board is authorized to lease any parking facility acquired or constructed by it for such period of time, as the Board may determine, except that a lease which is used as security for permanent financing shall not exceed forty years in duration and any other lease shall not exceed five years in duration. The Parking

Board shall invite competitive bids for the lease of any parking facility, but may, whenever it determines it to be in the public interest, negotiate the lease of any such facility. The Parking Board shall include in its record of the matter a statement as to its reason for so negotiating any such lease.

(b) The Parking Board shall not lease any such facility for an annual rental in an amount less than that which is necessary to amortize, within a forty-year period, the cost of acquiring or constructing such facility and to provide a reasonable reserve for such purpose; to meet the Parking Board's obligations, if any, under the lease including any obligation to repair, maintain, or insure the facility; to make payments in lieu of taxes; and to meet all administrative expenses and other charges in connection therewith; except that the Parking Board may, for good cause, accept, for such number of years as the Parking Board may determine is necessary, a lower rental than the minimum hereinabove prescribed, subject to the repayment to the Parking Board of the difference between such lower rental and such minimum rental prior to the termination of the period for which the parking facility is leased.

(c) The lease of a parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained, during the term of the lease, for the parking of motor vehicles by the general public in accordance with rates, hours of service, methods of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

PARKING BOARD AUTHORIZED TO SELL FACILITIES

SEC. 8. (a) The Parking Board is authorized to sell any parking facility other than any facility constructed on land owned by or acquired from the governments of the United States or the District of Columbia. The Parking Board shall invite competitive bids for the sale of any such parking facility, but may, whenever it determines it to be in the public interest, negotiate the sale of such facility. The Parking Board shall include in its record of the matter a statement as to its reason for so negotiating any such sale.

(b) The sale of any such parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the purchaser.

(c) The Parking Board is authorized, in connection with the sale of a parking facility acquired or constructed by it, to include in the deed for such property a covenant, running with the land, whereby the purchaser agrees, for himself and his successors in interest, that the property purchased from the Parking Board will be used as a parking facility for such period of time as the Parking Board shall specify in said covenant. The Parking Board is authorized to agree, subject to the requirements of the preceding subsection (b), to the release or modification of any such covenant whenever the Parking Board shall find, after public hearing, that the operation of a parking facility no longer is in the public interest, or the development of the vicinity in which such parking facility is located is or will be of such a character as to make such facility incompatible with such vicinity.

LEASING PROPERTY FOR DEVELOPMENT

SEC. 9. (a) The Parking Board is authorized to lease for terms not exceeding forty years, any real property acquired pursuant to this Act, and to stipulate in such lease that the lessee shall erect at his or its expense a structure or structures on the land leased, which structure or structures and property shall be primarily used, maintained, and operated as a parking facility. Every such lease shall be entered into upon such terms and conditions as the Parking Board shall impose including, but not limited to, requirements that such structure or structures shall conform with the plans and specifications approved by the Board; that such structure or structures shall become the property of the District, or in the case of a facility constructed on land under the control and jurisdiction of the United States, such structure shall become the property of the United States, upon termination or expiration of any such lease; that the lessee shall furnish security in the form of a penal bond, or otherwise, to guarantee fulfillment of his or its obligations; that the lessee shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended, and any other requirements which, in the judgment of the Parking Board, shall be related to the accomplishment of the purposes of this Act.

(b) The Lessee may, with the consent of the Parking Board—

(1) sublease space in such facility at or below the level of the street upon which such facility fronts or abuts for commercial purposes; or

(2) sublease air rights above any parking structure of four or more stories for commercial purposes;

if the Parking Board determines that the utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development of the vicinity in which such facility is located: *Provided,* That no petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the sales price of any real property sold pursuant to this section and the approval of rates for the parking of motor vehicles in the parking facility constructed thereon.

(c) Any such lease made pursuant to this section shall be upon such terms and conditions as the Parking Board shall determine, and shall include requirements that any parking facility constructed on the land so leased shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

RATES

SEC. 10. (a) The Parking Board shall establish and, from time to time, revise, with or without public hearings, schedules of rates to be charged for use of space in each parking facility established pursuant to this Act. In establishing such rates, the Parking Board shall (i) consider, among other factors, the existing rates charged by privately operated parking facilities serving the same vicinity; and (ii) consider, in light of the overall transportation needs and problems of the District of Columbia metropolitan area, the extent to which long-term and short-term parking is desirable at each location and shall fix a schedule of rates for each location which is designed to encourage the types of use that are desired at such location. The Parking Board is authorized to provide rate differentials for such reasons as the amount of space occupied, the location of the facility, and other resasonable differences.

(b) The rates to be charged for the parking of motor vehicles within the parking facilities operated by the Parking Board shall be fixed at the lowest rates that will defray the cost of maintaining, operating, and administering such parking facilities; amortize, within a forty-year period, the cost of acquiring or constructing such facilities; pay all charges, fees, and payments in lieu of taxes attributable to such facilities.

(c) The rates to be charged for the parking of motor vehicles within any parking facilities leased pursuant to this Act shall be fixed at the lowest rates that will enable the lessee to meet all his obligations under his lease or leases; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

(d) The rates to be charged for the parking of motor vehicles within any parking facilities sold by the Parking Board pursuant to this Act, or constructed on any unimproved real property leased pursuant to section 9 of this Act, shall be fixed at the lowest rates that will enable the purchaser or lessee, as the case may be, to meet all his obligations under the purchase or lease agreement or agreements to amortize his investment over a reasonable period; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

AUTHORITY TO ISSUE OBLIGATIONS

SEC. 11. (a) The Parking Board is authorized to issue and sell, upon such terms and conditions as it shall by resolution prescribe, its obligations having such maturities and bearing such rate or rates of interest as may be determined by the Parking Board: *Provided,* That not more than $50,000,000 in such obligations shall be outstanding at any time. Obligations issued under this Act shall be offered at public sale to the lowest responsible bidder. Such obligations may be made redeemable at the option of the Parking Board before maturity in such manner as may be stipulated in such obligations. The principal of and the interest on any such obligations so issued shall be payable out of any moneys or revenues of the Parking Board available under the provisions of this Act. The obligations issued under this Act, together with the interest thereon, shall not constitute a debt or obligation of the United States or of the District of Columbia, and the obligations issued by the Parking Board shall clearly so state.

Obligations authorized hereunder may be issued by the Parking Board in the form of temporary, interim, or definitive bonds, at one time or from time to time, for any of its corporate purposes, including acquiring necessary cash working funds, constructing, reconstructing, extending, or improving a parking facility or facilities or any part thereof and acquiring any property, real or personal, useful for the construction, reconstruction, extension, improvement, or operation of a parking facility or part thereof. The Parking Board shall also have power from time to time to refund any bonds by the issuance of refunding bonds, whether the bonds to be refunded shall have or have not matured, and may issue bonds partly to refund bonds outstanding and partly for any other of its corporate purposes. To the extent feasible, the provisions of this Act governing the issuance and securing of other obligations shall govern refunding bonds. All bonds issued under the provisions of this Act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under article 3 of the Uniform Commercial Code of the District of Columbia. The Parking Board shall determine the date, the price or prices, and the terms of redemption, and the form and the manner of execution of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the District of Columbia. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any bond may bear the facsimile signature of, or may be signed by, such person as at the actual time of the execution of such bond shall be duly authorized to sign such bond although at the date of such bond such person may not have been such officer. The bonds may be issued in coupon or in registered form, or both, as the Parking Board may determine, and provision may be made for the registration of any coupon bonds as to principal alone and also so to both principal and interest, for the reconversion into coupon bonds of any bonds registered as to both principal and interest, and for the exchange of either coupon bonds or registered bonds without coupons for an equal aggregate principal amount of other coupon bonds or registered bonds without coupons, or both, of any denomination or denominations.

In the discretion of the Parking Board, bonds may be secured by a trust agreement by and between the Parking Board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the District of Columbia. Such trust agreement may contain provisions for protecting and enforcing the rights and remedies of the bondholders, including covenants setting forth the duties of the Parking Board in relation to the acquisition of property and the construction of parking facilities and the improvement, maintenance, operation, repair, and insurance of parking facilities, the rates to be charged and the custody, safeguarding, and application of all moneys; shall set forth the rights and remedies of the bondholders and of the trustees; may restrict the individual right of action by bondholders; and may contain such other provisions as the Parking Board may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of operation.

In order to secure the payment of its bonds, the Parking Board shall have power, in the resolution authorizing the issuance thereof or in the trust agreement securing such bonds (which shall constitute a contract with the holders thereof): to pledge all or any part of its revenues, including future revenues, the proceeds of bonds and any other moneys available to the Parking Board; to covenant with respect to pledges of revenues, liens, mortgages, sales, leases, any property then owned or thereafter acquired, or against permitting or suffering any lien on such revenues or property; to covenant with respect to limitations on any right to sell, lease, or otherwise dispose of any parking facility or part thereof, or any property of any kind; to covenant with respect to the terms of any bonds to be issued, the custody, application, investment, and disposition of the proceeds thereof, the issuance of additional bonds, the incurring of any other obligations by it, the payment of the principal of and the interest on the bonds or any other obligations, the sources and method of such payment, the rank or priority of any such bonds or other obligations with respect to any lien or security or as to the acceleration of the maturity of any such bonds or other obligations; and to covenant with respect to the replacement of lost, destroyed, or mutilated bonds. The Parking Board is further authorized to pledge as security for revenue bonds, the revenues of parking meters, and to covenant with respect to the installation, relocation, operation, and maintenance of parking meters; the maintenance of its real and personal property, the replacement thereof; the insurance to be carried thereon and use and disposition of insurance money; the rates and other charges to be established and charged by the Parking Board under the authority of this Act; the amount to be raised each year or other period of time by rentals, sales, fees, rates, or other charges, and as to the use and disposition to be made thereof; and for the creation of special funds and accounts, including reasonable reserves.

(b) Obligations issued by the Parking Board, their transfer and the income therefrom (including any profit made on the sale thereof), shall be exempt from all taxation now or hereafter imposed by the United States or the District of Columbia, and by any State, territory, or possession, or by any county, municipality, or other municipal subdivision or taxing authority of any State, territory, or possession of the United States, with the exception of estate, inheritance, and gift taxes.

(c) Notwithstanding any restrictions on investment contained in any other laws, all domestic insurance companies, and domestic insurance associations, and all executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia, may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued pursuant to this Act, it being the purpose of this section to authorize the investment in such bonds, or other obligations of all sinking, insurance, compensation, pension, and trust funds; except that nothing contained in this section shall be construed as relieving any person, firm, or corporation from any duty of exercising reasonable care in selecting securities for purchase or investment.

(d) No trustee or receiver of any property of the Parking Board shall assign, mortgage, or otherwise dispose of all or part of any parking facility established under this Act, except in the manner and to the extent permitted under any trust or other agreement securing an obligation of the Parking Board. A trustee under any trust or other agreement securing an obligation of the Parking Board may be authorized in the event of default under any such trust or agreement to seek the appointment of a receiver who may enter and take possession of any parking facility of the Parking Board, operate and maintain such facility, collect all revenues arising therefrom, perform all duties required by this Act or by any trust or other agreement securing an obligation of the Parking Board to be performed by the Parking Board or any officer thereof, and take possession of the revenues from parking meters applicable to the payment of any obligations of the Parking Board.

PARKING METERS

SEC. 12. (a) The Parking Board shall, subject to the approval of the Commissioners install, maintain, repair, relocate, and remove parking meters at such locations on the streets, rights-of-way, avenues, roads, highways, and other public open spaces under the jurisdiction and control of the Commissioners as the Parking Board may determine as an aid to the regulation and control of the movement and parking of motor vehicles. In carrying out the aforementioned duties, the Parking Board shall, from time to time, consult with the Director of the District of Columbia Department of Highways and Traffic. The Parking Board is authorized to prescribe fees for the parking of vehicles where parking meters are now or hereafter installed and to utilize its own personnel to collect such fees. Such fees shall be collected by the Parking Board and shall be accounted for and disposed of in like manner as other revenues of the Parking Board.

(b) The Parking Board is authorized to pledge, in addition to its other revenues, the revenues of parking meters as security for its obligations, except that no such pledge shall extend to more than 75 per centum of the revenues of the meters in existence at the time such pledge is made. No covenant or agreement entered into by the Parking Board shall prohibit it from relocating parking meters.

EXEMPTION FROM TAXATION

SEC. 13. The Parking Board shall not be required to pay any taxes or assessments upon any parking facilities or any part thereof, or upon the income thereof: *Provided*, That in lieu of such taxes or assessments the Parking Board may pay to the District of Columbia an amount equal to the taxes or assessments that would have been levied against the property of the Parking Board were the Parking Board not exempt from taxation. The exemption from taxes and assessments hereunder shall not be extended to any interest in a parking facility conveyed by the Parking Board to a grantee or lessee. The authority to make payments in lieu of taxes shall be subordinate to the obligations of the Parking Board under any bond, mortgage, obligation, other evidence of indebtedness, or contract.

FRINGE LOTS

SEC. 14. (a) Notwithstanding any other provision of this Act, the Parking Board is authorized, after consultation and coordination with the National Capital Transportation Agency, the Metropolitan Washington Council of Governments, and the Washington Metropolitan Area Transit Commission, to establish fringe lots in the National Capital area. The head of any Federal or District of Columbia government agency or department is authorized to make lands in the National Capital area under his jurisdiction and control available on such terms and conditions as he shall determine, to the Parking Board for use by it in establishing fringe lots under this section. No fringe lot shall be established outside the District of Columbia, except on land owned by the United States(or any department of agency thereof. unless the Parking Board has first obtained approval therefor from the local governing body of the jurisdiction in which such fringe lot may be located.

(b) The Parking Board is authorized to operate any fringe lot established by the Board under this section, or to lease any such fringe lot pursuant to such terms and conditions as the Board may determine. The Parking Board is further authorized to operate or arrange for the operation of such fringe lots either with or without charge to the persons patronizing such lots, or at such rate as the Parking Board may from time to time establish.

(c) As used in this section, the term "fringe lot" shall mean a parking lot primarily open to public use for the long-term parking of motor vehicles, located at or beyond the fringe of the central business district of the District of Columbia served by buses, rail transit, or other mode of mass transportation.

NATIONAL CAPITAL PLANNING COMMISSION

SEC. 15. (a) The Parking Board shall submit to the National Capital Planning Commission for its review and recommendations thereon its plans for the acquisition of existing parking facilities, construction of new parking facilities, and lease of properties for use as parking facilities: *Provided*, That the recommendations of the Commission shall be advisory in the nature, and shall not be binding upon the Parking Board.

(b) The National Capital Planning Commission is authorized, whenever such plans and programs are forwarded to it in accordance with the requirements of this Act, to study such plans and programs and make such report thereon to the Parking Board as the Commission, in its discretion, determines is necessary: *Provided*, That if no such report on such plans and programs is submitted by the Commission within sixty days from the date the Parking Board forwards them to the Commission, the Commission's approval of such plans and programs shall be assumed.

COMMISSION OF FINE ARTS TO REVIEW PLANS

SEC. 16. (a) The Parking Board shall, in accordance with the provisions of the Act of May 16, 1930 (46 Stat. 366, as amended (40 U.S.C. 121 (1964)), submit to the Commission of Fine Arts the plans for each parking facility which the Parking Board proposes to construct or which is to be constructed on land leased by the Parking Board.

PRIVATE PARKING STRUCTURES

SEC. 17. (a) On and after the date of the enactment of this Act, the District of Columbia shall not issue a building permit to construct any parking garage or substantially to expand any existing garage in the District of Columbia without the approval of the Director of the District of Columbia Department of Highways and Traffic (herein called "the Director") and the National Capital Planning Commission. This section shall not apply to parking garages constructed pursuant to this Act.

(b) Upon receiving a request for the approvals required in subsection (a), together with any plans or data they may by regulation require, the Director and the National Capital Planning Commission shall render a decision within sixty days. The Director shall approve any request unless he finds that the size, design, or location of such parking structure would interfere with the efficient flow of traffic. The National Capital Planning Commission shall approve any such request unless it finds that the size, design, or location of such parking structure would be incompatible with the plans and recommendations of the Commission made pursuant to law. The Director and the National Capital Planning Commission may make their approvals subject to such conditions as they deem necessary to protect the public interest.

(c) If either the Director or the National Capital Planning Commission deny such request, or approve such request subject to any conditions, the party aggrieved may obtain review of any such decision by filing in the United States Court of Appeals for the District of Columbia Circuit, and serving upon the Director and/or the National Capital Planning Commission, within sixty days after the entry of such decision, a written petition praying that the decision of the director and/or the National Capital Planning Commission be modified or set aside in whole or in part. Upon receipt of any such petition, the Director and/or the National Capital Planning Commission shall file in such court a full, true, and correct copy of the transcript of the proceedings upon which the order complained of was entered. Upon the filing of such petition and receipt of such transcript, such court shall have jurisdiction to affirm, modify, or set aside, in whole or in part, any such decision. In any such review, the findings of fact of the Director and the National Capital Planning Commission shall not be set aside if supported by substantial evidence. The order of the court affirming, modifying, or setting aside, or enforcing, in whole or in part, any such decision shall be final, subject to review as provided in section 1254 of title 28 of the United States Code.

(d) Nothing in this section shall be construed as superseding any existing law or provision of law relating, directly or indirectly, to the construction, establishment, expansion, operation, or location of parking structures in the District of Columbia.

NOTICE TO PARKING BOARD OF SCHEDULE OF RATES TO BE CHARGED BY PRIVATE PARKING FACILITIES

SEC. 18. Every person owning or operating a parking facility in the District of Columbia shall, pursuant to such rules and regulations as shall be established by the Parking Board, file in writing a complete schedule of the rates charged by such person for the storing or parking of motor vehicles in such facility, and in no case shall such person, following the filing of such schedule of rates, make any charge for such storing or parking in excess of that set forth in such schedule so filed until forty-eight hours after he has notified the Parking Board in writing of the new schedule of rates which he intends to charge. Nothing herein shall be construed as authorizing the Parking Board to fix or regulate such rates. The provisions of this section shall not be applicable with respect to any parking facility the rates of which are subject to the control and regulation of the Parking Board under this Act. Any person who shall violate this section shall be subject to a fine of not less than $100 and not to exceed $500.

AUDITS AND REPORTS

SEC. 19. (a) All receipts and expenditures of funds by the Parking Board pursuant to the provisions of this Act shall be made and accounted for under the direction and control of the Commissioners in like manner as is provided by law in the case of expenditures made by the government of the District of Columbia: *Provided*, That nothing herein contained shall be construed as preventing the Parking Board from providing, by covenant or otherwise, for such other audits as it may consider necessary or desirable.

(b) A report of any audit required under subsection (a) shall be made by the Parking Board to the Congress not later than one hundred and twenty days after the close of the Parking Board's fiscal year. The report shall set forth the scope of the audit and shall include a verification by the person conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expenses, (5) sources and application of funds, and (6) a separate income and expense statement for each facility, including as an expense item a payment in lieu of taxes.

(c) The Parking Board shall submit together with the audit report, a comprehensive report to the Congress summarizing the activities of the Parking Board for the preceding fiscal year.

POWERS OF PARKING BOARD

SEC. 20. (a) The Parking Board, in performing the duties imposed upon it by this Act, shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Act, including the following powers in addition to others herein granted:

(1) To sue and be sued, to compromise and settle suits and claims of or against it, to complain and defend in its own name in any court of competent jurisdiction, State, Federal, or municipal;

(2) To adopt, alter, and use a corporate seal which shall be judicially noticed;

(3) To adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations for the exercise of its powers under this Act or governing the manner in which its business may be conducted and the powers granted to it by this Act may be exercised and enjoyed;

(4) to make, deliver, and receive deeds, leases, and other instruments and to acquire easements, rights-of-way, licenses, and other interests in land, and to take title to real and other property in its own name;

(5) To construct and equip parking facilities in the District of Columbia and to exercise all powers necessary or convenient in connection therewith;

(6) To borrow money; to mortgage or hypothecate its property, or any interest therein; pledge its revenues; and to issue and sell its obligations;

(7) To appoint and employ, subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, such officers, agents, engineers, accountants, appraisers, and other personnel for such periods as may be necessary in its judgment, and to determine the services to be performed by them on behalf of the Parking Board;

(8) To procure and enter into contracts for any types of insurance and indemnity against loss or damage to property from any cause, including loss of use or occupancy, against death or injury of any person, against employers' liability, against any act of any director, officer, or employee of the Parking Board in the performance of the duties of his office or employment, or any other insurable risk;

(9) To deposit its moneys and other revenues in any bank incorporated under the laws of the United States;

(10) To spend its revenues, or any funds appropriated to carry out the purposes of this Act;

(11) To employ, or to enter into contracts with, consulting engineers, architects, accountants, legal counsel, construction and financial consultants, managers, superintendents, and such other consultants and technical experts as in the opinion of the Parking Board may be necessary or desirable, without regard to section 3709 of the Revised Statutes, the civil service, classification and pay laws, and section 3109 of title 5, United States Code;

(12) To enter into all contracts and agreements, in addition to those otherwise mentioned herein, necessary or incidental to the performance of the functions of the Parking Board and the execution of its powers under this Act. Except as otherwise provided in this Act, all such contracts or agreements shall be subject to competitive bidding unless the value thereof does not exceed $2,500;

(13) To sell, exchange, transfer, or assign any property, real or personal, or any interest therein, acquired under the authority of this Act, whether or not improved: *Provided*, That such action shall be in accordance with the general law covering the disposal of such property by the District: *Provided further*, That the Parking Board shall have first determined, after public hearing that any such real property is no longer necessary for the purposes of this Act;

(14) To obtain from the United States, or any agency thereof, loans, grants, or other assistance on the same basis as would be available to the District of Columbia.

(b) Notwithstanding the provisions of paragraph 13 of subsection (a) of this section, the Parking Board shall not have the authority to exchange any real property acquired by condemnation within one year following such acquisition unless the owners of such property at the time of its acquisition by the Parking Board shall first have been afforded a reasonable opportunity to reacquire such property for an amount equal to that paid to them by the Parking Board plus the cost of improvements made by the Parking Board to such property, if any.

COMMISSIONERS AUTHORIZED TO PROVIDE ASSISTANCE TO PARKING BOARD

SEC. 21. (a) The Commissioners are authorized to aid and cooperate in the planning, undertaking, construction, reconstruction, extension, improvement, maintenance, or operation of any parking facility established pursuant to this Act by providing subject to reimbursement, such services, assistance, or facilities as the Parking Board may request.

(b) Subject to the reimbursement to the District of Columbia by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, there shall be made available to the Parking Board such number of employees of the District of Columbia as the Parking Board certifies are necessary to the proper discharge of its duties in carrying out the purposes of this Act, which employees shall be subject to the Classification Act of 1949, as amended.

(c) The provisions of the second paragraph under the caption "For Metropolitan Police" in the first section of the Act entitled "An Act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes", approved March 3, 1899 (30 Stat. 1045, 1057, ch. 422; sec. 4–115, D.C. Code, 1961 edition), authorizing the Commissioners to appoint special policemen for duty in connection with the property of corporations and individuals, shall be applicable with respect to the property of the Parking Board.

(d) The Corporation Counsel of the District of Columbia is authorized and directed in all matters to act as counsel for the Parking Board, except insofar as the Parking Board may find it necessary or convenient to retain outside legal counsel.

PARKING FACILITIES IN CONNECTION WITH NEW CONSTRUCTION

SEC. 22. The first section of the Act entitled "An Act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes", approved June 20, 1938 (52 Stat. 797), as amended, is amended (1) by striking out "That to promote" and inserting in lieu thereof "That (a) to promote", and (2) by adding at the end thereof the following new subsection:

"(b) The Zoning Commission shall, after consultation with the District of Columbia Parking Board, issue regulations to require, with respect to buildings erected in the central business district of the District of Columbia after the expiration of the one hundred and twenty day period following the effective date of the District of Columbia Parking Facility Act, that reasonable facilities on the premises or off the premises be provided for the offstreet parking of motor vehicles of the owners, occupants, tenants, patrons, and customers of such building, and of the businesses, trades, and professions conducted therein." The Commission may, however, provide by regulation for waiver of such requirement when, in its judgment, or, if the Commission so delegates, in the judgment of the Board of Zoning Adjustment, the building site is too small reasonably to accommodate parking facilities on the premises to be erected, or when, in the judgment of the Director of the District of Columbia Department of Highways and Traffic, provision of parking facilities on or off the premises would interfere with the efficient flow of pedestrian or vehicular traffic, or when, in the judgment of the National Capital Planning Commission, provision of parking facilities on or off the premises would be incompatible with the plans and recommendations of the Commission made pursuant to law. Where such waiver is granted, the owner of the building to be erected shall agree to pay to the District of Columbia Parking Board a sum of money which represents an equitable contribution toward the costs of providing parking facilities under the provisions of this Act. The District of Columbia Parking Board, with the advice and assistance of the Parking Advisory Council, shall establish general regulations to govern the computation of such contribution."

DEFINITIONS

SEC. 23. As used in this Act, the term—

(1) "District" means the District of Columbia;

(2) "Commissioners" means the Commissioners of the District of Columbia;

(3) "Person" means an individual, firm, copartnership, association, or corporation (including a nonprofit corporation);

(4) "Revenues" means all payments received by the Parking Board from the sale or lease of parking facilities, all moneys received from the operation of parking meters, authorized to be pledged, and all income and other moneys received by the Parking Board from any other source;

(5) "Parking facility" means a parking lot, parking garage, or other structure (either single- or multi-level and either at, above, or below the surface) primarily for the offstreet parking of motor vehicles, open to public use for a fee, and all property, rights, easements, and interests relating thereto which are deemed necessary for the efficient and economical construction or the operation thereof;

(6) "Parking garage" means any structure (either single- or multi-level and either at, above, or below the surface) which is open to public use for a fee and which is primarily used for the offstreet parking of motor vehicles; and

(7) "National Capital area" means the District of Columbia and all surrounding jurisdictions which are commonly recognized as part of the District of Columbia metropolitan area.

ABOLITION OF THE DISTRICT OF COLUMBIA MOTOR VEHICLE PARKING AGENCY AND TRANSFER OF FUNDS AND PROPERTY TO PARKING BOARD

SEC. 24. (a) The Motor Vehicle Parking Agency created by Reorganization Order Numbered 54 and reconstituted under Organization Order Numbered 106 (title 1 appendix, D.C. Code), predicted upon authority contained in Reorganization Plan Numbered 5 of 1952 (66 Stat. 824), is hereby abolished. The functions, positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the Motor Vehicle Parking Agency are hereby transferred to the Parking Board.

(b) All positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the function of installing, repairing, replacing, and removing parking meters on the public streets of the District of Columbia are hereby transferred to the Parking Board from the Department of Highways and Traffic.

(c) Section 11 of the Act approved April 4, 1938 (52 Stat. 156, 192; sec. 40–616, D.C. Code, 1961 edition), is hereby repealed.

COORDINATION OF ACT WITH PROVISIONS OF REORGANIZATION PLAN NUMBERED 5 OF 1952

SEC. 25. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction and control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

REPEAL

SEC. 26. The District of Columbia Parking Facilities Act of 1942 is hereby repealed.

EFFECTIVE DATE

SEC. 27. This Act shall take effect on the first day of the first month which begins more than ninety days after the date of its enactment.

Mr. TYDINGS. Mr. President, as any resident, businessman, or tourist in the District of Columbia can testify, there is an acute parking problem in the city, particularly in the downtown area. The consequences of this shortage of parking spaces are basically twofold: customers are discouraged from patronizing downtown businesses and the vast numbers of tourists who come each year to the Nation's Capital are gravely inconvenienced. These problems demand solution by governmental action. That is the purpose of S. 944.

Briefly stated, S. 944 would create a Parking Board, consisting of the Board of Commissioners of the District of Columbia government, and an 11-member Parking Advisory Council. The bill instructs the Board to make periodic surveys on parking and to project parking needs in creating a balanced transportation system for the Washington metropolitan area. Where it is evident that parking facilities in a given area are insufficient to meet the need, the Board is authorized to construct public facilities or to lease property for the development of such facilities. For these purposes, the Board is authorized to issue nontaxable obligations, which will not be obligations of the Federal or District of Columbia Governments.

Regarding the operation of the public parking facilities once they have been constructed, S. 944 provides strong encouragement to the Parking Board to sell or lease such facilities to private operators, though the Board is authorized to fix the rates charged in facilities constructed under this act. In testimony before the Business and Commerce Subcommittee of the Senate District of Columbia Committee, the favorable experience of other cities, such as Pittsburgh, in combining public construction and private operation of parking facilities was established. It is evident that governmental power of condemnation such as provided with ample safeguards in this bill, is necessary to assemble land in downtown areas which is suitable for construction of significant parking facilities. At the same time, it is evident that private parking facilities operators can and should contribute needed expertise in the operations of parking facilities. This union of public and private enterprise has benefited other cities and under this bill, it can benefit Washington, D.C.

I should also note that the committee report accompanying the bill calls on the Parking Board to give priority to the following tasks:

First. Utilization of the Mall and other existing open spaces as sites for underground parking, especially in the downtown and monument areas.

Second. Construction of parking facilities adjacent to proposed highway tunnels and depressed freeways projected for the District's currently proposed interstate construction program.

Third. Provision of direct access from freeways into parking structures nearby, inclosing those utilizing air space and subsurface space.

The need for a public parking agency in the District of Columbia, similar to those in other major cities across the country, is compelling. During the 89th Congress, the Senate approved a bill essentially similar to S. 944. As was brought out in testimony during hearings this year, the need for this legislation is even greater now, in view of the iminent loss of a significant number of parking spaces in the downtown area due to construction of office buildings and government facilities.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

EXTENSION OF TIME TO FILE CERTAIN REQUESTS UNDER THE TARIFF SCHEDULES AMENDMENTS ACT OF 1965

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senator from Florida [Mr. SMATHERS], acting chairman of the Finance Committee, and the Senator from Connecticut [Mr. RIBICOFF], I ask unanimous consent that the Senate turn to the consideration of Calendar No. 345, H.R. 4880.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 4880) to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with an amendment, in line 7, after the word "before", to strike out "June" and insert "September".

Mr. SMATHERS. Mr. President, in 1965 after nearly 2 years of detailed work, Congress passed the Tariff Schedules Technical Amendments Act of 1965. This act corrected a host of relatively minor errors in the newly revised tariff schedules Congress authorized in 1962, and which the President proclaimed in August 1963. Some of the corrections increased tariffs on certain commodities. Others cut tariffs.

We provided in the correction bill that importers might have 120 days to apply for reclassification of their imported articles and obtain a refund if a tariff reduction were involved. Our committee understands that the Committee on Ways and Means has received numerous complaints that the 120-day period was not sufficient to enable importers to screen all the customs entries they had accumulated over the preceding 2-year period, and file timely claims in those instances where refunds might be available.

That committee recommended that that 120-day period, which terminated February 4, 1966, be extended until June 30, 1967. Because of the passage of time since the House acted, the Committee on Finance amended the bill to permit appropriate claims—called requests for reliquidation—to be filed on or before September 30, 1967.

It is expected that the revenues will be affected only minutely by this bill and the Treasury Department has assured us that it anticipates no administrative problems in handling the claims involved. The purpose of the bill is simple. Some importers paid too much tariff on their imported merchandise. This bill gives them an opportunity to establish their right to have the excess tariff restored to them.

Mr. RIBICOFF. Mr. President, in behalf of myself, the Senator from California [Mr. KUCHEL], the Senator from New York [Mr. KENNEDY], and the Senator from Utah [Mr. MOSS], I send to the desk an amendment and ask that it be stated.

Mr. SMATHERS. Mr. President, I ask unanimous consent that I be included as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

> On page 1, line 8, insert the following:
>
> "SEC. 2. Sections 407 and 1113(d) of the Social Security Act and sections 135(e), 155(b), and 202(e) of the Public Welfare Amendments of 1962, as amended, are each amended by striking out 'June 30, 1967' and inserting in lieu thereof 'June 30, 1968,' and that section 1115 of the Social Security Act is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1968'."

Mr. RIBICOFF. Mr. President, in 1962 when I was Secretary of Health, Education, and Welfare, the administration recommended and Congress enacted the Public Welfare Amendments of 1962. This legislation was characterized by the late President Kennedy, who signed it, as making possible the most far-reaching revision of our public welfare program since it was enacted in 1935. A number of the provisions of this legislation were new and required experience and analysis. Seven of these provisions will, under existing law, expire on June 30 of this year—on Friday of this week. The administration has made its recommendations for modification, expansion, or extension of each of the provisions involved. These recommendations are embodied in H.R. 5710 on which the Ways and Means Committee of the other body is now completing considerations. However, it is obvious that it will not be law by July 1. Therefore, if the Congress is going to have time to work its will on this legislation, extension of the existing provisions is necessary.

My amendment would extend each of the provisions involved for 1 year. It does not deal with the provisions or their merits or any changes in them that might be desirable. It simply maintains the status quo until more basic consideration can be given to these laws.

The most far reaching program involved is that of aid for families with dependent children in which a parent is unemployed. I told the Congress in 1962, and I say to you again that a child can be just as hungry if a parent is unemployed as if a parent is dead, or absent, or incapacitated. Last March, 403,000 persons in 22 States received payments under this provision. These payments amount to nearly $200 million in Federal, State, and local funds for fiscal year 1968. If these payments stop, even temporarily, severe hardship to these individuals will result.

In my own State of Connecticut there are over 2,500 children in families that depend on the help provided by this program. In March alone, payments totaled $126,000 which is over $1½ million a year.

Coupled with the unemployed parent program is the authority for community work and training projects which would also expire, as would the provision for protective payments of persons unable to manage money and provisions for Federal participation for certain foster care payments made to children in child care institutions.

The other three provisions that are scheduled to expire are concerned with agreements between agencies in relation to foster care, temporary help to citizens who are returned from abroad by the State Department either because of destitution or because it is necessary to get them out of an area of international crisis, and provision for State participation in some of the costs of pilot, experimental, or demonstration projects designed to improve the operation of our public assistance programs.

Mr. President, I hope that the Senate can accept this amendment so that no break will occur in the continuity of these important provisions.

Mr. KUCHEL. Mr. President, I am happy to join with the distinguished junior Senator from Connecticut [Mr. RIBICOFF] in offering this needed legislation to extend for 1 year many of our necessary welfare programs. On July 1, 1967, many of these programs will terminate and the welfare of thousands upon thousands of people will be seriously affected. Provision for extending these programs now is contained in H.R. 5710, the President's extensive social security revision bill; however, action is not expected on this bill for many months to come.

I am particularly pleased that this amendment will have the effect of extending a program of the gravest importance to the welfare of my State of California—the Federal public assistance program for children of unemployed parents. Should Federal assistance to this program be terminated, the well-being of over 100,000 children in my State alone will be adversely affected. Payments to needy families will be reduced substantially. Neither the State or county governments will be able to bear the additional financial burdens of the program without Federal help. And the ultimate disaster will be complete termination of the program itself.

It is a tragic and regrettable situation when programs of such importance are allowed to reach the point where they must be extended or else terminated. There are too many people affected and too many lives involved for the administration or the Department of Health, Education, and Welfare to delay or overlook such action until the very last minute. In offering this amendment, it is my hope that such a miserable situation as this will not be allowed to develop again.

I ask unanimous consent that a copy of a letter which I directed to the chairman and each of the members of the Senate Committee on Finance be placed in the RECORD at this point. I also ask unanimous consent that a telegram directed to me from Mr. Spencer Williams,

administrator of the health and welfare agency in California also be placed in the RECORD at this point.

There being no objection, the letter and telegram were ordered to be printed RECORD, as follows:

JUNE 16, 1967.

Hon. RUSSELL B. LONG,
Chairman, Senate Committee on Fnance, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I write this letter to bring to your attention a matter of the gravest importance to the welfare of my State and the Nation. It concerns the urgent need to have the Senate Finance Committee, of which you are Chairman, accept and report legislation to extend Federal assistance to a vital domestic program.

On July 1, 1967, the Federal Public Assistance Program for Children of Unemployed Parents will terminate. This means an annual loss of over $120 million to the existing programs throughout the country. Provision for making the Federal role in this program permanent is contained in H.R. 5710, the President's extensive Social Security revision bill currently before the Ways and Means Committee of the House. Floor action in the House on this omnibus proposal is not expected before July 1, the termination date of the Federal authorization for this program. Should Federal assistance be cut off, the well-being of over 100,000 children in my State alone will be adversely affected. Payments to needy families will be reduced substantially. Neither the state nor county governments will be able to bear the additional financial burdens of the program without Federal help. The ultimate disaster will be complete termination of the entire program when state and local funds run out later in the year.

For these reasons, it is absolutely essential that this program be extended before its termination date of July 1. It is my understanding that Under Secretary Wilbur Cohen of the Department of Health, Education, and Welfare, will request the Senate Finance Committee to accept an amendment in the near future to a non-controversial House-passed bill—an amendment which will have the effect of extending the Federal role in this program. The California State Administration and County Supervisors urgently and respectfully request that such action be taken. It is my hope, as I am sure it is the hope of the thousands of families assisted by this program, that you will give favorable consideration to such an amendment and to the extension of this most important domestic program.

With kindest regards,
Sincerely yours,
THOMAS H. KUCHEL,
U.S. Senator.

SACRAMENTO, CALIF.,
June 5, 1967.

Hon. THOMAS KUCHEL,
U.S. Senate,
Washington, D.C.:

Federal public assistance program for children of unemployed parents terminates July 1. The well-being of over 100,000 children will be adversely affected unless immediate congressional action is taken to extend this program. California stands ready to meet its share of the cost, but current fiscal condition of the State treasury will not permit State to assume the Federal share. Provision for making program permanent is contained in H.R. 5710 of the President's massive social security revision bill, which we understand will not be ready for floor action by July 1. Your efforts are urgently needed to obtain immediate congressional action to extend this program as county welfare departments are now in process of preparing checks for July 1 mailing. Unless Congress acts the entire program faces termination when California funds run out later this year. Will supply any additional information and support that you feel necessary.

SPENCER WILLIAMS,
Administrator,
Health and Welfare Agency.

Mr. SMATHERS. Mr. President, the Senator's amendment was discussed yesterday in committee. Unfortunately he was not present, and we did not act. I do believe that if he had been there to make his case, this amendment would have been agreed to.

The administration has recommended that the seven temporary public assistance programs involved in the Senator's amendment be made permanent, and legislation to accomplish that objective is included in the comprehensive social security revision bill now being studied in executive session by the Committee on Ways and Means of the House.

The President's budget for 1968 includes items requesting $116 million for these programs, and our Appropriations Committee is meeting this afternoon to provide the money for their operation on into the 1968 fiscal year.

The 1-year extension provided by this amendment—from June 30 of this year to June 30 of next year will provide time for us to consider the President's recommendations in connection with the social security bill as originally intended, without interrupting the programs.

I believe the Department of Health, Education, and Welfare has been derelict in not acting more expeditiously to continue these programs. The Committee on Ways and Means of the House sent over a series of bills dealing with legislation expiring on June 30. It would have been a routine matter for the Department to have urged that these programs be temporarily continued at the same time these other matters were being dealt with. That would have made it unnecessary for us to resort to the unusual procedure of placing public welfare amendments on a House-passed tariff bill. However, in view of the urgency of the matter as described by the Senator of Connecticut, I would be glad to accept the amendment, and in order that it be fully understood, I ask unanimous consent that there be included at this point in the RECORD, a memorandum describing the programs involved, the States which have implemented them and their estimated costs.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

WELFARE PROGRAMS SCHEDULED TO TERMINATE JUNE 30, 1967

(1) *Community work and training program (sec. 409 of the Social Security Act of 1962).*

This program is for recipient of Aid to Families with Dependent Children who are 18 years of age and over and who are taking part in a community work and training program. In April 1967, 96,000 recipients in 12 States received $2,031,000 under this program. It involves approximately $25 million a year. The States concerned with this optional program are: California, Colorado, Illinois, Kansas, Maryland, Michigan, Ohio, Oregon, Pennsylvania, Washington, West Virginia, and Wisconsin.

(2) *Third-party payments on behalf of dependent children (sec. 406(b) of the Social Security Act).*

This program, in the seven States which have elected to employ it, permits payments to be made in a limited number of cases (approximately 35 families) to another person concerned with the welfare of a child if it is determined that the relative caring for the child is not using the payment properly. It does not involve any additional cost. The States concerned are: Connecticut, Illinois, Kansas, Louisiana, Minnesota, North Carolina, and Wisconsin.

(3) *Foster care in child care institutions (sec. 408 of the Social Security Act).*

This program, operating in 13 States, extends Federal matching funds and aid to families with dependent children to cover the cost of care of children removed to nonprofit child care institutions. (Payments before this extension were limited to care in foster family homes.) The cost for the 440 children involved is not indicated since it is presumed that if they were not placed in private institutions they would have to remain in their own homes or be placed in foster homes and continue to receive welfare payments. The States concerned are: California, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Missouri, Nebraska, Tennessee and West Virginia.

(4) *Repatriated Americans (sec. 1113 of the Social Security Act).*

This program, operating in all States, authorizes Federal assistance to U.S. citizens repatriated from other countries who are forced to return to the United States because of destitution, illness, or the threat of war. The assistance may take the form of planning, reception, and temporary help for a period of no longer than 1 year in duration. During fiscal 1966, approximately $107,000 was spent to provide this assistance to 261 repatriates.

(5) *Dependent children of unemployed parents (sec. 407 of the Social Security Act).*

This program, operating in 22 States, authorizes Federal matching payments in assistance to families with needy children deprived of parental support or care because of unemployment of the parent—68,400 families and 269,000 children are covered by it. Approximately $115 million in Federal matching funds is involved in this program (of which $25 million is for the community work program described in paragraph 1). The States concerned are: Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Kansas, Maryland, Massachusetts, Michigan, Nebraska, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Utah, Washington, West Virginia, and Wisconsin.

(6) *Foster care by arrangement with other State agencies (sec. 408 of the Social Security Act).*

This optional program, operating in two States, permits State participation for foster care payments even though the responsibility for payment and care rests in a public agency other than the State agency responsible for the program of Aid to Families With Dependent Children if there is an agreement between the two agencies which assures compliance with the requirements of this program. Federal matching payments under this program involves approximately $25,000 annually for Kentucky and $1,132,000 annually for California.

(7) *Demonstration projects (sec. 1115 of the Social Security Act).*

This program, with projects operating this year in 42 States, authorizes funds for experimental pilot or demonstration projects to assist States in promoting the objective of the public assistance programs. It permits up to 100 percent Federal financing within the statutory $2 million limit.

Since the establishment of this program, 164 projects have been approved. The States *which do not at present* have demonstration project grants are: Alabama, Idaho, Indiana, Nebraska, North Dakota, Oklahoma, South Dakota, and Virginia. Under this provision

$2 million a year is authorized for payment to cover costs of the projects.

The amendment was agreed to.

THE PANAMA CANAL TREATIES

Mr. THURMOND. Mr. President, the White House announced yesterday that agreement has been reached with Panama on three new treaties regarding the Canal Zone, and the Panama Canal. Although details of these treaties have not been released yet, the announcement is of extreme importance to the Senate, and to the people at large. The Senate will soon be called upon to study these treaties, and give or withhold its consent to their ratification. Events on the isthmus during the past few years have indicated a steady deterioration in our Panama Canal policy, and consequent threats to our national interest and security.

The treaties which the President will send to the Senate shortly will determine whether our posture in Panama improves, with increasing stability and control over the safe operation of the canal, or whether our control becomes uncertain, with the resultant threat to United States and world shipping. The Suez adventure of the past few weeks indicates the dangers suffered by maritime nations when control of an important waterway falls into uncertain hands. Therefore I ask my colleagues to keep in mind certain principles, certain questions to ask themselves when the details of the new treaties become available.

First. Do the new treaties provide for undiluted control and operation of the canal by U.S. authorities?

Second. Do the new treaties protect the American soil of the Canal Zone, obtained both by treaty with Panama and purchase of property from individual owners?

Third. Are the new treaties in accord with our international obligations undertaken by the Hay-Pauncefote Treaty of 1901 with Great Britain, and the Thomson-Urrutia Treaty of 1914–22 with Colombia?

Fourth. Do the new treaties abrogate the body of law in the Panama Canal Zone Code, and the administration of justice based thereupon?

Fifth. Do the new treaties protect the investment of $4.9 billion made by U.S. taxpayers between 1904 and 1966?

Sixth. Are the new treaties in conformity with the expressed will of Congress as embodied in U.S. law; namely, the Spooner Act of 1902, the Panama Canal Act of 1912, and the Panama Canal Reorganization Act of 1950?

Seventh. Do the treaties protect U.S. interests in the existing canal, in the event that a sea-level design or nuclear excavation prove impractical?

Eighth. Do the new treaties provide for improvements that can be justified on a businesslike basis?

Ninth. Do the new treaties put American and free world interests ahead of passing considerations of Panamanian politics?

Tenth. Do the new treaties provide for a status-of-forces defense agreement which would provide protection equal to that the United States now enjoys?

Mr. President, I am deeply disturbed by the rumors and press accounts surrounding the negotiation of thes treaties. I think it is clear to every Member of this body that the retention of undiluted U.S. sovereignty in the Canal Zone is as important to the security of this Nation as winning the war in Vietnam. I am in favor of significant improvements in our political position in the Canal Zone. I am in favor of modernization and increased development of our canal facilities. I am in favor of increased attention to the growth and strengthening of the Republic of Panama. The questions raised by new treaties at this time, however, are the most vital that have been raised since the U.S. decision to construct the canal was undertaken.

The issues involved here transcend all partisan considerations. If these treaties are treaties which result in the weakening of American power and prestige, a chain reaction will be set up throughout the hemisphere. American security and influence will decline. Our political life itself may be threatened. Moreover, a great deal of money—billions already spent, and billions more in commitments—may go down the drain, with a drastic effect upon our economy. I wish to point out at this time that, in the opinion of many experts, the present canal may be improved under present treaties without any detrimental effect to international relations. When the new treaties are sent to us, therefore, they must be scrutinized against the most severe standards. For the safety of future generations, there must be no retreat from our grave responsibilities toward the Panama Canal.

TEXTILE INDUSTRY NEEDS GREATER VOICE IN U.S. TRADE POLICIES

Mr. THURMOND. Mr. President, there continues to be a crying need for greater liaison between the U.S. Department of State and representatives of the American textile industry. The very livelihood of hundreds of thousands of textile employees may well depend upon a closer working relationship between our policymakers and our textile industry.

Frankly, I am alarmed over reports about agreements reached by U.S. trade negotiators at the recently concluded Kennedy round talks in Geneva. This feeling of anxiety is shared by leaders of the U.S. textile industry who have witnessed a sharp upturn of imports during the last 4 years, topped by a 50-percent jump in 1966 over the volume recorded in 1965.

Imports are presently making a sharp impact on textile and related industries. This impact cannot be denied and is tellingly reflected in employment figures, profit statements, industry expansion, and in other ways. Total employment in the textile industry is dropping steadily each month, and those still employed are working less hours each week.

To date many in the industry feel they have been the victims of diplomatic doubletalk in their infrequent opportunities to impress upon our policymakers the fact that the import situation is snowballing toward a critical stage, if it is not already there.

I have never been able to understand, and never will, why this country insists on cutting the economic throats of its own people to prop up the economy of some foreign country. My interests in helping the underprivileged in the rest of the world is as great as that of anyone, but I would be the last to extend such help at the expense of our own people—and that is exactly what is presently happening in regard to the textile industry.

Mr. President, other industries are also being affected by our open-handed import policies, and I predict that the time when the constituency of nearly every Member of Congress will suffer is not far away.

In an effort to point out the need for an immediate briefing on the Geneva agreements for our textile leaders, I dispatched a wire to Secretary of State Dean Rusk last June 1. On June 12, 1967, my inquiry was answered by the Honorable William B. Macomber, Jr., Assistant Secretary of State for Congressional Relations. I ask unanimous consent that these two communications be printed in the RECORD at this point.

There being no objection, the telegram and letter were ordered to be printed in the RECORD, as follows:

JUNE 1, 1967.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.:

Would appreciate your arranging at an early date and within a week if possible high level briefing in Washington for representatives of textile industry and interested Members of Congress on tariff-cutting agreements reached during Kennedy Round negotiations in Geneva. Considerable anxiety exists among textile leaders regarding decisions made in Geneva and air needs to be cleared immediately with affected parties being given all possible information. American Textile Manufacturers Institute President William J. Erwin was quoted last week as being in possession of only sketchy information on agreements. Tariff cuts will greatly increase vulnerability of American textile industry to low-wage foreign imports and scant information and lack of meaningful data available to industry leaders has impeded formulation of plans necessary to cope with impending change in import situation. I cannot overemphasize necessity for proposed meeting and feel such a step would at least remove present impediments in decision making processes critical to orderly operation of this industry which is so vital to economic health of South Carolina and many other States, cities and communities. I am confident action on your part would be welcomed by leaders of all segments of American textile industry. In South Carolina alone textile industry provides more than half of the State's manufacturing jobs and wages which cover 371 plants and directly affect 138,225 textile workers. Of new industries in South Carolina last year textiles accounted for over one-half the increase. The feeling is widespread that textile industry has been sacrificed to meet diplomatic goals. Your careful consideration and early action on this proposed meeting will be gratefully received by all concerned.

Regards,

STROM THURMOND,
U.S. Senator.

DEPARTMENT OF STATE,
Washington, June 12, 1967.

Senator STROM THURMOND,
U.S. Senate,
Washington, D.C.

DEAR SENATOR THURMOND: The request contained in your telegram to the Secretary of June 1, 1967 for a briefing on the results of the Kennedy Round of trade negotiations as they relate to possible tariff reductions on textile products has been brought to the attention of the Office of the Special Representative for Trade Negotiations. Under the Trade Expansion Act of 1962, the Office of the Special Representative has primary responsibility for the Kennedy Round negotiations.

We are informed by the Office of the Special Representative that specific information about items that may be subject to concessions in the Kennedy Round cannot be furnished at this time. The negotiations will not be formally concluded until June 30 and all participants have agreed that the rule of confidentiality of offers should prevail until the agreement ending the Kennedy Round is signed. Numerous details remain under active negotiations and final documentation is being prepared. This material must be reviewed by the President before he approves signature of the final agreement.

On June 30 the Office of the Special Representative will have available for public inspection copies of tariff schedules showing the new rates agreed to by the major participants. Analytical material on the agreement as well as annotated schedules will be made available as rapidly after June 30 as they can be prepared. Within the next several weeks the Office of the Special Representative will announce how and where detailed information on the final Kennedy Round agreement will become available.

It is unlikely that the first of the five annual stages of tariff reduction will take place before January 1, 1968 so the rate changes will be known at least six months before implementation begins.

We understand that Ambassador Roth, the President's Special Trade Representative, has agreed to brief the members of the Management-Labor Textile Advisory Committee at a regular meeting of the Committee on July 12 on the details of the Kennedy Round related to textile products. For the reasons noted above, this is about the earliest possible date when it will be feasible to give a comprehensive, detailed report on the negotiations.

I regret that I cannot furnish you with more information at this time.

Sincerely yours,
William B. Macomber, Jr.,
Assistant Secretary for Congressional Relations.

Mr. THURMOND. Mr. President, while the greatest need at the moment is information on the Kennedy round agreements, the overall problem of imports and the damage to the U.S. textile industry will continue unless dealt with more effectively than to date.

Increasing imports in the past few years have already had a severe impact across the whole range of the industry, from the fiber producers to the apparel manufacturers. Added to this is the belief that import policies have been further liberalized at the Geneva talks.

One solution to this problem would be a vigorous and effective enforcement of the existing international textile agreements, and the negotiation of agreements to cover all categories of textile imports. The history of the enforcement of the previous agreements, however, indicates that even this step may not be sufficient to save our domestic textile industry from collapse.

Mr. President, if there is not a return to reason in the United States foreign trade policy, one or more of the larger textile concerns may be forced to succumb to the pressures to turn to foreign production in order to compete in the United States. In that way, they too would benefit from low-wage employees, subsidies given by the foreign governments to their own textile industry, and the favored tax treatment granted in many foreign countries to goods bound for export to the United States.

TARIFF SCHEDULES TECHNICAL AMENDMENTS ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 4880) to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965.

Mr. WILLIAMS of Delaware. Mr. President, I join the chairman of the committee in urging the Senate to accept the Ribicoff and Kuchel amendment. This amendment should be agreed to at this time because it does carry a termination date of June 30.

However, in accepting the amendment I think we should remind the Department that it is inexcusable that they come down here again just 48 or 72 hours before the termination date, asking for an extension of a major program. I see no reason why they could not have been down here 3 or 4 weeks ago. I hope that in the future they will be a little more careful and not wait until the last minute, which leaves no time for proper committee consideration.

Mr. RIBICOFF. Mr. President, I respond by saying that I am in complete agreement with the distinguished Senator from Delaware. We have seven basic welfare amendments, the principal one of which affects some 22 States. The failure to pass these amendments by the end of this month would be financially disastrous, by delaying the payment of benefits to hundreds of thousands of people throughout the Nation.

The distinguished Senator is correct in that the Department owes the country and the Senate an obligation to send these matters up in sufficient time to allow us to discuss them, and to have hearings if necessary, and to give us the opportunity to go into these matters in depth.

I hope that the Department will take heed of the statement of the Senator from Delaware. I personally am in complete agreement with the Senator.

Mr. KUCHEL. Mr. President, I wish the Record to show that I am in complete agreement with the comments of the Senator.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 4880) was passed.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. RIBICOFF. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I wish to extend the gratitude of the entire Senate to the Senator from Connecticut [Mr. Ribicoff] and the Senator from California [Mr. Kuchel] for their foresight and diligent efforts to assuring that these vital assistance programs will not expire. Attaching their extensions as amendments to H.R. 4880 will permit continued benefits beyond June 30. The concern of these Senators in this matter and their prompt attention to the resolution of a problem that could have been most grave was truly outstanding.

The senior Senator from Delaware [Mr. Williams] is similarly to be thanked and I join in his comments concerning the failure to seek prompt and effective action with respect to obtaining the necessary extensions.

AUTHORIZATION FOR THE COMMITTEE ON BANKING AND CURRENCY TO HAVE UNTIL MIDNIGHT TO REPORT S. 1862

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Banking and Currency Committee have until midnight tonight to file its report on S. 1862, to amend the authorizing legislation of the Small Business Administration and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATIONS AUTHORIZATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the Calendar No. 341, S. 1296. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The Legislative Clerk. A bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Aeronautical and Space Sciences, with an amendment to strike out all after the enacting clause and insert:

That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $4,851,006,000, as follows:

(a) For "Research and development," for the following programs:

(1) Apollo, $2,546,500,000;
(2) Apollo applications, $334,700,000;
(3) Advanced missions, $5,000,000;
(4) Physics and astronomy, $145,500,000;
(5) Lunar and planetary exploration, $131,900,000;
(6) Bioscience, $44,300,000;
(7) Space applications, $101,900,000;
(8) Launch vehicle procurement, $157,700,000;
(9) Space vehicle systems, $37,000,000;

(10) Electronics systems, $40,200,000;

(11) Human factor systems, $21,000,000;

(12) Basic research, $23,500,000;

(13) Space power and electric propulsion systems, $45,000,000;

(14) Nuclear rockets, $74,000,000;

(15) Chemical propulsion, $38,000,000;

(16) Aeronautics, $66,800,000;

(17) Tracking and data acquisition, $297,700,000;

(18) Sustaining university program, $20,000,000;

(19) Technology utilization, $5,000,000.

(b) For "Construction of facilities," including land acquisitions, as follows:

(1) Ames Research Center, Moffett Field, California, $5,365,000;

(2) Goddard Space Flight Center, Greenbelt, Maryland, $565,000;

(3) Jet Propulsion Laboratory, Pasadena, California, $3,125,000;

(4) John F. Kennedy Space Center, National Aeronautics and Space Administration, Kennedy Space Center, Florida, $24,885,000;

(5) Lewis Research Center, Cleveland and Sandusky, Ohio, $2,115,000;

(6) Manned Spacecraft Center, Houston, Texas, $2,425,000;

(7) George C. Marshall Space Flight Center, Huntsville, Alabama, $870,000;

(8) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, $2,010,000;

(9) Nuclear Rocket Development Station, Nevada, $19,500,000;

(10) Wallops Station, Wallops Island, Virginia, $740,000;

(11) Facility planning and design not otherwise provided for, $5,500,000.

(c) For "Administrative operations", $648,206,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (11) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and (1)c, and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

SEC. 6. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1968".

Mr. ANDERSON. Mr. President, we have before us today S. 1296, to authorize appropriations to the National Aeronautics and Space Administration for fiscal year 1968 for research and development, construction of facilities, and administrative operations, and for other purposes.

Mr. President, I would like to extend my thanks at this time to the senior Senator from Maine [Mrs. SMITH], who has contributed so much of her time and effort to the hearings and to the consideration of the matter before us today.

This is the 10th annual budget for the National Aeronautics and Space Administration. The Administration requested an authorization of $5.1 billion, slightly above the amount requested and authorized for the last fiscal year. However, the current demands on the overall Federal budget, combined with your committee's judgment that certain proposed new programs could be deferred or significantly reduced at this time, have been principally responsible for the $248,994,000 reduction made by your committee. This results in a recommended authorization of $4,851,006,000—an amount I am convinced is the minimum that is required to support ongoing programs approved by the Congress in previous years or essential to maintain the preeminence of this Nation in space and advanced research and technology.

At this point, I would like to highlight certain of the committee's actions upon which my conviction is based. The committee reviewed in depth the proposed Apollo applications program—a follow-on to the lunar landing objective—that is designed to utilize the technology, hardware, and flight experience developed for the Apollo program in such a manner as to assure the continuance of this Nation's preeminence in space. Your committee strongly believes that this program is essential to enable the Nation to do those things it may desire to do as the future becomes clearer to us. Not to recommend to you the approval of this program at this time would deny the Nation this capability. However, our review convinced us that the initial flights scheduled for this program, all of which are in earth orbit, is somewhat optimistic based upon delays currently being experienced in the main line Apollo effort. Accordingly, your committee reduced the request for this program by $120 million.

In its unmanned space science programs, NASA proposed a formal commitment to the Voyager program with a request of $71.5 million this year. Briefly, the Voyager program, as proposed, involves one Saturn V launch during each of the Mars opportunities in 1973 and 1975; each launch to carry two spacecraft consisting of an orbiting bus with a landing capsule which would soft-land on the planet Mars and transmit data to the spacecraft, thence to Earth. This undertaking through the 1975 launch is estimated to cost about $2.3 billion. Your committee, in view of the overall national fiscal demands, believes that this project should be deferred until there is some relaxation of the total requirements. In so doing, your committee recognized that a further review can be effected next year and still have the option to meet the 1975 Mars launch opportunity. Therefore, the $71.5 million requested for this program was not recommended.

Also, in the lunar and planetary program area your committee has recommended the denial of $10.1 million to initiate a $216 million two-launch Mariner-type spacecraft project to the planet Mars during the 1971 opportunity. Your committee examined this project most carefully, particularly in view of the approval of a similar project last year for the 1969 Mars opportunity, and concluded that the additional data return was not sufficient to warrant commitment to this total expenditure.

Your committee recommends continuation of the strong support provided in past years to NASA's electronics research program, including the facilities at the Electronics Research Center to support and direct this research properly. However, in view of delays in the construction program resulting in building redesigns, your committee believed that the progress at this time did not conclusively demonstrate that further construction authorizations were required this year to maintain continuity in the facility program.

Another significant reduction in the administration's request was made in the administrative operations category. Your committee reduced the $671,300,000 request by $23,094,000 on the basis that the agency had reached a degree of maturity which warranted a critical examination of its staffing patterns and administrative support expenses to introduce meaningful economies in these areas. The House Committee on Aeronautical and Space Sciences is recommending an equivalent reduction of these expenses.

I have been discussing cuts, substantial cuts, that the committee has made; however, I would also like to point out that your committee has been aware of the increasing public and private concern about the maintenance of this Nation's aeronautical research capability at its present high level, and also the need for solutions to certain of the problems that ironically originate from our success in aeronautics. One example is the great thrust and reliability which have been achieved in our commercial jet aircraft engines. However, these achievements have brought about the problem of airport noise. I am happy to report that this authorization bill contains an increase of about 90 percent in the funding for the aeronautics program which will enable NASA to concentrate on such problems, as well as continue to push forward the frontiers of knowledge in aeronautics.

REVIEW OF THE PAST YEAR

Gemini, the two-man manned space program, was completed on November 15, 1966, after 10 consecutive successful flights. In addition, the uprated Saturn I launch vehicle was qualified for manned flight after three straight successes. Possibly one of the most exciting highlights in the program was the landing on June 2, 1966, of the unmanned Surveyor I spacecraft on the moon. This spacecraft returned 11,237 photographs of the lunar surface to earth. Surveyor I was followed by equally successful Surveyor III on April 19, 1967, after the failure of Surveyor II due to an in-flight vernier rocket malfunction. The unmanned Lunar Orbiter spacecraft recorded four straight mission successes between August 10, 1966, and May 4, 1967. This spacecraft, designed to orbit the moon and photograph Apollo landing sites, has performed in an outstanding manner.

Turning to applications, NASA launched five weather satellites for the Environmental Science Services Administration—ESSA—which are continuously reporting data to ESSA for use in weather forecasting. NASA is continuing its research and development in improved sensors to obtain additional and more precise data on the weather environment. Nimbus II, launched May 15, 1966, has performed very well in contributing to the development of advanced sensors and atmospheric sampling devices. NASA has also launched three communications satellites for the Communications Satellite Corporation on a reimbursable basis. These satellites are in commercial service and will be used by NASA in support of the Apollo program, by the Department of Defense for administrative traffic, as well as by the private sector. I believe the foregoing activities fully demonstrate that we are in the midst of reaping achievement from the commitments the Nation has made in supporting these programs in previous years and that only through support for these ongoing programs will we get value received for our investment.

However, all of these accomplishments, particularly those of the Gemini program, were marred on January 27, 1967, when three astronauts died in a disastrous fire which swept the Apollo 204 spacecraft during a prelaunch ground test checkout at the Kennedy Space Center. As a result of this accident, all manned space flight activity was suspended, and NASA appointed the Apollo 204 Review Board to determine the cause of the fire, following which NASA undertook an extensive design analysis of the spacecraft and a complete review of test procedures and organizational responsibilities within the Apollo program. Our committee announced on the floor of the Senate on January 31, 1967, that we would undertake a full review of the accident to assure that all aspects of the tragedy would be assessed in an objective framework, both with respect to its cause and to how it relates to the national space program and our effort to establish the preeminence of this Nation in space. In conducting this review the committee held 7 days of hearings and took testimony from the NASA Administrator and his principal assistants, including the Associate Administrator for Manned Space Flight and the Apollo program director, the Apollo 204 Review Board, and the president of North American Aviation, Inc., the Apollo spacecraft contractor.

I was deeply impressed by the diligence, integrity, and patent independence displayed by the Chairman and the seven members of the Apollo 204 Review Board. This is evidenced by the severity of the Board's judgment of NASA and the Apollo spacecraft prime contractor, North American Aviation, Inc. The Board was unable to identify the specific cause of the accident, but was able to isolate a most probable cause. However, and possibly more significant, the Board identified shortcomings in design, workmanship, and operational procedures, all of which point to an admitted mood of overconfidence on the part of management and specific deficiencies in management of the program. In the course of its review the committee discovered that the performance of North American on its spacecraft contract, as well as its S–II stage contract, in 1965 was somewhat less than exemplary and that an extensive survey of the contractor's management operations by NASA was necessary to identify the root causes of its failure to perform so that the proper corrective action could be initiated to assure that the Apollo program could meet its goal. NASA has testified that the significant improvements have been made, but that a current judgment on fully satisfactory performance must await the results of additional actions recently taken by North American to improve its operation.

NASA, on April 17, and again on May 9, 1967, reported to the committee in great detail on the changes in Apollo spacecraft design, reassignment of certain spacecraft hardware responsibilities, changes in test and safety procedures, and the plans for reestablishment of manned flight schedules. Changes in the lunar module have been subsequently reported. The best projection at this time is that the first manned flight of the Apollo spacecraft incorporating all design changes will be made about March 1968, representing a delay of approximately 1 year in the Apollo flight program. However, this accident, although most unfortunate in every sense of the word, has had the effect of a complete review of the Apollo spacecraft and lunar module system; and Mr. Webb, the Administrator of NASA, testified that he believes that the program goes forward from this tragedy stronger than it was before. Therefore, on a success schedule from that date when flights are resumed it is believed that the Nation still has a reasonable possibility of achieving the national commitment of a lunar landing in this decade. Admittedly, however, the possibility is not as good as it was previously because of the time lost. However, your committee has been repeatedly assured that in no event will the safety of our astronauts be sacrificed for a lunar landing in this decade.

Mr. President, at this point, without objection, I would like to insert in the RECORD a chart showing the NASA authorization request, the action of the House Committee on Science and Astronautics thereon, and the actions of your committee as set forth in S. 1296.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Summary of action of Senate Committee on Aeronautical and Space Sciences on S. 1296

	Budget request	House committee action	Senate committee action
Research and development:			
Apollo	$2,546,500,000	$2,521,500,000	$2,546,500,000
Apollo applications	454,700,000	444,700,000	334,700,000
Advanced missions	8,000,000	6,200,000	5,000,000
Physics and astronomy	147,500,000	131,631,000	145,500,000
Lunar and planetary exploration	142,000,000	142,000,000	131,900,000
Voyager	71,500,000	71,500,000	0
Bioscience	44,300,000	41,800,000	44,300,000
Space applications	104,200,000	94,500,000	105,900,000
Launch vehicle procurement	165,100,000	150,700,000	157,700,000
Space vehicle systems	37,000,000	36,000,000	37,000,000
Electronics systems	40,200,000	39,200,000	40,200,000
Human factor systems	21,000,000	21,000,000	21,000,000
Basic research	23,500,000	21,465,000	23,500,000
Space power and electric propulsion systems	45,000,000	44,000,000	45,000,000
Nuclear rockets	74,000,000	70,000,000	74,000,000
Chemical propulsion	38,000,000	49,000,000	38,000,000
Aeronautics	66,800,000	66,800,000	66,800,000
Tracking and data acquisition	297,700,000	290,000,000	297,700,000
Sustaining university program	20,000,000	30,000,000	20,000,000
Technology utilization	5,000,000	5,000,000	5,000,000
Total	4,352,000,000	4,276,996,000	4,135,700,000
Construction of facilities:			
Ames Research Center	$5,365,000	$5,365,000	$5,365,000
Electronics Research Center	6,220,000	0	0
Goddard Space Flight Center	565,000	565,000	565,000
Jet Propulsion Laboratory	3,125,000	3,125,000	3,125,000
John F. Kennedy Space Center	24,885,000	24,885,000	24,885,000
Lewis Research Center	2,115,000	2,115,000	2,115,000
Manned Spacecraft Center	2,425,000	2,425,000	2,425,000
George C. Marshall Space Flight Center	870,000	870,000	870,000
Michoud Assembly Facility	2,010,000	2,010,000	2,010,000
Nuclear rocket development station	22,500,000	16,500,000	19,500,000
Wallops Station	740,000	740,000	740,000
Various locations	2,880,000	2,880,000	0
Facility planning and design	3,000,000	5,500,000	5,500,000
Total	76,700,000	66,980,000	67,100,000
Administrative operations	671,300,000	648,206,000	648,206,000
Grand total	5,100,000,000	4,992,182,000	4,851,006,000

Mr. ANDERSON. Mr. President, NASA requested $5.1 billion for fiscal year 1968, $4,352,000,000 of which was for research and development, $76.7 million for construction of facilities, and $671.3 million for administrative operations. The House committee is recommending a total of $4,992,182,000, a reduction of $107,818,000 in the NASA request, and an amount $141,176,000 above that recommended by your committee.

Within the total amount of $4,851,006,000 set forth in S. 1296, $4,135,700,000 is recommended for research and development, $67,100,000 for construction of facilities, and $648,206,000 for administrative operations. A full discussion of each program included in this request and the recommendations of your committee are contained in Senate Report No. 353 accompanying the bill; however, I believe it is important to review briefly certain of the programs for the Senate and to discuss the principal changes made by your committee.

RESEARCH AND DEVELOPMENT

Your committee is recommending $2,546,500,000 for the Apollo program, approximately $400,000,000 below the amount authorized in fiscal year 1967, which is a direct reflection of the fact that this program has passed its funding peak and also that the program is in its advanced stages. This means that the production of hardware is well along and that the ground test program is nearly complete. From this point forward, in addition to continuing production and acceptance tests of those items committed to delivery for the lunar landing effort several years ago, the program will consist primarily of flight operations; consequently, Mr. President, I would like to stress that at this point in time the Nation is in the position of having this hardware and, therefore, should fully support this request in order to obtain the "payoff" which we should expect from the investment that has been made. In other words, as I see it, there is no other way for us to realize a return on our investment. This point is in addition to my firm belief that the Nation's commitment to a lunar landing in this decade if reasonably possible, should be honored.

I have previously discussed the Apollo applications program for which your committee is recommending $334,700,000; and other than to repeat that I believe it is essential for the Nation to maintain its capacity for manned space flight, I will not discuss this item in further detail here. The above two amounts together with $5 million for advanced mission studies constitute a total amount of $2,886,200,000 for manned space flight. This amount is approximately $161,000,000 below the amount the Congress authorized last year for this part of our national space program.

In the area of space science and applications your committee is recommending a total of $601,300,000, about $37 million below the fiscal year 1967 authorization, and a level of operation approximately equal to that finally established by NASA for fiscal year 1967. Your committee in its review of the unmanned space programs has without exception recommended to the Senate that it continue its support for those programs which have been approved in prior years and which are now either in or fast approaching flight status. Again, I would like to emphasize that most of these programs are in advanced stages and support must be forthcoming if the Nation is to capitalize on the investment made in these programs so far. In certain of these programs we disagreed with the House committee for this very reason, since the House action would terminate flight hardware and experiment developments which are well along toward completion. However, as I have noted in my introductory remarks, your committee is most concerned about the great demands on our national resources at this point in time; and, therefore, during our review, we critically examined several new starts proposed by NASA. As a result, we determined that it was not necessary at this time to authorize $10.1 million to initiate a 1971 Mariner-Mars project which would total about $216 million, and that the Voyager—Mars 1973 and 1975—program, with a request for $71.5 million this year—with an estimated total cost of $2.3 billion—could be deferred until other national demands were not as great. Your committee also deferred the Sunblazer project, a new start designed to obtain data about the sun. This was a total reduction of $6.38 million. Your committee believes that this is a good program and so constituted as to conform to the recommendation of the Space Science Board of the National Academy of Sciences, and your committee feels that such a program should be supported as soon as the funding requirements in certain of the more complex unmanned spacecraft programs begin to recede.

One final action in this program area is worthy of note. Your committee is not recommending a $2.3 million request to initiate development of a direct voice broadcast satellite system, estimated to cost $120 million in total, inasmuch as there appears to be little understanding of the overall international, social, economic, and other problems which surround such a development. Your committee believes that the technology is sufficiently well in hand that such a system can be developed on a timely basis once basic policy issues are examined and resolved. The House committee took similar action on this project.

For those programs administered by the NASA Office of Advanced Research and Technology, your committee is recommending $345.5 million, an amount equal to the Administration's request and an amount approximately $59 million above the congressional authorization for these programs in fiscal year 1967. These programs represent the basic research and technology programs which are necessary to keep this Nation in the forefront of new research and technology. It is this activity that is basic to the strength of the Nation and without which it is not possible for us to do things in space, aeronautics, or other fields that we may want to do in the future. Equally important, this work contributes to the establishment of a broad technological base upon which the future health, growth, and social betterment of our economy rests. It is for this reason that your committee fully supports the Administration's request for these programs and has not concurred in certain small selected economy reductions made therein by the House committee. A major difference, however, exists in the recommendation of your committee and that of the House committee for the chemical propulsion program. This results from the House committee recommendation that $11 million be added to this program for continuation of the 260-inch large solid rocket motor project. This continuation is not recommended by the Administration at this time, and your committee concurs with this decision. In arriving at a decision on this program, we noted that NASA does intend to fund within its original program level selected technology explorations considered to be necessary to eventual full-scale development of large, solid rocket motors. We do not believe there is a basis for supporting additional demonstration work at this time.

This program grouping includes a request of $74 million for proceeding with the development of a nuclear rocket engine in the 200,000 to 250,000 thrust range based upon the highly successful engine technology program which is nearing completion. This item, as you may recall, was included in a supplemental Presidential message to Congress; and it is designed to provide a greater capability to accomplish more demanding missions, if so desired, and to extend the usefulness of our basic Saturn V launch vehicle system by adding a highly efficient upper stage.

I have already mentioned the increase in aeronautics funding. Your committee is recommending $66.8 million, an increase of $31.8 million above the fiscal year 1967 authorization, to conduct this very essential part of the National Aeronautics and Space Administration responsibility. The House committee also concurs with the Administration request. I believe that many Members of the Senate will agree that our aviation technology is today making a substantial contribution to our gross national product as well as to our international balance of payments. Therefore, increasing attention to aeronautics by NASA is welcomed by your committee, and we believe that the recommended amount deserves the full support of the Senate.

S. 1296 contains $297.7 million for the tracking and data acquisition program. This amount is required to support our tracking and data recovery operations for both manned and unmanned flight activity. This, as I am sure many Members will recognize, is a support activity which must be fully responsive to the needs of the flight programs if those programs are to be successful. For this reason, and based upon prior budgetary performance in this program, your committee recommends the above amount, which is identical to that requested by NASA. Your committee did not agree with a House committee cut of $7.7 million assessed against this program.

The final item in research and development is $5 million for technology utilization. This amount, consistent with the level of previous years, supports NASA's activities to disseminate the benefits of its research and technology to industry, institutions, and the general public in order that the fruits of these programs can be brought into everyday application as expeditiously as possible.

CONSTRUCTION OF FACILITIES

Your committee recommends $67.1 million for construction of facilities for fiscal year 1968, a reduction of $9.6 million in the NASA request. Your committee did not recommend a request for $6.22 million for additional facilities for the Electronics Research Center, in view of the delays which have been experienced in the building program for that center. However, in so doing, your committee reaffirmed its support for the electronics research program because of the increasing role of electronics in our economy and, therefore, for the need for appropriate facilities within which to conduct basic research activities and direct the effort.

Your committee deleted $2.88 million requested for an antenna system to support the Sunblazer project, inasmuch as we are recommending deferral of the Sunblazer project this year. In addition, a $500,000 reduction was made in facility planning and design funds on the basis that program levels did not demonstrate a need for the full amount of the NASA request. The House committee took a similar action in this regard.

The two major items within the construction of facilities category are $24.885 million for the Kennedy Space Center for completion of the Apollo launch facilities, and for renovating and rehabilitating both the unmanned and manned older launch complexes at that location. The second major item that your committee is recommending is $19.5 million for engine test stands to support the development of the nuclear rocket engine which I have already discussed. The availability of these test stands is a control item in this development program, and your committee believes it is essential that the full amount of this request be provided. Accordingly, your committee does not agree with a House committee reduction of $3 million in this facilities item. Your committee did agree, however, with the House committee in the transfer of $3 million of design funds from this item to the facility planning and design account in order to be consistent in the handling of design funds within the agency.

The remaining construction of facilities items represent minor facility modifications, rehabilitations, and minor additions to maintain the facility investment properly or to enhance the capability of a facility to support assigned program responsibility.

Your committee is recommending $648,206,000 for administrative operations, a reduction of $23,094,000 in the NASA authorization request. This reduction conforms to that made by the House committee in its action on the request. These funds support the staffing and general operations of NASA headquarters and the field centers through which the agency manages and conducts its research and development programs. These expenses have been of increasing concern to your committee in the past year or so because of the maturity of the agency and the advanced stages which many of the programs are achieving. For these reasons your committee believes that more critical examinations of staffing patterns at all levels and locations can and should be made, and that more vigorous action should be taken to reallocate effort as programs fluctuate, approach completion, and/or new programs are initiated. The committee is fully appreciative of the large task which was assigned to NASA in the early part of this decade, and the fact that it is a tremendous challenge to initiate these very complex research and development programs and concurrently develop a management and research organization. However, it is believed that the time arrives in the lifetime of any organization when a very thorough reassessment must be made to assure that the organization is streamlined and efficiently organized for those missions now before it and those envisioned in the immediate future. It is only through this action that vitality can be maintained in the organization—vitality which is essential to avoid the onset of rigid structure, fixed staffing patterns, and the resultant lowering of productivity which seems to be an inherent management problem as any organization matures. It is your committee's belief that the reduction recommended in administrative operations will not inhibit the conduct of in-house research and development programs, but that the reduction should provide the incentive to streamline and better prepare the organization to carry out its assigned responsibilities at this time.

In closing, I would like to mention that members of your committee have been concerned about the adequacy of information furnished to the committee by NASA on situations affecting ongoing programs. Your committee believes that timely advice on such situations is essential to the conduct of its responsibilities; and, therefore, a strong comment has been included in the committee report to remind the Administrator of NASA of its expectations in this regard. In view of language on this subject already incorporated in the National Aeronautics and Space Act of 1958, your committee did not deem that additional legislative language as proposed by the House committee was necessary.

Mr. President, we think this is a reasonable budget, perhaps even a bit bare for the programs on which we expect NASA to produce in the ensuing months.

The committee has carefully examined the needs of the ongoing programs and the proposals for new programs, and it fully supports the measure presented to the Senate. We hope that the Senate will support it as well.

Mrs. SMITH. Mr. President, I would like to thank the distinguished chairman of our committee for his kind remarks and for having presented a fine summary of the major provisions of S. 1296. As ranking minority member of the committee I have some additional observations to make concerning this bill.

Our committee has always been guided by the principle that each proposed space exploration program be subjected to careful review and scrutiny before making our recommendations for authorization to the Senate. No exception was made for the bill before you now. I believe that even a cursory examination of the two volumes of hearings will show that the authorization request was carefully examined.

As indicated in the report accompanying the bill, the committee recommends a total reduction in the NASA authorization request of $249 million. The resulting budget level recommended for fiscal year 1968 reflects the committee's desire to continue a comprehensive, well-balanced program that will obtain the most knowledge of outer space for each dollar spent.

In my opinion, we have reported out a sound and reasonable bill and I commend its passage to my colleagues.

On January 27 last, a tragic accident occurred at Cape Kennedy in which three astronauts lost their lives. Immediate action was taken by NASA to objectively assess the cause of the accident and as indicated by the chairman, our committee held extensive hearings to insure that all pertinent aspects of the tragedy were carefully investigated and to ascertain the effects of the accident on our national space program.

I believe that it would be well for all of us to place this accident in its proper perspective. Prior to this one accident NASA's manned space flight record has been most impressive from the standpoint of both accomplishments and safety covering a period of almost 6 years.

NASA is currently taking specific corrective actions aimed at getting the Apollo program back on a successful track as well as to prevent a recurrence of this tragedy. When these improvements in the Apollo program are completed I have no doubt that our space effort, which has been so successful in the past, will continue to be even more so in the future.

The United States has in a relatively few years reached an unprecedented preeminence in space. NASA and its team of industrial contractors have demonstrated a remarkable success with its Mercury and Gemini manned flights and with its many unmanned exploration programs as well. It is notable too that each of our space programs was conducted in full public view—for all the world to see. In my view, all Americans can be justifiably proud of this record.

I am firmly convinced that the continued application of a reasonable portion of our tax dollars to space exploration will be returned many times over. Some of our successes to date in the space field include effective weather forecasting, worldwide communications satellites, the development of new exotic metals and other materials, and the ability to use complex computer systems. These new developments can and are being applied in a variety of other industries. I believe that we are only on the brink of the new discoveries and developments which will result from the space program. Moreover, I can think of no past Government endeavor that has in so short a time challenged and stimulated our youth at all educational levels in the quest for scientific knowledge.

I am not unmindful that at the present time our space efforts, in terms of costs, must be carefully weighed in relation to our present defense commitments. The bill before you reflects this consideration. Yet even from a military standpoint, I believe that a strong national effort to explore and use space is essential to our security and to our position of world leadership.

The final determination of whether our continued efforts in space will produce the dividends many of us perceive probably will not be made for several decades. However, I for one, believe our present course is the right one. I was recently buoyed and encouraged in this belief when I learned that the following comment was made by an illustrious New York newspaper concerning Samuel Langley's experiments with airplanes just 1 week before the successful flight of the Kitty Hawk by the Wright brothers:

> We hope that Professor Langley will not put his substantial greatness as a scientist in further peril by continuing to waste his time, and the money involved, in further airship experiments. Life is short, and he is capable of services to humanity incomparably greater than can be expected to result from trying to fly. . . . For students and investigators of the Langley type there are more useful employments.

In summary, Mr. President, I fully support S. 1296 as reported by the Committee on Aeronautical and Space Sciences. In closing I would like to commend the chairman for his comprehension of the many complex facets of this bill. His broad knowledge has been the source of invaluable contributions to our hearings and to the reporting of this bill. I would also like to commend all the members of the staff for their impartial and conscientious efforts during the hearings and in the reporting of this bill.

Mr. ANDERSON. Mr. President, I thank the distinguished Senator from Maine for her statement. She has been a remarkably fine associate in all this work. Day by day in the long hearings and meetings we have had, she was present, examining witnesses and working in the committee all the time. I commend her very highly for the things she has done, and I appreciate her fine work.

Mrs. SMITH. I thank the distinguished chairman very kindly for his generous remarks.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PERCY in the chair). Without objection, it is so ordered.

THURGOOD MARSHALL—PRESIDENT JOHNSON'S EXCELLENT CHOICE FOR THE SUPREME COURT

Mr. MORSE. Mr. President, there have been one or two occasions in the past when I have disagreed with an action of the President of the United States. I have not relished these moments when I did not see eye-to-eye with my President. But I think the record will also reveal that I have not hesitated to strongly commend the President when he is right.

Mr. President, I believe that President Johnson has never been more right than when he nominated the Honorable Thurgood Marshall to be Associate Justice of the Supreme Court.

This is a great and historic nomination of the distinguished jurist who has long served his country with dignity and honor. It is a nomination of a man dedicated to the rule of law and to a just, humane, and enlightened democratic society. And it is a nomination that, in President Johnson's words, provides, "the right man, at the right time in the right place."

Mr. Marshall was not nominated to the Court because he is a Negro. He was nominated because he possesses one of the great legal minds of our time. But the fact that he is a Negro provides an added dimension to this nomination that should be a matter of pride to all Americans who value the strength and ideals of our democratic institutions.

Early in this century the great jurist, Justice Brandeis, was nominated to the Court amid a hue and cry against the first Jew to sit on the highest court in the land. Justice Brandeis became one of the most respected figures in American history during his service on the Court.

I predict a similar future for Thurgood Marshall.

Mr. Marshall's nomination reveals, I think, our growing maturity as a people and as a nation. For there has been little but praise from all sections of the country to this nomination. And there has been no attempt, from any quarter, to smudge this shining moment for democracy with ugly bigotry or vilification.

We are a nation of nations. Our strength is derived from the talents and energies of a people whose stock represents every race, creed and nationality group in the world. Our diversity and unity have always been the principal source of our greatness.

More and more, this diversity is reflected in the people we choose to lead us and to safeguard our most cherished institutions.

Thus, history will record that the son of a Texas farmer has nominated to the

Supreme Court the son of a Pullman porter, the grandson of a former slave.

This fact does not merit self-congratulations, but self-reflection. For it tells a great deal about the kind of people we are and about the kind of nation we are building in the 1960's.

I congratulate President Johnson for this excellent nomination. I trust that Mr. Marshall will soon take his place in the Court with the prompt approval of the Senate.

This nomination is a shining moment for American democracy. And the Nation has responded to it in a manner worthy of the moment itself.

I ask unanimous consent to insert into the Record a sampling of editorial opinion concerning Mr. Marshall's nomination that will demonstrate the good will and satisfaction of the American people.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Courier-Journal, June 14, 1967]

An Historic, and Sound, Appointment

President Johnson's nomination of Thurgood Marshall to the U.S. Supreme Court is praiseworthy, and the Senate should confirm the appointment without much commotion. Mr. Marshall's selection is a good one not just because he would become the first Negro justice, but because he is well qualified for the high court by any measure.

As Attorney General Ramsey Clark said, Mr. Marshall's elevation to the Supreme Court would add "a wealth of legal experience rarely equaled in the history of the court." Mr. Marshall, now serving as U.S. solicitor general, was chosen by President Johnson to fill a vacancy created by the retirement of Justice Tom C. Clark, father of the Attorney General.

If his appointment is confirmed, Thurgood Marshall, the great-grandson of a slave brought to this country from the Congo, will join the tribunal where more than 100 years ago Justice Taney, delivered the Dred Scott decision, which said that slaves were chattels. So, in one sense, Mr. Marshall's appointment would be symbolic.

Beyond this, however, as the Attorney General noted, his credentials are impressive. He finished at the top of his class at Howard Law School; headed the legal staff of the NAACP for years and in that capacity won the Supreme Court decision of 1954 declaring school segregation unconstitutional; served as a judge of the U.S. Court of Appeals in the District of Columbia, and is one of the few attorneys to appear before the Supreme Court more than 50 times—as a member of NAACP legal staff, as a member of the Court of Appeals, and as Solicitor General.

With this background, and the vigor he possesses at 58, Thurgood Marshall would be a distinct asset on the nation's highest court.

[From the Plain Dealer, June 14, 1967]

Good Man for Supreme Court

Had the Negro chosen by President Johnson to be the first of his race to sit on the Supreme Court been any other than Thurgood Marshall the charge might have been made that the choice was politically motivated.

In the case of Marshall such a charge cannot be sustained.

Marshall is a man of the broadest legal experience, much of it gained in arguing cases before the court to which he has now been appointed.

The most important of the 52 cases in which he has appeared there was the school desegregation decision of 1954. At the time, he was chief legal officer for the NAACP.

In national legal circles Marshall enjoys impressive stature. In addition to his 23-year career with the NAACP he served three years of what was to have been a lifetime appointment as a judge of the U.S. Circuit Court of Appeals handling cases from New York, Connecticut and Vermont.

At the urging of President Johnson he resigned to become solicitor general.

He argued cases before federal courts at every level after graduating first in his class at Howard University Law School in Washington in 1933.

Marshall will succeed retiring Justice Tom C. Clark, who decided to step down when his son Ramsey became attorney general.

Marshall happens to be a Negro. His knowledge of the law and of court procedures is no accident. He is qualified by experience and training to be a credit to the high court and to enhance the splendid reputation he already enjoys as one of the nation's finest legal minds.

[From the Des Moines Register, June 15, 1967]

Eminently Qualified

President Johnson's nomination of Thurgood Marshall to the United States Supreme Court was anticipated when Marshall was named as U.S. solicitor general in July, 1965, in view of his distinguished prior record as a lawyer dealing with cases of constitutional law.

Marshall is the first Negro chosen to serve on the highest court in the land. That fact is of substantial current interest and historical significance. But Marshall's eminent qualifications for the high court are of greater importance. He comes to the court at a time of national rededication to equal rights, guaranteed in our 184-year-old Constitution and specifically extended to Negroes after the Civil War.

No American lawyer is more experienced in this field of constitutional law than Thurgood Marshall. He was for many years the chief legal officer of the National Association for the Advancement of Colored People. He, more than anyone else, was responsible for the brilliant legal analysis and argument which led to the Supreme Court school desegregation decision in 1954. He was a central figure in demonstrating that the American Negro could achieve justice by legal, nonviolent means.

In his legal work for the N.A.A.C.P. and for the United States government as solicitor general, Marshall has attained vast experience in practice before the Supreme Court. President Johnson said that only one or two living Americans have argued as many cases before the Supreme Court as Marshall, and perhaps no more than half a dozen in the history of the nation.

Appointments to the court have sometimes been criticized because the appointee was relatively inexperienced in constitutional law—or because the appointee had no judicial experience. Marshall's extensive experience in constitutional law embraces a very wide field of cases, especially during the time he has been solicitor general and directed all federal litigation before the U.S. Supreme Court and other appellate courts. He served as a judge of the U.S. Circuit Court in New York from 1961 to 1965. No Supreme Court justice of modern times, including such giants as Charles Evans Hughes and Louis Brandeis, came to the court better prepared for the job.

Thurgood Marshall has earned a reputation for legal sagacity, sound judgment and balanced temperament. He is an excellent addition to the Supreme Court.

[From the Christian Science Monitor, June 16, 1967]

Another Marshall on the Court

The name of Marshall is as illustrious as any to be found in the annals of the Supreme Court of the United States. Chief Justice John Marshall, that towering figure who singlehandedly made the court a power to reckon with, was, like most prominent Virginians of his day, a slaveholder.

Despite the ringing words of the Declaration of Independence that "all men are created equal," the Constitution at that time sanctioned the institution of slavery.

By 1896, Justice John Marshall Harlan, dissenting from the court's "separate but equal" decision in the case of Plessy v. Ferguson, declared, "Our Constitution is colorblind, and neither knows nor tolerates classes among citizens." Although a great Civil War and the abolition of slavery had intervened, the Negro had yet to obtain equality under the law.

It was 1954 before the Supreme Court eventually reversed its 1896 decision in the famous desegregation case of Brown v. Board of Education. And now the attorney by the name of Marshall who argued and won that landmark case has himself been nominated to sit on the highest court of the land. Thurgood Marshall, a Negro American and great-grandson of a slave, will, upon Senate confirmation, serve with yet another John Marshall Harlan, grandson of the dissenter in Plessy v. Ferguson.

Mr. Marshall, nominated by a Southerner serving as President of the United States, was recommended for the post by another Southerner serving as Attorney General. He will fill the vacancy left by resignation of the Attorney General's father.

From the days of John Marshall to those of Thurgood Marshall the Negro has made tremendous progress. Who would deny that that progress has been painfully slow? Much of it has come only in the past 10 or 12 years. But who could fail to see that vastly important changes have occurred, however late, however much resisted.

WILLAMETTE BASIN FLOOD CONTROL PROJECT

Mr. MORSE. Mr. President, on Saturday, June 24, it was my privilege to participate in the dedication of another magnificent segment of the Willamette Basin flood control project, in this case Green Peter and Foster Dams on the Santiam River, a tributary of the Willamette River.

On that occasion, the Honorable Floyd C. Mullen, county judge of Linn County, Oreg., gave a most impressive address relative to the project and the dedicated work of those who brought the project into being.

I ask unanimous consent that Judge Mullen's statement be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Green Peter Dam Dedication, Sweet Home Luncheon, June 24, 1967

(By Floyd C. Mullen, County Judge)

Through the County Court, consisting of Commissioners Jenks and Ingram, and myself, it is my privilege to represent the people of Linn County.

This is a happy day—it is a historic day. It is a day that Linn County people will not soon forget.

Thanks to Warren Jones of the Willamette Basin Committee for providing a copy of a letter written April 16, 1935, to Mr. Douglas McKay and signed by Charles H. Martin, governor, State of Oregon. Mr. McKay was asked to serve as chairman of the Willamette Valley Projects Committee to which he appointed an executive committee consisting of Walter May, John Thornburg, J. O. Holt, and our Clyde Williamson who is here with us today. I quote from Governor Martin's letter: "The purpose of this committee is to cooperate with the State Planning Board in its efforts to promote interest in the development of the Willamette Valley."

I recall attending several meetings with Clyde where these men discussed the possibilities of bringing new industry to the Willamette Valley, improved drainage of the wet lands, building revetments along river banks to prevent flood damage, and deepening of the river channel from Portland to Eugene for navigation. The possibility of building dams was suggested at a later date. That was only 32 short years ago. Today there are ten flood control or multipurpose dams in operation in the Willamette Basin, and Green Peter and Foster are the 11th and 12th, and more are planned.

Let us turn back into history again, as it applies to Linn County.

Early in October, 1846, a lone miner whose name is forgotten, discovered gold in Dry Gulch—far up that rugged region later to become known as Quartzville. For sixty years thousands of men and women struggled to earn a living by digging down mountain sides and sifting the river beds of Canal Creek, Yellow Bottom Creek, and others in search of that yellow stuff. But, early in 1900 the yellow gold of Quartzville petered out.

Thirty years later a new industry developed in those same canyons—harvesting of the green gold of the forest. The railroad arrived in Sweet Home on April 1, 1932, and the rush was on for timber. Thousands of men earned their living from the forests, and today the cutting of trees is Linn County's major industry.

Now, thirty years after the railroad arrived and the timber business became big, something else has happened up those canyons, once mined for gold and cut over for timber. Instead of a bearded miner, perhaps without money and a grub sack slug over his back, or a wood chopper who owned a double-bitted ax and a cross-cut saw, hundreds of men, equipped with machinery, and directed by men with knowledge and experience moved in to pour a huge chunk of concrete in one of those same canyons. Behind this cement wall will be collected the liquid gold of the Central Cascade Mountains.

This is the gold we people in the Willamette Valley, and recreation-seeking people throughout the United States, will cherish forever. The natural resources of this region are being conserved for our use and protection.

We are glad to share with Marion County the benefits of Detroit Dam. Now we have a reservoir of our very own. The power to be generated, the added protection against flooding of rich river lands along the Santiam, a stock pile of water for domestic purposes and irrigation of crops, the potential of new industries, the development of recreational facilities—mean only one thing—we in Linn County today have an opportunity greater than any since the iron rails of the railroad joined the east and west on that wind-swept desert at Promontory Point, Utah, in 1869. It is up to us to determine how wisely we take advantage of that which has been placed for our use.

With Green Peter and Foster dams completed, and with Holley, Cascadia, and Thomas Creek reservoirs now in the planning stage, new resources are at our door. Already timber, agriculture, and the metals industry have combined to give this county a balance economy. The attractions of our mountains and forest lakes combine for recreation. With the liquid gold to be stored behind Green Peter we can be assured of continued diversification for generations to follow.

In a few short words, upon behalf of the people of Linn County and the Willamette Valley, I want to say "Thank You" to all of you who have helped in making the dream of Green Peter come true.

To the U.S. Corps of Army Engineers who have planned and worked over the many years; to our devoted representatives in Congress—Senator Morse, Representative Ullman and their predecessors, to Governor Tom McCall and men who preceded him; the U.S. Forest Service; the Bureau of Land Management; the many State agencies; to the many Oregon people who have devoted days and years of service; to the Willamette Basin Committee from the days of Clyde Williamson down to the present days of Stan Soll; to the dozens of other agencies—and, above all—the taxpayers of the United States who provided the money—we people of Linn County are grateful.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, what is the pending business?

The PRESIDING OFFICER. Order No. 341, S. 1296, the so-called NASA bill to authorize appropriations for research and development, construction of facilities, administrative operations, and for other purposes.

TRANSACTIONS OF ROUTINE BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, before I enter a motion to adjourn, I have been asked by the majority leader to say that following the prayer and the reading of the Journal tomorrow morning, there will be a brief period for the transaction of routine morning business during which messages and committee reports may be received, and Senators may introduce bills and resolutions, make speeches, and transact the usual morning business.

ADJOURNMENT UNTIL 10 O'CLOCK TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, in accordance with the order previously entered, I move that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 22 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, June 28, 1967, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 27, 1967:

U.S. JUDGES

John D. Butzner, Jr., of Virginia to be U.S. circuit judge for the fourth circuit, vice J. Spencer Bell, deceased.

Woodrow W. Jones, of North Carolina, to be U.S. district judge for the western district of North Carolina, vice J. Braxton Craven, Jr., elevated.

SUBVERSIVE ACTIVITIES CONTROL BOARD

Simon F. McHugh, Jr., of the District of Columbia, to be a member of the Subversive Activities Control Board for the remainder of the term expiring April 9, 1972, vice Thomas James Donegan, term expired.

POSTMASTER

I nominate the following-named persons to be postmasters:

CALIFORNIA

Pete G. Salamunovich, Avalon, Calif., in place of H. A. Wegmann, retired.

Laurence R. Saldecke, Crestline, Calif., in place of M. T. Sellers, resigned.

Robert A. Lucas, Jr., Dorris, Calif., in place of N. I. Clark, retired.

Reuben Haas, Imperial Beach, Calif., in place of M. S. Latham, retired.

Jack K. Lewis, San Bernardino, Calif., in place of R. E. Barnette, retired.

Joyce T. Turney, South Pasadena, Calif., in place of J. E. Gold, resigned.

COLORADO

Forrest F. Frasier, Gunnison, Colo., in place of B. H. Snyder, retired.

CONNECTICUT

Ella R. Barrett, Lebanon, Conn., in place of V. P. Kelley, retired.

Joseph J. Perrotta, New Britain, Conn., in place of L. S. Appell, retired.

FLORIDA

George H. Howell, Jr., Fort McCoy, Fla., in place of F. P. Priest, retired.

GEORGIA

Alton R. Ertzberger, Bowersville, Ga., in place of J. A. Johnson, retired.

IDAHO

Mildred T. Poland, Athol, Idaho, in place of L. I. Glasby, retired.

ILLINOIS

Ralph J. Einhorn, Crete, Ill., in place of C. C. Haynes, retired.

Paul E. Tucker, Jerseyville, Ill., in place of A. D. Nelson, deceased.

INDIANA

Walter P. Hoke, Tipton, Ind., in place of R. E. Watson, retired.

IOWA

Delbert W. Floy, Thornton, Iowa, in place of C. M. Hansen, retired.

KANSAS

Jack A. Kirby, Easton, Kans., in place of I. M. Wilson, retired.

MAINE

Clyde A. Richards, Dexter, Maine, in place of R. T. Gilbert, resigned.

Jerald A. Paradis, Scarborough, Maine, in place of F. E. Skillings, Jr., deceased.

Barbara L. Morton, South Casco, Maine, in place of V. G. Blake, retired.

MARYLAND

Donald P. Carrico, Mechanicsville, Md., in place of E. W. Jenkins, retired.

MASSACHUSETTS

Bernard J. Griffin, Bondsville, Mass., in place of M. J. Moriarty, retired.

John S. Poole, Jr., North Eastham, Mass., in place of Raymond Scrivens, retired.

MICHIGAN

Margaret L. Espie, Hanover, Mich., in place of M. O. Baker, resigned.

Zane F. Miller, New Troy, Mich., in place of S. A. Ritchie, retired.

John J. Steimel, Northville, Mich., in place of L. V. Smith, retired.

MINNESOTA

Melvin L. Corneliussen, Comstock, Minn., in place of C. P. Qualley, retired.

Arthur H. Bickel, Dundas, Minn., in place of E. J. Baker, retired.

Joseph W. Kallestad, Frost, Minn., in place of D. C. Underdahl, retired.

Lambert J. Hamerski, Winona, Minn., in place of J. W. Dugan, deceased.

MISSOURI

Warren D. Osburn, Patton, Mo., in place of J. R. Brown, retired.

NEW HAMPSHIRE

Milton B. Paradis, North Stratford, N.H., in place of Lewis Marshall, retired.

NEW JERSEY

William R. Connelly, Jr., Cedar Knolls, N.J., in place of M. G. Gnozzio, retired.

Francis S. Yuresko, Hibernia, N.J., in place of J. A. Yuresko, retired.

NEW YORK

James Hollenbeck, Jr., Candor, N.Y., in place of M. E. Bolton, retired.

Jack H. Hudson, Shushan, N.Y., in place of H. T. Kruse, retired.

NORTH CAROLINA

James M. Bond, Edenton, N.C., in place of J. L. Chestnutt, retired.

Thomas W. Britt, Harrellsville, N.C., in place of J. A. Britt, retired.

Elbert L. Lippard, Kannapolis, N.C., in place of J. M. Koontz, retired.

James R. Speece, Union Grove, N.C., in place of R. F. Rash, retired.

Alvin C. Blalock, Warrenton, N.C., in place of L. S. Daniel, resigned.

OHIO

Harold L. Miller, Mount Cory, Ohio, in place of H. L. Falk, deceased.

OKLAHOMA

Dona L. Smith, Arkoma, Okla., in place of Norma Mitchell, retired.

Howard A. Bailey, Porum, Okla., in place of M. F. Cavender, retired.

Doyle W. Trimm, Stuart, Okla., in place of G. L. Holloway, transferred.

PENNSYLVANIA

Earle P. Hoffman, Gratz, Pa., in place of R. R. Stiely, retired.

Elwood A. Getz, Kresgeville, Pa., in place of LeRoy Keller, Jr., deceased.

Michael Megaludis, Monroeville, Pa., office established 1–14–67.

Jay F. Kesner, Shippenville, Pa., in place of G. L. Williams, retired.

Joseph M. Henry, Union City, Pa., in place of A. L. Bloss, deceased.

RHODE ISLAND

Elizabeth M. Logan, Slatersville, R.I., in place of S. H. Greene, retired.

SOUTH CAROLINA

Mary B. Scheider, Hilton Head Island, S.C., in place of B. M. Milley, retired.

Windell S. Dunning, Santee, S.C., in place of H. E. Felkel, retired.

TEXAS

Thomas R. Davis, Haskell, Tex., in place of H. R. Spain, transferred.

Jenny J. Schooler, Loop, Tex., in place of J. M. Fleming, retired.

William H. Kennedy, Woodsboro, Tex., in place of O. V. Henkhaus, retired.

VERMONT

Arthur S. Jones, Shaftsbury, Vt., in place of A. S. Hawkins, retired.

WASHINGTON

Lucy L. Currie, Indianola, Wash., in place of E. P. Fitzgerald, retired.

Delbert R. Hirschel, Latah, Wash., in place of E. O. Knobel, retired.

WEST VIRGINIA

Thaddeus M. Pritt, Beverly, W. Va., in place of W. H. Hilborn, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 27, 1967:

TAX COURT OF THE UNITED STATES

Leo H. Irwin, of North Carolina, to be a judge of the Tax Court of the United States for the unexpired term of 12 years from June 2, 1958.

C. Moxley Featherston, of Virginia, to be a judge of the Tax Court of the United States for the unexpired term of 12 years from June 2, 1956.

U.S. TARIFF COMMISSION

Bruce E. Clubb, of Virginia, to be a member of the U.S. Tariff Commission for the term expiring June 16, 1971.

WITHDRAWAL

Executive nomination withdrawn from the Senate June 27, 1967:

POSTMASTER

The nomination sent to the Senate on February 21, 1967, of Arnold R. Aklestad to be postmaster at Bigfork in the State of Montana.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 27, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Restore unto me the joy of Thy salvation; and uphold me with Thy free spirit.—Psalm 51: 12.

Eternal God, our Father, our refuge and strength in every hour of need, we come to Thee in this moment of prayer opening our hearts to Thy love, our minds to Thy truth, and our spirits to Thy redeeming grace. Help us to accept our privileges with gratitude, to face our difficulties with courage, and to carry our responsibilities with fidelity.

Deliver us from petty annoyances and pernicious antagonism which corrode the souls of men and pull us down. Help us so to live with the lift of good will in our hearts that life may be better and brighter for us and for all men. Bind us together in one great effort to keep democracy and freedom and faith alive and growing in our day.

God bless America and these leaders of a free people. Give wisdom to these in authority that they may use their power for the welfare of our people and for the well-being of all mankind.

Having done our work faithfully and sincerely may we come to the end of the day unashamed and unafraid and with the peace of a quiet heart. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 4241. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 714. An act to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committees, and members of the credit committee of Federal credit unions.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 805. An act to amend section 202(b) of the Federal Property and Administrative Services Act of 1949;

S. 1542. An act to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies; and

S. 2003. An act to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO FILE CONFERENCE REPORT ON H.R. 2508, CONGRESSIONAL REDISTRICTING STANDARDS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tonight to file a conference report on H.R. 2508, the congressional redistricting standards bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT (R. REPT. NO. 435)

[To accompany H.R. 2508]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2508) to require the establishment, on the basis of the eighteenth and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That section 22 of the Act of June 18, 1929, entitled 'An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives' (46 Stat. 26), as amended, is amended as follows:

"Subsection (c) is amended by striking out all of the language in that subsection and inserting in place thereof the following:

"'(c) In each State entitled in the Ninety-third Congress or in any subsequent Congress to more than one Representative under an apportionment made pursuant to the provisions of subsection (a) of this section, there shall be established by law a number of districts equal to the number of Representatives to which such State is so entitled, and Representatives shall be elected only from districts so established, no district to elect more than one Representative. Each district so established shall at all times be composed of contiguous territory, in as reasonably a compact form as the State finds practicable. The district with the largest population so established shall not exceed by more than 10 per centum the district with the smallest population in the number of persons, excluding Indians not taxed, as determined under the then most recent decennial census, with the further provision that if a State redistricts more than two years after a decennial census, the population requirements specified in this paragraph must be met under a statewide Federal special census conducted pursuant to the provisions of the Act of August 26, 1954, as amended (71 Stat. 481; 13 U.S.C. 8); and said census must be less than two years old at the time of the next election following said redistricting. There shall not be more than one redistricting between decennial censuses unless a particular State constitution requires otherwise.'

"Sec. 2. No State shall be required to redistrict prior to the 19th Federal decennial census unless the results of a special Federal census conducted pursuant to the provisions of the Act of August 26, 1954, as amended (71 Stat. 481; 13 U.S.C. 8), are available for use therein.

"Sec. 3. If any of the provisions of this Act or any amendment made thereby, or the application thereof to any person or circumstance is held invalid, the validity of the remainder of such Act or amendment and the application of such provisions to other persons and circumstances shall not be affected thereby."

Emanuel Celler,
Herbert Tenzer,
Byron G. Rogers,
William M. McCulloch,
Clark MacGregor,
Charles McC. Mathias, Jr.,
Managers on the Part of the House.

James O. Eastland,
John L. McClellan, Jr.,
Samuel J. Ervin, Jr.,
Everett M. Dirksen,
Roman L. Hruska,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2508) to require the establishment, on the basis of the eighteenth and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate passed the House bill after amending it by striking out all after the enacting clause and inserting its own provisions. The Senate insisted upon its amendments and requested a conference; the House then agreed to the conference.

The conference report recommends that the House recede from its disagreement to the Senate amendment to the bill and agree to the same with an amendment, the amendment being to insert, in lieu of the matter proposed to be inserted by the Senate amendment, the matter agreed to by the conferees.

In substance, the conference report is designed to accomplish the following objectives:

1. Provide standards for the establishment of congressional districts for the 93d and subsequent Congresses.

2. Provide that no State shall be required to redistrict prior to the 19th Federal decennial census unless the results of a special Federal census are available for use therein.

3. Provide a severability clause in the event any provision of the Act is held invalid.

Section 1 of the bill as it passed the House provided standards for State legislatures to follow for the 93d and subsequent Congresses. These standards are:

1. When a State is entitled to more than one Representative, there shall be established by law a number of districts equal to the number of authorized Representatives.

2. Representatives shall be elected only from such districts so established, no district to elect more than one Representative. Existing provisions for a Representative at Large are eliminated.

3. Each district shall be composed of contiguous territory, in as reasonably a compact form as the State finds practicable.

4. The district with the largest population shall not exceed by more than 10 per centum the district with the smallest population in number of persons, excluding Indians not taxed.

5. Population shall be based on the then most recent decennial census, but if a State redistricts more than two years after a decennial census, the population figures to be used must be those of a statewide Federal special census conducted pursuant to the provisions of the Act of August 26, 1954 (71 Stat. 481; 13 U.S.C. 8) and said census must be less than two years old at the time of the next election following the redistricting.

6. Unless the particular State constitution requires otherwise, there shall not be more than one redistricting between decennial censuses.

Section 1 of the bill, as amended by the Senate, provided permanent standards for State legislatures to follow in establishing congressional districts. These standards were to be used for the 91st and subsequent Congresses. Appendix E to the minority views in Senate Report No. 291, 90th Congress, 1st session, on page 26, contained the following analysis of differences between the proposed amendment to H.R. 2508 (which subsequently was adopted by the Senate) and the bill as passed by the House, applicable to the permanent standards:

1. One-member districts: No change from House bill, except that temporary exceptions for Hawaii and New Mexico are eliminated.

2. Contiguity: No change except that language is added to make it clear that adjoining insular territory is to be considered contiguous.

3. Compactness: No change except that to avoid any confusion about the reviewability of compliance with this requirement, the reference to the State finding is deleted.

4. Population: The House bill's implicit requirement that districts contain substantially equal populations unless deviations are justified by legitimate and uniformly applied factors is made explicit. The House bill's limit of 10 percent on such deviation is retained.

5. Censuses: The House bill is clarified by making explicit the requirement that, if a decennial census indicates the need for redistricting, the redistricting must take place in time for the first regular election after the year of the census. The amendment retains the House bill's requirement that redistricting for any other election be based on special statewide censuses taken within 2 years before the election to which the redistricting is to apply.

6 Suits: A specific provision is added giving jurisdiction to both Federal and State courts and restricting standing to sue to those meeting the qualifications for voting in the State whose districting is sought to be questioned.

The conference report adopts section 1 as passed by the House.

Section 2 of the bill as it passed the House contained temporary standards for use during the 91st Congress and the 92d Congress. The conferees deleted all of section 2 of the bill as it passed the House and inserted in lieu the provision that no State shall be required to redistrict prior to the 19th Federal decennial census unless the results of a special Federal census conducted pursuant to the Act of August 26, 1954, as amended, are available for use.

The conferees made this change in order to avoid the errors that necessarily must result from use of outdated social statistics obtained in the 18th decennial census conducted in 1960. Changes that have occurred in the structure of the United States population since 1960 are too vast in many instances to permit any reasonable degree of accuracy in establishing district lines on the basis of 1960 census data. The expense and effort involved in congressional redistricting should not be devoted to an enterprise that necessarily in many States must be so inaccurate as to be unreasonable when based on 1960 census data. It is preferable to wait until the 19th decennial data is available if up-dated special census data is not available.

It is to be emphasized that nothing in the conference report prohibits a State from redistricting prior to the 93d Congress if it so elects. The only requirement is that current census data be used if redistricting is to be undertaken.

Section 3 of the bill as recommended by the conferees contains the usual severability clause as recommended by the Senate Judiciary Committee in its report.

Emanuel Celler,
Herbert Tenzer,
Byron G. Rogers,
William M. McCulloch,
Clark MacGregor,
Charles McC. Mathias, Jr.,
Managers on the Part of the House.

ADDITIONAL LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I am glad that the distinguished minority leader is here. I take this time to advise the House that the chairman of the Committee on the Judiciary, the gentleman from New York [Mr. Celler], has advised that he will call up the conference report on the congressional redistricting standards bill tomorrow.

AUTHORIZING PRINTING OF ADDITIONAL COPIES OF "FEDERAL ROLE IN URBAN AFFAIRS" HEARINGS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 391) on the resolution (S. Con. Res. 23) authorizing the printing of additional copies of the hearings entitled "Federal Role in Urban Affairs," and ask for immediate consideration of the resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. Con. Res. 23

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations two thousand additional copies each of parts 1 through 7, inclusive, of the hearings entitled "Federal Role in Urban Affairs," which were held by that committee during the Eighty-ninth Congress, second session.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

TO PRINT A REPORT ENTITLED "MINERAL AND WATER RESOURCES OF ALASKA"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 392) on the Senate concurrent resolution (S. Con. Res. 30) to print a report entitled "Mineral and Water Resources of Alaska," and ask for immediate consideration of the resolution.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 30

Resolved by the Senate (the House of Representatives concurring), That two thousand copies of the committee print entitled "Mineral and Water Resources of Alaska," prepared by the United States Geological Survey and the State of Alaska Department of Natural Resources, be reprinted with illustrations for the Senate Committee on Interior and Insular Affairs.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

TO AUTHORIZE THE PRINTING AS A HOUSE DOCUMENT THE PAMPHLET ENTITLED "OUR FLAG"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 393) on the concurrent resolution (H. Con. Res. 346) to authorize the printing as a House document the pamphlet entitled "Our Flag," and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 346

Resolved by the House of Representatives (the Senate concurring), That the publication entitled "Our Flag", published by the Directorate for Armed Forces Information and Education, Department of Defense, be printed with illustrations as a House document; and that two hundred and nineteen thousand five hundred additional copies be printed for the use of the House of Representatives.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING CERTAIN PRINTING FOR THE SELECT COMMITTEE ON SMALL BUSINESS OF THE HOUSE OF REPRESENTATIVES

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 395) on the concurrent resolution (H. Con. Res. 369) authorizing certain printing for the Select Committee on Small Business of the House of Representatives, and ask for immediate consideration of the concurrent resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 369

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Select Committee on Small Business of the House of Representatives two thousand additional copies of each of its following publications: hearings entitled "Tax-Exempt Foundations: Their Impact on Small Business", Eighty-eighth Congress, second session; committee print entitled "Tax-Exempt Foundations and Charitable Trusts: Their Impact on Our Economy", Eighty-seventh Congress—December 31, 1962; and committee print entitled "Tax-Exempt Foundations and Charitable Trusts: Their Impact on Our Economy—(Third Installment)"—Eighty-eighth Congress—March 20, 1964.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING AS A HOUSE DOCUMENT A REPORT ON "IMPROVED MANPOWER MANAGEMENT IN THE FEDERAL GOVERNMENT, EXAMPLES FOR THE PERIOD JULY–DECEMBER 1966"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 396) on the resolution (H. Res. 446) authorizing the printing as a House document a report on "Improved Manpower Management in the Federal Government, Examples for the Period July–December 1966," and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 446

Resolved, That there shall be printed as a House document a report on "Improved Manpower Management in the Federal Government, Examples for the Period July–December 1966", and that eleven thousand additional copies be printed for the use of the Committee on Post Office and Civil Service, House of Representatives.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF THE SUBCOMMITTEE PRINT ENTITLED "BANK STOCK OWNERSHIP AND CONTROL"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 397) on the resolution (H. Res. 454) authorizing the printing of additional copies of the subcommittee print entitled "Bank Stock Ownership and Control," and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 454

Resolved, That there be printed for the use of the Committee on Banking and Currency, House of Representatives, two thousand additional copies of the subcommittee print entitled "Bank Stock Ownership and Control", prepared by a subcommittee of that committee during the Eighty-ninth Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO AUTHORIZE THE PRINTING OF HEARINGS BY THE AFRICAN SUBCOMMITTEE

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 398) on the resolution (H. Res. 478), as amended, to authorize the printing of hearings by the African Subcommittee, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 478

Resolved, That there shall be printed for the use of the Committee on Foreign Affairs, House of Representatives, two thousand additional copies of part II and two thousand additional copies of part III of the hearings held by the Subcommittee on Africa in March and April 1966 on the subject of "United States-South African Relations."

With the following committee amendments:

On page 1, line 3, strike out "two thousand" and insert in lieu thereof "seven hundred".

On page 1, line 3, strike out "part" and insert in lieu thereof "parts".

On page 1, line 3, and line 4, strike out "two thousand additional copies of part".

The committee amendments were agreed to.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING CERTAIN PRINTING FOR THE COMMITTEE ON VETERANS' AFFAIRS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 394) on the concurrent resolution (H. Con. Res. 348) authorizing certain printing for the Committee on Veterans' Affairs, and ask for immediate consideration of the resolution.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 348

Resolved by the House of Representatives (the Senate concurring), That there shall be printed for the use of the Committee on Veterans' Affairs of the House of Representatives fifty-six thousand one hundred copies of a publication entitled "Summary of Veterans Legislation Reported, Ninetieth Con-Veterans' Affairs of the House of Representatives fifty-six thousand one hundred copies for the use of Members of the House of Representatives.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE PRINTING OF ADDITIONAL COPIES OF WATER POLLUTION HEARINGS

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 399) on the resolution (H. Res. 500) authorizing the printing of additional copies of water pollution hearings, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. RES. 500

Resolved, That there shall be printed for the use of the Committee on Public Works, House of Representatives, one thousand additional copies of "Water Pollution—1967" hearings.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROPOSED RETIREMENT OF THE HONORABLE A. S. HERLONG, JR.

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, I know that I speak the sentiments of the membership of the House of Representatives and its leadership when I express deep and sincere regret at the announcement that my good friend and distinguished colleague, the gentleman from Florida, will retire at the end of his present term in Congress. His has been an outstanding record and Florida looks upon him as one of its most distinguished sons. The importance of his service in Congress is nationally known. He is the only Member of Congress from Florida who has served on the great Committee on Ways and Means. His tenure of service is among the longest in our State's history. His effectiveness as a legislator is recognized and appreciated on both sides of the aisle.

It is my earnest hope—a hope which I am certain is shared not only by the people of his district and of our State but by the membership here as well—that he will reconsider this decision and agree to continue his valuable services in the Congress. He is at the zenith of a great career in public service and it would be most unfortunate from every standpoint if that career were to be terminated now. I sincerely urge that he not insist upon retirement.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that that committee may have until midnight tonight to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AIR NATIONAL GUARD'S 1,000TH FLIGHT MISSION TO VIETNAM

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, on Sunday, June 24, 1967, members of the 172d Military Airlift Group of the Mississippi Air National Guard left Jackson, Miss., carrying out the Air National Guard's 1,000th flight mission to Vietnam.

The flight crew which manned the C–124 Globemaster to Vietnam were Maj. Harold W. Nelson, Capt. Normer L. Gill, Jr., 1st Lt. David E. Crocker, 2d Lt. Donald W. Phillips, M. Sgt. Charles F. Watson, M. Sgt. Charles H. Freeburgh, S. Sgt. James G. Dixon, T. Sgt. Douglas L. Pyron, and S. Sgt. Rock P. Wood.

These men as well as all the members of the 172d are to be commended for their valuable service and contribution to the security of this country. The efforts of the Air National Guard have been of great assistance in the transport of supplies and material to Vietnam.

The performance of these airmen has greatly enhanced the tradition and importance of the citizen soldier. This Nation owes these airmen a great debt of gratitude, and in this small way, I pay tribute to their great service.

QUALIFICATIONS FOR APPOINTMENT TO SUPREME COURT

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, Congress now has the constitutional power to set qualifications for appointment to the Supreme Court. I plan to introduce a bill which will amend the Constitution regarding appointments to the Supreme Court. Today I am introducing legislation which would require a Justice to have had at least 5 years of judicial service as a justice of the United States, a justice or judge of any State court of general jurisdiction, or of any State court having appellate jurisdiction over courts of general jurisdiction.

An appointee would be required to be a natural-born citizen of the United States and for 14 years a resident of a State, territory, possession of the United States, or the District of Columbia.

Mr. Speaker, my bill provides that with a vote of two-thirds of the U.S. Senate these qualifications could be waived. Thus, Mr. Justice Byron White, who is highly respected as an outstanding jurist, could have been confirmed as a Justice by a two-thirds vote of the Senate although Mr. White had no previous judicial service.

Mr. Speaker, there has been much negative criticism of the U.S. Supreme Court in recent years.

There are those who shout "no", "no" at every decision of the Supreme Court and every appointment to the Court without offering any positive alternative, constructive criticism or positive course of action.

Mr. Speaker, I believe the Court has abrogated unto itself legislative power. The Court has written laws and misinterpreted the Constitution in many of its decisions. The whole concept of American jurisprudence has been drastically altered and the entire American form of government is being threatened by some of the decisions of the Supreme Court. The Court is advocating an economic and political philosophy which threatens the foundation upon which our American democracy has flourished and grown.

Law enforcement officials throughout the Nation are hampered in their duty to uphold the law and protect peaceful law abiding citizens by recent decisions. Too much emphasis is being placed on the concept that the criminal must be protected from society rather than protecting society from the criminals. Thus it is no wonder that crime is up while our prison population is down. It is no wonder that crime has increased in the District of Columbia and increased throughout the Nation when criminals are turned loose on society by decisions of our courts. The morale of local law officers is at a low ebb. Citizens are in constant danger of being robbed and attacked on our public streets.

The time is long overdue for Congress to take positive action. Congress can and must require qualifications for appointment to the Supreme Court.

STATEMENTS ON FOREIGN POLICY

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I was rather surprised when I picked up a copy of the U.S. News & World Report today and noticed they had tried to contact Mr. David Ness who was chargé d'affaires for the United States in Cairo 3 months preceding the war in the Mideast.

They were told by a spokesman from the State Department that Mr. Ness had made his last statement on that subject—ever.

Well, I have news for the State Department. As chairman of the Subcommittee on State Department Personnel and Foreign Operations, I am going to have Mr. Ness before my subcommittee and he is going to make quite a few statements on that just as soon as we can get him up here.

I am fed up on the State Department's "no policy—at any time—on anything." They operate from crisis to crisis and their fundamental approach is, "Let the dust settle before we do anything."

In the world we live in, the dust never settles, so consequently the State Department never does anything—and I am not optimistic enough to think that I can stimulate them into doing anything—but I think I can ventilate the Department a little bit and maybe blow out some of the dust.

PERMISSION TO COMMITTEE ON APPROPRIATIONS TO FILE CONFERENCE REPORT ON H.R. 7501—TREASURY AND POST OFFICE APPROPRIATIONS, 1968

Mr. STEED. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a conference report on the bill, H.R. 7501, making appropriations for the Post Office, Treasury, and executive offices, and for other purposes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FOREIGN AID COFFEE AT 3:30 P.M. WEDNESDAY

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I would like to remind my colleagues of the foreign aid coffee to be held tomorrow in room H-139 of the Capitol at 3:30 p.m.

Our guest speaker will be Dr. Widjojo, the personal adviser on economics matters to President Suharto of Indonesia. Dr. Widjojo received his Ph. D. in economics at the University of California and has also studied at the University of Indonesia. Today he is the principal architect of economic stabilization in Indonesia.

I am sure that our session with Dr. Widjojo will be most interesting, and I urge my colleagues to attend.

Place: Room H-139, Capitol.
Date: Wednesday, June 28.
Time: 3:30 p.m.

THE PANAMA CANAL IN JEOPARDY

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, I do not think that I am imposing on you by mentioning again something about the Panama Canal. Now, let me tell you that this is no game for boys. I got into this thing 15 years ago because I am a member of the Appropriations Subcommittee for the Department of Defense.

The Panama Canal is the jugular vein. Do you know what the jugular vein is? The Panama Canal is the jugular vein of hemispheric defense, Northern Hemispheric defense. The Panama is a jugular.

The proposed treaty is all set. The Panamanians are home with a copy in Spanish. I mentioned this last night. The American copy in English is on the President's desk.

The thing you want to worry about is that if the treaty becomes the law of the land by the Senate, and a certain individual, Arias, becomes President of Panama, he will expropriate it. They will have sovereignty. Do you know what an expropriation is? He will expropriate it. They will have sovereignty? Will not that be nice for your jugular vein? Do you know what the Soviet proposes in an internationalization of the Suez Canal, the Panama Canal, the Kiel, the Danube, the waters of the Skagerrak in Scandinavia, the Mallorca Straits? That is the package.

For years, since 1917, the Soviet Union has sought control of the Panama Canal, the Bosporus, and the Dardanelles. They are well on the way.

I appeal to the Members of this House, who constitutionally cannot act on the treaty, that you can write letters. I appeal to you, for heaven's sake. If every Member of this House would write a letter to the President and send a copy to the Secretary of State—I do not know what effect it will have, for it has never been done in history. For years I have introduced a bill to have the Constitution amended to give the House in these modern times the same right to act on treaties that the Senate has. Why not? Why not?

MR. KOSYGIN AND THE PANAMA CANAL

Mr. MICHEL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. TAFT] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. TAFT. Mr. Speaker, yesterday the gentleman from Pennsylvania [Mr. FLOOD] and the gentlewoman from Missouri [Mrs. SULLIVAN] warned of the conclusion of negotiations on a treaty with Panama which would yield sovereignty over the Panama Canal to that nation. As is invariably the case, their information has turned out to be accurate. It has been confirmed by a report from the White House, not yet made public, but shortly the terms will be presented to the Senate for ratification. I cannot say, along with the distinguished gentleman from Pennsylvania, that I never wanted to be in the Senate; but I would like to share in his feeling that along with a host of Members from this House, I wish that I could participate in a review of the action to be proposed there in this connection.

While final judgment must be based upon the terms of the agreement that has been concluded, it is particularly unfortunate, in my opinion, that such a step should be proposed at this time when the Middle East crisis has raised complicating factors about international access to waterways and when Mr. Kosygin has inappropriately left the United States and flown directly to the center of Communist subversive activity in this hemisphere. This visit by the Russian leader to Havana cannot be written off. It indicates the continuing danger of Communist subversion throughout Latin America. Obviously, in the past and in the future, the strategic nature of the Panama Canal has made and will continue to make it a prime target for such subversion.

As long as U.S. sovereignty has been maintained, the defense of the canal has been a matter of proper and appropriate U.S. concern backed by a legal and binding international agreement that all nations were constrained to recognize. Once yielding our sovereignty, however, we put ourselves in the position for cries of "imperialism and interference" against any step that we may take to repel a Communist threat to the canal.

Let us hope that the Senate will look hard and long at the implications for the future that would result from a treaty which yields sovereignty.

MONKEY BUSINESS IN THE PENTAGON

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, I rise today to report that there is monkey business in the Pentagon. I was most surprised to discover that the Defense Department is spending $215,000 to buy monkeys to use for medical experimentation. I was more surprised when I found that they are buying 3,879 monkeys compared with only 3,549 monkeys purchased by the National Institutes of Health. Now, we are appropriating $1.17 billion for NIH. I do not know just why the Pentagon has expanded its role into the health and medical field, when NIH is constantly searching for new projects to spend the extra money this Congress votes it each year above the budget. I am certain that with both agencies monkeying around in the same field there must be some duplication of effort and consequently waste.

There is one bright note in this discovery, however. While I am sure many Members of Congress have long suspected that there is a sizable simian population in the Pentagon, I am equally sure that it comes as a great relief to learn that they are being used for medical research. For a long time, many of us have been fearful that these monkeys had been trained to operate all those computers across the river.

TRAINING OF NATIONAL GUARD UNITS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, apparently the Secretary of Defense has not learned any lessons from the recent events which occurred in the Middle East. Everyone is familiar with the fact that Russia gave to the United Arab Republic untold numbers of military tanks which produced no benefits whatsoever, because the men who manned them did not know how to start, operate, or use them.

It has just come to my attention that at the present time the Secretary of Defense is having members of the National Guard, who are attached to armored units in their own States, trained in light infantry drills, and if their National

Guard is ever called into active duty these men will have had absolutely no training whatsoever in handling the equipment to which they have been assigned. In fact they will not know how to start the tanks, let alone drive them and use the weapons mounted in them.

It is about time that somebody lets the men in the Pentagon, who know military tactics, handle training, and not the "quizz kids" from Detroit.

J. ARTHUR YOUNGER

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, one of our colleagues, the gentleman from California, Mr. Younger, has departed this physical life. His constituents, whom he served well, and his Nation, which he loved dearly, will miss him. As one who was privileged to know him only a short while, I shall always cherish his friendship, respect his integrity, and admire his example. My memory of him shall be one of my prized possessions—something not lost by death.

Some Members were unable to hear the fitting eulogy of his pastor, Dr. W. Paul Ludwig, of the Chevy Chase Presbyterian Church, Washington, D.C. Therefore, with your unanimous approval, I include the eulogy offered at his memorial service.

Eulogies by Members are scheduled for Thursday, July 13, 1967.

In Gratitude for J. Arthur Younger

(By Dr. W. Paul Ludwig, June 23, 1967)

When our fathers brought forth on this continent a new nation, they established it not alone upon verbalized political doctrine. While it is true that no country on earth or in any age has produced such stirring documents of national faith as have we, these alone have not made us great.

"O God, beneath Thy guiding hand
Our exiled fathers crossed the sea;
And when they trod the wintry strand,
With prayer and psalm they worshiped Thee.

"Thou heardest, well pleased, the song, the prayer;
Thy blessing came; and still its power
Shall onward, through all ages, bear
The memory of that holy hour.

"Laws, freedom, truth, and faith in God
Came with those exiles o'er the waves;
And, where their pilgrim feet have trod,
The God they trusted guards their graves.

"And here Thy name, O God of love,
Their children's children shall adore,
Till these eternal hills remove,
And spring adorns the earth no more."
—Leonard Bacon.

To a unique degree, unmatched in history, our affirmations have sprung from experience, not mere hope and they were cast into form by spiritual pragmatists not by academic technicians.

It will be instantly recognized in this distinguished company, that what I say about the spiritual stature of our nation's founders has been seen and known among us in these latter years. Governments are made by people and great governments are made by great people like Arthur Younger.

My gratitude will never cease that my 14 years in Washington have coincided with those of this eminent statesman. It has been no less than exciting to witness the life of a man who made his office of state a sanctuary for all that has been sacred in the noblest traditions of our nation and of our faith.

So long as Arthur Younger's personality pervaded the halls of Congress, there was never any question about the supremacy of integrity, industry and fair play.

He was so unequivocally devoted to his country's welfare, that his personal interests were habitually submerged. Indeed, he appeared always to be seeking new ways to declare his love for the nation, as if just to be an American made one a debtor to a degree that could never be adequately paid.

Often it is said that a pastor has no pastor to supply his own spiritual needs. This is not literally true. For me, at least, Congressman Younger fulfilled that role. As a totally committed churchman and sensitive Christian, he conveyed his love and encouragement to those who give their lives to the church. The faithfulness and spiritual grace which he and Mrs. Younger have shown here in this house of worship through the years leaves a vision of dedication which we shall long cherish.

It is not timely here to recount his skills as a legislator, as a pioneer and as a prophet. These, his constituents and his colleagues know full well. His record is distinguished and his service is a proud chapter in the annals of Congress.

But those who knew him best, his family, his staff, his friends, some of us who worshipped with him—will remember and thank God that in him preachments and practice were one thing, promises and fulfillment, creed and life—all one! This was a man!—a man of God—a man for America!

CALL OF THE HOUSE

Mr. CONTE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 155]

Ashbrook
Ashley
Berry
Blatnik
Bow
Bray
Conyers
Diggs
Evins, Tenn.
Fallon
Friedel
Garmatz
Giaimo
Hansen, Wash.
Hébert
Ichord
Kastenmeier
Kluczynski
Landrum
Long, Md.
Machen
Moore
Murphy, N.Y.
O'Hara, Mich.
O'Neill, Mass.
Pepper
Rhodes, Ariz.
Roberts
Rooney, N.Y.
Roush
St. Onge
Sisk
Smith, N.Y.
Taft
Thompson, N.J.
Tuck
Ullman
Utt
Williams, Miss.
Williams, Pa.
Willis

The SPEAKER pro tempore (Mr. Edmondson). On this rollcall 392 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

GHETTOS MUST BE ELIMINATED

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, when this body was considering appropriations for the model cities program last month, I made an appeal for full restoration of funds in the amount of $400 million as requested by the administration. At that time I stated:

> It [Model Cities Program] is a straightforward attempt to remove the cancerous slums of our cities which feed crime, delinquency, and disease, and drain our local governments of the strength needed to progress as they should.

Much to my dismay, this appeal went unheeded and funds for this very vital program were not provided in the amounts necessary to effectually implement plans to "remove the cancerous slums of our cities." The funds, as a matter of fact, were slashed by over 60 percent.

While the ax was out, all funds for fiscal year 1968 were cut for the rent supplement program, a program which provided this Nation with a bold and imaginative plan of departure from the ghetto-like public housing projects of the past which only served to isolate their occupants from the rest of the community. In the words of Secretary Weaver of the Department of Housing and Urban Development:

> It was a major step toward denying decent housing to 200,000 Americans.

Thus, Mr. Speaker, we managed, in effect, to pull the rug from beneath two very important programs that could ultimately serve to remove the ghettos that cast such an ugly shadow across the land.

Now we turn our attention to antiriot legislation in an effort to cope with civil disorder, the causes of which are rooted in the very ghettos that the model cities and rent supplement programs endeavor to remove.

If the civil disorder that looms over the Nation each summer and threatens the well-being of our Nation continually is to be eliminated, we must eliminate the ghettos that are its breeding ground. It will not be removed by the enactment of antiriot legislation alone.

This point has been well manifested in an editorial that appeared in the June 26 edition of the Providence Journal, which I would now like to insert into the Record:

Futile Exercise

The anti-riot legislation rushed through the House judiciary subcommittee represents a classic exercise in futility by a Congress which has refused to come to grips with the root causes of civil disorder.

The bill would make it a federal crime to cross state lines with intent to "incite, organize, promote or encourage" a riot. Violators would be subject to fines up to $10,000, prison terms of up to five years, or both.

It would be naive to ignore the fact that there is a small minority of individuals hell-bent for violent revolt in the ghettos. But there already are state and local laws to deal with these people—and proving "intent" under the federal legislation would be difficult indeed.

The anti-riot bill is based on a simplistic conspiracy notion. If the agitators did not exist, goes this theory, the Harlems, Watts and Roxburys would be gardens of peace and tranquillity. However, all the evidence of past riots shows that an "outside" soap box orator is not needed to trip off a ruckus.

All that is needed is a steaming ghetto, a catalytic incident, and the shooting, arson and looting begins. The inescapable point is that most of the incidents would not have created the slightest stir in neighborhoods that were not already riot-prone.

What makes the ghettos riot-prone? The champions of the anti-riot bill could discover a large part of the answer if they would deign to stroll through their streets and catalogue the unemployment, human crowding, inadequate housing, low incomes, and other disadvantages.

Ironically, the Congress which is showing such keen interest in the bill (nearly 100 anti-riot bills have been filed), is the same Congress which has displayed marked disinterest in rent subsidies, the National Teacher Corps, model cities and other legislation aimed at removing the imbalances between the ghettos and the rest of society.

Instead, this Congress is desperately grasping for a simple, superficial "solution." By doing so, it demonstrates that it has not learned by one iota the lessons of the riots.

HIGHER EDUCATION ACT OF 1965

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 10943) to amend and extend title V of the Higher Education Act of 1965.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 10943, with Mr. VANIK in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read the first section ending on page 1, line 8, of the bill. If there are no amendments to this section, the Clerk will read.

The Clerk read as follows:

AMENDMENTS TO PART A (GENERAL PROVISIONS) OF TITLE V OF HIGHER EDUCATION ACT OF 1965

SEC. 2. Title V of the Higher Education Act of 1965 is amended by—

(a) striking out "TEACHER PROGRAMS" in the heading of such title and inserting in lieu thereof "EDUCATION PROFESSIONS DEVELOPMENT";

(b) redesignating section 502 as section 508; and

(c) striking out section 501 and inserting in lieu thereof the following sections:

"STATEMENT OF PURPOSE

"SEC. 501. The purpose of this title is to improve the quality of teaching and to help meet critical shortages of adequately trained educational personnel by (1) developing information on the actual needs for educational personnel, both present and long range, (2) providing a broad range of high quality training and retraining opportunities, responsive to changing manpower needs; (3) attracting a greater number of qualified persons into the teaching profession; (4) attracting persons who can stimulate creativity in the arts and other skills to undertake short-term or long-term assignments in education; and (5) helping to make educational personnel training programs more responsive to the needs of the schools and colleges.

"NATIONAL ADVISORY COUNCIL ON EDUCATION PROFESSIONS DEVELOPMENT

"SEC. 502. (a) The President shall, within ninety days after the enactment of this Act, appoint a National Advisory Council on Education Professions Development (hereafter in this section referred to as the 'Council'), for the purpose of reviewing the operation of this title and of all other Federal programs for the training and development of educational personnel, and evaluating their effectiveness in meeting needs for additional educational personnel, and in achieving improved quality in training programs as evidenced in the competency of the persons receiving such training when entering positions in the field of education. The Council shall, in addition, advise the Secretary and the Commissioner with respect to policy matters arising in the administration of this title and any other matters, relating to the purposes of this title, on which their advice may be requested.

"(b) The Council shall be appointed by the President, without regard to the civil service and classification laws, and shall consist of fifteen persons. The members, one of whom shall be designated by the President as Chairman, shall include persons broadly representative of the fields of education, the arts, the sciences, and the humanities, and of the general public, and a majority of them shall be engaged in teaching or in the education of teachers.

"(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to educational personnel training) to the President and the Congress not later than January 31 of each calendar year beginning after the enactment of this Act. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.

"(d) Members of the Council who are not in the regular full-time employ of the United States shall, while serving on the business of the Council, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day (or, if higher, the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code), including traveltime, and, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(e) The Council may appoint and fix the compensation of such employees as it deems necessary. The Council is authorized to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code.

"(f) There is authorized to be appropriated to carry out this section the sum of $100,000 for the fiscal year ending June 30, 1968, and the sum of $200,000 for each of the two succeeding fiscal years.

"APPRAISING EDUCATION PERSONNEL NEEDS

"SEC. 503. (a) The Commissioner shall from time to time appraise the Nation's existing and future personnel needs in the field of education, including preschool programs, elementary and secondary education, vocational and technical education, adult education, and higher education, and the adequacy of the Nation's efforts to meet these needs. In developing information relating to educational personnel needs, the Commissioner shall consult with, and make maximum utilization of statistical and other related information of, the Department of Labor, the National Science Foundation, the National Foundation on the Arts and the Humanities, State educational agencies, State employment security agencies, and other appropriate public and private agencies.

"(b) The Commissioner shall prepare and publish annually a report on the education professions, in which he shall present in detail his views on the state of the education professions and the trends which he discerns with respect to the future complexion of programs of education throughout the Nation and the needs for well-educated personnel to staff such programs. The report shall indicate the Commissioner's plans concerning the allocation of Federal assistance under this title in relation to the plans and programs of other Federal agencies.

"ATTRACTING QUALIFIED PERSONS TO THE FIELD OF EDUCATION

"SEC. 504. (a) The Commissioner is authorized to make grants to, or contracts with, State or local educational agencies, institutions of higher education, or other public or nonprofit agencies, organizations, or institutions, and he is authorized to enter into contracts with private agencies, institutions, or organizations when he, after consultation with the National Advisory Council on Education Professions Development, considers such contract will make an especially significant contribution to attaining the objectives of this section, for the purpose of—

"(1) identifying capable youth in secondary schools who may be interested in careers in education and encouraging them to pursue postsecondary education in preparation for such careers;

"(2) publicizing available opportunities for careers in the field of education;

"(3) encouraging qualified persons to enter or reenter the field of education; or

"(4) encouraging artists, craftsmen, artisans, scientists, and persons from other professions and vocations, and homemakers to undertake teaching or related assignments on a part-time basis or for temporary periods.

"(b) There is authorized to be appropriated to carry out this section the sum of $2,500,000 for the fiscal year ending June 30, 1969, and the sum of $5,000,000 for the fiscal year ending June 30, 1970.

"CONSULTATION

"SEC. 505. In the development and review of grant and contract programs under this title the Commissioner shall consult with the National Science Foundation and the National Foundation on the Arts and the Humanities to promote coordinated planning of programs to train educational personnel.

"TRANSFER OF FUNDS

"SEC. 506. In addition to the authority for utilization of other agencies conferred by section 803(b) of this Act, funds available to the Commissioner for grants or contracts under this title shall, with the approval of the Secretary, be available for transfer to any other Federal agency for use (in accordance with an interagency agreement) by such agency (alone or in combination with funds of that agency) for purposes for which such transferred funds could be otherwise expended by the Commissioner under the provisions of this title, and the Commissioner is likewise authorized to accept and expend funds of any other Federal agency for use under this title.

"EXPERTS AND CONSULTANTS

"SEC. 507. The Commissioner may employ experts and consultants, as authorized by section 3109 of title 5, United States Code, to advise him with respect to the making of grants and contracts and the approving of programs under this title. Experts and consultants employed pursuant to this section may be compensated while so employed at rates not in excess of $100 per day (or, if higher, the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code), including traveltime, and, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently."

AMENDMENTS TO PART B OF TITLE V OF THE HIGHER EDUCATION ACT OF 1965

SEC. 3. (a)(1) Part B of title V of the Higher Education Act of 1965 is amended by striking out the heading thereof and inserting the following:

"PART B—ATTRACTING AND QUALIFYING TEACHERS

"Subpart 1—Teacher Corps"

(2) The heading of section 512 of such Act is amended by striking out "National".

(3) Part B of such title V is further amended by striking out "part" each place it appears and inserting in lieu thereof "subpart".

(4) Section 512 of such Act is amended by striking out "National Teacher Corps (hereinafter referred to as the 'Teacher Corps')" and inserting in lieu thereof "Teacher Corps".

(b) Section 511(b) of the Higher Education Act of 1965 is amended by striking out "and" after "June 30, 1966," and by inserting the following immediately before the period at the end of such subsection: ", $33,000,000 for the fiscal year ending June 30, 1968, $46,000,000 for the fiscal year ending June 30, 1969, and $56,000,000 for the fiscal year ending June 30, 1970, respectively; and there are further authorized to be appropriated such sums for the fiscal year ending June 30, 1971, as may be necessary to enable any teacher-intern who has not completed his program of practical and academic training to continue such program for a period of not more than one additional year".

(c) Section 513(a) of such Act is amended to read as follows:

"SEC. 513. (a) For the purpose of carrying out this subpart, the Commissioner is authorized to—

"(1) enter into contracts or other arrangements with institutions of higher education or local educational agencies under which they will recruit, select, and enroll in the Teacher Corps for periods of up to two years, experienced teachers, persons who have a bachelor's degree or its equivalent, and persons who have successfully completed two years of a program for which credit is given toward a baccalaureate degree;

"(2) enter into arrangements, through grants or contracts, with institutions of higher education or local educational agencies (upon approval in either case by the appropriate State educational agency) or with State educational agencies to provide members of the Teacher Corps with such training as the Commissioner may deem appropriate to carry out the purpose of this subpart, including not more than three months of training for members before they undertake their teaching duties under this subpart;

"(3) enter into arrangements (including the payment of the cost of such arrangements) with local educational agencies upon approval by the appropriate State educational agency and, after consultation in appropriate cases with institutions of higher education, to furnish to local educational agencies, for service during regular or summer sessions, or both, in the schools of such agencies in areas having concentrations of children from low-income families, teaching teams, each of which shall consist of an experienced teacher and a number of teacher-interns who, in addition to teaching duties, shall be afforded time by the local educational agency for a teacher-intern training program carried out under the guidance of an experienced teacher in cooperation with an institution of higher education;

"(4) pay to local educational agencies such part of the amount of the compensation which such agencies pay to or on behalf of members of the Teacher Corps assigned to them pursuant to arrangements made pursuant to the preceding clause as may be agreed upon after consideration of their ability to pay such compensation, but not in excess of 90 per centum thereof, except that, in exceptional cases, the Commissioner may provide more than 90 per centum of such compensation during the first year of any agency's participation in the program;

"(5) make available technical assistance to local educational agencies and institutions of higher education for carrying out arrangements entered into under clause (1);

"(6) acquaint qualified persons of teaching opportunities and needs in disadvantaged areas and encourage qualified persons to apply to appropriate educational agencies or institutions for enrollment in the Teacher Corps; and

"(7) accept and employ in the furtherance of the purpose of this subpart (A) voluntary and uncompensated services notwithstanding the provisions of section 3679(b) of the Revised Statutes, as amended (31 U.S.C. 665(b)), and (B) any money or property (real, personal, or mixed, tangible or intangible) received by gift, devise, bequest, or otherwise."

(d) Section 513(b) of such Act is amended by striking out "graduate" and inserting in lieu thereof "appropriate".

(e) Section 513(c) of such Act is amended to read as follows:

"(c)(1) Whenever the Commissioner determines that the demand for the services of members of the Teacher Corps exceeds the number available, he shall allocate the number of members of the Teacher Corps who are available among the States in accordance with paragraph (2).

"(2) Not to exceed 2 per centum of the number of members of the Teacher Corps who are available shall be allocated to Puerto Rico and the Virgin Islands according to their respective needs. The remainder of such number of Teacher Corps members shall be allocated among the States so that the number of members available to any State shall bear the same ratio to the number being allocated as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children so enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him. For purposes of this subsection, the term 'State' shall not include Puerto Rico or the Virgin Islands.

"(3) If the Commissioner determines that a State will not require the number of Teacher Corps members allocated to it under paragraph (2), he shall, from time to time, reallot the number not required, on such dates as he may fix, to other States in proportion to the original allocation to such States under paragraph (2), but with such proportionate number for any of such other States being reduced to the extent it exceeds the number the Commissioner determines such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallocated among the States whose proportionate numbers were not so reduced."

(f) The first sentence of section 513(c)(2) of such Act is amended by striking out "2 per centum" and inserting in lieu thereof "3 per centum", and by striking out "Puerto Rico, and the Virgin Islands" and inserting in lieu thereof "Puerto Rico, the Virgin Islands, and elementary and secondary schools operated for Indian children by the Department of the Interior,".

(g)(1) Section 514(a) of such Act is amended by striking out paragraphs (1), (2), and (3), and inserting in lieu thereof the following:

"(1) an experienced teacher who is leading a teaching team shall be compensated at a rate agreed to by such agency and the Commissioner; and

"(2) a teacher-intern shall be compensated at a rate which is equal to the lowest rate paid by such agency for teaching full time in the school system and grade to which the intern is assigned, or $75 per week plus $15 per week for each dependent, whichever is less."

(2) The amendment made by this subsection shall not apply to any person enrolled in the Teacher Corps before the date of enactment of this Act.

(h) Section 515 of such Act is amended by adding at the end thereof the following new subsection:

"(d) Members of the Teacher Corps shall not be eligible to receive payment of a student loan under title II of the National Defense Education Act of 1958 or of an educational opportunity grant under title IV of this Act."

(i) Part B of title V of such Act is amended by adding at the end thereof the following new section:

"TEACHING CHILDREN OF MIGRATORY AGRICULTURAL WORKERS

"SEC. 518. For purposes of this part the term 'local educational agency' includes any State educational agency or other public or private nonprofit agency which provides a program or project designed to meet the special educational needs of migratory children of migratory agricultural workers, and any reference in this part to (1) teaching in the schools of a local educational agency includes teaching in any such program or project and (2) 'migratory children of migratory agricultural workers' shall be deemed to continue to refer to such children for a period, not in excess of five years, during which they reside in the area served by the local educational agency."

NEW SUBPART ADDED TO PART B OF TITLE V OF THE HIGHER EDUCATION ACT OF 1967

SEC. 4. Part B of title V of the Higher Education Act of 1965 in amended by inserting at the end thereof (after the section added by section 3(i) of this Act) the following:

"Subpart 2—Attracting and Qualifying Teachers To Meet Critical Teacher Shortages

"APPROPRIATIONS AUTHORIZED

"SEC. 551. (a) The Commissioner shall carry out during the fiscal year ending June 30, 1969, and the succeeding fiscal year, a program for making grants to States to enable them to support the efforts of local communities experiencing critical teacher shortages to (1) attract to teaching persons in the community who have been otherwise engaged and to provide them, through short-term intensive training program and subsequent in-service training, with the qualifications necessary for a successful career in teaching, and (2) obtain the services of teacher aides and provide them with the necessary training with a view to increasing the effectiveness of classroom teachers.

"(b) For the purpose of making grants under this subpart, there are hereby authorized to be appropriated the sum of $50,000,000 for the fiscal year ending June 30, 1969, and $65,000,000 for the fiscal year ending June 30, 1970.

"ALLOTMENT TO STATES

"SEC. 552. (a) From the sums appropriated pursuant to section 551(a), the Commissioner shall reserve such amount, but not in excess of 3 per centum thereof, as he may determine and shall allot such amount among Puerto Rico, Guam, American Samoa, the Virgin Islands, the Canal Zone, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this subpart. From the remainder of such sums, the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children enrolled in the public and private elementary and secondary schools of that

State bears to the total number of children so enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him. For purposes of this subsection, the term 'State' shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Canal Zone, and the Trust Territory of the Pacific Islands.

"(b) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amounts reallotted to a State under this subsection during a year from funds appropriated pursuant to section 551 shall be deemed part of its allotment under subsection (a) for such year.

"STATE PLANS

"SEC. 553. (a) Any State which desires to receive grants under this subpart shall submit to the commissioner through its State educational agency, a State plan, in such detail as the Commissioner deems necessary, which—

"(1) designates the State educational agency as the sole State agency for administration of the State plan;

"(2) sets forth a program under which funds paid to the State from its allotment under section 552 will be expended solely for (A) programs of local educational agencies to attract to teaching, persons in the community who have been otherwise engaged and to provide short-term intensive training and subsequent in-service training to qualify such persons for teaching, (B) programs of such agencies to obtain the services of teacher aides and to provide them with the preservice or in-service training they need to perform their duties as teacher aides, and (C) administration of the State plan, except that the amount used for administration of the State plan for any fiscal year shall not exceed an amount equal to 3 per centum of the amount paid to the State under this subpart for that year;

"(3) provides assurance that every local educational agency whose application for funds under the plan is denied will be given an opportunity for a fair hearing before the State educational agency;

"(4) sets for the policies and procedures to be followed in allocating Federal funds to local educational agencies in the State, which policies and procedures shall ensure that such funds will be allocated to local educational agencies having the most urgent need for teachers and teacher aides;

"(5) provides that training under a program described in paragraph (2)(A) will be provided only to persons who will, upon completion of their short-term training, have the qualifications for teaching in elementary or secondary schools in the community, and that training under a program described in paragraph (2)(B) will be provided only to persons who show promise of being able with appropriate training to serve competently as a teacher aide;

"(6) provides assurances that not more than one-third of the sums expended under this Act will be used to support programs described in paragraph (2)(B);

"(7) provides assurance that no person will be denied admission to training programs carried on under this subpart because he is preparing to teach or serve as a teacher aide in a private school;

"(8) sets forth policies and procedures designed to assure that Federal funds made available under this subpart for any fiscal year will be so used as to supplement, and not supplant, funds which are available from State or local sources for purposes for which grants may be made under this subpart;

"(9) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including any such funds paid by the State to any other public agency) under this subpart; and

"(10) provides for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this subpart, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"(b) The Commissioner shall approve any State plan and any modification thereof which complies with the provisions of subsection (a).

"PAYMENTS TO STATES

"SEC. 554. From the amounts allotted to each State under section 552 the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. Such payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"ADMINISTRATION OF STATE PLANS

"SEC. 555. (a) The Commissioner shall not finally disapprove any State plan submitted under this subpart or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing.

"(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to such State agency, finds—

"(1) that the State plan has been so changed that it no longer complies with the provisions of section 553(a), or

"(2) that in the administration of the plan there is a failure to comply substantially with any such provisions,

the Commissioner shall notify such State agency that the State will not be regarded as eligible to participate in the program under this subpart until he is satisfied that there is no longer any such failure to comply.

"JUDICIAL REVIEW

"SEC. 556. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 503 520(a) or with his final action under section 506 (b), such State may, within sixty days after notice of such action. file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code."

EXTENDING TEACHER FELLOWSHIP PROGRAM TO INCLUDE GRADUATE EDUCATION FOR PRESCHOOL AND ADULT AND VOCATIONAL EDUCATION PERSONNEL

SEC. 5. (a) The heading of part C of title V of the Higher Education Act of 1965 is amended by inserting "AND RELATED EDUCATIONAL PERSONNEL" after "FELLOWSHIPS FOR TEACHERS".

(b)(1) The first sentence of section 521 of the Higher Education Act of 1965 is amended (A) by striking out "elementary and secondary schools" and inserting in lieu thereof "schools", and (B) by inserting "or postsecondary vocational education" after "career in elementary or secondary education".

(2) The second sentence of such section is amended by striking out "teacher education programs" and inserting in lieu thereof "programs for the education of teachers and related educational personnel".

(3)(A) So much of the third sentence of such section as precedes the first comma therein is amended to read as follows: "For the purposes of this part the term 'elementary and secondary education' includes preschool and adult and vocational education, and the term 'career in elementary and secondary education or postsecondary vocational education' means a career of teaching in elementary or secondary schools (including teaching in preschool and adult and vocational education programs) or in postsecondary vocational schools"; (B) the words "elementary or secondary schools", the second time these words occur in such third sentence, are changed to read "such schools"; and (C) the following is inserted in such sentence before the comma after "educational media": "(including educational and instructional television and radio), child development".

(c) Section 522 of such Act is amended to read as follows:

"FELLOWSHIPS AUTHORIZED

"SEC. 522. The Commissioner is authorized to award fellowships in accordance with the provisions of this part for graduate study leading to an advanced degree for persons who are pursuing or plan to pursue a career in elementary and secondary education or postsecondary vocational education."

(d)(1) Paragraph (1) of section 523 of such Act is amended by striking out "Advisory Council on Quality Teacher Preparation" and inserting in lieu thereof "National Advisory Council on Education Professions Development".

(2) Paragraph (2) of such section is amended by inserting "or postsecondary vocational schools" after "elementary or secondary schools"; inserting "or postsecondary vocational education" after "elementary or secondary education", and amending the term "career in elementary and secondary education", each time such term occurs, to read "career in elementary and secondary education or postsecondary vocational education".

(e)(1) Section 524(b) of such Act is amended to read as follows:

"(b) For the purpose of obtaining an appropriate geographical distribution of high-quality programs for the training of personnel for elementary or secondary education, the Commissioner is authorized to make grants to and contracts with institutions of higher education to pay part of the cost of developing or strengthening graduate programs which meet or, as a result of assistance received under this subsection will be enabled to meet, the requirements of subsection (a)."

(2) Subsection (c) of section 524 is repealed.

(f) Subsection (b) of section 525 is amended to read as follows:

"(b) The Commissioner shall (in addition to the stipends paid to persons under subsection (a)) pay to the institution of higher education at which such person is pursuing his course of study such amount as the Commissioner may determine to be appropriate, not to exceed the equivalent of $2,500 per academic year, but any amount charged such person for tuition and nonrefundable fees and deposits shall be deducted from the amount payable to the institution of higher education under this subsection."

(g) Section 528 of such Act is amended by inserting after "June 30, 1968," the following: "$195,000,000 for the fiscal year ending June 30, 1969, and $240,000,000 for the fiscal year ending June 30, 1970,".

NEW PARTS ADDED TO TITLE V OF HIGHER EDUCATION ACT OF 1965

Sec. 6. Title V of the Higher Education Act of 1965 is further amended by adding the following new parts at the end thereof:

"Part D—Improving Training Opportunities for Personnel Serving in Programs of Education Other Than Higher Education

"ADVANCED TRAINING AND RETRAINING

"Sec. 531. (a) The Commissioner is authorized to make grants to, or contracts with, institutions of higher education and State educational agencies, and to make grants to, or contracts with, local educational agencies if, after consultation with the State educational agency, such State agency is satisfied that the program or project will be coordinated with programs carried on under part B, for carrying out programs or projects to improve the qualifications of persons who are serving or preparing to serve in educational programs in elementary and secondary schools (including preschool and adult and vocational education programs) or postsecondary vocational schools or to supervise or train persons so serving.

"(b) Programs or projects under this section may include, among others—

"(1) programs or projects to train or retrain teachers, or supervisors or trainers of teachers, in any subject generally taught in the schools;

"(2) programs or projects to train or retrain other educational personnel in such fields as guidance and counseling (including occupational counseling), school social work, child psychology, remedial speech and reading, child development, and educational media (including educational or instructional television or radio);

"(3) programs or projects to train teacher aides and other nonprofessional educational personnel;

"(4) programs or projects to provide training and preparation for persons participating in educational programs for children of preschool age;

"(5) programs or projects to prepare teachers and other educational personnel to meet the special needs of the socially, culturally, and economically disadvantaged;

"(6) programs or projects to prepare teachers and other educational personnel to meet the special needs of exceptionally gifted students;

"(7) programs or projects to train or retrain persons engaging in programs of special education for the handicapped;

"(8) programs or projects to provide inservice and other training and preparation for school administrators;

"(9) programs or projects to prepare artists, craftsmen, scientists, artisans, or persons from other professions or vocations, or homemakers to teach or otherwise assist in programs or projects of education on a long-term, short-term, or part-time basis.

"(c) Grants or contracts under this section may provide for use of funds received thereunder only to pay the cost of—

"(1) short-term or regular-session institutes; or

"(2) other preservice and inservice training programs or projects designed to improve the qualifications of persons entering and reentering the field of elementary and secondary education or postsecondary vocational education, except that funds may not be used for seminars, symposia, workshops or conferences unless these are part of a continuing program of inservice or preservice training.

"(d) The Commissioner many include in the terms of any grant or contract under this section provisions authorizing the payment, to persons participating in training programs supported under this section, of such stipends (including allowances for subsistence and other expenses for such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs.

"APPROPRIATIONS AUTHORIZED

"Sec. 532. There is authorized to be appropriated to carry out this part the sum of $70,000,000 for the fiscal year ending June 30, 1969, and the sum of $90,000,000 for the fiscal year ending June 30, 1970.

"Part E—Training and Developing Programs for Higher Education Personnel

"PROGRAMS AND PROJECTS

"Sec. 541. (a) The Commissioner is authorized to make grants to, or contracts with, institutions of higher education to assist them in training persons who are serving or preparing to serve as teachers, administrators, or educational specialists in institutions of higher education.

"(b) Grants or contracts under this section may provide for use of funds received thereunder only to assist in covering the cost of courses of training or study (including short-term or regular-session institutes and other preservice and inservice training programs) for such persons, and for establishing and maintaining fellowships or traineeships, except that funds may not be used for fellowships which are eligible for support under title IV of the National Defense Education Act of 1958, or for seminars, conferences, symposia, and workshops unless these are part of a continuing program of inservice or preservice training.

"(c) The Commissioner may make a grant to or enter into a contract with an institution of higher education only upon application by the institution and only upon his finding that such program will substantially improve educational opportunities throughout the Nation for training for persons who have or are preparing to undertake teaching or administrative responsibilities in institutions of higher education or the responsibilities of an educational specialist in such institution.

"STIPENDS

"Sec. 542. The Commissioner may include in the terms of any arrangement with an institution of higher education under this part provisions authorizing the payment, to persons participating in training programs supported under this part, of such stipends (including allowances for subsistence and other expenses for such persons and their dependents) as he may determine, which shall be consistent with prevailing practices under comparable federally supported programs.

"APPROPRIATIONS AUTHORIZED

"Sec. 543. There is authorized to be appropriated to carry out this part the sum of $21,500,000 for the fiscal year ending June 30, 1969, and the sum of $36,000,000 for the fiscal year ending June 30, 1970."

LIMITATIONS

Sec. 7. The Higher Education Act of 1965 is further amended by inserting before the period at the end of section 508 (as redesignated by section 2(b) of this Act) the following words: "or training for a religious vocation or to teach theological subjects".

SHORT TITLE OF TITLE V OF HIGHER EDUCATION ACT OF 1965

Sec. 8. Title V of the Higher Education Act of 1965, as amended by this Act, is further amended by adding at the end of part A thereof the following new section:

"SHORT TITLE

"Sec. 509. This title may be cited as the 'Education Professions Development Act'."

EFFECTIVE DATES

Sec. 9. (a) The amendments to title V of the Higher Education Act of 1965 made by the foregoing sections of this Act shall be effective with respect to fiscal years beginning after June 30, 1968, except that the following amendments made by this Act shall take effect on the date of enactment of this Act:

(1) The redesignation of section numbers made by section 2 of this Act.

(2) The repeal (by section 2(c) of this Act) of section 501 of title V of the Higher Education Act of 1965 (which provides for an Advisory Council on Quality Teacher Preparation) and the enactment, in lieu thereof, of section 501 (Statement of Purpose) and section 502 (National Advisory Council on Education Professions Development) of such title; and the conforming amendment to section 523(1) of such title V made by section 5(d)(1) of this Act.

(3) The enactment (by section 2(c) of this Act) of section 507 of title V of the Higher Education Act of 1965 (relating to experts and consultants), and the concomitant repeal (by section 5(e) of this Act) of subsection (c) of section 524 of such title V.

(4) The amendments made by section 3, 7, and 8 of this Act.

(b) Nothing in this section shall be construed to preclude advance planning and dissemination of information by the Commissioner of Education with respect to amendments the effective date of which is deferred by this section.

Mr. PERKINS (interrupting the reading). Mr. Chairman, I ask unanimous consent that H.R. 10943 be considered as read, printed in the Record, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that the committee amendments be considered as read and be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The committee amendments are as follows:

On page 3, line 4, strike out the word "Act" and insert "section,".

On page 4, line 8, strike out the word "Act" and insert "section".

On page 4, line 15, strike ou the word "Secretary" and insert "President".

On page 12, line 21, insert the word "a" before the word "graduate", and on page 12, line 22, after the word "thereof" insert the word "an".

On page 13, line 2, after the word "shall," insert "to the extent practicable,".

On page 15, line 16, strike out "518" and insert "517A.".

On page 16, line 7, strike out "in" and insert "is".

On page 16, line 12, strike out "551" and insert "518".

On page 16, line 19, strike out "program" and insert "programs".

On page 17, line 4, strike out "552" and insert "519", and on page 17, line 5, strike out "551" and insert "518".

On page 18, line 13, strike out "551" and insert "519", and on page 18, line 16, strike out "553" and insert "520".

On page 18, line 17, strike out "commissioner" and insert "Commissioner".

On page 18, line 25, strike out "552" and insert "520".

On page 21, line 14, strike out "554" and insert "520A", and on page 21, line 15, strike out "552" and insert "519".

On page 21, line 22, strike out "555" and insert "520B".

On page 22, line 8, strike out "553" and insert "520".

On page 22, line 17, strike out "556" and insert "520C".

On page 22, line 19, strike out "503" and insert "520", and on line 20 strike out "506" and insert "520B".

On page 29, line 20, strike out "many" and insert "may".

On page 30, line 9, strike out the words "And Developing".

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

AMENDMENT OFFERED BY MR. GURNEY

Mr. GURNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GURNEY: On page 9, beginning on line 7, strike out everything through "“Subpart 2—" in line 9, page 16.

Mr. GURNEY. Mr. Chairman, this amendment strikes the Teachers Corps part of this bill from the bill. First of all, I believe it would be worthwhile to review for a moment here the checkered career of the Teachers Corps. As we will recall, this idea first came into the bill in 1965. Actually, it was the idea of two Members of the other body. No hearings were ever held on the Teachers Corps when the Higher Education Act was before the House for amendment in 1965, but after scant hearings on the other side of the Congress, the Teachers Corps was inserted. Then, when the bill went to conference, it came back to this House with the Teachers Corps in it.

In the 89th Congress—which was a rather unusual Congress for accepting almost anything that the administration wanted—we here in the House accepted this Teachers Corps in conference.

Immediately it became a great source of controversy. As a matter of fact, when it was first sought to be funded in that year, the Appropriations Committee turned it down in the first supplemental bill. In the second supplemental bill, it squeaked by with an appropriation, as I recall, of $9.5 million. It went over to the Senate and came back with $7.5 million. That got it going.

Last year it was omitted from the appropriations bill entirely. This House refused to fund the Teachers Corps. But again it went over to the Senate and came back with a small appropriation to keep it going. Now, this year, when the elementary and secondary school bill came to the House floor, we will recall it had the Teachers Corps in it. As a matter of fact, it got so controversial that the administration and the people handling the bill on the other side of the aisle could not decide who would get the hot cookie to handle, so they split it between the elementary and secondary and the higher education bills. That compromise did not work. It got stricken out of the higher education bill. It is here today.

It has been dressed up somewhat, I am sorry to say, because my side of the aisle has helped put a dress of respectability on this Teachers Corps and has redirected it now from a national recruitment picture, which it had before, and which this House did not want, into something we call States rights and local rights, to make it more palatable to my side of the aisle.

But make no mistake, Members of the House of Representatives, whatever the dress of respectability, it still is the miniskirt and the bikini bathing suit of the Great Society—in other words a Teachers Corps, a federally oriented elite group of teachers financed by Federal money.

Now, even I would say that if it retained the character that is in this bill, we could probably live with it. But who has ever seen a Federal program remain the same once we give the bureaucrats a chance to get their hands on it and use it as a tool and work it over.

Of all the agencies involved, I would say this House does not need any further argument as to what a bureaucracy and a bureaucratic group will do with a piece of legislation than this particular one, the Office of Education, headed by Commissioner Harold Howe.

I would have thought we would have had enough experience in the House of Representatives with Mr. Howe and his group down the avenue to be very reluctant to go ahead with this Teachers Corps idea, because I believe that essentially what is going to happen, from the small pilot beginning we would here authorize—to be sure, for a worthy purpose—will soon be as everything else is down in that Office, under the domination of the Commissioner of Education.

Let me read from the language of the bill itself, on page 10. It says:

> The Commissioner is authorized to enter into contracts or other arrangements with institutions of higher education or local educational agencies under which they will recruit, select, and enroll in the Teacher Corps.

It is true that there is some local control over it, but nonetheless the Commissioner himself will make the contracts and other arrangements.

The CHAIRMAN. The time of the gentleman from Florida has expired.

(By unanimous consent, Mr. GURNEY was allowed to proceed for 3 additional minutes.)

Mr. GURNEY. Then, in the second subsection of the authority granted to the Commissioner under the bill, let me read this language, which says that the Commissioner is authorized to "enter into arrangements, through grants or contracts, with institutions of higher education or local educational agencies"—and now I come to the language I want the Members to listen to closely—"to provide members of the Teacher Corps with such training as the Commissioner may deem appropriate to carry out the purpose of this subpart."

Who is going to call the shots under this legislation? Will it be the House of Representatives, or will it be Commissioner Howe in the Office of Education?

Mr. TIERNAN. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from Rhode Island.

Mr. TIERNAN. I should like to ask the gentleman whether or not there are any of the Teachers Corps operating in his district at this time?

Mr. GURNEY. No, I do not believe there are any.

Mr. TIERNAN. Has the gentleman had an opportunity to see the Teachers Corps in operation at all?

Mr. GURNEY. No. I have not had any opportunity to do so.

I cannot yield to the gentleman further, because I have only an additional minute or so.

Mr. TIERNAN. I would be willing to ask that the gentleman be given additional time.

Mr. GURNEY. I do not believe it really matters how effective or how useful the Teachers Corps is. There is nothing wrong with the basic idea at all. Certainly we all realize the teacher shortage, especially in the ghetto areas, for the disadvantaged children.

That is not the point I am trying to make.

The point I seek to make is, once we give the Federal Government a foothold in the door to federally finance a Teachers Corps, a group of federally financed teachers, this is the danger we run into.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from Illinois.

Mr. ARENDS. I am very pleased that the gentleman has made this clear statement as to what is involved in this amendment. I recall so clearly over the past years that a great Speaker of the House of Representatives, Sam Rayburn, stood fast in opposition to Federal participation in the teaching profession. He stood firm in his conviction during the years and we were able to stop such Federal control.

I hope that again today we shall have an opportunity to vote on this principle.

I support the amendment the gentleman from Florida has offered, and I trust it will carry.

Mr. GURNEY. I thank the gentleman from Illinois for his support.

I have one last point, Mr. Chairman. We already have on the statute books two very fine programs, the NDEA teacher institutes and the fellowship programs. These programs are already hard at work in this very area of training teachers to work in the disadvantaged areas.

This summer there are scores of institutes doing exactly this sort of thing.

Had the Office of Education been so concerned as they say they are, they could have well expanded both those programs, which have been going for some time, and they would not have needed the Teachers Corps. But, of course, there is a little bit of difference in the idea in the Teachers Corps, and that is to involve the Federal Government in an elite National Teachers Corps group with central, Federal motivation.

I hope the House will reject this part of the bill.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment. The district of the gentleman who just preceded me in the well, is the beneficiary of Public Laws 815 and 874, impacted area funds. The gentleman knows also that there is a problem in the impoverished areas of the country in retaining good teachers. The problem is not as great in the more affluent areas where they are able to pay better salaries.

If it is fair to receive Public Laws 815 and 874 funds in flourishing districts in Florida, it certainly should be fair to receive funds to recruit and train teachers for the impoverished rural districts and the impoverished city districts throughout the country. This is the purpose of the Teachers Corps program.

We are just getting this program off the ground. The program should be expanded. Many programs under the Elementary and Secondary Education Act are handicapped because these areas have difficulties in acquiring qualified personnel. Everyone is competing for the best teachers. We must bear in mind that the Teachers Corps is not intended to supplant the regular teaching staff. The intention is to supplement. We are trying to give these areas an opportunity to provide training, special training for potential teachers, and to come up with a program that will provide for individual or specialized attention to disadvantaged children. That is what the Teachers Corps will assist in doing. There is no conflict with the training institutes. That program is for people who are already in the teaching profession or those who are preparing to become teachers. However, here we are involved in trying to attract teachers to the areas that are in greatest need. The training in the Teachers Corps program is continuous. It supports preservice training and inservice continuous training.

It is the purpose of the program to recruit, and we need to recruit, more teachers for the disadvantaged areas. The purpose is to attract young college graduates, in most instances those who may have studied not for teaching but have majored in history or art or some other subject to teaching in disadvantaged areas.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from California.

Mr. BELL. I certainly agree with what the gentleman in the well is saying. I just want to ask him a couple of questions. Did we not hold hearings on the Teachers Corps in the elementary and secondary education hearings?

Mr. PERKINS. That is correct.

Mr. BELL. Regarding the Teachers Corps?

Mr. PERKINS. That is correct. And it has been highly successful throughout the country. Everyone in the educational community I have talked to have endorsed the program.

Mr. BELL. In addition to that, the gentleman who was previously in the well, the gentleman from Florida [Mr. GURNEY] indicated that the Commissioner must make arrangements for the Teachers Corps program. The Commissioner does participate, but is it not true that he must have the known concurrence of the State and local organizations involved?

Mr. PERKINS. Yes, on training programs and programs to use members of the Corps in local districts.

Mr. BELL. It is very much of a local program.

Mr. PERKINS. Recruitment, enrollment, and selection, could be done at the local level by the local educational agency and the college or university involved.

Mr. BELL. I would like to state I see no Federal control at all or any such activity in any way, shape, or form in this bill.

Mr. PERKINS. There is no Federal control involved in the Teachers Corps. It is a local program to meet local needs in impoverished areas of the country. It would be a great mistake to strike this section from the bill.

Mr. BELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think one of the points that has been brought up—and I think it cannot be overemphasized—is the importance of the deprived areas and their need for teachers, the crying need for teachers in these areas.

Mr. Chairman, there was nothing that was brought out more clearly in the hearings of the Committee on Education and Labor than the importance of the ability to find teachers who would serve in these deprived areas. In some cases these areas are quite dangerous, as there were some cases of actual physical violence attempted on teachers by students.

So, Mr. Chairman, it is very difficult to find teachers who would take on this type of job.

Mr. Chairman, there is another important thing to remember in connection with the consideration of this legislation, and that is that the Teachers Corps is specifically designed for use in the poverty areas of the country.

Mr. Chairman, many speakers during the course of the debate have referred to Federal aid to education and the dangers connected therewith. We always have some individuals who talk about the fear of Federal control of our educational system.

However, I might point out the fact that we have had the impacted areas aid program since the early 1950's and now we have the Elementary and Secondary Education Act in existence. Not one individual who testified at our committee hearings indicated—and there were very many important witnesses who testified before the committee—not one of them indicated that there was any Federal control over any educational system on the part of the Federal Government to direct, unnecessarily, the activities of the local school areas.

Mr. Chairman, it is my opinion that this is a very important bill. It is my further opinion that the Teachers Corps is a very vital instrumentality to our entire educational system. Realistically, two points were brought out with reference to our local educational system, one of which is the need for teachers, and the other is the need for the construction of school buildings and facilities.

Mr. Chairman, in my opinion it is important to remember that we are at the crossroads. This is a vital area. The Teachers Corps is a very necessary thing and we do, without dispute, need adequate teachers in this country.

Mr. REID of New York. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from New York.

Mr. REID of New York. Mr. Chairman, I concur strongly in what the gentleman from California [Mr. BELL] has said. The support of the Teachers Corps is vital to and basic to the future of our cities. Without the Teachers Corps and its innovative programs going into some of the disadvantaged areas there will not be the sense of community and school involvement that is absolutely essential to the future of the disadvantaged children.

Mr. Chairman, Mayor Lindsay wrote Secretary Gardner a little while back with reference to the Teachers Corps, saying this:

> At New York University, Hofstra, Hunter, and Queens College, working in neighborhood store front voter registration drives, clean-up campaigns, after school music classes, and extra language training, the interns have refused to accept the bounds of a text-book definition of teaching. They have helped their students by helping their community, and they have brought new hope to children who too often give up in school because they believe the schools have given up on them.

Mr. Chairman, I have witnessed a commitment and the sense of total involvement of the Teachers Corps in New York City and around the Nation, in bringing to students, parents, faculty and schools as a whole, as well as to the overall community, one of the most helpful programs that we have.

Mr. Chairman, I believe that this amendment should be defeated and the Congress should give a resounding vote of confidence to the Teachers Corps once and for all.

Mr. Chairman, I thank the gentleman from California for yielding.

Mr. BELL. Mr. Chairman, the entire purpose of programs of Federal aid to education are to deal with and operate within the poverty areas that exist throughout this country. It is my opinion that that is the one thing toward which we of the Congress are striving. However, the real job behind the program of aid to education and the real challenge is to provide the personnel with which to do the job in these poverty areas.

Mrs. GREEN of Oregon. Mr. Chairman, I rise in opposition to the amendment, and move to strike the requisite number of words.

Mr. Chairman, as I stated before, I am opposed to the amendment which has been offered by the gentleman from Florida. The Teachers Corps, as it is presented to the House in this bill, has no chance of having any Federal control. It is a local program, designed and carried out by local authorities to meet local needs.

Mr. Chairman, may I say to my friend from Florida that the Federal Government is trying several different ways to attract teachers to the teaching profession through fellowships, through traineeships, and through institutes.

The National Science Foundation has various programs to try to improve the quality of instruction and to get more people in the teaching profession.

Mr. Chairman, this legislation in my judgment has no more chance of Federal control of teachers, with the amendments that have been put into the bill by the subcommittee and the full committee, than does the program to pay for teachers under the Federal impacted-area legislation or the Federal funds that go into the fellowship program, or the Federal funds that go into the institute program, or any one of a half dozen other programs.

This committee, in discussing the bill yesterday, pointed out several major changes, major amendments that were made to the Teachers Corps provisions in the bill. The local district is responsible for the recruitment, training, and selection of experienced teachers and teacher trainees. No Teachers Corps interns or experienced teachers will go into any school district unless that district requests them. The district will pay part of the salary or stipend as the teacher-trainee teaches in that district.

Now, Mr. Chairman, what is this program really all about? It is designed for two things. First, to try to attract more teachers to the teaching profession, and, second, to try to focus on those areas where it is most difficult to retain teachers, those areas where there is a high concentration of disadvantaged youngsters, youngsters who come from low-income families.

The amount of money that is involved in this is very, very small, somewhat over $36 million—$33 million in this present authorization, and $3.8 million that has been approved by the Committee on Appropriations contingent upon extension of the authority of the program.

Mr. Chairman, it seems to me that what is really at stake here is whether we are going to be concerned about these disadvantaged youngsters who live in the ghettos and who are going to overcrowded school systems and to schools where there simply are not enough teachers to do the job. The superintendent of schools in North Carolina some time ago made the statement that every generation must decide for itself whether it is going to pay for the education of the boy or the ignorance of the man. This program is designed to provide for the education of the boy so that in later years we will not have to pay many times as much in a completely federally run Job Corps, or some other federally administered program, and at a much, much higher cost. This is what it is all about, whether we are going to provide decent education for the youngsters who are most disadvantaged, whether we are going to do our level best to attract teachers who will teach in these areas.

So, Mr. Chairman, I would hope this House would overwhelmingly vote down the amendment that has been offered by the gentleman from Florida.

Mr. QUIE. Mr. Chairman, I rise in opposition to the amendment, and move to strike the requisite number of words.

Mr. Chairman, let us review history a little bit and see why this House was so opposed to the Teachers Corps in the last Congress, and in the beginning of this Congress.

One of the biggest reasons why the House was opposed to it was that the House never passed the Teachers Corps but, rather, the Senate passed it, and it came back to the House in conference.

The House Committee on Education and Labor had had only 1 day of hearing on the Teachers Corps, and only one person came to testify, the Senator from Wisconsin, who was the author. And this was the reaction of the House against a bill going through in which it had not had an opportunity to work its will. That is one reason why it was opposed to the Teachers Corps.

But then looking at the merits of the bill and finding it passed, we saw that it gave undue authority to the U.S. Commissioner of Education to set up a National Teachers Corps, to recruit, select, and enroll them, and, therefore, giving an esprit de corps as though none of the rest of the teachers in the country were dedicated or volunteers or were giving themselves to children who needed the help of specially trained individuals. I know too many dedicated teachers to believe that only Corps members are so motivated.

The second thing that was wrong with it was that the Federal Government was supposed to pay 100 percent of the cost of the Teachers Corps. Even the compensation for the teachers and interns for the time that they spend working in a local school. I don't believe the Federal Government should pay 100 percent of the salaries of local employees.

Those are two big reasons for opposition. This year there is another reason added to it, which was the transfer from the Higher Education Act and from the Education Professions Development Act to the elementary and secondary schools. But all of that has changed. This year the House Committee on Education and Labor made a thorough study of the Teachers Corps. The House sent back to the committee the Teachers Corps when it was included in the Elementary and Secondary Education bill so that we could include it in title V of the Higher Education Act which will now be the Education Professions Development Act. We removed the authority from the Commissioner to recruit, select, and enroll Corps members. We leave that to the institutions of higher learning and the local school districts and we require every school district to pay at least 10 percent of the compensation of interns and teachers—except for exceptional cases. If it is possible, the local school shall pay the whole amount of the Corps members' compensation. The requirement in the bill is that the Federal Government can pay up to 90 percent, but the Commissioner has the responsibility to secure as much as possible up to 100 percent of the compensation from the local education agencies.

I talked to Mr. Graham, Director of the Teachers Corps, who will be administering this bill, and he has given me the assurance that they will try to get as much money from each school district as they possibly can. I know it can be done because there is a program very similar to this with no Federal money in St. Thomas College in St. Paul, Minn., where the interns work in the public school system in St. Paul, Minn. The public school makes payments for the interns' compensation. I know that it can be done here. The requirement of local participation is now in the legislation. I believe that makes it a worthwhile venture very comparable to the institute program and to the fellowship program of this bill which we have accepted before in NDEA and HEA of 1965 and which will fit very well in the Government effort to stimulate the training of teachers for three purposes:

To bring new people into the teaching professions who had not planned on teaching when in college; second, to give special training in problems of the socially and culturally deprived child, which is so desperately needed; and third, to use the intern method of training.

I think these three concepts are good. They are wrapped up in this legislation and, therefore, I ask you to retain this measure which now has the title of "Teachers Corps." If we changed the title name, perhaps the reaction opposition would not be the same for some.

Mr. GURNEY. The gentleman from Minnesota has made the statement that under this Teachers Corps bill, as written here, the local educational agency would do the recruiting and the selecting of the Teachers Corps.

Mr. QUIE. And the institutions of higher education.

Mr. GURNEY. That is true to a certain extent. But is it not also true that the language says the Commissioner is authorized to enter into contracts or other arrangements with these institutions and local educational agencies for this recruitment? If that is the case, will not the Commissioner have a good deal to do with the writing of the contract or the making of the arrangements—and if he wanted to, could he not select the institutions that he wants to deal with—or the local educational agencies? Can he not press forward with those whom he may find to be compliant to his wishes and can he not drag his heels with those that he may not find to be compliant with his wishes?

The point I am making is that it seems to me we still have a good deal of authority in the hands of the Commissioner. Will the gentleman speak to that point?

Mr. QUIE. I will say to the gentleman that any time the Federal Government makes money available, it has to do it through an administrative agency in the executive department.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. QUIE] has expired.

Mr. WHITTEN. Mr. Chairman, I ask unanimous consent that the getnleman may proceed for 5 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. QUIE. As I say, it would have to be done through an administrative agency—in this case the U.S. Office of Education and the U.S. Commissioner of Education, just as the act now provides.

First, he now has authority to make grants for fellowships and institutes, and he selects the institution of higher learning through which they would be made. The same would be true in the case of the Teachers Corps. I do not think there would be any difference from the institutes or the fellowship programs. The Commissioner cannot tell a local education agency or an institution of higher learning who they can recruit, select, or enroll in their teacher intern training program.

Mr. WHITTEN. My questions are directed along the same line. I had the experience of participating in three hearings before the Commissioner of Education or, rather, a hearing examiner. I am certain I am correct that the Congress, including the committee, had no intention of turning over direction of the local schools to the Commissioner of Education. When the Congress adopted the amendment of the gentleman from North Carolina prohibiting busing, freedom of choice was completely legal. That procedure was being followed and it was not felt that there was any necessity to prohibit any action in that area.

Now, may I say to the gentleman, the act of 1965 quite clearly gives local control, in my opinion, in the way that the committee has tried once again to be sure we have local control. But in these hearings in which I participated, notwithstanding the intent of Congress and the clear intent, not only by the committee on the House side but also by the floor manager in the Senate, the Commissioner has been exercising full and complete control by refusing to approve a local offer until the local people came up with what they desired in the first instance. It went so far, if I may say to the gentleman, that Dr. Henderson, representative of the Commissioner, went on to say what he would have done in a particular school had he been in charge, and he said he would not have recommended its approval if they had done like he would have done.

Having had the experience where they have exercised control by turning thumbs down on every offer by the local people, could the gentleman give us any flat assurance or any statement at this point as to the clear intent of the committee so that we will not find the Department running this by indirection as they quite clearly are running the local schools in the other case?

Mr. QUIE. I would say to the gentleman that this bill now differs from the law which was passed in the previous Congress in that the States could do the same thing. They could refuse any Teachers Corps program that the Commissioner set up of which they did not approve.

Mr. WHITTEN. In the meantime they would do without the Federal money.

Mr. QUIE. Without the Federal money.

Mr. WHITTEN. That is what I say.

Mr. QUIE. In this case the Commissioner would withhold aid from the institution of higher learning and school if the local school did not conform with the purposes of this act; he can withhold the aid.

Mr. WHITTEN. If that is the case, there is no question that we need to vote this out. I do not think the committee intended that in the other instance.

Mr. QUIE. My own understanding of any program is that if a local political subdivision which can qualify for Federal aid does not comply with guidelines, the head of the administering agency has the jurisdiction to withhold the funds.

Mr. WHITTEN. You are saying it left-handedly. What you are saying is, if I may ask, that the Commissioner can say, "No," unless the proposal suits him.

Mr. QUIE. I would say that is correct.

Mr. WHITTEN. So there is no local control.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Missouri.

Mr. CURTIS. Do the committee hearings show that there was any demand on the part of the local communities for this Teachers Corps, or does this idea emanate from Washington?

Mr. QUIE. There is a great demand, but I think we have to recognize that when the Federal Government pays this great percentage, the demand would be there. I think you always have to discount demand to that extent. But for the help in training people to reach the culturally and socially deprived, there is a tremendous demand for that in the ghetto schools of the cities. They need people who have the training to reach these children, and that does not come naturally.

Mr. CURTIS. The evidence before your committee indicates that certain school boards in the larger cities have pointed to this need and have requested Federal assistance; is that correct?

Mr. QUIE. That is my understanding from the hearings.

Mr. CURTIS. I thank the gentleman.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Florida.

Mr. GURNEY. I would like to pursue this idea of demand that has been raised for these Teachers Corps members. My recollection is that the hearings showed that in the State of New Jersey—and I would expect that probably they have these problems as any other State—there is a demand this year under the Teachers Corps for 3 interns.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CASEY. Mr. Chairman, I move to strike the requisite number of words.

I have listened to some of this debate and I am still a little confused about the Teachers Corps. I would like to pose some questions to someone who might be able to answer them for me. My understanding from my discussions with Mr. Graham is that the Teachers Corps interns are not teachers.

They are an effort to train specialized teachers by reason of having them work for a school, doing—as Mr. Graham said—whatever the school requests them to do part of the day, and going to school the rest of the day. In turn, they are paid a starting salary equal to what a regular teacher gets. They are paid, in addition, subsistence for dependents, and they are also furnished the additional education at the expense of the program to train them further for hard core teaching projects.

I would like to ask any member of the Committee: Have I stated it pretty accurately?

Mrs. GREEN of Oregon. Yes. Mr. Chairman, I will say to the gentleman I believe he has. They are teachers in training. The purpose is to try to provide teachers for those areas where there is a high concentration of youngsters from low-income families, in some of the most depressed areas of our country.

Mr. CASEY. I understand.

Mrs. GREEN of Oregon. These areas are having difficulty finding teachers. One purpose is to help find such teachers. The gentleman is correct in terms of what they are paid. They are paid the lowest salary in that school district or $75 a week plus dependency allowance, whichever is less.

Mr. CASEY. My understanding of it is this: There is nothing to assure that these people are coming back to the teaching profession after they finish 1 or 2 years of this program at the expense of the program, and, if they do, whether they will actually go into the hard core areas we are talking about. Is there?

Mrs. GREEN of Oregon. There is no absolute assurance. We do not ask them to sign a contract that they will come back. In the screening of the teacher-interns, we try to find dedicated people who want to teach in these areas.

May I say to the gentleman, there is no more assurance from a person who receives a fellowship from the National Science Foundation—and there we pay all his education—that he will for the rest of his life be a scientist. The same applies with respect to the trainees at military academies. We ask them to serve for 4 or 5 years. There is no assurance they will spend the rest of their lives in the military service.

Mr. CASEY. That is true, but they do have obligations of 4 years from the Naval Academy and 5 years from the Air Force.

Mrs. GREEN of Oregon. Many of them leave before that, too. There is no assurance the Air Force pilots we train for the military service will be Air Force pilots the rest of their lives.

Mr. CASEY. The gentlewoman has made her point. But we have a Teachers Corps intern who will come into a school district, and he will get the same salary as a teacher who is already serving in that area, plus subsistence for dependents, and plus additional education. I believe we are going to create dissension in the school districts.

Mrs. GREEN of Oregon. May I say we have made major changes in that. The legislation is not the same as it was last year. They do start at the lowest salary or at $75 a week plus dependency allowance, whichever is less.

Mr. CASEY. I understand.

Mrs. GREEN of Oregon. They are teaching. This is an intern program. The trainees are actually rendering a service, far more than in the other programs—in the National Science Foundation programs, for instance.

Mr. CASEY. Can the gentlewoman tell me what they do in the schools? Mr. Graham did not tell me. He said they do whatever the school wants them to do.

Mrs. GREEN of Oregon. They are actually acting as teachers in the schools. They supplement the regular teaching staff and do not supplant regular teachers.

Mr. CASEY. He told me they were not teachers. He told me they were not replacing teachers. They were not filling in any teacher's position. I asked him if they will help a child with his homework if he has problems. He said it may be that.

Mrs. GREEN of Oregon. The law says they may not take the place of a teacher who would be hired by the school district. They are to be additional teachers in these areas of high concentration of disadvantaged children and high concentration of problems.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mrs. GREEN of Oregon, and by unanimous consent, Mr. CASEY was allowed to proceed for 5 additional minutes.)

Mrs. GREEN of Oregon. Mr. Chairman, we have such a tremendous number of problems in these areas, and we are simply going to have to find ways to meet them. This is an experiment. I do not know whether it is going to meet all the needs, but I do say it is certainly worth many, many times the amount of money we are putting into it.

If I may say so, I talked to the distinguished chairman of the Armed Services Committee this morning.

We were talking about a prototype plane that is to be built. He told me that that prototype plane would cost more than $100 million.

I said to him, "Is it going to work?" He said, "Of course, that is the purpose, to find out. We do not know whether it will work or not." I asked, "Is there a chance that that $100 million will go down the drain and that we will not have anything as the result?" He said, "Yes, there is that chance, but we think it is worth taking that chance, because we need to experiment."

May I say to my colleagues in the House and to my friend from Texas, we also need to experiment in this desperately urgent field of education. We have similar problems clear across the country. Unless we do some experimentation and unless we do something to try new ways, we will not have any better success with the problems of the youngsters 10 years from now than we are having today.

I suggest that we spend this money and try to find ways to attract teachers to work with these most difficult children.

Mr. CASEY. I will say to the gentlewoman, there has been some improvement in this section of the bill. I have been on both sides of this. I voted against it the first time, and then I said, "Let us give it a chance."

Then I got to talking with the director, and I could not pin anything down as to what they were doing specifically.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. CASEY. I yield to the gentleman from Florida.

Mr. GURNEY. I thank the gentleman for yielding.

The gentleman from Texas posed the question, What assurance do we have that any of these teachers or interns—and there are two classes of instructors here—will go back to the districts?

Mr. CASEY. Wait a minute. I yielded for a question, not for an extended statement. Additional time has been given to me.

Mr. GURNEY. Yes. I am not going to make a speech, except to tell the gentleman that the evidence showed within the Teachers Corps in the first year there was an attrition rate, a dropout rate, of 21 percent of the team leaders and 26 percent of the interns. I thought the gentleman would be interested in that information.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. CASEY. I yield to the gentleman from Kentucky.

Mr. PERKINS. I say to the gentleman in the well, we have to consider how the Teachers Corps has worked in the past. It is true that no one gives any assurance or signs a contract as to how long he is going to remain in the teaching profession. But most of these interns, these are college graduates and have baccalaureate degrees. All those who have been recruited have baccalaurate degrees.

They have not majored in education, in most instances, but their willingness to serve in specialized training for education assignments indicates a dedication to the teaching service and a determination to embark upon a career in this field. I am confident that a high percentage of the interns will remain in teaching, and many, many will continue to serve in schools serving disadvantaged students.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

(On request of Mr. PERKINS, and by unanimous consent, Mr. CASEY was allowed to proceed for 2 additional minutes.)

Mr. PERKINS. The point is that these college graduates who have majored in other fields, if they are dedicated enough to go into the disadvantaged areas, to work in a slum school, I feel they will remain in the teaching profession for a long time. They are taking training to qualify them for this particular type of work, and I am sure they will continue in this work. I believe it is fair to assume that they are going to make a great and continued contribution in the field of education. The idea that they are just going to work for a degree, to me does not make sense. These are dedicated people, or they would never have joined the program.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. CASEY. I yield to the gentleman from California.

Mr. HANNA. I believe there is a pattern of an approach in this kind of a problem which is familiar to us. When there were shortages in the nursing field, we encouraged nurses' aides. A nurse's aide obviously takes a burden off the nurse, and does some of the things the nurse would do, without being a nurse.

I would believe that in the stage of these Teachers Corps people, they will take a part of the load, and in the inception this will be somewhat analogous to what the nurse's aide does for the nurse. They will go on to become full teachers, we all hope.

Mr. Chairman, I thank the gentleman for yielding to me.

Mr. PERKINS. I think I ought to clear up one thing. These interns serve as teachers.

Mr. CASEY. They are teachers, you say?

Mr. PERKINS. Yes. They serve as teachers.

Mr. CASEY. Then, you had better tell the director of the program that, because he does not say it.

Mr. PERKINS. All we have to do is read the language in this bill. They provide services over and above the regular teachers so that individual attention may be given to the youngsters who really need individual attention. Also they are in training all the time they are in the classroom. Also they attend classes at cooperating colleges or universities. In my opinion, they will become some of the best teachers with the experience and guidance they receive as members of the Corps. They bring that experience and training firsthand to disadvantaged children they work with. So in my judgment they are making a contribution that is invaluable. We should be talking about expanding the Teachers Corps rather than trying to say it should be eliminated.

Mr. CASEY. I thank the committee members for their contributions.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 2:15 p.m.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. GURNEY. Mr. Chairman, reserving the right to object, I wonder if we could proceed a little further. Actually, this is the heart of the bill and when this amendment is over there will not be too much struggle from here on.

Mr. PERKINS. Mr. Chairman, could we agree on 2:30?

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. ERLENBORN].

Mr. ERLENBORN. Mr. Chairman, I think there were good reasons for Members of this House to oppose the Teachers Corps 2 years ago and last year, but

I think that the work of the Committee on Education and Labor and its subcommittee removed most, if not all, of those reasons.

One of the principal objections, I think, to the Teachers Corps was the fact that we were placing a "made in Washington" label or stamp on these people working in the Teachers Corps. We were somehow holding them up as those who were dedicated and by inference saying others who had voluntarily entered the education service as teachers other than through the Teachers Corps somehow or other did not have the same motivation and were not quite as good. I think the removal of the overpowering influence of the Office of Education accomplished by provisions in this bill will be a great improvement in the Teachers Corps.

As a matter of fact, Mr. Chairman, if we had gone one step further and changed the name so that it was no longer called the Teachers Corps, it might not receive as much opposition on the floor as it has today.

Mr. Chairman, I have opposed the Teachers Corps in the past, but I feel that a good job has been done by the committee on the bill now under debate, a job which has made this a workable program and I am pleased to support it.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. BRADEMAS].

Mr. BRADEMAS. Mr. Chairman, I rise in opposition to the amendment which has been offered by the gentleman from Florida.

Mr. Chairman, one of the significant facts during the course of hearings that we conducted on this legislation—and I find it supported in no correspondence that I have received from the Teachers Corps—has been that there has been really no significant opposition to the Teachers Corps expressed by schoolteachers or school superintendents or chief school officers all across the country.

Mr. Chairman, there have been some 1,200 persons participating in the Teachers Corps during the last year in about 275 school districts, in nearly 30 States across the country. And, in every instance they go into the local school district only after the local school district wants and requests them to do so. There is no long, stretching hand of the Federal Government insisting that a Teachers Corps team must be placed in a given city or in a given community.

Mr. Chairman, I know that school officials in my own home community of South Bend, Ind., would like very much to have some Teachers Corps members, but the fact that the Representative from that district supports the Teachers Corps does not mean that Teachers Corps members will be forced on the school system. The question turns on whether local school officials decide that they want to apply for a Teachers Corps team.

Mr. Chairman, the Special Subcommittee on Education of the Committee on Education and Labor has made a great effort to spell out the local initiative and local control in the Teachers Corps which in my opinion those of us who have supported this program from the outset have always contended that it should contain.

Mr. Chairman, another major point that I derived from the hearings is that although the Teachers Corps has thus far been a very modest program, it has dramatically focused attention upon the very pressing need in our country to provide, attract, and retain more teachers for disadvantaged children in hard-pressed school systems of our country.

I hope very much, therefore, that the amendment which has been offered by the gentleman from Florida is voted down and that we shall have a very strong bipartisan vote in voting it down and then a bipartisan vote of confidence in the Teachers Corps program.

Moreover, Mr. Chairman, I hope that this very modest program will have the effect of dramatizing still more the important need to attract more teachers to our school systems generally and especially to areas of poverty, whether they are members of the Teachers Corps or not.

I should like at this point to offer some general comments in support of H.R. 10943, the bill now under consideration to amend and extend title V of the Higher Education Act and to authorize extension of the Teachers Corps.

Mr. Chairman, I have a particular interest in the legislation we are today considering because it was my privilege in the 89th Congress to sponsor the teacher fellowship program which ultimately became part of the Higher Education Act of 1965. I was pleased as well to have sponsored the Teachers Corps when it was first considered along with the teacher fellowship program by the General Education Subcommittee of the Committee on Education and Labor in that same year.

I believe that the bill under consideration, H.R. 10943, greatly strengthens existing Federal programs for attracting and educating more men and women for careers in education at every level, from preschool through graduate school.

I am, moreover, pleased to see that the bill we are today debating extends the Teachers Corps, which I believe to be one of the most imaginative instruments we have yet devised to focus attention on the extremely important problem of educating, providing, and retaining teachers for disadvantaged children in areas of poverty.

Now, Mr. Chairman, let me review the major provisions of H.R. 10943.

This legislation has five basic parts:

Part A establishes a National Advisory Council on Education Professions Development, which will advise the Commissioner of Education in appraising the educational manpower needs of the Nation and to review and evaluate Federal programs for the training of educational personnel.

In addition, a new section 503 requires that the Commissioner shall, from time to time, appraise existing and future educational manpower needs and publish an annual report describing the relation of the programs authorized under this title to the manpower needs of our educational system. In appraising these needs, the Commissioner must consult widely with interested and knowledgeable parties such as other Federal agencies concerned with manpower and education, State educational agencies, State employment security agencies and others.

Mr. Chairman, this section represents an important step forward in the assessment of our overall educational needs and in providing the information necessary for the development of programs designed to meet those needs. Like the programing, planning, and budgeting system—PPBS—used by the executive branch, it will help us to focus limited resources on the most pressing areas of need.

Further, a new section 505 would authorize the Office of Education to enter into contracts or make grants to State or local educational agencies, institutions of higher learning or other public or nonprofit agencies for identifying and encouraging able persons to pursue careers in education and to make information about such careers, either at the professional or subprofessional level, more widely available.

Part B—the Teachers Corps—Mr. Chairman, as House sponsor of the Teachers Corps in 1965, I am gratified that this potentially powerful weapon in the battle against educational deprivation has been recommended for a 3-year extension with strong bipartisan support.

The Teachers Corps, although hampered by late and inadequate funding last year, has already made an outstanding contribution to our schools. The National Advisory Council on the Education of Disadvantaged Children for example, concluded that:

> The National Teacher Corps is too badly needed and too promising to be either discontinued or treated as a temporary stopgap. Of all present investments of public effort, few are likely to yield so large a return.

We know that our schools faced a shortage of almost 170,000 teachers when they opened in the fall of 1966. We know, too, that schools in urban slums and areas of rural poverty were hit the hardest by these shortages. The Teachers Corps is aimed directly at the problems faced by these schools.

The Teachers Corps alone cannot fill the gap between the need for teachers and the supply. The 1,200 members enrolled in the Corps this year still leave much to be done in meeting the national shortage of teachers in areas of poverty.

But these 1,200 dedicated teachers count far out of proportion to their number, for they bring energy, dedication and special training into the schools hardest hit by the teacher shortage.

CHANGES IN TEACHERS CORPS

Mr. Chairman, the bill which we consider today would extend the Teachers Corps for 3 years, through fiscal 1970, and authorize $33 million for fiscal year 1968, $46 million for 1969 and $56 million in 1970. By 1970, some 9,000 members would be enrolled in or have served for 2 years in the Corps.

In addition, the following changes are proposed by H.R. 10943:

First, local educational agencies would be responsible for the recruitment, enrollment, and selection of Teachers Corps members;

Second, State educational agencies would approve the request of the local educational agency for Corps members and the arrangements for their training;

Third, the Federal contribution to the local agencies for the salaries of Corps members would be limited to 90 percent, except in exceptional cases;

Fourth, teacher-interns would be paid the lowest rate for teaching fulltime in the school system when they teach or $75 per week, plus $15 per dependent, whichever is less;

Fifth, students in their junior and senior year of undergraduate study would be eligible to become teacher-interns;

Sixth, the programs would be called the Teachers Corps;

Seventh, Teachers Corps teachers could be assigned to a group of migrant workers whose children are not in a regular school; and

Eighth, Teachers Corps teachers could be assigned to schools run by the Bureau of Indian Affairs.

Mr. Chairman, I wish to make one final point with respect to the Teachers Corps.

The amendments to the Teachers Corps end the Corps' power to enroll or select Corps members, and permits the enrollment of interns without bachelor's degrees. These amendments seem to me to be in keeping with the essence of the Corps.

But I must emphasize that an important part of this essence is the contribution by the Corps of the new viewpoints to teaching the disadvantaged. The National Advisory Council on the Education of the Disadvantaged, for example, evaluated the Corps' programs in 16 school districts and 11 universities. Its April 1967 report concluded that "the major contribution made by the Corps is not the widely publicized promise of bringing more manpower to the teaching profession; the numbers of the Corps are now small and at best would never be very large. Its main value, the Council believes, is that it is an instrument for harnessing the idealism of an unusual group of young people who, but for the Corps, would never have been drawn to the teaching profession."

As one of the first supporters of this program, I am gratified to see progress toward the original goal of bringing new people into teaching who never would have entered the profession. Although the amendments delegate the selection of interns to school districts and universities, the committee believes that attracting new faces to teaching is still a major objective. School districts and universities will still endeavor to give the highest priority to the recruitment and selection of interns without previous education training or experience. There are already many programs for certified teachers who wish to upgrade their training, or to shift into teaching the disadvantaged—for instance NDEA institutes, and the experienced teacher fellowship program. It seems to me it would be unwise and inefficient to use the comparatively small number of Teachers Corps slots for persons already partially qualified to teach.

The Commissioner of Education, in considering proposals, should assure himself that this intent to bring in persons without experience or training in education will be carried out by the school districts and universities involved.

Mr. Chairman, the enactment of this legislation will enable the Teachers Corps to use the $3.8 million which has been appropriated subject to such an enactment. It is vital, therefore, that we move quickly to approve this needed legislation.

Part C—fellowship programs—Mr. Chairman, I have already cited the shortage of almost 170,000 teachers which schools all across the Nation faced when they opened their doors last fall. We know that we must attract many more people to teaching than we have in the past.

But we must also strive to improve the quality of the teaching force, for new ideas, knowledge, and developments in all fields of study require an ever improving level of teacher preparation if we are to offer the best education to each American child. The Commissioner of Education only last week in testimony before the Senate, indicated that some 90,000 teachers "do not have adequate training."

It was for these reasons that in 1965, I sponsored the teacher fellowship programs which became part of the Higher Education Act of 1965. The present bill would extend the teacher fellowship program through 1970 and amend it in several ways.

First, the legislation would make it clear that not only are teachers in elementary and secondary schools eligible for fellowship assistance, but that personnel in preschool and adult educational programs are eligible as well. Also, such fields as educational and instructional television and radio are now clearly included in fellowship programs.

Second, the amendments now make it clear that program development grants, intended to strengthen the institution of the higher education in its capacity to provide education for teachers, need not be restricted to only these institutions which receive fellowships. Such grants may—in my judgment—should also go to institutions which, as a result of assistance under such a grant, will be able sufficiently to improve the quality of the education they offer to become eligible for the receipt of fellowships.

The third major amendment removes the present restriction which limits study for not to exceed 24 months and for a degree other than that of a doctor of philosophy. This amendment represents a major improvement in the teacher fellowship program. I say this because a high quality education for the teachers of teachers is essential if we are to make a major improvement in the quantity of teachers and in the quality of their preparation. At present, there is precious little financial support for work at the doctoral level for those who will train future generations of teachers. A significant effort in this area has enormous potential for the improvement of education in our schools.

Let me cite here but one example of the concern which leaders in education have expressed over the need for support of work at the doctoral level for educators. Just last week I received the following statement of concern from the Graduate School of Education of Harvard University:

> The broadening of the Teacher Fellowship program in Title V of the Higher Education Act to include not only prospective teachers but other professionals in elementary and secondary education is wise and commendable, especially if funds are made available to support an appropriate increase in the number of fellowships. But it is extremely important at this time to establish the eligibility for the program of prospective professors in colleges and universities whose primary duties will be to train teachers and other school professionals.
>
> Trainers of teachers are intimately and continually involved with the schools. They supervise student teachers, assist in curriculum development, and establish the ties between schools and universities that are so crucial to the development of fresh ideas in both kinds of institutions. Further, trainers of teachers often teach extensively in the schools. The recent emergence of the clinical professor in education, a person who both teaches children in a school and trains teachers in a university, symbolizes in a formal way the increasing involvement in the schools of those in higher education responsible for the training of educational professionals.
>
> Because of the close and important relation between trainers of teachers and the schools, and because Federal support for this training is currently oblique and limited, it is essential that the expanded Title V be worded or interpreted to provide support for these key educational leaders. (Arthur G. Powell, Assistant to the Dean, Harvard University, Graduate School of Education.)

The amendments which we consider today will help to meet the need which Dr. Powell's statement so clearly states.

Mr. Chairman, as the sponsor of the teacher fellowship program, I have been heartened by the support which it has received from educators over the country. At the same time, I must express disappointment at the moderate amount of funds which has been committed to it and at certain administrative practices which, in my judgment, have hampered the full development of the program. Let me suggest three such practices which, at the very least, deserve the most careful scrutiny of the Commissioner of Education.

First, the program is presently split into two parts, one for experienced teachers, the second for prospective teachers. The former is administered by the Bureau of Elementary and Secondary Education, the latter by the Bureau of Higher Education. This dual arrangement is not required by the legislation and I question its administrative soundness. At best, the dual administration of the teacher fellowship program hampers coordination of two related portions of the program. At worst, it fragments what was intended as a major, unified effort to improve teacher education.

Second, although the legislation called for attention to geographical distribution, there is some indication that this requirement has been viewed as calling for a rigid allocation of some fellowships—no matter how few the number—to each and every State and to a large number of institutions. The result, at the present low level of funding, has been a tendency to dilute the focus of the program. Unless it receives a substantial block of fellowships, a college or university may be unable to do the planning, add the courses, and add the faculty which the development of new, high-quality program requires. The result is a watering down of quality in the programs and a frustration of the major purpose of the legislation—improvement of the quality of teacher education and the education of teachers. Tokenism in the award of fellowships will not achieve the purpose of the program. This rigid policy should be eliminated.

Third, the original legislation called for concentration upon substantive courses in the teacher's field, particularly for experienced teachers. There is considerable indication that this purpose has also been frustrated by a concentration on more traditional pedagogical courses.

TWO NEW PROVISIONS

Mr. Chairman, the bill before us today adds two significant new provisions to the Higher Education Act—one intended to improve training opportunities for personnel in elementary and secondary education and the other for personnel in higher education.

Part D—training for those in other than higher education—Mr. Chairman, more than 60,000 people in or preparing to enter elementary and secondary education have received training under institutes supported by title XI of the National Defense Education Act. Twenty-one thousand school counselors have received advanced training under title V of the NDEA. As useful as those programs are, they are based on special categories which hamper our ability to meet new and growing educational needs, such as training for teaching of disadvantaged or handicapped children. The new authority provided in this section provides for contracts and grants to establish a variety of preservice and inservice training programs for the wide variety educational personnel in elementary and secondary schools. The new flexibility provided by the noncategorical approach of this section will enable us to meet quickly, efficiently, and through a variety of programs, the pressing needs for improved training of elementary and secondary school personnel.

Part E—training for higher education personnel—Mr. Chairman, it has become increasingly clear that the need for more and better teachers is not limited to pre-college education. Rising college enrollments have meant a serious shortage of teachers, administrators and other educational specialists in our colleges and universities. The present and projected needs are great in technical institutes and junior colleges as well as public and private 4-year colleges.

This new section authorizes grants to, or contracts with, institutions of higher education to assist in training persons who are serving or preparing to serve as teachers, administrators, or educational specialists in institutions of higher education. The funds may be used to cover the cost of training, courses or other study, including short-term and regular-session institutes and other preservice and inservice institutes.

Mr. Chairman, I should like to refer to one new section of the bill before us in somewhat greater detail.

Section 508 of H.R. 10943 says:

> Nothing contained in this title shall be construed to authorize the making of any payments under this title for religious worship or instruction or training for a religious vocation or to teach theological subjects.

This section is intended to reaffirm the prohibitions against support for religious instruction previously contained in the teacher fellowship legislation and still contained in section 526 of the present bill. This new section 508 would make these prohibitions applicable to the entire title, as they should be, particularly to the new programs authorized under parts D and E of this title.

Mr. Chairman, section 508 also makes it clear that funds under this bill cannot be used to train persons for a religious vocation or to teach theological subjects. It would not prevent, however, a member of the clergy engaged in teaching or wishing to teach, other than teaching theological subjects or training others for a religious vocation, from receiving support for study in such subjects as mathematics, English, and science and then returning to teach that subject in a school with a religious affiliation. That is the situation under present law; it is not changed by addition of this language.

Mr. Chairman, I have shown this statement on section 508 of H.R. 10943 to the gentleman from Minnesota [Mr. QUIE] on the other side of the aisle and he agrees with this explanation.

Mr. Chairman, I have touched on the major amendments to title V of the Higher Education Act. This brief description of the most important changes in existing programs and the new programs authorized by the bill may nonetheless serve to highlight the importance of the flexible new authorities which enactment of H.R. 10943 would establish.

Mr. Chairman, finally, let me note that President Lyndon B. Johnson, himself a former school teacher, has been a great champion of legislation to improve American education. As President Johnson has said:

> This Nation is determined to give all of our youth the education they deserve.

And, Mr. Chairman, it was President John F. Kennedy who reminded us that:

> Education is the keynote in the arch of freedom and progress.

Surely highly qualified, well-trained teachers at all levels of education are essential to insure the strength and endurance of that keystone. Surely highly qualified, well-trained teachers are essential if our country is genuinely determined to give all of our youth the education they deserve.

Passage of H.R. 10943 represents a major advance in attracting and educating those teachers.

Mr. Chairman, at this point in the RECORD I include two articles which I have written recently, both of which touch upon the subject matter of the bill we are today considering—attracting and educating more and better teachers.

The first article, "The Teacher Today: A New Atmosphere," was published in the winter 1967 issue of the Culver Alumnus as one of several articles in a special issue of that journal devoted to the subject of "The Teacher Today."

The second article, "View from Capitol Hill," was published in the April 1967, issue of the journal, Grade Teacher:

THE TEACHER TODAY—A NEW ATMOSPHERE

(By Congressman JOHN BRADEMAS)

In the introduction to a recent survey of new developments in education, the imaginative Jerome Bruner of Harvard writes: "Changes in educational practice have more often reflected the conceptual atmosphere of the behavioral sciences than they have been based upon the conceptual propositions available in the sciences."

A revolution in atmosphere and, hopefully, in the practice of teaching is indeed now taking shape. And this revolution may well exercise a decisive influence on the future of American education.

What, briefly, are some of the elements in this revolution in teaching?

First, there is greater emphasis on the central role of the teacher. We are finding new truth in President Garfield's perception that education, at least in one sense, is "Mark Hopkins at one end of a log and a student at the other."

The Coleman report from the Office of Education, Equality of Educational Opportunity, is one of the most thorough surveys ever made of American elementary and secondary education. This study indicates that differences in facilities at schools have, compared to the quality of teaching, relatively little impact on improving the education of the disadvantaged. The report says: "The quality of teachers shows a stronger relationship to pupil achievement. Furthermore, it is progressively greater at higher grades, indicating a cumulative impact of the qualities of teachers in a school on pupils' achievement. Again, teacher quality is more important for minority pupil achievement than for that of the majority."

Second, the difficulty of getting and keeping good teachers has hit the public eye dramatically. The *New York Times* reported this fall, for example, that the most critical teacher shortage in a decade confronted the nation's classrooms, a scarcity coming after several years of improvement in the supply of teachers. The schools not only face a shortage in terms of gross numbers. More serious, and more difficult to correct, they must contend with poor distribution of teaching talent.

The schools in the central cities can neither attract nor hold enough of the top teaching talent they so sorely need. Teachers trained in subjects such as mathematics and foreign languages are in short supply throughout the nation, as are those trained in specialized areas like remedial reading, speech correction, and early childhood development. The demand for teachers in elementary school classrooms is considerably greater than the demand for high school instructors, yet the annual new supply of teachers coming out of the colleges is heavily weighted toward those prepared for secondary education.

Third, there is a new militancy among teachers and teachers groups. Teachers, too, want a larger share of the nation's unparalleled economic fortune. Improvement of teachers' salaries is clearly an important goal, both to retain those now in the profession and to attract more talented young people into the classroom. Yet the militancy seems to be rooted in something deeper than a preoccupation with better salaries. School teachers, like their counterparts at the college level, may come to insist on participation in some of the basic policy decisions of the school systems they serve.

Fourth, in a paradoxical way the development of new educational technology and curricula are serving to place more, not less, as some had feared, emphasis on the role of the teacher. Many educators now view the new technology, from relatively simple programed texts to highly sophisticated, computerized teaching machines, as the key to freeing the teacher from much of what is too often the tedious routine of the classroom. With release from the routine, the teacher will have more time available for individual work with students and for the preparation of better materials and classroom approaches. The teacher need not therefore be displaced by the drama of the new technology. Rather the teacher—as teacher, not as disciplinarian, custodian or baby-sitter—can become the focus of better and more exciting classroom activity.

TO IMPROVE THE QUALITY OF EDUCATION

Along with the new focus on the role of the teacher has come the spectacular growth of the federal commitment, in partnership with state and local educational agencies, to improve the quality of American education.

This fiscal year the federal government is spending almost $9 billion on education, a dramatic increase from the $3.6 billion of only three years ago. The lion's share of the increase has been in the Office of Education. It is spending $3.9 billion this year, more than the entire federal government in 1964, and a five-fold increase for the Office of Education in the same period.

Even a brief recital of the major education legislation passed by Congress and signed by Presidents Kennedy and Johnson during the past few years illustrates the scope of the new cooperative venture: the Vocational Education Act of 1963, the Higher Education Acts of 1963 and 1965, amendments to the National Defense Education Act, the International Education Act, the Library Services and Construction Act, many of the programs embraced within the war on poverty, and, of course, the historic Elementary and Secondary Education Act of 1965.

Several of the new federal measures contain sections directed precisely at the problems of teaching and the teacher, and a preoccupation with raising the quality of education runs through nearly all the legislation. The Teacher Fellowship program, of which I am sponsor, is an obvious example. For concern with better teaching in our schools was the principal motivation behind this proposal, which became law as part of the Higher Education Act of 1965. The Teacher Fellowship program is aimed at improving the quality of education in the nation's elementary and secondary schools by helping teachers improve the quality of their own learning. It authorizes a total of 24,500 fellowships over a three-year period for persons now teaching or those who plan to teach to enable them to obtain master's degrees in their subject matter fields. Not only are the fellowships intended to develop the skills and background of prospective and experienced teachers; they are also expected to strengthen teacher education programs in the participating colleges.

In 1966 nearly 1000 colleges and universities applied for teacher fellowships and this year the applications totaled some 900. Yet funds last year were so limited that only 50 institutions received awards of blocks of fellowships. The enormous popularity of the fellowship program with the educators themselves gives promise that long-needed improvements are under way. What is less certain is the willingness of the country to commit the resources necessary to raise the quality of elementary and secondary school teaching.

A second measure aimed not only at producing better teachers, but also at helping alleviate the teacher shortage, is the National Teachers Corps, sponsored by Senators Gaylord Nelson (D.-Wis.) and Edward M. Kennedy (D.-Mass.) in the Senate and by me in the House of Representatives.

The National Teachers Corps is aimed principally at meeting the problems of our poorest school districts, the ones with the gravest difficulties in attracting trained teachers, but with the least ability to draw them.

Under the Teachers Corps program, teams of experienced, master teachers and apprentices will work in poor city and rural schools. The apprentice teachers receive special training during the summer before entering the regular school year and attend college half-time during the school year. The other half of their time is devoted to teaching in the overcrowded, under-manned slum schools. At the end of a two-year stint in the Corps, the apprentice teachers will have developed considerable expertise in dealing with the educational problems of the disadvantaged, earned a master's degree, and hopefully made a significant contribution to improving education in America's most needy schools.

Once again, however, the roadblock has been the degree of support for the program. A once reluctant Administration now strongly advocates the Teachers Corps. Yet, for a variety of reasons, members of the powerful Appropriations Committee in Congress have thus far supported the program with very great reluctance and very little money. Still, there are now some 1300 Teachers Corps members teaching across the country and their efforts to date warrant a substantial expansion of the program.

A third program, one well-known to America's teachers, is the NDEA summer institute. Each summer thousands of school teachers attend these institutes to refresh their knowledge in their academic fields and to brush up on the latest thinking in teaching theory and techniques.

At the present writing, President Johnson has not yet sent his education proposals to Congress and the outlook on any new federal measures affecting teachers is somewhat cloudy.

But one observation can be safely made. The more conservative makeup of the 90th Congress means that there may be insufficient commitment of financial resources to the recent federal education programs. The federal role in improving the situation of teachers and teaching is a limited one; it is nevertheless crucial. For federal funds for education are often described as "seed money", which nourishes innovation and growth at the local level. Sharp cutbacks in these funds can therefore stifle many of the recent improvements in education which they have stimulated. I pause only to raise this warning sign to men and women of all political persuasions who are concerned with education.

SOME ISSUES AFFECTING TEACHERS AND TEACHING

Because the shape of proposals for education legislation remains unclear, it is perhaps more useful to outline some problems which deserve consideration rather than speculate about bills not yet before Congress. Here are a few of the issues which will affect teachers and teaching. Some are perhaps appropriate for federal action, while others will require the attention of local, state, and professional organizations:

What steps can be taken to raise substantially the quality of education and training in the nation's teachers' colleges? About one-third of the new teachers each year are graduates of colleges specifically devoted to the education of teachers. Another one-third are products of education faculties in our universities. If some reports are to be believed, too many of these institutions are far from the front rank in academic preparation. They are handicapped by insufficient funds and hampered by lack of immersion in the mainstream of academic life.

Serious consideration should be given to alternative ways of improving the quality of these institutions. Should there be cooperative programs, perhaps with federal support, between stronger universities and the teachers colleges? The Teacher Fellowship program now authorizes modest development grants for teacher education. Should these development grants be considerably expanded?

Are new patterns of teacher education emerging? The Teachers Corps, for example, may encourage different approaches to teacher training, particularly in its emphasis on the problems of the disadvantaged, the development of teaching teams for slum schools, and the insistence that the young teachers spend considerable time in the slum schools. Some current Peace Corps training experiments like that in West Roxbury, Mass., where volunteers live in the core of the city where they work, may provide lessons applicable to teacher education generally.

Can we improve the supply of teachers by drawing former teachers or other persons into the profession? Would day care centers, for example, free former women teachers, now at home with their children, to teach at least part-time in overcrowded and understaffed schools? Would salary differentials for the heads of households serve to keep male teachers in the classroom, particularly at the elementary and secondary level where they are now so scare? Should extra duties call for greater pay?

What would be the advantages and disadvantages of adopting the sabbatical system for elementary and secondary teachers? Popular on the college level, perhaps sabbaticals would help to attract and retain people in school teaching by permitting them periodically to improve their knowledge of their academic or related fields. Would assistance from the government, perhaps through early payment of anticipated social security benefits, aid in establishing such a system—even if only on a demonstration basis?

Are there ways by which we can recognize the role and contribution of the individual teacher as distinguished from the principal and the superintendent? Could private corporations or foundations establish awards for outstanding teachers? Are teachers, not just teacher associations, adequately represented on advisory panels, grant review groups, and other federal committees dealing with education? Are teachers enough involved in the preparation of project and grant applications such as those for supplementary educational centers and services under the Elementary and Secondary Act? I very much doubt it. Should there be greater emphasis on programs of relatively small grants which would be available to individual teachers to allow them to conduct special programs of research right in their own classroom?

Should the schools, colleges and others make a greater effort to attract the most talented students into teaching through improved fellowships and other means?

Are we giving our teachers opportunity to use their training and talents to the fullest extent? I suspect not. Not only are they faced with overcrowded classrooms and heavy schedules but are often burdened with masses of paper work and other administrative detail. Would it not be more efficient to provide teachers' aides, who would free teachers for their central classroom role by assuming tasks that do not require teachers' professional attention?

Are we preparing teachers to face the thorny dilemmas of racial tension in our schools at a time when the nation is striving to attain genuinely integrated education?

Have the colleges and universities which educate our teachers faced their responsibilities in this sensitive area? If not, how can we hope to attain the twin educational goals of quality and equality of opportunity?

These are but a few of the many problems which deserve attention if we are to take seriously the goals of improving the quality of teaching and of education generally during the next decade. Clearly these objectives are ones in which teachers have a great personal stake and to which they must themselves direct their increasing attention.

But producing better teachers and raising the quality of education are matters with which all intelligent citizens must be concerned. For, as President Kennedy said, "Education is the keystone in the arch of freedom and progress."

We can agree, I think, to pursue Mr. Kennedy's metaphor, that the shaper of the keystone is the teacher.

VIEW FROM CAPITOL HILL

It is increasingly apparent that the key to improved education at all levels is attracting and educating more and better teachers.

The Coleman report from the Office of Education, "Equality of Educational Opportunity," confirmed what common sense has long counseled: a well-prepared, enthusiastic and sympathetic teacher has far more impact on a child's educational development than new school buildings and educational equipment.

Consider a few additional facts about educational manpower gleaned from the growing crop of findings compiled by the U.S. Office of Education and others:

1. Several hundred thousand teachers are participating in programs either under or related to Title I of the Elementary and Secondary Education Act. Most of them have had no special training for dealing with the educationally disadvantaged. If we were to try to close this gap, we might need financial support and places at our colleges for as many as 200,000 teachers. Existing Federal programs would provide less than 10,000.

2. Some 50,000 of the young people who prepare to become teachers each year enter careers other than teaching.

3. Congress is now placing new stress on evaluting the effect of Federal education programs, but few school districts employ persons with the specific responsibility of assessing and evaluating what the schools are doing. Indeed one Office of Education estimate states that as few as fifty people a year train for such work.

4. We have often talked of reducing class size, but reflection and a little mathematics reveal the enormous magnitude of the problem. A reduction of five pupils per class in one city the size of Detroit, for example, would require 2000 additional teachers.

Several Federal programs, most of them administered by the Office of Education, are designed to improve the educational manpower picture. Among them are my own Teacher Fellowship measure, the NDEA summer institutes and the politically troubled National Teachers Corps. But administration of these and other programs is fragmented among a variety of divisions and bureaus in the Office of Education and there is sometimes little coordination—even by those who operate splintered sections of the same program. The development of an overall educational manpower strategy proceeds piecemeal at best under present administrative arrangements.

I have proposed, therefore, that the Office of Education and Congress give serious consideration to establishing a Bureau of Educational Manpower which would consolidate the administration of existing laws, stimulate the development of an overall strategy for educational manpower and in general encourage an increased commitment of resources in this area.

Let me suggest a few problems—some being considered by the Office of Education—upon which such a bureau might focus.

1. Federal and other programs depend not only on high quality teachers, but on school administrators—principals, superintendents and state officials. First-rate leadership by these administrators is clearly indispensable in the effective use of new resources and the translation of new ideas into practice.

We now provide scholarships and fellowships for students in subject areas ranging from English and mathematics to foreign languages. But no substantial support is available for the men and women who are preparing—or who ought to be preparing—for the critical leadership positions in education.

Under present conditions most education for administrative posts occurs on a part-time basis, rather than through full-time residency at a college or university. If fellowship support were available for such training, colleges and universities would be able to attract, select, and train more talented students in education administration.

2. We should take more seriously the potential for so-called "sub-professional" teacher aids who could free classroom teachers from some of the routine chores they now perform. I have recently introduced a bill in the House of Representatives which would support teacher aid programs developed by local school agencies in conjunction with institutions of higher education.

3. We have not given enough attention to the education of our teachers. The Teacher Fellowship Program does not presently support work at the doctoral level, but if we are to increase significantly the supply of such teachers, such authority is essential.

4. Our educational recruitment policies are diverse, unplanned, and uncoordinated. I have already noted that 50,000 young people trained annually as teachers choose other careers. Why? Where do they go? Can we bring them back? How? Are we making a vigorous effort to recruit the Peace Corps volunteers who return to the United States, or the college-trained married women whose families have grown up and who now seek new outlets for their energies and intellects? Obviously, we have not done nearly enough to tap systematically our potential resources.

5. Educational policy is often made in reaction to the crisis of the moment, but the pace of change is so great and the effect of education so lasting that we must plan today for the education we will need tomorrow. Yet we are not providing adequate support for people from various disciplines—education, economics, politics, the law—to enable them to bring the insights of their diverse disciplines to bear on planning for the future of education.

I have barely scratched the surface of questions ripe for the attention of a Bureau of Educational Manpower. Yet the problem of producing enough good teachers and school leaders is more than administrative. If we take seriously the admonition that first-class teachers are central to first-class education, we will surely need to expand our efforts along many fronts—in the national and state legislatures, in the colleges and universities, and in the schools themselves.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MICHEL].

Mr. MICHEL. Mr. Chairman, first of all, I wish to say that I believe the committee has made substantial improvements in this bill, and I would venture the guess that the legitimate objections we have raised over the past several years had a great deal to do with these improvements.

Mr. Chairman, the chairman of the Committee on Education and Labor, the gentleman from Kentucky [Mr. PERKINS], a few moments ago, in answer to a question propounded by the gentleman from Texas [Mr. CASEY], who likewise serves on our Subcommittee on Health, Education, and Welfare, made the point that these interns are teachers. These interns are not teachers. How does one call an intern a recognized, legitimate teacher? This is especially true when you are recruiting those who only have 2 years of college credit. As I understand it, under this revised version of the bill, one does not need a baccalaureate degree in order to qualify as an intern.

Let us make no mistake about it. The "mother superior" is the only teacher of the group and the "chicks" around her, then, are not legitimate teachers. For all practical purposes they are getting a course in practice teaching, and the poor, deprived kids are probably the guinea pigs in this particular operation.

Let me make one more point, if I may. Yesterday the chairman, in partial answer to my question raised as to whether or not we could not accomplish the same thing under title I of the Elementary and Secondary Education Act, practically conceded that we could. Testimony before our Appropriations Subcommittee discloses that Secretary Gardner and Commissioner Howe similarly concede this to a great degree.

It seems to me the difference here is that under title I of ESEA the teachers are recruited and hired locally and once in the program, they will stay for years. But in a national recruitment program where somebody from Buffalo goes out to Peoria to teach and train for 2 years, chances are he will return to his original home after getting his advanced degree. If the goal is to do something special for these deprived kids it better be for a longer period than 2 years.

Mr. PERKINS. If the gentleman will yield?

Mr. MICHEL. I am happy to yield to the gentleman.

Mr. PERKINS. Under title I certain school districts have established some in-service training programs, but it was never contemplated under title I of the Elementary and Secondary Education Act that funds would be used to set up a Teacher Corps program. I doubt that State education agencies would approve of such a project under title I.

May I again say that the program will not supplant regular teachers in the classroom. The teams do not supplant, they supplement. It should be noted also on page 11 that:

> Teaching teams, each of which shall consist of an experienced teacher and a number of teacher-interns who, in addition to teaching duties, shall be afforded time by the local educational agency for a teacher-intern training program carried out under the guidance of an experienced teacher in cooperation with an institution of higher education——

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. GROSS yielded his time to Mr. MICHEL.)

Mr. MICHEL. Mr. Chairman, I thank the gentleman for yielding his time.

May I ask the distinguished chairman from where he is reading again?

Mr. PERKINS. I am reading on page 11, and if the gentleman will read on line 3, and read through line 17 on page 11, he will find there is a clear statement that the interns will be performing teaching duties.

I personally would think that the word "teacher" describes well the duties of the interns and the team teacher, because that is what they are doing in the local schools. And they have been doing a terrific job in improving the quality of education. The interns are given the best of instruction so that they can provide services and teach in the classroom. In one sense, the classroom is the laboratory for these interns.

Mr. MICHEL. Mr. Chairman, if I might observe, I think the chairman takes an extreme liberty when he continues to refer to interns as teachers, because they cannot be compared to full-fledged teachers who are qualified and certified as such.

I know this program originally had its inception as a sort of domestic Peace Corps. It was believed there would be the same motivation and dedication, but just because one has gone abroad and taught the Ubangis how to make a wheel out of a log, that does not qualify one to teach with authority in this country. The gentleman is talking about two different things.

Mr. GOODELL. Mr. Chairman, will the gentleman yield further?

Mr. MICHEL. I yield to the gentleman.

Mr. GOODELL. Mr. Chairman, I thank the gentleman for yielding. I believe the gentleman is absolutely right. Clearly and basically the people in this program are not teachers; they are teacher-interns, and we should not speak of them as teachers. They are teacher-interns; at least, most of them are that the gentleman specifies.

Mr. MICHEL. I thank my friend and permit me to make one more point, if I might. The Secretary has testified to the point that 200,000 teachers were recruited last year under title I of the Elementary and Secondary Education Act.

Our dear friend, the gentlewoman from Oregon [Mrs. GREEN], makes the point that we are trying to attract people into teaching, and particularly those with skills to teach in these trouble spots.

I think we have done quite well. Look at the comparison—200,000 under title I as against 6,000 that you hope to get under this program. I support the gentleman from Florida's amendment to cut out this Teachers Corps concept once and for all and get this job done by way of title I of the Elementary and Secondary Education Act.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HAWKINS], a member of the committee.

Mr. HAWKINS. Mr. Chairman, I happen to represent one of the slum, ghetto areas of America where this particular problem is of vital importance.

May I say that the area I represent, in 1965, had a great national disorder which has been the subject of much concern by this body.

Mr. Chairman, the situation with respect to education and, in particular, the schools in certain areas at the present time, is simply this: We are finding it very difficult to attract people into such areas in order to teach. As a matter of fact, in my particular area, some 500 good teachers are trying to transfer out of the area.

It seems to me that it is a contradiction for us on the one hand to talk about good law and order and about discipline and about doing something to control disorders and at the same time pulling away a program such as this which is designed to bring some relief to, and to show some interest and concern for the people in these areas.

I submit that this amendment moves in the opposite direction; that is, if we intend to give some hope to these people and if their children are going to be educated by competent teachers and by teachers who are going to be attracted into these areas because they have some commitment and some dedication; if that is what we intend, Mr. Chairman, then we certainly should vote down this proposed amendment.

Mr. Chairman, in the second place, may I also say this. According to the hearings, this is the only opposition that has really been heard against this program.

It seems to me strange that these few Members who are voicing opposition to this program in this body should have opinions on this matter different from all of the educators in this country and views that are different from their superintendents of instruction in their local school districts and different from their universities—and from other teachers in their districts. Not a single teacher so far has come out in opposition to these interns working alongside of them in these districts.

It seems to me that quite an issue has been made of the idea that these will be persons who are going to be attracted merely by a frivolous idea and on the spur of the moment and they are not going to stay in the teaching profession.

I submit, Mr. Chairman, that anyone who has a degree from a university and who goes into a slum area such as mine and other slum areas and who goes into the rural areas of our country at a salary of not more than $75 a week, certainly must have something—some kind of commitment and some interest and some concern. I think that individual certainly has enough dedication for us to take a chance on. It seems to me that raising the issue that we do not know what these individuals are going to do is somewhat silly. Personally, I would like to go along with the dedication and interest and concern of people like that. I have gone out in my area where we only have 14 of them—such teacher-interns—but certainly they constitute a catalytic force that is bringing a lot of inspiration and a lot of dedication to other teachers in this area; and an incentive to bring other teachers into this area.

Mr. Chairman, I hope this amendment is voted down.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. STEIGER].

Mr. STEIGER of Wisconsin. Mr. Chairman, it is unfortunate that we have gotten into a semantic argument over the use of the word "teacher" versus the words "teacher-intern."

I am opposed to the amendment offered by the gentleman from Florida, my good friend [Mr. GURNEY]. I am also sorry that these semantics have beclouded the purpose that exists here. Yes, these are teacher-interns. Yes, technically they are not full-fledged teachers in the sense of having obtained a certification from a State educational agency.

But just as with the master in arts teaching program at the University of Wisconsin, those who have a baccalaureate degree—not in education—are now going in at the master's degree level for a teaching certificate in the public school system in Wisconsin, these are young men and women who will become teachers, people who may not have come into the teaching profession without that program. The same is true with the Teachers Corps.

The gentleman from California [Mr. HAWKINS] and the gentlewoman from Oregon [Mrs. GREEN] have made eloquent presentations of that very purpose of this legislation, with the Teachers Corps amendments.

That is, we are talking about redirecting and redesigning the teacher training system of this country to bring people who might not otherwise have gotten into the teaching profession, into the profession specifically for the disadvantaged, to put up with the poor conditions, the overcrowding, the lower pay schools, and the discipline problems of the system. Whether it be in Watts, Chicago, or Milwaukee's inner core, we find good teachers leaving those disadvantaged areas because they were not trained to go in there. They were trained for middle-class suburbia.

We will never get at these areas which need the most help. That is why I trust this amendment will not prevail and that we can pass the legislation as it came from the Committee on Education and Labor.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, I move to strike out the requisite number of words. As the Members know, in my State we have a number of schools that come in the classification which the Congress has sought to help, and may I say we need more help in view of actions by the U.S. Department of Education whose policies have had a reverse effect from what I am convinced Congress intended.

Mr. Chairman, as chairman of the Appropriations Committee for the Department of Agriculture, I have been in the schools of Detroit, have visited the Harlem section of New York City, Cleveland, Ohio, and many other cities of the United States and, of course, am familiar with Washington. There are many areas which need help. There is no question about it.

What disturbed me most, is that the

present Department of Education in administering present educational programs has had one set of rules for my section of the country and another set of rules for the rest of the country. The Department has retarded education in many instances. If you could have seen some of the people who were sent into my area to inspect the schools to see if they come up to the dictates of the Commissioner of Education, you would have easily agreed that they were not sent to aid education but to create strife.

Most of them were completely inexperienced and many put aid to educational problems last in their desires to forcibly mix students and faculty against the wishes of all affected.

I believe the Congress has the right to presume that the purpose of the Department of Education is to assist with education. Also, I believe and it is my absolute conviction that this distinguished committee, its chairman and members, and particularly the gentlewoman from Oregon, have as their purpose assistance in the field of education. They have worked too hard and said too much not to have meant that, and they are people of good character.

But in my area alone the Department of Education has turned down offers time after time until a proposal was made that put many things ahead of education. They have required that certain mixed percentages be offered before funds would be made available. They have deprived the children of all races of the benefits of Federal programs, contrary to the absolute statements by this Committee and by Members of the Congress when the act of 1965 was passed, including floor managers in both House and Senate.

I make that statement based upon experience in trying to help with a number of cases.

Mr. Chairman, recently some understanding was reached between members of the Appropriations Committee and, I take it, members of this Committee, that there would be some changes made in the operations of programs under the Department of Education, and that the Secretary of Health, Education, and Welfare would take over. We are all hopeful that now the educational programs will be handled as intended by the Congress.

Mr. Chairman, in view of the past experience I think it is appropriate at this time for me to ask the gentleman from Florida [Mr. GIBBONS], who I understand is the author of the language in the bill, that appears on page 11, and which was approved by the committee, intended that such language provide for local control. Since my time is limited I trust the gentleman from Florida [Mr. GIBBONS], author of the language, as well as other members of the committee, will respond to my inquiry in their time.

Mr. Chairman, section 513(a) provides that—

> For the purpose of carrying out this subpart, the Commissioner is authorized to—

And I quote from page 11 of the language I refer to:

> "(3) enter into arrangements (including the payment of the cost of such arrangements) with local educational agencies upon approval by the appropriate State educational agency and, after consultation in appropriate cases with institutions of higher education, to furnish to local educational agencies, for service during regular or summer sessions, or both, in the schools of such agencies in areas having concentrations of children from low-income families, teaching teams, each of which shall consist of an experienced teacher and a number of teacher-interns who, in addition to teaching duties, shall be afforded time by the local educational agency for a teacher-intern training program carried out under the guidance of an experienced teacher in cooperation with an institution of higher education;
>
> "(4) pay to local educational agencies such part of the amount of the compensation which such agencies pay to or on behalf of members of the Teacher Corps assigned to them pursuant to arrangements made pursuant to the preceding clause as may be agreed upon after consideration of their ability to pay such compensation, but not in excess of 90 per centum thereof,

Mr. Chairman, judging by the past we need flat assurance on this point.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. GOODELL].

Mr. GOODELL. Mr. Chairman, I rise in opposition to the amendment. There are a certain number of colleagues who believe very sincerely that the Federal Government should not be involved in aiding in the training of teachers in this kind of intern program or fellowship programs, either one.

Since 1958, when President Eisenhower proposed the National Defense Education Act, we have had the Federal Government involved in stimulating the training of teachers at the higher education level. We have expanded that.

In 1964 we added the authority for institutes specifically designed to help teachers who wanted to teach in the slum areas.

When the Teachers Corps was originally proposed, the gentleman from Minnesota [Mr. QUIE] indicated that it had had no particular hearings, no consideration of what was involved. In my opinion there were many legitimate objections to entering into this kind of program which carried the danger of centralized Federal control.

It did not give the State and local people control over the teachers themselves. It involved the Federal payment of 100 percent. The recruitment, assignment, and pay were all in the control of the Federal Commissioner. We saw that many of these Teachers Corps people went into schools and were paid the beginning teacher rate when they were really serving as teacher interns.

The whole debate now involves that question. Under present law, they are paid the opening rates for teachers. Under this bill, that is changed. They are paid $75 or the State teacher-intern rate, whichever is lower.

I believe each of the items that has been raised in the past against the Teachers Corps has now been answered in this bill. It is a bill that provides for recruiting, assignment, and control of teachers by the universities and the local people, with the State involved—not by the Commissioner of Education.

When we ask, "Well, will the Commissioner of Education have authority?" Of course, he does not have to accept all the programs. But we do intend that there will be a maximum of flexibility and control at the local level.

This does not increase the budgeted figures. The amount involved is $33 million, and the budget was $36 million for the Teachers Corps. We are not adding money to the budget at a time of fiscal crisis.

I say to my colleagues, if we believe in the concept of teacher training, if we believe the Federal Government should be involved to help train teachers for slum children, then we should vote for this bill. If we do not believe the Federal Government should be involved, then we should vote for the amendment and against the bill. I urge we defeat the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. Mr. Chairman, I rise in support of this bill because I believe the issue, as our distinguished colleague from New York has just stated, is whether or not we believe the Federal Government should be involved in the great, important, and continuing problem of improving the quality of teachers for children in the slum areas of our cities, where there are high concentrations of children who need special attention.

I believe, on an issue as simple as this, we should be able to make up our minds. I have grown up in a city that has a slum which is growing. I am aware that in many of the other major cities the slum areas are also growing and that the number of children growing up under conditions that are not what we would desire is increasing. To me the increase makes this piece of legislation imperative.

For most of America's children, the schoolroom is a clean, well-lighted place, peopled with friends who share the excitement of learning and the stimulation of a well-trained, professional teacher. That is, for most children, but not all. More than one-fifth of America's children go to schools that, because of isolation and inaccessibility, or because of ghetto-bred violence and despair, cannot attract and cannot hold well-trained teachers. Children at these schools arrive undernourished, underprepared, apathetic, and often hostile. That these children can be reached, and taught, has been proven time and again by dedicated, determined professionals. But there are not enough of them.

As of last fall, the Nation was faced with an unprecedented shortage of almost 170,000 qualified teachers. The shortage was most acute in the urban slums and in depressed rural areas where special attention to these youngsters is most important. Therefore, Federal involvement to attract and prepare men and women for teaching in schools serving disadvantaged children is imperative. The Federal involvement to date has been limited.

The Teachers Corps was not funded in its first year of existence. A relatively small supplemental appropriation in fiscal year 1966 enabled it to become a reality. A total of 1,213 Teachers Corps members are engaged in all school districts serving 275 schools across the Nation. Though the program has been relatively small, the experience over the last year has provided enough evidence that the program should be extended. I hope all of us will begin to recognize that if we can experiment on a $100 million airplane, we can take a chance on a $33 million program which has been a successful experiment in general and I might add, a total success in Detroit.

If the House supports this experiment, I believe it will be a step forward not just for our children, but for all of America, which will ultimately be the beneficiary of the improved education that these children will receive.

THE TEACHERS CORPS IN THE STATE OF MICHIGAN

The experience we in Michigan have had with the Teachers Corps has been outstanding, and I am informed that our experience with this program is quite typical. If my colleagues will indulge me, I would like to take this opportunity to discuss, in some detail, the acivities of the Teachers Corps in Michigan.

Thirty-seven Teachers Corps members, working with Wayne State University, have served in poverty schools in four Michigan school districts this year. Detroit, 16 members; Pontiac, 12 members; Oak Park, five members; and Spencer-Sharpless in Lucas County, two members. The university and school district Federal costs totaled $359,000. Costs for the second year of these Corps members should total about $290,000.

Service has been so satisfactory that these districts and the university have requested 77 more new Corps members, for a total cost of $575,000, plus 10-percent cost contributed by the local districts. Western Michigan University in the lower peninsula has also requested 24 Corps members, at a cost of $220,000, for assignment to Benton Harbor and Niles.

All these proposals have been received and approved by the Michigan State Department of Education. The following outline gives more details about the first-class Corps program in Detroit run in cooperation with Wayne State University.

Wayne State University College of Education has set up a Teachers Corps training program with enough flexibility to train teachers for all levels of secondary and elementary education. Project Director Richard Wisniewski is supervising 16 corpsmen working in two elementary, one junior, and one senior high school. Each of the four teams have adapted their programs to the problems unique to the age groups and locations they are working with.

At Duffield and Kennedy Annex Elementary Schools, corpsmen are doing the expected individual tutoring and counseling and community work which has proven so valuable. But they have also set up an unusual citizenship course. They selected 10 youngsters—not "A" students, but potential future dropouts and failures—for a field trip to Washington, D.C. For many of these 10 children this was the first trip out of the ghetto.

Interns working at Spain Junior High School have organized youngsters from nearby Grosse Point to spend 1 day a week in the inner city tutoring their less-privileged neighbors. In the school, interns work with 43 students with records of repeated failures for special instruction. Under the direction of Principal Theodore Meyer, the Teachers Corps team instructs this group every morning for three consecutive periods, using a special "core" curriculum emphasizing English, math and social courses with dramatic results. Team leader Ray Thornberry calls this, "the most exciting teaching I've ever done."

Finally, I want to mention the excellent program at Northern High School, which I am proud to mention is located in my own congressional district. At Northern High School, the emphasis is on careers. Corpsmen are using many techniques to demonstrate to their all-Negro students the importance of finishing high school and going on to get as much education and training as possible. The interns have arranged Career Day programs, inviting local citizens to discuss their particular fields with interested students. Field trips are taken to industrial complexes and office buildings. Arrangements were made with a nearby hospital for students to spend some time in each of the departments and offices. The corpsmen arranged for this same hospital to set up a training program for youngsters interested in working there after graduation. Corpsmen conducted a college board exam prep course for those who hope to go on to college. Other Northern High School projects included a book fair. Interns gathered, then arranged to sell books to the students at prices they could afford. Before this project many students had never owned a book. Corpsmen developed and are teaching special units on Negro history. Corpsmen organized the first mock U.N. They conducted a schoolwide program, and this spring will send delegates to the citywide mock U.N.

LETTER REGARDING NATIONAL TEACHER PROGRAM OF WAYNE STATE UNIVERSITY

As a supplement to my discussion of the Wayne State University National Teachers Corps program, I would like to include in the RECORD at this point a letter I recently received from Mr. Richard Wisniewski, who is director of the program:

WAYNE STATE UNIVERSITY,
Detroit, Mich., February 10, 1967.

Hon. JOHN CONYERS,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CONYERS: May I bring to your attention the current status of the National Teacher Corps. As you know, Detroit has four teams of Teacher Corps personnel at work, stationed at Northern High School, Spain Junior High School, and the Duffield and Kennedy Annex Elementary Schools. It is my understanding that the NTC will be seeking additional funds to maintain the present program for a second year as well as to expand it.

Having been involved in a number of teacher preparation programs, I believe the Teacher Corps to be an excellent approach to improving education in deprived areas. It seeks to attract to teaching people who really care about disadvantaged children. Their training encourages them to be innovative and they provide worthwhile services in the schools to which they are assigned. Unfortunately, the program will have a very limited impact unless it is greatly expanded.

I know that we can count on your support when the legislation appears before the House. May I invite you to visit any of the schools with NTC teams. I am sure you will be pleased with the kinds of activities the teams are undertaking. I will be pleased to help arrange such a visit whenever you are in Detroit.

Yours very truly,
RICHARD WISNIEWSKI,
Director, National Teachers Corps,
Wayne State University.

TELEGRAM FROM PRESIDENT OF WAYNE STATE UNIVERSITY ENDORSING NATIONAL TEACHERS CORPS

Also Mr. Chairman I would like to have inserted in the RECORD a telegram I received regarding the Teachers Corps from Mr. William R. Keast, president of Wayne State University:

DETROIT, MICH.,
May 26, 1967.

Representative JOHN CONYERS,
House Office Building,
Washington, D.C.:

I should like to indicate my support of proposed legislation to extend and expand the National Teachers Corps. Since all efforts to improve the education of our young people are dependent on the competence of teachers, the Teachers Corps is vitally important as a source of dedicated teachers who are prepared to teach in disadvantaged areas. Our experience with the program is positive and we are prepared and anxious to continue cooperative arrangements with local school systems that form the heart of the NTC concept. May we request your support in keeping the NTC within the context of the elementary and secondary education act. We believe it is of vital importance that the NTC be given an opportunity to continue to demonstrate its potential.

WILLIAM R. KEAST,
President, Wayne State University, Detroit, Mich.

LETTERS SUPPORTING NATIONAL TEACHERS CORPS

As a further supplement to my remarks regarding the activities of the National Teachers Corps in Michigan I would like to insert in the RECORD immediately following my remark, various letters I have received since the Corps was established in 1965, regarding the activities of the National Teachers Corps in Michigan and the widespread support it enjoys in Michigan.

DETROIT, MICH.,
March 31, 1967.

DEAR MR. CONYERS: A recent editorial in Life and two articles in Newsweek have brought to our attention the plight of the National Teacher Corps. Although we have heard little about it, these articles were informational enough to convince us that this is a worthy program.

It is a pity that it may be denied adequate funds because some congressmen have decided to use this as a means of striking back at President Johnson. This appears to us to be very childish.

What hurts is striking down a program that seems to be accomplishing its worthy objectives. We realize the objections to this program—fear of increased federal control in education and financially neglecting local teachers who are also going on in their studies, but, we feel neither objection is particularly valid.

However, with President Johnson's proposals in these two areas, and we hope, with your help, this program will be voted the necessary funds to continue in at least the same fashion as present.

Would you please let us know your views on this subject? Thank you.

Sincerely yours,
Mr. and Mrs. Ted Kondek.

Detroit, Mich.,
August 26, 1966.

Hon. John Conyers,
House of Representatives,
Washington, D.C.:

As members of the Detroit National Teachers Corp, we are working hard to put this worthwhile program into effect. As our congressman we feel that you should be doing your share too and push to get the bill financing the N/T/C passed.

Ila Blake,
Connie Cooper,
Sandy LeBow,
Harry McCaleb,
Vicky Shiefman,
School of Education,
Wayne State University.

Detroit, Mich.,
August 26, 1966.

Hon. John Conyers,
House of Representatives,
Washington, D.C.:

On behalf of the university staff experienced teachers, and interns who have just completed their summer training for the National Teacher Corps may we ask for your support for the N.T.C. appropriation still pending. We know you recognize the needs of schools in disadvantaged areas and the N.T.C. is vitally needed.

Richard Wisniewski,
Assistant Professor,
Wayne State University.

Detroit, Mich.,
October 10, 1966.

John Conyers, Jr.,
House Office Building,
Washington, D.C.:

Respectfully request your support of Senate amendment to H.R. 14745 HEW appropriation bill 1967 which provides $7,500,000 for the National Teachers Corps. H.R. 14745 now in conference committee subject for action this week. The Detroit Board of Education by resolution on September 27, 1966 strongly supported the National Teachers Corps as one of the unique innovations in the Higher Education Act. The necessity of providing specially trained teachers to give proper instruction to those poverty stricken youngsters living in the center districts of our large cities and in many rural areas is voluminously documented in the records of hearings before congressional committees. The Board of Education regrets that the full budget request of $31,372,000 was not restored. The $7,500,000 adopted in the Senate is only a token amount. Detroit public schools are lacking hundreds of teachers to fill all classes. Passage of this legislation will greatly enhance teacher services particularly in the center districts of our large cities where enrollment is greatest.

Louise C. Grace,
President, Detroit Board of Education.

Detroit, Mich.,
October 18, 1965.

Hon. Congressman John Conyers, Jr.
House Office Building,
Washington, D.C.:

Michigan Federation of Teachers urges your wholehearted support of S. 600 on higher education, vital to needs of U.S. society and economy.

Henry B. Linne,
President, Michigan Federation of Teachers.

Detroit, Mich.,
October 18, 1965.

Hon. John Conyers,
Washington, D.C.:

AAUW Detroit supports all points H.R. 9567 including Teachers Corps urge yes vote in favor.

Maria T. Mergentine,
Legislative Chairman.

Detroit, Mich.,
October 18, 1965.

Representative John Conyers, Jr.,
Washington, D.C.:

Strongly urge support of Higher Education Act including Teachers Corps vote against recommittal on October 19th.

Katharine Harris.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Chairman I believe there are one or two points in particular that we should focus on here.

First, the need: As Members are aware, in this report on page 2 it is made very clear that by 1975 there will be a need for an additional 1,850,000 schoolteachers on the prekindergarten, kindergarten, elementary, and secondary levels.

Obviously, this is a very major requirement of educational excellence in the years ahead.

I do not believe there is any question that in many parts of the country, particularly in the ghettos and disadvantaged rural areas, there are not enough teachers and there are not enough teachers of ability and spirit and conviction dealing with the problems of educationally deprived children.

The bill before us proposes only a relatively modest and, I hope, purposeful advance. It will provide merely 6,000 teachers for the Teachers Corps in 1968, 7,500 in 1969, and 9,600 in 1970. Hopefully, these would be teachers and teacher interns of talent and dedication. This quantity and this quality are badly needed.

In the disadvantaged schools, such as those our committee visited, for example, in Bedford-Stuyvesant in New York City, the rate of students dropping out is alarmingly high. Many students are 3 or 4 or 5 or 6 years behind in reading and lack motivation and interest in their studies.

What we need are teacher-interns who will give these youngsters a sense of hope, a sense of involvement, a sense of commitment.

I believe that the Teachers Corps can bring the community and the faculty and the student together and give the student the reason to stay in school that he now lacks.

I deeply believe that in the disadvantaged areas of the United States there is a clear and pressing need for this program. I strongly urge the House that this amendment be defeated and that a firm and resounding vote of confidence be given to the Teachers Corps.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. Tiernan].

Mr. TIERNAN. Mr. Chairman, I want to commend the chairman of the Education and Labor Committee and the members of the committee for making some changes in the present operation of the Teachers Corps. On June 16, I spent the entire day in the city of Providence viewing three Teachers Corps teams in operation in the city. Out of this visit came the thought that certain changes were in order.

The reason I asked the gentleman from Florida a question earlier today as to whether he had had an opportunity to see these teams in operation and whether he would be offering the amendment to the bill was, frankly, that I have not been more impressed with any other program of this Government than I have been with the Teachers Corps program.

How does this operate? How do the Teacher Corps recruits help?

I can tell the gentleman from Florida and the other Members of the House, who only yesterday were asking what we could do with regard to the increase in crime in the District of Columbia and with regard to the increase in crime in the United States, that this will be a start. I saw the teachers in this program, or the recruits—and we can call them teachers or recruits, because most of these recruits are college graduates.

I observed on the part of the Teachers Corps trainees a real seriousness of purpose and much zeal for their work. Very important, however, was the enthusiastic reaction and response of the children to the program. A classic example of the zeal of the Teachers Corps interns and the involvement of the students in their charge was the instance I observed of a Teachers Corps intern from Boston who assumed as an extracurricular activity the task of organizing a 30-member drum and bugle corps at the Roger Williams Junior High School in Providence. This Teachers Corps intern engaged in this activity with a great deal of personal sacrifice.

I was also greatly impressed with the cooperativeness and effectiveness of the city coordinator, Mr. Alfred Russo, and the team leaders in the six schools. My overall evaluation of the Providence program is that it is beneficial, productive, innovative, and highly promising. I urge that it be continued, but with a few modifications.

First, there should be more adequate quarters in which to teach. I found that cramped quarters in the schools limited the effectiveness and the potential of the program. Second, there are insufficient funds for supplementary expenses. In one situation there were no funds to provide basic language books for beginning students who were recent immigrants. This lack of material should be remedied and I suggest a special fund be set up for basic supplies and materials.

These suggestions for modification, I am sure, could very well apply to other areas of the country. I feel there is merit and value in their adoption.

I would like to suggest to my colleagues that they take similar trips to their respective districts in order to observe and know first hand the achievements and the successes of the Teachers Corps.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. TIERNAN. I yield to the gentleman from Florida.

Mr. GURNEY. Let me ask the gentleman a question, because I believe this is very vital to the legislation we are considering. The committee is bringing this to the House as a sort of experimental program. The gentleman says the program works well, and it is a start. Does the gentleman envision this program getting a good deal larger, multiplying year after year, and bringing more and more teachers into it? Is that the gentleman's thought for the future of the program?

Mr. TIERNAN. I would say to the gentleman from Florida that if the results I witnessed and the achievements of this program are such that they warrant the expansion of the program, I hope the gentleman will be one of those who will join with us in sponsoring this type of legislation.

Mr. GURNEY. And the gentleman indeed would have the Federal Government inject itself as far almost as it could into the business of fostering a National Teachers Corps.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. GURNEY].

Mr. GURNEY. Mr. Chairman, I think one thing should be cleared up because it is important for this legislation. People who oppose the legislation, at least speaking for myself, do not do so on the grounds that there is not a need in the disadvantaged area of teaching or that there is not a teacher shortage. However, the point that is being missed in the debate here, I think, in pointing out the tremendous need in these areas, is the fact that the Nation already is doing a good deal in this area, and particularly the Federal Government. It already has the National Defense Education Act teacher institutes.

Here in my hand is a pamphlet for this summer which outlines these programs. There are set forth in this pamphlet dozens of universities that are doing this, which, as the heading says, is training teachers of disadvantaged youth. What we are doing here is duplicating a program. In fact, I think the gentleman from New York made one of the best arguments for passing my amendment and not having this Teachers Corps bill. The argument is we are doing a good job with the teacher institutes and the fellowship program. Let me point out that for the same money we could, if we put it into the teacher institutes outlined here for the same purpose, train 15,000 additional teachers next year instead of the 6,000 in this bill. Now, which is a better bargain? The point I am making is we are duplicating programs here and also injecting the Federal Government into the business of a national teacher corps.

The point is also made—and I want to develop the colloquy I had on the floor here a moment ago with the gentleman from Rhode Island—that what we are doing is a drop in the bucket here. This is 6,000 out of nearly 2 million teachers in this country. This is 6,000 for 26,000 school districts. That figures out to one-quarter of a person for each school district.

This will do little or nothing to help out this problem unless a vast expansion of the Teachers Corps is planned for the future. If that is the case—to inject the Federal Government fully into the teaching business in elementary and secondary schools—I hope the committee will support this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. GIBBONS].

Mr. GIBBONS. Mr. Chairman, there are a number of things to keep in mind as we begin to vote on this particular issue here. First of all, the Teachers Corps language that we are about to adopt is vastly different than the Teachers Corps language that was voted down some time ago in this House. On what I would prefer to think is a bipartisan basis, we in the House Committee on Education and Labor met and resolved many of the differences we had. This was in a spirit of give and take. Most of the controversial part of the so-called National Teachers Corps was done away with, but the very essential parts have been kept. These are the local control. This is no longer known as a National Teachers Corps, but it is known as a Teachers Corps. It is locally recruited, locally trained, locally organized, and locally deployed.

Second, this is just an experimental innovative program to try to find new ways to train teachers to do a tough job.

Let us take a typical example of the way a teacher has been trained in the past. Most teachers have been recruited from our great middle-income class and have gone out through the colleges of education into teaching. The first thing they did, most of them, is they got thrown into the toughest schools in their districts when they were least prepared. With this handicap of being the least prepared and being thrown into the toughest schools, most of them held on long enough to get out into those middle class and upper class suburban schools where they could get better jobs or else they quit teaching. What we are trying to do is to get people to start in those tough areas and gain enough expertise in knowing the child and the child's parents.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, in the little time I have I would like to point out a couple of things we should remember due to the concerns brought out by some of our colleges with regard to the Teachers Corps. No. 1, it is true it would be possible to bring people into the teaching profession and give them special training in the problems of culturally and socially deprived children in title I of the Elementary and Secondary Education Act. It would not be easy, local schools would have to make special arrangements for it. Colleges and universities can use the institute program and the fellowship program to bring people into the teaching profession and give them (special training in the problems of the culturally and socially deprived.

Now, Mr. Chairman, undoubtedly, some of these programs will be used for that purpose. However, if the special programs using the intern method of training, giving teacher interns on-the-job training is needed, this Teachers Corps is a good method and we will have met one of the objectives of this legislation. Therefore, Mr. Chairman, this program should be able to develop a number of specially trained people whose effect on the other teachers of the school would be tremendous, if they come to an understanding of the problems of the children who are culturally and socially deprived.

Mr. Chairman, no program for training of this type will operate in any local school or institution of higher learning without their approval, also any such program must have the approval of the State agency. State approval is not the case in the institute program and that is not the case in the fellowship program. It is the case in the Teachers Corps program, however.

Also, Mr. Chairman, the allocation formula for each State is not based upon the number of educationally deprived children or is not based upon the number of poor children. But it is based upon the ratio of the number of children enrolled in public and private schools in the State. This bill uses the formula very close to that which I proposed in my amendment to the Elementary and Secondary Education School Act, the most equitable formula which I feel can be devised. The figures bearing upon this problem are available each year so that none of the ancient, obsolescent figures used in the Elementary and Secondary Education School Act will make this program unequitable.

Mr. Chairman, I am convinced that the Committee on Education and Labor has developed in the Teachers Corps now a piece of legislation that our colleagues can support as a sound, forward-looking program of assistance to education.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Chairman, I rise in opposition to the amendment which has been offered by the gentleman from Florida.

I think, perhaps, we are overlooking one thing here in our citicism of the Teachers Corps.

The Teachers Corps, to a degree, has been working in the exact opposite direction in the private school systems of this country. Many parents who find themselves in our society—as you might say the highly privileged—send their children to a private school. But a large percentage of our teachers in private schools do not have a certificate of education to teach.

Mr. Chairman, the private school recruiters have gone onto the campuses of our colleges and universities and have interviewed students, students with a particular talent or ability which they felt could be used in a special category for these students from the highly privileged homes.

Actually, what we are doing here, through the participation of the Government, is giving these teachers, whether you call them interns or teachers, an opportunity to work with the underprivileged. But, just having a certificate to teach does not guarantee dedication to the profession.

So, in my opinion there is room for both here, in view of the fact that this same system has worked so well in our private sectors I feel confident it will work equally as well in the public sector.

The CHAIRMAN. The gentleman from Kentucky [Mr. PERKINS] is recognized to close the debate on this amendment.

Mr. PERKINS. Mr. Chairman, it is most difficult for me to see how any Member could vote to strike the Teachers Corps, when we know the great need in our impoverished areas.

Mr. Chairman, I wish to clarify the question on whether interns are teachers. Clearly interns are not certified teachers. But under the statement of purpose for this program, section 511, subsection (2), it provides that the program is for "attracting and training experienced teachers and interns who will be made available for teaching and in-service training in local educational agencies in such areas in teams led by an experienced teacher."

It is equally clear that interns will be performing teaching duties.

May I add that this bill provides for complete local control. I cannot visualize the situation where a local educational agency along with the college and university will not recruit and enroll the best possible interns.

Furthermore, the training programs they will receive at the college level, the special programs, will give these young people a certain type of enrichment that they can carry to the classroom. Their contributions will be invaluable in the distressed areas where special services are so greatly needed. May I again say the Corps members will not replace any teachers any regular teachers. They will assist in giving individual attention to the youngsters that need individual attention.

Mr. Chairman, I want to ask the Committee to vote down this amendment. The Teachers Corps is absolutely necessary. It is not going to solve all of our problems, but it will have a terrific impact.

The CHAIRMAN. The time of the gentleman has expired. All time on the amendment offered by the gentleman from Florida has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. GURNEY].

The question was taken, and the Chairman announced that the nays appeared to, have it.

Mr. GURNEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. GURNEY and Mr. PERKINS.

The Committee divided, and the tellers reported that there were—ayes, 62, noes 108.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. GURNEY

Mr. GURNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GURNEY: On page 10, line 12, after "agencies" insert "(upon approval in either case by the appropriate State educational agency)"

The CHAIRMAN. The gentleman from Florida is recognized in support of his amendment.

Mr. GURNEY. Mr. Chairman, this is a very small amendment to the Teachers Corps part of the bill.

As I see it, it makes one portion of the bill correspond with other portions of the bill and I think the Members on this side of the aisle, that is on my own side of the aisle, who supported the Teachers Corps, can also support this amendment because it carries out what they believe in too.

Section 513 of the bill reads "for the purpose of carrying out this subpart, the Commissioner is authorized to—" and then it sets out certain things that he can do. The first is to enter into contracts or other arrangements with institutions or local educational agencies under which they will recruit, select and enroll in the Teachers Corps certain persons.

Then the next section talks about entering into arrangements to provide for training.

The next section talks about entering into arrangements to send the teams into the districts to do the teaching.

The section that speaks to the training and the section that speaks to the sending of the teams also has this language in it—"approval by the appropriate state agency."

All my amendment seeks to do is to put in the portion of the bill, the first part which deals with entering into contracts or arrangements for the recruiting of the Teachers Corps people—to put the same language in—that is, upon approval in either case by the appropriate State educational agency.

As I understand it, a great many of the Members who previously opposed this legislation last year and the year before, now support it because they say it is locally oriented and locally controlled and that the power of the commissioner of education has been cut down.

I say if they conscientiously mean that, then they certainly ought to approve of this amendment.

My amendment simply applies to the recuitment, selection, and enrollment of the people in the Teachers Corps the same local control, the same local approval that is found in other parts of the bill, so far as the training is concerned, and so far as the furnishing of the teachers teams to the school districts are concerned.

It seems to me that every person who previously did not support the bill because he had reservations about local control and reservations about the broad authority given to the Commissioner would support this, which applies that same local control we have put into the training and sending in of the teachers teams parts, to the recruiting of the teachers, and I would hope that the House could support this amendment.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment. We must place the authority somewhere, and about the only remaining authority for the Commissioner in the bill is more or less to serve as a clearinghouse. If the gentleman's amendment is accepted, it would severely impede the development of the Teachers Corps in many areas. They could not come to the Commissioner, in my judgment, and make application until after State approval. I think that is a step backward.

This is all locally controlled. We have provided for dissemination of information by the Commissioner, and I certainly hope that this amendment is voted down.

I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Chairman, I thank my chairman for yielding. I also oppose the amendment. If I may have the attention of the gentleman from Florida, the part of the bill to which his amendment is directed has to do with the recruitment, selection, and enrollment of people in the Teachers Corps by colleges or universities and by local school districts. To me this would be a real infringement upon a college or university. I know of no program, I know of no place in the United States where a college or a university would allow a State department of education to say to them who they could enroll in that college or university, and I, for one, could not possibly vote for legislation which would give a State department of education that authority over any college or university in my district or any place in the United States.

Second, when we have the leader of a teaching team, the local school district selects that person from the teachers within the school district, whether it is in the gentleman's State or whether it is in my State. They are also able to select the interns who work with that teacher.

I do not know of any school district that would give to the State department of education the approval power or the veto power over what teachers they would hire or fire. If we accepted the gentleman's amendment, that is exactly what we would say. We would say that the State superintendent of the schools in Florida could veto the hiring of teachers in Tampa, Miami, or any other place, or that the State superintendent of instruction in Oregon could veto the hiring or firing of teachers in the city of Portland.

I think this is a very bad amendment. I believe it would do great damage to city school administration, and I think it would infringe upon the autonomy of colleges and universities. I hope that the amendment will be defeated.

Mr. QUIE. Mr. Chairman, I rise in opposition to the amendment.

As my colleagues know, I am strong in support of giving the State departments of education every authority and every responsibility necessary for making Federal programs function well, and we do that in the Teachers Corps.

In the next subsections we make certain that the State can disapprove any grant given to an institution of higher learning or to a local school district. But as to the recruitment, selection, and enrollment, it would be completely unacceptable and unworkable for the local education agency and the institution of higher learning to have to go to the State department of education to get approval from the State on each of the teacher interns they select or the master teachers.

We took this up in the subcommittee. We decided at that time that it was wise to write the shift of recruitment, selection, and enrollment from the Commissioner of Education to the local school and the institution of higher learning as we did write it. For that reason, I ask that the amendment be voted down and that we leave the legislation as presently written.

Mr. ALBERT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am opposed to the amendment. I think it is impractical. I do not believe it would be good legislation, but I rise principally for the purpose of supporting this bill as reported, and particularly this section of the bill as reported by the Committee on Education and Labor.

I believe that the members of that committee have worked out an excellent bill. I want to congratulate them. I had the opportunity of seeing them at work. The gentleman from Kentucky, as the new chairman of the committee, is doing an outstanding job in an area that requires a lot of hard work. He is devoted to his job and is performing outstanding service on behalf of the House and of the country. The gentlewoman from Oregon has worked diligently on this bill. She knows everything about it. She has worked hard to report a bill that would have a broad base of support in the Congress. She has given excellent leadership in this field. So has the distinguished gentleman from Minnesota [Mr. QUIE]. So has the distinguished and scholarly gentleman from Indiana [Mr. BRADEMAS], who has contributed immeasurably to this bill. So have all members of the subcommittee. They all deserve the gratitude and support of the House.

I am sure the bill in its present form does not suit everybody in every particular, but I am sure that the subcommittee, presided over by the gentlewoman from Oregon, and the committee itself, have reported to the House a bill that is not only acceptable but is one of the best that has come out of any committee this year.

I hope the amendment and all crippling amendments will be defeated. I trust that the bill will be enacted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. GURNEY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. GURNEY

Mr. GURNEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GURNEY: on page 10, lines 23 and 24, strike out "the Commissioner may deem" and insert "may be".

Mr. GURNEY. Mr. Chairman, again this is an amendment similar to the one I offered before, in that the purpose of it is to confine, as much as possible, control of the Teachers Corps to the local educational agencies.

What it does is this: The whole language of this section is directed to the training that the Teachers Corps members are going to receive. The bill provides that the Commissioner is authorized to "enter into arrangements, through grants or contracts, with institutions of higher education or local educational agencies—upon approval in either case by the appropriate State educational agency—or with State educational agencies to provide members of the Teachers Corps with such training."

And this is the key language—"as the Commissioner may deem appropriate to carry out the purpose of this subpart."

The point I make in this amendment, the point I speak to in this language, is that here again we lodge a great deal of discretion in the hands of the Commissioner of Education. He is the one who is going to say what sort of training the Teachers Corps members are going to get in the institutions of higher education and in the local educational agencies, because the language says that he can enter into an arrangement with them for such training as he may deem appropriate to carry out the purpose of this act.

The only thing my amendment would do is to take out the language, "the Commissioner may deem" and to insert in place thereof, "may be". So the section would read—

> Enter into arrangements, * * * with institutions of higher education or local educational agencies * * * to provide members of the Teacher Corps with such training as may be appropriate to carry out the purpose of the Act.

As I see it, the language I have proposed will in no way injure the bill at all. It will in no way interfere with its effectiveness. It does constitute, I believe, a safeguard, in that it would take out the wide discretion from the hands of the Commissioner of Education, his ability to tell the institutions and the local educational agencies what training is appropriate to carry out the purposes of the act.

I would most certainly think that the Members who opposed the original Teachers Corps and who now support it in its present version, because it is oriented to local control, could support this amendment, and I hope they will.

Mr. PERKINS. Mr. Chairman, I rise in opposition to the amendment.

Again the gentleman is seeking to strip the Commissioner of what little remaining authority he has, except to pay the bills.

The Commissioner must have some authority. We must place responsibility. If an educational institution proposed a training program which was completely inadequate, he must have the authority to reject that proposal. The amendment would not allow him to do that.

If an educational institution proposed a program of training which only provided for 1 hour of training per week, the Commissioner should have the authority to reject such program.

There is no question in my mind that the Commissioner and the local educational agency and the college or university involved will work out very desirable programs.

If we undertake to strip the Commissioner of the authority of offering suggestions and consultation with the educational authorities and the local educational agency it would be a grave injustice.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. I believe the chairman of the committee has expressed my view in opposition to this amendment.

This is not language which is new or different. It occurs in title V, the graduate fellowship program. We give the Commissioner of Education the authority there to approve certain programs to accomplish the purpose.

We also adopted language last year, as an amendment to the international affairs part of the NDEA Institute, to give the Commissioner authority to approve programs.

I join the chairman in opposing this amendment, because as a person voting for Federal funds I want those Federal funds spent for the purposes this House is requesting—teacher training to prepare them to work more effectively with the disadvantaged. The Commissioner is directed not to plan curriculum, but to see that the funds are directed to those types of programs which will accomplish the purpose of attracting people and train them particularly to work in the areas with a high concentration of disadvantaged children.

I hope the amendment will be defeated.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Indiana.

Mr. BRADEMAS. I want to express complete agreement with what the gentlewoman from Oregon has said. It is significant to note that there was no testimony before our committee on the part of the universities who were participating in the Teachers Corps program by providing training for the interns that these institutions felt put upon in any way in having to come up with training programs which met the purpose of the overall Teachers Corps. I know of no complaints by universities that they were required to provide some special training for the people going into the field of teaching disadvantaged children. Somebody has to decide whether or not a training program is appropriate for this unique purpose of the Teacher Corps.

I hope, therefore, that the amendment will be defeated.

Mr. QUIE. Mr. Chairman, I rise one position to the amendment.

The Teachers Corps law, part B of title V, gave the Commissioner of Education the authority to set the criteria for curricula. This we opposed and the committee removed that authority in this bill. There is no authority in this bill for the Commissioner of Education to set the curricula. What the language of subsection (2) of section 513 does is give the Commissioner the authority to determine that the programs will be the ones that will give special training in the problems of the socially and culturally deprived and use the intern method of training. That is the kind of authority which is given to him. As the gentlewoman from Oregon has indicated, it gives him the responsibility to see to it that the policy established by the Congress is carried out. That is the extent to which he does have authority.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

This is most interesting, Mr. Chairman. The previous amendment on the part of the gentleman from Florida [Mr. GURNEY], was attacked on the basis that it was invading the rights of the States and local education officials. They said it was taking away the rights of the local people.

Mr. GIBBONS. Mr. Chairman, will the gentleman yield at that point?

Mr. GROSS. No. I just got started. As a matter of fact, this is one bill on which I have not spoken before. I will yield to the gentleman later if I have the time.

Now we hear the same people saying that we should give the Commissioner of Education all the power to set criteria and, if he does not like that, to throw out the program or the criteria. What do you mean by that? Are you opposed to control? Are you opposed to control on the part of the Federal Government? If you are, you would support the amendment.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes. I yield to the gentleman.

Mr. COLLIER. I understand the gentleman from Minnesota to say that there is a protection against the Office of Education setting the criteria, but they may, on the other hand, approve or disapprove of a program. Is that correct? Will the gentleman from Iowa yield to the gentleman from Minnesota for the purpose of answering that question?

Mr. GROSS. Yes, of course I will. I would like to hear him explain his position with regard to control. I think he is on both sides of the fence.

Mr. QUIE. No, the gentleman is not on both sides of the fence. The authority given to the Commissioner of Education here is to set or establish the training programs and not permit them to go into those not intended by this act. However, the authority to set the criteria was removed from the Commissioner by legislation. Therefore he no longer has that authority. The previous amendment, which would have required the State educational agency to approve the recruitment, selection, and enrollment we do not care for.

Mr. COLLIER. What you are saying is, the Commissioner of Education shall not have authority to establish the criteria but, on the other hand, shall have the authority to approve or disapprove a program. If the criteria in the program does not meet with his approval and he does not approve the program, the net result is he is approving the criteria.

Mr. QUIE. If the gentleman will yield further, there is quite a bit of difference between the Commissioner having a positive authority to write curriculums or have the authority to deny a program if the curriculum is not what he approves of.

Mr. GROSS. And, of course, that is what some of us are opposed to in this legislation. It is the delegation of power to the bureaucrats in the Federal Government. Yet you come here today and want to turn it over to them. I do not understand what has happened in the last year or two when some of the people in this House were opposed to Federal aid to education and vigorously opposed to the Teachers Corps. Now they embrace it.

Somehow or other they have flip-flopped and today here we are.

Mr. QUIE. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. Of course.

Mr. QUIE. For some time we have been working on this legislation.

Mr. GROSS. Yes, and for some time—just a minute—I would be interested to have some of you on this committee explain to me why you opposed it before and are in here today supporting it clear up to the hilt.

Mr. QUIE. Mr. Chairman, will the gentleman yield further?

Mr. GROSS. Yes, I yield further to the gentleman from Minnesota.

Mr. QUIE. I explained that yesterday and have explained it twice today. This is based upon the changes which we have made in this legislation that I opposed before. It now meets with my approval and that is why I support it today.

Mr. GROSS. Has the gentleman from Minnesota had a change of heart?

Mr. QUIE. Not a change of heart.

Mr. GROSS. Well, evidently, it became fashionable?

Mr. QUIE. No, it is the type of legislation of which I approve.

Mr. GROSS. Well——

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. GURNEY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: On page 29, line 16, insert "(A)" after "that" and on line 19 strike out the period and insert ", and (B) not less than 85 per centum of the funds appropriated pursuant to section 532 shall be used for programs or projects set forth in paragraphs (1), (2), (4), (5), (6), and (7) of subsection (a)."

(Mr. STEIGER of Wisconsin asked and was given permission to revise and extend his remarks.)

Mr. STEIGER of Wisconsin. Mr. Chairman, the central purpose of part D is the training and professional upgrading of classroom teachers and other key school personnel. The existing institute program under title V–B and XI of National Defense Education Act authorizes institutes only for: First, classroom teachers and teacher supervisors; second, counseling and guidance personnel; third, teachers of disadvantaged children; fourth, school librarians; and fifth, educational media specialists.

Paragraphs (1), (2), (4), (5), (6), and (7) of part D includes all of these categories and adds other school personnel such as the school social worker and other classroom teachers engaged in work with special education for handicapped children and for gifted children.

The categories of school personnel listed in these paragraphs are those most in need of training or retraining because they have the greatest impact on education and the closest contact with the children. The focus of this program needs to be kept upon these personnel.

The other paragraphs in section 531(b) of part D expand the program to include teacher aides and other nonprofessional personnel, school administrators, and auxiliary personnel recruited from other professions to help in the schools. While institute programs for such personnel will be valuable, they should not be permitted to exceed a relatively small per-cent of the total program. The members of this committee are aware of my concern for the development of improved programs for teacher aides and paraprofessionals. But the most pressing needs exist insofar as professional quality classroom instruction is concerned and it is for that reason that I have offered this amendment.

This amendment is an effort to provide some congressional direction to the Commissioner of Education to keep this program sharply and overwhelmingly focused upon the training needs of teachers and other school personnel who directly affect the quality of education. Under funds budgeted for this program in fiscal 1968, this amendment would permit the Commissioner, if he wished, to expend over $6 million for training in the other categories.

Mr. SCHEUER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHEUER. Mr. Chairman, I am concerned with the shortage of all kinds of educational personnel, and I believe that the introductory paragraphs of the full committee report on H.R. 10943 makes clear the committee concern with the critical shortage of qualified educational personnel of all kinds in our Nation's schools.

To meet this critical demand—

Reads the report—

many thousands of additional teachers and other educational personnel are needed at all levels.

Testimony presented to the committee indicates that by 1975, 900,000 new secondary school teachers and 925,000 new kindergarten and elementary teachers may be needed.

The purpose of H.R. 10943—

The report continues—

is to coordinate, broaden, and strengthen programs for the training and improvement of teachers and other educational personnel so as to improve the quality of teaching and to help meet the critical shortages of adequately trained educational personnel. . . .

Witnesses who appeared before our committee and the committee members themselves recognized that one meaningful way of meeting this crisis in education—this teacher gap—is through the training and employment of subprofessionals as education aides. Right now there are some 125,000 educational aides being employed under title I of the Elementary and Secondary Education Act and another 25,000 through funding under the Economic Opportunity Act. We need to devise better training programs to maximize the potential contribution which school aides can make in meeting our desperate shortage of educational personnel.

The committee heard testimony from one of the leading thinkers and practitioners of the subprofessional movement, Dr. Arthur Pearl, professor of education at the University of Oregon. Dr. Pearl described the Nation's total education manpower needs and urged the possibilities of meeting those needs through more extensive and better planned use of subprofessionals.

Evidently the committee was impressed with what Dr. Pearl had to say because in the new proposed part D of title V, programs or projects to train teacher aides are specifically mentioned as a type of undertaking which will qualify for support. Further, in its report, the committee had this to say about subprofessionals:

> Under the provisions of the proposed new section 504, local school districts, State educational agencies, and colleges and universities will receive assistance to identify persons interested in the educational profession, to encourage them to pursue an educational career, *whether such career would start at a professional or subprofessional level,* and to publicize availability of opportunities in education. . . .

Lastly, the committee wishes to restate its interest in providing increased support of programs for the training of teacher aides. Under the proposed subpart (2) of part B of title V up to one-third of the funds may be used for programs to attract and train teachers' aides. In the proposed part D, programs or projects to train teacher aides are specifically mentioned as a type of undertaking which will qualify for support.

The committee cannot overstate its interest in providing support for this type of program. Equally important, however, is the training of teachers to work with teacher aides. An institute, or inservice training program designed for that specific purpose might qualify for support under part D. In addition to this, however, this committee is hopeful that other training programs supported by title V funds, though designed for other purposes, will nevertheless include a component designed to prepare teachers to work with teacher aides, particularly to develop an awareness on the part of teachers and school administrators of the advantages of using such aides in positions of increasing responsibility commensurate with training and experience.

Mr. Chairman, the committee hearings and the committee report make it clear that one of the major thrusts behind title V, and one of the expectations of the committee in passing title V was the keen awareness of the importance, the significance, of teacher aides as an integral part of the education process.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike the last word.

I find myself in agreement with the views which have been expressed by the gentleman from Wisconsin [Mr. STEIGER]. I think without a doubt there are some programs outlined in the nine subparagraphs on page 28 and 29 that should have higher priority than others. I am just wondering if the gentleman from Wisconsin would be willing to withdraw the amendment so as to bring it up at a later time after we have had a report from the Advisory Council.

The Advisory Council is to be appointed by the President within 90 days after the enactment of this act. The Advisory Council is to report back on the teaching needs in the country, and as to what items should have higher priority.

Mr. Chairman, it seems to me, if I may suggest so, a bit unwise to provide legislation calling for the appointment of the Advisory Council to advise us on what the priorities should be, and then in the same legislation decide that we already know what the priorities are.

Mr. Chairman, I would think we might accomplish the objective the gentleman from Wisconsin seeks by a colloquy on the floor, and agree as to the subjects we think do need priority at this time, but wait until after the Advisory Council has reported back to the Congress. In my opinion, this is the better procedure. I could hope the Members would follow today, if it meets with any kind of favorable reaction by our very charming friend from the State of Wisconsin.

Also I would like to know the views of the gentleman from Minnesota [Mr. QUIE] on this matter.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman.

Mr. STEIGER of Wisconsin. Is it appropriate to say to the distinguished chairman of the subcommittee that the greatest needs exist in the subparagraphs I have listed in the amendment, subparagraphs 1, 2, 4, 5, 6, and 7 and that this is a fair analysis of the intent of this House and this Committee?

Mrs. GREEN of Oregon. I would say to the gentleman that if I were to pick out those items on those two pages which I felt were in greatest need I would have picked out the very ones the gentleman from Wisconsin has picked out.

When one looks at the educational needs around the country, these are the items of highest priority, as I see it, at the present time, but I would also like to have the views of the Advisory Council, whom I would hope would make a greater in-depth study, and then report back to the House.

Mr. QUIE. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman.

Mr. QUIE. Mr. Chairman, I would say in the committee in the conversation on which of the longer list we would include, the feelings from the gentleman from Wisconsin were in evidence there that the greatest needs were the ones the gentleman indicated, and the other ones were not in so great a need, but we did certify the longer list in there, but they are not the only programs because, as it says on page 27: "Programs or projects under this section may include, among others," and then it goes through the longer list.

Mr. Chairman, I believe we would be in a better position to determine where the priorities really ought to be when we know what the report of the Council is. I do not believe the Congress is able right now to set the priorities themselves. We need the benefit of additional study, and maybe we will come to a conclusion at that time, we do not know what the State priorities are, and we want to leave that up to the local educational units who really know what their needs are.

Mr. STEIGER of Wisconsin. Mr. Chairman, would the gentlewoman yield further?

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. MEEDS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I thank the gentleman from Washington for yielding.

Mr. Chairman, based on the views expressed by the distinguished chairman of the subcommittee, and the colloquy on this, both that it is the sense of the Committee on Education and Labor and of this committee, that the greatest needs are in the training and upgrading of professional classroom teachers, and that the priorities will then come back to the Congress after the creation of the National Advisory Committee, I will withdraw my amendment from further consideration, and I therefore ask unanimous consent that my amendment may be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. GURNEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I simply take this time to explain to the Committee that the motion to recommit will consist of the language of the first amendment that I offered to the bill, in other words, to strike out the Teachers Corps from the bill. It affects the bill in no other respect. The motion to recommit will strike out the Teachers Corps from the bill.

Mr. COLLIER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I had presumed from reading page 38 of the committee report that an amendment was going to be offered to strike out section 507 of this bill by a member of the committee; for this reason I did not propose such an amendment. But I believe such an amendment would have been in order, and I think it is well that this Committee direct its attention to this business of the wholesale hiring of consultants at extravagant fees in this and other programs.

In the primary and secondary school bill a year ago I offered an amendment to make certain that the people in those districts where projects under title III were approved would at least have an opportunity to know what was being expended on a particular project—how many $100-a-day and $150-a-day and $250-a-day consultants they were being taxed to maintain in that program.

I was unsuccessful in that effort because apparently a majority of the House did not feel that this was the vehicle through which the people have the right to be informed upon.

Now let me tell you that since last October I have been trying to secure from the U.S. Office of Education an aggregate or a breakdown of the numbers of this type of high-priced consultants that have been hired in the primary and secondary school bill. You understand, of course, that in section 507 of this bill we have virtually the same consultant provisions. Incidentally, I never was able to get the total amount. I presume, however, that the so-called sampling I did receive of them would be somewhat shocking—if not to the members of this Committee, then certainly to some of the folks back home who have to pay the bill for these programs.

Here is what the sampling showed:

Thirty-two out of forty-two projects that were sampled used consultants. Right now I would guess that about 1,400 title III projects have been approved or will be approved within the next 60 days.

The 32 in the sampling did employ 147 consultants. Salaries or fees ran as high as $250 a day.

Of these 32 out of 42 projects that were sampled, 17 used an aggregate of 44 consultants at $100 a day; one project used a consultant at $250 a day; another used three consultants at $200 a day, and another project used three consultants at $150 a day.

Sixteen of the thirty-two projects were using 56 additional consultants at $50 a day.

I would only ask the members of this Committee, regardless of the degree of enthusiasm you have for this bill, that you give some sensible consideration to the direction in which we are going in this way and attempt to pare down the tremendous costs of the consultants in these programs.

I think you would find that had my amendment been adopted in the primary and secondary school bill last year that you might get quite a reaction from the folks back home after the breakdown of itemized expenses appeared in the local press.

Regretfully there is nothing we can do about the situation in this bill today. But at least let us be frank with the people of the country who are paying the cost of these programs, particularly at a time when we are preparing to go to them with a tax increase. It is high time we used some prudence in all Federal programs, and the vast majority of the people of this Nation, I am sure will be heard accordingly in louder voices before very long.

Mr. PERKINS. Mr. Chairman, I ask unanimous consent that all debate on amendments and the bill conclude in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. KYL. Mr. Chairman, I move to strike the requisite number of words.

I take this time solely for the purpose of getting some information concerning the teacher recruitment program. One of the first efforts in this direction, was in connection with the National Defense Education Act, in the forgiveness feature of the loan program. Does the committee have any information which would interpret the effect of that forgiveness feature in the recruitment of teachers?

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. KYL. I am pleased to yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. I may say there is a division of opinion with regard to the value of the forgiveness feature in NDEA loans. Last year we asked the Office of Education precisely the question which you have just asked: Is there any evidence that the forgiveness feature attracted people to the teaching profession? And they said that there was no evidence at that time that the forgiveness did do this. However, they also said there was no evidence that it did not do this. We are simply not sure of the effect of it.

Some of us on the committee feel that maybe those funds might be spent in better ways than the forgiveness factor.

Mr. KYL. May I ask one further question? The statistics should reveal definitely whether those people who are taking advantage of the forgiveness features are entering the fields where we sought teacher training in a specific subject area, or perhaps in the area of guidance and counseling. Are there any figures which would show that?

Mrs. GREEN of Oregon. I am not sure I understand the second question.

Mr. KYL. Under the defense education program we said we needed teachers in specific categories. Now, we should be able to determine, if we have kept any records at all, whether or not we had answered the requirements, the necessities.

Mrs. GREEN of Oregon. This question is not related at all to the forgiveness factor.

Mr. KYL. If a recipient of a loan did indeed go into teaching we know the area of teaching that person entered, and there should be some way of determining whether we were meeting the primary goal of the forgiveness feature.

Mrs. GREEN of Oregon. The forgiveness feature, as the gentleman well knows, applies to all phases of education, all phases of teaching. So we would not have any statistics from that particular standpoint. The only statistics that I can think of that would respond to your question would be in the number of people who have enrolled in specific institutes: How many teachers have enrolled in institutes for guidance and counseling, or how many have enrolled in English. I am very sorry I did not bring that information to the floor today. I do not recall what those statements were. But I will supply the information for you. It is not conclusive evidence, but it would give some indication of how successful it is in certain areas.

Mr. HANNA. Mr. Chairman, House passage of H.R. 10943 will mark another great step forward in the establishment of a progressive and creative bond between the National Government and local governments in the field of education. This bill, which amends and extends title V of the Higher Education Act of 1965, will go a long way in helping to alleviate a predicted severe shortage of teachers, as well as reinforce local responsibility for teachers selection.

The Federal Government, by assisting local authorities, has already made significant contributions to the training of educational personnel. The National Defense Education Act and other federally sponsored training programs and fellowships have rendered invaluable assistance to both higher education and the elementary and secondary schools. Yet, a great need for additional teachers, and further assistance at all levels, still exists.

Included in the legislation we are considering today is a revision of the Teachers Corps program. The Corps has had wide and successful acceptance among many local school districts. The revisions in the program promise to strengthen it by placing full responsibility for its implementation in the hands of local authorities. The Corps was created by title V, part B of the National Education Act of 1965.

The purpose of the program is to train teachers who will assist in supplementary roles in improving schooling in urban slums and depressed rural areas, as well as sending in teams consisting of an experienced teacher and several young college graduates to strengthen, under local supervision, school programs. After a 3-month summer training period at a designated college, the interns are assigned to a local school while doing part-time graduate work at a nearby university.

The already evident benefits of the Teachers Corps have been manifold. The Corps has assisted in improving public education in poverty areas by insuring that properly trained, concerned teachers are the ones who work with the underprivileged child. The Corps has also encouraged the development of new curriculums in teacher training courses, which are directed at instruction of potential teachers who will work with disadvantaged youths. Thus, new and better techniques in this highly specialized area are constantly evolving. Finally, in addition to helping to offset the teacher shortage problem in general, the Corps has a corollary effect. It encourages young college graduates to consider working with the underprivileged child and entering such teaching as a profession.

These are farsighted goals. They are, however, not visionary. They are firmly based in reality. Last year this Nation faced a shortage of 160,000 trained educational personnel. As expected, the most severe shortages occurred in the area with the greatest need—urban ghettos, and impoverished rural sections.

With the immense and formidable obstacles confronting the educationally deprived, the Teachers Corps was able, in 1 year of minuscule operation, only to make a limited impact. However, an impact was made. In a unanimous chorus all the local districts fortunate enough to have Corps teachers during the last year have praised the program.

I find the Education Committee revision and the new lease on the life it gives the Teachers Corps to be of prime interest and importance. In line with the time-honored theory of maintaining local responsibility for education, H.R. 10943 insures local control of the Corps. Under the provisions of this bill, the colleges and local school boards will now "recruit, select, and enroll" the volunteers who will be under the direct supervision of the appropriate officials of the local educational agencies to which they are assigned. Furthermore, the local school districts will be required to pay 10 percent of the salaries of the Corps members. The $33 million authorized for fiscal year 1968 will enable the Corps to train 4,000 volunteers.

But this is not all the bill has to offer. Despite its evident benefits, the Teachers Corps alone will not solve all of our teacher shortage problems. Other more varied approaches must be undertaken to attract more and better young people to the education professions. Many potentially excellent teachers are going into other fields for the lack of sufficient encouragement and support for the financial training of educational personnel.

Under the provision of the new section 504, money will be made available to local school districts, State educational agencies, and colleges, to identify persons interested in education professions, encourage them to pursue such a career, and publicize the availability of opportunities in education.

Furthermore, the bill includes provisions for granting money to States enabling them to support local efforts to attract, and qualify in areas of critical shortage additional teachers and aides. H.R. 10943 also liberalizes the requirements and extends the scope of Federal fellowship programs for the education professions.

Additional grants will now be available to colleges and State and local agencies for preservice and inservice training in teaching, counseling, guidance, administration, and work in specialized areas such as education of the handicapped, the gifted, and the socially, culturally, and economically deprived child.

The nearly unanimous support for the bill in committee is a clear indication of the ongoing concern which this Congress must have for the education of our Nation's youth. There is little doubt in my mind that today's vote will help assure our country of its position of continued preeminence in the field of education.

Mr. EILBERG. Mr. Chairman, in an editorial published last Wednesday morning the Philadelphia Inquirer pointed out that authority for the continuation of the National Teachers Corps must come very soon if the vital educational needs of disadvantaged children are to be met.

The article also emphasizes that these needs are far too vital to sacrifice in wrangling over operational details. For this reason I include it in the CONGRESSIONAL RECORD. Text of the editorial follows:

> There is some encouragement in the news that the controversial Teachers Corps has not been completely abandoned by Congress and that final action to extend the program may yet be obtained before authority for the Corps expires on June 30. The House Education and Labor Committee has agreed to continue the Corps for three years as part of a $1.1 billion measure for recruitment and training of educational personnel.
>
> In order to salvage the program it has been necessary to shift major responsibility for the Corps from Washington to State and local authorities, a move which may, in some cases, be desirable and in others possibly defeat the whole purpose of the Corps. Nevertheless, from an over-all standpoint, it is better that the Teachers Corps be kept in operation under a revised setup, whatever its limitations, than to haggle the outfit to death in disagreement over details and control of its operations. The services of the Teachers Corps are very much needed.
>
> Disadvantaged children in urban and rural schools ought to be helped now. They and their parents are not likely to care whether teachers are recruited locally and the training programs developed by local universities or by the U.S. Office of Education, so long as teachers are found and the programs can meet the requirements. The main question is whether the $135 million it would authorize to support the program is enough.
>
> The same applies to the amount to be authorized for teaching fellowships and development grants. Education and job-training are the main weapons against poverty.

Mr. RODINO. Mr. Chairman, action is urgently needed on the legislation we are considering this week which would extend and amend the National Teachers Corps program. I urge its approval, for we are nearing the June 30 deadline and I believe it is essential that the Teachers Corps continue in uninterrupted operation.

A recent article in the Washington Star of June 7 offers a succinct report on the background of the Teachers Corps and some of the issues which have been raised, and I include it in the RECORD at the conclusion of my remarks.

This fledgling program deserves the opportunity to prove its promise as a vital weapon in the effort to improve educational opportunities for disadvantaged children, which is our greatest and most difficult problem in the area of education.

The article follows:

FEARS ALLAYED: TEACHER CORPS NOT DYING

(By Shirley Elder)

Reports of the impending death of the National Teacher Corps are premature. The corps is very much alive and likely to remain so.

It does face a tight time schedule. The existing authorization expires June 30. And the way the corps operates may be altered somewhat. At least three amendments will be offered and accepted in the House Education subcommittee headed by Rep. Edith Green, D-Ore.

Fears for the safety of the Teacher Corps were based on Mrs. Green's frequent statements of criticism but, she said yesterday, she does not intend to kill the program. She does support amendments.

"I don't think they should equate a question about a program with opposition to it," Mrs. Green said.

"I am not opposed to the Teacher Corps as long as it helps provide more teachers. The shortage of teachers is the most critical education matter in the country. We must really work to find ways to attract teachers and retain them."

AMENDMENTS NOTED

All three amendments are supported by the Republicans as well as Mrs. Green, the same coalition that forced the House to accept similar amendments 10 days ago to the Elementary and Secondary Education Act.

Specifically, the three amendments would:

Shift decisions on Teacher Corps curriculum to the colleges where the teachers are trained.

Shift responsibility for recruitment to the local schools and colleges.

Require that the elementary and high schools where Teacher Corps teachers work part time pay a minimum of 10 percent of the program's cost.

Without the first amendment, Mrs. Green said the bill would be acceptable to her.

Without the second amendment, Republican leaders said they would vote no.

The third amendment reflects Republican-sponsored language already included in appropriations legislation.

All three are acceptable to the Johnson administration, according to Richard Graham, director of the Office of Education's Teacher Corps division.

"We see no objection to the amendments," Graham said. "They reflect what we are doing now."

What worries him. Graham added, is the shortage of time to beat the June 30 deadline.

In fact, the Johnson administration is seeking to win at least a temporary extension of the program to keep the agency intact this summer.

Late last month, $3.8 million was appropriated, but it can be used only if authority is obtained extending the corps beyond June 30.

Office of Education officials held a breakfast meeting yesterday with some members of the Senate Education subcommittee and asked, among other things, that a separate bill extending the corps for six months be launched.

Mrs. Green opposed any separate bill giving a short extension to the corps, adding: "I believe there are plenty of other people on both sides of the aisle who feel the same way."

Mrs. Green has promised prompt action. Her subcommittee began closed-door consideration of the Higher Education Act, which includes the Teacher Corps, yesterday. It will come before the full Committee next Tuesday, and could go immediately to the House floor.

COULD BE MARRED

This sanguine outlook in the House could be marred by a liberal revolt within the Education and Labor Committee.

Rep. John Brademas, D-Ind., one of the original architects of the Teacher Corps, is determined that it shall retain its "national" image.

Republicans and Mrs. Green are just as determined that it shall be locally controlled. A GOP spokesman explained, however, that the amendments do not disturb the Office of Education's power, of final approval and, in fact, welcomed the prestige and publicity that can be given the Teacher Corps if it keeps its Washington base.

He confidently predicted: "We've got the votes on this one, there's nothing they can do."

Rep. James G. O'Hara, D-Mich., one of the liberals on the Brademas team, said he will not accept harmful amendments just because of a show of power by Mrs. Green and the Republicans. But if the amendments do not hurt the program, he will not oppose them, for the same reason.

Republican criticism of the Teacher Corps is based on objections to its posture as an "elite corps."

"Our position," said Rep. Charles Goodell, R-N.Y., "is that the Teacher Corps should be coordinated with and folded into existing teacher training programs. We do not oppose the concept of special training for teachers of slum children . . . but they should not get special treatment over others doing the same thing."

Republicans point to the $275 million authorized this year for teacher training programs under the Higher Education Act. If the administration were truly interested in training slum teachers, this item could be used the same way as the Teacher Corps, they argue. But only 12 percent of the authorization was requested in the budget.

MEMBERSHIP OF 1,213

The Teacher Corps was first authorized in 1965 as part of the antipoverty effort to improve schooling for disadvantaged children. It was not funded the first year and got under way in great haste last summer when Congress belatedy gave it enough money for a modest start.

Today, the corps has 1,213 members assigned to 275 schools across the country. They teach part time and work on master's degrees (tuition-free) at nearby colleges. They have been receiving pay equal to starting teacher salaries but that will be changed by the pending legislation. From now on, corps member will receive weekly $75 grants with an additional $15 for each dependent.

The Teacher Corps originally was in the Higher Education Act but was partially shifted to the Elementary and Secondary Education Act because of fear of Mrs. Green. During the debate on the ESEA amendments, it was cut from that bill, leaving it again in the Higher Education Act—and Mrs. Greer subcommittee.

Mr. ANNUNZIO. Mr. Chairman, the Teachers Corps has its critics, but I am not one of them. I am a firm supporter of this creative new venture to help the Nation's underprivileged schoolchildren. And I find that many people who are supposed to oppose it—local school superintendents, principals, and teachers—are in fact very much in favor of the program.

I submit for the RECORD the comments of men and women who work directly with Teachers Corpsmen. As people on the spot, they are best able to judge the success—or failure—of the young interns and the experienced teachers who supervise them under the program. These are the people who can tell whether a child actually reads better, or responds more readily to instruction; or at least improves in classroom deportment, because of the personal attention of a corpsman.

Corpsmen do not replace regular teachers in the classroom. They merely take the children who need extra help so that the regular instructor can maintain a normal schedule of studies for the other children. The response of classroom teachers and supervisors to the Teachers Corps is gratifying to me and, I hope, to my colleagues.

Superintendent of schools, Rio Grande City, Tex.:

These young people are enthusiastic, prepared, and willing to work with underprivileged children and we are in dire need of their help.

Principal, Ford Road School, Memphis, Tenn.:

The Teacher Corps is the best thing that ever happened to our school. Every day it is a delight to be with them. What's going on here inspires me to want to do more.

Principal, Patrick Henry Junior High School, Cleveland, Ohio:

I wish that I had about 10 more Corps members just like the ones I have. Then I would have the most swinging program in the State.

A Chicago principal who remains unnamed for good cause:

Our teachers see these Teacher Corps kids here till 5:30, 6:00 o'clock . . . They are beginning to get competitive, now nobody runs out when the bell rings, all doing a better job.

Classroom teacher, Ford Road School, Memphis, Tenn.:

Corpsmen are a godsend. We have always wanted to devote more time to the individual problems of our children. We can do it now through the Teacher Corps team. I just wish we had more of them.

I think perhaps the most eloquent endorsement of the Teachers Corps comes not from a school administrator or teacher but from a young girl who dropped out of school. She says:

The team leader is helping me to get ready for my high school equivalency test.

Commenting on an action that will help her get a better job and may change the course of her life, she concludes simply:

I didn't even know I could take a test.

Mr. Chairman, there are the views of the people on the spot. I urge the Congress to give them more Teachers Corpsmen. I urge the Congress to help local school systems help children in this way.

Mr. OLSEN. Mr. Chairman, the amendments to the Higher Education Act which we have accepted are, as much as any legislation likely to come before the 90th Congress, a matter of grave importance to the future of our Nation.

As a nation, we have found strength in education. Lawmaking bodies on the State and Federal level have recognized the importance of, and the value of, an educated population. Surely if those who preceded us in this Chamber had not recognized the importance of education by passing such measures as the National Defense Education Act, the various GI bills and the Higher Education Act of 1965—to mention but a few—we would have a much greater task cut out for us today.

Yet today the most educated nation on the face of the earth is facing a severe educational challenge. Last fall our country was faced with an unprecedented shortage of nearly 170,000 qualified teachers. The shortage is most acute in areas where education has already slipped behind—in depressed rural areas and in urban slums. The situation is growing worse, and it will continue to worsen unless we accept the responsibility and take action to remedy it.

We need more qualified teachers. It is as simple as that. And the purpose of this legislation is to contribute to the enhancement of the teaching profession. If we succeed, I am confident very many of our college students will be attracted to careers in teaching.

I am pleased to note that the amendments give proper attention to the need of retaining qualified teachers in the profession. It is important, I believe, that we make use of every opportunity to encourage the teachers of our children to further enrich themselves, to continue their education, to erase, wherever it exists, the feeling that teaching is a dead-end occupation.

The strong bipartisan support these amendments received are a very real tribute to the excellent work of the House Committee on Education and Labor and the fine leadership of our colleague from the State of Kentucky [Mr. PERKINS]. I believe the Congress has cast its vote for education and educators by casting its vote for these amendments.

Mr. DONOHUE. Mr. Chairman, I most earnestly hope that this vitally important bill now before us, H.R. 10943, to amend and extend title V of the Higher Education Act of 1965 will be promptly and overwhelmingly approved.

In summary, this bill would establish four teacher recruitment and training programs under title V of the Education Act of 1965 and also make improving modifications in some other already existing programs.

The authoritative evidence that has been presented here this afternoon demonstrates conclusively that there is an acute shortage of properly trained and qualified teachers in this country right now, and the same authorities estimate that some 900,000 new secondary and 925,000 new kindergarten and elementary teachers will be needed by 1975.

The programs proposed by this bill are wisely designed to anticipate and prepare to meet the demand for qualified teachers that will increasingly arise over the next several years.

Mr. Chairman, the provisions of this measure deal exclusively with the recruitment, preparation, and inservice training of teachers and other key educational personnel.

It may well be the most important and effective educational measure that will come before this Congress for the simple reason that it goes right to the heart of our basic educational problem by recognizing that the classroom teacher, above all other things, is the single most vital factor in our whole educational structure.

The bill also provides for a long overdue and significant extension of the Teachers Corps, which is recognized as the best means yet devised through which competent educational assistance can be provided for disadvantaged children throughout this country.

Mr. Chairman, this bill represents the best compromise of different judgments and opinions that can be legislatively presented; there can be no argument about its basic purpose, which is to help assure that there is an able teacher in every classroom in every school in this country; the programs in this bill are projected in a manner that will insure continued, reasonable Federal support for teacher education while carefully and prudently preserving the crucial decisionmaking powers to State and local educational agencies and to institutions of higher education.

By all standards, this is legislation that is good for all Americans, and I urge my colleagues to overwhelmingly approve this bill without any extended delay.

Mr. FARBSTEIN. Mr. Chairman, I support the passage of H.R. 10943, a bill to amend and extend title V of the Higher Education Act of 1965.

The focus of this legislation is on the teacher, the hub of any sound educational program. Today, we find that there are not enough teachers to educate our children. This shortage falls primarily on those local educational agencies which are least competitive in the educational market. It places the greatest burden on schools in poor areas where the need for education is urgent and the shortage of teachers most critical.

I support this legislation specifically because I believe it will work to alleviate the teacher shortage in many disadvantaged areas of this Nation.

One of the most controversial parts of title V, but singularly one of the most important for poor areas, is the authorization for the Teachers Corps. This provision allows the U.S. Commissioner of Education to make arrangements with local educational agencies, upon approval by the appropriate State educational agency, to furnish teaching teams in areas having concentrations of children from low-income families. Each teaching team will consist of an experienced teacher and a number of teacher interns. These teacher interns, in addition to their teaching duties, will be afforded an opportunity to take part in a teacher training program so that they can raise their educational level while gaining experience and providing a valuable public service in local communities.

The Teachers Corps will be a local effort aimed at local educational needs. Recruiting, selection, and enrollment in the Corps, for up to 2 years, will be handled by local educational agencies and institutes of higher education in arrangement with the U.S. Commissioner of Education.

There is much to be said for this local control, and I suspect that this arrangement will be effective in most areas of the country. However, as time goes on, I believe it is essential that we carefully assess this provision to make sure that the program benefits are being extended to all disadvantaged areas.

Mr. Chairman, the Higher Education Act of 1965 included a teacher fellowship program, designed to give teachers an opportunity to update and upgrade their teaching skills. The present legislation would amend this provision by extending the program to include graduate education for preschool, adult, and vocational education. I believe this amendment is most important for it allows the upgrading of educational personnel in fields where the need is pressing.

Mr. Chairman, the funding of the amended title V is generally for a 2-year period, with the exception of the Teachers Corps and National Advisory Council on Education Professions Development. Both these programs will be funded for a 3-year period to include 1968, 1969, and 1970. Again, I believe this is wise legislation. It will give State education departments, local school districts, and universities an opportunity to better plan their programs.

Any program is of limited public value unless it allows for a constructive program of evaluation and the means to apply this knowledge to future plans. I view with satisfaction the creation of the National Advisory Council with responsibility to review program operations and to evaluate their effectiveness in meeting educational personnel needs. I also view with satisfaction, the provision which authorizes the U.S. Commissioner of Education to stay apprised of the Nation's existing and future personnel needs.

Mr. Chairman, education is not a cure for all the ills of our society, but without an adequate education system, can we truly believe that we will be able to solve any problems? I support H.R. 10943 as a program responsible for upgrading educational personnel and as one responsive to the expanding needs for teachers in local communities.

The CHAIRMAN. All time has expired.

Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. VANIK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10943) to amend and extend title V of the Higher Education Act of 1965, pursuant to House Resolution 664, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. GURNEY. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GURNEY. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GURNEY moves to recommit the bill (H.R. 10943) to the Committee on Education and Labor, with instructions that it report the bill back to the House forthwith with the following amendment:

On page 9, beginning on line 7, strike everything through "subpart 2–" in line 9, page 16.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the nays appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The roll was taken; and there were—yeas 146, nays 257, not voting 29, as follows:

[Roll No. 156]

YEAS—146

Abbitt
Abernethy
Adair
Andrews, Ala.
Arends
Ashmore
Baring
Battin
Belcher
Betts
Bevill
Blanton
Bray
Brinkley
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Collier
Colmer
Cramer
Curtis
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan
Edwards, Ala.
Edwards, La.
Everett
Findley
Fisher
Flynt
Fountain
Fulton, Pa.
Fuqua
Galifianakis
Gardner
Gathings
Gettys
Goodling
Gross
Gurney
Hagan
Haley
Hall
Halleck
Hansen, Idaho
Hardy
Harrison
Harsha
Henderson
Herlong
Hull
Hungate
Hutchinson
Ichord
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
King, N.Y.
Kleppe
Kornegay
Kyl
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClure
McEwen
McMillan
Marsh
Martin
Michel
Miller, Ohio
Mize
Montgomery
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Passman
Pettis
Pickle
Poage
Poff
Pool
Price, Tex.
Pryor
Purcell
Quillen
Randall
Rarick
Reid, Ill.
Reinecke
Rivers
Rogers, Fla.
Roudebush
Satterfield
Saylor
Scherle
Schneebeli
Selden
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Steiger, Ariz.
Stuckey
Talcott
Taylor
Teague, Tex.
Thomson, Wis.
Waggonner
Wampler
Watkins
Watson
Whalley
White
Whitener
Whitten
Willis
Winn
Wyman
Zion

NAYS—257

Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Ashley
Aspinall
Ayres
Barrett
Bates
Bell
Bennett
Biester
Bingham
Blackburn
Boggs
Bolling
Bolton
Brademas
Brasco
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Burke, Mass.
Burton, Calif.
Bush
Button
Byrne, Pa.
Cahill
Carey
Carter
Casey
Celler
Clark
Cleveland
Cohelan
Conable
Conte
Conyers
Corbett
Corman
Cowger
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Dingell
Donohue
Dow
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman

Evans, Colo.
Fallon
Farbstein
Fascell
Feighan
Fino
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gude
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hunt
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kazen
Kee
Keith
Kelly
King, Calif.
Kirwan
Kupferman
Kuykendall
Kyros
Laird
Leggett
Long, Md.
McCarthy
McClory
McCulloch
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Miller, Calif.
Mills
Minish
Mink
Minshall
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Myers
Natcher
Nedzi
Nix
O'Hara, Ill.
Olsen
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pirnie
Pollock
Price, Ill.
Pucinski
Quie
Railsback
Rees
Reid, N.Y.
Reifel
Resnick
Reuss
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Rumsfeld
Ruppe
Ryan
Sandman
St Germain
Schadeberg
Scheuer
Schweiker
Schwengel
Scott
Shipley
Slack
Smith, Iowa
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stratton
Stubblefield
Sullivan
Taft
Teague, Calif.
Tenzer
Thompson, Ga.
Tiernan
Tunney
Udall
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Watts
Whalen
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Wylie
Yates
Young
Zablocki
Zwach

NOT VOTING—29

Ashbrook
Berry
Blatnik
Boland
Bow
Diggs
Evins, Tenn.
Gray
Hébert
Kastenmeier
Kluczynski
Landrum
Moore
Murphy, N.Y.
O'Hara, Mich.
O'Neill, Mass.
Rhodes, Ariz.
Roberts
Rooney, N.Y.
Roush
St. Onge
Sisk
Smith, N.Y.
Thompson, N.J.
Tuck
Ullman
Utt
Williams, Miss.
Williams, Pa.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. O'Neill of Massachusetts against.

Mr. Williams of Pennsylvania for, with Mr. Rooney of New York against.

Mr. Tuck for, with Mr. St. Onge against.

Mr. Rhodes of Arizona for, with Mr. Thompson of New Jersey against.

Mr. Berry for, with Mr. Boland against.

Mr. Bow for, with Mr. Evins of Tennessee against.

Mr. Utt for, with Mr. Murphy of New York against.

Until further notice:

Mr. O'Hara of Michigan with Mr. Ashbrook.

Mr. Kluczynski with Mr. Moore.

Mr. Kastenmeier with Mr. Smith of New York.

Mr. Sisk with Mr. Diggs.

Mr. Williams of Mississippi with Mr. Roush.

Mr. Roberts with Mr. Gray.

Mr. Blatnik with Mr. Ullman.

Mrs. BOLTON, Mr. CUNNINGHAM, and Mr. SPRINGER changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. PERKINS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 312, nays 88, not voting 32, as follows:

[Roll No. 157]

YEAS—312

Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Bevill
Biester
Bingham
Blackburn
Blanton
Boggs
Bolling
Bolton
Brademas
Brasco
Bray
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Burke, Mass.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Casey
Celler
Clark
Cleveland
Cohelan
Conable
Conte
Conyers
Corbett
Corman
Cowger
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Dingell
Donohue
Dow
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fino
Flood
Foley
Ford, Gerald R.
Ford, William D.
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kazen
Kee
Keith
Kelly
King, Calif.
Kirwan
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Laird
Latta
Leggett
Lloyd
Long, Md.
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McFall
Macdonald, Mass.
MacGregor
Machen
Madden
Mailliard
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Myers
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
O'Konski
Olsen
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Pollock
Price, Ill.
Pucinski
Quie
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roybal
Rumsfeld
Ruppe
Ryan
Sandman
St Germain
Schadeberg
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Skubitz
Slack
Smith, Iowa
Smith, Okla.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tiernan
Tunney
Udall
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waldie
Walker
Wampler
Watts
Whalen
Whalley
White
Widnall
Wiggins
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—88

Abbitt
Abernethy
Andrews, Ala.
Ashmore
Betts
Brinkley
Broyhill, N.C.
Buchanan
Burke, Fla.
Burleson
Cabell
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Collier
Colmer
Cramer
Curtis
Davis, Wis.
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Duncan
Edwards, Ala.
Edwards, La.
Fisher
Flynt
Fountain
Gardner
Gathings
Gettys
Goodling
Gross
Gurney
Hagan
Haley
Henderson
Herlong
Hutchinson
Jonas
Jones, Mo.
Jones, N.C.
King, N.Y.
Kleppe
Langen
Lennon
Lipscomb
Long, La.
Lukens
McEwen
McMillan
Mahon
Marsh
Martin
Montgomery
Nelsen
O'Neal, Ga.
Passman
Pickle
Poage
Poff
Pool
Price, Tex.
Pryor
Purcell
Quillen
Rarick
Rivers
Roudebush
Satterfield
Saylor
Scherle
Sikes
Smith, Calif.
Snyder
Steiger, Ariz.
Teague, Tex.
Waggonner
Watkins
Watson
Whitener
Whitten
Winn

NOT VOTING—33

Ashbrook
Berry
Blatnik
Boland
Bow
Diggs
Evins, Tenn.
Fraser
Gray
Gude
Hébert
Kastenmeier
Kluczynski
Landrum
Moore
Murphy, N.Y.
O'Hara, Mich.
O'Neill, Mass.
Rhodes, Ariz.
Roberts
Rooney, N.Y.
Roush
St. Onge
Sisk
Smith, N.Y.
Thompson, N.J.
Tuck
Ullman
Utt
Williams, Miss.
Williams, Pa.
Willis

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. O'Neill of Massachusets for, with Mr. Rhodes of Arizona against.

Mr. Rooney of New York for, with Mr. Utt against.

Mr. Bow for, with Mr. Hébert against.

Mr. Gude for, with Mr. Tuck against.

Mr. Moore for, with Mr. Berry against.

Mr. Evins of Tennessee for, with Mr. Roberts against.

Until further notice:

Mr. Kastenmeier with Mr. Smith of New York.

Mr. Kluczynski with Mr. Ullman.

Mr. Thompson of New Jersey with Mr. Williams of Pennsylvania.

Mr. Diggs with Mr. Murphy of New York.

Mr. Boland with Mr. Landrum.

Mr. O'Hara of Michigan with Mr. Ashbrook.

Mr. Gray with Mr. Fraser.

Mr. Roush with Mr. St. Onge.

Mr. Sisk with Mr. Williams of Mississippi.

Mr. DOLE changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. GUDE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, during the final vote today on H. R. 10943 I was unavoidably detained off the floor of the House on official business with the Congressman from New York [Mr. HORTON]. I returned too late to qualify, but I do support this bill and I have been paired in favor of it.

AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MILLER of California. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 10340) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 10340, with Mr. FLYNT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Thursday, June 22, 1967, general debate had been concluded.

There was pending the amendment offered by the gentleman from Pennsylvania [Mr. FULTON].

Without objection, the Clerk will again report the amendment offered by the gentleman from Pennsylvania.

There was no objection.

AMENDMENT OFFERED BY MR. FULTON OF PENNSYLVANIA

The Clerk read as follows:

Amendment offered by Mr. FULTON of Pennsylvania:

On page 1, line 5, strike the amount "$4,992,182,000" and insert in lieu thereof the amount "$4,742,182,000".

On page 2, line 1, strike "(2) Apollo applications, $444,700,000;" and insert in lieu thereof, "(2) Apollo applications, "$194,700,000;"

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. FULTON] for 5 minutes in support of his amendment.

Mr. FULTON of Pennsylvania. Mr. Chairman, very simply my amendment will cut a $5 billion bill by about 5 percent.

The bill has within it the Apollo program—that is the major program, of the three-man landing on the moon.

My amendment at the committee level had cut the Apollo program $25 million. The amendment was accepted unanimously and I deeply appreciate it.

I believe the moon flight program can be operated with $2,521,500,000 which the committee has authorized.

The question comes—after the moon flight program, the three-man Apollo program—what happens? We have then the Apollo applications program as the method of applying what we have learned on the moon flight.

The Apollo applications program, as it was requested by the administration, amounted to $454,700,000.

The committee by amendment cut that by $10 million to $444,700,000.

Now when you say to me, "why should it be cut further?" my answer to it is this.

We are in a war. We are making decisions on a wartime basis. We have a war on in Vietnam.

There should be no sacred peacetime programs.

I have been a strong supporter of the space program and I still am. I will do nothing to hurt it. But I have to prove to you that by the delay in the Apollo program of 1 year, there has also been a delay in the Apollo applications program that follows after the moon flight—a delay of 1 year. I can show you the records to prove it.

One reason we should cut this program is that we are cutting every other program.

We have cut one program after another. For example, in this House we have cut the agriculture program $250,516.450.

We have cut every program so far and I hold in my hand this legislative sheet showing each individual appropriation and reductions made by the House.

For example, on Treasury and Post Office we cut approximately $60 million; the District of Columbia, $4 million; Interior we cut $75 million; independent offices we cut $791 million; on Labor, Health, Education, and Welfare we cut $185 million; State and Justice we cut $140,900,000; $250 million in Agriculture; legislative even we cut $3 million.

Let me say something else to you. We even cut the defense supplemental for Vietnam in this House by $79,350,000. We also cut the second supplemental defense appropriation for Vietnam by $59,673,000.

The cumulative appropriation cuts for this session in the House total $3 billion. Some of you people who live in cities know that we have also cut the cities' appropriations down. For example, in the independent offices bill we cut $771,736,000. They are the peacetime programs.

This House has been cutting and saving money. I owe it to the the gentleman from Arkansas to cut the programs in order to live within the reduced debt ceiling that we in the House enacted. I am doing that. On our program, the NASA Apollo applications program, my amendment is to cut $250 million. The amazing thing about it is that it is easy to find the places for this cut.

For example, on the Apollo applications last year the House authorized $41.6 million. The agency itself, though, transferred in enough to make it $88.5 million. They even took from the Apollo program. So they increased the authorization of the House for post-Apollo from $41.6 million, which the House said, to $88.5 million by transfers. That is not doing what the House says.

A second point is this: Because of the Apollo 204 accident—that is, the fire—there has been a delay in the moon flight program itself. The delay is estimated to be a year.

So someone can say, "Well, JIM FULTON, if there is a delay of a year in the Apollo program, how much did the agency reduce it?" The agency said that they found $50 million in the Apollo program with which they could, by better management, reduce the cost—that is, through better management. These words are from Mr. George Mueller, who is head of the manned space flight program.

Likewise they said, because of postponing flight programs and launchings, they would save $25 million more. So there is $75 million saved in the Apollo program because of the delay of a year.

So the Members of the House can say to me, "Is there any delay in the programs that come after the Apollo moon flight program?" My answer to it is, "Yes." I have here the original NASA schedule and it shows the two dual launchings—that is, four launchings—in 1968 have all been moved to 1969. That is in the Apollo applications program. So they are moved back a year. We can see then that there is a moving back of a year on each of these programs, both the moon flight and what we are going to do after the moon flight.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I will yield for a very brief question. I am almost out of time.

Mr. LATTA. Mr. Chairman, the gentleman made a very important point by pointing out that in the fiscal year 1967, the Apollo applications program was only $41 million. But here in this they are requesting $444 million. That is a tremendous increase. If the gentleman's amendment is agreed to, it would be less by $250 million. They would have $94 left, which is $150 million more than was appropriated last year for the same program.

Mr. FULTON of Pennsylvania. That is correct. That is above what NASA requested last year for Apollo applications. It is 10 times above what they were authorized last year. This is a tenfold increase in a peacetime program from one year to another.

Notice, the amount that was actually

put in the budget by NASA by transfer actions, $80 million. It is four to five times more than the amount they budgeted last year themselves. So this is a five- to 10-time increase in a peacetime program. I say it is too much.

(By unanimous consent, Mr. FULTON of Pennsylvania was allowed to proceed for 5 additional minutes.)

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman tell the House how much money NASA asked for this year in their submission to the Bureau of the Budget for Apollo applications? Also will the gentleman tell the House whether or not be believes we are a year late on Apollo applications?

Mr. FULTON of Pennsylvania. I believe we are a year late on Apollo applications. I not only believe it, but I can show we are a year late. Mr. George Mueller, head of the Manned Space Flight, on April 24, said that command modules will not be ready, so that on Apollo application modules, the capsules the men are in, we simply will not have those particular capsules. Because of the fire, we have to redo all the capsules. They are not man-rated for safety. In addition to that, we have not launched the first Saturn V tests.

There is no doubt that at the Bureau of the Budget level there was a large cut.

Mr. TEAGUE of Texas. How much?

Mr. FULTON of Pennsylvania. I am getting off the track.

Mr. TEAGUE of Texas. We obtained additional time for the gentleman, so that he could answer one question. How much did the Bureau of the Budget reduce the NASA request?

Mr. FULTON of Pennsylvania. It was about a 30-percent cut.

Mr. TEAGUE of Texas. How much?

Mr. FULTON of Pennsylvania. Thirty percent.

Mr. TEAGUE of Texas. So $228 million was cut from the NASA request for Apollo applications.

Mr. FULTON of Pennsylvania. They got $454 million; $228 million makes it about a 30-percent cut.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I am glad to yield to the gentleman from California.

Mr. MILLER of California. The gentleman refers to Mr. George Mueller. There is a Dr. George Mueller, who spells his name "M-u-e-l-l-e-r" who is head of the manned space flight program. I happen to spell my name another way, but I believe it will be less confusing if the gentleman will refer to him as "Doctor."

Mr. FULTON of Pennsylvania. Amazingly, I asked him if he were a doctor, and to my recollection he said, "No; but you are always calling me 'Doctor.' "

So he likes it. I will call him "Doctor." That is all right.

The gentleman is a pretty good doctor for us, our own GEORGE MILLER. We like you, too.

Mr. DADDARIO. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I am glad to yield to the gentleman from Connecticut.

Mr. DADDARIO. The gentleman from Pennsylvania said that the Apollo accident has caused a $75 million saving. I wonder if he wishes to give the House the impression that because of that accident and because there is a slowdown there will be an automatic $75 million saving?

I wonder if he is giving us the impression, rather than the real situation, that there will be a $25 million saving because there will be a reduction in operations involved in launch? Further, I wonder if he is giving the impression that a $50 million saving will result not from the delay of the Apollo program but rather because of savings from incentive contracts which NASA, because of good management, foresees?

Is that not the real situation? Incentive contracting is one of the operating techniques which the committee has developed with NASA over the course of time.

Mr. FULTON of Pennsylvania. The gentleman is correct that $50 million is in the program. As a matter of fact, on page 1418 of the hearings there is the statement by Dr. George Mueller saying that, of the $75 million, there are "offsetting reductions of $25 million in fund requirements, stemming from the lower than planned level of mission operations."

In addition, he says that "the remaining $50 million of additional costs will have to be offset by careful management of existing contracts."

The $50 million is to be achieved by careful management.

My comment is this: If he can save $50 million on the Apollo program by better management, he should have done it before. Certainly, then, if there is going to be a 1-year delay, which I showed on the original NASA schedule—that they are putting off these flights, five of them, from 1968 into 1969—then there must be a saving of at least $50 million on Apollo applications, too.

So we have a $50 million savings, from at least the $75 million cost of the Apollo, I would say $50 million there.

Let me give how I make up my amount.

On the procurement of Saturn vehicles for the future, for the Apollo applications mission—that is, after the Apollo moon landing—we are buying Saturns for 1971, 1972, 1973, and 1974. We are buying the uprated Saturn I. As a matter of fact, we are buying 12 Saturn I's.

The estimate is now that there will be five Saturn I's left over from the Apollo program.

I am proposing here a reduction of $250,000,000 in the Apollo applications program. The total amount requested by NASA for this follow-on program was $454,700,000. Our committee reduced this request by only $10 million despite my efforts for a larger and more realistic reduction. My proposed reduction of $250,000,000 would leave NASA with a fiscal year 1968 Apollo applications program funding of $194,700,000 which I feel is more than ample.

I feel strongly that the proposed program is built on straw and guesstimates and lacks any sort of real foundation on which we here can make a realistic decision. I believe that the program as presented to Congress does not give adequate consideration to the need for more efficient and advanced space vehicles and spacecraft which we will need and should be developing for the period during which most of the Apollo applications missions are scheduled to be flown. Neither does the program take into account the dozen or more of these huge, obsolescent and expensive space vehicles which will most probably become available from the lunar landing program. Another major shortcoming of the Apollo applications program is the failure to face up to the severe slippages in schedule that have already occurred and which will probably recur in the future. For example, our committee in January of this year received the schedule which called for two dual missions in 1968 and two dual missions in 1969. Now, we are told that the first dual mission will not take place until 1969. In a matter of a few months, we have already lost a full year in the proposed schedule and yet we are told that we should proceed with the production of space vehicles and spacecraft as if such a slippage had never occurred.

I believe as a basic program that this new program, and it is a new program although some refer to it as a follow-on program, should be drastically slowed down because of the state of our Nation's economy, our problems with inflation, the need to allocate resources to the war in Vietnam, and the need to meet technical personnel and material requirements in our supporting defense industries.

Just what does the fiscal year 1968 Apollo applications program call for? Briefly, it involved a request for $454,700,000 which our committee cut only $10 million. Of this amount, $267,700,000 is earmarked for the procurement of new space vehicles and spacecraft and the modification of others; $136,700,000 is for experiments and $50,300,000 is for mission support which includes payload integration.

What concerns me particularly at this time is the more than a quarter of a billion dollars we are asked to allot for the purchase of new vehicles and spacecraft. Of this, $78,500,000 is to produce new uprated Saturn I vehicles—seven to be exact as far as partial funding is concerned. Another $45,600,000 is to produce additional Saturn V boosters and $25 million for additional spacecraft.

I take strong exception to the $149,100,000 requested for the additional new vehicles and spacecraft I have just mentioned.

If the Apollo lunar landing program is successful by the end of the decade, as the Administrator of NASA has assured us time and time again, there should be as many as a dozen surplus uprated Saturn I and Saturn V vehicles with their associated spacecraft available for the Apollo applications program. In fact, NASA's own witnesses have testified before our committee during the last 2 fiscal year authorization hearings that that they expect anywhere from three to seven uprated Saturn I and from six to seven Saturn V boosters and their spacecraft left over from the Apollo program. It is my position that these can be used for the flights currently proposed under the Apollo applications program, rather than ordering new vehicles and spacecraft. If the Apollo program is a success, these vehicles will be available and any vehicles or spacecraft we order now will be sitting on the shelf with NASA desperately attempting to find missions for them.

As an indication of NASA thinking regarding the availability of surplus uprated Saturn I vehicles, surplus Saturn V vehicles, and surplus spacecraft from the Apollo program, I would like to cite the following testimony:

Fiscal year 1967 House authorization hearings, page 118, Dr. Mueller:

> ALTERNATE AND FOLLOW-ON MISSIONS
>
> Alternate missions to the basic Apollo program in 1968-1970 could use those basic lunar mission space vehicles which may become available from the Apollo program, for alternate missions of a nominal two weeks duration.

Page 119, Dr. Mueller:

> MANAGEMENT CONSIDERATIONS—PLANNING SCHEDULES FOR APPOLLO APPLICATIONS
>
> The Apollo program schedules call for the first unmanned flight in 1966 on the uprated Saturn I (Saturn IB); the first manned Apollo flight on the uprated Saturn I in 1967; and on the Saturn V the first unmanned and manned flights in 1967 and 1968. Thus, beginning in 1968, the possibility of alternate missions to those in the mainstream Apollo program may be considered, using the unmodified spacecraft for nominal 14-day missions.

Fiscal year 1967 Senate authorization hearings:

> In last year's testimony in the budget presentation for Apollo Applications, Dr. Mueller stated: "to hold these planning options open, fiscal year 1967 funding maintains the continuity of the production capability of the basic Apollo spacecraft and Saturn launch vehicles and continues project definition and payload development . . . the actual level we are aiming at is about six of the Saturn IB's, six of the Saturn V's, and eight of the Apollo spacecraft each year." (Senate Page 127.)
>
> Dr. Mueller also stated, "The Apollo program schedules call for the first unmanned flight in 1966 on the uprated Saturn I, the first manned Apollo flight on the uprated Saturn I in 1967; and on the Saturn V the first unmanned and manned flights in 1967 and 1968. Thus, beginning in 1968, the possibility of alternate missions to those in the mainstream Apollo program may be considered." (Senate Page 239.)
>
> Dr. Mueller was asked when could the first excess launch vehicle, either a Saturn IB or a Saturn V, become available for AAP. Dr. Mueller answered, "In 1968." (Senate Page 140.)
>
> Dr. Seamans, "If the program can be carried out along the lines of our most optimistic scheduling, we will find that, within the approved and programed Apollo schedule * * *." (Senate Page 68.)

Fiscal year 1968 House authorization hearings, page 127, Dr. Mueller:

> ALTERNATE MISSIONS
>
> Alternate missions to the basic Apollo program will use those basic lunar mission space vehicles which may become available from the Apollo program.

Page 255, Dr. Mueller:

> * * * You will note here that Apollo Applications uses the hardware that has been developed in the Apollo program to apply to missions other than the manned lunar landing and, in particular.

Page 257, Dr. Mueller:

> There are two basic mission concepts that we use in the Apollo Applications program. Whether or not these vehicles will become available depends upon our progress in the basic Apollo program. We believe that it is to the Nation's best interest to make most economical use of the hardware and equipment by providing alternate missions for the basic Apollo hardware. This will permit us to utilize these vehicles and these trained launch operational teams to carry out certain missions that apply the basic equipment to operations other than the lunar landing if this basic equipment becomes available from the basic Apollo program.

Fiscal year Senate authorization hearings, Senate, page 152:

> The currently assigned number of AAP launch vehicles with mission assignments are listed.
>
> Dr. Seamans, "As a result of the accident we found that four of the Saturn V's are outside the decade. The most likely missions for the lunar landing would be 8, 9, 10, or 11, right in that vicinity." (Page 1010 of May 10 transcript.)

NASA has recently admitted to us that at least five Saturn V vehicles with their spacecraft cannot be launched until the 1970's. These items are extremely costly and should not placed on order on the vague supposition that missions for them can be found later. The current cost of an uprated Saturn I is about $43 million. That of a Saturn V, under the present production of six per year, is $163 million. At a rate of two per year, which NASA intends to go to in fiscal years 1970 and 1971, the price of a Saturn V soars to about $230 million each. At the rate of four per year after fiscal year 1971, the price drops to a mere $193 million each. And this is not the whole story. These costs are only for the vehicles delivered empty to the Kennedy Space Center. To these costs you must add the payload cost and the launching costs and the cost of processing the data obtained. For example, it costs about $40 million to launch an uprated Saturn I and about $70 million to launch a Saturn V. The various payloads, such as command and service modules as well as lunar modules cost between $30 to $50 million each. Of course, the costs of the payloads are even higher when one includes the cost of the experiments contained in the modules.

Here, we have a case where 10 or 12 uprated Saturn I, Saturn V vehicles and their spacecraft will most probably become available from the Apollo program. Yet, NASA is requesting $149.1 million to buy still more new vehicles and spacecraft. This to me is completely unjustified.

Some might say that there may not be any excess vehicles or spacecraft from the Apollo program and that they will all be needed to complete the lunar landing mission. This is extremely unlikely in the case of the uprated Saturn I booster and its spacecraft since this vehicle is completely incapable of going to the moon. Even so, should this be the case, I would say that the Saturn booster family and its spacecraft have been an abysmal failure and that the Nation has wasted over $23 billion on equipment that has proven unsafe, uneconomical, and incapable of meeting our needs. Thus, all the more reason for not continuing production of these 1960-era items and proceeding to develop more advanced hardware through more research, which has been my position ever since I joined the committee. We cannot have it both ways. Either the Apollo is a success in this decade—in which case there will be many surplus vehicles and spacecraft—or it is not a success in which case we should abandon the hardware or move forward. This is particularly critical when each launch costs on the order of several hundreds of millions of dollars. We cannot and should not continue the production of these obsolescent hardware forever. I strongly recommend the elimination of $149.1 million from the Apollo applications program for the purchase of additional vehicles and spacecraft.

I might say at this point that it is amusing to note the economic philosophy of NASA. NASA has been forever warning Congress that a stretchout of the lunar landing program will cost the country at least an extra $1 billion a year. Yet, I see that in fiscal years 1970 and 1971, as Administrator Webb informed me only last Thursday, NASA will produce only two Saturn V vehicles a year and then four per year thereafter. At the present rate of six per year, these huge vehicles cost $163 million each; at two per year, they will cost about $230 million each; and at four per year they will cost about $193 million each. If NASA is as economy minded as they always claim, I think they should have at least proposed to continue production of the Saturn V at the rate of six per year for a short time, order their necessary stock and then discontinue production for a more advanced vehicle. Twelve Saturn V's at a rate of six per year, which is the current production rate, would cost about $1,956,000,000. The same 12 in fiscal years 1970, 1971, 1972, and 1973, at the two per year rate for 2 years and four per year rate for 2 years, will cost $2,464,000,000. Here is an easy way to save the country a half-billion dollars if it were not for the fact that these huge, liquid-fueled nonstorable, expensive vehicles would not be obsolete by the early 1970's.

THE COST OF KEEPING PRODUCTION LINES OPEN

In support of my position on the uprated Saturn I, I cite the report of the President's Science Advisory Committee published in February of 1967 which recommended as follows:

> The question of continued production of the uprated Saturn I launch vehicle is less clear and in the panel's judgment needs *further study*. The payload characteristics of the uprated Saturn I are not significantly superior to those of the Titan III–M while the launch costs of the uprated Saturn I are *about double* those of the Titan III–M (italic supplied).

Statistically, the uprated Saturn I booster can put into a 105 nautical mile circular orbit a total of 40,000 pounds of payload. The Titan III–M can do the same with about 32,000 pounds of payload from the west coast and a higher payload from Cape Kennedy. The military plans to procure many of these Titan

III–M's and there should be further economies of scale if NASA could also use this booster. To say that the technical capacity for producing boosters of this payload capability is ruined by a cut in Saturn I-B's is to fail to consider the tremendous complex the military has put together already for the Titan. To say that the manned space flight program will be ground to a halt by a cut in the Apollo applications program is again to ignore the possibilities offered by the Titan III–M.

Aside from the availability of hardware from the Apollo program and the questionable economics of continuing production of existing hardware, I am opposed to our apparent commitment to hardware which is on the verge of becoming obsolete.

Over the years, I have repeatedly championed the development of new high energy fuels and solid propellants. We on the committee this year have put into the bill some $12 million which NASA did not even ask for, so that NASA could proceed with the development of a large solid fuel rocket. These rockets are projected to have a purchase cost of less than one-tenth of that of a Saturn V liquid booster with about 70 percent of its capacity. It can be easily enlarged to give the same payload capability at a fraction of the cost of the existing vehicle. Their components can be reused and we can then stop shooting expensive engines into outer space or into the oceans with no hope of recovery. If at the time of the Apollo applications missions, we need additional boosters because the Saturn V's have not proven themselves, I think we should use solid fuel boosters.

I have left the sum of $194.7 million in the Apollo applications program so that NASA can continue to proceed in research and development rather than hardware production. I strongly favor research into the high specific impulse fuels of boron and fluorine. I also strongly favor the development of the NERVA nuclear stage which would greatly enhance our payload capability and hence reduce the number of expensive launches needed to carry out outer space and long-duration missions.

I am also proposing a reduction in the Apollo applications program for reasons along the line of the thinking of the President's Science Advisory Committee report on post-Apollo. That report, in part, recommends:

> Before substantial funds are committed to the AAP plan to modify Apollo hardware or to utilize the orbital workshops for extended periods, a careful study should be made of the suitability, cost and availability of Titan III/MOL systems for biomedical studies of man for periods up to 60 days. NASA should also investigate whether delivery of these components could be speeded without interference in the MOL progam if additional funds were contributed to the MOL in the formative years of the program.

I believe that the manned orbiting laboratory and the proposed NASA orbiting workshop should be cooperative programs—currently they are undertaken by separate agencies. Again I refer to the President's Science Advisory Committee report:

> The next significant step in biomedical studies will involve extended duration flights of 100 days or more, and will require major redesign of MOL components, or major new developments, based on Apollo hardware. The determination of the *most effective and economical approach* requires a detailed study in which MOL components are explicitly considered as a possible alternative. NASA should initiate a study as soon as possible (italic supplied).

I do not believe that this type of cost-benefit reasoning has been applied to the currently proposed Apollo applications program. When I asked NASA to specifically consider such a cost-benefit or alternative systems approach, I received the following negative reply:

> The data that we have accumulated to date in the two NASA programs does not lend itself to an analysis by this (cost-analysis) approach. In achieving an R&D objective, it is not feasible to evaluate alternative approaches on a cost effectiveness basis because there are not standards of experience to judge by.

This to me indicates that NASA can profit by the recommendations of the President's Science Advisory Committee which has offered several excellent suggestions as to where the rigorous thinking and analysis demanded by a cost-effectiveness approach to current programs can be applied. The lack of specific information on the Apollo applications program is indicative of this other way of justifying a proposed single approach. To ask the Congress to make intelligent decisions about the Apollo applications program on the current information supplied is to ask a scientist to describe an elephant when you only show him its trunk. Where we need the funds now is in the research phase and not the hardware and plumbing end; my amendment leaves such funds in the bill.

I also believe that the current schedule developed by NASA for the Apollo applications program is far too optimistic in the light of its history of past severe slippages and in view of the delays caused by the recent fire. The entire schedule has slipped over 1 year due to the fire alone, and I suggest that there will be more severe slippages in the future. The first Saturn V has yet to be tested. The first command module has yet to be made safe to man and modifications are continuing to prevent the holocaust which occurred in January of this year at Cape Kennedy. No AAP flights can be made until we are absolutely sure that the command module is absolutely safe without any margin for error, however minute. NASA is also asking $113.8 million for spacecraft modifications, most of which is to make the modules over for the experiments that are required and to make them safer. We should take note of the fact that such modifications take many months and spacecraft must be made available many months before the work can start. For example, on the Apollo applications flight scheduled for mid-1969, it had previously been scheduled for 1968, involving the proposed telescope mount, a lunar module descent stage must be made available 1 year in advance of the flight to permit needed modification. Delays in spacecraft deliveries which are occurring are another factor which will stretch out the Apollo applications beyond the revised schedule which NASA has provided.

My last point involves the $136.7 million NASA is requesting for experiments and $50.3 million for mission support for the Apollo applications program request for fiscal year 1968. Of the funds for experiments, only $33.7 million is for definition of experiments and the remaining $103 million for development. In the mission support area, $40 million alone is for payload integration. In the light of the uncertainties surrounding the Apollo applications program and the scheduling problems which are bound to occur, I believe that little or no funds should be used to develop or integrate payloads of experiments until complete and detailed definition has first taken place. I think that no funds should be spent on experiments until NASA has specifically determined to our satisfaction what experiments are required, on what vehicles, for what purposes, and during what time period. We should be given the opportunity to explore the various alternatives before committing ourselves in advance to payloads which will be flown several years from now.

In conclusion, I believe that a reduction of $250 million in the Apollo applications program is not only justified but is a must in view of the unrealistic mission schedules, the probable availability of hardware from the Apollo program, the state of the economy and the war in Vietnam, and the need to abandon old booster and spacecraft technology rather than to perpetuate it for another decade for industrial vested interests. Funds this year should be restricted only to on-going programs and to basic research and should not be allocated to new programs like the Apollo applications.

I strongly oppose the administration's placing the manned orbiting laboratory program under the jurisdiction of the U.S. Air Force.

MOL should be placed under the jurisdiction of NASA, the research and development agency of the Federal Government for space and aeronautics. Or, MOL should be placed under the joint jurisdiction of NASA and the U.S. Air Force for development.

I believe the action is a serious mistake, both in organization and philosophy, as well as for public relations purposes.

Latest information shows that the cost of the MOL program has risen to $2.2 billion, which is a $700 million increase in the predicted total costs of the research and development program since August 1965 for a seven-flight program. It was further expected that MOL flights would begin in mid-1968 but now will very likely slip by 2 years or possibly more. Surely, prudent management and good judgment dictate a common earth orbital program where NASA launch facilities, knowledge, existing hardware, and capability are used to avoid the cost increases and launch schedule slippages.

I strongly oppose the action of Secretary of Defense McNamara when, in his December 10, 1963, news conference, Mr. McNamara announced without prior notice of any kind that the manned orbiting laboratory program would be assigned to the Air Force. Neither Congress nor the scientific community of the country had any prior notice or inkling that this was to be the case until Mr. McNamara made his bland announcement.

I also oppose the announcement by the President on August 25, 1964, at a news conference that the MOL program would be worked upon by certain major contractors. This is certainly not the way to do business nor is it appropriate to ignore the existing science and research facilities of the Federal Government without any consultation or authorization by Congress whatever. It is complete fiction to state, as Secretary of Defense McNamara has assumed, that MOL is completely a military task and therefore can be handled by him as Secretary of Defense, as if he and the Department are the only people concerned in this tremendous development.

The announcement by Secretary McNamara makes a fiction and is in direct violation of the expressed intent of the Congress in section 102(a) of the original Space Act, Public Law 85-568, dated July 28, 1958, wherein it was expressed that—

> The Congress hereby declares that it is the policy of the United States that activities in space should be devoted to peaceful purposes for the benefit of all mankind.

The action of Secretary of Defense McNamara is also in direct violation of the provisions of resolution 1472. "International Cooperation in the Peaceful Uses of Outer Space," adopted by the United Nations at the 856th Plenary Meeting of the 14th General Assembly on December 12, 1959. Under this resolution, the United States, along with other countries, including the U.S.S.R., agreed to foster international cooperation in the peaceful uses of outer space. It was a privilege and a real responsibility for me to be able to work as one of the delegates on the U.S. mission to the United Nations for this purpose, under the leadership of Henry Cabot Lodge, chief U.S. delegate.

On January 27, 1967, the United States, U.S.S.R., Great Britain, and many other nations signed the treaty on principles governing the exploration and use of outer space. On April 25, 1967, the U.S. Senate ratified the treaty, and the U.S.S.R. similarly ratified the treaty on May 18, 1967. The treaty specifically provides for peaceful exploration of space and bans the orbiting of nuclear weapons and weapons of mass destruction in space. It also prevents the use of the moon and other celestial bodies for military purposes. It is provided in the space treaty that space shall be used exclusively for peaceful purpose. Thus, is the U.S. policy on the use of space facing two directions? Has the United States already been violating this treaty at the time of signing?

The Congress of the United States should decide the basic national policy on space according to the will of the American people, after thorough study and due deliberation.

Being first in space for scientific and prestige purposes is one thing. Being first in space to better deliver weapons of destruction or nuclear and atomic weapons is quite another field entirely.

Do the American people want the administration to have the first manned orbiting laboratory solely dedicated for military purposes? This would have the fatal result of excluding all peaceful purpose research and development or, at best, make a poor second the research and development that could be done by NASA for the benefit and progress of the American people and all mankind.

I believe that the continuing increase in NASA scientific and engineering personnel has reached the point where a detailed review by the Congress is required. Over 40 percent of the total NASA civil service strength of 34,000 are scientists and engineers and the ratio of scientists and engineers continues to rise each year.

I point out the situation, at the new NASA Electronic Research Center at Boston. Personnel strengths at this Center have increased from 250 in fiscal year 1965 to 510 in fiscal year 1966 to 741 in fiscal year 1967. The personnel strength requested by NASA for fiscal year 1968 is 1,041. Most of these will be scientific and engineering personnel. Amazingly, all this increase happens while the Center itself has yet to build one building for its activities.

The great bulk of NASA personnel are scientists, engineers, and technicians, all of whom are in critical shortage in the U.S. economy, at a time when the Nation is producing for the war in Vietnam. As the large amounts of personnel used by NASA are not blue-collar workers, there is need for great caution.

There is the major question of NASA management of personnel. Is NASA using these critically scarce personnel in the best possible fashion? Is NASA responding to the sudden changes in the U.S. space program as projects phase out and others expand or reach their peak effort? NASA reports that the total personnel used in the space program, which of course includes contractor and subcontractor personnel, is being reduced at the rate of 5,000 per month.

The impact of reserving to our space activities, both in Government and in contractor plants, a large percentage of U.S. scientific and technical personnel can only be judged serious and critical for these reasons:

The war in Vietnam.

The current inflation in the economy.

The requirements for defense industries.

The requirements for U.S. business and the U.S. economy.

The requirements for maintaining a healthy scientific pool of talent in U.S. scientific and academic communities, universities and colleges, foundations, and research institutions.

I strongly recommend that a competent survey be conducted by an experienced, nongovernmental management organization of the management techniques and the utilization of scientific and technical personnel in NASA. I also recommend that the preliminary report of this survey be provided to the President, the National Aeronautics and Space Council, and the Congress before final action on the fiscal year 1968 NASA authorization bill takes place.

I further strongly recommend a study in depth of NASA manpower utilization by the appropriate committee of the Congress—either the Manpower and Civil Service Subcommittee of the House Post Office and Civil Service Committee, or by the House Government Operations Committee.

I am seriously concerned over the lack of field monitoring of NASA activities by the Bureau of the Budget, by the General Accounting Office, and by the Science and Astronautics Committee.

For example, the Bureau of the Budget has far too few people with far too much control over the NASA budget. On my latest information, there are only three staff members in the Bureau of the Budget who have the responsibility to make all types of major decisions concerning the $5 billion NASA budget. These people spend altogether, on the annual NASA budget, only 5 to 6 weeks' continuous time. From time to time on current matters, there is additional time given but this time is not substantial. This type of budget control can be labeled with one word, "superficial."

The General Accounting Office has failed to this date to provide Congress with any competent management surveys or audits of one of the largest agencies in the Government. They have made specific audits, but not agencywide. These audits have been cashbox and not management audits and evaluations. Nor have these audits balanced the need for and value of various and gigantic scientific programs in relation to each other. I feel that the General Accounting Office is far too bound with its past history in emphasizing accounting and bookkeeping practices at the expense of scientific management surveys. This new function must promptly be added to the General Accounting Office as I have urged for some years.

On a $5 billion annual budget, it is necessary to move far beyond the limitations of accountancy and bookkeeping. It is vitally necessary for congressional purposes that personnel be available with adequate judgment and experience in research and development activities. This personnel is required in three places: the Bureau of the Budget; the General Accounting Office; and the Science and Astronautics Committee. Congress can then make decisions of choice among the various programs presented by NASA in the light of the potential research and development gains, all based on an adequate base of reference.

The American people must realize that the days of monitoring and supervising large technical programs on the limited basis of mere accountancy and bookkeeping are gone forever. It is a simple axiom both in Government and in business—"Technically qualified people must oversee technical programs." My conclusion, therefore, is: current and continuing program evaluation of Government scientific programs is badly needed, and sorely lacking at the present time.

For several years I have been urging the Science and Astronautics Committee to increase its technical staff by at least five scientists, engineers and accountants, for continuous field investigatory duties. I repeat my recommendation, particularly in view of the fact that the committee has not used all of its presently allocated funds.

To safeguard the interests of the U.S. taxpayers and for efficiency in management of research and development, involving so many highly technical programs, the Government must have sufficient research and development, construction and technical management personnel assigned exclusively for field evaluation and monitoring duties separate and apart from program responsibilities or contractor personnel.

I have strongly recommended that an inspector general, with necessary staff and facilities, be established in the National Aeronautics and Space Administration. I wish to emphasize the critical importance of such an office to the efficiency and safety of NASA operations and programs.

The current NASA program contains a myriad of complex scientific and technical projects designed to meet a wide variety of objectives of importance to the Nation. The current NASA request contains 20 separate and distinct research and development programs, of which the multibillion-dollar Apollo lunar landing program is only one.

It is inconceivable to me that many serious management problems will not arise as a result of the various programs and objectives. These involve not only an annual Federal expenditure of over $5 billion but also the future of the national space program. I believe it is necessary that the Administrator of NASA be provided with the capability of obtaining independent evaluations and examinations of management actions by personnel other than those involved in formulating or implementing management policies. To maintain their complete objectivity and for greater effectiveness, such personnel should not be within the ranks of current NASA or aerospace contractor personnel. Their orientation should be independent.

The chairman of the commitee has assured me for the past few years that my proposal for the establishment of an inspector general in NASA would be the subject of hearings. These hearings have never been held. I have already introduced during this session of the Congress, H.R. 4473 for the creation of an inspector general organization in NASA.

It is significant to note that numerous other agencies of the Federal Government have recognized the importance of utilizing inspector general offices to effectuate internal and periodic examinations, evaluations, and corrective measures. These offices have been singularly effective. Among these agencies are the Departments of the Army, Navy, and Air Force, the Atomic Energy Commission, the Department of State, and the Department of Agriculture.

The existence of an adequate inspector general organization might have been able to uncover the inadequate safeguards which led to the recent Apollo 204 disaster. It is significant that the Apollo 204 Review Board included a representative of the U.S. Air Force Inspector General. If such participation was considered desirable on an after-the-fact basis, why was not such participation equally desirable in the period before the accident? Similarly, if the Air Force Inspector General proved of use during the Apollo accident investigation, would not a NASA inspector general office have fulfilled the same purpose? If the inspector general concept is not worthwhile, as may be implied from the continued NASA resistance to my proposal, should all such offices in other Government agencies be abolished and the money now spent used for other purposes?

I believe it of urgent and vital importance that NASA establish and maintain an inspector general to insure that the space program and objectives of this Nation are carried out and met with both economy and efficiency.

I have consistently emphasized research and development in high energy liquid fuels, solid fuels, and advanced propulsion technology and engines. This policy will result in larger payloads, longer missions, space storable fuels, weight decrease of boosters and increased payloads, and the elimination of heavy and bulky insulation materials now required.

Likewise I have insisted that adequate research emphasis should be placed on nuclear propulsion and power. I strongly favor the President's action in adding to the NASA budget additional money for the Nerva nuclear rocket development.

I have pointed out that the exploration of the eight other planets of our solar system as well as their 31 moons will be too expensive using the present generation of boosters, capsules, components, and hardware.

In fiscal year 1967, $4 million was added to the National Aeronautics and Space Administration authorization to accelerate NASA chemical propulsion research and development. In the 1968 budget the NASA total chemical propulsion program was increased by $11 million. This is really a decrease rather than an increase. The reason this is a decrease is that significant projects in chemical propulsion have been carried on in past years by the Office of Manned Space Flight and the Office of Space Science and Applications of NASA. These offices are highly mission and program completion oriented. Under this policy, if research does not have an obvious and immediate program application, the funds cannot long be justified.

I have been urging the development of boron-fluorine-hydrogen combinations that will give much greater specific impulse. Specific impulse, of course, means "push per pound." Experiments have already shown that with the use of boron and fluorine additives or mixtures, there can be additional power and energy output varying from 30 to 45 percent increase with the fuel used. Such a surprisingly productive avenue should not be overlooked by NASA.

My criticism has been and continues to be that NASA tends to be a large engineering, plumbing, and manufacturing concern with the emphasis on science becoming less and less. The emphasis on programs has increased geometrically through the successful Mercury program, through the successful Gemini programs, to the staggering size of the Apollo moon flight program. It must be kept in mind that these programs are really production, engineering, and development, with very little scientific knowledge or invention being added in the process. It certainly takes research of a high level to have the equipment and personnel adequately perform under these programs and to be able to take advantage of the tremendous new fields in which they will be operating.

But this research and development is in the nature of refinements of processes and present components and parts. This is using much present knowledge in new conjunctions, rather than the basic and applied research necessary for the new generation of boosters, fuels, capsules, components, and hardware that are so necessary. My estimate is that 95 percent of the NASA budget is not research and development in the ordinary scientific meaning of the term.

Development of the spike nozzle concept for liquid engines also has lagged. Taking advantage of this concept would improve the liquid stages by improving the operating efficiency. This development would obtain higher performance in flight and would reduce the length of the stages required with improved structural strength.

I recommend that NASA should make the basic organizational changes to place all propulsion research under the coordinating authority of the Office of Advanced Research and Technology. Sufficient funding should be allocated to this office to support a broad, vigorous, and continuing development of this vital field. A sustained effort from the original idea to the demonstration of an operating prototype, under the continued guidance and judgment of the Office of Advanced Research, can lead most rapidly to these benefits, to all of the U.S. space programs, which we know better fuels and engines will bring.

For several years, I have strongly supported what to me is an obvious and urgent need for a minority committee staff. I have argued for that requirement at every opportunity during sessions of the Science and Astronautics Committee, the House Administration Committee, and in debate on the floor of the House of Representatives as well. In the February 18, 1965, session of the House Committee on Science and Astronautics I strongly urged the appointment of a minority staff, along with other staff specialists, to the existing staff to broaden committee capabilities to meet steadily increasing responsibilities. I repeated my request and arguments in committee meetings on April 8, 1965, April 6, 1966, and February 21, 1967.

The exploration of space, research and development in science and aeronautics has had vigorous bipartisan support over the years. There are certainly significant divisions of opinion in the scientific community, the business community, among research and development personnel, and among members of the Science and Astronautics Committee that are important, and transcend partisanship. These differences of opinion are to be found in any research and development activity, whether in Government or in business, in universities or in research foundations. This means progress.

In order that the administration proposals, as well as the many proposals from every avenue shall be tested and adequate staff work accomplished, in order best to prepare the statement of these points of view, I firmly believe that minority staff development on the House Science and Astronautics Committee is essential.

I therefore recommend that a minority staff be developed on the House Science and Astronautics Committee to serve the adherents of minority viewpoints, regardless of party affiliation. Such technical, scientific, research, engineering, and management know-how for the minority members, regardless of party, on particular issues, is a vital necessity if balanced judgments leading to sound committee and congressional decisions are to be achieved.

Of course, at present committee professional staff assistance is provided to all members of the committee to help on individual problems. But this does not solve the really big problems, nor does it call the urgency and need for evaluation to the members' attention. This means the individual member has little chance to initiate action that is necessary and which requires definite professional staff assistance and guidance.

Minority members of this committee have repeatedly expressed concern over the limited number of committee staff personal available to the members of the House Committee on Science and Astronautics. In my opinion it is impossible for the 12 professional and technical staff members adequately to handle the workload associated with the committee's broad responsibilities in the field of science and space. The Committee on Science and Astronautics is responsible for authorizing and overseeing one of the largest budgets in the Federal Government. The committee has one of the smallest committee staffs in Congress to assist in this process.

I have consistently and constantly made known to the committee and the Congress my view that additional technical, scientific, and engineering staff is vitally necessary. In the committee meeting of April 5, 1967, I made the following observation:

> I do believe we need extra staffing for people to go and see * * * we have brought it up time after time * * * we should have three, four, or five people in the field.

On February 21, 1967, I also commented in the organization meeting of the committee:

> On staff, I have suggested previously that we have an outside permanent liaison staff (at appropriate locations) * * * reporting back * * * so there is a closer liaison with the contracts, contractors as well as the facilities.

On February 18, 1967, in full committee, I again raised the question:

> I have made a suggestion previously that we ought to have * * * staff members who are really field representatives.

In previous years I have made this point again and again in the reports accompanying NASA authorization bills in 1963, 1965, and 1966.

It is the responsibility of the House Science and Astronautics Committee to study thoroughly the many space projects and programs. The committee staff must contain enough individuals trained in technical management, engineering, electronics, science, and other space-related disciplines to assist in this important work. With the present staff, despite their individual competence, I believe the committee cannot fully perform its prime functions—to review the National Aeronautics and Space Administration's budget and to assist in evaluating, on a continuing basis, these programs. This situation constitutes a weakness in the system of checks and balances. Here is an instance where the legislative branch of Government, because of inadequate staff, is unable to keep watch on a huge executive agency. This leads to waste and makes inefficient our system of government.

In addition to the responsibility for the conduct of scientific research at all levels, departments, and agencies of Government, the committee has authorization and oversight responsibility over one of the largest Government agencies—the National Aeronautics and Space Administration, with an annual budget totaling over $5 billion. Without additional staffing the committee cannot carry out these oversight responsibilities throughout the year and in addition involve itself in the many other responsibilities in the fields of science. Aeronautics supervision is simply a "lost cause." The behemoth National Bureau of Standards, which is under the legislative jurisdiction of the committee, recently decided to spend $64,000 on a flagpole, but who was watching the store?

The Congress should exercise its constitutional prerogatives and responsibilities. Otherwise Congress will waste U.S. taxpayers' dollars in large quantities. Congress must insist that a competent committee staff be implemented to assure reasonable supervision of this complicated budget. I have recommended in the current committee budget an addition of $30,000 to initiate establishment of a proper committee staff. This was denied in the committee and on the House floor. In my opinion this is false economy, and I still maintain the same position.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. ROUDEBUSH. Mr. Chairman, I move to strike the requisite number of words.

I obtained this time, Mr. Chairman, in order to ask the gentleman from Pennsylvania some questions, to sort of clear the air here a little bit, so to speak.

Is it not true that if the amendment is adopted it will have no effect whatsoever on the Apollo program? Is that a true statement?

Mr. FULTON of Pennsylvania. If the gentleman will yield, it will have no effect whatsoever on the Apollo program, and none on any research and development.

The only thing it will affect is buying Saturns that are not needed for 1972, 1973, and 1974.

As an example, they now say that there are seven more Saturn I's to be bought. We already find there will be five surplus, out of the 12 originally bought.

Next, we are going to have 15 Saturn V's to go to the moon, and everybody says it is the Saturn IX that will go to the moon—the Saturn IX, X, and XI, to go to the moon.

I am sure that no one here, if we should lose three crews, would send the fourth Saturn V flight.

If we go to 11, and they buy two more Saturns for Apollo applications, we will have five or six Saturn V's left over.

We will have five to six left over.

Mr. ROUDEBUSH. The gentleman is talking on my time, and I would like to ask a question. Will your reduction affect any program that we have?

Mr. FULTON of Pennsylvania. It does not. It will cause a postponement of no program.

Mr. ROUDEBUSH. Is it not true that if we reach the moon by 1970, the goal we established many, many years ago for our Space Committee, that we will have left over five Saturn V's and five Saturn I-B's?

Mr. FULTON of Pennsylvania. That is correct.

Mr. ROUDEBUSH. Then your amendment does not stop or impede any present program and will permit the reduction in this budget of $250 million?

Mr. FULTON of Pennsylvania. That is right, because my amendment in effect only cuts off one Saturn V flight in the year 1973–74, and why should we be buying hardware now for 1973 and 1974? As a matter of fact, on the Saturn program for 1969 they are going to make six Saturn V's, but then in 1970 they go to two more. In 1972 they go to two, and in 1973 they go back up to four.

Mr. ROUDEBUSH. I certainly thank the gentleman for his answers to the questions.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman from Florida.

Mr. GURNEY. I would like to ask the gentleman in the well if the money does not go to something besides procurement of Saturn I boosters. My recollection is the committee report on page 32 also says that the money goes for the procurement of the command service module, to spacecraft modification, and to launch vehicle modification and, as I understand the Apollo applications programs, these are an integral part of it as well, so it does not apply simply to the procurement of Saturn boosters. Is that not correct?

Mr. FULTON of Pennsylvania. What it does is this: $43.2 million for the command service module, and you certainly cannot have one of them with all of this fire hazard in it. You have to retool. So you cannot buy these now. You really cannot buy them. So, if you do not have the boosters and if you do not have the thing set up with a payload plus a command service module to put them in, you cannot do the program.

Mr. GURNEY. But it is a fact that the money is to be used for other than the procurement of Saturn I boosters, is it not?

Mr. ROUDEBUSH. May I answer the question of the gentleman from Florida? You will have approximately five command service modules also in surplus.

Mr. GURNEY. That is correct.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. Yes.

Mr. TEAGUE of Texas. Will the gentleman tell the House when you have to order one of these boosters if you are going to have it available in 1970–71?

Mr. ROUDEBUSH. There are several years of lead time.

Mr. TEAGUE of Texas. Exactly. If you do not order them now, you will not have them then.

Mr. ROUDEBUSH. If we reach the moon in 1970, we will not need them. That is what the gentleman from Pennsylvania is trying to show here.

Mr. TEAGUE of Texas. Does the gentleman think we will stop as soon as we get to the moon? Apollo is the base from which the Nation can gain a major return on its investment.

Mr. ROUDEBUSH. I am very happy to stop our manned space flights when we get to the moon, and explorations are completed.

Mr. FULTON of Pennsylvania. I want research and development done, because if we get to the moon on Saturn IX and Saturn V and Nike I, we will have left over up to 15, and we are buying two more after that. So we will have eight Saturn V's left over. Then, if we do not get to the moon by Saturn XI, we will have lost three or four crews at three men apiece, and then the Saturn is obsolete and we do not want them.

Mr. BELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment to reduce the budget for the Apollo applications program.

My good friend and committee colleague from Pennsylvania is an effective performer on the Science and Astronautics Committee.

What he says should be received attentively.

What he says would also be understood to be at variance with an almost overwhelming body of testimony by scientists and other specialists to the contrary.

Remember that the need for economies in the space program has already been stipulated.

When NASA spokesmen testified before our committee last year, they estimated that they would require $1 billion in fiscal year 1968 to carry on the Apollo applications program at the established production capability of six launch vehicles and six spacecraft per year.

NASA has since lowered its production requirements to four launch vehicles and four spacecraft per year—the lowest amount which can be economically produced.

As a result, NASA was able to reduce its expected budget requirements by almost $400 million.

The Bureau of the Budget further reduced the Apollo applications program by $170 million.

Your committee is recommending another reduction of $10 million.

Mr. Chairman, I do not believe we can reduce this program any more and still have a space program and adequate space options in the 1970's.

If support is substantially withdrawn the capability and resources which it has taken this country so long to develop, will rapidly dissipate.

Rewards are also in sight.

A report of our committee entitled "The National Space Program—Its Values and Benefits" points out that in the area of earth resources alone it will be possible to save billions of dollars through the proper management and control of our national resources.

For example, a NASA study of last year estimated that the ability to make accurate 3- to 5-day weather forecasts would produce national savings of up to $50 billion a year. This was done by IBM under contract to NASA.

After the enormous investment made in the space program by the American taxpayer, it would be unfortunate if the taxpayer is now prevented, because of excessive reductions in this program, from reaping return he has earned the right to expect.

The proposed budget is for the most part a continuation of a space program which virtually all of us have approved in the past.

Having invested so heavily, I believe we cannot wisely reduce our commitment just at the moment when the greatest rewards are about to be realized.

The contention that Apollo successes will result in surplus boosters looking for missions is incorrect.

Apollo applications is an orderly, well-planned, multiple-phase program which includes not only current 1968 missions but also planning for later missions.

Another point which should not go unanswered is the conclusion that if no boosters are left over from Apollo's initial order of 15, they are unsafe.

Causes of failure can be of so varied a nature that use of the word "safety" in this context is not necessarily germane.

In conclusion, I believe the Apollo applications committee budget is intended to do, and in fact does, just two things.

First, it provides for development of a limited series of applications of the technical knowledge which constitutes practical benefits from our sizable investment in Apollo.

Second, it allows for research and development spending, sufficient to keep pace in space technology, so that in the future we will be able to exercise options to proceed or not proceed without incurring the kind of extraordinary initial expense we were forced to accept in the late 1950's.

To repeat what I said last Thursday during general debate:

It might be argued that public mood today would suggest abandonment of substantially all research and development spending.

I submit that such action would be perilous.

Ours is the clear obligation to manage Federal spending.

Stop-start programing is not management; it is anarchy.

No one among us is sufficiently farsighted to say with certainty that circumstances in the future, perhaps as dramatic as the sputnik launch of 1957, might not demand significant new undertakings in space.

And in such an eventuality no Member would wish to have on his record the fact that excessive emergency spending to redress some new and unforeseen balance of power and accomplishment in space, was even partially caused by his unwillingness to support this research and development program so necessary in allowing us to keep up to date and keep our options open.

The years 1958, 1959, and 1960 produced lessons too expensive to be repeated.

Mr. Chairman, because this is what I believe is true, it is my opinion that we should spend what is required now in order to face up to this problem and to continue to advance our state of the art in the future.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. TEAGUE of Texas, and by unanimous consent, Mr. BELL was allowed to proceed for 5 additional minutes.)

Mr. GROSS. Mr. Chairman, would the gentleman yield?

Mr. BELL. I yield to the gentleman from Iowa.

Mr. GROSS. Could the gentleman from California give the House an estimate, the Committee of the Whole House on the State of the Union, an estimate of the loss incurred as a result of the disaster of January 27?

Has there ever been a price tag placed upon the cost of that disaster?

Mr. BELL. There has never been an exact price tag placed upon that disaster, but I believe the figures reflected that the cost was something in the area of $75 million. That is my understanding of what was involved in that situation.

Mr. FULTON of Pennsylvania. And the loss of time?

Mr. BELL. There are various estimates as to what slowdown in time will take place, ranging anywhere from at least 6 months to a year.

Mr. GROSS. Mr. Chairman, if the gentleman from California will yield further, there was cost loss as a result of time loss, was there not?

Mr. BELL. Yes; there is some cost loss in time, but I cannot estimate that for the gentleman exactly as to what that cost loss could be.

Mr. VAN DEERLIN. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

Mr. VAN DEERLIN. The point was made a few moments ago that perhaps we should stop when we get to the moon. Is the gentleman not glad that the 19th century settlers pressed on to California, rather than stopping at, say, Indiana?

Mr. BELL. I certainly am.

Mr. Chairman, I want to add one more thing to the gentleman's statement, and that is the fact that we all remember that back in 1957 when the Russians sent up sputnik, that immediately thereafter the whole Congress reacted rapidly with tremendous expenditures for the space program that a majority agreed to. Now there are some people who would want to stop the program.

After the moon flight success—and I feel sure that it will be a success—I think it is important to keep our hand in the program, because the Soviets may just as well come up again with something new and spectacular and place us in the same embarrassing situation we were in back in 1957. If again we will be called upon by our people to appropriate more money to the space program, I fear it will be done in an unbalanced fashion. This will be particularly true if we through excessive cuts have allowed this country's R. & D. program to be dissipated, because we will then be in a vast hurry to catch up to any sophisticated space accomplishment by the Soviet Union.

So in this bill on the Apollo applications all we are trying to do is keep our hand in so that when the opportunity comes for new space accomplishments we can move without unnecessary waste of time.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

Mr. TEAGUE of Texas. Mr. Chairman, I believe the House should know that the gentleman from California [Mr. BELL], the gentleman from California [Mr. PETTIS], the gentleman from Florida [Mr. GURNEY], the gentleman from Michigan [Mr. VANDER JAGT], the gentleman from Kansas [Mr. WINN], the gentleman from New Jersey [Mr. HUNT], the gentleman from Texas [Mr. CABELL], and the gentleman from Texas [Mr. ECKHARDT] have spent nearly every weekend from January until April visiting the installations in our space programs where these spacecraft and launch vehicles are being made and assembled. I wish to compliment them on the work that they have done so that they are able to inform us on the space program.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

Mr. FULTON of Pennsylvania. Mr. Chairman, my point is that when we are buying Saturn I, 12 of them, and we will have five surplus of those 12 to use in the Apollo applications after the moon flight, why should we buy seven more of them, which is in here, because it takes it up to 19 of those?

Then on the Saturn V, when we are going to have six left over as surplus, if we get to the moon on the ninth fly, and then we are going to buy two more of them and they are not going to be used until 1972 or 1973 or 1974, will they not be out of date and be obsolete?

My point is that they will. This is no time to buy the hardware.

Mr. BELL. As the gentleman from Texas just pointed up, you have to have a certain period of leadtime so you have to buy some of these things some time in advance.

The gentleman from Pennsylvania is also assuming that everything is going to go according to plan; that there will be no failures. All of these boosters are scheduled, and there have been delays, there have been problems, and you cannot just take them for granted as all being successful. We must have enough space craft to do the job, and we must order them far enough in advance so that we will have the proper leadtime.

Mr. DADDARIO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have taken this time so that I might continue the discussion which the gentleman from California has begun, especially with regard to the question of surplus vehicles and boosters which the gentleman from Pennsylvania was talking about.

First of all, they would be surplus, would they not, only if the program was successful beyond all expectations?

Mr. BELL. That is correct. That is the point I was trying to make. They will be available only if everything is successful. The gentleman from Pennsylvania is not taking into account the possibility that something could fail.

Mr. DADDARIO. It could be hazardous on our part if we were to make the assumption at this time that we would be successful with five less boosters than those which we are programing now.

If we were in fact convinced that we needed five less, we would have in our committee looked the situation over carefully and would have funded only for that number, is that not correct?

Mr. BELL. That is correct. Absolutely.

Mr. DADDARIO. I would also like to ask the gentleman from California if he has taken the opportunity to visit the industrial plants involved in this program, and if he has come to a determination of his own as to how they are operating?

It is my understanding that the Apollo applications vehicles fall within the schedule of industrial output at a minimum level so as to be sustained within what is optimum efficiency, and that if we were not to build these as now scheduled, we would have to maintain these industrial plants so that we could build them in later years at extra cost.

Mr. BELL. That is correct.

Mr. DADDARIO. If we were to follow the advice of the gentleman from Pennsylvania, this House instead of saving money would, in fact, be adding immeasurably to what would have to be spent on the space program.

Mr. BELL. That is absolutely correct.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DADDARIO. I yield to the gentleman.

Mr. FULTON of Pennsylvania. If that is the case—when they are going to build six Saturn V's in the year 1969, why under the new schedule which was just given to us last Thursday by James Webb, the Director, why do they go down to two in 1970 and 1971. Because the price goes up $236 million and it goes up from $163 million. Why not run an even schedule because if you run an even schedule, you get a lower figure on the six, at $163 million. If you make four, it costs you $193 million. But if you go down to two and build two units, they will cost $230 million.

Why have scheduling like that?

Then another thing is that if NASA is so careful on the Atlas Agena—and NASA ordered 34 of them—and we now have 25 delivered with three coming in for a particular program and they are canceling six of the Atlas Agena boosters—they order too many things so I am against that.

Mr. DADDARIO. I would like to say to the gentleman from Pennsylvania, I have heard the testimony as the gentleman has and it becomes a question of whether or not we are going to allow the gentleman from Pennsylvania to determine the scheduling of hardware on programs of this kind or if we are going to depend on the experts whom we have hired to administer this program for us.

I have heard the testimony and it is my opinion that the scheduling is correct. The logic behind the arguments they make on the schedules supports their position, and I approve of what they are doing.

I would like to say further in opposition to the amendment offered by the gentleman from Pennsylvania that a point has been raised by him that we were not properly scheduling the Apollo applications missions and that we had no idea whatsoever as to what they include. I would like to refer the members of this committee to the second volume of the hearings beginning at page 334 where there is an extensive explanation in the finest detail of each of these programs—of Apollo applications AAP-1 and AAP-2—and the experiments planned for the solar laboratory which will give us information on certain phenomena not now available because of the interference of the earth's atmosphere.

These are clearly defined experiments and I believe they are important and I believe this amendment should be defeated.

Mr. VAN DEERLIN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Chairman, in recommending cuts totaling $108 million, the committee has, in my judgment, eliminated all the "fat" in the NASA budget requests.

Under the able leadership of its chairman, the knowledgeable gentleman from California [Mr. MILLER], the committee has produced a realistic bill which provides adequate—but not excessive—financing for essential space programs.

Congressman MILLER and his colleagues have held more than 50 meetings on this legislation. Besides providing for ongoing projects, they have also wisely included seed money for the outer space flights that will follow the Apollo effort to place American astronauts on the moon.

Unfortunately, many Members seem determined to ignore the carefully considered recommendations of the Science and Astronautics Committee in their desire to eliminate or slash drastically the funding authorized for future projects.

To ignore the longer range considerations of the space program would be extremely shortsighted, in my opinion.

What would we gain by drastically reducing the authorizations for such potential breakthroughs as the Apollo applications program and the Nerva undertaking to develop a nuclear engine for missions beyond the moon?

Should we yield our primacy in space technology simply because of our concern about the perils implicit in entering and conquering an unknown environment?

There is an obvious analogy here.

Would our Nation have achieved greatness if the early settlers had decided that everything west of the Hudson was beyond the pale and not worth investigating?

What would the United States be today? A puny satellite, probably, of some more aggressive power willing to take some risks in exploring and claiming those vast, unknown lands.

Certainly, the early American pioneers faced a multitude of dangers as they set out through the trackless wilderness. Their sacrifice was enormous; many paid the ultimate price. But because they were willing to give up their comforts, and even their lives, a mighty Nation was born.

With such a legacy, can we, as Members of the National House of Representatives, do less than give our emphatic support to this, the latest in an historic chain of bold national ventures?

The CHAIRMAN. For what purpose does the gentleman from Florida [Mr. GURNEY], a member of the committee, rise?

Mr. GURNEY. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, first of all—what is the Apollo applications program?

This, of course, is the ongoing manned space flight program following the Apollo flight to the moon. In other words, if this Nation is going to continue in the manned space flight business, then we have to provide for an Apollo applications program by this bill.

The point has been made that we provided a small sum of money last year—and the money is considerably more this year. Yes, that is true. But there is a very good reason why this is so and that is we are acquiring long leadtime items in boosters and in engines and in spacecraft without which we cannot continue a manned space flight program of this nature.

As a matter of fact if we do not pass the Apollo applications portion of this bill and fund it in the fashion that is proposed, the manned space flight program of this Nation will come to a halt 2 years from now or maybe 2½ years from now. In space you cannot go into Sears, Roebuck, or Montgomery Ward and buy an engine, a booster, and a spacecraft off the shelf. It does not work that way. As has been pointed out, if you start from scratch it takes 5 to 10 years to develop any such kind of engine as this, a booster, a spacecraft, and even if you had the techniques, even if you knew what you were going to procure, it would take many years of leadtime in order to get the proper hardware. This, of course, is what we are doing this year. We are authorizing that so that we can continue the program when we finish the Apollo project.

I hope that the Members of this House, especially those who have been here longer than I, have not forgotten what happened 10 years ago and what happened 6 years ago when Russia went into space before we did with Sputnik I, and 10 years ago with the first man in space, Yuri Gagarin.

Six years ago—and I remember it even though I was not in this House—one Member of this House on the floor at that time said:

> People were not simply shocked and awed. They were literally stunned.

Another Member also said:

> The full impact or reaction of this propaganda victory of the Reds cannot be appraised and measured.

Believe me, I can remember that. Here the greatest industrial nation of the world that everyone respected the world around was beaten into space by Russia, not only with the first vehicle to orbit, but also with the first man to orbit.

I would also like to remind the House that the Russians conducted the first walk in space, the first photographs of the moon, and they first circumnavigated the moon.

We have a good space program in the United States. We are catching up. I think we have gone beyond in many respects. But we have done it only by working just as hard as we possibly could, and we still have not overcome the propaganda victory scored by the Russians so many years ago, because history books that are written, let me remind this House, will not be written showing the United States was first in space, but that Communist Russia was.

And if we kill this program, which this amendment would do, do you not think that the Russians will be up there with a manned space flight program?

We already know that they have a new program, which ended in a partial failure this year, but as a booster, they have a device that many people think will lift 50,000 to 60,000 pounds—much more than we have today. They are in this business for keeps, and they are in this business in keen competition to go ahead of us. I cannot think—to me it is absolutely unthinkable that this, the greatest industrial nation in the world, would not commit itself to a space program which carried on a manned space flight portion of it after the Apollo program.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. Yes, I am glad to yield to my Chairman.

Mr. MILLER of California. I think we overlook one thing. It is so axiomatic that I hate to call it to the attention of the House, because it is something that you all know and understand.

(By unanimous consent, Mr. GURNEY was given 3 additional minutes.)

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from California.

Mr. MILLER of California. It is so fundamental that I do not believe I have to point it out or call it to your attention. But there is nothing more expensive than starting, stopping, and restarting a program. You have to overcome inertia. It takes power to stop a program and then start it again, and the teams of engineers and scientists that have been gathered in this program are its most valuable assets. If you allow them to be dissipated, you cannot build them up in a year. You cannot build them up in 2 years. It takes a long time to get them going again.

Mr. GURNEY. I thank the gentleman from California. The point is extremely well taken.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. Yes; but first let me say that right now the teams that are manufacturing the boosters, the engines, and the spacecraft are on the point of breaking up unless we go ahead with this authorization.

I now yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I am impressed with some of the arguments of the gentleman from Florida, but with one argument I cannot agree. I cannot see that once you land a man on the moon that that is the end of the manned space program. I just cannot accept the fact that once we accomplish that we are going to stop. I mean that will not end the program. We have much more to do with respect to our moon shot than simply to land a man on the moon. How could you say that that would bring the program to a complete end?

Mr. GURNEY. If the gentleman from North Carolina will let me proceed, what I said was that it would end the manned space flight part of our space program.

I said it would end the manned space flight programs, because this authorization will buy the hardware, the parts for the hardware that will permit the program to continue.

Mr. JONAS. Will the gentleman tell me what we will do? Is there a remaining six Saturns then?

Mr. GURNEY. Yes, but I did think this had been thoroughly discussed before. First of all, the Saturns the gentleman speaks of—if the number of six is correct—are a cushion in the whole program. They will be utilized either in the Apollo program or also in the ongoing program later on. There is no duplication, if that is the point the gentleman makes.

Mr. JONAS. I did not contend there was a duplication. I mean we will continue to send additional teams to the moon. I do not agree that the program will end once we get a man on the moon.

(By unanimous consent, Mr. GURNEY was allowed to proceed for 2 additional minutes.)

Mr. GURNEY. Mr. Chairman, let me remind the gentleman from North Carolina that besides the moon program he speaks of, the Apollo applications program addresses itself to an entirely different phase of space flight, and that is the longtime space flight. Actually, the procurement here will procure a new spacecraft which will permit manned space flights up to one year in encircling the earth. This is the next step in the program, if we are to decide and find out whether indeed man has a useful role in space.

Let me speak to one other point, because I believe this is extremely important. I believe the gentleman from North Carolina will recognize this, because he is an extremely able member of the Appropriations Committee, and of the subcommittee that prepares the independent offices appropriation bill. This is one program in the Congress—and the only one I know of—where we have seen a steady decline over the past 5 years in the proportion of money we have asked for in this program. As a matter of fact, in fiscal year 1964, the moneys that went into this program amounted to 5 percent of the national budget. Each year after that, up to and including fiscal year 1968, which we are talking about now, this program has used less and less percentage of the national budget, so that this year, in this fiscal year, 1968, if we go ahead and authorize the full amount in this bill, we will be taking in this program a percentage of 3.1, instead of 5 percent that we asked for in 1964.

I will point out further, while this is a reduction in the authorization requested in this bill, the appropriation bill for the independent offices part of the Government, which has already been marked up and passed in this House, provided for an increase of $474 million—except for this. I hope the House rejects this amendment.

Mr. CASEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CASEY. Mr. Chairman, I want to express my sincere thanks to our able and dedicated colleagues on this committee for bringing before the House a good bill for a vital program. It is one that we all can and should support.

It was my great privilege to serve on this committee, and to learn firsthand the importance of the space program—all phases of the space program—to our country.

This is a program important to our national security; indeed, our very survival. Those who view the moon shot as an empty publicity gesture fail to realize the military significance of reaching there. Surely, if we do not reach it first, we had better be not far behind. And the same is true of our MOL—manned orbiting lab—program, our communications and observation satellites, our deep space probes. You cannot, by any stretch of the imagination, separate the military significance from the pure scientific effort in these programs, and it is vital that we continue with resolute speed.

Though I no longer serve on this distinguished committee, I keep in close personal contact with this program, and the dedicated men and women engaged in our space effort. I have the great privilege of having within my district the Manned Spacecraft Center, and I know personally of the efficiency and ability with which these people meet their responsibilities. Anyone of you here today would be as proud as I to represent such a fine group of people.

Let me say another word to those who are quick to criticize our space program.

Many of the great advances made today in medicine, in industry, in business, in our whole technology, are a direct result of this program. Space-age achievements and hardware have opened a whole new vista to the healing arts, making possible today surgical achievements undreamed of a few years ago. Great achievements in electronics, in communications, weather prediction, and a host of other endeavors are due to what we loosely call the spin-off benefits of this vital program. These are of direct and immediate benefits to the taxpayers who, after all, foot the bill for our space effort as they do for every Federal endeavor.

If I have any complaint to lodge against the National Aeronautics and Space Administration, it is only that in my judgment this great story of how our people and the world's entire population have benefited has been poorly told. But I cannot hold Jim Webb and the people of NASA accountable for the quixotic desires of the magazines, newspapers, and television.

Mr. Chairman, I stand here in full support of this bill, for in my judgment this is a good program, generally well administered, and it is important that we do not delay in reaching our established goals.

I have full confidence in the work of the committee chaired by the gentleman from California, the Honorable GEORGE MILLER, and its dedicated members. I also have full confidence in the personnel carrying forward the program.

I hope that no amendments will be adopted affecting this bill.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Chairman, I rise to urge support for the recommendations of the commitee authorizing appropriations to the National Aeronautics and Space Administration.

The distinguished Committee on Science and Astronautics has presented us with recommendations which provide for the most essential authorizations for NASA. Within each category—research and development, construction of facilities, and administrative operations—the committee has trimmed the agency's request to the absolute minimum consistent with the great demands on the budget for military and vital domestic operations.

The committee's task was not easy. The dedicated and conscientious members of the committee conducted an extensive inquiry into the total operations of NASA, past, present, and future, to arrive at the recommendations we have before us today. This searching examination was an exceedingly thorough and detailed work by our colleagues who are experts in our Nation's space technology and its benefits to mankind. I commend the chairman and members of the committee for their diligent efforts.

The voluminous report accompanying this proposal sets forth in detail the urgent need and justification for every dollar in the authorization. I need not go into detail on the benefits of the space program both to the military and to the civilian technology. To do so when it has already been adequately documented by the committee would unduly infringe on my colleagues' time.

I would, however, like to point out that our Nation has assembled in its space program a most conscientious and dedicated group of workers in the Government and in the related contract operations. I personally know of the efforts and enthusiasm of the workers at the George C. Marshall Space Flight Center in Huntsville, Ala.

The committee has examined in great detail this work as well as the work at our Nation's other centers of space activity. The committee's recommendations are solid minimum figures which must be approved to carry forward this vital work. It would be the worst kind of false economy to reduce their recommendations which were arrived at only after long hard hours of hearings and close examination of the program. To reduce their recommendations would contribute to the dispersal of the talented and efficient space team.

Our Nation has had costly experience with stop-and-go efforts in programs such as this which of necessity span a period of several years. We paid dearly for early dispersal of our mighty military power after World War II when it became necessary to mobilize a few short years later.

Our duty in the space program, as in other programs, is to manage the Nation's efforts in the most efficient manner so that the taxpayer receives the maximum benefit for every dollar spent. To do so in this case requires that we maintain the space program at levels consistent with the greatest return. This requires the orderly, continued development recommended by the committee.

It would be folly to reduce the space program as our greatest advances are about to be realized.

I strongly urge approval of the NASA authorization as reported by the knowledgeable and distinguished Committee on Science and Astronautics.

Mr. BROTZMAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BROTZMAN. Mr. Chairman, I would hate to think that this Nation would spend $23 billion to put an American on the moon by 1970 or 1971, and have little more to show the American people for their investment than a few lurain picture postcards and some souvenir moon rocks.

As things now stand, Project Apollo will give us little more in the way of tangible benefits, and thus—from a cost-effectiveness point of view—stands to be written off by future generations as a quixotic crusade.

This will be particularly true if it turns out that our astronauts are met by a Russian welcoming committee.

I am in favor of the Apollo applications program and the full fiscal 1968 funding of $444,700,000, because this expenditure will allow us to hedge out bets. It will virtually assure that Americans will get their money's worth, from the viewpoint of tangible benefits for science and society.

For one thing, Apollo applications will enable us to expand our understanding of the moon tremendously. The program, as it now stands, has the monolithic objective of enabling a manned landing and exploration of a tiny area of the moon's surface limited to the equatorial plane. The Apollo applications program will enable us to study the moon carefully from a relatively close orbit and map the surface accurately for the first time.

For another thing, Apollo applications gives us the means to put this exceedingly expensive hardware to work expanding our understanding of the earth, the other planets, and the sun.

The American people have been given only a small taste of the kinds of useful experiments which could be conducted from earth orbit. The crude observations of man's capabilities to function in space, and of the surface of the earth, which were made during Project Mercury and Project Gemini, were but a taste of the potential.

As a layman, I can appreciate what it would mean if we could pinpoint man's ability to live and work in a weightless environment over extended periods. Apollo applications could expand our understanding tenfold.

I can also appreciate the importance of having trained meteorologists observe the movements of clouds and air currents over much of the earth's surface continuously for weeks on end. Apollo applications also can make this possible.

To cite another specific, I can see great advantages in being able to predict crop failures and famines in remote areas of the world. Apollo applications could lead to such a capability.

I would agree with our colleagues who contend that the National Aeronautics and Space Administration has not thus far defined the aims of the Apollo applications program in sufficient detail. But I think we have enough information to move forward on the authorization with the proviso that more details be made available so that we can better judge the soundness of the NASA approach when the time comes to appropriate moneys.

Mr. RYAN. Mr. Chairman, I rise in support of the pending amendment, not because I believe there is any particular merit in cutting a budget simply for the sake of cutting it, but because I do not believe that this program has been adequately justified for Congress to fund it fully. What the gentleman from Pennsylvania [Mr. FULTON] proposes is a percentage cut to eliminate a certain amount of unjustified hardware procurement. I believe this is a reasonable approach.

I heard the gentleman from Texas [Mr. TEAGUE] say earlier that we are 1 year behind in this program. I might ask: Who set the timetable? Who set the arbitrary date? Who considered the value and adequacy of these still vague plans—Congress or NASA?

I might also point out that we are years and years behind in necessary programs to eliminate slums and to eliminate poverty and disease in this country, and to begin to give every human being an equal opportunity for his full development. I am sure this is a greater national embarrassment than the potential capacity of Russia's booster—an argument which is trotted out every time NASA's bill is on the floor.

I believe we must look at the question of Apollo applications in terms of the presentation which has been made by NASA to the House Committee on Science and Astronautics. We must recognize that the Appollo applications program at present is not a great deal more than a concept. Yet if it goes ahead as presently conceived, conservative estimates place hardware procurement and other program costs at $5 billion or more during the next 5 years.

NASA has explained that the Apollo applications program will phase in as Apollo proper, the lunar landing program, phases out, while sustaining the budget level, to which NASA has grown accustomed, about $5 billion a year.

What Apollo applications really means is that NASA will devise further uses for the Apollo hardware which has been developed during the moon program. This may sound very appealing. It may sound like a prudent objective on the part of NASA.

However, I believe we must look at three very serious problems connected with this.

The first is that Congress, by authorizing what is basically a vague and undefined program, may encourage the continuation of NASA's chaotic management and fiscal difficulties. These were clearly revealed by the hearings in connection with the Apollo disaster.

The second point, and one which has not been discussed at all up to now in the debate on this amendment, is concerned with the fact that the Department of Defense has a program which is called the Manned Orbiting Laboratory, and which appears to be a parallel program. We do not know how much costly duplication there is between these two programs.

The third problem concerns the continuing emphasis which we have heard repeated this afternoon on manned as opposed to instrumented space missions. NASA's predilection toward manned space flight involves far greater cost and a possible sacrifice of other more immediate scientific benefits to the Nation.

The first point, I believe, is relatively clear. But it is important to underscore the fact that the Apollo applications program is an experiment to determine not whether we should spend, but how we will spend, hundreds of billions of dollars on missions which have not been adequately projected, which have not been costed out, which have not been justified or reviewed. Moreover, except by default, Congress has not approved these missions or determined them to be in the national interest.

It is noteworthy that NASA has let 300 contracts for mission-definition studies which are intended to devise an actual program for Apollo applications. At the same time NASA has been purchasing long leadtime items for the still indeterminate program in order, by investment in hard goods, to bring the program into existence and justify further expenditures. I do not feel an investment of nearly half a billion dollars in fiscal year 1968 alone can be justified on such a basis.

The second problem concerns the Manned Orbiting Laboratory. I stated in my additional views which appear in the committee report:

> We have no clear idea the extent to which the Defense Department and NASA may be duplicating each other's efforts and "re-inventing the wheel" at vast, unnecessary public expense.

The additional views of other members on the committee have cited the problem of duplication and have indicated various preferences as to civilian versus military efforts. I believe we do not yet have sufficient information about this very important issue. Congress ought to conduct a serious inquiry before we rush into a program where there may be a great deal of unnecessary overlap.

The third problem is the question of manned versus unmanned space missions. I believe this must be approached from a very rational point of view.

There is no doubt that manned space flight is more glamorous and more exciting, and that the Apollo applications program is intended to sustain a primary emphasis on manned space flight in the space program. This is clear because the Apollo hardware has been designed and implemented for manned space flight, and the stated Apollo applications program goal is to develop the capability for long-duration manned missions.

To explain the problem in brief, long duration missions require two things—major advances beyond the state-of-the-art in life-support systems, and a significant increase in reliability of every component on board the spacecraft. The development of these involves major additional expense. The necessary lifesupport systems greatly increase weight and require much more efficient propulsion systems. This too adds enormous expense. The concern for astronaut safety will mean that certain chances cannot be taken in experiment and investigation, and certain scientific knowledge to be gained may have to be postponed or limited.

While NASA's budget is large, it is, I hope, finite, and the continued emphasis on manned space flight may swallow up a good deal of the funds which might be used for instrumented missions of great benefit to the Nation.

This possibility led eminent scientists, such as Dr. Polycarp Kusch, Nobel Prize winner and Columbia University physicist, to comment.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. RYAN was allowed to proceed for 1 additional minute.)

Mr. RYAN. Dr. Kusch said:

> I'd rather see us explore space in a more temperate and well-thought-out way. Instrument exploration is almost certainly more effective and cheaper.

The President's Science Advisory Committee in its February 1967 report stated:

> We believe that man should be used in space flight only when his presence contributes in an important way to the exploratory and scientific objectives.
>
> To insure that he is used in this way implies much greater integration of manned and unmanned mission planning than is reasonable to expect from NASA's present arrangements.

Mr. Chairman, I believe that this amendment is a reasonable one and will not impede the carrying out of the present programs or retired technological progress. I believe that before authorizing any further funds for the Apollo applications program, Congress should ask that NASA submit the following information which I listed as a requirement in my additional views:

First, a 5-year cost, launch schedule, and mission projection for the NASA-proposed program based on several assumptions concerning Apollo success.

Second, an assessment of costs and data deficiencies for an alternative program based on MOL and unmanned flights with, first, no postlunar Apollo vehicle procurement and, second, a minimal post-Apollo vehicle-only procurement for storage against future contingencies—no payload development.

I believe this is a reasonable requirement for the space agency to meet. It will give us a better basis on which to dispose of the balance of NASA's budget request. It will allow Congress to play a more serious and forceful role in the decisions necessary to insure a rational and beneficial use of public funds and of the massive national energies employed in exploring space.

Mr. RUMSFELD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, during the remarks of the gentleman from Florida on this amendment, the gentleman from North Carolina questioned the gentleman from Florida concerning the problem that the Space Administration would have with respect to space exploration in the event that this amendment carried and the program were curtailed dramatically. The gentleman from Florida said that the lunar exploration would stop. The gentleman from North Carolina questioned whether or not there would be ongoing programs post-Apollo, with respect to the moon. He is right. There is the intention to have on-going programs with respect to the moon, but they are funded in the Apollo applications program and they are, to my knowledge, in this program exclusively. They are not funded anywhere else. So the intention is there, in the Apollo applications program, that we are now considering. This amendment relates to that portion of the NASA budget which would provide for such things as a lunar mapping and survey mission with approximately 8 days in lunar orbit, lunar surface exploration, and spending 3 days on the surface, the unmanned lunar shelter program, and a lunar orbit exploration with approximately 7 days in orbit. This category of the space budget we are now considering is where we have made provision for this country to take advantage of the funds that have been invested in the moon program, the Apollo program, for the past period of years. So I think it is well to understand that that is what we are voting on. We are voting on the utilization of the space capability that has been developed during the preceding years.

The point should also be made——

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. Yes. I am glad to yield to the ranking minority member.

Mr. FULTON of Pennsylvania. The point that I want to make is my amendment leaves $194 million in for research and development and simply takes out hardware which will be used for 1972, 1973, and 1974. It does not affect those programs at all. Does the gentleman realize this? The Apollo applications programs is likewise delayed a year because of the Apollo fire, and that delayed the Apollo moon program. So if the Apollo program is going to be put off for a year, then the program that comes afterward is likewise put off, so you do not need all of the money.

Mr. RUMSFELD. I do not think I addressed myself to either of those questions. There is no question but that there has been a delay and also there is no question that your amendment is as you describe it.

Mr. FULTON of Pennsylvania. The point is I leave in $194 million for research and development. I do not cut out those flights. Heaven bless them. They can go when they want to.

Mr. RUMSFELD. I have not yet commented on your amendment. I am going to get to that in a minute.

The point ought to be made, I think, that this House last year when we considered this legislation, provided funds to keep the production lines open so that we would have the option this year to make some decisions with respect to the post-Apollo program.

Mr. Chairman, the Committee on Appropriations approved a sum which was then increased as a result of reprograming, if my memory serves me correctly, so that the decision that we are going to make one way or the other this year could be made this year. This was, if I am not mistaken—a total sum of $80 million, after reprograming, to keep the pipeline open.

Now, Mr. Chairman, why was not the decision made last year as to what this country should do with reference to the funding of the post-Apollo program?

I believe that one of the reasons as to why it was not made last year was because of the war in Vietnam, a war in which we are still engaged, and the high level cost of the program involved in the Gemini and Apollo programs. The first of which, the Gemini program is phased out now, and the cost of the Apollo program has turned the corner this year. The Apollo program, as contained in this bill, is $310 million less than last year and is scheduled to go down in the coming months and years as we move toward the lunar landing.

Mr. Chairman, the increase in Apollo applications, coupled with the reduction in Apollo, has resulted in a situation whereby the sum total of the Apollo and the Apollo applications is just about the same as it was last year, possibly slightly less.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

(By unanimous consent Mr. RUMSFELD was allowed to proceed for 1 additional minute.)

Mr. RUMSFELD. The point is that with the funding of the Apollo applications program, this bill is still at a relatively fixed level and, if anything, going down over the period of the past 5 years, during which time I have been on the committee.

It is impossible to run a space program with the long lead times required by making dramatic shifts up or down. I have been critical when there have been dramatic increases requested and have voted for cuts in the program, because I did not think and now do not believe that NASA has the ability to efficiently administer such unreasonable increases. But, Mr. Chairman, by the same token, if we make a sharp cut today, I believe we could have equally serious problems and possibly even greater waste. For this reason, it is my present intention to oppose this amendment. However I intend to support an amendment to reduce the Apollo applications program by a lesser amount, which I understand it is the intention of the gentleman from Indiana to offer, an amount which I believe is reasonable and which would not unnecessarily and unwisely cripple the Apollo applications program.

Mr. HANNA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I feel it is unfortunate that this House at this time is not completely filled with the Members. We are here discussing a program that I believe has a great effect upon the decisionmaking that we are to do here in this House.

I think, at this time, Mr. Chairman, it is in order to say a few things which I feel need to be said to most Members of this House about this program.

Mr. Chairman, let us be quite straightforward. In basic economics, gentlemen, the economies of any society and any country are predicated upon how the people want to use their resources. An enlightened use of those resources occurs by an economy taking items of little value and through their skills coupled with their financial resources making these items of little original value into products of great value and of multipurpose for the use by the people of that time period. That is what we are talking about here today. The benefits accruing to our society from participation in the space program transcend the mere building of a rocket. The benefits of participation in this program affect all aspects of our economy. I am trying now to balance the argument of today between the allegation that the Apollo program is low priority because it impinges upon our effort to do something more about poverty. Agreeing to such a thesis would represent a very shortsighted point of view.

Mr. Chairman, let us put this in perspective. We are talking here about $5 billion. But think for a minute of the ramifications of the expenditure tied to that $5 billion. For the ramifications of such an expenditure mean more than just an Apollo project. In other words, let us ask how many transactions have to go into the making of one Apollo vehicle—how many transactions? You start in a program such as this with the bare materials, and the money you put in has to turn over at least seven times before you have anything of any value or substance.

Mr. Chairman, it is like building an automobile. How many transactions are there involved in the manufacture of an automobile?

How many times have we used the money? I would say to you that at the minimum this is a $35 billion boost in the economy.

Are we doing something that is worth while doing? Are we creating something that will have multiple uses?

Mr. Chairman, I believe the RECORD is replete with allusions to the fact that this program has tremendous application in many walks of life. In fact, I would say in the areas in which NASA is involved we are finding residual applications to expanding our efforts in oceanography, one of the great areas of new resources, and new wealth for our country.

I believe the second important thing that is involved is taking the basic materials that are at hand and making something that is worth more, which is what will be done when we approve this legislation. This simple concept, Mr. Chairman, is called producing wealth.

If we are not building the wealth of the country, then we are not building a source for taxes, and if we do not have taxes, then you cannot continue the poverty program—or are we trying to kill the goose that lays the golden egg? Are we going to try to dispense with a program that has this much velocity on our economy?

We must consider the dynamic economic factors that are involved when we use these basic materials that are foundations for creating wealth. The metals, the ores, the clays, and other resources utilized, whether they are from a basic producing area, or whether they arise from subcontracts in the lower echelons of work that ultimately are used in building the project all generate wealth and its necessary offshoots. All these things are involved, plus all the valuable fallout that has come from the mobilization of resources now evident in our desire to go where man has never been before.

Mr. Chairman, let me say this: This country of ours became strong and grew wealthy while it was doing things that all of us would agree are not very sensible to do; that is, the building of engines of destruction. But because these activities were increasing the value of a product and eventually wealth, such activity had a fallout beyond the original intention. Our war economy was able to put our people to work, and provided velocity in our stagnating economy, and when there were people being paid for jobs our country's industry could then expand into the production of products that have put us in the forefront of developing sensible utilization of our resources. That is why we became strong, and that is why we are strong, and that is the only way we will stay strong.

Mr. Chairman, this is all part of the whole picture behind this program. We are developing the kind of wealth, the kind of scientific expertise, and the kind of knowledge that will enable us to progress more swiftly in developing the economic environment that will preclude hard-core poverty, that will enhance our efforts to multiply this planet's resources, and allow more serious exploration in a multiple of areas—foremost of which is oceanography.

The larger panorama of the NASA program etches clearly its value to a society determined to improve its position. In this framework the issue we are considering today transcends a mere rocket expedition, but, rather, talks of a nation within which all its elements benefit as a result of an effort, that on face value, appears singleminded.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. HANNA. I yield to the gentleman.

Mr. PUCINSKI. Mr. Chairman, I have listened with great interest to the gentleman in the well, and I would ask the gentleman is he suggesting that this is a spage age WPA?

Mr. HANNA. I would reply to the gentleman that any kind of an organized effort by a society that utilizes its resources to achieve something that its society believes is worthwhile in achieving strengthens the economy of that society and benefits all who share and participate in that economy.

SUBSTITUTE AMENDMENT OFFERED BY MR. GROSS TO THE FULTON OF PENNSYLVANIA AMENDMENT

Mr. GROSS. Mr. Chairman, I offer a substitute amendment for the amendment of the gentleman from Pennsylvania [Mr. FULTON].

The Clerk read as follows:

Amendment offered by Mr. GROSS as a substitute for the amendment offered by Mr. FULTON of Pennsylvania: On page 1, line 5, strike the figure "$4,992,182,000" and insert "$3,992,182,000."

Mr. GROSS. Mr. Chairman, I have listened to the argument of the gentleman who advocates spending for more engines of destruction because, he says, they help the economy of the country. That is quite an argument in behalf of this or any other spending measure.

I do not know whether this means more wars so that the economy of this country can be sustained. Apparently that is what it means. Mr. Chairman, I have offered this amendment to cut $1 billion from the bill in an effort to save the Democrats some embarrassment; to make a contribution towards saving the Democrats embarrassment.

The Democrats have had a good time through the years chiding the Republicans about that deficit in 1959, the Eisenhower deficit of $12 billion. You Democrats are going to lose some political pap if you do not adopt my amendment, and similar cutting amendments to other bills, because you are going to have a deficit of far more than $12 billion if you do not start trimming your spending sails in the Great Society.

So, I offer this amendment in part to save all Democrats embarrassment.

Mr. Chairman, I have been impressed by the lack of any real discussion so far in this debate about the Apollo disaster on January 27 I have not heard anybody on this committee hold anyone responsible for that terrible tragedy which took the lives of three of our astronauts and cost millions of dollars.

As I said before, when this was under debate last week on the floor of the House, there is certainly one individual who can be held responsible for it—and that is James E. Webb. As long as he heads up the National Aeronautics and Space Administration I, for one, am not going to vote for a dollar to finance it.

Mr. KARTH. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. KARTH. I would say to the distinguished gentleman from Iowa that during the Apollo 204 accident hearings everyone associated with the program assumed some blame and responsibility for the accident. The people at NASA and the prime contractor and some of the subcontractors all assumed some responsibility.

Mr. GROSS. That is the usual bureaucratic way of doing things—to spread the blame over enough people so that no one can be held responsible for the mistakes.

Mr. KARTH. If the gentleman wants to pin this on one person, I think it extremely unfair.

Mr. GROSS. Mr. Chairman, I decline to yield further. The gentleman is a member of the committee and has no difficulty in obtaining time.

Mr. Chairman, I repeat that as long as James E. Webb is the Administrator of NASA, I am not voting another dollar for this moondoggle. This program is full of fat and blubber. If you want real success in this program, keep it lean and keep the people who are running the program lean and hungry. That is when you will get some results.

I hasten to add that I live in some fear of the day when, if ever, we plant a man on the moon because if we find a single, living human being on the moon, this Government will start a whole new multibillion-dollar foreign giveaway program—a whole new foreign aid program.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. ARENDS. If the gentleman wants to have a little amusement, I would suggest that tomorrow or whenever we vote on this bill, and not only on this bill but on all the other bills that we have gone ahead on and appropriated everything that was asked for and maybe even a little bit more—I would suggest to the gentleman that he take the RECORD and keep it in his pocket so that when the day comes when the tax bill comes up before us—and it will come—a sizable tax bill—then watch the people who are the spenders voting against the tax bill. That will be interesting to see.

Mr. GROSS. Yes, some of those who are supporting this moondoggle will be right in there voting against taxes and they will be having pains in their abdominal region because taxes are going up. Yes, you can bet on that.

I repeat, Mr. Chairman, that I would like to hear some discussion, because it was a disaster of the first magnitude, some discussion about the responsibility for the tragedy that occurred in Florida on Janaury 27 of this year.

I would like to have somebody give this House some assurance that we are not going to have a repetition of what occurred on that launching pad down there, the unconscionable act of strapping of those three men into a space capsule that had never been properly tested.

Mr. Chairman, my time has evidently expired. I want to make it clear that I am opposed to a continuation of the crash program to put a man on the moon. The crash program is unnecessarily costing additional billions and it has already resulted in one terrible tragedy.

Mr. KARTH. Mr. Chairman, I rise in opposition to the substitute amendment.

(By unanimous consent, Mr. KARTH was allowed to proceed for 5 additional minutes.)

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. KARTH. I yield to the gentleman.

Mr. TEAGUE of Texas. We have been flying airplanes for 60 years. Almost at the same time that the three men were killed in the spacecraft accident, there were nine little girls killed as the result of an airplane accident. But I did not hear anybody demanding some kind of proof that such an accident will not happen again.

Mr. Chairman, it is just plain ridiculous for somebody to get up here and demand that accidents will not happen or ask anybody to promise that this will not happen in the space program again because no one can guarantee against accidents of this kind.

Mr. KARTH. Mr. Chairman, I did not ask for the additional time to belabor the very sad and tragic accident that took the lives of three great and distinguished Americans. I think we have talked about that enough.

I am sorry to find the gentleman from Iowa or anyone else for that matter holding one man accountable, whether the name be James E. Webb, the President of the United States, or my distinguished and outstanding colleage, the gentleman from California, the chairman of this committee.

It is a ridiculous assumption—and even worse when it is made in terms of an accusation.

Mr. Chairman, let me just very briefly say to this committee that all the people who are associated with that program, beginning with the prime contractor and all the people at NASA and the contractors who are responsible for the implementation and the carrying out of the Apollo program—all regretted very deeply that tragic accident but they very forthrightly explained to the committee that they had to assume some responsibility because they underestimated the serious hazards associated with that fire.

I do not know how many more confessions we ought to have, but I will say this: There were more confessions in regard to this accident that came from people who work for the Government and for private industry than on any other accident that we have ever had in this country. And I need not remind you that almost every single new airplane we have developed in this country has taken the life of at least one research pilot or test pilot, if you will.

Mr. Chairman, there is no fat and blubber in this bill. I suppose there are some programs that come here with a little fat and blubber in them, and I suppose there are some people here who have some fat and blubber in them. But this, I submit to you, is not the case insofar as this bill is concerned.

Mr. Chairman, there is one other thing I cannot quite understand. The gentleman from Pennsylvania, for example, who has offered the amendment which would reduce the bill by some $250 million—and I have high regard, great regard for him—is the ranking member on the Manned Space Flight Subcommittee on the minority side, and he is also the ranking minority member on the full committee. But yet he did not choose to offer this amendment or anything near it in either the subcommittee or in the full committee. I just wonder why.

Mr. Chairman, let me use a little different approach, if I may, in trying to put the space program in its proper perspective. I think the word "space" is just a fancy way of saying "research," and I submit that our space program is our U.S. basic and applied research and technology advancement program. That is what the space program is. I am not sure that I agree in toto with the gentleman from California, who talked about the basic things that go into the making of the hardware, and therefore in the final analysis it is all worth it. But I do say that as far as it being a research, both basic and applied, and a technological advancement program for this Nation, I think if it accomplished nothing else, indeed, it would be worth it. With but few exceptions, research and technological advancement pays far greater dividends than its original investment.

I will agree with those, Mr. Chairman, who say that research is a funny beast and who say that it is a very expensive beast. Indeed it is. It is exorbitantly expensive. It is very unpredictable, but not to do it is to make the entire future of this country unpredictable, and that indeed would be very costly.

On Thursday last, the gentleman from Florida [Mr. GURNEY] said, and said again today, that if this amendment is adopted, and certainly if the substitute is adopted, that will be the end of the manned space flight program. I do not think there is any question about it, because you must have some kind of a follow-on program. The gentleman from Pennsylvania has been talking about so many different launch vehicles that we now have under procurement or under order for the program. I am not sure what number he finally settled on. But let me tell you something. Everyone who understands or who knows anything about this business knows that there is a long leadtime involved in producing, procuring, and obtaining, if you will, space vehicles and the orbiting laboratories. That is what we are talking about when we talk about the Apollo applications program.

Therefore, because this is the technological advancement program of this Nation, because it is the basic and applied research program of this country in large part, it seems to me that if the program is killed by virtue of this amendment then, of course, in substantial part the U.S. research and technological advancement program suffers death, too.

Again I say research is a funny beast. It is difficult to diagnose, because in so many cases research cannot be traced to a final outcome. Conversely, technological breakthroughs cannot be traced back to the original research.

In arguing the rule last week the gentleman from Iowa talked about cancer and heart disease and how tragic it was that we have not yet found the cure. And I agree that it certainly is, not because we have not put forth the effort, because, as I recall, we have spent hundreds of millions of dollars trying to cure it. But some people today say that as a result of our research in bioscience and because of our medical space research we might be able to find the many bits and pieces, put together a total package, and find a cure for the dread diseases.

If it did nothing but that—and I am not saying it will or it will not, but there are some very learned people who say it might—if it did nothing but that, the $18 billion we have spent would be worth it. Again, I say, Mr. Chairman, that is the nature of research.

However, there is one thing we do know for sure about research and technological advancement. Every country heavily engaged in research and technological advancement provides for its people more homes, more food, more education, and a higher standard of living than countries who do not. It is historically true, Mr. Chairman, that the economic development of a country, its economic viability, and its research and its technological development are inseparable.

It is historically true, Mr. Chairman, in case it might be of interest to someone, that countries which are engaged in research and technological development are also the most powerful countries in the world, and that provides national security.

So today we make a judgment, Mr. Chairman—or maybe it will be tomorrow—in answer to these questions: Can we afford it? Should we do it? Is it worth it?

I think the answer to those questions is: Can we afford not to do it in any one of these many senses? For whatever it is worth, Mr. Chairman, let me say that the Soviets think it is worth it, and they are paying for their space program in terms of housing, in terms of food, and in terms of a decent standard of living for their people. They are paying a price that we in this country are not asking Americans to pay for our space program. But they are doing it.

I suppose we should be asking the question Why? Why are the Soviets, a monolithic government, doing this? Why are they making these decisions? For whatever it is worth, I believe that these amendments, Mr. Chairman, must be defeated.

Mr. Chairman, our research and space development has already resulted in operational systems in weather and meteorology, in communications, in advance storm warnings, in mapping, and geodesy, and in several other areas. I see a great future in this regard.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. KARTH. I yield to the distinguished majority whip.

Mr. BOGGS. Mr. Chairman, I would like to commend the gentleman for the very constructive statement he is making. What the gentleman is saying, if I understand him correctly, is that this program is anything but a boondoggle or an emergency public works project. It is something that is completely, totally concrete, and its results—and I was interested in the gentleman's recitation of a moment ago—have already happened in the fields of meteorology, of weather predictions, of satellite communications, of television communications on a national basis, which is now becoming almost commonplace, and countless other devices and inventions which are now being used in the homes and businesses of America, which are directly attributable to the research in this program.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. FULTON of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota may proceed for 2 additional minutes.

Mr. ROUDEBUSH. Mr. Chairman, reserving the right to object—and I shall not object in this instance—I do want to say we have been very charitable about additional requests, I believe, on both sides of the aisle, but I shall object if additional requests are made.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota is recognized for an additional 2 minutes.

The distinguished majority whip's assumption is entirely correct and I thank him for his complimentary remarks.

Mr. KARTH. Mr. Chairman, I will take another 20 seconds and then I will be happy to yield to the gentleman from Pennsylvania [Mr. FULTON].

In conclusion, Mr. Chairman, let me say to some of the Members who come from agricultural districts, and there are many in this House, the Department of Agriculture said this program last year saved $2.5 billion in farm produce as a result of early weather forecasts. That pays for half the total cost of the space program for the entire fiscal year.

I might say those are not my figures. As far as I know, they are not NASA's figures. They are Department of Agriculture figures.

At this point, Mr. Chairman, I am happy to yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, the gentleman asks why my amendment had been for a smaller figure when offered at the committee level. I had put in a $50 million amendment, which was defeated. I can give the exact reason.

At 4 o'clock yesterday afternoon was the first time tht NASA authorities gave me the cost of the Saturn V production programs for 1970 and 1971. They did not even have the estimates themselves.

My question is this: How can one say it is going to spoil the program when even as late as yesterday at 4 o'clock NASA did not have the Apollo applications figures?

I would point out, when asked what number I felt was surplus, I said on the uprated Saturn I, five out of 12 would be surplus, and I objected to buying seven more, and putting them on the shelf.

On the Saturn V, I said the plan was IX, X, or XI to go to the moon, so it is either five or six surplus, and I object to buying two more Saturn V's at this time.

Mr. KARTH. Mr. Chairman, I do not know how clairvoyant the gentleman from Pennsylvania is. Frankly, I do not believe I would ge able to calculate how many spare vehicles we are going to have. I cannot predict what success we are going to have with this program but the success, or lack of it, will determine how many vehicles we will use. It is essential that we have spares. In the final analysis I predict that every single launch vehicle will be used.

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I should like to put my friend to the test. This is the first time I have spoken. Everyone else has had 10 minutes.

Mr. Chairman, I ask unanimous consent that I may proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Chairman, we are talking about the space program and the integral parts of the space program and what is going to happen to the space program.

It is very easy to make assumptions which cannot be supported in fact.

Why are we going to the moon? Is it because there is a space race?

I have never conceded that there is a space race. It do not know that the responsible people in the space program have ever conceded there is a space race.

We are going to the moon for the exploration of outer space for the benefit of mankind. Benefits have fallen from it and benefits will fall from it.

It has been reported that the man who is quoted up here above our heads, Daniel Webster, said in the Senate, when they were asked to appropriate money to make an exploration to the Pacific Coast, to see whether or not it would be possible to build a railroad across the continent:

> What do we want with these wide open spaces, these deserts? What do we want with these mountains, covered with snow to their very bases? What do we want with the vast plains—

Perhaps he was talking of Iowa then, not now—

> filled with rattlesnakes?

Oh, yes, once upon a time they were there, my friends.

He said:

> Mr. President, I won't vote one red cent to bring the Pacific Coast one inch nearer to Boston than it now is.

That was a little more than 100 years ago.

I suppose the same kind of argument was made against what we are doing then as is made against what we are doing now.

Walk over on the lower floor to the other part of this Capitol. On the right hand side, as one gets through the crypt, one sees a plaque, which says:

> In the room opposing this plaque—

I believe it is 1842—

> S. F. B. Morse sent the first telegraphic message by wire from Washington to Baltimore, 40 miles.

He tapped out the message "What hath God wrought?" Well, people ridiculed the thought that you could have a telegraph system running across the country and throughout the country. It was just crazy to think of stringing wires across the country. In less than 30 years you had wires going all the way to the Pacific Coast from the Atlantic Coast. Then out of this and the techniques born in radio or in telegraphy came the telephone. If you want to carry it on, out of the telegraph and telephone came wireless telegraphy. We called it Marconism at one stage of the game. Then came radio and now we have television, and you have not reached the end of it yet. Perhaps there is nothing that has unified this great country of ours more than the communication systems that sprang out of the effort by Morse to use the crystal in communication throughout the world.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from North Carolina.

Mr. JONAS. The gentleman said that we were not in a race and that this was an orderly and regular program. If that is so, why was the commitment made to go to the moon in one decade?

Mr. MILLER of California. I presume that the commitment was made to go to the moon in a decade because if you do not put a time limit on anything you are going to do, then you are not going to do it very well. If the gentleman is going to have a house built, he would not say to the builder, "Here are the plans. I want you to build this house" and then let the man carry on from day to day and not in any orderly procedure. No orderly business would have such a thing happen.

Mr. JONAS. Would the gentleman agree that if I told the man I wanted that house built within 30 days, it would be a crash program, more than if he did it in the ordinary course of events?

Mr. MILLER of California. I would say if he wanted it that way, that would be a crash program, but I do not concede that going to the moon in a decade is a crash program. I do not think that the crash program idea entered into it. We have gone ahead in an orderly way trying to get there and to get the job done. A lot of statements have been made, and I resent the fact that one man spoke of NASA's management as being irresponsible. NASA's management is one of the most responsible managements in the country. I can tell you this: NASA has developed the technique of handling large organizations and the management of large organizations to the point where it is being studied and adopted by industry in other places in the world. Europe particularly is looking to the type of management that we have in NASA. No longer ago than a week or so I was invited to go to France to discuss this with some people in France. I could not go because it required a fluent knowledge of French in order to talk to the members of the French parliament. Therefore I declined to go.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I will yield to the gentleman, but please do not hold me responsible for your rattlesnakes, but there were some in Iowa, because my parents or grandparents were in Iowa before you were, Mr. GROSS.

Mr. GROSS. The gentleman is from California, and I want to say those were boa constrictors. They were big snakes in Iowa.

Mr. MILLER of California. Yes, they were big snakes.

Mr. GROSS. You have small snakes in California. I recall the newspaper articles within 48 hours after the January 27 tragedy. Mr. Webb said at that time that the disaster was due in part to the failure of the Congress to provide adequate funds for the program. Does the gentleman recall that?

Mr. MILLER of California. I do not recall that. I have seen a lot of things in the newspaper, sir, in connection with this and in connection with other things to which I do not necessarily subscribe as being the gospel truth. And, I have great respect for the members of the press. But I do not believe that the members of the press are infallible.

Could I tell you a little story?

Mr. GROSS. Of course.

Mr. MILLER of California. However, this will not necessarily be applicable to this particular situation.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. MILLER of California, by unanimous consent (at the request of Mr. FULTON of Pennsylvania) was allowed to proceed for 5 additional minutes.)

Mr. MILLER of California. Well, I was just going to tell you how nice the press can treat you.

Some time ago, you know, the story came out about nepotism and in writing about my wife whom all of you know has been my secretary since I have been here and, Lord knows, I have made no bones about it, the man started the story by saying, "Esther, the wife of the 75-year-old Congressman from California—"

Now, Mr. Chairman, this was true, but I was just in the process of making up my income tax, when the man who was making it out downstairs as a representative of the Internal Revenue Service, called and said, "Mr. MILLER, are you 75 years old"? I said, "Well, to tell you the truth, I am 76 years old." He said, "Well, you are entitled to a 10-percent deduction because of your age," and also mentioned the provisions for blindness and so on and so forth. As a result, he came up and rewrote the income tax form and it made a difference of $275 as to the amount which I was obligated to pay. He said, "We will file for 2 years back," and as a result of that I have two checks, amounting to $775 in my drawer now as a result of that story.

I am glad the man did this. However, he was not doing this as a favor to me, but I thank him, and I am certain that this came about as a result of his pointing out this fact in the story.

Mr. GROSS. Well, in that case the newspaper reporter was fallible, was he not?

Mr. MILLER of California. Oh, very fallible, but it was not intended to be fallible. It certainly was not intended to get me a return of approximately $1,000 from the Government.

But, by getting into these things we have to talk about the mole and a duplication of programs. Now, many of the Members were invited to go out to Andrews to talk to the Systems Command. However, some members of the committee did not care to go. I could not help it, but I think they pretty well satisfied us that there was no duplication here and that we are working along the same lines.

Mr. Chairman, there are over 300 Air Force and Army officers and Navy officers on duty with NASA today in order to make sure that any fallout that comes in NASA goes to them and that there is full cooperation. Also, through the Space Council, which is a product of this committee, it has a coordinating body. So, I do not say that this is infallible.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. Yes, in just 1 second, because you were kind enough to obtain for me this additional time.

Mr. FULTON of Pennsylvania. I wanted to compliment the gentleman upon an excellent statement and a more excellent story, first.

The second thing is this: The amendment that I have proposed ——

Mr. MILLER of California. Now, we are talking about another matter, an amendment, if you please.

Mr. FULTON of Pennsylvania. The amendment which I have proposed would result in a reduction of $250 million and it would not interfere with the Apollo moon program.

Mr. MILLER of California. I do not concede that to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. But I say it does not.

Mr. MILLER of California. I do not concede that to the gentleman.

Mr. FULTON of Pennsylvania. The other point is this——

Mr. MILLER of California. Now, wait a minute. I yielded to the gentleman for the purpose of propounding a question, but the gentleman has made the speech before that I feel the gentleman wants to make again, but if the gentleman wishes to go ahead and make it again, I shall yield to the gentleman that time.

Mr. FULTON of Pennsylvania. Well, if you think it is worthwhile, I shall be glad to repeat it for the gentleman.

Mr. MILLER of California. Frankly, I have heard it so often I do not think it is new to me.

Mr. FULTON of Pennsylvania. The question is this: With reference to the $120 million cut that the other body made, does the gentleman think that is right—a cut that can be justified, or does the gentleman think we should make no cuts at all?

Mr. MILLER of California. No, I do not think the Senate cut can be justified any more than the cut that you have suggested, or the one that the gentleman from Iowa [Mr. GROSS] has suggested, can be justified.

Let us see what we have done in a very short time in this program. If a year ago you had said to me this could be done, I would have said I think you are crazy, and 10 years ago they would have wanted to escort you out to St. Elizabeth's.

We have sent our eyes and a hand to the moon. Think of that technique, and think of where this can be applied in other places, but we have actually had our eyes and a hand on the moon.

Now, I am not afraid, I would say to the gentleman from Iowa [Mr. GROSS], that we are going to find any life there, so that we will have to send up any aid there, because it is a very inhospitable place. I do not think there is any place in our cosmos where we are going to find life as we know it here on this earth, because Venus did look like a place where that could be possible. They thought there was some water on Venus from flying a plane at 30,000 feet, and taking pictures of Venus, and then they found what they thought to be ice crystals to be the effect of light filtering through our own outer atmosphere. And just as some people had told us that fish could not live in the great depths of water because the molecules are so compressed that the free oxygen was forced out of them, but when they got down to 37,000 feet in the Chancery Deep the first thing they saw was a gill-breathing fish. So we do not know these things.

I just would like to say this with respect to the assignment of the group of some 20 people, some of the best scientists in this country, some of them working for NASA, who made this investigation. It was made under the direction of Dr. Thompson from NASA—Dr. Thompson is one of the foremost aeronautical people in this country.

The CHAIRMAN The time of the gentleman has expired.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. FULTON of Pennsylvania. Mr. Chairman, reserving the right to object, I would ask unanimous consent to make it 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania that the gentleman from California [Mr. MILLER], proceed for 3 additional minutes?

There was no objection.

Mr. MILLER of California. Mr. Chairman, Dr. Thompson has about 1 year to go in the service of NASA. He has done a great job there, and he has a great record in his field. Do you think this man is going to stultify himself?

One of the men who were on this board was Colonel Borman, who had spent 2 weeks in space, and who represented the astronauts on the board. I asked him would you get into that capsule the day that these people were killed?

He said "I would have willingly gotten into it. I rather felt badly that I was not getting into it."

I asked him, "Would you get into it today?" He said "No."

Because we did not know, and the best scientists in NASA and among the contractors did not know that this fire could have taken place.

But it is interesting to consider the people who get up and talk about oxygen and the dangers of oxygen, but on Sunday, May 21, on "Meet the Press," Lawrence E. Spivak had Walter M. Schirra, Col. Frank Borman of NASA, and Lt. Col. Thomas P. Stafford on the program, and Mr. Hackeys said:

> Colonel Stafford, Captain Schirra has made it rather clear that he is going to be sure in his own mind that everything is going to be ready before he steps into the capsule for the first flight. By the same token, weren't the Apollo I astronauts very confident that their capsule was safe?

Colonel Stafford answered:

> That is correct, and I think it is the group's position—and Frank brought it out on the board—that with the knowledge we had at that time all of us would have taken a place in the spacecraft before that specific test.

Now, get this:

> In fact, at the very time the accident occurred I had my crew in another spacecraft at Los Angeles at 19 psi.

Nineteen pounds per square inch of pressure under oxygen—

> In fact, I was pressurized in a suit at the very time the accident took place, in Los Angeles, so all of us would have made the test. I think the main thing is what the board brought out, that both the contractor and the Space Administration had overlooked the hazards.
>
> I would like to bring up one point that you asked previously about: Can we go to the moon safely. I think Wally ably answered that, but I would like to add one thing: Not only there, but come back safely.

Let us see what part these astronauts play in this business—they live with the spacecraft that they are going to fly in. They are engineers and I think the men who risk their lives can give you the best information you could get.

The CHAIRMAN. The time of the gentleman from California [Mr. MILLER] has expired.

Mr. HÉBERT. Mr. Chairman, with this Nation's space effort, we not only are expanding our frontiers and protecting our national interests in the new environment of outer space, we are also producing very real economic results right here on earth.

The facilities created by the manned space program at Michoud and Slidell, La., in Mississippi, Florida, Alabama, and Texas illustrate the fact that the dollars spent for space are spent right here on earth. They are productive dollars creating the tools of the space age and providing productive employment for many thousands of dedicated workers.

I cite the great Michoud assembly facility and the Slidell facility, and the nearby Mississippi test facility, not just because I am from New Orleans and the State of Louisiana, but because these facilities demonstrate that the space program is helping to build the force of skilled workers in this region. The dollars invested in the space program are working for Louisiana and the Nation. The fruits of this investment and this enterprise are as real as the industrial facility at Michoud where the launch vehicle stages for the Apollo program are built. The employees of the vast manufacturing complex at Michoud assembly facility are just part of the work force of 300,000 that is developing the tools, the technology and the know-how needed to produce space hardware such as the mighty Saturn rocket and other equipment for the national space program.

There are 20,000 companies involved in the Apollo program. The dollars spent directly with these companies on space work do much more than provide the broad base of space flight capability for the United States. There is a continuing benefit from the economic stimulus of the money received by these companies for their goods and services. Some of the companies represent basic new industries that did not exist before the space program. But in addition, the space dollars are productive far beyond the aerospace firms, creating additional business activity as a byproduct of the dollars spent directly in the space program.

The economic benefits of the space dollars are only one of many favorable aspects of this great national effort to make the United States preeminent in space. National leadership is at stake, national security is at stake. We are preparing ourselves to carry out whatever needs to be done in space to protect our national interests. We are demonstrating to the world that we have the technology to lead the day in space exploration. We are developing the ability to direct the largest research and development project in history for the betterment of this Nation and of all mankind. Already the space program has given us new products and new applications of knowledge gained in developing our space vehicles. What the communications satellite has already done to revolutionize world communications, other products of the space age will do in the future. The stream of new techniques and devices from space research are beginning to be felt in hospitals, on the highways, in the home. We cannot begin to anticipate what the byproduct of space will do for us in the future, anymore than people 60 years ago could predict the ultimate impact of the airplane on the peoples of the world.

The importance and worth of the national space effort would be evident if only it gave us the capability to exploit the new environment of space. But the program means much more in the additional benefits for our country and our people. It deserves our strong support.

Mr. MILLER of California. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair; Mr. FLYNT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10340) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock a.m. tomorrow.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

IN RE POSSIBLE VIOLATIONS OF TITLE 18, UNITED STATES CODE, SECTIONS 201, 287, 371, 641, AND 1001

The SPEAKER. The Chair lays before the House a communication which the Clerk will read.

The Clerk read as follows:

> OFFICE OF THE CLERK,
> HOUSE OF REPRESENTATIVES.
> *Washington, D.C., June 27, 1967.*
>
> Hon. JOHN W. MCCORMACK,
> *Speaker, House of Representatives,*
> *Washington, D.C.*
>
> DEAR MR. SPEAKER: On this date I have been served with a subpoena by a Deputy U.S. Marshal. This subpoena was issued by the U.S. District Court for the District of Columbia. The Subpoena appears to be in connection with a Grand Jury investigation of possible violation of Title 18 of U.S. Code, Section 201, 287, 371, 641, and 1001. It is noted that the return date upon the subpoena is Monday, 7th of August at nine o'clock a.m.
>
> The subpoena requests quite a number of House records as is further outlined in the subpoena itself which is attached hereto.
>
> The rules and practices of the House of Representatives indicate that no official of the House may, either voluntarily or in obedience to a subpoena duces tecum, pro-

duce such papers without the consent of the House being first obtained. It is further indicated that he may not supply copies of certain of the documents and papers requested without such consent.

The subpoena in question is herewith attached and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely yours,

W. PAT JENNINGS,
Clerk.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

[U.S. District Court for the District of Columbia]

THE UNITED STATES *v.* IN RE POSSIBLE VIOLATIONS OF TITLE 18 UNITED STATES CODE, SECTIONS 201, 287, 371, 641 AND 1001

The President of the United States to the Honorable W. Pat Jennings, Clerk, or authorized representative, House of Representatives, Washington, D.C.:

Report to United States District Court House, Between 3d Street and John Marshall Place and on Constitution Avenue NW., room 3812, Washington, D.C., and bring with you all records of any nature, including vouchers and Form T–4 trip records, relating to travel and telephone expenditures from January 3, 1961 through January 9, 1967, of Congressman Adam Clayton Powell, his employees, including those on his Clerk-Hire staff, and all employees, clerks and all other administrative personnel of the Committee on Education and Labor; payroll sheets for Education and Labor Investigating Committee for months of August and September 1966 reflecting payments to Sylvia J. Givens; payroll sheets for the months of January and February 1966, reflecting payments to Carol T. Aldrich; payroll sheets for the month of April 1966, listing payment to Alfredo Vidal Chicon; the Clerk-Hire Appointment Form for Y. Marjorie Flores executed January 4, 1965 in the name of Adam C. Powell; and the personnel records, including Personnel Affidavit Forms, Withholding Tax Certificates, Health Benefits Forms and Waivers for Life Insurance, executed by all staff employees of the Committee on Education and Labor and Clerk-Hire employees of Adam Clayton Powell for the 89th Session of the Congress.

You are hereby commanded to attend before the Grand Jury of said Court on Monday the 7th day of August, 1967, at 9:00 o'clock A.M., to testify on behalf of the United States, and not depart the Court without leave of the Court or District Attorney.

Witness: The Honorable Edward M. Curran, Chief Judge of said Court, this 26th day of June 1967.

ROBERT M. STEARNS,
Clerk.
MARJORIE VANDEVIER,
Deputy Clerk.

John L. McCullough, attorney for the United States.

Mr. ALBERT. Mr. Speaker, I offer a privileged resolution—House Resolution 673—and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 673

Whereas in the investigation of possible violations of Title 18, United States Code, Sections 201, 287, 371, 641 and 1001, a subpena duces tecum was issued by the United States District Court for the District of Columbia and addressed to W. Pat Jennings, Clerk of the House of Representatives, directing him to appear before the grand jury of said court on August 7, 1967, at 9:00 o'clock antemeridian to testify and to bring with him certain and sundry papers in the possession and under the control of the House of Representatives: Therefore be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That W. Pat Jennings, Clerk of the House, be authorized to appear at the place and before the grand jury named in the subpena duces tecum before-mentioned, but shall not take with him any papers or documents on file in his office or under his control or in possession of the House of Representatives; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers and documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, be authorized to attend with all proper parties to the proceeding, and then always at any place under the orders and control of this House, and take copies of any documents or papers; and the Clerk is authorized to supply certified copies of such documents or papers in possession or control of said Clerk that the court has found to be material and relevant and which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said Clerk shall not be disturbed, or the same shall not be removed from their place of file or custody under the said Clerk; and be it further

Resolved, That as a respectful answer to the subpena a copy of these resolutions be submitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair lays before the House a communication which the Clerk will read.

The Clerk read as follows:

JUNE 27, 1967.

Hon. JOHN W. MCCORMACK,
The Speaker,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: From the United States District Court for the District of Columbia, I have received a subpoena directing the Sergeant at Arms or authorized representative to appear before the said Court and to bring with him certain records under his jurisdiction.

The rules and practice of the House of Representatives indicate that the Sergeant at Arms may not, either voluntarily or in obedience to a subpoena duces tecum, produce such papers without the consent of the House being first obtained. It is further indicated that he may not supply copies of certain of the documents and papers requested without such consent.

The subpoena in question is therewith attached and the matter is presented for such action as the House in its wisdom sees fit to take.

Sincerely,

ZEAKE W. JOHNSON, JR.,
Sergeant at Arms.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

[U.S. District Court for the District of Columbia]

THE UNITED STATES *v.* IN RE POSSIBLE VIOLATIONS OF TITLE 18 UNITED STATES CODE, SECTIONS 201, 287, 371, 641, AND 1001

The President of the United States to the Honorable Zeake W. Johnson, Jr., Sergeant at Arms, or authorized representative, House of Representatives, Washington, D.C.:

Report to U.S. District Courthouse, between 3d Street and John Marshall Place and on Constitution Avenue NW., room 3812, Washington, D.C., and bring with you all records relating to the bank account maintained by your office for Congressman Adam Clayton Powell from January 3, 1961 through January 9, 1967.

You are hereby commanded to attend before the Grand Jury of said Court on Monday the 7th day of August, 1967, at 9:00 o'clock A.M., to testify on behalf of the United States, and not depart the Court without leave of the Court or District Attorney.

Witness: The Honorable Edward M. Curran, Chief Judge of said Court, this 26th day of June 1967.

ROBERT M. STEARNS,
Clerk.
By MARJORIE W. VANDEVIER,
Deputy Clerk.

John L. McCullough, attorney for the United States.

Mr. ALBERT. Mr. Speaker, I offer a privileged resolution—House Resolution 674—and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 674

Whereas in the investigation of possible violations of Title 18, United States Code, Sections 201, 287, 371, 641 and 1001, a subpena duces tecum was issued by the United States District Court for the District of Columbia and addressed to Zeake W. Johnson, Jr., Sergeant at Arms, House of Representatives, directing him to appear before the grand jury of said court on August 7, 1967, at 9:00 o'clock antemeridian to testify and to bring with him certain and sundry papers in the possession and under the control of the House of Representatives; Therefore be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives, can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That Zeake W. Johnson, Jr., Sergeant at Arms of the House, be authorized to appear at the place and before the grand jury named in the subpena duces tecum before-mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as Sergeant at Arms of the House; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers and documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, be authorized to attend with all proper parties to the proceeding, and then always at any place under the orders and control of this House, and take copies of any documents or papers; and the Sergeant at Arms is authorized to supply certified copies of such documents or papers in possession or control of said Sergeant at Arms that the court has found to be material and relevant and which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said Sergeant at Arms shall not be disturbed, or the same shall not be removed from their place of file or custody under the said Sergeant at Arms; and be it further

Resolved, That as a respectful answer to the subpena a copy of these resolutions be submitted to the said court.

The SPEAKER. The question is on the resolution.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Mr. Speaker, does this mean that all papers are denied, whether they be originals or copies?

The SPEAKER. It makes available copies of all documents.

Mr. GROSS. It makes available copies of all documents.

The SPEAKER. That is the understanding of the Chair.

Mr. GROSS. I thank the Speaker.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair lays before the House a communication which the Clerk will read.

The Clerk read as follows:

U.S. House of Representatives,
Committee on House Administration,
Washington, D.C., June 27, 1967.

The Honorable Speaker,
House of Representatives.

Sir: From the United States District Court for the District of Columbia, I have received a subpena duces tecum, directed to me as Chief Clerk, Committee on House Administration, to appear before the grand jury of said court on August 7th, 1967, with reference to an investigation of alleged violations of sections 201, 287, 371, 641 and 1001, Title 18, United States Code, and to bring with me from the files of the House of Representatives certain and sundry papers described in the subpena.

The rules and practice of the House of Representatives indicate that the clerk of a committee may not, either voluntarily or in obedience to a subpena duces tecum, produce such papers without the consent of the House being first obtained. It is further indicated that such clerk may not supply copies of the documents and papers requested without such consent.

The subpena in question is herewith attached and the matter is presented for such action as the House in its wisdom may see fit to take.

Very truly yours,
Julian P. Langston.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

[U.S. District Court for the District of Columbia]

The United States v. In Re Possible Violations of Title 18, United States Code, Sections 201, 287, 371, 641 and 1001

The President of the United States to Julian P. Langston, Chief Clerk, Committee on House Administration, or authorized representative, House of Representatives, Washington, D.C.:

Report to U.S. District Court House, between 3d Street and John Marshall Place and on Constitution Avenue NW., room 3812, Washington, D.C., and bring with you all records of any nature, including vouchers and supporting papers, relating to travel and telephone costs incurred from January 3, 1961 through January 9, 1967, by Congressman Adam Clayton Powell, his employees, including those on his Clerk-Hire staff, and by all employees, clerks and other administrative personnel of the Committee on Education and Labor.

You are hereby commanded to attend before the Grand Jury of said Court on Monday the 7th day of August, 1967, at 9:00 o'clock A.M., to testify on behalf of the United States, and not depart the Court without leave of the Court or District Attorney.

Witness: The Honorable Edward M. Curran, Chief Judge of said Court, this 26th day of June, 1967.

John L. McCullough, attorney for the United States.

Robert M. Stearns,
Clerk.
By N. G. Todd,
Deputy Clerk.

Mr. ALBERT. Mr. Speaker, I offer a privileged resolution—House Resolution 675—and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 675

Whereas in the investigation of possible violations of title 18, United States Code, sections 201, 287, 371, 641 and 1001, a subpena duces tecum was issued by the United States District Court for the District of Columbia and addressed to Julian P. Langston, chief clerk, Committee on House Administration, House of Representatives, Washington, D.C., directing him to appear before the grand jury of said court on August 7, 1967, at 9:00 o'clock antemeridian to testify and to bring with him certain and sundry papers in the possession and under the control of the House of Representatives: Therefore be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such order thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That Julian P. Langston, chief clerk, Committee on House Administration, be authorized to appear at the place and before the grand jury of the court named in the subpena duces tecum before-mentioned, but shall not take with him any papers, documents or records on file in his office or under his control or in possession of the House of Representatives; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers, documents, and records called for in the subpena duces tecum, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding and then always at any place under the orders and control of this House and take copies of any papers, documents, or records; and the Clerk of the House is authorized to supply certified copies of such papers, documents, or records in possession or control of the House of Representatives that the court has found to be material and relevant (except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto, be disclosed or copied) and which the court or other proper officer thereof shall desire, so as, however, the possession of said papers, documents, and records by the House of Representatives shall not be disturbed, or the same shall not be removed from their place of file or custody under any Member, officer, or employee of the House of Representatives; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena aforementioned.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE REPORTED CHINESE H-BOMB EXPLOSION

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, voluminous news reports have credited Communist China with exploding an H-bomb in Sinkiang Province, in northwest China. The mention of this locale raises some rather strange points when assessing the depth or degree to which China is really split with the Soviet Union.

Sinkiang, because of its ethnic composition, has been commonly referred to as part of the wider geographic complex of Eastern Turkestan. Less than 5 million people reside there with over 4 million of them being Kazaks, and Uigurs, who extend their tribal and social loyalties to the people who populate the Soviet side of the border. Because of the general remoteness of Eastern Turkestan it is an ideal location for thermonuclear development. In this connection, back in 1950 Prof. Bruno Pontecorvo defected from the British Atomic Research Center at the Harwell Laboratories, and went to the Soviets. He was later reported by the Reuters News Agency to be in the Sinkiang area of Eastern Turkestan supervising the Soviet nuclear explosions.

In view of the currently accepted Sino-Soviet conflict, is it not rather strange that the alleged Chinese H-bomb explosion occurred so very near the Soviet border?

Certainly high officials in our Government must be aware of the century-old influence which Russia has had over Sinkiang and during periods of conflict between Russia and China, the Soviets have maintained garrison troops there. Some internationally known economists to this day doubt that Communist China posseses the industrial capability to put together an H-bomb. Indeed, many experts still insist China is having difficulty maintaining a productive agricultural economy.

Another point for serious consideration is the fact that all points along the Sino-Soviet border are extremely vulnerable to Soviet attack. In view of this, one would think China, if it was China, could have chosen a more secure site for this H-bomb explosion such as in Kansu, Ningsia, or Inner Mongolia.

In view of this information, can it not be concluded this recent H-bomb explosion was a development resulting from Soviet efforts. If it was actually Chinese effort that produced it, or even joint effort between China and the Soviet, I think it is time for the United States and the free world to reassess the assumed depth of the split in the Sino-Soviet relationship.

FOREIGN AID WARNING

Mr. STEED. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STEED. Mr. Speaker, for all those who hold foreign aid programs of this Nation in high regard, it is time they begin to take warning from a long smoldering and lately a growing concern among rank and file Americans about the wisdom of a great deal of this entire course of action.

Recent outbursts from many nations against the United States, mostly in intemperate tone and making untrue and unfounded charges and allegations, have inflamed many minds against continuance of some of our foreign aid activities. The long suffering and overburdened American taxpayer is finding himself more and more unable and unwilling to appreciate, understand, or support a program which seems only to breed contempt for America, strengthen our enemies and weaken our own ability to look after ourselves.

The attached editorial from the Tulsa, Okla., World, is a case in point. A breaking point can come, and many now believe is coming, in the patience of a nation that has sacrificed so much of its blood and substance to help a world improve its lot and try to find a durable peace. We have got to get more than a swift kick in the pants for our efforts. The swift kicks seem to far outnumber any benefits or cooperative reactions.

Foreign aid proponents had best take warning.

The editorial follows:

THE POSTURING INGRATE

Of the many countries which the United States has helped with money and food, the most ungrateful is India. The Government of PRIME MINISTER INDIRA GANDHI makes no pretense of its animosity towards the U.S.A. In spoken word and deeds it continually sides with Soviet Russia. Before the United Nations it consistently votes against American interests.

Why?

This nation has poured some $7 billion in grants and loans to India during the last 20 years. Also, we have sent that starving land more than $3.6 billion in surplus food, most of it in wheat and other grain. PRESIDENT JOHNSON last February said that further U.S. food shipments to India would have to be matched by other countries. We alone could not continue feeding India's masses. PRIME MINISTER GANDHI on June 10 before a public rally criticized U.S. policy of "matching food assistance from other nations when India is in urgent need of food." Also, with no supporting facts, she said the U.S. was interfering in domestic politics with counterpart funds. The charge, of course, is utterly false.

American patience is being exhausted. Instead of showing its gratitude, India is acting the part of a profligate beggar.

THE IMPORTANCE OF THE PANAMA CANAL TO THE UNITED STATES

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, I have just submitted for the consideration of the House a resolution dealing with the treaty with the Republic of Panama announced in the press yesterday. While I realize that the House has no part in the ratification of treaties, the House does have a responsibility to all of the people of the United States to safeguard their interests even in the field of international relations.

This treaty will result in the relinquishment of control of the operation of the canal to an independent body outside of our country. I greatly fear that the present very efficient operation of the canal will be adversely affected to our detriment. I say "our detriment" because almost 70 percent of the cargoes through the canal either are leaving or are destined for the United States. Thus any impairment in efficiency of transit will reflect most heavily on us. In addition, the countries on the west coast of South America are almost completely dependent on the canal and any interference will adversely affect their economy.

The closing of the Suez has thrown an added burden on the Panama Canal—a burden which it is sustaining with its usual efficiency. While I hope that operation under a new agency outside of the control of our Government would not throw an added burden on world commerce through delays in transit, in the event of future world crises, I greatly fear that such would be the case.

My fears for the future under this treaty would be more bearable if I were convinced that the donees of our largess would derive significant benefit from our generosity but I can see no corresponding benefit to the Republic of Panama through our sacrifice. A synthetic appeal to nationalism has been fostered in that Republic and its people are convinced that once they assume control, all economic problems will vanish. This is a cruel hoax fostered by a few selfish leaders for their own benefit. The experience of the 1955 treaty, in which we made very large concessions, will illustrate my point.

As an example in which this "nationalism" operates, since the original treaty in 1903, the Canal Zone has had the responsibility for garbage collection in the major cities of Colon and Panama. The job was undertaken primarily for selfish reasons—health of Canal workers, both Panamanian and American. But we were told that our action offended their sense of nationalism and so we turned over the responsibility to Panama—together with all of the equipment we had been using. That equipment has now worn out and garbage is not being collected at all, thus creating a health hazard that can well affect our people in the area in the future. I can see the same sort of effect from this pseudo nationalism as a result of this pending treaty.

To revert to our purely selfish interests, in the course of recent toll hearings held by our subcommittee, reference was made to a new system of tolls whereby individual commodities would be charged different tolls, as contrasted with the present system under which all commodities pay the same toll on a cubic foot basis.

The witnesses analyzed the various commodities and came to the conclusion that many commodities would accept only a relatively small toll increase and beyond that point other means of transportation or other routes would be found.

However, it was pointed out that our main agricultural commodities—cotton, corn, and wheat—were not in a position to find either other routes or other means of transportation and, thus, would be particularly vulnerable to any substantial toll increase without means of avoidance. Thus, in the ordinary course of events, if such a toll system was imposed, the greatest increases over the present structure would be directed toward those commodities least able to find an alternative to the use of the canal. Basically, they would be our agricultural commodities and thus, again, our costs of doing business would be substantially increased.

This is not a figment of my imagination. The Panamanians have been pressing for substantial toll increases during the negotiations of this treaty.

I repeat again—this proposed treaty does not seem to be in the best interests of either country. It will only further the ambitions of a few politicians who have used the canal for all these years as their main campaign issue as a smokescreen to obscure the real problems of their country and their people. This treaty is being offered as a solution to both of our country's differences. On the contrary, I predict that it will give rise to greater and more serious problems.

Mr. FLOOD. Mr. Speaker, will the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman.

Mr. FLOOD. I would like to say, Mr. Speaker, I would only hope that the male Members of this distinguished body had the intestinal fortitude in dealing with this problem that the gentlewoman from Missouri who is now addressing us from the well of the House has exhibited for the past several years.

The gentlewoman from Missouri is chairman of the subcommittee on Merchant Marine and Fisheries having jurisdiction over the Panama Canal. If I had a half dozen men as good as she is, we could take care of this Panama Canal situation.

Mrs. SULLIVAN. I thank the gentleman from Pennsylvania.

CONGRESSMAN HORTON CITES TIMELY REMARKS OF CHARLES B. MILLS AT AMERICAN SEED TRADE ASSOCIATION CONGRESSIONAL BREAKFAST

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, this morning, I had the pleasure and privilege to act as master of ceremonies at the congressional breakfast given by the American Seed Trade Association as part of their 84th annual convention. I was honored to read to the assembled seedsmen and my many colleagues in the House and Senate a message from the First Lady to Mr. Joseph Harris, my distinguished constituent, president of the Joseph Harris Seed Co., Rochester, N.Y., and retiring president of the American Seed Trade Association, congratulating him and all our Nation's seedsmen for their fine contributions to the national beautification program.

Mr. Harris has not only ably led the Seed Trade Association as president, he is a leading citizen of his community as well.

The American Seed Trade Association is one of our Nation's oldest and best known trade associations. The seedsmen have proven their willingness and ability to aid agriculture both domestically and internationally whenever the need arises. Their association represents an industry noted for its realistic approach to the problems of this Nation. We in Congress can contribute much to solving our country's agricultural problems by building a strong and responsive partnership with American seedsmen. We need their wise counsel, and they need our help, because this vital part of our economy is undergoing severe stresses in this changing world.

The American Seed Trade Association's message to us yesterday morning was humorously yet strongly voiced by M. Charles B. Mills, chairman of the Board of O. M. Scott & Son in Maryville, Ohio, a company responsible for beautiful lawns throughout the country.

As former president of ASTA and present member of its board of directors, he took justifiable pride in the progress the seed industry has made and of its vital importance in the world today.

For my colleagues who were unable to attend yesterday's fellowship breakfast, I commend Mr. Mills' wise words to you:

> Keep your doors ajar to the seedsmen of our Nation and remember that it's the seedsman's hand that feeds you.

ADDRESS BY CHARLES B. MILLS, AMERICAN SEED ASSOCIATION CONGRESSIONAL BREAKFAST, TUESDAY, JUNE 27

Honored guests and fellow workers in the Nation's most vital industry: In case you didn't know, without us, people would breathe nothing but dust, die of hunger and have no flowers on their graves. I defy you to find another industry which can make such a claim.

Eight years ago about now, we had come together on a similar occasion. Many of you were here then—some weren't reelected! I'm going to tell the same story which was inflicted on you at that meeting. If you remember it, another little laugh won't hurt you. The husband of a certain lady in northern New York State, took the hard way out by jumping in the Niagara River and going over the falls. A next door neighbor, known for saying the wrong thing at all times, was urged by her husband to let the grieving widow suffer quietly. "You'll just make matters worse," he told her. "Let her suffer quietly!" But after six months passed, she felt that in the interest of good neighborliness something must be said. So when the widow responded to her knock, she said; "Well Mary, since I saw you last, a lot of water has gone over the dam!"

And so it has with us. Since we met here last, many things have happened, some tragic, some revolting and some merely routine. The Nation has become involved in a costly and perplexing conflict, lost a president by assassination, developed a few hundred new inventions, produced better and cheaper seed, made many explorations in outer space, adopted medicare, given one Congressman an extended vacation, introduced hundreds of new songs, livelier dance steps and a whole raft of deodorants. In spite of all this, you're looking surprisingly well, prosperous and happy. This is no small achievement. Of course I wrote this before I saw you, but I won't take it back.

All the changes in those eight years have not been progress, but I can truthfully say to our guests that in the seed industry steady and creditable progress *has* been made. You probably get a stomach full of statistics, so I won't bore you with many.

American Agriculture has advanced more in the past 50 years than in all the prior years of our history. Agriculture employs six million more workers than the combined employment in transportation, public utilities, steel and the automobile industry—agriculture assets total $230 billion—a kind of figure which doesn't startle our guests, but astounds their hosts.

When the early settlers of our country cleared the forests and prepared the land for cultivated crops, they were in urgent need of forage plants for livestock feed. They had depended on wild rye and broomstraw, both natural grasses, but these were poor producers and grazing and droughts hindered natural seeding and wrought great damage to pastures. In due time, supplies of hay were inadequate to provide the winter needs of the colonists' livestock, so attention was turned to "artificial meadows" through the cultivation of improved grasses. Increases in livestock feed developed rapidly supporting ever larger numbers of the livestock which is the foundation of an agrarian economy. Our third President, Thomas Jefferson, so ably pointed up the importance of good seeds when he stated "the greatest service which can be rendered to any country is to add a useful plant to its culture." This quotation will sound familiar to our past ASTA president, Bill Herron, since he used it in one of his addresses.

The world's future will be dark unless more great strides are made in food production. By the end of this century, the population of the underdeveloped regions of the globe is expected to more than double. To feed these masses and improve their diet modestly over the present standards, food supplies would have to increase 306% in the Far East, 207% in the Mid East, 238% in Latin America and 159% in Africa. By contrast, food production in these areas as a whole rose only 54% during the past 25 years.

But I mustn't bore you with these depressing figures. We want you to go away refreshed from your breakfast and not famished from my remarks. You've probably wondered already why I was invited to speak here. It was for either of two reasons—first, no one else would, or second, the committee wanted ignorance represented. They figured you people from the hill would feel sorry for us when I got through.

My major objective is to impress you with the importance of the seed business, so I want to say with due modesty, that we're on first base. Ours was one of the earliest trade associations, organized in 1883. The purpose was an attempt to solve certain postal problems with vegetable seeds and to find better means of improving seed quality. This objectives was bearing good fruit long before any such effort on the part of Government came to light. It would be refreshing if improving quality might still be our chief concern. But our energies now must often be devoted to defending ourselves against over-regulations, rather than continuing the pursuit of self improvement. Our legislative committee headed by Roy Edwards, Jr., of Kansas City, is so busy they scarcely have time to operate their own businesses.

We readily admit that control officials are here to stay and generally speaking, they're very nice people—if only some of them didn't have such vivid imaginations! If a firm is shipping seed into many states today, the amount of printing required on the package can be so extensive the planting season passes before the buyer has read all the precautions and mastered the statistics.

This is probably not news to many of you, but to emphasize the importance of seed, I'd like to mention the National Seed Storage Laboratory. Here, the United States Department of Agriculture staff is affiliated with Colorado State University's Department of Agronomy, Botany, Plant Pathology and Horticulture. Under ideal temperature and humidity conditions, 52,000 seed samples are stored and their germinations constantly maintained by replacement when necessary.

This facility came into being in 1958. The purpose is to safeguard the valuable germ plasm so that no desirable kind of seed is allowed to pass out of existence. Much of interest has been written on this subject and I merely mention it to show that the Federal Government, state authorities and seedsmen are engaged in an activity which is of vital concern to all people in this nation and around the world. In case of a national disaster, this seed source would insure a fresh start for seed supplies of proven performance. This is an exciting undertaking. Our industry thru its own up-and-coming Research Foundation has been telling this story through its publications Search.

Chairman of our Seed Research Foundation is Dr. W. H. Bragonier, Dean of the Graduate School at Colorado State University, and President of the organization is J. R. Huey, another ASTA past president, of Granville, Illinois. Basic Research is still much in the picture because our industry believes there are still many unknowns in the world of seeds.

If I have another assignment, it is to convince you not only that the seed business is important, but also that our industry has done a *magnificent* job of policing itself. The late Robert White, a seedsman from Salem, Oregon, and a member of the Oregon State Senate, once made these comments in an address: "In defense of our industry, if there were no laws today regulating the sale and distribution of seed, the various state and regional associations, and most certainly the American Seed Trade Association, would recognize the necessity for establishing such regulations. There is no longer any doubt but that the buyer's interest demands protection. The seedsman is therefore not objecting to the existence of laws and regulations, but merely to their multiplicity and to their needless complexities."

Dr. A. Bryan Clark, a recent president of this association, put it this way: "It is well to remember that the function of marketing is primary and fundamental to the functions of seed breeding and seed growing. In the sequence of time, marketing comes last. And it is our observation that certain governments and certain factions within nearly all governments seem to regard the function of marketing as having little or no importance at all. On the contrary, however, if our appraisal is right, marketing is the piper that calls the tune.

"The end objective is increased food production. The partial means to this end is the widest possible use of improved strains and varieties of seed; integrated, of course, with the employment of other appropriate cropping and food processing technologies such as fertilizers, weed and pest controls and more sophisticated farm implements. The point is that the marketing phase of the operation is pivotal in achieving widespread use, in achieving efficient and discriminating use, in integrating proper seed types with the other equipment available, and finally in bringing the all-important equation of seed costs and its per-acre utility into focus." I like to quote Bryan, because he's one of our brighter boys!

Now I don't mean to imply that regulations are a new thing. One hundred fifty years ago in Switzerland, they had a law which required that at least two men in a county where seed was sold, were to serve as inspectors of quality. And then if you want to go back to some even earlier regulations, this is recorded in Leviticus, "thou shalt not sow thy field with mingled seeds." And in Deuteronomy we read, "Thou shalt not sow thy vinyard with diverse seeds." So it would seem that none of you seedsmen could have legally sold a lawn mixture to Moses!

We all realize that trends come about gradually and that the only hope for justice comes when we stop to evaluate where we have been and where we are going. I remember when a firm's reputation depended upon what it did to build it—instead of what some authority said it could not do. The time is here when the seed industry needs protection more than regulation protection, even from the public. Let me cite a couple examples.

A few years ago, we received a letter from a New Jersey lawyer to the effect that one of our chemicals used by a client of his, had caused her to lose all of her hair. Well, in an era where hair seems so important, we spent a bad night. But none of our own people who handled the product daily, had suddenly become bald, so we did some investigating. We discovered that the lady, if that's the right term, had never had hair from birth, but that she had lived all her adult life on complaints to cosmetic firms and finally got over into our bailiwick. Needless to say, she paid her own attorney.

A few weeks ago, another woman sent in $800.00 worth of sales slips and requested a refund on seed which failed to grow. The very thought was downright insulting. An investigation in this case showed that the woman had a lot about 20 feet square, but that she had appropriated a salesperson's order book and written sales slips to her heart's content. I ask you, shouldn't the President put in his cabinet, a Betty Furness to protect industry?

Speaking of packaging and who doesn't, here is one for Betty. At a recent women's club meeting, someone estimated that eighty percent of those present wore rouge, thirty-five percent tinted their hair, eighty percent had permanent waves, ninety percent wore nail polish, twenty percent wore eye-shadow, one hundred percent used lipstick, seventy-five percent plucked their eyebrows and ten percent wore false eye lashes—the subject for discussion that day, was "Deceptive Packaging!"

According to the former chaplain of the Senate, Dr. Frederick Brown Harris, "One of the dangers of democracy is the worship of the average. The doctrine that all men are created equal is too often interpreted to mean that anyone who forges ahead in any realm is a traitor to the common mass from which he sprang. In a democracy there seems to be an innate horror of any kind of aristocracy, but there always has been an aristocracy of brains and energy.

"While all things fair spring from the common soil, it is from the tall hills of achievement that humanity's salvation comes. A handicap of democracy is conformity to the lowest common denominator."

I can assure you guests that within the American Seed Trade there is an aristocracy of brains, energy and imagination, determined to give the public the best in quality that it is possible to produce. We have never been and will not become content with mediocrity.

There is much more that could be said. But we invited you here this morning to get better acquainted—not to listen to a tale of woe because in our industry we are blessed with a membership of good natured, long-suffering men who are dedicated to what they consider a necessary industry. After all, it's first, the seed. Food has always played an important part in determining the degree of tranquility in the world, so ours is a continuing challenge. We are aware of the potential in a grain of mustard seed and alive to the value of proven quality in seeds of every description. We haven't a thing to sell you this morning—and I don't know that we need your support in any particular area—but if we should, please keep your doors ajar. And don't overlook the fact that the seedsmen's hand is the one that's feeding you.

WITHDRAWING FROM TERRITORY CAPTURED THROUGH AGGRESSION

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SNYDER. Mr. Speaker, Soviet Premier Aleksei N. Kosygin recently spent 40 minutes at the United Nations berating Israel for aggression against the Arab nations. During his discussion, Kosygin belabored the fact that the first requirement necessary for a lasting peace in the Middle East is Israel's withdrawal from captured Arab territory to the lines that existed before the shooting began.

This new attitude on the part of the Kremlin opens interesting possibilities for permanent world peace—provided the Kremlin and Mr. Kosygin are sincere in what they have to say. If one is going to discuss world peace in terms of cessation of aggression, then surely he must consider those nations victimized by Communist aggression since World War II. I wonder if Soviet desires for peace have suddenly become so potent that Mr. Kosygin is willing to lift the Iron Curtain that imprisons the peoples of Poland, Hungary, Ukraine, Bulgaria, Lithuania, Czechoslovakia, Rumania, Latvia, Estonia, East Germany, and Mongolia.

If we are to engage in diatribe about Israeli aggression, let us recall how just 10 short years ago, the people of the once free state of Hungary were slaughtered in the streets by Soviet inhumanity while the world stood idly by and watched. And then there is that colossal monument to Communist lack of aggressiveness, the Berlin Wall. When the time comes that Mr. Kosygin and his hoards of regimented assassins are willing to pull down that wall and all the others they have constructed in a world that longs to be truly free, then he can legitimately advise the Government of Israel about her actions.

The time has come that the world and we of the United States in particular begin demanding of the Soviet Union that it practice what it preaches. The political and social domination of nations, whether by military occupation or by control through a puppet government, is still enslavement of free men.

Similarly the acquisition of this political control, whether by subversion or military force, can be called by no other name than aggression.

As the Israeli Foreign Minister observed the other day:

> The time has come when we must point the finger of accusation and truth at the Soviet Union and say, "You are the only aggressor in the world today."

There cannot be a double standard of conduct if nations are to cooperate peaceably in this world. If the "superpowers" are going to assume leadership for achieving world peace, they must be prepared to abide by their pronouncements. Instead, the Soviet Union assumes the attitude "Do as I say, not as I do."

One wonders what direction Kosygin's oratory would have taken if the Arabs had been victorious and were now in control of Jewish territory. In view of past performances, Mr. Kosygin's formula for peace in the Middle East appears to be one of Russian expediency and nothing else.

The names have changed; yesterday it was Berlin, today Israel—and tomorrow who knows? But trite Communist dialog remains inevitably unvaried. Let Mr. Kosygin learn that old American cliche, "Actions speak louder than words"—and then the world can begin to take his pronouncements seriously. Let the Soviet Union pull down its walls of insincerity and falsehood, of enslavement and terror. Then—and only then—can the world be truly free.

THE LOBBYING ACT

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, a number of years ago Congress realized that individuals and organizations appearing before it might be tempted to influence legislation for their own private gain rather than for the good of the Nation. With that in mind, Congress passed the Lobbying Act so that everyone would know the nature of individuals and organizations attempting to influence pending legislation.

This law requires every lobbying organization to file an affidavit with the clerks of the House and Senate, reviewing the sources of its income, its expenditures, its purposes, and its chief personnel. The intent of the law is clear: to let the public know who is influencing what legislation, and for what purpose. Thus, for example, when the AFL–CIO comes down to Washington to influence legislation by testifying before the various committees of this distinguished House, we know who they are, whose interests they serve, and what their purpose is. When an organization misrepresents itself or its purposes, or fails to properly reveal its true interests or the sources of its funds, the law must deal with it.

It is my duty today, Mr. Speaker, to disclose to the Nation that one of the largest and best-known organizations in American life has for many years been masquerading as one kind of organization when in reality it has been something quite different. The organization in question is the American Farm Bureau Federation.

Over the years the Farm Bureau has been representing itself to Congress, the Nation, and the American farmer as a farm organization deeply and exclusively devoted to promoting the vast interests of the American farmer.

I have made the shocking discovery that the Farm Bureau has not been representing the American farmer; it has been using him. It has been using him to build one of the largest insurance and financial empires in the United States. An empire which is bringing great profit to a select handful of men.

Last week the Farm Bureau testified before the Subcommittee on Rural Development of the House Committee on Agriculture, of which I am chairman. Since then I have spent a lot of time looking into that organization. My investigation has revealed the shocking fact that the American Farm Bureau Federation is a gigantic, interlocking, nationwide combine of insurance companies with total assets of almost $1 billion. I have evidence that the granting of membership in the Farm Bureau is purely and simply a device for selling insurance and other services.

While we have not yet uncovered all of its assets, companies, and business connections, or even all of its insurance companies, we do already know that in addition to its insurance businesses, the Farm Bureau also operates a multimillion-dollar mutual fund dealing in stocks, bonds, and other securities.

Let us look at that typical American farmer, Mr. Charles Shuman, president of the American Farm Bureau Federation. Not long ago, Mr. Shuman was featured in one of our national picture magazines, dressed in overalls and waving an ear of corn. Mr. Shuman must certainly rank as the king of all gentlemen farmers. His home is in Chicago. No doubt he occasionally visits his picture-book midwestern farm. But in addition to heading the American Farm Bureau Federation, he also happens to be president of the Farm Bureau Mutual Fund and the American Agricultural Mutual Insurance Co.

I can assure you that Mr. Shuman is not unique. Virtually every officer and director of the American Farm Bureau Federation is an officer or director of one or more insurance companies. Their life insurance companies alone—not including their many casualty and fire insurance companies—have over $3.5 billion of insurance in force.

Our farmers have been taken in, lock, stock, and silo. No one can tell me that the interests of the overworked and underpaid American farmer are the same as billion-dollar insurance companies. In fact, I would say these interests are usually in head-on conflict. What I cannot understand is why an organization like the Farm Bureau has been able to pull the wool over our farmers' eyes for so many years, and why it has been allowed to appear before countless congressional committees over the years misrepresenting itself as a farm organization. Who can even begin to estimate the damage this subterfuge has done to the cause of American farmers?

Mr. Speaker, in the days to come, I plan to document these charges—and others—in great detail for the CONGRESSIONAL RECORD. I hope that these facts convince all Americans—especially our farmers—that the American Farm Bureau Federation would be more honest in its relations with Congress and the public if it changed its name to the American Farm Insurance Co.

In addition, I plan to look into possible violations of the Lobbying Act resulting from the revelation of these previously unpublished activities of the Farm Bureau and its officials.

ANDREWS AIR FORCE BASE HOUSING ORDER

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on June 22, 1967, Secretary of Defense McNamara announced an order declaring that off-base apartments in the Andrews Air Force Base area, which discriminate, would be off limits to servicemen.

I have been concerned with this disgraceful situation for some time. No American should be denied decent housing because of his race. It is doubly galling when taxpayers' money—through Federal spending—indirectly maintains discriminatory practices, as in the Andrews case. There are other military installations throughout the country where similar conditions exist. Similar measures must be taken to end such discrimination. This is made more urgent by the failure of the Congress to pass a fair housing measure.

On May 9, 1967, I wrote the Secretary of Defense urging that housing in which discrimination is practiced be declared off limits, and on June 9, 1967, wrote to Brig. Gen. Douglas C. Polhamus, the base commander, urging prompt action. I am pleased that the order has been issued. The Department of Defense has a responsibility to American servicemen to insure that equal opportunities in every area are available to them wherever they may be serving.

I should also like to commend ACCESS, an organization which has worked diligently for the promulgation of this kind of order.

The civilian agencies of the Federal Government also have a responsibility to insure that no discrimination occurs within their purview. Recently, I was shocked to learn that the Federal Communications Commission does not have regulations prohibiting discrimination by its licensees. I have urged the Chairman of the Federal Communications Commission to use his power to eliminate discrimination in employment.

Mr. Speaker, I include at this point in the RECORD my correspondence with Secretary of Defense McNamara and General Polhamus, the base commander of Andrews Air Force Base:

MAY 9, 1967.

Hon. ROBERT S. MCNAMARA,
Secretary, Department of Defense, Washington, D.C.

DEAR MR. SECRETARY: Mr. J. Charles Jones, Chairman of an organization called ACCESS, has brought to my attention a problem which I consider to be very important.

According to Mr. Jones, there are several places in the United States where racial discrimination is practiced in reference to available housing for serviceman. I know that the Department has conducted a survey and is aware of this problem. Mr. Jones suggests that the most effective way of dealing with this problem is to declare any housing developments, apartment houses, and mobile home courts whose owners discriminate against Negroes as "off-limits" for service personnel. Naturally, such an order would not affect those who are already housed in such residencies.

For the future, however, it would seem that the threat of putting a home or apartment house under the sanction of "off-limits" would force owners to open their housing to all. This is particularly true as it applies to those landlords who have purposely situated their buildings near military installations to provide housing for servicemen.

I would appreciate hearing your opinion of this proposal and whatever other proposals you may have to eliminate once and for all this illegal discrimination.

With best wishes,

Sincerely,

WILLIAM F. RYAN,
Member of Congress.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., May 19, 1967.

Hon. WILLIAM F. RYAN,
House of Representatives,
Washington, D.C.

DEAR MR. RYAN: Secretary McNamara has asked that I reply to your letter concerning the suggestion of Mr. J. Charles Jones that the "off-limits" sanction be employed against owners of housing who discriminate against Negro servicemen.

Numerous communications have been received requesting that all housing that is not available to servicemen because of their race, color, or creed be declared off-limits.

At present, base commanders have the authority to request the approval of the Secretaries of the Military Departments for imposition of the off-limits sanction in cases of discrimination against personnel.

It is considered that the mandatory, nationwide application of the off-limits sanction—with a view toward eliminating racial discrimination in housing available to military personnel—would be of questionable effectiveness and would raise significant legal issues, both as to procedures and enforceability. To invoke such an action, without careful analysis of the specific needs and problems of each area, could create chaotic conditions in the residential status of thousands of Defense families. Particularly relevant from a legal viewpoint are requirements of due process in evaluating each factual situation. Furthermore, such action would downgrade, rather than enhance, the responsibility of each base commander to achieve our objectives. Only full commitment at every level of command to the proposition of equal treatment will bring the type of progress which is being sought.

Enclosed for your information is a recent announcement of a program designed to bring about equal opportunity and treatment in housing. Under this program, installation commanders will determine the extent to which facilities are available to all military personnel and their dependents without discrimination on the basis of race, color, creed, or national origin and attempt to reduce and eliminate such discrimination whenever it is found.

I appreciate this opportunity to inform you of our actions and of our plans for the future.

Sincerely,

JACK MOSKOWITZ,
Deputy Assistant Secretary (Civil Rights and Industrial Relations).

JUNE 9, 1967.

Brig. Gen. DOUGLAS C. POLHAMUS,
Andrews Air Force Base,
Camp Springs, Md.

DEAR GENERAL POLHAMUS: I am writing to call your attention to the problem of racial discrimination in off-base housing in the area surrounding Andrews Air Force Base. I have received a number of letters from airmen and their families expressing outrage that this deplorable situation should exist. I share their indignation.

I have recently received a reply to my inquiry from the Deputy Assistant Secretary of Defense for Civil Rights and Industrial Relations, Mr. Moskowitz, in which he notes Deputy Secretary Vance's memorandum of April 11, 1967, entitled "Equal Opportunity in Off-Base Rental Housing," which makes the responsibility of Base Commanders clear. According to Mr. Moskowitz's letter to me, a copy of which is enclosed, "base commanders have the authority to request the approval of the Secretaries of Military Departments for imposition in the off-limits sanction in cases of discrimination against personnel."

I know that you will share my concern about discrimination against those who are serving our country, and I will appreciate your prompt attention to this matter.

With kindest regards,

Sincerely,

WILLIAM F. RYAN,
Member of Congress.

THE FLAG: SYMBOL OF OUR HISTORY

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentlewoman from Massachusetts [Mrs. HECKLER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. HECKLER of Massachusetts. Mr. Speaker, on Tuesday, June 21, 1967, I supported H.R. 10480, which outlaws the intentional desecration of our American flag. This legislation was passed to protect the dignity of our flag and the spirit for which it stands.

Mr. Speaker, this is a symbol of our heritage. All Americans share a certain nobility which finds its beginnings in the cold North Atlantic winter, which men endured to first reach Plymouth Rock. The shot fired at Concord was heard around the world and this heritage grew. There were bloody footprints left in the snow at Valley Forge, and this heritage grew. John Hancock, John Adams, and the other leaders of our revolution gave meaning to this heritage. They roused the hopes of those who would be free throughout the world.

Can we today say that our flag stands for naught and that patriotism is old fashioned? I hardly think so. As a Congresswoman, I represent American men and women who have sacrificed their time and energy to continue the strength and freedom of America. Pensively and purposefully they know, and act patriotically, to continue the best form of government and society yet devised by man. These citizens feel proud of the contemporary and historical evidence of our living Constitution. For them the flag symbolizes past and present achievements which often have resulted from momentous decisions in the face of great controversy.

The truth of freedom, the right of equality before the law, and the safeguards of our check-and-balance system guarantee that the individual's voice will be heard.

Mr. Speaker, today as in the past, we have patriotic dissension and, unfortunately, we also have those self-expressive detractors of all that is good in our American form of government.

Generations of American men and women have fought and died to preserve the liberty, freedom, and form of government that our wise and farsighted forefathers gave to us.

The history of American citizens, one and all; the history of national will to responsible self-government; and the history of our Nation based on unity with diversity clearly are embodied in the symbol of the Stars and Stripes.

The timelessness and the timeliness of our flag shall never be lost on the true patriot, whether he agrees or dissents with passing policy or passing public opinion. Only the detractors of all that America stands for would defile or desecrate the American flag.

CONWAY, MASS., IS 200 YEARS OLD

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CONTE. Mr. Speaker, it is with great pleasure that I bring to the attention of my colleagues the bicentennial celebration of the beautiful New England village of Conway, Mass. This lovely and tranquil hamlet, nestled in the hills of Franklin County, portrays the courage, character, and fortitude of our pioneer ancestors, and mirrors the progress of our country as it moves into today's modern age of business and technology. I would like to share with my colleagues and friends a brief review of the highlights of the history and accomplishments of Conway and the people who hail it as home.

Conway's origin stems from pre-Revolutionary War days. In 1712 the General Court of Massachusetts enlarged Deerfield's territory "9 miles westward into the western woods," an area which is now Conway. The first man, however, to brave the wilds of these woods was Cyrus Rice, in 1762. With his farm he started the settlement of Conway and opened the path for other brave and hardy settlers to follow. As the Reverend John Emerson, the first settled minister described these early pioneers:

> These were men, who planted themselves on new and unimproved plots of land, and with small property but good resolution, commenced the arduous but honest and respectable business of earning bread by the sweat of their brow.

The town of Conway was established on June 17, 1767, being named for General Henry Conway, a popular government leader in the House of Commons at the time of the repeal of the Stamp Act. The people of Conway proudly attended their first town meeting on August 24, 1767, in the inn of Thomas French. In 1770 the Reverend John Emerson built a parsonage which is still standing, along with many other beautiful colonial homes. Conway began to grow and prosper, and in just 20 years Conway's population rose to over 2,000 people.

These were a hardy people. Amos "Captain Barefoot" Allen, one of the earliest pioneers, was said to have carried 2 bushels of rye on his shoulder from Hatfield to Conway, a distance at that time of several miles. The fact that many swear that it was 3 bushels, becomes even more astounding when the customary load for a man to carry was only 1. Caleb Sherman was reputed to drive cattle and sheep to Boston for nearly 50 years. But, these hardy people did not remain farmers.

The people of Conway also turned to industry. Woolen and cotton mills grew, tanneries prospered, and numerous other activities sprang up. The people knew the value of education for the generations to come, and in 1773 the first schoolhouse was built. In 1853 Conway Academy was incorporated and became the town high school in 1886. This small school is gone today, and Conway has joined with others to form the Frontier Regional School in neighboring South Deerfield. This along with the handsome Marshall Field Memorial Library continues to witness Conway's interest in education.

Then the Civil War ravaged the country. As in previous and future wars Conway's sons answered the first call of the

Republic, and in the darkest hour of the Civil War, in 1862, 57 responded to President Lincoln's plea for soldiers. In fact, Conway's centennial celebration was to have been held in 1862, celebrating the first settlement of the town. With so many of its men in the war, however, the commemoration was postponed until 1867, when the town's incorporation was celebrated.

At the centennial celebration Harvey Rice, a descendant of Cyrus Rice, delivered a poem. The final verse is as appropriate today as it was a hundred years ago:

When years—a hundred more have rolled,
 A race unborn will note the day,
And speak of us as men of old
 Who left their footprints on the way.

The current celebration is dedicated to those "men of old" and the community they built. The bicentennial program is a fitting tribute to Conway's past and her contributions to America. Amongst the many distinguished sons of Conway is Marshall Field, the merchant prince. Born in Conway in 1834, he moved to Chicago in 1856, and by 1862 he was a partner in the firm which eventually became known as Marshall Field & Co., the world's largest wholesale and retail drygoods establishment. Harvey Rice, the author of the centennial poem, became an editor and man of letters in Cleveland, and is known as the father of the Ohio school system. Chester Harding, a distinguished portrait painter, pictured many of the royal families of Europe for history. His last portrait was of Gen. William T. Sherman, painted in 1866. William C. Whitney, Grover Cleveland's Secretary of the Navy, and a prominent businessman in New York, as well as his brother Henry M. Whitney, a prominent businessman in Boston, came from Conway. Another son of Conway was Alvan Clark, the world's great telescope maker, who fashioned the lenses for the telescope at the Yerkes Observatory at Lake Geneva, and Naval Observatory in Washington, D.C.

During the bicentennial celebration, beginning Thursday, June 29, the play, "An Evening's Journey to Conway, Mass.," written by a distinguished Conway resident and a friend of many both here in Washington and across the country, the eminent playwright and poet, Archibald MacLeish, will be portrayed. I look forward to joining my many friends in Conway, on July 2, to be with them for part of their celebration.

The people of Conway are proud of 200 years of growth, as they should be. Not only have they served their country in peace and war; in prosperity and adversity, but they, like so many in New England, have given to this country the stamina and hope of the early pioneers from which they originated. They have upheld the courage and purpose of Cyrus Rice when he first settled in Conway. Their sons have spread the New England character across the length and breadth of the United States as they settled the old Northwest Territory and marched to the Pacific to find new homes and opportunities.

These were men and women of sound minds, frugal and industrious habits, strict integrity of character, and sterling worth. This is the stuff and substance of the New England Conscience—America's great asset and greater need.

MID-ATLANTIC STATES AIR POLLUTION COMPACT

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REID of New York. Mr. Speaker, last week I was pleased to be able to join the gentleman from New York [Mr. CELLER] and other colleagues from New York and New Jersey in introducing a joint resolution implementing the Mid-Atlantic States Air Pollution Compact which creates the Mid-Atlantic States Air Pollution Control Commission.

The States of New York and New Jersey—with Pennsylvania, Connecticut, and Delaware eligible to enter later—are joining in the establishment of this agency which Governor Rockefeller has characterized as "the most effective vehicle in the Nation for combating interstate air pollution because of its research, standard setting, and enforcement powers." The Legislatures of New York and New Jersey have already agreed to the compact and Federal approval is all that is now required.

Mr. Speaker, the hazards to health and the inconveniences to daily life caused by increasing pollution of the air, especially in the New York City area, are painfully obvious to all. The time has long passed when we should have begun to deal with this problem. Effective and major abatement now requires the cooperation of all levels and locations of government, all facets of private industry and each individual citizen. The proposed commission is a promising new approach in this direction and I am hopeful that the Congress will give this implementing legislation swift approval.

THE RINGING OF BELLS ON THE FOURTH OF JULY

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. DWYER. Mr. Speaker, 1 week from today the Nation will celebrate the 191st anniversary of the signing of the Declaration of Independence. In commemorating this great occasion, this first decisive blow for American freedom, we shall also be recalling the courage and the vision of men who risked their liberty in behalf of independence for the American colonies.

Because the Declaration of Independence occupies such a notable place in American history and because the ideals its signers expressed are as alive and relevant today as they were two centuries ago, it is appropriate that the Congress and the people we represent should be concerned to celebrate Independence Day in the most meaningful way.

As many of our colleagues will recall, Mr. Speaker, the House and Senate in 1963 adopted a concurrent resolution which provided that the national holiday of the Fourth of July should be observed each year by the ringing of bells throughout the United States at the hour of 2 o'clock in the afternoon, eastern daylight time.

As an early sponsor of a similar resolution, I want to call the attention of our colleagues to this action of the Congress 4 years ago, and to express the hope that civic and community leaders across the land will utilize this most fitting and effective means of summoning our people to a renewed appreciation of our heritage and of the continuing challenge that heritage involves.

For the past several years, Mr. Speaker, I have been privileged to take part in what has come to be a richly rewarding and deeply meaningful bellringing ceremony on July 4th in Fanwood, N.J. And I look forward to doing so again next week. For it was here that a young lady in the sixth grade of a local elementary school first wrote to me suggesting a wider observance of the ringing of bells on Independence Day. Her letter crystallized for me what had seemed to be the unfortunate decline of an old and valuable tradition. It inspired me to introduce my concurrent resolution designed to revive that tradition. And it continues, as an expression of a need felt by many young people, to move me to pursue this objective.

The simultaneous ringing of bells, at an hour associated historically with the signing of the Declaration of Independence, cannot fail to recall people everywhere—however busy or distracted they may be—to a fuller awareness of what is symbolized by this reverberating sound. Like the flag itself, the principal symbol of the unity of our people and our country, the ringing of bells is a summons to consider what it was that the signers of the Declaration and the framers of the Constitution brought into being and to ponder its significance for our time.

As the call which rallied Americans to confront tyranny and defeat it, the Declaration of Independence has always been a uniquely living document, phrased in language that seems permanently contemporary, and possessed of the power to inspire people everywhere to the pursuit of personal liberty and national independence.

Here at home, it is still our task to make the Declaration the truly revolutionary statement it was born to be, to make its enduring principles come alive again in our own day, to carry forward the spirit of freedom that infuses it. It has never been more important for all Americans to understand what freedom means, to appreciate the blessings that freedom has brought us, to face together the dangers that freedom confronts, to accept the obligations which freedom imposes, and to help make freedom a reality for all.

It belongs to every generation and to each person to keep freedom alive and growing—in our individual lives, in our institutions, and in the law of our land. Proud as we rightfully are of how freedom has flourished among us, freedom is still our unfinished business and continues to demand our best efforts.

These are some of the thoughts, Mr. Speaker, which free Americans do well to reflect upon frequently, but most suitably on the occasion of the anniversary of the Declaration of Independence. We belong to the fortunate few of this world in the richness, longevity, and stability of our bequest of freedom. But if we would preserve it and strengthen it, in order to bequeath it to those who follow us, then we must think about it and relate it to the time and needs of the present.

In doing so, we are fortunate in the traditions and symbols of our freedom, the American flag and the ringing of bells—the sight and sound, as it were, of our freedom. Let us use them.

ACCENTUATE THE POSITIVE

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. DWYER. Mr. Speaker, on June 21, the Courier-News of Plainfield, N.J., a distinguished daily newspaper in the congressional district I am privileged to represent, carried an editorial entitled "Accentuate the Positive." Because the message of this editorial is, itself, so positive, because it pleads for a greater awareness of the strengths and virtues of America at a time of international tension and instability when those virtues are so badly needed, I am confident it will be of great interest to our colleagues. With the Fourth of July, Independence Day—our greatest national holiday—just a week away, the Courier-News editorial also has a timely quality that deserves frequent reiteration. Under leave to extend my remarks, I am delighted to include it at this point in the Record.

The editorial follows:

Accentuate the Positive

The critical attack in the United Nations special session by Premier Aleksei Kosygin makes us wonder why he bothered to travel all the way from Soviet Russia for his derogatory diatribe. And it also makes us wonder about something else which is far more important in this United States of ours.

When are those of us who believe in the positive things that we stand for, the truth as we know it, and the great constructive good that America has performed for its own people and the world, going to rise up in our own defense and start talking back?

A few years ago there was a popular song in which the main theme was "accentuate the positive," and it's time we adopted that theme again. We need to do it, not in protest, not wrath, but in a justified forthright manner against all of the critics, the crybabies, the peddlers of the snide remarks, and the international double-talkers who find fault with and down-grade the United States of America and what it stands for.

This is a great country, and it stands for truth and justice and freedom and hard work. It doesn't intend to let others get pushed around by bullies. It doesn't like violence and terror. It has little use for freeloaders, or political hangers-on, or wheeler-dealers, or parasites who live off the bounty or the taxes of others. It doesn't like communism or Communist leaders who try to make a mockery of a world body of nations that we have supported and housed on our own shores.

And without fear of any opposing force or gang of bullies, isn't it time that Americans put on the armor of truth and start talking back in terms of the things that we believe in whether it is in the United Nations, the halls of Congress, the State House, or our own town councils and borough halls, or in local debates and conversations with our neighbors? There is so much that needs to be done, and America and Americans have the strength to do it if we will just accentuate the positive.

Many are already doing it, and we call for more volunteers in that effort.

GOODELL STUDY ON BRAZIL IS VALUED CONTRIBUTION

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Steiger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Speaker, last week our distinguished colleague, the Honorable Charles Goodell, read into the Record his analysis of Brazil following lengthy study.

I rise today to commend my colleague both for making this important study and for informing us of his actions and conclusions.

The gentleman from New York [Mr. Goodell] makes one point in particular that is worth much more study. He points out that if we are to feed the world in the future we must encourage the building of breadbaskets. He indicates that we must help countries like Brazil, with the potential to provide vast stores of foodstuffs, to become area or world breadbaskets.

I think my colleague makes an excellent point. He has made a significant study and I hope more work will be done in this important area. Surely one of the most pressing problems this Nation faces and the world faces is the feeding of millions of hungry people and a future marked with starvation and want.

I have joined with several of my colleagues in introducing House Joint Resolution 668, which will establish a U.S. World Food Study and Coordinating Commission to study world food and agricultural needs. I think Mr. Goodell's study is particularly pertinent to the establishment of such a Commission and I urge my colleagues to take early action on House Joint Resolution 668.

DANIEL HILL—AN IMMIGRANT AND A HERITAGE

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. Denny] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DENNEY. Mr. Speaker, one of America's strengths is that we are the melting pot of the world. We have been extremely fortunate in that each nationality as they have come to our shores have made positive contributions to our culture and economy.

Mr. Speaker, a good example of what I am talking about is a man by the name of Daniel Hill who died recently. Mr. Hill fled czarist Russia and eventually made his way to Lincoln, Nebr., at age 24.

In the next 60 years, he founded one of the largest companies in our city and became involved in a number of other commercial ventures. It is people such as this that gives inspiration and are the best possible propaganda for the American way of life. For that reason, I know my colleagues would be interested in reading a short tribute to Mr. Hill which recently appeared in the Lincoln Journal:

Daniel Hill: An Immigrant and a Heritage

In the life and family of Daniel Hill lie a truly inspiring example of the immense contributions that Jewish immigrants and their descendants have made and are making to American life.

Mr. Hill, who died this week at the age of 84, fled from Czarist Russia as a young man and eventually made his way to Lincoln, Neb.

Here he prospered in business, as a founder and president of Northwestern Metal Co., along with other commercial ventures.

Mr. Hill's impact on Lincoln went far beyond the business community and touched many facets of the city's life during the nearly 60 years he was a resident here.

Now the second and third generations are multiplying the contributions of this American family to the cultural, social and business life of Lincoln.

Lincolnites can be grateful for the benefaction of Daniel Hill during his lifetime and for the heritage he leaves behind.

REPORT ON BRAZIL

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Bush] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUSH. Mr. Speaker, I rise to urge my colleagues to read and study the report on Brazil filed by the gentleman from New York [Mr. Goodell] on Wednesday, June 21.

The substance of the Goodell report is provocative and timely. Its theme is the interrelationship between foreign assistance and resolution of the looming world food crisis. This problem is one in which I have had an increasing interest in recent years, which has intensified in the 6 months I have served in the Congress.

Our colleague has characterized this problem as the "greatest challenge to mankind in this century." His evidence is persuasive. Moreover, his conclusion is supported by seemingly unanimous consensus among the leading agronomists, economists, and demographers in the world. These same experts tell us that the problem is immediate. We, of course, know that but for the massive shipments of food we are making to India, famine would be rampant in the subcontinent. The Paddock brothers in their recent book, "Famine, 1975," which some reviewers find unduly alarming, predict widespread starvation just 8 years hence. The report of the President's Science Advisory Committee, released on June 17, categorically warns that we must reverse the Malthusian principle by 1985 to avoid the irreversible onset of this catastrophe.

In a world as large and complex as this in which we live, there seems little alternative to heeding the advice of the technologists, especially when their predictions have a hard scientific base, and mounting physical evidence supports their conclusions. However, a problem as complex as the world food supply is difficult to accept emotionally in an affluent society conditioned to agricultural surpluses which cost the taxpayer billions of dollars each year. Obviously, an urgent educational task lies before us to make the Nation aware of the problem we face together.

The Goodell report is a major first step to this end. Its scholarly analysis of the role of education and agriculture assistance programs in developing the productive potential of Brazil can serve as a basis for greater efficiency in the foreign assistance program. The report itself is a model for the constructive contribution each of us can make to the fund of knowledge so vital to proper exercise of the legislative function. It is perhaps the most comprehensive study of foreign assistance ever contributed by a single Member of the House.

I thank the gentleman for the fund of information he has given us and urge my colleagues to make the best possible use of his report in seeking an answer to the food problem which threatens mankind.

CREATION OF GOVERNMENT PROGRAM EVALUATION COMMISSION

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Bush] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUSH. Mr. Speaker, I have today introduced in the House a bill to evaluate all existing Federal spending programs in order to set priorities on those essential to the national interest.

The bill would create a 12-member, bipartisan Government Program Evaluation Commission charged with studying Government programs and activities and then reporting to the President and the Congress.

The Commission would report by February 1, 1969, on three main areas: First, the effectiveness of each program in comparison to its cost; second, at what level the program should be continued, if at all; and third, the relative priority the program should receive when the time comes around to allocating funds for the next budget.

With this report, we in the Congress can review the information and determine the merits of Federal spending programs, weed out the ineffective and the nonessential, and most important of all, make a congressional decision on what priorities should be set on those deemed essential.

There is a limit to the size and number of Federal programs which the economy can support without an ever-increasing public debt and spiraling inflation.

With this Commission we could measure our real needs against what we know we can afford.

The distinguished chairman of the Ways and Means Committee, the gentleman from Arkansas [Mr. Mills], originated and introduced identical legislation. I am proud to join him and other Members in fighting for this important legislation.

THREE-DAY WEEKEND LEGISLATION

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have today introduced legislation which will reschedule the observance of four national holidays so that they will all fall on Mondays. These holidays are Washington's Birthday, Memorial Day, Veterans' Day, and Independence Day.

These 3-day weekends will allow more families to gather together to observe these holidays than is the case at present with so many of them coming in the middle of the week. They will also decrease the disruptions and absenteeism which these midweek holidays cause in business and manufacturing plants.

Most significant, Mr. Speaker, is the tremendous national support which this legislation has. The U.S. Chamber of Commerce revealed recently that 85 percent of its members favor 3-day weekends. Over 200,000 people replied to a This Week magazine poll on the question, over 90 percent of them favorably.

In the light of the important benefits which all will derive from this legislation, and the overwhelming support which it has received throughout the Nation, I hope my colleagues will join me in urging its passage.

WHERE DO WE GO FROM HERE?

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, as is generally known by those who have been following the controversial issue of the deployment of antiballistic missile systems, our Government has been hoping that talks with the Soviets would bring about an agreement wherein both countries would agree not to develop ABM systems on a large-scale basis. As is also generally known, the Soviets have already deployed systems around Moscow and to a smaller extent around Leningrad, while our Defense Department has fought with the Chiefs of Staff and Congress for a number of years as to why such an expensive project should not be undertaken. The hope that the Soviets would stop expanding their facilities was one of the arguments advanced by Defense.

According to the Washington Post, of June 27, 1967, the Soviets have rejected talks on the issue of the ABM facilities. White House Press Secretary George Christian, according to the Post article, has confirmed that the ABM issue did come up between President Johnson and Premier Kosygin and that Kosygin's position was generally similar to his reply to the press on television on last Sunday night. It will be remembered that Kosygin's reply on television discounted the ABM systems as weapons of aggression and "what should be considered is the entire complex of armament-disarmament questions."

Now that the Soviets have dodged the question of talks on the ABM systems, it is high time we go ahead with the development of these systems as a precautionary measure of national security. As I have stated in the past, I hope the American people follow this issue closely and make it an urgent matter for consideration in the 1968 presidential campaign.

I include the editorial, "The Antimissile Gap," from the Chicago Tribune of June 27, 1967, in the Record at this point:

The Antimissile Gap

In an article in Reporter magazine, Hanson W. Baldwin, military editor of the New York Times, discusses in alarming terms our failure to develop a defensive antimissile system.

Under the "cost-effective" programs of Secretary McNamara, Mr. Baldwin says, our production of intercontinental ballistic missiles has come nearly to a stop, while Russia is turning out more and more. And as Russia closes the gap in offensive missiles, she is also moving ahead in defensive systems.

According to Mr. Baldwin, the Russians have deployed an anti-ballistic missile system around Moscow and to a lesser extent around Leningrad. In the rest of the country they have installed the so-called Tallinn dual system of anti-missile missiles, one with a long range to intercept missiles, outside the atmosphere and another high-speed, short-range back-up missile to intercept within the atmosphere.

"There is no doubt," Mr. Baldwin says, "that the communist powers have made great gains relative to the United States in strategic weapons, nuclear delivery, and nuclear-defense capabilities in the past three to five years."

The question, as Mr. Baldwin sees it, is how long the Johnson administration can go on talking of friendship with Russia and of the desirability of a nuclear "balance," and delaying the development of an adequate defense system of our own, without jeopardizing our safety. Our slowdown in production has not been matched by Russia. Moratoriums on bomb tests have been violated by Russia.

Yet there are many influential men in and out of the administration who continue to denounce the generals for demanding faster action, and who regard unilateral disarmament as a worthy goal. Prominent among them are Dr. Jerome B. Wiesner, former science adviser to three administrations, and Roswell L. Gilpatric, former undersecretary of defense, who headed a Presidential committee that in 1965 urged a halt in the production of anti-missile missiles. To maintain a defense system superior to Russia's, they said, would "destabilize . . . the balance of terror."

As Mr. Baldwin says, we had better listen quickly to the advice of others like Commissioner James T. Ramey of the Atomic Energy commission, Dr. Edward Teller of the University of California, and Dr. Harold M. Agnew of the AEC's laboratory at Los Alamos, N.M., who are urging that we recapture the initiative. If we don't it may be too late.

POLITICAL ACTIVITIES IN OEO

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. GARDNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GARDNER. Mr. Speaker, since the beginning of my investigation into the political activities of the OEO as have occurred in Durham, N.C., by Operation Breakthrough, my office has been swamped with letters, newspaper clippings, and other articles giving accounts of OEO activities in other parts of North Carolina. As I have previously stated, the political activity, as practiced by Operation Breakthrough, could set a national precedent. This same kind of activity could take place in any city in the United States.

Under unanimous consent I insert into the RECORD several newspaper clippings and a letter, all dealing with OEO political activities in North Carolina:

BRIEF SUMMARY OF MR. MONTE'S POSITION ON THE NORTH CAROLINA FUND, AS STATED TO THE GOVERNOR ON OCTOBER 13, 1966

My purpose in seeking an audience with the Governor is to point out to the State Government what I consider to be undesirable or perhaps even illegal activities of the North Carolina Fund, a private non-profit corporation created under the laws of North Carolina and after operating in affiliation with political sub-division of the State of North Carolina. A very brief summary of this problem and why I felt the State should closely examine the N.C. Fund's activities is contained in my letter to Mr. George Esser of September 23, 1966, a copy of which was furnished the Governor's office, (See Attachment "A"); and my letter to Congressman David N. Henderson of September 13, 1966 (Attachment "B").

Mr. George Esser wrote me on September 20, 1966, stating in effect that my misgivings listed in the above letters were unfounded. Not wishing to bicker forever with Mr. Esser I included the following paragraph in my letter of September 23, 1966 (Attachment "A"):

"As I have previously stated, I think it best that the Governor be acquainted with these facts and that he appoint the Lt. Governor or some other qualified person to investigate the Fund's activities in all eleven Community Action Agencies sponsored by the Fund. The State of North Carolina is frequently called upon to participate, through its political subdivisions, in programs of the North Carolina Fund. The North Carolina Fund as well as its affiliated CAPs is incorporated under the laws of North Carolina. I have stated certain grave and serious misgivings about the Fund which you have denied. Therefore, I feel that it would be in the legislative and public interest for the State to investigate these charges."

I furnished a copy of this letter to the Governor and then asked for and obtained this audience for October 13, 1966.

Recognizing that the Governor has very little time, I intend to merely develop, and initially document the misgivings expressed by me. Due to obvious limitations on the Governor's time, I do not intend to document these misgivings at this time as fully as information available to me would permit. However, I feel that the information below should certainly warrant an inspection by the State of this State Chartered, supposedly non-political organization which often operates with participation of political subdivisions of the State of North Carolina. I am convinced that such an inspection including interviews with others who have had contacts with the N.C. Fund would reveal that it should either be considerably modified or the State of North Carolina and all its subdivisions, and agencies should withdraw all support and endorsement of the N.C. Fund.

Article 10(b) of the Articles of Incorporation of the N.C. Fund expressly forbids the organization from participating in politics or from substantially working to influence legislation. I have asserted that the N.C. Fund has not observed this requirement of its charter. The following matters are examples of incidents giving rise to this assertion:

(1) At a N.C. Fund sponsored meeting of CAP Directors on or about February 8, 1966, at the Holiday Inn in Durham; Mr. Tom Hartman, George Esser's Assistant, stated in Esser's presence without disavowal by Esser, that none of N.C.'s Congressmen and Senators were representatives of the poor and that therefore the poor should work against them. Mr. Hartman especially attacked Senator Jordan. The North Carolina Fund ran a tape recorder during this meeting and if Mr. Esser feels that the reference in my letters on this matter are untrue, he certainly should produce the tape to clarify this matter. Other CAP Directors were present and should be asked about it.

(2) Miss Barbara Jean Cooper, who was trained by the N.C. Fund as a "Community Action Technician" relates that her training was almost exclusively dedicated to an indoctrination of the concept of political exercise of power by the poor under the direction and control of the paid Community Action worker. She was even required by her superiors to do campaign work for a fund employee, Mr. Tommy Dial, who was then running for office in Robeson County. Miss Cooper complained of this to Mr. Royce Jordan, a Field Representative, and presumably responsible official of the N.C. Fund, who told her that this was a legitimate and even desirable thing for her to be doing.

(3) The N.C. Fund through its representatives Mr. Royce Jordan and Mr. Jim McDonald defended Mr. L. R. Morgan and Mrs. Maggie Blow of the Craven Operation Progress staff for having expended without authorization Craven Operation Progress Federally derived funds for Democratic Primary Voter registration purposes in May of 1966. This activity was done in deliberate circumvention of and without the knowledge of Craven Operation Progress's Executive Director. When Mr. Esser was asked about this action, he defended it. This defense by Mr. Esser was made although he was informed by Craven Operation Progress that that organization had been instructed by the Federal Government not to expend monies in the area of voter registration.

(4) In memorandums listed below, officials of the N.C. Fund flagrantly solicited efforts from other supposedly non-political organizations toward influencing enactment of and the contents of the Economic Opportunity Act renewal of 1966:

(1) May 5, 1966 from George Esser, Executive Director.

(2) May 26, 1966 from Mr. Esser.

(3) June 10, 1966 from Mr. Tom Hartman, former Assistant Director.

(4) July 15, 1966 from Mr. Esser.

I have asserted that the management of the N.C. Fund has endorsed and supported a doctrine of racism or racial polarization which would fall within the popularized category of "black power". The following are some of the reasons giving rise to this assertion:

(1) At the above mentioned meeting of "Fund" related CAP Directors sponsored by the N.C. Fund held on or about February 8, 1966, in Durham, Mr. James MacDonald of the "Fund" staff outlined in the presence of Mr. Esser, what he felt to be the "Fund's" and each CAP's role in the area of "Human Relations". Most of us present felt that Mr. MacDonald's plans called for the implementation of racial polarization popularly labeled "black power". At that time, concern was expressed by some of those present. Subsequent events have, in my opinion, borne out the fear that the N.C. Fund's efforts in "Human Relations" were to be in the nature of creating a third political force primarily concerned with "black power".

Examples of these subsequent incidents are to be found in the widely publicized "Woodland People's Conference" of this summer which was sponsored by the N.C. Fund and the recent N.C. Fund created incidents in Forsyth County covered in the Winston-Salem Journal Sentinel of October 2, 1966.

In his letter of September 20, 1966, Fund Director, Mr. Esser seems to be particularly displeased about my implying that staff members of the N.C. Fund "rant". I assert that staff members of the N.C. Fund do in general "Rant" which is defined as: "to talk in a loud, wild, extravagant way; declaim violently; rave."

In a news release of April 19, 1966, to the Winston-Salem Journal, Mr. Esser stated that the N.C. Fund supported a study by a Professor Field of the administration of the "Fund" affiliate in Forsyth County. On pages 15 through 18 of a "study of organization and administration" of Experiment in Self-Reliance (the Forsyth County program) by Professor Arthur Jordan Field, dated April, 1966, appears a discussion based on extensive tape-recorded interviews with "Fund" staff persons which leaves no doubt that Professor Field concludes that Fund staff "rant" if the measure of "ranting" is to be at all governed by irrational and unrealistic relations between strongly stated and urged methods and dimly seen goals. My own dealing with "Fund" staff, and apparently Professor Fields as well indicate that they do in fact rant.

I reiterate that the above statement is a brief summary of my misgivings about the N.C. Fund and the reasons for them. However, I feel that this statment is sufficient to justify public statement of concern by the State Government and an examination by the State Government as to whether,

(1) The State should participate either directly or through its subdivisions in activities of the N.C. Fund; and

(2) The N.C. Fund is operating within its charter.

(3) The N.C. Fund is engaged in purposes not public to the extent that the State or its sub-divisions are prohibited from participation in such activities by the N.C. Constitution.

Respectfully,

ROBERT R. MONTE.

ATTACHMENT A

SEPTEMBER 23, 1966.

Mr. GEORGE ESSER, Jr.,
Executive Director, the North Carolina Fund,
Durham, N.C.

DEAR MR. ESSER: I received your letter of September 20th.

It comes as no surprise the position that you have taken concerning my comments about the Fund. I cannot believe, however, a man of your position and intelligence does not know what his staff is doing or is unaware of developments taking place out in the Fund served communities. I think a little light could be shed on all the activities that have been going on in the Fund areas with the Governor's approval of an investigation of the North Carolina Fund activities. I feel that the other project directors would be willing to contribute their knowledge and background material that would overwhelmingly show the disservice that has been done to the people in North Carolina in the name of helping the poor.

I have stood up at director's meetings with your staff and repeatedly stated to you that my main responsibility as director of Craven Operation Progress, Inc., was to follow the directives of my Board of Directors. One of the facts of life about being a director of a poverty program is that you cannot please all the people. This should not prevent a director from doing the job that he believes must be done.

One of my main reasons for resigning was that I do not believe these programs were designed or intended to be used as primary vehicles of social integration or of political patronage. If by administering the program according to the intent of Congress is an error in judgment, then I have made an error. If, however, Congress has designed the programs to be a third political force, I have not been able to find the directive.

As long as I was being paid by the North Carolina Fund, I felt a certain loyalty to the Fund and on many occasions have expressed concern to members of the Fund staff about things they were doing. Since I have handed in my resignation, I feel that my loyalty should revert entirely back to the people of my community whom I have tried to serve openly and honestly.

I have had incidents of Fund attempted interference in my own community with regard to primary elections. I believe Tri-County experienced the same problems and I also believe the Choanoke Area affair was sponsored by the North Carolina Fund. If these incidents, plus meetings where we have been addressed by staff members of the Fund in and out of your presence condemning all our elected Washington representatives do not scream out the word politics, I do not know what does.

As I have stated previously, I think it best that the Governor be acquainted with these facts and that he appoint the Lt. Governor or some other qualified person to investigate the Fund's activities in all eleven Community Action Agencies sponsored by the Fund. The State of North Carolina is frequently called upon to participate, through its political sub-divisions, in programs of the North Carolina Fund. The North Carolina Fund as well as its affiliated CAPs is incorporated under the laws of North Carolina. I have stated certain grave and serious misgivings about the Fund which you have denied. Therefore, I feel that it would be in the legislative and public interest for the State to investigate these charges.

Sincerely,

ROBERT R. MONTE,
Executive Director.

ATTACHMENT B

SEPTEMBER 13, 1966.

Congressman DAVID N. HENDERSON,
House of Representatives,
Washington, D.C.

DEAR DAVE: If you haven't gotten word of it, as yet, I have resigned my job as director of the War on Poverty for the Craven County area.

I found that I could no longer stomach the verbal directive from Washington, the Office of Economic Opportunity or the rantings of the people of the North Carolina Fund.

I believe that the programs cannot succeed when they are headed by people in OEO who have on numerous occasions stated that what we needed in our area were a few good demonstrations and when the North Carolina Fund openly attacks our elected representatives to the Congress and the Senate plus actively supporting the civil rights groups in a so called "drive for a change in local power structure which is in essence, a shield for the so called "black power" struggle. It appears to me that they have forgotten what the programs were originally designed for, that being to help people *help themselves* out of poverty.

I hope that you do not take this as a "sour grape" letter as I was not pressured or forced to resign. My only reason for ever accepting the position was to try to help our area help itself. I'm afraid that the job was bigger than the man, although in honesty, I feel that I did all I could to serve the community.

I am still fighting the Department of Labor on their demands that we fire the director of our Neighborhood Youth Corps and will continue to fight for the principles and concepts in which our government was founded, plus individual freedoms and rights.

Sincerely,

ROBERT R. MONTE.

[From the New Bern (N.C.) Mirror, May 6, 1966]

ROBERT MONTE HALTS USE OF NAME IN DRIVE—VOTER REGISTRATION AD LISTED COP AS AN AFFILIATE

Robert R. Monte, director, Craven Operation Progress, Inc., stated today that he had no knowledge of the details or activities of the Community Development organization's voter registration campaign prior to yesterday and that authorization for such a campaign had not been cleared through his office.

In response to questions, Mr. Monte replied that, "concerning the alleged association of Craven Operation Progress with a voter registration campaign in Craven County, had no details of the drive or the association of the organization's name with such a drive prior to reading an advertisement in Friday's Sun-Journal.

In a paid political advertisement, the local Community Development Organization encouraged voter registration and offered rides to the polls for registrants. The ad listed the organization as an affiliate of Craven Operation Progress, Inc.

Monte stated that, although he thought everyone should register and vote, he had not authorized the use of COP's name in association with any registration drive.

He told a Sun-Journal reporter that the matter would be investigated to determine who, in his organization, was responsible for authorizing the use of the name.

He added that an official statement would be released Monday regarding any action taken with those involved.

In connection with the voter registration drive, handbills prepared for distribution today, which also carried the name of Craven Operation Progress, were ordered not to be distributed.

[From the New Bern (N.C.) Mirror, May 6, 1966]

THE ROUNDUP

"Last Friday night," a citizen tells us, "I noticed in the Sun-Journal an ad stating that everyone should register so they could vote, and if they required transportation to call certain numbers which were apparently of the New Bern Division of Craven Operation Progress.

"I called Robert Monte and told him that this didn't look like a legal or wise practice for government money to be channeled into. He took the attitude that they were authorized to do this, that it was a policy of their organization. He defended it right down the line.

"He claimed he knew what was going on, and said that Maggie Blow was head of that project, and he was very evasive about the whole matter. After talking with Monte, I then called Lewis Bratton, David Henderson, and Livingstone Stalling, members of the Board of Directors of this Craven Operation Progress.

"I also called Mr. Kafer of the Elections Board. I called Mr. Midyette at the Sun-Journal. I talked to all of these gentlemen about this situation. They all expressed disapproval.

Mr. Midyette told me that the ad was reluctantly taken by the Sun-Journal but only after he got authorization from a fellow by the name of Morgan, over at the Craven Operation Progress Office, that the ad was paid for before it was inserted, and that it was paid by Craven Operation Progress. However, he (Midyette) was not sure who paid it or whether it was in the form of a check or cash.

"In my talks with Mr. Henderson and Mr. Kafer we agreed that we would all call in the FBI and request an investigation. However, I was unable to contact Mr. Worsham as his phone didn't answer Friday night.

"At 6:55 a.m. Saturday morning the phone rang and Robert Monte was on the phone. He said that he was all mixed up Friday night, that he had been up half the night investigating this situation, that he had confiscated some handbills or leaflets, and had ordered the project called off.

"He made this statement, that he told whoever was at the head of this project that if they assured him they would haul one white and one colored it would be all right, but that he knew they wouldn't do this so therefore he was calling it off.

"I called to his attention that he had missed the point entirely, that I didn't think the project should be in politics or in any political activity whatsoever, and whether they hauled whites or colored was secondary.

"He didn't seem to grasp this thought at all. But he did tell me that that was my answer, that he was going to fire someone whoever was responsible for it, and that he was going to call the thing off. Apparently he did this, according to the article in the newspaper the next day."

If Mr. Monte wants to place this citizen in our Half Truth Club, there's a chair waiting for him, right next to the President.

CITIZENS, REGISTER SO THAT YOU MAY VOTE!

If You Need Transportation Call:

New Bern, 8:00 A.M.–6:00 P.M., 638–5725.

Craven Corner, 8:00 A.M.–10:00 A.M., 1:00 P.M.–3:00 P.M., 447–8800.

Vanceboro, 1:00 P.M.–5:30 P.M., 244–5791.

Cove City, Call Anytime, 638–5401.

Transportation for James City, Fort Barnwell, Dover, and Pleasant Hill will be arranged, also Pembroke.

Registration Dates: (New Bern) Saturday, April 30, May 7, May 14.

Sponsored By: Community Development (An Affiliate of Craven Operation Progress, Inc.)

[From the Charlotte (N.C.) Observer, February 17, 1967]

LOCAL AREA FUND MOBILIZES SLUM DWELLERS' VOTE POWER

(By Paul Jablow)

In Charlotte, to be without a car is often to be without a vote.

Local party workers have known this for years and provided transportation to the polls on election days.

The Charlotte Area Fund, taking the theory one step further, is using staff cars and staff workers to get the city's slum dwellers registered.

The target is the March 18 school bond election, then the spring city council and mayoralty elections.

"We're not interested in how they vote or who they vote for," Area Fund assistant director Robert Person, Jr. said Thursday. "But we do feel they should exercise their citizens' rights. There are so many people who are apathetic."

The Area Fund tried one voter drive last year after a series of "Know Your Government" meetings at neighborhood centers under League of Women Voters' sponsorship. It didn't work.

The new system is to flood an area with workers and literature for two days, then pick up the residents after work the second day.

The first target area was "Southside," near Bethlehem Center, and board of elections personnel, surprised by some 60 to 65 new registrants had to call for reinforcements.

Residents from the "Eastside" areas of First Ward and Belmont were brought in Thursday night. Next week's call for reinforcements.

Residents from the "East-target areas are "Westside," the Oaklawn Avenue area, and Brooklyn.

Person and the Area Fund's executive director, John Zuidema, are among the drivers.

"We're putting forth a special effort," said Person, "because the school bond election will involve so many of their children."

[From the Charlotte (N.C.) News, Feb 21, 1967]

LOCAL AREA FUND CONDUCTING DRIVE TO GET POOR TO REGISTER TO VOTE

(By Ed Freakley)

The Charlotte Area Fund has been responsible for 130 poor people registering to vote.

It is all part of the Area Fund's drive to get the city's slum dwellers to the polls.

Tonight residents of the city's Westside area will be transported by Area Fund workers to register.

The drive has already been carried out in the Eastside section where 75 registered and the Bethlehem area where 55 people were registered.

The program is carried out in two steps. The night before the people are to be taken to register, workers go through the neighborhoods to see who needs to be registered or transfer their registration.

The second night the residents of the area are picked up by poverty workers in staff cars and taken to register.

Wednesday and Thursday nights the Area Fund staff will work in the Brooklyn area.

The target of this voter drive by the Area Fund is the March 18 school bond election, then the spring city council and mayoralty elections.

"We're not interested in how they vote or whom they vote for," Area Fund assistant director Robert Person Jr. said. "But we do feel they should exercise their rights."

Mr. Person said the drive is going fairly well, but a little slower than originally anticipated. "We feel the effort put forth is and has been worthwhile," he said.

Mr. Person added, "We're putting forth a special effort, because the school bond election will involve so many of their children."

The registration books for the school bond election close Friday because state law requires the books to be closed 21 days before each election, primary or referendum.

The books will open again March 20 for the city primary April 24 and will close April 1, according to Mrs. Catherine Carpenter, executive secretary of the elections board.

Mr. Speaker, political activity, whether it is labeled partisan or nonpartisan is still political activity and a dangerous situation exists when the Federal Government subsidizes the creation of a political machine composed of the poor.

I again request the support of my colleagues and all interested citizens in helping to stop and prevent the participation of the OEO in political activities.

ASSISTANT SECRETARY OF STATE ADDRESSES WORLD AFFAIRS COUNCIL

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. REINECKE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, shortly after his nomination by President Johnson as Assistant Secretary of State for Inter-American Affairs and U.S. Coordinator of the Alliance for Progress, Covey T. Oliver addressed the World Affairs Council in Philadelphia. Outlining his hopes for the future of United States-Latin American affairs, Mr. Oliver displayed a humanistic approach to the hemisphere and a keen interest in the institution building process in the Latin American countries. I include the text of Mr. Oliver's remarks in the RECORD:

INSTITUTION BUILDING AND THE ALLIANCE FOR PROGRESS

(An address by Ambassador Covey T. Oliver, Assistant Secretary of State-designate for Inter-American Affairs, at the World Affairs Council, Philadelphia, Pa., June 7, 1967)

I am delighted to have this opportunity to share with my fellow members of the World Affairs Council of Philadelphia a few thoughts on Latin American development and the Alliance for Progress.

When we think of Latin America and the Alliance, the characterizing word is "change"—urgent, basic, needed "change." The Alliance was created to answer the needs of swiftly changing times, and indeed the Alliance already has been the engine for vast and sweeping changes in this Hemisphere.

Sometimes, changes are completely unexpected: when, on May 16, 1967, I accepted the invitation to talk here, I certainly did not foresee the rather substantial change that has since occurred in my own relationship with Latin America!

The nature of the change between my former professional responsibilities and my new official ones recalls to my mind an experience of more than twenty years ago, when I was a member of the American delegation at the Paris Peace Conference. During one session, I, as a government "expert," sat directly behind a distinguished Congressional member of that delegation, Senator Arthur Vandenberg. The Soviet bloc was blocking. There were long speeches repeating endlessly the same dreary Marxistese (we were just learning how dully repetitive the Red delegates could be). During most of the long, boring, irritating session Senator Vandenberg, smoking cigar after cigar, listened quietly and kept his pencil moving—working on an elaborate doodle of the Great Seal of the United States, with fine draftsmanship and beautiful shadings. As the session droned on, the Senator finally pushed his chair back, and as he rose to his great height to leave, briefly turned to me and said, "Young man, life was a lot simpler for me when I was an isolationist."

Life was simpler for me as a professor speaking on what ought to be done about development than ever it will be as U.S. Coordinator of the Alliance, trying actually to get things done.

But I look forward to these new duties with optimism and with sober awareness of our country's interests and opportunities in helping the New World to become a better place for all its people to live in. It has been my good fortune to have spent some memorable years in various roles in the Alliance area and to have worked closely with our good neighbors to the South. I am happy that so many of these good neighbors are also good friends, whose aspirations I believe I understand, whose views I respect, whose *amistad*—even *cariño*—I cherish.

Thus, with considerable development-oriented field experience with one of the larger AID programs, with familiarity with the languages and cultures of Alliance countries, with a firm belief in the need for development, I approach with a measure of confidence the big and difficult job of directing the United States' programs in support of the Alliance. So while there are ties that will always link me fraternally with this City and with the University, I could not have let go by this unexpected opportunity to return once again for awhile to Government service—particularly at this time, when a spirit of change characterizes inter-American affairs.

It is clear that we are entering a new era in the Americas—an era of renewal of expectations, of sighting new horizons, of moving on toward them. The Summit Meeting of the Presidents of America, focused world attention anew on the Alliance for Progress. It will stand historically as a milestone in Hemispheric history. It marks the turning point between what might be called the first phase of the Alliance, and this new, second phase we have now embarked upon in the "Decade of Urgency," as President Johnson has called it.

Standing where we are today, looking back to where we have been and ahead towards where we must go with the development, I see three phases of the Alliance for Progress:

First, there was the organization, mobilization, and correction (or "feed back") phase. The hemisphere had to agree on the nature of the problems and the goals of our Alliance. It had to mobilize its efforts—in money, manpower and will. But it also had to deal with serious distortions which impeded economic and social growth—rampant inflation that robbed middle and lower income groups of initiative, heavy debt burdens that could not be amortized with current income; currency, balance of payments and other difficulties that made economic and social growth almost impossible. These problems are still with us, but Latin America has a much better grip on them and they now seem manageable.

The adjustments which Latin American countries have made in the early years of the Alliance have been painful, demanding in personal and political courage. As I participated in the development and execution of Alliance policies from 1964–1966, I can attest that the task of development is not easy for them. But I can also attest that our neighbors truly want to better themselves in lasting and self-reliant ways. They are too much men and women attuned to human dignity to be satisfied with doles and relief. For them and for us the goals are the same, and we move together along the road to them, helping each other over the rough places. As we travel this road, we come to places from which, across the valleys ahead, we also see the peaks we would attain, glimpsed suddenly in such splendor as not to be forgotten as we move on.

The Summit meeting was such a place on the road. There the Hemisphere's highest political leaders met, assessed our modest but encouraging progress, and gave direction for vigorous new steps forward.

Thus, to leave my metaphor, while we are still working in many places on the first phase of the Alliance, the Presidents clearly outlined both the second and third phases: a major effort on institution-building and concrete measures to achieve a Common Market by 1985.

While we should never lose sight of the ultimate goals tied to hemispheric unity, it is the new intermediate phase that I want to discuss with you.

Latin America has many dreams but probably none that its people more passionately seek to fulfill than those of democratic growth and social justice. We share that dream, for nothing is more precious to us than human dignity, the worthwhileness of the individual person as a child of God; free and democratic institutions; and, as our great Declaration bravely given in this City of Brotherly Love puts it, the pursuit of happiness.

We must, therefore, help create, strengthen, modify and build institutions that provide:

The opportunity for all to share equitably in the cost of building their country with the assurance that their contributions are used wisely and honestly.

The opportunity for the farmer to own land, to obtain credit, and to market his production at fair prices.

The opportunity for youth to obtain an education and to make an intelligent and meaningful contribution to society while preparing also to lead it within short years.

The opportunity for the worker to get work and to be rewarded properly for his labor.

The opportunity for business to invest under just and equitable laws and earn fair returns.

The opportunity for all to stand equally before the law without fear or favor and to live out their years in peace, honor, and social effectiveness.

Let me be specific: Improved productivity and greater monetary stability alone are not enough; there must be modernization of existing institutions and the development of new ones. Many of these changes there, as here, require state action—legislation, law, public administration. There must be changes in distribution, in the processes for meeting the expectations of various groups in the social structure.

As we move into an intermediate stage of the Alliance, wherein human needs and hopes, institution-building, and modernization will be principal themes, we note with satisfaction that our Alliance-oriented operations in the first, or stability-seeking, phase have themselves had important relationships to social and politico-cultural goals. A good example is taxation. The development of fair, effective, and respected systems of taxation is a major objective of existing development programs in a number of countries. From one point of view, "Technical Assistance" is involved, as we have made available experts and tax technology. Technical Assistance is an original and still useful aspect of development help—at one time the only civilian kind we offered to Latin-America. The "tax projects" are also related to fiscal stability—a short-range, or "precondition," goal—and to a number of middle-phase goals, ranging from distributive justice to more local currency resources for social service budgets related to education, health, and the like.

We of the Alliance community have done and are doing well with "tax reform." Improved revenue-raising is a mutually recognized development objective. We all talk to each other (now through our experts mainly) about tax matters, and as to tax issues and ideas we deal with each other in ways that in a more traditional era would have been regarded as improper even for dialogue between different nations.

Land-reform is another example. Here we of North America have had to disabuse ourselves of our tendency to generalize about land-holding conditions as if they were the same throughout the rest of the Hemisphere, and we have had to reconsider some of our simplistic, though well-intentioned, notions about the per se virtues of small-holdings, regardless of their relationship to the subsistence need of owners and to national productivity. But here again we have been working intimately with our neighbor; and as part of our programs to increase agricultural production the land-ownership, land-development, colonization problems are getting intelligent, frank and continuous attention.

Land utilization, on the other hand, is hardly in the realm of discourse between us. Regardless of who owns them, what should the good lands—those that are capable of bountiful production of a wide range of crops—be used for? What is the relationship of land utilization to nutrition and dietary habits; between governmental policies and incentives for increased agricultural production?

The Presidents called at Punta del Este for modernization of the conditions of rural life. It may be that much that needs to be done along lines I have just mentioned, can be related to this Presidential support for further study and work. Additionally, in most countries there lie ahead:

(a) The development of food processing and food storage.

(b) Improved physical facilities for urban-rural exchanges of goods and services.

(c) Institutional changes in the marketing process itself.

The first two of these are mainly the business of private enterprise, whose role in development is exceedingly important especially in this second stage of the development process. The international agencies and the United States can help with ideas, feasibility-study financing, and the supplying of marketing experts under Technical Assistance. Much of the capital, most of the risk-taking and innovating initiatives must come from the private sector, in a combination that is suitable to the times and the fair needs of all groups involved. Also, the United States seeks constructive opportunities to help in the financing of more cooperatives for both production and marketing, more agricultural credit mechanisms, and more private investment funds which can help agro-industry. President Johnson has stated he will seek new funds to help the modernization of agriculture in these ways.

The Program of Action agreed by the Presidents at Punta del Este emphasized the need for "multi-national infrastructure projects" as steps toward economic integration and the Common Market. One essential for modernization of the market process in Latin America is roads—and more roads. Although water-way improvement is important in some countries, it is roads from through highways to rural access routes, that is the greatest single need for increased velocity and efficiency in the exchange of goods and services within a country and, indeed, for export and regional trade improvement as well. Intensive road-building programs, moreover, give jobs to unskilled and semi-skilled labor in countries where far too few of those seeking work can find it.

The International Bank for Reconstruction and Development has been doing laudable development work of this nature in particular countries. At the Summit, the Presidents endorsed the leading role of the Inter-American Development Bank in studying and financing multinational projects in such fields as transportation, telecommunications and hydroelectric power.

Institutional changes in the market process itself are parts of social change. This means that, first, attitudes and, ultimately, the legal order must guide the developing countries into modern patterns of distribution. In the developing countries there must be more awareness of free world experience with the "mix" between laissez-faire, enforced competition, countervailing power and public regulation that characterize developed free economies—and societies—today.

No single, all-countries, all-times, mechanical adjustment of public-private sector relationships is possible. Each country, each community, has to work out its own "mix." But for that to happen in the less-developed world there has to be (in that world) more awareness and evaluation of these problems than there has been. Note, for example, that unlike the Treaty of Rome creating the European Economic Community, neither the LAFTA nor the Central American Common Market arrangements deal with monopoly problems.

Does this mean that our AID missions in Latin America should become involved with "antitrust" in about the same manner as they have been with tax reform? My tentative view is that our bilateral involvement should be limited to developing a dialogue, giving information and sharing research techniques, because in this field (unlike taxation) there is now such a wide variety of models in developed country experience as to encourage caution in putting forward our own antitrust system as if we thought it the only approach to coping with restrictive trade practices and monopolies. But Latin America must assure competition in the national marketplace if the area is to develop and compete in world markets.

And we should consider more effective encouragement for cooperative and community development movements, because these are "of-the-people" programs that hold promise for wide popular involvement in all aspects of development—social and political, as well as economic.

Institution-building is now a national process, and must eventually become a community process. The dynamism, the know-how, for social change, has to come from within the system. This means, above all, *education* of the decision-makers-to-be. All education is an Alliance goal, but good university education is an immediate, absolute necessity for the articulate, dissatisfied young people who through their own energies and frequently over very great difficulties have made their ways to the public universities of Latin America with eventual public leadership in mind. These public universities are, right now, turning out the decision-makers of tomorrow. They are the major civilian engines of social mobility in Latin America—the only way a poor but energetic and determined young person can rise in society without joining the military services. Communists and other extremists know this quite well. The public universities are prime targets of the extremist elements. I consider public university betterment very urgent.

The greatest substantive needs of the universities as I now see them are (a) more full-time teachers, better trained and with more time to give to students, and (b) more extensive and more modern social studies curricula. Students should have opportunities to study and appraise *all* the roads to social justice, not just the illusory (and outdated) Marxist one. As a result of lack of information as to how societies really work in developed countries (including even the USSR), far too many young Latin Americans tend to choose some brand of "marxism" over free-world systems, which they mistakenly assume to be something these systems never were—completely dominated by heartless, mechanistic concepts of pure laissez-faire capitalism. The students should be led to inquiry: factual, scientific inquiry. The universities themselves should be enabled to undertake sociocultural, self-discovery research projects (such as "attitude studies"), for greater understanding of how total development may occur.

Inter-American studies need almost everywhere in Latin America to be developed, especially now that economic unification is specifically foreseen. In universities in the United States, Latin American studies is a standard field for teaching and research, and President Johnson promised his colleagues at Punta del Este that he would seek further enlargement of university work here in this sector.

But for the future we all want, we must make sure that scholarly study and teaching of inter-American relations is truly a Hemisphere-wide matter, and not one confined to the United States.

University development along the lines that I have described should not be delayed until the country has "taken off" in the economic sense, thus being able to support the improvements needed out of increased social capital. Many of these should come sooner by additions to university operating budgets to support properly planned changes in teaching, curriculum, libraries, and research.

After some years as a universitarian, I know how delicate and difficult university changes involving faculty and courses can be! They will be so in Latin-America in part because in some quarters there is satisfaction with present ways of doing things. But every day there are more intelligent Latin-Americans coming to see that their universities must be modernized as to the substance of what they teach and how they teach it. In such a delicate area as this, a bilateral approach is not as promising as a transnational one, provided that the latter is vigorous, scientific, and effective. We must, all of us, look around for the right institution or institutions to spearhead the important work of university substantive modernization—and if we do not find it (or them) among our existing hemispheric agencies, we must create one adequate to the task.

Latin-America cannot modernize democratically without modernized political leaders, administrators, businessmen. And the modernization of men should be mainly a national and regional process, not one that relies too heavily on sending the leader-to-be off to the United States or Europe to be educated, valuable though such experiences are. One danger of the latter course is that he might not come home—the "brain drain" problem. Another is that he will not have lived through—grown up intellectually with—the change of his own country and thus be too remote from change under way when his generation assumes leadership.

As President Johnson has pointed out, there is no exact science of development yet. All of us in the Americas are learning development on the job. We have learned that hemispheric development is not a short-term matter, and our plans and policies have now recognized that it is not. We know that the Alliance, although it springs from past development operations elsewhere, has a highly differentiated spirit and purpose—very special neighborhood characteristics—of its own. In this country, our appreciation of the special nature of the Alianza is visible in the broad, bipartisan support the program has always had from Congress. Again, a welcome and significant development was the addition to the Foreign Assistance Act of 1966 of a section known as Title IX—which directs that, as to the Alliance for Progress, "emphasis shall be placed on assuring maximum participation in the task of economic development *on the part of the people* of developing countries . . ."

As we enter a new phase of the Alliance for Progress, the spirit and mood of inter-American affairs is encouraging, exciting and challenging. The Presidents of America at Punta del Este laid out a wide-ranging but specific program of action, based on careful factual studies that required many months and high dedicated talent.

All of us recognize—especially following the meeting of Presidents—that the burden of solving these problems falls mainly upon the Latin Americans themselves. The helping hand that we of the United States can and do offer represents only a small part of the effort required of the hemisphere if we are to move forward together towards the ultimate Alliance for Progress goal of bringing a better life to all the people of the Americas.

Throughout the Americas there is renewed activity, new confidence. Many and difficult are the tasks ahead of us. The war on poverty and underdevelopment in the neighborhood is not yet won. But the strategy for victory has been given to us by our Presidents. The challenge of great opportunity is before us. Let us all give in our respective ways the best we have to give.

As I approach my new role in a Great Enterprise, I recall great words from a towering American figure, Justice Louis D. Brandeis:

> "If we would guide by the light of Reason,
> we must let our minds be bold."

THE FOREIGN DAIRY INSPECTION ACT OF 1967

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NELSEN. Mr. Speaker, the importation of dairy products to this Nation is proceeding at a rate of more than 3 billion pounds of milk equivalent per year. Only the smallest fraction of this amount is produced under conditions acceptable in America.

At this time, the only dairy imports that are required to adhere to standards comparable to those in the United States are whole milk and cream. Under these regulations, only Canada and New Zealand are enabled to send milk or cream to the United States. Their sanitary regulations for the production and shipment of milk and cream have been deemed by the Food and Drug Administration to be on a par with American rules.

Remaining dairy products are another matter altogether.

I have received a report from the Food and Drug Administration stating that the FDA has no jurisdiction whatsoever over the sanitary conditions under which imported cheese and butterfat mixtures are manufactured, held or transported before they reach our shores.

When they do reach our shores, products are sampled and often filth is found.

In April of 1965 the Food and Drug Administration seized 56,889 pounds of Australian Colby cheese containing poisonous quantities of DDT. The next day they seized an additional 28,448 pounds of cheese from Argentina containing insect filth. In May, 12 cartons of decomposed, moldy Stilton cheese was held; 200 cartons of Italian cheese contained fly eggs and animal dung. The report which contains a list of dairy products held from January 13, 1965, to March 7, 1967, is indicting. I include it in the RECORD at this point:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—FOOD AND DRUG ADMINISTRATION

Report of import detentions – Dairy products

Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Port of entry	Date
Cheese, 1,151 lb	Switzerland	Geska	Contains poisonous substances, pesticides	New York, N.Y	Jan. 13, 1965
Cheddar cheese, 4,050 lb	Canada	Black Diamond Cheese, Ltd., Belleville, Ontario.	Contains live mites	Buffalo, N.Y	Jan. 8, 1965
Cheddar cheese, 3,420 lb	do	do	Mite infested	do	Apr. 7, 1965
Colby cheese, 56,899 lb	Australia	David Lavery & Son Proprietary, Ltd., Melbourne.	Contains posionous substances, DDT and related compounds.	Philadelphia, Pa	Apr. 15, 1965
Graddost cheese, 510 lb	Sweden	Svensha Mijeviennas Riksforening, Stockholm.	Mandatory labeling omitted	New York, N.Y	Apr. 9, 1965
Pecorino Romano cheese, 5,752 lb	Italy	Pirto Ansetmi Compagnano, Roma	Insect filth	do	Apr. 14, 1965
Cheese, 2,310 lb	England	Cow & Gate, Ltd., Guidford, Surrey	Moldy	do	Apr. 28, 1965
Cheese, 28,448 lb	Argentina	Polaris Jose M. Delle Donney Cia., Buenos Aires.	Insect filth	do	Apr. 16, 1965
Colby cheese, 27,563 lb	Australia	David-Lavery & Son Proprietary, Ltd., Melbourne.	Contains poisonous substance, DDT and related compounds.	Philadelphia, Pa	Apr. 19, 1965
Neufchatel cheese et al., 17 cases	France	Baudotu & Co., Paris	Short weight, deviates from standard; contains less than 50 percent fat; mandatory labeling omitted.	New York, N.Y	Apr. 22, 1965

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—FOOD AND DRUG ADMINISTRATION—Continued

Report of import detentions—Dairy products—Continued

Product and amount	Country of origin	Manufacturer or shipper	Reason for detention	Port of entry	Date
Ricotta cheese, 3,021 lb	Italy	Ditta M. DiTrani, Macomer	False labeling, mandatory labeling omitted	New York, N.Y	Apr. 22, 1965
Stilton cheese, 12 cartons	United Kingdom	Cow & Gate, Ltd., Surrey, England	Moldy and decomposed	do	May 10, 1965
Grana cheese, 8,489 lb	Italy	Figli Di Virginio Canterelli and C. S. Iliario D'Enza, Emelia.	Contains poisonous substances, pesticides	do	June 10, 1965
Cheese, Kashkoval Kasseri, 5,891 lb	Yugoslavia	Agroexport Export-Import, Beograd	Contains insect fragments and manure	do	Oct. 29, 1965
Cheese spread, Gruyere, 35 packages	France	Entremont, Switzerland	Deviates from standard, contains nonpermitted ingredients.	Los Angeles, Calif	Oct. 22, 1965
Calpis, 50 cartons	Japan	The Calpis Food Industry Co., Ltd., Shimizu	Mandatory labeling omitted	San Francisco, Calif	Aug. 31, 1965
Kashkoval cheese, 9,530 lb	Yugoslavia	Agroexport Export-Import, Beograd	Insect filth and manure fragments	New York, N.Y	Sept. 14, 1965
St. George cheese, 4,603 lb	Portugal	Luis Da Mata, St. Michael's, Azores	Insect filth	do	Aug. 31, 1965
Colby cheese, 2,720 cartons	Australia	David Lavery & Son Proprietary, Ltd., Melbourne.	Contains poisonous substances, DDT, DDE, and TDE.	Philadelphia, Pa	Jan. 10, 1966
Sap Sago cheese, grated, 480 cartons	West Germany	Julius Von Engelbrechten, Hamburg	Short weight	San Francisco, Calif	Mar. 10, 1966
Cheese, 50 cartons	Argentina	Casanto Sociedad Responsabilidat Ltda., Buenos Aires.	Contains benzene hexachloride	New York, N.Y	Apr. 14, 1966
Cheese, 92 lb	Canada	Canada Packers, Ltd., Toronto, Ontario	Mite infested	Buffalo, N.Y	Apr. 19, 1966
Cheese, 300 lb	Denmark	J. Hansen Co., Aarhus	Contains dieldrin	Minneapolis, Minn	Mar. 28, 1966
Cream, frozen, 3,465 cartons	New Zealand	New Zealand Dairy Production & Marketing Board, Wellington.	Contains rodent hairs	Galveston, Tex	Dec. 16, 1965
Cheese, 200 cartons	Italy	Eill Mannoni fu Paolo, Thiesi	Contains fly eggs and maggots	Boston, Mass	Mar. 28, 1966
Do	do	do	do	do	Do.
Sardo cheese, 14,339 lb	Argentina	River Plate Dairy Co. S.A., Buenos Aires	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y	May 16, 1966
Edam cheese, 5,861 cartons	Netherlands	Bernard Schulisch, Hamburg, West Germany	Insect infested	do	June 23, 1966
Grapex, 330,680 lb	Belgium	Ecoral, Dilbeek	Contains an unsafe food additive, pesticide residues.	Chicago, Ill	July 5, 1966
Junex, 14,980 cartons	do	Nicolas Falise, Antwerp	Contains unsafe food additives; benzene hexachloride, DDT, DDE, dieldrin, and TDE; contains nondescript dirt and was held under insanitary conditions during shipment.	Atlanta, Ga	July 14, 1966
Pecorino cheese, 2,302 lb	Italy	Ropconi, Naples	Filthy, unfit for food	Chicago, Ill	Aug. 8, 1966
Sap Sago cheese, 1,800 boxes	West Germany	Julius von Engelbrechten, Hamburg	Deviates from standard, contains excessive moisture.	San Francisco, Calif	July 13, 1966
Cremex, 228,346 lb	Belgium	Ecoval, Antwerp	Contains unsafe food additives	Los Angeles, Calif	Aug. 16, 1966
Butter-sugar mixture, 36 cases	France	Union Export Co., Paris	Contains a deleterious substance, benzene hexachloride.	San Francisco, Calif	Sept. 21, 1966
Kasseri cheese, 22,004 lb	Bulgaria	Rodopa, Associated State Enterprise, Sofia	Contains an unsafe food additive and animal dung.	New York, N.Y	Sept. 26, 1966
Cheese spread, with smoked herring (pasteurized), 2 cases.	Norway	O. Kavli, A. S., Bergen	Contains a poisonous substance, pesticide chemicals.	Minneapolis, Minn	Oct. 20, 1966
Edam cheese, baby, 180 packages	Netherlands	De Producent, Gouda	Insect infested	Miami, Fla	Oct. 21, 1966
Colby cheese, 220,460 lb	Bulgaria	Rodopa, Associated State Enterprise, Sofia	Contains an unsafe food additive, benzene hexachloride.	New York, N.Y	Nov. 23, 1966
Colby cheese, 8,333 cartons	New Zealand	New Zealand Dairy Board, Wellington	Contains pesticide residue	Houston, Tex	Dec. 21, 1966
Colby cheese, 10,316 lb	do	Maori Chief, Patua & Tapanaki, Auckland	Contains an unsafe pesticide chemical	Galveston, Tex	Jan. 18, 1967
Swiss cheese and Gruyere processed cheese, 6,490 lb.	Switzerland	Weitifurrer International, Zurich	Unfit for food, dimethyl anilene present in product and containers.	New York, N.Y	Feb. 17, 1967
Ementhaler cheese, 1,500 packages	West Germany	Alpen-Silber-Kaswek Kemplen, Allgun, Hamburg.	Deviates from standard of identity, mandatory labeling omitted.	San Francisco, Calif	Mar. 7, 1967

Mr. Speaker, the problem of quality of dairy imports is compounded by the present volume of such imports.

Today, I am introducing legislation that will remedy that problem. The bill I am submitting to the House, the Foreign Dairy Inspection Act of 1967, will require nations that export dairy products to America to meet standards of sanitation that American dairy producers meet.

Right now, the countries who send us whole milk and cream must either allow inspection of their producers by FDA officials or institute requirements that their producers keep standards comparable to those in the United States. Thus far, Canada and New Zealand have reached such an agreement.

The importation of Colby cheese, the largest single category of dairy imports, reached 81,690,000 pounds in the July 19, 1966, to March 19, 1967, period. This represented an increase of 157 percent over the 1966 level.

The level of Colby cheese imports is now 43 times greater than the allowable maximum rate for cheddar cheese. This loophole in the tariff structure was one of the reasons for recent Tariff Commission hearings on dairy imports.

We had long elaborate hearings and the Tariff Commission dutifully placed its recommendation in the hands of the President on June 14. The President has not yet acted.

In testimony to the Commission, I stated that most foreign dairy producers do not have to meet the standards required of American producers. The direct result of this is the importation of unsanitary foodstuffs.

The need to require equal sanitation standards is twofold.

First, by taking this action, we would protect the consumer. Second, we would protect the American dairy farmer from unjust foreign competition.

The Food and Drug Administration employs 4,717 people to safeguard the food, drink, and medicine Americans consume. Rigid sanitary conditions are required in all areas where food is produced.

American dairy producers have to meet strict regulations to protect their product and the American consumer. A complete sanitary milking system can easily cost $10,000. A milk bacteria count must be obtained regularly and milk temperature controls are rigidly maintained before and during shipment. Domestic producers must assume a great financial burden to comply with these requirements. It is not an unnecessary one, however, but this burden should be required of foreign dairy competitors as well.

It seems ironic that all this effort and expense is taken by the Food and Drug Administration and the American dairyman to insure the production of quality food, when imported cheeses and dairy solids are subject to random sampling only.

The carelessness with which foreign dairy goods may be produced is in large part the reason for the low prices of these products. Without the high cost of sanitary methods, foreign producers can invade and capture domestic markets.

The Secretary of Agriculture has called the present dairy import situation "intolerable."

By requiring foreign competitors to stand on an even footing with American dairymen, we would be going a long way to preserve the quality of food in our country, and to solve the problem of dairy imports.

NEW MYTHOLOGY OF THE NEW ECONOMICS

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CURTIS. Mr. Speaker, the economy today is in a state of adjustment and uncertainty. Economic policymaking is made especially difficult with the many cross pressures we are experiencing, but the past does offer some guide to economic policy.

The last 6 years, as Prof. Yale Brozen, of the University of Chicago, pointed out in a recent speech, provide us with particularly revealing lessons. Professor

Brozen discusses the great array of myths underlying the policies of the Great Society. An unbroken series of Federal deficits beginning in 1961, he says, has been erroneously credited with producing the balanced economic expansion we enjoyed until last year.

I was quite pleased to see him strike on what the minority members of the Joint Economic Committee have often noted are the great dangers in the administration's policy of "fine tuning" the economy with fiscal gimmicks and quick-change tax laws. Professor Brozen wisely points out that administration policy is "destroying any basis for firm expectations on which to plan investment, build business policy, or for making long-range commitments."

In no way can the administration's continued attempts to manipulate the economy with "quickie" tax changes and deficit finance be justified by our experience in recent years, Brozen says. In a year-by-year analysis of the economy since 1961, Brozen takes a large step toward the destruction of "the new mythology of the new economics." Beginning in 1961, when the new Democratic administration was "guaranteed" an immediate economic upturn resulting from an earlier monetary stimulus, through the current pause, when the "proper use" of monetary policy was neglected, Brozen builds a strong case. He concludes that "we must destroy the myth of fiscal omnipotence and permanent prosperity through permanent deficits before it destroys us."

Under unanimous consent, I include the address referred to in the RECORD at this point:

PERMANENT PROSPERITY THROUGH PERMANENT DEFICITS: THE NEW MYTHOLOGY OF THE NEW ECONOMICS[1]

(By Yale Brozen, professor of business economics, Graduate School of Business, University of Chicago)

Of the great array of myths underlying the policies of the Great Society, the most pernicious and the most widely believed is that the "longest boom" (i.e., the 1961–67 recovery and prosperity) is a consequence of supreme success in the manipulation of federal fiscal policy. The unbroken series of federal deficits beginning with fiscal 1961 (see Table 1) is credited with producing an unprecedented stability in economic growth and with breaking the business cycle pattern. This widely accepted idea is now leading to a policy of "fine tuning" of the economy with fiscal gimmicks and quick change tax laws that are destroying any basis for firm expectations on which to plan investment, build business policy, or for making long range commitments.

TABLE 1

	Budget receipts and expenditures			Cash receipts from and payments to the public[1]			
Year	Net receipts	Expenditures	Surplus or deficit (—)	Receipts	Payments	Surplus or deficit (—)	Public debt, end of year
1960	77.8	76.5	1.2	95.1	94.3	0.8	286.3
1961	77.7	81.5	—3.9	97.2	99.5	—2.3	289.0
1962	81.4	87.8	—6.4	101.9	107.7	—5.8	298.2
1963	86.4	92.6	—6.3	109.7	113.8	—4.0	305.9
1964	89.5	97.7	—8.2	115.5	120.3	—4.8	311.7
1965	93.1	96.5	—3.4	119.7	122.4	—2.7	317.3
1966	104.6	106.9	—2.3	134.4	137.6	—3.2	319.9

[1] Consolidated budget and trust accounts.

Source: Treasury Department and Bureau of the Budget.

The tax reductions of 1962 and 1964, the tax increases of 1966, and the suspension and proposed restoration of the investment tax credit are credited with pushing prosperity and taming inflation. The consequences are and will be further attempts to manipulate the economy with tax measures and deficit finance. The result has been and will be instability in many industries, a neglect of the proper use of monetary policy, and a federal budget out of control growing at a monstrous rate. We must destroy the myth of fiscal omnipotence and permanent prosperity through permanent deficits before it destroys us.

TO WHAT SHOULD WE ATTRIBUTE THE LONGEST BOOM?

If the longest boom has not been the result of the wisdom applied to fiscal policy, to what source should we attribute it. In these terms, it is interesting to analyze the economic stance at the time the new administration took office in January 1961. The country had been in an economic decline for eight months—a decline which began in May 1960. By October, 1960, it was apparent that the Federal Reserve's reversal in early 1960 (see Table 2) of its restrictionist monetary policy, which had decreased the stock of money from the July 1959 peak, had been successful in reversing the rate of change in the money stock in the six months from May through October. The Federal Reserve had been pushing to offset its earlier restrictionist mistake, and it was not pushing on a string. The rate of increase had been rising for a long enough period that it could be confidently predicted that an upturn in economic activity would occur before the end of the first quarter of 1961.

TABLE 2.—*Annual rates of change in money stock from 6 months prior to month shown*

[In percent]

	1959	1960	1961
January	4.7	—3.3	1.1
February	4.3	—3.2	1.3
March	4.4	—3.3	1.3
April	3.7	—2.9	1.7
May	3.4	—3.4	2.7
June	3.2	—2.5	2.7
July	3.5	—1.8	2.5
August	2.3	—.6	2.1
September	1.1	—.3	2.7
October	.3	.4	2.8
November	—.7	.7	3.2
December	—2.1	1.4	3.5

NOTE.—Recession: May 1960–February 1961.

The new administration failed to recognize that monetary stimulus, which had produced a rising rate of increase in the money stock for eight months before it took office, guaranteed an immediate upturn in economic activity. It frantically stepped up the rate of spending, particularly on defense, and the fiscal 1961 budget, which would have shown a balance at the rates of expenditures and receipts prevailing at the time it took office, was shoved into the red by nearly $4 billion. The recession ended in February, in the month after the new administration took office. This was attributed to the step-up in federal spending and the effect of the deficit, although the upturn had been predicted before the new administration took these fiscal steps. The coincidence of the increased spending, the deficit, and the upturn led all believers in the New Economics to cry Hallelujah. It confirmed their faith in the almightiness of fiscal policy. The correlation between federal spending increases and the upturn proved to the New Economists the causal link between federal spending and prosperity.

The next event in the longest boom presents a puzzle to the believers in the myth of the New Economics which they have never bothered to explain or even to recognize. The economy experienced a distinct slowdown in the latter part of 1962 and early 1963. Seasonally adjusted unemployment, which had dropped below 3,900,000 by July, 1962, began rising. It suddenly jumped in February 1963 to a half a million above the mid-1962 level. This happened despite an increase in federal spending by $5 billion in fiscal 1963 over fiscal 1962, a budgetary deficit of over $6 billion in fiscal 1963, and tax cuts in the form of liberalized depreciation allowances and the investment tax credit. Since the very short recession of early 1963 was never marked down in the business cycle annals by the N.B.E.R., the believers in the new mythology have not been embarrassed by the necessity of explaining economic history which has not been recorded in the official records despite the fact that it happened. No downturn goes into the business cycle annals unless it persists for at least six months.

The meetings of business economists in late 1962 and early 1963 discussed what became known in the oral tradition as "the pause that did not refresh." The pause was predicted by those who had not swallowed the new mythology and its brevity is perfectly understandable to them. The Federal Reserve took actions which slowed the rate of increase in the money stock from a 3.5% annual rate (using six month changes) in February 1962 to a —0.3% annual rate in September (see Table 3). This could be expected to produce a recession in early 1963. If the policy had been continued another few months, it could have been expected to produce a recession more than six months long. However, the Federal Reserve began pumping in reserves in late 1962. Also, it reduced reserve requirements by reclassifying many city banks as country banks. As a consequence, the rate of increase in money stock began increasing in October soaring to a rate in excess of 4% by March 1963 (see Table 3). The result was an upturn in business before the downturn had gone on long enough to be called a recession.

TABLE 3.—*Annual rates of change in money stock from 6 months prior to month shown*

[In percent]

	1962	1963
January	3.5	2.6
February	3.5	3.6
March	2.9	4.1
April	3.0	4.0
May	1.5	3.8 (3.9)
June	1.0	3.7 (3.9)
July	.8	4.0
August	.3	3.6 (3.5)
September	—.3	3.8 (3.6)
October	—.1	4.0
November	[1] 1.1 (1.0)	4.7 (4.6)
December	1.8	3.9 (3.6)

[1] New seasonal correction in parentheses.

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[1] Delivered before The Philadelphia Society, Chicago, Illinois, April 1, 1967.

The rise in economic activity which resumed in 1963 and has continued since, except for a little noticed slowdown in late 1964, has been credited to the 1964 tax cut. I am a little puzzled how an economic rise that began in 1963 can be credited to a tax cut that came a year later. Perhaps the New Economists can explain that, but I have yet to hear a satisfactory explanation in terms of the New Economics. The old economics, on the other hand, not only can explain this but predicted it.

THE CURRENT ECONOMIC PAUSE

Once again, we are undergoing a pause similar to that of late 1962 early 1963. Again, the New Economists have trouble explaining the current pause. They were predicting continuing boom last year when the old economics was predicting the current slowing of activity (see M. W. Keran "Economic Theory and Forecasting," *Federal Reserve Bank of St. Louis Review,* March 1967, p. 10 for a discussion of the contrast in forecasts).

Milton Friedman is on record in his column in Newsweek last October (Oct. 17, 1966) that we were facing the current slowdown. I also predicted the current slowdown on November 4 in a talk to the Chicago Association of Commerce which, when repeated on November 21, received attention in the press. The believers in the new mythology were still predicting a continuing boom up to February of this year.[2]

Now they think they can revive the boom, whose demise they have finally acknowledged, with appropriate fiscal measures. They will find the boom reviving soon, but it will not be because of fiscal measures although the revival will confirm their faith in their gods.

The rate of change in the money stock was reversed last November and it has gone from a −1.5% rate of change to a +2% rate of change in the six months ending last week (see Table 4). The economic upturn is likely to come shortly after mid-year (if the Federal Reserve continues on its present course) because of the actions of the Federal Reserve in the past six months, not because of the quick change tax laws and fiscal gimmicks.

TABLE 4.—*Annual rates of change in money stock from 6 months prior to month shown*

[In percent]

	1966	1967
January	[1]7.4 (7.0)	0.1
February	6.6 (6.5)	1.1
March	6.1 (6.4)	
April	6.8 (7.0)	
May	4.6 (5.6)	
June	4.2 (4.7)	
July	1.4 (1.9)	
August	1.2 (1.7)	
September	(1.4)	
October	−1.5	
November	−1.2	
December	−.8	

[1] New seasonal correction in parentheses.

SOME "OLD" HISTORY

Let me add one more historical incident to demonstrate how wrong the new mythology is, and how it disregards history to maintain the faith. In 1948, Congress passed the first major post war tax reduction. Because of the inflation which had been going on—an inflation that even led President Truman to call a special session of Congress to deal with it in August 1948—the President vetoed the tax reduction. Congress passed the tax reduction over the Presidential veto. Despite the tax cut, the country slid into a recession in 1949. If the New Economics works, the tax cut should have caused a boom in 1949. It did not cause a boom, and disregard of appropriate monetary policy caused a totally unnecessary recession.

Until we rid ourselves of the new mythology, we are going to find ourselves racked by inflation such as that of 1966 and slowdowns and recessions, such as those of 1949, 62–63, and the current slowdown—all totally unnecessary except that the believers in the new mythology are either incapable of learning from history or choose to disregard history for their own special reasons.

UNITED STATES AND FOREIGN STEEL DEVELOPMENT IN 1966

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CURTIS. Mr. Speaker, an article entitled "United States and Foreign Steel Developments in 1966: A Year of Contrast," by the Reverend William T. Hogan, S.J., in the membership bulletin of the Steel Service Center Institute of Cleveland, Ohio, demonstrates the type of scholarly analysis of the United States and world steel industry that moves forward informed discussion. Reverend Hogan, who is director of Industrial Economics Research Institute, Fordham University, is an internationally known economist who specializes in the steel industry. The article by Reverend Hogan appears in Center Lines, of March 1967. The Steel Service Center Institute is a trade association representing about 400 steel service centers.

Reverend Hogan's article does not discuss imports except to report the concern of the industry. It is instead notable for its analysis of comparative trends in the world steel industry, of the wide technological innovations taking place in the U.S. steel industry, and of the improved financial prospects of the industry not yet reflected in the economic judgments of Wall Street.

On the question of other nations' steel industries, Reverend Hogan makes the interesting observation that "Japanese steelmakers, it would appear, have had to live with a relatively low return on sales. Rates of return range from 2.5 to 3.5 percent, with most companies earning under 3 percent. Another interesting figure is the ratio of long-term debt to total capital, which averaged about 70 percent for Japanese steel companies compared with 20 percent for the top eight companies in the United States." These data would support the observation that I have heard made by other students of the steel industry that—to paraphrase—"the U.S. steel industry is the only one in the world with any meat on its bones."

On the question of technological innovation, and greatly increased investment in the most modern production methods and processes, Reverend Hogan notes that:

> Without doubt the tremendous effort and investment now being expended will pay off and most steel people feel that within five years continuous casting will be used for a fairly large percentage of steel production.

In this context he also notes that new investment, particularly in the area of hot strip mills, may create short-term problems of overcapacity.

> This is as it should be, for the industry cannot make the kind of investment involved here just to cover the needs of the next two or three years. These mills should be able to care for the expanded needs of the economy in the mid-western area for the next five to ten years. If they did not, there would be something wrong in the planning.

And, on quality, Reverend Hogan observes that "The new large mills are providing and will provide a quality product second to none in the world." In an industry facing stiff competition from competing materials, quality and variety of use of steel has become a primary consideration. In the area of wire drawing in the United States, a U.S. industry that uses about 80 percent foreign steel, the wire drawers' trade association has taken a survey of its membership to prove that it is the inferior quality of the American raw steel product that forces them to buy the foreign steel.

Finally, with regard to the reaction of many Wall Street investment analysts, and therefore stockholders, to the new forces at work in the industry, Reverend Hogan says:

> Without following the industry and understanding what has since taken place, many writers continue to adhere to the same arguments against steel investment as they used 4 or 5 years ago. In short, there has been a change in steel and a large segment of Wall Street doesn't understand this change of the factors that have been changing.

With unanimous consent Reverend Hogan's article follows immediately:

UNITED STATES AND FOREIGN STEEL DEVELOPMENTS IN 1966: A YEAR OF CONTRAST

(This special supplement to "Center Lines" has been prepared for members of the Steel Service Center Institute. Author of the report is Rev. William T. Hogan, S.J., Director of Industrial Economics Research Institute, Fordham University. Father Hogan is an internationally known economist who specializes in the steel industry.

This report will be issued semi-annually and will cover the domestic and foreign developments in the steel industry. Basically it will treat facility developments in the United States and throughout the world, steel markets on a commercial basis, the financial position of the industry, and the relationship of the foreign producers to those of the United States.)

(By Rev. William T. Hogan, S.J.)

During 1966, the United States steel industry produced a record 134 million net tons of raw steel, or roughly 26 per cent of world production which totaled about 517,000,000 tons. This marked the fourth consecutive year in which the nation's steel output surpassed the 100 million ton level. The result was a very good year for the industry, even though a mill inventory buildup reduced steel shipments below 1965 by about 3 million tons to the 90 million ton level. Sales of the top eight steel producers totaled an impressive $13,592,700,000 and their aggregate net income was $845,700,000, representing a return of 6.2 per cent on sales.

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[2] It is interesting to note that the administration asked for suspension of the investment tax credit in October, 1966, to tame the "runaway" boom in investment. The "old" economics was already forecasting the coming (and now current) slowdown which the administration failed to recognize until March 1967. Now it has asked for restoration of the investment tax credit.

EUROPEAN PRODUCERS HAVE LOW PROFITS

The fortunes of the European steel industry in 1966 were in sharp contrast to developments in the United States. Crude steel production declined in the United Kingdom and in three of the six countries of the European Coal and Steel Community.

Crude steel production trends

[Millions of net tons]

	1963	1964	1965	1966
United States	109.3	127.1	131.5	134.0
Japan	34.7	43.9	45.4	53.5
West Germany	34.8	41.2	40.6	38.9
United Kingdom	25.2	29.4	30.2	27.2
France	19.4	21.8	21.6	21.6
Belgium-Luxembourg	12.7	14.6	15.2	14.6
Italy	11.2	10.8	13.9	15.0
Netherlands	2.6	2.9	3.4	3.6
U.S.S.R.[1]	88.4	93.7	100.3	107.6

[1] Soviet crude steel production has been increasing at better than 6 percent per year for the past 4 years.

With the downtrend in steel output, capacity utilization in the United Kingdom and the E.C.S.C. fell below 80 per cent. Although output was down, it still exceeded the needs of domestic steel consumers. Market conditions and the price structure continued to deteriorate as producers sought to dispose of their excess supplies. Steel company profits were adversely affected.

The subject of profitability serves to point up the contrast in 1966 steel developments here and in Europe. In the United Kingdom, France, and West Germany, steel profits were extremely low or virtually non-existent. Of particular concern is the situation in West Germany, the most heavily industrialized nation of the E.C.S.C., where the average return on steel sales during the year was less than 1 per cent.

As previously mentioned, the eight major steel companies in the United States earned an average return on sales of over 6 per cent. At August Thyssen-Hutte, one of Europe's largest steelmakers, profits for 1966 declined to $15.1 million from $20.8 million in 1965. To give perspective to this earnings performance, it is interesting to note that Jones and Laughlin, which produces about the same ingot tonnage as August Thyssen, earned $65 million in 1966.

GERMAN INGOT OUTPUT TO DECLINE

It is expected that West German ingot production will decline an additional 5 to 7 per cent in 1967, and faced with the prospect of lower output, the industry there does not plan to undertake any substantial capital expansion programs.

In part, the Germans attribute their plight to the Government's insistence that they use Ruhr coking coal which is inferior in quality to coal obtainable from the United States. Other European steelmakers, such as those in Italy and the Netherlands, use American coal and enjoy an operating cost advantage which amounts to possibly $1.00 per ton. It is the consensus among West German steel producers that either the Government will have to allow the importation of United States coal, or subsidize the Ruhr coal industry so that its produce can be priced low enough to compensate for the quality factor and its limitation on operating efficiency. Of the two alternatives, subsidization is considered to be the most likely step that will be taken.

West German steel producers are also concerned about the problem of imported steel from France. They blame a "tax barrier" which derives from the fact that the French have a 20 per cent rebate on steel exports compared to a 5 per cent rebate in Germany. This is considered to make French steel cheaper in Germany. It is interesting that French steel producers complain about low-priced German steel being shipped into their markets.

GERMAN MERGER MOVEMENT UNDERWAY

The prescription which has been adopted hopefully to improve conditions in the European steel industry includes mergers to establish larger corporate units and joint marketing arrangements among producers. The merger movement is well underway in Germany and France, and is in prospect for the steel industry in the United Kingdom once nationalization has been accomplished.

A recent merger of significance in Germany was that of Dortmund-Horder Huttenunion and Hoesch AG. The new company, Hoesch AG Huttenwerke, has an annual capacity of 6.7 million net tons of crude steel and 5.2 million net tons of finished products.

One of the most significant marketing arrangements is that which the Germans have set up for rolled steel products. Steel companies are grouped under four marketing offices as follows:

I. Office—RUHR-WEST

1. Eschweiler Bergwerksverein, Kohlscheid
2. Felton & Guilleaume, Koln-Mulheim
3. Ibach-Stahlwerke oHG, Remscheid
4. Furstl. Hohenzollernsche Huttenverwaltung, Laucherthal
5. Fried. Krupp, Essen
6. Mannesmann AG, Dusseldorf
7. Ohler Eisenwerk Theob. Pfeiffer, Ohle
8. Eisen-und Stahlwerke Rotzel, Breyell
9. August Thyssen-Hutte AG, Duisburg-Hamborn
10. Otto Wolff AG, Koln
11. Theodor Wupperman GmbH, Leverkusen/Walzwerke Neviges, Neviges

II. Office—RUHR-OST

1. Gebr. Arn. Georg AG, Neuwied
2. Dortmund-Horder Huttenunion AG, Dortmund
3. Walzwerke Einsal GmbH, Nachrodt
4. Hoesch Aktiengesellschaft, Dortmund
5. Rheinische Stahlwerke, Essen
6. Siegener AG, Geisweid
7. Edelstahlwerk Witten AG, Witten

III. Office—SUD

1. ARBED, Werk Burbach, Saarbrucken
2. AG der Dillinger Huttenwerke, Dillingen
3. Hadir Hochofen- u. Stahlwerke AG, St. Ingbert
4. C. Kuhbier & Sohn, Dahlerbruck
5. Neunkircher Eisenwerk AG, Neunkirchen
6. Rochling' sche Eisen- und Stahlwerke GmbH, Volklingen
7. Schwab. Huttenwerke, GmbH, Wasseralfingen
8. Stahlwerke Sudwestfalen AG, Geisweid

IV. Office—NORD

1. Ilseder Hutte, Peine
2. Klockner-Werke AG, Duisburg
3. Huttenwerk Oberhausen AG, Oberhausen
4. Salzgitter AG, Salzgitter-Drutte

Maxhutte Eisenwerk-Gesellschaft Maximilianshutte mbH, Sulzbach-Rosenberg Hutte is not organized in any of the above four offices.

The purpose of these combinations is to market German steel from four sources only, both domestically and in foreign lands. The combines will alocate orders to their various members, as well as profits, and when necessary will shut down certain mills in the combination so that others can run at a higher rate of capacity and thus more economically. Thus, rather than run three mills at 50 per cent capacity, the members of the combines may decide to shut down one and run two at 75 per cent.

FRENCH PLAN FOR THREE GROUPS

Plans for the concentration of the French steel industry call for an eventual concentration of production among three major groups: 1.) a northern group formed by the merger of Usinor and Lorraine-Escaut which was completed early in 1966 and which accounts for about one-third of total steel output, three fourths of tube production, and half of the sheet production in the nation; 2.) a Lorraine group which will consist of De Wendel and Sidelor and will likely include La Mosellane de Siderurgie; and 3.) a central southern group formed by the merger of Le Creusot and Les Ateliers et Forges de la Loire.

To encourage the modernization of steel facilities, the French government is making available low-interest loans to the extent of $600 million. This amount will be used principally to expand the facilities at Dunkirk and to build a grass roots plant in a combined venture between De Wendel and Sidelor. When this amount has been exhausted, $900 million more will be made available to the industry. The ultimate objective is to increase French steel production to 25 million metric tons per year.

At the present time the French are still using a considerable amount of Lorraine ore which is high in phosphorus with an iron content of roughly 33 per cent, and thus adapted to the Thomas process. However, there is a trend away from this, particularly at those plants located near the sea coast. Here, foreign ores from South America and Africa are imported which are low in phosphorus content and thus the LD process is used. During 1966, many of the French companies failed to record earnings of any consequence. They blamed the price structure for their plight and in the latter part of the year had some relief on sheet prices.

The significant news in the United Kingdom is, of course, the nationalization of the steel industry which will be in effect within the next month or two. There are also some mergers planned which would result in larger units. However, more will be available on this once nationalization takes effect.

JAPANESE STEEL SURGES FORWARD

Contrary to the European experience of slackening demand and production during 1966, the Japanese steel industry increased its crude steel output by 17.8 per cent to 53.5 million net tons. The basic oxygen process accounted for 33.5 million tons of output, or 62.6 per cent of the total. Electric furnace production was next in line, totaling 10.3 million tons, followed by the open hearth furnace which accounted for 9.7 million tons.

Japanese steel exports expanded beyond the 11 million ton level. The United States was by far the largest export market, absorbing 4,850,997 tons of Japanese steel products.

Japanese steelmakers, it would appear, have had to live with a relatively low return on sales. Rates of return range from 2.5 to 3.5 per cent, with most companies earning under 3 per cent. Another interesting figure is the ratio of long-term debt to total capital, which averages about 70 per cent for Japanese steel companies compared with about 20 per cent for the top eight companies in the United States.

Progress with continuous casting in Japan has been almost totally in the area of billet casting. There are now 8 billet machines in operation in the country. Work has been started on 8 additional machines and 3 of these are for slab casting. One of the slab machines is of Russian design and is apparently for non-rimming grades of steel. It is being constructed for Kobe Steel.

At the present time there are two new large hot strip mills in Japan, one under construction and one just completed, which are equivalent to those being installed in the United States. At Nippon Kokan an 84-inch mill has just been completed by United Engineering and at Sumitomo work is in progress on an 80-inch mill.

During 1966 Japan became the world's third largest automobile maker, displacing the United Kingdom which had traditionally ranked third behind the United States and West Germany. Auto production moved well above the 2 million unit level, up from 1.9 million units in 1965. The growth of automobile output in recent years has been an important factor in the growth of steel demand at home.

FOREIGN STEEL DEVELOPMENTS AND U.S. IMPORTS

Imports in 1966 reached a new record of 10,753,000 tons while exports declined to 1,722,951 net tons. This has given rise to considerable concern both in the steel industry and the Federal Government. The Government's concern is due to the deficit in the balance of payments figure which arose from the difference between imports and exports. The dollar value of steel exports was $419,821,000 compared with the import value of $1,207,672,000. The result was a towering trade deficit of $787,851,000, and if account is taken of the value of steel exports financed by the Agency for International Development (AID), the deficit was well over $800 million. The disturbing fact as far as the Government is concerned is that the steel imbalance in 1966 constituted about two thirds of the total United States balance of payment deficit of $1,213,000,000. The concern of the steel industry was expressed in a meeting held at Washington during the early part of February when industry spokesmen asked a number of Congressmen for a temporary tariff on iron and steel to help curtail the growing flow of imports.

The trend in imports and exports during the past few years is shown in the following table.

Imports and exports of iron and steel

[In millions of tons]

	Imports	Exports
1960	3.3	3.0
1961	3.2	2.0
1962	4.1	2.0
1963	5.5	2.2
1964	6.4	3.3
1965	10.4	2.5
1966	10.75	1.7

As has been noted, Japan was the largest supplier and unlike the situation in previous years, light flat rolled products constituted the largest single segment of imports. The combination of hot rolled, cold rolled and galvanized sheets amount to more than 3.6 million tons. It is still more interesting to note that 45 per cent of the sheets came in to the mid-western market in the Detroit, Chicago and Cleveland areas.

One factor which could slow down a further increase in imports is the profit and loss picture of the foreign steel producers. As has been noted, their profit margins are small and, in some instances, non-existent. Therefore, it is no longer economically feasible for many of them to ship steel abroad at low prices in order to work off overhead when the ultimate result is to build up red ink. It is quite possible that they will have to raise the prices of their exported steel and this will narrow the gap between their price in the United States and those of our domestic steel producers. Furthermore, the quality improvements that have been introduced in the industry in the United States should act as an additional curb to the trend of rising imports.

CURRENT STATUS OF U.S. PROGRAMS

Steel investment in the United States totaled a record $2 billion in 1966 and is expected to reach $2.4 billion this year, an increase of 20 per cent. Indications are that the industry's broad-scale capital improvement program will be sustained despite the suspension of the 7 per cent investment tax credit. This points up the inherent weakness of the credit suspension as an anti-inflationary tool, namely the lack of promptness of its effect. With respect to steel investment which is of very large scale, it is common that a two- to three-year period is required to engineer projects, secure the necessary equipment and construct the plant and other facilities. This is particularly true in the current situation, given the tremendous backlogs on the books of steel equipment builders. The credit becomes available when a project is completed and operations are started.

Many of the projects currently in progress are still credit-eligible. Investments which do not qualify for the credit are being made anyway since they represent the continuation of substantial capital commitments already made. Their postponement would severely limit the effective utilization of the new facilities recently put in place.

BIG HOT STRIP MILLS MAJOR FACTOR

During 1966, the industry's capital program placed major emphasis on finishing facilities, particularly hot strip mills. This was in response to the growing demand for light flat rolled products which account for more than 45 per cent of total steel shipments. By year's end there were 10 large hot strip mills that were either completed or due to come on stream within one to two years. (See Table below).

Large hot strip mills completed or under construction in the United States

[Size in inches]

	Size
Armco Steel Corp., Middletown, Ohio	86
Bethlehem Steel Corp., Burns Harbor, Ind	80
Granite City Steel Co., Granite City, Ill	80
Inland Steel Co., Indiana Harbor, Ind	80
Jones & Laughlin Steel Corp., Cleveland, Ohio	80
National Steel Corp., Detroit, Mich	80
Republic Steel Corp., Cleveland, Ohio	84
United States Steel Corp., Gary, Ind	84
Wheeling Steel Corp., Wheeling, W. Va	80
Youngstown Sheet & Tube Co., Indiana Harbor, Ind	84

When all of these mills are in operation they will provide a potential capacity for 40 to 45 million tons of hot rolled bands per year. In general, the 80 inch mills will be capable of producing more than 4 million tons and the 84-inch mills will be capable of 5 million tons of output per year.

The investment represented by these facilities ranges from $80 million to $145 million, depending on the size of the mill and the auxiliary equipment installed. Taken together the 10 new mills represent an investment of over $1 billion. The size of this commitment has aroused some concern about competition in flat rolled products, particularly in the mid-western market, once all of these installations are in full production.

SHORT TERM OVER-CAPACITY NOT UNUSUAL

This is an important question to consider, and in so doing the distinction must be made between potential capacity and actual capacity. The new hot strip mills will provide a potential short-term over-capacity in relation to market requirements for the next few years. However, this is as it should be, for the industry cannot make the kind of investment involved here just to cover the needs of the next two or three years. These mills should be able to care for the expanded needs of the economy in the mid-western area the next five to ten years. If they did not, there would be something wrong in the planning. In any discussion on over-capacity it must be stressed that it is production put through the mill that is all important and output will be determined by the tonnage of slab rolled. Thus, although there is a potential for rolling more steel, it is unlikely that more will be rolled than is needed at a given time.

The new large mills are providing and will provide a quality product second to none in the world. Greater uniformity of gage is one of the principal advantages to be obtained. The mills will also provide large coils of 1,000 pounds or more per inch of width and thus economies of scale will be passed on to the consumer. However, in order to provide such coils large slabbing facilities will be needed and in a number of instances there are plans to team continuous casting units with the hot strip mills to provide for long, thick slabs.

NEW COLD REDUCTION MILLS

To compliment the heavy investment in hot rolling capacity, a number of new large cold reduction mills have been installed. One of the most recent is at the Indiana Harbor works of Youngstown Sheet and Tube Company. It is an 80-inch, 5-stand mill and can handle coils up to 74 inches wide and weighing up to 50 tons. One of the features of the mill is a hydraulic sled which reduces the down-time for changing work rolls and backup rolls. An 84-inch, 5-stand cold reduction mill has been announced for the Irvin works of United States Steel as part of an expansion program which will almost double Irvin's cold rolled production.

Other mills of comparable quality have been installed or announced for a number of plants, including the Burns Harbor works of Bethlehem Steel, the Gary Sheet and Tin mill, the Hennepin plant of Jones and Laughlin, and the Cleveland plant of Republic Steel.

SHARP GROWTH FOR BASIC OXYGEN STEELMAKING

During 1966, the United States steel industry increased its output of the basic oxygen steel by 50 per cent. Production increased from 22.9 million net tons in 1965 to 34.0 million net tons in 1966, a figure more than double that of 1964. As shown in the table below, growth has been remarkable since total BOF output in 1961 was less than 4 million net tons, representing about 4 per cent of total ingot production. Although total ingot production has increased steadily since that time, BOF steelmaking has increased at a much faster rate and in 1966 accounted for more than 25 per cent of total steel output.

Growth of basic oxygen steelmaking in the United States

[Output in thousands of net tons]

	BOF output	Total ingot production	BOF output as percent of total ingot production
1961	3,967	98,014	4.04
1962	5,553	98,328	5.64
1963	8,544	109,261	7.81
1964	15,442	127,076	12.15
1965	22,879	131,462	17.40
1966	34,000	134,000	25.37

The increase in basic oxygen steel production in 1966 placed the United States industry slightly ahead of Japan in terms of total output from the process. As noted previously, BOF output in Japan during 1966 totaled 33.5 million net tons. However, this amount represented 62.6 per cent of Japanese ingot production compared with the rate of 25.4 per cent in the United States.

Without question, United States producers will commit more and more of their steel output to the basic oxygen process in the years ahead. Within the next year or so, approximately 17 million net tons of additional capacity will be placed on stream, representing the estimated capabilities of the 8 new plants listed below. In many instances, future additions to BOF capacity will be replacing prewar open hearth shops with a substantial cost saving which will range from $5 to $8 per ton depending upon the condition of the furnaces being replaced.

Basic oxygen steelmaking plants in the United States scheduled for completion in 1967–68

Company	Number of furnaces and heat size in thousand net tons	Scheduled completion
Alan Wood Steel Co., Conshohocken, Pa.	2 x 140	1967
Armco Steel Corp., Middletown, Ohio	2 x 200	1968
Crucible Steel Co. of America, Midland, Pa.	2 x 90	1968
Granite City Steel Co., Granite City, Ind.	2 x 220	1967
Jones & Laughlin Steel Corp., Aliquippa, Pa.	3 x 160	1967
National Steel Corp., Weirton, W. Va.	2 x 300	1967
United States Steel Corp., Duquesne, Pa.	1 x 150	1967
United States Steel Corp., South Chicago, Ill.	3 x 150	1967

WORLD-WIDE CONTINUOUS CASTING PROGRESS

During the past decade much time, effort, and money has been expended to develop and perfect continuous casting of semi-finished steel. During this time a number of installations have been operating in Europe and the United States, as well as in Japan and other countries around the world. It should also be noted that Soviet Russia has devoted much of its resources in the steel industry to this process. The effort has been accelerated considerably in the last two to three years, particularly in the United States.

Much success has been achieved in casting semi-killed steel, particularly with silicon, in the form of billets and blooms and to some extent slabs. However, the main problem is in casting rimmed steel, and until this can be solved there are definite limitations on the application of continuous casting for slabs. The efforts now being expended to solve this problem are great. Every major steel company is involved in some sort of experimentation.

Armco Steel has an experimental casting unit at its Butler works in Pennsylvania.

The United States Steel Corporation spent a great deal of effort on a pilot plant at South Chicago and has just completed a production unit in its Gary Steel works. Statements from the Corporation indicate that although they will not be casting rimmed steel, they will cast a steel which can be used in place of rimmed steel for various applications.

At Bethlehem, Pennsylvania, a large experimental unit capable of taking 100 tons of steel at a time has been installed by the Bethlehem Steel Corp. in partnership with Republic, Inland and Youngstown Sheet and Tube. These four companies share in the expenses and in the results. A great deal of progress has been made, but all of the problems are by no means solved.

National Steel announced in 1963 that it would install a 4-strand machine in its Weirton plant for casting slabs. This is still in the process of construction and will not be operative until 1968. It will be installed in conjunction with oxygen converters of 300 ton capacity.

Jones and Laughlin has announced a billet complex for its Aliquippa works.

M'LOUTH ANNOUNCES CAST RIMMED STEEL

It seems that the greatest advance in casting rimmed steel has been made by the McLouth Steel Corporation of Detroit. After a number of years of experimentation, they announced early in February a project for the installation of four continuous casting machines to be used for casting rimmed steel. The total cost is to be $105 million. The announcement states that the problem of casting rimmed steel was in great measure solved by increasing the size of the mould. This produced very thick slabs and an induction heating apparatus was required because of the size since a conventional furnace would not do the job. It is interesting to note that in McLouth's flow chart there is a primary mill included.

Without doubt the tremendous effort and investment now being expended will pay off and most steel people feel that within five years continuous casting will be used for a fairly large percentage of steel production. Current developments, however, are by no means at a point where producers feel they can abandon conventional primary facilities in favor of continuous casting. This is evident from the fact that Armco, Bethlehem, and Ford have recently made decisions to proceed with the installation of conventional slabbing mills.

STEEL MARKET PROSPECTS FOR 1967

The current outlook for steel product shipments during 1967 is approximately the same level as 1966, namely, 90 million tons. Estimates for 1967 derived from a number of sources place raw steel production at 128 to 132 million tons, consumption at 98 to 100 million tons, and shipments at 88 to 91 million tons.

Sizing up the pluses and minuses in the steel demand picture for 1967, automobile, truck and freight car production are shaping up as soft areas, compared to last year's performances, whereas agriculture, appliances, containers and electrical machinery are among the consuming industries which should increase their use of steel. It also appears likely that an overall pickup in consumption of 2 million tons will result from the war in Viet Nam.

AUTOMOBILE PRODUCTION TO SLIDE

Automobile production for the year 1967 is expected to total 8.1 million units, down from 8.6 million units in 1966, but still above the total for any pre-1965 year. Truck production in 1967 should slip to 1.7 million units compared with a shade under 1.8 million units in 1966. The industry has blamed the sales decline in January and February on severe weather conditions which have undoubtedly been a contributing factor. However, the rash of call-backs on new car models either for safety checks or to correct defects has also been a major deterent. Notwithstanding these unexpected developments, first quarter auto sales this year would probably have been below the level of 1966 which was inflated by the fact that many buyers put off purchases they normally would have made in the last quarter of 1965 until the start of the year when lower excise taxes went into effect.

FREIGHT CAR PRODUCTION MAY DROP SHARPLY

Freight car production should decline 13 to 16 per cent from the 89,000 unit level of 1966. The decline will reflect in part the suspension of the 7 per cent investment tax credit which has been cited by the railroad industry as a major factor in the recent decline of rail equipment orders. Railroad equipment builders are still working off record backlogs so that this decline in orders has not affected operations, but later in the year production can be expected to trend downward.

AGRICULTURE EQUIPMENT IN STRONG DEMAND

One of the best growth markets for steel should be the agricultural implements field where a number of recent developments will act to stimulate the demand for all types of farm equipment. The Food for Peace Program will contribute to an increase in farm activity for at least five years, and with the recent depletion of food surpluses an additional 30 to 40 million acres will be opened up. Other positive influences are rapid technological progress in farming and the rise in farm incomes.

APPLIANCE SALES SHOULD IMPROVE OVER 1966

The outlook for steel use by electrical appliance makers appears favorable, with an 8 per cent improvement in sales expected during this year. Among the factors which are expected to contribute to this rise in appliance sales are the continued growth of disposable incomes, the growth of replacement demand, and the continued ability of the appliance industry to come up with product innovations to attract consumer interest.

ELECTRICAL MACHINERY DEMAND GROWING

The electrical machinery and equipment industry has become one of the fastest growing markets for steel products. Shipments to the industry averaged 2.0 million net tons during 1957–1959, and increased to 2.7 million tons in 1964, to 3.0 million tons in 1965 and in 1966 totaled about 5 million tons. The growth in the consumption of electricty is about twice as rapid as general economic growth, and thus the utilities have had to increase capacity appreciably with the resultant increase in steel shipments to the industry.

HEAVY COMPETITION IN CONTAINER INDUSTRY

Can manufacturers increased their use of steel by about 5 percent in 1966, when about 123 million baseboxes of steel were consumed. Aluminum consumption, which amounted to less than 6 million baseboxes, nonetheless increased by about 30 per cent. The principal inroad made by aluminum has been in beer cans, which account for roughly two-thirds of all the aluminum used in containers. Its most widespread use has been for beer can ends, which account for more than 60 per cent of all the aluminum used in beer cans and for about 40 per cent of all the aluminum consumed by can manufacturers.

In 1966, 70 to 80 per cent of all beer can ends were made of aluminum. Consequently, the inroad made by aluminum in the metal container market has been growing, but the scope of its application has been somewhat limited. It is certain that steel producers can look forward to increased competition from aluminum and other materials in the container market in 1967 and in the years ahead. Nevertheless, a number of recent innovations made by the industry should preserve steel's dominance in the canning field and expand the tonnages of steel consumed.

These include the development of embossing and lithographing techniques for steel cans and the introduction of seamless drawn cans which are stamped from sheet steel. One of the best growth items for steel use in the container field during 1966 was the soft drink can, which consumed more than 10 million baseboxes of steel, an increase of about 40 per cent compared with 1965. This should continue to be growth market during the current year.

RESIDENTIAL CONSTRUCTION SHOULD REVIVE

The outlook for construction activity, particularly for residential construction, must take into account the current imbalance between housing starts which declined by about 20 per cent in 1966 and the increase in family formations. This imbalance, when coupled with the recent easing of credit, should bring about a recovery in residential construction. In 1966, despite the decline in housing starts which usually account for 35 to 40 per cent of construction activity, steel shipments to this consuming sector increased by about 1.2 million tons as other types of construction performed very well. This year, activity in the heavy steel consuming segments of the industry is expected to continue strong and together with the expected improvement in residential construction should result in increased steel consumption.

WALL STREET AND STEEL STOCKS

Since 1960, and particularly since the Kennedy rollback on steel prices in 1962, Wall Street has been holding steel equities in somewhat disfavor.

In the late 1950's, following three successive years of unparalleled activity and prosperity for the industry, serious stagnation and, in fact, a period of significant decline developed. The industry's efforts at recovery and an apparent lack of effectiveness in escaping the doldrums aroused frequent criticism over the manner in which the nation's most basic business was being conducted. Concern was expressed that steel might be moving on the road that had been taken by the coal and railroad industries. By 1962, the industry's earnings' performance was such that it could hardly arouse the enthusiasm of investors. In that year, measured as a per cent of sales, net income sank to the lowest levels in ten years at Armco (5.0 per cent), Bethlehem (4.3 per cent), Republic (3.8 per cent), and United States Steel (4.8 per cent). This record was topped off by the 1962 price confrontation and its implications for the future trend of steel profits, so that at this stage much of Wall Street's disenchantment with the steel stocks was based on fact and good logic.

WALL STREET DOESN'T UNDERSTAND NEW STEEL INDUSTRY

Unfortunately, without following the industry and understanding what has since taken place, many writers continue to adhere to the same arguments against steel investment that they used 4–5 years ago. There is a tendency to overlook the fact that a number of important changes have occurred in the industry which have affected basic attitudes, investment programs and objectives, product development, and corporate management and organization. In short, there has been a change in steel and a large segment of Wall Street doesn't understand this change or the factors that have been changing.

The reasons usually cited for holding the steels in disfavor include the following: 1.) undue government intervention in steel industry affairs; 2.) the labor situation and steel's labor settlements; 3.) the inroads into steel markets made by substitute materials; 4.) the import problem; and 5.) the cost of new steel technology required to "stay in business."

Admittedly the steel industry has not worked out ironclad solutions to all of its problems; no industry has. However, it is invalid to maintain, as a substantial segment of the Wall Street community does, that developments in the industry during the last 4–5 years have not served greatly to improve the industry's position.

MANY IMPROVEMENTS SINCE 1962

Since 1962, steel's relationship with Washington has benefited from efforts on both sides to establish acceptable channels for communication and consultation. Although steel has a higher labor factor than other industries, its most recent contract settlement has to be assessed favorably in relation to a number of the recent settlements in other industries. The competition from steel substitutes has been countered by the development and introduction of new products, including lighter-weight high-strength steels, and the modernization of the industry throughout the country in recent years has improved steel quality, particularly in the light flat rolled section, to a point where it will have a definite effect on the import situation.

The fact that many in Wall Street have gotten out of touch with the current steel developments or have misjudged their significance is pointed up by the opinion that the sizeable investment which the industry has recently made in continuous hot strip mills will not enhance earnings but is simply a cost that has to be borne to stay in the business. Quite to the contrary, the new mills have improved yields and product quality and operate at increased speeds thereby lowering man-hour requirements for a given volume of output. They are essential if the industry is to satisfy the growing requirements of its customers for high quality sheet over the next 8 to 10 year period. Furthermore, they are capable of producing large coils in excess of 1,000 pounds per inch of width, a decided advantage for customers such as the automotive industry and others who are interested in larger coils.

BOF HAS 3-YEAR PAYOUT

While on the subject of the financial community's evaluation of steel industry investment, it is interesting to note that many in Wall Street are surprised to hear that a basic oxygen furnace has a payout of 3 years or less. In short, there is a basic misunderstanding of what new steel facilities can do.

Wall Street's appraisal of the steels is reflected in the following table which shows what had happened to steel equities in terms of price and yield during the period 1961–1965 and in 1966.

Price earnings ratios and yields on steel securities averages for 1961–65 and at market close Dec. 30, 1966 (Eight largest producers)

Company	Average price earnings ratio, 1961–65	Average yield, 1961–65 (in percent)	Price earnings ratio, Dec. 30, 1966	Yield, Dec. 30, 1966 (in percent)
Armco	15.0×	4.7	8.0×	6.4
Bethlehem	15.2×	4.8	7.9×	6.1
Inland	13.1×	4.0	8.7×	6.4
Jones & Laughlin	13.3×	4.0	5.8×	5.8
National	13.6×	3.7	8.8×	6.2
Republic	12.7×	5.0	6.6×	6.4
United States Steel	18.2×	3.9	8.1×	6.5
Youngstown	10.0×	4.7	6.5×	6.9

STEEL STOCKS RALLY

After the first of the year prices of steel stocks underwent a marked appreciation based to a significant extent on an easing of money rates which served to make the yields on current steel dividends most attractive. The general lowering of interest rates was usually attributed to the Federal Reserve System's pursuing a policy of slackened restraint on bank credit. This easing of credit policy was reflected in the money market as yields on the latest short-term Treasury bills dropped substantially to the lowest levels in more than six months. On January 16, for example, the average yield on thirteen-week bills declined to 4.716 per cent from 4.818 per cent the week earlier. Also reflecting the Fed's credit policy, Morgan Guaranty Trust Company, the nation's fifth largest bank, cut its charge on stock secured loans to brokers from 6¼ per cent to 6 per cent. On January 26, an expected industry-wide cut in the "prime" lending rate was inaugurated when Chase Manhattan Bank announced that it had reduced its minimum rate on loans to business borrowers to 5½ per cent from 6 per cent.

Price movements in the eight largest steel producers between December 30, 1966 and January 31, 1967 were as follows: Armco 47⅛ to 56⅜, Bethlehem 29½ to 34¾, Inland 31⅜ to 36⅞, Jones and Laughlin 46¼ to 59⅛, National 40¼ to 44⅛, Republic 39⅛ to 44¾, U.S. Steel 37⅛ to 44⅜ and Youngstown 26¼ to 31⅛.

MEMORIAL DAY SERVICE AT GETTYSBURG NATIONAL CEMETERY, MAY 30, 1967

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. GOODLING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GOODLING. Mr. Speaker, I have had the good fortune of obtaining the remarks that were made by Maj. Gen. Eugene A. Salet at the 100th Memorial Day Service at Gettysburg National Cemetery on May 30, 1967, as well as the prayer offered on that occasion by Rev. William N. Smeltzer, Memorial Evangelical United Brethren Church, Gettysburg.

Because of the meaningful messages conveyed by these two deliveries, I feel privileged to introduce them to the CONGRESSIONAL RECORD and to commend them to the attention of my colleagues:

PRAYER OFFERED IN GETTYSBURG NATIONAL CEMETERY, MAY 30, 1967, BY WILLIAM N. SMELTZER

Save us, our Father, from either indifference or unseemly revelry in this solemn hour, lest we mock those who lie in the quiet places they liberated from the scourge, and their comrades in whose eyes are the shadowed memories of the horrors they saw.

Let us rather gird ourselves to finish the work they began, that God's peace may yet come to all our troubled world.

For the liberation of so many from the cruel hand of the oppressor, we give Thee thanks. As we were willing to make sacrifices in war, so may we be willing to make sacrifices to ensure a just and a lasting peace.

For those who are still in bondage, we ask a speedy liberation. Make us aware of the responsibility that rests upon us to create peace in our own hearts, in our homes, in every association with our fellow men.

Teach us, O Lord God of hosts, that righteousness alone exalteth a nation. Lead us; inspire us. Make us Thy people to walk in Thy way, that this land of ours may become in a new and deeper way, God's own country.

In the name of the God of our Fathers, who is still our God, and through the Name of Jesus Christ, our Lord, we pray. Amen.

REMARKS BY MAJ. GEN. EUGENE A. SALET AT 100TH MEMORIAL DAY SERVICE HELD AT GETTYSBURG NATIONAL CEMETERY, MAY 30, 1967

Congressman Goodling, distinguished guests, ladies and gentleman: May I quote from official WWII history:

"On the left flank where the German Infantry had again assaulted, 2d Lieutenant Ray M. Borders of Company M seized an abandoned automatic rifle and sprayed the Infantry attackers knocking out almost two full squads of German machine gunners."

Now may I quote Captain James Spruill, who two months before he gave his life in Vietnam, wrote to his wife, "Please don't let them back where you are sell me down the river with talk of despair and defeat. Talk rather of steadfastness, loyalty, and victory —for we must and we can win here. There is no backing out of Vietnam for it will follow us everywhere we go. We have drawn the line here and the America we all know and love best is not one to break away."

Ladies and Gentlemen. Memorial Day is, as you know, a somber day; a day set aside to honor men like Lt Borders and Captain Spruill who have served our country; who have made the supreme sacrifice. It is also a day of rededication as you know. This day has been observed for 100 years now, dating back to 1868, when the first commander of the Grand Army of the Republic—the GAR—the Union Veterans organization, designated May 30th as a day set aside for its members to decorate the graves of their fallen comrades. It was not until 14 years later, in 1882, that the day was designated as Memorial Day. But its observance and its purpose have remained the same these many years—to honor those who gave up their lives in all our wars so that the living could enjoy the blessings of freedom.

I know that you will all agree with me that this day is also a symbol of hope, of confidence, and of pride—hope for a more peaceful world, confidence in the Nation's strength, and pride in the Armed Forces and all the men and women in them, at home and in distant lands. On this, the 100th observance of Memorial Day, more than 400,000 of our Armed Forces are on duty in South Vietnam. They serve on the front line of the defense of freedom. They are engaged in "war winning" and "peace making" tasks of the utmost importance to world peace as well as to South Vietnam's survival against aggression. They are part of the free world's stand in the part of the world that President Johnson has called "The crucial arena of man's striving for independence and order." On this 1967 Memorial Day, then, let us also take special note of the gallant soldiers, sailors, airmen, marines, and coast guardsmen who are performing their combat and supporting missions in Southeast Asia with matchless valor and superb skill. They are giving their best. They do honor to the highest traditions of American fighting men. We honor and salute them.

But is this enough? We cannot discharge our solemn obligation to our gallant dead, and to our men in Vietnam by mere words or gestures. We—each of us—need to act—to be committed—to be involved in the preservation of our heritage. The need of the hour, above all else, is a dynamic awakening of our American public opinion in support of a worthy, clear-cut, comprehensive reemphasizing of our American ideals and traditions. And so, for the remainder of my time this afternoon, I would like to address three aspects of the moral fibre of our citizenry which need some rethinking and reemphasis from time to time. These are: discipline, principle, and acceptance of responsibility.

DISCIPLINE

Harry Emerson Fosdick writes, "No horse gets anywhere until he is harnessed. No steam or gas ever drives anything until it is confined. No Niagara is ever turned into light and power until it is tunneled. No life ever grows great until it is focused, dedicated, disciplined."

Discipline, I believe . . . is a particularly appropriate subject to dissect as we look at our Nation and our world today. For the challenges of our age—and the conflicts we face today—are, in reality, a conflict between forms of discipline. As a former Chief of Naval Operations, Admiral Burke, once said of the cold war, "It is a competition between the type of discipline a free society must possess to remain free—which is self discipline, wherein they choose to govern their own lives, or—the alternative—a ruthless form of discipline imposed by external pressure—the discipline of force, coercion, terror and intimidation."

We, as citizens, often may be prone to look upon the word discipline as something restrictive and severe. But certainly it is not that in America—for our democratic system is based on discipline. Our free government depends on self-disciplined individuals who freely adhere—because they want to adhere—to the rules of our society.

As we face the challenges of the future, each of us must fully appreciate and understand—and willingly recapture—more of this self-discipline of which I speak.

PRINCIPLES

Since my arrival here in Pennsylvania thirty-four months ago, I have had several opportunities to speak to groups of young people. One point I always make with these young men and women is that they must set high standards and stick to them.

Thomas Paine once said, "I love the man who can smile in trouble, who can gather strength from distress, and grow brave by reaction. 'Tis the business of little minds to shrink, but he whose heart is firm and whose conscience approves his conduct will pursue his principles unto death."

We can well draw a parallel here to setting our own high standards, and that is we collectively must establish sound principles as a Nation and rigorously adhere to them—we must never compromise them.

It is said that the great artist Michelangelo was lying on his back high on a scaffold inside the Sistine Chapel carefully outlining and painting small figures in a corner of the ceiling. A friend came to him and asked why he took such pains with these small figures that would be a long distance away from the viewers and scarcely be seen. "After all", said the friend, "who will know whether they are perfect or not."

"I will," said the artist.

We need such steadfast principles today as displayed by Michelangelo—principles based on those priceless ingredients of character, honor, integrity, loyalty, devotion to duty and tenacity of purpose—America as a whole, and Americans, as individuals, must adhere to these bedrock principles on which this country was founded and has operated for nearly 200 years if she is to remain the bastion of free people. Remember that we can remain the land of the free only as long as we remain the home of the brave. As Daniel Webster stated, "God grants liberty only to those who love it and are always ready to guard and defend it."

Within our constitution and the Declaration of Independence lie those exalted principles which reflect our great past and which form the foundation of our promising future. And so—I submit—that we as Americans, should make every effort to recapture and understand their meaning more clearly and draw on them more strongly and continually as we move into the decades ahead. These principles must always be the driving force behind our actions and the criteria against which these actions are measured. We must continue to nurture the spiritual, moral, and mental strength necessary to maintain our principles, as a Nation.

ACCEPTANCE OF RESPONSIBILITY

My third point is acceptance of responsibility.

With your indulgence, I would like to touch upon two areas of responsibility we sometimes overlook.

The first is the responsibility to ourselves—to develop our own talents and employ them as fully and as usefully as we know how.

The keys which fit the door to this Nation's survival are held by each individual citizen. These keys are faith—not fear; courage—not complacency; patriotism—not patronage; and sacrifice—not selfishness. The clarion call to be individually bold, decisive, creative and morally strong is as clear to us here in the 20th century America as it was to our forefathers through the long, painful decades when they stood alone and fought for liberty and justice. As someone said one hundred years ago when we pushed the frontiers of freedom to the Pacific and built this great Nation, "The cowards never started and the weak never arrived."

And so, in developing this responsibility to ourselves, we must look outside our present realm of activities.

We must learn to ask a lot of ourselves in assuming the myriad personal responsibilities that befall us as citizens.

My second and last point under responsibility is one which I make at each appearance such as this and have made in speaking to a number of groups throughout the Nation this past year. This is our responsibility to our youth.

Our American youth possess the talents, the ability, the skill, and the vigor to carry America to continued greatness. They are this Nation's greatest single resource. It is up to us as adults to show them the way in developing these attributes and to assure that their capabilities are properly brought to bear and enthusiastically put to work for the United States in the years ahead.

The explosion of science and technology has opened doors never dreamed of a few years ago. Today, change is more rapid and meaningful than in any period during the past five hundred years, at least. Therefore, the heavy mantle of free world leadership, which has been carried on our shoulders, will drape itself more securely and more gracefully on the shoulders of our youth if we are effective in showing them the way.

To see such acceptance of challenge and responsibility, I suggest that we need only look at the superior performance of our youth in South Vietnam today to be reassured of their mettle and quality—for by and large the men who constitute our fighting forces out there are young men. I am for one heartened by their performance, their patriotism, their tenacity of purpose and their devotion to duty in that distant country.

Almost one year ago, during Armed Forces Week, Eric Severeid of CBS–TV news, posed the question as to what made the soldiers do so well in Vietnam. . . . and I quote:

"The real answer must be deep in the tissues of whatever is the substance that keeps America from becoming unstuck. It must have something to do with their parents and teachers and pastors. With their 4–H Clubs and Scout Troops and neighborhood centers and groups—it has to do with the sense of belonging to a team, with the dishonor of letting it down. But it also has to do with their implicit unreasoned belief in their country and in their natural beliefs in themselves as persons—whatever the full answer, it is a considerable thing they are doing when they stick at this kind of war—they provide an opportunity for the rest of us who are not covered with mud and weariness and nightly fear to pay a measure of respect."

I submit that our youth in that conflict are most ably assuming their responsibility. Each one of us must assure that we fully accept ours.

CLOSING

These three thoughts I would leave with you then which I hope will serve well as guidelines for the future:

First, Discipline—which is necessary in working toward the achievement of our common goals as Americans. I want to reemphasize self-discipline which is the only really effective form of discipline.

Secondly, Principle—which must always provide the guiding force and direction to our efforts, and

Thirdly, Acceptance of Responsibility—which is fundamental to our way of life where each citizen traditionally works for his Nation as well as for himself.

If we are to understand America, we should know that its great heritage is rooted in divine teachings and nurtured by the deeds and words of honorable and brave men. This they demonstrated at Bunker Hill, the Alamo, here at Gettysburg, The Philippines, the Argonne Forest, Anzio, Normandy, Pork Chop Hill, Iwo Jima; their zeal and ideals have stained our altar of liberty through self-sacrifice and denial. This is the challenge of our heritage, to maintain and sustain these United States.

When, as a Nation or as individuals, we look into the future we will do well to draw on some thoughts from one of our great Presidents—Theodore Roosevelt—which are contained in these lines. . . .

"It is not the critic who counts, nor the man who points out how the strong man stumbled, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes up short again and again; who knows great enthusiasms, the great devotions; and who spends himself on a worthy cause; who at the best knows in the end the triumph of high achievement; and who, at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

Thank you.

POLISH MILITARY AID TO NORTH VIETNAM

Mr. REINECKE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINDLEY. Mr. Speaker, in late January I met in my office with several Foreign Service officers of the Polish Bureau in the Department of State. Our discussion concerned the manner in which Poland would pay its Public Law 480 debts to the United States of which $20 million fell due in 1967. I raised questions regarding Poland's aid to North Vietnam and was informed it was strictly economic. I was assured without qualification that no military aid of any form, including arms, was being sent from Poland to our enemies in North Vietnam.

This assurance was used to bolster the State Department's argument against my suggestion that we should exercise our option to demand payment of the Polish debt in U.S. dollars rather than zlotys. By accepting payment in Polish local currency we would ease Poland's financial burdens and thus increase U.S. influence in the country, so the State Department officials argued.

Apparently we accomplished the former—although I strongly protested the action at the time—but we certainly did not accomplish the latter because Poland is now officially acknowledged to be supplying arms and weapons to North Vietnam.

One would expect—after our generous aid to Poland's financial plight, not to mention the hundreds of millions of dollars in surplus agricultural commodities which it has received in the past—that Poland would at least restrict its assistance to North Vietnam to items other than military hardware. We should have used the strongest diplomatic pressures to accomplish this, but obviously we did not. The State Department viewed these developments, according to a report in the Washington Post, not with shock and disgust at Poland's shipments of weapons, but instead expressed no surprise or indignation at all. It was the usual, "ho hum" business as usual attitude.

I am not certain who formulates our policy toward Poland, but I was hopeful that it would take a more realistic attitude when Mr. Zbigniew Brzezinki was appointed to the Policy Planning Council of the Department with the specific assignment to work on East European policy.

Mr. Brzezinki was not present at the January meeting in my office but from reading his books I know he has a very perceptive mind in analyzing developments in Communist countries. His major work, "The Soviet Bloc," is a classic in its field and I consider his effort "Alternative to Partition" to be a realistic basis for our policy toward Eastern Europe.

In that book, Mr. Brzezinki argued:

> In very broad terms, American economic assistance policy with respect to East Europe should be guided by two basis criteria: whenever a country increases the scope of its external independence from Soviet control, it should be rewarded; whenever a country appreciably liberalizes its domestic system, it should be rewarded. And similarly when ever an opposite trend develops, the United States should be prepared to discontinue its assistance, withdraw special privileges, such as the most-favored nation clause (a matter of vital importance to the East Europeans), and should not hesitate to indicate the political motivations involved. Given East Europe's acute need for foreign capital investment, the flexible use of American long-term credits in this regard could be an important source of leverage.
>
> That is why it is cause for regret that the United States Congress has been so rigid with regard to the most-favored-nation clause and to the application of Public Law 480 to communist countries. Legislative restrictions on economic policy toward the communist states automatically restrict the power of the executive to negotiate with the communist states. Increasing the executive's room for maneuver would increase its ability to demand concessions from the communist states in exchange for more trade and credit. As things stand now, the communists, and particularly the Soviets, can publicly accuse the United States of restricting trade and Washington is unable to respond by inviting them to negotiate on this issue. This is a hindrance to effective conduct of foreign policy. Furthermore, dependence on Congress to exercise negative economic sanctions denies American policy-makers the flexibility and the freedom of timing that is necessary in the use of economic changes in the communist world, whereas promptness in responding to change and to opportunity is of the essence. A share of the blame for this Congressional rigidity, however, rests with the executive branch. Had it demonstrated earlier not only its capacity to use economic leverage positively, whenever favorable developments in the East warranted it, but also its willingness to use them negatively, i.e., to withdraw such privileges whenever retrograde trends in the East called for such action, some Congressional suspicion at least might have been allayed.

Mr. Brzezinki argues that our policy toward Eastern Europe should be one of reward for independence from the hardline Soviet position, isolation, rebuke, and some form of economic punishment when the independence is forsaken. He concludes that the Executive has been all too willing to grant concessions to the Eastern European countries, but equally unwilling to withdraw the concessions once the initial reason for extending them is no longer valid.

Poland is a case in point. I still believe in the "October revolution of 1956" and the course that Mr. Gomulka laid down at that time and would support U.S. policy to encourage the earlier policy. It was, after all, Secretary Dulles and President Eisenhower who initiated the policy. But we must be realistic. The Polish Government program and actions today are incompatible in many respects to the October 1956 program of national communism. Persecution of the church has increased, individual liberty has again been restricted, and the intellectuals who dared to speak the truth about the regime have been severely reprimanded.

One searches in vain for any variations in the foreign policy of Poland and the Soviet Union.

The shipment of arms to North Vietnam is one more example of the myth of Poland's independence from the Soviet Union. Once we were told that Poland had to go along with the Soviet Union because it had no choice because of its economic dependence on Moscow. However, our aid and concessions were supposed to undermine Polish dependence on the Soviet Union.

One of two things has happened. Either our aid has not undermined the Polish dependence on Moscow—in which case it is not likely that it ever will, and accordingly we should review our entire foreign policy toward Poland; or else it has made Poland more independent permitting it to go along with the Soviet Union not because it has to, but because it wants to.

LYNDON BAINES JOHNSON: LEADER OF HIS PARTY, LEADER OF HIS NATION

The SPEAKER pro tempore (Mr. Dow). Under previous order of the House, the gentleman from California [Mr. King] is recognized for 10 minutes.

Mr. KING of California. Mr. Speaker, I have requested this special order today in order that I might call to the attention of my colleagues in the House a speech made by the President of the United States on Saturday to a group of prominent Democrats in California.

It was what is traditionally called a political speech.

Yet, though the context might have been partisan, the wise words spoken there were above party.

They were words from the leader of his Nation to the people of his Nation.

They were words which ranged from the great humanitarian tradition of Democratic Presidents, like Truman and Kennedy and Roosevelt, to the problems of world peace, to the meeting at the summit in southern New Jersey, to the daily decisions which a President must agonize over as he seeks to meet his worldwide responsibilities.

The President's speech struck a deep chord of response in many people—Democrats and Republicans alike.

He described how far the United States has come in assuming responsibilities for prosperity, peace, friendship, freedom, and liberty throughout the world.

He described how deeply a President feels when he receives the personal support of men and women he has known—and many he has not known—for many, many years.

And finally he described something of the problem—the promise—of what it is like to be an American and an elected leader in a world so filled with terrors and torments, and hopes and dreams.

I introduce the President's remarks at the President's Club Dinner in Los Angeles on June 23—without a single thought for partisan political advantage.

I simply believe the President's remarks should be read by everyone interested in peace, prosperity, and a more tranquil and happy world.

These are very personal words from President Johnson. They come from the heart. They dramatically underscore his philosophy: "Let us reason together."

If ever the world needed a little more reasoning together, it is today.

I commend the President for the balanced responsible approach he has demonstrated to his people and the people of the world. He has shown himself a true leader of his party and a great leader of his Nation.

The address follows:

Remarks of the President at a President's Club Dinner, Century Plaza Hotel, Los Angeles, Calif.

When I heard that you were holding a political science seminar in Los Angeles tonight—with a modest tuition fee—I decided I would like to join you.

California, aside from being the largest and greatest State in the Union, is also a proving ground for political theories. The world has been told so often that a successful politician really had to be something of an actor. California now seems to have proved it.

I know many of you here are interested in show business—especially in motion pictures. And I want you to know that your President sleeps better every night knowing that Jack Valenti is your president.

Jack has told me about a new film he has just seen, based on California Democratic politics. The first scene shows all the Democratic leadership of California in a smoke-filled room. And to reduce the budget for this scene Jack said there is no sound track. But that doesn't detract from the movie—because nobody was talking to each other anyway.

After going through the problems of Punta del Este and Vietnam, the pickets and protestors and then the Middle-East, it is quite a comfort for me to come here and enjoy the peace and quiet of California politics.

I want to get in some plugs here and now because I hope no one ever charges me with ingratitude or short memory. I am too busy getting ahead to ever try to get even.

I don't know how I can thank this wonderful orchestra for the entertainment they have given us, and Ed Ames, the Supremes, Eddie Martin and the others who have helped them, because they want to help me. They will always have a special spot in my heart.

To those of you who came here tonight to help the Democratic Party, I want you to know that for the first time in the 35 years I have been in Washington you have made the Democratic Party debt free tonight.

Every one of you have had to give up a few dresses, or postpone a few bills—payment of them—, or not take your trip, or sacrifice in some way. You did not give to your favorite charity—you gave to us.

I want you to know that I know it, that I appreciate it and I am thankful that this country has people like you who will help their President get rid of this burden he has been carrying. I inherited a debt of $4 million when I became President. I inherited a campaign that was just around the corner in November 1963, a campaign in the spring of 1964, and all through that year.

After having spent many millions of dollars in that campaign, we still owed $4 million. We have been trying to work ourselves out from under it ever since. Tonight you made it. To that grand man, other than whom there is no other like him in the Nation, Arthur Krim, who heads the President's Club, and to Lou Wasserman, who is associated with him, I say that every Democrat should revere your memory and your contribution.

With the proceeds of this dinner, we can now begin to marshal the resources that we need to carry our case to all the people in the election of 1968.

I came here tonight to speak very briefly to you about our commitments and our responsibilities: Of our Party's commitments to all the American people, of our Nation's responsibilities in the world.

Thirty-five years ago, with the election of Franklin D. Roosevelt, the Democratic Party made a promise to every American. We pledged ourselves to revitalize the old American dream of individual opportunity. We declared that the task of government was to provide each Amercan with the chance to achieve his full capacities.

Through four administrations of our Democratic Party we have kept faith with that commitment. Franklin Roosevelt promised a New Deal and he delivered it. Harry Truman pledged a Fair Deal—and we got it. John Kennedy promised to get America moving again—and he did it.

Then in 1964, our Demorcatic Party was re-elected on the most far-reaching platform that any party ever had by the greatest total number of votes that any party had ever had, by the highest percentage that any candidate ever received. . . . Since that day 85 percent of the promises made in that platform are tonight the law of this land.

The Congress that you elected that year, the great 89th Congress, charted a road to new American greatness that our children are going to be reading about in the centuries to come. Your great, able, and hard-working California delegation in the Congress, and your Democratic leaders here in your State, did their full share of this work. I want to publicly express my personal gratitude to each member of that delegation in Congress and here and say thank you very much.

Don't change them. Some of them vote wrong once in a while. We don't see everything alike. If we did, we would all want the same wife. We all do the best we can. We all do what we thing is right. The big problem is knowing what is right.

In the middle third of this century, great Presidents and great Congressmen have cut through the tangle of doubt, dissension, and disinterest that for years blocked millions of Americans on the road to a better life.

These men that did that were doers, not doubters. They saw America's destiny as a thing to be achieved and they set out to achieve it. They made very bold promises to all of our people and, as I observed a moment ago, they kept those promises.

Democrats cannot speak tonight only of the proud past that they have all helped to build. They must speak tonight of the gap between what is and what ought to be. What is that?

When millions of American children still lack decent medical care.

When one out of every six Americans lives in a slum.

When filth is heavy in the air, in our rivers, our lakes, and our waters.

When Americans do not feel safe on the streets at night or even in the day time or in their homes.

When millions of Americans have less than 75 cents a day to spend on the food that they eat.

When all these things are true, we cannot luxuriate in our record. We have much to do. Much more to do. The clock is ticking.

In our time we have drawn the roadmaps of progress. But a roadmap is not a road. Passing a good bill is progress, but it is only the first stage of progress. We need the resources that will make that bill work. A single legislative victory cannot teach a child to read and cannot prepare or train a man to hold a job and make out of him a taxpayer instead of a tax eater.

We are getting started on building these roads. But we cannot rest until they are built—until we have translated the bright laws into better lives for all of our people. So, those who fought us when we gained our first victories for America are still fighting. The voices of gloom and doom, criticism, complaints, obstruction for obstruction's sake. We just cannot sit by and let them win by attrition what they lost in the open struggle in the election and in the Congress the past three years.

If we are alert to that danger, if we press on to redeem the promises that we have made and the hopes that we have aroused, I have not the slightest doubt about retaining the confidence of the American people in the Democratic Party.

Because you know and I know the Democratic Party is the party of the people. It is the party for the folks.

In your minds tonight, quite apart from partisan matters, I am sure others of our country in the world—in Vietnam, where our brave sons are dying to redeem a pledge to freedom that the United States of America made—in the Middle East, where the rights of men and the rights of nations are threatened.

I have spoken many times of our goals and of our resolution in Vietnam. Earlier this week, just an hour before the United Nations met, I stated America's position on the somber problems of the Middle East. I said:

"Our country is committed—and we here reiterate that commitment today—to a peace that is based on five principles:

"First, the recognized right of national life.

"Second, justice for the refugees.

"Third, innocent maritime passage.

"Fourth, limits on the wasteful and destructive arms race.

"And fifth, political independence and territorial integrity for all."

Let the world be sure of what I think you can be sure of and that is: As long as I am the President of this country America will keep her commitments and America will meet her responsibilities.

This is a good time to repeat and warn the faint-hearted and the weak-kneed that this is a time of testing for our country, a time of testing at home and a time of testing abroad in 122 other countries that are watching us through their fieldglasses.

But there have been many times of testing for the American people—and we have risen to that challenge together, firm in our resolve before—and we shall rise again.

This morning in New Jersey, at what the distinguished Chairman called a little farmhouse, we had another meeting. It was a smaller meeting than this one. It cost less. But since it has attracted some attention, I think I shall say a word about it.

It was a good meeting and I am very glad it took place. I am grateful to my good friend, the great Democratic Governor of New Jersey, Dick Hughes, and my newly-made friend, Dr. Robinson, the president of the college, who is a Republican. They found a very quiet place for us to meet.

This morning I found myself in a house that had been visited before by Presidents—Theodore Roosevelt and William Howard Taft. So it was in no partisan party spirit that we went to Hollybush. We went to serve what we believed to be a great national purpose, the purpose of peace for human beings.

I said to the Chairman that we have 200 million people and we might have even had 200 million the day before yesterday when

Patrick Lyndon Nugent was born, but we didn't announce that we had reached that goal that day, because I know immediately the Los Angeles Times would have charged the Administration with having a credibility gap.

I said that we not only had a responsibility to our 200 million and their more than 200 million—the 400 million together—but we had a responsibility to three billion people in the world because of our strength and obligations as great powers; that responsibility was peace and trying not only to secure it for ourselves but to secure it for all human beings.

The world's peace now hangs heavily tonight upon the wisdom, judgment, and understanding of these two very great States—the United States of America and the Soviet Union.

There are deep and very serious differences in our two societies, but one thing we do have in common, as Chairman Kosygin himself said when he addressed the United Nations, is a grave responsibility for world peace in a nuclear age. Every crisis in the last 20 years has necessarily invoked that common responsibility and repeatedly we have seen the dangerous consequences of incomplete understanding.

We have also repeatedly seen that when others are irresponsible in word or in deed a very special burden for care seems to always fall upon America. So I was glad to meet with Chairman Kosygin this morning. We talked throughout the day quietly and straightforwardly.

I am glad to say to you that I found he came to our meeting in the same spirit. He had some seniority on me. He had been a grandfather for over 18 years and I had been a grandfather for only 18 hours, but he and I agreed that we both very much wanted a world of peace for our grandchildren.

We talked about the problems of the Middle East in detail. We shall continue to talk about them. We talked about the problems of Southeastern Asia. We talked about the arms race and about the need for new agreements there. We talked about the need for common action on constructive initiatives for peace. We reached no new agreements—almost, but not quite. New agreements are not always reached in a single conversation. So, we are going to eat lunch and spend Sunday together again at Hollybush.

I don't want to overstate the case. I don't want to get your hopes too high. I do think, though, that we understand each other better. I do think that I was able to make it very clear, indeed, that the strength and the determination of our country and the government are fully matched by our persistent eagerness to talk and to work, to fight for peace and friendship with all who will work and talk with us.

But all of you must remember that one meeting does not make a peace. I don't think there is anyone in the world who ever wanted peace more than the leaders in the world of countries who are not at peace. You must all remember that there have been many meetings before and they have not ended our troubles nor have they ended our danger. There is not a nation in the world we would trade places with tonight.

These meetings just have not ended our troubles and our dangers and I cannot promise you that that will not happen again. The world remains a very small and very dangerous one. All nations, even the greatest of them have hard and painful choices ahead of them. What I can tell you tonight—and I have no doubt about it at all—is that it does help a lot to sit down and look at a man in the eye all day long and try to reason with him, particularly if he is trying to reason with you. That is why we went to Hollybush this morning and reasoning together there today was the spirit of Hollybush.

I think you know me well enough to recognize that that is my way of doing things—"Come now," as Isaiah said, "and let us reason together." What I think is even more important—that is the way I think we must finally achieve peace.

Those who do not smell the powder or hear the blast of cannon, who enjoy the luxury and freedom of free speech and the right to exercise it most freely at times really do not understand the burdens that our Marines are carrying there tonight, who are dying for their country, or the burdens that their commanders are carrying, who wish they were all home asleep in bed, or even carrying a placard of some kind.

But they can't be and still retain our national honor. They can't be and still preserve our freedom. They can't be and still protect our system. When they can be—with honor—they will be—at the earliest possible moment.

Sometimes I think of my friends who don't understand all of the cables I read from all of the 122 countries. They don't hear all the voices of despair and of all the chaotic conditions that come to us through the day. Sometimes I think of that Biblical injunction, when I see them advising their fellow citizens to negotiate and saying we want peace and all of those things.

I try to look with understanding and charity upon them, and in the words of that Biblical admonition, "God, forgive them for they know not really what they do."

I can just say this to you: There is no human being in this world who wants to avoid war more than I do. There is no human being in this world who wants peace in Vietnam or in the Middle East more than I do.

When they tell me to negotiate, I say, "Amen." I have been ready to negotiate and sit down at a conference table every hour of every day that I have been President of this country, but I just cannot negotiate with myself.

And these protestors haven't been able to deliver Ho Chi Minh any place yet.

I was not elected your President to liquidate our agreements in Southeast Asia. I was not elected your President to run out on our commitments in the Middle East. If that is what you want, you will have to get another President.

But I am going—as I have said so many times—any time, any place, anywhere, if, in my judgment, it can possibly, conceivably serve the cause of peace. That is why I went to that little farmhouse way up on the New Jersey Pike today to spend the day, and that is why I am going to get over to see my grandson by daylight in the morning.

I have been up since 4:30—1:30 this time. I have been about 24 hours on the go. Then we will fly back to New Jersey Sunday for another go at Hollybush.

All I ask of you is two things:

Be proud of yourself, of your family, and of your associates for making my burden light by coming here and cleaning up this debt, wiping the slate clean, and making the Democratic Party fiscally sound and solvent where we don't have to carry a tin cup and walk around begging. That is number one.

Number two—give me your confidence and your prayers, because, God knows, I need them.

I looked at all my communications the other day, my phone calls, and my visitors and I finally observed to one of my assistants, "Why does nearly everybody say something ugly to the President?"

He said, "Mr. President, I have worked here for 29 years. I was here with Mr. Roosevelt, Mr. Truman, Mr. Eisenhower, and Mr. Kennedy." And, he said, "Somehow or other the people just don't seem to like Presidents."

That may be true at times, but when I read about my decline and my defeat, I look back over the problems that other Presidents have had and I don't seem to remember many of them that the American people turned their backs on in a time of crisis or in a time of war.

Whatever the prophets may say and whatever the columnists may write—back to Lincoln's time, at least—that is all the time I have had to research, since I started reading these columns—no President has ever been turned upon when he was engaged in trying to protect his country and its interests against a foreign foe.

So about all the strength that we have and the strength of our system, the strength of our courageous young men who are ready to die for that system, and the strength that comes from your confidence and the comfort that comes from your support and to every man and woman in the room tonight, whatever color, whatever religion, whatever party—there are not all Democrats here. Some Republicans want to help the President, too—I want to say this: You will never know how much the confidence that you have given me tonight means to me and how much strength it will give me in the days ahead when I will need it most.

Thank you. Good night.

OPEN LETTER TO PREMIER KOSYGIN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. ADDABBO] is recognized for 15 minutes.

Mr. ADDABBO. Mr. Speaker, on June 22 there appeared an ad in the New York Times paid for by the Committee To Restore Lithuania's Independence, one of whose directors is Mr. Anthony B. Mazeika, my constituent, and a director of the Lithuanian World Review. I believe it to be a proper question to Premier Kosygin, especially when Premier Kosygin now calls on the great free nation of Israel to simply give up territory valiantly won against the aggressor nations of the United Arab Republic. Soviet Russia refused to even permit the question of the captive nations to reach the U.N. Assembly for discussion—nations taken by an aggressor.

Mr. Speaker, I believe the aforementioned ad clearly sets forth the facts and I herewith submit the copy of said ad:

THE BALTIC QUESTION: OPEN LETTER TO PREMIER KOSYGIN

On June 19, 1967, the Soviet Premier, Aleksei Kosygin, in addressing the United Nations General Assembly, accused Israel of continuing aggression by occupying the territories of the United Arab Republic, Syria and Jordan.

Mr. Kosygin defined continuing aggression as attempts "to interfere in the internal affairs of independent countries and peoples, to impose on them, from the outside, political concepts and views alien to them on the social order."

The Soviet Premier is adept at defining continuous aggression, for his state has a long record of conspiracy against the sovereignty and territorial integrity of independent nations. While vituperating against the State of Israel, Mr. Kosygin would do well to consider his own government's continuing aggression. The most conspicuous victims of joint Soviet-Russian and Nazi German aggression are the Baltic States of Lithuania, Latvia and Estonia.

The annexation of the Baltic States by the Soviet Union was pre-determined by the Ribbentrop-Molotov pact of August 23, 1939. The agreement stated: "In the event of territorial and political rearrangement in the areas belonging to the Baltic states (Estonia, Latvia, Lithuania and Finland), the northern boundary of Lithuania shall represent the boundary of the spheres of influence of Germany and the U.S.S.R."

While the attention of the world was

focused on the Blitzkrieg in the West, the Soviet Union imposed its "sphere of influence." On June 15, 1940, troops and tanks of the Red Army poured into the Baltic States. Moscow hastily set up puppet governments. A single list of representatives, handpicked by Moscow, was proposed to the "liberated" countries. To insure the election of the Communist candidates, tens of thousands of people were arrested on the eve of the elections as a threat to those who protest by refusal to vote. The decisions of the "elected representatives" to "request" incorporation of the three Baltic States into the Union of Soviet Socialist Republics were prepared in Moscow and carried out by the occupying Red Army.

In their zeal to impose their alien system on the Baltic States, the Soviets deported or liquidated 700,000 men, women and children from Lithuania alone, between June, 1941 and March, 1951. Not withstanding this inhuman oppression, the peoples of the Baltic Nations persevere in their aspirations toward personal freedom and national independence.

While addressing the General Assembly, Mr. Kosygin unequivocally stated, "In the course of its 50 year history, the Soviet Union has regarded all peoples, large or small, with respect; every people enjoys the right to establish an independent national state of its own. This constitutes one of the fundamental principles of the policy of the Soviet Union. While upholding the rights of peoples to self-determination, the Soviet Union just as resolutely condemns the attempts by any state to conduct an aggressive policy toward other countries—a policy of conquest of foreign lands and the subjugation of the peoples living there."

In view of the above facts, we request the Premier to clarify the following questions:

Why has the Soviet Union continued to violate the sovereignty of Lithuania, Latvia and Estonia?

When will the Soviet Union apply the principles of the United Nations Charter to the Baltic States?

When will the Soviet military and administrative apparatus be withdrawn from the territory of the Baltics?

When will the Soviet Union desist from its policy of Russification and Sovietization of the Baltic peoples?

When will the Baltic victims of mass deportation be allowed to return to their homelands?

When will the Soviet Union cease interfering in the political, social, and religious life of the Baltic States?

Mr. Premier, the Baltic Republics have a right to preserve their own languages, religious freedoms, traditions and political aspirations. Will you enact measures to correct the gross injustices imposed by Stalin on the Baltic Nations and restore independence—or are your noble words addressed to the General Assembly mere hypocrisy?

COMMITTEE TO RESTORE LITHUANIA'S INDEPENDENCE
NEW YORK, N.Y.

(Executive Coordinators: **Algirdas Budreckis, Romas Kezys, Anthony B. Mazeika, Joseph Miklovas, Anthony V. Snieckus.**)

TOWARD PERMANENT PEACE IN THE MIDDLE EAST

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I am today introducing a resolution which expresses the sense of the Congress that the President should encourage a permanent resolution of Middle East tensions and work toward the creation of an atmosphere which will be conducive to a lasting peace in that area. I particularly commend my distinguished colleague from Ohio [Mr. WHALEN] for taking the lead in proposing this measure.

This resolution sets forth certain basic principles upon which a permanent peace in the Middle East can and should be achieved, foremost of which is that the President should encourage the State of Israel and the Arab nations to conduct direct negotiations to resolve the underlying problems which led to the recent armed conflict.

In addition, this resolution refutes the specious position of the Arab nations and the Soviet Union by urging the President to oppose, as any precondition of Middle East negotiations, the requirement that Israel relinquish the territories she held at the time of the ceasefire.

Although this resolution urges the President to have Israel and her Arab neighbors work out their own problems, I strongly believe that the world's major powers must bear heavy responsibility for the recent conflict. Israel and the Arab nations would benefit greatly if all agree to let their neighbors live in peace and diverted the vast sums spent on arms to economic development.

Mr. Speaker, the Middle East needs water, not war; it needs tractors more than tanks, bread more than bombs, economic prosperity more than senseless death and destruction. Therefore, I call upon not only Israel and the Arab nations, but the United States, the Soviet Union, Great Britain, and France, as well, to convene, as soon as practicable, a disarmament conference with a view toward ending, once and for all, the shipments of arms, weapons, and "advisers" to the Middle East and to provide, in their place, the knowledge and financial support needed for the economic growth of the area.

I believe this resolution should be of interest to all of our colleagues and I include the text herewith, for insertion into the RECORD:

Expressing the sense of Congress with respect to the establishment of permanent peace in the Middle East

Whereas, an internal Middle East conflict inherently endangers the peace and well-being of the world community of nations; and

Whereas, an open door in the Middle East is vital to the flow of world commerce; and

Whereas, by United Nations Declaration Israel legally deserves the status and rights of a sovereign nation and the territorial integrity which such status entails; and

Whereas, many thousands lost their lives in the recent Middle East conflict: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that permanent peace in the Middle East can be achieved only if:

1. The existence and sovereignty of Israel is acknowledged by the Arab nations;
2. Freedom of passage in the Suez Canal and the Gulf of Aqaba is guaranteed not only to Israel but to all nations;
3. Final settlement of the boundaries of the State of Israel is made and such boundaries are acknowledged by the Arab nations;
4. Effective restrictions are imposed upon the flow of arms into the Middle East from other members of the world community;
5. All nations address themselves to a final and equitable solution of the refugee problem in the Middle East; and be it further

Resolved, That the House of Representatives, in order that lasting peace may be established in the Middle East, urges the President of the United States:

1. To use all diplomatic resources at his command, including our membership in the United Nations, to work for the accomplishment of the five aforementioned objectives, and
2. To avoid repeating the mistake of 1956 which led to resumption of hostilities eleven years later, by opposing, as a precondition to the discussion and negotiation of the aforementioned five objectives, the relinquishment by Israel of territories possessed at the time the cease fire was effectuated, and
3. To encourage, through all diplomatic means, a resolution of the underlying problems which led to armed conflict among the nations of the Middle East, through direct negotiations between Israel and the Arab states.

PROTECTION FOR THE NATION'S LETTER CARRIERS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, I have today introduced legislation which will make it a Federal offense to assault or kill a letter carrier in the performance of his duties.

The need for such legislation is so obvious, that I wonder why it has not been enacted before. We have made such provision in the past for post office inspectors, for employees of the Federal Bureau of Investigation, for employees of the Secret Service, employees engaged in animal disease control work, and so forth. It seems manifest to me that the letter carrier is even more deserving of our protection, and that his lack of coverage under our statutes is an inadvertent omission.

As he walks the street with the mail on his back, the mailman is readily identifiable by the uniform he wears as a representative of the Federal Government. This makes him an easy target for any person who harbors a grudge against the Government.

When the mail is slow—when welfare checks, or annuity checks, and so forth, are delayed—disgruntled patrons occasionally try to take out their frustrations by assaulting the letter carrier who, of course, is not responsible for the tardiness in the first place. This happens more often than most of us would expect.

Under present day conditions, the Nation's mailmen carry trillions of dollars in reasonably negotiable paper in their sacks each year. This makes the letter carrier an attractive target for a smash and grab raid. Ironically the grabbing is a Federal offense, but the smashing is not. It is a crime to interfere with the mails, but not a Federal crime to interfere with the mailman.

The postal inspection service informs me that during a recent 6-month period there were approximately 40 robberies of letter carriers in the performance of their duties. This hazard is growing and it is time that we provide an effective deterrent through Federal prosecution.

If a letter carrier is assaulted on the job today he must bring action in the local courts himself. Local courts are too often not deeply concerned with protecting the persons of these valuable Federal employees.

We must make it perfectly clear to potential wrongdoers that the entire protection and support of the Federal Government is behind the letter carrier as he walks the streets of America, and that those who dare to interfere with him physically do so at the risk of incurring stiff reprisals from the Government he represents.

The legislation I have introduced today will do that.

U.S. FOREIGN TRADE POLICY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. BOGGS. Mr. Speaker, the Subcommittee on Foreign Economic Policy of the Joint Economic Committee is scheduling an initial set of hearings in mid-July on the future of U.S. trade policy. As chairman of that subcommittee, I have recently announced some of our plans.

The lead witness at the first hearing, on July 11, will be Ambassador William H. Roth, the President's Special Representative for Trade Negotiations. Testimony of congressional delegates to the Kennedy round negotiations will be heard Wednesday, July 12. On Thursday, July 13, distinguished foreign observers have been invited to give their views on the position of the United States in the trading world of the future; the Honorable Kenneth Younger, Director of the Royal Institute of International Affairs, London, and Dr. Aurelio Peccei, executive manager of Olivetti General Electric, Milan, will testify then. At a final hearing, on Thursday, July 20, there will be a summing up; on that occasion the witnesses will be David Rockefeller, president of the Chase Manhattan Bank, and George Ball, formerly Under Secretary of State.

The intention of the subcommittee is to look forward as well as backward, and to try to anticipate the problems of the future. In so doing, we expect to achieve a worthwhile congressional appraisal of U.S. trade policy.

A number of study papers, written on invitation, are in preparation to assist members of the subcommittee. These papers will be published later.

But the limited number of hearings, and the fact that these papers are invited, may work against our intention to canvass the widest range of opinion on trade policy. It has been decided therefore to invite interested parties to present their views on U.S. trade policy in writing to the subcommittee.

Since the subject of the subcommittee's study is the long view of our trade policy, our questions are about what is to be negotiated and how it is to be done, what issues are becoming less important, and what more important. It is intended that we should broadly assess the national interest. It is not that we should ignore or minimize the special or sectoral interests, but that our attention should be focused on issues of policy for the next 5 or 10 years.

Within these broad limits, the subcommittee proposes to publish the statements of interested persons and groups. Since the invitation is extended generally, the subcommittee reserves the option to refrain from publishing statements or parts of statements that are either too long or not germane to the issue of the future of U.S. trade policy.

I request that interested parties send their statement before July 31, 1967, to Congressman HALE BOGGS, Subcommittee on Foreign Economic Policy, Joint Economic Committee, Room G–133, New Senate Office Building, Washington, D.C. 20510.

And I ask unanimous consent that the substance of a form letter, addressed by a member of the Joint Economic Committee staff to a few who have already inquired, be placed in the RECORD.

CONGRESS OF THE UNITED STATES,
JOINT ECONOMIC COMMITTEE,
June 27, 1967.

DEAR MR. ——— ———: Congressman Hale Boggs, Chairman of the Subcommittee on Foreign Economic Policy, has asked that I respond to your inquiry concerning the Subcommittee. As you know, the Subcommittee has scheduled an initial set of hearings, in mid-July, which is the first stage in a Congressional appraisal of future U.S. policy.

The intention of the Subcommittee is to canvass a wide range of opinion on the subject, and the limited number of hearings may work against this purpose in the short run. It has been decided therefore to invite interested parties, including yourself, both by letter and through the Congressional Record, to present in writing their views on U.S. Trade Policy.

You will understand that the Joint Economic Committee is not a legislative committee and that the subject of the study is the long view of our trade policy. Our questions are about what is to be negotiated and how it is to be done, what issues are becoming less important, and what more important. It is intended that we should broadly assess the national interest. It is not that we should ignore or minimize the special or sectoral interests, but that our attention should be focused on issues of policy for the next five or ten years.

Within the broad limits described in the preceding paragraph, the Subcommittee proposes to publish the statements. Since the invitation is extended generally to interested parties, the Subcommittee reserves the option to refrain from publishing statements or parts of statements that are either too long or not germane to the issue of The Future of U.S. Trade Policy. If you wish to submit a statement, please send it, before July 31, 1967, to Congressman Hale Boggs, Subcommittee on Foreign Economic Policy, Joint Economic Committee, Room G–133, New Senate Office Building, Washington, D.C. 20510.

Sincerely yours,

——— ———.

THE PRESIDENT'S WISE WORDS FOR THE FUTURE OF THE MIDDLE EAST

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. NIX] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. NIX. Mr. Speaker, President Johnson has offered a reasonable and flexible policy for bringing peace to the Middle East. And by so doing, he has earned the gratitude and support of all the American people.

I am glad to report that the Philadelphia Bulletin, in an editorial, warmly praised the President's speech of last Monday. The paper finds that Mr. Johnson's discussion of the Middle East, "in contrast to that by Premier Kosygin, was well reasoned and carefully restrained."

The Bulletin continues:

> Mr. Johnson displayed commendable initiative in outlining this country's position in advance of Premier Kosygin's address . . . The President, in urging all to avoid the early adoption of rigid positions, left open a way to negotiations from the posture of flexibility that is so vital to effective diplomacy.

We can only hope that responsible voices at the United Nations and elsewhere, who are involved in the future of the Middle East, will heed the wisdom of the President's words.

I ask unanimous consent to insert into the RECORD the excellent editorial from the Philadelphia Bulletin.

[From the Philadelphia Bulletin, June 20, 1967]

THE PRESIDENT'S PRESCRIPTION

President Johnson's discussion of the Middle East, in contrast to that by Premier Kosygin, was well reasoned and carefully restrained.

Mr. Johnson very properly stressed Israel's right to live. This right, which Israel's Arab neighbors refuse to grant, has been the root cause of the Middle East's troubles for the past 20 years. Properly, too, Mr. Johnson made very clear this country's position that the Soviet supported effort to force Israel back immediately to its pre-war lines would bring nothing but new hostilities.

As a very practical matter Israel's sole bargaining power in the negotiations that must come with the Arab nations will be the territory she gained—and continues to hold.

The President declared that a real and lasting peace in the Middle East will come about only as the result of agreements reached among those who live and must continue to live there. With this declaration went an admonition to Israel against permitting her very considerable military gains to make her insensitive to the rights of her admittedly militant neighbors.

Mr. Johnson displayed commendable initiative in outlining this country's position in advance of Premier Kosygin's address before the United Nation's General Assembly. The President, in urging all to avoid the early adoption of rigid positions, left open a way to negotiations from the posture of flexibility so vital to effective diplomacy.

With this went Mr. Johnson's pledge that the United States will help the nations directly involved to reason together and live together. He offered help specifically in solving the refugee problem which has afflicted the area as a cancer.

It is, as Mr. Johnson said, a time for patience rather than propaganda and for magnanimity rather than malice. For, as Mr. Johnson pointed out, the peace of the whole world is at stake.

The President's temperate approach will, hopefully, set a favorable diplomatic climate for a critical week—a week in which some detente must be reached.

PRACTICES AND PROCEDURES USED BY SOME OEO OFFICIALS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. NICHOLS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. NICHOLS. Mr. Speaker, before long, this House will be called upon to act on the request by the Office of Economic Opportunity for funds for continuing the so-called war on poverty. In the last few months, I have become very familiar with the working of the poverty program, and would like to enlighten my colleagues as to the practices and procedures used by some OEO officials.

Last summer the Dallas County and Selma City Board of Education operated a joint Headstart project. This project was a success, and local officials there had every reason to believe that their Headstart would again be funded this year.

Here is a telegram received by my office and by local officials in Dallas County on June 6:

> After final review by our staff today, we expect to approve your summer Head Start program. We need one more piece of information to complete our processing, and a representative of our regional staff is there in Selma today gathering this data. If we have all these details in hand tomorrow, we would hope that we can complete and approve your summer Head Start program at that time.
>
> FRANK SLOAN,
> *Regional Director, OEO, Atlanta.*

On the basis of this telegram from the regional director, the school officials began making their final plans for Headstart. You do not take a program of this magnitude and begin it overnight. OEO officials drag their feet as long as possible, in fact too long, to allow our people time to effectively and efficiently plan a Headstart program.

Four days later, Dallas and Selma officials received a letter from Mr. Sloan saying that he had tentatively concluded that the application should be refused. The reason it was refused, according to Mr. Sloan, was that it was designed to serve only Negro children on a segregated basis and to tokenly serve only white children on a racially segregated basis.

Mr. Joseph Pickard, superintendent of city schools in Selma, answered Mr. Sloan's charges in a letter dated June 12. Mr. Speaker, I would like to enter a copy of his letter in the RECORD at this point:

> JUNE 12, 1967.
>
> Mr. FRANK K. SLOAN,
> *Director, Southeast Region,*
> *Office of Economic Opportunity,*
> *Atlanta, Ga.*
>
> DEAR MR. SLOAN: Today, June 12, 1967, I received a copy of a letter from Mr. Alfonso McGhee of your office stating that you had tentatively concluded that our Project Head Start application should be refused.
>
> Mr. McGhee's letter makes a number of statements that I believe need some attention:
>
> (1) "The proposed program, as reflected by center locations, staff recruitment and assignment and recruitment of eligible enrollees, appears to be designed to substantially serve only eligible Negro children and their families and to serve them on a segregated basis and to totally serve the eligible white children and their families on a racially segregated basis."
>
> As I understand the Head Start Program, it is designed to help the severely disadvantaged youngsters who will be entering school in September to have a two-months' program that will offer them experiences that they need before they begin regular first grade work. The vast majority of eligible children in Selma are Negro. Therefore, it follows that if the eligible children are to be served most centers will be predominantly Negro and some may be entirely Negro.
>
> After two very successful Head Start Programs in 1965 and 1966 which were taken advantage of by Negro children only, this year our plan included a fifth center which would take care of white and Negro children on a desegregated basis. A majority of the children at this center are white, but Negro children are included also.
>
> (2) Quoting from Mr. McGhee's letter again:
>
> "The historically white school which would be used as a center reflects a design to serve eligible white children and their families on a token and segregated basis."
>
> The above statement is categorically untrue in that Negro children were definitely enrolled at the center mentioned. Also, attention is again called to the fact that the vast majority of eligible children are Negro. Few white children can qualify for Head Start because of low income requirements.
>
> (3) Quoting again from Mr. McGhee's letter:
>
> "It would probably follow that a program staff at the all-Negro centers would be comprised of all-Negro personnel and the program staff at the historically white school would be comprised of all white personnel."
>
> The above statement is not only untrue, but it was made despite the fact that an investigator named Sampson was told the exact numbers of personnel of each race to be used at each center. As a matter of fact, the personnel to be employed were twelve (12) Negro teachers and four (4) white teachers, and eleven (11) Negro aides and five (5) white aides. All white aides were scheduled to work at the four centers that have been historically Negro centers. Two (2) Negro aides were assigned to previously white center. Two (2) of the white teachers were assigned to historically Negro centers.
>
> Another quotation from Mr. McGhee's letter:
>
> "In violation of OEO guidelines (that each center serve the eligible children who reside in a separate, compact, geographic area whose boundaries are drawn without regard to race) the proposed program would allow enrollees to choose to attend any center on a freedom of choice basis. This is probably intended as a signal to both Negro and white enrollees that they would be expected to attend the center in schools which has historically been designated for their respective races."
>
> This statement is basically untrue. Children were recruited to attend the center closest to their homes according to boundaries set up for the program. In perhaps two or three instances white children, eligible by income standards, had moved from one area to another but requested to attend the center that was definitely expected to be desegregated. We would have been glad to tell these children that they must attend the center closest to their new residence if this were requested by OEO officials. However, I know of no such request from the investigators, Sampson and Webster.
>
> Also, I should like to point out that during the four days (June 7–10) that the investigators, Sampson and Webster, were in Selma, at no time did either of the gentlemen do me the courtesy of calling on me to discuss the entire matter. I was told on Wednesday, June 7, that they would see me on Thursday, but at no time on Thursday, Friday or Saturday did they request a conference.
>
> These investigators did call a meeting of four (4) of our Negro principals without any authorization from this office. I question this procedure and other techniques used by the investigators.
>
> Finally, I should like to mention your telegram of June 6, which gave us every reason to believe that the project would be approved. As a matter of fact, I received Mr. McGhee's letter a half hour after the program was scheduled to begin.
>
> I should be delighted to discuss this matter with you if I can give you other information.
>
> Sincerely yours,
> JOSEPH A. PICKARD,
> *Superintendent.*

Selma and Dallas County officials felt it would be useless to ask for a hearing, but somehow five officials showed up in Selma last week. What happened is best expressed in this article from the Selma Times-Journal:

> Actually, no one really expected anything to be solved at the hearing in the first place. Nobody wanted it except the Office of Economic Opportunity and they probably regret it a day too late. And, well they should. James H. Heller, Assistant General Counsel for OEO, contributed poorly toward enhancing the sharply diminished image of OEO. He was arrogant, conceited, and ridiculous. He could have done as well by charging into town brandishing an old union saber and riding a camel.
>
> Indeed, the man obviously grasped the opportunity and the excuse for the hearing for use as a forum to spout the usual bureaucratic mouthings for which he undoubtedly will receive a few brownie points in Washington at the next gathering of the faithful.
>
> Gnats! And so much for Heller, too.

Unable to convince the sociologists in OEO that the facts are the facts, and that even the idealists in the poverty program cannot change them, the local Dallas County and Selma officials could have very easily sent some 700 deserving youngsters into the streets for the summer. But, they did not do this. Instead, they are carrying out a program without the help of the $150,000 in Federal OEO funds. These 700 students are being given the benefit of an outstanding program this summer, utilizing the same staff that had been lined up for Headstart. Volunteers have offered to act as teaching aides and health aides. Local people have donated educational toys and books. Parent and teacher organizations in the area are furnishing each child with a toothbrush and toothpaste. The county health department is planning to send immunizations and other medical supplies to each center 1 day a week.

These children will not get some benefits that they would have under an OEO-sponsored Headstart program. They will not, for instance, get measles vaccine or dental work such as fillings and teeth cleaning. Under OEO they would have had a breakfast, midmorning snack, and lunch. The local program will be able to furnish a class A breakfast and a midmorning snack, but no lunch.

Mr. Speaker, the school officials in Dallas County and Selma did their best to satisfy OEO's requirements for a Headstart program. But, because the program did not meet the sociological requirements, OEO preferred to junk the whole thing, leaving some 700 underprivileged and under-educated children without a Headstart program this summer. Where is the discrimination, Mr. Speaker? Would these Negro children have been better off attending a Headstart program with predominantly Negro children, or with no program at all. OEO seems to think they would be better off with no program at all.

I want to publicly commend the school officials in Selma and Dallas County for using local funds to continue this program. As a result, some 700 children will enter school with an advantage that they would not have had if OEO had had its way.

OUR FARM PROBLEMS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Purcell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PURCELL. Mr. Speaker, I was most pleased to note the lead editorial in the Dallas Morning News for Wednesday, June 21, 1967.

This editorial indicates that at least one big city newspaper has a good understanding of our farm problems, particularly with regard to the annual proposals to limit farm program payments. The editorial very correctly points out that these proposals, which sound good to those who have no understanding of farm programs or policies, would do significant damage to improving the efficiency of American agriculture.

I commend the editorial to the attention of my colleagues.

[From the Dallas Morning News, June 21, 1967]

Loud and Wrong

Sen. John Williams, a Delaware Republican, has made his annual speech on big farming operations that receive federal payments. This blast always gets nationwide publicity. No doubt it pleases the folks back home. It also befuddles the public, including many big-city commentators. There is only one drawback: In some examples he can be very, very wrong.

His thesis is that farm-program payments should be limited. It's bad to help the man or corporation that's grown through efficiency and hard work, he seems to feel. It's great to pay the smaller, less-efficient man, he contends; in other words, freeze farm production where costs are high and results low. All of which would be the worst possible thing that could happen to American agriculture.

Texas is usually a favorite target of Sen. Williams. He makes much of the fact that each of 40 Texas operations collected from $100,000 upward in U.S. farm payments in 1966. Texas also had 203 farm operations receiving $50,000 to $99,999 each.

In small farm payments, too, Texas led the list. So what? It's a big state. It is big in federal highway grants, in federal defense expenditures—but also in payments to the federal government, with $4,774,000,000 in taxes in the fiscal year ended June 30, 1966.

Texas Department of Corrections was singled out as a horrible example because it received $288,911 in 1966 U.S. cash farm payments. If Sen. Williams had been trying, he couldn't have found a less justified target to hit. In the first place, ours is one of the nation's best prison systems. It is run efficiently. Its farming operations, under Byron Frierson, are a model for other states. (Not long ago, Arkansas called Mr. Frierson and Director George J. Beto in as consultants to help improve prison-farm conditions there.)

There is more to the story. Members of the Texas Board of Corrections were reluctant to sign up for the present farm program. But, Dr. Beto explains, they had no alternative.

If the system had not participated, it would have had to sell on the open market all of the cotton it grows. Receipts would then have gone into the general fund under Texas law. Then, some 2,500 bales of cotton would have had to be purchased on the market to keep inmates busy at the textile mill, garment factory and other operations. There was no way to buy this cotton. Texas Department of Corrections had to cooperate, to accept the money.

There's a great deal wrong with the U.S. farm program. This newspaper has been one of the program's most persistent critics. But if the public and Congress try to correct the situation along the lines indicated by the man from Delaware, there isn't much chance for improvement.

REMARKS OF THE HONORABLE CLYDE GALLOWAY, EXECUTIVE DIRECTOR OF THE FLORIDA COMMISSION ON AGING

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PEPPER. Mr. Speaker, at the present time, the House Ways and Means Committee is in executive session considering the Social Security Amendments of 1967. We all know what a mammoth task this is and we commend our colleagues on that committee for the fine job they have done and for what they are doing for this Nation's older people. I know that the committee will make appropriate recommendations which will enable this Congress to carry out a more meaningful program and benefits for our senior citizens.

Recently, I had the privilege of addressing the Florida State Council of Senior Citizens which was holding its annual convention in Cocoa, Fla. Also addressing that fine organization was the executive director of the Florida Commission on Aging, the Honorable Clyde Galloway. His speech was such a warm and moving one, I feel that it deserves the attention of my colleagues and all those who read this Record. I, therefore, under unanimous consent, insert at this point in the Record the statement of the Honorable Clyde Galloway, executive director of the Florida Commission on Aging:

Remarks by Clyde Galloway, Executive Director, Florida Commission on Aging

A lot of people have no idea "who hit Billy Patterson" or "what became of Charlie Ross" but everybody knows that the National Council of Senior Citizens—with which your Council is affiliated—played the leading role in the passage of Medicare. I would like to pay tribute to you for sharing in this accomplishment.

I know from personal experience as a State Senator how difficult it is to enact social legislation. I am sure that Senator Claude Pepper, who has long been a standard bearer for senior citizens, will support me in this observation.

It is a privilege for me to share this platform with the Honorable Claude Pepper. He stays so busy in Washington that I doubt if he knows that the Florida Commission on Aging had an important role in implementing the 1965 amendments to the Social Security Act in our state.

On February 4, 1966, Governor Burns convened an emergency meeting in Tallahassee of all state agencies in an effort to mount a unified drive to inform older people of their rights and options under these amendments. Governor Burns designated the Commission on Aging to coordinate this drive. At that time, the Social Security Administration reported that nearly 250,000 older Floridians had given no evidence that they had been contacted. Time will not permit me to give a detailed account of the many things that were done by the various state agencies. But I would like to cite one example to show that no stone was left unturned in this campaign. Through the cooperation of the Department of Education, our Commission was able to arrange for handbills to be printed and carried home by school children. These handbills—addressed to parents and grandparents—urged them to contact the nearest Social Security Office prior to the initial deadline of March 31. Final figures showed about 200,000 older people had been contacted directly or indirectly and about 95 percent had signed up for medical insurance.

In our final report to Governor Burns, we predicted that this unified effort would favorably influence Florida's economy for many years to come. To support this prediction, we cited the fact that, based on national averages, one of every six persons 65 and over will be hospitalized in any given year; that their average hospital bill will be $525; and that doctors' bills and other medical services will amount to an additional $400. It is easy to measure the potential savings that have been accomplished for Florida's older people. In acknowledging our report, the Governor's letter said "My thanks to you for a job well done."

Last month we received a news release from Senator Harrison Williams, Chairman of the U.S. Senate Committee on Aging, that will interest those in this audience. I would like to quote his news release relative to Medicare:

"Medicare was the biggest single effort made on behalf of older Americans since the passage of Social Security more than 30 years ago. We who fought for Medicare were almost totally absorbed in the struggle. But now that the fight is over, we can finally turn our attention to other problems that were submerged while the long struggle went on.

"I would say, in fact that—as far as the field of aging, present and future generations, is concerned—our biggest jobs are still ahead of us."

Along with Senator Williams we believe we should now turn our attention to those problems of older people that were submerged while the struggle for Medicare went on.

I don't want to belabor you with what Dizzy Dean used to call "statics" but you will be interested in the results of a few surveys our Citizens Advisory Councils have conducted.

In Brevard County, 617 senior citizens out of 782 have signed up for Medical Insurance. In Walton County, 412 out of 455 senior citizens had signed up for Medical Insurance.

If these surveys had been made before Medicare was passed, there is no doubt in our minds that the spectre of hospital and medical expenses would have been listed as the major concern of the elderly. But now that Medicare is the law of the land, our surveys indicate that the desires and needs of older people run strongly towards opportunities for part-time employment, more participation in community life, and more suitable low-rent housing. For example, in Orange County 595 senior citizens were asked by our County Council there to voice their needs. Fifty-six said there should be more suitable low-rent housing, compared with eight who said they needed legal advice. Forty-five senior citizens expressed a strong desire for part-time employment, whereas only 10 mentioned discounts on admission tickets to picture shows. There was an amazing correlation between the percent of older people who said their income was inadequate and the percent whose incomes was under $200 a month; namely, 65.1 percent to 67.3 percent.

As many of you know, our Commission has been understaffed and inadequately financed since it began operation in March 1964. I am happy to report that the National Council of Senior Citizens and the American Association of Retired Persons and the Retired Teachers Association have always had kind things to say about our programs.

We realize that there are many agencies competing for the tax dollar. We know, too, that the needs of older people should be viewed within the context of the needs of the total society and that planning for the aged must be related to and compatible with planning for other segments of the population. But we have always felt that older people are entitled to their fair share of the community's recreational, educational, medical and economic resources. We regard constructive action to bring this about as an investment rather than an expense.

Let me give you an illustration. The percentage of people 65 and over in our state hospitals has increased each year from 1951 to 1965; namely, 15.4 to 28.4. Wholly aside from humanitarian aspects, it costs taxpayers less to *keep people out* of *institutions* than it does to *maintain them* in institutions. Demonstration projects have shown that Multipurpose Day Centers can keep older people in the mainstream of life and out of institutions. In an actual case study of 300 older people it was shown that after six months attendance at the Hodson Day Center, visits to nearby medical clinics declined 89 percent. Moreover, during a seven year period only one person had to be committed whereas in this age group normally there would have been between 40 and 60. What more proof is needed?

In view of the obstacles that have confronted us, our Commission has given top priority to programs designed to keep older people living independently as long as possible.

We firmly believe that an ounce of prevention is worth far more than a pound of cure. Accordingly, our efforts have been concentrated on setting up County Advisory Councils on Aging and establishing Information and Referral Centers to tell older people—and those responsible for their care—where to turn for help. In the process, we made matching community grants in 1966 totaling $350,000.00.

These centers will not only provide a needed service in themselves, but will give us an operational base in 12 counties that contain 70 percent of the 65 and over population. From the local bases, we can expand our community grants programs to include employment referrals, friendly visiting programs, telephone reassurance services, homemaker services, and many other direct services to older people.

In connection with employment referral services, we have been actively supporting the Title VI amendment to the Older Americans Act. Its sponsors predict it will pass in this session of Congress. We consider it very important as it will provide part-time employment for people 60 and over in a wide variety of jobs—not in some distant place, but right in their own communities.

URBAN TRANSIT: PROGRESS THROUGH PARTNERSHIP

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Reuss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. REUSS. Mr. Speaker, the distinguished Assistant Secretary for Metropolitan Development of the Department of Housing and Urban Development, Charles M. Haar, addressed the annual meeting of the Institute for Rapid Transit in Atlanta on May 24.

In his remarks, Mr. Haar pointed out the growing need for good mass transit systems in our urban areas.

Because his thought-provoking remarks shed light on this problem of our growing urban areas, I include the text of Mr. Haar's speech:

Urban Transit: Progress Through Partnership

As President Johnson stated on March 15, 1967, "The life of a city depends on an adequate transportation system."

I seem to be turning up in Atlanta with unusual frequency. I was here just two months ago—slightly ahead of the azaleas—to present a check to the Metropolitan Atlanta Rapid Transit Authority.

This represented the first installment of a $369,333 Technical Studies grant from the Department of Housing and Urban Development to assist this progressive city in conducting technical studies leading to the construction of the first all-new rapid transit system to be built in the Eastern United States since 1951.

To say that HUD has a strong concern with Atlanta is, therefore, an understatement: We look to our new partnership with Atlanta in the planning of a model transit system as of the utmost importance to our National programs. I am glad to be back.

I am also pleased to be here under the auspices of the Institute for Rapid Transit. IRT has a most impressive reputation for its concern with urban transit research. Your group is also a highly respected information source and spokesman in the country and in the Congress for the entire rapid transit industry.

There has also long been a partnership between IRT and HUD or its predecessor, the Housing and Home Finance Agency. Without your effort it is doubtful whether the initial urban mass transportation legislation would have been launched.

This is therefore a fitting climate in which to talk of progress in urban transportation through partnership.

Our cities and transit systems themselves—financially hardpressed and administratively understaffed in almost every instance—have at least five distinct functional needs which it is appropriate for the Federal Government to help them meet.

First, transit systems must survive in difficult circumstances, and cities in danger of losing all public transportation must find means to save the day. There are hardship cases in which stop-gap assistance is vital and must be timely. Partial but critical cessation of urban transportation service to the general public would have occurred in many cities—but for HUD grants. For instance, the Reading Railroad Viaduct in Philadelphia was in such a poor state of upkeep that commuter rail service employing this key viaduct had already been reduced 50 percent, and would have been interrupted altogether but for a timely capital grant under this program.

Second, transit systems, which are above the survival level but offering only marginal services on obsolete equipment, need infusions of new capital in order to extend and upgrade their services to growing populations in changing urban environments.

Capital grants have helped transit systems in towns, cities and metropolitan areas of every size and in every part of the nation to pay the bill for replacement trains and buses, needed new subway cars and buses, remodeled garages and stations, and new facilities to meet changing customer needs.

In not one case has a city been able to afford *all* the capital improvements its transit system needed, its commuters wanted, and transportation consultants recommended—but in 24 states and Puerto Rico, Federal grants and loans aggregating $243 million have exerted a leverage making possible many times that amount of local government expenditures for needed capital improvements.

Third, transit sysetms are seeking new ideas and better methods of operation. We all know how expensive research can be today. Few operators can afford any research at all. Few of them can afford experiments and innovations in view of immediate, pressing needs. Fewer, still, can foot the entire bill for new demonstrations when the benefits will be realized by operators and commuters in scores of other cities. In the program of research, development, and demonstrations, including the pilot demonstration program started in 1961, HUD has approved $45.5 million in grants. These grants have enabled operators around the country to solve problems common to many communities and of general applicability to the industry.

These projects have tested newly developed equipment, including: computer-controlled trains, automatic fare-collection devices, two-way radio links, air cushion vehicles, methods to lift vehicles by helicopters, and, improved safety and braking systems.

Of course, operations and skills are as important as physical equipment. Demonstrations under this program have encouraged and tested innovations in the financial, administrative, and engineering operation of transit systems—with the objective of helping transit systems to better serve their markets and more nearly meet their expenses. A major market for transit systems lies in the mobility needs of America's urban poor. Our demonstration projects have included tests of controlled changes in transit service and fare structure; in the provision of new routes linking jobs with job-hunters; and in the enhancement of opportunities for disadvantaged groups through providing greater mobility from the homes of these groups to sites of industrial, commercial, and recreational investment in other parts of the city.

Fourth, transit system managers and planners need to *know* how many customers they will be called upon to serve, at what origins and destinations, at what level of fares, and with what availability of rights-of-way, vehicles and capital budgets. In other words, transit operators need knowledge of projected urban development—just as urban planners, local government officials, and private developers need knowledge of projected transportation routes and services.

We seek to encourage local planning of urban transportation systems as an integral part of comprehensive planning for community development or redevelopment. Federal assistance for this effort is available through HUD's 701 urban planning assistance program. It is further stimulated by the requirement in various Federal assistance programs, of which the urban mass transportation capital assistance program is one, that planning be a prerequisite to eligibility.

Plans must be understood by those who carry them out, if they are to be effective. Under the Management Training and the Research and Training sections of our legislation, new sections added last year, we are assisting the education of both those who will study and those who will operate transit systems that are better adapted to the shape of the city and the needs of its citizens.

Fifth, transit systems need true breakthroughs and cities need futures. Systems development is costly. Individual cities and transit systems, acting alone, cannot afford broad systems research and development to evolve dramatically-better or dramatically-new systems of urban transportation. The nation as a whole *can* afford the creative development of new transit systems—and indeed it cannot afford to continue indefinitely without breakthroughs and new systems in this field.

In administering our programs, we seek for the near present and foreseeable future new methods and new systems of urban transportation which will be speedier, safer, more economical, more dependable, and non-polluting; which will enhance the value of the central city; and which will enable developing urban areas to grow in an orderly, healthy way to the advantage of the community and to the people who live and work in it.

In accordance with the directive in the 1966 Amendments to the Urban Mass Transportation Act, HUD is currently engaged in a special 18-month study project for the preparation of a developmental program which can lead, within the next few years, to a breakthrough in new systems of urban transportation. The results of this study will be submitted to the President and the Congress by early 1968.

In February we made four grants to research firms to initiate the surveys and analyses necessary to frame this research and development program.

We are asking one firm to suggest improvements to existing transit systems that can be introduced six months to three years after its study.

Another firm is asked to outline a search for more basic solutions likely to be available in three to eight years. We are asking that a part of their concern be ways to minimize the dislocations of neighborhoods and people when transit systems are introduced.

A third firm is asked to consider the impact of new transit technologies on the shape of the city, and on passenger movement, in systems that might be developed in five to 15 years.

The fourth project is to conduct a sophisticated but practical systems analysis by computer of alternative forms of urban transportation from the view of passenger origin and destination, points served and lands traversed.

The research efforts under these four programs are proceeding energetically and are providing ideas and information needed for the preparation of our recommendations for the Congress.

I am today announcing the award of five additional contracts to round out and strengthen this total program.

As a result of their broad resource of disciplinary skills and their previous work in the field of transportation, the Battelle Memorial Institute has been retained to assist the Department in the overall conduct of its R&D study. The major task to be performed by Battelle is the early screening and the preparation of evaluation monographs on a wide range of possible urban transportation research projects. This activity will assist the Department in providing direction to the in-depth investigations being conducted by the other contractors.

Because of the many potential benefits to be derived from a bi-modal small vehicle transportation system, the Department has retained Cornell Aeronautical Laboratory to undertake an in-depth analysis of this system. Cornell will evaluate all aspects of such a system by applying it to a test city, Buffalo, New York. This investigation will provide the Department with a concrete and practical assessment of the merits of the bi-modal concept.

Preliminary investigations made by the Department indicated clearly that one of the critical elements to making major improvements in urban transportation is the development of electronic command and control systems. The General Electric Company has been retained to study this area. General Electric will investigate electronic command and control devices which could have early applicability to buses, trains and freeways, as well as performing detailed investigations concerning the development of new devices.

General Motors Corporation has been retained to conduct an implementation study to develop answers to the practical question of once a new system has been designed how do you introduce it into metropolitan areas? Detailed implementation studies will be performed on from five to eight transportation systems for cities ranging in population from 200,000 to 4 million. These studies will specify the sequence and magnitude of efforts required to bring each of these new systems into operation.

North American Aviation has been retained by HUD to survey the aerospace, atomic, defense and other advanced technologies for elements which may be utilized in solving the urban transportation problem. In addition, North American will act as an advisory group to the 4 basic contractors by applying their special experience in advanced technologies to specific problems uncovered in the course of the study.

The time is ripe for the innovations that will grow out of these studies. And I believe that a closer partnership between HUD and IRT can have important results in helping to achieve such innovations.

Most immediately, I suggest that the Institute for Rapid Transit cooperate with HUD in the establishment of an experimental facility which will benefit the entire industry.

The Diablo Test Tract at BARTD has been extended for one year and then will be incorporated into San Francisco's all-new system.

Now is the time to bring operators, suppliers and HUD together to set up a permanent experimental facility which will be available in the future.

I would hope IRT would take the leadership in such an undertaking. HUD stands ready to assist.

Such steps are important elements in the strengthening and reshaping of urban transit as a vital and integral force in our cities. To achieve this goal much, of course, must still be discovered and tested. Many of the quantities in the complex urban transportation equation are still unknown to us, or at least insufficiently investigated.

But I am confident that these efforts are on the right track. For we do know that the efficient movement of people and goods involves a great deal more than vehicles and tracks, and goes beyond the fundamentals of speed, convenience, comfort and cost. Transportation by its nature crosses political boundaries and raises questions of intergovernmental relations.

It has economic and social dimensions. It raises the question of developing a balanced system which does not permit isolation of neighborhoods and their people to occur. It expands the options for preserving and enhancing the environment. And it surely ought not to destroy natural beauty or block the view of it.

These are questions very much alive at this moment in a number of cities, where decisions must be made soon on where the first rapid transit line will run. Will there be enough stops in the central business district? Will the local transportation fit into the needs of the airport traveler? How will stations tie into office building growth? Will it be out one street through middle and upper class neighborhoods, for example, or out another, just a few blocks away, through low-income neighborhoods? What will the pattern of stations be? What will be the fare structure?

These are issues that many cities and States will be facing as they move toward mass transit systems. They will have to decide where to invest billions of dollars in the coming decades. And no matter how much they invest it will never be enough in any city or metropolitan region to satisfy everybody at the same time.

The final decisions in such questions are, of course, for local officials in government and the industry—for many of you here in this room. It is HUD's responsibility to make sure that communities seeking Federal help have addressed these questions on an adequate fashion—that they have included a careful inquiry into economic development, sound city and metropolitan growth, property tax structure, land values, design features and social welfare in deciding how best to serve a total region.

On Monday, HUD sponsored a conference on Design in Urban Transportation to emphasize the national need for a stronger concern with both the urban and social design features in mass transportation development.

At that meeting I announced the establishment of a 5-member Task Force to be concerned with these economic, fiscal, social and design considerations.

To be headed by Leo Cusick, this Task Force will be an ambassador of HUD—traveling to cities interested in urban transportation—to evidence HUD's concern and to make help available where possible.

This group, which includes an urban planner, an architect, a transit industry representative, and a member of my personal staff, will conduct a constant evaluation of various systems. It will look at the impact on cities—to jobs, housing, training. It will seek out possible demonstrations and innovations.

We at HUD, then, have already taken positive steps so that we can be of solid practical help to you in dealing with your daily problems. We are eager to strengthen our partnership with you in solving these problems.

Our overall interest is in the orderly and healthy development of the metropolitan areas that hold our country's future. And we recognize—as mayors, city managers, the press, home builders, bankers, and the public at large are coming to recognize—that mass transit is the leading edge of metropolitan development. The larger goals of a strong economy, good housing, open space for recreation, a sound tax base and efficient utility services, all rest to a great extent on decisions in your area—mass transit.

Our partnership is even now bearing fruit at many levels:

An installation like the Diablo Test Track can take much of the guess work out of your equipment investment decisions, and—together with some of our equipment research and demonstration studies—can help you select the most modern and efficient equipment for your system.

Our new basic research study is the most comprehensive effort ever undertaken to discover breakthroughs in transit technology and operations that can revolutionize your systems in years to come.

Our program of 100% grants for managerial training fellowships can significantly strengthen your executive personnel capacity: this summer we will be sponsoring two mangement seminars, one at Kent State University and one at West Virginia University.

The capital grants program is the largest source of Federal help specifically for urban mass transit—concerned only with helping your segment of the vast transportation picture. I don't need to tell you how much a Federal grant can stretch the buying power of a city council's dollar in getting the new equipment or system installation you need.

HUD is sponsoring a study and demonstration project in Pittsburgh to find out how you can improve the advertising and merchandising of transit services in your community.

Our 701 planning program performs a less direct but extremely valuable service for transit in showing city officials how vital your strength is to the general health of their areas, including the enhancement of their property tax base. In large part because of the studies of regional planners it is now realized that a typical inner city expressway may cost millions of dollars in lost tax revenues, whereas an installation like the Yonge Street subway in Toronto has resulted in the addition of millions to city coffers.

701 planning can perform another vital function for you. It does what the planners call "stimulating an environment of investment certainty."

Which means that it can tell you what sort of ridership and revenues you are going to be able to expect from various route locations and modes of service, taking much of the risk out of your system development. Your close cooperation with local planners can help them to serve your needs well and support your case with your community and city officials.

This brief run-down of a few of HUD's helping hands for transit service has, I hope, conveyed to you the strength of our commitment and the range of our program tools.

I hope I have conveyed to you today the depth of HUD's commitment to your industry. Positive steps have been taken to implement the partnership of HUD and the Rapid Transit Industry. Our determination is to make the whole range of our programs as flexible as possible in order to meet your needs.

The transit requirements of cities constitute our Department's only direct transportation interest. And we regard urban public transportation as the most important single force in the metropolitan development of the Nation's communities. And since helping solve the problem of metropolitan areas and assisting the President in orderly, maximum coordination of the various Federal activities that have a major effort in metropolitan development are major missions of HUD, the primary of urban transportation in discharging that mandate is apparent.

Your active voice has been a stimulus to the development of HUD programs. You have helped foster the growth of interest in and understanding of urban transit on the part of the Administration and the Congress.

The "agony of getting anywhere" is a prime concern of the Johnson Administration. Together we can make public transportation an effective instrument to meet the needs of urban life.

INTRODUCING BILINGUAL EDUCATION ACT

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Farbstein] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, it would be a shame if the over 2 million non-English-speaking children in America were deprived of equal opportunity because of an inability to effectively communicate in English. In view of this pressing fact, I am introducing today, the Bilingual Education Act, which would amend the Elementary and Secondary Education Act of 1965, and provide much needed assistance to local educational agencies in establishing bilingual education programs.

The people of this Nation are all descendants of immigrants, or perhaps immigrants themselves, who came to these shores seeking a better way of life, free from oppression and free to develop their individual potentials to the fullest. We are proud of the great Nation we have built—and rightly so, but we must not forget that its lasting strength lies in the inalienable right of the individual to have the opportunity to fully develop his talents and skills.

The main thrust of the Bilingual Education Act is to focus on this potential, to upgrade the entire program of schools where large proportions of the children come from non-English-speaking, low-income families. Program assistance is not intended to supplant the native language and cultural background of students, but to complement it.

Program focus is bicultural as well as bilingual in order to acquaint non-English-speaking children with the history and culture of each language. It is also flexible enough to permit the U.S. Commissioners of Education to fund programs for adult education as well as for children, and for teacher training. In addition, it would provide funds for planning and development of programs, including pilot projects to test the effectiveness of plans and to develop special instructional materials.

I can attest to the potential impact such a program could have in a local area by using the 19th Congressional District of New York, the district I have the honor of representing, as an example. Census statistics indicate that approximately 18 percent or 80,000 of the 19th district's population are of Puerto Rican birth or parentage. Such a program could do much to focus educational attention on local language and cultural differences.

Benjamin Franklin once observed that "an investment in knowledge always pays the best interest." The Bilingual Education Act authorities sums of $25 million in fiscal year 1968, with a two step increase to $50 million by fiscal year 1970. I believe this program is needed. I believe the authorized sums are necessary to assure program success, and is indeed a sound investment in knowledge.

OEO PROGRAMS HELP HIGH SCHOOL DROPOUT MAKE GOOD

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, an article by James Yuenger, appearing in the Chicago Tribune on June 19, tells the story of how the war on poverty has enabled "a high school dropout who started out as a shoeshine boy in a pool parlor" to find dignity and a constructive social role for himself directing a job placement project for other disadvantaged citizens. Mr. Yuenger tells how Stanley Williams plays a leading role in the Tri-Faith employment project, a federally funded antipoverty program sponsored by the Chicago Conference on Religion and Race. Tri-Faith, with seven neighborhood centers in poor areas, has made some 5,500 job placements since it was formed last August. The East Lawndale office, under Williams' direction, leads the pack with 1,100 placements, 20 percent of the total.

In order that my distinguished colleagues may learn more about this remarkably effective antipoverty project and the courageous young man who is the center of the story, I include Mr. Yuenger's article at this point in the Record:

Ex-Shoe Shine Boy Finds Others Jobs—Runs Placement Service for Lawndale

(By James Yuenger)

In one of the toughest sections of the west side, a high school dropout who started out as a shoe shine boy in a pool parlor is placing dozens of people in jobs each week.

Stanley Williams, 38, has come a long way since that first job, but he is still poor enough that his family lives in public housing. Some of the people for whom he has found jobs earn more than he does.

But he says he's having the time of his life.

DIRECTS STAFF OF FOUR

Williams directs a staff of four in the East Lawndale office of the Tri-Faith Employment Project, a federally funded anti-poverty program sponsored by the Chicago Conference on Religion and Race. Tri-Faith, with seven neighborhood centers in poor areas, has made some 5,500 job placements since it was formed last August. Williams' office leads the pack with 1,100 placements.

"It was real funny," Williams says. "On the day I started here last December, all the headlines announced that 2 million dollars was being cut from Chicago's anti-poverty budget."

But Tri-Faith's total budget of $154,000 for the seven centers survived the cut, and last month the program was singled out for praise in hearings on Chicago's anti-poverty effort before the Senate committee on employment, manpower, and poverty.

Outside Williams' barren but busy office at 3708 W. 16th st., a red sidewalk stand with several job listings is one of the few bright spots in the dingy neighborhood. Someone is almost always studying it.

"Some of our best sources are women," Williams said. "They walk by on a shopping trip and look over the list. Then they go home and tell their husband, 'Hey, they got jobs over there.'"

Williams' staff doesn't wait for people to come in, however. He has a full-time "field rep" who scouts out the jobless in bars and pool halls—and on street corners. Paper flyers are distributed and posted everywhere.

On a Monday morning, up to 50 people may flood into the office looking for work, he says. Some don't have jobs and others want better ones.

The East Lawndale office of Tri-Faith serves an area where unemployment is estimated at 40 per cent. It is bounded by the Eisenhower expressway, 22d street, and Hamlin and Ashland avenues.

The area, Williams said, is loaded with recent arrivals from the south, mostly farm workers who know little or nothing about finding and holding jobs in the city.

USES GIMMICKS

"I find a man a job and put him on a bus headed for the company, and half the time he gets lost," Williams said. "He's too embarrassed to ask a cop, so I wind up taking him over there in my car."

Lack of education also is a major problem, but Williams' staff has devised a number of simple "gimmicks," as he terms them, to overcome this.

One is a 12-inch ruler mimeographed on a piece of paper, with inches marked off into sixteenths. A surprising number of prospective workers lose out on factory jobs because they can't read a ruler, he said.

Another is a mimeographed list of the 50 states.

"A lot of guys can't get jobs on a loading dock because they can't read the name of the state a shipment is bound for," he said. "They could once, but they forgot. We give them this list to study overnight and then we test them. When they master that, they can get jobs."

Tri-Faith deals only in permanent job openings, but the picture isn't entirely rosy. A survey showed that 69 per cent of its new job holders in the 19-to-29 age bracket didn't last 90 days, Williams said, and in the 29-to-39 age bracket, 40 per cent quit before 90 days were up.

BECOMES CULVER WAITER

"Many of these people, especially the young people, get bored easily," he noted. "They haven't built good work habits. Some come back to us and we go thru the process all over again."

Williams himself bounced around from job to job when he was young. On his own at the age of 15 in Arkansas, he shined shoes and held other menial jobs. Then, by lying about his age, he became a waiter at Culver Military academy in Indiana.

After World War II navy service and three years in the coast guard, he held a series of jobs. Finally, he came to Chicago and was a Chicago transit authority bus driver for 10 years, followed by four years as a CTA detective.

MATERIAL FOR USE ON FIRST ANNIVERSARY OF PRESIDENT BALAGUER'S INAUGURATION IN THE DOMINICAN REPUBLIC

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the Dominican Republic has had a long and sorrowful history. After its discovery by Columbus in 1492 it prospered briefly but then was left in the backwaters to stagnate for centuries as the rest of the hemisphere was opened up. It suffered numerous foreign invasions and a long period of subjugation under Haitian rule. Independence in 1844 brought little relief. Efforts to establish democratic rule repeatedly collapsed before the ambitions of regional strongmen, and dictatorship held sway throughout most of the country's history as an independent Republic. When the last dictator, Generalissimo Rafael Trujillo, fell in 1961 after 30 years in power, the country was left with virtually no trained civil service, no traditions of democratic self-rule, little knowledge of developments in the outside world, and virtually no self-respect or sense of national dignity.

We are all familiar with the political upheavals and internal dissension which followed as the country tried to patch itself together and adopt the ways of a world which had left it far behind. The United States throughout this period provided substantial financial and other assistance to the country's development, and we suffered with the Dominican people their numerous setbacks, particularly the overthrow of the constitutional government of Juan Bosch in 1963 and the conflict of April 1965.

Many despaired that democratic institutions would never take root in the Dominican Republic. The "realists" said the task was a hopeless one and should be abandoned. But the "doubting Thomases" are being proved wrong, Mr. President. On July 1, a democratic constitutional government will complete its first year in office, and the prospects are bright that it will complete its 4-year term. Municipal elections are scheduled for next year and general elections in 1970, and if they can be carried out and their results accepted in a democratic manner, as now seems likely, the country will have made great progress in the institutionalization of traditions which will give it a high place among the nations of this hemisphere. The constitutional President, Joaquin Balaguer, has proved himself to be a man of peace and conciliation, and under his leadership the Dominican people have shown a willingness to forget past grievances and old disputes in an effort to resolve their common national problems.

There is reason to be hopeful about the outcome in the Dominican Republic, and it is important to the United States that it should be a favorable one. A nation in turmoil or suffering under dictatorship is not easy to live with as a close neighbor, Mr. President, and the history of our relations with this country bears this out. For this reason, if for no other, we have supported and should continue to support the efforts of the Dominican people to establish constitutional democracy and economic self-sufficiency in their country.

I have had the firm faith in the Dominican people ever since the crucial elections of last year when I was designated by the OAS as an observer.

LET US NOT MAKE THE FATAL MISTAKE OF CONFUSING THE INTERESTS OF OTHER NATIONS, EVEN FRIENDLY NATIONS, WITH OUR OWN

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RESNICK. Mr. Speaker, one of the arguments often used by our fellow Americans to support their criticism of our policy in Vietnam is that many of our traditional allies have not given us their wholehearted support, and that some, in fact, have been severely critical. When Vietnam is being debated—whether it be at a cocktail party, in a newspaper editorial, or on the floor of Congress itself—we are almost certain to hear someone raise his voice and ask, "If our policy is so right in Vietnam, why do our friends not give us more support?"

This line of argument certainly seems to have logic on its side. But there is one thing wrong with it. It naively assumes that relationships and friendships among nations are established on the same foundations as relationships and friendships among individual persons. This, as we all know, is a false assumption. Nations—even the friendliest of nations—are not "pals." Rightly or wrongly, every nation follows its own star and seizes its own opportunities when and where it finds them. Narrow self-interest—brutal selfishness, if you will—dominates relationships between states infinitely more than relationships between people. The sad lament "where are our friends" has little or no place in international diplomacy.

Perhaps this fact is not too apparent with respect to the attitudes of other nations toward U.S. policy in Vietnam. But it is painfully obvious in the present Middle East crisis. No nation has had this lesson driven home more bitterly than Israel has in the past 2 weeks.

Since achieving independence 19 years ago, Israel has worked hard to cultivate the friendship and good will of many less-developed African and Asian countries. Toward these countries Israel has pursued a policy that has stressed education, technical assistance, aid, and cooperation, almost entirely at Israel's expense. Thousands of foreign students have come to Israel to study in its universities, hospitals, and technical schools. They study for periods ranging from several months up to 4 or 5 years, and they study the subjects most needed to help lift their nations out of the depths of poverty and despair—engineering, teacher training, agriculture, medicine, youth development, farm management, water resource development, and many more subjects. In addition, Israel sends its own experts abroad to live and work in foreign countries for several years, to work with and train people in vital areas such as water development, sanitation, construction, and industrial development.

For its size, Israel has provided more assistance to underdeveloped countries than any other nation on earth. And it has made many "friends" in the usually accepted political meaning of the word. But where are these "friends" in Israel's hour of trial and need? Let us look at a few of them.

From 1958 to the present, Nigeria has sent more than 400 of its finest students to schools and universities in Israel, mostly at Israel's expense. At the same time, Nigeria has accepted more than 75 Israel technical experts who have come—at Nigeria's invitation—to help that nation solve some of its most crushing problems. Strong bonds have been growing between the two countries and yet, only 2 weeks ago, Nigeria was one of only six nations to vote for an anti-Israel resolution introduced by the Soviet Union in the U.N. Security Council. Why? Very possibly because Nigeria has a secession on its hands and needs weapons. A military delegation is presently in Moscow which is believed to be trying to buy Soviet arms. It can be safely assumed that Nigeria's U.N. vote was less a vote on the merits of the Israel-Arab issue than a practical attempt to curry favor with the Soviets in the hope of getting guns.

The same resolution was supported by Ethiopia, which has sent 225 of its best students to study in Israel, while accepting the services of no less than 150 Israel technical experts in Ethiopia. Once again self-interest triumphed over "friendship" when Ethiopia voted for the Soviet resolution because of intense pressure from the Arab States of North Africa. And suddenly the facade of a united African front suddenly became more important than food, water, and teachers to Ethiopian leaders. Some might call this ingratitude. But gratitude does not play an important role in international affairs.

The most striking example of this fact is the case of Tanzania. While Tanzania achieved independent nationhood as recently as 1964, it has already received more Israel aid than any other nation in the entire world. Well over 600 top students have gone to Israel to study at the Technion, the Hadassah Hospital, and other institutions; and over 100 Israel technical experts have gone to work in Tanzania. And yet, the representative from Tanzania stood up in the U.N. last week and delivered a vicious speech against Israel, branding her an aggressor, and repeating all the shocking lies the world has heard during the last couple of weeks from the Soviet representative and those who followed in his wake. Why did Tanzania take the "hard line"? We shall be more likely to find the answer in Peking than in Tel Aviv or Cairo. Tanzania has shown a strong partiality to the Communist world and seems willing to become the Albania of Africa. It is now courting favor with the Red Chinese, many of whom are now in Tanzania. And the importance of supporting the Chinese in their ideological battle with the Russians is, right now, a little more important to Tanzania than helping a friend in trouble.

Finally, let us take the peculiar case of India—a nation that has repeatedly thanked the United States for its massive food and technical aid with the back of its hand. This behavior seems to be an old Indian custom, as Israel has now found out. Since 1958 famine-wracked India has sent about 185 students to study agriculture development and other subjects in Israel—primarily at Israel's expense, I would again like to emphasize. And yet India was one of the first nations to shout encouragement to Egypt and President Nasser when they launched their attack, in Mr. Nasser's words "to liquidate Israel." Israel voted in favor of India's membership in the Security Council while every Arab nation voted against her. And yet, India was one of only four nations in the Security Council to support the Soviet resolution condemning Israel as an aggressor, a statement which was generally recognized as utterly false and introduced purely in order to help the Soviet's win back lost prestige from the Arabs.

Why would India foresake a friend and support the Russians? To find out we must once again take a trip into the labyrinth of twists and turns that is known as foreign relations, and we find that once again the answer has nothing to do with the issue under discussion. For many years, India, a predominately Hindu country, has been trying to win the support of Arab countries in its dispute with Moslem Pakistan for control of Kashmir. And so, whenever any situation has given India the opportunity, it has always jumped up—as predictably as a trained seal—to prove to the Arabs that they can be better Moslems than the Pakistanis. A sad commentary on a nation that has tried to establish itself as a great independent moral force in the world. It has only succeeded in turning "moral force" into moral farce.

The list is distressingly long. It certainly cannot omit Charles de Gaulle whose France has carefully built a friendship with Israel over the past 15 years, and who has suddenly thrown it all up because he could not resist the enticing smell of oil and the opportunity to enlarge French influence in North Africa and the Middle East. Principle is out; oil is in, says Mr. de Gaulle, to the disgust—it should be added—of most of the French people. This is the clearest illustration of all of how self-interest, not abstract concepts of right and wrong, determines the policies of nations.

By now it should be obvious that the conflicting currents of national interests and aims make it impossible to assure a constant and predictable relationship between any two nations—especially in times of great stress. No judgment on Israel's present position in the Middle East can be made by looking at where her "friends" are lining up. Many of them have deserted her—and they have done so for a startling variety of different reasons—most of them not even remotely related to the issues separating the Jews and the Arabs. It may be unfair, but these are the facts of life in international politics. And this is precisely our problem in Vietnam today. It is a fatal error to assume that it is because of principle that our "friends" have failed to give us the support we had a right to expect in Vietnam. They all have their own problems, their own national goals, and their own self-interests.

They all step to a different drummer. When our interests coincide, they will support us. When our interests diverge, they will not. We must look within ourselves for guidance in these difficult times. When we think we are right, we must press on. If we think otherwise, we must change our course. But above all, let us not make the fatal mistake of confusing the interests of other nations—even friendly nations—with our own. Israel has already learned this bitter lesson. It is about time some of our domestic Vietnam critics did the same.

MISS PHYLLIS A. RUPPERT OF NOKOMIS, ILL.—"WHAT THE SHELBY ELECTRIC COOPERATIVE MEANS TO MY COMMUNITY"

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SHIPLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SHIPLEY. Mr. Speaker, during the week of June 12, 1967, the Electric Cooperatives of Illinois sponsored a "youth to Washington trip." Miss Phyllis A. Ruppert, of Nokomis, Ill., one of the youth selected for this trip and who will be a senior at the Nokomis High School this fall, presented an essay at their breakfast meeting in Washington, D.C., on "What the Shelby Electric Cooperative Means to My Community." Although Miss Ruppert wrote the essay for her community, I am sure the same applies to many communities throughout the United States which have the good fortune to be served by the various electric cooperatives. I believe the thinking of these young people will be of interest to all Members of the House. The essay follows:

WHAT THE SHELBY ELECTRIC COOPERATIVE MEANS TO MY COMMUNITY

(By Phyllis Ruppert)

As long as I can remember, all I had to do was flip a switch and have light, turn the thermostat for more heat or turn a faucet to get a cold drink. But I could not quite realize what it would be like to have to do without these conveniences. This past winter, during the ice storm, I was made quite aware of how much electricity meant in just our simple daily tasks. All the stories my parents and grandparents have told me seem more realistic and I now realize how much easier electricity has made life for my generation.

Today's rural area residents might still be waiting for the advantages and conveniences of electrification had it not been for the determination and foresight of certain men who refused to admit defeat. As early as 1882 Thomas A. Edison built the first central electrical system. Men kept studying the idea and experimenting. By 1915, it was known that power could be transmitted as far as 100 miles. The chief problem, however, remained that of getting electricity at a cost that would permit farmers and other rural people to put it to work.

The real beginning of rural electrification began in 1935 during the term of Franklin D. Roosevelt. It took some time to make the people understand what electricity would mean to them. In 1936, the President signed the Rural Electrification Act and established R.E.A. which now serves more than 98% of the farms in America. At that time, however, 89% of all farms in America lacked electricity. This act helped the rural people form cooperatives with the aid of financial loans from the Government.

Before electrification, the only means of getting farm work done was by man or animals. Electricity has provided a means of mass production of farm machinery, tools and equipment enabling him to do more work faster. All farmers will tell you that electrical power is the cheapest "hired man" they can get.

In many situations, electricity has made a revolutionary change. By living on a dairy farm, I can say that the dairy industry is certainly one of these situations. The cows are fed automatically by electrically powered augers. Milking machines are run by electricity and the milk is cooled in a bulk tank by electricity. Watering the cows, hot water for cleaning purposes and heating the milkhouse is all done electrically. We even have music to calm the cows during the milking process. This is just one of the many examples of farm industries run by electricity.

When we take a look at the housewives in our community, we find there is not one household task that is not aided in some way by an electrical appliance. This has all come about in our area in the last twenty years. The farmer's wife today has the same conveniences as the city homemaker. But, it seems odd that those who needed electricity the most were the last to receive it. As a rule, the housewife of years ago had to cook for more people than the woman in town, especially at harvest time. This had to be done on a wood range, sometimes on the hottest days of the year. It is typical of farm families to raise and preserve their own food. So the grueling process of canning food was another chore. Her laundry was caked with dirt and all the water for washing had to be pumped and carried by hand as well as the turning of the machine or scrubbing on the board. Also, there was the problem of food spoilage without refrigerators. Electricity has changed everything it touched in rural America.

The worship services in our country churches have been enhanced with the beauty of music from the electric organ. Our communication systems and entertainment media of radio and TV are all a part of the rural life now as well as city life.

Electric cooperatives work for the good of the community. When a community prospers, each citizen benefits. The farmers are no longer referred to as "hicks," and the businessmen are thriving. Our towns are growing and industry is expanding. All of this has come about in the last 30 years due to the tremendous and rapid growth of the rural electric cooperatives.

It is no exaggeration to call the rural electrification program one of the greatest bargains the American people has ever received for an investment of their tax dollars. This program is a shining example of free enterprise working to build a brighter tomorrow.

In conclusion I would like to use a quote from our Secretary of Agriculture, Orville L. Freeman:

"The role of the R.E.A. is not finished . . . it is only beginning. . . . This, I submit, is sound policy and one that will serve the Nation well. Let us, working together, militantly carry it forward."

THE STRATEGIC DILEMMA IN VIETNAM

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRASER. Mr. Speaker, one of the best analyses I have read of the U.S. position in Vietnam has been written by a young professor at Syracuse University. As part of a forthcoming book on the great powers in South Asia, Dr. Oliver E. Clubb, Jr., has made a penetrating analysis of the "strategic dilemma" the United States finds itself in. His persuasive arguments for bringing our Nation out of this dilemma deserve the careful attention of the entire Congress.

The Strategic Dilemma in Vietnam

(By Oliver E. Clubb, Jr., Syracuse University, March 1967)

In early 1965 the United States Government committed its armed forces on a large scale to the struggle for South Vietnam, in the obvious expectation that American intervention would lead to defeat of the insurgent forces. It is the thesis of this paper that the United States is confronted in Vietnam by fundamental strategic problems, both military and political, which cannot be overcome, and that the Administration's objectives will almost certainly not be achieved. The continuation of the war, in this writer's view, promises only great damage to the American national interest and further devastation to both North and South Vietnam; and it could easily involve the United States in a greatly enlarged war, even a nuclear holocaust. If this assessment of the Vietnamese situation is correct, it follows that the United States must revise its objectives and adopt a new policy. The rationale for these conclusions follows.

THE RATIONALE

The American air offensive against North Vietnam was, of course, launched in February 1965, when the Saigon government was on the verge of collapse. Washington's bombing strategy rested on several assumptions, all of which proved false.

First, it was assumed, as the New York Times noted, "that Hanoi is not only supplying the insurrection but masterminding it.[1] It was believed, therefore, that Hanoi could turn the insurrection off. Shortly after the bombing offensive had been launched, American officials would bring forth the "estimate" that without North Vietnam's support, "60 to 90 per cent of the Vietcong operations could not be carried out. . . . The theory is that the Viet Cong insurrection will peter out if Hanoi agrees to a cease-fire and cuts off the supply of arms and manpower to the Communist guerrillas in the South.[2] But in December, only two months before the bombing offensive was launched, "top military men" in South Vietnam had stated that if the Viet Cong were completely cut off from North Vietnam, "the Viet Cong would adapt to the situation, and the war would remain what it now is—primarily a problem to be solved within South Vietnam itself."[3] Washington's perception of reality had changed to fit the requirements of its bombing strategy.

OUR STRATEGY BACKFIRES

It was also Washington's belief that it could "induce" Hanoi through physical punishment to "see reason." In theory, the bombing offensive would develop progressively until the North Vietnamese leaders realized that the "cost of aggression" outweighed the prospective gains, at which point they would not only stop supporting the Viet Cong but order them to give up the struggle. It was hardly to be anticipated that Hanoi could bring itself to order the Viet Cong to surrender, so that North Vietnam might be spared the inconvenience of American bombing, or that the NLF would accept such an order, Indeed, punishment of those who believe their cause to be righteous almost invariably gives them a sense of martyrdom and increases their determination to carry on.[4] Bombing had not brought Great Britain to its knees during World War II and it quite obviously had not humbled the Viet Cong. The bombings produced effects in North Vietnam quite the opposite of those intended. As British journalist James Cameron wrote, after a visit to North Vietnam in late 1965:

> One thing is sure, if the bombing of North Vietnam is designed either to terrorize the people into submission or to crush their economy into ruin, its effect on both counts is precisely the reverse. . . .
>
> So far from terrorizing the people, the bombings have stimulated and consolidated them. . . . A nation of peasants and manual workers who might have felt restive or dissatisfied under the stress of totalitarian conditions has been obliged to forget all differences in the common sense of resistance and self-defense. From the moment the United States dropped the first bomb on North Vietnam, it welded the nation together unshakably. Every bomb since has been a bonus for Ho Chi Minh.[5]

Nor would the United States find it possible to destroy North Vietnam's capacity to carry on. As Cameron remarked, the economy was not one "that can be wrecked by high explosives. This is a peasant, agrarian society, immensely resilient."[6] There was not mu industry outside of the main cities—Han and the adjacent port of Haiphong—to be bombed. Moreover, the North Vietnamese would take extremely effective countermeasures. When the bridges were destroyed, the North Vietnamese replaced them with ferries and pontoon bridges which could be assembled for use at night and concealed during the day. A total of perhaps 250,000 persons were organized into repair gangs; when roads and railroads were broken, they were often repaired overnight. The transportation routes became busy at night and deserted during the day.[7] Industries were dispersed. With Russian help, North Vietnam would in due course be provided with an extremely formidable air defense system, and the Hanoi-Haiphong area would acquire, in the words of General John P. McConnell, U.S. Air Force Chief of Staff, "the greatest concentration of anti-aircraft weapons that has ever been known in the history of defense of any town or any area in the world."[8]

The net result of the bombing strategy was to bring into being the very situation it was designed to prevent—large-scale North Vietnamese intervention in South Vietnam. At the beginning of February 1965 the number of North Vietnamese soldiers in South Vietnam was insignificant. By late April 1965, Secretary of Defense McNamara had reported the presence in South Vietnam of a battalion—about 500 men—of the 325th North Vietnamese division.[9] And by October 1966 there were reportedly more than 40,000 North Vietnamese soldiers in South Vietnam.[10] The American forces, by then numbering some 300,000 men, had at that time discovered no way of halting the flow or of driving the

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Footnotes at end of speech.

North Vietnamese out. The prospect of a purely South Vietnamese settlement, which had plainly existed in January 1965, would recede as the war ground on and the North Vietnamese came to play an increasingly important role in the South.

CHINA AND RUSSIA ENTER THE PICTURE

The success of the American bombing strategy also depended on the reactions of Russian and China. "The great question which arose out of the reprisal policy," as one correspondent observed, "was whether it would push Communist China and the Soviet Union back together again. That was the real danger for the West." [11] In that regard, Washington was undoubtedly gratified by what it saw. The early March meeting of 19 Communist parties in Moscow brought forth a communique calling for "joint, coordinated action by all fraternal parties in the struggle against the common enemy . . ." [12] Sino-Soviet unity against the United States was ardently desired by North Vietnam. But for Peking it would involve acceptance of Soviet leadership, Russia being by far the strongest Communist power militarily. This the Chinese could not bring themselves to do. Peking denounced the Soviet call for unity as a "swindle" designed to conceal Soviet collaboration with the United States.[13]

In late March, moreover, the Soviets let it be known that China was dragging its feet on arrangements to permit the shipment of Soviet war material across China to North Vietnam.[14] Both Peking and Moscow undoubtedly remembered the American naval blockade during the Cuban missile crisis of 1962; and both undoubtedly perceived that if Soviet aid to North Vietnam were channeled exclusively through the port of Haiphong, the risk of a direct military confrontation between Russia and the United States would be increased. Moscow's disclosures embarrassed the Chinese and shortly afterwards they agreed to grant Russia transshipment rights.[15] It became obvious in Hanoi, if it had not been obvious already, that China regarded North Vietnam less as a "fraternal ally" to be defended at all costs than as a pawn in the game it was playing against Russia and the United States.

This disarray among its Communist adversaries, for which China was primarily responsible, did much to encourage Washington in the military strategy upon which it had embarked—as Washington was encouraged by Russia's strenuous efforts to promote a negotiated settlement of the war. Even if divided among themselves, the Soviet Union and China would still have to be dissuaded, however, from intervening unilaterally on North Vietnam's behalf. China, which could be attacked with relative impunity by the United States, was to be prevented from intervening by threats. In early April 1965, Presidential adviser McGeorge Bundy warned that if the Chinese carried their aid to North Vietnam too far, "the United States will not stop at the Chinese frontier." [16] The Russians were treated differently. It was the Administration's belief, "that there is, or ought to be, a general coincidence of Soviet and American interests in Asia, at least to the extent that each wishes to contain Chinese influence among Asian Communists and in the region's non-Communist nations." [17] The administration declared "that overt Soviet assistance to the Viet Cong would prejudice relations, including trade and other contacts valued by Moscow . . . [American] officials went to great lengths to explain their actions to the Soviet Government. They underlined assurances that they desired to avoid wider war and that they appreciated the Russian's dilemma." [18]

Washington's illusions about Russia had gone full circle. In 1961 the Administration had conceived of the Viet Cong insurrection as part of a Soviet global strategy aimed at fundamentally altering the world balance of power. Now the Administration hoped that Russia would collaborate with the Americans, through inaction, to help defeat North Vietnam and the NLF—for the sake of improved relations with the United States. Moscow had plainly hoped to cooperate informally with the United States to contain Chinese influence, but hardly on the basis envisaged by Washington. The Kremlin was being asked in effect to accept the principle that the United States could attack smaller Communist states with impunity. The Soviets could hardly do so without abandoning all pretense of leadership within the Communist world and without risking grave repercussions in Eastern Europe. It was unlikely that any Soviet leader could accept that principle and stay long in power.

By bombing North Vietnam, the United States had both cut off every avenue of honorable retreat for the Soviets and threatened Russia's vital interests. Russia could supply to North Vietnam all the anti-aircraft equipment necessary to thwart Washington's bombing strategy and would do so. Moreover, the United States was no more anxious than the Soviet Union for a direct military confrontation between the two countries. That concern would impose limits on how far the United States could safely press its aerial offensive against North Vietnam.

THE UNITED STATES PLAYS CHINA'S GAME

All this was made to order for Peking, which had been endeavoring not only to forestall the creation of a Soviet-American front against China but also to play off the Soviet Union against the United States, so that China would have greater freedom of action in Asia. Washington had thwarted Russia's strategic game in Southeast Asia, aimed at China's containment, and played into Peking's hands.[19] The United States also found itself playing its appointed role in the strategy devised by Mao Tse-tung for the defeat of "American imperialism." In November 1957, it will be recalled, Mao Tse-tung had urged the adoption by the "socialist camp" of a grand strategy aimed at mobilizing the overwhelming majority of the world's population—the "socialist camp" together with the poor peoples of Asia, Africa, and Latin America—against the United States and its "lackeys" in the underdeveloped world; in that strategy, Russia's nuclear power would be employed to offset America's. The Soviets had vigorously opposed Mao's scheme and the Chinese themselves had been unable to put it into effect.

But America's deep involvement in Vietnam brought out of limbo Mao Tse-tung's strategy, as further developed by Defense Minister Lin Piao, in September 1965. In Lin's view, "The contradiction between the revolutionary peoples of Asia, Africa and Latin America and the imperialists headed by the United States is the principal contradiction in the contemporary world." It was America's policy of "seeking world domination" that would lead to the exacerbation of this "contradiction" and permit the mobilization of global opposition to the United States. Not only were America's human and material resources "far from sufficient" for "dominating the whole world." The United States had weakened itself "by occupying so many places in the world, overreaching itself, stretching its fingers out wide and dispersing its strength, with its rear so far away and its supply lines so long." With its strength thus dispersed, "American imperialism could be destroyed "piece by piece." [20] A chief virtue of the strategy, as the Chinese undoubtedly saw it, was that it would not pit China directly against America's vastly superior military strength. China's purposes were to be achieved by involving other peoples not excluding the Soviet Union, in struggle against the United States—a strategy involving minimum cost and risk to China.

The Vietnam situation fits China's strategy almost perfectly. The United States, by its own actions, had brought the Soviet Union into the struggle. Those actions had also provoked widespread international antagonism to the United States, an antagonism which would grow as the United States resorted to increasingly drastic measures in its effort to achieve victory in Vietnam. Moreover, the increasing concentration of its resources on the Vietnam war would lead to a weakening of America's position in other countries where that position is sustained by economic aid and sometimes by the presence of troops. It would not be easy, of course, to parlay the Vietnam war into a global revolution against the United States. And there was danger for China in the Vietnam situation; for the United States might eventually be led to strike directly against China, in sheer frustration, even though such action would be unlikely to alleviate America's problems in Vietnam or elsewhere. But this danger had been diminished when the Soviet Union, upon becoming committed to North Vietnam's defense, was interposed between the United States and China. The United States would not undertake to invade North Vietnam except as a last contingency, and it was not until then that China would have to consider open intervention in the war.

In the interests of China's grand strategy, both Russia and the United States had to be prevented from disengaging from Vietnam. Washington, by continuing its air war against North Vietnam, served that Chinese purpose where Russia was concerned. And the Chinese themselves were quick to denounce Moscow for allegedly conspiring with the United States to sell out North Vietnam and the NLF whenever the Soviets showed the slightest sign of wanting to back off. Peking engaged in psychological warfare against the United States, too. The Chinese, as Mao Tse-tung remarked to Edgar Snow, had occasionally made "loud noises" by way of ordering American forces "to march here. to march there." [21] Peking's "loud noises" about Vietnam—its vocal insistence on America's complete defeat and its assertions that national liberation wars would prove the undoing of "American imperialism"—were no doubt partly designed to frighten the United States into an ever deeper Vietnam commitment, in circumstances where the Americans would find themselves at the greatest possible military and political disavantage.

Washington saw the Vietnam war as Peking presumably hoped it would be seen. In mid-February 1965, Secretary of Defense Robert McNamara asserted that the Chinese Communists had made South Vietnam "the decisive test" of their revolutionary strategy. The choice in South Vietnam, as McNamara saw it, was "whether to continue our struggle to halt Communist expansion in Asia." He suggested that the United States "will be far better off facing the issue in South Vietnam." [22] In November, *New York Times* editor James Reston noted a consequence of the Administration's attempt to solve in South Vietnam the more general problem of "Communist expansion." Remarked Reston: "The day-to-day communiques give the impression that we win almost every encounter, but we somehow merely advance deeper into the bog." [23] America's problem would become, as Edgar Snow remarked, "not how to get more troops into Asia but how to limit the commitment." [24] Unlike Peking, the NLF and the Hanoi goverment had no reason for wanting the war to continue for its own sake. They had no global strategy to be advanced and it was their sacrifices, not China's, which paid for the continuation of the war. But so long as the United States offered them only defeat in the South as an alternative to continuing the struggle, they, like the Russians, had no

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alternative except to continue playing China's game.

Thus the consequences of America's decision to bomb North Vietnam—a decision made in desperate circumstances and founded on wishful thinking about almost every aspect of the problem. In a sense, President Johnson had been the willing victim of air power advocates who have a powerful compulsion to believe in the efficacy of everything they stand for. Before bombing North Vietnam, the United States had been confronted by the Viet Cong fighting largely alone, with minimum support from North Vietnam. American interests would have been best served by keeping South Vietnam, and the insurgency, as isolated as possible from outside influence. Apart from the physical damage caused North Vietnam, which had practically no bearing on the situation in the South, the bombing offensive served mainly to bring three new adversaries into the military picture—North Vietnam, Russia, and China. In this situation the United States almost certainly cannot achieve its objectives in Vietnam without overcoming all of its adversaries, and that cannot be done without fighting a world war.

U.S. TROOPS JOIN COMBAT

It very soon became apparent, in any case, that the war in the South could not be won by bombing the North. As a *New York Times* correspondent observed:

> In the spring of 1965, the battle of attrition, which had been going for years against the Government troops, began to reach a crescendo. Saigon's armed forces were disintegrating under the hammer blows of the main force guerrilla regiments, and entire battalions of 400 to 500 Government troops were disappearing in a few hours of combat.[25]

To stave off defeat and redeem its misconceived bombing strategy, the United States was obliged to intervene in South Vietnam with its own ground forces. The first sizeable combat unit—the Marine Corps's 9th Expeditionary Brigade—began to land in South Vietnam in early March; its mission was to protect the American air base at Danang, which was in potential danger of being assaulted and overrun.[26] By the beginning of April the Administration had decided to send troops for the more general purpose of offsetting Viet Cong strength.[27]

Washington declared at the outset that American forces had been sent only to defend American installations. But on May 2 the Marines launched their first search operation; and by mid-May, after the number of American troops in South Vietnam had reached 45,000, U.S. commanders were reportedly preparing their men for full combat participation.[28] The State Department disclosed in early June that President Johnson had authorized his military commanders to commit ground forces to combat if so requested by the Saigon government. The American people had been informed "by a minor State Department official," as the *New York Times* editorially observed, "that, in effect, they were in a land war on the continent of Asia."[29]

The arrival of the Marines had been the first step in the conversion of the anti-Viet Cong struggle into what became, for all practical purposes, a white man's war. On June 30, 1964, Ambassador Henry Cabot Lodge had told reporters in Washington that massive American military involvement in South Vietnam "means we become a colonial power and I think it's been pretty well established that colonialism is over."[30] In late July 1965, after such involvement had become a fact, the same Ambassador Lodge reportedly told the Senate Foreign Relations Committee in closed session that the United States would keep its forces in South Vietnam even if requested by its government to withdraw.[31]

THE SAIGON GENERALS START GOVERNING

By that time the possibility of being asked to leave by the South Vietnamese government was no longer much of a problem. In mid-February 1965, after Tran Van Huong had been deposed, Phan Huy Quat had taken office as civilian Premier; in mid-April the deputy premier in Quat's cabinet told *Le Monde* that, "This war must be stopped. . . . It is necessary to create a government with roots in the masses. . . . In such a context, the left-wing South Vietnamese forces could find a place. . . ."[32] But Quat ruled only on American and South Vietnamese army sufferance. Hard-line South Vietnamese generals had meanwhile come to the fore. General Nguyen Kanh was deposed on February 23 and sent out of the country as a roving ambassador. A new five-man supreme military committee was formed on March 5; the committee was dominated by hard-line generals Nguyen Van Thieu and Nguyen Cao Ky, with the "pro-Buddhist" Nguyen Chanh Thi excluded. On June 11, Thieu and Ky ousted Phan Huy Quat and Nguyen Cao Ky became the new Premier. Ky would not ask the Americans to leave, for he had no future if they did. Nor could he be dislodged from office by anti-war, primarily militant Buddhist, pressures. With the Americans having arrived to fight the Viet Cong, Ky could deploy his own troops against his non-Viet Cong enemies without risk, and, as we shall see, he could count on American backing in a showdown. American force very quickly became the dominant factor in Saigon politics. As Bernard Fall remarked in October 1965, it would matter little if Mickey Mouse reigned as premier.[33]

On the battlefield, the Americans very quickly took over from the Saigon forces. When the Americans first undertook major offensive operations in July 1965, those operations were normally conducted jointly with South Vietnamese army units. But the Americans very quickly discovered that when attack plans were disclosed to the South Vietnamese army they very often became almost immediately known to the Viet Cong, whose agents and sympathizers were to be found at the highest levels of the South Vietnamese army. In October 1965, after the North Vietnamese 325th division eluded a Saigon-U.S. trap, an American officer expressed the viewpoint of many fellow officers in angrily asserting "that the South Vietnamese army could not be trusted to keep anything secret for 'more than 30 seconds.' For this reason, he said, any joint operations are wholly impractical."[34]

Moreover, South Vietnamese army units were frequently ambushed in Viet Cong operations designed to suck large rescue forces into battle on terrain carefully prepared by the Viet Cong themselves. The American commanders were understandably reluctant to play the rescuing role. As a Marine Corps officer put it, "I can't think of anything more unsound militarily than the way it would have to be done here. You are asked to fly into a situation you know nothing about, land in a place that any officer you have never seen tells you to land, and to attack in a direction he suggests. You are losing command of your troops almost totally."[35] The American commanders were therefore often inclined to let their South Vietnamese allies take it on the chin militarily rather than incur the risks involved in going to their assistance—a circumstance bound to embitter the South Vietnamese and further reduce their will to fight.

UNITED STATES TAKES THE OFFENSIVE

The general pattern for American military operation was established by the Marines in mid-August 1965, when they conducted a costly but successful attack against Viet Cong units in the Chulai peninsula. The South Vietnamese army had not been informed of that purely American operation until the assault was underway, and there accordingly had been no intelligence leaks. The Chulai operation showed the way, at least in a tactical sense, to the American commanders. They would undertake to fight and overcome the Viet Cong unhindered by the inconveniences of battlefield collaboration with their South Vietnamese allies. This circumstance of course created a demand for a vast increase in American military manpower. Thus the process by which America's commitment grew from 31,000 men in late April 1965 to more than 370,000 men by the end of 1966.

America's intervention with its own ground forces saved the South Vietnamese government from military defeat. But it also produced predictable effects on the South Vietnamese army. The United States had been obliged to intervene in the first place because the South Vietnamese army, even when alone in the field against the enemy, had lacked the will to fight. With the Americans there to do combat for them, the Saigon armies had even less reason to fight. In September 1966 the *New York Times* reported that, "Now, with the exception of a few elite units, Saigon's forces have lapsed into a defensive role and the majority of the offensive operations are being undertaken by American troops."[36] The following month an American official described the role of South Vietnam's forces more bluntly, "They are no longer part of the show."[37]

In addition to bombing North Vietnam and intervening with ground forces in the South, the United States in the spring of 1965 launched an almost total air war against the population in enemy-held areas of South Vietnam, which comprised about two-thirds of the countryside. It had long been recognized that peasant cooperation played a major role in the Viet Cong's military successes; the strategic hamlet program, launched in 1962, had endeavored unsuccessfully to separate the Viet Cong from the peasantry. The air war aimed at solving the same problem, simply by killing those who remained in enemy country (also the ancestral homeland of the peasant who lived there, it should be noted) or driving them away. "The people in the South Vietnamese hamlets now know," wrote *New York Times* editor James Reston in August, 1965, "that if they dig tunnels for the Viet Cong and give them food and refuge, they are likely to be shelled or bombed." That policy, observed Reston, "has caused great suffering and destruction among the civilian population."[38]

By mid-September 1965 some 600,000 refugees had been driven into government-held, thus bomb-free areas, with the figure reaching 700,000 barely a month later.[39] There they were crowded together in shacks and pens, Reston further observed, "that would make the slums of Harlem look like the LBJ ranch."[40] It was officially explained that the refugees were fleeing "Viet Cong terrorism." But there had been no significant movement of refugees before the American air war began and it was not to be imagined that the Viet Cong, who had worked painstakingly for years to mobilize the peasants behind their war effort, had suddenly turned against those same peasants. Testifying before a Senate subcommittee in September 1965, former Assistant Secretary of State Roger Hilsman stated that Viet Cong terrorism had not driven the refugees from their homes. Said Hilsman: "It was American and South Vietnamese bombing and shelling."[41]

There was considerable irony in this; the United States found itself conducting a virtually unlimited air war against a large proportion of the population it was ostensibly in South Vietnam to protect. A "frightful beating" was thereby administered to South Vietnam.[42]

Footnotes at end of speech.

POLITICAL FLAWS IN U.S. STRATEGY

While this was going on, the growing American expeditionary forces conducted regular "search and destroy" operations against the Viet Cong and the North Vietnamese units which began to appear in South Vietnam. Those operations did not significantly expand the area under Saigon's control, for the Americans returned afterwards to their bases and the Viet Cong usually moved back into the area where the fighting had taken place. American strategists anticipated, however, that when their adversaries became convinced that they could not win militarily they would accept a settlement on America's terms—or, failing there, that North Vietnam's main force units would eventually be destroyed and that the Viet Cong themselves be "driven back into the woodwork."

Those expectations were not likely to be realized. The "kill" figures, by which the Pentagon measured progress toward victory, comprised civilian as well as military casualties; they were also inflated, in describing the results of battles, to produce an image of dramatic victories over the enemy.[44] Moreover, despite the casualties inflicted on the Viet Cong and the North Vietnamese, their strength continued to grow dramatically. By November 1965, according to American intelligence estimates, Viet Cong strength had grown from the January figure of 25,000–35,000 to 75,000–80,000; on January 1, 1966 the estimate of combined Viet Cong-North Vietnamese strength was 230,000; and in early August 1966 the latter figure had risen to 282,000 men.[45] Through 1966, the Viet Cong and North Vietnamese forces showed a willingness to engage the American forces in large-unit pitched battles. But if such battles became too costly for the Viet Cong, they could very easily move back down into small units, avoid pitched battles, and conduct harassing operations indefinitely without being found and "fixed" in significant numbers by the American forces. The large American "search and destroy" operations would then become largely fruitless in a tactical sense and pointless in a strategic sense. In this situation, the American forces could never leave South Vietnam without having the Viet Cong re-assemble into large units with their military capabilities, vis-a-vis the Saigon forces, very little diminished.

Nor is there much prospect that the United States can prevent the North Vietnamese from infiltrating large numbers of men into South Vietnam. By October 1966 the American marine force of 57,000 men had become spread out so thinly in attempting to block the movement of North Vietnamese forces across the demilitarized zone into South Vietnam that it became necessary to reinforce the marines with troops from another zone of operations.[46] Even then it would almost certainly not prove possible to effectively prevent North Vietnamese infiltration unless a line were established and maintained—not only along the demilitarized zone but also along South Vietnam's border of some 275 miles with Laos. That endeavor could easily require, and immobilize, upwards of 500,000 men—with the Viet Cong and many North Vietnamese troops already in South Vietnam being left to range freely throughout the country unless a large additional American force were made available to continue the "search and destroy" operations. And even if all this seemed possible on paper, it can hardly be doubted that North Vietnam, backed by the Soviet Union and China, would mobilize still unused military resources to thwart the American strategy.

The American strategy was even less sound politically than it was militarily. Karl von Clausewitz, the famed German strategist, wrote more than a century ago that, "War is not merely a political act but a real political instrument, a continuation of political intercourse. . . . The political design is the object, while war is the means, and the means can never be thought of apart from the object." American operations in South Vietnam could scarcely have been better designed to end in political failure. Assistant Secretary of State William Bundy told Philippe Devillers in August 1965 that in his opinion there was no chance for a political settlement in the South for at least two or three years, "during which time, he said, we shall have rebuilt the social structure of the countryside, the peasants will be so disgusted with the Vietcong that they will denounce them, and Saigon will then be able to wipe them out completely, or to bring them under strict control."[47] But those familiar with contemporary Chinese history will recall that when the United States entered World War II against Japan, the Chinese Nationalists for all practical purposes stopped fighting; while the Nationalist generals corrupted themselves on American aid and their armies decayed through inaction, the Chinese Communists enormously strengthened themselves, both militarily and politically, while carrying out guerrilla operations behind Japanese lines. When the war ended and Chiang Kai-shek's American protectors were withdrawn from the scene, his armies proved no match for the guerrilla forces of Mao Tse-tung.

In South Vietnam the situation is very similar. Even before America's intervention with ground forces, the Viet Cong had brought Saigon's demoralized armies to the brink of defeat, With the government forces having for all practical purposes withdrawn from the war, that demoralization process would inevitably continue.[48] Much earlier, the Viet Cong had successfully employed a policy known as "living integrated with the enemy," by which government forces were left alone if they did not harass the Viet Cong or interfere with their operations.[49] With the South Vietnamese army practically out of the war, the Viet Cong could be expected to expand greatly on these arrangements and to propagandize assiduously within South Vietnamese army ranks. In their propaganda campaign, the Viet Cong have undoubtedly profited greatly not only from the American "invasion" issue but also from the corruption of South Vietnam's military leaders. South Vietnam's armies are likely to be rendered useless as a future anti-Viet Cong force and it is entirely possible that significant portions of it will be politically subverted as the war drags on. The Viet Cong, in fighting the world's greatest military power, can be expected to retain their toughness—assuming that the United States fails to crush them. When the American armies leave, as they inevitably must, Saigon's military position in relation to the Viet Cong is almost certain to be significantly weaker than before the Americans intervened in the fighting.

It is even more certain that the Saigon government's political position will have rotted away during the war. The military junta was already on its last legs when the United States intervened in the fighting. America's intervention has cast the Saigon generals in the role of having invited a foreign power to occupy South Vietnam militarily and to bomb the country almost to pieces while the generals themselves have been fattening their wallets on American aid.[50] That those generals will end up discredited is inevitable. By the same token, the Viet Cong can be expected to come through the war with their political position substantially strengthened—for they have been making great sacrifices, and have thus earned great merit in Vietnamese eyes, in leading the struggle against the "foreign invaders."

THE BUDDHISTS ARE ALIENATED

Following the overthrow of Ngo Dinh Diem, Washington had placed great hope on the Buddhists as a third force which could be built up as a bulwark against communism. It soon became clear, however, that the organized Buddhists wanted a negotiated settlement of the war and thus stood against American purposes in Vietnam. For some time the American authorities coexisted uneasily with the Buddhists, but in early 1966 a crisis forced the Americans to choose General Nguyen Cao Ky's side against the Buddhists. The crisis began early in March, when Ky fired his chief rival for power, the "pro-Buddhist" General Nguyen Chanh Thi. Thi's corps command then embraced South Vietnam's five northernmost provinces, including Hue and Danang; dissident troops and Buddhist opponents of Ky immediately assumed control in those two cities. The Buddhists then launched a campaign aimed at bringing military rule to a quick end and at the creation of an elected civilian government. Nguyen Cao Ky agreed to elections but in early May declared his intention to stay on as Premier for at least another year.

Washington was at first inclined to dissuade Ky.[51] On May 15, however, troops loyal to Saigon were flown to the Danang air base and from there they attacked the city. Washington, uninformed of Ky's plans, was dismayed by the prospect of civil war, and President Johnson expressed his regret regarding "any diversion" from the struggle against the Viet Cong.[52] But Ky persisted; the Danang insurgents were overcome, General Nguyen Chanh Thi made his peace with Ky, mass Buddhist demonstrations in Saigon were put down, and resistance in Hue collapsed. Ky had dashed Washington's hopes for a broad-based civilian government and left the United States with no choice except to back him against his enemies. Four Buddhists burned themselves to death at the end of May, in an effort to keep alive the resistance to Ky. President Johnson saw those suicides as "acts of desperation"—a "quite unnecessary loss of life" which "only obscures the progress that's being made toward a constitutional government."[53] The Buddhists, for their part, were left bitter and alienated. Militant Buddhist leader Thich Tri Quang blamed Johnson for the Buddhist lives lost in the struggle against Ky and said the President had "killed" any remaining Buddhist sympathies for him by acquiescing in Ky's use of troops against Danang.[54]

That left in support of Washington's purposes mainly those who profited directly from the American presence. Such persons, apart from the more anti-Communist Catholics, were not many. Moreover, most of them were corrupted by their very association with the American war effort. The arrival of a large American expeditionary force had been accompanied by massive infusions into South Vietnam of American supplies and money. Saigon and to a lesser extent other cities were soon teeming with war profiteering, black market activity, and other forms of corruption. Wrote Neil Sheehan: "Bars and bordellos, thousands of young Vietnamese women degrading themselves as bar girls and prostitutes, gangs of hoodlums and beggars and children selling their older sisters and picking pockets have become ubiquitous features of urban life.[55] The longer the war continues the more likely it was that the Vietnamese who stood with the United States would be corrupted and discredited.

POLITICAL DEFEAT LOOMS AHEAD

Only the American presence sustains the Saigon power structure, which is likely to collapse when that presence is withdrawn. With the countryside devastated, with more than a million displaced peasants crowded into refugee camps, and with South Vietnamese urban society disintegrating, the Nguyen Cao Kys will probably not find it

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within their capabilities to restructure South Vietnam's economic and social life.[56] The task can only be accomplished by the South Vietnamese themselves; whether we like it or not, the force which has demonstrated the greatest political and organizational capacity for carrying out reconstruction is the National Liberation Front. Barring a miracle, the American military effort is likely to end in ultimate political defeat in South Vietnam and profound disillusionment within the United States.

At Canberra, in mid-October 1966, President Johnson remarked that "there is light at the end of what has been a long and lonely tunnel."[57] He and his advisors plainly continued to believe that the North Vietnamese and the NLF would eventually find the costs of the war too much to bear. The North Vietnamese, for their part, believe that the United States will eventually tire of fighting and go home. In speaking of the war against the French, Vo Nguyen Giap expressed the Vietminh strategy outlook with regard to protracted war:

> The blitzkrieg will transform itself into a war of long duration. Thus, the enemy will be caught in a dilemma: He has to drag out the war in order to win it and does not possess, on the other hand, the psychological and political means to fight a long, drawn-out war.

Ho Chi Minh vowed in July 1965 that North Vietnam would fight another twenty years if necessary to achieve victory.[58]

Hanoi's expectations were better founded than Washington's. For the North Vietnamese and the NLF were carrying on what was for them a holy struggle to defend their homeland against foreign invaders; nothing could matter more than to continue the struggle, at whatever cost, until their objectives had been achieved. Ho Chi Minh's promise to keep on fighting had not been an empty one, for the Chinese Communists and the Vietminh had already demonstrated the ability of guerrilla forces to fight for decades if necessary. The United States was in an entirely different position in relation to the Vietnam war. America itself was not under attack and Vietnam, far from being of transcendent importance to the United States, necessarily ranks low in the total spectrum of American national interests. America's larger interests will suffer, in some respects severely, from the concentration of its resources and energies on the Vietnam war. At home the social and physical disintegration of the cities, when combined with growing racial tensions, is now producing a problem of such menacing proportions that only a massive effort can be expected to save the situation; no such effort can be made, it seems clear, until the Vietnam war is brought to an end. In Europe, America's Vietnam policies have turned large segments of public opinion and several governments against the United States. NATO is in disarray; Britain is up to its neck in economic difficulties; an alienated France is beginning to work closely with the Soviet Union; and the Bonn government is coming to perceive that NATO's strength can be of little help in bringing West Germany closer to the achievement of its national objectives, and that new diplomatic initiatives are required. The diversion of American attentions to Asia is therefore certain to weaken substantially the American position in Europe as time goes on—a process which will be accelerated as the United States resorts to increasingly drastic measures in Vietnam. That circumstance, as Moscow no doubt perceives, could offer the Soviets diplomatic possibilities which have eluded them ever since the end of World War II for achieving their principal objectives in Europe.

In Asia and other parts of the underdeveloped world the problems are still more critical. There the growth of population, combined with the lag in living standards and especially in food production, is certain to produce revolutionary disturbances during the decades ahead and perhaps convulsions on a vast scale. If even minimum stability in Asia is to be maintained, it will require a massive effort to alleviate the conditions of poverty and near starvation which prevail so widely there. But if the resources are not available to tackle critical problems in the United States itself, because of the Vietnam war, such resources will clearly not be made available for a major attempt to alleviate conditions in the underdeveloped world. It is not inconceivable that the United States will find itself endeavoring increasingly to suppress by armed force the revolutionary symptoms of discontent as it fails to help solve the underlying problems.

The United States could become a garrison state endeavoring to police a revolutionary, poverty-stricken, non-white world with armed force—with American urban society concurrently disintegrating into something not much better than chaos, and with the domestic tensions engendered by continued war abroad combining with racial tensions to produce a fearful political atmosphere in the United States. All of these things may not come to pass, but the pressures are in the directions outlined above. This means, in all probability, that the United States cannot conduct a protracted war in Vietnam—one lasting for perhaps ten years—except at great cost to its global position and to the health of American society itself.

THE BASIC STRATEGIC DILEMMA MUST BE FACED

The frustrations of fighting an indecisive, protracted war can be expected eventually to bring Washington face to face with its basic strategic dilemma. On the one hand, it cannot destroy its enemy's war-making capacity even if it wipes out all of North Vietnam's industry. For much of the Viet Cong's war material is supplied by the United States itself and captured from the Saigon forces or obtained through the black market, and much of it is also made in cottage industries scattered throughout the jungles of South Vietnam. Moreover, the Soviet Union and China have an almost infinite capacity to keep North Vietnam and the NLF supplied with the arms needed to keep their war effort going. To blockade or mine the port of Haiphong, where much Soviet military equipment is landed, would greatly increase the danger of a Soviet-American military confrontation without solving the problem; Peking, in those circumstances, would not be able to refuse the Soviets unlimited transit rights across China. If it is difficult to prevent supplies from being infiltrated into South Vietnam, it would be even more difficult to prevent supplies from being shipped into North Vietnam from China. It is virtually impossible, therefore, to solve the problem of the enemy's war-making capacity without attacking both Russia and China.

The United States might think to finally destroy North Vietnam's will to fight by intensively bombing Hanoi and Haiphong. But the Hanoi-Haiphong area, as indicated earlier, has probably the most formidable anti-aircraft defense of any such area in the world. By late 1966 the American air arm had already begun to suffer heavily from losses of planes and especially of pilots—even without regular attacks on Hanoi-Haiphong.[59] The defenses guarding those two cities could be expected to exact a heavy toll from among the attacking planes, and the Soviet Union could easily be brought into more direct conflict with the United States. Even if Hanoi and Haiphong were virtually destroyed, however, it is doubtful that the battlefield situation in South Vietnam would be significantly improved. The Vietminh fought for eight years against the French without holding either city, and Ho Chi Minh was reportedly ready by late 1965 to evacuate Hanoi if necessary and fight on in the mountains.[60]

As indicated earlier, the prospect of destroying the enemy's armed forces in South Vietnam is not good either. The Viet Cong guerrillas feel under little compulsion to defend territory for its own sake and therefore cannot be engaged and destroyed in strategically significant numbers. Moreover, North Vietnam has an almost infinite capacity for infiltrating men into South Vietnam. That capacity cannot be eliminated without fighting and overcoming the North Vietnamese army itself, which would necessitate the invasion of North Vietnam. Such an undertaking would be extremely formidable at a minimum and could very easily lead to great disaster. It is generally accepted that an invading force should outnumber the defenders by at least three-to-one. With North Vietnam's army numbering 350,000 men, the United States would probably have to deploy at least a million men if it were to invade North Vietnam—without even taking into consideration the vast Chinese manpower available to back up the North Vietnamese if need be. The North Vietnamese army alone would be a formidable adversary. It is of course far stronger in artillery and other forms of fire-power than the Viet Cong and North Vietnamese units fighting in the South. The North Vietnamese also possess a far greater capacity for shooting down the ground-support aircraft which have saved so many precarious battlefield situations for the American ground forces in South Vietnam.

CHINA'S STAKE

China could be expected with certainty to intervene in the war, moreover, if such intervention became necessary to prevent a North Vietnamese defeat. Washington might imagine, as it did during the Korean war, that China would not be so rash as to risk nuclear destruction at American hands. But China in fact took that risk by intervening in Korea and the United States also risked nuclear destruction to get the Soviet missiles out of Cuba in 1962. With China's intervention in Vietnam, war would very probably engulf much of the Indochinese peninsula—certainly Thailand (where America's principal air bases for bombing North Vietnam are located) and Laos, and probably Cambodia as well. In July 1965 a "high-ranking member of the Chinese government" (probably Chou En-lai or Foreign Minister Chen Yi) told the Austrian correspondent Hugo Portisch that China's army would attack if the war (presumably the ground war) were carried to North Vietnam.[61] He continued:

> As we have told the Americans, this would be no second Korea. Korea is a small peninsula, without room for millions of soldiers to maneuver. Southeast Asia is quite different. There a broad and extensive front could be established. Such a war could not be contained in a small area. It would spread to Vietnam, Laos, Cambodia and perhaps Thailand. This entire region is a great jungle swamp. Even with the most modern weapons—even with atomic weapons—the Americans could accomplish nothing. But in such an event we would not determine the scope of the war. Do not misunderstand us. The scope of such a war would be determined by the Americans. If they want a small war, well and good; it will be a small war. But if they want a big war, then it will be bigger than they wanted. It all depends on the Americans. We don't want a war of any kind, but if one is thrust upon us, we shall be prepared.[62]

One thing is clear. If the Chinese did intervene in Vietnam, they would do so with sufficient strength (as against the United States in Korea and against India in 1962) to achieve decisive results. And if the United

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States were to suffer heavy losses and the prospect of defeat, there would be great and perhaps irresistible pressures upon the Administration to use nuclear weapons—even though, with Russia as well as China involved, such action would be more likely to lead to a nuclear holocaust than to victory in Vietnam. Thus the fundamental strategic dilemma in which the United States finds itself. It almost certainly cannot win militarily in Vietnam without overcoming not only the existing enemy forces already in South Vietnam but also the still unused power of North Vietnam, Russia, and China; and it cannot, of course, do that without setting off World War III.

OUR VIETNAM POLICY CONFLICTS WITH OUR NATIONAL INTEREST

The American government's justification for having placed the United States, the Vietnamese people, and the rest of the world in this situation is hard to discover. For even a complete Communist takeover throughout Vietnam, if it came to that, is not likely to effect the American national interest more adversely than the existence of Communist governments in such countries as Rumania and Yugoslavia. There is little reason to believe, notwithstanding the Administration's suggestions to the contrary, that a Viet Cong victory in South Vietnam would spark an irresistible wave of national liberation wars elsewhere. It will be recalled that the victory of Mao Tse-tung and his followers in China itself, surely a momentous event in world history, was not followed by a wave of successful revolutions elsewhere—even though China then vigorously championed the spread of revolution and Communist insurgents in half a dozen Southeast Asian countries were doing their utmost to attain power by the Chinese revolutionary path. The Viet Cong's later successes against the Saigon government did not save the Indonesian Communist Party, with its two million adherents, from being led to the slaughter like a helpless lamb by the Indonesian army, and the rise of Castroism in Cuba was not followed by Castroite successes elsewhere in Latin America.

Revolutions succeed only when a revolutionary situation exists and when the revolutionary forces are stronger than the government in power. China can be expected to make trouble for those countries along its periphery, such as Thailand, which have lent themselves to American military purposes. But China's strategy, as set forth by Lin Piao, calls for national liberation wars to take place *concurrently* in as many places as possible, so that America's military resources will be spread out thinly. In terms of that strategy, it makes no sense for the revolutionaries in one country to wait upon the outcome of a national liberation war in another country before pressing ahead with their own revolution. Nor would the success of the Viet Cong in South Vietnam give *China* easier access than it already has to Burma, Laos, Thailand, or Cambodia.

This is not to suggest that Vietnam, if reunited under Hanoi or ruled by Ho Chi Minh in the north and the NLF in the south, would take no interest in neighboring Laos and Cambodia. Vietnam's minimum security requirement is that the two countries on its western flank do not fall under the influence of hostile powers. Historically, moreover, Vietnam has frequently encroached upon Laos and Cambodia, as has Thailand from the West. Where Laos is concerned, it can be assumed that Hanoi's support for the Pathet Lao has less to do with the advance of communism for its own sake than with North Vietnam's interests—to keep hostile forces away from its flank and to provide itself with a protected corridor for infiltrating men and supplies into South Vietnam. If the NLF came to power in South Vietnam, normal communications between the two Vietnams would undoubtedly be reestablished and the Laotian corridor would no longer be needed—if, indeed, it is still being used. North Vietnam's security requirement, now served by the existence of a Pathet Lao-controlled buffer zone along the Vietnamese border, would of course remain. An NLF victory in South Vietnam would not in any case give North Vietnam easier access to Laos than it already has.

Cambodia's position would seem substantially more secure than that of Laos. Anti-Vietnamese feeling is extremely strong among Cambodians and would work against Vietnamese efforts to foment revolution there. Moreover, Hanoi has greatly eased the belligerent stance it once adopted toward Prince Norodom Sihanouk's government. For his part, Sihanouk has already insured himself against the possibility of a Viet Cong victory in South Vietnam by enlisting the support of China, the Soviet Union, and France (which enjoys good relations with the Hanoi government), and by establishing friendly relations with the NLF.

If the war ended and the NLF came to power, both North and South Vietnam would of course be confronted by a monumental task of reconstruction. It can reasonably be assumed that they would turn to that task, with whatever foreign help they could get, rather than to embark on new foreign adventures; such adventures would not only necessitate postponement of reconstruction but invite more ruin without promise of compensating gains. In rebuilding, and in seeking foreign aid, the two Vietnams would necessarily acquire a vested interest in peace. Hanoi and Saigon could also be expected to concentrate much attention on the task of working out new economic and political relations with each other.

North Vietnam, even though at war with the United States, and in need of China's backing, has managed remarkably well thus far to stay out of China's embrace by balancing off Moscow against Peking. An end to the hostilities would make possible a far greater expression of the Hanoi government's natural bent, with its deep historical roots, for independence from China; and, in seeking accommodation with Saigon as well as aid and trade from both Russia and various non-Communist countries, Hanoi would be presented with both incentives and the means for achieving an effectively independent existence.[63]

Indeed, it is very possible that even a Communist Vietnam would come to play an important role in balancing off Chinese influence in Southeast Asia; for it is economic, political, and military strength which enable a neighboring country to resist Chinese domination, not ideological differences, and the Hanoi government is probably the strongest in Southeast Asia. Furthermore, no government in Hanoi could look with equanimity upon the swallowing up by China of the two countries on Vietnam's western flank—Laos and Cambodia. By the same token, China considers itself the natural overlord of the smaller Asian countries.

It has already assumed the obligation to protect Cambodia from Vietnam and it would probably regard a Vietnamese attempt to absorb Laos or Cambodia as an usurpation of China's rightful prerogatives. A degree of competition between China and even a Communist Vietnam, and a partial balancing off of each other's influence, could thus be expected in the Indochina region.

None of this is to suggest that the absorption of South Vietnam by the Hanoi government is either desirable or inevitable; but rather that the United States, in terms of its national interests, could easily live with a South Vietnam dominated by the NLF or, for that matter, with a reunified, Communist-ruled Vietnam.

THE ALTERNATIVES STILL OPEN

Several points emerge from the foregoing analysis: first, that there is virtually no prospect that the American strategy in Vietnam will succeed; secondly, that America's global and domestic interests can only suffer from a continuation of the Vietnam war; and third, that the worst that might come out of a negotiated settlement, however it might embarrass the Administration, would not injure the American national interest in any significant way, and could in fact pave the way for a more sensible approach to the foreign and domestic challenges by which the United States is confronted.

If all this is true, the problem before Washington is to obtain a negotiated settlement. And if negotiations are to take place, the United States must remove the obstacles to negotiations imposed by itself. First, it must halt the bombing of North Vietnam, for only then can Hanoi negotiate without embarrassment and Moscow be expected to press the North Vietnamese to negotiate; since the bombing of North Vietnam does not materially affect the battlefield situation in South Vietnam, a halt in the bombing could be safely undertaken. Secondly, the United States must agree to participation of the NLF as a separate party to any negotiations. Washington's past position on this question has not served to obtain negotiations under conditions which would lead to the NLF's elimination as a political force in South Vietnam, and has thus served to block negotiations.

The prospects, if the Geneva conference were reconvened, would not be altogether gloomy. For the interests of Russia, China, North Vietnam, and the NLF (parties now more or less united in opposition to the United States) differ in important respects. Only China has a vested interest in a continuation of the war for its own sake; and China also has an interest in keeping North Vietnam tied closely to itself. North Vietnam's aims are several: to make progress toward the eventual reunification of Vietnam; to maintain its independence of China; to retain Soviet support as a counter-balance to China; to end the hostilities; and to get the United States out of South Vietnam. The NLF shares several interests with Hanoi. But it is also safe to assume that the NLF would work strenuously to ensure that the fruits of its long struggle would not simply be turned over to the men in Hanoi. Moreover, the NLF could be expected to seek a settlement enabling it to maintain its domestic base of support, consisting mainly of South Vietnamese non-Communists. For its part, the Soviet Union has been seeking to limit Chinese influence generally, which is America's objective as well; and the Soviets undoubtedly wish to loosen the Peking-Hanoi bond.

These differences, largely submerged during the fighting, would begin to make themselves felt if the fighting were ended and the disputing parties moved to the conference table. There would be a good possibility for achieving a balance of forces in Vietnam, with beneficial effects on the security of all Southeast Asia—a balance which might be obscured from the American public mind by ideological labels but which would nonetheless be effective.

POSSIBILITIES FOR NEGOTIATIONS

Negotiations might be approached in still another way. If the United States were to halt its offensive operations and reach a tacit agreement with North Vietnam for neither party to increase troop commitments, it would probably be possible to achieve the kind of lull in the ground fighting that developed in January 1966. America's abandonment of its effort to defeat the Viet Cong militarily would in due course set in motion strong pressures within South Vietnam for negotiations with the NLF, designed not only to end the fighting but also to bring about

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Footnotes at end of speech.

the withdrawal of both American and North Vietnamese forces from South Vietnam.

In the past, Washington has several times worked to prevent such pressures from producing their natural fruit. If the United States feels no obligation to maintain in power South Vietnamese governments which have shown an inclination to seek peace, it surely has no obligation to maintain in power other South Vietnamese governments simply because, in order to stay in power, they have preferred American intervention to a negotiated settlement.[64] With the politics of South Vietnam allowed free play, its present government would inevitably find itself obliged to take the lead in seeking a negotiated settlement or it would be forced to step aside in favor of a government which would. The various South Vietnamese parties to the negotiations would then be obliged to negotiate with North Vietnam and the United States on the terms by which their respective forces would be withdrawn from South Vietnam. This approach would enable the South Vietnamese to work out their future for themselves, taking into account the balance of various forces in South Vietnam, and the responsibility for the settlement would fall on their own shoulders.

Washington's problem, whatever the approach to negotiations, would partly be to secure terms for the withdrawal of U.S. forces which would ease the domestic shock caused by the abandonment of America's original objectives. The liquidation of America's unpromising military venture in Vietnam cannot be achieved without some embarrassment, but the problems of liquidation are by no means insurmountable. Charles de Gaulle faced a major domestic crisis in ending the French military venture in Algeria; but he weathered that crisis, he remains in power, and France is far better off today, both internationally and domestically, than when it was bogged down in Algeria. By the same token, China liquidated its armed conflict with India, when the Indians refused to negotiate, simply by declaring an end to the hostilities and withdrawing its forces behind the line it claimed. The Vietnamese situation is not exactly analogous, but there is nothing to prevent the United States from halting offensive operations and holding to its own perimeters as a means for bringing about peace negotiations.

It is the will in Washington, however, that is lacking. If this writer's analysis of America's basic strategic dilemma is correct, the United States in fact finds itself in a strategic trap. But the trap is not perceived by those responsible for American policy, because to perceive it is to face failure and to accept responsibility for all the costs of that failure. Unlike the abortive Bay of Pigs invasion, where total failure became immediately apparent, eventual failure in Vietnam lies beyond immediate vision. It is possible, looking at the "kill rate," to imagine a "light" at the end of the tunnel and to hope, with each deeper step into war, that the light will in fact be seen around the next military corner. If such a "light" does not exist, and it almost certainly does not, the Administration will inevitably be led to a point where it must confront, and accept responsibility for, its own failure in Vietnam—or plunge the nation and the world into a new world war. Given the powerful psychological factors which work against recognition of failure, when so much has been staked on success, there is no reason to be cheerful about the outcome of that inevitable confrontation.

FOOTNOTES

[1] New York Times, March 21, 1965. See *Aggression From the North* . . . op. cit., for a full exposition of this thesis.

[2] *New York Times,* March 21, 1965.

[3] As reported by John Huges, *Christian Science Monitor,* December 7, 1964.

[4] See the remarks of Dr. Jerome Frank, the noted Johns Hopkins psychologist, before the Senate Foreign Relations Committee. Testifying on May 25, 1966, Frank observed: ". . . the Vietnam war has assumed an ideological character similar to the holy wars of former times, and this has ominous implications. People who are fighting for their ideals seldom if ever can be forced into surrender by punishment. . . . To suffer and die for a holy cause is highly virtuous, and one hopes through example to convert others by one's own sacrifice." As quoted in Jerome D. Frank, "How Nations See Each Other," *War/Peace Report,* June–July 1966.

[5] James Cameron, *New York Times,* December 10, 1965.

[6] *Ibid.* Also see Seymour Topping, New York Times, April 7, 1965. Wrote Topping, from South Vietnam: "Specialists on Asian affairs estimated today that North Vietnam could absorb considerable punishment from United States air strikes over an extended period without any decisive disruption of its economy." And see Seymour Topping. *New York Times,* December 10, 1965.

[7] See Cameron, *op. cit.;* also Neil Sheehan, *New York Times,* September 28, 1966.

[8] Quoted by Sam Butz, "Our Pilots call Hanoi 'Dodge City'," *The New York Times Magazine,* October 16, 1966; also see Neil Sheehan, *New York Times,* September 28, 1966. By mid-April 1965 the first Russian missiles were being installed in North Vietnam.

[9] *Washington Post,* April 27, 1965. According to Washington, a defector captured on March 23 disclosed the presence of that battalion and stated also that the battalion had been in South Vietnam prior to February 7. It seems curious that the Administration, which had gone to such pains to substantiate its charges of North Vietnamese aggression, would have withheld for a month the information in question. In view of the Administration's common practice of fabricating "intelligence" and other kinds of information to serve its political objectives, it also seems reasonable to view with caution Washington's contention that the North Vietnamese battalion had been in South Vietnam prior to February 7, 1965.

[10] Neil Sheehan, "Not a Dove, But No Longer a Hawk," *op. cit.*

[11] Joseph Harsch, *Christian Science Monitor,* April 12, 1965.

[12] *Pravda,* March 10, 1965.

[13] "A Comment on the March Moscow Meeting," *Peking Review,* March 26, 1965.

[14] *New York Herald Tribune,* March 29, 1965.

[15] *New York Times,* April 8, 1965.

[16] *Christian Science Monitor,* April 8, 1965.

[17] As reported by Max Frankel, *New York Times,* March 8, 1965.

[18] *Ibid.*

[19] In the Indo-Pakistani war of August-September 1965, it will be remembered, the United States and Russia still found it in their respective interests to work together against China. The political context for that collaboration—support of neutralist India—differed fundamentally, of course, from the situation existing in Vietnam.

[20] Lin Piao, "Long Live the Victory of People's War!" *Peking Review,* September 3, 1965.

[21] Edgar Snow, "Interview with Mao," *The New Republic,* February 27, 1965.

[22] *New York Times,* February 19, 1965.

[23] *New York Times,* November 14, 1965.

[24] Edgar Snow, "China and Vietnam," *The New Republic,* July 20, 1966.

[25] Neil Sheehan, *New York Times,* September 18, 1965. See the *New York Times,* June 2, 1965 for a report on President Johnson's concern regarding Saigon's military reverses; also, *Washington Post,* July 21, 1965 regarding Secretary of Defense McNamara's preoccupation with finding means to save the still deteriorating situation.

[26] In early March the Viet Cong badly battered a Government column very close to Danang. See *New York Times,* March 6, 1965.

[27] *New York Times,* April 3, 1965.

[28] *New York Times,* May 18, 1965.

[29] *New York Times,* June 9, 1965.

[30] As quoted by Hans Morgenthau, "Vietnam: Shadow and Substance," *The New York Review of Books,* September 16, 1965.

[31] *Washington Post,* August 12, 1965. The Associated Press and United Press International both circulated the story, obtaining similar accounts from their own sources. Administration spokesmen stated that the accounts were inaccurate; but the transcript of Lodge's testimony, which would have resolved the controversy, was not released.

[32] *Viet Report,* July 1965.

[33] Bernard Fall, "Blitz in Vietnam," *The New Republic,* October 9, 1965.

[34] As quoted by the *New York Times,* October 13, 1965. In early 1965, NLF General Secretary Huynh Tan Phat told Japanese correspondent Akihiki Okamura: "The Americans have been calling themselves 'advisers' to the Saigon forces. But soon there will be no Saigon forces and the Americans will be needing Vietnamese 'advisers.' When that begins, half of the Vietnamese 'advising' the Americans will be our own NLF agents." Akihiko Okamura, "Back from a Vietcong Hell Hole in the Jungle," *Life,* July 2, 1965.

[35] As quoted by Charles Mohr, *New York Times,* September 12, 1965.

[36] Neil Sheehan, *New York Times,* September 18, 1966.

[37] As reported by Ward Just from Saigon, *Washington Post,* October 6.

[38] James Reston, *New York Times,* August 29, 1965. Reston's observations were made after a trip to South Vietnam. The *New York Times* (April 16, 1965) has reported that "free bomb zones," where American planes are authorized to attack anything they see, whether villages or human beings, were being designated at least as early as February 1965. Also see the *Washington Post,* August 5, 1965; and Jack Langguth, "The War in Vietnam Can be Won, But—," *New York Times Magazine,* September 19, 1965.

[39] *Washington Post,* September 12, October 20, 1965.

[40] *New York Times,* August 29, 1965.

[41] *Washington Post,* October 1, 1965. Hilsman's testimony was presented before the Senate subcommittee on refugees, of which Senator Edward Kennedy was chairman. Also see Neil Sheehan, "Not a Dove, But No Longer a Hawk," *op. cit.* Sheehan describes the bombing and shelling of villages in considerable detail, and remarks: "Most refugees I have questioned told me that the Vietcong taxed them and made them work harder than usual, but that they could live with the Communists. They left their homes, they said, because they could no longer bear American and South Vietnamese bombs and shells."

[42] James Reston, *New York Times,* August 29, 1965.

[44] Denis Warner, the well-known Australian correspondent, wrote in December 1965 that American public relations officers in Saigon "are engaged in the business of turning defeat into victory . . . What no one will accept indefinitely . . . is a persistent attempt to win by pretense what has not been won on the ground." Pat Burgess, another Australian correspondent, wrote: "No one in Saigon believes the kill rate given by American briefing officers daily in their briefings to the press." *New York Times,* December 8, 1965.

[45] *Christian Science Monitor,* November 11, 1965 and *New York Times,* August 10, 1965.

[46] See *New York Times,* October 3, 1966 for a description of Marine manpower shortages.

[47] Devillers, *op. cit.*

[48] In 1965 the Saigon government admitted to 113,000 desertions from its armed forces. In the first six months of 1966 there were 67,000 desertions, a rate of desertion 20 per cent higher than the previous year. *New York Times,* August 30, 1966.

[49] See Wilfred Burchett, *op. cit.,* pp. 59–62.

[50] For a description of corruption among the Saigon generals, see Sheehan, "Not a Dove, But No Longer a Hawk," *op. cit.*, Also, Beverly Peepe, *New York Herald Tribune*, June 1, 1965.

[51] See *New York Times*, May 9, 1966. Secretary of State Dean Rusk stated over American television that Ky's remarks had been misrepresented and that he did not expect Ky to stand in the way of elections.

[52] *New York Times*, May 22, 1966.

[53] *New York Times*, May 31, 1966.

[54] *New York Times*, May 30, 1966.

[55] Sheehan "Not a Dove, But No Longer a Hawk," *op. cit.*

[56] Tran Van Dinh, South Vietnam's Acting Ambassador to the United States in 1964, has written: "To the increasing resentment of the Southerners, all the key posts in the government of South Vietnam are now held by men from North Vietnam. General Nguyen Cao Ky, the Prime Minister, is a Northerner; so are the secretary general of the National Leadership Committee which advises Ky; the Minister for National Reconstruction (in charge of pacification); the director general of police and military security; the ministers for information for state security; the chief of staff; and the commander of the troops that surround Saigon and protect Ky against a coup d'etat. Northerners control the army, the police, the pacification, the propaganda, have all the money, all the power, and thus control 14 million South Vietnamese." Tran Van Dinh further notes that 63 of the 64 members of the NLF's Central Committee are Southerners, the 64th having spent most of his adult life in the South. His remarks suggest the difficulties which the existing Saigon government would have in ruling South Vietnam by consent or in competing in peaceful political competition with the NLF and other southern forces. See Tran Van Dinh, "The Ky Question," *The New Republic*, January 21, 1967.

[57] *New York Times*, October 21, 1966.

[58] *New York Times*, July 20, 1965.

[59] See *New York Times*, September 28, 1966 and October 9, 1966. The U.S. Navy found it necessary, because of pilot losses, to order many pilots to serve double tours of duty in Vietnam, and to turn down resignation requests by an estimated 100 to 200 pilots.

[60] *Christian Science Monitor*, November 6, 1965.

[61] Dr. Hugo Portisch, "Red China's Two Voices," Translated from Kurier, Vienna, and reprinted in Atlas. The official in question referred to a recent state visit he had paid to Pakistan. Chou-En-lai and Chen Yi were the only two high-ranking Chinese officials who had done so.

[62] *Ibid.*

[63] It should be noted that even North Korea, which was occupied by a million-man Chinese army during the Korean War, had by 1966 made good its independence from China.

[64] Nor is it reasonable to suggest that the United States has an obligation to fight to keep the Nguyen Cao Ky government in power extending beyond the obligation felt by that government's own subjects—a sense of obligation which, in the latter case, is clearly almost nonexistent.

FLAG DAY TRIBUTE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, on Flag Day, June 14, 1967, as part of the ceremonies conducted in observance of that day, a flag was presented which had flown over the 3d Marine Division in Vietnam.

Mr. Speaker, it is with a great sense of pride that I insert at this point in the Congressional Record a tribute to Gen. Bruno A. Hochmuth and the men of the 3d Marine Division, paid by the City Council of the City of Jersey City, N.J., on behalf of the people of that city. The resolution follows:

Resolution Citing General Hochmuth of the U.S. Marine Corps as a Great American

Whereas the Hon. Dominick V. Daniels, a distinguished member of the Congress of the United States from the Fourteenth District has communicated with the Hon. Thomas Flaherty, City Council President, conveying to him a copy of a letter received from the Commanding General of the 3d Marine Division (Reinforced), Fleet Marine Force, dated 30 May 1967, which contains the stirring account of the American Flag flown by the Third Marine Division while it was under attack defending the Free World in the Republic of South Viet Nam and the ideals of our country; and

Whereas it is the sense of the Municipal Council, as suggested by Congressman Daniels, that General Hochmuth be notified of the deep appreciation which the people of the Fourteenth Congressional District, which includes portions of this area, as well as the people of Jersey City, have for General Hochmuth and his men who are writing another glorious page in the history of the Marine Corps;

Now, therefore, be it resolved by the Municipal Council of the City of Jersey City that Commanding General B. A. Hochmuth of the United States Marine Corps be and he hereby is cited by the Municipal Council of the City of Jersey City as a great American in the highest traditions of our country; and

Be it further resolved that copy of this resolution be engrossed and sent to the General so that the appreciation and gratitude of the people of Jersey City may be made known to him in a tangible way, and also to his men of whom we are so proud; and

Be it further resolved that copy of this resolution be sent to the Hon. Dominick V. Daniels, Congressman from the Fourteenth Congressional District, whose thoughtfulness prompted this resolution.

Attest:

William P. Black,
City Clerk.

THE SUMMIT MEETINGS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, together with my colleagues in this House, and along with most of the rest of the world, I followed with great interest—and hope—the meetings which took place last week between President Johnson and Chairman Kosygin.

The people of my own State were particularly proud that a city and a college in our State were chosen as their meeting place.

The press has rightly noted the spontaneous warmth and hospitality with which the two world leaders were welcomed. Some commentators have been kind enough to say that the spirit of the people of Glassboro represented America at its best. I believe this is true.

We awaited the results of this meeting with confidence in our President, with a spirit of good will toward the Soviet people, and with the hope that this exchange of views might begin a process from which would flow understanding—and from understanding—peace for all mankind.

Now that the meetings have taken place, certain observations may be made:

This was a remarkably sober and mature Summit meeting. The two leaders were not forced together by the crush of events.

Rather, they were drawn together by the recognition of their mutual responsibilities. As the President said at the first meeting:

> We both have special responsibilities for the security of our families and over and beyond all our families is the security of the entire human family inhabiting this earth. . . . This demands that the relations between our two countries be as reasonable and as constructive as we know how to make them. It is also our obligation that we make it possible for other countries to live in peace with each other if this can be done.

Instead of an atmosphere of crisis surrounding this Summit Conference meeting, there was a mood of "men at work." Immediate dramatic results were not demanded or required. The spirit of the meeting was one of face-to-face exchanges between leaders with very heavy responsibilities.

All Americans can take pride, and draw confidence, from the manner in which they were represented. It is our great fortune to have a President of such experience, and with such great ability to state our positions clearly and firmly, yet without contentiousness. I have no doubt that our President is strongest when he sits down and looks a man right in the eye and reasons with him. And the President has told us he felt that Chairman Kosygin was making an effort to reason with him as well. That is good.

The immediate effect of the meeting was to reduce misunderstanding and to reaffirm a common commitment to seek agreement.

The final results of the meeting will, as the President told us, "be judged by what we can achieve in the future in order to achieve peace."

One meeting does not make a peace. Peace is made by a process in which the dangers are withdrawn.

I congratulate the President on the manner in which he has begun this process. I know that he will carry it forward with strength and clarity of purpose. I know, too, that no one in this country is more desirous to see a world at peace than President Johnson.

BALTIMORE BUYING POWER INCREASES

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, inasmuch as an expanding economy is always good news and of interest to my colleagues in the Congress, I am very pleased to report that a new survey of buying power in the greater Baltimore metropolitan area clearly shows a substantial increase.

Baltimore, "the gateway to the South," is a city on the move, a historic city with a modern stride, a friendly city full of hospitable people, and its metropolitan area, including its immediate surrounding counties, is a great place for expansion and for new industries.

The Sun, Baltimore's influential newspaper, in its issue of June 25, 1967, reports that in the annual survey made by the monthly periodical Sales Management, the local consumer has considerably more disposable income this year than last, and that the resident of the greater Baltimore area has a higher income than the average American. Here is one of the many reasons why so many companies are coming into Maryland, where the climate is favorable to business and industry.

This article reporting that the buying power is up in the Metropolitan Baltimore area was written by Jesse Glasgow, the brilliant financial editor of the Sun. Believing it to be of broad general interest to my colleagues and to the Nation's business and industrial leaders, I, therefore, include it in the RECORD. It is as follows:

METROPOLITAN AREA BUYING POWER INCREASED—ANNUAL SURVEY INDICATES LOCAL CONSUMER HAS HIGHER INCOME THAN AVERAGE AMERICAN

(By Jesse Glasgow)

A new survey of buying power in the Baltimore metropolitan area, a study of both individuals and households, establishes clearly that the local consumer has considerably more disposable income this year than last.

The study shows, too, that the average person here is more affluent than his mythical cousin, the "national average consumer." The indication is that the gap is widening.

A $200 PER CAPITA JUMP

The survey finds that the effective annual buying income for each man, woman and child in the metropolitan area is $2,751—an increase per capita of almost $200.

On a per household basis, the Baltimore area figure is $9,759—up almost $700 per family in the last year. The national average was given as 9,176.

The study is the annual one made by *Sales Management*, a monthly journal for men and women in marketing. The group now uses advanced computer techniques in its survey, working with the most reliable statistical data available.

NO BOUNDS GIVEN

The summary of the study does not give the geographic bounds of the Baltimore area, as set for the survey, but does give a population total of 1,981,600.

This is somewhat smaller than the figure usually used, indicating that this study did not take in one or more surrounding counties. Enlarging the bounds in this case would raise the figures.

Also, there have been wage increases, particularly in manufacturing, which would make upward revisions in most totals from the time the study began to the present.

Sales Management gives total retail sales in the Baltimore area for the twelve-months of its study as $3,045,470,000, which is an increase from the year before of about $320,000,000, economic slowdown or not.

The area, last year and now, ranks as one of the thirteen largest markets in the country.

In most of the individual retail categories, Baltimore-area consumers follow the national average spending habits. There are exceptions, though.

The local consumers are relatively free-spenders for food and drink. They spend more than the average householder on wearing apparel and more in drug stores than those in most other areas.

The Baltimore area has become one of the nine largest markets as far as eating and drinking places are concerned. It ranks tenth in drug store sales and twelfth in apparel stores receipts.

Even though the area is one of the thirteen largest markets on average, the metropolitan area is no better than twenty-first in the sale of lumber, building materials and hardware.

The survey turns up some interesting figures on cash income per household. There has been an increase in families with annual income of $10,000 or more, but also an increase in households with less than $2,999.

The study finds that 25.8 per cent of all Baltimore area households are in the $10,000 and up group, that 14.7 per cent are in the lowest income group.

MR. SHRIVER REPLIES

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, I would like to call the attention of my distinguished colleagues to an informative and illuminating letter to the editor of the Baltimore Sun from Sargent Shriver, Director of OEO, regarding charges against the Job Corps program which had recently appeared in the Sun letters column. Mr. Shriver shows just how completely unfounded many attacks on the Job Corps are, and how tremendously valuable the Job Corps' contribution to a better America is.

Mr. Speaker, I believe Mr. Shriver's letter should be of interest to all who honestly seek victory in the war on poverty, and with permission I include it at this point in the RECORD:

MR. SHRIVER REPLIES

WASHINGTON.

SIR: I noted with interest a letter published in *The Sun* recently from Paul E. Cunningham discussing the costs of Job Corps.

Mr. Cunningham, citing Congressman Robert H. Michel (R., Ill.), asserts that "each youngster guided through his first year in the Job Corps costs the taxpayers $257,000." This is untrue. By law, the direct operating costs for centers operating nine months or more *must* be no more than $7,500 for each 12 months of enrollment. In the current year we have experienced a cost of $6,950, and we anticipate a reduction of this cost to $6,700 in the fiscal year beginning July 1, 1967. This is a far cry from the figure of $275,000 used by Mr. Cunningham.

Job Corps is a residential program designed for young men and women whose home and neighborhood environment provide little incentive or opportunity for self improvement. Sixty per cent of these young people come from homes where the head of the house is unemployed; nearly 40 per cent come from families which are on relief; and nearly 50 per cent come from families where both parents have less than an eighth grade education. Many of the youngsters themselves are already slipping into patterns of failure. Sixty-four per cent have been asked to leave school; the young men have an average reading and math achievement of less than fifth grade level; and of those eligible by age for military nearly half cannot pass the induction examination. The Job Corps is designed to reclaim these severely disadvantaged young people.

Waste of any resource is expensive for all of us. Unless the emerging pattern of failure is broken, these youngsters will probably live as underproductive members of society—at a cost to the rest of their fellow citizens. If a substantial number require welfare assistance or if they slip into a lifetime pattern of illegal and anti-social behavior the cost to society will be greater still.

How is the program doing? Seventy per cent of all youngsters having Job Corps experience are either back in school, in the military or employed. We know that in Job Corps these youngsters are learning to read three times faster than they were learning in the public schools; in mathematics they are learning four times as fast as in the public schools. We have conducted a study recently which demonstrates that the purely economic benefits of Job Corps to society as a whole outweigh the costs. This is quite a favorable commentary on any social program, especially one serving youngsters from such disadvantaged backgrounds.

SARGENT SHRIVER,
Director, Office of Economic Opportunity.

THE NATIONAL FLOOD INSURANCE ACT OF 1967

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATMAN. Mr. Speaker, I have today introduced, for myself and the following members of the House Committee on Banking and Currency: Mr. MULTER, Mr. BARRETT, Mr. ASHLEY, Mr. MOORHEAD, Mr. ST GERMAIN, Mr. GONZALEZ, Mr. MINISH, Mr. HANNA, Mr. ANNUNZIO, Mr. REES, and Mr. BINGHAM, the National Flood Insurance Act of 1967. This legislation would amend the Federal Flood Insurance Act of 1956.

Under unanimous consent I include as part of my remarks, for the benefit of the Members and the public, at this point in the RECORD, a copy of the bill and a section-by-section analysis:

H.R. 11197

A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Flood Insurance Act of 1967".

Findings and declaration of purpose

SEC. 2. (a) The Congress finds that (1) from time to time flood disasters have created personal hardships and economic distress which have required unforeseen disaster relief measures and have placed an increasing burden on the Nation's resources; (2) despite the installation of preventive and protective works and the adoption of other public programs designed to reduce losses caused by flood damage, these methods have not been sufficient to protect adequately against growing exposure to future flood losses; (3) as a matter of national policy, a reasonable method of sharing the risk of flood losses is through a program of flood insurance which can complement and encourage preventive and protective measures; and (4) if such a program is initiated and carried out gradually, it can be expanded as knowledge is gained and experience is appraised, thus eventually making flood insurance coverage available on reasonable terms and conditions to persons who have need for such protection.

(b) The Congress also finds that (1) many factors have made it uneconomic for the private insurance industry alone to make flood insurance available to those in need of such protection on reasonable terms and conditions; but (2) a program of flood insurance with large-scale participation of the Federal Government and carried out to the maximum extent practicable by the private insurance industry is feasible and can be initiated.

(c) The Congress further finds that (1) a program of flood insurance can promote the public interest by providing appropriate protection against the perils of flood losses and encouraging sound land use by minimizing exposure of property to flood losses; and (2) the objectives of a flood insurance program should be integrally related to a unified national program for flood plain management, and to this end, it is the sense of Congress that within two years following the effective date of this Act, the President should transmit to the Congress for its consideration any further proposals necessary for such a unified program, including proposals for the allocation of costs among beneficiaries of flood protection.

(d) It is therefore the purpose of this Act to (1) authorize a flood insurance program by means of which flood insurance, over a period of time, can be made available on a nationwide basis through the cooperative efforts of the Federal Government and the private insurance industry, and (2) provide flexibility in the program so that such flood insurance may be based on workable methods of pooling risks, minimizing costs, and distributing burdens equitably among those who will be protected by flood insurance and the general public.

(e) It is the further purpose of this Act to (1) encourage State and local governments to make appropriate land use adjustments to constrict the development of land which is exposed to flood damage and minimize damage caused by flood losses, (2) guide the development of proposed future construction, where practicable, away from locations which are threatened by flood hazards, (3) encourage lending and credit institutions, as a matter of national policy, to assist in furthering the objectives of the flood insurance program, (4) assure that any Federal assistance provided under the program will be related closely to all flood-related programs and activities of the Federal Government, and (5) authorize continuing studies of flood hazards, in order to provide for a constant reappraisal of the flood insurance program and its effect on land use requirements.

Amendments to the Federal Flood Insurance Act of 1956

SEC. 3. (a) The second sentence of section 15(e) of the Federal Flood Insurance Act of 1956, 70 Stat. 1078, is amended—

(1) by striking out "rate" the second time it appears in such sentence, and inserting in lieu thereof "market yield", and

(2) by striking out "as of the last day of", and inserting in lieu thereof "during".

(b) Section 15(e) of such Act is further amended by striking out the last sentence thereof.

(c) Sections 2 through 14, subsections (a) through (d), and (f) and (g) of section 15, and sections 16 through 23 of such Act are hereby repealed.

TITLE I—THE NATIONAL FLOOD INSURANCE PROGRAM

Basic authority

SEC. 101. (a) To carry out the purposes of this Act, the Secretary of Housing and Urban Development is authorized to establish and carry out a national flood insurance program which will enable interested persons to purchase insurance against loss resulting from physical damage to or loss of real property or personal property related thereto arising from any flood occurring in the United States.

(b) In carrying out the flood insurance program the Secretary shall, to the maximum extent practicable, encourage and arrange for—

(1) appropriate financial participation and risk-sharing in the program by insurance companies or other insurers, and

(2) other appropriate participation on other than a risk-sharing basis by insurance companies or other insurers, insurance agents and brokers, and insurance adjustment organizations, in accordance with the provisions of title II.

SCOPE OF PROGRAM AND PRIORITIES

SEC. 102. (a) In carrying out the flood insurance program the Secretary shall afford a priority to making flood insurance available to cover residential properties which are designed for the occupancy of from one to four families.

(b) If on the basis of—

(1) studies and investigations undertaken and carried out and information received or exchanged under section 104, and

(2) such other information as may be necessary, the Secretary determines that it would be feasible to extend the flood insurance program to cover other properties, he may take such action under this Act as from time to time may be necessary in order to make flood insurance available to cover, on such basis as may be feasible, any types and classes of—

(A) other residential properties,

(B) business properties,

(C) agricultural properties,

(D) properties occupied by private nonprofit organizations, and

(E) properties owned by State and local governments and agencies thereof,

and any such extensions of the program to any types and classes of these properties shall from time to time be prescribed in regulations.

(c) The Secretary shall make flood insurance available in only those States or areas (or subdivisions thereof) which he has determined have—

(1) evidenced a positive interest in securing flood insurance coverage under the flood insurance program, and

(2) given satisfactory assurance that by June 30, 1970, permanent land use and control measures will have been adopted for the State or area (or subdivision) which are consistent with the comprehensive criteria for land management and use developed under section 302, and that the application and enforcement of such measures will commence as soon as technical information on floodways and on controlling flood elevations is available.

Nature and limitation of insurance coverage

SEC. 103. (a) The Secretary from time to time shall, after consultation with the advisory committee authorized under section 115 and appropriate representatives of the insurance authorities of the respective States, provide by regulation for general terms and conditions of insurability which shall be applicable to properties eligible for flood insurance coverage under section 102, including—

(1) the types, classes, and locations of any such properties which shall be eligible for flood insurance;

(2) the nature of and limits of loss or damage in any areas (or subdivisions thereof) which may be covered by such insurance;

(3) the classification, limitation, and rejection of any risks which may be advisable;

(4) appropriate minimum premiums;

(5) appropriate loss-deductibles; and

(6) any other terms and conditions relating to insurance coverage or exclusion which may be necessary to carry out the purpose of this Act.

(b) In addition to any other terms and conditions under subsection (a), such regulations shall provide that—

(1) any flood insurance coverage based on chargeable premium rates (under section 105) which are less than estimated premium rates (under section 104(a)(1)), shall not exceed—

(A) in the case of residential properties which are designed for the occupancy of from one to four families,

(i) $15,000 aggregate liability for any dwelling unit, and $30,000 for any single dwelling structure containing more than one dwelling unit, and

(ii) $5,000 aggregate liability per dwelling unit for any contents related thereto; and

(B) in the case of any other properties which may become eligible for flood insurance coverage under section 102, $30,000 aggregate liability for any single structure; and

(2) any flood insurance coverage which may be made available in excess of any of the limits specified in subparagraphs (A) and (B) shall be based only on chargeable premium rates (under section 105) which are not less than estimated premium rates (under section 104(a)(1)), and the amount of such excess coverage shall not in any case exceed an amount which is equal to any such limit so specified.

Estimates of premium rates

SEC. 104. (a) The Secretary is authorized to undertake and carry out such studies and investigations, and to receive or exchange such information as may be necessary, to estimate on an area, subdivision, or other appropriate basis—

(1) the risk premium rates for flood insurance which,

(A) based on consideration of the risk involved and accepted actuarial principles, and

(B) including

(i) applicable operating costs and allowances prescribed under section 108 to be reflected in such rates, and

(ii) any administrative expenses (or portion of such expenses) of carrying out the flood insurance program which, in his discretion, should properly be reflected in such rates,

would be required in order to make such insurance available on an actuarial basis for any types and classes of properties for which insurance coverage shall be available under section 102;

(2) the rates, if less than the rates estimated under paragraph (1), which would be reasonable, would encourage prospective insureds to purchase flood insurance, and would be consistent with the purposes of this Act; and

(3) the extent, if any, to which Federally assisted or other flood protection measures initiated after the effective date of this Act affect such rates.

(b) In carrying out subsection (a), the Secretary shall, to the maximum extent feasible and on a reimbursement basis, utilize the services of the Department of the Army, the Department of the Interior, the Department of Agriculture, the Department of Commerce, and the Tennessee Valley Authority, and, as appropriate, other Federal departments or agencies, and for such purposes, may enter into agreements or other appropriate arrangements with any persons.

(c) The Secretary shall give priority to conducting studies and investigations, or making estimates under this section in those States or areas (or subdivisions thereof) which he has determined have evidenced a positive interest in securing flood insurance coverage under the flood insurance program.

Establishment of chargeable premium rates

SEC. 105. (a) On the basis of estimates made under section 104 and such other information as may be necessary, the Secretary from time to time shall, after consultation with the advisory committee authorized under section 115 and appropriate representatives of the insurance authorities of the respective States, by regulation prescribe—

(1) chargeable premium rates for any types and classes of properties for which insurance coverage shall be available under section 102 (at less than the estimated risk premium rates under section 104(a)(1), if necessary), and

(2) the terms and conditions under which, and areas (including subdivisions thereof) within such rates shall apply.

(b) Such rates shall, insofar as practicable, be

(1) based on a consideration of the respective risks involved, including differences in risks due to land use measures, flood proofing, flood forecasting, and similar measures,

(2) adequate, on the basis of accepted actuarial principles, to provide reserves for anticipated losses, or, if less than such amount, consistent with the objective of making flood insurance available, where necessary, at reasonable rates so as to encourage prospective insureds to purchase such insurance, and

(3) stated so as to reflect the basis for such rates, including the differences (if any) between the estimated risk premium rates under paragraph (1) of section 104(a), and the estimated rates under paragraph (2) of such section.

(c) Notwithstanding any other provision of this Act, the chargeable rate with respect to any property, the construction or substantial improvement of which the Secretary determines has been started after the identifications of hazardous flood plain areas under paragraph (1) of section 301 have been published by the Secretary, shall not be less than the estimated risk premium rate for such area (or subdivision thereof) under section 104(a)(1).

(d) In the event any chargeable premium rate prescribed under this section is—

(1) at a rate which is not less than the estimated risk premium rate under section 104(a)(1), and

(2) such rate includes any amount for administrative expenses of carrying out the flood insurance program which have been estimated under clause (ii) of section 104 (a)(1)(B),

a sum equal to such amount shall be paid to the Secretary, and he shall deposit such sum in the fund authorized under section 107.

Treasury borrowing authority

SEC. 106. (a) All authority which was vested in the Housing and Home Finance Administrator by virtue of section 15(e) of the Federal Flood Insurance Act of 1956, 70 Stat. 1084 (pertaining to the issue of notes or other obligations to the Secretary of the Treasury), as amended by section 3(a) and (b) of this Act, shall be available to the Secretary for the purpose of carrying out this Act.

(b) Any funds borrowed by the Secretary under this authority shall, from time to time, be deposited in the National Flood Insurance Fund established under section 107.

National flood insurance fund

SEC. 107. (a) To carry out the flood insurance program authorized by this Act, the Secretary is authorized to establish in the Treasury of the United States a National Flood Insurance Fund (hereinafter referred to as the "fund") which shall be available, without fiscal year limitation—

(1) for making such payments as may, from time to time, be required under section 215;

(2) to pay reinsurance claims under the excess loss reinsurance coverage provided under section 216;

(3) to repay to the Secretary of the Treasury such sums as may be borrowed from him (together with interest) in accordance with the authority provided in section 106 of this Act; and

(4) to pay such administrative expenses (or portion of such expenses) of carrying out the flood insurance program as he may deem necessary; and

(5) for the purposes specified in subsection (d) under the conditions provided therein.

(b) The fund shall be credited with—

(1) such funds borrowed in accordance with the authority provided in section 106 of this Act as may from time to time be deposited in the fund;

(2) premiums, fees, or other charges which may be paid or collected in connection with the excess loss reinsurance coverage provided under section 216;

(3) such amounts as may be advanced to the fund from appropriations in order to maintain the fund in an operative condition adequate to meet its liabilities;

(4) interest which may be earned on investments of the fund pursuant to subsection (c);

(5) such sums as are required to be paid to the Secretary under section 105(d); and

(6) receipts from any other operations under this Act which may, from time to time, be credited to the fund (including premiums under the condition specified in subsection (d), and salvage proceeds, if any, resulting from reinsurance coverage).

(c) If, after—

(1) all outstanding obligations have been liquidated, and

(2) any outstanding amounts which may have been advanced to the fund from appropriations authorized under section 407(a)(2)(B) have been credited to the appropriation from which advanced, with interest accrued at the rate prescribed under section 15(e) of the Federal Flood Insurance Act of 1956, as amended by section 3(a) of this Act,

the Secretary determines that the monies of the fund are in excess of current needs, he may request the investment of such amounts as he deems advisable by the Secretary of the Treasury in obligations issued or guaranteed by the United States.

(d) In the event the Secretary makes a finding in accordance with the provisions of section 221 that operation of the flood insurance program, in whole or in part, should be carried out through the facilities of the Federal Government, the fund shall be available for all such purposes incident thereto, including—

(1) the cost incurred in the adjustment and payment of any claims for losses, and

(2) payment of applicable operating costs prescribed under section 108

for so long as the program is so carried out, and in such event any premiums paid shall be deposited by the Secretary to the credit of the fund.

Operating costs and allowances

SEC. 108. (a) The Secretary from time to time shall negotiate with appropriate representatives of the insurance industry for the purpose of establishing—

(1) a current schedule of operating costs applicable to both risk-sharing insurance companies or other insurers, and insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations participating on other than a risk-sharing basis, and

(2) a current schedule of operating allowances applicable to risk-sharing insurance companies or other insurers, which may be payable in accordance with the provisions of title II, and such schedules, from time to time, shall be prescribed in regulations.

(b) For purposes of subsection (a)—

(1) the term "operating costs" shall include, without limiting such term, the following:

(A) expense reimbursements covering the direct, actual, and necessary expenses incurred in connection with selling and servicing flood insurance coverage;

(B) reasonable compensation payable for selling and servicing flood insurance coverage, or commissions or service fees paid to producers;

(C) loss adjustment expenses;

(D) other direct, actual, and necessary expenses which the Secretary finds are incurred in connection with selling or servicing flood insurance coverage; and

(2) the term "operating allowances" shall include, without limiting such term, amounts for profit and contingencies which the Secretary finds reasonable and necessary to carry out the purposes of this Act.

Payment of claims

SEC. 109. The Secretary is authorized to prescribe regulations establishing the general method or methods by which proved and approved claims for losses may be adjusted and paid for any damage to or loss of property which is covered by flood insurance made available under the provisions of this Act.

Dissemination of flood insurance information

SEC. 110. The Secretary shall take such action as may, from time to time, be necessary in order to make information and data available to the public and to any State or local agency or official, with regard to—

(1) the flood insurance program, its coverage and objectives, and

(2) estimated and chargeable flood insurance premium rates, including the basis for and differences between such rates in accordance with the provisions of section 105.

Prohibition against certain duplications of benefits

SEC. 111. (a) Notwithstanding the provisions of any other law, no Federal disaster assistance shall be made available to any person for the physical loss, destruction, or damage of real or personal property, to the extent that such loss, destruction, or damage

(1) is covered by a valid claim which may be adjusted and paid under flood insurance made available under the authority of this Act, or

(2) could have been covered by a valid claim under flood insurance which had been made available under the authority of this Act, if—

(A) such loss, destruction, or damage occurred subsequent to one year following the date flood insurance was made available in the area (or subdivision thereof) in which such property or the major part thereof was located, and

(B) such property was eligible for flood insurance under this Act at that date,

and in such circumstances the extent that such loss, destruction, or damage could have been covered shall be presumed (for purposes of this subsection) to be an amount not less than the maximum limit of insurable loss or damage applicable to such property in such area (or subdivision thereof) pursuant to regulations under section 103, at the time insurance was made available in such area (or subdivision thereof).

(b) For purposes of this section "Federal disaster assistance" shall include any Federal financial assistance which may be made available to any person as a result of—

(1) a major disaster (within the meaning of that term as determined by the President pursuant to the Act entitled "An Act to authorize Federal Assistance to State and local governments in major disasters, and for other purposes", as amended (42 U.S.C. 1855–1855g)),

(2) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), and

(3) a disaster with respect to which loans may be made under section 7(b) of the Small Business Act, as amended (15 U.S.C. 636(b)).

(c) For purposes of section 10 of the Disaster Relief Act of 1966, 80 Stat. 1316, the term "financial assistance" shall be deemed to include any flood insurance which is made available under this Act.

State and local land use controls

SEC. 112. After June 30, 1970, no new flood insurance coverage shall be provided under this Act in any area (or subdivision thereof) unless an appropriate public body shall have adopted permanent land use and control measures (with effective enforcement provisions) which the Secretary finds are consistent with the comprehensive criteria for land management and use under section 302.

Properties in violation of State and local law

SEC. 113. (a) No new flood insurance coverage shall be provided under this Act for any property which the Secretary finds has been declared by a duly constituted State or local zoning authority, or other authorized public body, to be in violation of State or local laws, regulations, or ordinances which are intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Coordination with other programs

SEC. 114. In carrying out this Act, the Secretary shall consult with other departments and agencies of the Federal government, and interstate, State, and local agencies having responsibilities for flood control, flood forecasting, and flood damage prevention, in order to assure that the programs of such agencies and the flood insurance program authorized under this Act are mutually consistent.

Advisory committee

SEC. 115. (a) The Secretary shall appoint a flood insurance advisory committee without regard to the civil service laws which shall consist of not more than fifteen persons selected from among representatives of the insurance industry and from among members of the public, and such committee shall advise the Secretary in the preparation of any regulations prescribed in accordance with this Act, with respect to policy matters arising in the administration of this Act, and shall perform such other responsibilities as the Secretary may, from time to time, assign to such committee.

(b) Members of the committee shall, while attending conferences or meetings thereof, be entitled to receive compensation at a rate fixed by the Secretary but not exceeding $100 per day, including travel time, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as is authorized under 5 U.S.C. 5703, for persons in the Government service employed intermittently.

Initial program limitation

SEC. 116. The face amount of flood insurance coverage outstanding and in force at any one time under this Act shall not exceed the sum of $2,500,000,000.

Report to the President

SEC. 117. The Secretary shall include a report of operations under this Act in the annual report to the President for submission to the Congress required by section 8 of the Department of Housing and Urban Development Act.

TITLE II—ORGANIZATION AND ADMINISTRATION OF THE FLOOD INSURANCE PROGRAM

Organization and administration

SEC. 201. Following such consultation with representatives of the insurance industry as may be necessary, the Secretary shall implement the flood insurance program authorized under title I in accordance with the provisions of part A of this title, and if a determination is made by him under section 221, under part B of this title.

PART A—INDUSTRY PROGRAM WITH FEDERAL FINANCIAL ASSISTANCE

Industry Flood Insurance Pool

SEC. 211. (a) The Secretary is authorized to encourage and otherwise assist any insurance company or companies and other insurers which meet the requirements prescribed under subsection (b), to form, associate, or otherwise join together in a pool—

(1) in order to provide the flood insurance coverage authorized under title I; and

(2) for the purpose of assuming, on terms and conditions as may be agreed upon, such financial responsibility as will enable such companies and other insurers, with the Federal financial and other assistance available under this Act, to assume a reasonable proportion of responsibility for the adjustment and payment of claims for losses under the flood insurance program.

(b) In order to promote the effective administration of the flood insurance program under this part, and to assure that the objectives of this Act are furthered, the Secretary is authorized to prescribe appropriate requirements for insurance companies or other insurers participating in such pool including, but not limited to, minimum requirements for capital or surplus or assets.

Agreements with flood insurance pool

SEC. 212. (a) The Secretary is authorized to enter into such agreements with any pool which is formed, associated, or otherwise created under this part, as he deems necessary to carry out the purpose of this Act.

(b) Such agreements shall specify—

(1) the terms and conditions under which risk capital will be available for the adjustment and payment of claims,

(2) the terms and conditions under which such pool (and the companies or other insurers participating therein) shall participate proportionately in premiums received and profits or losses realized or sustained, including the maximum amount of profit which may be realized by such pool (and the companies or other insurers participating therein),

(3) the terms and conditions under which operating costs and allowances prescribed under section 108 may be paid, and

(4) the terms and conditions under which premium equalization payments under section 215 will be made and reinsurance claims under section 216 will be paid.

(c) In addition, such agreements shall contain such provisions as the Secretary finds necessary to assure that—

(1) no company or other insurer which meets the requirements prescribed under section 211(b) and which has indicated an intention to participate in the flood insurance program on a risk-sharing basis, will be excluded from participating in any such pool,

(2) the companies or other insurers participating in such pool will take whatever action may be necessary to provide continuity of flood insurance coverage by such pool, and

(3) any insurance companies, other insurers, agents and brokers, and insurance adjustment organizations will be permitted to cooperate with such pool as fiscal agents or otherwise, on other than a risk-sharing basis, to the maximum extent practicable.

Judicial review

SEC. 213. Such companies and other insurers which form, associate, or otherwise join together in a pool under this part may adjust and pay all claims for proved and approved losses covered by flood insurance in accordance with the provisions of this Act and, upon disallowance by any such companies or other insurers of any such claim, the claimant, within one year after the date of mailing of notice of disallowance of the claim, may institute an action on such claim against the companies or other insurers in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

Audit of accounts

SEC. 214. Any pool authorized to be formed, associated, or otherwise created under this part (and the companies or other insurers participating therein) shall maintain an integral set of accounts which shall be subject to audit by the Secretary.

Premium equalization payments

SEC. 215. (a) The Secretary shall, on such terms and conditions as he may from time to time prescribe, make periodic payments to such pool as may be formed, associated, or otherwise created under section 211, in recognition of such reductions in chargeable premium rates under section 105 below estimated premium rates under section 104(a)(1) as are required in order to make flood insurance available on reasonable terms and conditions.

(b) Such payments shall be based only on the aggregate amount of flood insurance retained by such pool after ceding reinsurance in accordance with the provisions of section 216, and shall not exceed an aggregate amount in any payment period equal to the sum of the following:

(1)(A) an amount for losses which bears the same ratio to the amount of all proved and approved claims for losses under this Act during any designated period as

(B) the amount equal to the difference between

(i) the sum of all premium payments for flood insurance coverage in force under this Act during such designated period which would have been payable during such period if all such coverage were based on estimated risk premium rates under section 104(a)(1) (excluding any administrative expenses which may be reflected in such rates, as specified in clause (ii) of section 104(a)(1)(B)),

(ii) the sum of premium payments actually paid or payable for such insurance under this Act during such period,

bears to the amount specified in clause (i) of this subparagraph; and

(2) subject to the terms and conditions specified in the agreement entered into under section 212, a proportionate amount for appropriate operating costs and allowances prescribed under section 108 during any designated period, which bears the same ratio to a total amount during such period as the ratio specified in paragraph (1)(B).

(c) Designated periods under this section and the methods for determining the sum of premiums paid or payable during such periods shall be established by the Secretary.

Reinsurance coverage

SEC. 216. (a) The Secretary is authorized to take such action as may be necessary in order to make available to such pool as may be formed, associated, or otherwise created under section 211, reinsurance for losses (due to claims for proved and approved losses covered by flood insurance) which are in excess of losses assumed by such pool in accordance with the excess loss agreement entered into under subsection (c).

(b) Such reinsurance shall be made available pursuant to contract, agreement, or any other arrangement, in consideration of such payment of a premium, fee, or other charge as the Secretary finds necessary to cover anticipated losses and other costs of providing such reinsurance.

(c) The Secretary is authorized to negotiate an excess loss agreement, from time to time, under which the amount of flood insurance retained by such pool, after ceding reinsurance, shall be adequate to further the purposes of this Act, consistent with the objective of maintaining appropriate financial participation and risk sharing to the maximum extent practicable on the part of participating insurance companies and other insurers.

(d) All reinsurance claims for losses in excess of losses assumed by such pool shall be submitted on a portfolio basis by such pool in accordance with terms and conditions as may be established by the Secretary.

PART B—GOVERNMENT PROGRAM WITH INDUSTRY ASSISTANCE

Federal operation of the program

SEC. 221. If at any time after consultation with representatives of the insurance industry, the Secretary determines that operation of the flood insurance program as provided under part A cannot be carried out, or that such operation, in itself, would be assisted materially by the Federal Government's assumption, in whole (or in part), of the operational responsibility for flood insurance under this Act (on a temporary or other basis) he shall promptly undertake any necessary arrangements to carry out the program of flood insurance authorized under title I through the facilities of the Federal Government, utilizing, as may be practicable for purposes of providing flood insurance coverage, insurance companies and other insurers, insurance agents and brokers, and insurance adjustment organizations, as fiscal agents of the United States.

Adjustment and payment of claims

SEC. 222. In the event the program is carried out as provided in section 221, the Secretary shall be authorized to adjust and make payment of any claims for proved and approved losses covered by flood insurance, and upon disallowance by the Secretary of any such claim, the claimant, within one year after the date of mailing of notice of disallowance by the Secretary, may institute an action against the Secretary on such claim in the United States district court for the district in which the insured property or the major part thereof shall have been situated, and jurisdiction is hereby conferred upon such court to hear and determine such action without regard to the amount in controversy.

PART C—PROVISIONS OF GENERAL APPLICABILITY

Services by insurance industry

SEC. 231. (a) In administering the flood insurance program under this title, the Secretary is authorized to enter into any contracts, agreements or other appropriate arrangements as may, from time to time, be necessary for the purpose of utilizing, on terms and conditions which may be agreed upon, the facilities and services of any insurance companies or other insurers, insurance agents and brokers, or insurance adjustment organizations, and such contracts, agreements or arrangements may also include provision for payment of applicable operating costs and allowances for such facilities and services prescribed under section 108.

(b) Any such contracts, agreements, or other arrangements may be entered into without regard to the provisions of section 3709 of the Revised Statutes, as amended (41 U.S.C. 5), or any other provision of law requiring competitive bidding.

Use of insurance pools, companies, of other private organizations for certain payments

SEC. 232. (a) In order to provide for maximum efficiency in the administration of the flood insurance program and in order to facilitate the expeditious payment of any Federal funds under the flood insurance program authorized by this Act, the Secretary may enter into contracts with any pool which may be formed, associated, or otherwise created under section 211, or any insurance companies or other private organizations, for the purpose of securing performance by such pool, company or organization of any or all of the following responsibilities:

(1) estimate and later determine any amounts of payments to be made;

(2) receive from the Secretary, disburse, and account for funds in making such payments;

(3) make such audits of the records of any insurance company, other insurers, agent or broker, or insurance adjustment organization, as may be necessary to assure that proper payments are made; and

(4) otherwise assist in such manner as the contract may provide to further the purposes of this Act.

(b) Any contract with any pool, insurance company, or other private organization under this section may contain such terms and conditions as the Secretary finds necessary or appropriate for carrying out responsibilities under subsection (a), and may provide for payment of any costs which the Secretary determines are incidental to carrying out such responsibilities which are covered by the contract.

(c) Any contract entered into under subsection (a) may be entered into without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law requiring competitive bidding.

(d) No such contract may be entered into with any pool, insurance company, or other private organization under this section unless the Secretary finds that it will perform its obligations under the contract efficiently and effectively, and will meet such requirements as to financial responsibility, legal authority, and other matters as he finds pertinent.

(e)(1) Any such contract may require such pool, company, or organization or any of its officers or employees certifying payments or disbursing funds pursuant to the contract, or otherwise participating in carrying out the contract, to give surety bond to the United States in such amount as the Secretary may deem appropriate.

(2) No individual designated pursuant to a contract under this section to certify payments shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payments certified by him under this section.

(3) No officer disbursing funds shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this section if it was based upon a voucher signed by an individual designated to certify payments as provided in paragraph (2) of this subsection.

(f) Any contracts entered into under this section shall be for a term of one year, and may be made automatically renewable from term to term in the absence of notice by either party of an intention to terminate at the end of the current term; except that the Secretary may terminate any such contract at any time (after reasonable notice to the pool, company or organization involved) if he finds that the pool, company, or organization has failed substantially to carry out the contract, or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the flood insurance program authorized under this Act.

Settlement and arbitration

SEC. 233. (a) The Secretary is authorized to make final settlement of any claims or demands which may arise as a result of any financial transactions which he is authorized to carry out under this title, and may, to assist him in making any such settlement, refer any disputes relating to such claims or demands to arbitration, with the consent of the parties concerned.

(b) Such arbitration shall be advisory in nature, and any award, decision, or recommendation which may be made shall become final only upon the approval of the Secretary.

TITLE III—COORDINATION OF FLOOD INSURANCE WITH LAND MANAGEMENT PROGRAMS IN FLOOD-PRONE AREAS

Identification of flood-prone areas

SEC. 301. The Secretary is authorized to consult with, receive information from, and to enter into any agreements or other arrangements with the Secretaries of the Army, the Interior, Agriculture, and Commerce, the Tennessee Valley Authority and the heads of other Federal departments or agencies (on a reimbursement basis), or the head of any State or local agency, in order that he may—

(1) identify and publish information with respect to all flood plain areas, including coastal areas located in the United States, which have special flood hazards, within 5 years following the effective date of this Act, and

(2) establish flood risk zones in all such areas, and make estimates with respect to the rates of probable flood-caused loss for the various flood risk zones for each of these areas, within 15 years following such date.

Criteria for land management and use

SEC. 302. (a) The Secretary is authorized to carry out studies or investigations, utilizing the existing facilities and services of other Federal departments or agencies to the maximum extent practicable, and State and local governmental agencies, and any other organizations, with respect to the adequacy of State and local measures in flood-prone areas, as to land management and use, flood control, flood zoning, and flood damage prevention, and may enter into any contracts, agreements, or other appropriate arrangements to carry out such authority.

(b) Such studies and investigations shall include, but not be limited to, laws, regulations, or ordinances relating to encroachments and obstructions on stream channels and floodways, the orderly development and use of flood plains of rivers or streams, floodway encroachment lines or flood plain zoning, building codes, building permits, and subdivision or other building restrictions.

(c) On the basis of such studies and investigations, and such other information as he deems necessary, the Secretary from time to time shall develop comprehensive criteria designed to encourage, where necessary, the adoption of permanent State and local measures which, to the maximum extent feasible will—

(1) constrict the development of land which is exposed to flood damage,

(2) guide the development of proposed construction away from locations which are threatened by flood hazards,

(3) assist in reducing damage caused by floods, and

(4) otherwise improve the long-range land management and use of flood-prone areas,

and shall work closely with and provide any necessary technical assistance to State, interstate, and local governmental agencies, to encourage the application of such criteria and the adoption and enforcement of such measures.

Purchase of certain insured properties

SEC. 303. The Secretary may, when he determines that the public interest would be served thereby, enter into negotiations with any owner of real property or interests therein which—

(1) was located in any flood-risk area, as determined by the Secretary;

(2) was covered by flood insurance under the flood insurance program authorized under this Act; and

(3) was damaged substantially beyond repair by flood;

and may purchase such property or interests therein, for subsequent transfer, by sale, lease, donation, or otherwise, to any State or local agency which enters into an agreement with the Secretary that such property shall, for a period not less than forty years following transfer, be used for only such purposes as the Secretary may, by regulation, determine to be consistent with sound land management and use in such area.

TITLE IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

Definitions

SEC. 401. As used in this Act, the term—

(1) "Flood" shall have such meaning as may be prescribed in regulations of the Secretary, and may include inundation from the overflow of streams, rivers, or other bodies of natural water, and from tidal surges, abnormally high tidal water, tidal waves, hurricanes, and other severe storms or deluge.

(2) "United States" (when used in a geographic sense), and "State", respectively, includes the District of Columbia, the territories and possessions, and the Commonwealth of Puerto Rico;

(3) "Insurance company", "other insurer", "insurance agents and brokers", and "insurance adjustment organizations" include any organizations and persons authorized to engage in the insurance business under the laws of any State (as "State" is defined in paragraph (2));

(4) "Person" includes any individual or group of individuals, corporation, partnership, association, or any other organized group of persons, including State and local governments and agencies thereof; and

(5) "Secretary" means the Secretary of Housing and Urban Development.

Studies of other natural disasters

SEC. 402. (a) The Secretary is authorized to undertake such studies as may be necessary for the purpose of determining the extent to which insurance protection against earthquakes or any other natural disaster perils, other than flood, is not available from public or private sources, and the feasibility of such insurance protection being made available.

(b) Studies under this section shall be carried out, to the maximum extent practicable, with the cooperation of other Federal departments and agencies and State and local agencies, and the Secretary is authorized to consult with, receive information from, and to enter into any necessary agreements or other arrangements with such other Federal departments or agencies (on a reimbursement basis) or State and local agencies.

Payments

SEC. 403. Any payments under this Act may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary may determine.

Government corporation control act

SEC. 404. The provisions of the Government Corporation Control Act, as amended, shall apply to the program authorized under this Act to the same extent as applicable to wholly owned Government corporations.

Finality of certain financial transactions

SEC. 405. Notwithstanding the provisions of any other law to the contrary, any—

(1) financial transaction authorized to be carried out under this Act, and

(2) payment authorized to be made or to be received in connection with any such financial transaction,

shall be final and conclusive upon all officers of the Government.

Administrative expenses

SEC. 406. Any administrative expenses which may be sustained by the Federal government in carrying out the flood insurance program authorized under this Act may be paid out of appropriated funds.

Appropriations

SEC. 407. (a) There are hereby authorized to be appropriated such sums as may from time to time be necessary to carry out this Act, including sums—

(1) to cover administrative expenses authorized under section 406;

(2) to reimburse the fund established under section 107 for

(A) premium equalization payments under section 215 which have been made from such fund; and

(B) reinsurance claims paid under the excess loss reinsurance coverage provided under section 216; and

(3) to make such other payments as may be necessary to carry out the purposes of this Act.

(b) All such funds shall be available without fiscal year limitation.

Effective date

SEC. 408. This Act shall take effect 120 days following the date of enactment, except that the Secretary, on the basis of a finding that conditions exist necessitating the prescribing of an additional period, may prescribe a later effective date which in no even shall be more than 180 days following such date of enactment.

SECTION-BY-SECTION SUMMARY OF THE NATIONAL FLOOD INSURANCE ACT OF 1967

Sec. 1. Short Title: This section provides for the Act to be cited as the "National Flood Insurance Act of 1967".

Sec. 2. Findings and Declaration of Purpose: This section states Congressional findings and purposes, highlighting the fact that a flood insurance program is feasible, can be initiated, and should complement and encourage measures to prevent flood damage; that if the program is commenced on a gradual basis, time and experience will enable it to be reappraised and expanded to make flood insurance available to other persons needing it; that the program can be carried out most effectively through a cooperative effort on the part of the Federal government and the private insurance industry; and that a critical ingredient of such a program will be the encouragement of State and local governments to adopt land use regulations to govern the development of land exposed to flood damage. This section also calls for the President to submit to the Congress, within two years after the effective date of the Act, a unified national program for flood plain management, including any further proposals for the allocation of costs among beneficiaries of flood protection.

Sec. 3. Amendments to the Federal Flood Insurance Act of 1956: This section would repeal all sections of the now inactive Federal Flood Insurance Act of 1956 (for which program funds were never appropriated), *except* section 15(e). That section vested the Administrator of the Department's predecessor agency (the Housing and Home Finance Agency) with authority to borrow $500 million in the aggregate (or greater sums if authorized by the President) from the Secretary of the Treasury. Under section 106 of the bill, this authority would be made available to the Secretary of Housing and Urban Development to carry out certain responsibilities vested in him by the new flood insurance legislation.

TITLE I—THE NATIONAL FLOOD INSURANCE PROGRAM

Sec. 101. Basic Authority: This section would provide the basic authority for the Secretary of Housing and Urban Development to establish and carry out a program to facilitate the purchase of flood insurance to provide against physical damage to real or personal property resulting from flood.

This program would be implemented, to the maximum extent practicable, through arrangements for financial participation and risk-sharing by companies in the private insurance industry, and by other appropriate participation on a nonrisk-sharing basis by insurance companies, agents, brokers, or adjustment organizations.

Sec. 102. Scope of Program and Pritorities: This section would authorize the flood insurance program to be made available initially for 1- to 4-family residential properties, and would authorize the Secretary to extend coverage of the flood insurance program when, on the basis of studies and other information, he determined that extension was feasible. Future coverage of the program could extend to any types and classes of (1) other residential properties, (2) business properties, (3) agricultural properties, (4) properties occupied by private nonprofit organizations, and (5) properties owned by State and local governments and agencies thereof.

Flood insurance would be made available only in those States or areas (or subdivisions of areas) which the Secretary determined had evidenced a positive interest in the flood insurance program, and had given satisfactory assurances that by June 30, 1970, permanent land use and control measures consistent with prescribed criteria for land management and use would have been adopted, and that application and enforcement of these measures would commence as soon as technical information on floodways and on controlling flood elevations is available.

Sec. 103. Nature and Limitation of Insurance Coverage.—This section would authorize the Secretary, after consultation with a public-industry flood insurance advisory committee, and representatives of the State insurance commissioners, to provide by regulation for the general terms and conditions of insurability applicable to properties eligible for flood insurance. A representative organization of all State insurance authorities, such as the National Association of Insurance Commissioners, would undoubtedly be called upon for purposes of this consultation.

These terms and conditions would include the types and locations of eligible properties; the nature and limits of insurable losses; the classification, limitation, and rejection of risks; and appropriate minimum premiums and loss-deductibles (to prevent low-loss claims).

Insurance coverage for 1- to 4-family residential properties would be limited to $15,000 aggregate liability for any dwelling unit and $30,000 for any dwelling structure with more than one unit. Liability for contents would be limited to $5,000 per dwelling unit subject to an appropriate loss-deductible clause. For any other properties which may become eligible for flood insurance coverage in the future (such as small business properties), the aggregate liability for any single structure would be $30,000. Insurance coverage could be doubled under this section, but any excess over the above limits would require the payment of premium rates at full cost.

Sec. 104. Estimates of Premium Rates: This section would authorize the Secretary, on the basis of studies and investigations and on information from the government agencies most experienced in assessing the risks in flood plains, to estimate on an area, subdivision, or other appropriate basis (giving priority to those States or areas that have evidenced a positive interest in flood insurance), (1) risk premium (full-cost) rates for flood insurance, (2) the rate which would be reasonable, would encourage the purchase of flood insurance, and would be consistent with the purposes of the Act, and (3) the extent to which Federally assisted or other flood protection measures initiated after the effective date of the Act affect the estimates of rates mentioned in (1) and (2) above.

The Secretary would base estimates of risk premium rates on a consideration of the risks involved and accepted actuarial principles. The rates would reflect applicable operating costs and allowances of participating private insurers, and, on a discretionary basis, nondevelopmental Federal administrative expenses which may be incurred in carrying out the flood insurance program.

In conducting the necessary rate studies and investigations, the Secretary would utilize the services, on a reimbursement basis, of the Army Corps of Engineers, the Geological Survey, the Soil Conservation Service, the Environmental Science Services Administration, the Tennessee Valley Authority, and other appropriate Federal or State agencies.

Section 105. Establishment of Chargeable Premium Rates: This section would authorize the Secretary, after consultation with the flood insurance advisory committee and representatives of the State insurance authorities, and on the basis of rate estimates discussed above, to establish chargeable premium rates and the areas, terms and conditions for the application of such rates. In prescribing chargeable rates the Secretary would be guided by a number of factors, including the consideration of the respective risks involved, the differences in risks due to land use measures, flood proofing, flood forecasting and similar measures. The Secretary could, however, prescribe chargeable rates, at reasonable levels, lower than those computed on the above basis where necessary, in order to encourage the purchase of flood insurance.

Essentially, chargeable rates for existing properties will reflect either (1) the risk premium (full cost) rate estimated under that section 104 or (2) the estimated "reasonable" rate under that section. In low risk areas the chargeable rate for existing properties would be the same or close to the estimated full cost rate. The higher the flood risk for an area, the lower the chargeable rate (if based on the estimated "reasonable" rate) would be in relation to the estimated full cost rate.

The chargeable rates would be stated so as to reflect their basis, including the difference (if any) from the estimated full cost risk premium rates.

In the case of property on which construction was started or substantially improved after identifications of flood plain areas which have special flood hazards have been published, the chargeable rate for insurance of such property in such areas would not be less than the estimated (full cost) risk premium rate.

Where any chargeable premium rate is equal to the estimated risk premium for the area and includes an amount for administrative expenses of the Federal government in carrying out the flood insurance program, a sum equal to that amount would be paid to the Secretary.

Sec. 106. Treasury Borrowing Authority: This section would provide that the authority vested in the Housing and Home Finance Administrator by section 15(e) of the Federal Flood Insurance Act of 1956 (pertaining to the issue of notes or other obligations to the Secretary of the Treasury in the aggregate of $500 million), would be available to the Secretary in carrying out his responsibilities under this Act. Borrowed Treasury funds would be deposited in the National Flood Insurance Fund established under section 107 of the bill.

Sec. 107. National Flood Insurance Fund: This section would authorize the Secretary to establish in the U.S. Treasury a National Flood Insurance Fund. Premium equalization payments to private insurers, reinsurance claims of insurers, repayments of borrowed monies to the Secretary of the Treasury, and administrative expenses in carrying out the flood insurance program would be charged to the fund. The fund would also be available to finance the operation of the flood insurance program if the Secretary finds that it should, in whole or in part, be carried out through the facilities of the Federal government, including costs incurred in the adjustment and payment of loss claims and payment of applicable operating costs of private insurers.

The fund would be credited with (1) borrowed Treasury funds, (2) reinsurance premiums payable by private insurers, (3) amounts advanced to the fund from appropriations in order to maintain it at adequate levels, (4) interest on the investment of surplus amounts in the fund, (5) administrative expenses included in chargeable premium rates and which have been paid to the Secretary, and (6) receipts from other operations incident to the insurance program; and, in the event the flood insurance program is carried out through the facilities of the Federal government, the insurance premiums paid.

The Secretary would have to pay interest to the Secretary of the Treasury on any amounts paid from the fund for reinsurance payments to the private insurance industry.

This section would also provide for the investment of any surplus monies in the fund in obligations issued or guaranteed by the United States, if (1) all outstanding obligations have been liquidated, and (2) any outstanding amounts that have been advanced to the fund from an appropriation have been credited to that appropriation, with interest accrued at a rate based on the average current yield on outstanding marketable obligations of the United States of comparable maturities.

Sec. 108. Operating Costs and Allowances: This section would direct the Secretary to negotiate with appropriate representatives of the insurance industry, from time to time, for the purpose of prescribing a current schedule of operating costs applicable to risk-sharing and nonrisk-sharing participants in the program, and a current schedule of operating allowances applicable to risk-sharing insurers.

Operating costs would include (1) expense reimbursements covering the direct and necessary expenses of selling and servicing flood insurance coverage, (2) reasonable compensation or commissions payable for selling and servicing flood insurance coverage, (3) loss adjustment expenses, and (4) other direct and necessary expenses which the Secretary finds are incurred in connection with selling or servicing flood insurance.

Operating allowances would include amounts for profit and contingencies which the Secretary finds reasonable and necessary to carry out the purposes of the Act.

Sec. 109. Payment of Claims: This section would authorize the Secretary to prescribe regulations establishing methods for the adjustment and payment of claims for losses to property covered by insurance under the flood insurance program.

Sec. 110. Dissemination of Flood Insurance Information: This section would direct the Secretary to make information and data available to the public and to any State and local agency with regard to (1) the flood insurance program, its coverage and objectives, and (2) estimated risk and chargeable flood insurance premium rates, including the basis for and difference between such rates.

Sec. 111. Prohibition Against Certain Duplications of Benefits: This section would prevent Federal disaster assistance from being made available to compensate for any loss to the extent it is covered by flood insurance, or could have been covered (at the maximum limits) if flood insurance was available more than one year prior to the loss.

"Federal disaster assistance" would include any Federal financial assistance made available to any person as a result of (1) a major disaster, as determined by the President pursuant to "An Act to authorize Federal Assistance to State and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g); (2) a natural disaster, as determined by the Secretary of Agriculture pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961; (3) a disaster with respect to which loans may be made under section 7(b) of the Small Business Act.

This section would also make the term "financial assistance" as used in section 10 of the Disaster Relief Act of 1966 (which directs that Federal assistance programs be administered to avoid duplication of benefits) be deemed to include flood insurance.

Sec. 112. State and Local Land Use Controls: This section would provide that after June 30, 1970, no new flood insurance coverage (including renewals) would be provided in any area unless an appropriate public body had adopted permanent land use and control measures, with effective enforcement provisions, which the Secretary finds consistent with the comprehensive criteria for land management and use prescribed under the Act.

Sec. 113. Properties in Violation of State and Local Law: This section would prohibit any new flood insurance (including renewals) for property duly declared to be in violation of State or local laws, regulations, or ordinances intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Sec. 114. Coordination with Other Programs: This section would direct the Secretary to consult with other Federal agencies, and interstate, State and local agencies having responsibilities for flood control, flood forecasting, and flood damage prevention, in order to assure mutual consistency between the programs of these agencies and the flood insurance program.

Sec. 115. Advisory Committee: This section would direct the Secretary to appoint a flood insurance advisory committee composed of up to 15 representatives from the insurance industry and the public. The committee would advise the Secretary with respect to policy matters and in the preparation of regulations prescribed in accordance with this Act. Committee members, while attending meetings, would be compensated at a rate fixed by the Secretary but not exceeding $100 a day and would in addition receive travel and living expenses when serving away from their homes or regular places of business.

Sec. 116. Initial Program Limitation: This section would provide that the face amount of flood insurance coverage outstanding and in force at any given time could not exceed $2,500,000,000.

Sec. 117. Report to the President: This section would direct the Secretary to include a report on the operations of the flood insurance program in his annual report to the President for submission to the Congress.

TITLE II—ORGANIZATION AND ADMINISTRATION OF THE FLOOD INSURANCE PROGRAM

Sec. 201 Organization and Administration: This section would direct the Secretary, after such consultation with representatives of the insurance industry as may be necessary, to implement the flood insurance program in accordance with part A of this title—providing for an industry program with Federal financial assistance—or, if he finds it necessary, in accordance with part B providing for a Federal program with industry assistance.

Part A—Industry program with Federal financial assistance

Sec. 211. Industry Flood Insurance Pool: This section would authorize the Secretary to encourage and assist private insurers to join together in a pool to provide flood insurance coverage and to participate financially in underwriting the risks assumed and in adjusting and paying claims for losses.

The Secretary would be authorized to prescribe appropriate requirements for private insurers participating in the pool, including minimum capital or surplus or assets requirements.

Sec. 212. Agreements with Flood Insurance Pool: This section would authorize the Secretary to enter into agreements with a pool to specify the terms and conditions under which (1) risk capital would be available for the adjustment and payment of claims, (2) the pool and its participants would participate proportionately in premiums received and profits or losses, including the maximum amount of profit which might be realized, (3) operating costs and allowances might be paid, and (4) premium equalization payments and reinsurance claims would be paid.

The agreements would also contain such provisions as the Secretary finds necessary to assure that (1) no qualified insurer wishing to participate in the pool would be excluded, (2) insurers participating in the pool would provide continuity of flood insurance coverage by the pool, and (3) other insurance companies, agents and brokers would to the maximum extent practicable be permitted to cooperate with the pool as fiscal agents or otherwise on a nonrisk-sharing basis.

Sec. 213. Judicial Review: This section would authorize private insurers participating in a pool to adjust and pay claims for losses and would permit any claimant, upon disallowance of a claim, to institute an action, within one year after notice of disallowance was mailed, in the U.S. district court for the district in which the insured property or the major portion of it was situated. Jurisdiction would be conferred on the district court without regard to the amount in controversy. Claimants could also avail themselves of legal remedies in State courts.

Sec. 214. Audit of Accounts: This section would require any pool and its participating insurers to maintain an integral set of accounts subject to audit by the Secretary.

Sec. 215. Premium Equalization Payments: This section would direct the Secretary to make periodic payments to the pool of insurers in recognition of any reductions made in chargeable premium rates under estimated risk premium rates in order to provide flood insurance on reasonable terms. Payments could be made for (1) losses and (2) operating costs and allowances.

Payments for a share of the claims paid in a given period would be based on the aggregate amount of flood insurance retained by the pool after ceding reinsurance in accordance with section 216, and would not exceed in any payment period an amount determined by the following ratio:

$$\frac{\text{periodic payments}}{\text{proved and approved claims in the designated period}}$$

$$\text{(equals)}$$

$$\frac{\text{estimated risk premiums less chargeable premiums for the period}}{\text{estimated risk premiums for the period}}$$

(Any Federal administrative expenses reflected in estimated risk premiums would be excluded for purposes of this computation.)

To illustrate, assume that in a single period payable insurance claims amounted to $1.5 million, that premiums charged amounted to $1 million, and that estimated risk premiums amounted to $3 million. The Federal payment would be up to $1 million. Let X equal the periodic payment.

$$\frac{X}{1.5}=\frac{3-1}{3}=\frac{2}{3}$$

then X equals $1 million

Subject to the limiting terms and conditions of the basis agreement between the Secretary and the pool under section 212, the Secretary would also be authorized to make payments to the pool for a proportionate amount of "applicable" operating costs (including only administrative expenses) and allowances on the same ratio basis as used to determine the sharing of claim payments.

The Secretary would be authorized to establish designated pay periods and the methods for determining the sum of premiums paid or payable during such periods.

Sec. 216. Reinsurance Coverage: This section would authorize the Secretary to negotiate an excess loss agreement with the insurance industry pool whereby claims above a certain limit would be submitted to the Secretary on a portfolio basis and paid by the Federal government. Reinsurance premiums would be paid by the pool during those periods when claims and expenses of underwriting for which the private companies were responsible and profit allowances did not absorb all collected premiums and would be equal to the remaining premiums collected.

The reinsurance program would be designed to ensure that the private insurance industry bears a share of the losses consistent with the objectives of the flood insurance program, but would recognize that even with premium equalization payments to the pool, it cannot bear its proportionate share of heavy or catastrophic losses above a stipulated amount of risk capital and that excess risk must be borne by the Federal government.

Part B—Government program with industry assistance

Sec. 221. Federal Operation of the Program: This section would authorize the Secretary, after consultation with representatives of the insurance industry and after making a determination that the flood insurance program cannot be effectively carried on through the insurance pool, to take the necessary steps to operate the program through the facilities of the Federal government, and to utilize, to the extent practicable, insurers, agents, brokers, and adjustment organizations as fiscal agents of the United States.

Sec. 222. Adjustment and Payment of Claims: This section would authorize the Secretary to adjust and pay claims, and would authorize any claimant, upon disallowance of a claim, to institute an action, within one year after notice of disallowance was mailed, in the U.S. district court for the district in which the insured property or the major portion of it was situated. Jurisdiction would be conferred on the district court without regard to the amount in controversy.

Part C—Provisions of general applicability

Sec. 231. Services by Insurance Industry: This section would provide the necessary legal authority for the Secretary to enter into the necessary arrangements with the private insurance industry in order to implement the flood insurance program, including provisions for payment of applicable operating costs and allowances for such facilities and services.

Such arrangements would be exempted from any provisions of Federal law requiring competitive bids or requiring that contracts or purchases of supplies or services by the Federal government be made only after advertisment is provided for a sufficient time to allow competitive proposals to be made.

Sec. 232. Use of Insurance Pools, Companies, or other Private Organizations for Certain Payments: This section would authorize the Secretary, in order to achieve maximum efficiency in the administration of the flood insurance program, to enter into contracts with a pool, insurance companies or other private organizations he finds acceptable to assume certain responsibilities on a reimbursement basis, including (1) estimating and determining amounts of Federal payments, (2) receiving from the Secretary, disbursing, and accounting for funds in making such payments, and (3) auditing participating insurers, agents, brokers, or adjustment organizations, as may be necessary to assure that proper payments are made.

The Secretary would be authorized to require a surety bond from any organization performing such responsibilities and any of its officers and employees. No individual designated to certify payments would be liable with respect to payments certified by him in the absence of gross negligence or intent to defraud the United States. No officer disbursing funds in accordance with a proper certification of payments would be liable with respect to such payments in the absence of gross negligence or intent to defraud the United States.

Contracts would be automatically renewable from year to year in the absence of notice from either party as to termination, except that the Secretary may terminate a contract after reasonable notice if he determines that the other party has substantially failed in its obligations or is carrying them out in a manner inconsistent with the efficient and effective administration of the flood insurance program.

Contracts authorized by this section would be exempted from any provisions of Federal law requiring competitive bidding or requiring that contracts or purchases of supplies or services by the Federal government be made only after advertisement is provided for a sufficient time to allow competitive proposals to be made.

Sec. 233. Settlement and Arbitration: This section would authorize the Secretary to make final determination and settlement of any claims arising from financial transactions he is authorized to carry out. The Secretary would be authorized to refer disputes to arbitration, which would be advisory in nature.

TITLE III—COORDINATION OF FLOOD INSURANCE WITH LAND MANAGEMENT PROGRAMS IN FLOOD-PRONE AREAS

Sec. 301. Identification of Flood-Prone Areas: This section would authorize the Secretary, utilizing the Army Corps of Engineers, the Geological Survey, Soil Conservation Service, the Environmental Science Services Administration, TVA, and other Federal, State or local agencies, to identify and publish information within five years after the effective date of the Act with respect to all flood plain areas, including coastal areas in the United States, which have special flood hazards; and to establish, within 15 years, flood risk zones in such areas and to make estimates with respect to the rates of probable flood-caused loss for the various flood risk zones for each of these areas. For purposes of facilitating these identification responsibilities, the Secretary could utilize interagency procedures such as could be developed by such agencies of the Federal government with coordinating responsibilities as the Water Resources Council.

Sec. 302. Criteria for Land Management and Use: This section would authorize the Secretary to carry out studies or investigations with regard to the adequacy of State and local measures in flood-prone areas, as to land management and use, flood control, flood zoning, and flood damage prevention. These studies and investigations would deal with laws, regulations, or ordinances relating to encroachments and obstructions on stream channels and floodways, the orderly development and use of flood plains of rivers or streams, floodway encroachment lines or flood plain zoning, building codes, building permits, and subdivision or other building restrictions.

Based on the studies and investigations, the Secretary would be authorized to develop comprehensive criteria designed to encourage, where necessary, the adoption of permanent State or local measures which will lessen the exposure of property and facilities to flood losses, improve the long-range land management and use of flood-prone areas, and inhibit, to the maximum extent feasible, unplanned and economically unjustifiable future development in such areas.

The Secretary would also work closely with and provide any necessary technical assistance to State, interstate, and local governmental agencies to encourage the application of such criteria and the adoption and enforcement of such measures as may be necessary to help in reducing any unnecessary damages resulting from floods.

Sec. 303. Purchase of Certain Insured Properties: This section would authorize the Secretary to negotiate with owners of real property covered by flood insurance, located in any flood-risk area, and damaged substantially beyond repair by flood, for the purchase of such property for subsequent transfer to State or local agencies which agree to use the property for at least 40 years for only such purposes as the Secretary may, by regulation, determine to be consistent with sound land management and use.

TITLE IV—APPROPRIATIONS AND MISCELLANEOUS PROVISIONS

Sec. 401. Definitions: This section would define (1) "flood" as having such meaning as prescribed in regulations of the Secretary, and may include inundation from the overflow of streams, rivers, or other bodies of natural waters, and from tidal surges, abnormally high tidal water, tidal waves, hurricanes, and other severe storms or deluge; (2) "United States" and "State" as including the District of Columbia, the territories and possessions, and the Commonwealth of Puerto Rico; (3) "insurance company", "other insurers", "insurance agents and brokers", and "insurance adjustment organizations," as organizations or individuals authorized to engage in the insurance business under the laws of any state; (4) "person" as any individual, group of individuals, corporation, partnership, association, or other organized group, including State local governments and agencies; (5) "Secretary" as the Secretary of Housing and Urban Development.

Sec. 402. Studies of Other Natural Disasters: This section would authorize the Secretary to make studies to determine the extent to which insurance protection against earthquakes or other natural disasters is not available and the feasibility of making such insurance protection available. Studies would be made in cooperation with other Federal, State or local agencies, and the Secretary would be authorized to enter into agreements for the conduct of such studies with other Federal agencies, on a reimbursement basis, or with State and local agencies.

Sec. 403. Payments: This section vests discretion in the Secretary to make payments in advance of their actual need, or by way of reimbursement. Because of the possibility of large sums of money which could be involved in the flood insurance program, it will be necessary to make advances in certain situations so that the industry will not be required to pay large claims in advance of the receipt of Federal funds due them. For this reason, it is contemplated that with such authority to make advance payments, the letter of credit method recommended by the Department of the Treasury for similar situations will be adopted in making premium equalization payments and in paying reinsurance claims where large advance payments that will involve Federal liability have to be made by the participating private insurance companies.

Sec. 404. Government Corporation Control Act: This section would make the provisions of the Government Corporation Control Act applicable in the administration of the flood insurance program to the same extent as applicable to wholly owned Government corporations.

Sec. 405. Finality of Certain Financial Transactions: This section would provide that any financial transaction under this Act or payment received or made in connection with it shall be final and conclusive upon all officers of the Government.

Sec. 406. Administrative Expenses: This section would provide that any administrative expenses of the Federal government in carrying out the flood insurance program may be paid out of appropriated funds.

Sec. 407. Appropriations: This section would authorize, without fiscal year limitation, the appropriations necessary to carry out the flood insurance program, including sums to cover administrative expenses and to reimburse the National Flood Insurance Fund for premium equalization payments and reinsurance claims paid out of the Fund.

Sec. 408. Effective Date: This section would provide for the Act to become effective 120 days following the date of enactment, except that the Secretary would be authorized to extend the effective date up to 180 days after enactment if he finds conditions necessitate a long preparatory period.

PROGRAM TO EQUIP SOCIAL STUDIES TEACHERS TO MORE EFFECTIVELY TEACH THE DIFFERENCE BETWEEN COMMUNISM AND DEMOCRACY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, recently the Archbishop of the New York Diocese, Francis Cardinal Spellman, announced that the Archdiocese will join with the American Bar Association this summer to equip social studies teachers to more effectively teach the difference between communism and democracy.

I have received a most interesting press release prepared by Msgr. Thomas J. McGovern, Director of the Bureau of Information on the Archdiocese of New York, which outlines the program.

Mr. Speaker, under unanimous consent I include it at this point in the RECORD.

The release follows:

Francis Cardinal Spellman announced today (June 19) that the Archdiocese of New York will join with the American Bar Association this summer to equip social studies teachers throughout the archdiocesan school system with greater knowledge of the differences between Democracy and Communism.

A program developed by the ABA's Standing Committee on Education About Communism and its Contrast With Liberty Under Law will be telecast via the Archdiocesan Instructional Television Network to some 200 teachers in 90 Catholic high schools over a 15-week period.

The ABA Committee instituted the program five years ago when it discovered that U. S. school teachers as a whole were "woefully lacking" in the background needed to acquaint students with the facts of totalitarian life, according to ABA president, Orison Marden, who also attended the meeting at Cardinal Spellman's residence.

Mr. Marden, a senior partner in the New York firm of White and Case, said the Committee since 1962 has furnished lecturers and study materials for summer institutes on "Democracy versus Communism" for nearly 10,000 high school teachers in 45 states, who in turn have reached an estimated 3,000,000 students.

These institutes, normally offering academic credit, have been held, he said, at such centers of learning as the universities of Colorado, Miami, Southern California and Vanderbilt, demonstrating "to the satisfaction of most educators that teaching about Communism is no longer controversial."

Cardinal Spellman said that three interacting historical trends make it timely to add this type of program to the social studies curriculum of the Archdiocese: the ecumenical movement with its emphasis on perspective; the growing responsibility of the U.S. to preserve stability in world affairs; and the increasing importance of electronics communications media as aids to education.

The Archdiocese of New York is composed of ten counties: Manhattan, Richmond, Bronx, Westchester, Rockland, Orange, Putnam, Sullivan, Dutchess and Ulster.

"While America cherishes the right to dissent," Cardinal Spellman said, "debate is always improved if the participants have done their homework. When students read Lenin, Mao Tse-Tung, Stalin and Lin Piao, they can see for themselves that class war, deception, subversion and the strategy of terror are not outworn myths but the preferred instruments of the Communist Party.

"In our revolutionary world it is vital that understanding of social justice, individual responsibilities and threats to world order keep pace with rapid scientific discovery. Young Americans are idealists, looking for meaning in their own lives and for good causes to serve. The freedom and wellbeing of people all over the world for years to come may depend in no small measure on the wisdom and competence of ascending generations in this nation."

The ABA program, it was explained, features academic experts, journalists and consultants to government on such subjects as: (1) The Principles and Potential of Modern Democracy; (2) Permanent Factors in Soviet Foreign and Defense Policy; (3) Soviet and Chinese Youth Today; (4) Communist Propaganda Techniques; (5) Schisms in the Empire of Marx; and (6) Modern Capitalism and the Economic Dogma of Marx.

Each lecturer or panelist is cross-examined by a team of outstanding teachers who relate problems in the classroom to the expertise of the scholar.

Participants in the course are furnished copies of a teacher's syllabus entitled, Democracy Confronts Communism in World Affairs. This 297-page syllabus of 34 chapters was prepared under the auspices of the ABA Committee.

Also attending the meeting were the following members of the ABA's co-sponsoring committee: Morris I. Leibman, chairman, a member of President Johnson's Advisory Panel on International Problems; Charles Maddock, chairman-elect, the General Counsel of Hercules, Inc.; and Louis B. Nichols of New York City, executive vice president of Schenley Industries, Inc.

Representing the Archdiocese School System at the meeting were Rt. Rev. Monsignor Raymond P. Rigney, superintendent of schools; Rt. Rev. Monsignor Edward M. Connors, associate superintendent of schools; Rt. Rev. Monsignor Joseph T. O'Keefe, director of communications center; and Brother Augustine, director of secondary curriculum.

The lecture series will include the following:

1. Modern Democracy: Principles, Paradox and Potential.
2. Twentieth Century Totalitarianism: Common Characteristics.
3. God, Man and Society: The Premises of Communism.
4. Humanism, Individualism and the Moral Premises of Western Civilization.
5. Origins of the Cold War.
6. Permanent Factors in Soviet Foreign and Defense Policy.
7. Controversial Issues in the Court of World Opinion: Peace, Poverty, Race and Class (Myth vs. Reality)
8. Rich Nations and Poor Nations.
9. Propaganda: Magnitude, Methods and Major Themes.
10. Schisms in the Empire of Marx: Tito, Mao, The new Soviet Intellectuals, the European Satellites.
11. Soviet and Chinese Youth today.
12. Modern Capitalism and the Economic Dogma of Marx—a panel discussion.
13. The law, The Citizen and The State: Contrasts between U.S.A. and U.S.S.R.
14. The Russian Proletariat in contrast to American Labor, Aims, Methods and Achievements.
15. Religion under the Commissars.

JAMES H. SCHEUER

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, I have known Congressman JAMES SCHEUER, of the 21st District in New York, for some time, and have an enormous respect for his ability. Recently he has sponsored H.R. 9840, the Bilingual Education Act, which is of particular interest to me. I would like to insert an editorial from El Tiempo, a Spanish American paper in New York, that pays the Congressman appropriate tribute for his work on this bill:

JAMES H. SCHEUER

Few Districts in Congress are represented as thoroughly and conscientiously as the 21st, where young, dynamic James H. Scheuer makes it a full-time job—despite all his business interests in Puerto Rico and his intense civic activity.

From his District office at 159 East 165th Street in the Bronx, and from the House of Representatives Mr. Scheuer has initiated a great deal of constructive legislation.

We are thinking particularly of HR 9840, the Bilingual Educational Act which he introduced in May. This bill seeks to correct the many inequities that now exist for 2,000,000 non-English-speaking children who live in the United States, of which nearly 70,000 are in New York City elementary schools.

As Congressman Scheuer points out, "these children suffer from grossly inadequate educational opportunities available to them and their consequent inability to compete effectively for jobs when they leave school.

"There is an invisible but real barrier of verbs and nouns, idiom and nuance which has cut these children off from effective participation in the mainstream of American Life," Mr. Scheuer adds.

The Bilingual Education Act would provide assistance to local educational boards and establish bilingual education programs. New York would be provided with federal funds to help provide high quality education for children from non-English-speaking homes. This could include free training programs for teachers in bilingual areas.

Mr. Scheuer's bill also proposes to upgrade the quality of the entire program of schools where large proportions of the children come from non-English-speaking and low income homes, including intensive early childhood programs for the pre-school and the kindergarten age children.

We hope the bill is approved, and congratulate Mr. Scheuer on his thinking.

PRESIDENTIAL LEADERSHIP: LYNDON JOHNSON AND THE MIDEAST CRISIS

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WHITE. Mr. Speaker, editorial opinion around the country is only now beginning to recognize the solid leadership of President Johnson in the current Mideast crisis.

The President kept his head. He worked through the United Nations in an effort to prevent war, and then to achieve a cease-fire after the shooting had actually begun.

And finally, a few days ago, he laid down his five principles of peace to restore order to that troubled area. All reasonable men who believe in liberty and territorial integrity can support those principles in good conscience.

In brief, in complete contrast to most other world leaders, President Johnson has given us a display of diplomacy and statesmanship of rare quality.

President Johnson has shown the world that there is a middle ground between appeasement and unilateral intervention.

It is a middle ground which all Americans can support. I support it, and I trust the Congress supports it.

Under unanimous consent I insert in the RECORD a fine editorial from the El Paso Times, supporting President Johnson's policies in the Middle East:

STERLING LEADERSHIP

President Lyndon B. Johnson has come in for some criticism of his conduct of the affairs in Vietnam, but it is becoming increasingly clear that he handled the upheaval in the Middle East in a masterful manner.

President Johnson kept his head when some senators, including Wayne Morse of Oregon, a dove in the Vietnam war, demanded that our country test the Egyptian blockade of the Gulf of Aqaba.

Although President Johnson stated, "The United States considers the gulf to be an international waterway and feels that a blockade of Israeli shipping is illegal and potentially dangerous," United States officialdom generally was cool to the idea of testing the issue by sending a U.S. ship into the Gulf of Aqaba.

How right President Johnson was has been proved by subsequent events.

Had we taken the bull by the horns and sent a U.S. vessel into the blockaded area the whole world by now might be involved in war. It seems certain that the excited Nasser would have fired on the U.S. ship. That would have brought quick reprisals.

It is deeply regrettable that the Arab World turned on us as a result of a malicious lie fabricated by Nasser that U.S. and British planes helped the Israelis.

We like the idea of relief in the Middle East being extended on a regional basis. There was talk that the Johnson administration was working on possible war relief and reconstruction aid to Israel and Arab countries in the wake of last week's fighting.

We think the United States should extend any economic aid possible to both sides.

We insist, however, that any aid extended by the United States to the Arab countries should not be used for rearming and getting ready for another "holy war" with Israel. Nasser has been talking about regrouping and challenging Israel again.

We want no more of that, at least not with assistance furnished by us.

Up to this point, President Johnson has done extremely well in handling the Middle Eastern crisis.

We are among those who wish to congratulate him for his level-headed leadership during that ordeal.

EAST-WEST CENTER GRANTEES

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mrs. MINK. Mr. Speaker, I wish to commend to the attention of my colleagues a most outstanding essay by Miss Cheryle Kimoto, of Kohala, Hawaii, regarding the impact of East-West Center grantees on the local population. I am inserting the full text of Miss Kimoto's essay here, not only for its revelation of a seldom-mentioned advantage of having the foreign students in our midst in Hawaii, but also for the insight of the comments and the thoughtfulness of her conclusion.

Miss Kimoto won the Statewide Pacific and Asian Affairs Council 1966–67 contest in Hawaii with this essay which I herein make available for the wider reading it deserves:

A NEW DIMENSION OF REALIZATION THROUGH THE EAST WEST CENTER GRANTEES

(By Cheryle Kimoto)

The visits from the East West Center Grantees are most effective in PAAC activities. Through our research and discussions at conferences, we share our knowledge of the world and its dilemmas in the effort to fulfill the purposes of the PAAC. However, it is easier to perceive "first-hand" information, than it is to understand information which is read from a book. Because the grantees are natives of their respective countries, the information which they relay to us seems to have genuine meaning, and this has enabled me to realize, and to understand the world with a better perspective.

Speaking with the grantees has impelled me to think about the importance of language in communicating; of how the ability to speak different languages breaks one barrier of world perplexities. I have also become aware of the fact that many children of foreign countries have the opportunity to learn various languages through schools and community groups. All the efforts these foreign students put into learning English, and other languages as well, are very significant in overcoming one hurdle of world understanding through language communication.

It's amazing how direct and true statements from a grantee can make a person realize what he might never have even thought of before. The visitor from Vietnam has said that in her country, teen-age girls use make-up sparingly (unlike many American girls) and that they spend more of their time studying instead. They have also told us of the strict discipline which is present in the homes and schools. It makes me wonder if many American teen-agers are too commercialized, and if they take studying as a mere pastime. It is these little things which seem unimportant now, but it may affect the type of government America will have in the years to come, for it has been said that "the youth of today will be the leaders of tomorrow." And it is the type of youngsters we have which will affect the role our country will play in the future international scene.

The grantees bring out their native cultures also. During the recent East-West Center visit, the club planned a party where we could get acquainted and at the same time, learn from the grantees. This was an evening of enjoyment, teen-type music, dance, and most of all, learning. Something which really impressed me, however, was a contrast to all that went on in the pavilion. The sun had faded and only the moon and the stars made their way through the sky, while the ocean waves rhythmically rushed to shore and gently receded back again. In this beautiful and serene scene, I heard the singing of an Indian (dressed in his native costume), praying to his god beneath a tree as the moon cast the shadows upon the rocks. I've never experienced anything more impressive than this scene of nature, solitude and prayer.

It may seem trivial to write of this experience but through this, I really began to think about the world and its people. It made me realize that there are basic cultures in all countries, such as religion, and the love of nature.

It is so easy to read the statements, ". . . All men are created equal, that they are endowed by their creator with certain unalienable Rights . . .," but to realize that these statements are true through actual experience, carries more meaning. Through the grantees, I have been able to realize that people are people, no matter how each person differs from another in his physical features, beliefs in gods, and ways of life. This awareness leads me to strongly feel that discrimination of a country or race has no basis, and that there is a legitimate hope for world-wide peace to take a firm start from this idea of human equality.

After meeting and conversing with the grantees, all the countries of the world seem to be "closer" to each other. And when the visit has ended, one not only has gained a better insight of the world and its people and problems, but also, he has gained new friendships.

DR. DAVID Z. ROBINSON APPOINTMENT AS VICE PRESIDENT OF NEW YORK UNIVERSITY

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I would like to inform the House of the appointment of Dr. David Z. Robinson, member of President Johnson's Office of Science and Technology, as vice president for academic affairs at New York University. His appointment, effective July 1, was announced by Dr. James M. Hester, president of New York University, who said of him:

> Dr. Robinson has played an important role in shaping national policy for science and education. He can make a major contribution in shaping the future of New York University.

In 1961 Dr. Robinson joined the White House staff as a technical assistant to the special assistant to the President for science and technology. He has also been a staff member on panels of the President's Science Advisory Committee dealing with basic research, high energy physics, computers in higher education, and Project Westford. He has worked with the Bureau of the Budget on problems of the administration of Government research grants, and has been a member of the advisory committee of the science and technology task force of the President's Crime Commission. In addition, he has been an observer of the Federal Council for Science and Technology panels of high energy physics, materials research, and atmospheric sciences.

Dr. Robinson is a fellow of the Optical Society of America and was national lecturer of the society in 1960–61. He is a member of Sigma Xi and Phi Beta Kappa.

Dr. Robinson will take on much of the responsibility for planning and administering New York University's instructional, research, and public service programs. In the increasingly complex relations between urban universities and the city, this young scientist should be able to take a leading and innovative role in bringing the two into greater harmony. His keen knowledge of government and technology will enable him to take a leading role in the updating of New York University's educational processes.

COMMENCEMENT REMARKS BY MR. LEO S. TONKIN

Mr. PATTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Gray] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. GRAY. Mr. Speaker, at the recent 10th commencement exercises of the growing and excellent St. Thomas Aquinas College in Sparkill, N.Y., a stirring charge to the graduates was given Mr. Leo S. Tonkin. The commencement remarks of Mr. Tonkin were noteworthy for their simple, yet most profound thoughts.

I certainly commend the reading of this speech to my colleagues in the Congress, as well as to all those interested in the tomorrows of our young and esteemed graduates of 1967.

I take especial pleasure in calling Mr. Tonkin's remarks to your attention, for this young man is known to many of us as having served with distinction in a number of congressional staff positions over the past years.

He is now the president of his own federal relations educational firm, Leo S. Tonkin Associates, Inc. In this position, Mr. Tonkin is now enjoying a reputable career working directly with educational institutions, and encouraging them to be creative and dedicated in their planing and development.

Following Mr. Tonkin's commencement remarks, St. Thomas Aquinas College saw fit to bestow on him their 1967 Cardinal Spellman Award and medal. At this time, I insert Mr. Tonkin's commencement address in the Record:

> Your Excellency, Archbishop Maguire, Reverend Monsignori, Reverend Mother Evangelist Marie, Reverend Dean, Sister Marie Enda, Members of the Board of Trustees & Faculty, Reverend Fathers and Sisters, Ladies and Gentlemen, and, indeed, most splendidly, graduates of the Class of 1967.
>
> I feel most happy and indeed honored to be with you today, this wonderful milestone in your lives. When Mother Evangelist Marie asked me to deliver today's commencement address, I readily accepted with pleasure and anticipation. It is always good for someone working in Washington to have an opportunity to leave that Babylon on the Potomac for a few days, and just retire somewhere alone or sometimes to talk with many of the fine people around the country who are so interested in the momentous happenings in our capital city.
>
> You know, I am almost a little surprised to be speaking to you today, particularly when a headline I recently noticed read, "Washington Scorned for Commencement Speakers This Year." Well, all I can say is here is one Washingtonian who made it to the Commencement rostrum—and the place and time couldn't be better.
>
> The place is so wonderful because here in Rockland County is where I was born and lived for so many years. The warm, friendly faces of the good Dominican Sisters—many of whom, incidentally are my former teachers—and the friendship that so pervades this campus and lovely countryside have long been a part of *my* life—and I know a large part of *yours*. I have a *special* feeling for this college because my dear Aunt is a member of this Order of Dominican Sisters. My Aunt is with us today, as are others in my family. So while this is a happy family event for most of you, it has become the very same for me.
>
> Thus, the place is magnificent. But the time is propitious and exceptional too. Today marks the 10th Commencement Exercises of St. Thomas Aquinas College—a decade of such marvelous growth and educational achievement that we must all stagger with wonderment at what future decades will bring. The history of this school will long note this particular commencement day, for today His Excellency will bless two plaques commemorating the newest additions to the college—Spellman Hall and

Maguire Hall, the latter building soon to be the extension of the present academic structures. What joy and thanksgiving we must all feel in giving honor to our beloved Cardinal and our Chancellor, and the opportunity to perpetuate their names in these academic halls of learning.

Now to the graduates of 1967, this is an enviable time indeed for you—for today marks formal recognition of your long study these past years and the resultant advancement in your intelligence and knowledge. President Lowell of Harvard with a twinkle in his eyes, once expressed a skeptical view to *his* graduates when he said, "There must be a great deal of knowledge in our colleges because the freshmen always bring a little bit in and the seniors never take any of it out."

Well, this is increasingly difficult to maintain, for no person can today spend two or three or four years—or for that matter even four *days* of life—in *any* environment without acquiring new knowledge and new insight. Our twentieth century has spawned such fantastic advances in knowledge that most of us are left simply breathless in its pursuit. But learn we do—and learn we must.

Perhaps we are sometimes chagrined at the daily reports we read of those with the beards and the bare feet—known to all as the hippies. Those "mindless malcontents" occasion a remarkable spate of publicity for the small band that they represent. And small they will remain, for their philosophy lacks the positive, joyous, inquiring mind that gives joy in living—*joir de vivre!*

Perhaps the hippie is best expressed by the sign on a wall of an old Victorian home in San Francisco, which announces, "Due to lack of interest, tomorrow has been cancelled."

My friends, it is not a lack of interest that has brought you here today—and thousands of others like you on countless campuses across the country and around the world.

The young graduates of 1967 are more interested, more informed, more involved, and more committed to their tomorrows than, I assure you, are many of those who claim the wisdom of years.

And what, you may wonder, really causes this involvement? Well, I would suspect one reason certainly is this age of anxiety that envelops us—where our passions, our bellicose spirits and antagonisms are in such tragic evidence in the bloody jungles of Viet Nam and the tension-racked Middle East. Is it any wonder that millions of young Americans have anxious questions about their future.

You, my friends and graduates of this year—you have accoutered yourselves well for this future—with a mantle of learning. This mantle will serve you nobly in championing the tomorrows of your existence. For it is only through education will we realize the one true and lasting route to the culmination of international harmony and compassion among peoples, which Pope Paul so assiduously pursues in all his contacts.

We *are all* involved in our tomorrows, not only out of a sense of anxiety and urgency, but in wonderment and gratitude for the spectacular advances in health and science which so characterize our generation. Can we deny our interest and involvement in our future when we realize what lies just ahead over the threshold of existing knowledge?

Medical Science has the key almost in hand to our obliteration of cancer and mental degeneracy. Engineering Science is taking us into the stars and across a firmament that has long held the human race in awe.

Oceanics is fast becoming the newest full-fledged industry. Undersea operations have moved out of the science-fiction stage, into productive exploitation of the oceans and ocean bottoms.

Computer technology will literally transform our existence, and a problem that took an hour to solve on the best 1950 UNIVAC computer now requires ony three seconds to solution.

Education, in just a few years, will move out of the little red schoolhouse, and out of the classroom, and *into* the world. Lectures and teaching will be transformed into student study by experience and logic. Learning will take place in actual or simulated environments where facts will no longer be presented as vacuous items to memorize, but as deeds to actually experience and learn and to remember by deductive reasoning. In truth, education will come to the market place.

I think Ernest Hemingway has best summed up the great spirit of change and advancement that swirls about us, when he said (and I feel this is one of the most beautiful quotes of our age): "We are living in the morning of an epoch, and in the fog of the early dawn men walk confused and see strange sights. But the fog will melt under the rays of the sun which has created it and the world of truth will be seen to be solid and lovely again. All the glory of life, all the romance of living, all the deep and true joys of the world, all the splendor and the mystery are within our reach."

With this in mind, can you deny your interest in tomorrow, and can you deny your interest in your fellowman, and in your world? Your Christian spirit, in its very essence, is one of *involvement* and *concern*; of *humanism*; and indeed, most beautifully, of *love*.

There is a burning question in all our minds this day, and that question is, using the same technologies and instruments, what *will* our human society choose? Will we choose destruction or progress? Will we choose death or resurrection? *You* are aware of these forces, *you* know decisions must be made, and you well know that *you* will be responsible for making them.

Thus, your interest in tomorrow is not accidental. You now have one of the greatest gifts possible—education. But education never ceases—the great Cardinal Newman has said most eloquently that "Growth is the only sign of life." So continue to grow in knowledge, and in wisdom; grow in goodness and in understanding; grow in spirituality; grow in compassion and grow in love. Give to the world your spirit and your vitality and impress all about you with your warmth and conviction in yourself as an individual and in mankind as the quintessant creation of God.

You have been enriched here at St. Thomas Aquinas College with an education that will help bring progress unmatched in all your imaginations. This education will eventually free the oppressed, feed the hungry, and comfort the dejected. Education in its very essence is growth, and *this* is *life*.

You have been privileged indeed to have partaken of the blessing of education. And you have grown. You have freely opened your minds to *ideas* and to *ideals*. Now you must open your hearts to the world which so craves those simple but magnificent virtues.

Your tasks have not been easy until now. While voices have been raised in song, and while your laughter has echoed through the halls and fields of this lovely and growing college, you have worried and have been concerned over courses, decisions for life, and your own personal travails. But *now* your tasks reach beyond you; and your decisions will henceforth condition the course of others for the rest of your lives.

You now leave these academic halls to unimagined lands afar. But you carry with you a prized gift—that of education. Use it well, use it wisely, use it justly, and use it earnestly.

To those who will spread your education to others by teaching—remember the words of the Roman statesman and philosopher, Seneca, when he said, ". . . I am glad to learn in order that I may teach. Nothing will ever please me, no matter how excellent or beneficial, if I must retain the knowledge of it to myself.

". . . If the farmer is pleased when his tree develops so that it bears fruit, if the shepherd takes pleasure in the increase of his flock, . . . what do you think are the feelings of those who have trained a mind and moulded a young idea, when they suddenly see it grow into maturity?"

To those of you who are going on to marriage and to raising a family, I can only say that yours indeed will be the most important graduate school of all. Bear in mind—as you grow to womanhood, so does the world grow.

To our sad friends the hippies and the dropouts for no cause, I recall Woodrow Wilson's exhortation, "We should I think, lose no opportunity offered us by leisure moments to improve in style and knowledge in order that when the time comes for us to write and work for a cause we may be able to command a hearing."

And to all here today, let us contemplate those wise and prophetic words of Disraeli when he said "Upon the education of the people of this country the fate of this country depends."

Now in closing, my dear graduates of 1967 of St. Thomas Aquinas College, I offer you my warm and very sincere congratulations.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MATSUNAGA, for June 28 and 29, on account of representing the United States at inauguration of President of South Korea.

Mr. TUCK (at the request of Mr. FOUNTAIN), for the remainder of the week, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House following the legislative program and any special orders heretofore entered, was granted to:

Mr. KORNEGAY, for tomorrow, June 28, for 60 minutes.

Mr. RYAN, for 10 minutes, June 28; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. PATTEN) to revise and extend their remarks and include extraneous matter:)

Mr. KING of California, for 10 minutes, today.

Mr. ADDABBO, for 15 minutes, today.

Mr. FARBSTEIN, for 15 minutes, today.

Mr. FALLON, for 30 minutes, on June 28.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. MCCORMACK (at the request of Mr. ALBERT) and to include extraneous matter, notwithstanding the fact it exceeds the limit and is estimated by the Public Printer to cost $385.

(The following Members (at the request of Mr. REINECKE) and to include extraneous matter:)

Mr. BROYHILL of Virginia.

Mr. HARVEY.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mr. BROOKS.
Mr. WOLFF.
Mr. WILLIS.
Mr. CONYERS.
Mr. EILBERG.
Mr. RODINO.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 805. An act to amend section 202(b) of the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

S. 1542. An act to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies; to the Committee on Banking and Currency.

S. 2003. An act to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes; to the Committee on Foreign Affairs.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4241. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 714. An act to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committee, and members of the credit committee of Federal credit unions;

S. 763. An act to amend the act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer; and

S. 1226. An act to transfer from the U.S. District Court for the District of Columbia to the District of Columbia court of general sessions the authority to waive certain provisions relating to the issuance of a marriage license in the District of Columbia.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 28, 1967, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

863. A letter from the Secretary of Labor, transmitting a draft of proposed legislation, the "Employment Service Act of 1967"; to the Committee on Education and Labor.

864. A letter from the Administrator, General Services Administration, a draft of proposed legislation to amend the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

865. A letter from the Secretary of Transportation, transmitting the national uniform standards for State highway safety programs, issued by the Secretary of Transportation pursuant to the provisions of sections 203 of title II of the Highway Safety Act of 1966 (H. Doc. No. 138); to the Committee on Public Works and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 23. Concurrent resolution authorizing the printing of additional copies of the hearings entitled "Federal Role in Urban Affairs" (Rept. No. 391). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 30. Concurrent resolution to print a report entitled "Mineral and Water Resources of Alaska" (Rept. No. 392). Ordered to be printed.

Mr. HAYS: Committee on House Administration, House Concurrent Resolution 346. Concurrent resolution to authorize the printing as a House document the pamphlet "Our Flag" (Rept. No. 393). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 348. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs (Rept. No. 394). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 369. Concurrent resolution authorizing certain printing for the Select Committee on Small Business of the House of Representatives (Rept. 395). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 446. Resolution authorizing the printing as a House document a report on "Improved Manpower Management in the Federal Government, Examples for the Period July–December 1966," and that 11,000 be printed for use by the Committee on Post Office and Civil Service, House of Representatives (Rept. No. 396). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 454. Resolution authorizing the printing of additional copies of the subcommittee print entitled "Bank Stock Ownership and Control" (Rept. No. 397). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 478. Resolution to authorize printing of hearings by African Subcommittee; with amendment (Rept. No. 398). Ordered to be printed.

Mr. HAYS: Committee on House Administration. House Resolution 500. Resolution authorizing the printing of additional copies of water pollution hearings (Rept. No. 399). Ordered to be printed.

Mr. CELLER: Committee of conference. H.R. 2508. An act to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes (Rept. No. 435). Ordered to be printed.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 671. Resolution providing for the consideration of H.R. 10595, a bill to prohibit certain banks and savings and loan associations from fostering or participating in gambling activities (Rept. No. 436). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 595. Resolution authorizing travel for certain members of the Committee on Agriculture; with amendment (Rept. No. 437). Referred to the House Calendar.

Mr. STEED: Committee of conference. H.R. 7501. A bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 439). Ordered to be printed.

Mr. POAGE: Committee on Agriculture. H.R. 10190. A bill to amend the Rural Electrification Act of 1936, as amended, to provide additional sources of financing for the rural electrification and rural telephone programs, and for other purposes (Rept. No. 459). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SANDMAN: Committee on the Judiciary. S. 95. An act for the relief of Capt. Rey D. Baldwin; with amendment (Rept. No. 400). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. S. 324. An act for the relief of Jesse C. Johnson (Rept. No. 401). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. S. 371. An act for the relief of Mrs. Mary T. Brooks (Rept. No. 402). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. S. 636. An act for the relief of Mrs. Chin Shee Shiu (Rept. No. 403). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. S. 650. An act for the relief of T. Sgt. Anthony J. Corso, U.S. Air Force (retired) (Rept. No. 404). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. S. 652. An act for the relief of certain employees of the Puget Sound Naval Shipyard (Rept. No. 405). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. S. 819. An act for the relief of Charles H. Thurston (Rept. No. 406). Referred to the Committee of the Whole House.

Mr. SANDMAN: Committee on the Judiciary. S. 985. An act for the relief of Warren F. Coleman, Jr. (Rept. No. 407). Referred to the Committee of the Whole House.

Mr. MESKILL: Committee on the Judiciary. S. 1045. An act for the relief of Alton R. Conner (Rept. No. 408). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. H.R. 1537. A bill for the relief of Thomas M. Scanlon (Rept. No. 409). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 1653. A bill for the relief of

Omer Penner; with amendment (Rept. No. 410). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 1655. A bill for the relief of Clara B. Hyssong; with amendment (Rept. No. 411). Referred to the Committee of the Whole House.

Mr. SANDMAN: Committee on the Judiciary. H.R. 1674. A bill for the relief of Frank I. Mellin, Jr.; with amendment (Rept. No. 412). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 1680. A bill for the relief of Mrs. Lessie Edwards (Rept. No. 413). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 1894. A bill for the relief of Our Lady of Pillar Catholic Church in Santa Ana, Calif.; with amendment (Rept. No. 414). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 2454. A bill for the relief of the children of Mrs. Doris E. Warren (Rept. No. 415). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 2757. A bill for the relief of Comdr. Albert G. Barry, Jr.; with amendment (Rept. No. 416). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 3474. A bill to require the Foreign Claims Settlement Commission to determine the amount and validity of the claim of Ike Ignac Klein against the Government of Hungary, and for other purposes (Rept. No. 417). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 3865. A bill for the relief of Mauritz A. Sterner; with amendment (Rept. No. 418). Referred to the Committee of the Whole House.

Mr. HUNGATE: Committee on the Judiciary. H.R. 4015. A bill for the relief of T. Michael Smith; with amendment (Rept. No. 419). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 4833. A bill to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania; with amendment (Rept. No. 420). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 5025. A bill to confer jurisdiction on the U.S. Court of Claims to hear, determine, and render judgment on certain claims of Mrs. Hazel M. LaFrance against the United States (Rept. No. 421). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 5967. A bill for the relief of Albert P. Morell, with amendment (Rept. No. 422). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 6004. A bill for the relief of Swiff-Train Co.; with amendment (Rept. No. 423). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. H.R. 6189. A bill for the relief of Fred W. Kolb, Jr. (Rept. No. 424). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary. H.R. 6324. A bill for the relief of John A. Danisch; with amendment (Rept. No. 425). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. H.R. 6452. A bill for the relief of John E. Coplin (Rept. No. 426). Referred to the Committee of the Whole House.

Mr. TENZER: Committee on the Judiciary. H.R. 6462. A bill granting jurisdiction to the Court of Claims to render judgment on certain claims of the Algonac Manufacturing Co. and John A. Maxwell against the United States; with amendment (Rept. No. 427). Referred to the Committee of the Whole House.

Mr. SANDMAN: Committee on the Judiciary: H.R. 6663. A bill for the relief of Jesse W. Stutts, Jr.; with amendment (Rept. No. 428). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 6862. A bill for the relief of Slator C. Blackiston, Jr. (Rept. No. 429). Referred to the Committee of the Whole House.

Mr. EILBERG: Committee on the Judiciary. H.R. 7599. A bill for the relief of Dr. Emanuel Marcus; with amendment (Rept. No. 430). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 7811. A bill for the relief of Richard Alan White (Rept. No. 431). Referred to the Committee of the Whole House.

Mr. ASHMORE: Committee on the Judiciary H.R. 8091. A bill for the relief of Charles Waverly Watson, Jr. (Rept. No. 432). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 8485. A bill for the relief of Eddie Garman; with amendment (Rept. No. 433). Referred to the Committee of the Whole House.

Mr. SMITH of New York: Committee on the Judiciary. H.R. 10414. A bill for the relief of Victor L. Ashley (Rept. No. 434). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 39. An act for the relief of Athanasia Argere (Rept. No. 438). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 60. An act for the relief of Dr. Oton Socarraz (Rept. No. 440). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 67. An act for the relief of Dr. Juan Ramon Diaz Zayas Bazan (Rept. No. 441). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 132. An act for the relief of Dr. Alberto Fernandez-Bravo y Amat (Rept. No. 442). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 164. An act for the relief of Dr. Cesar A. Mena (Rept. No. 443). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 168. An act for the relief of Maria Jordan Ferrando (Rept. No. 444). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 256. An act for the relief of Rosa Anna Genovese (Rept. No. 445). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 280. An act for the relief of Rosa Agostino (Rept. 446). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 327. An act for the relief of Dr. Carlos Victor de la Concepcion Garcia (Rept. No. 447) Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 462. An act for the relief of Dr. Jesus L. Lastra (Rept. No. 448). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 464. An act for the relief of Dr. Guillermo N. Hernandez, Jr. (Rept. No. 449). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 465. An act for the relief of Dr. Mario Guillermo Martinez (Rept. No. 450). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 499. An act for the relief of Dr. Manuel A. Zuniga (Rept. No. 451). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 904. An act for the relief of Doreen Delmege Willis (Rept. No. 452). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 906. An act for the relief of Luis Tapia Davila; with amendment (Rept. No. 453). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 996. An act for the relief of Dr. Esther Yolanda Lauzardo (Rept. No. 454). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 118. An act for the relief of Dr. Amparo Castro (Rept. No. 455). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 534. An act for the relief of Setsuko Wilson (nee Hiranaka) (Rept. No. 456). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 822. An act for the relief of Hye Suk Paeng and Mi Kung Paeng (Patricia Ann) (Rept. No. 457). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 1278. An act for the relief of Dr. Floriberto S. Puente (Rept. No. 458). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of California:

H.R. 11170. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

By Mr. BUSH:

H.R. 11171. A bill to establish the Government Program Evaluation Commission; to the Committee on Government Operations.

By Mr. CELLER:

H.R. 11172. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLEVELAND:

H.R. 11173. A bill to provide for uniform annual observances of certain national holidays on Mondays; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 11174. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 11175. A bill to strengthen the Federal Cigarette Labeling and Advertising Act; to the Committee on Interstate and Foreign Commerce.

By Mr. DORN:

H.R. 11176. A bill providing qualifications for appointment to the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. EILBERG:

H.R. 11177. A bill to amend the Higher Education Act of 1965 to authorize assistance to law schools for training programs in the conduct of criminal cases involving indigent persons; to the Committee on Education and Labor.

H.R. 11178. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work, and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

H.R. 11179. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for certain expenses incurred by professional nurses to enable them to perform nursing services; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 11180. A bill to amend the Elementary and Secondary Education Act of 1965 in order to assist bilingual education programs; to the Committee on Education and Labor.

By Mr. FULTON of Tennessee:

H.R. 11181. A bill to amend the Tennessee Valley Authority Act of 1933 to provide that the issue of just compensation may be tried by a jury in any case involving the condemnation of real property by the Tennessee Valley Authority; to the Committee on Public Works.

By Mr. HANLEY:

H.R. 11182. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, whether or not dressed; to the Committee on Ways and Means.

By Mr. MATHIAS of Maryland:

H.R. 11183. A bill to authorize and direct the Commissioners of the District of Columbia to enter into an agreement for the payment of a portion of the cost of a dam on the North Branch of the Potomac River, and for other purposes; to the Committee on the District of Columbia.

By Mr. MOSS:

H.R. 11184. A bill to amend title 5, United States Code, to correct certain inequities with respect to the details of civilian employees of executive agencies, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PHILBIN:

H.R. 11185. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RODINO:

H.R. 11186. A bill to amend title 18, United States Code, to make it a Federal crime to kill any letter carrier when such employee is engaged in the performance of his official duties; to the Committee on the Judiciary.

By Mr. STUBBLEFIELD:

H.R. 11187. A bill to promote the general welfare, foreign policy, and national security of the United States; to the Committee on Ways and Means.

By Mr. WRIGHT:

H.R. 11188. A bill to establish the Big Thicket National Park in Texas; to the Committee on Interior and Insular Affairs.

By Mr. MILLS (for himself and Mr. BYRNES of Wisconsin):

H.R. 11189. A bill to amend the Social Security Act and the Public Welfare Amendments of 1962 to provide a 1-year extension of the duration of certain temporary provisions thereof; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 11190. A bill to make available half the revenues from the excise tax on pistols and revolvers to the States for target ranges and firearms safety training programs, and to make the other half of such revenues available to the Federal aid to wildlife restoration fund; to the Committee on Merchant Marine and Fisheries.

H.R. 11191. A bill to amend the Internal Revenue Code of 1954 to impose a manufacturer's excise tax on component parts of ammunition; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 11192. A bill to amend the tariff schedules of the United States with respect to the rate of duty on whole skins of mink, weather or not dressed; to the Committee on Ways and Means.

By Mr. GARDNER:

H.R. 11193. A bill to charter a National Home Ownership Foundation, and for other purposes; to the Committee on Banking and Currency.

By Mr. HOWARD:

H.R. 11194. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

By Mr. MATHIAS of California:

H.R. 11195. A bill to amend section 202 of the Agricultural Act of 1956; to the Committee on Agriculture.

By Mr. NELSEN:

H.R. 11196. A bill to assure the purity and quality of all imported dairy products for the purpose of promoting the dairy industry and protecting the public health; to the Committee on Agriculture.

By Mr. PATMAN, Mr. MULTER, Mr. BARRETT, Mr. ASHLEY, Mr. MOORHEAD, Mr. ST GERMAIN, Mr. GONZALEZ, Mr. MINISH, Mr. HANNA, Mr. ANNUNZIO, Mr. REES, and Mr. BINGHAM:

H.R. 11197. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

By Mr. PETTIS:

H.R. 11198. A bill to provide uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs; to the Committee on Public Works.

By Mr. GOODELL:

H.R. 11199. A bill to amend the Economic Opportunity Act of 1964 to provide day care for children of low-income families in order to enable their parents or relatives to choose to undertake vocational training, basic education, or employment; to the Committee on Education and Labor.

By Mr. BROWN of California:

H.J. Res. 678. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. HALPERN:

H.J. Res. 679. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills; to the Committee on the Judiciary.

By Mr. NEDZI:

H.J. Res. 680. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. SIKES:

H.J. Res. 681. Joint resolution proposing an amendment to the Constitution requiring that Federal judges be reconfirmed by the Senate every 10 years; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H. Con. Res. 386. Concurrent resolution expressing the sense of Congress with respect to the establishment of peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. HELSTOSKI:

H. Con. Res. 387. Concurrent resolution providing for the designation of nine Members of Congress to serve as observers for the Congress of the elections to be held in South Vietnam in September 1967; to the Committee on Rules.

By Mr. MURPHY of Illinois:

H. Con. Res. 388. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

By Mr. CLARK:

H. Res. 672. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mrs. SULLIVAN:

H. Res. 676. Resolution to express the sense of the House of Representatives on the importance of continuation of U.S. operation of the Panama Canal; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII,

246. The SPEAKER presented a memorial of the Legislature of the State of California, relative to a review of the military salary and wage allotment policies, which was referred to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 11200. A bill for the relief of Pasquale Cervini; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 11201. A bill for the relief of Sook Cha Kim; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 11202. A bill for the relief of Bing Kuey Wong (also known as Moon Kuey Wong and Sing Cheong Wong); to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 11203. A bill for the relief of Mina Werker; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 11204. A bill for the relief of Dr. Salim M. Osta; to the Committee on the Judiciary.

By Mrs. HECKLER of Massachusetts:

H.R. 11205. A bill for the relief of Roy E. Carroll; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 11206. A bill for the relief of Jo Shinso and his wife, Setsuko Shinso; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 11207. A bill for the relief of Howard F. Bates; to the Committee on the Judiciary.

By Mr. POFF:

H.R. 11208. A bill for the relief of Dr. Justo R. deVarona; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 11209. A bill for the relief of Faranaz Ameri; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 11210. A bill for the relief of Michele Bovenzi; to the Committee on the Judiciary.

By Mr. SMITH of Iowa:

H.R. 11211. A bill for the relief of Giuseppe Andreano; to the Committee on the Judiciary.

H.R. 11212. A bill for the relief of Salvatore Cusimano; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

116. By the SPEAKER: Petition of Milos Roksandic, Chicago, Ill., relative to a lawsuit involving industrial injury; to the Committee on the Judiciary.

117. Also, petition of Vito Pirroncello, Jersey City, N.J., relative to the defense of his rights; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Manpower Development and Training Act, a Supplement to Traditional Concept of Education

EXTENSION OF REMARKS

OF

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 27, 1967

Mr. METCALF. Mr. President, the Manpower Development and Training Act offers an important supplement to our traditional concept of education. In today's fast moving world with its changing economy and ever-growing automation, we must assiduously strive to provide educational opportunities for those who find themselves unemployed through lack of technical skill.

Our strength as a nation depends upon our utilization of the potentials of our human resources. Therefore, I am encouraged by the report recently received from Mr. Jess C. Fletcher, director, Montana State Employment Service. Mr. Fletcher informs me that more than 87 percent of those who trained in Montana and who responded to his questionnaire now have jobs related to their MDTA training. Mr. Fletcher was also kind enough to send copies of the replies from the trainees. These letters overwhelmingly indicate satisfaction with the program.

One wrote:

> I would have never been able to qualify for the job that I have now (secretary with IBM training) had it not been for the program. When you suddenly become the head of the household, an ordinary job would not support three children and give them the education they will need to grow up to be useful citizens.

Another reply included these words:

> Through my training I have acquired a new respect for myself in being able to really achieve something by helping people.

Other letters included the following:

> I just don't really know what I would have done if this program had not accepted me. I felt so completely helpless at the time, and this did give me some confidence in myself.
>
> I have been steadily employed by the Boeing Airplane Co. since graduation from the MDTA school . . . I find my work challenging and my job rewarding. Year around employment has introduced stability into my life.
>
> I would like to thank everyone involved . . . I have often heard that life begins at 40, I have found that it also can begin at 54.
>
> I was immediately employed by American Bridge as a welder and in 6 weeks was promoted to a Foreman.
>
> I am sure that apart from the training course I would never have been offered this employment (accounting clerk) nor could I have capably filled it had I been offered it.

Mr. President, these brief statements indicate, I believe, the importance of this program. Through the Manpower Development and Training Act we can help a vast segment of our society to reestablish themselves. The retraining and education of our citizens should be of concern to each of us. I also take this opportunity to commend Mr. Fletcher for the fine job that he has done in Montana with this program which is helping Americans to help themselves.

A Tribute to Speaker McCormack

EXTENSION OF REMARKS

OF

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 27, 1967

Mr. BROOKS. Mr. Speaker, the Boston College Club of Washington paid tribute to a great American on May 3, 1967. I had the pleasure of being present with the alumni of Boston College and their friends, many of whom are our colleagues here in Congress. We had all come together to honor our distinguished and beloved Speaker, JOHN MCCORMACK.

That evening, President Johnson said of our Speaker:

> There has been no person . . . who has been more devoted, who has been more courageous under fire, and who has been more compassionate for his fellowmen.

These words are an expression of the esteem we all have for our beloved Speaker.

In his response, Speaker MCCORMACK recalled his 39 years of service in this House and at the same time looked to the future. Knowing that his remarks would be of interest to my colleagues, I include them at this time, as follows:

> Mr. MCCORMACK. My very dear friend, and at least slightly pleasant exaggerator, Tom O'Neill, Your Excellency Most Reverend Patrick A. O'Boyle, my dear friend, Archbishop of Washington, Father Walsh, president of Boston College, Father Graham, who is the Provincial in the Western Province of the Dominican Order, other reverend clergy who are present, my very good friend, Postmaster General and Mrs. O'Brien, Mrs. Albert, Mrs. Boggs, my dear Mrs. McCormack, my distinguished colleagues of both branches of the Congress, ladies and gentleman and friends, with your permission and by unanimous consent I have a speech here that I will not make.
>
> I do not know whether Tom O'Neill or someone else will try to get it put in the Congressional Record. If they do you may read it there.
>
> I am deeply honored and deeply touched. Like you, I am a human being, and I have all the emotions of a human being. One of the uppermost thoughts in my mind that has always actuated my life, and always will, even as a youngster, is a deep feeling of friendship on my part toward others, and on their part toward me.
>
> Gerry Ford made some very sweet statements about me, as did also Senator Kennedy, Carl Albert, Hale Boggs, and Father Walsh. I value every word that they have said.
>
> In connection with what Gerry Ford said, I think it is a very laudable ambition to be Speaker of the House of Representatives. If the people through some misguided influences should elect a Republican House, there is no one I would rather see Speaker of the House of Representatives than Gerry Ford. I will not go into that any more.
>
> But my association with the Republican leader has been very close and friendly. The middle aisle means nothing to me in my friendships. I like men and women who can disagree without being disagreeable, and I try to be of that school. The friendships that I have in the House transcend the middle aisle.
>
> One of the most valued friends I have is Gerry Ford. He is a great American. We disagree, but we do not disagree on foreign affairs. Gerry Ford's views and my views are basically the same, and it was only this afternoon at an important meeting in the White House with the President that I again saw evidence of his dedication to public service. To make any extended remarks about the presence here tonight of the President of the United States would be subject to a point of order.
>
> I did not know the President was going to be here. His coming was a complete surprise to me. I saw somebody put an extra chair here and I attached no significance even to that. It was only when the President was about to come on the platform that I saw him. This afternoon when we were with him, Gerry, he made no indication that he was going to be here tonight. I had many obligations in the House, that is, visitors and conferences. About 3 o'clock my secretary came in and said, "The President wants you down at the White House at 4:30." And this dinner was coming on tonight. Thus from unexpected calls arise duties which prompt you to respond.
>
> As I have said, I deeply appreciate the remarks made about me, although I do not feel that I deserve them, by Senator Kennedy, my dear friends Carl Albert, Hale Boggs, Father Walsh, and, again, Gerry Ford. It is difficult for me to understand why anybody should praise me. I simply do what I think I ought to do. To me, what I do is just natural. In the performance of my duties I have certain things to do. I realize I cannot please everybody, but I try to do the best I can and to make the right judgments and the right decisions. Above all, when I assume the rostrum, I assume the rostrum as Speaker of the House, and at all times I am going to protect the rights of every Member without regard to party under the rules and, above all, I am always going to protect the rights and prerogatives of the House of Representatives. [Applause.]
>
> I am deeply honored by this tribute that is paid to me by the Boston College Club of Washington. When Tom O'Neill and Eddie Boland called upon me several weeks ago to see about my attending or being a guest of honor at the Boston College Club of Washington meeting which they have each year, and which I have attended several times, I assumed there would be three or four hundred persons in attendance. I never expected this wonderful tribute. I am deeply touched today by the presence of each and every one of you, coming from all parts of the country as many of you have, and I find my ability inadequate to express the feelings in my mind and in my heart.
>
> The action of the Boston College Club of Washington in selecting me for the award of "Man of the Year" is something that I deeply appreciate and which I shall always treasure, because in doing this the Boston College Club of Washington represents Boston College. Boston College is one of the great institutions of higher learning of our

country. Steeped in the moral and educational teachings of the Jesuits—and the word "Jesuit" is synonymous with "education"—Boston College is one of the outstanding institutions of its kind, not only in America, but in the world. I am proud that I am an alumnus, through honorary degree, of that great institution.

Boston College has grown tremendously, particularly in recent years, due to the outstanding leadership of men like Father Walsh, president of Boston College, and his predecessors, and due also to the student body. Particularly I want to pay the tribute which is due also to the alumni, to the president and the faculty of Boston College with their farseeing minds. They recognize that the world of tomorrow is going to be a markedly changed world from the world of today. The younger generations face great scientific progress. The changes that will result in consequence thereof will affect the national economy of all nations. Individuals will be affected when the question arises as to whether or not they can get employment. Boston College is a leader in trying to educate its students to make their contributions and to avenue those changes so that they will serve the people. Otherwise they could frustrate our people.

Boston College is a great institution. Tonight I accept the honor bestowed upon me in the name of Boston College, past, present, and future.

What I say about Boston College should apply to all institutions. They should look ahead into the future as far as mere human beings can and try to see the way the world is likely to go or can possibly go.

I can see great changes, and unless we look ahead and guide those changes to serve our people under our free government—legislators, business, educational institutions, financial institutions, everyone making a contribution to the maximum extent that we can—unless we influence these great economic changes that are going to take place to serve our people, then through frustration they could instead master our people. I have every confidence that the people of America and our educational institutions realize the task that confronts not only America but the world of tomorrow along educational and other lines.

Mark what I am saying now extemporaneously. I am not comparing Boston College with any other institution of a sectarian nature or a nonsectarian nature. But confining my remarks to Boston College, I know the students leave the college with a complete education, both moral and secular. They leave the institution imbued with the discipline of the Founder of the Jesuit Order 400 years ago. They leave there with learnings and teachings connected with truth. They are imbued with a way of life that has its origin in truth as contrasted with the ideology of a life that has its origin in falsity. They leave there with a love of God and a love of fellowmen—a love of neighbor. They realize that by the manner in which they carry out the Second Commandment, "Love Thy Neighbor," they, without regard to religious convictions, show their love of God in the First Commandment.

They leave there with the knowledge that the clash in the world of today can truly be represented by two words, both four-letter words. To me they are the most meaningful words in any language: one love, the other hate; one uplifting, exalting, and affirmative, the other degrading and destructive; one leaving in its wake a feeling of refreshment in trying to make one's contributions to living a decent life, the other leaving in its wake destruction, disaster, and darkness instead of light.

Love of God, love of neighbor.

The grave is not the end. There is accountability for our trust in the hereafter. I am not delivering a sermon. I am talking about a way of life. I am speaking of the dignity of the individual. Government is the servant and not the master.

Consider the communist ideology of hate. The communists are not only atheists but they are atheists plus. They hate God. They not only deny God but they hate God. How can you hate God and love your neighbor? You certainly cannot hate God and love your neighbor.

We might talk about the ideology which proclaims that might is right; that the grave is the end—not only within the Nation, but from nation to nation—and the dignity of man is destroyed. The individual becomes a part of the great wheel of state, a government of men and not of laws. We are a government of laws and not of men. If we take those two words, love and hate, and apply them to the world of today, we will have a basic understanding of the real differences that exist betwen the way of life in which we believe, based upon truth, and an ideology of life that the communist world believes is best—a world of hate with its origins in hate.

I have studied those words for my own assistance in making up my mind as a legislator and a human being. I have studied their meaning and significance in relation to the difficulty of the struggle to be good, the difficulty in the fight to follow out those things in which we believe, the meaning and the significance of what that word "love" means in the lives of human beings everywhere, the meaning and significance of what the word "hate" means in the minds of people everywhere.

Boston College, through its president, its Fathers, and its faculty, have always inculcated in its students the meaning and significance of love of God and love of neighbor, and the meaning and significance of the way of life in which we believe based on truth and centered around the dignity of the individual. Those two words mean everything. If you analyze them, you will agree that they mean everything in guiding us in those directions and in adopting policies that will be for the best interests of our country and for mankind in light of the challenges that exist in the world today.

So with the President's appearance and his kind remarks and the other nice things said about me, I wished to depart from the remarks that I had prepared and to speak extemporaneously of some thoughts that run through my mind and have run through my mind throughout the years.

Our country is greater than any one of us. The national interest of the United States is paramount. There should be in the minds of all of our citizens, and particularly in the minds of those occupying responsible positions, the question: What course of action is consistent with the national interest of our country? We must realize when we make decisions that there is a calculated risk of action.

I sat in on all of the decisions since 1940 made by any President. I remember the decision made in relation to Cuba by the late President, who was my dear and valued friend, and the Cuban confrontation. That decision meant a calculated risk of action. If the late President did not make that decision, what do you think would have flown from a nondecision, and the calculated risks of inaction?

With every decision made requiring action, of course, there are calculated risks. But with every decision for inaction, where inaction is decided upon, there are calculated risks. Both sides of the coin should be viewed and must be viewed in the making of any decision, particularly one of paramount importance to the national interest of our country.

Whenever I am in those meetings I am viewing both sides. What is likely to flow from a decision that we make? Then I say, "What is likely to flow if we do not make a decision?"

I found during the 1930's, during the days of Hitler, that inaction on the part of Britain and France brought about a result that led to World War II. As human beings we do not know whether the decisions that we make are right or wrong. We hope they are right. As human beings all we can do is the best we can. We must make the best judgment we can in accordance with the gifts God has given us. But we have got to have the courage to make the decision in deep faith on the part of all without regard to our religious convictions. That is of vital importance at all times, but particularly in the world of today when extreme tensions exist. I find that the great majority of persons who are possessed of a deep faith, no matter how dark things look, retain their confidence in themselves more so than those who are lacking in deep faith. I am now talking not alone along Catholic lines, but I am talking about the deep thoughts of our Protestant friends and our Jewish friends also. I am talking about anyone who believes in God or a supreme being, because the way of life we believe in comes from Him through His natural law, and we can bank on Him being on our side in the long run.

So, ladies and gentlemen, I am talking longer than I had intended to, and I am probably getting into a subject that I feel very deeply about, but leaving a little thought here and there. I have every confidence. I have no fear of the outcome, because I have confidence in the American people. I have confidence in our people because the great majority of them are possessed of deep faith. I have confidence that, no matter what crisis might confront our country, we will meet it not only in the best interests of our country but in the best interests of future peace.

So in conclusion, again I express my deep thanks to the Boston College Club of Washington, and also to you, Father Walsh, as the president of that great institution that we all admire and love, Boston College. [Prolonged applause.]

The 100th Anniversary of an American Industry

EXTENSION OF REMARKS

OF

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 27, 1967

Mr. WILLIS. Mr. Speaker, this year is a special occasion for the people of the Third Congressional District of Louisiana, which I have the honor to represent in Congress.

One hundred years ago, one George W. Dunbar, a Louisianian, succeeded in canning shrimp near the island of Grand Terre, making this valuable and delicious food available to the public for the first time.

The year 1967, therefore, marks the 100th anniversary of an American industry which is vitally important to our economy.

In commemoration of this century of shrimp canning, the American Shrimp Canners Association will conduct ceremonies to mark the event at Grand Terre, Wednesday, July 12, 1967.

Mr. Speaker, the shrimp industry is one of the most important in my district and I want to salute the American Shrimp Canners Association for their recognition of the 100th anniversary of its beginning.

Celebration of the Gandhi Centenary

EXTENSION OF REMARKS

OF

HON. JOHN SHERMAN COOPER

OF KENTUCKY

IN THE SENATE OF THE UNITED STATES

Tuesday, June 27, 1967

Mr. COOPER. Mr. President, on January 17, 1967, the Government of India presented to the American people, through our educational institutions, 50 sets of the collected works of Mahatma Gandhi in connection with the celebration of the Gandhi centenary. I ask unanimous censent that there be placed in the Congressional Record the text of Ambassador B. K. Nehru's speech presenting the sets to Vice President Hubert H. Humphrey, and the text of the Vice President's response.

The celebration of Mahatma Gandhi's centenary is being observed not only in India, but in many countries, including our own. Paul F. Power, of the University of Cincinnati, and Dr. Joan Bondurant, of the University of California at Berkeley, are cochairmen of the Ghandi Centennial Committee of the Association for Asian Studies, which is charged with the planning of programs and other activities appropriate to the commemoration in the United States. This committee will coordinate its activities with the Indian Committee in New Delhi. Symposia will be conducted at many universities and associations for the purpose of studying Gandhi's thought and the nature of his influence.

Dr. Power was present at the ceremony at Washington and deserves congratulations and credit for the active part he played in the preparation of this ceremony, and for his work in encouraging the establishment of the Centennial Committee in the United States.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

Text of Ambassador B. K. Nehru's Speech While Presenting 50 Sets of the Collected Works of Mahatma Gandhi to Vice President Hubert H. Humphrey at a Ceremony Held in Washington, D.C., on January 17, 1967, in Connection With the Gandhi Centennial Celebration

Mr. Vice President and friends, I am most grateful to you for giving me an opportunity to thank the American people, on behalf of the Government of India, for their spontaneous and generous decision to join us in commemorating the Birth Centennial of Mahatma Gandhi, the Father of our Nation, in a fitting manner. The centenary itself falls on October 2nd, 1969, but a Committee has been set up already in India headed by the President of India, and, I am happy to say, in the United States also, to plan the celebrations in a way Gandhiji would have wished.

A Gandhi Centennial Committee, set up by the Association of Asian Studies in the United States, has been working in close cooperation with the Committee we have formed in India and with our Embassy. Today's ceremony perhaps marks in a sense the inauguration of the programme in the United States.

Mahatma Gandhi belonged not only to India but also to the world, and your great country, Mr. Vice President, has always upheld the principles which he cherished so deeply himself—this man of peace who waged an unceasing war on ignorance and sloth, disease and suffering and most of all on "Man's inhumanity to man." By stressing the lot of the underprivileged, he taught us to strive for social justice but he was never tired of reminding us that ends were never more important than means.

He was essentially a man of peace but a revolutionary who worked with unflagging persistence for freedom from all forms of tyranny and oppression. It is fitting that his great contribution to this century, and indeed to all time, be remembered.

Some years ago, we set up an Editorial Committee to compile the Collected Works of Mahatma Gandhi. Of the fifty-five volumes planned in the series, eighteen have so far been published. I have great pleasure in presenting to you, Mr. Vice President, as a gift from the Government of India to the American people, fifty sets of these volumes which carry Gandhiji's philosophy and his undying message.

I should like very much to take this opportunity to thank Senator Cooper, who has been closely associated with this project, and Dr. Paul F. Power, of the University of Cincinnati, who is Co-Chairman of the Gandhi Centennial Committee in the United States. I also thank my honourable friends who have graced this ceremony today with their presence.

Remarks of Vice President Hubert Humphrey at the Presentation of Collected Works of Mahatma Gandhi, Washington, D.C., January 17, 1967

Ambassador Nehru, ladies and gentlemen, on behalf of the people of the United States, I thank the Government of India most warmly for the gift of these many sets of Mahatma Gandhi's collected writings which Ambassador Nehru has just presented to me.

On such occasions as this, the peoples of India and the United States reaffirm their desires to disseminate widely the teachings of the Mahatma. This reminds us again of the heavy responsibility our two democracies bear for sharing with the world those concepts about man in all his many relationships with society which we have been privileged to inherit from our great men of the past, and which we consider to be of universal applicability.

In his remarks, the Ambassador referred to the timelessness and universality of Gandhi's mission to the world and to the particular reverence with which we Americans recall Gandhi's message of equality, freedom and love for man everywhere. Gandhi's humble, direct simplicity touched our hearts as it touched the hearts of all those throughout the globe who would, in some small measure, seek to be their brothers' keepers. His signal contribution was in reminding the 20th Century of what other "Great Souls" in centuries past had told a weary and, too often, strife-ridden world—that the brother for whom we bear responsibility is every man on whom we look, in whatever community, race or nation we may find him.

I have often reflected on the remarkable degree to which the interaction of certain aspects of the Indian and American philosophical traditions came into focus in Gandhi's person. Many of America's early writers and thinkers—for example, Ralph Waldo Emerson, Henry David Thoreau and Walt Whitman—were challenged and inspired by the writings of the Hindu seers who had spoken of God's immanence and universality. For these Americans the ancient Hindu writings furnished a most persuasive philosophic and religious base for man's political, as well as spiritual, equality and freedom to argue that in the practical everyday world the free man, when he is convinced that right is on his side and that principle is at stake, must passively resist the entire weight of his society, if necessary to protect that principle.

In his nonviolent campaign to free India from British rule, Mahatma Gandhi acknowledged his own debt to Thoreau's example and writings of a century before. Today leaders of minorities in the United States seeking social and economic gains for their groups express their appreciation for Gandhi's example of struggle against evils which he felt divided men from each other and debased humanity as a whole.

For more than a century and a half, India and America have been discovering each other and, in the process, rediscovering their own best selves through great men like Gandhi.

While I am pleased at the great interest being shown in the Gandhi Birth Centenary by many groups here in the United States, I am even more gratified at learning of the extent to which the international community will share with India many of the commemorative events scheduled in connection with the Centenary during the next two years.

In recalling that Gandhi belonged to all mankind, the peoples and nations of the world could do nothing better in the closing years of this decade than to affirm resolutely that the principles of concern for others by which that great yet humble man lived should motivate and guide us all in our relationships with one another.

A Strategy for Quality Growth

EXTENSION OF REMARKS

OF

HON. CLIFFORD P. HANSEN

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Tuesday, June 27, 1967

Mr. HANSEN. Mr. President, I ask unanimous consent to have printed in the Congressional Record a speech I delivered to the Sigma Tau Engineering Honorary at the University of Wyoming on April 28. I believe that the speech, entitled "A Strategy for Quality Growth," might be relevant at this time in view of the legislation now before Congress concerning economic development. I wish to acknowledge the assistance of Dr. Franklin P. Huddle, of the Library of Congress, and thank him for his helpful contributions in the preparation of this speech.

There being no objection, the speech was ordered to be printed in the Record, as follows:

"A Strategy for Quality Growth"

(Remarks prepared for delivery at banquet meeting of Sigma Tau Engineering Honorary, University of Wyoming, Laramie, Friday, April 28, 1967)

About two weeks ago, a study was released by a statistical office of the Department of Defense that revealed the dollar amounts of defense contracts and sub-contracts received by the 50 states.

Wyoming was very close to the bottom of the list in every category;

With the bulk of federal funds going today into defense, it is the states with big aerospace companies and heavy industry that receive the lion's share of the business:

Of course, it is obvious at the outset that there is no industrial company in the state of Wyoming large and experienced enough to manage a prime contract for a multimillion dollar Nike-X system or a supersonic transport.

In the second place, a large part of the supplier contract work to manufacture the hardware for these new systems, is performed in shops in the heavily industrialized areas.

The people who live in these areas, I have observed, do not get all this business for free. They pay for it in many ways: In air pollution, filthy streams, in hillsides and fields littered with trash and scrap heaps, in race riots and a high crime rate, in degradation of many of the values that make life in Wyoming worth living.

Clearly, the industrialized society of the twentieth century is a mixed blessing. We have yet to design the ideal urban culture.

In the third place, I observed that we could not make Wyoming into a new Megalopolis, even if we wanted to. Many forces operate to concentrate enormous populations in congested areas. Some of these are beyond our reach.

The great urban centers have gradually assembled over the years an enormously costly network of railroads, gas and power systems, schools, libraries, roads, sanitation facilities, hospitals, and so on. Evolution of the great super-cities is a century-long process, and—as I say—I do not admire the result.

In fact, I think that great Wyoming gentleman, former Governor Jack Gage, hit the nail on the head when he observed not long ago that there is nothing inherently wrong with lots of clean, empty, open space in our wonderful state.

But of course, on balance, we must combine our streams and mountains with job and income producing facilities or lose our most precious asset: our people.

It is not enough to change. We must progress. We must preserve the great values we have today, and build on them to achieve a richer and more prosperous society while taking care to avoid the needless social costs that New York and Chicago or Los Angeles have had to endure.

We want Wyoming's change to be what Roy Peck has called, "Quality growth." We want to preserve the best that we have and build from it a healthier and more productive state economy.

There are a number of states that are right now carrying on aggressive programs to bring in new industry.

They conduct intelligence campaigns to learn which companies are looking for a new plant site. They invest their own dollars in the construction of new plants on speculation, hoping that they will be able to find a tenant.

They offer tax concessions to lure companies to move in. They make deals to accommodate municipal planning and ordinances to the need of the company they are wooing. They donate land, highways, water systems.

The attitude in some areas seems to be: We can put up with any discomfort or cost because all our statistics are going up and, man, that's progress.

In Wyoming, we have one pattern of resources that few, if any, states can equal and none can surpass. Our clean air, our pure snow-fed streams, our forests and upland flats, our open plains where hardly a fence can be seen.

Our people are accustomed to an open society; our standards are not arrived at in desperate reaction to the dirt, the pressures, and the dangers of urban traffic and slums. Ours is an environment where a man can think and create.

Such an environment is becoming rare in our world and our century. Let us not compromise it in the name of change for the sake of change.

And let us not overlook the rich industries which are at our doorstep and which can be lucrative and beneficial beyond measure—if the federal government will be kind enough to let development occur.

I have been sitting on Senator Hart's Anti-Trust and Monopoly Subcommittee during the hearings, which are continuing, into the broad question of oil shale potential and policy.

If the states of Wyoming, Colorado and Utah can make peace with Washington, and if the vital and equitable role of private enterprise can be accepted by the Interior Department as having a proper place in oil shale development, then this industry can be one of the most massive in the history of our western states.

That change will depend largely upon Washington; the other changes will depend on Wyoming.

To begin with, I believe that the rate of Wyoming's progress is less important than its direction. Better to advance soundly, on a quality basis, than to achieve a high rate of change for the sake of change. Wyoming is one state where the older generation still plants fruit trees for the next. To define what I should like to propose as a goal for our campaign of quality growth, let me take just a moment to analyze a category that has been expanding very rapidly in the last two decades and looks as though it will continue to grow. This is what is rather loosely referred to as the "think factory."

Some are tied to the large universities, some are independent and non-profit, and some are supported by the larger business corporations—especially those in the aerospace industry.

The function of these institutions is to devise new and better ways of doing things, to conduct research in "far out" ideas, to apply new techniques of systems analysis, to bring together experts from different disciplines to concentrate their attention on common problems.

This category of industrial activity is today the fastest-growing and most productive segment in our entire national economy. It is the source of such great new ideas as the "planning-programming-budgeting" method of executive control of business and government operations, the PERT method of scheduling construction of large systems, the Surveyor project, Polaris, and many others.

The "systems approach" itself grew out of this environment.

As we work to industrialize Wyoming, it would not be sensible to concentrate entirely on luring some company or other to put up a branch plant in our state.

One such plant may not pay, in taxes, enough to cover the costs of improvements that would be necessary to lure it in the first place.

Nor would it be sensible for us to aspire to erect a complete industrial complex in Wyoming. To start from our present meager base—economically speaking—would involve us in an impossibly large requirement for capital, management experience, resources of technologically skilled labor, and the development of adequate markets to sustain the enterprise.

In other words, to operate on a too-small scale isn't practical; to operate on a too-large scale isn't feasible.

Accordingly, I suggest that it would not be unreasonable for us to have as our long-range goal the building over the next few decades of a science city in Wyoming.

Such a concept could evolve gradually out of an accumulation of highly trained scientists and technologists brought into the state or trained within the state, and concerned with a succession of specific scientific programs or national science objectives.

Late in 1966, the Atomic Energy Commission made a site selection that directed national attention to the desirability of attracting science centers into new economic areas. A small prairie community 30 miles outside of Chicago was selected to be the home of a $375 million national accelerator laboratory.

The studies and analyses undertaken by the AEC before making this choice were the most extensive in its history. It received offers from 46 states, including Wyoming, with more than 200 sites suggested.

What were among the criteria? The focus was mainly on people! According to the AEC, the final decision was made on the basis of its prospect for enabling the new facility to mobilize and maintain the staff required to build and use the facility most effectively.

In part, this meant accessibility to the world and in particular to the scientific community; the interaction between the staff of the National Accelerator Laboratory and the University community was of great importance.

It meant equal treatment locally of scientists and technologists, without regard to their race or ethnic origin. It meant good schools and attractive housing.

It meant the availability of sources of the technologically-skilled labor needed to construct and maintain the large facility. It meant cultural and recreational facilities. It meant engineers.

To me, it seems apparent that the further we in the United States proceed on our programs of scientific exploration, the less important it becomes to locate these research complexes near our industrial centers or centers of population. Some of the most important criteria that influenced the AEC had to do with the quality of the environment of the site. This factor will operate increasingly to the benefit of Wyoming. We ought to be preparing ourselves to take advantage of this leverage.

Another factor that is certain to operate to our advantage in the future is the direction being taken right now in the development of the computer. This device will revolutionize our way of life, of that there is no doubt.

As we become more proficient in the use of the very large computers, the geographical accessibility of libraries and centers of technical data will be of no consequence; a teletype console will operate as effectively in Laramie as at MIT.

We can confidently rely on the advancing state of the computer art to make the physical location of a research facility irrelevant to its effectiveness. This fact definitely benefits Wyoming.

If the "think factory" of the next generation can be released from the necessity of being located close to libraries, universities, industrial centers, and so on, it seems to me it will then be possible to have the best of both worlds. That surely means Wyoming!

Our science city could be spread out over an entire state.

In closing, I suggest that four principles should govern our campaign for the scientific and technological development of Wyoming.

Most important of all, we should put quality before quantity.

Next, we should aim to achieve steady progress rather than rapid change.

Thirdly, we should turn to our account the longer term trends in evolving science and technology, rather than seeking to import industry or projects already established elsewhere.

And finally, we should give greatest encouragement to those enterprises which show creativity and drive.

I think Wyoming's assets—from her environment to her university, to her people—far outweigh her liabilities with respect to self development. I believe, though, that there are many areas of development that exceed in potential the creation of a massive industrial complex—at least at the outset.

But let us resolve to make Wyoming's change a truly creative experience that respects her values and beauty while creating a stronger economy.

Only then will our change be truly called progress.

Our Italian Americans

EXTENSION OF REMARKS

OF

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 27, 1967

Mr. BROYHILL of Virginia. Mr. Speaker, in the history and growth of America, few others have established a record of industry, integrity of patriotism to match Americans of Italian descent in this country. Few others have contributed so much to the arts, music, or agriculture of the United States as these fine citizens of many generations who now share our pride and loyalty for this great Nation.

Yet, Mr. Speaker, in the President's Commission on Law Enforcement and the Administration of Justice, Americans of Italian descent are inexcusably malined in a paragraph which, in effect, labels Italian-Americans as the perpetrators of the bulk of crime in the Nation. This is ridiculous on the surface.

The Federal Bureau of Investigation, the CIA, the Treasury Department, the Secret Service, and the police forces in city after city in this country contain not only thousands of rank-and-file agents, and officers but many heroes against the very forces they are accused of abetting because of their race.

The President's report, which contained this libel against our fine American citizens of Italian descent, had much to deplore about so-called racial injustice and its relation to crime in the country. It then proceeded to bracket those of Italian derivation into the same statistical corner it deplores. If this is an example of justice and fairness sought by the President's Commission, Mr. Speaker, it is obvious we have wasted a lot of our taxpayer's money in permitting the study to be conducted.

In all of our wars, Mr. Speaker, including the present one, Italian-Americans have fought with bravery and honor. They send their sons and daughters into battle because they love this country and its freedoms. They save and scrimp and sacrifice to send their children to our finest schools and those children today as in the past serve in law, medicine, science, and the arts with intelligence and distinction.

To equate these great Americans with gangsters is to reduce reality to the absurd or worse. I doubt, Mr. Speaker, if there are anywhere in America, more law-abiding citizens in the main than those found in our Italian-American communities. In my own community most youngsters of Italian parentage are leaders in their schools, churches, and social activities. They are industrious, almost from birth; they are trustworthy, devoted and happy people, by birthright and by nature and they are proud to be Americans.

Many are serving with distinction on our courts, in the Congress and in our administrative agencies. And I would wager, Mr. Speaker, that the percentage of those who do stray from the straight and narrow road of honor and decency their parents train them to travel on is far less than that of most other ethnic groups.

I urge, Mr. Speaker, that by some appropriate means we recognize the injustice done to the Italian Americans by the President's Commission. Certainly in the hearts of the Members of Congress and their fellow Americans, our Italian friends, both here and abroad, deserve far better treatment than accorded them in this official document prepared at the President's behest. Certainly any official recognition of the report by this Congress should express full reservations of the unfairness and injustice of the conclusion regarding these friends and neighbors of ours. We cannot combat crime, Mr. Speaker, by racial indictment or blanket accusations irrespective of how high the authority may be that utters them. Crime, Mr. Speaker, in its growing proliferation and savagery, is an American problem, not an Italian-American problem. Certainly those assigned to the President's Commission must have recognized this fact. I do, and I am certain that this Congress, with equal conviction and with equal abhorrence for unfairness or slander against any of the good citizens in this country, will do so as well.

The Debt Limit

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 27, 1967

Mr. WOLFF. Mr. Speaker, 2 weeks ago the House of Representatives voted to reject attemps to raise the permament national debt limit from $285 to $365 billion. At that time I joined in voting against the proposed raise. In taking this action, I clearly stated that I felt it was vital to serve notice that expenditures for nonessential programs cannot continue their virtually limitless spiral. One of the best places to start, while showing the people of the United States that this House is serious about fiscal responsibility, was to defeat the increase in the permanent national debt limit so that a more realistic limit could be offered.

My personal concern for limitations on Federal spending is sincere and well established. I have voted for many reductions in Government expenditures. One such vote was for better management of agricultural incentives and a decrease in agricultural subsidies. The current agricultural subsidy program, over recent decades, has been a prime example of Federal excess and mismanagement. We simply cannot continue handouts to, and spoon feeding of, the farmers to the extent that they become dependent and no longer continue to make their own way. In this, as in other areas, we must make every effort to insure that the American people get a dollar's worth for every tax dollar spent.

One of the most potent ways of reinforcing this effort is support for the Honorable WRIGHT PATMAN's proposal to require the Treasury Department to cease annual interest payments of $1.9 billion on $45 billion of bonds held by the Federal Reserve Bank of New York. These bonds, according to Mr. PATMAN, have been paid for in full. Yet the United States continues to collect almost $2 billion a year in interest on these bonds. In addition, these bonds, which should have been retired, are included in the national debt. This practice and the collecting of interest should be halted immediately.

When the rule for the debt ceiling came to the floor no amendments were allowed. I voted against the rule in order to permit Mr. PATMAN's important proposal to reach the floor. Unfortunately those of us who voted for amendments were defeated. However the $365 billion permanent limit was also defeated.

More recently the national debt ceiling was presented to the House again with a permanent limit of $358 billion—$7 billion less than the rejected limit. This was a significant cut and was clearly a response to the House's interest in a limit to nonessential spending. Notice had been served and cognizance of it registered. We must cut back on nonessential programs. We in the Congress must exercise constant and continuing prudence.

With the proposed national debt ceiling reduced $7 billion, we must now, in the words of the distinguished chairman of the Ways and Means Committee, "Turn to the business of insuring the financial stability of our country." We must recognize that the essential needs of our Government are great and the permanent debt limit must be raised in accordance with those needs. The ceiling must be raised from time to time to keep pace with the growth of this great Nation. Much like any business which is undergoing tremendous growth, the Nation's debts necessarily increase with expansion.

Our gross national product—the sum of all goods and services produced in the United States—is rising constantly. Our population is rising—there are more people to feed, clothe and house. Our per capita income is rising—we have more money to spend. Consequently, our debt must also rise.

But how far has the national debt really gone? Has it increased 500 percent since 1950, as has personal debt? No it has not. Well then has it increased 350 percent since 1950, as has State and local debt? No it has not. Well then has it increased over 200 percent since 1950, as has corporate debt? Again, it has not. The national debt in 1967 is but 28 percent higher than it was in 1950. I do not mean to confuse matters with extensive statistics. However the subject is complicated and hopefully some statistics will serve to clarify this issue. Perhaps the most significant statistic is that the national debt at present is only 42.9 percent of our gross national product. Seven years ago it was 57.8 percent of the gross national product. Moreover, after World War II, the national debt was greater, one-third again greater, than the total output of our goods and services.

In 1946 the national debt comprised 58 percent of the U.S. total indebtedness—today that figure is 22 percent. Twenty years ago per capita Federal debt—the debt figured for each person in the United States—was over $1,900—today that figure is $1,628. Thus, in a broad perspective such as this subject demands, the proportionate impact of the national debt has declined steadily in the past two decades.

Therefore, I joined with my colleagues in a responsible solution to this problem and voted to pass the reduced debt limit. We have achieved much of what was desired when we first voted 2 weeks before. Our point was made; our message conveyed. We then had to act promptly to pass the reduced debt ceiling to prevent the chaos that would have surely ensued had we not.

Social security payments would have lapsed and veterans on pensions would have lost their sole means of support. Letters have poured in from the American Legion and the Veterans of Foreign Wars warning us of the potential disaster. Our national credit would have become imperiled and we would have been forced to pay a greater rate of interest on our indebtedness. If this had been allowed to occur this great Nation simply could not have met its myriad financial obligations.

Most importantly, even after this issue is settled, let us not relax our vigilance to achieve and maintain responsible fiscal policy. Let us not cease in our determination to take real and meaningful action to decrease nonessential spending and increase our financial credibility.

Leaguers Honor George Haney, William Payne

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 27, 1967

Mr. RODINO. Mr. Speaker, the Leaguers, Inc., a Newark, N.J., organization dedicated to the advancement of youth, has long received my personal admiration for its dedicated service toward helping young people to help themselves. The work of the Leaguers, which was founded in 1949 by Mrs. Reynold E. Burch, has greatly aided various cultural and educational programs in Newark.

On Friday, June 16, two of my constituents were among those honored by the Leaguers for their meritorious service in numerous civic and political programs. I have long respected the fine work of both these men and I would like to make their achievements a matter of record.

The Citizen of the Year Award from the Leaguers went to Mr. George J. Haney, who has greatly served his community in numerous capacities. At present, Mr. Haney is the resident manager of the Newark Office of Auchincloss, Parker & Redpath, members of the New York Stock Exchange. He is also a lawyer, having received his prelegal training at Georgetown University and his L.L.B. degree from Rutgers University Law School at Newark, N.J.

Among his many affiliations are the following:

Member of the Securities Advisory Committee of the Attorney General's Department of the State of New Jersey by appointment of the Governor.

Chairman of the Mayor's Advisory Committee of Transit and Transportation in Newark.

Secretary and member of the executive committee and board of directors of the New Jersey Region, National Conference of Christians and Jews.

Vice president and member of the board of directors of the Arthritis Foundation of New Jersey.

Chairman of the John F. Kennedy Memorial Library Fund of Northern New Jersey.

Member of the board of directors and executive committee of the Leaguers, Inc.

Vice president of the executive board, Robert Treat Council, Boy Scouts of America.

Chairman of the Ballentine Award Committee for hero policemen and firemen in Newark.

Honorary member, American Finance Association of Seton Hall University.

Mr. Haney has been honored by the following: the Newark Star Ledger in 1963 as one of the State of New Jersey's outstanding citizens for his achievements in finance; the New Jersey Region, National Conference of Christians and Jews as its Brotherhood honoree in 1965; and one of the 25 persons selected by the Prudential Insurance Co. of America as Newsmaker of the Week in 1966.

As a result of his service in World War II and the Korean war Mr. Haney was awarded the Bronze Star, Purple Heart, Combat Infantry Badge, and the Army Commendation Ribbon.

The Leaguers Merit Award was presented to Mr. William D. Payne, who was born and raised in Newark. He too has been active in numerous civic and charitable programs in the city. He received his B.A. degree in political science from Rutgers University.

Mr. Payne is presently employed in the external affairs department of the Prudential Insurance Co. of America where he is assistant manager of community relations.

He has been affiliated with the Leaguers, Inc. for many years. Mr. Payne is a former president of the organization's board of trustees and he is presently vice president of the board. He was chairman of the Leaguers 1965 fund-raising dinner which realized sufficient moneys to complete payment of the group's new building.

He has participated in many local and national civil rights programs for the past 15 years. He is a founder and presently a trustee of the United Community Corporation, Newark's central antipoverty agency, and a member of the UCC's personnel committee. He was formerly the president of the NAACP's Youth Council.

He has long been a leader in the fight to gain equal opportunity for all citizens of Newark. He has especially been active in programs to improve the quality of education in Newark's schools. Among some of Mr. Payne's other affiliations are: a member of the Governor's Citizens Council for the Office of Economic Opportunity; and a member of the NAACP; the editorial board of Newark Commerce Magazine; and the Business and Coordinating Council.

The numerous achievements of these two men should serve as an example to the citizens of our cities to strive toward more active participation in the affairs and operations of their neighborhood. It is my hope that others will follow in their footsteps.

Commencement Address by the Honorable Charles McC. Mathias, Jr., at Walt Whitman High School, Bethesda, Md.

EXTENSION OF REMARKS

OF

HON. JAMES HARVEY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 27, 1967

Mr. HARVEY. Mr. Speaker, on June 19, 1967, it was a great pleasure and, I must add, a most proud moment for my wife and me to attend the commencement exercises of Walt Whitman High School. Our daughter, Diane, was a member of the graduating class.

Of special note, too, was the commencement address given by our colleague, the Honorable CHARLES McC. MATHIAS, Jr. In a sense, it was "homecoming" for Congressman MATHIAS, who formerly represented Montgomery County here in the House of Representatives, before Maryland congressional redistricting took effect in 1966.

I recommend the remarks made by Congressman MATHIAS, as he challenged the graduates to rise above mediocrity. His address follows:

REMARKS OF REPRESENTATIVE CHARLES McC. MATHIAS, JR., AT THE COMMENCEMENT EXERCISES OF WALT WHITMAN HIGH SCHOOL, BETHESDA, MD., JUNE 19, 1967

It is a real pleasure for me to be back with my friends and neighbors in Montgomery County, and to see so many people I have talked with, worked with, corresponded with, and sent high school debate materials to.

Our acquaintance does have one drawback for me tonight. Because we know each other well, and because so many of us are partners in the great business of government, it is harder for me to gain the kind of insulating distance and perspective which might make my remarks seem imaginative and inspirational.

In fact, I feel somewhat as Adlai Stevenson did when he addressed the Class of 1954 at Princeton. Stevenson said:

"I've been at a loss as to what to say to you, and having just read over what I have prepared rather hastily, I have concluded that I have resolved my uncertainty by saying nothing. This will take me approximately 40 minutes."

Since I would be flattered to be considered half as articulate and eloquent as Governor Stevenson, I will only impose on you about 20 minutes.

Actually, I do have one advantage over Governor Stevenson. Since you are not yet college graduates, you have not yet heard your full quota of commencement speeches. I can assure you, though, that such addresses have basically changed very little since the first students, Adam and Eve, dropped out of the Garden of Eden.

It's traditional at such mileposts to reflect briefly on the state of the world in which we find ourselves. Generally such a commencement glance produces a capsule description which echoes, without improving on, the classic summary by Charles Dickens at the beginning of *A Tale of Two Cities:*

"It was the best of times, it was the worst of times; it was the age of wisdom, it was the age of foolishness . . ."

This can of course be said of any year, and has been said of most. It is not a statement of facts, but rather a sketch of a state of mind—a state of mind which we can now sense in this country.

This *is* the best of times for many of us. Surely it is for you. As a group and as individuals, you have many reasons for pride in the present and confidence in the future.

As a group, you are part of the largest and best-educated graduating class in the nation's history. You and your classmates around the country have the best opportunities in our history for more education, better jobs, a high lifetime income, and all of the material comforts which American ingenuity can produce.

As individuals, you have enjoyed great good fortune—in the circumstances of your lives, in the knowledge you have gained, in the advice and counsel you have been exposed to. As you move ahead into greater personal freedom and greater responsibility, you have every reason for confidence.

But I would caution you to be sure that your confidence is based not on your situation, but in yourselves. For we are now finding out, as a nation, that confidence based on circumstances is not durable, when circumstances change.

In this sense, this is the worst of times. We do not face disaster or immediate destruction. But we are now suffering from, if not a total loss of confidence, surely a lessening of our national self-assurance. We used to believe, with some justification, that God would protect small children, dumb animals, and the United States. Now we are not so sure.

After World War II—about the time that you were born—my generation had to adjust to an entirely new world, one dominated by a massive confrontation between two ideologies, clouded by devastation and distress in many lands, and overshadowed by the nuclear power in our own hands. Gradually we did adjust to these new circumstances, and to the great obligations thrown upon us by our new stature as the strongest nation in the world. But now—just when we are beginning really to understand the postwar era—the echoes of a hydrogen bomb, exploded last weekend in the depths of China, tell us that the post-war world is gone, and that a new, more complicated, and even less understandable era has arrived.

We know—or we are quickly finding out—that it is no longer accurate to see the world clearly and simply as a battleground between the forces of freedom and the cadres of Communism. It is no longer enough to pin our hopes for peace on the United Nations. It is no longer possible to sort the nations of the world into those who are with us on every issue and those who are against us on every issue. And in an era when world war would mean worldwide destruction, and when hunger may prove to be a greater long-range threat than bombs—in this new world, it is no longer very helpful to think in the simple, familiar terms of "victory" or "defeat."

Yet as a nation, we don't know what else to think, or *how* to think about the last third of the cenutry, now that it has begun.

Our uncertainty has been compounded by doubts about the health of our republic itself. Our politics have always been noisy, somewhat violent, and cheerfully confused. But now there is an alarming note of urgency, suspicion and aggressiveness.

Some are rejecting our traditional concepts of debate entirely.

Others—too many others—question the sincerity and motives of every position except their own.

Still others have concluded that, despite our strength and our prosperity, despite our basic common sense and stubborn good will, our problems have gotten so big that they can be resolved only at the price of abandoning our fundamental concepts of government and society.

And some, frustrated and alarmed by the same problems, seem to have concluded that the only course left is to take refuge in cliches—and to demand enough protection so that it's safe to turn our backs.

Is this an age of wisdom? Possibly—but only if you make it so. This year, and in the coming years, there is a special assignment for you, for all members of the one-half of the United States now under 28 years old. You have already changed our language, our music and our styles. Now your task is nothing less than to modernize the ways we think about the nation, and the world, and the nation *in* the world.

As the truly post-war generation, you are best equipped to bring us up to date. You are not tied to the thought patterns of the depression and World War II. You are not tired. You're not still fighting old battles. You can understand the changes which have taken place during your lifetimes, and can go beyond the history books . . . books which, I understand, still generally stop about the time when you were born.

It would be tragic if, as you advance, you just echo your elders. It would be equally unfortunate if you reject them out of hand. I suspect that you will notice soon, if you haven't already, that as you get older, your parents get smarter—or at least less stupid. And while you do have the freedom to make your own mistakes, I trust that you will also have the good sense to decide that some perennial mistakes are not really very worthwhile.

I do want to make one thing clear, and that is that you don't *have* to do anything at all. You have gained some momentum now, and can just coast along indefinitely if you want. The heavens are not likely to fall in if you waste time, or wander down a few blind alleys, or simply enjoy yourself without feeling too conscientious for a while. In short, you have the most tempting and subversive of all freedoms: the freedom to be irresponsible.

This is, indeed, an age of foolishness. America has always been a light-hearted, cheerful nation, and a certain amount of foolishness has kept us and our economy moving. Yet today it seems that we are far too earnest about being frivolous, and too serious about having fun. When you add together all the fads, all of the styles and mass culture, I suspect that what you get is mediocrity—the highest level of mediocrity in the world.

The great trouble with our foolishness is that we lack the wisdom which gives it perspective. One symptom of that lack is that, while we have countless jokes and countless comedians—professional and amateur—we have so few great humorists. We have not yet gained the maturity to laugh at ourselves without feeling nervous doing so.

I am not advocating pessimism. On the contrary, I think that this immense country of ours has finally progressed almost to the point of being civilized, with all of the sense and tolerance and education which the term involves. Further, I think that it will be your generation which the term involves. Further, I think that it will be your generation which determines whether we take the plunge, or hesitate too long in a kind of anxious dependence on the place where we stand now. The choices that you make, consciously or not, will determine whether you personnally and we generally, can preserve the best of the times, can respond to the worst, and can separate the wisdom from the foolishness.

I hope that you will choose to move ahead.

Maritime Trades

EXTENSION OF REMARKS

OF

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 27, 1967

Mr. EILBERG. Mr. Speaker, it was my pleasure the other day to accept an invitation to speak before a luncheon of members of the maritime trades department here in Washington.

While the subject I discussed at that time obviously was of particular interest to those engaged in the maritime trade, I think there may be some interest, too, among the Members of this House. For a completely modern merchant marine very much effects our national economy as well as our national defense.

In that spirit I present a copy of those remarks for inclusion in the Record at this time:

I appreciate the kind invitation of President Hall and Secretary-Treasurer McGavin to take part in this Maritime Trades Department program.

I can think of no group which is performing a greater service to the nation in these very critical days than the unions affiliated with the MTD—and, of course, the overwhelming majority of maritime management which has joined with you in your efforts.

What you are doing is to try to strengthen our national economy and bolster our national defense by advocating a greatly enlarged, and completely modern, merchant marine.

Of course you are being criticized in some quarters because of the stand that you are taking—but I guess that's part of the democratic process—that the group which does the most to serve its country often has to put up with the most abuse.

As I see it, most of the criticism you're getting is over your insistence that we keep the laws the way they are—and that we not build a single U.S.-flag ship in a foreign shipyard.

To me, the most important part of your program is this very legitimate demand that our ships be America-built—it's important to our defense, and it's important to our economy.

Sure, the Administration—and some of the ship owners—make a very strong argument about how much cheaper it is to build our ships in foreign shipyards—and if price were the only consideration, perhaps I could go along with them.

But there's a lot more here than just price—and so I stand shoulder-to-shoulder with you in opposition to *any* foreign building—and I mean *any*—of American ships.

If the shipping companies were to build their vessels overseas, whose steel would they use? Whose propulsion equipment would they use? Whose electrical wiring would they use? Whose hardware, and lumber, and equipment would they use?

You can bet it wouldn't be American—in fact, it *couldn't* be American—because these are the things that contribute to the higher costs of ships built in this country.

You know, it has always struck me as silly, the way people complain about the fact that shipyard workers in this country make more money than shipyard workers overseas—but nobody complains about the fact that carpenters and steelworkers and machinists and clerical employees—every worker in the United States—is better paid than his opposite number in some other country.

Our shipyards aren't unique—they're just like any other American industry—and the fact of the matter is that our workers are better paid in all industries because we just happen to have the highest standard of living in the world.

So why take it out on the shipyard worker—or the American sailor?

The trouble with the plans of the people in the Administration to build ships in foreign yards is that they just plain refuse to look at the whole picture.

They look at the price of a single ship—and they say it's too high.

Don't they realize what could happen to the American economy if we stopped building ships in this country—and turned to foreign yards to do the work?

Sure, it would throw shipbuilding workers out of their jobs—but it would also hurt our basic industries—metalworking, mining, and the like—because they rely on the shipbuilding industry for a good share of their business.

I have seen figures which indicate that if American shipping companies could build all the ships they want in foreign yards, it would cost the American economy several billions of dollars a year—and I'm just talking about the *private* sector of the economy.

It would also have a devastating effect on the *public* sector.

Shipyards that aren't productive aren't going to pay corporate profit taxes—and unemployed shipyard workers aren't going to be paying income taxes—so right away, the government loses a healthy share of its income.

And that's not all: Because people who are unemployed receive all kinds of public funds—unemployment compensation, public assistance, retraining allowances, poverty-war assistance, and the like—so, in addition to losing their status as tax-*payers*, these people will become tax-*users*—and that's not good for the economy.

In addition, of course, building foreign will hurt our balance of payments—and we certainly have heard enough from this Administration, and from other Administrations over the past ten years, to realize that any outflow of gold of the magnitude that would be involved in foreign building of U.S.-flag vessels is something we simply can't afford—not if we hope to keep our economy healthy.

The ship operators who seem so dead set on building abroad try to make an argument that the shipping industry is being penalized by this insistence on building at home.

Apparently the ship owners think the Merchant Marine Act of 1936 is fine, as long as it gives them operating subsidies so that *they* can compete with low-wage foreign shipping lines—but that there's something wrong with the same law because it protects our shipyards against unfair competition from these very same low-wage countries.

The operators can't have it both ways—and, even more important, the country can't have it both ways.

We've got to continue to protect the *entire* maritime industry—that's why the 1936 Act was passed—and the only way to protect the whole industry is to keep the law unchanged.

I'd like to go even further—I'd like to increase the federal investment in our shipyards for the next five years or so, to make sure that they modernize as rapidly as possible—because I think money put into streamlining our shipyards *now*, will pay off in terms of lower costs—to the government and to the industry—in the future.

History has already shown us what American dollars can do for the shipbuilding industry.

Under the Marshall Plan, the U.S. invested over a billion dollars to rehabilitate war-torn European shipbuilding facilities—and we poured huge sums of our tax dollars into rebuilding the Japanese ship yards after World War II.

These funds enabled them to modernize their yards so completely that they are now competing with our own ship building facilities—and that's the irony of the whole situation—that we put up the funds to help these yards put our own shipbuilding capability in peril.

Can you imagine what would have happened if we'd invested the same amount of dollars in our *own* shipyards—the yards that made victory in World War II possible, by turning out thousands and thousands of vessels for the great convoys that carried men and materiel to all of the war theaters?

Had we spent the money at home, we'd be top dog in shipbuilding today.

Now, I'm not arguing against the decision to help put these countries back on their feet after the war—but I sure do think it's wrong to help somebody else and to neglect our own needs.

But this isn't just an economic question.

We have to be assured of having shipyards available and fully capable of expanding to meet any emergency—and we're certainly not going to have that kind of capability if we turn to foreign yards now to build our merchant ships.

In time of war, we have to be assured of quality, of quick delivery, and of prices that won't skyrocket simply because some shipbuilder in another country sees a chance to make a fast buck at America's expense.

So we have to commit ourselves to the most efficient, powerful shipbuilding capability that is consistent with our resources—and constructing more merchant vessels in American yards will help achieve this goal.

I remain convinced that one of the surest ways of getting this maritime problem solved is to give the Maritime Administration back its independence—to free it from the bureaucratic jungle of being part of another Executive Department.

Certainly no independent Maritime Administration is going to come into being to preside over the dissolution of the merchant marine—as the present Secretary of Transportation, who's fighting so hard to get maritime into his Department, seems intent on doing right now.

An independent agency will have a direct line to Congress—and we're already trying to make it easier for this agency to operate by giving the House and Senate merchant marine committees authority to pass on the annual maritime budget.

This will mean that the Congressional committees responsible for the *program* will also have something to say about the *money* for that program.

An independent agency—working with a Congress that is prepared to move in the proper direction—can do a lot to get us moving—can devise a program for ship construction and ship operation that will insure that we have a new, fast and efficient fleet that can compete with the other maritime powers.

Our defense is at stake . . . our economy is at stake . . . and our national prestige is at stake.

I'm confident we can get the job done—and done this year—as long as we all work together toward the same goal.

Thank you very much.

Minority Views of Hon. John Conyers, Jr., on the Conference Report on H.R. 2508, the Congressional Districting Bill

EXTENSION OF REMARKS

OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 27, 1967

Mr. CONYERS. Mr. Speaker, to be a conferee on a bill, particularly a major item of legislation, is a great privilege. I was honored to serve with distinguished colleagues who have attempted to fashion an acceptable compromise between the House and Senate versions of this bill. Unfortunately I regretfully find that I must dissent from the report of my fellow House conferees and instead report to the House my dissenting views.

I felt that there were some provisions in the original House bill which, at best, would result in great confusion and much litigation, and, at worst, were unconstitutional and promoted gerrymandering. The Senate bill corrected these defects though it contained some provisions that I thought could reasonably be delayed until the 1972 elections in order to promote stability of congressional districts. After months of publicity and discussion of this matter, both in the Congress and throughout the country, I had hoped that the conference committee could fashion a compromise between the House and Senate versions which would satisfy the constitutional requirements of equal representation, but still reduce confusion, litigation, and instability of congressional districts. Unfortunately the conference report, in my opinion, raises more questions of unconstitutionality than did even the original House bill and it also could result in even more confusion, litigation, and delay than would be true if there was no bill at all. Finally the conference report could possibly result in a majority of the House of Representatives having to run at-large in the 1968 elections.

Because neither the House nor the Senate has held any hearings on their different versions of this bill, nor have hearings even been held on the overall question of congressional districting, many questions and items of confusion have developed regarding this bill. This conference report unfortunately adds to the confusion and questions since it eliminated provisions contained in both the House and Senate versions and substituted provisions contained in neither version. Of the many questions and problems that might possibly arise from this conference version, there are some particular points which I feel deserve special mention.

MANDATORY DELAY OF REDISTRICTING UNTIL AFTER THE 1968 ELECTIONS IN MOST STATES

Section 2 of both the House and Senate versions established specific standards for congressional districts for the 1968 and 1970 elections. Those provisions were completely eliminated from the conference report and the following language was substituted:

> SEC. 2. No State shall be required to redistrict prior to the 19th Federal decennial census unless the results of a special Federal census conducted pursuant to the provisions of the Act of August 26, 1954, as amended (71 Stat. 481; 13 U.S.C. 8), are available for use therein.

The statement of the managers on the part of the House states that—

> It is to be emphasized that nothing in the conference report prohibits a State from redistricting prior to the 93d Congress if it so elects.

However, the statement goes on to say that "The only requirement is that current census data be used if the redistricting is to be undertaken." From other references in the statement it seems to be clear that in almost all States current census data will mean that obtained through special Federal statewide censuses. Such special censuses can only be obtained upon a State's specific request and if it agrees to pay all costs. And according to the director of the bureau of the census, data from special Federal statewide censuses will not be available in most of the States, particularly the larger ones, in time to be used for drawing new districts for the 1968 elections. So though the bill itself states that no State shall be "required" to redistrict, the statement of the managers would seem to mean that, with almost no exceptions, no State legislatures would be able, even on its own initiative, to draw new districts for the 1968 elections.

PROHIBITION OF AT-LARGE ELECTIONS FOR THE 1968 AND 1970 ELECTIONS WAS ELIMINATED

The elimination of all provisions relating to the establishment of districts for the 1968 and 1970 elections and the substitution of the above language becomes particularly disturbing when it is noted that the prohibition of at-large elections contained in both the Senate bill and the House bill—with the exception of Hawaii and New Mexico—has also been eliminated.

What then is the effect of this bill on those nine States—New York, Tennessee, Massachusetts, Indiana, Texas, Missouri, North Carolina, New Jersey, and Illinois—whose congressional districts have been found to be unconstitutional and who have been ordered to draw new districts to be used in the 1968 elections? The bill specifically makes it impossible for the courts to "require" new districts to be established since it requires the use of special Federal censuses but which will not be available in most cases in time for the 1968 elections. The only way for the courts to both uphold their decisions enforcing constitutional rights but still attempt to uphold the guidelines established by this bill would seem to be the requirement that the Congressmen from each of these States run at-large in the 1968 elections. Though new Federal special statewide census data would be available to create districts for the 1970 elections, the requirement that the 156 Congressmen from these nine States must run at-large in the 1968 elections would seem to be quite extreme and unjustified.

Presumably the same situation could develop in Florida and Ohio where final adjudication of court suits regarding congressional districts are still pending. These two States have a total of 36 additional Congressmen.

Also would not the same situation develop in other States if court suits are now filed? Presumably this would be particularly revelant in those five States where no court suit is now pending but which were required to redistrict by the original House bill because the population deviation between the largest and smallest districts were more than 30 percent. The presumed assumption underlying that requirement of the House bill was that these States districting plans were clearly violative of the Constitution and should therefore be required to redistrict without even the necessity of a court suit. These States include California with a 95.1-percent variance, West Virginia with 39.2 percent, Georgia with 38.2 percent, Pennsylvania with 35.1 percent, and Nebraska with 31.1 percent. These five States are represented by 83 Congressmen. Would they possibly have to run at-large?

Since most of these 16 States I have mentioned are rather large States there is small chance that the Bureau of the Census could compile special Federal statewide census data in time for the 1968 elections. This would mean that possibly as many as 275 Members of the U.S. House of Representatives, a rather large majority, would have to run at-large in the 1968 elections.

Now, of course, the courts do have one other option, instead of trying to conform with this bill, and that is simply declaring that enforcement of rights guaranteed by the Constitution cannot be delayed because Congress prefers that up-to-date census data be used in drawing congressional districts, however preferable that might be.

Though some might suggest that the courts would then probably allow the current districts to be used I would suggest that is quite unlikely, to say the least. In nine States Federal court decisions have been handed down, many of them confirmed by the Supreme Court, holding that these current congressional districts are unconstitutional. That determination, and any possible future determination, was based and would be based on what the Constitution requires and Congress cannot by legislative act make constitutional what is not.

In my own opinion the courts will probably declare these provisions of the bill unconstitutional if they do not declare the whole bill unconstitutional. Certainly it would be far better for the conferees to meet again and attempt to fashion an agreement between the Senate and House versions which, while still reducing litigation, confusion, and the constant reshuffling of congressional district lines, would still be constitutional, reasonable, and equitable.

Massachusetts Committee, Catholics, Protestants and Jews, 30th Annual Dinner

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 27, 1967

Mr. McCORMACK. Mr. Speaker, the Massachusetts Committee, Catholics, Protestants and Jews, in existence for at least three decades, is a great American organization for the furtherance and strengthening of understanding among our people, and in the bringing of justice to our people. The committee operates without paid quarters or any paid help, and with funds derived solely from voluntary contributions by its members and many friends and supporters.

On the evening of May 18, 1967, at the Statler Hilton Hotel in Boston, Mass., this splendid organization held its 30th annual dinner. On the occasion of each annual dinner, the committee confers awards and citations upon three persons selected principally because of their "nobility of character."

At the recent banquet, Hon. Jacob J. Spiegel, justice, Massachusetts Supreme Judicial Court, was the toastmaster, and H. D. Hodgkinson, an outstanding citizen, was general chairman.

The recipients of the awards and citations at this year's banquet were—

First, U.S. Senator EDWARD M. KENNEDY.

Second, Sandy Koufax, triple winner, Cy Young Award.

Third, Ralph Lowell, trustee, Lowell Institute.

The banquet, one of the outstanding events of Massachusetts, and in particular, of the Greater Boston area, was attended this year by at least 1,200 persons. This is an organization which other sections of our country might well emulate.

The members of this constructive organization are outstanding men in all walks of life—religion, government, law, medicine, finance, business, in the field of science, and in all other human activities.

The members of this splendid organization are too numerous to mention, but there is one who richly deserves mention—whose dedication to this committee is recognized by all and whose untiring work and leadership has played a most important part in its success. I refer to Ben G. Shapiro, its secretary since its inception.

For 30 years leaders in the Catholic, Protestant, and Jewish faiths have worked together in this committee to improve group relations. It engages in many outstanding activities, too numerous to mention, but among which are—

Good citizenship program of the Boston Park Department.

Tufts University civic education project.

Brandeis University Three Chapels program.

Human Relations Center at Boston University.

Massachusetts Department of Education.

And, in addition, the committee has distributed many thousands of copies of educational material to schoolteachers and heads of educational institutions throughout the United States. For the last 16 years it has conducted an annual junior good will dinner, bringing together boys of the Boston public and parochial schools, which has created favorable comment by leaders in human relations throughout the country.

The general aims and purposes of this splendid organization are—

First, to sponsor good will work in the general community of Greater Boston;

Second, to serve as a medium through which representative citizens can endorse the basic democratic principle of good will among men of different faiths and different racial origins;

Third, to bring out and emphasize the many fine things which citizens of different faiths have in common; and

Fourth, to encourage and support those forces in the community which generate in the individual a respect for the validity and dignity of each other individual's particular religious faith, with no qualifications or reservations based upon racial origins.

Fifth, the committee is a separate, independent association, not connected with any other local or national organization.

In my extension of remarks, I include—

First, introductory remarks of Oscar W. Haussermann, chairman of the committee;

Second, remarks of Hon. Jacob J. Spiegel, toastmaster;

Third, remarks of Hon. John F. Collins, mayor of Boston;

Fourth, excerpts from the remarks of Hon. Francis W. Sargent, Lieutenant Governor of the Commonwealth of Massachusetts;

Fifth, remarks made by Ben G. Shapiro, secretary of the committee;

Sixth, remarks made by Joseph M. Linsey in introducing John J. MacMillan;

Seventh, remarks of John J. MacMillan of Boston College High School;

Eighth, remarks of Ralph Lowell, trustee, Lowell Institute;

Ninth, remarks of Sandy Koufax, triple winner, Cy Young Award;

Tenth, remarks of Hon. EDWARD M. KENNEDY, U.S. Senator;

Eleventh, citation and testimonial presented to Mr. Ralph Lowell;

Twelfth, citation and testimonial presented to Hon. EDWARD M. KENNEDY;

Thirteenth, citation and testimonial presented to Sandy Koufax.

Introductory Remarks of Oscar W. Haussermann, Chairman, Massachusetts Committee of Catholics, Protestants, and Jews, May 18, 1967

Reverend Clergy; Your Excellency, Lieut. Governor Sargent; Your Honor, Mayor Collins; Distinguished Guests; Ladies and Gentlemen:

To all of you I extend, on behalf of our amorphous organization, a hearty welcome to this, the Thirtieth Annual Senior Good Will Dinner of our Massachusetts Committee of Catholics, Protestants and Jews.

I say "our amorphous organization" because that's what our Massachusetts Committee is. We have no charter, no by-laws, no bicameral set-up of rulers, no hired quarters and no paid help. But we do have Ben Shapiro and we do have a truly American and an increasingly important purpose. That purpose is to bring the day-in and day-out practices of our democracy closer to its preachings through the lessening of group prejudices and the promotion of good will and understanding among our fellow Americans of different faiths and racial origins. We have reason to believe that our thirty years' war on prejudice and bigotry has improved the social climate of this old community. And we know that the friendly backing which we've always received from thoughtful, representative citizens, such as you who are here tonight, has encouraged us to carry on.

My assignment this evening is to present to you your Toastmaster. As most lawyers in these parts know, after his graduation from the B. U. Law School he engaged for a goodly number of years in the practice of the law as an active trial lawyer. Thereafter he served in turn as a Municipal Judge, as the Legislative Secretary to Senator Henry Cabot Lodge, as First Assistant Attorney General of Massachusetts, as counsel of the Port of Boston Authority and as general counsel of the Massachusetts Health Research Institute. In the course of his impressive career he's received honorary degrees from institutions of learning and awards from civic associations for distinguished public service. In 1961 he was appointed to his present position of Justice of the Supreme Judicial Court of the Commonwealth of Massachusetts.

Ladies and gentlemen, your Toastmaster, Mr. Justice Jacob J. Spiegel.

Remarks of Hon. Jacob J. Spiegel

It is a warm and satisfying feeling for me to be here this evening and to actively participate in honoring the three notable gentlemen who are to be the recipients of the Committee's citations.

All of us are aware, I am sure, of the extraordinary era in which we live. In the midst of massive scientific achievements we have yet to resolve the conflict between the tortuous and obscure philosophy which enslaves mankind and the philosophy which upholds the dignity of the individual.

Scientists tell us that from 1496 B.C. to the present time—a period of some 3500 years—there was only a comparatively brief period of some 230 years of peace in the so-called civilized world. During my own lifetime I cannot recall a single period when some part of the world was not engaged in bloodshed. However, we need not look beyond our own shores to witness evidence of man's inhumanity to man.

In our own country—we are today witnessing a social revolution in which an oppressed minority is crying out for simple justice. Whether we agree with the methods employed is not the issue. The fact is that too many of us remained silent when we should have spoken. To that extent we bear a substantial portion of the responsibility and a substantial portion of the guilt.

I realize of course that there is no simple, magical formula for the elimination of bigotry and intolerance. Ideas can be conceived but to be effective they must be given life. We must make imaginative use of the instruments at hand.

When we are asked—"Am I my brother's keeper"? The answer must be "Yes." An overwhelming "Yes." For if our society is to be maintained and strengthened we must have a common faith in the dignity of man, regardless of his race, his color or his religion. Every human enterprise depends on it. Indeed, the peace and freedom of all mankind depends upon it.

Wherever bigotry and intolerance exists as part of the archaic pattern in the human mind it must be uprooted by education and replaced by warmth and understanding.

This committee of Catholics, Protestants and Jews is a perfect illustration of what thoughtful men with a creative ideal can accomplish. It has been, and still is, in many ways, a dramatic and historic adventure, for it recognized the indisputable fact that man was created free even though born in chains. This committee put into action forces that helped to sever the chains of bigotry and racial intolerance. It has become a strong and effective instrument of social policy, setting an example for others to follow.

I know that we shall continue to keep our standards high—striving—at all times—to reach the altruistic goal of a true "brotherhood of man" and the promise of a glorious future so that we in America may remain a free people under "one flag, one land, one heart, one hand, one nation, evermore."

Remarks by Hon. John F. Collins, Mayor of Boston

It is with a sense of pride and deep appreciation that I extend to this fine audience and the outstanding men we honor tonight, a most sincere welcome in behalf of the citizens of the city I have the honor to serve.

To their felicitations I heartily honor my own.

Boston—as everyone is aware—is a city rich in priceless American tradition. This wonderful occasion marks the 30th annual meeting of the Massachusetts Committee of Catholics, Protestants and Jews. I feel privileged to salute an organization which has now become one of those proud traditions.

Years hence, the work to which this committee has now devoted three long and fruitful decades will serve as a hallmark to designate the appreciation of this city and this state in the vital recognition of the Ecumenical Spirit.

You know and I know that if this nation is to attain the true measure of its unlimited potential for greatness—human understanding, in its truest sense—must prevail.

Back in 1936 when this organization was born the phrase—"Ecumenical Spirit"—had not yet become a part of our everyday language. At that time our nation was gripped by a most acute economical depression. Yet, even as we suffered the punishing ravages of those years of despondency and crisis we became more united.

In Boston today "Ecumenical Spirit" is not merely an inspiring phrase. Nor is it a phrase serving only to define some worthwhile goal to be attained at some hazy time in the future. It is here today. It will remain with us in the days ahead. Due in no small measure to organizations and individuals such as yourselves—the "Ecumenical Spirit" is a real and vital part of the climate of our city and our state. In such a climate—hate and deliberate misunderstanding cannot survive.

Your organization has served to enrich our knowledge of the most complex of all God's creatures—man himself. You have underscored heavily the age-old truth that no human is born with a soul tainted by the venomous poison of hatred—of malice predicated on the race in which a man is born or the altar at which he worships. That hatred and malice must be created by himself.

Once again tonight we honor three men who stand in sharp contradiction to any conviction that the seeds of true achievement are only afforded those who come within the narrow sights of the bigot's microscope.

To most of us, Sandy Koufax is known in this part of the baseball-loving world principally through the picture tube, the sports page and the record books. I share with everyone here the fervent wish that the fates and shrewd scouting reports which made him a member of the Los Angeles ball club had been working instead for the Boston Red Sox.

We would have welcomed him here. Indeed, he might have been elected Mayor of our city. Looking at him tonight I would say that even if that good right arm[1] has retained only a fractional part of the strength and magic of his recent world series years, he would be welcome here right away. I'd be glad to ask Tom Yawkey to give him a job, tomorrow.

Our senior Senator preserves for our Commonwealth the courage of which his gallant brother, our late President, wrote so inspiringly. His concern for the so-called minorities is not limited to words. He recognizes the capacity of that now steadily shrinking segment to bully and exploit those on whom they would stamp the brand of inferiority.

He has put into action the prestige of his office and the power of his vote to further the just aims of those he represents—not as Catholics, Protestants or Jews—but as members of a community which derives much of its strength from the brotherhood of man.

When we were yet a very young nation moving into the fields of commerce and trade there were bars on the windows of most of our banks and the austere office of the merchant was not only dull and gloomy but forbidden to all but a few.

Mr. Ralph Lowell has seen many changes come to the world of business. He has seen the roll-top desk hidden away in a stern corner office give way to the newest in lighting and cheer. He has seen the cold isolation of the business world dissolve before a recognition of the merchant's proper place in the community.

He has not only witnessed the change. In his long career of service he has been a motivating influence in achieving the change.

In the distant future when historians will be assaying the 20th century—particularly as it concerns this old City of Boston, his name will be mentioned often for the role he has played in our progress.

His love of Boston and its best interests are exceeded only by his devotion and unselfishness to that progress.

Jew, Catholic, Protestant . . . We honor tonight three outstanding men of achievement. They stand as symbols of a unity that must be constantly enhanced in our daily lives.

Tonight the Massachusetts Committee of Catholics, Protestants and Jews deserves a universal accolade. It has not only served to make our City and our State better for its existence. It has helped all of us to better citizens.

EXCERPTS FROM THE REMARKS OF LIEUTENANT GOVERNOR SARGENT

I bring to this gathering tonight the Greetings of the Commonwealth and the deep regret of Governor Volpe that he is unable to be here because of a mandatory trip to Washington. The unforeseen is the inevitable in public life, but the Governor wanted me to say particularly how deeply disappointed he was to miss this event. . . .

For myself, I would like to say that I look forward to the day when gatherings of this kind will be obsolete—because we will have reached our goal of making brotherhood a way of life and not a sought-after hope, when brotherhood will be a commonplace and not an aspiration. . . .

Religious co-operation and fellowship have made great strides in very recent times. . . .

This Protestant was a deep admirer, for example, of the Roman Catholic Pope John, whose spirit, warmth, vision and, not least, sense of humor, generated better understanding among men and women of all creeds. . . .

The ecumenical movement he sparked will have effects that will transcend even his own expectations and hopes. . . .

Here in Massachusetts, it is my hope that every day brings us closer to transforming his philosophy, the philosophy of the basic brotherhood of man, closer to a living reality. . . .

REMARKS BY BEN G. SHAPIRO

Gentlemen of the Clergy, Lieutenant Governor Sargent, Mayor Collins, our guests of honor, distinguished guests, ladies and gentlemen, tonight is a milestone in the history of these dinners—for tonight we celebrate the thirtieth anniversary of these dinners. In 1937 the dinner was symbolic to that of a candle flickering in the darkness of social relations. Tonight it is a burst of light showering upon the city and the commonwealth. For over the past three decades something wonderful and great has happened in the area of brotherhood and understanding among men of all religious beliefs, for men and women of all national origins, for the community that has transcended from the old Boston to the new Boston.

We all know that cities are much more than bricks and mortar, expressways and skyscrapers. It is now, and always will be, people. And more than that, it is the climate and the atmosphere in which people live and work, play and plan together for the common good.

The Massachusetts Committee Catholics, Protestants, and Jews first assembled when there was, indeed, much to be desired in the climate and atmosphere of Boston. We can, unashamedly, point with pride to our efforts in creating and forging a climate of brotherhood that is cited as an example around the country.

We started off with some general aims and purposes to which we still cleave and cling. I would like to recite them again, for they are permanent in our policies:

"To sponsor good will work in the general community of greater Boston;

"To serve as a medium through which representative citizens can endorse the basic democratic principle of good will among men of different faiths and different racial origins;

"To bring out and emphasize the many fine things which citizens of different faiths have in common; and

"To encourage and support those forces in the community which generate in the individual a respect for the validity and dignity of each other individual's particular religious faith, with no qualifications or reservations based upon racial origins."

My memories are full of the sunlight of the help that people of good will have given us through these past three decades. On every frontier was—and is—the beloved Richard Cardinal Cushing. His help has been limitless. There were the pioneers—Charles Francis Adams, Victor Friend, Oscar Haussermann, Judge Abe Pinanski, Hon. John W. McCormack, Governor John A. Volpe, Justice Paul G. Kirk, H. D. Hodginkson, Ralph Lowell, Mike Kelleher, Sidney Rabb, and Ralph Eastman. Oh, I could mention an almanac of names. There have been so many! Boston and our community is better because of these men. I salute them—one and all—with all my heart.

Your committee, during the past year, has continued its interest in the human relations activities of our fine colleges and universities. We have supported the Tufts University Civic Education Center and the school of human relations at Boston University. We support the functioning program of the Catholic, Protestant and Jewish chapels at Brandeis University. We are involved with the Institute of Human Sciences at Boston College. Tonight, as in years past, we have as our guests students from Greater Boston colleges and universities.

One of the highlights of the year is the junior good will dinner at Fenway Park, where youths from public and parochial schools have the teen-age version of this dinner. Youths are gathered together in the spirit of friendship and brotherhood—just as we have it in evidence here tonight.

I must not forget our cooperation with the honor certificates for playground leadership, awarded by the mayor to boys and girls of the elementary schools in recognition of their good citizenship.

These 30 years have been memorable years for me. And there seems to be a golden cord that links all of us together. I believe the chief characteristic of the people gathered here tonight is "responsibility." People who are responsible. People who know, first of all, that the cancer of prejudice is the disease of unthinking men, of unfeeling men. Prejudice, as you know, is made up of two Latin words. They mean pre-judge. To pre-judge a person, an institution, an idea, without looking for the facts, the arguments on the other side of the coin, the other points of view, the numerous other possibilities—all of that is nonsense.

There are people with prejudices still being studied by the psychologists, sociologists, and moralists. But, for me, right here in this hall is a living laboratory that shows when people of good will get together, sit down and break bread with one another, have respect and regard for other people—the rocks of prejudice are crumbling, and being reduced to dust. Let us continue chipping away at this rock.

Thank you very much.

CARDINAL'S RESIDENCE,
Brighton, Mass., May 10, 1967.

MR. BEN G. SHAPIRO,
Boston, Mass.

DEAR BEN: Learning of the 30th Anniversary of the Massachusetts Committee, Catholics, Protestants and Jews, I am taking the liberty of offering you and those interested in the Committee my congratulations.

Over the years you have done much to create a friendly atmosphere in this area among all groups. It is essential that in these changing times we should all be united in a bond of unity, love and esteem. The problems of the future will be great but if we are united they can be solved in a very effective way. It takes a long time to inaugurate social justice on every level. Patience, therefore, is a very essential asset towards mutual love, respect and esteem.

You, yourself, have done much over the past three decades to keep alive the Massachusetts Committee, Catholics, Protestants and Jews and I commend you for your efforts. I doubt if the Committee would have survived without you.

With affectionate greetings and highest esteem, I am

Devotedly yours,
RICHARD CARDINAL CUSHING,
Archbishop of Boston.

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[1] By now everyone who didn't know it before knows that Koufax was one of the best southpaw pitchers in National League history.

But, be he right-handed or left-handed, Boston would be proud to call him its own.

REMARKS BY JOSEPH M. LINSEY, INTRODUCING JOHN J. MACMILLAN

Mr. Justice Spiegel; Reverend Clergy; Senator Kennedy; honored guests; ladies and gentlemen: The hope and prayer of today is that we shall be able to build for a better world tomorrow. The fulfillment of that hope lies with our youth, our boys and girls who will be the leaders of tomorrow. The future of our Country will be shaped and molded by them. So we look to our young people for a sign of what the future world shall be.

Annually, in January, our Massachusetts Committee conducts a junior good will dinner, in the Press Room of the Boston Red Sox at Fenway Park. These junior dinners are sponsored by outstanding citizens, and are attended by several hundred students from the public and the parochial schools. This junior event was started sixteen years ago by Michael Kelleher (of blessed memory), and Ben Shapiro, in order to foster a sense of community cooperation and brotherhood in our young people. Since the beginning of this junior event over 2500 boys have been our guests, and pretty much all of them have gone forward with credit to themselves and to the community.

At each of these annual junior dinners four boys, previously selected by their Headmasters, give talks on what brotherhood means to them. It is my great pleasure and privilege tonight to present one of these youngsters to you.

John J. MacMillan is one of the four young men who spoke at the most recent annual junior dinner held on January 25, 1967. He is a Junior at Boston College High School, where he has achieved honors, in the Classics. He is a member of the Sophomore Honor Society. He is exceptionally gifted as a debater. As recently as this past May 6th John J. MacMillan, together with his partner Richard Lewis, placed first and won the National Debating Championship of the National Catholic Forensic League Tournament at Atlantic City. This is a brilliant boy, exceptionally gifted, who exemplifies the best of our youth. In him, as in all youngsters of such ability, dedication and high-mindedness, we read the promise of a better world, free of bigotry, and filled with decency, understanding and cooperation.

Let me give you one of our best. I take great pleasure in presenting John J. MacMillan.

REMARKS BY JOHN J. MACMILLAN, BOSTON COLLEGE HIGH SCHOOL

Good evening, and thank you. I'm very honored to be speaking here tonight, and very grateful to those who have made this opportunity possible. But I'm also a bit surprised at being asked to come back, because the last time I spoke on "Brotherhood," I was against it. And I'm still against it.

Because I believe that "brotherhood" has done more harm to individual relationships, organized religions, and world peace than anything else I know.

Perhaps I should explain . . .

The problem is this: We're asked to love one another in the name of brotherhood, but "brotherhood" is an abstraction, and you simply can't love an abstraction. You can't love "the Negro," "the Vietnamese," "the Catholic," "Protestant," or "Jew." Love must be directed toward an individual person. But we fail to associate these abstractions with real people.

On the other hand, most of the hate and prejudice in the world is aimed at these abstractions. White men seldom hate an individual black man, they simply hate "the Negro." Men of one religion are seldom intolerant of an individual man of another faith. They blindly direct their animosity toward "Jews," "Catholics," or "Protestants." And even in war, a soldier's hate is aimed at an abstraction—"the enemy." Men find it very easy to hate an abstraction; but hating isn't so easy when you're standing face-to-face with another man.

Erich Maria Remarque, in his classic war novel *All Quiet on the Western Front*, illustrates the notion I'm trying to express in a very graphic scene.

Those of you who have read the book will remember the scene well. The time is World War I. The main character is a German boy, taken from his high school classroom and impressed into the defense of the fatherland against the hated French. For three years he fights "the enemy", amidst mud and fifth and hunger and death. For three years he scrambles from trench to trench, firing endless rounds of ammunition at an enemy he never sees. Then one day he meets "the enemy". Crouched in a shell-hole in the middle of no-man's land, the boy feels the weight of a soldier toppling down on him and sees the uniform of the enemy. With no thought except survival the boy thrusts his knife into the enemy—recoils in horror—and watches the enemy die. It is at this point that the young German boy meets the enemy for the first time. And what he meets is not an enemy at all, but a man, a plump, rather jolly-looking man, with large, saucer eyes and a comical black mustache. He meets a man—a person. And as he watches his fellow-man die, the young German boy begins to speak. And he says to his fellow soldier:

"Comrade, I did not want to kill you. If you jumped in here again, I would not do it. But you were only an idea to me before, an abstraction that lived in my mind and called forth its appropriate response. It was that abstraction I stabbed. But now, for the first time, I see you are a man like me."

In our world today, many similar meetings are taking place. And, thanks to organizations like this one, these meetings can take place more frequently, and less tragically. Because of these meetings many men *are* realizing—some for the first time—that there are no walking abstractions, but only men like you and me. There is no such thing as "the enemy," "the Negro," "the Catholic," "Protestant," "Jew." And there is no such thing as "Brotherhood"—unless, of course, it exists between a brother and a brother, between a person and a person, regardless of race or religion. This banquet tonight, among Protestants, Catholics, and Jews, is giving us all a chance to meet one another. But when you do meet, don't look for brotherhood, look for a brother.

SPEECH BY RALPH LOWELL

Gentlemen of the Clergy, His Excellency Lieut. Gov. Sargent, His Honor Mayor Collins, distinguished guests, ladies and gentlemen, this is the 30th annual dinner of the Massachusetts Committee of Catholics, Protestants, and Jews; and for 25 of these years I have been a member of its Executive Committee.

You already know from the program the scope of this committee's activities and the progress that has been made in interfaith brotherhood, a progress that has, I believe, been in great part due to this committee's quiet, unassuming work and to the efforts of Ben Shapiro, the man who started the committee and who has guided its policies for its thirty years.

Several years ago I presided at one of these dinners and took for my text *Differing in Creed, in Spirit One;* and as we gather together each year to renew friendships, to break bread, and to weigh the progress of brotherhood, I think that the text continues to be appropriate—*Differing in Creed, in Spirit One.*

Many years ago when Reverend Theodore Parker was asked what his Unitarian Church stood for, he replied, "The Fatherhood of God, Brotherhood of Man, the Neighborhood of Boston." As we all know, we have come a long, long way on the road of brotherhood since then.

To mention a few milestones on this road: there was Cardinal Cushing's attendance at Temple Ohabei Shalom's annual Good Will dinner in 1946; there was the time that the Very Reverend Michael J. Walsh, S.J., President of Boston College, invited the Temple to hold its annual dinner at Boston College when the Temple's dining hall was being renovated; and there are the three chapels at Brandeis. There are Protestants and Jews on the Board of Regents of Boston College. There are Catholics, Protestants, and Jews on all the governing boards of our great universities, of our museums, and of our Boston Symphony board. Priests, ministers, and rabbis share each other's pulpits. These advances in brotherhood have also been seen in the business world, in our banks, and on our charitable boards. I have served or am serving on many boards and I have seen no distinction on any of them between our three groups.

Massachusetts has led the nation in this respect, as it has in many ways; let us look at the record. Massachusetts gave the nation its first Catholic president; the forebears of our third-term governor came not so long ago from Sunny Italy; our Junior Senator is the first of his race to grace the Halls of Congress since the Civil War. What is more important, these men attained their high office as men and not because of their race, color, or religion.

Yes, great progress has been made; but we cannot rest on our laurels—there is still much to be done. Our stress during the past thirty years has been primarily on religious intolerance; to a really remarkable degree I believe that this has been almost entirely wiped out. There remains before us the great area of intolerance toward our Negro citizen, an intolerance that has led to grave injustice. I believe every person in this hall knows that it has been undeniably proven that an educated Negro is fully qualified to rank equally with an educated man of any other color. The problem then is to see that every Negro child has an education of the highest quality, yet all reports from our state surveys show that in many instances the educational facilities now offered to our Negro children are inferior. This must be corrected, and I am happy to say that our School Committee in Boston is gradually coming around to this point of view.

I feel that our work toward Brotherhood has brought forth fruit undreamed of 30 years ago; let us continue to bring friendship and understanding to every citizen of our land. This is not a simple matter. There is great intolerance of the Colored man—there is still a large hidden "white backlash," but it seems to me that those of us who believe strongly that every citizen of our country should have equal rights must stand up and be counted.

In the matter of education alone we have severe problems. Many Negro children are handicapped by broken homes and ghetto living conditions, and often the children from such homes never catch up to those who have had more fortunate early years. So that even the problems of these handicapped children who will be our adult citizens in a few years must be given special thought and action.

We must look closely at all of the schools in the Negro neighborhoods and see that the teachers there are of the same high caliber as those in the while schools; we must encourage speedy integregation of these schools, for the benefit of both the white and colored children. All of these things must be done and many more.

Time is running out for my generation and we must hand the torch of brotherhood to younger men, men such as you are honoring here tonight, confident that they will hold high the torch and hand it to their sons and they to theirs that generations yet unborn may hand it to their heirs. Thus, through better understanding of brotherhood, peace may come to the world.

Remarks of Sandy Koufax

Mr. Cronin, Justice Spiegel, Reverend Clergy, honored guests, ladies and gentlemen, I too would like to thank the Mayor for my good right arm. I can only say that if there is any talent at all in my right arm I'd probably be in Chicago tonight instead of Boston. I've been told that some of the recipients of this coveted award include such distinguished people as Bernard Baruch, Eleanor Roosevelt, Gen. David Sarnoff, who incidentally works in the same building that I do, the Under Secretary of State Nicholas Katzenbach, Supreme Court Justice Abe Fortas, who may or may not have spent as much time on the bench as I have in the past, and the Lord Mayor of Dublin, Mr. Briscoe. Looking at that starting line-up I sort of wondered why anybody would see fit to give this great honor to a retired Brooklyn baseball player with an arthritic elbow. I must admit that I am totally unaware of what I may have, or may not have done to be considered to deserve such an honor. As far as I can remember, I have never done anything specific to further the cause of brotherhood. I only lived my life as I felt and thought was best. If I have been worthy of an award such as this it can only be attributed to my mother and father, who were charged with the responsibility of providing a sense of values. A baby is born blind and cannot see or does not know the outward differences in people. This difference must be planted, taught, developed and carefully nurtured. I think if brotherhood and equality is ever to exist it will not be brought about through the courts, through force. I think that true equality can only exist in the minds of people and in the minds of man. And I think this is the responsibility of this generation to the next. I am forced to admit when I was notified about being chosen for this award and asked to come to this dinner, tonight, I was asked to speak for 20 minutes. I wish I could say that time I was seized with an immediate sense of brotherhood. Fortunately, the request was later reduced to 10 minutes.

I immediately felt my compassion for my fellow man returning. And now when I've reached a point where I really have nothing more to say and have again chopped the allotted time in half, I begin to look upon speaking this evening as not so nearly an unpleasant task. I will always remember this evening with great pride and affection. During my career in baseball I have been fortunate to receive my share of awards, but none could mean nearly as much to me as this brotherhood award. To be chosen a valuable player is fine; to be considered a valuable human being is truly an honor. I hope I can always live up to it. I want to thank you all very much and add my congratulations along with yours to Mr. Lowell and Sen. Kennedy for also being recipients of this award. Thank you all very much.

Address by Senator Edward M. Kennedy

I am very grateful for your award. I have concerned myself with the issue of human rights, in Massachusetts and in the Senate of the United States, because I feel it is the great unfinished business of the nation. But I could not have done it if I did not represent a state in which human rights are sacred principles. When I made my maiden speech in the Senate in support of the Civil Rights Act of 1964, I had in my pocket a telegram from Cardinal Cushing that said, "On behalf of the two million Catholics of this state, I support this bill." The clergy of Massachusets have shown us that the great issues of human rights are moral issues, to be resolved through political institutions. Men like Reverend James Reeb have borne witness with their lives.

The people of Massachusetts believe this as well. We have the highest percentage of foreign born and first generation Americans of any state in the union. We know the evil of discrimination from the hard experience of our own forebears. Any award I receive must be accepted on behalf of all of them for their support on these issues.

Henry David Thoreau wrote in 1846: "I please myself with imagining a state at last which can afford to be just to all men, and to treat the individual with respect as a neighbor." I am proud to represent a state that has come so far toward this ideal.

Far—but not far enough. We should not intoxicate ourselves with self-congratulation. Harmony between religions may be at its highest point in our history. Prejudice against people remains. We see it in the patterns of housing in the suburbs, the promotion policies in some businesses, the veiled utterances of a few of our public officials, and in the hearts of men.

The greatest barrier to brotherhood today is not prejudice. It is apathy. It does not come from the aggressive bigot. He is shunned. It comes from the man who is for legislation which protects human rights—but he speeds in and out of the city on the great highways without looking at the ghettos he passes by. It comes from those who think civil rights demonstrations are caused by some agitator, instead of by broken families, hungry children and lives without hope. It comes from those who obey the law themselves, but do nothing about a bail system which lets the wealthy go free before trial, and keeps the poor in jail. It comes, most of all, from men of goodwill who are just too busy with their own careers and their own families to spend time fighting evils in the world around him.

We see a drift in our land which is pulling us apart into separate societies, of the rich and the poor, the white and the black, the haves and the have nots, with most of us concerned solely with keeping our own privileges and increasing our own comforts. All we have achieved in goodwill between religions and races could be destroyed unless we once more become one nation. Pope Paul was speaking to us, in "Populorum Progressio," when he said, "If today's flourishing civilizations remain selfishly wrapped up in themselves, they could easily place their highest values in jeopardy, sacrificing their will to be great to their desire to possess more."

Recently there was a study of pregnant mothers at the Columbia Point Project. Half of them had received no medical care at all during the most dangerous months of their pregnancy. The infant mortality rate in some slum areas of Boston is double what it is in the rest of the city. There are still 22,000 families here in Massachusetts of both races who live in poverty. The Negro in the Roxbury slum, or the hill section of Springfield, still goes to a segregated school, holds an inferior job and lives in the worst part of the city. We have passed many laws and started many programs. But can we really say we have done enough? Have we taken brotherhood out of the churches and synagogues and onto the streets? Thousands of Massachusetts boys fightly bravely in Vietnam tonight. Two hundred and seventy-one have died there. Can all of these boys, drafted to fight for the freedom of the people of Vietnam, come back to their own country and be sure of full freedom and opportunity as American citizens? I don't think all of them can. That is the shame and the challenge of our life in 1967.

We cannot ignore the poverty and discrimination of today. It will affect our lives and those of our children.

What we do about it will decide whether crime and violence continues to rise in Massachusetts. There has been a very dangerous increase especially in juvenile crime throughout the Commonwealth. And more police are not the only answer. Our streets will not be fully safe until the streets of the slums are paved with more opportunity.

What we do will decide whether or not we lose the $1 billion productive potential of human beings that poverty creates in Massachusetts today.

What we do will decide whether the riots that have scarred the streets of Watts and Harlem and Cleveland will come to Boston. For there is one emotion more bitter than prejudice: the hate in the hearts of those who are the *victims* of prejudices, and feel violence is their only out.

Our actions today are investments for our own security. Our failure will mean trouble for decades to come.

And so it is our responsibility not merely to attend a dinner, or accept an award, and then go home, but to make brotherhood a practicing part of our lives.

Not merely to *think* without prejudice, but to go out and work on the streets of the neighborhoods where the results of prejudice fester today.

We must do this because we are from Massachusetts. We have always been the leader. The eyes of the nation are always on us.

Lord Tennyson once said: "Come, my friends, 'tis not too late to seek a newer world."

Come let us expand tolerance into the broader form of active brotherhood that will make us what we want to be.

Citations and Testimonials

The Massachusetts Committee of Catholics, Protestants and Jews, at its Thirtieth Annual Dinner, presents this citation and testimonial to Ralph Lowell, civic leader who has won the respect and gratitude of good citizens within and beyond the confines of our Commonwealth. For more than half a century he has exemplified the enlightened spirit of his distinguished forebears, working effectively, albeit quietly and modest, for the welfare of his fellow men.

Since the start of his crowded career as a magna cum laude graduate of Harvard in 1912 and as a Lt. Colonel in World War I, we have come to know him as the President of the Boston Museum of Fine Arts; President of TV's WGBH Educational Foundation; head of the Lowell Institute; a Harvard Overseer; a member of the governing boards of such outstanding educational institutions as Boston College, Boston University, Massachusetts Institute of Technology and Northeastern University; Treasurer of the Massachusetts United Negro College Fund; and the recipient of numerous honorary degrees. We also know him as a trustee of the Massachusetts General Hospital, Deaconess Hospital, New England Medical Center Hospitals, McLean Hospital and the Vincent Hospital. Recently the press acclaimed him as a banker and businessman who today serves on more boards of directors than any other American.

In recognition of his wise and helpful service to our community, his colleagues who comprise the Massachusetts Committee of Catholics, Protestants and Jews present to their fellow member, Ralph Lowell, this citation and award.

Dated at Boston, Massachusetts, this eighteenth day of May, 1967.

The Massachusetts Committee of Catholics, Protestants and Jews, at its Thirtieth Annual Dinner, presents this citation and testimonial to Hon. Edward M. Kennedy.

The Senior Senator from Massachusetts is a national symbol of youthful energy and idealism, combined with mature judgment and broad experience. He proudly bears an illustrious name, but it does not overshadow his personal talents and accomplishments which make their own distinctive contribution to a noble tradition. He is in the forefront of that ceaseless combat which engages our loyalties; the battle to end man's inhumanity to man. He is the vigorous enemy of discrimination, deprivation and degradation wherever they appear. It is one thing to have a heart to which these scourges are abhorrent. It is another thing to have the perception which uncovers these evils, the stamina to battle their malice, and the faculties of intellect and imagination which are competent to devise the strategy for national and global victory over them. Senator Edward M. Kennedy has this total endowment of heart, will and mind and a total personal commitment to Justice as well. For to him the Constitutional mandate "to establish Justice" means to take practical measures in a massive effort, public and private, to eliminate the enforced ignorance, deprivation and segregation which perpetuate social and economic injustice. We single out this particular aspect of his many accomplishments in public life as we award him tonight this Citation from the Massachusetts Committee Catholics, Protestants and Jews.

Dated at Boston, Massachusetts this eighteenth day of May, 1967.

The Massachusetts Committee of Catholics, Protestants and Jews, at its Thirtieth Annual Dinner, presents this citation and testimonial to Sandy Koufax, world-famous athlete who is acclaimed by the followers of our national sport as baseball's greatest pitcher: an American whose character has earned the respect of his fellow men of every race and creed; and since December 1966 a national broadcaster on the television network of N.B.C., facing a new and challenging career that presages increased usefulness in the broad field of public service in the years to come. Today Sandy Koufax, by virtue of his conduct on and off the baseball field, is a national hero who has won the esteem and affection of good citizens throughout our land.

In recognition of his exemplary sportsmanship throughout his ten years as a baseball star and of his never-failing, enlightened and intelligent civic sense, the Massachusetts Committee of Catholics, Protestants and Jews presents to him this citation and award.

Dated at Boston, Massachusetts this eighteenth day of May, 1967.

SENATE

WEDNESDAY, JUNE 28, 1967

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, Father of all men, Thou hast taught us that in quietness and in confidence shall be our strength. In the midst of these feverish days we pray that Thou wilt breathe through the heat of our desire Thy coolness and Thy balm.

Take from our souls the strain and stress and let our ordered lives confess the beauty of Thy peace.

Strengthen us with Thy might that the anxious pressures of these days may not break our spirits and that no denials of human freedom now loose in the world may intimidate our souls.

As citizens of a world that carries on its sagging shoulders problems of human relationships and burdens of suffering greater than humanity has ever borne, make us inwardly adequate to be Thy ministers of reconciliation.

Give us a part in bringing in a redeemed world delivered from ruthless aggression which threatens the human gains of a thousand years.

We ask it in the name of that One who is the truth and the way. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 27, 1967, was dispensed with.

LIMITATION OF STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

THE SECURITY COUNCIL AND VIETNAM

Mr. MANSFIELD. Mr. President, the most urgent item of business in the world today is to bring about peace in Vietnam. But there will be no peace without negotiations, and there will be no negotiations unless fresh efforts are made to improve communication and dispel misunderstandings.

All of the efforts which the President of the United States has made to bring about the needed negotiations have been refused and we cannot be certain why. Perhaps there is a misunderstanding of U.S. purpose on the part of the North Vietnamese. Perhaps the North Vietnamese have a concept of an honorable peace which we do not understand. Perhaps they simply are not interested in peace, however inconceivable this may seem when it is the people of Vietnam, north and south alike, who are suffering the most. Whatever the case, every possible source of communication links must be exhausted.

The most obvious source, the United Nations, has scarcely been tapped. The brief discussion of Vietnam by the Security Council at the beginning of 1966 is an insignificant fraction of the amount of effort which could and should be made by the international organization established to maintain peace.

The Security Council is particularly suitable for inaugurating a fresh effort to bring peace in Vietnam because it was designed to act quickly in time of crisis. It is organized to function continuously, and it is limited to 15 members—originally 11—so that it can debate questions fully and efficiently. The five major powers were given permanent seats and a veto on substantive questions so that the decisions of the Council would have behind them the power necessary to carry them out. While the veto could prevent the Council from some actions, it could not prevent a discussion or an invitation to South Vietnam, North Vietnam, Communist China, and the National Liberation Front to participate in the debate.

The 10 nonpermanent members of the Security Council at the present time are Argentina and Brazil from Latin America; Mali, Nigeria, and Ethiopia from Africa; Bulgaria from Eastern Europe, and Denmark from Western Europe; Canada from North America; and India and Japan from Asia. Moreover, the Council presents an unusually competent group for a discussion of Vietnam. It includes the Cochairmen of the Geneva Conference: the United Kingdom and the Soviet Union. It includes two members of the International Control Commission, India, who is the Chairman, and Canada. It includes the United States, a major participant, and it includes France, whose experience and understanding of the Vietnam situation are well known. The other nations involved in Vietnam could be invited to participate in the debate.

The Security Council can no longer avoid assuming its responsibility in helping to promote peace in Vietnam. It must act soon if it is to replace a chain of events which may lead to disaster with a chain of events which will lead to peace.

Mr. President, I repeat: The most urgent item of business in the world today is to bring about peace in Vietnam.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5799. An act to amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such act may be deposited in savings and loan associations and related institutions, and for other purposes;

H.R. 8582. An act to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia court of appeals from two to five, and for other purposes; and

H.R. 10943. An act to amend and extend title V of the Higher Education Act of 1965.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 4241) to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments, and it was signed by the President pro tempore.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 5799. An act to amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such act may be deposited in savings and loan associations and related institutions, and for other purposes; and

H.R. 8582. An act to amend chapter 7 of title 11 of the District of Columbia Code to increase the number of associate judges on the District of Columbia court of appeals from two to five, and for other purposes.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Is there any further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

APPROPRIATIONS AUTHORIZATION FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, after consulting with the distinguished minority leader, the chairman and the ranking minority member of the Committee on Aeronautical and Space Sciences, the distinguished senior Senator from Wisconsin [Mr. Proxmire], and the distinguished junior Senator from Illinois [Mr. Percy], it is with their approval that I make the following unanimous-consent request.

Mr. President, I ask unanimous consent that, at the conclusion of the transaction of routine morning business, after the unfinished business is laid before the Senate, and following a quorum call, there be a time limitation of 40 minutes on each amendment, the time to be equally divided between the proposer of the amendment and the manager of the bill, the chairman of the committee, the senior Senator from New Mexico [Mr. Anderson], that 2 hours of debate be allowed on the bill, and that the usual regulations apply.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GLASGOW AIR FORCE BASE

Mr. MANSFIELD. Mr. President, I only wish I could comply with the request of my distinguished colleague and bring up the Glasgow Air Force matter at the present time, but I am afraid we would be subject to a little criticism.

The ACTING PRESIDENT pro tempore. The Chair would be receptive to a request from the floor.

Mr. MANSFIELD. That is a good suggestion.

CONTINUING APPROPRIATIONS, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 353, House Joint Resolution 652.

The ACTING PRESIDENT pro tempore. The joint resolution will be stated by title.

The Legislative Clerk. A joint resolution (H.J. Res. 652) making continuing appropriations for the fiscal year 1968, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 366), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

This joint resolution provides for appropriations for the continuation of those programs and activities of the Federal Government for which appropriations for the fiscal year ending June 30, 1968, have not been enacted. In this respect, the resolution is identical to previous resolutions for this purpose. All authority granted in this resolution terminates on August 31, 1967.

In those instances where the applicable 1968 appropriation bill has passed both Houses of Congress, but the amount or authority therein differs, the pertinent project or actively continues under the lesser of the two amounts and under the more restrictive authority.

In those instances where a bill has passed only one House of the Congress, or where an appropriation for a project or activity is included in only one version of a bill as passed by both Houses, the pertinent project or activity continues under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the one House, whichever is the lower.

In those instances where neither House has passed the applicable appropriation bill for the fiscal year 1968, appropriations are provided for the continuing projects or activities conducted during fiscal year 1967 at the current rate or the rate provided for in the budget estimate for fiscal year 1968, whichever is lower, and under the more restrictive authority.

Any obligations and expenditures incurred pursuant to the authority granted in this resolution will be charged against the applicable appropriation. Section 103 of the resolution provides—

* * * and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which applicable appropriation, fund, or authorization is contained is enacted into law.

As in previous continuing resolutions, authority is granted for the continuation of certain programs for which required legislative authorization has not been enacted. Examples of these programs are: Programs and activities of the Atomic Energy Commission; programs and activities of the Office of Economic Opportunity; programs and activities of the National Aeronautics and Space Administration and activities under the Food Stamp Act.

With regard to the continuation of the programs of the National Teachers Corps, the committee recommends concurrence in the following provision in the resolution as it passed the House of Representatives—

"*Provided*, That after June 30, 1967, and prior to the enactment of legislation extending the authorization for the National Teachers Corps beyond June 30, 1967, no new members shall be enrolled and no new contractual arrangements shall be entered into, other than those providing for the summer training of present National Teachers Corps members."

In recommending concurrence in this provision, it is the intent of the committee that this program is to be continued at a level no greater than the level of training for June of calendar year 1967.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Geisler, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. ERVIN, from the Committee on the Judiciary:

Woodrow W. Jones, of North Carolina, to be U.S. district judge for the western district of North Carolina.

By Mr. EASTLAND, from the Committee on the Judiciary:

John C. Begovich, of California, to be U.S. marshal for the eastern district of California.

By Mr. LONG of Missouri, from the Committee on the Judiciary:

Veryl L. Riddle, of Missouri, to be U.S. attorney for the eastern district of Missouri.

By Mr. BYRD of Virginia, from the Committee on Armed Services:

Charles F. Baird, of Maryland, to be Under Secretary of the Navy.

By Mr. JACKSON, from the Committee on Armed Services:

Paul H. Nitze, of Maryland, to be the Deputy Secretary of Defense.

By Mr. BREWSTER, from the Committee on Armed Services:

John T. McNaughton, of Illinois, to be the Secretary of the Navy.

By Mr. MILLER, from the Committee on Armed Services:

Paul C. Warnke, of the District of Columbia, to be an Assistant Secretary of Defense.

Mr. MILLER. Mr. President, from the Committee on Armed Services I report favorably the nominations of 46 flag officers in the Navy and one general officer in the Army. I ask that these names be placed on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Maj. Gen. Robert A. Breitweiser, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general while so serving;

Maurice H. Rindskopf, and sundry other officers, for temporary promotion in the Navy; and

Felix P. Ballenger, and sundry other officers, for temporary promotion in the Navy.

Mr. MILLER. Mr. President, in addition, I report also 553 appointments in the Air Force in the grade of major and below and 560 promotions in the Regular Army in the grade of first lieutenant. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Gene P. Abel, and sundry other officers, for promotion in the Regular Army of the United States;

Marcos E. Kinevan, for appointment as permanent professor, U.S. Air Force Academy; and

Richie S. Dryden, and sundry other persons, for appointment in the Regular Air Force.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DISTRICT OF COLUMBIA COURT OF APPEALS

The legislative clerk read the nomination of Catherine B. Kelly, of the District of Columbia, to be an associate judge of the District of Columbia court of appeals for the term of 10 years.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

JUVENILE COURT OF THE DISTRICT OF COLUMBIA

The legislative clerk read the nomination of John D. Fauntleroy, of the District of Columbia, to be associate judge of the juvenile court of the District of Columbia for the term of 10 years.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

The legislative clerk read the nomination of Alfred Burka, of Maryland, to be associate judge of the District of Columbia court of general sessions for the term of 10 years.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—IN THE PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read nominations in the Public Health Service beginning with Victor E. Archer, to be medical director, and ending with John B. Wiggins, Jr., to be senior assistant health services officer.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be notified immediately of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of Texas, which was referred to the Committee on the Judiciary, as follows:

SENATE CONCURRENT RESOLUTION 12

Whereas, The relationship that exists between the Federal Government and the government of the states is a matter of vital concern; and

Whereas, The states play an indispensable role in our Federal system of government; and

Whereas, Unless the trend toward restrictive categoric federal grants is reversed, these grants will so entwine themselves that a state's freedom of movement will be significantly inhibited; and

Whereas, There is a need and a justification for broader unfettered grants that will give states and localities more freedom of choice, more opportunity to express their own initiative which reflects their particular needs and preferences, all within the overall direction of national purposes; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following Article as an amendment to the Constitution of the United States:

"ARTICLE —

"Beginning with the first full fiscal year after ratification of this amendment by the requisite number of states, there shall be remitted to all of the states of these United States, an amount determined by the Secretary of the Treasury to be equal to not less than 5% of the aggregate total of individual and corporate income taxes paid to the United States during the preceding calendar year.

"Such funds shall be remitted to the States without restriction and this remission of funds shall be in addition to any other federal grant programs which may be enacted by the Congress.

"Each state shall share in such remission in proportion as the population of such state bears to the total population of all of the states, according to the last preceding Federal Census"; and, be it further

Resolved, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this Resolution prior to July 1, 1969, this application for a convention shall no longer be of any force or effect; and, be it further

Resolved, That a duly attested copy of this Resolution be immediately transmitted to the Secretary of the Senate of the United States and the Clerk of the House of Representatives of the United States and to each member of Congress from this state.

JOINT RESOLUTIONS OF THE GENERAL ASSEMBLY OF ILLINOIS

Mr. DIRKSEN. Mr. President, I present, for appropriate reference, two joint resolutions adopted by the General Assembly of the State of Illinois, and I ask unanimous consent that they be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolutions were received and referred, as follows:

To the Committee on Finance:

"SENATE JOINT RESOLUTION 63

"Whereas, To provide the kinds of services the people need and the financial and technical assistance the State and local governments need, the States must be made into a viable force for constructive change and progress; and

"Whereas, Rapidly increasing costs of health, education and welfare programs, coupled with dynamic expansion of population have placed financial burdens upon the State and local governments beyond the capacity of their traditional tax resources to bear; and

"Whereas, The Federal government dilutes potential sources of State revenue by extracting billions of dollars from the several States through the process of imposing burdensome and inhibiting Federal taxes upon the individual taxpayer; and

"Whereas, the individual States, which are directly responsive to the people, are in a more effective position to provide solutions for their own particular problems if the Federal government were to share these tax resources with the States; and

"Whereas, The Federal grant-in-aid system has not alleviated the tenuous financial condition of the States, but rather it has developed into an unfortunate program of confusion, duplication and overlap. The resultant impenetrable administrative entanglement has in many cases caused the administrative costs to absorb more than half of the available funds; and

"Whereas, The Federal government is too far removed from the individual problems of the States to manage state programs efficiently; and

"Whereas, The severe financial condition of the States could be rectified by implementing a system of partnership, whereby the Federal government would share its revenue resources by returning to the States each year a portion of the Federal income taxes collected therein with a simultaneous phasing out of restricted Federal grants; therefore, be it

"Resolved, By the Senate of the Seventy-fifth General Assembly of the State of Illinois, the House of Representatives concurring herein, That we respectfully petition the Congress of the United States to provide, without restrictions, a system for the sharing of Federal income taxes with the several States out of funds provided both by cutbacks and elimination of existing and projected expansions of Federal grant-in-aid programs, and from the increased revenue provided by our burgeoning national economy, so as to facilitate the capacity of our State and local governments to provide a more meaningful response to the needs of the people; and, be it further

"Resolved, That a copy of this Resolution be forwarded by the Secretary of State to every member of the Congress of the United States from the State of Illinois, and the Governor and the presiding officers of the Legislatures of each of the other forty-nine states."

To the Committee on Foreign Relations:

"SENATE JOINT RESOLUTION 56

"Whereas, Our nation is involved in a struggle for human freedom against the forces of communism in Viet Nam; and

"Whereas, Thousands of our service men have already paid the supreme sacrifice and thousands more risk their lives daily; and

"Whereas, Some within our country find pleasure in lawless demonstrations, draft card burnings and other forms of opposition to the cause for which so many have given their lives; and

"Whereas, Some nations with which we trade continue to supply our enemy with goods, thus supporting the forces of communist aggression; therefore, be it

"Resolved, By the Senate of the Seventy-fifth General Assembly of the State of Illinois, the House of Representatives concurring herein, that for the reasons mentioned in the preamble, we declare our support for our fighting men in Viet Nam, and strongly urge the President and the Congress to stop all trade with countries supplying goods to the enemy and refrain from establishing any new trade 'bridges' with the Soviet Union and satellite nations; and be it further

"Resolved, that a copy of this resolution be forwarded by the Secretary of State to the President of the United States, and each Congressman from Illinois."

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. TYDINGS, from the Committee on the Judiciary, without amendment:

S. 388. A bill to authorize the Attorney General to transfer an inmate of the District of Columbia jail to any other institution under the control and supervision of the Director of the District of Columbia Department of Corrections notwithstanding the pendency of a petition for a writ of habeas corpus with respect to such inmate, and for other purposes (Rept. No. 370).

By Mr. TYDINGS, from the Committee on the Judiciary, with amendments:

S. 945. A bill to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes (Rept. No. 371); and

S. 1540. A bill to amend chapter 235 of title 18, United States Code, to provide for the appellate review of sentences imposed in criminal cases arising in the district courts of the United States (Rept. No. 372).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 440. A bill for the relief of Dr. Julio Alejandro Solano (Rept. No. 381);

S. 1257. A bill for the relief of Kuo-Hua Yang (Rept. No. 382);

S. 1398. A bill for the relief of Irma Stefani Ruiz-Montalvo (Rept. No. 383);

H.R. 1516. An act for the relief of Giuseppe Tocco (Rept. No. 385);

H.R. 1703. An act for the relief of Angiolina Condello (Rept. No. 386);

H.R. 1763. An act for the relief of Dr. Raul E. Bertran (Rept. No. 387);

H.R. 1764. An act for the relief of Dr. Ernesto M. Campello (Rept. No. 388);

H.R. 1765. An act for the relief of Dr. Ubaldo Gregorio Catasus-Rodriguez (Rept. No. 389); and

H.R. 3523. An act for the relief of Chang-You Wu, M.D. (Rept. No. 390).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 43. A bill for the relief of Mi Soon Oh (Rept. No. 391); and

S. 1106. A bill for the relief of Dr. David Castaneda (Rept. No. 384).

By Mr. SMATHERS, from the Committee on the Judiciary, without amendment:

S. 117. A bill for the relief of Martha Blankenship (Rept. No. 375);

S. 171. A bill for the relief of Timothy Joseph Shea and Elsie Annet Shea (Rept. No. 376);

S. 910. A bill for the relief of the estate of Patrick E. Eagan (Rept. No. 377);

S. 1580. A bill for the relief of John W. Rogers (Rept. No. 378);

H.R. 2762. An act for the relief of CWO Bernhard Vollmer, U.S. Navy (retired) (Rept. No. 379); and

H.R. 4930. An act for the relief of Mr. Robert A. Owen (Rept. No. 380).

By Mr. HART, from the Committee on the Judiciary, without amendment:

S. 1648. A bill to extend the authority for exemptions from the antitrust laws to assist in safeguarding the balance-of-payments position of the United States (Rept. No. 374).

By Mr. BURDICK, from the Committee on the Judiciary, without amendment:

S. 475. A bill to provide an additional place for holding court in the district of North Dakota (Rept. No. 373).

REPORT ENTITLED "INVESTIGATION INTO FHA MULTIPLE DWELLING PROJECTS"—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 369)

Mr. McCLELLAN. Mr. President, on behalf of the Senate Committee on Government Operations, I submit a report of its Permanent Subcommittee on Investigations entitled "Investigation Into FHA Multiple Dwelling Projects."

This report covers hearings conducted by the subcommittee relating to a number of aspects of the Federal Housing Administration's program for insuring mortgages on multiple dwelling projects. The subcommittee inquired particularly into that portion of the FHA program known as "section 220," under which FHA is authorized to insure mortgages for building or reconstruction proposals, generally designated as "urban renewal" projects, which are designed to eliminate slums and blighted areas.

Testimony in our hearings disclosed that the principal project under study, a luxury apartment complex in suburban Los Angeles known as Barrington Plaza, was administered and permitted to operate under conditions which led to wildcat financing, mismanagement, and outright dishonesty and corruption.

The hearings clearly demonstrated also that the issuance of mortgage insurance by FHA to the sponsors of the project, and the subsequent pyramiding of that insurance and its unpaid interest to a total of several million dollars above the market value of the project, was not only the result of poor judgment by officials of FHA's national office, but also showed their obvious disregard of advice from their field personnel. Further there can be no doubt that officials of the agency failed to use economic soundness as a criterion for approval of mortgage insurance on the project. They also failed to exercise diligence in examining, auditing, and investigating the ownership and management of the project by the original and subsequent mortgagors. The agency did not carry out administrative and supervisory procedures that would have discovered and eliminated fraud and mismanagement in Barrington Plaza and would have protected the interests of the Government.

The report, in summarizing extensive testimony about this project, shows clearly that the original approval for mortgage insurance of $12½ million for Barrington Plaza was granted by the Washington office of FHA over the strong objections made by officials of the FHA's insuring office in Los Angeles, who declared that the project proposal was economically unsound even if it was financed at $12 million.

Subsequently, the Washington office of the FHA increased the mortgage insurance total to $18½ million. Once again the Los Angeles office objected to the increase in the total of mortgage insurance and to the deferment of payments of principal and interest.

By April 15, 1965, the indebtedness to the Federal Government had increased to more than $21 million on this property. At that time, the Washington office of the FHA approved the sale of the property to a group of speculators, again acting against the advice and the protest of the local officials in Los Angeles. The total obligation upon the purchasers was more than $21 million. Approval for the sale was given in spite of available information which indicated that the purchasers lacked financial responsibility and realty experience.

The poor judgment and irresponsibility of the agency's officials, combined with the financial overload which gave the project's owners a burden too heavy for them to carry, ultimately produced the inevitable result. The mortgagee foreclosed on the mortgage and then conveyed title to the project to the Federal Housing Administration. At that point, Mr. President, the FHA made a settlement with the mortgagee for $20,758,413, and was left with the title to a property that the subcommittee believes will ultimately produce a heavy loss to the Government.

The subcommittee's inquiry into the affairs of Barrington Plaza disclosed not only the failures and mistakes of FHA officials and the financial instability of the various owners and sponsors, but showed clearly a large number of instances of fraud, deceit, diversion of funds, filing of falsified data, and other highly questionable activities by the ownership and management of the project. Testimony indicated that the dishonest practices could have been discovered earlier by the Federal Housing Administration and the losses could have been minimized if the agency's auditing procedures had been adequate and effective.

Mr. President, this report of the subcommittee is not restricted to a single multiple dwelling project. It covers the section 220 program for "urban renewal" in particular and also examines certain conditions that have developed in the six principal multifamily housing programs administered by the Federal Housing Administration. The deficit positions of all of these programs totaled more than $91 million at the end of 1965. At that time, the section 220 program alone had a deficit of more than $14 million. On June 30, 1965, the deficiencies in the reserve requirements for the program amounted to $334.7 million, with $58.7 million charged to the section 220 program. The finding of the subcommittee in this vital area is that the deficit positions of the several programs, which lead inevitably to increases in deficiencies in reserve requirements, have grown progressively worse each year. A full examination and evaluation of the entire multifamily housing programs should be undertaken by FHA.

The subcommittee has indicated the need for assuring prompt and adequate accountability for projects in the section 220 program which are in financial difficulty, and the report calls for legislative action to protect the Government from the consequences of abuses and improprieties such as those discovered in the subcommittee's investigatior..

The recommended measure, S. 1249, which I introduced, would strengthen the National Housing Act by providing protection for the income of projects which are financially troubled, by requiring contractors and subcontractors to execute binding agreements to certify their costs for services and materials, and by prohibiting the issuance of insurance unless FHA and the General Accounting Office are permitted, under binding agreements, to have full access to all books and records of the project.

Another important recommendation of the subcommittee calls for the establishment of a policy of economic soundness as one of the primary standards in determining the worthiness of high-rise luxury urban renewal projects before granting mortgage insurance. Further, the report recommends that adequate attention be given to economic feasibility in approving projects for low-cost housing, and that approval be refused for those with no reasonable prospect of meeting their obligations.

Mr. President, the FHA sold Barrington Plaza late last month for $21.2 millon to Tragniew, Inc., a Los Angeles realty corporation. The sale price represents the total FHA investment in the property.

Barrington Plaza was sold subject to a 40-year mortgage of $21.2 million at 5½ percent interest. As consideration for the sale, the purchaser put up $600,000 in escrow. The escrow money will pay for: First, outstanding claims against the property for furniture, fixtures, and equipment, not to exceed $250,000; second, approximately $250,000 will be applied to prepayment of certain interest obligations; and third, the remaining $100,000 will be used for property improvements.

In December of 1966, the Property Disposition Section of the FHA made the following determination:

> Effective November 1, 1966, a realignment of the rental structure was placed into effect. Based on the revised rental schedule, at 93% occupancy, the gross income of $1,909,412 less operating expenses, reserve for replacements and taxes totaling $810,596 leaves a net income of $1,098,816. Capitalization of this net income would suggest an offering price of $13,735,000.

In spite of this determination, FHA entered into a transaction 6 months later in which the agency accepted a note of $21.2 million for the project.

It is obvious, Mr. President, that the FHA is refusing to face its responsibility. The agency sold the project at a price so high that the buyer cannot possibly meet his obligation from property income. The transaction cannot meet any test of sound business practice.

The terms of the sale are extremely interesting and very revealing. The FHA has provided, under the conditions of the contract, that when the net income of the property is not sufficient to meet the debt burden the purchaser cannot be compelled to make the principal payments for the first 12 years and these payments may be deferred. Similarly, the payments on the interest during the first 2 years shall not be required. Another condition permits the buyer to pay only $400,000 in annual interest for 10 years, instead of about $1.16 million annually, figured at 5½ percent, which would normally be due and payable. The difference between interest actually to be paid and that which would be due normally, totalling $9.99 million over 10 years, will be paid in one final "balloon" payment at the end of the 40-year mortgage.

The FHA is simply attempting to defer acceptance of the fact that losses will ultimately be incurred by this project. The hearings showed that the building, if fully rented, could not be operationally sound at a sale price beyond $15 million.

There must be reasons for this economic folly. We have indications of some of them.

The first, of course, is that FHA is unwilling to face the facts and accept its loss.

The second has been volunteered by the FHA official who handled the transaction. He said that the buyer believes that inflation will allow him to increase the rents.

The third reason also was disclosed by the same FHA official. He stated that an important factor to the buyer was the tax shelter offered by the project. Mr. President, what is a tax shelter?

It is well known that corporate or individual taxpayers with high tax assessments frequently invest in corporations or projects which already have, or will have, high losses. Our tax laws permit a corporation with high profits to acquire another corporation which is losing money, and allows the profit-making firm to offset its high earnings against losses of the acquired firm and thus drastically reduces its tax liability.

I am greatly disturbed, Mr. President, by the absurdity of the manner in which the Federal Housing Administration has administered this project. Should a financial agency of the United States Government actively assist an individual in acquiring a huge Federal investment as a tax shelter? I consider it preposterous that the FHA should aid a real estate operator in utilizing $21 million in Government capital to avoid paying taxes. The obvious result of this transaction will be that he will use the losses which actually are suffered by the Government to reduce the taxes due from his other corporations. The Government loses both ways—on the property itself, and on the taxes it should be able to collect from the new owner. I wish to point out that FHA officials were well aware of the testimony in our hearings on Barrington Plaza relating to disclosures that one of the primary reasons the previous speculators had acquired the project was for the purpose of using it as a tax shelter.

Mr. President, I wish to emphasize that this report was signed and agreed to by all nine members of the Permanent Subcommittee on Investigations. Senators MUSKIE and JAVITS are filing individual views. The report represents unanimous agreement that legislation to protect the interests of the Government is needed in the mortgage insurance field and that remedies must be found for the unsatisfactory conditions disclosed by our investigations and analyzed in this report.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Arkansas.

Mr. MUNDT. Mr. President, as the ranking Republican member of the Permanent Subcommittee on Investigations of the Committee on Government Operations, I wish to associate myself with the remarks just made by our distinguished chairman, the Senator from Arkansas [Mr. McCLELLAN], in the course of his submitting the report of our subcommittee concerning our inquiry into FHA multiple dwelling projects.

I. FHA-ADMINISTERED MULTIFAMILY HOUSING PROGRAMS

While we confined our hearings, for the most part, to the section 220 or "urban renewal-slum clearance" program, I was also interested in the generalized testimony of Mr. Frank H. Weitzel, Assistant Comptroller of the United States, when he told our subcommittee on August 28, 1966, of the magnitude of the FHA-administered multifamily housing programs.

Mr. Weitzel told us there are 19 such multifamily housing programs. Seven of the programs are inactive in that the laws under which they were conducted have expired although the mortgages insured by FHA under them are still in force. Actually, as of December 31, 1965, FHA had insured mortgages in the total amount of $5.8 billion for the active programs and about $6.1 billion for those that are inactive.

The largest active programs, all of them as of December 31, 1965, are the following:

Section	Types of program	Number of projects	Amount FHA-insured
207	Basic multifamily housing	1,834	$2,700,000,000
213	Cooperative housing	520	927,500,000
220	Urban renewal	226	832,900,000
221	Low and moderate income housing	398	621,900,000
231	Housing program for the elderly	259	470,700,000
232	Nursing home program	364	213,400,000
Total (6)		3,601	5,766,400,000

The number of projects in some form of financial difficulty; that is, where the FHA has acquired or has been assigned the mortgages, where the projects were operating under modification agreements, or where the project mortgages were in default—for the same six largest active programs, again as of December 31, 1965, was as follows:

Program	Total projects	Projects in difficulty		Amount FHA-insured	Amount of financial difficulty	
		Number	Percent		Amount	Percent
Sec. 207	1,834	308	17	$2,700,000,000	$584,400,000	22
Sec. 213 (a)[1]	380	11	3	610,300,000	15,500,000	3
Sec. 213 (b)[2]	140	61	44	317,200,000	136,900,000	43
Sec. 220	226	62	27	832,900,000	336,900,000	40
Sec. 221 (a)[3]	283	19	7	480,300,000	38,000,000	8
Sec. 221 (b)[4]	115	37	32	141,700,000	48,400,000	34
Sec. 231	259	57	22	470,700,000	134,400,000	29
Sec. 232	364	36	10	213,400,000	27,700,000	13
Total (6)	3,601	591	16	5,766,500,000	1,322,200,000	23

[1] Sec. 213(a) indicates management-type cooperative housing projects where the multifamily structures are owned by a nonprofit cooperative corporation, with each member having the right to occupy a unit and to have an equal voice in the operation of the project.

[2] Sec. 213(b) indicates an investor-sponsored cooperative project developed by a profit corporation which certifies it intends to sell same to an acceptable management-type cooperative within 2 years after construction and completion.

[3] Sec. 221(a) indicates projects with the mortgage interest below-market interest rate, limited by FHA regulations to families of low or moderate income that meet certain FHA-prescribed income limitations.

[4] Sec. 221(b) indicates projects with the mortgage interest at the market interest rate. Family income limitations are not applicable here.

Thus, it can be seen that 591 out of the total of 3,601 projects, or 16 percent were in financial difficulty as of December 31, 1965. More importantly, this amounted to $1.32 billion of the entire $5.76 billion program, or 23 percent of same. And, although the General Accounting Office found that the FHA's information as to the relationship between a completed project and an incomplete one—in conjunction with modification agreements and the making of mortgage amortization payments—was scarce and thus made it difficult for the GAO to make a refined presentation of the data, the GAO found some indications that the total number of projects that were in some form of financial difficulty, as of December 31, 1965, could well have run as high as 1,657 with mortgages amounting to about $1.9 billion.

Also, Mr. Weitzel told us that the FHA's own financial reports showed that when all income attributable to each program, from its inception through December 31, 1965—which included mortgage insurance premiums, fees, and so forth—was credited to it and then compared with the same program's expenses—such as salaries, interest, losses, and an allowance for future losses—each of the aforementioned major active programs found itself in a deficit position. This varied by the program, as follows:

Program:	*Deficit in millions*
Sec. 207	$29.2
Sec. 213	1.1
Sec. 220	14.3
Sec. 221	16.9
Sec. 231	23.5
Sec. 232	6.3

Mr. Weitzel continued on in his testimony by comparing the total reserve requirements which FHA has estimated for its insurance funds with the actual insurance reserves. These reserve requirements are based upon actuarial studies and underwriting risks which are predominantly economic in nature; that is, they are based upon the future contingent needs as to what may happen to our economy while the insurance reserves themselves, which have been available to cover losses and administrative expenses, are based upon what has happened to date.

We were informed that the FHA considers the insurance fund "in balance" when its insurance reserves are equal to, or are greater than, the estimated reserve requirements. However, we also learned from Weitzel that, as of June 30, 1961, the insurance reserves were $982 million for all of the multifamily housing programs while the insurance reserve requirements were $1.03 billion, indicating a reserve "gap" or deficiency of about $47.1 million. But, by June 30, 1965—only 4 years later—the insurance reserves were $1.1 billion while the insurance reserve requirements were about $1.5 billion. Thus, the reserve "gap" had grown to an actual amount of $417 million, or almost 10 times the earlier amount, in this brief period of time.

The General Accounting Office was able to analyze five of the six largest active multifamily housing programs concerning their reserve deficiencies, as of June 30, 1965, as follows:

[In millions of dollars]

Program	Reserve requirement	Insurance reserves	Reserve deficiency
Sec. 207	130.2	−20.5	150.7
Sec. 213	41.0	1.4	39.6
Sec. 220	47.3	−11.4	58.7
Sec. 221	31.7	−13.5	45.2
Sec. 231	25.0	−15.5	40.5
Total	275.2	−59.5	334.7

While I understand that near-record amounts of mortgage insurance were written during this latter period, and that this was done as to higher risk mortgages—that is, on a higher ratio of loan to the total property value—at the same time Mr. Weitzel testified that the losses had increased significantly. Mr. Weitzel agreed with me when he testified that—

> With this widening gap and the increasing experience of losses, this situation does bear very close scrutiny.

And FHA Commissioner Philip N. Brownstein, who testified on the same day, after some discussion on the subject agreed that some of these FHA housing programs which are aimed at social objectives are indeed "high risk" in nature and that, quoting Commissioner Brownstein:

> All of us ought to recognize that then it may be that they are going to have to have some support outside the reserves.

This, then, is what was shown as the financial picture for multifamily housing programs under the administration of the Federal Housing Administration.

II. SECTION 220 URBAN RENEWAL HOUSING BACKGROUND

In looking at the relatively brief legislative history behind the Housing Act of 1954, which amended the earlier National Housing Act of 1934 and, amongst other things, created the urban renewal program through the enactment of section 220 thereto, I noted that the main theme running throughout the Presidential message and uncontested floor debates in both Houses of Congress was for the FHA to insure private credit to rehabilitate and to construct new homes in declining neighborhoods and blighted and slum areas in the various communities throughout our Nation.

In fact, one of our former colleagues, Senator Homer C. Capehart, succinctly stated this when he said the following on the Senate floor on June 3, 1954:

> Its purpose is to assist in rehabilitation of existing dwellings and construction of new dwellings in urban renewal areas.

Continuing, Senator Capehart said:

> The purpose is to clear up the older sections of the cities and to prevent them from becoming slums. The Federal Government, in cooperation with cities and states, will be enabled to devise plans for the rehabilitation of the older areas . . . (this) affords an opportunity to rehabilitate present slum areas and to prevent slums from developing in the future.

I believe the intent of Congress was expressed clearly enough in the enactment of section 220, which authorized the FHA Commissioner to insure mortgages on property designed for the elimination of slums and blighted areas of our cities, 12 United States Code 1715 K(a–g). And while I believe that the intent and purpose of this legislation is most commendable, on the other hand I question whether the program was efficiently administered and whether the congressional intent was carried out when the FHA approved of the mortgage insurance for the "multiple high-rise, Olympic-type swimming pool, underground garage, doorman, luxury-type" project, with equivalent luxurious rental prices, known as the Barrington Plaza in West Los Angeles, Calif.

III. BARRINGTON PLAZA

This project was selected from a number examined by the subcommittee staff to establish a complete case history which, at the same time, illustrates a composite of the problems encountered in the section 220 urban renewal program.

A. MORTGAGE INSURANCE INCREASES

Mr. Dominic Ruggiero, General Accounting Office Supervisory Auditor assigned to our staff, testified as to this high-rise apartment project consisting of one 27-story structure, two 17-story structures, and one two-story commercial structure, all within a 5-acre plot in a blighted two-story walkup sector of West Los Angeles, Calif., known as the Sawtelle area.

The B. C. Deane Co., a responsible builder, had acquired most of this land on a nonassisted basis and then applied for mortgage insurance in the amount of $12.5 million in May of 1958. The Los Angeles-FHA office carefully analyzed this application and project plan and in the fall of 1958 recommended against it because of the competition, questionable future occupancy, and inappropriate location when considering the neighborhood. However, on November 7, 1958, the Washington-FHA national office overruled the Los Angeles-FHA local office by recommending acceptance for processing under section 220, which was done.

This pattern of the Washington-FHA overruling the Los Angeles-FHA on this project continued as the FHA-approved mortgage insurance went up, intermittently, to $14.5 million, $15.2 million, $16.7 million, and, finally to $18.6 million, from March of 1959 through January of 1963.

Mr. Ruggiero also testified that the Los Angeles-FHA, while remaining constantly opposed to the foregoing operations, did feel that, as long as it was going ahead anyway, the very maximum commitment that should be made was $17.4 million. However, Mr. C. Franklin Daniels, then Assistant FHA Commissioner for Multifamily Housing, Washington, D.C., instructed Los Angeles-FHA to process the application "for the highest possible commitment." At the same time, Daniels had an appraiser sent to Los Angeles from the San Francisco-FHA regional office—although Los Angeles had its own appraisers—and, much to Los Angeles-FHA's surprise, the mortgage insurance in the amount of $18.6 million was granted. Daniels told our subcommittee that this was normal procedure and that the Los Angeles appraisers had the reputation of being "very conservative" in their estimates.

B. DEFERMENT OF MORTGAGE PAYMENTS

The same pattern was followed as to the deferment of mortgage payments. Another group called the Lesser Development Corp., had replaced the Deane Co., by June of 1961. By the terms of the mortgage with the John Hancock Insurance Co., LDC was to pay $16,195 in principal and $81,323 in interest monthly. However, on July 1, 1962, this mortgage first went into default. Upon request of the Lesser group, and over the continued objection of the Los Angeles-FHA office, Washington-FHA made its first approval of the deferral of amortization and deposits to the replacement reserve fund until May 1, 1963. Needless to say, this extension was repeated, again until April 1, 1964, and until April 1, 1965, when the Lesser group sold the project on April 15, 1965—under terms which I think will prove interesting—to an organization called Barrington Plaza Enterprises, also known as the Ohio group.

The Ohio group, in turn, subsequently, defaulted on their payments and on June 2, 1966, the John Hancock Co. conveyed the property to the FHA per the terms of the mortgage. Interestingly enough, staff witnesses indicated that the Lesser group made one payment on principal in the amount of $16,195 and payments on interest totaling $134,073.87. The Ohio group made no payments on principal and the FHA indicated that the total interest payments by the mortgagors on interest amounted to $330,578, although there was a more favorable adjustment made by John Hancock after the hearings. However, the total payments on principal by the mortgagors remained at $16,195.

Significantly, the gist of the objections to these extensions by the Los Angeles-FHA office were, as follows: First, violation of FHA controls by both mortgagors; second, very few payments made by the mortgagors and very little information available to FHA from the mortgagors; third, Lesser group unsuccessful in three other local FHA projects, two of the projects ending up in the hands of the U.S. attorney re: foreclosure proceedings; fourth, in April of 1964, the mortgage was approximately $1.2 million delinquent, the monthly expenditure requirements were $211,000 as compared with a monthly income of $157,000, or, in other words, a monthly deficit of $54,000; fifth, continuous lack of good management, with particular reference to the Lesser group.

As to this latter point, it is interesting to note that FHA Assistant Commissioner Daniels had turned down the Los Angeles-FHA's request to require Lesser to hire a first-class management firm, out of their own funds, stating:

> This would probably be too severe a requirement for Mr. Lesser to be able to comply with financially.

When the Los Angeles-FHA office persisted in this request, Daniels wrote them on April 29, 1964, saying:

> If in your opinion there has been any *gross mismanagement* or any dishonesty in the operations of the project, then please let us have your further advice.

At this point, Mr. Raymond Lewis, who headed up the projects' operations section of the Los Angeles-FHA office, and who had been cognizant of all of the earlier communications, "threw up his hands," testifying that "gross mismanagement" meant to them, "more than mismanagement," and so nothing was said by Los Angeles-FHA by way of reply.

C. LESSER GROUP

The "Lesser Group" was composed of Mr. Louis Lesser, a Los Angeles realty promoter, and his brother-in-law, William Malat. While they utilized several corporate names, the Lesser Development Corp.—which was associated with the Barrington Plaza—was incorporated in Nevada with the aforementioned individuals as the principal participants.

Mr. Ben C. Deane, previously mentioned, told our subcommittee staff that as the building developer of the Barrington Plaza, his company was very much in need of an investment developer. Deane thought that Henry Crown, Chicago industrialist, would provide the necessary equity capital but Crown backed out. Beane's private study had indicated that a sponsor's investment of $2.6 million would be necessary to provide for adequate fixtures, carpeting, and other improvements. It was represented to Deane that Lesser could provide this capital, particularly when Lesser's financial statements were reviewed. Thereafter, Lesser and Deane joined as project cosponsors in late 1959.

However, soon after they started doing business Lesser failed to perform, financially. In fact, at one point only $15,000 was needed for the project but Lesser could not finance it. Result: Deane had to cosign a note with Lesser in order to borrow this amount from a bank.

The situation deteriorated so much that one or the other had to be bought out from the venture. Deane said that Lesser had agreed to quit but later refused to when he, Lesser, anticipated the FHA would increase the mortgage insurance commitment—which the FHA did—so as to make additional bank-furnished money available for the project. Commissioner Daniels thereafter agreed that one of the parties should leave the project. Therefore, in a meeting in Daniel's Washington office in July of 1961, Deane agreed to give up his interest. Reportedly, he received from $85,000 to $100,000 from Lesser and Malat for it.

D. CASH DEPOSITS

On June 29, 1960, the Deane-Lesser combine acceded to the FHA's request to establish and maintain a cash deposit in the amount of $250,000 as a "debt service requirement." Ruggiero said that the FHA manual defines this as a contingent fund to meet insufficient "principal, interest and mortgage premiums."

However, on June 28, 1961, William Malat wrote the FHA asking to waive this cash deposit requirement, calling it one of the considerations agreed to with Assistant Commissioner Daniels in purchasing the Deane interests. FHA agreed, contingent upon Lesser and Malat executing a personal indemnity agreement or letter of intent which would give "the FHA substantially the same protection as the cash deposit."

On April 30, 1963—10 days before the final closing—Los Angeles-FHA Director James Berry accepted the letter of intent, executed by William Malat as executive vice president, that the Louis Lesser Enterprises, Inc., would "advance up to $250,000 to the Barrington Plaza Corp., as may be required to meet contingencies or obligations for which project income is insufficient."

Mr. Daniels' written explanation of this to Director Berry, dated February 25, 1965, was that Lesser had agreed to buy out Deane and that a payment of $182,641.70 on October 1, 1963, should be considered as a partial discharge of the Louis Lesser Enterprises, Inc.'s obligations as shown in the letter of intent. The record of the hearings shows, however, that this payment consisted of $37,585 for mortgage insurance premiums and $145,056.70 for delinquent hazard insurance and property taxes, neither of the latter two having been considered by the FHA as debt service requirements. In fact, the total of $182,641.70 actually was paid after the project went into default on May 1, 1963, and as an FHA requirement to be met before one of the several modification agreements—this one from May 1, 1963, to April 1, 1964—could be approved.

It is interesting to me that, whether or not the relinquishment of the $250,000 cash deposit amounted to an inducement to buy out Deane, it appears that Lesser and Malat, through the vehicle of their Louis Lesser Enterprises corporation, managed to substitute a contingent obligation for the actual return of a $250,000 cash deposit. And, watching the modus operandi of these two individuals, it is hard for me to see how the FHA still had "substantially the same protection as a cash deposit."

Mr. Daniels' explanation is also somewhat confusing. Early in the proceedings—in fact on June 26, 1959—Los Angeles-FHA wrote FHA-Washington to the effect that this same $250,000 was "quite low in that the first income analysis which indicates a net return of $466,000 is approximately $500,000 short of the debt service requirements." This situation never did improve; in fact, the deficiencies had increased to $880,000 by March of 1963. Certainly this should have put the FHA on notice. Additionally, if the FHA had retained this as a cash deposit, the Federal Government would have had the benefit of the $250,000—less, perhaps the $37,585 that had been paid for mortgage insurance premiums—in the event of a foreclosure, which, of course, happened.

In fact, the hearings and the report indicate that the Los Angeles-FHA office told our GAO representatives that, as of the time of our hearings, they had not attempted to collect on this letter of intent because they considered it unenforceable. If this is the case, what was the use of entering into such a substitutional agreement in the first place?

E. SALE TO THE OHIO GROUP

Negotiations started in early 1965 by the "Lesser Group" with a combine known as the "Ohio Group." This group was composed of Mr. Jack Gordon, Cleveland, Ohio, an experienced realtor and longtime acquaintance of Louis Lesser's, and two young insurance salesmen, Hugh W. Crouse II and Donovan D. Karnes, both of Mansfield, Ohio, all three as general partners. Each was to have a 12½-percent interest in the venture. Two limited partners rounded out the picture. They were: Mr. William B. Hoyer, of Columbus, Ohio, general agent of the John Hancock Co.—12½ percent—and Attorney John P. Coyne, of Cleveland, Ohio, as trustee representing 11 individuals and one corporation—50 percent. Gordon died in September of 1965.

Under the terms of the sales agreement, dated April 15, 1965, this group—actually known as Barrington Plaza Enterprises—agreed to take title to the Barrington Plaza, subject to the unpaid principal of $18,588,306 together with accrued interest in the amount of $1,755,266.84.

It is interesting to note that a few months later the Los Angeles FHA appraised the project and established its market value in July 1965 as between $15 and $17 million.

The terms of the sale were: First, $10,000 in cash as escrow for closing costs; second, 80 shares of stock in a 2800 Corp., Ohio, valued also at $10,000; third, a parcel of business property owned by Gordon in lieu of $90,000 in cash which BPE was also supposed to put in escrow; fourth, six parcels of Ohio land, belonging to the BPE limited partners, with an alleged value of $1,237,550; fifth, promissory note from the Ohio group to the Lesser interests in the amount of $300,000, together with a collateral agreement giving Lesser the right to cancel the promissory note in return for an undivided 25-percent interest in the Barrington Plaza.

Lesser told John Hancock that he had not retained any interest in the property. This also was not revealed to the FHA. And Gordon also stated the seller had retained no interests in a letter dated February 19, 1965.

Thus, although the Ohio group was ostensibly paying a considerable amount for whatever equity Lesser and Malat had in the Barrington Plaza, it is significant to note that they did not put up hardly any "hard cash" for it. When the project was finally foreclosed on June 2, 1966, the amount of principal due was still $18,588,305 while the accrued interest had grown to the unbelievable amount of $3,678,404. However, some posthearings adjustments by the John Hancock Co. brought the total cash and debenture figure down to $20,758,413.68.

Again, FHA-Washington approved of this transfer sale against the expressed recommendations of disapproval by FHA-Los Angeles.

The rumors that the Barrington Plaza was purchased by the Ohio group to be used as a tax shelter were well founded, because Mr. Ruggiero examined the Barrington Plaza 1965 partnership income tax return and summarized the amounts of capital investments, withdrawals, and tax losses, in the following manner:

	Gordon (12½ percent)	Crouse (12½ percent)	Karnes (12½ percent)	Hoyer (12½ percent)	Coyne, trustee (50 percent)
Capital	[1] $90,000.00				[1] $118,455.10
Investments	750.00	$750.00	$750.00	$750.00	
Total	90,750.00	750.00	750.00	750.00	118,455.10
Withdrawals	32,147.34	17,060.83	[2] 14,060.84	32,300.00	
Tax losses	−128,081.34	[3] −128,081.34	−128,081.34	[4] −128,081.34	−512,325.77

[1] Denotes property.

[2] Karnes had reported a business income of $7,942.03 but advised us in August of 1966 that he was filing an amended return.

[3] Crouse benefitted by about $3,700 from the tax loss in 1965, and had a carryover loss of $101,046.64.

[4] Indications are that this tax loss allowed Hoyer to avoid probable payment of about $47,500 in tax liabilities.

F. ACTIVITIES OF THE OHIO GROUP

FHA witnesses had been impressed by the fact that Crouse and Karnes were members of the $1 million life insurance club, as salesmen, and that they were skilled in public relations. The Los Angeles-FHA office had stressed the need for good management but Crouse and Karnes admitted in their testimony before the subcommittee that they had no management experience. Also, Mr. Daniels had testified that the late Jack Gordon was experienced in real estate. Interestingly enough, Lesser and Malat told us that Gordon got a commission "out of the deal."

In any event, the testimony of other GAO staff members also assigned to the subcommittee—Messrs. Robert Dumont and Jack Paradise—established several irregularities on the part of the Ohio group, primarily concerning Crouse and Karnes.

Not ony did Crouse and Karnes, along with their attorney, Mr. Arnold Provisor, have Barrington Plaza project funds in nine different Los Angeles area bank accounts, but they violated FHA regulations by mishandling and also failing to separate funds in what was known as a security deposit account.

This account is an accumulation of deposits—usually 1 month's rent—made by each tenant and held in trust for the tenant until such time as the tenant terminates the lease and then is refunded such part as is due and owing over any charges that may have resulted during the tenancy.

This account had grown to about $100,000 during the tenure of Deane and Lesser, as of January 31, 1964. Although a shortage of some $50,000 was thereafter detected by an FHA audit dated February 19, 1965, this deficiency was made up so that, at the time of the April 15, 1965, sale to the Ohio group, the Lesser group transferred $115,403.67 in security deposits. Crouse and Karnes thereafter transferred this amount to their United California Bank account at Beverly Hills, Calif., into a "security deposit" account.

Subsequently, only about $6,000 from said account was ever traced as having been returned to the Barrington Plaza tenants. Almost all of the remainder was withdrawn at various times and used in various ways by Karnes and Crouse in a "Round Robin" operation involving their many other bank accounts so that on May 31, 1966—2 days before the foreclosure took place—Crouse wrote a check for $17,244.91 which left a balance of $129.06 in the aforementioned "security deposit account."

Karnes and Crouse had a clever ruse for this, however. They announced to the Barrington Plaza tenants that they could apply their security deposits on their June 1966 rent. This would make the month "rent free" for the tenants. More than that, it would relieve Karnes and Crouse of the necessity of returning approximately $100,000 to them, particularly with foreclosure imminent. At the time of our hearings, the FHA was still looking into this interesting innovation of "1 month free apartment rentals."

Under the terms of the forbearance agreement, Crouse and Karnes were required to report all monthly income and expenditures to the FHA. Dumont and Paradise learned that, not only was this not done, but considerable amounts from the Barrington Plaza Enterprises' operating accounts and security deposit account were being diverted into secret—or unknown to the FHA—accounts in the previously mentioned nine banks used by the partners.

In November of 1965, $30,000 was so diverted, with the check used to withdraw said funds being marked "Void" in the monthly report to the FHA. Also, another $137,070 was so diverted by cash withdrawals, transfers to personal accounts, payments on personal notes of Crouse's and Karnes', with a relatively small amount used to purchase a colored TV set, airline tickets, and so forth. Additionally, there was a withdrawal of project funds amounting to some $46,900, the largest portion of which was traced to the payment of personal notes in Ohio, with the proceeds of the notes having been used to pay premiums on life insurance policies in the separate amounts of $800,000 on each general partner.

In the event of the partner's death, one-half was to be paid to his surviving spouse, one-half to the partnership. This insurance only pertained to Crouse and Karnes, however.

Additionally, Dumont and Paradise found several instances where Crouse and Karnes had "milked" the Barrington Plaza project, for their own benefit. For example, they found that from January 1966 through April 1966, account cards for 66 tenants were falsified to cover the omission of credit entries for rent payments totaling $26,087—which, of course, were not reported to the FHA. Also, the BPE bookkeeper gave the subcommittee an affidavit saying that Crouse and Karnes had given her instructions to "enter adjustments" on several room cards, including a writeoff involving a commercial tenant in the amount of $10,000. She had previously worked for the project's accountant.

When she became alarmed, she talked to and received advice from him to do as requested but to make a note of everything, particularly when the instructions were verbal. Her affidavit stated that she had 14 different notes from which she was ordered to make 52 adjustments. She found that several Crouse and Karnes checks were used to defray personal expenses—department stores, eating establishments, and so forth—but were recorded as project disbursements. She also found a $7,500 check to Attorney Arnold Provisor without Provisor having submitted any statement for services rendered.

Lastly, one rental "tradeoff" included a situation where a tenant bet $300 on the outcome of the UCLA-Michigan State Rose Bowl game in January 1966. The tenant rented a $400-per-month apartment, but when he won the bet Karnes gave him February's rent free.

This, then, was the type of operation that succeeded to that of the Lesser Development Corporation.

F. LOSS TO U.S. GOVERNMENT

During the course of the hearings, there were some indications that the loss to the U.S. Government on the Barrington Plaza might run as high as $6 million because the FHA would have to refinance the project. In that regard, I also note that the Wall Street Journal of Monday, May 29, 1967, indicated that the Barrington Plaza has been sold to Tragniew, Inc., a Los Angeles real estate firm, for $21.2 million, which would tend to negate the proposition that such a $6 million loss would occur. However, I have our distinguished chairman's explanation of the very liberal terms and conditions of the Tragniew sale before me and I cannot help but think that the earlier forecast will prove, in the point of time, to be the correct one.

In any event, the possibility of a $6 million loss on the project was not strongly refuted during the subcommittee hearings. In fact, when asked if this anticipated loss was a justified expenditure, Mr. Daniels told our subcommittee that he felt Washington-FHA's decision to go ahead and to subsequently approve of the modifications was sound, consistent with the high-risk urban renewal program. Commissioner Brownstein echoed essentially the same thing, emphasizing the social objective of bringing back the central city and in rehabilitating the slum areas.

At the same time, Commissioner Brownstein minimized the role of the Los Angeles-FHA office, stating that "the technical people" were overruled by Washington-FHA and that the record was not so clear as he would have liked it to be. However, the record of the hearings is clear and is replete with documentation that every pertinent section of the Los Angeles office—the appraiser, the underwriter, the operations branch, and the Director—were all consistently opposed to this project because it was not economical nor feasible. I have to agree with that record, that the Washington-FHA office erred in their decision to consistently overrule the Los Angeles-FHA office—the people closest to the scene.

And I also cannot escape the fact that this project was not what the Congress had in mind when it enacted the urban renewal legislation. The record indicates that this project was designed for luxurious living. Rents ranged from an unfurnished efficiency at $165 per month to a furnished two-bedroom apartment at approximately $600 per month. In fact, I believe that the brochure distributed by the Lesser promoters explains the story of the purpose for this project pretty well when it says, as follows:

> Some Special Features and Outstanding Points of Interest Concerning the Barrington Plaza.
>
> Barrington Plaza will be the tallest residential structure in Southern California or anywhere in the country west of Chicago. Barrington Plaza is the largest single private owned building construction job ever awarded in Southern California. Barrington Plaza represents the largest single loan commitment ever made in the 25-year history of the Federal Housing Administration, a commitment made through the Los Angeles Office of FHA for a total of $16,702,500. (Note: This ultimately went up to $18,604,500.)
>
> * * * * *
>
> The project is the first high-rise urban renewal project in the West. *Barrington Plaza will provide luxury apartment living* for an anticipated population of 2500 people in a total of 712 units and featuring all services available in the finest hotels.

After reading this brochure, I am reminded of the words of former Senator Herbert Lehman, of New York, when he stated in the Senate Banking and Currency Committee's Report No. 1472 at the time of the enactment of the section 220 legislation:

> Certainly, the "experimental program of mortgage insurance," while it has my general support, in the absence of alternative means, will be of little avail in supplying housing for low-income families in and near the large centers of population . . .

In fact, the real incongruity is that the Barrington Plaza did not measure up to completely luxurious living at all, even though it was intended for that purpose. Testimony indicated that the closet space was woefully indequate, the second bathroom was much too small, every unit irrespective of size contained one wall air conditioner—installed after the building was constructed—and the eastern side of the buildings leaked when subjected to heavy rainfall. In such "neither fish nor fowl" circumstances, no one could survive.

IV. OTHER SECTION 220 PROJECTS

While it is true that our subcommittee only took a look in-depth at one section 220 urban renewal project, due to the relatively short length of time allocated—and realizing that testimony from both former and present Government officials suggested that we look at the other section 220 projects before making a judgment as to the success of the program—I think it is important to examine the testimony of Mr. Alphonse F. Calabrese, veteran subcommittee investigator, concerning such other section 220 projects in the inventory.

In fact, I have taken subcommittee exhibit No. 7 from the hearings and I am placing it in toto in my remarks at this point due to its importance to this subject. Mr. Calabrese testified about it at some length. It is entitled, "Section 220 Projects in Financial Difficulty," and it shows the following:

EXHIBIT NO. 7

Sec. 220 projects in financial difficulty (as of Apr. 1, 1965, and Apr. 1, 1966)

	As of Apr. 1, 1965	As of Apr. 1, 1966	Increase (or decrease)
Total projects insured:			
Projects	212	240	28
Mortgage amount	$790,411,754	$885,993,647	$95,581,893
Projects in financial difficulty:			
Projects	59	71	12
Mortgage amount	$269,026,710	$359,508,160	$90,481,450
Categories of financial difficulty:			
1. Modification agreements:			
Projects	29	35	6
Mortgage amount	$157,271,212	$214,548,562	$57,277,350
2. Mortgages in default under forbearance agreements:			
Projects	11	4	(7)
Mortgage amount	$68,695,100	$29,676,900	($39,018,200)
3. Foreclosures pending:			
Projects	0	8	8
Mortgage amount	0	$40,637,400	$40,637,400
4. Assignments pending:			
Projects	2	0	(2)
Mortgage amount	$543,900	0	($543,900)
5. Assigned mortgages:			
Projects	12	16	4
Mortgage amount	$36,973,098	$44,869,398	$7,896,300
6. Title conveyed (project turned over to FHA):			
Projects	1	2	1
Mortgage amount	$79,600	$1,962,100	$1,882,500
7. Current defaults:			
Projects	4	6	2
Mortgage amount	$5,463,800	$27,814,300	$22,351,500

The table, prepared from the internal reports of the FHA's Urban Renewal Division and their Division of Research and Statistics, covers the period from April 1, 1965, through April 1, 1966.

The chart shows that the numbers of FHA-insured projects in financial difficulty, as of April 1, 1965, numbered 59 out of a total of 212 which represented $269,026,710 out of a possible $790,411,754. However, exactly 1 year later the number of projects in financial difficulty rose to 71 out of a total of 240 which represented $359,508,160 out of a total of $885,993,647. Thus, the number in financial difficulty increased by 12, and in dollar amount by $90,481,450—in 1 year's time.

Mr. Calabrese also explained that, although the number of mortgages in default under forbearance agreements decreased by seven—or $39,018,200 less—during this same 1-year period, nevertheless the number of foreclosures pending increased from zero to eight during this time—or an increase of $40,637,000. Thus, it appears that this practically amounted to a transfer of funds from one category to another with no material improvement to the program resulting therefrom.

Mr. Calabrese also explained that of the 212 total section 220 projects as of April 1, 1965, 135 of them were of the elevator or high-rise description—like the Barrington Plaza. Also, of the 71 projects in financial difficulty as of April 1, 1966, 52 of them were also elevator or high-rise in composition.

I believe the remainder of the chart pretty much speaks for itself but it is worth noting that, as to the last entry on the chart entitled, "Current defaults," as of April 1, 1965, there were only four projects involving $5,463,000 in this category while a year later there were six projects involving $27,814,300 so listed. This is the most serious category of all and it should also be noted that the Barrington Plaza was not included in these calculations as it was not finally foreclosed until June 2, 1966.

Under these circumstances, then, I believe it is a fair statement to say that the Barrington Plaza case was an objective illustration of the problems encountered and the deficiences reflected in the section 220 urban renewal program, a program which obviously has been growing into more financial difficulty and into an insurance reserve deficit position.

V. COMMENTS

I think the recommendation made by a majority of the members of the subcommittee to the effect that the FHA make economic soundness a primary standard in determining the worthiness of high-rise, luxury-type urban renewal projects is an excellent one, as I have just shown the large number of such high-rise projects within the section 220 urban renewal program which are in some form of financial difficulty. Certainly, too, the luxury aspect of the section 220 program must be eliminated because there is adequate financing available elsewhere to provide truly luxurious accommodations for those who can afford them. The Federal Government does not belong in this type of an operation. Section 220 projects should mean moderate, nonluxury type facilities.

I am also in accord with another recommendation made by a majority of the subcommittee members, to the effect that HUD and the FHA give adequate attention to economic feasibility in evaluating multifamily projects designed for low-cost housing and avoid approval of projects which have no reasonable prospect of meeting their mortgage obligations.

Early in my remarks, I showed that 591 of 3,601 projects in the six major active FHA programs were in some form of financial difficulty as of December 31, 1965. This represented $1.3 billion of a total of $5.7 billion. Of this total, 56 low- and moderate-income housing projects out of a total of 398 such projects were in financial difficulty as of the same date. This, in turn, represented $86.4 million out of a total of $621.9 million in what is known as the section 221 program.

I recognize that some financial difficulties may occur when social objectives are woven into such a program. But even when these social objectives are evident, the FHA should make every effort to place the projects containing them on a sound business basis—with customer responsibility attached. The Federal Housing Administration should never sit idly by and watch any of their programs, one-by-one, go marching down the financial drain.

VI. LEGISLATION

Our distinguished chairman introduced S. 1249, a bill to amend the National Housing Act to further protect the interests of the United States in the insurance of certain mortgages, in the Senate on March 10, 1967. Senator McCLELLAN explained the bill in some detail at that time and he has referred to it again today in his remarks accompanying the filing of this subcommittee report. Therefore, I will simply complement those remarks by listing here what I deem to be the purpose of each portion of the proposed legislation. These are, as follows:

1

Re: Section 235(a)(b). "Modifications in Terms of Insured Mortgages Covering Multifamily Projects."

This pertains to extensions of time or modification of the terms of the FHA mortgage re: multifamily housing, and the fact that all project income beyond expenses must be held in trust by the mortgagors whenever this occurs with the FHA's approval. Interested persons are placed under similar restrictions.

Purpose: To prevent the "milking" of project funds by a mortgagor, or other interested person, in such situations where the FHA has an insurance commitment with same and where the multifamily housing project is in financial difficulty.

2

Re: Section 228. "Contractor's Cost Certification."

This pertains to the certification of costs as to materials and services by a contractor or subcontractor before FHA mortgage insurance is granted to an otherwise-eligible project.

Purpose: To remedy an existing problem which, in turn, arose from amending the National Housing Act of 1954. The amendment was aimed at prohibiting insured mortgage proceeds from being used to provide excess profits for the project sponsors by requiring the sponsors to certify the actual costs incurred in the construction of a project. However, for such a project cost certification to be meaningful, the FHA should also know the actual cost of the work performed by subcontractors, particularly when they perform a substantial part of the entire project as is often the case. The $100,000 figure which distinguishes between mandatory and discretionary reporting—to the Secretary of HUD—appears to be a judgment factor based upon reason and practical experience.

Re: Section 532. "Audit and Examination of Books and Records."

This pertains to the project owners and managers making binding agreements to permit the Secretary of Housing and Urban Development and the U.S. Comptroller to have access, for audit and examination purposes, to all pertinent books and records of such projects, before FHA insurance is granted to them.

Purpose: To clarify some differences of opinion as to whether the Secretary of HUD and the Comptroller General have the authority to examine such records, with the obvious purpose of being able to take a look at records of the project whose mortgage is being insured with Federal funds.

I believe that these proposals are good, constructive steps in the right direction for these multifamily housing programs. Other instances of irregularities in the programs crop up in the Nation's newspapers from time to time. While our subcommittee staff is presently busy on other matters, I would hope that further inquiry into this vast field of Federal public housing could be made so that additional legislative proposals might be developed in order to streamline the programs and to protect the public's interest at the same time.

BILLS INTRODUCED

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. MONDALE:

S. 2033. A bill for the relief of Miss Faridah Yasseri; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 2034. A bill for the relief of Kennie E. Ashton; to the Committee on the Judiciary.

S. 2035. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

By Mr. HART:

S. 2036. A bill for the relief of Mrs. Aili Kallio; to the Committee on the Judiciary.

By Mr. DOMINICK (for himself and Mr. McIntyre):

S. 2037. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of New York:

S. 2038. A bill to discharge the States from the obligation of repayment of money deposited with them under the act of June 23, 1836; to the Committee on Finance.

(See the remarks of Mr. Kennedy of New York when he introduced the above bill, which appear under a separate heading.)

By Mr. RIBICOFF:

S. 2039. A bill to amend the Public Works and Economic Development Act of 1965 to provide for the establishment of a loan guarantee reserve fund, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself, Mr. Cooper, and Mr. Nelson):

S. 2040. A bill to provide for Federal assistance in the planning and installation of works and measures for the control and prevention of damages resulting from erosion of the roadbeds and rights-of-way of existing State, county, and other rural roads and highways, from erosion of the banks of rivers and streams, and from erosion of unrestored or unrehabilitated surface or strip mined non-Federal lands, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Randolph when he introduced the above bill, which appear under a separate heading.)

By Mr. LONG of Louisiana (for himself and Mr. Curtis):

S. 2041. A bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure," to include provisions relating to the U.S. Tax Court, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Long of Louisiana when he introduced the above bill, which appear under a separate heading.)

By Mr. McCARTHY:

S. 2042. A bill to amend section 4063 of the Internal Revenue Code of 1954; to the Committee on Finance.

By Mr. BURDICK:

S. 2043. A bill to amend the Internal Revenue Code of 1954 to provide that a farmer (or fisherman) shall have until March 15, instead of only until February 15 as at present, to file an income tax return which also satisfies the requirements relating to declarations of estimated tax; to the Committee on Finance.

By Mr. DIRKSEN (for himself and Mr. Kuchel):

S. 2044. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers; to the Committee on Finance.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. DODD:

S. 2045. A bill for the relief of Cesarina Martini Merlonghi; to the Committee on the Judiciary.

By Mr. McCLELLAN:

S. 2046. A bill for the relief of Jack L. Good; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2047. A bill to exempt certain vessels engaged in the fishing industry from the requirements of certain laws; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

EXPRESSION OF THE SENSE OF THE SENATE AS TO THE DESIRABILITY OF A STABLE AND DURABLE PEACE IN THE MIDDLE EAST

Mr. SYMINGTON (for himself, Mr. Javits, Mr. Allott, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Brewster, Mr. Brooke, Mr. Burdick, Mr. Cannon, Mr. Case, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Dodd, Mr. Dominick, Mr. Ervin, Mr. Fong, Mr. Griffin, Mr. Hansen, Mr. Harris, Mr. Hart, Mr. Inouye, Mr. Jackson, Mr. Lausche, Mr. Long of Missouri, Mr. McCarthy, Mr. McClellan, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Mondale, Mr. Monroney, Mr. Morse, Mr. Morton, Mr. Moss, Mr. Murphy, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Pearson, Mr. Pell, Mr. Prouty, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Smathers, Mrs. Smith, Mr. Stennis, Mr. Talmadge, Mr. Tydings, Mr. Yarborough, Mr. Young of Ohio, Mr. Cotton, Mr. Fannin, Mr. Spong, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Byrd of West Virginia, Mr. Kuchel, and Mr. Jordan of Idaho) submitted a resolution (S. Res. 143) looking toward a stable and durable peace in the Middle East, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. Symington, which appears under a separate heading.)

ADDITIONAL BENEFITS FOR OPTOMETRY OFFICERS OF THE UNIFORMED SERVICES

Mr. DOMINICK. Mr. President, on behalf of myself and the Senator from New Hampshire [Mr. McIntyre], I am pleased to introduce a bill to correct a serious inequity which exists in our armed services.

Of the four health professions, whose training is recognized by the U.S. Office of Education and whose members are licensed in every State and the District of Columbia, to clinically examine, prescribe, and correct human deficiencies, one receives treatment in our armed services which is less than commensurate with the contribution which it makes. The four professions are: physicians, dentists, veterinarians, and optometrists. Of the four, only the medical doctor spends more years in preparation than any of the other three. Yet, the medical doctor, the dentist, and the veterinarian enter military service at the rank of captain, and receive incentive pay amounting to $100 per month in addition to their beginning base pay. The fourth profession, the optometrist, who spends the same number of years to attain his professional competency as the veterinarian or the dentist, is penalized upon his entrance into the service of our country.

The optometrist is asked to enter military service as a first lieutenant and is the only one of the four professions who does not receive incentive pay.

Mr. President, we all recognize that good vision is vital to our ability to perform our assigned task. This is especially true of our military forces.

Lt. Gen. William W. Dick, Jr., chief of research and development of the U.S. Army, characterized the need for good vision most succinctly when he said recently:

> In recent years the Army has been teaching that there are three basic elements to successful combat operations: a unit of any size—from a squad to a field army—must be able to shoot, to move, and to communicate.
>
> Ideally—

General Dick continued—

> each of these elements—fire power, mobility, and communications, is equally achievable. The most deadly weapons can be highly ineffective if (1) they cannot be moved quickly to the proper place at the time needed, (2) the word to move to the proper place fails to reach the unit, and (3) instructions as to the location and nature of the target cannot be communicated to the unit.

To this statement, General Dick added the following:

> Actually, there is an implied fourth factor to add to those three, and General Johnson shortly after becoming Chief of Staff saw fit to take this factor out of the implied status and elevate it to equal status. He directed

the Army staff to add "seeing" to the other three functions.

Mr. President, the optometrists serving in our Armed Forces are dedicated to an active search for ways and means of giving our fighting men and women the best possible and most efficient vision for their individual military assignments. Theirs is not a small task. The report of the Surgeon General of the Army, dated June 1, 1964, shows that 31.8 percent of the Army wears glasses. Of the commissioned officers, 52.8 percent wear glasses; and 28.6 percent of our enlisted men and 59.6 percent of the WACS require eyeglasses. It is not surprising, therefore, when one realizes these facts that the shortage of optometrists in our military services is keenly felt.

The seriousness of this shortage is clearly reflected in recent actions by the Department of Defense which recently had to request the Selective Service to issue a special draft for additional optometrists. Under date of September 23, 1965, the Director of the Selective Service System issued Operations Bulletin No. 280, the fourth paragraph of which reads as follows, and I quote:

> Optometrists. The Army and Air Force are reported to be extremely short of Optometrists. This should be considered in processing these registrants.

Subsequently under date of January 21, 1966, Lt. Gen. Leonard D. Heaton, the Surgeon General of the Army, advised the junior Senator from North Carolina [Mr. JORDAN], in part as follows:

> It is estimated that world-wide (including Vietnam), the Army Medical Service will be approximately 130 Commissioned Optometrists short of projected requirements as of June 1966.

Prior to this time the office of the Surgeon General issued a general letter, the first paragraph of which read as follows:

> The United States Army Medical Service is in critical need of additional Optometrists. It is anticipated that our requirements will continue to increase as our Army increases in the current world-wide commitment.

Mr. President, in order to provide the inducement to overcome this shortage of optometrists in our military forces, the legislation which I introduce today would simply afford to the optometrist, the same treatment which we give to our veterinarians and our dentists who enter military service.

I ask unanimous consent that the provisions of my bill be included at this point in my remarks.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2037) to provide additional benefits for optometry officers of the uniformed services, introduced by Mr. DOMINICK (for himself and Mr. MCINTYRE), was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

S. 2037

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303(a) of title 37, United States Code, is amended as follows:

(1) By striking out "and" at the end of clause (2);

(2) By striking out the period at the end of clause (3) and inserting in lieu thereof "; and";

(3) By adding at the end thereof the following new clause:

"(4) a commissioned officer of the Army, Navy, Air Force, or the Public Health Service who is designated as an optometry officer, who is on active duty on July 1, 1967, for a period of at least one year or who, after that date and before July 1, 1971, is called or ordered to active duty for such a period."

SEC. 2. The catchline of section 303 of title 37, United States Code, and the corresponding item in the analysis of chapter 5 of that title, are each amended by adding "and optometry officers" after "veterinarians".

DISCHARGE OF THE STATES FROM THE OBLIGATION OF REPAYMENT OF MONEY DEPOSITED WITH THEM UNDER THE ACT OF JUNE 23, 1836

Mr. **KENNEDY** of New York. Mr. President, I introduce, for appropriate reference, a bill to discharge the States from the obligation of repayment of money deposited with them under the act of June 23, 1836.

For several years prior to 1836 the United States had been enjoying an era of great prosperity and world trade; the South was producing an abundance of cotton which brought high prices on the world market, and in return was buying items which were subject to a high tariff and brought in an unexpected amount of customs revenue. The West, with an abundance of public lands for sale, swelled the receipts from the sales of public lands to a total in excess of $44 million.

When the surplus in the Treasury continued to increase beyond all expectations the administration of President Andrew Jackson reported that the balance on hand, with the accruing receipts, was "likely for some time to come to exceed the real wants and just objects of the Government for expenditure"—"Report of the Treasurer, 1836," page 687—and it was decided to deposit the surplus with the 26 existing States according to the number of electoral votes each had. Pursuant to act of Congress, act of June 23, 1836, chapter 115, 5 Statutes 52, the U.S. Government deposited $28,101,644 with the several States in the form of interest-free demand loans. My own State of New York received $4,014,520.71, which has now been held in trust for 130 years. The act of 1836 did not specify any conditions under which these funds were to be used. The only proviso was that the moneys were to be returned to the Federal Government upon call.

For 74 years nothing further was done by the Congress or the Treasury. Then by the act of June 25, 1910, 36 Statutes 776, the Treasurer of the United States was relieved from further accountability for these deposits. However, the States were not discharged. To the contrary, the act provided in part:

> *Provided,* That the credit herein authorized to be given to the Treasurer of the United States shall in no wise affect or discharge the indebtedness of the several States to the United States as is provided in said Act of Congress, approved June 23, 1836, and shall be made in such manner as to debit the respective States chargeable therewith upon the books of the Treasury Department, until otherwise directed by the Congress.

For 56 years now, we have had the strange anomaly of States remaining liable to the Federal Government for the very deposits for which the Federal Government was relieved of accountability.

Prior to June 25, 1910, the Secretary of the Treasury carried the total of the surplus revenues distributed to States in 1837 as part of his cash accountability but labeled it as "unavailable funds of the General Treasury." After the act of June 25, 1910, the Treasury was relieved of cash accountability and Congress was left with the responsibility of deciding what should be done with the deposits.

After 130 years of confusion it is time for Congress to meet that duty and decide whether to demand repayment from the States, or to relieve the States from the obligation of repayment of money deposited with them. Any attempt to demand repayment would create more problems than it would solve. Many of the States have either no record of the money, lost it through improvident loans, spent it on establishing schools, or had their funds liquidated during the Civil War. It would be unrealistic to expect these States to repay after all these years.

The only sensible solution is to wipe these obligations off the books. Since the Treasury is no longer accountable for the debt under the act of June 25, 1910, it is not carried as an asset on the books of the United States. At the present time it is recorded only as a memorandum book entry and the removal of the debt would in no way affect the balance in the Treasury. Nor would it affect the public debt.

Last year I introduced a similar bill to discharge the States from the obligation to repay this money to the Federal Government. Although there was not sufficient time for the Congress to act on the proposal, both the Bureau of the Budget and the Treasury Department did indicate their approval of this effort to clarify the status of these funds.

It is unfair to permit the confused condition that now prevails to continue. Under the act of June 25, 1910, Congress has to resolve this situation. After 130 years of uncertainty, let us clear the record.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 2038) to discharge the States from the obligation of repayment of money deposited with them under the act of June 23, 1836, introduced by Mr. KENNEDY of New York, was received, read twice by its title, and referred to the Committee on Finance.

EXPANDING EDA LOAN GUARANTEES

Mr. **RIBICOFF**. Mr. President, I introduce, for appropriate reference, a bill to amend the Public Works and Economic Development Act of 1965 to increase the funds available to guarantee loans to private borrowers to start or expand businesses in redevelopment areas. This bill is intended as a companion to S. 581, which would redefine the areas qualifying for assistance under the Act.

Small- and medium-size businesses seeking to locate new or expanded facilities in redevelopment areas, including the core areas of our cities, need long term credit. Firms establishing themselves in these localities require this type of credit in order that they may have set adequate period of time in which to establish themselves in a difficult financial situation. If these enterprises are given the opportunity to develop, they can stabilize and upgrade a community and become a valuable resource of the people.

The loan guaranty is well suited to stimulate the generation of long term credit. It encourages the private money markets to supply the necessary funds. Urban development is primarily a job for the private sector and the loan guaranty insures that the private sector will play the leading role in providing investment capital.

Another advantage to the loan guaranty is that it is one of the least expensive methods of promoting the flow of capital toward desirable goals. A small reserve can guarantee a large amount of loans.

Under present law the Economic Development Administration has limited authority and resources for guaranteeing loans to private businesses. The loans may be for working capital only, and must be made in connection with projects where there has been a previous loan or a purchase of an evidence of indebtedness.

In these circumstances EDA has guaranteed only $12 million in loans in 2 years and its reserve fund totals only about $2.6 million.

Financial experts have estimated that a $10,000 capital investment is required to create one job. At this rate, the EDA loan guaranty program has created only 1,200 jobs in 2 years. With unemployment rates running 20 percent or more in redevelopment areas and ghettos this performance is woefully inadequate.

To remedy this situation and make the loan guaranty program a potent tool of job creation, I propose that the Economic Development Act be amended to allow the guarantee of any private business loan to finance a project in a redevelopment area and that a reserve fund up to $100 million be created to guarantee these loans. By conservative estimates this reserve should be sufficient to guarantee $2 billion in private loans for new investment capital. The $2 billion could create 200,000 new jobs. This would give the hard core unemployed who are seeking work an opportunity for a job.

Mr. President, this is a practical plan. The ratio of reserves to loans in the Federal housing program is about 50 to 1. Accordingly it is eminently likely that a 20 to 1 reserve ratio would be adequate to support the volume of loans I have suggested.

By reducing the risk to the lender the Government can spur action on one of the principal causes of our urban problems. If Government provides the necessary incentives I have every confidence that the business community will respond affirmatively. The bill I now introduce will do much to assure that response.

The slum areas of our Nation—and the slum dwellers—do not want charity.

Welfare and government handouts do not bring self-respect to a community, nor to its residents.

But new investment by business can be extremely important as a means to revitalize the city.

We need to encourage private investment in the run-down areas of the cities and minimize the risks faced by private lenders.

Remove or ease the obstacles to private investment and the businessman will invest—he will build and expand stores and factories—and the community will be upgraded, jobs will open up and the local economy will be strengthened.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2039) to amend the Public Works and Economic Development Act of 1965 to provide for the establishment of a loan guaranty reserve fund, and for other purposes, introduced by Mr. RIBICOFF, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 2039

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 202 (a) of the Public Works and Economic Development Act of 1965 is amended by striking out all that follows the semicolon at the end of clause (1) and inserting in lieu thereof the following: "and (2) upon the application of any private lending institution and subject to such terms and conditions as the Secretary may by regulation prescribe, to guarantee any loan made to a private borrower by such institution in connection with any project in a redevelopment area without regard to whether assistance under clause (1) has been granted with respect to such project. No guarantee of a loan under this subsection shall at any time exceed 90 per centum of the amount of the outstanding unpaid balance of such loan, and the aggregate amount of the unpaid balances of all loans so guaranteed which are outstanding at any one time shall not exceed $2,000,000,000."

(b) Section 203 of such Act is amended—

(1) by striking out the section heading and inserting in lieu thereof "FUNDS";

(2) by adding "(a)" after "Sec. 203.";

(3) by striking out "Funds" in the first sentence and inserting in lieu thereof "Except as otherwise provided in subsection (b), funds";

(4) by striking out "202" in the first sentence and inserting in lieu thereof "202(a) (1)"; and

(5) by adding at the end thereof a new subsection as follows:

"(b) There is hereby established in the Treasury of the United States a loan guaranty reserve fund which shall be available to the Secretary for the purpose of extending financial assistance under section 202 (a)(2), and for the payment of all obligations and expenditures arising in connection therewith. There shall be deposited in the loan guaranty reserve fund (1) any sums held, on the effective date of this subsection, in the economic development revolving fund as reserves for loans heretofore guaranteed by the Secretary under section 202(a)(2), (2) receipts in the form of fees or charges made in connection with loans guaranteed under such section, and (3) such sums obtained by the Secretary under section 201 (together with any sums referred to in the preceding clauses (1) and (2)) as may be necessary to maintain a balance in the loan guaranty reserve fund which is at least equal to 5 per centum of the aggregate amount of the outstanding unpaid balances of loans guaranteed under section 202(a)(2). Moneys in the loan guaranty reserve fund not needed for current operations shall be invested in direct obligations of the United States or obligations guaranteed by the United States."

SENATORS RANDOLPH, COOPER, AND NELSON INTRODUCE BILL RELATING TO CONTROL OF EROSION FROM ROADBANKS, RIVERBANKS, AND STRIP MINE LANDS

Mr. RANDOLPH. Mr. President, I introduce a bill for myself, and also on behalf of the Senator from Kentucky [Mr. COOPER] and the Senator from Wisconsin [Mr. NELSON], and request its appropriate reference. It is a measure designed to provide Federal assistance to States, counties, and other local planning agencies to alleviate the increasing problem of erosion from roadbanks, river and stream banks, and abandoned strip mined lands.

These three sources of siltation are creating serious problems in terms of flood control as well as water pollution.

The Congress has already evidenced its interest in the roadbank erosion problem with the enactment in 1966 of language in the Federal Aid Highway Act requiring the Federal highway authorities and the Department of Agriculture to establish guidelines to control erosion on Federal aid highways. The language in the bill which we are presenting today applies to all roads in the United States.

The Committee on Public Works is currently awaiting the report of the Secretary of the Interior on strip and surface mining and his recommendation of measures to control the despoilment of our land and the pollution of our streams and rivers.

The control of river and stream bank erosion has been covered to some degree by watershed programs but there is still much work to be done.

The legislation before us is substantially the same as introduced by the Senator from Wisconsin [Mr. NELSON] during the 89th Congress. We commend his leadership and activity in this critical area of controlling soil erosion and pollution.

The legislation is introduced as a point of reference. It is not presented as a complete or final solution in this field. We fully expect to take advantage of the reports and studies which are pending or underway before action is taken upon the legislation. The consideration of legislation of this nature will be important in improving the general environment of our Nation.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 2040) to provide for Federal assistance in the planning and installation of works and measures for the control and prevention of damages resulting from erosion of the roadbeds and rights-of-way of existing State, county, and other rural roads and highways, from erosion of the banks of rivers and streams, and from erosion of unrestored or unrehabilitated surface or strip mined non-Federal lands, and for other purposes, introduced by Mr. RANDOLPH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. NELSON. Mr. President, I am pleased to join with my distinguished colleagues, Senator RANDOLPH and Senator COOPER, in cosponsoring this highly significant bill aimed at preserving our Nation's soil and water.

In the last session of Congress, I introduced the River and Stream Erosion Control Act. In this session I have reintroduced that bill and have also authored the Roadbank Erosion Control Act. The bill which my distinguished colleagues have introduced today is aimed at controlling erosion and restoring the land surface not only along our highways, rivers and streams, but also in those areas where strip mining and the resultant slag piles have scarred the countryside.

As the pressure on our land and water resources increases, it is imperative that we continue to fight soil erosion and the pollution which results from that erosion. There is great concern today about water pollution by fertilizer and pesticide residues. A close look at the problem reveals this important fact: When water moves across the land surface, it carries with it both fertilizer and pesticide residues and soil particles. These components are inseparable—you cannot have one without the other.

It is obvious that one of our basic concerns in our efforts to control water pollution has to be the stabilization of the land surface.

This Nation is losing the equivalent of 400,000 acres of good land each year from erosion and other forms of soil deterioration. Flood damages in upstream watershed areas still amount to $1 billion each year. The accumulation of sediments in reservoirs and ponds throughout the country totals at least 850,000 acre-feet annually. Every year it costs us an estimated $250,000,000 to remove soil deposited in stream channels, harbors and reservoirs.

It is high time that we unify and expand both the direction and scope of our Federal soil and water conservation programs. I am certain that this bill is a step in the right direction.

Our land is a most precious resource. It would be a tragedy to have to tell our grandchildren that the land was lost because we did not act in time to save it.

MEMORANDUM ON CONFERRING CONSTITUTIONAL STATUS ON THE TAX COURT OF THE UNITED STATES

Mr. LONG of Louisiana. The problem of the status of the Tax Court of the United States has been a continuing and troublesome one since its inception as the Board of Tax Appeals in 1924. It was designed to provide a forum for taxpayers to obtain an independent review of the deficiencies in their Federal income, estate, and gift taxes as determined by the Commissioner of Internal Revenue. The root of the problem lies in the fact that the governing legislation has labeled and still labels the Tax Court as "an independent agency in the executive branch of the U.S. Government" despite the fact that the court functions strictly as a court of record. For reasons based on history, logic, and substance, the proper functioning of the court requires that its status be changed and that it become a full-fledged member of the Federal Judiciary. The Tax Court is the last Federal court without constitutional status.[1]

HOW THE COURT PRESENTLY OPERATES

The Tax Court has always functioned as a court of record. It holds trials, transcripts of testimony are made, briefs are filled, opinions are issued and decisions entered solely on the basis of the record before the court. No facts except those stipulated by the parties or proved in accordance with accepted rules of evidence are considered by the court. The court's published opinions provide a body of precedent for the guidance of the bar and the taxpaying public. Thus, in all respects the methods of the Tax Court are those generally utilized by all Federal courts.[2] The Tax Court does not have, and has never had, any investigatory or regulatory powers or duties such as are customarily exercised by administrative agencies.

HISTORY OF THE TAX COURT

From the beginning in 1924, efforts, some successful and some unsuccessful, have been consistently made to accord the Tax Court full judicial status. In the original legislation of 1924, Congress rejected the concept of an informal body contained in the original administration proposal and, instead, established a formal board to function along judicial lines.[3] Again in 1926, Congress eliminated the provision for a trial de novo by way of appeal from the Board's decisions and provided that decisions would be final unless appealed to a U.S. Court of Appeals.[4] The process was further continued in 1942 when the name of the Board of Tax Appeals was changed to the Tax Court of the United States and its members were designated as judges. Again, in 1947, the House of Representatives passed H.R. 3214, which placed the Tax Court in the judiciary. The bill accorded the same treatment to the Court of Claims, the Court of Customs and Patent Appeals, and the Customs Court. The provisions relating to the Tax Court were deleted in the course of Senate action during the closing days of the 80th Congress. Provisions relating to the other courts were retained, and the bill passed the Senate and was enacted into law. In ensuing years, similar bills designed to accord the Tax Court judicial status in the same manner as all other Federal courts were introduced—H.R. 7514 in 1948, and H.R. 3113 in 1949—in the House of Representatives and S. 3796 in 1958 and S. 1274 in 1959 in the Senate. H.R. 3113 was reported favorably by the House Judiciary Committee, but no further action was taken and the bill died at the end of the 81st Congress.[5] On May 17, 1967, Chairman Mills of the House Ways and Means Committee again introduced legislation—H.R. 10100—to incorporate the Tax Court into the Federal judiciary.

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[1] The United States Military Court of Appeals is an Article I court.

[2] On April 22, 1948, at p. 38 of the hearings on H.R. 3214 before a subcommittee of the Senate Judiciary Committee, 80th Cong., 2d Sess., Chief Judge Harold M. Stephens of the United States Court of Appeals for the District of Columbia stated:

"But as a matter of fact, the Tax Court has become a court in every proper sense of the term, insofar as the functions that it performs are concerned.

"It not only has a staff of members, all of whom are lawyers and judges in the best sense of the term, but its work is that of a court.

"It passes on questions of fact as a court does. It passes upon questions of law as a court does. It has to pass not only on questions of tax law, but on questions of general law. Because tax problems cannot be solved in terms of tax statutes alone. They have to be solved in terms also of the law with respect to trusts and with respect to corporate reorganizations and with respect to contracts and almost every other branch of the civil law, and sometimes even of the criminal law.

"It takes a court and lawyers who are trained in the law to deal with those problems.

"The preparation and presentation of cases before the Tax Court requires knowledge in respect to the preparation of pleadings, the examination and cross-examination of witnesses, the preparation of findings of fact and conclusions of law, the arguments of questions of law. It requires a high degree of ability."

[3] See the following comments of Senators Jones and Walsh in support of the 1924 change (appearing in the transcript of hearings on H.R. 3214, *supra*, at p. 43):

Senator Jones said:

"The hearings are for judicial purposes. They are supposed to be conducted along the lines of judicial procedure. They are, in effect, courts of appeal. They determine controversies between the Government and taxpayers. Evidence is to be submitted bearing upon the question, and a decision is to be reached, which, for practical purposes, in most cases at least, is a final decision.

"I submit that when there is a controversy between the Government and a taxpayer which shall follow through the various lines of procedure and finally reach the Board of Appeals, when it gets there all the proceedings should be public proceedings, the evidence should be taken down in writing, there should be a finding of fact, and the decision of the Board should be in writing and filed in the case just the same as any other judicial proceeding. Because that is what the case would be. It would be a judicial proceeding."

And Senator Walsh, supporting that, said:

"I think that the proceeding ought to approximate, as nearly as practicable, proceedings in court. It really is intended in a way as an equity judicial tribunal for the determination of those matters. There is no means that can be devised of making a court decide cases aright, in accordance with sound reason, better than by requiring the court to file its opinion showing how it arrived at the conclusion which it reached."

[4] Under the 1924 Act, the Board was not empowered to hand down final decisions and final judgments. In enacting the 1926 Act, the Congress said:

"We are going to change this. We are going to provide that hereafter, upon the determination of a deficiency against a taxpayer for additional amounts of tax, the taxpayer shall no longer be enabled to go both ways, both to the Board of Tax Appeals and then to the district court. He must hereafter make an election to proceed one way or the other. Because we are going to set up a Board of Tax Appeals in a manner which will give him his full rights, for *not only a judicial determination* before this Board, but for a proper judicial review of the findings of this Board, and its conclusions of law, on the record that is made before it." [Emphasis supplied] [Transcript of hearings on H.R. 3214, *supra*, at p. 45]

Transfer of the Tax Court into the judiciary has had the support of the American Bar Association,[6] distinguished Federal judges,[7] and the Hoover Commission.[8]

REASONS FOR THE LEGISLATION

Compelling reasons exist for bringing the Tax Court full-fledged into the mainstream of the Federal judiciary establishment. None of the objections which have been voiced against this step in the past bear any relationship to the substantive merits of the proposal—they deal with jurisdictional problems relating to which executive department should represent the Government before the tax court, which committee of Congress should have jurisdiction of matters pertaining to the tax court, and the breadth of the eligible representation of taxpayers before the court. By way of contrast, substantial reasons affirmatively support the proposed transfer of the court to the judiciary:

First. The perpetuation of an "executive tribunal" to exercise exclusive judicial functions may well violate the constitutional doctrine of separation of powers.[9]

Second. Although the present functions of the tax court are judicial in nature, it has no power to enforce its subpenas, punish for contempt, or otherwise compel observance of its rulings in the performance of its functions.

Third. Despite the fact that the Tax Court is independent of the Internal Revenue Service and impartial in the performance of its judicial duties, many taxpayers consider that it is merely an arm of the Internal Revenue Service and a further extension of the administrative settlement procedures. The situation is further exacerbated by the fact that the Tax Court is presently located in the Internal Revenue Building; the Public Works Committees of both Houses of Congress have recognized this and have approved for construction a separate building in Washington to be used by the Tax Court as a courthouse. Thus, the public remains unconvinced of the independence and impartiality of the court, although the court is the only judicial forum where a taxpayer can have his tax liability determined without first paying the deficiency asserted by the Commissioner.

Fourth. Continuing the Tax Court within the executive branch has given it an administrative setting which has caused sometimes unforeseen and always potentially unfortunate effects, not capable of resolution without litigation.[10] A good example is the Administrative Procedures Act and the litigation engendered by its enactment. Another example involves the holding of the Supreme Court [11] that decisions of the Tax Court on questions of fact were not reviewable if supported by any evidence in the record. This holding required repeal legislation, which provided that Tax Court decisions shall be subject to review by the U.S. Court of Appeals in the same manner and to the same extent as decisions in the district courts in cases tried without a jury.[12] The Congress has had constantly to remember that specific reference to the Tax Court is required in legislation relating to the Federal courts covering procedures and questions of personnel and administration.

Fifth. No additional costs will be involved. The present salaries of the judges will remain unchanged, no additional judges—there are now 16 active judges—and no new employees—the Court now has a staff of 130 persons—are presently contemplated. The retirement provisions, including survivor benefits, are substantially similar to those already provided for the other Federal courts.

Sixth. The use of the commissioner system by the court will be facilitated, thereby enlarging the capacity of the court to deal with small claims.

WHAT THE NEW LEGISLATION WOULD DO

The Tax Court would be moved from the Internal Revenue Code into the Judicial Code and made an article III constitutional court. The emoluments of office would be the same as for other Federal judges. The court's jurisdiction would not be changed and its rules of procedure would be as similar to the Federal Rules of Civil Procedure as practicable. Judges appointed to the court after the enactment of the legislation would serve during good behavior. Judges now serving on the court could serve out their current terms if they so desired and the recall provisions applicable to retired judges would be preserved. The retirement system would be integrated into the retirement system for other judges. Provisions would be made to protect the right to practice before the court of all persons presently authorized so to practice, whether or not they are lawyers—as was done when the Customs Court was placed in the judiciary—and with respect to representation of the U.S. Government in litigation before the court.

CONCLUSION

The continuation of the Tax Court as "an independent agency in the executive branch of the U.S. Government" is an unnecessary and complicating anomaly which fails to accord with the initial intent of Congress that the court be a judicial tribunal with its procedure to conform as nearly as possible "to the procedure in the case of an original action in a Federal District Court." Moreover, the possibility of a continuing and serious violation of the Constitution is a significant consideration.[13] More importantly, the continuation of such a status perpetuates an unjustified and unfortunate image of the court in the mind of the public.

CHRONOLOGY

Revenue Act of 1924: Creation of Board of Tax Appeals as a tribunal with formal procedures.

Revenue Act of 1926: Board of Tax Appeals' decision final, appeal to Circuit Court of Appeals and ultimately on certiorari to the Supreme Court.

Revenue Act of 1942: Name "Board of Tax Appeals" changed to "The Tax Court of the United States" and "members" to "judges." No change, however, in status of Court.

Year 1947 (80th Cong., 1st Sess.):

Mr. Robsion (House Judiciary Committee) introduced H.R. 2055.

H.R. 3214 was substituted for H.R. 2055 and introduced by Mr. Robsion on April 25, 1947. (Bill is to "revise, codify, and enact into law Title 28 of the U. S. Code entitled 'Judicial Code and Judiciary.' ")

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[5] See Exhibit A which sets forth the chronology of the various legislative efforts.

[6] On September 9, 1948, the ABA House of Delegates received and adopted a resolution recommended by the Section of Taxation that the Tax Court be made a court of record under the judicial code. And on February 20, 1956, the ABA House of Delegates approved and adopted the Report of the Special Committee on Legal Services and Procedure which included the following resolution:

"Tax Court.—*Resolved* further, That the American Bar Association recommends to the Congress that the Tax Court of the United States be removed from the executive to the judicial branch of the Government as a court of original jurisdiction, and that this result be achieved by amendment of Title 28 of the United States Code."

See: ABA Report of the Special Committee on Legal Services and Procedure, January 31, 1956, Resolution 4.1, p. 43.

On June 7, 1967, the American Bar Association endorsed H.R. 10100. (Copy of letter to Chairman Celler of the House Judiciary Committee appears as Exhibit B.)

[7] Judge Albert B. Maris of the United States Court of Appeals for the Third Circuit said in the hearings before the Senate Judiciary Committee on H.R. 3214, at pp. 23–24:

"In view of the character of the Tax Court's business and of the high quality and impartiality of the work of its judges, we believe it to be the consensus of opinion of the Federal judges, and especially of those who review its decisions, that the court has earned the right to be treated in law as well as in fact as a court rather than an administrative agency. We, therefore, recommend that the Senate concur in the action of the House in including the Tax Court in the bill as a court of record."

See also statement of Judge Stephens, note 2, *supra*.

[8] The Hoover Commission made the following comments:

"The first area is that of taxation. The Tax Court of the United States is the only strictly executive tribunal in the United States. We believe that this Court should be removed from the executive branch. It would be a legislative court comparable to the United States Court of Claims."

This idea was later adopted as part of the Hoover Commission Recommendation No. 51 (see Hoover Commission Task Force on Legal Services and Procedure, pp. 87–88).

[9] Recommendation No. 65, id. at pp. 255–256.

[10] See Exhibit C which summarizes the more significant cases dealing with problems affected by the status of the Tax Court.

[11] *Dobson* v. *Commissioner*, 320 U.S. 489 (1943).

[12] Sec. 1141(a), Internal Revenue Code of 1939.

[13] See note 9, *supra*.

Bill is referred to Committee on the Judiciary of the House.

Bill is favorably reported by the House Judiciary Committee (H. Rept. No. 308).

Amended on House floor (addition of grandfather clause).

Passage by House.

Bill introduced in Senate, July 8, 1947.

Referred to Senate Committee on Judiciary.

Year 1948 (80th Cong., 2nd Sess.):

Subcommittee hearings in April and June 1948.

Reported with amendments (deleting all reference in Bill to the Tax Court) (S. Rept. No. 1559) June 9, 1948.

Amended and passed Senate, June 12, 1948.

H.R. 7154 introduced by Rep. Reed (Ill.) August 7, 1948 (Bill contained substantially the provisions deleted from H.R. 3214).

Referred to House Judiciary Committee.

ABA (Tax Section) House of Delegates adopted Bill but recommended the deletion of the grandfather clause.

Bill was never reported out of Committee.

Year 1949 (81st Cong., 1st Sess.):

H.R. 2447 introduced by Rep. Reed (Ill.). *H.R. 3113* substituted for H.R. 2447 again introduced by Rep. Reed, March 1, 1949. Referred to House Judiciary Committee. Hearings before Subcommittee No. 2. Bill favorably reported out of Committee (H. Rept. No. 1138). No further action taken. Died at the end of the 81st Congress.

July 10, 1953: Establishment of the Hoover Commission on the Organization of the Executive Department.

Year 1954: Task Force on Legal Services and Procedures Report submitted to full Commission (February 10, 1954).

Year 1955: Hoover Commission Report submitted to Congress (March 28, 1955). Task Force Report sent to Congress (March 31, 1955).

February 20, 1956:

ABA Special Committee report on Task Force and Hoover Commission recommendations.

Report adopted ABA House of Delegates, authority to supplement recommendations.

Proposed bill drafted by Judge Rice of the Tax Court and Drafting Committee of ABA Advisory Group.

Year 1957: Final Draft adopted by ABA Special Committee, March 1957.

Year 1958 (85th Cong., 2nd Sess.): Sen. Henning introduced S. 3796 in the Senate. No hearings ever held on S. 3796. Died at the end of the 85th Congress.

Year 1959 (86th Cong., 1st Sess.): Sen. Henning introduced S. 1274, the successor of S. 3796. Never reported out of Committee.

Year 1963 (88th Cong., 1st Sess.):

Rep. Fogarty introduced H.R. 3179. Bill to provide the judges of the Court of Military Appeals tenure during good behavior.

Favorably reported out of Committee on Armed Services after hearings.

Passed House.

Never reported out of Senate Committee on Armed Services.

EXHIBIT A.—*Summary*

Bill	Type of court	Tenure	Chief judge selection	Practice
H.R. 3214	Art. I	12 years	Biennial	Grandfather clause.
([1])	(?) art. III	Life	Seniority	
H.R. 7154	Art. I	12 years	Biennial	Grandfather clause is an integral part of act.
H.R. 3113	do	do	do	Grandfather clause—part of transitory provisions.
Hoover recommendation	do	Life	Presidential appointment.	FRCP and court rule.
S. 3796	Art. III [2]	do [2]	Biennial	Grandfather clause—part of transitory provisions.
H.R. 3179, Court of Military Appeals.	Art I	Life (transitory) (status for present judges).		

[1] Alternative sections posed in H. Rept. 308.

[2] Transitory provision that present judges serve out terms; court becomes art. III on expiration of final term.

Note.—With all Tax Court bills it is generally true that length of service for various purposes will include prior service on the court or the Board of Tax Appeals.

INDIVIDUAL BILLS

Revenue Act of 1924:

Creation of Board of Tax Appeals (BTA):

1. Original Treasury Dept. recommendation was for "case settlement board" in the Treasury Dept., independent of the IRS, with informal procedures.

2. Bill as reported and passed by House created a "case settlement board" independent of both the Treasury Dept. and the IRS. Board had informal procedures.

3. Amended on Senate Floor to constitute BTA as a tribunal with formal procedures. (Proposed: Sen. Jones (New Mex.); supported: Sen. Walsh (Mont.)) Amendment adopted.

Revenue Act of 1926:

A. W. Gregg (Solicitor, IRS) appearing for Treasury Dept. suggested that BTA should be a "court" in name, as it is in fact.

Bill as passed retained "independent agency" language but the BTA was fitted into the Federal judiciary system. To wit: No longer is de novo hearing in district court available to party losing before BTA. Decision of BTA final, subject to appeal to the circuit court of appeals or on certiorari to the Supreme Court.

Revenue Act of 1942: Changed name "Board of Tax Appeals" to "The Tax Court of the United States" and "members" to "judges." No change, however, in status of Court.

Years 1947 (80th Cong., 1st Sess.); 1948 (80th Cong., 2nd Sess.):

Mr. Robsion (Judiciary Committee) introduced H.R. 2055.

H.R. 3214 was substituted for H.R. 2055 and introduced on April 25, 1947. Its purpose was to "revise, codify and enact into law Title 28 of the U.S. Code entitled 'Judicial Code and Judiciary.' "

Bill is referred to Committee on the Judiciary of the House.

As reported by House Judiciary: Bill included Tax Court in the Federal Judiciary.

Report by Atty. General Clark (April 17, 1947) noted no objection to such an inclusion as "Court of Record."

Bill as reported constituted the Court as a legislative court—tenure of judges set at terms of 12 years.

The House Report noted, however, that the tenure provision (§ 272(a)) and the provision dealing with the biennial appointment of a judge to act as chief judge (§ 273) were inconsistent with the provisions governing other courts. They, therefore, provided for alternative sections as to tenure (tenure during good behavior) and appointment of a chief judge (seniority system). These alternative sections were never adopted. Also, as reported, the matter of practice before the Court was reserved to the Tax Court to determine by Rule (see § 2560).

By amendment on the House Floor the grandfather clause was added to § 2560—("No qualified person shall be denied permission to practice before such Court because of his failure to be a member of any profession or calling.")

Bill passed House.

Introduced in Senate, July 8, 1947.

Sent to Senate Judiciary Committee.

Senate Hearings: Judiciary Subcommittee.

Problem is grandfather clause (§ 2560)—it is the only phrase of Bill which is controversial. (Rep. Reed (Ill.) testimony.)

Sen. Donnell (Mo.), subcommittee chairman, in regard to "controversy" suggests either (1) strike the sentence or (2) pass the Bill as is and later amend it if necessary. On noting these views in questioning Rep. Devitt (Minn.), the latter replied that because § 2560 was controversial the Senate should strike *all* provisions relating to the Tax Court (except § 1294, re: the Dobson Rule). His reason was that by doing so they would not hold back the entire bill. In fact, Devitt remarked that to accomplish this he had had the House Committee prepare such an amendment in advance. He concluded that the Tax Court provision could then be put through the normal legislative process to give all a chance to be heard on § 2560.

Judge Albert Maris suggested that only the grandfather clause be stricken and that authority to practice be left to the Tax Court's rule-making function as the Bill had provided when reported out of the House Judiciary Committee. He noted that a precedent for keeping this a part of the rules of the court is the Customs Court. When Congress constituted the Customs Court out of what had been the Board of United States General Appraisers, the Court (Rule 11) "grandfathered" those customhouse brokers who at that time were authorized to practice before it; noting Presiding Judge Oliver's remark that the rule had proven very practical.*

June 9, 1948: Bill reported by Sen. Wiley with amendments which would strike all provisions relating to the Tax Court (S. Rept. No. 1559).

June 12, 1948: Passage, with amendments deleting Tax Court from Bill. (Reason given in S. Rept. 1559: avoid controversial matter so as not to delay passage of entire bill.)

Year 1948: H.R. 7154—proposed by Rep. Reed (Ill.), August 7, 1948. Bill contained substantially the provisions deleted from H.R. 3214; the new Bill retained the grandfather clause.

Sent to House Judiciary Committee.

September 9, 1948: ABA (Tax Section) House of Delegates adopted the Bill but recommended the deletion of the grandfather clause.

Bill was never reported out of the House Judiciary Committee.

No hearings were ever held.

Year 1949: H.R. 3113 (successor to H.R. 2447) introduced March 1, 1949, by Rep. Reed (Ill.), 81st Cong., 1st Sess.

Sent to House Judiciary Committee.

Bill as introduced contained grandfather clause—no change in tenure (same 12 year term).

Hearings before Subcommittee No. 2 of House Judiciary Committee. At hearings: ABA statement. ABA notes that grandfather clause is now in the Bill as a transition provision. They, therefore, in order not to interfere with passage, approve the position taken but note their opinion that the same result could be obtained by leaving the question up to the Court in its rule-making capacity. If, however, the Committee deemed the provision essential, the ABA would not oppose the passage of the Bill.

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*Judge Maris noted that Judge Turner had informed him that if the Tax Court had authority to handle the matter by rule, the Court would maintain those persons already on the roll.

Hearings Volume 5, Text § 2662: Taxpayer shall be represented before such court in accordance with the rules of practice prescribed by such court. . . . All persons admitted prior to effective date of this act . . . shall be recognized . . . so long as they behave themselves well, to represent petitioners before that court.

Attorney Spencer Gordon for accountants (American Institute of Accountants)—suggestions:

1. Allow accountants (by Tax Court rule) to continue to be admitted to practice for purpose of making appeal and settling case, not to try it (in addition to present grandfather clause).

2. Keep in the Act (language from Revenue Act of 1942) "no qualified person . . ."

3. Defer passage until the passage of H.R. 2983, as yet not introduced (to establish a tax settlement board (sponsored by accountants)). Kind of analogy to pretrial hearing in District Court (informal).

Main gist—(also, Mark Richardson representing accountants): Trial function is not function of accountant, but Tax Court petition is function of accountant since at this stage you are still in negotiation with IRS, i.e., settlement function.

Bill favorably reported out of Committee (H. Rept. No. 1138, 81st Cong., 1st Sess.) but no further action taken. Died at the end of the 81st Congress.

July 10, 1953: Establishment of the Hoover Commission on the Organization of the Executive Department.

February 10, 1954, Hoover Task Force on Legal Services and Procedures Report submitted to Commission. Recommendation: Administrative court with tax section; would accomplish the inclusion of the Tax Court in the Judiciary; § 412(b) of the proposed bill contained the grandfather clause regarding the Tax Court.

March 28, 1955, Hoover Commission Report submitted to Congress. Tax Court as legislative court.

March 31, 1955, Hoover Task Force Report sent to Congress.

February 20, 1956, ABA Special Committee reports on Task Force and Commission recommendation: Tax Court to Judicial Branch. Separately refers to specialized courts (e. g., Trade Labor).

Report of ABA Committee adopted by House of Delegates and authority to implement is received from ABA Board of Governors. Committee Advisory Group, Drafting Committee—in conjunction with Judge Rice of the Tax Court.

Final draft adopted by ABA Special Committee in March 1957.

May 13, 1958: Sen. Henning introduced S. 3796 in the Senate (85th Cong., 2nd Sess.) to incorporate Tax Court in Title 28. Court, after expiration of present terms of judges, will be Art. III court, judges having tenure during good behavior.

No hearings were ever held on S. 3796 and the Bill died with the close of the 85th Congress.

Year 1959: Sen. Henning introduced S. 1274, the successor of S. 3796, which, like its predecessor, never was reported out of Committee.

Year 1963 (88th Cong., 1st Sess.): H.R. 3179—to provide the judges of the U.S. Court of Military Appeals tenure during good behavior (Title 10).

Introduced by Mr. Fogarty (Committee on Armed Services).

Sent to Committee on Armed Services.

Hearings (Vol. 2, No. 12) before Subcommittee No. 1, June 4, 1963. Hearings earlier on H.R. 4352 and 5703 to establish Court as an Art. I, legislative court; increase to life tenure.

Both Bills had received unfavorable reports from Departments of Defense and Justice.

Earlier committee had made a "Committee Print" calling for Art. I court rather than a court of questionable status as under present House Bill. The Department of Defense (Maj. Gen. Kuhfeld, Air Force JAG) supports the "Committee Print" calling for an Art. I court, autonomous, not within Title 28 but rather within Title 10. Problem: Since only three judges, what of President's power to remove for disability. If life tenure, you would need hearing, etc. (Note: Not really a problem with Tax Court as you have maximum of 16 judges sitting.) Then if removed, temporarily, question of Art. III judges being able to sit. (Again, not analogous to Tax Court.) (Transitory status for present judges, not per se, made subject to life tenure by the Bill.)

Favorably reported, H. Rept. No. 413.

Subject of Special Order, H. Rept. No. 424.

Debated and passed House.

Referred to Senate Committee on Armed Services.

Never any hearings held.

Exhibit B

American Bar Association,
Chicago, Ill., June 7, 1967.

Re H.R. 10100.

Hon. Emanuel Celler,
Chairman, House Judiciary Committee,
Rayburn House Office Building,
Washington, D.C.

Dear Mr. Celler: The American Bar Association has for several years supported the transfer of the Tax Court of the United States from the executive to the judicial branch of the government as a court of original jurisdiction. Congressman Wilbur Mills has introduced legislation (H.R. 10100) to bring about this transfer, and it has been referred to your committee.

In 1956, the House of Delegates of the American Bar Association adopted the following resolution:

"Resolved Further, That the American Bar Association recommends to the Congress that the Tax Court of the United States be removed from the executive to the judicial branch of the government as a court of original jurisdiction, and that this result be achieved by amendment of Title 28 of the United States Code."

This represents our current views on the Tax Court legislation.

I am writing, therefore, to commend this legislation for consideration by you and your committee. If hearings are scheduled, we would like to have witnesses appear on behalf of the Association. The Association's Section of Taxation has the delegated primary responsibility within the Association in this matter, so any notice of hearings should be sent to that section at 1705 DeSales Street, N.W., Washington, D.C. 20036.

Sincerely yours,

Orison S. Marden.

Exhibit C

Year 1929: *Old Colony Trust Co.* v. *Commissioner*, 279 U.S. 716. Power of Court of Appeals to review B.T.A. affirmed, though B.T.A. is an administrative agency rather than a court.

Year 1943: *Commissioner* v. *Gooch Milling & Elevator Co.*, 320 U.S. 418. B.T.A. is independent, executive agency whose jurisdiction is limited solely to that year in which the Commissioner has determined the deficiency; also no power to order a refund or credit.

Dobson v. *Commissioner*, 320 U.S. 489. Tax Court is independent agency and its findings are subject to a limited scope of review. Is there a rational basis for conclusion reached by the administrative body—only reverse for a clear-cut mistake of law.

Year 1944: *Hutchings-Sealy National Bank* v. *Commissioner*, 141 F. 2d 422 (C.A. 5) 1 T.C. 692. Tax Court (agency) review procedure, substitution for a now deceased party, not controlled by general appeal or writ of error procedure but by petition for review per rules of reviewing court.

Year 1947: *Commissioner* v. *Weisler*, 161 F. 2d 997, 6 T.C. 1148. Scope of review of Tax Court—*Dobson* rule applied.

Lincoln Electric Co. v. *Commissioner*, 162 F. 2d 379 (C.A. 6) 6 T.C. 37. Review of Tax Court decisions is governed by the Administrative Procedure Act—(APA)—scope of review has been broadened by APA. No need to particularize in this case since *Dobson* rule was held not to apply.

Year 1947: *Anderson* v. *Commissioner*, 164 F.2d 870 (C.A. 7) 5 T.C. 443. Seventh Circuit does not agree with Sixth Court of Appeals in *Lincoln Electric* and held that the power of Court of Appeals to review Tax Court decisions had not been broadened by APA.

Credit Bureau of Greater N.Y. v. *Commissioner*, 162 F.2d 7 (C.A. 2) 1946 T.C.M. Second Circuit refused to consider application of APA to Tax Court review.

Year 1948: *Kennedy Name Plate Co.* v. *Commissioner*, 170 F.2d 196 (C.A. 9) 1947 T.C.M. Sec. 8(a) of APA (review by full admin. body) not applicable to Tax Court—assumes but does not decide that APA might apply. Tax Court, in this particular, had its own relevant procedure set out in the statute (I.R. Code)

Year 1949: *Cohen* v. *Commissioner*, 176 F.2d 394 (C.A. 10) 9 T.C. 1156. A section of APA held inapplicable to Tax Court but court did not pass on whether Tax Court was a "court" within the exclusion from the Act (sec. 2(a)).

Year 1950: *Emily Marx*, 13 T.C. 1099. Burden of proof not met—therefore no decision necessary as to whether Tax Court could act under APA.

Kay v. *Commissioner*, 178 F.2d 772 (C.A. 3) 11 T.C. 471. Tax Court is not bound to follow a determination by the Commissioner any more than are the Circuit Courts of Appeal.

Year 1954: *Stern* v. *Commissioner*, 215 F.2d 701 (C.A. 3) 21 T.C. 155. Tax Court really (in fact) a court—should follow court procedures (disclose names of judges sitting en banc).

Year 1955: *Reo Motors* v. *Commissioner*, 219 F.2d 610 (C.A. 6) 9 T.C. 314. Though not technically a federal court, it does exercise an inherently judicial function—Tax Court has power to vacate and correct its decisions.

Fairmont Aluminum Co. v. *Commissioner*, 222 F.2d 622 (C.A. 4) 22 T.C. 1377. Tax Court proceedings are judicial in nature; therefore judicial doctrine (collateral estoppel) is properly applicable.

Year 1956: *Lasky* v. *Commissioner*, 235 F.2d 97 (C.A. 9), affd. per curiam 352 U.S. 1027 (1957) 22 T.C. 13. Tax Court has no jurisdiction to set aside its decisions—no equity jurisdiction.

Year 1959: *O'Dwyer* v. *Commissioner*, 266 F.2d 575 (C.A. 4) 28 T.C. 698. Tax Court is not a "reviewing court" within meaning of sec. 10(e) of APA—does not review record made in dealing with the Commissioner but tries facts de novo.

Year 1961: *Louisville Builders Supply Company* v. *Commissioner*, 294 F.2d 333 (C.A. 6). Tax Court has no jurisdiction to grant an order in a case in which as yet no notice of deficiency sent and petition filed. While Tax Court has judicial or quasi-judicial power it is limited by statute. (I.R. Code)

Year 1963: *Fairmount Park Raceway* v. *Commissioner*, order 3/21/63. Citing *Lasky*—denial of motion to correct transcript.

Year 1963: *Estate of Bernard A. Marx*, 40 T.C. 1. Citing *Louisville Builders* case. Tax Court has no power pre-deficiency notice to authorize taking of deposition.

Year 1964: *William S. Baglivo*, Tax Court Memo Sur Order 2/27/64. *Lasky* cited—no power to reopen for defense that taxpayer was not competent at time of trial. No equity jurisdiction.

Year 1965: *MacRae* v. *Riddell,* 350 F. 2d 291 (C.A. 9). Tax Court has power to issue subpoena duces tecum and has power to quash it, once issued. Once quashed the District Court has no proper jurisdiction to enforce.

Sprague Electric Company v. *Tax Court,* 340 F. 2d 947 (C.A. 1). District Court is without power by mandamus to order Tax Court to set aside an order. To do so would be to review a Tax Court decision. Such review is within the exclusive jurisdiction of the Courts of Appeal.

Amos v. *Commissioner,* 360 F. 2d 358 (C.A. 4) 43 T.C. 50. Prior criminal conviction of taxpayer in District Court for tax evasion will collaterally estop taxpayer in Tax Court—judicial doctrines applicable in Tax Court.

United States v. *Teitelbaum,* 342 F. 2d 672 (C.A. 7). Where Tax Court had no power to order execution, suit in District Court to reduce the determined deficiency to judgment is proper. Res judicata and/or collateral estoppel will be applicable.

Year 1966: *Holzer* v. *United States,* 367 F. 2d 822 (C.A. 7) (250 F. Supp. 875). Litigation in Tax Court prevented taxpayer from litigating same year in a refund claim in District Court.

Year 1966: *Stein* v. *United States,* 363 F. 2d 587 (C.A. 5). Tax Court is an agency within federal statute making it a crime to submit false documents to an agency of the United States.

Martin v. *Commissioner,* 358 F. 2d 63 (C.A. 7). Agency not an unconstitutional interference by Congress into the Judiciary.

Nash Miami Motors, Inc. v. *Commissioner,* 358 F. 2d 636 (C.A. 5). Not unconstitutional separation of powers.

Glidden Co. v. *Zdanok,* 370 U.S. 530 (1962) (C.A. 2) 288 F. 2d 99, 111 U.S. App. D.C. 238, 296 F. 2d 360 affd. Discussion of constitutional courts.

Mr. President, on behalf of myself, and the Senator from Nebraska [Mr. CURTIS], I introduced, for appropriate reference, a bill to amend title 28 of the United States Code, "Judiciary and Judicial Procedure", to include provision relating to the U.S. Tax Court, and for other purposes.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2041) to amend title 28 of the United States Code, "Judiciary and Judicial Procedure", to include provisions relating to the U.S. Tax Court, and for other purposes, introduced by Mr. LONG of Louisiana (for himself and Mr. CURTIS), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF TARIFF SCHEDULES WITH RESPECT TO THE RATE OF DUTY ON CERTAIN OLIVES

Mr. DIRKSEN. Mr. President, the report of the Tariff Commission investigation and subsequent developments in olive imports make it clear that the American bottling industry is now in serious jeopardy. The same danger applies to American growers and processors of olives.

This danger arises from the fact that our tariff on olives does not differentiate between olives in bulk and olives in small retail-size containers. Thus, when the Spanish Government cause an olive bottling industry to develop in Spain, we were exposed to this threat without benefit of the sensible classification that our tariff laws provide for other agricultural commodities and fish products.

We have studied this problem thoroughly and discussed it with many Government officials and those legislators most directly concerned. Substantially everyone knowledgeable about the problem agrees that our only effective remedy is a tariff classification which recognizes the difference between bulk olives and bottled olives. On bottled olives this classification should provide a tariff structure which will allow American bottled products—produced independently without Government assistance—to compete with foreign government-subsidized products.

Mr. President, on behalf of myself, and the senior Senator from California [Mr. KUCHEL], I introduce, for appropriate reference, a bill to amend the tariff schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2044) to amend the Tariff Schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers, introduced by Mr. DIRKSEN (for himself and Mr. KUCHEL), was received, read twice by its title, and referred to the Committee on Finance.

EXEMPTION OF CERTAIN VESSELS ENGAGED IN THE FISHING INDUSTRY FROM THE REQUIREMENTS OF CERTAIN LAWS

Mr. MAGNUSON. Mr. President, I introduce, at the request of the Association of Pacific Fisheries, for appropriate reference, a bill to clarify the status of cannery tenders engaged in fishing operations under certain laws administered by the Coast Guard. I ask unanimous consent that the text of the bill and a letter from the Association of Pacific Fisheries requesting introduction of this bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2047) to exempt certain vessels engaged in the fishing industry from the requirements of certain laws, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2047

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4426 of the Revised Statutes of the United States (46 U.S.C. 404) is amended by adding at the end thereof the following sentence:

"As used herein, the phrase 'engaged in fishing as a regular business' includes cannery tender or fishing tender vessels of not more than five hundred gross tons which are engaged exclusively in (1) the carriage of cargo to or from vessels in the fishery or a facility used or to be used in the processing or assembling of fishery products, or (2) the transportation of cannery or fishing personnel to or from operating locations."

SEC. 2. Section 1 of the Act of August 27, 1935 (46 U.S.C. 88), is amended by designating the existing section as subsection (a) and by adding a new subsection (b) as follows:

"(b) All cannery tender or fishing tender vessels of not more than five hundred gross tons except those constructed after the effective date of this subsection or those converted to either of such services after five years from the effective date of this subsection are exempt from the requirements of this Act."

SEC. 3. The first proviso of section 1 of the Act of June 20, 1936 (46 U.S.C. 367) is amended by adding at the end thereof the following sentence:

"As used herein, the phrase 'any vessel engaged in the fishing, oystering, clamming, crabbing, or any other branch of the fishery or kelp or sponge industries' includes cannery tender or fishing tender vessels of not more than five hundred gross tons which are engaged exclusively in (1) the carriage of cargo to or from vessels in the fishery or a facility used or to be used in the processing or assembling of fishery products, or (2) the transportation of cannery or fishing personnel to or from operating locations."

SEC. 4. The first subparagraph of section 4417a of the Revised Statutes of the United States (46 U.S.C. 391a(1)) is amended by adding at the end thereof the following sentence:

"Notwithstanding the first sentence hereof, cannery tenders, fishing tenders or fishing vessels of not more than five hundred gross tons when engaged exclusively in the fishing industry shall be allowed to have on board inflammable or combustible cargo in bulk to the extent and upon conditions as may be required by regulations promulgated by the secretary of the department in which the Coast Guard is operating."

SEC. 5. This Act is effective upon enactment.

The letter, presented by Mr. MAGNUSON, is as follows:

ASSOCIATION OF PACIFIC
FISHERIES, INC.,
Seattle, Wash., June 12, 1967.

Hon. WARREN G. MAGNUSON,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: The salmon canning industry is concerned about the U.S. Coast Guard regulations as they apply to cannery tenders, the vessels which transport fish from the fishing grounds to the processing plants.

The present regulations, particularly those covering load lines, freight for hire, dispensing fuel and manning schedules, present serious problems in the operation of these vessels which are unique in the type of service they perform.

We have discussed these problems with members of your staff. They are well informed on the details of this situation.

We request that you introduce legislation which will update the Coast Guard Regulations as they pertain to these tenders. This procedure seems to us to be the logical solution to these problems.

Sincerely yours,

W. V. YONKER,
Executive Vice President.

STABLE AND DURABLE PEACE IN THE MIDDLE EAST

Mr. SYMINGTON. Mr. President, on behalf of the senior Senator from New York [Mr. JAVITS] and myself, I send to the desk a resolution and ask that it be referred to the appropriate committee.

There are at the present time 62 cosponsors of the resolution. Its purpose is to express the sense of the Senate as to the desirability of a stable and durable peace in the Middle East.

I ask unanimous consent that the resolution be read, along with the names of the cosponsors.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution, together with the cosponsors, will be read.

The assistant legislative clerk read as follows:

S. Res. 143

Mr. SYMINGTON (for himself and Mr. Javits, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Brewster, Mr. Brooke, Mr. Burdick, Mr. Cannon, Mr. Case, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Dodd, Mr. Dominick, Mr. Ervin, Mr. Fong, Mr. Griffin, Mr. Hansen, Mr. Harris, Mr. Hart, Mr. Inouye, Mr. Jackson, Mr. Lausche, Mr. Long of Missouri, Mr. McCarthy, Mr. McClellan, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Mondale, Mr. Monroney, Mr. Morse, Mr. Morton, Mr. Moss, Mr. Murphy, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Pearson, Mr. Pell, Mr. Prouty, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Smathers, Mrs. Smith, Mr. Stennis, Mr. Talmadge, Mr. Tydings, Mr. Yarborough, Mr. Young of Ohio, Mr. Cotton, Mr. Fannin, Mr. Spong, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Byrd of West Virginia, Mr. Kuchel, Mr. Jordan of Idaho, and Mr. Allott), submitted the following resolution:

Whereas the United States has a vital and historic national interest in a stable and durable peace in the Middle East; and

Whereas the President of the United States has stated the principles upon which our Nation is committed to peace in the area and that every nation in the area has a fundamental right to live and to have this right respected by its neighbors; and

Whereas the peace and security of the nations of the Middle East have been endangered by a wasteful and destructive arms race, threatened by belligerency and have just been shattered by hostilities endangering the peace of the entire world: Therefore, be it

Resolved, That it is the sense of the Senate that—

1. The security and national interests of the United States require that there be a stable and durable peace in the Middle East; and

2. Such a peace calls for discussions among the parties concerned, using such third party or United Nations assistance as they may wish, looking toward—

(a) recognized boundaries and other arrangements that will give security against terror, destruction and war, and the consequent withdrawal and disengagement of armed personnel;

(b) a just and equitable solution to the refugee problem;

(c) free maritime passage through international waterways, including the Suez Canal and the Gulf of Aqaba, and

(d) limits on a wasteful and destructive arms race; and

3. In a climate of peace, the United States will do its full share to—

(a) help with a solution for the refugees;

(b) support regional cooperation; and

(c) see that the peaceful promise of nuclear energy is applied for the critical problem of desalting water: And be it further

Resolved, That the President is requested to pursue these objectives, as reflecting the sense of the Senate, within and outside the United Nations and with all nations similarly minded, as being in the highest national interest of the United States.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the resolution be held at the desk for possible additional cosponsors until the close of the session tomorrow afternoon.

The PRESIDING OFFICER. Is there objection?

Mr. AIKEN. Mr. President, I have been asked to object to the holding of the resolution for the addition of cosponsors.

The PRESIDING OFFICER. Objection is heard.

Mr. AIKEN. I do not know what the resolution is. This is no reflection on the Senator from Missouri in any way.

It is a procedure which has been objected to before, and I have been asked to object to it at this time.

Will the resolution be referred to committee?

Mr. SYMINGTON. It was requested that it be referred to the proper committee, which I believe would be the Committee on Foreign Relations.

Mr. AIKEN. I have no objection to the committee considering it. However, I have been asked to object to this procedure.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, at the request of Mr. Tydings, I ask unanimous consent that, at the next printing of S. 1981 and S. 1982, bills to improve the judicial machinery for the courts of the District of Columbia, the name of the Senator from Nevada [Mr. Bible] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, I ask unanimous consent that at the next printing, the following Senators be added as cosponsors of legislation I have introduced: S. 824, Senator McGee; S. 1366, Senator Yarborough; S. 1360 and S. 1361, Senator Gruening; S. 1503, Senator Javits; S. 1565, Senator Kennedy of New York; S. 1765, Senator Clark; and S. 1941, Senator Kennedy of New York.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON DISTRICT REORGANIZATION PLAN

Mr. McCLELLAN. Mr. President, the Committee on Government Operations has scheduled public hearings on Reorganization Plan No. 3, to reorganize the government of the District of Columbia, for July 25, 26, and 27 in room 3302, New Senate Office Building.

In view of the interest in this proposal, the hearings will be held before the full committee. I have designated the junior Senator from Connecticut [Mr. Ribicoff], chairman of the Subcommittee on Executive Reorganization. to serve as cochairman of the committee for the purpose of processing this plan and conducting the proposed hearings.

Inquiries should be directed to room 162, Old Senate Office Building, Washington, D.C., telephone No. 225-2308.

THE JOHNSON-KOSYGIN SUMMIT

Mr. MANSFIELD. Mr. President, one of the characteristics of the summit meeting between President Johnson and Prime Minister Kosygin was the warm and sympathetic reception by the people—not only of Glassboro, N.J., but throughout the country.

I believe this demonstrates popular approval for President Johnson's summit peace efforts.

The American people are not so gullible as to think that immediate agreements on explosive world issues would emerge from the summit meeting.

Yet they were encouraged—and justifiably—to believe that such a meeting would make a solid contribution to greater understanding between two nations which have differed on many issues in the past.

The meeting did produce a lessening of tensions. It did produce an atmosphere of understanding. It did make "accidents" less likely. It did bring the participants closer together on missile control and nonproliferation of nuclear weapons.

There is a definite history of agreements for peace between the Soviet Union and the United States, agreements which preceded the summit meeting: the Outer Space Treaty, the opening of a new United States-Soviet direct air link, increased East-West trade.

The summit is another large step in the work of building bridges between East and West. We shall not regret it. The President is to be applauded for his tireless efforts. The people know the value of those efforts.

Mr. President, I ask unanimous consent to have printed in the Record the following comments on the popular and positive reaction to President Johnson's peace initiatives:

An editorial entitled "The Summit," published in Newsday for June 24, 1967; an article entitled "'Spirit of Glassboro' Really One of People," written by Isabelle Shelton, and published in the Washington Star of June 26, 1967; an editorial entitled "Glassboro," published in the Washington Post of June 27, 1967; an article entitled "Washington: A Steadier Administration," written by James Reston, and published in the New York Times of June 28, 1967; and an article entitled "Johnson-Kosygin Talks: Possibly A Step Forward," written by Joseph Kraft, and published in the Los Angeles Times of June 28, 1967.

There being no objection, the editorials and articles were ordered to be printed in the Record, as follows:

[From Newsday, June 24, 1967]

THE SUMMIT

"Oh, East is East, and West is West, and
Never the twain shall meet,
Till Earth and Sky stand presently at
God's great Judgment Seat.
But there is neither East nor West,
Border, nor Breed, nor Birth,
When two strong men stand face to face,
though they come from the ends of the
earth!"

—RUDYARD KIPLING, "The Ballad of East and West."

Kipling's rhythmic view of the East-West split in the year 1889 still holds true today. Two strong men, President Johnson and Soviet Premier Kosygin, met yesterday at the Glassboro summit and perhaps their meeting could yet cause the twain to meet.

President Johnson has made the betterment of East-West relations a leading element of his foreign policy. He has sought to broaden trade with Russia and the satellite nations. He has asked Congress to extend credits to allow the Russians to buy machine tools for their new Fiat automobile plant. He has tried to head off an antimissile race and has sought agreement on a nonproliferation treaty. During the current crisis in the Middle East, he has called for a reasonable settlement of the longstanding Arab-Israeli grievances that could one day produce an East-West confrontation.

Unfortunately, Russia has not followed a reasonable course. The war in Vietnam is a potential threat to the peace of the entire world, but the Russians have done nothing to move Hanoi to the peace table. Instead, they have poured supplies and arms into North Vietnam, encouraging Hanoi to continue the war.

In this hemisphere, Russian aid has enabled Fidel Castro to survive despite wholesale mismanagement. It was with Russian help that Castro first turned his island into a base of subversion that still threatens all of Latin America.

Yesterday's Johnson-Kosygin meeting probably would not have taken place if Russian efforts to gain power in the Mideast had not backfired. Yet Russia has persisted in its folly of encouraging Arab belligerence. In his UN speech, Kosygin offered only propaganda, invective and a "peace proposal" that would guarantee continuing hostilities between Israel and her Arab neighbors.

There were several hopeful signs at yesterday's summit meeting. There was a hint in President Johnson's remarks of Russian interest in a nuclear nonproliferation treaty. The fact that the world leaders are to meet again tomorrow is, in itself, a good omen. But why must the quest for peace be so bitterly slow? There could be peace today if the Russians wanted it and it could be a peace that would be fair to all. But there is no peace, and Russian policies in the Mideast, in Vietnam and in Latin America have shown little promise of peace.

In the final analysis, the major concern of both the U.S. and Russia must be to prevent the outbreak of World War III. Both powers must make new efforts to head off a new missile race and spread of nuclear weapons. Indeed, the possession of a hydrogen bomb by Red China presents new dangers to world peace and especially to Russia and to China's neighbors in Asia.

The fact remains, in assessing yesterday's summit meeting, that peace depends more upon the Russians than it does upon the U.S. Hopefully, in his talks with the President, Kosygin will indicate a willingness on the part of the Russians to modify their policies in the Mideast, Vietnam and Latin America. Until Kosygin does so, the U.S. must look to its allies to continue our worldwide holding actions against Russian expansionism. Cooperation with Russia is possible, but until it comes, the U.S. must stand fast.

[From the Washington (D.C.) Star, June 26, 1967]

THE CROWD OUTSIDE: "SPIRIT OF GLASSBORO" REALLY ONE OF PEOPLE

(By Isabelle Shelton)

GLASSBORO, N.J.—A "Spirit of Glassboro" was reflected in the hearts and faces of the crowds that waited for the leaders of the world's two strongest powers to finish their discussion even if it was not reflected in the results of the summit meeting.

There had been a carnival atmosphere yesterday—balloons, ice cream trucks, front yard hot dog stands. While families turned out with children, dogs and picnic lunches.

When the bulk of the crowd of several thousand stood its ground late in the day in a pelting rain, shouting "We Want Alec" and "We Want Johnson," a yearning for peace seemed tangible enough to touch.

For one brief moment, it was possible to believe, as New Jersey Gov. Richard J. Hughes said, that "there must be lots of Glassboros in the world—in China and Europe and Vietnam and Russia—filled with people who are working and praying and trusting that their children and their children's children will be able to grow up in a peaceful world."

Soviet Premier Kosygin apparently got the crowd's message as yesterday's session was ending, just as he and President Johnson were about to enter a limousine that was to take them to waiting helicopters and back into their separate worlds.

Johnson, usually supersensitive to crowds, was ignoring them, no doubt out of courtesy to Kosygin.

It was the Russian who wheeled, just as Johnson was about to enter the car that would take them to their helicopters, and walked across the lawn of the meeting house to wave and speak fondly to the soaked, steaming crowd massed below.

For a man not used to American-style politics, Kosygin learned fast. He raised his arms above his head, clasped his hands and grinned broadly, in the best prize fighter style. You would have thought he'd been winning ward and county elections all his life.

ANTI-RUSSIAN SIGNS GONE

The few anti-Russian signs (carried by protesting Ukranians) that had been there earlier were gone. The only sign visible at the moment was in Russian, and it said, according to a Russian reporter, "something good about peace."

The President followed Kosygin in brief waves and words to the crowd. And then they were gone.

None of the dire things that state and local police had suddenly begun to worry Saturday afternoon and evening came to pass.

The crowd, not much if at all bigger than the 5,000 or so Friday, continued its love affair with Kosygin to the end.

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But after reading the reports from California Saturday, they began to worry that organized groups of "peaceniks" or other dissenters of the right or left might come massing in from nearby large cities, if only for the television exposure.

FENCING UNNEEDED

The long lines of snow fencing, on which New Jersey state highway department crews worked all night Saturday, weren't needed. The more than doubled state and local police force (from Friday's 700 to 2,000) probably wasn't either—although it no doubt contributed order to the traffic situation.

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Glassboro—where the biggest event in the past was a two-state baseball tournament—probably will never be quite the same again.

[From the Washington (D.C.) Post, June 27, 1967]

GLASSBORO

Meetings of heads of state arouse great hopes and involve great risks. The meetings which President Johnson and Premier Kosygin held at Glassboro are no exception. They inspired the hope that some great, dramatic and spectacular resolution of Soviet-American tensions might emerge; and they involved the risk that a direct meeting might worsen the situation, as the Vienna meeting between President Kennedy and President Khrushchev did.

No one has more eloquently defined the special risks of such confrontations than Secretary Rusk did in an article in *Foreign Affairs* magazine in 1960. He then wrote:

"The experienced diplomat will usually counsel against the direct confrontation of those with final authority. Negotiation *ad referendum* offers greater opportunity for feeling out the situation, exploring the opposing points of view, trying out alternative approaches, without commitment, testing general propositions by meticulous attention to detail. The process needs time, patience and precision, three resources which are not found in abundance at the highest political level. The direct confrontation of the chiefs of government of the great powers involves an extra tension because the court of last resort is in session. The costs of error or misunderstanding are multiplied by the seriousness of the issue and the power of those present."

The Glassboro meeting seems to fall midway between the worst fears of the diplomats and the highest hopes of laymen. It settled no outstanding issues, apparently; but neither did it complicate any issues, so far as can be seen at this distance. The Kosygin press conference, at many points, seemed unnecessarily abrasive. But it will be helpful to have Americans know how unyielding, uncompromising and unaccommodating the Soviet government is, on all points of difference. And it will be well for Americans to bear in mind that Kosygin was talking, not to Americans alone, or even chiefly to Americans, but to his clients in the Arab states, his rivals in China and his critics at home.

Neither leader had much choice about holding this meeting. If they had not met, inferences would have been drawn that might have been very hurtful to Soviet-American relations. But the meeting, with its attendant difficulties, lends new force to a piece of advice by Philippe de Comines (cited by Dean Rusk in 1960) that "Two great princes who wish to establish good personal relations should never meet each other face to face but ought to communicate through good and wise ambassadors."

President and Premier have parted with an effort to have it both ways by capping their conference with a plan for continuing negotiations through their foreign offices and ambassadors. If anything constructive is to come out of Glassboro, it no doubt will emerge in these meetings, at a lower level where there is less tension and less attention.

Perhaps, in the end, nothing is lost by letting American citizens, anxious for peace, get a glimpse of how irreconcilable Soviet and American views really are on a long list of world problems. The conference destroys the lingering illusion that if only good will and politeness and courtesy and conciliation prevailed, peace could be achieved forthwith. We are confronted by a powerful, arrogant, uncompromising adversary who has purposes that cannot be reconciled with ours readily. If our own government sometimes fails to reach an accom-

There are at the present time 62 cosponsors of the resolution. Its purpose is to express the sense of the Senate as to the desirability of a stable and durable peace in the Middle East.

I ask unanimous consent that the resolution be read, along with the names of the cosponsors.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution, together with the cosponsors, will be read.

The assistant legislative clerk read as follows:

S. Res. 143

Mr. SYMINGTON (for himself and Mr. Javits, Mr. Baker, Mr. Bayh, Mr. Bennett, Mr. Bible, Mr. Brewster, Mr. Brooke, Mr. Burdick, Mr. Cannon, Mr. Case, Mr. Church, Mr. Clark, Mr. Cooper, Mr. Dodd, Mr. Dominick, Mr. Ervin, Mr. Fong, Mr. Griffin, Mr. Hansen, Mr. Harris, Mr. Hart, Mr. Inouye, Mr. Jackson, Mr. Lausche, Mr. Long of Missouri, Mr. McCarthy, Mr. McClellan, Mr. McGee, Mr. McGovern, Mr. McIntyre, Mr. Mondale, Mr. Monroney, Mr. Morse, Mr. Morton, Mr. Moss, Mr. Murphy, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Pearson, Mr. Pell, Mr. Prouty, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Smathers, Mrs. Smith, Mr. Stennis, Mr. Talmadge, Mr. Tydings, Mr. Yarborough, Mr. Young of Ohio, Mr. Cotton, Mr. Fannin, Mr. Spong, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Byrd of West Virginia, Mr. Kuchel, Mr. Jordan of Idaho, and Mr. Allott), submitted the following resolution:

Whereas the United States has a vital and historic national interest in a stable and durable peace in the Middle East; and

Whereas the President of the United States has stated the principles upon which our Nation is committed to peace in the area and that every nation in the area has a fundamental right to live and to have this right respected by its neighbors; and

Whereas the peace and security of the nations of the Middle East have been endangered by a wasteful and destructive arms race, threatened by belligerency and have just been shattered by hostilities endangering the peace of the entire world: Therefore, be it

Resolved, That it is the sense of the Senate that—

1. The security and national interests of the United States require that there be a stable and durable peace in the Middle East; and

2. Such a peace calls for discussions among the parties concerned, using such third party or United Nations assistance as they may wish, looking toward—

(a) recognized boundaries and other arrangements that will give security against terror, destruction and war, and the consequent withdrawal and disengagement of armed personnel;

(b) a just and equitable solution to the refugee problem;

(c) free maritime passage through international waterways, including the Suez Canal and the Gulf of Aqaba, and

(d) limits on a wasteful and destructive arms race; and

3. In a climate of peace, the United States will do its full share to—

(a) help with a solution for the refugees;

(b) support regional cooperation; and

(c) see that the peaceful promise of nuclear energy is applied for the critical problem of desalting water: And be it further

Resolved, That the President is requested to pursue these objectives, as reflecting the sense of the Senate, within and outside the United Nations and with all nations similarly minded, as being in the highest national interest of the United States.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the resolution be held at the desk for possible additional cosponsors until the close of the session tomorrow afternoon.

The PRESIDING OFFICER. Is there objection?

Mr. AIKEN. Mr. President, I have been asked to object to the holding of the resolution for the addition of cosponsors.

The PRESIDING OFFICER. Objection is heard.

Mr. AIKEN. I do not know what the resolution is. This is no reflection on the Senator from Missouri in any way.

It is a procedure which has been objected to before, and I have been asked to object to it at this time.

Will the resolution be referred to committee?

Mr. SYMINGTON. It was requested that it be referred to the proper committee, which I believe would be the Committee on Foreign Relations.

Mr. AIKEN. I have no objection to the committee considering it. However, I have been asked to object to this procedure.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, at the request of Mr. Tydings, I ask unanimous consent that, at the next printing of S. 1981 and S. 1982, bills to improve the judicial machinery for the courts of the District of Columbia, the name of the Senator from Nevada [Mr. Bible] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, I ask unanimous consent that at the next printing, the following Senators be added as cosponsors of legislation I have introduced: S. 824, Senator McGee; S. 1366, Senator Yarborough; S. 1360 and S. 1361, Senator Gruening; S. 1503, Senator Javits; S. 1565, Senator Kennedy of New York; S. 1765, Senator Clark; and S. 1941, Senator Kennedy of New York.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARINGS ON DISTRICT REORGANIZATION PLAN

Mr. McCLELLAN. Mr. President, the Committee on Government Operations has scheduled public hearings on Reorganization Plan No. 3, to reorganize the government of the District of Columbia, for July 25, 26, and 27 in room 3302, New Senate Office Building.

In view of the interest in this proposal, the hearings will be held before the full committee. I have designated the junior Senator from Connecticut [Mr. Ribicoff], chairman of the Subcommittee on Executive Reorganization, to serve as cochairman of the committee for the purpose of processing this plan and conducting the proposed hearings.

Inquiries should be directed to room 162, Old Senate Office Building, Washington, D.C., telephone No. 225-2308.

THE JOHNSON-KOSYGIN SUMMIT

Mr. MANSFIELD. Mr. President, one of the characteristics of the summit meeting between President Johnson and Prime Minister Kosygin was the warm and sympathetic reception by the people—not only of Glassboro, N.J., but throughout the country.

I believe this demonstrates popular approval for President Johnson's summit peace efforts.

The American people are not so gullible as to think that immediate agreements on explosive world issues would emerge from the summit meeting.

Yet they were encouraged—and justifiably—to believe that such a meeting would make a solid contribution to greater understanding between two nations which have differed on many issues in the past.

The meeting did produce a lessening of tensions. It did produce an atmosphere of understanding. It did make "accidents" less likely. It did bring the participants closer together on missile control and nonproliferation of nuclear weapons.

There is a definite history of agreements for peace between the Soviet Union and the United States, agreements which preceded the summit meeting: the Outer Space Treaty, the opening of a new United States-Soviet direct air link, increased East-West trade.

The summit is another large step in the work of building bridges between East and West. We shall not regret it. The President is to be applauded for his tireless efforts. The people know the value of those efforts.

Mr. President, I ask unanimous consent to have printed in the Record the following comments on the popular and positive reaction to President Johnson's peace initiatives:

An editorial entitled "The Summit," published in Newsday for June 24, 1967; an article entitled " 'Spirit of Glassboro' Really One of People," written by Isabelle Shelton, and published in the Washington Star of June 26, 1967; an editorial entitled "Glassboro," published in the Washington Post of June 27, 1967; an article entitled "Washington: A Steadier Administration," written by James Reston, and published in the New York Times of June 28, 1967; and an article entitled "Johnson-Kosygin Talks: Possibly A Step Forward," written by Joseph Kraft, and published in the Los Angeles Times of June 28, 1967.

There being no objection, the editorials and articles were ordered to be printed in the Record, as follows:

[From Newsday, June 24, 1967]

The Summit

"Oh, East is East, and West is West, and
Never the twain shall meet,
Till Earth and Sky stand presently at
God's great Judgment Seat.
But there is neither East nor West,
Border, nor Breed, nor Birth,
When two strong men stand face to face,
though they come from the ends of the
earth!"

—RUDYARD KIPLING, "The Ballad of East and West."

Kipling's rhythmic view of the East-West split in the year 1889 still holds true today. Two strong men, President Johnson and Soviet Premier Kosygin, met yesterday at the Glassboro summit and perhaps their meeting could yet cause the twain to meet.

President Johnson has made the betterment of East-West relations a leading element of his foreign policy. He has sought to broaden trade with Russia and the satellite nations. He has asked Congress to extend credits to allow the Russians to buy machine tools for their new Fiat automobile plant. He has tried to head off an antimissile race and has sought agreement on a nonproliferation treaty. During the current crisis in the Middle East, he has called for a reasonable settlement of the longstanding Arab-Israeli grievances that could one day produce an East-West confrontation.

Unfortunately, Russia has not followed a reasonable course. The war in Vietnam is a potential threat to the peace of the entire world, but the Russians have done nothing to move Hanoi to the peace table. Instead, they have poured supplies and arms into North Vietnam, encouraging Hanoi to continue the war.

In this hemisphere, Russian aid has enabled Fidel Castro to survive despite wholesale mismanagement. It was with Russian help that Castro first turned his island into a base of subversion that still threatens all of Latin America.

Yesterday's Johnson-Kosygin meeting probably would not have taken place if Russian efforts to gain power in the Mideast had not backfired. Yet Russia has persisted in its folly of encouraging Arab belligerence. In his UN speech, Kosygin offered only propaganda, invective and a "peace proposal" that would guarantee continuing hostilities between Israel and her Arab neighbors.

There were several hopeful signs at yesterday's summit meeting. There was a hint in President Johnson's remarks of Russian interest in a nuclear nonproliferation treaty. The fact that the world leaders are to meet again tomorrow is, in itself, a good omen. But why must the quest for peace be so bitterly slow? There could be peace today if the Russians wanted it and it could be a peace that would be fair to all. But there is no peace, and Russian policies in the Mideast, in Vietnam and in Latin America have shown little promise of peace.

In the final analysis, the major concern of both the U.S. and Russia must be to prevent the outbreak of World War III. Both powers must make new efforts to head off a new missile race and spread of nuclear weapons. Indeed, the possession of a hydrogen bomb by Red China presents new dangers to world peace and especially to Russia and to China's neighbors in Asia.

The fact remains, in assessing yesterday's summit meeting, that peace depends more upon the Russians than it does upon the U.S. Hopefully, in his talks with the President, Kosygin will indicate a willingness on the part of the Russians to modify their policies in the Mideast, Vietnam and Latin America. Until Kosygin does so, the U.S. must look to its allies to continue our worldwide holding actions against Russian expansionism. Cooperation with Russia is possible, but until it comes, the U.S. must stand fast.

[From the Washington (D.C.) Star, June 26, 1967]

THE CROWD OUTSIDE: "SPIRIT OF GLASSBORO" REALLY ONE OF PEOPLE

(By Isabelle Shelton)

GLASSBORO, N.J.—A "Spirit of Glassboro" was reflected in the hearts and faces of the crowds that waited for the leaders of the world's two strongest powers to finish their discussion even if it was not reflected in the results of the summit meeting.

There had been a carnival atmosphere yesterday—balloons, ice cream trucks, front yard hot dog stands. While families turned out with children, dogs and picnic lunches.

When the bulk of the crowd of several thousand stood its ground late in the day in a pelting rain, shouting "We Want Alec" and "We Want Johnson," a yearning for peace seemed tangible enough to touch.

For one brief moment, it was possible to believe, as New Jersey Gov. Richard J. Hughes said, that "there must be lots of Glassboros in the world—in China and Europe and Vietnam and Russia—filled with people who are working and praying and trusting that their children and their children's children will be able to grow up in a peaceful world."

Soviet Premier Kosygin apparently got the crowd's message as yesterday's session was ending, just as he and President Johnson were about to enter a limousine that was to take them to waiting helicopters and back into their separate worlds.

Johnson, usually supersensitive to crowds, was ignoring them, no doubt out of courtesy to Kosygin.

It was the Russian who wheeled, just as Johnson was about to enter the car that would take them to their helicopters, and walked across the lawn of the meeting house to wave and speak fondly to the soaked, steaming crowd massed below.

For a man not used to American-style politics, Kosygin learned fast. He raised his arms above his head, clasped his hands and grinned broadly, in the best prize fighter style. You would have thought he'd been winning ward and county elections all his life.

ANTI-RUSSIAN SIGNS GONE

The few anti-Russian signs (carried by protesting Ukranians) that had been there earlier were gone. The only sign visible at the moment was in Russian, and it said, according to a Russian reporter, "something good about peace."

The President followed Kosygin in brief waves and words to the crowd. And then they were gone.

None of the dire things that state and local police had suddenly begun to worry Saturday afternoon and evening came to pass.

The crowd, not much if at all bigger than the 5,000 or so Friday, continued its love affair with Kosygin to the end.

Hostile pickets such as met President Johnson Friday night in Los Angeles didn't show up. Police and state officials knew after Friday's summit meeting that the people of Glassboro and vicinity didn't feel that way.

But after reading the reports from California Saturday, they began to worry that organized groups of "peaceniks" or other dissenters of the right or left might come massing in from nearby large cities, if only for the television exposure.

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The long lines of snow fencing, on which New Jersey state highway department crews worked all night Saturday, weren't needed. The more than doubled state and local police force (from Friday's 700 to 2,000) probably wasn't either—although it no doubt contributed order to the traffic situation.

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GLASSBORO

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No one has more eloquently defined the special risks of such confrontations than Secretary Rusk did in an article in *Foreign Affairs* magazine in 1960. He then wrote:

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Neither leader had much choice about holding this meeting. If they had not met, inferences would have been drawn that might have been very hurtful to Soviet-American relations. But the meeting, with its attendant difficulties, lends new force to a piece of advice by Philippe de Comines (cited by Dean Rusk in 1960) that "Two great princes who wish to establish good personal relations should never meet each other face to face but ought to communicate through good and wise ambassadors."

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Perhaps, in the end, nothing is lost by letting American citizens, anxious for peace, get a glimpse of how irreconcilable Soviet and American views really are on a long list of world problems. The conference destroys the lingering illusion that if only good will and politeness and courtesy and conciliation prevailed, peace could be achieved forthwith. We are confronted by a powerful, arrogant, uncompromising adversary who has purposes that cannot be reconciled with ours readily. If our own government sometimes fails to reach an accommodation, Americans now will more clearly understand that the fault and failure may not reside exclusively in their own officials.

[From the New York Times, June 28, 1967]

WASHINGTON: A STEADIER ADMINISTRATION

(By James Reston)

WASHINGTON, June 27.—The Johnson Administration is a little steadier, a little more confident, and a little stronger politically as a result of its handling of the Middle Eastern crisis.

There are several reasons for this. The U.S. military estimates of Israel's capacity to deal with the Arab armies were remarkably accurate. The Central Intelligence Agency and the Joint Chiefs of Staff actually gave President Johnson an even more precise prediction of what would happen on the battlefield than the Israeli intelligence gave President Eshkol.

In fact, the Joint Chiefs were convinced—as the Israeli Cabinet was not—that Israel would win in a few days even if the Arabs made the first major strike from the air. Whether or not this prediction was justified, the truth is that Mr. Johnson was left with enhanced confidence in his military advice.

THE POLITICAL ADVICE

Second, while there was a lot of hesitation about whether and where to meet Mr. Kosygin, Mr. Johnson's political advisers finally came around to a unanimous conclusion that he should, and their estimates of what the Soviet leader would say and do proved to be highly reliable.

Third, the President himself apparently handled the talks with considerable patience, skill and grace, and this has undoubtedly added to his own sense of assurance. He knew that the Russians had criticized President Eisenhower for always turning to John Foster Dulles at critical moments in the 1955 summit meeting. So he insisted that nobody else be present except the two leaders and their interpreters. He knew also that President Kennedy had allowed the last summit meeting with Khrushchev in 1961 to develop into a shouting match, so he turned the conversation away whenever there was the slightest drift toward threats or intimidation.

Finally, the President managed to make clear to Mr. Kosygin what he would and would not do in Vietnam and the Middle East, and while he did not move the chairman one millimeter off the rigid line laid down in Moscow, he left the Soviets some room for maneuver and undoubtedly improved the Johnson caricature in Kosygin's mind.

We will see later on whether this has any influence on Mr. Kosygin. He is a plain and practical man. He knows probably better than anybody else in the Council of Deputies how far his country has to travel to transform itself into a modern society, and his few glimpses of the power, energy, and progress of the United States cannot have left him with many of the old Khrushchev illusions about Soviet technical superiority.

WHO'S IN CHARGE?

The question is whether he is or can become the decisive voice in the Kremlin. The contrast between his personal affability and his political rigidity was striking. Certainly, he said nothing to indicate that he was putting the economic development of his own country ahead of the expansion of Soviet influence in the Middle East, Southeast Asia, or even Cuba.

In the private meetings with the President, and in a long talk with Secretary of Defense McNamara at lunch, it was suggested to Mr. Kosygin that another round of the cold war, another upward lunge of the arms race, an expensive and probably useless competition in antiballistic missiles, and a return to the belligerent *status quo* in the Middle East was an odd kind of "peaceful coexistence." And he came back, of course, not without some logic, to the idea that Vietnam was not a very good way to build peace and prosperity either.

Nevertheless, even if all this makes no impression in Moscow, it has made some impression here. Mr. Johnson is, of course, still muttering darkly about the "cussers and doubters" who keep complaining about Vietnam, but he has not come back here with much enthusiasm for sending those extra 100,000 men to Saigon. In fact, he seems more eager to avoid keeping his promise to give General Westmoreland what the general wants than to keep it.

THE POPULAR REACTION

Also, the reaction here and in the country to the President's cautions policy in the Middle East and his steady and patient demeanor with Kosygin may very well have made the President question his assumption that the country is hell-bent for tougher policies.

He moved at the start of the Middle Eastern crisis to renew his old friendly association with Senator Fulbright. He expressed to Kosygin his good impressions of the Soviet Ambassador in Washington, and Kosygin, in turn, spoke warmly of his confidence in the U.S. Ambassador in Moscow, Llewellyn Thompson.

There, of course, are the merest straws. All the ugly facts remain, but the mood is better and the Administration's feeling about itself is undoubtedly improved.

[From the Los Angeles (Calif.) Times, June 28, 1967]

JOHNSON-KOSYGIN TALKS: POSSIBLY A STEP FORWARD

(By Joseph Kraft)

People who thirst for miracles are now experiencing the morning after the Glassboro spree. But for those who view summit meetings as a part of a complicated political process there is no hangover.

On the contrary, the Glassboro meetings shape up as necessary steps in the long, slow business of nursing the Soviet Union along toward the more rational view of things which is essential for progress toward a more stable world.

This process is essential because of the special nature of the present Soviet leadership. Some of these leaders, like Premier Alexei Kosygin and President Nikolai Podgorny, have long experience as government production men.

They are believed to be keen on modernizing the economic plant of the Soviet Union, and sensitive to the need for more efficient use of resources. They thus have an interest in peaceful agreements with the United States which could spare Russia heavy expenses on military projects in far-away countries.

Another group of Soviet leaders, heading up in First Secretary Leonid Brezhnev, has risen to the top through the party hierarchy. They are interested in maintaining the keen ideological edge which favors tight party control over Russia and the rest of the Communist world—the more so, now that there is a challenge from Communist China. They are determined, particularly because it is the 50th anniversary year of the Soviet Revolution, to realize for Russia any gains that can be made against "American imperialism."

This divided leadership has wobbled along cautiously for more than two years, with the party faction prevailing more and more. Brezhnev has emerged as the undoubted No. 1 in Russia. The modernizers have had some success in pushing economic reform and a treaty against the spread of nuclear weapons. But they have been obliged to underwrite heavy expense for air defense and for military assistance to North Vietnam and the Arab states of the Middle East.

Israel's lightning victory over the Arab states apparently had a dramatic impact on the world of the Soviet leaders. It seems to have created a climate of shock, favorable to the party bosses with their elaborate suspicions and ready-made postures of ideological hostility. And their hand was further strengthened by bleats from the Chinese, and demands from the Near East and elsewhere for Soviet support of the Arab states.

This climate of shock found full expression at a meeting of the party's central committee in Moscow last week. The committee adopted a harsh resolution attacking Israel for "aggression in the Middle East." It also adopted a 50th anniversary statement emphasizing the struggle "against imperialism" as the "pivot of world politics."

At the same time the man from the party secretariat recently named to be head of the secret police, Yuri Andropov, was raised to be a candidate member of the ruling presidium—the first time the top cop has been in that body since the elimination of Lavrenti Beria back in 1950.

In this situation, the modernizers were obviously on the defensive. The best they could do was to play for time, trying to sort things out while putting off major decisions until a calmer period. Measured against that background, the Kosygin trip, and especially the visits with the President at Glassboro were not a failure.

To be sure, Kosygin's stance on the Middle East and Vietnam hardened between his opening statement to the General Assembly and his press conference last Sunday night. But that evolution seems only to have kept pace with the evolution of opinion in Moscow as expressed at the central committee meeting. Nothing that might have been gained was lost.

On the other hand, Kosygin's prestige has undoubtedly been increased. And he goes home better equipped to argue the case of the modernizers in many ways.

He has learned first-hand of the President's disposition to be conciliatory in Vietnam. He has also learned—and at his press conference he expressed the point with a clarity suggestive of sympathy—that the United States would not support withdrawal of Israeli troops until other issues in the Middle East had also been arranged. And he and the President have put new force behind the negotiations, now handed over to Secretary of State Dean Rusk and Soviet Foreign Minister Andrei Gromyko, for a non-proliferation treaty.

Eventual agreement on the treaty, as on Vietnam and the Middle East, still awaits future decision. But the door has been kept open. Would it be open if the President had rebuffed Kosygin and refused to see him? For my part, I doubt it.

PRIVACY—FOUNDATION OF FREEDOM

Mr. LONG of Missouri. Mr. President, the current—June 1967—edition of the magazine Agenda, published by the Industrial Union Department of the AFL-CIO, contains an excellent article entitled "Privacy: Foundation of Freedom," written by Attorney General Ramsey Clark.

I ask unanimous consent that the article be printed in the RECORD. It should encourage all of us who want to preserve what is left of our right to privacy.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRIVACY—FOUNDATION OF FREEDOM

(By Attorney General Ramsey Clark)

From a people numbering fewer than four million—with its chief metropolis 33,000 and only one in 20 living in towns of 2,500 or greater—we have crossed a continent and filled the land.

As our century—the twentieth—began, we were 76 million strong and predominantly rural. Two-thirds through this century we approach 200 million Americans, three-fourths urban.

We are promised, or threatened, with 340 million by the year 2000, 33 years hence, when a person reaching his majority today will be at the height of his attainments.

The technological revolution, undreamt of in the philosophy of the Founding Fathers, hurdles onward at an accelerating speed, presently doubling our knowledge of the physical world each decade: A 16-fold increase in 40 years.

We experienced more fundamental change in the way people live in the first two-thirds of this century than in history theretofore. We appear destined to duplicate this feat in the final one-third.

The tests our system has weathered are only prologue. We remain a great experiment in the government of a free people; and only the beginning.

Against pressures unrivaled in history can we sustain the spirit of freedom, a spirit seeking to enlarge liberty, foster curiosity and tolerate doubt?

Under stress will we hold with Thoreau that: "If a man does not keep pace with his companions, perhaps it is because he hears a different drummer. . . . Let him step to the music which he hears, however measured or far away."

Will the immensity of our problems—population, world peace, poverty, discrimination, nuclear armaments, rising crime, racial strife, the decaying hearts of our great central cities, the sheer numbers in our environment—so strain our understanding that we may confuse essential liberties with the causes of our grief?

Will we come to fear the strength of diversity, the virtue of difference?

Will we see some nonexistent contest between liberty and security, between the rights of the individual and the protection of society?

Can complexity and anxiety cause us to doubt that fulfillment is the flower of freedom, borne by no other tree; that freedom is the child of courage?

Could we forget that nothing can so debilitate security as deprivation of liberty?

Reason and experience both show that even the immensity of our problems is exceeded by the dimension of our opportunity. The wealth of our numbers, our technology, our affluence enable us both to enlarge the rights of the individual and better protect our society simultaneously.

It is for us to proceed to do both. We have the capability. We need only the will.

This we are endeavoring to do. Let me give you several illustrations.

We cared enough for our privacy to prohibit unreasonable searches and seizures and unrestricted warrants in the Bill of Rights, for privacy is, after all, the foundation of freedom and the source of individualism and personality.

But as Justice Brandeis observed nearly four decades ago ". . . General warrants are but puny instruments of tyranny and oppression when compared to wiretapping." Still we permit the most insidious invasion of privacy—the electronic surveillance.

Privacy has always been a rare commodity, but never so rare as in our times. Never, therefore, has it been more important that we cherish privacy.

The sheer numbers in our lives, our urban living, and our immense and growing technological capacities burden and further threaten privacy. They compel us to seek ways of being alone and being let alone—of solitude—and the chance to be ourselves.

John Stuart Mill said: "The worth of a state, in the long run, is the worth of the individuals composing it."

When the state demeans its citizens or permits them to demean each other, however beneficient the particular purpose, it will only find that it has limited opportunities for individual fulfillment and for national accomplishment.

Public safety will not be found in wiretapping. Security is to be found in excellence in law enforcement, in courts and in corrections. That excellence has not been demonstrated to include wiretapping.

Nothing so mocks privacy as the wiretap and electronic surveillance. They are incompatible with a free society and justified only when that society must protect itself from those who seek to destroy it.

While enlarging freedom in such ways as restricting wiretapping, we seek to strengthen our institutions of criminal justice.

Police training and standards; research and development for crime prevention and detection, better pay, police-community relations, corrections, courts.

We enlarge our liberty by seeking legislation for open housing, to protect federal rights, to provide fair juries, to provide equal employment opportunity. These, too, are essential.

And while we do these things, we work relentlessly to correct those immense and stubborn forces pervading our environment which measure our character and find us wanting, which determine the quality of our lives. For these we seek economic opportunity, education, health, equality and justice, the great concern of man on earth.

The dogmas of the quiet past are inadequate to the stormy present. The occasion is periled high with difficulty . . . as our case is new, so we must think anew and act anew. We must disenthrall ourselves.

THE PROPOSED CONSTITUTIONAL CONVENTION

Mr. HATFIELD. Mr. President, 32 State legislatures have passed resolutions calling for a national constitutional convention. The purpose of the convention is to change the present constitutional requirement that representation of the voters in State legislatures must be based upon the principle of "one man, one vote."

The distinguished Senator from Maryland [Mr. Tydings] has forcefully and succinctly warned us of the grave dangers of this drive for a constitutional convention in an article which recently was published in the Saturday Evening Post. The article deserves wide and careful attention. I ask unanimous consent it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THEY WANT TO TAMPER WITH THE CONSTITUTION

(By Senator Joseph D. Tydings)

Unknown to the public and even to most members of Congress, powerful forces have been working for the past three years in state capitols across the country to lay the groundwork for a massive assault on the Constitution of the United States. Today these forces are dangerously close to success. It is time to wake up and stop this assault before it does serious damage to the most cherished principles of our democracy.

These strange circumstances are made possible by a portion of Article V of the Constitution itself, which provides that:

"The Congress . . . on the application of the Legislatures of two thirds of the several states shall call a convention for proposing amendments" (to the Constitution).

Most Americans have forgotten that this obscure provision even exists, for it has never been used throughout our history. Until now, constitutional amendments have been debated and passed in Congress in the full light of national attention, and then ratified by the states.

During the past few years, however, 32 state legislatures have passed resolutions calling for a national constitutional convention—and the ambition of the advocates is plain. They want to overturn the Supreme Court's decision that the state legislatures must be reformed according to the principle of one man, one vote. At this writing only two more legislative resolutions are needed before the proponents can claim 34 states—the necessary two thirds. They would then attempt to stampede Congress into summoning the first constitutional convention since the nation was founded.

Nobody should assume that this would be a modern replica of the meeting of the Founding Fathers in Philadelphia. This new body could claim as much authority, and yet no one knows how its members would be selected or who they would be, for the Constitution makes no provision on these points. Since no guidelines exist, I am not even certain who would attend from my own state of Maryland. But it is frequently the case in political movements that a meeting is dominated by the most active proponents. In this case, the Constitution-writing conclave could thus be dominated by narrow commercial and agricultural interests and by rotten-borough politicians who want to turn back the clock. Interests of these kinds led the way in getting the resolution passed in Maryland. The idea of such men tampering with our Constitution is enough to make Franklin, Madison, Hamilton and Washington turn in their graves.

This drive must not be allowed to succeed. It would open a Pandora's box from which could emerge all manner of drastic changes in our Government, including the crackpot ideas of the extremists. It could put into jeopardy our basic liberties—even the Bill of Rights itself. Sen. Sam Ervin of North Carolina, one of the Senate's most respected conservative leaders and a distinguished constitutional lawyer, has described the prospect succinctly: "The specter of a new convention dabbling with the greatest document ever devised by the hand of man is unthinkable."

The spark which touched off all this was the 1964 decision of the U.S. Supreme Court that state legislatures must be reapportioned to represent the people of a state rather than its cows, trees and boulders. This one-man, one-vote ruling was long overdue, but it naturally aroused the antagonism of those whose power was to be eroded or even destroyed. These opponents included rural legislators whose jobs were to be eliminated by fair apportionment. They included the special-interest groups, which long had prospered by pulling strings in legislatures that were unfairly apportioned.

These groups initially sought passage of a constitutional amendment—the "Dirksen Amendment"—by the congressional route. This amendment would have exempted at least one house of each state legislature from the "one-man, one-vote" decision, and my first speech in the Senate was made in opposition to the proposal. In the next two years, the Senate was subjected to a high-powered campaign directed by the California-based political public-relations firm of Whitaker & Baxter. The Senate rejected the proposed amendment both in 1965 and 1966—and thought the issue was settled.

In the meantime, however, these advocates were quietly at work trying to circumvent Congress. In statehouse after statehouse, resolutions demanding a convention that would prevent the one-man, one-vote rule were approved—but not in a manner that could be called, by any stretch of the imagination, democratic. Twenty-six of the 32 resolutions were passed by legislatures that were so malapportioned that they have since been reformed.

In almost very case, moreover, the resolution calling for the convention was passed hurriedly, without hearings or adequate debate. The public was not consulted and its voice was not heard as the legislation was hustled through.

In Colorado, for example, the resolution was not even printed, as bills normally are, nor was it screened by committee, another traditional step in the legislative process. What happened in Illinois is illustrative: The resolution was introduced in the House, a motion was made to suspend the rules, thus cutting off debate, and another resolution quickly followed, calling for the vote. When the resolution reached the Illinois Senate, a hearing was held—but with only 24 hours' public notice.

Such resolutions represent an incredible defiance of popular will. The people of New Hampshire actually voted 150,179 to 43,837 in November of 1964 in favor of reapportioning the state Senate. Yet seven months later—before reapportionment could be carried out—the New Hampshire legislature swiftly and almost casually passed a call for a national constitutional convention designed to block what the people had demanded. The resolution passed the New Hampshire House of Representatives by a voice vote and was hand-carried to the state Senate. There it was adopted within minutes, without any discussion.

I am confident that if the people of the 32 states had been given the right to vote on this issue, few of these resolutions would have passed. According to the Lou Harris poll of last November 14, Americans approve the "one-man, one-vote" decision by more than 3 to 1.

There are clear indications that many state lawmakers who voted for such resolutions, or failed to object, believed that a constitutional convention would be strictly limited to the job of undercutting the one-man, one-vote rule. This ambition is objectionable enough, but the legislators who call for the convention do not seem to realize what can happen if they succeed.

Nobody can guarantee that a new constitutional convention, once in session, would be limited by law or inclination from making whatever changes it should see fit in our national charter. Even Senator Dirksen of Illinois, the chief proponent of the convention, has said that "there is strong legal opinion that once the states have mandated a convention, the courts or the executive can control it, guide it or establish matters with which it would deal." Most scholars on the subject agree that a convention would be unlimited.

The only Constitution-writing session we have ever had turned out to be completely unlimited, despite all attempts to restrain it. That original Constitutional Convention was called into being by the Colonies' Continental Congress in February, 1787, "for the sole and express purpose of revising the Articles of Confederation." The Founding Fathers simply ignored this restriction, threw out the Articles of Confederation, and established a whole new system on the theory that the Constitutional Convention, as the preamble indicates, could speak for "We, the People of the United States." Some delegates in fact, violated their states' instructions by eliminating the one-state, one-vote rule of the Confederation in favor of the two-house Congress we have today.

At first glance it can be reassuring to suppose that any amendment conjured up by the modern would-be Washingtons and Madisons would be subject to still another constitutional provision. Our charter does say that such an amendment would have to be submitted for ratification by three fourths of the states. But even that is not certain to happen. What is to keep a convention, carried away by its own wisdom, from changing the portions of the Constitution which deal with amendment procedure? The sobering prospect is that once these men sit down, behind closed and locked doors if they so wish it, there is nothing to prevent them from perusing every sentence in the Constitution, and changing it to suit their taste.

Fortunately, it is not yet too late to act to prevent such a calamity.

First, those 32 state legislatures which have wittingly or unwittingly called for a constitutional convention can repeal their resolutions and notify Congress of that fact. These states are Alabama, Arizona, Arkansas, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington and Wyoming. Citizens in these states should demand that their legislators reconsider these resolutions and put them to the test of public debate. In my own state, when the alarm was sounded this year in the last weeks of the legislative session, a repeal measure overwhelmingly passed the Senate and was sponsored by more than half the members of the House—but died as the timetable of the session ran out. Given public exposure, I doubt these resolutions would survive in any state.

Second, citizens in states where convention resolutions are pending should speak out now to make sure they do not pass. At this writing, these states are Delaware, Iowa, Michigan, Ohio, Pennsylvania, Vermont and Wisconsin. Unless protest is made, two of these resolutions could slip by almost unnoticed—as has often been the case before.

Should an aroused citizenry fail to turn the tide against the proposed constitutional convention, there is one final safeguard: the Congress. In my view, Congress should simply refuse to permit this convention until confronted by 34 identical, valid petitions from state legislatures. So far 29 of the 32 resolutions call for throttling the "one-man, one-vote" principle in one way, while three others seek a totally different method. Congress should refuse action until confronted with 34 petitions which ask for the same thing.

Congress should reject as unlawful 26 of the petitions for another, more fundamental reason. Every first-year law student knows the basic principle of Equity Law that a claimant "must come into court with clean hands" before the court will hear his claims. In my judgment, no illegally apportioned legislature has "clean hands" in calling for a constitutional convention to legitimize its own illegality.

Of all the state legislatures that have asked for a convention, only six fairly represented their people at the time. The other 26 were apportioned for minority control. For example, when New Mexico's legislature asked for a convention in February, 1965, a majority in its Senate represented only 15 percent of that state's people and a majority of its House represented only 27 percent. In Florida, when the constitutional-convention resolution was passed in June of 1965, a majority of its Senate represented 12 percent of the population, and a majority of the House, 14 percent. All 26 of these legislatures have subsequently been replaced by legislatures apportioned on the one-man, one-vote principle.

It is absurd to say that these legislatures spoke for their people. Congress has no reason to act on such illegal petitions. I believe Congress has no right to permit a convention in flagrant violation of democratic procedures and against the will of most Americans.

The threat to our system of government posed by this drive for a constitutional convention is not a partisan issue. We all have a vital stake in protecting the commonweal against assault.

Our Constitution is a remarkably viable and durable instrument. Since its adoption and the approval of the Bill of Rights, we have amended it only 15 times, and each time only after reasonable debate and in orderly procedure. It has served us well as we grew from a coastal enclave of a few million people to the greatest and most powerful nation on earth, with a population of almost 200 million, a gross national product approaching a trillion dollars and the role of leader in a world our grandfathers would hardly recognize.

Our individual liberties—based squarely on our Constitution—are the pride and envy of the world. It is disgraceful that a last-gasp attempt to perpetuate malapportionment should threaten our fundamental charter. It is shocking that this stratagem has gone so far while most of us—including most of us in Congress—weren't looking. There is yet time for this to be halted and reversed. That time is now.

THE OMBUDSMAN

Mr. LONG of Missouri. Mr. President, interest in our country in the Scandinavian concept of ombudsman continues to increase.

Very recently, the Swedish Ombudsman, Dr. Alfred Bexelius, was in this country, and his visit caused considerable interest. I ask consent to have printed in the RECORD a brief account of his visit, which was contained in a New York Times article of June 20, 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OMBUDSMAN FINDS MOST COMPLAINTS UNFOUNDED

(By Paul Hofmann)

Sweden's ombudsman, the public's guardian against arrogant or bumbling bureaucrats, said yesterday that 90 per cent of the complaints he received proved to be unfounded.

"However, it needs someone independent to explain to people they have no reason to complain," the ombudsman, Dr. Alfred Bexelius, who was once a judge, remarked.

In the remaining 10 per cent of his case load, the Parliament-appointed ombudsman said, he had broad powers not only to investigate, but also to prosecute to correct abuses of power by Government officials. Furthermore, he added, he submitted an annual report on his ombudsmanship to Parliament, "and all officials are very anxious not to have their name in it."

Dr. Bexelius, a trim, pink-cheeked man in his early sixties who is here on a private visit, discussed his office and, with restraint, the chances of setting up an American ombudsman system, at a news conference at the headquarters of the National Association for the Advancement of Colored People, 20 West 40th Street, yesterday afternoon.

JOINED BY O'CONNOR

Before meeting the press, the Swedish visitor had conferred for a half-hour with Roy Wilkins, executive secretary of the N.A.A.C.P. City Council President Frank D. O'Connor accompanied Dr. Bexelius.

Mr. O'Connor, a Democrat, on May 11 introduced a City Council bill that would create a New York version of an ombudsman—an Office of Public Complaints whose head would be paid $37,000 a year and who would have the authority to detect and redress wrongs in administrative procedures.

The City Council president said that he had sought the Swedish ombudsman's advice during an earlier visit. Dr. Bexelius was here in February, 1966, when he reported on his office to the Association of the Bar of the City of New York. Recommendations by the association's Committee on Administrative Law formed the basis of Mr. O'Connor's bill.

Riding with Dr. Bexelius and Mr. Wilkins in an elevator at the N.A.A.C.P. headquarters yesterday, Mr. O'Connor told them that at least 28 state legislatures were considering proposals for some form of ombudsman system.

WILKINS FORESEES VALUE

Asked by newsmen what he thought about the concept, Mr. Wilkins said: "There are enough clashes between government and citizens if they are all of one race. If the ombudsman is helpful in Sweden, where the people are homogeneous, something like an ombudsman would certainly be useful in a multi-racial country like ours."

Dr. Bexelius said the ombudsman system had worked "very well" in Sweden for the last 158 years and was following democratic principles "on which the American Constitution is based." He stressed that political parties in the Swedish Parliament usually sought to choose the ombudsman for a four-year term on a nonpartisan basis, and recalled that Denmark, Norway and, recently, Guiana had adopted the ombudsman system.

New Zealand, too, has an ombudsman. Last year, Nassau County became the first local government in the United States to appoint a grievance officer on the Swedish pattern.

Mr. O'Connor voiced hope for passage of his bill, which is now in committee. He indicated, however, that it was meeting opposition.

A supporter of the ombudsman bill who didn't want to be identified said a source of strong opposition to the proposed system was the apparent fear of some elected officials that an ombudsman office would reduce their possibilities for earning votes by doing favors for potential voters.

A PLAN FOR BILINGUAL EDUCATION IS DESCRIBED BY THE BALTIMORE SUN

Mr. YARBOROUGH. Mr. President, Richard O'Mara of the Evening Sun of Baltimore, recently wrote an incisive analysis and review of current efforts to bring about a more sensible approach to the teaching of children whose mother tongue is Spanish. This is an issue of great importance today, as our society continues its efforts to afford to each of its members an opportunity to achieve his rightful place in the sun.

I ask unanimous consent that an informative article entitled "A Plan for Bilingual Education," written by Richard O'Mara, and published in the Baltimore Evening Sun of June 21, 1967, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A PLAN FOR BILINGUAL EDUCATION

(NOTE.—Proposals in Congress would permit children of non-English speaking homes to receive instruction in their mother tongue.)

(By Richard O'Mara)

An occasional fruit pickers' strike in Texas or California, a flash of violence along the Rio Grande, a pathetic uprising in New Mexico—that's about all most Americans ever hear about the Mexican-Americans of the Southwest.

Recently, the Senate Education Subcommittee heard something more, these lines by Edwin Markham:

How will you ever strengthen up this shape;/ Touch it again with immortality;/ Give back the upward looking and the light;/ Rebuild it in the music and the dream?

Dr. Faye Bumpass, a college Spanish teacher from Lubbock, Texas, was speaking of the "forgotten children" of this Mexican-American minority. She offered her brief reading to dramatize her testimony on behalf of Senator Yarborough's bilingual American education bill, a bill which would provide children who come from Spanish-speaking homes with academic instruction in their mother tongue, while teaching them English as a second language.

Dr. Bruce Gaarder, director of the modern foreign language section of the United States Office of Education, also testified in favor of the measure. In his more pragmatic approach he pointed out what he considered an absurdity of present education policy regarding foreign language learning:

"We spend perhaps a billion dollars a year to teach the languages—in the schools, the colleges and universities, the Foreign Service, the Department of Defense, AID, USIA, CIA, etc.—yet virtually no part of the effort goes to maintain and develop the competence of American children who speak the same languages natively."

On the contrary, according to the United States Office of Education, nearly all the states have some kind of law discouraging instruction in public schools in foreign languages. Some sternly forbid it.

The Yarborough bill was drafted to meet the problem faced by Spanish-speaking children in the Southwest, 2,000,000 in five states, 1,000,000 in Texas alone. Many of them enter public schools not knowing a word of English. The consequence is that three out of four Spanish speakers in Texas are functionally illiterate.

The few students who manage to get through high school rarely go to college, nor are they encouraged to do so. Because of their lack of facility with English, they often do badly on I.Q. tests, and are not considered college material.

The problem was put succinctly in a rhetorical question asked by a Washington supporter of the Yarborough bill:

"Could Albert Einstein, who grew up speaking German, have learned physics as a boy if his teacher had made him study it in Greek?"

And the answer: "Perhaps he could have, but he would first have had to learn a whole new language, and then catch up."

The problem is not restricted to the Southwest. Spanish-speaking children in New York are in the same predicament. And although Spanish-speakers form the largest minority-language group in the United States, there are French-speaking children in Louisiana and near the Canadian border with the same problem. This also applies to Oriental children, Ukranians, Czechs, and so on. Representative Edward R. Roybal, a California Democrat, and that State's only representative of Mexican ancestry, has introduced a more extensive bill in the House to cover all minority-language children.

One of the sources of the trouble is the rather negative attitude of many educators, mainly in the Southwest. They regard bilingualism in children as a handicap. The guiding syllogism goes as follows: children who speak a foreign language at home do not handle English well; because they do not speak fluent English they do not get good grades in school; ergo, their bilingualism is to blame.

There seems a reluctance to fault the educational system that demands that all instruction be in English.

As Dr. Gaarder puts it, it is "an ethnocentric illusion (to think) that English is not a foreign language for anyone in this country."

A bilingual education bill, if approved, would not only give children who speak a foreign language an equal break, it could possibly give Spanish-speaking children an advantage, and provide the extra boost this minority group needs to assume its proper role in American society.

In 1925 the International Institute of Teachers College, Columbia University, conducted a test to determine the effectiveness of learning through the two language media of Spanish and English. A group of children in Puerto Rico was tested, in Spanish, in reading, arithmetic, general information, language and spelling. A similar group was tested in the continental United States in their native English. The results were surprising:

"The Puerto Rican children's achievement through Spanish was, by and large, markedly superior to that of continental United States children, who were using their own mother tongue."

The reason given for the better performance by the Puerto Rican children was that Spanish is more easily learned; because it has a better writing system (the writing system matches the sound system) Spanish-speaking children can learn to read and write faster. They can, therefore, acquire information from books earlier.

The conclusion, then, is that the imposition of a bilingual education system in areas where it is needed would give the Spanish-speaking children "a decided advantage over their English-speaking schoolmates, at least in elementary school, because of the excellence of the Spanish writing system."

The Yarborough and Roybal bills both call for a first year appropriation of $5,000,000 to set up educational programs for children from non-English speaking homes. They also ask for $2,000,000 for teacher training and institutions. The second year's appropriation would be $12,000,000 and the third year's, $17,000,000.

The bilingual programs would be predicated on the axiom that "the best medium for teaching a child is his mother tongue." The child would receive English-language instructon from the start. However, his subjects, arithmetic, geography, and so on, would be taught in his native tongue, and his ability to learn would not be retarded by his imperfect knowledge of English.

DEATH OF DR. GEORGE Y. HARVEY

Mr. LONG of Missouri. Mr. President, the people of Missouri and the Nation have lost a great and stalwart friend.

Dr. George Y. Harvey for so many years chief clerk and staff director of the House Appropriations Committee under the chairmanship of Missouri's beloved Clarence Cannon, has passed away in Columbia, Mo.

George Harvey was in every way a public servant. In spite of several serious blows to his health, and in spite of family tragedy recently, he was to the last working in behalf of the people of Missouri. He has championed many a vital project for my State and has handled the detailed negotiations between the university and Federal agencies.

To so many of us here in Washington, and to many more in Missouri, George Harvey was a very warm and delightful friend. His experience and his wisdom were very great, and I always valued his advice. He was a scholar, a student, and a professor. He was both a politician and an administrator.

In recent months he renewed his deep love for organ music. When he was not reading or meeting with students and visitors from all over our State, he would play the organ. He played beautifully, and for many of us it was a new dimension of his unique character of which we had not been fully aware.

I know that many in the Senate and House will want to join me in expressing to the George Harvey family our deepest sympathy. He was in many ways a great American. He has served us all. He will be long and deeply missed.

LABOR, MANAGEMENT, AND POLITICS

Mr. **GRIFFIN**. Mr. President, at a recent vote workshop in Detroit, sponsored by the American Heritage Foundation, articulate spokesmen for labor and management focused on a broad range of political problems.

In commenting on the workshop, the Detroit Free Press noted:

> These talks forecast a new era of cooperation between business and labor in areas where they have been traditional antagonists.

Mr. President, I ask unanimous consent to have printed in the RECORD the remarks of Mr. Leonard Woodcock, vice president of the United Automobile Workers, and Mr. Creighton Holden, chairman of the board of the Michigan State Chamber of Commerce, on the subject "Business and Labor's Stake in American Politics."

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

BUSINESS AND LABOR'S STAKE IN AMERICAN POLITICS

(By Leonard Woodcock, vice president, International Union, UAW, May 19, 1967, before the Midwest Regional Vote Workshop, sponsored by the American Heritage Foundation, Detroit, Mich.)

I could begin this topic by saying: "Only in America . . ." could this be a sensible topic. In another society, the topic more likely would be "Business v. Labor in Politics."

In the large today, business and labor in this country are divided by interest but not by ideology. In other countries it seems to be the other way around, although they apparently do far less well for their interests because of their pursuit of ideological differences.

It was not always so in this country. In the early days of this century, there was a sharp ideological and class struggle ferment in the American labor movement. Then after World War I the thrust of ideology faded, but little took its place. There was no concern over a sharp pursuit of interest. It was the Republican sage of Baltimore, H. L. Mencken, who wrote of the American labor movement in the 1920's: "If Judge Gary sent less than ten hay wagons of roses to Sam Gompers' funeral in 1924, then he is a niggard indeed. For Sam got upon the back of the American labor movement when it was beginning to be dangerous, and rode it so magnificently that at the end of his life it was tame as a tabby cat."

The American labor movement was reborn in the 1930's. But it was reborn not on an ideological base, but on a solid base of American pragmatism. It was pledged to fight for the interest of the group within a context of acceptance of the system—but to insist that that system work.

Strangely enough, it was another Republican, John L. Lewis, who led that rebirth; after a temporary Democratic aberration in 1936, he returned to the Republican fold in 1940 and has stayed there since.

Labor's stake in American politics then, in simple, is to accept the system but to make the system work. There can be no free labor movement except in a viable democratic society; and, conversely, there can be no viable democratic society without a vital labor movement.

More than most sections of society, we in labor have an interest in reversing the tide of rising citizen cynicism toward politics. We should be more concerned than most at the growing fashion of politicians to use the issue to make the image and then to lose the issue in the image. We should also be more concerned at the increasing use of manipulative mechanisms which put the premium on the appearance and not on the substance.

In this day, at least in our country, when the economic issue is the equitable sharing of the abundance and not the atavistic clawing over scarcity, politics enters a new context. Now we need not fear the participation of *all* the people—we must have it. The more we engage the attention of people to political issues the more we sharpen the competitive factor which may on occasion be bad for a particular party but on balance is always good for the country.

A cultural lag, I believe, accounts for the low participation of American citizens in the fundamental act of voting, which is the citizens' most direct and most equal involvement.

Many of our registration and voting laws are geared to the age of the streetcar instead of the shopping center. Too many Americans today are compelled to run an obstacle course to get their names on the voting rolls.

Sixty-two percent of all eligible Americans—or 70.6 million people—voted in the 1964 presidential election when interest in the election was at the peak. Two years later, in the congressional offyear election of 1966, the turnout was even lower—only 48 percent or 56 million people voted out of a potential voting group of 116.4 million.

We make it easier to pay by mail, to bank from your automobile, to shop by telephone—but we put old-fashioned and grossly unfair obstructions in the way of people who ask no more than to be good citizens and vote on Election Day.

We have no trouble collecting federal income taxes and tracking down people to make sure they pay. Those forms come in the mail every year—and computers help you get them and help get you if you have erred. Why can't some of this computer genius get every American of voting age on the voter registration rolls in such a way that there can be no hint of fraud or duplication? I should think the computers could guarantee—in a way which no primitive system of recordkeeping could—that every American of voting age could vote and only vote once.

Next, we have a duty to make sure that better sources of information on issues and candidates are made available to the American people. The daily press is all too prone to rely on what is sensational or controversial—and while these have a place in a democracy—they are by no means the total picture.

As some of you know, the state of Oregon has a unique system of mailing to every household a booklet printed at government expense which contains all the basic information a voter needs to make his choice. In some communities the League of Women Voters tries to fill the information gap—but the distribution is often quite restricted. What I am pleading for is a wider reach to fill the information gap. And this is where we need both labor and management to join in asking our states or possibly the federal government to make sure that voters get all the information needed on who's running, what they stand for, and so forth.

As campaign expenditures get larger and as our population grows—the whole problem of getting a message to the voters becomes a serious challenge to our form of government. I'm not trying to suggest any complete answer to this—but I think we ought to face this and come up with some practical solutions so that every voter can be equipped to make sound judgments on Election Day. I think some of the cynicism some Americans have about politics is that they get very skimpy information about the issues and candidates and they rebel against buying political parties and personalities like you might buy a bar of soap or a package of cornflakes. If that's the reason, I think they are justified in their skepticism about the political process, and as leaders of labor and business we have a duty to correct this deficiency.

Third—we ought to join together in pressing for enactment of the recommendations made in 1963 by the bipartisan blue-ribbon presidential commission on registration and voting participation. Very few states have done anything to modernize their laws along the lines the presidential commission suggested.

It is no secret that we in the UAW support a preponderance of Democrats. We do support some Republicans, but not too many. We like to think it's their fault. Likewise, most of the businessmen in America are by tradition Republicans, although the business community has an increasing number of strays. I say this only to get to my next point—there is no political advantage to either party in the reforms we are talking about. Both parties ought to work together and we all ought to be ashamed of the miserably low voter turnout we have in even our major presidential elections.

Let's talk about this question of political advantage. No state has done more recently than Iowa to reform its voter-registration laws—yet Iowa elected four new Republican Congressman last year. These reforms were pushed by Democrats, but they elected Republicans. From our standpoint in the UAW we lost four good, liberal Democrats in Iowa, but the fact that more people were able to vote ought to be put down as a net gain for both parties. Idaho and New Hampshire both have the most liberal voting and registration laws—and the two-party system is very much alive in those states.

You may ask what is so special about Iowa? For the first time in that state political parties had the right to deputize workers to canvass door to door and register voters. That's a far better way to reach the voter than some of the primitive methods many states, including Michigan, employ today.

Back in 1952, the city of Wausau, Wisconsin, won an American Heritage award for achieving 99.8 percent near-perfect voter registration—and that's a pretty Republican part of America. If you remember, 1952 was a banner Republican year.

So I strongly dispute those who may think that maximum voter registration is going to help Democrats or Republicans. The results on Election Day will depend on the issues of the times—not how many people vote.

Finally, I'd like to say a word about campaign financing. This is something which is getting more troublesome every year, and it's going to get more so unless we in the labor and business community join hands to get something practical worked out. As our population grows and as campaign costs sky-rocket year after year—there is no end in sight for rising campaign costs. The recent seven-weeks' debate in the Senate raised the question of financing presidential campaigns, and, as many of you know, the

Senate must now work out some ground rules to decide how that fund will work. If the Senate doesn't agree, then we'll be back where we started from—and there will be no federal financing of presidential campaigns or any other campaigns.

I don't have any blueprint to give you on this—but we ought to all take a hard look at the problem and stop kidding ourselves into thinking it will go away if we ignore it. It's been estimated that we spent $200 million at all levels of government in 1964 for political campaigns of that year. And this figure is going to rise—because nobody has devised a way to roll back campaign costs, they get bigger every year.

Some years ago, we in the UAW came up with a tax credit idea which still has a great deal of merit. There is no magic to it—and it would spread the costs of campaign financing among many people. Here's how it would work. Anybody who gave $5 to a political party, to a labor and business political fund-raising group, or what have you—could give the receipt to his employer and his federal income tax would be $5 less during the next pay period.

We think this has built-in incentives. You wouldn't have to wait until April 15th, and it would give a multiplicity of political groups an opportunity to encourage contributions. You would not have the danger of building up an enormous political kitty which might be abused—the money would be spread around. It would increase the competition.

We are not suggesting this is the only way to tackle the problem of campaign financing—but it's certainly a practical approach which would reach a broad cross section of the American people.

Certainly we ought to be able to do more to set aside free public service time at prime hours on radio and television for major political candidates. Radio and TV are the creatures of the American people. The airwaves were not invented by RCA or CBS—they were a public gift to private groups—a bonanza, if ever there was one—justified in that they will operate in the public interest. Since the expenditures for radio and TV are major hunks of the money which candidates and parties spend—then there ought to be more free time on radio and TV to cut down on campaign spending in the public interest.

We are the world's oldest free government, and while we have our imperfections our system of government has been amazingly sturdy and sound.

Those of us here who represent the business and labor community have learned to debate, to argue, to bargain, to withhold our labor—we tug and pull in the game of democracy and representative government. A European accustomed to the neat "isms" is often baffled at the way we do things. How we do them doesn't fit any narrowly-construed rules—but we manage to get things done. Our standard of living is the marvel of the whole world. Our productive capacity is fantastic. We have gigantic social problems—some getting worse. But we have taken the first necessary step by collectively recognizing those problems. The debate now is how to solve them.

One of the reasons we Americans have gotten so much done in our span of history is our practical approach to problems. And that's precisely what we need in dealing with government. Not to make it more efficient so it loses any of its zest or vitality. A seven-weeks Senate debate over a presidential campaign fund may be inefficient from a strictly business standpoint—but it was a healthy thing to have that issue aired thoroughly in the public eye.

By practical, I mean using human ingenuity to try our best to solve problems when they reach a point where they cry out for solution. I have suggested some of those problems and hinted at some of the solutions. We have the problem of low voter turnout—we ought to put our best brains at work to do something about that. We have the problem of getting political messages of the day to the people of this country—and this is tied in with the problem of campaign financing. Here's where labor and management ought to work jointly in making proposals that will deal with these increasingly serious problems. And we ought to renew our determination on a bipartisan basis to seek enactment of some or most of the 21 reforms which the presidential commission on registration-voting participation made back in 1963. A genuine thrust forward by labor and management in Michigan or the United States would do wonders to modernize our voting laws.

We will continue to differ on public issues and on candidates—but there are critical and pertinent issues which affect the workings of our government where we can join hands and work together.

The American Heritage Foundation is an institution which reaches into both labor and management for the best talents and draws upon the finest traditions and impulses of both.

I am sure that the political leaders of our times in both parties will welcome anything we do on a joint basis as a way to tackle problems which have often defied the usual political solution.

A labor-management team to improve the workings of our democracy might be a way to get some of our political people off the hook. The Supreme Court has moved in where Congress feared to tread. Why shouldn't the responsible leaders of labor and industry take the initiative in these great unsolved problems of government.

Excerpts From Statement Made by Creighton Holden, Chairman of the Board, Michigan State Chamber of Commerce, at the Midwest Regional Vote Workshop of the American Heritage Foundation, Detroit, Mich., May 18–19, 1967

This conference of Republicans and Democrats, industry and labor, and a wide variety of interested groups, represents many shadings of political opinion. These differences are inherent in the very nature of a free society. But we are not gathered here to exacerbate our differences.

Today, the accent is on the positive, on the things which unite us, on aspirations which all Americans share for our country's welfare. And it is in this spirit that I approach the subject of this luncheon.

"Business and labor's stake in American politics" offers a particularly inviting area in which to build some bridges of understanding and suggest some common goals to pursue.

Our economic system is indivisible and all its component parts are mutually dependent. It is axiomatic that profits make jobs and jobs make profits. This is a simple economic fact of life.

Business—individual enterprise, management and risk capital—furnishes the creative, sustaining growth force in our economic system. Labor provides an indispensible function in the production of goods and the furnishing of services: and its purchasing power is essential to the economy.

Both business and labor, therefore, have a vital interest in the healthy functioning and growth of our economy. Here is a common goal dictated by enlightened self-interest—one which certainly can be advanced in the national interest. Here is where business and labor have a common stake in American politics.

Government is the framework in which our economy must operate. Mr. Reuther and I may not agree on how much government is required on these matters for the public good. But since this is "unity day" in Detroit, let us focus on our broad base of mutual interest.

Yet in the field of government—politics, if you will—business and labor find themselves more frequently as antagonists than as proponents of a common cause. Publicity, the dramatic manifestations of industrial conflict dominate the scene, obscuring our underlying community of interest. And the compelling need of business to produce profits for its investors, and labor to produce results for its membership, has developed into a constantly escalating tug-of-war which could threaten the well-being of our economy.

You know the story. It's been headlined again and again in the nation's press. This is a situation that makes no sense in terms of the legitimate interests of business and labor—or the more basic considerations of public interest. As citizens of the leader of the free world, we all carry a special responsibility in changing our industrial cat and dog image. This cannot be done by public relations gimmicks: It can only be done by demonstrating that our system works.

I therefore, welcome this opportunity—in this unique gathering—to speak out frankly and, I hope, constructively. The time has come for some industrial statesmanship, to make some beginnings in the right direction, and then to tackle the formidable tasks that are the joint responsibilities of both industry and labor. Let's open the doors which have been closed for too long and let in the fresh air of reason.

I would like to see business and labor begin a dialogue to determine areas of common interest—especially in relation to government—and then do something about them together!

There is no need for formalities, or any form of organizational structure. All that is required is a willingness to get together periodically and talk—informally, off-the-record and, hopefully, in a spirit that measures up to the challenge.

Let us concentrate on those areas which would seem to require joint consideration, and let us avoid the pitfalls of the obviously controversial. But let us begin now!

I speak as an individual, but I am confident that responsible business men will welcome this opportunity. And I am equally confident that the responsible leaders of organized labor will also respond to the challenge. I say this because I have faith in the good sense of the American people. I know it may take a little time—and we may develop a few ulcers in the process—but we've everything to gain and nothing to lose by making a beginning. And Michigan is the place to begin! Why is Michigan the place to begin? Simply because the world looks to us for leadership in the fields of industry and labor.

This is also an appropriate forum to state some things which need to be said about the special responsibilities of business in public affairs.

Business must continue its traditional role in safeguarding and expanding its contribution to the national welfare—and do so vigorously. But it's not enough to concentrate on business problems alone. We are corporate citizens of the American community. We have a vital stake in good government, schools, roads, air pollution, urban development, and the other issues confronting our county. And we must let our voice be heard.

Labor has played an active and influential role in American politics. It's just a mark of my good character that I refrain from saying "too active and too influential." But, labor does not hold any proprietary rights to social progress. Progress is everybody's job and business has made an incalculable contribution to the nation's progress in raising our standard of living. Providing jobs at unprecedented levels, and managing the greatest economy in the history of civilization. Nevertheless, there is much more that we can do, namely, by getting involved in our political process and providing fresh, strong leadership to public affairs.

One of the most heartening developments in American business has been its expanding activities in public affairs. This must be intensified as a major responsibility to the society in which we live and in which we are an integral part. We must work with all elements of the community, especially with labor. Fortunately, the areas of business and labor's common interest in politics far exceeds the areas of disagreement.

Both business and labor are interested in good government.

Both want efficiency in government.

Both want honest and competent public officials.

Both are interested in greater citizen involvement in politics.

Both have a common interest in developing an informed electorate.

Both want to see qualified candidates stand for public office.

Both have a vital stake in the methods and procedures by which candidates are selected.

Both have an interest in housing, education, health, highways, clean air, clean water, war and peace, taxes, spending, and other issues of the day.

We may differ at times as to the best method for achieving these goals, and as to the nature and extent of the role of government in attaining them, but we should agree on basic objectives.

The trend for three decades now, has been to look to government for the solutions to our great problems. So let's just be reasonable. You and I are not going to change this. But, by participation in public affairs and all-out involvement in the politics of this great land, you and I can insure that the solutions will come *through* government and not *by* government.

If we work together—wherever the circumstances permit—our potential service to the nation can be of historic significance. With all my heart, I say to you: let's try it—and let's keep working at it—until we make it work!

HUMAN RIGHTS CONVENTIONS DO NOT INTERFERE WITH STATES' RIGHTS—XCVII

Mr. PROXMIRE. Mr. President, some of the most fervent supporters of States' rights claim that the Federal Government in becoming a party to human rights conventions would usurp responsibility for matters now within the jurisdiction of the States. Concern has been expressed that our adherence to these conventions would result in a substantial dislocation of the Federal-State balance. Those favoring United States signing and ratifying them contend that our national interest would be promoted greatly and that any alteration of the State-Federal balance would be infinitesimal.

The 10th amendment to our Constitution reads:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

In the famous Supreme Court case of *Missouri* v. *Holland,* 252 U.S. 416 (1920), the Court upheld a treaty with Canada for the protection of migratory birds which fly over Canada and the United States as a proper exercise of the treaty-making power.

It would be ludicrous, if it were not tragic, to maintain that the lives of migratory birds can be protected by treaty, but not the lives of human beings.

In *Reid* v. *Covert,* 354 U.S. 1, 17 (1957), the Court added:

> To the extent that the United States can validly make treaties, the people and the States have delegated their power to the National Government and the 10th Amendment is no barrier.

Mr. Sidney Liskofsky, an able and articulate attorney for the American Jewish Committee in New York, has criticized those who claim that the Federal-State balance would be unduly upset by stating that their argument: "reflects no awareness of the civil rights and other economic and social developments that have taken place in this country since the period of the Bricker commotion which led to the Dulles policy of 1953. It does not mention at all the considerable expansion of Federal jurisdiction as a result of the civil rights and other legislation of recent years, which have rendered moot much of the concern about the effect of treaties on Federal-State relations."

Mr. President, I am in total agreement with Mr. Liskofsky's view of the so-called Federal-State problem. There is no provision in any of the five conventions presently before the Foreign Relations Committee which conflicts with express limitations in the Constitution of the United States. Let us so affirm by consenting to ratify these conventions on forced labor, freedom of association, genocide, and political rights of women and slavery.

PRAISE FOR AMERICAN FOREIGN SERVICE PERSONNEL

Mr. MOSS. Mr. President, behind the headlines of every war there are always thousands of stories of individual courage and fortitude which are never told.

I have recently heard of one such story in the Middle East and would like to make it public because I am sure it typifies the actions taken by American Foreign Service personnel in many areas of the war zone.

The story comes to me in the form of a letter from two of my constituents, Mr. and Mrs. Frederick Stugard, who were caught in Alexandria, United Arab Republic, when hostilities broke out, and who feel they owe their escape from Egypt and their safe arrival in Greece to the "heroism" and "day to night labor" of the personnel of our U.S. consulate in Alexandria.

I ask unanimous consent that the letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The Athens Hilton,
June 19, 1967.

Senator Frank E. Moss,
U.S. Senate,
Washington, D.C.

My Dear Senator Moss: My wife and I are among your constituents from Salt Lake City. We have lived two years in Alexandria, United Arab Republic (Egypt) during my assignment there with Phillips Petroleum Company.

I want to tell you of the commendable performance and heroic behavior of the personnel in our Alexandria Consulate.

At the beginning of June, I watched from the Phillips office in a nearby apartment the Egyptian mob smashing and burning the United States Consulate building. During that ordeal, with the help of several loyal Egyptian employees, the Americans coolly destroyed confidential documents and kept themselves from harm by clever precautions. After that for several days, consular business was transacted from the home of one Consul. Finally, during the height of mob violence against us, the Consulate staff offered us asylum for two days in a hotel near the Montazah Palace, guarded by U.A.R. secret policemen. Finally, they took us in guarded busses to the port enclosure, where we loaded with our own hands all baggage aboard a vessel chartered by the Consulate. We sailed on Saturday 10th June, and arrived alive and safe in Piraeus on 12th June. We each contributed $78.20 to defray government costs in chartering the vessel, together with a $26,000 premium war-risk insurance. We owe our safety to the day-and-night labour of these Department of State employees, who include: David Fritzlan, Chief American Consul, Jack Bowie, Consul, Hugh McMillan, Consul, George Ford, Consul, and a couple of Egyptians.

These officials evacuated not only the remaining Americans from Alex, but from Cairo and all Egypt. Their performance deserves public praise.

Sincerely yours,
Frederick Stugard, Jr.

AIR POLLUTION CONTROL

Mr. MUSKIE. Mr. President, on June 19, the distinguished Senator from New York [Mr. Kennedy] made an excellent statement to the Citizens for Clean Air in New York on the need for air pollution control.

Senator Kennedy has made a valuable contribution to this subject, especially at a time when the members of the Subcommittee on Air and Water Pollution are considering major Federal air pollution legislation.

I was particularly impressed by Senator Kennedy's emphasis on the expanded role which all three levels of government must play if we are to succeed in insuring the Nation a bountiful supply of healthful air.

I ask unanimous consent that Senator Kennedy's remarks be printed in the Record. I assure him that the subcommittee is looking forward to the proposals he will make in the form of legislation this year.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Robert F. Kennedy to the Citizens for Clean Air

Last January, Secretary Gardner of the Department of Health, Education and Welfare convened an Interstate Air Pollution Abatement Conference to consider methods of reducing pollution in the atmosphere of the New York-New Jersey metropolitan region. That first session of the Conference was held in the wake of New York's Thanksgiving pollution crisis, the first time that contamination reached a level requiring a first stage alert. The memory of that throat choking, eye watering alert was still very real to all those who experienced it. And the severe pollution of the winter months was still with us. In addressing the Conference, I said, "the time for studies is past, the time to apply what we already know is here. We all know that action is imperative and this Conference, therefore, must be an action conference."

It is now summer. Almost a half year has passed since the Conference was first convened. So I would like to take this opportunity in addressing the June Technical workshop of the Citizens for Clean Air to assess the results of the first sessions of this Conference, and to discuss various aspects of our pollution problem which require further action.

It is my impression that, with a few notable exceptions, we are just as close to an air pollution disaster as we were last Thanksgiving. Our pace is still one of business-as-usual and does not reflect a sense of urgency equal to a problem that now injures thousands, kills some, and could kill thousands. I find this complacency difficult to understand. Is it because responsibility is fragmented between governments at all levels? Or is it because we are unable to grasp the seriousness of the threat?

First. The first source of pollution I would like to discuss is sulfur dioxide. As I pointed out in January, sulfur dioxide is the major and most dangerous pollutant in New York's air today. Sulfur dioxide and the trioxide it forms are produced by the burning of coal and oil containing sulfur. (And as Dr. Cassell of Mount Sinai School of Medicine pointed out to a Congressional Committee recently, sulfur dioxide and trioxide combined with a dust particle and moisture may become a tiny sulfuric acid manufacturing plant. This plant can be inhaled into our lungs. There can be no question that excessive sulfur dioxide in city air is a health hazard.)

New York's houses, industry, electric generating stations, and apartment buildings are powered by oil and coal that contain sulfur. As a result, more than 1,600,000 tons of sulfur oxides pour into New York's atmosphere each year. It was the rising level of sulfur dioxide that triggered last fall's alert.

The need to reduce the amount of sulfur dioxide was recognized at the first session of the Conference. As a result, some regulations dealing with the larger sources of the pollutant were adopted. Adoption of these regulations presumably means that the Departments of Health of the States of New York and New Jersey have agreed to enforce them. But what in fact has happened?

Some utilities and some municipalities have made plans to reduce the amount of sulfur they emit. Con Ed, the region's largest polluter, has agreed to shift to oil with 1% or less sulfur content by October of this year. This change will reduce Con Ed's sulfur oxide emissions—currently 789 tons per day—by 40%. Public Service has announced its intention to convert many of its older coal burning stations, with inefficient pollution control devices, to burn low sulfur oil. The City of Newark, under the aggressive leadership of Mayor Hugh Addonizio, has announced its intention to purchase low sulfur oil for its public facilities. The Humble Oil and Refining Company has stated it would convert its Bayway Refinery to the use of low sulfur oil and build a large blending plant to produce 1% sulfur oil for Con Ed. And all Federal installations will meet the standard by October of this year. I commend these positive steps by both industry and government to meet the need for action.

But these steps are not enough—not nearly enough. As I pointed out last January, Con Ed could reduce the amount of sulfur dioxide it introduces into our atmosphere by 80% rather than the 40% it currently plans if it were to substitute Number 2 oil for the cheap Number 6 oil and high sulfur coal it now burns. And the cost of this step would be under $10 per household per year.

Similarly, by this October, Public Service of New Jersey will only have achieved 65% of the levels required by the Conference. And Public Service could further reduce its pollution by one-half if it shifted to low sulfur Number 2 oil.

We also find that only a few of the 1,400 municipal governments in the metropolitan area covered by the Abatement Conference have taken steps to adopt and enforce the sulfur restrictions adopted by the Conference. No New Jersey community has adopted regulations governing the amount of sulfur in fuel burned in apartment buildings and commercial or industrial establishments. And even New York City's Local Law 14 will not achieve the sulfur reduction required for industry and housing until 1971.

It is particularly galling to find public agencies themselves violating their own air pollution regulations. Only this May, the Mayor's Task Force on Air Pollution said of New York City, "the City continues to be the greatest single producer of air pollution. Whether with respect to its incinerators, the operation of its schools, hospitals, housing projects, and public buildings, its fleets of buses, sanitation trucks, fire trucks, emergency wagons, police cars, the City is still the worst violator of its own anti-pollution laws." It is hypocritical for New York City to enforce pollution regulations against industry and real estate owners when it has not cleaned its own house. We can and must insist that the City lead, rather than follow, in reducing the air pollution threat.

Second. The second major source of pollution is carbon monoxide. Carbon monoxide from cars and trucks comprises roughly one-third of the pollution in New York City's air. Although it currently is less of a threat to our health than sulfur oxides, the Public Health Service found that carbon monoxide reached dangerous concentrations in a number of areas in the City, such as tunnels or heavily traveled streets and highways. One area is in the vicinity of the George Washington Bridge Apartments which I visited this morning. These apartments are located directly over the Manhattan approaches to the George Washington Bridge where clouds of carbon monoxide and other car exhausts constantly billow up to poison the surrounding air. Residents of these buildings are continuously exposed to excessive levels of carbon monoxide, an exposure that can lead to decrease in mental acuity, creates cardiac symptoms in patients with heart disease, promotes fatigue, headaches, dizziness, nausea, vomiting, and can cause death.

The choice of this location for these apartments, astride one of the most heavily traveled highways in New York City, shows a total disregard for environmental factors on the part of our City planners. Immediate relief is needed for the residents of these apartments. I urge that Federal, State and City funds be used on a crash basis to build a vapor-proof barrier over the sections of this interstate highway that pass underneath these apartments.

But more than temporary measures are needed to deal with the threat of carbon monoxide. Present Federal law requires that new cars, starting with the 1968 model year, be equipped with devices to substantially reduce the carbon monoxide in their exhaust. Tests in California show that unless these devices are maintained and inspected regularly, they rapidly become ineffective. Regular inspection is needed if these devices are to work. The 1967 Air Pollution Control bill now before the Senate would provide funds to the States to finance effective inspection and maintenance stations. It is imperative that we pass this bill if automobile pollution is to be controlled.

However, even an effective device to control car pollution on new cars coupled with regular inspection will only allow us to hold carbon monoxide pollution to its current levels. For it will take ten years or more to replace our existing stock of cars and by that time, there will be twice as many cars on the road as today. In addition, California air pollution officials have found that the devices designed to decrease the quantity of carbon monoxide and hydrocarbons exhausted by cars actually increase the amount of nitric oxides in the exhausts, an equally dangerous pollutant. It is no wonder that California pollution official Frank Snead has suggested that all gasoline-powered cars be banned from California highways by 1980.

We need a strong Federal research and development program leading to the marketing of exhaust-free fuel cells and battery packs for automobiles. I, for one, do not believe that we can expect an automobile industry heavily committed to the gasoline engine to devote the necessary energy to the rapid development of an electrically or fuel-cell powered car unless there are strong pressures to do so. A Federally sponsored research and development program of the type proposed in Senator Magnuson's bill, would provide that incentive. Passage of that bill is urgently needed if we are to effectively cope with the nation's largest source of pollution. There also is no excuse for not constructing a Federal air pollution laboratory so that research in this field can receive the attention it needs.

We must take certain steps that will minimize the effects of car pollution on our cities. There is no better reason to vastly improve our urban mass transportation systems than pollution.

I suggested to Secretary Gardner in March that the air pollution Conference for the New York-New Jersey metropolitan area adopt a recommendation requiring the development of a regional transportation plan to reduce the amount of air pollution coming from automobiles. Such a plan might require that every auto entering the City pay a toll which reflects its contribution to the air pollution problem. And the plan could also identify those mass transportation efforts which should receive the highest priority in terms of their pollution potential. I again urge that the Conference consider such a recommendation.

I also believe that every relevant Executive Department must explore in detail the relation between their programs and air pollution. Can the Bureau of Roads evaluate the amount of air pollution from a new Federal highway in an urban area? Would the costs of air pollution control be significantly reduced by a greater use of mass transit? And should our cities have the choice of using Federal highway funds either for mass transportation or highways? The right answers to these questions, which are paramount to the quality of our environment will not come from bureaus and agencies focused on different problems and different constituencies. I, therefore, urge the creation at the Executive Office level, of an Office of Environmental Protection. This office would oversee all Federal efforts in the area of air pollution, solid waste disposal, water pollution, other contaminants, and related science and technology. Without this coordination and emphasis at the top level of government, we cannot attack environmental problems in a comprehensive and cost-effective manner.

Third. The third source of pollution we must consider is particulate matter—the soot that befouls our windowsills, defaces our buildings, and darkens our skies. This soot comes from burning coal and oil, solid wastes, and uncontrolled open burning. In January, I urged the installation of electrostatic precipitators on New York City's eleven municipal incinerators. Each one of these incinerators violates the City's Air Pollution Code on stack emissions of dust, fly ash and other particulates. There has been some progress. The Department of Sanitation intends to improve two of its existing incinerators in the near future and will shortly close down one of its oldest plants, the West 56th Street plant in Manhattan which we saw today.

But the City has not yet taken steps to correct the deficiencies in the other eight plants. There is no excuse for that delay.

In May, New York City began to enforce—in a hesitant and haphazard fashion—the provisions of Local Law 14 which requires that pollution controls be placed on the 17,000 apartment house incinerators. The City has offered to haul away trash from those apartments that cannot meet the necessary standards. But the City has not yet started the new South Bronx incinerator needed to handle the increased trash load. As a result, this trash is being used as landfill in valuable wetlands and parklands, such as Split Rock Park in the Bronx and Jamaica Bay in Queens. This is a shortsighted way to deal with our solid waste problems, especially when Federal funds are available to plan and construct incinerators.

New Jersey's cities by and large use their solid wastes for needed land-fill and do not burn them in incinerators. But increasing population will soon cause them to turn to other methods of waste disposal. Every effort should be made to dispose of this waste in modern ways that do not produce pollution.

Industry is another major source of particulate pollution. A few plants in the New York-New Jersey region have installed precipitators and changed fuels in the last six months. But during our tour today, we saw countless belching stacks in the industrial complex stretching from the Jersey Meadows to the Arthur Kill. The time is past when industry can claim that controls are unreasonable and uneconomic. We look to industry for leadership, not foot dragging; for action, not reaction.

New York City's Local Law 14 requires the licensing of manufacturing plants that emit air pollution, but similar controls have not been enacted in New Jersey or the other counties in the metropolitan region. Industry-wide emission control standards are needed not only in the New York-New Jersey metropolitan area but across the nation. An incentive of this kind would assure a minimum uniform improvement in controlling the noxious by-products of manufacture. And it would prevent air pollution regulations from causing flight of industry from one region to another. The Air Quality Act of 1967 now before the Senate would authorize the Secretary of Health, Education and Welfare to establish such industry-wide standards. This legislation must be passed if we are to eliminate industrial air pollution.

And it is particularly discouraging to note that a Federal agency, the Corps of Engineers, is violating the ban on open burning by continuing to burn flotsam in the lower Bay. A Corps of Engineers barge was even found burning flotsam last Thanksgiving Day during the height of the pollution alert. Surely this flagrant abuse can be corrected by the Federal government.

Fourth. Another major barrier to controlling pollution lies in the area of manpower and training. The rapid expansion of air pollution controls has led to a shortage of adequately trained men. If we want personnel to implement our plans, we need to educate more young men and women in environmental studies. I propose that the Federal government establish a comprehensive recruitment and training program for pollution control officers. Such a program should include four-year scholarships for undergraduate work on environmental studies. And it would offer fellowships in advanced study for personnel already engaged in environmental control agencies. Such a program, similar to the Holloway Plan for naval officers, would cover tuition, room and board, and fees, and would require in return three years of service with local, state, or federal environmental protection agencies.

Graduate fellowships would enable personnel to increase their knowledge and skills with no loss of pay. Without a program of this type, we will not have the personnel to accomplish our goals, and I shall introduce legislation authorizing such a program in this Session of Congress.

Fifth. The fifth aspect of the pollution problem I would like to discuss, is the proposed regional commission. I urged last January that New York and New Jersey establish an air pollution control district for the region. The Conference adopted this suggestion as a recommendation and both the New York and New Jersey State Legislatures have passed bills authorizing state participation in a Regional Air Quality Commission. I shall shortly join other members of the New York and New Jersey Congressional delegations in introducing legislation in Congress to authorize this interstate compact. And I shall urge my colleagues to approve it as quickly as possible.

However, I have some reservations about this compact. Interstate organizations tend to be log-rolling devices, only as strong as the weakest member. We can legitimately ask whether this organization will be willing to enforce in Jersey City, Passaic or White Plains, the same standards enforced in New York City. Our air pollution crisis will not tolerate delay in enforcement. For that reason, I urge Secretary Gardner to keep the Conference in session and to undertake any necessary enforcement actions that may be required until the Regional Air Quality Commission has clearly demonstrated that it can control air pollution in the 23 counties of the metropolitan area.

Sixth. The final issue I would like to discuss concerns the need for a Federal alert system. All of the air pollution control measures that I have been discussing take time—perhaps more time than we can afford. We have no assurance that New York, Philadelphia, or Chicago won't experience an air pollution disaster this fall. In many cities we do not have the equipment necessary to know when disaster conditions are reached. And in those that do, public officials hesitate to respond to the all too apparent alert conditions. In New York last Thanksgiving, for example, the alert was not called until severe conditions had existed for several days. While at St. Vincent's Hospital today, I saw quite clearly the dramatic effect of this negligence in the record of significant increase of respiratory illnesses during the period of high air pollution.

I suggest that the Secretary of Health, Education, and Welfare establish air pollution alert stations in those major cities threatened by severe air pollution. Such a system would guarantee that adequate notice would be given when pollution begins to reach dangerous levels.

CONCLUSION

What is clearly needed in our attack on air pollution in the New York-New Jersey region, is redoubled efforts on the part of every local, state, and federal official. And they can be assisted by the active involvement of individuals and groups such as Citizens for Clean Air and the New York Business Council for Clean Air. For we have a choice. Do we want our cities to resemble the scene vividly described by F. Scott Fitzgerald after viewing the Flushing land fill:

"This is a valley of ashes, a fantastic farm where ashes grow like wheat into ridges and hills and grotesque gardens; where ashes take the form of houses and chimneys and rising smoke and, finally, with a transcendent effort, of men who move dimly and already crumbling through the powdery air."

Or do we want an urban society that can preserve the quality of its environment. We owe it to ourselves and to those who follow to make that choice with urgency and determination.

HEROISM IN VIETNAM

Mr. BREWSTER. Mr. President, I would like to bring before your attention and that of Congress an article reported in the May 1 Washington Post which describes an extraordinary act of heroism by an 18-year-old Marine in Vietnam. This boy, despite being wounded four times, continued to direct an air and artillery attack on the North Vietnamese.

It is indeed important for us to recognize the contributions of our boys and give them our full support in their endeavors on the battlefields of Vietnam.

I ask unanimous consent that this article entitled "Silver Spring Marine Called Fantastic Hero" be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SILVER SPRING MARINE CALLED FANTASTIC HERO

DANANG, SOUTH VIETNAM, May 10.—"This kid was fantastic. He was the coolest individual I've ever seen."

The Marine company commander was talking about 18-year-old Steve Lopez, the kid who finished Springbrook High School in Silver Spring, Md., last year and who on Tuesday with four bullet wounds directed artillery on North Vietnamese troop positions.

"Lopez was unbelievable," said a helicopter pilot. "The whole mission would have been impossible without him."

Pfc. Lopez was out with a patrol yesterday just north of the slopes of Hill 881, where about 2,000 enemy and Allied troops were either killed or wounded last week.

Shortly after midnight his patrol was hit. Enemy fire poured in from both sides. Four of his buddies fell dead and a bullet grazed his skull.

Then it became Steve's story.

"I received wounds in the chest, leg and head again. The enemy was about two feet from us at the time," he said.

"I shot the first Commie and the last one. One I shot looked very young, like in his teens. He walked right up to me. I looked at him and knew if I didn't shoot, he would shoot me."

Despite his wounds, Lopez maintained radio contact and directed air and artillery strikes.

In the darkness, his superiors said, Lopez kept calling for artillery: "Drop it closer, drop it closer."

"Back here they were actually scared to drop them closer," said his commander, Capt. A. B. Crosby, of Annapolis. "Throughout the fight, Lopez never once mentioned that he had been hit. He kept saying 'I'm alright'."

The fire was so intense that a rescue helicopter could not get in to pick up Lopez. One pilot was killed and two of his crew were wounded trying to make the rescue.

A helicopter finally got in—12 hours after the fight began—and lifted Lopez and his buddies out.

"The first thing he said when he arrived back here was 'Check my camera. I took some good flicks out there and I want to get them developed.' It was amazing," Crosby said.

Steve is the son of Mr. and Mrs. Louis A. Lopez Jr., listed at 9802 New Hampshire ave. His brother, Barry, 23, also is a Marine and is now a patient at Bethesda Naval Hospital from a shoulder injury suffered in Okinawa.

Barry's wife, Victoria, said Steve really wanted to be a frogman. Asked if he had a girl back home, she said "Yes, Sandy Temple. She lives in the neighborhood.

PROMPT AND FAVORABLE ACTION NEEDED ON TEACHERS CORPS

Mr. HART. Mr. President, I have been concerned at the hazardous legislative situation confronting the Teachers Corps. The "Perils of Pauline"—those hair-raising escapes from extinction that threatened our movie heroine of earlier years—are as nothing compared to the shaky existence that we are doling out to this group of committed men and women.

The delays in funding the program have already cost the Corps a great deal in attrition, and the irony of Congress attitude toward this small and relatively inexpensive teacher-training program is that it has won virtually unanimous acclaim across the country. Success stories abound wherever there is a Teachers Corps team.

Consider Michigan. At the Spain Junior High School, in Detroit, 42 problem students—all potential dropouts—were singled out by the teaching staff. They were turned over to Teacher Corpsmen for the first half of each school day. The corpsmen were able to devote the special attention so desperately needed by these kids—and it paid off. Except for a handful of "hard core" problem youngsters, the professionals noted marked improvement in attitudes and scholastic achievements. Many of the students were even sad to see the school year end.

In Pontiac, a corpsman developed a fresh solution to students' reading problems. She had the slow readers in junior high coach slow readers in elementary school. The older children proudly showed their juniors how to recognize words and pronounce them. The youngsters learn to read and the older students gain confidence.

Additional activities of the National Teachers Corps at Pontiac's Jefferson High School are as follows—

A tutorial or small group instructional program in reading, social studies, mathematics, and language.

An after-school tutorial study period set up for students on voluntary basis.

The NTC group conducts a share-a-ride project to help increase PTA attendance.

The team assists with the parent visitation day. Once a month, parents are invited to come to school and sit in on their children's classes.

A panel discussion was planned, using parents and teachers as panelists, to discuss the problems of our school and community.

Members of the team served as resource people and counselors during the school's camping program, April 9–14, 1967, at Sleeper State Park.

The team prepared exhibits of its activities and involvements and displayed them during the school community action program.

Teachers are released from their classes for 1 hour twice a month, to enlighten themselves in their subject area. Team members may sit in on these teachers' classes as substitutes. Plans are being made to allow regular classroom teachers to make home visits.

A home community visitation project allows each team member to visit homes in the community and attend community organization meetings.

At Bagley School, also in Pontiac, the Teachers Corps team has been first, working on a one-to-one basis with teacher-intern and pupil in a tutorial program; second, writing and presenting a United Nations play; third, attacking the problems of vandalism and truancy by talking with pupils and making home visits; and fourth, setting up a parent group that meets twice monthly.

The Bethune School team has organized an active student council and has joined with the principal each Sunday for a Dad's Club.

It is just such activities and others which I could describe such as those in the Carver School District in Royal Oak Township—strongly supported by the PTA's and other concerned groups—that we will lose if we do not provide a continued existence for the Corps.

It is my hope that we will support this innovative program and immediately furnish the funds so desperately needed in my own State of Michigan and in the 275 poverty schools—the schools that need help the most—in this country.

TRIBUTE TO SENATOR INOUYE

Mr. JACKSON. Mr. President, the headline over an article in the Washington Star, June 19, was "The Fabulous Inouye Story." It was a book review by Cecil Holland, the Star's veteran Capitol Hill correspondent, and it dealt with Senator Daniel K. Inouye's new autobiography, Journey to Washington.

I heartily recommend Senator Inouye's book to my colleagues in the Senate and to those in the House who enjoyed the opportunity of serving with him before.

History books are replete with success stories of immigrant families of occidental origin, moving to America and producing national leaders. The Orient produced the Inouye family. His success story is unique in that it is of the East. It is a dramatic illustration of the opportunities that exist in this country. His ancestors moved from a tiny village in Japan to a meager existence in Hawaii. Industrious and frugal, immigrant Japanese developed a foothold on American soil and became some of our country's finest and most loyal citizens.

We have long been aware of Senator Inouye's great heroism with the "Go for Broke" 442d Regimental Combat Team in World War II. It cost him his arm. Any misplaced questions of the loyalty of these Japanese Americans were answered sharply in that conflict.

We in the Senate greatly admire our colleague from Hawaii as an excellent legislator, a wonderful family man, and a good friend. Star editors need not remind us he is the "Fabulous Inouye."

President Johnson, in his foreword to the book, wrote:

> Dan Inouye has lived by the code of personal courage on the battlefield and in the political arena. He has faced the aggressor's bullets, and the bigot's contemptuous stare. He has gained the admiration and respect of his fellow men. Even more important, he has, by his example and witness, helped to make the hearts of his fellow men more tolerant, more free of the awful burden of racism.

I submit for the Record Cecil Holland's review of the book coauthored by Senator Inouye and Lawrence Elliott, entitled Journey to Washington.

There being no objection, the book review ordered to be printed in the Record, as follows:

The Fabulous Inouye Story

(By Cecil Holland)

If Daniel K. Inouye were not to be seen on the Senate floor, occasionally at the leadership seat opening the day's session, it could be imagined that "Journey to Washington" was so improbable as to be fictional. But Inouye is there, a slight figure of quiet dignity, and one of the assistant Democratic leaders, and we have this fabulous story of how it all came about. It is a story, in many respects, unequalled in the Nation's history.

At the age of 42, completing his first term in the Senate after service in the House, Inouye already has attained a high mark in the political world. If indications mean anything, even greater success politically is in his future. But it would be missing the major point of this excellent autobiography if one dwelled on the political achievements alone. For the Japanese-American Senator these achievements, remarkable as they are, are merely the culminating expression of a book with a much deeper meaning.

Inouye's story begins in the Japanese village of Yokoyama where his ancestors lived and toiled for generations. A fire in the thatched house of his great grandfather, Wassaboro Inouye, in the distant years, was the first step in the chain of events leading to Inouye's place in the Senate. The fire spread to other houses and destroyed them. Under the code in which the village operated the blame for the fire was placed on Inouye and he was assessed what was to the Inouye family the staggering sum of $400 to pay for the damage.

To help earn the money to meet the assessment on Inouye's grandfather, Asakichi, the eldest son, had to leave and go to Hawaii to work in the sugarcane fields. He hoped in time to return to his native village but in life he never did. It took 25 years to pay off the obligation and that is why Daniel K. Inouye grew up in Hawaii, one of thousands of Japanese-Americans.

His life was little different from the other Nisei boys. He was subjected to the same segregation, lived in the humblest of circumstances, attended McKinley High in Honolulu, or Tokyo High as it was called for obvious reasons, and, one gathers, thoroughly enjoyed his youthful days. Inouye's account of his earlier years is marked with gladsomeness and a moving tribute to his mother Kame and the influence she exerted over his life.

Inouye was 17 years old when the Japanese bombs fell on Pearl Harbor. Out of the turmoil of that day and succeeding days came the tragedy of this Government's treatment of the Japanese-Americans and at last, on President Roosevelt's orders the opportunity to serve their country. Immediately 10,000 Nisei young men volunteered for military service, 80 percent of all those eligible. One of these was Inouye.

The story of the famed "Go for Broke" 442nd Regimental Combat Team has been told before. But here one gets a first-hand account for Inouye was one of those who contributed mightily to its lustre. He won a battlefield commission as a lieutenant, was recommended for the Congressional Medal of Honor and received the Distinguished Service Cross. An empty right sleeve is mute evidence of this devotion and heroism.

Before the war Inouye intended to become a doctor. With the loss of his arm he turned to law and then to politics—and the road that led to the United States Senate. Not the least dramatic part of this story by any means is the battle he recounts against Hawaii's solidly entrenched political establishment.

The esteem in which Inouye is held is reflected in forewords by President Johnson, whom Inouye supported for the presidential nomination in 1960; by Vice President Hubert H. Humphrey, and by Senate Majority Leader Mike Mansfield of Montana. The President describes him as "egalitarian," the Vice President calls it "an American story," and, for Mansfield, the "story of Daniel Ken Inouye, American, is, in truth, an enduring chapter in the story of America."

PRESIDENT JOHNSON AND PREMIER KOSYGIN—EYE TO EYE IN THE SEARCH FOR PEACE

Mr. PROXMIRE. Mr. President, a momentous meeting between two of the most powerful heads of state is now history.

President Johnson and Premier Kosygin have met, talked, discussed, and made clear their positions to each other on a host of international problems.

To quote the New York Times of June 25:

> Whatever the substantive results of the . . . Holly Bush meeting, the talks can hardly help exert a salutary influence upon the Middle East situation. The example of these two world leaders—heads of nations that are divided on many major issues—meeting calmly to discuss their differences in a friendly, businesslike manner sets a model that the leaders of the Arab nations and of Israel could emulate with mutual profit.

There were no dramatic agreements at Holly Bush. But there were no dramatic charges or countercharges.

Indeed, as the President said, there is great advantage in talking with a man, looking him deep in the eye, and trying to reason together with him.

This President Johnson did. He did it well. His country is very proud of his peace initiative. Congress is proud that he emerged as a peacemaker and not a saber rattler.

There may be many more meetings of this kind. Certainly they are preferable to meetings on a battlefield.

President Johnson stated the American position firmly but reasonably from the Middle East to Vietnam, from antiballistic missile control to a nuclear nonproliferation treaty.

The American people are obviously behind our President, and so are many newspapers around the Nation.

I ask unanimous consent to have printed in the Record editorials published in the New York Times and the Chicago Sun-Times, strongly commending President Johnson for his recent summit meeting with Premier Kosygin.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the New York Times, June 25, 1967]

The Spirit of Holly Bush

Coming after days of bitter United Nations debate on the Middle East, the emergence at week's end of what President Johnson has already called "the spirit of Holly Bush" has undoubtedly astonished and heartened millions everywhere. The atmosphere of Soviet-American relations has improved, at least temporarily, even though the hard problems remain, still unsolved.

A key immediate result of the meeting in Glassboro is the transformation of Premier Kosygin's mission to the United States. His speech at the United Nations and his early seeming reluctance to meet President Johnson had strongly suggested that his preoccupation here was to repair the battered Soviet image among the Arabs still smarting over their military defeat.

This morning, as the world awaits the second Glassboro meeting, Premier Kosygin appears concerned, in statesmanlike fashion, with resolving all the key problems creating international tensions, not merely with applying unguent to a particular regional embarrassment for the Soviet Union.

Whatever the substantive results of today's second Holly Bush meeting, the Kosygin-Johnson talks can hardly help exert a salutary influence upon the Middle East situation. The example of these two world leaders—heads of nations that are divided on many major issues—meeting calmly to discuss their differences in a friendly, businesslike manner sets a model that the leaders of the Arab nations and of Israel could emulate with mutual profit.

Many lives could have been saved and much international danger avoided if the Arab leaders had shown in the past a willingness to come halfway toward Israel's desire for negotiation as Premier Kosygin went halfway to accede to President Johnson's suggestion for a meeting.

Rumanian Premier Maurer, in his constructive address to the General Assembly, stated the core of the Middle East problem when he called for a "real settlement adopted by the countries of the region themselves." He urged the international community to create a climate in which "direct contacts between the parties . . . can one day take place." The Holly Bush meeting, by its example, is a major contribution to creating this needed climate.

Behind the Arab nations' reluctance to meet with and negotiate with Israel is, of course, their refusal to accept either the legitimacy or permanence of Israel as a state. But Arab policymakers would be blind not to see that the leaders of the United States and the Soviet Union have both made plain at the U.N. their recognition of that legitimacy and permanence. Premier Kosygin, in fact, went so far as to remind the Arabs that Russia voted in 1947 for the partition of Palestine into Jewish and Arab states. He gave plain notice that Moscow has no intention of repudiating that historic decision.

And all directly involved in the Middle East crisis must recognize that the great powers are determined to avoid nuclear destruction of this planet because of one region's still unabated tensions. That was the point implicit in the Soviet-American cooperation that produced the cease-fire earlier this month, and it was a key factor in making possible the Holly Bush meetings and the new cautious optimism that has now emerged on the world scene.

[From the Chicago Sun-Times, June 25, 1967]

Summit Raises Hopes

The five-hour meeting between President Johnson and Premier Kosygin on Friday did not resolve any of the major differences that exist between the United States and Russia. The problems that face both nations are too complex to be resolved on short notice. But the meeting between the two, the first time they have come face to face, was sufficiently productive to schedule another meeting for today. If it goes well perhaps the groundwork can be laid for a summit conference of the major world powers later this year.

There was a symbolism about the meeting between the leaders of the world's two great nuclear powers. They met at a point about halfway between Washington and the United Nations. Despite the deep differences that divide the United States and Russia—Vietnam, the Middle East, West Germany and all the others—the two men each moved toward the other. That each was willing to meet, to talk, is important to the world.

That willingness should not be lost on the Middle East: Israel has won its war there. It says it wants to meet the leaders of the Arab states halfway, to sit down in friendship and talk about a permanent peace that would settle the state of war that has existed between Israel and the Arab states since 1948.

President Nasser of the United Arab Republic has refused Israel's offer. He says he will not talk with Israel. Nasser's intransigence has doubtless been reinforced by Kosygin's statements in the United Nations. Russia has demanded that Israel be censured for winning a war and that it give up not only the lands it has won in this latest outbreak, but also the territory it won in 1948 and 1956.

The argument, as Kosygin well knows, is both fallacious and dangerous. To restore the borders laid down by the UN in 1947, when it partitioned British Palestine, would be to restore the frictions that led to three Middle East wars in the past 20 years.

Russia knows this, but Russia, more often than not, prefers to operate at two dissimilar diplomatic levels. It hurls bombast and irrationality in the face of reason at one table, while at another it may talk quietly about how to solve the problems it so noisily creates.

Russia knows who won the war in the Middle East. It knows, too, how important it was that the Middle East crisis did not get out of hand. It demonstrated this by urging Nasser on with one hand and with the other withholding the aid Nasser begged for when Israel's armies were crunching over him.

The world cannot risk confrontation between the major nuclear powers. The only way the tensions that lead to such confrontations can be eased is by talking the problems out. The meeting between President Johnson and Premier Kosygin could be an indication that the United States and Russia are moving toward that stage. President Nasser would do well to follow suit by accepting Israel's offer to talk out the problems of the Middle East, rather than make them worse.

WE SHOULD PROTECT THE CONSUMING PUBLIC BY REQUIRING TRUTH IN LENDING

Mr. YOUNG of Ohio. Mr. President, the action of the Committee on Banking and Currency in favorably reporting the truth-in-lending bill was a great victory in the battle to protect millions of Americans from unscrupulous lenders and creditors. I especially commend the distinguished senior Senator from Wisconsin [Mr. Proxmire] for his leadership, hard work, and perseverance in behalf of this beneficent legislation. I am proud to be a cosponsor with him of this important legislative proposal.

Basically the bill provides simply that the consumer be informed in terms of both actual annual interest and in dollars and cents of how much he is paying for a loan or for credit. It does not provide for any Federal regulation of the amount of interest that can be charged by lenders. It will permit the cost of credit to be freely determined by informed borrowers and responsible lenders. The bill will strengthen the efficiency of our credit markets without restraining them. It will in no way affect businessmen or lenders who are presently being entirely fair and candid with purchasers and borrowers.

Today, consumers are often unaware of the amount they are paying in interest charges which are frequently stated in confusing or misleading terms. For example, a customer may be told that the finance rate is 1½ percent per month when the actual yearly rate of interest may be as high as 36 percent. In many instances, buyers involved in long-term installment plans end up paying more in accumulated interest charges than the original price of the product itself. Too often consumers are at the mercy of financial sharp operators who have spent many years in devising means of confusing them as to the actual rates of interest they are being charged. Consumers should not find it necessary to be actuaries or mathematicians in order to understand the full price they will be paying for a product or for a loan. Frequently, it is saddening to learn the fantastic total price an installment purchaser has been compelled to pay for a television set, washing machine, or other household appliance, or overpriced used automobile.

Mr. President, businessmen are protected by antitrust laws and laws against unfair competition. Working men and women are protected against unfair labor practices. It is high time that the consumer also receive a break. President Johnson has said:

> The success of our competitive economic system depends on the furtherance of the consumer interest, and it is our free marketplace, working for the benefit of the individual, that has given to the American consumer the highest standard of living the world has ever known.

The truth-in-lending bill represents a significant advance in furthering the interests of consumers. It will cover nearly 95 percent of all consumer credit transactions which have grown to a spectacular total of $312 billion. Some observers predict that by 1970 this figure will surpass $375 billion.

Mr. President, 8 years ago the first truth-in-lending bill was introduced in the Senate by one of the great Senators of all time, former Senator Paul Douglas, of Illinois, who introduced it in every succeeding Congress. In his testimony earlier this year before the Senate Committee on Banking and Currency, Senator Douglas, in his usual concise manner, summarized the need for this legislation when he said:

> The basic philosophy behind truth-in-lending is a belief in free enterprise and in the price system. But if markets are to function properly, there must be a free flow of information. Perfect competition requires perfect information. Of course, perfect competition does not exist anywhere in our economy. Nevertheless, it is an ideal towards which public policy should work. By removing imperfections and frictions we permit free markets to achieve their maximum effect. By increasing the amount of information on consumer credit, we will remove a major imperfection in the market place.

Mr. President, for 8 years this legislative proposal has been languishing in Congress. I urge that the bill be considered by the Senate as soon as possible and am hopeful that it will be enacted without delay.

SUMMIT MEETING AT GLASSBORO

Mr. McGEE. Mr. President, assessments and analyses of the recent summit meeting at Glassboro are carrying on in the press, where the overall tone is what we might call hopeful optimism, tempered by the realization that any gains of substantive nature are yet to come, if indeed they do come. The immediate, critical test is the Russian reaction to the Middle East crisis, as is pointed up in several offerings by distinguished writers. Mr. President, I ask unanimous consent that three of these columns, written by columnists Roscoe Drummond, William S. White, and Joseph Alsop, and published in today's Washington Post, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Post, June 28, 1967]

PRESIDENT AND PREMIER—CONFERENCE MOST USEFUL EVER

(By Roscoe Drummond)

There is no reason to feel let down by the lack of agreement at the Glassboro summit.

Here is what happened:

On the first day Premier Kosygin and President Johnson found themselves getting acquainted so cordially that they decided to have another go at it in the interests of understanding each other better.

On the second day they found that the better they understood each other, the farther apart they were and the deeper their disagreements.

This was no smashing success, but it adds up to the most useful and productive U.S.-Soviet summit ever.

The record of past summits made it reasonably easy for the Johnson-Kosygin meeting to do better.

The Eisenhower-Bulganin summit at Geneva in 1955 ended in a meaningless agreement of words on German unification which soon proved empty.

The Kennedy-Khrushchev summit at Vienna in 1961 ended in raucous disagreement of everything, a calamitous clash of personality by the two men and Khrushchev's perilous misreading of the fibre and firmness of JFK.

Premier Kosygin and President Johnson avoided the mistakes of the two past summits and registered some modest but welcome gains.

They did not try to cover up disagreements with deceptive words.

They did not cry "peace, peace" when there is no peace, nor "accord, accord" when there was no accord.

It was never open for Kosygin to reach any significant agreement with the President. Kosygin did not have the authority. It was not a conference for which there was adequate preparation. It was hurried. We didn't know that the Premier was coming to the U.N. until the last minute and at first he made it evident that he did not want a summit. In the end both decided it was better to meet and talk than not to meet at all.

But, short of agreement, there was more than talk.

At first hand Kosygin and Johnson were able to dissipate some of the propaganda image each had of the other, the President found Kosygin intelligent, disciplined and experienced.

The Premier found Mr. Johnson reasonable and tough, perceptive and deeply desirous of peace.

With the help of Israel's swift victory, Kosygin and Johnson avoided the worst in the Middle East without knowing each other at all. In the future they should be able to avoid the worst elsewhere now that they have come to know each other better.

But on the issues of substance the "deeply different positions" of the two countries, to use Mr. Johnson's phrase, remain unchanged. Mr. Kosygin was equally frank and the candor at Glassboro was better than the short-lived cover-up at Geneva.

Glassboro was a beginning. There is a long but slightly safer and slightly more promising road ahead.

[From the Washington Post, June 28, 1967]

SUMMIT ASSESSMENT—BELOW SURFACE PROGRESS NOTED

(By William S. White)

The net of it in the afterlight of the Johnson-Kosygin summit conference is not that this is now the best of all conceivable worlds, but rather the best world possible in all the circumstances.

The Soviet Premier has departed, publicly brandishing a hard line over Vietnam and the Middle East and in no way is the cold war visibly much abated.

All the same, if everything in life is relative, everything in cold war negotiation is more so. By this standard, the only rational standard in a state of realism, the atmosphere is considerably easier than when Kosygin came here. Some progress has been made below the surface.

In this business it is impossible sensibly to fling about large and absolute capsule terms like total success or utter failure. But if these meetings between Lyndon Johnson and Alexei Kosygin have cut no chasm in the icecap they have certainly driven several cracks in it.

Though Kosygin showed no disposition openly to retreat from the Soviet Union's tough position on Vietnam and the Middle East, he also did little to inflame either issue. No one need have expected that he would offer any "give" here—under the kleig lights. He is after all only one of a three-headed Soviet directorate; he also has his own constituents in the Soviet satellites to worry about and he could never have safely left off the opportunity to say that he could be as tough as the next fellow.

And though he turned on some characteristic Communist cold war rhetoric at the United Nations, even there he kept the epithets well below boiling heat. More importantly, in his private conversations with President Johnson—and these were the only conversations that really counted—his attitude was sober and restrained and to a degree even carefully conciliatory.

From the American and general western point of view, the most important gain of all was the clear demonstration that the West's main spokesman, Mr. Johnson, could negotiate with a super-power's leader with no less skill than he uses in domestic matters.

Allied diplomats, indeed, are most of all impressed by this point. They had been concerned that the summit might produce not some impossible miracle but instead a possible blow-up; and the fact that no blow-up came is to them quite enough to be going on with.

Still this was only a curtain-raiser and only the future can tell whether Western gains are to be seen objectively as anything beyond quite small.

Specifically, what the Russians now do about the Middle East is the immediately critical key. The beating given by Israel to the Soviet stooges, Egypt and Syria, puts the

Russians in a box. Three courses are now open to them.

The first would be in substance quietly to end military aid to the Arabs, no doubt continuing to proclaim all "solidarity" with Nasser-Egypt and Company.

The second would be loudly to put in a little more military hardware—but not much. The third would be to go all-out in Egypt and Syria; to send massive new military equipment and to accompany it with Soviet "technicians" and covert Soviet military.

The best, if gingerly, opinion here is that the Russians will take either course No. 1 or course No. 2. For No. 3 would first of all alienate all but the hard-core Communist groups in the Middle East and would surely cost the Rusians whatever aid and comfort they have thus far been given by such nations as India and France.

[From the Washington Post, June 28, 1967]

After Glassboro

(By Joseph Alsop)

The wisest analysts of Soviet behavior are warning that it is far too early to attempt a judgment of the remarkable meeting at Glassboro. They say we must wait and see whether a lot or a little, or less than nothing at all was accomplished there.

This is because Premier Kosygin quite clearly went to his meeting with President Johnson with strict instructions to stick to the Soviet official line in everything he said, but to listen with utmost care to everything the President might have to say. In view of the sheer length of the two meetings, it is also clear that Kosygin listened long and well.

At this very moment, the transcripts of the Johnson-Kosygin talks are no doubt being reviewed on the highest level in the Kremlin, in the light of Premier Kosygin's personal impressions.

Simultaneously, the Kremlin collective must also be reviewing the facts and impressions brought back from Cairo by the Soviet Chief of State, Nikolai Podgorny.

Two critically important reconnaissances have in truth been conducted; and now the Soviet leaders must decide together what to do about the results of these reconnaissances. Furthermore, it is very premature to conclude that their decisions will be wholly unconstructive, on the basis of such evidence as Kosygin's tough public attitude towards Israel and the 200 planes and four shiploads of arms that Moscow has already dispatched to Cairo.

Thus far, at any rate, while talking very tough in public, the Soviets have clearly been keeping open the options that might eventually produce a sane Middle Eastern settlement—or at any rate, the nearest you can get to sanity in that part of the world. To begin with, they have made it clear they want no part of a naked confrontation with the United States.

It is now known, for instance, that the Kremlin reacted with extreme anger to Gamal Abdel Nasser's vicious lie about Anglo-American air intervention in the Arab-Israeli fighting. One purpose of the lie was to promote Soviet military intervention on the Arab side. The Egyptian and other Arab Ambassadors in Moscow were therefore called in, to be told that Nasser's claim was a complete fabrication, in which the Soviets wanted no share.

Thus a confrontation was flatly rejected at the height of the crisis. Yet a future confrontation can hardly be avoided, if Nasser and the other Arab extremists are built up again to the point of again threatening Israel with war. That means, in turn, just enough arms deliveries to keep Nasser's regime in being, but no more than that. Logically, it also means working for an eventual settlement, though working behind the scenes.

There are certain reasons to believe that this is what the Soviets have been doing to date—although, God knows, they can change their course tomorrow. After the Podgorny visit to Belgrade en route to Cairo, for instance, the official Yugoslav Communist Party paper, "Borba," published a highly significant dispatch, ostensibly from Cairo.

The "Borba" dispatch stated that the Soviets had concluded "there was no way of liquidating" Israel's huge territorial gains unless the Arabs could be induced to negotiate, to recognize the fact of Israel's existence, and make certain concessions with respect to Israel's navigation rights and the like. The extremely muted conclusion of Podgorny's stay in Cairo in turn suggested that there was a lot of truth in the "Borba" dispatch.

If Podgorny had given Nasser and his cronies anything to crow about, they could hardly have resisted a shrill "cock-a-doodle-doo." There was nothing of the sort. Instead, if you can believe it, discreet Egyptian overtures for renewed American aid are already beginning, with the usual argument "that you must help us or we shall have to throw ourselves entirely into the arms of Moscow."

Careful study of Kosygin's farewell press conference also reveals that behind the facade of ultra-tough talk about immediate Israeli "withdrawal to the truce lines," several very meaningful loopholes were left open. About navigation rights, about arms, about Israel's future, Kosygin was in fact sufficiently noncommittal to suggest a concealed line like that traced in "Borba."

Thus the optimistic assessment is that the Soviets, while continuing to prop up Nasser and the other Arab extremists, will also go forward, in parallel though not in tandem with the United States, towards new arrangements in the Middle East that will reduce the intense explosiveness of the present situation.

As anyone can see, this may be a wholly wrong assessment. It may even be that in the Podgorny-Nasser talks, the Egyptian dictator was secretly encouraged to attempt to recoup his ruined situation in highly dangerous ways, such as making a grab for oil-rich Libya.

It can also be that having kept the peace options open to date, the hardliners in the Kremlin will win the day in the discussions that must now be going on.

Only one thing is sure, in truth. There is no longer much room for compromise between the Kremlin's hardliners and peaceful-coexisters.

VIRGIN ISLANDS ELECTIVE GOVERNOR BILL

Mr. DOMINICK. Mr. President, earlier this month the Senate began the consideration of the Virgin Islands Elective Governor bill, S. 450. Debate on this measure was temporarily suspended as a consequence of the press of other matters. I am now informed that deliberations may be resumed shortly after the Fourth of July recess.

Serious misgivings arise in my mind as to the existing political situation in these islands.

Numerous allegations of irregularities in the governmental system are again being made, including—and I would emphasize this in particular because of cogency to the pending bill—voting irregularities in the 1966 elections.

Some of these allegations are new; others are similar to those I encountered during the time I was privileged to sit as a member of the Senate Committee on Interior and Insular Affairs. I have some familiarity with these problems having served on the Territories and Insular Affairs Subcommittees both in the House and the Senate. You may recall we were able to straighten out the proposed cancellation of hotel and private business leases once full disclosure was achieved in hearings.

I wish today to refer to only one questionable area—the Civil Service and unclassified employees.

It is my understanding that while there were less than 100 unclassified employees on the Virgin Islands government payroll in 1961, there were as of last month approximately 773. Of this number 150 work in Governor Paiewonsky's office. His office staff includes six special or administrative assistants, four lifeguards, four photographers, five maids, and six chauffeurs, all unclassified.

Several weeks ago Governor Paiewonsky announced he was moving to have classification procedures initiated. Small wonder.

The Virgin Islands Times of June 4, 1967, published two articles dealing with the Governor's announcement: "Policy Decision Will Affect Virgin Islands Government Employees" and "DeLugo Lauds New Proposal." I ask unanimous consent that these be included in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOMINICK. Mr. President, this belated action by the Governor does not bring to a close the controversy surrounding civil service abuses in the Virgin Islands.

On June 14, 1967, the Virgin Lslands Daily News printed an editorial entitled "Sir Galahad or Plain Ineptitude?" The editorial serves to dispel the apparent whitewashing of a very serious problem. I ask unanimous consent that it be printed in the Record.

Mr. President, this is a good example of why the Senate should not act with haste in approving S. 450. The Constitution invests Congress with the authority to make "all needful rules and regulations" respecting territory belonging to the United States. Companion to that authority is responsibility. The time for exercising that responsibility is now.

There being no objection, the editorials were ordered to be printed in the Record as follows:

Exhibit 1

[From the Daily News of the Virgin Islands, June 14, 1967]

Sir Galahad or Plain Ineptitude?

Governor Paiewonsky recently issued a statement that he was moving immediately to return all except Deputy and Assistant Commissioners and a few other top echelon positions to the classified service where they rightfully belong. The way he said it, however, would lead the innocent reader to believe that his proposed action makes him look like Sir Galahad riding forth in shining armor to right this grievous wrong which has been wrought by former governors.

His subsequent utterances also tend to create the same impression, or else blame the abuse of the "unclassified service" gimmick on recruitment difficulties. An impartial look at the record, however, will deter such attempts to polish his image; and thereby place the blame right where it belongs—squarely on his shoulders.

First, let us dispel the "Sir Galahad" image. When present incumbent took office from Governor John Merwin, there were fewer than 50 positions in the unclassified service. Within six months after he was in office, the number of unclassified service positions had doubled. Today, six years after he became Governor, the number of such positions stands somewhere between 700 and 800.

What about his obviously beguiling excuse that "recruitment demands" force him to put certain positions in the unclassified service in order to attract qualified candidates? A dozen positions or so may legitimately fall under this explanation. But how does he explain the hundreds of clerical, janitorial, custodial positions whose salaries are fixed by unclassified methods? Political favorites occupying them receive more than the many other employees in identical positions who must "live with" the legal provisions applying to the classified service.

Examples? What about the obviously punitive case where a single appraiser in St. Croix, Government Secretary's office, is being penalized by the unclassified status which fixes his salary in the budget, while other appraisers receive salary upgradings and annual increments because they are under the civil service system? Or what about the many types of inspector positions e.g., building, weights and measures, which receive high salaries by unclassified service status, while the sanitation inspectors are "stuck" with status in the classified service? And finally, how does he know whether recruitment will be difficult or not, when the qualifications for the various unclassified positions exist nowhere in writing? In fact, more often then not it is the Legislature which adds the titles of various unclassified positions to each budget, and gets "the word" to the various departments that "John Doe," a political favorite, must be appointed to the position. The Governor then signs the budget approving all such positions, and follows up by having his "patronage" ensure that "John Doe" actually receives the appointment.

We can deflate the Governor's recruitment difficulty excuse once and for all by saying that just as recruitment difficulties brought about upgrading of teachers and social workers, the same appropriate and legal technique can be used to revise the civil service pay plan for other groups of positions. But it is obvious that the unclassified gimmick has proven to be too convenient a tool for rewarding party faithfuls and punishing those who "bite the hand that feeds them" by objecting to the heavyhandedness which has gone on.

No, we cannot accept his explanation for the fact that under his administration the civil service, which is the bulwark of any stable democratic society, has become a laughing stock on one hand, and, on the other hand, a heavy millstone around the necks of those whose positions are stuck thereunder. Rather, the facts seem to indicate that this is only one more instance of the Governor's classic excuse like the famous one uttered to explain the Altona Housing mess—"If I knew then what I know now" . . . A clear indication that he is not at all like Sir Gallahad, but is rather an inept administrator with sparse, if any, sound concepts of efficient public administration.

Yes, now it is obvious that even the Department of Interior has ridden him about reversing the trend. Furthermore, the government employes whose votes he so assiduously cultivates, are becoming increasingly dissatisfied. Those who receive "hand-out" unclassified positions are clamoring for higher pay; those who are well paid are wondering how it is that other unclassified and overpaid positions are approaching so close to their salaries; and throngs are seeking more unclassified service positions.

Unfortunately for the Governor, and fortunately for us, all such bad things must come to an end. We agree that his recent expressed intentions are good, although we are sure that it is only outside pressure which is forcing him to give in, for he certainly "had a good thing going." We anxiously await his reversal of the erosive trend, and we expect that he will now have to do just that. We will be on the sidelines watching to see (1) if he does what he promises, and (2) how long the corrective action will last before he reverts to starting the cycle all over again.

[From the Virgin Island Times, June 4, 1967]

De Lugo Lauds New Proposal

Ron de Lugo, Chairman of the Donkey Wing of the Democratic Party, said this week that the Donkeycrats applaud the Governor's announcement earlier this week that he would seek legislation moving unclassified government employees into the classified service.

The Donkey Democratic leader said that while the Donkeycrats considered the Governor's action a long overdue one, they saw it as a major reform.

The former V.I. Senator said he agreed wholeheartedly with the Governor's statement. Governor Paiewonsky is reported as having stated,

"It is essential to the preservation of the principle of the personnel merit system that all positions in the government service be covered into the Classified Service, except in those instances when the nature of the position is such that its exclusion from such service is consistent with sound personnel policy".

[From the Virgin Island Times, June 4, 1967]

Policy Decision Will Affect VI Govt. Employees

During the past week, Governor Ralph Paiewonsky made a policy decision which could possibly affect officials in the Virgin Islands.

At the next special session of the Legislature, the Governor plans to ask to bring into classified service most of the employees that are now listed as unclassified.

Not included in this change would be unclassified personnel such as commissioners, their deputies and assistants, heads of agencies and confidential aides.

At the present time, the government plans to hire consultants for a study of the entire governmental organization.

SHOULD THE VOTING AGE BE LOWERED TO 18?—McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct for high school students in my State of Wyoming the McGee Senate internship contest, which brings back to Washington one boy and one girl for a week of observing democracy in action—here in the Senate and in Washington.

As a part of the contest each student was required to complete an essay on "Should the Voting Age in the United States Be Lowered to 18?" and each year I am impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all.

Of course, it would be impossible for everyone to read all these essays, but I think some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation. I ask unanimous consent that two of these essays, written by Mary A. Cor, of Laramie, Wyo., and Tom Mast, also of Laramie, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

Should the Voting Age Be Lowered to 18?

(By Mary A. Cor, Laramie, Wyo.)

There are many so-called arguments against letting youngsters vote. Some people say that teenagers are too young and inexperienced; they have not the mature judgement that is needed for responsible voting. Others say that teenagers are not interested enough in government and have not enough general knowledge to be able to understand the issues and the policies of the different candidates. There are still others who wonder if airplane glue sniffers, marijuana addicts, protest marchers, hubcap-stealers and others like them should determine who is to govern us.

These are all-too-common opinions, and if teenagers were, for the most part, as bad as they are portrayed in the newspaper headlines, I would be as against letting the teenagers vote as anyone could possibly be. But the headlines show only one side of the coin. I believe that teenagers as a whole are more experienced and mature than their counterparts of fifty years ago.

To say that eighteen year olds are too immature and inexperienced is to forget that by the time most youngsters are eighteen they have had considerable voting experience. Most high schools and junior high schools have student councils, elected by the student body, that formulate school policies in regard to social activities, draw up and enforce a school constitution, and regulate student behavior. Many colleges have elected student senates that perform similar duties. So, it is clear, by the time a person enters college he or she usually has a knowledge, rudimentary perhaps, but still a knowledge of how politics works.

Eighteen year olds also have a good acquaintance with governmental procedure. Many cities let Boy Scout troops "take over" the administration once a year and thus are given valuable experience in civic problems. Also, many civics classes are taken on trips to see how the city hall and the state legislature work.

Let us not forget that the teenagers of today have a more sophisticated political background than did those of fifty years ago. Today every person who graduates from high school has had several years of history and civics. His grandparents, or even his parents, did not have such an opportunity. There are class discussions, reports, and many other activities to add to the information on the political history of the United States. In fact, I would not be surprised if the average eighteen year old of today was proven to have a better idea of the workings of our government than the fifty year old citizen who has always voted for the same political party because his father voted that way, and his grandfather before that. Besides, with newspapers, television, and radio informing us night and day, it would be extremely difficult not to know what the different candidates in an election stand for and are.

Those who say that teenagers do not really care about governmental policies are seriously mistaken. Every boy in high school is living in expectancy of the day when the draft board is going to send him an invitation for an interview. To me it seems only fair and just that boys who are going to fight in Viet Nam be given a chance to have a voice in the election of their country's leaders. Girls also, who may have husbands, boy friends, or brothers in the thick of the danger, are, to say the least, interested in the government's policies in regard to Viet Nam.

I think, however, that even without Viet Nam the teenagers of today would be interested in the decisions of our government. President Kennedy, a young man himself, who knew that our country's future lies with the young, was able to fire our youth with an interest in political participation. Young people everywhere are indicating their concern about the conditions in our country by taking part in marches protesting the social and economic injustices which too many of our people have undergone. These marches, sit-ins, stand-ins show that the young people of today *care* about the American way of life.

It is true that many of our high school youth carry on questionable activities, too familiar to mention. But this is no reason to bar *all* the young from the privilege of voting. The antics of wayward students are much less harmful than those of middle-aged "respectable" voters who cheat in their income tax reports and who, though remaining within the law, fail to fulfill their obligations as citizens of a great country.

No, most young Americans today are idealistic. Consider the numbers that have joined the Peace Corps, the Job Corps, Vista, and those who have "adopted" Korean war orphans, and taken part in many similar activities. If any group deserves to vote, it is the sincere, well-informed young men and women who are not yet tired and disillusioned; who really believe in social justice and human welfare; and who would support those political leaders pledged to work for the ideals we have inherited and want to keep alive.

Should the Voting Age in the United States Be Lowered to 18?

(By Tom Mast, Laramie, Wyo.)

"The archaic minimum voting age of 21 was established over 150 years ago and has its roots in the English tradition of common law from the minimum age for knighthood," Representative Charles C. Diggs (D-Mich.), 13th District, wrote in a recent American Legion article. "It has no positive function in our modern society," he said. With the ever accelerated speed of progress, social and material, this ancient cultural precept does, however obsolete, still remain.

Demography, or the question of population in terms of skills, age, distribution, plays a large part in determining the strength of a nation. France was the most populated state in Europe at its height. Between two world wars, France found its near stagnant growth being steadily compromised by a surging Germany. China has a frightening effect on its neighbors, due largely to the fact that it has the largest Asian land army. The U.S. finds itself in a position of leadership due in part to its military superiority. The point is this: a nation must have a vibrant, ever-growing population to hold its place in leadership today. The young must be groomed for positions of leadership which they will one day assume. The population must have new faces appearing all the time to maintain the balance held in the era of the older generation. The military must have young men at all times coming into the ranks to hold its status among world powers. To shoulder these burdens demands more serious consideration of the young today than ever before, emphasized greatly with the threat of thermo-nuclear war.

Education has gone a long way toward preparing the 18-year old American for confrontation with the challenges of the Cold War. American History and Civics at my school are required courses to aid the student in acquainting himself with our country's principles, its past, and its government. Excellent courses in American Problems and International Relations are also offered to keep the student informed on current situations. Radio, television, and newspapers pick up where the school leaves off; it is more and more difficult to be unaware than it was ten years ago. "In two minutes, a story from Vietnam can be at Cheyenne's U.P.I. office," commented U.P.I correspondent Nat Jennings.

Despite this, many adults think the teenage group is dominated by malcontents. Independents, yes . . . malcontents, no. The protesters, picketers, and marchers number about 5% of the total. Church membership has risen from 16% of 18,000,000 in 1850 to 63.4% of 60,000,000 today. In the U.S., citizens of 25 and under nearly outnumbered their elders; by 1970, there will be 100 million Americans in that age bracket. 50% of California's population is under 25.

One basic factor in the American Revolution was "no taxation without representation." Each year thousands of dollars are extracted from the 18 years old's pocket, along with numerous state consumer taxes. Yet his presence is not felt. He has voting power only in Georgia, Kentucky, Hawaii and Alaska.

If the proposed draft lottery is approved, America will be even more dependent on youth for defense and national security. Nineteen years of age will be the prime age for military service. Fight, support and maybe die for United States policies and you have no way of shaping them through elected representatives? Leave the decisions on these issues in the hands of those past service age? This is totally absurd. In 1944, Georgia thought so and in 1955 so did Kentucky. President Eisenhower proposed a constitutional amendment to lower the voting age to eighteen, but Congress took no action. Many men in war today have no voice in selecting their commander-in-chief.

In economics, the producer courts the youth of America and many businesses cater exclusively toward their ever-increasing numbers. The buying capacity of America's youth is in the millions of dollars each year, but the eighteen year-old is not accorded the same voice in matters concerning legality and necessity for statute trade practices as is the right of his majority counterpart. A person can marry before he is twenty-one and jump into the mainstream of responsible consumer purchasing. He can buy and own a home, raise a family but he is barred from taking part in the shaping of economic legal judgments that will bind him.

The modern eighteen year old was weaned on tolerance, he grew up through Little Rock and was raised in the midst of Civil Rights Acts. Never has the issue been thrust so far in the public eye. Never before has a younger generation been so forced to realize the graveness of this problem. In World War II, completely segregated units were sent to the front. Today, black and white troopers of the First Air Mobile Division fight side by side. The Defense Department reports that "integration has been carried out more rapidly than had been considered possible." This generation is recognizing more and more that discrimination is wrong, that Negroes, Mexicans and Puerto Ricans are human beings and must be regarded as such. Bigotry and hatred is still present but it is breaking down and it shall continue to do so because the eighteen year-old has been in contact with its fantasy all his life. Yet he cannot hope to rid this scourge from the halls of Congress or his State and local governments. Nor can he aid in returning the responsible or see that sharp-tooth laws concerning Civil Rights are put on the books. He doesn't have that right. Simply, he cannot vote.

At 16 years of age the modern youth is held liable for his actions by courts of law and he can be prosecuted therein. As the years go by, he becomes accountable to society for more of his actions. By eighteen he is deemed fit to die for them.

Coupled with mass news media and education to create awareness are the young peoples' political groups. Here, teenagers can see the precinct organizations in action and find the only avenue of supporting candidates open to them. Teen Age Democrats and Teen Age Republican groups hear talks by candidates and knowledgeable individuals on upcoming issues and candidates. The members canvass areas, pass out handbills, meet candidates and listen to arguments from both sides. As past president of such an organization, I know the enthusiasm and work our group did in the 1964 elections. The members were energetic and willing and our membership was very high. But when the votes came, the eighteen-year olds among us could do no better than they had; the final, meaningful instrument for support was beyond their reach.

Vice-President Humphrey once commented: "There is no better civic training than the exercise of the vote. Without the vote, all other forms of civic training are lacking. . . . It is essential that our young people take on political responsibility as soon as they are ready to do so. . . ."

If young adults lack sufficient interest to exercise the vote, what about the man over twenty. Clearly, his record gives no reason to cheer. In the 1960 elections 66.2% of the eligible voters or 68,832,818 turned out to vote. Another 19,590,000 eligible voters, for various reasons, did not go to the polls. It is quite possible that Nixon would have beaten Kennedy soundly; had these people turned out!

Finally, if a young man or woman is capable of respecting a nation's law, is taxed to pay her bills, is educated to know how she functions, is fit to die for her honor or security, and is old enough to marry and put money into her economy . . . then that same young person is old enough to speak in her behalf.

CLEAN AIR

Mr. NELSON. Mr. President, the battle to control air pollution is entering a new stage. President Johnson is seeking national standards to limit pollution, but there is considerable opposition to his proposals in some quarters and a failure on the part of the public to realize that the fight for clean air can be lost by default.

The people need to know the threat that air pollution is to their lives and property and how important it is to reduce that threat. As a means of helping inform them and some of us in this Congress as well, I welcomed the article in the recent issue of the American Federationist, AFL–CIO official monthly magazine, by George Taylor, an expert on this subject. Mr. Taylor is an economist in the AFL–CIO Department of Research.

I ask unanimous consent that Mr. Taylor's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

The Fight for Clean Air

(By George Taylor)

When the right circumstances conspire, air pollution can turn into a deadly mass killer.

In 1930, there were 60 people killed when a deadly smog settled in over the industrial Meuse Valley in Belgium.

In 1948, the steel and chemical town of Donora, Pennsylvania, was visited by a fog and a temperature inversion which left 20 dead.

In 1950, a tank of poisonous hydrogen sulfide was accidentally released to the atmosphere from an oil refinery in Mexico City. The toll: 22 dead and 320 hospitalized.

In 1952, a "black fog" hung like a shroud over London for four days and took 4,000 lives.

Ten years later, both London and New York City suffered through serious smogs.

And just last November—as if to publicize the National Conference on Air Pollution about to open in the nation's capital—the elements conspired to form a temperature inversion over New York City. Preliminary estimates put the number of deaths at 80, a toll expected to rise when the death rate is checked against mortality tables over a longer period.

These dramatic instances of smog disasters serve as periodic reminders that the city air we breathe is unclean. Air pollution is taking its toll of people's health every day in every city in the United States. It is a problem which most people are aware of by now and to which they seem to be adapting.

Unfortunately, it may take a major air pollution disaster to crystallize support for strong regulatory action.

President Johnson attempted to point up the critical urgency of the problem when he sent a special message on air pollution to Congress earlier this year. The President declared:

"We are not even controlling today's level of pollution. Ten years from now, when industrial production and waste disposal have increased and the number of automobiles on our streets and highways exceeds 110 million, we shall have lost the battle for clean air—unless we strengthen our regulatory and research efforts now."

The superficial aspects of air pollution are widely evident. People are aware of the offensive smell, the dirt deposited on clothing and curtains, the corrosion of metal and stone, the lack of visibility on roads and the damage to bathing areas.

But the dangers from air pollution are far broader and more insidious. The longterm effects of air pollution begin to work on the human organs from the day of birth. Increasing numbers of Americans are becoming afflicted with respiratory conditions—everything from the common cold to lung cancer—which are aggravated by breathing polluted air.

One of the fastest growing causes of death in the United States is emphysema, a progressive breakdown of air sacs in the lungs caused by chronic infection of the bronchial tubes. In 1962, over 12,000 persons died of emphysema. Each month, 1,000 or more workers are forced to retire prematurely because of this disease.

Other diseases of the lungs and air passages which are worsened by breathing polluted air include bronchial asthma, chronic restrictive ventilatory disease and even the common cold.

The death rate from lung cancer has been rising. Research points to a variety of causes. However, the incidence of cancer is twice as high in urban as in rural areas and appears to be related to population density as well. This is the basis for speculation that air pollution may be a contributing cause of lung cancer.

The first public concern over pollution involved the smoke nuisance in the 1940s. Public indignation focused on offenders responsible for dirtying the community. Anti-smoke ordinances were adopted in such large cities as St. Louis and Pittsburgh. The changeover from coal-burning to diesel locomotives and the increasing use of natural gas for home and office space heating helped to reduce much of the smoke nuisance in many urban areas.

Now the concern and danger is only partially with smoke. The newer industrial processes and many of the older ones are expelling a wide range of gases and minute particles. These pollutants often overload the ability of the atmosphere to disperse them and they produce effects which are sometimes unpleasant, sometimes unhealthy and, on occasion, disastrous.

The basic causes of the air pollution problem are well-known. They involve an increasing population which is becoming more and more concentrated in urban areas. The U.S. population will grow to an estimated 225 to 250 million by 1980. About 200 million people will be living in cities.

These urban area people will be driving more cars, consuming more electric power, buying more manufactured goods, creating more wastes. The overall result will be an ever-rising amount of air pollution.

The main trends are apparent.

In 1960, 60 million automobiles in the United States burned 40 billion gallons of gasoline. By 1980, over 10 million automobiles are expected to be on the road, almost doubling the gasoline being burned and emitting most of the pollutants into urban areas.

More solid wastes are dumped each year, most of it combustible. In 1960, the per capita amount of combustible waste was 1,100 pounds. Even if the per capita figure does not increase, which is unlikely, this nation will be producing 175 million tons of combustible waste by the year 2000, enough to bury a city the size of Pittsburgh or Boston or Washington, D.C. under a 30-foot mountain of trash.

By 1980, use of electric power may have increased threefold over present demand. Most of it will be generated by fossil fuels—coal and oil—although nuclear energy will be rapidy moving to the fore in the next decade. As of 1966, generation of electricity is one of the major sources of air pollution.

The growth of industrial production—iron and steel, non-ferrous metals, chemicals, petroleum, paper and allied products—is expected to double or triple over the next decade or so. These are the major industries which share responsibility for atmospheric pollution.

There is also the clear danger created by a constantly changing technology. By the end of the century, the annual expenditure by industry and government in industrial-oriented research may reach as high as $70–$80 billion. Increased research and development already has contributed to the introduction of dozens of new materials, many releasing airborne contamination to the environment, the effects of which are yet unknown.

The principal pollutants released to the air total about 125 million tons per year at present, according to a 1966 report by the National Academy of Sciences.

Automobiles, trucks and buses powered by internal combustion engines are the major emitters of carbon monoxide, oxides of nitrogen and hydrocarbons. Generation of electric power by burning coal and oil produce most of the oxides of sulfur. Industrial production is the chief contributor to the atmosphere of particulate matter and miscellaneous pollutants.

The data clearly show that moving sources of pollution spew six of every ten tons of pollutants into the air. Thus the nation's motor vehicles constitute the number one air pollution problem.

Industry, including electric power generation, is the next greatest offender, contributing nearly four of every ten tons of polluting materials emitted.

People do not die immediately from foul air, even though it may affect their health adversely when pollution of the air they breathe is chronic, which is true in nearly every large city.

But sometimes a smog disaster strikes. Such disasters occur when there is a prolonged temperature inversion and takes place in localities where there is a great volume of toxic materials being emitted into the atmosphere from industrial emitters, automobiles and homes and offices burning soft coal.

A "temperature inversion" is a meterological situation that occurs when the normally cool upper layers of air become warmer than ground air. In a situation when the air mass is not moving on the back of a prevailing wind, or rain comes to the rescue, the cool upper air stays put and prevents the dirty air at ground level from circulating up and out. Los Angeles is the prime example of a metropolis with a chronic inversion situation. But they can take place anywhere. When they happen suddenly and remain for several days where there is a great deal of emission of pollutants, people who are well get sick, the sick get sicker and some of the sick and some of the older people die.

The burden of principal pollutants is expected to double by the year 2000. Over the great metropolitan areas of the West Coast, the Great Lakes and other regions, inversions are expected to become more and more lethal, together with the kind of "ordinary" air humans breathe between inversions, which merely takes longer to infect individuals with chronic respiratory diseases and possibly lung cancer, but produces few headlines.

In the long-range view of the situation, the steady increase in the release of pollutants to the atmosphere, in addition to what is already there from natural and man-made causes, can work what may very well become a permanent change of the world's climatic cycles. It is a well-known phenomenon that temperatures in large metropolitan areas are consistently warmer than in the countryside and fogs are more frequent. This is an example of local modification.

The bulk of the air resource is in a relatively shallow envelope six miles in depth (the troposphere). There are global, regional and local air movements within the troposphere which make up nature's ventilation system, modified by topography, climate and latitude.

If the mass of air pollutants continues to build up, the global capacity of the wind systems to disperse pollutants may be seriously impaired.

Thus modern man in the United States and other industrialized nations has created a menace. It lurks in the very air he breathes and takes an increasing toll in lives, health and the economy. It is seriously disturbing the delicate balance that has existed in the environment, of which man is becoming a ruthlessly disrupting factor. He worships at the shrine of personal cleanliness, creature comforts and new techniques while surrounding himself with an environment of ugliness, filth and poison.

What has been done in recent years to clean up America's polluted air?

The federal government did not move into the picture until 1955, when legislation was enacted creating a federal program.

The Public Health Service of the U.S. Department of Health, Education, and Welfare was authorized to conduct research on the problem and provide technical assistance to state and local governments.

The 1960 amendments to the basic federal act provided for a special study of motor vehicle pollution. The federal program under this law brought more scientific knowledge to bear on causes and effects. The public attention was becoming more aware that polluted air was a national problem, was damaging to the public health and welfare, and that control of many of the larger sources of poison was feasible.

Although knowledge about the causes, effects, scope and control techniques was steadily advancing, there was little done by local, state or federal levels of government to clean up the air. The federal program was research-oriented. Outside of Los Angeles and the state of California, there were few local or state programs. Those in existence were basically ineffective.

The federal Clean Air Act of 1963, however, broadened the scope of the federal program. It authorized federal grants-in-aid directly to state and local air pollution control agencies to establish or improve their programs and empowered the federal government to take necessary action to abate interstate air pollution situations.

The Clean Air Act also expanded research, technical assistance and training activities of the U.S. Public Health Service. It directed the Service to do research and development on motor vehicle and sulfur oxide pollution from coal and oil burning in power generation and other industries, and to develop criteria on air pollution effects on human health and property.

The 1965 amendments to the Clean Air Act authorized the Secretary of HEW to establish standards to control emissions into the air from new motor vehicles and to investigate and develop methods of controlling new air pollution problems.

In 1966, further amendments enlarged the grants-in-aid program to states and localities to assist in maintaining control programs. The Congress also established a three-year authorization of $46 million for fiscal 1967 and $66 million and $74 million for fiscal years 1968 and 1969, respectively.

Between 1955–63, federal funds expended on air pollution control programs had risen slowly from $2 million to about $11 million a year. But in the 1963–66 period, the total rose to $35 million a year.

WHAT HAVE THE STATES DONE?

Fifteen years ago, the first state law dealing with air pollution was passed. Until 1963, when the Clean Air Act was passed, only 13 more states had enacted such laws. Since then, 11 more states have acted, so there are now 25 out of the 50 states with anti-air pollution statutes on the books.

In 1961, the budgets for state air pollution control programs totaled only $2 million, of which California alone accounted for 57 percent. There were 148 full-time and 29 part-time personnel working in the control programs of all the states.

By 1966, the states were budgeting an aggregate $9.2 million, $2 million of which was in the form of federal grants-in-aid. There were 406 full-time and 81 part-time personnel working in these programs.

While there was an improvement of state resources applied to the problem, the situation is still far from satisfactory in this respect. Moreover, there is wide variation among the states in the kind of agency assigned program responsibility, in standards and regulations, in enforcement and compliance procedures and punishment of willful offenders by fines, jail or both.

While the Clean Air Act encourages the formation of interstate compacts to aid in the control of air pollution, very few states have acted. New York and New Jersey were inspired to act after last year's serious smog over the New York City metropolitan area. Illinois and Indiana are negotiating a compact and so are West Virginia and Ohio.

The New York-New Jersey compact, which is furthest along, seeks legislative authority to set air quality standards and to make and enforce regulations. An innovation in this proposed compact would provide for both local and federal representation.

WHAT HAVE THE CITIES DONE?

Since the late 1800s, there have been many local smoke abatement ordinances passed by hundreds of communities, dealing with this aspect of air pollution as a nuisance. Beginning with Los Angeles, recent years have seen a greater community effort to attack poisoned air, not merely smoke.

In November 1965, according to the U.S. Public Health Service, there were about 130 city, county and multi-jurisdictional air pollution regulatory agencies in operation and located in 35 states serving 63 million people.

The total 1965 budget for all these local administrative areas was about $14.3 million, of which $3.6 million was in federal grants-in-aid. This represented a sizable rise over the $2.6 million budgeted in 1952.

The largest single local agency budget was that of Los Angeles County—$3.7 million. Control agencies in California made up 38 percent of total 1965 local air pollution control budgets in the nation. The seven largest agencies made up 58 percent of the total local air pollution control budget for the nation.

While the towns and cities are now doing more about the problem than a decade ago, much of the larger urban areas still lack programs. There are manpower problems, both in funds available to hire personnel at adequate salaries and trained manpower. The U.S. Public Health Service estimates that at least a fourfold expansion of programs is required to do a reasonably good job in terms of money and staff.

Moreover, there is a lack of definition of the full range of pollutants to be monitored and controlled. There is less than adequate support by local officials for a sustained all-out air cleanup effort. As with the states, regulations are too permissive, enforcement is weak or lacking and long-range planning is neglected.

CITIES WITH MOST SEVERE AIR POLLUTION PROBLEMS

Five areas having most severe problems: Chicago, Cleveland, Los Angeles-Long Beach, New York, Philadelphia.

Five areas ranking second in severity: Boston, Detroit, Newark, Pittsburgh, St. Louis.

Ten areas ranking third in severity: Akron, Baltimore, Cincinnati, Gary-Hammond-East Chicago, Indianapolis, Jersey City, Louisville, Milwaukee, Washington, Wilmington.

(Source: The National Center for Air Pollution Control, Public Health Service, Department of Health, Education, and Welfare.)

Thus the federal government, the states and the cities are making a tentative beginning to face up to the air pollution crisis in the United States.

President Johnson's air pollution message of 1967 contained legislative recommendations for strengthening the federal air pollution control program by means of the Air Quality Act of 1967, which was introduced by Senator Edmund S. Muskie (D-Maine) and 20 co-sponsors of both parties.

This legislation would expand the federal air pollution control program to carry out the following:

1. Designate interstate industries which are nationally significant contributors to air pollution and establish industry-wide emission levels, allowing the state to equal or exceed federal levels, but stepping in with a federal enforcement program where a state fails to do this.

2. Establish Regional Air Quality Commissions which cut across state lines and enforce pollution control in so-called regional airsheds, where air characteristics and flow are generally consistent in pattern over a multi-state area.

The Secretary of HEW would not have to wait for states to move, but could designate interstate regions where control programs were needed and, after consultation with the states and localities involved, appoint a Commission composed of two persons from each state and a federal representative named by the Secretary.

The Commission would be responsible for setting safe air quality and emission levels and could enforce them by means of present statutory authority under the Clean Air Act.

3. State inspection of 1968 and later model vehicles with carburetor and exhaust control devices, by means of assistance from federal matching grants.

4. Improved enforcement procedures.

5. Mandatory registration of all fuel additives with the Secretary of HEW.

6. A broadened research program into emittants from motor vehicles, including diesel engines, alternative methods of motor vehicle propulsion, sulfur dioxide pollution and low-sulfur or sulfur-free substitutes. This program would raise authorized research funds from $12 million in fiscal 1967 to $18 million proposed for fiscal 1968. It proposes the program include direct activities by the federal government and contracts or grants-in-aid to private industry, universities and other groups.

7. The total financial resources proposed in the Muskie bill calls for an increase from the presently authorized $74 million in fiscal 1968 to $80 million for that year and such sums as may be determined by Congress for the following four fiscal years.

The AFL–CIO Executive Council last February called for stronger enforcement of the Clean Air Act. The AFL–CIO agreed with the President's proposal to establish federal air-shed commissions and empower the Secretary of HEW "to set air quality criteria over all sources of industrial pollutants released into the atmosphere, not merely those by automobile as provided by the present act."

By these means, it is possible to move in with federal, state and local programs to control poisoned air emitted from stationary sources, factories, power stations, oil refineries and the like.

The AFL–CIO policy statement had this to say on the problem of automobile combustion and air pollution:

"Expanded use of electric-powered vehicles would sharply reduce the largest and most rapidly-growing source of air pollution. Any federal program to develop an economically feasible electric-powered vehicle should provide public domain ownership of all federal patents and a searching assessment by a national commission, with labor representation, of the social and economic impact of a largescale changeover to the electric automobile."

In a recent statement to a special Senate joint committee considering legislation to authorize a federal research and development program for electric-powered vehicles, AFL–CIO Legislative Director Andrew J. Biemiller said:

". . . present control technology and that likely in the near future is not adequate to reduce the continually mounting load of contaminants emitted to the atmosphere from the automobile in its various forms. The sheer increase in numbers of cars, trucks and buses, even if equipped with all control devices required under the Clean Air Act, will inexorably add to the aggregate environmental burden of carbon monoxide, hydrocarbons and other harmful chemicals released into the air."

The electric car is not new. It was used years ago and some probably are operating in the form of commercial vehicles in most large cities.

The problem is to find an energy source, either a battery or fuel cell which operates on chemicals, which will enable faster pick-up and higher speeds and allow the driver to cover 100 miles or more before recharging the battery at a station or exchanging it.

While industry is grudgingly accepting the disagreeable inevitability that there will be some kind of control over air pollution, it wants a major voice in setting the terms.

Industry wants federal activities restricted to research and development, and it seeks federal tax writeoffs as well as state and local financial incentives for air pollution control equipment. Such tax breaks and incentives are strongly opposed by organized labor.

Recently, the chairman of the board of Humble Oil Refining Company said to a meeting in Houston, Texas, that if industry did not voluntarily clean up its own mess "... in the near future our actions in this area will be spelled out by congressional legislation."

Uniform federal standards, equitably applied, would enable industries to become socially responsible and also to maintain their respective positions in the marketplace. This is what is provided for in the proposed Clean Air Act of 1967 now before Congress. Without such standards, industries would be enticed to relocate in a more lenient regulatory climate where, among other incentives, a relaxed attitude toward air pollution could be maintained by the state or local enforcement agency.

The battle lines are now being manned in the halls of Congress. But where the fight will be finally won or lost is in the cities, towns and villages of this nation, when the citizens have decided that they have had enough and, as President Johnson has said, ". . . through their elected representatives, demand the right to air that they and their children can breathe without fear."

PERSECUTION OF ISLAM IN THE SOVIET UNION

Mr. DODD. Mr. President, in the aftermath of the recent Mideast war, Nasser and the other Arab leaders have thrown themselves completely on the mercy of continued Soviet assistance. Their dependency on the Soviet Union, accordingly, is even greater today than it was before the recent crisis broke.

Yet only one result seems certain for the United Arab Republic and those who follow its lead. That result is domination by the Soviet Union, and the destruction of the Arab culture and the faith of Islam.

Nor is the word "destruction" an exaggeration employed for literary effect.

In 1920, there were an estimated 40 million Moslems in the Soviet Union. Several years ago the number was estimated to have fallen off to 8 million. At the present rate of decline, it will not be too long before the Muslim religion is only a memory in the Soviet Union.

The persecution of the Muslim religion in the Soviet Union was the subject of a study put out in mimeographed form a few years ago by the American Committee for Liberation. This study is so pertinent to the Mideast crisis and Arab dependency on Soviet aid that I wish to comment on it briefly before placing it into the Record.

All religion has suffered untold persecution under communism, Islam has been no exception. Moslems have been persecuted for their faith in the same manner as Christians, Jews, Buddhists, and others. In some respects, indeed, the fate of Islam has been worse than that of other religions.

In Tashkent, for example, there were 341 mosques in 1911 and today there are 16. In Bukhara there were 360 mosques in 1906, today there are four. There is only one theological seminary for the whole of central Asia.

In a study of the Soviet regime's treatment of Islamic institutions and its policies with respect to the Islamic peoples of the U.S.S.R., the American Committee for Liberation pointed out the following:

> All government media are employed in anti-religious propaganda—the press, the radio, the official "Society for the Diffusion of Scientific and Political Knowledge" with its lectures, movies, conferences, and discussion groups . . . As in all other parts of the Soviet Union, the daily press carries frequent anti-Islamic articles. Religious customs such as prayer and fasting are derided and denounced as reactionary . . . Islamic clergy appears to be under more severe limitations than the Christian clergy. Its members may not solemnize marriages; they are constantly under the surveillance of the secret police.

In the matter of religious education, the situation clearly points out the hardship suffered by the followers of Islam.

Before the revolution of 1917, besides the thousands of primary schools, there were more than 1,000 Islamic secondary theological schools in the Russian Empire. These all disappeared in the early years of the revolution. A handful have been reopened in the 50 years since, but these have been for show purposes primarily. Unlike the Soviet Christians, who are permitted a very limited publication program, Moslems have no publications of their own. Only one printing of the Koran has taken place since 1917, and the review entitled "Moslem Religion," which was announced by Radio Moscow in 1957 has yet to appear.

The Arab leaders must not forget, and we must not forget, that religion has been the traditional enemy of all modern tyrannies. Mussolini stated that "Religion is a species of mental disease." Karl Marx called it the "Opium of the people" and Hitler denounced Christianity not only because Jesus was a Jew, but because it was cowardly to speak of giving love for hate.

The Arab leaders who propose an alliance with Communism are engaged in a betrayal of their faith and of the millions of Moslems behind the Iron Curtain who have suffered for so long in an effort to practice their religion.

It is important that they weigh the dangers of the step they seem about to take. It is a step from which there is no turning back.

I wish to share with Senators this important report about the state of Islam in the Soviet Union. I therefore ask unanimous consent that it be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Red Star Over Islam

(A study of the Soviet regime's treatment of Islamic institutions and its policies with respect to adherence to their traditional faith by the Islamic peoples of the U.S.S.R., by the American Committee for Liberation, New York, N.Y.)

BACKGROUND

Bearing in itself most of the stigmata of a religion, Communism is opposed to every other religion; it is a principle of the Marxist faith that every other religion must be eliminated. One might quote Marx and all the latter-day Communist prophets to prove this basic statement, but a few statements will suffice here.

Lenin said, "Every socialist must be an atheist . . ., in the face of the ignorance and darkness which religion is, the Party cannot remain indifferent. The fight against it (religion) is not a private matter. It is the business of the whole Party."[1]

As recently as in 1950, Jakovenko, writing specially for readers in Central Asia, asserted: "Leninism, Marxism, as a unique scientific concept of the world and religious ideology are incompatible, irreconcilable. Religion hinders its faithful from being active, enlightened builders of Communism. This is why it is indispensable to carry on energetic battle against religious prejudices."[2]

The prominent Soviet specialist on Islam Klimovitch points this up for Islam: "Islam is an anti-scientific and reactionary ideology opposed to Marxism and Leninism."

Klimovitch's statement was issued in 1952. In the same year the Party organ in Uzbekistan gave the final touch: "It is impossible to build Communism until we have definitely destroyed Islam."

COMMUNISM IN ISLAM

The destruction of Islam has been one of the purposes of the Soviet government, pursued with varying intensity since 1917. Islam in the USSR has perhaps been more consistently subjected to attack than any other religion. There are several reasons for this. First is the general Communist hostility to religion. Communist ideology has no answers to non-economic questions, and hence the Party cannot tolerate any other, independent ideology, like Islam.

But in the case of Islam there is another reason for its suppression. This is its close relationship to the idea of nationality. Any student of Soviet internal politics knows how relentlessly other than Russian nationalities have been suppressed over the past forty years. This applies, though in a somewhat lower degree, to the Jews as well as to the Islamic peoples. Recalling the persistent attempts, just after the revolution, to form autonomous all-Islamic states in the great areas around the east end of the Black Sea and north of the Caspian Sea—efforts which it had to suppress with massacres, the government had another reason for wiping out the chief common link among the different tribes. Islam as a sign of nationality, as well as Islam as a religion, had to be destroyed.

This was not clearly announced at the start of the Soviet regime.

After the February revolution, when conditions became favourable for a political election, the Islamic peoples joined to undertake the organization of their government structure. In May, 1917, an "All-Russian Congress of Moslems" took place in Moscow. At the Congress, a decision was adopted to organize independent states of the Islamic nations of the former empire as autonomous and independent republics. This project was placed under the general control of the "Central Moslem Council," which had been elected at the meeting.

The first to receive their autonomy were the Moslems of the Volga-Ural region under the name of "State of Idel-Ural." When the Bolsheviks came to power in Moscow in November, 1917, the formerly imperial Islamic territories—the Volga-Ural region, Central Asia and the Caucasus—already had their autonomous and independent governments. In order to establish their own, Soviet system and their own rule in these Islamic territories, the Bolsheviks waged war not only against the armed forces of the White Russians which had entrenched themselves in the outlying districts and in Siberia, but also against the national republics of the Islamic peoples. The Soviets coupled their bayonets with compromise tactics by condemning Tsarist imperialism and by promising to recognize the national rights of the Islamic peoples. Within a month two official declarations were addressed to the Islamic peoples. These documents were preceded by the famous Declaration of the Rights of the Peoples of Russia,[3] which emphasized "the equality and sovereignty of all the peoples of Russia." It abolished all national and all national-religious restrictions. On November 22, 1917, Lenin and Stalin, then Commissar of Nationalities, issued this solemn assurance: "We are filled with the desire and the determination to respect the national rights and religious feelings of the Moslems. We shall respect the rights of the Moslems to live in their own way. To protect these rights of the Moslem peoples, we will apply the full power of revolutionary law."[4] This pledge was repeated a fortnight later in an "appeal of the Soviet of People's Commissars to all the toiling Moslems of Russia and the East." The appeal contained these lines: "From this time on, all your beliefs and customs, your national and cultural institutions are declared to be free and inviolable. Establish your national life according to your own pattern and wishes. This is your right."[5] The rest of the present report shows how the Soviet government kept its promises.

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[1] Lenin, *About Religion*, pp. 6, 7

[2] *Pravda Vostoka*, June 29, 1950

Politically, the Soviet government had no more intention of permitting the autonomy of Islamic states than of leaving the religion untouched. In a resistance-crushing struggle which lasted six years, the Soviet troops finally occupied all the Islamic territories. The Soviet-installed governments, responsible directly to Moscow, put an end to all hope for Moslem self-government.

As regards religion, Communist action was almost as swift. In 1919 both Lenin and Stalin began open attacks on Islam, using all the means at their disposal—legislation, administrative action, threats of force and coercion itself, as well as the ubiquitous propaganda. The law of separation of church and state, promulgated in 1918, deprived Islam and all other religions of the right to act as a juridical person. Shortly thereafter a series of decrees, directed particularly against Islam, instituted action for the progressive crushing of that faith.

One object of attack was the Sheriyat, the code of laws based on the Koran under which adherents of Islam everywhere had lived for centuries. At first, the Soviet did not wholly suppress the Sheriyat but devised constantly increasing limitations on its application. These strictures limited the competence of Sheriyat courts and tightened Soviet control over them. In 1922, a decree ordered the retrial in a Soviet court of any case first decided in a Sheriyat court, if one of the disputing parties petitioned for such a retrial. A year later it was decreed that the state budget could not longer bear the burden of footing the cost of Sheriyat courts. Thus the financial responsibility was put on the shoulders of local citizens. By 1926 the last Sheriyat court in Turkestan had disappeared, and in 1927 the Central Executive Committee of the USSR ordered the separation of all Islamic courts from the Soviet state and forbade the creation of new ones. One essential element in Islamic life in the USSR was thus efficiently crushed.[6] Today, Sheriyat is considered antiquated and is declining everywhere.

Another Soviet line of attack was against education. In 1922, first in Turkestan and then subsequently throughout Central Asia, the right of religious institutions to own endowed property and to use the revenue derived from it was cancelled in favour of the Commissariat of Education. The management of this property was put in the hands of local Communist authorities. Thus all religious schools and other institutions came directly under state control. Under the Tsar adherents of Islam had carried the burden of educating their children, unaided by the state. In Turkestan the "maktabs" provided elementary schooling for 70,000 children, while about 10,000 older youths received their education in the "Islam sciences" in 375 "Madrassa," or preparatory schools for Islamic clergy. Though the Soviet government temporarily had to abandon the large-scale educational system it had set up to replace the Islamic schools, it continued its pressure to eliminate them. These tactics arose from the decree separating schools from churches. Deprived of the support hitherto derived from endowed properties, the Islamic schools were forced out of existence.

Pressure against Islam, as well as against other religions, was relaxed during the era of the New Economic Policy (1922–28), but resumed with greater force afterward. From 1929 on, the Soviets attacked all religions viciously, particularly Islam. The Communist authorities closed the "Nazariat" at Ufa, a religious administration for Islamic affairs which for 150 years had been the ecclesiastical centre for Islamic peoples of European and Asiatic Russia. Following the closure of all Islamic schools, the government began closing the mosques. All publication of religious literature was stopped; the Koran was declared counter-revolutionary, and its distribution was prohibited. As was the case with Christians, clergy was arrested in the thousands under various pretences and deported to Siberian labour camps. It became dangerous for any citizen to attend service in some mosque he might find open. The whole of Islamic religious life was paralyzed. The government forbade the use of Arabic script, ordering first the use of Latin script for the Turkic languages, and then later the use of the Russian script. Soviet Moslems are not permitted to use the Arabic script.

Increasing government pressure, exercised largely through the League of the Militant Godless against nationality and family tradition, has only increased the loyalty of the Islamic peoples to their faith. In the areas of Islam the revolts against collectivization in 1929 to 1931 were often incited and led by the Islamic clergy, calling for a holy war against Communism.[7]

A mass deportation of Islamic intelligentsia was carried out in the Mid-Thirties. As in other deported groups, only a few survived life in forced labour camps. The pilgrimage to Mecca was stopped. By this time the great majority of mosques and other Islamic buildings had been closed and transformed into Communist clubs, cinemas, or storehouses. By the end of the Thirties, more than 25,000 mosques had been closed. In the Crimea, for instance, not a single mosque remained open.

Up to 1941, there was no relaxation of the anti-Islam propaganda, which had the full power of the Soviet government behind it. The scope of the Soviet anti-religious effort through lectures, cinema, the radio, and the printed word is well-known. The general campaign was directed impartially against all religions—Christianity, Jewish religion or Islam. In addition to the general atheistic effort, however, thousands of pamphlets and hundreds of books were designed to subvert Islam. Four-hundred anti-Islamic books were published between 1928 and 1941.[8]

Another subversive method used against Islam was infiltration. Specially trained agents were sent to Islamic regions, stirring up doubt and dissension. "Scientific" lecturers ridiculed the religious practices of Islam, the Koran and the "myth" about Mohammed.

The purges of 1937 to 1939 further weakened the leadership of the Islam. The few remaining higher Islamic church authorities were liquidated. For example, Mufti Kasbot Terdzhemeni was shot in 1936 on charges that he was a Japanese spy. One source reports a total of 43,000 Islamic clergy killed, and 17,500 mosques closed or destroyed.[9] Islam in the USSR remained alive only by going underground.

The entry of the Soviet Union into World War II brought notable changes in the official Soviet attitude toward religious organizations. The pervasive Militant Godless movement was abolished, anti-religious propaganda almost stopped. The Orthodox obtained the restoration of the patriarchate, in return for their support of the government in the war. Stalin needed the Moslems as well, and in 1942 some government-financed mosques and religious schools were reopened in Kazan, Ufa, Tashkent, Bukhara, Baku, and other localities. The still-surviving clergymen were brought back from concentration camps. One terrible exception in this era of comparative goodwill was the Communist reprisal against those Islamic groups which, encouraged by the German advance into the USSR, had declared their territories "independent" republics: In the course of this action during the period of 1943–1945, various Islamic peoples of the Northern Caucasus, particularly the Chechen-Ingush, Balkars and Karachais, were entirely deported from their ancient lands, and their republics—the Chechen-Ingush Autonomous Soviet Socialist Republic, the Kabardino-Balkarian Autonomous Soviet Socialist Republic and the Karachai Autonomous Region—were liquidated. The Crimean Tatars, who have disappeared completely by now, were subjected to the same liquidation and deportation. The Soviet population statistics for 1959 included no figures on the Crimean Moslems. In 1957 the Supreme Soviet of the USSR admitted these atrocities and ordered the return to their homes of those deportees who were still alive. Most of the exiles were dead, and the few who did return found their land occupied by Slavs, who had been living on it since 1946. The main reason for this gesture of restitution apparently was a wish to improve Soviet relations with other Islamic countries.

As World War II ended, pressure on the Islamic inhabitants of the Soviet Union increased once more. The government's anti-religious propaganda was now organized and promoted by the Society for the Diffusion of Scientific and Political Knowledge. The "chief Moslem administrations," which had been organized during the war, were in effect incorporated into the Soviet government machine. Islamic clergy was pressured into participation in the Moscow-organized World Council in Defence of Peace. Some were sent to Islamic areas abroad with instructions to tell people there of the "freedom of religion" in the USSR. They well knew what would befall their families at home if they failed to carry out their missions. Here the Moslems had in effect to choose between martyrdom and the chance of keeping alive their persecuted faith.

The death of Stalin and the emergence of Khrushchev with his "new" policies brought no change in the attitude of the Soviet government toward Islam. In 1954 Khrushchev publicly demanded increased anti-religious activity, an order which of course was directed at Islam faithful along with other believers. Special anti-religious efforts showered a new spate of atheistic literature on the Islamic populations in their various national languages. Feature articles on "Islam, an Anti-Scientific, Reactionary Ideology" appeared, for instance in Turkestan. Press appeals to the population to abjure Islam and to attend anti-Islamic lectures were common. These lectures were organized on a wide scale. Trained speakers entered schools, factories and collective farms. Attendance was compulsory, and illness, real or feigned, was the only way the Islamic population could avoid hearing the public affront to their faith. Lecturers learned to announce some innocuous topic and then, when no one present would find it wise to retire, launch into anti-Islam propaganda.

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[3] S.T., p. 7

[4] I.E.

[5] E.T.R., p. 71

[6] M.S., pp. 148, 149

[7] G., p. 72

[8] I.E.

[9] G., p. 199

MOSLEMS IN THE U.S.S.R. TODAY

According to the 1959 census report, there are 25,000,000 Moslems in the Soviet Union.[10] Ethnically, the Soviet Islamic peoples have nothing in common with the Russian people. The latter are a Slavic race, whereas the former were predominantly of Turkic, as well as of Iranian and Caucasian origin. Geographically, the Islamic peoples live in such areas as the Volga-Ural, Western Siberia, Central Asia, the Caucasus and the Crimea. Until conquered by the Russians, the Islamic peoples had their independent governments in these areas under various names. The conquest of the Islamic nations began with Tsar Ivan the Terrible during the second half of the sixteenth century. Ivan the Terrible first seized the Tatar khanates of Kazan and Astrakhan, in the Volga-Ural region, thence penetrating Turkestan and the Caucasus.

Four "Spiritual Moslem Administrations" of the Islamic peoples of the USSR have survived to the present day. They are as follows:

1) The Spiritual Administration of the Islamic peoples of the European part of USSR and of Siberia. Ufa, the capital of the Bashkirian Republic, is its centre. Such peoples as the Tatars and the Bashkirs, who live between the Ural Mountains and the central and lower reaches of the Volga come under this spiritual administration. This is where the Tatar and the Bashkirian Autonomous Soviet Socialist Republics are situated. The head of the Spiritual Administration is Mufti Khialetdinov, a Tatar. According to the 1959 census, there are 5,000,000 Tatars and 1,000,000 Bashkirs. The Tatars and the Bashkirs are of Turkic origin.

2) The Spiritual Administration of the Moslems in Central Asia and Kazakhstan. Tashkent the capital of the Uzbek Autonomous Soviet Socialist Republic, is its centre. The head of the Spiritual Administration is Mufti Babakhanov, an Uzbek. Under his Spiritual Administration are the peoples of Turkestan: the Uzbeks (6,000,000), Kazakhs (3,500,000), Turkmen (1,000,000), the Kirghiz (1,000,000), Karakalpaks (173,000), and the Tadzhiks (500,000). With the exception of the Tadzhiks, who ethnically compromise an Iranian group, all other nationalities mentioned above are of Turkic origin. There are five Soviet socialist republics within the territory of Turkestan: The Uzbek, Kazakh, Kirghiz, Turkmen and Tadzhik republics; and one autonomous republic, Kara-Kalpak Autonomous Soviet Socialist Republic.

3) The Spiritual Administration of the Moslems of Transcaucasia. Baku is the centre. The Islamic inhabitants of Azerbaidzhan fall within its jurisdiction. The Azerbaidzhanis, who are of Turkic origin, were reported by the 1959 census to number about 3,000,000.

4) The Moslem Spiritual Administration of Dagestan and the Northern Caucasus. Buinaksk is the centre. The territory of this Spiritual Administration includes: The Chechen-Ingush Autonomous Soviet Socialist Republic, the Kabardino-Balkar Autonomous Soviet Socialist Republic, the Karachai-Cherkess Autonomous Region, the Dagestan Autonomous Soviet Socialist Republic, and the Adygei Autonomous Region. The Islamic portion of Georgia's population (Abkhazia and Adzharia) also falls under this Spiritual Administration.

Liaison between these administrations and the government is provided by the "Bureau for Cults," directly connected with the Council of Ministers of the USSR. This is an organization parallel with the Bureau for Orthodox Affairs and covers all religious bodies except the Orthodox Church. The Islamic peoples, although the second largest religious group in the USSR, have no bureau of their own.

The number of mosques open for religious services is difficult to discover. This is partly because the term "mosque" is often used to indicate simple shrines or even rooms in private homes used for prayer. Further, the figures given by different authorities vary greatly. In 1956, a Soviet source stated that there were 8,000 mosques in the USSR, but at the same time the four Muftis gave the figure as 1,800. Vincent Monteil, in his book *Les Mussulmans Sovietiques*, considers this number too large and describes the situation in certain cities to give an idea of the actual state of affairs.[11] Thus in Tashkent, which in 1911 had 341 mosques, today there are 16. In Bukhara there were 360 mosques in 1906; today there are four. Some of the mosques now open have been repaired and opened by the government, evidently as showpieces. When it became known that Nasser, visiting the USSR, would bring gifts to certain mosques, the Soviet government hastily reopened some famous places of worship. As might have been expected, great crowds attended services in these mosques, and one of the results of the situation was a new wave of religious feeling in the Islamic areas. As an aftermath of the Nasser visit, the government purged all Islamic officials of the Party who had had contact with the Arab leader. It has been reported that new mosques, along with Christian churches, have been constructed in some of the new industrial cities of the Soviet Union. If this is the case, these mosques represent isolated instances of construction.

As regards Islamic schools, there is only one theological seminary for the whole of Central Asia. It admits a hundred students for a five-year course after completion of their secondary education. The situation in Islamic theological education roughly parallels the situation in Orthodox theological education, but the Orthodox have eight seminaries and two academies. One remarkable exception is to be noted here: The problem of the Tashkent school, which uses the Uzbek language, is printed in Arabic characters.

Since the Soviet penal code prohibits "the teaching of any type of religious doctrine in schools, to minors," the number of other Islamic schools now functioning is reduced to a minimum. The apparent existence of a certain number of such schools was revealed, however, by the Communist newspaper *Turkmenskaya Iskra* (Turkmen Spark) in 1957. The newspaper laid the low level of anti-religious propaganda to the fact that "some young men, educated in Soviet schools, go on to study in Islamic religious schools." The use of the plural indicates that there is more than one such school. The location of the schools is unknown.

Soviet tactics in the battle against Islam are a combination of political action and direct anti-religious propaganda. The forced collectivization of industry and of agriculture is accompanied by an intense process of Russification. The forcible use of the Russian alphabet has been noted. The constant process of Russifying the native languages is going on, as words condemned as "Arabic" or "imperialistic" are eliminated from the dictionaries and replaced by Russian words.

Another move in the Russification programme has been the importation of Russians and other foreign elements into predominantly Moslem areas. Khrushchev's agitation for the cultivation of virgin lands has brought more than 1,200,000 young Russians and other Slavs into Kazakhstan alone. While in the Islamic republics the heads of executive offices are usually natives, secondary positions in Party organizations, government apparatus and in industry are held by Slavs, who actually run the government.

The cultural and religious impact of such policies is evident. Following the slogan "national in form, socialist in content, all phases of Islamic life are being flooded with non-national and non-religious ideology. A major portion of Islamic intelligentsia having been eliminated by deportation, there is all too little national cultural and religious talent left to resist this drive.

Denaturalization in this case is almost synonymous with a separation of Islamic peoples from their religion. A recent bulletin of the Soviet Academy of Sciences emphasizes this: "'This combination of the national with the religious is no accident, and it should be recognized as one of the important vestiges of nationalism concealed under a religious camouflage." (*Ethnographic Journal of the Academy of Sciences*).

All government media are employed in anti-religious propaganda—the press, the radio, the official "Society for the Diffusion of Scientific and Political Knowledge" with its lectures, movies, conferences, and discussion groups, and the increasingly effective literature.

As in all other parts of the Soviet Union, the daily press carries frequent anti-Islamic articles. They follow the general line that Islam is reactionary, that, like other religions, it degrades and poisons people's minds, hinders their full participation in the building of Communism. Religious customs such as prayer and fasting are derided and denounced as reactionary and "very harmful to the rebuilding of life on earth." "Islam is a reactionary idea directed against the workers." It is "an anti-scientific and reactionary ideology opposed to Marxism-Leninism."

Certain Islamic customs are constantly singled out for attack. Thus each year at the time of Ramadan, the month of fasting, the press carries violent diatribes against this, "the most harmful of Islamic rites," "humiliating to human dignity and harmful to health." The personal and collective denunciation of those who observe the fast puts a great psychological pressure on the Islamic peoples. It must be emphasized at this point that the Soviet government does not vilify fasting because it wants to reform the custom, but because through its abolishment it wants to liquidate Islam itself.

Recent years—1956 to 1959—have seen a sharp increase in the activity of the Society for the Diffusion of Scientific and Political Knowledge throughout the Soviet Union. Islamic territory has been no exception to this trend. Thus the Tashkent newspaper *Pravda Vostoka* (Truth of the East) reported on February 10, 1959, that "more than 1900 agitators are conducting political (including anti-religious) propaganda among the masses." The newspaper *Qizil Uzbekistan* (Red Uzbekistan) stated on March 28, 1958, that 177,000 propaganda lectures had been held in Uzbekistan during the last two years.[12] The visiting lecture brigades cover their territory thoroughly: not only are all factories, offices, schools and homes visited and propagandized, but even peasants in their fields are lectured on the evils of Islam.

As elsewhere in the USSR, schools are systematically used for anti-religious propaganda, not only among pupils but, through them, in their families. Islam, of course, is not taught in the schools, and a recent issue of *Soviet Ethnology* demands that parents cease educating their children in Islamic principles at home. Special literature is published on the inculcation of atheism upon children. For example, a book entitled *Atheist Education of Children* was issued in the Turkmen language in 1956. Unlike the Orthodox clergy, Islamic clergy is forbidden to visit homes for the purpose of giving children religious instruction. The same issue of *Soviet Ethnology* advocates the preparation of special groups of anti-religious agitators, trained for work in those areas. It is reported that an atheist university has been opened in Ashkhabad, Turkmen Soviet Socialist Republic.

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[10] *Pravda*, February 4, 1959

[11] M.S., p. 153

[12] S.T., p. 24

Anti-religious museums continue to exist in considerable numbers in Islamic areas. Many of the larger cities now have an anti-religious museum located in a former mosque or some other building closely identified with Islamic culture. Permanent exhibits have staffs of lecturers attached, and some of these speakers accompany mobile anti-religious exhibits to the smaller communities.

Islamic clergy appears to be under more severe limitations than the Christian clergy. Its members may not solemnize marriages; they are constantly under the surveillance of the secret police, whose agents are always present to report on the content of any sermon in a mosque. In 1956, TASS, the official Soviet news agency, reported that the Mullah of the Moscow mosque, Akhmedin Mustafin, had appealed over the radio to the Islamic peoples not to observe the fast of Uraza-biaram. In this instance, he could have acted only under compulsion.

One writer reports that when reading the Friday prayers in the mosque, the imam must begin by praising the Soviet government and must close with "Allah has created the Soviet government; therefore, whoever acts against the Soviet state, acts against Allah." This appears to be a "Sovietization" of the formula used in Islamic countries for asking divine benediction on the head of the state. Religious leaders among the Islamic peoples in the USSR are often "requested" to read prepared speeches over the radio, carrying strong appeals to the Islamic populations of other countries. Thus the head of the Moslem Religious Administration of Central Asia and Kazakhstan gave a speech in Arabic in 1957, praising the Communist regime and stressing the freedom of religion in the Soviet Union. No notice of this speech appeared in the newspapers of the Islamic peoples, but it was mentioned in a brief paragraph by TASS. Since few of the Islamic inhabitants of the Soviet Union understand Arabic, they would not know what one of their Muftis had said.

The Islamic clergy, together with the clergy of all other faiths, has been brought into the extensive activities of the World Council in Defense of Peace. Here it has had to hew to the Soviet propaganda line, together with Christians and Jews. That all clergymen are responsible to a Moscow-appointed spiritual head of their region rather than to one chosen by the Islamic faithful themselves indicates the careful state control over the whole of Islamic life in the USSR today.

The significance to all believers in Islam of a pilgrimage to Mecca is well known.[13] Before the revolution as many as 40,000 Islamic faithful from Turkestan alone made the journey each year. After the revolution and until 1946, pilgrimages were forbidden. It must be pointed out, however, that during this period travel abroad was impossible for all other ordinary Soviet citizens. Although pilgrimages have been permitted in principle since then, it is difficult for anybody other than a member of the Communist Party or a trusty of the Soviet government to obtain the necessary exit visa. A visa is issued only after the applicant has been checked by the state security police. It appears that such "pilgrims" are obliged to conduct propaganda in support of Soviet foreign policy and to aid other subversive activities in the Islamic countries through which they pass.[14] In fact, pilgrimages to Mecca are a state project in the Soviet Union. In 1954 only 21 "pilgrims" were permitted to go to Mecca, incontrovertible evidence of the needle's eye through which the "pilgrims" must pass.

Such limited freedom as has been granted to Islamic citizens of the Soviet Union seems to have been given largely for the effect it will have on other Islamic countries. A foreign delegation from an Islamic country went to worship in a splendid mosque but was not told that a few months ago it had been an anti-religious museum. Nothing could better illustrate the contradiction between Soviet propaganda to Arab nations abroad and its intense anti-Islamic activity at home. On the one hand, the Soviet government uses the Islamic leaders to support its foreign policy, particularly in the Arab world; on the other hand, these same leaders and their faithful are constantly under attack at home as "obscurantists—superstitious and harmful to Soviet economy."

In the matter of religious education, the situation is most inadequate for Islam. Besides the thousands of primary schools ("maktabs"), there were more than 1,000 secondary theological schools ("medrasede") in the Russian empire. These all disappeared in the early years of the revolution. As part of its "moderate" policy toward religion after World War II, the Soviet government opened one Islamic theological school in Bukhara in the Uzbek Soviet Socialist Republic.[15] Until 1920 an Islamic theological school in Bukhara had 17,000 students whereas the present school (Mir-Arab) has 100. The programme uses the Arabic script and is in the Uzbek language. It lists language courses in Russian, Uzbek and Persian, and the course "The Soviet Constitution," in addition to the classical theological subjects. Choice of the candidates for this school is in the hands of the Department of Religious and Cultural Affairs of the Council of Ministers. Several authorities point this out as evidence for their statement that the Bukhara school has two purposes: (1) to train mullahs who will cooperate with the Soviet government, and (2) to prepare Communist agents for work in other Arab countries. That these purposes may be often realized in one and the same person is evident from conversations held in Mecca in 1956. "Pilgrims" from the USSR admitted that they had been instructed to report everywhere abroad that Islam enjoyed real freedom in the Soviet Union.

It is reported that another Islamic academy forms part of the Central Asiatic University in Tashkent. This school, however, appears to be even more Soviet-controlled than the Bukhara institution, and its value to religion is probably nil.

Unlike the Christians, who are permitted a very limited publication programme, Moslems have no publications of their own. Very limited editions of the Bible have appeared in Russia, but, so far as is known, there has been only one printing of the Koran. Publication in Arabic letters would be of little use, since, except for the 100 students in Bukhara, Arabic is not taught anywhere in the USSR. The review entitled *Moslem Religion*, which was announced by Radio Moscow in 1957, has yet to appear. Thus, up to the present, Islamic peoples of the Soviet Union have been unable to publish any literature of their own.

OUTLOOK

After 40 years of intense persecution of Islam by the Soviet Government with all the forces at its command, what remains of Islam in the USSR? Some quotes from recent Soviet writers are indicative. Khasurov, Secretary of the Tashkent Komsomol (Communist youth organization), stated recently: "Lately the Komsomol organizations have diminished their anti-religious programme among young people. It is no secret that a certain group of young people is still under the influence of religion. This group visits the mosques and performs the rites."[16] Shelepin, former Secretary of the Central Committee of the All-Union Komsomol, complains that "it is a well-known fact that religion does the cause of Communist education much harm." Young people of Islamic faith have been particularly reluctant to join the Komsomol, and statistics show a very small percentage of Moslems in its membership. *Komsomolskaya Pravda* states on December 22, 1955, that in Turkmenistan "many people still attend the mosques and celebrate religious holidays—not only men and women of the older generation but even school children and young people from the collective farms."

From 1954 to 1956 a special team from the Soviet Academy of Sciences conducted a secret survey of the religious situation in two regions of Turkestan. *Soviet Ethnography*, in publishing parts of the survey report, admitted: "There are many believers among women, men and young people, who fulfill all Islamic rights, of marriage, burial, circumcision, fasting." The journal reiterated its demand that parents cease educating their children in the religion of Islam.

Writing in the same publication in 1957, G. D. Snesarev, an "eminent Soviet scholar," spoke of the extraordinary vitality of Islamic religious beliefs. He would not have agreed with this statement by Professor Richard Pipes of Harvard University: "There can be no doubt that religion has lost its hold on the new generation and that Islam as a way of life is as much a thing of the past as Christianity is in the West" (*The New Leader*, New York, December 29, 1958). Snesarev declared that although orthodox Islam has been weakened and the number of persons observing the fasts and other religious occasions, as well as the number of persons with a knowledge of Arabic, is diminishing, "a religious movement is being born before our very eyes in the regions where Islam was once widespread. This movement strives to adapt the religion to modern conditions; it accepts every compromise and tries to modernize Moslem dogmas." Snesarev felt that the strong bonds of the family and of the clan were the chief reason for this persistence of Islam and went so far as to propose the destruction of the entire traditional Islamic society. Monteil in his detailed study of the Islamic peoples in the Soviet Union analyzed the situation by classifying society according to age, sex, and degree of culture. Here are his conclusions.

The old people, in general, remain believers, but it is a question of how profound is their knowledge of Islam. "With them the past is dying out, unless at home they have some influence on their descendants."

The majority of the youth is de-Islamized, but there are, of course, the exceptions, like the 100 theology students in Bukhara, who still say their prayers. With all respect to their grandparents, the religion they receive from them is "only the reflection of a reflection."

As a rule, women still are believers. A question about the depth of their religious faith is raised by Monteil, particularly in view of the inadequate amount of education permitted to women.

The majority of the population, while

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[13] S.T., p. 21

[14] F.M., p. 4

[15] E.T.R., p. 76

[16] M.S., pp. 181, 182

outwardly accepting all the repressive measures of the government, continues to follow all the old national and religious ways in private, but Monteil wonders how much of this observance is national tradition and how much real religious faith.

The Marxist-educated intelligentsia in general is opposed to all religion, including Islam. Still, great veneration for Islamic traditions exists among its members, who apparently fulfill some of the Islamic rites. This attitude may again be interpreted as being partly motivated by a natural cultural resistance to the continuing Soviet effort at denationalization. Monteil reports that the majority of the remaining Islamic clergy has made some sort of concordat with the Soviet system—an adaptation which is true of the Christian clergy as well. An old Mufti in Tashkent, when asked how he could reconcile the principles of Marxism with the precepts of the Koran, replied that in the USSR "every citizen is free to choose his own way—ours passes by the mosque." But Monteil remarks that the Mufti's is a very old mosque, untouched by the winds of reform which are blowing in other parts of the Islamic world. Living in isolation, Islamic peoples in the USSR are not reached by modern Islamic trend of thought. "But," says Monteil, "these Moslem clerics are anything but traitors to their faith. It is not for us to judge. Like the clergy of other faiths, they have made choices of whose difficulty outsiders can have no idea, in the desire to preserve what is possible of the faith of their fathers."

The unrelenting Soviet effort to destroy one religious group in its entirety continues. It will have to go on for still a long time before Islam is wiped out. Klimovitch admitted in 1956 that "Islam is one of those religious survivals of which still remain among a portion of the population in the republics of Central Asia and Kazakhstan, the Caucasus, Tatary, Bashkiria, and several other regions of the RSFSR." [17] Of course no statistics are available, but the constant appeals of Soviet writers for intensified campaigns against these "survivals" are some indication of the task which the Soviet antireligionists are facing.

Observers in the Soviet Union report that all Christian churches are crowded; the same is true of mosques. The overcrowding may be due, however, to the scarcity of places of worship. There is only one mosque in Moscow, for instance, and it is always overfilled. On special Islamic religious holidays the streets around the mosque are so crowded that traffic is completely stopped. In separate conversations on religion with two Moslems in Moscow—in both cases it was the Moslem who began the discussion—the chief points raised were reasons for belief in God and in the immortality of the soul. "Are there many unbelievers among you?" "Only one in a thousand," was the reply "and he only halfway."

It is evident that 40 years of intense, psychologically planned effort to eliminate Islam from the USSR have not been without effect. The sweeping changes in social life, the attacks against Islam as outmoded, unscientific and harmful to the state, all the possible forms of moral and physical pressure on believers, have evidently reduced the number of the Islamic faithful, with the major decrease among youth. The almost complete suppression of Islamic theological education raises the question of whether, after a few more decades, any Islamic clergy will remain. The real extent of the modernized-Islam movement described by Snesarev is unknown, and its future is an open question. An open question, also, is the ultimate survival of Islam in the USSR.

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PUBLICATIONS OF THE AMERICAN COMMITTEE

The American Committee for Liberation makes available on request a number of publications dealing with its work as well as with the activities of Radio Liberty and the Institute for the Study of the USSR. Among these are:

"Peaceful Co-Existence!" What It Means to Khrushchev, 17 pp.: A study by a former professor at a leading Soviet University based on the statements of Khrushchev, the writings of Lenin and Stalin as well as current Soviet pronouncements on the problem of "peaceful co-existence." It analyzes the Communists' understanding of "peaceful co-existence" as a tactical maneuver directed at gaining time to prepare for the future decisive battle against "capitalism."

The War Against Religion In The USSR—From Lenin to Khrushchev, 20 pp.: A study of the Soviet regime's policies respecting religion and religious institutions and activities, written by an American who spent a number of years in Soviet Russia shortly after the Revolution of 1917 and who recently visited the Soviet Union again. The booklet details the actions of the Soviet regime in the face of the persistence of religious faith and adherence to religious institutions on the part of millions of Soviet citizens.

Communicating With the People Behind the Iron Curtain, 16 pp.: In April, 1957 Howland H. Sargeant, the President of the American Committee for Liberation, spoke on this topic at The New School in New York. This booklet, giving excerpts of his remarks, provides a valuable insight into the philosophy of broadcasting to Iron Curtain countries, particularly as it applies to Radio Liberty.

Foreign Trade As an Instrument of Soviet Policy, 10 pp.: The Soviet Affairs Analysis Service, a department of the Institute for the Study of the USSR concerned with current developments in the Soviet Union has prepared this study based on the theme that trade is becoming one of the most important weapons in the Soviet arsenal.

[From the Christian Science Monitor, Sept. 5, 1964]

ISLAM FADES IN UZBEKISTAN

TASHKENT, U.S.S.R.—The crumbling or converted mosque is a symbol in Uzbekistan, which with 10 million people is the most populous of the four Soviet republics of central Asia.

Before the 1917 revolution this corner of the Russian empire was almost entirely Moslem. Today Islam has been virtually obliterated as an important influence on the lives of the Uzbek people.

Women were in the background in Moslem times. Now they represent a vital component of Uzbekistan's labor force.

The official Communist Party line is that most people have abandoned religion because of social and economic progress, plus expansion of public education.

"But a certain section of the population continues to profess Islam and freely perform all religious rites," says official literature.

MOSQUES CONVERTED

The laws of the republic ostensibly provide for freedom of religion and freedom of antireligious propaganda. But it is easy to see which has had the most powerful impact. You find decaying and locked-up mosques. Others have been converted into apartment houses, libraries, shopping centers, movies, and public monuments.

The term "monument" is sometimes a euphemism. One mosque in Bukhara, described as a monument by the local guide, turns out to be a pool hall.

The authorities say 250 mosques operate in Soviet Central Asia. However, some are only makeshift or part-time ones.

While there is no authoritative figure on the number of practicing Moslems in Uzbekistan, one is told there are some 20 million in the U.S.S.R.

Ismail Mahdun Sattyev, deputy mufti for the central Asian republics and Kazakhstan, met visiting reporters in a reception room on the grounds of Tashkent's main mosque, Bara-Khan, built in the 15th century.

KORAN PUBLISHED

"There is propaganda against us, but we are convinced our faith is good and we are doing our business," he said.

Antireligious government propaganda attacks "mainly superstitions," he said, but it doesn't touch "the fundamentals of our religion."

Periodically new editions of the Koran are published here. In 1956 there was a printing of 4,000 copies and in 1960 one of 5,000.

While most of Uzbekistan's religious training schools have been closed or converted into museums, one still operates in Bukhara. It has 35 to 40 students.

Vice-Premier Sarvar Azimov of Uzbekistan says that when a mosque is closed it is usually at the request of the congregation.

Once women were not permitted to appear in public places without the veil. The new-generation Uzbek girl is well dressed and educated and has little time for quaint customs.

WOMEN AT WORK

Women account for one-third of all the labor employed in industry and 40 percent of all specialists with higher education.

A government brochure, offering an insight into the sort of values that prevail, says many women operators of cotton-picking machines "have become known far and wide in Uzbekistan."

Some of history's giants have figured in Uzbekistan's past: Alexander of Macedon, Genghis Khan, and his Mongol hordes, and Timur, commonly known as Tamerlane.

THE MILWAUKEE JOURNAL SUPPORTS THE REA CREDIT BILL

Mr. NELSON. Mr. President, the Milwaukee Journal on June 3, 1967, published an excellent editorial supporting the proposal to establish a Federal Electric Bank to help provide needed public and private capital to meet the needs of rural electric cooperatives.

The editorial shows an unusual understanding of the economic issues involved and of the important role which rural electric cooperatives play in the development of our rural areas. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FINANCING THE CO-OPS

Since the first rural electric cooperatives set up shop more than 30 years ago, this remarkable system has lit up a sparsely settled landscape that nobody else wanted to serve. But as urban development spilled into the countryside, the territory served by portions of some of these co-op systems became far more attractive and profitable.

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[17] G., p. 202

For years now this situation has generated sparks from critics, including commercial power companies. They note that the co-ops are still being subsidized by bargain 2%, 35 year loans from the rural electrification administration.

Faced with increasing heat from congress, the rural electric systems have proposed formation of a whole new credit system for the co-ops, using both federal and private money. A bill in congress would create a rural electric bank. The government would contribute $750 million to it in the next seven years. The bank also would sell securities to private investors to raise the rest of its capital. A similar bank would be established to serve rural telephone co-operatives, which also now borrow from the REA.

Systems with fewer than two customers per mile, or which own less than 40% equity in their plants, could continue to borrow at the 2% REA subsidy rate. Others in better financial shape would have to get their capital from the banks at rates reflecting their cost of borrowing money, both federal and private.

The changing times seem to call for some such shift, but not the outright dumping of co-ops on the private money market. Much of the territory they serve still is anything but lush. On a national average, rural electric systems say they serve only 3.5 customers per mile of line compared with 34 per mile for commercial companies.

The goal in all of this must be gradually to retire government funds from the banks, to shift support to private investors and eventually to wean the co-operatives from federal borrowing altogether.

LYNN STALBAUM CITES ISSUES INVOLVING PUBLIC INTEREST

Mr. PROXMIRE. Mr. President, Lynn Stalbaum, of Racine, Wis., a product of one of our Wisconsin farms who has gone on to distinguished service in the State legislature and the U.S. Congress, gave an excellent address to the 29th annual meeting of the St. Croix Electric Cooperative on June 8.

Mr. Stalbaum reviewed the great contribution which locally owned rural electric cooperatives have made to our State, and he also dealt with problems involving automobile and tire safety, corporate mergers, and the current investigation into prescription drugs.

This is a thoughtful speech on issues involving the public interest, and I ask unanimous consent that it be printed in the Record at this point.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of Hon. Lynn Stalbaum, at the 29th Annual Meeting of St. Croix County Electric Cooperative, Baldwin, Wis., June 8, 1967

As has been indicated to you in the introduction, I am a Wisconsin farm boy, but must hasten to add that I grew up on the farm without the benefit of electricity. It was not until 1937 that electricity reached our farmstead, one-fourth mile off the main road.

It would be pleasant for me to stand here today and tell you that the ultimate source of power was through an REA-financed cooperative, but such is not the case. It was by a private utility. *The fact remains that until REA came onto the scene and threatened* to move into farm areas such as the one where I grew up in Southeastern Wisconsin, the private power companies had done *absolutely nothing* to encourage electrical development in the rural areas.

If memory serves me correctly, and 30 years or more is a long time to remember, the original bill which they wanted to submit to us to run power to our place back in the early 1930's was $1,300. Bear in mind this was just for the power lines to bring the electricity to our farm. It did not in any way cover the cost of the wiring and fixture installation nor the monthly charge for electrical service. And those of you who have grown up and have lived through the depression days of the 1930's, I am sure, will realize that $1,300 was about one year's gross income from the average Wisconsin dairy herd during those days.

After the threat of REA developed they agreed to provide our farm with service for a minimum charge of seven dollars a month for three years, which also applied against the electricity we used. We in turn had to agree to buy at least one of three major appliances. Seven dollars times thirty-six months is about $250.00—a long way from their original $1,300 figure.

I congratulate you tonight because you have overwhelmingly proven that individual farmers and other rural residents can successfully operate their own electric system. When St. Croix Electric Co-op was organized back in 1938, I am sure there were many prophets of gloom and doom who said that this rural area could never be electrified. You have shown that they were wrong.

Although the record of your achievements in rural electrification is an illustrious one, it is well to keep in mind that the rural electric co-ops were and still are experiments, experiments to test whether individuals can control their own economic welfare in a democratic and equitable manner. This testing has gone on, is going on—and will continue to go on.

An annual meeting, such as this, proves that the United States continues to offer individuals the opportunity to work together to meet a common need. Much has been written and said of late about the decreasing importance of the individual in today's increasingly complex world of bigness.

As you exercise your one-member, one-vote rights here today, you prove again—among other things—that each individual member of this cooperative is important—whether he buys 250 or 2,500 kilowatt hours of electricity a month.

Unfortunately, as merger upon merger concentrates more and more economic power in the hands of fewer and fewer people, hardly a day goes by without a report of some blatant abuse of power by the powerful—or as I characterize it—the arrogance of bigness. Let me tell you about some of these.

In an effort to silence auto safety critic Ralph Nader, General Motors hired a detective to pry into every facet of Mr. Nader's life, looking for some derogatory incident with which he could be discredited. What had Mr. Nader done to warrant such treatment? He had said that the Corvair was not a safe car. And so—rather than argue with him—they attempted to destroy him. His right to express himself on a serious problem was not to be considered. Nor apparently were they concerned about those who might be killed or maimed from using their unsafe product.

When Wisconsin's own Senator Gaylord Nelson and a subcommittee he heads, opened hearings on drug prices last month, the Pharmaceutical Manufacturers Association labeled the inquiry as "another inquisition".

What Senator Nelson's group is really seeking is the answer to a question which vitally concerns the health and pocketbook of every individual—namely, why does a patient have to pay a significantly higher price for a drug which has been prescribed by its brand name than he would have paid if the drug had been prescribed by its generic or scientific name?

Dr. Richard Burack of the Harvard Medical School has pointed out that if a doctor prescribes a drug by the brand name of a pharmaceutical firm, his patient may pay ten times more than if the drug had been ordered by its generic or scientific name.

The drug industry, Dr. Burack points out, spends at least $600 million a year in advertising and sales campaigns directed at doctors. Since there are approximately 200,000 prescribing doctors in the U.S., the drug companies are spending 3,000 advertising dollars per year on each doctor. The effort pays off—for the drug industry. 90 percent of the prescriptions written each year specify brand names and the druggist—by law—is not permitted to use less expensive substitutes.

Senator Nelson's Committee also learned that city and county drug-buying agencies feel the price squeeze almost as much as do individual consumers. According to surveys made by his Committee, the city of Atlanta, for instance, paid $22.60 for 1,000 units of Dexedrine—almost 40 times more than New York City paid for the same quantity of this drug. 100 units of an antibiotic cost San Francisco $25; New York bought it for $6.73. Why is the differential so great? Because New York City accepts competitive bids from both generic and brand-name manufacturers.

Obviously, the Congressional hearings on drug prices are focusing the national spotlight on some facts which the Pharmaceutical Manufacturers Association would prefer to keep in the shadows. But by attempting to label it an "inquisition" Big Business—in this case, the Big Drug Business—is exhibiting another example of the arrogance of bigness.

There are those who argue that Big Business is good because mergers result in more efficient operation which, in turn, benefits the individual by lowering the cost of goods and services. This "trickle-down" theory is fine (and I don't quarrel with it) as long as the cost saving benefits of big business are allowed to "trickle down" to the individual, rather than being siphoned off at the top.

An informed public—which really means a citizenry which is made up of informed individuals—is our best defense against the arrogance of bigness. But our sources of information are constantly being threatened by Big Business attempts to pressure and influence—either directly or indirectly—the news media. Recent hearings held before the Federal Communications Commission revealed the blatant attempts by Big Business—in this case, the big International Telephone and Telegraph Corporation—to "manage" the news for its own benefit.

Briefly, here's what happened: Last December, the Commission, after only two days of hearings, voted four to three to approve ITT's (application to merge with the American Broadcasting Company, which is the country's third largest radio and TV network. The Commission majority accepted at face value the promises of executives of both companies that ITT's) worldwide interests—some of them involving foreign governments—would not be permitted to influence ABC's handling of the news. The FCC majority also overrode a Department of Justice opinion that the proposed merger raised questions of the "possibilities of adverse effects" on competition.

Wisconsin's Senator Gaylord Nelson and others protested the FCC action. As a result of his efforts and those of the Department of Justice, further hearings were held.

At these hearings, news reporters subpoenaed by the Justice Department told of the relentless pressure and badgering to which they had been subjected by ITT in the weeks after the merger case was reopened. A United Press International reporter termed one of the calls to his editors as "an obvious economic threat" in view of ABC's role as a big customer of UPI's radio and television news reports.

Eileen Shanahan of *The New York Times* testified that her coverage of the proposed merger had prompted five or six telephone calls or visits from ITT officials. One of them, the senior ITT vice president for public relations, made what Miss Shanahan described as "accusatory and nasty" comments about her coverage and asked if she didn't feel she had a responsibility to the shareholders who might lose money as a result of what she wrote.

The obvious point which this ITT vice president completely ignored is that, as a newspaper reporter, Miss Shanahan has a responsibility to the general public to report the facts. The function of the news media in a free and democratic society is not to protect the financial interests of stockholders of giant corporations.

Again as in the drug situation the story has a Wisconsin twist—again it involves Senator Nelson. The story was put out by these companies that Gaylord Nelson, working with Commissioner Nicholas Johnson in the FCC was praparing legislation to force every newspaper to divest itself of any radio or television holdings it had. As Senator Nelson personally told me there were two things wrong with the story. First, he had never met any Mr. Nicholas Johnson in the FCC and second he had never considered introducing such a bill. Yet this story was given to Wisconsin reporters, among others, presumably to intimidate our good Senator. To quote him: "The whole thing was nothing but a plain lie by them."

CHAMBER OF COMMERCE AND MODERNIZING LOCAL GOVERNMENT

Mr. MUNDT. Mr. President, many of us are concerned about the erosion of governmental authority and responsibility at the State and local level and the parallel increase in the influence of the Federal Government. This development disrupts the principle of balance that undergirds American federalism. Yet, it must be acknowledged that one of the basic reasons the States and localities are having difficulty in sustaining their rightful place in our federal system is the fact that private groups, local governments and especially the States have failed to collaborate and come up with meaningful, imaginative ways and means of adapting local governments to the population, technological, and environmental changes of this century.

The crisis that many local governments now confront is not merely the crisis of urban areas alone. Rural communities are also affected—especially those whose population and financial resources are on the decline. Unless local government in rural and urban America can be revitalized, our economic and political system will have little chance to solve urgent public problems effectively. All levels of government as well as key segments of the private sector of our society must come to grips with this vital question.

In this respect, I invite attention to a brief but imaginative brochure just issued by the Chamber of Commerce of the United States entitled "Modernizing Local Government." This excellent survey traces the origins of the difficulties now confronting local government, underscores the difficulties in achieving necessary reforms, and advances alternative courses of positive action to streamline the structure of local government.

The differing problems of metropolitan and nonmetropolitan areas are treated separately and suggested State constitutional amendments and enabling legislation are developed to eliminate any forestalling of community and areawide action programs by outmoded State constitutions and statutes. It should be noted that many of the modernization approaches recommended in this brochure have also been advanced by the Advisory Commission on Intergovernmental Relations on which the junior Senator from Maine [Mr. MUSKIE], the senior Senator from North Carolina [Mr. ERVIN], and I represent the Senate.

The national chamber is to be congratulated on their foresight in developing this program and policy and I hope that State and local chamber leaders will initiate vigorous action to carry it out.

I ask unanimous consent to have printed in the RECORD the text of the booklet and invite particular attention to the policy statement on "Modernizing Local Governments of General Jurisdiction."

There being no objection, the text of the booklet was ordered to be printed in the RECORD, as follows:

MODERNIZING LOCAL GOVERNMENT

(By the Chamber of Commerce of the United States, Washington, D.C.)

FOREWORD

A competitive market economy and a federal system of balanced national state and local government, combined with a tradition of social justice, have been the principal architects of America's achievements. Together, these institutions have provided an environment encouraging individual initiative and personal and group action. Together they have been the cornerstone of America's success in producing goods for the greatest numbers, expanding personal freedoms and promoting human dignity.

These institutions are today being seriously challenged. Complex problems caused by growing population, dramatic technological changes and rapid urbanization are placing intensive demands on them. Unless these problems can be solved within the framework of the competitive market economy and a balanced federal system of government, these institutions could be significantly altered and the environment needed for individual initiative and personal and group action could be damaged.

It is increasingly evident that a major obstacle to solving today's problems is insufficient action at the community level. And a prime reason for this is local government that lacks the kind of structure which permits flexibility to meet public needs. Many communities have failed to adapt their local governments to the population, technological and urban changes of this century. Citizens have been apathetic. The result has been to discourage local action, to replace local leadership and private enterprise solutions with increasing dependence on government at the national level. It is this growing reliance on the federal government that could alter our economic and political institutions, and weaken local initiative and acton.

Businessmen everywhere increasingly recognize the need for more effective ways of solving community problems. They know that private enterprise action on local problems is necessary. Businessmen realize that they can involve themselves without violating their responsibility to make profits and expand job opportunities.

As businessmen involve themselves with community problems, they are becoming more aware of the need to modernize local government. Consequently, they are in increasing numbers committing themselves to help create flexible local governments that can be major instruments in community problem solving.

This publication is dedicated to that commitment.

WHERE IT BEGINS

In a nation with the highest standard of living, the broadest educational opportunities, the most sophisticated technology people have ever known, we have:

Cities choked with traffic
Millions of substandard dwellings
Rising crime and delinquency rates
Widespread social unrest
An environment becoming steadily more polluted
Vast deteriorating commercial areas.

These problems—and others—seem to defy traditional approaches. The business of finding solutions is taxing the imagination and resourcefulness of Americans. It is imposing great demands on our institutions—social, economic and political.

The challenge is heightened by the price of failure.

The nation's future depends on solving these growing twentieth century problems. The question is not "whether" but "how." *Clearly, if solutions are not found within the framework of balanced private enterprise and federal-state-local government arrangements, other ways will be sought.* People will not, for long, tolerate inaction or failure.

But today, private enterprise and state and local governments are severely handicapped in developing imaginative solutions to pressing public problems. Outmoded local government structures straitjacket public flexibility and stifle private initiative. Some metropolitan areas are made up of from fifty to several hundred political subdivisions. Many counties and cities elbow each other abrasively. Adequate tax sources are lacking. Effective administration has not been developed. Too often, states do not provide the technical and financial help that local governments need and cannot obtain from any other source. State help is especially needed by cities suffering from growing pains—growing pains heightened by the influx of thousands of undereducated, unskilled migrants and by the exodus of middle- and high-income leadership to the suburbs. Likewise, help is needed—and not always offered—in rural communities bypassed by prosperity.

Unless local government is revitalized, our political and economic systems, as we now know them, will have little chance to solve public problems effectively. Governments of yesteryear must be remodeled to fit not only today's, but also tomorrow's needs.

PREPARING FOR ACTION

Action to improve government is not easily generated. Action often involves legal procedures requiring patience and skill to follow through. Action must often overcome the fear of change itself. Public apathy is often an obstacle. A public which is irate over traffic congestion may be placid about governmental inefficiency or incapacity on other fronts.

Public interest in streamlining government will normally be only as strong as the public's desire to satisfy community and area needs that cannot be met without better government. A first step to improve government, therefore, is to identify community and area needs and to identify governmental changes necessary to satisfy them.

To do this, more and more communities and areas are entering into programs of "Total Community Development."[1] Total community development, as outlined by the National Chamber, encourages area and community economic, social and political groups to coordinate action for community improvement, including the modernization of government. Total community development, so defined, can help:

Determine economic, social and political goals toward which the community and area should strive;

Identify and understand community and area problems—including poor government—standing in the way of these goals;

Determine priorities in attacking these problems;

Obtain public support and cooperation in solving these problems and in achieving community and area goals.

This "total" approach involves a systematic analysis of problems in which study teams of informed persons seek out all available methods of solving problems.

Local chambers of commerce are particularly well fitted to coordinate these efforts because of their broad interest in community affairs, their access to community leaders and the considerable human and physical resources local chambers can apply to problem solving.

Coordination is the key to success. Total community development, in the majority of places, must involve broad community participation to succeed. Social and political groups, in addition to local chambers of commerce, can and should play a central role.

Recent studies of local governments suggest several criteria that can be used by individual communities or groups of communities in an area to measure the effectiveness of their political machinery. These criteria can be put in the form of questions:

1. Are local governments large enough in area and population to act effectively on community problems and opportunities?
2. Are they willing and able to raise sufficient revenue equitably?
3. Are they willing and able to adjust boundaries to meet changing conditions?
4. Are they organized to handle effectively a variety of functions?
5. Are they accessible to and controllable by the people they serve?
6. Are they able to attract qualified public servants?

"No" answers to these questions can mean serious governmental problems. In that case, action is needed.

COURSES OF ACTION TO MODERNIZE LOCAL GOVERNMENT

Community, state and national organizations and institutions have done considerable research and developed suggested courses of action to modernize local government. Some of these courses of action are listed below. They tend primarily to permit greater structural and financial flexibility and higher levels of technical competence in administering local governments. Each course of action has its strengths and weaknesses. Each must meet the test of political reality in a given community. Sources for complete information on all courses of action are listed on page 23. Sources for reports on local area and state experience are listed on page 22.

The following modernization approaches presume that state laws and constitutions permit such courses of action at the local area level.

For metropolitan, suburban, or rural areas

Metropolitan, suburban and rural area communities may elect to:

Adopt municipal and county forms of government best suited for a given community and area (strong mayor or council-manager).

Establish a voluntary association of elected officials of local governments to promote coordinated action to solve area-wide problems where there are mutual economic development interests.

Transfer functions between municipalities and counties to achieve the most efficient and effective performance of specific functions.

Contract with other local governments for the performance of functions, services and joint enterprises where such contracting will better meet community and area public needs.

Use extraterritorial powers to guide development outside municipal boundaries and to promote sound area-wide governmental structure and services.

Annex unincorporated areas to avoid proliferation of new and uneconomic units of government in urban areas.

Authorize counties to undertake those urban activities that can be performed more effectively and efficiently on a county-wide basis.

Establish an equitable tax system by (a) repairing administration of the property tax, and (b) placing more emphasis on non-property tax sources which coincide to the extent possible with the boundaries of the trading and economic area, and that can be piggy-backed as a supplement to a state-wide tax.

Invest idle public funds.

Utilize state government expertise and enforcement resources.

For metropolitan areas

Metropolitan area communities may consider further actions which would:

Establish a council of governments, a voluntary association of elected officials of metropolitan area local governments to promote coordinated action to solve area problems;

Establish an "urban county" by enlarging county responsibility for urban services in all or part of its jurisdiction;

Establish state responsibility for cost and operation of certain services, such as environmental pollution control, water supply and specialized crime laboratory facilities;

Annex unincorporated territory; consolidate with other incorporated units, or both;

Consolidate county and cities of an area into a single government to perform all functions; or, consolidate county and cities for the performance of certain functions, retaining separate city and county governments for other functions;

Establish a federated system of government wherein area-wide functions are assigned to a "metropolitan government," and local functions are performed by existing local governments;

Levy an area-wide tax to underwrite area-wide functions and distribute resources to local governments on an equalizing basis.

POSSIBLE ACTIONS TO MODERNIZE STATE RESPONSIBILITIES, PROGRAMS AND SERVICES TO LOCAL GOVERNMENTS

A community and area-wide action program to modernize local government may reveal that certain actions are inhibited or forestalled by outmoded state constitutions and statutes.

If these obstacles exist, action at the state level is needed. Wherever possible, communities participating in such action may want to coordinate their efforts through state chambers of commerce, many of which are already involved in action to remove obstacles at the state level. State chamber efforts often include other state-wide organizations with a stake and an interest in better state and local governments.

Suggested constitutional amendments and enabling legislation needed to authorize and to help local government modernization have been developed and are available. They deal principally with:

Establishment of state guidelines and standards for local government reorganization and modernization;

Easing of restrictions on local government taxing and borrowing authority;

Authorization for municipalities and counties to adopt a form of government best suited to effective and efficient performance;

Authorization for municipal annexation of unincorporated areas;

Authorization for inter-local contracting and joint enterprises among local governments;

Authorization for voluntary interchange of functions between municipalities and counties;

Authorization for the creation of metropolitan area study commissions;

Authorization for the creation of metropolitan area planning bodies;

Establishment of a state government department of community affairs to bring together functions that aid communities in meeting local government problems;

Development of inter-local cooperation acts which include authorization to plan, perform and finance functions and services across state lines;

Assistance in resolving differences among local government jurisdictions.

Complete information on all suggested state constitutional amendments and state legislation is available.

NATIONAL LEVEL SUPPORT FOR LOCAL AREA GOVERNMENT MODERNIZATION

The National Chamber federation has coordinated with the National League of Cities, the National Association of Counties, the United States Conference of Mayors, the National Municipal League, the International City Managers' Association, the Council of State Governments, the National School Boards Association, and the Advisory Commission on Intergovernmental Relations to produce this brochure. Materials and help on local government modernization are available from each of them.

Along with the National Chamber, these other national organizations emphasize that decisions and actions to modernize local government are matters properly within the province of state and local area citizens and their leaders. They trust that this brochure may provide some helpful guidelines. They urge their local and state affiliates to work together to help develop and gain area-wide support for modernization actions which are needed in their respective areas.

The National Chamber hopes that chamber leaders and individual businessmen will initiate local area action through local chambers of commerce and initiate needed state action through state chambers of commerce.

HOW TO DO IT

Area community leaders, through the coordinating efforts of local chambers of commerce, may want to consider taking the following steps:[2]

1. Discuss needs for modernizing government with a small number of leaders of private groups and local governments.

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[1] For a detailed definition of "Total Community Development,"—the "why" and the "how" see: *A Leader's Guide for Organizing a Total Community Development Program*, Chamber of Commerce of the U.S., 1615 H Street, Washington, D.C. 20006.

[2] These steps coincide with those outlined in the National Chamber's publication, *A Leader's Guide for Organizing a Total Community Development Program*.

Begin to identify community and area needs that can be satisfied only by modernized government.

Identify other people and groups who have an interest in modernizing government.

2. Form a steering committee of such people who are (a) leaders and (b) willing to work to develop and guide an area-wide modernization program.

3. The steering committee can:

Further identify community and area needs that can be satisfied only by modernized government;

Identify broadly the governmental limitations that impede the fulfillment of these needs;

Determine committees needed to study governmental limitations and to develop means for achieving effective local area government;

Establish a timetable for completing the studies;

Plan an area-wide public meeting for representatives of area groups.

4. At area-wide meetings leaders would consider steering committee's work and:

Discuss and reach tentative agreement on realistic goals for communities and the area;

Discuss and further identify needs which modernized government can help meet;

Further discuss limitations of local area governments for which study is needed and for which remedial courses of action must be developed;

Discuss study committees suggested by the steering committee;

Approve a general timetable for completion of studies;

Authorize the steering committee to coordinate the program and to name appropriate study committees.

5. Study committees should then organize and:

Identify local, area, state and national research groups and individuals that can be called upon as consultants;

Examine needs;

Detail modernizing actions or alternatives to fulfill needs; propose actions and how to carry them out;

Report the above to the steering committee.

6. Steering committee can then:

Examine proposals;

Suggest priorities for action;

Advise administrative heads of local government units of action taken and request public meetings or hearings on proposals to gain public consensus;

Distribute copies of proposals to local groups and to news media and state and national legislative representatives for review and comment.

7. Organization leaders and general public discuss proposals, seek consensus and begin, through the coordinating efforts of the steering committee, community and area-wide action to implement agreed-on proposals.

NATIONAL CHAMBER POLICY STATEMENT ON "MODERNIZING LOCAL GOVERNMENTS OF GENERAL JURISDICTION"

Local government is the responsive "working level" of our governmental system and the counties, cities, and other general political entities that comprise it should each have a large enough area and population to operate efficiently and economically. While permitting the most effective citizens' response through democratic processes, local governments should have authority to work cooperatively with their neighboring governments or to consolidate to meet area-wide public service needs. They should be empowered to raise adequate revenues in an equitable way. Finally, in carrying out their responsibilities by balancing public needs and available resources, local government elected officials should be directly accountable to the voters.

All possible action to reach these objectives, under existing state authorizations, is encouraged. Where state authorization for action is needed, state constitutional amendments and state legislation should be adopted to:

1. Set up broad guidelines and standards to safeguard the statewide stake in efficient, soundly managed local government;

2. Strengthen local governments' taxing and borrowing powers and powers to change their structure and to undertake new functions;

3. Encourage local governments to coordinate on area-wide planning, assume governmental functions performed by special districts or authorities, contract with each other for the performance of functions, and consolidate into an area-wide government if area citizens desire;

4. Provide for state technical assistance to local governments on problems and opportunities for which the state had special expertise when such assistance is not reasonably and expeditiously available through ordinary business channels;

5. Provide state financial assistance to local governments as dictated by the public interest, including but not limited to shared revenues, grants-in-aid, and other incentives for improving local services and facilities;

6. Provide that the policy-making body of a city or county be elected by the people; that a single chief executive be either appointed by the policy-making body or elected by the people; and that all other officials be appointive and directly responsible to the appointing official.

The foregoing principles relate to local school districts, as well as other local government units. The role of local school districts is also further dealt with in other policy declarations.

ARAB-ISRAEL SETTLEMENT

Mr. PELL. Mr. President, if ever the importance of a high state of military readiness, the quality of leadership and of daring, have been demonstrated in the pages of history, it was done less than a month a go on the bleak sands and deserts surrounding Israel. Now that, because of her valor, Israel has acquired a position of strength from which she can negotiate, I believe all the countries concerned should concentrate on a constructive, sensible, long-range solution that will stabilize the area once and for all. I wish to compliment too, our President and our administration for their mature restraint and wisdom throughout the crisis. I only hope the same qualities will be brought to bear by all parties to the settlement.

Most important, Israel must be permitted to live and thrive in peace and security and be fully accepted as an independent nation by her neighbors. I believe this, not only for the sake of Israel, but because Israel has become a model of dynamic civilization and of cultural and economic development which might well be followed by other nations which have recently achieved independence. Personally I wish there were more states in the world as industrious, free-thinking, and civilized as Israel.

It seems to me that the border dispute resulting from the war can only be resolved if Israel herself recognizes that boundaries are likely to be more stable if established through negotiation and mutually agreed upon rather than by force alone. Since Israel is now in a far stronger bargaining position than she was before the conflict, there is a good opportunity to establish more viable borders than were set and reset after the wars of 1947 and 1956. We also must face up to the problem that as a national policy, our Government adheres to the views that neither boundaries not governments can be changed by external force alone.

I recommend these steps be taken to resolve the remaining problems that divide Israel and the Arab countries:

1. FACE-TO-FACE PEACE PARLAYS

Through the United Nations, we should insist that the Arabs sit down and negotiate on a face-to-face basis with the Israel representatives—thereby securing acknowledgment of Israel's sovereignty and very right to live as a nation. This could be done in the Middle East with a series of meetings alternately in Israel and in Arab nations. Probably the most propitious place would be the capital of a neutral nation.

2. REARRANGEMENT OF TRADITIONAL TROUBLE SPOTS

A real effort should be made in these negotiations to resolve the problems of those areas which have proved to be volatile and the source of friction—they are a threat to the peace and should be legally reconstituted. I am thinking specifically of the plight of Israel border kibbutzim right under the guns of Syrian border guards on the eastern shore of Lake Galilee; the Gaza strip where armed forces of Israel and Egypt glare at each other and provide a constant confrontation which can lead to clashes; and another bad area would be a divided Jerusalem.

It would be a wise Solomon indeed who could wave his wand of reason and bring about instant correction of these longtime, explosive juxtapositions between the Israelis and Arabs. Nevertheless, there are approaches which could be made under the aegis of the United Nations. I say this since under the charter all nations are equal there, and somehow its dignity and usual parliamentary decorum might create the proper atmosphere for building a durable peace.

Specifically I would suggest:

Declaring a demilitarized zone for the Gaza strip and along the Israeli-Egyptian border across the Sinai Peninsula.

Relocation of the Syrian borders east of Lake Galilee. I would urge the boundaries be adjusted to follow the natural divide of the ridges and heights so that Syrian guards do not have to resist the constant temptation of rolling stones or even of firing down into the vulnerable Israel kibbutzim; perhaps a DMZ could be laid along the dividing hills, policed by a United Nations Expeditionary Force—UNEF.

Establishment of an international status for Jerusalem with access from both Israel and Jordan, as well as pilgrims from other lands.

3. FREEDOM OF NAVIGATION THROUGH AQABA AND SUEZ CANAL

Right of free and innocent passage for all vessels, including those of Israel, should be provided—not only through the Gulf of Aqaba, but also through the

Suez Canal. There are simply no grounds for denying innocent passage to any country—which is not a belligerent enemy—through an international body of water, even if one country owns it or commands its entry. Rights should be similar to those granted daily through passages such as the Panama Canal and the Dardanelles.

4. RELATIONS WITH JORDAN

I would like to propose a permanent, binational organization to be formed by Israel and Jordan. Its purpose would be to integrate the Jordanian refugees into those two countries, with financial and administrative assistance from the United Nations Relief and Welfare Agency—UNRWA—it could also work to resolve the troublesome problem of the waters of the Jordan and most difficult of all, seek to settle the question of the lands west of the Jordan. If deadlock should ensue in any of these discussions, provision should be made for acceptance of advisory opinions by the International Court of Justice.

Unless a close working relationship is somehow reached with at least one of her many Arab neighbors, Israel will never have true peace in our time. The statesmen of both Israel and Jordan have right now an opportunity to perform a feat of creative diplomacy that would be an inspiration to all nations. For instance, it has been reported that Israel's Foreign Minister Abba Eban has proposed a small peace treaty under which, according to Time magazine:

> Israel, for example, would give Jordan—whose only present port is on the Gulf of Aqaba—an outlet to the Mediterranean. It would promote a joint program of economic and social advancement and a regional communication system that would permit rail and road traffic between Egypt and its Arab brothers from Saudi Arabia to Lebanon.

I believe that the young and articulate King Hussein could prove a key personality in achieving such a settlement. If they could succeed, this handiwork could be a fitting memorial to the many brave soldiers, as well as the innocent civilians, who fell in the war.

5. REFUGEES

Refugee camps in the Gaza strip and in Lebanon should be disbanded and an agreement reached as to how the inmates should be resettled. The refugee shame must be liquidated once and for all. It is a crime against humanity to incarcerate a million people for 20 years simply as pawns in an international political disagreement. And here I must add that I believe this problem could have been resolved by the Arab nations if they had really desired to do so.

It seems to me that if the Israel diplomats can handle themselves at the conference table with the same ability and skill that General Dayan and his fighting forces showed in the military arena, many of these objectives can be achieved.

GOVERNMENT BILLBOARDS AND HIGHWAY BEAUTIFICATION

Mr. WILLIAMS of Delaware. Mr. President, in 1965 Congress enacted S. 2084, the purpose of which was to remove all billboards from along our Nation's highways. This measure was submitted to the Congress with the strong support of the administration on the basis that it was a major part of the beautification program as being supervised by Mrs. Johnson.

Today I call the attention of the Senate to the manner in which the Federal Government is developing into one of the worst violators of this program, which was designed to remove the billboards from our Nation's highways.

During the past 5 years in just two agencies, the General Service Administration and the Department of Transportation, our Government has spent approximately $4½ million in the purchase and erection of approximately 70,000 billboards to be placed along our Nation's highways and in front of the various Government buildings. The sole purpose of these billboards is to make sure that the voters in the next election understand that the building projects or the road improvements are as a result of the benevolence of one of the Great Society programs.

As if these 70,000 billboards were not enough, the administration recently asked Congress to appropriate $2 million to pay for more billboards for the use of political candidates.

This greatly expanded use of billboards by the Johnson administration is in direct contradiction of its own program to remove them from our Nation's highways.

This contradiction has led some cynics to suggest that the Great Society will next be launching a new program to purchase another 50,000 billboards to be used for the special purpose of advertising to the American people the Johnson administration's violent objection to billboards.

At this point I ask unanimous consent to have printed in the RECORD a letter dated June 7, 1967, signed by Mr. F. C. Turner, Director of Public Roads, confirming that the Bureau of Public Roads spent a minimum of $4,255,000 in the last 5 years toward the procurement of a minimum of 69,000 billboards, and a letter dated June 9, 1967, signed by Mr. Lawson B. Knott, Jr., Administrator of the General Services Administration, confirming that that agency has purchased 771 billboards at a cost of between $100 to $200 each, to be erected on new construction projects financed with Government funds.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, BUREAU OF PUBLIC ROADS,
Washington, D.C., June 7, 1967.

Hon. JOHN J .WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Your May 16 letter to me requested a report on the number and cost of billboards that have been ordered or purchased by the Bureau of Public Roads during each of the past 5 years. We have not purchased any signs which are commonly classed as billboards.

The second part of your request pertains to the construction identification signs which are placed on projects to comply with the provisions of Section 8(f) of the Federal Highway Act of 1960 (P.L. 86–657, July 14, 1960) which are "on any project where actual construction is in progress and visible to highway users, the State highway department shall erect such informational sign or signs as prescribed by the Secretary, identifying the project and the respective amounts contributed therefor by the State and Federal Governments."

This statutory provision is now a part of the Subsection (a) of Section 114 of Title 23, USC. The instructions of the Secretary (now the Secretary of Transportation) are contained in Public Roads Instructional Memorandum 20–1–64 as supplemented by (1) and (2), copy of each enclosed.

During the past 5 years (1962–1966) the following numbers of Federal-aid contracts were awarded by the State highway departments and direct Federal contracts awarded by Public Roads or other Federal agencies for whom Public Roads acts as engineering supervisor.

Year	Federal-aid contracts	Direct Federal contracts	Total
1962	6,571	137	6,708
1963	6,780	111	6,891
1964	6,781	110	6,891
1965	6,113	164	6,277
1966	6,490	123	6,405
Total	32,735	645	33,380

Construction identification signs are generally furnished and erected, maintained and removed by the construction contractor. The work of providing such signs is not bid as a direct pay item. The costs of providing such signs is a subsidiary obligation of the contractor, covered under other contract pay items. While the signs meet certain general specifications with regard to size, lettering, and information, there are variations. Some are reused by repainting and relettering and some are fitted with movable panels by which the lettering may be removed and replaced as appropriate for the specific project. Accordingly, we can only make an approximation of the costs and present the following assumptions and estimates:

ASSUMPTIONS AND ESTIMATES

A minimum of two signs per contract.

One-third of signs used three times with relettering of project and fund amounts upon second and third usage. Initial sign cost $75.00, two reletterings at $30.00, total for three usages $105.00. Average per use $35.00.

Two-thirds of signs used one time only. Initial sign cost $75.00, including installation and removal.

Minimum number of signs in 5 years, 69,000:	
23,000 times $35	$805,000
46,000 times $75	3,450,000
Estimated total	4,255,000

We trust the foregoing provides the information you requested.

Sincerely yours,

F. C. TURNER,
Director of Public Roads.

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., June 9, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: The following is furnished in response to your letter of May 16, 1967, requesting information as to the number of construction signs erected by this agency at the sites of public building projects during each of the past five years:

Number of signs erected

Year:	
1962	100
1963	129
1964	218
1965	216
1966	108
Total	771

It is common practice to erect signs of this nature on all construction projects whether they are Government projects or projects for private ownership.

The signs are used to identify the project. They are of assistance to suppliers of materials, persons seeking employment, and others having business at the project site. The cost of such signs ranges from $100 to $200.

I trust that this information is responsive to your inquiry.

Sincerely yours,

Lawson B. Knott, Jr.,
Administrator.

ADDRESS BY SENATOR MURPHY AT "RALLY FOR ISRAEL," IN LOS ANGELES

Mr. DIRKSEN. Mr. President, on June 11 the distinguished Senator from California [Mr. Murphy], together with Governor Reagan, Mayor Yorty, of Los Angeles, and other distinguished guests, participated in a rally for Israel at the Hollywood Bowl, in Los Angeles.

I ask unanimous consent that Senator Murphy's remarks at this important event be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Rally for Israel

(Speech by Senator George Murphy, Hollywood Bowl, June 11, 1967)

Your Excellency, Governor Reagan; Mayor Yorty; Mr. Chairman; Distinguished Rabbis; and my friends.

I would like to congratulate you all on this great meeting, and to thank you for the privilege of being permitted to take part in it. It seems to me that we come here today not so much to celebrate a victory as to express our appreciation for what the nation of Israel has done for the people of the world.

Once again this past week the Jewish people—as they have so often done through the centuries—have given people everywhere a lesson which we must hope will be long remembered.

First and foremost, we saw an exhibition of tremendous courage. And finally it has been laid bare for all to see who are the real troublemakers in the world today.

The threat to Israel's freedom and territorial integrity could never have materialized without the dictatorial ambitions of Mr. Nasser and the military assistance promised and given by the Soviet Union.

It was Russia and the Soviet powers who first contributed to the gathering storm by denouncing the presence of the United States Sixth Fleet and demanding its removal from the Eastern Mediterranean. This great force, you will recall, has been a force to keep the peace and stability of the area for many, many years.

It was the Soviet Union who, by a threatened veto in the week immediately preceding the outbreak of war, prevented the return to the Middle East of the United Nations Peacekeeping Force.

And it was, of course, the Soviet Union who gave moral support to the aggressive and illegal actions of Nasser and the United Arab Republic which precipitated the war.

This brings us to the next lesson of recent events.

The question is whether the United Nations, as it is presently constituted, can in fact meet the responsibilities that we impose upon it and fulfill the hopes and prayers that so many of us have held for its success for so many years.

Because of the veto power, no effective action was possible to prevent the recent war. We hear it said often that it is better to have people talking at the U.N. than fighting on battlefields. Well, I listened to a good deal of talk at the U.N. in recent weeks and I can only conclude that that august body has been providing a gigantic sounding board for the dissemination of lies and distortions and untrue propaganda by the Soviet Minister and some of his satellites.

I call your attention to his accusation two days ago of the use of Nazi tactics which he blamed on the valiant Israeli. I call your attention to his speech of ten days ago where he, for one hour, accused the United States of America of being the aggressor all over the world for the last several years.

Now if what he said about the United States of America was true then I submit that we, the United States, should be kicked out of the United Nations. And if what he said was not true, then I recommend that he be kicked out of the United Nations.

Finally, war came. The question as to who fired the first shot is academic. The real culprits and the master plan to destroy Israel were obvious. Mr. Abba Eban, Israel's Foreign Minister, summed it up quite well, I think, when he said that Israel had refused to cooperate in the plan for her extinction.

And this brings us to the third lesson—a dramatic example of how to deal effectively with the troublemakers who today probe and threaten all over the world to find trouble spots and hot spots where they can ignite further conflagrations.

A small but gallant and determined people, united in a cause that they knew was right and just, realizing no alternative was possible, employed what force they had and they employed it, I must say, with striking success. And I point out to you that they did not wait to let world opinion decide what their course of action should be. They did not worry about phrases like "measured response," "escalation," "proliferation," and the rest. They did what had to be done. They knew they were in a fight for their lives and they fought to win. And win they did—quickly and decisively.

What was the result?

The result was that the Soviet Ambassador to the United Nations, who had prevented measures to avoid war, was of course in the forefront in the clamor for a ceasefire. Their bluff had been called and, like all bullies, they ran when the going got tough.

The full lesson, I believe, is very simply this: The forces of tyranny will always be turned back when the forces of freedom act in the knowledge that they are right and with the willingness to use whatever honorable means are necessary to preserve that right.

From these lessons I believe we can find the key to the just and lasting peace we all want, not only in the Middle East, but throughout the entire world. And it is my sincere hope that the terms of the final settlement will reflect the same strength and wisdom and determination which Israel displayed so courageously last week.

The time has come when Israel must be recognized as a sovereign State by all nations. And the final peace must be fair, the peace must be honorable, and it must—by all means—be permanent.

We must demand that it be so.

I thank you.

HOW THE SMALL BUSINESS ADMINISTRATION AIDS BIRMINGHAM, ALA.

Mr. SPARKMAN. Mr. President, if you study the history of practically any American city you will find a familiar theme appearing again and again. Almost without exception, the struggles, failures, successes, and growth of the American city are accompanied by a corresponding series of struggles, failures, successes, and ultimate growth of small business. Just as the growth of America's economy and industrial might can be traced to hundreds of thousands of small businesses, the story of the growth of most of our metropolitan areas can also be traced to these same roots. Most of our great cities began small, their economy based almost entirely on small business. Then the city, and the firms it nurtured, grew up together.

There are, however, exceptions to this general history of the American city. I think the story of Birmingham, Ala., is a particularly good example of a great American city that was given birth by big industry rather than small business.

Less than 100 years ago the city of Birmingham did not even exist. What is now a bustling metropolis of the South was, before the 1870's, nothing more than a peaceful valley in the shadows of a great mountain of red stone and pine trees. A railroad ran through this Jones Valley, and there was an occasional house or plantation along this line. But there were no significant business operations.

Then one day somebody discovered that the red stone of that mountain was actually high-grade iron ore. At the foot of the mountain, in Jones Valley, were endless deposits of coal and limestone. This is the only spot in the world where nature has provided all these essential ingredients for manufacturing steel.

The result of such a discovery is obvious. Suddenly, the city of Birmingham happened. The iron and steel industry developed. The almost overnight growth of Birmingham into Alabama's most populated urban area won for it the title "Magic City."

But the unusual story of the founding and rapid growth of Birmingham was not particularly magic for small business. Here small firms faced an unusual problem. They did not have the opportunity to ripen and mature with their mother city. The independent businessmen of the city, however, were determined to play a great part in Birmingham's future. If they faced unusually difficult problems, they were fortified with unusual zeal. I am happy to say that many of Birmingham's early small businesses have now "caught up" with their older counterparts, and are now booming industries, some international in scope. And many others have sustained the test of time and remain today perfect examples of sound small business operations.

A key factor in the growth of these small firms has been the assistance given them by the Small Business Administration.

SBA's responsibility includes aiding small firms with financial aid, managerial guidance, and assistance in the selling of products or services to the Federal Government.

Mr. President, I should like to cite for the Senate an example of one of Birmingham's soundest business operations, the Southeastern Products Corp., and how SBA has aided that company, and in turn contributed to the general economy of Birmingham and the State of Alabama.

Southeastern Products was organized when Birmingham had been founded only half of its present 95 years. Opening as a small downtown shop, Southeastern Products managed a slow but steady growth, even through times of national economic problems. The corporation was plagued with the usual problems of a small business, however. And the greatest of these was a simple lack of funds.

In 1954, the annual sales for Southeastern Products were $250,000 and 35 people were employed. At that time the management, under the able direction of Mr. Vernon W. Gibson, Sr., decided that additional growth for the company would require new facilities. The corporation had already reached prominence in its field, particularly in the Southeast, but it just did not have the funds necessary.

Southeastern applied for, and received an SBA loan in the amount of $115,000.

From 1955–61 sales volume doubled to one-half million dollars and employment rose to 50 employees. In the year 1961, sales totaled $1,119,000 with a new profit amounting to $14,600 and approximately $10,000 was paid in Federal and State taxes.

As growth continued, Southeastern expanded its outlets to cover many parts of the Nation. In 1964, additional expansion was necessary in order to meet demands. By this time, sales amounted to $1,180,000 with a net profit of $33,500 and taxes were paid in the amount of $35,000.

In order to accomplish their expansion program, another SBA loan in the amount of $250,000 was applied for and granted. Growth has continued to soar and sales are approaching the $2 million figure. Taxes in excess of $50,000 will be paid for fiscal year 1966. This corporation is now providing employment for approximately 80 people. Like many small businesses, this corporation did not have sufficient capital to finance its full growth potential.

Financial assistance from the Small Business Administration has provided this vital ingredient and helped the Southeastern Products Corp. to take its place among the leaders in its field.

The story of Southeastern Products is not unique to Birmingham nor to any city in the United States. Through my work with small businesses and their problems down through the years, I have seen countless examples of how SBA aids our business communities and the economy of the country.

Recently, in his proclamation of Small Business Week, the President stated:

> We recognize and applaud the contributions made by our 4.8 million small businesses. We must insure that they will continue to hold a vital place in our society.

I commend the President for this recognition of the Nation's small business community.

I would also like to call attention to the outstanding job which SBA Administrator Bernard L. Boutin is doing with his agency in carrying out the mandate of the President.

In the State of Alabama, from December 31, 1963, through December 31, 1966, the SBA has granted a total of 392 business loans amounting to $18,539,000. In the same period SBA granted 11 community development loans totaling $1,673,000.

The Small Business Administration is setting a fine example of how Federal agencies can work closely with local businessmen in the wise investment of the taxpayers' money to provide new jobs and in expanding local economy.

In my State of Alabama alone, the regional SBA office has approved more than $8 million in small business loans during the first 8 months of this fiscal year.

Mr. President, I feel confident that there will be many more success stories similar to that of Southeastern Products, not only in Alabama but throughout the Nation, thanks to the work of SBA.

CANADIAN BROADCASTING CORPORATION PROVIDES FILM OF UNIVERSITY OF WYOMING-MOSCOW UNIVERSITY DEBATE

Mr. HANSEN. Mr. President, I should like to take this means to thank publicly the Canadian Broadcasting Corporation—particularly its executives, Mr. Gordon Cullingham, of CBC's Washington office, and Mr. Hugh Salmon, export sales manager, Toronto, Canada—who, in cooperation with efforts by my office, have made available to the University of Wyoming a splendid film showing collegiate tournament debate between Moscow and Wyoming students at York University.

On April 1, University of Wyoming students Patrick Hacker, of Rock Springs, and Mike Anselmi, of Cheyenne, were a part of a team of students from eight U.S. universities who, by prevailing over their Canadian counterparts, won the privilege of debating Moscow University students on the controversial subject of U.S. involvement in Vietnam.

For political reasons, no winner in this debate was announced; but most observers who were either on hand or who saw the film of the debate were of the opinion that the University of Wyoming students definitely bettered their Moscow counterparts on all of the salient issues involved in the debate.

My office was successful in securing a copy of the film for showing on a noncommercial basis over several Wyoming television stations, and I am pleased now, as is the University of Wyoming, that the 90-minute film will be a permanent part of the film archives of Wyoming's State university, through the kindness and consideration of the Canadian Broadcasting Corporation.

PRIVATE VEHICLES AID POLICE

Mr. SMATHERS. Mr. President, recently the Small Business Committee, of which I am chairman, held hearings in connection with my bill S. 1484, which proposes the establishment of a Federal crime insurance protection corporation within the Small Business Administration.

During the course of these hearings we heard from witnesses in the Washington, D.C., metropolitan area, whose testimony bore stark witness to endemic fear and endemic crime in this city.

The committee hearings also produced suggestions on what additional steps private citizens might take to help reduce this onslaught of crime and, in so doing, help reduce the costs of criminal activity to the community.

One such suggestion was wider use of radio-equipped civilian automobiles to assist the police. The Small Business Committee sent one of its able staff members, Tim Ford, to participate in discussions on the establishment of such a volunteer force. So it is with some pleasure that I note that this morning's Washington Post reveals that efforts have launched in this direction.

I commend to the attention of the Senate the article entitled "Private Vehicles Aid Police," from the June 28 edition of the Washington Post, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRIVATE VEHICLES AID POLICE

(By Alfred E. Lewis)

The Metropolitan Police Department yesterday formally enlisted the help of 4000 radio-equipped volunteer vehicles to help in its war on crime.

Part of a crime-fighting campaign backed by the Metropolitan Washington Board of Trade's Committee to Reduce Crime—NOW, the participating vehicles include taxi cabs, Pepco trucks and other privately-owned vehicles.

The original campaign, called the Community Radio Watch Program, began several months ago with a few large fleet owners participating on an informal basis.

Chief of Police John B. Layton hopes the program launched yesterday will enlist many more business fleet owners.

Drivers joining in the campaign will be given brochures prepared by a radio manufacturer outlining their mission. It consists mainly of looking for unusual occurrences which should be brought to the attention of the police. If a driver sees such a situation, he will tell his own dispatcher, who will relay the information to police headquarters.

Police said they hope eventually to use private vehicles equipped with two-way radios in the program.

Already, Layton said, the informal watch has helped apprehend a number of purse snatchers.

He hailed the program as a "significant addition to existing law enforcement resources," but stressed it could also be of value in alerting police to non-criminal emergencies. Layton said, for example, that traffic jams can often be minimized if police are alerted quickly to their formation.

PUBLISHER PRAISES REA

Mr. SYMINGTON. Mr. President, recently the Rural Electrification Associations in Missouri sponsored a trip to Washington for some 105 essay contest winners, all high school students. While they were here, these fine young people and their sponsors arranged a dinner at which members of the Missouri delegation had an opportunity to visit with these fine young people.

The speaker at that dinner was Mr. Oliver B. Ferguson, publisher of the Fredericktown, Mo., Democrat-News, president of the Missouri Press Association, and just recently elected president of the board of curators of the University of Missouri.

Mr. Ferguson's talk presented some of his thoughts about the importance of the Rural Electrification program and the need for keeping the REA sytems alive and strong, serving their areas in Missouri and throughout the Nation.

I ask unanimous consent that his remarks be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Why I Am for the REA

Back in little Fredericktown, Mo. we keep hearing of "credibility gaps" in the nation's capital and in other areas of the country. There is no credibility gap so far as I am concerned in regard to Rural Electrification. For 20 years, my newspaper has fought for and editorialized about REA and I expect to continue this fight to extend and expand your program.

We Missourians believe the story of Rural Electrification and I want to recount to you three testimonials, brief though they may be, to indicate to you just how strong Missouri editors believe in rural electrification.

From north Missouri, Joe Snyder of the Gallatin Democrat and North Missourian, has this to say:

"I believe in a prosperous rural America, and the rural electrification program has contributed a great deal to keeping it up to the level it is today. Most rural areas, however, still lag behind the rest of the nation economically and socially. Now, that much of the territorial expansion of the REA is completed, I would like to see REA battle for a renewed and revitalized rural America through a program of industrial and social development. Certainly it is to their advantage to support such projects and within the present framework of their organization, both nationally and at the grass roots level, there must be the machinery for such activity."

This was from north Missouri from a competent and bright-eyed editor. From the south comes a message from Charles Blanton, Jr. in the cotton country. Mr. Blanton is publisher of the Sikeston, Mo. Daily Standard.

He says, editorially: "It is this editor's sincere belief that the rural areas of the United States would still be in darkness without the competent, efficient and popular operations of the Rural Electrification Administration. The Scott-New Madrid-Mississippi Cooperative which operates in our territory has done a magnificent job in bringing light and power to the farmers in their territory and their maintenance and service has not, to my knowledge, received a single complaint."

From the south let's move to central Missouri where The Honorable Secretary of State of Missouri, James Kirkpatrick, publishes the Windsor, Mo. Review. He notes:

"REA has been a blessing to the farm area around my home town of Windsor. Besides the obvious benefits of comfort and convenience in the farm home, REA is a stimulant to business in town, particularly to the sale of electrical appliances and fixtures, but also to such everyday items of home improvement. The REA farmer is a better consumer and a better customer than his predecessor of the coal oil lamp era."

We've darned near been around Missouri but I want to take you to the hill country around Fredericktown, Missouri. I have just passed my 50th birthday but I'm old enough to remember the days when it was a lark to go with my father to his timber lands and stay for a meal at some timber cutter's home. He had no appliances, no conveniences and if he operated a small farm to supplement his income, his work was done without power of any sort and the children were barely acquainted with the wonders of light and power. Today is a different matter. I still visit the homes of timber cutters. Refrigerators, deep freezers, electric razors, televisions, radios, dish washers, dryers and a myriad of other appliances are the order of the day.

Just such visits explain to me the difference of pre-REA days and the present power uses available. I recently asked an appliance dealer, in preparation for this little talk, what he thought might be the variance in his business in the past 25 years because of REA. An old timer in the business, he said that although competition had increased, he still felt that he had a 50% increase in volume because of the rural market—a market caused solely by Rural Electrification.

Let's assume then that we're all in favor of REA—what are we to do in the future toward the financing of future developments?

I think it particularly pertinent to the subject that back in the 1930's when REA was created, the cities in our state were 100% served and yet no one has ever concluded that the job of the investor-owned companies, nor the municipal systems, was complete.

It has been said that rural America is now 98% served. The big job is not completing service to the other 2% but it is keeping up with the tremendous growing demand for electric service. A person with a crystal radio set can receive programs but the advance of technology would leave the crystal set very undesirable today, even though you could say he has radio service.

Farmers have service to their farms but today are demanding 3-phase service, which is the new challenge before the electric cooperatives in the immediate future. Farms have become fewer but much larger in size and much more complex in their mechanics. Furnishing 3-phase power will be a very expensive undertaking but on the other hand its value will far overshadow the investment cost.

When one adds to the 3-phase program the continuing need to up-rate the existing system and replace the outmoded, we add to the capital requirements of all electric cooperatives. The replacement of poles is a program which is now facing every cooperative in the state of Missouri. I know that this is particularly true at the Black River Electric Cooperative which serves 14 counties in my area.

There are nearly two million poles on the rural electric lines in Missouri. Their cost is almost double today, as will be the labor and equipment charges, over the time when they were initially put in place.

Many of these poles are going out prematurely, I'm told, because of poor treating practives immediately following World War II. They are not only a hazard to the safety of men climbing the poles, their replacement is essential in maintaining electric service to the consumer during periods of ice and other weather hazards.

The state of Missouri is unique in that every distribution cooperative, except one, receives its wholesale energy from a cooperative power supplier. Each of these power suppliers is inter-connected and the entire cooperative transmission and generation system inter-connected with all of the investor-owned utilities in the state and many of the municipal systems.

Each segment of our electric industry in Missouri is dependent upon the other to provide its share of the state's total electric energy requirements—on time and in sufficient capacity.

Technologically, there is harmony in the electric industry in the state. For the cooperatives to continue to hold up their end of the electric future of Missouri, a supplemental source of financing must be available with funds on time.

The time element, of course, is very important. The Associated Electric Cooperative, headquarters in Springfield, Mo. laid its plans and let its bids sufficiently in advance for the addition of the 250 megawatt unit. The time schedule called for loan funds to be available June 30, 1966 (the close of the Federal fiscal year).

During that fiscal year, however, the funds were not available to the REA administrator to make this loan—it was delayed a number of weeks into the next fiscal year. Failure to meet schedule required AEC to seek other bids which will result in Missouri consumers paying several million dollars more for the same equipment merely because funds were not available in sufficient quantity and on time.

All of these reasons lend strong credence to the advisability of passing a supplemental financing bill such as HR 1400.

I've read some of the Reader's Digest baloney which claims the REA co-ops borrow money at 2% and then run down to the bank and re-invest it at double that rate. Now, I'm vice-president of the Bank at Fredericktown and if these claims were true I'd sure like some of those deposits. But the facts are twisted. They just can't do that.

While on the banking subject, it's pertinent to point out that the REA co-ops are headquartered, generally, in our smaller towns, like Fredericktown. They do their banking at home and are substantial depositors in our smaller banks. In many cases, they are the largest depositor and business in the area. The 40-odd employees of Black River Electric Cooperative in Fredericktown constitute a small industry for our town of 4,000 people.

When all the co-ops in Missouri are put together—they constitute the third largest power supplier in the state. The co-ops do all their banking out of 48 headquarters in 48 towns and have deposits in some 100 banks. I suspect that many banking interests are represented here today and that your banks contain REA monies.

My strong enthusiasm for Rural Electrification, is, I must admit, also selfish. My printing plant does hundreds of dollars worth of business with Black River Electric Cooperative. The same holds true in Mexico, at Fulton and other Missouri towns too numerous to mention. Cars, tires, trucks, batteries—all are purchased in these towns and add up to vital business for the communities.

It has been calculated that for every dollar invested in a rural area electric cooperative—four dollars have been spent locally on wiring, appliances and electrically operated equipment. This means that in Missouri the rural electric co-ops have generated a billion and half dollars worth of business.

Many of the managers and key employees of the co-ops have contributed considerably to civic endeavors as is the case in Fredericktown where Ken Hill, manager, is song leader in his church, vice-president of Rotary Club, Scoutmaster and a vital member of many committees. The assistant manager is a school director, church leader and also a vital cog in our community.

I'd like to draw on another personal experience.

As vice-president of the Board of Curators of the University of Missouri, I know that for a number of years, the co-ops have underwritten their share of electrification research at M.U. At persent, this is an $18,000 project which has developed engineering practices which have meant more efficient use of electricity for better living conditions. This program also allows the University to have a better and bigger Ag-Engineering staff. Dr. Ken McFate is recognized nationally as an authority in his field and his services are made possible through this co-op supported program.

My wife likes to tell about the editor who died and a sympathizing friend told the widow: "You husband was a man of excellent qualities." "Yes," she replied, "he was a good man. Everyone says so but I wasn't very well acquainted with the man—you see, he was a newspaper editor."

The point is this—everyone says REA is great but the people of the metropolitan centers, at least most of them, are not very well acquainted with REA. Our Missouri Senators and Congressmen know, and represent people who sing the blessings of REA. We're going to have to rely on them to tell the story to their counterparts from New York, Boston, Chicago and Los Angeles.

We need a great emphasis to take the success story of REA away from the "has been" and project it into "Is" and "will be" tenses.

The only relief from our problems of high-rise and urban sprawl—from congestion and smog—lie in the yet-to-be-developed rural communities and areas. They must be kept lively and prosperous and this end will not be well served without healthy, thriving rural electric cooperatives.

And, if rural electrification is to continue virile and vigorous and modern—then Congress must provide the vehicle for obtaining the capital to do their job in sufficient quantity and ahead of deadline. This is called, I'm told, Supplemental Financing.

It has been a pleasure for me to sing the praises of Rural Electrification because it has meant so much to my own rural community. I hope that our Congress will allow it to keep pace with the future demands.

INDIVIDUAL SUCCESS IN AMERICA: STILL UNLIMITED

Mr. HANSEN. Mr. President, much is said today concerning the inequality of the American system—the undemocratic nature of the world's greatest democracy.

We are told that the day of the Horatio Alger "rags-to-riches" success story is gone—that today "them that gots—gets."

Then, too, there are those who tell us that American youth is soft—that the young people of our country have degenerated into a drug-happy, irresponsible existence.

Mr. President, I am one who believes that our American democracy offers the best opportunity to each individual—that the possibilities for success here in America are still great—that our country's youth, in spite of the coverage given by the press, is the best it has ever been.

My beliefs were reaffirmed by an article in Time magazine for the week of June 30. The article concerned Joe Sorrentino, son of a New York City Sanitation Department street sweeper, who at the age of 20 "had flunked out of high school four times, had been booted out of the Marines and had lost 30 jobs."

But then one day Joe, a veteran of more than 100 street fights, changed. He went back to high school, graduated "magna cum laude" from the University of California at Santa Barbara, went back to the Marine Corps where he "became platoon leader, highest scorer in athletic competion," and was given an honorable discharge. This month Joe was valedictorian of the Harvard Law School. In his address to the commencement audience he said:

> Do not look for love, tragedy or trauma to explain this change. It was simply resolution from within—in America such things are possible.

Later Joe pointed out to a Time correspondent:

> Many people say the U.S. system is a fraud. But this country is fair and generous. It comes closest to satisfying man's ideals.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STUDENTS: THE DROPOUT WHO MADE GOOD

Joe Sorrentino has 25 scars on his hands to prove that he was one of the best street fighters that Brooklyn's tough Fort Hamilton neighborhood ever had. By the time he was 20, he had flunked out of high school four times, had been booted out of the Marines and had lost 30 jobs. That was ten years ago. This month Joe Sorrentino, now 30, was valedictorian of Harvard Law School. "It has been a long journey to this honor," he told the commencement audience, in what was almost certainly the year's most moving graduation address, "and not what social scientists would have predicted."

His father was a New York City Sanitation Department street sweeper who never went beyond the second grade. The second oldest of seven children, Joe always wanted to be "an achiever," and in Fort Hamilton, an achiever had to be handy with his fists. A veteran of more than 100 rumbles, Joe was put on probation by a juvenile court after one particularly bloody street fight. "When I was in my first year, I failed out of Fort Hamilton High School in Brooklyn," he said in his address. "Not long after, I enrolled in Bay Ridge High School at night. I failed there also. I tried a third time at Bay Ridge, but could not last the term. Then I attended Washington Irving at night, and again could not finish."

TIRED OF RESPONSIBILITY

At 14, Joe Sorrentino began trying his hand at various jobs, achieving "a record of distinction for failing which even surpassed my scholastic career." On his first day of work at a bleach factory, "I attempted to carry ten gallons of bleach to a truck we were loading. We lost all ten. At 16, I worked in a sweater factory, where I had the embarrassing experience of being awakened from a nap by the president of the company." He failed as a longshoreman. "My next opportunity came through a furniture company's ad in the New York Times: 'Want ambitious young man who seeks responsibility.' After a month of aligning wheels of teacarts. I got tired of responsibility."

Joe was briefly with a Wall Street firm—as a messenger. At a shoe factory, his job was so lowly that "even the office girls wanted me to address them by their last names." He even worked for 20th Century-Fox, where he sent complimentary tickets for premières to dignitaries. "I now would like to apologize to former Mayor Wagner," said Joe, "whose ticket I gave to my grandmother."

At 18, Joe enlisted in the Marines, but could not stand the discipline and "rebelled, fighting with recruits, rioting in the mess hall, trying to run away through the swamps of Parris Island" boot camp. Judged an incorrigible, he was sent packing with a general discharge. Back in Brooklyn, he was a hero to his old street-gang buddies. But somehow within himself Joe felt ashamed. At 20, he came to realize that "my only chance for a better life was through education." So he went back to high school, for the fifth time, at night, working days in a supermarket. After two years, he graduated from Erasmus Hall High School with the highest average in the night school's history.

BLEMISH ON THE RECORD

Despite only fair college-board results, his grades won him admission to the University of California at Santa Barbara. At first, Sorrentino felt he had nothing in common with the sun-tanned college youths who "talked about summer vacations, beach parties, things I knew nothing about." But he stuck it out and in his senior year, was elected president of the student body. After graduating magna cum laude, Joe went back into the Marine Corps for two years, feeling that "I had a blemish on my record and wanted to make up for that." He did. "This time I became platoon leader, highest scorer in athletic competition and changed my general to an honorable discharge."

As Harvard Law's valedictorian, Joe Sorrentino has received several offers to work for major U.S. law firms. Instead, he wants to serve a term as an assistant U.S. or state attorney in California. Concluding his valedictory address, Joe said: "Do not look for love, tragedy or trauma to explain this change. It was simply resolution from within"—and, he added, proof that "in America such things are possible." As he told a Time correspondent last week, while studying for the California bar exam: "Many people say the U.S. system is a fraud. But this country is fair and generous. It comes closest to satisfying man's ideals."

RADIATION DANGER MOUNTS IN ARCTIC

Mr. BARTLETT. Mr. President, a recent report from the Atomic Energy Commission shows radical and upward changes in the rates of ingestion of cesium-137 by certain groups of Alaska natives. I ask unanimous consent that a letter written to me on June 15, 1967, by Dr. C. L. Dunham, Director of the Division of Biology and Medicine of the Atomic Energy Commission, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., June 15, 1967.

Hon. E. L. BARTLETT,
U.S. Senate.

DEAR MR. BARTLETT: The results of the latest measurements of 137Cs body burdens of Alaskan natives at Anaktuvuk Pass, Arctic Village and Ambler obtained during the period April 28–May 3, 1967, are as follows:

Location	Adults	137Cs (nanocuries)	
		Mean±SE	Range
Anaktuvuk Pass	36	560±41	210-1240
Arctic Village	13	450±61	230- 960
Ambler	27	830±74	170-1590

A total of 168 residents of the three villages were measured, including several nonnatives at Ambler.

Compared to those obtained in February 1967, current values are 240 percent higher at Arctic Village, 10 percent higher at Anaktuvuk Pass and unchanged at Ambler. The sharp increase at Arctic Village resulted from the importation of several caribou from Bettles during March, following nearly six months of no caribou and very little other game in the people's diet. Current values are about the same as those obtained in early October 1966. A short-term decrease is expected until the caribou migration brings a fresh supply of animals within hunting range of the village (about now). Residents have been utilizing a few caribou from the nearby winter ranges and are now starting the annual increase observed in previous surveys. The Ambler residents are at their seasonal maximum and should shortly begin to decrease in 137Cs content as they change their diet from caribou to fish and other game of lower 137Cs concentration.

It is planned to measure the 137Cs body burdens at the three locations again during late July-early August.

Sincerely yours,

C. L. DUNHAM,
M.D., Director,
Division of Biology & Medicine.

Mr. BARTLETT. Mr. President, surveys have been made in three Eskimo villages: Anaktuvuk Pass, a village in the Brooks Range approximately equidistant from Fairbanks and Point Barrow; Ambler, some 200 miles to the west; and Arctic Village, some 200 miles to the east.

The 137-cesium body burdens of natives of Arctic Village display a 240-percent increase over figures obtained in February. The mean level for the population there was 190 nanocuries; now it is 450.

Figures for Anaktuvuk Pass have remained consistently higher. The present mean level is 560 nanocuries, and figures from last year suggest that with seasonal variations this figure is likely to go over 850.

The highest readings of all have been obtained at Ambler, a tiny river village some 200 miles inland from Kotzebue. There the readings averaged 830 nanocuries in both February and May, and in the case of one individual a reading of 1760 nanocuries was obtained in February.

It is difficult, Mr. President, to estimate precisely the hazards connected with such abnormally high body burdens of radioactive material. The International Commission on Radiation Protection has set 3,000 nanocuries in cesium-137 as the maximum safe body burden for an individual and 300 nanocuries as the maximum mean level for a population.

This means that for three out of the past four quarters the body burdens of cesium-137 recorded among residents of Arctic Village have been well above acceptable limits. These limits have been exceeded over the course of the entire year for both Anaktuvuk Pass and Ambler; the mean body burden found in citizens of those villages has ranged from two to three times the maximum safe level for populations.

In the case of Arctic man, moreover, it may well be that these cesium-137 figures do not tell the whole story. Some scientists believe that the processes that lead to a high concentration of cesium-137 in the food chain are paralleled by increases in natural fallout and thus by increased concentration of lead-210 and polonium-210. It may be, then, that as these populations approach and exceed the maximum safe body burden of cesium-137, their exposure has already passed acceptable limits by a considerable percentage due to the presence of these other elements. Certainly additional monitoring and research efforts are needed to determine whether and to what extent this is true.

These body burden figures are extremely disturbing, Mr. President, but what they portend for the future is even more fearful to contemplate. Over the course of a year these figures follow a cyclical pattern, reaching a high level during the season when caribou are being eaten and becoming lower as the people's diet is changed to fish or game of lower 137-cesium concentration. However, recent studies have suggested that the plankton-fish-man food chain is becoming contaminated, just as is now the case with the lichen-caribou-man chain. In any case, the fact that there is a cyclical easing of the body burden is small cause for comfort. We have virtually no knowledge of what the cumulative somatic and genetic effects of such high levels of cesium-137 ingestion will be, particularly in populations as small and as genetically isolated as these remote Eskimo villages.

Neither is there any indication that the contamination of the food chain is lessening. Lichen are long lived, and the radiation half-life on the nuclides involved is long as well; the plants retain contamination from past years and, taking their nutrients from the air, absorb more and more fallout year after year. With the Test Ban Treaty, it is true, absolute levels of fallout have decreased, but with China stepping up her atmospheric testing, this trend may well be reversed.

In any case, Mr. President, these figures must serve us as a warning and move us to continued vigilance and remedial efforts. For years I have urged that our efforts at surveillance be improved; it is encouraging to note, as the reports I have cited indicate, that the Atomic Energy Commission is continuing the monitoring program it instituted in the Arctic a few years ago. But we still know almost nothing of the long-term effects of radiation exposure on population groups or about what measures might be taken to alleviate its effects. We must continue and refine our efforts at surveillance. We must train more specialists in the field of radiological health. We must move forward with programs of research and experimentation. And of course, on the international scene, we find in the villages of Ambler, Arctic Village, and Anaktuvuk Pass further incentives to work for the extension of the Test Ban Treaty to present nonsignatories and for the conclusion of a meaningful nonproliferation agreement.

THE INTELLECTUAL REVOLT IN POLAND

Mr. DODD. Mr. President, communism speaks of freedom of speech. Yet writers in Communist countries languish in prison for expressing unpopular thoughts.

Communism speaks of freedom of religion. Yet men and women are in slave labor camps for such simple "crimes" as baptizing their children.

It is wishful thinking of the worst kind to accept the false word and reject the real deed. And too many Americans, in their desire for peace, seem willing to engage in precisely such an exercise.

We are also told that there are different kinds of communism, and that certain varieties are infinitely more moderate than others. The Polish and Yugoslav regimes are generally singled out as examples of moderate communism. It is true that there are differences between the Soviet regime, and the regimes in other Communist countries. These differences are important, and we should not underestimate them. On the other hand, it would be equally foolish to overestimate them—for the fact is that these differences by and large are of secondary importance and that, in terms of fundamentals, there is little to choose between Soviet communism and Yugoslav or Polish communism.

The story of Peter Raina, a young Indian leftist scholar who was recently expelled from Poland, is a telling case in point of a man who believed Polish communism was good and found out later that it was something far different.

Raina had come to Poland full of sympathy for the Gomulka regime. According to an article in the Reporter by Tibor Szamuely—

> He learned to love the country, its language and culture. Warsaw University gave him a doctorate. Wanting to see only the best, for a long time he resolutely dismissed all Western criticism as propaganda. He wrote letters to the foreign press attacking Western correspondents for their lack of understanding of Poland and accusing them, among other things, of slandering the Ministry of Interior Affairs.

The ever-increasing pressures upon intellectuals in Poland were brought to bear upon many leading professors, writers, and artists. Among those who stood up against this growing repression was Prof. Leszek Kolakowski. Known as Poland's leading Marxist philosopher, he was the one who rallied intellectuals and students behind Gomulka in 1956 and called for the rebuilding of Polish communism on an ethical, libertarian, and humanist foundation.

On October 21 at the 10th anniversary of the uprising that swept Gomulka to power, Professor Kolakowski stated that—

> Genuine democracy is lacking here. There is very little public choice of leaders. Thus, the leadership, which is not really elected, becomes conceited, self-assured. There is no opposition . . . The government does not feel responsible to the nation. The system of privileges is prevalent . . . Public criticism is lacking.

The next day Professor Kolakowski was summarily expelled from the party, and in the following days his assistant was expelled, six students were suspended, and seven others were sent before the university's disciplinary commission.

Peter Raina supported the professor and as a result his visa to remain in Poland was not extended. In a letter to the Ministry of Interior Affairs, he wrote:

> For the first time in my life I came against a case when the control of university life was exercised by secret agents of the Ministry of Interior affairs . . . The events of the last days convinced me that all the ministries, the university, the whole cultural life, the political parties, the parliament, were subject to orders of the Ministry of Interior Affairs from which there was no appeal and that nobody had the courage to dare even to make a rightful protest against unjust treatment.

When he reached West Germany, Dr. Raina told his story to the people of

Poland over Radio Free Europe. It is also important that the American people hear this story; therefore, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE INTELLECTUAL REVOLT IN POLAND

(By Tibor Szamuely)

On January 8 Peter Raina, a young Indian leftist scholar, was expelled from Poland, where he had lived and worked for more than four years. It was a harrowing experience: Raina was held at the East German border for almost twelve hours while Polish guards methodically went through his belongings, reading every scrap of paper. Finally they let him go after confiscating a three-hundred-page manuscript of a biography of Communist Party Secretary Wladyslaw Gomulka on which he had been working, with official encouragement and help, for about two years.

Raina had come to Poland full of sympathy for the Gomulka regime. He learned to love the country, its language and culture. Warsaw University gave him a doctorate. Wanting to see only the best, for a long time he resolutely dismissed all western criticisms as propaganda. He wrote letters to the foreign press attacking western correspondents for their lack of understanding of Poland and accusing them, among other things, of slandering the Ministry of Interior Affairs. Thus it came as a shock to be called an enemy of the state by that very ministry and to be ordered by it to leave the country within forty-eight hours.

When he finally reached West Germany, Dr. Raina unburdened his disillusionment to the press, broadcast to Poland on Radio Free Europe, and made public a scathing letter he had written to the Polish Minister of Interior Affairs. His story is informative, for it sheds light on some little-known aspects of what is probably the most important process at present taking place in Poland: the new ferment among the intellectuals.

LAMENT FOR OCTOBER

Since about 1960, Warsaw University, and particularly its departments of the humanities and social sciences, has become the center of disaffection spreading among the younger generation of intellectuals. In November, 1964, the security police arrested a group of the university's young lecturers and students. One of the lecturers was Karol Modzelewski, a stepson of the late Polish Communist Foreign Minister and a leader of the pro-Gomulka student movement of 1956. They were all accused of having circulated a paper criticizing the Communist system in Poland. Although soon released, five of them were expelled from the party.

Administrative sanctions, usually an effective warning, didn't work this time. Modzelewski and a friend, Jacek Kuron, composed an open letter to the party. When they distributed it in March, 1965, they were immediately rearrested. No one was surprised, for the document was a devastating indictment—couched in impeccable Marxist terms—of Poland under Gomulka: "To whom does power belong in our state?" the authors asked. "To one monopolistic party—the Polish United Workers' Party. . . . The decisions of the elite are independent, free of any control on the part of the working class and of the remaining classes and social strata."

The Poland which Modzelewski and Kuron described and analyzed with a wealth of statistical and other evidence is, in fact, the familiar Stalinist system—which Communist leaders and wishful thinkers in the West insist was swept away in the cleansing aftermath of the 1956 Twentieth Congress of the Soviet Communist Party. But it was the authors' conclusion that was intolerable to the authorities: "In view of the impossibility of overcoming the economic and social crisis within the framework of the bureaucratic system, revolution is inevitable." Modzelewski and Kuron were tried in July, 1965, behind closed doors, with the courthouse surrounded by a tense crowd of students. They were sentenced to three and a half and three years respectively.

This, however, was far from the end of the affair. Modzelewski and Kuron had been voluntarily defended in court by some of the most esteemed figures of Polish intellectual life: Antoni Slonimski, the dean of Polish writers, and Professors Tadeusz Kotarbinski, Leopold Infeld, and Leszek Kolakowski. It was Kolakowski who occupied the center of the stage. His reputation and popularity as a champion of intellectual and political freedom—and as Poland's leading Marxist philosopher—was established in the "Polish October" of 1956. He was one who rallied the intellectuals and students behind Gomulka and the ideal of rebuilding Polish Communism on an ethical, libertarian, and humanistic foundation.

Today his fiery declarations of ten years ago may well seem naive—not least to Kolakowski himself—but at the time they conveyed hope. In his ideological credo, published in 1957, Kolakowski argued that the true Communist's place was on the side of the oppressed and the persecuted: "No one is exempt from the moral duty to fight against a system or rule, a doctrine or social conditions which he considers to be vile and inhuman, by resorting to the argument that he considers them historically necessary." Through the sad years of Gomulka's gradual repudiation of all that he seemed to represent in 1956, Professor Kolakowski has retreated into semi-passivity. The case of Modzelewski and Kuron forced him again to face up to the dilemma of the idealistic Communist in a repressive Communist state.

It is at this point that young Peter Raina enters the story. Dr. Raina was a devoted admirer of Kolakowski, and he unhesitatingly joined his professor in protesting the sentences given the two teachers.

Last year, the party leadership decided to stamp out student unrest and began a series of repressive measures directed against Warsaw University; a number of students were expelled, new disciplinary rules were introduced, party control was tightened. The restrictions brought a wave of even more vociferous indignation. Protest meetings were held, delegations dispatched, signatures collected. There were noisy scenes at the 1966 May Day demonstration.

In the meantime, ever-increasing pressure was being applied to Leszek Kolakowski. In March, 1966, he was summoned before the party Control Commission and called upon to submit a declaration retracting his views. Despite a grueling interrogation, he remained obdurate. The climax came on October 21, the tenth anniversary of the uprising that had swept Gomulka to power. A commemorative meeting was held in the history department of the university, at which Kolakowski spoke for about half an hour. His message, as reported in a Polish paper in London, was on the order of an obituary of freedom in his country:

"Genuine democracy is lacking here. There is very little public choice of their leaders. Thus, the leadership, which is not really elected, becomes conceited, self-assured. There is no opposition; hence there is no confrontation between those who are in power and those who are without.

"The government does not feel responsible to the nation. The system of privileges is prevalent. These privileges exist for a few outside the law. . . . Public criticism is lacking. Free assembly is nonexistent. Censorship is extremely severe. . . .

"All this has weakened society, for there is no perspective, no hope. The state, the party, the society are the victims of stagnation. There is therefore nothing to celebrate."

Speaker after speaker rose to reiterate the main points of this comprehensive indictment. Among them was Peter Raina. Two resolutions were moved: one demanding the introduction of freedom of speech and the abolition of censorship and political repression, the other calling for the immediate release of Modzelewski and Kuron. Although the motions were not allowed to be put to a vote, the thunderous acclaim with which they were received spoke for itself.

UNITY IN PROTEST

Next day Professor Kolakowski was summarily expelled from the party. In the following few days his assistant was also expelled, six students were suspended, and seven others were sent before the university's disciplinary commission. A systematic campaign of calumny was mounted with the object of discrediting Kolakowski, who was accused of being "a tool in the hands of the imperialists."

On November 15, the university organization of the Communist Party held a general meeting; it was addressed by Zenon Kliszko—the secretary of the Central Committee, the chief party theoretician, and Gomulka's second-in-command—and by Stanislaw Kociolek, first secretary of the Warsaw committee of the party. Kliszko trotted out all the clichés about the perils of revisionism; Kociolek went straight to the point: "I am against discussions, dialogues, and seminars. The unity of the party is supreme. Discipline is the cardinal principle of the life of the party." Instead of giving the expected dutiful assent, the assembled university Communists launched an attack on the party's leadership. Kliszko, driven into a corner, protested: "I didn't come to this meeting to present any explanations. I came to listen to them." Similar stormy scenes were repeated at party meetings held in other leading cultural institutions. The intelligentsia clearly was getting out of hand.

The conflict spread fast. On November 25, fifteen writers, all active members of the party and regular contributors to official periodicals, sent a letter to the Central Committee expressing their solidarity with Professor Kolakowski and demanding his reinstatement. The response of the party bureaucracy remained doctrinaire—and ineffectual. The writers were summoned to the Central Committee, where, one by one, they refused to withdraw their protest. Six of them, including prewar Communists, driven at length into rebellion against the beliefs of a lifetime, resigned from the party. Seven others were suspended. Nor was the party leadership any more successful in its dealings with the Writers' Union as a whole. At a special meeting of the party organization of the union's Warsaw sections (numbering about a hundred members) that was convened to condemn the actions of Kolakowski and his supporters, only one speaker supported the official line.

It would be wrong to assume that all those who joined this broad front of intellectual dissent necessarily subscribe to Modzelewski's or Kolakowski's views. The principle that unites them is opposition to the stifling system of Communist conformily, to the totalitarian controls over thought and speech and writing, to the subjugation of the intellect and the prostitution of culture. Yet, as the history of Communism—whether in Poland, the Soviet Union, or any other "socialist" state—has shown, the party cannot afford to compromise this control. The result it has achieved in Poland has been the successive alienation of the intellectual community, and with every new purge the area of revolt grows wider.

Peter Raina's letter to the Minister of Interior Affairs summed up the sense of betrayal.

"A few days ago," he wrote, "when I went to the militia headquarters in order to have my visa extended, I was greatly surprised by the decision of the militia not to extend my stay in Poland. I was aghast at the motivation of this decision, namely that I have a hostile attitude toward Poland. . . .

"For the first time in my life I came against a case when the control of university life was exercised by secret agents of the Ministry of Interior Affairs. . . .

"I never had any treacherous intentions towards Poland. I always defended Polish interest. I published abroad letters which criticized foreign correspondents for their lack of understanding of Poland. I endeavored within the limits of my possibilities to spread Polish culture through numerous translations of Polish literature. I feel, therefore, greatly injured by the mendacious accusations formulated against me by the Ministry of Interior Affairs. I am writing to you that thanks to the activity of agents of the Ministry of Interior Affairs at the university, everybody is governed by fear and one cannot behave normally and calmly at seminars and meetings. I am ashamed for the university and its leadership that things have come to such a pass that low and dirty methods are applied to students, methods that recall the times of fascism and its terror. Methods applied to me during the last few days at the militia headquarters (to wit, the denial of any possibility of explaining things) recall to my mind the methods of Stalinism.

". . . the events of the last days convinced me that all the ministries, the university, the whole cultural life, the political parties, the parliament, were subject to orders of the Ministry of Interior Affairs from which there was no appeal and that nobody had the courage to dare even to make a rightful protest against unjust treatment."

A fair description of a country which was only recently being advertised as a showplace of "liberal" Communism—and a melancholy epitaph to the illusions of an idealist who learned about Communism the hard way.

MORE ON OUR NATION'S NO. 1 DOMESTIC CRISIS: CRIME

Mr. HANSEN. Mr. President, robbery loot averages about $250; the total, nationwide, is well over $30 million a year. In 60 percent of the Nation's robberies a weapon is used.

In the city of Detroit in 1966, robberies of business places increased 82 percent and in grocery stores the increase was 134.7 percent.

Today, the Washington Daily News series on "The Forgotten Victims of Crime," written by Richard Starnes, concerns one victim of a robbery—a type of crime often too common to attract public attention. To store owners, however, the constant subjection to holdups and vandalism, obscenity and abuse often prove too much and they move or close up shop. They have little choice in the light of the growing disenchantment among them concerning the court system in our country.

Grace Tocco and her father own a small grocery store in the center of the "squalor and decay of a soon-to-be urban renewal project on Detroit's south side." One man recently arrested for assaulting Mr. Tocco was eventually brought to trial.

After Miss Tocco and her father spent the entire day in the court waiting for the case to be called, the judge brought the defendant before the bench and, in the words of Miss Tocco, said:

> Young man are you going to behave yourself if I put you back on the street? This hoodlum nodded and said, "Yes, sir, your honor." The judge then said: "And that pistol you had in your pocket was nothing but a souvenir?" This bum replied "Yes sir, your honor." And that was all there was to it. The judge turned him loose.

Walter Shamie, editor of Grocer's Spotlight, a trade magazine, illuminates another area of disenchantment when he derides "politically inspired softness toward hoodlums" that he claims lies at the root of Detroit's crime problem. He attacks Police Commissioner Ray Girardin for his published advice to storekeepers not to resist gunmen by pointing out that—

> Three days after he made that statement, George Reck, a druggist, submitted meekly and lay down on the floor as he was ordered. He was killed by four shots in the back.

Mr. President, I ask unanimous consent that this disturbing article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Forgotten Victims of Crime: "He Kept on Coming So I Shot Him"

(Note.—Robbery is a big-city crime. Loot averages around $250, the national total is over $30 million a year, the victim is frequently injured, and a weapon (most often a gun) is used in around 60 per cent of the offenses. In the swirling maelstrom of crime in this country, robberies involving as little as $250 seldom earn public attention. But for the people who are the victims, these crimes often are cataclysmic events.)

(By Richard Starnes)

Detroit, June 28—Grace Tocco, a voluble, volatile spinster of 45, is an expert in the dismal realities of guerrilla war.

She stands amid the ghosts of her family's once thriving grocery business and laughs when a visitor is startled by the crash of broken glass from the street outside.

"They're just stealing something from the house across the street," she explains. "No one pays any attention. It isn't the cops' fault—they can't be everywhere."

Tocco's grocery store stands surrounded by the squalor and decay of a someday-to-be urban renewal project on Detroit's south side. It is a forlorn outpost of civilization in a jungle.

Miss Tocco is proud of the store, an enterprise started by her Sicilian-born father two years before she was born. But now the stock is sparse and the customers are few.

"We used to have the finest customers," she says. "Negro families, mostly. Home owners. Really nice people. But they've all moved away, and what we have now is riff-raff. Trash."

She removes a cardboard shield and reveals a gaping, saw-toothed bullet hole in the glass of a vegetable counter. It is a mute memorial to one skirmish in the series that makes up the siege of Tocco's store. Holdups and vandalism, obscenity and abuse—whatever indignity the jungle can mete out has been experienced by Miss Tocco, and by her parents, both of whom are over 70, both of whom are puzzled and despairing at the collapse of their carefully natured life work.

"Last winter—it was really the last straw, it led directly to what happened in March—a Negro man came into the store and went back to the meat counter. He asked for liver, but after my father had weighed it and wrapped it, he said he's changed his mind and wanted pork chops instead. So my father unwrapped the liver, weighed out the pork chops and wrapped them. Same thing; this time the man cursed my father and said he wanted ground beef."

Eventually the customer, growing more abusive with each change of mind, decided he actually wanted pork chops.

"So when my father had re-wrapped the pork chops," Miss Tocco says, bright hazel eyes snapping in indignation, "the man hit my father with them. That was too much. I called the police, and they were here within minutes. They arrested the man and charged him with assault."

Eventually the case went to court, and what happened is a familiar story to every reporter and policeman who has witnessed society's faltering attempts to deal with the jungle.

"We—my father and I—spent all day in court waiting for the case to be called. Finally they did call the case."

Miss Tocco casts her eyes heavenward in an expression of disgust. Then, drawing down the corners of her mouth in a burlesque of judicial concern, she mocks the judge who heard the case.

"The judge said: 'Young man are you going to behave yourself if I put you back on the street?' This hoodlum nodded and said, 'Yes, sir, your honor.' And then the judge said: 'And that pistol you had in your pocket was nothing but a souvenir?' This bum replied: 'Yes, sir, your honor.' And that was all there was to it. The judge turned him loose, and never even called my father or me to the witness stand to hear our story."

Miss Tocco, who keeps the store spic and span in the face of appalling difficulties, seizes a broom and sweeps furiously for a moment.

Society's failure to protect Miss Tocco and her father was to have dramatic repercussions.

"On March 13, it was a Monday, I'll never forget it as long as I live, At 12:15, yes, just like High Noon, these three came into the store. Two men and a woman. Negroes. They split up. One man went back toward the meat counter where my father was. The other stayed up here, near the cash register. The girl went over and started filling a bag with greens. Then the man up here pulled out a pistol and said it was a stickup and give them the money. I took all the money out of the cash register, about $300, and put it in the bag on top of the greens. The man got angry at that and said, 'Why did you do that?' I told him it was to make it easy to carry. Then I heard this noise"—Miss Tocco shuffles sensibly-shod feet on the terrazzo floor to demonstrate—"and I realized the other one was back there with my father. So I just pushed past the one who was holding the gun on me and ran to the back of the store."

Grace Tocco flails a patch of dust into submission with the broom.

"My father was down on the floor, and this bum was hitting him with a pistol. One, two, three, right on the side of the head. My father's eyes were open, but I've killed lots of chickens and some of them die with their eyes open and others die with their eyes closed. I didn't know if my father was dead or alive. So I grabbed the man and screamed at him to stop hitting my father. I told him I'd given all the money in the store. What more did he want? I thought he was going to kill my father."

In the confused eternity that followed, one of the stickup men grabbed the courageous grocery girl by the shoulder. "I thought it was the one who had been beating my father, but later I learned it was the one who'd been at the cash register. He'd followed me to the back of the store. I don't know yet why he didn't shoot me. Anyway, I got away from him and ran to the back of the meat counter."

Miss Tocco leads her visitor back of the counter and lifts a piece of butcher paper. Under it is a .38 caliber revolver.

"The man chased me," she continues, "and I picked up the pistol. He was there, at one side of the scales, and I was right here, on the other side. I shot him once, but he just kept on coming, so I shot him again. Then he just sort of slid down to the floor. I stepped over him to get to the phone and call the police. The man on the floor said not to call the police or he'd kill me. 'You're not going to kill me,' I told him, 'I've still got bullets in this gun.'

"The second man ran away—some friend he was—but the woman started back toward the rear of the store. So I shot her."

The gunman and his girl died. The second man escaped.

"No, who can be happy about taking a human life, even riff-raff? But I'm not sorry. My father is an old man. They were going to kill him."

The days that followed were harsh.

"The next day somebody parked a hearse right in front of our house, it's next door to the store here. I got the message all right—I was supposed to be next. But the police were great. They practically lived in the store for weeks afterward. They still slow down and look when they drive past, and if they don't see me they stop and come in. I got a lot of mail, most of it congratulating me, and for a long time I got a lot of creepy phone calls. But it's all quieted down now."

But the Toccos' beleaguered enclave is doomed, however gallant its defense.

"The city offered us $23,000 for the store, our house next door and another building that has four flats. It just wasn't enough, so we've got to go thru condemnation. It means we could be here until September."

The story of Grace Tocco is only one facet of the savage guerilla war that is raging between Detroit's small shopkeepers and the city's bumper crop of hoodlums. The atrocious killing of a grocer and a department store clerk in December brought a demand from Grocer's Spotlight, a trade journal for firearms classes for storekeepers. The National Rifle Association was quick to respond, and more than 200 grocery-men turned up for the organizational meeting. About 20 per cent of those taking the course are Negroes.

Walter Shamie, editor of Grocer's Spotlight, and an unsuccessful candidate for mayor of the city in 1965, insists the gun classes are necessary. "There was a general increase in robberies of business places of 82 per cent in 1966, and in grocery stores the increase was 134.7 per cent."

Since the gun classes began, Shamie says, store stickups have decreased 25 per cent. Within a week of the first shooting seminar, two stickup artists were killed by grocers. Since the classes began, no less than nine gunmen have been killed by merchants. Of the nine, seven were gunned down by grocerymen. All of the dead holdup men are Negroes. Two of the quick-draw grocers are Negroes. (Miss Tocco is not enrolled in the gun classes.)

Editor Shamie, a bitter political foe of Mayor Jerome P. Cavanagh and Police Commissioner Ray Girardin, claims that politically inspired softness toward hoodlums is at the root of Detroit's crime problem. He derides Commissioner Girardin's published advice to storekeepers not to resist gunmen.

"Three days after he made that statement, George Reck, a druggist, submitted meekly and lay down on the floor as he was ordered. He was killed by four shots in the back."

The political ferment in Detroit seethes with hints of police-city hall corruption, with demands for the recall of Mayor Cavanagh, with charges of maladministration of justice by vote-hungry judges. But in the end, politics is people, and peppery little Grace Tocco's war with the jungle is what it's all about.

"My father refused to go to the hospital," she says, "but I know he was hurt. Now, since it happened, he doesn't seem to be paying attention, you have to tell him things three or four times. But they're not going to chase me away. I know that second man is still out on the streets, but I'm not afraid. I'm going to stay here and protect our property for as long as we own it."

AIR POLLUTION IN WASHINGTON, D.C.

Mr. KENNEDY of New York. Mr. President, I am pleased to have the opportunity to join Senators MORSE, TYDINGS, and SPONG in cosponsoring S. 1941, a bill to prevent, abate, and control air pollution in the District of Columbia.

As the hearings conducted by Senator TYDINGS showed, the District of Columbia has not made any appreciable progress in controlling air pollution in the Washington metropolitan area. There has been no agreement either in the District or among the surrounding communities as to what standards are needed to insure that levels of carbon monoxide particulates and sulfur dioxide are kept within bounds. And without this agreement, the air pollution control efforts of individual communities will fail.

The Federal Government bears an extra responsibility in the District. It maintains and operates a large number of buildings that contribute substantially to the contamination of our atmosphere. Although the National Institutes of Health recently converted to low-sulfur fuel, this is an isolated rather than a general case and the Federal Government does not exhibit the leadership that it should. And the continued operation of the Kenilworth dump is an insult to both the residents of the District and surrounding States and to Federal efforts to eliminate air pollution in other areas.

Unlike other major American cities, Washington, D.C., does not have an air pollution emergency system. If the concentration of carbon monoxide or sulfur dioxide reaches a dangerous level in New York City, as it did last Thanksgiving, a first-stage alert would be called. But such an alert could not be called in Washington, D.C., because there are no standards. And the District of Columbia does not maintain any surveillance equipment so that it could know when the levels are becoming dangerous.

Air pollution control functions in the District are now divided between the health department and the building inspection division. And the staff provided for these functions are notoriously weak. This organization cannot handle air pollution in a city with more cars per square mile than Los Angeles. We need a new and effective air pollution control unit for the District.

This bill will establish an Air Pollution Control Board for Washington, D.C. It is a necessary step that must be taken now.

I am hopeful that the District Committee will be able to hold hearings on this bill in the near future. And I urge my colleagues to pass this bill once it is reported to the floor.

FOOD—A FORCE FOR WORLD PEACE

Mr. HRUSKA. Mr. President, our achievements in space, along with the foreign crises in the Middle East and in Vietnam, unfortunately are overshadowing the tremendous contributions our Nation has and is making in agriculture and the war on hunger.

Because of our great industrial and agricultural capacity, we have been able to maintain our sword and still produce the plows, technical know-how and production to feed ourselves and show underdeveloped nations how to shed themselves of the chains of starvation and malnutrition.

Agriculture should be our strongest arm in our efforts for world peace. To a starving man, food is his only salvation. We should use this tool and our technical know-how to produce food as our most effective weapon in our continuing effort toward world peace.

Mr. H. L. Straube, a vice president of the Stauffer Chemical Co., recently gave a speech entitled "Agribusiness Trends and What They Portend for the Agrichemical Industry." Mr. Straube takes a close look "at a few significant developments including mechanization, chemical research, computerization, customized services, legislation and liability, plus some closing observations on food power for peace." He further points out how this has helped the consumer by keeping his food bill several dollars less than it would have been if American farmers used the methods and equipment of as recent as only 15 years ago. Startling as it may seem, the U.S. farmer produces eight times as much as a farmer does in 90 percent of the world.

We have made more spectacular gains in agriculture than in any other single effort. Comparatively speaking, the advances made in agricultural production have been more significant in the past 15 years than in any other segment of our total economy.

For example, as early as the 1950's corn farmers habitually planted in rows of 40 inches. Why? That was due to the fact that horses were used for pulling cultivators and a horse needs a path at least 40 inches wide on which to walk. In his speech, Mr. Straube points out that, due to mechanization advancements, row widths are now being reduced to 20 inches. This, in effect, has doubled plantings and with the proper utilization of fertilizers and crop-protecting chemicals, it should more than double per-acre production.

The day may come when "row-less" agriculture will be necessitated in order to produce enough to feed our own population. Theoretically, a farmer would need to make only two trips through his fields, once for soil preparation, seeding, and application of chemicals and the other to harvest his crop.

In describing what the future may hold, Mr. Straube projected:

> Some say that control compounds of the future may even confuse insects and cause bugs to lose their inclination to eat. Their psychological behavior would be affected to such an extent that young Mr. George Grasshopper will just prefer to walk around, or perhaps to go looking for an appealing Girl

Grasshopper. Do you suppose there really is a future for "psychedelic" chemicals? Could LSD ever replace good old DDT? Just imagine, the hip-Hopper of the 1980's may well be caused to "turn on, turn in, and drop off—the plant."

Pointing to the recent pesticide scare, which fortunately is subsiding, he quotes from the famed scientist, Marie Curie, who stated:

> Nothing in life is to be feared—it is only to be understood.

For the past few years agrichemicals have been the subject of abuse based on distortion of views which have resulted in both uninformed and misinformed vilification. While some of these critics are sincere, their numbers include a predominance of faddists, medical quacks, and an antisocial cult who attract available political demagogs.

These charges have not withstood the barrage of facts put forth by competent scientists. Congressman JAMIE WHITTEN in his book "That We May Live" disproves many of the charges leveled against pesticides and points out their safety, necessity, and value.

Mr. Straube's speech is replete with many interesting facts and projections. I commend it to my colleagues. He points out that a broader public understanding and awareness of the ultimate power of food as a force for world peace is a prerequisite for the continued advancement of modern agriculture. Mr. President, I request unanimous consent to have Mr. Straube's speech printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

AGRIBUSINESS TRENDS AND WHAT THEY PORTEND FOR THE AGRICHEMICAL INDUTRY

(By H. L. Straube, vice president, marketing agricultural chemical division, Stauffer Chemical Co., New York, N.Y.)

Those of you who have seen the United States Archives Building in Washington, D.C., may remember that much quoted inscription engraved over the entrance way which proclaims—"the Past is Prologue."

Perhaps, as Arthur Toynbee put it—"the Past is the only clue to the future." But then what of all the amazing "Space Age" predictions for life in Tomorrow's World which bear little resemblance to Today, let alone Yesterday?

I'd like to take you on a fast-moving trip down a 30-year stretch of the River of Change, as it affects American agriculture, looking back 15 years from whence we came and peering downstream 15 years to see where we are heading.

The use of cliches can conflict when one attempts to forecast the future: For example, you could correctly observe that "there's really nothing new under the sun" and, on the other hand, properly exclaim—"you ain't seen nuthin' yet!"

Actually, Change, that most inevitable of all forces in life, embraces a bit of both, What will happen stems from what has happened. The trends of the future are rooted in the events of the past.

Yet, there is something dramatic and dynamic about the future outlook for agricultural science and agribusiness as they affect the agricultural chemical industry.

One cannot in a short space of time cover in depth, the total spectrum of change affecting the farm scene. However, a hasty "shotgun" approach would be equally inadequate—only scattering my pellets of prediction. Therefore, it behooves me to focus upon only a few highlights. In doing so, I will leave for others to evaluate such otherwise provocative and interesting subjects as farm income, pricing, taxation, farm finance, and other aspects of the agriculture scene.

Instead we will take a closer look at a few significant developments including mechanization, chemical research, computerization, customized services, legislation and liability, plus some closing observations on food power for peace.

To more closely organize this analysis of special interest areas, let us both glance back, and look ahead, to examine three subjects: First, The Power of Production, and second, The Power of Knowledge, to see how they relate to the third subject The Power of Food.

THE POWER OF PRODUCTION

In examining the history of certain nations, one notes that farming as an industry, experienced little, if any change. Such stagnancy in farming often brought hunger poverty, and general lack of progress.

In American agriculture, change has been the rule since our earliest history as a nation. And the pace of change has accelerated during the past 15 years. The renewed initiative, independence, and vision of the American farmer hold as great promise for the future as they have in the past. Research and development, education and capital, all continue to provide cornerstones for agricultural improvement and progress in the United States.

But major changes are taking place. Since the early 1950's the numbers and nature of farms in America have undergone a striking metamorphosis. Our average farm size has greatly increased while the farm population itself has dropped. The small "family" farm is swiftly disappearing. Doubled and tripled capitalization requirements for modern-day farming have accelerated the consolidation of farm land into large holdings. Yet the fewer farmers of today multiply their yields per acre, farming larger tracts, with fewer hours of work—this is the miracle and power of production.

Today, the typical American family's weekly food bill is several dollars less than it would have been if American farmers used the methods and equipment of 15 years ago. Since then, agricultural output has risen more rapidly than the population.

Let us examine other changes in technique. In the early 50's corn farmers habitually planted in 40-inch rows, a practice necessitated by the width of a horse originally required in the cultivation of the crop. Today's widespread experimenting in reduced row widths (down to 20 inches) is bringing greatly multiplied yields.

Fertilizers only a few years back were of primitive low-strength, blended by small operators. Today the fertilizer industry is experiencing major changes. The manufacturing of more powerful and sophisticated fertilizers, "vitamin-enriched" by trace elements, has required larger, more consolidated facilities with higher capitalization, causing the ineffectively-competing small "blender" to turn to other farm service pursuits.

What about "Tomorrow"—with land at a premium, water at a premium and population continuing to mushroom?

Looking ahead 15 years it is clear that the bulk of farm acreage will be in crops that can be grown and harvested mechanically, and we will need more yield on fewer acres.

One indispensable necessity for such mechanical care will be the maximum use of agricultural chemicals. These products should aggregate annual sales of well over a billion dollars. During the past 8 years sales of products at the manufacturer level has increased on an average of 14% per year. If our future increase is computed at only 10%, our sales 15 years from now could reach 2 billion dollars.

For required yield gains, even today's narrower-row cultivation may give way to broadcast methods, or at least optimum-spacing techniques, and new products and techniques will be developed for more efficient use of land, moisture, plant food, and sunlight.

"Row-less" agriculture will spawn some entirely new concepts in farm machines which could theoretically make only two trips through the farm fields of tomorrow—the first for soil preparation, seeding and application of chemicals, and the second for harvesting the crop.

Tomorrow's farm equipment will employ unique devices for prescribed-depth insertion of chemicals into the soil, utilizing blade injectors to control volatility and making it unnecessary to wait for rain to "work it down." For harvesting row-less crops, airborne hovercraft are a real possibility.

As for the farmer of the future, one prophet recently foresaw him "plowing, planting, and conditioning his fields by remote control while monitoring the results on a closed-circuit television screen!"—and probably watching it in color.

Tomorrow, new chemicals and the means to apply them will control pests of all kinds, retrieve arid waste lands, and prolong growing seasons in northern frost areas. Persistence, to some alarmists a "bad word" today, will be scientifically measured in the future. A product will persist as long as it is needed—to give a seed protection when it germinates, to control a weed or an insect infestation when needed—but it will not last any longer than needed.

Pre-emergent control of weeds, insects, and crop diseases, plus the nutrition required to maximize yields will be combined into one operation, possibly utilizing a golf-ball sized "contac" pill also encapsulating the crop seed. If not the golf ball or "contac" pill approach, certainly we will see one farming operation combining soil tillage, seeding, the application of a fertilizer nutrient, a prescribed herbicide, fungicide and insecticide. No further chemical application will be needed.

Research will bring more selective systemic insecticides involving insect chemosterilants, biological control, insect hormones, metabolic inhibitors, all designed to lessen environmental contamination and permit greater survival of beneficial insects, thereby reconciling the needs of agriculture with the problems of public health and conservation. We will witness a change-over from the current terminology "insect control" to "insect management and control."

Some say that control compounds of the future may even confuse insects and cause bugs to lose their inclination to eat. Their psychologocial behavior would be affected to such an extent that young Mr. George Grasshopper will just prefer to walk around, or perhaps to go looking for an appealing Girl Grasshopper. Do you suppose there really is a future for "psychedelic" chemicals? Could LSD ever replace good old DDT? Just imagine, the hip-Hopper of the 1980's may well be caused to "turn on, tune in, and drop off—the plant."

Growth regulators present some of the most exciting prospects for the future development of agricultural chemicals. As the population continues to expand and even greater demands for food develop, it may be necessary to extend the growing season for crops to more northern parts of the world. The use of frost resistance chemicals to change the physiology of the plant might allow two crops to be grown in one year in areas where only one crop per year can now be grown.

There will be other growth regulators to control plant stomatal openings to reduce transpiration through the leaves. We know that cotton plants lose 50 tons of water per acre, per day, in the summer under growing conditions. A chemical treatment to substantially reduce this water loss would allow crops to be grown in arid regions of the world which now do not have enough water to support them.

Growth regulators will also greatly facilitate mechanical harvesting. For example, they will be used in developing upright, sturdy stems for tomatoes, melons, cucumbers, and similar crops. They will enable crops to mature at a desired time.

In the area of animal health and pharmaceuticals, the next 15 years will see rapid strides in feed conversion efficiency. New vaccines will be developed for disease prevention and provide effective therapy against viruses.

"Assembly line" broiler production techniques will be further improved. Hormones and other new potent drugs will continue to increase animal growth on less feed. There will be products to synchronize estrus, resulting in synchronized and uniform calf production. And there will be products that will cause cows to drop twins more frequently. In other words, for the farmer and his customer: more and better eggs, meat, and milk for less feed.

Most of you have seen lecture presentations on the world's "Explosion of Knowledge" utilizing charts and slides to graphically and startingly portray the almost vertical ascension of the "knowledge" curve in the past few decades. We look back on centuries of slow, almost imperceptible progress in the accumulation of knowledge and now, in just a few short years, race on to the moon. This is the second of the three subjects—the power of knowledge. Agricultural technology is no exception. The accumulation of farming know-how has zoomed upwards rapidly in the past 15 years.

In appraising the "Power of Knowledge" as it pertains to agricultural science, agribusiness and the ag chemical industry in particular, let me give some dimensions to the term, as I employ it. By discussing "knowledge" I want to reflect upon

A. the technological findings of agricultural research;

B. the problem of assimilating and disseminating such data;

C. the laws and regulations set forth by legislatures and administrative agencies including their effect on liability problems, and

D. the Public's knowledge, awareness, and understanding of various controversial matters and career considerations affecting the future of American agriculture. These four areas—technology, its dissemination, law, and public understanding combine to make up what I have termed the "Power of Knowledge."

Consider first the mushrooming body of scientific knowledge—that vast undertaking in agricultural research provided by the Land Grant College and the USDA, and importantly aided by the huge private investment in research. Over the years, this has been the primary influence that made American agriculture the magnificent, unbelievable success that it is today.

Today, and even increasingly tomorrow, the problem will be how to assimilate and disseminate this vast accumulation of knowledge. There has been rapid acceptance of new technology and adjustment to changing times by the modern farmer. Public and private educational programs, vocational agriculture, the 4-H, Cooperative extension, and industry training schools, all supplemented by farm magazines, newspapers, radio, and TV—and let's not forget the educated Ag. Chemical salesman and reseller—have flooded the farmer with new information on improved farm technology and management.

But—the inescapable fact is that without scientific help, the next 15 years might find him unable to keep up with "exploding" knowledge.

The only answer: Computerization.

Like all other modern professions, agriculture, too, must avail itself of the exciting magic of mass-data processing systems.

In the 1980's therefore, it is safe to predict that an entirely new field of agricultural data-handling will have developed to disseminate information either on a private contractual basis (such as perhaps by the telephone company's "data phone") or through some governmental service—perhaps via a modernized "County Agent," for example. The farmer of tomorrow will avail himself of "space age" computer services to do many tasks—to analyze his soil, blend his fertilizer, and determine his seed selection; computers will prescribe his herbicide-fungicide-insecticide requirements to meet the needs of the approaching growing season. Advanced and accurate weather satellite predictions on climate variations will be utilized so that tomorrow's farmer can anticipate such conditions as an early drought, or the probability of frost, or even insect hazards. The special chemicals tailormade to suit his electronically-programmed needs, will be custom-prepared for a "one-trip" planting, and farm equipment devices properly "instructed" to place these materials at the proper depth in the soil. Guidance will also be available from computers to govern crop rotation, the mix needed for livestock yield, even the proper crop to plant for maximum return at the pre-determined date of harvest.

Crop yields, marketing expectations, pricing considerations, will all be taken into account. The farmers' increasingly more complex record-keeping and accounting burdens will be similarly simplified through computerization that will also embrace farm finance and tax reporting. Tomorrow's farmer will truly be a business man.

An unresolved question facing us today is whether the research effort necessary to develop such computerization should be assumed by industry and contract service entrepreneurs, or whether it is so massive in scope and prohibitive in cost as to require the government to shoulder this development and implementation burden.

Perhaps as an ag chemical industry spokesman it is pertinent for me to point out that computerization planning is much more appropriate for Government Agencies to focus on than their present preoccupation with the research and development of additional chemical insecticides and herbicides.

Electronic automation, however, need not and should not idle or eliminate the participation of today's typical distributing firms. Modern advances will rather cause them to become more sophisticated, and specialized, involving newer, customized service areas. Broad new horizons of opportunity and achievement beckon in this regard. As it has always been, the distributor satisfying a need, who offers a service of technical knowledge or product availability, will continue to succeed and will have a place in the distribution of pest control products.

Legislative and administrative pressures today affecting the registration of new pest control products are a far cry from the scene of 15 years ago.

Then the predominant attitude was, "let the buyer beware." Today, the regulatory situation is close to requiring an "absolute" or guaranteed liability on the part of the ag chemical manufacturer regardless of whether or not a user reads and follows the label.

The significance here is that from now on we may not only be required to guarantee effectiveness but must also anticipate chance of misuse. Our solution again will be in more technical data and research to give more accurate labelling. We will continue to need expert legal advice.

The subject of laws and legislation leads me to a final facet affecting the "power of knowledge"—the power of public opinion—our need for a knowledgeable and informed public.

Some years ago Marie Curie stated, "Nothing in life is to be feared—it is only to be understood." The truth of her words is now being understood in the belated effort at rehabilitating agricultural chemicals in the eyes of the public after years of abuse and distorting that began with the publication of alarmist views by the late Rachel Carsen. Her followers—all too often purposeful or compulsive critics, both un-informed and mis-informed, have triggered professional and industrial vilification, groundless anti-chemical legislation, and other nationally publicized attempts to gain attention. Their numbers all too often include a predominance of faddists, medical quacks, and an anti-social cult who attract available political demagogues. We are all familiar with the results of hasty political demagogues. We are all familiar with the results of hasty legislative hearings wherein the eventual "acquittal" never seems to catch up with the more newsworthy "accusation"—the doom and gloom charges made against pesticides.

You all remember the Ribicoff Committee's exhaustive and highly publicized hearings on pesticide dangers, yet how many people generally are aware of the Ribicoff Committee's summary report which concluded that the anti-chemical cult's "predictions" of impending disaster" were unfounded and based on ignorance. That story received little or no publicity to correct the adverse distortions appearing earlier in the news media.

The problem is simply that the general public is unexposed to and almost completely unaware of the true facts. Such knowledge is necessary if we are to erase groundless public fears and also provide a true perspective of the importance of pest control chemicals in winning the world's most basic battle: to provide enough food for its burgeoning population.

There is another, little appreciated result of this mis-guided campaign against the farmer, his chemical tools and the agriculture-connected sciences. Efforts to paint the farmer as a wanton rube have poisoned the minds of many urban people and their children. Despite the increase in urban populations, urban candidates for study in the agricultural sciences continue to diminish steadily. What has the world lost in genius and discovery this past decade because impressionable youth have been discouraged to enter the agriculture-connected sciences because they have been stained by a smokescreen of propaganda.

Something can and must be done. Farm youth, in addition to sewing skirts, raising rabbits, baking bread, and preserving peaches, can be (and fortunately now are) learning more about their "role" as farm people. They are learning in the 4–H and FFA to verbalize and communicate. In school with their city classmates they now can stand up, speak out, and convince others that the farmer today has "something going" for him and for the world which is as equally important as the space race.

Farming in the future will be more of a business than a "way of life." It should attract the best of our qualified, adventuresome youth. It is my sincere hope that within fifteen years agricultural science will not only provide the technology for feeding the world's population billions, but also will have become one of the world's most respected and honored professions.

The public's awareness and knowledge of this will be "power" indeed.

THE POWER OF FOOD

As the last phase of my talk this morning, I would like to speak briefly about what I have labeled "The Power of Food".

Fifteen years ago the United States was plagued by the problem of plenty—surplus food stocks. You will remember when grain was stored in retired World War II cargo ships floating in the Hudson River. Recall also the debates over farm subsidies and soil bank programs.

In the early 1950's "farm bloc" politics influenced greatly the deliberations of Congress and the state legislatures. The situation has changed. Today our surplus stocks are almost gone. "Farm bloc" influence in politics is diminishing. The 11.5 million people left on the nation's farms represent only a little over 5% of the population. Corporate agriculture is replacing the family farmer.

In the world today only ten nations can feed themselves. Only the U.S.A. holds major stocks for export. From the beginning of the Christian era until the 17th Century, world population grew at an average of only 2% per century. Since 1960, however, world population has been growing at 2% per year, and even faster in the less developed countries of Africa and Asia.

By the early 1980's the world's population will grow from its present 3.1 billion to 4.5 billion. In 100 years it will truly "explode" to over 7 billion, with over 500 million in the United States alone. Truly a population explosion.

It goes without saying that America's farms cannot feed the world. Self-help programs are a must for the emerging populous nations.

We must "export" our agricultural technology via the overseas operations of American companies, as well as the U.S. Agency for International Development or the United Nations Food and Agriculture organizations.

It is safe to predict that over the next few years the power of food as a weapon for peace will assume increasingly greater significance. The importance of farm technology to world politics will far outweigh the significance of yesterday's "farm bloc" influence on national politics. Instead of fortifying bastions of freedom with weapons of war, in today's world where war will solve nothing, the U.S.A. should and, I trust, will help the free peoples arm themselves with the vital strength of food and food-growing know-how.

So—in closing, it would seem that the discernible trends in agriculture today portend much for the growth and importance of the ag chemical industry. Business opportunities will increase swiftly. Production output, so vitally dependent upon chemicals, will be further fueled by the computerized dissemination of agricultural technology. Broader public understanding and awareness of the ultimate power of food as a force for World Peace—will truly make modern agriculture an endeavor we can proudly feel an integral part of.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATIONS AUTHORIZATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The ACTING PRESIDENT pro tempore. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 220

Mr. PERCY. Mr. President, I call up amendment No. 220, on behalf of the Senator from Idaho [Mr. JORDAN], the Senator from Massachusetts [Mr. BROOKE], and myself, and ask for its immediate consideration; and I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (No. 220) offered by Mr. PERCY for himself and other Senators, are as follows:

> On page 15, between lines 22 and 23, insert the following new section:
>
> "SEC. 6. The Administrator of the National Aeronautics and Space Administration shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautics and Space Sciences of the Senate fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration."
>
> On page 15, line 15, strike out "SEC. 6" and substitute "SEC. 7".

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. PERCY. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MONRONEY in the chair). Without objection, it is so ordered.

The time is under control. Does the Senator from Illinois yield himself 20 minutes?

Mr. PERCY. Yes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 20 minutes.

Mr. PERCY. Mr. President, amendment No. 220 is on the desks of Senators. It also appears on page 17341 of the CONGRESSIONAL RECORD for Monday, June 26, together with an explanatory statement.

Its purpose is to place on NASA an affirmative duty to keep the Committee on Aeronautical and Space Sciences of the Senate, and the Committee on Science and Astronautics of the House fully and currently informed on NASA activities.

Let me make it clear at the outset that I have been and will continue to be a strong supporter of our national space program. In my private life, prior to coming to the Senate, I was associated with Cal Tech, a major space contractor, as a trustee. In that capacity I have met before the searching questions of the direction and speed with which we should pursue our explorations into outer space. I am confident that the course we are pursuing is the correct one; the pace at which we go, as regulated by the authorization before you, is a sound one.

On the other hand, the recent hearings on the tragic Apollo fire produced serious questions, first, as to the general availability of information from NASA that is requested by your committee, and second, as to the responsibility of NASA affirmatively to come forward and make that information available to the Committee on Aeronautical and Space Sciences of the Senate, and the Committee on Science and Astronautics of the House.

The example of the need for new law discussed in my statement of yesterday is the now-famous Phillips report which was turned up in the course of congressional inquiries on the cause of the disastrous Apollo 204 fire. This report ultimately was made public by a member of the other body, but not until after its contents and impact—and in fact its very existence—had been discounted and minimized by NASA and the contractor.

Many of us were saddened and disappointed to read the conclusions of NASA's Apollo 204 Review Board:

> Deficiencies existed in Command Module design, workmanship and quality control. These deficiencies created an unnecessarily hazardous condition and their continuation would imperil any future operations. (Review Board Report, Page 6-3, Finding 10)

But we were shocked to learn that some 14 months prior to the accident, the NASA inspection team, headed by General Phillips reported:

> Technical problems with electrical power capacity, service propulsion, structural integrity, weight growth, etc. have yet to be resolved . . . Delayed and compromised ground and qualification test programs give us serious concern that fully qualified flight vehicles will not be available to support the lunar landing program. (Phillips Report, Page 6)
>
> (Contractor) quality is not up to NASA required standards . . . Performance goals for demonstrating high quality must be established. And trend data must be maintained and given serious attention by management to correct this unsatisfactory condition. (Phillips Report, pages 16–17)

Since General Phillips is the Apollo program director, the further statement in the report of lack of confidence in the contractor's ability to remedy the unsatisfactory situation alone makes the Phillips report significant. It is well to note also, that at the time the Phillips inspection was made, the spacecraft in which the fatal fire occurred was on the line at the contractor's plant—see page 444.

Administrator Webb was frank to state, in reply to questioning by the distinguished ranking minority member of the committee, the Senator from Maine [Mrs. SMITH], that NASA had no guidelines as to when serious situations such as the conditions underlying the Phillips report would be brought to the committee's attention—hearings, page 514. The situation was aptly described by my able colleague from Minnesota [Mr. MONDALE] in a colloquy about the Phillips report with Administrator Webb, during the hearings on May 9 of this year:

> Senator MONDALE. How can we request information which is candid and frank if we do not know of its existence?
>
> Mr. WEBB. This is a problem I think we do have to address a great deal of attention to. (Page 530.)

The Phillips report example suggests, as Administrator Webb candidly agreed, that there "are other reports of a substantial and critical nature other than the Phillips Report." Accident hearings, page 530. I might say that a number of members of the committee agreed that information such as the Phillips report, and another report of deficiencies by the General Electric Co., should be brought to the committee's attention.

The purpose of my amendment, Mr. President, is to add to the present law a requirement that NASA—on its own initiative and without necessity for directive or inquiry from the committee—produce information to keep the responsible committees of the Senate and House fully and completely informed of problems as they beset our space program.

Let me make it clear that the purpose of my amendment is not to put the House and Senate committees in the business of running our space program, or reviewing every decision and report made by NASA. But I believe it is basic to our function as the committees responsible for our space program that we are, in the words of the Senate report, "made currently aware of any problems which may exist in carrying out these programs." In matters so closely involving program costs and progress, we cannot otherwise fulfill our obligations.

The purpose of this amendment is not to require public disclosure of materials which are proprietary in nature, or which are so sensitive to NASA-contractor relationships that public exposure would compromise NASA-contractor management system effectiveness.

But as I pointed out in my statement yesterday, present law needs this augmenting provision that will insure that your committee is fully aware of the problems in our space program system, the development of which—as Mr. Webb has repeatedly stated—is an essential part of our space program. It is our intention that confidentiality be retained where necessary. Mr. Webb indicated his satisfaction with such an arrangement by the following statement:

> Now, any procedure this Committee establishes to receive this information *in a non-public way* and decides itself what part of it it wants to make public will be all right with me.

The handling of the Phillips report in executive session is a prototype of the exchanges of important information that would be possible under my amendment. Specific guidelines could be worked out under the legislation to assure that the committee's and NASA's requirements were both satisfied.

Mr. President, responsibility to report to supervisory authority is a universal reality in the American way of business life, and indeed, academic life as well. Universities must report to their trustees. The reports and discussions are essential to the health and progress of these institutions, and disclosure is tailored to promote the same ends.

Corporations are accountable to their boards and to their stockholders for management and technical information—an analogy I find particularly suitable here. We in Congress are in a very real and essential sense the trustees of the public moneys that are made available for this and other programs.

Again, I direct the attention of the Senate to the language of the report of your committee, as well as the language of the corresponding House report. They both indicate the necessity to impose on NASA a fuller responsibility for keeping the committees informed.

I ask unanimous consent that the appropriate sections of the two reports be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

LEGISLATIVE ACTIONS

Your Committee wishes to reemphasize the policy that the Administrator of NASA shall keep the Aeronautical and Space Sciences Committee of the Senate and the Committee on Science and Astronautics of the House of Representatives fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration. Only in this way can these committees properly perform their responsibilities in connection with our national civilian space program.

Your Committee points out that this policy is the express intent of Section 303 of the National Aeronautics and Space Act of 1958 as amended. This section provides that despite authority in such section which permits the Administrator to withhold from the public, information (1) authorized or requested by Federal statute to be withheld, and (2) classify to protect national security, no such information shall be withheld from the duly authorized committees of the Congress.

Instances have arisen in the past wherein several actions taken by NASA which had a great effect upon its administration of major programs carried out by the agency, did not come to the attention of your Committee at the time such actions occurred. While your Committee does not wish to make decisions for NASA with respect to the manner in which NASA programs are being carried out, it is imperative that the Committee be made currently aware of any problems which may exist in carrying out these programs. Your Committee points out that these are programs for which NASA is requesting of the Congress each year authority to expend vast additional sums of money. It is in this context that your Committee urges the Administrator, in all candor, to keep the members of the Committee fully and currently informed of all problems which NASA encounters in carrying out our national civilian space program (Senate Report No. 353, at page 95).

INFORMATION

The committee added a new section to the bill, section 6, which requires NASA to keep the House Committee on Science and Astronautics and the Senate Committee on Aeronautical and Space Sciences fully and currently informed with respect to all of the activities of NASA. This section complements the existing provisions of the National Aeronautics and Space Act of 1958, and for the first time places the positive duty upon NASA to keep the Congress fully and currently informed. This provision is similar to that which is contained in the Atomic Energy Act of 1954, and which has been implemented with apparent success. The committee believes that this section is necessary to better enable the committee to carry out its legislative and investigative responsibility to oversee the activities of NASA, and in order that the committee will be aware of potential problem areas prior to their crystallization (House Report No. 338, at page 148).

Mr. PERCY. Mr. President, a question has been raised as to the efficacy of enacting this reporting requirement as a part of an authorization, rather than amending the basic legislation. In my judgment, in view of the necessity for the committees and NASA to develop the procedures for regular disclosures, review of the effect and operation of the amendment in a year's time would be valuable. The language is nearly identical to the language in the Atomic Energy Act. While there are differences between the Atomic Energy Commission and NASA and their relationships to the Congress, the experience of the Joint Committee on Atomic Energy is analogous to the requirements of the Senate Committee on Aeronautical and Space Sciences, and the House Committee on Science and Astronautics. I understand the experience of members of the Joint Committee on Atomic Energy under this language has been excellent, and certainly our progress in this vital area of scientific endeavor shows it.

In urging adoption of my amendment, Mr. President, let me close by stating my belief that in so doing, we can go a long way toward restoring the confidence of the public in the relationship between NASA and the Congress. We can take a real step toward closing the information gap between NASA and your committee which the record of the Apollo 204 hearings so clearly reveals.

I urge the adoption of the amendment.

Mr. JORDAN of Idaho. Mr. President, will the Senator yield?

Mr. PERCY. I yield to the Senator from Idaho.

Mr. JORDAN of Idaho. Does the Senator agree that the first that we heard of the Phillips report, for example, was through the press, through rumors that had leaked out and were first published in the press? Does the Senator agree with me that the first some members of the committee knew of the existence of such a report was when we read about those rumors?

Mr. PERCY. I agree with the Senator from Idaho. In the hearings that we held, which were public hearings, it was quite apparent that the Phillips report would be extremely important to the comittee to have access to and to study, and yet, while we kept hearing about it through newspaper reports, we could not obtain access to it ourselves.

Mr. JORDAN of Idaho. And when officials of NASA were questioned by members of the committee, does the Senator not agree that they were less than frank with us in opening up the discussion further?

Mr. PERCY. I agree.

Mr. JORDAN of Idaho. Does the Senator agree that they appeared either to have no knowledge of the report, or to feel reluctant to talk about it?

Mr. PERCY. There seemed to be considerable reluctance to discuss it with members of the committee.

Mr. JORDAN of Idaho. Will the Senator agree that it is very difficult for members of the committee to pick up and pursue every facet of all the information having to do with the great NASA program—which we all support and subscribe to—unless leads are furnished us by the NASA officials themselves; that we cannot possibly have sufficient knowledge even to ask intelligent questions about some parts of it unless we are given basic information?

Mr. PERCY. I would certainly agree with the Senator from Idaho. In the capacity in which we were serving, I felt that if the committee had had access to the report at the time it was issued, there were several very pertinent points in the report that we might have developed further, and we might have been more helpful to NASA and to the space program itself if we had had access to that information.

Mr. JORDAN of Idaho. Mr. President, I agree with the Senator's views and support his amendment. I think it rightly belongs in this authorization bill, and I hope it will be agreed to by the Senate.

Mr. PERCY. I thank the Senator from Idaho.

The PRESIDING OFFICER. Who yields time?

Mr. ANDERSON. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 5 minutes.

Mr. ANDERSON. Mr. President, as I mentioned in my opening statement, this amendment was considered in committee and it was determined that its inclusion in the Senate bill was not necessary. The committee did, however, agree that strong language should be included in the Senate report which would express the committee's desire that the Administrator of NASA should keep the space committees of both Houses fully and currently informed of the activities of the National Aeronautics and Space Administration.

I ask unanimous consent to have printed in the Record pertinent paragraphs of the committee report with reference to this matter.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

> Your Committee wishes to reemphasize the policy that the Administrator of NASA shall keep the Aeronautical and Space Sciences Committee of the Senate and the Committee on Science and Astronautics of the House of Representatives fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration. Only in this way can these committees properly perform their responsibilities in connection with our national civilian space program.
>
> Your Committee points out that this policy is the express intent of Section 303 of the National Aeronautics and Space Act of 1958, as amended. This section provides that despite authority in such section which permits the Administrator to withhold from the public, information (1) authorized or requested by Federal statute to be withheld, and (2) classified to protect national security, no such information shall be withheld from the duly authorized committees of the Congress.
>
> Instances have arisen in the past wherein several actions taken by NASA which had a great effect upon its administration of major programs carried out by the agency, did not come to the attention of your Committee at the time such actions occurred. While your Committee does not wish to make decisions for NASA with respect to the manner in which NASA programs are being carried out, it is imperative that the Committee be made currently aware of any problems which may exist in carrying out these programs. Your Committee points out that these are programs for which NASA is requesting of the Congress each year authority to expend vast additional sums of money. It is in this context that your Committee urges the Administrator, in all candor, to keep the members of the Committee fully and currently informed of all problems which NASA encounters in carrying out our national civilian space program.

Mr. ANDERSON. Mr. President, the language in this amendment was considered by the committee during its markup of the bill. It was pointed out in committee that when the Congress in 1958 first considered the means by which our national civilian space program would be administered, similar language was included in the Senate-passed bill.

I say parenthetically that, if my memory serves me right, I believe I authored the language in the Senate-passed bill at that time. Many Senators will recall that the Senate proposed to establish a joint congressional committee on space and this language was in one of the provisions taken from the Atomic Energy Act of 1954 and included in the bill. What is now section 303 of the National Aeronautics and Space Act of 1958, was also included in the Senate-passed bill and the Senate report on such bill, in describing the purpose of what is now section 303, stated:

> All information, however, is to be made available promptly to the duly authorized Committees of the Congress.

Taken in the context with the rest of section 303, the word "information" relates to all information obtained or developed by the Administrator in the performance of his functions.

In conference the conferees determined that the policy of the House bill which called for the establishment of separate legislative committees, would be accepted and most of the provisions of the Senate bill which had been patterned after provisions in the Atomic Energy Act of 1954, including the language which is similiar to the language in the proposed amendment, were deleted. There was no feeling on the part of the conferees that the language now designated as section 303 of the Space Act was not sufficient to require the Administrator to inform the authorized committees of the Congress promptly on the activities of NASA.

Mr. President, while there have been some instances in which the committees have not been promptly informed, the language in section 303 is still sufficient to carry out this purpose. There is no need for additional legislative language at this time. The Administrator of NASA should be made aware of the fact that the Congress expects prompt compliance of section 303 of the National Aeronautics and Space Act. This the committee has done by the insertion of strong language in its report.

Mr. President, all I can add is this: It is a hard problem to decide exactly how much information you should ask the agency to give to the committee. We have discussed the amendment of the able Senator from Illinois [Mr. Percy] at his request. I think he did a very fine job, and other Senators did a fine job, in gathering the information we had.

I think, however, that this is not the way to get at the problem, but that it would be better to leave the act as it now stands, and not put this language in the authorization bill.

I therefore urge that the proposed amendment of the Senator from Illinois be defeated.

Mr. President, I yield to the Senator from Maine.

Mrs. SMITH. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mrs. SMITH. Mr. President, as the ranking minority member of the committee, I rise in opposition to the amendment.

This amendment was considered and rejected by the committee.

Its origin was with Representative Rumsfeld, who initially presented it to the House Space Committee.

Subsequently, the Senator from Illinois [Mr. Percy] proposed that the Senate committee adopt the Rumsfeld amendment. When he did so, I requested the counsel of the committee to study the Rumsfeld amendment as proposed by Senator Percy. The committee counsel did so, and submitted a legal memorandum.

I should first like to read the staff director's memorandum to the chairman:

> Memorandum, June 6, 1967, U.S. Senate
>
> To: Senator Anderson.
> From: James J. Gehrig.
>
> As you recall, I told you that I asked Everard Smith to look into the Rumsfeld Amendment. Attached is a memorandum he prepared. The gist of his memorandum is that language very similar to the Rumsfeld Amendment is already part of the National Aeronautics and Space Act of 1958 and no purpose would be served by restating it.

I will now read into the Record the memorandum from the counsel of the committee to the Staff Director.

It reads:

> Memorandum, June 6, 1967
>
> To: James J. Gehrig.
> From: Everard H. Smith, Jr.
> Subject: Rumsfeld Amendment.
>
> At the Executive session of the Committee on May 23, Senator Percy suggested that the Committee might wish to consider adding language to the NASA 1968 authorization bill similar to the language known as the Rumsfeld amendment which was adopted as part of the Space Authorization Act, 1968, by the House Space Committee. It reads as follows:
>
> "Sec. 6. Notwithstanding any provision of the National Aeronautics and Space Act of 1958, or any other provision of law, the Administrator of the National Aeronautics and Space Administration shall keep the Committee on Aeronautical and Space Sciences of the Senate and the Committee on Science and Astronautics of the House of Representatives fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration."
>
> This language is similar to some of the language contained in Section 202 of the Atomic Energy Act of 1954 which is applicable to the Atomic Energy Commission and its relationship to the Joint Committee on Atomic Energy.
>
> Without commenting on the fundamental policy governing such a proposal, I would like to make two observations: (1) The Rumsfeld amendment as written leaves in doubt whether it is intended to be permanent legislation or only governs the period covered by the Authorization Act. If it is intended to be permanent, then it should be re-written as a part of the National Aeronautics and Space Act of 1958, as amended, rather than in the yearly Authorization Act. (2) The Rumsfeld amendment would appear to add nothing to the requirement already

placed upon the Administrator of NASA by permanent legislation contained in Section 303 of the NASA Act of 1958. This section reads as follows:

"Sec. 303. Information obtained or developed by the Administrator in the performance of his functions under this Act shall be made available for public inspection, except (A) information authorized or required by Federal statute to be withheld, and (B) information classified to protect the national security: *Provided*, That nothing in this Act shall authorize the withholding of information by the Administrator from the duly authorized committees of the Congress."

Inasmuch as the requirement has already been made a part of NASA's permanent legislation, it would appear that no purpose could be served by saying the same thing in a little different manner.

Mr. President, my final comment in opposition to this amendment is that it is not needed. What is needed is enforcement and compliance with existing law rather than redundancy in legislation such as this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. PERCY. Mr. President, I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 10 minutes.

Mr. PERCY. Mr. President, I certainly respect the judgment of the acting minority leader and the judgment of the committee. However, after sitting in 3 or 4 months of hearings, I find the statements made inconsistent with the statements made in that period.

I do not find as I read the act now the requirement or the necessity for NASA to report the kind of information to us that I feel is needed.

During the course of the hearings, the Senator from Maine [Mrs. Smith] asked the Administrator of NASA several pertinent questions.

The Senator from Maine said:

I would ask, Mr. Webb and Dr. Mueller and Dr. Seamans, Do you have any guidelines as to when serious situations are to be brought to the attention of this committee?

The reply of Mr. Webb was:

I do not know that we have, Senator Smith.

Senator Smith said:

Well, Mr. Chairman, it seems to me that it was certainly NASA's responsibility to bring the North American situation to the attention of this committee at the time General Phillips completed his review. These contracts represent about 25 percent of NASA's budget. This does not necessarily mean that the detailed report had to be provided to the committee, but we should have been apprised of the situation early enough, since it directly affects the budget authorization request and the overall progress of the program.

I think, Mr. Chairman, this involves a communication problem between NASA and the committee that must be corrected for the future, and this was the reason I asked my question about guidelines.

Mr. Webb, I wish you would give that a little consideration. Will you?

Mr. Webb replied:

I certainly will, Senator.

I find that other members of the committee throughout the course of the hearings had considerable difficulty in getting information. For example, our chairman asked if the GE report was available to the public.

The Senator from New Mexico [Mr. Anderson] asked:

Has this been published in the newspapers? People ask me questions about this report, and we cannot answer them very well. Has this report been given to the public, or have others examined it?

The chairman of the committee noted that the press had it before the committee did by saying:

One reason that I asked about it is that we understand that NASA did discuss this with the press. I wish they would send some of this information to the Committee sometimes.

The Senator from Florida [Mr. Holland] indicated that the GE report would seem to be an important report and he stated that he hoped that the chairman would insist that the chairman get reports if GE is to make them.

The Senator from Florida said:

It seems to me the regular written reports in this critical field are appropriate and that it is what I suggest, that we insist upon that as to the GE reliability team.

The Senator from Nevada [Mr. Cannon] said:

Mr. Webb, I would like to associate myself with Senator Smith's remarks. I would be very hopeful that you would take it upon yourself to inform the committee if similar situations or situations of any great magnitude come up so that at least we would be advised of what was happening. And as Senator Smith said, we want to be helpful if we can, but we cannot be if we do not learn about these things until after they are accomplished fact.

The Senator from Nevada went on to say further:

Mr. Webb, getting back to Senator Smith's point, I would hope that if you do have at this time any current problems of the magnitude and type that were covered in the Phillips report, you would call those to the attention of the committee in executive session, if need be.

I felt that many other members of the committee would have been able to evaluate the NASA program better and would have been in a position to be more helpful to the NASA administration if we had had information available to us.

I do know that it is an impossible job for a Member of the Senate to try to supervise, and it would be an improper objective to try to supervise the objectives of any program.

I am simply advancing a suggestion that grew out of 10 years and more experience of working with the Atomic Energy Commission. It is a suggestion that has already been adopted by the appropriate committee in the House. I believe that we should incorporate into the pending bill the very language that was included in the report of our committee itself.

If this provision were included in the pending bill, this would give 1 year for NASA to develop the procedures that I think it should develop anyway. It will also give us an opportunity to determine at the end of the year whether we should have this provision embodied in the language of the NASA Act itself.

Mr. President, I yield the floor and suggest the absence of a quorum.

Mr. ANDERSON. Mr. President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER (Mr. Bible in the chair). The Senator from Illinois suggested the absence of a quorum.

Mr. PERCY. Mr. President, I withdraw my request.

Mr. ANDERSON. Mr. President, I yield 5 minutes to the Senator from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, the motive behind the amendment of the Senator from Illinois is, of course, an excellent one.

I merely state for the Record, however, that I hope the amendment will not be agreed to because I think it will place a much greater burden upon the members of the two space committees than they would possibly be able to discharge in any effective way. I think the present legislation gives us ample authority and gives ample directions so that the two committees can be adequately informed.

Mr. President, I ask that the provisions of the present law on this subject, which are found in section 303 of existing legislation, be incorporated in the Record at this point.

There being no objection, the section was ordered to be printed in the Record, as follows:

ACCESS TO INFORMATION

Sec. 303. Information obtained or developed by the Administrator in the performance of his functions under this Act shall be made available for public inspection, except (A) information authorized or required by Federal statute to be withheld, and (B) information classified to protect the national security: *Provided,* That nothing in this Act shall authorize the withholding of information by the Administrator from the duly authorized committees of the Congress.

Mr. HOLLAND. I shall not quote it in detail. I read, however, the last sentence in section 303:

That nothing in this Act shall authorize the withholding of information by the Administrator from the duly authorized committees of the Congress.

If one looks at the report of the Senate committee—and it was the Senate wording that was adopted by the conference—one finds these provisions:

ACCESS TO INFORMATION

Information that is developed or obtained by the new Space Agency is to be made available for public inspection by the Director, unless the information is classified by statute or otherwise, to protect the national security. All information, however, is to be made available promptly to the duly authorized committees of the Congress.

Senators will find, from checking the conference report, that it is made very clear that the Senate version was adopted. This means that the wording of section 303 of the National Aeronautics and Space Act of 1958—in existing legislation—comes from the Senate version; and it means that the interpretation of the meaning of that provision, as occurring in the Senate report at that time, is a part of the legislative history.

Without laboring the question, and without in any way challenging the good motives of those who offer the proposed amendment, I want to speak briefly from experience in this matter.

Every Senator is assigned to several committees. If you look at the roster of the space committee of the Senate, you will find this to be the case. Without attempting to go through the full list of the members of that committee, I just call attention, on the majority side only, to the following facts:

The distinguished senior Senator from Georgia is a member of the Senate space committee. He has among his responsibilities the chairmanship of the Committee on the Armed Services. He has the chairmanship of the Subcommittee on Appropriations for Defense Appropriations. He also holds the ranking majority position on the subcommittee which deals with the agricultural appropriation bills, and has various other assignments which I shall not mention.

Mr. President, to ask the distinguished senior Senator from Georgia to accept and carry out the responsibility that would be placed on him by this amendment, and which would require the Space Administration to keep the committees informed "with respect to all of the activities of the National Aeronautics and Space Administration," is asking more than he could possibly live up to, and is asking more, for that matter, than any other member of the Space Committee could possibly live up to.

Frequently, requests for reprograming of certain items for which appropriations have already been made are placed upon our desks. The Senator from Florida has found it rather burdensome to keep up with those requests for reprograming and also to keep up with the important items which are reported to the committee and passed on by the able chairman of the committee, the distinguished Senator from New Mexico, to all members of the committee. To try to keep up with all current business of the Space Administration—and that is what would be required by this amendment which refers to "all of the activities of the National Aeronautics and Space Administration"—is to ask for the performance of duties which could not possibly be performed.

Mr. President, we are not administrators. Our responsibilities are to pass legislation, make appropriations, and supervise, to the extent necessary, the executive branch of our Government. To ask that we exercise such responsibilities as are proposed in this amendment is simply going beyond the limit of what Senators can perform.

The PRESIDING OFFICER (Mr. BROOKE in the chair). The time of the Senator has expired.

Mr. HOLLAND. I ask that I may be allowed to continue for 2 additional minutes.

Mr. ANDERSON. I yield 2 additional minutes to the Senator from Florida.

Mr. HOLLAND. In closing, I call attention to the fact that the situation is not the same in the House of Representatives, where there is a large space committee composed of 32 members. Most of them have no other assignment, and it is quite understandable that they would feel that this new language would be appropriate for them. Even if they wanted to manage the space program, it would be impossible for them to do so; and it would be even more difficult to do this in the Senate. The civilian space program involves more than 100 major contractors. A list of those major contractors is set forth in the semiannual procurement report of the Space Agency, covering the period July 1, 1966, through December 31, 1966, and I ask that that list be printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TABLE III.—*100 contractors (business firms) listed according to net value of direct awards, July 1, 1966–Dec. 31, 1966*

Contractor and place of contract performance	Rank, July–December 1965	Net value of awards	
		Thousands	Percent of total
Total awards to business	----------	$2,381,767	100.00
1. North American Aviation, Inc., Downey, Calif	1	682,793	28.67
2. Grumman Aircraft Engineering Corp., Bethpage, N.Y	3	356,755	14.98
3. Boeing Co., New Orleans, La	2	187,937	7.89
4. Douglas Aircraft Co., Inc., Santa Monica, Calif	4	138,977	5.84
5. International Business Machines Corp., Huntsville, Ala	8	130,536	5.48
6. General Electric Co., Huntsville, Ala	5	104,571	4.39
7. Bendix Corp., Owings Mills, Md	12	71,017	2.98
8. Chrysler Corp., New Orleans, La	9	51,553	2.16
9. General Motors Corp., Milwaukee, Wis	7	50,115	2.10
10. Aerojet-General Corp., Sacramento, Calif	6	42,020	1.76
11. Radio Corp. of America, Camden, N.J	14	30,119	1.26
12. Lockheed Aircraft Corp., Houston, Tex	15	24,017	1.01
13. General Dynamics Corp., San Diego, Calif	11	24,012	1.01
14. TRW, Inc., Houston, Tex	13	23,813	1.00
15. Sperry Rand Corp., Huntsville, Ala	21	22,949	.96
16. LTV Aerospace Corp., Dallas, Tex	19	21,148	.89
17. Philco Ford Corp., Houston, Tex	23	17,694	.74
18. Hughes Aircraft Co., Culver City, Calif	18	17,620	.74
19. United Aircraft Corp., West Palm Beach, Fla	16	16,102	.68
20. General Precision, Inc., Houston, Tex	----------	15,418	.65
21. Trans World Airlines, Inc., Kennedy Space Center, Florida	81	14,079	.59
22. Honeywell, Inc., Framingham, Mass	30	10,758	.45
23. Federal Electric Corp., Kennedy Space Center, Florida	38	9,988	.42
24. Union Carbide Corp., Sacramento, Calif	22	7,877	.33
25. Air Products & Chemicals, Inc., Long Beach, Calif	31	7,860	.33
26. Bellcomm, Inc., Washington, D.C	25	7,600	.32
27. Catalytic Construction Co., Kennedy Space Center, Florida	68	7,597	.32
28. Brown Engineering Co., Ind., Huntsville, Ala	20	7,370	.31
29. Computer Sciences Corp., Huntsville, Ala	75	7,251	.30
30. Thiokol Chemical Corp., Denville, N.J	26	7,244	.30
31. Brown/Northrop (joint venture) Houston, Tex	86	6,934	.29
32. Graham Engineering Co., Inc., Houston, Tex. (S)	32	5,897	.25
33. Martin Marietta Corp., Denver, Colo	49	5,811	.24
34. Mason-Rust, New Orleans, La	28	5,744	.24
35. Ball Bros. Research Corp., Boulder, Colo	53	5,640	.24
36. Vitro Corp. of America, Huntsville, Ala	33	4,909	.21
37. Basic Construction Co., Hampton, Va	----------	4,710	.20
38. Westinghouse Electric Corp., Baltimore, Md	34	4,701	.20
39. Bechtel Corp., Cape Kennedy, Fla	40	4,539	.19
40. Zia Co., Las Cruces, N. Mex	36	4,346	.18
41. Dow Chemical Co., Titusville, Fla	51	3,839	.16
42. Northrop Corp., Huntsville, Ala	29	3,839	.16
43. Fairchild Hiller Corp., Greenbelt, Md	17	3,331	.14
44. Spaco, Inc., Huntsville, Ala. (S)	35	3,305	.14
45. Management Services, Inc., Huntsville, Ala	39	3,279	.14
46. Control Data Corp., Minneapolis, Minn	37	3,276	.14
47. Hayes International Corp., Birmingham, Ala	24	3,249	.14
48. Southern Bell Telephone Co., Huntsville, Ala	----------	3,225	.14
49. Documentation, Inc., College Park, Md	44	3,171	.13
50. Western Union Telegraph Co., Washington, D.C	----------	2,779	.12
51. Computer Application, Inc., New York, N.Y	57	2,653	.11
52. Computing & Software, Inc., Greenbelt, Md	----------	$2,557	0.11
53. Aero Spacelines, Inc., Van Nuys, Calif (S)	50	2,538	.11
54. American Telephone & Telegraph Co., Greenbelt, Md	83	2,399	.10
55. Ampex Corp., Redwood City, Calif	----------	2,035	.09
56. Warrior/Natkin/National Electric, Houston, Tex	----------	2,000	.08
57. Greenhut Construction, Inc., Pensacola, Fla	----------	1,960	.08
58. Scientific Data Systems, Greenbelt, Md	92	1,948	.08
59. Wolf Research & Development Corp., Arlington, Va. (S)	69	1,894	.08
60. Pearce De Moss King, Inc., Huntsville, Ala. (S)	----------	1,859	.08
61. Radiation, Inc., Melbourne, Fla	63	1,805	.08
62. Space-General Corp., El Monte, Calif	47	1,722	.07
63. American Science & Engineering Inc., Cambridge, Mass. (S)	43	1,707	.07
64. Warrior Constructors, Inc., Houston, Tex	----------	1,694	.07
65. Electronic Associates, Inc., Mountain View, Calif	54	1,646	.07
66. Garrett Corp., Los Angeles, Calif	52	1,610	.07
67. International Telephone & Telegraph Corp., Fort Wayne, Ind	71	1,587	.07
68. International Latex Corp., Dover, Del	----------	1,557	.07
69. Pacific Crane & Rigging Co., Kennedy Space Center, Florida	42	1,504	.06
70. Dynalectron Corp., Houston, Tex	98	1,438	.06
71. Kaiser Industries Corp., Oakland, Calif	----------	1,424	.06
72. Electro-Mechanical Research, Inc., College Park, Md	84	1,421	.06
73. A-V Corp., Houston, Tex. (S)	87	1,380	.06
74. Memorex Corp., Santa Clara, Calif	----------	1,367	.06
75. Motorola, Inc., Scottsdale, Ariz	66	1,364	.06
76. Keltec Industries, Inc., Alexandria, Va	55	1,352	.06
77. American Radiator & Sanitary Corp., Mountain View, Calif	----------	1,327	.06
78. Consolidated Electrodynamics Corp., Rochester, N.Y	----------	1,292	.05
79. Southwestern Bell Telephone Co., Houston, Tex	----------	1,266	.05
80. Space Ordnance Systems, Inc., El Segundo, Calif. (S)	----------	1,241	.05
81. Klate Holt Co., Houston, Tex. (S)	----------	1,182	.05
82. Melpar, Inc., Greenbelt, Md	62	1,172	.05
83. Electro Optical Systems, Inc., Pasadena, Calif	72	1,131	.05
84. Bissett Berman Corp., Santa Monica, Calif	----------	1,128	.05
85. Virginia Electric Power Co., Hampton, Va	73	1,070	.04
86. Collins Radio Co., Richardson, Tex	27	1,065	.04
87. Avco Corp., Everett, Mass	45	1,015	.04
88. Air Reduction Co., New Orleans, La	----------	985	.04
89. Lawrence, J. H. Co., Greenbelt, Md. (S)	----------	969	.04
90. Xerox Corp., Kennedy Space Center, Florida	96	967	.04
91. ITT World Communication, Inc., New York, N.Y	----------	959	.04
92. Burroughs Corp., Huntsville, Ala	----------	903	.04
93. Perkin-Elmer Corp., Norwalk, Conn	----------	900	.04
94. Asea Electric, Inc., Hampton, Va	----------	897	.04
95. Clark, David Co., Inc., Worchester, Mass	58	885	.04
96. Cleveland Electric Illuminating Co., Cleveland, Ohio	----------	839	.03
97. Kollsman Instrument Corp., Syosset, N.Y	89	837	.03
98. Araco Co., Inc., Sandusky, Ohio (S)	----------	817	.03
99. Texas Instruments, Inc., Dallas, Tex	90	798	.03
100. Systems Engineering Laboratory, Inc., Fort Lauderdale, Fla. (S)	----------	757	.03
Other	----------	107,630	4.52

Mr. HOLLAND. I do not believe the wording of the proposed amendment, in visiting this responsibility upon ourselves by our own action, is reasonable, and I do not think we could possibly perform under a mandate of such legislation.

Mr. President, I feel very keenly about this matter. Under existing law, the chairman and the able ranking minority member of the committee have ample authority to request information on important matters and to get it and to pass it on to other members of the committee. To expect any more of the members of the committee is not only impracticable, but simply impossible.

In closing, I support the chairman and the ranking minority member of the committee and I hope the amendment will be defeated.

Mr. PERCY. Mr. President, I yield myself 2 minutes, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PERCY. Mr. President, I have great regard for the Senator from Florida. He has been an able member of this committee. But I do believe that every question and every objection he has raised have been answered fully in my statement today and yesterday.

We have no intention or desire to run the NASA program. We have an able staff, well qualified to screen material. I want to make absolutely certain, as the committee obviously did in its report, that nothing is embodied in the proposed amendment that was not approved in the committee report itself. There is no question that they said that this committee of the Senate has access to whatever information it feels it needs to sift and sort and screen and then bring the material to our attention in time for us to do something about it, not long after the fact.

I yield to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I have no alternative but to support the proposed amendment, because I am of the same opinion as those who have already spoken on it.

I have had some experience with this kind of language as a member of the Joint Committee on Atomic Energy. This language we have emphasized time and time again—and this language is copied from the language of the atomic energy law. The Senator from New Mexico, as a former chairman of that committee, knows quite well that every time a new nominee comes before our committee, we impress upon him the need to observe and to live up to the requirements of this provision in the law.

I do not see any burden upon the committee at all. As the Senator from Illinois has pointed out, it has an able staff, which will be currently informed and kept up to date with respect to all matters that are transpiring.

It creates a better rapport between the agency and the committee. After all, this agency is asking for almost $5 billion and I do not see any harm or any damage being done, but I do see a lot of good being done if the Administrator of that very important agency is obliged to keep the appropriate committees of Congress informed of the important decisions.

The PRESIDING OFFICER. The time yielded by the Senator from Illinois has expired.

Mr. PERCY. Mr. President, I yield myself 1 minute so that I may propound a question to the Senator from Rhode Island.

Has the Senator from Rhode Island, in his gigantic good workings with the Atomic Energy Commission, found that the language in this law, which has been in effect since 1946, has placed an unreasonable or undue burden on the members?

Mr. PASTORE. The Senator should not ask me that question but he should ask it of the distinguished Senator from New Mexico. He has been one of the greatest supporters of the provision and he has done a marvelous job. He has told the Atomic Energy Commission time and time again to keep us informed. It has worked out well. It has worked to the advantage of the committee; it has worked to the advantage of the Commission; and it has worked to the advantage of the taxpayers. I cannot understand why the distinguished Senator from New Mexico cannot take this proposal to conference.

Mr. STENNIS. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield 3 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, it is rather singular that those who have been connected with this problem the longest and carrying the responsibility of committee membership over the years seem to be entirely satisfied with the present law and the present requirements which I am sure have already been read into the RECORD, and the way in which they operate explained.

I shall not go into the works of the Joint Committee on Atomic Energy. That is another field, another role, and another group. But this rule in the present law does work here.

I have been a member of the Space Committee almost since its inception. I had the privilege of holding the first major hearings on all of the space program for 2 consecutive years, and I have been on the committee since then. The program has come along all right and we are blessed now with a very valuable staff, a highly experienced chairman, experienced in all phases of government, administrative, as well as legislative, and an exceptionally capable, active and, if I may say, persistent Minority member as the ranking member on the other side of the aisle, the distinguished Senator from Maine [Mrs. SMITH]. The Senator from Maine has proven over and over again in this, and in many other fields, her complete dedication and unusually high capability. The Senator from Maine is always fully prepared and ready for any problem. There is no room for doubt on that score with respect to these two members and their complete insistence all the way through on anything that pertains to the committee with respect to obtaining correct information. They are ready to share everything at any time with any member of the committee, or even let them meet with the chairman and the Senator from Maine for any conference they might have with NASA.

Mr. President, I feel that I speak with some considerable experience on this subject. If I may refer again to the Senator from Maine, I also serve with her on the Committee on Appropriations and the Committee on Armed Services. In each place she carries a heavy load. I know of no one in the Chamber or in this body who has a finer, better, or more sweeping understanding of the subjects she deals with, or who is more capable in carrying out their duties to the nth degree than is the Senator from Maine.

I wish all Senators were here to hear this argument. I hope that we stick by the present law which is adequate and is serving as well.

Mr. PASTORE. Mr. President, will the Senator from Illinois yield to me for 1 minute?

Mr. PERCY. I yield 1 minute to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I hope we are not being misunderstood. This is not a reflection on the quality of the committee or a reflection on the membership of the committee. The committee is composed of Members who have the best minds and integrity in the Senate. I find no fault with that. I know how assiduous the Senator from Maine is in carrying out her duties.

The point which is being missed here is that this amendment puts the burden on the Administrator. It does not put the burden on the committee to search it out. It puts the burden on the Administrator. He is being asked to keep the committee informed as to what he is doing in spending this money. It would be a boon for the legislative branch and a great thing for the committee.

It has worked since 1946 in the Joint Committee on Atomic Energy beautifully. Our staff, time and time again, has relied upon this provision and has exorted members of the Commission to come forward and keep them appraised as to what is going on. This is a useful thing to do.

Mr. ANDERSON. Mr. President, I wish to remind Senators that the language in the Atomic Energy Act pertaining to the establishment of the Joint Committee on Atomic Energy was used in the Senate-passed version of the Space Act to establish a Joint Committee on Space. In this respect it did place the burden on the Administrator. However, the conferees could not agree on the establishment of a joint committee. This language was strickened and the conferees felt that adequate provision was made for requiring the Administrator to keep the duly authorized committees of Congress informed by section 303 of the Space Act. It does exist but in a little different form. The pending proposal presents new language in the annual authorization bill. Those who believe that the present language is satisfactory have the same objective as the Senator from Illinois but favor the present language and want to work with it as long as we can.

Mr. PERCY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Illinois has 1 minute remaining.

Mr. PERCY. Mr. President, in closing I wish to say that as I read the language of the act the section requires affirmative disclosure. It is hard to imagine that the section requires affirmative disclosure. Our concern is the need for more information and the difficulty in getting it under the present act. If we did have access to information, why was it necessary to write in the report:

> Your Committee wishes to reemphasize the policy that the Administrator of NASA shall keep the Aeronautical and Space Sciences Committee of the Senate and the Committee on Science and Astronautics of the House of Representatives fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration.

That insertion was necessary because every single member of the committee felt during the course of the hearings that we were not getting adequate information under the present provisions of the law. I cannot fulfill my responsibility with a lack of information.

The PRESIDING OFFICER. All time has expired.

Mrs. SMITH. Mr. President, I ask unanimous consent that I be allowed to proceed for one-half minute. The time may be taken from the bill, if the chairman will permit it.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SMITH. Mr. President, I want to thank my distinguished colleague from Mississippi [Mr. STENNIS] for those very, very generous words. Senator STENNIS and I have worked together on this and other committees, as he has so kindly stated. His guidance and assistance has meant much to me. I deeply appreciate his generous words with reference to me.

In his earlier statement the Senator from Illinois is correct in his reference to the Senator from Maine. I was one of the first to bring up the question concerning the Phillips report. In fact, it was as much from my insistence on getting this information from NASA that the executive session of the committee was held. Mr. President, it is clear that what is required is our insistence on compliance of the law, not the passage of redundant legislation.

I urge defeat of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. PERCY].

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

I also announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from North Carolina [Mr. JORDAN] are absent because of illness.

I further announce that the Senator from Arkansas [Mr. MCCLELLAN], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Maine [Mr. MUSKIE] would vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Hawaii [Mr. FONG] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from South Carolina [Mr. THURMOND] are absent by leave of the Senate.

The Senator from Nebraska [Mr. CURTIS] is detained on official business.

If present and voting, the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] woud each vote "yea."

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from Nebraska would vote "nay."

The result was announced—yeas 32, nays 51, as follows:

[No. 171 Leg.]

YEAS—32

Baker
Bennett
Boggs
Brooke
Case
Church
Cooper
Dirksen
Dominick
Fulbright
Gore
Griffin
Hansen
Hatfield
Hruska
Jordan, Idaho
Kennedy, N.Y.
Kuchel
Miller
Mondale
Morse
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Ribicoff
Scott
Williams, Del.
Yarborough

NAYS—51

Aiken
Allott
Anderson
Bartlett
Bayh
Bible
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Clark
Cotton
Dodd
Eastland
Ellender
Ervin
Fannin
Hart
Hayden
Hickenlooper
Hill
Holland
Hollings
Jackson
Kennedy, Mass.
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
Metcalf
Monroney
Moss
Mundt
Randolph
Russell
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Young, N. Dak.
Young, Ohio

NOT VOTING—17

Carlson
Curtis
Fong
Gruening
Harris
Hartke
Inouye
Javits
Jordan, N.C.
McClellan
Montoya
Morton
Murphy
Muskie
Smathers
Thurmond
Tower

So Mr. PERCY's amendment was rejected.

Mr. ANDERSON. Mr. President, at this time may I yield 10 minutes to the Senator from Florida [Mr. HOLLAND] on the bill?

The PRESIDING OFFICER. The Senator from Florida is recognized for 10 minutes.

Mr. HOLLAND. I appreciate the courtesy of the distinguished chairman of our committee, since I have to go to another committee which is meeting and having a markup on an agricultural appropriation bill.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. ANDERSON. Mr. President, I move that the vote by which the last amendment was rejected be reconsidered.

Mrs. SMITH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, will the Senator yield to me briefly?

Mr. HOLLAND. I yield.

Mr. MANSFIELD. If I may have the attention of Senators, I would like to remind Members of the Senate that we are operating under a time limitation of 40 minutes on each amendment, so if Senators would remain in the Chamber, it would be appreciated, and it will speed action.

Mr. HOLLAND. Mr. President, in May 1961, President John F. Kennedy's message to Congress stated that large solid propellent motors, as well as liquid propellent boosters, would be developed. It was apparent that the late President had seen the potential advantages of solid propellent rocket motors in the national space program as he observed the replacement of the Atlas and Titan ballistic missiles with the solid fueled Minuteman, Polaris, and Pershing missiles. This country's ballistic missile deterrent capability is largely dependent on solid propellent rocket motors.

In August 1963, it was the NASA's expressed view that, in order to provide an adequate technological base in propulsion, it would seem logical to investigate the major new and unknown technologies of the large monolithic motor. Concern was expressed over any action to defer this work.

In December 1963, the NASA again stated its belief that, in the national interest, the program for demonstration of the 260-inch-diameter large solid motor should be continued, and that the NASA should assume responsibility for this project in fiscal year 1965.

In September 1965, Aerojet-General Corp., under contract to the NASA, successfully fired the first 260-inch rocket motor which developed 3.3 million pounds of thrust for the duration of 2 minutes.

In February 1966, Aerojet fired another highly successful 260-inch diameter motor in Dade County, Fla. This first stage booster developed 3.5 million pounds of thrust for a predicted 2 minutes and 10 seconds.

On June 17 of this year, the third 260-inch, short length, rocket motor was test fired at the Dade County plant, Florida. This motor developed 5.7 million pounds of thrust for a planned 80 seconds. Varying percentages of success have been ascribed to the firing, but in my view, it was not successful to the degree that the technology could be called complete.

The 260-inch program from the outset has been under severe funding limitations—limitations not imposed by the Congress but rather by the NASA.

The goal established several years ago for the large solid propellant technology is the design, construction, fabrication, and successful test firing of the full length 260-inch rocket motor with a thrust vector control nozzle developing 7.5 million pounds of thrust for a duration of 2 minutes. It is not reasonable, prudent, or wise to abandon the solid propellant technology program when we are on the threshold of accomplishing the desired goal.

This technology development program is now approximately 80 percent complete, with an investment to date of about $100 million, $65 million from the Government, and $35 million from private contractors.

The House Subcommittee on Advanced Research and Technology, after weeks of exhaustive studies and hearings this year, recommended "that $12 million be added to this program to develop thrust vector control for the motor or to embark on a full length motor test firing. The subcommittee is convinced that this booster is cheaper, more versatile, simple, and more reliable than the current boost vehicle and that our country should not be caught without adequate available booster technology."

I firmly believe that this vital program providing the United States with a flexible, dependable, and low-cost first-stage booster must be continued for the benefit of our national space effort.

Mr. President, I have made this statement in view of the fact that my understanding is that the bill in the House of Representatives authorizing the program for fiscal 1968 contains a provision for the $12 million appropriation, which would enable the continuation and, I hope, the completion of this test program. I simply wanted to call attention to it in the RECORD, and express the strong hope to the Senator from New Mexico, our able chairman—who will, of course, be on the conference committee and will probably be its chairman—and to the distinguished Senator from Maine [Mrs. SMITH] that in conference this program will be reexamined, with a view, if possible, to completing the research on the solid propellent technology, so that even if it is necessary, at a later time, to put the program on the shelf, it will at least have been completed up to the stage that we will know that this solid booster is available, with its great economy and propulsive strength already demonstrated, so that it may be used as it is needed in the future.

I thank the Senator for yielding.

AMENDMENT NO. 221

Mr. PROXMIRE. Mr. President, I call up my amendment No. 221, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Wisconsin [Mr. PROXMIRE] proposes an amendment, as follows:

> On page 9, line 3, strike out "$4,851,006,000" and insert in lieu thereof "$4,534,195,000".

Mr. PROXMIRE. Mr. President, it is my understanding that the Senator from Alabama [Mr. SPARKMAN] requests time at this point to speak against the amendment.

Mr. ANDERSON. I yield the Senator from Alabama 5 minutes.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SPARKMAN. Mr. President, I appreciate the Senator from Wisconsin giving me permission to speak before he speaks on the amendment, because I have an appointment that I must keep in a few minutes.

I am strongly opposed to any further reduction in the NASA authorization for fiscal year 1968.The committee reduction of $248,994,000 is—to describe it in generous terms—more than enough.

The NASA budget is the sum of many related projects and activities carried out by over 20,000 contractors throughout the country under the direction of over 30,000 civil service employees. The efforts of large segments of major sectors of industry employing some of the most highly skilled scientists, engineers, technicians and managers are involved. Drastic budget reductions necessitate the deletion of specific projects and result in contract cancellations, layoffs and dislocations, and, I might add, supremacy in space for the Soviet Union.

NASA came to Congress this year with an authorization request involving an expenditure reduction of over $300 million from the fiscal year 1967 level. This request contemplates a planned reduction of approximately 50,000 people working on the program. This is orderly, and can be absorbed. The committee's action by itself would almost double the reduction in expenditure and thereby accelerate the dislocation of skilled workers employed in the various programs. Let us go no further.

The Committee on Aeronautical and Space Sciences has spent weeks carefully reviewing the NASA program activities in great detail and in its recommendations has sought to achieve what it considers a careful balance between the needs of the program and the interests of the Nation. The committee has also thoroughly probed into the tragic death of the three astronauts, and is insisting on the highest level of competence and the application of the utmost effort to avoid any recurrence of the tragic accident. However, I am certain that Congress and the American people want assurance that our national objectives will be met in an orderly and progressive manner. How paradoxical it would be—how utterly lacking in commonsense it would be—if in one breath we demand the highest level of performance, within the most exacting standards, and in another withhold the funds necessary to get the job done.

We have gone far enough in reducing the NASA authorization. I hope that any amendments aimed at further reductions will be defeated.

The PRESIDING OFFICER. Who yields time?

Mr. SYMINGTON. Mr. President, with the approval of the distinguished Senator from New Mexico and the distinguished Senator from Wisconsin, I ask unanimous consent that I may speak for 5 minutes on another matter, and that my remarks not be counted against the time on the amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and it is so ordered. The Senator may proceed for 5 minutes.

VIETNAM—LET THE PEOPLE HAVE THE TRUTH

Mr. SYMINGTON. Mr. President, with respect to the utilization of airpower over North Vietnam, something peculiar is currently going on.

Information apparently presented to the American people by various civilian heads with respect to the effectiveness and the results of air attacks against North Vietnam does not coincide with testimony given in executive session to the Armed Services Committee by military people who are doing, and have been doing, the actual fighting.

In the editorial section of the New York Times last Sunday, under the heading "Not Killing Enough" that paper stated:

> In the North, the outlook is for de-escalation.
>
> "We have almost no important targets left," one planner said last week. "In an air campaign, there is a tendency toward movement, either it gets more intense or less so. But it seldom remains at the same level for extended periods of time."
>
> The few unbombed targets in the North are not likely to be struck soon, sources indicated, because it is thought to be necessary to leave some sites unblemished as "hostages." In effect, the sources said, greater pressure can be brought on the North Vietnamese by the unspoken threat of hitting these targets than by actually bombing them.

If the testimony that we have received in the above-mentioned hearings however, is true, then these assertions in the Times are not true; and at least those families who have lost their loved ones in Vietnam have the right to know the truth.

In addition, if this and comparable articles apparently the result of these strange leaks are true, then we are losing unnecessarily scores of multimillion dollar airplanes, and killing unnecessarily hundreds of our finest Americans.

If there is some central source responsible for putting out such untruthful and dangerous reports in effort to further denigrate the effectiveness of airpower, that fact should be run down, regardless of from where this information has been originating.

Earlier this week, upon leaving a hearing being conducted before the Armed Services Committee, a news media representative asked me what the Air Force and Navy carrier planes were going to do, now that there were few if any meaningful military targets left in North Vietnam.

I asked him where he got his information. He told me it came from a high military source in the Defense Department. I checked his source and it was flatly denied.

All members of the Joint Chiefs of Staff know there are a great many lucrative military targets remaining in North Vietnam that have never been touched; and also that there are many targets which have been hit, but are now largely if not completely repaired; and have not been hit again.

With for example hundreds of Americans killed by the heavy equipment we permitted to come down the trails from North Vietnam at the time of the Tet holiday cessation of the bombing, it should be clear to any informed person just how silly is the thinking in this article about targets being left unblemished as "hostages." That type and character of syllogistic reasoning would never be appreciated by the hundreds of thousands of young Americans fighting bravely in South Vietnam.

As long as we have so many military experts, I trust it is proper for me to give my own considered opinion that we have lost hundreds, if not thousands of Americans because of these continuing and inaccurate attacks on airpower and seapower.

Again, however, it is important that the people of the United States have all the truth in this matter which will not help a possible enemy.

Accordingly, with the approval of the chairman of the Senate Armed Services Committee, and in order to find out the truth, I have requested the chairman of the Military Preparedness Subcommittee to have full and complete hearings on this matter; and he has agreed to do just that.

In this way perhaps we can break the military, political, and economic stalemate now characteristic of so much of our operations in Vietnam, operations which are sapping the treasure of the United States, and what is more important, costing the lives of so many young men.

Mr. President, I ask unanimous consent that the article in question be included in full at this point in the RECORD and that an Associated Press article from Mr. Fred S. Hoffman "Some Top U.S. Aides Doubt Viet Air War Effectiveness" from the Washington Star also be inserted at this point in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the New York Times, June 25, 1967]

VIETMAN: "NOT KILLING ENOUGH"

Something approaching a lull settled over the battlefields of South Vietnam last week—a phenomenon as inexplicable as it was misleading.

No one in Saigon expected the pause to last for long, and, indeed, there was a widespread expectation of increased American commitments to the war in the South. At the same time, a lessening of the air war over North Vietnam seemed probable.

Escalation of the ground war, one senior American said, is almost certain to follow the visit of Defense Secretary Robert S. McNamara to Vietnam. Mr. McNamara had been scheduled to arrive in Saigon last week, but his journey was postponed—probably until this or the week after—because of the Johnson-Kosygin summit meeting and other aspects of the Middle East crisis.

Gen. William C. Westmoreland, the American commander in Vietnam, now has 463,000 men at his disposal, not counting the Air Force personnel based in Thailand or the crews of Seventh Fleet ships in the Gulf of Tonkin. The plan had been to increase this total to 485,000 by the end of 1967.

Because of increased fighting near the demilitarized zone, General Westmoreland asked President Johnson during his trip to the United States in the spring to increase the total to about 600,000, according to informed sources.

It is believed that new troops would be used in three areas, depending on the tactical situation when they arrived and how many reinforcements were sent:

(1) Near the demilitarized zone.

(2) In the area around Saigon, which has been stripped of troops to reinforce "hotter" areas further north, thereby making it impossible to stage massive operations such as "Junction City" and "Cedar Falls" in war zones C and D.

(3) In the Mekong Delta.

The generals have elaborate tactical explanations of the need for more men, but the simplest reason is clear: The ones who are in Vietnam now are not managing to kill enough of the enemy. General Westmoreland describes this as a war of attrition, a wearing-down process, but last week his estimate of enemy strength in South Vietnam reached 295,000, the highest total ever.

In the North, the outlook is for de-escalation.

"We have almost no important targets left," one planner said last week. "In an air campaign, there is a tendency toward movement, either it gets more intense or less so. But it seldom remains at the same level for extended periods of time."

The few unbombed targets in the North are not likely to be struck soon, sources indicated, because it is thought to be necessary to leave some sites unblemished as "hostages." In effect, the sources said, greater pressure can be brought on the North Vietnamese by the unspoken threat of hitting these targets than by actually bombing them.

[From the Evening Star, June 26, 1967]

SOME TOP U.S. AIDES DOUBT VIET AIR WAR EFFECTIVENESS

(By Fred S. Hoffman)

Some top U.S. officials are beginning to think the air war against North Vietnam is yielding diminishing gains while toughened ground defenses are raising the price in U.S. warplanes.

Certain of them believe it might be a good idea to limit the bombing essentially to the supply routes running south through the narrow neck of North Vietnam and to cut down strikes against heavily defended industrial-type targets in the Hanoi and Haiphong areas.

But other authorities argue that to do so would result in swelling the volume of supplies and equipment to Communist forces in South Vietnam.

Those holding this general view say the Communists have been emplacing many more antiaircraft guns in the 150-mile long North Vietnamese panhandle, and that concentrating attacks there would not likely reduce the toll of U.S. planes.

Moreover, they contend that the movement of materiel should be interdicted not only at the lower end of the funnel but at the top where it enters the infiltration pipeline.

Officials inclined toward a slowdown in the air war are not all civilians. Some military men also have doubts about the effectiveness of the bombing.

And those who favor at least continuing the present level of air strikes—and possibly an intensification—are not all military.

It is known, however, that the Joint Chiefs of Staff unanimously and vigorously oppose any easing off of the air attacks on Communist military targets in North Vietnam.

The Air Force and Navy were authorized last Feb. 22 to start hitting what one military source called "more lucrative targets" of an industrial and economic nature.

FEW TARGETS UNTOUCHED

There aren't many major targets left untouched now. Yet the North Vietnamese continue to push their war effort in South Vietnam without any apparent letup.

Many bombed facilities have been rebuilt or put back in shape for least limited use. So U.S. raiders make repeated strikes.

North Vietnam's biggest iron and steel complex, the Thai Nguyen steel mill 38 miles north of Hanoi, is reported to be completely out of production. But it took at least 10 raids.

One of three major MIG jet fields has been bombed and strafed at least nine times. But military officers do not claim that the Kep base, 37 miles northeast of Hanoi, is out of action. They have seen too many examples of North Vietnamese ability to make quick repairs.

The most important targets still untouched are Haiphong harbor and three MIG fields in the Hanoi-Haiphong area.

It is U.S. policy to spare Haiphong harbor and its approaches from attack for fear that raids might force the Soviet Union into a confrontation with the United States.

In about 2½ years of sustained bombing, U.S. military sources said, it is calculated that these major results have been achieved:

More than 75 percent of North Vietnam's petroleum and ammunition dumps and depots destroyed.

More than 75 percent of its power plants ruined. The only one of North Vietnam's 12 major power plants which has not been bombed is at Lao Cai near the North Vietnam-Red China boundary.

U.S. pilots are ordered to stay 25 to 30 miles from the border to prevent overflights of Chinese territory.

More than 50 percent of North Vietnam's bridges are claimed to have been destroyed. However, the North Vietnamese have demonstrated skill at quickly replacing bridges with temporary spans.

More than 30 percent of North Vietnam's cement plant capacity has been destroyed, officers said. Cement is used to repair roads and airfield runways, as well as shattered buildings.

More than 3,500 trucks destroyed and an equal number damaged. Military intelligence sources estimate that U.S. planes have sunk more than 6,500 barges and other vessels and damaged more than 12,000.

The tally of railroad rolling stock destroyed is pegged at more than 1,000 cars and engines. Another 2,000 are claimed as damaged.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SYMINGTON. Mr. President, I am glad to yield to the able Senator from Mississippi.

Mr. STENNIS. Mr. President, I had already read the statement of the Senator from Missouri, and I have listened to it here.

I think it is a splendid statement. I agree wholeheartedly with the points he makes.

As chairman of the Senate Preparedness Investigating Subcommittee, I am delighted that we are now in a position to get off on what I hope will be a meaningful hearing on this very matter of bombings.

There has been no public announcement of it previously, but two members of our subcommittee staff left last week and are already in Vietnam. Very high on their agenda of things that they will look into is this subject matter.

I do not think that I can say anything more than that now. However, certainly the matter is already in motion.

I believe it will be a fruitful inquiry.

I commend the Senator from Missouri again for his statement and his diligent attention and interest in the matter.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. Mr. President, I thank the able chairman of the Senate Military Preparedness Subcommittee.

Because of the respect in which he is held, not only by the Senate but also by the people of the United States, I am sure we will now get the truth of this matter. I think that truth is most important to the future security and well-being of our country.

I thank the able Senator from Wisconsin [Mr. PROXMIRE] and the able Senator from New Mexico for their courtesy in yielding time to me.

NASA AUTHORIZATION FOR FISCAL YEAR 1968

The Senate resumed the consideration of the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

Mr. PROXMIRE. Mr. President, I yield myself such time as I may require.

The amendment I have just called up, which is now pending before the Senate—I hope to get to the yeas and nays on the amendment—would reduce the space program, modestly.

Congress is faced with a situation in which it is the best judgment of the country's most competent economists that we will either have to vote for a tax increase or reduce spending; otherwise we will have serious inflation and very high interest rates.

Just yesterday, the Chairman of the Council of Economic Advisers testified before the Joint Economic Committee. He is a man of good judgment, a man of temperate statement. I have heard him testify before our committee many times over a period of years, and I have never seen him so emphatic in saying that in his judgment the economic situation called for a tax increase. But he did concede that if Congress should reduce spending correspondingly, we could avoid the tax increase; and, of course, if we reduce spending to any extent, we could reduce the tax increase to that amount.

We are likely to have a deficit that ranges in estimates from $13 billion to $30 billion. The $30 billion figure was arrived at by the distinguished chairman of the House Ways and Means Committee, a very able man. The staff of the Joint Economic Committee, having studied this matter very carefully, says that he may well be right. This would be by far the greatest deficit we have ever had, except, of course, in World War II.

With such a deficit it does not take much economic sophistication to recognize the immense inflationary and interest rate pressures. Under the circumstances, it seems to me that we are bound to cut spending wherever we can.

Yesterday, a number of Senators voted against increasing the debt limit; and when they did so, they made it clear that they were doing this because they believed that spending must be reduced. Others voted for increasing the debt limit, and those who did so said they agreed that spending should be reduced, but said that this decision should responsibly be made on authorization and appropriation bills and not on the debt ceiling.

This is a ripe opportunity to do so. I am not asking for a big cut. The proposed amendment, together with the cuts recommended by the committees in both Houses—that is, all the cuts that are recommended—would reduce the total Space Agency budget request by only a little more than 1 percent. This would not be a meat-cleaver cut; this would be a modest, limited, paring-knife reduction. It is a reduction in areas that I think we can justify.

Mr. ANDERSON. Will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. ANDERSON. Did the Senator say 1 percent?

Mr. PROXMIRE. A little over 1 percent.

Mr. ANDERSON. The total cut?

Mr. PROXMIRE. The total cut.

May I say to the distinguished Senator from New Mexico that I am very happy that he rose to make this correction at this point, because this cut is based on a roughly $5 billion total, give or take $100 million or $200 million.

Mr. ANDERSON. It is an 11-percent cut.

Mr. PROXMIRE. This is not a $500 million cut. It is a cut of $316 million. Added to the cut already made by the House, it is about 11 percent. The Senator is correct. It is a 10- or 11-percent cut. In my judgment, it would still be a paring-knife cut, not a meat-cleaver cut.

It was pointed out in the House the other day that out of every dollar of Federal expenditures proposed in the President's budget message for the coming fiscal year, only 11 cents is left over after deducting the cost of our military requirements, the war in Vietnam, interest on the debt, and other fixed charges. And of that 11 cents, fully one-fourth of it—that we have any discretion to cut—is for the space program.

Again, I am not asking for an overwhelming cut, a billion-dollar cut of the kind I asked for last year. This would be a $316 million cut, which altogether is a cut in the area, including all other reductions, of about 11 percent.

Mr. President, let me be specific in just what this would reduce. The general cut I propose would incorporate cutbacks to the levels recommended by the House Space Committee where these levels were lower than the Senate committee recommended. With respect only to most items in the advanced research and technology category, the amendment incorporates cuts to fiscal 1967 levels. This is based on the argument that an insufficient case has been made for increases here. With respect to Apollo Applications and Advanced Missions, I have cut back to levels for reasons which I shall explain in a moment.

These are the major cuts I propose and the basic reasons for them:

First, in the Apollo program. Although we have decided that a flight to the moon is a national goal, I do not believe this program should be regarded as entirely inviolate. I, therefore, agree with the House Space Committee's recommendation of a $25 million cut here. This is based on the following reasons: Because of the tragic launchpad fire on January 27 which took the lives of three astronauts, the Apollo mission schedule has been set back—almost a year. There will, therefore, be lower mission expenses than originally anticipated. There will also be savings because of anticipated improvements in costs through incentive contracts. An example of the "fat" that may be found in the Apollo program is well illustrated by the fact that after the Apollo accident, NASA was able to absorb the expenses stemming from that tragedy by reducing by $50 million the cost of existing contracts through "effective management."

Second, in the Nerva program, I would cut $29,780,000 from the program to build a nuclear rocket engine. By making this request, NASA is asking for a decision, in effect, on the construction flight hardware for a manned landing on Mars and other Mars-related projects. The Nerva program would take us a long way toward a commitment to put a man on Mars—a program that would cost us, it has been conservatively estimated, some $200 billion.

It would seem to me that Members of Congress would be well advised to think very carefully about engaging a program that we know will be argued for in the future on the ground that we have already made a commitment of millions and millions of dollars and we do not want to let it go down the drain. This program is conservatively estimated as one that could cost $200 billion. Congress could say no to this program in the future, of course; but it is more difficult to say no if we have made a larger commitment of dollars to it.

This cut would eliminate money for immediate production of flight hardware. It would establish a figure of $44.22 million for the nuclear rocket program, which is approximately the figure NASA originally requested for fiscal 1968 before they came in with an amended request on February 28.

I summarize, Mr. President, by saying that I believe this is a cut which is well below the one I suggested last year of a billion dollars. It is a cut which would result, in my judgment, in a declaration that Congress is serious about reducing spending wherever it can; that we have priorities in mind; that we want this program to go ahead; that we feel there are areas of the program reaching out toward Mars and other advanced applications of the Apollo program which can properly be cut back, in view of the war in Vietnam, where we are spending so much money, and with inflation threatening.

I reserve the remainder of my time.

Mr. ANDERSON. Mr. President, I yield myself 3 minutes.

The amendment offered by the Senator from Wisconsin is a dangerous one, and we should realize what the result would be.

When the Senator stated that the cut would amount to 1 percent, I had to interrupt and say that was incorrect. It would be 11 percent. The committee cut $249 million, and the Senator from Wisconsin wants to cut $316.8 million more.

It is physically impossible to run this type of program on that basis. We reduced the figure by an amount we thought proper, and many people thought we had cut too much. We cut $71,500,000 from the Voyager program. The Voyager program may be a fine program but we felt that this program could be postponed.

We cut $120 million from Apollo applications. Somebody might try to show that this was not cut enough; others think it was cut too much; but that is the figure we believe is the correct amount.

We cut the Electronics Research Center in Massachusetts. We were not opposed to that but the planning was bad and the building designs had to be rejected and they must now redesign. That cut was $6.22 million.

Mr. President, that is true of the entire program all the way through. I hope the Senator realizes that this reduction cannot possibly be obtained. It would only cause trouble for a while with the House committee. We must not cut in this fashion today. A cut of this size, of more than 11 percent, would be far too much.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. BIBLE. Mr. President, I simply rise to ask to be associated with the remarks of the distinguished Senator from New Mexico, who is the chairman of the Committee on Aeronautical and Space Sciences. It seems to me that he does make a good case. My understanding is that this budget, or authorization, has already been reduced a considerable amount of money over the budget request. Is that statement correct?

Mr. ANDERSON. We cut $249 million from the budget request. This is a proposal for a cut of $316 million more. It cannot be done that way.

Mr. BIBLE, Mr. President, in addition, volumes 1 and 2 show very exhaustive hearings. I wish to ask the Senator the following question: Were the findings of the committee in this respect unanimous findings?

Mr. ANDERSON. There was no objection to any of the committee actions with respect to the NASA programs and the bill was reported unanimously. We had very fine cooperation from the members working on the bill. It was difficult for them to come to committee meetings as we had to compete with other committee meetings. For instance, the Senator from Iowa [Mr. Hickenlooper] could not always stay with the Space Committee, but he was there and he made a contribution.

Mr. President, it would be a tragic error if we did what is suggested here.

Mr. BIBLE. I know on this particular hearing there were 7 days devoted to the hearing on this particular authorization. I know from my experience in serving with the distinguished senior Senator from New Mexico of the thoroughness with which he goes into these budgets. I am convinced that the cut he suggested of $248 million under the budget request is the minimum that could be made.

I thoroughly support the position the Senator from New Mexico is taking and I shall vote in opposition to the amendment.

Mr. ANDERSON. I thank the Senator. We did a good deal of hard work and we tried to make the cuts reasonable. Some people criticized us for cutting too much.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mr. LAUSCHE. Does the amendment recommended by the committee exceed, or is it less than, the amount appropriated for fiscal 1967?

Mr. ANDERSON. It is much less.

Mr. LAUSCHE. The amount that this authorizes is less than was appropriated in the last fiscal year? It is not in the report.

Mr. ANDERSON. The last fiscal year, as I remember—and I shall look at it again—was just under $5 billion. It was $4 billion and something. This is $4.851 billion. It is at least $100 million below the other figure. This year it is $248 million under the budget request——

Mr. LAUSCHE. Perhaps the staff man has the figure.

Mr. ANDERSON. I know that the figure was $4,968,000,000, which is just a little below $5 billion.

Mr. LAUSCHE. That was last year's appropriation.

Mr. ANDERSON. The Senator is correct.

Mr. LAUSCHE. Last year's appropriation, then, was more than this year's authorization.

Mr. ANDERSON. The Senator is correct.

Mr. LAUSCHE. By $100 million.

Mr. ANDERSON. I used hurried arithmetic. I think that is correct. About $117 million.

Mrs. SMITH. Mr. President, will the Senator yield?

Mr. ANDERSON. I yield.

Mrs. SMITH. Mr. President, I would like 1 minute to say that I agree wholeheartedly with the able and distinguished chairman of the committee.

The committee has provided the building blocks of capability that can be used for the structure of our space program in the future. The program recommended by the committee provides for such things as long-duration manned orbital experience, reusable spacecraft, improved in-space propulsion, funds for better electronic systems and space vehicle systems, funds for improved power system, and Mr. President, the program recommended provides for basic research and development in many of the sciences such as astronomy, geophysics, particles and fields, geodesy and bioscience. The program recommended also provides for applications of space systems to meet the needs of man such as weather, communications, cartography, and earth resources.

Mr. President, the program recommended by the committee is a sound program. It is austere but it provides for those things that we need. I recommend that the Senate reject the amendment of the Senator from Wisconsin.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ANDERSON. Mr. President, I yield back the remainder of my time.

Mr. PROXMIRE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. Kennedy of New York in the chair). All time has been yielded back. The question is on agreeing to the amendment of the Senator from Wisconsin.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the role.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. Gruening], the Senator for Oklahoma [Mr. Harris], and the Senator from Indiana [Mr. Hartke] are absent on official business.

I also announce that the Senator from Hawaii [Mr. Inouye] and the Senator from North Carolina [Mr. Jordan] are absent because of illness.

I further announce that the Senator from Minnesota [Mr. McCarthy] and the Senator from New Mexico [Mr. Montoya] are necessarily absent.

I further announce that, if present and voting, the Senator from Alabama [Mr. Sparkman] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Hawaii [Mr. Fong] and the Senator from Kentucky [Mr. Morton] are necessarily absent.

The Senator from New York [Mr. Javits] and the Senator from South Carolina [Mr. Thurmond] are absent by leave of the Senate.

The Senator from Nebraska [Mr. Curtis] is detained on official business.

If present and voting, the Senator from Nebraska [Mr. Curtis], the Senator from Kentucky [Mr. Morton], the Senator from California [Mr. Murphy], the Senator from South Carolina [Mr. Thurmond], and the Senator from Texas [Mr. Tower] would each vote "nay."

The result was announced—yeas 35, nays 50, as follows:

[No. 172 Leg.]

YEAS—35

Bayh
Boggs
Brewster
Burdick
Byrd, Va.
Case
Church
Clark
Cooper
Cotton
Dominick
Fulbright

Griffin
Hansen
Hart
Hatfield
Hollings
Hruska
Kennedy, N.Y.
Lausche
McGovern
Miller
Morse
Moss

Nelson
Pastore
Pell
Proxmire
Randolph
Russell
Spong
Talmadge
Tydings
Williams, N.J.
Williams, Del.

NAYS—50

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Brooke
Byrd, W. Va.
Cannon
Dirksen
Dodd

Eastland
Ellender
Ervin
Fannin
Gore
Hayden
Hickenlooper
Hill
Holland
Jackson
Jordan, Idaho
Kennedy, Mass.

Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGee
McIntyre
Metcalf
Mondale
Monroney
Mundt

Muskie
Pearson
Percy
Prouty
Ribicoff
Scott
Smathers
Smith
Sparkman
Stennis
Symington
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—15

Carlson
Curtis
Fong
Gruening
Harris
Hartke
Inouye
Javits
Jordan, N.C.
McCarthy
Montoya
Morton
Murphy
Thurmond
Tower

So Mr. PROXMIRE's amendment was rejected.

Mr. ANDERSON. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. PROXMIRE. Mr. President, I call up my amendment No. 222, and ask unanimous consent that its reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE's amendment is as follows:

On page 9, line 3, strike out "$4,851,006,000" and insert in lieu thereof "$4,752,722,000."

Mr. PROXMIRE. Mr. President, as far as I am concerned, the vote on this amendment will come almost immediately. I am going to take only about 3 minutes of my time.

The amendment reduces the program $100 million below what the committee asked.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. PROXMIRE. Mr. President, let me state briefly what this amendment does.

This amendment in the main incorporates cutbacks only where the House committee recommendation was lower than the Senate committee recommendation except in the Nerva nuclear rocket engine item, where the cut in the last amendment is retained because of my belief that to authorize this expenditure now would commit us to do a program of hardware production for a manned Mars mission, which could cost, under conservative estimates, $200 billion before we are through. Although I feel strongly that a larger cut should be made in the Apollo applications program, this amendment accepts the Senate committee's recommendation which constituted a $110 million cut from the House committee recommendation. The amendment does not incorporate cutbacks to fiscal 1967 levels.

The physics and astronomy figure incorporated in this amendment is $2 million lower than the House committee's figure because it includes the astronomical and geophysical observatories cuts recommended by the House committee—which total $15.869 million—as well as the Sunblazer cut of $2 million recommended by the Senate committee, which did not recommend cutting the observatories. The Sunblazer is a new series of small interplanetary probes proposed for initiation in fiscal 1968, with the purpose of studying the solar corona. The figure for launch vehicle procurement reflects these three cuts also, because launch vehicles would not be needed for the programs cut.

The amendment accepts the Senate committee recommendation to retain funds for the Nimbus E and F meteorological satellites, a total of $5 million, which were cut by the House committee, but it retains the House cut of $2.4 million for three additional geodetic satellites to be launched in the 1969–71 period.

The House cuts have not been incorporated in three items—space vehicle systems, electronics systems, and space power and electric propulsion systems—because in each case the House committee recommended $1 million cuts which it did not justify except to say that they were economy cuts. While both my amendments today have been economy cuts basically, I will defer to the Senate space committee's judgment on these items. In each case, the Senate committee restored the $1 million cuts.

Let me say, to conserve time, that the principle that applied to the previous proposed cut certainly applies here. It is a lighter cut, but it is true that if we are going to make any substantial saving, the saving must come from the space program. The cost of this program constitutes literally one-fourth of the funds this Congress has the clear discretion to cut.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I want to associate myself with what the Senator has said. Yesterday we had a vote on the debt ceiling bill. One amendment which would have cut the ceiling was defeated by only one vote, showing that nearly one-half of the Senators present are concerned with the deficit. We are faced with a deficit of $29 billion, according to the chairman of the House Ways and Means Committee. Yet here is a program which serves a meaningless purpose, which was a mere exercise before we became mired in the war in Vietnam. Not to cut down this program at this time would be an act of irresponsibility.

Mr. ANDERSON. Mr. President, I yield 2 minutes to the Senator from Nevada [Mr. CANNON].

Mr. CANNON. Mr. President, the Senator from Wisconsin, and the Senator from Arkansas as well, would have it appear that there have been no cuts in this proposed program. The facts are quite to the contrary. The Senate committee examined this matter very carefully. We made reductions over those proposed by the House of $141.176 million. So this program was examined in very, very great detail. We attempted to find other possible areas in which we could make reasonable cuts without destroying essential elements of this program.

The Senator has made direct reference to the Nerva program. The committee examined the nuclear rocket program very carefully. This program is not being approved for a Mars flight. It is recommended because of the efficiency with which this type of engine can perform a variety of missions and the fact that a long-lead development time is involved. This is not a new program or production program. It is a continuation of a highly successful research and development program.

I think it would be a serious mistake to enact the amendment the Senator from Wisconsin has proposed. It would have the effect of practically destroying the Nerva program as well as making reductions in areas that we have very carefully examined, and which I think the Senate should support.

I ask unanimous consent that a statement I have prepared be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CANNON

The Amendment, which essentially takes the lowest amount for each line item in the respective House and Senate bills and adds other minor reductions, results in a $98,284,000 reduction from your Committee's recommendation resulting in a total authorization for NASA of $4,752,722,000.

Your Committee, in recommending an authorization of $4,851,006,000 to the Senate, has carefully reviewed the NASA budget request program by program and has also studied the House Committee actions and the rationale therefor which resulted in the House Committee recommendation of $4,992,182,000. Your Committee is basically recommending that the Committee support ongoing programs which this body has approved and supported over the years, and it is recommending these at what we believe is a bare bones level. In support of this I would call to the attention of the Senator from Wisconsin that he is advocating a $25 million cut in the Apollo program in which this Nation has a substantial investment at a time when adequate resources are necessary to recover from a disastrous setback and get this program in condition to realize a return on the investment which has been made in it. I would like to emphasize that the Administration has not requested additional funds to recover from the Apollo 204 accident, but rather has stated to your Committee that it will make every effort to rearrange its planning and scheduling so as to accomplish the program with the minimum financial impact. As has already been stated, this program has passed its funding peak and the program is in such an advanced stage that your Committee is convinced that the estimates now submitted are much more responsive to accurate estimating and in addition, for this same reason, are more susceptible to critical reviews at each level of Government.

Your Committee carefully examined the Apollo Applications program and concluded that the recommended amount is the minimum necessary so as not to deny the Nation the capability to continue to do the things it may desire to do. I would also like to point out that there is a 30-month lead time on the procurement of launch vehicles. This is a very significant factor in making judgments on the needs of this program for FY–1968.

The Senator is also suggesting an approximate $14 million cut in the Physics and Astronomy program based upon House Committee action. I would like to reiterate that there is no new work in this program. Your Committee is only recommending those amounts which are necessary to complete work in process and thereby enable the Nation to capitalize on the investments that have been made based upon earlier decisions to undertake these space science activities. Conversely, I would like to point out that your Committee has recommended a reduction of $10.1 million in the Mariner program requested to initiate a Mariner-Mars 1971 mission. In view of the 1969 Mariner-Mars mission approved last year, your Committee did not feel that this project, estimated to cost $216 million in total, was justified even though the Committee has serious concern about maintaining an ongoing balanced planetary exploration program for the long-term interest of the Nation. I would also like to point out that the Voyager program—an unmanned mission to Mars with flights in 1973 and 1975 and estimated to cost $2.3 billion, with the initial request of $71.5 million submitted this year—has not been recommended for initiation. This $71.5 million—it goes without saying—is a substantial cut in the Administration's space budget request.

In the Bioscience program, as in the Physics and Astronomy program just mentioned, the House Committee is recommending a cut in a program previously approved and, therefore, for which much work has already been accomplished. We think this is false economy at its best.

In the area of advanced research and technology the House Committee has made several "nominal economy" cuts. It is these programs that push the frontiers of knowledge back and build a base for this Nation's technological strength in the future. These are not hardware programs. These programs represent scientific and technical effort almost completely. Although I am not going to attempt to identify specific items in these programs that have contributed to human betterment, I think there is ample evidence in this Nation today that our advanced research and technology bank is one of our strongest assets, and it is only by maintaining this asset that we will be able to compete, possibly even survive, in the future; and certainly regardless of one's individual feelings, one cannot deny that the improvement in our standard of living and the outlook for future improvements rests on an advanced technological base.

The Senator from Wisconsin is recommending a $7.7 million reduction in the Tracking and Data Acquisition program. I would like to point out that the House Committee has cut this program year after year and that your Committee has been successful in restoring a major portion of this cut in conference because of the demonstrated budgetary performance of NASA in this program over the years. In spite of the reductions which have been made, the Office of Tracking and Data Acquisition has consistently been able to make a supportable case for the allocation of the full amount of its request to carry out this very important function. Without the ultimate in equipment and training in this particular area we would not be able to provide for safe space flights for our astronauts, and we would not be able to obtain the data from not only our scientific missions but also from those earth application spacecraft such as the TIROS and NIMBUS weather satellites, the communications satellites, the advanced technological satellites and the proposed earth resources satellites which are believed to offer significant advances in weather, crop, erosion control and other forecasting for concrete earth-bound applications.

In the Construction of Facilities area the Senator is recommending a reduction of $3 million in the construction request for two test stands for the nuclear rocket engine program. This construction program happens to be a control item for this development, and the construction schedule has been very carefully structed to be able to support the engine development program on a timely basis. After careful examination it was the judgment of your Committee that the House Committee cut would seriously impair the entire schedule because of inability to commit sufficient funding to the procurement of the complex, long lead-time items which must be phased into the construction program at a precise point.

I have taken quite a bit of time to review again the work of this Committee in recommending S. 1296 to the Senate, and particularly those actions wherein it was necessary to consider the amounts recommended by the House Committee. This involves a great deal of detailed review and study, and I wonder if the Senator from Wisconsin has examined his recommendations to the same degree. I suggest that he has not. Otherwise, I do not believe in all fairness that he would want to withdraw support from programs which are currently in or very near their payoff point and, therefore, abandon the substantial investment that the Nation has made to date. Further, I do not believe that he would seriously recommend a few million dollar economies if he fully recognized the contribution of these particular efforts to the long-range welfare of the country.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. HOLLAND. Does not the Senator recall that the committee recommended a cut greater than the House Space Committee and this cut amounts to almost a quarter of a billion dollars—$249 million below the budget?

Mr. CANNON. The Senator is correct. It is $248.9 million. So it is almost one-quarter of a billion dollars, as the Senator has correctly stated, below the budget request. I think it would be very harmful to go in and say "We want to make a cut and we will cut them in whatever areas we want," without a closer examination.

Mr. ANDERSON. Mr. President, I yield 2 minutes to the Senator from Minnesota [Mr. MONDALE.]

Mr. MONDALE. I thank the Senator for yielding.

Mr. President, I approached this authorization as—I think—one of the more critical members serving on the Space Committee of the program. It is, however, my conclusion that this recommendation represents as prudent a cut as could be made. Indeed, it is the largest cut in a recommended NASA authorization in the history of the program—$248 million.

I ask unanimous consent to have printed in the RECORD at this point a table of the cuts represented by Senate committee recommendations since the beginning of the program, which demonstrates that this is the largest and deepest cut in the history of the space program.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

History of Senate committee funding recommendations

[In thousands of dollars]

Fiscal year	NASA request	Senate committee recommendation	Total cut
1968	5,100,000	4,851,006	248,994
1967	5,012,000	5,008,000	4,000
1966	5,260,000	5,196,826	63,174
1965	5,304,000	5,246,293	57,707
1964	5,712,000	5,511,520	200,480
1963	3,858,276	3,820,515	37,761
1962	1,844,300	1,844,300	0
1961	970,000	970,000	0
1960	485,300	485,300	0
1959	251,154	201,154	50,000

Mr. MONDALE. This is not the time to go into detail about the various cuts which the Senate committee recommends today, but I believe that they are as deep as they can go, and that this is a prudent and frugal budget. I think the chairman of the committee, the distinguished Senator from New Mexico, is to be commended for the care, the judiciousness, and the frugality with which he and the other members of the committee approached that task.

I think to go deeper than the committee recommends would be to do great harm, and eventually would result in the exaction of costs far in excess of any savings we could claim to be making now.

If a committee which acts responsibly, as this committee has, in making deep cuts, is thereafter met on the floor of the Senate with meat ax recisions, I believe it is an invitation to inflated recommendations in the future. I think we have gone as far as we can go, and that the committee's recommendation in its present form should be adopted.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. MONDALE. I yield.

Mr. STENNIS. I commend the Senator, not only for his fine statement, but for the splendid work he has done as a member of the committee.

Does the Senator know that this cut applies after taking the lowest figure either from the House bill or the Senate bill, and reporting that to the Senate?

Mr. MONDALE. I did not; and I thank the distinguished Senator from Mississippi for his gracious comments.

I reluctantly disagree with the distinguished Senator from Wisconsin in his approach, because I believe that the committee's recommendation represents months of very hard work by a very responsible committee, which has gone as deep with these cuts as it responsibly can. I feel that the authorization should be adopted in its present form.

I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator from New Mexico yield me 2 minutes?

Mr. ANDERSON. I yield 2 minutes to the Senator from Florida.

Mr. HOLLAND. Mr. President, I feel exactly as the Senator from Minnesota has expressed himself as feeling. I think additional cuts would be hurtful. I voted for the cut of practically a quarter of a billion dollars off of the budget request with some reluctance; but I think we applied the reductions in the places where cuts could best be made.

One word in reply to the distinguished junior Senator from Arkansas, who, as I recall it, stated we were not receiving any immediate benefits from this program.

Mr. President, the Senator would find it very hard to persuade the people of my State, who are receiving immediate benefits with respect to following the approach of hurricanes, from the weather satellites which are now in orbit, and from additional satellites scheduled to be launched by means of funds from this very authorization.

The Senator would find it hard to convince the Defense Department that they were receiving no benefits from improved communications through the use of satellites of the type now being employed for civilian purposes also. The Senator would find it difficult to get the Defense Department to say that they were not getting any advantage through the use of surveillance satellites.

I have mentioned only a few of the great and immediate benefits, besides the increase in our total knowledge which has proved so advantageous thus far.

I think that this program, while it is a long-range one, and will have more benefits in the future, is by its very nature a continuing program which we must not stop. I believe the committee has done all that can prudently be done in suggesting the reduction of practically a quarter of a billion dollars.

Mr. FULBRIGHT. Mr. President, will the Senator from Wisconsin yield so that I may reply briefly to the Senator from Florida?

Mr. PROXMIRE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I do not wish to leave the Senator's statement unanswered. I realize, of course, that there are some benefits from the program. I was not precise in my language. I am sure that the State of Florida benefits to a great extent. They must have 50,000 or 100,000 employees in this program. I am in great sympathy with the Senator's position.

I was not thinking of that kind of benefits. I was thinking of the national welfare, and not in benefits to particular States.

Mr. President, the program of development and launching of weather satellites is not dependent whatever on going to the moon. All such activities, which are very useful, are a very minor part of the NASA program. The expensive part, to my mind, is the crash program of putting a man on the moon and sending lunar probes into outer space, which have very questionable practical value now.

My position has never been to stop the program, which the Senator apparently believes was my implication. A $100 million reduction from this total budget certainly is not going to stop it. The appropriation is just under $5 billion. I have always said, as I stated last year, that I have no desire whatever to stop it. I have thought that it ought to proceed on a regular schedule, in an orderly fashion, but not on a crash basis. In the newspapers recently, following the terrible tragedy of the fire which killed some of our finest astronauts, it was clearly indicated the reason for the tragedy was the crash program.

It seems to be the feeling that "We have got to be there before the Russians." Mr. President, that is a silly and childish approach to the program. It should be continued; but I say it should be continued in an orderly way, at about half the speed it is now being conducted. I am for that. I do not believe, under present conditions, with the increase in the national debt limit upon which we just voted, the present enormous deficit, and threatened inflation, this particular program should be pampered and insulated from substantial cuts because it renders special benefits to a few people such as those represented by the Senator from Florida.

Mr. HOLLAND. Mr. President, if the Senator will yield for 1 minute, I wish to make it very clear that, in what I have said, I had no reference to benefits to employment in my State. I have reference to benefits to the entire Nation, and, for that matter, to all the earth as a result of the program. I have referred also to the fact that to cut now, without knowing how it is going to slow down the whole program and increase the cost of the program, beyond the recommendation of the people who have studied the matter and have already cut at least a quarter of a billion dollars from the program, is the worst possible way, in my opinion, to approach the program.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MAGNUSON. Of course, it must be realized that the Bureau of the Budget cut this program also, at its first presentation. That is a cut which is not in the record here.

I should, however, like to point out something further about the space program. I happen to be chairman of the Independent Offices Subcommittee, which handles the appropriation.

We are always talking about the moon. It is a glamorous thing, and it is there; but after going through this space program over the years, I am convinced that all of us would approve the entire program, even if the moon did not exist. Even without the moon, about 85 percent of the program would be approved by Congress.

Another thing I think we ought to realize, when we talk about benefits, is that while there is a concentration in Florida, that occurred because Florida happened to be the place they could carry out that portion of the program best. It could have been some other State. There is a concentration of part of it in California, where they can handle that portion of the program best, out there near the Pacific.

Ninety-two percent of all the work on the space program is done under contracts with private corporations and private engineering groups engaged in private projects and doing private research. Those contracts are being fulfilled in every single State of the Union. The spinoff for the American people by virtue of the fact that they have a part of the space program, a certain thing being done in a machine shop, in a research laboratory, or in a large manufacturing plant or electrical plant—I could stand up here all afternoon and state item after item after item—is intangible, but nevertheless the benefits exist. It is hard to state it in dollars and cents; but I wish to state that the space program has given great impetus to all of the progress in research in the United States in every field.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The Senator's time has expired.

Mr. ANDERSON. I yield to the Senator from Maine.

Mr. STENNIS. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Maine is recognized.

Mrs. SMITH. Mr. President, the amendment proposed by the senior Senator from Wisconsin would effect an arbitrary reduction of more than a dozen major programs contained in the NASA authorization bill merely on the basis of selecting the lower figure contained in two columns of funding amounts.

I cannot believe that this is a legislative practice the Senate wishes to endorse. In essence, the proposed amendment would negate the long and arduous work of the Senate Space Committee in carefully reviewing and scrutinizing each program funding request before arriving at a considered judgment and making its recommendations to this body based on that judgment.

Your committee has pared the NASA request by approximately one-quarter billion dollars. I believe the authorization recommended by the committee provides a sound and reasonable level of operation for NASA; it provides for continuing the momentum of broad-based, ongoing programs and avoiding commitment to costly new programs which appropriately could be deferred.

I, for one, would welcome suggestions as to any additional areas where funding could be reduced—but only if such suggestions were based on the same careful consideration and judgment your committee has given to this bill.

The final determination of whether our continued efforts in space will produce the dividends many of us perceive probably will not be made for several decades. However, I, for one, believe our present course is the right one. As I stated yesterday, I was recently buoyed and encouraged in this belief when I learned that the following comment was made by an illustrious New York newspaper concerning Samuel Langley's experiments with airplanes just 1 week before the successful flight of the Kitty Hawk by the Wright brothers:

> We hope that Professor Langley will not put his substantial greatness as a scientist in further peril by continuing to waste his time, and the money involved, in further airship experiments. Life is short, and he is capable of services to humanity incomparable greater than can be expected to result from trying to fly. . . . For students and investigators of the Langley type, there are more useful employments.

Mr. President, I therefore urge that my colleagues vote against the amendment.

Mr. PROXMIRE. Mr. President, I yield myself 30 seconds.

The cut from $4.8 billion to $4.7 billion still leaves $4¾ billion, $4,700 million in the space program. It is still a big program.

This would be a cut of 2 percent below what the committee recommended and 5 or 6 percent below what the administration recommended.

It would still leave a vigorous, strong, and immensely expensive program.

Mr. President, I am willing to yield back the remainder of my time if the Senator from New Mexico is willing to do so.

Mr. ANDERSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Wisconsin. On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I also announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from North Carolina [Mr. JORDAN] are absent because of illness.

I further announce that the Senator from New Mexico [Mr. MONTOYA] and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alabama [Mr. SPARKMAN] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Hawaii [Mr. FONG] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from South Carolina [Mr. THURMOND] are absent by leave of the Senate.

The Senator from Iowa [Mr. HICKENLOOPER] is detained on official business.

If present and voting, the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] would each vote "nay."

The result was announced—yeas 38, nays 46, as follows:

[No. 173 Leg.]

YEAS—38

Bayh
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Clark
Cooper
Cotton
Dominick
Fulbright
Gore
Griffin
Hart
Hatfield
Hollings
Hruska
Kennedy, N.Y.
Lausche
McGovern
Miller
Monroney
Morse
Moss
Nelson
Pastore
Pell
Proxmire
Randolph
Russell
Spong
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Young, N. Dak.

NAYS—46

Aiken
Allott
Anderson
Baker
Bartlett
Bennett
Bible
Brooke
Cannon
Curtis
Dirksen
Dodd
Eastland
Ellender
Ervin
Fannin
Hansen
Hayden
Hill
Holland
Jackson
Jordan, Idaho
Kennedy, Mass.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McIntyre
Metcalf
Mondale
Mundt
Muskie
Pearson
Percy
Prouty
Ribicoff
Scott
Smith
Stennis
Symington
Yarborough
Young, Ohio

NOT VOTING—16

Carlson
Fong
Gruening
Harris
Hartke
Hickenlooper
Inouye
Javits
Jordan, N.C.
Montoya
Morton
Murphy
Smathers
Sparkman
Thurmond
Tower

So Mr. PROXMIRE's amendment was rejected.

Mr. ANDERSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BIBLE. Mr. President——

The PRESIDING OFFICER. Who yields time?

Mr. BIBLE. May I have 2 or 3 minutes?

Mr. ANDERSON. I yield 2 minutes to the Senator from Nevada.

Mr. BIBLE. Mr. President, I earlier associated myself with the remarks of the distinguished chairman of the committee, the Senator from New Mexico, in resisting the cuts that were suggested by the amendments of the senior Senator from Wisconsin. I am delighted that those amendments did not prevail.

The bill which the committee has brought before the Senate is a realistic one. As I pointed out earlier, it is a program which has been cut substantially from the budget amount, almost $249 million, a substantial cut from the House figures. I believe that this program is well justified. It involved approximately 7 days of hearings—resulting in two full volumes—by a very capable committee, with a unanimous report.

There is powerful persuasion in the economy arguments used to support drastic reductions in our space program as set forth in the NASA authorization bill. But it is the powerful persuasion of oversimplification.

Those who would cut back the authorization say simply, "We cannot afford this program." They say, "Let us put it off for awhile until the time comes when we can afford it."

Mr. President, the time will never come when we will feel that we can afford any expensive project. There will always be a pinch on funds. There will always be something going on that is draining moneys otherwise available.

To approve the kind of reductions that are proposed is to deny the future. We are wasting our time with our current space efforts if we adopt that attitude.

It comes down to this: We are going to continue our space program or we are not going to continue our space program.

The fastest possible development of a nuclear rocket engine, for example, is essential to our space effort. It is not an expensive luxury. It is the only known energy application that can carry man deep into space. If we do not launch a serious developmental program now, we will cripple our overall space effort in the years to come.

But for some reason, this nuclear rocket engine appears to be a favorite target of the budget cutters. They regard it as a sophisticated plaything or at best a far-out device better left to the science fiction writers.

Certainly, it would save money now to postpone a nuclear rocket engine project. It would also save money to postpone buying new tires for a car—but you do not get much mileage out of a car when it is sitting on blocks. That is where our space program will be tomorrow without a nuclear rocket engine—sitting on blocks. We will have idled an extremely costly space program for lack of foresight.

There is no question about the need to develop such an engine. Our scientists are unanimous in that regard. Chemical fuel engines have definite limitations. We can improve then, yes, but unchanging physical limitations permit us to go only so far. Beyond that we must turn to nuclear energy. If we refuse to anticipate that need now, we can jeopardize all we are doing and will be doing in the months ahead.

It is true that an acceleration of our nuclear rocket engine program commits us to what has been termed massive expenses in the future. But I contend, Mr. President, that this Nation is already committed. Our Nation committed itself years ago, when it first seriously took up the challenge of space exploration.

Do we need another Sputnik to refresh our memories and renew our resolve?

The nuclear rocket engine concept is not a far-out idea or a scientific plaything, that should be clear. It has been the subject of serious research for more than two decades. And notable success has already been achieved in test firing the Nerva I prototype. It was this success, in fact, that led the President to recommend a major acceleration in this field.

The urgent need to move forward now with a nuclear rocket engine program is underscored by hard facts. We know, for example, that the lead-time needed in developing a new power application far exceeds that needed for rocket vehicle development or any other mission development work.

If we fail to recognize this fact, we are shunning reality. We will be building a car without an engine—or perhaps, more appropriately, a buggy without a horse.

The late President Kennedy took up the challenge of space and told the Nation and the world that the United States would be first in the race. This was not an idle boast. And now President Johnson has renewed the pledge of his predecessor. We cannot afford to undercut the entire effort solely on the basis of budget cutting.

Mr. President, the committee charged with handling this vital authorization bill has seen fit to endorse the President's requests for key space research development programs, including the $74 million nuclear rocket engine development program and associated construction, despite cuts recommended by its counterpart in the House. This was not done lightly. I urge full support for the committee recommendations.

We are dealing with the future. Let us not haggle.

Mr. DODD. Mr. President, I wish to express my full and wholehearted support for the $4.8 billion authorization of funds for NASA.

Indeed, I wish we could approve the full $5.1 billion originally requested by

NASA, but I believe a modest cut is in order simply because of our overall budgetary problems this year.

Because we are faced with an unusually large deficit in the Federal budget, I believe that whenever it is possible and feasible to do so we should make at least modest cuts in the various domestic and other spending programs.

The Space Committee feels, and I, as a member of that committee, concur, that the $249 million cut we have made will not interfere with NASA's aeronautic and space programs.

Larger cuts are not in order, though.

The January tragedy should not encourage us to try to emasculate the Apollo program or any of the other legitimate efforts in which NASA is deeply and constructively involved.

There have been mistakes in our space programs. The Apollo hearings, we and the House held, clearly demonstrated this.

What we should do is to try to insure that such grievous errors are never again made.

But the way to do this is not by slashing away at NASA's budget request.

The basic soundness and the need for advances in space and aeronautics are just as compelling today as they were a year ago.

We should fund these research and development efforts just as generously as we have in previous years.

And to see to it that costly mistakes leading to a loss of time, money, and most importantly, in human lives, do not occur again. We in Congress have a great obligation, moral as well as legal, to follow and look into NASA's day-to-day activities much more closely than we have in the past.

I urge my colleagues to approve intact the Space Committee's recommendation for $4.8 billion.

Mr. PASTORE. Mr. President, who has control of the time?

Mr. DIRKSEN. I yield 2 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I merely wish to make an observation. Now that we have been so generous with our effort in space, I hope we will do as well for the depressed people on earth.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute for the bill.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time. the question is, Shall it pass?

So the bill (S. 1296) was passed.

Mr. ANDERSON. Mr. President, I move to reconsider the vote by which the bill (S. 1296) was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the NASA authorization just adopted represents another glowing achievement for the senior Senator from New Mexico [Mr. ANDERSON]. The able and immensely talented chairman of the Committee on Aeronautical and Space Sciences devoted his strong efforts and diligent leadership to this bill which is designed to maintain our commitment to outer space. He brought to the Senate a proposal which meets that commitment in every respect. He is to be congratulated for handling the measure in a manner that assured its efficient acceptance by the Senate.

The senior Senator from Maine [Mrs. SMITH] likewise is to be commended for devoting her splendid abilities to assuring Senate approval. As the ranking minority member on the committee, her outstanding efforts on this measure—as on all proposals gaining her support—played a vital role to its prompt and successful disposition.

The senior Senator from Florida [Mr. HOLLAND], the Senator from Mississippi [Mr. STENNIS], the Senator from Nevada [Mr. CANNON], and the Senator from Minnesota [Mr. MONDALE] also offered their clear and persuasive views. They too must be commended for contributing to the success of this measure.

To the senior Senator from Wisconsin [Mr. PROXMIRE] and the junior Senator from Illinois [Mr. PERCY] go our thanks for cooperating to assure final action today. Through their generous efforts the Senate was able to complete action on the measure with dispatch and with full consideration for the views of every Member.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, returned to the Senate, in compliance with its request, the bill (S. 1577) to complement the Vienna Convention on Diplomatic Relations.

The message announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H.R. 4880. An act to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965; and

H.R. 5615. An act to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap.

The message also announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 346. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag";

H. Con. Res. 348. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; and

H. Con. Res. 369. Concurrent resolution authorizing certain printing for the Select Committee on Small Business of the House of Representatives.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H.R. 3349. An act to continue until the close of September 30, 1967, the existing suspension of duties on certain forms of nickel;

H.R. 3652. An act to continue until the close of June 30, 1970, the existing suspension of duties on manganese ore (including ferruginous ore) and related products; and

H.R. 10867. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were severally referred to the Committee on Rules and Administration:

H. Con. Res. 346. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our Flag";

H. Con. Res. 348. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; and

H. Con. Res. 369. Concurrent resolution authorizing certain printing for the Select Committee on Small Business of the House of Representatives.

AMENDMENT OF THE OLDER AMERICANS ACT OF 1965

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 354, H.R. 10730.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 10730) to amend the Older Americans Act of 1965 so as to extend its provisions.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 2, line 6, after "1968", to insert "$16,000,000 for the fiscal year ending June 30, 1969,"; in line 8, after "June 30", to strike out "1969" and insert "1970"; in the same line, after the word "the", to strike out "three" and insert "two"; in line 16, after the word "thereof", to strike out "15" and insert "10"; on page 3, at the beginning of line 5, to insert "$10,000,000 for the fiscal year ending June 30, 1969,"; in line 6, after "June 30", to strike out "1969" and insert "1970"; at the beginning of line 7, to strike out "three" and insert "two"; on page 4, after line 21, to insert:

(g) The first sentence of section 302(b) of the Older Americans Act of 1965 (42 U.S.C. 3022(b)) is amended by striking out "shall be available for reallotment" and inserting in lieu thereof "shall be reallotted."

And, on page 5, after line 2, to insert a new section, as follows:

STUDY OF NEED FOR TRAINED PERSONNEL

SEC. 6. Title V of the Older Americans Act of 1965 (42 U.S.C., ch. 35, subch. V) is amended by adding at the end thereof the following new section:

"STUDY OF NEED FOR TRAINED PERSONNEL

"SEC. 503. (a) The Secretary is authorized to undertake, directly or by grant or contract, a study and evaluation of the immediate and foreseeable need for trained personnel to carry out programs related to the objectives of this Act, and of the availability and adequacy of the educational and training resources for persons preparing to work in such programs. On or before March 31, 1968, he shall make a report to the President and to the Congress, of his findings and recommendations resulting from such study, including whatever specific proposals, including legislative proposals, he deems will assist in insuring that the need for such trained specialists will be met.

"(b) In carrying out this section the Secretary shall consult with the Advisory Committee on Older Americans, the President's Council on Aging, appropriate Federal agencies, State and local officials, and such other public or nonprofit private agencies, organizations, or institutions as he deems appropriate to insure that his proposals under subsection (a) reflect national requirements."

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, this bill was reported by the committee unanimously. It passed the House of Representatives, I believe, by a vote of 385 to 0.

I ask unanimous consent that the discussion of the bill take place immediately, that the vote occur at 1:30 p.m., and that the provisions of rule XII requiring a quorum be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the nomination reported favorably earlier today by the Committee on the Judiciary.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The nomination will be stated.

U.S. DISTRICT JUDGE

The assistant legislative clerk read the nomination of Woodrow W. Jones, of North Carolina, to be U.S. district judge for the western district of North Carolina.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Upon request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

AMENDMENT OF THE OLDER AMERICANS ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 10730) to amend the Older Americans Act of 1965 so as to extend its provisions.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time for the voting be extended from 1:30 until 1:40 p.m.

Mr. BYRD of West Virginia. Mr. President, reserving the right to object—and I shall not object—may I ask the majority leader if he intends to ask for a waiver of rule XII?

Mr. MANSFIELD. Yes, indeed. That was asked for in the beginning, I had thought.

Mr. BYRD of West Virginia. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, now I suggest the absence of a quorum.

Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY of Massachusetts. Mr. President, as I understand it, we are under a unanimous-consent agreement to vote at 1:40 p.m. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY of Massachusetts. Under whose control is the time?

The PRESIDING OFFICER. The Senator from Massachusetts controls the time.

Mr. KENNEDY of Massachusetts. Mr. President, it is with pride that I take the floor today to urge the Senate to support H.R. 10730, a bill to amend and extend the older Americans Act of 1965.

The programs and projects developed under the authority of the Older Americans Act have begun operating in 43 States, the District of Columbia and Puerto Rico—where over 90 percent of our seniors live—and they are bringing new opportunities to many millions of seniors all across the country. For this is the mandate the Congress gave the Administration on Aging when it passed the Older Americans Act in 1965: "To assist our older people to secure equal opportunity to the full and free enjoyment" of retirement years.

The evidence we heard in hearings on this extension bill indicate that the Administration on Aging, led by its able Commissioner, William Bechill, is bringing cheer into lonely lives and hope to the hopeless. Further, through a program of research and demonstration grants, the imaginations of those concerned with the problems of the seniors have been excited to develop new approaches to enriching the retirement years of our seniors.

But our hearings also convinced us that the Older Americans Act needs changes as well as extension, and we did not hesitate to amend the bill in a manner designed to work these changes. We heard the testimony of Commissioner Bechill; of representatives of the National Council of Senior Citizens, of the National Council on Aging, of the National Farmers Union, of the Association of State Executives on Aging, of the American Association of Retired Persons; and of State Councils on aging; and from many individuals active in the field of gerontology. It was from this expert and sometimes compassionate testimony that the committee drew its conclusions as to what shape the legislation should have.

One other point was made abundantly clear: That the Older Americans Act is only part of the effort we must make in bringing retirements of dignity to our seniors. The range of problem areas is as broad as life itself; health, food, housing, income, educational and cultural facilities, and transportation. It is only recently that we have begun to move forward in a positive way in these areas, and we must continue to press on. Extensions of medicare coverage, revision and increases in social security, bringing realistic standards into federally supported State welfare programs, tax reform, drug prices, employment opportunities, nursing homes and other extended care facilities—in all these areas, and in many more, much work remains to be done. I know I do not speak only for myself when I urge acceptance of programs designed to bring dignity and meaning to the retirement years of our seniors.

If the Older Americans Act is only a part of our effort for seniors, it is, nevertheless, a part which holds out a promise of a future of great achievement. It is now beginning to stimulate State and local agencies, private organizations, and academic institutions both to serve and to investigate better ways of serving.

As one specific example, a large number of seniors suffer from poor nutrition, either from a financial inability to afford hearty food or from a physical inability to prepare it. This poor nutrition makes these seniors more vulnerable to disease and sickness and personal dependency—those major causes of stilted and stunted retirement years. To meet this situation, during the past 20 months the Administration on Aging has funded several small pilot projects popularly called "meals on wheels." Under these projects, various methods for the delivery of hot, nutritious meals to elderly shut-ins have been explored. Further, the offpeak use of school lunchrooms, Government and private plant cafeterias, and other institutional facilities has been studied as one way of providing low-cost, nutritious meals to seniors not restricted to their homes. The AOA has plans to expand this program, through State and local and other agencies, building on the enthusiastic reception among seniors and the recognized value among gerontologists.

The example I have just cited—meals on wheels—is only one among a host of others which are being developed under the aegis of the Older Americans Act.

In his January 23, 1967, message to the Congress, Aid for the Aged, President Johnson reaffirmed his belief that "our goal is not merely to prolong our citizens' lives, but to enrich them." This is entirely consonant with the goal enunciated by President Kennedy in 1963, in the first message to the Congress on our senior citizens:

> We can, as a Nation and as individuals, enable our senior citizens to achieve both a better standard of life and a more active, useful, and meaningful role in a society which owes them much and can still learn much from them.

We still have far to go in meeting the goals enunciated by these two Presidents, and enthusiastically endorsed by the 89th Congress.

There are 5.3 million Americans with yearly incomes so low as to force them to live out their lives in poverty. Almost 40 percent of our single senior citizens have assets of less than $1,000—a cushion which provides no security from the ravages of chronic illness. Loneliness stalks the lives of seniors who have lost lifetime partners—loneliness aggravated by the lack of mobility to seek out and enjoy friends.

Mr. President, the Older Americans Act has taken a strong step forward in meeting these needs of our seniors. The 43 States which now have State plans are bringing light to dark lives, and they actively encourage local governments and private agencies to provide a full range of community services to seniors. The hearings on this bill to extend and amend the Older Americans Act, held in June before the Special Subcommittee on Aging of which I am privileged to be chairman, gave me and the other members graphic evidence of the good work being carried on.

The distinguished chairman of the Special Committee on Aging, Senator WILLIAMS of New Jersey, introduced the Older Americans Act amendments of 1967 on February 9 of this year. A companion bill was introduced in the House by the chairman of the Education and Labor Committee [Mr. PERKINS].

I might say, at this point, that the leadership, enthusiasm, and energy the Senator from New Jersey has exerted on behalf of this country's seniors has been outstanding. The work of the Special Committee on Aging has been important in the past, and I believe it is now beginning on a new course of investigations which can only hearten those of us concerned with the lives of seniors.

The House on June 19, after 4 days of hearings and by a vote of 331 to 0, passed the Older Americans Act amendments, with technical and other amendments designed to strengthen the administration of the act.

It is the House bill, H.R. 10730, which the members of the Senate Committee on Labor and Public Welfare considered and which, with amendments, we recommend to the Members of the Senate.

The bill we recommend leaves unchanged, except for certain technical amendments, the titles of the act which establish the administration on aging within the Department of Health, Education, and Welfare, as well as other general provisions relating to the whole act. It does, however, amend the other titles of the act.

Title III establishes a program of grants to States and local governments and private institutions to plan and carry out community service projects for seniors. To date, some 500 community projects are actually underway. Another 176 are pending, and many hundreds of others are under active development.

The administration had requested, for title III, a $10,550,000 authorization for fiscal year 1968 and open-end authorizations for each of the next 4 fiscal years, through 1972. The House voted a 1-year authorization of $10,550,000, and did not accept the administration's request for an open-end authorization for the four succeeding years.

The bill recommended to you today would authorize appropriations for title III, the State grants program, of $10,555,000, for fiscal year 1968, and $16,000,000 for fiscal year 1969. For the three suceeding fiscal years, such sums would be appropriated as the Congress hereafter authorizes. In fiscal year 1968, the authorization will enable the continued support of the projects funded by the close of fiscal year 1967, and will permit the States to fund about 240 to 300 additional community projects.

The authorizations for fiscal year 1969 would permit States and local communities to move toward improved planning and provision for opportunities and services for seniors throughout the Nation. The title III program has demonstrated substantial need and enthusiastic reception for activities encouraged by the act, such as community planning and organization, expansion or initiation of multipurpose senior centers, information and referral services, employment referral, senior volunteer services, and services of direct benefit to older people. The authorizations for 1969 would provide a balanced program that would take into account the need for sufficient funds for continued support of projects approved in previous years, for increased responsibilities of the States in fulfilling their role of Statewide coordination, leadership, planning, and consultation to local communities, and for funds to meet the cost of new community projects being developed by localities for their senior citizens.

The committee believes that a 2-year authorization is the minimum consistent with a logical and orderly growth in the programs authorized by the basic act. The administration on aging must have future authorization figures for use as general planning guides. States, communities, and public and nonprofit private agencies and organizations engaged in the programs supported under the act need the assurance of continuing Federal support and interest, sufficiently beyond the current year for their efforts to have continuity, to be well planned, and to be wisely administered. Therefore, the committee added an amendment to H.R. 10730 which would provide authorizations of $16,000,000 for title III for the fiscal year ending June 30, 1969.

Under the existing law, the funds appropriated to the States are allocated among them—and among the District of Columbia, the Virgin Islands, Puerto Rico, Guam, and American Samoa—on the basis of their respective populations over age 65. States are authorized to utilize 10 percent of their allotment, or $15,000, whichever is larger, to pay one-half of the costs of the State agency in administered programs for seniors. The House bill alters this to 15 percent or $25,000, whichever is larger.

The committee, after careful consideration, modified the administrative cost formula adopted by the House. We agree that the States should be provided with sufficient funds to perform their administrative duties effectively and efficiently. We feel, however, that a provision raising State plan administrative funds to 10 percent of their allotment under title III or $25,000, whichever is the larger, will provide sufficient flexibility without impinging upon the funds available for project grants. This modification of present law will benefit the smaller States which were forced to accept the $15,000 figure, while affording the larger States their present and ample 10-percent figure.

Also under existing law, the Secretary of Health, Education, and Welfare may reallot to other States any funds allotted to a State and not used by that State. Funds appropriated for fiscal years 1966 and 1967 were not reallotted because of a decision made by the executive branch. A balance of $1,800,000 of the combined 1966–67 appropriation of $11,000,000 will lapse back to the Treasury. This is, first, the result of 10 States not having entered the program by the end of fiscal year 1967—$1,250,000—and second, an estimated additional balance of approximately $550,000 which will not be utilized by States which entered the program very late in the year, and were therefore, unable to commit the full amount of their allotment. We believe that the original intent of the law was that such funds should be reallotted. We have therefore amended H.R. 10730, to insure that reallotments will henceforth be made to those States which can utilize the funds, and will not be returned to the Treasury. This will benefit those States which stand ready to move forward aggressively in meeting the needs of their seniors, without affecting those only recently coming into the program.

Title IV of the act authorizes direct financial support, through grants and contracts, to private and public nonprofit organizations for demonstration and research projects in the field. The projects currently funded represent the development of a range of new and improved services and information, which identify new ways of involving older people in community services, employment, and leisure time activities in both urban and rural areas of the Nation.

Under title V, grants are provided to persons, organizations, and institutions engaged in or preparing for employment in the field of aging. These grants are expanding and encouraging programs for both long- and short-term training for persons in the field of aging, to meet the serious manpower shortages in this field. Under the training grant program, support is given for the training of competent and informed personnel to administer retirement housing projects, homes for the aged, multi-purpose senior centers, and planning and administration of programs and services at the local, State, and National levels.

The administration recommended, for titles IV and V, a $6,400,000 authorization for 1968, with open-end authorizations for the 4 succeeding fiscal years. The House adopted a 1-year authorization of $6,400,000 for 1968, requiring further authorizations for 1969 and beyond.

The committee recommended a 2-year authorization for titles IV and V, of $6,400,000 for fiscal year 1968 and $10,000,000 for fiscal year 1969. Such sums as the Congress hereafter authorizes would be appropriated for fiscal years 1970 through 1972.

The authorization for fiscal year 1968 will provide for the continuation of about 49 projects. It will also fund some 70 to 80 new projects including a major new demonstration program of food and nutritional services in senior citizen centers.

The authorizations for fiscal year 1969 would enable the Administration on Aging to undertake more comprehensive demonstrations of community planning and coordination of services for the aging; to continue to explore, through both research and demonstration, new and constructive roles for older Americans to contribute to American society; to permit the continuation and orderly development of the pilot program of nutritional services for senior citizen centers through the year; and to provide for a substantial increase in the number of both training programs and trained personnel known to be needed in many of the programs and services working with older people.

An important issue brought out in the subcommittee's hearings was the serious manpower shortage that exists in the field of aging. The comprehensiveness of the various legislative programs for seniors has created a tremendous need for a pool of professional and technical personnel possessing knowledge about the consequences of aging, and equipped to administer the newly developing programs, to serve older people directly, and to train others for the many new career opportunities in the field. According to expert testimony received by the committee, this pool of manpower is currently nonexistent, for so great is the number of job openings that every available trained person is already employed. To improve the situation, an immediate all-out effort on the part of Government and educational institutions is required.

The committee therefore added the amendment to title V of the act which would authorize the Secretary of HEW to undertake a study and evaluation of the existing and foreseeable need for trained personnel in various programs and services related to the objectives of the Older Americans Act, and to present a report to the President and to the Congress on or before March 31, 1968. In carrying out this study, the Secretary would consult with the Advisory Committee on Older Americans, the President's Council on Aging, appropriate Federal agencies, organizations, or institutions as he deems appropriate to ensure that the proposals made as a result of this study reflect national requirements.

One graphic example of the shortage of trained personnel in the field of aging illustrates the need: One voluntary organization which operates a chain of nursing homes in one city, cannot fill the administrator's job in 20 of these homes because there simply are not trained professionals available.

Mr. President, this is only a brief summary of the bill I am proud to present to the Senate. I am proud to do so because, to me, it reflects a clear and positive determination that the vital work of the administration on aging will be continued and expanded in the years ahead. And I believe it must be, if the years ahead for our seniors are to be bright and meaningful.

I urge all of my colleagues to support the Older Americans Act Amendments of 1967.

Mr. President, I have prepared a short summary of the provisions of H.R. 10730, and I ask unanimous consent that it and an excerpt from the report accompanying the bill be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUMMARY OF H.R. 10730

Section 2 extends the authorizations of the Older Americans Act for Title III (grants to States) through 1972, as follows:

1968	$10,550,000
1969	16,000,000

1970–1972—Such sums as may hereafter be authorized.

For fiscal years 1966 and 1967, authorizations and appropriations for Title III were as follows:

	1966
Authorization	$5,000,000
Appropriation	5,000,000
	1967
Authorization	$8,000,000
Appropriation	6,000,000

Section 3 changes the present formula for determining the amount of a State's allotment which can be used to pay one-half of the State agencies administrative costs. The present formula is 10 percent of the allotment or $15,000, whichever is larger. The new figure is 10 percent or $25,000, whichever is larger.

Section 4 extends the authorizations of Titles IV and V (Research, Development and Training projects) as follows:

1968	$6,400,000
1969	10,000,000

1970–1972—Such sums as may hereafter be authorized.

For fiscal years 1966 and 1967, authorizations and appropriations for Titles IV and V were as follows:

	1966
Authorization	$1,500,000
Appropriation	1,500,000
	1967
Authorization	$3,000,000
Appropriation	3,000,000

Section 5 makes a number of technical amendments, including a provision making mandatory a reallotment to other States of funds allotted but unused by any State or States.

Section 6 authorizes a study and evaluation of the need for trained personnel in the field of aging, requiring a report to the President and the Congress by March 31, 1968.

PURPOSE

It is the purpose of H.R. 10730 to extend the grant programs authorized under the Older Americans Act of 1965 (Public Law 89–73) through fiscal year 1972, and to authorize specific amounts to be appropriated for fiscal years 1968 and 1969. For the following 3 fiscal years, 1970 through 1972, authorizations would be as the Congress may hereafter authorize by law.

The bill would also raise the amount of States' allotments available for administrative costs from 10 percent or $15,000, whichever is larger, to 10 percent or $25,000, whichever is larger.

The bill further provides that the amount of any allotment to a State under section 302 for any fiscal year which the State notifies the Secretary will not be required for carrying out the State plan (if any) approved under the Older Americans Act shall be reallotted from time to time to other States.

The Secretary would be authorized to undertake, directly or by grant or contract, a study and evaluation of the immediate and foreseeable need for trained personnel to carry out programs related to the objectives of the act, and of the availability and adequacy of the educational and training resources for persons preparing to work in such programs. He would be required to make a report on this subject to the President and to the Congress on or before March 31, 1968.

Certain technical changes are also made.

This bill will insure that the positive start made under the Older Americans Act to recognize both the needs and contributions of older people will continue to be supported as a major goal of this Nation.

BACKGROUND

In his message of January 23, 1967, to the Congress on older Americans, the President pointed out that an increasing number of our population joins the ranks of the senior citizens each year. The number of older people in the United States is equal to the combined population of some 20 of our States. The American born in 1900 could expect to reach his 47th birthday; the American born today can expect to reach 70 years of age. As the President said, these figures represent both a national triumph and a national challenge.

The Congress recognized this challenge when, under the leadership of two of its late and distinguished colleagues, Congressman John E. Fogarty, of Rhode Island, and

Senator Pat McNamara, of Michigan, it passed the Older Americans Act. The Congress declared that it is the responsibility of the governments at every level to achieve the full and free enjoyment of life in later years.

The Older Americans Act created the Administration on Aging in the Department of Health, Education, and Welfare to serve as a central focus within the Government in all matters of concern to older people. The agency was given the responsibility to—

(1) Serve as a clearinghouse for information related to problems of the aged and aging;

(2) Assist the Secretary in all matters pertaining to problems of the aged and aging;

(3) Administer the grants provided by this act;

(4) Develop plans, conduct, and arrange for research and demonstration programs in the field of aging;

(5) Provide technical assistance and consultation to States and political subdivisions thereof with respect to programs for the aged and aging;

(6) Prepare, publish, and disseminate educational materials dealing with the welfare of older persons;

(7) Gather statistics in the field of aging which other Federal agencies are not collecting; and

(8) Stimulate more effective use of existing resources and available services for the aged and aging.

At the same time, the act created, through a program of grants to the States, a partnership between the Federal Government, the States, and their localities, and voluntary organizations to encourage and support efforts designed to enrich the lives of older people. The Older Americans Act also launched grant programs for demonstration projects for new and innovative approaches to community planning and senior activity centers and for research into various aspects of aging and retirement. Finally, grants were authorized to support efforts to meet the widespread need for qualified personnel in this field.

Mr. WILLIAMS of New Jersey. Mr. President, H.R. 10730, the bill to amend and extend the Older Americans Act of 1965, has the enthusiastic support of the Senator from New Jersey. As Chairman of the Senate Special Committee on Aging, I had a great interest in introducing S. 951, the Senate companion bill in the original version recommended by the administration. Joining me in cosponsoring that measure were Senators Church, Kennedy of Massachusetts, Long of Missouri, Miller, Morse, Moss, Muskie, Randolph, Smathers, Yarborough, and Young of Ohio.

Authorizations and appropriations for the Older Americans Act will expire at the end of this fiscal year, only 2 days from now, unless this legislation is passed to provide an authorization in a specific amount for the fiscal year 1968. Its providing such an authorization is only one of its desirable features.

This legislation was referred to the Committee on Labor and Public Welfare, which referred it to its Special Subcommittee on Aging, the chairman of which is the distinguished senior Senator from Massachusetts [Mr. Kennedy]. As chairman of the subcommittee before which the bill was pending, Senator Kennedy left no stone unturned in assuring prompt and thorough consideration of the bill, both in his subcommittee, in the full Committee on Labor and Public Welfare, and, now, on the floor of the Senate.

As perhaps the most important step in the Senate consideration of this legislation, the Senator from Massachusetts scheduled a hearing before his subcommittee for Monday, June 12. At that hearing, an excellent record of testimony was compiled, printed copies of which are available to us as we consider this legislation. I am proud that among the most helpful testimony given at that hearing was that given by two citizens of the State which I am privileged to represent here. I refer to the testimony of Mrs. Eone Harger, Director of our New Jersey State Division on Aging, and president of the National Association of State Executives on Aging, who was accompanied by Mrs. Mildred Krasnow, director of Bergen County programs for the elderly.

The effective leadership provided by the senior Senator from Massachusetts on this needed legislation is only the latest manifestation of his keen interest in older Americans. He was one of the strongest advocates of medicare during the long struggle to enact that landmark legislation. For almost 4 years he has served as chairman of the Subcommittee on Federal, State, and Community Services of the Senate Special Committee on Aging. Under his leadership, that subcommittee conducted hearings during 1964 on "Services for Senior Citizens," as a result of which it issued a report that offered recommendations, including several which were later implemented by enactment of the Older Americans Act of 1965, the basic statute which the bill before us seeks to extend.

Enactment of this bill, Mr. President, will be a significant step in our Nation's continuing progress toward improving the later years. I am certain I speak for the other members of the Senate Special Committee on Aging in urging favorable action.

Mr. MILLER. Mr. President, the Older Americans Act of 1965 was a landmark of congressional recognition of the need for more and better progams to make the golden years of life more meaningful for millions of our fellow citizens. Many Members of Congress of both political parties joined together in bipartisan harmony to make this enlightened step forward.

One of the particularly outstanding features of the act was its emphasis on State and community planning and organization to meet the needs of older Americans. As the committee report points out, the progress has been most encouraging, and it is clear that the act should be continued.

One of the changes proposed in the bill before us is the inauguration of a program to study the need for trained personnel to carry out programs related to the objectives of the act, and the availability and adequacy of the educational and training resources for persons preparing to work in such programs. I hope that, in making this study, the resources of retired teacher personnel and of our college and university extension programs will be most carefully examined, because I believe that therein lies much of the answer to this need.

I certainly intend to support the bill.

Mr. SMATHERS. Mr. President, the bill before us has the wholehearted support of the Senator from Florida. It would provide specific authorizations needed to make grants under the Older Americans Act of 1965, as well as making various other improvements in that act.

The Older Americans Act was signed into law on July 14, 1965. As chairman of the Senate Special Committee on Aging when that legislation was being considered and passed, it was my pleasure to give wholehearted support to this legislation. In September 1964, our committee issued a report entitled "Services for Senior Citizens" in which we strongly recommended enactment of that legislation, among our other recommendations in that report.

After it was enacted and the Administration on Aging became operative, our committee gave all possible support and assistance to that agency and its able and dynamic Commissioner, the Honorable William D. Bechill. I have been pleased to note how much good has been done for America's elderly during the past 21 months under that act, at a relatively small cost.

Mr. President, all Senators who have participated in advancing the bill thus far deserve praise. However, I should like especially to commend the senior Senator from Massachusetts [Mr. Kennedy] and the junior Senator from New Jersey [Mr. Williams] for the part they played in steering this bill through committee to Senate floor consideration. The Senator from Massachusetts during the past 4 years has served as chairman of the Subcommittee on Federal, State, and Community Services of the Special Committee on Aging, having first undertaken this responsibility while I was chairman of that committee.

Under his leadership, his subcommittee held hearings and made findings and recommendations upon which our September 1964 report of the full Committee on Aging were based. He is chairman of the subcommittee in the Labor and Public Welfare Committee which had legislative jurisdiction over the bill we have just passed, and had the primary responsibility for steering it through the Labor and Public Welfare Committee.

The Senator from New Jersey since January has ably served as our new chairman of the Committee on Aging and was the principal sponsor in the Senate of legislation to extend and amend the Older Americans Act. His support of this legislation has been valuable not only as chairman of the Committee on Aging, but also as a member of the Committee on Labor and Public Welfare and of its subcommittee to which the bill was referred.

Passage of the extending legislation today will recommit the Nation to programs benefiting the Nation's senior citizens. Through the wide variety of programs carried out under the Older Americans Act, many different needs of our senior citizens will continue to be met if we act favorably on this bill. I am confident that it will pass and that all Senators who vote for and support this extension of the Older Americans Act will be pleased with the results.

Mr. KENNEDY of Massachusetts. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER (Mr. McGovern in the chair). Without objection, the committee amendments are considered and agreed to en bloc.

The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. Gruening], the Senator from Oklahoma [Mr. Harris], the Senator from Indiana [Mr. Hartke], and the Senator from Alabama [Mr. Sparkman] are absent on official business.

I also announce that the Senator from Hawaii [Mr. Inouye] and the Senator from North Carolina [Mr. Jordan] are absent because of illness.

I further announce that the Senator from New Mexico [Mr. Montoya], the Senator from Florida [Mr. Smathers], and the Senator from Maryland [Mr. Tydings] are necessarily absent.

I further announce that, if present and voting, the Senator from Florida [Mr. Smathers], the Senator from Alabama [Mr. Sparkman], and the Senator from Maryland [Mr. Tydings] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. Carlson], the Senator from California [Mr. Murphy], and the Senator from Texas [Mr. Tower] are absent on official business.

The Senator from Hawaii [Mr. Fong] and the Senator from Kentucky [Mr. Morton] are necessarily absent.

The Senator from New York [Mr. Javits] and the Senator from South Carolina [Mr. Thurmond] are absent by leave of the Senate.

The Senator from Iowa [Mr. Hickenlooper] is detained on official business.

If present and voting, the Senator from Kansas [Mr. Carlson], the Senator from Hawaii [Mr. Fong], the Senator from New York [Mr. Javits], The Senator from Kentucky [Mr. Morton], the Senator from California [Mr. Murphy], the Senator from South Carolina [Mr. Thurmond], and the Senator from Texas [Mr. Tower] would each vote "yea."

The result was announced—yeas 83, nays 0, as follows:

[No. 174 Leg.]

YEAS—83

Aiken
Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Boggs
Brewster
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark

Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Fannin
Fulbright
Gore
Griffin
Hansen
Hart
Hatfield
Hayden
Hill
Holland
Hollings
Hruska
Jackson
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Moss
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Percy
Prouty
Proxmire
Randolph
Ribicoff
Russell
Scott
Smith
Spong
Stennis
Symington
Talmadge
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—17

Carlson
Fong
Gruening
Harris
Hartke
Hickenlooper
Inouye
Javits
Jordan, N.C.
Montoya
Morton
Murphy
Smathers
Sparkman
Thurmond
Tower
Tydings

So the bill (H.R. 10730) was passed.

Mr. KENNEDY of Massachusetts. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the senior Senator from Massachusetts [Mr. Kennedy] is owed a strong vote of thanks for handling this measure which strengthens and extends a program vital to the Nation's senior citizens. He places second to no one in this body when it comes to appreciating their special needs and desires.

Joining Senator Kennedy of Masachusetts in assuring the Senate's unanimous approval of this measure were the Senator from Iowa [Mr. Miller] and the Senator from New Jersey [Mr. Williams], whose strong support is always most welcome.

TOBACCO ALLOTMENT ACREAGE

Mr. MANSFIELD. Mr. President, I move that the Senate turn to the consideration of Calendar No. 348, H.R. 5702.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 5702) to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Mr. President, the bill was unanimously reported by the Committee on Agriculture and Forestry. It was introduced, as I understand, by the distinguished gentleman from Virginia, Representative Abbitt.

The bill applies to dark tobacco as distinguished from burley tobacco or light tobacco.

The measure seems to have general support from that area.

We found no objection to the bill or to the next bill that will be taken up, H.R. 8265.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 361), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 5702 is to repeal the 5-acre limitation in present law which applies to the lease and transfer on an annual basis of acreage allotments for tobacco (other than a burley tobacco acreage allotment or a cigar filler or cigar binder (types 42, 43, 44, 53, 54, and 55) tobacco acreage allotment). Subsection 316(e) of the Agricultural Adjustment Act of 1938, as amended, presently provides that not more than 5 acres of allotment may be leased and transferred to any single farm. The act provides further that the total acreage allotted to any farm after such transfer shall not exceed 50 percent of the acreage of cropland in the farm. This bill simply removes the 5-acre limitation, but leaves the other limitation of "50 percent of cropland" unchanged.

NEED FOR LEGISLATION

When the legislation authorizing the lease and transfer of tobacco acreage allotments was considered in 1961, it was felt that limits should be placed on the amount that could be leased and transferred to any one farm. The experience of the past 5 years has shown that greater flexibility is necessary and that the "50-percent cropland" limitation will provide adequate safeguards against excessive allotments for farms as long as the lease and transfer remains on an annual basis as provided under existing law.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H. R. 5702) was passed.

AMENDMENT OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. MANSFIELD. Mr. President, I move that the Senate turn to the consideration of Calendar No. 349, H.R. 8265.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 8265) to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer to tobacco acreage allotments and acreage-poundage quotas.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. COOPER. Mr. President, I appreciate very much the courtesy of the chairman of the Subcommittee on Agricultural Production, Marketing, and Stabilization of Prices, Senator Holland, keeping in close touch with me about the bills before the Senate which affect tobacco growers—and all matters affecting burley tobacco—which were one of my chief concerns as a member of that committee, and in which I maintain my interest.

The bills passed by the House, H.R. 8265 and H.R. 5702, do not affect the burley tobacco programs. They deal with the lease and transfer of tobacco acreage allotments for other types of tobacco, principally the dark tobaccos.

While the House bill was before the Senate Committee on Agriculture, I was consulted, and also had the opportunity to discuss these proposals with farm groups and tobacco associations in Kentucky. I made my views known to the committee, particularly my concern that H.R. 8265 permits the sale of allotments—for the first time for any type of tobacco—and that this step might in the future be considered as establishing a precedent.

When it was proposed by the administration several years ago, I opposed the sale of allotments for any farm commodity. I have always opposed the lease of burley allotments, and have secured amendments making clear that the lease, much less the sale, of burley tobacco allotments is not authorized. It has been my position that the equity of the farm commodity production control programs rests on the premise that the "allotments run with the land," and that to provide for the sale of allotments could tend to substitute a system of federally franchised production.

I know, however, that this bill extending the leasing authority and authorizing the sale of dark tobacco allotments is desired by the grower associations concerned, and supported by Members of Congress representing the areas where it is produced. And it is true that the dark types represent a much smaller share of tobacco production than burley tobacco, for example, and that there are special problems in these types for which I do not believe the allotments are in much demand.

I make no objection to Senate passage of the House bills, but I ask unanimous consent that a statement on this subject, presented by the Kentucky Farm Bureau Federation before the House Committee on Agriculture be included at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE KENTUCKY FARM BUREAU FEDERATION

We appreciate the opportunity to present the views of the Kentucky Farm Bureau Federation with respect to the sale and leasing of tobacco allotments.

The Kentucky Farm Bureau Federation is a general farm organization with 84,042 members. We are organized in 115 counties in Kentucky, including every county that produces dark fire-cured and dark air-cured tobacco.

At our last annual meeting on November 17, 1966, in Louisville, Kentucky, the voting delegates, representing the 115 county Farm Bureaus, adopted the following resolution:

"We are opposed to the selling of tobacco allotments. We are opposed to the leasing of burley tobacco allotments."

In light of this action, we, therefore, respectfully request this committee not to act favorably on the bills to permit the selling of tobacco allotments or the bills that would permit the leasing of burley tobacco allotments.

We believe that some changes could be made that would greatly help the producers of dark air-cured, dark fire-cured and burley tobacco.

We recommend that you enact legislation that would permit the exchange of dark air-cured and dark fire-cured tobacco allotments, one for the other, from farm to farm within the same county on an equal basis. We believe this would permit a producer to accumulate an amount of one type of tobacco sufficient for an economical operation yet not concentrate tobacco allotments into the hands of fewer people and on fewer farms.

With respect to burley tobacco, we recommend that legislation be enacted to provide that future downward adjustments in allotments be shared proportionately by all growers.

We urge you to give serious consideration to these recommendations.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 362), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 8265 is to authorize the lease, sale, and transfer of acreage allotments and acreage-poundage quotas for Fire-cured, dark air-cured and Virginia sun-cured tobacco to other farms in the same county. Existing law authorizes the lease and transfer of allotments for these kinds of tobacco on an annual basis. H.R. 8265 extends this authority by providing for lease and transfer for a period not to exceed 5 years and for outright sale and transfer of allotments and acreage-poundage quotas for these kinds of tobacco.

EXCERPTS FROM HOUSE REPORT NO. 225

Need for legislation

The Department of Agriculture advises that 23,856 farms have Fire-cured tobacco allotments, and that the average allotment is 1.50 acres per farm. A total of 23,245 farms have Dark Air-cured tobacco allotments, with an average allotment of 0.55 acre per farm. The average allotment for Virginia Sun-cured tobacco is 1.89 acre per farm, and 1,579 farms have allotments. It is readily apparent these allotments simply do not constitute economic operating units.

The Department advises further that Fire-cured tobacco allotments were leased from 4,093 farms in 1966 under the present authority for leasing on an annual basis. Dark air-cured allotments were leased from 2,121 farms and Virginia sun-cured from 21 farms. Notwithstanding the extensive use made of annual leases, grower representatives have pointed out that leases for a longer period and authority to sell allotments are needed to enable farmers who have land and labor available and desire to continue producing tobacco to acquire machinery and equipment for an economic operation. Likewise, those farmers who do not wish to continue the production of these kinds of tobacco, but want to transfer their resources into some other enterprise, want to sell their allotments rather than execute a lease each year.

The committee feels that the enactment of H.R. 8265 will improve the status of the family farm. At the same time, with the committee amendments, the bill contains adequate safeguards to prevent the accumulation of the allotted acreage on a few farms.

The bill provides that no allotment or quota shall be transferred to a farm in another county.

No allotment or quota can be transferred from a farm which is subject to a mortgage or other lien unless the transfer is agreed to by the lienholder.

No sale of an allotment or quota from a farm is permitted if any sale of allotment or quota has been made to the same farm within the preceding 3 years. This provision is designed to prevent speculation in buying and selling allotments.

A committee amendment limits the acreage of Fire-cured, dark air-cured, and Virginia sun-cured tobacco that can be transferred to any farm to 10 acres and provides that the total acreage allotted to any farm after transfer shall not exceed 50 percent of the acreage of cropland in the farm. The committee specifically intends that the 10-acre limitation shall apply to these kinds of tobacco regardless of whether H.R. 5702, 90th Congress, which removes the present 5-acre limitation, is enacted into law.

Section 2 of H.R. 8265 repeals section 315 of the Agricultural Adjustment Act of 1938, as amended, which provides for a single combined acreage allotment for any farm for which both a Fire-cured and Virginia sun-cured tobacco allotment was established. Section 315 has served the purpose for which it was enacted in 1958. Further, H.R. 8265 would permit the farm owner to lease, buy, or sell the allotment or quota for either kind of tobacco.

Hearings

Hearings were held by the Tobacco Subcommittee on April 18, 1967, on H.R. 5702, H.R. 6496, and H.R. 7256. H.R. 8265 is substantially the same as H.R. 6496 and H.R. 7256, except for (1) clarifying amendments, (2) the limitation of transfers of all types of Fire-cured, dark air-cured and Virginia sun-cured tobacco to farms within the same county, and (3) a committee amendment limiting the acreage that can be transferred to any farm to 10 acres and providing that the total acreage allotted to any farm after such transfer shall not exceed 50 percent of the acreage of cropland in the farm. Testimony given at the hearing overwhelmingly supported these bills. The Tobacco Subcommittee unanimously approved H.R. 8265.

Cost

The Department of Agriculture has informally advised the committee that the enactment of this bill would not require the expenditure of any additional funds and it took the same position in its formal report on H.R. 6339, a similar bill.

DEPARTMENTAL POSITION

A representative of the Department of Agriculture testified at the hearing that the Department favors authority to permit the lease and sale and transfer of tobacco allotments. Department representatives have advised the committee that they are in agreement with the committee amendments and that the Department does not oppose the enactment of H.R. 8265, as amended. The Department advised further that the Bureau of the Budget likewise has no objection.

The **PRESIDING OFFICER**. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The **PRESIDING OFFICER**. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 8265) was passed.

EXTENSION OF CERTAIN BENEFITS OF THE ANNUAL AND SICK LEAVE ACT, THE VETERANS' PREFERENCE ACT, AND THE CLASSIFICATION ACT TO EMPLOYEES OF COUNTY COMMITTEES ESTABLISHED PURSUANT TO THE SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 352, S. 1028.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 1028) to extend certain benefits of the Annual and Sick Leave Act, the Veterans Preference Act, and the Classification Act to employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Post Office and Civil Service, with amendments, on page 1, line 3, after the word "section", to strike out "802 of the Classification Act of 1949, as amended (5 U.S.C. 1132)" and insert "5534 of title 5, United States Code"; at the beginning of line 7, to strike out "(e)" and insert "(f)"; on page 2, line 3, after the word "this", to strike out "Act" and insert "subchapter"; in line 4, after the word "of", where it appears the first time, to strike out "compensation" and insert "basic pay"; in line 6, after the word "of", to strike out "compensation" and insert "basic pay"; in line 9, after "Sec. 2.", to insert "(a)"; in the same line, after the amendment just above stated, to strike out "The Annual and Sick Leave Act of 1951 (65 Stat. 679–683), as amended (5 U.S.C. 2061 and following)" and insert "Subchapter I of chapter 63 of title 5, United States Code"; at the beginning of line 14, to change the section number from "210" to "6312"; at the beginning of line 21, to strike out "203 (a)" and insert "6303 (a)"; in the same line, after the word "this", to strike out "Act" and insert "title"; in line 222, after the word "employee", where it appears the first time, to strike out "so long as such officer or employee holds an office or position" and insert "in or"; on page 3, line 1, after the word "section". to strike out "205 (c)" and insert "6308"; in the same line, after the word "this", to strike out "Act" and insert "title"; after line 3, to insert:

(b) The analysis of chapter 63 of title 5, United States Code, is amended by adding the following new item immediately after item 6311:

"6312. Accrual and accumulation for former ASCS county office employees."

And, in line 7, after "Sec. 3.", to strike out "Section 12(a) of the Veterans' Preference Act of 1944 (5 U.S.C. 861(a)) is amended by inserting before the period at the end thereof the following: '*And provided further*, That in computing length of total service, credit shall be given for service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590(b)), or of a committee or an association of producers described in section 10(b) of the Agricultural Adjustment Act of May 12, 1933 (48 Stat. 37) in the case of any employee so long as such employee holds a position under the Department of Agriculture'." and insert "The second sentence of section 3502(a) is amended—

"(1) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof a semicolon and the word 'and'; and

"(2) by adding after subparagraph (B) the following new subparagraph:

" '(C) who is an employee in or under the Department of Agriculture is entitled to credit for service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)), or of a committee or an association of producers described in section 10(b) of the Agricultural Adjustment Act of May 1, 1933 (48 Stat. 37).' "; so as to make the bill read:

S. 1028

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5534 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) An employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)) may upon appointment to a position under the Department of Agriculture, subject to this subchapter, have his initial rate of basic pay fixed at the minimum rate of the appropriate grade, or at any step of such grade that does not exceed the highest previous rate of basic pay received by him during service with such county committee."

Sec. 2. (a) Subchapter I of chapter 63 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"Sec. 6312. Service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590(b)), or of a committee or an association of producers described in section 10(b) of the Agricultural Adjustment Act of May 12, 1933 (48 Stat. 37), shall be included in determining years of service for the purpose of section 6303(a) of this title in the case of any officer or employee in or under the Department of Agriculture. The provisions of section 6308 of this title for transfer of annual and sick leave between leave systems shall apply to the leave system established for such employees."

(b) The analysis of chapter 63 of title 5, United States Code, is amended by adding the following new item immediately after item 6311:

"6312. Accrual and accumulation for former ASCS county office employees."

Sec. 3. The second sentence of section 3502 (a) is amended—

(1) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof a semicolon and the word "and"; and

(2) by adding after subparagraph (B) the following new subparagraph:

"(C) who is an employee in or under the Department of Agriculture is entitled to credit for service rendered as an employee of a county committee established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)), or of a committee or an association of producers described in section 10(b) of the Agricultural Adjustment Act of May 12, 1933 (48 Stat. 37)."

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 365), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE AND JUSTIFICATION

S. 1028 will recognize periods of employment service in the county offices of the Agriculture Stabilization and Conservation Service for the purposes of salary adjustment, annual and sick leave, and reductions in force for former county office employees who are appointed to positions as Federal employees in the Department of Agriculture.

Employees in the county offices of the ASCS are not Federal employees. They are employed by the individual county committees and are under the supervision of the county office manager, who is also an employee of the committee. They bear a close relationship to the Federal Government, however. Their salaries are paid entirely out of Federal funds. In recent years, Congress has extended the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act, the Federal Employees Health Benefits Act, and the Severance Pay Act to these employees. They are paid at rates identical to the general schedule at grades 1 through 11, and their salaries are increased by Congress whenever classified and postal employees receive increases.

Even though these employees are not technically and legally Federal employees, their relationship to the Federal Government is much closer than employees in Federal-State cooperative programs who do not have such coverage and who are not paid entirely out of Federal funds. The committee does not believe the recommendation of this legislation should be considered a precedent for any other group.

Under present law, when an employee of a county committee is appointed to a position in the Department of Agriculture, he begins his Federal service at the minimum rate of the appropriate grade of the general schedule, and is in all other respects a beginner. This is true regardless of the number of years he may have served in a county office or the degree of experience he has attained. A county office employee in grade CO–9, step 5, is paid the same salary as a GS–9, step 5—$8,740. But if he is appointed to a Federal position classified at GS–9, he is placed in step 1 at a rate of $7,696. He accumulates annual leave on the basis of a beginning employee at the rate of 13 days a year, regardless of his former rate of accumulation in ASCS service which may have been at the rate of 20 or 26 days a year. For the purposes of determining seniority for a reduction in force, his ASCS service is not considered. Thus a county office employee who moves to the State headquarters after 15 or 20 years' county service is junior to all other headquarters' employees.

The committee believes recognition should be given for this service to farming communities all over America. There is little incentive to accept a position in the Department of Agriculture when the prospective employee knows that the only difference, insofar as employee benefits are concerned, is that his salary may be reduced, his accumulated annual and sick leave erased, and his seniority abolished.

In recent years, Congress has recognized the need for flexibility in the general rules governing recruitment of personnel. Special salary schedules were authorized in 1962 for the recruitment of personnel in employment areas in which recruiting is most difficult. In 1964, Congress authorized hiring above the minimum rate of the grade in individual cases, GS–13 and above. In the 1966 pay bill, the Civil Service Commission, at its request, was granted permission to use this authority in grades GS–11 and GS–12. Its usefulness to the Government has been proved. The committee believes the principle should be extended to assist the Department of Agriculture in its recruitment of experienced, qualified persons now serving in the ASCS county offices.

Public hearings were held on this bill before the Subcommittee on Civil Service, May 4, 1967. Mr. Horace D. Godfrey, Administrator of the Agriculture Stabilization and Conservation Service, testified in favor of enactment. Civil Service Commission Chairman John W. Macy, Jr., testified that in view of continued congressional interest in ASCS county office employees, the administration would no longer oppose enactment of this legislation.

COST

There is no additional cost involved in this measure. Any loss of savings resulting from its enactment can be measured by the difference between the salary for the first rate of the appropriate grade of the general schedule and the rate at which a former ASCS employee shall be placed, plus the difference, if any, in the cost of annual leave at the beginning rate of accumulation and at the appropriate rate of accumulation.

The Department of Agriculture estimates that about 150 ASCS employees in county offices are appointed to positions in the Department each year. The effect of the amendments made by this bill would probably increase this number to about 400 each year.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 1028) was passed.

The title was amended, so as to read: "A bill to amend title 5, United States Code, to extend certain benefits to former employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes."

VISIT TO THE SENATE BY BRAZILIAN CONGRESSIONAL DELEGATION

Mr. AIKEN. Mr. President, we are highly honored today to receive a visit from five members of the House of Deputies of Brazil and their Ambassador, who is well known to us.

Brazil is one of our great friendly neighbors, one of the great countries of the world, and it is certainly a compliment to us to receive this visit from them today.

I wish to introduce them to the Senate now so that their names may appear in the Record of the proceedings of the Senate.

I introduce, first, the Honorable Alipio Ayres de Carvalho, Federal Deputy from Paraná.

The Honorable Paulo Macarini, Federal Deputy from Santa Catarina.

The Honorable Djalma Aranha Marinho, Federal Deputy from Rio Grande do Norte.

The Honorable José Edilson de Melo Tavora, Federal Deputy from Ceará.

The Honorable Adolpho Barbosa Neto de Oliveira, Federal Deputy from Rio de Janeiro.

Finally, His Excellency Vasco Leitao da Cunha, the Brazilian Ambassador, who is so well and favorably known to all of us here. [Applause, Senators rising.]

Mr. MORSE. Mr. President, the majority leader has suggested that I respond on behalf of the Senate. I should like to say, as chairman of the Subcommittee on Latin American Affairs, that we welcome the Brazilian delegation most enthusiastically.

We are honored to have you with us and we want you to know that as you go back to Brazil you go back as our ambassadors, too, to give assurance to your President and your Parliament of our desire to continue the cooperative relationships between our two great governments of self-government on the part of free peoples.

Mr. President, I move that the Senate take a recess for 3 minutes, in order that we may have the pleasure of meeting personally these distinguished visitors.

(The motion was agreed to, and the Senate stood in recess for 3 minutes.)

ORDER FOR ADJOURNMENT UNTIL 10 O'CLOCK TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 o'clock a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR PERCY, OF ILLINOIS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that immediately after the prayer and reading of the Journal tomorrow, the distinguished Senator from Illinois [Mr. Percy] be recognized for 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF TITLE V OF THE HIGHER EDUCATION ACT OF 1965

Mr. BYRD of West Virginia. Mr. President, yesterday the Committee on Labor and Public Welfare reported S. 2028, Calendar No. 350.

Also on yesterday, the House passed a companion bill, which has just been received by the Senate. I ask unanimous consent, therefore, that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 10943) to amend and extend title V of the Higher Education Act of 1965.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was read twice by its title.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent—and this has been discussed with the distinguished Senator from Colorado [Mr. Dominick], the distinguished minority leader, and other Senators—that there be a time limitation of 1 hour on each amendment and 2 hours on the pending bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is H.R. 10943, an act to amend and extend title V of the Higher Education Act of 1965.

The time is under control—2 hours on the bill, equally divided, and 1 hour on each amendment, equally divided.

Mr. MORSE. Mr. President, for my opening statement, I will take such time as I need, from time allowed on the bill.

The Committee on Labor and Public Welfare has reported to the Senate S. 2028, a bill to extend and expand title V of the Higher Education Act of 1965. The new title will be known as the Education Professions Development Act.

Yesterday afternoon the House passed an identical bill, H.R. 10943, which is now pending before the Senate.

H.R. 10943 is intended to coordinate, broaden, and strengthen programs for the training and improvement of teachers and other educational personnel so as to improve the quality of teaching, and to help meet the critical shortages of adequately trained educational personnel.

H.R. 10943 extends and amends title V of the Higher Education Act of 1965, which presently authorizes the Teachers Corps program and a program of graduate fellowships for elementary and secondary school teachers. In addition to revising and extending these two programs through fiscal year 1970, H.R. 10943 proposes the establishment of a National Advisory Council on Education Professions Development and four new programs which would begin in fiscal 1969. The four programs will provide, first, grants and contracts for the purpose of attracting qualified persons to the field of education; second, grants to local educational agencies experiencing critical shortages of teachers to carry out programs to attract and qualify teachers and teacher aides; third, grants and contracts to provide advanced training and retraining—preservice and inservice training—for personnel serving in programs of elementary and secondary education; and, fourth, fellowships, traineeships, institutes, and preservice and inservice training for personnel serving as teachers, administrators, or educational specialists in colleges and universities.

At this point, Mr. President, I should like to insert a table showing the authorization figures for the various programs contained in this legislation.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Department of Health, Education, and Welfare, Office of Education—Amendments to title V, Higher Education Act (Education Professions Development Act)

	1968 estimate	1969 estimate	1970 estimate
National Advisory Council on Education Professions Development: Authorization	$100,000	$200,000	$200,000
Attracting qualified persons to the field of education: Authorization		$2,500,000	$5,000,000
Teachers Corps:			
Authorization	$33,000,000	$46,000,000	$56,000,000
Number of teachers	6,000	7,500	9,600
Attracting and qualifying teachers to meet critical teacher shortages—Grants to States:			
Authorization		$50,000,000	$65,000,000
Number of trainees		[1] 25,500	[1] 33,200
Elementary and secondary teacher programs:			
Authorization		$195,000,000	$240,000,000
Number of teacher fellowships		14,250	17,350
Number of program development grants		665	800
Improving training opportunities for personnel serving in programs of education other than higher education:			
Authorization		$70,000,000	$90,000,000
Number of trainees		35,000	45,000
Training programs for higher education personnel:			
Authorization		$21,500,000	$36,000,000
Number of trainees		3,825	6,150

[1] Numbers based on average training costs under existing NDEA institutes.

Note.—Table excludes continuation costs authorized beyond 1970.

Mr. MORSE. Mr. President, the legislation which we are considering is at least in part, and a major part, emergency legislation. Without extension of the Teachers Corps before the end of this month, the authorization for the Teachers Corps legislation will cease to exist. An appropriation of approximately $3.7 million which has already been made for the continuance of the Teachers Corps for summer training will revert to the Treasury.

Because of the unusual situation and because of the pending adjournment of Congress, I am asking my colleagues to cooperate in prompt enactment of this legislation, so that it may be sent directly to the President for his signature.

TEACHERS CORPS

Last fall, the Nation was faced with an unprecedented shortage of almost 170,000 qualified teachers. The shortage was most acute in the urban slums and in depressed rural areas.

Testimony and evidence presented to the committee strongly supports an increased and improved program of support by the Federal Government to attract and prepare men and women for teaching in schools serving disadvantaged children.

Part of this bill grows out of a bill that was introduced by the Senator from Wisconsin [Mr. NELSON] and the Senator from Massachusetts [Mr. KENNEDY] 2 years ago. We adopted the form of it heretofore. We are faced this afternoon with the parliamentary decision of deciding to extend it by way of legislation that is pending, so that it will not lapse and go out of existence on July 30.

The Federal involvement to date has been limited. Institutes to provide advanced training for teachers of disadvantaged youth have been supported under title XI of the National Defense Education Act. The National Teachers Corps has been acclaimed by most local educational agencies having a Teachers Corps team; yet the program has been small in comparison to the national need. Recognizing and considering seriously the potential value of the Teachers Corps, the committee has given the utmost attention to this program.

A total of 1,213 Teachers Corps members are engaged in 111 school districts serving in 275 schools across the Nation.

S. 2028 would make the following major changes in the program:

First. Local educational agencies and colleges and universities would be responsible for the recruitment, selection, and enrollment of Teachers Corps members in contrast to the existing procedures which vest these responsibilities in the Office of Education.

Second. State educational agency approval of the local educational agency's request for Corps members would be required, as would State educational agency approval of arrangements for the training of Teachers Corps members.

The two changes I have just outlined are in keeping with the position I have taken on education legislation for a long time. I want to see the maximum of administrative power, consistent with the protection of Federal funds in the carrying out of congressional responsibility, vested at the local level, because I believe that is also the best guarantee that the policies will be determined at the local level. Except for the matter of a constitutional principle involved, I have long argued on the floor of the Senate that policies should be determined at the local level and that Federal funds should be commingled with State funds, to be spent by State and local authorities, in the determination of their own educational policies, together with the use of their local funds.

Third. The Federal contribution for the compensation of Teachers Corps members would represent an amount agreed to by the local educational agency and the Commissioner after consideration of the agency's ability to pay such compensation. The Federal share would be limited to 90 percent, except in exceptional cases, when in the first year of a program the amount might be more when the operation of this provision would be such as to deny the benefits of the Teachers Corps program to educationally disadvantaged students.

Fourth. Teacher interns would be compensated at the lowest rate for teaching full time in the school system in which they teach, or at a rate of $75 per week but $15 per dependent, whichever is less.

Fifth. Undergraduate students who have completed 2 years of study would be eligible for participation in the Teachers Corps.

Sixth. The name of the program would be changed from the National Teachers Corps to the Teachers Corps.

Seventh. Teachers Corps members would be permitted to be assigned to a migrant group not in a regular school, who are taught by a public or other nonprofit agency, if the number of migrant children makes such an assignment feasible.

Eighth. Teachers Corps members would be permitted to be assigned to schools operated by the Bureau of Indian Affairs.

Certain other amendments to the Teachers Corps program are contained in S. 2028. These include a revision in the method of allocating the program throughout the States, and a prohibition against participation by the Teachers Corps members in the NDEA student loan program and the educational opportunity grant program during the time in which they are enrolled in the Corps. For fiscal year 1967, $64,715,000 was authorized for the Teachers Corps program. S. 2028 proposes that $33 million be authorized for fiscal year 1968, $46 million for fiscal year 1969, and $56 million for fiscal year 1970.

With the recommendations proposed in S. 2028, the committee is confident that the Teachers Corps program will be an effective instrument, not only in strengthening and expanding educational opportunity for children in depressed urban and rural areas, but also in broadening and improving teacher preparation programs. As modified by the proposed amendments, the Teachers Corps is a local program designed and carried out by local authorities to meet local needs. To assist in this local effort, the Commissioner of Education is specifically authorized to provide technical assistance to local educational agencies and institutions of higher education. Under this authority, the Commissioner may provide assistance to local agencies in their recruitment and screening of Teachers Corps members. Also, the Commissioner is authorized to carry out a national program of information dissemination on the purposes and objectives of the Teachers Corps. Thus, the Commissioner will be able to provide information to interested persons on programs which are being planned or implemented across the country. The Office of Education may also act as a clearinghouse for applications for referral to the appropriate local educational agency or institution of higher learning.

Mr. President, the second part of the bill before us deals with the matter of the education professions development program.

Mr. NELSON. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield to the Senator from Wisconsin. Would the Senator from Wisconsin like to have me forgo the discussion of the second part of the bill so that he might comment at this point on the Teachers Corps program?

Mr. NELSON. I would.

Mr. MORSE. Mr. President, I yield on the bill such time as the Senator from Wisconsin may need to discuss the Teachers Corps.

For the benefit of the Senator from Colorado [Mr. Dominick], I want him to know the plan for my presentation. After the Senator from Wisconsin has completed his remarks, I shall then discuss the second part of the bill and then yield to him.

Mr. NELSON. Mr. President, I thank the Senator. I shall comment briefly.

At the time the Senator from Massachusetts [Mr. Kennedy] and myself drafted the Teachers Corps bill, we had in mind two ideas. One idea was to recruit to the teaching profession young people who had their bachelor degrees and who otherwise were not going into the teaching profession; young people who did not have an intention to become teachers. Second, our idea was to bring to deprived schools the interest and creativity of young people who would accept the challenge of working in disadvantaged schools. We were more than encouraged by the number of young people around the country who, when they saw the challenge and the opportunity to go into deprived schools and provide assistance to the students in those schools, decided they would go into the teaching profession. The results as reported from all over the country have been very good.

The only schools I have personally visited have been schools in my State. Each of the principals with whom I talked were highly pleased with the contribution that the young Teachers Corps members were making to their school system with new ideas, and with direct assistance to students who were falling behind and for whom the regular teachers did not have enough time to give personal attention.

Mr. President, I ask unanimous consent to have printed in the Record at the conclusion of the statement of the Senator from Oregon on the Teachers Corps letters from principals of schools in my State where the Teachers Corps has been working.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Rufus King High School,
Milwaukee, Wis., February 17, 1967.
Hon. Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: I am very happy to restate my sentiments, concerning the National Teacher Corps.

Here at Rufus King High School we have seen the results of a remarkably happy marriage between an ingenious plan and a team of intelligent, sympathetic, energetic, and devoted, young Corps members. There has been a lessening of the work load for all; a marked increase in teacher morale; and, most important, an abrupt about-face in attitudes toward citizenship and scholarship on the part of some of our most difficult pupils.

We have exposed the Corpsmen to the entire scope of school experience, and they have passed each test admirably. Solutions for many of the problems they have tackled are not readily apparent. However, their ideas are fresh, and their concepts are new. They are not tied down to old, worn-out practices. We have every reason to hope that in the forseeable future the National Teacher Corps will contribute valuable insights into methods of dealing with deprived youngsters.

Very truly yours,

J. A. Powers.

Vieau School,
Milwaukee, Wis., February 17, 1967.
Hon. Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: Last June three interns of the *National Teachers Corps* and a supervisor were assigned to Vieau for the summer session. Since the administrator of the summer school was my vice principal, I received a fine briefing on their performance and thereby had a good idea of what could be expected of them in fall. Then, too, I attended an orientation meeting in late summer which served to acquaint me fully with the program.

My expectations have been more than fulfilled. With the addition of two more interns (in January) we have a fine team of alert, conscientious and energetic young people in the process of learning and practicing the arts of teaching.

These interns, under the excellent immediate supervision of Miss Mary McLaughlin have been a boon to our school and community.

They have done some excellent work in small group and "one-on-one" intensive tutoring and counseling. They have taken "class disturbers" and have given these children a willing ear in which to pour their attention needs. They have increased the self concept—the sense of importance of our love starved problem children, and thereby alleviated the regular classroom teachers' frustrations on this score.

Our interns have organized and rehearsed various groups of children for school programs in connection with special projects and holiday recognition. They have refereed scheduled intramural athletic contests.

They have gone into the community, visited parents and have improved the school-home rapport.

In a word, they have been *invaluable* to our school and community.

Currently, they are engaged in a full scale "practice" teaching. Each intern works under the classroom supervision of a master teacher. While it is impossible to continue the diverse activities afore mentioned while intensively engaged in student teaching, many of the individual tutoring programs are still maintained where there is a need.

In closing let me say that we at Vieau feel very fortunate in having the NTC with us. Their dedication, their flexibility (which is, perhaps, one of their greatest attributes) and their cooperation, have meant much to our school and community. They are valuable members of the team; we hope their training here will make them valuable members of our teaching profession.

Sincerely,

K. G. Place,
Principal.

Garfield School,
Racine, Wis., February 17, 1967.
Hon. Gaylord Nelson,
Senate Office Building,
Washington, D.C.

Dear Senator Nelson: Garfield Elementary School in Racine has a Teacher Corps Team on its staff this year. As principal of the school, I feel they have been of much help to us. Garfield is an inner-city school with many socially, educationally, and economically disadvantaged children among its enrollment. The Team has been working in the areas of tutoring individuals and small groups, helping teachers with units of study in the classroom, making home visits and contacts, and operating after school activities for the children.

We have seen positive results educationally for many children because of the individual help the Team has provided. With the help of a Team member, the classroom teachers have been able to try and accomplish some exciting and interesting projects that have motivated learning for their students. The after school activities are correlated with learning situations during the regular school day. Because of these activities many children have a more positive attitude towards school and life in general.

I am looking forward to having this Team with us again for the next school year. I trust funds will be made available for this purpose.

Sincerely,

Roger M. Jones,
Principal.

N. Fifth Street School,
Milwaukee, Wis., February 20, 1967.
Hon. Gaylord Nelson,
State Office Building,
Washington, D.C.

Dear Senator Nelson: The National Teachers Corps interns who have been a part of our teaching staff since September are making a decidedly significant contribution through their work with children. At the same time they are developing understandings and skills that will enable them to work successfully with the disadvantaged.

We have long known that children with serious emotional problems would be greatly benefited by individualized instruction. Twenty-six children are seen daily in tutoring situations by the four members of our teaching corps. This forty minute period in a one-to-one relationship or as a member of a small group represents a most valuable advantage for each child involved both in terms of individualized learning opportunity and the psychological help given the child in the small group inter-change.

Each intern works with class-sized groups in a student teaching situation for a quarter of a day and participates in classroom activities for the entire day on Thursday of each week. This daily contact with the children is enabling them to develop competence with techniques in their training period, that are now usually attained by teachers in service. Interns who develop confidence in their own ability to work successfully with disadvantaged children will be a genuine asset to our profession.

In addition Mr. Whang and Mr. Lawhorn are offering a forty-five minute supervised physical education program after school, two afternoons each week. Miss Owens and Mrs. Roth are setting up a study program for mothers to assist them in helping their children with homework and to encourage them to appreciate the importance of their interest in promoting the progress of their children.

These community-oriented projects will further deepen the interns understanding of the disadvantaged. At the same time, they will be supplying enrichment experiences of real benefit to children and their parents.

The success of this program is significantly sharpened by the constant guidance and evaluations of such experienced team leaders as Mr. Litscher. Teachers in training rarely have this concentrated a degree of guidance.

Those of us who have worked with Central City children for years have been aware of a need for specialized preparation for the teachers of our children.

The approach inaugurated by the National Teachers Corps is truly an encouraging one.

Efforts seem to be directed toward setting up a program that will seek creative solutions for the problem of preparing teachers for their vital task.

Very truly yours,

GLADYS CAUGHLIN,
Principal.

WELLS ST. JUNIOR HIGH SCHOOL,
Milwaukee, Wis, February 15, 1967.
Hon. GAYLORD NELSON,
Senate Office Building,
Washington, D.C.

DEAR SENATOR NELSON: As we enter the second half of the school year which offered our first experience with the National Teacher Corps, I should like to take this opportunity to report to you on the progress of our Teacher Corps Team.

Wells Street Junior High School is a central city school with a non-white enrollment of approximately 60% and a large number of culturally disadavantaged pupils of various social and ethnic groups. Our total enrollment is 1068. Our Teacher Corps Team consists of four young interns, two men and two women, and a very competent team leader who has had teaching experience at this school.

I must admit that I had some reservation regarding the effectiveness of a National Teacher Corps when I was first approached regarding the assignment of such a group to this school. I questioned the administrative and teaching time involved and the facilities required in relation to expected results. I also considered the matter of relations between the team members and our regular teaching staff. However, my apprehensions proved to be groundless, and the Teacher Corps Team, under the capable direction of its team leader, has proven to be a valuable asset to the school and to its instructional program. Corps members have involved themselves in community activities and home contacts. They have offered valuable assistance in our attempts to improve attendance and tardiness, both of which are severe problems at this school. They have offered academic help to pupils individually and in small groups and have involved themselves in counseling on a one-to-one basis with problem pupils. They have acquainted themselves with pupil control problems by assisting our regular staff in the supervision of corridors and cafeteria.

The one problem which presented itself during the first half of this year was beyond the control of our school system and the University of Wisconsin-Milwaukee. This resulted from the uncertainty of funding when the Congress failed to provide the funds to carry out the program. Should the program continue—and I strongly recommend that it should—it is most advisable that the people in the program be given the status and security that comes with knowledge that their efforts are acceptable. Every effort should be made to provide funds and to plan for the coming year well in advance.

On behalf of the teaching staff of Wells Street Junior High School I wish to offer my sincerest appreciation for your interest and efforts in making the Teacher Corps a reality.

Sincerely yours,

JOHN SCHERTZL,
Principal.

Mr. **NELSON**. Mr. President, I thank the Senator from Oregon for yielding.

Mr. **KENNEDY** of Massachusetts. Mr. President, would the Senator from Oregon yield?

Mr. **MORSE**. I am happy to yield to the Senator from Massachusetts.

Mr. **KENNEDY** of Massachusetts. I thank my distinguished friend, whom I should like to commend for his work on this bill. I know very well his commitment to improving the quality of this Nation's education, and I have learned a great deal from working with him on the many education bills the Senate Committee on Labor and Public Welfare has considered.

Mr. President, as the distinguished senior Senator from Oregon has said, this bill works major changes in title V of the Higher Education Act of 1965, which authorizes the Teachers Corps.

My interest in the Teachers Corps stems from my work in 1965 to develop the legislation, and from working with the junior Senator from Wisconsin [Mr. NELSON] on a bill which we jointly introduced in 1965. This bill set up the program which, today, has 1,213 Teachers Corps members in 111 school districts serving in 275 schools across the Nation. Senator NELSON and I have continued to support this program, and appeared together a few weeks ago before the Appropriations Committee to urge a supplemental appropriation for the Teachers Corps for 1967.

Mr. President, I think this is an appropriate time to review the need for and the goals of the Teachers Corps.

The most significant challenge to American education over the next decade is going to lie in the schools of the urban slums and rural areas of the nation. The task will be to lift the level of education in these schools to a point at least comparable with the schools of the rest of the nation.

Our country has always been committed to what James Russell Lowell called "Education common to all." The public school has been the primary equalizer of opportunity—the place where children of immigrants and farm families acquired the stimulus and the skills they needed to work their way up from poverty. But the ideal of a common basic education has been breaking down. Certain communities, at great financial sacrifice, have developed superior school systems. Others, because of financial shortcomings, or parental indifference, or the overwhelming problem of the slum, have fallen drastically behind. As a White House Panel on Education stated 2 years ago:

> By all known criteria, the majority of urban slum schools are failures.

Unless we can take the schools in underprivileged areas and make them once again incubators of individual opportunity, the gap between their children and other children will continue to grow. We will see the permanent development, in the United States, of two separate societies—one of the comfortable, who have had a chance to realize the American ideal; the other of the poor, who have not. We have already gone too far down this road. We have seen its consequences, in terms of mounting crime, growing welfare payments, hard-core unemployment, social unrest and riots. It may have been possible, at one point in our history, to shut the doors, draw the shades and isolate ourselves from the consequences of poverty among our fellow citizens. This is no longer possible. Improvement of the educational opportunity of the 11 million children who live in poverty is essential to us all.

Legislation passed by the 89th Congress makes a special effort to help areas of poverty. It provides funds to build new schools, to supply new materials, to improve the salaries of teachers, and to find ways of bringing to education the best techniques of modern science and scholarship. It also, through the Teachers Corps, deals with one problem I believe essential to the entire effort: that of bringing disadvantaged children into contact with superior teachers.

A good teacher is the most vital part of education. The most modern of facilities or teaching aids will not come alive without her influence. With children of the poor, who often have little motivation arising out of their home lives, a fine teacher can light the vital spark that creates a pupil who cares about making a better life for himself. A teacher can spot the gifted child who would otherwise be neglected. Even working with average pupils, she can, by the force of her character and the personal interest she takes in them, stimulate what capabilities they have, and give them some sense of accomplishment.

Yet the sad fact is that areas of poverty have very few such teachers. To make a career in these schools, a teacher must be very brave or very foolish. Why should she work in a school where the pupil-teacher ratio—40 to 1 in some places—creates a crushing load, where half the children drop out of school, and where the maintenance of discipline must often take precedence over the process of learning? Why, indeed, when positions are open in suburban schools, where the salaries are better, conditions of living much more pleasant, and the children easier to teach?

The only answer to that question lies in the fact that the teaching profession, even more than the rest of the citizenry, knows the importance of the job to be done. They know that the battle for quality education in America—a cause to which they have dedicated their careers—has now shifted to the poverty schools. And while they cannot be expected to offer their careers to this service, many of them are willing to devote a year or two, just as do Peace Corpsmen who serve abroad for 2 years.

This was the model on which Senator NELSON and I built the Teachers Corps, which was accepted by the Congress in September of 1965. The Teachers Corps has recruited teachers and interns who worked in school districts with high concentrations of children from low-income families. These teachers have been drawn from four separate pools:

First. The 250,000 retired teachers in the United States, many of whom want to stay active in their profession, and who have a rich fund of teaching experience to draw on;

Second. Men and women now teaching in our better public or private schools, who would be willing to take a leave of absence, or a summer vacation, or a sabbatical year to teach where the need is greatest;

Third. Retired military personnel who have staffed the widespread, and generally enlightened educational programs directed by the Armed Forces. Many of these men finished their tours of duty while still in their 40's or 50's; and

Fourth. The 5,000 teachers who have served in the Peace Corps and who, having dealt with underprivileged children abroad, are in an excellent position now to make a contribution in their own country.

Prof. John Kenneth Galbraith described the type of persons who serve in the Teachers Corps as those "ready to serve in the most remote areas, tough enough and well trained enough to take on the worst slums, proud to go to Harlan County or to Harlem."

Just as the Peace Corps grew out of the experiences of previous work by voluntary organizations abroad, the inspiration for the Teachers Corps came largely from a number of projects designed to improve the educational opportunities of slum children in the United States. One such project involved the Cardozo High School, in Washington, D.C.

The experiment at Cardozo High School, funded by the President's Committee on Juvenile Delinquency centered around a group of returned Peace Corps volunteers, in training as practice teachers under the direction of experienced master teachers. Cardozo's problems are typical of high schools in slum areas of our cities: 40 percent of the pupils live with only one parent; 20 percent of the adults in the neighborhood are on public assistance; and levels of achievement are low. Lacking motivation from home, unable to discover really meaningful experiences in the classroom, many Cardozo students merely serve their time in school, until they can drop out.

The Peace Corps returnees tried to relate what they teach to the children's lives. They created their own texts, out of materials slum children could understand. They taught about the Boston Massacre by describing it from the viewpoint of Crispus Atticus, a Negro who was there. They used soft-cover books about young people, like "Catcher in the Rye," "A Raisin in the Sun," and "The Loneliness of the Long Distance Runner."

Most teachers in training are put directly into classroom situations, for the most part to fend for themselves. At Cardozo, trainees met with their supervisors every day to discuss the best ways of reaching, and shaping, the minds of their pupils, and to measure their successes or failures.

The potential value such a project can have, in enlisting good teachers for these schools, is shown by the fact that 65 percent of the teacher-interns at Cardozo chose to remain there after their apprenticeship.

Members of the Teacher Corps were recruited by the Office of Education, and they were assigned only to communities which requested them. Their duties were chosen and supervised by these communities. Their salaries were comparable to the salaries paid other teachers in the schools where they worked. They served for a year, or two, not to replace the teachers in the communities—but to help them and supplement their efforts.

With the assistance of the Teachers Corps, school systems have been able to shake loose from reliance on outmoded techniques of education. They have adopted, instead, some of the new methods which our better schools have pioneered. One of the most important of these is team teaching in elementary schools, in which teachers best equipped in certain subjects teach them all day, while other teachers work with individual students. Another is the ungraded classroom. Instead of grouping students by age, with the result that the dull children stay behind and the bright are bored, each student is encouraged to progress as fast as he is able. This has been extremely helpful, where tried, in maximizing achievement. A third is the technique of flexible scheduling, in which the time periods assigned each subject are adjusted according to the needs of the students. None of these methods can fully succeed in the present understaffed and harried conditions of disadvantaged schools.

Teachers Corps members have also helped these schools introduce some of the new teaching methods which have proven so successful—films, slides, educational television, and others. They organized summer programs, and evening programs, to help local teachers learn about these methods. Ranging beyond the classroom, members of the Corps took part in community life, bringing the benefit of the wider horizons they knew to church groups, social organizations, and PTA's. In all these ways, they were a force for good beyond the classroom. But nothing they did in this sphere was as beneficial as the influence they had on students: offering the understanding, the stimulation, and the model that only a teacher gives.

The Teachers Corps began on a small scale. It has not solved the problems of the poverty school. Alone, it cannot accomplish the leavening of education that ultimately will be necessary. But it made a start.

S. 2028 would, as I have said, work major changes in the Teachers Corps. These changes have been ably explained by the distinguished Senator from Oregon, and it is not my intent to go over the same ground.

What I do want to comment upon, however, is the reaffirmation of the purpose of the Teachers Corps. It is well worth quoting, I think, the purpose clause of section 511(a) of the Higher Education Act, as passed by the House and recommended unanimously by the Senate Labor Committee:

> The purpose of this subpart is to strengthen the educational opportunities available to children in areas having concentrations of low-income families and to encourage colleges and universities to broaden their programs of teacher preparation by—(1) attracting and training qualified teachers who will be made available to local educational agencies for teaching in such areas; and (2) attracting and training inexperienced teacher-interns who will be made available for teaching and inservice training to local educational agencies in such areas in teams led by an experienced teacher.

I do not think there can be any doubt but that this continuation of the existing language means what it says—that the disadvantaged schoolchildren of this Nation will continue to have the benefits of instruction by members of the Teachers Corps. This is the point and purpose of the program, and I am happy that it has been continued unchanged.

The provisions of S. 2028 are designed, in the words of the report, to make the Teachers Corps "a local program designed and carried out by local authorities to meet local needs." This is consonant with our long-established tradition of local school boards making their own policies, but I hope that this will not be interpreted to forestall the service of Teachers Corps members in districts far from their homes. This is, of course, the only way at present for most schools in disadvantaged areas to obtain experienced and dedicated teachers.

I am also concerned about the limits on salaries this legislation requires. Seventy-five dollars a week seems to me too low, particularly when members must live in an urban area where living costs are high. I hope that this limitation will not adversely affect the ability of the Teachers Corps to attract experienced teachers.

But just as living with the original legislation for 2 years has revealed ways in which it could be improved, I am sure that maturation of S. 2028, if it is accepted by the Senate, will show ways in which it, too, should be changed. When that time comes, next month or next year or 2 years from now, I am sure the Congress will not hesitate to make the changes.

Mr. President, I think the original legislation has fostered a fine effort at bringing better education to disadvantaged children, and it has been very heartening to me. The bill before us recognizes this, I think, in its increased authorizations requested for 1968, 1969, and 1970. I look for even greater achievement in the future.

Admiral Rickover, a distinguished advocate of increasing our educational capabilities, once said:

> All we have built—all the buildings, bridges and monuments—will eventually crumble to dust. But put an idea into the mind of a child and it stays there forever.

I subscribe to that view, Mr. President, and I consider it part of my responsibility to see that all Americans—not just a few—are given the opportunity to stretch their minds with ideas.

I wish to thank the distinguished Senator from Oregon for yielding to me.

Mr. MORSE. Mr. President, I wish to commend the Senator from Wisconsin [Mr. NELSON] and the Senator from Massachusetts [Mr. KENNEDY] for the leadership they have given us during the last 2 years in connection with the Teachers Corps program.

As Senators know, I have been an enthusiastic supporter of them in the subcommittee, in the full committee, and on the floor of the Senate, for I think their program puts Federal aid to work at a place where it is so sorely needed, and that is for the benefit of the disadvantaged children of this country.

Every disadvantaged child can be educationally rehabilitated, so to speak—to use that as a descriptive term—and a child can be brought back into the stream of educational normality whereby he can successfully compete with other children who are not disadvantaged. The basis for the disadvantage of many of these children comes from their home environment, from the problems that confront economically poor children in the slums and ghettos of the poor areas, and the slums and ghettos of the rural areas. Even though there may be wide spaces between the homes in rural areas, nevertheless, there may be disadvantaged poor homes, whether they are the homes of share croppers or the homes of economically poor people in any part of the countryside of the Nation.

Therefore, I congratulate the Senator from Wisconsin and the Senator from Massachusetts [Mr. KENNEDY] for their leadership in connection with the Teachers Corps program.

TEACHER IMPROVEMENT

Mr. President, I turn now to the second part of the bill we have before us. The purpose of H.R. 10943, the House bill, and the Senate bill have the same objectives: To coordinate, broaden, and strengthen programs for training and improvement of teachers.

Mr. President, I speak with some bias about the graduate fellowships because as the Senator from Wisconsin and the Senator from Massachusetts know, at the time they introduced the Teachers Corps bill, I introduced the Morse fellowship bill. They will recall that subsequent to that the President addressed the annual convention of the National Education Association at Madison Square Garden and proposed in that speech a Teachers Corps and a fellowship program. He invited me to go with him on that occasion. I was not aware of the proposal he was making until the speech was over.

Talking to him on the way back, I suggested to him that I thought it would be very helpful if we had one bill including the Nelson-Kennedy Teachers Corps program and the Morse fellowship program combined into one, and introduced as the administration bill. The Senators from Wisconsin and Massachusetts will recall this. I had such a bill prepared and it was introduced and considered by our committee as a combined bill on the basis of the administration's underwriting the Nelson-Kennedy Teachers Corps bill and the Morse fellowship bill, and that is part of the legislative history. That is how these two great programs became the law of the land.

Part 2 of the bill presently authorizes the Teachers Corps program and a program of graduate fellowships for elementary and secondary schoolteachers.

In addition to revising and extending these two programs through fiscal year 1970, S. 2028 proposes the establishment of a National Advisory Council on Education Professions Development and four new programs which would begin in fiscal year 1969. The four programs will provide, first, grants and contracts for the purpose of attracting qualified persons to the field of education; second, grants to local educational agencies experiencing critical shortages of teachers to carry out programs to attract and qualify teachers and teacher aides; third, grants and contracts to provide advanced training and retraining (preservice and inservice training) for personnel serving in programs of elementary and secondary education; and, fourth, fellowships, traineeships, institutes, and preservice and inservice training for personnel serving as teachers, administrators, or educational specialists in colleges and universities.

Mr. President, the committee report is on the desk of each Senator. It includes the individual views of the Senator from Colorado [Mr. DOMINICK]. It also includes a brief statement by the Senator from Arizona [Mr. FANNIN], plus individual views of the Senator from New York [Mr. JAVITS], the Senator from Vermont [Mr. PROUTY], the Senator from California [Mr. MURPHY], and the Senator from Michigan [Mr. GRIFFIN].

The committee report should be read by every Senator who may have some questions in regard to the objectives and purposes of the bill.

The third thing I want to say in these opening remarks is that Senators know I never present to the Senate an education bill without seeing to it that I present all the facts I know as to the substance of the bill, and all the facts I know in regard to the procedure for handling the bill.

The hearings before the Senate subcommittee were held from May 25 to June 23, with announcement by the subcommittee that additional statements would be received for printing in the RECORD and considered by the committee—which was done.

Now I want the RECORD to show that the printed hearings speak for themselves so far as the committee having before it—before the voting day before yesterday as a subcommittee, and the full committee before it voted on yesterday—a substantial record in regard to both phases of the proposed legislation before the Senate.

At the same time, the Senate should know that the chairman, and, for that matter, all members of the committee, from whom I heard no dissent, would have supported some amendments to the bill. In fact, subject to a procedure I am about to outline, we did favor an amendment to the Teachers Corps presented by the Senator from Massachusetts [Mr. KENNEDY], and a second amendment to the Teachers Corps presented by the Senator from New York, ROBERT KENNEDY. We also favored certain other amendments not directly related to the Teachers Corps, or related to the education professions development section of the bill, amendments that related to subject matters which had already been passed by the House in the elementary and secondary school bill. Such amendments dealing with 851 funds, impact area funds, the handicapped program, the school disaster program, and the Indian school program. It was agreed that we should report to the full committee the parliamentary situation that confronted us.

And here it is. The Senate has been tied up in its legislative processes for some time, for most of the past 2 weeks, as we had under consideration the so-called Dodd issue. As the Senate knows, committees were not free to meet. Our parliamentary processes practically came to a standstill as far as committee work was concerned.

Therefore, we are confronted with an emergency, which is a time emergency as well as an emergency which deals with legislation. We are confronted with the emergency that the Teachers Corps law, as I said in my opening statement, would lapse, automatically come to an end after June 30, and $3,700,000 would revert to the Federal Treasury.

The House was aware of this, too. The House also had comprehensive hearings. The House passed the Teachers Corps bill and the Education Professions Development Act being made a part of it.

Let me say very frankly that when the bill that was submitted, that is, H.R. 10943, came over to the Senate, the chairman of the subcommittee and the members of the subcommittee did not act in a vacuum. We never do. We had had our consultations with Members of the House. They pointed out to us the parliamentary situation that exists in the House. They had had certain compromises in the Teachers Corps legislation, because the Teachers Corps legislation has been a controversial issue in the House for some time. They have brought forth modifications in the program, which I have already announced to the Senate in my opening statement, and with which I agree, and with which no one on my subcommittee expressed disagreement.

We would have gone a step further. We would have adopted the amendment of the Senator from Massachusetts [Mr. KENNEDY] to the Teachers Corps legislation. That dealt with the proposition that if the corpsmen—these teacher interns—did not have a baccalaureate degree, they would get $75 plus $15 per dependent; but if they had a baccalaureate degree, they would get a pay at least equal to 90 percent of the lowest pay that a regular teacher in that school received.

I thought that was a good amendment. I still think it is a good amendment. As Senators will see as I develop my statement, we have not lost that amendment.

The Senator from New York [Mr. KENNEDY] offered an amendment that some of these corpsmen—100, I think the figure was—should be available to assist in meeting some of the special educational needs of the young men and women in penal institutions from the age of 16 to 24. They are disadvantaged, too. In most instances they would not be there if they had not been disadvantaged. They are educationally rehabilitable. The Senator from New York proposed that amendment. I thought it was a good one. I do not believe anyone on my committee did not think it was a good one.

We said we would discuss it with the full committee. We discussed it quite frankly with the full committee yesterday morning. In the full committee a whole series of amendments were offered and tentatively agreed to. I use the word "tentatively" advisedly, although subsequent events occurred which caused us not to make them final. I pointed out that I was for the amendments, each and every one, and that my subcommittee was for them. Its members had made clear the day before that they were. But we were confronted with a time problem of getting legislation passed before we recessed for the 10-day period over the Fourth of July, and therefore I did not think we ought to take these amendments to H.R. 10943 until we at least tried to find out if putting them in the bill would put us in the position where we would be automatically killing H.R. 10943.

It is an extraordinary procedure, but it is a procedure for which I think the Committee on Labor and Public Welfare should be highly commended.

It was agreed, after we had a full discussion of it, that, in my capacity as chairman of the subcommittee, I should take with me a group of colleagues on the committee and meet informally with a group of House colleagues on the House Education and Labor Committee; talk over with them what the possibilities were of getting legislation amended through the House before the recess; and if we could not be given any assurance of getting the legislation with the amendments attached to it passed before recess, then we would be authorized by the full committee to drop these amendments and bring to the floor of the Senate the House bill as a committee bill.

That is what we are doing this afternoon.

I want to tell about the conference, which was held in Senator MANSFIELD's office yesterday afternoon at 5 o'clock. The Senate representatives at that conference were the Senator from Oregon, chairman of the subcommittee, the Senator from Vermont [Mr. PROUTY], the Senator from Texas [Mr. YARBOROUGH], who is the ranking member of the subcommittee on the Democratic side, as Senator PROUTY is on the Republican side, the Senator from West Virginia [Mr. RANDOLPH], the Senator from Massachusetts [Mr. KENNEDY], who, although he is not a member of the subcommittee, is a member of the full committee. I asked him to come in order to be there to explain to us the amendment that he was offering in regard to the salary item.

I had talked with the Senator from New York, who, unfortunately, could not be there at 5 o'clock, but who authorized me to explain to the group the purport of his amendment.

On the House side we had the chairman of the House committee, the Representative from Kentucky, Mr. PERKINS. We had my distinguished and cooperative colleague from the State of Oregon, with whom I have worked over the years on education legislation, EDITH GREEN. We had Representative HATHAWAY. We had Representative BRADEMAS. We had Representative CAREY. We had Representative QUIE. We had Representative GIBBONS, of Florida.

That constituted the informal group that it was agreed should meet and discuss the parliamentary situation that presented itself to the two bodies.

We discussed it at great length. They explained to us the parliamentary procedure in the House. They explained to us their parliamentary rules, by which they could not even get to a conference because there could be an objection. It would have to lay over a day. Theoretically it could be brought up promptly by making a motion, but the possibility of getting a motion was remote, because they have a tendency, unless there is an extraordinary circumstance, to respect any objection for at least a day. Therefore, time was running out. This was yesterday.

They also pointed out to us that they expected today the probability that the House might go out and not even be here tomorrow. They urged us not to press for these amendments, because they did not think there would be much of a chance of getting the legislation passed by having to go back to a conference before the recess.

We talked to them about the education professions development phase of the bill. They said they thought it was a very sound program. We said we thought so too. They thought it was important, from a parliamentary standpoint, that they have the bill as passed by the House by an overwhelming vote. It was passed by a vote of 311 in favor and 88 opposed. They urged us to present H.R. 10943 in this form.

That does not mean that we have lost the amendments to the Teachers Corps bill presented by the Senator from Massachusetts and the Senator from New York. It does not mean that we have lost any of these other amendments dealing with the handicapped, or impacted areas money, or school disaster funds, or Indian schools, or any of the others, because, as the House Members agreed, as far as the House amendments to the Teachers Corps bill offered by the Senator from Massachusetts [Mr. KENNEDY] and the Senator from New York [Mr. KENNEDY] are concerned, they can be considered when we take up the higher education bill.

We will have Teachers Corps legislation; it will be the law of the land, and we can offer amendments to the higher education bill after the Fourth of July recess to cover the very point that the Senator from Massachusetts [Mr. KENNEDY] and the Senator from New York [Mr. KENNEDY] urged upon us, with which we agreed. My prediction is that we will pass those amendments in due course, after the July 4 recess, without any serious parliamentary difficulty or opposition at all. As I have stated, H.R. 10943 passed the House of Representatives by a vote of 311 to 88; that is the bill we are dealing with here this afternoon.

SENATE AMENDMENTS POSTPONED

I refer now to the amendments we tentatively agreed to in committee yesterday, but dropped after our informal conference with the House of Representatives. They are all part of the elementary-secondary school bill. They have already been passed by the House. The hearings in the Senate on the elementary-secondary school bill will start shortly after we reconvene following the July Fourth recess. Every one of those subject matters will be in the elementary-secondary bill before the committee. In my judgment, most if not all of them will be approved by our committee and will be contained in the bill we will bring, in due course of time, to the Senate; and I believe they will also be passed by the Senate.

There is only one problem here. That problem involves the matter of funding, particularly in connection with the handicapped program. But I do not think it is serious, and the important thing is to get the handicapped program adopted. If there is any school disaster in the meantime, we will handle it as we have handled school disasters in the past, when we have not had school disaster legislation on the books. We will handle it on an individual case basis until we get a school disaster section of an elementary-secondary school bill adopted.

So I say in closing this account, Mr. President, that was the situation that confronted the committee. Under the circumstances, I think the committee is to be commended; and I wish particularly to commend the Senator from Alabama [Mr. HILL] for the leadership he gave us in making it possible for me to bring to the floor of the Senate this afternoon H.R. 10943.

One other procedural matter which troubled the House Members—and although I think they had no basis for being troubled about it, I do not blame them. If I were a Member of the House of Representatives, I would do everything I could to see to it that every possible protection, on a parliamentary basis, had been taken to keep me in the strongest possible position, in conference with the Senate, just as you will not find me giving away any parliamentary position of strength I may have prior to going into a conference with the House.

These particular sections of the elementary-secondary bill that have already passed the House—the impacted areas section, the handicapped section, the Indian school problem, the school disaster subject matter—there will be no serious opposition in the Senate, in my judgment.

But I ask my fellow Senators, how would you like to be a House conferee and agree in advance, on a bill such as this, to give away some of the strongest sections of your bill, and then have to confer, in conference with the Senate on some other sections which are highly controversial, and about which you will have to work out some compromises? I think it is a little unreasonable for us—and I have previously expressed that view—to put the House conferees in such a position. Do not forget, Mr. President, we pass education legislation in Congress, as far as I am concerned, by keeping faith with two very important principles. One of those principles is the principle of bipartisanship here in the Senate. As I have been heard to say before, Mr. President, I never have and I never will bring to this floor a bill that does not have strong bipartisan support of the members of my subcommittee and the full committee. The right is reserved to every Democrat and every Republican to come to the floor of the Senate and offer again any amendment he may have offered in committee, which was defeated in committee. I shall always do everything I can to help get him a rollcall vote.

The second essential principle, Mr. President, is the principle of acting in good faith at all times with our House colleagues. The primary reason, to my way of thinking, why we have gotten along so well with the House of Representatives in working out legislation that represents fair and equitable compromises is because we deal fairly with them, just as we did yesterday afternoon in that conference. After all, they have the same interest that we have in doing what we can to develop and advance the best educational interests of the boys and girls of America. On this issue, I say again, there ought always to be the kind of cooperation I have always sought to extend to the House; and my committee has always supported me in that approach.

So, Mr. President, I close by saying that I hope the Senate will fully appreciate the posture in which the committee holds itself, and will agree with us that under all the circumstances, we have best advanced the educational interests of American boys and girls who will be involved in the application of H.R. 10943 by the course of action we have followed; and I rest my case for the time being, Mr. President, by urging the Senate to pass the bill.

Mr. PROUTY. Mr. President, first of all, I wish to express my deep appreciation to my good friend, the senior Senator from Oregon, whose discerning leadership has made this bill possible. He is, undoubtedly, one of the great champions of American education, and in my opinion has done more than anyone to advance and encourage its cause.

I would also like to compliment all the members of the Senate Labor and Public Welfare Committee on both sides of the aisle for their support and understanding.

The bill before us revises and consolidates the teacher institute programs under the National Defense Education Act and incorporates them into a new section under title V of the Higher Education Act of 1965. Title V is now called the Education Professions Development Act. It includes, besides the Institutes, an amended version of the Teachers Corps.

The concepts that are embodied in this legislation are good. They greatly strengthen existing Federal programs for attracting and educating more men and women for careers in education at every level, from preschool through graduate school.

Many of the controversial parts of the so-called National Teachers Corps have been done away with, but the very essential parts have been kept. There is now local control. It is no longer known as a National Teachers Corps but is known as a Teachers Corps. It is locally recruited, locally trained, locally organized and locally employed.

Mr. President, as you will note in the supplemental views, the Senate was forced to accept the first part of this bill, the education professions development program, as a price to the House of Representatives in order to save the Teachers Corps, the authority for which is expiring tomorrow.

While it is true that the changes proposed are desirable and that all of us in committee supported them, I believe that a record of our own should have been made. It is most distressing that our committee was given neither the opportunity to modify the legislation nor to amend further education legislation which I believe sought our immediate attention. The truth of the matter is that because of the late date, our colleagues in the other body confronted us with an either/or proposition, and any of us who have consistently opposed this agreement could not dismiss it as lacking in substance.

In fairness to all, I believe that the changes made strengthen and improve the program. Besides continuing the programs which I have already mentioned, I had hoped that three amendments to the handicapped children section, title VI of the Elementary and Secondary Education Act, might have been reported to the Senate. The committee originally agreed to do so, but after having met informally with representatives of the other body, it was felt that to include any other amendments other than those already acted upon in H.R. 10943 would jeopardize, if not kill, the Teachers Corps.

Last year, after extensive hearings by the Education Subcommittee, this body wisely enacted a new title to the Elementary and Secondary Education Act designed specifically to meet the needs of handicapped children. Fifty million dollars was authorized to begin the program, but it is most distressing to report that as of now, only $2½ million has been appropriated; and the Administration is seeking only $15 million for fiscal 1968 despite the $150 million that was approved by the Senate as necessary to meet the minimum needs. The failure to make this investment in what I believe to be our most neglected field of education is a luxury we cannot continue to afford.

Almost of equal importance is the financial incentives for the dissemination of information and recruiting and information activities to enlist professional teachers to undertake the training of the handicapped. At present there are approximately only 70,000 in the field where it is estimated that a minimum of 300,000 is needed.

I introduced provisions which would have strengthened, broadened, and improved our federally assisted programs for handicapped children and I am pleased to report that the full committee agreed to these provisions until it was determined that the other body was unprepared to accept them or even modifications at this time.

My proposals would have authorized the establishment of regional resource centers to provide testing and evaluation services to determine whether a child is really physically or mentally handicapped, to accurately ascertain the needs and the extent of the handicapping condition or conditions, and to develop programs that need the child's needs.

No such facility now exists that includes within it specialists in all of the physical and mental disorders and disabilities—and that is thus able and equipped to provide answers, help, and services to the parents of a child who is different from other children, a child that does not seem to fit into the usual and recognizable disability categories.

If we are to provide these children with an educational bill of rights, I believe that diagnostic centers are of primary importance and would result in greatly expanded educational opportunities for the handicapped—that would result in greatly advancing and equalizing the opportunities of physically and mentally handicapped children and adults to create self-reliant, constructive lives.

Further amendments which I had hoped would be possible to report to the Senate for final consideration would have expanded the popular and successful captioned films for the deaf program to include all disability conditions. Also, I would have hoped that arrangements might have been made through Federal support to accelerate recruiting efforts to seek college and university students and general education teachers to enter the special education field.

For all our efforts to provide these children with an educational bill of rights will be lost and wasted if teachers in sufficient numbers cannot be induced to prepare for entry into the special education field.

Finally, Mr. President, the committee also adopted but could not recommend because of the reasons I mentioned previously, an amendment sponsored by the junior Senator from New York [Mr. KENNEDY] and myself which would have established a pilot program designed to rehabilitate youthful first offenders about to be released from prison. This proposal was originally introduced as S. 1789 on May 16 and hearings were held on it on June 8.

The Kennedy-Prouty amendment provided that demonstration projects would be conducted at six prison facilities in the country during the next 3 fiscal years. Members of the Teachers Corps would be based at the prisons working with 10 prisoners at a time between the ages of 16 and 25 during the 6- to 8-month period before their release. VISTA volunteers would then work with caseloads of four offenders each during the 6- to 8-month period following their release, giving them guidance and counseling services.

The VISTA volunteers would get to know their groups prior to their release from prison and would attempt to find jobs which they might fill upon their release. Members of the Teachers Corps would train the prisoners for these positions in addition to giving them intensive educational training and counseling.

I believe that the proposal which was adopted by our full committee was better than the original bill, in that based upon the testimony that we heard at the hearing, our amendment was modified to provide that one of the demonstration projects must be conducted in a rural area of the country. Also, at the suggestion of Senator MORSE, we specifically provided that this training will be made equally available to youthful female first offenders.

I am convinced that this proposal is an investment which would pay in terms of restoring to society properly oriented young persons who would contribute to, rather than take away from, society. Also, in the long run, many more tax dollars would be saved than it would be necessary to spend to implement this rehabilitation program.

It is my sincere hope that in the very near future the Senate will have a full opportunity to consider these proposals and that they will be made a part of our general education statutes so that those who were denied yesterday's opportunities will be afforded a better opportunity today.

Mr. **DOMINICK**. Mr. President, I yield myself such time on the bill as I may need.

Mr. President, I have tremendous admiration for the skill of my very distinguished chairman in explaining a piece of legislation and, in the process of doing so, setting up a great number of straw men and knocking them down one by one, so that by the time he has finished, his logic seems irrefutable. I am happy to have had the opportunity to listen to him do that today in connection with this bill. It was a magnificent feat.

I do not suppose there are many of us in this Chamber who have any particular objection to the form of the bill before the Senate today, insofar as the particular provisions of the bill are concerned. But I wish to make some comments, Mr. President, on the procedures by which the bill reached the floor prior to offering an amendment.

Mr. President, the Senate is in fact being forced to ransom the Teachers Corps—the authority for which expires on June 30—by enacting, without due committee deliberation and without amendment, the $775 million of new obligational authority contained in the education professions development program as a legislative companion to continuation of the Teachers Corps. If we should put off enactment of the education professions development program about which the distinguished Senator from Oregon just spoke, which does not begin until July 1, 1968, then, we are told, the House will not pass the Teachers Corps bill.

Regardless of whether we view the Teachers Corps as a blessing or a plague, the Senate should not be forced to enact broad new educational programs without adequate consideration, as the price for any piece of legislation. Congress is a bicameral legislature; neither the executive nor the House should dictate Senate action.

I would like to emphasize that I support in general the goals embodied in the education professions development program. We unquestionably need many more highly trained teachers and steps must be taken to rise the standards of American education. However, I object to the fact that, in order to pass the Teachers Corps, the legislative process is being bypassed and the Senate is being force-fed a new program without proper opportunity for committee deliberation.

Contrast the Senate and the House consideration of the $775 million education professions development program contained in this bill. Beginning on April 17, over a period of 2 months, the House held 7 days of hearings followed by 8 days of subcommittee executive sessions. Some 20 public witnesses were heard. The bill was reported by the House on June 20. In the Senate, one hearing was held on Friday, June 23—which I might say I attended—followed by a Monday, June 26, subcommittee executive session—which I could not attend—lasting less than an hour and a half. Of the seven public witnesses invited to appear before the subcommittee, an opportunity was given for only two to be heard and of these two, only one had sufficient time to complete his statement—all other witnesses scheduled for that day submitted written statements.

Mr. President, I objected to this procedure on that particular hearing day. I brought the matter up with the chairman as to whether we were going to be dealing only with those programs that expired on June 30, or whether all of a sudden we were going to be asked to pass in a great miasma of fog some kind of new program that we did not know anything about because we had not had hearings on it.

It was my understanding when I left the hearings that day that we were going to concentrate on the programs that were going to expire on June 30. However, I saw when I came back that we have this $775 million program hoisted on our shoulders in order to ransom the Teachers Corps.

The subcommittee process was so hurried that the stenographic transcript of the Friday, June 23 hearings, was sent to the Government Printing Office that very day, without correction, to go immediately into page proofs. And at the subcommittee executive session Monday morning, June 26, both Senators and staff members were presented for the very first time with several witness' statements and material supplied by the Office of Education which has since been included in the hearing record.

As a matter of fact, some important material was not available until after the subcommittee executive session. The principal item in this category is a comparison of the House-reported education professions development program and the bill as originally proposed by the administration. The House, for example, had added a 2-year, $115 million program for attracting and qualifying teachers to meet critical teacher shortages. While this is a worthwhile goal, there is a question as to whether the legislation is couched in terms so as to most effectively meet the acknowledged need. The administration bill also includes an authorization which is 3 years longer than the House-reported measure which we are considering today.

The administration has made clear—and the House concurs in this interpretation—that the education professions development program in this bill is intended as a successor to title V–B and XI of the National Defense Education Act, which will now be allowed to expire on June 30, 1968. However, we have had almost no time to consider whether we actually wish to amend or delete these two NDEA titles nor have we deliberated on how the passage of this legislation might affect the future of other NDEA programs. As a matter of fact, both education professions development and continuation of National Defense Education Act programs are contained in other legislation—S. 1126—now pending before our committee on which hearings were begun in Oregon on April 26. However, these subjects have not yet been covered in the hearings on S. 1126. To meet House demands, however, we are now asked to pull out several provisions from this pending higher education measure and enact them separately as a legislative companion to the Teachers Corps rather than to consider all higher education and NDEA proposals together.

Mr. President, just to give some idea of how hurried these procedures were, I have been reading my individual views on pages 37 and 38, which views were subscribed to by the other minority members of the committee.

If we look at pages 38 and 39, we see that the printer could not even get them right. He finished the views on one page even before they had been completed on the second page.

We hope that there will be some correction of this. However, it gives us some idea of the rush that went on in the process of preparing this report.

I shall put the views in order at this point.

The National Defense Education Act has been an effective program since its enactment in 1958. It merits more than a 2-hour hearing to write an obituary for two of its titles. And that is what we would be doing if we were to pass the pending bill.

The Senate committee was unable to add any amendments to this bill; we were obliged to accept the House language intact.

What has occurred this week with respect to this bill brings to mind the events of 1965 when the Senate accepted the five-title Elementary and Secondary Education Act without changing as much as a comma, because we were told that was the only way to get the legislation enacted into law. Now we are told that the only way to pass the Teachers Corps is to accept the $775 million education professions development program without change. And, it will be recalled, within a period of months in 1965 the Congress not once, but twice, enacted changes to the Elementary and Secondary Education Act. It is now indicated that we can make changes to the education professions development program before it goes into effect on July 1, 1968, but after it is signed into law.

We can properly ask whether the Senate will be asked to perform charades such as this in every Congress.

To accept the concept and goals of the legislation before the Senate without carefully considering how the language of the future statute might best achieve these ends is not, in our view, doing justice to the legislative process. It would seem appropriate to recall the words of the minority members of this committee in their expressed views on the Elementary and Secondary Education Act of 1965:

> Irrespective of the merits and demerits of this particular bill—and there are both—the handling of this issue raises serious questions about the Nation's future constitutional development. Will legislation henceforth originate in the House, to be accepted supinely by the Senate without a murmur? Are conference committees a thing of the past? Will the Senate gradually become an English House of Lords, with power to delay the passage of legislation but not prevent it? Are States no longer an object of constitutional notice, but only individuals? Is the principle of one man, one vote now extended to vitiate the legislative role of this body of Congress founded by the Constitution on the basis of unequal representation? It is our hope that Senators will weigh carefully such questions as these as the bill is discussed on the floor.

Mr. President, I shall give one example of the problems we have in the pending bill, and I think my chairman will be entertained with this, as will the other Senators who are present.

A PROLIFERATION OF ADVISERS

Mr. President, there could well be added to the list of collective nouns—a pride of lions, a bevy of larks, a compendium of laws, a herd of sheep—another descriptive term: "a proliferation of advisers."

The bill before us amends title V of the Higher Education Act to establish a 15-member National Advisory Council on Education Professions Development with its own staff and funding. This Council is to replace the 13-member Advisory Council on Quality Teacher Preparation which was created in 1965—but the members were never appointed.

The new Advisory Council will join other advisory groups created by the Higher Education Act—first, the 20-member National Advisory Council on Extension and Continuing Education; second, the nine-member Advisory Council on College Library Resources; third, the nine-plus-member Advisory Council on Developing Institutions; and, fourth, the nine-member Advisory Council on Insured Loans to Students.

The new Advisory Council will also join the 13-member National Advisory Council on the Education of Disadvantaged Children, the nine-member Advisory Committee on Supplementary Educational Centers and Services, the 13-member National Advisory Committee on Handicapped Children, the Advisory Committee on Graduate Education, and the 14-member Advisory Committee on New Educational Media, and many, many other advisory committees, councils, and task forces.

With all these advisory groups, the Office of Commissioner of Education cannot be termed a lonely job.

Mr. LAUSCHE. Will the Senator yield?

Mr. DOMINICK. I will yield in one moment.

Mr. LAUSCHE. Will the Senator yield for a question?

Mr. DOMINICK. I yield.

Mr. LAUSCHE. That is, will this new committee displace and eliminate all the others and make one committee supervising all the work?

Mr. DOMINICK. I wish this were true. This is another committee, added on to all those about which I have spoken, which replaces only one, the members of which were never appointed, anyway. So we are just adding one more advisory council onto this enormous plethora of advisory councils that we already have.

Mr. President, in 1954, by Public Law 532 of the 83d Congress, there was established a nine-member National Advisory Committee on Education, created to give the Secretary of Health, Education, and Welfare "the advice of a group of representative citizens on the initiation and conduct of studies of problems of national concern in the field of education and on appropriate action as a result thereof." It occurs to me that this National Advisory Committee, which was never appointed, might be altered in such a manner as to absorb the functions of the gaggle of advisory groups already in being and then activated.

In any event, I would ask the distinguished chairman of the Subcommittee on Education, my chairman, the Senator from Oregon, to consider an item in the program of our committee's oversight on education the matter of this proliferation of advisers, so that Congress might somehow cut through the jungle of advisory groups instead of engaging in the planting of new trees in that seemingly impenetrable forest. I wonder whether the chairman can give me some kind of reaction to that.

Mr. MORSE. Mr. President, I speak on my own time.

My answer is that I shall be delighted to do so, because I agree with the Senator from Colorado. I shall be delighted to see that a memorandum goes tomorrow to the Department of Health, Education, and Welfare, to take into account everything that the Senator from Colorado has said in regard to this matter and include it within the oversight program that we are conducting. As the Presiding Officer will recall, it is a 2-year oversight program. I do not know of any other committee that is conducting a more intensive surveillance program than is my committee, in the surveillance of the Department of Health, Education, and Welfare.

Of course, we will have it looked into. But I am not as concerned about these advisory councils as is the Senator from Colorado; because we need to keep in mind—and I should like to have the attention of the Senator from Ohio [Mr. LAUSCHE] with regard to this point, because his whispered conversation to me leads me to believe that I should address this statement to him, also—what are these advisory councils? These are not permanent, full-time jobs. The advisory council will take a professor from the University of Ohio, the University of Oregon, Harvard University, or Columbia University, or some expert in a particular field.

Let us take, for example, the matter of teaching mathematics by visual aids. For such a select committee you do not take anyone who does not have expertise in that field. So you get an advisory council, and they work on the problem. They make a report and they give their advice, and they are through.

Then you have another advisory council or committee that is appointed to advise in regard to the problem of teaching plastics, where you have to get a small group with particular expertise.

You cannot have an overall advisory council and have them advise on a whole gambit of special educational problems that are involved under the new developments that are taking place in education. The trouble is that we are quite unaware, it seems to me, of the miracles that are taking place in the development of educational techniques in this country because of the great modernization that has occurred in so many fields—the entire matter of visual aids to education, the great changes that are taking place in handling the handicapped, the advice in regard to what is needed to improve education for the underprivileged and the disadvantaged. You must have a variety of councils. They are small in number, but they work on the problem as long as they can be helpful on the problem, and then you get another advisory council in some other field.

I am not as concerned as is the Senator from Colorado about the large number of advisory councils; but I believe the matter should be looked into and that we should find out what the facts are.

Mr. DOMINICK. I say to my friend, the Senator from Oregon—and he is my friend, although we may disagree on some matters—that each of these advisers and counselors, by and large, gets $100 a day plus his expenses each time a meeting is held. In dealing with things like continuing education, library resources, developing institutions, and student participation in a college, it seems to me that one advisory council could do better by considering the matter as a whole rather than to have separate councils so that we can spread the taxpayers' wealth even more than we are now doing.

Mr. MORSE. I shall take 1 minute of my own time.

I understand that point of view, Mr. President. But the point to stress is that we cannot get a single group that has the expertise or that is qualified to advise on the whole gambit of subject matters on which the Department of Health, Education, and Welfare needs to be advised.

In view of the qualifications that are necessary in order to serve on these advisory councils, I do not believe that $100 a day is exorbitant. In some craft unions the expertise is so great that the employees come pretty close to getting $100 a day, and I am for that, too.

Let us take a psychiatrist serving on an advisory council in regard to trying to help with the development of educational techniques for teaching and helping, through education, to stabilize the emotionally unbalanced. You do not think that you will get him for less than $100 a day, do you? He sometimes will have an hour conference and charge a patient $100 for that time.

I do not believe we are losing any money by this arrangement. That is all I shall say now.

My reply to my friend, the Senator from Colorado—and I want to say that he is my friend, also—will not be very long. He specifically asked me the question, and I wanted to tell him my opinion of the advisory councils.

Mr. DOMINICK. I gather from what the chairman has said that this will be part of our oversight work.

Mr. MORSE. I assure the Senator that it will be.

Mr. DOMINICK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMINICK. We are dealing with an important bill. We are under limited time. I have no intention to offer my amendments and make a dramatic speech on behalf of them to an empty house. If we should have a live quorum, would the time come out of my time or could it be taken out of the bill, or could we have unanimous consent not to charge the time against either side?

Mr. MORSE. The Senator knows that I will cooperate with him. If he wishes to suggest the absence of a quorum and makes the unanimous-consent request that the time not be charged against either side, I shall have no objection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The Senator from Colorado may make his request whenever he wishes.

Mr. DOMINICK. Mr. President, before I ask for the quorum, I thought I would offer the first amendment, but first I have another parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOMINICK. The first amendment I plan to offer contains three separate subjects. If that amendment should be defeated, would it be proper to offer another amendment which would have only one of those three subjects incorporated?

The PRESIDING OFFICER. The Chair would advise that it would be proper to offer an amendment that is substantially different, and if the amendment offered only covers one subject of the three in the original amendment, then it would be a substantially different amendment and would be in order.

Mr. DOMINICK. I thank the Chair.

Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

At the end of the bill add the following new sections:

"AMENDMENT TO PUBLIC LAW 874, EIGHTY-FIRST CONGRESS

"SEC. 10. Section 7(a) (1) (A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1969'.

"AMENDMENTS TO PUBLIC LAW 815, EIGHTY-FIRST CONGRESS

"SEC. 11. (a) Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out 'June 30, 1967' and inserting in lieu thereof 'June 30, 1969'.

"(b) Section 15(15) of such Act is amended by striking out '1962–1963' and inserting in lieu thereof '1964–1965'.

"(c) Section 16(a) (1) (A) of such Act is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1969'.

"AMENDMENTS TO TITLES I, II, AND III OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"SEC. 12. Section 203(a) (1) (A) of title I of the Elementary and Secondary Education Act of 1965, section 202(a) (1) of title II of such Act, and section 302(a) (1) of title III of such Act are each amended by striking out 'fiscal year ending June 30, 1967' and inserting in lieu thereof 'fiscal years ending June 30, 1967, and June 30, 1968'."

Amend the title to read as follows: "A bill to amend and extend title V of the Higher Education Act of 1965, and for other purposes."

Mr. FANNIN. Mr. President, I am pleased to cosponsor the amendment of the Senator from Colorado. I am particularly concerned about the extension for 1 year of the authorization under titles I, II, and III of the Elementary and Secondary Education Act to provide for the educational needs of Indian children attending schools operated by the Bureau of Indian Affairs. I offered a similar amendment in committee and feel strongly that this program should not be allowed to lapse.

When Congress last year approved the Elementary and Secondary Education Act, it limited grants to BIA schools to only 1 year, despite the fact that other provisions of the act carried the blessing of a 2-year authorization. Congress did so, however, not because it does not value the importance of Indian education carried on by the Bureau of Indian Affairs, nor because it is unsympathetic to the fact that Indian children, more than most other children, require an increasingly better education if they are to assume their rightful place in our society. Rather, the reasoning behind the 1-year authorization was that Congress, recognizing fully, if belatedly, its responsibility for better education for all American Indians, wanted an additional year to study all aspects of Indian education more fully, including the possibility of transferring Indian education from the Bureau of Indian Affairs. Some of that work has been completed while other aspects of the study are either continuing or soon will begin.

Nevertheless, the important fact remains that unless we act immediately to extend this authorization for 1 additional year, funds for BIA schools will be cut off effective July 1, 1967, and countless worthwhile and needed educational programs will be curtailed, some long before they will have made any worthwhile contribution to the education of Indian children. Many, if not most, of the programs made possible through the Elementary and Secondary Education Act are just getting off the ground, particularly with regard to the BIA schools, which were excluded from the original act and which did not receive any funds for fiscal year 1967 until after November 9, 1966, the date Congress finally passed the necessary appropriations bill. Even if the BIA schools had been prepared to initiate effective educational programs immediately, an assumption that is at best doubtful, they could not have been operational for more than 6 months, hardly sufficient time to make a dent in the educational problems that have confronted Indian children and perplexed educators for more than half a century.

I need not remind my colleagues that Indians are in every way disadvantaged Americans. They remain at the very bottom of the economic ladder, they have the highest rate of unemployment, they live in the poorest housing, and they suffer chronic poverty.

The reason for this national tragedy is obvious to all who care to look: poor education. Indian adults under 45 years of age average less than an eighth grade education, compared to the average for all Americans of approximately 12 years of school. Also, even today more than 50 percent of the Indians who attend school—and no one knows for sure how many Indians are not being educated—drop out before they complete the 12th grade. This figure is almost twice the national average of 28 percent.

As one might logically suspect, many of the new programs in BIA schools being funded under titles I, II, and III of the Elementary and Secondary Education Act are directed at improving education generally and at encouraging Indian children—in large part through the acquisition of the educational skills that lead to success in school and in life—to stay in school.

I think the need for this amendment is clear. The statements of the distinguished chairman of the committee and my colleague from Colorado, Senator DOMINICK, which appear in the hearings before the subcommittee, established this. Likewise, this concern is shared by Commissioner Howe of the Office of Education and Dr. Carl I. Marburger, Assistant Commissioner of Education, BIA. Dr. Marburger pointed out in his statement before the subcommittee that although only $5 million was available for a 6-month period under title I of the Elementary and Secondary Education Act, these programs created a new spirit of enthusiasm among those students it affected. To permit these programs to lapse after June 30 would do irreparable damage.

It would be a tragic mistake, therefore, not to extend for another year the right of BIA schools to receive some funds from the Elementary and Secondary Education Act. We should not, cannot, let these programs lapse. I respectfully and urgently ask that this needed and worthwhile amendment be adopted.

Mr. DOMINICK. Mr. President, I yield myself 10 minutes on the amendment.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The Senator from Colorado is recognized.

Mr. DOMINICK. Mr. President, the

amendment I have proposed would accomplish three things. First, it would extend the school disaster program, which now expires on June 30, for an additional 2 years. Second, it would extend the temporary provisions of Public Law 815 for an additional 2 years. Finally, it would extend the coverage under titles I, II, III, of the Elementary and Secondary Education Act of 1965 so that children attending Department of Defense schools and Indian children could benefit from the Elementary and Secondary Education Act.

Unless immediate action is taken by us all three of these programs which, in fact, have been passed by the House of Representatives already as a part of their Elementary and Secondary Education Act, will expire as of this coming Friday. I think this is important to keep in mind.

I wish to point out specifically that the proposed amendment would not alter one word of the pending bill. It would add three additional subjects, which, in my opinion, are three times as vital as the bill which we are considering. Why do I say that? I say that because unless we do something about the authorization to include Indians within the titles of the Elementary and Secondary Education Act, those Indian children who are trying to get an education in order to fit into the American pattern of life may be deprived of funds as the schools will be left in the planning stage without knowing whether they will have funds available in September programs in the preliminary planning stage may be dropped. I do not think this is right and I believe we should do something about it.

Mr. President, the same point is true with respect to Department of Defense schools which take care of the children of the servicemen ordered overseas by the President. Unless we do something about that situation and include them in titles I, II, and III of the Elementary and Secondary Education Act of 1965, the authorization for those schools will expire on June 30, which is this coming Friday. It seems to me that this is something on which we should take action.

Why should we be prevented from doing something because a group of Members from the House of Representatives—and I have great respect for each and all of them—comes to us and says, "We cannot be bothered to wait around for a conference; you have to take what we do on this bill; and we are not going to accept other provisions." The Senate falls flat on its face and it says, "OK. We give up. We will take what you say and not do any more." This is a sorry way to legislate and that is why I have tried to add a few programs in education which I think are as important or more important than those we are considering at the edict of the House of Representatives.

The second amendment deals with the temporary provisions of Public Law 815. This provision would extend the time for an additional 2 years and it would take care of school construction where there is a sudden influx of people who are Federal employees, which usually occurs because of a Federal installation which has been brought in, whether it be a defense installation, or space installation. The purpose of the proposal is to try to give the people in that area, who would automatically be enormously affected by this great influx of new people, an opportunity to preplan and meet school construction needs prior to the time when they are overrun with a doubling or quadrupling of new people. Unless we do something in connection with this matter the authority will expire on Friday, June 30.

Mr. President, the third item is of enormous importance and I would be happy to discuss it at great length if anyone wishes. The matter has to do with the school disaster fund. As of Friday, June 30, starting the minute after midnight, there will be no funds available to take care of any of the school destruction caused by a natural disaster. In that event, if there were a destruction each area involved would have to come to Congress and try to get a private relief bill, which is the very thing that we tried to discourage, by passing the bill a year ago.

Unless we do something in this area that authority will expire on Friday, June 30. I would not want to have that as my responsibility in this legislation. I want those school districts that are hit to have the authorization to get funds to make repairs and reconstruct schools which have been wiped out by tornadoes, floods, snow slides, or whatever it may be. Unless we do something there will not be funds. That is why I have proposed these amendments, not to pass on whether the legislation is good or bad, but to say to the Senate that there are other things as important or more important than what we are considering today.

The PRESIDING OFFICER. Who yields time?

Mr. DOMINICK. Mr. President, I suggest the absence of a quorum, and it will be live.

The PRESIDING OFFICER. Under the previous order the time will not be charged to either side. The clerk will call the roll.

The assistant legislative clerk called the roll, and the following Senators answered to their names:

[No. 175 Leg.]

Aiken
Boggs
Byrd, Va.
Byrd, W. Va.
Curtis
Dominick
Griffin

Hickenlooper
Hill
Hollings
Kuchel
Lausche
Long, La.
Mansfield

Morse
Percy
Prouty
Ribicoff
Sparkman
Talmadge

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergent at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott
Anderson
Baker
Bartlett
Bayh
Bennett
Bible
Brewster
Brooke
Burdick
Cannon
Case
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Eastland
Ellender
Ervin

Fannin
Fulbright
Gore
Hansen
Hart
Hatfield
Hayden
Holland
Hruska
Jackson
Jordan, Idaho
Kennedy, Mass.
Long, Mo.
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller

Mondale
Monroney
Mundt
Muskie
Nelson
Pastore
Pearson
Pell
Froxmire
Randolph
Scott
Smith
Spong
Stennis
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. MORSE. Mr. President, I apologize to the Senate for being off the floor, but I have been at the conference on the railroad matter, and have just returned.

While waiting for the Senator from Colorado [Mr. DOMINICK] to return, Mr. President, I ask for the yeas and nays on the Dominick amendment.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, the assistant of the Senator from Colorado is present, and can advise him as to what I say in my reply. It will be very brief.

Mr. President, I have already stated the fact that the amendment of the Senator from Colorado consists of subject matters already in the elementary-secondary school bill as passed by the House of Representatives. They will be taken up by the Senate when we begin our hearings on elementary and secondary education following the Fourth of July recess.

Mr. President, I have set forth very frankly for the Senate the fact that we are confronted here by a time factor. I say to the Senate that we will simply kill H.R. 10943 if we adopt any amendment to it at this time. I explained to the group of Senators which met with the group of Representatives yesterday afternoon for informal discussions, under instructions of the Senate committee, that we were advised that there was no hope of a bill if we have to go to conference.

I repeat, for the benefit of the Senator from Colorado, who is now present, that the elements in his amendment are in the House elementary-secondary education bill. Those elements we would be perfectly willing to accept and put into the bill, if we could, but we are confronted with a time factor; and, speaking most respectfully, my judgment is that if the Senate agrees to the amendment, it will have killed the bill.

The Senator may call it a ransom or anything else he wishes. I call it legislative reality. The contents of the bill are so important to the schoolchildren of this country that I do not think we should take the chance of adding an amendment when, in my judgment, we will never even be able to get to a conference with the House, and therefore I believe we should wait until after the Fourth of July recess.

Let us assume that we wait. Let me take one of the points the Senator from Colorado stresses, and has stressed most eloquently: It is true that on July 30, the school disaster provision will lapse. But it will be revived when we pass the elementary-secondary school bill. The Senator says that if anything happens in the meantime, there will be no funds and we will have to go back to the procedure we followed prior to the passage of the school disaster program. We did it then disaster by disaster.

Mr. President, we will have to do it anyway if we do not get a bill passed. I say to the Senate that while I am not a betting man, if I were I would give you 10 to 1 that we can never get a bill passed if we adopt an amendment.

As to school disasters, Mr. President, there is another source of funds. The President has a contingency fund, an emergency fund, and if a serious enough disaster occurs, he could help with that. We could replenish that fund if we had to; but I think it would probably be quicker and easier to pass a special emergency bill on the individual disaster.

Mr. President, as chairman of the committee, I shall be fighting for every one of the programs the Senator from Colorado has mentioned in his amendment, when we take up the elementary-secondary school bill. We will get them. The only thing, really, that will lapse, in the sense that it goes back to the Treasury of the United States, is $3,700,000, which will revert to the Treasury after June 30. That is what the Senator is trying to save.

Lastly, the Senator from Colorado makes the point that after all, this education professions development section of the bill does not go into effect until 1968. Mr. President, as was pointed out in our conference yesterday, that gives us plenty of time between now and 1968 to adopt whatever amendments the eventualities may show to be necessary. But, Mr. President, now is the time to adopt both sections of the bill, and I strongly urge that the Senator's amendment be defeated.

I yield back the remainder of my time.

Mr. DOMINICK. Mr. President, I yield myself 10 minutes. I shall probably not use that much time.

I listened with great interest to my distinguished chairman. I wish to show the Senate what this bill does, and then what I am trying to do to accomplish its passage.

This bill takes two titles of the National Defense Education Act out of that act, and puts them into the new education professions development program. Then it adds a whole bunch of other things, and it says we are going to spend $775 million on this, and we are not going to start spending it until July 1968.

But all of a sudden, we have to do it now. I ask, why? The other two titles will continue in effect anyway, if we do not pass the bill. So why is there such great urgency to pass the bill immediately? We could do it next month. We could do it in August. I am not saying that I am against this particular provision. I merely wonder why it is so urgent to get it done right now.

The second matter is the Teachers Corps. Suppose we do not pass it right now. If that is the attitude the House of Representatives takes, this is their proposal; let them worry about it. We are perfectly willing to pass it.

As to the cost of the three things I am trying to add on, $750,000 is all I am asking for on the school disaster program—not millions, thousands; $750,000 a year for each of 2 years. I am asking that so that we can take care, as legislators, of what may happen around this country in connection with our schools, so that we will have authorization to obtain funds to meet emergencies. We will not have any unless we pass this amendment.

The second thing I am asking is that the Indians and the children who are trying to get an education overseas can have the benefit of title I, II, and III funds of the Elementary Education Act. Unless we pass my amendment, that authority will expire. On that particular issue, there is no new money involved; it is already provided in titles I, II, and III of the Elementary Education Act. The authority is still there. The amendment would just permit them to participate in the fund we have already created.

The School Construction Act provision is designed to take care a very difficult situation where Federal impact is extreme and extraordinary, so that, instead of having to wait until after schools are in existence and then trying to obtain the money, plans can be made in advance and the schools can be ready when the Federal installation becomes operative.

We do not have that authority, either, and that is a total of $71 million. I am talking about an amount in the neighborhood of $71¾ million for each of 2 years in trying to get something done which this country has said is what they need and what they want. It is something that has already been in operation.

The committee bill is taking two programs, one of which is brand new, and costs $775 million, and the other of which will cost $33 million, $46 million, and $56 million over 3 years.

That is the Teachers Corps program which is undoubtedly going to be helpful in some areas but which is not of enormous importance on a national scale when measured against the programs contained in my amendment.

It is for that reason that I am trying to add these provisions.

Let us take a look at the situation. Let us take the whole broad view of the need of the programs that are expiring, and let us act as responsible legislators. Let us not let the House tell us what to pass and what not to pass.

Mr. President, I yield back the remainder of my time.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Colorado [Mr. DOMINICK]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from North Carolina [Mr. JORDAN] are absent because of illness.

I further announce that the Senator from New York [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Utah [Mr. MOSS], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Utah [Mr. MOSS] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Hawaii [Mr. FONG] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from South Carolina [Mr. THURMOND] are absent by leave of the Senate.

If present and voting, the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 28, nays 55, as follows:

[No. 176 Leg.]

YEAS—28

Allott
Baker
Bennett
Brooke
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Griffin
Hansen
Hatfield
Hickenlooper
Hollings
Hruska
Jordan, Idaho
Kuchel
Lausche
Long, La.
Miller
Mundt
Pearson
Percy
Scott
Young, N. Dak.

NAYS—55

Aiken
Anderson
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Dodd
Fulbright
Gore
Hart
Hayden
Hill
Holland
Jackson
Kennedy, Mass.
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Morse
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—17

Carlson
Fong
Gruening
Harris
Hartke
Inouye
Javits
Jordan, N.C.
Kennedy, N.Y.
Montoya
Morton
Moss
Murphy
Russell
Smathers
Thurmond
Tower

So Mr. DOMINICK's amendment was rejected.

Mr. MORSE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I yield myself 1 minute on the bill.

If the leadership may have the attention of the Senate, I do not know how many more amendments will be offered. I understand that at least one more amendment will be offered. We are operating under a time limitation. It would be appreciated by the leadership if as many Members as possible would remain, so that we might get on with this bill, because we have some other legislation we would like to consider after this measure is disposed of one way or the other.

Mr. DOMINICK. I do not plan to take more than 10 minutes to explain this amendment, and perhaps less than that. I do not know how long the Senator from Oregon will take. I shall ask for the yeas and nays.

I offer my next amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado will be stated.

The legislative clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the bill add the following new sections:

"AMENDMENT TO PUBLIC LAW 874, EIGHTY-FIRST CONGRESS

"SEC. 10. Section 7(a)(1)(A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1969'.

"AMENDMENT TO PUBLIC LAW 815, EIGHTY-FIRST CONGRESS

"SEC. 11. Section 16(a)(1)(A) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1969'."

Amend the title to read as follows: "A bill to amend and extend title I of the Higher Education Act of 1965, and for other purposes."

Mr. DOMINICK. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, if I may have the attention of my colleagues, I shall try to explain what I am attempting to do.

This bill, as it has been presented to the Senate by the committee, contains only two provisions. It contains a provision for a Teachers Corps over a 3-year period, and it calls for an Education Professions Development Act, which is a new program costing $775 million, and does not go into effect until July 1, 1968.

Mr. LAUSCHE. In 1968?

Mr. DOMINICK. Fiscal 1969. It starts July 1, 1968.

What I am attempting to do is to say that these may be all right but will we please take care of the situation in which we may need money for school disasters, because the authorization for money for school disasters expires on Friday, June 30. If we do not take action to include this provision in the pending bill, we will have no authorization for any money for a school disaster from now until we pass new legislation, whenever that may be, if ever. The only way in which you will be able to get any money in case your school system has a disaster will be to come to Congress and have a special bill passed, or, as the Senator from Oregon has said, to try to get it under the President's contingency fund.

Why are we doing this? Why are we letting it lapse? The House Representatives passed an extension. The administration is in favor of it but the House conferees said they will not accept it on this bill. The House has said that they will not accept it so the Senate is being dictated to by the House conferees. I do not think that is the way to legislate. We have a responsibility to our people in connection with school destruction throughout the country to make it possible for them to have an opportunity to be able to reconstruct their systems. In the event something happens to them, Congress has the responsibility to assist in this field and it is for that reason that I offer the amendment.

Mr. MORSE. Mr. President, I yield myself 2 minutes. I want the Senate to listen to what I have to say because all Senators were not in the Chamber when I explained earlier this afternoon the parliamentary situation that confronts us.

The Senate committee yesterday adopted a series of amendments conditionally and tentatively on the condition that a group of Senators should meet with the members of the House committee and discuss the parliamentary situation with regard to getting amendments added to the bill. We met with them. I listened to Senators who met with me and I listened to members of the House committee, including Mr. QUIE, Mrs. GREEN of Oregon, Mr. GIBBONS, and Mr. BRADEMAS. There were about six of them.

They pointed out that the parliamentary situation is an impossibility. There is no chance of getting any amendment added to the bill this afternoon and getting a bill passed in the House of Representatives. They have parliamentary rules over there whereby an objection can cause a matter to go over for a day. They say that Members are leaving by the droves. They may recess their session by tonight. They are certainly going out of town.

The Senate committee authorized me and my colleagues who met with them to talk this matter over with them and if it were true that we did not have a chance to get the amendments added we would bring in the House bill, get it passed, and proceed with these questions as soon as we come back after the July 4 recess.

The three provisions of the Senator from Colorado [Mr. DOMINICK], plus other provisions which we voted, are already in the Elementary and Secondary Education Act passed by the House of Representatives which has to be taken up by the Senate when we reconvene after the July 4 recess.

I predicted earlier and I predict again that there will be in the elementary and secondary education bill the impacted area money, the school construction money, the school distress money, and the Indian school money; these will be in the elementary and secondary education bill because they have already been passed by the House.

There is a time factor and a parliamentary reality we have to face up to. I do not like to be in this situation but we are in it. If we adopt amendments to the bill we will get no bill. This bill will go down the drain. In my judgment, that is not the way to build up a sound parliamentary relationship with the House of Representatives. I yield to no one in insisting on a cooperative relationship with the House of Representatives.

Let me point out again that after we come back after the July 4 recess we will proceed to hearings and get the bill before the Senate quickly.

But what about this amendment? Only in the last 2 years have we had this kind of procedure for handling school disasters. It was always done by a special bill before. We got along pretty well. This is the test of the pudding, in my judgment. Let us assume that you have a school disaster between now and the time when the elementary and secondary education school bill is passed that contains the provisions in the proposal of the Senator from Colorado. You would go to the White House to get help from the contingency fund and, of course, you will get it for that particular school disaster, as long as it was not burned out.

In order to give Senators an example, 3 days ago—if the Senators from Kansas will give me their attention—there was a disaster in Kansas. That will be handled under existing law. Assume that it happened next week and not 3 or 4 days ago. They would seek money from the President's contingency fund or proceed to come to the Senate to get a special bill, and Senators know how long that would take. A bill would be passed in the Senate and the House as quickly as it would take to call the roll.

I plead with the Senate, on behalf of those who met with me yesterday. They will be my witnesses that that is what we were told by the House of Representatives. I ask the Senate to listen to who they were: The ranking Republican member of my subcommittee, the Senator from Vermont [Mr. PROUTY], the ranking Democratic member of my subcommittee, the Senator from Texas [Mr. YARBOROUGH], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Massachusetts [Mr. KENNEDY]. We met with these House conferees.

They want these amendments, too. They have already passed on them in the elementary and secondary education school bill. However, they say, "Senator, time does not permit of it, and we think you would make a great mistake. We cannot get the bill through. We will be with you when you come with the elementary and secondary education school bill afterwards."

I do not like to be in this parliamentary posture either but I am saying that we will accomplish everything that the eloquently: It is true that on July 30, the school disaster provision will lapse. But it will be revived when we pass the elementary-secondary school bill. The Senator says that if anything happens in the meantime, there will be no funds and we will have to go back to the procedure we followed prior to the passage of the school disaster program. We did it then disaster by disaster.

Mr. President, we will have to do it anyway if we do not get a bill passed. I say to the Senate that while I am not a betting man, if I were I would give you 10 to 1 that we can never get a bill passed if we adopt an amendment.

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The second matter is the Teachers Corps. Suppose we do not pass it right now. If that is the attitude the House of Representatives takes, this is their proposal; let them worry about it. We are perfectly willing to pass it.

As to the cost of the three things I am trying to add on, $750,000 is all I am asking for on the school disaster program—not millions, thousands; $750,000 a year for each of 2 years. I am asking that so that we can take care, as legislators, of what may happen around this country in connection with our schools, so that we will have authorization to obtain funds to meet emergencies. We will not have any unless we pass this amendment.

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Mr. President, I yield back the remainder of my time.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Colorado [Mr. DOMINICK]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from Hawaii [Mr. INOUYE] and the Senator from North Carolina [Mr. JORDAN] are absent because of illness.

I further announce that the Senator from New York [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Utah [Mr. MOSS], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I further announce that, if present and voting, the Senator from Utah [Mr. MOSS] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER] are absent on official business.

The Senator from Hawaii [Mr. FONG] and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from New York [Mr. JAVITS] and the Senator from South Carolina [Mr. THURMOND] are absent by leave of the Senate.

If present and voting, the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 28, nays 55, as follows:

[No. 176 Leg.]

YEAS—28

Allott
Baker
Bennett
Brooke
Cotton
Curtis
Dirksen
Dominick
Eastland
Ellender
Ervin
Fannin
Griffin
Hansen
Hatfield
Hickenlooper
Hollings
Hruska
Jordan, Idaho
Kuchel
Lausche
Long, La.
Miller
Mundt
Pearson
Percy
Scott
Young, N. Dak.

NAYS—55

Aiken
Anderson
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Dodd
Fulbright
Gore
Hart
Hayden
Hill
Holland
Jackson
Kennedy, Mass.
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Morse
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—17

Carlson
Fong
Gruening
Harris
Hartke
Inouye
Javits
Jordan, N.C.
Kennedy, N.Y.
Montoya
Morton
Moss
Murphy
Russell
Smathers
Thurmond
Tower

So Mr. DOMINICK's amendment was rejected.

Mr. MORSE. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I yield myself 1 minute on the bill.

If the leadership may have the attention of the Senate, I do not know how many more amendments will be offered. I understand that at least one more amendment will be offered. We are operating under a time limitation. It would be appreciated by the leadership if as many Members as possible would remain, so that we might get on with this bill, because we have some other legislation we would like to consider after this measure is disposed of one way or the other.

Mr. DOMINICK. I do not plan to take more than 10 minutes to explain this amendment, and perhaps less than that. I do not know how long the Senator from Oregon will take. I shall ask for the yeas and nays.

I offer my next amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado will be stated.

The legislative clerk proceeded to read the amendment.

Mr. DOMINICK. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the bill add the following new sections:

"AMENDMENT TO PUBLIC LAW 874, EIGHTY-FIRST CONGRESS

"SEC. 10. Section 7(a)(1)(A) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1969'.

"AMENDMENT TO PUBLIC LAW 815, EIGHTY-FIRST CONGRESS

"SEC. 11. Section 16(a)(1)(A) of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress) is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1969'."

Amend the title to read as follows: "A bill to amend and extend title I of the Higher Education Act of 1965, and for other purposes."

Mr. DOMINICK. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOMINICK. Mr. President, if I may have the attention of my colleagues, I shall try to explain what I am attempting to do.

This bill, as it has been presented to the Senate by the committee, contains only two provisions. It contains a provision for a Teachers Corps over a 3-year period, and it calls for an Education Professions Development Act, which is a new program costing $775 million, and does not go into effect until July 1, 1968.

Mr. LAUSCHE. In 1968?

Mr. DOMINICK. Fiscal 1969. It starts July 1, 1968.

What I am attempting to do is to say that these may be all right but will we please take care of the situation in which we may need money for school disasters, because the authorization for money for school disasters expires on Friday, June 30. If we do not take action to include this provision in the pending bill, we will have no authorization for any money for a school disaster from now until we pass new legislation, whenever that may be, if ever. The only way in which you will be able to get any money in case your school system has a disaster will be to come to Congress and have a special bill passed, or, as the Senator from Oregon has said, to try to get it under the President's contingency fund.

Why are we doing this? Why are we letting it lapse? The House Representatives passed an extension. The administration is in favor of it but the House conferees said they will not accept it on this bill. The House has said that they will not accept it so the Senate is being dictated to by the House conferees. I do not think that is the way to legislate. We have a responsibility to our people in connection with school destruction throughout the country to make it possible for them to have an opportunity to be able to reconstruct their systems. In the event something happens to them, Congress has the responsibility to assist in this field and it is for that reason that I offer the amendment.

Mr. MORSE. Mr. President, I yield myself 2 minutes. I want the Senate to listen to what I have to say because all Senators were not in the Chamber when I explained earlier this afternoon the parliamentary situation that confronts us.

The Senate committee yesterday adopted a series of amendments conditionally and tentatively on the condition that a group of Senators should meet with the members of the House committee and discuss the parliamentary situation with regard to getting amendments added to the bill. We met with them. I listened to Senators who met with me and I listened to members of the House committee, including Mr. QUIE, Mrs. GREEN of Oregon, Mr. GIBBONS, and Mr. BRADEMAS. There were about six of them.

They pointed out that the parliamentary situation is an impossibility. There is no chance of getting any amendment added to the bill this afternoon and getting a bill passed in the House of Representatives. They have parliamentary rules over there whereby an objection can cause a matter to go over for a day. They say that Members are leaving by the droves. They may recess their session by tonight. They are certainly going out of town.

The Senate committee authorized me and my colleagues who met with them to talk this matter over with them and if it were true that we did not have a chance to get the amendments added we would bring in the House bill, get it passed, and proceed with these questions as soon as we come back after the July 4 recess.

The three provisions of the Senator from Colorado [Mr. DOMINICK], plus other provisions which we voted, are already in the Elementary and Secondary Education Act passed by the House of Representatives which has to be taken up by the Senate when we reconvene after the July 4 recess.

I predicted earlier and I predict again that there will be in the elementary and secondary education bill the impacted area money, the school construction money, the school distress money, and the Indian school money; these will be in the elementary and secondary education bill because they have already been passed by the House.

There is a time factor and a parliamentary reality we have to face up to. I do not like to be in this situation but we are in it. If we adopt amendments to the bill we will get no bill. This bill will go down the drain. In my judgment, that is not the way to build up a sound parliamentary relationship with the House of Representatives. I yield to no one in insisting on a cooperative relationship with the House of Representatives.

Let me point out again that after we come back after the July 4 recess we will proceed to hearings and get the bill before the Senate quickly.

But what about this amendment? Only in the last 2 years have we had this kind of procedure for handling school disasters. It was always done by a special bill before. We got along pretty well. This is the test of the pudding, in my judgment. Let us assume that you have a school disaster between now and the time when the elementary and secondary education school bill is passed that contains the provisions in the proposal of the Senator from Colorado. You would go to the White House to get help from the contingency fund and, of course, you will get it for that particular school disaster, as long as it was not burned out.

In order to give Senators an example, 3 days ago—if the Senators from Kansas will give me their attention—there was a disaster in Kansas. That will be handled under existing law. Assume that it happened next week and not 3 or 4 days ago. They would seek money from the President's contingency fund or proceed to come to the Senate to get a special bill, and Senators know how long that would take. A bill would be passed in the Senate and the House as quickly as it would take to call the roll.

I plead with the Senate, on behalf of those who met with me yesterday. They will be my witnesses that that is what we were told by the House of Representatives. I ask the Senate to listen to who they were: The ranking Republican member of my subcommittee, the Senator from Vermont [Mr. PROUTY], the ranking Democratic member of my subcommittee, the Senator from Texas [Mr. YARBOROUGH], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Massachusetts [Mr. KENNEDY]. We met with these House conferees.

They want these amendments, too. They have already passed on them in the elementary and secondary education school bill. However, they say, "Senator, time does not permit of it, and we think you would make a great mistake. We cannot get the bill through. We will be with you when you come with the elementary and secondary education school bill afterwards."

I do not like to be in this parliamentary posture either but I am saying that we will accomplish everything that the

Senator from Colorado wants when we bring in the elementary and secondary education school bill.

Mr. PROUTY and Mr. LAUSCHE addressed the Chair.

Mr. MORSE. Mr. President, I yield to the Senator from Vermont.

Mr. PROUTY. Mr. President, I wish to underscore what my friend, the Senator from Oregon [Mr. MORSE] has said. I had an amendment in which I was interested relating to handicapped children which I think is an urgent matter, but because of the parliamentary situation I think we have no alternative if we are interested in getting a bill out now which is impotrant and desirable.

Mr. MORSE. I thank the Senator for his statement. The Senator from Vermont was with me. He has an amendment for the handicapped. That provision is in the House elementary and secondary education school bill. We talked about that amendment. They agree it is a good amendment, but they point out that it cannot be gotten out now in the time situation that confronts us.

We did not have the Senator from Arizona with us. I did look for him but he was not available. We spoke for him in connection with the Indian amendment. We are for the Indian amendment.

However, do not forget that the only thing that reverts to the Treasurer of the United States after June 30 is $3,700,000 on the Teachers Corps and that is needed this summer for training.

Do not forget about what we have done in connection with the Teachers Corps in the past. We placed the administration at the State and local level. We have turned it over where it should have been in the first place, at the local level. These summer programs train these people.

Then, there is the bill that the Senator from Colorado spoke about, the Education Profession Development Act, which is of vital importance for us to pass because of the sound nature of it.

I pointed out that that program goes into effect July 1, 1968, but that gives time to adopt any amendments that time may show we need. I think it is in a sound condition at the present time.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. COTTON. What is proposed in the new part of the bill?

Mr. MORSE. In round figures $775 million for 2 years.

Mr. COTTON. That is the new part of the bill?

Mr. MORSE. Seven hundred and seventy-five million dollars for 2 years.

Mr. COTTON. These are new programs?

Mr. MORSE. The Senator is correct.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. Mr. President, I direct the Senator's attention to page 11. I am making inquiry to find out what the bill is supposed to do. Does the bill which is now before us contain the authorizations for the Teachers Corps which on page 11 are shown to be $33 million for 1968, $46 million for 1969, and $56 million for 1970?

Mr. MORSE. The answer is "Yes."

Mr. LAUSCHE. On page 11 the material in the columns shows authorizations for 1969 and 1970. That means that the authorization would begin on July 1, 1968. Why are we now passing legislation to become effective on July 1, 1968?

Mr. MORSE. Because we have existing fellowships that run up to that time. The program continues into that time.

Mr. LAUSCHE. These programs beginning on July 1, 1968, tie into existing programs, then?

Mr. MORSE. That is right.

Mr. LAUSCHE. And they will expire at that time?

Mr. MORSE. Well, if we do not authorize it——

Mr. LAUSCHE. If we do not authorize it.

Mr. MORSE. Let me quickly answer the Senator. Do not forget that authorizations are different from appropriations.

Mr. LAUSCHE. Yes, I know that.

Mr. MORSE. I want the RECORD to show that.

Mr. LAUSCHE. In other words, the authorizations for 1969 and 1970 amounting to $385 million for 1969 and about $492 million for 1970 are now practically embraced in programs which are in existence.

Mr. MORSE. Except for the Teachers Corps.

Mr. LAUSCHE. Except for the Teachers Corps. Why has this combination been adopted, labeled as a new program? Why has that been done?

Mr. MORSE. Because we are trying to put all the fellowships, and all the Teachers Corps programs—fellowships go into the Teachers Corps, too, and they are somewhat similar in their objectives—into one package.

Mr. LAUSCHE. The House program does approve of the Teachers Corps?

Mr. MORSE. Oh, yes.

Mr. LAUSCHE. And the Teachers Corps program has been changed, requiring the local boards to put up 10 percent?

Mr. MORSE. Yes; it is now 90 percent Federal aid and 10 percent local aid, which is very important. Let me say to the Senator from Ohio, because I know his views on this matter, and I have discussed this on the floor in other education bills, that, of course, a great change has taken place, which I enthusiastically support, so that we bring the administration of it down to the local level and take it away from the Department of Health, Education, and Welfare.

Mr. LAUSCHE. When the Teachers Corps bill was brought up, I opposed it because I feared the program of having an army of teachers sent out by the Federal Government to local governments. The Senator from Oregon now states that this danger of which I was afraid has been eliminated by putting the program into the hands of the local people.

Mr. MORSE. Through selection of what corpsmen there will be.

Mr. MILLER. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. MILLER. I should like to ask the Senator a question because I understand that the education professions development program is a completely new program that will cost over $700 million for 2 years.

Mr. MORSE. For a total of 2 years, yes.

Mr. MILLER. For a total of 2 years.

Mr. MORSE. Counsel advises me that it is about the same authorization for similar programs in 1967.

Mr. MILLER. What does that program cost?

Mr. MORSE. For a variety of institutes and aids—my fellowship bill, the extension of it, and——

Mr. MILLER. Then it is really not a new program. It is a follow-on program.

Mr. MORSE. It is a new program in that it is in a new format. It is certainly broadened somewhat.

I want to save as much time as possible, but the Senator is entitled to have this example. When we talk about education professions development programs, we are going to have an institute meeting, for example, for those teachers who are going to come in to teach the handicapped. We need the summer institutes to bring in those who are experts in handling the handicapped to show these teachers how to handle handicapped children.

I mentioned earlier the teachers who handle spastics and the miraculous progress which is being made in helping spastics. I hesitate even to talk about it, for my leader on the committee, the Senator from Vermont [Mr. PROUTY], has done a great deal in the past 4 years on my committee to widen our vision and our understanding of what needs to be done for handicapped children. This program we are talking about will provide for institutes and training programs to train teachers to handle spastics and other handicapped children. That is the kind of program we are talking about.

Mr. MILLER. And we do not have any such program now?

Mr. MORSE. Not now, not to the degree that this program seeks to bring about. We have had pilot plant programs—if I may have the attention of the Senator from Vermont——

The PRESIDING OFFICER. The time of the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I ask unanimous consent to proceed for 2 additional minutes.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 2 additional minutes.

Mr. MORSE. I want the Senator from Vermont to hear my answer to the Senator from Iowa. We have had so-called pilot plant programs to help with the handicapped. We have not had the broader programs based upon learning from pilot plant programs, so that we can send the experts out into the local school districts in the States and have these summer institutes and fall institutes bring in teachers who can help the handicapped.

Mr. MILLER. This makes sense to me, but what caused my question was the statement of the Senator from Oregon, which sounded to me as though we were about to enact a new program which is going to cost $700 million in authorizations behind it for 2 years. The Senator from Ohio, I thought, was getting into that in his previous questioning.

The question I had is this: For all practical purposes are we not just legislating a program which will be a follow-on program from what we are doing now—granted that there will be some improvements in it?

Mr. MORSE. There is a difference between the continuation of a program and a follow-on program. This is a broadened program in which we will apply and implement on a broader scale what we have already developed under the limited programs we have had to date. That will take more money.

Mr. MILLER. Let me ask this question: How much will we be spending for the current fiscal year 1968 on programs which will either be carried on or broadened under this proposal?

Mr. MORSE. Counsel points out to me that what the Senator is talking about is appropriations rather than authorizations. We are talking about authorizations with this bill.

Mr. MILLER. How much will the authorization be for the coming fiscal year?

Mr. MORSE. Three hundred and forty-three million dollars in round numbers.

Mr. MILLER. So, they will be following on in fiscal 1969 by, roughly, another $350 million?

Mr. MORSE. Half of $775 million.

Mr. MILLER. Yes. So, we are getting into a new program, in a way, but it is not added onto another $350 million program; is that my correct understanding?

Mr. MORSE. That is correct. The Senator from Oregon tries not to be a wastrel in these matters. That is why we are conducting this surveillance program, making the Department show us what it is doing with the money we have appropriated.

Mr. MILLER. I appreciate very much the Senator's responses. It has clarified in my mind where the program fits.

Mr. LAUSCHE. Mr. President, one more question: Why are we now adopting an authorization which will not become effective until January 1, 1968, for the 1969 year? What is the reason for the haste? Why are we hurrying?

Mr. MORSE. Because of what the witnesses have testified and the school people have told us, that they need it so that they can plan the programs. We cannot, one day, adopt a program and expect them to put it into operation on the next day. They must have some leadtime. They want to have the necessary leadtime so that the school people can plan. They have to take it before the school boards, to the extent that the State departments of education must approve. We do not do that overnight. It takes weeks and weeks to get the planning done.

Mr. MAGNUSON. If the Senator from Oregon will yield, one of the real reasons for this is that we have had so many bad experiences in the Appropriations Committee so that if this is authorized now, toward the end of this session, the budget hearings start for the 1969 budget, beginning in September.

They will want to be ready with their plans although the money will not be coming in until that time. If we wait until next June, the Appropriations Committee will have to pass a supplemental bill. This is just good planning.

Mr. MORSE. The Senator from Washington speaks out of much experience in the Appropriations Committee.

Mr. DOMINICK. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. 26 minutes.

Mr. DOMINICK. I yield myself 3 minutes. I promise I will not take more than that.

I want to say that I am not involved at the moment in trying to discuss with the chairman of the subcommittee the relative merits of the bill itself. What I am saying is that we are passing a bill which is a Teachers Corps bill. It is being ransomed by the other program which is going to cost $775 million, which does not go into operation for 1 year. In the meantime we are letting the school disaster program expire.

What are we doing as Senators when we say we are acting on this program, which does not go into effect for 1 year, and when we are doing nothing for Indian school programs or a program which will be necessary in case of a natural disaster?

I offered a previous amendment, which was rejected, which provided that those teaching in Defense schools overseas would be entitled to certain aid. Similarly as to Indian schools. The majority of the Senate said "No."

Do Senators realize what that means? It means that in making up the budget, just as the Senator from Washington pointed out with respect to appropriations, no longer will these people be able to plan in advance on what money they may receive under a future bill. The current programs expire Friday. They will not get the benefit of that money until we pass another law, which may be too late because they will have made their plans.

We may be able to get away with not providing for schools for Indians for Defense schools overseas, but I do not see how we can say in the opinion of the United States this is what we should do with reference to the school disaster program.

Mr. MORSE. Mr. President, I yield myself 30 seconds.

May I say that all the provisions the Senator points out will be in the elementary-secondary school bill that we will be voting after the July 4 recess, long before we meet in the Appropriations Committee on the budget.

Mr. MILLER. Mr. President, will the Senator yield me 30 seconds?

Mr. MORSE. I yield.

Mr. MILLER. I ask the Senator from Oregon whether or not, with the provisions in the bill, when it comes to be added it will be made retroactive to take care of any gaps?

Mr. MORSE. They will be retroactive to the fiscal year; yes.

Mr. MILLER. So that there will be no gap?

Mr. MORSE. That is right.

The PRESIDING OFFICER. All time on the amendment has been yielded back. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Alaska [Mr. GRUENING], the Senator from Oklahoma [Mr. HARRIS], the Senator from Indiana [Mr. HARTKE], the Senator from Georgia [Mr. RUSSELL], and the Senator from New Jersey [Mr. WILLIAMS], are absent on official business.

I also announce that the Senator from Hawaii [Mr. INOUYE], and the Senator from North Carolina [Mr. JORDAN], are absent because of illness.

I further announce that the Senator from New York [Mr. KENNEDY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Utah [Mr. MOSS], and the Senator from Florida [Mr. SMATHERS], are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey [Mr. WILLIAMS], and the Senator from Utah [Mr. MOSS], would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Kansas [Mr. CARLSON], the Senator from California [Mr. MURPHY], and the Senator from Texas [Mr. TOWER], are absent on official business.

The Senator from Hawaii [Mr. FONG], and the Senator from Kentucky [Mr. MORTON], are necessarily absent.

The Senator from New York [Mr. JAVITS], and the Senator from South Carolina [Mr. THURMOND], are absent by leave of the Senate.

The Senator from Utah [Mr. BENNETT], is detained on official business.

If present and voting, the Senator from Kentucky [Mr. MORTON], the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER], would each vote "yea."

The result was announced—yeas 25, nays 56, as follows:

[No. 177 Leg.]

YEAS—25

Allott
Baker
Brooke
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Ellender
Ervin
Griffin
Hansen
Holland
Hollings
Hruska
Jordan, Idaho
Lausche
Long, La.
Mundt
Pearson
Percy
Scott
Williams, Del.
Young, N. Dak.

NAYS—56

Aiken
Anderson
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Fannin
Fulbright
Gore
Hart
Hatfield
Hayden
Hickenlooper
Hill
Jackson
Kennedy, Mass.
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Mondale
Monroney
Morse
Muskie
Nelson
Pastore
Pell
Prouty
Proxmire
Randolph
Ribicoff
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Yarborough
Young, Ohio

NOT VOTING—19

Bennett
Carlson
Fong
Gruening
Harris
Hartke
Inouye
Javits
Jordan, N.C.
Kennedy, N.Y.
Montoya
Morton
Moss
Murphy
Russell
Smathers
Thurmond
Tower
Williams, N.J.

So Mr. DOMINICK's amendment was rejected.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, and was read the third time.

Mr. MANSFIELD. Mr. President, it is my understanding that the Senators managing this bill do not desire a yea-and-nay vote. I should like to obtain confirmation of that fact, because a number of Senators from the Midwest and the agricultural area have a very important engagement, affecting the economy of their region. If the leadership could have the assurance that there would be no rollcall vote, we would like to let those Senators go to the White House to discuss that problem.

Mr. MORSE. Mr. President, I do not ask for a rollcall.

Mr. HOLLAND. Mr. President, I do not desire a rollcall, but I want the RECORD to show I am against the bill, both the Teachers Corps and the new expensive program which, as the Senator from Colorado very appropriately says, is ransoming the Teachers Corps program.

Mr. MANSFIELD. All right. Mr. President, with that assurance, I suggest that the Senators from the dairy States get on their horses, but that they be on call in case anything unforeseen happens.

Mr. PASTORE. Mr. President, I want the RECORD to show I support this bill, and that I am recorded in the affirmative when it comes up for a vote.

Mr. GRIFFIN. Mr. President, taking the floor only for a few minutes to make some legislative history with respect to subparagraph 7——

The PRESIDING OFFICER. Who yields time?

Mr. MORSE. Mr. President, I yield the Senator from Michigan as much time as he requires.

Mr. MANSFIELD. Mr. President, may we have order? The Senator from Michigan is entitled to be heard.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senate will please be in order.

Mr. GRIFFIN. I ask for recognition only to engage in a colloquy with the distinguished senior Senator from Oregon for the purpose of making some history concerning the meaning and legislative intent with respect to subparagraph 7 of section 513 of the bill. Contained in that section is the language "for the purpose of carrying out this subpart, the commissioner"—who is the Commissioner of Education—"is authorized to accept and employ, in the furtherance of the purposes of this subpart, (a) voluntary and uncompensated services, notwithstanding the provisions of a particular statute, and accept and employ any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise."

I had considered the advisability of offering an amendment to require the Commissioner of Education, at regular intervals, to report to Congress, or perhaps to the committees, gifts of money or property which he did, in fact, accept and utilize in the administration of this program. It seems to me that Congress should be aware of the fact, if any funds other than appropriated funds are utilized to implement a program which Congress authorized.

However, after discussing this matter in the committee with the Senator from Oregon and other members of the committee, it was our understanding that under existing laws, and particularly with assurance of a representative of the Office of Education, that this information would be readily available upon request—and I ask the Senator from Oregon if that is not his understanding and interpretation of the intent of the Senate members of the committee——

Mr. MORSE. I appreciate the Senator's raising this inquiry, Mr. President, because I am happy to join with him in making this legislative history.

I completely agree with the Senator from Michigan that the committee on the Senate side and the committee on the House side ought to know, annually, what money was voluntarily donated to this program, what money, or property, real, personal, or mixed, tangible or intangible, was received by gift, devise, bequest, or otherwise, or what voluntary and uncompensated services, notwithstanding the provisions of the act, were donated.

We discussed this in committee. We called in Dr. Halperin, of the Department of Health, Education, and Welfare.

We explained to Dr. Halperin what we thought we ought to have. We asked him if he knew of any reason at all why the Secretary of Health, Education, and Welfare should not have a report that would become a public report submitted to the chairman of the Senate Committee on Labor and Public Welfare and to the chairman of the Committee on Labor and Education on the House side.

He said that he knew of no reason why that should not be done. He was sure that we would get their cooperation.

I now say that tomorrow there will go to the Secretary of Health, Education, and Welfare a letter from my committee in behalf of a unanimous committee, in which letter we will request of him that he reply to that memorandum and give us assurance that such a report will be made each year to the Senate Committee on Labor and Public Welfare.

I, of course, am in no position, may I say to the Senator from Michigan, to speak for the House committee. However, I shall say in that letter that we feel it ought to go to both committees, and that I would appreciate it if he would get in touch with Representative PERKINS, who is the chairman of the House committee, and advise the Representative that he would be willing also to give the same information to the House committee.

I shall try to get hold of Representative PERKINS in advance of writing the letter and tell him of the letter I am sending, and tell him that he will probably get such assurance from the Secretary of Health, Education, and Welfare.

That is the legislative history.

In my judgment, I think we know, with that request coming from the committee and the assurance given to us by Dr. Halperin, adviser for the Department of Health, Education, and Welfare—who, of course, does not speak for the Secretary, but who obviously has the confidence of the Secretary or he would not be sent up to advise with us—that there is no question about the fact that such information will be supplied to the two committees once a year.

I thank the Senator from Michigan for his contribution. I told him yesterday that I completely agree with him. I thought that we ought to handle it in this way rather than by amendment to the bill.

Mr. GRIFFIN. I thank the Senator from Oregon.

Mr. DOMINICK. Mr. President, I have not spoken on the substance of the pending bill up to this time except in my opening remarks when few Senators were present.

I want to make a couple of comments now, not by way of trying to appear to create more of a disturbance, but just for the purpose of forecasting some of the problems that I foresee. Under the Teachers Corps, as amended by the House, and as we are about to pass it in the Senate today, there is a provision that undergraduates who are juniors and seniors in college can become, without even having a degree, teacher interns. They can go into any district in the United States where they are asked to go, and they will receive the same salary as the lowest paid certificated teacher in that district or $75 per week plus $15 per dependent, whichever is less.

I would suspect that this will cause all kinds of problems, because it means that an undergraduate who does not even have a degree of any kind will get the same pay in that particular area as the person who has a degree and who has received a certificate under whatever the teacher requirements are in the particular State.

I would say that is one problem.

The second problem that I can foresee at this time is that local school districts, being pressured for funds as they are all over the country, are going to look at this as a bonanza by which they can get more teaching people without having to pressure their own local area to get more money to support them, because the so-called Federal Government is going to pay for the additional help through the Teachers Corps. However, there is no such thing as "Federal" funds.

It will be one more myth on top of the other myths that we have concerning Federal funds. We are still going to have to pay taxes, and we will still have to pay for it in that area. Nevertheless, local responsibility is bound to go down as this practice becomes more and more prevalent in each of the school districts.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. CURTIS. Mr. President, I have supported the various amendments offered by the junior Senator from Colorado. My position coincides with the position of the Senator from Colorado.

Mr. DOMINICK. Mr. President, I appreciate the fine words of the distinguished Senator from Nebraska.

I do not want to stir up any more fight than we have at this particular time.

I think the Senate has defaulted on its obligations under the pending bill because we have taken up programs that are not now necessary. We have forced them through the Senate in the guise that they are necessary. We have left undone the programs which we should have taken up, programs which are important to the country as a whole.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. ALLOTT. Mr. President, I agree completely with my colleague. I do not know how many times I have seen this exact situation rise in the Senate in the some 13 years that I have been a Member.

It is a situation in which the House has delayed action and the Senate has been left in the position of taking a lot of things that we did not want to take in order to get what we did want.

I have heard the distinguished chairman of the committee, the senior Senator from Oregon [Mr. Morse], who is now on the floor, stand on the floor time after time and argue on the other side of the position that he has argued today, saying: "I will not bend to the other body. It is for us to assume our responsibility to legislate."

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ALLOTT. I love to hear his oratory when he gets in that mood.

Mr. MORSE. Mr. President, the difference is that on those occasions they were not cooperating. They are cooperating this time, and it makes all the difference in the world.

Mr. ALLOTT. Mr. President, it does not make that much difference.

My colleague is exactly right in the position he has assumed in this matter in arguing against being loaded down with a $775 million program, part of which we may or may not want, particularly when we consider the brevity of the hearings, the lateness of the printing of the hearings, and the lateness of the report.

Mr. DOMINICK. Mr. President, the hearings have not been printed at all. All we have is the report and even it was printed incorrectly.

Mr. ALLOTT. I have only seen the report.

The position of the Senator is well pointed out in his individual views.

I congratulate my colleague. He has rendered a fine service.

I hope that we get a little consistency from some of these people who talk so greatly about asserting the Senate's position of independence and the Senate's obligation to legislate on its side, and that they recall these things when these circumstances roll around again.

I commend my colleague.

Mr. DOMINICK. Mr. President, I appreciate the support of my distinguished senior colleague.

I think these matters are important or I would not have taken up the time of the Senate.

I do want to forecast one more thing. We will have to reevaluate the NDEA which has been in operation for a long period of time and of which my very distinguished senior colleague was a coauthor. We will have to evaluate the NDEA because we are taking two titles out of the middle of it and putting them into new programs. We do not know what effect they will have on the overall impact of the NDEA.

We have another problem. I would say with all due respect to my distinguished chairman the senior Senator from Oregon, that he is in a very unpleasant and difficult spot, as we know. He has tried to handle it as best he could in order to get some legislation passed.

I think in the interest of doing this, we may have been looking at the trees instead of the forest, and I would very much more like to see us take a year, if need be, and review all of the education programs to see what we ought to do about the advisory committees, to see how they overlap, to see what we can do about the bureau in the Office of Education which is so badly needed for the handicapped children, and to see why the Headstart program is not in the Office of Education instead of the poverty program so that the program will be available to everybody.

This is not done in an effort to kill the Headstart program. It is done in an effort to be able to use the program, expand them, and coordinate them with our public school system.

We should take the rest of the year and study these programs and concentrate on them.

The bill that the Senate will pass today will do nothing more than simply add one more factor of confusion to the many factors of confusion that we already have in the Office of Education.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

Mr. DOMINICK. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, and the bill having been read the third time, the question is on the passage of the bill.

So, the bill (H.R. 10943) was passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 350, S. 2028, be indefinitely postponed, because the Senate has passed the House bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, the Senate has just witnessed another outstanding accomplishment obtained with the deep wisdom and articulate advocacy of the senior Senator from Oregon [Mr. Morse]. His appreciation of the needs and problems of the Nation's educational institutions is unexcelled in this body. That fact was clearly demonstrated by his handling of this measure which concerns the already proven Teachers Corps. The Senate is grateful once again to Senator Morse for applying his broad knowledge and immense legislative skill to assuring the success of such a vital proposal.

The Senator from Vermont [Mr. Prouty] is similarly to be commended for offering his strong support. As always his keen understanding and persuasive views played a vital role in the overwhelming acceptance of this measure.

Noteworthy during the consideration of the proposal was the splendid cooperation exhibited by the Senator from Colorado [Mr. Dominick]. His selfless approach—so characteristic—enabled efficient and swift Senate action.

Also to be commended for offering their strong views were the Senator from Ohio [Mr. Lausche] and the Senator from Iowa [Mr. Miller].

The Senate may be proud of another achievement obtained with orderly and efficient action.

COMMITTEE MEETINGS DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may meet tomorrow during the session of the Senate, but that the Committee on Interior and Insular Affairs may be allowed to meet only until 12:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR HRUSKA TOMORROW

Mr. MANSFIELD. Mr. President, following recognition of the distinguished Senator from Illinois [Mr. Percy], who has been given the first half hour after the Senate convenes at 10 o'clock tomorrow, I ask unanimous consent that the distinguished Senator from Nebraska [Mr. Hruska] be recognized for the next half hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO SIGN BILLS AND RECEIVE MESSAGES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate this evening, the Secretary of the Senate be authorized to receive messages from the House of Representatives, and that the President pro tempore or the Acting President pro tempore be authorized to sign duly enrolled bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

HISTORY WILL JUDGE PRESIDENT JOHNSON AS THE PEACE-SEEKER

Mr. SPARKMAN. Mr. President—

> **When the full history of this period is revealed, Americans will find out that President Johnson took further steps to seek peace than anyone had taken before.**

This is the point of view of a distinguished American—George A. Wells, national senior vice commander of the Disabled American Veterans.

In a newspaper interview in the Birmingham Post-Herald, Mr. Wells declared:

> I believe (the President) is doing everything possible to get peace.

Mr. Wells speaks as an American who knows firsthand the agonies of war and the sacrifices necessary to maintain peace. I believe his feelings about what President Johnson is trying to do in the Vietnam situation are overwhelmingly endorsed by the majority of Americans.

I commend Mr. Wells for his statement. And I agree with him that history will prove just how hard our President has worked to find an honorable and peaceful solution in Vietnam.

I ask unanimous consent to have printed in the Record the article from the Birmingham Post-Herald carrying Mr. Wells' comments.

There being no objection, the article was ordered to be printed in the Record, as follows:

Johnson's Peace Efforts Praised by DAV Official

(By William Barclift)

When the full history of this period is revealed, Americans will find out that President Johnson took further steps to seek peace than anyone had taken before, George A. Wells, Disabled American Veterans national senior vice commander, said yesterday.

Mr. Wells, also public relations co-ordinator for the Massachusetts Department of Commerce and Development, is in Birmingham for the annual Alabama D.A.V. convention.

"Critics deride Johnson as little more than a politician," he said. "I believe he is doing everything possible to get peace."

In an interview Wells examined the problems surrounding the Vietnam war and the actions of many public figures.

"Maybe we shouldn't have been there in the first place," he said. "If you could turn history back and vote on it, the vote would probably be we shouldn't have entered. But you can't turn history back."

U.N. Secretary-General U Thant, who has been asked by the U.S. to help get talks started, "has made no serious effort," Wells said, adding:

"Being an Asian he should have a (diplomatic) pipeline into North Vietnam" and Peking.

While Wells said he supported the Johnson Administration's actions in Vietnam, he added, "If it is to continue indefinitely it may be necessary to call it exactly what it is—a war."

Questioned about anti-American attitudes in foreign countries, Wells mentioned the incident when Vice President Humphrey was splattered with eggs in Europe.

"When Humphrey was egged, that was bad enough. But it's worse when you realize we bought the hen for them to throw the eggs. . . . The fact that there's a Europe to go to is because of America.

"We'll get the same treatment in Japan eventually," he said, "We're like the rich uncle—nobody likes us until they need us."

SMALL BUSINESS ACT AMENDMENTS OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1862.

The PRESIDING OFFICER. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 1862) to amend the authorizing legislation of the Small Business Administration, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency, with amendments on page 6, after line 13, to insert:

(4) The Administration may extend any of the time limits established in paragraph (2) for the benefit of a company which (A) is operating in compliance with this Act and the regulations promulgated thereunder, (B) affirms its intention to reach the levels of private capital specified in this subsection, and (C) submits a feasible plan to the Administration to achieve these levels within a reasonable period of time.

At the beginning of line 22, to strike out "(4)" and insert "(5)"; on page 8, line 22, after the word "of", to insert "$1,000,000"; in the same line, after the amendment just above stated, to strike out "$2,500,000"; in line 23, after the word "has", to strike out "an investment" and insert "investments or legally binding commitments"; on page 9, line 1, after the word "invested", to insert "or committed"; in line 2, after the word "exceed", to insert "$2,000,000"; at the beginning of line 3, to strike out "$5,000,000"; at the beginning of line 5, to insert "$1,000,000"; in the same line, after the amendment just above stated, to strike out "$2,500,000"; on page 10, line 17, after the word "company:", to strike out:

Provided, however, That with respect to obligations or securities acquired prior to the effective date of the Small Business Investment Act Amendments of 1967, and with respect to legally binding commitments issued prior to such date, the provisions of this section as in effect immediately prior to such effective date shall continue to apply."

And insert:

Provided, however, That, for the purpose of this section, the combined paid-in capital and paid-in surplus of any company licensed prior to the effective date of the Small Business Investment Act Amendments of 1967 shall consist of (A) the paid-in capital and paid-in surplus of such company and (B) the following portions of the funds outstanding from the Administration through the issuance of subordinated debentures as of the effective date of the Small Business Investment Act Amendments of 1967, or on January 1 of each of the following calendar years, whichever is less: (i) 100 percent, during 1968; (ii) 75 percent, during 1969; (iii) 50 percent, during 1970; (iv) 25 percent, during 1971; and (v) zero, during 1972 and thereafter; and *Provided further, however,* That, with respect to obligations or securities acquired prior to the effective date of the Small Business Investment Act Amendments of 1967, and with respect to legally binding commitments issued prior to such date, the provisions of this section as in effect immediately prior to such effective date shall continue to apply."

On page 11, after line 21, to insert a new section, as follows:

Sec. 208. Section 307 of the Small Business Investment Act of 1958 is amended by adding the following new subsection:

"(d) Section 23A of the Federal Reserve Act (12 U.S.C. 371c) is amended by adding at the end thereof the following sentence: 'The foregoing limitations shall not apply to loans made by a member bank to an affiliated small business investment company licensed under the Small Business Investment Act of 1958, except that in no event shall any such bank make loans to such affiliated small business investment company in an amount aggregating more than 5 percent of its capital and surplus.' "

On page 12, at the beginning of line 9, to change the section number from "208" to "209"; at the beginning of line 15, to change the section number from "209" to "210"; and, in line 16, after the word "enactment", to change the period to a comma and insert "except that, with respect to section 206, it shall be January 1, 1968."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

Sec. 101. This title may be cited as the "Small Business Act Amendments of 1967".

Sec. 102. Paragraph (4) of section 4(c) of the Small Business Act is amended—

(1) by striking out "$1,400,000,000" and inserting in lieu thereof "$1,900,000,000";

(2) by striking out "$400,000,000" and inserting in lieu thereof "$450,000,000";

(3) by striking out "$200,000,000" and inserting in lieu thereof "$300,000,000"; and

(4) by striking out "$100,000,000" and inserting in lieu thereof "$200,000,000".

Sec. 103. Paragraph (4) of section 7(a) is amended by striking out "except that a loan made for the purpose of constructing facilities may have a maturity of ten years" and inserting in lieu thereof "except that such portion of a loan made for the purpose of constructing facilities may have a maturity of fifteen years."

Sec. 104. The subsection added to section 7 of the Small Business Act by the Disaster Relief Act of 1966 (Public Law 89–769), and designated thereby as subsection (e), is redesignated as subsection (f).

Sec. 105. Subparagraph (B) of paragraph (1) of section 8(b) of the Small Business Act is amended to read as follows:

"(B) in the case of any individual or group of persons cooperating with it in furtherance of the purposes of subparagraph (A), (i) to allow such an individual or group such use of the Administration's office facilities and related materials and services as the Administration deems appropriate; and (ii) to pay the transportation expenses and a per diem allowance in accordance with section 5703 of title 5, United States Code, to such an individual or group of persons for travel and subsistence expenses incurred at the request of the Administration in providing gratuitous services to small businessmen in furtherance of the purposes of subparagraph (A) or in connection with attendance at meetings sponsored by the Administration;"

Sec. 106. Paragraph (13) of section 8(b) of the Small Business Act is amended to read as follows:

"(13) to establish such advisory boards and committees as may be necessary to achieve the purposes of this Act and of the Small Business Investment Act of 1958; to call meetings of such boards and committees from time to time; to reimburse the members of such boards and committees in accordance with section 5703 of title 5, United States Code, for travel and other expenses incurred in attending the meetings of such boards and committees; and to rent temporarily, within the District of Columbia or elsewhere, such hotel or other accommodations as are needed to facilitate the conduct of such meetings; and".

Sec. 107. Section 8(b) of the Small Business Act is amended—

(1) by striking out "and" at the end of paragraph (13);

(2) by striking out the period at the end of paragraph (14), by inserting "; and" in lieu thereof, and by adding the following new paragraph:

"(15) to disseminate, without regard to the provisions of section 4154 of title 39, United States Code, data and information, in such form as it shall deem appropriate, to public agencies, private organizations, and the general public."

SEC. 108. The subsection added to section 402 of the Economic Opportunity Act of 1964 by section 405 of the Economic Opportunity Amendments of 1966 (Public Law 89-794), and designated thereby as subsection (b), is redesignated as subsection (c).

TITLE II

SEC. 201. This title may be cited as the "Small Business Investment Act Amendments of 1967".

SEC. 202. (a) Section 302(a) of the Small Business Investment Act of 1958 is amended to read as follows:

"(a)(1) Each company which receives a license after the effective date of the Small Business Investment Act Amendments of 1967 (hereafter referred to in this subsection as the effective date) shall, unless prior to such date the company had applied for the license and in connection with such application had received from the Administration a 'Notice To Proceed,' have a combined paid-in capital and paid-in surplus of $1,000,000.

"(2) Each company which receives a license or a 'Notice To Proceed' before the effective date shall, except as provided in paragraph (3), comply with each of the following minimum standards of paid-in capital and paid-in surplus:

"(A) A company whose combined paid-in capital and paid-in surplus on the effective date is less than $300,000 shall have a combined paid-in capital and paid-in surplus of at least $300,000 by February 28, 1969; of at least $500,000 by February 28, 1971; and of at least $1,000,000 by February 28, 1975;

"(B) A company whose combined paid-in capital and paid-in surplus on the effective date is at least $300,000, but less than $500,000, shall have a combined paid-in capital and paid-in surplus of at least $500,000 by February 28, 1971; and of at least $1,000,000 by February 28, 1975;

"(C) A company whose combined paid-in capital and paid-in surplus on the effective date is at least $500,000, but less than $1,000,000, shall have a combined paid-in capital and paid-in surplus of at least $1,000,000 by February 28, 1971.

"(3) The Administration may by regulation (A) exempt any group or category of companies from the requirements of paragraph (2), and (B) extend any of the time limits established in paragraph (2) for the benefit of all the companies affected by the limit or any group or category of such companies. The Administration shall exercise its powers under this paragraph whenever it determines that such exemption or extension of time (A) is necessary in order to carry out the purposes of this Act with reference to any geographic area or locality of the United States, or (B) is appropriate for certain types of companies by reason of their adequate profitability, financial soundness and assistance provided to small business concerns.

"(4) The Administration may extend any of the time limits established in paragraph (2) for the benefit of a company which (A) is operating in compliance with this Act and the regulations promulgated thereunder, (B) affirms its intention to reach the levels of private capital specified in this subsection, and (C) submits a feasible plan to the Administration to achieve these levels within a reasonable period of time.

"(5) Any company which fails to comply with any of the minimum capital requirements of this subsection applicable to it shall be deemed in violation of this Act."

(b) Section 309(a) of the Small Business Investment Act of 1958 is amended by striking out the period at the end of paragraph (5), by inserting a semicolon in lieu thereof, and by adding the following new paragraph:

"(6) for failure or refusal to comply with any of the minimum capital standards established by section 302(a)".

SEC. 203. Section 302(b) of the Small Business Investment Act of 1958 is amended by striking out "2 percent" and inserting in lieu thereof "5 percent".

SEC. 204. Section 303(b) of the Small Business Investment Act of 1958 is amended to read as follows:

"(b) To encourage the formation and growth of small business investment companies the Administration is authorized (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms) to purchase, either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate basis, the debentures of any such company. Debentures purchased by the Administration under this subsection shall be subordinate to any other debenture bonds, promissory notes, or other debts and obligations of such companies. Such debentures may be issued for a term of not to exceed fifteen years and shall bear interest at a rate not less than (1) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on such debentures, adjusted to the nearest one-eighth of 1 per centum, plus (2) such additional charge, if any, toward covering other costs of the program as the Administration may determine to be consistent with its purposes. The debentures shall also contain such other terms as the Administration may fix, and shall be subject to the following restrictions and limitations:

"(1) the total amount of debentures purchased and outstanding at any one time from a company which does not qualify under the terms of paragraph (2) of this subsection, shall not exceed 200 percent of the combined paid-in capital and paid-in surplus of such company. In no event shall the debentures of any such company purchased and outstanding under this paragraph exceed $7,500,000.

"(2) The total amount of debentures which may be purchased and outstanding at any one time from a company which (A) has a combined paid-in capital and paid-in surplus of $1,000,000 or more and (B) has investments or legally binding commitments of 65 percent or more of its total funds available for investment in small business concerns invested or committed in equity capital as defined in section 304(a)(2) of this Act, shall not exceed $2,000,000 plus 300 percent of that portion of the company's paid-in capital and paid-in surplus which exceeds $1,000,000. In no event shall the debentures of any such company purchased and outstanding under this paragraph exceed $10,000,000. Such additional purchases which the Administration makes under this paragraph shall contain conditions to insure appropriate maintenance by the company receiving such assistance of the described ratio during the period in which debentures under this paragraph are outstanding.

"(3) Outstanding amounts of financial assistance provided to a company by the Administration prior to the effective date of the Small Business Investment Act Amendments of 1967 shall be deducted from the maximum amount of debentures which the Administration would otherwise be authorized to purchase under this subsection."

SEC. 205. Section 304 of the Small Business Investment Act of 1958 is amended—

(1) by inserting the paragraph designation "(1)" after "(a)" in subsection (a);

(2) by inserting the following new paragraph (2) in subsection (a);

"(2) For purposes of section 303(b)(2) of this Act the term 'equity capital' shall include such common stock, preferred stock, or other financing with subordination or nonamortization characteristics, as the Administration shall determine to be substantially similar to equity financing."

(3) by repealing subsection (c); and

(4) by redesignating subsection (d) as subsection (c).

SEC. 206. Section 306 of the Small Business Investment Act of 1958 is amended to read as follows:

"SEC. 306. Without the approval of the Administration, the aggregate amount of obligations and securities acquired and for which commitments may be issued by any small business investment company under the provisions of this Act for any single enterprise shall not exceed 20 percent of the combined paid-in capital and paid-in surplus of such company: *Provided, however*, That, for the purpose of this section, the combined paid-in capital and paid-in surplus of any company licensed prior to the effective date of the Small Business Investment Act Amendments of 1967 shall consist of (A) the paid-in capital and paid-in surplus of such company and (B) the following portions of the funds outstanding from the Administration through the issuance of subordinated debentures as of the effective date of the Small Business Investment Act Amendments of 1967, or on January 1 of each of the following calendar years, whichever is less: (i) 100 percent, during 1968; (ii) 75 percent, during 1969; (iii) 50 percent, during 1970; (iv) 25 percent, during 1971; and (v) zero, during 1972 and thereafter; and *Provided further, however*, That, with respect to obligations or securities acquired prior to the effective date of the Small Business Investment Act Amendments of 1967, and with respect to legally binding commitments issued prior to such date, the provisions of this section as in effect immediately prior to such effective date shall continue to apply."

SEC. 207. Section 310(b) of the Small Business Investment Act of 1958 is amended by adding after the first sentence thereof the following new sentence: "Unless waived by the Administration for good cause, each such company shall be examined at least once each year."

SEC. 208. Section 307 of the Small Business Investment Act of 1958 is amended by adding the following new subsection:

"(d) Section 23A of the Federal Reserve Act (12 U.S.C. 371c) is amended by adding at the end thereof the following sentence: 'The foregoing limitations shall not apply to loans made by a member bank to an affiliated small business investment company licensed under the Small Business Investment Act of 1958, except that in no event shall any such bank make loans to such affiliated small business investment company in an amount aggregating more than 5 percent of its capital and surplus.' "

SEC. 209. (a) The section heading of section 302 of the Small Business Investment Act of 1958 is amended to read as follows: "CAPITAL REQUIREMENTS";

(b) The description of section 302 in the table of contents of the Small Business Investment Act of 1958 is amended to read as follows: "Capital Requirements".

SEC. 210. The effective date of this title shall be ninety days after enactment, except, that, with respect to section 206, it shall be January 1, 1968.

Mr. McINTYRE. Mr. President, as we take up consideration of S. 1862, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

Mr. McINTYRE. Mr. President, this bill, S. 1862, amends both the Small Business Act and the Small Business Investment Act of 1958. This bill was reported by the Banking and Currency Committee unanimously.

Title I of the bill amends the Small Business Act. This title increases the amount in which SBA may have outstanding in loans and commitments in its various loan programs. The Small Business Administration assured our committee that this increase will enable it to operate these programs until June 30, 1970.

Under the bill, the maturity of regular small business loans would be increased from 10 years to 15 years covering any portion of such loans used for constructing facilities. SBA has found that in many cases the installment payments under the existing 10-year maturities are often so large as to create an excessive drain on the working capital of the borrower. The committee was assured that this new maturity will be used on a very highly selective basis.

The bill also contains amendments to aid SBA's SCORE program. This program, the Service Corps of Retired Executives, aids SBA in providing management counseling to small businesses. Retired executives volunteer their services without charge. However, in many cases small businesses are located in areas beyond commuting distances. The amendment would permit SBA to pay the travel expenses and per diem in lieu of expenses to these people who do such a remarkable service to small business.

The bill also clarifies SBA's ability to establish advisory boards to assist in the operation of both the Small Business Act and the Small Business Investment Act of 1958. It would also grant authority to SBA to rent facilities which would be required for the meetings of these boards. The committee believes that SBA needs and should be granted this authority. The sum involved would be minimal.

The bill also grants discretionary authority similar to that held by the Office of Economic Opportunity to use the mails to distribute information on their programs to people who have not requested it. The committee was assured by the Administrator of Small Business Administration that this authority will not be used to advertise SBA but would restrict it to programs such as the displaced business loan program where many services other than loans are made available to small businessmen.

Title II of the bill amends the Small Business Investment Act of 1958.

Senators will recall that in the last session the Congress enacted legislation which greatly strengthened SBA's regulatory powers over small business investment companies Public Law 89-779. At the time of the consideration of that legislation, it was agreed that the SBA would recommend, and the Congress consider, incentive legislation for SBIC's. Many Senators believed that the program needed strengthening so that it could better perform the services for which it was intended. That is to provide equity capital and long-term loans to small business.

The amendments contained in this bill should go a long way in accomplishing this purpose.

The bill would require an increase in the minimum private capital in an SBIC to $1 million. The present statutory minimum is $300,000, of which one-half may be obtained from the SBA from the sale to SBA of the subordinated debentures of the SBIC.

The recommended increase in minimum capital requirement is the result of a study made by SBA to determine the minimum size SBIC needed to meet the goals of the act. This study indicated that $1 million in private invested capital is required to assure adequate income, to interest competent management, to make the company attractive to private investors, to allow diversification of investments, and to enable an SBIC to have reasonable expectations of a successful long-time operation.

Under the bill SBIC's with less than $300,000 in private capital are required to have at least $300,000 by February 28, 1969, at least $500,000 by February 28, 1971, and at least $1,000,000 by February 28, 1975.

Those SBIC's with more than $300,000 in private capital but less than $500,000 would be required to have at least $500,000 by February 28, 1971, and at least $1,000,000 by February 28, 1975.

It would require those SBIC's with more than $500,000 private capital but less than $1,000,000 to have at least $1,000,000 by February 28, 1971.

It is clear that some groups or category as well as individual SBIC's will not be able to meet these minimum capital standards in the time set out in the amendment. Therefore, the bill gives the Small Business Administration Administrator authority to grant exemptions and extensions of time to groups as well as individual SBIC's in order to give these SBIC's more time to meet these new requirements.

The bill also increases the amount of subordinated debentures which SBA may purchase from an SBIC. The present law provides that subordinated debentures may be purchased from an SBIC in an amount equal to the private capital of the SBIC up to $700,000. This bill provides that subordinated debentures may be purchased from an SBIC in an amount not to exceed 200 percent of the private capital of the SBIC and in no event shall the amount purchased exceed $7,500,000.

The bill also provides for extra leverage for those SBIC's which have $1 million in private capital and have 65 percent or more of its available funds in equity investments on small businesses. Those SBIC's which qualify for this extra leverage may sell debentures in an amount not to exceed $2,000,000 plus 300 percent of that portion of the SBIC's capital and surplus which exceeds $1,000,000. In no event shall the debentures purchased from any such company qualifying for this extra leverage exceed $10,000,000.

This bill also changes the method of computing the amount which an SBIC may advance to any single small business concern.

Present law limits that amount to 20 percent of the SBIC's statutory capital. Statutory capital is defined in the act as being the amount of the SBIC's private capital plus the amount outstanding from the sale of subordinated debentures sold to SBA.

This bill would limit the amount which may be furnished to one small business concern to 20 percent of the SBIC's private capital. However, to soften the blow to the smaller SBIC in the reduction of its investment limit, this bill contains a proviso which would reduce that part of the limit which is attributable to subordinated deventures held by SBA in the SBIC by 25 percent per year.

Thus, while ultimately all SBIC's will be limited to 20 percent of their private capital, the smaller SBIC's will be given time to adjust their lending patterns to the provisions of this bill.

The bill would also increase the amount which a bank may invest in the stock of an SBIC from 2 to 5 percent of the bank's capital and surplus. Banks are an important source of capital to SBIC's, and it is important that banks participate as much as possible in supplying capital to SBIC's.

Mr. President, this is a good bill. I am convinced that it will go far in providing the type and structure of SBIC's which will enable them to vastly improve their services to small business. It is not a panacea, but it will give us a firm base from which to work on future amendments to the Small Business Investment Act of 1958.

Mr. President, I recommend that the Senate approve S. 1862.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. SPARKMAN. Mr. President, I have an amendment which I send to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

> On page 12, between lines 14 and 15, insert the following:
>
> "SEC. 210. The first sentence of section 401(a) of the Small Business Investment Act of 1958 is amended by striking out 'that are (1) eligible for loans under section 7(b)(3) of the Small Business Act, or (2) eligible for loans under title IV of the Economic Opportunity Act of 1964,'."
>
> On page 12, line 15, strike out "210" and insert "211".

Mr. SPARKMAN. Mr. President, before speaking with respect to the amendment, I wish to commend the able Senator from New Hampshire [Mr. McINTYRE] for his presentation of the bill and his handling of the measure in the Committee on Banking and Currency. He has done an excellent job. He has presented a bill here which meets with the approval of the Small Business Administration and which meets with the approval of industry. He has done a remarkable job in working cut the bill.

I also wish to commend the junior Senator from Illinois [Mr. PERCY], who is the ranking minority member of the subcommittee who, working together with the leadership of the Senator from

New Hampshire, has done an excellent job.

Mr. President, I do believe this amendment should be added and I hope it will be found to be acceptable. I wish to point out some of the key features which would result from the amendment. This is an amendment to title IV of the Small Business Investment Act.

The amendment would extend the current lease guarantee program to all eligible small business concerns. It would remove the limitations which were originally included for the pilot effort. I sponsored the original lease guarantee legislation in 1965. The legislation, as enacted, limited coverage to small business concerns displaced as a result of Federal action or to disadvantaged applicants qualifying under the economic opportunity loan program.

SBA has made great strides in getting these pilot programs underway. While implementing the legislation as originally enacted, the Small Business Administration has found a demand for broader coverage. Representatives of insurance companies, lending institutions, and the small business community have expressed a need for across-the-board eligibility.

In accordance with the congressional mandate, SBA has, through the use of premiums which include loss reserves and administrative costs, devised a program which is self-sustaining. By broadening the coverage, the number of concerns participating in this program will be increased, thereby spreading the risk and reducing the pro rata share of the premium which goes to the loss reserves and administrative costs. The net effect will probably be a reduction in the premium cost to the small businessman.

Thus, Mr. President, I am pleased to introduce this amendment which will provide opportunity for further service to the small business community and will very likely result in a reduction of the operating costs of the small businessman in a program which will pay its own way.

Mr. McINTYRE. Mr. President, I thank the distinguished chairman of the Committee on Banking and Currency for his kind words concerning the actions of the subcommittee in considering S. 1862.

It is my understanding that his amendment would be fair. The present statute limits only those small businesses which are eligible for loans under SBA's displaced business loan program and those small businessmen who qualify for loans under title IV of the Economic Opportunity Act. This is, as the Senator said, very limited coverage under the present statute. This amendment would, as the Senator suggested, round out the picture in a much better fashion.

Mr. SPARKMAN. That is the purpose of the amendment. The program in the law today has been operating for 2 years, so it has built up some experience.

Mr. McINTYRE. I am pleased to accept my distinguished chairman's amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

Mr. SPARKMAN. Mr. President, I send another amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

Strike section 208 beginning on page 11, line 22, and substitute a new section 208 as follows:

"SEC. 208. Section 307 of the Small Business Investment Act of 1958 is amended by adding the following new subsection:

" '(d) The third paragraph of section 23A of the Federal Reserve Act (12 U.S.C.. 371c) is hereby amended by adding at the end thereof the following new sentence: "The provisions of the second paragraph of this section shall not apply to loans to a small business investment company licensed under the Small Business Investment Act of 1958 where the lending bank owns a majority of the voting shares of such company".' "

Mr. SPARKMAN. Mr. President, on June 15 the committee requested the views of the Federal Reserve Board on a proposed amendment which would exempt from section 23(a) of the Federal Reserve Act loans by member banks to affiliated small business investment companies. Since the bill was ordered reported, the committee has now received the Board's views on the amendment. The Board supports an increase in the limits on investment by member banks in SBIC's and believes that an amendment should be adopted enabling member banks more readily to make loans to their subsidiary SBIC's. However, the Board suggests that the objective may be accomplished with a different amendment more in keeping with present law. The views of the Board are thoroughly expressed in the letter which I have just received from Chairman Martin. There is no objection to the Board's recommended amendment from either the Small Business Administration or the industry. Accordingly, I have sent the suggested amendment to the desk and recommend its adoption.

I ask unanimous consent that the letter from the Federal Reserve Board, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BOARD OF GOVERNORS,
FEDERAL RESERVE SYSTEM,
Washington, D.C., June 28, 1967.

Hon. JOHN SPARKMAN,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your letter of June 15, 1967, requesting the comments of the Board on a proposed amendment to S. 1862, the "Small Business Act Amendments of 1967." The proposed amendment would exempt from section 23A of the Federal Reserve Act (12 U.S.C. 371c) loans by member banks to affiliated small business investment companies.

The Board believes that the considerations that support an increase in the limits on investment by member banks in shares of small business investment companies (as provided in the bill) also warrant an amendment to section 23A to enable member banks more readily to make loans to their subsidiary SBIC's. In our judgment, however, this objective can be accomplished with a less sweeping amendment than that on which you asked for comment. We believe that the first paragraph of section 23A, which limits investments by a member bank in any one affiliate to 10 per cent of the bank's capital and surplus, and limits investments in all affiliates to 20 per cent of its capital and surplus, should continue to apply to investments in affiliated SBIC's. Since these limits apply both to equity investments and to loans, this would mean that a member bank that invested 5 per cent of its capital and surplus in the shares of a subsidiary SBIC could also make loans to the SBIC up to an additional 5 per cent. If the stock investment were smaller the loan limit would be proportionately larger, but always less than 10 per cent. The collateral requirements of the second paragraph of section 23A should be waived, but only where the affiliation between the bank and the SBIC results from bank ownership of a majority of the SBIC's voting shares. Accordingly, we suggest that the proposed amendment be revised to read as follows:

"(d) The third paragraph of section 23A of the Federal Reserve Act (12 U.S.C. 371c) is hereby amended by adding at the end thereof the following new sentence: 'The provisions of the second paragraph of this section shall not apply to loans to a small business investment company licensed under the Small Business Investment Act of 1958 where the lending bank owns a majority of the voting shares of such company.' "

Sincerely yours,

WM. McC. MARTIN, Jr.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the amendment be in order, notwithstanding the fact that the committee amendment which it would change, has already been agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McINTYRE. Mr. President, the amendment offered by the distinguished chairman of the committee has been studied by both the majority side and the minority side. It is a corrective and helpful amendment, and I am prepared to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Alabama.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1862

An act to amend the authorizing legislation of the Small Business Administration, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

SEC. 101. This title may be cited as the "Small Business Act Amendments of 1967".

SEC. 102. Paragraph (4) of section 4(c) of the Small Business Act is amended—

(1) by striking out "$1,400,000,000" and inserting in lieu thereof "$1,900,000,000";

(2) by striking out "$400,000,000" and inserting in lieu thereof "$450,000,000";

(3) by striking out "$200,000,000" and inserting in lieu thereof "$300,000,000"; and

(4) by striking out "$100,000,000"; and inserting in lieu thereof "$200,000,000".

SEC. 103. Paragraph (4) of section 7(a) is amended by striking out "except that a loan made for the purpose of constructing facilities may have a maturity of ten years" and inserting in lieu thereof "except that such portion of a loan made for the purpose of constructing facilities may have a maturity of fifteen years."

Sec. 104. The subsection added to section 7 of the Small Business Act by the Disaster Relief Act of 1966 (Public Law 89–769), and designated thereby as subsection (e) is redesignated as subsection (f).

Sec. 105. Subparagraph (B) of paragraph (1) of section 8(b) of the Small Business Act is amended to read as follows:

"(B) in the case of any individual or group of persons cooperating with it in furtherance of the purposes of subparagraph (A), (i) to allow such an individual or group such use of the Administration's office facilities and related materials and services as the Administration deems appropriate; and (ii) to pay the transportation expenses and a per diem allowance in accordance with section 5703 of title 5, United States Code, to such an individual or group of persons for travel and subsistence expenses incurred at the request of the Administration in providing gratuitous services to small businessmen in furtherance of the purposes of subparagraph (A) or in connection with attendance at meetings sponsored by the Administration;".

Sec. 106. Paragraph (13) of section 8(b) of the Small Business Act is amended to read as follows:

"(13) to establish such advisory boards and committees as may be necessary to achieve the purposes of this Act and of the Small Business Investment Act of 1958; to call meetings of such boards and committees from time to time; to reimburse the members of such boards and committees in accordance with section 5703 of title 5, United States Code, for travel and other expenses incurred in attending the meetings of such boards and committees; and to rent temporarily, within the District of Columbia or elsewhere, such hotel or other accommodations as are needed to facilitate the conduct of such meetings; and".

Sec. 107. Section 8(b) of the Small Business Act is amended—

(1) by striking out "and" at the end of paragraph (13);

(2) by striking out the period at the end of paragraph (14), by inserting "; and" in lieu thereof, and by adding the following new paragraph:

"(15) to disseminate, without regard to the provisions of section 4154 of title 39, United States Code, data and information, in such form as it shall deem appropriate, to public agencies, private organizations, and the general public."

Sec. 108. The subsection added to section 402 of the Economic Opportunity Act of 1964 by section 405 of the Economic Opportunity Amendments of 1966 (Public Law 89–74), and designated thereby as subsection (b) is redesignated as subsection (c).

TITLE II

Sec. 201. This title may be cited as the "Small Business Investment Act Amendments of 1967".

Sec. 202. (a) Section 302(a) of the Small Business Investment Act of 1958 is amended to read as follows:

"(a)(1) Each company which receives a license after the effective date of the Small Business Investment Act Amendments of 1967 (hereafter referred to in this subsection as the effective date) shall, unless prior to such date the company had applied for the license and in connection with such application had received from the Administration a 'Notice To Proceed', have a combined paid-in capital and paid-in surplus of $1,000,000.

"(2) Each company which receives a license or a 'Notice To Proceed' before the effective date shall, except as provided in paragraph (3), comply with each of the following minimum standards of paid-in capital and paid-in surplus:

"(A) A company whose combined paid-in capital and paid-in surplus on the effective date is less than $300,000 shall have a combined paid-in capital and paid-in surplus of at least $300,000 by February 28, 1969; of at least $500,000 by February 28, 1971; and of at least $1,000,000 by February 28, 1975;

"(B) A company whose combined paid-in capital and paid-in surplus on the effective date is at least $300,000, but less than $500,000, shall have a combined paid-in capital and paid-in surplus of at least $500,000 by February 28, 1971; and of at least $1,000,000 by February 28, 1975;

"(C) A company whose combined paid-in capital and paid-in surplus on the effective date is at least $500,000, but less than $1,000,000, shall have a combined paid-in capital and paid-in surplus of at least $1,000,000 by February 28, 1971.

"(3) The Administration may by regulation (A) exempt any group or category of companies from the requirements of paragraph (2), and (B) extend any of the time limits established in paragraph (2) for the benefit of all the companies affected by the limit or any group or category of such companies. The Administration shall exercise its powers under this paragraph whenever it determines that such exemption or extension of time (A) is necessary in order to carry out the purposes of this Act with reference to any geographic area or locality of the United States, or (B) is appropriate for certain types of companies by reason of their adequate profitability, financial soundness and assistance provided to small business concerns.

"(4) The Administration may extend any of the time limits established in paragraph (2) for the benefit of a company which (A) is operating in compliance with this Act and the regulations promulgated thereunder, (B) affirms its intention to reach the levels of private capital specified in this subsection, and (C) submits a feasible plan to the Administration to achieve these levels within a reasonable period of time.

"(5) Any company which fails to comply with any of the minimum capital requirements of this subsection applicable to it shall be deemed in violation of this Act."

(b) Section 309(a) of the Small Business Investment Act of 1958 is amended by striking out the period at the end of paragraph (5), by inserting a semicolon in lieu thereof, and by adding the following new paragraph:

"(6) for failure or refusal to comply with any of the minimum capital standards established by section 302(a)".

Sec. 203. Section 302(b) of the Small Business Investment Act of 1958 is amended by striking out "2 percent" and inserting in lieu thereof "5 percent".

Sec. 204. Section 303(b) of the Small Business Investment Act of 1958 is amended to read as follows:

"(b) To encourage the formation and growth of small business investment companies the Administration is authorized (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms) to purchase, either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate basis, the debentures of any such company. Debentures purchased by the Administration under this subsection shall be subordinate to any other debenture bonds, promissory notes, or other debts and obligations of such companies. Such debentures may be issued for a term of not to exceed fifteen years and shall bear interest at a rate not less than (1) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturities on such debentures, adjusted to the nearest one-eighth of 1 per centum, plus (2) such additional charge, if any, toward covering other costs of the program as the Administration may determine to be consistent with its purpose. The debentures shall also contain such other terms as the Administration may fix, and shall be subject to the following restrictions and limitations:

"(1) The total amount of debentures purchased and outstanding at any one time from a company which does not qualify under the terms of paragraph (2) of this subsection, shall not exceed 200 percent of the combined paid-in capital and paid-in surplus of such company. In no event shall the debentures of any such company purchased and outstanding under this paragraph exceed $7,500,000.

"(2) The total amount of debentures which may be purchased and outstanding at any one time from a company which (A) has a combined paid-in capital and paid-in surplus of $1,000,000 or more and (B) has investments or legally binding commitments of 65 percent or more of its total funds available for investment in small business concerns invested or committed in equity capital as defined in section 304(a)(2) of this Act, shall not exceed $2,000,000 plus 300 percent of that portion of the company's paid-in capital and paid-in surplus which exceeds $1,000,000. In no event shall the debentures of any such company purchased and outstanding under this paragraph exceed $10,000,000. Such additional purchases which the Administration makes under this paragraph shall contain conditions to insure appropriate maintenance by the company receiving such assistance of the described ratio during the period in which debentures under this paragraph are outstanding.

"(3) Outstanding amounts of financial assistance provided to a company by the Administration prior to the effective date of the Small Business Investment Act Amendments of 1967 shall be deducted from the maximum amount of debentures which the Administration would otherwise be authorized to purchase under this subsection."

Sec. 205. Section 304 of the Small Business Investment Act of 1958 is amended—

(1) by inserting the paragraph designation "(1)" after "(a)" in subsection (a);

(2) by inserting the following new paragraph (2) in subsection (a);

"(2) For purposes of section 303(b)(2) of this Act the term 'equity capital' shall include such common stock, preferred stock, or other financing with subordination or nonamortization characteristics, as the Administration shall determine to be substantially similar to equity financing."

(3) by repealing subsection (c); and

(4) by redesignating subsection (d) as subsection (c).

Sec. 206. Section 306 of the Small Business Investment Act of 1958 is amended to read as follows:

"Sec. 306. Without the approval of the Administration, the aggregate amount of obligations and securities acquired and for which commitments may be issued by any small business investment company under the provisions of this Act for any single enterprise shall not exceed 20 percent of the combined paid-in capital and paid-in surplus of such company: *Provided, however,* That, for the purpose of this section, the combined paid-in capital and paid-in surplus of any company licensed prior to the effective date of the Small Business Investment Act Amendments of 1967 shall consist of (A) the paid-in capital and paid-in surplus of such company and (B) the following portions of the funds outstanding from the Administration through the issuance of subordinated debentures as of the effective date of the Small Business Investment Act Amendments of 1967, or on January 1 of each of the following calendar years, whichever is less: (i) 100 percent, during 1968; (ii) 75 percent, during 1969; (iii) 50 percent, during 1970; (iv) 25 percent, during 1971; and (v) zero, during 1972 and thereafter: *And provided further, however,* That with respect to obligations or securities acquired prior to the effective date of the Small Business Investment Act Amendments of 1967, and with respect to legally binding commitments issued prior to such date, the provisions of this section as in effect immediately prior to such effective date shall continue to apply."

Sec. 207. Section 310(b) of the Small Business Investment Act of 1958 is amended by adding after the first sentence thereof the following new sentence: "Unless waived by the Administration for good cause, each such company shall be examined at least once each year."

Sec. 208. Section 307 of the Small Business Investment Act of 1958 is amended by adding the following new subsections: "(d) The third paragraph of section 23A of the Federal Reserve Act (12 U.S.C. 371c) is hereby amended by adding at the end thereof the following new sentence: 'The provisions of the second paragraph of this section shall not apply to loans to a small business investment company licensed under the Small Business Investment Act of 1958 where the lending bank owns a majority of the voting shares of such company.' "

Sec. 209. (a) The section heading of section 302 of the Small Business Investment Act of 1958 is amended to read as follows: "CAPITAL REQUIREMENTS";

(b) The description of section 302 in the table of contents of the Small Business Investment Act of 1958 is amended to read as follows: "Capital requirements".

Sec. 210. The first sentence of section 401 (a) of the Small Business Investment Act of 1958 is amended by striking out "that are (1) eligible for loans under section 7 (b) (3) of the Small Business Act, or (2) eligible for loans under title IV of the Economic Opportunity Act of 1964,".

Sec. 211. The effective date of this title shall be ninety days after enactment, except that, with respect to section 206, it shall be January 1, 1968.

Mr. McINTYRE. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 O'CLOCK A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 10 o'clock a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 21 minutes p.m.) the Senate adjourned until tomorrow, Thursday, June 29, 1967, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate June 28, 1967:

In the Air Force

Maj. Gen. Stanley J. Donovan, FR1089, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President in the grade of lieutenant general, under the provisions of section 8066, title 10 of the United States Code.

Lt. Gen. Hewitt T. Wheless, FR1609 (major general, Regular Air Force), U.S. Air Force, to be senior Air Force member, Military Staff Committee, United Nations, under the provisions of section 711, title 10 of the United States Code.

In the Navy

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. Ralph L. Shifley, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

Federal Maritime Commission

Ashton C. Barrett, of Mississippi, to be a Federal Martime Commissioner for the term expiring June 30, 1972 (reappointment).

CONFIRMATIONS

Executive nominations confirmed by the Senate June 28, 1967:

District of Columbia Court of Appeals

Catherine B. Kelly, of the District of Columbia, to be associate judge of the District of Columbia Court of Appeals for the term of 10 years.

Juvenile Court of the District of Columbia

John D. Fauntleroy, of the District of Columbia, to be associate judge of the juvenile court of the District of Columbia for the term of 10 years.

District of Columbia Court of General Sessions

Alfred Burka, of Maryland, to be associate judge of the District of Columbia court of general sessions for the term of 10 years.

In the Public Health Service

The nominations beginning Victor E. Archer, to be medical director, and ending John B. Wiggins, Jr., to be senior assistant health services officer, which nominations were received by the Senate and appeared in the Congressional Record on June 21, 1967.

Department of Justice

Woodrow W. Jones, of North Carolina, to be U.S. district judge for the western district of North Carolina, vice J. Braxton Craven, Jr., elevated.

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HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

The House met at 11 o'clock a.m.

Rev. Henry Baker Reiley, Jr., Somerset Methodist Church, Somerset, Pa., offered the following prayer:

Give Thy servant an understanding mind to govern Thy people.—I Kings 3: 9a.

Let us pray:

God of our fathers, Thou who art the source for all wisdom and understanding, give to us discerning minds.

Many times instead of endeavoring to understand those who differ with us, we merely tolerate them, so we pray for Thy guidance when impatience causes us to be intolerant of others and of their opinions.

When temptations to revile others come, help us to put them aside so that we may live in love and charity with our neighbors.

Forgive us when we have an unyielding contempt for those who oppose us, and may that forgiveness be accompanied by an understanding mind which will enable us to see ourselves in the light of Thine all-pervading goodness.

In Christ's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 3349. An act to continue until the close of September 30, 1967, the existing suspension of duties on certain forms of nickel.

H.R. 3652. An act to continue until the close of June 30, 1970, the existing suspension of duties on manganese ore (including ferruginous ore) and related products.

H.R. 10867. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes; and

H.J. Res. 652. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 4880. An act to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965; and

H.R. 5615. An act to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 944. An act relating to the establishment of parking facilities in the District of Columbia.

PERMISSION FOR SUBCOMMITTEE ON BANK SUPERVISION AND INSURANCE TO SIT TODAY DURING GENERAL DEBATE

Mr. MULTER. Mr. Speaker, I ask unanimous consent that the Subcommittee on Bank Supervision and Insurance of the Committee on Banking and Currency may sit this afternoon during general debate.

The **SPEAKER.** Without objection, it is so ordered.

There was no objection.

PAWNEE INDIAN POWWOW IS NATIONAL ATTRACTION

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to

the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I would like to invite the Members of the House of Representatives and their families to the All-Indian Arts and Crafts Fair at the Pawnee County Fairgrounds in Pawnee, Okla., from June 29 to July 2 in conjunction with the 21st annual Pawnee Indian homecoming and powwow.

I would also like to extend an invitation to all Members of the House of Representatives who are one-fourth degree or more of Indian extraction to enter the various contests and exhibits at the fair.

Also located in Pawnee is the Pawnee Bill Museum and State Park, which is one of Oklahoma's fastest growing tourist attractions. Besides the stately Pawnee Bill Museum and its park, a wildlife reserve with buffalo and rare longhorns is open to the public.

The Pawnee Indian homecoming and powwow is the world's largest free powwow and over 25 tribes participate in ancient tribal ceremonies and dances. Over 300 costumed dancers perform each evening of the powwow, and it is often billed as "America's most colorful outdoor spectacle."

Pawnee is located in north central Oklahoma, and the Lake Pawnee recreation area contains the largest swimming pool in the area with a fine sand beach and fishing, boating, and picnic facilities are available to visitors at the recreation area.

PERMISSION FOR SUBCOMMITTEE ON EDUCATION TO SIT TODAY DURING GENERAL DEBATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Education of the Committee on Education and Labor may sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION FOR SUBCOMMITTEE NO. 2 OF THE COMMITTEE ON THE JUDICIARY TO SIT TODAY DURING GENERAL DEBATE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee No. 2 of the Committee on the Judiciary may sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 158]

Anderson, Tenn.
Ashbrook
Ashley
Berry
Bow
Buchanan
Curtis
Diggs
Evins, Tenn.
Flood
Ford, William D.
Giaimo
Hansen, Wash.
Hébert
Jones, N.C.
Karsten
Kastenmeier
King, Calif.
Kluczynski
Landrum
Lennon
Long, La.
Lukens
Matsunaga
Moore
Nelsen
O'Hara, Mich.
O'Neill, Mass.
Ottinger
Roberts
Rooney, N.Y.
Roush
St. Onge
Stratton
Thompson, N.J.
Tiernan
Tuck
Udall
Utt
Williams, Miss.

The SPEAKER. On this rollcall 392 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

RETURN OF S. 1577, AN ACT TO COMPLEMENT THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS, TO THE SENATE

The SPEAKER. The Chair lays before the House the following request of the Senate:

IN THE SENATE OF THE UNITED STATES,
June 19 (legislative day, June 12), 1967.

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1577) entitled "An act to complement the Vienna Convention on Diplomatic Relations," together with all accompanying papers.

Attest:

FRANCIS R. VALEO,
Secretary.

The SPEAKER. Is there objection?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this the request that has been pending for the past several days? I was unable to hear the request that was made. Is this the request that has been pending for the past several days?

The SPEAKER. The request has been pending, and it relates to the bill S. 1577, an act to complement the Vienna Convention on Diplomatic Relations.

Mr. GROSS. Mr. Speaker, I have no objection to returning the bill, and I hope that it is buried deep in the Senate when it gets back there.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Without objection, the request of the Senate is agreed to, the Committee on Foreign Affairs is discharged from further consideration of the bill S. 1577, and the Clerk will return the bill to the Senate.

There was no objection.

A motion to reconsider was laid upon the table.

TO EXTEND THE TIME WITHIN WHICH CERTAIN REQUESTS MAY BE FILED UNDER THE TARIFF SCHEDULES TECHNICAL AMENDMENTS ACT OF 1965

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 4880) to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, strike out "June" and insert "September".

Page 1, after line 7, insert:

"SEC. 2. Sections 407 and 1113(d) of the Social Security Act and sections 135(e), 155(b), and 202(e) of the Public Welfare Amendments of 1962, as amended, are each amended by striking out 'June 30, 1967' and inserting in lieu thereof 'June 30, 1968', and that section 1115 of the Social Security Act is amended by striking out 'July 1, 1967' and inserting in lieu thereof 'July 1, 1968'.

Mr. MILLS. Mr. Speaker, the bill as passed by the House would continue from February 4, 1966, until the close of June 30, 1967, the time in which importers may request reclassification of imports under certain lower tariff rate provisions provided by the Technical Amendments Act of 1965.

First, due to the passage of time since the House acted on the bill, the Senate amended the bill to extend the filing period until September 30, 1967.

Mr. Speaker, this Senate amendment is appropriate, and I recommend that the House concur in it.

Mr. Speaker, second, I should like to explain the amendments to this bill that were added by the other body relating to several provisions of the Social Security Act that are due to expire on June 30. This is a matter that has received attention from the Committee on Ways and Means which has ordered reported by unanimous vote a bill, H.R. 11189, identical to the Senate amendment.

Unless we act to extend these provisions this week, the States will be unable to continue making payments or taking action under these provisions. Several States face the situation of having their programs expire completely if these provisions are not extended at this time. In these States, new legislation would have to be enacted even if there were a temporary lapse in this Federal legislation in order for them to participate in the programs after Federal legislation is restored.

There are seven separate temporary authorizations affected by the Senate amendment. The Senate amendment provides for extending these provisions for 1 year—that is, through June 30, 1968.

Undoubtedly, the most important of these provisions relates to the program of aid to families of dependent children of unemployed parents, the so-called AFDC-UP program. State and local welfare administrators in the States that have implemented this provision have been quite concerned—and with justification—that this program might be allowed to lapse simply because the Congress was unable to act upon it before it expired on June 30. Many voluntary agencies active in this area are equally concerned.

As most Members are aware, the pending proposed amendments to the Social Security Act, H.R. 5710, upon which the Committee on Ways and Means has been working for several months, contains a provision that would make certain of these temporary provisions permanent. Due to the many complex issues that have arisen in connection with this bill, the committee has not completed work on it.

Let me list the seven provisions with which we are concerned.

As I mentioned a moment ago, the principal provision relates to the AFDC–UP program.

This program authorizes Federal financial participation involving families with needy children deprived of parental care or support because of the unemployment of a parent.

This program is in effect in 22 States and currently includes 68,400 families with 269,000 children. Approximately $113 million in Federal matching funds are made available annually under the program. Payments to families under the program totaled $14,506,000 in April of this year.

Interruption of Federal financial participation in this program would have serious consequences for the States involved, as the States have not anticipated meeting the full cost of the program even for a limited period of time. I do not believe they would be able to carry on the program without Federal participation.

The other provisions affected by the Senate amendment are as follows:

First. Assistance to Americans repatriated from abroad: This authorizes planning, reception, and temporary assistance to certain U.S. citizens who are returned to the United States because of destitution, or illness, threat of war, or similar crises.

Most recently, this program has assisted in repatriation of American citizens from Latin American countries, and some Americans now leaving the Middle East may be in need of this form of assistance.

Second. Community work and training program: This program applies to AFDC recipients who are 18 years old or older and is intended to assist these recipients in the development of skills and work habits with the hope of getting them off the welfare rolls. It involved Federal matching funds of approximately $25 million a year. These funds are included within the $113 million expended under the AFDC–UP program which I quoted earlier.

Third. Demonstration projects: This program authorizes funds for experimental, pilot and demonstration projects to assist States in promoting the objectives of the public assistance titles and title XIX of the Social Security Act. An amount of $2 million was authorized for fiscal year 1967 for activities under this section. Some 160 projects have been approved in 42 States.

Fourth. Foster care by arrangement with other State agencies: This provision operates in only two States as yet, California and Kentucky. It permits State participation for foster care payments even though responsibility for payment and care are those of a public agency other than the one responsible for the AFDC program.

Fifth. Foster care for children in nonprofit private child-care institutions: This provides Federal sharing in the cost of foster care of AFDC children in nonprofit private child-care institutions, as well as in foster family homes.

Fourteen States provide for care in such institutions or homes under their AFDC programs. In April 1967, 440 children were receiving benefits under this provision.

Sixth. Protective payments: This provision permits protective payments to be made in a limited number of cases to another person concerned with the welfare of a child if it is determined that the relative caring for the child is not using the payments in the best interests of the child.

Seven States have implemented this provision. It does not involve any additional cost.

In summary, the total cost involved in extending the seven provisions is approximately $115 million which has already been included in the 1968 budget.

I believe these provisions should be extended for an additional year, as the Senate amendment provides. During this time, the Committee on Ways and Means will have sufficient opportunity to consider taking more permanent action with respect to these provisions.

Finally, Mr. Speaker, let me state that, in addition to the bill which the gentleman from Wisconsin [Mr. BYRNES] and I introduced on this subject, other Members of the House have bills pending on part or all of these matters, including a bill by our colleague, the gentleman from California [Mr. BURTON], who has expressed his support for these extensions both in public hearings and at other times.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. MILLS]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TO CONTINUE UNTIL THE CLOSE OF JUNE 30, 1969, THE EXISTING SUSPENSION OF DUTIES FOR METAL SCRAP

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5615) to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, strike out all after line 7 over to and including line 2 on page 2.

Page 2, line 3, strike out "(c)" and insert "*(b)*".

Page 2, line 3, strike out "amendments made by subsections (a) and (b)" and insert "*amendment made by subsection (a)*".

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, and it is not my intention to object, because these amendments put on by the other body, at least a couple of them, are very essential—we must do this in the next couple of days before July 1 and all the amendments are noncontroversial—but I do think it advisable, Mr. Speaker, to have a brief explanation of what is involved in the Senate amendment.

Mr. MILLS. My friend, the gentleman from Wisconsin, is, of course, referring to the bill already passed that did contain some amendments dealing with certain termination dates in certain provisions of the Social Security Act.

As indicated in the explanation which I have put in the RECORD, the gentleman and I had introduced a bill jointly carrying out this policy of extending such dates, and that bill was reported from the Committee on Ways and Means unanimously. We can, therefore, advise the House that these matters had been considered by the Committee on Ways and Means, and there was no objection to them within the committee. They deal with such things as the program assisting the dependent children of an unemployed father, which is utilized in some 22 States at the moment on an option basis, as explained in my statement on the bill.

Mr. BYRNES of Wisconsin. I thank the gentleman.

Mr. MILLS. Mr. Speaker, H.R. 5615, as passed by the House, would extend the existing duty suspension on certain metal waste and scrap—iron and steel, aluminum, magnesium, and nickel—from June 30, 1967, to June 30, 1969, and further extend the existing duty suspensions on copper waste and scrap and copper articles to be used in remanufacture by melting from June 30, 1968, to June 30, 1969.

Subsequent to April 12, 1967, when the House by unanimous consent approved H.R. 5615, domestic copper interests made known their objections to the inclusion in the bill of the further extension of the duty suspensions on copper waste and scrap from June 30, 1968, to June 30, 1969. Their objections were based on the fact that the periodic suspensions of duty on copper waste and scrap in the past have usually been considered in conjunction with suspensions of duties on other forms of copper in response to conditions in the domestic copper market.

Although there was no objection to the extension of the suspensions of duty on copper waste and scrap from June 30, 1968, to June 30, 1969, at the time the House acted on H.R. 5615, it is obvious that there is no urgency to act on the duty suspensions on copper at this time. Moreover, the question can be considered next year when other legislation suspending the duty on copper imports comes up for extension.

Therefore, Mr. Speaker, the Senate amendment is justified, and I recommend that the House concur in the amendment.

Mr. BYRNES of Wisconsin. As to the amendments to the Social Security Act, which were added by the Senate amendment to the other bill, I think it should be said that we probably have amendments to the various proposals that are being extended for a year in the social security bill as it will be reported from the committee sometime during the course of this year, and that there will be some revisions made or expected?

Mr. MILLS. Yes, I would agree with the gentleman on that.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. Mills].

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 2508—CONGRESSIONAL REDISTRICTING—RECOMMITTED TO COMMITTEE OF CONFERENCE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the conference report on the bill (H.R. 2508) to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes, be recommitted to the committee of conference.

Mr. Speaker, this has been cleared by the minority leader, the gentleman from Michigan [Mr. Gerald R. Ford], and by the ranking Member on the minority side, the gentleman from Ohio [Mr. McCulloch].

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, on Monday, June 26, I was unavoidably absent from Washington, D.C., and was unable to vote on two bills that were considered and passed by the House.

I was in Paducah, Ky., to address a tristate meeting of rural electric cooperative managers from Ohio, Kentucky, and Indiana.

If I had been available, I would have voted "yea" on H.R. 10783, the omnibus anticrime bill for the District of Columbia, and "yea" on H.R. 8582, a bill to increase the number of associate judges on the District of Columbia court of appeals.

REQUEST FOR PERMISSION FOR SUBCOMMITTEE ON RURAL DEVELOPMENT OF THE COMMITTEE ON AGRICULTURE TO SIT TODAY WHILE HOUSE IN SESSION

Mr. RESNICK. Mr. Speaker, I ask unanimous consent that the Subcommittee on Rural Development of the Committee on Agriculture receive unanimous consent to continue its hearings while the House is in session this afternoon.

The SPEAKER. During general debate?

Mr. RESNICK. During general debate and otherwise.

Mr. GOODLING. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

SUBCOMMITTEE ON RURAL DEVELOPMENT OF THE COMMITTEE ON AGRICULTURE

Mr. RESNICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, I think the House has already heard the objection of the gentleman from Pennsylvania [Mr. Goodling], a member of the subcommittee. I would like this House and, indeed, the American Nation to know the reason for this most unusual objection.

The witness who is scheduled to testify is Mr. Roger Fleming, the secretary-treasurer of the American Farm Bureau Federation. The Farm Bureau has accused me of not giving him enough time to testify as to the position of the American Farm Bureau Federation. I want the Record to show that not only am I prepared to meet this afternoon but also I am prepared to meet this evening; I am prepared to meet tomorrow morning at 8 o'clock, and I am prepared to meet tomorrow until 12 midnight.

Furthermore, Mr. Speaker, I am going to request of my chairman that we have permission to hold hearings during the recess in order that the American Farm Bureau Federation will have its day in court. I do not want anyone to get the idea that I am trying to cut the Farm Bureau Federation off and that I am trying to withhold their testimony. I welcome their testimony, and I wish that they will appear again—if not today or tomorrow, some time in the near future.

PERMISSION FOR SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO SIT DURING GENERAL DEBATE THIS AFTERNOON

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that the Subcommittee on National Parks and Recreation of the Committee on Interior and Insular Affairs be permitted to continue hearings during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, has this been cleared with the ranking minority member of the subcommittee?

Mr. TAYLOR. It has.

Mr. GERALD R. FORD. Does it have his approval?

Mr. TAYLOR. It does. The gentleman from Kansas [Mr. Skubitz] talked to me about it this morning, and we agreed to make the request.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

REFERRAL OF H.R. 10256, RELATING TO LAND CLAIMS, TO COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that H.R. 10256, to render the assertion of land claims by the United States based upon accretion or avulsion subject to legal and equitable defense to which private persons asserting such claims would be subject, which was referred to the Judiciary Committee, be rereferred to the Committee on Interior and Insular Affairs.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

SUBCOMMITTEE ON RURAL DEVELOPMENT OF THE COMMITTEE ON AGRICULTURE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, I want the Record to show, and I want the House to know, why I objected to the unanimous-consent request of the gentleman from New York. I simply refuse to sit under a chairman who refuses to allow members of his committee to question a witness. We had that happen this morning. We had one witness. Several of us attempted to question the witness, and we were refused that permission. So long as the chairman continues to do that sort of thing, I am going to oppose him at every turn.

SUBCOMMITTEE ON RURAL DEVELOPMENT OF THE COMMITTEE ON AGRICULTURE

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RESNICK. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I am happy to yield to the gentleman from New York [Mr. Resnick].

Mr. RESNICK. Mr. Speaker, I would like to point out to this House that the record of my hearings, which have been going on for nearly 4 weeks now, will show that in every instance each and every member has had ample time to ask any questions, make any statement, or say anything he pleased. The record will bear this out.

I would say to this House that the American Farm Bureau does not want to testify, and this parliamentary maneuver is a device so that they do not have to testify. I pointed out to the gentleman from Pennsylvania, as I pointed out to the other gentlemen on the minority side, that I would have been very happy to yield when I finished making my point that the Farm Bureau organization is not a farmers' organization but a gigantic insurance company. I was making that point when these gentlemen objected. I repeat once again I am prepared to hear testimony from the Farm Bureau anytime, anyplace, anywhere. I thank the gentleman from New York.

AUTHORIZING APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MILLER of California. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 10340) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 10340, with Mr. FLYNT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there were pending the amendment offered by the gentleman from Pennsylvania [Mr. FULTON] and the substitute amendment for the Fulton of Pennsylvania amendment offered by the gentleman from Iowa [Mr. GROSS].

Without objection, the Clerk will again report the amendment offered by the gentleman from Pennsylvania and the substitute amendment offered by the gentleman from Iowa.

There was no objection.

The Clerk reread the amendments, as follows:

Amendment offered by Mr. FULTON of Pennsylvania:

On page 1, line 5, strike the amount "$4,992,182,000" and insert in lieu thereof the amount "$4,742,182,000".

On page 2, line 1, strike "(2) Apollo applications, $444,700,000;" and insert in lieu thereof, "(2) Apollo applications, $194,700,000;"

Amendment offered by Mr. GROSS of Iowa as a substitute for the amendment offered by Mr. FULTON of Pennsylvania: On page 1, line 5, strike the figure "$4,992,182,000" and insert "$3,992,182,000."

PREFERENTIAL MOTION OFFERED BY MR. GFOSS

Mr. GROSS. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. GROSS moves that the Committee do now rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

Mr. GROSS. Mr. Chairman, I offered this motion to strike the enacting clause, first, because I am opposed to the bill and, second, because I exhausted my 5 minutes yesterday and wanted to call the attention of the members of the Committee to the fact that there seems to be some real wheeling and dealing, if one may call it that, going on here this morning, which will probably result in no meaningful cut in this lavish expenditure for the National Aeronautics and Space Administration.

If the Members are going home to celebrate the Fourth of July, as I am sure many of them will, and if they want to tell their constituents about affairs here in Washington and want the opportunity to say they are following the tenets laid down by our forefathers to preserve this independent Republic, and want to save it from bankruptcy, I remind them that this is probably their only opportunity to do anything meaningful with this bill—just cut a billion dollars out of it. That is my amendment.

I would remind all of you that on this program the taxpayers have already expended some $30 billion through the National Aeronautics and Space Administration alone, according to the Appropriations Subcommittee hearings earlier this year. That is a lot of money in any language.

If it were not for this program, I doubt whether there would be the opportunity for somebody to spend a million dollars building a foundation in Cambridge, Mass., for a building that does not exist.

If it were not for this program we probably would not be spending millions of dollars building a laboratory in Houston, Tex., to analyze 30 pounds of moon dust, if we ever get to the moon and to get the dust and bring it back for analysis.

It seems to me it is about time that we deal in cold, hard facts of spending and get back to earth with this organization which, in past years, has been untouchable. It has been another of the untouchables, an organization with a lot of sex appeal I voted for until a couple of years ago.

No longer am I going to support crash programs to the tune of $5 billion a year to get a man on the moon. We just do not have that kind of money in this country. So I say to you if you want to save this country from bankruptcy, here is an awfully good place to start.

Mr. MILLER of California. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I think we debated this thing at quite some length and my very good friend the gentleman from Iowa [Mr. GROSS] is a little concerned with some things that are figments of his imagination. He mentions the electronics center at Cambridge. The foundation for this center is in. The building is being built. There is a great necessity for it.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Iowa [Mr. GROSS].

The preferential motion was rejected.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Iowa [Mr. GROSS] to the amendment of the gentleman from Pennsylvania [Mr. FULTON].

The substitute amendment was rejected.

AMENDMENT OFFERED BY MR. ROUDEBUSH TO THE AMENDMENT OFFERED BY MR. FULTON OF PENNSYLVANIA

Mr. ROUDEBUSH. Mr. Chairman, I offer an amendment to the amendment of the gentleman from Pennsylvania [Mr. FULTON].

The Clerk read as follows:

Amendment offered by Mr. ROUDEBUSH to the amendment offered by Mr. FULTON of Pennsylvania: On page 1, line 5, strike the amount, $4,992,182,000 and insert in lieu thereof the amount $4,927,182,000.

On page 2, line 1, strike the amount of $444,700,000 and insert in lieu thereof the amount $379,700,000.

Mr. ROUDEBUSH. Mr. Chairman, I realize how very difficult it is for Members to consider a bill to authorize money for our activities in outer space.

It is a highly technical program—and one in which there are many different opinions—opinions that vary greatly from some who think all efforts in space are a waste of money, to those who would dedicate more effort and money.

I guess I take a middle ground—I feel our national responsibility requires efforts in space exploration.

Likewise, I feel that the safety and well-being of our citizens does require a good, sound space program.

Much talk has taken place concerning our "Apollo application" program—its necessity and whether it can be reduced.

I believe it can be reduced—in safety to our Nation, in responsibility to our citizens.

I will not repeat the arguments concerning national finance. Every Member of this House is aware of our financial dilemma. The war—its costs. The deficit and its resulting inflation.

NASA has requested $454,700,000 for Apollo applications—arrived at in the following manner:

	Million
Space vehicles	$263.7
Experiments	140.7
Mission support	50.3
Total	454.7

Total funding in fiscal 1967 for this effort was $80 million.

H.R. 10340 as approved by our committees reduces NASA's request for this program by $10 million. My amendment will reduce it by $65 million more or a total of $75 million.

I would like to emphasize that I am not proposing to abandon our space program. Rather my amendment suggests that we defer our commitments until 1970 when we can more adequately measure our resources and results of the Apollo program and determine what specific missions are implied.

My amendment is not inconsistent with our goal to land men on the moon. It will in no way affect funds for this purpose. It is one that is prudent and in the interests of economy.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the distinguished gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Chairman, the gentleman in the well knows that our subcommittee has done everything humanly possible, everything that laymen can do to ascertain how much money is required for this program. However, we did not want anything to hold up our space program. We wanted to keep up with the technology and the present state of the art in this type of operation.

However, Mr. Chairman, the gentleman in the well feels that this is something more than what we should be doing. It happens to be my opinion that we are taking too much money out of the program.

Mr. Chairman, I would like to say, again, that I do not intend to oppose the gentleman's amendment. But wish to point out that the Apollo program is building a base of technology and hardware which represents a national asset. To gain a maximum return from that asset the Apollo applications program is proposed in the NASA authorization for fiscal year 1968. It is a program utilizing to the maximum the hardware and technology developed in the Apollo program. Its goals are both utilitarian and scientific.

Three phases have been planned thus far. The first will consist of up to five missions in low earth orbit using the uprated Saturn I launch vehicle and associated spacecraft and space modules. The time of these missions depends on the availability of hardware to the Apollo program. If manned flights with the Saturn I in the Apollo program can be shifted to the Saturn V when it is manrated, it may be possible to release Saturn I vehicles from Apollo for Apollo applications. The experiment needs to be developed now for Apollo applications including an orbiting astronomical telescope mount and an orbital survey system to be used for orbital survey of the moon.

These missions can be carried out in the 1968–69 period if vehicles are available from the Apollo program or will use follow-on hardware.

The second phase of the Apollo applications program will concentrate on testing instruments for practical applications of manned flight and the development of the capability for man to work in space up to a year. Both meterology and earth resources survey payloads will be principal payloads in the phase.

Following a successful lunar landing the first of the Saturn V Apollo applications missions are being planned. These flights would include lunar exploration and the development of techniques of manned flight at an orbit synchronous with the earth's rotation. These missions would be in the 1970–71 time period if vehicles are available or somewhat later if vehicles are not available from the Apollo program.

Mr. Chairman, NASA planned $626 million for the Apollo applications program. This was reduced by the Bureau of the Budget to $454.7 million. The Committee on Science and Astronautics further reduced this to $444.7 million. This amount contains no contingency funding. There is no backup experiment development planned at this level of funding. If our national space program is to proceed in an orderly manner, if we are to gain a maximum return from our investment in the Apollo program, we should authorize funds for the Apollo applications program in the amount recommended in the bill at $444.7 million.

The continuance of a vital, practical, and orderly national space program beyond Apollo will be the result. I recommend authorization of the Apollo applications program of $444.7 million.

We have painstakingly developed a manned spaceflight capability during the past 7 years which represents a great asset. It is essential that we reap the profits of this capability, else we will lose the value of this investment and compromise the basic Apollo program. We should not defer the follow-on effort of Apollo applications.

A substantial and major difference exists between subtracting numbers from the total dollar estimate for a program and assessing the actual impact of that reduction on the program. You cannot make a reduction in one portion of a program and leave the remainder of the program unscathed. The program would be completely unbalanced. A reduction would have this effect on the AAP.

As I have pointed out, the fiscal year 1968 funding level requested of Congress was $454 million and the bill presently before the House is $444 million. Even these amounts represent a considerable reduction over original budget estimates and constitute the minmum necessary to carry out the program in its present form. I want to point out what various levels of reduction would have on the Apollo applications program, for example, cuts of $350 million, $250 million and $150 million each have different consequences, these reductions would not allow a practical continuation of the manned space flight effort beyond Apollo. The replanning and reprograming required would interrupt and impact the the entire U.S. manned space effort.

REDUCTION OF $350 MILLION

The fiscal year 1968 budget request for Apollo applications was developed under the pressure of severe budget restraints and is considerably less money than was originally contemplated. The 1968 request reflects the minimum level of hardware production that can be sustained while maintaining a production capability.

A funding reduction of this magnitude would force the program into redefinition, since the uprated Saturn I and the Saturn V launch vehicles and the Apollo spacecraft would be terminated insofar as any production beyond the basic Apollo contracts is concerned. The remaining funds after reduction of this magnitude will not provide a capability for production of either Apollo related hardware or specific payloads.

The Saturn I launch vehicle is the key to the earth orbital missions involved with the Apollo applications program. With this large cut it would be impossible to retain any production capability, and the Saturn I vehicles would not be available to sustain the program. Yet this is the vehicle already tested and flight qualified which will be used in the orbital workshop missions and which would support economical manned space operations involving revisitation and resupply. The investment resulting from the development of Apollo capability would therefore be lost.

An Apollo space vehicle takes approximately 3 years from beginning production to delivery. Because of the production leadtimes, the NASA would be forced to begin closing its manufacturing and testing facilities after vehicles and spacecraft for Apollo were completed. There are 20,000 contractors involved in the delivery and launch of Apollo hardware. These contractors are located throughout the United States. The NASA facilities located in Florida, Mississippi, Louisiana, Alabama, Texas, New Mexico, California, and elsewhere would be seriously impacted. This would be the result of being unable to fund a production capability at the minimum level. NASA surveyed its contractors as to the consequences of such a development and the amount of effort that would be required to reinstitute production.

The prime Apollo contractors estimated that they would retain less than 35 percent of their Apollo work force. These contractors estimated it would take 24 months and longer to reconstitute and retrain a manned space flight work force if hardware production stopped with Apollo. One contractor estimated that it would cost $3,700 to train each skilled worker to NASA standards for manned space flight. This is a significant figure—three-fourths of a billion dollars—when the present employment on manned space flight programs of 215,000 people is considered.

REDUCTION OF $250 MILLION

If a $250 million reduction occurred, only completely undesirable and impractical alternatives would be available to NASA. One could choose to maintain a minimum sustaining level of production of existing Apollo hardware, but this would result in absorbing essentially all the funds available and provide no payloads to fly with the hardware. Thus there would exist a condition where expensive space hardware would be produced and subjected to prolonged storage until meaningful experiments or payloads were made available. Just what these payloads would be and when they would be available to fly would depend upon unknown funding levels in future years.

The Apollo program uses two launch vehicles—the Saturn I for early earth orbit testing and the Saturn V for simulated and actual lunar missions. The NASA has testified that they can land astronauts on the lunar surface and return them to earth safely in this decade. Thus they are still committed to an end of calendar year 1969 date for completion of the Apollo goal.

They have also told the Congress that, because of the Apollo accident they have placed two more Saturn V launches out beyond this decade. Thus four Saturn V launches will occur after the decade or after the end of calendar year 1969. Now if we agree with the statements of NASA management there will be four Saturn V's available for followup flights to the moon or for Apollo applications missions. For these Apollo applications flights we must have payloads.

Otherwise we have no alternative but to store an extremely complex vehicle. This is expensive and unwarranted in view of the many experiments and practical applications that are possible with this equipment.

If you follow this logic back one step further it will lead you to the fact that with a landing on the moon in this decade there will be Saturn I vehicles available for Apollo applications in 1968 as NASA has stated. The Saturn I can carry out AAP missions in earth orbit such as the Apollo telescope mount and the orbital workshop and other worthwhile scientific and practical benefits which we and the Nation have been waiting for.

If we are to get this payoff, we must have the foresight to prepare now for next year and the years beyond. We cannot buy space science equipment in the hardware store. The time required to develop and produce this equipment is lengthly as has been shown by our experience since 1958.

This prolonged storage would create critical problems.

First. Launch vehicle and spacecraft reliability would degenerate with measured risks to our astronauts;

Second. Large costs would be incurred to remove space vehicles from storage and restore them to peak operating efficiency.

Third. Launch crew capability would be lost and would require retraining at high cost. The employees at Kennedy Space Center and Mississippi test facility are uniquely trained and in the event of a cutback they would be lost to the program and forced to relocate. The prospects of regaining these employees at a later date would be poor, and retraining costs for replacements would be exorbitant.

These increased costs of renewing flight effort would be exceedingly large relative to cost of sustaining a continuous program. In the intervening period, no effort could be provided to advance science or technology, extended manned flight capability, or provide earth applications or benefits.

An alternate approach would be to invest available funds in the development of experiment payloads such as the Orbital Workshop and the ATM. This approach would absorb such a substantial portion of the funds available that follow-on production of launch vehicles and spacecraft to support the flights would not be possible. There exists a minimum production rate below which it is extremely inefficient if not impractical, to say nothing of the effects on reliability and safety associated with extremely low production and launch rates.

At a $250 million funding level there is no way to develop reasonable payload capability without being involved with an unreasonable situation relating to the production of Apollo-type hardware. Under this option, the production problem would be the same as exists for a $350 million fund reduction. Not only would significant delays occur in meeting program objectives, but the cost and risks in attempting to re-initiate production would be very considerable.

There does not appear to be any in-between compromise available at this funding level and a tenable program does not result from any of the alternatives.

REDUCTION OF $150 MILLION

The record of the hearings includes significant amounts of material devoted to detailed plans and designs for AAP missions, including well-defined pieces of hardware such as the ATM and the orbital workshop. The principal degree of concern seems to stem from the fact that we have not assigned specific pieces of hardware to specific missions at a specific point in time. In the first place, the entire pace and schedule of the AAP program depends upon our degree of success with the manned lunar landing. AAP is planned and has been intended to be a "target of opportunity" activity. As hardware becomes available through success in the Apollo program, it will be used to fly AAP experiments which appear to be most productive and essential at the point in time where the assignment is actually made.

The AAP program is currently a balanced program intended to provide substantial benefits for science, space exploration, applications to the man on the street, and extension of manned working capability to operate in space. A $150 million funding reduction will result in a disjointed program and would nullify the benefits achieved from a continuous exploitation of our existing capability. After the initial experiments, a disruption of at least a year would occur due to lack of 1968 funding. This disruption cannot be avoided by additional funding in later years. This situation would compel us to reevaluate the entire program and reduce both scope and attainable objectives drastically.

To rebalance the program requires a reduction in production of basic Apollo hardware for follow-on use by AAP. The production rate is already at the minimum of the economical production rate for this equipment. A further reduction can only result in a waste of talent and funds expended. With such a reduction, most of the remaining expenditure would go into overhead, with a small proportion applied directly to useful output of hardware.

In addition a reduction of $150 million would bring the program face to face with the "lack of payload" problem a year later in the program. If we used the remaining funds available, after supporting reduced production, to concentrate on the earliest missions of our 1968 budget plan we would forfeit the funding leadtime essential to provide meaningful follow-on payloads. These follow-on payloads are heavily oriented toward direct benefits to man in the earth resources and application area. The problems of production phaseout, prolonged storage, reliability degradation, and others discussed above will again arise. This would weaken the entire program structure and would compel us to completely reevaluate and drastically reduce our overall manned space flight objectives.

A hiatus in manned space flight activities immediately following the demonstration of our national manned space flight capability by achievement of the manned lunar landing would result.

The ability to develop continuous operations in orbit about the earth would have to be delayed as would the associated developments in the program for surveys of earth resources, communications applications and weather predictions. Our ability to extend exploration of the lunar surface would be limited to that available with the existing Apollo capability. In other words, our ability to capitalize on the Apollo investment would be critically curtailed and meaningful extensions of our progress would be limited to the first few flights of the Apollo applications program. The ability to carry out a national manned space flight program after Apollo under these conditions is difficult to perceive.

In summary, delays or problems in the Apollo program may require the kind of support that will be available in AAP. For instance, it might be necessary to pull large numbers of AAP people to solve major problems in Apollo or conversely an AAP long-duration mission might prove to be an ideal laboratory in which to examine some problem relating to Apollo, which could well result in acceleration of the AAP schedule. The availability of basic hardware and constructive planning will provide us with the capability to use AAP as a flexible tool to respond to the challenges and opportunities facing manned space flight in the next few years.

It is my purpose to review these figures so that the Members will fully recognize the significance of such actions.

The gentleman from Pennsylvania, in his remarks on the floor and in his dissenting views on the committee report, has made a number of comments regarding the Apollo applications program. I want to review the various points he has expressed, and to clarify them.

In his dissenting views, the gentleman says that AAP is not yet specifically defined. It is defined. During our hearings, NASA presented in great detail plans for each AAP mission. Four flights are described in the 1968–69 time period for science, astronomy—Apollo Telescope Mount—space technology—orbital workshop—and learning to operate in space for long durations—Workshop.

It has been stated by the gentleman that the level of funding for AAP is excessive. On the contrary, the AAP funding is the minimal request which will sustain the Apollo hardware at the minimum rate. Anything less would be extremely uneconomical and would not gainfully employ the personnel required to produce, assemble, and fly the hardware. The President cut the program by $173 million—from $627 million to $454 million—and the committee took out an additional $10 million. This is an austere program—to do less would be to cripple the program.

NASA has presented and Congress has approved over the past several years a production capability for Saturn launch vehicles and Apollo spacecraft of six vehicles per year—Saturn I-B, six vehicles per year—Saturn V.

Congress has approved funds and NASA has built facilities for this capacity—as a deliberately planned national resource, and these facilities are in place.

The Congress has approved the funds and NASA has placed the contracts to fill the pipeline on using these facilities.

This requires long leadtime—the vehicles we fund today will come off the line in 1969 and 1970.

NASA does not necessarily build vehicles at full capacity—the true deliveries are according to program and mission needs.

By years, these deliveries are:

FOR THE SATURN I-B

Up to this year NASA delivered eight Saturn I-B at a rate of four per year.

In fiscal year 1968—they will deliver four and this completes the Saturn I-B vehicles purchased for Apollo.

In 1969 with AAP funds provided this year, NASA is delivering the absolute minimum number of vehicles they can efficiently produce which goes as low as two per year—in this year of austere funding.

Later, the rate of delivery would level off at four per year.

FOR THE SATURN V

Up to this year, NASA has delivered two Saturn V vehicles.

In fiscal year 1968 and fiscal year 1969, they will deliver five per year which is the rate needed to meet the schedule of the Apollo program and the manned lunar landing.

No Saturn V vehicles are being purchased with AAP funds requested this year, but there will be long leadtime items needed for two vehicles to keep the production capability open.

This level of two Saturn V's as in Saturn I-B, is the minimum sustaining production level to maintain our capability.

The cost of a Saturn I-B at the four-per-year rate under Apollo is about $41 million each. At the minimum delivery rate of four per year in AAP we are reducing this cost to $36 million each. At a 2-year rate this would be $43 million each.

The Saturn V unit costs vary similarly. The key point is: vehicle costs on AAP are lower than they were on Apollo if we keep the same average rate of delivery. However, this austere AAP program minimizes the rate such that these savings cannot be realized.

In Saturn V, the average unit cost in the Apollo program is $160 million while reaching peak rates of five per year. The average unit cost in AAP at a rate of four per year is approximately the same—$160 million—since the increased cost because of the lower rate is offset by the reduction in unit cost because of learning. If the average rate of four per year in AAP is reduced to two per year the unit cost would increase from $160 million to $230 million.

Along these same lines, the contention is made that AAP is extravagant in view of the heavy financial burden the country is bearing in Vietnam, the war on poverty, medicare, and so forth. I would like to point out that AAP represents only one-tenth of the NASA budget request. The entire NASA budget represents only about 3½ percent of the total national budget. Furthermore, NASA expenditures represent only six-tenths of 1 percent of the Nation's gross national product. Thus, the AAP budgetary request constitutes only 0.35 percent of the total national budget, and six one-hundredths of 1 percent, or 0.06 percent of the GNP. Let us not imply that the other 99.65 percent of the national budget, and the other 99.94 percent of the GNP do not exist.

With this investment in AAP we will maintain our Nation's space capabilities and provide the Nation with assurance that we will not suffer another sputnik. I do not believe this can be called a burden to the country. On the contrary, new technology developed through our space program means new products, new industries, and new economic growth.

My colleague from Pennsylvania has also stated that the Apollo program will absorb all of NASA's manned space flight energies.

NASA's manned space flight team has already demonstrated its ability to handle multiple programs in Gemini and Apollo.

A research and development program goes through several phases, for example, design, development, test, and operations. All the way to program completion a level of each of the skills used in these phases must be maintained in order to troubleshoot future problems that can occur. For example, we had essentially completed development and test and were ready for the beginning of manned flight operations when the Apollo 204 fire occurred. Where would we be today if we had sent the Apollo design team home when the program has gone into the operations phase?

There is now a significant design effort underway to correct the problems found in Apollo. We must keep these people available. With AAP, they are working on the use of the Apollo equipment and making a contribution rather than being pure overhead waiting for the next emergency. It is not a question of taking people away from Apollo; rather, it is a case of sound and responsible management.

I wonder if the gentleman from Pennsylvania is aware that the $23 billion quoted by NASA to complete Apollo is without a follow-on program? With these people I have described working on AAP, it is expected that the Apollo costs will go down in the future. Through the AAP program, we will still have, as our insurance policy, a team to solve any future problems on Apollo while they are working hard on productive effort in Apollo applications.

It has also been stated that AAP missions have not been determined and that AAP hardware has not been selected. The record of hearings before the committee includes page after page of data devoted to detailed plans and designs for AAP missions, including well-defined pieces of hardware, such as the orbital workshop and the Apollo telescope mount. Members of our committee personally have visited the NASA centers and NASA industrial contractors.

The AAP hardware has been selected. The Saturn launch vehicles will be the boosters used in AAP. The second stage—S-IVB—of a Saturn I will be used for the orbital workshop, after boosting a spacecraft into orbit. The equipment needed to convert this used second stage into a workshop, the docking adapter, and the airlocks have all been defined, and engineering models produced. They are under detailed design, as is the Apollo telescope mount which will utilize a lunar module as its space platform.

NASA witnesses have testified that if everything goes successfully, they would have launch vehicles left over from Apollo that could be used for AAP. Should early success be achieved in Apollo and equipment be made available for AAP—particularly Saturn I—then NASA would be in a position to capitalize on this early success with the attendant savings.

However, every member of the Manned Space Flight Subcommittee is well aware that the manned space flight schedules have always reflected what we call a success schedule.

But we have just taken part in an investigation that should have demonstrated how things can happen that can prevent meeting a success schedule.

The comment has also been made that the AAP cost estimates are speculative, and/or that Apollo hardware will be obsolete by 1970. This is not correct. The AAP cost estimates are not speculative. The reason is that most of the basic hardware is being produced now for use in the Apollo program. These costs are known to NASA. NASA has had a great deal of experience in operations, and the costs are well known.

Furthermore, NASA believes that the Saturn V will be a reliable and useful launch vehicle not only for the 1971-72 period, but for a decade or more after that time. NASA does not foresee that these boosters will be obsolescent by that time period. It might be noted that the President's Science Advisory Committee shares this opinion and has recommended continued production of Saturn V's at the rate of four per year.

Contrary to the Saturn V becoming obsolete, one can see many improvements which would yield long life, including uprating programs—such as adding a Nerva upper stage—which will double its payload capacity and greatly extend its utility.

It has been suggested that NASA is oriented to engineering and manufacturing at the expense of research. While engineering and manufacturing are major functions of NASA's space program, it would be highly misleading to state that research is thereby neglected. In the first place, much of what NASA does is strictly research—the sizable efforts of the Office of Advanced Research and Technology. In the second place, the considerable engineering and manufacturing carried out within the manned space flight program do not preclude a significant research dividend for this Nation. To the contrary, NASA is developing a national capability with the missions it flies, missions which are made possible by the engineering and manufacturing of rockets and spacecraft. This capability is a national resource just as is the knowledge from projects that are only research oriented. It already is being used by our satellite communications corporation and by the Department of Defense in their programs.

It must be obvious that research is required to fly the hardware that establishes the national capability in space. Research is conducted both in developing the hardware components needed to perform specific maneuvers in space, and operational research, learning by doing, is required to develop the actual techniques of these maneuvers.

I wish to clarify one additional point. Figures have been quoted on the cost of the Saturn I-B and Saturn V launch vehicles at different rates of production for various fiscal years. I would like to clarify these figures with the data that we received from NASA during the testimony and data which I have also checked back with NASA to assure that I understood the production situation for these launch vehicles. The figures quoted for the unit cost or the price of uprated Saturn I and Saturn V launch vehicles are correct figures; however, they must be applied to the proper production rates for a given fiscal year. NASA is not planning to have a production rate of two per year for 2 years in fiscal years 1970 and 1971 nor are they planning to have a production rate of four per year for 2 years in fiscal years 1972 and 1973. The production rate in fiscal year 1970 is four per year and the cost of the Saturn V at this production rate in that time period is $164 million each. The production rate drops down to two per year in fiscal year 1971, which is as we have stated here before, the minimum rate with which we can maintain the production capability.

At this two-per-year rate in fiscal year 1971 the Saturn V launch vehicle cost $230 million each. In fiscal year 1972 the Apollo applications planning requires the delivery of three Saturn V launch vehicles at a cost of $184 million each and in fiscal year 1973 the production will level off at 4 per year at a cost of $160 million each.

Now if you total all this information up you will find that the total production cost for the Saturn V launch vehicle for fiscal years 1970, 1971, 1972, and 1973 is $2,308,000,000 as compared to the $2,464,000,000 quoted or $156 million less than the number we heard here on the floor.

The cutback in production from fiscal year 1970 of four per year to a fiscal year 1971 production rate of two per year is a demonstration of realistic planning on the part of the agency in the face of an austere budget year because of the many things mentioned; the Vietnam war and the other civilian programs. It is as we have stated the minimum rate to which the Saturn V launch vehicle can be produced with reasonable deficiency.

I want to state further that the production of the Saturn V launch vehicle at a four-per-year rate has been supported by the President's Science Advisory Committee which has been quoted here on the floor several times.

I would like to make one further point and that is that the mission planning which was presented to the Science and Astronautics Committee in considerable detail has demonstrated the requirement for all the launch vehicles used in the Apollo and the manned lunar landing program as well as those launch vehicles needed to carry out the minimal Apollo applications program which is here under discussion today.

Additionally, I would like to mention that the Apollo applications program was authorized, as a part of the Apollo program, $48 million in fiscal year 1966 and $41.9 million in fiscal year 1967. A total of $89.9 million for the 2 fiscal years.

In addition, the committee authorized funds to the Office of Space Sciences and Applications for use on the manned space sciences experiments.

Now, in presenting the fiscal year 1968 budget the agency is requesting a separate program for Apollo applications and for clarity they adjusted the fiscal years 1966 and 1967 data so that it would be completely clear to us now as well as clear in the future our total commitment to Apollo applications. Therefore they adjusted all the fiscal years 1966 and 1967 authorization data as if the program had always been separated from Apollo. If the funding is viewed from this approach they have not exceeded any authorizations.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman from Illinois.

Mr. RUMSFELD. Mr. Chairman, during the debate on an amendment yesterday, I indicated that I intended to support the amendment which has been offered by the gentleman from Indiana [Mr. ROUDEBUSH]. I congratulate the gentleman on offering the amendment and express my support for it.

Mr. Chairman, I feel that this amendment represents a more reasonable cut in the Apollo applications program than does the Fulton amendment. We can still proceed with responsible programs in the post-Apollo program. This cut in my opinion however represents a proper recognition of the financial condition in which this country finds itself and I am hopeful that the amendment which has been offered by the gentleman from Indiana [Mr. ROUDEBUSH] will be adopted.

Mr. ROUDEBUSH. I thank the gentleman from Illinois for his contribution and for his observation.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman from Illinois.

Mr. ARENDS. What did the other body—the committee of the other body—do with respect to this particular item?

Mr. ROUDEBUSH. They reduced it by a total of $110 million.

Mr. ARENDS. And, Mr. Chairman, if the gentleman will yield further, in other words, the Senate committee of the other body reduced it to $334.7 million?

Mr. ROUDEBUSH. Yes; that is correct.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Chairman, the Senate committee reduced it to the extent of $120 million below the original request. The gentleman from Indiana is proposing to reduce it to the extent of $75 million below the original request, is he not?

Mr. ROUDEBUSH. That is correct.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman from New York.

Mr. WYDLER. Mr. Chairman, it is my opinion that the amendment which has been offered by the gentleman from Indiana is, quite frankly, going to be accepted by the members of the Committee of the Whole House on the State of the Union. It has been discussed with both sides of the aisle here today. However, I support it in the sense, as I stated in general debate, that I think it should be interpreted as an indication to the President of the United States that we in the Congress feel there is something which can be done about excessive Federal expenditures.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. ROUDEBUSH] may proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WYDLER. Mr. Chairman, will the gentleman yield further?

Mr. ROUDEBUSH. I yield further to the gentleman from New York.

Mr. WYDLER. Mr. Chairman, I believe this cut in this Apollo applications program which is now pending before the Committee of the Whole House on the State of the Union, and as it is going to be considered in the other body, should be a clear indication to the President of the United States to the effect that the Congress, or at least many Members of Congress, wish the President to seriously review the manned earth-orbiting programs of the United States of America and, particularly, as to the effect they are going to have upon future space development and programs in our country.

Mr. Chairman, I am talking about the fact that we are proceeding down two roads toward the same objective. In military parlance we call it the MOL program, but in the civilian end of our operations we call it the Apollo applications program.

But no matter what you call it, it is the same program doing essentially the same things for which the American taxpayer is going to have to pay twice and this is something that can only be done by the President of the United States, not by the Congress, to review seriously this road that the country is now going down—these roads, I should say—that this country is now going down, because billions of dollars are going to be wasted on duplication unless something is done at this time.

I would also like to say to the gentleman that it seems to me that we should use in the manned earth-orbital programs of our Nation the best equipment we have, and the best equipment we have is going to be the Saturn V equipment. I seriously question the use of uprated Saturn I rockets, and certainly question the use of Gemini rockets in the 1970's to get significant experiments performed in earth orbiting. I hope that will be the result of the action of the House today.

Finally, Mr. Chairman, if the gentleman will yield further, it seems to me that the debate on this issue has indicated that the Congress, as we are now sitting here today considering this bill, does not have the necessary updated information about what is planned for this Apollo applications program. The information the gentleman from Pennsylvania has come up with, which came from the mouth of the Administrator of NASA, is different from the information on which we are proceeding to consider this program today.

I certainly hope the Committee on Appropriations will get the Administrator of NASA up before they vote on this matter, and get the updated information on exactly what is planned in this program so that the House might act more intelligently when it considers that appropriation.

Mr. ROUDEBUSH. I certainly thank the gentleman for his observations, and say at this time that I share in his concern the duplication of the orbital-type laboratory he has mentioned during his remarks, and I do hope as a result of this action of the House that a new look and a hard look is taken concerning this particular item.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman.

Mr. JONAS. Mr. Chairman, I would say in answer to that observation that the subcommittee of the Committee on Appropriations which has jurisdiction over this subject has already completed its hearings. We have been waiting to mark up the bill pending the completion of this authorizing legislation.

I do not know whether it would be possible to have extended hearings or not, but I certainly will recommend to the chairman of the subcommittee that we do go into this question, because it is quite obvious there is a lot of confusion and differing opinions as to what amount of funds actually are required.

Mr. Chairman, I would say one other thing, and that is I am disappointed that the House is today losing its reputation as the "economy branch" of the Congress. After today we can no longer point the finger at the other body for increasing spending programs in authorizations made here, because the other body reduced this item by $120 million, and if the amendment of the gentleman in the well [Mr. ROUDEBUSH] is adopted, that reduction will be merely $75 million.

I would think we at least could have reduced this item as much as the other body reduced it.

Mr. ROUDEBUSH. Mr. Chairman, if I may interrupt the gentleman, I would say I think we are acting in a very responsible manner if we adopt this amendment.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my amendment involved a cut of $250 million. I have been around the House a mighty long time, and I can see that the House will not make that much of a cut at this time. However, I must say that we workers in the vineyards of economy are pleased that the gentleman from Indiana [Mr. ROUDEBUSH] has come up with a cut of $75 million, that looks like it will be accepted by the House.

Now, the House would not go along with the full $1 billion that the gentleman from Iowa [Mr. GROSS] wanted.

Nevertheless, it appears that we will act on a cut of from $65 to $75 million.

My point is this: It is going to be mighty hard to go home and say to the folks at home, if you are talking to a farmer, that we cut $250,516,000 from the Agriculture appropriations, $791 million from housing, and also, for example, on the Treasury and Post Office—tell that to your postman—we cut $59 million. We cut $148 million from the State, Justice and the Judiciary requests. I refer you to the following summary of appropriation actions to date:

Summary of action on budget estimates of "appropriations" in appropriation bills, 90th Cong., 1st sess., as of June 14, 1967

[Does not include any "back door" type appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Budget estimates considered by House	Passed House	Budget estimates considered by Senate	Passed Senate	Enacted	(+) or (−), latest action compared to budget
Bills for fiscal 1968:						
Treasury-Post Office	$7,613,787,000	$7,499,230,000	$7,615,148,000	$7,555,167,000		−$59,981,000
District of Columbia:						
Federal payments	63,499,000	59,499,000				−4,000,000
Federal loan appropriation	49,600,000	48,100,000				−1,500,000
Interior	1,443,793,000	1,365,310,150	1,458,218,000	1,399,359,550	$1,382,848,350	−75,369,650
Loan and contract authorizations	(30,700,000)	(16,200,000)	(30,700,000)	(16,200,000)	(16,200,000)	(−14,500,000)
Independent Offices-HUD	[2,3] 10,804,642,700	[2,3] 10,013,178,782				−791,463,918
Contract authorization	(40,000,000)					(−40,000,000)
Labor-HEW	[3] 13,322,603,000	[3] 13,137,488,000				−185,115,000
State, Justice, Commerce, and judiciary	[3] 2,232,942,000	[3] 2,194,026,500				−148,915,500
Legislative	231,311,132	228,089,952				−3,221,180
Agriculture	[3] 5,021,097,400	[3] 4,770,580,950				−250,516,450
Loan authorization	(859,600,000)	(859,600,000)				
Defense	71,584,000,000	70,295,200,000				−1,288,800,000
Public works	[4] (4,867,813,000)					
Military construction	[4] (2,937,000,000)					
Foreign assistance	[4] (3,818,736,000)					
Transportation	[4] (1,718,618,772)					
Supplemental (NASA, poverty, other deferred items; usual supplementals)	([4,5])					
Subtotal, 1968 bills	112,477,275,232	109,610,703,334	9,073,366,000	8,954,526,550	1,382,848,350	−2,808,882,698
Supplementals for fiscal 1967:						
Defense supplemental (Vietnam)	12,275,870,000	12,196,520,000	12,275,870,000	12,196,520,000	12,196,520,000	−79,350,000
2d supplemental	2,134,932,833	2,041,826,133	2,257,604,652	2,260,246,933	2,197,931,417	−59,673,235
Subtotal, 1967 bills	14,410,802,833	14,238,346,133	14,533,474,652	14,456,766,933	14,394,451,417	−139,023,235
Cumulative "appropriation" totals for the session:						
House	126,888,078,065	123,849,049,467				−3,039,028,598
Senate			23,606,840,652	23,411,293,483		−195,547,169
Enacted			15,991,692,652		15,777,299,767	−214,392,885

We city people should also tell the labor people that we cut $185 million from their area of interest but that we cannot do it for space—not for the moon program. Even for work scheduled for the years 1971, 1972 and 1973, we cannot cut.

Now that certainly is something.

My other point is that—on the basis of testimony, regarding the small Saturn—the uprated Saturn I. NASA has ordered 12 of these vehicles and they are on the line now. There are seven more to be ordered for the Apollo applications programs after the moon flight. That means there are going to be five left over from the Apollo program and seven more making 12 surplus vehicles on the shelf.

On the big Saturn V, that is, the 15 booster program, NASA is ordering two more and they expect to get men to the moon on either Saturn V, No. 7, 8, or 9. Even if the moon shot goes on No. 10 or 11 you still have four or five vehicles left over.

So we will quite possibly have as many as seven Saturn V's left over on the shelf. All I am really saying to you is that since these vehicles cost $160 million to $230 million apiece, why, in a war, should we buy them now? Why should we end up with all this surplus and old-fashioned equipment? I would rather emphasize research and development in NASA, and stop buying all this hardware now. We should upgrade our boosters for the future as we go along. This AAP proposal ties us down to old-fashioned equipment.

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[1] Permanent "appropriations" were tentatively estimated in January budget at about $15,212,066,000 for fiscal year 1968. (All forms of permanent "new obligational authority" for 1968 were tentatively estimated in the January budget at $17,452,899,000.)

[2] Includes advance funding for fiscal 1969 for urban renewal and mass transit grants (budget, $980,000,000; House bill, $925,000,000).

[3] And participation sales authorizations as follows: Independent Offices-HUD, $3,235,000,000 in budget estimates and $881,000,000 in House bill; Labor-HEW, $115,000,000 in budget estimates and House bill; State, Justice, Commerce, and Judiciary, $150,000,000 in budget estimates and House bill; Agriculture, $800,000,000 in budget estimates and House bill. Total authorizations requested in budget, $4,300,000,000; total in House bills, $1,946,000,000.

[4] These are the amounts presently pending consideration in the committee.

[5] Several billion.

Let me show you how rapidly NASA changes its positions. Last Thursday at a meeting with three of the professional people from our committee and myself and one man from my office, NASA's Administrator and top officials came up with a new schedule of Saturn production which our committee had never heard of.

In 1970, they are going to produce 6 Saturn V's. In 1971 and 1972, NASA plans to make two per year.

In 1973 they are going back to producing four Saturns per year. I can show you that that plan will cost between $400 million and $500 million in waste as the result of poor scheduling. When I say it is going to cost $400 million or $500 million worth of waste on scheduling, it is on the basis of their own figures. And NASA only gave me the final figures the day before yesterday at 4 o'clock in the afternoon.

It is going to cost $163 million per Saturn V vehicle if you make Saturn V's at six a year; $193 million each, if you make them at four a year; and $230 million each if you make them at two a year.

So the total cost of the six-per-year rate for 2 years would be $1,956,000,000. But if you change the schedule, as the Administrator of NASA has informed me, to go down from six per year to two per year for 2 years and then four per year for 2 years, it will cost $2,464,000,000 which is $500 million of waste because of this scheduling.

I was with the aircraft scheduling office of the U.S. Navy in World War II with the original Bureau of Aeronautics. I was one of the Navy representatives scheduling planes for the Army, Air Force, and the Navy and for the British when we were making 50,000 planes per year. I have been involved in space matters since the Select Committee was formed in 1957. I have been on the Committee of Science and Astronautics under the able leadership of the gentleman from California [Mr. MILLER].

But let me tell you. This House unanimously approved my amendment to cut Apollo by $25 million.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DADDARIO. Mr. Chairman, it is important that several aspects of the Apollo applications program be clarified. The early Apollo applications missions, including the orbital workshop, provided an early capability for a large controlled environment to evaluate human performance and secure engineering data for future subsystem design for both manned and unmanned spacecraft.

Our large expenditures to date in the Apollo program have provided the experience and hardware on which the Apollo applications is the logical extension of this experience so that we will be able to proceed in an orderly way to utilize this base of experience that had been developed. It has been stated that three to seven Saturn IB's and five to six Saturn V's will be left over from the Apollo program and can be used for Apollo applications rather than ordering new hardware. I wish to point out that the statement by NASA witnesses before the committee was that if everything is successful they would have launch vehicles left from Apollo that could be used for the Apollo applications program. Every member on the Manned Space Flight Subcommittee is aware that the manned space flight schedules have always reflected what we call a success schedule. In fact, the committee has always carefully ruled out any contingency funds to assure that NASA went the most direct route in meeting the manned lunar landing goal. But we have just taken part in an investigation that should have demonstrated how things can happen that can prevent meeting a success schedule, for example, the Apollo 204 accident.

Further the contention is made that if we order more boosters now, and Apollo is a success, we will have them sitting on the shelf, and we will be faced with the expensive and unreasonable task of finding missions for them.

It is important to recognize that the boosters being ordered are the minimum which can be produced within the minimum sustaining level of funding required to maintain the capability to produce Saturn V at all. If we were to delete the two vehicles per year being produced immediately after Apollo, the same amount of funding would be required simply to preserve the option to resume production at some later date.

It has also been stated that if there are no Saturn launch vehicles left over from the Apollo initial order of 12 and 15, they are unsafe and we should get something new.

Reliable launch vehicle hardware is only one of the many essential ingredients of mission success. Spacecraft, launch operations, mission control, and astronaut performance are all vital elements necessary for the success of a mission. Therefore it is possible that all 15 Saturn V's and 12 uprated I's could perform satisfactorily without achieving the actual manned lunar landing until the last possible mission. It should also be noted that the uprated Saturn I has a perfect record of 3 flights to date and its predecessor, the Saturn I, had a perfect 10-for-10 record.

Several of the views of the President's Science Advisory Committee on post-Apollo work have been quoted on this floor. Among them was the question of modifying Apollo hardware as opposed to using the Titan III manned orbital laboratory system for biomedical studies of man for periods of up to 60 days.

As my distinguished colleague the gentleman from Pennsylvania [Mr. FULTON] commented in his remarks on June 22, 1967, the first manned orbital lunar flight is not expected until mid-1970 or later. If NASA were to wait for the results of such a flight before modifying Apollo hardware for long-duration flight, the Apollo applications program would not be initiated until 5 or 6 years from now. Such a hiatus could result in the erosion and disintegration of the manned spaceflight team.

My colleague from Pennsylvania has also stated that if in the period of 1971 to 1972 we need additional boosters because the Saturn V has not proved reliable that they should be of the solid fuel type.

NASA has no immediate plans for utilizing a large first stage solid motor launch vehicle. It has not designed or built launch facilities for such a vehicle. It has no current approved program for man rating a solid motor launch vehicle. Under these circumstances it would be surprising considering the current funding level, that a solid motor launch vehicle would be capable of orbiting a man in 1971 or 1972.

At several times on this floor it has been stated that the Apollo applications program is not yet specifically defined. For those who have stated this view I direct their attention to pages 255 through 300 of part II of the committee hearings on the fiscal year 1968 NASA authorization. Within these pages the program is defined in detail.

NASA presented in great detail plans for each Apollo applications program flight in our hearings. Four flights are described in the 1968-69 period for science, astronomy—astronomical telescope mount; space technology—workshop; and learning to operate in space for long duration—workshop.

For example, the astronomical telescope for the Apollo applications will make two principal contributions:

First, variations of the sun are the major cause of environmental changes to the earth. Further knowledge of how these environmental changes occur could permit man to control them for his own benefit or learn to better adapt and make use of them.

Second, the sun is a valuable astrophysical laboratory which may be viewed by scientists of many disciplines and is considered a virtually untapped reservoir of new and different facets for exploration in extending the knowledge of the respective scientific fields. The effect of the sun on the environment of our planet is especially important since the sun's energy ultimately impacts on every living organism, including all plant and animal life. Evolutionary effects may certainly be said to be tied up with this environment. The effects of the sun's environment on agriculture are obvious. The field of meteorology is intimately concerned with the study of solar physics as a means of predicting and possibly even controlling the earth's weather. Communications are also involved because of the sun's effect on the earth's ionosphere with subsequent disturbing "blackouts" of worldwide radio nets.

Comments have also been made that the funding level for the Apollo applications program is excessive.

The Apollo applications program funding is a minimal request which will sustain the Apollo hardware at the minimum rate. Anything less is extremely uneconomical and does not gainfully employ the personnel required to produce, assemble, and fly the hardware. The President cut the program—from $627 to $454 million—by $173 million and the committee took out an additional $10 million. This is an austere program—and additional cuts by this committee will only contribute to guaranteeing less success than we are capable of achieving.

The program represents only one-tenth of the NASA budget request. In terms of the gross national product, NASA represents only six one-hundreths of that measure. With this relatively modest investment we are maintaining a capability and providing the Nation with assurance that there will not be another situation like sputnik. The technology from the space program is providing the impetus to industry that will make use of those trained under the various Government training programs. The technology from the space program has already changed the complexion of hospital facilities which will increase the efficiency for the care of those under medicare as well as all others. The increase in educational stimulus has been seen over and over again. Is education not a key to curing poverty? I do not believe this can be called a burden to the country. New technology like that developed in the space program means new products, new industry, and economic growth.

The Apollo program is the main focus and objective of the Office of Manned Space Flight. Because of this some have said that it is not possible for NASA to carry on an Apollo applications program since all of the energies of the Office of Manned Space Flight will be absorbed in Apollo.

NASA's manned space flight team have demonstrated the capability of handling multiple programs in Gemini and Apollo. It does not follow that you need two teams for two projects. Most of the skills and capabilities can be doubly employed.

A research and development program goes through several phases, for example, design, development, test, and operations. All the way through to program completion a level of each of the skills used in these phases must be maintained in order to troubleshoot future problems that can occur. We had essentially completed development and test and were ready for the beginning of manned flight operations when the AS-204 fire occurred. Where would we be today if we had sent home the Apollo design team when the program had gone into the operation phase?

There is now a significant design effort underway to correct the problems found in Apollo. We must keep these people available. With Apollo applications program they are working on the use of the Apollo equipment and making a contribution rather than being pure overhead waiting for the next emergency. It is not a question of taking people away from Apollo, it is a case of sound and responsible management. I wonder if the gentlemen are aware that the $23 billion quoted by NASA to complete Apollo is without a follow-on program. With these people I have described working on the Apollo applications program it is expected that the Apollo cost will go down in the future. Through the Apollo applications program we will still have our insurance policy of a team to solve any future problems on Apollo while they are working hard on productive effort in Apollo applications.

Again I must return to the point that Apollo applications program missions have been determined and that Apollo hardware has been selected.

The record of the hearings before the committee includes page after page of data devoted to detailed plans and designs for Apollo applications program missions, including well-defined pieces of hardware such as the Apollo telescope mount and the orbital workshop. Members of our committee personally saw and walked in and around full scale engineering models of the workshop and the Apollo telescope mount both at the NASA centers and at NASA industrial contractors. Every member had the opportunity to see and feel this equipment and to ask any question he desired regarding definition, missions, or anything else.

Apollo applications program hardware has been selected. The Saturn launch vehicles will be the boosters used in the Apollo applications program. The second stage—S-IVB—of a Saturn I will be used for the orbital workshop after boosting a spacecraft into orbit. The equipment needed to convert the used second stage into a workshop, the docking adaptor and airlock have been defined and engineering models produced. They are under detailed design as is the Apollo telescope mount which will utilize a lunar module as its space platform.

It is important to note that the Apollo applications program as presented in this budget is not dependent upon transfer of Apollo hardware. This budget provides the launch vehicles, spacecraft, and experiments for a balanced program with flights beginning in 1969.

However, should early success be achieved in Apollo development and equipment is made available for Apollo applications program—particularly the Saturn IB—then NASA is in a position to capitalize on this early success with the attendant savings. This is accomplished by early provision of Apollo applications program payloads and experiments that could fly on vehicles and spacecraft being procured in this budget or obtained from Apollo.

As some have contended, Apollo applications program cost estimates are speculative. They are probably going to prove more accurate, for a new research and development program, than has been the experience of the Government in estimates of research and development programs in the past. The reason is that most of the basic hardware is being produced now for use in the Apollo program. These costs are known to NASA. NASA has had a great deal of experience in operations and then costs are also known.

A basic premise of the Apollo applications program is the use of standard hardware. The basic Apollo hardware has the designed flexibility for uses on Apollo applications program missions while also being the standardized equipment for Apollo missions. Similarly, Apollo hardware has other uses on future unmanned programs such as Voyager. The National Aeronautics and Space Administration, in the design of Saturn/Apollo hardware for the manned lunar landing program has repeatedly over the years stated that the only piece of equipment specifically designed for a lunar landing is the lunar module. The booster, upper stages, command module, and service module are standardized elements designed for long term space use.

And even the lunar module, in a modified form, serves as a basic component for the Apollo applications program as the space module for the Apollo applications program astronomy experiments.

It has been stated that the manned orbiting laboratory program with the Department of Defense should be transferred to NASA. It has also been stated here many times that this program is specifically designed to determine the military requirements for a man in space. The program by its very nature prohibits the dissemination of much of the data that will be gained through manned orbiting laboratory flights. Furthermore, the manned orbiting laboratory is using considerable amounts of the technology already developed by NASA. The NASA program carrying out the role of the space agency is moving forward in new areas of manned space flight research which will ultimately benefit the military program. This is completely consistent with the predecessor organization to NASA—the National Advisory Committee on Aeronautics—and the charter that the Congress has provided to NASA through the Space Act of 1958.

I would like to conclude with two comments—the first refers to the statements that have been made that NASA is using critical skills needed elsewhere in our economy, and secondly, that NASA is a manufacturing rather than a research organization.

NASA is not directly competitive for critical skills that are general in nature, that is, skills readily transferable to Vietnam, other defense areas, and business. NASA has developed special skills as a deliberate measure over the past 7 or 8 years that give this Nation a new capability for exploiting space.

It does not follow that space scientists, engineers, astronauts, or administrators would be effective in other fields even if they chose to relocate. Certainly a NASA doctor, expert in the medical aspects of weightlessness could work on cancer research—but great training is still necessary. The opposite case is equally true.

A nation as strong as ours can and will be capable of performing a vital and aggressive program in space at the same time it takes care of the needs of international strife and the wants of our more unfortunate citizens.

I need not remind the Congress that significant portion of the NASA budget is allocated to the Office of Advanced

Research and Technology for research.

NASA does, to be sure, manage a broad program of engineering, manufacturing and testing of spacecraft and vehicles. But this is precisely what the Congress has passed legislation to accomplish a mission of NASA is to develop and create a national capability for whatever use this Nation chooses to pursue. Already NASA rockets and spacecraft techniques are being used commercially by the Comsat Corp. NASA-developed Gemini spacecraft are being used by the Department of Defense for the manned orbiting laboratory.

But the fact these and future capabilities were developed as part of the NASA space research does not mean research proper is being neglected. On the contrary, research is stimulated by "doing"—by specific applications. For example, the achievement of working fuel cell; or reliable small rocket thrusters; of precision reentry guidance technique; of rendezvous and docking know-how was all part of the "research" inherent in the Gemini program—where giant steps in technology were made by "doing."

The NASA program which your committee has brought to the floor of this House is a well-balanced, orderly, and well-placed program of space research and utilitarian application. Whatever action we take today can only serve to support an Apollo applications program at a reduced level.

The CHAIRMAN. For what purpose does the gentleman from California [Mr. Miller] rise?

Mr. MILLER of California. Mr. Chairman, we have been through this for quite some time. We debated this for 3 hours yesterday and I want to see if we cannot get on with this and get our work done. Therefore, Mr. Chairman, I ask unanimous consent that all debate on this amendment, and all amendments thereto, do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. RUMSFELD. Mr. Chairman, I object.

Mr. BINGHAM. Mr. Chairman, I object.

Mr. MILLER of California. Mr. Chairman, I move that all debate on the pending amendment, and all amendments thereto, do now close.

The CHAIRMAN. The question is on the motion offered by the gentleman from California [Mr. Miller].

The question was taken; and on a division (demanded by Mr. Fulton of Pennsylvania), there were—ayes 40, noes 46.

So the motion was rejected.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Bingham].

Mr. BINGHAM. Mr. Chairman, I have been very much impressed with the statements made and the arguments put forward by the gentleman from Pennsylvania [Mr. Fulton]. I support his amendment and I oppose the amendment to the amendment.

In these times, when the demands of the Vietnam conflict are so huge, and the needs of our domestic programs are so acute, we simply must try to cut back somewhere. The gentleman from Pennsylvania has convincingly explained that the cut he proposes would not adversely affect the long-term progress of the space program.

If the gentleman from Pennsylvania would like me to yield time to him, I shall be glad to yield.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I wish to thank the gentleman for his support. Those of us who are economy minded do not desire to hurt this program. Last May the debate on this subject came up and I wanted to cut $61 million from the program in 1966. Everyone who was opposed to my amendment said that it would destroy the program. However, the Bureau of the Budget in October 1966 set $60 million as a cut, and the President in his message in February set $60 million. So the Democratic administration accepted my amendment. We are not trying to hurt the program. So you are correct in saying it is for economy. It will make for tighter administration. I congratulate you on your economy stand.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Chairman, I regret that there is a limitation on debate. The pending amendment is a far different amendment than the one we debated yesterday. This amendment would substantially reduce the Fulton amendment. The Fulton amendment, which requires a $250 million cut in this $444.7 million Apollo applications program, is a sound and reasonable amendment and one which in the long run will have a very beneficial effect on NASA, for it will make clear to NASA that Congress is exercising the kind of control which is necessary if a repetition of the Apollo disaster, which took place last January, is to be prevented.

The hearings on the Apollo disaster made clear that NASA itself has not exercised proper control and supervision over its contractors, and that NASA itself—and I think it has been a failure on our part—has not been supervised sufficiently by the Congress. The Phillips report of December 16, 1965, showed the program was out of control. The Apollo Review Board report 16 months later—April 1967—showed that serious—and inexcusable deficiencies persisted.

Yesterday I discussed the lack of justifications for full funding of Apollo applications in my additional views, which appear in the committee report No. 338. I proposed a contingent authorization of $222.35 million pending submission by NASA of specific cost-benefit analysis.

The amendment offered by the gentleman from Indiana [Mr. Roudebush] to reduce the program by $65 million has obviously been concocted overnight to head off the Fulton amendment or the amendment I would offer if the Fulton amendment fails.

I urge the defeat of the Roudebush amendment, so that the amendment offered by the gentleman from Pennsylvania [Mr. Fulton] can be voted upon and, hopefully, adopted.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I wish to congratulate the gentleman from New York [Mr. Ryan] for his excellent work in the investigation of the fire disaster in the Apollo AS-204 program that killed the three astronauts. You were diligent in following up the matter, and regardless of party, I think you made a real impression, and not only on our committee but also on the country.

The second thing is that the gentleman from New York [Mr. Ryan] himself proposed an amendment of about $222 million. I congratulate the gentleman from New York [Mr. Ryan] too on the work he has done in the cause of economy, because very few of us who try to make these cuts are appreciated. It is surprising how $5 billion worth of contracts a year can be spread around the country and how it does have an effect. If we are cutting, they are always coming back, saying that the cuts should not be made in this particular place. My congratulations to the gentleman from New York [Mr. Ryan] for his work on the floor and for his stand on economy.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. Jonas].

Mr. JONAS. Mr. Chairman, all of the arguments that a reasonable cut in this bill will destroy the program remind me of a comment made by a high-ranking NASA official who testified once before the Appropriations Subcommittee that if we cut the appropriations bill by over 5 cents it would result in costing the taxpayers a billion extra dollars and stretch the program out for a year.

I just do not buy that kind of calamity talk, and I do not buy the calamity talk here on the floor that if we make a reasonable cut in this bill it will destroy the entire program.

My understanding is that the cut proposed by the gentleman from Pennsylvania would leave $195 million remaining in the appropriations program. That is still a substantial sum of money in my part of the country. I would like to ask the gentleman from Pennsylvania if he would expand on his argument about improper scheduling and how he thinks economies would result from rescheduling the Saturn V's.

Mr. FULTON of Pennsylvania. If we build 12 Saturn V's at the rate of six per year, the current production rate, the cost is $1,956,000,000. If we take the same 12 Saturns in 1970 and 1971, and 1972 and 1973, and build four at the rate of two a year, and then build eight at the rate of four per year for 2 years, the cost will be $2,464,000,000, in NASA's own figures. So we can see that there is $500 million waste in scheduling by NASA on its most recent schedule.

I hope I can get a chance to appear before the House Appropriations Committee and show this, because if NASA will give me some computers, we can go there and show them how to schedule better. I hate to say this from the House floor, but our committee really should get into this problem of scheduling more deeply.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I yield back my time.

Mr. RYAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RYAN. Mr. Chairman, if the amendment of the gentleman from Indiana [Mr. ROUDEBUSH] is adopted, will the House have an opportunity to vote on the amendment of the gentleman from Pennsylvania [Mr. FULTON]?

The CHAIRMAN. The Chair will state, in response to the parliamentary inquiry, that if the amendment of the gentleman from Indiana to the amendment of the gentleman from Pennsylvania is adopted, the vote will then recur on the amendment of the gentleman from Pennsylvania as amended by the amendment of the gentleman from Indiana.

Mr. RYAN. So that the $250 million cut will not actually be before the House?

The CHAIRMAN. The Chair will answer that question when the time will come. The Chair has stated what the parliamentary situation is.

Mr. RYAN. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RYAN. Mr. Chairman, if the amendment offered by the gentleman from Indiana is adopted as a substitute for the amendment offered by the gentleman from Pennsylvania [Mr. FULTON], would it then be in order for me to offer an amendment to make Apollo applications, page 2, line 1, read "$222,350,000"?

The CHAIRMAN. The Chair will state to the gentleman from New York that the answer to his question is, No, because the language of the amendment which the gentleman would propose today would supplant the language adopted by the House in adopting the amendment of the gentleman from Pennsylvania [Mr. FULTON].

Mr. RYAN. I thank the Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ROUDEBUSH] to the amendment offered by the gentleman from Pennsylvania [Mr. FULTON].

The question was taken and the Chairman announced that the noes appeared to have it.

Mr. MILLER of California. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROUDEBUSH and Mr. MILLER of California.

The CHAIRMAN. Those in favor of the amendment offered by the gentleman from Indiana [Mr. ROUDEBUSH] to the amendment offered by the gentleman from Pennsylvania [Mr. FULTON] will pass through the tellers.

Mr. WAGGONNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The Committee is in the process of voting, and no parliamentary inquiry can be made at this time.

Mr. RUMSFELD. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. RUMSFELD. Is it not correct that there should be a teller in favor of the amendment and a teller in opposition?

The CHAIRMAN. The gentleman from Illinois has asked a question rather than making a point of order.

Mr. FULTON of Pennsylvania. I am here. I am against the amendment.

Mr. WAGGONNER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WAGGONNER. Is it not necessary, under the rules of the House, in the instance of a teller vote, that the Chair name one Member as a teller who supports the amendment?

The CHAIRMAN. The Chair will state that the gentleman from Louisiana has not made a point of order, but rather has asked a question. The Chair designated as tellers the gentleman from Indiana [Mr. ROUDEBUSH], the author of the amendment, and the gentleman from California [Mr. MILLER]. No point was raised until the vote had begun to be taken.

The vote will proceed.

The Committee divided, and the tellers reported that there were—ayes 110, noes 83.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now occurs on the amendment offered by the gentleman from Pennsylvania [Mr. FULTON], as amended by the amendment offered by the gentleman from Indiana [Mr. ROUDEBUSH].

The amendment as amended was agreed to.

AMENDMENT OFFERED BY MR. HARDY

Mr. HARDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARDY to H.R. 10340, as reported: On page 5, after line 22, insert the following:

"(h) After January 1, 1968, no support service contract in the amount of $100,000 or more shall be awarded, renewed or extended unless—

"(1) A study has been made showing the relative cost of obtaining the services through contract and through direct hire employees, using cost criteria established by the Bureau of the Budget; and

"(2) The Administrator has made a written determination—(i) that the cost of obtaining the services through contract is not greater than the cost of obtaining such services through direct hire employees, or (ii) that the success of the program of the National Aeronautics and Space Administration requires the use of the service contract procedure rather than the direct hire of employees, stating in detail the reasons for such determination.

"The Administrator shall maintain a central file of the determinations made pursuant to clause (2) of this subsection and shall make them available upon request to the Senate and the House of Representatives, and to the committees thereof. Nothing in this subsection shall be construed as authorizing the Administrator to enter into support service contracts that are not otherwise authorized by law. As used in this subsection the term 'support service contract' does not include contracts for the production of commercial and industrial products or for the construction of facilities."

Mr. MILLER of California. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to the present bill.

The CHAIRMAN. The gentleman from California makes a point of order against the amendment on the ground of nongermaneness.

Does the gentleman from Virginia [Mr. HARDY] wish to be heard on the point of order?

Mr. HARDY. I do, Mr. Chairman.

Mr. Chairman, I do not see how it could fail to be germane to the bill. The bill provides authorizations for NASA's operations, and this amendment would simply require that on their service contracts—and the bill provides for service contracts—this amendment would be a limitation upon the manner in which they could engage in service contracts.

The CHAIRMAN. Does the gentleman from California [Mr. MILLER] desire to be heard on the point of order?

Mr. MILLER of California. Mr. Chairman, I desire to be heard.

Mr. Chairman, it is my conviction—and I believe that this is general legislation on this authorization bill—and that such amendment should be either in the Space Act itself authorizing NASA, or it should be contained in general legislation.

Mr. Chairman, I am sympathetic with what the gentleman from Virginia is trying to do. However, I do not like to see NASA, of all the Federal agencies involved, singled out to be subjected to the provisions of the proposed amendment. I feel that it is, therefore, not germane to this bill.

The CHAIRMAN (Mr. FLYNT). The Chair is prepared to rule.

The gentleman from California [Mr. MILLER] has raised a point of order against the amendment offered by the gentleman from Virginia [Mr. HARDY].

It appears to the Chair that the amendment offered by the gentleman from Virginia [Mr. HARDY] relates to contracts under the terms of the authorization bill now under consideration.

The Chair is constrained to rule that the amendment is germane, and overrules the point of order made by the gentleman from California.

The gentleman from Virginia [Mr. HARDY] is recognized for 5 minutes.

Mr. HARDY. I thank the Chairman.

Mr. Chairman, I had hoped that the gentleman from California [Mr. MILLER] was going to accept the amendment, rather than making a point of order against it. As a matter of fact, I feel that he should accept this amendment.

Mr. Chairman, this amendment would add language to section 1 of the bill to require the National Aeronautics and Space Administration, and particularly its Administrator, to give careful consideration to relative costs before entering into support service contracts.

The amendment would not prohibit such contracts, but it would require that they be carefully thought out. The amendment would require NASA, beginning January 1, 1968, to make a comparative cost study in connection with each such contract and would require the Administrator, before the contract is signed, to make a written determination either: First, that it will not cost the Government more to contract for the service than to use its own employees; or second, that the success of the NASA program requires the use of the contract approach. Copies of the determinations would have to be maintained in a central file and made available to Congress and its committees on request.

Mr. Chairman, the extensive use of support service contracts throughout the Government is costing the taxpayers of this country untold millions in extra and unnecessary costs. These contracts cover a wide range of Government activities that can and should be handled by Government employees.

They render personnel ceilings and all figures on the number of Federal employees meaningless.

In the case of NASA, support service contracts are used to provide for all types of personnel services from the operation of warehouses and the furnishing of guards and janitorial services to the hiring of engineers, technicians, nurses, and doctors.

In some situations, NASA's support service contracts may be justified but I am convinced that in a great many cases they are used as a very costly means of avoiding personnel ceilings and escaping responsibility. Just last week, on June 21, the Comptroller General testified before the Government Operations Committee that the General Accounting Office had studied nine NASA service contracts and found that the taxpayers would be saved $5.3 million a year if the services covered by those contracts were performed by Government employees. The contracts involved a total of about $44 million a year, so the savings would amount to about 12 percent.

In the last 2 years the number of contract employees at NASA centers has increased almost 50 percent—from 16,800 employees to 24,900. During the same period NASA's civil service personnel ceiling has increased by only 1,100 or from 33,200 employees to 34,300. In other words, contractor personnel make up about 42 percent of the work force at NASA centers.

The Chairman of the Civil Service Commission questioned the legality of a number of NASA's contracts. He pointed out to the committee that these contracts often add excessive layers of supervision and unnecessary contract costs to an already highly expensive program.

Our study has covered only nine out of several hundred NASA contracts, but there are strong indications that the same pattern applies throughout. The agency has made only a few post audit cost studies and even then has ignored their results. The NASA officials who testified before the committee seemed indifferent to the problem, and little concerned with cutting down unnecessary expenses. They testified that NASA had never made a cost study before entering into a service contract.

The amendment I have proposed will not prevent NASA from using service contracts where they are necessary or where they will not add to costs. It would, however, require the agency to look into comparative costs and be ready to tell Congress when and why it is selecting the higher cost approach.

At one time NASA was expanding its programs at a terrific rate and probably found it both helpful and expedient to employ a profusion of contractors. But, as Comptroller General Staats has pointed out, NASA's operations have become relatively stable. Some of the costly procedures adopted during the crash phase of its programs should be reexamined and where no longer required, should be weeded out. This amendment would be a big step in the right direction. It may not be a total answer to the problems, but at least it is a start.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FULTON of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 4 additional minutes.

Mr. HARDY. Mr. Chairman, I have only one more statement to make.

Mr. FULTON of Pennsylvania. Mr. Chairman, then I change the unanimous-consent request to be that the gentleman be allowed to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the reqeust of the gentleman from Pennsylvania [Mr. FULTON].

Mr. TEAGUE of Texas. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. HARDY. Mr. Chairman, just let me express the hope that the committee will go ahead and accept this amendment. It is a good amendment, and it should be in the bill.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, what the gentleman is saying is correct about the NASA management being loose on contracts, because when the Apollo 204 fire took place NASA was able to say that by tighter management control we could save $50 million on the Apollo program alone, simply by more careful management, according to Mr. Webb. So that I favor the amendment, and think it is a good point.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman.

Mr. HARDY. Mr. Chairman, I think there is no doubt about the fact that a tremendous amount of money can be saved by more prudent operation on contracts by NASA, which it finds necessary to enter into. Unless they make these analyses before they enter into contracts they cannot have any notion of what the relative cost is going to be, and if we could save 12 percent on $44 million worth of contracts, just think what could be saved if this were applied throughout the entire contracting procedures.

Mr. FULTON of Pennsylvania. Mr. Chairman, one further point is this: I had asked NASA why they do not estimate their contracts on a cost-benefit ratio basis, and NASA said they had no procedure whatsoever to assess contracts for the performance on a cost-benefit ratio basis.

Mr. Chairman, I believe this amendment does move in this necessary direction to tighten control of the management of NASA, so I favor it.

Mr. HARDY. Mr. Chairman, if the gentleman will yield for one more moment, I think actually this is not going to cause any problem. I think it is right, and it needs to be done now.

NASA needs to be required to make these cost studies.

Other agencies perhaps should also, and as a matter of fact I think some of the others do. The Committee on Government Operations is going to pursue this with other agencies but we have to start somewhere so let us start here.

Mr. FULTON of Pennsylvania. I would like to compliment the gentleman for his work through the years in the direction of economy and good management on the Committee on Government Operations. We do need that.

May I finish by saying that I do not believe this type of cost-benefit reasoning has been applied to the currently proposed Apollo applications program. When I asked NASA to consider specifically such a cost-benefit or alternative systems approach, I received the following negative reply:

> The data that we have accumulated to date in the two NASA programs does not lend itself to an analysis by this (cost-analysis) approach. In achieving an R&D objective, it is not feasible to evaluate alternative approaches on a cost effectiveness basis because there are no standards of experience to judge by.

Mr. Chairman, I disagree with that and, therefore, I favor the amendment offered by the gentleman from Virginia.

Mr. WYDLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, and my colleagues, like most of the amendments that will be offered here today, this amendment has many things to be said in its favor, very valid things. But this amendment also has many things that can be said, and should be said, against its adoption at this time. This is what I want to bring to your attention now.

This particular amendment is the outgrowth of a 1-day hearing that we held in the special study subcommittee of the Committee on Government Operations. I am the ranking Republican on that subcommittee. The gentleman from Virginia [Mr. HARDY] was in the chair. That day we had before us the representative of NASA, and we questioned him about some of these support service contracts and the way they were let by NASA. I fully agree with the Chairman that there are many things in NASA's operations regarding these contracts that can and should be improved.

But let me tell all the Members of the House what is really involved in this so million waste in scheduling by NASA on its most recent schedule.

I hope I can get a chance to appear before the House Appropriations Committee and show this, because if NASA will give me some computers, we can go there and show them how to schedule better. I hate to say this from the House floor, but our committee really should get into this problem of scheduling more deeply.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Miller].

Mr. MILLER of California. Mr. Chairman, I yield back my time.

Mr. RYAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RYAN. Mr. Chairman, if the amendment of the gentleman from Indiana [Mr. Roudebush] is adopted, will the House have an opportunity to vote on the amendment of the gentleman from Pennsylvania [Mr. Fulton]?

The CHAIRMAN. The Chair will state, in response to the parliamentary inquiry, that if the amendment of the gentleman from Indiana to the amendment of the gentleman from Pennsylvania is adopted, the vote will then recur on the amendment of the gentleman from Pennsylvania as amended by the amendment of the gentleman from Indiana.

Mr. RYAN. So that the $250 million cut will not actually be before the House?

The CHAIRMAN. The Chair will answer that question when the time will come. The Chair has stated what the parliamentary situation is.

Mr. RYAN. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RYAN. Mr. Chairman, if the amendment offered by the gentleman from Indiana is adopted as a substitute for the amendment offered by the gentleman from Pennsylvania [Mr. Fulton], would it then be in order for me to offer an amendment to make Apollo applications, page 2, line 1, read "$222,350,000"?

The CHAIRMAN. The Chair will state to the gentleman from New York that the answer to his question is, No, because the language of the amendment which the gentleman would propose today would supplant the language adopted by the House in adopting the amendment of the gentleman from Pennsylvania [Mr. Fulton].

Mr. RYAN. I thank the Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. Roudebush] to the amendment offered by the gentleman from Pennsylvania [Mr. Fulton].

The question was taken and the Chairman announced that the noes appeared to have it.

Mr. MILLER of California. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Roudebush and Mr. Miller of California.

The CHAIRMAN. Those in favor of the amendment offered by the gentleman from Indiana [Mr. Roudebush] to the amendment offered by the gentleman from Pennsylvania [Mr. Fulton] will pass through the tellers.

Mr. WAGGONNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The Committee is in the process of voting, and no parliamentary inquiry can be made at this time.

Mr. RUMSFELD. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. RUMSFELD. Is it not correct that there should be a teller in favor of the amendment and a teller in opposition?

The CHAIRMAN. The gentleman from Illinois has asked a question rather than making a point of order.

Mr. FULTON of Pennsylvania. I am here. I am against the amendment.

Mr. WAGGONNER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WAGGONNER. Is it not necessary, under the rules of the House, in the instance of a teller vote, that the Chair name one Member as a teller who supports the amendment?

The CHAIRMAN. The Chair will state that the gentleman from Louisiana has not made a point of order, but rather has asked a question. The Chair designated as tellers the gentleman from Indiana [Mr. Roudebush], the author of the amendment, and the gentleman from California [Mr. Miller]. No point was raised until the vote had begun to be taken.

The vote will proceed.

The Committee divided, and the tellers reported that there were—ayes 110, noes 83.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now occurs on the amendment offered by the gentleman from Pennsylvania [Mr. Fulton], as amended by the amendment offered by the gentleman from Indiana [Mr. Roudebush].

The amendment as amended was agreed to.

AMENDMENT OFFERED BY MR. HARDY

Mr. HARDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Hardy to H.R. 10340, as reported: On page 5, after line 22, insert the following:

"(h) After January 1, 1968, no support service contract in the amount of $100,000 or more shall be awarded, renewed or extended unless—

"(1) A study has been made showing the relative cost of obtaining the services through contract and through direct hire employees, using cost criteria established by the Bureau of the Budget; and

"(2) The Administrator has made a written determination—(i) that the cost of obtaining the services through contract is not greater than the cost of obtaining such services through direct hire employees, or (ii) that the success of the program of the National Aeronautics and Space Administration requires the use of the service contract procedure rather than the direct hire of employees, stating in detail the reasons for such determination.

"The Administrator shall maintain a central file of the determinations made pursuant to clause (2) of this subsection and shall make them available upon request to the Senate and the House of Representatives, and to the committees thereof. Nothing in this subsection shall be construed as authorizing the Administrator to enter into support service contracts that are not otherwise authorized by law. As used in this subsection the term 'support service contract' does not include contracts for the production of commercial and industrial products or for the construction of facilities."

Mr. MILLER of California. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to the present bill.

The CHAIRMAN. The gentleman from California makes a point of order against the amendment on the ground of nongermaneness.

Does the gentleman from Virginia [Mr. Hardy] wish to be heard on the point of order?

Mr. HARDY. I do, Mr. Chairman.

Mr. Chairman, I do not see how it could fail to be germane to the bill. The bill provides authorizations for NASA's operations, and this amendment would simply require that on their service contracts—and the bill provides for service contracts—this amendment would be a limitation upon the manner in which they could engage in service contracts.

The CHAIRMAN. Does the gentleman from California [Mr. Miller] desire to be heard on the point of order?

Mr. MILLER of California. Mr. Chairman, I desire to be heard.

Mr. Chairman, it is my conviction—and I believe that this is general legislation on this authorization bill—and that such amendment should be either in the Space Act itself authorizing NASA, or it should be contained in general legislation.

Mr. Chairman, I am sympathetic with what the gentleman from Virginia is trying to do. However, I do not like to see NASA, of all the Federal agencies involved, singled out to be subjected to the provisions of the proposed amendment. I feel that it is, therefore, not germane to this bill.

The CHAIRMAN (Mr. Flynt). The Chair is prepared to rule.

The gentleman from California [Mr. Miller] has raised a point of order against the amendment offered by the gentleman from Virginia [Mr. Hardy].

It appears to the Chair that the amendment offered by the gentleman from Virginia [Mr. Hardy] relates to contracts under the terms of the authorization bill now under consideration.

The Chair is constrained to rule that the amendment is germane, and overrules the point of order made by the gentleman from California.

The gentleman from Virginia [Mr. Hardy] is recognized for 5 minutes.

Mr. HARDY. I thank the Chairman.

Mr. Chairman, I had hoped that the gentleman from California [Mr. Miller] was going to accept the amendment, rather than making a point of order against it. As a matter of fact, I feel that he should accept this amendment.

Mr. Chairman, this amendment would add language to section 1 of the bill to require the National Aeronautics and Space Administration, and particularly its Administrator, to give careful consideration to relative costs before entering into support service contracts.

The amendment would not prohibit *such contracts, but it would require that* they be carefully thought out. The amendment would require NASA, beginning January 1, 1968, to make a comparative cost study in connection with each such contract and would require the Administrator, before the contract is signed, to make a written determination either: First, that it will not cost the Government more to contract for the service than to use its own employees; or second, that the success of the NASA program requires the use of the contract approach. Copies of the determinations would have to be maintained in a central file and made available to Congress and its committees on request.

Mr. Chairman, the extensive use of support service contracts throughout the Government is costing the taxpayers of this country untold millions in extra and unnecessary costs. These contracts cover a wide range of Government activities that can and should be handled by Government employees.

They render personnel ceilings and all figures on the number of Federal employees meaningless.

In the case of NASA, support service contracts are used to provide for all types of personnel services from the operation of warehouses and the furnishing of guards and janitorial services to the hiring of engineers, technicians, nurses, and doctors.

In some situations, NASA's support service contracts may be justified but I am convinced that in a great many cases they are used as a very costly means of avoiding personnel ceilings and escaping responsibility. Just last week, on June 21, the Comptroller General testified before the Government Operations Committee that the General Accounting Office had studied nine NASA service contracts and found that the taxpayers would be saved $5.3 million a year if the services covered by those contracts were performed by Government employees. The contracts involved a total of about $44 million a year, so the savings would amount to about 12 percent.

In the last 2 years the number of contract employees at NASA centers has increased almost 50 percent—from 16,800 employees to 24,900. During the same period NASA's civil service personnel ceiling has increased by only 1,100 or from 33,200 employees to 34,300. In other words, contractor personnel make up about 42 percent of the work force at NASA centers.

The Chairman of the Civil Service Commission questioned the legality of a number of NASA's contracts. He pointed out to the committee that these contracts often add excessive layers of supervision and unnecessary contract costs to an already highly expensive program.

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The amendment I have proposed will not prevent NASA from using service contracts where they are necessary or where they will not add to costs. It would, however, require the agency to look into comparative costs and be ready to tell Congress when and why it is selecting the higher cost approach.

At one time NASA was expanding its programs at a terrific rate and probably found it both helpful and expedient to employ a profusion of contractors. But, as Comptroller General Staats has pointed out, NASA's operations have become relatively stable. Some of the costly procedures adopted during the crash phase of its programs should be reexamined and where no longer required, should be weeded out. This amendment would be a big step in the right direction. It may not be a total answer to the problems, but at least it is a start.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FULTON of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 4 additional minutes.

Mr. HARDY. Mr. Chairman, I have only one more statement to make.

Mr. FULTON of Pennsylvania. Mr. Chairman, then I change the unanimous-consent request to be that the gentleman be allowed to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the reqeust of the gentleman from Pennsylvania [Mr. FULTON].

Mr. TEAGUE of Texas. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. HARDY. Mr. Chairman, just let me express the hope that the committee will go ahead and accept this amendment. It is a good amendment, and it should be in the bill.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, what the gentleman is saying is correct about the NASA management being loose on contracts, because when the Apollo 204 fire took place NASA was able to say that by tighter management control we could save $50 million on the Apollo program alone, simply by more careful management, according to Mr. Webb. So that I favor the amendment, and think it is a good point.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman.

Mr. HARDY. Mr. Chairman, I think there is no doubt about the fact that a tremendous amount of money can be saved by more prudent operation on contracts by NASA, which it finds necessary to enter into. Unless they make these analyses before they enter into contracts they cannot have any notion of what the relative cost is going to be, and if we could save 12 percent on $44 million worth of contracts, just think what could be saved if this were applied throughout the entire contracting procedures.

Mr. FULTON of Pennsylvania. Mr. *Chairman, one further point is this: I* had asked NASA why they do not estimate their contracts on a cost-benefit ratio basis, and NASA said they had no procedure whatsoever to assess contracts for the performance on a cost-benefit ratio basis.

Mr. Chairman, I believe this amendment does move in this necessary direction to tighten control of the management of NASA, so I favor it.

Mr. HARDY. Mr. Chairman, if the gentleman will yield for one more moment, I think actually this is not going to cause any problem. I think it is right, and it needs to be done now.

NASA needs to be required to make these cost studies.

Other agencies perhaps should also, and as a matter of fact I think some of the others do. The Committee on Government Operations is going to pursue this with other agencies but we have to start somewhere so let us start here.

Mr. FULTON of Pennsylvania. I would like to compliment the gentleman for his work through the years in the direction of economy and good management on the Committee on Government Operations. We do need that.

May I finish by saying that I do not believe this type of cost-benefit reasoning has been applied to the currently proposed Apollo applications program. When I asked NASA to consider specifically such a cost-benefit or alternative systems approach, I received the following negative reply:

> The data that we have accumulated to date in the two NASA programs does not lend itself to an analysis by this (cost-analysis) approach. In achieving an R&D objective, it is not feasible to evaluate alternative approaches on a cost effectiveness basis because there are no standards of experience to judge by.

Mr. Chairman, I disagree with that and, therefore, I favor the amendment offered by the gentleman from Virginia.

Mr. WYDLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, and my colleagues, like most of the amendments that will be offered here today, this amendment has many things to be said in its favor, very valid things. But this amendment also has many things that can be said, and should be said, against its adoption at this time. This is what I want to bring to your attention now.

This particular amendment is the outgrowth of a 1-day hearing that we held in the special study subcommittee of the Committee on Government Operations. I am the ranking Republican on that subcommittee. The gentleman from Virginia [Mr. HARDY] was in the chair. That day we had before us the representative of NASA, and we questioned him about some of these support service contracts and the way they were let by NASA. I fully agree with the Chairman that there are many things in NASA's operations regarding these contracts that can and should be improved.

But let me tell all the Members of the House what is really involved in this so that you are very clear when you vote on the amendment.

The purpose of the amendment is to turn most, if not all, of the work being done by NASA over to civil service employees.

The policy of the Eisenhower administration and the policy of the Johnson administration, which is based on the Eisenhower administration policy, is to let these contracts to the extent possible and reasonable to free enterprise.

All of the Government agencies operate under a Bureau of the Budget circular called CA-76 which gives in cost accounting which contracts should have utilized which employees, private or public, an edge of 10 percent in favor of private enterprise. That is based on the estimate of what additional or hidden costs exist in these cost analyses when Government employees are hired.

The adoption of this amendment would mean that NASA and that NASA alone would not be operating under that circular. It would mean that you would be rejecting, insofar as NASA is concerned, the policy of the Johnson administration, which is based on the policy of the Eisenhower administration to favor free enterprise in these situations.

I think the chairman's idea and motives in bringing this to the attention of the House are excellent. I think we should have general legislation on this subject which will apply to all agencies of Government, and if we are going to make new policy regarding this matter, we should do it knowing full well what its effects are going to be on the free enterprise contractors.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. WYDLER. I yield to the gentleman.

Mr. HARDY. The gentleman is talking about free enterprise and there is no greater exponent of free enterprise in this House of Representatives than I am.

Yesterday I gave the gentleman a copy of this amendment and, obviously, the gentleman has not read it.

Mr. WYDLER. Yes, I have read the amendment.

Mr. HARDY. The amendment very carefully refers only to personnel service, and does not refer to anything that is involved in industrial or commercial type activities.

Mr. WYDLER. The amendment, as I read it, applies to all support service contracts over $100,000 in amount.

Mr. HARDY. I am sorry that the gentleman did not read the amendment. Let me read it to him. This is the one that I gave him just yesterday.

Mr. WYDLER. You have given me two amendments so far. The gentleman will agree with that.

Mr. HARDY. The gentleman is correct. I gave him one the first day the bill was debated, and yesterday I gave him another, which I told him was an improvement over the other one, because I thought he had a valid point in connection with the first amendment which he does not have in connection with this one.

The last sentence of the amendment reads as follows:

> As used in this subsection the term "support service contract" does not include contracts for the production of commercial and industrial products or for the construction of facilities.

I am sorry that the gentleman has made a speech on a matter that is not covered in the amendment, because we were very careful to try to avoid that particular point. I do not defer to anyone in the House when it comes to my support of private enterprise.

Mr. WYDLER. I am glad to hear that statement from the gentleman.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. WYDLER. I yield to the gentleman from Florida.

Mr. GURNEY. I support the position of the gentleman in the well wholeheartedly. I think this is a strike at private enterprise. If we are going to do it, if we are going to adopt this sort of procedure, I certainly do not think we ought to do it in a hastily conceived amendment on the House floor.

But I would like to recall to the attention of the gentleman from Virginia, if I may have his attention, the very matter that he investigated at my request last year which involved Patrick Air Force Base.

Mr. HARDY. That is correct.

Mr. GURNEY. A support service contract.

Mr. HARDY. That is correct.

Mr. GURNEY. I would like for the gentleman now to renew his investigation this year, because now that it is done in-house by the Air Force, we have a real can of worms down there.

(By unanimous consent, Mr. WYDLER was permitted to proceed for 3 additional minutes.)

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. WYDLER. I yield to the gentleman from Florida.

Mr. GURNEY. Here was an exact example of what we are talking about. A service contract was being performed by private enterprise at Patrick Air Force Base, which supports the space effort in my district, and it was being done rather well, I believe. The Department of Defense wanted to do it in-house. We were never able to understand the reasons, and it was never even developed in the hearings conducted by the gentleman from Virginia.

Incidentally, the gentleman from Virginia is the best investigator I think there is in the House, and he did a marvelous job. But I tell you now that this project has been transferred inhouse to the Air Force for 1 year, you really ought to go back and take a look at it. It is the most fouled-up mess I ever saw.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. WYDLER. I yield to the gentleman from Virginia.

Mr. HARDY. Let me say in response that there is not much of it done in-house now. There is a continuation of a service contract. It is a different contract, but you have a continuation of a service contract confused. I will agree with the gentleman on it, because I did look into the matter last fall. But it is confused by a joint operation which is both in-house and a contract, and that situation does not have any bearing on this particular one.

Mr. WYDLER. In conclusion, I would like to say that I have the greatest respect for the gentleman from Virginia. I do agree that he is a proponent of free enterprise. But I do feel that he has come to the floor at this particular moment with this particular amendment because of the shock he felt when he heard the way that NASA was running their shop, so to speak, in regard to the support service contract. And well he might have thought that way. I agree with his reaction today, wholeheartedly. But this is really a matter for general legislation that should be considered by our subcommittee and the full Government Operations Committee and then by the House, fully knowing that they are making very significant policy changes in the way the Government is doing business and the way the Government treats their private enterprise corporations in the awarding of these contracts.

Mr. HENDERSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment by my able colleague, Hon. PORTER HARDY. The gentleman from Virginia's [Mr. HARDY] Subcommittee on Special Studies conducted hearings last week relative to contracting out for support services in NASA. It was my privilege to appear as a witness before that subcommittee and to indicate my wholehearted support as chairman of the Subcommittee on Manpower and Civil Service in this review by the Hardy subcommittee.

The point we are trying to make here is that the Bureau of the Budget's Circular A-76 has been in existence for some years, from the previous administration, it has been revised by this administration, and the undisputed testimony of the witnesses last week before the Hardy subcommittee was that NASA was not complying with the Bureau of the Budget's circular.

The purpose of the gentleman's amendment is to see that they compare the cost of purchasing manpower from the outside with providing the manpower by Government employees.

If it is more expensive to purchase it from the outside, then, obviously it should be done in-house. If it is more expensive by using the civil service employees technique, then certainly no one would object to the taxpayers of America getting the best bargain. We recognize that NASA has gotten some fine bargains in purchase of hardware, systems, and even construction, but we certainly contend that for their manpower needs a very careful cost analysis should be made.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. HENDERSON. I yield to the gentleman from New York.

Mr. WYDLER. Mr. Chairman, if this amendment were drawn in the language from the Circular A-76, we could hardly object to it, but then it would not add anything to a law that already exists. It is obvious it is not drawn in that language, and it draws a different rule for NASA. I want that distinction to be clear. Every other agency will operate as set forth in Circular A–76, and they have to. Other agencies do not have to meet the requirements that are set forth in this particular amendment.

Mr. HENDERSON. Mr. Chairman, we are insisting that all agencies follow A–76, and as I understand the gentleman's amendment—and I will yield to him in a moment—all he is saying is that NASA must follow the Bureau of the Budget Circular A–76 and the cost criteria as established by the Bureau of the Budget—making sure that this circular is complied with.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. HENDERSON. I yield to the gentleman from Virginia.

Mr. HARDY. Mr. Chairman, that is correct. This amendment does not replace the circular at all. It merely requires that NASA make a cost analysis, or make a determination that it is in their interest or necessary to their program to do it by contrast.

Mr. WYDLER. Mr. Chairman, will the gentleman yield further?

Mr. HENDERSON. I yield to the gentleman from New York.

Mr. WYDLER. Mr. Chairman, of course, the significant fact in this is what we mean when we start talking about what costs are. This is not something we can treat lightly.

Mr. HENDERSON. As the gentleman says, they should take the cost analysis of the Bureau of the Budget, but they are not doing that. I have had arguments with the Bureau of the Budget regarding its cost analysis requirements. I would have preferred the General Accounting Office establishing cost criteria, but I believe Mr. Hardy was wise in requiring Bureau of the Budget approval in order to avoid the very dispute, which apparently we have here.

Mr. Chairman, I would like to complete my statement.

Our subcommittee has noted numerous examples, and I wish to point out at this time just one instance, that reflects exorbitant costs that can arise from this type personnel management, which exists in NASA. Currently, electricians at the Goddard Space Flight Center, Beltsville, Md., working for the Federal Government are paid $3.92 per hour. Working alongside the civil service electricians are electricians on the payrolls of contractors, who are paid at the rate of $4.95 an hour. In turn, I am told NASA is actually paying the contractors who are furnishing the electricians, at the rate of $7.50 an hour.

Mr. Chairman, emphasis needs to be placed on determining the most economical and efficient sources of labor. In some instances, it may be civil service employees—in others, it may be contractor employees. All the Hardy amendment requires is that costs studies be made to determine the most beneficial labor for the Government.

Mr. COLLIER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do so because, while this argument certainly has two sides, I feel disposed to call to the attention of the gentleman from North Carolina the fact that this amendment will serve no good purpose if these cost analyses are made on the basis of omission.

The gentleman will recall that 2 years ago I brought to his attention a matter which involved dropping a contract with a private engineering firm and turning the function over to civil service employees. The action was presumed to have been taken on the basis of a comparative cost analysis.

What did we find? We found that personnel costs presumed to represent government employees versus private subcontracting expense that there were gross omissions as to what some of those costs actually were. For example, they neglected to include those expenses which are part of the basic cost of the private enterprise operation, such things as health insurance, and the 30 days of sick leave and other fringe benefits given Government employees. There was also travel, which was absorbed by the contractor on the job, and was absorbed by the Government but not included in the figures.

I would say that if we are to have a cost analysis, let us have an accurate analysis; otherwise, it will not mean any more than the cost analysis I saw on that particular contract wherein there were omissions and inaccuracies.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I yield to the gentleman from North Carolina.

Mr. HENDERSON. The gentleman made a valid point which many of us who have studied this subject fully realize.

In connection with the incident the gentleman points out, what he says is so true that we were insistent that the Bureau of the Budget, the Department of Defense, and the General Accounting Office get together. Since the case the gentleman brought to our attention was revealed, studies have been going on all of the time, in an endeavor to get cost analyses more in line.

Just recently we had a conference of the manpower subcommittee with these officials, and we believe they are arriving at figures nearer to costs.

I point out that the amendment offered by the gentleman from Virginia [Mr. HARDY] for this reason requires there be a cost analysis as directed by the Bureau of the Budget, to be used by NASA.

Mr. COLLIER. I thank the gentleman.

I would say that if the experience I have had on cost analysis to determine whether Government employees could best perform or more economically perform on a contract, is an example of what we are going to get, this amendment will not do a bit of good.

Mr. TEAGUE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask a question of the gentleman from Virginia [Mr. HARDY].

At the moment there are seven support contracts at Cape Kennedy. NASA is in the process of a new competition to reduce these seven to four.

Is the gentleman saying that NASA should compare the costs of these contracts with the work being done by civil service employees? Is that the heart of the amendment?

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I yield to the gentleman from Virginia.

Mr. HARDY. No. They would have to do either one of two things. Either they would have to make a comparison with an estimate of what it would cost them to do it in-house, or they would make a finding that the success of the NASA program required use of a contract to do it. They would have either alternative to take.

Mr. TEAGUE of Texas. I believe NASA spends 94 cents out of every dollar with private industry. I personally have always been rather proud of that figure, that we did not have all the work done in-house. It seems to me this would turn in the other direction.

Mr. HARDY. Undoubtedly a great many industrial and commercial type contracts are going to be necessary in any Government agency, but I do not believe this applies throughout with respect to personal service contracts.

For instance, one of the NASA contracts is with Aerojet General for the supplying of medical services to one of the space centers. On the face of it, that looks a little silly, to have Aerojet General providing doctors and nurses for the space center.

I do not know; perhaps it makes sense; but I believe there ought to be at least, in that kind of situation, some sort of comparative analysis as to what it would cost if they provided the personnel on their own rolls and had their own supervision.

Mr. GURNEY. Mr. Chairman, will the gentleman yield?

Mr. TEAGUE of Texas. I am glad to yield to the gentleman from Florida.

Mr. GURNEY. I should like to ask the gentleman from Virginia [Mr. HARDY], who is a member of the Committee on Armed Services, if there is legislation presently on the books affecting the service contracts of the Defense Department similar to what the gentleman proposes.

Mr. HARDY. Mr. Chairman, if the gentleman will yield, so far as I know there is nothing on the books affecting any of them. I believe the Defense Department would contend that they do make cost comparisons, and Mr. McNamara makes them on just about everything.

As to this cost effectiveness thing, you may disagree with what the results are, but I think he does make a comparison. I think Defense ought to do it. Let me say this to the gentleman: Defense is the next agency our subcommittee proposes to examine.

Mr. TEAGUE of Texas. Mr. Chairman, I would like to make a final statement. It seems to me, as the gentleman from New York [Mr. WYDLER] said, this is a very important subject. It should be the subject of general legislation and not offered as an amendment to a bill such as this.

Mr. GURNEY. Mr. Chairman, I move to strike the last word.

I take this time simply to make the observation that it occurs to me if there is validity in this idea offered by the gentleman from Virginia, then certainly the best place to start, I would think, might be with the Defense Department itself, for this year, as I recall it, it is spending a sum something like $70 billion. Or even better, if the idea is a good one, it ought to be in legislation that is applied to all agencies, carefully processed, rather than to single out here on the floor of the House of Representatives one agency, namely, NASA, in an amendment which is not being argued in any great depth.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. Yes. I yield to the gentleman from Virginia.

Mr. HARDY. I think the gentleman has a point. I think it ought to apply to all agencies, and certainly some aspects of it ought to apply to the Defense Department. Let me give the gentleman one illustration as to why it ought to apply to the Defense Department.

I had a situation in my own district where apparently because they did not have adequate personnel ceilings, the Naval Station at Norfolk contracted out for painting at the base. They even had a bunch of painters on their rolls, but apparently they did not have enough and, do you know, the paint contractors actually even came in to paint the paint shop. You see how silly the thing gets. The only reason why they had the contract in this particular situation was because they were denied sufficient personnel ceilings.

I think it ought to apply to Defense, but wherever it ought to apply Government-wide there ought to be some cost analysis made to determine whether it ought to be done in-house or by contract. However, we have to start somewhere. This is the bill before us now which provides the authorization for service contracts.

I thank the gentleman for yielding.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman.

Mr. WYDLER. I would like to say to the chairman, because I have the greatest respect for him, and I know our subcommittee is going to do an excellent job in this particular field, but I would like to say to him that it seems to me we should do something more than listen to 1 day's testimony of witnesses from NASA. Personally I would like to hear both sides before I come to a firm conclusion as to what should be included in costs which you compare as to relative benefits to the country of letting a contract, to private enterprise or in-house.

I would like to hear from industry and what they would have to say about it. At least I would like to have the opportunity to hear the entire matter discussed by both sides before I was called upon to change the rules under which our Government has been operating now through two administrations for many years.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GURNEY. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, I hesitate to come into the well and talk on this matter, I did have a chance to read the amendment. Very frankly I confess I do not quite understand the scope of it. I am inclined to think, from the remarks of the gentleman from New York [Mr. WYDLER], and the remarks of the gentleman from Texas [Mr. TEAGUE], that this is a matter for general legislation are good arguments.

I respect the gentleman from Virginia. He has done fine work on contracts. However, I would like to have a little more time to study an amendment which has such wide scope and which is such an important amendment. It might be that I would want to support this kind of legislation. I am inclined to think I would. But at this time, with the lack of time to study it, I think a note of caution is indicated rather than the acceptance of something the scope of which is such that we do not know exactly how it would apply to the different industries. In the field of research and development particularly, if this follows through that they have to make a computation of the cost of a research and development project, I think you are getting into a problem that is not determinable. In research and development you almost have to have an open-end commitment to do a job that will attain a certain result.

In other words, Mr. Chairman, you cannot apply it in my opinion to research and development because this category would certainly come under the raw term of services, it seems to me.

Mr. Chairman, it is my opinion that research and development should probably be excluded from the amendment, because the language of this amendment is very far reaching, far more far reaching than we realize.

Mr. GURNEY. I thank the gentleman from California, and that is my own opinion also.

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have great confidence in the distinguished gentleman from Virginia [Mr. HARDY]. It was my privilege to serve with the gentleman on the Investigating Subcommittee of the Committee on Armed Services when I was a member of that distinguished committee. I know of the gentleman's great devotion to those things which he believes to be right.

However, Mr. Chairman, I am afraid that this proposal is a little premature. That is the thing that worries me about it.

Also, Mr. Chairman, I believe that if this is good for NASA, it is good for every other agency in the Federal Government. NASA as well as every other agency in the Federal Government has this type of contract authority. I can name and state to the Committee of the Whole House on the State of the Union numerous instances where, because of their inability to get employees, they can do a better job of getting them through a contractor than the Government can And Mr. Chairman, we have some great get them by trying to recruit them itself. contracts. I have in mind the maintenance of the tracking stations down in the Atlantic range and over the Atlantic range, contracts that are handled by an aerospace company which in my opinion has performed a wonderful job. But you cannot get as a rule the type of people you need to operate this type of system readily under circumstances such as exist today. So, they have had to do this.

Mr. Chairman, there may be some place in the operations of the various departments of the Government where there has been a little deviation on the part of an agency. But it is my opinion that this question can arise and can be taken care of either through the GAO or through the operations of the Bureau of the Budget.

Mr. Chairman, we had such a case in NASA and we turned it over to GAO. They gave us some reports on it and we were thus able to correct it.

But, Mr. Chairman, I feel that this question coming in at this hour, and on behalf of those of us who are interested in this bill who have not had an opportunity to thoroughly study the matter, we are rather hard pressed to accept the argument in behalf thereof.

Mr. Chairman, I do not necessarily disagree with the gentleman from Virginia but I do think that the question upon which he asks us to vote is not the best approach and I, again, want to say that I have talked with the gentleman and have worked with the gentleman and I know of the gentleman's great sincerity.

Mr. RANDALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to join in the comments of others who have paid tribute to the distinguished gentleman from Virginia [Mr. HARDY]. It is my privilege to serve on the Committee on Armed Services with the gentleman. He is head of our Investigating Subcommittee of the Committee on Armed Services.

Mr. Chairman, it would be difficult to estimate how much money the gentleman has helped save through his efforts in the various operations of the Department of Defense.

But, Mr. Chairman, I would hope that in our approach to his amendment today we could use the same approach that the gentleman has used so often on his Subcommittee on Armed Services and as a member of the Committee on Government Operations. By that I mean we should go into these matters with a thoroughness rather than jumping to a hastily reached conclusion.

When the gentleman from North Carolina [Mr. HENDERSON], a member of the House Committee on Post Office and Civil Service, took the floor, I could not disagree with his thought that there is a need to work out the cost-benefit of these "support service contracts." I am certain that if these contracts are studied and comparison made with the cost of so-called in-house work of the same kind the contract approach would be cheaper. I agree there should be cost studies. There is no need to proceed to enter into contracts without a cost study. However, such a requirement is a far cry from saying no support contract over $100,000 shall be awarded unless the administrator makes a written finding that the success of the space program requires the use of service contracts rather than direct hire of employees. This amendment goes too far when it requires the stating of details as to why service contract procedures are followed rather than direct hire. It should be enough to simply say such contracts are the better way to proceed and leave the matter of excessive costs to the General Accounting Office.

I am also fearful that if service contracts are stopped we will soon go beyond the suspension of ordinary service contracts and extend the trend against contracts into areas where it will be difficult to hire directly trained personnel such as some of our research contracts.

We talk a lot about the benefits of private enterprise and that it should be preserved and strengthened, but we do not do too much about it. If we were to go as far as is suggested by the gentleman's amendment we will strike quite a serious blow at private enterprise. There is another course we can follow. We can wait until after full hearings have been held. The gentleman has all of next year. He is on the Government Operations Committee. He can do this. Then come back next year with an amendment and pinpoint some of the things that need to be changed and at that time we will be in a position to consider the committee report in an orderly way instead of rushing to adopt this amendment at this time.

I repeat, these contracts should be costed out. At the same time, I believe a strong point was made a moment ago by the gentleman from Illinois [Mr. COLLIER], when he said that there are a lot of unseen costs connected with in-house employees that are never considered and never brought to light. Let us carefully consider all of these factors before we rush headlong to adopt this amendment.

There is no doubt that if you simply compare the pay of a civil service employee with a contract employee the in-house employee will at first appear to be the best bargain. The Government carries no insurance on such an employee. There is no liability by the Government for any of his negligence or torts against anyone he may injure. If we are to make a realistic comparison, we must add to the pay of the civil service employee, as the principal cost, such hidden or unseen costs as sick leave and annual leave. When these cost items are added onto the civil servant's pay, it is my opinion the cost of in-house employees and contract work will be about the same.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman.

Mr. COLLIER. Mr. Chairman, the gentleman points out quite correctly that not only the Government is not able to provide certain types of technical and specified help, but let me tell you in the instance that I referred to in my previous colloquy the disgraceful situation in my opinion that developed because the Federal Government not only sought to remove the private contractors on the job, but did in fact send questionnaires to employees of a private engineering company asking them if they were interested in working for the Government, and what they would request in the way of a starting salary. To me any type of thing like this with the Federal Government seeking to replace a private contractor and then going to his employees and seeking to pirate them away is a terrible thing, and abominable.

Mr. RANDALL. I might add undoubtedly within the scope of several NASA space programs there are places that NASA could not assemble enough trained or skilled civil service employees of the kind it would have to have if this amendment were adopted. It is one thing to propose an amendment of this nature and quite another to make it work out in practice. If we are going forward with the space program, why force the Administrator to go to all the work to detail reasons why he cannot hire employees directly, when in these times of not simply full employment but almost overemployment—the fact the want ad sections seem to get larger each week—should be proof sufficient the contract approach is the most practical and best way to provide support services.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman.

Mr. HENDERSON. Mr. Chairman, I believe the gentleman hit a point earlier here that needs clarification. Argument has been made that we ought to have general law. We would all like to see general law, because of the uniformity and everybody living out of the same spoon.

But this amendment only says to study the costs, and if you do not feel you can even do that you may waive this. If we had general law here the argument would be made as to what disruption we would cause if we would go ahead. To me this is all a fixation on the part of those who work in this program.

Let me say the Department of Defense has improved their cost analysis, cost-benefit ratio which we are talking about, but if we suddenly put on them the fact they had to depend upon everything that was cheaper, that certainly it would be difficult then to find people to do the job.

Mr. RANDALL. I thank the gentleman. The gentleman has made a very strong point. If we are going to take this step by adopting this amendment as to NASA we should apply the same rule to the Defense Department and all the other departments.

Mr. HENDERSON. May I say the Defense Department is aware of the rulings of the General Accounting Office and the rulings of the Bureau of the Budget. NASA officials testified last week before the Hardy subcommittee that they were not making cost comparisons, and I am sure that was what motivated the gentleman from Virginia.

Mr. RANDALL. If it is true that NASA has not made cost comparisons between direct hire and contract work, then, of course, such studies should be made. The point I have tried to emphasize is that I have doubts about this amendment because of the definition of "support service contracts." It is true that the gentleman from Virginia spells out his amendment but does not include contracts for production of industrial products. He goes on to make the exception or exemption to cover the construction of facilities. Everyone knows such work can be done much cheaper by contract than by direct hire. Unfortunately, the gentleman makes no specific exemption or exception as to research contracts, and we should all recognize the research firms that are set up in business and are going concerns can operate much more cheaply than for the Government to build a facility to house a laboratory and try to assemble skilled research personnel. Where it is quite apparent the contract approach is preferable because it is cheaper or because it is impossible to get the job done by direct hire, then an expensive cost analysis will serve no good purpose. It is my understanding that NASA has already reduced the number of support contracts in connection with the Apollo program from seven to a total of four.

Finally, Mr. Chairman, the question raised by the gentleman from Virginia is one that may well be deserving of exploration. But, if we are to apply such restrictions to NASA, then such restrictions should also be applied to the Department of Defense and all other Federal agencies. I have tried to point out that the hearings being conducted on this amendment are not yet completed and by his own statement, his committee has examined only a few of these contracts. It is for this reason that in this authorization bill we should not move precipitously, to do away with the contract method of providing these services without a much more complete and extensive study of cost comparisons.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the Committee apparently is drawing to the conclusion of consideration of this legislation and, as fully anticipated earlier today, there will be no meaningful cut in the $5 billion to be expended. The argument is "do it in another year—wait for another year, and we will see about cutting it then. Put it off until tomorrow," and so forth. Yet we get the word today that Federal taxes should be increased 10 percent by Congress, and I would not be surprised that before we get through with the rest of the spending that is going on in this and other bills, the Johnson administration will be advocating a 15-percent increase in Federal taxes.

At any rate the Great Society as of today is recommending an increase of 10 percent in taxes.

Mr. Chairman, why should this amendment not be in this legislation? What is wrong with making a start today in this legislation to provide that service contracts shall be made on the basis of cost accounting? What is wrong with that? Is it too late to start in this Government to try to save the taxpayers from duplication, waste, and extravagance?

Mr. Chairman, I support the amendment of the gentleman from Virginia, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. HARDY].

The question was taken; and on a division (demanded by Mr. HARDY), there were—ayes 47, noes 41.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. ROUDEBUSH

Mr. ROUDEBUSH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ROUDEBUSH: On page 1, line 5, strike out the amounts "$4,992,182,000" and insert in lieu thereof the amount "$4,982,182,000" and on page 2, line 22, strike out the amount $30,000,000" and insert in lieu thereof the amount "$20,000,000".

Mr. RYAN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from New York [Mr. RYAN] rise?

Mr. RYAN. Mr. Chairman, I ask unanimous consent that the amendment be read again by the Clerk.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk again read the amendment.

Mr. RYAN. Mr. Chairman, I make a point of order against the amendment to page 1, line 5.

The CHAIRMAN. The gentleman from New York will state the point of order.

Mr. RYAN. Mr. Chairman, as I heard the amendment, it is to page 1, line 5, an item which has already been amended.

Mr. FULTON of Pennsylvania. Mr. Chairman, if I may be heard on the point of order, the bill originally provided for $4,992,182,000 and has already been cut as the result of the amendment offered by myself and the gentleman from Indiana [Mr. ROUDEBUSH] by $65 million, making it now $4,927,182,000.

If the gentleman from Indiana wants to cut $10 million more, then his amendment should be offered so as to have his amendment cut $75 million from the total amount.

The CHAIRMAN. Does the gentleman from Indiana [Mr. ROUDEBUSH] desire to be heard on the point of order?

Mr. ROUDEBUSH. Mr. Chairman, I ask unanimous consent to resubmit the amendment with the corrections that have been objected to.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. KARTH. Mr. Chairman, reserving the right to object, and I shall not object to the gentleman's amendment, do I correctly understand that the amendment on line 5 of page 1 would read "$4,927,182,000"? Is that a correct understanding?

The CHAIRMAN. Does the gentleman desire to respond to the question propounded by the gentleman from Minnesota?

Mr. ROUDEBUSH. I did not hear the gentleman's statement on the amount, but it would be $65 million less than that which appears on page 1. It would be $4,827,182,000.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman from Indiana yield?

Mr. ROUDEBUSH. I yield to the gentleman from Pennsylvania.

The CHAIRMAN. The gentleman from Indiana does not have the floor. Does the gentleman from Minnesota yield?

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield to me?

Mr. KARTH. Mr. Chairman, before I yield to the gentleman from Pennsylvania—and I shall be happy to do so—I would like to say that I think the amendment of the gentleman from Indiana should read "$4,927,182,000," which takes into consideration the previous reduction of $65 million plus the $10 million, and I believe his amendment would reduce the total further. Therefore, the total should be $4,927,182,000.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. FULTON of Pennsylvania. Mr. Chairman, reserving the right to object, I would like to comment to the gentleman from Minnesota that on the original $4,992,000,000 there was $65 million taken off by the amendment of the gentleman from Indiana, cutting the Apollo applications program, which made $4,927,000,000.

If he desires to cut further $10 million, he is going to have to make that figure $4,917,182,000. The $4,927,000,000 does not take into account his current $10 million cut.

Mr. KARTH. Mr. Chairman, that was precisely my question. I do not want the gentleman to make a mistake in his amendment which might later on be found out of order.

Mr. ROUDEBUSH. Mr. Chairman, I ask unanimous consent that I may withdraw the amendment and resubmit it with the correction.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana that he be permitted to withdraw his amendment?

The Chair hears none, and it is so ordered.

There was no objection.

The CHAIRMAN. The Chair now recognizes the gentleman from Indiana for the purpose of resubmitting an amendment.

AMENDMENT OFFERED BY MR. ROUDEBUSH

Mr. ROUDEBUSH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ROUDEBUSH: On page 1, line 5, strike the amount $4,992,182,000" and insert in lieu thereof the amount $4,927,182,000".
>
> On page 2, line 22, strike the amount "$30000,000" and insert in lieu thereof the amount "$20,000,000".

The CHAIRMAN. The Chair recognizes the gentleman from Indiana for 5 minutes in support of this amendment.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ROUDEBUSH. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. The gentleman from Indiana has already reduced the figure of $4,992,000,000.

Mr. ROUDEBUSH. Yes.

Mr. FULTON of Pennsylvania. By his $65 million amendment, so that the figure now is $4,927,182,000. So if he wants to cut $10 million, he should strike $4,927,182,000 and insert $4,917,182,000. I will come to the well and fix it, if the gentleman desires.

Mr. ROUDEBUSH. Mr. Chairman, the gentleman from Pennsylvania is correct. This amendment was submitted en bloc with other amendments. I am sorry that corrections were not made to bring it up to date. But if I may again call upon the patience of the House or this Committee, I would like to make this change so that it merely agrees with the amount which was reduced by the previous amendments.

Mr. Chairman, I ask unanimous consent that I may withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. GROSS. Mr. Chairman, reserving the right to object, I wonder if we can recess the House for about 30 minutes until the members of this Committee, the economizers at least on the Committee, may have some time to work out what they want to do?

Mr. FULTON of Pennsylvania. I object.

The CHAIRMAN. The gentleman from Pennsylvania objects.

Mr. FULTON of Pennsylvania. Mr. Chairman, I withdraw my objection.

Mr. ROUDEBUSH. Mr. Chairman, I resubmit my amendment.

The CHAIRMAN. The gentleman from Indiana is recognized in support of his amendment as amended.

Mr. HALEY. Mr. Chairman, is this time coming out of the time allocated to the gentleman from Indiana?

Mr. ROUDEBUSH. I hope not, Mr. Chairman.

The CHAIRMAN. The Chair will state the time is coming out of the time of the gentleman from Indiana.

Mr. KARTH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. KARTH. Mr. Chairman, my inquiry is whether or not the figure on line 5, page 1, can be further amended inasmuch as it has already been amended?

The CHAIRMAN. The Chair will state, if a timely point of order is made, the Chair will respond to the gentleman's parliamentary inquiry that line 5 on page 1 cannot be amended.

Mr. KARTH. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KARTH. Mr. Chairman, if that figure cannot be further amended, and the gentleman chooses to pursue his amendment, and change the figure on page 2, would it then be a proper amendment?

The CHAIRMAN. The Chair does not pass on that until an amendment described by the gentleman from Minnesota is offered.

The gentleman's parliamentary inquiry is premature. It cannot be made until such an amendment is offered.

Mr. ROUDEBUSH. Mr. Chairman, I have a parliamentary inquiry.

Mr. RYAN. Mr. Chairman, as I now understand the situation, the gentleman has reverted to the original language, the original amendment submitted. Therefore, I renew my point of order.

The CHAIRMAN. The gentleman has asked unanimous consent to rewrite his amendment. Objection has been heard, and the unanimous-consent request has not been granted, and the point of order is sustained.

Mr. KARTH. Regular order, Mr. Chairman.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. FULTON of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman from Indiana be given 5 additional minutes in order to explain his amendment.

The CHAIRMAN. The Chair will state that there is no amendment pending. It is the impression of the Chair that the gentleman from Indiana offered an amendment and made changes in it subsequent to the time that unanimous consent was obtained to withdraw it, and the Chair, therefore, sustained the point of order and rules that there is no amendment pending.

AMENDMENT OFFERED BY MR. ROUDEBUSH

Mr. ROUDEBUSH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Roudebush: On page 2, line 22, strike the amount "$30 million" and insert in lieu thereof the amount "$20 million".

The CHAIRMAN. The gentleman from Indiana [Mr. Roudebush] is recognized for 5 minutes in support of his amendment.

Mr. KARTH. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. KARTH. Mr. Chairman, now that the amendment is here, I again renew my request for a ruling as to whether or not the amendment that the gentleman proposes to make on page 2 can be legitimately made without changing his figure on page 1. I raise that point of order, Mr. Chairman.

Mr. Chairman, I make the point of order.

The CHAIRMAN. Does the gentleman make a point of order to the amendment offered by the gentleman from Indiana?

Mr. KARTH. I do, Mr. Chairman.

The CHAIRMAN. The gentleman will state this point of order.

Mr. KARTH. My point of order is, If the gentleman proceeds with his amendment as it has been read by the Clerk, reducing the amount on line 22 by $10 million and he does not change the total on line 5 of page 1, it seems to me that the amendment is not in proper order.

The CHAIRMAN. Will the gentleman state his point of order in a form on which the Chair can rule?

Mr. KARTH. The point of order I raise, Mr. Chairman, is against the amendment.

The CHAIRMAN. On what basis?

Mr. KARTH. On the basis that it is not a properly drawn amendment, that it does not affect the bill as it otherwise would if it were proper.

The CHAIRMAN (Mr. Flynt). The Chair overrules the point of order. The Chair does not make rulings on the consistency of language in amendments offered to the bill.

The gentleman from Indiana [Mr. Roudebush] is recognized for 5 minutes.

Mr. ECKHARDT. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Texas?

Mr. ROUDEBUSH. No, Mr. Chairman. I should like to make my remarks.

Mr. ECKHARDT. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ECKHARDT. Mr. Chairman, I make the point of order that the amendment offered has the effect of changing the figure on page 1, line 5, by reducing it $10 million, and, therefore, affects line 5, which has already been amended at a previous time.

The CHAIRMAN (Mr. Flynt). The Chair is ready to rule on the point of order.

The Chair will state, that the point of order made by the gentleman from Texas is substantially the same point of order made by the gentleman from Minnesota. The Chair does not rule on the question of whether an amendment to one point would amend another point in the bill.

The present amendment offered by the gentleman from Indiana relates to line 22 on page 2 and has no effect at this time on line 5, page 1.

The Chair, therefore, overrules the point of order of the gentleman from Texas.

The Chair recognizes the gentleman from Indiana [Mr. Roudebush] in support of his amendment.

Mr. ROUDEBUSH. Mr. Chairman, despite all of this discussion as to its purpose and its intent, this amendment is most simple in its purpose and intent.

It reduces the authorization in H.R. 10340 by a total of $10 million.

Please note the item "Sustaining University Program" on page 2 line 22 of the bill.

If my amendment is approved this amount will be reduced to $20 million.

These funds provide grants to universities in three fields: Training, facilities, and research.

Neither facilities nor research is involved in my amendment—only the NASA program to support pre-doctoral to individual students.

NASA asked our committee to approve $7 million for this program.

Over my objections it was raised to $17 million in committee.

In other words, unless my amendment is approved, we will in fact be giving NASA $10 million more than they requested for this program.

Since 1962, when this program started, over $108 million has been authorized for this training program.

The stated objective was to produce 1,000 Ph. D.'s per year.

The program has never reached this goal.

After 5 years of heavy financial support, doctoral degrees have been conferred on only 431 graduates.

This was as of December 31, 1966.

As of April 1, 1967, only 530 have received such degrees.

And of these 530 graduates only 34 remained in Government service.

Simple mathematics will give some cost indications to our taxpayers for these 34 who remained in Government service.

For that matter, the cost per individual for 530 graduates would be staggering.

As I said, NASA requested only $7 million for this fiscal year and stated they programed 350 trainees as of September 1968.

During this testimony it was made clear that the National Science Foundation was picking up a greater share of this load.

Mr. Chairman, 28 different Federal agencies have been granted in excess of $11 billion dollars this year.

In fiscal year 1968 over $12 billion has been requested.

I hope this amendment is approved. It is not a cut. It returns the authorization to a reasonable figure and one requested by NASA.

Mr. KARTH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am sorry that the gentleman from Indiana [Mr. Roudebush] has raised this amendment, because it is probably an amendment that calls for false economy, more so than in any other place that this bill could be amended. As the gentleman from Indiana says, it deals specifically and exclusively with the sustaining university training grants program.

Mr. Chairman, this is one of NASA's oldest programs, having been originated in the spring of 1961 when it was first brought to the attention of our committee. The purpose of this program is to provide 3-year predoctoral training for select students at qualified universities to replenish the pool of highly skilled professional people drawn upon by NASA projects which then, as now, are in extremely short supply.

The original objective of this program, Mr. Chairman, was based upon need and the continuation of the program is still based upon need.

The gentleman from Indiana is incorrect as he stated the facts surrounding this program. The program is designed to build up for an annual production of 1,000 Ph. D.'s in science and technology each year, beginning with the year 1968. To accomplish this objective the program must introduce some 1,335 predoctoral trainees each year beginning with 1966. Mr. Chairman, this schedule has been met. What the gentleman from Indiana was saying was that they have not graduated 1,000 Ph. D.'s a year. It is obvious that they have not done that, because it takes 3 years in the pipeline to produce a Ph. D. under the predoctoral training program.

Mr. Chairman, the annual funding required to support this program was between $20 million and $25 million a year depending upon whether or not the predoctoral training students were married and therefore had family obligations which obviously, of course, affected the stipend they would be paid.

In this year, this fiscal year 1967, NASA will divert some $6 million of the $22 million we authorized last year. Therefore, the number of entrants in September of this year will not be 1,335, as it would have been, but will be 760 or slightly more than one-half of the number needed and which was expected, under the program.

Their fiscal year 1968 request would further reduce the 760 figure to 350 for September 1968, unless the amendment that the committee made is approved by this House.

Now, why did we authorize $10 million more, Mr. Chairman? First of all so that we could meet just 50 percent of the requirement and 50 percent of the original plan as it was proposed to Congress.

Second, we authorized $10 million more because highly trained Ph. D.'s do not grow on trees.

Third, we authorized $10 million more because there is pirating going on in private industry and between private industry and Government and among private industry, Government, and universities. The effect of this pirating has been to drive up the cost of people with Ph. D.'s to a point where only the top 10 or at the outside the top 15 big firms in this country can afford to hire them.

Mr. HANNA. Mr. Chairman, will the gentleman yield to me at that point?

Mr. KARTH. If you will just allow me to finish, please, I will be glad to yield.

In turn—and talk about false economy—in turn, obviously, of course, this whole thing has forced up the cost of every program that the Government is funding, not only in NASA but in the Department of Defense as well.

Mr. Chairman, highly trained Ph. D.'s cannot be crash-produced. We can crash-produce a missile or a rocket or even an airplane, if we have adequate manpower, but we cannot crash-produce Ph. D.'s.

Mr. Chairman, it takes 3 years to produce them, no matter how badly we need them, in this country.

And I say to the Members of the Committee of the Whole House on the State of the Union that, indeed, we do need them, because we are in extreme short supply.

Mr. Chairman, there is another question involved in this program. There is no way to stay ahead in this international technological race—this international technological competition—unless we develop the brainpower with which to do it.

I would submit to the gentleman from Indiana that it is brains and not brawn that has put this country ahead; it is brains and not brawn that is going to keep this country ahead if indeed it stays ahead at all.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. WOLFF. Mr. Chairman, I rise in opposition to the amendment.

Mr. KARTH. Mr. Chairman, will the gentleman yield to me at this point?

Mr. WOLFF. I yield to the gentleman from Minnesota.

Mr. KARTH. Mr. Chairman, it is this kind of program that has spawned the best trained minds in this country and which has produced, really, the outstanding technological progress that we have made.

It is that, Mr. Chairman, that has made this country the technological envy of the world.

Mr. Chairman, if the distinguished gentleman from New York will yield further, let me say to the members of the committee that the Russians are very serious about this kind of program. A Russian Ph. D. equivalent is at least as well trained as one who holds that degree in the United States.

Mr. Chairman, no one argues that the population of the Union of Soviet Republics is less; no one argues that Russian industrial development is substantially less than ours; no one argues but that their techniques and procedures are less sophisticated, less developed, than ours in many fields.

But, Mr. Chairman, they propose to catch up by producing brainpower, because that is the only way in which they can catch up. The question is, are they doing it? Yes, they are.

Today, Mr. Chairman, the United States produces about 17,000 Ph. D.'s of all types per annum. Forty percent of these are Ph. D.'s in the field of the sciences and engineering.

Russia produces an equivalent number, but 60 percent of their Ph. D. graduates are engaged in the sciences and engineering.

Mr. Chairman, the Engineering Manpower Commission stated just last year that it would estimate the average need yearly in this country to be 69,000 new engineers. In 1967 we will produce 35,500.

Mr. Chairman, the Department of Health, Education, and Welfare reported that 37,000 engineering degrees were issued in 1965. That means that in the last 2 years, instead of going forward, we have actually gone backward.

Mr. WYDLER. Mr. Chairman, will the gentleman yield to me at this point?

Mr. KARTH. I would prefer to complete this statement before yielding to the distinguished gentleman.

Mr. Chairman, this additional $10 million means that we would add 350—only 350—additional Ph. D.'s to our pool of brain manpower.

Mr. Chairman, it is our opinion that it is extremely important to do this because the experts tell us that by 1970—3 years away, we will have need for 1 million engineers in this country—new engineers—and we will have only, at best 765,000, with which to fill the requirement.

Mr. Chairman, the National Science Foundation tells us that every year, beginning with 1970, we should be graduating 71,700 Ph. D.'s and not 35,000, if we are going to meet the required need.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. KARTH. I yield to the gentleman from California.

Mr. HANNA. Mr. Chairman, I would like to thank the gentleman from Minnesota for yielding and I would like to ask the gentleman whether or not he agrees with me that it is just as important to the people of the United States that we have these Ph. D.'s available from our various colleges for use in governmental pursuits as well as for private industry?

Mr. Chairman, is it not true that in that regard the people of the United States are getting full value for whatever we put into this program in terms of supporting these students at the various campuses and universities throughout the United States?

Mr. KARTH. Mr. Chairman, I would say in answer to that question, we are getting 10 times 10 in return for that which we put into the training of our Ph. D.'s.

In direct response to the question of the gentleman from California, I would say to the gentleman from California that of 550 who have already graduated 233 stayed in the various universities and colleges as teachers or went into research, 161 went into industry. So, yes, indeed, it is important to both industry and Government to have this type of program.

In addition, 84 have stayed for further postdoctoral training, 34 went to Government laboratories, and 18 into the Department of Defense.

Mr. HANNA. I thank the gentleman. I think that is a very clear and conclusive answer to the point that was raised by the gentleman in discussing the amendment.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman.

Mr. WYDLER. I want to ask the gentleman from Minnesota a question.

In view of the fact that NASA has not requested this $10 million, if we in the House were in fact to authorize it here today, in what way would we require NASA to spend it? Our past experience is not encouraging.

Mr. KARTH. Mr. Chairman, will the gentleman yield?

Mr. WOLFF. I yield.

Mr. KARTH. In answer to the inquiry I would say that there are a number of people in NASA who are extremely interested in carrying on this program. I believe as an agency that is now engaged very heavily in development programs, it was awfully easy when the budget squeeze was on by the Bureau of the Budget and the administration, to cut a program like this rather than cutting a development program. I believe if it is very clearly expressed as the sense of this House and this Congress to put $10 million more into the sustaining university training program, I have confidence that it will be used as such.

Mr. WOLFF. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Indiana [Mr. ROUDEBUSH], and I urge my colleagues to support the bill as reported by the Committee on Science and Astronautics.

Mr. Chairman, in the past 8 years we have witnessed some of the most remarkable advances in science and technology in this Nation's history. NASA has played a central role in this dramatic progress.

Make no mistake about it, the success of NASA's many flight experiments, and the outstanding technological achievements of the space program during the past few years are a direct result of the creative efforts of this Nation's scientists and engineers. It is no exaggeration to say that our successful space program reflects the ability of the thousands of highly trained people engaged in this work.

Perhaps more than any other endeavor, the space program absorbs the talents of the most highly trained scientists and engineers in the country.

The rapid development of the space program undoubtedly has placed severe demands on the supply of highly trained scientists and engineers. It is on this basis that NASA concluded as early as 1961 that it had a responsibility to help replenish the technical manpower it was utilizing in such large numbers.

Therefore, NASA undertook the training grants program. The purpose of this program was to support promising young doctoral candidates in science and engineering. The program underwent a rapid increase during the period from 1961 through 1966, with strong support from the Science and Astronautics Committee and the entire House of Representatives.

I might point out, Mr. Chairman, that one of the exceptions—one of the few Members of this body who has opposed this program almost from the beginning has been our distinguished colleague from Indiana [Mr. ROUDEBUSH].

He now claims that he supports the sustaining university program. Note the first sentence of his minority views on page 182 of the report that accompanies the bill now under consideration. Our colleagues should be pleased at this change of heart.

But we cannot overlook the fact that this is a new tack for the gentleman from Indiana. On several occasions in past years, he has opposed the request of NASA for funds to support the sustaining university program.

It seems clear enough why NASA's request has achieved his support this year, however. It is because NASA's new policy is to phase out the training grants program and reduce its effort to about one-quarter of their stated objective.

What has been NASA's stated objective? Early in the program, NASA witnesses testified that the goal of the training grants program was to introduce approximately 1,335 new predoctoral candidates annually, beginning in September 1966. It had been determined that an annual effort of such magnitude would be necessary to meet the stated objective of producing 1,000 new Ph. D.'s in science and engineering each year.

This goal was affirmed by congressional action 3 years ago when $25 million was authorized for this program. This goal was reaffirmed in succeeding years up to and including last year when $22 million was authorized for training grants, a figure at which the program was expected to level off.

It was during the hearings on this bill recently concluded that NASA informed the committee for the first time that a decision had been made to cut back the training grants program to slightly more than one-half of this stated objective during the current fiscal year, and that it would be reduced still further to slightly more than one-quarter of the goal during the forthcoming fiscal year.

NASA witnesses testified that training programs of the Office of Education and the National Science Foundation hopefully would fill the gap left by the phase-out of the NASA training grants program. But upon close questioning these NASA witnesses admitted that they were not certain that the gap would, in fact, be filled by programs of other organizations. On the contrary, it was conceded that the facts simply are not known.

It was stated that a study would soon be undertaken to determine whether fellowship grants available from other sources would be sufficient to fill this Nation's needs in the future. On the basis of this study, NASA's intention was then to determine whether it should increase or continue to decrease its effort.

Mr. Chairman, it seems incredible that NASA should make the decision to relinquish its responsibilities in this area without the benefit of the results of the study. If it is true that other agencies and organizations are increasing their efforts so that NASA can phase out the training grants program, we would certainly support the phasing out of NASA's effort. But we will not know, and NASA will not know, until the study has been completed.

Until we can be certain that the Nation's needs for highly trained scientific and engineering manpower will be satisfied, by other programs, we believe NASA should continue, at least at the same level of effort as the current fiscal year. And I repeat, Mr. Chairman, that the level of effort during the current fiscal year is only slightly above one-half of NASA's stated objectives. It will provide for the introduction of only about 760 new predoctoral candidates in September 1967; this is a far cry from the 1,335 new students which NASA claimed was the number of new entrants needed to discharge its responsibilities.

Many of us feel that it is regrettable that NASA has reduced the program to this extent without even consulting Congress. In any case, the committee is opposed to a further reduction next year without a firm understanding of the facts.

Before closing, Mr. Chairman, I want to address myself to one further point made by the gentleman from Indiana. It is his contention that a relatively small percentage of doctoral candidates who have received their degrees under NASA's training grants program have chosen to work in Government laboratories. This is true. But it is essential to understand that the training grants program was never designed to develop talent specifically for Government laboratories.

It was assumed, of course, that some graduates would enter employment with NASA Centers; and some have done so. It was also assumed that some would seek employment in the aerospace industry working on NASA projects. It was further assumed that some would go into teaching, and research work at the great universities of the Nation; they, too, would be doing work directly or indirectly in support of America's space program.

Mr. Chairman, all these assumptions have proven to be true. The point is, however, that of the 530 doctorates that have been conferred under the training grants program as of April 1, 1967, the vast majority of the recipients of these degrees are engaged in work directly related to NASA's programs.

Finally, Mr. Chairman, let me say that the development of science and new technology is one of the most decisive factors in determining the economic and political power of a nation, and, thus, its international position. It is equally clear that a modern nation's military power is a function of the quality of its technological advancement.

Our achievements in science and technology are made by people—highly trained people. Education is the key to the development of the Nation's professional manpower potential.

This lesson has not been lost on America's chief adversary, the Soviet Union. More than 35 years ago Stalin said:

> To build socialism, we must possess knowledge; we must master science. And in order to master it, we must learn. We must learn persistently and patiently. We must learn from our friends, and particularly from our enemies.
>
> To master science, to develop . . . specialists in all fields of knowledge, we must study, study, and study more—this is our main task.

Stalin's policy has been put into effect in the Soviet Union, and we have seen the results. Today, the United States and the U.S.S.R. lead the world in the exploration of space. In order to maintain our preeminence, it is essential that we continue to educate our most promising young scientists and engineers.

With enemies poised at our throat this Nation can ill afford a science gap. I urge the defeat of the amendment.

Mr. ECKHARDT. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, as the able chairman of our committee pointed out the other day, this is the science effort of the United States. Therefore I think it is appropriate to see what the scientists and persons in the academic community think about this portion of the program.

In connection with supporting the retention of the program at about the same level as it exists in 1967, I wrote the universities participating in the program, and received almost universal response to the effect that this is the finest effort with respect to scholarship programs that has been done by our Government.

I would like to point out to the House at this time that the program we are talking about constitutes the seed corn of the science effort in the United States. It amounted to only half of 1 percent of the total appropriation even when the program was large enough to produce 1,000 Ph. D.'s a year. The program will for the first time produce 1,000 Ph. D.'s in the year 1968, because the input of 1,275 trainees in 1965 will not result in graduates until 1968. That is the fallacy of the remarks of the gentleman from Indiana about production of the program and its cost.

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman yield?

Mr. ECKHARDT. I yield to the distinguished gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Chairman, I want to commend the gentleman from Texas for the work he has done in eliciting the opinions of university presidents on this valuable program. The letters he has written and the responses of the institutions are included in the CONGRESSIONAL RECORD of June 22, starting on page 16898, and continue on until page 16913.

Mr. Chairman, I think the letters are eloquent testimony as to the value of this program, and I again commend the gentleman from Texas for his invaluable support of this program.

Mr. ECKHARDT. I thank the gentleman from West Virginia.

I should like to point out in support of what I have said, the letter from Dr. F. A. Long, of Cornell University, which very ably states this proposition:

> However, one could argue persuasively that even before the recent cuts the NASA university sustaining program was too small.

He points out that:

> This program is for an agency whose total budget is close to $5 billion a year and whose activities are almost entirely in the fields of scientific research and technology.

And yet, at the height of the program in the year 1966 there was only approximately one-half of 1 percent of that total $5 billion budget involved in the trainee program of the sustaining university program. At that time there were 1,335 new starts in the program, and these will not graduate until 3 years later; that is, in 1969. That is the reason why it appears that a relatively small number of persons have finished the program at the present time.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ECKHARDT. I yield to the gentleman.

Mr. SMITH of Iowa. Mr. Chairman, how many additional fellowships would be provided by this $10 million?

Mr. ECKHARDT. What happened is this: In 1966 the program was at its normal level to produce 1,000 graduates in 1969, but in 1967 due to pressure for budget cuts NASA was asked to save out of this program a total of $60 million.

Ten percent of this $60 million saving was cut out of the one-half-of-1-percent trainee program. Therefore, $6 million came out of our authorization for the year, at least the effective time beginning this September of 1967. Therefore, we cut down the number from 1,335 new starts in September of 1966 to 764 this September.

All we are doing now is eliminating a second cut which would have cut the program to $7 million. The committee has restored the program to the same level that now exists and will be applicable in September of 1967.

Mr. SMITH of Iowa. Let me put it another way. How many new starts are you going to have for $7 million and how many will you have for $17 million?

Mr. ECKHARDT. For $17 million, it would be approximately 775; about the same as this year.

Mr. KARTH. Mr. Chairman, will the gentleman yield?

Mr. ECKHARDT. I yield to the gentleman.

Mr. KARTH. I think what the gentleman is saying is—how many new Ph. D.'s will this additional $10 million supply over the course of the program and the answer is approximately 350.

Mr. SMITH of Iowa. Then the cost would be $28,000 per student.

Mr. ECKHARDT. It is more accurate to figure the cost this way: Based on fiscal year 1967, 764 traineeships cost $16 million. This figures $20,940 for each 3-year Ph. D. traineeship, or $6,980 per year, about half of which goes to the student and half to the university.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PETTIS. Mr. Chairman, I rise in opposition to the amendment to H.R. 10340 offered by my colleague from Indiana concerning the amount to be authorized for the sustaining university program, which has been a very essential element of the National Aeronautics and Space Administration Act of 1968.

This program has served a very vital role in this Nation's space effort. The program has three main elements—training, research, and research facilities—concerned respectively with the maintenance of a supply of manpower highly trained in space-related areas; the fostering of multidisciplinary research; and the acquisition of graduate laboratories as necessary to attain special research and training objectives.

I want to emphasize that the proposed amendment of my colleague offers no quarrel with the basic premise of the program, but is intended to reduce by $10 million the amount to be authorized for the training grants element of the sustaining university program. It is to this point that I rise in opposition.

Mr. Chairman, as of April 1, 1967, there have been 530 doctoral degrees conferred upon graduates in this program. Another 3,681 students are now engaged in the program. In addition, 764 students will enter the program this fall but if NASA's request for fiscal year 1968 were to prevail, then only 350 will enter in September 1968.

The NASA fiscal year 1968 request of only $7 million for training grants will fall far short of the objective of producing 1,000 Ph. D.'s per year. It is my contention, based on voluminous testimony received, that the voluntary reduction in this program by NASA was influenced solely by budgetary constraints and not by any desire on the part of the agency to deemphasize or relegate this program to a lower priority. There is still an urgent need to replenish the supply of engineers and scientists drawn from the universities and industry by NASA in furtherance of the space effort. The program needs further financial support to assure a steady flow of trained scientists and engineers into the aerospace field.

While I will acknowledge that only 34 of the 531 recipients of doctoral degrees have elected to remain in Government employment, I would point out that 233 have elected to remain with the universities in teaching and research roles, 161 have gone to industry, another 18 have entered the military service, and 84 have entered postdoctoral training. According to extensive testimony received, all of these graduates, whether working in Government laboratories or other areas, are engaged in space-related activities.

Consequently, I disagree with the conclusion that the program has not met its objective—it is replenishing the supply of engineers and scientists drawn from industry and the universities by NASA, although at a slower rate than deemed necessary. While the number of Ph. D.'s produced thus far may have fallen short of the 1,000 doctorates-per-year level objective, one must realize that it takes longer now to produce a Ph. D. than in the past. Recent studies have shown that the time required to go from a bachelor's degree to a doctorate has gone up from 3 years to 7 or 8 years in space-related fields.

Not too long ago, principally as an exercise to satisfy my own curiosity, I conducted a cursory private study as to the demand for scientists and engineers. In one copy of the Sunday Los Angeles Times alone, I was amazed to find not less than 29 full pages of advertisements for scientists, chemists, engineers, technicians and persons in this category. I was further astonished to learn that a great percentage of these advertisements were sponsored by the aerospace industry. Many of the firms were prime and subcontractors of NASA. As a result of my analysis, I am convinced that the demand for space-related scientists and engineers is highly competitive, and until we can do more to satisfy this demand, proselyting between government, industry, and the academic community will continue, to the detriment of the space program. I can assure you that the U.S.S.R. has no such problem. And that is why we run a great risk in cutting the throat of this program.

It was on this basic philosophy that the Subcommittee for Space Science and Applications, chaired by the able gentleman from Minnesota, Chairman JOSEPH E. KARTH, and on which I have the honor to serve, unanimously sponsored a recommendation to increase the NASA request for the sustaining university program by $10 million, specifically intended to maintain the current level of training support to universities. The full committee adopted this recommendation and it is now before this body for consideration.

I have read the opposing views to the committee action included in the legislative report. I have listened to the debate on this matter. I am still convinced that the committee action to increase this program by $10 million was wise. I urgently recommend that the proposed amendment be defeated.

Mr. RUMSFELD. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I support the sustaining university program. However, as has been stated earlier, the administration is requesting a tax increase.

The National Aeronautics and Space Administration asked for $20 million for the sustaining university program. The committee raised that amount to $30 million. This amendment will reduce the committee figure by $10 million down to the original NASA request.

NASA did not ask for the extra $10 million. They apparently do not want the money. The odds are they would not use the money.

This country is facing a tax increase. We have serious financial problems and for this Committee of the Whole House to endorse a committee amendment which will increase the President's budget and NASA's request by $10 million over what they wanted on this particular item, I think would not be a reasonable move for the Committee to take. I urge adoption of the Roudebush amendment to reduce this category back to what NASA requested.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman.

Mr. ECKHARDT. I would merely like to correct the record so that we are sure we know what we are doing here.

Will the gentleman recognize that the $10 million that was added by the action of the committee would in effect merely sustain the program at approximately the same level as it now exists in 1967? That is, we have already taken a cut from the level of approximately $25 million, as in the peak period 1965 and 1966, to a level of about $16 million and this would merely continue the program in 1968 at the level of $17 million, instead of $16 million this year, which is still a cut from the peak level of $25 million.

Mr. FULTON of Pennsylvania. Would the gentleman be interested in a lesser cut or in sustaining the full amount recommended by the committee?

Mr. ECKHARDT. What we really have done is simply substantially continue in 1968 the existing program as it exists in 1967. It had already been cut back in 1967 from $22 million authorized to $16 million expended in 1967.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I am glad to yield to the gentleman from New York.

Mr. WYDLER. I have listened to much of the debate on this particular subject with great interest. I can agree that it is very important that we have adequately trained scientists and Ph. D.'s But it just tends to occur to me a little bit that $10 million in this connection might be a kind of trivial matter.

Yesterday on the floor of the House we passed a $1 billion higher education bill, and it would seem to me that clearly the argument that the agency is making in this case, if I understand it correctly, is that this type of program should now be unfragmentized and taken out of the various agencies of the Government and put under one roof, under the Higher Education Act, and the necessary funds, whatever they are, for the programs should come from that source—which is a good theory. I do not know how it works in practice, but it sounds like a good theory.

I would like to have someone who has spoken on this subject comment on that.

Mr. FULTON of Pennsylvania. May I make my own position clear? I believe that in no case should we go above the budget request for this type of program and in this time of war.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from North Carolina.

Mr. JONAS. I hope the committee is not ignoring the fact that recently we passed through this body a bill that appropriated $495 million for the National Science Foundation, which is engaged in the business of supporting the science effort in our colleges and universities of the country and stimulating the production of Ph. D.'s, among other things.

Mr. FULTON of Pennsylvania. May I add further that the National Science Foundation has just made several large allocations of postgraduate fellowships in the space and engineering fields.

Mr. JONAS. The gentleman is correct.

Mr. HECHLER of West Virginia. Mr. Chairman, I rise in opposition to the amendment, and yield to the able gentleman from Minnesota [Mr. KARTH], the chairman of the Subcommittee on Space Sciences and Applications.

Mr. KARTH. Mr. Chairman, I think it is important that we answer the questions that have been raised, and particularly the question raised by the gentleman from New York and the question raised directed to the National Science Foundation as to what they might be doing, especially since $440 million was recently voted in appropriations.

Let me just say to the Committee that the National Science Foundation themselves last year predicted, that in 3 years the annual need would be for 71,700 new engineering and scientific graduates. But they predict no more than 37,000. So what we are talking about is an annual deficiency of more than 30,000, almost 50 percent, in this very skilled, professional area upon which our technological and research base is built in this country. I think so long as someone mentioned that $10 million is not a lot of money, and I think it is, let me say that this $10 million buys more value, more dollar value for this country, than any other $10 million in this bill.

Let me say, too, Mr. Chairman, I do not feel too badly that the subcommittee took independent action to raise, to increase, that is, one of NASA's proposals. Not only do I think we are here to remove, or to reduce, or to cut their budget requests, but if in our independent judgment there ought to be more money in certain projects to make them effective and to allow them to reach the objective for which they are intended, then I think that we ought to take such independent action.

I have heard all too often on the floor of this House that this committee does not use that kind of independent judgment, or there are not enough committees in this Congress that use sufficient independent judgment.

Let me say, we worked hard and labored mightily in the subcommittee on this very matter. It was the gentleman from California [Mr. PETTIS] who called to our attention the great need in his State alone. He brought with him one day as he flew back from California a newspaper. I believe he said there were 100 pages of ads—and he has it in his hand—by industry for these kinds of professional and technical people. So they are in great short supply. They are being pirated by one company, one university, one Government agency from another. It is costing us many times the $10 million in increased cost to this Government. I really and honestly believe, Mr. Chairman, that this amendment must be defeated, because this is one of the most critical programs in the whole NASA budget.

Mr. HECHLER of West Virginia. Mr. Chairman, I commend the gentleman from Minnesota, and yield at this time to the gentleman from Connecticut [Mr. DADDARIO], the effective chairman of the Subcommittee on Science, Research, and Development.

Mr. DADDARIO. Mr. Chairman, I thank the gentleman from West Virginia for yielding to me.

Mr. Chairman, the gentleman from Minnesota [Mr. KARTH] has made a compelling case and one which this Committee should listen to and support. There is no more important program than this. It is one which indicates its importance by the statistics which the gentleman from Minnesota has cited to us.

Even though we have programs supported in the predoctoral and doctoral stages in many of our agencies, and find ourselves in the fortunate position—when we have more engineers and more scientists than any other country in the world, we can see that the Russians are presently accelerating themselves so fast in these fields—that they could in a relatively short time pass us.

We have a good program going here, and one which will add to the educational strength and character of this country. We should not lose this opportunity to add to our strength as a nation. We should support this $30 million program.

I commend the subcommittee which Mr. KARTH chairs for having added this $10 million, and I ask that the Committee defeat this amendment.

Mr. RYAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and nine Members are present, a quorum.

The question is on the amendment offered by the gentleman from Indiana [Mr. ROUDEBUSH].

The amendment was rejected.

AMENDMENTS OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Chair will inquire if the amendment is to section 1?

Mr. RYAN. Mr. Chairman, I have several amendments to section 1. I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. How many amendments does the gentleman have, the Chair inquires.

Mr. RYAN. I have amendments as to page 2 and page 3.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. RYAN:

On page 2, line 16, strike out "$70,000,000" and insert "$44,220,000".

On page 3, strike out lines 19 and 20.

On page 3, line 21, strike out "(10)" and insert "(9)".

On page 3, line 23, strike out "(11)" and insert "(10)".

On page 4, line 1, strike out "(12)" and insert "(11)".

The CHAIRMAN. Is there objection to the request of the gentleman from New York that the amendments be considered en bloc?

There was no objection.

Mr. RYAN. Mr. Chairman, the amendments which I have offered relate to the Nerva nuclear rocket program, which is one of the important questions in this bill.

This innocent looking line item, line 16 on page 2, in the amount of $70 million, and the accompanying line item, lines 19 and 20 on page 3, in the amount of $16.5 million, are preludes to an immense undertaking involving a vast public expense.

Under the original budget for fiscal year 1968, submitted by NASA to the Congress, the Nerva technology program was to be completed, and the justification statement accompanying the budget did not include development of the Nerva engine.

It was not until February 28 of this year that an amended budget was submitted containing a revised request totaling an additional $50 million, $27.5 million for hardware procurement and $22.5 million for test facilities construction.

I might point out that the original request for nuclear rockets was $46.5 million, without any money for construction.

The committee recommended $70 million for the nuclear rocket program and $16.5 million for construction.

My amendments reject the additional funding, for which there is no mission requirement, and leave in the bill $44,220,000, an amount which is approximately the same as was submitted to the Congress by NASA in the first instance.

To date, approximately $1.6 billion has been spent in developing the technology of nuclear propulsion to determine its applicability for certain potential space missions. The desired knowledge has now been gained, and detailed technological studies are nearing completion.

The Nerva program has been phasing down over the past several years. In fact, the amount originally requested of the Congress for fiscal year 1968 by NASA was less than the amount requested last year. In the natural course of events this program would now phase out, and the knowledge would be stored until a specific requirement arises.

However, this is not the case with Nerva. A decision has been made, not by the Congress but quietly by NASA top managers, to proceed with a new departure, a new stage of the program. This is a decision to begin actual construction of the flight hardware, building a Nerva nuclear rocket engine itself for flight testing in 1975 at a cost of $2 billion or more.

So by voting for the committee proposal, although it appears to be $70 million, Congress will be embarking on a $2 billion engine development for flight.

Without an explicit mission requirement, in my opinion, this is unjustified.

This is really only the beginning of the story, because NASA does, indeed, have in mind a specific mission for the Nerva engine, one which has not been submitted to the Congress, one which has not been approved as a national decision; that is, a manned Mars mission.

NASA will announce this hoped-for mission, a manned landing on Mars, when enough money has been sunk into Nerva and other projects related to Mars so that it will have become a very costly on-going program. And the Congress will be told it should not scuttle such a sizable investment. Thus NASA will have done our legislating for us, and the Congress will have its fiscal decision-making powers usurped again by NASA.

I believe we ought to be very clear about the dimensions of this project.

The project to put a man on Mars will cost at least $200 billion in the next 18 years. Of course, this does not take into account the history of NASA's cost escalation. The same questions that are now being raised about national priorities, and the wisdom of spending $23 billion in a few short years for a moon landing, may apply even more so to the landing of a man on the planet Mars. The potential benefits of this venture have not been evaluated to determine whether they are sufficient to justify such a project at this time. NASA will argue that shelving programs for awhile will beget additional costs should the projects be taken up again. This is hardly a sufficient reason for incurring now an expense which would lead to a $200 billion program. It would be reasonable——

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. RYAN was allowed to proceed for 3 additional minutes.)

Mr. RYAN. It would be reasonable to regard the cost of storing the knowledge as part of the initial technology development cost.

NASA has accepted such reasoning in arguing against further expenditures on a large solid motor for which there is no present mission requirement. In this instance NASA says that technology is well in hand and it can be stored against future contingencies. The same reasoning should be applied to the Nerva program, and it will not harm future possibilities.

It is also important to realize that NASA has not yet provided an adequate comparison of the proposed nuclear propulsion with alternate methods based on hardware which is already available. Should a manned Mars mission ever become a national goal, the use of a third-stage nuclear rocket propulsion system would still have to be justified by cost and benefit.

NASA's original budget submission did not include Nerva hardware flight development. I stress this. It was quietly added on February 28 through an amendment to the budget request. In the meantime they are spending public funds to implant in the national consciousness a manned Mars mission.

Articles have circulated widely in the press and technical aerospace journals based on NASA information releases discussing the expected Mars landing date of 1985 and various technical aspects of the deep-space mission. Charts and picture graphs are published depicting the 1985 Mars mission. The spring 1967 TRW space log includes a lengthy technical article by members of the AEC–NASA Space Nuclear Propulsion Office which says the advantage of a nuclear rocket engine would be compounded "in a multistage mission such as a manned Mars landing."

Although NASA budget statement does not mention this mission, the amended budget request—page 28—unexpectedly notes:

> The conversion from a NERVA technology program to a NERVA engine development program was initiated in FY 1967 and will be a major effort during FY 1968.

This action was not pointed to during fiscal year 1966 nor explained in fiscal year 1967 to the members of the committee. NASA's failure to explain may be because of the serious possibility that such a mission would be rejected by the public at this time if the estimated cost of several hundreds of billions of dollars were clearly spelled out.

The nonhardware aspects of this program will not be harmed under my amendment, because some $44 million will remain for Nerva. The nonhardware aspects will not be harmed if we defer authorizing the engine hardware development until such time as the Congress has been presented with an explicit mission with projected costs and benefits, and a full comparison with alternative propulsion methods. In other words, we must have adequate information to make an intelligent judgment concerning this investment of public funds. Therefore, my amendment recommends that there be a reduction from the $70 million in the bill. The reduction would be to $44.22 million for nuclear rockets.

I arrive at this figure by the following means. I have accepted NASA's original fiscal year 1968 request under nuclear rockets with the exception of three subitems under supporting research and technology. These three items increased over fiscal year 1967 levels, while all other aspects of the program decreased. I have restored the three subheadings—nuclear rocket engine systems, safety, and vehicle technology—to fiscal year 1967 levels. This would result in a line item—page 2, line 16—of $44,220,000 for nuclear rockets.

My amendments would also eliminate the recommended $16.5 million for the construction of engine-testing stands at the nuclear rocket development station.

construction of test stands is unnecessary without flight hardware to be tested. This leaves a sizable amount of money, $44.22 million, for the nuclear rocket project, which allows the technology study to be concluded pending any possible future decision that the production of nuclear rocket engine flight hardware is justified and desirable.

This is an appropriate place for us to utilize our powers over this budget, and I urge the adoption of these amendments.

Mr. BELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it has been suggested that we delay proceeding with the development of Nerva.

But while we recognize today's needs, we must not abandon tomorrow's.

Failure of foresight has cost us dearly in the past.

It can cost us more in the future.

There are important reasons why we should proceed with Nerva, and equally important reasons why we should proceed with Nerva now.

We are at the crossroads of space travel capabilities.

We have now the opportunity to begin thinking in terms of transportation in space; rather than continuing the limiting artillery approach of present systems.

Performance advantages of nuclear rockets range from 65-percent increases in lunar or deep space payloads to the saving of millions of pounds in earth orbit to perform manned landings on new planets.

The versatility of the nuclear rocket engine will provide enhanced flexibility and technological leadership at less cost than is possible in any other available combination of propulsion developments.

Nerva can be used in a Saturn 5 upper stage for lunar base support and for sending large unmanned payloads into deep space.

It can be used for maneuvering heavy payloads in earth orbit, and in synchronous orbit (22,000 miles).

It can be the building block of large vehicles carrying men to Mars and Venus.

By extending the capability of Saturn 5 and by greatly reducing the weight required in earth orbit, the nuclear rocket will pay for its development in a very few flights.

Its adaptibility to growth in payloads and operational requirements will assure that only one engine design technology be developed to provide the propulsion for decades of space exploration; it will be our workhorse.

The Nerva II engine has a potential of approximately 250,000 pounds of thrust with full power operation for 30 minutes or longer.

Compare this with the Saturn 4-B thrust of 200,000 pounds for 5 to 7 minutes.

Those who would delay Nerva cite obstacles of cost.

I would ask them not to overlook important cost considerations.

Delaying Nerva for 1 year would cost us at least 300 million in dollars and 3 years in time just to catch up to where we are now.

Unquestionable savings will result from Nerva's unique capabilities.

To deliver a 47,000-pound payload to the moon, two Saturn chemical systems would be required at a cost of $320 million.

The same payload could be delivered by one Nerva system at a cost of $210 million.

Using the same example a second time around:

The next 47,000-pound payload to the moon would require an additional $320 million.

But the Nerva system could be re-used.

This will be possible because of Nerva's transportation characteristics.

After landing on the Moon, Nerva can return to earth orbit and be reused . . . as opposed to the artillerylike Saturn chemical system which is thrown away after use, like a soft drink can.

Mr. Chairman, we cannot afford to turn our backs on this prospect.

We cannot forever make existing systems increasingly larger to fit our advancing objectives.

The time involved in development of Nerva demands that we begin now.

The door to space is open.

We will do our Nation and its future generations devastating disservice if we close that door today.

Mr. Chairman, I strongly urge approval of the Nerva program.

I urge defeat of the amendment of the gentleman from New York.

Mr. KARTH. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from Minnesota.

Mr. KARTH. Mr. Chairman, I wish to compliment the gentleman in the well for making what I consider to be one of the best speeches I have heard on this subject during the course of the general debate on this bill.

Mr. Chairman, for future space exploration involving missions of extended duration some means of propulsion surpassing the present chemical means will be needed. Improved propulsion capability can be achieved by further refinement and development in the chemical propulsion field or further development in the nuclear rocket propulsion area or through a combination of both.

The nuclear rocket potentially provides a major increase in propulsion capability. It is the next major advancement in propulsion for which there is already established a sound technical base. It is misleading to consider nuclear rockets solely in terms of specific missions anymore than we now consider chemical propulsion in terms of specific missions.

Although no specific mission has been assigned for the Nerva II engine, major potential missions for a nuclear engine of this nature are possible; such as:

First. Earth-orbital operations—maneuvering large spacecraft from orbit to orbit and return in the space about the earth.

Second. Lunar logistics—increasing payload delivered to the moon.

Third. Solar system exploration—unmanned space probes.

Fourth. Manned planetary exploration—fly-by and landing missions to Mars and Venus.

Extensive mission analysis has defined a single Nerva engine that could perform all of the major missions for which nuclear rockets would offer significant advantages over chemical rockets. The Nerva II engine will develop about 5,000 megawatts in power and provide a thrust of from 200,000 to 250,000 pounds. The proposed engine could be incorporated into a standard propulsion module, capable of being installed in a third stage to increase the utility of the Saturn V chemical booster rocket. This module could be used singly or it could be clustered to provide the thrust required.

The advantage of nuclear rockets comes from their high specific impulse. A 760 second specific impulse level has been demonstrated in the recently completed Kiwi reactor series of tests. Design changes, already identified, can be effected that will permit this value to be increased to 800 seconds. Preliminary studies indicate that further laboratory research may lead the way to achieving specific impulses of up to 900 seconds in the not too distant future. These values compare favorably with specific impulse levels achievable from advanced chemical propulsion systems amounting to only 450 seconds.

From the end of 1963 to present, the goal of the nuclear rocket program has been the establishment of a strong technological base through analysis, research, component tests, and systems testing which will permit the development of a nuclear rocket engine suited for a wide range of mission applications. It is now time to use the technology thus developed. Failure to support the President's proposed Nerva engine development program in fiscal year 1968 will result in at least partial disbanding of the unique Government-industry nuclear rocket capability which has been developed. Reconstitution of this team at a later date will add $300 million to the program and add 4 years to the normal development cycle.

The CHAIRMAN pro tempore (Mr. HOLIFIELD). The time of the gentleman from California has expired.

(By unanimous consent Mr. BELL was allowed to proceed for 3 additional minutes.)

Mr. BELL. Mr. Chairman, one area that I think we have talked about and with which we have had the greatest trouble in the past in competing with the Soviet Union in space, and that is in the area thrust. They have always proven capable of exceeding us in the area of developing huge rocket thrust engines. They proved it with Sputnik in 1957. We have caught up with them, and we have passed them in almost every area except the area of thrust today.

If they get ahead of us with a nuclear thrust engine it will take us years to catch up. Let us spend the necessary money now in our research and development to keep the Nerva project going.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman.

Mr. WYDLER. Mr. Chairman, the gentleman from California mentioned something about returning this Nerva rocket to earth after they shot it up to space. Is that correct?

Mr. BELL. The gentleman is not correct. I did not say earth. I said earth orbit.

Mr. WYDLER. I am sorry. I thought the gentleman said earth. They would orbit it; would that not require it to return to earth?

Is that true?

Mr. BELL. That would not require them to return this nuclear rocket to earth. The gentleman knows very well with our ability to join up and dock vehicles—and we have proven our ability to do this time and again, to dock up together—that we could be able to join the Nerva together with another vehicle from the pad down at Cape Kennedy.

Mr. WYDLER. The gentleman, of course, knows we already have had, and do have, vehicles that are orbiting around the earth, so that there would be nothing unique about Nerva.

Mr. BELL The gentleman is overlooking the reactor engine of Nerva. In other words, you do not discard it when it is brought back into orbit; you could connect it up with another vehicle and then again proceed to go to whatever destination you had.

In addition to this, there is another area in which Nerva has achieved distinction in that under the nuclear rocket it has the ability to stop and restart. This is another area in which the nuclear rocket has an advantage over chemical rockets. Also we would have the greater advantage in the distance it can go. In other words, to put it in the vernacular of the motorist, if it is placed in orbit today, there is more miles per gallon, more than double the miles per gallon which you would have under a chemical rocket.

Mr. WYDLER. I thank the gentleman for yielding.

Mr. MILLER of California. Mr. Chairman, I would like to see if we can arrive at some limitation on debate.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 2:50 o'clock p.m.

The CHAIRMAN. The gentleman from California asks unanimous consent that all debate on this amendment and all amendments thereto conclude at 2:50 o'clock.

Is there objection to the request of the gentleman from California?

Mr. FULTON of Pennsylvania. Mr. Chairman, reserving the right to object, might I suggest 3 o'clock?

Mr. MILLER of California. Mr. Chairman, I will accept 3 o'clock.

Mr. GERALD R. FORD. Mr. Chairman, reserving the right to object, as I understand it this request refers to the so-called Nerva amendment only, which is under the parliamentary ruling a line item, and a line item only?

Mr. MILLER of California. There are several line items.

Mr. GERALD R. FORD. There are several line items?

Mr. MILLER of California. But in the reading of the amendments, Mr. RYAN asked that they be considered en bloc.

Mr. GERALD R. FORD. That they be considered en bloc?

Mr. MILLER of California. Yes, and it is these amendments to which I refer.

Mr. GERALD R. FORD. But the gentleman refers only to the several line items?

Mr. MILLER of California. That is correct.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. WYDLER. Mr. Chairman, reserving the right so object, I would say, Mr. Chairman, that I believe this is a most important amendment. I served on the subcommittee in which it was considered, and I would like my full time to speak on this matter.

So with that explanation to the Chairman, I am going to object.

The CHAIRMAN. Objection is heard.

Mr. MILLER of California. Mr. Chairman, I move that all debate on this group of amendments and all amendments thereto close at 3 o'clock.

Mr. GROSS. Mr. Chairman, might I ask the gentleman to what groups of amendments he refers?

Mr. MILLER of California. There were a number of amendments that were put en bloc, and we are considering them en bloc, and they pertain to this same subject.

Mr. GROSS. Section 1 of the bill?

Mr. MILLER of California. Just these amendments, the Ryan amendments are the only ones to which I refer.

Mr. GROSS. To section 1 of the bill.

The CHAIRMAN. The gentleman from California moves that all debate on the so-called Ryan amendments and all amendments thereto conclude at 3 o'clock.

The question is on the motion offered by the gentleman from California.

The motion was agreed to.

The CHAIRMAN. The Chair will note the names of Members standing and seeking recognition under the limitation of time.

Mr. WYDLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. WYDLER. The Chair noted and announced the Members who are going to be recognized, and among them is the gentleman from California [Mr. BELL]. Mr. Chairman, the gentleman from California [Mr. BELL] has just had 8 minutes on this subject.

The CHAIRMAN. The Chair did announce the name of the gentleman from California [Mr. BELL] and the Chair will state that when time is limited, the Chair will recognize those Members who are standing at the time.

The Chair recognizes the gentleman from West Virginia [Mr. HECHLER].

Mr. HECHLER of West Virginia. Mr. Chairman, if Christopher Columbus were embarking upon this historic voyage today, I think he might have a little trouble getting an authorization or an appropriation out of the Congress. The results of his voyage, as the results of any great discovery or scientific development, were not fully apparent for many years.

Essentially what the Nerva program does is to provide an investment in the future.

Some people have mentioned that maybe this does not have a specific and immediate mission. Of course, Christopher Columbus had a very specific mission, which was to go west to the Orient. When he arrived at San Salvador it was the most glorious failure in all history.

This Nerva program essentially is an investment in the future strength of the United States of America and in our space program.

What we do on the Nerva program will determine the strength of the space program in the 1980's and the 1990's. If we were to stop at the moon, then I would say there is no need for any authorization for the Nerva program.

The United States program to develop nuclear propulsion for rockets started in 1955 at the Los Alamos Scientific Laboratory, operated for the Atomic Energy Commission by the University of California. The portions of the work involving the hydrogen turbopumps and nozzles—the nonreactor portions of the work, were conducted under the sponsorship of the Air Force until 1958 when NASA was established.

In 1958, responsibility for nuclear rocket propulsion systems was assigned to NASA; and the responsibility for development of the nuclear reactors for such rockets remained with the AEC.

It was already apparent at that time that nuclear rockets could offer significant advantages for deep space and high payload missions, providing that you could achieve high specific impulse in a reasonable weight system. Following a number of experimental tests, the high specific impulse has been achieved, and also reasonable weights have been verified.

We have already spent about $1 billion in the initial phases of testing and associated research and development work, $600 million by AEC and $400 million by NASA. Over the next 10 years, as we go into hardware and full development of the nuclear rocket engine, we would estimate a cost of approximately $1 billion—$600 million by NASA and $400 million by AEC, to be followed by 5 years of mating the system to the mission, at a cost of about $500 million.

Right now we have a strong capability in the scientists, engineers, and technicians currently working on the nuclear rocket engine program. To stop this program now, and restart it later would, according to NASA estimates, cost in the neighborhood of $300 million more.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I only have 90 seconds and the gentleman had 8 minutes to speak on his amendment.

Mr. TIERNAN. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman in the well.

Mr. TALCOTT. Mr. Chairman, I object.

Mr. BELL. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from West Virginia [Mr. HECHLER].

Mr. TALCOTT. Mr. Chairman, I object.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. WYDLER].

Mr. RYAN. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from New York [Mr. WYDLER].

Mr. TALCOTT. Mr. Chairman, I object.

Mr. WYDLER. Mr. Chairman, I just want the Members of the House to know what they are about to vote on so they will understand its full import.

You are about to begin a $2 billion program at the very least. You will be required, if you go for this authorization this year, to vote at least $100 million for it in the space program next year plus a large sum of money in addition in the AEC program next year.

You will be required to do that because of what you are doing today. I sat on the subcommittee that considered this program. I want our space program to be good. But of all the programs that come before our subcommittee on advance research, this is the program that we can afford to defer this year. This is not a program that we have to start this year. It is going to take us 10 years, at least, to accomplish it. We can wait and, in my opinion, we can catch up if it proves to be so important.

This program passed the subcommittee by only a 4 to 4 tie vote and this program was not even in the President's original budget submitted to this Congress. He was not sure himself whether this program should go forward and not until a month after he had submitted the regular budget did he add this particular rocket development program—the so-called nuclear program—in the budget which was not even before the Congress at that time.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. PETTIS].

Mr. PETTIS. Mr. Chairman, I am strongly opposed to the amendment offered by the gentleman.

It appears that some reflection upon the hard lessons of recent history in the exploration of space is in order. I need not remind this House of what happened to this Nation on October 4, 1957. It was embarrassed before the world as it had never been before. This was the Nation, the acknowledged leader in technology, that was going to place a spacecraft in orbit as part of the program of the International Geophysical Year. We dismissed as nonsense the Russian statement that they, too, would launch a spacecraft into orbit before we could. We were not only deeply embarrassed by Sputnik I, but were also deeply shocked by the Soviet capability. They orbited an 8,000-pound booster and a 189-pound payload—8,189 pounds as compared to our 22½-pound Vanguard not yet launched. The facts were clear. The Soviet Union had a capability in chemical propulsion that was unquestionably far beyond ours. They already had an advantage we would not be able to counter for years to come. And we still have not really been able to match them more than 9 years later despite the successes of the Saturn I booster. Our real hope lies in the Saturn V which will deliver 7.5 million pounds of thrust.

Now we are considering the Nerva, the nuclear rocket research and development program. Now we are deciding irrevocably whether we are going to be caught short again—the world is watching us. Where will we be 10 or 15 years from now? This is not just a matter of ego in the scientific community—it has to do with the distinct possibility that the Russians will—with nuclear propulsion capability in space—be able to blackmail us from a military standpoint. Now we are deciding whether we are going to concede to the Soviet Union another tremendous advantage in space over the United States, one which we will probably not be able to offset.

The nuclear rocket is a major new advance in propulsion capability. The Nerva nuclear rocket engine is a versatile system which will provide a significant payload and economical operational benefits in a wide variety of large payload, high energy missions. It can, for example, extend the payload and mission capabilities of the Saturn V launch vehicle for maneuvering heavy payloads in earth orbit, and in this cold war period—this is important to me.

During the past several years the nuclear rocket program has been establishing the base of technology required for this development. The progress has been good, demonstrating the high performance which the nuclear rocket has promised. The technology work required for the Nerva engine is nearing completion. In the process of establishing the technology, a unique industry-Government capability has been established.

The nuclear rocket is a long-lead-time development, longer than that of the other systems required for these advanced missions. Because of that fact, it is necessary that the development of the Nerva engine proceed in fiscal year 1968 in order for it to be available for the missions of the late 1970's and the 1980's. It will also capitalize on the development competence that has been established. This effort will assure an orderly progression toward the establishment of this new propulsion capability on a time scale consistent with the logical evolution of our space exploration program.

We all know that the key to success in the exploration of space is propulsion. It is as simple as that. We are now at the point in our planning for future missions where the outstanding chemical propulsion systems we already possess just simply cannot produce the performance we need to accomplish our objectives. Any further development of chemical boosters, whether liquid or solid, would impose penalties in sheer size of the booster and enormity of money that would be totally unacceptable. The only technology left to us, therefore, lies in the nuclear field, a technology that is coming within our grasp and can be funded well within the budgetary limits we consider practical and manageable. I would hate to wake up one morning and find that the U.S.S.R had hoisted hardware into space—and it was being kept there by nuclear power.

The Members of the House have to make up their minds today. We are either going to support a program indispensable to our future in space, or we are going to cut it to the point of shameful impotence.

The action of the House today on this amendment, will be fateful. I urge in the strongest possible terms its defeat.

The CHAIRMAN. The Chair recognizes the gentleman from Nevada [Mr. BARING].

Mr. BARING. Mr. Chairman, the Nerva nuclear rocket engine is the next major advance in propulsion capability. Our progress has always been dependent upon the availability of energy. Nuclear energy is a compact form of high energy already finding widespread use in our society. It must be available for the space program.

To delay proceeding with Nerva is the foreclosure of our future in space. While there are many immediate demands on our resources, we must not lose sight of the future, a future which is determined by what we do today.

Propulsion developments take long leadtimes. Development of nuclear propulsion is especially long, longer than any other element for the missions to which it is applicable. It is therefore imperative that we work on Nerva before the specific mission decisions of the future are made. We can do this with assurance that the system will be put to good use because the capability it provides is versatile. This was done in the late 1950's in the case of one of our chemical rockets because we knew at the time that we would need larger boosters in the future, even though we could not state what its first use would be. Subsequently, in 1961, this engine became the engine for the Saturn V, thus making the Apollo program possible. It will soon make its first flight, 9 years after development began.

History also contains examples of the consequences of a lack of foresight, when we were unprepared to meet the challenges put before us by others. We must not let it happen in this vital field of propulsion.

The effect of canceling Nerva would be to force the United States into the long range and expensive development of space boosters much larger than Saturn V and the use of much less efficient propulsion systems. If we are to have a viable space program, we know that we will want to move beyond the present capability of Saturn V. It is probable that the Soviet Union is already developing a booster that will outstrip this largest of U.S. boosters. The Nerva system is the efficient way of extending the capability of Saturn V and making maximum use of the development effort to date.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from New York.

Mr. WYDLER. I thank the gentleman

for yielding. When we had the witnesses from NASA before our subcommittee, we asked them questions, and went into the matter quite a bit, as to exactly what the use of this particular rocket would ever be, if it was in fact developed.

It is my conclusion from that testimony that the only really significant use that this rocket could perform for the United States of America would be for a manned planetary mission, probably to the planet Mars.

We can have different ideas in this House as to whether we should undertake such a mission. I personally might be one who would favor undertaking such a mission. But I think if we do so, we should do so consciously and not by this indirect method commit ourselves to make such a decision. If we commit this $2 billion, and we are subsequently told that there is no use for it unless we do indeed undertake this manned Mars mission, you can see the very awkward position each and every Member of this House will be put into.

I have yet to hear any other justification, and I think the gentleman from West Virginia stated it most eloquently when he said that if you eliminated that from your thinking in this matter, there is no justification for the project at all.

Gentlemen, on this matter we have many years before us before this rocket engine ever will be ready for use. They say 10 years. It may well be longer. We can defer it.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. Tiernan].

Mr. HECHLER of West Virginia. Mr. Chairman, will the gentleman from Rhode Island yield?

Mr. TIERNAN. I will yield to the gentleman from West Virginia, but first I would like to say that I rise in opposition to the amendment. I now yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Chairman, I have heard it said that we need a mission requirement to develop the Nerva engine. I wonder where we would be if Robert Fulton had needed a mission requirement before developing the steamboat. I wonder where we would be if Samuel Morse had needed a mission requirement before developing the telegraph. I wonder where we would be if the Wright brothers had needed a mission requirement before developing the airplane. I wonder where we would be today if Robert Goddard had needed a mission requirement before developing the rocket. I wonder where we would be if the Bell Telephone Laboratories had needed a mission requirement before developing the transistor, or if the Joint Committee on Atomic Energy of this great body had needed a mission requirement before recommending the development of nuclear power for the Navy.

I think there are many possible and versatile uses of the Nerva. What we are trying to do is to develop a big propulsion system that can be utilized for any number of missions—earth orbital, direct manned flight to the moon, lunar landing base, unmanned flights to the planets—any number of directions we could go with the type of propulsion power which this Nerva rocket will produce.

I therefore ask for the defeat of the amendment, and I thank the gentleman from Rhode Island for yielding to me.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, it is interesting to hear about the pioneers in this country and their developments. That was before there was a perpetual Santa Claus in Washington, and they did not have mission requirements in those days.

The pioneers did some things on their own. But I really arose to ask the meaning of these "extraordinary expenses" to the tune of $35,000, to be found on page 5 of this bill. Could that $35,000, by any chance, be earmarked for cocktail parties and hors d'oeuvres? What is that $35,000 expenditure on page 5 of the bill?

Can anybody on the committee help me? I hope it is not for the "tools of the trade."

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I would say that is the Administrator's special fund. I believe every agency in Government has a special fund for its Administrator. It is part of the tools of the trade.

Mr. GROSS. But not every agency is engaged in a moondoggle. Will this $35,000 be enough if we ever get to the moon—if we ever get to that moondust—will that be enough for entertainment up there?

Mr. MILLER of California. The trouble is, we do not know what the little people on the moon are like, and we do not know what we will have to do to entertain them.

Mr. GROSS. I suspect that a better answer would be that we do not know what they drink. Since I am going to vote against this "moondoggle" I will not offer an amendment to strike out or reduce the $35,000.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. Bennett].

Mr. BENNETT. Mr. Chairman, I favor the space program. I have done my duty to support it wherever I could, and my remarks today are not to be taken as being negative in nature, but more in the nature of an inquiry.

In the March edition of the Reader's Digest, there was a very heavy denunciation of the space program for spending money for research in fields which did not seem to be related to the activities of NASA. Since that time, two separate reports have come to the committee. At my request, inquiry was made about it. The last one, as I read it, says NASA is entitled to study the verities of statistical data of a general nature, not just space data and related data.

If this were to be done by every agency of the Government, this would be indeed an expensive thing. It is not with the idea of nitpicking that I am making this observation, but I would like to ask the chairman of the committee if his committee intends to be extremely careful to see that NASA does not overlap other agencies and get far afield from the field of space in its research?

Mr. MILLER of California. I would say to the gentleman this committee has been quite conscious of its responsibility in this field. There is a very effective committee that overlooks all of NASA's activities. Unfortunately, so far this year that committee, under the chairmanship of Mr. Teague of Texas, has had the Apollo disaster before it, and they will report on that very shortly. I can assure the gentleman it is my intention to refer this matter to that committee, with the request that they make very sure that NASA will not spend for matters it should not.

Mr. DAVIS of Georgia. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Chairman, I rise in opposition to this amendment.

It is an axiom of unquestioned validity that propulsion development is the key to a growing program of space exploration and dictates the versatility of mission capability. The principal basis of our space research program is its continuity. Part of that continuity is the philosophy that NASA will not conduct routine operations such as those characteristic of the armed services, for example.

Nerva is an example of technological growth in propulsion entirely consistent with the unlimited objectives to be achieved in space. Nuclear propulsion is the only, and I repeat only, technology within grasp available to provide the assurance that we will be able to carry forward the future extensions of the current programs in manned and unmanned space flight.

It is a fact of life that nuclear propulsion research takes a much longer time to accomplish than rocket power programs of provincial chemistry and physics. It is also a fact of life that the Nerva program will be expensive but not extraordinarily so in comparison with the chemical systems needed to do the job intended. The use of chemical propulsion for these missions would be not only incredibly more expensive than Nerva, but would entail a much higher risk factor, seriously compromising our confidence of success. The efficiency of the Nerva system over any comparable chemical system cannot be argued.

In asking for funds to support the Nerva program NASA has demonstrated its already deserved reputation for mature planning to meet the responsibilities delegated by Congress. For 9 years Congress has underwritten the national space program, clearly indicating to NASA its desires for NASA to maintain a viable approach to space research that is efficient and progressive. To reduce the funds the committee has voted to authorize for Nerva would, in effect, be a conclusion that the House was in error over the past years in its approach to space exploration.

I believe that in no way has the Committee on Science and Astronautics been overly indulgent of NASA. I know that the committee has tried to be as intelligent as possible in evaluating the NASA programs. Such is the case with Nerva. The Subcommittee for Advanced Research and Technology probed deeply into the Nerva request for funds. We examined the program as coldly as we could, and I think that the record of the hearings will show how stringent we were in our examination. We reduced the $74 million request by NASA by $4 million. That reduction was based upon testimony, not intuition, and not on an irrelevant rationale.

The choice to go ahead with Nerva had to be made this year. The committee agreed that such was the case. The committee has not been insensitive to the heavy burdens other Government activities have placed upon our financial resources. The committee is also thoroughly aware that to delay Nerva any longer would without question raise the ultimate cost of the program to an unreasonable level.

I strongly urge the House to accept the judgment of the committee in authorizing the funds for the Nerva program. The majority of the Members believe that the committee's judgment is sound and realistic. Therefore, I recommend that the amendment to the bill that would reduce the Nerva program to an impotent level be soundly rejected by the House.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BELL].

Mr. BELL. Mr. Chairman, I rise in opposition to the amendment. I want to answer one point that was made, that there was a specific mission to Mars in this nuclear-propelled vehicle.

This is not so. There is no specific mission provided for it, but it is important that this point get across, that we are interested in developing a type of vehicle that is reusable, that is maneuverable, and that is something new in the area of transportation. For the first time in our space development, we are working on a vehicle that is going to be taking us into the area of transportation and not waste money on artillery vehicles that are discarded and dropped to the ground.

Another point, from time to time there have been statements made to the effect that there are no specific missions set for this, as though that is some criticism. Yet that argument was made relative to the Polaris nuclear-powered vehicle. This same argument was made against the F-1 engine, and for many other propelled vehicles that have come up before our Space Committee.

I want to point out further—and again reiterate—it is very vital for us now to continue to develop this particular type of advanced vehicle, because of all areas where the Soviets have shown the capability of beating us, it will be in the area of advanced propelled vehicles.

Mr. FULTON of Pennsylvania. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Chairman, I rise in opposition to the amendment offered by Mr. RYAN.

On October 4, 1957, the United States and the rest of the world received shocking reasons to worry from the announcement that Russia had launched the first manmade earth satellite, weighing 8,184 pounds. America went through the "sputnik scare" which affected our thinking for many years. Following World War II, Russia had capitalized secretly but successfully on German V-2 rocket technology. Ironically, many of the German designs came from the work of Dr. Robert H. Goddard, father of American rocket technology. In utter disbelief that we could not demonstrate equal American technical superiority, Congress passed legislation creating the National Aeronautics and Space Administration, and formed two permanent committees of the House of Representatives and Senate, respectively, where hearings were conducted to try to determine how our mistakes occurred, how they could be rectified, and to proceed to do so.

I well remember witness after witness coming before the House Committee on Science and Astronautics to bemoan the fact that the United States was incapable of matching Soviet rocket power. The term "missile gap" was coined during this period. It reflected our utter frustration at being 5 or even 15 years behind the Russians in rocket power. The Russian "shot heard round the world" marked the beginning of the space age; and we promised ourselves we would catch up and never let such a thing happen to us again.

By declaration of the U.S. Congress, it became official policy of the United States that provision would be made for aeronautical and space activities to insure the general welfare and security of the United States. The National Aeronautics and Space Administration was made responsible for preserving the role of the United States as a leader in aeronautical and space science. Among the several mandates placed on NASA, it was to accomplish the "most effective utilization of scientific and engineering resources of the United States." The U.S. space program was designed "to use the rocket and related equipment and techniques to extend man's sphere of action, to advance his knowledge about the universe, and to advance technology and the applications thereof."

Having committed itself to the competition, the United States commenced the development of techniques, technologies, and tools to accomplish the task of meeting the Russian space challenge. With the 1960's, American technology started to take a hold. Plans were layed and new spacecraft were built—new rocket engines were designed and tested. Our 184-pound Explorer was eclipsed by heavier and more sophisticated spacecraft. The 1.5-million-pound-thrust F-1 rocket engine, for example, is now a keystone in the Saturn V/Apollo program.

Rocket engine research led to many conclusions about advanced rocket technology, among them, that elimination of the oxidizer would reduce weight requirements for the propulsion system. This would permit an increase in usable payload weights. Today, rocket engines in use by the United States and Russia operate on the basis of burning a fuel in an oxygen environment. The first really new development in the field of propulsion since the Chinese invented gunpowder a thousand years ago is nuclear propulsion which does not require oxygen to supply thrust. Nerva, as it is called, represents the first real step forward in rocket technology in the U.S. space program.

For future space exploration involving missions of extended duration some means of propulsion surpassing the present chemical means will be needed. Improved propulsion capability can be achieved by further refinement and development in the chemical propulsion field or further development in the nuclear rocket propulsion area or through a combination of both.

The nuclear rocket potentially provides a major increase in propulsion capability. It is the next major advancement in propulsion for which there is already established a sound technical base. It is misleading to consider nuclear rockets solely in terms of specific missions anymore than we now consider chemical propulsion in terms of specific missions.

Although no specific mission has been assigned for the Nerva II engine, major potential missions for a nuclear engine of this nature are possible, such as:

First. Earth-orbital operations—maneuvering large spacecraft from orbit to orbit and return in the space about the earth.

Second. Lunar logistics—increasing payload delivered to the moon.

Third. Solar system exploration—unmanned space probes.

Fourth. Manned planetary exploration—fly-by and landing missions to Mars and Venus.

Extensive mission analysis has defined a single Nerva engine that could perform all of the major missions for which nuclear rockets would offer significant advantages over chemical rockets. The Nerva II engine will develop about 5,000 megawatts in power and provide a thrust of from 200,000 to 250,000 pounds. The proposed engine could be incorporated into a standard propulsion module, capable of being installed in a third stage to increase the utility of the Saturn V chemical booster rocket. This module could be used singly or it could be clustered to provide the thrust required.

The advantage of nuclear rockets comes from their high specific impulse. A 760-second specific impulse level has been demonstrated in the recently completed Kiwi reactor series of tests. Design changes, already identified, can be effected that will permit this value to be increased to 800 seconds. Preliminary studies indicate that further laboratory research may lead the way to achieving specific impulses of up to 900 seconds in the not too distant future. These values compare favorably with specific impulse levels achievable from advanced chemical propulsion systems amounting to only 450 seconds. I have here a chart which well illustrates all of these points in favor of the Nerva nuclear rocket engine. [Chart cannot be reproduced in the RECORD.]

From the end of 1963 to present, the goal of the nuclear rocket program has been the establishment of a strong technological base through analysis, research, component tests, and systems testing which will permit the development of a nuclear rocket engine suited for a wide range of mission applications. It is now time to use the technology thus developed. Failure to support the President's proposed Nerva engine development program in fiscal year 1968 will result in at least partial disbanding of the unique Government-industry nuclear rocket capability which has been developed. Reconstitution of this team at a later date will add $300 million to the program and add 4 years to the normal development cycle.

In the past few years, U.S. scientists and engineers have given the country an enviable record of successfully accomplishing these goals. Nerva has demonstrated that it is possible to build a flyable, compact reactor, little larger than an office desk which will produce more than twice the power of Hoover Dam.

The advantages of nuclear rockets are obvious to anyone who compares them with chemical systems. Nerva will enable us to land about 90 percent more weight in direct flight to the moon. And, we can land anywhere on the moon's surface. This is extremely important for post-Apollo lunar exploration and exploitation. And, it is not possible with chemical rockets. For unmanned deep space probes, Nerva will permit us to launch about 100 percent more scientific equipment than chemical systems. And, when the Nation commits itself to sending men to the planets, Nerva will be the propulsion system needed to do the job.

Often overlooked are a variety of earth orbital operations which Nerva can make easier or even possible in some cases. These missions will probably constitute the most significant portion of the U.S. program in the next couple of decades. The resupply or ferrying of personnel to manned space stations will benefit by nuclear propulsion. In particular, the transfer of equipment and astronauts from low-altitude orbits to high-synchronous orbits and return certainly will be needed in future years. Missions of this sort would be in support of sophisticated communications or scientific satellites. Such a capability will be of particular significance if the satellites are manned. The present chemical third stage for the Saturn V using the J-2 hydrogen engine is incapable of performing such round-trip missions. A nuclear stage could perform them and with a substantial payload.

Missions requiring major plane or orbital changes would call for nuclear propulsion. Present chemical systems can accomplish only about 25° plane changes. This could be increased to at least 40° with a nuclear rocket. Multiple round trips to various orbits for inspection or maintenance would be permitted with nuclear propulsion.

Space operations such as these are generally recognized as possible directions into which the national space program can go after the Apollo landing. And although the President's Science Advisory Committee made recommendations similar to these, this year no major post-Apollo program has yet been adopted by NASA.

Now as to the cost of Nerva engine development. The estimated cost is about $1 billion spread over a 10-year period. Since a Nerva stage about doubles the thrust of a chemical stage—S-IV B—the number of Saturn V first- and second-stage launches could be reduced by half for certain missions. This will offer a significant cost advantage. The first two Saturn V stages cost between $125 and $150 million per launch. Reducing the planned number of launches by half would permit recovery of Nerva R. & D. costs after only a few missions. As a matter of fact, considering a recognized cost of $500 per pound to launch an object into an earth orbit, virtually all of the 10-year Nerva R. & D. costs could be saved in a single manned flight to Mars if the flight were done in a year when it was easiest to reach Mars. In more difficult years, the saving over chemical systems can run as high as five times the R. & D. costs for Nerva.

Why then should there be any problems about approving development of the engine this year. The principal problem arises over the difficulty of sustaining support for such long leadtime programs to the point where user agencies can establish firm requirements.

Critics of long-term development programs such as Nerva engage in what has been called the "requirements merry-go-round." What is strange to me about opposition to a program because it lacks a well-defined mission is that it is so completely negative in character. If a program were in schedule or financial trouble, or if the objectives of the program were not being accomplished, I could understand doubts being raised about continuing a program.

Nerva history shows that a team of engineers and scientists with unquestioned skill are conducting a successful program. They have just completed the technology phase and have done a fine job. But lack of mission is completely unrelated to performance and is, I believe, an invalid reason for interrupting a well-planned space propulsion project at this stage of development.

If lack of a well-defined mission had deterred us from the development of naval nuclear propulsion systems, the United States would not have been able to design and develop one of the most important weapons in our strategic defense structure—the Polaris nuclear submarine. Even the critics of yesteryear are thankful for the perseverance which marked the development of the nuclear submarine. Let me suggest to such critics that we may be faced with an equally important decision in 1967.

Today, we are faced with the problem of a serious war in Asia. We pray it may soon be concluded—at least before the end of a decade. The leadtime for Nerva is estimated at 9 to 10 years. Nuclear rocket engines for space will be available in the late 1970's. Reflecting on our experience with naval nuclear propulsion, I suggest that as the Nerva engine becomes available, the uses and missions will appear so obvious we will wonder how they could not be earlier defined.

The effect of canceling Nerva would be to force the United States into the long-range and expensive development of space boosters much larger than Saturn V and the use of much less efficient propulsion systems. If we are to have a viable space program, we know that we will want to move beyond the present capability of Saturn V. It is probable that the Soviet Union is already developing a booster that will outstrip this largest of U.S. boosters. The Nerva system is the efficient way of extending the capability of Saturn V and making maximum use of the development effort to date.

In the arguments for proceeding with Nerva development, and there are many, we frequently lose sight of the broader technological implications of an advanced project such as this. Nerva extends our technological strength as a nation in many disciplines—in materials, in nuclear physics, in control systems, in nuclear engineering among others. It serves as a real stimulus to these fields and will lead to advances unrelated to space which we cannot now foresee. Indeed, in the long run this may be even more important than the major contribution it will make directly to our national program in space.

On the subject of the Nerva authorization recommended by the committee, I would remind the Members that in addition to careful consideration given by the Science and Astronautics Committee to this question, the Joint Committee on Atomic Energy has been giving equally careful consideration to the same program, by virtue of the fact that the Atomic Energy Commission budget request for the coming fiscal year includes funds for further research of this sort.

The Joint Committee agreed to recommend to the House authorization of the full amount requested by the Atomic Energy Commission for these purposes. The total amount requested was $94.4 million.

Thus, in considering a cut in the amount recommended by the Science and Astronautics Committee, we are questioning not only the judgment of that committee but of the Joint Committee on Atomic Energy.

It has been argued there is no specific mission identified for Nerva, the program should not be started at this time. Development programs should not be permitted to dictate future mission requirements.

This is a completely negative argument and totally beside the point, pertinent to the requirements of conducting a national space program. It is another example of the "requirements merry-go-round" that seems to fascinate certain people.

This identical argument was offered at the time when the country was trying to develop nuclear power for naval propulsion. It was also heard during the period NASA was developing the F–1 and J–2 rocket engines.

If we had listened a decade or so ago to the "no mission" antagonists, we would never have been able to develop what some call the backbone of our national defense structure—the nuclear-Polaris submarines.

The big F–1 engine and the J–2 were under development long before they were identified specifically to support the Saturn V vehicle and the Apollo mission. At the time of their development, it was considered certain that such engines would be needed to support future space efforts—and indeed they were. The engines make the Saturn V something more than a paper missile.

So too today, our engineers and scientists feel certain that energy levels which can be supplied only by nuclear propulsion will be required in the next two decades. As we have learned new information from the development of Nerva, so far, we have become aware that the engine will certainly permit us to undertake a broad range of space missions. In the early days, nuclear propulsion was conceived as a way to develop ICBM's. As the program developed, it was realized that the great energy levels supplied by nuclear propulsion would permit the Nation someday in the future to fly men to the planets. Only since the Nerva technology program was commenced in 1963 has it become apparent that Nerva can also support a broad range of earth orbital and scientific space missions in addition to the manned planetary mission.

The President's Science Advisory Council has recommended that NASA should keep a broad spectrum of choices open for future space programs. As stated in the committee's report to the President in February, furthermore—

> The selection and planning (of future space programs) can be firmly based on a wide range of *experience* with *different rocket launch systems and different space probes.* The U.S. has the opportunity, in other words, to devise for the 1970's a number of rather different space programs.

The Nerva leadtime of 10 years dictates that we must start now to bring the end product of this program and the mission requirements together at the same time in the next decade. To delay the space equipment until a mission has been specifically identified will assure us that the mission can never be accomplished.

As Dr. Adam stated in his testimony before the Advance Research and Technology Subcommittee:

> In the final analysis, certainly there is a judgment factor in terms of the use of this type of engine in the future. Our judgment is that we are going to continue to explore space, that it is essential that we do this as a mission for international and national reasons, and it is our judgment that we are going to carry out many of the missions that have been discussed this morning. If we are going to be able to do that in the 1980 time period, we then must have the nuclear rocket available to us. If we don't have it available to us, the consequence will be a major impact on our future capability.

Some Members plead that the commitment to Nerva II should be delayed until later.

It all depends on your interpretation of the word necessary. As a matter of fact that country has never taken the position of deferring all spending for nonwar projects in time of war. Would we defer the entire space program until the war is over? Would we defer the Apollo landing until the war is over? Would we defer developing upper stages for the Saturn V until the war is over? Technological developments brought about by the space program should be considered as much a part of the total world commitment to withstanding Russian efforts in the cold war as building rifles for Vietnam. After all, the missile gap was an offspring of the launch of Sputnik in the Russian space program. I wonder if we will be surprised sometime in the future when Russia shows a nuclear rocket engine in a future Paris airshow as we were when the Russians showed their super booster Vostok. We had no idea they were working on such a vehicle.

Russia now spends a percentage more than two times greater than the United States on space programs, relative to their gross national product.

The war will not last forever. What is certain, however, is that the development period for Nerva cannot be shortened from 10 years. This characterizes most nuclear design and development programs. Hopefully, the war will be over by the time Nerva is ready to fly advanced space missions and by that time, perhaps, we will be able to concentrate more clearly on the objectives of space exploration.

Russia will not stand by in their space program waiting for us to finish with our war in Asia. To delay Nerva now would be to "sell the day to profit the hour."

The National Aeronautics and Space Act of 1958 requires that NASA provide for adequate space activities, to improve the performance of space vehicles and to make the most effective use of the scientific and engineering resources of the United States.

Nerva engine development is part of a planned and scheduled long-range program involving manpower, facilities, testing, and production. These are all critical national resources. They are being allocated to the Nerva engine development by NASA and AEC to increase the performance of spacecraft. To force NASA to defer this well-planned schedule would require the agency to flaunt the specific mandate of the National Space Act. As Mr. Klein stated on page 1027 of his testimony before the OART Subcommittee:

> Mr. Wydler, the problem that one faces is the need for phasing the various parts of the program in a way that the whole program is carried out effectively and one important aspect of this is the need for these test stands which are a major cost item and a major element in this increase. In order to make effective use of the work that comes out of the design and the component development, one must ultimately test them as a complete system and the test facility is a very long-time item to construct.

Regarding the manpower, to allow the team to disperse creates a different effect than in other aerospace programs. To say there is no difference is like saying to the Army that it must reduce its manpower an x number of construction engineers and the same number of doctors. The impact of the loss of the two types of personnel is different. And, it is easier to replace construction engineers than to replace medical doctors.

This is precisely the case we have with nuclear design engineers and physicists. They have been trained at considerable Government expense to do a unique job. They are a valuable commodity to the U.S. Government.

I believe Mr. RYAN's position is based on facts taken completely out of context one with the other.

Regarding his quotation taken from the committee report on the NASA 1968 Act, the benefits he refers to are those of scientific discovery, and to quote the report, the Nation "must be directed to the questions of the greatest scientific consequence." The report goes on to say that—

> Whatever choice of goals may be made, the pace of the effort must preserve the elements of technical and managerial excellence without which the benefits are not realized. . . . It is therefore a threshold for the level of investment in any given set of space goals below which a proportionate return is in doubt.

This is precisely the message NASA has attempted to convey regarding loss of the technical expertise if Nerva should be deferred. The program will lose the manpower, the inertia, the timing, and a substantial amount of money to recover the lost time if the program is deferred.

The recommendation regarding planning rather than means to obtain space objectives is stated in specific reference to integration of manned and unmanned space exploration. It refers only to planning for scientific objectives which can better be accomplished through integration of the manned and unmanned programs.

Incidentally, the recommendation which immediately precedes the one quoted by Mr. RYAN on page 42 of the President's report states that—

> The NASA efforts in advanced research and technology be maintained at a high level with particular attention *to providing the demanding technologies needed to meet requirements for long duration space travel with the level of effort adjusted to the decision on the anticipated schedule for producing a manned planetary capability.*

One additional point should be noted in the committee report:

> At this critical point in our program, when new results and achievements are coming in view rapidly, we feel the U.S. space program should be planned with a substantial margin of flexibility and objectivity so that resources can be rapidly reprogrammed to exploit new scientific finds and major changes and capabilities to operate in space.

The technology program to develop Nerva to date has reaffirmed completely our confidence in the ability of U.S. Government and industrial scientists and engineers working as a team to successfully perform highly complicated programs in new areas of space technology.

This year, the Nerva technology program is substantially complete. What remains, just over the horizon, is to apply this technology to the "payoff"—development of an actual Nerva flight engine as requested by the President in his budget message for fiscal year 1968. In this connection, I am sure Members of Congress will be interested in what an outstanding American aerospace businessman said recently about prospects for space nuclear propulsion in the years to come.

Mr. James Smith McDonnell, founder of the McDonnell Aircraft Corp., headed that firm through the "hard" years following 1957. He showed, by the solid performance of his firm, what could be done with a sound Government-industry partnership when a well-considered program was established and every effort was put to the task of meeting an important job successfully and flawlessly. The Mercury and Gemini programs stand as testimonials to the foresight and ability of Mr. McDonnell and the McDonnell Aircraft Corp.

On April 26, 1967, in accepting the second Founders Medal of the National Academy of Engineering, Mr. McDonnell, delivered a significant speech describing space as "A Frontier for a Thousand Years." Reflecting on the future he said:

> The means of space propulsion we employ today are in the same positions once occupied by sails with relation to ships: waiting to be replaced. Even as the sails for windjammers and clippers of yesteryear were supplanted by steam, electric power and the internal combustion engine, so will the chemical propulsion engines of today give way to the space propulsion engine of tomorrow. That propulsion of tomorrow will be provided by nuclear power. . . . What now appears to us feasible must be made practical. . . .

I strongly endorse this prophesy and urge Members of Congress to read this fine speech. I also urge Congress to take the action necessary today to supply our Nation with the nuclear rocket engines, needed for man's full exploration and exploitation of space.

SPACE: A FRONTIER FOR A THOUSAND YEARS

(Address by James S. McDonnell to National Academy of Engineering)

With full consciousness of its significance, I accept the Founders' Medal of the National Academy of Engineering. I do so with humility and deep appreciation, and on behalf of the many able teammates with whom I am priviliged to serve in the pursuit of my highly technological vocation in the Aerospace Industry.

One of the objects and purposes of the Academy is "to provide means of assessing the constantly changing needs of the nation and the technical resources that can and should be applied to them." I hope that my brief remarks this evening may in some measure serve that objective.

There are some who are dismayed by the pressures and dangers of the world in which we live and would, if they could, retreat to a quieter time. But I choose to believe that we are privileged to live in the most exciting and challenging epoch of man's recorded history, and tonight I want to talk about one aspect of that challenge—space exploration.

One of the characteristics that distinguishes the human species from other forms of life is that of insatiable curiosity. Man has always been impelled by a desire for new knowledge, and his efforts to gain that knowledge have found inspiration in the challenge of a new frontier, whether it was geographic, scientific or intellectual. The conquest of some frontiers has been relatively rapid, while others offer opportunities whose realization requires effort over an extended period. Space science and exploration, the exciting new frontier of the present time, seems to me to fall in the latter category, so that the title of these remarks—"Space: A Frontier For a Thousand Years"—is surely an understatement.

New concepts and new tools are the means to press forward along a new frontier, and they are provided by scientists and engineers. New means of locomotion have stimulated increasingly thorough exploration of the land mass of the Earth, and more recently of the ocean depths. The microscope has been our tool to unlock the mysteries of biology, and x-ray diffraction has advanced our knowledge of solids. Every frontier has stimulated development of a tool sufficient to its needs.

The far reaches of space are so enormous that we require a new tool, in the form of a new source of propulsive power, in order to shorten exploratory missions whose duration must now be measured in months and years. The means of space propulsion we employ today are in the same position once occupied by sails with relation to ships: waiting to be replaced. Even as the sails for windjammers and clippers of yesteryear were supplanted by steam, electric power and the internal combustion engine, so will the chemical propulsion engines of today give way to the space propulsion of tomorrow. That propulsion of tomorrow will be provided by nuclear power.

It is to the engineer that we must look for the realization of means to harness nuclear power for the exploration of space. What now appears to us feasible must be made practical, and that is going to take a lot of very hard creative engineering work. This is one of the greatest engineering challenges in history, but I have no doubt that it can be met.

Nuclear power applied effectively to space exploration will enable us to surmount a number of problems. Without attempting to be all-inclusive, let me suggest some of the benefits we can expect to achieve with nuclear power:

First, we can look forward to much higher velocities of flight so that the missions we plan can be accomplished in shorter periods of time.

Second, we will be able to design space propulsion vehicles smaller than those of today, which will economize on weight to be lifted from the launch pad and also provide more room for comfortable astronaut quarters that are needed for long journeys. For example, with nuclear power the launch weight of the Saturn V-Apollo might be reduced from 6 million pounds to 1.5 million pounds.

Third, we will have the ability to launch when we desire and, if necessary, abort our mission, turn around and come home safely. Implied in this, of course, is the development of vehicles that can be used not just for one mission, but many times over. This will, in turn, produce meaningful economies in our space exploration program.

Fourth, we will be able to provide sure means of quick rescue in the event some misfortune befalls our space explorers.

All of these goals will require the availability of virtually unlimited power, and that is why in the current state of technology we can't help but fasten our eyes on the obvious answer: nuclear power for space propulsion. As we all know, the energy yield of nuclear reactions is about one million times greater than that obtainable by chemical processes. That is the size of the arena in which this challenge will take place. We want to progress by quantum steps.

It won't be easy. Even the most zestful of engineers will be humbled by at least two of the problems that immediately block the road to the future. The first of these is shielding. We have yet to develop materials that provide satisfactory shielding from radiation, yet are of low enough bulk and sufficiently light to be practical for space vehicle applications. And, secondly, we require new materials for the construction of our space vehicles and nuclear engines, materials which must be strong and light in weight if we are to achieve a quantum jump in thermal capabilities.

I doubt that Columbus and Magellan, for all their vision of the future, could have believed that Man would achieve what the past five hundred years between us hath wrought. Perhaps Galileo or da Vinci would have believed it, I am not sure. Even now, after all that has transpired, and knowing the technological history of the last fifty years, there are many who doubt that the advance in space technology I have described will ever come to pass.

I prefer the optimistic view. Already, I see about me the progress being made in harnessing the atom to serve Man's peaceful needs—in ship propulsion, in purification of sea water, in the production of electric power, and in the service of medical research and therapy. Why, in the light of available evidence it seems to me that *not* believing nuclear power will open the universe to exploration is a far less tenable position than believing that it *will*.

The classrooms of our engineering colleges and universities will produce, today and tomorrow, the young men and women who can bring this to pass. But we cannot simply assume that it will happen. We must voice our interest and our concern; we must stand with those who perceive the future and would move toward it.

We can find inspiration in what our country has already achieved in space, and in the wise national policy regarding development of nuclear power that has brought us along so successfully . . . that now even wider horizons beckon. But we must never succumb to complacency. I have with understatement called space the thousand-year frontier, and I would like to paraphrase a great rallying cry of another era by expressing the hope that we of the scientific and engineering community may so conduct ourselves that, a thousand years hence, men will say we were worthy of our calling.

The creation of the National Academy of Engineering could not have come at a more appropriate time, for it coincides with the greatest challenge and the greatest opportunity our profession has had. It is our responsibility, yours and mine, to see to it that our country does not lag, and that neither faint heart nor lack of resources prevents our lifting up our eyes to the challenge of the planets and the stars . . . and then doing something about it! In meeting that challenge we can be confident that what we do serves more than a program in which we may have some parochial interest. Rather we are expressing the faith that as Man carves out his destiny, he must ever seek to widen his horizons, mental and spiritual as well as technical and cosmographic, and that by so doing conscious existence in the universe will be creatively enriched.

Mr. Chairman, I think the logic presented here today in support of the Nerva program can be resolved into only one inescapable conclusion. We cannot accept the amendment offered by the gentleman from New York [Mr. RYAN]. We must continue to support prudently and with proper congressional oversight the great new advance in space propulsion technology represented by Nerva.

I therefore urge, firmly and emphatically the defeat of the Ryan amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Miller] to conclude debate on the amendment.

Mr. SISK. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 159]

Anderson, Tenn.
Ashbrook
Ashley
Berry
Blackburn
Blatnik
Bow
Diggs
Dulski
Edwards, Ala.
Evins, Tenn.
Flood
Hébert
Kastenmeier
King, Calif.
Kluczynski
Landrum
Lukens
Matsunaga
Moore
Nelsen
O'Hara, Mich.
O'Neill, Mass.
Resnick
Roberts
Rooney, N.Y.
Roush
St. Onge
Thompson, N.J.
Tuck
Utt
Williams, Miss.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Flynt, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 10340, and finding itself without a quorum, he had directed the roll to be called, when 400 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Committee will be in order. At the time the Committee rose, a time limitation on debate having been fixed at a specified time, and that time having expired, the question is on the amendments offered by the gentleman from New York [Mr. Ryan].

The question was taken; and the Chairman announced that the "nays" appeared to have it.

Mr. WYDLER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Ryan and Mr. Miller of California.

The Committee divided, and the tellers reported that there were—ayes 91, noes 121.

So the amendments were rejected.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The remainder of the bill is as follows:

Sec. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), and (11) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

Sec. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (12) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof, including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Sec. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

Sec. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

Sec. 6. Notwithstanding any provision of the National Aeronautics and Space Act of 1958, or any other provision of law, the Administrator of the National Aeronautics and Space Administration shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration.

Sec. 7. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1968."

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike the last word.

Mr. Chairman, how many amendments are there at the desk?

The CHAIRMAN. The Chair advises the gentleman from Pennsylvania there is one amendment at the desk.

Mr. FULTON of Pennsylvania. I thank the Chair.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, those of us who were here a few moments ago recall the parliamentary difficulties which arose as a result of the fact that we have an overall figure and a line item recitation of the individual program- or projects.

Under the ruling of the Chair—and I am not objecting to the ruling of the Chair—once the overall figure was revised by the action of the Committee of the Whole there were no other opportunities subsequently to revise that particular figure. This of course meant that as the Committee of the Whole sought to work its will there could be Committee of the Whole action only on the line item figures, and there could be no combining of the line item figures with comparable reductions in the total figure.

As I said a moment ago, Mr. Chairman, I am not objecting to the ruling of the Chair. I believe it is proper under the circumstances.

On the other hand, I believe that the committee in reporting a bill of this magnitude in this fashion has to a degree precluded the Committee of the Whole from working its will—and I object to that.

I hope and trust that next year when an authorization bill from this committee comes up for NASA that a bill will come that will itemize the line items but exclude or eliminate the overall figure.

Mr. TEAGUE of Texas. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I will be glad to yield to the distinguished gentleman from Texas and to the distinguished chairman of the committee when I finish.

Even though we are caught in this parliamentary tangle, let me say that it is important for the Committee of the Whole and the House today to work its will on individual line items even though we are at this stage precluded from acting on the overall figure.

Let me tell you why. Even though the figure is now set for the overall, by reducing the line items in the bill we can give guidance to the Committee on Appropriations. As a matter of fact, we can by individual amendments emphatically affect appropriations regardless of the overall amount that is left in the bill.

So I urge my colleagues that when the motion to recommit comes, which will be offered by the gentleman from Pennsylvania [Mr. FULTON], they vote for that motion. It will affect line items. We will not be able in the motion to recommit to affect the overall. If we are successful in the motion to recommit, then the Committee on Appropriations, when it considers the obligation authority for this program, will have the guidance of the authorizing committee and the House.

I hope and trust we are successful and that the Committee on Appropriations can follow with subsequent affirmative action.

Now I yield to the chairman of the committee.

Mr. MILLER of California. Mr. Chairman, I just wanted to say to the very distinguished minority leader that this bill is patterned after the bills that have been introduced for NASA authorizations over the years and that the bills come down that way. I am not conscious of the fact that it was in any other form than it has ever come here. I just wanted to make that statement for the record.

Mr. GERALD F. FORD. May I respond to the gentleman from California, the distinguished chairman of the committee? I am sure he is right that we are following the pattern of the past, but in the past there has never been a disposition on the part of the House or on the part of the Committee of the Whole to make reductions. We are in a little different atmosphere in 1967 than we have been heretofore, and when you have a different atmosphere and when you have different circumstances, it may be right to change the format of the bill so that the House and the Committee of the Whole can work their will.

Mr. MILLER of California. Will the gentleman yield again?

Mr. GERALD R. FORD. I will be glad to.

Mr. MILLER of California. I would like to say to the gentleman that he makes a good argument for meeting the exigencies of the future. That is just what we are trying to do in this bill with aerospace—to meet the exigencies of the future. I hope his side takes this into consideration when we have a vote.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(By unanimous consent, Mr. GERALD R. FORD was allowed to proceed for 2 additional minutes.)

Mr. GERALD F. FORD. I have one other comment. I do not believe that the gentleman from California would want to impose his will by the format of the bill on the will of the House as a whole. Because of the bill format this in effect has happened. Next year I trust that the gentleman and his committee will not come out with a bill in this format.

Now, Mr. Chairman, I promised to yield to the gentleman from Texas [Mr. TEAGUE].

Mr. TEAGUE of Texas. Mr. Chairman, before the time is concluded I would like to say that I think there may be a parliamentary misunderstanding here, because I happen to agree with the gentleman from Michigan as far as the bill with this total amount of money in it is concerned. We were limited last year when we went to conference. I thought our committee worked it out very well, where we did not have to do it this year, but I would agree with the gentleman on that part of it.

Mr. GERALD R. FORD. I thank the gentleman from Texas.

I just want to say that there will be a motion to recommit. It will involve approximately $136 million and it will, of course, be effective only to line item figures.

Mr. FASCELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this bill.

Mr. Chairman, in January of 1961, President John F. Kennedy called upon the National Aeronautics and Space Administration to undertake a most ambitious and challenging program—a program to accomplish a manned landing on the lunar surface in this decade. At the same time, President Kennedy called upon NASA to explore the development of both liquid and solid fueled rocket motors in parallel. NASA had already initiated the development of large liquid fueled engines. It was clear that the President had seen the potential advantages of solid propellants in the national space program as he observed the replacement of the liquid fueled Atlas and Titan ballistic missiles with the solid fueled Minuteman and Polaris missiles. It was the solid fueled Minuteman and Polaris missiles which closed the "missile gap."

The backbone of national policy—the massive deterrent capability of the United States strategic ballistic missile systems—is based almost entirely today on systems powered with solid propellant rocket motors.

The U.S. Air Force initiated the large solid rocket feasibility program in June 1963. The management was subsequently transferred to NASA when it became apparent that NASA had the more compelling requirement for large, inexpensive space boosters. This program is more generally known as the 260-inch program and was initiated in response to President Kennedy's request with the support of the National Space Council, chaired by the then Vice President Lyndon B. Johnson.

The 260-inch rocket motor has been unique among NASA programs in several respects. It has been conducted almost from the outset under severe funding limitations—limitations not imposed by the Congress but rather by NASA. The program is unique in that, to my knowledge, it is the only major NASA program conducted in a competitive environment in which all of the facilities required have been furnished by the performing contractors rather than by the Government. Most important, this program—conducted at the Dade County, Fla., facility of the Aerojet-General Corp.—has been highly successful. Three full-duration tests of the largest rocket motors ever built have already been conducted in this plant. The first two test motors fired developed over 3 million pounds of thrust, twice as powerful as any other rocket motor available to NASA.

The third and most powerful motor in the 260-inch program was successfully tested on the 17th of this month, 16 months after initiation. This motor developed the largest thrust of any rocket ever tested. It successfully demonstrated that it is feasible to fabricate and test the very large nozzle and other components required for a large solid space booster.

The motor demonstrated a thrust of about 5.7 million pounds and had a duration of 80 seconds as designed. Although the test was 99 percent successful, toward the end of the firing there were two unpredicted increases in thrust, probably due to increased propellant burning area. This caused the loss of the nozzle exit cone. This pinpoints for the first time a processing problem area which will require further development. This one problem further demonstrates the need for the continued support of this vital program.

These rocket motors are the most powerful known. The development of a flight vehicle employing motors based on these early test models would give the United States clear superiority in space propulsion—a superiority which, unfortunately, the United States has not enjoyed to date. These large solids will close the thrust gap just as the Minuteman and Polaris closed the missile gap.

But now with these successes in hand NASA has proposed again to abandon this program. The same experts who 4 years ago opposed the initiation of the large solid rocket program because of predictions of failure now oppose continuation of the program because of its success. They say, "We now have the technology—there is no need to demonstrate it further—we will employ it if and when we need it." This is shortsighted especially when we are on the threshold of completing the solid propellant technology goal; it is 80 percent complete with a Government investment of $65 million and $35 million expended by private contractors. I am convinced that if this program is abandoned now—if this work is permitted to stop—NASA will fail to use this technology in the next generation of space vehicle and the United States will lose this opportunity to be, for the first time, No. 1 in space boosters and propulsion systems.

The Congress has repeatedly urged NASA to carry on this program. The House Science and Astronautics Committee, under the able chairmanship of the gentleman from California, the Honorable GEORGE P. MILLER, and the Subcommittee on Advanced Research and Technology, chaired by the gentleman from West Virginia, the Honorable KEN HECHLER, has included authorization of funds for the continuation of this valid program in H.R. 10340, now before this Committee. I strongly urge the membership to support the passage of this bill, including the authorization for the continuation of the 260-inch large solid rocket program. The United States cannot afford in today's world to be second in any important area of technology. The continuation of this program is an important step in guaranteeing that the United States will be the leader in space technology for years to come.

AMENDMENT OFFERED BY MR. RUMSFELD

Mr. RUMSFELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RUMSFELD: On page 8, after line 25, insert the following new section:

"SEC. 6. There is hereby established an Aerospace Safety Advisory Panel consisting of a maximum of fifteen members who shall be appointed by the Administrator for terms of six years each, except that the terms of office of the members first taking office after the date of the enactment of this Act shall expire at the end of two, four, or six years as may be designated by the Administrator to provide continuity of membership. The Panel shall review safety studies and operations plans referred to it and shall make reports thereon, shall advise the Administrator with respect to the hazards of proposed or existing facilities and proposed operations and with respect to the adequacy of proposed or existing safety standards and shall perform such other duties as the Administrator may request. One member shall be designated by the Panel as its Chairman. Members of the Panel who are officers or employees of the Federal Government shall receive no compensation for their services as such, but shall be allowed necessary travel expenses (or in the alternative, mileage for use of privately owned vehicles and a per diem in lieu of subsistence not to exceed the rates prescribed in 5 U.S.C. 5702, 5704), and other necessary expenses incurred by them in the performance of duties vested in the Panel, without regard to the provisions of subchapter I, chapter 57 of title 5 of the United States Code, the Standardized Government Travel Regulations, or 5 U.S.C. 5731. Members of the Panel appointed from outside the Federal Government shall each receive compensation at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the Panel in addition to reimbursement for travel, subsistence, and other necessary expenses in accordance with the provisions of the foregoing sentence. The members of the Panel may serve as such without regard to the provisions of sections 203, 205, 207, 281, and 283 of title 18 of the United States Code, except insofar as such sections may prohibit any such member from receiving compensation in respect of any particular matter which directly involves the Administration or in which the Administration is directly involved. No officer or full-time employee of the Administration may serve as a member of the Panel."

On page 9, line 1, strike out "SEC. 6" and insert in lieu thereof "SEC. 7".

On page 9, line 9, strike out "SEC. 7" and insert in lieu thereof "SEC. 8".

Mr. RUMSFELD (during reading of amendment). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with, since it is explained in great detail in the report on this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. MILLER of California. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. Does the gentleman from California object to the unanimous-consent request on the part of the gentleman from Illinois [Mr. RUMSFELD]?

Mr. MILLER of California. No, Mr. Chairman; I do not.

The CHAIRMAN. Without objection, the amendment is considered as read and printed in the RECORD at this point.

There was no objection.

Mr. MILLER of California. Mr. Chairman, I reserve a point of order against the amendment.

Mr. RUMSFELD. Mr. Chairman, the purpose of this amendment is to create within the National Space and Aeronautics Administration an independent safety review board.

Mr. Chairman, the amendment is explained in the report on pages 183 through 187 in detail.

The amendment is identical to the bill which I introduced, H.R. 8145, on April 6, 1967. Its purpose is to create a truly independent safety review board. The amendment has been looked over by the General Accounting Office and the Comptroller General. They supplied certain recommendations which I have incorporated in the amendment—and the amendment, from the standpoint of the GAO, now conforms to their suggestions.

Mr. Chairman, this amendment is designed to create an aerospace safety advisory panel which has as its purpose to establish a panel for the review of safety studies and operational plans, as referred to in our committee report, and to advise the Administrator with respect to the hazards of proposed or existing facilities now in operation, and with respect to the adequacy of proposed or existing safety standards, and to perform such other duties as the Administrator may assign.

This amendment has been patterned after the independent review concept which the Atomic Energy Commission has had for a number of years and which they have used successfully. They have a panel designed along this line.

Mr. Chairman, the purpose of this amendment is not complicated.

I believe that the Apollo 204 accident should have taught this Congress and the country that we need to have a safety review board that can look at the hard questions with reference to safety, free of considerations of programs, free of considerations relating to scheduling, free of considerations relating to cost of the project involved. Yes, too, I think there should be a safety panel that is free of the difficulties that exist within any bureaucracy where some personnel do not want to rock the boat for the fear of some person down the line upsetting some proposal that is made by personnel above him.

So, Mr. Chairman, I believe the need is clear for the NASA to have an independent safety review board, as does the Atomic Energy Commission, so that there will be available to us as Members of Congress and to the Administrator information on safety that we can then consider. Only then can we go back to our people and give them the assurance that we have done everything humanly possible to see that this country does not suffer another Apollo accident resulting in the death of three astronauts.

Now, there is no way to prevent all accidents, but I think that such a safety review board conceivably can help to close the gap between the hazards and the ability to identify hazards.

We received testimony at the Apollo hearings from witness after witness where they said that adequate safety precautions were not established or observed for this test. The board found that the organizations responsible for the plan to conduct a safety test failed to identify the test as hazardous. One of the astronauts said "None of us really placed any stress or gave any serious concern to fire in a spacecraft during such a test."

The point is that possibly you cannot blame any specific level of management, but by voting for this amendment we can give the National Aeronautics and Space Administration the benefit of advice from a tduly independent safety review panel and by so doing see that our space program is able to minimize the chances of future accidents that I believe we are going to be faced with if we fail to take this action.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman.

Mr. FULTON of Pennsylvania. Mr. Chairman, I congratulate the gentleman on his statement, and say that safety in space flight is a prime requisite, and we cannot have even minimum dangers or liabilities. That is why we need an independent safety council, one that is not under the program people, or further, one that is not under any of the space centers, and further one that is under no contractual obligation to any contractor.

Mr. Chairman, I believe it is a good idea, and I favor the amendment.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman.

Mr. MILLER of California. The gentleman, Mr. Chairman, has a bill containing this very same thing, and he has been very aggressive in pressing for hearings on that bill, but it was not until last week or, rather, a week ago, that we received a report on which to act.

I will say to the gentleman that we will give the gentleman a hearing on his bill.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. MILLER of California, and by unanimous consent, Mr. RUMSFELD was allowed to proceed for 2 additional minutes.)

Mr. MILLER of California. Mr. Chairman, will the gentleman yield further?

Mr. RUMSFELD. I yield.

Mr. MILLER of California. As I said, Mr. Chairman, we will give the gentleman a hearing on his bill as quickly as we can get to it. There are some other bills that precede it.

Mr. Chairman, I wonder, in view of this fact that we have just received the reports, and we have not had time to analyze them, if the gentleman would not withdraw his amendment and would rather amend the Space Act that will make it permanent legislation, rather than legislation which may have to be introduced each year in an authorization bill?

Mr. RUMSFELD. I would say to the chairman that I am aware of his interest in holding hearings on this subject and pleased with his interest. My question would be as to when hearings would be held.

Would the gentleman assure me that he would hold hearings on this subject matter this year?

Mr. MILLER of California. I would hope we could hold hearings on it. As the gentleman knows, due to the Apollo accident we were jammed up, and we had to go ahead with this bill, and that we have several important bills that are out and must be reported, and so his bill will take its place in the schedule.

I would hope we can get to it this year; if not, we ought to be able to get to it very early in the next session.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman.

Mr. HOSMER. Mr. Chairman, I wonder if the chairman of this committee can tell us if the report is favorable?

Mr. MILLER of California. The report is, as far as I can see, and I just had it a day or two, not too favorable.

Mr. HOSMER. Is it unfavorable?

Mr. MILLER of California. I would say it is unfavorable.

Mr. HOSMER. Does it recommend amendments, or does it recommend that the idea be dropped.

Mr. MILLER of California. The Comptroller General recommended some changes that I think the gentleman has put into his amendment that we would, I believe, put in the bill, and then perhaps remove from the bill some of the objectionable features.

Mr. RUMSFELD. Let me say to the gentleman from California [Mr. HOSMER] that the recommendations of the GAO have been incorporated in this bill. This conforms to their recommendations.

With respect to the response of NASA, it took almost 2 months to get them to say anything.

I do not think you could say their letter is favorable. It is vague. But it is not, if my memory serves me correctly, say that they are against it. They say they want to review all of the safety problems before doing anything.

Mr. Chairman, following, by way of further explanation are: First—minority views on safety from House Report No. 338, to accompany H.R. 1034.

Second. A letter from the Comptroller General of the United States to Chairman GEORGE MILLER dated April 21, 1967, on H.R. 8145.

Third. Letter from Administrator Webb to Chairman GEORGE MILLER, dated June 21, 1967, on the subject of H.R. 8145.

MINORITY VIEWS OF HON. DONALD RUMSFELD

SAFETY

The tragic Apollo spacecraft fire which claimed the lives of three astronauts during a "routine" ground test in January 1967, dealt NASA its severest setback thus far, and, in the process, has focused national attention on NASA's safety practices. The findings of NASA's Apollo 204 Review Board's formal investigation of the accident lead to the conclusion that neither NASA nor contractor management had established adequate safety programs. Remedial action is an urgent necessity.

Proposals

First, as the Apollo 204 Review Board recommended, NASA top management obviously must start thinking more about the safety of its operations—and we are confident that they are, Second, the now apparent structural weakness in NASA's management must be corrected.

One possible step toward the goal of strengthening NASA's ability to identify, evaluate, and minimize potential hazards in both ground and flight tests would be to establish a mechanism for top level "independent" safety review. Representative Rumsfeld has introduced legislation (H.R. 8145) calling for the establishment of an "Aerospace Safety Advisory Panel" to perform this needed function. Such a Panel, patterned after the Atomic Energy Commission's Advisory Committee on Reactor Safeguards could provide for the independent safety review of all NASA's operations by a group of non-NASA experts participating on a part-time basis. The Panel's role would be to ask the hard questions concerning safety—which obviously were not being asked—and thus to provide the Administrator with additional assurance, free of budget or schedule considerations and employee fear of "rocking the boat," that the potential hazards of the space program have been identified and either removed or their ramifications understood and controlled. The Rumsfeld proposal was offered as an amendment to the NASA authorization bill in the committee and will be offered again on the floor.

Another proposal is H.R. 4473, introduced by Representative Fulton, Republican, of Pennsylvania, to create in NASA the position of inspector general. The inspector general concept has been successfully used by several key Government agencies, including AEC, as well as all branches of the armed services. Clearly, an inspector general could help to provide management with greater assurance that NASA's staff and contractors are performing properly from a safety standpoint.

Apollo 204 investigation

Shortly after the Apollo 204 fire, the Review Board was appointed to conduct a full investigation. After some initial shuffling of personnel, it settled down as an eight-man group, all Government employees and six of them from NASA. The Review Board made a number of highly significant findings and determinations, which were in many cases sharply critical of NASA and the contractor.

NASA's hazard identification procedures

First, consider what the Apollo 204 Review Board and its 21 panels found and recommended with respect to the identification of hazards.

The Apollo 204 Review Board's Panel 13 was charged with the responsibility of considering ground emergency procedures. In outlining the standard NASA procedures in this area, the Panel reported that the contractor's safety officer reviews a test outline which defines "in outline form, all of the tests planned for the vehicle" and "establishes a list of the operations considered hazardous." The criteria employed are contained in an instruction which, according to the Review Panel, offers "a certain amount of specific instructions, but very little in the form of an overall plan for insuring adequate safety considerations and emergency procedures in the test documents."

The Panel's report noted that this "list of hazardous operational checks and procedures (OCP) and all of the test outlines are reviewed by the Kennedy Space Center (KSC) and the Air Force Eastern Test Range (AFETR) safety offices." These offices, in turn, "release a letter establishing the official KSC and AFETR safety review requirements list designating the OCP's for that spacecraft which must be reviewed and approved by those offices." When the OCP report is prepared, the OCP writers, who are "contractor operations support personnel," are "responsible for including all references to safety, hazardous situations and emergency instructions."

The Panel concluded, however, that "the instructions defining the scope of this responsibility are completely general and in many instances vague. As a result, the specific test procedures reflect a lack of definitive instructions in these areas." Most significantly, the Panel then noted:

"Copies of the draft release of procedures identified as hazardous are reviewed by the contractor safety office and the systems engineers. Significant comments or inputs from the contractor safety office are incorporated in the master draft copy which is then approved by KSC-SCO, and published as the released document.

"Copies of released test procedures are forwarded to the KSC safety office. Those procedures specified as hazardous by KSC and AFETR require review and approval by KSC safety. Procedures involving hazardous operations at AFETR are forwarded by KSC safety to AFETR safety for comments and approval. Approval by KSC safety is made in writing to the contractor after AFETR safety has signified their formal approval."

Finally, the Panel observed that there is "no formal review requirement in the area of spacecraft safety or emergency procedures" between the Kennedy and Houston Centers.

The Panel thus established that at the time of the Apollo accident—

(1) Unless the contractor's safety officer found a prospective test to be hazardous, little or no further hazard evaluation was made;

(2) The contractor's evaluation was not guided by written instructions from NASA management; and

(3) The final review authority for NASA rested with the safety staff at the space center level with no provision or mechanism for meaningful review by higher NASA management.

Report of Apollo 204 Review Board

The Apollo 204 Review Board, in considering the reports of the 21 Panels which served as the basis for the Board's recommendations to the Administrator, determined that, "adequate safety precautions were neither established nor observed for this test." The Board found that "those organizations responsible for the planning, conduct, and safety of this test failed to identify it as being hazardous." The sole recommendation for remedial action in this respect was that "management continually monitor the safety of all test operations and assure the adequacy of emergency procedures." One would wish that the Board's recommendations had not been so general on this subject in view of the seriousness of the findings and determinations made by Panel 13.

It is apparent from the report that the Review Board adopted a restrictive view of their responsibility to examine the hazard identification system which failed to recognize that fire was a potentially lethal hazard. While doing an outstanding job from a technical viewpoint, it would have been helpful if the Board had attempted to identify the points of weakness in the NASA/contractor management systems of hazard identification and had made recommendations for strengthening them. As one of the astronauts told the House Science and Astronautics Committee, "none of us really placed any stock or gave any serious concern to a fire in a spacecraft. This is the real crux of the problem." In view of the weaknesses in the management systems which permitted the situation to exist undetected, one might ask, what other possible hazards "are not causing concern" today?

As all now agree, with the benefit of 20/20 hindsight, freshman engineering students would be expected to be aware of the potential fire hazard involved in working with pure oxygen under pressure, whether in "ground tests" or in "flight." Many technical studies and reports exist identifying the potential problem of a pure oxygen atmosphere in a spacecraft. In fact, a NASA study (NASA–Sp 48) published long before the accident observed that two accidents which occurred in 1962 "illustrate in concrete fashion the potential dangers of 100 percent oxygen atmospheres."

NASA did, in fact, have a research program aimed at reducing or eliminating the potential fire hazard. Laboratory experiments had been conducted to determine the flammability of spacecraft materials in oxygen atmospheres of varying pressures. NASA also conducted other programs which were designed to eliminate sources of ignition in the spacecraft.

With this background knowledge of the potential hazard of fire and with NASA's vast engineering and scientific organization, one wonders not how an accident could occur—they are inevitable. Rather, one wonders with that knowledge of the danger and the extensive resources available, how there could have been such a complete breakdown in the ability to recognize the danger of fire on that ground test and to identify the test as hazardous.

Hazards in space not identified

The evidence as to the management system's inability to identify hazards in ground tests is now reasonably clear. The next obvious question is what is the evidence with respect to flight tests? Knowledge here is less complete, but last year the staff of the House Committee on Science and Astronautics undertook a study of space flight safety and emergencies. The staff's purpose in conducting the study was to obtain information as to whether a space rescue capability should be established at this time. The report which was prepared by the staff showed that nearly all of the companies and agencies having an interest in space activities felt that insufficient information was known about the possible emergencies which might occur in space, that is that NASA has thus far not sufficiently identified the potential hazards.

NASA in its reply to the staff study described its safety review program in general terms and made no mention of any formal hazard evaluation effort.

As a result of this staff study, the committee recommended a complete overhaul of NASA and U.S. Air Force flight safety programs:

"That, in addition to the space flight safety efforts that are integral to specific programs of the two Government agencies established and maintained in each agency a separate and unique flight safety group which would be responsible for, among other tasks; providing separate inputs, on an overall system basis and keyed specifically to the problems of space flight safety, into the design of systems for specific missions; * * * the preparation and organizing, in advance, of procedures and investigating boards of experts for the handling of accidents; and the development of an organizational philosophy for space flight safety (similar to the approach which has evolved in aviation flight safety) which would ultimately provide for an independent review and audit of safety provisions and procedures in specific manned space flight programs."

NASA safety organization

Finally, one additional factor contributes to the conclusion regarding the inadequacy of NASA's safety program. The most recent NASA headquarters organization chart identifies various line officials having responsibility for NASA's programs, and also such staff officers as the General Counsel, the Director of Public Affairs, and the Director of Legislative Affairs.

Nowhere is there listed an individual whose sole concern is safety. If safety is a function of the program managers, one could expect to find a senior individual in the program office with safety as his sole responsibility. An examination of a recent organization chart of NASA's Office of Manned Space Flight identifies many positions, both line and staff, but nowhere can there be found a "safety officer". Looking further one finally finds that the organization chart for the NASA manned spacecraft center shows a "Flight Safety Office" but no similar office or individual is shown on the Kennedy Space Center organization chart. Investigation shows that no direct counterpart exists at the KSC. There, the "Chief Safety Office" reports to the director of support operations at the third level of management. It seems possible to conclude that top NASA management does not, under this structure, receive sufficient safety advice uncolored by budgetary considerations and/or schedule commitments.

Reasonable safety standards

What are reasonable standards for an adequate aerospace safety program?

First, the program must provide a positive system for a continuing identification of all potential hazards affecting the safety of astronauts, NASA and contractor employees, and the public.

Second, the safety program must include a comprehensive review of each potential hazard to assure that the hazard is eliminated or minimized.

Third, where "tradeoffs" (to use NASA's term) are necessary between safety factors and mission goals, budgets, and schedule commitments, then top management must be fully apprised so it is aware of the consequences of any safety compromise.

Finally, there must be assurance that deviations in procedures, production, or operations, affecting safety are made known.

Information made available to the U.S. Congress and to the public as a result of the Apollo tragedy indicates serious weaknesses in both NASA and contractor mangament in these crucial areas.

Congress and NASA should act now

The U.S. space effort has a truly significant role ahead. Successes of previous years must be matched and surpassed. Now that the need for a greater emphasis on safety within NASA is known as a result of the accident, our task is to continue the development of a well-balanced U.S. space program. The establishment of an "Aerospace Safety Advisory Panel" and the provision for an Inspector General for NASA are crucial in rectifying glaring structural deficiencies.

Problems are not solved by pretending they do not exist. The "hazard evaluation gap" within NASA can and must be closed. The Congress and NASA have the means to achieve that goal if they will act promptly and responsibly.

DONALD RUMSFELD.
JAMES G. FULTON.
CHARLES A. MOSHER.
RICHARD L. ROUDEBUSH.
THOMAS M. PELLY.
JOHN W. WYDLER.
GUY VANDER JAGT.
LARRY WINN, Jr.
JERRY L. PETTIS.
D. E. (BUZ) LUKENS.
JOHN E. HUNT.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., April 21, 1967.

Hon. GEORGE P. MILLER,
Chairman, Committee on Science and Astronautics, House of Representatives.

DEAR MR. CHAIRMAN: By letter dated April 10, 1967, Mr. Charles F. Ducander, Executive Director and Chief Counsel of your committee, transmitted copies of H.R. 8145, entitled "A BILL To amend the National Aeronautics and Space Act of 1958 to establish an Aerospace Safety Advisory Panel to advise and assist the Administrator of the National Aeronautics and Space Administration with respect to the safety of the Administration's facilities and operations," and requested our views and recommendations thereon.

We have no special information regarding the necessity for or desirability of establishing a Panel such as that proposed by H.R. 8145. The establishment of such a Panel is a policy matter for the consideration of the Congress. Hence, and since the bill, if enacted, would not affect the functions and responsibilities of our Office, we have no comments with respect to its merits or recommendations regarding its enactment.

We note that the bill provides on page two, starting at line 13, that "The members of the Panel shall receive a per diem compensation for each day spent in meetings or conferences, or other work of the Panel, and all members shall receive their necessary traveling or other expenses while engaged in the work of the Panel." Since the Panel would appear to be an "agency" within the definition of that term in section 5102 of title 5, United States Code, it may be that the amount of "per diem compensation" payable under this provision would be subject to the limitations of Chapter 51 of that title. Under 5 U.S.C. 5103 the final determination of the applicability of section 5102 is placed in the Civil Service Commission. Should section 5102 be determined not applicable to the members of this Panel or you specifically provide that their employment shall not be subject thereto, there would appear to be no restriction upon the amount of per diem compensation which may be paid to such members. Also, since only officers and full-time employees of NASA are prohibited from serving as members of the Panel, it is possible that officers and employees of other Federal agencies may be appointed thereto, thus raising a question as to receipt of compensation from more than one Government agency.

Also, the quoted provision places no restriction upon either the type or amount of travel expenditures for which the Government would be obligated, nor does it permit the payment of either travel or subsistence on a commuted basis. Sections 5701–5708 of title 5, United States Code, provide general authority for the heads of all agencies and establishments to pay a commuted allowance of $16 per day in lieu of actual expenses for subsistence and other necessary travel expenses unless such allowance would be much less than the actual and necessary expenses, in which event the head of the agncy or establishment may authorize reimbursement, not to exceed $30 per day on an actual expense basis.

Assuming that it is not desired to make the compensation and travel expenses of the Panel members subject to the general laws relating thereto or to permit Government officers and employees appointed as Panel members to receive dual compensation, we believe that the bill would provide more satisfactory guidelines from the standpoint of both administration and audit and, at the same time, not result in the loss of monetary benefits if the quoted provision were deleted and the following language substituted:

"Members of the Panel who are officers or employees of the Federal Government shall receive no compensation for their services as such, but shall be allowed necessary travel expenses (or in the alternative, mileage for use of privately owned vehicles and a per diem in lieu of subsistence not to exceed the rates prescribed in 5 U.S.C. 5702, 5704), and other necessary expenses incurred by them in the performance of duties vested in the Panel, without regard to the provisions of subchapter I, Chapter 57 of title 5 of the United States Code, the Standardized Government Travel Regulations, or 5 U.S.C. 5731. Members of the Panel appointed from outside the Federal Government shall each receive compensation at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the

Panel in addition to reimbursement for travel, subsistence, and other necessary expenses in accordance with the provisions of the foregoing sentence."

Sincerely yours,

FRANK H. WEITZEL,
Assistant Comptroller General of the United States.

NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION,
Washington, D.C., June 21, 1967.

Hon. GEORGE P. MILLER,
Chairman, Committee on Science and Astronautics, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to Mr. Charles F. Ducander's letter of April 10, 1967, requesting the comments of the National Aeronautics and Space Administration on the bill H.R. 8145, "To Amend the National Aeronautics and Space Act of 1958 to establish an Aerospace Safety Advisory Panel to advise and assist the Administrator of the National Aeronautics and Space Administration with respect to the safety of the Administration's facilities and operations."

The bill would add a new Section 308 to the National Aeronautics and Space Act of 1958 establishing an Aerospace Safety Advisory Panel consisting of 15 members to be appointed by the Administrator of NASA for staggered terms of office of six years. It would review safety studies and operations plans referred to it, make reports thereon, and advise the Administrator with respect to the hazards of proposed or existing facilities and proposed operations and the adequacy of proposed or existing safety standards. The Panel would perform such other duties as the Administrator might request.

Technically, the establishment of such an advisory panel can be accomplished under existing law. NASA now has authority to appoint such advisory committees as may be considered appropriate. (See Sections 203(b)(7) and 203(b)(9) of the National Aeronautics and Space Act of 1958, as amended, 42 U.S.C. 2473(b)(7) and (9), 5 U.S.C. 3109.) In addition, NASA is able to obtain advice of the kind the panel would provide through such cooperative arrangements, grants, and contracts. NASA is authorized to—and does in fact—turn for help to other agencies of the Government and to interagency groups—bodies such as the National Academy of Sciences and to universities and business firms.

The safety problems of NASA are tied to very complex space flight hardware, ground installations and test systems. They can only be evaluated effectively through an intimate knowledge of that hardware, beginning with its design and extending through its actual use in flight missions. This means that we must review initial engineering design concepts for safety considerations, and carry safety scrutiny through the processes of manufacture and testing. As the hardware progresses through its planned sequence of test, checkout, and preparation for flight, separate safety evaluations must be maintained to identify and resolve hazardous conditions and to provide information feedback into the manufacturing process. To meet these requirements NASA has evolved systems safety engineering programs to integrate these efforts and incorporate them into overall program planning. Even the more traditional aspects of industrial safety required in NASA a depth of program knowledge which a panel would find it difficult to acquire and maintain. NASA has developed a comprehensive internal safety program upon which it relies in assuring safety. Given the nature of NASA's operations, there is a serious question as to whether such an advisory panel would add to the safety of our activity.

Within its existing framework for safety control, NASA obtains the advice and assistance of numerous consultants and experts. It maintains extensive relationships with nationally recognized safety organizations such as the Armed Services Explosive Safety Board, the Federal Safety Council, and the Federal Fire Council. It uses experts as consultants on specific programs to bring expert knowledge and experience to bear directly on its problems. For example: it uses the Director of Research, Aerospace Safety and Management School, University of Southern California as a consultant on safety matters in the manned space flight program; the University of Miami in conducting a study for it of the effects of short term exposure to flourine gases on humans and animals; and, NASA has personnel who are experts in safety and accident investigation who are relied upon by other agencies for assistance in addition to their employment on NASA's own evaluations.

If we eliminate the unfortunate January 27, 1967, fire at Cape Kennedy in which astronauts Grisson, White and Chaffee died, NASA has an excellent safety record. The safety record of the Mercury and Gemini programs speak for themselves. Another measure is NASA's record with respect to the President's Safety Award. This is an annual contest among Government agencies competing for recognition of their safety achievements within a framework of established rules, published by the Federal Safety Council's Advisory Board and ratified by the President. NASA won first place award for the years 1960 and 1963, honorable mention for 1964. It was nominated for the award in 1965 and 1966.

The method for determining the level of safety accomplishment reflected in the awards is through the application of a formula which results in a "frequency rate." The formula is the same used throughout Government and industry and is the one recommended by the United States of America Standards Institute and utilized by the National Safety Council. The accident frequency rate computed for NASA for 1960 was 2.05, 1961 3.0, 1962, 2.34, 1963 2.46, 1964, 2.81, 1965 2.25 and 1966 1.78. The frequency rate computed for the first four months of 1967 is 2.16. The figures for NASA compared quite favorably to the Federal Government in general when related to the published figures of the Department of Labor, Bureau of Employees' Compensation, which lists all Federal establishments frequency rates for the years 1964 and 1965 at 7.7 and 7.3, respectively.

NASA exerts continuing effort to strengthen its safety program in terms of organization, personnel, and the systematic review of safety requirements throughout the program. For example, it has recently established, in the Office of Manned Space Flight, a Director of Safety to provide a strong focal point for consideration of, and decision on, matters related to systems and flight safety, and to identify any unsolved hazardous or unsafe practices and conditions. Mr. Jerome Lederer heads that office. He is a leading authority on flight safety; he has been Vice President and Technical Director of Flight Safety Foundation, Inc., New York, and Director of the Cornell-Guggenheim Aviation Safety Center. In addition, NASA is preparing plans for a strengthened agency-wide safety organization which will integrate all safety activities including project safety systems, industrial safety and environmental safety hazards. A new Director of Safety will be selected in the near future replacing an official recently retired. In another area of interest, the Manned Spacecraft Center, Houston, Texas, is strengthening its Flight Safety Office to assure a continuing independent scrutiny of safety problems with emphasis on astronaut safety in ground and space flight activities.

There are a limited number of precedents for the establishment of advisory safety panels. For example, the Atomic Energy Commission has an Advisory Committee on Reactor Safeguards which meets about once a month and which serves an important function in the atomic energy program. Reactors pose a radiation hazard to the general public which warrants this measure of protection of the public's interests. NASA does not have in its program similar hazards for the general public, and consequently we do not consider this factor as indicating a need for an Advisory Panel along the lines used by the Atomic Energy Commission.

Recently, NASA consolidated its responsibilities for organization and management under an Associate Administrator for Organization and Management. These include Safety along with Industry Affairs and internal administration. This office has been instructed to make a full review of all NASA's projected activities from the standpoint of safety in order that we may consider further with the Committee the exercise of the authority we now have if the actions we have reported above are not considered adequate.

This report has been submitted to the Bureau of the Budget which has advised that, from the viewpoint of the Administration's program, there is no objection to its submission to the Congress.

If we can be of further assistance, please do not hesitate to call on us.

Sincerely yours,

JAMES E. WEBB,
Administrator.

The CHAIRMAN. Does the gentleman from California [Mr. MILLER] insist on his point of order?

Mr. MILLER of California. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. MILLER of California. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I was in hopes that the gentleman would withdraw his amendment. We discussed this some time ago, but the gentleman does not want to withdraw his amendment.

Mr. Chairman, I believe that amending the space act or going into these matters precipitously is perhaps one of the dangers that we have encountered in this field as well as in other fields.

I am certain that Mr. RUMSFELD's bill, if it is a good bill, can stand the scrutiny of the Committee on Science and Astronautics which it has not had as of now.

I believe in view of this that it is not in the best interest of NASA that this amendment be adopted at this time and, therefore, I ask for a "no" vote on this amendment.

Mr. FULTON of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. WYDLER. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from New York.

Mr. WYDLER. Mr. Chairman, I rise because I support this amendment.

I think it should be made clear to the Members of the House that this amendment is an outgrowth or a result of the Apollo accident which killed three U.S. astronauts.

Its purpose is to make such accidents less likely in the future.

Mr. Chairman, there have been ample hearings on the amendment before us. We had exhaustive hearings before the

Special Committee on NASA Oversight which was chaired by the gentleman from Texas.

The key—the key to this amendment is the independent nature of the safety review board. Nothing that NASA proposes or accepts will allow any type of independence in the safety review procedure. They want to control it. They have controlled it in the past and it has not been successful.

Mr. Chairman, I think this amendment should be adopted.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman.

Mr. PELLY. Mr. Chairman, I think it should be pointed out to the Members of the Committee that 11 members of the House Committee on Science and Astronautics thought enough of the amendment offered by the gentleman and which is now pending before the committee, that they signed the additional views which appear on page 187 of the report on this bill.

While we did not know that there would be an individual bill put in on this matter, yet we feel that it has merit and therefore I certainly think that some of us are going to support the amendment offered by the gentleman from Illinois [Mr. RUMSFELD].

Mr. FULTON of Pennsylvania. Mr. Chairman, may I further add that we do need safety development in NASA. In my estimation, the procedures for safety have not been adequate for some time in our space programs of the United States.

I do recommend an independent space safety council such as the gentleman from Illinois [Mr. RUMSFELD] has presented. He has given a lot of time to this. I think it is a fine development.

Likewise, I have offered a proposal for the past number of years providing for an Inspector General for safety. That Inspector General would become part of NASA just as there is an Inspector General in the Air Force, the Army, the Marine Corps and in the Atomic Energy Commission—and even in the Department of Agriculture and AID under the State Department.

We need independent safety organizations in NASA, first for the overall policy of safety and, second, to monitor from day to day the contractors as well as the NASA employees. The trouble with the Apollo 204 accident was that these three astronauts had no one to whom to appeal. For example, day after day, even when the voice communications were going bad that day, they could talk only with someone who had the program responsibility in NASA and who wanted to get the program moving along, or to contractor personnel.

We must remember that unfortunately just before the NASA 204 fire at Cape Kennedy, two safety men walked off the job at 4:30. The accident occurred shortly after, at 6:30.

Under those conditions, where there is divided responsibility, and the program when it is under the Program Director and under the Space Center, there can be no direct appeal by which the program can be shut down until safety measures are taken. I feel that there should be an Inspector General under the NASA Director reporting to the Associate Director as well as to the Directors of the Space Centers.

I would say this to you: We do need more safety in NASA, and I hope that the amendment of the gentleman from Illinois [Mr. RUMSFELD] is adopted. I personally recommend it.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GROSS. There were, some say, 20,000—and I suspect that is perhaps exaggerated—but several thousand malfunctions in the program. What is the matter with the Administrator, the well-paid Administrator of this program that he does not take care of the safety provisions?

Mr. FULTON of Pennsylvania. There is no doubt—and the National Aeronautics and Space Agency itself admitted—that there were not enough safety precautions taken, which resulted in the Cape Kennedy fire in the Apollo 204.

Mr. GROSS. I think what you need is a new Director.

Mr. WAGGONNER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from California.

Mr. MILLER of California. Mr. Chairman, I wonder if we can arrive at some time limitation on debate on the amendment and all amendments thereto. I ask unanimous consent that all debate on the amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent that all debate on the pending amendment and all amendments thereto close in 15 minutes, following the 5 minutes allotted to the gentleman from Louisiana [Mr. WAGGONNER]. Is there objection to the request of the gentleman from California? The Chair hears none, and it is so ordered.

The Chair recognizes the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman and gentlemen of the Committee, I rise in opposition to the amendment of the gentleman from Illinois [Mr. RUMSFELD]. In supporting the amendment, the gentleman from Pennsylvania [Mr. FULTON] has made the allegation that the astronauts who are so heavily involved in this program have nobody to appeal to, nobody to report to, nobody to go to with their problems and complaints in asking for a safe program.

The gentleman is completely in error, because the record of the investigation of the Apollo 204 accident shows quite clearly very positive and definite statements from the astronauts themselves that they are satisfied with the appeals procedures available to them in protesting any facet of the space program, whether it be safety or anything else.

And they have further added, and the record speaks for itself, that they have never been denied the right to be heard, and that every problem they have ever gone to this appeals group with has been heard in a manner which was satisfactory to them. So we want that record straight.

Mr. KARTH. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I am glad to yield to the gentleman from Minnesota.

Mr. KARTH. Would the gentleman recall from the hearings that, in addition to what he has already stated, every time one of the astronauts pointed to a questionable area as it regarded safety, there were red stop flags put on that particular process until such time as the astronaut was personally satisfied that there no longer was a safety hazard involved? Is that not true?

Mr. WAGGONNER. The Chairman is absolutely correct, because they did testify that in every instance of their having brought a matter of safety to the attention of their superiors, this matter was corrected to their satisfaction.

Mr. KARTH. And in the gentleman's judgment, is it not true that the astronauts, who have to fly the Apollo capsules, might well be more interested in the safety of it than any safety director?

Mr. WAGGONNER. I do not believe there is any question of that.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, did the gentleman from Louisiana not hear the testimony on this same point, to the effect that the astronauts had a 15-man staff assigned to them to follow the hardware through manufacture and right down to the time when they entered it?

Mr. WAGGONNER. That is correct.

Mr. HUNT. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from New Jersey.

Mr. HUNT. Mr. Chairman, I recall during the testimony before the committee that Deke Slayton testified he had made more than 30 observations and recommendations for safety features on the hardware. At that time he said "they had all been taken care of except six." I questioned him at that time as to whether or not one of the six that had not been taken care of was the revised and better designed and better engineered escape hatch. At that time Mr. Slayton stated "yes, that was one of the items." I believe the gentleman from Louisiana will recall that. We were both there that evening.

It is my belief if we had a review board and an inspector general, who could do no damage except to advise on things to save someone's life, it would be well worth our effort to put this in. I believe if we have someone there, who is unbiased and who believes we should find things and take care of things that need specific attention, the effort would be well worthwhile.

Mr. WAGGONNER. Mr. Chairman, astronauts also approved the hatch in use. If we adopt that approach to this problem of safety, then another amendment would be in order to create another review board to check the qualifications and safety capabilities of this independent review board that is now proposed to be created. Somewhere, somebody must take somebody's word.

In my hand I have a letter dated June 6, 1967, addressed to the chairman of the Committee on Science and Astronautics, which is in answer to an inquiry from the chairman of the committee, which is signed by the Administrator of NASA, Mr. Webb. He sets out in a very positive way the fact that technically under the existing law the establishment of such an advisory panel can be accomplished. NASA already has this authority. The safety record of NASA is better than most. Their record speaks for itself.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. TEAGUE].

Mr. TEAGUE of Texas. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I support this amendment. I believe it is a very salutary one, which speaks to the very question which was reviewed at length before the committee during the hearings on the causes of the Apollo fire. That question is the failure of NASA to identify as hazardous the test in a 100-percent oxygen environment, in which this tragedy occurred.

NASA did not identify the test as hazardous, and therefore, according to the testimony, precautions, which otherwise would have been taken, were not taken. It was incredible to learn during the hearings that NASA had ignored its own literature on the subject and had ignored the fact that NASA had experienced three previous fires in a 100-percent oxygen environment, similar to this fire, which had taken place during various testing programs in recent years. One fire occurred on September 9, 1962; another fire occurred on November 17, 1962; and again a fire occurred as recently as April 28, 1966.

NASA's investigation board which reviewed the fire of April 28, 1966, reached the following conclusions as reported to the Senate committee on February 7, 1967:

> Some of the ground test equipment and materials used in the test set-up were not suitable for application in the vacuum and 5 psia 100% oxygen environments. No adequate fire detection or extinguishing equipment was installed in the test fixture. No written emergency shutdown or fire procedures were provided to the test operators.
>
> From the standpoint of fire control, improvement in the selection of materials used in the Environmental Control System and Apollo Command Module could be made.
>
> There is a potential fire hazard from arcing or direct short circuits.

As shocking as it may appear that officials of NASA failed to profit from this experience and draw up more satisfactory guidelines for future safety procedures, the error is compounded when we realize that such conclusions and suggested procedures did indeed exist in clear, orderly fashion in NASA's own files—most notably in a NASA publication "Space Cabin Atmospheres, Part II, Fire and Blast Hazards" (1964).

The three fires which NASA had previously encountered were in oxygen atmospheres at 5 pounds per square inch absolute. The Apollo fire of January 27 occurred in an oxygen atmosphere at 16 pounds per square inch absolute. NASA's "Fire and Blast Hazards" points out very clearly on page 27 that—

> It is evident that a comparatively slight addition of oxygen to the atmosphere would be sufficient to reduce considerably the protection afforded by fabrics of low flammability in air.

On page 101 the publication notes—

> A 100% oxygen environment does present an unusual hazard in space cabins.

And on page 28 it states:

> Even "flameproof" material . . . burned completely in this (100% oxygen) environment.

Among numerous other suggested procedures, NASA's "Fire and Blast Hazards" lists "examples of combustible materials that should be minimized or possibly eliminated for space cabins." These include nylon, Teflon, and various polyesters, all of which were widely used in spacecraft 012.

The Apollo Review Board Report points out that NASA did not supervise North American Aviation's attention to existing criteria for selection and placement of materials and that, indeed, North American did not follow them.

I have chosen these particular brief examples only because they are of greater immediate interest to us. The list of hazardous incidents and unattended safety procedures, however, is extremely lengthy and includes every aspect of the space program.

Mr. Chairman, it is incredible that this test was not considered hazardous.

Whatever reasons may be given for having made such a serious lapse in judgment about the Apollo fire on January 27, it is insupportable that responsibility should not be more definitely assigned and remedial action taken. Since NASA has failed to adequately perform this function, it is up to Congress to insist that higher standards be met. This amendment would establish a high-level Aerospace Safety Advisory Panel, which would be independent and would oversee the effectiveness of NASA's safety procedures. I think we would be remiss not to take this action today.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. HUNT].

Mr. HUNT. Mr. Chairman, and members of the Committee, for the past 3 days we have been discussing monetary stipulations, and prior to that we discussed in some depth before the committee the unfortunate accident which overtook the Apollo program.

I rise in support of the gentleman from Illinois [Mr. RUMSFELD] today for several reasons.

There were some disparaging things said, so far as the space program is concerned. I am a firm believer that the space program should go forward.

I am likewise a firm believer that some portion of it can very well be deferred for some time, but that has gone by.

Insofar as the creation of an inspector general, or a Civilian Review Board, I believe by doing so we would be doing a service to the country, to NASA, and to everyone concerned, including the persons who are the prime contractors. We should have a group of this nature.

We are only human beings. It is a well-known fact that the memory becomes hazy and ofttimes for convenience the mind is fleeting. This appears to be the case today.

We should have an inspector general to help us in the future to dispel the aura of suspicion. Perhaps they could find things.

It is with regret that we reflect upon ourselves, some of the sloppy work and peculiar habits they had with the hardware prior to the accident, and the inadequacies which existed at that time, which should have been corrected.

We have heard much today about this program being extended into the realm of Mars. I believe it is about time we began to face reality, to stop worrying about district work or what is in the district or what we will get from our district, and to think of the program totally.

It was brought out that this is going to be a long and projected program. If it is going to be projected, then let us now begin to police the entire project, for the safety and the welfare of this Nation and of the gentlemen who will be the persons to fly on these missions, to fly on the craft for Nerva II, for which at the present time they have no rocket, and for which they have admitted they have no project.

We need something to police this particular program. Today is the day we should enact it. If we fail today and have another accident next year, gentlemen, then the fault will be upon our heads.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. WYDLER] for 3 minutes.

Mr. RUMSFELD. Mr. Chairman, will the gentleman yield?

Mr. WYDLER. I will be glad to yield to the gentleman from Illinois.

Mr. RUMSFELD. Mr. Chairman, I thank the gentleman for yielding.

I would like to make a comment by way of background. This amendment was carefully developed. It has been revised twice to conform with the General Accounting Office recommendations. It was offered in the subcommittee and offered in the full committee.

The point is this: The Apollo hearings developed testimony to the effect that there were defects and problems with respect not merely to safety habits and procedures on the pad but going back to such things as quality control and even design.

The gentleman from Louisiana earlier made the argument that the astronauts say they have always been given an access to top management with regard to questions concerning safety. The gentleman from Louisiana is absolutely correct. That is what the testimony shows. But it also shows that the astronauts themselves have said that "none of us really placed any stock in or gave any serious concern to the possibility of a fire in the spacecraft." The astronauts are able, dedicated, courageous, fine men, but they are not all-knowing and cannot be expected to serve as an independent safety review board would serve. They are busy men. They are pilots and astronauts on a strict training schedule. What this amendment proposes to do is to create an independent safety review board, one that could stand back and look at the whole problem completely apart from considerations of cost, of schedule, and time. They could look at it apart from the fears of employees who fear rocking the boat when they disagree with a decision that has gone too far, possibly.

I hope at this late hour that this committee will give careful consideration to our views in this report, because it is our chance as members of the committee to do something to see that we can assure ourselves and our constituents that our space program will be as safe as we, as human beings, can possibly help to make it.

I thank the gentleman for yielding.

Mr. WYDLER. Mr. Chairman, I was delighted to yield to the gentleman.

I wish to say to the members of the Committee this is probably the last chance this year you will have to do something to improve the safety record of NASA. If you do not take advantage of this opportunity today, you will proceed with the same situation you had at the time of the Apollo 204 accident.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Miller].

Mr. MILLER of California. Mr. Chairman, I ask for a "No" vote on this and yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. Rumsfeld].

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. WAGGONNER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Miller of California and Mr. Rumsfeld.

The Committee divided, and the tellers reported that there were ayes 101, noes 106.

So the amendment was rejected.

Mr. RIEGLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent that all debate on the bill and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman makes the unanimous-consent request to apply following the remarks of the gentleman in the well?

Mr. MILLER of California. Yes, Mr. Chairman, following the gentleman's remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. RYAN. Mr. Chairman, reserving the right to object, would the chairman of the committee, the gentleman from California [Mr. Miller], modify his unanimous-consent request to extend it for 20 minutes in order to permit those who have amendments pending at the desk to have 5 minutes during which to speak to their amendments?

Mr. MILLER of California. Mr. Chairman, I accept the modification of 20 minutes.

Mr. HAYS. Mr. Chairman, a point of order, or perhaps it ought to be a parliamentary inquiry.

Are they reserving 5 minutes for various people? If they are, I want to make a point of order against it.

The CHAIRMAN. The Chair will state that the unanimous-consent request of the gentleman from California as modified is that all debate on the bill and all amendments thereto close in 20 minutes, with the proviso that authors of amendments at the desk may have 5 minutes each in which to speak on their amendments.

Is there objection to the request of the gentleman from California?

Mr. HOSMER. Mr. Chairman, reserving the right to object, may I ask the Chairman how many amendments there are at the desk?

The CHAIRMAN. The Chair will say to the gentleman from California that the Chair knows of two amendments at the desk.

Mr. HOSMER. Mr. Chairman, I withdraw my reservation of objection.

Mr. MILLER of California. Mr. Chairman, I renew my request that it be fixed at 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California.

Mr. RYAN. I object.

Mr. FULTON of Pennsylvania. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

The Chair recognizes the gentleman from Michigan [Mr. Riegle] for 5 minutes.

Mr. RIEGLE. Mr. Chairman, I am deeply troubled by this authorization.

Clearly I wish to see my country pioneer in the exploration of outer space.

Certainly it is an exciting long-range national goal. But I am worried about our priorities.

The issue I wish to raise is not the desirability of exploring outer space, but rather whether we can afford some $5 billion for this program next year.

Our Nation—and the world—is today suffering from many crisis problems that affect us all.

We have the war in Vietnam—at a probable cost next year of $30 billion.

We are forecasting a crushing Federal deficit of $29 billion.

The farmers in our country are in trouble.

Our senior citizens are badly in need of assistance.

Sprawling slums pockmark our major cities.

Our national high school dropout rate approaches 40 percent.

Crime is on a rampage across the country.

We also face urgent problems in the fields of air pollution, water pollution, mental health, hospital construction, and in countless other areas.

Our economy is sputtering—it is in trouble.

Interest rates are touching a 40-year high.

A sharp increase in the cost of living is forecast.

Well, what does this all mean? It means we have urgent problems in every sector of our society—problems that we do not have the money to solve—problems that worsen before our eyes.

And so we look at the remainder of the world. These problems also exist there in even a more desperate state.

These are earthly problems—they are not light years or galaxies away—they are down the street, and they cry out for attention.

In this bill we meet head on the question of whether the man on the street is more important than the man on the moon.

I think the man on the street is more important. I think this authorization—while visionary and sound in concept—is far more than we can afford at this time.

It cannot deserve our first priority when the use of these dollars in outer space means that we must turn our backs on the crisis problems facing the man on the street.

I had hoped that we would sustain every cost cutting amendment that was offered today. We would do well to cut this program back to a sound and proper second-priority level until we can afford to move ahead at the rate suggested in this authorization.

I look forward to the opportunity as a member of the Committee on Appropriations to try to trim this program to that level.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent that all debate on the bill, and all amendments thereto, close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. TEAGUE of Texas. Mr. Chairman, reserving the right to object, I would like to ask the gentleman from Pennsylvania [Mr. Fulton] whether the motion to recommit will be explained at any time?

Mr. FULTON of Pennsylvania. I will be very glad to get time. I have already spoken to the gentleman from California [Mr. Miller] about asking for time so I can explain it.

Mr. TEAGUE of Texas. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. Miller]?

There was no objection.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Ryan:

On page 2, line 10, strike out "$36,000,000" and insert "$32,885,000".

On page 2, line 11, strike out "$39,200,000" and insert "$32,797,000".

On page 2, line 12, strike out "$21,000,000" and insert "$14,675,000".

On page 2, line 15, strike out "$44,000,000" and insert "$34,070,000".

On page 2, line 17, strike out "$49,000,000 of which $12,000,000 is to be used only for the large solid motor project" and insert "$32,441,000".

On page 2, line 20, strike out "$66,800,000" and insert "$49,205,000".

On page 2, line 21, strike out "$290,000,000" and insert "$266,300,000".

On page 2, line 23, strike out "$5,000,000" and insert "$3,300,000".

On page 5, after line 22, insert the following new subsection:

(h) In order to assist the Congress in determining whether and to what extent additional amounts should be authorized to be appropriated for the programs referred to in paragraphs (10), (11), (12), 14), (16), (17), (18), and (20) of subsection 1(a), the Administrator shall submit to the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate at the earliest practicable time—

(1) a statement of specific mission objectives and estimated launch schedules for space missions after the manned lunar landing, together with an assessment of the benefits to the Nation to be derived from these objectives;

(2) an estimate of the costs of achieving each of these objectives;

(3) a justification of fiscal year 1968 hardware and mission-oriented program budget requests in the light of the stated post-Apollo objectives, to include the costs and benefits of each program and the reasons for its selection over other alternatives; and

(4) an estimate, for non-space hardware programs with claimed or inferred benefits to the Nation, of the full program costs and eventual benefits to be derived.

Mr. RYAN. Mr. Chairman, it has been pointed out that, because of the way in which the bill was drafted, we are caught in a parliamentary situation which precludes further amendment to page 1, line 5, the total overall amount authorized in the bill. That figure is set at $4,927,182,000.

I believe, however, that we can circumvent that parliamentary obstacle and achieve a salutary effect by adopting my amendment because it reduces a number of line items, involving eight programs and totaling a reduction of $85,327,000. These programs are submitted to the Congress under NASA's Office of Advance Research and Technology.

This is an area in which great misunderstanding seems to prevail. The committee and NASA hold a philosophy toward this office which is suited to programs of pure research, but we must recognize that NASA is not in the business of pure research. NASA uses this pure research argument to demand every cent in its budget requests, yet NASA freely reprograms out of advanced research and technology funds to support other programs. It impresses and overwhelms Congress with technical detail to obtain approval for many programs which have not been clearly defined and which are quite vague.

NASA argues that the Office of Advanced Research and Technology conducts free-wheeling, inspirational scientific investigatons which, it says, lead to great discoveries and the extension of the frontiers of knowledge. As a result, Congress does not hold NASA too closely accountable for its choices and investments in various technology studies and the development of assorted pieces of hardware. Program and mission decisions can come afterwards—not first—as a guiding factor in making decisions.

Under this approach, if later on certain developments prove too costly or useless, it is always explained as being part and parcel of experimentation and free, unfettered scientific inquiry.

In reality this is not the case. NASA's reluctance to present a clear, cost-benefit program structure for advanced research and technology reflects its general unwillingness to perform this task in any area, and only proves that NASA does not want to be held accountable for detailed review of the use of the funds.

As I explained in my "Additional Views":

> The claim is always made that fruitful research is such an unpredictable and fragile bloom that any attempt to introduce directed or planned growth will cause it to wither . . . those supporting research must not interfere with the sacrosanct process, must not reduce 'flexibility,' and must not question the objectives of technically fascinating projects . . .
>
> Even if research were as unpredictable as claimed, NASA is not primarily in the business of pure research. NASA is in the business of managing the engineering, production, and exploitation of space hardware in order to accomplish the Nation's goals in space—presumably at the least cost to the Nation . . . (NASA) does not have unlimited funds at its disposal . . . (NASA) cannot aford to develop and improve all possible approaches to space problems. This means that choices and decisions are being made, although NASA management refuses to make explicit the criteria by which they are made.

Since there are a limited number of programs that NASA may pursue at any given time, I believe that program decisions should be directed toward the most efficient execution of our national space goals. To this end, research program choices should be adequately presented to Congress for review of mission-related benefits and costs.

It is with this in mind that I have presented this amendment and have proposed authorization reductions which are based upon what I believe are sound guidelines for research and development allocations as follows—

First, there is no inherent reason to increase funding yearly. Unless specific and attractive programs have been defined in the budget submissions, I have adopted in these amendments the fiscal year 1967 level of effort.

Second, flight hardware developments which are not related to specified mission objectives are not justified.

Third, programs for which adequate commercial and/or military market incentives exist are not suitable for NASA support.

Fourth, programs with claimed long-term economic benefits which have not been demonstrated by cost-and-benefit projections are not justified.

Fifth, research and development projects that have successfully accomplished their objectives and made contribution to the store of technical knowledge should be ended, not refined ad infinitum.

On these bases I have proposed a number of reductions below the committee recommendations. I have also proposed that, in order to properly evaluate the possible necessity of further funding for any of these programs, the Administrator of NASA should present to the Committee on Science and Astronautics and the Committee on Space and Aeronautical Sciences the following information for consideration—

First, a statement of specific mission objectives and estimated launch schedules for space missions after the manned lunar landing, together with an assessment of the benefits to the Nation to be derived from these objectives;

Second, an estimate of the costs of achieving each of these objectives;

Third, a justification of fiscal year 1968 hardware and mission-oriented program budget requests in the light of the stated post-Apollo objectives, to include the costs and benefits of each program and the reasons for its selection over other alternatives; and

Fourth, an estimate, for nonspace hardware programs with claimed or inferred benefits to the Nation, of the full program costs and eventual benefits to be derived.

This information should enable Congress to have a clearer view and exercise a more fruitful judgment and control of the allocation of funds within the space program.

Furthermore, should any real problem arise in any of these programs for lack of sufficient funds—Congress would have a reasonable basis upon which to evaluate a request for additional authorization.

I propose a reduction of $85.327 million for Advanced Research and Technology programs—from $551 million to $465.673 million. This excludes reference to Nerva which I have dealt with in a previous amendment.

The purpose, then, in limiting the authorization is to defer, without prejudice, expenditures which have not been clearly identified or justified in terms of specific national space and aeronautics objectives.

Mr. HECHLER of West Virginia. Mr. Chairman, I rise in opposition to the amendment. I would like to get the attention of the gentleman from Pennsylvania [Mr. FULTON]. This amendment which has been submitted by the gentleman from New York would cut into many areas, including chemical propulsion. I know the gentleman is very interested in the high-energy fuels, such as boron and fluorine, and I hope the gentleman will join me in opposing the amendment.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I am glad to yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I have made my position clear. I do not want any cut in research and development funds that will hold back any programs. We must have efficiency in these programs, of course. In fact, I have supported efforts to add money for both liquid and solid-fuel propulsion.

Mr. HECHLER of West Virginia. I thank the gentleman. This amendment cuts into vital research programs which our committee strongly supported, in the area of advanced research and technology. The amendment of the gentleman from New York would slash some $85 million from advanced research that has already been cut down by the Bureau of the Budget, and which we on the subcommittee cut down after a very detailed investigation and pruning. Year after year we have been attempting to put more emphasis on advanced research and technology, and in recent years this has been the area which has suffered the deepest cuts. This year we were gratified that NASA had requested more funds in such vital areas as aeronautics.

In February of this year, the President's Science Advisory Committee published a landmark report entitled "The Space Program in the Post-Apollo Period." This report recommended "that the NASA efforts in advanced research and technology be maintained at a high level with particular attention to providing the demanding technologies needed to meet requirements for long-duration space travel * * *"

This entire program represents America's faith in the future.

President Kennedy used to love to tell the story of the great French Marshal Lyautey who once said to his gardener: "Plant a tree tomorrow."

The gardener asked: "Why plant it? It won't flower for 100 years."

"In that case," the Marshal replied, "plant it this afternoon."

Mr. HUNT. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to the able gentleman from New Jersey, an effective member of the Subcommittee on Advanced Research and Technology, who has contributed greatly to our committee work.

Mr. HUNT. Mr. Chairman, I rise to say I will support the gentleman's opposition to this amendment. I believe, in the subcommittee which the gentleman from West Virginia so ably handles, this matter was threshed out very carefully, and we came to the conclusion this was one area where we needed more money and not less.

Mr. Chairman, I oppose the amendment.

Mr. HECHLER of West Virginia. Mr. Chairman, I thank the gentleman from New Jersey.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I oppose the amendment also.

When we get into these strictly technical areas under a tight limitation of time, we are not in an area where we can legislate wisely. In the Joint Committee on Atomic Energy, where we have these scientific matters come up, we make every effort within the committee to arrive at a consensus that we can all support on the floor, simply because the matter is so difficult and so technical that it is really impossible to legislate on the floor, particularly when we have an amendment that includes almost one dozen different items, plus some kind of addenda which I did not quite understand when they were read.

Mr. HECHLER of West Virginia. Mr. Chairman, I appreciate the comments of the gentleman from California. He knows from experience what effect such an amendment will have.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to the gentleman from Washington, the ranking minority member of the Subcommittee on Advanced Research and Technology.

Mr. PELLY. Mr. Chairman, I join in opposition to this amendment. As a member of the committee, as the gentleman has said, I have listened to the testimony. I feel it would be a great mistake if at this late hour we should adopt this amendment.

Mr. HECHLER of West Virginia. Mr. Chairman, I appreciate the comment of the gentleman from Washington.

I ask for a vote against the amendment offered by the gentleman from New York.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. Fulton].

Mr. FULTON of Pennsylvania. Mr. Chairman, I step aside and yield to the gentleman from Florida, but pending that, may I inquire how much time is left?

The CHAIRMAN. The Chair advises the gentleman from Pennsylvania there are 10 minutes remaining.

The gentleman from Pennsylvania [Mr. Fulton] does not desire recognition at this time.

The Chair recognizes the gentleman from Florida [Mr. Gurney].

Mr. GURNEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I believe I am going to talk on the same subject as the gentleman from Pennsylvania, but I take this time to do it, when the time is running out as it is, in order to talk about the motion to recommit. I do not undertake to steal the wind from the gentleman from Pennsylvania, and explain the motion, but I do want to point out to the House, and particularly to my side of the aisle, this point: The motion to recommit will be directed to advanced missions, involving $6,200,000. To my knowledge, this has not been discussed in this House today at all. It also directs itself to the Voyager problem and cuts money out of that. It leaves in $50 million, which is presently funded at $71,500,000. This is the mission we planned to fly in 1973—and in 1975, if not then. I point out we can only fly these missions in certain years and only on certain days in those years.

The Senate has already taken this out completely, and, as I said, the situation in the other body is such that one of the Members of the other body is completely opposed to it. If we cut it out here, without any debate at all, we will not give our conferees, when we go into conference, any degree of maneuverability on this program, which is one of the most important programs of the space effort in the United States. Also it will take a large amount of money out of the launch vehicle procurement. This has not been discussed here in the debate. No amendment was offered at any time in the last 3 days while we have been discussing this in this committee. Yet that is going to be in the motion to recommit.

Finally, there is involved a $10 million cut, to be taken out of the sustaining university program. That was the subject of an amendment discussed earlier today.

Except for that, and except for the nuclear rocket portion, which we rejected earlier, no discussion was had on the subject of the motion to recommit. Those are the only two portions of the motion to recommit which were offered as amendments on the floor and were thoroughly discussed.

In my opinion, this would be a very poor way to legislate, to include such items in the motion to recommit.

I certainly hope that the Members on this side of the aisle who have faith in the space program will be extremely cautious about voting for the motion to recommit. If the Members feel strongly about the bill and if it is politically important to vote against it on the final go-round, that is one thing, but, for heaven's sake, give the committee, which stands here almost 100 percent against this motion, some maneuverability when we go to conference with the Senate in a day or two on this important matter involving the space program of the United States.

I am going to oppose the motion to recommit. I do not believe it is a sound one.

The CHAIRMAN. The gentleman from California [Mr. Miller] is recognized to close debate.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from California.

Mr. BELL. I thank the gentleman for yielding.

Mr. Chairman, I wish to state that I also oppose the motion to recommit. I believe the cuts are much too large. It would to a great extent seriously harm our space program.

We must remember that NASA and the Bureau of the Budget already have made substantial cuts in this program. The Committee on Science and Astronautics made some cuts. In addition, we have made some cuts here on the floor during consideration in the Committee of the Whole.

Three subcommittees have discussed and studied this bill. They have made their decisions.

We should also remember that we need leadtime to obtain the types of vehicles to be used in the 1970's. We need to make our purchases and to make our agreements on those now.

Ladies and gentlemen, if we accept the motion to recommit, in effect we will be embarking on the very thing we said we should not do, which is to have a start-stop type of operation, which will add to the cost and add to the problems, rather than lessen them.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman.

I wish to thank the House for its tolerance for the past 3 days. We may not all agree, but we have had a great fight, and we have had a great session.

I wish to congratulate the committee

the large solid motor project" and insert "$32,441,000".

On page 2, line 20, strike out "$66,800,000" and insert "$49,205,000".

On page 2, line 21, strike out "$290,000,000" and insert "$266,300,000".

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On page 5, after line 22, insert the following new subsection:

(h) In order to assist the Congress in determining whether and to what extent additional amounts should be authorized to be appropriated for the programs referred to in paragraphs (10), (11), (12), 14), (16), (17), (18), and (20) of subsection 1(a), the Administrator shall submit to the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate at the earliest practicable time—

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Mr. RYAN. Mr. Chairman, it has been pointed out that, because of the way in which the bill was drafted, we are caught in a parliamentary situation which precludes further amendment to page 1, line 5, the total overall amount authorized in the bill. That figure is set at $4,927,182,000.

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This is an area in which great misunderstanding seems to prevail. The committee and NASA hold a philosophy toward this office which is suited to programs of pure research, but we must recognize that NASA is not in the business of pure research. NASA uses this pure research argument to demand every cent in its budget requests, yet NASA freely reprograms out of advanced research and technology funds to support other programs. It impresses and overwhelms Congress with technical detail to obtain approval for many programs which have not been clearly defined and which are quite vague.

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Under this approach, if later on certain developments prove too costly or useless, it is always explained as being part and parcel of experimentation and free, unfettered scientific inquiry.

In reality this is not the case. NASA's reluctance to present a clear, cost-benefit program structure for advanced research and technology reflects its general unwillingness to perform this task in any area, and only proves that NASA does not want to be held accountable for detailed review of the use of the funds.

As I explained in my "Additional Views":

> The claim is always made that fruitful research is such an unpredictable and fragile bloom that any attempt to introduce directed or planned growth will cause it to wither . . . those supporting research must not interfere with the sacrosanct process, must not reduce 'flexibility,' and must not question the objectives of technically fascinating projects . . .
>
> Even if research were as unpredictable as claimed, NASA is not primarily in the business of pure research. NASA is in the business of managing the engineering, production, and exploitation of space hardware in order to accomplish the Nation's goals in space—presumably at the least cost to the Nation . . . (NASA) does not have unlimited funds at its disposal . . . (NASA) cannot afford to develop and improve all possible approaches to space problems. This means that choices and decisions are being made, although NASA management refuses to make explicit the criteria by which they are made.

Since there are a limited number of programs that NASA may pursue at any given time, I believe that program decisions should be directed toward the most efficient execution of our national space goals. To this end, research program choices should be adequately presented to Congress for review of mission-related benefits and costs.

It is with this in mind that I have presented this amendment and have proposed authorization reductions which are based upon what I believe are sound guidelines for research and development allocations as follows—

First, there is no inherent reason to increase funding yearly. Unless specific and attractive programs have been defined in the budget submissions, I have adopted in these amendments the fiscal year 1967 level of effort.

Second, flight hardware developments which are not related to specified mission objectives are not justified.

Third, programs for which adequate commercial and/or military market incentives exist are not suitable for NASA support.

Fourth, programs with claimed long-term economic benefits which have not been demonstrated by cost-and-benefit projections are not justified.

Fifth, research and development projects that have successfully accomplished their objectives and made contribution to the store of technical knowledge should be ended, not refined ad infinitum.

On these bases I have proposed a number of reductions below the committee recommendations. I have also proposed that, in order to properly evaluate the possible necessity of further funding for any of these programs, the Administrator of NASA should present to the Committee on Science and Astronautics and the Committee on Space and Aeronautical Sciences the following information for consideration—

First, a statement of specific mission objectives and estimated launch schedules for space missions after the manned lunar landing, together with an assessment of the benefits to the Nation to be derived from these objectives;

Second, an estimate of the costs of achieving each of these objectives;

Third, a justification of fiscal year 1968 hardware and mission-oriented program budget requests in the light of the stated post-Apollo objectives, to include the costs and benefits of each program and the reasons for its selection over other alternatives; and

Fourth, an estimate, for nonspace hardware programs with claimed or inferred benefits to the Nation, of the full program costs and eventual benefits to be derived.

This information should enable Congress to have a clearer view and exercise a more fruitful judgment and control of the allocation of funds within the space program.

Furthermore, should any real problem arise in any of these programs for lack of sufficient funds—Congress would have a reasonable basis upon which to evaluate a request for additional authorization.

I propose a reduction of $85.327 million for Advanced Research and Technology programs—from $551 million to $465.673 million. This excludes reference to Nerva which I have dealt with in a previous amendment.

The purpose, then, in limiting the authorization is to defer, without prejudice, expenditures which have not been clearly identified or justified in terms of specific national space and aeronautics objectives.

Mr. HECHLER of West Virginia. Mr. Chairman, I rise in opposition to the amendment. I would like to get the attention of the gentleman from Pennsylvania [Mr. FULTON]. This amendment which has been submitted by the gentleman from New York would cut into many areas, including chemical propulsion. I know the gentleman is very interested in the high-energy fuels, such as boron and fluorine, and I hope the gentleman will join me in opposing the amendment.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I am glad to yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. I have made my position clear. I do not want any cut in research and development funds that will hold back any programs. We must have efficiency in these programs, of course. In fact, I have supported efforts to add money for both liquid and solid-fuel propulsion.

Mr. HECHLER of West Virginia. I thank the gentleman. This amendment cuts into vital research programs which our committee strongly supported, in the area of advanced research and technology. The amendment of the gentleman from New York would slash some $85 million from advanced research that has already been cut down by the Bureau of the Budget, and which we on the subcommittee cut down after a very detailed investigation and pruning. Year after year we have been attempting to put more emphasis on advanced research and technology, and in recent years this has been the area which has suffered the deepest cuts. This year we were gratified that NASA had requested more funds in such vital areas as aeronautics.

In February of this year, the President's Science Advisory Committee published a landmark report entitled "The Space Program in the Post-Apollo Period." This report recommended "that the NASA efforts in advanced research and technology be maintained at a high level with particular attention to providing the demanding technologies needed to meet requirements for long-duration space travel * * *"

This entire program represents America's faith in the future.

President Kennedy used to love to tell the story of the great French Marshal Lyautey who once said to his gardener: "Plant a tree tomorrow."

The gardener asked: "Why plant it? It won't flower for 100 years."

"In that case," the Marshal replied, "plant it this afternoon."

Mr. HUNT. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to the able gentleman from New Jersey, an effective member of the Subcommittee on Advanced Research and Technology, who has contributed greatly to our committee work.

Mr. HUNT. Mr. Chairman, I rise to say I will support the gentleman's opposition to this amendment. I believe, in the subcommittee which the gentleman from West Virginia so ably handles, this matter was threshed out very carefully, and we came to the conclusion this was one area where we needed more money and not less.

Mr. Chairman, I oppose the amendment.

Mr. HECHLER of West Virginia. Mr. Chairman, I thank the gentleman from New Jersey.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I oppose the amendment also.

When we get into these strictly technical areas under a tight limitation of time, we are not in an area where we can legislate wisely. In the Joint Committee on Atomic Energy, where we have these scientific matters come up, we make every effort within the committee to arrive at a consensus that we can all support on the floor, simply because the matter is so difficult and so technical that it is really impossible to legislate on the floor, particularly when we have an amendment that includes almost one dozen different items, plus some kind of addenda which I did not quite understand when they were read.

Mr. HECHLER of West Virginia. Mr. Chairman, I appreciate the comments of the gentleman from California. He knows from experience what effect such an amendment will have.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to the gentleman from Washington, the ranking minority member of the Subcommittee on Advanced Research and Technology.

Mr. PELLY. Mr. Chairman, I join in opposition to this amendment. As a member of the committee, as the gentleman has said, I have listened to the testimony. I feel it would be a great mistake if at this late hour we should adopt this amendment.

Mr. HECHLER of West Virginia. Mr. Chairman, I appreciate the comment of the gentleman from Washington.

I ask for a vote against the amendment offered by the gentleman from New York.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. Fulton].

Mr. FULTON of Pennsylvania. Mr. Chairman, I step aside and yield to the gentleman from Florida, but pending that, may I inquire how much time is left?

The CHAIRMAN. The Chair advises the gentleman from Pennsylvania there are 10 minutes remaining.

The gentleman from Pennsylvania [Mr. Fulton] does not desire recognition at this time.

The Chair recognizes the gentleman from Florida [Mr. Gurney].

Mr. GURNEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I believe I am going to talk on the same subject as the gentleman from Pennsylvania, but I take this time to do it, when the time is running out as it is, in order to talk about the motion to recommit. I do not undertake to steal the wind from the gentleman from Pennsylvania, and explain the motion, but I do want to point out to the House, and particularly to my side of the aisle, this point: The motion to recommit will be directed to advanced missions, involving $6,200,000. To my knowledge, this has not been discussed in this House today at all. It also directs itself to the Voyager problem and cuts money out of that. It leaves in $50 million, which is presently funded at $71,500,000. This is the mission we planned to fly in 1973—and in 1975, if not then. I point out we can only fly these missions in certain years and only on certain days in those years.

The Senate has already taken this out completely, and, as I said, the situation in the other body is such that one of the Members of the other body is completely opposed to it. If we cut it out here, without any debate at all, we will not give our conferees, when we go into conference, any degree of maneuverability on this program, which is one of the most important programs of the space effort in the United States. Also it will take a large amount of money out of the launch vehicle procurement. This has not been discussed here in the debate. No amendment was offered at any time in the last 3 days while we have been discussing this in this committee. Yet that is going to be in the motion to recommit.

Finally, there is involved a $10 million cut, to be taken out of the sustaining university program. That was the subject of an amendment discussed earlier today.

Except for that, and except for the nuclear rocket portion, which we rejected earlier, no discussion was had on the subject of the motion to recommit. Those are the only two portions of the motion to recommit which were offered as amendments on the floor and were thoroughly discussed.

In my opinion, this would be a very poor way to legislate, to include such items in the motion to recommit.

I certainly hope that the Members on this side of the aisle who have faith in the space program will be extremely cautious about voting for the motion to recommit. If the Members feel strongly about the bill and if it is politically important to vote against it on the final go-round, that is one thing, but, for heaven's sake, give the committee, which stands here almost 100 percent against this motion, some maneuverability when we go to conference with the Senate in a day or two on this important matter involving the space program of the United States.

I am going to oppose the motion to recommit. I do not believe it is a sound one.

The CHAIRMAN. The gentleman from California [Mr. Miller] is recognized to close debate.

Mr. BELL. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from California.

Mr. BELL. I thank the gentleman for yielding.

Mr. Chairman, I wish to state that I also oppose the motion to recommit. I believe the cuts are much too large. It would to a great extent seriously harm our space program.

We must remember that NASA and the Bureau of the Budget already have made substantial cuts in this program. The Committee on Science and Astronautics made some cuts. In addition, we have made some cuts here on the floor during consideration in the Committee of the Whole.

Three subcommittees have discussed and studied this bill. They have made their decisions.

We should also remember that we need leadtime to obtain the types of vehicles to be used in the 1970's. We need to make our purchases and to make our agreements on those now.

Ladies and gentlemen, if we accept the motion to recommit, in effect we will be embarking on the very thing we said we should not do, which is to have a start-stop type of operation, which will add to the cost and add to the problems, rather than lessen them.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman.

I wish to thank the House for its tolerance for the past 3 days. We may not all agree, but we have had a great fight, and we have had a great session.

I wish to congratulate the committee

for the work it has done, and to thank the members. I particularly want to thank the staff of the committee.

I express my appreciation to the gentleman from California [Mr. BELL] and the gentleman from Florida [Mr. GURNEY] for the work they have done.

Naturally, I am opposed to the motion to recommit, because it is too all embracing. It is something which no one at this stage of the game, at this hour of night, could hope to comprehend in the short time it has been before us.

I ask for a "nay" vote on the motion to recommit, and a "yea" vote on the passage of the bill.

Mr. KARTH. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Minnesota.

Mr. KARTH. I ask the distinguished chairman of the committee whether, if the motion to recommit should pass, it would not eliminate almost completely, for the next 7 years, the interplanetary program of this Nation, which finds us in a position today some 400 percent less effective than the Soviets?

Mr. MILLER of California. That is correct. It will take away some of the most constructive work that has been done in space, and it would retard us and adversely affect the program.

Mr. RUMSFELD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Chairman, I would like to say a word or two about an exceedingly important matter.

On May 16, 1967, the House of Representatives' Committee on Science and Astronautics adopted an amendment—an important amendment, in my opinion—which is now a part of the NASA authorization bill we are considering today. The amendment places for the first time an affirmative responsibility upon the Administrator of the National Aeronautics and Space Administration to keep the Congress fully and currently informed on NASA activities. The amendment reads as follows:

> Notwithstanding any provision of the National Aeronautics and Space Act of 1958, or any other provision of law, the Administrator of the National Aeronautics and Space Administration shall keep the Committee on Aeronautical and Space Sciences of the Senate and the Committee on Science and Astronautics of the House of Representatives fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration.

The House Committee on Science and Astronautics considered this amendment to be one which would help meet the need for Congress to be kept abreast of important developments affecting progress in our space programs. As the tragic Apollo 204 accident made clear to the world, the Congress was not fully aware of many of the conditions surrounding the manned spaceflight program. It is my belief that by keeping more fully informed on the activities of NASA, the Congress will be able to more adequately fulfill its oversight function.

I am advised that this amendment, when offered in committee in the other body, was rejected. However, it has been proposed in the Senate as amendment No. 220 to S. 1296, the NASA authorization bill. Further, the language was endorsed by writing it into the language of the report.

It is my hope that the House will express its support for this informational provision today, and that this expression of support will be carried by our conferees. Too often amendments are deleted in conference under pressure by the executive agency.

While section 303 of the National Aeronautics and Space Act of 1958—42 United States Code 2454—relates to "access to information," there is presently no provision which places a specific responsibility on NASA to provide, to volunteer, information to Congress. I believe such a provision is absolutely essential if the Congress is to aid and assist our space efforts with certainty and foresight.

A similar provision in the Atomic Energy Commission legislation has worked well for the Joint Committee on Atomic Energy.

Mr. DOWNING. Mr. Chairman, I have given vigorous support to the space program ever since I have been in the Congress. Even as I entered this legislative hall I was well familiar with and most appreciative of the scientific advancements pioneered by the men who were the forerunners of what we know now as our space agency.

What we seek here today is not only in the best interest of our country but is absolutely necessary if the free world is to survive. If we fail to move forward at this time we would open the door to the Soviet Union and permit a government which is committed to world domination to achieve preeminence in that all-important world around us. To allow a Communist state to dominate outer space would imperil the security of the entire world. It would suspend an unsheathed "sword of Damocles" above our heads.

To me, this is sufficient justification for the support I have given this program in the past and shall continue to provide until we achieve the advantage which is so necessary to our future. But there is another side to the research and development that will take us to the moon. The technological fallout of knowledge which will result stands to benefit mankind more than any program ever conceived by the Federal Government. Going to the moon is not the impossible goal which unbelieving men once said it was. We realize now that it is but a step along the way to man's complete conquest of the unknown. It is a necessary investment in the achievement of our further education about the world around us.

The same accumulated knowledge which will place Americans on the moon will enhance the advancement of our knowledge far greater than was ever conceived by even our most far-thinking scientific minds of the past. This knowledge will find its way into our everyday lives in incalculable ways. We shall live better, longer, and more secure because of it.

I cannot speak more wisely than to remind that men who would close their minds to the acquisition of knowledge are fools, and they would breed a nation of fools. I cannot speak more strongly than to warn that evil advances while good men stand and wait.

We are a good people and we are not fools. We must continue to take unhalting strides toward the security of men in the universe. What we ask today is another necessary step along the way.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York [Mr. RYAN].

I have always been an advocate of our Nation's efforts in the field of space exploration; however, I believe that at this time we must reappraise the scope of the programs covered by H.R. 10340 in light of our present position both at home and abroad.

With the costs of the war in Vietnam mounting daily and the projected budget deficit for fiscal 1968 increasing, we must establish priorities in domestic spending. While nonessential expenditures must be reduced or deferred, we must not sacrifice domestic programs designed to meet basic human needs in health, education, and efforts to eradicate our Nation's slums and pockets of poverty.

Mr. Chairman, it is indeed difficult to explain how the Congress can approve the expenditure of billions of dollars for space programs while relatively small appropriation requests for the continuation of programs to help our citizens and our cities, counties, towns, and villages fight poverty and substandard housing are eliminated or drastically reduced.

Under the request by NASA for the Nerva program, millions and ultimately billions will be spent for a program about which we have been told very little. We are told that the Nerva rocket will be helpful in the exploration of Mars, yet no specific project has been outlined.

Under the authorization request for the Apollo program we are asked to approve billions. I believe we must ask whether we as a nation can afford to allocate such vast sums for extension of the space program while our slums continue to produce "second class" citizens and "first class" crime.

Not only is there a failure to establish a reasonable level of priorities in regard to the Nerva, Apollo, and other programs, but there is an internal inconsistency in the NASA authorization request. The creation of NASA should have meant greater efforts in the field of aeronautical research and development as well as space exploration, yet we have before us an authorization bill which allocates only 1½ percent of its total for the field of aeronautics.

On January 26, 1967, in testifying before the Senate Aeronautical and Space Sciences Committee, I stated:

> With the advent of NASA as the successor to the National Advisory Committee for Aeronautics, a great many aeronautical engineers and scientists choose to transfer to the space field—an exciting new field adequately funded by Congress. The end result is that today aeronautical research as an identifia-

> ble and separate item in NASA's budget amounts to little more than 1 percent.
>
> The thrust of my proposal is that Congress express its intent to restore the balance between aeronautical and space programs of NASA—in other words—put the "A" back in NASA.

Mr. Chairman, I am pleased that greater efforts are now being made in the field of aeronautical research and development, particularly in the area of aircraft noise abatement—a problem which plagues millions of Americans who live near our Nation's airfields. On June 6, 1967, CONGRESSIONAL RECORD, page 14933, I placed in the RECORD my exchange of correspondence with Dr. Donald F. Hornig, the President's science adviser and Chairman of the White House Task Force on Aircraft Noise Abatement. I had written to Dr. Hornig to express my concern over possible duplication of effort among Federal departments and agencies in the field of noise abatement research. In his reply, Dr. Hornig called for passage of pending legislation on aircraft noise abatement as "critically important." As a sponsor of H.R. 1398, I urge my colleagues to review this exchange of correspondence and to lend their support to this legislation.

Mr. HORTON. Mr. Chairman, our space program, embodied in the authorization we are considering today, has enjoyed virtually untarnished moral and fiscal support from the Congress since its inception. All of us remember the beginning of our space exploration efforts, when Americans and other free world peoples were concerned that our space technology lagged behind that of the Russians. In those crucial years, high priority was given to space research and to both manned and unmanned launch programs.

Today, there is no question that our Nation leads the world in the "space race." Despite the tragic mishaps that plagued NASA activities earlier this year, these programs will continue to yield important and long-term benefits to science and to the stature of our country. It is because of the high priority we have given NASA activities in the past that we have achieved this success. Now it is time to consolidate our gains, to reevaluate our goals in space, and most important, to scrutinize the importance of space expenditures in light of the many other high-priority problems which face our Nation today.

Mr. Chairman, last week, this body voted the highest defense appropriation in our history. I supported that appropriation because it is essential for the maintenance of our forces and commitments in the world. The defense of freedom in Vietnam is very costly, and the lives of the half-million Americans engaged there makes the success of their mission one of highest priority.

In addition, there are massive and urgent domestic problems facing the 90th Congress. In the competition for Federal funds, programs for the rehabilitation of our cities, for the education of our children, for the health and comfort of our older citizens, and for the defeat of rampant urban crime must rank very high, indeed, on the list of financial priorities. While some spending sacrifices must inevitably be made at a time when military costs require a high proportion of the Federal budget, these sacrifices should not and cannot be made at the expense of our efforts to upgrade the poor and make America a better place to live.

Thus, while I have supported spending cutbacks in many areas, I have continued my strong support for programs aimed at the defense of freedom and at the bolstering of the socio-economic fiber of our Nation.

In light of these urgent human demands on the Federal purse, I shall cast my vote in favor of the motion to recommit the NASA authorization to committee for the omission of low-priority expenditures and the reduction of others. Now that the safety and prestige of the free world is no longer threatened by the space technology gap of the late 1950's, our space spending must fall into line behind other more crucial demands on Federal tax money. We can no longer accord to space exploration a privileged position of limitless funding.

It is not my desire to eliminate our efforts in space, for they will have a continuing importance for the status of our country, the progress of science education and the sophistication of our industrial methods and products. I do think, however, that when the Federal purse is under so much pressure, both the Congress and the administration should make a determined effort to stretch out NASA programs, to minimize the burden on the budget for fiscal 1968. The sensible way to accommodate the space program without sacrificing more pressing needs is to reschedule our space research programs, so that the financial burden is partially distributed to future fiscal years.

The $4.9 billion authorization bill now before us was exceeded only by the authorization we adopted for NASA last year, and then by only $8 million. It does not appear that the budget request was prepared with spending priorities in mind. At a time when the administration warns us of the need for a substantial tax increase this year, it is the duty of the Congress to weigh carefully the relative necessities which compete for our attention and appropriation.

Mr. RYAN. Mr. Chairman, it is my belief that Congress must accept responsibility for the problems that now beset the Nation's space program. The revelations of the Phillips report, which so shocked Congress and the Nation, were in part made possible by the actions of an overly permissive Congress which has failed to demand a detailed accounting from the space agency of its plans, costs, and management practices.

To begin with, Congress has appropriated funds for the space agency at an unprecedented rate of increase for a budget of this size. Between 1959 and 1964—a mere 5 years—the agency's budget increased ninefold. In fiscal year 1962, for example, NASA received an appropriation of $1.8 billion—already a sizable amount. In fiscal year 1963 NASA received $3.7 billion—nearly $2 billion more than the previous year. In fiscal year 1964 NASA received $5.1 billion as against its request for $5.7 billion. This was a cut of approximately 10 percent below the request and is, by far, the largest reduction that NASA's budget has ever sustained.

In the 3 years since, NASA's requests have been funded at 96.5 percent, 98.4 percent, and 99.3 percent. This year, the Committee on Science and Astronautics has labored devotedly over the complex requests for fiscal year 1968. But even so, and in face of all the recent disclosures of excess costs and fiscal chaos in the space program, the final reduction recommended by the committee was a mere 2 or 2.1 percent.

I think it is noteworthy that subsequent to the Apollo fire, NASA admitted to additional expenses of $75 million resulting from the accident. Yet NASA did not feel it necessary to request these funds from Congress because they were able to effect a series of readjustments which, NASA explained, would not seriously affect program progress or impinge on other efforts. I expect there is similar room for readjustment at other points within the program without serious harm to the space agency or to our progress in exploring space.

Now that a budget level of approximately $5 billion has been reached and temporarily maintained, Congressional leniency toward NASA sustains and compounds the problems of skyrocketing costs and lack of quality control. As I explained in my additional views:

> I believe that inefficiency, misallocation, and diffusion of scarce skills and resources, and unnecessarily long leadtimes result from the present method of basing research and development choices on vaguely defined technical needs and preferences, as determined solely by a small group of NASA's top managers.

NASA, in the Phillips report, made a devastating indictment of the operations of the Apollo prime contractor—North American Aviation, Inc. In a reply to General Phillips on January 31, 1966, J. L. Atwood, president of NAA, speaks of "the evolutionary nature of the technical concepts and program philosophy and the corresponding difficulty in visualizing the full scope of the tasks to be accomplished and the methods of accomplishing them." He explains:

> This condition has led to a continual traffic between NASA and NAA in changes both large and small and affecting both technical and management aspects, with great impact on both the Apollo CSM and Saturn S–II Programs. To illustrate the impact on cost alone, the dollar value of contract changes (over $400 million) in the Saturn S–II Stage Program exceeds the original basic contract value of $320 million.

Thus blame has extended in both directions—most notably on NASA which has the responsibility of supervising the operations of its contractors. I believe that Congress must share that blame. It has not addressed itself sufficiently to the recurring problems of schedule slippage, escalating costs, and unanticipated hazards. NASA management has not been held accountable in detail for either future plans or past operations.

I believe NASA's budget may be well

for the work it has done, and to thank the members. I particularly want to thank the staff of the committee.

I express my appreciation to the gentleman from California [Mr. BELL] and the gentleman from Florida [Mr. GURNEY] for the work they have done.

Naturally, I am opposed to the motion to recommit, because it is too all embracing. It is something which no one at this stage of the game, at this hour of night, could hope to comprehend in the short time it has been before us.

I ask for a "nay" vote on the motion to recommit, and a "yea" vote on the passage of the bill.

Mr. KARTH. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield to the gentleman from Minnesota.

Mr. KARTH. I ask the distinguished chairman of the committee whether, if the motion to recommit should pass, it would not eliminate almost completely, for the next 7 years, the interplanetary program of this Nation, which finds us in a position today some 400 percent less effective than the Soviets?

Mr. MILLER of California. That is correct. It will take away some of the most constructive work that has been done in space, and it would retard us and adversely affect the program.

Mr. RUMSFELD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUMSFELD. Mr. Chairman, I would like to say a word or two about an exceedingly important matter.

On May 16, 1967, the House of Representatives' Committee on Science and Astronautics adopted an amendment—an important amendment, in my opinion—which is now a part of the NASA authorization bill we are considering today. The amendment places for the first time an affirmative responsibility upon the Administrator of the National Aeronautics and Space Administration to keep the Congress fully and currently informed on NASA activities. The amendment reads as follows:

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While section 303 of the National Aeronautics and Space Act of 1958—42 United States Code 2454—relates to "access to information," there is presently no provision which places a specific responsibility on NASA to provide, to volunteer, information to Congress. I believe such a provision is absolutely essential if the Congress is to aid and assist our space efforts with certainty and foresight.

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Mr. DOWNING. Mr. Chairman, I have given vigorous support to the space program ever since I have been in the Congress. Even as I entered this legislative hall I was well familiar with and most appreciative of the scientific advancements pioneered by the men who were the forerunners of what we know now as our space agency.

What we seek here today is not only in the best interest of our country but is absolutely necessary if the free world is to survive. If we fail to move forward at this time we would open the door to the Soviet Union and permit a government which is committed to world domination to achieve preeminence in that all-important world around us. To allow a Communist state to dominate outer space would imperil the security of the entire world. It would suspend an unsheathed "sword of Damocles" above our heads.

To me, this is sufficient justification for the support I have given this program in the past and shall continue to provide until we achieve the advantage which is so necessary to our future. But there is another side to the research and development that will take us to the moon. The technological fallout of knowledge which will result stands to benefit mankind more than any program ever conceived by the Federal Government. Going to the moon is not the impossible goal which unbelieving men once said it was. We realize now that it is but a step along the way to man's complete conquest of the unknown. It is a necessary investment in the achievement of our further education about the world around us.

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We are a good people and we are not fools. We must continue to take unhalting strides toward the security of men in the universe. What we ask today is another necessary step along the way.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York [Mr. RYAN].

I have always been an advocate of our Nation's efforts in the field of space exploration; however, I believe that at this time we must reappraise the scope of the programs covered by H.R. 10340 in light of our present position both at home and abroad.

With the costs of the war in Vietnam mounting daily and the projected budget deficit for fiscal 1968 increasing, we must establish priorities in domestic spending. While nonessential expenditures must be reduced or deferred, we must not sacrifice domestic programs designed to meet basic human needs in health, education, and efforts to eradicate our Nation's slums and pockets of poverty.

Mr. Chairman, it is indeed difficult to explain how the Congress can approve the expenditure of billions of dollars for space programs while relatively small appropriation requests for the continuation of programs to help our citizens and our cities, counties, towns, and villages fight poverty and substandard housing are eliminated or drastically reduced.

Under the request by NASA for the Nerva program, millions and ultimately billions will be spent for a program about which we have been told very little. We are told that the Nerva rocket will be helpful in the exploration of Mars, yet no specific project has been outlined.

Under the authorization request for the Apollo program we are asked to approve billions. I believe we must ask whether we as a nation can afford to allocate such vast sums for extension of the space program while our slums continue to produce "second class" citizens and "first class" crime.

Not only is there a failure to establish a reasonable level of priorities in regard to the Nerva, Apollo, and other programs, but there is an internal inconsistency in the NASA authorization request. The creation of NASA should have meant greater efforts in the field of aeronautical research and development as well as space exploration, yet we have before us an authorization bill which allocates only 1½ percent of its total for the field of aeronautics.

On January 26, 1967, in testifying before the Senate Aeronautical and Space Sciences Committee, I stated:

> With the advent of NASA as the successor to the National Advisory Committee for Aeronautics, a great many aeronautical engineers and scientists choose to transfer to the space field—an exciting new field adequately funded by Congress. The end result is that today aeronautical research as an identifia-

ble and separate item in NASA's budget amounts to little more than 1 percent.

The thrust of my proposal is that Congress express its intent to restore the balance between aeronautical and space programs of NASA—in other words—put the "A" back in NASA.

Mr. Chairman, I am pleased that greater efforts are now being made in the field of aeronautical research and development, particularly in the area of aircraft noise abatement—a problem which plagues millions of Americans who live near our Nation's airfields. On June 6, 1967, CONGRESSIONAL RECORD, page 14933, I placed in the RECORD my exchange of correspondence with Dr. Donald F. Hornig, the President's science adviser and Chairman of the White House Task Force on Aircraft Noise Abatement. I had written to Dr. Hornig to express my concern over possible duplication of effort among Federal departments and agencies in the field of noise abatement research. In his reply, Dr. Hornig called for passage of pending legislation on aircraft noise abatement as "critically important." As a sponsor of H.R. 1398, I urge my colleagues to review this exchange of correspondence and to lend their support to this legislation.

Mr. HORTON. Mr. Chairman, our space program, embodied in the authorization we are considering today, has enjoyed virtually untarnished moral and fiscal support from the Congress since its inception. All of us remember the beginning of our space exploration efforts, when Americans and other free world peoples were concerned that our space technology lagged behind that of the Russians. In those crucial years, high priority was given to space research and to both manned and unmanned launch programs.

Today, there is no question that our Nation leads the world in the "space race." Despite the tragic mishaps that plagued NASA activities earlier this year, these programs will continue to yield important and long-term benefits to science and to the stature of our country. It is because of the high priority we have given NASA activities in the past that we have achieved this success. Now it is time to consolidate our gains, to reevaluate our goals in space, and most important, to scrutinize the importance of space expenditures in light of the many other high-priority problems which face our Nation today.

Mr. Chairman, last week, this body voted the highest defense appropriation in our history. I supported that appropriation because it is essential for the maintenance of our forces and commitments in the world. The defense of freedom in Vietnam is very costly, and the lives of the half-million Americans engaged there makes the success of their mission one of highest priority.

In addition, there are massive and urgent domestic problems facing the 90th Congress. In the competition for Federal funds, programs for the rehabilitation of our cities, for the education of our children, for the health and comfort of our older citizens, and for the defeat of rampant urban crime must rank very high, indeed, on the list of financial priorities. While some spending sacrifices must inevitably be made at a time when military costs require a high proportion of the Federal budget, these sacrifices should not and cannot be made at the expense of our efforts to upgrade the poor and make America a better place to live.

Thus, while I have supported spending cutbacks in many areas, I have continued my strong support for programs aimed at the defense of freedom and at the bolstering of the socio-economic fiber of our Nation.

In light of these urgent human demands on the Federal purse, I shall cast my vote in favor of the motion to recommit the NASA authorization to committee for the omission of low-priority expenditures and the reduction of others. Now that the safety and prestige of the free world is no longer threatened by the space technology gap of the late 1950's, our space spending must fall into line behind other more crucial demands on Federal tax money. We can no longer accord to space exploration a privileged position of limitless funding.

It is not my desire to eliminate our efforts in space, for they will have a continuing importance for the status of our country, the progress of science education and the sophistication of our industrial methods and products. I do think, however, that when the Federal purse is under so much pressure, both the Congress and the administration should make a determined effort to stretch out NASA programs, to minimize the burden on the budget for fiscal 1968. The sensible way to accommodate the space program without sacrificing more pressing needs is to reschedule our space research programs, so that the financial burden is partially distributed to future fiscal years.

The $4.9 billion authorization bill now before us was exceeded only by the authorization we adopted for NASA last year, and then by only $8 million. It does not appear that the budget request was prepared with spending priorities in mind. At a time when the administration warns us of the need for a substantial tax increase this year, it is the duty of the Congress to weigh carefully the relative necessities which compete for our attention and appropriation.

Mr. RYAN. Mr. Chairman, it is my belief that Congress must accept responsibility for the problems that now beset the Nation's space program. The revelations of the Phillips report, which so shocked Congress and the Nation, were in part made possible by the actions of an overly permissive Congress which has failed to demand a detailed accounting from the space agency of its plans, costs, and management practices.

To begin with, Congress has appropriated funds for the space agency at an unprecedented rate of increase for a budget of this size. Between 1959 and 1964—a mere 5 years—the agency's budget increased ninefold. In fiscal year 1962, for example, NASA received an appropriation of $1.8 billion—already a sizable amount. In fiscal year 1963 NASA received $3.7 billion—nearly $2 billion more than the previous year. In fiscal year 1964 NASA received $5.1 billion as against its request for $5.7 billion. This was a cut of approximately 10 percent below the request and is, by far, the largest reduction that NASA's budget has ever sustained.

In the 3 years since, NASA's requests have been funded at 96.5 percent, 98.4 percent, and 99.3 percent. This year, the Committee on Science and Astronautics has labored devotedly over the complex requests for fiscal year 1968. But even so, and in face of all the recent disclosures of excess costs and fiscal chaos in the space program, the final reduction recommended by the committee was a mere 2 or 2.1 percent.

I think it is noteworthy that subsequent to the Apollo fire, NASA admitted to additional expenses of $75 million resulting from the accident. Yet NASA did not feel it necessary to request these funds from Congress because they were able to effect a series of readjustments which, NASA explained, would not seriously affect program progress or impinge on other efforts. I expect there is similar room for readjustment at other points within the program without serious harm to the space agency or to our progress in exploring space.

Now that a budget level of approximately $5 billion has been reached and temporarily maintained, Congressional leniency toward NASA sustains and compounds the problems of skyrocketing costs and lack of quality control. As I explained in my additional views:

> I believe that inefficiency, misallocation, and diffusion of scarce skills and resources, and unnecessarily long leadtimes result from the present method of basing research and development choices on vaguely defined technical needs and preferences, as determined solely by a small group of NASA's top managers.

NASA, in the Phillips report, made a devastating indictment of the operations of the Apollo prime contractor—North American Aviation, Inc. In a reply to General Phillips on January 31, 1966, J. L. Atwood, president of NAA, speaks of "the evolutionary nature of the technical concepts and program philosophy and the corresponding difficulty in visualizing the full scope of the tasks to be accomplished and the methods of accomplishing them." He explains:

> This condition has led to a continual traffic between NASA and NAA in changes both large and small and affecting both technical and management aspects, with great impact on both the Apollo CSM and Saturn S–II Programs. To illustrate the impact on cost alone, the dollar value of contract changes (over $400 million) in the Saturn S–II Stage Program exceeds the original basic contract value of $320 million.

Thus blame has extended in both directions—most notably on NASA which has the responsibility of supervising the operations of its contractors. I believe that Congress must share that blame. It has not addressed itself sufficiently to the recurring problems of schedule slippage, escalating costs, and unanticipated hazards. NASA management has not been held accountable in detail for either future plans or past operations.

I believe NASA's budget may be well

and wisely subjected to the influence of Congress' fiscal power. I do not believe that NASA in-house efforts to regain control over its currently chaotic program are likely to be sufficiently energetic or successful unless NASA believes that penalties will be incurred for failure to meet high standards of workmanship and fiscal responsibility. I believe we must demand that NASA tighten the financial reins and produce a more efficient program. This can only be done by reducing the funds that NASA has requested and for which no adequate definition of missions and cost schedules has been supplied.

Congress should demand that NASA supply information based on at least the following criteria for all requests or face the likelihood that requests will be denied.

First. A detailed account of program activities, hardware procurement plans, launch schedules, and costs—with an explanation of the expected benefits of each in relation to national space objectives.

Second. A projection of the above over a 5-year period.

Third. A detailed account of data deficiencies and hardware deficiencies resulting from any reduction in funds and their direct effect on both ongoing programs and future national space goals.

Congress will only be taken seriously by NASA if we begin today with a significant authorization reduction. I do not believe such action will interfere with any of the programs that are now in progress. On the contrary, I believe this approach will help to initiate the necessary reforms leading to a high quality space program. Without such reforms, NASA will continue to muddle through, and Congress will have to make up for further costly errors by providing additional funds.

Mr. RANDALL. Mr. Chairman, as we near the conclusion of this debate, we must all soon reach a decision upon the total amount to be authorized for fiscal 1968 operations of the National Aeronautics and Space Administration.

Before going on, I will pause long enough to recall the pleasant personal experience of serving for two terms as a member of the House Committee on Science and Astronautics or the House Space Committee. In those earlier days of the space program, I distinctly recall the authorization bills were so popular there were only a very few dissenting votes in the entire House. One year there were only two or three votes in the negative and until recent years there have been less than a dozen Members to oppose the authorization.

This year there are two factors which may change the minds of many Members, including some of us who have served on the committee and supported the space program in its entirety in former years. One of these differences is the fact that we are at war. We must make all our decisions on a wartime basis. We have a war on in Vietnam and there should be no one single peace-time program that should escape being reduced. One additional difference from former years is that we are considering this authorization bill this year in the shadow of the Apollo tragedy that cost the lives of three of our astronauts.

The war calls for drastic reductions. The Apollo tragedy calls for better management or better administration.

It seems to me to put this authorization bill into proper perspective, we must first decide whether we shall continue to its conclusion the original objectives of the space program of lunar exploration or whether we should now abandon this objective after spending over $27 billion from 1959 to the present time. There is no doubt that Congress committed itself many years ago to the proposition of manned space flight to the moon. Many of the membership in the House today participated in that commitment. But it is one thing to carry out on this effort at a reduced pace and quite another to force the program along according to some prescribed timetable established long before the Vietnam conflict. I for one favor strongly dropping any timetable or requiring any effort of the magnitude that would demand we must necessarily reach the moon within the decade of the 1960's or before 1970.

Those who ask the question, "Why should we go to the moon at all?" argue the point that the man on the street is much more important than the man on the moon. This argument, of course, overlooks and leaves out of account all the valuable or perhaps we should say the almost invaluable contributions which have been made by the space program in such fields as meteorology and satellite communications to have only two. On the point of the military significance of the space program there is more room for argument. Undoubtedly the early research on the peaceful uses of space have contributed to the military uses of space. At the present time the Defense Department has its own space program. But as we look back on the $27 billion we have spent on the space program to date, no one can successfully deny that in the past years there have been valuable military applications in addition to all the peaceful applications of the space program.

But the issue today in the face of our present and anticipated deficit and the cost of the Vietnam war is whether we can continue the space program in the same dollar magnitude and within the old timetables that were set up before Vietnam? The answer must be in the negative.

As we near the end of this debate, it should be worth the time it takes to look back at what has happened to the NASA request since it was first submitted to Bureau of the Budget in the fall of 1966. I have reference, of course, to the original request of NASA which was in the amount of $5.428 billion. As intermediate figures were submitted and revisions were made on the low side, there was a final request made by NASA to the Bureau of the Budget in the amount of $5.100 billion. The Bureau of the Budget took a long hard look at this request and proceeded to lop off $328,000,000. It should be remembered this was before our House committee commenced its work. After those long and tedious hearings by the various subcommittees of the House Committee on Science and Astronautics, further reductions accumulated to the impressive total of $108,000,000.

Through the process of ordinary arithmetic and leaving out consideration of small amounts it is easy to see the $328 million striken by the Bureau of the Budget when added to the $108 million reduction by the committee will add up to the total of $436 million. Put in different terms, we have already reached a sum that approachs the half-billion dollar mark.

There have been repeated efforts in this debate to reduce the amounts contained in the bill on the floor of the House. One successful effort which I supported was in the reduction in what is described as the Apollo applications. These sums cannot be said to be in any way involved with the Apollo program or the effort for lunar exploration but instead are concerned with certain follow-on programs that in my opinion have not yet been sufficiently defined. The gentleman from Indiana [Mr. Roudebush], when he proposed this reduction, had it seemed to me hit at a program which quite rightly should be reduced from the lofty figure of over $444 million.

During the debate, I listened carefully to the proposals of the gentleman from Pennsylvania [Mr. Fulton] about the reductions in the items that will be submitted as a part of the motion to recommit. When one wants to, he can see that the gentleman strikes out such items as advanced missions which deserve to be eliminated at a time when we are engaged in a war in Vietnam. Then, too, the Voyager project should, and ought to be reduced. On the item of nuclear rockets, I was quite pleasantly surprised to receive a telegram from the secretary of the Atomic Energy Technical Committee of the Industrial Union Department of the AFL–CIO who suggested in his telegram there was merit in reduction of this item because of the fact we are spending $20 billion on the war this year and because there had been about $1.3 billion already spent for an aircraft nuclear project that was finally canceled.

Therefore when totaled, the items contained in the motion to recommit of the gentleman from Pennsylvania [Mr. Fulton] comes up to a total of $136.4 million.

Figures can easily become boring and most frequently uninteresting. Yet only from the consideration of figures can we determine with any perspective the reductions accomplished whether by the Bureau of the Budget, the Space Committee, the amendments heretofore adopted during this floor debate or from the proposals contained in the motion to recommit.

To recapitulate, the Bureau of the Budget cut $328 million; the Committee cut $108 million for a total of $436 million. When the separate reductions contained within the motion to recommit for a total of $136.4 million are added to the $65 million reduction in the Apollo applications occasioned by the amendment adopted on the floor, we reach a total of $201.4 million in reductions accomplished during the course of the debate on this authorization bill.

When this $201.4 million is added to the $436 million in reductions accomplished before this bill came to the floor of the House, we can see that this adds up to the grand total of $637.4 million, far in excess of the half-billion dollar figure and approaching the three-quarter billion dollar amount.

Those who earlier demanded all fat be cut from the program should recognize the program has been cut to its bare bones. The reductions are most impressive to anyone who takes the time to consider them. They add up to a total approaching the three-quarter billion dollar mark.

After all has been done that reasonably can be done to reduce this authorization to the bare minimum, there remains only one alternative for those who are determined to be economy minded in this time when economy should and must be the watchword of the day in the light of our budgetary deficits and in the face of the high cost of the Vietnam war. That alternative is whether we should oppose the program in its entirety to the point we should abandon the program or whether we should temporarily suspend the program until the war is concluded and our deficit can be reduced.

In consideration of either of these alternatives we should remember we have already spent over $27 billion on the overall space program. A sizable portion of this money would be lost in terms of the original objective if we now completely abandon the program. The other alternative, or to temporarily suspend the program for the duration of the Vietnam war, could be a most expensive alternative. By this course we would lose our momentum and have to start over from a cold start. Much of the scientific personnel that have been gathered together would be dispersed or lost as a working organization. I think it is safe to say there is nothing more expensive than starting, stopping, and restarting any program, whether space or in any other field.

When all arguments are in, the best alternative or best solution to the dilemma would seem to be to reduce the size of the program and to slow it down which certainly has been done when we consider all of the reductions. Some were made before the bill came to the committee, some by the action of the committee, some by the action of the House, which all together total the very substantial and impressive sum of over $637,000,000 away in excess of one-half billion and well toward the three-quarter billion dollar mark.

Mr. WOLFF. Mr. Chairman, during the debate yesterday and last week on the appropriation before us some distinguished members of this body have questioned the value of the basic research involved in the space program. Members of the Science and Astronautics Committee have explained that the far-reaching benefits of the basic research for the space program are not limited to our efforts in space.

There is conclusive and irrefutable evidence, Mr. Chairman, that very significant strides in the discovery and treatment of disease have resulted from research financed through the space program. This welcome fallout from the application of some of America's best scientific minds to space research cannot be ignored during consideration of the appropriation before us today. On the way to the moon—itself a glorious and elevating effort for mankind—we may help the blind see, we may help paralyzed persons become self-dependent, we may find the means of detecting dread Parkinson's disease in its earliest stages, we may keep close lifesaving watch on intensive care patients. In short, Mr. Chairman, we are making life better here on earth through our efforts to reach to the stars.

Before I explain some of the specific advances in medical treatment that have resulted from research originally designed for use in the space program, I wish to turn to other important side products of space research.

Space scientists were given the assignment to create a miniature television camera—a camera light enough to be used in satellites and on space exploration. The result was a camera weighing about 1 pound.

Advanced models of these lightweight cameras can be used for defense purposes in the battlefields. Their easy deployment will provide military strategists with information about the movements of enemy forces.

Miniature television cameras also have application in the fight against crime. Equipping police with these cameras will provide vivid and vital information from the scene of crimes to police headquarters.

The application of these miniature television cameras, originally designed for use in space, for defense and crime-fighting only is a beginning. The use of such cameras in news coverage, in discovering mechanical problems in industry, in automotive and flight safety, in countless other areas of human endeavor—the use of these cameras is only beginning to be appreciated.

And, Mr. Chairman, I have devoted my attention to only one device developed in space research. There are scores of other devices with equally wide application. Research designed for space is not limited to space. The value of space research in all fields of human effort is important and far-reaching.

Returning to the application of space research in medical treatment, permit me to first mention the use of the miniature television camera I have just discussed. Doctors have found that these cameras can be equipped with a long lens, swallowed by a patient, and used to discover and examine ulcers. Medical students across this country and conceivably around the world can watch major operations on televisions hooked to surgeons' equipment. The use of these lightweight cameras in medical education is already being explored.

I mentioned that space research may be used as a means of making blind persons see. A radarlike device hooked to a television lens in turn joined with optic nerves is a possibility, according to James E. Wiggins, technology utilization director for NASA. Such a remarkable breakthrough would be directly attributable to space research.

In another area, space scientists were commissioned to develop glasses responsive to the movement of a subject's eye. The purpose of this device was to equip astronauts with another means of turning switches when their hands are occupied. There have been applications of these glasses in the effort to make paralyzed persons control switches, feed themselves, and even control wheelchairs. This gives new life to previously hopeless individuals. Space research is used here to bring lost lives back to vitality. A side effect, yes, but a side effect of great promise.

I mentioned also that space research has provided us with the means of closely and scientifically watching intensive-care patients. Space scientists have developed ultrasensitive instruments for use in satellites. These instruments, when hooked to critically ill patients' nerve systems, will provide a nurse in another room with a warning if the patient is weakening. One nurse, manning a control board, can watch more than one hundred patients this way. This is especially valuable because of the growing problem resulting from a critical shortage of nurses.

This same sensitive device has already been used to detect the beginning tremors of Parkinson's disease and thus facilitate treatment of this tragic malady.

Mr. Chairman, I have only touched briefly on some of the applications of space research in our day-to-day life. The evidence leaves no doubt that the value of our space program goes far beyond the applications used by NASA. This research is of great and growing value to the betterment of mankind and demands our continuing and complete support.

The CHAIRMAN. Under the limitation of time, all time has expired.

Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. FLYNT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 10340) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, pursuant to House Resolution 656, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. FULTON of Pennsylvania. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FULTON of Pennsylvania. In its present form I am, Mr. Speaker.

Th SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. FULTON of Pennsylvania moves to recommit the bill to the Committee on Science and Astronautics with instructions to that committee to report the bill back to the House forthwith with the following amendments:

On page 2, line 2, strike out "(3) Advanced Missions, $6,200,000;" and renumber subparagraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), and 20 accordingly.

On page 2, line 6, strike out the amount, "$71,500,000" and insert in lieu thereof the amount, "$50,000,000".

On page 2, line 9, strike the amount, "$150,700,000" and insert in lieu thereof the amount, "$72,000,000".

On page 2, line 16, strike the amount, "$70,000,000" and insert in lieu thereof the amount, "$50,000,000".

On page 2, line 22, strike the amount, "$30,000,000" and insert in lieu thereof the amount, "$20,000,000".

On page 8, after line 25, insert the following new sections:

"SEC. 6. There is hereby established an Aerospace Safety Advisory Panel consisting of a maximum of fifteen members who shall be appointed by the Administrator for terms of six years each, except that the terms of office of the members first taking office after the date of the enactment of this Act shall expire at the end of two, four, or six years as may be designated by the Administrator to provide continuity of membership. The Panel shall review safety studies and operations plans referred to it and shall make reports thereon, shall advise the Administrator with respect to the hazards of proposed or existing facilities and proposed operations and with respect to the adequacy of proposed or existing safety standards and shall perform such other duties as the Administrator may request. One member shall be designated by the Panel as its Chairman. Members of the Panel who are officers or employees of the Federal Government shall receive no compensation for their services as such, but shall be allowed necessary travel expenses (or in the alternative, mileage for use of privately owned vehicles and a per diem in lieu of subsistence not to exceed the rates prescribed in 5 U.S.C. 5702, 5704), and other necessary expenses incurred by them in the performance of duties vested in the Panel, without regard to the provisions of subchapter I, chapter 57 of title 5 of the United States Code, the Standardized Government Travel Regulations, or 5 U.S.C. 5731. Members of the Panel appointed from outside the Federal Government shall each receive compensation at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the Panel in addition to reimbursement for travel, subsistence, and other necessary expenses in accordance with the provisions of the foregoing sentence. The members of the Panel may serve as such without regard to the provisions of sections 203, 205, 207, 281, and 283 of title 18 of the United States Code, except insofar as such sections may prohibit any such member from receiving compensation in respect of any particular matter which directly involves the Administration or in which the Administration is directly involved. No officer or full-time employee of the Administration may serve as a member of the Panel.

Mr. FULTON of Pennsylvania. Mr. Speaker, I ask unanimous consent that further reading of the motion to recommit be dispensed with and that it be printed at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

Mr. TEAGUE of Texas. Mr. Speaker, reserving the right to object, there is one section of the bill that has not been read and not talked about on this floor today. I feel that it should be read. Therefore, Mr. Speaker, I object.

The SPEAKER. Objection is heard.

The Clerk resumed reading.

Mr. TEAGUE of Texas (interrupting the reading). Mr. Speaker, I am now told that the section to which I refer has been taken out of the motion to recommit.

Therefore, I withdraw my objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, I renew my unanimous-consent request that the motion to recommit be considered as read and printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and the Speaker announced that the "nays" appeared to have it.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 239, nays 157, not voting 36, as follows:

[Roll No. 160]

YEAS—239

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Arends
Ashley
Ashmore
Ayres
Bates
Battin
Belcher
Bennett
Betts
Biester
Bingham
Blackburn
Boland
Bolton
Bow
Brademas
Brasco
Bray
Brock
Broomfield
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Byrnes, Wis.
Cahill
Carey
Carter
Cederberg
Chamberlain
Clancy
Cleveland
Collier
Colmer
Conable
Conte
Conyers
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Devine
Dickinson
Dingell
Dole
Donohue
Duncan
Dwyer
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Farbstein
Findley
Fino
Fisher
Ford, Gerald R.
Ford William D.
Fountain
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Galifianakis
Gardner
Gathings
Gettys
Gibbons
Gilbert
Goodell
Goodling
Green, Oreg.
Griffiths
Gross
Grover
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Harrison
Harsha
Harvey
Hays
Heckler, Mass.
Henderson
Horton
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Pa.
Jonas
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
MacGregor
Madden
Mailliard
Marsh
Martin
May
Mayne
Michel
Miller, Ohio
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morse, Mass.
Morton
Myers
Natcher
Nedzi
Nichols
O'Konski
O'Neal, Ga.
Ottinger
Pelly
Perkins
Philbin
Pike
Poff
Pollock
Price, Tex.
Pryor
Pucinski
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Riegle
Robison
Roth
Roudebush
Rumsfeld
Ruppe
Ryan
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebel
Schweiker
Schwengel
Scott
Selden
Sikes
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger Ariz.
Steiger, Wis.
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thomson Wis.
Ullman
Vigorito
Wampler
Watkins
Watson
Watts
Whalen
Whalley
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Winn
Wyatt
Wydler
Wylie
Wyman
Yates
Zion
Zwach

NAYS—157

Adams
Addabbo
Albert
Annunzio
Aspinall
Baring
Barrett
Bell
Bevill
Blanton
Blatnik
Boggs
Bolling
Brinkley
Brooks
Brotzman
Brown, Calif.
Burke, Mass.
Burleson
Burton, Calif.
Button
Byrne, Pa.
Cabell
Casey
Celler
Clark
Clausen, Don H.
Clawson, Del
Cohelan
Corman
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Dorn
Dow
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Everett
Fascell
Feighan
Flynt
Foley
Fraser
Friedel
Fuqua
Gallagher
Garmatz
Giaimo
Gonzalez
Gray
Green, Pa.
Gubser
Gude
Gurney
Hagan
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Hicks
Holifield
Holland
Hosmer
Howard
Irwin
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kazen
Kee
Kelly
Kirwan
Kyros
Long, La.
Long, Md.
McFall
Macdonald, Mass.
Machen
Mahon
Mathias, Calif.
Mathias, Md.
Meeds
Meskill
Miller, Calif.
Mills
Minish
Morgan
Morris, N. Mex.
Mosher
Moss
Multer
Murphy, Ill.
Nix
O'Hara, Ill.
Olsen
Passman
Patten
Pepper
Pettis
Pickle
Pirnie
Pool
Price, Ill.
Rarick
Rees
Reinecke
Resnick
Rhodes, Pa.
Rivers
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Roney, Pa.
Rosenthal
Rostenkowski
Roybal
Shipley
Shriver
Sisk
Slack
Staggers
Steed
Stuckey
Teague, Tex.
Tiernan
Tunney
Udall
Van Deerlin
Vander Jagt
Vanik
Waggonner
Waldie
Walker
White
Wilson, Bob
Wolff
Wright
Young
Zablocki

NOT VOTING—36

Anderson, Tenn.
Ashbrook
Berry
Diggs
Edwards, Ala.
Evins, Tenn.
Flood
Halleck
Hébert
Herlong
Kastenmeier
King, Calif.
Kulczynski
Landrum
Leggett
Lukens
Matsunaga
Moore
Murphy, N.Y.
Nelsen
O'Hara, Mich.
O'Neill, Mass.
Patman
Poage
Purcell
Roberts
Rooney, N.Y.
Roush
St. Onge
Stephens
Thompson, N.J.
Tuck
Utt
Williams, Miss.
Willis
Wilson, Charles H.

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Halleck for, with Mr. Rooney of New York against.

Mr. Utt for, with Mr. Hébert against.

Mr. Berry for, with Mr. Flood against.

Mr. Moore for, with Mr. Matsunaga against.

Mr. Nelsen for, with Mr. Thompson of New Jersey against.

Mr. O'Neill of Massachusetts for, with Mr. Diggs against.

Mr. Tuck for, with Mr. Kluczynski against.

Mr. Lukens for, with Mr. Charles H. Wilson against.

Mr. Ashbrook for, with Mr. Roberts against.

Until further notice:

Mr. Evins of Tennessee with Mr. O'Hara of Michigan.

Mr. Murphy of New York with Mr. Landrum.

Mr. Kastenmeier with Mr. St. Onge.

Mr. Patman with Mr. Williams of Mississippi.

Mr. Stephens with Mr. Roush.

Mr. Anderson of Tennessee with Mr. Leggett.

Mr. Willis with Mr. Purcell.

Mr. **BARRETT**, Mr. **HICKS**, and Mr. **MEEDS** changed their votes from "yea" to "nay."

Mr. **PHILBIN**, Mr. **DONOHUE**, Mr. **FALLON**, and Mr. **GILBERT** changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

Mr. **MILLER** of California. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report back the bill H.R. 10340 with amendments.

The **SPEAKER**. The Clerk will report the amendments.

The Clerk read as follows:

On page 2, line 2, strike out "(3) Advanced Missions, $6,200,000;" and renumber subparagraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19) and (20) accordingly.

On page 2, line 6, strike out the amount, "$71,500,000" and insert in lieu thereof the amount, "$50,000,000".

On page 2, line 9, strike out the amount, "$150,700,000" and insert in lieu thereof the amount, "$72,000,000".

On page 2, line 16, strike out the amount, "$70,000,000" and insert in lieu thereof the amount, $50,000,000".

On page 2, line 22, strike out the amount, "$30,000,000" and insert in lieu thereof the amount, "$20,000,000".

On page 8, after line 25, insert the following new sections:

"Sec. 6. There is hereby established an Aerospace Safety Advisory Panel consisting of a maximum of fifteen members who shall be appointed by the Administrator for terms of six years each, except that the terms of office of the members first taking office after the date of the enactment of this Act shall expire at the end of two, four, or six years as may be designated by the Administrator to provide continuity of membership. The Panel shall review safety studies and operations plans referred to it and shall make reports thereof, shall advise the Administrator with respect to the hazards of proposed or existing facilities and proposed operations and with respect to the adequacy of proposed or existing safety standards and shall perform such other duties as the Administrator may request. One member shall be designated by the Panel as its Chairman. Members of the Panel who are officers or employees of the Federal Government shall receive no compensation for their services as such, but shall be allowed necessary travel expenses (or in the alternatives, mileage for use of privately owned vehicles and a per diem in lieu of subsistence not to exceed the rates prescribed in 5 U.S.C. 5702, 5704), and other necessary expenses incurred by them in the performance of duties vested in the Panel, without regard to the provisions of subchapter X, Chapter 57 of title 5 of the United States Code, the Standardized Government Travel Regulations, or 5 U.S.C. 5731. Members of the Panel appointed from outside the Federal Government shall each receive compensation at the rate of $100 for each day such member is engaged in the actual performances of duties vested in the Panel in addition to reimbursement for travel, subsistence, and other necessary expenses in accordance with the provisions of the foregoing sentence. The members of the Panel may serve as such without regard to the provisions of sections 203, 205, 207, 281, and 283 of title 10 of the United States Code, except insofar as such sections may prohibit any such member from receiving compensation in respect of any particular matter which directly involves the Administration or in which the Administration is directly involved. No officer or full-time employee of the Administration may serve as a member of the Panel."

Mr. **GERALD R. FORD** (interrupting the reading of the amendments). Mr. Speaker, I ask unanimous consent that further reading of the amendments be dispensed with and they be printed at this point in the Record.

The **SPEAKER**. Is there objection to the request of the gentleman from Michigan?

Mr. **DENT**. Mr. Speaker, I want to hear what we have in the amendments.

I object, Mr. Speaker.

The Clerk concluded the reading of the amendments.

The **SPEAKER**. The question is on the amendments.

The amendments were agreed to.

The **SPEAKER**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER**. The question is on the passage of the bill.

Mr. **MILLER** of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 342, nays 53, not voting 37, as follows:

[Roll No. 161]

YEAS—342

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bolton
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Ohio
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Casey
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Colmer
Conable
Conte
Conyers
Corbett
Corman
Cowger
Cramer
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Denney
Dent
Derwinski
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Everett
Fallon
Farbstein
Fascell
Feighan
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Pa.
Griffiths
Grover
Gubser
Gude
Gurney
Hagan
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Irwin
Jacobs
Jarman
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kazen
Kee
Keith
Kelly
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyros
Lennon
Lipscomb
Long, La.
Long, Md.
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
May
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
Olsen
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Quie
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Pa.
Rivers
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ruppe
Ryan
St Germain
Sandman
Satterfield
Scheuer
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Slack
Smith, Calif
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Staggers
Stanton
Steed
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Tiernan
Tunney
Udall
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—53

Ashley
Betts
Brown, Mich.
Broyhill, N.C.
Carter
Cederberg
Collier
Curtis
Davis, Wis.
Dellenback
Devine
Dickinson
Duncan
Evans, Colo.
Findley
Fulton, Tenn.
Gardner
Gathings
Goodell
Goodling
Green, Oreg.
Gross
Haley
Harsha
Hutchinson
Joelson
Jonas
King, N.Y.
Kyl
Laird
Langen
Latta
Lloyd

McEwen
Mayne
Michel
Myers
O'Konski
Quillen
Railsback
Rhodes, Ariz.
Riegle
Saylor
Schadeberg
Scherle
Schneebeli
Skubitz
Snyder
Steiger, Ariz.
Steiger, Wis.
Thomson, Wis.
Ullman
Wyatt

NOT VOTING—37

Anderson, Tenn.
Ashbrook
Berry
Diggs
Edwards, Ala.
Evins, Tenn.
Flood
Halleck
Hébert
Herlong
Holland
Kastenmeier
King, Calif.
Kluczynski
Landrum
Leggett
Lukens
Matsunaga
Moore
Murphy, N.Y.
Nelsen
O'Hara, Mich
O'Neill, Mass.
Poage
Pucinski
Purcell
Roberts
Rooney, N.Y.
Roush
St. Onge
Stephens
Thompson, N.J.
Tuck
Utt
Williams, Miss.
Willis
Wilson, Charles H.

So the bill was passed.

The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Halleck.

Mr. Hébert with Mr. Berry.

Mr. Evins of Tennessee with Mr. Moore.

Mr. St. Onge with Mr. Nelsen.

Mr. Leggett with Mr. Utt.

Mr. Flood with Mr. Lukens.

Mr. Rooney of New York with Mr. Edwards of Alabama.

Mr. Matsunaga with Mr. Ashbrook.

Mr. King of California with Mr. Willis.

Mr. Kluczynski with Mr. Charles H. Wilson.

Mr. Thompson of New Jersey with Mr. Tuck.

Mr. Roberts with Mr. Williams.

Mr. O'Hara of Michigan with Mr. Purcell.

Mr. Murphy of New York with Mr. Diggs.

Mr. Kastenmeier with Mr. Anderson of Tennessee.

Mr. Holland with Mr. Herlong.

Mr. Stephens with Mr. Pucinski.

Mr. Roush with Mr. Landrum.

Mr. LLOYD, Mr. COLLIER, and Mr. CARTER changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. RYAN. Mr. Speaker, reserving the right to object, I ask the chairman for an explanation of the difference between the bills in terms of money, as passed by the House and as passed by the Senate.

Mr. MILLER of California. I do not know, because I have not seen the bill which the Senate passed. I know it was just messaged over here, as the gentleman heard it, about 15 minutes ago.

Mr. RYAN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1296

An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $4,851,006,000, as follows:

(a) For "Research and development," for the following programs:

(1) Apollo, $2,546,500,000;

(2) Apollo applications, $334,700,000;

(3) Advanced missions, $5,000,000;

(4) Physics and astronomy, $145,500,000;

(5) Lunar and planetary exploration, $131,900,000;

(6) Bioscience, $44,300,000;

(7) Space applications, $101,900,000;

(8) Launch vehicle procurement, $157,700,000;

(9) Space vehicle systems, $37,000,000;

(10) Electronics systems, $40,200,000;

(11) Human factor systems, $21,000,000;

(12) Basic research, $23,500,000;

(13) Space power and electric propulsion systems, $45,000,000;

(14) Nuclear rockets, $74,000,000;

(15) Chemical propulsion, $38,000,000;

(16) Aeronautics, $66,800,000;

(17) Tracking and data acquisition, $297,700,000;

(18) Sustaining university program, $20,000,000;

(19) Technology utilization, $5,000,000.

(b) For "Construction of facilities," including land acquisitions, as follows:

(1) Ames Research Center, Moffett Field, California, $5,365,000;

(2) Goddard Space Flight Center, Greenbelt, Maryland, $565,000;

(3) Jet Propulsion Laboratory, Pasadena, California, $3,125,000;

(4) John F. Kennedy Space Center, National Aeronautics and Space Administration, Kennedy Space Center, Florida, $24,885,000;

(5) Lewis Research Center, Cleveland and Sandusky, Ohio, $2,115,000;

(6) Manned Spacecraft Center, Houston, Texas, $2,425,000;

(7) George C. Marshall Space Flight Center, Huntsville, Alabama, $870,000;

(8) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, $2,010,000;

(9) Nuclear Rocket Development Station, Nevada, $19,500,000;

(10) Wallops Station, Wallops Island, Virginia, $740,000;

(11) Facility planning and design not otherwise provided for, $5,500,000.

(c) For "Administrative operations", $648,206,000.

(d) Appropriations for "Research and development" may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000 unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

(e) When so specified in an appropriation Act, (1) any amount appropriated for "Research and development" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the "Administrative operations" appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor constructions shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

Sec. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

Sec. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the "Construction of facilities" appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (11) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 4. Notwithstanding any other provision of this Act—

(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

SEC. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

SEC. 6. This Act may be cited as the "National Aeronautics and Space Administration Authorization Act, 1968."

MOTION OFFERED BY MR. MILLER OF CALIFORNIA

Mr. MILLER of California. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. MILLER of California: Strike out all after the enacting clause of S. 1296 and insert in lieu thereof the provisions of the bill H.R. 10340, as passed, as follows:

"That there is hereby authorized to be appropriated to the National Aeronautics and Space Administration the sum of $4,927,182,000, as follows:

"(a) For 'Research and development,' for the following programs:

"(1) Apollo, $2,521,500,000;

"(2) Apollo applications, $379,700,000;

"(3) Physics and astronomy, $131,631,000;

"(4) Lunar and planetary exploration, $142,000,000;

"(5) Voyager, $50,000,000;

"(6) Bioscience, $41,800,000;

"(7) Space applications, $94,500,000;

"(8) Launch vehicle procurement, $72,000,000;

"(9) Space vehicle systems, $36,000,000;

"(10) Electronics systems, $39,200,000;

"(11) Human factor systems, $21,000,000;

"(12) Basic research, $21,465,000;

"(13) Space power and electric propulsion systems, $44,000,000;

"(14) Nuclear rockets, $50,000,000;

"(15) Chemical propulsion, $49,000,000 of which $12,000,000 is to be used only for the large solid motor project;

"(16) Aeronautics, $66,800,000;

"(17) Tracking and data acquisition, $290,000,000;

"(18) Sustaining university program, $20,000,000;

"(19) Technology utilization, $5,000,000.

"(b) For 'Construction of facilities,' including land acquisitions, as follows:

"(1) Ames Research Center, Moffett Field, California, $5,365,000;

"(2) Goddard Space Flight Center, Greenbelt, Maryland, $565,000;

"(3) Jet Propulsion Laboratory, Pasadena, California, $3,125,000;

"(4) John F. Kennedy Space Center, NASA Kennedy Space Center, Flordia, $24,885,000;

"(5) Lewis Research Center, Cleveland and Sandusky, Ohio, $2,115,000;

"(6) Manned Spacecraft Center, Houston, Texas, $2,425,000;

"(7) George C. Marshall Space Flight Center, Huntsville, Alabama, $870,000;

"(8) Michoud Assembly Facility, New Orleans and Slidell, Louisiana, $2,010,000;

"(9) Nuclear Rocket Development Station, Nevada, $16,500,000;

"(10) Wallops Station, Wallops Island, Virginia, $740,000;

"(11) Various locations, $2,880,000;

"(12) Facility planning and design not otherwise provided for, $5,500,000.

"(c) For 'Administrative operations,' $648,206,000.

"(d) Appropriations for 'Research and development' may be used (1) for any items of a capital nature (other than acquisition of land) which may be required for the performance of research and development contracts, and (2) for grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to insure that the Untied States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for 'Research and development' pursuant to this Act may be used for construction of any major facility, the estimated cost of which, including collateral equipment, exceeds $250,000, unless the Administrator or his designee has notified the Speaker of the House of Representatives and the President of the Senate and the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate of the nature, location, and estimated cost of such facility.

"(e) When so specified in an appropriation Act, (1) any amount appropriated for 'Research and development' or for 'Construction of facilities' may remain available without fiscal year limitation, and (2) maintenance and operation of facilities, and support services contracts may be entered into under the 'Administrative operations' appropriation for periods not in excess of twelve months beginning at any time during the fiscal year.

"(f) Appropriations made pursuant to subsection 1(c) may be used, but not to exceed $35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator and his determination shall be final and conclusive upon the accounting officers of the Government.

"(g) No part of the funds appropriated pursuant to subsection 1(c) for maintenance, repairs, alterations, and minor construction shall be used for the construction of any new facility the estimated cost of which, including collateral equipment, exceeds $100,000.

(h) After January 1, 1968 no support service contract in the amount of $100,000 or more shall be awarded, renewed or extended unless—

"(1) a study has been made showing the relative cost of obtaining the services through contract and through direct hire employees, using cost criteria established by the Bureau of the Budget; and

"(2) the Administrator has made a written determination (i) that the cost of obtaining the services through contract is not greater than the cost of obtaining such services through direct hire employees, or (ii) that the success of the program of the National Aeronautics and Space Administration requires the use of the service contract procedure rather than the direct hire of employees, stating in detail the reasons for such determination.

"The Administrator shall maintain a central file of the determinations made pursuant to clause (2) of this subsection and shall make them available upon request to the Senate and the House of Representatives, and to the committees thereof. Nothing in this subsection shall be construed as authorizing the Administrator to enter into support service contracts that are not otherwise authorized by law. As used in this subsection the term 'support service contract' does not include contracts for the producton of commercial and industrial products or for the construction of facilities.

"SEC. 2. Authorization is hereby granted whereby any of the amounts prescribed in paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), and (11) of subsection 1(b) may, in the discretion of the Administrator of the National Aeronautics and Space Administration, be varied upward 5 per centum to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

"SEC. 3. Not to exceed one-half of 1 per centum of the funds appropriated pursuant to subsection 1(a) hereof may be transferred to the 'Construction of facilities' appropriation, and, when so transferred, together with $10,000,000 of the funds appropriated pursuant to subsection 1(b) hereof (other than funds appropriated pursuant to paragraph (12) of such subsection) shall be available for expenditure to construct, expand, or modify laboratories and other installations at any location (including locations specified in subsection 1(b)), if (1) the Administrator determines such action to be necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) he determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless (A) a period of thirty days has passed after the Administrator or his designee has transmitted to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Science and Astronautics of the House of Representatives and to the Committee on Aeronautical and Space Sciences of the Senate a written report containing a full and complete statement concerning (1) the nature of such construction, expansion, or modification, (2) the cost thereof, including the cost of any real estate action pertaining thereto, and (3) the reason why such construction, expansion, or modification is necessary in the national interest, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

"SEC. 4. Notwithstanding any other provision of this Act—

"(1) no amount appropriated pursuant to this Act may be used for any program deleted by the Congress from requests as originally made to either the House Committee on Science and Astronautics or the Senate Committee on Aeronautical and Space Sciences,

(2) no amount appropriated pursuant to this Act may be used for any program in excess of the amount actually authorized for that particular program by sections 1(a) and 1(c), and

"(3) no amount appropriated pursuant to this Act may be used for any program which has not been presented to or requested of either such committee,

unless (A) a period of thirty days has passed after the receipt by the Speaker of the House of Representatives and the President of the Senate and each such committee of notice given by the Administrator or his designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action, or (B) each such committee before the expiration of such period has transmitted to the Administrator written notice to the effect that such committee has no objection to the proposed action.

"SEC. 5. It is the sense of Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

"SEC. 6. There is hereby established an Aerospace Safety Advisory Panel consisting of a maximum of fifteen members who shall be appointed by the Administrator for terms of six years each, except that the terms of office of the members first taking office after the date of the enactment of this Act shall expire at the end of two, four, or six years as may be designated by the Administrator to provide continuity of membership. The Panel shall review safety studies and operations plans referred to it and shall make reports thereon, shall advise the Administrator with respect to the hazards of proposed or existing facilities and proposed operations and with respect to the adequacy of proposed or existing safety standards and shall perform such other duties as the Administrator may request. One member shall be designated by the Panel as its Chairman. Members of the Panel who are officers or employees of the Federal Government shall receive no compensation for their services as such, but shall be allowed necessary travel expense (or in the alternative, mileage for use of privately owned vehicles and a per diem in lieu of subsistence not to exceed the rates prescribed in 5 U.S.C. 5702, 5704), and other necessary expenses incurred by them in the performance of duties vested in the Panel, without regard to the provisions of subchapter I, Chapter 57 of title 5 of the United States Code, the Standardized Government Travel Regulations, or 5 U.S.C. 5731. Members of the Panel appointed from outside the Federal Government shall each receive compensation at the rate of $100 for each day such member is engaged in the actual performance of duties vested in the Panel in addition to reimbursement for travel, subsistence, and other necessary expenses in accordance with the provisions of the foregoing sentence. The members of the Panel may serve as such without regard to the provisions of sections 203, 205, 207, 281, and 283 of title 18 of the United States Code, except insofar as such sections may prohibit any such member from receiving compensation in respect of any particular matter which directly involves the Administration or in which the Administration is directly involved. No officer or full-time employee of the Administration may serve as a member of the Panel.

SEC. 6. Notwithstanding any provision of the National Aeronautics and Space Act of 1958, or any other provision of law, the Administrator of the National Aeronautics and Space Administration shall keep the Committee on Science and Astronautics of the House of Representatives and the Committee on Aeronautical and Space Sciences of the Senate fully and currently informed with respect to all of the activities of the National Aeronautics and Space Administration.

"SEC. 7. This Act may be cited as the 'National Aeronautics and Space Administration Authorization Act, 1968.' "

The SPEAKER. The question is on the motion offered by the gentleman from California [Mr. MILLER].

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 10340) was laid on the table.

APPOINTMENT OF CONFEREES ON S. 1296, TO AUTHORIZE APPROPRIATIONS TO THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1296) to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes, insist on the House amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from California? The Chair hears none, and appoints the following conferees: Messrs. MILLER of California, TEAGUE of Texas, KARTH, HECHLER of West Virginia, DADDARIO, FULTON of Pennsylvania, MOSHER, ROUDEBUSH, and BELL.

GENERAL LEAVE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the RECORD in connection with the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 5702. An act to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased;

H.R. 8265. An act to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of tobacco acreage allotments and acreage-poundage quotas; and

H.R. 10943. An act to amend and extend title V of the Higher Education Act of 1965.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10730. An act to amend the Older Americans Act of 1965 so as to extend its provisions.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1296. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations, and for other purposes.

ADDITIONAL LEGISLATIVE PROGRAM

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I ask for this time in order to ask the distinguished majority leader, the gentleman from Oklahoma, if he will advise us as to the program for tonight and the balance of the week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. In response to the inquiry of the distinguished minority whip, the next order of business will be the consideration of the conference report on the Treasury and Post Office Departments appropriation bill. Following that we will take up three resolutions this evening. Two of these resolutions are rules. One makes in order consideration of the Atomic Energy Commission authorization. The other is the rule to authorize consideration of the bill to authorize travel, transportation, and education allowances to members of the Armed Forces for dependents' schooling. The third resolution is House Resolution 514, to create a Select Committee on Parking.

May I advise the Members that after these resolutions on these bills are adopted, we will not continue on the bills themselves until tomorrow.

May I also advise the gentleman and the House that under the reservation to announce any further program, we will add to the program for tomorrow House Resolution 595, supplemental travel for the Committee on Agriculture. That will follow the consideration of the two other bills that have already been announced.

Mr. ARENDS. I thank the gentleman.

I would like to ask the gentleman from Oklahoma if he has given any consideration to the possibility of our coming in early tomorrow.

Mr. ALBERT. Will the gentleman yield for that purpose?

Mr. ARENDS. I yield to the gentleman from Oklahoma.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock a.m. tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NATIONAL WATER RESOURCE PROBLEMS

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 678, Rept. No. 461), which was referred to the House Calendar and ordered to be printed:

H. Res. 678

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 20) to provide for a comprehensive review of national water resource problems and programs, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO FILE PRIVILEGED REPORTS UNTIL MIDNIGHT JUNE 29

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight June 29 to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

THE JOHNSON TEAM STRENGTHENS THE FIGHT AGAINST MENTAL ILLNESS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, the Congress and the Johnson administration have made another fitting and necessary step forward in improving services and facilities for the mentally ill in our country.

The Mental Health Centers Act of 1967 extends the Nation's commitment to provide the best and most modern treatment and diagnostic facilities for those who suffer the torments of mental illness.

This law is particularly noteworthy in that it places great emphasis on local community facilities.

The mentally ill are no longer locked away from society as misfits or as freaks. They are helped to remain in society, with their families, in their communities, while they receive help and treatment and guidance.

The new amendments provide millions of dollars to States in matching grants during the next 3 years to upgrade and construct mental health facilities, to improve diagnostic and outpatient services, and to encourage mental health centers to venture into new fields.

The Johnson administration has a proud record in utilizing Federal resources to improve the health of the Nation.

We all know that the 89th Congress joined the President in enacting what can only be termed a health revolution in this country.

There were more health assistance laws passed in 1964-65 than at any previous time in the Nation's history.

And most important, we are no longer afraid to enter new territory, to extend ourselves into new areas—areas such as mental illness.

This is another proud day for the United States. It is a proud day for me. It is a proud day for the President. And it is a hopeful day for those who suffer the scourge of mental illness.

Government, today, again signals its readiness to help those who are unable to help themselves least. This is not pity. This is social justice. And that is what government is for.

I take pleasure in inserting in the Record the remarks of President Johnson as he signed the Mental Health Centers Act amendments of 1967:

STATEMENT BY THE PRESIDENT AT THE SIGNING OF THE MENTAL HEALTH CENTERS ACT

Mental illness is not something which strikes some other person in some other family. It strikes one American in ten.

It fills nearly half our Nation's hospital beds.

It costs states and communities more than $3 billion each year—often for inadequate care.

It costs the nation $20 billion each year in lost wages and taxes.

And the cost in anguish and sorrow is far beyond counting.

Three and a half years ago, our country decided to face, boldly and frankly, this major health problem—to face it with a major health program: Community Mental Health Centers.

All of us can remember when the problem of mental illness was veiled in ignorance and shame and superstition. Not long ago, a sick or deeply troubled person was hidden away—treated more as a prisoner than as a patient; locked in a faraway place whose very name struck fear; the Insane Asylum.

Now we are changing all that: taking down the bars of fear; letting in the air of knowledge; emphasizing, for the first time, modern local services; outpatient care; prevention as well as cure.

In 1963, we invested in a totally new idea: the conviction that community centers could bring treatment of the mentally ill out of the darkness; out of isolation—into places where the people live.

In 1965, Congress provided funds to train workers for the centers; to hire mental health specialists.

By signing this bill we extend those great programs. In addition, we give America's mental health centers new power to overcome some old problems: to work with disturbed children; to cure alcoholics and drug addicts; to counsel troubled families and others deeply in need of help.

We have brought down the number of patients confined to mental hospitals—from 570,000 in 1955 to 425,000 in 1966.

That is real progress.

But there are still many items of unfinished business, many problems yet to be solved:

The total number of patients in mental hospitals is down. But the number of young patients is going up.

Suicide is the tenth leading cause of death in our society. But among college students, it is the third leading cause.

Dependence upon drugs is a growing problem. And more than half the nation's narcotic addicts are under 30.

I see this bill as one way to prevent such tragedies.

I see this bill not as an isolated effort, but as part of our total health strategy.

I see it as a sign that marks the distance: we have come away from superstition, toward enlightenment.

And I see it as a pledge: a pledge that the things we have begun—in health, in education, in meeting human needs—we do not intend to slow down.

If there are any who think they see us slowing down; if there are any who believe that the cutting edge of progress has gone dull in America—let them examine this record.

In February of this year federal funds had helped 173 mental health centers in 44 states where 28½ million people live.

By June 30, we expect to reach 286 centers in areas where 47 million Americans live.

We are taking another step toward a better life for every family. We renew our pledge to the poor, to the sick, to every citizen. We will meet our commitments abroad. But nothing will keep us from meeting them at home.

TREASURY AND POST OFFICE DEPARTMENTS, THE EXECUTIVE OFFICE OF THE PRESIDENT, AND CERTAIN INDEPENDENT AGENCIES APPROPRIATION, 1968—CONFERENCE REPORT

Mr. STEED. Mr. Speaker, I call up the conference report on the bill (H.R. 7501) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1968, and for other purposes, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to

the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 439)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7501) "making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1968, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 4, and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 7, 10, 11, and 14.

And agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$494,800,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$103,450,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,306,500,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$50,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 13.

TOM STEED,
OTTO E. PASSMAN,
JOSEPH P. ADDABBO,
JEFFERY COHELAN,
SIDNEY R. YATES,
GEORGE MAHON,
SILVIO O. CONTE,
HOWARD W. ROBISON,
CHARLOTTE T. REID,
FRANK T. BOW,
Managers on the Part of the House.

A. S. MIKE MONRONEY,
E. L. BARTLETT,
RALPH YARBOROUGH,
JENNINGS RANDOLPH,
DANIEL B. BREWSTER,
CLIFFORD P. CASE,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7501) making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1968, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—TREASURY DEPARTMENT

Office of the Secretary

Amendment No. 1: Appropriates $7,015,000 as proposed by the House instead of $7,165,000 as proposed by the Senate.

Bureau of Customs

Amendment No. 2: Appropriates $89,361,000 as proposed by the Senate instead of $90,700,000 as proposed by the House.

Bureau of the Public Debt

Amendment No. 3: Appropriates $54,748,000 as proposed by the Senate instead of $52,048,000 as proposed by the House.

Internal Revenue Service

Amendment No. 4: Appropriates $177,000,000 for revenue accounting and processing as proposed by the House instead of $175,000,000 as proposed by the Senate.

Amendment No. 5: Appropriates $494,800,000 for compliance instead of $490,000,000 as proposed by the House and $496,800,000 as proposed by the Senate.

TITLE II—POST OFFICE DEPARTMENT

Administration and regional operation

Amendment No. 6: Appropriates $103,450,000 instead of $100,450,000 as proposed by the House and $105,973,000 as proposed by the Senate.

Amendment No. 7: Deletes language limiting number of employees in postal regional offices as proposed by the House and inserts language prohibiting payment of salaries of special assistants to regional directors for public information as proposed by the Senate.

Operations

Amendment No. 8: Appropriates $5,306,500,000 instead of $5,269,500,000 as proposed by the House and $5,307,500,000 as proposed by the Senate. The conferees agreed that none of the funds allowed shall be available for extending the programing-planning-budgeting system to post offices.

Amendment No. 9: Deletes language proposed by the Senate to permit transfer of funds among postal appropriations.

Building occupancy and postal supplies

Amendment No. 10: Deletes language proposed by the House and inserts language proposed by the Senate to establish two separate appropriations, to reflect building occupancy and postal supplies costs separately.

Plant and equipment

Amendment No. 11: Appropriates $195,000,000 as proposed by the Senate instead of $200,000,000 as proposed by the House.

Postal public buildings

Amendment No. 12: Appropriates $50,000,000 instead of $45,000,000 as proposed by the House and $55,853,000 as proposed by the Senate.

Amendment No. 13: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment.

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

Bureau of the Budget

Amendment No. 14: Appropriates $9,500,000 as proposed by the Senate instead of $9,250,000 as proposed by the House. The conferees are agreed that none of the funds allowed shall be available to establish or maintain field offices.

TOM STEED,
OTTO E. PASSMAN,
JOSEPH P. ADDABBO,
JEFFERY COHELAN,
SIDNEY R. YATES,
GEORGE MAHON,
SILVIO O. CONTE,
HOWARD W. ROBISON,
CHARLOTTE T. REID,
FRANK T. BOW,
Managers on the Part of the House.

Mr. STEED. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 13: Page 11, line 13, insert the followings: "to the extent that savings are effected in other projects."

MOTION OFFERED BY MR. STEED

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 13 and concur therein.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STEED. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Will the gentleman state why this bill is approximately $500 million above the House figure as contained in the conference report, or rather, is almost one-half billion dollars increase over the figure when it left the House?

Mr. STEED. I must say to the gentleman that the total of the bill, after reporting it out of the conference, is $7,545,641,000, which is only $46,411,000 more than the total of the bill as passed by the House, but is $9,526,000 less than when the bill passed the other body. The amount carried in the conference report is $69,507,000 less than the budget request for the fiscal year.

Mr. GROSS. Mr. Speaker, I am sorry that I did not receive a copy of the sheet that usually comes in with most other appropriation bills having to do with conference reports. I am sorry that I had the incorrect figure.

Mr. STEED. Mr. Speaker, I will say to the gentleman from Iowa that this bill provides for two major departments of the Government and related agencies and covers extensive activities. It is most difficult and expensive to cover these activities under a continuing resolution. And, since time is short, and since we had to wait so long on the other body in order to arrive at a conference report, we are endeavoring to complete the work on this bill so that it can be on the President's desk and funds made available so these agencies can start the new fiscal year with the regular budget. We know that if we do this, we can avoid a great deal of waste of money and inefficiency in these particular agencies.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, where do the increases go and for what items?

Mr. STEED. Of course, the programs which represent increases in the bill are contained in the largest item of the bill which is the Post Office Department. Most of this increase is divided between two items in that department, the pay increases voted the postal workers by the Congress and the amazingly heavy increase in the volume of mail.

Mr. GROSS. Mr. Speaker, I thank the gentleman from Oklahoma for yielding.

Mr. STEED. Mr. Speaker, I include the following tables:

Treasury, Post Office, and Executive Office appropriation bill, fiscal year 1968 (H.R. 7501)

TITLE I—TREASURY DEPARTMENT

	Appropriations, fiscal year 1967[1]	Budget estimates, fiscal year 1968	Passed House	Passed Senate	Conference action	Conference action compared with—			
						Appropriations, fiscal year 1967	Budget estimates, fiscal year 1968	House	Senate
Office of the Secretary	$7,027,000	$7,317,000	$7,015,000	$7,165,000	$7,015,000	−$12,000	−$302,000		−$150,000
Bureau of Accounts:									
Salaries and expenses	32,988,000	34,500,000	34,500,000	34,500,000	34,500,000	+1,512,000			
Fund for payment of Government losses in shipment	265,000					−265,000			
Total, Bureau of Accounts	33,253,000	34,500,000	34,500,000	34,500,000	34,500,000	+1,247,000			
Bureau of Customs	88,278,000	[2] 89,061,000	90,700,000	89,361,000	89,361,000	+1,083,000	+300,000	−$1,339,000	
Bureau of the Mint	21,193,000	14,600,000	14,000,000	14,000,000	14,000,000	−7,193,000	−600,000		
Bureau of Narcotics	6,275,000	6,565,000	6,565,000	6,565,000	6,565,000	+290,000			
Bureau of the Public Debt	53,794,000	[3] 54,784,000	52,048,000	54,748,000	54,748,000	+954,000	−36,000	+2,700,000	
Internal Revenue Service:									
Salaries and expenses	18,896,000	20,060,000	19,960,000	19,960,000	19,960,000	+1,064,000	−100,000		
Revenue accounting and processing	173,029,000	177,024,000	177,000,000	175,000,000	177,000,000	+3,971,000	−24,000		+2,000,000
Compliance	473,207,000	501,016,000	490,000,000	496,800,000	494,800,000	+21,593,000	−6,216,000	+4,800,000	−2,000,000
Federal tax lien revolving fund		800,000	500,000	500,000	500,000	+500,000	−300,000		
Total, Internal Revenue Service	665,132,000	698,900,000	687,460,000	692,260,000	692,260,000	+27,128,000	−6,640,000	+4,800,000	
Office of the Treasurer	6,348,000	6,588,000	6,588,000	6,588,000	6,588,000	+240,000			
U.S. Secret Service	15,631,000	16,919,000	16,850,000	16,850,000	16,850,000	+1,219,000	−69,000		
Total, title I, Treasury Department	896,931,000	929,234,000	915,726,000	922,037,000	921,887,000	+24,956,000	−7,347,000	+6,161,000	−150,000

TITLE II—POST OFFICE DEPARTMENT

	Appropriations, fiscal year 1967[1]	Budget estimates, fiscal year 1968	Passed House	Passed Senate	Conference action	Conference action compared with—			
						Appropriations, fiscal year 1967	Budget estimates, fiscal year 1968	House	Senate
Administration and regional operation	$95,546,000	$107,973,000	$100,450,000	$105,973,000	$103,450,000	+$7,904,000	−$4,523,000	+$3,000,000	−$2,523,000
Research, development, and engineering	16,152,000	23,148,000	23,148,000	23,148,000	23,148,000	+6,996,000			
Operations	5,043,600,000	5,344,059,000	5,269,500,000	5,307,500,000	5,306,500,000	+262,900,000	−37,559,000	+37,000,000	−1,000,000
Transportation	640,700,000	656,500,000	650,000,000	650,000,000	650,000,000	+9,300,000	−6,500,000		
Building occupancy and postal supplies	243,322,000	276,130,000	275,000,000			−243,322,000	−276,130,000	−275,000,000	
Building occupancy				185,724,000	185,724,000	+185,724,000	+185,724,000	+185,724,000	
Supplies and services				89,276,000	89,276,000	+89,276,000	+89,276,000	+89,276,000	
Plant and equipment	138,000,000	201,345,000	200,000,000	195,000,000	195,000,000	+57,000,000	−6,345,000	−5,000,000	
Postal public buildings		55,853,000	45,000,000	55,853,000	50,000,000	+50,000,000	−5,853,000	+5,000,000	−5,853,000
Total, title II, Post Office Department	6,177,320,000	6,665,008,000	6,563,098,000	6,612,474,000	6,603,098,000	+425,778,000	−61,910,000	+40,000,000	−9,376,000

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

Compensation of the President	$150,000	$150,000	$150,000	$150,000	$150,000				
The White House Office	2,955,000	3,009,000	3,009,000	3,009,000	3,009,000	+$54,000			
Special projects	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000				
Operating expenses, Executive Mansion	692,000	708,000	708,000	708,000	708,000	+16,000			
Bureau of the Budget	8,913,135	9,500,000	9,250,000	9,500,000	9,500,000	+586,865		+$250,000	
Council of Economic Advisers	790,000	858,000	858,000	858,000	858,000	+68,000			
National Security Council	664,000	664,000	664,000	664,000	664,000				
Emergency fund for the President	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000				
Expenses of management improvement	350,000	350,000	350,000	350,000	350,000				
Total, title III, Executive Office of the President	17,014,135	17,739,000	17,489,000	17,739,000	17,739,000	+724,865		+250,000	

TITLE IV—INDEPENDENT AGENCIES

Tax Court of the United States	$2,355,000	$2,407,000	$2,407,000	$2,407,000	$2,407,000	+$52,000			
Administrative Conference of the United States		250,000					−$250,000		
Advisory Commission on Intergovernmental Relations	436,000	510,000	510,000	510,000	510,000	+74,000			
Total, title IV, independent agencies	2,791,000	3,167,000	2,917,000	2,917,000	2,917,000	+126,000	−250,000		
Grand total, titles I, II, III, and IV	7,094,056,135	7,615,148,000	7,499,230,000	7,555,167,000	7,545,641,000	+451,584,865	−69,507,000	+$46,411,000	−$9,526,000

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[1] Includes amounts carried in 2d Supplemental Appropriation Act, 1967 (Public Law 90–21).

[2] Includes reduction of $1,339,000 contained in S. Doc. 23.

[3] Includes increase of $2,700,000 contained in S. Doc. 23.

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma [Mr. STEED].

The motion was agreed to.

A motion to reconsider was laid on the table.

TO CREATE A SELECT COMMITTEE TO REGULATE PARKING ON THE HOUSE SIDE OF THE CAPITOL

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 514 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 514

Resolved, (a) That there is hereby created a select committee to be composed of three Members of the House of Representatives to be appointed by the Speaker, one of whom shall be designated as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

(b) The said committee is hereby authorized to exercise direction over the Sergeant at Arms of the House of Representatives in the assignment of space for outdoor parking of automobiles in squares 639, south of 635, and 692, located adjacent to the House Office Buildings, and for all other outdoor parking of automobiles on the House side of the United States Capitol Grounds.

SEC. 2. The House Office Building Commission, in carrying out the duties imposed upon the Commission by the Acts of March 4, 1907 (40 U.S.C. 175), May 28, 1908 (40 U.S.C. 183 and 184), and April 22, 1955 (40 U.S.C. 175), is hereby authorized to delegate so much of such duties as pertain to the direction and supervision of the Architect of the Capitol in the assignment of space for parking of automobiles in the garages in the Rayburn House Office Building, the Cannon House Office Building, and the two underground garages in squares 637 and 691, located adjacent to the House Office Buildings, and the issuance of regulations governing such assignments, to the select committee herein created.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith], and, pending that, I yield myself such time as I may consume.

Mr. Speaker, with reference to this resolution, if I might be just a bit facetious, I feel a little like the gentleman who was tarred and feathered and carried out of town, and he said that if it had not been for the honor involved, he would just as soon have skipped the whole show.

Seriously, Mr. Speaker, this resolution is self-explanatory. It provides for a select committee of three Members of the House to have certain jurisdiction over parking and over the parking garages, and it does have the approval of the House Building Commission and the approval of our distinguished Speaker, and it was introduced upon his approval.

Mr. Speaker, I would urge that the House adopt the resolution.

I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I simply wish to say that I concur in the remarks made by the distinguished gentleman from California in full.

The resolution is necessary, and I urge its support, and I know of no opposition to the resolution.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT OF SELECT COMMITTEE TO REGULATE PARKING ON THE HOUSE SIDE OF THE CAPITOL

The SPEAKER. Pursuant to the provisions of House Resolution 514, 90th Congress, the Chair appoints as members of the Select Committee To Regulate Parking on the House Side of the Capitol the following Members of the House: Mr. Sisk of California, Chairman; Mr. Hays of Ohio; and Mr. Gross of Iowa.

PROVIDING FOR CONSIDERATION OF H.R. 10918, A BILL TO AUTHORIZE APPROPRIATIONS TO THE ATOMIC ENERGY COMMISSION IN ACCORDANCE WITH SECTION 261 OF THE ATOMIC ENERGY ACT OF 1954, AS AMENDED, AND FOR OTHER PURPOSES

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 663 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 663

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10918) to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority members of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Texas [Mr. Young] is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California [Mr. Smith] and, pending that, I now yield myself such time as I may consume.

Mr. Speaker, House Resolution 663 provides an open rule with 2 hours of general debate for consideration of H.R. 10918 to authorize appropriations for the Atomic Energy Commission for fiscal year 1968.

H.R. 10918 would authorize $2,164,843,000 for operating expenses and $469,033,000 for plant and capital equipment—a total authorization of $2,633,876,000. This is about $374 million more than the AEC's fiscal year 1967 authorization, nearly $200 million of which is attributable to new weapons construction and operating requirements. The authorization for the overall reactor development program increases by $53.4 million and there are significant increases in prior year project authorizations of $81.5 million.

The bill would amend the AEC Authorization Act by extending for an additional year—until June 30, 1968—the date for approving proposals under the third round of the AEC's cooperative power reactor demonstration program; it would amend previous AEC authorization acts to increase two project authorizations and to make certain other changes; and it would rescind authorization for two projects which are no longer considered necessary, except for funds heretofore obligated.

Mr. Speaker, I urge the adoption of House Resolution 663 in order that H.R. 10918 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the distinguished gentleman from Texas, who is not only a member of this Joint Committee but also a member of the Committee on Rules, this particular resolution, House Resolution 663, provides for 2 hours of general debate.

I concur with the statements and explanation of the gentleman from Texas. In addition, may I say, Mr. Speaker, this is one of the programs that I feel confident about and am happy to accept.

Mr. Speaker, I respect the ability of the members of this fine Joint Committee. The members, in my opinion, are all excellent and able legislators. I particularly commend the distinguished chairman of the committee, the gentleman from California [Mr. Holifield], and the ranking minority member, the gentleman from California [Mr. Hosmer], for the fine work they do and for their cooperation in bringing this bill to us every year to the floor of the House.

Mr. Speaker, I am happy to support the bill and I am happy to support the resolution making the consideration of the bill in order.

Now, Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. Anderson].

Mr. ANDERSON of Illinois. Mr. Speaker, it is my privilege to serve on the Joint Committee on Atomic Energy as well as on the Committee on Rules. Therefore, I can assure the House that the most complete and mature consideration was given to this authorization bill in the legislative committee.

For the first time since my service on the Atomic Energy Committee there are additional views signed by three Senate Members which dissent from the line item authorization of $7.3 million for the advance engineering and design work on a proton accelerator to be constructed at Weston, Ill., in Du Page and Kane Counties. I would simply make the point at this juncture of the debate that I believe the principal argument against selection of the Weston site, namely, the lack of a statewide open occupancy law in Illinois, is completely extraneous to the issue involved. That issue has been resolved in favor of the Weston site after a most exhaustive selection procedure participated in by not only the Atomic Energy Commission but also by the National Academy of Science.

I hope that in the general debate which follows we can keep our eye on the issue and not get off into areas that are nongermane.

I urge the House to adopt this rule.

Mr. SMITH of California. Mr. Speaker, I must yield myself a second to compliment the distinguished Member, the gentleman from Illinois [Mr. Anderson], who is my colleague on the Committee on Rules and a member of the Joint Committee on Atomic Energy, for his fine work on this matter.

Now, Mr. Speaker, if I may, I would like to yield 3 minutes to the newly appointed gentleman on the Select Committee on Parking, the gentleman from Iowa [Mr. Gross].

Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Gross] may be permitted to speak out of the regular order.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GROSS. Mr. Speaker, this morning most of the syndicated columnists took the line that at least some benefit has been obtained from the so-called summit conference in New Jersey.

Now on the public record that is extremely questionable. Russian Premier Kosygin left here and went directly to Cuba, a Soviet base right off our coast. On the record that is a direct affront to all those concerned and to the United States of America.

The Russian Premier held a press conference, officially approved and carried to the world by American launched communications satellites. In that press conference the Russian Premier insulted us from New York and held us guilty of aggression in Vietnam. He held Israel guilty of aggression in the Middle East and he most carefully put himself ahead of the President of the United States in remarks where the two were mentioned. Is this to be taken around the world as an indication of their relative importance?

Finally, Kosygin accepted Red China as a nuclear power, which can be taken to mean that Communist China will be excluded from the effects of any nonproliferation treaty such as that the Soviets want.

It is questionable whether the President of the United States was even at a "summit." Every news story emphasizes that Kosygin acted during his trip to the United Nations and the United States under instructions from Moscow.

Did these instructions come from Yuri V. Andronov, openly the third man in the Soviet Union but actually said to be emerging as the new Soviet Ruler? Andronov is head of the Russian police, the KGB, and also one of the 16-man politburo, the first chief of secret police to be included in the direction of Soviet Russian affairs since the notorious Beria. Like Beria, Andronov is a dedicated Stalinist, a "hard line" man who directed the physical job of brutally suppressing the Hungarian revolt against Russian rule in 1956. Andronov is also in the process of being made Russian Vice Premier.

Under the Soviet system, it is the head of the "gang," the Communist Party, who really rules. Kosygin is merely a front man behind which the gang operates. So was Lyndon Johnson really at a summit at all?

On the record, the remaining bastions of freedom have been weakened by a direct insult to our head of state by Kosygin's Cuban visit and by the Russian Premier's unchallenged anti-United States and anti-Israel propaganda from the United States. On the public record, I believe the cause of peace has not been helped but weakened by our apparent appeasement.

If press assertions are correct that there are secret understandings, both the Congress and the American people have a right to know now what those understandings are. We do not want any more secret Yaltas which led to the loss of a quarter of the world's surface and a third of its people to communism at a time after World War II when the Soviet Union was weak and one-third destroyed. Nor do we want any more secret deals like that which gradually emerged from the Cuban missile crisis which, among other things, has left Cuba a Soviet military base and spawning ground for Western Hemisphere subversion.

Mr. Speaker, the American people have a right to the full truth.

Mr. YOUNG. Mr. Speaker, I yield such time as he may require to the gentleman from Colorado [Mr. ROGERS].

Mr. ROGERS of Colorado. Mr. Speaker, when the House considers H.R. 10918, I should like the Members to refer to page 3, lines 9 and 10: "Project 68-4-f, 200 Bev accelerator, Du Page and Kane Counties near Chicago, Illinois, $7,333,000."

A Supreme Court decision concerning water rights in that area has been entered, and I ask unanimous consent that the decision be included in the RECORD at this point, together with a telegram from a constituent.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The decision and telegram are as follows:

[Supreme Court of the United States, October term, 1966]

WISCONSIN ET AL. V. ILLINOIS ET AL.; MICHIGAN V. ILLINOIS ET AL.; NEW YORK V. ILLINOIS ET. AL.; AND ILLINOIS V. MICHIGAN ET AL.

(On joint motion for entry of decree, Nos. 1, 2, 3, and 11 Originals)

DECREE

This Court having reopened Original cases Nos. 1, 2, and 3, and having granted leave to file Original case No. 11, and having referred all such cases to a Special Master who has filed his Report, and the parties having agreed to the form of the decree, the Findings of Fact in the Report are hereby adopted, and it being unnecessary at this time to consider the Special Master's legal conclusions,

It is ordered, adjudged, and decreed that:

1. The State of Illinois and its municipalities, political subdivisions, agencies, and instrumentalities, including, among others, the cities of Chicago, Evanston, Highland Park, Highwood and Lake Forest, the villages of Wilmette, Kenilworth, Winnetka, and Glenco, the Elmhurst-Villa Park-Lombard Water Commission, the Chicago Park District and the Metropolitan Sanitary District of Greater Chicago, their employees and agents and all persons assuming to act under their authority, are hereby enjoined from diverting any of the waters of Lake Michigan or its watershed into the Illinois waterway, whether by way of domestic pumpage from the lake the sewage effluent derived from which reaches the Illinois waterway, or by way of storm runoff from the Lake Michigan watershed which is diverted into the Sanitary and Ship Canal, or by way of direct diversion from the lake into the canal, in excess of an average for all of them combined of 3,200 cubic feet per second. "Domestic pumpage," as used in this decree, includes water supplied to commercial and industrial establishments and "domestic use" includes use by such establishments. The water permitted by this decree to be diverted from Lake Michigan and its watershed may be apportioned by the State of Illinois among its municipalities, political subdivisions, agencies, and instrumentalities for domestic use or for direct diversion into the Sanitary and Ship Canal to maintain it in a reasonably satisfactory sanitary condition, in such manner and amounts and by and through such instrumentalities as the State may deem proper, subject to any regulations imposed by Congress in the interests of navigation or pollution control.

2. The amount of water diverted into the Sanitary and Ship Canal directly from Lake Michigan and as storm runoff from the Lake Michigan watershed shall be determined by deducting from the total flow in the canal at Lockport (a) the total amount of domestic pumpage from Lake Michigan and from ground sources in the Lake Michigan watershed, except to the extent that any such ground sources are supplied by infiltration from Lake Michigan, by the State of Illinois and its municipalities, political subdivisions, agencies, and instrumentalities the sewage effluent derived from which reaches the canal, (b) the total amount of domestic pumpage from ground and surface sources outside the Lake Michigan watershed the sewage effluent derived from which reaches the canal, (c) the total estimated storm runoff from the upper Illinois River watershed reaching the canal, (d) the total amount of domestic pumpage from all sources by municipalities and political subdivisions of the States of Indiana and Wisconsin the sewage effluent derived from which reaches the canal, and (e) any water diverted by Illinois, with the consent of the United States, into Lake Michigan from any source outside the Lake Michigan watershed.

3. For the purpose of determining whether the total amount of water diverted from Lake Michigan by the State of Illinois and its municipalities, political subdivisions, agencies, and instrumentalities is not in excess of the maximum amount permitted by this decree, the amounts of domestic pumpage from the lake by the State and its municipalities, political subdivisions, agencies, and instrumentalities the sewage and sewage effluent derived from which reaches the Illinois waterway, either above or below Lockport, shall be added to the amount of direct diversion into the canal from the lake and storm runoff reaching the canal from the Lake Michigan watershed computed as provided in paragraph 2 of this decree. The accounting period shall consist of the period of 12 months terminating on the last day of February. A period of five years, consisting of the current annual accounting period and the previous four such periods (all after the effective date of this decree), shall be permitted, when necessary, for achieving an average diversion which is not in excess of the maximum permitted amount; provided, however, that the average diversion in any annual accounting period shall not exceed one hundred ten (110) per cent of the maximum amount permitted by this decree. The measurements and computations required by this decree shall be made by the appropriate officers, agencies, or instrumentalities of the State of Illinois under the general supervision and direction of the Corps of Engineers of the United States Army.

4. The State of Illinois may make application for a modification of this decree so as to permit the diversion of additional water from Lake Michigan for domestic use when and if it appears that the reasonable needs of the Northeastern Illinois Metropolitan Region (comprising Cook, Du Page, Kane, Lake, McHenry, and Will Counties) for water for such use cannot be met from the water resources available to the region, including both ground and surface water and the water permitted by this decree to be diverted from Lake Michigan, and if it further appears that all feasible means reasonably available to the State of Illinois and its municipalities, political subdivisions, agencies, and instrumentalities have been employed to improve the water quality of the Sanitary and Ship Canal and to conserve and manage the water resources of the region and the use of water therein in accordance with the best modern scientific knowledge and engineering practice.

5. This decree shall become effective on March 1, 1970, and shall thereupon supersede the decree entered by this Court in Nos. 1, 2, and 3, Original Docket, on April 21, 1930, as enlarged May 22, 1933, provided that for the period between January 1, 1970, and March 1,

1970, the amount of water diverted by Illinois into the Sanitary and Ship Canal (determined in accordance with paragraph 2 of this decree) shall not exceed an average of 1,500 cubic feet per second.

6. The complaint of the State of Illinois in No. 11, Original Docket, on behalf of its instrumentality, the Elmhurst-Villa Park-Lombard Water Commission, is hereby dismissed, without prejudice to that Commission sharing in the water permitted by this decree to be diverted from Lake Michigan.

7. Any of the parties hereto may apply at the foot of this decree for any other or further action or relief, and this Court retains jurisdiction of the suits in Nos. 1, 2, and 3, Original Docket, for the purpose of making any order or direction, or modification of this decree, or any supplemental decree, which it may deem at any time to be proper in relation to the subject matter in controversy.

8. All the parties to these proceedings shall bear their own costs. The costs and expenses of the Special Master shall be equally divided between the plaintiffs as a group and the defendants as a group in Nos. 1, 2, and 3, Original Docket. The costs and expenses thus imposed upon the plaintiffs and defendants shall be borne by the individual plaintiffs and defendants, respectively, in equal shares.

DENVER, COLO.,
June 28, 1967.

Representative BYRON G. ROGERS,
Rayburn House Office Building,
Washington, D.C.:

To authorize expenditures of taxpayers money to perpetuate segregation and deny Americans their constitutional right to equal opportunities in housing is morally wrong. Without open occupancy law, Illinois should not be site of atomic reactor complex. Fair housing is an issue in this contract. Federal condoning of discrimination in Illinois would be a direct to millions of Americans who are pursuing positive approaches to eradicating prejudice and discrimination in our society. There should be no further development of Weston project prior to States insuring equal opportunities in housing. Any other action by Congress can only be interpreted as a condoning the perpetuation of segregation and a showing to the world our government's double standard of insisting on integration in the battlefields of Vietnam but allowing segregation to be acceptable in American neighborhoods.

METRO DENVER FAIR HOUSING
CENTER, INC.,
RICHARD E. YOUNG,
Chairman, Governing Board.
ROBINSON G. LAPP,
Executive Director.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 2082, TO AUTHORIZE TRAVEL, TRANSPORTATION, AND EDUCATION ALLOWANCES TO CERTAIN MEMBERS OF THE UNIFORMED SERVICES FOR DEPENDENTS' SCHOOLING

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, and on behalf of the gentleman from Tennessee [Mr. ANDERSON], I call up House Resolution 484, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 484

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2082) to amend title 37, United States Code, to authorize travel, transportation, and education allowances to certain members of the uniformed services for dependents' schooling, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 484 provides an open rule with 1 hour of general debate for consideration of H.R. 2082, a bill to amend title 37 United States Code, to authorize travel, transportation, and education allowances to certain members of the uniformed services for dependents' schooling, and for other purposes.

In many foreign areas, military dependents cannot receive adequate educational opportunities in the local schools. Many of our posts are located in Asia, Africa, and the Near East, where the language, culture, and educational standards are very different from our own, and the local schools are unsuitable for our children. At most of these stations there are so few American children in the community that the establishment of a dependents' school under DOD sponsorship is neither feasible nor practicable. Parents then must send their children to suitable schools in other areas, and only tuition assistance in such cases is now available under the existing authority of the annual DOD Appropriations Act. The heavy expenses for transportation, room, and board which result from attendance at these schools constitute a major financial burden which now must be borne by the parents. This demand has resulted in a real financial hardship for them.

H.R. 2082 would authorize the payment of certain allowances to cover some of these additional expenses incurred by uniformed service members in this situation. It also will provide travel and transportation allowances for dependents to and from a school in the United States to obtain an undergraduate college education, not to exceed one round trip each school for each dependent. Travel by Military Airlift Command or the Military Sea Transportation Service will be utilized when available.

Educational allowances similar to those contained in H.R. 2082 are already authorized by law for U.S. Government civilian employees and State Department personnel stationed in foreign areas.

Enactment into law of the bill will result in increased annual cost to the DOD of approximately $2,800,000.

Mr. Speaker, I urge the adoption of House Resolution 484 in order that H.R. 2082 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the gentleman from Texas, House Resolution 484 makes in order consideration of the bill H.R. 2082, and provides an open rule with 1 hour of general debate.

I agree and concur in the statements made by the gentleman from Texas.

In addition, Mr. Speaker, many of our military posts are located in Asian, African, and Near Eastern countries, where language and culture and educational standards are quite different from our own. The local schools are not suitable for our children. At most of these stations, there are so few American children in the community that the establishment of a dependents school under the Department of Defense sponsorship is neither feasible nor practicable. Parents must then send their children to suitable schools in other areas.

This demand has resulted in quite a real financial hardship for them. This bill would authorize payment of certain allowances to cover these additional expenses incurred by the uniformed service members in those situations. The estimated cost of the legislation will be about $2.8 million and apply to approximately 3,900 people .

Mr. Speaker, I know of no objection to the rule, and I have no further requests for time.

Mr. Speaker, I urge adoption of the resolution.

Mr. YOUNG. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT FROM THURSDAY, JUNE 29, TO MONDAY, JULY 10, 1967

Mr. ALBERT. Mr. Speaker, I call up House Concurrent Resolution 393 and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 393

Resolved by the House o' Representatives (the Senate concurring), That the two Houses shall adjourn on Thursday, June 29, 1967, and that when they adjourn on said day they stand adjourned until 12 o'clock noon on Monday, July 10, 1967.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZATION FOR SPEAKER OF HOUSE AND PRESIDENT OF SENATE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS FOUND TRULY ENROLLED

Mr. ALBERT. Mr. Speaker, I call up House Concurrent Resolution 394 and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 394

Resolved by the House of Representatives (the Senate concurring), That notwithstanding any adjournment of the two Houses until July 10, 1967, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZATION FOR THE CLERK TO RECEIVE MESSAGES FROM THE SENATE, NOTWITHSTANDING ADJOURNMENT TO JULY 10

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until July 10, 1967, the Clerk be authorized to receive messages from the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON JULY 12, 1967

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule, on July 12, 1967, may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MAKING IN ORDER MOTIONS TO SUSPEND THE RULES AND THE CONSENT CALENDAR ON TUESDAY, JULY 11, 1967

Mr. ALBERT. Mr. Speaker, under the resolution just agreed to, we are to meet on Monday after the 4th of July, July 10. We have only two suspension requests, and, in view of that, I ask unanimous consent that the order for the Speaker to entertain motions to suspend the rules, and to consider business on the Consent Calendar, on Monday, July 10, 1967, be rescinded and that such business be in order on Tuesday, July 11, 1967.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume that we will be properly notified of the bills to be brought up under motions to suspend the rules.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, they will be on the whip notices tomorrow. I can tell the gentleman that one of them is the extension of the Civil Rights Commission, and another is a bill from the Committee on Post Office and Civil Service. Those are the only two we have, and that is why the request is made.

Mr. GROSS. I thank the majority leader.

Mr. Speaker, I withdraw my reservation of objection.

Mr. HALL. Mr. Speaker, further reserving the right to object, may I ask the distinguished majority leader if this is to be in addition to the Private Calendar, which we would put over from the first Tuesday?

Mr. ALBERT. We have put the Private Calendar over; and the Consent Calendar and motions to suspend the rules, it is requested, be in order on Tuesday. We will meet on Monday, but in view of the agreement, if it is allowed, we will have no legislative business.

Mr. HALL. I thank the distinguished majority leader.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

JAYCEES CHEER PRESIDENT IN BALTIMORE ADDRESS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an address delivered in Baltimore yesterday by the President of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, President Johnson delivered one of the most timely speeches I have ever read at the national convention of the Junior Chamber of Commerce at Baltimore yesterday, and press reports indicate "his large audience repeatedly interrupted him with thundering applause."

The theme of the President's message, "Count Your Own Blessings," is one that needs emphasizing throughout the Nation in this time of violent protest and intemperate criticism.

The convention audience is reported to have met with an ovation the words of President Johnson:

> I want to leave one thought with you. If you forget everything else I say, please remember this when you go back to your own community to provide them with the leadership that I want to provide you—that I am trying so hard to provide you.
>
> You say to them that it is not absolutely essential—it is not a prerequisite—and it is not required that you tear our country down, and our flag down, in order to lift them up.

Mr. Speaker, I am proud of the fact that the National Junior Chamber of Commerce, which has its headquarters in Oklahoma, provided the forum for the President's outstanding message in Baltimore. The full text of the President's speech follows:

L. B. J.: "COUNT YOUR OWN BLESSINGS"

(President Johnson's remarks at the national convention of the Junior Chamber of Commerce in Baltimore, June 28, 1967)

President Suttle; Governor Agnew; Senators Brewster and Tydings; Congressmen Garmatz, Fallon, Machen, Long and Friedel; Mayor McKeldin; Mr. D'Alesandro; Mr. Shriver; distinguished J.C.'s and your ladies:

I am glad that you asked me to come here today and I am so happy that I could come.

Someone said recently that "I am for the future. I expect to live the rest of my life there."

So all of us here this morning are going to live the rest of our lives in the future—most of us in this country. Not only are we going to live our lives in the future, what is more important, our children and our grandchildren are.

We can give them a country where crime is commonplace, where strife is certain, where free enterprise is frowned upon, where the state is everything—or we can invest our money and our efforts wisely enough to make the next generation freer and happier than ours has been.

A former President of the United States once said—when he was speaking about our living under the First Amendment and exercising the freedoms that go with it—that "Criticism is no doubt good for the soul." But we must beware that it does not upset our confidence in ourselves.

You would hardly expect a man who has had an automobile for sale to tell you that the motor heated, the wheels had not been put on properly, the horn wouldn't blow, that the automobile itself had a very short life—and then expect you to buy it.

But we hear other nations say so many things about our own in criticism—and we say so many things ourselves—that I sometimes wonder if the rest of the world hears only what is wrong with America.

It is good that we have a system where we can freely talk about what is wrong because when we have the proper information, we make the proper judgments. We can only get information by communication.

WHAT'S RIGHT

Proceeding on the assumption this morning that you young leaders of America have heard some of the things about what is wrong with this country, I am going to assume that I may be permitted to talk about some of the things that are right with America.

I should like to ask each person here to engage in a little introspection for the next few minutes I am privileged to be with you. I would like you to ask yourselves to count your own blessings—to ask yourself "What do I have to be thankful for; what do I have to appreciate; what do I have to be proud of; what do I have to look forward to? What do I have that my grandfather did not have—or that my father did not have—or that my brother did not have?"

Let us compare some of the present day conditions to—and I quote—"the good old days."

Or if we could—and still be polite—we might compare some of our conditions in America to some of the conditions in other countries that we have had pointed up to us from time to time.

Let us look at our educational system—because the very basis of a great nation is an educated mind, a healthy body, and a free enterprise system.

Fifty years ago in our educational system, only 10 per cent of our boys and girls graduated from high school. Today that figure is not 10 per cent. It is 75 per cent. That is more than double that of France or West Germany, Italy or Great Britain.

Fifty years ago only about 4 per cent of our young people went to college. Today that figure is about 40 per cent. Only 10 per cent of the young people of Great Britain and France go to institutions of higher learning.

Let us look at some other education we are getting from protesting and expressing dissent in this country. During a week a short time ago, our newspapers and our TV programs, our radio commentators, informed us fully about the protesters and the "peaceniks" who invaded the Pentagon.

They came there to stay—they walked over the tulips; they sat down on the steps; they slept in the halls. After we had analyzed it all carefully and the reports had been fully given—sometimes dramatically and occasionally emotionally—the "sleep-ins" numbered 12, a bare dozen.

During that very same week, there were 10,000 young Americans who voluntarily—on their own—walked into the military enlistment centers directed by the Pentagon and volunteered their services and their lives for America.

KEEP IN PERSPECTIVE

Let me repeat, there were over 10,000 first term enlistments in one week.

Unfortunately, a student carrying a sign or protester wearing a beard, or an attention-seeker burning a draft card in front of a camera can get more attention—and more billing—than all 10,000 of these volunteers.

So we will continue to have those visit the Pentagon to speak their mind. We will continue to have those visit the enlistment stations to give their lives—but let us keep the two in perspective.

In exercising our freedoms, let us check on them as we go along—and be sure that we never abuse them.

Americans are the best fed, the best paid, and the best educated people in the world. That is something we ought to be proud of in America. I know what we do when we are not the best fed, or the best read, or the best paid.

All we have to do is look back to the situation in Washington when I first came there in 1931—when the Bonus Marchers were driven down Pennsylvania Avenue—and look back to the emergency legislation which was required in the days following.

The banks had to be closed—and reopened again. Our farm commodities were being burned, and our soup kitchens stretched for half a mile in some of the main centers of our towns.

So much for our employment and our education. What about our health conditions?

Deaths from the dread diseases have been cut in half in the last 50 years. Life expectancy has doubled in the last 100 years. Infant mortality rates have been cut in half in the last 30 years. Artificial kidneys now in use soon will be joined by the artificial heart.

Measles have been retired in the pages of history. Polio is no longer the fear of every mother in the land—thanks to our great medical profession, and thanks to a country which has concentrated on trying to do what is right—and correct what is wrong.

Medical care has recently forged an extraordinary partnership. We have almost 20 million elderly persons. We have over 200,000 doctors working with this group. Under the Medical Care Program, over 5 million Americans in the last year—and the first anniversary is coming up very soon—have received physician services. Almost 3 million have received hospital care.

I have not come here to say to you that all is right and perfect. We still have many problems. We are facing up to them. We are recommending measures to deal with them. We won't get them all. We may just get a fraction of them—but we are not ignoring them—we are not running away from them—and we are not cutting out on them.

MORE FOR POVERTY

I saw in some report from some great university yesterday something about how we had cut back on our poverty programs, and how we had denied our people education programs and health programs because we were defending our country.

Well, that is just not true. That is just not so.

A little over three years ago—when I became President—we had no poverty program. We were in Vietnam, but we had no poverty program. We started one—and we have increased it every year since.

This year, we are increasing it by 25 per cent—without tucking tail and running in Vietnam.

More money will be spent on poverty in the United States in trying to do something about it this year by the Federal Government than we spend in Vietnam.

In our educational program—when I became President a little over three years ago—we were spending $4 billion a year. This year our budget is $12 billion—three times as much for education in three years—and we are still doing our duty in Vietnam.

In our health program three years ago, we were spending a little over $4 billion a year in the Federal Government for health needs. This year our budget is a little over $12 billion—three times as much for health in three years as we were spending three years ago.

We still have many problems of unemployment and poverty. Even though America's poorest housing is in a luxury class for the masses of some other countries, we do have slums. We want to do something about them. We are doing something about them.

We passed our Model Cities program this year. That is the most far-reaching step in that direction that this Nation has ever taken.

Today there are 7 million fewer people living in poverty than there were seven years ago. The unemployment rate has dropped from 5.7 to in the neighborhood of 3.7. Operation Head Start has already given three-quarters of a million children from the poor families a leg up on education. It is growing every day.

More than a million persons are receiving job training under Federal programs compared to none seven years ago.

Almost one million people are going to college this year because of higher educational programs enacted under our Administration and passed by our Congress.

We all owe a debt to the Congress which has enacted this legislation for us.

MORE OF EVERYTHING

So when you go back and talk about something that went wrong—how a motor failed—or how a red light stuck—or how someone looked on television—or how long they spoke—or what they didn't say—ask yourself to remember some of the good things that you have produced.

Our educational system—summarizing—is second to none anywhere in the world. Our prosperity is second to none anywhere in the world. Our standard of living is second to none anywhere in the world.

We produce more goods; we transport more goods; we use more goods than anyone in the world.

We own almost a third of the world's railroad tracks. We own almost two-thirds of the world's automobiles—and we don't have to wait three years to get a new one either.

I shouldn't be surprised—if you are anxious enough right now—but that some people on this very floor will take your orders.

The Baltimore New Car Dealers Association had better be careful or they will get out-figured. Someone will make you a cut-rate proposition.

We own half the trucks in the world. We own almost half of all of the radios in the world. We own a third of all of the electricity that is produced in the world. We own a fourth of all of the steel. Our health conditions rank favorably with those of other countries in the world. Although we have only about 6 per cent of the population of the world, we have half of its wealth.

Bear in mind that the other 94 per cent of the population would like to trade with us.

Maybe a better way of saying it would be that they would like to exchange places with us.

I would like to see them enjoy the blessings that we enjoy. But don't you help them exchange places with us—because I don't want to be where they are.

Instead, I believe we are generous enough—I believe we are compassionate enough—and I believe we are grateful enough that we would like to see all of them enjoy the blessings that are ours.

I say to you young business leaders of America, there never has been a time when the business groups of this country—the young leaders of this country—the employes and the labor leaders of this country have cooperated with their Government more than now. Your President is grateful for it.

NOT A PREREQUISITE

I want to leave one thought with you. If you forget everything else I say, please remember this when you go back to your own community to provide them with the leadership that I want to provide you—that I am trying so hard to provide you.

You say to them that it is not absolutely essential—it is not a prerequisite—and it is not required that you tear our country down, and our flag down, in order to lift them up.

I want to conclude now by just quietly saying a word to you about this larger world that we all live in. I think it is on your mind and in your heart—as it is on mine and in mine.

We are in South Vietnam today because we want to allow a little nation self-determination. We want them to be able to go and vote for the kind of leaders they want and select the type of government they want. We want them to be free of terror and aggression in doing that—as we want it for ourselves.

We made a contract. We had an agreement. We entered into a treaty that was confirmed by our Senate, 82 to 1, saying that in the face of common danger, we would come and help.

We came. We are helping. We are doing our best. I solicit the cooperation of each of you to the extent that you can give it.

We Americans are deeply concerned about the recognition of the right of self-determination. That is what each of you demands for yourself. So let us help your fellowman in other parts of the world enjoy it too.

Self-determination is really the right to live. That is what we ask for all of the nations of the Middle East—not just for some of them.

We believe that for the peoples of the 122 nations of the world, speaking now of the underdeveloped nations of the world specifically, real self-determination only comes when hunger and disease and ignorance and poverty are overcome. We believe that the peoples of all of these nations are entitled to that self-determination. They won't have it until we can conquer those ancient enemies—illiteracy, ignorance, disease and poverty.

Just as it is here in our home, we believe in the First Amendment, in free speech and in a free press. We believe in the Bill of Rights. We believe what matters abroad is also freedom from fear and freedom from want—the freedom to make choices and not just to submit to a brutal destiny.

KOSYGIN TALKS

Two days ago, not very far from here, I met with Chairman Kosygin of the Soviet Union. The nations we spoke for are two of the most powerful nations in all of the world. In the family of nations, two of the strongest have two of the greatest responsibilities.

For my part, and for your nation, that responsibility involves helping other nations to choose their own futures as they see it.

We seek as well maximum understanding between these two great powers. For 10 hours we looked at each other with only the interpreters present in a very small room.

Though our differences are many, and though they run very deep, we knew that in the world's interest it was important that we understand, if we could, the motivations as well as the commitments of each other. We religiously, dedicatedly, and determinedly worked at that assignment for those two days.

That is why we met in the house called Hollybush. To bring about better understandings, and to discuss respective goals and commitments, we came there.

When we left I believe we had achieved that. We agreed we would continue to maintain contact through diplomatic channels, through other means of communication, and direct contact.

In Saigon, in the Sinai, at Hollybush in New Jersey, in the slums of our cities, in the prairies of our land, in the hollows of Appalachia, in scores of underdeveloped countries all around the world where men struggle to make their own future and to secure their little families, that is what we are about.

If the young leadership of our country supports us over the long hard pull that lies ahead, if you can endure the tensions, if you can understand that the air is going to be rough and the road is going to be bumpy, you can, in the words of your own creed, "Help us unlock earth's great treasure—human personality."

Then the cussers and the doubters will be relegated to the rear; the doers and the builders will take up the front lines.

Now you are going to return to your homes. You have engaged in looking at yourselves and at your country. I have been able to discuss it for only a very brief time.

I am going back to attend a 1 o'clock meeting with Secretary Rusk and Secretary McNamara and others who are giving everything they have to your country. We are not only going to talk and plan and work and pray to develop ways and means of keeping your country and your families secure, but we are going to do our dead level best to bring peace to every human being in the world.

Our problems are many. Our solutions are few. I am not as concerned about the individual differences which we have with other nations—because with few exceptions I think those can be reconciled—but I am concerned that every boy and girl, that every man and woman who enjoys citizenship and freedom and prosperity and the blessings of this land know what they have and are determined to build upon it, to improve it—and by all means to keep it.

ITT DISPLAYS ITS INTERNATIONAL ACHIEVEMENTS IN THE DESIGN AND DEVELOPMENT OF ELECTRONIC SYSTEMS AT THE PARIS AIRSHOW

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, in continuing my series of articles on the outstanding California companies that have shown their accomplishments at the Paris Airshow, I would like to salute International Telephone & Telegraph. The products that ITT presented at the Paris Airshow were amazing in their scope and imagination.

International Telephone & Telegraph Corp. took pains to assure that it was properly represented at the Paris Airshow by senior management executives and high-caliber technical and marketing personnel who could knowledgeably discuss aerospace developments and technological trends with representatives of industries and governments the world over.

ITT charged its representatives with the equally important mission of assessing the potential direction and impact of industrial competition, both from U.S. aerospace and electronics corporations, and similar foreign organizations.

Capitalizing on the international attendance of this 27th French International Airshow, ITT demonstrated or displayed a broad range of its electronic navigation, data handling, communication, and aerospace products.

Visitors to ITT's exhibit quarters were exposed to the fact that ITT's Bell Telephone Manufacturing Co., Antwerp, will furnish the power supply system for the ESRO I polar ionospheric satellite to be launched this year by the European Space Research Organization.

ITT Federal Laboratories demonstrated a radio navigation receiver that will provide U.S. Navy ships, submarines and aircraft with continuous position information obtained from global Omega long-range navigation system ground transmitters. Exhibited for the first time was a new instrument landing system produced by Standard Telephones & Cables Ltd., London, that has been ordered for a number of airports in the United Kingdom and Australia. This affiliate also displayed its STR 70–P radio altimeter, widely used by Military forces.

ITT Gilfillan Inc., San Fernando, Calif., acquainted visitors with its AN/TPN–8 military air traffic control system, designed and developed in California and possessing potential application in many of the nations of the world.

ITT also stressed its international role in design and development of electronic subsystems for the Intelsat III global communication satellite system. ITT Federal Laboratories, Nutley, N.J., will supply the communications, telemetry and command subsystems for Intelsat III. In keeping with the international nature of the global satellite communication system, part of ITTFL's work on this program will be assigned to three European ITT companies: Laboratoire Central de Communications, Paris; Bell Telephone Manufacturing Co., Antwerp; and Standard Elektrik Lorenz, Stuttgart.

Other ITT equipment displayed at the Paris Airshow included a satellite data handling unit developed by the Swedish associate Standard Radio & Telefon AB; a spacecraft tracking receiver built by Bell Telephone Manufacturing Co., Antwerp; microminiature airborne radio equipment and a line of new aircraft antennas developed by Standard Telephones & Cables Ltd., London.

The affiliate Le Materiel Telephonique S.A., Paris, showed a helicopter ground-to-air radio, a transistorized mobile radio and navigation equipment built under license from U.S. affiliates of ITT.

Laboratoire Central de Telecommunications, Paris, displayed an ionic laser designed to operate on a variety of wavelengths, and a compact aircraft computer that can be programed with a set of 40 instructions and is able to perform in 1 second as many as 100,000 additions, or 15,000 multiplications, divisions, or square roots.

A Teleprinter built to transmit information between airports and meteorological centers was displayed for the first time at the air show by Standard Elektrik Lorenz of Stuttgart. This ITT affiliate also displayed command and telemetry equipment and a new solid-state Doppler-VOR medium-range navigation aid.

ITT's exhibit facilities at the Paris Airshow were tastefully yet inexpensively appointed. In support of the show's theme, "In the Spirit of Lindbergh," ITT presented in its exhibit quarters original newsreel film footage that commemorated Charles A. Lindbergh's transatlantic solo flight of 1927. Memorablia of the 1927 era also were displayed, and attracted considerable interest from the throng of visitors.

Mr. Speaker, I want to compliment the International Telephone & Telegraph Corp. for its outstanding exhibit at the Paris Airshow. Moreover, I know that my colleagues and all Americans are very proud of the extraordinary contributions ITT is making in the aerospace industry, in communications, and in electronics. Ours is an age of unprecedented scientific and technological progress. And thanks to corporations like ITT, America is in the vanguard of this aerospace revolution.

PEACEFUL UNDERSTANDING IS ACHIEVED AT THE SUMMIT—A JOHNSON INITIATIVE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the Glassboro Conference was statemanship on the highest level—literally and figuratively. For President Johnson was determined to achieve real understanding with Premier Kosygin about the issues which divide our two nations.

I think the American people realize that it would be folly to believe that Glassboro settled our difficulties with the Communist world. But, I think we can all be hopeful that these meetings gave the world's two most powerful leaders greater insight and clarity into the policies and aspirations of the United States and the Soviet Union.

As the President noted, the Conference may have been an important first step toward the peaceful world we envision. As such, the Glassboro Conference was truly a historic and significant occasion.

> These have been very good and very useful talks—

President Johnson said. There is every reason to believe he is right.

I am also heartened by the reaction in our Nation's press to the summit conference. The overwhelming editorial opinion is that the cause of peace and understanding were well served by our President and the Soviet Premier. Under unanimous consent, I insert in the RECORD a sampling of editorial opinion about the meeting at the summit:

[From the New York Times, June 26, 1967]

Perspective on Glassboro

The Glassboro meetings of President Johnson and Premier Kosygin are now history. On the basis of the reports both men gave after they had left Glassboro, the conversations produced no immediate specific agreements or reductions of differences on individual international problems. Nevertheless, there is every reason to credit the President's assertion that "these have been very good and very useful talks."

Despite the post-Glassboro emphasis on continued disagreements, at least three gains from the Holly Bush meetings are apparent: the atmosphere of Soviet-American relations was improved by the demonstration the President, the Premier and their ladies gave of pleasant and friendly contact at the highest level.

The more than ten hours the two leaders spent with each other last weekend enabled both men to establish personal links of a kind that had not existed before. Finally the President of the United States and the Premier of the Soviet Union understand one another's positions better than ever, and their comprehension is based on private converse in which both men could express their ideas frankly without worrying about the propaganda impact upon friend or enemy. The magnitude of Premier Kosygin's concern about such impact was shown by his press conference emphasis on reassuring the Soviet Union's client states he had not sold them out.

Even as the President and the Premier conferred in Holly Bush, the guns continued to fire and men to die in Vietnam, the scars caused by the recent Middle Eastern fighting remained unhealed and the danger of nuclear proliferation persisted.

Premier Kosygin told the cheering throng in Glassboro last night of his "hope that we shall go forward together for peace." Every sensible American and Soviet citizen aware of the perils of this nuclear age must share this hope. But to realize this aspiration will require concrete agreements and other constructive action to heal the ulcers that now plague the international community.

The basic disagreements between Washington and Moscow remain wide even after Glassboro. To end them will be difficult. But it is the measure of the conference's accomplishment that the goal has been stated—and by the Premier of the Soviet Union standing alongside the President of the United States.

[From the Chicago Sun-Times, June 25, 1967]

Summit Raises Hopes

The five-hour meeting between President Johnson and Premier Kosygin on Friday did not resolve any of the major differences that exist between the United States and Russia. The problems that face both nations are too complex to be resolved on short notice. But the meeting between the two, the first time they have come face to face, was sufficiently productive to schedule another meeting for today. If it goes well perhaps the groundwork can be laid for a summit conference of the major world powers later this year.

There was a symbolism about the meeting between the leaders of the world's two great nuclear powers. They met at a point about halfway between Washington and the United Nations. Despite the deep differences that divide the United States and Russia—Vietnam, the Middle East, West Germany and all the others—the two men each moved toward the other. That each was willing to meet, to talk, is important to the world.

That willingness should not be lost on the Middle East. Israel has won its war there. It says it wants to meet the leaders of the Arab states halfway, to sit down in friendship and talk about a permanent peace that would settle the state of war that has existed between Israel and the Arab states since 1948.

President Nasser of the United Arab Republic has refused Israel's offer. He says he will not talk with Israel. Nasser's intransigence has doubtless been reinforced by Kosygin's statements in the United Nations. Russia has demanded that Israel be censured for winning a war and that it give up not only the lands it has won in this latest outbreak, but also the territory it won in 1948 and 1956.

The argument, as Kosygin well knows, is both fallacious and dangerous. To restore the borders laid down by the UN in 1947, when it partitioned British Palestine, would be to restore the frictions that led to three Middle East wars in the past 20 years.

Russia knows this, but Russia, more often than not, prefers to operate at two dissimilar diplomatic levels. It hurls bombast and irrationality in the face of reason at one table, while at another it may talk quietly about how to solve the problems it so noisily creates.

Russia knows who won the war in the Middle East. It knows, too, how important it was that the Middle East crisis did not get out of hand. It demonstrated this by urging Nasser on with one hand and with the other withholding the aid Nasser begged for when Israel's armies were crunching over him.

The world cannot risk confrontation between the major nuclear powers. The only way the tensions that lead to such confrontations can be eased is by talking the problems out. The meeting between President Johnson and Premier Kosygin could be an indication that the United States and Russia are moving toward that stage. President Nasser would do well to follow suit by accepting Israel's offer to talk out the problems of the Middle East, rather than make them worse.

SUPPORTS AMERICANS FOR EFFECTIVE LAW ENFORCEMENT

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I wish to call attention of the House and of the American public to the formation of Americans for Effective Law Enforcement—AELE. This exciting new organization has been established under the leadership of my friend Prof. Fred E. Inbau, of Northwestern University College of Law, who was formerly director of the Chicago Police Scientific Crime Detection Laboratory.

The need for this organization should be apparent to all who read the crime statistics and who recognize that the rising crime rate endangers the safety and property of all of us and, indeed, imperils the very existence of the democratic society in which we live. The purposes of this not-for-profit organization are set forth succinctly in the organization's charter, as follows:

> To explore and consider the needs and requirements for the effective enforcement of the criminal law.
>
> To inform the public of these needs and requirements, to the end that the courts will administer justice based upon a due concern for the general welfare and security of law-abiding citizens.
>
> To assist the police, the prosecution, and the courts in promoting a more effective and fairer administration of the criminal laws.

The preamble to this organization's bylaws emphasizes the basic principles which will guide the AELE in its work. It states:

> In pursuing its objectives, Americans for Effective Law Enforcement, Inc., hereinafter referred to as AELE, will adhere to the fundamental principles of justice and equal protection for all, irrespective of color, creed, religion, social status or other individual or group characteristics. It emphatically rejects the support of, and will not support any individual, group or activity that advocates racial bias or other unconstitutional concepts.

Mr. Speaker, I am particularly impressed by the determination of this organization to represent the interests of the vast law-abiding American public which appears to have been without adequate representation in some decisions of our courts. I note specifically among its objectives that Americans for Effective Law Enforcement cite this need first and foremost as follows:

> Representation of the law-abiding public in criminal cases before the Supreme Court of the United States, and before other courts, state as well as federal, whenever such courts have under consideration cases involving issues of national importance in the field of criminal law enforcement.
>
> This representation will be in the form of court appearances through counsel as a "friend of the court" (legally known as "amicus curiae"). In other words, AELE's participation in the case will not be for the purpose of siding with one party or the other (e.g., the prosecutor or the defendant), or in advancing the particular (and often narrow) viewpoint of one or the other, but rather to assist the court in arriving at a decision in fairness to all members of the public who may be affected by its ruling and opinion. We will only seek to represent and protect the public interest—your interest as a law abiding citizen.
>
> Over the years, other groups have made frequent appearances as "friends of the court," but in practically every instance they have sought to advance only the cause of individual civil liberties. Conspicuously lacking has been any group representation of the law-abiding public's concern over the present lack of adequate protection from the criminal element.
>
> For the first time in our nation's history, this latter interest, through AELE, will be competently and constantly represented in the courts. AELE will remain alert to the need and will become involved in all cases where it believes its participation is warranted in the public interest.

Mr. Speaker, other laudable objectives of AELE include the drafting of model legislation and constitutional amendments to aid in effective law enforcement in protection of the public. There are plans for a public information program to utilize the news media such as the press, radio and TV concerning the impact of crime deficiencies in our law enforcement machinery and programs for improvement of criminal law enforcement and the administration of justice. The organization also aims to assist those who are charged unjustly with civil or criminal liability as a result of their efforts to maintain law and order. In this connection, the announcement of this organization declares significantly:

> Citizens who come to the aid of crime victims or the police, or who otherwise try to maintain law and order, deserve and will receive the aid of AELE in their defense of criminal and civil charges whenever a meritorious defense exists.

Mr. Speaker, the importance of advancing law enforcement and thereby reducing the incidence of crime and the tendency toward criminal activity cannot be overemphasized. I congratulate Professor Inbau as well as the other prominent figures in the field of law enforcement who have joined with him in heading this new organization. I note that James R. Thompson, assistant professor of law at Northwestern University, and former assistant state's attorney in Cook County, Ill., serves as vice president; Alan S. Ganz, attorney at law in Chicago, and also a former assistant State's attorney in Cook County, Ill., serves as secretary-treasurer.

The board of directors includes Richard B. Ogilvie, president of the Board of Commissioners of Cook County, and former sheriff of Cook County, and a former special assistant to the attorney general who successfully prosecuted the notorious Tony Accardo; Harold A. Smith, attorney at law in Chicago, and former president of the Chicago Bar Association and of the Chicago Crime Commission; and O. W. Wilson, superintendent of police in Chicago, and former dean of the School of Criminology at the University of California, and one of the most celebrated authorities in the field of law enforcement.

Mr. Speaker, I have been pleased to become a member of this much-needed organization, and I commend Americans for Effective Law Enforcement to citizens throughout the Nation.

PRESIDENT JOHNSON'S SERVICE TO THE CAUSE OF PEACE

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker—

> The spirit of Glassboro is one of hard work and hope. But certainly there is every reason to be more hopeful about the course of world events after this meeting than before.

So says an editorial in the St. Petersburg Times which conveys accurately the predominant view of the American people about the summit conference

The St. Petersburg Times correctly notes that the President and the Premier's "attitudes, statements, and good humor before and after the talks can only generate hope that progress will be made toward settling some of the great international issues."

All Americans of good will commend the President for his patience, good will, and sincerity in conveying to Premier Kosygin our Nation's determination to find a peaceful solution to our differences with the Communist states.

Our President can be assured of the Nation's continuing unity and support in the difficult work of finding peace in a troubled and dangerous world. The quest for peace takes courage and determination. And President Johnson has proved that he has ample supplies of both.

The truth is, as the St. Petersburg Times pointed out, "that the world's leaders are plotting peace—not war."

I insert this excellent editorial into the RECORD:

HOPE FROM THE SUMMIT

> The spirit of Glassboro is one of hard work and hope.
>
> President Johnson and Premier Kosygin surprised the world by conferring 5 hours and 15 minutes in a session arranged only 24 hours before—then setting up another meeting for Sunday afternoon.
>
> Their attitudes, statements and good humor before and after the talks can only generate hope that progress will be made toward settling some of the great international issues.
>
> "We have exchanged views on a number of international questions," said President Johnson after the meeting.
>
> On every point he listed thereafter, the two powerful nations represented by these men share tremendous mutual interests:
>
> In the Middle East, both the United States and the Soviet Union have faced the threat that irresponsible national leaders can pose to world peace. Both have looked over the brink of World War III and carefully backed away.
>
> In Vietnam, both know the hazard and high cost of even limited war, now it erodes sensible relations and how it blocks progress toward more important goals.
>
> On the necessity of preventing the spread of nuclear weapons, significantly mentioned twice in Mr. Johnson's brief statement, both leaders feel the urgent pressure of H-bombs in the hands of an unpredictable Red China.
>
> All these and other questions combine into the supreme shared interest: How two great nations now wasting so much of their resources on the machines of war can find a way to spend them—as both their people and leaders overwhelmingly prefer—on their neglected domestic needs.
>
> The most intriguing information from the meeting was President Johnson's statement that the two had "exchanged views on the question of direct bilateral relations" between the United States and the Soviet Union. This could mean almost anything.
>
> Perhaps Americans who want so desperately to find a solution to the war in Vietnam should guard against lifting their expectations too high. But certainly there is every reason to be more hopeful about the course of world events after this meeting than before.
>
> Premier Kosygin evidently came to the United Nations well prepared by the collective leadership in the Kremlin for talks with President Johnson. He is staying over to continue them Sunday.
>
> The lights in Washington and Moscow will burn throughout the night as officials prepare for Sunday's talks. Those lights glow with hopefulness, for the truth is that the world's leaders are plotting peace—not war.

AN ANALYSIS OF THE MIDDLE EAST CRISIS

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, we have all had many anxious moments as we watched the developments in the Middle East over the past few weeks. It was feared by many that an outbreak of fighting would pull the United States and Russia into the conflict and thus start world war III. Thank God it did not.

There have been charges and countercharges of aggression levied by both sides. Because of the high interest which our country has in this particular area, I feel that it is essential that an analysis of the situation be made in historical perspective. This, Mr. Speaker, is what I intend to do.

EARLY HISTORY

The history of the modern State of Israel might be said to have originated, late in the 19th century, in the person of an Austro-Hungarian Jew named Theodor Herzel. He began to speak of a "return to Zion," not only in the traditionally accepted spiritual sense, but also in a dynamic political sense. The fruits of his work were seen in the establishment of a Zionist organization which had as its goal the creation of a modern Jewish State. In the wake of World War I, American and British Zionists were able to obtain the Balfour Declaration of 1917 from the British Cabinet, which favored "the establishment in Palestine of a national home for the Jewish people," a declaration which President Wilson enthusiastically endorsed. From that time to the present, there has existed either an overt or subliminal struggle between the Jewish and Arab peoples.

With the dawning of the 1930's, however, the Palestine question became more acute. The hideous atrocities of the Third Reich progressively increased the number of Jews emigrating out of Germany and her peripheral nations. The Arabs became alarmed at this growing immigration, fearing that they would themselves become both an ethnic and religious minority. Simultaneously, the growing ambitions of Nazi Germany exaggerated the already recognized importance of the Middle East as the fulcrum of Mediterranean power, and with this exaggeration grew up pressures to enhance Anglo-Arab relations. Thus it was that in 1939 the British Government issued a white paper limiting Jewish immigration to 75,000 over the following 5 years, indicating that such control would be in the hands of the Arabs thereafter, and that Palestine would become independent within 10 years' time.

There was a general realization that if the white paper were adhered to, the Jews would have been relegated to a minority position and so would have died Herzl's dream of an independent Jewish State. World Jewry, however, did not accept the policy, and in 1942 the World Zionist Organization called for "a Jewish State in Palestine, a Jewish Army to defend it, and unlimited Jewish immigration." The United States soon became the chief supporter of this cause, for it was extremely aware of many contributions which Jewish tradition gave not only to itself, but indeed to the whole of Western Civilization.

When the British Labor Party regained power in 1944 they upheld the white paper which they had so vehemently attacked when out of office. It would appear that the rewards of Arabian oil were dominant incentives in this decision. At the same time, both the Democratic and Republican Parties included within their platforms planks avowing unlimited immigration to Palestine and the establishment of a Jewish State. Humanitarianism, in this instance, dominated the profit motive.

Britain eventually took the problem to the United Nations after the closing of the war, and let it be known that she was intent upon surrendering her mandate to Palestine on May 15, 1948. The United Nations considered the question in a series of General Assembly committees and in November of 1947 voted in favor of partitioning Palestine into an Arab and a Jewish State. On May 14, David Ben-Gurion proclaimed Israel a sovereign nation and just minutes afterwards, it was recognized by the United States.

The Arabs immediately declared war, and although outnumbered and surrounded, Israel fought courageously to assure success in the first test of her nationhood. Having made substantial gains, she was in a good position to accept the armistice lines proposed by Dr. Ralph Bunche. It was this agreement which gave to Israel a larger portion of land than was originally intended by the United Nations Palestinian partition, and which, contrary to U.N. wishes, rather than internationalizing the Holy City of Jerusalem, divided it between Israel and Jordan. Because of the continuous clashes which occurred along both sides of the border—despite the efforts of a U.N. truce supervision organization—the U.N. General Assembly established a Palestine Counciliation Commission which has struggled with the problems of the Middle East even up to the present time.

THE TRIPOWER STATEMENT

In view of the frustration experienced by working both independently and in conjunction with the Palestine Conciliation Commission in an attempt to stabilize the Middle East, the United States finally became a party to a tripower statement—Britain and France being the other two parties which was issued on May 25, 1950. The statement held in part that—

> The three Governments, should they find that any of these states was preparing to violate frontiers or armistice lines, would, consistently with their obligations as members of the United Nations, immediately take action, both within and outside the United Nations, to prevent such violation.

It is interesting to note that the only time that the United States acted under this agreement was in the Suez Canal crisis of 1956 when she did so in opposition to other signatories. We shall review this crisis in detail.

THE SUEZ CRISIS

In July 1956, Nasser's Ambassador made a trip to Washington to receive aid in the form of a loan to be used in financing a high dam at Aswan on the Nile. The idea for the dam grew out of Anglo-American desire to better relations with Egypt, and was met with praise by the Nasser government. Upon arrival, however, the Ambassador was refused the funds supposedly because of a cotton-for-arms trade agreement negotiated with Czechoslovakia in 1955. This agreement, thought Dulles, taxed Egyptian resources to the extent that it made the country a bad risk for a loan. The fact that Nasser had been dickering with the United States on the question of nonrecognition of Communist China did little to elevate Egypt's case in Dulles' eyes.

As a result, Nasser took it upon himself to nationalize the Suez Canal, the revenue from which was to be used in implementing the Aswan project. This was clearly not in the interests of Britain and France.

During the same period, Israel was becoming greatly alarmed by the enormous acquisitions of arms reported in the Arab world. Her alarm was intensified when Egypt, Syria, and Jordan announced a joint military command surrounding Israel.

Therefore, on October 29, 1956, Israel suddenly attacked the Egyptian outposts in the Gaza strip and Sinai Peninsula. The speed and careful execution of this attack enabled the Israeli Army to quickly attain its objectives. Although the extent of collusion between the British, French, and Israelis prior to the attack is largely unknown, it has been generally established that French forces supplied the vital air cover necessary in the early hours of the war. With this in mind, in addition to the fact that Israeli planes approached their bombing runs at low altitudes from the direction of the Mediterranean, we can appreciate the high credibility attached to charges that British and American air power was used in the most recent war, although such charges were eventually disproven.

Under the triple pressure of the United Nations, the United States, and the U.S.S.R., France, Britain, and Israel accepted a cease-fire and agreed to pull back their forces. The United Arab Republic accepted the presence of a U.N. Emergency Peacekeeping Force which acted as a buffer in the Gaza strip and at the outlet for the Gulf of Aqaba. This latter positioning was logical because of that part of the settlement which guaranteed Israel access to the high seas by way of the Port of Elath. This force remained until it was ordered out by U Thant at the request of Nasser some 17 days before the recent hostilities broke out.

This action by U Thant has come under severe criticism by certain parties and it would do us well to examine it more closely. To begin with, the force was positioned on Egyptian soil with the consent of Egypt. Although Israel was asked to accept a similar force, she refused. If she had accepted it at that time, Nasser's recent request would not have created such an anxious condition. Also, we might note that all of U Thant's advisers, including the notable Ralph Bunche, informed the Secretary General that he had no choice but to comply with Nasser's request. In addition, both India and Yugoslavia, whose troops constituted approximately one-half of the UNEF, refused to maintain them contrary to the wishes of Egypt, and ordered their immediate withdrawal.

Thus we can see that U Thant's decision would not be criticized under the rationale that, had he refused to withdraw the force, world diplomacy would have taken appropriate steps to avert an armed conflict. This is especially apparent when one considers the active arms buildup engaged in by Egypt at the expense of the Soviet Union just prior to the outbreak of hostilities. It is perhaps this, coupled with the distorted image which Nasser had of his own military strength, which contributed most to the development of the recent war.

THE 1967 ARAB-ISRAEL WAR

After the UNEF pulled out on May 18, a series of United Arab Republic troop buildups in the Sinai Peninsula, the declaration of the Gaza strip as an "emergency zone," and the blockade of Aqaba against Israeli-bound shipping stimulated concomitant buildups on the part of Israel. Being a small country, surrounded on three sides by hostile neighbors, she took the major step of mobilization. Simultaneously, U Thant was attempting to effect a cooling-off period by means of Cairo, since Israel had already, according to James A. Wechsler of the New York Post, refused to accept the UNEF troops on its soil.

At this time Russia entered the scene by accusing Israel of "aggravating the atmosphere of military psychosis," a charge which rings as ludicrous when we recall that at the same time she was feeding an inordinate supply of arms into the Arab countries.

This series of events rightfully alarmed the small nation of Israel. Egypt refused to negotiate on Aqaba and the bellicosity of the Arab statements intensified daily. In blockading Aqaba Nasser had, in order to enhance and solidify his own political position, kindled a fuse which was destined, he presumed, to culminate in an explosive Arab victory. He counted on the support of the Soviet Union to neutralize any attempted interference from the West.

But Nasser miscalculated on three major points:

First. The Soviets proved, although not as spectacularly as they had in Cuba in 1963, to be "fair-weather friends." Although they supplied the Arabs with arms, they made no attempt, beyond the usual verbal platitudes, to intercede on the Arab side. Russian national interest proved stronger than dangerous international meddling.

Second. Nasser had grossly underestimated the efficiency and speed of the Israeli military machine. He was overconfident with his impressive display of offensive and defensive weaponry. Little did he realize that the naive placements of that weaponry, the chaotic communication and supply organization which fragmented his forces, and the lack of an integrated military strategy, would prove catastrophic in the first days of the war.

Third. Finally, and most importantly, we come to that intangible factor which Nasser should have, but evidently did not, take into consideration: that thing called "esprit de corps." Small Israel, like small David in the Biblical story, defeated her modern day Goliath.

As a result of these miscalculations and the speed and accuracy of Israel's militarily brilliant Blitzkrieg operations, the Arab States were soundly defeated. Israel acquired the Gaza strip, the east bank of the Suez Canal, Sharm el-Sheikh, the Sinai Peninsula, western Jordan and southwest Syria, the total of which is four times Israel's former holdings. Now we are faced with the gargantuan problem of seeking a settlement which will dispel the tension and afford peace and security to all nations in the Middle East.

THE PATH AHEAD

On June 20, President Johnson outlined the American proposal for a just peace settlement. I would like to consider the points so made, Mr. Speaker, seriatim, and comment upon them:

First. "The recognized right of national life." The fact that the Arab States do not recognize Israel as a political entity, and in fact have vowed its destruction, is an open invitation to belligerency. Israel was created by an action of the United Nations for reasons mentioned above. She has shown herself to be a dynamic country with a growing economy, and there are no indications of internal collapse. If the Arab States were to negotiate directly with Israel for a settlement, such recognition would be afforded, and this would be extremely important to the cause of a lasting peace.

Furthermore, such recognition would make much more credible, guarantees of Israeli security which must form the basis of any territorial adjustments.

Second. "Justice for the refugees." Almost 20 years ago, a sizable number—over 880,000—refugees were displaced by the creation of the State of Israel. Most of these people were victims of an historical fact, and in spite of relief funds supplied by the U.N., their plight is still a sorry one. Although it is likely that their presence has been exploited by Arab leadership as a substantial contribution to a "causus belli," Israel should take immediate steps to either resettle the refugees or to indemnify those displaced.

Third. "Innocent maritime passage." Any adjustment concerning an Israel pullback from Suez or Sharm el Sheikh must necessarily be based upon the unequivocal guarantee by the Arab States of free passage of all Israel-bound shipping. If we had to arbitrarily select one action which acted as the chief precipitant of the recent struggle, we would undoubtedly find ourselves citing the closing of the Strait of Tiran. This must never happen again.

Fourth. "Limits on the wasteful and destructive arms race." It is imperative that we do not view the recent Middle East war as a monolithical confrontation of East and West, but rather as a regional dispute which assumed magnitude because of the di-polar cold war policies of the Middle East arms race. It comes as no surprise that smoking is highly dangerous in the proximity of a powder keg. An arms race creates a powder keg atmosphere; and if one cannot eliminate the smoker, he must eliminate the explosive.

Also, the economic backwardness of the underdeveloped countries in the area would enhance the plea to divert high arms costs into projects more beneficial to the people.

Fifth. "Political independence and territorial integrity for all." I must reiterate here what I said before: The twin guarantees of national security and maritime rights must proceed any drawbacks or territorial adjustments. Yet adjustments must be made if a stasis is to be effected in the Middle East and peace is to be preserved. I salute Israel for its efficiency and bravado, and I am assured that her success will in no way tempt her to deviate from those principles that she was fighting for: freedom, political independence, and territorial integrity.

If these proposals are carried out, then, in President Johnson's own words:

> That land, known to every one of us since childhood as the birthplace of great religions and learning for all mankind, can flourish once again in our time.

Mr. Speaker, although history never actually repeats itself, it sometimes comes very close. The history of this conflict has many lessons to each to all. It is my hope that these lessons have been well learned. Freedom is a precious thing, and free men everywhere are willing to die for it. Israel showed once again that a people cannot be intimidated by bellicosity and saber rattling, that they do not shrink from an enemy who is disproportionately larger or stronger, when the existence of their nation is at stake. Indeed, true men would rather die on their feet than live on their knees. And this, Mr. Speaker, is no less true today than it was 191 years ago when our forefathers stood with their flintlocks and fought for their independence against the strongest empire in the world.

Let this be a lesson to all those who would underestimate the hearts of men or try to subjugate them to the blind forces of power hunger or ideology.

ANTI-BALLISTIC MISSILE RESEARCH AND DEVELOPMENT

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan.

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, many of us here in the House have long been concerned about our national policy, or lack of policy, on the question of an anti-ballistic missile defense. This has not been a partisan concern, but one of profound differences of judgment between the President and the Secretary of Defense on the one hand, and entire Joint Chiefs of Staff and many of the most knowledgeable members of Congress, Republicans and Democrats, on the other.

In recent weeks my concern over this question has greatly increased. However, in view of the presence of Premier Kosygin in this country and the prospect of his talks with President Johnson I have withheld detailed comment until now.

June 17, 1967, Red China exploded her first hydrogen bomb. That was 11 days ago.

October 16, 1964, Red China detonated her first nuclear device. That was 2 years and 8 months ago.

The first atomic explosion by Communist China was rated around 20 kilotons. The latest thermonuclear blast was estimated between 2 to 7 megatons—at least 100 times as powerful as Red China's first atomic explosion.

Each of Red China's six nuclear tests has evidenced more rapid technological progress and greater sophistication than most U.S. experts had predicted.

It took the United States 6 years and 3 months to get from the first Alamogordo atomic test to the first H-Bomb at Eniwetok.

It took the Soviet Union 3 years and 11 months to cover the same stages of development, after the United States had shown the way.

Red China took 2 years and 8 months to join the H-bomb club.

Throughout that entire period of peril, a one-sided debate has paralyzed administration policy on the life-and-death question of an anti-ballistic missile defense system for the United States. The almost unanimous opinion of the Joint Chiefs of Staff, the Nation's top professional military experts, and the cognizant committees of the Congress has been in favor of proceeding with some form of ABM development and deployment which, the Defense Department estimates, might save millions or tens of millions of American lives.

The debate has been one-sided because President Johnson, as Commander in Chief, and Secretary of Defense McNamara, his civilian deputy, have repeatedly deferred this decision and declined to spend preproduction funds appropriated by Congress for ABM defense.

At first, the administration argument was that an ABM defense was impractical and would be a waste of money. When rumors first spread, through press reports, early in 1963, that the Russians apparently were developing an ABM defense, Secretary McNamara engaged in semantic hair-splitting with congressional questioners which seemed to deny that the Soviet Union had an ABM "system"—defining system in the technical sense of a complete weapons system—and thus implying that the United States was at least even with the U.S.S.R. in this technological race. That was 4 years ago.

More recently, the administration line has shifted to the theme that Soviet leaders might be persuaded, in a hopeful atmosphere of detente, to agree to stop the costly ABM race on which they were well along and the United States had not yet decided to start. But, despite numerous authoritative articles and discussions in the press, there was no official administration confirmation of the deployment of a Soviet ABM defense until November 10, 1966—2 days after the 1966 national elections—when Secretary McNamara announced there was considerable evidence to this effect. He also said it was "much too early to make a decision for a deployment against the

Chinese threat." The Red Chinese had just tested a nuclear-tipped 400- to 500-mile ballistic missile on October 27, 1966. That was 8 months ago.

In his latest state of the Union message, January 10, 1967, President Johnson noted two developments, an increase during the past year of Soviet long-range missile capabilities and the beginning of an antiballistic missile defense around Moscow. But his main emphasis was on what he termed his "solemn duty to slow down the arms race between us—the United States and the U.S.S.R.—if that is at all possible, in both conventional and nuclear weapons and defenses."

That was 5 months and 2 weeks ago.

In the Republican appraisal of the state of the Union delivered January 19, 1967, I said:

> The Administration has finally admitted to the American people that the Soviet Union has increased its Intercontinental Ballistic Missile capability and is deploying an Anti-Ballistic Missile Defense System. In anticipation of a life-and-death decision on just such a development, Congress has voted millions of dollars which the Administration did not seek and apparently has not used.
>
> The Congress did its duty and gave the President a clear expression of its will and the means to carry it out.
>
> Before more precious time is lost, Congress and the American people are now entitled to a clear explanation from the President of the perils and problems facing the United States in the new global balance of strategic power.
>
> We, too, seek to avoid a costly new round in the nuclear arms race. But the least the Nation must do now is to speed up its readiness to deploy Anti-Ballistics Missiles in a hurry if our survival requires it.

That was 5 months and 1 week ago. I repeat it again today.

In his budget message to Congress on January 24, 1967, the President spelled out his decision on an ABM defense for the United States, pledging that during fiscal 1968 he would—

> Continue intensive development of Nike-X but *take no action* now to deploy an anti-ballistic missile (ABM) defense; initiate discussions with the Soviet Union on the limitation of ABM deployment; in the event these discussions prove unsuccessful, we will reconsider our deployment system.

That was 5 months ago.

Soviet Premier Alexei N. Kosygin gave an oblique answer at a news conference in London on February 9, 1967. This is from the New York Times' account:

> Premier Kosygin suggested at a news conference today that defensive anti-ballistic missile systems were less dangerous to mankind than offensive systems, and therefore more desirable even if they should prove more costly.
>
> While avoiding a direct answer to a question on the subject, he gave no encouragement to hopes for a moratorium on anti-ballistic missile defense development as a means of limiting the arms race between the great powers. . . .
>
> His reply was that "a system that serves to ward off an attack does not heighten the tension but serves to lessen the possibility of an attack that may kill large numbers of people."

It is difficult not to agree with the Communist leader in the way he dismissed the cost-effectiveness argument favored by Mr. McNamara.

> It might be cheaper to build offensive than defensive systems.

Kosygin said—

> But this is not the criterion upon which one should base oneself in deciding this problem.

This was 4 months and 2 weeks ago.

Nevertheless, President Johnson continued to support Secretary McNamara or vice versa. Testifying March 6, 1967, before the House Defense Appropriations Subcommittee, McNamara conceded the continuing split between himself and the entire Joint Chiefs of Staff, represented by their Chairman, Gen. Earle G. Wheeler, on the ABM question.

General Wheeler told the House Armed Services Committee that he had gone to President Johnson, on his own initiative, to present the Joint Chiefs' case to the Commander in Chief in this important difference of opinion with the Secretary of Defense.

In the heavily censored transcript of committee testimony, it is evident that Mr. McNamara still felt that the Russians were wasting their resources on defensive measures against a missile attack and that the United States should not follow suit. He argued that the U.S. response to a Soviet ABM system should not be a U.S. ABM system, but a step-up in our deterrent offensive capability. If we embarked upon an ABM defense, Mr. McNamara assumed that Soviet planners would use the same reasoning as he used and increase their offensive capability. At the same time he acknowledged that, even though the United States had widely advertised that it was not proceeding with any ABM deployment, the Soviet Union was increasing its offensive missile capability anyway. But he persisted in the view that the United States should not expedite an ABM deployment.

General Wheeler took the position that "the Soviets will undoubtedly improve the Moscow system as time goes on and extend ABM defense to other high-priority areas of the Soviet Union." He estimated that they have the resources to do so and are willing to spend whatever it takes to gain strategic superiority or strategic parity with the United States.

On behalf of his colleagues of the Joint Chiefs of Staff, General Wheeler testified that the Soviet objective—both in offensive and defensive strategy—is "to achieve an exploitable capability, permitting them freedom to pursue their national aims at conflict levels less than general nuclear war."

While the debate on the desirability of a U.S. ABM defense system has concentrated until very recently on sharply varying U.S. estimates of Soviet intentions and capabilities, Red China's breakthrough into the select group of four thermonuclear superpowers injects an entirely new factor.

The timing of Red China's H-bomb breakthrough was most significant. It came as the whole world was groping to assess the lessons of the Israel-Arab war and the near-confrontation of great powers that had been averted. The most immediate conclusions from this crisis are:

First. As proved by Israel, a sudden and preemptive air strike has not been summarily discarded by military planners of other nations. This is especially true if the odds against a successful defense are very unfavorable.

Second. As proved by Nasser, fanatic and authoritarian regimes do not necessarily act rationally or evaluate risks by the same standard we do. Furthermore, they can suffer what a Western government would consider inacceptable human and material losses and still survive politically.

Third. As proved by the United States and the Soviet Union, when the two superpowers neutralize each other with their mutual nuclear deterrents, lesser nations are pretty much left free to resolve regional issues by force.

None of these lessons, I am sure, was lost on Red China or on the other nations of Asia.

I hope they are not lost upon Secretary McNamara, and will cause him quickly to reverse his 1966 postelection view that it is "much too early to make a decision for a deployment against the Chinese threat."

Even those who cherish the most optimistic hopes that Russian Communist leaders will act reasonably and with restraint in their thermonuclear strategy, cannot possibly put the Chinese Communist leaders in the same category. Peiping itself does not.

Red China's capability in the field of nuclear weaponry consistently has been downgraded and underestimated by administration policymakers. When Red China achieved atomic status, Americans were told it would take many years for them to perfect advanced systems for delivering a nuclear weapon. When, within 6 months, Red China mounted an atomic warhead on a 500-mile ballistic missile, Americans were reassured that it would be many more years before the Chinese could pose any intercontinental threat to the United States.

Secretary McNamara testified on January 25, 1966, before the House Armed Services Committee that "the Chinese Communists have detonated two nuclear devices and could possibly develop and deploy a small force of ICBMs by the mid-to-latter part of the 1970's." Whether this estimate is better or worse than Mr. McNamara's previous estimates on the Vietnam war, the necessity of a U.S. merchant marine, the usefulness of Reserve forces and the future of manned aircraft and nuclear-powered ships, cannot yet be determined. His danger date, however, is only 8 to 10 years away.

Other Pentagon officials have pointed out that a primitive submarine-launched nuclear-tipped missile could be developed by Red China in a much shorter period, and conceivably could already exist.

Fortune magazine in an authoritative June 1967 article on ABM defense estimates that 5 to 7 years, from the time the go-ahead is given, would be needed to deploy even a thin U.S. anti-ballistic missile defense. Cost estimates, depending upon the degree of protection provided, range from $3 billion to $40 billion, spread over a period of years.

The article quotes Lt. Gen. Austin Betts, Chief of the Army's Nike X research and development, as believing the optimum moment has arrived to begin production. It points out that further delay could mean the breakup of contractor teams and the onset of obsolescence in components.

There appears to be general agreement that the current fiscal 1968 Defense Appropriation, voted 407 to 1, contains as much money as could be used in the coming 12 months—some $908 million on top of the $4 billion previously provided for antiballistic missile research and development. This includes the extra $167.8 million which Congress voted last year for initial deployment which the administration declined to use.

I can no longer see any logic in delaying this crucial decision for an indefinite time while the United States attempts to get agreement with the Soviet Union to slow down an expensive ABM race. Premier Kosygin threw cold water on any ABM moratorium at his U.N. news conference June 25 and President Johnson has not revealed any progress on this subject during their private talks at Holly Bush.

What is perfectly clear is that U.S. reluctance to move forward on ABM defense deployment has in no way slowed the Soviet program, defensively or offensively, nor impaired the thermonuclear progress of Red China. Both are moving full speed ahead.

Gen. Harold Johnson, the Army Chief of Staff, summed up the sentiment of professional military leaders when he told the House Defense Appropriations Subcommittee on March 10, 1967:

> Now, one cannot argue against discussing the issues that are to be discussed with the Soviets, you cannot argue that at all. However, the uneasiness that I feel is basically this: *When do we stop discussing and when do we reach a decision point?*

That was 3 months and 2 weeks ago.

Representative GLENARD P. LIPSCOMB of California, ranking Republican on the subcommittee, summed up the House Appropriations Committee's answer to the President and Secretary McNamara on the House floor June 13, 1967. He said:

> In commenting on the reluctance to begin to deploy the Nike-X system on the part of the Administration, our committee report states:
>
> "It would appear that the initiation of deployment of light or thin defense, now, may very well be a most useful first step toward whatever level of ballistic missile defense ultimately appears necessary." In other words the report, adopted unanimously by the committee, says: "Get Going!"

That was 2 weeks ago. The key word is "now."

Four days after the House overwhelmingly endorsed this view of the urgency to get going on ABM, the Red Chinese H-bomb was exploded.

Initial reports on this significant event, overshadowed by the U.N. wrangling on the Middle East, quoted Washington weapons specialists as surmising that "Red China would be more likely to set it off on a test stand so that its yield and other effects could be measured more precisely"—another disturbing sign of assuming a potential enemy thinks exactly as we do.

Later, after Japanese atomic scientists said their analysis showed the bomb had been exploded at a high altitude, the Washington Post on June 22 quoted Washington intelligence officials as believing the Red Chinese H-bomb was dropped from an airplane. It added that—

> The Pentagon has said of the Chinese H-bomb that it does not require any change in U.S. military strategy.

I disagree.

With the United States and the U.S.S.R. standing each other off in nuclear deterrents, the possession of even one Red Chinese nuclear weapon that can be carried in one conventional bomber radically alters the balance of power in East Asia and the Western Pacific—areas which President Johnson has specifically proclaimed as vital to America's national interest and the fate of the free world.

If the elementary weapons system represented by what Red China evidently has already produced is not an immediate threat to the continental United States, or even to Alaska, Hawaii and Guam, what about its threat to Japan, South Korea, Formosa, South Vietnam, Thailand, and the Philippines which the United States has solemn treaty obligations to defend?

Time, unlike money, cannot be recovered. Wasting time is therefore a far more serious matter than wasting funds. The arguments about the cost effectiveness of ABM defense which Mr. McNamara has argued for years and years, backed by the President, must now give way to the unanimous opinion of the Joint Chiefs of Staff and the cognizant committees of Congress that the United States cannot risk running second in any aspect of this grim game.

If any practical step could conceivably save 100 million American lives—or 1 million or 1,000—how much is too much to spend on it? Yet what we lack is not the money but the decision to "Get going." The funds have been provided. I call upon President Johnson to act without another day's delay.

PREPARING FOR POWER FAILURES

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, power failures occurring in the East over the past year or so can provide invaluable lessons in thwarting tragedy and minimizing inconvenience if plans for future breakdowns are effected at once.

The most serious aspect of blackouts to date has been the generation of bureaucratic demands for further Government intrusion into the electric power business, but nevertheless the consequences of sudden power losses could have grave implications unless the Nation is prepared to meet them.

Earlier this month a tower carrying high voltage transmission lines in the Pennsylvania-New Jersey-Maryland Interconnection was severely damaged by a heavy vehicle presumably deliberately driven into it. The section of the line is a link between a generating facility in northern West Virginia and the Keystone plant in Indiana County, Pa., and will delay new capacity that is needed on the Atlantic seaboard.

The incident should serve as a new warning that industry, business, institutions, and the general public must cooperate to reduce the danger of electricity shortages. Further emphasis was provided a week ago last Friday when there was emergency curtailment of power in the Philadelphia area after temperatures climbed into the 90's and air-conditioning equipment was put to work overtime.

Faced with many weeks of hot summer weather, we might be well advised to anticipate that utilities will have to cut service in various areas for short periods of time after advance notification to power customers. The plan has worked successfully in other parts of the country and can help to avert overtaxing of generating equipment that sometimes results in wholesale power failures.

Meanwhile, more attention must be given to emergency measures that would be needed when unexpected power cutoffs occur. For example, all elevators should be equipped with independent lighting facilities and with openings for proper ventilation. I have read of a number of incidents in which persons have been trapped in elevators for an hour and more, an experience that could have serious results for a person with a heart condition or with an extremely sensitive nervous system.

One group caught for an hour and 10 minutes in a pitch dark elevator reported to me that the air was so bad that there was a very real fear of suffocation. The manager of the apartment house explained that there was a plastic panel that could have been removed from the roof of the car, but the fact is that the passengers had no way of knowing about it because it would have been too dark to read the instructions even if there had been any such information available.

So it is time to get ready for such emergencies or one of these days we are going to read about fatal consequences. Our electric utilities are doing an outstanding job of keeping up with the surging demands created by increased industrial activity, growing population, and a continually rising use of air-conditioning equipment. When the great mine-mouth generating plants in central and western Pennsylvania go into operation, there will be a sharp increase in supply of electric power for the East. But it is unlikely that our vast power networks will ever be completely immune to mechanical failure or sabotage, and the way of the wise is to begin at once to take all possible precautions against resultant hardship.

THE IMPORTANCE OF SOUND HUMAN RELATIONSHIPS

Mr. HALEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to

the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, I have asked permission to place in the Congressional Record at this time one of the interesting articles that is so typical of my friend, Editor O. A. Brice, of the Lake Wales, Fla., News. His column of June 22, 1967, is a reminder of the importance of sound human relationships. As he so well points out, youth must learn respect and tolerance for the old.

The editorial column follows:

Over in My Corner

(By O. A. Brice)

I sat in a restaurant the other evening and watched a group of young people enjoying their half hour lunch. They all seemed to be youngsters who came from first class homes—boys and girls who held their parents in high regard and who normally would go out of their way to give assistance to some older person.

I admired young America as I saw it in the flesh, with bright eyes and glowing cheeks and I thought of the wonderful opportunities which faced these young people as they emerge from their school duties and then take on the responsibilities of life.

Then suddenly the whole scene changed so far as I was concerned, and I altered my opinion as to the kind of future they faced if they failed to see the "red light" that caused them to show the disrespect for someone less fortunate, which I witnessed.

The occasion arose when an old lady, wearing a sun-bonnet, walked in and quietly took a seat at a nearby table. With a half smile (just to be courteous), she looked toward the youthful crowd, maybe thinking of the days when she was young and gay, but without any sign of envy or criticism for their mirth.

True her face was wrinkled and still truer was the fact that she had difficulty in selecting from the menu the food she desired for the evening meal, but she finally made her wants known and the waitress most graciously then went on to fill the order.

But the "snickers" which were plainly heard by me from the group of youngsters, reached the old lady's ears and she was hurt to a point where it was embarrassing to others who saw the incident.

Somehow the old lady seemed to grow in stature with me even though her stooped shoulders had lessened her in inches over the years gone by. Somehow that wrinkled face and the eyes which had lost most of their sparkle made her stand out as someone who should be eulogized instead of mocked.

Regardless of the mirth the youngsters enjoyed over her appearance and her difficulty in understanding the menu, the fact remained that she was "somebody's mother", and that perhaps those lines in her face had been brought about in an endeavor to build the very society which now permitted these nattily dressed youngsters to enjoy the freedom they were finding.

The whole incident impressed me with the lack of tolerance we often find these days, not only in our modern youth but in our adult lives as well. It isn't everyone who has enjoyed huge prosperity during the epoch through which we are passing.

Everyone hasn't been privileged to partake of the good things of life in abundance and not everyone has had the advantages which we see now bringing forth so much independence these days.

Sometimes I think I am too observing of the little things which may not be meant to be wrong. Thinking over the other night's incident I feel pretty sure the young people involved brought a little heartache to the old mother all unconsciously, yet through their little act, they made her feel uncomfortable and as she thinks of modern youth she may become cynical and a trifle narrow in her appraisal of what education is doing for them.

I delayed my cup of coffee a few moments to watch the old mother leave the cafe table. She arose, gave a smile to those nearby, equally as sweet as the one she wore when she entered, and she walked to the door, not as an "old-fashioned woman" who deserved the snickers of others, but more saintly and Godly than she would have been had she not been able to show her tolerance in the fashion which she did.

Our world will never reach the point of reasoning where we all live as "one world," until both old and young learn and understand that tolerance, respect and love form the keystone upon which genuine good neighbors can exist. And respect for old age must never be thrown aside as debris if our younger generation is to get the most out of life and the future they are responsible for moulding.

THE SOVEREIGNTY OF THE PANAMA CANAL

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, today I have introduced a House concurrent resolution, joined by several other Members, expressing the sense and will of Congress that the administration maintain and protect its sovereign rights and jurisdiction over the Panama Canal and that the administration in no way forfeit, cede, negotiate, or transfer any of these sovereign rights or jurisdiction to any other sovereign nation or international organization.

The prime reason for the introduction of this concurrent resolution is a proposed new treaty between the Republic of Panama and the United States. The terms and the treaty itself have come to light in the past few days. Only through the careful scrutiny of our two colleagues the gentleman from Pennsylvania [Mr. Flood], and the gentlewoman from Missouri [Mrs. Sullivan], have the American public been made aware of this "sell out" of the U.S. sovereignty and jurisdiction in the Panama Canal Canal Zone.

Therefore, Mr. Speaker, I urge my colleagues to join me and my cosponsors in expressing the will of Congress that it is for maintenance and preservation of U.S. sovereignty and jurisdiction in the strategically important Panama Canal. A copy of the resolution follows:

H. Con. Res. 389

A concurrent resolution expressing the sense of Congress on the Panama Canal

Whereas it is the policy of the Congress and the desire of the people of the United States that the United States maintain its sovereignty and jurisdiction over the Panama Canal Zone; and

Whereas under the Hay-Pauncefote Treaty of 1901 between Great Britain and the United States, the United States adopted the principles of the Convention of Constantinople of 1888 as the rules for the operation, regulation, and management of said Canal; and

Whereas by the terms of the Hay-Bunau-Varilla Treaty of 1903, between the Republic of Panama and the United States, the perpetuity of use, occupation, control, construction, maintenance, operation, sanitation, and protection for said Canal was granted to the United States; and

Whereas the United States has paid the Republic of Panama almost $50,000,000 in the form of a gratuity; and

Whereas the United States has made an aggregate investment in said Canal in an amount of over $4,889,000,000.00; and

Whereas said investment or any part thereof could never be recovered in the event of Panamanian seizure or United States abandonment; and

Whereas 70 percent of the Canal Zone traffic either originates or terminates in United States ports; and

Whereas said canal is of vital strategic importance and imperative to the hemispheric defense and to the security of the United States; and

Whereas a treaty has been proposed between the United States and the Republic of Panama which in effect would greatly impair if not all but eliminate the known and admitted sovereign rights of the United States in said canal; and

Whereas under said proposed treaty, said canal becomes the property of a non-American-government authority; and

Whereas the Suez Canal has been closed twice in the past ten years, subject to the discretion of the Egyptian Government and that the most recent closing, this June 1967, has meant a very substantial increase in United States shipping costs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring) That it is the sense of the Congress that the Government of the United States maintain and protect its sovereign rights and jurisdiction over said Canal and that the United States Government in no way forfeit, cede, negotiate, or transfer any of these sovereign rights or jurisdiction to any other sovereign nation or international organization.

VIETNAM: THE MODERATE SOLUTION, ADDRESS BY JOHN KENNETH GALBRAITH

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Kupferman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, our justifiable concern for the situation in the Middle East has shunted into the background our deep and misguided involvement in the conflict in Vietnam, which continues to devour our young men and to waste our substance.

The most recent view of the situation was expressed today by our former Ambassador to India, John Kenneth Galbraith, and I bring it to the consideration of my colleagues.

Vietnam: The Moderate Solution

(Address by John Kenneth Galbraith, Paul M. Warburg professor of economics, Harvard University at "Negotiations Now: A National Citizens Campaign To End the War in Vietnam," in Washington, D.C., June 28, 1967)

A singular and well-observed feature of war is for the view in retrospect to depart radically from that which attended the beginning. Dangers which at the outset of hostilities seemed to justify the most sanguinary steps in the perspective of years seem slight, sometimes frivolous. And prospects which at the beginning of conflict seemed easy and brilliant come to measure only the depth of the miscalculation. The case of men who in the last thirty years have planned expeditions against Moscow, Pearl Harbor and Pusan not to mention Jerusalem and Tel Aviv sufficiently establishes the point. At the same time war turns reason into stereotype. Acceptance of what in the beginning is an estimate of national interest becomes an article of faith, a test of constancy, a measure of patriotism. At least while it lasts, war has a way of freezing all participants in their original error.

The war in Vietnam, by various calculations, has now gone on for more than half a decade and with mounting intensity for three years. It has shown these classical tendencies. The march of history has massively undermined the assumptions which attended and justified our original involvement. No part of the original justification—I do not exaggerate—remains intact. More remarkable, perhaps, very few of the assumptions that supported our involvement are any longer asserted by those who defend the conflict. Yet the congealing intellectual processes of war have worked to the full. Action which is not defended is still adhered to as a dogged manifestation of faith. Let me also be fair. Those who are committed not to support of this venture but to opposition have also shown a tendency to become frozen in fixed positions. For the first time since 1815 we are engaged in a conflict to which a very large part of the population is opposed. The unanimity rule which has previously characterized our national conflicts does not exist. Those who defend and those who attack both lost some of their capacity to accommodate their thoughts to new evidence.

My purpose here is to see if, however slightly, one can rise above these rigidities. I do not wish to pretend to view our situation in Vietnam with any special insight or wisdom. These I do not claim, and even if I did so, I would be cautiously aware of our well-recognized and exceedingly valuable tendency to greet such pretension with something between skepticism and outright vulgarity. I would like merely to inquire how this conflict will look when minds, those of supporters and adversaries alike, are no longer subject to the congealing influences of war. And I would like then to propose the course of action—I venture even to call it the solution—that emerges from such a view.

Many will think that in labeling this a "Moderate Solution" I have made an unhappy choice of words. Moderation in these days is not in high repute. The term itself, in some degree, has come to imply pompous and comfortable and well-padded inaction. Thus, it rightly arouses suspicion. And increasingly men are divided between those who want the catharsis of total violence and those who want the comforts of total escape. Yet if our national mood opposes moderation, history favors it. It does not vouchsafe us sharp, well-chiseled solutions. It gives us blurred edges and dull lines. Whatever the ultimate bang or whimper, we can be sure that in between there will be only compromises. Let me begin with the terrible treatment that history has accorded our original justification for this conflict.

II

No one can completely rationalize our involvement in Vietnam. We are there partly as a result of a long series of seemingly minor steps. Each of these steps, at the time, seemed more attractive—less pregnant with domestic political controversy and criticism—than the alternative which was to call a firm halt on our involvement. The aggregate of these individual steps—more weapons, more advisers, a combat role for our men, progressive increases in our troop strength, bombing of North Vietnam, a widening choice of targets—is larger by far than the sum of the individual parts. The resulting involvement on the Asian mainland is not a development that all who asked or acquiesced in the individual actions wished to see or even foresaw.

But back of these individual steps, and especially the earlier ones, was a political and military justification that once seemed compelling. And it is a justification which has since dissolved before our eyes. The justification was the assumed existence of a united, homogeneous and militantly evangelical Communism which had chosen South Vietnam as the weak point for a probe. Speaking to the National Press Club some six months after he assumed office, the Secretary of State gave an explicit formulation of the view of the world crisis in which Vietnam played a part. He said:

"The central issue of the crisis is the announced determination to impose a world of coercion upon those not already subject to it . . . it is posed between the Sino-Soviet empire and all the rest, whether allied or neutral; and it is posed on every continent. . ." [1]

This was an accepted view at the time. None thought Mr. Rusk's formulation other than commonplace. He and others repeated the thesis—the doctrine of a centrally controlled and disciplined power guided from Moscow—dozens of times. Implicit therein was a pattern of policy and of action. This had immediate relevance to Vietnam.

Thus to assume a unitary and evangelical force was inevitably to urge a policy of resistance. And resistance would have to be everywhere on the Communist perimeter. To allow transgression in one place would, most plausibly, be to encourage it elsewhere. And here we have the foundation for the analogy to Munich which for a long time played such a dominant role in the Vietnam discussion. Given the assumptions the analogy was persuasive.

The Sino-Soviet power being imperial and coercive, it was necessary also to assume that it would never be welcomed by those who might be subject to it. It could not reflect national aspiration; this was a flat contradiction in terms. Communist power might seek to exploit social grievance. But this, it was assumed, would only be a tactic designed to win subservience to the ultimate imperial and conspiratorial purpose. And this being so, no nation should yield to such tactics even when the grievance—as might often happen—was real. Far better that people stay in a less enduring state of exploitation than to pass forever into this all-embracing system of coercion. This meant, further, that we could not be particular as to whom we might support; even the most nauseous non-Communist dictator was preferable to the enduring Communist imperialism. And even if the Communists had seduced a majority of the population it was doubtful that we should yield. Rather that we should try to win them back. The liberal strategist in this conflict set great store by ameliorative social action. Conservatives tended to place rather more reliance on a gun.

Given this view of the world struggle—and none I think will feel it an unfair summary of official attitudes in the early sixties—our intervention in Vietnam was wholly understandable. Let me go further and say that it was inevitable. It was unfortunate but not decisive that the governments we supported, in their commitment to democracy and humane and civilized values, left much to be desired. It was unfortunate but not decisive that our intervention was by something less than the popular demand of the people we aided.

Moreover, we had a right, given this view of the world, to expect two further and vital factors to be associated with our involvement. We had a right to expect that its necessity would be appreciated and supported by the American people—as our economic and political intervention in Turkey and Greece and Western Europe following World War II were supported or as our military intervention in Korea in 1950 was supported. And it was reasonable to expect that the most effective support would come not from those who automatically rally to the flag when the guns sound but from the more introspective, informed and deliberative community—those somewhat ambiguously styled the intellectuals—who would best appreciate the long run consequences of short run weakness and appeasement. People of this inclination had given strong support to the Marshall Plan and to the Korean intervention. A generation earlier they had been in the very forefront of the criticism of Munich, the agreed symbol of surrender. So their support could be expected now.

Finally, given this view of the world, there was every reason to expect that the American initiative in Vietnam would be welcomed by the rest of the non-Communist nations. Previous initiatives had attracted such applause. The closer a nation to the danger, the greater the prospective applause for who could tell, after all, who was the next on the list. So the United States would both justify and enhance her claim to moral as well as economic and military leadership by assuming a commanding role in combatting the common menace in Indo-China.

III

Merely to state the assumptions which lie behind this conflict is to show how completely they, and the resulting expectations, have been dissolved. History may not vouchsafe us sharp edges but, obviously, it can be a very blunt instrument.

We should perhaps remember, in this connection, that the assumptions which lay back of our Vietnam policy, including the concept of a unitary and all-embracing Communist imperialism, were never based on any very close knowledge of the subject. They were a formula, in some measure a theology, adopted by lawyers, businessmen, government officials and military men in the years of the Marshall Plan and NATO. Few of the authors had any first hand knowledge of Communism. Few had much experience of the political left. None had much experience of Asia. All were reacting to the current reality of Joseph Stalin. To some extent it was a doctrine recited to justify the political and legislative action—alliances, military appropriations, economic and military aid—which the proponents thought necessary. There is nothing especially remarkable in the discovery that a doctrine so contrived failed to stand the test of history. History is respectful of truth but not of official truth.

Since the basic decisions were taken to intervene in Vietnam the following has happened.

(1) The Communist world has come to pieces along national lines. The two great centers during the past years have, on occasion, been close to diplomatic breach.

(2) China, which the proponents of the Vietnam conflict for a while bravely pictured as the *deus ex machina* is rent within itself. Its assumed puppet in Hanoi, like its earlier puppet in North Korea, has publicly asserted its independence. Not even the most ardent defender of the war can now believe that Hanoi wants to be part of a Chinese-led empire.

(3) The people we fight in South Vietnam, it is now widely agreed, carry the banners of Vietnamese nationalism. They do this against former colonial officers whom we support. Gone, therewith, is the notion that

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[1] Reprinted in *The Winds of Freedom*. (Boston: The Beacon Press, 1962), p. 16.

people will rally to any alternative to Communism.

(4) Those we support, and Marshal Ky in particular, have by their burlesque of democratic and constitutional process reduced their American supporters and onetime defenders to an embarrassed silence. Gone is the notion that any alternative will be accepted in the United States. Marshal Ky's recently proclaimed view of the free elections which denies criticism to his opponents and promises military action against unwelcome winners was the *coup de grace*. I venture to think that he has now lost even his honorary membership in what are often called the forces of freedom.

(5) The assumption that we could count on the applause and support of the other countries has disappeared. No European or American nation has rallied to our side. Few leaders dare speak in our favor. In Asia, propinquity to the assumed danger, the most aggressive arm-twisting has not brought us allies, only a few clients.

But it is not that we have failed to win support that is our misfortune. We have aroused by far the most massive hostility in our national experience. There is an underlying implication, never quite vouchsafed, that much of this opposition has been manufactured by Communists. If this is so, it is the most drastic of all indictments of our Vietnam enterprise for it shows what an unparalleled opportunity our enterprise has accorded the Communists for turning erstwhile friends into hostile critics. However, there is no reason to think that the Communists are this much involved. People have probably reacted in accordance with their own conclusions and their own conscience.

(6) Finally, with all else has gone the assumption that Americans could be rallied, more or less automatically, behind any war, however ill-considered, distant or cruel, provided only that Communists could be identified on the other side. Instead the American people have watched the collapse of the assumptions on which the Vietnam War was launched. In vindication of an intelligence none should mistrust, a very large number have reached the inevitable conclusion. The assumptions that took us there have been shown by the history to be false. Therefore we should not be there. The reasons that took us into the conflict having disappeared, why do we remain?

We remain, as all know, because men are human and do not like to concede, even to themselves, that they were wrong. Those who urged our intervention were associated with what could one day be regarded as the greatest miscalculation in our history. They remain in command. They are naturally reluctant to admit that their view of the world—the view which counselled this vast effort—has been shown to be wrong. And so, aided by the military momentum of the event itself, they continue. That is why we are now at war.

It also counsels us on our course. Let us, as moderates, urge that when a change of direction comes as it must, there will be no recrimination. Let us counsel those that are persisting in error that they are far more likely to compound the damage to their reputation than to retrieve it. For that is what happens to men who persist in the face of fact.

IV

But there are stereotypes in the attitudes of those who are critics of our involvement in Vietnam. If one is detailing the miscalculations of those with whom he disagrees, it is salutary, also, to look for the errors of those with whom he agrees. It is most salutary of all, and in addition a trifle exceptional, to search for error in one's own past positions and attitudes.

One grave error of those who criticize our involvement in Vietnam is to assume that we are a small and heroic and perilously situated minority. We are nothing of the sort. In times past in the United States popular opinion and official persecution have dealt rather harshly with dissent. Lives have been ruined and men silenced. There has always seemed some special likelihood of this when the primitive emotions of war have been released. But this does not happen and will not happen when vast numbers, including an overwhelming proportion of the young and the articulate, are involved. One wonders, indeed, if under such circumstances one should speak of dissent. Certainly martyrs do not march by the millions. This tendency to appropriate their cloak serves only to give a highly erroneous impression of the weakness of the opposition to our venture in Vietnam.

If anything, reflection should be on the reverse. There is no community concerned with foreign policy in the United States where the critic of our involvement in Vietnam is not accorded a warm and even enthusiastic hearing. There are quite a few where it is not deemed tactful or discreet for an official defender to appear. For the first time in our history this spring the spokesman for our foreign policy found it necessary, in pursuit of this discretion, to avoid that fine old American folkrite, the commencement ceremony. Either too many students and too many faculty would be present or too many would obtrusively decline to be present. This is the situation on which we should reflect.

I think, also, that those who are critical of our involvement spend too much time worrying about the motives and tactics of those who share their goals. Second only to the fear that criticism will be suppressed is the fear of critics that they will be found in association with someone who, for whatever eccentric reason, has developed a latter day affection for Ho Chi Minh. This is silly. I do confess to wishing that all who are concerned about Vietnam would be more concerned with winning friends and influencing their fellow citizens in effective fashion.

I find myself also more than a little critical of those of my fellow critics who admit to a feeling of frustration and defeat in their efforts to influence the Administration on Vietnam. For one thing they have not been without influence. On the contrary, they have had a great deal. Even within the Administration there are far more people who share our honest doubts than is commonly imagined. There are more now, I venture to think, than ever before. And one has only to ask, had there been no criticism, no objection, for that matter no demonstrations, where would we be in Asia now? What would have happened had those who are committed to the old stereotypes met with no objection? Where would those whose reputation lies with a military solution now be? Can anyone doubt that we would be far more deeply and dangerously involved than now?

Next, as is said even of the President of the United States, the critics of our Vietnam involvement have been much too influenced by the polls. These I do not doubt show correctly the reaction of people to the war. They show the national, deeply-conditioned tendency to rally to the flag. But the polls do not show depth of feeling. They do not show ability to articulate feeling—to persuade. They do not show length of memory. They do not indicate who will write the history and draw the lessons. They do not always show where youth and thus the next generation stand. If those who feel deeply, remember long, can persuade others and who will be the next electorate are opposed, it may not matter too much that they are a minority. As noted, our wars in the past have been fought on something close to unanimity rule. And they have always had the part of the population that now opposes in full support. That it is wise to act in neglect of the informed, articulate and young—that they can be ignored as somehow morally as well as numerically inferior—is far from proven. On the contrary, it is likely to be remembered as one of the cardinal political errors of modern times. In American life, it has long been my observation that the intellectual, so-called, is fashionably dismissed as a serious factor in all the battles except the last.

The critics of our Vietnam involvement have also been too ready to imagine that the opposition in Hanoi is eager to oblige Americans of humane inclination by entering negotiations on whatever terms we believe convenient. This is unduly optimistic and also dangerous.

Let me be clear on one thing. There is not the slightest doubt that overtures to negotiate have been made. And these have not involved the precondition of withdrawal. I urge all officials who may be tempted to deny this that credibility is not something lightly to be tossed away. But it is a mistake to base policy on any particular assumption as to the behavior and intentions of Hanoi or the leaders of the National Liberation Front. We do not know the enemy that well. Certainly it is a mistake to imagine that they are only waiting to oblige Americans of goodwill. Such assumptions can be undermined by events. And it is very easy for those who are hostile to the idea of a negotiated settlement, those who want a military solution, so to handle our relations with Hanoi and the NLF and so to gauge and present their responses and non-responses that those who disagree—you and I and our friends—are left well out on a limb.

If we can have negotiations on equitable terms, that is much to be desired. And the hope that this will be possible justifies the emphasis placed upon it in the title of this organization and by all here assembled. But there must be something more. There must also be a policy that allows of stubbornness, suspicion, illwill, obtuseness and the waywardness of internal political struggle on the part of those with whom we are involved. No one, after all, would counsel Hanoi to repose high hopes in negotiations with Nguyen Coa Ky. Any policy which relies on negotiation is a policy that is at least partly at the mercy of others. We must also have a course of action which is within the scope of our own authority. We must invite negotiations. We must have a better policy than mindless escalation should negotiations prove not to be possible.

This brings me to my final point of criticism of my fellow critics. They exaggerate the difficulties in finding an alternative course of action to the one we have been following. This tragedy has continued so long that they have come to believe that the alternatives have now disappeared. "Perhaps something *could* have been done earlier. Now it is too late." This is wrong—as well as morally weak. Alternatives to continued and deepening involvement exist. They have even been made somewhat more feasible by the march of events. Let me, as the last step in this lengthy exercise, outline a feasible course of action which reduces our commitment in Vietnam to sensible proportions, protects the larger peace, conserves our national interest and, what could perhaps be more important, reflect the interest of the sadly beset and tortured people of this part of the world. And it is a policy that does not depend on the cooperation of Hanoi and the NLF, although should that be forthcoming all would be much eased.

V

The first step is to accept in fact what many reasonable men have already conceded, which is that great areas of South Vietnam must remain indefinitely under the authority of the Viet Cong. They have been under this authority for years—sometimes ten or more. It was not the policy even in the most militant of the Cold War years to roll back the Communists from their established positions of power. Not even John Foster Dulles so urged. There is no indication that such policy is wanted by the people most immediately involved—there is no indication whatever that they would ask it at the price of the horrors of military liberation. None can say, in the context of rural Asia, that on the completion of this effort their liberties would be greater, their well-being enhanced. The men who defend these parts of the country—this is especially true of the Mekong Delta—are not foreigners but men who fight on their native soil.

Much of the country under Viet Cong control, the Delta apart, is wild and lightly populated. To invest American lives in so slight, improbable and subjective a gain as restoring these swamps and jungles to a Saigon administration is unthinkable. Nor do I honestly believe that even the militant friends of our involvement will defend it with much enthusiasm. In Laos we have reconciled ourselves to continued control in the North by the Communist Pathet Lao. What was sensible there is sensible in Vietnam.

Next, having revised our strategic objectives, we should for the time being seek the maximum of security, tranquility and well-being in the limited but populous areas that we control. With our vast commitment of manpower to the area this broadly defensive strategy now becomes entirely feasible. This is not a matter of retiring to enclaves although the attack on that policy was less that it was militarily unwise than that it was militarily unwanted. Rather, it is simply a defensive policy which reflects the avowed absence of territorial ambition. I frankly do not think that the areas we defend can be very large—they will be in the main urban and populous areas which, by and large, have been difficult for or even immune to guerrilla operations. They will serve as a refuge for those who have committed themselves to our enterprise. They will be in a position wherein to await negotiations. Should these be delayed and should the enemy continue to attack, an active defense will be necessary. There will be casualties. But these will be incomparably smaller than those resulting from any effort to secure and hold the whole country. Perhaps in this war-weary land we can expect stagnation and quiet—as in Laos or Korea. And one day there will be negotiations.

The next step, strongly dictated by our own interest, is to cease the bombing of North Vietnam. (The acceptance of the territorial *status quo* in South Vietnam will end, except for defensive purposes, the equally deadly and rather less publicized air attacks and expeditions there.) Our air attacks on the North have also, in their own way dissolved a great many false assumptions—they have dissolved the assumption that they could interdict or even much handicap the movement of men and supplies to the South, or that they could force negotiation or that they wouldn't affect our moral authority elsewhere in the world, or that because we have airplanes, air power is *pro tanto* always effective. They have shown that, whatever the shortcomings of our politics, Americans are not so cynical that a party can win an election by opposing such use of air power and then turn around and initiate such action all within weeks. One is still puzzled, as a matter of abstract politics, how there could have been such a misjudgment.

Now and not surprisingly, given the weight of our attack on a poor and primitive land, the supply of targets has been exhausted. So it is clear that we should now end these raids. With this action we end the most reckless and sanguinary aspect of our involvement in Vietnam and the one that always carried with it the temptation of yet more escalation, yet greater involvement. We lose nothing. And in the background are the repeated suggestions that, if the bombing thus ends, there can be negotiations. Rarely in foreign policy is the path of wisdom so clearly etched.

Next we must begin to disengage ourselves from the political generals to whom we have become committed in Saigon. That commitment, no less than the belief in a military solution, was the product of assumptions that have thoroughly dissolved. It was part of the belief that foreigners and Americans alike would approve any alternative to Communism. So far as one can tell from this distance, it would seem that such detachment is necessary if the elections, by which we have set such store, are to be even marginally significant. If Marshal Ky and his friends feel that they have the backing or even the passive acquiescence of Americans in their unique view of democracy, it is impossible to suppose that any internal morality will prevent them from perpetrating an enormous fraud.

Finally, we must begin to put Vietnam back in proper mental perspective. It bulks large in our minds not because it is a place where great issues are being decided but because we have so often said it is such a place. We must now begin to live by the truth and not by our own propaganda. Indo-China is not the cross-roads of the world; no great issues of strategy or security are involved. Earlier statements that to fight there is to avoid fighting in Hawaii or Santa Monica are now recalled only with amusement. The countries that live in the greatest security in that part of the world are not those, like Thailand, which we defend but those, like Burma, that we do not defend. The collapse of Israeli democracy would have been a tragedy for all mankind—and partly because it was a democracy it did not collapse. No serious person will suggest that any government on the last decade in Saigon should evoke a similar passion. Our best judgment must now be that, on the other side, we are involved with one of the many forms of national Communism with which we have learned that we can live and with, as a practical matter, we now know that we must live.

The steps I have just outlined—the abandonment of the goal of territorial conquest and pacification, de-escalation and a defensive strategy, the ending of the air attacks, political detachment, an escape from our own propaganda, negotiation if this proves possible—are not very dramatic. Nor do they bring our history in Indo-China to an end—even if the ending of the air attacks do not bring negotiations, we can be sure that some day negotiation will occur. But this is the nature of the moderate program. Violence and death do not lack in drama; as all who are experienced in Washington have long been aware, it is always the men of least moral courage who are the loudest in recommending sanguinary action and the mailed fist. But the moderate path I have outlined is one we can adopt and one that will see us clear. It is the one for which the largest measure of agreement can be won. Our task, the one to which we dedicate ourselves today, is to win that agreement.

INTRODUCTION OF A BILL TO AMEND TITLE 18 OF THE UNITED STATES CODE TO GIVE U.S. DISTRICT COURTS JURISDICTION OF CERTAIN OFFENSES COMMITTED BY AMERICANS OUTSIDE THE UNITED STATES

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, I have today introduced legislation to give U.S. district courts jurisdiction of certain offenses committed by Americans outside the United States.

My bill is intended to fill the jurisdictional void resulting from the cases of *Reed* v. *Covert*, 354 U.S. 1 (1957), and *Kinsella* v. *Krueger*, 361 U.S. 234 (1961), where the Supreme Court ruled that military courts lacked jurisdiction to try any U.S. citizen who commits certain offenses in violation of the Uniform Code of Military Justice while serving with, employed by, or accompanying the Armed Forces outside the United States.

Clarice Covert, as the wife of a member of the Armed Forces, had been transported overseas by the U.S. Government to join her husband. Mrs. Covert resided in Government quarters or within a community of American military personnel and their dependents, and while so situated, killed her husband. She was tried and convicted of homicide by a general court martial under military jurisdiction, and was returned to the United States to serve the prison term imposed by the military court.

Subsequent to her return to this country, she petitioned for a writ of habeas corpus in the U.S. District Court for the District of Columbia. In her petition she contended that article 2, section 11, Uniform Code of Military Justice, which subjected all persons serving with, employed by, or accompanying the Armed Forces outside the continental limits of the United States and certain territories to prosecution by military authorities in military courts, was unconstitutional in that it contravened her constitutional right, as a civilian, to a grand jury indictment and trial by jury. The writ was granted and the Government appealed directly to the Supreme Court.

The case was decided in favor of the Government, but after rehearing, the Supreme Court reversed itself and ordered petitioner's release on the ground that the statute failed to provide for grand jury indictment and trial by jury as required by the Constitution.

Mr. Speaker, a basic tenet in the laws of nations is that a sovereign nation has exclusive jurisdiction over all civilians within its territorial limits—*Cunard S.S. Co.* v. *Mellon*, 262 U.S. 100 (1923). The foreign country can, however, by consent, relinquish jurisdiction over the defendant—*In re Ross*, 140 U.S. 453 (1891).

This consent has been given by many of the nations in which our civilian and military personnel are located, although the problem of application of law to military personnel raises different questions. Article 2, section 11, was incorporated into the Uniform Code of Military Justice with the intent that it should be operative with respect to civilian dependents, similar to Mrs. Covert, thereby providing an American court with jurisdiction for the prosecution of their criminal offenses, when the host courts decline to do so.

Mr. Justice Black, speaking for the

majority in Covert, held article 2, section 11, invalid, thus leaving no American court in which crimes committed by civilians or dependents of military personnel stationed abroad could be tried, when the host country declined to prosecute. The effect of the decision was to permit Mrs. Covert to escape prosecution.

In the several years that have elapsed since the Covert and Kinsella decisions, the jurisdictional gap created by these cases has caused extensive problems.

General Manss, testifying before the Committee on Constitutional Rights of the Committee of the Judiciary in a Special Subcommittee on Armed Services of the U.S. Congress in 1966,[1] discussed the complexities created by the Covert decision. He testified that most of the time the military does not have jurisdiction, and the host country under many of the status-of-forces agreements, even if they have concurrent jurisdiction, are not very much interested in prosecuting, because of the cost of trial and, if there is a conviction, the necessary expenditures during imprisonment. The general gave the committee specific examples.

In summing up the situation, General Manss said—

> What we have in these particular cases are a couple of murders on the house.

The bill I have introduced today will provide the district courts with the necessary jurisdiction to try these defendants, and it brings with it, under civilian jurisdiction, the necessary safeguards of grand jury indictment and trial by jury.

Though the situations that I have described sound very unusual, they have become frequent occurrences. In 1964 through 1965, six murders and negligent homicide cases were reported—only one of these cases was subject to the jurisdiction of the host country. During the same period, 234 robberies and larcenies were committed and only 22 were subject to local jurisdiction, and such jurisdiction was exercised in only three of the 22 cases.

In summary, of all the offenses committed overseas that were subject to local jurisdiction, a total of 1,178, only 222 were actually tried. In essence, these figures tell us we have had 956 serious offenses committed overseas with no tribunal in which to prosecute the perpetrators. Thus, in 1964–65, the jurisdictional void created by the Covert and Kinsella decisions permitted serious criminal offenses "on the house."

We have often debated, here in this body, the problem of the constitutional rights of defendants. However, here we are faced with the need to protect the public and the right of a sovereign to prosecute criminal activity. My bill would supply the instrument by which these offenders can be brought to justice. This I believe is a necessary condition for the maintenance of a society that has as its foundation equal justice for all.

I urge my colleagues to give this bill careful consideration, for a society that permits criminal offenses to go unnoticed cultivates the malignancy that may eventually cause its disintegration.

A copy of the bill follows:

H.R. 11244

A bill to amend title 18 of the United States Code to give United States district courts jurisdiction of certain offenses committed by Americans outside the United States, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of title 18 of the United States Code is amended by inserting "(a)" immediately before "The term" and by adding at the end thereof the following new subsection:

"(b) For the purposes of this title, any act done outside the United States and its territories and possessions, within an area leased by or otherwise reserved or acquired for the use of the United States which is under the control of the Armed Forces of the United States, shall be deemed to have been done within the special maritime and territorial jurisdiction of the United States if the act was done by any national of the United States employed by or accompanying the Armed Forces of the United States who is not a member of such Armed Forces. In any case in which jurisdiction is conferred solely by reason of this subsection, a judgment of conviction or acquittal on the merits under the laws of the foreign state where the act occurred shall be a bar to any prosecution under this title for the same act."

OPERATION BREAKTHROUGH

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. GARDNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GARDNER. Mr. Speaker, I have been very interested in the hearings on the poverty program which have been held by my Committee on Education and Labor. Because I am the only North Carolina member of this committee, I was contacted by residents of Durham, N.C., to increase these hearings to include Operation Breakthrough in Durham. This agency, which was set up to carry out the antipoverty program, has developed into a political apparatus to organize voters, register them, and transport them to the polls with the ultimate goal of delivering a block-type vote.

The Federal agency that directs Operation Breakthrough in Durham is the Office of Economic Opportunity. Therefore, I contacted the Director of OEO, Sargent Shriver, for a ruling by him as to the propriety of the Durham employees' activity. Instead of actually dealing with the problem, Mr. Shriver and Breakthrough leaders in Durham have attempted to deny the facts and to deny their responsibility to clearly state the facts as they admit them and then issue a ruling.

Because of the attempted whitewash, I have gone to the Civil Service Commission to ask them to issue a ruling under the Economic Opportunity Act and the Hatch Act. I am also preparing legislation that will clearly state that such complete political activity is not a proper function of the antipoverty program.

In my very first statement on this subject, I warned that if employees in Durham were permitted to organize a political machine that it would set a dangerous national precedent. I have been amazed at the reaction that I have received from all over North Carolina as to poverty workers' involvement in politics. In fact, I have been contacted by people all over the country who do not believe that complete political participation is the roll of the poverty program.

Mr. Speaker, I would hope that my colleagues would join with me and take action to bring this unfortunate situation to an end.

CODDLING CRIMINALS

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, on June 24, the Philadelphia Inquirer carried an account of a funeral for an 80-year-old widow who had been attacked and beaten to death in her tiny, third-floor apartment to which she had retreated 6 weeks ago after being knocked down and robbed by a juvenile street gang. The headline on the story read: "Rabbi Assails Courts at Rites for Widow, 80."

One of the remarks made by Rabbi Matthew S. Rosen at the services stated:

> This tragedy is a challenge to the authorities. Life in recent years has become cheap. Property is of no value. Gangsterism—particularly among our youth—has grown to tremendous proportions. The courts have been extremely lax. Justice has been perverted. Gangsterism has been condoned.

The Director of the FBI, J. Edgar Hoover, had something to say about the part the courts have played in the rise of crime in the United States. Mr. Hoover dealt quite extensively with this issue in his appearance before a House Appropriations Subcommittee earlier this year. His statement reads:

> Reports reaching our Bureau from seriously concerned law-abiding citizens throughout the country emphasize the great apprehension felt by many members of the public over what they consider to be excessive preoccupation with the rights of repeating criminal offenders. In recent months so many flagrant examples of unwarranted leniency have been brought shockingly home to the American public through communications media that it is apparent that many of our people have had their confidence in the entire judicial system badly shaken. Use of the flimsiest legal technicalities to evade responsibility for criminal acts has tended to destroy public faith in U.S. justice.
>
> Since the vast majority of Americans are basically fairminded people, they expect and deserve fair treatment and become quickly incensed when subjected to inequitable treatment. It is, therefore, not difficult to understand why some citizens, seeing notorious offenders "get away with it" assume they too have justification for a bit of lawbreaking or cheating here and there. Such unhealthy and unwholesome civic attitudes, which can begin with relatively minor matters can ultimately lead to the complete breakdown of law and order.

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[1] See General Manss' testimony at Page 62.

A Philadelphia newspaper, for example, reported in September 1965, that 70 percent of Philadelphia crime was being committed by repeaters. They specified that seven out of 10 criminals arrested there for the violent crimes of murder, rape, robbery, burglary, aggravated assault or carrying deadly weapons, had previous arrest records. Another Pennsylvania paper during the same month reported the unsettling news that because of a court decision dealing with the right to legal counsel, 132 long-term inmates were released from Pennsylvania prisons. All of these men, incidentally, had pleaded guilty to the charges against them.

A New York paper in the summer of 1965, reported another case of the release on bond of a man with a 5-year police record, who shot it out with New York City detectives when he and confederates were trapped in the midst of a jewelry store holdup. Despite a long record of violent crimes, this man was quickly set free on bond.

We have gone so far in catering to the welfare of individuals charged with crimes that a Washington, D.C., newspaper reported in May 1966, that it would probably not be long before pretrial jailing of suspects would end and an officer arresting a person in the midst of a crime would be permitted to release the subject on the spot after phoning police headquarters for approval. And, in September 1966, a news wire service reported that two Ohio burglary suspects, who voluntarily confessed to 274 crimes, were freed due to a recent court ruling because one of the two ex-convicts was not advised of his right to counsel when he confessed and implicated the other man.

The Federal Bail Reform Act of 1966 has occasioned strong controversy as a result of the release while awaiting trial of repeating offenders whom many Federal judges consider serious threats to society. One Federal judge, in fact, in November 1966, exclaimed in exasperation as he released 11 defendants on personal bond that "the good citizens of the District (of Columbia) had better take cover."

This judge and other concerned jurists feel there was a serious oversight in passage of the bail reform legislation in not making provisions for District of Columbia courts, where all felonies are handled in contrast to the situation in other sections of the country where most crimes of violence are handled in State courts not covered by the Federal Bail Act provisions.

The provisions of the Bail Reform Act, which went into effect on September 22, 1966, greatly liberalized the conditions under which persons arrested can be released on bail and became the subject of controversy.

The Bail Reform Act was only 9 days old when a defendant being tried in the District of Columbia for robbery-assault, who had been released on personal bond, failed to appear for the second day of his trial after being present the first day. A mistrial was declared and the prosecutor pointed out that the Bail Reform Act can be further exploited by criminal defendants, released on personal bond, who appear for the beginning of their trial and then flee when it looks as if the case is going against them.

There have been, of course, strong statements of rebuttal from congressional supporters of the Bail Reform Act but the long-suffering law-abiding public continues to wonder when something is going to be done to help them.

The dramatic upsurge in crime in our streets should not, therefore, come as any great surprise. It does, however, cause one to ponder what can be said to innocent victims such as a young lady who came to work for the FBI in Washington in late 1965 and was the victim of a pickpocket on a city bus 2 months later. Noticing the theft, the young lady cried out and an alert off-duty policeman overtook the suspect and found the victim's wallet in his possession.

Despite her identification of the suspect as the thief and the fact that he had her wallet in his possession, the case was dismissed on the grounds the suspect was illegally detained and the apprehending officer did not have sufficient cause to believe the suspect was the thief. Such outrageous handling of criminals by the courts can only serve to encourage similar depredations.

It can be readily understood why some of our good citizens lose heart in the deterrent aspects of our judicial system by reflecting on a 1966 Ohio case where, after many months of painstaking work, police arrested a man who had plagued a woman and her 14-year-old daughter with obscene telephone messages, night and day, for almost 2 years. The maximum sentence for conviction of this offense in Ohio is a $500 fine and a 6-month prison term. Although the courageous victim willingly underwent embarrassing testimony to see justice achieved and, despite the fact that the charges were not contested by the subject who was convicted, he was sentenced to but 30 days in jail and a $100 fine. More astonishingly, the sentence and fine were suspended and the subject was required to only pay court costs of $17. In commenting on this remarkable decision, one newspaper observed "a $17 fine almost is encouragement."

Law enforcement does not quarrel with the high courts over legal decisions which everyone realizes protect the rights of all citizens. Nor does law enforcement oppose the gargantuan steps that have been taken to insure that future interrogations, searches, seizures, and arrests are within the legally approved guidelines.

What is asked, though, is a realistic and commonsense approach in the sentencing, parole, and probation treatment of repeating criminals who have demonstrated time after time their contempt for society and who can reasonably be expected to once again victimize the public when prematurely set free. It is imperative that all with responsibility, the courts, juries, and law enforcement alike, face squarely and intelligently the deadly threat of unwarranted leniency if we hope to retain law and order in America.

Mr. Speaker, one positive effort has been advanced by a nonpolitical organization entitled "Americans for Effective Law Enforcement," which seeks to represent the law-abiding public in court cases and to draft and to work for the enactment of model laws to aid law enforcement. This organization which is headed by responsible men in the Midwest was the subject of a Chicago Tribune editorial on June 26, 1967, which I insert in the Record at this point:

Law-Abiding Public Gets a Voice

Growing national concern over crime rates and court coddling of criminals is reflected in the founding of a new non-political organization called Americans for Effective Law Enforcement. One of its aims is to represent the law-abiding public in important cases before the United States Supreme Court and thus to serve as a counterweight to the American Civil Liberties union, which often participates in such cases on the side of defendants.

The organization also intends to draft and work for the enactment of model laws to aid law enforcement. It plans a national public information program on the needs of law enforcement agencies and on shortcomings in criminal laws and the administration of justice.

It is a sad commentary on our times that such an organization is needed. Every state in the Union has batteries of state's attorneys whose duty it is to represent the law-abiding public. In the ideal system of justice the attorney for the state would seek to determine the truth about crimes and also to protect the civil liberties of accused persons. The courts would not be so eager to protect criminals that the victims of crime would be forgotten.

When citizens feel obligated to form private organizations to promote criminal justice it is plain that there is much grass-roots dissatisfaction with the regular law enforcement machinery.

One of the first announced moves of the new Americans for Effective Law Enforcement will be to petition the United States Supreme Court to act as a "friend of the court" in the stop-and-frisk case to be reviewed this fall. The case before the court involves a New York law but a similar measure passed by the Illinois General Assembly now awaits Gov. Kerner's signature. The governor vetoed a stop-and-frisk law two years ago.

We hope he signs the pending bill, which has been modified to meet some objections raised in his veto message. This piece of legislation is a good example of the kind of issue that can be dealt with by Americans for Effective Law Enforcement.

The president of the new organization is Prof. Fred E. Inbau of Northwestern university law school. Other founders include O. W. Wilson, retiring Chicago superintendent of police; Harold A. Smith, former president of the Chicago Bar association; James R. Thompson, assistant professor of law at Northwestern university; and Alan S. Ganz, former Cook county assistant state's attorney.

The organization deserves support.

UNIVERSITIES AND COLLEGES: LIFE WITH UNCLE

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CURTIS. Mr. Speaker, in connection with the higher education bill, I would like to call to the attention of the many Members interested in the problem of Federal support of our institutions of higher learning an article entitled "Life With Uncle" which appeared in many alumni magazines in the country. The article was prepared and written by Editorial Projects for Education, a nonprofit organization associated with the American Alumni Council. It is a comprehensive, factual report on the relationship between our colleges and universities and the multitude of Federal programs dealing with higher education.

As the report indicates, the Federal Government is now the largest single contributor to higher education in America; more Federal money is given to colleges and universities than is given by all the State governments combined; Federal spending in this field is greater than all gifts from private foundations and alumni and comprises more than 25 percent of the total budget of all higher educational institutions.

This development poses serious problems of potential Federal control of our system of higher education through a concentration of funds in a limited number of areas, mostly scientific fields through an overemphasis on basic, rather than applied, research, and through an overstressing of research at the expense of teaching.

Even more importantly, the growing role and influence of the Federal Government in higher education points up the need for a coordinated Federal policy in this area. As the reporters state:

> There is almost no uniformity or coordination in the Federal government's numerous programs affecting higher education.

This situation results in a number of serious problems, both in the administrative agencies responsible for budgeting and accounting for the multitude of programs and in the colleges and universities themselves, as they must become, in effect, lobbyists with the various agencies and with Congress and must enlarge their college administrative staffs to deal with the many different Federal programs. Finally, as the article points out:

> The lack of a uniform Federal policy prevents the clear statement of national goals that might give direction to the government's investments in higher education. This takes a toll in effectiveness and consistency and tends to produce contradictions and conflicts.

Mr. Speaker, we are spending more and more each year on higher education, and it behooves us to consider carefully our overall educational goals and the best and most economical ways of achieving them. The piece-by-piece approach only further damages our educational structure and puts new strains on what the authors of this article call the "partnership" of education and government. I commend this illustrative and informative article to the attention of the House:

Life With Uncle

What would happen if all the Federal dollars now going to America's colleges and universities were suddenly withdrawn?

The president of one university pondered the question briefly, then replied: "Well, first, there would be this very loud sucking sound."

Indeed there would. It would be heard from Berkeley's gates to Harvard's yard, from Colby, Maine, to Kilgore, Texas. And in its wake would come shock waves that would rock the entire establishment of American higher education.

No institution of higher learning, regardless of its size or remoteness from Washington, can escape the impact of the Federal government's involvement in higher education. Of the 2,200 institutions of higher learning in the United States, about 1,800 participate in one or more Federally supported or sponsored programs. (Even an institution which receives no Federal dollars is affected—for it must compete for faculty, students, and private dollars with the institutions that do receive Federal funds for such things.)

Hence, although hardly anyone seriously believes that Federal spending on the campus is going to stop or even decrease significantly, the possibility, however remote, is enough to send shivers down the nation's academic backbone. Colleges and universities operate on such tight budgets that even a relatively slight ebb in the flow of Federal funds could be serious. The fiscal belt-tightening in Washintgon, caused by the war in Vietnam and the threat of inflation, has already brought a financial squeeze to some institutions.

A look at what would happen if all Federal dollars were suddenly withdrawn from colleges and universities may be an exercise in the absurd, but it dramatizes the depth of government involvement:

The nation's undergraduates would lose more than 800,000 scholarships, loans, and work-study grants, amounting to well over $300 million.

Colleges and universities would lose some $2 billion which now supports research on the campuses. Consequently some 50 per cent of America's science faculty members would be without support for their research. They would lose the summer salaries which they have come to depend on—and, in some cases, they would lose part of their salaries for the other nine months, as well.

The big government-owned research laboratories which several universities operate under contract would be closed. Although this might end some management headaches for the universities, it would also deprive thousands of scientists and engineers of employment and the institutions of several million dollars in overhead reimbursements and fees.

The newly established National Foundation for the Arts and Humanities—for which faculties have waited for years—would collapse before its first grants were spent.

Planned or partially constructed college and university buildings, costing roughly $2.5 billion, would be delayed or abandoned altogether.

Many of our most eminent universities and medical schools would find their annual budgets sharply reduced—in some cases by more than 50 per cent. And the 68 land-grant institutions would lose Federal institutional support which they have been receiving since the nineteenth century.

Major parts of the anti-poverty program, the new GI Bill, the Peace Corps, and the many other programs which call for spending on the campuses would founder.

The Federal Government is now the "Big Spender" in the academic world. Last year, Washington spent more money on the nation's campuses than did the 50 state governments combined. The National Institutes of Health alone spent more on educational and research projects than any one state allocated for higher education. The National Science Foundation, also a Federal agency, awarded more funds to colleges and universities than did all the business corporations in America. And the U.S. Office of Education's annual expenditure in higher education of $1.2 billion far exceeded all gifts from private foundations and alumni. The $5 billion or so that the Federal government will spend on campuses this year constitutes more than 25 per cent of higher education's total budget.

About half of the Federal funds now going to academic institutions support research and research-related activities—and, in most cases, the research is in the sciences. Most often an individual scholar, with his institution's blessing, applies directly to a Federal agency for funds to support his work. A professor of chemistry, for example, might apply to the National Science Foundation for funds to pay for salaries (part of his own, his collaborators', and his research technicians'), equipment, graduate-student stipends, travel, and anything else he could justify as essential to his work. A panel of his scholarly peers from colleges and universities, assembled by NSF, meets periodically in Washington to evaluate his and other applications. If the panel members approve, the professor usually receives his grant and his college or university receives a percentage of the total amount to meet its overhead costs. (Under several Federal programs, the institution itself can request funds to help construct buildings and grants to strengthen or initiate research programs.)

The other half of the Federal government's expenditure in higher education is for student aid, for books and equipment, for classroom buildings, laboratories, and dormitories, for overseas projects, and—recently, in modest amounts—for the general strengthening of the institution.

There is almost no Federal agency which does not provide some funds for higher education. And there are few activities on a campus that are not eligible for some kind of government aid.

Clearly our colleges and universities now depend so heavily on Federal funds to help pay for salaries, tuition, research, construction, and operating costs that any significant decline in Federal support would disrupt the whole enterprise of American higher education.

To some educators, this dependence is a threat to the integrity and independence of the colleges and universities. "It is unnerving to know that our system of higher education is highly vulnerable to the whims and fickleness of politics," says a man who has held high positions both in government and on the campus.

Others minimize the hazards. Public institutions, they point out, have always been vulnerable in this sense—yet look how they've flourished. Congressmen, in fact, have been conscientious in their approach to Federal support of higher education; the problem is that standards other than those of the universities and colleges could become the determining factors in the nature and direction of Federal support. In any case, the argument runs, all academic institutions depend on the good will of others to provide the support that insures freedom. McGeorge Bundy, before he left the White House to head the Ford Foundation, said flatly: "American higher education is more and not less free and strong because of Federal funds." Such funds, he argued, actually have enhanced freedom by enlarging the opportunity of institutions to act; they are no more tainted than are dollars from other sources; and the way in which they are allocated is closer to academic tradition than is the case with nearly all other major sources of funds.

The issue of Federal control notwithstanding, Federal support of higher education is taking its place alongside military budgets and farm subsidies as one of the government's essential activities. All evidence indicates that such is the public's will. Education has always had a special worth in this country, and each new generation sets the valuation higher. In a recent Gallup Poll on national goals, Americans listed education as having first priority. Governors, state legislators, and Congressmen, ever sensitive to voter attitudes, are finding that the improvement of education is not only a noble issue on which to stand, but a winning one.

The increased Federal interest and support reflect another fact: the government now relies as heavily on the colleges and universities as the institutions do on the government. President Johnson told an audience at Princeton last year that in "almost every field of concern, from economics to national security, the academic community has become a central instrument of public policy in the United States."

Logan Wilson, president of the American Council on Education (an organization which often speaks in behalf of higher education), agrees. "Our history attests to the vital role which colleges and universities have played in assuring the nation's security and progress, and our present circumstances magnify rather than diminish the role," he says. "Since the final responsibility for our collective security and welfare can reside only in the Federal government, a close partnership between government and higher education is essential."

The partnership indeed exists. As a report of the American Society of Biological Chemists has said, "the condition of mutual dependence between the Federal government and institutions of higher learning and research is one of the most profound and significant developments of our time."

Directly and indirectly, the partnership has produced enormous benefits. It has played a central role in this country's progress in science and technology—and hence has contributed to our national security, our high standard of living, the lengthening life span, our world leadership. One analysis credits to education 40 per cent of the nation's growth in economic productivity in recent years.

Despite such benefits, some thoughtful observers are concerned about the future development of the government-campus partnership. They are asking how the flood of Federal funds will alter the traditional missions of higher education, the time-honored responsibility of the states, and the flow of private funds to the campuses. They wonder if the give and take between equal partners can continue, when one has the money and the other "only the brains."

Problems already have arisen from the dynamic and complex relationship between Washington and the academic world. How serious and complex such problems can become is illustrated by the current controversy over the concentration of Federal research funds on relatively few campuses and in certain sections of the country.

The problem grew out of World War II, when the government turned to the campuses for desperately needed scientific research. Since many of the best-known and most productive scientists were working in a dozen or so institutions in the Northeast and a few in the Midwest and California, more than half of the Federal research funds were spent there. (Most of the remaining money went to another 50 universities with research and graduate training.)

The wartime emergency obviously justified this concentration of funds. When the war ended, however, the lopsided distribution of Federal research funds did not. In fact, it has continued right up to the present, with 29 institutions receiving more than 50 per cent of Federal research dollars.

To the institutions on the receiving end, the situation seems natural and proper. They are, after all, the strongest and most productive research centers in the nation. The government, they argue, has an obligation to spend the public's money where it will yield the highest return to the nation.

The less-favored institutions recognize this obligation, too. But they maintain that it is equally important to the nation to develop new institutions of high quality—yet, without financial help from Washington, the second- and third-rank institutions will remain just that.

In late 1965 President Johnson, in a memorandum to the heads of Federal departments and agencies, acknowledged the importance of maintaining scientific excellence in the institutions where it now exists. But, he emphasized, Federal research funds should also be used to strengthen and develop new centers of excellence. Last year this "spread the wealth" movement gained momentum, as a number of agencies stepped up their efforts to broaden the distribution of research money. The Department of Defense, for example, one of the bigger purchasers of research, designated $18 million for this academic year to help about 50 widely scattered institutions develop into high-grade research centers. But with economies induced by the war in Vietnam, it is doubtful whether enough money will be available in the near future to end the controversy.

Eventually, Congress may have to act. In so doing, it is almost certain to displease, and perhaps hurt, some institutions. To the pessimist, the situation is a sign of troubled times ahead. To the optimist, it is the democratic process at work.

Recent student demonstrations have dramatized another problem to which the partnership between the government and the campus has contributed: the relative emphasis that is placed on research and on the teaching of undergraduates.

Wisconsin's Representative Henry Reuss conducted a Congressional study of the situation. Subsequently he said: "University teaching has become a sort of poor relation to research. I don't quarrel with the goal of excellence in science, but it is pursued at the expense of another important goal—excellence of teaching. Teaching suffers and is going to suffer more."

The problem is not limited to universities. It is having a pronounced effect on the smaller liberal arts colleges, the women's colleges, and the junior colleges—all of which have as their primary function the teaching of undergraduates. To offer a first-rate education, the colleges must attract and retain a first-rate faculty, which in turn attracts good students and financial support. But undergraduate colleges can rarely compete with Federally supported universities in faculty salaries, fellowship awards, research opportunities, and plant and equipment. The president of one of the best undergraduate colleges says: "When we do get a young scholar who skillfully combines research and teaching abilities, the universities lure him from us with the promise of a high salary, light teaching duties, frequent leaves, and almost anything else he may want."

Leland Haworth, whose National Science Foundation distributes more than $300 million annually for research activities and graduate programs on the campuses, disagrees. "I hold little or no brief," he says, "for the allegation that Federal support of research has detracted seriously from undergraduate teaching. I dispute the contention heard in some quarters that certain of our major universities have become giant research factories concentrating on Federally sponsored research projects to the detriment of their educational functions." Most university scholars would probably support Mr. Haworth's contention that teachers who conduct research are generally better teachers, and that the research enterprise has infused science education with new substance and vitality.

To get perspective on the problem, compare university research today with what it was before World War II. A prominent physicist calls the pre-war days "a horse-and-buggy period." In 1930, colleges and universities spent less than $20 million on scientific research, and that came largely from private foundations, corporations, and endowment income. Scholars often built their equipment from ingeniously adapted scraps and spare machine parts. Graduate students considered it compensation enough just to be allowed to participate.

Some three decades and $125 billion later, there is hardly an academic scientist who does not feel pressure to get government funds. The chairman of one leading biology department admits that "if a young scholar doesn't have a grant when he comes here, he had better get one within a year or so or he's out; we have no funds to support his research."

Considering the large amounts of money available for research and graduate training, and recognizing that the publication of research findings is still the primary criterion for academic promotion, it is not surprising that the faculties of most universities spend a substantial part of their energies in those activities.

Federal agencies are looking for ways to ease the problem. The National Science Foundation, for example, has set up a new program which will make grants to undergraduate colleges for the improvement of science instruction.

More help will surely be forthcoming.

The fact that Federal funds have been concentrated in the sciences has also had a pronounced effect on colleges and universities. In many institutions, faculty members in the natural sciences earn more than faculty members in the humanities and social sciences; they have better facilities, more frequent leaves, and generally more influence on the campus.

The government's support of science can also disrupt the academic balance and internal priorities of a college or university. One president explained:

"Our highest-priority construction project was a $3 million building for our humanities departments. Under the Higher Education Facilities Act, we could expect to get a third of this from the Federal government. This would leave $2 million for us to get from private sources.

"But then, under a new government program, the biology and psychology faculty decided to apply to the National Institutes of Health for $1.5 million for new faculty members over a period of five years. These additional faculty people, however, made it necessary for us to go ahead immediately with our plans for a $4 million science building—so we gave *it* the No. 1 priority and moved the humanities building down the list.

"We could finance half the science building's cost with Federal funds. In addition, the scientists pointed out, they could get several training grants which would provide stipends to graduate students and tuition to our institution.

"You see what this meant? Both needs were valid—those of the humanities and those of the sciences. For $2 million of private money, I could either build a $3 million humanities building *or* I could build a $4 million science building, get $1.5 million for additional faculty, and pick up a few hundred thousand dollars in training grants. Either-or; not both."

The president could have added that if the scientists had been denied the privilege of applying to NIH, they might well have gone to another institution, taking their research grants with them. On the other hand, under the conditions of the academic marketplace, it was unlikely that the humanities scholars would be able to exercise a similar mobility.

The case also illustrates why academic administrators sometimes complain that Federal support of an individual faculty member's research projects casts their institution in the ineffectual role of a legal middleman, prompting the faculty member to feel a greater loyalty to a Federal agency than to the college or university.

Congress has moved to lessen the disparity between support of the humanities and social sciences on the one hand and support of the physical and biological sciences on the other. It established the National Foundation for the Arts and Humanities—a move which, despite a pitifully small first-year allocation of funds, offers some encouragement. And close observers of the Washington scene predict that the social sciences, which have been receiving some Federal support, are destined to get considerably more in the next few years.

Efforts to cope with such difficult problems must begin with an understanding of the nature and background of the government-campus partnership. But this presents a problem in itself, for one encounters a welter of conflicting statistics, contradictory information, and wide differences of honest opinion. The task is further complicated by the swiftness with which the situation continually changes. And—the ultimate complication—there is almost no uniformity or coordination in the Federal government's numerous programs affecting higher education.

Each of the 50 or so agencies dispensing Federal funds to the colleges and universities is responsible for its own program, and no single Federal agency supervises the entire enterprise. (The creation of the Office of Science and Technology in 1962 represented an attempt to cope with the multiplicity of relationships. But so far there has been little significant improvement.) Even within the two houses of Congress, responsibility for the government's expenditures on the campuses is scattered among several committees.

Not only does the lack of a coordinated Federal program make it difficult to find a clear definition of the government's role in higher education, but it also creates a number of problems both in Washington and on the campuses.

The Bureau of the Budget, for example, has had to wrestle with several uncoordinated, duplicative Federal science budgets and with different accounting systems. Congress, faced with the almost impossible task of keeping informed about the esoteric world of science in order to legislate intelligently, finds it difficult to control and direct the fast-growing Federal investment in higher education. And the individual government agencies are forced to make policy decisions and to respond to political and other pressures without adequate or consistent guidelines from above.

The colleges and universities, on the other hand, must negotiate the maze of Federal bureaus with consummate skill if they are to get their share of the Federal largesse. If they succeed, they must then cope with mountains of paperwork, disparate systems of accounting, and volumes of regulations that differ from agency to agency. Considering the magnitude of the financial rewards at stake, the institutions have had no choice but to enlarge their administrative staffs accordingly, adding people who can handle the business problems, wrestle with paperwork, manage grants and contracts, and untangle legal snarls. College and university presidents are constantly looking for competent academic administrators to prowl the Federal agencies in search of programs and opportunities in which their institutions can profitably participate.

The latter group of people, whom the press calls "university lobbyists," has been growing in number. At least a dozen institutions now have full-time representatives working in Washington. Many more have members of their administrative and academic staffs shuttling to and from the capital to negotiate Federal grants and contracts, cultivate agency personnel, and try to influence legislation. Still other institutions have enlisted the aid of qualified alumni or trustees who happen to live in Washington.

The lack of a uniform Federal policy prevents the clear statement of national goals that might give direction to the government's investments in higher education. This takes a toll in effectiveness and consistency and tends to produce contradictions and conflicts. The teaching-versus-research controversy is one example.

President Johnson provided another. Last summer, he publicly asked if the country is really getting its money's worth from its support of scientific research. He implied that the time may have come to apply more widely, for the benefit of the nation, the knowledge that Federally sponsored medical research had produced in recent years. A wave of apprehension spread through the medical schools when the President's remarks were reported. The inference to be drawn was that the Federal funds supporting the elaborate research effort, built at the urging of the government, might now be diverted to actual medical care and treatment. Later the Secretary of Health, Education, and Welfare, John W. Gardner, tried to lay a calming hand on the medical scientists' fevered brows by making a strong reaffirmation of the National Institutes of Health's commitment to basic research. But the apprehensiveness remains.

Other events suggest that the 25-year honeymoon of science and the government may be ending. Connecticut's Congressman Emilio Q. Daddario, a man who is not intimidated by the mystique of modern science, has stepped up his campaign to have a greater part of the National Science Foundation budget spent on applied research. And, despite pleas from scientists and NSF administrators, Congress terminated the costly Mohole project, which was designed to gain more fundamental information about the internal structure of the earth.

Some observers feel that because it permits and often causes such conflicts, the diversity in the government's support of higher education is a basic flaw in the partnership. Others, however, believe this diversity, despite its disadvantages, guarantees a margin of independence to colleges and universities that would be jeopardized in a monolithic "super-bureau."

Good or bad, the diversity was probably essential to the development of the partnership between Washington and the academic world. Charles Kidd, executive secretary of the Federal Council for Science and Technology, puts its bluntly when he points out that the system's pluralism has allowed us to avoid dealing "directly with the ideological problem of what the total relationship of the government and universities should be. If we had had to face these ideological and political pressures head-on over the past few years, the confrontation probably would have wrecked the system."

That confrontation may be coming closer, as Federal allocations to science and education come under sharper scrutiny in Congress and as the partnership enters a new and significant phase.

Federal aid to higher education began with the Ordinance of 1787, which set aside public lands for schools and declared that the "means of education shall forever be encouraged." But the two forces that most shaped American higher education, say many historians, were the land-grant movement of the nineteenth century and the Federal support of scientific research that began in World War II.

The land-grant legislation and related acts of Congress in subsequent years established the American concept of enlisting the resources of higher education to meet pressing national needs. The laws were pragmatic and were designed to improve education and research in the natural sciences, from which agricultural and industrial expansion could proceed. From these laws has evolved the world's greatest system of public higher education.

In this century the Federal involvement grew spasmodically during such periods of crisis as World War I and the depression of the thirties. But it was not until World War II that the relationship began its rapid evolution into the dynamic and intimate partnership that now exists.

Federal agencies and industrial laboratories were ill-prepared in 1940 to supply the research and technology so essential to a full-scale war effort. The government therefore turned to the nation's colleges and universities. Federal funds supported scientific research on the campuses and built huge research facilities to be operated by universities under contract, such as Chicago's Argonne Laboratory and California's laboratory in Los Alamos.

So successful was the new relationship that it continued to flourish after the war. Federal research funds poured onto the campuses from military agencies, the National Institutes of Health, the Atomic Energy Commission, and the National Science Foundation. The amounts of money increased spectacularly. At the beginning of the war the Federal government spent less than $200 million a year for all research and development. By 1950 the Federal "r & d" expenditure totaled $1 billion.

The Soviet Union's launching of Sputnik jolted the nation and brought a dramatic surge in support of scientific research. President Eisenhower named James R. Killian, Jr., president of Massachusetts Institute of Technology, to be Special Assistant to the President for Science and Technology. The National Aeronautics and Space Administration was established, and the National Defense Education Act of 1958 was passed. Federal spending for scientific research and development increased to $5.8 billion. Of this, $400 million went to colleges and universities.

The 1960's brought a new dimension to the relationship between the Federal government and higher education. Until then, Federal aid was almost synonymous with government support of science, and all Federal dollars allocated to campuses were to meet specific national needs.

There were two important exceptions: the GI Bill after World War II, which crowded the colleges and universities with returning servicemen and spent $19 billion on educational benefits, and the National Defense Education Act, which was the broadest legislation of its kind and the first to be based, at least in part, on the premise that support of education itself is as much in the national interest as support which is based on the colleges' contributions to something as specific as the national defense.

The crucial turning-points were reached in the Kennedy-Johnson years. President Kennedy said: "We pledge ourselves to seek a system of higher education where every young American can be educated, not according to his race or his means, but according to his capacity. Never in the life of this country has the pursuit of that goal become more important or more urgent." Here was a clear national commitment to universal higher education, a public acknowledgment that higher education is worthy of support for its own sake. The Kennedy and Johnson administrations produced legislation which authorized:

$1.5 billion in matching funds for new construction on the nation's campuses.

$151 million for local communities for the building of junior colleges.

$432 million for new medical and dental schools and for aid to their students.

The first large-scale Federal program of undergraduate scholarships, and the first Federal package combining them with loans and jobs to help individual students.

Grants to strengthen college and university libraries.

Significant amounts of Federal money for "promising institutions," in an effort to lift the entire system of higher education.

The first significant support of the humanities.

In addition, dozens of "Great Society" bills included funds for colleges and universities. And their number is likely to increase in the years ahead.

The full significance of the developments of the past few years will probably not be known for some time. But it is clear that the partnership between the Federal government and higher education has entered a new phase. The question of the Federal government's total relationship to colleges and universities—avoided for so many years—has still not been squarely faced. But a confrontation may be just around the corner.

The major pitfall, around which Presidents and Congressmen have detoured, is the issue of the separation of state and church. The Constitution of the United States says nothing about the Federal government's responsibility for education. So the rationale for Federal involvement, up to now, has been the Constitution's Article I, which grants Congress the power to spend tax money for the common defense and the general welfare of the nation.

So long as Federal support of education was specific in nature and linked to the national defense, the religious issue could be skirted. But as the emphasis moved to providing for the national welfare, the legal grounds became less firm, for the First Amendment to the Constitution says, in part, "Congress shall make no law respecting an establishment of religion. . . ."

So far, for practical and obvious reasons, neither the President nor Congress has met the problem head-on. But the battle has been joined, anyway. Some cases challenging grants to church-related colleges are now in the courts. And Congress is being pressed to pass legislation that would permit a citizen to challenge, in the Federal courts, the Congressional acts relating to higher education.

Meanwhile, America's 893 church-related colleges are eligible for funds under most Federal programs supporting higher education, and nearly all have received such funds. Most of these institutions would applaud a decision permitting the support to continue.

Some, however, would not. The Southern Baptists and the Seventh Day Adventists, for instance, have opposed Federal aid to the colleges and universities related to their denominations. Furman University, for example, under pressure from the South Carolina Baptist convention, returned a $612,000 Federal grant that it had applied for and received. Many colleges are awaiting the report of a Southern Baptist study group, due this summer.

Such institutions face an agonizing dilemma: stand fast on the principle of separation of church and state and take the financial consequences, or join the majority of colleges and universities and risk Federal influence. Said one delegate to the Southern Baptist Convention: "Those who say we're going to become second-rate schools unless we take Federal funds see clearly. I'm beginning to see it so clearly it's almost a nightmarish thing. I've moved toward Federal aid reluctantly; I don't like it."

Some colleges and universities, while refusing Federal aid in principle, permit some exceptions. Wheaton College, in Illinois, is a hold-out; but it allows some of its professors to accept National Science Foundation research grants. So does Rockford College, in Illinois. Others shun government money, but let their students accept Federal scholarships and loans. The president of one small church-related college, faced with acute financial problems, says simply: "The basic issue for us is survival."

Recent Federal programs have sharpened the conflict between Washington and the states in fixing the responsibility for education. Traditionally and constitutionally, the responsibility has generally been with the states. But as Federal support has equaled and surpassed the state allocations to higher education, the question of responsibility is less clear.

The great growth in quality and Ph. D. production of many state universities, for instance, is undoubtedly due in large measure to Federal support. Federal dollars pay for most of the scientific research in state universities, make possible higher salaries which attract outstanding scholars, contribute substantially to new buildings, and provide large amounts of student aid. Clark Kerr speaks of the "Federal grant university," and the University of California (which he used to head) is an apt example: nearly half of its total income comes from Washington.

To most governors and state legislators, the Federal grants are a mixed blessing. Although they have helped raise the quality and capabilities of state institutions, the grants have also raised the pressure on state governments to increase their appropriations for higher education, if for no other reason than to fulfill the matching requirement of many Federal awards. But even funds which are not channeled through the state agencies and do not require the state to provide matching funds can give impetus to increased appropriations for higher education. Federal research grants to individual scholars, for example, may make it necessary for the state to provide more faculty members to get the teaching done.

Last year, 38 states and territories joined the Compact for Education, an interstate organization designed to provide "close and continuing consultation among our several states on all matters of education." The operating arm of the Compact will gather information, conduct research, seek to improve standards, propose policies, "and do such things as may be necessary or incidental to the administration of its authority . . ."

Although not spelled out in the formal language of the document, the Compact is clearly intended to enable the states to present a united front on the future of Federal aid to education.

In typically pragmatic fashion, we Americans want our colleges and universities to serve the public interest. We expect them to train enough doctors, lawyers, and engineers. We expect them to provide answers to immediate problems such as water and air pollution, urban blight, national defense, and disease. As we have done so often in the past, we expect the Federal government to build a creative and democratic system that will accomplish these things.

A faculty planning committee at one university stated in its report: ". . . A university is now regarded as a symbol for our age, the crucible in which—by some mysterious alchemy—man's long-awaited Utopia will at last be forged."

Some think the Federal role in higher education is growing too rapidly.

As early as 1952, the Association of American Universities' commission on financing higher education warned: "We as a nation should call a halt at this time to the introduction of new programs of direct Federal aid to colleges and universities. . . . Higher education at least needs time to digest what it has already undertaken and to evaluate the full impact of what it is already doing under Federal assistance." The recommendation went unheeded.

A year or so ago, Representative Edith Green of Oregon, an active architect of major education legislation, echoed this sentiment. The time has come, she said, "to stop, look, and listen," to evaluate the impact of Congressional action on the educational system. It seems safe to predict that Mrs. Green's warning, like that of the university presidents, will fail to halt the growth of Federal spending on the campus. But the note of caution she sounds will be well-taken by many who are increasingly concerned about the impact of the Federal involvement in higher education.

The more pessimistic observers fear direct Federal control of higher education. With the loyalty-oath conflict in mind, they see peril in the requirement that Federally supported colleges and universities demonstrate compliance with civil rights legislation or lose their Federal support. They express alarm at recent agency anti-conflict-of-interest proposals that would require scholars who receive government support to account for all of their other activities.

For most who are concerned, however, the fear is not so much of direct Federal control as of Federal influence on the conduct of American higher education. Their worry is not that the government will deliberately restrict the freedom of the scholar, or directly change an institution of higher learning. Rather, they are afraid the scholar may be tempted to confine his studies to areas where Federal support is known to be available, and that institutions will be unable to resist the lure of Federal dollars.

Before he became Secretary of Health, Education, and Welfare, John W. Gardner said: "When a government agency with money to spend approaches a university, it can usually purchase almost any service it wants. And many institutions still follow the old practice of looking on funds so received as gifts. They not only do not look a gift horse in the mouth; they do not even pause to note whether it is a horse or a boa constrictor."

The greatest obstacle to the success of the government-campus partnership may lie in the fact that the partners have different objectives.

The Federal government's support of higher education has been essentially pragmatic. The Federal agencies have a mission to fulfill. To the degree that the colleges and universities can help to fulfill that mission, the agencies provide support.

The Atomic Energy Commission, for example, supports research and related activities in nuclear physics; the National Institutes of Health provide funds for medical research; the Agency for International Development finances overseas programs. Even recent programs which tend to recognize higher education as a national resource in itself are basically presented as efforts to cope with pressing national problems.

The Higher Education Facilities Act, for instance, provides matching funds for the construction of academic buildings. But the awards under this program are made on the basis of projected increases in enrollment. In the award of National Defense Graduate Fellowships to institutions, enrollment expansion and the initiation of new graduate programs are the main criteria. Under new programs affecting medical and dental schools, much of the Federal money is intended to increase the number of practitioners. Even the National Humanities Endowment, which is the government's attempt to rectify an academic imbalance aggravated by massive Federal support for the sciences, is curiously and pragmatically oriented to fulfill a specific mission, rather than to support the humanities generally because they are worthy in themselves.

Who can dispute the validity of such objectives? Surely not the institutions of higher learning, for they recognize an obligation to service society by providing trained manpower and by conducting applied research. But colleges and universities have other traditional missions of at least equal importance. Basic research, though it may have no apparent relevance to society's immediate needs, is a primary (and almost exclusive) function of universities. It needs no other justification than the scholar's curiosity. The department of classics is as important in the college as is the department of physics, even though it does not contribute to the national defense. And enrollment expansion is neither an inherent virtue nor a universal goal in higher education; in fact, some institutions can better fulfill their objectives by remaining relatively small and selective.

Colleges and universities believe, for the most part, that they themselves are the best judges of what they ought to do, where they would like to go, and what their internal academic priorities are. For this reason the National Association of State Universities and Land-Grant Colleges has advocated that the government increase its institutional (rather than individual project) support in higher education, thus permitting colleges and universities a reasonable latitude in using Federal funds.

Congress, however, considers that it can best determine what the nation's needs are, and how the taxpayer's money ought to be spent. Since there is never enough money to do everything that cries to be done, the choice between allocating Federal funds for cancer research or for classics is not a very difficult one for the nation's political leaders to make.

"The fact is," says one professor, "that we are trying to merge two entirely different systems. The government is the political engine of our democracy and must be responsive to the wishes of the people. But scholarship is not very democratic. You don't vote on the laws of thermodynamics or take a poll on the speed of light. Academic freedom and tenure are not prizes in a popularity contest."

Some observers feel that such a merger cannot be accomplished without causing fundamental changes in colleges and universities. They point to existing academic imbalances, the teaching-versus-research controversy, the changing roles of both professor and student, the growing commitment of colleges and universities to applied research. They fear that the influx of Federal funds into higher education will so transform colleges and universities that the very qualities that made the partnership desirable and productive in the first place will be lost.

The great technological achievements of the past 30 years, for example, would have been impossible without the basic scientific research that preceded them. This research—much of it seemingly irrelevant to society's needs—was conducted in universities, because only there could the scholar find the freedom and support that were essential to his quest. If the growing demand for applied research is met at the expense of basic research, future generations may pay the penalty.

One could argue—and many do—that colleges and universities do not have to accept Federal funds. But, to most of the nation's colleges and universities, the rejection of Federal support is an unacceptable alternative.

For those institutions already dependent upon Federal dollars, it is too late to turn back. Their physical plant, their programs, their personnel are all geared to continuing Federal aid.

And for those institutions which have received only token help from Washington, Federal dollars offer the one real hope of meeting the educational objectives they have set for themselves.

However distasteful the thought may be to those who oppose further Federal involvement in higher education, the fact is that there is no other way of getting the job done—to train the growing number of students, to conduct the basic research necessary to continued scientific progress, and to cope with society's most pressing problems.

Tuition, private contributions, and state allocations together fall far short of meeting the total cost of American higher education. And as costs rise, the gap is likely to widen. Tuition has finally passed the $2,000 mark in several private colleges and universities, and it is rising even in the publicly supported institutions. State governments have increased their appropriations for higher education dramatically, but there are scores of other urgent needs competing for state funds. Gifts from private foundations, corporations, and alumni continue to rise steadily, but the increases are not keeping pace with rising costs.

Hence the continuation and probably the enlargement of the partnership between the Federal government and higher education appears to be inevitable. The real task facing the nation is to make it work.

To that end, colleges and universities may have to become more deeply involved in politics. They will have to determine, more clearly than ever before, just what their objectives are—and what their values are. And they will have to communicate these most effectively to their alumni, their political representatives, the corporate community, the foundations, and the public at large.

If the partnership is to succeed, the Federal government will have to do more than provide funds. Elected officials and administrators face the awesome task of formulating overall educational and research goals, to give direction to the programs of Federal support. They must make more of an effort to understand what makes colleges and universities tick, and to accommodate individual institutional differences.

The taxpaying public, and particularly alumni and alumnae, will play a crucial role in the evolution of the partnership. The degree of their understanding and support will be reflected in future legislation. And, along with private foundations and corporations, alumni and other friends of higher education bear a special responsibility for providing colleges and universities with financial support. The growing role of the Federal government, says the president of a major oil company, makes corporate contributions to higher education more important than ever before; he feels that private support enables colleges and universities to maintain academic balance and to preserve their freedom and independence. The president of a university agrees: "It is essential that the critical core of our colleges and universities be financed with non-Federal funds."

"What is going on here," says McGeorge Bundy, "is a great adventure in the purpose and performance of a free people." The partnership between higher education and the Federal government, he believes, is an experiment in American democracy.

Essentially, it is an effort to combine the forces of our educational and political systems for the common good. And the partnership is distinctly American—boldly built step by step in full public view, inspired by visionaries, tested and tempered by honest skeptics, forged out of practical political compromise.

Does it involve risks? Of course it does. But what great adventure does not? Is it not by risk-taking that free—and intelligent—people progress?

SOCIAL SECURITY BENEFITS FOR BLIND

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am introducing a bill to amend title II of the Social Security Act to provide disability insurance benefits for any individual who is blind and has at least six quarters of coverage.

The handicapping and limiting circumstances of blind people are not taken into account under the present statute. For the blind person, the most serious handicap is not the loss of sight itself, but the economic handicaps incidental to blindness. Weekly wages are abruptly terminated, earning power is diminished, employment opportunities are drastically curtailed. Economic handicaps often lead to despair: the blind person faces protracted unemployment, loss of independence, and the shame of having to constantly rely on others for support.

Those who are blind quickly discover the inexorable law known to disabled people: last to be hired, first to be fired. Jobs available to the blind are of short duration, low pay, and offer little possibility of improvement in position or wages. Often they are rapidly automated out of existence, and require only menial labor—elemental assembling, inspecting, packaging, and packing. In most cases, his previous training and ability qualify the blind person for a job requiring far more sophisticated skills.

Even where the blind person is able to maintain employment in full-time regular work, he incurs extra medical and hospital expenses, and must pay for specially designed tools and devices. To function and compete with men who can see, the blind person must "hire sight." Whether he is a housewife, a student, or a lawyer, the blind must hire a second pair of eyes. Shopping for food, typing a letter, or reading a book are all simple tasks, but the blind person cannot perform them for himself. If he has no regular source of income, the blind person may be forced to do without basic necessities. His economic potential declines proportionately.

PRESENT QUALIFICATIONS FOR BENEFITS

To qualify for disability payments under the present law, a person must prove himself physically unable to do a job. Yet many of those who are capable of work are not always able to find jobs. Although the blind person may be able to work, and desire to work, he is often unable to find employment. Although his unemployment status arises simply from the employers' reluctance to hire those with disabilities, and not directly from the handicap itself, he is still unable to qualify for disability benefits.

The present requirement is equally unreasonable for those who are able to find jobs. Even if his earnings are meager and insufficient, he is considered to have demonstrated sufficient physical ability to do a job, and is not considered eligible for disability benefits. Thus the blind person who is disabled and earns as little as $600 a year, or who earns anything at all is considered insufficiently disabled to qualify for disability insurance. An older blind worker who is statutorily blind cannot receive payments for any month in which he engages in gainful activity, regardless of whether or not it involves his usual skills or abilities. Thus the current definition of disability is far too stringent in two respects: it does not provide for those who are not totally blind, but cannot find employment, or those whose salaries are below the minimum level. Furthermore, it fails to compensate for the extra expenses incurred by all blind people, both employed and unemployed, to "hire sight."

To be eligible for insurance payments, the disabled person must meet a second requirement: he must have been previously employed for 20 of the last 40 quarters—5 of the last 10 years. Because employment opportunities are usually limited, many blind people are unable to work long enough in covered work to qualify. The present bill leaves completely unprotected those who may not have been previously covered, but can no longer earn substantial wages. Many who need immediate payments cannot receive benefits.

PROPOSED CHANGES

The proposed amendment changes the definition of disability and alters the disability insured status requirements. First, it incorporates the disability cash benefit provision of the Social Security Act to provide an ophthalmological standard to determine blindness—a definition already included in other Federal laws.

Second, the amendment proposes a minimum of 6 quarters rather than 20 to qualify for disability insurance. Instead of jeopardizing the blind person for previous failure to work in covered employment, it allows him to secure additional payments to cover the special conditions of his disabiltiy. It protects those who have not been able to fulfill the present requirement of employment, and makes the benefits of the insurance program more readily available.

The revised amendment is based on two assumptions: First, that blindness is an economic, as well as a physical handicap and second, that the right to draw disability payments should not be contingent on previous employment, but based simply upon proof of blindness. Whether he is employed or remains outside the labor force, the amendment provides an additional source of income to help pay for "equalizing expenses and allows a blind person to compete with people who are not handicapped by any disability. For those who work in sheltered employment, the minimum financial security permits venturing into new jobs on a "trial only" basis, and encourages acceptance of jobs and business opportunities which offer uncertain immediate income, but return on invested skill and effort. By reducing the disadvantages of functioning without sight, the proposed amendment permits the blind to work their way from "public dependence to self-dependence."

In short, the bill asks Congress to recognize the adverse circumstances of the blind, just as it has recognized the special circumstances of those aged 72 and over. Previous amendments to the Social Security Act provide ample precedent. The Tax Adjustment Act of 1966 amended title II of the act to provide benefits for those who are 72 years of age, but have only three quarters of coverage. Under section 104, H.R. 5710, monthly payments to certain persons 72 years and over were increased—even though they failed to work at all in social security covered employment.

Measures identical to this bill have passed the Senate twice as floor amendments to pending social security bills—on September 3, 1964, an amendment was adopted to H.R. 11865, without a dissenting vote, but it was lost when the House-Senate conference failed to agree upon social security matters.

Then, again on July 19, 1965, the "amendment"—similar to the House amendment introduced by the Honorable CECIL KING—was adopted by a rollcall vote of 78 to 11, but again, the bill was lost in the House-Senate conference on social security matters.

Clearly there is a need to modify the present statute and ample precedent for the amendment. Proposals to modify the Social Security Act have received strong support from the National Federation of the Blind, and from others who appreciate the difficulties of the handicapped and disabled. I urge the members of this committee to carefully consider their problems and to pass the proposed resolution.

A PREDICTION OF THE STATE OF THE ECONOMY IN THE SECOND HALF OF 1967

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CURTIS. Mr. Speaker, Mr. S. Jay Levy's Industry Forecast for May 1967 has several interesting predictions for the performance of the economy during the second half of 1967.

Mr. Levy believes that the economy is "shaking off the effects of excessive inventories." This suggests that it will advance in the second half of the year. He does not, however, expect a revival of the "boom" conditions of early 1966.

To explain this situation, Mr. Levy introduces a prototype of the modern business cycle. In his model of a cycle with no sharp declines, this period of slow advance is called the stage of "competition."

Mr. Levy, however, expects that wage rates may increase by more than 5 percent a year during the second half. At the same time, productivity will increase only 3 percent annually. He, therefore, believes that industrial prices will advance 2 percent and consumer prices 3 percent. This is, to him, the major challenge now facing the economy.

Mr. Levy presents an excellent survey of the expected performance of the economy during the latter half of 1967. He also offers an interesting descriptive model of the current business cycle. In order to give the House access to this summary of the midyear economy, I insert this article in the RECORD at this point:

[From Industry Forecast, May 1967]

WAGE INFLATION

(By S. Jay Levy)

The economy is shaking off the effects of excessive inventories. When business begins to resume a normal rate of inventory accumulation within the next few months, production and industrial prices will rise. The price advances will result largely from wages outrunning gains in productivity. They will also reflect profit margins improving from the relatively depressed levels of recent months.

Inventories during the last half of 1966 were rising at the seasonally adjusted annual rate of $19 billion. The recent rate of inventory accumulation has been less than $2 billion. This $17 billion decline in business' demand for goods largely explains the sluggishness in the economy.

Inventories, if stock-sales ratios were satisfactory, would rise at a $9 billion-a-year rate in order to keep pace with the growth of the labor force and the productivity of the economy. If this rate is achieved in the second half, inventory accumulation will be $8 billion less than in the second half of 1966. A big Federal deficit and a rising volume of residential construction will barely make up the year-to-year loss in demand resulting from less business stockpiling. Increases in other flows of funds that represent stimulants to business activity will not be large. Expenditure for plant and equipment, for example, may be $4 billion higher than in the last half of 1966. Their year-to-year gain, 6%, will hardly be sufficient to keep pace with the growth in the consumption of goods by individuals and governments, not enough to contribute to a revival of the "boom" conditions that characterized early 1966.

Industrial prices will be advancing in the second half at a rate that is neither "normal" nor acceptable. This excessive rise will result from wage increases that far exceed gains in productivity. Wage rates have been rising in excess of 4.5% a year. Productivity increases about 3% annually. The prices of services will advance considerably faster than the prices of industrial commodities.

Production, retail sales down; prices steady; wages up

	April 1966	February 1967	March 1967	April 1967
Industrial production (1957–59 equal 100)[1]	153.9	156.1	156.4	155.9
Industrial wholesale prices (1957–59 equal 100)	104.3	106.0	106.0	106.0
Retail sales[1] [2]	$24.9	$25.6	$25.8	$25.7
Total business inventories[1] [2]	$124.7	$136.8	$136.9	(3)
Housing starts (annual rate)[1]	1,502,000	1,151,000	1,161,000	1,171,000
Employment[1]	72,542,000	74,137,000	73,747,000	73,910,000
Unemployment[1]	2,799,000	2,888,000	2,776,000	2,830,000
Average hourly earnings, manufacturing	$2.70	$2.78	$2.79	$2.80

[1] Seasonally adjusted.
[2] Data in billions.
[3] Not available.

The private sector of the economy was virtually marking time in April. Consumers, according to the advance retail sales report, were spending a little less than in March. The decline in industrial production indicates that business was not buying for inventory and was not increasing its expenditures for equipment. Residential construction was still depressed. Federal, state, and local government, however, were increasing expenditures at a rate sufficient to assure an upward trend of gross national product.

Inventories increased about $160 million in March, probably less in April. At the beginning of May, excessive stocks had been largely eliminated. The cautious purchasing policies that were adopted to cope with them are still effecting lower inventory-sales ratios. These policies will lead to scattered shortages of consumer products later this year.

The trend of housing starts, which was moving slowly upward in March and April, will accelerate during the summer months. Before the year's end, starts will have recovered all of their 1966 decline. An ample supply of mortgage money at lower rates than at present will encourage the increase in residential construction.

There was a moderate increase in employment in April and a slight rise in the number of unemployed. The low unemployment rate, 3.7%, was the same as a year earlier.

The advance in average wage rates is being retarded by a decline in overtime. Wages in manufacturing, including overtime wages, are close to 4% higher than a year ago. Without overtime, wage rates have gained about 4.7%. If overtime begins to increase, the rise in total wages (including overtime) will quickly reach the rate of 5.0% annually.

There is a good chance that wage rates will be rising well above 5% a year during the second half. Each month brings demands from unions that expect wage increases at least as large as those that rival groups won in the previous month. There is no sign that the national economy will be able to extricate itself from this treadmill, at least in 1967.

Higher wages and employment will result in a continuing, strong upward trend of personal income. Dollar retail sales will, therefore, improve greatly beginning in the summer months. Personal income tax receipts for calendar 1967 will be considerably above the Treasury's present estimates.

The recent stability in industrial prices has been achieved by declines in overtime wage costs and in profit margins. These lower margins were causing business to slow its rate of business expansion. Were margins to remain at first-quarter 1967 levels, the retarded rate of expansion would soon be reflected in a rising number of jobless. The fiscal and monetary measures that have been adopted to avoid an increase in unemployment will cause some rise in profit margins.

The wholesale price index for all commodities other than farm products and foods (industrials) has remained at 106.0 for the last three months. It has increased less than 0.5% in the last six months. It moves considerably slower than other major price gauges, including the consumer price index and the "GNP deflator." If wage rates are rising 5% a year, industrial prices will be advancing about 2% and consumer prices 3%.

The United States has learned to virtually assure a demand for qualified workers that is at least equal to the supply. Its major economic problem now is to learn how, under conditions of virtually full employment, to limit wage increases to gains in productivity.

The business climate since February 1961, the official end of the most recent recession, has fluctuated between great buoyancy and dubious prosperity. The prevailing, narrow-amplitude cycle had no period of sharp *decline* or recession. (Special Letter, "Forecasting Business Cycles and Business Conditions," October, 1961). The prototype of this "modern" business cycle is illustrated above.

Since the first few months of 1966, when the economy was characterized by a rather marked degree of *excess demand*, the consumer sector has been relatively weak. Strong government demand for military goods, however, has prevented any notable increase in unemployment and any interruption in the rising trend of personal income.

The rush for military goods that accompanied the late 1965-early 1966 major escalation of the war in Vietnam has subsided; there is now a relatively steady and orderly increase in Federal military expenditures. Although this situation still has some *excess demand* characteristics, it is best described as *competition*. *Competition* will prevail throughout 1967, barring an unexpected change in the Vietnam War.

The *excess supply* of goods which slowed the civilian economy after the summer of 1966 is now largely eliminated. Consumer demand has been strengthening slowly and unevenly. For the rest of 1967 there will be *competition* in the consumer economy. It will be manifest in competitive pricing and in profit margins that are generally higher than in the first quarter of 1967 but below the peaks reached early in 1966. Only a bigger rise in Federal expenditures than is now indicated would cause *excess demand* to return to the consumer economy this year. Even such an increase in spending would not result in *excess demand* if it were offset by a tax increase.

TERMINATION OF PRIVATE PENSION PLANS: 11 YEARS' EXPERIENCE

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CURTIS. Mr. Speaker, following is an article that appeared in the Monthly Labor Review, written by Emerson H. Beier of the Division of Industrial and Labor Relations, Bureau of Labor Statistics. It represents the result of a Labor Department study on the incidence of pension plan terminations.

It contains some interesting findings that argue against the reinsurance provision of many of the current proposals for Federal control or regulation of private pension plans.

I will point out a few of these findings. First, pension plan terminations involve one-tenth of 1 percent of total private pension plan coverage. Of this one-tenth of 1 percent, over 26 percent did not lose benefits, due to transference other pension or retirement plans. An additional 8.5 percent of the workers affected showed little interest in pension plans or agreed to terminate an existing plan. The amount of benefits lost by those whose plans are involuntarily discontinued cannot be accurately determined. Moreover, Mr. Beier predicts that as companies and plans mature, the termination rate may well decline.

The small number of people adversely affected by terminated plans indicates that the administrative expense and red tape that would result from the proposed Federal reinsurance programs is not justified by the benefits that could be obtained. It also seems unwise to saddle private pension plans with Federal control in order to deal with such an insignificant problem.

I am most appreciative of the Labor Department for undertaking and making public this study directly relating to the important dialogue developing on the need for regulation of private pension plans.

The article follows:

TERMINATIONS OF PENSION PLANS: 11 YEARS' EXPERIENCE

(By Emerson H. Beier*)

Although pension plans are initiated as permanent programs, they are subject to discontinuance, as is the existence of the sponsoring company. The recent ending of a few large plans, coupled with a widespread assumption that terminations lead to a considerable loss of earned pensions, has kindled interest in data on terminations. With the cooperation of the Internal Revenue Service, the Bureau of Labor Statistics has studied the causes and effects of termination and the characteristics of plans closed out between 1955 and 1965.

Of 8,100 qualified retirement plans terminated during the years 1955–65, over half were pension plans,[1] as the following tabulation shows:

Terminated qualified retirement plans, 1955–65

Type of plan	Plans terminated		Estimated nunber of plan participants (in thousands)	
	Number	Percent	Number	Percent
Total	8,069	100.0	475	100.0
Pension	4,259	52.7	225	47.4
Profit sharing	3,655	45.3	242	50.9
Stock bonus	29	.4	4	.8
Thrift	126	1.6	4	.8

The remainder were profit-sharing, stock bonus, and thrift plans, and are not involved in the present inquiry.

Data abstracted from the termination record files of the Internal Revenue Service (IRS) show that terminating plans tended to be young and small in size. More than half were no more than 6 years old, and two-thirds covered fewer than 25 employees. Although a variety of circumstances may lead to termination, the most frequent reasons given were company and plan mergers, financial difficulties, and business dissolution.

These 4,300 plans covered approximately 225,000 employees at the time of termination. Thus, on the average, about 20,000 workers a year were affected—about one-tenth of 1 percent of total pension plan coverage.[2] All accrued pension rights were not lost, however. Some rights were undoubtedly preserved by fund accumulations or, in many instances, by the transfer of accrued pension credits to other plans. Only a continuance of coverage in another plan, however, assures participants of benefits for future employment.

FREQUENCY OF TERMINATIONS

A marked upward trend in the frequency of pension plan terminations is evident from the data shown in the table. The increase is a reflection more of the spread of private pension plans than of any significant change in the rate of plan termination, which has consistently remained around 1 percent of active plans.

The rise in the number of terminations did not follow a smooth path—experience fluctuated in a manner that, in part, reflects the influence of changing business conditions. For example, the greatest rise in the number of pension terminations occurred in 1961, a year of relatively low economic activity; the number fell during the following year of general recovery. The relationship, however, is by no means perfect. In 1963, a relatively good business year, not only did terminations rise, but much of the increase was attributed to financial difficulties.

Although changes in general economic conditions and in the economic characteristics of firms with pension plans influence the rate of plan termination, there is little reason to expect a radical change in the rate in the coming decade. The termination rate, as previously mentioned, was largely unaffected by the moderate economic downturns of the 1955–65 period. Similar experience is likely in the future, unless subsequent downturns are much more severe. Changes in the characteristics of firms with pension plans reflect divergent influences that, at least in part, are offsetting. As existing firms and plans mature, they become more stable, thus reducing the chance of termination. On the other hand, new plans are spreading into less stable industries and marginal firms where the chance of termination is greater. As new plans account for a declining proportion of the total, it is quite possible that the termination rate may decline.

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*Of the Division of Industrial and Labor Relations, Bureau of Labor Statistics.

[1] The number of terminations included in this study differs significantly from that reported in quarterly IRS releases. This study relied on IRS termination records (Form 517T); the quarterly releases report the number of determination letters issued.

[2] This estimate does not account for employees who lost their jobs and, unless vested, their pension rights in a business decline preceding termination.

AGE AND SIZE DIFFERENCES

The median age of plans terminated during the 1955–65 period was 6 years. Three out of ten terminations involved plans that were no more than 3 years old. About a fourth were more than 10 years old. The older ones were, on the average, substantially larger than the newer terminating plans. Thus, half the participants were in plans that had been in existence for 9 years or longer.

Selected characteristics of terminated qualified pension plans, 1955–65

Characteristic	Plans		Participants	
	Number	Percent	Number (thousands)	Percent
YEAR OF TERMINATION				
All plans	4,259	100.0	225	100.0
1955	220	5.2	8	3.6
1956	231	5.4	10	4.4
1957	276	6.5	16	7.1
1958	329	7.7	27	12.0
1959	372	8.7	20	8.9
1960	351	8.2	18	8.0
1961	524	12.3	32	14.2
1962	484	11.4	21	9.3
1963	548	12.9	24	10.7
1964	492	11.6	31	13.8
1965	432	10.1	18	8.0
AGE OF PLAN AT TERMINATION				
All plans	4,259	100.0	225	100.0
1 year or less	284	6.7	13	5.8
2 years	468	11.0	12	5.3
3 years	495	11.6	19	8.4
4 years	380	8.9	8	3.6
5 years	339	8.0	13	5.8
6 years	286	6.7	14	6.2
7 years	278	6.5	16	7.1
8 years	211	5.0	17	7.6
9 years	168	3.9	16	7.1
10 years	193	4.5	12	5.3
11 years	164	3.9	12	5.3
12 years	152	3.6	12	5.3
13 years	126	3.0	10	4.4
14 years	108	2.5	8	3.6
15 years and over	478	11.2	36	16.0
Unknown	129	3.0	7	3.1

Characteristic	Plans		Participants	
	Number	Percent	Number (thousands)	Percent
NUMBER OF PARTICIPANTS				
All plans	4,259	100.0	225	100.0
Under 10	1,891	44.4	9	4.0
10 to 24	1,093	25.7	17	7.6
25 to 49	499	11.7	18	8.0
50 to 99	367	8.6	26	11.6
100 to 249	253	5.9	40	17.8
250 to 499	90	2.1	31	13.8
500 to 999	42	1.0	29	12.9
1,000 and over	24	.6	55	24.4
REASON FOR TERMINATION				
All plans	4,259	100.0	225	100.0
Merger or sale	1,276	30.0	73	32.4
Coverage continued	511	12.0	34	15.1
Coverage not continued	406	9.5	19	8.4
Effect on coverage unknown	359	8.4	20	8.9
Financial difficulties	1,087	25.5	38	16.9
Business dissolved	771	18.1	43	19.1
Change to profit sharing	214	5.0	14	6.2
By agreement with union	180	4.2	11	4.9
Employee lack of interest	125	2.9	8	3.6
Transfer to another plan	175	4.1	11	4.9
Few employees eligible	111	2.6	7	3.1
Other	320	7.5	20	8.9

Note.—Because of rounding, sums of individual items may not equal totals.

Mortality among young plans is attributable both to a tendency for plans (and businesses) to be less stable during their early years, and to differences between new and old plans that are not directly related to age. The spread of pension plans into industries and enterprises where higher mortality is to be expected may have already affected the termination rate.

Some terminated plans were large, but most of them covered relatively few employees. About 90 percent had fewer than 100 participants and 45 percent had fewer than 10. The median plan had only 13 members. Coverage of the median plan dropped from more than 15 employees during the late fifties to around 10 employees during the mid-sixties.

The high proportion of small plans among all pension plans largely accounts for their high proportion among terminating plans. Similarly, the decline in the median size of terminating plans may reflect simply a reduction in the average size of new plans. However, since a higher incidence of financial difficulty or organizational change—company merger, sale, or dissolution—is likely among small firms, a higher rate of pension plan termination might be expected. This is why multiemployer plans or any device to pool pension plans among small employers offer promise of stability to employees.

REASONS FOR TERMINATION

Financial difficulties were frequently cited as the primary reason for terminating a plan. Other reasons, such as company and plan mergers or the sale of individual plants, were also prevalent.[3] Financial difficulty was given as the reason for 1 out of 4 terminations, and business dissolution for 1 out of 5. Mergers and sales, which are difficult to separate, accounted for 3 out of 10. In at least a third of these terminations by merger or sale, pension coverage of employees was not continued.

The frequency of these several reasons for terminating a plan tends to vary from year to year. Some reflect adverse business conditions, others may not. Financial difficulty and business dissolution accounted for a larger part of the annual totals when the level of general economic activity was relatively low and business conditions less favorable. It is interesting to note that the role played by business dissolution, the final step, conforms quite closely with that for financial difficulty if adjustment for a 1-year lag is made. Changes in the role of mergers and sales, on the other hand, were not closely related to general business activity. Rather, experience followed a relatively consistent upward trend. In 1961, for example, merger or sale was cited more often than in the preceding year, but represented a smaller part of the total. The remaining reasons, which were far less prevalent, did not show either a definite upward trend or fluctuations related to general economic conditions.

The reasons for plan termination tend to differ significantly with plan size, and to a lesser extent with age. Financial difficulty is most frequently cited in terminations involving small plans; organization change—business dissolution, sale or merger—are more prominent among the larger plans. Financial difficulty accounted for a third of the terminations affecting less than 50 employees, a fifth of those with 50 to 100 employees, and a lesser proportion among larger plans. Mergers and sales tended to increase with plan size, accounting for a fourth of the terminations involving fewer than 10 workers, and about a third among large plant. Business dissolution followed a similar pattern. Experience among the less prevalent reasons revealed either no pattern or one that is easily explained. Lack of interest and few eligible employees, for instance, were reasons offered mainly by small plans.

EXTENT OF BENEFIT LOSSES

Most pension plans do not, at any one point in time, have sufficient resources to fully discharge all of their liabilities. While benefits earned after the inception of a plan are funded as they accrue, a substantial unfunded liability usually is created when a plan is established by giving participants either full or partial credit for earlier service. Additional unfunded liability may, and usually does, arise because of subsequent, liberalizing plan amendments. Under both circumstances, immediate full funding of these liabilities is not practicable, not only because IRS rules discourage funding at the rapid rate that would be required, but also for reasons of prudent management of a company's financial resources. Although some employers choose to contribute only enough funds to pay interest on these liabilities, most employers systematically fund them over a period of years.

The assets of a terminating plan may also prove to be inadequate to satisfy all of its obligations because of investment losses, failure of the employer to make contributions, or adverse actuarial errors resulting from an overly optimistic projection of a plan's income or an understatement of its liabilities.

Pension plans, with few exceptions, limit an employer's financial obligations to the amount of his contributions, i.e., any deficit the second half. Each month brings demands from unions that expect wage increases at least as large as those that rival groups won in the previous month. There is no sign that the national economy will be able to extricate itself from this treadmill, at least in 1967.

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[3] On IRS forms, a single reason is cited for each termination. Since the various reasons are not necessarily mutually exclusive, some distortion of their relative importance is unavoidable. Financial difficulties, for example, may be a contributory factor leading to the sale, merger, or dissolution of a company.

Higher wages and employment will result in a continuing, strong upward trend of personal income. Dollar retail sales will, therefore, improve greatly beginning in the summer months. Personal income tax receipts for calendar 1967 will be considerably above the Treasury's present estimates.

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The remainder were profit-sharing, stock bonus, and thrift plans, and are not involved in the present inquiry.

Data abstracted from the termination record files of the Internal Revenue Service (IRS) show that terminating plans tended to be young and small in size. More than half were no more than 6 years old, and two-thirds covered fewer than 25 employees. Although a variety of circumstances may lead to termination, the most frequent reasons given were company and plan mergers, financial difficulties, and business dissolution.

These 4,300 plans covered approximately 225,000 employees at the time of termination. Thus, on the average, about 20,000 workers a year were affected—about one-tenth of 1 percent of total pension plan coverage.[2] All accrued pension rights were not lost, however. Some rights were undoubtedly preserved by fund accumulations or, in many instances, by the transfer of accrued pension credits to other plans. Only a continuance of coverage in another plan, however, assures participants of benefits for future employment.

FREQUENCY OF TERMINATIONS

A marked upward trend in the frequency of pension plan terminations is evident from the data shown in the table. The increase is a reflection more of the spread of private pension plans than of any significant change in the rate of plan termination, which has consistently remained around 1 percent of active plans.

The rise in the number of terminations did not follow a smooth path—experience fluctuated in a manner that, in part, reflects the influence of changing business conditions. For example, the greatest rise in the number of pension terminations occurred in 1961, a year of relatively low economic activity; the number fell during the following year of general recovery. The relationship, however, is by no means perfect. In 1963, a relatively good business year, not only did terminations rise, but much of the increase was attributed to financial difficulties.

Although changes in general economic conditions and in the economic characteristics of firms with pension plans influence the rate of plan termination, there is little reason to expect a radical change in the rate in the coming decade. The termination rate, as previously mentioned, was largely unaffected by the moderate economic downturns of the 1955–65 period. Similar experience is likely in the future, unless subsequent downturns are much more severe. Changes in the characteristics of firms with pension plans reflect divergent influences that, at least in part, are offsetting. As existing firms and plans mature, they become more stable, thus reducing the chance of termination. On the other hand, new plans are spreading into less stable industries and marginal firms where the chance of termination is greater. As new plans account for a declining proportion of the total, it is quite possible that the termination rate may decline.

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*Of the Division of Industrial and Labor Relations, Bureau of Labor Statistics.

[1] The number of terminations included in this study differs significantly from that reported in quarterly IRS releases. This study relied on IRS termination records (Form 517T); the quarterly releases report the number of determination letters issued.

[2] This estimate does not account for employees who lost their jobs and, unless vested, their pension rights in a business decline preceding termination.

AGE AND SIZE DIFFERENCES

The median age of plans terminated during the 1955–65 period was 6 years. Three out of ten terminations involved plans that were no more than 3 years old. About a fourth were more than 10 years old. The older ones were, on the average, substantially larger than the newer terminating plans. Thus, half the participants were in plans that had been in existence for 9 years or longer.

Selected characteristics of terminated qualified pension plans, 1955–65

Characteristic	Plans		Participants	
	Number	Percent	Number (thousands)	Percent
YEAR OF TERMINATION				
All plans	4,259	100.0	225	100.0
1955	220	5.2	8	3.6
1956	231	5.4	10	4.4
1957	276	6.5	16	7.1
1958	329	7.7	27	12.0
1959	372	8.7	20	8.9
1960	351	8.2	18	8.0
1961	524	12.3	32	14.2
1962	484	11.4	21	9.3
1963	548	12.9	24	10.7
1964	492	11.6	31	13.8
1965	432	10.1	18	8.0
AGE OF PLAN AT TERMINATION				
All plans	4,259	100.0	225	100.0
1 year or less	284	6.7	13	5.8
2 years	468	11.0	12	5.3
3 years	495	11.6	19	8.4
4 years	380	8.9	8	3.6
5 years	339	8.0	13	5.8
6 years	286	6.7	14	6.2
7 years	278	6.5	16	7.1
8 years	211	5.0	17	7.6
9 years	168	3.9	16	7.1
10 years	193	4.5	12	5.3
11 years	164	3.9	12	5.3
12 years	152	3.6	12	5.3
13 years	126	3.0	10	4.4
14 years	108	2.5	8	3.6
15 years and over	478	11.2	36	16.0
Unknown	129	3.0	7	3.1
NUMBER OF PARTICIPANTS				
All plans	4,259	100.0	225	100.0
Under 10	1,891	44.4	9	4.0
10 to 24	1,093	25.7	17	7.6
25 to 49	499	11.7	18	8.0
50 to 99	367	8.6	26	11.6
100 to 249	253	5.9	40	17.8
250 to 499	90	2.1	31	13.8
500 to 999	42	1.0	29	12.9
1,000 and over	24	.6	55	24.4
REASON FOR TERMINATION				
All plans	4,259	100.0	225	100.0
Merger or sale	1,276	30.0	73	32.4
Coverage continued	511	12.0	34	15.1
Coverage not continued	406	9.5	19	8.4
Effect on coverage unknown	359	8.4	20	8.9
Financial difficulties	1,087	25.5	38	16.9
Business dissolved	771	18.1	43	19.1
Change to profit sharing	214	5.0	14	6.2
By agreement with union	180	4.2	11	4.9
Employee lack of interest	125	2.9	8	3.6
Transfer to another plan	175	4.1	11	4.9
Few employees eligible	111	2.6	7	3.1
Other	320	7.5	20	8.9

Note.—Because of rounding, sums of individual items may not equal totals.

Mortality among young plans is attributable both to a tendency for plans (and businesses) to be less stable during their early years, and to differences between new and old plans that are not directly related to age. The spread of pension plans into industries and enterprises where higher mortality is to be expected may have already affected the termination rate.

Some terminated plans were large, but most of them covered relatively few employees. About 90 percent had fewer than 100 participants and 45 percent had fewer than 10. The median plan had only 13 members. Coverage of the median plan dropped from more than 15 employees during the late fifties to around 10 employees during the mid-sixties.

The high proportion of small plans among all pension plans largely accounts for their high proportion among terminating plans. Similarly, the decline in the median size of terminating plans may reflect simply a reduction in the average size of new plans. However, since a higher incidence of financial difficulty or organizational change—company merger, sale, or dissolution—is likely among small firms, a higher rate of pension plan termination might be expected. This is why multiemployer plans or any device to pool pension plans among small employers offer promise of stability to employees.

REASONS FOR TERMINATION

Financial difficulties were frequently cited as the primary reason for terminating a plan. Other reasons, such as company and plan mergers or the sale of individual plants, were also prevalent.[3] Financial difficulty was given as the reason for 1 out of 4 terminations, and business dissolution for 1 out of 5. Mergers and sales, which are difficult to separate, accounted for 3 out of 10. In at least a third of these terminations by merger or sale, pension coverage of employees was not continued.

The frequency of these several reasons for terminating a plan tends to vary from year to year. Some reflect adverse business conditions, others may not. Financial difficulty and business dissolution accounted for a larger part of the annual totals when the level of general economic activity was relatively low and business conditions less favorable. It is interesting to note that the role played by business dissolution, the final step, conforms quite closely with that for financial difficulty if adjustment for a 1-year lag is made. Changes in the role of mergers and sales, on the other hand, were not closely related to general business activity. Rather, experience followed a relatively consistent upward trend. In 1961, for example, merger or sale was cited more often than in the preceding year, but represented a smaller part of the total. The remaining reasons, which were far less prevalent, did not show either a definite upward trend or fluctuations related to general economic conditions.

The reasons for plan termination tend to differ significantly with plan size, and to a lesser extent with age. Financial difficulty is most frequently cited in terminations involving small plans; organization change—business dissolution, sale or merger—are more prominent among the larger plans. Financial difficulty accounted for a third of the terminations affecting less than 50 employees, a fifth of those with 50 to 100 employees, and a lesser proportion among larger plans. Mergers and sales tended to increase with plan size, accounting for a fourth of the terminations involving fewer than 10 workers, and about a third among large plant. Business dissolution followed a similar pattern. Experience among the less prevalent reasons revealed either no pattern or one that is easily explained. Lack of interest and few eligible employees, for instance, were reasons offered mainly by small plans.

EXTENT OF BENEFIT LOSSES

Most pension plans do not, at any one point in time, have sufficient resources to fully discharge all of their liabilities. While benefits earned after the inception of a plan are funded as they accrue, a substantial unfunded liability usually is created when a plan is established by giving participants either full or partial credit for earlier service. Additional unfunded liability may, and usually does, arise because of subsequent, liberalizing plan amendments. Under both circumstances, immediate full funding of these liabilities is not practicable, not only because IRS rules discourage funding at the rapid rate that would be required, but also for reasons of prudent management of a company's financial resources. Although some employers choose to contribute only enough funds to pay interest on these liabilities, most employers systematically fund them over a period of years.

The assets of a terminating plan may also prove to be inadequate to satisfy all of its obligations because of investment losses, failure of the employer to make contributions, or adverse actuarial errors resulting from an overly optimistic projection of a plan's income or an understatement of its liabilities.

Pension plans, with few exceptions, limit an employer's financial obligations to the amount of his contributions, i.e., any deficit in the plan's finances is not chargeable against company assets in case of default. The participants, consequently, must assume the burden of any asset deficiency upon termination, unless their pension credits are transferred to another plan. Available resources are allocated among the participants as specified in the plan or as agreed to at the time of termination. Priority orders are frequently set up to favor the older and long-service members, although pro rata allocations are sometimes made to all participants.

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[3] On IRS forms, a single reason is cited for each termination. Since the various reasons are not necessarily mutually exclusive, some distortion of their relative importance is unavoidable. Financial difficulties, for example, may be a contributory factor leading to the sale, merger, or dissolution of a company.

A case in point is the Studebaker plan termination. When the Studebaker plant in South Bend, Ind., was closed and the pension plan terminated, workers with at least 10 years of service and age 60 or over—i.e., those retired or eligible to retire—lost no benefits. Workers with 10 years of service or more and between ages 40 and 59—those with vested rights to benefits—received 15 percent of the value of their accrued benefits. The rest of the participants—those without vested rights—received nothing.

Aside from such well-publicized cases, only the most fragmentary data are available on the extent of participant losses of expected benefits through plan terminations. IRS termination records do not contain the information needed to determine the frequency and magnitude of accrued benefit losses. In an effort to obtain some information, reports filed under the Welfare and Pension Plans Disclosure Act were examined for a group of 99 terminated plans, each with 100 participants or more. Due to one deficiency or another, rough estimates of the extent of potential participant losses could be made for only 26 of the plans.

By comparing assets to liabilities, it was evident that in 10 of the 26 plans some participant losses were incurred. These 10 plans had slightly over 10,000 members, including 8,500 reported by Studebaker. The assets of these plans, as a group, averaged about one-half of their reported liabilities, but benefit losses probably averaged less than this fraction suggests.[4] Six other plans, with 2,400 members, also reported insufficient assets to fund their accrued liabilities; however, there were no apparent losses since the participants were transferred to other plans. The remaining 10 plans, with 2,300 members, appeared to be fully or almost fully funded; if any losses occurred in these instances they were probably nominal. These 26 plans may have been more thoroughly funded than the typical terminating plan because they were older and, consequently, had a longer opportunity to improve their funding positions.

The general lack of pertinent financial information frustrates any effort to determine the value of benefits lost through the plan terminations included in this study. Some reasonable inferences as to the magnitude of loss in typical cases can be drawn, however, by assuming hypothetical, but more or less traditional, funding patterns. Funding practices largely determine the relation between plan resources and accrued benefit obligations, especially during the early years in the life of a plan when asset appreciation is minor and liberalizing amendments are least likely.

Employers generally adopt one of several actuarial methods that eliminate abrupt fluctuations and sharp increases in the amount of yearly contributions.[5] The more customary methods will, on the average, fund between 20 and 40 percent of a plan's accrued benefit obligations by the end of its fifth year of operation.[6] Between 45 and 65 percent of the accrued benefits will be funded by the end of the 10th year, if there have been no major plan amendments or changes in asset values during the intervening years. Even if these occur, funding experience is likely to fall within this range because amendments and changes in asset values tend to offset each other. Their net influence becomes less predictable with advancing age; hence, it is not practicable to suggest a meaningful range of ratios for older plans.

Translated into benefit losses, these funding patterns suggest that, unless coverage is continued through the transfer of credits to another plan, workers stand to lose between 60 and 80 percent of their total accrued benefits if their plan terminates in its fifth year. Most of this loss, however, is attributable to service prior to the inception of the plan. At 10 years, the total loss will range between 35 and 55 percent, assuming the net effect of plan amendments and changes in asset values is rather modest. (In all cases, a system of priority may allocate the loss among participants from none to 100 percent.)

Actuarial conjectures such as these may be of limited value for many purposes. Reasonably accurate estimates of the magnitude of benefit losses cannot be obtained from any government reporting system now in operation. Unless such reporting systems are changed, only a special survey program can produce more reliable data.

"The objective of management is stewardship, including stewardship of human assets. The basic compensation objective is to maximize the long-run return on expenditure of wage and salary dollars. Not all wage and salary expenditures should be viewed as costs; some are investments in human capital. Human assets should not be priceless in economic terms; they should be placed on the balance sheet where they belong."

—H. G. Heneman, Jr.

CONGRESSIONAL REORGANIZATION

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CURTIS. Mr. Speaker, as further evidence of the widespread expectation of the public and the press that the 90th Congress will enact congressional reform, I call the attention of the House to an editorial in the Indianapolis Star of June 14, 1967, entitled "To Help Congress Work." I include the text of the editorial at this point in my remarks.

To Help Congress Work

The first effort in 20 years to revise and modernize the procedures of Congress is having heavy going. Congress does not easily give up old ways.

Since one of the major controversies is over proposals to change committee procedures, it is not surprising that the measure, passed by the Senate, is hung up in the House Rules Committee. The bill would lay down some uniform basic rules for committee operations and administration. This would be quite a change from the present loose system in which each committee makes its own rules.

Another bone of contention is a section which would provide professional staff for committee minorities. Under the present setup staff services are supposed to be available in a loose way to the ranking minority member. This measure would give the minority some staff to call its own. Leaders of the present majority in the House don't think much of this idea.

There are two major sections which are less controversial. One would tighten the controls on registered lobbyists and broaden the description of lobbyists required to register. The other would provide new machinery—perhaps computerized—for keeping Congress informed on the budgetary and fiscal picture.

The latter item seems especially worth doing, assuming that what is done would be a genuine improvement. Year by year, as the budget grows by gigantic leaps, it becomes both more necessary and more difficult for Congress to keep abreast of the situation. The effort to do it better ought to be continuous, but right now there's need for a single big step to catch up with the growth and to put new devices and methods to work.

Accomplishment of the most needed changes ought not be allowed to die because of inability to agree on other things. Yet those who are fighting for the whole package cannot afford to give up too easily, either. The last congressional reorganization act was passed in 1946, and it may well be another 20 years before another gets through. Hence it's important to get as much as possible with this one.

The minority really ought to have staff to help meet its opposition obligations in committees. And a committee ought really to be a committee, and not just an extension of the office of the chairman.

When a reorganization bill does get through, it should be one with some real meaning.

I wish particularly to call attention to the next to the last paragraph in the editorial, concerning committee staffing for the minority.

Many of the majority, particularly committee chairmen who have opposed the provisions in S. 355 in the form it passed the Senate, providing more adequate assistance to the minority members of committees, it seems to me have missed the real point.

They view these minority staffing provisions as providing the minority with a weapon of obstruction and assume that the minority will appoint staff assistants who are troublemakers. I doubt that this would happen in any event, but holding this view is to overlook the real salutary purpose of minority staffing.

In my view, the essence of congressional activity is the study, consideration, advocacy and opposition, and eventually a reconciliation or compromise of differing views on problems of national policy. This essential function can only be discharged if dissent and opposition are effectively presented.

The minority members, no matter how talented they may be, simply do not possess the man-hours, by themselves, to make penetrating studies, marshal facts and arguments, and present their point of view with anything like the degree of effectiveness that the majority members can, served by adequate staff, and frequently backstopped by the executive bureaus and departments.

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[4] Liabilities as reported under the Disclosure Act are generally greater than the value of accrued benefits and still greater than the value of vested benefits. Although reported liabilities are determined by a variety of actuarial methods, nearly all methods level out the sharply rising cost of promised benefits by estimating liabilities during a plan's early years at a level well above the average cost of providing those benefits. The difference is usually so great that it is only partly offset by the accrued liability owing to credits given for service before the introduction of the plan. See Frank L. Griffin, Jr., "Pension Security and Funding Regulation," *Proceedings, Conference of Actuaries in Public Practice, 1964–65*, p. 135.

[5] The system an employer selects may provide for substantially lower contributions once the liabilities for service before inception of the plan have been funded, e.g., 20 or 30 years. However, such reductions are seldom realized because of periodic plan amendments.

[6] Griffin, ibid.

Providing assistance to those with differing views from the majority in order to present them more adequately and more effectively should lead to the improvement of the legislative product emerging from our committees, and should likewise lead to more intelligent presentation of the various sides of a legislative controversy on the floor of the House.

Mr. Speaker, I reiterate my hope that the leadership and the Rules Committee will shortly report to the floor some form of reorganization legislation with an open rule, so that the House can work its will on congressional reorganization, without further delay.

THE RESULTS OF MY QUESTIONNAIRE—BY SCHWENGEL

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, I would like to discuss the results of the questionnaire that was mailed from here about 6 weeks ago. More than 13,000 poll cards have been returned and tabulated. Question 1 on the poll card, asked, "Do you favor taking the appointment of postmasters and rural mail carriers out of politics?" Eighty-four percent said yes, 8 percent said no, and 8 percent did not answer.

Mr. Speaker, I have introduced two bills which would take the Post Office out of politics and I am grateful for the support of my position indicated in the results of the questionnaire. Overwhelming opposition to a tax increase was found when 84 percent said no to question 2, which read, "Do you favor the increase in income taxes proposed by the President?" Only 13 percent favored a tax hike and 3 percent did not respond. It is my position that Government spending should be cut so that calls for tax increases will not be needed. Feeling was almost evenly divided on question 3 which asked, "Do you favor the principle of turning over to the States each year a fixed percentage of returns from the Federal income tax with no string attached?" To this question, 49 percent said yes, 45 percent said no, and 6 percent failed to answer. It is evident that a heavy majority of the people have grave reservations about the war on poverty. Seventy-eight percent of those returning questionnaires said no when asked, "Do you think the war on poverty has been successful in helping poor people?" Only 15 percent said yes, and 7 percent did not respond. According to the poll, first district residents favor removing the ceiling on earnings of persons receiving social security or veterans' benefits. Question 5 on the card posed this question and 64 percent said yes, 32 percent said no, and 4 percent failed to respond. Sentiment on question 6, "Do you favor increasing postal rates to reduce post office deficits?" was almost equally divided. Forty-eight percent said yes, 48 percent said no, and 4 percent did not respond. A definite lack of support for present farm policy was indicated in answer to question 7, "Do you approve of the present Freeman-Johnson farm policies and programs?" Sixty-five percent punched the no box, 19 percent said yes, and 16 percent did not answer.

Opinion on the draft was mixed. Question 8 asked, "Do you favor the present selective service system over a lottery?" To this question 58 percent said yes, 32 percent said no, and 10 percent had no opinion. I was gratified for the support shown for tax credits for higher education. Question 9 asked, "Should a tax credit be allowed parents to help pay the costs of students in college or other approved educational institutions beyond high school?" Seventy-two percent said yes, 26 percent said no, 2 percent failed to answer. I have introduced the Iowa Plan which does give tax credits to those bearing the expenses of education beyond high school. The wide support shown in the questionnaire will help in stimulating action on the Iowa Plan. Discontent with administration policy in Vietnam was evidenced in answers to Question 10, "Do you favor the present administration policy in Vietnam?" Thirty-seven percent said yes, 56 percent said no, and 7 percent did not respond. The last question asked, "Would you support a program to increase our efforts for political and social reform in Vietnam?" Opinion was closely divided as 50 percent said yes, 42 percent said no, and 8 percent did not answer. Along with the questionnaires I received hundreds of letters from people who wanted to express their thoughts to a greater extent than permitted on the poll card. I greatly appreciated receiving the letters. The poll cards, letters, and other communications help me to better reflect, in the Congress, the feelings of the people of the first district.

Tabulated results

[In percent]

Question	Yes	No	No answer
1. Do you favor taking the appointment of postmasters and rural mail carriers out of politics?	83.8	8.3	7.9
2. Do you favor the increase in income taxes proposed by the President? [1]	13.2	83.8	3.0
3. Do you favor the principle of turning over to the States each year a fixed percentage of the returns from the Federal income tax with no strings attached?	49.6	44.7	5.7
4. Do you think the war on poverty has been successful in helping poor people? [1]	14.8	77.8	7.4
5. Do you favor removing the ceiling on earnings of persons receiving social security or veterans pensions?	63.8	32.4	3.8
6. Do you favor increasing postal rates to reduce post office deficits?	48.4	47.8	3.8
7. Do you approve of the present Freeman-Johnson farm policies and programs? [1]	18.9	64.9	16.2
8. Do you favor the present selective service system over a lottery?	58.0	32.0	10.0
9. Should a tax credit be allowed parents to help pay the costs of students in college or other approved educational institutions beyond high school?	71.2	26.7	2.1
10. Do you favor the present administration Vietnam policy?	37.2	56.6	6.2
11. Would you support a program to increase our efforts for political and social reform in Vietnam?	50.2	41.5	8.3

[1] This is a correction from the original release.

AMENDMENTS TO WATERSHED AND FLOOD PREVENTION ACT

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Schwengel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, I introduce a bill embodying three important amendments to the Watershed Protection and Flood Prevention Act—Public Law 83-566.

This action stems from my long-time interest in and support of water resource development, particularly the activities that have been so successfully carried on in the watershed program.

As a member of the Watershed Subcommittee of the Public Works Committee it has been my privilege to view the watershed program and especially the small watershed program first hand. I firmly believe in it. Its strengths and its value, and the tremendous amount of good that is being accomplished through it must be more fully appreciated. I recognize also its needs and its shortcomings which the Congress from time has alleviated by broadening the act thus making it more useful and workable.

There is great need to accelerate this program. The program is moving but far from fast enough. I should like to identify myself with those who would strengthen, improve the program. I want to implement and encourage the program, legislatively and fundwise, so that its tremendous potential may be more nearly realized.

The bill I have introduced would add three new needed features to the program's authority. First, it would provide for long-term cost-sharing agreements for installing planned conservation measures. Second, it would remove the restriction on the use of Federal funds other than Public Law 566 funds for land, easements, and rights-of-way. Third, it would include water quality management as a cost-sharing purpose.

These amendments would greatly improve the watershed program.

Cost sharing on land conservation treatment measures through long-term contracts with landowners would make it possible to get these important measures installed on a time schedule similar to that available under the Great Plains conservation program. It would supplement the annual cost-sharing authority under the ACP but would not replace it.

No Federal funds from any source may be used presently to acquire land rights in a watershed project except for public recreation or fish and wildlife developments. The proposed amendment would permit the use of Federal funds other than those appropriated under the act.

Third, the amendment would authorize cost sharing assistance to local sponsors in planning and installing needed works of improvement for water quality management—an authority that is badly needed.

Mr. Speaker, we have again reached a point in time when it is necessary to improve the watershed protection and flood prevention program. The many amendments made to this act have all proven to be sound, and they have helped greatly to advance the program.

The proposed amendments are in that category. They are needed. They will make the program more useful to the local people and to the Nation. They should be enacted.

"THE RIGHT OF PEOPLE TO KNOW"

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Dole] may extend his remarks at this point in the Record and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DOLE. Mr. Speaker, as we approach Independence Day, 1967, I believe it is appropriate to note that on that day the new Federal Public Records Law—Public Law 89–487—becomes effective.

This law, commonly known as the "Freedom of Information" law, serves to reassert the basic right of the American people to know what is happening in the Federal Government. It provides access to public records for all citizens and it provides for recourse to the courts in the event information is improperly denied.

It has been my privilege to serve as a member of the Government Operations Committee's Subcommittee on Foreign Operations and Government Information, and to work with one of the Nation's leading advocates of the public's right to know, Congressman Donald Rumsfeld, of Illinois. I commend to the attention of all Members the following speech on the Federal Public Records Law delivered by Congressman Rumsfeld on June 15, 1967, before the Chicago Headline Club:

REMARKS OF CONGRESSMAN DONALD RUMSFELD, OF ILLINOIS

"If government is to be truly of, by, and for the people, the people must know in detail the activities of government. Nothing so diminishes democracy as secrecy. Self-government, the maximum participation of the citizenry in affairs of state, is meaningful only with an informed public. How can we govern ourselves if we know not how we govern? Never was it more important than in our times of mass society, when government affects each individual in so many ways, that the right of the people to know the actions of their government be secure."

These words, expressing a belief in free access to government information, were *not* written by the Advancement of Freedom of Information Committee of Sigma Delta Chi or by the Headline Club's Freedom of Information Committee. In fact, they were *not* written by anyone connected with the news media at all. They were written by the United States Department of Justice. They are taken from the introduction to the guidelines which will be used by the Federal departments and agencies in bringing their rules and regulations into conformity with the new Freedom of Information Law.

A few years ago, such words would not have been written by a department of the Federal government—much less by the Federal department charged with the responsibility of setting the tone for the government's adherence to a Freedom of Information law. But times change. As a matter of fact, it was as recently as 1963 that the Justice Department testified before Congress that any efforts to legislate the public's right to know would be "unconstitutional." It probably would have been easy for most of us here today to have written such a statement, but the attitude reflected in these Justice Department words is a good sign for those of us concerned with the problem of guaranteeing the public's right to know about the conduct of government.

But, so far, the Justice Department's words are just that—so many words. It remains to be seen how far the Federal government is willing to go in implementing these words, in transferring the rhetoric into results. And it is results with which we must be concerned.

In three weeks, on July 4, 1967, the nation's first Federal Freedom of Information law will take effect. The law is technically known as Section 552 of Title 5 of the United States Code of laws. It was signed by the President July 4, 1966, as Public Law 89–487. It is the law that newsmen, both in and out of Washington, and others have been advocating for years. It is clearly one of the most important measures to be approved by Congress in more than 20 years.

This law is important because we in this country have placed all of our faith, all of our hope, in the intelligence of the people and in their interest in their government. We have said that ours is a government to be guided by the citizens. From this it follows that government will serve us well only if the people are well informed. As has been said, a man's judgment is only as good as his information. The success of our system of government is testimony to our belief that people will find their way to the right solutions if they are given sufficient information.

For nearly a year now, newsmen, officials of the Federal government, and Members of Congress have been wrestling with plans to put the new Freedom of Information law into effect. Whether or not the law will work as its Congressional sponsors and press supporters hope will depend on three factors:

First, the attitude of the government agencies which must discard old habits of secrecy in favor of openness and candor;

Second, the actions of the various interest groups which will undoubtedly try to secure government documents they have wanted for many years; and

Third, the pressure exerted and the follow-through provided by the press to make sure that legitimate demands for government information are fulfilled.

The administrative work preliminary to implementing the Freedom of Information law is about concluded. This procedure involves the Department of Justice drawing up a set of guidelines which were recently sent to all Federal departments and agencies. On the basis of these guidelines, the Federal agencies will rewrite and overhaul their regulations governing public access to information. All of the revised regulations will then be published in the Federal Register for all to see. Because the departments and agencies will lean heavily on the Justice Department's guidelines, it is particularly noteworthy that the guidelines—89 pages of them—set a theme for adherence to the new law which should meet with the approval of the most dedicated freedom of information advocates. A great deal of credit for the excellence of the guidelines must go to Samuel J. Archibald, a former newspaperman, who for ten years was Staff Director and is now a special consultant to our House Subcommittee on Government Information. Mr. Archibald worked very closely with the Justice Department while the guidelines were being prepared, and his diligence and skill have paid important dividends thus far.

The real thrust of the guidelines is a clear statement that, under the new Freedom of Information law, the Executive Branch of the Federal government has an "affirmative obligation" to make information available to the public. The guidelines further state that implementation of the law is "heavily dependent on the good judgment" of the public officials concerned.

The guidelines interpret a law which is quite complicated. It is actually two laws.

Sections (a) and (b) are a public records law requiring hundreds of government agencies to explain how they operate and to publish the orders, opinions, policy statements, manuals, and instructions that govern their operations.

Section (c) is the freedom of information section, requiring public records to be made available upon request and permitting court enforcement of the disclosures provisions.

Section (e) applies to both the public records and freedom of information parts of the law, spelling out those categories of government records which are properly exempt from the disclosure requirements.

Section (d) and (f) are special sections, one requiring all votes of multi-headed government regulatory agencies to be made public and the other protecting the special right of Congressional access to Executive Branch information.

The guidelines stress that the new law is much more than a simple restatement of past government records management practices. They point out that the law requires a published explanation of how each agency operates and publications of what the agency does. These requirements will go a long way in helping the public and the press to cut through the paper jungle. The law requires public records to be "made available" rather than merely requiring that they be "published." This is the problem—the problem of availability—that the press has been working on since the early 1950's when the American Society of Newspaper Editors established the first Freedom of Information Committee.

Some difficulties may arise in interpreting a provision of the new law which permits fees to be charged for the cost of copying and retrieving government records. The guidelines suggest that the fee provision shall not be used as an excuse for refusing legitimate requests for public records. But it is also suggested that the fee provision might be used to "discourage frivolous requests" for information. This question of what may be "frivolous" will have to be answered, perhaps by the courts.

The court enforcement provision of the new law provides that any person denied access to a public record may ask the Federal District Court with jurisdiction to rule on the legality of the refusal, with the burden of proof resting on the government agency doing the refusing. If an agency wants to withhold information, it must be able to prove that the record requested falls into one of nine areas of exemption. If the agency cannot prove this, the officials concerned can be cited for contempt of court. There has never before been a right of court enforcement. Formerly, any government employee could decide to withhold information if he believed it was "in the public interest" or if he wished to impose secrecy "for good cause found." The new law will force high-level decisions in the event an agency wants to attempt to withhold information. An agency employee is going to be less eager to arbitrarily refuse to give up information if he knows that the refusal may involve his boss in a court suit. Therefore, it is within the realm of possibility that agency refusals to divulge information will be restricted to those that the agency strongly feels it can defend in a court of law. And this is the way it ought to be.

The new law contains nine exemptions from disclosure:

Exemption number one gives the President statutory authority to specifically require by Executive Order that certain information be kept secret "in the interest of national defense or foreign policy."

Exemption number two applies to the operating manuals and handbooks used by government employees in their inspection and audit duties. This exemption also applies to government negotiations in purchasing transactions.

The third exemption covers all documents that are specifically protected by other statutes.

The fourth exemption concerns "trade secrets and commercial and financial information obtained from any person and privileged and confidential."

Exemption number five covers staff memos and letters to Federal agencies. This exemption is based on the contention of the Executive Branch that government staff assistants will be completely frank in their opinions only if they are protected. An argument can be made on this point, but it is an improvement over the old law which permitted secrecy about all "matters of internal management."

The sixth exemption protects Executive Branch files which, if disclosed, would constitute a "clearly unwarranted" invasion of personal privacy. Such details have previously been withheld under the "good cause found" provision of the old law.

Exemption seven restricts access to "investigatory files compiled for law enforcement purposes." So far such files—those of the FBI and the Secret Service, for example—have been protected in the "public interest."

The eighth exemption protects financial or commercial information gathered by the government from private institutions.

And, finally, the ninth exemption protects information which oil company geologists must file with the government by law.

While most government agencies seem to be tooling up to conform to the new law, some agencies are reportedly looking for ways to avoid its provisions. One agency is reportedly considering a plan to conduct much of its business verbally so that written documents and records will be impossible to obtain. I am told another agency is attempting to categorize everything under one or more of the nine exemptions so that virtually none of the information under its control will be available. Such actions, while not wholly unexpected, are indeed disappointing. These actions point up the fact that the new law will not work miracles overnight; it is not a cure-all for secrecy in government. It is merely a tool—and a valuable one—to assist the public and the press in gaining access to information.

Further, there are at least three areas in which the new Freedom of Information law will have no effect.

The law will *not* apply to State and local governments; it will *not* affect the relationship between the Congress and the Executive Branch of the Federal government; and it will have *no* impact on Congressional secrecy. I understand the Illinois Legislature has been considering amendments to strengthen the state's Open Meetings law. Leaders of the Headline Club deserve praise for the role they have played in the progress of these improvements. As you know so well, problems relating to the public's right to know are not restricted to the Federal government.

On the subject of the right of Congress to obtain information from the Executive Branch, there have been some improvements, but on a piecemeal basis. An amendment I offered last month in the House Committee on Science and Astronautics carried. It will require the Administrator of the National Aeronautics and Space Administration to keep Congress "fully and currently informed" of all agency activities, which has clearly not been the case in the past. On the Legislative secrecy front—and certainly government secrecy is not restricted to the Executive Branch—an amendment I offered for public disclosure of the votes taken in the House Government Operations Committee was defeated last month by a 20 to 10 vote. It will be offered again. The battle against secrecy in government has to be fought on many fronts—even in the Committee that drafted the Freedom of Information legislation.

It may seem at first glance that the average citizen is far removed from day-to-day contact with the Federal Government, yet, government has involved itself so deeply in the most commonplace of our activities that it is accepted many times without question—even when bound with red tape. We all deal regularly with local post offices, local branches of the military establishment, Department of Agriculture bureaus, the Internal Revenue Service, Social Security offices, and others. But these just touch the surface. Mortgages may be FHA or VA. Medical and hospital care are provided through VA hospitals, the Public Health Service, and Medicare. Educational and old age benefits are available under Social Security, National Defense Education Act, and the GI Bill. Any community, hospital, or university may be engaged in construction projects under various grants for facilities construction. The list is endless—from the obvious to the least known. The reason for the contact is frequently information. As simple and incidental as that information might seem, often it has been almost impossible to get. When the Postmaster General in Washington refused in 1965 to reveal the names of summer employees hired by local postmasters, local newsmen went to work and pried loose hundreds of names. The one in Washington who initiated this story got the awards, but the local newspapers did a lion's share of the work. There are many, many cases of this kind—known better to you, perhaps, than to me. They all evidence the magnitude of your stake in a Federal Government which will give free access to public information.

Secrecy in government is not new to be sure. However, while it may not be new, it has to be said that in recent years Washington has been particularly skillful and imaginative in the use of secrecy and news manipulations as protective devices.

The House Government Operations Committee's Subcommittee on Foreign Operations and Government Information, on which I serve, has been investigating instances of withholding information over a ten-year period. These investigations have resulted in thousands of pages of printed hearings and reports which prove conclusively—to use the words of the Chairman of the Subcommittee, Congressman John Moss of California—"the unfortunate fact that government secrecy tends to grow as government itself grows."

Recent examples of Federal withholding include the following:

The Forest Service denied the request of a small Eastern Colorado newspaper to make public the names of persons granted permits to graze cattle in a national forest.

The General Services Administration refused to disclose the amount a Federal Agency was paying to rent office space in an Eastern town.

The Public Housing Administration refused to make public a report on irregularities in the operation of a housing authority in a Pennsylvania County.

The National Aeronautics and Space Administration withheld vital documents in the recent Apollo investigations. The so-called Phillips Report, a document highly critical of certain management practices of North American, was never released by NASA.

There has been much discussion about media reliance on "public information" sources for news. With more and more news being generated in Washington, D.C., it becomes increasingly important that the sources upon which members of the press depend for information—your own investigations, the wire services, syndicated columnists, metropolitan TV and daily newspapers, and others—have full access to government information.

Local reporting can be only as good as your information. It is unimportant whether you personally acquire that information from Federal agencies or from the news services and media available to you, which, in turn, received the information from Federal agencies. The important fact is that the public's access, through you, to government information is totally dependent on the access of the news media as a whole.

The new Freedom of Information law is the work of many. A portion of it was suggested by the late Jacob Scher, a journalist-lawyer who taught at Northwestern University and who served as counsel for press associations. It was Professor Scher's work in Washington with our House Government Information Subcommittee which resulted in two of the most important parts of the new law—the provision that "any person" has the right to see government records, instead of restricting that right to persons "properly and directly concerned," and the provision for court enforcement of the right to know.

The news media representatives in Illinois can claim a good share of the credit for the new Federal Freedom of Information law. In addition to Professor Scher's contributions, Basil Walters was chairman of the first ASNE Freedom of Information Committee when he was editor of the *Daily News*. He recognized the problem of government secrecy and helped to start the machinery to do something about it. The ASNE committee, later chaired by a succession of top newspaper editors, has been a real leader in the fight for both Federal and State public records laws. And, of course, the role played by Sigma Delta Chi and its affiliate chapters has been vital. The Advancement of Freedom of Information Committee of SDX—through its annual reports and other means—has probably done more than any other single body in recent years to oppose government secrecy. Clark Mollenhoff of Cowles Publications Washington Bureau, who has won about every reporting award—including the Pulitzer Prize—and was Chairman of the Sigma Delta Chi Freedom of Information Committee, has a well earned reputation in Washington for keeping government officials on their toes. I understand he is on your program and will give you his personal assessment of the situation a little later today.

Whether the new Freedom of Information Law will really work will depend upon you—not on me or the other Members of Congress who enacted the law, not the government lawyers nor the Washington newsmen. This is a law for *public* access to government information, and news media representatives dedicated to informing the public must represent the public by using the new law as an instrument for digging out the facts of government. I don't mean that you are going to have to go to court every time some local Federal official refuses to bare his soul, but you are going to have to make the new law work by using it in the manner in which Congress intended—and this will take the support of the publishers.

This will require familiarity with the law and with the regulations to be adopted by

Federal agencies. And it will require that you raise the roof every time you come up against a roadblock between the public's right to know and the facts of government. For the first time in our nation's history, you will have a legal weapon to force Federal officials to make information available. That weapon is the possibility of court action and, believe me, the weapon will need to be used. I am confident that court dockets will not be clogged with suits filed by people who want to see particular government records, but there will have to be court cases at the outset at least. I recommend that your Club's Freedom of Information Committee discuss this problem of enforcement and be prepared to take a case to court if that is the only way to pry loose information which belongs in the public domain.

There is a fundamental need for a more effective transmission belt between the governors and the governed. Full and imaginative use of the means of communication can provide today's citizens with the knowledge they need to decide wisely on the public issues which confront them in growing number and complexity. The basic question which must be answered affirmatively is an old one. Aristotle posed it centuries ago: "The environment is complex and man's political capacity is simple. Can a bridge be built between them?"

The bridge will not be built unless it is built by local newsmen who sincerely believe in the principle of the public's right to know and who are willing to fight for those ideals by insisting that the government honor the letter and the spirit of the new Freedom of Information law.

FEDERAL COMMUNICATIONS COMMISSION APPLICATION OF "FAIRNESS DOCTRINE" TO CIGARETTE COMMERCIALS

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MORTON. Mr. Speaker, the ruling of the Federal Communications Commission applying the "fairness doctrine" to the field of advertising has struck many of us with astonishment.

The fairness doctrine is somewhat ill defined and, therefore, is subject to interpretation. However, I believe the Congress had no intention of creating a forum for public or private interest groups to refute the claims of paid advertisers. It is one thing to require that free time be allotted to respond to views expounded on a public service program. But it is quite another to require that free time be set aside to respond to commercials.

The implications of the ruling are far reaching. If the Federal Communications Commission can apply the doctrine to cigarette commercials, then it can require special interest groups be given time to reply to any other commercials—alcoholic beverages, automobile, airlines, and so on. This certainly is not in keeping with our free enterprise system.

Mr. Speaker, this ruling is outside the sphere of jurisdiction of the FCC. We have a definite responsibility not only to prohibit misuse of public laws, but also to protect the public from a barrage of advertisements and counteradvertisements.

RESULTS OF CONGRESSMAN BIESTER'S QUESTIONNAIRE

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BIESTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BIESTER. Mr. Speaker, the work of tabulating the results of the questionnaire I sent to over 110,000 families in the Eighth Congressional District is now complete. It is a pleasure for me to be able to report these results to the Members with the hope that they will be of interest.

Over 14,000 families responded to the questionnaire and 5,000 families took the time to comment in writing on questions of particular interest to them. It is heartwarming to see this expression of concern by the residents of my congressional district. I am pleased because it indicates that the people want to express their views on the important problems that are before us for solutions. I am pleased because they wish to express themselves in depth and to discuss the reasoning that supports their positions.

The questionnaire consists of 56 questions covering the major national and international issues. I sincerely appreciate the response by the residents to the questionnaire and I hope they will continue to keep me advised in the future of their views on these matters.

Following are the results of the questionnaire:

Congressional questionnaire for the 8th Congressional District of Pennsylvania—Hon. Edward G. Biester, Jr.

	Percent		
	Yes	No	Undecided
1. Which course of action do you favor in the Vietnam war?			
(a) Should the United States continue its present policy with respect to our commitment in Vietnam?	61	22	17
(b) Should our policy include a naval blockade of North Vietnam?	62	19	19
(c) Do you favor the immediate withdrawal of our troops from Vietnam?	7	74	19
(d) Do you favor gradual deescalation by the United States and a phased and gradual withdrawal from Vietnam?	17	62	21
(e) Do you favor taking whatever military action is deemed necessary, including nuclear weapons, to force the North Vietnamese regime to the conference table?	48	38	14
2. The problem of our relationship with Red China continues to be a vital concern of our foreign policy:			
(a) Do you favor U.S. recognition of Red China?	38	55	7
(b) Do you favor the admission of Red China to the United Nations?	35	58	7
3. The U.S. space program is geared to landing a man on the moon by 1970:			
(a) Do you favor an acceleration of this program, with increased spending to accomplish it?	15	68	17
(b) Do you favor maintaining the program as it is presently scheduled?	53	32	15
(c) Do you favor reducing the pace with a corresponding reduction in spending?	35	50	15
4. Legislation will again be introduced in the 90th Cong. to control and regulate the sale of firearms:			
(a) Do you favor registration of all firearms?	56	38	6
(b) Do you favor Federal controls over the interestate sale of firearms through mail-order houses?	72	22	6
5. Should Congress appropriate funds for the Teachers Corps designed to aid in the staffing of schools in depressed areas?	53	40	7
6. With respect to the proposed constitutional amendment to increase the length of the term of Members of the House of Representatives to 4 years:			
(a) Do you favor such an increase if the elections of the Members are held at the same time as the presidential election?	23	57	20
(b) Do you favor such an increase if the elections are staggered so that ½ of the House of Representatives is elected during the presidential election and ½ elected during the nonpresidential election?	53	31	16
(c) Do you oppose the entire concept of increasing the length of the Members' terms from 2 to 4 years?	29	56	14
7. Do you favor allowing parents some substantial income tax deduction for the expenses of a college education?	72	24	4
8. With respect to the House Un-American Activities Committee:			
(a) Do you favor limitation on the scope and methods of its investigations?	26	50	24
(b) Do you favor the abolishment of this committee?	13	64	23
(c) Do you favor the continuance of the committee on its present basis?	54	23	23
(d) Do you favor the transfer of this committee's functions to another committee, such as the Judiciary Committee?	21	52	27
9. It is anticipated that legislation proposing changes in the draft law will be considered in this session of the Congress:			
(a) Do you favor revision in standards and the establishment of uniform requirements for all draft boards throughout the Nation?	84	6	10
(b) Do you approve of the "good student" deferment?	48	41	11
(c) Do you believe that the original "lottery" system should be reinstituted?	33	47	20
(d) Do you believe it is feasible to abolish the draft and depend upon voluntary enlistments to man our Armed Forces?	14	76	10
10. Do you approve of the creation of a standing House Committee on Ethics and Conduct, which would police congressional activities?	84	9	7
11. Revision of social security benefits will come before the 90th Cong.:			
(a) Do you favor a flat 8-percent increase, with additional provisions for increases tied to the cost-of-living index?	46	33	21
(b) Do you favor a flat 20-percent increase, across the board, with the necessary increase in social security payments?	15	63	22
(c) Do you favor dramatic increases in social security benefits for those in the lowest brackets, with smaller increases for others?	32	50	18
(d) Do you favor an increase in the amount which social security beneficiaries can earn without forfeiting their social security benefits from the present level of $1,500 to a higher level?	78	11	11
(e) If you favor such an increase, would you increase the limit to $2,000 (7 percent), $2,500 (14 percent), $3,000 (24 percent), or unlimited (30 percent).			

Congressional questionnaire for the 8th Congressional District of Pennsylvania—Hon. Edward G. Biester, Jr.—Continued

	Percent		
	Yes	No	Undecided
12. Do you approve of a tax-sharing plan whereby a fixed percentage of the personal income taxes levied by the Federal Government would be returned to the State and local governments, to be used by them for local programs, without Federal control?	59	34	7
13. President Johnson has urged the Congress to help our foreign and commercial trade policies by passing an East-West trade bill:			
(a) Do you believe we should encourage trade with Soviet Union and Eastern European Communist countries, while the fighting continues in Vietnam?	34	62	6
(b) Would your answer be different if the Vietnam war was over?	35	57	8
14. Of the several "war on poverty" programs, the 2 which have received most comment have been the "Headstart" programs and the Job Corps:			
(a) Do you favor maintaining "Headstart" at its present rate?	42	39	19
(b) Do you favor increasing funds for this program?	27	55	18
(c) Do you believe that "Headstart" should be transferred from the Office of Economic Opportunity to the Office of Education?	47	29	24
(d) Do you favor continuation of the Job Corps?	53	34	13
15. Would you favor "truth-in-lending" legislation, which would require banks, small loan concerns, and other retail and lending operations to disclose to the borrower the true interest rate he is required to pay?	93	4	3
16. The Peace Corps has requested additional funds so that it may expand into more countries, add more volunteers, and increase its staff. Do you approve the enlargement of the Peace Corps?	58	37	5
17. Do you favor a constitutional amendment which would permit in public schools:			
(a) Bible reading from the Old and New Testaments?	65	20	15
(b) Bible reading from the Old Testament only?	12	52	36
(c) Voluntary prayer?	61	18	21
(d) Or do you oppose any such amendment whatsoever?	17	57	26
18. Do you support legislation which would outlaw all wiretapping and electronic "bugging"—public or private—wherever or whenever it occurs?	39	55	6
(a) Would you make an exception when national security is at stake?	74	11	15
(b) Would you make an exception when investigating organized crime?	68	16	16
19. There is growing concern over the danger of air and water pollution. In your opinion, can this problem best be solved by:			
(a) Federal regulation of industrial air and water pollution?	41	24	35
(b) Incentives to encourage industry to do the job itself, with a tax credit for a portion of the cost of antipollution facilities?	41	24	35
(c) Joint cooperation of Government and industry, by combining (a) and (b)?	70	16	14
20. New civil rights bills have been and will be introduced in this session of the Congress. What are your opinions on the following subjects which will be included in such bills:			
(a) Do you favor the elimination of discrimination in State and Federal jury systems?	79	12	9
(b) Do your favor legislation for the protection of civil rights workers?	41	47	12
(c) Do you favor the elimination of discrimination in new apartment and housing developments?	46	43	11
(d) Do you favor the elimination of discrimination in housing financed by FHA and VA loans?	59	30	11
(e) Do you favor the elimination of discrimination in all housing, including individually owned properties?	27	64	9
(f) Do you favor the extension of the life of the Civil Rights Commission for an additional 5 years, through Jan. 31, 1973?	52	34	14

EXPORTING COMMUNISM FROM CUBA TO OTHER LATIN AMERICAN COUNTRIES

Mr. BURKE of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CHAMBERLAIN] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, while we are presently deeply concerned over the situation in the Mideast as well as the war in Vietnam we must not overlook the threat in our own hemisphere and the adequacy of the efforts being made to prevent Cuba from exporting communism to other Latin American countries. In this regard I believe greater attention should be given the volume of trade carried on by free world flag vessels with the Castro regime. While a "blacklist" was established by Executive order effective January 1963, and is periodically published by the Maritime Administration in the Federal Register, it seems largely to go unnoticed and its impact toward reducing trade with Cuba leaves a great deal to be desired. So that the extent of the shocking trade that continues to exist may be spotlighted, I insert report No. 81 covering shipping statistics through June 12, 1967, at this point in the Record:

Department of Commerce Maritime Administration Report No. 81—List of Free World and Polish Flag Vessels Arriving in Cuba Since January 1, 1963

Section 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through June 12, 1967, exclusive of those vessels that called at Cuba on United States Government-approved noncommercial voyages and those listed in Section 2. Pursuant to established United States Government policy, the listed vessels are ineligible to carry United States Government-financed cargoes from the United States.

Flag of registry, name of ship, and gross tonnage

Total, all flags, 263 ships	1,882,950
British (75 ships)	563,940
Amalia (now Maltese)	---------
Amazon River (broken up)	7,234
Antarctica	8,785
Arctic Ocean	8,791
Ardenode (now *Tynlee*, Panamanian)	7,036
Ardgem	6,981
Ardmore (now *Kali Elpis*, British)	4,664
Ardpatrick (now *Haringhata*, Pakistani)	7,054
Ardrossmore	5,820
Ardrowan	7,300
Ardsirod (broken up)	7,025
Ardtara (now *Hyperion*, British)	5,795
Arlington Court (now *Southgate*, British)	---------
Athelcrown (tanker)	11,149
Athelduke (tanker)	9,089
Athelknight (tanker, broken up)	9,087
Athelmere (tanker)	7,524
Athelmonarch (tanker)	11,182
Athelsultan (tanker, broken up)	9,149
Avisfaith	7,868
Baxtergate	8,813
Cheung Chau	8,566
Chipbee (broken up)	7,271
Cosmo Trader (trips to Cuba under ex-name *Ivy Fair*, British)	---------
Dairen (now *Agate*, Panamanian)	4,939
East Breeze (now *Maulabaksh*, Pakistani)	---------
Eastfortune	8,789
Elicos (broken up)	7,134
British—Continued	
Formentor	8,424
Fortune Enterprise	7,284
Free Enterprise (now Cypriot)	---------
Free Merchant (now Cypriot)	---------
Garthdale (now *Jeb Lee*, British)	7,542
Grosvenor Mariner (now *Red Sea*, British)	---------
Hazelmoor	7,907
Helka (now *Anna Maria*, Greek)	2,111
Hemisphere	8,718
Ho Fung	7,121
Huntsfield	9,483
Huntsmore	5,678
Huntsville	9,486
Hyperion (trips to Cuba under ex-name *Ardtara*, British)	
Inchstaffa (now *Nankwang*, British)	5,255
Inchstuart	7,043
Ivy Fair (now *Cosmo Trader*, British, broken up)	7,201
Jeb Lee (trip to Cuba under ex-name *Garthdale*, British)	---------
Jollity	8,660
Kali Elpis (trips to Cuba under ex-name *Ardmore*, British)	---------
Kinross	5,388
La Hortensia	9,486
Linkmoor	8,236
Loradore (now *Aliartos*, Greek)	8,078
Magister	2,339
Nancy Dee	6,597
Nankwang (trip to Cuba under ex-name *Inchstaffa*, British)	---------
Nebula	8,924
Newdene (now *Free Navigator*, Cypriot)	---------
Newforest (now Cypriot)	---------
Newgate	6,743
Newglade	7,368
Newgrove (now Cypriot)	---------
Newheath	7,643
Newhill	7,855
Newlane	7,043
Newmeadow (now Cypriot)	---------
Newmoat	7,151
Newmoor	7,168
Oceantramp	6,185
Oceantravel	10,477

Flag of registry, name of ship, and gross tonnage—Continued	
British—Continued	
Peony	9,037
Phoenician Dawn (now *Maulabaksh*, Pakistani, previous trips to Cuba under ex-name *East Breeze*, British)	8,708
Red Sea (previous trip to Cuba under ex-name *Grosvenor Mariner*, British)	7,026
Redbrook (now *E. Evangelia*, Greek)	7,388
Ruthy Ann	7,361
St. Antonio (now Maltese)	---------
Sandsend	7,236
Santa Granda	7,229
Sea Amber	10,421
Sea Coral	10,421
Sea Empress	8,941
Seasage	4,330
Shienfoon	7,127
Shun Fung (wrecked)	7,148
Soclyve (now Maltese)	---------
Southgate (previous trips to Cuba under ex-name *Arlington Court*, British)	9,662
Suva Breeze (now *Cathay Trader*, Panamanian)	4,970
Swift River (now *Kallithea*, now Cypriot)	---------
Timios Stavros (now Maltese flag, previous trips to Cuba, Greek)	---------
Venice	8,611
Vercharmian	7,265
Vergmont	7,381
Yungfutary	5,388
Yunglutaton	5,414
Zela M.	7,237
Lebanese (50 ships)	340,287
Aiolos II	7,256
Ais Giannis (broken up)	6,997
Akamas (now Cypriot)	---------
Al Amin (now *Fortune Sea*, Panamanian)	7,186
Alaska	6,989
Anthas	7,044
Antonis	6,259
Ares (constructive total loss)	4,557
Areti (now Cypriot)	7,176
Aristefs (now *Tung Yih*, Panamanian)	6,995
Astir	5,324
Athamas (now Cypriot, broken up)	4,729
Carnation (broken up)	4,884
Claire	5,411
Cris	6,032
E. Myrtidiotissa (aground, trips to Cuba under ex-name *Kalliopi D. Lemos*, Lebanese)	---------
Free Trader (now Cypriot)	---------
Giannis	5,270
Giorgos Tsakiroglou	7,240
Granikos	7,282
Ilena	5,925
Ioannis Aspiotis	7,297
Kalliopi D. Lemos (now *E. Myrtidiotissa*, Lebanese)	5,103
Katerina	9,357
Leftric	7,176
Mantric	7,255
Maria Despina (broken in two)	7,254
Maria Renee (broken up)	7,203
Marichristina	7,124
Marika (now Cypriot)	7,253
Marymark (broken up)	4,388
Mersinidi (broken up)	6,782
Mousse	9,307
Nictric	7,296
Noelle	7,251
Noemi (aground, total loss)	7,070
Olga (now Greek)	---------
Panagos	7,133
Parmarina	6,721
Razani (broken up)	7,253
Lebanese—Continued	
Reneka (now *San Carol*, Panamanian, broken up)	7,250
Rio	7,194
St. Anthony (broken up)	5,349
St. Nicholas (broken up)	7,165
San Spyridon	7,260
Stevo	7,066
Tertric	7,045
Theodoros Lemos	7,198
Tony	7,176
Toula	6,426
Troyan	7,243
Vassiliki (now Cypriot)	---------
Vastric (broken up)	6,751
Vergolivada	6,339
Yanxilas	10,051
Greek (36 ships)	273,190
Agios Therapon	7,205
Akastos (now Cypriot)	---------
Aliartos (trip to Cuba under ex-name *Loradore*, British)	---------
Alice	7,189
Ambassade (broken up)	8,600
Americana (broken up)	7,104
Anacreon (now *White Daisey*, Panamanian)	7,359
Anatoli (now *Sunrise*, Cypriot)	---------
Andromachi (previous trips to Cuba under ex-name *Penelope*, Greek)	6,712
Anna Maria (trips to Cuba under ex-name *Helka*, British)	---------
Apollon	9,744
Athanassios K.	7,216
Barbarino	7,084
Calliopi Michalos	7,249
Embassy (broken up)	8,418
E. Evangelia (trips to Cuba under ex-name *Redbrook*, British)	---------
Eftychia	10,865
Eretria	7,199
Gloria (now *Helen*, Greek)	---------
Helen (previous trips to Cuba under ex-name *Gloria*, Greek, broken up)	7,128
Irena	7,232
Istros II, (broken up)	7,275
Kapetan Kostis (broken up)	5,032
Kyra Hariklia (broken up)	6,888
Maria Theresa (now *Ingrid Anne*, South African)	7,245
Marigo (now *Amfitriti*, Cypriot)	7,147
Maroudio (now *Thalie*, Panamanian)	7,369
Mastro-Sterlios II (now *Wendy H.*, South African)	7,282
Mery	7,258
Nicholaos F. (previous trip to Cuba under ex-name *Nicolaos Frangistas*, Greek)	7,199
Nicolaos Frangistas (now *Nicolaos F.*, Greek)	---------
Nikolis M.	7,176
Olga (previous trip to Cuba, Lebanese)	7,199
Pantanassa	7,131
Paxi (broken up)	7,144
Penelope (now *Andromachi*, Greek)	---------
Presvia (broken up)	10,820
Redestos	5,911
Roula Maria (tanker)	10,608
Seirios (broken up)	7,239
Sophia	7,030
Stylianos N. Vlassopulos, (now *Antonia II*, Cypriot)	7,303
Timios Stavros (formerly British flag, now Maltese)	---------
Tina	7,362
Western Trader	9,268
Polish (20 ships)	143,460
Baltyk	6,963
Bialystok	7,173
Bytom	5,967
Chopin	9,148
Chorzow	7,237
Energetyk	10,843
Grodziec	3,379
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,175
Huta Zgoda	6,840
Hutnik	10,897
Kopalnia Bobrek	7,221
Kopalnia Czladz	7,252
Kopalnia Miechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Piast	3,184
Rejowiec	3,401
Transportowiec	10,880
Cypriot (24 ships)	165,743
Acme	7,159
Adelphos Petrakis (broken up)	7,170
Agenor	7,139
Akamas previous trips to Cuba, Lebanese)	7,285
Akastos (previous trip to Cuba, Greek)	7,331
Aktor (sunk)	6,993
Amfiali	7,110
Amfithea (previous trip to Cuba under ex-name *Antonia*, Greek)	5,171
Amfitriti (trip to Cuba under ex-name *Marigo*, Greek)	---------
Amon	7,229
Antonia II (trip to Cuba under ex-name *Stylianos N. Vlassopulos*, Greek)	---------
Apostolos Andreas	5,357
Areti (trips to Cuba, Lebanese)	---------
Artemida	7,247
Athamas (trips to Cuba, Lebanese, broken up)	---------
E. D. Papalios	9,431
El Toro	5,949
Free Enterprise (previous trips to Cuba, British)	6,807
Free Merchant (previous trips to Cuba, British)	5,237
Free Navigator (previous trips to Cuba under ex-name *Newdene*, British)	7,181
Free Trader (previous trips to Cuba, Lebanese)	7,067
Kallithea (previous trips to under ex-name *Swift River*, British, broken up)	7,251
Marika (trip to Cuba, Lebanese)	---------
Mparmpamarcos	7,239
Newforest (previous trips to Cuba, British)	7,185
Newgrove (previous trips to Cuba, British, and Haitian, constructive total loss)	7,172
Newmeadow (previous trips to Cuba, British, sunk)	5,654
Sunrise (previous trips to Cuba under ex-name *Anatoli*, Greek	7,187
Vassiliki (previous trips to Cuba, Lebanese)	7,192
Italian (16 ships)	135,903
Achille	6,950
Agostino Bertani	8,380
Andrea Costa (tanker, broken up)	10,440
Aspromonte (broken up)	7,154
Atria (tanker)	12,845

Flag of registry, name of ship, and gross tonnage—Continued

Flag of registry, name of ship	Gross tonnage
Italian—Continued	
Caprera	7,189
Elia (tanker)	11,377
Geremia (previous trips to Cuba under ex-name *Mariasusanna*, Italian)	2,479
Giuseppe Giulietti (tanker)	17,519
Graziella Zeta (trips to Cuba under ex-name *Monitron*, Italian)	
Mariasusanna (now *Geremia*, Italian)	
Monitron (now *Graziella Zeta*, Italian	1,595
Nazareno (broken up)	7,173
Nino Bixio	8,427
San Francesco	9,284
San Nicola (tanker)	12,461
Santa Lucia	9,278
Somalia (Now *Chung Thai*, Panamanian)	3,352
Yugoslav (11 ships)	77,585
Bar (broken up)	7,233
Cetinje	7,200
Dugi Otok (broken up)	6,997
Kolasin	7,217
Mojkovac	7,125
Piva	7,519
Plod	3,657
Promina (broken up)	6,960
Subicevac	9,033
Tara	7,499
Trebisnjica (wrecked)	7,145
French (9 ships)	48,758
Arsinoe (tanker, sunk)	10,426
Avranches (now *Avranchoise*, Panamanian)	7,282
Circe	2,874
Enee	1,232
Foulaya	3,739
Mungo	4,820
Nelee	2,874
Neve (now *Drame Oumar*, Guinean)	852
Senanque (tanker)	14,659
Moroccan (5 ships)	35,828
Atlas	10,392
Banora (sunk)	3,082
Marrakech	3,214
Mauritanie	10,392
Toubkal	8,748
Maltese (5 ships)	33,788
Amalia (previous trips to Cuba, British)	7,304
Ispahan	7,156
St. Antonio (broken up, previous trip to Cuba, British)	6,704
Soclyve (previous trips to Cuba, British)	7,291
Timios Stavros (previous trips to Cuba, British and Greek)	5,333
Finnish (5 ships)	36,835
Atlas	3,916
Augusta Paulin	7,096
Hermia (trip to Cuba under ex-name *Amfred*, Swedish)	
Margrethe Paulin	7,251
Ragni Paulin	6,828
Sword (tanker)	11,749
Netherlands (2 ships)	999
Meike	500
Tempo	499
Norwegian (2 ships)	10,002
Ole Bratt	5,252
Tine (now *Jezreel*, Panamanian flag, wrecked)	4,750
Swedish (2 ships)	9,318
Amfred (now *Hermia*, Finnish)	2,828
Dagmar (now *Bali Mariner*, Panamanian)	6,490
Monaco (1 ship)	7,314
Saint Lys (broken up)	7,314

The following are listed without gross tonnages:

GUINEAN

Drame Oumar (trip to Cuba under ex-name *Neve*, French).

HAITIAN

Newgrove (now Cypriot).

PAKISTANI

Haringhata (trip to Cuba under ex-name *Ardpatrick*, British).

Maulabaksh (trip to Cuba under ex-name *Phoenician Dawn* and *East Breeze*, British).

PANAMANIAN

Agate (trips to Cuba under ex-name *Dairen*, British).

Avranchoise (trip to Cuba under ex-name *Avranches*, French).

Bali Mariner (trips to Cuba under ex-name *Dagmar*, Swedish).

Cathay Trader (trips to Cuba under ex-name *Suva Breeze*, British).

Chung Thai (trip to Cuba under ex-name *Somalia*, Italian).

Fortune Sea (trips to Cuba under ex-name *Al Amin*, Lebanese, broken up).

Jezreel (trip to Cuba under ex-name *Tine*, Norwegian, wrecked).

San Carlo (trip to Cuba under ex-name *Reneka*, Lebanese, broken up).

Thalie (trip to Cuba under ex-name *Maroudio*, Greek).

Tung Yih (trip to Cuba under ex-name *Aristefs*, Lebanese).

Tynlee (trip to Cuba under ex-name *Ardenode*, British).

White Daisey (trips to Cuba under ex-name *Anacreon*, Greek).

SOUTH AFRICAN

Ingrid Anne (trip to Cuba under ex-name *Maria Theresa*, Greek).

Wendy H. (trip to Cuba under ex-name *Mastro-Stelios II*, Greek).

Section 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) that such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the United States Government to discourage such trade; and

(b) that no other vessels under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c); and

(c) that vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

Flag of registry and number of ships

Flag of registry	Number of ships
a. Since last report	[1]
b. Previous reports:	
British	41
Cypriot	2
Danish	1
Finnish	2
French	1
German (West)	1
Greek	27
Israeli	1
Italian	5
Japanese	1
Kuwaiti	1
Lebanese	9
Norwegian	4
Spanish	6
Swedish	1
Yugoslav	1
Total	104

[1] None.

Section 3. The ships listed in Sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through June 12, 1967.

Flag of registry	1963	1964	1965	1966	1967					Total
					January	February	March	April	May	
British	133	180	126	101	4	7	10	9	5	575
Lebanese	64	91	58	25	1	2	2	3	1	247
Greek	99	27	23	27	5	4	2	3	2	192
Italian	16	20	24	11	1		2		1	75
Yugoslav	12	11	15	10			2	1	1	52
Cypriot		1	17	27	2	1	3	5	1	57
French	8	9	9	10					1	37
Spanish	8	17								25
Norwegian	14	10								24
Moroccan	9	13	1							23
Finnish	1	4	5	11	1	1	1	1	1	26
Maltese		2	6	1		2		1		12
Netherlands		4	2							6
Swedish	3	3								6
Kuwaiti		2	1							3
Israel			2							2
Danish	1									1
German (West)	1									1
Haitian			1							1
Japanese	1									1
Monacan				1						1
Subtotal	370	394	290	224	14	17	22	23	13	1,367
Polish	18	16	12	10	1	1	1		2	61
Grand total	388	410	302	234	15	18	23	23	15	1,428

Note.—Trip totals in this section exceed ship totals in secs. 1 and 2 because some of the ships made more than 1 trip to Cuba. Monthly totals subject to revision as additional data become available.

By order of the Acting Maritime Administrator

Dated: June 20, 1967

JAMES S. DAWSON, JR., *Secretary*.

AMERICA WOULD LOSE UNDER NEW PANAMA CANAL TREATY

Mr. **BURKE** of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **BURKE** of Florida. Mr. Speaker, I was shocked and saddened when the news media carried the story yesterday morning that the United States and Panama had reached agreement on new treaties governing control of the Panama Canal, the possible construction of a new sea level canal, and the defense of the Canal Zone.

I say shocked because I believe the United States is simply yielding to international blackmail, and saddened because I would have thought that our own administration would have had the good sense to avoid being victimized by bluff and bluster.

We do not yet know the detailed provisions of these treaties, but the story published yesterday indicates that the United States is giving up its absolute legal control over the Canal Zone and that Panamanian sovereignty over the zone will be recognized. In addition, this country will surrender rights which it obtained "in perpetuity" in 1903. Proponents of these arrangements say that we must yield our sovereignty. Why? Simply because a group of immature students and other irresponsibles demonstrated in 1964. What guarantees do we have that a Castro-type government might not come to power in Panama, and use the leverage of its legal control to evict us from this vital strategic spot? In fact, the more the United States dignifies the hollow threats of racial elements in Panama or elsewhere, the more it enhances the possibility of their coming to power.

What guarantee do we have, further, against the expropriation of the canal by Panama? Hardly any. Moreover, the need for a new canal is questionable at best. The present canal can be modernized without signing this treaty with Panama. More than $75 million has already been invested in lock site excavations at the present canal. It would be just so much extra waste if a new canal is built—and such a canal, needless to say, would cost far, far more.

The Atomic Energy Commission is supposed to be investigating the excavation of two other sites by nuclear explosives. This is fine, except that under the nuclear test ban treaty, the Soviet Union would have to agree to permit these methods, and might exact a very high price for doing so.

Finally, the proposed Defense Treaty is said to provide for a status for forces agreement, similar to those under NATO and SEATO, which would subject American servicemen to the Panama civil law. This would be further evidence of the abdication of American sovereignty of the canal.

It seems to me that the United States is giving up control of this vital artery in order to mollify foreign public opinion, without insuring adequate protection for vital American interests.

In my judgment, catering to foreign public opinion, which in many cases is artificially stimulated against us, is not a sound basis for foreign policy decisions. I am opposed, and will remain opposed, to any treaty embodying the loss of American sovereignty over the Panama Canal.

SPECIAL COMMITTEE ON CAPTIVE NATIONS

Mr. **BURKE** of Florida. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **DERWINSKI**. Mr. Speaker, at a time when Yugoslavia's dictator, Tito, is providing full cooperation with the Russian drive to seize control of the Middle East and has demonstrated his great personal affection for Nasser, it is well for us to pause to commemorate the historic national holiday of the Serbian people who are quietly but heroically resisting Tito's domination.

The Serbs eventually regained their freedom under the legendary Karageorge who founded the Serbian kingdom, which became the basis for modern Yugoslavia. Since World War II they have been suffering under the domination of Soviet imperialism, instead of the legitimate prewar government and their rightful sovereign, King Peter II.

Mr. Speaker, may I once again remind the Members of the resolutions pending before the House Rules Committee to establish a Special Committee on the Captive Nations. The resolution which I have introduced, House Resolution 15, very properly includes Yugoslavia as a captive nation. The people of Yugoslavia are certainly denied their freedom by Tito's government just as much as are the peoples of the Soviet Union and the other captive nations of Eastern Europe.

The Serbian Americans and all the other American groups working to preserve the spirit of freedom in their own oppressed homelands are united in their desire that Congress act on these resolutions so that the Communist colonization of their countries can be exposed and condemned.

LEGISLATION TO RAISE RESIDENTS OF THE DISTRICT OF COLUMBIA TO THE STATUS OF FIRST-CLASS CITIZENS

The **SPEAKER** pro tempore (Mr. PATTEN). Under a previous order of the House, the gentleman from Maryland [Mr. GUDE], is recognized for 30 minutes.

Mr. **GUDE**. Mr. Speaker, I am honored today to join with 23 of my freshmen Republican colleagues in support of a measure which would raise the residents of the District of Columbia to the status of first-class citizens.

We are proposing legislation which would provide citizens of the District with voting representation in Congress. Most of us are actually cosponsoring legislation which would implement this purpose.

With the House about to recess for the 191st anniversary of the Declaration of Independence, it is particularly appropriate that we consider such a measure. Each of us is preparing to return to our district where we will be addressing our constituents in 4th of July speeches and reminding them of the inalienable rights of each and every American citizen. Let us remember that to this day, District citizens do not have the right of representation in their legislature, a right for which their forefathers fought so bitterly with England. Hopefully, this will be the year when Congress will move to correct this inequity.

There are two basic reasons for this bill. First, to help achieve a better municipal government; and second, historical research shows this was the intention of our Founding Fathers. Careful research of the papers of the Continental Congress and other writings of that era indicate that from the beginning, they contemplated that District residents share equal political rights with other U.S. citizens. District residents appear to have been unwitting victims of the Founding Fathers' desire to protect the Federal Government from interstate rivalries and jealousies.

In the 1780's, there was ample evidence that the District had to be set apart from any State's jurisdiction, to prevent such a State from exercising undue influence on national affairs. There was, also, proof that a State could not provide the necessary security and protection needed for Members of Congress. We must remember the tenor of the times—the Founding Fathers were experimenting. The state of affairs was such that the Federal Capital could well be to the political strong States what a weak feudal king would be to quarreling barons.

Although the authors of the Constitution agreed that Congress should be supreme in the Federal Capital, nowhere is there any indication that protecting the Capital from State power was to necessitate canceling political rights for the District's inhabitants. Quite to the contrary, there is proof that Americans in the 1780's took for granted that residents would, as James Madison stated in the Federalist Papers—No. 43—"have had their voice in the election of the Government which is to exercise authority over them."

The papers of the Continental Congress state that the residents would "enjoy the privilege of trial by jury and of being governed by laws made by representatives of their own election"—item 46 of Continental Congress papers. Yet today, they do not have voting representation in either the House or Senate, the Federal legislative branch which not only decides on national affairs but is directly responsible for District affairs.

There is no rationale behind such a situation. Having an equal voice in government is a basic right of each citizen of our country. This is an historic injustice that must be corrected. A constitutional amendment such as is being proposed today, would not alter the District's unique position as the seat of Federal Government set apart from the States. Voting representation has no relation to these factors. It would simply allow the people a voice equal to that of other individual citizens across the Nation.

The Founding Fathers did not envision the growth of a small village on the banks of the Potomac to an American metropolis—with the problems of crime, transportation, welfare, and other complex problems which stagger the imagination. Since the days that the District was made our Capital, the population has grown by 800,000 persons. These citizens are entitled to representation, as were those of the 13 colonies 191 years ago.

I am gratified and honored to be one of the Republican freshmen Members of Congress uniting behind a truly American cause. I include the list of cosponsors at this point:

LIST OF SUPPORTING MEMBERS

Congressman Edward Biester, Pennsylvania.
Congressman Donald Brotzman, Colorado.
Congressman Daniel Button, New York.
Congressman William Cowger, Kentucky.
Congressman John Dellenback, Oregon.
Congressman Marvin Esch, Michigan.
Congressman Edwin Eshleman, Pennsylvania.
Congressman Gilbert Gude, Maryland.
Congresswoman Margaret Heckler, Massachusetts.
Congressman Guy Vander Jagt, Michigan.
Congressman Donald Lukens, Ohio.
Congressman James McClure, Idaho.
Congressman Jack McDonald, Michigan.
Congressman Tom Meskill, Connecticut.
Congressman John Myers, Indiana.
Congressman Tom Railsback, Illinois.
Congressman Donald Riegle, Michigan.
Congressman Philip Ruppe, Michigan.
Congressman Charles Sandman, New Jersey.
Congressman Fred Schwengel, Iowa.
Congressman Sam Steiger, Wisconsin.
Congressman William Steiger, Arizona.
Congressman Larry Winn, Kansas.
Congressman John Zwach, Minnesota.

Mr. GUDE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. LUKENS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. LUKENS. Mr. Speaker, I wish to record my support of the joint resolution proposed by my friend and colleague, Representative GUDE of Maryland, to provide representation in the Congress of the United States for the District of Columbia.

It is only fitting and proper, Mr. Speaker, that the seat of the Government of the United States be given a voice in the legislative deliberations affecting that Government.

I sincerely believe that the people of the District have gone on too long, paying their taxes and supporting their Government, without having a say in the conduct of that Government. Mr. GUDE's resolution would correct a longstanding injustice. I am happy to join with him in this endeavor.

Mr. SCHWENGEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, I should like to address some remarks to the statement made by my distinguished colleague from Maryland [Mr. GUDE] earlier today, when he made his eloquent statement and plea for representation in Congress from the District of Columbia.

I shall speak briefly, Mr. Speaker.

First I commend the gentleman from Maryland for his sense of dedication, for his concern with, and his interest in, the welfare of some 800,000 people who live in the shadow of this great temple of liberty we call our Capitol, and who have not the benefits and the opportunities to serve and the responsibilities which go with it, that other citizens in the United States have.

The gentleman from Maryland [Mr. GUDE] has shown himself to be a man of stature and of concern. He is leading the fight for some rights which are entitled to the people. I commend him.

The gentleman's bill, which provides for representation in Congress, is a good one. It is needed. It should be acted on now. I have introduced a companion bill to his bill.

Mr. Speaker, I, too, am interested in the District of Columbia, for the people who live here have rights under the Constitution which have never been given them in the same spirit they have been given to the rest of us who live in the United States.

I am for home rule. I am for a right kind of a home rule bill. I believe that our forebears intended that the objectives, the goals, indicated in the Declaration of Independence, which we will commemorate in a few days, were intended as much for the people of the District of Columbia as they were for the rest of us. Indeed, I believe they were intended for the world.

Later, after the Revolutionary War and after we discovered that the Articles of Confederation were inadequate, many of the same men who met to frame that Declaration, to write it and adopt it and present it to the people, met again in Philadelphia to write a document called the Constitution. It begins with three eloquent, meaningful, stirring words, "We the people."

As they authored this document, I believe they meant to include all the people who were to live in the continental United States.

So again I plead, as I have many times before, for the rights of these people.

One further thought. Today we are considering legislation which is called a program for model cities, a program to help develop a plan that can be followed to help combat the problem and to resolve the great challenges which present themselves in our great centers of population.

I should like to say in that regard, I am for a model cities program, too, and I am for the old adage of starting at home. I should like to have that first model city be Washington, D.C., our Capital City.

In order to attain some of these things that we need here, which would serve our own interest and the national interest, I believe we need a thorough study and research of the problems to determine the immediate needs, the fiscal needs of the District of Columbia, and the long-range needs.

I have introduced a resolution that would call for such a study. I hope that the District Committee will consider this resolution. So much in that vein.

Now, Mr. Speaker, let me say I hope the proper committee of the Congress will give immediate consideration to the bill that the gentleman from Maryland [Mr. GUDE] introduced. Let us take the first great important step and give the people of the District of Columbia a Representative here in Congress, a man or a woman who can evaluate the programs for the people, and reflect their interests and speak for them when they need to be spoken for and speak to us about their needs.

FCC DECISION ON CIGARETTE ADVERTISING

The SPEAKER pro tempore. Under previous order of the House, the gentleman from North Carolina [Mr. KORNEGAY] is recognized for 60 minutes.

Mr. KORNEGAY. Mr. Speaker, on June 2, 1967, the Federal Communications Commission sent a letter to station WCBS-TV in New York stating that the fairness doctrine is applicable to cigarette advertising. This ruling was made in response to a complaint initiated by Mr. John F. Banzhaf III against the station. The Commission decided the matter, based upon presentation of Mr. Banzhaf and WCBS-TV.

Yet, the Commission's letter containing the ruling scarcely discusses the matters Mr. Banzhaf complained of. Instead, both the letter and the public notice issued by the Commission on June 5, 1967, which gave the first public notice of the matter, constituted a proclamation with a tremendous impact upon many businesses who had no chance to express themselves on the matter. Indeed, the letter from the FCC to station WCBS-TV reads:

> We believe that a station which presents such advertisements has the duty of informing its audience of the other side of this controversial issue of public importance—that however enjoyable, such smoking may be a hazard to the smoker's health.
>
> Our action here, therefore, must be tailored so as to carry out the above Congressional purpose. We believe that it does. It requires a station which carries cigarette commercials to provide a significant amount of time for the other viewpoint, thus implementing the "smoking education campaigns" referred to as a basis for Congressional action in the 1965 Act. See Cigarette Labeling and Advertising Act; remarks of Senator Warren Magnuson, floor manager in the Senate of the bill which became that Act, Cong. Rec. (Daily Edition)
>
> The guidelines in the foregoing discussion are brought to your attention so that in connection with the above continuing program you may make the judgment whether sufficient time is being allocated each week in this area.

These statements appear to be a Commission statement designed to implement, interpret, or prescribe law or the Commission's policy in this area and to set down guidelines for future conduct. In short, this "ruling" appears to be intended to have a broad future impact. It is not a decision on the matters complained of with respect to the parties affected. By its own words, it is a broad holding, although based upon a private proceeding, and a set of guidelines for all to follow.

If the effect of this ruling is not limited merely to WCBS-TV but is meant to apply to all television or broadcasting stations, would it not have been more desirable to permit all those affected to participate in a proceeding and offer their data, views, and arguments? Certainly the text of much of the letter, and of the public notice issued by the Commission, indicates that the Commission intended this ruling to have a broad applicability and a future effect. Indeed, no penalty was imposed or even mentioned with respect to the three particular commercials complained of which had occurred in the past.

If the ruling is to have general effect, even in the area of cigarettes, it would seem only fair that it should have been the subject of a public proceeding rather than a confidential exchange of material between the Commission, the complainant, and the television station. On the other hand, if it was limited to correcting past acts of the single television station, WCBS, then it is unfortunate that it was announced as a public notice and phrased so as to appear to have general applicability to all stations carrying such commercials.

The net result of this failure by the FCC to approach this issue in a fair and straightforward fashion has been utter confusion. Three weeks after the so-called "ruling" was issued, neither the FCC, the broadcasting industry, or anyone else seems to know exactly what the confused current state of affairs is, as a result of the FCC action. The FCC acted on a complaint. It did not find that the station complained of did anything wrong or did not do anything wrong. It did not say that the commercials complained of should have been different or that the station should have taken any different action with respect to Mr. Banzhaf's complaint. It did not say that Mr. Banzhaf's complaint was unfounded. Indeed, the television station interprets the FCC's action as apparently stating that the station is conforming to the FCC's concepts and that the station does not have to change its broadcasting policies, and the astute press has commented that the Commission apparently agrees.

That is the hazy state of the matter with respect to the one station which was the subject of the complaint. However, the FCC's Counsel is reported in the press this week as stating that the ruling is applicable to all of the more than 5,500 station licensees in the country. These are the stations which have had no opportunity at all to present their viewpoint or viewpoints in this matter.

To make matters worse, the FCC's General Counsel is reported as saying that stations which ignore the ruling could be cited in complaints. So, somehow, these stations are going to be subject to some type of penalty, which is presently unknown, for failure to abide by a ruling which is applicable to them but was made in a proceeding about which they had no notice and in which they had no opportunity to participate.

To make matters still worse, the Commission's General Counsel is further reported as saying that these 5,500 stations will be informed of this ruling when the FCC's "Fairness Primer," or instructions manual, is next issued. When that will be, we do not know. All we know is that the last "Fairness Primer" was issued in 1964. But, apparently all these thousands of station licensees are bound by this new ruling even before the next edition of the instructions manual is issued.

The networks, too, are at a loss to know how to proceed as a result of the confusion created by the Commission. CBS, the network which owns the station involved in the complaint, has complained to the Commission, according to the press, that it never had an opportunity to comment to the Commission on the fairness doctrine complaint that was the basis for the ruling. And the network also complains that it is not clear whether the FCC's letter constituted an order.

Indeed, the confusion created by the FCC's unfortunate course of action—by proceeding in this broad policy without granting a fair hearing to all those who would be affected by it—is spreading out like the ripples on the water after a stone is dropped in. Although the FCC stated that its so-called "ruling" was limited to cigarettes, the same reasoning adopted by the FCC would apply to any "controversial issue of public importance." The Vietnam war, auto safety, the fluoridation of water, alcoholic beverages, and the draft are only a few of the many issues which are important to the people of this country and on which there are strongly differing opinions. Once the fairness doctrine is extended beyond the issues in a political campaign, there is no end in sight to the possible extension of this application of logic.

This aspect of the problem becomes of great public significance when we consider that the Congress created the FCC as an expert body, primarily empowered to regulate allocation and assignment of the radio spectrum. It did not create the FCC as an agency to determine what issues of the type I have named are of great public importance and what issues are not of great public importance. Indeed, that determination has nothing to do with the regulation of the radio spectrum. On its very face, this is an extension by the FCC of its powers.

Thus, while I am disturbed by this state of affairs because it has caused so much confusion, I have also been reminded that really this problem is similar to so many other problems which recently have been coming to the attention of the Congress with increasing frequency. They all relate, in one way or another, to agencies taking the law in their own hands.

Within the past 9 months, the FDA proposed some regulations which went so far beyond what Congress may have contemplated that Senator FRANK E. MOSS, of Utah, introduced a resolution—Senate Concurrent Resolution 111—which provided that these FDA regulations "should not be made effective or enforced until Congress has by law conferred the authority to make such regulations on the Department of Health, Education, and Welfare."

In the past few weeks, the Internal Revenue Service has proposed regulations which go so far that the gentleman from Missouri [Mr. HALL] brought the problem to us in a major speech showing how Congress had granted no such power to the agency. It involved the taxation of the income which the Boy Scouts and the Girl Scouts receive from advertising placed in their publications.

And just last month—May 23, 1967—the Supreme Court held that the public may challenge the validity of agency regulations without first either complying with them or risking civil or criminal action by the Government. Yet, the Government opposed this result.

More and more, the Congress and the courts are being placed in position of protecting the people of this country from the administrative agencies. This decision by the FCC, which has caused so much confusion, and the actions by other agencies which have also been the ground of much complaint, are a constant reminder to all of us that a fair trial is an essential part of our way of life, because it is the only means by which freedom-loving and self-governing people can acquire the necessary information upon which to base a decision.

We demand this type of procedure in our courts and we must demand it equally in our administrative agencies. Their procedures must insure a fair hearing upon appropriate notice if the result is to meet the standard which we set for ourselves.

I am critical of the FCC for having proceeded in the way that it has. The fact that such a route is open to it requires, on our part, a close examination of the statutes to see what additional precautions should be taken so that these situations will not continue to arise. If steps can be taken in this direction, it may be that we will, in the future, be able to deal more effectively with this type of problem and insure that the public agencies of our Government are more surely responsible for their acts and more considerate and careful in the exercise of their administration of the acts of Congress.

Mr. WHITENER. Mr. Speaker will the gentleman yield?

Mr. KORNEGAY. Now I shall be happy to yield to the distinguished gentleman from North Carolina.

Mr. WHITENER. Mr. Speaker, I appreciate the distinguished gentleman from North Carolina [Mr. KORNEGAY] yielding and I wish to commend the gentleman for bringing this important matter to the attention of the Congress.

Mr. Speaker, I agree with the gentleman when he said that the WCBS-TV order seems to him and certainly does to me to be unwarranted and one which should cause great concern to all of us.

Mr. Speaker, I am wondering if the distinguished gentleman would not agree that if the FCC has the authority under the law to require that a private enterprise television or radio facility must give free time to those who do not agree with the advertisements which are paid for by an advertiser, could not also extend that doctrine, logically, to say that if a political candidate purchased time, that not only his opponents, but any citizen who objected to the candidacy of that individual, could also, under the so-called fairness order, get time during which to rebut the advertisement—the paid advertisement by the political candidate?

Mr. KORNEGAY. Mr. Speaker, it is my opinion that the gentleman from North Carolina has seen and gone right to the heart of one of the several problems which the Federal Communications Commission has brought upon itself.

Mr. Speaker, I believe the gentleman from North Carolina [Mr. WHITENER] is eminently correct to the effect that certainly in carrying this principle and this proposition to its natural and logical conclusion, there is no way to escape the results which the gentleman has brought to the attention of the Members of the House.

Mr. WHITENER. And, Mr. Speaker, if the distinguished gentleman will yield further, there are many very fine, intelligent citizens in this country who subscribe to the dietary philosophy of eating only vegetables, people whom we call vegetarians——

Mr. KORNEGAY. Vegetarians, there are many of them in this country .

Mr. WHITENER. Would this FCC doctrine give any right to the FCC to demand that any radio station or TV station advertising sausage or hot dogs——

Mr. KORNEGAY. Or bacon.

Mr. WHITENER. Or bacon—force them to give equal time to vegetarians who felt that they ought to get over the message to the effect that meat is harmful to the country's economic system or to the personal anatomy and in getting that message over to the public not have to pay for it?

Mr. KORNEGAY. In answer to the gentleman I say, according to what the Commission says, if you could term this a controversial issue of public importance, then no doubt the station would be caught under the rule.

Mr. WHITENER. And, Mr. Speaker, if the gentleman will yield further, there are many people who do not subscribe to the idea of a certain product which is referred to as being "wet, cold, and delicious."

Mr. KORNEGAY. I know what the gentleman means.

Mr. WHITENER. And that it is good for human beings to consume. I suppose the same "fairness doctrine" would also give to some person who was opposed to the consumption of malt lager the right to come in and be heard to disprove that the product was "wet, cold, and delicious and helpful."

Mr. KORNEGAY. I think the gentleman from North Carolina is exactly right. Of course, it just opens up a limitless number of commodities and goods to question that are advertised on TV and the radio.

Mr. WHITENER. Mr. Speaker, I do not want to take the gentleman's time, but then we do have another very fine group of people in America who think there is something distasteful about the use of cosmetics, and who do not subscribe to the idea that cosmetics should be used, and who have very strong beliefs about this.

Now, is this so-called fairness doctrine going to mean that these companies who spend millions of dollars advertising cosmetics are going to put the stations in the position of having to give free time to individuals to rebut the very favorable comments which the advertiser makes about his cosmetic products?

Mr. KORNEGAY. I would answer "Yes" to that.

Mr. WHITENER. This is another area?

Mr. KORNEGAY. This is certainly another area.

Mr. WHITENER. So I point these out merely to point up the absurdity of the position that was taken in the WCBS-TV case.

Mr. KORNEGAY. I want to thank the gentleman most sincerely for his fine contribution.

Mr. LENNON. Mr. Speaker, I wonder if my distinguished colleague from North Carolina would yield to me on this point?

Mr. KORNEGAY. I am happy to yield to the gentleman.

Mr. LENNON. Mr. Speaker, I want to commend the gentleman from North Carolina who is a member of the Committee on Interstate and Foreign Commerce which supposedly—and I say supposedly—has legislative jurisdiction over the Federal Communications Commission.

Mr. Speaker, it seems to me this is another instance of where we are having a government of men and not law, and to me that implies a rather serious moment in our history.

Mr. Speaker, I believe we could spend the rest of the evening here documenting the ridiculous and asinine position taken by the Federal Communications Commission in its proclamation directed toward the station in New York, and on whom they served an ultimatum that they must reply and give equal time to the paid advertisements—give equal time to those people who want to come into the station free and give their reasons why they do not agree with these paid advertisements.

Mr. Speaker, I repeat what I have said—I am sure we can spend this entire evening documenting the ridiculous situations that are going to develop if this ruling or proclamation is permitted to stand.

Mr. KORNEGAY. Let me interrup my distinguished friend at that point, and make this statement: that the Commission did not go quite so far as to say the station was required to give the complaining parties equal time, but it said that the station was required to provide a "significant amount of time" for the other viewpoint.

Mr. LENNON. To me that is almost the same thing. As I understand it, the Counsel for the Federal Communications Commission, since its ultimatum or proclamation of June 5, I believe it was, has indicated by press announcement this would be applicable to some 5,500 licensees across the country.

Mr. KORNEGAY. That is right—5,500

Mr. LENNON. Mr. Speaker, again I commend the gentleman. I hope his colleagues on the Committee on Interstate and Foreign Commerce will recognize the significance and the importance of moving and, moving quickly, to correct the impression that regulatory bodies, which are creatures of the Congress, have now in fact abrogated unto themselves the authority not to write rules and regulations under guidelines established by the Congress but of attempting to write substitute law. I commend the gentleman for the fine action he has taken.

Mr. KORNEGAY. I thank the gentleman very much for his very fine contribution.

Mr. SCOTT. Mr. Speaker, will the gentleman yield?

Mr. KORNEGAY. I am delighted to yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Speaker, I am a nonsmoker, and I am not particularly concerned with this as it relates to tobacco, even though there is tobacco grown in Virginia.

It may well be that tobacco is dangerous to health, and I would not comment on this, but tobacco and cigarettes are still a legitimate business, and my concern is if the Federal Communications Commission can pass on one product, why can they not pass on any other legitimate business?

I received a communication from the Virginia Association of Broadcasters who share this concern and who brought it to my attention.

At a recent meeting of the Virginia Association of Broadcasters, numerous members expressed concern over this ruling of the Federal Communications Commission.

If the gentleman will permit, let me just read a portion of this letter from the Virginia Association of Broadcasters:

> We believe that implementation of such a policy can lead to matters of critical proportion in the field of advertising, for many products and services, which employ the electronic media of mass communication.
>
> We are apprehensive of the extent to which such a policy may lead in placing Commission control on the traffic, despite the fact that control of the traffic is specifically prohibited, by whatever means, by the Communications Act of 1934, as amended.
>
> We are immediately cognizant of possible situations in which the announced policy of the Commission might be equally applied, in addition to that involving cigarettes. Alcoholic beverages would appear to offer a prime target, for example. Then too, who is to say that a completely well-meaning individual might not take it upon himself to complain that because automobiles do not provide all of the safety features recommended by the government, he ought to have equal facility to rebut automotive sales messages on radio and television. The list which might be drawn for such applicable situations is totally beyond the scope of this letter.

Mr. Speaker, I am concerned by the fact that a businessman pays to advertise over the radio and communications media and that equal time under this concept may be provided free to somebody who does not agree with the advertisement.

I am quite aware that the letter of opinion from the FCC indicates that it may not be equal time—they speak of a "significant amount of time."

But, Mr. Speaker, why should a businessman advertise if someone who is in opposition to that advertisement can get free time to oppose what the businessman is doing?

Mr. Speaker, it seems to me this is something that would bear heavily on the matter of whether a businessman will choose to advertise on the radio and on television.

The question of a "significant amount of time" is certainly a vague expression by the Federal Communications Commission.

Now the Virginia Association of Broadcasters have expressed concern over the fact that no hearing was had before this decision was rendered, and I think that is a very legitimate complaint—that a bureaucracy just announces what is to be done. I was certainly impressed by the comment of my distinguished colleague a few minutes ago when he said that this sort of action by a bureaucracy would constitute a government of men and not a government of laws.

Mr. Speaker, it seems to me that the Federal Communications Commission is going well beyond the legitimate field of regulation in announcing this ruling without any hearing.

This ruling is supposed to be the fairness doctrine.

But, to me, fairness means that when a businessman pays to advertise his product, anyone who is opposed to the advertisement of the businessman should certainly pay an equal amount if he wants to disagree with what the businessman has to say.

We are all aware of the joke that is told where Mike goes into a bar and orders drinks to be set up for everyone. Then when the bartender asks him to pay, the man says, "When Mike pays, everybody pays."

In my opinion, that is the way it should be in radio and television advertising.

Mr. KORNEGAY. I thank the gentleman very much for his very fine contribution to this colloquy.

Mr. HAGAN. Mr. Speaker, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman.

Mr. HAGAN. Mr. Speaker, I thank the gentleman for yielding. I would like to ask the gentleman a question. Is it really true that this order, under this so-called fair practice ruling, does not require that the other parties also pay?

Mr. KORNEGAY. Under the ruling handed down by the FCC on June 2 of this year, 1967, the Commission ordered Station WCDS–TV in New York to provide a significant amount of time for the other viewpoint for free.

Mr. HAGAN. And it specifies "free."

Mr. KORNEGAY. Yes.

Mr. HAGAN. I wish to commend my distinguished friend and colleague from North Carolina for bringing this matter to the attention of the House. It is certainly far more reaching than merely affecting cigarette advertising.

Mr. KORNEGAY. The gentleman has hit upon a point that adds to the confusion of the whole area. If a man comes into a station and says, "Look, I disagree with a particular advertisement that you ran on this product—the cigarette in this case—and I want equal time, or I want a significant amount of time," using the terms of the Commission, I assume that the station would first try to charge him, but if he did not want to pay or could not pay, then they would be forced under this ruling to afford him what the Commission says is a "significant amount of time," whether it is equal time, half time, a third time, a quarter of the time, I do not know. They go on to impose upon the station the responsibility of determining what is a significant amount of time.

Mr. HAGAN. Mr. Speaker, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman from Georgia.

Mr. HAGAN. In other words, it could be more, then?

Mr. KORNEGAY. I reckon it could be more than equal time if it took that much time to make it "significant."

Mr. HAGAN. I want to join the gentleman in his concern about this matter and personally thank you and commend you for bringing this matter to the attention of your colleagues.

Mr. KORNEGAY. I am very grateful to the gentleman for his very fine contribution.

I yield to the gentleman from North Carolina [Mr. JONES].

Mr. JONES of North Carolina. Mr. Speaker, I thank my colleague for yielding at this time.

Mr. Speaker, on June 7, I described the Federal Communications Commission's ruling extending its fairness doctrine to commercial advertising as "staggering in its arrogation of congressional authority and its usurpation of power over the news and programing content of our radio and television stations."

I fear, Mr. Speaker, that my description was far too kind to the Commission.

There is no doubt in my mind that the Commission has made a grievous mistake that demands correction immediately—and I daresay there is little doubt in the minds of those who have reflected on the implications of this arbitrary decision by the FCC.

There are at least six very dangerous facets to the FCC's unilateral and ill-advised action. Any one of these six is serious enough to warrant the immediate withdrawal of this highhanded decision by the Commission.

First, Mr. Speaker, there is the fact that the FCC has usurped power that belongs to Congress alone, unless Congress chooses to delegate that authority. Congress has not done so. And there is no indication intended that the Commission should have such authority. The FCC is plainly legislating, and this it cannot do.

Second, the Commission has done this in direct opposition to the clear-cut congressional decision that Congress alone will determine whether cigarette advertising needs regulation.

Third, the FCC's action opens a Pandora's box of decisions by the FCC that any individual with a pet peeve is entitled to free time on radio and television. Consistency and logic will demand the unlimited extension of the "fairness doctrine" to a virtually endless list of products.

Fourth, this arbitrary ruling is nothing less than the FCC establishing a precedent for the control of the editorial and programing policy of our Nation's radio and television stations. The Commission is saying to the stations: "You will tell the public what we believe the public should be told."

Fifth, the precedent set by the FCC in this ruling may well be used by other bureaucrats to extend their little kingdoms. We are all familiar with the practice of one regulatory agency justifying its actions by citing the precedent of another agency.

Sixth, the ruling is discriminatory to a single product. As long as that product is manufactured, sold, and advertised legally, it should not be singled out for regulation.

As I have stated, Mr. Speaker, any one of these facts is sufficient cause for the reversal of this ruling. The FCC should be taken to task by Congress. This agency, a creation of this Congress, should be told in no uncertain terms that they have erred, and that corrective action must be taken immediately.

I thank the gentleman from North Carolina for yielding this time to me and for taking this time to talk about this matter.

Mr. KORNEGAY. Mr. Speaker, I thank the gentleman for his very fine statement.

Mr. DUNCAN. Mr. Speaker, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman from Tennessee.

Mr. DUNCAN. Mr. Speaker, I thank my colleague from North Carolina for securing this time.

I join in associating myself with his remarks and the remarks of my other colleagues. This is certainly a very dangerous precedent, affecting not only the tobacco industry, but all other facets of the economy of this country. It is something that should not be tolerated.

Mr. KORNEGAY. Mr. Speaker, I thank the gentleman very much for his contribution.

Mr. HENDERSON. Mr. Speaker, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman from North Carolina.

Mr. HENDERSON. Mr. Speaker, I commend the gentleman from North Carolina for bringing this matter to the House this afternoon.

Mr. Speaker, the Federal Communications Commission has gone from the ridiculous to the sublime in its recent order to the effect that the broadcast industry has to provide free equal time to individuals and/or organizations who wish to voice their opinion that cigarette smoking is or may be harmful to health.

The "fairness doctrine" on editorializing has at least some logical and reasonable basis. The requirement that if free time is given one political candidate or party, an equal amount of free time in a comparable time period must be offered the opposing candidate or party is likewise at least arguably founded in reason and logic. But to say that free time must be offered to those who want to voice opposition to paid commercial advertising is not only ridiculous, it is fantastic.

It is important to bear in mind that the tobacco commercials do not say that cigarettes are healthy and good for you. They do not even suggest that cigarettes are harmless. They only suggest that their particular brand is milder, more tasteful, more satisfying, et cetera, than some other brand. Consequently, how do you arrive at equal time? Do you consider that every minute of tobacco advertising must be matched by comparable time offered to those who want to argue against smoking?

The problem is complicated in that there are those who oppose smoking on moral grounds irrespective of the health implications. Are they, too, to be provided "equal time" to contend that smoking is sinful?

What about advertisements of high-calorie foods and beverages? Are health advocates to be given equal time to point out that eating too much bread will make you fat which in turn will create a health hazard? Or that too many cokes will have the same result?

How about the automobile industry? Are we going to give free time to safety proponents to remind listeners and watchers that those souped-up sports cars can and will kill you if you drive them in the racy manner that some of the commercials subtly suggest?

Are we going to require equal time for physicians to answer suntan lotion commercials with the contention that excessive sun is bad for the skin and tends to accelerate its wrinkling and otherwise prematurely aged appearance?

There are even the armed services recruiting commercials. Is equal free time to be provided to the peaceniks who contend that young men should not serve in the armed services and fight in what they consider unjustified wars?

These are only a few examples. The list of possibilities is endless.

The most unfair thing about this latest "fairness" decree by the FCC is it singles out a particular advertiser—the tobacco industry and requires the broadcast industry to provide free time to those wishing to "knock" tobacco products, and has no uniform requirement applicable to all other advertisers.

The second thing is that for the first time it requires the stations to provide free time in response to paid advertising.

I hope that the Congress will be quick to enact legislation to prohibit the FCC from taking this illegal, unfair, and unwarranted action.

Mr. KORNEGAY. Mr. Speaker, I thank the gentleman for his splendid contribution on this problem.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. KORNEGAY. I yield to my good friend from South Carolina [Mr. Dorn].

Mr. DORN. Mr. Speaker, I compliment and commend my distinguished colleague from North Carolina for his position with respect to the "fairness doctrine" because I well know—and I believe this House well knows—that if arbitrary bureaucratic rulings can be condoned in this instance, they will spread to other instances and other places in our economy, in agriculture and industry, and that could well wreck the private enterprise system in our country.

I commend my distinguished and great colleague from North Carolina.

Mr. KORNEGAY. Mr. Speaker, I want to express to the gentleman my gratitude for his contribution on this occasion.

Mr. FOUNTAIN. Mr. Speaker, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman from North Carolina.

Mr. FOUNTAIN. Mr. Speaker, I want to associate myself with my esteemed colleague and good friend, the distinguished gentleman from North Carolina [Mr. Kornegay]. I am proud to do so. He is on the House committee that can do something about the ruling in question.

The Federal Communications Commission spoke of permitting "responsible groups" free time on radio and television to reply to cigarette advertising. Just what is a "responsible group"? It could be any two or three persons who do not like smoking. But who is to say? The stations or the FCC? Or the "responsible groups" themselves?

There are a lot of things wrong with the FCC decision. It was clearly acting beyond its authority. Even worse, it was making a scientific judgment. But the FCC is a regulatory agency, not a panel of scientists.

Let us consider some of the possibilities if this sort of thing is carried to its logical conclusion.

Cars kill a lot of people. We know that. Suppose some "responsible group" demanded radio and television time to reply to commercials extolling the power or comfort or safety features of cars?

People also die in plane crashes. Should those afraid to fly be given free time to argue the case against flying?

Aspirin is a common item in most homes. Yet we all know that it can be fatal, especially to small children. Do we provide rebuttal time on radio and television for those ads?

In fact, there are many drugs which are dangerous if not taken according to written instructions or which produce serious reactions and endanger the health of some people. Should free time be provided for a discussion of the possible harmful effects of such drugs?

Many household products such as cleansers contain poison. Is a "responsible group" to be given free time to contest their use or to explain the circumstances under which they are harmful or dangerous?

While these examples may not be completely analagous, the principle involved is the same.

It is easy to see where this sort of thing can lead.

The merits of smoking or not smoking aside, regardless of suspicions, no one has yet proved that cigarette smoking actually causes lung cancer or other diseases. There are statistics which lead some people to fear the potential hazards of smoking, but the proof has not come from the laboratory.

This lack of scientific fact does not seem to bother the FCC. They simply endorsed an unproven theory in a field completely beyond their competence.

More seriously—and this is a growing trend in Government bureaucracy—the FCC in effect legislated in an area where Congress specifically avoided legislating.

When Congress passed the Cigarette Package Labeling Act in 1965, it said no warning in cigarette advertising should be required until and unless it was found that the label warning was inadequate. Congress has not yet found the label warning to be inadequate.

The FCC decision also constituted unwarranted interference with the right of radio and television stations to accept advertising for the sale of a legal product.

That is so apparent that I will not go into it in detail.

But for acting in a field exceeding its sphere, and for setting a precedent it may not be able to control, and for usurpation of powers beyond its authority, the Federal Communications Commission has acted very little like a responsible regulatory agency.

I have written to the chairman of the FCC asking that its decision be withdrawn for the reasons I have just outlined. So far I have received no reply. But I hope that by now the FCC has had an opportunity to see that it went far afield and is willing to retract an unwise ruling.

If the ruling is not reversed, I sincerely hope the FCC will afford a public hearing concerning the matter. In the absence of an opportunity for interested and concerned persons to be heard and a resulting reversal of the action taken, then this Congress should take appropriate action to bring about a reversal.

NEIGHBORHOOD HEALTH CENTERS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Ryan] is recognized for 10 minutes.

Mr. RYAN. Mr. Speaker, as efforts have begun in the war on poverty, one important byproduct has been the amassing of new and disturbing information.

A high correlation has been shown between chronic sickness and unemployment; between health defects like poor eyesight, and poor hearing, poor nutrition and academic failure; between poor health care and health habits and sicknesses which cripple the will as well as the body. In short, the poor can neither afford the diet and health care that will keep them healthy, nor the remedial medical care required when illness inevitably results. It is clear that poor health perpetuates poverty.

In the telephone books of large cities are found a dozen or more extra complications to the problem of health and medical care for the poor. In a typical case, a slum family will be referred to a myriad of separate agencies, clinics, dispensaries, hospitals, offices, and buildings in a host of different areas of the city for a variety of ordinary ills. The mother of a destitute family will find that she can get child-care information one place, prenatal care at a different place, immunizations for her children at a third place, a health checkup at a fourth place, a dental checkup at a fifth place, emergency care at a sixth place, and so on and on in a puzzling multitude of places, hours, eligibilities, and availabilities.

If anyone doubts that such is presently the case, let him try to find his way around the thicket of health care for the poor in any of our major cities. It is confusing. It requires patience beyond endurance. It is enough to discourage anyone.

The problem is all too familiar to anyone who has spent a moment in the outpatient waiting room of most medical care establishments for the poor. It is no wonder that cynicism and despair are produced in those who travel with children all morning to reach a clinic which is overcrowded, understaffed, and unsanitary only to be confronted with delay, interrogation, and more delay.

The Office of Economic Opportunity has compiled statistics which show that the reason many people are not working is that they are, quite simply, too ill. Statistics which show that one reason children do poorly in school is that no one ever noticed that they could not hear or see properly. Statistics which show that poverty is perpetuated as these curable afflictions go uncured. Inadequate child care produces a defectively equipped child, a handicapped student, an inadequate wage earner, and later in life, a poor parent of disadvantaged offspring. This is the cycle of poverty and despair. So, improving the health of low-income people is an essential, vital, fundamental part of the war on poverty.

To deal effectively with the problems I have mentioned, the Office of Economic Opportunity has created the Neighborhood Health Center program. As the name suggests, the centers are to be situated in, not at a distance from, the low-income area. The centers abhor the complexity, hostility, and inconvenience which has for too long characterized health care for the poor. Instead, top priority goes to serving people, not turning them away; to diagnosis and help, on the premises, without confusion or delay.

Some centers group their professional staff into family care groups. A family care group may include an internist, a pediatrician, a public health nurse, and a social worker. All members of a family are then served by the same professional group.

Respect, sympathy, and understanding are the hallmarks of care made available through the health centers. Patients, except for emergency cases, are seen by appointment. Services are provided on an outpatient basis and under one roof. A patient can, through his neighborhood health center, obtain preventive health services—such as immunizations, health education, checkups—diagnostic services, at-home care for chronic illness, rehabilitation services, dental care, mental health services, drugs and appliances, and ambulance service. Necessary hospitalization can also be arranged through the center.

The health center concept combines a program of better medical care, improved doctor-patient relationships, and the involvement of the neighborhood in the actual operation of the center. The people who are most aware of the needs of the community are directly involved in recommending methods of operation and in transmitting information to the community.

Support for the neighborhood health services program has come not only from residents of low-income neighborhoods, but from medical and dental societies, medical schools and prominent members of the medical professions. Financial support comes initially from the Office of Economic Opportunity, but the budget is planned to make use of all existing sources of health funds—Federal, State, and local medicare and medical payments, for example, can be channeled through the center as well as medical payments for persons on public assistance.

The importance of this program is highlighted by appalling statistics, some of which Sargent Shriver made available at a recent press conference dealing with the neighborhood health centers. It is shocking.

That one-half of all mothers who give birth in public hospitals have had no prenatal care at all.

That 60 percent of children from poor families have never seen a doctor; and 90 percent have never seen a dentist.

That adults in poor families have four times more disabling heart disease, six times more mental and nervous disorders, and 10 times more visual impairments than do adults in families which are not poor.

That the chance of a child dying before the age of 1 year is 50 percent higher among the poor, and the chance of dying before the age of 35 is four times greater for the poor.

These are grim realities indeed. It is disgraceful that, because medical care has a price tag out of the reach of the poor, the poor must continue to suffer tuberculosis, influenza, and pneumonia as killer diseases. These are diseases which have not seriously threatened the rest of society for a generation. In these respects, those who are poor may as well inhabit an underdeveloped country. Even one-third of the total number of poor adults who are employed suffer from chronic illness and disease. They lose twice as much payroll time due to illness as do other workers in America; and they are likely to be in jobs which provide no sick leave, or health insurance, much less a wage sufficient to purchase basic care.

If we are to wage serious war on poverty, an all-out attack on disease is fundamental. The advances of medical science must not be denied to those who cannot afford the price tag. We can be encouraged that a program of neighborhood health centers now exists to begin to meet these neglected health needs. Forty-nine million dollars was appropriated for this program in fiscal year 1967.

Mr. Speaker, I am pleased to report that a grant in the amount of $939,403 has been made available to institute a neighborhood health services program on the west side of Manhattan, in the district which I have the honor to represent. The program is unique in that for the first time low-income families will be able to develop a doctor-patient relationship and have medical services available by appointment.

The program will be operated by St. Luke's Hospital. Dr. Paul R. Torrens, chief of the community health studies unit of St. Luke's department of medicine, is the project director.

The application for this program was developed with the participation of the community through the West Side Neighborhood Health Council composed of representatives of the poverty population of the area as well as community organizations. The West Side Neighborhood Health Council will help in the decision process and in the actual implementation of the program. A key element of the program will be the active recruitment of patients from low-income families who have the greatest need for health care. In addition, the program is intended to provide job training and employment in the health professions for low-income residents of the area. Graduates of the training program will have direct access to employment at St. Luke's Hospital.

There will be comprehensive family medical care provided by six teams which will be composed of two physicians, a public health nurse, a social services case aide, a family agent, and a secretary. Each of the six teams will be responsible for 3,000 persons.

Medical care will include prenatal and pediatric care, family planning, diagnosis, disease detection, X-ray service, drugs, and dental care. The participating physicians will be doctors from the area who will be supervised by the staff of St. Luke's Hospital. The hospital facilities of St. Luke's Hospital will be available, making it possible for the doctors to maintain close contact with their patients.

The West Side Neighborhood Health Services program will provide comprehensive, across-the-board health care which has not heretofore been available to low-income families. The correlation between poor health and unemployment, and poor nutrition and academic failure is clear. The Office of Economic Opportunity has taken a major step forward in funding a program which will attack one of the fundamental causes of poverty. For the first time the community will be participating with a major voluntary hospital in a broad program of medical care. This is a human renewal program which is vital to the redevelopment of New York.

This is an exciting innovation in health care, for it interweaves the competence and prestige of a major institution, the involvement of neighbors in a neighborhood project, and the promise of uplifting those who are now debilitated and demoralized so that they may enjoy productive citizenship.

FEDERAL-AID HIGHWAY PROGRAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maryland [Mr. FALLON] is recognized for 30 minutes.

Mr. FALLON. Mr. Speaker, on June 7 the House Public Works Committee heard a preliminary presentation by a special committee of the American Association of State Highway Officials on the subject of planning a continuing Federal-aid highway program.

The AASHO officials made this presentation to our committee in order to give us some background and some insight regarding the thinking of the State highway officials on the course of the Federal-aid program after the conclusion of the present interstate program.

This excellent position paper prepared by the officials who have the prime responsibility for the development and operation of the principal highways throughout the Nation is a credit to the officials concerned and to their association.

It has been made available to us at a most appropriate time.

Because of the magnitude of the highway construction program and because of the importance of coordinating highway construction with other activities it is necessary to initiate action to plan for any new program several years before it is to begin.

In recognition of this fact, early in 1963 I announced in a speech at the annual convention of the American Road Builders' Association that I would sponsor legislation authorizing and directing the then Secretary of Commerce to initiate studies in cooperation with the State highway departments leading to recommendations for a continuing Federal-aid program. Subsequently I introduced this legislation and the bill (H.R. 8853) was overwhelmingly approved by the House of Representatives in 1963. However, it failed to gain committee approval in the other body.

Subsequently, however, a provision was included in the Federal-Aid Highway Act of 1965 calling for biennial reports and recommendations from the executive branch of the Government on the subject of future highway programs with the first of this series of reports to be presented in 1968. The State highway officials have been concerned about the possibility that the necessary studies might not be completed in time for Congress to consider the matter and take necessary action to authorize a program which would continue adequate Federal aid for highway development with no interruption.

The presentation made before our committee on June 7 bears out their belief that the Congress should proceed without delay to develop a continuing highway program.

The State highway officials have assumed, for the purposes of this presentation, that the Interstate System will not be completed until 1975. An earlier completion date is possible if Congress takes prompt action to supplement the flow of revenue into the Highway Trust Fund. The State highway officials hope that this will be done, but they are viewing the problem as realistically as possible and therefore they predicate their program on a simple extension of the present taxes supporting the Highway Trust Fund and, on this basis, Interstate completion before 1975 does not appear possible.

Assuming that the new program would not begin until 1975, the State highway officials recommend that Federal-aid funds for advanced planning and engineering for the proposed new program be provided beginning with fiscal year 1971 and continuing through fiscal year 1974 at the rate of $500 million per year. The officials report that a minimum of 4 years' leadtime is essential to avoid a slowdown or interruption in the program.

We anticipate that the House Public Works Committee will hold extensive hearings on this subject. A report by the Secretary of Transportation concerning the future needs of the Federal-aid highway systems is scheduled to be presented to Congress in January 1968. At that time, the State highway officials will again be invited to appear to present a detailed analysis of the problems as they see it. We also anticipate hearing the views of representatives of the highway construction industry, the highway user groups, and other interested parties.

The AASHO officials pointed out that many of our existing highways are functionally obsolete and are not compatible with prevailing traffic speeds and densities. Our present program is oriented toward meeting the first priority need—the completion of the Interstate System. Because of major emphasis on the early completion of the Interstate System, it has been necessary to postpone much reconstruction on the other primary highways as well as the secondary system and the connectional streets in urban areas.

AASHO made the further assumption that the present Federal highway-user taxes will be continued through the 10-year period 1975–84 and that the annual increase in revenue from these taxes will average three and one-half percent. Based on these assumptions, a total of $54 billion would be paid into the highway trust fund over the 10-year period. On the same basis State funds available for matching purposes would amount to $18 billion over the 10-year period. The AASHO officials feel that there must be some increase in State highway income in order to provide the necessary matching funds to support a continuing program of the magnitude contemplated.

The highway officials are recommending a modest extension of the interstate program to provide for increasing the safety and capacity of those interstate routes which prove to be overloaded and for some limited extension of the system as dictated by population shifts and extraordinary growth in some areas of the country.

The State highway officials recommended the establishment of an urban system covering improvements on arterial roads and streets in the urban areas to be selected cooperatively by the States and the urban areas involved.

A tabulation and summary of the program recommended by the State highway officials is shown in the accompanying table:

Tabulation and summary

System category	Approximate percent of total needs	Matching ratio, Federal-State	Funds (in billions) 1975-85		
			Available Federal	Required State	Available State
Interstate	10	90-10	$7.04	$0.70	$0.53
Urban	30	⅔-⅓	15.65	7.83	5.83
Rural primary	40	⅔-⅓	20.87	10.43	7.77
Rural secondary	20	⅔-⅓	10.44	5.22	3.87
Total			54.00	24.18	18.00
Total 10-year program (in billions of dollars)			78		

Comparison of present funds (1968 fiscal year) and an average year in the proposed 10-year program

[Dollar amounts in billions]

Category	1968 fiscal year Federal-aid program			Average year for 1975-85 period			Equivalent 1966 dollars	Comparison with 1968 program
	Federal	State	Total	Federal	State	Total		
Interstate	$3.40	$0.34	$3.74	$0.70	$0.07	$0.77	$0.56	⅕th.
Urban	.25	.25	.50	1.56	.78	2.34	1.70	3.4 times.
Rural primary	.45	.45	.90	2.09	1.05	3.14	2.27	2.5 times.
Rural secondary	.30	.30	.60	1.04	.52	1.56	1.12	1.9 times.

This division of funds was determined by the State highway officials on the basis of an inventory of our total road and street improvement needs. The total estimated cost to meet all road and street needs is $209.59 billion on the basis of 1966 prices. Assuming that costs will increase at the rate of two and one-half percent per year the cost would be about $285 billion in the 1975–84 period.

Therefore, the State highway officials are proposing a Federal-aid highway program which would meet only about 25 percent of the total need and which would leave many of the inadequacies of our road and street system to be handled by the State and local governments without Federal assistance.

The State highway officials believe that highway development programs should be based on documented highway needs and upon the desires of the public.

In addition to undertaking extensive highway needs studies, the highway officials have embarked on a $285,000 research project to determine the public's transportation preferences and the factors that influence or determine these preferences. The research is being administered for AASHO by the Highway Research Board of the National Academy of Sciences. It is expected that some of the findings of this research study will be available for the use of Congress early next year.

It is interesting to note that some of the State highway departments have evolved into transportation departments somewhat along the lines of the Federal Department of Transportation. It would be reasonable to expect that these State transportation agencies would work in close cooperation with the Federal Department of Transportation in the same way that the State highway departments have worked with the Bureau of Public Roads.

Nevertheless, some State highway officials have expressed concern that State highway departments will not be invited to work with Federal officials in the planning of future Federal-aid highway programs. I am hopeful that, as time goes on, the Department of Transportation will fully avail itself of the expert knowledge of the State highway administrations.

The State highway officials are certainly to be congratulated for bringing this farsighted report to the attention of the Congress.

COLORADO WATER LOBBY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 10 minutes.

Mr. SAYLOR. Mr. Speaker, from the time that the Internal Revenue Service first indicated that contributions to the Sierra Club might no longer be considered tax deductible, America was on notice that a supposedly sacrosanct Federal office was far from being above reproach and would henceforth bear careful watching.

The IRS attitude toward the Sierra Club was a depressing blow to those who assumed that agency was immune to political machination. It leaves a stench that increases in intensity as the general public comes to realize the impropriety and inequity involved in making an outstanding patriotic organization the target of an absurd and malicious attack.

If anyone doubts that the Sierra Club was singled out for reprisal without justification, then he has not read "Colorado Water Lobby," by Dr. Alfred G. Etter. The article immediately raises the question of why one organization among many in conflict over a public issue should be penalized for its philosophical difference. More than that, it demonstrates how Federal bureaucracy may employ one of its most devious devices to attack a group seeking to promote the national interest as a sacrifice to local organizations motivated by obviously selfish reasons.

Dr. Etter's analysis quotes me as asking during a congressional hearing why information demanded of conservation groups is not also requested of opposite associations. I repeat the question, but I do not expect IRS or anyone else to even attempt to defend its position by providing an answer.

I include "Colorado Water Lobby," from Defenders of Wildlife News, in the RECORD:

COLORADO WATER LOBBY

(By Dr. Alfred G. Etter)

In early June of 1966, one day after the Sierra Club published pleas in the New York Times and the Washington Post asking for help in the preservation of the Grand Canyon, the Internal Revenue Service informed the Club that because of its efforts to influence legislation the IRS could no longer guarantee that membership dues and gifts to the Club's general fund would be exempt from federal income tax.

Shortly thereafter, Representative Wayne Aspinall of Colorado, Chairman of the House Committee on Interior and Insular Affairs and a strong promoter of Reclamation activities, defended this action. In the Grand Junction Daily Sentinel, Aspinall's hometown newspaper, he was quoted as saying that the Club had exceeded the bounds of propriety in its lobbying efforts and had made a "nasty, indecent, and ignorant attack . . . on the (proposed Grand Canyon) dams and on reclamation generally."[1]

The Sierra Club was attacked again in May, 1967, by another Coloradoan, Senator Gordon Allott. Irritated by the Club's continued opposition to Colorado River legislation that would put a dam in Grand Canyon and build five Colorado projects. Allott said he hoped the Senate Interior Committee would hold a hearing "one of these days on the Sierra Club and its lobbying activities."[2]

In calling for investigation of the lobbying activities of conservation groups, proreclamation forces invite similar investigations of their own efforts to guide water legislation. The following preliminary study of reclamation promotion and lobbying in Colorado has therefore been made. The results are enlightening and shocking. They have significant portent for democracy and conservation in the United States.

In July, 1966, in Glenwood Springs, Colorado, the Colorado River Water Conservation District was holding a board meeting. Mr. Robert Jennings, District Manager for the Bureau of Reclamation, was telling the Board members about plans for an annual Reclamation "Work Session" to be held at Grand Junction, Colorado. "This is your chance," he said, "to bend the ear, so to speak, of the Washington people. There will be representatives from the Bureau of the Budget, Appropriations Committees, and important staff of the Bureau of Reclamation. Monday, Tuesday and Thursday have already been spoken for, but on Wednesday there would be an opportunity for this Board to host something if it so desires."[3]

Mr. Jennings sat by while a motion was introduced to spend $500 of the District's tax money to provide a happy hour and dinner for the Bureau of Reclamation. The motion passed unanimously.

Alternately, with kid gloves and subtle coercion, the Bureau keeps its lobbyists, the water districts of the West, available and cooperative in the cause of empire. To understand how this symbiosus has developed, it is necessary to go back to the beginning.

THE WATER DISTRICT-BUREAU SYMBIOSUS

The arid West is full of irrigation systems. In the early days these systems were small, intruded little on other stream values, and were paid for by the people immediately benefitted, or by stockholders who then expected to be paid off with dividends earned from sales of irrigation water. In ideal locations, these projects could be built with every assurance that they would pay out. However, when bolder, larger schemes were needed to put extensive tracts into cultivation, help was sought from the government. Thus, in 1902 the Bureau of Reclamation came into being, to plan and build dams and canals that private enterprise would not risk or could not handle. In order to sign a contract for repayment with the government, and to manage the distribution of the water, it was necessary to form a responsible group. In this way, various "water districts" (variously called water conservation, irrigation, or water conservancy districts) have been organized in the west. From this comparatively simple and straightforward origin, these water districts have become increasingly involved in local and even national affairs.

While even today many of these organizations are governed by the irrigationists most directly concerned with the use of the water, they are recognized as political subdivisions of the state and have the power to levy taxes on property owners within their boundaries. While the statutes under which they operate do not always say so, it has been assumed that as part of their role in developing water resources they have a responsibility to *promote* projects. As projects have become more complex and expensive and as different areas of the country have begun to compete with each other for government funds, the districts have come to serve as lobbying organizations, currying favor with both Congress and the Bureau of Reclamation. From currying favor it is often a very short distance to becoming a servant. So it has happened to many water districts. Today, the district has become one of the most important tools of the Bureau of Reclamation, and this agency guides and encourages specific local groups to organize and press for legislation to authorize what the Bureau has decided are favorable projects. *The Federal Agency thus has at its disposal a tax-supported, tax-exempt, and tax-deductible lobbying group, baited by the promise of a water project, which it can manipulate as it sees fit*—even to the point of asking it to provide entertainment for its work sessions.

THE WATER CONSERVATION DISTRICT

Theoretically, the water district is a democratic institution, an arm of government. Actually, at least in Colorado, it is a law unto itself, drawing its power from the generally held, but incorrect, assumption that *any* water development is good for the country.

There are two kinds of water districts in

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[1] "Aspinall Hits Sierra Club Lobby Tactics", Grand Junction Daily Sentinel, July 6, 1966.

[2] "Angry Solon Asks Sierra Club Probe", Grand Junction Daily Sentinel, May 6, 1967.

[3] Notes taken at the July 19, 1966, meeting of the Colorado River Conservation District Board. Minutes of this meeting refer only to the fact that the motion was passed: "Mr. Williams then moved that the District host the Reclamation people attending the programming conference, their wives and invited guests from other water agencies in the District to a social hour and dinner on the evening of Wednesday, August 24, 1966. He further moved that the Secretary be authorized and directed to arrange for the social hour and dinner and send out the necessary invitations. Upon second by Mr. Sherman, the motion was voted upon and declared carried."

Also see "Water Boards Give Dinner For Reclamation Officials" in the Grand Junction Daily Sentinel, August 26, 1966, which states: "Floyd Dominy, commissioner of reclamation, showed his slides of Lake Powell and the Marble and Bridge Canyons."

Colorado—the Water Conser*vation* District and the Water Conser*vancy* District. The first is larger but the second is the more ubiquitous. The Colorado River Water Con*servation* District, with offices at Glenwood Springs, is one of two such districts that dominate water affairs in Wayne Aspinall's western Colorado congressional district. The second is the Southwestern Colorado Water Conservation District. These organizations design projects, acquire water rights, coordinate planning, sign contracts, promote, lobby and assist with construction. They enjoy great freedom of action.

It is no infrequent occurrence for a community to wake up in the morning to discover that the District has designed another reservoir without even consulting local planning officials or notifying newspapers. Recently the Metropolitan Sewer District of Aspen, Colorado, discovered that the site it had chosen for a sewage disposal plant would be under twenty feet of water if the Colorado River Water Conservation District had its way. Working quietly, the Water District had obtained easements on properties which the Sewer District needed. All this was done in spite of, or perhaps even because of, the fact that the attorney for the county in which Aspen is located is also attorney for the Water District, and one of the county commissioners is on the Water District board.

This conflict of interest is inherent in the laws which set up the two Conservation Districts.[4] The Board of Directors consists of one representative from each county in the District. *These men are appointed by the county commissioners,* and may be, and sometimes are, commissioners themselves. All too often their main qualification for the job is that they have a selfish interest in some project. The county commissioner representing the Aspen area on the Water Board had not seen fit to formally advise the community of the pending reservoir, perhaps because he owned downstream land ideal for developing.

Meanwhile, the County Attorney, alias the Water District Attorney, defended the project. He proffered a "great recreational potential." [5] He did not mention that, in return for this, Aspen would lose one of the finest stretches of trout fishing water in the west, and perhaps the most challenging spring kayak water in the nation, and the quiet of a valley that is uniquely quiet in these noisy times. Twenty miles away, on the Frying Pan River, a vast new reservoir, sold with the same "great recreation potential" bait, is in the process of construction.

This example is just one which happens to be convenient, but it is typical of the kinds of situations that can develop under the laws which set up these two large Water Conservation District. The power they possess is absurdly out of proportion to their present narrow vision and motives. Using directors appointed by county commissioners to man a board empowered to levy taxes seems an invitation to corruption and a refutation of democracy.

THE WATER CONSERVANCY DISTRICT

The organization of the smaller "Water Conservancy Districts" is equally undemocratic. If a group of landowners decide they want to try for a project, and can get 25 per cent of the owners of irrigated land in the district and 5 per cent of owners of non-irrigated land to sign a petition to present to the District Judge, then they are well on their way.[6]

The District Judge then orders a hearing at which any objections can be presented, but these objections must be limited to a denial of the statements in the petition. If the allegations of the petition are judged true, then there is little else that can be said. The only other way to stop formation of a district is to file a protesting petition which requires signatures of from 15 to 20 per cent of the owners of the irrigated land in the district. This makes protests by non-irrigated land owners virtually impossible.

It can be seen that since the pro-forces always have an advantage, and are usually well organized, the hearing is only a formality, and often there is not a single dissenting voice. *If the District is formed to dam a trout stream, no one outside of the District can effectively object to the creation of an entity with full power to plan and promote the destruction of that stream.*

The District is almost always approved by the judge. After all, it doesn't mean that the project will be built, but it only seems right to give these people the chance to ask for one. The decision as to actual authorization of the project is passed on to the Bureau of Reclamation and Congress. *There is thus no real deterrent to the formation of these tax-supported, tax-exempt and tax-deductible organizations, which are then free to mount a campaign to start influencing legislation.* At no point has the general public had a chance to vote on the matter. The judge is the supreme authority, in the absence of what must be a very rare event, a successful protecting petition.

The judge's involvement increases as time goes on. He appoints the board of directors of the District. Usually this means he chooses those people who were most active in promoting the project, plus his special friends. The judge designates the term of office. The judge also fills all vacancies and reappointments. The only way of breaking into this "judicial empire" is through a petition of 15 per cent of the qualified voters of a district asking for an election, but this must be done separately for each board member, of which there may be 15.

EFFORTS TO CHANGE

A state senator recently made an effort to get a State Legislative Committee to recommend *election* of water conservancy district directors by the voters, instead of having them appointed by the judges. "These districts will play an even bigger role in the State, but they suffer from lack of communication with the people," [7] the senator said. His move was defeated, but this agitation indicates that others are concerned that judges seem to become inordinately involved in district affairs and that conservancy districts are not models of democracy.

The fact that the voters of Colorado in the 1966 elections voted to change the state constitution to improve the method of selecting, retraining and discharging District Judges indicates that the public had lost faith in them and perhaps not without reason. Under the new system, however, judges are appointed, and while this may have some advantages, it removes the last vestige of democracy from the water district framework.

THE JUDGE TESTIFIES

As an example of the kinds of situations that arise, recent testimony by District Judge William S. Eakes of the 6th Judicial District in Southwestern Colorado indicates that he not only had appointed members to the boards of two water conservancy districts, but he formerly served as the attorney for these districts, and as such, was actively engaged in lobbying for their projects.[8] In the water conservancy laws, it points out that ownership of land within the boundaries of the district does not disqualify the judge from performing any duty imposed by the law. The statute is silent regarding any previous contractual relationships the judge may have had with the district.

When the Irrigation and Reclamation Subcommittee of the House Interior and Insular Affairs Committee visited southwestern Colorado prior to holding its May, 1966, hearings on the Lower Colorado River Basin Project which provided for three projects in Judge Eakes' area, the Judge entertained Wayne Aspinall and various subcommittee members at his ranch at the expense of the Southwestern Colorado Water Conservation District.[8] Judge Eakes then travelled to Washington at taxpayer expense and testified before Mr. Aspinall's Committee, and was greeted with open arms. Mr. Burton of Utah said, "I would like to say that I spent a very pleasant day with Judge Eakes as his guest for an afternoon and an evening, and if you want to catch some nice rainbow trout, go out to the Chairman's district and let Judge Eakes take you fishing." [9]

The Judge made the following plea in favor of *the entire* Colorado River Basin Project: "The Southwestern Water Conservation District of Colorado asks the speedy and favorable action of this committee on H.R. 4671 as amended. We support this bill in its entirety because we believe it fair and proper and in the best interest of the Colorado River Basin and of the nation." [9]

The Judge was not inclined to be modest concerning his efforts to lobby for water projects, though it seems that there is some question as to the propriety of this activity on the part of a District Judge. It is just possible that he might be called on to make a decision involving a water conservancy district as was District Judge S. Philip Cabibi of Pueblo.

WINING AND DINING

It just so happened that a group of underground-water users had accused the Board of the Southeastern Water Conservancy District of spending exorbitant amounts of money on lobbying to obtain passage of a law that would put many ground-water users out of business. In order to get evidence they had gone to the office of the District and examined some of the minutes and treasurer's reports. They found indications that large sums were being expended for "legislative expense" and for "travel and entertainment." In order to determine exactly where and how these amounts were spent, they demanded access to all supporting vouchers and diaries. Their request was refused and the District then petitioned the court to uphold their refusal, and the ground-water users therefore intervened with the court to gain access.

Hearings were held in Pueblo in October, 1966, and proved to be a fascinating revelation of the extent to which the water conservation districts lobby, why, and for what.[10] The whole presentation of the conservancy district's attorney was built on the need for promotion of water projects, the need to wine and dine legislators and even the amounts raised to lobby for such projects as the Frying Pan-Arkansas, which apparently reached the overall figure of $500,000, of which $300,000 was supplied by the District, or through contributions to it.[11] When the Frying Pan project was dedicated only a year or so ago, the District spent $2,500 at the Aspen Alps Club for a big blowout for members of the Board and various dignitaries, including Stewart Udall who came, perhaps reluctantly, to shovel the first dirt into this famous trout stream. If there is ever a shortage of testimony on lobbying activities by water interests, the records of these hearings are replete with sworn data given by representatives of the State Water Board, Bureau of Reclamation, District Judges, and others. The decision, of course, went against the intervenors who were asking access to the records.[12] Judge Cabibi himself had appointed the members of the Water Conservancy District Board and had accepted money from the District to attend District Board meetings and dinners and a convention of the Colorado River Water Users Association in Las Vegas, Nevada. Although the Judge was asked to disqualify himself as having been too intimately involved, he refused to do so.[13]

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[4] Water Conservation Agencies of the State of Colorado. 2nd Ed., 1963. Published by Colorado Water Conservation Board, Denver 3, Colorado.

[5] Letter of Robert Delaney, Counsel for the Colorado River Water Conservation District, to Aspen Illustrated News, September 29, 1966.

[6] Water Conservation Agencies of the State of Colorado. 2nd Ed., 1963. Published by Colorado Water Conservation Board, Denver 3, Colorado.

[7] "Legislative Group Rejects Water Conservancy Plan." Grand Junction Daily Sentinel, September 28, 1966.

[8] "Judge Eakes Cites Role of Lobbyists." Pueblo Chieftain, August 11, 1966. Further details are available from the Court's record of the hearings, and from my personal notes taken at the hearing, in the District Court, Pueblo, Colorado; Civil Action No. 40487 Div. B. In the Matter of Southeastern Colorado Water Conservancy District. (Aug. 9–11, 1966)

[9] Statement of Judge William S. Eakes, in behalf of the Southwestern Water Conservation District, in Hearings, Lower Colorado River Basin Project H.R. 4671, May 9–13, 1966 (Pages 1214–1223).

Mr. Wayne Aspinall made the statement recently: "The Sierra Club has transgressed far beyond the limits of propriety in lobbying against Marble and Bridge Canyon dams, and they should be made to pay for such transgressions." [14] Perhaps Mr. Aspinall should investigate the propriety of District Judges lobbying for Marble and Bridge Canyon dams as well as other projects with the help of tax monies.

FUNDS FOR PROMOTION

It is abundantly clear that Conservancy Districts, and their big sisters, the Conservation Districts, are the main promotion agents for Reclamation projects in Colorado. A recent article in the Grand Junction Sentinel stated that: "The new (Juniper) Conservancy District (on the Yampa River) will be the entity to promote the project while it is up for consideration, when it is up for authorization by Congress, and when Congress is considering appropriations for construction . . ." [15]

Mr. Felix Sparks, head of the Colorado Water Conservation Board states unequivocally that promotion of water schemes must be the responsibility of the various conservancy districts since the State Water Conservation Board has no funds for "entertainment and lobbying." Mr. Sparks himself took ten months leave from his State job to work as a lobbyist for the Southeastern Colorado Water Conservation District in order to get approval of the controversial "Frying Pan-Arkansas" project.

"No bill," said Mr. Sparks, "ever gets through Congress without wining and dining legislators . . . All (water conservancy districts) have budgets for lobbying . . . All districts need as much money as they can raise to send witnesses to Washington for publicity." [16]

He indicated that the budget for influencing legislators in favor of the Dolores Project (one of the five Colorado projects included along with the two Grand Canyon Dams in the Colorado River Basin Project as Colorado's price for support of the Central Arizona project) was $44,585, but he went on to say that the *Bureau of Reclamation* had advised the District that it should set its sights on a goal of at least $80,000 if it hoped to be successful. Most of this money would come from a mill levy on property owners in the District, but Mr. Sparks also explained that *voluntary contributions* were received.[17]

A few months later a story in the Grand Junction Sentinel reported that Sparks had said: ". . . the Dolores Water Conservancy District would raise $10,000 and the Southwestern Water Conservation Board would provide $30,000." This story was then changed by one of Mr. Spark's Chief Engineers who said that "the districts in southwestern Colorado proposed to raise only $15,000." [18] So many versions of the same story, all originating from the Colorado Water Conservation Board, suggests an effort to keep the actual facts vague.

In the same article it was announced that "The Colorado River Water Conservation District Board voted . . . to contribute up to $5,000 to be used in promotion of the Colorado River Basin legislation in Congress." [18]

On March 8, 1967, it was announced that ". . . five water conservancy districts sponsoring five proposed reclamation projects that might be authorized along with the Central Arizona Project are coordinating their plans for promotion. The districts have raised a total of $20,000 to date and another $5,000 will probably be added to the promotion fund. A brochure will be prepared by a Denver public relations firm for circulation among congressmen and within the state of Colorado." [19]

Some of the confusion in these reports probably stems from the fact that some figures are for contributed funds and some are for both contributed and budgeted funds.

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The water conservancy districts of Colorado have offered the perfect foil for interested parties to contribute tax-deductible funds for the promotion of dams not only in Colorado but in the Grand Canyon. In some cases this lobbying has been undertaken by District Judges. Add to these contributed funds the tax-derived, tax-exempt funds raised by the mill levy imposed by the various districts and you have a most imposing financial structure.

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Of greater importance, however, is the fact that many Negro Americans do not have a close, personal identity with their past. By affording them an opportunity to develop a better understanding of their heritage and by providing a medium through which they can gain this essential sense of identity, I believe the success of the various education, poverty, and job opportunity programs we have created to assist our minority groups will be significantly heightened.

There is certainly a wealth of material, documents, exhibits, and memorabilia which could be assembled and displayed and which could be seen by all Americans as well as foreign visitors. I have seen similar displays overseas—highlighting the activities, achievements, and contributions of a certain sector of the society—and know that they have been received with great interest and enthusiasm.

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a Commission to be known as the Negro History Museum Commission (hereinafter referred to as the "Commission"). The Commission shall be composed of eleven members, appointed by the President from persons who are authorities on Negro history and culture.

(b) The President shall designate one of the members of the Commission as Chairman, and one as Vice Chairman. Six members of the Commission shall constitute a quorum.

(c) Members of the Commission shall each be entitled to receive $100 per diem when engaged in the performance of the duties vested in the Commission, including travel time; and while so engaged when away from their home or regular place of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703(b) of title 5, United States Code, for persons in Government service employed intermittently.

(d) The Commission shall meet at the call servation districts lobby, why, and for what.[10] The whole presentation of the conservancy district's attorney was built on the need for promotion of water projects, the need to wine and dine legislators and even the amounts raised to lobby for such projects as the Frying Pan-Arkansas, which apparently reached the overall figure of $500,000, of which $300,000 was supplied by the District, or through contributions to it.[11] When the Frying Pan project was dedicated only a year or so ago, the District spent $2,500 at the Aspen Alps Club for a big blowout for members of the Board and various dignitaries, including Stewart Udall who came, perhaps reluctantly, to shovel the first dirt into this famous trout stream. If there is ever a shortage of testimony on lobbying activities by water interests, the records of these hearings are replete with sworn data given by representatives of the State Water Board, Bureau of Reclamation, District Judges, and others. The decision, of course, went against the intervenors who were asking access to the records.[12] Judge Cabibi himself had appointed the members of the Water Conservancy District Board and had accepted money from the District to attend District Board meetings and dinners and a convention of the Colorado River Water Users Association in Las Vegas, Nevada. Although the Judge was asked to disqualify himself as having been too intimately involved, he refused to do so.[13]

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[24] Statement of Jeffery Ingram, Sierra Club representative. Hearings Colorado River Basin Project H.R. 4671, May 9–13, 1966 (Page 1492)

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Mr. Wayne Aspinall made the statement recently: "The Sierra Club has transgressed far beyond the limits of propriety in lobbying against Marble and Bridge Canyon dams, and they should be made to pay for such transgressions." [14] Perhaps Mr. Aspinall should investigate the propriety of District Judges lobbying for Marble and Bridge Canyon dams as well as other projects with the help of tax monies.

FUNDS FOR PROMOTION

It is abundantly clear that Conservancy Districts, and their big sisters, the Conservation Districts, are the main promotion agents for Reclamation projects in Colorado. A recent article in the Grand Junction Sentinel stated that: "The new (Juniper) Conservancy District (on the Yampa River) will be the entity to promote the project while it is up for consideration, when it is up for authorization by Congress, and when Congress is considering appropriations for construction . . ." [15]

Mr. Felix Sparks, head of the Colorado Water Conservation Board states unequivocally that promotion of water schemes must be the responsibility of the various conservancy districts since the State Water Conservation Board has no funds for "entertainment and lobbying." Mr. Sparks himself took ten months leave from his State job to work as a lobbyist for the Southeastern Colorado Water Conservation District in order to get approval of the controversial "Frying Pan-Arkansas" project.

"No bill," said Mr. Sparks, "ever gets through Congress without wining and dining legislators . . . All (water conservancy districts) have budgets for lobbying . . . All districts need as much money as they can raise to send witnesses to Washington for publicity." [16]

He indicated that the budget for influencing legislators in favor of the Dolores Project (one of the five Colorado projects included along with the two Grand Canyon Dams in the Colorado River Basin Project as Colorado's price for support of the Central Arizona project) was $44,585, but he went on to say that the *Bureau of Reclamation* had advised the District that it should set its sights on a goal of at least $80,000 if it hoped to be successful. Most of this money would come from a mill levy on property owners in the District, but Mr. Sparks also explained that *voluntary contributions* were received.[17]

A few months later a story in the Grand Junction Sentinel reported that Sparks had said: ". . . the Dolores Water Conservancy District would raise $10,000 and the Southwestern Water Conservation Board would provide $30,000." This story was then changed by one of Mr. Spark's Chief Engineers who said that "the districts in southwestern Colorado proposed to raise only $15,000." [18] So many versions of the same story, all originating from the Colorado Water Conservation Board, suggests an effort to keep the actual facts vague.

In the same article it was announced that "The Colorado River Water Conservation District Board voted . . . to contribute up to $5,000 to be used in promotion of the Colorado River Basin legislation in Congress." [18]

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[27] National Reclamation Association "Bluebook", (The National Reclamation Association—What It Means to the West).

Sec. 2. (a) The Commission shall have the power to appoint and fix the compensation of such personnel, as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(b) The Commission may procure, in accordance with the provisions of section 3109 of title 5, United States Code, the temporary or intermittent services of experts or consultants. Persons so employed shall receive compensation at a rate to be fixed by the Commission, but not in excess of $75 per diem, including travel time. While away from his home or regular place of business in the performance of services for the Commission, any such person may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703(b) of title 5, United State Code, for persons in the Government service employed intermittently.

Sec. 3. The Commission shall conduct a study of all proposals for the establishment by the United States of a Museum of Negro History and Culture and shall make a recommendation to the President and to the Congress with respect to the legislative enactments which would be necessary to establish such museum. Such study shall include consideration of the following—

(1) the advisability of establishing such museum as part of an existing museum,

(2) the most appropriate structure for the museum, including consideration of the use of an existing building or the erection of a building,

(3) location of such museum,

(4) the scope of the collection to be in such museum and the availability of materials for such collection, and

(5) any other factors relating to the establishment of the museum.

Sec. 4. The Commission shall submit a comprehensive report of its findings and recommendations to the President and to the Congress not later than six months after the date of enactment of this Act. The Commission shall cease to exist thirty days after such report is submitted.

FINAL RITES SLATED FOR RETIRED MARINE GEN. FRANKLIN A. HART

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. Nichols] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. NICHOLS. Mr. Speaker, I rise today to pay tribute to a great American who passed away last weekend. Retired Marine Gen. Franklin A. Hart was 73 years old when he died in the Bethesda Naval Hospital. General Hart was a native of Eufaula, Ala., and was a 1915 graduate of my alma mater, Auburn University. He was a member of the Auburn varsity football team while in school, and in 1952 the school presented him with its 28th honorary doctor of laws degree which had been bestowed on an Auburn Alumnus. The 27th recipient was, incidentally, another Marine, Gen. Holland M "Howlin' Mad" Smith, who passed away earlier this year.

General Hart began his military career as a second lieutenant in 1917, and held command assignments at Parris Island, the Marine Corps schools at Quantico, Va., and was commanding general of the Fleet Marine Force in the Pacific.

The four-star general received the Navy Cross while commanding the 24th Marines in the assault and capture of Roi-Namur Island on the Kwajalein Atoll, and the Legion of Merit for commanding the regiment in the battle for Saipan and Tanian, Marianas Islands. As assistant division commander during the battle of Iwo Jima, General Hart was awarded the Order of Military Merit with Silver Star by President Rhee of Korea.

General Hart was one of 42 graduates of Auburn University who has risen to the rank of general officer in our military services. Our Nation has lost another courageous military leader, patriotic American, and outstanding citizen. I would ask each member of the House to join me in paying tribute to the memory of General Hart.

Final Rites Slated for Gen. Hart, 73

Washington.—Funeral services were held today for retired four-star Marine Gen. Franklin A. Hart, who died Thursday in the Bethesda, Md., Naval Hospital.

Gen. Hart, 73, a native of Eufaula, was a 1915 graduate of Auburn University where he was a member of the varsity football team.

His alma mater honored him in 1952 by presenting him the 28th honorary doctor of laws degree to an Auburn alumnus. The 27th recipient was the late Marine Gen. (Howlin' Mad) Holland Smith, a native of Russell County, who died last Jan. 12.

Services for the general were held in Arlington National Cemetery.

Gen. Hart began his military career as a second lieutenant in 1917, and held command assignments at Parris Island, the Marine Corps schools at Quantico, Va., and was commanding general of the Fleet Marine Force in the Pacific.

The veteran general received the Navy Cross while commanding the 24th Marines in the assault and capture of Roi-Namur Island on the Kwajalein Atoll, and the Legion of Merit for commanding the regiment in the battle for Saipan and Tanian, Marianas Islands.

Gen. Hart, assistant division commander during the battle of Iwo Jima, was awarded the Order of Military Merit with Silver Star by President Rhee of Korea.

In addition to his wife, the only other survivor is a cousin, Mrs. Harry Ridgeway of Montgomery.

Gen. and Mrs. Hart resided in Washington after his retirement from the armed forces. He had been ill for a lengthy period.

PRESIDENT JOHNSON AND PEACE AT THE SUMMIT

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Morgan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. MORGAN. Mr. Speaker, Lyndon B. Johnson has always said that he would go anywhere at anytime in the pursuit of peace.

The American people were witness to his strenuous efforts last weekend to achieve the peace he has pursued.

The momentous summit meeting with Premier Kosygin brought together two powerful men who have now come to know each other personally.

It brought together two men who hold in their hands the future peace—and future existence of the world.

The American people are proud of their President for the dignity and intelligence with which he carried on his crucial meeting with Premier Kosygin.

The American people realized that major Soviet-American agreements on important issues would probably not emerge from this summit. But they also felt in their hearts, as we all did, that such a meeting could only contribute to a lessening of world tensions and improvement of the climate for world peace.

President Johnson made the American position clear on major issues ranging from the Middle East to Vietnam, and from missile control to the control of the spread of nuclear weapons.

The minds of two very powerful leaders came closer together.

There will be less danger from miscalculated action in the future.

We are all proud that our President stood on no formalities, but made every effort to be certain the conference took place.

We are certain that future benefits, perhaps unknown at this moment, will flow from this meeting.

It was hopeful moment in American history, and the President's reputation as a peacemaker has been considerably enhanced.

The Congress joins with him in his continued passionate search for peace, security and world justice.

I ask unanimous consent to insert in the Record an editorial from the Philadelphia Inquirer which strongly sustains the spirit of Holly Bush and supports the President's initiative in peacemaking.

[From the Philadelphia Inquirer, June 24, 1967]

A Momentous Summit

Friday's surprisingly long summit meeting between President Johnson and Premier Kosygin at Glassboro was climaxed by an entirely unexpected and highly encouraging announcement that they will meet again on Sunday to resume their discussions.

Although it is far too early to tell what will come of these talks, the prospect of substantial achievement is far greater than anyone—probably including the principals themselves—would have forecast when the conversations began.

President Johnson has an unprecedented opportunity to improve U.S.-Soviet understanding in regard to pressing world problems and, hopefully, to advance the cause of peace.

The decision to resume the conversations Sunday was all the more remarkable in view of the difficulties that evidently were encountered in arranging the meeting in the first place.

The details of protocol that had to be worked out before the two men could meet may seem irrelevant and out-dated to many. The President did not want to go to New York for reasons that he felt important; the Premier did not want to go to Washington for reasons he regarded as sufficient.

So they met each other halfway, which is the kind of thing that makes diplomats happy. The fact that the "halfway" meeting place was in a little college town in New Jersey has its own interest. The Summit of June, 1967, will probably go down in history as the biggest thing that happened in Glassboro since the first glass factory was built in 1775.

There was a time when summit conferences between the heads of state were looked upon as shortcuts to great international decisions. The results of Versailles, at Munich, at Yalta and elsewhere have brought their own disillusionment, but there is always the hope that somewhere, sometime, the opportunity will be taken by the responsible heads of the Great Powers to meet, to talk and to reach agreement on decisions of immense benefit to the human race.

Before Friday, the heads of the American and Soviet Governments had not met since John F. Kennedy conferred with Nikita Khrushchev in Vienna in 1961. That particular summit had no historic results. Yet it had its special importance in making clear, as only a meeting in person could do, the kind of individual that Khrushchev was, and the kind of handling that he would require.

The crisis in the Middle East and the war in Vietnam are only two of the most pressing problems which the two leaders find necessary to discuss at their meetings in Glassboro. The two Governments are worlds apart on the two issues, as they are on others. Yet, in managing to sit down in the same room to talk about them, opening the way to further discussions in depth which might lead to agreement, Johnson and Kosygin have already accomplished much—exactly how much is a question that will not be fully answered until Sunday or later.

MEAT INSPECTION AMENDMENTS

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SMITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, public hearings got underway Monday, June 26, before the House Agriculture Committee's Subcommittee on Livestock and Feed Grains on my bill H.R. 6168, to clarify and amend the Meat Inspection Act, to provide for cooperation with appropriate State agencies regarding State meat inspection programs.

The leadoff witness for the Department of Agriculture was Mr. Rodney E. Leonard, Deputy Assistant Secretary for Consumer and Marketing Services. Mr. Leonard made a strong presentation in support of the necessity for enactment of this much needed and important legislation.

Because of the interest of many Members of Congress in this legislation, I am including Mr. Leonard's testimony at this point in the RECORD:

STATEMENT OF MR. RODNEY E. LEONARD, DEPUTY ASSISTANT SECRETARY, ON BEHALF OF THE U.S. DEPARTMENT OF AGRICULTURE BEFORE THE LIVESTOCK AND GRAINS SUBCOMMITTEE OF THE HOUSE AGRICULTURE COMMITTEE ON H.R. 6168, JUNE 26, 1967

I am here today to urge favorable action by this committee on H.R. 6168, a bill to amend the Meat Inspection Act.

This legislation seeks to further improve the programs which have helped to build meat packing and processing into an industry with $16 billion in annual gross sales . . . and which, in turn, have created nearly $13 billion in yearly sales of livestock by American farmers.

The availability of these markets for American livestock . . . the prosperity and potential for the American food industry . . . all rest on one basic fact: our high standard of living is greatly dependent upon the continued confidence of today's homemaker in the integrity of our meat supply.

Thus, we must insure that every effort is made to provide her with the full assurance that the meat she buys for her family is safe and wholesome: a guarantee that today is taken for granted. To do this adequately, we must forge a viable Federal-State partnership through which the consumer is fully protected . . . the packing industry continues to prosper . . . and the producer is assured of an expanding market for his livestock.

The proposed Wholesome Meat Act is designed to accomplish just that.

It recognizes the role of the States as a vitally important link in this creative program, and seeks to provide a positive means by which the States can integrate their efforts into a stronger, more unified system of meat inspection.

It proposes much-needed reforms in the present Federal system, to close existing loopholes and make it more responsive to all in the years ahead.

Sixty years ago—after the consumer's confidence in her meet supply was shattered by disclosures of vast irregularities in the meat packing industry—Congress passed legislation under which a Federal inspection system was established for meat and meat products moving in interstate and foreign commerce. This legislation, which actually is only an appropriations measure, has become known as the Meat Inspection Act.

The system developed, basically, is a good one. It has served us well over the intervenening years, and has come to be recognized as a model for the world. Refinements to it are constantly being made within the legal boundaries established by Congress.

Yet, this legislation contains several flaws in light of modern conditions—flaws which we believe require corrective action by the Congress.

The most serious flaw is an absence in the present Act of any provisions for coordinating Federal and State meat inspection efforts.

The role of the States is a vital one. The Federal law applies only to products moving in interstate and foreign commerce. Thus, the States have sole responsibility for the products of intrastate commerce.

The volume of these nonfederally inspected products is significant. Approximately 15 percent of the commercially-slaughtered animals—over 19 million head—are slaughtered for intrastate commerce only. In addition, about one-fourth of the commercially-processed meat products—an estimated 8.75 billion pounds—are processed and sold without crossing State lines.

Significant amounts of these intrastate products are sold without any form of Government inspection. The remaining amounts are subject to inspection by State or local governments. Inspection under these programs is generally well below Federal standards. Yet, these products are intermingled in many retail stores with federally inspected products for sale to the unknowing public.

There exists considerable disparity between statutory provisions of Federal, State and local laws which creates a form of economic separation that carries with it significant competitive advantage for the unregulated. Excessive water and extenders, chemicals that mask the true condition of a product, and misleading or deceptive labeling are typical examples. This variation in consumer protection at the State and local levels is demonstrated by a few statistics.

Nine States do not have any laws specifically covering the inspection of meat, although they have a general-type food law which partially affects meat packing from the standpoint of specified sanitation and/or labeling requirements.

There are 41 States with some form of a meat inspection statute—two require only mandatory licensing of packers with no provisions for actual inspection of meat . . . 13 provide for only voluntary programs . . . and 26 have mandatory inspection laws.

Only 26 States provide for mandatory inspection of animals before and after slaughter—the basic foundation for effective meat inspection protection. Further, only 25 States provide for mandatory inspection of processed meat products—an important area of potential adulteration and mislabeling.

Of the 41 States with meat inspection laws, 20 derive their funds solely from State appropriations . . . 14 utilize a combination of appropriated funds and packer assessments . . . the remaining seven derive all funds from assessments on the users.

These figures relate only to State *statutes*. In addition, the degree of authority, implementation and effectiveness of State inspection programs varies greatly from State to State. Even greater variation is found between State and local inspection programs, where local inspection exists.

Administrators of State meat inspection programs generally admit that they have neither the money nor manpower to conduct an intensive, continuous inspection service for both slaughtering and processing operations. State legislators, veterinary associations, industry groups and others have tried repeatedly to obtain meaningful legislation and enforcement.

Nevertheless, the need for stronger, more effective and more uniform State inspection programs is of critical importance. In the past couple of years, there has been a tremendous upsurge among the States to initiate or improve existing programs. Eighteen States actively considered meat inspection legislation during the past year—eight of whom are among those without any present meat inspection law. The other 10 were attempting to upgrade and strengthen existing statutes.

These efforts by the States must be fostered and encouraged by the Federal program if this Nation is to achieve adequate, overall protection of the consumer with resulting prosperity for the industry and the producer. By providing legislative authority for meaningful Federal-State cooperation, a uniform framework can be constructed which will provide consumer protection for all citizens regardless of where their meat originates.

The second basic flaw in the present Meat Inspection Act is related to the revolution that has swept through the meat packing industry.

Advancing technology, rapid transportation and communication, intensified marketing and new food preservation methods have revolutionized the industrys ability to produce meat products in tremendous volume. Major changes have taken place just in the past decade which have greatly altered the structure of the industry.

For example, plants engaged in slaughtering have moved from highly centralized locations around key metropolitan areas—such as Chicago—to widely decentralized locations in livestock feeding areas. On the other hand, plants which process and manufacture meat products have become highly specialized. They tend to locate away from production areas and nearer to large consumer markets.

In addition, there has been a sharp increase in the number of products which are ready for home use with a minimum of preparation. They are processed to a higher degree with more sophisticated techniques.

Thus, they offer greater opportunity for adulteration with unwholesome meat or extenders, as well as deceptive labeling as to composition and quality that would not be obvious to the purchaser.

With the source of supply of meat more distant from the processing plants, a substantial market has developed for frozen boneless meat—particularly beef. Moving this meat in frozen blocks facilitates handling and protects against spoilage. New machinery has been developed which will flake, shred, or slice frozen blocks of meat at high speed without defrosting. In fact, beef can now be processed more efficiently in a frozen state than in the natural state, cutting labor and processing time to a minimum.

Along with the high-speed equipment and use of frozen meat have come chemical and other "fast" curing processes, artificial tenderizing, artificial smoking, coloring agents, and other additives that are potentially deceptive or dangerous to one's health when their use is not regulated.

These sophisticated changes greatly complicate inspection procedures. Inspection of meat for wholesomeness, without using chemical analysis, is most effective when meat is in a fresh state. Thus, frozen meat must be defrosted prior to inspection. If there is any suspicion of adulteration or unwholesomeness, it must be examined and tested closely, oftentime requiring complicated laboratory analysis.

Adequate inspection of a complex processing line is mechanically and physically more difficult than is the visual examination of carcasses and fresh meat. Compounding the problem is the fact that in modern processing, there is often less opportunity for inspectors to check each stage of the operations.

Thus, the massive technological advancements in the industry have begun to greatly complicate our efforts to protect the consumer—we are dealing with problems not conceived by those who drafted the original legislation 60 years ago.

For example, the Act does not provide specific authority for supervising certain types of independent operations where adulteration of our meat supply can occur—such as boning establishments, cold storage warehouses, wholesalers, jobbers, etc.

The Act does not provide sufficient tools of enforcement to checkmate the unscrupulous operator who seeks to pollute the Nation's meat supply with unwholesome products. It is far too easy—in the absence of more positive preventive measures—for dealers in dead animals, renderers, animal food handlers and others to divert unfit meat into human food channels. As of now, we do not even have the authority to seize or detain meat which we know is unfit and is intended for human consumption when it is outside of a federally inspected plant.

The Act now provides only implied and/or fragmented authority in some areas that greatly hinders effective administration and enforcement. Authority to refuse inspection service when warranted . . . adequate measures to prevent counterfeiting of inspection stamps . . . clear-cut authority to deal with certain types of packaging, labeling, and standards of composition . . . all are presently lacking.

Thus, the Act passed 60 years ago—and amended only once since then in a minor way, is becoming increasingly inadequate to deal with the problems of today's modern, aggressive industry, and for dealing with the industry in the years ahead.

We cannot rest upon old laurels. It is necessary that today's consumer, eating meat products produced in highly-mechanized meat plants operated by highly-skilled workmen, be protected by a 1967 meat inspection law—not a 1906 appropriations measure.

Thus, the proposed Wholesome Meat Act includes **amendments to:**

Broaden the present Act to authorize cooperative arrangements with State and local authorities, through which the Federal Government could provide manpower and financial assistance for developing effective State meat inspection programs under State administration.

Provide tools of enforcement not presently authorized with which to checkmate the distribution of unwholesome and adulterated meat products.

Clarify and broaden authority over meat and meat products capable of use as human food, to replace vaguely defined, implied authority which has hindered effective administration.

Make additional "housekeeping" changes which are necessary to renovate a 60-year-old statute, clarify codification, and consolidate several related statutes into one.

FEDERAL-STATE COOPERATION

The proposed legislation would enhance the role of the States by providing for Federal cooperation with appropriate State agencies in developing and administering State meat inspection programs. To qualify, a State must have a meat inspection law imposing mandatory inspection and sanitation requirements for intrastate operators that are consistent with Federal requirements.

Cooperation would include furnishing advisory assistance in planning and developing a meat inspection program, furnishing technical and laboratory assistance, and aid in the training of inspection personnel. Up to 50 percent of the estimated total cost of the cooperative program would be furnished by the Federal Government.

In addition, the Secretary could appoint advisory committees of State officials to consult with him on the administration of Federal and State meat inspection programs. This would assure equitable allocation of funds, and would aid in developing better coordination between State and Federal inspection programs.

These proposals would provide the impetus for those States without mandatory statutes to initate the necessary legislation.

They would provide greater incentive to the States with programs, around which the States could focus renewed efforts to broaden and strengthen existing programs.

They would help provide States with the financial, technical and manpower resources which they presently lack but which are required for effective inspection.

Finally, they would help bring the requirements of Federal and individual State meat inspection programs into closer conformity—towards eventual elimination of the multiple and conflicting requirements presently encountered.

Competitive marketing of meat products, and uniform protection of the consumer would be greatly enhanced by these proposals. Without such a coordinated network of Federal and State inspection programs, the health of the consumer cannot adequately be protected, nor can continued confidence in our meat supply be assured.

STRENGTHENING ENFORCEMENT

Enforcement tools would be overhauled by the proposed legislation to deal more effectively with unwholesome and adulterated meat products. Presently, there are many opportunities for illegitimate operators to introduce into human food channels meat derived from dead, dying, disabled, and diseased animals—commonly referred to as "4–D's."

The legislation would extend jurisdiction to those who handle products which are "capable" of use as human food, rather than being limited to those who prepare products "intended" for human consumption as is now the case. This would have the effect of removing the need for proving "intent" of those found in violation of provisions of the present Act.

It would include provisions for Federal-State cooperation to establish controls over persons handling such meat, including renderers, animal food manufacturers, and those who buy, sell, transport, pack, freeze, and import such meat products in or for commerce.

It would also provide authority over such persons who do not operate in commerce, when it is determined after consultation with appropriate State advisory committees that the State does not have or is not exercising comparable authority.

Further, all persons engaged in business—in or for commerce—as meat brokers, wholesalers, and public warehousemen, as well as persons engaged in buying, selling, transporting, or importing "4–D" meat, would have to be registered with the Secretary. Continuous inspection in their places of business is not contemplated, but access to records, inventories and facilities would be authorized.

Detention, seizure, injunctions and Federal court actions are also authorized to deal expeditiously with criminal activity. This would provide the USDA with long-needed authority over articles of meat in transit or the USDA with long-needed authority over articles of meat in transit or storage outside of federally inspected establishments. Now, as in the past, USDA inspectors are unable to intercept shipments or parcels of unwholesome or suspect products under these circumstances. Their only recourse is to prevail upon State, local or other Federal agencies to impound or seize goods outside of federally inspected plants.

With this proposed authority, enforcement of the basic intent of Congress and protection of the public would be greatly enhanced. USDA would be far better able to prevent unwholesome meat products from getting into human food channels, and could deal more swiftly with those who violate the law.

REPLACING IMPLIED AUTHORITY

Several other areas receive specific attention under the proposed legislation—areas in which USDA is currently operating under implied authority that falls far short of promoting effective administration.

The first involves the acceptance or rejection of applicants for Federal inspection. Under the present Act, USDA does not have clear-cut authority to deny inspection service to applicants who—by their past actions—have demonstrated that they are unfit to engage in a business requiring a high degree of public responsibility.

The legislation would authorize the Secretary of Agriculture to deny inspection service to such individuals. Included would be provisions for a hearing and legal review to protect the rights of the individual.

The second concerns labeling of meat and meat products. The present Act, does not clearly spell out the extent of the Secretary of Agriculture's authority to regulate some types of labeling, marking, and packaging which are misleading to consumers.

The Secretary would therefore be given specific authority to prescribe the size and style of type used for labeling; the size and form of containers; standards of identity, and standards of fill of containers. These would be consistent with provisions of the Federal Food, Drug and Cosmetic Act. Also, judicial review of labels that have been disapproved would be provided, similar to provisions now contained in the Poultry Products Inspection Act. The proposed authority with respect to packaging is comparable to the provisions of the Fair Packaging and Labeling Act.

While these new provisions would require some industry adjustment at the outset, their application would be a major step toward elimination of the complicated and conflicting labeling requirements that presently exist between the various States and between some cities within a State. They would also insure coordination of labeling requirements among agencies of the Federal Government.

Third, the legislation would grant specific authority to prevent the counterfeiting or unauthorized use of inspection marks and marking devices. Unauthorized manufacture and possession of brands and marking devices also would be prohibited.

These changes do not involve new concepts of Government supervision for they are similar to provisions now included in existing statutes such as the Poultry Products Inspection Act, the Federal Food, Drug and Cosmetic Act, and the Agricultural Marketing Act.

Both industry and consumers would benefit from these changes. Standards of identity, greater uniformity of labeling requirements, and elimination of opportunities for fraud and deceit—as a result of these proposals—would greatly enhance the marketing of meat and meat products.

HOUSEKEEPING PROVISIONS

As in any 60-year-old statute, there is a need for additional revisions of purely a "housekeeping" nature. The proposal, first of all, would consolidate into one statute the present appropriations measure of 1906 which is popularly called the Meat Inspection Act, the Horse Meat Act, and the Import Meat Provisions of the Tariff Act of 1930.

The "housekeeping" changes would also insure coordination between the USDA's Consumer and Marketing Service and the Food and Drug Administration of the U.S. Department of Health, Education, and Welfare, in making full, cooperative use of their respective powers to protect the consumer.

Also provided is the authorization to appropriate funds for the expanded program, and establishment of a specified time schedule for implementation of the amended Meat Inspection Act.

Additional, minor changes are included to further aid administration of the law and strengthen its protection of consumers.

In summation, the original Meat Inspection Act is becoming increasingly outmoded in its ability to regulate the modern, aggressive industry as we know it today and envision it in the future. The role of the States is not sufficiently recognized in the existing legislation to encourage their effective contributions to a viable network of coordinated programs. Reforms in the Federal meat inspection program are urgently needed.

Yet, the consumer continues to buy her meat with presumed confidence in its wholesomeness. The prosperity of the meat packing industry and our Nation's livestock producers is greatly dependent upon her continued confidence.

Our responsibility, therefore, is to insure that both Federal and State governments are provided with the necessary tools and resources to fulfill their responsibilities to protect the consumer in the manner she expects and demands. This proposed legislation will accomplish this purpose.

PROF. JOHN HOPE FRANKLIN APPOINTED CHAIRMAN OF HISTORY DEPARTMENT, UNIVERSITY OF CHICAGO

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. SCHEUER. Mr. Speaker, a promising sign of the growing recognition of Negroes' contribution to our Nation's history is the appointment of Prof. John Hope Franklin, a Negro and an eminent scholar specializing in the Negro role in American history, as chairman of the history department at the University of Chicago.

Dr. Franklin is a productive scholar who has channeled his research into widely ued textbooks and given substantial support to the civil rights movement.

He received his masters and doctors degrees from Harvard. He was chairman of the history department at Boston College for 8 years and has been with the University of Chicago since 1964. Dr. Franklin has written "From Slavery to Freedom" which has become a significant work in its field. Among his other works are "The Militant South," "Reconstruction After the Civil War," and "Emancipation Proclamation."

Dr. Franklin has been a leader in the struggle to revise textbooks so that they more fully include the contributions of minority groups. In 1965 Professor Franklin was appointed general editor for Zenith Books, a Doubleday & Co. series widely used in high school social studies and English classes. He is also coauthor of "Land to the Free", a pioneer effort to include the story of minority groups in the study of American history.

As a civil rights activist, he helped write the amicus curae brief which the NAACP sent to the Supreme Court in the historic school desegregation decision of 1954. Presently, he is on the board of directors of the NAACP Legal Defense and Educational Fund, Inc.

INTRIGUING THEORY HINTS WHY PROGRAMS OF SOCIAL ACTION FAIL

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. SCHEUER. Mr. Speaker, the House Education and Labor Committee is currently holding hearings on the Economic Opportunity Act amendments. A vital and intrinsic part of the efforts of the Office of Economic Opportunity is their Headstart program which provides intensive care and nurture to disadvantaged preschool children.

The Headstart program has been a tremendous success, not only because it is a good idea, but because it has been administered creatively and imaginatively by the Director of the Office of Economic Opportunity, Sargent Shriver. Another explanation for the success of Headstart is its involvement of the community in the education of children—its willingness to step off in new directions.

In an incisive and well-written article in the June 25, 1967, Washington Post, William Raspberry, in his column, "Potomac Watch" discusses this subject. I include at this point in the RECORD Mr. Raspberry's column, "Intriguing Theory Hints Why Programs of Social Action Fail":

INTRIGUING THEORY HINTS WHY PROGRAMS OF SOCIAL ACTION FAIL

(By William Raspberry)

If Dr. William Ryan's article in the May 26 issue of Commonweal were merely a review of Bruno Mettelheim's intriguing book, I would simply read the book (as I have done at Ryan's urging) and review it myself.

What Ryan has done, however, is to relate Bettelheim's The Empty Fortress, a technical treatise on autistic children to the failure of nearly every prescription for achieving social justice.

Autism is defined as "absorption in fantasy to the exclusion of interest in external reality." Autistic children, at the extreme, are so completely turned inward that they are little more than vegetables, without interest in or response to the outside world.

Their loss of humanness, according to Bettelheim, is the result of their inability to act on their own behalf in a context of mutuality, based on an accurate sense of causality.

It is a similar inability, Ryan contends, that destroyed the humanity of Jews in Nazi prison camps and that currently plagues America's poor. This, he concludes, is the reason why slum schools fail to educate, why civil rights legislation fails to bring about change, why welfare programs have failed to solve welfare problems:

"Consider the issue of mis-education in the slum schools of our big cities," he writes. "The main difficulty is that the children (and their parents as well) cannot affect the schools cannot influence the administrators, principals and teachers.

"Forty real children sit in a classroom listening to a teacher who is talking not to them but to imaginary creatures with such qualities as to be essentially uneducable. It is to these phantoms she is responding most of the time, not the children in front of her, much to the children's distress.

"The initiative of the real children is mistaken for aggression, their spontaneity is met by unexpected condemnation, often their very existence seems to call forth disapproval and revulsion.

"Sooner or later—usually by third or fourth grade—many of them begin to retreat into a fortress of their own, convinced that they are powerless, that no action of theirs can make any real difference in what goes on in this alien institution."

Ryan, who is with the Connecticut State Mental Health Center, has a similar explanation for the "virtually complete failure" of most civil rights legislation to accomplish any real good:

"The laws are enforced not at all or only minimally; administrators are more concerned about the feelings or the political power of the discriminator than they are about the rights of the victims; and only a minority of grievances lead to justice."

The requirement of the dispossessed to be involved in improving their lot can be met in a number of ways: local district school boards with a large degree of autonomy in decision making; local housing and renewal planning boards that make the decisions in place of the politicians and professionals.

Bettelheim's book (Free Press, $9.95) and Ryan's extrapolation provide useful insights into the failure of many social programs.

Could it be, for example, that public assistance programs fail, not because they make their beneficiaries lazy but because they destroy their ability to act for themselves?

Some in the local war on poverty seem to have had a glimpse of the Bettelheim-Ryan vision, to judge from their efforts to organize into action groups persons who formerly were mere recipients of services. Officials who see such activity as mere pointless rabble-rousing are overlooking the importance of people's acting in mutuality on their own behalf, and with tangible results.

NEW CAREERS MOVEMENT

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. SCHEUER. Mr. Speaker, one of the most vital trends on the Nation today is the "New Careers" movement—the training and placing of career-aides, subprofessionals, in responsible public service jobs that offer a chance for upward mobility.

One of the national leaders of the New Careers movement is Dr. Frank Riessman, professor of educational sociology at New York University.

Dr. Riessman's article, "The Human Service Worker: A New Careers Movement," which appeared in the March-April 1967 issue of the Department of Labor's publication, "Employment Service Review," will be of great interest to my colleagues, and is as follows:

THE HUMAN SERVICE WORKER: A NEW CAREERS MOVEMENT

(By Frank Riessman)

While the Guaranteed Annual Income and Black Power have received considerable publicity in the last year, a much quieter movement has been slowly gathering momentum. In fact, it may not yet be a movement in the full sense of the word. But increasing attention is being given to a new kind of public service employee in our society. This is the human service worker, functioning as a teacher aide, family planning worker, housing aide, counselor aide, research aide, mental health aide, etc. This new worker, supported largely by public funds, has been called everything from an auxiliary to a nonprofessional to a subprofessional, to a paraprofessional.

Americans for Democratic Action, at its 1966 convention, proposed that 5 million of these jobs be created in public services. Included in their list were police aides, recreation aides, homemakers, welfare aides, code enforcement inspectors. Congress has enacted the Scheuer-Nelson Subprofessional Career Act which will appropriate approximately $70 million to employ and train untrained, unemployed people in these needed jobs.

Already in the United States there are probably close to 50,000 of these new nonprofessionals, most of the jobs having been created by the antipoverty legislation. Most estimates indicate that 25,000 such fulltime human service positions were produced for "indigenous" nonprofessionals by the Office of Economic Opportunity. Probably another 25,000 or more part-time preschool aides have been employed through Operation Headstart, and presently through title I of the Elementary and Secondary Education Act some 40,000 teacher aides will be employed. Medicare will involve many thousands more as home health aides.

The studies find that this new manpower has worked quite effectively in reaching the poor and helping the poor to utilize services. The nonprofessionals have been strikingly effective, for example, in persuading people to obtain birth control information and to utilize the new birth control clinics. In fact, the reports indicate that these neighborhood residents are perhaps the most effective agents in bringing the new birth control techniques to the low income population.

A research investigation in nine cities conducted by Daniel Yankalovich, Inc., indicates that these new workers evidence high morale and considerable involvement in their work, and have been well accepted by professionals. Most of the difficulties anticipated, for example, problems of confidentiality, authority, overidentification with the agency and so on, have not been significant, according to this investigation. An ancillary, though especially interesting finding, is that the hardcore poor who, incidentally, were hired in only small numbers have nevertheless done as good a job as the more "creamed" nonprofessional recruit.

It is interesting to observe the effect of the new trend on the older type nonprofessionals who have long worked in settlement houses, hospitals, child care, etc. In New York City, for example, District Council 37 of the American Federation of State, County, and Municipal Employees of the AFL–CIO (which incidentally has in its union 20,000 hospital workers, and 7,000 school lunch aides) is now developing a plan whereby nurse aides can be come licensed practical nurses, *with the required education and upgrading taking place on the job itself*.

This model is related to the New Careers concept which suggests that jobs normally allotted to highly trained professionals or technicians can, if they are broken down properly, be performed by inexperienced, untrained people. These initial jobs form the entry position. The notion is *jobs first, training built in;* that is, the job becomes the motivator for further development on the part of the nonprofessional.

This New Careers concept requires that jobs be redefined and that the job structure be reorganized to permit new hierarchical steps from the entry position up to the fully professionalized position. This requires a reorganization of the table of organization and a redefinition of jobs both for the nonprofessional and the professional (with the latter being released from many nonprofessional functions such as helping children on with their shoes, taking attendance, etc.).

The idea is to provide people with employment first and diplomas later and to introduce training while the workers are on the job with concomitant college courses provided largely at the job base. This concept is directly opposite to one of the most popular ideas in America, namely that one has to obtain long years of education before he can perform a meaningful job. The New Careers concept stresses instead that the job be provided initially and that training, upgrading, and added education be built in. It is possible to begin, for example, as a teacher's aide and while obtaining courses on the job, in the evening, and during the summer, to rise within a short period of time to become an assistant teacher, then an emergency teacher (or associate teacher), and ultimately a fully licensed professional teacher. In a plan being developed in the Newark School System, it is proposed that individuals with less than a high school education go through these steps while working full time, obtaining an entry salary of approximately $4,000 per year and becoming fullfledged teachers in 5 to 6 years Fairleigh Dickinson University in New Jersey has accepted this plan and has patterned courses so that the aides can enter new careers while working full time. They will introduce these courses in the field (at the job) as well as at the University.

However, although it is clear that increasing numbers of nonprofessionals are being effectively employed in human services in the United States, a variety of problems is now coming to the fore. *While jobs have been created, careers have not.* Very little training and upgrading has been instituted and the tables of organization of the agencies have not been reorganized to develop hierarchical lines for the nonprofessional to move upward. Although civil service requirements have been waived for the entry position in some cities and States, new career lines for nonprofessionals have not been instituted in the civil service system. Thus far, also, the security of nonprofessionals has not been clearly established, nor have the new nonprofessionals been integrated in any of the major associations of organizations, such as the National Education Association.

It is noteworthy, however, that there are at present a number of New Career programs in the process of being developed, in cities around the country—in Seattle, New Haven, San Francisco, Sacramento, Washington, D.C., Eugene (Oreg.), and a few community colleges are introducing field steps to become professionals. Some large universities too, like New York University's "Second Chance University" are developing programs for nonprofessionals to enable them to acquire rapidly these new careers. Similarly, Yeshiva University is developing a health career program with attached college credit. The Citizens Crusade Against Poverty is planning to hold a series of regional conferences and a national conference moving toward some type of association or organization for nonprofessionals or new concepts and the National Association of Social Workers is also studying ways in which to integrate the new manpower organizationally. Training centers are beginning to open for the training and upgrading of nonprofessionals.

At the present time there is a great need to assist the development of these various projects. They are, in fact, requesting assistance. There would seem to be a need, therefore, for a basic center to integrate the emerging knowledge and provide technical assistance and consultation in a variety of areas.

HAWAII'S INSULARITY DESERVES SPECIAL RECOGNITION UNDER OIL IMPORT CONTROL PROGRAM

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. MATSUNAGA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, the case for Hawaii's need to be placed in a district of its own with respect to the oil import control program was very effectively reemphasized in a recent editorial appearing in the Honolulu Star-Bulletin. The editorial, "A Policy That Hurts Hawaii," advances compelling and logical reasons why the Island State should be assigned to a special classification under the oil import control program, and I urge my colleagues to read it.

As indicated in the editorial, I appeared before the Interior Department panel on the oil import control hearings on May 24, 1967, to present testimony on behalf of the Democratic members of the Hawaii congressional delegation, and to urge that Hawaii be exempted from the crippling and unfair restrictions of district V and be placed in an entirely different category, under terms which are commensurate with the unique needs and opportunities found in Hawaii.

The editorial from the Thursday, June 15, 1967, issue of the Honolulu Star-

Bulletin, and the testimony presented at the oil import control program hearings on May 24, 1967, follow:

[From the Honolulu Star-Bulletin, June 15, 1967]

A Policy That Hurts Hawaii

A federal program formulated in 1959 to control oil imports in the interest of national security has worked consistently against Hawaii's people.

This point was reiterated by Representative Spark Matsunaga, as spokesman for the Democratic members of Hawaii's Congressional delegation, in a statement to Interior Secretary Udall during hearings on the program.

By tying Hawaii to the Pacific Coast region, the Administration has ignored this State's unique insularity, its lack of indigenous energy resources and its need to import oil by water, regardless of the source.

Because of these factors, Matsunaga recommends that Hawaii should be placed in a special district of its own, and that it be allowed to take advantage of a favorable price differential in the cost of foreign oil that would save its consumers $14 million a year.

The oil import control program was set up to encourage overland sources of oil supply in order to avoid the vulnerability of tankers to submarine attack in time of war. For continental United States, this makes sense. For Hawaii it makes no sense at all—all of our oil must come by tanker.

Matsunaga points out that the Navy has for many years been using foreign sources for its oil supplies. "If foreign sources of oil are deemed satisfactory, even from the point of view of security, to the Navy, then certainly those sources ought to be acceptable for Hawaii's civilian economy," Matsunaga told Udall.

As a result of the control program and Hawaii's inclusion in the Pacific Coast district, we must pay district prices plus transportation which brings the total landed cost to $3.85 a barrel. If Hawaii were allowed to buy oil from foreign sources at world prices, it could get it for $3.15 a barrel—an annual saving of $14 million.

Hawaii's power rates are the highest in the nation, mainly because of the price it must pay for oil.

These higher costs are reflected in everything Hawaii produces and must sell in a competitive market.

Furthermore, Matsunaga said, the economic development of Asia, with its need for petroleum products, "it will be increasingly beneficial to this country both logistically and for our balance of payments to have an oil center develop in the Hawaiian Islands," Matsunaga said.

The points are logical, and Hawaii certainly is entitled to a review of its position.

Joint Statement of Daniel K. Inouye, Spark M. Matsunaga, and Patsy T. Mink, Members of Congress From Hawaii, on the Oil Import Control Program, Before the Honorable Stewart L. Udall, Secretary of the Interior, and Members of the Panel, Department of the Interior, May 24, 1967

Mr. Secretary and members of the Panel, I am Congressman Spark M. Matsunaga. I thank you for this opportunity of testifying at these hearings on the Oil Import Control Program and expressing the joint views of the Democratic members of the Hawaii Congressional delegation. Congresswoman Patsy T. Mink is here with me, and Senator Daniel K. Inouye had also planned to be present but is unable to do so because of illness. However, he is represented by his executive assistant, Dr. Orland S. Lefforge.

Hawaii has long suffered the inequity of being bound by the same import controls as those which govern the western states of the mainland United States. We in Hawaii would be willing to continue to suffer the injustice if it were in the nature of a sacrifice for the national good. The sad truth of it all is that the imposition of these controls on the insular State, some 2,300 miles from the West Coast, is not in any way contributing toward the national good, but is in fact detrimental to our national interest.

A review of the establishment and maintenance of the Oil Import Control Program discloses the underlying national effort to foster overland sources of oil supply in order to avoid the vulnerability of tankers to submarine attack in time of any national emergency. Indeed, within the limits of the continental United States, national security would definitely be strengthened by users purchasing oil that can be delivered by tank car or pipeline instead of by a sea vessel. In the case of Hawaii, regardless of the source, oil and oil products must be imported by ship over long stretches of international waters whether there is a national emergency or not. For security reasons, as well as for its economy, Hawaii, therefore, ought to be permitted to import oil from foreign sources via multiple shipping lanes.

Where military requirements are concerned, it appears that the Federal government has reached this very conclusion because the U.S. Navy, a very large consumer of oil in Hawaii, has for many years been using foreign sources for its supply. If foreign sources of oil are deemed satisfactory, even from the point of view of security, to the Navy, then certainly these sources ought to be acceptable for Hawaii's civilian economy.

Consistent with the aims of the Oil Import Control Program, Hawaii, therefore, should be removed from District V and be placed in a separate District with a different set of controls or be released from the program's restrictions altogether. Exemption of Hawaii from the Oil Import Control Program could actually have the effect of removing the possibility of disastrous consequences which would flow from a fire or accident at the major oil company refinery which is Hawaii's sole propane supplier. Propane is distributed throughout the rapidly developing State of Hawaii as a substitute for the non-available natural gas, and any major interruption in the operation of the sole refinery would cripple the operation of military installations and vital communication centers, as well as thousands of businesses and homes. Such a disaster could be avoided and Hawaii's recognized position in our national defense picture could be considerably strengthened by complete exemption of Hawaii from the Oil Import Control Program.

For reasons of national security alone, if not for any other, we strongly urge that this be done as soon as possible.

There are, however, other compelling reasons for excluding Hawaii from District V.

Hawaii, by virtue of its inclusion in District V must pay heavily for its energy supply. It has no hydro-electric power or coal. Its only energy sources are petroleum fuels. The prices Hawaii must now pay for these fuels are of course based on the domestic price of District V crude oil, a price which with transportation to Honolulu included amounts to about $3.85 per barrel. But if Hawaii were permitted to buy its oil from foreign producers at world prices, this price, transportation and all fees included, would amount to but $3.15 per barrel, or a net saving per barrel of about $.70. When we consider that Hawaii's consumption is over 55,000 barrels per day or around 20,000,000 barrels per year, this cost differential amounts to an impressive $14,000,000 a year.

The State cannot afford to overlook an annual loss of this dimension. In contrast to many states, our population is but 750,000, our economy is relatively small. It is a cost which every automobile user, every user of electricity, every user of propane gas must share, and it is a hidden cost in every item produced or consumed in the Hawaiian economy.

Further the high cost of crude oil adversely affects the ability of goods produced in our economy to compete with mainland and world markets. The basic cost of manufacturing plus a fair margin of profit must be met in any enterprise to survive. Since the sale price of Hawaii produced goods is determined by competition outside the State our margins of profit inevitably are narrowed when our production costs are high.

And our production costs are high because of the great distance for our suppliers and markets: extra freight charges must be added to the price of all materials shipped in or out; loss of earnings on capital invested while merchandise is in transit, and losses because of the need to maintain unusually high volumes of stock in our warehouses must also be included in production costs. Also contributing to high overhead is the high cost of land and rentals brought on by land shortages in an insular community. These factors add to the high cost of living because they inflate the cost of produce consumed at home. When products are sold outside the State they encounter the ceilings set by our competitors. As a result our profit margins inevitably narrow. Such costs are intrinsic to our being an insular economy. But because we are insular we must examine all ways in which our economy may compete more advantageously. The extraordinary high prices we must pay for fuels are not all intrinsic. Were they lowered they would ameliorate some of the disadvantages our economy must now assume.

But aside from considerations of what would be good for Hawaii's economy, is it fair to include Hawaii in District V? We believe that it is not, and cite for your consideration the following factors:

1) Other districts are in geographic proximity, their boundaries set according to the availability of local oil and other fuels. Import quotas are geared to District needs so that something of a fuel cost balance is maintained between Districts. For Hawaii, however, this entire concept of availability is violated for we are a non-contiguous State, 2,300 miles from the remainder of District V.

2) Other States have authority to bring in overland Canadian and/or Mexican oil imports in addition to the quota. In addition it is possible within a district to transport a finished product from one place to another economically. By both these means a District is able to achieve a degree of price competitiveness. Hawaii enjoys none of these advantages. On the contrary our consumption is tied almost entirely to but one supplier.

Hawaii is endeavoring in every way to expand its economy. It wants to attract industry; it is attempting to develop itself into a mid-Pacific trade center and a bridge between East and West through the services it can render. The people in our State are willing to plan and work, but they need assistance in removing unjustifiable roadblocks.

To impose the same quota and price regulations on Hawaii fuels as are placed on those for the West Coast is equivalent to a tariff on all Hawaii produced goods. It is as stultifying to the growth of industry as is any tariff against any developing economy.

Beyond the hopes and dreams of the State, however, is a national consideration which also has been too long overlooked. Right now the Department of Defense is purchasing in the vicinity of $1.4 billion in petroleum products annually. About $400 million of this amount is bought from foreign suppliers, and about sixty percent of this $400 million is spent in the Pacific. We have no quarrel with this policy, for it is necessary for logistic reasons—it is just too far to serve our Asian needs with oil brought all the way from the West Coast when the same product can be obtained in the Persian Gulf; and it is economically foolish to pay mainland prices when the same product can be bought overseas for 35 to 40 percent less for limited military use.

In the future, as this country continues and deepens its involvement in Asia, and as the need for petroleum, fertilizers, plastics and the host of other oil derivatives needed by developing countries grows, it will be increasingly beneficial to this country both logistically, and for our balance of payments to have an oil center develop in the Hawaiian Islands. But this manifestly cannot happen so long as we are married to District V quotas.

Hawaii offers no opposition to the Oil Import Program as such. It only seeks equitable consideration for natural circumstances beyond its control. The stated purpose of the Oil Import Program is to insure a healthy domestic oil industry for reasons of national security.

It is to be noted that under the actual operation of oil import controls, virtually all crude and unfinished oil consumed in Hawaii is imported from foreign sources in any event, and the oil import controls have not encouraged in Hawaii the use of United States-produced oil, as it had been hoped for under the 1959 Presidential proclamation. The controls have merely tended to raise the cost of energy on the local market to excessively high levels so that Hawaii's energy costs to the consumer are the highest in the Nation.

Foreign oil imports into an isolated island state, 2,300 miles southwest of California, for local use, foreign export and limited export to the United States, should in no way impair the expressed purposes of the controls. On the contrary, a just consideration of Hawaii's needs will lessen the heavy economic burdens now carried by the citizens of the State of Hawaii and at the same time contribute materially to the Nation's economic and defense posture.

We therefore again urge that Hawaii be exempted from the crippling and unfair restrictions of District V and be placed in an entirely different category, under terms which are commensurate with the unique needs and opportunities found in Hawaii.

Thank you very much.

TEXT OF PRESIDENT JOHNSON'S SPEECH AT JAYCEE CONVENTION IN BALTIMORE

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FALLON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FALLON. Mr. Speaker, yesterday, along with other members of the Maryland delegation, I had the honor and high privilege of accompanying President Johnson to Baltimore where he addressed the national convention of the Junior Chamber of Commerce.

As a supporter of the President's program, I was gratified at the warm and wonderful welcome he received. His remarks, interrupted repeatedly with spontaneous applause, are reproduced for all to read.

The article from today's Baltimore Sun follows:

TEXT OF PRESIDENT JOHNSON'S SPEECH AT JAYCEE CONVENTION HERE

President Suttle; Governor Agnew; Senators Brewster and Tydings; Congressmen Garmatz, Fallon, Machen, Long and Friedel; Mayor McKeldin; Mr. D'Alesandro; Mr Shriver; distinguished Jaycees and your ladies.

I am glad that you asked me to come here today and I am so happy that I could come.

Someone said recently that "I am for the future. I expect to live the rest of my life there."

So all of us here this morning are going to live the rest of our lives in the future—most of us in this country. Not only are we going to live our lives in the future; what is more important, our children and our grandchildren are.

FACED WITH CHOICE

We can give them a country where crime is common-place, where strife is certain, where free enterprise is frowned upon, where the state is everything—or we can invest our money and our efforts wisely enough to make the next generation freer and happier than ours has been.

A former President of the United States once said—when he was speaking about our living under the First Amendment and exercising the freedoms that go with it—that "criticism is no doubt good for the soul." But we must beware that it does not upset our confidence in ourselves.

You would hardly expect a man who has had an automobile for sale to tell you that the motor heated, the wheels had not been put on properly, the horn wouldn't blow, that the automobile itself had a very short life—and then expect you to buy it.

ONLY THE FAULTS

But we hear other nations say so many things about our own in criticism—and we say so many things ourselves—that I sometimes wonder if the rest of the world hears only what is wrong with America.

It is good that we have a system where we can freely talk about what is wrong, because when we have the proper information, we make the proper judgments. We can only get information by communication.

Proceeding on the assumption this morning that you young leaders of America have heard some of the things about what is wrong with this country, I am going to assume that I may be permitted to talk about some of the things that are right with America.

I should like to ask each person here to engage in a little introspection for the next few minutes I am privileged to be with you. I would like you to ask yourselves to count your own blessings—to ask yourself, "What do I have to be thankful for? What do I have to appreciate? What do I have to be proud of? What do I have to look forward to? What do I have that my grandfather did not have—or that my father did not have—or that my brother did not have?"

"THE GOOD OLD DAYS"

Let us compare some of the present day conditions to—and I quote—"the good old days."

Or if we could—and still be polite—we might compare some of our conditions in America to some of the conditions in other countries that we have had pointed up to us from time to time.

Let us look at our educational system—because the very basis of a great nation is an educated mind, a healthy body and a free enterprise system.

Fifty years ago in our educational system, only 10 per cent of our boys and girls graduated from high school. Today that figure is not 10 per cent, it is 75 per cent. That is more than double that of France or West Germany, Italy or Great Britain.

Fifty years ago only about 4 per cent of our young people went to college. Today that figure is about 40 per cent. Only 10 per cent of the young people of Great Britain and France go to institutions of higher learning.

10,000 ENLISTMENTS

Let us look at some other education we are getting from protesting and expressing dissent in this country. During a week a short time ago, our newspapers and our TV programs, our radio commentators, informed us fully about the protestors and the "peaceniks" who invaded the Pentagon.

They came there to stay—they walked over the tulips; they sat down on the steps; they slept in the halls. After we had analyzed it all carefully and the reports had been given—sometimes dramatically and occasionally emotionally—the "sleepins" numbered twelve, a bare dozen.

During that very same week, there were 10,000 young Americans who voluntarily—on their own—walked into the military enlistment centers directed by the Pentagon and volunteered their services and their lives for America.

Let me repeat, there were over 10,000 first-term enlistments in one week.

GETS MORE ATTENTION

Unfortunately, a student carrying a sign or protester wearing a beard, or an attention-seeker burning a draft card in front of a camera can get more attention—and more billing—than all 10,000 of these volunteers.

So we will continue to have those visit the Pentagon to speak their mind. We will continue to have those visit the enlistment stations to give their lives—but let us keep the two in perspective.

In exercising our freedoms, let us check on them as we go along—and be sure that we never abuse them.

Americans are the best-fed, the best-paid, and the best-educated people in the world. That is something we ought to be proud of in America. I know what we do when we are not the best-fed, or the best-read, or the best-paid.

RECALLS 1931 SITUATION

All we have to do is look back to the situation in Washington when I first came there in 1931—when the bonus marchers were driven down Pennsylvania avenue—and look back to the emergency legislation which was required in the days following.

The banks had to be closed—and reopened again. Our farm commodities were being burned, and our soup kitchens stretched for half a mile in some of the main centers of our towns.

So much for our employment and our education. What about our health conditions?

Deaths from the dread diseases have been cut in half in the last 50 years. Life expectancy has doubled in the past 100 years. Infant mortality rates have been cut in half in the last 30 years. Artificial kidneys now in use soon will be joined by the artificial heart.

MEASLES RETIRED

Measles have been retired in the pages of history. Polio is no longer the fear of every mother in the land—thanks to our great medical profession, and thanks to a country which has concentrated on trying to do what is right—and correct what is wrong.

Medical care has recently forged an extraordinary partnership. We have almost 20,000,000 elderly persons. We have over 200,000 doctors working with this group. Under the medical care program, over 5,000,000 Americans in the last year—and the first anniversary is coming up very soon—have received physician services. Almost 3,000,000 have received hospital care.

I have not come here to say to you that all is right and perfect. We still have many problems. We are facing up to them. We are recommending measures to deal with them. We won't get them all. We may just get a fraction of them—but we are not ignoring them—we are not running away from them—and we are not cutting out on them.

ON POVERTY PROGRAM

I saw in some report from some great university yesterday something about how we had cut back on our poverty programs, and how we had denied our people education programs and health programs because we were defending our country.

Well, that is just not true. That is just not so.

A little over three years ago—when I became President—we had no poverty program. We were in Vietnam, but we had no poverty program. We started one—and we have increased it every year since.

This year, we are increasing it by 25 per cent—without tucking tail and running in Vietnam.

More money will be spent on poverty in the United States in trying to do something about it this year by the Federal Government than we spend in Vietnam.

EDUCATION FUNDS TRIPLED

In our educational program—when I became President a little over three years ago—we were spending $4,000,000 a year. This year our budget is $12,000,000—three times as much for education in three years—and we are still doing our duty in Vietnam.

In our health program three years ago, we were spending a little over $4,000,000 a year in the Federal Government for health needs. This year our budget is a little over $12,000,000—three times as much for health in three years as we were spending three years ago.

We still have many problems of unemployment and poverty. Even though America's poorest housing is in a luxury class for the masses of some other countries, we do have slums. We want to do something about them. We are doing something about them.

We passed our model cities program this year. That is the most far-reaching step in that direction that this nation has ever taken.

Today there are 7,000,000 fewer people living in poverty than there were seven years ago. The unemployment rate has dropped from 5.7 to in the neighborhood of 3.7. Operation Head Start has already given three-quarters of a million children from the poor families a leg up on education. It is growing every day.

More than a million persons are receiving job training under Federal programs compared to none seven years ago.

Almost 1,000,000 people are going to college this year because of higher educational programs enacted under our Administration and passed by our Congress.

We all owe a debt to the Congress which has enacted this legislation for us.

HIGHEST LIVING STANDARD

So when you go back and talk about something that went wrong—how a motor failed—or how a red light stuck—or how someone looked on television—or how long they spoke—or what they didn't say—ask yourself to remember some of the good things that you have produced.

Our educational system—summarizing—is second to none anywhere in the world. Our prosperity is second to none anywhere in the world. Our standard of living is second to none anywhere in the world.

We produce more goods; we transport more goods; we use more goods than anyone in the world.

We own almost a third of the world's railroad tracks. We own almost two-thirds of the world's automobiles—and we don't have to wait three years to get a new one, either.

"CUT-RATE PROPOSITION"

I shouldn't be surprised—if you are anxious enough right now—but what some people on this very floor will take your orders.

The Baltimore new car dealers association had better be careful or they will get outfigured. Someone will make you a cut-rate proposition.

We own half the trucks in the world. We own almost half of all of the radios in the world. We own a third of all of the electricity that is produced in the world. We own a fourth of all of the steel. Our health conditions rank favorably with those of other countries in the world. Although we have only about 6 per cent of the population of the world, we have half of its wealth.

Bear in mind that the other 94 per cent of the population would like to trade with us.

PRAISES COOPERATION

Maybe a better way of saying it would be that they would like to exchange places with us.

I would like to see them enjoy the blessings that we enjoy. But don't you help them exchange places with us—because I don't want to be where they are.

Instead, I believe we are generous enough—I believe we are compassionate enough—and I believe we are grateful enough that we would like to see all of them enjoy the blessings that are ours.

I say to you young business leaders of America, there never had been a time when the business groups of this country—the young leaders of this country—employees and the labor leaders of this country have cooperated with their Government more than now. Your President is grateful for it.

I want to leave one thought with you. If you forget everything else I say, please remember this when you go back to your own community to provide them with the leadership that I want to provide you—that I am trying so hard to provide you.

THE WHY OF VIETNAM

You say to them that it is not absolutely essential—it is not a prerequisite—and it is not required that you tear our country down, and our flag down, in order to lift them up.

I want to conclude now by just quietly saying a word to you about this larger world that we all live in. I think it is on your mind and in your heart—as it is on mine and in mine.

We are in South Vietnam today because we want to allow a little nation self-determination. We want them to be able to go and vote for the kind of leaders they want and select the type of government they want. We want them to be free of terror and agression in doing that—as we want it for ourselves.

We made a contract. We had an agreement. We entered into a treaty that was confirmed by our Senate, 82 to 1, saying that in the face of common danger, we would come and help.

"DOING OUR BEST"

We came. We are helping. We are doing our best. I solicit the cooperation of each of you to the extent that you can give it.

We Americans are deeply concerned about the recognition of the right of self-determination. That is what each of you demands for yourself. So let us help your fellowman in other parts of the world enjoy it, too.

Self-determination is really the right to live. That is what we ask for all of the nations of the Middle East—not just for some of them.

We believe that for the peoples of the 122 nations of the world, speaking now of the under-developed nations of the world specifically, real self-determination only comes when hunger and disease and ignorance and poverty are overcome. We believe that the peoples of all of these nations are entitled to that self-determination. They won't have it until we can conquer those ancient enemies—illiteracy, ignorance, disease and poverty.

RECALLS KOSYGIN MEETING

Just as it is here in our home, we believe in the First Amendment, in free speech and in a free press. We believe in the Bill of Rights. We believe what matters abroad is also freedom from fear and freedom from want—the freedom to make choices and not just to submit to a brutal destiny.

Two days ago, not very far from here, I met with Chairman Kosygin of the Soviet Union. The nations we spoke for are two of the most powerful nations in all of the world. In the family of nations, two of the strongest have two of the greatest responsibilities.

For my part, and for your nation, that responsibility involves helping other nations to choose their own futures as they see it.

We seek as well maximum understanding between these two great powers. For ten hours we looked at each other with only the interpreters present in a very small room.

DIFFERENCES MANY

Though our differences are many, and though they run very deep, we knew that in the world's interest it was important that we understand, if we could, the motivations as well as the commitments of each other. We religiously, dedicatedly, and determinedly worked at that assignment for those two days.

That is why we met in the house called Hollybush. To bring about better understandings, and to discuss respective goals and commitments, we came there.

When we left I believe we had achieved that. We agreed we would continue to maintain contact through diplomatic channels, through other means of communication and direct contact.

In Saigon, in the Sinai, at Hollybush in New Jersey, in the slums of our cities, in the prairies of our land, in the hollows of Appalachia, in scores of under-developed countries all around the world where men struggle to make their own future and to secure their little families, that is what we are about.

TO ATTEND MEETING

If the young leadership of our country supports us over the long hard pull that lies ahead, if you can endure the tensions, if you can understand that the air is going to be rough and the road is going to be bumpy, you can, in the words of your own creed, "help us unlock earth's great treasure—human personality."

Then the cussers and the doubters will be relegated to the rear; the doers and the builders will take up the front lines.

Now you are going to return to your homes. You have engaged in looking at yourselves and at your country. I have been able to discuss it for only a very brief time.

I am going back to attend a 1 o'clock meeting with Secretary Rusk and Secretary McNamara and others who are giving everything they have to your country. We are not only going to talk and plan and work and pray to develop ways and means of keeping your country and your families secure, but we are going to do our dead level best to bring peace to every human being in the world.

Our problems are many. Our solutions are few. I am not as concerned about the individual differences which we have with other nations—because with few exceptions I think those can be reconciled—but I am concerned that every boy and girl, that every man and woman who enjoys citizenship and freedom and prosperity and the blessings of this land know what they have and are determined to build upon it, to improve it—and by all means to keep it.

WILSON WRIGHT RECEIVES FLORIDA JAYCEE GOOD GOVERNMENT AWARD

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. PEPPER. Mr. Speaker, we, of the Congress, are always delighted to see a citizen who distinguishes himself in the field of good government and who, by his skill, industry, and dedication makes government better and more effective. I was delighted to learn that a valued friend of mine, the Honorable Wilson Wright, assistant attorney general of Florida, under our able attorney general, Earl Faircloth, on May 27 received the Tallahassee, Fla., Junior Chamber of Commerce annual Good Government Award for the contribution he has made to the executive, judicial, and legislative departments of the government of Florida.

I insert here in my remarks the news item in the Tallahassee Democrat of May 27, 1967, reporting this award to Assistant Attorney General Wright and emphasizing the distinguished service that Mr. Wright has rendered to the State of Florida.

Mr. Wright was also honored on June 1, 1967, by a very commendatory resolution of the Florida State Senate. I also insert in my remarks page 589 of the journal of the Florida Senate dated June 1, 1967, in which the senate signally honored Mr. Wright by its resolution. The House of Representatives of Florida adopted a similar resolution of commendation to Mr. Wright for his eminent public service.

Mr. Wright is one of the young men of Florida who, at an early age, has distinguished himself in public service, and I anticipate that many more opportunities for dedicated service to Florida and the Nation, and many more evidences will present themselves to him in the future, and he will enjoy many more honors.

Wright To Receive Jaycees' Honor

Tonight the Tallahassee Jaycees will honor Atty. Wilson Wright with the group's annual Good Government award.

The award, established to recognize members of the community who work as a public servant for good government, will be presented at a 7 p.m. dinner at the Holiday Inn.

Wright is assistant attorney general in the office of State Atty. Gen. Earl Faircloth.

"His is not one of those flashy jobs that attracts headlines and lots of limelight," said Richard Singleton, chairman of the Jaycees' selection committee.

"It is instead a day-to-day routine through which he continues to work to accomplish the affairs of state in the executive and judicial branch."

Wright, who is married to the former Patricia Ann Davis and has two children, has been assistant attorney general for 10 years.

He has served with three attorney generals.

In 1961, the 37-year-old attorney was recognized by the Jaycees as one of Florida's five outstanding young men. In 1959, he received the Tallahassee Jaycees Distinguished Service Award.

He is a past state president of the Young Democrats and has been local president, state secretary, and a national director of Jaycees.

Wright received his LLB degree from the University of Miami, attended the University of Florida, and has a certificate in public administration from Florida State University.

He served as a special counsel to the Dade County Grand Jury in 1957, and is a former U.S. Air Force legal officer.

In past years, Tallahassee Democrat editor Malcolm Johnson and Sheriff Bill Joyce have received the Jaycee Good Government award.

Resolution Honoring Wright Is Introduced

Sen. Horne introduced a resolution Thursday honoring Assistant Attorney General Wilson Wright for his "contribution to good government."

Wright, a Tallahassee Jaycee, was awarded the annual Tallahassee Jaycees' Good Government Award last week, for his work as assistant to Atty. Gen. Earl Faircloth.

Horne's resolution commends Wright for his daily, behind-the-scenes contributions to the smooth functioning of the judicial branch of government.

A similar resolution was introduced in the House by Rep. Miley Miers.

SB 1382

A resolution commending Wilson Wright and manifesting appreciation for his contributions in the field of good government

(By Senator Horne)

Whereas, Wilson Wright has over a long period of time made exceptional, unusual and diversified contributions and accomplishments in the field of good government, and

Whereas, he is acknowledged as an expert in the field of election laws and is recognized as an authority in the field of municipal law and local government, and

Whereas Wilson Wright has furnished great assistance to the Legislature through his service as counsel to standing and interim legislative communities, unselfishly giving of his time and efforts without additional compensation, and

Whereas, he further assisted members of the legislature in skillfully handling specialized bill drafting assignments and furnishing legal advice concerning legislative proposals in his capacity as assistant attorney general, and

Whereas, he has been lauded by many other public officials and governmental organizations for his capable assistance and dedication to public service, and

Whereas, Wilson Wright's exceptional and impressive accomplishments have recently culminated in his recognition by the Tallahassee jaycees as the recipient of their annual good government award. Now, therefore,

Be It Resolved by the Senate of the State of Florida:

Section 1. That Wilson W. Wright is hereby recognized as an outstanding Floridian and by this resolution the Senate of the State of Florida manifests its appreciation and commends him for his generous exceptional and untiring contributions toward good government.

Was read the first time by title. On motions by Senator Horne, SR 1382 was read the second time in full and unanimously adopted.

THE NEED TO PASS THE BILINGUAL EDUCATION ACT

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. PEPPER. Mr. Speaker, today I was honored to appear as a witness before the House Education and Labor Committee's General Subcommittee on Education in support of my bill H.R. 9896, the Bilingual Education Act. The more than 30 bills which have been introduced into the House and Senate to amend the Elementary and Secondary Education Act of 1965, so as to provide for such a program of bilingual education are important, and my colleagues should be commended for the introduction of these measures.

I would like to commend my colleague, the gentleman from New York [Mr. SCHEUER], for his leadership in promoting action on this urgently needed measure. He has proposed H.R. 9840 for the planning and development of programs to provide high-quality educational opportunities for children from non-English-speaking homes, including pilot projects to test the effectiveness of such plan and the development and dissemination of special instructional materials for use in bilingual education programs. I was honored to cosponsor this measure.

Mr. Speaker, this legislation has great importance for my own county, where there are currently 200,000 Cuban refugee children enrolled in the Dade County public schools, and 300 more seeking admission each month. I strongly support the proposed bill, and would like at this time to insert into the CONGRESSIONAL RECORD a copy of my testimony:

Statement of the Honorable Claude Pepper Before the House Education and Labor Committee, General Subcommittee on Education, Regarding H.R. 9896, the Bilingual Education Act, June 28, 1967

Mr. Chairman and members of this Honorable Committee, since the first bill providing for bilingual education programs was introduced on the opening day of this Congress, the general need and desire for such programs have become increasingly manifest. In the House in excess of thirty bills providing for some form of bilingual education have been introduced. At the Senate hearings on bilingual education begun on May 17, 1967, Commissioner Harold Howe announced the establishment of a Mexican-American Affairs Unit as part of the Bureau of Elementary and Secondary Education in the U.S. Office of Education.

Only this month in California a law was enacted by the Legislature and signed by the Governor permitting California schools to use Spanish as a classroom language of instruction. It is envisioned that children with a Spanish mother-tongue will be taught in this familiar language in the early grades while studying English as a second language. By about third grade when concepts of reading and language have been firmly established, they will begin the shift to broadened English usage. It is hoped in this way that these youngsters will not begin school with the traditional language handicap that has plagued so many Americans of Mexican and Spanish descent and has resulted in such a high dropout rate among Mexican-American students.

There is statistical evidence to further point up the need for bilingual educational programs. We had in this country in 1966 some five million persons of school age (6-18) who had a mother-tongue other than English. Of this group of students, it has been estimated that some 1.75 million Spanish and some 77,000 American Indians retained the use of their native language. In addition we count some one million students representing about thirty additional, though smaller language groups. And there are some one million pre-school age children who are non-native speakers at the present time.

The Spanish speaking, our largest linguistic minority group, provide an excellent example of the plight that befalls the non-native English speaker in our present culture. The average educational attainment for Mexican-Americans in 1960 was five years less than that of American whites and almost two years below that of non-whites. Nationally for people with Spanish surnames, over one-half of the males and nearly one-half of the females have not progressed in formal schooling beyond grade eight. Little wonder that the incomes of Mexican-Americans are compared to those of whites are considerably lower. For example in the five southwestern States, where a preponderance of our Mexican-American citizens live, 21% of the general population had an annual family income of less than $3,000 in 1960. For Mexican-American families for that same year the percentage of families with average annual income below $3,000 was 34.8.

In addition, our present education system may very well do serious psychological damage to the non-English-speaking child. Our general insistence on school instruction being given only in English ignores the mother-tongue of the non-native speaker, and may appear to the child a kind of rejection of himself, his family and his way of life. He may then question the correctness and/or relevance of family customs and values he has been taught. He may reject his native culture without being equipped to adapt to the foreign American patterns. Consequently he may become a lost and disillusioned person of little worth to himself or to either culture.

The successful assimilation of non-English-speaking people into the American way of life represents a problem and a responsibility that the general society in many cases has not taken as seriously as it should. But, as I have indicated, there are signs of a general awakening to this need and of movement toward positive action. An example of such constructive action has occurred in Dade County, Florida. At the height of the influx of Cuban refugees, as many as one hundred Cuban children a day were seeking entry into the public schools of that community. At present there are some 200,000 Cuban refugee children enrolled in the Dade County Public Schools. Currently 300 refugee children per month, speaking no English whatsoever, seek admission and integration into the schools of Dade County. Confronted by such numbers of non-English-speaking youngsters, the schools and community have been forced to address the issue squarely and creatively or to be faced with a tremendous social-cultural-educational problem.

I am proud of the strides made by the Dade County schools, the innovative programs they adopted and the example they are able to provide as a result of their experiment in bilingual education. Their solution to the problem of absorbing so many native Spanish-speaking children was to develop two bilingual schools in which native American and Cuban refugee children would learn two languages. Displaced Cuban teachers were added to existing staffs as teachers and as aides. New textbooks and materials were developed specifically for the bilingual program. A second program focused special attention on strengthening the grasp of the Spanish-speaking children of their native tongue, and of enhancing their pride in and knowledge of their native heritage. The result has been a highly unique and successful program, fully integrated both racially and culturally, in which children of neighboring cultures have been enabled to share their separate backgrounds and thus to broaden their abilities and their understandings.

Dade County has not made these strides unassisted. Over the last four years, the peak years of the refugee influx, the Department of Health, Education, and Welfare has given $44,000,000 to the Dade County Schools. Currently support continues in the form of a $100,000 grant for operating a program of summer education in English. This program involves English language study for school-age Cuban refugee children, and an in-service workshop to prepare teachers in the skills of bilingual education.

The Dade County approach, with its emphasis on bilingual schools, teacher preparation and development of special textbook and curriculum materials, and with its concern for preservation of pride in one's native cultural heritage represents the heart of my bill, H.R. 9896 introduced on May 11, 1967. However, this bill, unlike other more restrictive pending legislation, does not limit its benefits to only those children with Spanish language background. H.R. 9896 is a bill aimed at enhancing the educational opportunity and therefore opportunity for a better life for all children in our nation's schools whatever their linguistic mother tongue.

We must take special care that we guard and enhance the valuable contributions that can be made to our American society by these citizens that come to us from varied backgrounds. We have not respected this cultural treasure as we should in the past. A bilingual education program on a national scale would represent a beginning in the meeting of our responsibility to and our claiming of the cultural rewards from this potentially very valuable bilingual segment of our population.

Mr. Chairman, I would, at this time, like to submit for the record a letter which I received from Mr. C. T. McCrimmon, Chairman of the Dade County Public Schools System. This school system is the 7th largest school system in the country. His support of this legislation goes even further to show the necessity of enactment of this bill. Mr. McCrimmon states that, "if adopted, it would make it possible for even more significant steps to be taken in the curriculum and total instructional programs, which will contribute directly to increasing the inability of the bilingual students in our school systems and in our community."

This adamant support is gratefully taken, and I ask for a complete perusal of the documents now about to be submitted. This letter and supporting documents from the bilingual department of this school system is very informative and most detailed. It goes into great lengths with its breakdown of bilingual education within the Dade County School System. I'm sorry that this concise report has not been available sooner and to more people.

I now submit this letter with supporting documents for consideration by the Committee.

Dade County Public Schools,
Miami, Fla., June 26, 1967.

Hon. Claude Pepper,
House of Representatives,
Washington, D.C.

Dear Claude: Thank you very much for the opportunity to react to H.R. 9896, "The Bilingual Education Act of 1967."

As you know, the Dade County Public Schools have been extremely interested in the development of instructional programs of a bilingual and bicultural nature. Though, originally, the need for these programs in our area resulted from the tremendous influx of Cuban refugee students, we are extremely interested in the potential which bilingual education offers all the children in our community, Cuban, Puerto Rican, Mexican, and even mainland North Americans.

Our efforts along the lines of bilingual and bicultural instructional programs have resulted in the implementation of three basic curricular offerings with related supporting programs. English as a second language classes are offered in the county to the children who enter our schools with limited control of English. This program utilizes materials which were previously available commercially and materials such as the *Miami Linguistic Readers Series* which we developed to deal specifically with such problems. We, also, have developed an extensive program in the teaching of Spanish to native speakers of Spanish (Spanish-S) so that the native speakers in our community will continue to develop their language skills in their native language and will come out of our schools as educated bilinguals, literate both in their first and second languages. The third program in bilingual education, which is on a smaller scale than the other two, is our bilingual schools program in which children, both native speakers of English and native speakers of Spanish, spend approximately half the day studying in English and the other half of the day studying in Spanish. These children, regardless of their native language, will come out of our schools as completely bilingual and to a large extent bicultural.

The development of the programs which I have described has been taking place for more than seven years. We are firmly convinced that our efforts have been paying off in increased educational and in future economic opportunities for the students who have been involved. We recognize that we are at a beginning stage rather than at an end point. However, with legislation such as that which has been proposed, we in Dade County and other school systems throughout the United States will be able to continuously improve the quality of education provided to the non-English-speaking students and bilingual students in the local community. The proposed legislation, if adopted, would make it possible for even more significant steps to be taken in the development of curriculum and total instructional programs which will contribute directly to increasing the mobility of the bilingual students in our school systems and in our community.

Rather than try to describe in detail in this letter what we have been doing in Dade County Public Schools, I am including documents which, though not completely up-to-date, present an accurate picture of the directions in which we are going.

I sincerely hope that the House Education and Labor Committee, General Sub-committee on Education will report out legislation which would authorize a commitment to the development of bilingual education programs.

Sincerely yours,
C. T. McCrimmon,
Chairman of the Board of Instruction.

PEPPER'S NATIONAL FLOOD INSURANCE ACT

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. PEPPER. Mr. Speaker, on Monday I introduced a bill, H.R. 11142, the National Flood Insurance Act of 1967. Property damage and loss of life which has been caused by heavy flooding and hurricanes seems to be on the increase, in spite of individual and governmental efforts at protection. I feel that it is in the interest of the American people to institute an efficient and organized system for recompense for such damage.

Today I was honored to appear before the Subcommittee on Securities of the

Senate Banking and Currency Committee to testify to the extreme needs and importance of my National Flood Insurance Act of 1967. I would like to commend my able colleague, Mr. WILLIAMS, of the other body, for holding hearings on this extremely important matter for the last 3 days.

I would also like to commend the distinguished chairman of the House Banking and Currency Committee and his 11 colleagues on that committee for cosponsoring legislation identical to my National Flood Insurance Act.

The need for this type of legislation is vital to the American people, and in keeping with this need I have also introduced H.R. 8979. This bill had been drafted by the National Association of Insurance Commissioners under the able leadership of Florida's Insurance Commissioner, the Honorable Broward Williams. Our administration has used this draft bill as the guideline for its insurance proposals, and it is with great pleasure that I support and sponsor the administration's National Flood Insurance Act.

Mr. Speaker, I would like at this time to request permission to submit my testimony, before the Securities Subcommittee of the Senate Banking and Currency Committee for my colleagues further information, and for the information of those who may read this RECORD.

NATIONAL FLOOD INSURANCE

(Statement of the Honorable CLAUDE PEPPER before the Senate Banking and Currency Committee, Securities Subcommittee, regarding legislation to establish a National Flood Insurance Act, June 28, 1967)

Mr. Chairman and Members of this distinguished Committee, all of the 50 States of America have been the victims of natural disasters. Oddly enough the District of Columbia is the only political unit within the boundaries of the Nation which has not been declared a disaster area.

In the past 10 years over $7 billion damages have been caused by natural disasters of all types. Floods, hurricanes, tornadoes, tidal waves, storms, and earthquakes may strike anywhere at anytime, leaving death and destruction in their wake.

The saddest and most serious consequences of these occurrences are the helpless economic posture of their victims and their inability to do much about it.

There is no one or any institution upon which to place the blame or responsibility for them. You cannot sue a flood or a hurricane for the wherewithal to rehabilitate one's economic status, to rebuild a home or business, to repair damages, and resume accustomed activities.

Efforts of governments at all levels, which of course have greater resources at their command than the individual or businessman, to ameliorate the circumstances have in the past been sporadic, piecemeal and inadequate, although well intentioned.

At the moment of crisis, of course, every effort is extended to save lives, to keep the disaster from spreading, to feed and clothe and shelter the human victims. The American Red Cross, Federal Government and State and local government agencies and even individuals partake of the rescue operations.

It is later however when the real problem arises. The victim, deprived of his home, his business, his means of livelihood, is left facing a dismal future.

If the disaster is of sufficient caliber to be of significance nationally the Congress has on numerous occasions in the past approved legislation extending assistance to the bereaved area. But these actions are never sufficient, vary from time to time in their provisions, have little lasting effect and offer little for the future.

Extensions of credit and in some instances grants under various Federal programs offer some assistance. But again, these, although also well intentioned, are too scattered, too selective.

To my mind, insurance against losses from these natural disasters offers the best potential protection against the dilemma faced by their victims.

The very facts that disasters may strike anywhere and at any time with what is most usually a total effect has in the past militated against the private insurance industry undertaking to supply disaster insurance, most especially flood insurance.

Following some unfortunate experiences at the end of the last century, flood insurance has been notable for its unavailability. It is true that only those most vulnerable to flooding would be interested in acquiring insurance against floods, hurricanes and other natural disasters. After a few years of freedom from them the tendency would be to let it lapse. This places a burden on the few who would retain it, and force the insurer to charge premiums so high as to be beyond the ability of the property holder to pay, and militate against building the necessary reserve against the inevitable cataclysmic loss. For when a flood or hurricane occurs everyone suffers and an insurer is faced with claims of monumental caliber.

It is only fair that the property owner bear as large a part of the burden as he is economically able to handle. Americans are conditioned to insurance. Everyone has life insurance these days, fire, theft, health, accident insurance. Most of us are willing to pay a fair premium in order to protect our life and property. But these things are subject to calculation, losses can be to some degree predicted. There is a large body of actuarial information and body of experience that has been accumulated over the years so that premium charges bear a reasonable relationship to risk. Insurance companies are willing and able to undertake their calculated risks in these categories, but not for floods, hurricanes, and other natural disasters.

It is to fill in this gap that the proposals now before your committee have been made.

The thought is not new. There has been considerable effort and study devoted to the problem.

Since 1951 it has been continuously before the Congress in some form or other.

The most tangible result to date was achieved in 1956 with the passage of the Federal Flood Insurance Act authorizing the then Housing and Home Finance Administration to develop a plan for inaugurating a federally sponsored plan for flood insurance.

The Administration developed plans for such a program, with Federal support for an eventually privately operated system, through an initial Federal subsidy until the program could build up its reserves at which time the private insurance industry might take over on its own. A schedule of premium payments was outlined and provision was made for study of preventive measures such as flood plain zoning.

However, for lack of continuing funds the proposals were not activated and following its final report in 1958, the Federal Flood Indemnity Administration went out of existence.

The following year the honorable chairman of this Banking and Currency Committee introduced a bill calling for a flood insurance program largely based on Federal-State cooperation, to encourage wise use of flood plains and a study of the possibility of extending coverage to other natural disasters. However, no action was taken on this or Representative Inouye's bill to extend the benefits to cover volcanic eruptions.

Beginning in 1962 your respected chairman, the Senator from New Jersey introduced a bill calling for a study of the alternative methods of developing a Federal flood insurance program to be undertaken by the Housing and Home Finance Administration. As you no doubt recall this Committee reported it favorably after hearings and the Senate approved it, but that was as far as it got. A number of bills were also introduced in the House in the 87th Congress without success.

Senator Williams has continued his activities on behalf of a solution to this vital problem in the 88th Congress, the 89th and the present Congress. He has labored effectively in the Senate, witness the passage by the Senate of his proposals in 1963 and 1965, and his sponsorship of three bills this Congress, which are now before the Committee. He has proven a friend indeed to Americans who have in the past and may in the future be victimized by destructive floods and other natural disasters.

I have been happy to cosponsor his proposals by introducing the same bills in the House of Representatives. My State has unfortunately suffered grievously at the hands of a sometimes less than benevolent Mother Nature.

Two organizations have been conducting and have now completed, detailed and comprehensive studies of the broad question of flood insurance on a national basis and with Federal assistance.

The Southeast Hurricane Disaster Relief Act of 1965 authorized a study by the Department of Housing and Urban Development for the purpose of developing a workable flood insurance program under Federal sponsorship. This study, and program so developed, now completed, has been introduced by the chairman of this Committee, S. 1985, with 28 co-sponsors and is now before you. I have been happy to introduce the same bill in the House, H.R. 11142. This is the first co-sponsorship of this legislation in the House.

Meanwhile, the National Association of Insurance Commissioners had designated a special Flood Insurance Committee under the very able direction and chairmanship of Broward Williams whom I will have the pleasure to introduce to you.

This Committee has studied the situation and has consulted with members of the private insurance industry to propose a plan to inaugurate a national flood insurance program through a federally owned corporation to guarantee and reinsure contracts written by private insurance companies. Your able chairman has introduced this proposal in the Senate as I have in the House of Representatives.

Mr. Broward Williams, the Treasurer of the State of Florida, is of all things a native Floridian, educated in Florida. He is widely known as an able administrator with considerable experience in the insurance industry and in the State Treasurer's office where he served except for two years following his distinguished war service in the U.S. Navy in the State Treasurer's office until January 1, 1963, when he became Executive Director of the Florida Association of Insurance Companies.

Upon the death of his long time friend and mentor, J. Edwin Larson, he was appointed to the office which he now holds, Treasurer of the State.

In that capacity he acts as the Insurance Commissioner, charged with the responsibility for regulating more than 900 insurance companies doing business in the State.

During his regime in the Treasurer's office he has been active in encouraging insurance companies to locate home and regional offices within the State.

He is so well known and respected within his chosen field that shortly after assuming the office of State Treasurer the National Association of Insurance Commissioners named him to its executive committee, an unusual tribute to a newcomer.

As a further tribute he was named chairman of the Special Flood Insurance Committee whose findings were incorporated in Senator Williams and my bills, S. 1290 and H.R. 8979.

I can think of no one more capable to explain the provisions of the Insurance Commissioner's proposals than my good friend Broward Williams and I derive a great deal of satisfaction from presenting him to you for that purpose.

The Department of Housing and Urban Development proposes, after consultation with Federal agencies and many interested groups and individuals throughout the Nation a draft bill for your consideration which your honorable chairman and 28 other Senators have sponsored as S. 1985.

This bill, the provisions of which I am sure the Department's spokesman will explain, recognizes that owners of existing property now located in flood-prone situations are faced with the recurring problem of recurring flood damages. For them the proposed legislation will provide insurance at less than full actuarial premium rates. The availability of flood insurance on this basis should limit the need for the special legislation so often required of Congress for relief from major natural disasters while at the same time reaching more beneficiaries.

Both of these proposals offer a means of relieving an almost unbearable burden and extending some hope of security in the future.

With your fine chairman behind it a solution will surely be found. I, on my part, will continue to the utmost of my ability to further the progress of legislation to finally establish a flood insurance program on a national basis on my side of the Capitol.

Hopefully, natural disasters other than floods may be included in any legislation approved following these hearings. If not at once, surely at a later time.

It is my pleasure now to present to you Broward Williams, our extremely competent State Treasurer who will explain the proposals developed by the Committee of the National Association of Insurance Commissioners, of which he was chairman.

WHAT'S RIGHT WITH AMERICA

Mr. **KORNEGAY**. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. DORN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. **DORN**. Mr. Speaker, President Lyndon B. Johnson delivered a dynamic and positive address to the National Convention of the Junior Chamber of Commerce meeting yesterday in Baltimore.

The tremendous and prolonged applause which greeted the President's denunciation of the flag burners and "peace-niks" once again indicates the patriotism and dedication of America's young businessmen.

The President's address was encouraging and warmly received by the Jaycees who are devoted to our private enterprise system and our great American heritage.

I commend the President's superb address to the Congress and to the people of our country:

L. B. J.: "COUNT YOUR OWN BLESSINGS"

President Suttle; Governor Agnew; Senators Brewster and Tydings; Congressmen Garmatz, Fallon, Machen, Long and Friedel; Mayor McKeldin; Mr. D'Alesandro; Mr. Shriver; distinguished J.C.'s and your ladies:

I am glad that you asked me to come here today and I am so happy that I could come.

Someone said recently that "I am for the future. I expect to live the rest of my life there."

So all of us here this morning are going to live the rest of our lives in the future—most of us in this country. Not only are we going to live our lives in the future, what is more important, our children and our grandchildren are.

We can give them a country where crime is commonplace, where strife is certain, where free enterprise is frowned upon, where the state is everything—or we can invest our money and our efforts wisely enough to make the next generation freer and happier than ours has been.

A former President of the United States once said—when he was speaking about our living under the First Amendment and exercising the freedoms that go with it—that "Criticism is no doubt good for the soul." But we must beware that it does not upset our confidence in ourselves.

You would hardly expect a man who has had an automobile for sale to tell you that the motor heated, the wheels had not been put on properly, the horn wouldn't blow, that the automobile itself had a very short life—and then expect you to buy it.

But we hear other nations say so many things about our own in criticism—and we say so many things ourselves—that I sometimes wonder if the rest of the world hears only what is wrong with America.

It is good that we have a system where we can freely talk about what is wrong because when we have the proper information, we make the proper judgments. We can only get information by communication.

WHAT'S RIGHT

Proceeding on the assumption this morning that you young leaders of America have heard some of the things about what is wrong with this country, I am going to assume that I may be permitted to talk about some of the things that are right with America.

I should like to ask each person here to engage in a little introspection for the next few mintues I am privileged to be with you. I would like you to ask yourselves to count your own blessings—to ask yourself "What do I have to be thankful for; what do I have to appreciate; what do I have to be proud of; what do I have to look forward to? What do I have that my grandfather did not have—or that my father did not have—or that my brother did not have?"

Let us compare some of the present day conditions to—and I quote—"the good old days."

Or if we could—and still be polite—we might compare some of our conditions in America to some of the conditions in other countries that we have had pointed up to us from time to time.

Let us look at our educational system—because the very basis of a great nation is an educated mind, a healthy body, and a free enterprise system.

Fifty years ago in our educational system, only 10 per cent of our boys and girls graduated from high school. Today that figure is not 10 per cent. It is 75 per cent. That is more than double that of France or West Germany, Italy or Great Britain.

Fifty years ago only about 4 per cent of our young people went to college. Today that figure is about 40 per cent. Only 10 per cent of the young people of Great Britain and France go to institutions of higher learning.

Let us look at some other education we are getting from protesting and expressing dissent in this country. During a week a short time ago, our newspapers and our TV programs, our radio commentators, informed us fully about the protesters and the "peaceniks" who invaded the Pentagon.

They came there to stay—they walked over the tulips; they sat down on the steps; they slept in the halls. After we had analyzed it all carefully and the reports had been fully given—sometimes dramatically and occasionally emotionally—the "sleep-ins" numbered 12, a bare dozen.

During that very same week, there were 10,000 young Americans who voluntarily—on their own—walked into the military enlistment centers directed by the Pentagon and volunteered their services and their lives for America.

KEEP IN PERSPECTIVE

Let me repeat, there were over 10,000 first term enlistments in one week.

Unfortunately, a student carrying a sign or protester wearing a beard, or an attention-seeker burning a draft card in front of a camera can get more attention—and more billing—than all 10,000 of these volunteers.

So we will continue to have those visit the Pentagon to speak their mind. We will continue to have those visit the enlistment stations to give their lives—but let us keep the two in perspective.

In exercising our freedoms, let us check on them as we go along—and be sure that we never abuse them.

Americans are the best fed, the best paid, and the best educated people in the world. That is something we ought to be proud of in America. I know what we do when we are not the best fed, or the best read, or the best paid.

All we have to do is look back to the situation in Washington when I first came there in 1931—when the Bonus Marchers were driven down Pennsylvania Avenue—and look back to the emergency legislation which was required in the days following.

The banks had to be closed—and reopened again. Our farm commodities were being burned, and our soup kitchens stretched for half a mile in some of the main centers of our towns.

So much for our employment and our education. What about our health conditions?

Deaths from the dread diseases have been cut in half in the last 50 years. Life expectancy has doubled in the last 100 years. Infant mortality rates have been cut in half in the last 30 years. Artificial kidneys now in use soon will be joined by the artificial heart.

Measles have been retired in the pages of history. Polio is no longer the fear of every mother in the land—thanks to our great medical profession, and thanks to a country which has concentrated on trying to do what is right—and correct what is wrong.

Medical care has recently forged an extraordinary partnership. We have almost 20 million elderly persons. We have over 200,000 doctors working with this group. Under the Medical Care Program, over 5 million Americans in the last year—and the first anniversary is coming up very soon—have received physician services. Almost 3 million have received hospital care.

I have not come here to say to you that all is right and perfect. We still have many problems. We are facing up to them. We are recommending measures to deal with them. We won't get them all. We may just get a fraction of them—but we are not ignoring them—we are not running away from them—and we are not cutting out on them.

MORE FOR POVERTY

I saw in some report from some great university yesterday something about how we had cut back on our poverty programs, and how we had denied our people education, programs and health programs because we were defending our country.

Well, that is just not true. That is just not so.

A little over three years ago—when I became President—we had no poverty program. We were in Vietnam, but we had no poverty program. We started one—and we have increased it every year since.

This year, we are increasing it by 25 per cent—without tucking tail and running in Vietnam.

More money will be spent on poverty in the United States in trying to do something about it this year by the Federal Government than we spend in Vietnam.

In our educational program—when I became President a little over three years ago—we were spending $4 billion a year. This year our budget is $12 billion—three times as much for education in three years—and we are still doing our duty in Vietnam.

In our health program three years ago, we were spending a little over $4 billion a year in the Federal Government for health needs. This year our budget is a little over $12 billion—three times as much for health in three years as we were spending three years ago.

We still have many problems of unemployment and poverty. Even though America's poorest housing is in a luxury class for the masses of some other countries, we do have slums. We want to do something about them. We are doing something about them.

We passed our Model Cities program this year. That is the most far-reaching step in that direction that this Nation has ever taken.

Today there are 7 million fewer people living in poverty than there were seven years ago. The unemployment rate has dropped from 5.7 to in the neighborhood of 3.7. Operation Head Start has already given three-quarters of a million children from the poor families a leg up on education. It is growing every day.

More than a million persons are receiving job training under Federal programs compared to none seven years ago.

Almost one million people are going to college this year because of higher educational programs enacted under our Administration and passed by our Congress.

We all owe a debt to the Congress which has enacted this legislation for us.

MORE OF EVERYTHING

So when you go back and talk about something that went wrong—how a motor failed—or how a red light stuck—or how someone looked on television—or how long they spoke—or what they didn't say—ask yourself to remember some of the good things that you have produced.

Our educational system—summarizing—is second to none anywhere in the world. Our prosperity is second to none anywhere in the world. Our standard of living is second to none anywhere in the world.

We produce more goods; we transport more goods; we use more goods than anyone in the world.

We own almost a third of the world's railroad tracks. We own almost two-thirds of the world's automobiles—and we don't have to wait three years to get a new one either.

I shouldn't be surprised—if you are anxious enough right now—but that some people on this very floor will take your orders.

The Baltimore New Car Dealers Association had better be careful or they will get outfigured. Someone will make you a cut-rate proposition.

We own half the trucks in the world. We own almost half of all of the radios in the world. We own a third of all of the electricity that is produced in the world. We own a fourth of all of the steel. Our health conditions rank favorably with those of other countries in the world. Although we have only about 6 per cent of the population of the world, we have half of its wealth.

Bear in mind that the other 94 per cent of the population would like to trade with us.

Maybe a better way of saying it would be that they would like to exchange places with us.

I would like to see them enjoy the blessings that we enjoy. But don't you help them exchange places with us—because I don't want to be where they are.

Instead, I believe we are generous enough—I believe we are compassionate enough—and I believe we are grateful enough that we would like to see all of them enjoy the blessings that are ours.

I say to you young business leaders of America, there never has been a time when the business groups of this country—the young leaders of this country—the employes and the labor leaders of this country have cooperated with their Government more than now. Your President is grateful for it.

NOT A PREREQUISITE

I want to leave one thought with you. If you forget everything else I say, please remember this when you go back to your own community to provide them with the leadership that I want to provide you—that I am trying so hard to provide you.

You say to them that it is not absolutely essential—it is not a prerequisite—and it is not required that you tear our country down, and our flag down, in order to lift them up.

I want to conclude now by just quietly saying a word to you about this larger world that we all live in. I think it is on your mind and in your heart—as it is on mine and in mine.

We are in South Vietnam today because we want to allow a little nation self-determination. We want them to be able to go and vote for the kind of leaders they want and select the type of government they want. We want them to be free of terror and aggression in doing that—as we want it for ourselves.

We made a contract. We had an agreement. We entered into a treaty that was confirmed by our Senate, 82 to 1, saying that in the face of common danger, we would come and help.

We came. We are helping. We are doing our best. I solicit the cooperation of each of you to the extent that you can give it.

We Americans are deeply concerned about the recognition of the right of self-determination. That is what each of you demands for yourself. So let us help your fellow man in other parts of the world enjoy it too.

Self-determination is really the right to live. That is what we ask for all of the nations of the Middle East—not just for some of them.

We believe that for the peoples of the 122 nations of the world, speaking now of the underdeveloped nations of the world specifically, real self-determination only comes when hunger and disease and ignorance and poverty are overcome. We believe that the peoples of all of these nations are entitled to that self-determination. They won't have it until we can conquer those ancient enemies—illiteracy, ignorance, disease, and poverty.

Just as it is here in our home, we believe in the First Amendment, in free speech and in a free press. We believe in the Bill of Rights. We believe what matters abroad is also freedom from fear and freedom from want—the freedom to make choices and not just to submit to a brutal destiny.

KOSYGIN TALKS

Two days ago, not very far from here, I met with Chairman Kosygin of the Soviet Union. The nations we spoke for are two of the most powerful nations in all of the world. In the family of nations, two of the strongest have two of the greatest responsibilities.

For my part, and for your nation, that responsibility involves helping other nations to choose their own futures as they see it.

We seek as well maximum understanding between these two great powers. For 10 hours we looked at each other with only the interpreters present in a very small room.

Though our differences are many, and though they run very deep, we knew that in the world's interest it was important that we understand, if we could, the motivations as well as the commitments of each other. We religiously, dedicatedly, and determinedly worked at that assignment for those two days.

That is why we met in the house called Hollybush. To bring about better understandings, and to discuss respective goals and commitments, we came there.

When we left I believe we had achieved that. We agreed we would continue to maintain contact through diplomatic channels, through other means of communication, and direct contact.

In Saigon, in the Sinai, at Hollybush in New Jersey, in the slums of our cities, in the prairies of our land, in the hollows of Appalachia, in scores of underdeveloped countries all around the world where men struggle to make their own future and to secure their little families, that is what we are about.

If the young leadership of our country supports us over the long hard pull that lies ahead, if you can endure the tensions, if you can understand that the air is going to be rough and the road is going to be bumpy, you can, in the words of your own creed, "Help us unlock earth's great treasure—human personality."

Then the cussers and the doubters will be relegated to the rear; the doers and the builders will take up the front lines.

Now you are going to return to your homes. You have engaged in looking at yourselves and at your country. I have been able to discuss it for only a very brief time.

I am going back to attend a 1 o'clock meeting with Secretary Rusk and Secretary McNamara and others who are giving everything they have to your country. We are not only going to talk and plan and work and pray to develop ways and means of keeping your country and your families secure, but we are going to do our dead level best to bring peace to every human being in the world.

Our problems are many. Our solutions are few. I am not as concerned about the individual differences which we have with other nations—because with few exceptions I think those can be reconciled—but I am concerned that every boy and girl, that every man and woman who enjoys citizenship and freedom and prosperity and the blessings of this land know what they have and are determined to build upon it, to improve it—and by all means to keep it.

REASONING TOGETHER AT THE SUMMIT—THE RECENT JOHNSON-KOSYGIN MEETING

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. CABELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. CABELL. Mr. Speaker, there was a spirit of understanding and reason between President Johnson and Premier Kosygin at the summit meeting last week.

It was a spirit born of necessity, but it was a spirit born of conscious policies aimed at improving prospects for peace.

The summit meeting between the world's two most powerful leaders—and adversaries—did not just happen.

It was arrived at through determined efforts by both sides that such an opportunity would not be missed.

President Johnson raised the prestige of the United States to a high level by his careful and reasonable presentation of the American position on explosive world issues.

Premier Kosygin responded with a controlled defense of his position.

We believe our position is correct, of course. But President Johnson wisely did not attempt to drive his adversary into a corner. Rather, he sought to reason together, to accommodate without sacrificing principle, and to reach agreement that war is indeed folly, and peace is the only path to pursue.

I do not know what decisions were reached at the Hollybush conference.

But I do know that many people in many places are breathing easier and freer this week.

We must now turn our thoughts to helping the President pursue the spirit of Hollybush toward new practical agreements between us and the Soviet Union.

President Johnson has seized an important initiative for peace. We are all with him in heart and mind. There is no more important issue. We salute him for his tireless efforts as a peace seeker.

I would like to insert in the RECORD at this point a series of editorials supporting the President's initiative for peace.

These editorials reflect the almost overwhelming public support the President has received in his efforts for peace during the past few days:

[From the (Cleveland, Ohio) Plain Dealer, June 24, 1967]

UNDERSTANDING AT GLASSBORO

The hopes for greater understanding between the Soviet Union and the United States are lifted immeasurably by the news emanating from Glassboro, N.J.

President Johnson and Soviet Premier Alexei Kosygin met for more than five hours yesterday and will meet again in the same little town on Sunday afternoon.

It has been regarded as a hopeful sign when early obstacles to a meeting had been cleared away and the path cleared for at least an exchange of greetings between the two powerful leaders.

Length of the session came as a complete surprise, as did announcement of the second session on Sunday.

Kosygin had been scheduled to return to Russia today.

Vietnam, the Middle East and control of the spread of nuclear weapons occupied the two chiefs of state in the living room of the home of the president of Glassboro State College. Interpreters were the only other persons present.

Emphasis placed by both sides on the necessity of a non-proliferation treaty is a clue to the desire of both countries to shore up conditions for a durable world peace.

Face to face, the two leaders were able to state their views on the trouble spots of Asia and the Middle East.

But the transcending impact of this unprecedented summit meeting is its message to the world that two great powers recognize their broad responsibilities and are cooperating to carry them out.

In setting up the meeting, both sides accepted risks. Both sides came halfway. Kosygin undoubtedly will be condemned by Communist China for collaborating with the West and with imperialism. President Johnson had to consider the impact of the meeting on American commitments in the Middle East and the Far East.

The President has acted with impeccable statesmanship, from his speech on Monday, in which he emphasized the areas of Soviet-U.S. agreement, to his efforts to create conditions suitable to the Russians for yesterday's confrontation.

In the obscure little town of Glassboro, the cause of reason and international understanding has had one of its finest days. And there is another to come.

[From the Dispatch, June 25, 1967]

THE GLASSBORO CONFERENCE BORN OF URGENT NECESSITY

The Glassboro conference between Premier Alexei N. Kosygin of the Soviet Union and President Lyndon B. Johnson had to be. History would have reproached both nations if their chiefs of state, separated by less than 150 miles, had failed to make the best possible use of the opportunity.

They have met on the symbolically middle ground of a New Jersey state college at Glassboro after a tiresome week of bickering over details of face-saving protocol which is the traditional but nonetheless farcical way of diplomats.

The questions of who shall call upon whom or whether they shoud talk at all under the present tenseness suggested the mood of a schoolboy confrontation with each party, carrying the chip of his dignity on his shoulder, hesitant either to advance or to retreat.

Peace of the world for a hundred years could, in theory, have been brought about between the men who met at Glassboro. But diplomacy is the most indirect of arts and what Premier Kosygin may have said there could only have validity after being reviewed and approved by his power peers in the Kremlin.

It is the deplorable fact that the world believes more than it knows and both parties to the Glassboro meeting had to keep in mind how their actions would be interpreted elsewhere.

Mr. Kosygin had to keep in mind what propaganda use the Red Chinese might make of this consort with imperialism. President Johnson's concern had to be with the reaction of sensitive interests in Vietnam to his sitting down with the principal Communist.

Peking propaganda is rarely better than fabrication and more commonly a tissue of lies. Yet Premier Kosygin shaped his performance to it just as President Johnson had to be wary of the half-informed prejudgment that might compromise an already difficult situation in Southeast Asia.

Truth, the sages have told us, prevails. But it only prevails afterward. Meanwhile the world seethes in emotional response to the appearance of things. The truth of the Glassboro conference thus far is that the heads of the two most powerful nations on earth have met face-to-face, man-to-man.

Aside from the formality of an official joint communique, the details of what transpired there will be a long time taking meaningful form.

Conversation can hardly worsen relationships between the United States and the Soviet Union. As a hopeful alternative, there is the outside chance that some good could come of it. On this basis we are glad it was brought about. We withhold judgment of its greater significance pending the future's revelation.

[From the Denver Post, June 23, 1967]

LBJ–ANK SUMMIT WAS A MUST

This newspaper is heartened that the historic meeting between President Johnson and Soviet Premier Alexei N. Kosygin is taking place.

We do not expect any earth-shaking announcements on such crucial matters as the Middle East crisis or the Vietnam conflict to emerge from the LBJ–ANK summit. But the fact that the meeting finally is being held is most encouraging.

It had seemed inconceivable that the premier of a great power could spend a week in the United States without meeting the President. Had Kosygin gone back to Moscow without at least a courtesy session with Johnson, the entire world would have wondered if a new, intense chapter of the East-West cold war was about to unfold.

The meeting of Johnson and Kosygin does not mean that suddenly all is sweetness and light between Washington and Moscow. Wide gulfs of disagreement separate the two superpowers. However, the summit session does demonstrate that both governments value the mutual benefits that can be gained from improved relations.

There are indications that Johnson and Kosygin wanted to greet each other earlier this week—since they never had met before—but that political and protocol considerations prevented them from doing so.

Kosygin, in particular, could not afford to appear too eager to meet Johnson, lest he incur the displeasure of allies in the Communist world, the wrath of Red China, the pained outcry of the Arab states the Soviet Union is defending at the United Nations.

And the President obviously was reluctant to display public enthusiasm for a hasty high-level conference that would promise much and produce little of diplomatic substance.

The arrangements finally worked out for the session by Secretary of State Dean Rusk and Soviet Foreign Minister Andrei A. Gromyko appear to have satisfied the wishes of their two leaders.

In our view, the most that should be hoped for at the LBJ–ANK summit is that the President and the premier will get to know each other on friendly terms.

If that occurs, the meeting will have served its purpose, for it could well smooth the way for a full-fledged summit at an appropriate time in the future that could come to grips with urgent international issues.

U.S. FOREIGN AID LOANS ARE BEING REPAID

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I believe my colleagues will be interested to know that U.S. foreign aid loans are being repaid. More than one-fifth of the value of funds disbursed in economic aid loans has already come back in principal and interest payments.

From 1948 until March 21, 1967, disbursement of these foreign aid loans totaled $13.2 billion. Countries on the receiving end have repaid nearly $2.9 billion in principal and interest.

The total includes repayments on both dollar loans made by the U.S. Agency for International Development and its predecessor agencies and loans made in local currencies derived from food for freedom transactions.

This total does not reflect collections

by the Export-Import Bank or other overseas loan programs not administered by AID or its predecessors.

The $2.9 billion reflow includes more than $1.5 billion collected in U.S. dollars—two-thirds of it since July 1, 1961. The equivalent of $1.35 billion was repaid in foreign currencies.

The disbursement figure of $13.2 billion, including $4.3 billion equivalent in foreign currencies, is about $3 billion less than the total of AID-administered loan agreements. The difference represents funds committed which have not actually been paid out.

Of the total disbursed, $6.7 billion—more than half—must be repaid in U.S. dollars. Since enactment of the Foreign Assistance Act of 1961, which established the current AID program, all development loans must be repaid in dollars.

The dollar collections to date include $878 million in principal repayments and $657 million in interest. Payments received in foreign currencies include the equivalent of $465 million on principal and the equivalent of $882 million in interest.

AID has placed increased emphasis on loans, with lending rather than grants accounting for half of all AID program obligations in U.S. dollars during recent years.

These loan funds are limited largely to procurement of goods and services from the United States. Eighty-seven percent of all AID program expenditures during the first half of fiscal year 1967 remained in the United States. For commodities alone, U.S. procurement was approximately 95 percent.

This loan activity is illustrated in two tables from the Agency for International Development, and under unanimous consent I include them in the RECORD at this point:

Repayments of AID-administered loans—1948–March 31, 1967

[In millions of dollars, or equivalent]

I. Receipts in *dollars*	
A. The AID Period, FY 1962–FY 1967/nine months	
Repayments on principal	$721.7
Interest payments	300.5
Subtotal	1,022.2
B. FY 1949–FY 1961	
Repayments on principal	156.5
Interest payments	356.4
Subtotal	512.9
Total *dollar* payments	[1] 1,535.1
II. Receipts in *foreign currencies*, entire period	
Repayments on principal	465.0
Interest payments	882.4
Subtotal—all foreign currency payments	1,347.4
Total, all payments	[2] 2,882.5

[1] Includes principal, $878.2 million; interest, $656.9 million.

[2] Recapitulation; all currencies: principal, $1,343.2 million; interest, $1,539.3 million.

NOTE: Above data pertains only to loans authorized by AID and predecessor agencies; it does not include Export-Import Bank, military assistance or other U.S. loans overseas not administered by AID and predecessors.

Summary of AID-administered lending—April 3, 1948–March 31, 1967

[In billions of dollars, or equivalent]

	Loan commitments	Loan disbursements
Aid (fiscal year 1962–67)	$6.6	$4.4
Public Law 480 loans	5.0	4.3
Predecessor agencies and other	4.7	4.5
Total	16.3	13.2

INEQUITY IN RETIRED PAY

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, last weekend I was privileged to be invited to a dinner meeting of the San Antonio Retired Officers Association. The city of San Antonio is proud to have been chosen as the retirement home of so many officers of the armed services. We benefit immensely from the energy, the experience, and the public spirit of our retired officers and their local association.

My visit again impressed me with the inequity in retired pay afforded by this Nation, through Congress, to those officers who served her long and with dedication. Traditionally, pay increases for retired officers correspond to increases in active duty pay. But this system was suspended in 1958. At that time I was a member of the Texas State Senate and I sponsored a resolution which passed unanimously in 1959 memoralizing Congress and deploring the change in retired pay computation. However, the traditional system was abandoned fully in 1963 for cost-of-living increases. This new system has resulted in seven different rates of retired pay so far to officers with identical ranks and years of service, simply because they retired at different times. Admitting a minor inequity has recently developed in the present system—an unintentional inequity—the Department of Defense has proposed an involved system of pegging the retired pay rate at a proportion of the active duty pay being drawn at retirement time plus as small as one-tenth of one percent of any monthly increase in the Consumer Price Index. The system itself seems to be getting more and more ludicrous, while officers who retired before July 1958 get less and less than their colleagues with identical rank and years of service who have been retiring since that date.

I do not believe there is any doubt that we have betrayed a trust to our retired officers. The officer retiring now served in the Armed Forces at pay inferior to civilian jobs partly in anticipation of good retired pay, at a time when retirement programs in private industry were generally nonexistent and when social security benefits were small. Now that retired pay no longer corresponds to active duty pay, the retirement situation has been reversed and our retired officers have lost out at both ends. This is doubly reprehensible at a time when the principle of pay comparability with private industry has been accepted for civil service employees.

Mr. Speaker, I have been moved to join several of my House colleagues in sponsoring recomputation legislation. I am introducing today a bill, designated as H.R. 11240, the proposed Uniformed Services Retirement Pay Equalization Act.

THE DOMINICAN REPUBLIC: A SITUATION REPORT

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, on July 1 the people of the Dominican Republic will celebrate the completion of the first year of the government of President Joaquin Balaguer. I was privileged to be a member of the U.S. delegation at his inauguration. This first year is of special significance in that Dr. Balaguer is the first freely elected President to celebrate an anniversary of government.

Some months ago I returned to our neighboring country on a visit, where I talked to a good many people both in a private and an official capacity. I would like to pass on to my colleagues some observations on the current situation in this important Caribbean nation.

President Balaguer tends to look upon his administration as a transition from the disorder of the immediate post-Trujillo years to a stable and modern democratic system of government. Success in holding the country together means the Dominican Republic can now begin to make significant economic and social progress. I look forward to the Balaguer government being a strong base for further development in the 1970's in the development of individual liberty, constitutional government and economic progress which the Dominican people have been denied for so many years.

To comprehend the full measure of this task it is best to recall the crisis situation that existed when Dr. Balaguer took office in July of 1966. The nation was deeply rent by personal, ideological, and political differences left over from the civil conflict of 1965 and the political upheavals of the preceding years. The free elections of 1966 brought both hope and fear—hope for a lasting democracy and fear of what might happen when the Inter-American Peace Force left the country. There were at the time few optimists about the long-term prospects of the new administration.

Rumors of new "golpes"—by the Communists, by the military, by the left, by the right—kept circulating. Many experts predicted that the government of President Balaguer could maintain itself in power only by reverting to authoritarian methods. Some made the forecast that the government would end up in the hands of the Trujillistas. But the basis of these rumors—if indeed any ever existed—have faded away in the last year.

Nine months after the withdrawal of the IAPF, President Balaguer remains in office. Furthermore, he has maintained political stability and avoided authoritarian measures. He has achieved a measure of reconciliation within the structure of the Dominican society and he has attempted to establish a reasonable relationship with the elements of both the left and right which oppose the government.

Admittedly all of his efforts have not met with success, and mutual suspicions remain to impede complete accord. But the earlier pessimists now admit that Dr. Balaguer has a reasonable chance to fulfill his mission to set the Dominican Republic firmly on the path toward democratic development. The success so far at least gives promise for a brighter future for the Dominican people.

On the economic front, President Balaguer inherited an economic situation spawned by 30 years of dictatorship and aggravated by the chaos of 1965. One year is a very short time to remedy the economic ills and chart a course of economic growth; to do so in the Dominican Republic, deprived by its history of trained and experienced administrators is a herculean task. It would be foolish to believe that more than a small beginning could be made in 1 year, and President Balaguer, himself, emphasized this all-too-evident fact in declaring 1967 a "year of development."

But a start has been made. President Balaguer, with our assistance, has mounted a substantial program to stimulate the country's economic recovery. Progress has been made in the construction of housing and public works. In four projects now well underway, over 400 low-cost houses have already been completed. In public works, a complete storm sewer system was installed in Santiago de los Caballeros, over 20 miles of new water pipe has been added to the water supply system in the capital, more than 365 rural schoolrooms have been constructed or repaired, over 17,000 acres of agriculture land have been reclaimed by the rehabilitation of the irrigation system, to mention but a few of the many projects of this nature. Unemployment continues to run high, but more than 20,000 people have found work in these programs.

The community development program—OCD—connected directly with the President's office, has expanded its activities and more than 160 Dominican development promoters are living and working in the villages and countryside assisting the rural communities to organize and help themselves with every sort of community service, schools, sanitary installations, wells, small industry shops, and lots of others. This program is now perhaps the most promising of its kind anywhere in the hemisphere.

The Dominican Republic is a farming country and agriculture is at the head of President Balaguer's investment program and of U.S. assistance. Investment and farm credit programs supported by massive technical assistance—mostly from Texas A. & M.—are concentrating on peanuts, corn, beans, and sorghum. This should soon—in a year or so—make a big dent in the Dominican Republic's $50 million yearly bill for food imports. In addition new production in winter fruits and vegetables, although substantially less than expected, resulted in over 80,000 crates of cantaloups; 27,000 bushels of cucumbers by the first of April, the beginning of the season; and a promising crop of tomatoes and other vegetables. These are export commodities for the U.S. market and with the start made this year we can expect that winter fruits and vegetables will prove to be a major source of foreign exchange earnings within the next 2 years.

President Balaguer has endeavored to attract major private investment, both foreign and domestic, and these major ventures have begun to meet with success. To assist this effort, a private investment fund has been established with a $5 million loan from the United States and a matching $5 million loan from the Inter-American Development Bank. In addition, the Dominican Industrial Development Corp., has been reorganized basically along the lines of the existing and successfully functioning prototype in Puerto Rico. Hopefully, the DIDC can now serve as a catalyst to spur industrial development and private investment.

The Dominican Government has made a determined attempt to reduce costs in the state-owned sugar operations. The costs of production are now slightly over 5 cents per pound as compared to over 7 cents in January 1966. Of course, these costs are nowhere near the costs during the Trujillo period, but then neither is slave labor being used to process the sugar. The Dominican Government has contracted with private American consultants to develop measures to make these operations more efficient and to possibly divert some of the sugar lands to other production.

In the field of education, the Dominican Government is, for the first time, taking positive and effective steps to provide the citizens with modern education, using modern facilities, employing modern methods. The OCD, which I mentioned before, is bringing agricultural education to the backwoods campesinos, and American Peace Corps instructors are busily preparing Dominican teachers to return to the backward parts of the country in the hope of revolutionizing the primary school system.

In higher education, the new Madre Maestra University in Santiago was built by funds partly supplied by a group of Dominican businessmen. Another politics-free university was split off from the University of Santo Domingo after the April 1965 revolt. The impact of increased college-trained citizens will soon be felt in the Dominican Republic.

Soon after his election, President Balaguer launched an austerity program aimed at correcting the balance of payments and fiscal problems which have plagued the Dominican Republic since its birth. In spite of early predictions and expectations, imports continued to exceed exports and slowly drained the country's exchange reserves. Revenue inflow has not yet reached the levels previously hoped for. President Balaguer is faced with a race between deteriorating fiscal and foreign exchange position of his country and his programs to increase revenues, restrict imports and stimulate exports. It is in this area that he is confronted with his most serious problems. Although the outcome is by no means certain, Dr. Balaguer has a reasonably good chance to bring the country through this critical period, provided that the basic economic potential of the Dominican Republic is combined with the determination of the Government and support from the other South and North American nations. If this occurs, the prospects for economic development and political stability are better than the most optimistic observer might have hoped 2 years ago. The Dominican Republic has indeed come a long way since the critical days of April 1965.

Mr. Speaker, I feel that our confidence in the Government of the Dominican Republic and its people has been justified by the results.

But, Mr. Speaker, the crucial battle for political independence and individual freedom has rested and will always rest with the people. Without a fierce determination to resist subversion of these rights by the people, governmental efforts—both internal and external—are doomed to failure. The Dominican people under President Balaguer's leadership have shown during the last year that they have the determination and will to exist and compete in the world community as a free nation. I salute the Dominican Republic on this joyous occasion.

MAINE POWERPLANT IN QUESTION

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. CLARK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. CLARK. Mr. Speaker, I understand that sometime later in this session we will be asked to approve an additional appropriation of $1,600,000 for final engineering of the proposed Dickey-Lincoln School Federal hydroelectric project in Maine. It is my intention to oppose this request as I have done for the past 2 years and as a majority of this House has done on at least two occasions.

In my opinion, the recently filed Appropriations Committee staff report on this project, while I believe it was a genuine and sincere effort, has left as many unanswered as answered questions, and falls short of the mark. In the coming weeks, with your permission, I shall point out a number of the unresolved problems of this project including the incomplete nature of treaty negotiations with Canada, the lack of marketing plans for the power output, the underestimated and incomplete construction estimates of the Interior Department, and the Corps of Engineers, and the basic obsolescence of the project which now cannot be completed until the mid-1970's.

In this regard today I would like to submit for the benefit of all the Members the Associated Press story on this staff report as it appeared in the Providence Journal of June 8:

MAINE POWER PLAN IN QUESTION

WASHINGTON.—A staff report by a House subcommittee has cast doubt on what benefits consumers would derive from the Dickey-Lincoln public power and flood control project in Maine.

A study by the public works subcommittee of the House appropriations committee said the hydroelectric power produced at Dickey-Lincoln would amount to less than two per cent of the energy required in New England for 1975 and that price savings would be widely dispersed and would have little effect on the individual consumer.

The staff report was made in connection with committee hearings on a request by the Army Engineers for 1.7 million dollars to complete preliminary planning for the project in the fiscal year starting July 1.

The project, on the upper St. John River, would involve a reservoir and dam near Dickey, Maine, and a smaller dam and reservoir 11 miles downstream.

The engineers have revised estimated construction costs downward from 218.6 million dollars to 212 million. Congress authorized the project in 1965.

The report said government officials have stated that other types of plants, particularly nuclear, could produce power for New England more cheaply than the Dickey-Lincoln project.

The subcommittee asked Kenneth Holum, assistant secretary of the interior, about this. He replied, according to printed testimony: "I think it is appropriate to look at Dickey-Lincoln as a multi-resource development project and to take credit for the other benefits it provides—flood control, or area redevelopment, and what we recover from our good neighbors in Canada as a result of the downstream benefits created for them."

The report noted the opposition of private power interests to the government project and said: "Neither the representatives of Interior nor those of the private utility companies have ever consulted with each other for the particular purpose of coordinating their efforts and integrating their planning to accomplish the aims they share in common."

Mr. Holum told the subcommittee the situation is not quite as bad as the staff report indicates and that the Interior Department will consult with the privately owned power companies at an appropriate time.

TELEVISION X-RADIATION

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MOSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. MOSS. Mr. Speaker, as I indicated last week, the television receiver X-radiation problem is of growing serious concern to myself and numerous of my colleagues. In order to provide further information on this subject I submit a letter received from the Federal Communications Commission:

This letter will confirm the information given to you by Mr. Herman Garlan, one of our staff engineers, during a telephone conversation on June 6, 1967.

Radiation is a generic term which means the emission of energy in the form of electromagnetic waves. These include, in order of increasing frequency or decreasing wavelength, radio waves, heat rays, infra-red radiation, visible light, ultra-violet radiation, X-rays, gamma rays, cosmic rays. The Commission uses the term radiation in the restricted sense of emission of radio waves. Thus a transmitter radiates, i.e., emits electromagnetic energy (radio waves) for the purpose of communicating by radio. On the other hand, a TV receiver radiates, i.e., emits electromagnetic energy (radio waves) that is capable of causing harmful interference to, or disrupting, radio communication. In the mind of the public, unfortunately, the term radiation has come to mean the dangerous emissions—X-rays and rays given off during nuclear distintegration (atomic radiation).

The generation of X-rays in a television receiver is a fact of life—an undesirable side effect associated with its normal operation. X-rays may be generated whenever an electron moving at high speed (under acceleration from a sufficiently high voltage) strikes a material substance. X-rays are a form of electromagnetic energy and differ from light and radio waves only in frequency. Thus, X-rays have frequencies of approximately 10^{18} cycles/second, or higher, about six orders of magnitude above the upper end of the radio spectrum used for communications which is 3000 Gigacycles/second=$3x10^{12}$ c/s.

In the TV receiver there are two significant places where X-rays may be generated: In the high voltage rectifier tube and in the picture tube. These are the places where the highest voltages will be found. X-rays generated at other points will be overshadowed by those produced in the high voltage rectifier and the picture tube. Furthermore, the protective measures taken will also safeguard against these other sources.

The quantity or intensity of the X-radiation is related to the voltage available to accelerate the electrons, Accordingly, color sets which use significantly higher voltages, will yield more X-rays than black-and-white sets. Similarly, 25" TV receivers may be expected to generate more X-rays than small portable receivers.

The metal shield around the high voltage rectifier to protect against shock hazard also serves to confine the X-radiation, since the X-rays generated in a TV set have relatively little penetrating power through metal. The picture tube face plate is protected by a sheet of leaded safety glass which absorbs a large part of the X-radiation generated. That level of X-radiation that passes through this safety glass is below the permitted level and is rapidly dissipated in the air surrounding the receiver. The level of X-rays at about 6" from the face plate of the picture tube is for all practical purposes negligible.

The manufacturers of TV receivers have been aware of this problem from the very start and have taken appropriate measures mentioned above to keep the X-radiation within acceptable limits. Moreover, as part of their testing program, the Underwriters Laboratories (UL) have been testing television receivers for X-radiation as well as for electric shock hazard and other safety features. The standard used by UL specifies that the X-radiation shall not exceed 2.5 milliroentgens per hour (mr/hr.). It is understood that the UL is considering changing this standard to bring it into conformance with the current recommendation of the International Commission on Radiation Protection that the maximum level of X-radiation shall not exceed 0.5 mr/hr. This revised standard is expected to go into effect within the next year or two.

The Commission now exercises control over the electromagnetic energy (in the form of radio waves) that is emitted by the TV receiver. This control is designed to insure that such radiation or emission of electromagnetic energy will not cause harmful interference to radio communication. Our regulations promulgated to achieve this control provide for the measurement by the manufacturer of the interference-causing radiation and certification to the Commission. The receiver is then labeled, for the information of the public, as complying with the regulations in Part 15 of our Rules. The details of this label—size, wording, etc., are not specified in the Commission's regulations. We are enclosing for your information a copy of a public notice which discusses this non-interference label or seal.

In the case of the interference-causing radiation, the Commission has a great deal of expert knowledge both as to the level of signals to be protected and the levels of interfering emanations that can be tolerated. One the other hand, in the case of X-rays, the Commission does not have the expert knowledge necessary to assess the effects of X-radiation on humans or to determine the level of X-radiation that can be tolerated. It would appear that the control of X-radiation from TV receivers should more properly fall within the jurisdiction of an agency which can be expected to have expert knowledge in this field, such as the Public Health Service or some other subdivision of the Department of Health, Education and Welfare.

Attention is also called to the existence of the Federal Radiation Council formed in 1959 (Public Law 86-373) to provide a Federal policy on human radiation exposure. While this council has concerned itself primarily with atomic radiation and its effect, the mandate under which the Council operates is sufficiently broad to encompass X-radiation.

Very truly yours,

BEN F. WAPLE,
Secretary.

FUTURE OF THE DEMOCRATIC PARTY

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BROWN of California. Mr. Speaker, President Johnson flew to California last Friday night, June 23, to speak at a $1,000-per-couple fundraising dinner sponsored by the President's Club. Because I am a loyal Democrat and deeply concerned about the welfare of the Democratic Party, I hope that the President's appearance contributed to a great financial success. However, a nationally syndicated columnist reported today—June 28—that a substantial part of those attending the affair had made their contribution to the President's Club as long as 2 years ago—on the occasion of a similar dinner which had to be canceled—and that the amount of new money raised was considerably less than might have been expected.

Regardless of the financial aspect of this affair, it presented other features which should deeply disturb every Democrat concerned about the party's prospects for 1968. I will mention some of these because they deserve to be considered by every Member of Congress, as well as by all Democrats, as an indication of the mood of the people on the issue of Vietnam.

On the day of the President's visit,

8,000 Democrats in southern California bought three full pages in the Los Angeles Times to send an open letter to the President. This represents the largest single effort to convey the message of dissent on Vietnam via a newspaper ad that has yet occurred in this country to my knowledge. Thousands of names are still pouring in of persons who wish to be identified with the open letter but were received too late to be included in the ad. Recognizing the limitations on the Congressional Record, I will not list here the names included in the ad, but I will include at this point the text of the open letter:

An Open Letter to President Johnson and the Democratic Party

This is to respectfully advise you, Mr. President, that as of this date we 8000 registered Democrats of Southern California, who helped elect you in 1964, are disassociating ourselves from you and your administration because of your conduct of the war in Vietnam.

We voted for you because you gave us hope of peace when in your election campaign you said: "We are not about to send American boys nine or ten thousand miles away from home to do what Asian boys ought to be doing for themselves." (Akron, Ohio, October 21, 1964) This was a pledge, Mr. President. Since then over 10,000 Americans and countless Vietnamese have been killed in this war.

Your administration threatens us daily with the prospect of an all-out confrontation with China and inevitably with the Soviet Union, leading us inexorably toward a thermonuclear holocaust.

Mr. President, we dissenting Democrats want a cessation of bombing and an end to escalation. We want an immediate beginning of meaningful negotiations with all forces involved in this conflict. We want out of the war in Vietnam!

We echo the observation of Democratic Senator George McGovern who said: "We seem bent on saving the Vietnamese people, even if we have to kill them and demolish their country to do so. I do not intend to remain silent in the face of a policy of madness."

We will also, no longer commit the crime of silence. We endorse the statement of Republican Senator Mark Hatfield, who said of this war: "The freedom to stand opposed to the government's policy is *not* a privilege that can be withdrawn when the boat begins to rock. That freedom is the inherent *right* of a people in a democracy."

We have taken pride in the domestic accomplishments of the Democratic Party. But today, our concern for our country and for humanity outweighs any rigid party affiliations.

Mr. President, we advise you and those on every level of Government that, from this day on, our campaign funds, our energies and our votes go to those and only those political figures who work for an end to the war in Vietnam.

Dissenting Democrats,
Robert Vaughn,
Chairman.

I have learned just today that, because of the unexpectedly large response of the public to this open letter of dissent, a permanent organization is being established to continue working toward the goal of changing U.S. policy in Vietnam. This organization will make its primary appeal to the ordinary citizen—who has reservations about participating in marches, demonstrations, picket lines, and some of the more visible and vocal manifestations of dissent which have become so common. I believe that their impact on the political prospects of the Democratic Party may be as great or greater than the physical demonstrations which are also taking place, however. Lest it be inferred that this open letter was a substitute for more direct action at the President's Ball last Friday, I would like to briefly refer to the other events. The Los Angeles Times for Saturday, June 24, carried the following front page eight-column headlines: "10,000 in Melee—War Protest Mars L. B. J. Visit."

Other stories reported as many as 20,000 persons participating in an all-day protest which included a rally, speeches, and a march on the hotel at which the President appeared. I include at this point a brief description of the events:

Police Clash With Crowd Outside Hotel

(By Paul Houston)

President Johnson dined with admiring Democrats at $1,000-a-couple fund-raising festivities here Friday night—out of sight of a clash between 1,300 club-swinging police and 10,000 antiwar demonstrators outside the Century Plaza Hotel where he spoke.

Police made a total of 45 arrests—during an earlier incident and as they cleared the huge throng from the hotel entrance with a massive show of force.

More than two dozen persons were observed to have been bloodied by riot sticks as police made a sweep of the area within an hour after the President's arrival.

Police said they themselves were stoned, spat upon and had their badges torn off.

MAY HAVE SEEN MARCH

The major confrontation occurred shortly after Mr. Johnson and his daughter, Lynda Bird, jetted to International Airport from the East and took a helicopter to the hotel.

It was possible they observed from the air the 10,000 chanting, sign-carrying demonstrators marching up the Avenue of the Stars from Cheviot Hills Playground nearby.

At 11:55 p.m., four hours and 15 minutes after arriving in Los Angeles, the presidential party left by jet for the Johnson ranch in Texas.

Shortly after the presidential party entered the hotel from the rear under heavy guard, the demonstrators began piling up in front of the hotel.

In 30 minutes concerned police shouting through bullhorns declared the crowd to be an unlawful assembly and ordered it to disperse.

In another half hour, around 9 p.m., 1,000 helmeted police began moving on the crowd in lines two-deep, jabbing and beating some unruly demonstrators with riot sticks.

Within 15 minutes the crowd had been pushed to the far east side of the four-lane Avenue of the Stars into a vacant lot. Soon the crowd was moving north and south to Constellation and Olympic Blvds.

Assisting in the sweep movement were several hundred reserves called in from nearby stations. Also rushed to the area were more than 100 officers from other parts of the city as part of a Tactical Alert call.

One group of demonstrators moved to Olympic Blvd. and began dancing in the street near the Avenue of the Stars overpass.

When police motorcycle officers and patrol cars attempted to disperse them, one man sat down in front of a car. Others joined him. Police soon broke up the sit-in.

Other protesters at the hotel, however, left the area and did not return.

It is obvious from these reports that, while the President's Ball may not have set a record in the usual political sense, it set at least two new records for dissent. More people bought more paid advertising space to protest the Vietnam policy of the administration than on any previous occasion, and the Los Angeles police were engaged in the largest single crowd-control operation in their experience with politically dissenting people.

I do not particularly relish having these kinds of records set in Los Angeles. I hope with all my heart that the reasons for such actions will soon disappear.

PROPOSED MERGER BETWEEN COLUMBIA BROADCASTING CORP. AND PUBLISHERS HOLT, RINEHART & WINSTON

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. Montgomery] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I am very much concerned over the proposed merger between Columbia Broadcasting Corp. and the publishing firm of Holt, Rinehart & Winston. This merger is expected to occur on June 29, after a referendum in which shareholders of both companies are to participate.

The reason for my strong disapproval of such a merger is not related to the private economic advantages or disadvantages that may occur, but it is one of greater importance to the public interest.

Both of these companies are responsible for absorbing vast amounts of information that they in turn digest and present to the American public. In my mind, I feel that two companies that influence such a large portion of our citizens should not be merged into a single monopolistic concern. Freedom of competition has been one of our most precious principles in the field of economics, and I believe that the people of this country want this competitive freedom to continue in the fields of expression.

I am not saying that this proposed merger will result in injury to the public, but I do feel that the potential dangers of such a merger are obvious and must be fully realized. This criticism is not aimed at either corporation individually or the policies of either corporation, but it is aimed at the possible combination of television and textbook publishing trades in such a manner that our citizens will be unduly subjected to the same chains of thought throughout their school and adult years with little choice of selection.

I urge that the shareholders of Columbia Broadcasting Corp. and the publishing firm of Holt, Rinehart & Winston look not at their own private interests but look to the interests of the American people.

POZNAN UPRISINGS IN 1956

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Howard] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HOWARD. Mr. Speaker, the Poznan disturbances among factory workers were the upshot of the discontent and dissatisfaction on the part of underpaid and overworked employees in the large factory there. It was also the first open manifestation of justified complaints on the part of Polish workers in this highly industrialized city. Apparently it was not meant to be a political uprising or politically directed against the Polish Communist government, though it actually had political implications and wide repercussions throughout Poland.

All workers in Poland had felt that they were exploited by their Communist factory managers and foremen, and were not paid fair wages for their work. They had been working long hours under bad conditions, without proper sanitary and safety provisions. For years they endured such hardship, knowing that their complaints and protests would not result in any improvement in their lot. But by mid-1956 the workers became somewhat vocal, and on June 28, during the Poznan Fair, they staged a demonstration, without realizing that it was to take the appearance of an armed revolt. For a day or two fighting raged between the Polish troops and the workers, and finally it was quieted with the aid of Soviet troops.

Soon both the Polish and Soviet authorities realized the seriousness of their precipitate action, causing the death of scores of workers. Instead of trying to gain the good will of the workers, they were thus antagonizing them. Immediately after the uprisings the authorities proved lenient and quite conciliatory, and in the end the government seemed to have learned a lesson.

The upshot was that the rigidity of control over the economy of the country was relaxed; de-Stalinization proceeded faster in Poland than in the Soviet Union, and the government was most willing to come to terms with workers on questions of pay raise, shorter working hours under better working conditions, and participation of workers in the management of factories. All these positive gains on the part of the workers were the result of the Poznan uprisings of June 1956. That is the significance of that event, and that is why its anniversary is being celebrated by all patriotic Poles and their friends everywhere.

NEW JERSEY PROUD TO HOST MEETING BETWEEN PRESIDENT JOHNSON AND PREMIER KOSYGIN

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Howard] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HOWARD. Mr. Speaker, I am proud that my State was host at Hollybush—this first meeting between our President and Premier Kosygin. We are part of a new page in history. Our south New Jersey town was spread across the front pages of the Nation and the world. More important, Glassboro was the place where there was made a careful, cautious, conditional step toward peace. This meeting was part of what the Russians call peaceful coexistence, and what we call peaceful, constructive engagement.

You may think it is only local pride that makes me talk of New Jersey's role in the Hollybush summit, but I feel our Governor wisely chose Glassboro—and thereby made it possible for Premier Kosygin to see a beautiful corner of smalltown America.

All of us in New Jersey share a pride in the contribution our citizens made to this historic meeting. We expressed the affection and respect which Americans feel for our own President. We demonstrated our good will for the Russian people, and our hope that we can live in peace together—in mutual respect and genuine good will. I know that Premier Kosygin took home the knowledge that we wish his country well and that we want both friendship and peace.

This was our President's message and our people's message. The townspeople and students of Glassboro spoke for America.

Our President has told us that his face-to-face discussions with Premier Kosygin did much to reduce misunderstanding. Even with their disagreements they found elements, beginnings, hopeful fractions of common ground. They made this world a little less dangerous for us all.

Perhaps the most hopeful area they found for progress is in disarmament. There is a real prospect that we can work out a treaty to prevent the spread of nuclear weapons.

We have had our discouragements. Too often it seems that disarmament is like a party. Nobody wants to arrive until everybody else is there.

But the summit at Hollybush did open the door to further progress. In the days to come, Secretary Rusk and Foreign Minister Gromyko will be talking in New York to make this opportunity a reality. So the hopes of the world go with these statesmen as they search for final agreement.

It is a better and a safer world today than it was 5 days ago. Disagreements persist. The tragedy of the Vietnam conflict continues. While we can be profoundly grateful that fighting in the Holy Land has ended, the Arabs and the Jews have not yet found peace. Nevertheless, the world is grateful that our President met and talked with Premier Kosygin—for 10 long hours. Each learned the measure of the other man. Each better understood the other's policies—and the other's problems. We all are a little closer to a secure and peaceful world.

The meeting at Hollybush was one of the most demanding and important of the many efforts undertaken by our President in his continuing search for peace in the world. Our country's positions were persuasively stated with clarity, dignity, and firmness. I believe that all Americans will agree that our President met the test of this great hour in an incomparable manner.

HISTORIC SUMMIT MEETING AT GLASSBORO

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Howard] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HOWARD. Mr. Speaker, as a Jerseyite, the past few days have been filled with pride for me as I am sure they have for the other 7 million citizens of a noble State. For New Jersey, already so rich in history, another chapter was written with the historic summit meeting at Glassboro State College. Now, people the world over pray that the "spirit of Glassboro," born out of the universal hope of peace for all men, can take on further meaning and force through the process of international deliberation and accomplishment. This, however, is for the future to decide.

We Jerseyites feel an even broader pride. For it was our Governor, Richard J. Hughes, a leader of sensitivity and proportion, who conceived the Glassboro meeting as a solution to the seeming impasse over diplomatic protocol. Knowing the President's intense desire to explore new avenues to peace, Governor Hughes proposed a New Jersey meeting to the President and suggested the State college at Glassboro as an ideal site midway between New York and Washington. Then, on acceptance of the idea, it was Governor Hughes who speedily rallied the State police and other public agencies in the Garden State to successfully solve the thousand and one problems of detail essential to a meeting of such significance.

The fact that Governor Hughes and his colleagues in New Jersey were able to complete this massive job in less than 24 hours is an indication, on an international level, of what we in New Jersey have always known about the effectiveness of this outstanding Governor.

Contributing importantly to the occasion were the people of the Glassboro area in south Jersey. More than the words of statesmen, the warm and friendly reception they accorded the leaders of the world's two most powerful nations bespoke the universal yearning of men for peace.

I am honored to be able to place these facts in the Record. I hope these small actions by the Governor and the people of my State will stand as contributions to what history will come to know as the theme of a peaceful world, the "spirit of Glassboro."

THE DOMINICAN REPUBLIC MOVES TOWARD A DEMOCRATIC FUTURE AND A BETTER LIFE FOR ALL ITS PEOPLE

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Irwin] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. IRWIN. Mr. Speaker, just over a year ago, I was privileged to watch as the Dominican Republic—a nation of 3 million—made a vast stride forward in its 5-year battle for stability and progress.

As one of 43 official observers for the Organization of American States, I was there as the Dominican Republic chose a new President, a congress and municipal officers. It was a proud day because the elections, beyond doubt, were freely conducted.

It is too early to say that the Dominican Republic, our close neighbor in the Caribbean, has shaken free of the bitterness and internal divisions which have marked its history over the last 6 years.

But it is not too early to take note that this country has made surprising progress toward a reconciliation of its differences and shows hopeful signs that it may end the unfortunate cycle of dictatorship and chaos which has been its historical lot.

We salute the Dominican Republic on the eve of July 1, for on July 1 the freely elected constitutional government of President Joaquin Balaguer will complete its first year in office. The chances appear reasonably good that President Balaguer will complete his 4-year term.

The great majority of the Dominican people have given clear evidence of their desire to support the constitutional system and to look toward elections as the means of resolving their political differences. It is a hopeful sign, Mr. President, that political speculation in the Dominican Republic is now focusing on the municipal elections next summer and the presidential election in 1970 rather than on rumors of attempts to overthrow the constitutional government.

If these elections can be held in the free and fair manner of the elections of June 1, 1966, and their results accepted, the Dominicans will have made a great stride in the institutionalization of democratic traditions. The way is now open for this step, and President Balaguer, the responsible opposition and the Dominican people are entitled to be proud of the progress which has been made.

While recognizing the primary importance of political development, President Balaguer has not ignored the pressing need for rapid economic and social development in his country. With our substantial assistance he has begun an ambitious program to diversify the economy, primarily by developing its agricultural resources and encouraging private investment.

This new effort, however, has been impeded by the country's weak fiscal position and balance of payments difficulties. President Balaguer has applied austerity measures to these difficulties. Our programs in the Dominican Republic are designed to encourage increased production of export commodities and import substitutes. In this way we are helping in the attempt to correct the basic disequilibrium of the Dominican economy which causes its present financial difficulties.

In short, Mr. Speaker, the Dominican Republic is moving toward a democratic future and a better life for all its people.

OEO'S FUTURE AT STAKE

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. Tiernan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. TIERNAN. Mr. Speaker, the Office of Economic Opportunity has been doing an excellent job in waging one of the most difficult battles our Nation has ever undertaken—the war on poverty.

Since OEO is the essential command post in this vital struggle, it is of prime importance that the agency be maintained and strengthened. Those who favor the breakup of OEO are extremely shortsighted because the arguments in favor of continuation are excellent. In that regard, I insert in the Record a particularly good editorial entitled "OEO's Future at Stake" which appeared in the June 14 edition of the Providence Journal:

OEO'S FUTURE AT STAKE

The governor of Iowa, the mayors of six large cities, and seven nonpartisan city managers have joined in an appeal to Congress and the administration not to dismember the antipoverty program by reassigning projects administered by the Office of Economic Opportunity to old-line agencies.

The appeal counters a campaign spearheaded by some Republicans to dismantle OEO and portion out its functions. It is certain to be a central issue at this week's antipoverty hearings in Washington. How the matter is resolved will be a major determining factor in the future of this program.

Depending on the effectiveness of individual programs in the poverty war, administrative unity in time may lose its importance. The time may come, for example, when the Department of Health, Education and Welfare might more effectively assume total responsibility for the educational programs, when the Department of Labor might best be given control of all work training programs.

To preserve the innovative qualities of the antipoverty war, so important in bringing about social change, unity of command, is virtually essential. Under a director who is dedicated to the principles on which the Economy Opportunity Act is based, momentum is more likely to be maintained. Sargent Shriver's record is not perfect, but it is good. His experience in the office has grown, and his ability to handle the subleties of controversy has developed steadily.

The time may come when through trial and error, the ways of effectively fighting poverty and its crippling side effects will become more clearly defined than now is the case. Until it does, the singleness of purpose manifiested by OEO is a weapon that the nation should not have to do without.

CONGRESSMAN HAMILTON INTRODUCES ANTIRIOT LEGISLATION

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Hamilton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HAMILTON. Mr. Speaker, last session, like a substantial number of my colleagues, I voted for the antiriot amendment to the House passed Civil Rights Act of 1966. When it became clear during that session that this act was not going to pass the Senate, I joined a number of my colleagues in an attempt to enact parts of the act. I introduced a bill similar to the provisions contained in the antiriot amendment. Unfortunately, this bill never became law.

Today, Mr. Speaker, in order to reiterate my concern for the need of such legislation. I have again submitted antiriot legislation for consideration by this body. My bill would make it a criminal offense for any person to travel in interstate commerce or to use the facilities of interstate commerce, including the mail, with the intent to incite, encourage, or carry on a riot or other violent civil disturbance. Included in the bill is a punishment provision of imprisonment for not more than 5 years and/or a fine not to exceed $10,000.

Such legislation will give law enforcement officials a needed weapon to cope with and hopefully deter interstate buildups for violence and disturbance. It is an attempt to facilitate, not to undermine, the enforcement of the law by local officials. The bill recognizes that the primary responsibility for the maintenance of law and order within our communities should remain with local officials.

In calling for such legislation I do not wish to aline myself with those who would use the law to deny rather than advance the cause of equality of opportunity for all men. I, like most Americans, will not tolerate the denial of liberty and justice to anyone, but neither will I tolerate, also like most Americans, a disregard for law and order which undermines the effectiveness of our society's democratic processes. In order to achieve worthy results in a popular government order and liberty need to be closely balanced. As Theodore Roosevelt remarked, either in excess is destructive: "Order without liberty and liberty without order are equally destructive."

Demands for the removal of inequities and discrimination should be advanced within the democratic processes of our society. This Nation in general, and the Federal Government in particular with the passage of the civil rights acts, has shown itself to be open and sympathetic to legitimate demands of those who have been denied civil rights in the past. Today with the introduction of my bill I am calling for this Congress to emphasize that the thrust toward equality should continue only within the processes of civil order and by peaceful means.

A SOCIAL ROLE FOR PRODUCTIVITY

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Reuss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. REUSS. Mr. Speaker, recently Irving Beller, economist for the AFL–CIO Department of Research, was interviewed over the Mutual Broadasting

System concerning profits resulting from increased productivity. I commend to my colleagues' attention the transcript of this radio program entitled, "A Social Role for Productivity." In addition to Mr. Beller, other participants in the program were Murray Seeger, economic correspondent, Newsweek magazine; Sam Sharkey, Washington correspondent, Newhouse newspapers; and moderator, Harry W. Flannery. The transcript follows:

Flannery. Labor News Conference. Welcome to another edition of Labor News Conference, a public affairs program brought to you by the AFL-CIO. Labor News Conference brings together leading AFL-CIO representatives and ranking members of the press. Today's guest is Irving Beller, economist in the AFL-CIO's Department of Research.

Since 1947, the productivity of workers in America's private business and industry has nearly doubled. All indicators point to a continued rapid rise of work-output. Many authorities feel that these gains have not been equitably distributed among the workers who have produced them, nor channeled into meeting urgent social needs of the nation. Here to question Mr. Beller about the increasing productivity of American workers and how the wealth they produce could be more equitably distributed to the greater benefit of the individual and the nation as a whole, are Murray Seeger, economic correspondent for Newsweek magazine, and Sam Sharkey, Washington correspondent for the Newhouse Newspapers. Your moderator, Harry W. Flannery.

And now, Mr. Sharkey, I believe you have the first question?

Sharkey. Thank you, Mr. Flannery. Mr. Beller, what is productivity? How do you define it?

Beller. It's a measure of efficiency in production, Mr. Sharkey.

For example, the Bureau of Labor Statistics measures productivity in our total private economy by first determining the value of the output of goods and services—adjusted for price changes—and divides this by the hours required to produce those goods and services. It gets then a ratio of output per man-hour. This is what we call productivity.

Sharkey. Why is this important to American workers?

Beller. Well, it's important to American workers, Mr. Sharkey, because it provides the wherewithal for additional wages and additional fringe benefits. It also provides the possibility of reducing hours of work, as time goes on and as productivity increases.

Seeger. It seems to me, Mr. Beller, that it would be easy to measure productivity of so many men producing so many widgets. But, how do you measure the productivity of, say, workers in a hospital or some other service industry?

Beller. This is, of course, more difficult—much more difficult, Mr. Seeger. That's why there are various studies going on today attempting to improve the ability to measure productivity in service industries.

For the most part, instead of counting physical units of output, there is an effort to put some kind of a dollar value on these services and adjust for any price changes, so that we are measuring real changes in the value of these services.

Flannery. Mr. Beller, isn't it important also, to talk about productivity in another respect. A lot of people talk about the cost of labor being so much of the cost of a product, and the costs of labor going up and up and up. Wouldn't you say that productivity is a real measure of what the cost of a product is?

Beller. No, not necessarily, Mr. Flannery. When we talk about productivity we are talking about just one aspect which determines the cost of a product.

Along with productivity you have got to know also, for example, what labor costs are. When you combine the two you can then determine what the unit labor cost is, which is really the relevant cost factor in determining the price of a product.

Sharkey. This has become particularly important recently, Mr. Beller, in connection with tariff restrictions—reductions in the so-called "flood" of imported goods and their impact on the American market. What is the foreign situation on productivity? Are they lower than we are?

Beller. Considerably lower, as a matter of fact, Mr. Sharkey. You may have read a speech U.S. Commerce Secretary Alexander B. Trowbridge gave in Paris recently in which he cited figures indicating that in a number of industrially-advanced countries of Europe, productivity was only a little more than half of ours. Ours was, in other words, a little less than double theirs.

It was more than triple that of Italy's, for example. And, it was more than four times the productivity of the Japanese.

Sharkey. Are they catching up to us, or, are we pulling away from them?

Beller. Their increases in productivity are quite rapid. In the past they have been more rapid than ours. But, we still have a tremendous edge on them.

Seeger. Mr. Beller, we have become accustomed, in the past five or six years, to the idea that our productivity has been growing. We have had a booming economy. We have had huge investments in new capital goods, better machines and other improvements in productivity. What is the future? Can we expect bigger increases in productivity—about the same—or, is it going to level-off? Are we reaching the point where we can't get much more efficient?

Beller. There is a considerable amount of controversy about this, Mr. Seeger. My own opinion—and also the opinion of other economists, including economists of the National Planning Association and economists who work for the Congressional Joint Economic Committee—is that it will not level-off—that it will accelerate.

For example, productivity has been going up at a rate of 3.3 percent since 1947. Both the National Planning Association and the Joint Economic Committee staff anticipate a rate of 3½ percent each year in coming years. There are good reasons for anticipating this. Therefore, I think these are sound judgments.

Seeger. What are some of the reasons?

Beller. One, for example, Mr. Seeger, is that automation is advancing very rapidly. I think that we have made tremendous advances in technology, the full impact of which we haven't felt as yet. And we are going to continue to make tremendous advances. I think that many of these advances are going to be in the very areas which have lagged in productivity in the past—the service areas, for example. So this is one thing.

And then, I think that as the government succeeds more in maintaining the economy at full employment levels, this will give a boost to productivity, in terms of encouraging more investment—allowing business to use its resources more efficiently—and also, as the government invests more in human beings, this will give another boost to productivity.

Sharkey. Well, one of the things that has been going on on Capitol Hill is the reinstatement of the seven percent business investment tax credit. What impact is that going to have on productivity?

Beller. I don't expect that to have a tremendous impact on productivity at all, Mr. Sharkey.

As a matter of fact, I seriously question the value, as does the ALF-CIO generally, the value of instituting the investment tax credit in the first place. I think that if the economy is healthy and moving along at a rapid pace, we would have gotten the investment this economy needs to grow rapidly without the special tax credit.

Sharkey. That implies that you think there is something inequitable about it. The point has been made that there is an inequitable distribution of the profits of productivity. How would you rectify this, and, how bad is the situation?

Beller. Well, I think that the situation is quite bad. I think it was responsible, in part, for the slow-down in the economy which took place during the latter half of 1966 and the first quarter of this year. We made an estimate, for example, Mr. Sharkey, that if labor had gotten enough money from 1961 to 1966 to give it increases in purchasing power equal to that 3.3 percent figure of the guideposts, it would have needed $50 billion more in income over the period than it actually got. This is one reflection of the inequity in distribution of income over this period.

Seeger. Well, what happens in the economy when certain industries have these great increases in productivity? I'm thinking, say, of the airlines, which have had one of the most rapid increases in productivity, or an efficient industry like the automobile industry. Wages in those industries then go up rather rapidly, while in other industries, where productivity is low, wages seem to lag behind. How are these differences to be evened-out?

Beller. In part, Mr. Seeger, the answer is that if the industries with high productivity would distribute some of the gains of that increased productivity to consumers by lowering their prices, we would then be able to offset the price increases that lower productivity industries have to make in order to give their workers increases in wages equal to the general trend of productivity.

Seeger. Would the workers in those highly efficient industries accept that instead of higher wage increases of their own?

Beller. I think, Mr. Seeger, you will find that most economists who have studied this have found a pretty strong relationship between wage increases and profits. A number of studies have been made by mathematical economists. They show a very, very strong relationship, as I say, between the level of profits of a particular industry and the wages.

I suspect that if those profits were lowered by the distribution of some of the gains to consumers, you would also see a lowering in wage demands and in actual wages.

Sharkey. Well, in that connection, how much of a factor is productivity in wage demands and in collective bargaining?

Beller. Oh, I think it is a factor. It's difficult to put a figure on this, Mr. Sharkey. It's a factor. I think it has become a more important factor as time has gone on, and as we have become more sophisticated in collective bargaining.

But, it is not the only factor.

The profits of an industry, the cost of living, comparative wages—all of these and others are also important factors which have to be considered.

Flannery. Can we put a figure on something else—what's a "fair share" of productivity for a worker?

Beller. I don't think you can put a precise, exact, rigid figure on that Mr. Flannery. Certainly, we say that it is necessary for workers in general to get at least as much—to have increases in income, in compensation, including fringe benefits—at least as rapidly as the increase in productivity.

Now in some cases it may be necessary to have even greater wage increases than the productivity increases. It depends, for example, on the general economic situation. When the economy is suffering from a lack of consumer expenditures, Mr. Flannery, it seems to me that there is some justification for compensation increasing even more rapidly than productivity.

Seeger. Well, Mr. Beller, are there other places that these proceeds of higher productivity go? We have talked about giving workers a bigger share. We have talked about how profits are fed this way. We have talked about cutting prices. Are there other places that industry invests the proceeds of higher productivity?

Beller. Well, yes. One of these other places, and I believe it has presented a problems, Mr. Seeger, is investment in industry abroad. This has happened, and it contributed, to a certain extent, to our unfavorable balance of payments in recent years, which, in turn, had an effect on our internal economy. Not a favorable effect either. The government was concerned about this—it felt that it had to take measures to restrict the growth of our economy.

Sharkey. Well, how widespread has that been?

Beller. Again, it's difficult to put a figure on this, Mr. Sharkey. But we do know that there have been tremendous outflows of capital in recent years into European countries, and into other countries. Certainly, it is reasonable to believe that this was due to the tremendous increases in profits which have occurred over recent years.

Seeger. Where should these increased profits go? Where, Mr. Beller, should industry invest its proceeds?

Beller. First of all, I would question the justification, morally or economically, for profits being as high as they have been, Mr. Seeger. I think there is no justification in an economy which is moving at high levels—in a healthy economy for the kind of "boomtime profits" that there have been.

Those are perhaps justified, one might argue, when you have frequent periods of low profits, as we have had in earlier periods. But, we haven't had that kind of a situation for six long years. So they aren't justified on those grounds.

There is less risk in this kind of economy. So they aren't justified—these huge profits are not justified—on the grounds of the risks that business is taking. These profits should not have occurred. Instead of becoming profits, the income from increased productivity, in some cases, should have gone back to workers. In other cases, this should have resulted in cuts in prices—to the benefit of consumers.

Flannery. Mr. Sharkey?

Sharkey. You have made the point that full employment is the one reason for adjusting to technological change that stands out above all others. How do you think you can stimulate full employment more than it is being stimulated already?

Beller. Well, I think, that there are a number of ways of doing this.

First of all, I would question the implication that we already have full employment. The latest unemployment figure is 3.8 percent. This does not represent full employment. We have said that we ought to be shooting for a rate below three percent—2½ percent—even lower, possibly. Only that kind of goal will fulfill the commitment of the Employment Act to provide jobs for everybody who is willing and able to work. If we shoot for that goal, I think we can achieve it without severe inflation—by increasing manpower programs, by increasing expenditures in the public sector of our economy—on schools and hospitals and other things which would meet social needs.

Seeger. Were you satisfied, Mr. Beller, with the goal of the Administration, which is to have an economy growing at about four or 4½ percent in real terms, without price inflation? The premise is that cutting unemployment will then be done through training programs and various other adjustments, instead of depending on a big expansionary economy to soak-up these unemployed people.

Beller. No, Mr. Seeger, I am not satisfied. It was a four percent goal that the Administration set up in its last annual Economic Report. I think this goal was too low. I can understand why we perhaps can't achieve a growth rate such as we achieved in the previous three years—something like 5½ percent. I can understand why we would set more modest goals for 1957, and, perhaps for 1968.

But, I cannot understand calling for a complete standstill on the reduction in unemployment, which is what a four percent goal would mean, Mr. Seeger.

Seeger. What do you look for—about five percent? Would you expect a long-range five percent growth rate?

Beller. Oh, I think that in the long run, after we have eliminated all of unemployment that can be eliminated, it is possible for the economy to grow at a rate of 4½ percent. I think it will be possible, because our manpower resources will be increasing at a rate of about 1½ percent, and our output per man-hour for the total economy—not for just the private economy—should be increasing at about three percent. You add the two, and you get a 4½ percent rate of growth, which I think is very feasible.

Flannery. Mr. Beller, you were talking about the different uses that profits could be put to. I wonder if there isn't a possible use of private profits for general social needs, in addition to what you have already mentioned? For instance, things such as helping to reduce air and water pollution and other things that mean a better overall life. Couldn't some of the profits be put into that sort of thing? Wouldn't this be a good thing for business to do?

Beller. Yes, I think so, Mr. Flannery. I think that's a good point. If business would be willing to incur more of the costs of the new technology, which they have ignored in the past, I think this would be a legitimate use of higher profits.

Seeger. Up on Capitol Hill, Mr. Beller, proposals have been made for industry to invest more in anti-pollution devices and in training programs. But, they always want a tax rebate for it—they want a tax deduction for this. Is that a proper device?

Beller. I don't think so, Mr. Seeger. I don't think that the tax route is the proper route to achieve, for example, the kind of training programs that the country needs. If we gave special tax inducements for this, I'm afraid that many companies would obtain enormous windfalls for doing something that they are doing now, perhaps, or should be doing as part of their obligation as businessmen.

Flannery. And some of them might wait until they got it?

Beller. That's right, yes.

Sharkey. Mr. Beller, you wrote an article recently about much shorter work weeks in the future, as a result of increased productivity and so on. Could you expand on how exactly this would come about, and what the benefits to workers and society would be?

Beller. Well, if I had my way, Mr. Sharkey, I would like to see it come about after we have met all of the tremendous needs that still are unmet. If we don't meet those tremendous needs, and, as a result, have high unemployment, then I think we have got to move much more quickly toward shorter hours than we would otherwise.

But, assuming then that we do use our resources fully to meet our needs, then sometime in the future we are going to have to face up to this problem of shorter hours. In anticipation of this, Mr. Sharkey, I would say we ought to be thinking more of what the best ways of providing this additional leisure are—whether it would be through a reduction in daily hours, or a reduction of the number of days worked per week, or some other method.

Sharkey. Well, I've noticed also that some unions, for example, have a four-day week. I believe the Window Dressers in New York have a four-day week already. And the Steelworkers have this 13 weeks sabbatical every five years. Do you think this trend is going to spread, or level-off, or what?

Beller. I should think that it will spread. How rapidly it spreads, I would think, would depend in part, Mr. Sharkey, on whether we are able to provide jobs for everybody at the present level of hours.

Flannery. Mr. Beller, to come back to a point you made earlier—I think you said that our productivity is much higher than that of almost any other country—probably every other country. Why is our productivity so much higher?

Beller. Well, there are a number of reasons for this, Mr. Flannery. One is that we have made tremendous investments in capital goods—in machines and plants.

But this isn't the only thing.

We have also made enormous investments in education, in research and development, and, in health. These things make an enormous contribution to higher productivity.

Seeger. The economy, Mr. Beller, seems to be middling along here on almost a flat line, instead of the growth line we have been accustomed to. What do you look forward to for the rest of this year in the economy?

Beller. Well, I should think that there will be some improvement in the third quarter, Mr. Seeger. I can't say how strong it will be, but I think it will be better than the second quarter. And, I think that the fourth quarter will be much better than any previous quarter.

But in total—for the year as a whole—I would be very surprised if our total growth rate were three percent higher—let's say 3½ percent—above what it was in 1966.

Sharkey. Well, what is the reason for your optimism for whatever increase there is going to be?

Beller. This is not really optimism, Mr. Sharkey. I'm terribly disappointed that it will be that low.

Sharkey. But at least higher than it is now?

Beller. Well, assuming that the Vietnam war expenditures increase, this will be one factor. The increase in Social Security benefits that I'm hoping Congress will adopt will be another factor. I think the clearing-up of the present load of inventories will mean an increase in inventory expenditures higher than we have had up to now.

Sharkey. Suppose we have a big strike year for the rest of the year—by the Auto Workers, for example—and a few others going on?

Beller. This could affect our rate of growth—there is no question about it, Mr. Sharkey. This is one of the prices we have to pay for the future health of our economy, I would say.

Flannery. The Israel-Arab situation might also have an effect, I suppose, on the growth of our economy—if it continues long enough?

Beller. Yes, there is no question about that. It could mean increased expenditures, as well.

Flannery. Thank you, gentlemen. Today's Labor News Conference guest was Irving Beller, an economist in the AFL–CIO's Department of Research. Representing the press were Sam Sharkey, Washington correspondent for the Newhouse Newspapers, and Murray Seeger, economic correspondent for Newsweek magazine. This is your moderator, Harry W. Flannery, inviting you to listen again next week. Labor News Conference is a public affairs production of the AFL–CIO, produced in cooperation with the Mutual Radio Network.

TRIBUTE TO JOSEPH F. MacDOUGALL

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. White] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITE. Mr. Speaker, the war against poverty in my home city of El Paso, Tex., is moving forward with increasing success, despite the death in action of one of its commanders.

Mr. Joseph F. MacDougall, executive director of Project Bravo, Inc., the El Paso community action program, passed away suddenly, in the prime of his life and in the midst of an organized assault against the causes of poverty. That the program goes on without being diminished is a tribute to the excellent organization put together by Mr. MacDougall, the first director of the program.

By profession, Mr. MacDougall was an educator, and was superintendent of the Canutillo School District in El Paso County before accepting the Project Bravo assignment. In the war against poverty, he could see the roots of some of the failures he had observed in the public schools. As a result of his efforts and those of his coworkers, the needs were met by Federal and local appropriations, to give El Paso the largest adult education program and the largest Project Headstart program in the State of Texas. Vocational training, neighborhood counseling, Neighborhood Youth Corps, and a special project to curb juvenile delinquency, were among the measures instituted to fight poverty in El Paso.

Many people deserve credit for the success of these programs, but I am sure the people of El Paso join me in this tribute to Joseph F. McDougall, a sincere, hardworking executive who started a vast program on its way to success and inspired others to carry on the great work which must yet be done if we are to meet the goals in the war against poverty.

PLEASE TALK PEACE

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Edwards] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, quite a remarkable project was undertaken last month in my district almost singlehandedly by the wife of one of our fine professors at Stanford University. Her goal was to call public attention to the injustices and suffering caused by the Vietnam war.

This remarkable project centered around a novel Mother's Day card which pictured a flower and carried the message:

> War is not healthy for children and other living things.

At the top of the page heading a list of almost 900 concerned mothers of the mid-peninsula of California was the message:

> For my Mother's Day gift this year I don't want candy or flowers; I want an end to killing—Please talk peace.

With the profound statement that, "We who have given life are dedicated to preserving it," the list was directed to President Johnson for his urgent attention. The urgent plea was contained on a full-page advertisement in the Palo Alto Times on Saturday, May 13, just prior to Mother's Day.

This urgent and spontaneous response to the critical state of affairs in Vietnam is encouraging to those of us who value highly an alert, informed citizenry. The very fact that these good ladies have enough interest and vital concern to plan and successfully complete this project is a good sign.

CONGRESSIONAL CONSERVATISM AND THE NEW DEAL

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Bolling] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BOLLING. Mr. Speaker, recently I have had the rewarding experience of reading "Congressional Conservatism and the New Deal," by Prof. James T. Patterson. Whether or not the public career of each of us is rooted in this period of the 1930's, I believe each Member of the Congress would find this new book informative and even essential in respect to an important period in modern political history.

A VITAL ASPECT OF OUR EDUCATION

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FASCELL. Mr. Speaker, understanding of ideologies which threaten world peace constitutes a vital aspect of education. To insure that this area of knowledge is not neglected, the American Bar Association has planned a 15-week television series dealing with the differences between democracy and communism. The program will be broadcast to social studies teachers within the Catholic archdiocesan school system of New York.

The purpose of this commendable project is to equip instructors with the information needed to teach the facts about life under the totalitarian regimes within the Sino-Soviet orbit. Emphasis will be placed on the contrasts between the American, Russian, and Chinese systems in the economic, political, and social spheres.

Clarification of the principles which govern these systems undoubtedly can do much to facilitate the development in our young people of a fuller understanding of democracy to prepare them for assuming the full responsibilities of citizenship. The inauguration of this program by the ABA in cooperation with the archdiocese of New York represents a significant step toward achieving this goal.

Francis Cardinal Spellman is to be commended for the significant contribution he is making to increasing American awareness of the dangers of communism by cooperating with the ABA in establishing the program in New York's Catholic schools. This is but another example of Cardinal Spellman's deep concern for the preservation of our national freedom. Education in the nature and methods of governments which threaten the continuance of our democratic tradition. The program announced jointly last week by the cardinal and the ABA will do much to insure that our young people receive this kind of education. I can only hope that other school systems will follow this example.

VFW, MONTANA, SUPPORT OEO

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Olsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. OLSEN. Mr. Speaker, I insert in the Record the supporting resolution of VFW, Montana, for Office of Economic Opportunity:

HELENA, MONT.

Dan P. Gallagher,
OEO Job Corps,
Washington, D.C.:

Per your request, the following resolution was adopted at the department convention.

"Whereas, the Veterans of Foreign Wars, through direct action and collective support have always promoted increased opportunities for all Americans, that every individual regardless of race, color, creed or ethnic background, might share in this nation's abundance, and

"Whereas, the Economic Opportunity Act originally passed by Congress in 1964 and since extended and amended in 1965 and 1966, has established programs and mechanisms to enable the poor of our country, in the best American tradition, to break their own cycles of poverty.

"Be it resolved, that the Veterans of Foreign Wars, department of Montana, assembled in convention at Miles City, Montana, June 7th through June 10th, 1967, stand unanimously in favor of continuing and expanding the vital efforts begun, and thus far well advanced, by the Economic Opportunity Act, and that each individual member and post be encouraged to participate to the fullest possible extent in local and national endeavors to eliminate poverty.

"And further resolved, that the Veterans of Foreign Wars national magazine, as well as all publications, advise the members of ways and means to help as a community service project those young men and women who have been trained at government expense to re-establish themselves in the areas where they have been sent for employment, to help those people find housing, learn the area so they can get to and from work and other things that good Americans do for other good Americans.

And further resolved, that this resolution be forwarded to the national organization of the Veterans of Foreign Wars for appropriate action at the national convention in New Orleans, La., August 17 through 25, 1967."

ROBERT A. DURKEE,
Department Adjutant, Department of Montana, Veterans of Foreign Wars.

TO ENCOURAGE DOMESTIC PRODUCTION OF PETROLEUM

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. OLSEN. Mr. Speaker, today I am introducing legislation in the House, which, I am hopeful, will encourage the domestic production of petroleum.

In recent years domestic producers have been adversely affected by increasing imports. The Middle East crisis is dramatic evidence of how quickly foreign sources can be taken away. It demonstrates the importance of maintaining strong domestic production.

My bill would amend the national security provisions of the Trade Expansion Act of 1962 to limit imports of petroleum into district V, thereby increasing domestic production and protecting the supply of petroleum products which is so vital to our country. The text of the bill follows:

H.R. —

A bill to promote the general welfare, foreign policy, and national security of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the national security provision (19 U.S.C.A. 1862) of the Trade Expansion Act of 1962 be amended by adding the following new subsections:

"(e) Imports of petroleum into districts I-IV shall not exceed 12.2 per centum of production of crude petroleum and natural gas liquids in those districts during the most recent appropriate period for which U.S. Bureau of Mines statistics are available.

"(f) Imports of petroleum into district V shall be limited so as to encurage development of district V production and use of domestic supplies in that district.

"(g) Imports of petroleum, other than crude petroleum, shall be progressively reduced until eliminated.

"(h) As used in this Act:

"(1) 'Petroleum' shall include crude petroleum and natural gas liquids, and finished and unfinished products thereof except residual fuel oil for use as fuel.

"(2) 'Imports' shall include 'imports for consumption' as reported by the U.S. Bureau of the Census and shipments (A) from Puerto Rico, the Virgin Islands and Guam into the United States, and (B) into any foreign-trade zone located within the United States.

"(3) 'Districts I–IV' means the District of Columbia and all the States of the United States except those States within district V.

"(4) 'District V' means the States of Arizona, Nevada, California, Oregon, Washington, Alaska, and Hawaii."

"(i) The President, upon a finding that a national emergency threatens the adequacy of fuel supplies to meet national requirements, may modify or suspend the quota established by subsection (e) for a period not to exceed six months.

SUMMIT TALKS IN NEW JERSEY

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. UDALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. UDALL. Mr. Speaker, we have all been reading a great deal lately about the summit talks held between President Johnson and Chairman Kosygin in New Jersey. Let me say at the outset that I have nothing new to add to those reports.

What I would like to do is offer a few of my own thoughts on this very historic confrontation.

I believe President Johnson, Secretary Rusk, and others involved deserve great credit for the care which they took to avoid creating unrealistic expectations, not only in the announcement of the talk, but in particular the announcement of the second session on Sunday. I believe the American people responded with responsibility and maturity and the result was that we managed to avoid a wave of optimism which could only have resulted in a letdown, in disappointment and pessimism.

I think President Johnson and his advisers also deserve great credit for their scrupulous avoidance of any effort to make propaganda from these meetings. There was a clear and successful effort on the part of the U.S. Government, from the President on down, to talk about these sessions in a realistic, responsible manner, and to avoid the least suggestion that the purpose was anything other than what their purpose actually was—to afford the President and the Premier an opportunity to talk together.

Looking back from this close prospective, on Glassboro, it may seem but a minor ripple in the events that shape the fate of nations. While I make no claim to special perception in this area, I venture to say that history will weigh Glassboro as one of the major accomplishments of the Johnson administration.

If I were asked what I thought the most important thing to come out of this meeting would be, I would be inclined to say that President Johnson discovered that Premier Kosygin was an extremely rigid, but sensible man. Correspondingly, I expect Premier Kosygin discovered what most of us have known for a long time—that President Johnson is an extremely dynamic, flexible, persuasive, and sensible man. The important thing, I believe, is that they found each other both well informed and sensible. The positions which each of them hold on the various major issues in foreign policy, were not easily arrived at. Certainly no responsible person expected either side to substantially change its position on an issue of major importance on the basis of a few hours conversation. As the President himself reminded the American people, "meetings like these do not themselves make peace in the world." But he also said that while we are a long way from agreement, we are also a long from total difference.

What did develop, and this I believe history will view as quite significant, is an awareness that such conversation need not be damaging to either party, and in fact, may actually be useful to both. This depends, of course, on the degree to which the principals involved take account of each other's position.

I myself cannot help but feel that a day in which two well-informed, strong-minded leaders can discuss their mutual concerns for as long as 4 or 5 hours at a time, and continue to be on amicable terms, is a day which should reflect credit on both of the participants.

I do not have to remind you of the terrible shock that gripped the world over some of former Premier Khrushchev's outbursts.

It might be worthwhile here to review briefly some recent United States-U.S.S.R. summitry.

The meeting at Geneva in 1955 between former President Eisenhower, Khrushchev, and Bulganin resulted in a general agreement that the world was a dangerous place. This was followed by a meeting between Khrushchev and Eisenhower at Camp David in 1959 and a scheduled meeting in Paris in 1960.

Mr. Speaker, we all remember Premier Khrushchev's press conference in which he torpedoed that summit effort at the time of the U–2 affair. Again in Vienna in 1961 a young and relatively untried President Kennedy encountered a face-to-face tirade that shocked him deeply. That was the same shock the world felt at the shoe-thumping exhibition Khrushchev gave to the U.N.

Certainly at this time, with the war in Vietnam, with the troubled aftermath of war in the Middle East, with all the differences of opinion that separate East and West, I say the fact that these men were able to meet in an atmosphere of civilized calm, is a matter which they should both take credit for, and is in itself an event which offers some real satisfaction—however small—to the troubled people of this world.

I cannot improve upon President Johnson's summation of the talks when he said that the 2 days of talk not only made the world a little smaller but, and I quote, "also a little less dangerous."

Mr. Speaker, I submit to you that the President of the United States has undertaken a difficult mission and has carried it off with distinction. Once again he has exhibited the characteristic of responsible restraint which I am convinced will earn him a place among the great Presidents the United States has had.

BALANCING THE FEDERAL NEED

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. KORNEGAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HANNA. Mr. Speaker, as expected the last debate on the debt ceiling added little in the way of constructive and meaningful discussion to the overall issues involved in government finance. We have once again merely indulged in the usual biannual diatribe over something that has become a flat accompli. For the debate on the debt ceiling is nothing more than the end product of the real issue—the priorities and levels of Federal spending.

When we reach the point of considering the debt ceiling the die is cast, the dollars have been appropriated, and all we can do is raise the ceiling in order to pay for the programs we previously approved and funded.

By sidestepping responsibility for control of the growth of Federal spending, the Congress continues to admit its present impotency to adequately deal with the real issues that transcend the narrow debate on the debt ceiling. Mr. Speaker, the illogical circumstances of the present situation demands the immediate attention of the Congress.

The public, by necessity, relies upon Congress to continually evaluate the growing needs of a rapidly expanding economy. Yet we are forced to labor under an archaic and highly inefficient system which dates back to a time when the present state of the economy was still in its embryonic stages. In terms of the available tools and techniques that are widely utilized in the business world, the stance of Congress is where it was before World War II in the area of cash flow and commitment control.

Furthermore, control of the growth rate of Federal spending cannot be accomplished in piecemeal fashion. Without an overall conception and understanding of commitments and appropriations, debate can only be, and often is, fatuous squabbling. A method is needed whereby Congress can have the machinery to consider at one time all Federal programs, old and new, in the light of current administrative budget proposals, without being irrevocably bound by prior commitment. Immediate reform is imperative. There is no conceivable justification for allowing the current state of affairs to continue. A solution cannot possibly be so remote as to condemn the Congress to perpetual servitude and permanent impotence.

In fact, Mr. Speaker, there is a solution. I am introducing legislation today similar to the bill introduced by the gentleman from Arkansas, Representative Mills. The bill calls for setting up a bipartisan commission of 12 members, appointed by the House, Senate, and the President. This body would be given power to review all Federal programs, old and new, and to evaluate and make recommendations for priorities in the allocation of Federal funds. The commission would have at its disposal all the machinery of modern systems analysis, and would produce relevant evidence for a systematic ordering of every program.

The advantages would be tremendous. With the use of computer hardware and an adapted systems approach the Congress could take a more intelligent and independent posture in determining priorities, and substitute a discussion on the current status of spending for the present misleading debate over debt ceilings.

An analysis of the bill I am introducing today appeared on the editorial page of Monday's Washington Post. I commend the Post editorial to my colleagues and all other interested persons.

On Federal Spending

The Administration won the battle of the national debt when the House voted narrowly to raise the ceiling to $358 billion in 1968 and $365 billion in 1969. But the fundamental issue—Congress's inability to control the growth of Federal spending—is unresolved, and like a canker on the body politic, it will continue to erupt.

There is no body of scientific knowledge, no objective criterion that can be invoked in determining appropriate levels of Federal expenditures. Economic theorists advance propositions that purport to be useful, but on scrutiny they prove to be either tautological or nonoperational. And some observers, who despair of ever subjecting the question to a rational analysis, argue that there is nothing of objectionable about permitting the level of Federal expenditures to grow rapidly since that growth reflects a democratically expressed need for additional public services.

But the issue of Federal spending—and the parallel issue of how fast private spending will be permitted to grow in the future—cannot be resolved so easily.

The argument that Federal expenditures faithfully reflect the preferences of the electorate is seriously flawed. It presupposes a degree of prescience, a concept of goals and a knowledge of goal implementation that simply do not exist. As consumers the electorate knows precisely how to gratify its desire for automotive transportation by choosing among more than 200 models of foreign and domestic vehicles. But it does not know how to translate its compassion for the poor into effective Government action. It relies upon its representatives in Congress who in turn rely largely upon the recommendations of the incumbent Administration. And the results, judging by the experience with the "war on poverty," leaves much to be desired.

Nor is account taken of the self-perpetuating dynamics of bureaucracy. It is the rare bureaucrat, who upon accomplishing a stated mission, voluntarily relinquishes his claim upon funds. As a consequence, obsolete Federal programs, like old soldiers, never seem to die. Indeed, it is the bureaucratic momentum which in part explains why the growth of Federal expenditures rarely lag far behind the growth of tax revenues.

It may be that the proportion of real income absorbed by the Federal sector is determined by some inexorable and undiscoverable social law. But before surrendering to fate or lassitude, a rational attack should be made on the issue. Chairman Wilbur D. Mills of the Ways and Means Committee proposes that a bipartisan Government Program Evaluation Commission (H.R. 10520) be established. That body, its 12 members being appointed by the President, the House and the Senate, would be empowered to hold hearings and obtain relevant evidence for the purposes of evaluating Federal programs and making recommendations for priorities in the allocation of Federal funds. This proposal, which was sent to the Committee on Government Operations, deserves the strongest support.

COMMUNITY LEADERSHIP CONFERENCE ON WORLD PROBLEMS

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Bingham] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

I was particularly pleased by the tremendous turnout at the community leadership conference on world problems. More than 125 community organizations cooperated in this effort and nearly 2,000 people from the Bronx attended and participated in the discussions. Interest in the results of this conference was widespread and I had many requests for reports of the proceedings, both from those who attended and those who could not.

I have prepared a report of the panel discussions and a transcript of Ambassador Goldberg's keynote address which I am sending to those who requested it. The interest in the panel discussion on the Middle East was so great that it is being printed separately from the remainder of the report and will be sent to those who requested the report, as such, and to those who wanted simply the results of this panel.

Rereading of this panel discussion reflects how prophetic were some of the observations. For example, Israel's Ambassador, H. E. Avraham Harman, said that—

> The Arab States do not recognize Israel as a state, do not want to do so, and envisage a future without Israel. Israel will not accept this policy and will use force to resist force.

Rabbi Israel Miller, chairman of the American Zionist Council, observed, back in February of this year, that—

> The basic U.S. interest is peace. The United States should use all diplomatic means to bring the two sides to a peace conference. Such a peace settlement would allow the resources of the Middle East to be used for the benefit of the people of the region.

Copies of the total report on the conference and of the panel on the Middle East will be available shortly and I will be glad to furnish both or either to anyone on request.

VOTE FOR CITIZENS ABROAD

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. RESNICK. Mr. Speaker, I have introduced today a bill to amend the Federal Voting Assistance Act of 1955 to recommend to the several States that they extend to their citizens temporarily residing abroad the simple, uniform Federal post card application procedure for absentee registration and voting now generally available to members of the Armed Forces, the merchant marine, civilians employed abroad by the Federal Government, and their families.

My bill is identical with H.R. 8176 which was introduced by our colleague Repersentative John Brademas, of Indiana, on April 6, 1967.

Mr. Speaker, since the enactment of the Federal Voting Assistance Act of

1955, American business interests overseas have expanded many times over. I can see no justification for a double standard, where the right to vote is concerned, which discriminates in favor of civilians employed abroad by the Federal Government and against private citizens who are engaged in activities just as important to our national interests, such as the balance-of-payments deficit. Moreover, the Federal Voting Assistance Act of 1955 now makes the right to vote to turn upon a person's employment rather than citizenship.

Mr. Speaker, there is nothing compulsory about the Federal Voting Assistance Act. It merely recommends to the States a simple expeditious procedure for absentee registration and voting which the States are free to adopt or reject. However, the great majority of the States have followed the recommendations of the Federal Voting Assistance Act which have proved to be highly successful in practice.

Mr. Speaker, I am delighted to join in cosponsoring this legislation which should result in making the franchise available to more of our citizens. I hope it can be acted upon in time for the several States to consider this recommendation before the 1968 national elections.

FOREIGN AID GIVE-AWAY

Mr. BARING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. BARING. Mr. Speaker, I have long been a foe of our give-away foreign aid program. And I am even more so now as I am given to understand we are going to continue to fulfill our foreign aid "obligations" to the Arab nations which broke off diplomatic relations with us.

Walter Cox, esteemed Nevada columnist writing in the Mason Valley News, had this comment on the subject of continuing aid to the Arab nations:

> Note to our Statesmen back in Washington, D.C.: Dear Senators and Congressmen, it has been called to our attention that the Arab nations have broken off diplomatic relations with our country. In simple words, they have told us to get the hell out of their countries. Ridding their nations of Americans will present a problem. Just how are we to deliver the vast amount of American money and food stuff to these impoverished countries? We would consider it real business-like if now you elected officials broke off lend-lease, grants-in-aid, and the general distribution of the U.S. taxpayers' money to these nations who have held you in low regard for many years. Not only in low regard but many of the Arab leaders have called you chumps instead of statesmen. If you want to continue your policy of broad horizon, brotherhood of man and one world, then do it with your salaries and not our income tax payments. You could, as one of our senators has suggested, make a donation to Israel in exchange for General Moshe Dayan and a couple of other Jewish military leaders and bring them to Washington to join in our high council on military affairs.

THE INVOLVEMENT OF AMERICAN PRIVATE ENTERPRISE IN DEVELOPING COUNTRIES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I wish to announce to my colleagues today, that the Subcommittee on Foreign Economic Policy, Committee on Foreign Affairs, of which I have the honor of serving as chairman, will shortly begin a series of hearings on the involvement by means of trade and investment of American private enterprise in developing countries.

We are undertaking these hearings because the present role of American private enterprise in developing nations is not well defined. We plan to focus on this role, to reach a more precise definition of what the role should be, and conversely, what corresponding policies should be maintained by the Government in support of these private initiatives.

Mr. Speaker, I believe recent events have made it appropriate for us to inquire, at this time, into private American involvement in developing countries. In a February message to Congress, President Johnson stressed the principle of self-help and termed the marshaling of private investment and the expansion of private sectors in the less developed world as essential to long-term economic development. Furthermore, the recent Kennedy round trade agreement generally produced trade concessions favorable to the industrial nations, but only indirectly favorable to the developing nations. Many public officials, economists, and representatives of these developing nations place the problems of these nations next on the agenda for full scale international discussions. In fact, the United Nations Conference on Trade and Development will be meeting in early 1968 specifically to examine the many problems of these nations. It is evident that the "rising expectations" of many of these nations have not been coupled with economic results.

In 1965, a distinguished advisory committee of private citizens prepared and published a report entitled "Foreign Aid Through Private Initiative." The main thrust of this report was "Foreign aid, unless it is amplified by private initiative, is doomed to be a costly palliative that will go on indefinitely."

The Subcommittee on Foreign Economic Policy intends to examine these private initiatives. It is quite evident that many of the ingredients which go into economic growth are used daily by American businesses: up-to-date information, human talent, capital investment, trade technology, and institutional skills. We intend to focus on present development policies and to address ourselves particularly to the question of what can be done to expedite the transfer of this human know-how from the developed to the developing nations.

Mr. Speaker, the subcommittee plans to maintain a questioning posture. It is our intention to concentrate our hearings on the "whats," "hows," and "whys" of economic development as amplified by private involvement, rather than on the "how much" of foreign aid. It is clear that no exact formula for assuring developing countries a viable, self-sustaining local economy has yet been devised. However, we will be calling on private witnesses, experienced in economic affairs, to give us their views on development practices.

For the past two decades, our Government has been involved in economic and technical assistance programs. We will be calling on public officials in order to make use of their experience in development policy. It seems clear that the policies maintained by the Government can do much to encourage or discourage private efforts abroad, thus we will ask them to address themselves to the question: What do we want the business community to contribute to development efforts?

Human skills, capital, institutional guidance, technology, and social attitudes are all ingredients of development. Should we have a priority among these ingredients and/or should the emphasis be more on the blending of these ingredients to meet the local situation?

A number of experts in the development field have expressed concern over the present gap between the need for capital and human resources in developing countries and the actual resources being received. During the past decade, this gap has been widening as the industrial countries find each other to be their best customers as well as chief competitors.

The experience of the last 19 years clearly indicates that growth in trade is closely related to economic development, that economic growth at home usually stimulates trade abroad, and conversely, trade abroad stimulates domestic economic growth. It is our intention to examine present limits on private trade and investment initiatives, to see to what extent these limitations are due to public policies and likewise to assess why this is often due simply to a lack of private knowledge or enthusiasm for opportunities in these developing nations.

To be more specific, in attracting foreign investment and trade, the developing nations are competing not only among themselves but against opportunities in the developed nations. Furthermore, many of the local markets are not big enough to attract foreign investment. Their profit potentials are small or not immediate and the security of the investment may not be as assured as in other areas.

It appears evident that more effort must be made to encourage medium and small size American business firms, many of whom possess little international know-how, but do possess the technical and managerial know-how, to invest in these limited although potentially profitable local overseas markets.

The increased utilization of medium and small size American firms can work to ease the fears political leaders in developing countries have of domination by the large U.S.-owned international corporations, which often remind them of their colonial past. Smaller firms can help to stimulate the national pride and ambition of these developing countries while reducing real or imagined dependence on or domination by big power interests.

The phrase "better business climate" has frequently been used to describe what is needed to encourage new private initiatives. A businessman would more succinctly define this climate in terms of combining greater prospect of profit with less risk of loss. I believe it is important that we examine what is meant by this term to see if we can better define the actual requirements of U.S. business in the developing world. Of course, any business or U.S. Government policy would only supplement a healthy business policy by the government of a developing nation.

If we are successful in being more precise in defining the limits, needs, and requirements for private involvement, then the additional question of what has to be publicly done to support their efforts, can more easily be answered.

The need for cooperation between our Government and the private sector has often been acclaimed in domestic policies. The need for such cooperation in economic development is no less important to our foreign policy. It is essential, therefore, that we address ourselves to the question: What kind of relationship is required between government and business?

Are there certain public decisions that must be made before private initiatives can be more effectively applied? Are there certain public incentives which should be either extended or implemented to encourage new private efforts?

Multilaterally, the Government must further address itself to those broad policies which should be adopted to coordinate the transfer of knowledge and skill, and the flow of capital between the developed and developing world. The United Nations Conference on Trade and Development—UNCTAD—a conference which has served as a forum for the views of the developing countries, has clearly stated its support for preferential treatment for these developing nations.

Mr. Speaker, it has been evident for some time that the economic needs and expectations of developing nations have exceeded their economic achievements. The population explosion and resulting food shortages have made us more aware of their development dilemma. However, the present economic requirements of the developing nations for external resources are much greater than the developed nations are likely to provide in the form of direct aid.

It is also doubtful whether the dollar size of our public commitments is, by itself, an accurate indicator of economic development. The need is for a multiple of development ingredients; the goal is a self-perpetuating economic growth.

Profitable application of many of these ingredients can be found readily in American corporations and business firms. We would be remiss if we did not carefully consider the means of involving these private resources in developing nations. Such involvement will lead to expanding trade and investment opportunities for American private enterprise as these nations prosper and grow.

It is the intent of the Subcommittee on Foreign Economic Policy to focus its inquiry on concrete proposals for combining public policy with private initiatives, to assess present public policies, and to look for new bridges of cooperation between the United States and the developing nations.

REDWOOD NATIONAL PARK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. Cohelan] is recognized for 10 minutes.

Mr. COHELAN. Mr. Speaker, yesterday hearings began on bills to establish a Redwood National Park. Since 1965 I have been joined by many of my colleagues from throughout the country in sponsoring bills to bring a major national park into existence in Redwood Creek on California's north coast. Because the redwoods are a national resource, it is altogether fitting that sponsorship should come from across the country.

Accordingly, it pleased me a great deal yesterday to see so many fellow sponsors submit statements to the House Committee on Interior and Insular Affairs. I was particularly honored that my distinguished friend from Florida, Mr. Pepper, came in person to present his statement. To keep the Members fully abreast of this important national issue, I ask consent to have both my statement and that of Mr. Pepper printed in the Record.

Statement of Congressman Jeffery Cohelan Before the House Committee on Interior and Insular Affairs, June 27, 1967

Mr. Chairman, I hardly need to tell you how much I have looked forward to this occasion. Congressman John Saylor and I and some three dozen of our colleagues first introduced legislation to bring a Redwood National Park on Redwood Creek into being in the fall of 1965. Since then our efforts have been directed toward this day. I want the chairman to know how much I appreciate his work in moving his schedule along so that these hearings could begin at this time.

In sponsoring this legislation and calling the attention of the Members of Congress to its importance, I have set forth my case for this legislation at great length in various speeches. Rather than repeating much of this, I would ask that these speeches, which I am attaching to my prepared statement, be included in the record as an appendix to my remarks. Today I wish to concentrate on the central issues before this Committee.

The three years of debate on this issue have developed certain points of agreement among the participants:

One, that a Redwood National Park would serve the public interest.

Two, that such a park should display superlative forests of national significance.

Three, that the issue should be resolved without further delay.

Four, that aid should be provided to mitigate the transitional effect on the local economy of establishing a park.

Five, that only about $60 million of appropriated funds will probably be available to buy the land for this park.

These points might almost be stipulated in the committee's deliberations. Two central issues remain:

Where should the main portion of the park be?

How much private land should be included?

The first issue, unfortunately, divides park proponents, and the second divides these proponents from the lumber industry. Let us look carefully at both issues.

HOW MUCH PRIVATE LAND?

The second issue can be disposed of more easily. Proposals for a Redwood National Park are practically unique in the history of national park acquisitions in contemplating primarily acquisitions from unwilling private owners. As these owners are operating on-going enterprises, it is only natural that they should resist a change in the status quo. The companies say if a national park is needed, limit it to public lands. The answer is simple: the qualifying public redwood lands are already protected as parks. Nothing is accomplished by re-labeling them. The purpose of a national park is to achieve something for the American people they do not now have: an expanded tract of primeval redwood forests large enough to serve the needs of many generations of Americans ahead. A Redwood National Park gerrymandered to fit only state parks and logged-off lands would be a parody of national purpose. It is unfortunate that the national purpose must conflict with the private purposes of these companies. The fact of the matter, however, is that they own the only large block of virgin redwood of park quality. The real tragedy is that the federal government let these forests slip out of the public domain so heedlessly long ago.

Public resolve that a fair share of these lands should be reclaimed is a matter of record. Tens of thousands of letters and petitions submitted to the Department of the Interior support plans for an ample Redwood National Park. In hearings before the Senate's Interior Committee, testimony has run to 3 to 1 in favor of a national park of meaningful size. The companies keep asking how much the public needs for parks. If, say, 50% of the redwood lands were in parks, this would, indeed, be a troubling question. But in point of fact, conservationists are asking that only 5% of the best forests be saved. Is this too much? Is this too much in a large and growing nation which has already crowded too much of nature's presence into niches commerce has not yet needed? Is this too much for an urban nation feeling the pressure of its cities and gasping for open space and needing to enjoy the awesome sight of nature's greatest growing things? The demand for outdoor recreation has been projected to grow anywhere from 3 to 45 times in the next 3 decades. It is simply not possible to conserve too much of the redwoods. Conservationists are asking only that 5%, instead of 3%, of the original forests be preserved. Industry will have gotten 95% of the forests and would keep 91% of the land capable of growing redwoods. If anything, conservationists are too modest in their hopes for the future.

Out of an understandable desire to rest undisturbed in their business of logging the old trees, the companies have tried to scare the people of their counties into believing that economic disaster will fall if a large national park is set aside. This scare talk is unfounded. In fact, economic disaster will probably strike these counties if a national park is not created. The lumber industry on California's North Coast has been declining for quite some time. In the decade just passed, 110 mills went out of business and 2,400 jobs in the woods products industry were lost in Humboldt and Del Norte counties. Forest economists foresee between a 25% and 40% decline in employment in this industry in the area in the next decade. The industry has overcut the old-growth before sufficient second-growth has matured. The area's economy needs to be diversified and stabilized. The national appeal of a major

Redwood National Park will strengthen and boost the recreation industry of the counties.

Economic studies by Arthur D. Little, Inc. have put the effect of a national park in proper perspective. In studies just completed this spring, the company found that park status for a 17,462-acre unit in Humboldt County would initially displace less than one-half of one percent of the work force of the county. By the same standards, the larger park I have proposed in this location would affect only about 1% of the work force in the county. In foreseeing, with a national park, a much greater rate of growth in visitation, Arthur D. Little predicted that within a few years new employment prompted by the park would more than offset this displacement. The study also foresaw shrinking employment in the locality without a park. Many observers predict the counties will run out of old-growth timber in 10 to 20 years. The timber in the park I propose would account for only 2 years of Humboldt County's current cut. With a park the county will run out of timber 2 years sooner, but it will have a recreational asset which will endure and perpetuate itself through the centuries. Without a national park, in 20 years the county will have lost both jobs and the chance to build a better recreation economy.

This committee can reassure the companies that they will not experience any economic forfeiture. The companies should not need this reassurance. For years, those that have sold small tracts to the Save-the-Redwoods League know that they have been paid fair-market value, or more. And if the parties cannot agree, the courts will set a just price. The companies and their stockholders should not suffer any loss through park purchases. Nor, as I have already pointed out, should the people of these counties. Both my bill and the Administration's provide, in addition to long-term economic benefits, economic adjustment payments to the counties to prevent tax losses during the brief transitional period while the park is being developed.

WHERE SHOULD THE PARK BE?

The question of extending public redwood holdings is not nearly as troubling as the question of where the national park should be. It is tragic that park proponents are divided on this question. All of us wish that this were not so. The history of the redwoods has had tragedies enough: the loss of public holdings, and the destruction of the greatest stands. How the proponents came to be divided is difficult to say, but these hard facts remain.

One: After an intensive 15-month study of the entire redwood region, the National Park Service issued a professional report on September 15, 1964, entitled "The Redwoods." This report stated: "Just south of Prairie Creek Redwoods State Park and east of Orick the Redwood Creek and Lost Man Creek drainages contain what is apparently the largest uncut block of virgin growth not preserved—certainly the most significant large block in terms of park values." The report proposed establishment of a major Redwood National Park there to be comprised of the "existing Prairie Creek Redwoods State Park, portions of the lower Redwood Creek drainage, Lost Man and Little Lost Man drainages, plus additional ocean frontage and buffer areas for development and protection." "By wonderful coincidence," the report stated, "outstanding large groves along Redwood Creek are the site where earlier this year the National Geographic Society discovered the world's tallest known trees and subsequently they, jointly with this Service, located also the second, third, and sixth tallest tree."

Two: After release of this report, public opinion rallied to support this national park proposal. The great preponderance of the thousands of letters written to the National Park Service supported this Redwood Creek site. Conservation groups in California, such as the Sierra Club, studied the area intensively and were convinced of its worthiness. At that time, the Save-the-Redwoods League indicated support. Local citizens gathered to form a group in support of it: Citizens for a Redwood National Park. In fact, to date 94% of the testimony at public hearings of the Congress has favored this site over others. This expression of public desire is a matter of record.

Three: After a year's delay in evaluating the National Park Service report, the Secretary of the Interior announced in February of 1966 that he was recommending a national park in an entirely different area. The discoveries along Redwood Creek apparently didn't matter. Public interest in the Redwood Creek area apparently didn't matter. The professional judgment of the National Park Service apparently didn't matter. Apparently what did matter was the opposition of one of America's largest lumber companies and its oldest lumber families. It is difficult otherwise to explain why the Department of the Interior suddenly, in February 1966, by its presentation of a new and quite different proposal, pulled the rug out from under the concerted effort of conservationists to obtain a first-rate Redwood National Park. The Secretary of the Interior declared that he "wanted to pick a park and not a fight," but with the submission of this puzzling new proposal, the campaign for a park was thrown into chaos; its progress has been crippled ever since.

An independent and conscientious conservation movement was not willing to accept this sudden and unwarranted change of position. It had verified in the field the findings of the National Park Service and knew where the big trees really were. The movement was faced with a dilemma. It did not want to be accused of obstructionism, but neither could it deny what it knew. Wishing it so wouldn't make black white, no matter how much they wished they could follow the Secretary of the Interior's incredible turn-about.

Four: To resolve the question of where the important trees were, the conservationists challenged the Secretary to have comparative technical studies done of the timber in both areas. He agreed and the studies were completed in March of this year. The studies, by a firm of consulting foresters, Hammon, Jensen, and Wallen, show a vast superiority in the stands in Redwood Creek. Excluding the already protected forests within state parks in both proposals, the studies showed there is more than 4 times as much virgin acreage in Redwood Creek (34,404 acres) as in Mill Creek (7,500 acres). If just the trees of superior size are considered, there are nearly 10 times more of these trees in Redwood Creek (10,645 acres) than in Mill Creek (now only 1,060 acres). And if just the most superlative trees of all are considered, there are 3 times as many in Redwood Creek (240 acres) as in Mill Creek (81 acres). Even if only tracts of the same size are considered for park status, these ratios make it clear there is much more worth saving in Redwood Creek.

Instead of forthrightly presenting these findings to the Congress, the Department tailored the findings with misleading percentages and attempted to suppress the report itself. In the face of repeated requests from Members of Congress, the reports were finally released. The Department, however, has yet to face up to the findings. In essence, they are being ignored because they are an embarrassment.

Five: It is clear now that the Department has neither picked a park that is acceptable, nor has it avoided a fight. In fact, it has now picked two fights: one that continues with the lumber industry and a new one with conservationists. In view of the collapse of this rationalization, the Department makes two additional arguments now for its Mill Creek proposal. It says that a park there can be purchased for less and that its watersheds can be better protected. How do these arguments stand up?

The fact simply is that they don't. If only $60 million is available, a better park can be tailored to fit that amount in Redwood Creek. The National Park Service itself has prepared at least 6 different plans in past years showing how parks of varying sizes can be designed in Redwood Creek to fit different sums. If Congress will decide how much money it will provide, the design problems can be solved. For whatever sum is provided, the money in Redwood Creek will buy more as less will be spent there on partially logged stands, lumber mills, and summer homes. It will go primarily for untouched virgin stands. As a member of the Appropriations Committee, I hope the Congress will be farsighted in providing funding sufficient for a truly adequate Redwood National Park. However, let us dispose of the argument that limited funding must dictate the location of the park. Let us first choose the best site, and then put whatever funds are available to work there.

My bill, H.R. 2849, authorizes a national park of 90,000 acres. If only $60 million of appropriated funds are made available, substantial progress towards such a park can be made in the following manner:

$45 million of appropriated monies can be used to purchase 18,830 acres along the mainstem of Redwood Creek. This purchase would include the tall trees and 12,470 acres of virgin redwoods extending primarily along the eastern side of the creek.

I would then suggest that a 20,290-acre tract in Lost Man Creek and Little Lost Man Creek be acquired on the basis of an exchange for the value of the Forest Service's Northern Redwood Purchase Unit, just north of the Klamath River. It makes good sense to me for the nation to reallocate an existing investment in redwoods to a higher public purpose. It also makes sense in view of the fact that the purpose for which these redwoods were purchased was never fulfilled.

I would then suggest that the remainder of the area within my 90,000-acre proposal (37,880 acres) be acquirable through the use of donated monies.

Now while I am definite in my conviction that the focus for a national park should be in Redwood Creek, I do realize that there are legitimate conservation concerns in the Mill Creek area. There is one block of 4,850 acres of virgin timber just south of Jedediah Smith Redwoods State Park which should be saved. I believe $12 million in federal funds could go toward purchasing it. This unit could go to the State for inclusion in Jedediah Smith park, or the combined area could become the northern unit of a two-unit national park. If a grant-in-aid is made to the state, it might be asked to cooperate by including Prairie Creek Redwoods State Park in a national park. In addition, federal aid could be provided to purchase watershed easements over the balance of Mill Creek. I estimate that such easements might cost about $3.4 million.

Easements can provide whatever additional protection is needed for the upstream watershed of Jedediah Smith Redwoods State Park. The National Park Service did not originally think it was necessary to acquire this watershed in fee. The soils are stable; the channel through the park is entrenched; and the creek has not been known to flood readily. Easements should provide a sufficient margin of protection.

At Redwood Creek, I don't think there will be a watershed problem. Through the acquisition of the slopes, the slope stands will be protected from erosion hazards. Through the acquisition of tributary drainages, tributary channels will also be given protection. Incidentally, tributary systems such as that of Prairie Creek are larger (26,220 acres) than the entire Mill Creek drainage (24,030 acres). What about the effect of main channel floods on bankside stands? In the case of Redwood Creek, one-third to one-half of the mainstem drainage would be protected in a park. In contrast, in the case of the Mill Creek proposal only about one-tenth of the mainstem drainage, the Smith River, would be protected. Moreover, Redwood Creek has few meanders or wide flats where bank undercutting and channel changing could lead to serious problems. In its 1964 recommendations, the National Park Service was confident that Redwood Creek's watershed was protectible. I share that confidence.

The plan I have just outlined should put to rest the argument that money is the obstacle. In summary, the plan would: provide a Redwood National Park of at least 52,120 acres, of which 39,120 acres would be acquired from private owners; add 4,850 acres to Jedediah Smith state park; cost $60.4 million in appropriated funds, plus the use of exchange properties; (the value of grants-in-aid to the state would be $15.4 million).

I am attaching a table which summarizes this proposal, as well as a map which shows the boundaries of the acquisition units.

Mr. Chairman, I know this committee will make an objective study of the problem of obtaining a Redwood National Park worth the time, energy, and money that have been devoted to the subject. It is unfortunate that the Interior Department has not presented the committee with a proposal which responds better to the conservation opportunities and the hope of the American people. This committee must now do the work that others have failed to do if this last great effort to save the redwoods is to succeed.

Composite Plan for a Redwood National Park and Aid to the State of California, June 27, 1967

A. *Acquisitions for a Redwood National Park to be joined to Prairie Creek State Park.*

1. In fee acquisitions by purchase with appropriated funds:

Main Valley of Redwood Creek: Acreage, 18,830 acres; cost, $45 million.

2. In fee acquisitions by exchange of 14,000 acres of Forest Service Northern Purchase Unit lands (or of stumpage at equalized value, including additional log hauling costs):

Lost Man Creek-Little Lost Man Creek-Skunk Cabbage Creek and other lands immediately south of Prairie Creek State Park: Acreage, 20,290 acres; cost, $32 million.

3. In fee acquisitions by purchase with donated funds:

Balance of Redwood Creek: Acreage, 37,880 acres; cost, $50 million.

B. *Grants-in-aid to the State of California for Additions to Jedediah Smith Redwood State Park, or for a Northern Unit of a Redwood National Park.*

4. In fee acquisitions by purchase with federal funds:

Virgin Acreage North of East Fork of Mill Creek: acreage, 4,850 acres; cost, $12 million.

5. Watershed easements in balance of Mill Creek drainage to be acquired by purchase with federal funds:

	Million
Streamside strips (200 foot)—cost	$1.4
Other restrictions	2.0
Total	$3.4

Summary

OUTLAYS

Total Federal cash outlay: $60.4 million.
Exchange of federal holdings: 14,000 acres.
Reliance on donations of $50 million.

ACREAGE

	Acres
Private lands	39,120
Prairie Creek Redwood State Park	13,000
Total in a one-unit Redwood National Park (without donations)	52,120
Grant-in-aid acquisitions	4,850
Watershed easements on Mill Creek	13,800
Total in a two-unit Redwood National Park	67,310

Statement of the Honorable Claude Pepper Before the Subcommittee on National Parks and Recreation, House Interior and Insular Affairs Committee, Regarding the Establishment of a Redwood National Park, H.R. 7742, H.R. 2873—June 27, 1967

Mr. Chairman, much has been said about the superiority of Redwood Creek over other areas as the location for a Redwood National Park. My distinguished colleague from California, Mr. Cohelan, has set forth admirably the reasons for preferring this site. I share his viewpoint, and for that reason have introduced a companion bill.

In studying the literature on this subject, four considerations have struck me as particularly important. I would like to call the committee's attention to them.

First, a decision to locate the park somewhere other than at Redwood Creek will mean rejection of the professional findings of the National Park Service's survey report of 1964, which recommended Redwood Creek as the site for the park. This report's recommendations were rejected by the Department of the Interior in 1966 on political grounds. It seems to me the Congress should want to encourage, rather than discourage, the submission of proper professional reports, and that it should be the judge of the political factors involved.

Second, if the park is not located on Redwood Creek, it is doubtful that the trees of record heights, dramatically discovered there in 1964, can survive for very long. While the administration bill does authorize acquisition of a separate 1,600-acre Tall Tree unit on Redwood Creek, one can wonder whether this is a viable unit. Only 450 acres of virgin timber would be acquired in this unit. The unit would be without the watershed protection the Department has insisted is so vital to a national park. Slopes above this grove could be denuded to expose the grove to forces of erosion and progressive blowdown which could devastate it.

Other trees of record height were discovered downstream from the Tall Tree grove.

Nothing is said about their protection. Some of them might be in the access corridor. But can these giants survive in a corridor which is only 200 feet wide on one side of the road or the other? These trees will be taller than the corridor is wide. I am appalled that the Department is prepared to write off the discoveries of the first, second, third, and sixth tallest known trees in the world with so little protection.

Third, in 1965 a forestry professor at Humboldt State College in California announced he had discovered a tree 17 feet taller than the highest tree the National Park Service found in the Tall Tree grove in 1964. This potential new record holder, a 385 foot tree, is also on Redwood Creek a few miles upstream from the Tall Tree grove. The forestry professor, Dr. Rudolf Becking, announced he had also discovered record height trees of other species: Douglas fir, Grand fir, Western hemlock, and Red alder.

Following a loss of departmental interest in Redwood Creek, however, the National Park Service was not allowed to help Dr. Becking verify his discoveries with more precise measuring equipment. It is extraordinary that the government suddenly loses interest in discoveries of this magnitude, made by a researcher working on a National Science Foundation grant. If the Administration park bill goes through, these discoveries will be abandoned to the saw without anyone ever knowing for sure what has been lost.

Fourth, so far the Department has also been ignoring the comparative timber studies of the two areas because the findings are inconvenient. For instance, the studies show there are 10,645 acres of superlative old-growth in private hands in the Redwood Creek area compared to only about 1,080 acres of such growth remaining in Mill Creek. If the Mill Creek plan is adopted, these 10,645 acres will be lost to the lumbermen. Congressman Cohelan's compromise plan, which scales down his proposal to what $60 million would buy, would save most of the superlative growth in Mill Creek and about 4,500 acres of it in Redwood Creek. How can we really afford to do less than this?

I know this committee will not ignore these facts as the Department has done. After looking carefully into all of the facts, I am sure the Committee will share my conviction that Redwood Creek is the place for the best Redwood National Park we can have.

FARM BUREAU

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Resnick] is recognized for 30 minutes.

Mr. RESNICK. Mr. Speaker, as a result of the current hearings of the Rural Development Subcommittee of the Committee on Agriculture of which I am the chairman, I have become interested in the entangled and sprawling financial empire which has for so long professed to be a simple organization representing the American farmer both in these Halls and to the American people. Yesterday on this floor I charged that the Farm Bureau has been using the American farmer to build its insurance, mutual fund, and other businesses. I expanded on these charges today at the hearings of my committee.

Mr. Speaker, I am not on a fishing expedition. We have extensive evidence to back up our charges. The more we investigate this financial octopus, the more we see there is to investigate.

I wish this afternoon to more fully inform the Congress and the American people about our findings. This is only a beginning, Mr. Speaker. There will be much more in the days to come. Much, much more. Today, I want to draw with broad strokes the outline of this mammoth organization, which operates under the protective umbrella of a tax-exempt status.

The primary business of the American Farm Bureau is the operation of a mammoth insurance network. Because this network is so extensive, I have broken it down into several categories.

DIRECTLY OWNED BY THE AMERICAN FARM BUREAU FEDERATION

The American Farm Bureau Federation is in the insurance business directly as a national organization. The American Agricultural Mutual Insurance Co. according to their own financial statements as quoted in best insurance reports, was "sponsored by the American

Farm Bureau Federation and allied bodies." Its president is Charles Shuman, president of the American Farm Bureau Federation. This company, which has total assets of more than $11 million, serves two functions. It has the "authority to write virtually all lines of insurance" and thus is in the insurance business itself. In addition, this company, which is owned by the American Farm Bureau Federation, serves as a reinsurance company to back up and assist the numerous State Farm Bureau insurance companies. I will more fully discuss these in a moment. The American Farm Bureau Federation itself, in addition to its many components, is in the insurance business in a large way.

MUTUAL AND FIRE INSURANCE COMPANIES

To this point, we have found 28 mutual fire and casualty insurance companies which are affiliated with the Farm Bureau. Most of these companies were founded by the respective State Farm Bureaus and/or their members. These mutual companies are required to sell insurance tax solely to members of the Farm Bureau and their families.

Total assets for the 28 fire and casualty companies in 1965 were $242.2 million, up 39 percent over the past 5 years. The policyholders surplus for 1965 was $191.9 million. Premiums earned during 1965 were $169.9 million. If we total the assets of the State insurance companies, we see a huge insurance operation which ranks as one of the top 35 of the hundreds of mutual fire and casualty companies in the country.

In some cases, new Farm Bureau insurance operations were created by several Farm Bureaus from adjoining States. For example, the Farm Family Mutual Insurance Co. of Delmar, N.Y., was sponsored by State Farm Bureaus and their officers and directors in the States of Connecticut, Delaware, Maine, Massachusetts, New York, Pennsylvania, and Rhode Island. In this case, the insurance company is licensed in all the above States.

LIFE INSURANCE COMPANIES

There are at least eight Farm Bureau life insurance companies. Their total assets for 1965 were $378.3 million placing the Farm Bureau life insurance business in the top 50 among national insurance companies. These assets are up 80 percent since 1961. Total premiums earned in 1965 were $77.6 million. The net gain in operations for 1965 was $5.2 million. Farm Bureau life insurance companies have $3.6 billion of insurance in force. This represents an increase of 71 percent since 1961. I might add here that this dramatic success in operations over the past 5 years is particularly interesting in light of the regular statements we hear from the representatives of the Farm Bureau describing the sorrowful state of our economy and claiming that the Federal Government is stifling private enterprise.

These life insurance companies are stock companies. In most cases the respective Farm Bureau of the State owns all the stock in the company. For example, the Iowa Farm Bureau owns all the common stock of the Farm Bureau Life Insurance Co. of Iowa. The Iowa Farm Bureau can receive no more than 7½ percent of par value of common stock after the policyholders have received their dividends.

As is true with the mutual companies, in some cases the stock of the life insurance companies is owned by several Farm Bureaus.

AFFILIATED STOCK INSURANCE COMPANIES

In at least one case, and most probably in many States, the Farm Bureau also owns other fire and casualty insurance companies which are stock companies and are not limited to Farm Bureau members. The Early Settlers Insurance Co.—of Virginia—was incorporated in 1961. All issued stock—114,500 shares at a par value of $2 each—is owned by the sponsor, Virginia Farm Bureau Mutual Insurance Co., Richmond, Va. Supervision of affairs is under the direction of the same management in charge of the operation of the parent organization, the Virginia Farm Bureau Mutual Insurance Co. The board of directors of the two companies is identical.

Despite the fact that the management of the two companies is the same, Early Settlers insurance is available to anyone, whether or not he is a member of a Farm Bureau. The rates are the same for both companies.

THE MYTH OF THE "UNRELATED COMPANIES"

The Farm Bureau companies are not entirely independent of each other or completely separate entities. They are part of a massive network of Farm Bureau insurance. There is extensive evidence indicating this.

We have seen, first of all, that several Farm Bureaus often come together to form a new Farm Bureau insurance company in previously unchartered waters. This is what occurred, for example, in 1954 in New York, resulting in the Farm Family Mutual Insurance Co.

Management personnel moves freely from one Farm Bureau insurance company to another. An agent may come up through the ranks of one of the insurance companies in the Midwest and then be promoted and transferred to an executive position in an entirely separate company in another part of the country.

This interlocking network can also be seen at the level of the individual boards of directors of the several companies. For example, Mr. Charles Marshall of Nebraska is president of the Farm Bureau Insurance Co. of Nebraska, a director of the Farm Bureau Life Insurance Co. of Iowa, and a director of the American Agricultural Mutual Insurance Co. which is located in Indiana.

Finally, the Farm Bureau insurance operations are advertised in their own magazine as "Farm Bureau Insurance," not as, for example, Wyoming or Texas Farm Bureau insurance.

MEMBERSHIP

The Farm Bureau boasts over 1.7 million members. This is an increase of 25,000 members over last year. Their membership has steadily increased as the farm population has decreased. Of their members, 62,000 are located in the Northeast, 133,000 in the West, 747,000 in the South, and 761,000 in the Midwest.

According to the application of the American Farm Bureau Federation for a tax exemption which is on file at the Internal Revenue Service, the qualifications necessary for membership in the Farm Bureau are the following:

> To be engaged in carrying on the operation of a farm or farms or to have a major agricultural interest.

This is the professed membership policy of the American Farm Bureau Federation which they have reported to the Internal Revenue Service and which was taken in consideration by that agency when the American Farm Bureau Federation was granted a tax-free status. Now let us look at the facts of the Farm Bureau's membership practices.

The largest of the 2,770 county Farm Bureaus in the country in terms of membership is Cook County, Ill. I seriously question how many farmers or people who have a major agricultural interest there are in the city of Chicago. The Farm Bureau also has a sizable membership in New York City, which has not been much of a farming area since the days of Father Knickerbocker.

Membership in the Farm Bureau is little more than a rollcall of policyholders of Farm Bureau insurance. Payment of dues to the Farm Bureau is a prerequisite for purchase of a Farm Bureau insurance policy and thus the political activities of the Farm Bureau are subsidized by their insurance business.

Recently, an individual at my direction endeavored to obtain an auto insurance policy from a Farm Bureau Mutual Insurance Co. With no difficulty and no question as to whether she was a farmer, a member of the family of a Farm Bureau member, or had a major agricultural interest she was told that she could purchase the desired insurance if she joined that State's Farm Bureau and paid its dues. I might add that the individual in question has absolutely no agricultural interest and probably could not tell a turnip from a tomato. The membership dues were paid and the policy was purchased, effective immediately. She was required to sign a proxy statement stating that she "hereby applied for membership in the Farm Bureau Mutual Insurance Co.," and appoints the Farm Bureau Federation to vote for her "at any annual or special meeting of members of the Farm Bureau Mutual Insurance Co."

The check for the dues was made out, at the request of the agent, to "Farm Bureau Insurance."

It must be remembered that:

First. All Farm Bureau members must be involved in farming or have a major agricultural interest.

Second. Farm Bureau insurance is to be sold only to members of the Farm Bureau.

As indicated by the payee of the check, the overlapping of insurance membership and Farm Bureau membership, and the overlap of the processing of membership for the Farm Bureau, there is clearly a commingling of funds between the Farm Bureau insurance operations and the political activities of the American Farm Bureau Federation and its individual State Farm Bureaus. The dues that are in reality received from people wishing to buy insurance are used to finance the political activities of these organizations.

ADDITIONAL OVERLAP BETWEEN THE FARM BUREAU FEDERATIONS AND FARM BUREAU INSURANCE

There is extensive additional proof that the insurance business and the political activites of the State Farm Bureaus and the American Farm Bureau Federation are directly linked.

There are 14 directors of the American Farm Bureau Federation including its president, Charles B. Shuman. They are elected at the annual convention of the American Farm Bureau Federation by the voting delegates selected by the State Farm Bureaus. The overwhelming majority of them share one thing in common: They are all major figures in the American insurance world. Their president, Charles Shuman, is also president of the American Agricultural Mutual Insurance Co. Eleven of the 13 other directors are officers or directors—often presidents—of various State Farm Bureau insurance companies. Some are involved in as many as three major companies.

Roger Fleming, secretary-treasurer of the American Farm Bureau Federation—the second highest position in the federation and a position appointed by the board of directors—testified on behalf of the American Farm Bureau Federation to the Rural Subcommittee of the Committee of Agriculture of which I am chairman. Mr. Fleming is also treasurer and secretary of the American Agricultural Mutual Insurance Co.

I would add that positions in the life insurance companies precedes directorship on the American Farm Bureau Federation. For example, Walter Pierce, when he was elected to the board of directors of the American Farm Bureau Federation, was already president of the Kansas Farm Bureau Life Insurance Co., president of the Farm Bureau Insurance Co. of Kansas, and director of the American Agricultural Mutual Insurance Co.

Overlap between the insurance and political facets of the Farm Bureau's operation can be seen in other cases. In many instances, offices and personnel are shared. To select an example close to Washington, the offices of the Farm Bureau Mutual Insurance Co. of Virginia are located at 200 West Grace Street, Richmond, Va. This address is the Farm Bureau Building and is the headquarters of the Virginia Farm Bureau. In addition, the two operations share the same telephone number as well as the same switchboard operator.

The Farm Bureau's monthly publication, Nations Agriculture, displays two to four full page color ads for Farm Bureau Insurance. This is significant for two reasons. First, the advertisements are not for an individual company but for "Farm Bureau Insurance" generally, indicating the national and interlocking nature of their insurance businesses. Second, if the insurance operations and the nonbusiness activities of the Farm Bureau are not related, there should be records of who is paying for these advertisements. Since "Farm Bureau Insurance" does not exist as such, it would be interesting to learn how, if at all, these ads are financed.

TAX STATUS

The American Farm Bureau Federation is a tax exempt organization under section 501(c)(6). In their statement for exemption they state:

> The American Farm Bureau is a general farm organization. Its membership consists of State Farm organizations, namely State Farm Bureaus, County Farm Bureaus, and individual farm families. It is organized for the purpose of maintaining the proper public relations for its members, educational activities concerning agriculture, and cooperating with federal and state agricultural agencies.

They state that all activities of the organization are included in the following list: First, to maintain personnel to assist in carrying out the policies adopted by its membership relating to representing and promoting the economic, social, and educational interests of farmers; second, to publish a monthly magazine for its members; and third, to publish a weekly newsletter for its leadership.

Two things must be underlined. First, nowhere in this request for tax exempt status does the Farm Bureau indicate the business activities in which they are extensively involved. Second, these statements are the basis on which they have received a tax exempt status. I think we can see where these statements are false and misleading. In other words, their tax exempt status is based on false information.

LOBBY REGISTRATION

The American Farm Bureau Federation is registered as a lobby with the Clerk of the House. In 1962, they were the fourth largest lobby group in Washington in terms of expenditures. Nowhere in their report pursuant to Federal Regulation of Lobbying Act filed in 1967 do they mention their insurance or other businesses. They state only that—

> The general legislative interests of the American Farm Bureau Federation cover primarily the fields of legislation affecting agriculture directly.

OTHER NONAGRICULTURAL ACTIVITIES OF THE AMERICAN FARM BUREAU FEDERATION

First. Farm Bureau Mutual Funds, Inc. This corporation was organized in 1965 and is owned by the American Farm Bureau Federation. Already, their total assets amount to $5.3 million. The entire board of directors of the American Farm Bureau Federation are also on the board of directors of this multimillion-dollar stock and bond company. The president of Farm Bureau Mutual Funds, Inc. is Charles B. Shuman, president of the American Farm Bureau Federation.

Second. National Food Conference Association. This organization of food processors and marketing groups has its headquarters at the same Chicago address as the American Farm Bureau Federation. Its president is Charles B. Shuman, president of the American Farm Bureau Federation. Included in the members of the National Food Conference Association are Acme Markets, American Can Co., the AMA, Campbell Soup, Coca-Cola, General Foods, Kellogs, and most of the other major food producers and processors in the country. One is puzzled at first by what an organization representing farmers has in common with the major corporations in the food processing world until he realizes that the so-called farmers' organization is in actuality a major corporation whose major activity is making money for a handful of officers, instead of fighting for the farmer's interest.

Third. Several years ago, on the recommendation of the Ohio Farm Bureau, the American Farm Bureau seriously considered purchasing the Atlantic & Pacific food chain. The idea was abandoned because, in the words of the federation itself, it was "premature."

Fourth. Nationwide Insurance. Nationwide Insurance, the country's 13th largest insurance company, with assets of almost a billion dollars itself, was sponsored and founded by the Ohio Farm Bureau in 1925. This company was known as the Farm Bureau Insurance Co. of Ohio until 1955 when it was transferred to its present ownership.

On the basis of these extensive extra-agricultural business holdings, as well as untold numbers of other business ventures which our investigations are only beginning to uncover and link with farm bureaus, a reasonable question can also be raised concerning possible antitrust violations by the American Farm Bureau Federation.

Mr. Speaker, as I stated before, this is just the beginning. Our investigations are continuing and I intend to keep this body and the American people informed of the very interesting products of this investigation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Cohelan until July 10, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Saylor, for 10 minutes, today, and to revise and extend his remarks and to include extraneous matter.

Mr. Hunt (at the request of Mr. Burke of Florida), for 10 minutes, on June 29; and to revise and extend his remarks and include extraneous matter.

Mr. Poff (at the request of Mr. Burke of Florida), for 1 hour, on June 29; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Kornegay) and to revise and extend their remarks and to include extraneous matter:)

Mr. Farbstein, for 20 minutes, today.

Mr. Cohelan, for 10 minutes, today.

Mr. Resnick, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional

RECORD, or to revise and extend remarks was granted to:

Mr. CAHILL.

Mr. MCCARTHY.

Mr. MACHEN and to include a document, notwithstanding it will exceed two pages of the RECORD and is estimated by the Public Printer to cost $880.

Mr. BROOKS.

Mr. RUMSFELD during debate on NASA authorization bill and to include extraneous matter.

Mr. STEED and to include certain tables pertaining to the conference report on the bill H.R. 7501.

Mr. FULTON of Pennsylvania to extend his remarks made in Committee today and include extraneous matter.

(The following Member (at the request of Mr. BURKE of Florida) and to include extraneous matter:)

Mr. HORTON.

(The following Members (at the request of Mr. KORNEGAY) and to include extraneous matter:)

Mr. HAMILTON.

Mr. HANNA in four instances.

Mr. LONG of Maryland.

Mrs. SULLIVAN in two instances.

Mr. KEE.

Mr. WOLFF.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 944. An act relating to the establishment of parking facilities in the District of Columbia; to the Committee on the District of Columbia.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3349. An act to continue until the close of September 30, 1967, the existing suspension of duties on certain forms of nickel;

H.R. 3652. An act to continue until the close of June 30, 1970, the existing suspension of duties on manganese ore (including ferruginous ore) and related products;

H.R. 4880. An act to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965;

H.R. 5615. An act to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap;

H.R. 10867. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes;

H.R. 10943. An act to amend and extend title V of the Higher Education Act of 1965; and

H.J. Res. 652. Joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 3349. An act to continue until the close of September 30, 1967, the existing suspension of duties on certain forms of nickel;

H.R. 3652. An act to continue until the close of June 30, 1970, the existing suspension of duties on manganese ore (including ferruginous ore) and related products;

H.R. 4241. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; and

H.R. 10867. An act to increase the public debt limit set forth in section 21 of the Second Liberty Bond Act, and for other purposes.

ADJOURNMENT

Mr. KORNEGAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 29, 1967, at 11 o'clock a.m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WILLIS: Committee on Un-American Activities. Annual report for the year 1966 (89th Cong., second sess.) of the Committee on Un-American Activities (Rept. No. 460). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules. House Resolution 678. Resolution for the consideration of S. 20, an act to provide for a comprehensive review of national water resource problems and programs, and for other purposes (Rept. No. 461). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL (for himself and Mr. HALEY) (by request):

H.R. 11213. A bill to settle the land claims of Alaska natives, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CURTIS:

H.R. 11214. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 11215. A bill to amend title 28, United States Code, to provide amnesty for certain first offenders under Federal criminal law, and for other purposes; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 11216. A bill to provide for the licensing of personnel on certain vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. HAMILTON:

H.R. 11217. A bill to designate the Indiana Dunes National Lakeshore as the Virgil I. Grissom National Lakeshore; to the Committee on Interior and Insular Affairs.

H.R. 11218. A bill to provide criminal penalties for incitement of riots and civil disturbances, and for other purposes; to the Committee on the Judiciary.

By Mr. HARRISON:

H.R. 11219. A bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 11220. A bill to amend the Public Health Service Act to extend and expand the authorizations for grants for comprehensive health planning and services, to broaden and improve the authorization for research and demonstrations relating to the delivery of health services, to improve the performance of clinical laboratories, and to authorize cooperative activities between the Public Health Service hospitals and community facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCARTHY:

H.R. 11221. A bill to amend title III of the act of March 3, 1933, commonly referred to as the Buy American Act, to require the gain or loss of tax revenues to be taken into account in making certain determinations; to the Committee on Public Works.

By Mr. O'NEAL of Georgia:

H.R. 11222. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments; to the Committee on Agriculture.

By Mr. OTTINGER:

H.R. 11223. A bill to provide for the establishment of the Negro History Museum Commission; to the Committee on Education and Labor.

H.R. 11224. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PATTEN:

H.R. 11225. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of community programs for patients with kidney disease and for conduct of training related to such programs and other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PETTIS:

H.R. 11226. A bill to establish the Government Program Evaluation Commission; to the Committee on Government Operations.

By Mr. RARICK:

H.R. 11227. A bill to amend the Communicatons Act of 1934 to establish a statutory policy governing the broadcasting of views on issues of public importance; to the Committee on Interstate and Foreign Commerce.

By Mr. REINECKE:

H.R. 11228. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals, and methods of conveyance of fresh water; to the Committee on Interior and Insular Affairs.

H.R. 11229. A bill to amend chapter 23 of title 38, United States Code, to increase the amount authorized for funeral and burial expenses of certain veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHWEIKER:

H.R. 11230. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 11231. A bill to amend the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Agriculture.

By Mr. STEPHENS:

H.R. 11232. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. ASHMORE:

H.R. 11233. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. BOGGS:

H.R. 11234. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROOKS:

H.R. 11235. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

By Mr. EDMONDSON (for himself, Mr. Abernethy, Mr. Belcher, Mr. Blanton, Mr. Cabell, Mr. Davis of Georgia, Mr. Dorn, Mr. Everett, Mr. Flynt, Mr. Fulton of Tennessee, Mr. Hall, Mr. Hammerschmidt, Mr. Hull, Mr. Jones of Alabama, Mr. Mills, Mr. O'Neal of Georgia, Mr. Perkins, Mr. Pryor, Mr. Randall, Mr. Roberts, Mr. Steed, Mr. Stubblefield, Mr. Thompson of Georgia, Mr. Waggonner, and Mr. Whitten):

H.R. 11236. A bill to amend the River and Harbor Act of 1965 to prohibit certain fees from being charged in connection with projects administered by the Secretary of the Army; to the Committee on Public Works.

By Mr. EDWARDS of Louisiana (for himself and Mr. Long of Louisiana):

H.R. 11237. A bill to amend the River and Harbor Act of 1965 to prohibit certain fees from being charged in connection with projects administered by the Secretary of the Army; to the Committee on Public Works.

By Mr. FARBSTEIN:

H.R. 11238. A bill to amend section 245 of the Immigration and Nationality Act to make certain alien crewmen eligible for adjustment of status; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 11239. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. GONZALEZ:

H.R. 11240. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. HANNA:

H.R. 11241. A bill to establish the Government Program Evaluation Commission; to the Committee on Government Operations.

By Mr. JOHNSON of Pennsylvania:

H.R. 11242. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deduction from the monthly insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. KEE:

H.R. 11243. A bill to amend the River and Harbor Act of 1965 to prohibit certain fees from being charged in connection with projects administered by the Secretary of the Army; to the Committee on Public Works.

By Mr. KUPFERMAN:

H.R. 11244. A bill to amend title 18 of the United States Code to give U.S. district courts jurisdiction of certain offenses committed by Americans outside the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 11245. A bill to amend the Federal Voting Assistance Act of 1955 so as to recommend to the several States that its absentee registration and voting procedures be extended to all citizens temporarily residing abroad; to the Committee on House Administration.

By Mr. SMITH of Oklahoma:

H.R. 11246. A bill to amend section 202 of the Agricultural Act of 1956; to the Committee on Agriculture.

By Mr. TUNNEY:

H.R. 11247. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on olives packed in certain airtight containers; to the Committee on Ways and Means.

By Mr. WHALEN:

H.R. 11248. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. WIDNALL (for himself, Mr. Fino, Mrs. Dwyer, Mr. Halpern, and Mr. Brown of Michigan):

H.R. 11249. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

By Mr. YOUNG:

H.R. 11250. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes; to the Committee on Banking and Currency.

By Mr. DENT:

H.J. Res. 682. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. ESCH:

H.J. Res. 683. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

By Mr. HALPERN:

H.J. Res. 684. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.J. Res. 685. Joint resolution to amend the Constitution to provide for representation of the District of Columbia in the Congress; to the Committee on the Judiciary.

By Mr. FOLEY:

H.J. Res. 686. Joint resolution to authorize the President to issue annually a proclamation designating the 7-day period comprising the first full week in October of each year as Spring Garden Planting Week; to the Committee on the Judiciary.

By Mr. GUDE (for himself, Mr. Winn, Mr. Steiger of Arizona, Mr. Zwach, Mr. Steiger of Wisconsin, Mr. Cowger, Mr. Lukens, Mr. Myers, Mrs. Heckler of Massachusetts, Mr. McClure, Mr. Meskill, Mr. McDonald of Michigan, Mr. Button, Mr. Railsback, Mr. Vander Jagt, Mr. Sandman, Mr. Brotzman, and Mr. Biester):

H.J. Res. 687. Joint resolution proposing an amendment to the Constitution of the United States providing for representation in the Congress for the District constituting the seat of government of the United States; to the Commitee on the Judiciary.

By Mr. STAGGERS:

H.J. Res. 688. Joint resolution to provide for an expanded and intensified effort to increase the accuracy and extend the time range of weather predictions and to request the President to take action so that the peoples of the United States derive, at the earliest possible time, the social and economic benefits that would accrue from achievement of this new level of capability in weather predictions; to the Committee on Interstate and Foreign Commerce.

By Mr. RIEGLE:

H.J. Res. 689. Joint resolution proposing an amendment to the Constitution of the United States granting representation in the House of Representatives to the District of Columbia; to the Committee on the Judiciary.

By Mr. HALL (for himself, Mr. Roudebush, Mr. Flood, Mr. Baring, Mr. Gurney, Mr. Gross, Mr. Haley, Mr. Flynt, Mr. Dent, Mr. Dulski, Mr. Morton, Mr. Thompson of Georgia, Mr. Curtis, Mr. Dowdy, Mr. Skubitz, Mr. King of New York, Mr. Devine, Mr. Edmondson, Mr. Saylor, Mr. Brotzman, Mr. Hutchinson, Mr. Del Clawson, Mr. Belcher, Mr. Clancy, and Mr. Duncan):

H. Con. Res. 389. Concurrent resolution expressing the sense of the Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. HULL (for himself, Mr. Andrews of Alabama, Mr. Randall, Mr. Nichols, Mr. Whitten, Mr. Passman, Mr. Rarick, Mr. Edwards of Louisiana, Mr. Henderson, Mr. Blanton, and Mr. Fuqua):

H. Con. Res. 390. Concurrent resolution expressing the sense of the Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. WAGGONNER (for himself, Mr. Satterfield, Mr. Gettys, Mr. Davis of Georgia, Mr. Long of Louisiana, Mr. Pool, Mr. Kornegay, Mr. Brinkley, and Mr. Abernethy):

H. Con. Res. 391. Concurrent resolution expressing the sense of the Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. COLLIER (for himself, Mr. Price of Texas, Mr. McClure, Mr. Dole, Mr. Mize, Mr. Smith of Oklahoma, Mr. Betts, Mr. Bray, Mr. Snyder, Mr. Watson, Mr. McEwen, Mr. Johnson of Pennsylvania, Mr. Schadeberg, Mr. McDade, Mrs. Reid of Illinois, Mr. Denney, Mr. Shriver, Mr. Don H. Clausen, Mr. Blackburn, Mr. Quillen, Mr. Pelly, Mr. Latta, Mr. Thomson of Wisconsin, and Mr. Langen):

H. Con. Res. 392. Concurrent resolution expressing the sense of Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. ADAMS:

H. Con. Res. 395. Concurrent resolution providing for the designation of nine Members of Congress to serve as observers for the Congress of the elections to be held in South Vietnam in September 1967; to the Committee on Rules.

By Mr. ESHLEMAN (for himself, Mr. Steiger of Arizona, Mr. Watkins, Mr. Goodling, Mr. Cramer, Mr. Whalley, Mr. Williams of Pennsylvania, Mr. Ichord, Mr. Zion, and Mr. Scherle):

H. Con. Res. 396. Concurrent resolution expressing the sense of the Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. KORNEGAY:

H. Con. Res. 397. Concurrent resolution relative to Citizens Radio Service; to the Committee on Interstate and Foreign Commerce.

By Mr. WINN (for himself, Mr. Gardner, Mr. Zwach, and Mr. Brown of Michigan):

H. Con. Res. 398. Concurrent resolution expressing the sense of the Congress re the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. OTTINGER:

H. Res. 677. Resolution expressing the sense of Congress with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. CELLER:

H. Res. 679. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. MULTER:

H. Res. 680. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. TENZER:

H. Res. 681. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. ADDABBO:

H. Res. 682. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. GILBERT:

H. Res. 683. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mrs. KELLY:

H. Res. 684. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. MORRIS:

H. Res. 685. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H. Res. 686. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. RESNICK:

H. Res. 687. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. WOLFF:

H. Res. 688. Resolution expressing the sense of the House of Representatives with respect to the establishment of permanent peace in the Middle East; to the Committee on Foreign Affairs.

By Mr. FARBSTEIN:

H. Res. 689. Resolution expressing the sense of the House of Representatives with respect to permanent peace in the Middle East; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT:

H.R. 11251. A bill for the relief of Dr. Antonio Rafael Castillo Borges; to the Committee on the Judiciary.

H.R. 11252. A bill for the relief of Dr. Bhojraj Thakurdas Paryani and his wife, Sarswati Bhojraj Paryani, and their children, Gulabray Bhojraj Paryani, Asha Bhojraj Paryani, and Shyam Bhojraj Paryani; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H.R. 11253. A bill for the relief of Dr. Joseph Moussakhani; to the Committee on the Judiciary.

By Mr. GATHINGS:

H.R. 11254. A bill for the relief of Jack L. Good; to the Committee on the Judiciary.

By Mr. HUNGATE:

H.R. 11255. A bill for the relief of Mae Lama Mining Co., Ltd.; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 11256. A bill for the relief of Angeles DeGuzman; to the Committee on the Judiciary.

H.R. 11257. A bill for the relief of Romeo Uy; to the Committee on the Judiciary.

By Mr. RONAN:

H.R. 11258. A bill for the relief of Norma Gatchalian; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Congressman Horton Introduces Bill Creating Mid-Atlantic States Air Pollution Control Compact

EXTENSION OF REMARKS
OF
HON. FRANK HORTON
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 28, 1967

Mr. HORTON. Mr. Speaker, I am pleased today to introduce a bill which will create an air pollution control compact between two States, New York and New Jersey, and the Federal Government. The farsighted creation of a regional airshed by these two States sets an example of regional cooperation in combating air pollution that I hope will be duplicated in all areas of the country.

On the first day of the 90th Congress I introduced H.R. 698, which was among the first proposals designed to attack the nemesis of air pollution on a regional basis. My bill authorizes the Secretary of Health, Education, and Welfare to create regional airsheds and establish air pollution control standards within these airsheds. It is gratifying to me that these two States are following the precedent of regional action which was established by H.R. 698 and similar bills which have been introduced during this Congress. I applaud the initiative that these States and their Governors, Nelson Rockefeller and Richard Hughes, have shown in this regard.

At the time I introduced H.R. 698, I stressed the vital importance of the regional approach to air pollution control, and I again stress its importance today. While participating last summer in the eastern Great Lakes water pollution hearings held by the Natural Resources and Power Subcommittee of the Government Operations Committee, I saw much graphic evidence of the necessity for interstate action to control water pollution. Because airborne pollutants move far more rapidly and traverse far greater areas than do water contaminants, the importance of concerted interstate action to combat atmospheric pollution is even greater.

I am pleased to join the distinguished gentleman from New York [Mr. CELLER], the dean of the New York delegation, in sponsoring this most necessary legislation which will make New York, New Jersey, and the Federal Government partners in progress.

Congressman Hamilton Introduces Virgil I. Grissom National Lakeshore Bill

EXTENSION OF REMARKS
OF
HON. LEE H. HAMILTON
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 28, 1967

Mr. HAMILTON. Mr. Speaker, I have hoped for some time that the Congress would be able to honor in a permanent manner the memory of a courageous American and Hoosier—Lt. Col. Virgil I. Grissom. To that end, I now introduce a bill to rename the Indiana Dunes National Lakeshore the "Virgil I. Grissom National Lakeshore."

I believe the association of the late astronaut's name with a national park facility located in Indiana is a fitting tribute.

Col. Gus Grissom was first, and foremost a national hero of the space age. Not only was he one of the seven original astronauts, he was command pilot of the first manned Gemini space flight as well. His tragic death this year mutely testifies to his dedication to America's program for the peaceful exploration of outer space.

I am proud to add that this much-admired American was also a Hoosier. Raised in Mitchell, Ind., and graduated from Purdue University, Colonel Grissom's identification with his home State became complete when he married his hometown sweetheart.

Therefore, I hope the House will pay homage to the dedication of a great American and a beloved Hoosier, by renaming the Dunes National Park the Virgil I. Grissom National Lakeshore.

A Spiritual and Community Leader

EXTENSION OF REMARKS
OF
HON. LESTER L. WOLFF
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 28, 1967

Mr. WOLFF. Mr. Speaker, recently one of my outstanding constituents, the Reverend Henry R. Kupsh, of St. Andrew's Church in Williston Park, was feted at a testimonial dinner in his honor.

Reverend Kupsh has for more than a quarter of a century exemplified the highest standards of humanitarian and community service as pastor of St. Andrew's Church and as chaplain to the Williston Park Volunteer Fire Department. As a spiritual leader, community leader, and friend he has won the hearts and minds of the people of Williston Park.

At the dinner in his honor, Reverend Kupsh heard messages of congratulations and respect from local, State, and Federal officials. Civic groups, service organizations, and youth groups from Williston Park had gifts and plaques to honor Reverend Kupsh and his wife, Alice. In addition several bishops of the Episcopal Church were in attendance to join in the tributes to Reverend Kupsh.

The testimonial dinner was well deserved; Reverend Kupsh is a special kind of person. He is the kind of person all men respect and love. St. Andrew's Church has been blessed to have so fine a pastor. The Williston Park Fire Department has been fortunate to have so devoted a chaplain. Williston Park and the entire Third Congressional District, which I am honored to represent, are forever indebted to the Reverend Henry R. Kupsh—a special quality of man.

The Promise and Potential of Aquaculture

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

Mr. HANNA. Mr. Speaker, I have often spoken of my concern over the world food crisis and my interest in the efficient utilization of marine resources. Recently, there has been much research done on the application of the largely untapped, protein-rich resources of the sea to alleviate the world protein deficit. Today, I would like to talk about an industry, aquaculture, which, if properly developed, could contribute significantly to our battle against world hunger.

The biological management of the oceans in order to produce the maximum, long-range yield of food is a formidable problem, both scientifically and politically. It is this problem that aquaculture seeks to solve by the systematic husbandry of marine life for harvest and use by man. Aquaculture is analogous to agriculture in that both aim to provide an environment where useful plants and animals will not only grow but thrive. Aquaculture is most advanced in Japan, where it has been in use for 300 years. In this country, we are almost entirely without practical experience in the techniques of aquaculture, except in the raising of shellfish like shrimp and oysters. Raising fish on such a large scale as would be necessary is an exacting task. To do it well and efficiently requires thorough understanding of the life cycle of the species and its relationship to its environment. The right food must be readily available and water conditions must be maintained within narrow limits. While protecting the cultured species from its natural enemies, the percentage of deaths from fish disease is likely to rise sharply. We also are in need of the equivalent of cheap fencing on land. Recently, there has been some experimentation with acoustical fences, and Maine sardine fishermen are using "bubble" fences—simple pipes with holes, through which compressed air is forced. Fish are not inclined to pass these bubble fences. Not until such fencing is in universal use will fishermen become farmers. Production costs of aquaculture are high, making it practical, at the moment, only for high value products.

The Rockefeller Foundation made two major grants in 1966 in support of aquaculture projects. One grant was made to Taiwan and one to the Philippines. Included in these projects is research on fish grown in both brackish and freshwater ponds. One important goal is to determine how the fish can be induced to spawn in artificial ponds, so that the farmers need not rely on ocean fishing for their supply. Pond management is also being studied, in hopes of discovering methods for increasing yields. Marine biologists are being trained at both centers, to spread the newly acquired techniques throughout Southeast Asia, where both coastal waters and inland lakes and streams can be profitably developed to supply much-needed protein for growing populations.

Political barriers to the expansion of aquaculture are even more formidable than the scientific or technical ones. The efficient utilization of fish protein could, if conducted on a large enough scale, eliminate the world protein deficiency. Right now, ocean programs of the Government, industry, and the academic world are suffering from a lack of communication and coordination. More than a willingness to cooperate on the part not only of the numerous Government agencies involved in oceanographic research, but also industry and the academic world, is needed to transform the potentialities of the ocean into practical realities. A common sense of direction is essential. This is the purpose of the Marine Resources and Engineering Act of 1966, and it cannot be overemphasized. The traditional lack of ownership of existing or potential resources of the ocean is an impediment to practical experimentation. The concept of freedom of the seas, which developed because the waters were considered worthless except for transportation and naval warfare, operates in direct opposition to the wise utilization of ocean resources. Only very recently was an agreement reached as to the ownership of the subbottom resources of the North Sea, which include such nonrenewable products as oil and gas. Similar plans are being initiated by commercial companies in other areas.

The expanding world population is depleting the nonrenewable resources of the land at an ever-increasing rate. The biological and chemical resources of the ocean, on the other hand, renew themselves naturally. It will be necessary to expand the fishing industry into now unused areas. Initial steps toward such a goal have been undertaken. For example, the Indian Ocean expedition, only recently begun, will reveal new and promising fishing grounds. Similar projects will have to be started in other areas. The challenge for the future is to reach solutions for the political as well as scientific problems and use the many marine resources available that cannot be destroyed by man. Such solutions could well be a key to survival for millions.

Aquaculture itself, however, will make only a small dent in the world protein deficit. Traditionally, man has taken only a small percentage of his diet from the sea. The reasons for this are both technical and cultural. Fish were not easily or cheaply preserved. Now, however, chemical engineering has reached the point where this no longer need be an obstacle. Social taboos on the other hand exert tremendous influence on people's diets. In some traditionally agricultural inland areas, even hungry people may refuse to eat fish for social or cultural reasons. Imaginative marketing techniques will be needed if poor nations are to benefit from the food potential of the ocean.

Processing fish into readily acceptable forms will alleviate some of the marketing problems. One such product is fish protein concentrate—FPC. A tasteless, odorless, neutrally colored powder that is over 80 percent protein, FPC is essentially fish meal with the oils removed. The President's Panel on Oceanography estimates that a small daily supplement of FPC could meet the world protein deficit for as little as $2 per person annually. U.S. fisheries could produce enough FPC to meet the needs of 300 million people as well as creating new markets for themselves and utilizing resources now regarded as unprofitable wastes.

If developed carefully, both FPC and aquaculture could have a significant impact on the world food crisis. Our program should not consist solely of handouts, but should be directed towards aiding other nations in developing their own potential food sources in the sea. Such a program alone will not achieve a total solution to the problem of world hunger. It must, of course, be accompanied by population controls and agricultural reforms. The people of these less developed nations will need assistance in the efficient use of accumulated scientific information. It is toward this goal that our long-range plans should be directed, and the maximum utilization of ocean resources is a prime example of the importance of scientific research and cooperation.

Commemorating Independence Day

EXTENSION OF REMARKS

OF

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

Mr. LONG of Maryland. Mr. Speaker, since 1963, Maryland has joined with other States in a nationwide program to commemorate the signing of the Declaration of Independence. All citizens have been urged to ring bells from public buildings, private homes, churches, and schools, at 2 p.m. for 4 minutes on July Fourth. This patriotic project has been energetically promoted by the Maryland Veterans of Foreign Wars and particularly by Francis Lee, department commander, and Charles A. Kreatchman, department adjutant. I commend their worthy efforts to the Members of Congress.

Federal Land Bank System

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the Record, I include last week's public service television and radio newscast, "The Kee Report." The subject discussed is the "Federal Land Bank System":

Federal Land Bank System

This is Jim Kee—bringing you the Kee Report.

This year marks the 50th anniversary of the Federal Land Bank System, one of the most successful programs ever undertaken by the Federal Government.

It has been pointed out many times that our country started out as an agricultural country. In the early days, most American citizens were farmers and public men. Like Thomas Jefferson, they believed that the wisest course was to keep the United States a rural nation.

Farming is an independent way of life. There is a deep satisfaction in growing things. But the truth is that before the Federal Government stepped in to lend a helping hand, the American farmer was usually buried under a mountain of debt. There was no ill will against the farmer. It just happened that the individual farmer was a victim of forces beyond his control.

Until recent years, the American economy went through periods of good times and bad times which came to be known as the cycle of boom and bust. The farmer might prosper for a few years during good times but during the depression which came after, he often found that crop prices had dropped so low he was unable to meet either tax payments or mortgage payments. He was in danger of losing his land.

There was some credit available in those early days. But rural banking was poorly organized and quite often these rural banks experienced dire financial distress precisely because they had loaned to farmers in distress.

Besides contending against the business cycle, the farmer was also at the mercy of the weather. A severe winter usually meant a serious financial setback. An extended period of drought or flood could put him out of business entirely.

These were the conditions which prevailed when Uncle Sam decided it was time to establish a line of credit for the farmers. The Federal Farm Loan Act of 1917 set up 12 land banks, each one serving a different area.

The banks were originally capitalized at about $9 million each—nearly all of it supplied by the Federal Government. It was hoped that eventually the farmers would buy enough stock in these banks to retire the Government loans. That came to pass. Today, the banks are farmer owned and farmer directed.

This land bank system was the first stable source of credit for American agriculture. The System was so successful that eventually private investment firms extended loans on the same basis.

Fifty years ago, the average farmer needed credit to meet his tax and mortgage payments as well as to carry him through the growing season. In our present era of mechanized farming his credit needs are larger than ever. This means that the land banks are just as vital to the nation's well-being today as they were half a century ago.

The land banks helped millions of farmers to stay on the land. At the same time, they helped make American agriculture the most productive in the world. Food surpluses may be a burden at times—but constant food shortages would be a far greater problem.

The land banks have performed a splendid service for the whole nation, as well as the farmers.

Thank you for listening.

Civil Service Chairman Macy Plans To Explore Creation of a Summer Employment Program for Social Science Teachers

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

Mrs. SULLIVAN. Mr. Speaker, I have always found Civil Service Commission Chairman John W. Macy, Jr., interested in suggestions and ideas for improving the Federal service, and in attracting citizens into the Federal service who can contribute special skills or who can derive from such service experience valuable to them in other activities in the public interest.

Thus, when I received several inquiries earlier this year from social science teachers in St. Louis, wondering how they could qualify for summer employment in the Federal Government—in positions which would enable them to obtain some practical experience which they would pass on to their students—I wrote to Chairman Macy after determining that there was, at present, no centralized program for summer employment in the Federal service for high school and college social science teachers.

COULD BE INSTITUTED NEXT SUMMER

The answer, which I have just received from Mr. Macy, leads me to have high hopes that such a program can be instituted next summer.

One of the inquiries I received was from a young Jesuit doing graduate work in political science. I was under the impression that having a member of a religious order try to qualify under regular Civil Service procedures might stump the Commission staff, but I am pleased to see from Mr. Macy's reply that this would not be a problem.

Mr. Speaker, because of the widespread interest among Members of Congress in the subject matter of this exchange of correspondence, I submit herewith for inclusion in the Congressional Record, copies of my letter to U.S. Civil Service Commission Chairman John W. Macy, Jr., and of his reply dealing with summer employment in the Federal Government for social science teachers, as follows:

Congress of the United States,
House of Representatives,
Washington, D.C., May 1, 1967.

Mr. John W. Macy, Jr.,
Chairman, Civil Service Commission,
Washington, D.C.

Dear Mr. Macy: We receive many inquiries about summer job opportunities in the government for students, and I know how interested you have been in the establishment of government efforts to provide such employment. But, as a result of several inquiries I have received from school teachers seeking to work in government for the summer, I am wondering what thought is being given to the creation of a separate program to provide working experience in the field for high school and college teachers of history, political science, civics, etc.

Apparently there is no present program of this nature. To teachers who have inquired, I have suggested that they contact the Regional Civil Service Commission office in St. Louis to apply for any open examinations, but on an individual basis, it may be quite difficult for them to find an opening just for the summer. Yet, I think they would bring to the government an interest and a zeal far exceeding that of the average employee. Perhaps some foundation might be willing to undertake the screening of applicants and the matching of temporary Federal job openings with teachers who could fill them for the summer.

I recognize the practical difficulties. For instance, I have just received a letter from a young Jesuit doing graduate work in political science who feels that his ability as a teacher would be enhanced by some practical experience in the government. On the other hand, having a member of a religious order try to qualify under regular Civil Service procedures for a position for only one month might well stump the Commission staff. I just don't know. That is why I am writing to you, convinced that if the idea has merit, you will find a way to work it out. May I have your thoughts on this?

Sincerely yours,
Leonor K. (Mrs. John B.) Sullivan,
Member of Congress.

U.S. Civil Service Commission,
Washington, D.C.

Hon. Leonor K. Sullivan,
House of Representatives,
Washington, D.C.

Dear Mrs. Sullivan: This is in further reply to your letter of May 1 concerning the creation of a program to provide working experience in the field for high school and college teachers of history, political science, civics, etc., during the summer months.

I heartily agree with you that the degree of interest and zeal displayed by these individuals makes them highly desirable temporary employees. Not only are they very good workers while they are with us, but when they return to their regular working jobs in the fall they often continue to provide valuable service as missionaries on our behalf. By achieving a better understanding and appreciation of day-to-day activities in Government, they certainly are better equipped to interest able students in a career in Government.

We do not have any separate program at this time to provide work experience for this group, but we do have machinery whereby

> Federal agencies can hire individuals for summer jobs in grades GS–5 through GS–7 with a minimum of red tape. Once teachers are matched with jobs at these levels, they can be appointed without examination. The only requirement is that they rank high compared with other qualified persons who may have applied for the same jobs. For jobs in grades GS–1 through GS–4 most summer appointments are made from the Office and Science Assistant Examination. Incidentally, at any of these levels an application from a member of a religious order would be as welcome as any other.
>
> I know that substantial numbers of teachers are employed in the Government every summer. Many are in the National Park Service and there is good representation in other agencies too. I don't know, however, how many other teachers wanted Federal employment but couldn't get it. I don't know either how many more jobs might have been made available if special effort had been made in a program aimed directly at jobs for teachers. These are some of the questions I would like to look into.
>
> I must emphasize that in summer jobs we are dealing with a very complex area. These jobs are highly coveted and there generally are far more applicants than there are jobs. I think agencies are sold on the idea of utilizing teachers when they can, but tight budgets often keep them from hiring as many summer employees as they would like.
>
> What all this adds up to is that many teachers are hired during the summer even though we have no program specifically directed towards them. We don't know the extent to which agencies would be able to appoint more social science teachers if we established special procedures, but we will explore this possibility when we plan next summer's employment programs.
>
> Thank you for your very thoughtful suggestion.
>
> Sincerely yours,
>
> JOHN W. MACY, Jr.,
> *Chairman.*

Private Health Insurance Programs Can Reduce Hospital Overuse for Diagnostic Tests

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

Mrs. SULLIVAN. Mr. Speaker, Secretary of Health, Education, and Welfare John W. Gardner has called a conference on the costs of medical services which is taking place at this time in Washington, D.C. One of the issues it is considering is the sharp increase in hospital costs.

Recently, a constituent of mine, Miss Trude G. Dougherty, of 6305 Murdoch Avenue, St. Louis, Mo., wrote to me at some length on the needless waste of hospital bed capacity, at a time of "terrific hospital bed shortage" because medical insurance policyholders cannot receive reimbursement for diagnostic workups unless they have been admitted to hospitals. Miss Dougherty wondered if Congress could pass legislation to require the insurance companies to pay for the services on an outpatient basis, as one of the best means for reducing hospital costs and overuse.

She based her comments and suggestions on 12 years of experience as the admission officer in a hospital. I thought she made an excellent point and I relayed her suggestion to the U.S. Surgeon General. The reply I have received is most interesting and indicates that at least one medical insurance program, the Illinois Blue Cross program, is proposing a coverage of clinical laboratory tests on an outpatient basis for nonemergency surgical patients prior to an operation.

And, as I said, the Conference on the Costs of Medical Services now meeting in Washington is also considering this issue.

EXCERPTS FROM CORRESPONDENCE

Mr. Speaker, because of the importance of this matter to so many millions of our citizens who are covered by health insurance, I submit herewith the relevant excerpts from the letter I received from Miss Trude G. Dougherty, as follows:

> No doubt you are somewhat familiar with the fact that medical insurance is so written that when tests such as diagnostic workups, upper and lower gastro intestinal films, basal metabolism, and numerous other laboratory tests are ordered by one's physician, the policyholder is not reimbursed for the cost involved, or any part of it, unless he is an admitted patient in a hospital, I might mention here that the term policyholder as I used it is synonymous with the term "patient."
>
> It is only normal that the patient who has been paying for medical insurance should want to use this insurance to defray the expenses of the tests involved, hence his only alternative is to be admitted as a patient to the hospital. Now this creates an even bigger problem, because even though they may have to wait several weeks for the hospital bed they do so and actually take beds that could and should be given to the patients who are so acutely or severely ill that they must be hospitalized. This procedure is the biggest cause of the shortage of hospital beds today and is constantly creating a problem of vital importance.
>
> One hears comments from time to time that we don't have enough hospitals to take care of all our sick people; really I don't think there is a shortage of hospitals but I do think the use of the beds could be helped a lot if the people hospitalized just for tests to be run so their insurance pays for them, could be eliminated.

In forwarding these comments to the Surgeon General, I said I did not think Federal legislation would be very practical in solving this problem because it is not a problem insofar as medicare is concerned—those on medicare can receive reimbursement for most of their diagnostic tests whether in hospitals or not—but I was sure the Public Health Service would be interested in pursuing the issue. In my letter to the Surgeon General I stated:

> I know how deeply the Public Health Service is involved in the question of hospital capacity under the Hill-Burton Act. I am wondering if any studies have been made of the issue of hospital bed utilization merely for diagnostic tests which could be made on an out-patient basis.
>
> Has anyone looked into this? Is there any task force at work with the health insurance underwriters to try to have this situation changed?
>
> I can see where a person who is going to need several hundred dollars worth of diagnostic tests would either hesitate to have them made unless absolutely imperative if they were not covered under his health insurance program, or else would persuade his doctor to have him admitted to a hospital so that the tests would be covered under his insurance. I would appreciate having your comments and suggestions and any information you can give me bearing on this issue.
>
> Sincerely yours,
>
> LEONOR K. (MRS. JOHN B.) SULLIVAN,
> *Member of Congress,*
> *Third District Missouri.*

REPORT FROM BUREAU OF HEALTH SERVICES

Mr. Speaker, I have now received a report from Dr. John W. Cashman, Director of the Division of Medical Care Administration in the Bureau of Health Services in the U.S. Public Health Service, which refers to the proposal of the Illinois Blue Cross plan to provide coverage for diagnostic workups.

I am not sure that Congress is precluded from legislating in the field of insurance, as Dr. Cashman implies, but I certainly see no need for Federal legislation to solve this problem if there is a will to solve it.

The letter from the Public Health Service is as follows:

> DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, BUREAU OF HEALTH SERVICES,
> *June 23, 1967.*
>
> HON. LEONOR K. SULLIVAN,
> *House of Representatives,*
> *Washington, D.C.*
>
> DEAR MRS. SULLIVAN: The Surgeon General has asked me to reply to your letter with its enclosure from your constituent, Miss Trude G. Dougherty. Miss Dougherty expresses well a problem which many people have recognized.
>
> In preparing a reply to Miss Dougherty you may wish to make the following points to her.
>
> The regulation of all forms of insurance rests with the several States so that it would not be possible for Congress to enact legislation along the lines she has suggested. It would be a violation of States' rights.
>
> However, the possibilities of recognition by voluntary insurance of the value of paying for diagnostic work-ups on an ambulatory basis is well worth pursuing. Only today my office received a press release from Blue Cross-Blue Shield calling attention to such a proposal on the part of the Illinois Blue Cross Plan. Two copies are enclosed so you can forward one to your constituent.
>
> The New York City Blue Cross Plan is in the process of analyzing differences among the city's hospitals in the average length of time elapsing between admission and surgery. The evidence they have collected points to the same misuse of hospital days that Miss Dougherty has observed.
>
> Secretary Gardner is, as you may know, calling a conference on June 27 and 28 on the costs of Medical Services. One of the five sessions will focus on hospital costs and another on health insurance provisions. Some of the recommendations that the conference should generate may be expected to call for more efficient and effective use of our health facilities.
>
> I hope these comments are helpful in replying to your constituent.
>
> Sincerely yours,
>
> JOHN W. CASHMAN, M.D.,
> *Director, Division of Medical Care Administration.*

BLUE CROSS-BLUE SHIELD

> A plan to reduce hospital expenses for presurgery patients has been proposed by the Blue Cross Plan for Hospital Care of Hospital Service Corporation. The proposal has the support of leaders of the Chicago Medical Society, Chicago Hospital Council, Illinois

State Medical Society and the Illinois Hospital Association.

The suggested plan of Blue Cross will make more hospital beds available. It will make it possible for the patient scheduled for an operation to have needed clinical laboratory tests performed on an outpatient rather than an inpatient basis prior to an operation.

Blue Cross will make benefits available for these tests under its various certificates, just as it would if the patient were having the tests as a hospital bed patient prior to surgery.

Under the plan, the non-emergency surgical patient will report for tests and examinations as directed by his surgeon. Instead of being admitted to the hospital as a bed-occupying patient, he will simply go to a predetermined area in the hospital, be tested, then return home or to work before entering the hospital for the operation. The development of new techniques in pre-surgery testing has made it no longer necessary for many surgery patients to stay in hospitals to be available for pre-operative tests and examinations immediately prior to surgery.

The patient, the hospital and the doctor can all benefit from this program. By reducing the length of a hospital stay, it could save surgery patients as much as $47.33 daily, which is the average daily cost of hospital care for Blue Cross members in Illinois.

Howard F. Cook, executive director of the Chicago Hospital Council, had this to say about the proposal, "This new plan developed by hospitals, Blue Cross and medical staffs working together, will allow hospitals to schedule laboratory tests on days throughout the week . . . instead of having them bunched up on certain days, such as Monday and Tuesday. It will allow better utilization of hospital beds with lower costs to the patient."

"The proposed pre-admission testing program, in addition to reducing unnecessary hospital bed-time for many surgery patients, will help surgeons greatly in scheduling patients for hospital stays and in utilizing hospital services to their fullest extent," according to Warren W. Young, M.D., president of the Chicago Medical Society. "Pre-admission testing, of course, would be determined in each case by the attending surgeon," Dr. Young said.

"Soaring salaries and a rapidly expanding technology make it hard to find places where the brakes can be applied to rising hospital costs." David M. Kinzer, executive director of the Illinois Hospital Association, explained. "The Blue Cross plan for pre-admission testing will open up one of those places by allowing shorter hospital stays in many cases, thus relieving bed shortages."

"Everyone is talking about the rising cost of hospital care and Blue Cross is doing something about it," John C. Troxel, M.D., vice president and medical director of Blue Cross, stated.

"This Blue Cross proposal will result in lower hospital expenses to many surgical patients better utilization of hospital facilities and improved services to patients and the community," Dr. Troxel declared.

In commenting on the plan, Caesar Portes, M.D., president of the Illinois State Medical Society, stated, "Emergency procedures and testing of presurgical patients requiring hospital bed care for such tests, of course, would not be altered. And, the implementation of this new concept depends entirely upon the judgment of the patient's surgeon. But, in cases in which the 'outpatient' test-examination procedure is applicable, we are convinced that great benefits will accrue to all concerned."

Discussions of the plan are being held with medical staffs and hospital administrators throughout Illinois. Reactions from those contacted indicate that the new plan will receive widespread acceptance.

The Medical Manpower Shortage Responsibility of Organized Medicine and the Congress

EXTENSION OF REMARKS

OF

HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

Mr. CAHILL. Mr. Speaker, on several occasions I have directed the attention of the House to the increasing shortage of U.S. trained physicians. In an extremely perceptive article in the April 1967 issue of the Journal of Medical Education, Dr. Alex Gerber points out that unless immediate action is undertaken by medical educators, organized medicine and government, this shortage may be projected into the future with disastrous consequences to our Nation's standards of health and life expectancy. Dr. Gerber states as reasons for this marked decrease in physicians the following—

First, population growth has outdistanced and will continue to exceed the number of physicians in private practice;

Second, an explosion of demand for health services is resulting from higher income and educational levels;

Third, the upsurge in all forms of health insurance;

Fourth, the aging of the population with an attendant increase in chronic diseases;

Fifth, the added demands upon the physician's time because of highly complex diagnostic and therapeutic procedures which were completely unknown only two decades ago.

Underlining the dimensions and seriousness of this problem is the recent report of the board of trustees of the American Medical Association. While the association has long refused to issue a definitive statement of its position, at the AMA's annual convention on June 19, the board acknowledged that the shortage of physicians in the United States is reaching alarming proportions. As reported in Time magazine of June 30, 1967:

> In 1933 the Association urged medical schools to curtail enrollments for fear that they would produce too many doctors. Subsequently, as warnings multiplied of an impending crisis in the supply of doctors, the AMA kept insisting that there is no cause for concern. Last week, the Board of Trustees did an about-face. In a report using words that it had once rejected vehemently it declared that the shortage of doctors. . . . called for an "immediate and unprecedented increase". It urged medical schools whose enrollments have remained static to figure out ways of admitting more students "in the light of national demand", and also called on the five schools of osteopathy that are still independent to convert into regular medical schools.

I am also informed by officials of the Association of American Medical Colleges that the small number of U.S. medical school graduates has been recognized by that organization to present a very urgent and vital national problem. I am advised that on May 17, 1967, the members of the association authorized the president, Dr. Hubbard, to appoint a committee to recommend what facilities, people, and dollars it would take to increase the output of physicians enough to maintain the necessary physician-to-population ratio without the importation of foreign medical graduates.

Both the AMA and the AAMC are to be commended for their adoption of a progressive and responsible position. The clear statements of policy made by these organizations will do much to supply dynamics and initiative to national efforts to increase the output of doctors. Thus, I urge that the Congress, through its appropriate committees, investigate ways in which aid may be provided to commence construction and staffing of both new and expansion of existing medical schools. Specifically, I recommend that the adequacy of grant-in-aid assistanace provided to medical schools under the Health Professions Educational Assistance Act of 1963 be reassessed. Under this act and its 1965 amendments some $650 million is authorized for programs continuing through fiscal year 1969, for the construction of teaching facilities in the health professions. Competing with the medical schools for this limited amount are schools of dentistry, pharmacy, optometry, podiatry, public health, and veterinary medicine.

It would seem evident that a program of the magnitude necessary to provide our Nation with adequate health services will demand a much larger outlay of Federal funds. As indicated by Dr. Gerber, Russia, with a 17-percent larger population, graduates three times as many doctors as the United States; we obviously can profitably engage in other races besides the one to the moon.

In view of the increasing gravity of this problem, Congress can be no less progressive nor less dynamic.

Report No. 3: "A Strategy for a Livable Environment"

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

Mr. HANNA. Mr. Speaker, in continuing my comments on the recent HEW task force report, "A Strategy for a Livable Environment," I wish to explore the important areas of manpower, public awareness, and education. All these categories are, like man's environment, closely interrelated. To obtain enthusiastic workers for Government and industry who are willing to devote time and energy to attacking the serious environmental problems confronting us today requires a public awareness and generous public support for their activities—so that they may feel that their efforts are worthwhile. And, needless to say, education is the surest way of stimulating public awareness in any field.

Too often, I am afraid, in various

courses offered through all levels of our school systems—public and private—there is a lack of emphasis on integrated training. Rather, each subject matter is assigned its niche. The teachers, too often, have little interest in going beyond the assigned subject matter, hammered out in various curriculum guides. Far too often, Mr. Speaker, courses in biology or personal health involve the memorization of various organs with precious little time devoted to an overall view of man. Social sciences, too, are not immune from criticism. Instead of using concrete examples of various functions of Government, oftentimes the courses are limited to the memorization—with no real idea of applications—of various sections of the Constitution.

Perhaps it would be more useful if we instead concentrated on analyzing various functions—delegated and implied—in the Constitution by looking at the actions of various governmental agencies. Thus, one example clearly relevant here is the vague phrase "to promote the general welfare." This could be used as a steppingstone for an analysis of Government programs in air and water pollution, in soil conservation, in housing legislation, in traffic and radiation safety, all programs designed to give America a quality environment.

In short, by instilling an appreciation in the Nation's youth in the need for a healthful environment, through examples of current programs and the dissemination of community health information, in schools, we would be better meeting a serious challenge outlined by the report, which calls for more long-term attempts to change public attitudes through the educational process.

While the above comments pertain to the youth of this Nation, we should not overlook our more mature citizens. Adult education must also stress an integrated approach, an imaginative interrelation among courses and subject matter which can be construed as dealing with man's environment.

Outside the formal halls of schooling, there is also the need, stressed so rightfully by the task force, for a continuing balanced discussion of environmental problems—by newspapers, magazines, radio, television, as well as by various governmental and private reports and publications.

Maybe educational television would be interested in working out a long-term project to analyze man's environment. Better yet, perhaps there could be a weekly report, recapping developments in the improvement of man's living conditions—examination of new studies, proposals, and most importantly, of actions that various communities are undertaking to allay the multitude of environmental problems man is battling. Perhaps commercial networks would be interested in a similar endeavor.

Having enunciated a few thoughts on education and public awareness, Mr. Speaker, I would now wish to move into the final area of today's commentary. Manpower training is a most crucial area. It is, as we all know, next to impossible to win battles without experienced personnel and modern equipment. The same is true in our battle against the polluting and decaying forces which are attacking our environment, and which, ironically, man is most responsible for unleashing.

One report recommendation calls for a determination by 1969 of manpower requirements necessary to adequately supply all environmental program needs in 1972 and beyond, with recommendations for the means of supplying such needs.

Fellowships for the in-service training and continuing education of departmental personnel in the environmental health field, as well as for State and local personnel should be established, according to the report.

As an example of the overall planning needed for a sound educational program dealing with man's environment, the report asks for the "establishment of programs and curricula in clinical and human ecology through grants to the Nation's professional schools, such as schools of medicine, law, planning, public health, and public administration."

Additionally, the task force sees the need for a functional, rather than a categorical approach, to the problems plaguing the environment. Thus, departmental programs should be shifted from their present narrow concern with specific features of the environment—air, water, food—to functional elements of the total mission of environmental protection, such as research and development, promulgation of and compliance with standards, and environmental surveillance.

Such a program, however, seems somewhat hampered—at least in adaptation to State and local levels of government. For, the report finds that most all the environmental health protection experts are concentrated at the Federal Government, with only a paltry few remaining for State and local levels.

In general, the field "finds itself with the poorly trained practitioner, the part-time worker, the nonmotivated and uninspired administrator who views his work in environmental health as an unpleasant chore, rather than a rewarding career."

Through use of fellowships to individuals and more grants to various organizations, perhaps the field of environmental health protection would be able to attract more high quality personnel, as well as rededicating the core of professionals currently engaged in these problems to even more imaginative efforts in helping combat the polluting and decaying forces at work in our Nation, and indeed throughout the world.

One very important recommendation of the report relates to the profit incentive of industry. Unfortunately, it seems that HEW's current policies "effectively deny industry a reasonable profit from work carried out under contract." There would undoubtedly be a greater concern by industry for developing talented personnel in environmentally related fields to explore various inventions or solutions for the abatement of pollution were there a greater profit incentive.

Along these lines, Mr. Speaker, I have two recommendations, one somewhat positive in tone, the other somewhat negative. First, I would urge the Government to seriously consider the awarding of cost-plus contracts to corporations and foundations which are involved with projects to combat undesirable environmental effects. Such programs have proved relatively successful in the crucial area of national defense. I suggest that the environment should be treated with as much deference and concern as national defense. Second, I believe that the Government should formulate a definite policy whereby it does not contract for any business with concerns which have not adopted certain minimum antipollution standards which we in Congress should earnestly begin formulating. It is time to begin work on the HEW task force recommendation for a Unified Environmental Protection Act, which could possibly embody the thought I have just outlined.

In my final comments on the report, following our upcoming recess, I shall examine the financial aspects of making man's environment a safe place in which to live.

Salaries of Federal Government Employees and Issue of Comparability

EXTENSION OF REMARKS

OF

HON. HERVEY G. MACHEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

Mr. MACHEN. Mr. Speaker, the following extraneous material is an in-depth study on legislation dealing with salaries of Federal Government employees and the issue of comparability. The study was researched, prepared, and written by Edward J. Guss, of 4245 58th Avenue, Bladensburg, Md., and Robert E. Harney, of 5623 Ellerbie Court, Lanham, Md., both of whom are employees at the Bureau of Hearings and Appeals in the Social Security Administration here. They are also active members of the American Federation of Government Employees.

Mr. Speaker, I think that in congressional consideration of Federal pay raises and comparability this year our colleagues on the Post Office and Civil Service Committee will find this a very valuable study and certainly buttress my longstanding support for comparability in pay for Federal employees. The material follows:

CONGRESSIONAL ACTION ON LEGISLATION DEALING WITH SALARIES OF FEDERAL EMPLOYEES SINCE 1962

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It is the purpose of this paper to clearly present a brief legislative history of the major legislative enactment, and properly focus attention on the happenings and events that have transpired since enactment, present views expressed on the subject, and to make a final analysis of the results thus far attained.

Among the Congress' most formidable powers exists the power of appropriations. Appropriations for social programs receive much attention and are paraded before the public by the news media announcing what these programs will cost and what it will do for the American people. In the past, invariably neglected in computing program budgets was the linking of the current and equitable administrative costs, namely, salaries of the Federal employees who administered these programs. Monies were appropriated on the basis of what material costs at the current prices and if it was an aid program money was appropriated on the basis of how much should be given to accomplish the desired result at the current prices in the particular area. But the salaries of the people who administered these programs were not considered in the same way. They did not keep pace with going rates. There came a point in time, however, when there was hope that Federal salaries would also be considered at the "current prices" so to speak, or more accurately termed, at *comparable* rates. It is from this point forward that this paper seeks to discuss the Statutory Pay System for Federal Classified Employees.

LEGISLATIVE HISTORY

The 1962 Federal Salary Reform Act

In 1962 President John F. Kennedy proposed a broad salary reform and strongly urged the adoption, by Congress, of the "comparability principle" as the standard for Federal salary levels. The Congress, after having studied the President's message, declared that this was one of the most far-reaching, comprehensive and complex measures ever reported and would have an effect on the welfare of every Federal employee both at home and abroad.[1]

The pay provisions of the bill, as reported, were the result of long studies by previous administrations followed by extensive hearings extended over a period of many months.

The bill put into effect to the extent "deemed appropriate" [2] by the 87th Congress the principal aspects of President Kennedy's recommendation for needed reforms in the major statutory pay systems in the Federal Service. Part II of the bill reforms and increases salaries for those under the Classification Act.

The need for immediate and sweeping reformation of the major statutory pay systems for civilian employees of the Federal Government was found in and supported by extensive studies carried out in the executive branch over a long period of time. Altogether the findings were the product of more than 5 years of virtually continuous study. The years of study, the President's message, and the hearings held in Congress developed the rather lengthy justification which follows:

REQUISITES OF A FEDERAL PAY SYSTEM

The functions of a public salary system are to control payroll expenditures, with equity to both the employee and the taxpayer, and to support recruitment and retention of the high quality personnel required to carry out government programs. To meet its responsibility to the public, the salary system must pay enough to permit competent staffing in order not to endanger the national security nor to degrade public service; but it must not pay more than is necessary for this purpose and to provide equity for the employee. To assure fair treatment for the public employee, the salary system must provide equity among Federal employees and between Federal employees and those in private employment. To be adaptable to changing conditions and to stimulate peak performance, the system must provide for executive discretion to meet individual and special needs, to use pay for motivating employees, and to initiate general adjustments as required.

These are underlying objectives which the salary provisions of the bill are designed to meet.[3]

Prior to 1962, statutory pay systems had failed to meet the needs of the Federal service. Absence of an accepted standard for Federal salaries and a procedure for periodic review and adjustment coupled with rigid statutory rules of pay administration, deprived the systems of the adaptability so essential in a period of rapidly changing conditions.

Major inequities existed between the Federal employee and his equals throughout the national economy. With this new bill, comparison could now be made directly between private salaries and those in the Classification Act, which has a broad occupational coverage having many counterparts in private employment. Findings of the Bureau of Labor Statistics' national survey of professional, administrative, technical, and clerical pay reported in 1961 provided the data. This annual survey clearly shows that the greater the level of difficulty and responsibility, the greater the gap between public and private pay. From grade GS-4 upward, private salary averages consistently exceed Federal salaries. The difference is quite noticeable. For example:

Classification Act rate range			National average rate in private enterprise
Grade	Minimum	Maximum	
GS-7	$5,355	$6,345	$6,648
GS-9	6,435	7,425	7,776
GS-13	10,625	11,935	13,152
GS-14	12,210	13,510	15,362
GS-15	13,730	15,030	19,348

Further evidence of this trend was furnished by the Civil Service Commission's 1960 study of salaries paid in 21 large nationwide firms for personnel, finance, research and development, law, and plant management positions with responsibilities equivalent to those of Federal positions in grades GS-16, GS-17, and GS-18. This study showed these serious disparities:

Federal Government		21 firms, major—Salary clusters
Grade	Salary range	
GS-16	$15,255–$16,295	$20,000–$30,000
GS-17	16,530– 17,570	27,500– 37,500
GS-18	18,500	[4] 32,500– 45,000

The Act, as finally written, contained two basic principles. Sec. 5022 stated in part that "Federal salary fixing shall be based upon the principles that:

(a) There shall be equal pay for substantially equal work, and pay distinctions shall be maintained in keeping with work and performance distinctions; and

(b) Federal salary rates shall be comparable with private enterprise salary rates for the same levels of work.

Salary levels—shall be set and henceforth adjusted in accordance with the above principles.

To effectuate a thorough understanding of the bill's language, intent, and proposed procedures it is imperative to set forth the Congressional interpretation of the two principles cited. Senate Report No. 2120 declared:

Adoption of this [comparability] principle will assure equity for the Federal employee with his equals throughout the national economy. Its use will improve the Government's ability to compete with private firms for qualified personnel.

Comparability with private enterprise salary levels provides a long-needed logical and factual standard for setting Federal salaries. It includes the effects of such legitimate pay considerations as cost of living, standards of living, and productivity as those factors are resolved into the going rate over bargaining tables and other salary determining processes throughout the country.

The principle has a history of wide acceptance. Within the Federal Government, it has been used for certain positions over the past 100 years; first applied to Navy Yard workers, it is now applied to virtually all Federal trades and craft workers, to employees of the Tennessee Valley Authority, and to Government work contractors through the Walsh-Healey and Davis-Bacon Acts. It is widely accepted in industry, although many leading firms have adopted the modification of paying better than the competition. State and local governments, as well as some other national governments (such as Canada and the United Kingdom), rely on this principle.

Until recent years, the principle of comparability could not be applied on a nationwide basis because there was no broad, acceptable source of comparative salary data from private enterprise. Now, however, the Bureau of Labor Statistics national survey of professional, administrative, technical, and clerical pay provides annually the requisite data on private enterprise pay. It is the only comprehensive and authoritative survey of its kind, and there are technically valid and established methods for translating the BLS data into Federal comparability pay levels.

Pay comparability would be established between the same levels of work in private enterprise and Government—that is, between levels of work having substantially the same degrees of difficulty, responsibility, and required qualifications.

Although survey techniques require ascertaining private enterprise rates by occupation as well as work level, the survey is so designed that the occupational rates at a given work level can be combined into a single rate representing the general level of private enterprise salaries for a work level equivalent to a Classification Act grade.

To maintain Federal salaries at levels comparable with private enterprise levels and to assure that other features of statutory salary systems are corrected and improved as experience shows the need, the bill provides that the President shall require an annual report, from an agency he designates, on the relationship of Federal salaries to those in private enterprise and shall submit an annual report to Congress recommending the adjustments in salary schedules, structure, and policy he considers advisable. This provision is a fundamental feature of the reforms proposed. It establishes a procedure for annual review of salary schedules and for annual adjustment when necessary to maintain the prescribed relationship to private enterprise pay levels. A systematic review of this kind is essential to prevent Federal salary schedules from relapsing to their present conditions.

The Bureau of Labor Statistics survey furnishes private enterprise salary data for occupations which are representative of the Classification Act.[5]

We would do well to illustrate what the Federal salary structure looks like, to give a reference point and basis for comparison before undertaking further discussion.

The following is the Federal salary rates as they stood prior to the enactment of the Pay Reform Bill of 1962. As will be noted the

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Footnotes at end of speech.

salary spread encompasses a grade system ranging from Grade 1 through Grade 18, and within each grade, increases or steps for years of service. Effective July 1960, the Federal salaries were as indicated on the following page.

Classification Act salary rates (authorized by the Federal Employees Salary Increase Act of 1960)

Grade	a	b	c	d	e	f	g	Longevity		
								x	y	z
GS-1	$3,185	$3,290	$3,395	$3,500	$3,605	$3,710	$3,815	$3,290	$4,025	$4,130
GS-2	3,500	3,605	3,710	3,815	3,920	4,025	4,130	4,235	4,340	4,445
GS-3	3,760	3,865	3,970	4,075	4,180	4,285	4,390	4,495	4,600	4,705
GS-4	4,040	4,145	4,250	4,355	4,460	4,565	4,670	4,775	4,880	4,985
GS-5	4,345	4,510	4,675	4,840	5,005	5,170	5,335	5,500	5,665	5,830
GS-6	4,830	4,995	5,160	5,325	5,490	5,655	5,820	5,985	6,150	6,315
GS-7	5,355	5,520	5,685	5,850	6,015	6,180	6,345	6,510	6,675	6,840
GS-8	5,885	6,050	6,215	6,380	6,545	6,710	6,875	7,040	7,205	7,370
GS-9	6,435	6,600	6,765	6,930	7,095	7,260	7,425	7,590	7,755	7,920
GS-10	6,995	7,160	7,325	7,490	7,655	7,820	7,985	8,150	8,315	8,480
GS-11	7,560	7,820	8,080	8,340	8,600	8,860		9,120	9,380	9,640
GS-12	8,955	9,215	9,475	9,735	9,995	10,255		10,515	10,775	11,035
GS-13	10,635	10,895	11,155	11,415	11,675	11,935		12,195	12,455	12,715
GS-14	12,210	12,470	12,730	12,990	13,250	13,510		13,770	14,030	14,290
GS-15	13,730	14,055	14,380	14,705	15,030			15,290	15,550	15,810
GS-16	15,255	15,515	15,775	16,035	16,295					
GS-17	16,530	16,790	17,050	17,310	17,570					
GS-18	18,500									

NOTES

GS-1 to GS-10 step increases effective every 52 weeks. GS-11 to GS-17 step increases effective every 78 weeks.

Yearly salary divided by 2,080 counting a fraction of a cent as the next higher cent will give you the hourly rate. Hourly rate multiplied by 80 will give you the biweekly rate.

The first pay raise after the Federal Reform Pay Act was effective with October 1962. Without detailing at this point regarding every aspect of the new rates, it should be noted that the new scales were raised on a graduated basis running from approximately 2 percent to 7 percent, which was consistent, at least as far as it went, with the facts brought out in the Bureau of Labor Statistics (hereafter referred to as BLS) survey that the higher the grade the larger the pay gap. It also provided for a change in the "within grade" raises of each step with the time interval between each step starting at 52 weeks, then 104 weeks and finally 156 weeks. Although a step in the right direction, the new scales did not achieve comparability. On the following page is the salary chart effective with October 1962.

Compensation schedule I (through Jan. 4, 1964)

Grade	Waiting period 52 weeks			Waiting period 104 weeks			Waiting period 156 weeks			
	1	2	3	4	5	6	7	8	9	10
GS-1	$3,245	$3,350	$3,455	$3,560	$3,665	$3,770	$3,875	$3,980	$4,085	$4,190
GS-2	3,560	3,665	3,770	3,875	3,980	4,085	4,190	4,295	4,400	4,505
GS-3	3,820	3,925	4,030	4,135	4,240	4,345	4,455	4,580	4,705	4,830
GS-4	4,110	4,250	4,390	4,530	4,670	4,810	4,950	5,090	5,230	5,370
GS-5	4,565	4,725	4,885	5,045	5,205	5,365	5,525	5,685	5,845	6,005
GS-6	5,035	5,205	5,375	5,545	5,715	5,885	6,055	6,225	6,395	6,565
GS-7	5,540	5,725	5,910	6,095	6,280	6,465	6,650	6,835	7,020	7,205
GS-8	6,090	6,295	6,500	6,705	6,910	7,115	7,320	7,525	7,730	7,935
GS-9	6,675	6,900	7,125	7,350	7,575	7,800	8,025	8,250	8,475	8,700
GS-10	7,290	7,535	7,780	8,025	8,270	8,515	8,760	9,005	9,250	9,495
GS-11	8,045	8,310	8,575	8,840	9,105	9,370	9,635	9,900	10,165	
GS-12	9,475	9,790	10,105	10,420	10,735	11,050	11,365	11,680	11,995	
GS-13	11,150	11,515	11,880	12,245	12,610	12,975	13,340	13,705	14,070	
GS-14	12,845	13,270	13,695	14,120	14,545	14,970	15,395	15,820	16,245	
GS-15	14,565	15,045	15,525	16,005	16,485	16,965	17,445	17,925		
GS-16	16,000	16,500	17,000	17,500	18,000					
GS-17	18,000	18,500	19,000	19,500	20,000					
GS-18	20,000									

Note.—Yearly salary divided by 2,080 counting a fraction of a cent as the next higher cent will give you the hourly rate. Hourly rate multiplied by 80 will give you the biweekly rate.

The second and third raises promulgated after this reform act are shown on the following pages. Although promised by the Act, these raises too, did not achieve comparability.

Compensation schedule II (effective Jan. 5, 1964)

Grade	Waiting period 52 weeks			Waiting period 104 weeks			Waiting period 156 weeks			
	1	2	3	4	5	6	7	8	9	10
GS-1	$3,305	$3,410	$3,515	$3,620	$3,725	$3,935	$3,935	$4,040	$4,145	$4,250
GS-2	3,620	3,725	3,830	3,935	4,040	4,145	4,250	4,355	4,460	4,565
GS-3	3,880	3,985	4,090	4,195	4,300	4,405	4,525	4,650	4,775	4,900
GS-4	4,215	4,355	4,495	4,635	4,775	4,915	5,055	5,195	5,335	5,475
GS-5	4,690	4,850	5,010	5,170	5,330	5,490	5,650	5,810	5,970	6,130
GS-6	5,235	5,410	5,585	5,760	5,935	6,110	6,285	6,460	6,635	6,810
GS-7	5,795	5,990	6,185	6,380	6,575	6,770	6,965	7,160	7,355	7,550
GS-8	6,390	6,600	6,810	7,020	7,230	7,440	7,650	7,860	8,070	8,280
GS-9	7,030	7,260	7,490	7,720	7,950	8,180	8,410	8,640	8,870	9,100
GS-10	7,690	7,945	8,200	8,455	8,710	8,965	9,220	9,475	9,730	9,985
GS-11	8,410	8,690	8,970	9,250	9,530	9,810	10,090	10,370	10,650	
GS-12	9,980	10,310	10,640	10,970	11,300	11,630	11,960	12,290	12,620	
GS-13	11,725	12,110	12,495	12,880	13,265	13,650	14,035	14,420	14,805	
GS-14	13,615	14,065	14,515	14,965	15,415	15,865	16,315	16,765	17,215	
GS-15	15,655	16,180	16,695	17,210	17,725	18,240	18,755	19,270		
GS-16	16,000	16,500	17,000	17,500	18,000					
GS-17	18,000	18,500	19,000	19,500	20,000					
GS-18	20,000									

Note.—Yearly salary divided by 2,080 counting a fraction of a cent as the next higher cent will give you the hourly rate. Hourly rate multiplied by 80 will give you the biweekly rate.

Federal Employees Salary Act of 1964 (effective July 5, 1964)

Grade	Waiting period 52 weeks			Waiting period 104 weeks			Waiting period 156 weeks			
	1	2	3	4	5	6	7	8	9	10
GS-1	$3,385	$3,500	$3,615	$3,730	$3,845	$3,960	$4,075	$4,190	$4,305	$4,420
GS-2	3,680	3,805	3,930	4,055	4,180	4,305	4,430	4,555	4,680	4,805
GS-3	4,005	4,140	4,275	4,410	4,545	4,680	4,815	4,950	5,085	5,220
GS-4	4,480	4,630	4,780	4,930	5,080	5,230	5,380	5,530,	5,680,	5,830
GS-5	5,000	5,165	5,330	5,495	5,660	5,825	5,990	6,155	6,320	6,485
GS-6	5,505	5,690	5,875	6,060	6,245	6,430	6,615	6,800	6,985	7,170
GS-7	6,050	6,250	6,450	6,650	6,850	7,050	7,250	7,450	7,650	7,850
GS-8	6,630	6,850	7,070	7,290	7,510	7,730	7,950	8,170	8,390	8,610
GS-9	7,220	7,465	7,710	7,955	8,200	8,445	8,690	8,935	9,180	9,425
GS-10	7,900	8,170	8,440	8,710	8,980	9,250	9,520	9,790	10,060	10,330
GS-11	8,650	8,945	9,240	9,535	9,830	10,125	10,420	10,715	11,010	11,305
GS-12	10,250	10,605	10,960	11,315	11,670	12,025	12,380	12,735	13,090	13,445
GS-13	12,075	12,495	12,915	13,335	13,755	14,175	14,595	15,015	15,435	15,855
GS-14	14,170	14,660	15,150	15,640	16,130	16,620	17,110	17,600	18,090	18,580
GS-15	16,460	17,030	17,600	18,170	18,740	19,310	19,880	20,450	21,020	21,590
GS-16	18,935	19,590	20,245	20,900	21,555	22,210	22,865	23,520	24,175	
GS-17	21,445	22,195	22,945	23,695	24,445					
GS-18	24,500									

Note.—Yearly salary divided by 2,080 counting ½ cent and over as a whole cent will give you the hourly rate. Hourly rate multiplied by 80 will give you the biweekly rate.

We have stated that the last three raises have not achieved comparability, but we have not shown any figures on what this comparability is supposed to be up to now. No purpose would be served in listing numerous pages of figures on each raise but it is believed a good insight into this problem can be achieved in a thorough analysis of the 1965 and 1966 pay proposals and the results that followed.

President Johnson's communication to Speaker McCormack serves to show the responsibility the President now has to annually report to the Congress on Federal salaries and indicate who prepares the report. On May 17, 1965, the transmittal of the report was made:

"DEAR MR. SPEAKER: Supplementing my message on Federal Pay, and as required by the Federal Salary Reform Act of 1962, I transmit herewith to the Congress the attached report, prepared by the Director of the Bureau of the Budget and the Chairman of the Civil Service Commission, comparing Federal statutory salary rates with the salary rates paid in private enterprise for the same work levels, as reported in November 1964 by the Bureau of Labor Statistics.

"A similar letter is being sent to the President of the Senate.

"Sincerely,

"LYNDON B. JOHNSON."[6]

Shortly we will look at these figures but first it should be stated that this report compares the then present Federal statutory salary rates with average salary rates paid for the same levels of work in private enterprise as reported in November 1964 in the National Survey of Professional, Administrative, Technical, and Clerical Pay, conducted by the BLS.

At grades GS-1 and GS-2 of the Classification Act, but in no other salary syetm, the then current rates were set above 1963 private enterprise rates. At all other grades through GS-5, the current rates approximated those paid in private enterprise in 1963. From GS-6 upwards, the current rates dropped progressively further in arrears of 1963 private enterprise; and from GS-12 upward the rates were below the *1962* rates of private enterprise.

It should be noted that the figures shown in the following charts are actually even further behind because of the time lag in the compilation of the figures and the approximate 3% average gain in private salaries each year.

The following chart compares the 1964 pay line with the 1962 pay line (a pay line is the fourth step of the salary schedule) which was the basis for the salary adjustment recommended by the President in April 1963, and with the fourth rates of the grades in the then present Classification Act schedule which became effective in July 1964. The 1964 pay line shows a uniform increase at all grades of approximately 6.6 percent over the 1962 pay line. Because Congress adjusted the President's 1963 salary proposal so as to add 3 percent at the first five grades and to reduce the rates for the upper grades by progressively larger dollar amounts, the differences between the current schedule rates and the 1964 pay line vary from 3.5 percent at most of the lower grades to about 11 percent at the top grades.[7]

Comparison of Classification Act pay line derived from BLS 1964 report with 1962 pay line and with present Classification Act schedule

Grade	Pay line derived from 1964 report	1962 comparability pay line	Difference, 1964 over 1962 pay line (percent)	Current Classification Act schedule (4th rates)	Difference, 1964 comparability pay line over current Classification Act schedule	
					Amount	Percent
GS-1	$3,630	$3,400	6.8	$3,730	(1)	
GS-2	4,075	3,820	6.7	4,055	$20	0.5
GS-3	4,565	4,280	6.7	4,410	155	3.5
GS-4	5,105	4,785	6.7	4,930	175	3.5
GS-5	5,690	5,335	6.7	5,495	195	3.5
GS-6	6,335	5,940	6.6	6,060	275	4.5
GS-7	7,020	6,585	6.6	6,650	370	5.6
GS-8	7,770	7,290	6.6	7,290	480	6.6
GS-9	8,580	8,045	6.7	7,955	625	7.9
GS-10	9,440	8,850	6.7	8,710	730	8.4
GS-11	10,380	9,735	6.6	9,535	845	8.9
GS-12	12,435	11,665	6.6	11,315	1,120	9.9
GS-13	14,750	13,835	6.6	13,335	1,415	10.6
GS-14	17,315	16,240	6.6	15,640	1,675	10.7
GS-15	20,120	18,870	6.6	18,170	1,950	10.7
GS-16	23,140	21,700	6.6	20,900	2,240	10.7
GS-17	26,330	24,695	6.6	23,695	2,635	11.1
GS-18	[2] 27,200	[3] 25,270	6.7	[4] 24,500	2,455	10.0

[1] Present rate above pay line.
[2] Entrance rate for grade (in lieu of pay line 4th rate, $29,650).
[3] Entrance rate for grade (in lieu of pay line 4th rate, $27,805).
[4] Single rate.

Based upon the BLS survey of November 1964 the entire Federal salary scale for 1965 should have been as illustrated on the next page. However, even though this scale showed what was needed for comparability on figures that were already over a year old, the Director of the Bureau of the Budget and the Chairman of the Civil Service Commission concurred in the recommendations which were submitted by the Special Panel on Federal Salaries.

The Panel's recommendation was for an increase of a 3 percent *across the board raise* in the statutory salary schedules even though the figures clearly indicated a graduated raise of between 3.5 and 11 percent was needed. The 3 percent recommended did not allow for the lag in compiling the figures and therefore the Federal salaries slipped to an approximate range of 4 to 11.5 percent behind the private remuneration. The salary scale as enacted is illustrated on page 17 which amounted to a raise of 3.6 percent.

The Special Panel on Federal Salaries invited Federal employee organizations to present their views in writing on the pay raise question after having been supplied the BLS survey report. Thirty-two employee and professional organizations presented their views and they were nearly unanimous in endorsing the comparability approach.

John F. Griner, the National President of the American Federation of Government Employees on March 10, 1965, made the following statement:

"The recommendation I desire to submit for your consideration is that an overall increase of 3.5 percent be added to that provided in the 1964 pay line, with the further stipulation that there be a minimum increase of 7 percent beginning with Grade GS-1 and rising to 14.6 percent in GS-17. I make this recommendation, which I believe to be conservative, because the lag between salary surveys and legislative enactments has prevented employees from benefiting from needed salary increases as early as they should have been able to benefit. This lag began with the survey of 1960-61 on which the 1962 salary Reform Act was based. From then until the latest salary survey of 1963-64 the lag was continued with the result that the 1964 law was enacted approximately a year and a half after a large portion of

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the 1962–63 survey had been completed. I do not mean to say that the lag in each of the four surveys from 1960–61 to the latest survey of 1963–64 is in each instant additive, but only to point out the fact that the raises were delayed each time and would not fully reflect the higher rates in industry which prevailed during the preceding period. Thus it is that we suggest the additional increase of 3.5 percent with the provision of a 7 percent minimum increase in GS–1. However, we are of the opinion that it will still not be sufficient to bring rates in all grades into line with salaries in private industry as indicated in the most recent BLS survey.

1964 comparability schedule, Classification Act

	1	2	3	Pay line 4	5	6	7	8	9	10
GS-1[1]	$3,385	$3,500	$3,615	$3,730	$3,845	$3,960	$4,075	$4,190	$4,305	$4,420
GS-2	3,700	3,825	3,950	4,075	4,200	4,325	4,450	4,575	4,700	4,825
GS-3	4,145	4,285	4,425	4,565	4,705	4,845	4,985	5,125	5,265	5,405
GS-4	4,640	4,795	4,950	5,105	5,260	5,415	5,570	5,725	5,880	6,035
GS-5	5,180	5,350	5,520	5,690	5,860	6,030	6,200	6,370	6,540	6,710
GS-6	5,765	5,955	6,145	6,335	6,525	6,715	6,905	7,095	7,285	7,475
GS-7	6,375	6,590	6,805	7,020	7,235	7,450	7,665	7,880	8,095	8,310
GS-8	7,065	7,300	7,535	7,770	8,005	8,240	8,475	8,710	8,945	9,180
GS-9	7,800	8,060	8,320	8,580	8,840	9,100	9,360	9,620	9,880	10,140
GS-10	8,585	8,870	9,155	9,440	9,725	10,010	10,295	10,580	10,865	11,150
GS-11	9,435	9,750	10,065	10,380	10,695	11,010	11,325	11,640	11,955	12,270
GS-12	11,310	11,685	12,060	12,435	12,810	13,185	13,560	13,935	14,310	14,685
GS-13	13,315	13,860	14,305	14,750	15,195	15,640	16,085	16,530	16,975	17,420
GS-14	15,740	16,265	16,790	17,315	17,840	18,365	18,890	19,415	19,940	20,465
GS-15	18,290	19,900	19,510	20,120	20,730	21,340	21,950	22,560	23,170	23,780
GS-16	21,040	21,740	22,440	23,140	23,840	24,540	25,240	25,940	26,640	------------
GS-17	23,930	24,730	25,530	26,330	27,130	------------	------------	------------	------------	------------
GS-18	27,200	------------	------------	------------	------------	------------	------------	------------	------------	------------

[1] Retained salaries.

Federal Employees Salary Act of 1965 (effective Oct. 10, 1965)

Grade	Waiting period 52 weeks			Waiting period 104 weeks			Waiting period 156 weeks			
	1	2	3	4	5	6	7	8	9	10
GS-1	$3,507	$3,626	$3,745	$3,864	$3,983	$4,102	$4,221	$4,340	$4,459	$4,578
GS-2	3,814	3,943	4,072	4,210	4,330	4,459	4,588	4,717	4,846	4,975
GS-3	4,149	4,289	4,429	4,569	4,709	4,849	4,989	5,129	5,269	5,409
GS-4	4,641	4,797	4,953	5,109	5,265	5,421	5,577	5,733	5,889	6,045
GS-5	5,181	5,352	5,523	5,694	5,865	6,036	6,207	6,378	6,549	6,720
GS-6	5,702	5,894	6,086	6,278	6,470	6,662	6,854	7,046	7,238	7,430
GS-7	6,269	6,476	6,683	6,890	7,097	7,304	7,511	7,718	7,925	8,132
GS-8	6,869	7,097	7,325	7,553	7,781	8,009	8,237	8,465	8,693	8,921
GS-9	7,479	7,733	7,987	8,241	8,495	8,749	9,003	9,257	9,511	9,765
GS-10	8,184	8,464	8,744	9,024	9,304	9,584	9,864	10,144	10,424	10,704
GS-11	8,961	9,267	9,573	9,879	10,185	10,491	10,797	11,103	11,409	11,715
GS-12	10,619	10,987	11,355	11,723	12,091	12,459	12,827	13,195	13,563	13,931
GS-13	12,510	12,945	13,380	13,815	14,250	14,685	15,120	5,555	15,990	16,425
GS-14	14,680	15,188	15,696	16,204	16,712	17,220	17,728	18,236	18,744	19,252
GS-15	17,055	17,645	18,235	18,825	19,415	20,005	20,595	21,185	21,775	22,365
GS-16	19,619	20,297	20,975	21,653	22,331	23,009	23,687	24,365	25,043	------------
GS-17	22,217	22,994	23,771	24,548	25,325	------------	------------	------------	------------	------------
GS-18	25,382	------------	------------	------------	------------	------------	------------	------------	------------	------------

Note.—Yearly salary divided by 2,080 counting ½ cent and over as a whole cent will give you the hourly rate. Hourly rate multiplied by 80 will give you the biweekly rate.

"The increase which I am recommending and which coincides with that approved by the Government Employees' Council, would provide fourth-step rates for the various grades in the table below. The range of recommended rates is compared with 1964 pay line." [10]

Grade	Percent increase of 4th rate	
	Based on CSC and BOB 1964 pay line	AFGE recommendation
GS-1	------------	7.0
GS-2	0.5	7.0
GS-3	3.5	7.0
GS-4	3.5	7.0
GS-5	3.5	7.0
GS-6	4.5	8.0
GS-7	5.6	9.1
GS-8	6.6	10.1
GS-9	7.9	11.4
GS-10	8.4	11.9
GS-11	8.9	12.4
GS-12	9.9	13.4
GS-13	10.6	14.1
GS-14	10.7	14.2
GS-15	10.7	14.2
GS-16	10.7	14.2
GS-17	11.1	14.6
GS-18	10.0	13.5

In the last few pages we have discussed the 1965 pay legislation and the effect it had upon the issue of comparability. Little more need be said on how the Federal employee fared. The figures speak for themselves. With this in mind we move to 1966 and the opening statement to the Congress by the President of the United States in transmitting the message of the Budget Director and Chairman of the Civil Service Commission.

Among the many blessings which Americans can count is a corps of Federal civil servants that is unequaled anywhere in the world. Honest, intelligent, efficient, and—above all—dedicated, these men and women represent a national resource and a national asset.

America expects much of these public servants. We have made vigorous demands on their time and energy. We have exacted from them high standards of work and conduct.

In recent years, we have moved steadily to compensate these men and women equitably and competitively for their quality performance in the public interest. To that end, the administration prepared and the Congress enacted, the Federal Salary Reform Act of 1962. We established the principle that Government workers are entitled to a pay scale which compares favorably with pay in private industry.

Such a pay scale is as much in the national interest as it is in the interest of Government employees. I said when signing the Government Employees Salary Reform Act of 1964:

America's challenges cannot be met in this modern world by mediocrity, at any level, public or private. All through our society we must search for brilliance, welcome genius, strive for excellence.

We have been true to the principle of comparability.

Since 1961, the pay of Federal employees has increased by over 16 percent.

In the brief period since I have been President, employees of the Federal Government have enjoyed pay increases amounting to nearly 12 percent. These increases have done much to close the gap between compensation for Government employees and those in private enterprise.[12]

The President went on to explain that he was asking for Federal compensation amounting to a total of 3.2 percent, 2.85 percent being a cash raise, to comply with the Administration's guidepost for *all* to follow as a hedge against inflation. The President requested a graduated raise ranging from 1 percent to 4½ percent.

As a public matter it is easy to realize that the President must set an example if he asked others to restrict wage hikes but it's the epitome of irony to make those Federal workers, who by statistics gathered by an arm of the executive office itself, are shown to be trailing up to 11% or more behind the rest of the labor force.

In analyzing the President's message anyone who has followed the legislative history would most likely find themselves somewhat at odds with the declaration that "we have been true to the principle of comparability."

However, if we go further into the Joint Annual Report we find the members stating that the 3.6 percent adjustment authorized as of October 1, 1965, did give comparability *but* only to the lower grades, GS–1 through GS–5, which as we have previously noted, were the grades that either did not trail comparability or trailed by only a small amount. The Report went on to say however, that at GS–6 and higher grades the 1965 adjustment permitted Federal salary rates to trail the 1964 private enterprise rates. At several of the highest grades the Federal rates were approximately compa-

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Footnotes at end of speech.

rable with 1962 private enterprise rates. "True comparability"? I guess we'd have to allow for interpretation.

In computing the statistics for this survey the method was changed from previous methods in that the survey was extended to include nonmetropolitan areas as well as metropolitan. Consequently, the differences shown between the 1965 and 1964 rates cannot be compared figure for figure, but for the purposes set forth in this paper the figures are more than adequate.

The survey this time showed the salaries Federal employees should have been getting in 1966 to be as follows:

1965 comparability pay schedule—Classification Act

FSS	Pay line									
	1	2	3	4	5	6	7	8	9	10
GS-1	$3,265	$3,375	$3,485	$3,595	$3,705	$3,815	$3,925	$4,035	$4,145	$4,255
GS-2	3,710	3,835	3,960	4,085	4,210	4,335	4,460	4,585	4,710	4,835
GS-3	4,195	4,335	4,475	4,615	4,755	4,895	5,035	5,175	5,315	5,455
GS-4	4,730	4,885	5,040	5,195	5,350	5,505	5,660	5,815	5,970	6,125
GS-5	5,305	5,480	5,655	5,830	6,005	6,180	6,355	6,530	6,705	6,880
GS-6	5,925	6,120	6,315	6,510	6,705	6,900	7,095	7,290	7,485	7,680
GS-7	6,595	6,815	7,035	7,255	7,475	7,695	7,915	8,135	8,355	8,575
GS-8	7,310	7,555	7,800	8,045	8,290	8,535	8,780	9,025	9,270	9,515
GS-9	8,090	8,360	8,630	8,900	9,170	9,440	9,710	9,980	10,250	10,520
GS-10	8,915	9,210	9,505	9,800	10,095	10,390	10,685	10,980	11,275	11,570
GS-11	9,810	10,135	10,460	10,785	11,110	11,435	11,760	12,085	12,410	12,735
GS-12	11,765	12,155	12,545	12,935	13,325	13,715	14,105	14,495	14,885	15,275
GS-13	13,970	14,435	14,900	15,365	15,830	16,295	16,760	17,225	17,690	18,155
GS-14	16,465	17,015	17,565	18,115	18,665	19,215	19,765	20,315	20,865	21,415
GS-15	19,295	19,940	20,585	21,230	21,875	22,520	23,165	23,810	24,455	25,100
GS-16	22,525	23,275	24,025	24,775	25,525	26,275	27,025	27,775	28,525	--------
GS-17	26,210	27,085	27,960	28,835	29,710	--------	--------	--------	--------	--------
GS-18	30,490	--------	--------	--------	--------	--------	--------	--------	--------	--------

The salary scales as finally enacted effective July 3, 1966, are shown on the chart below.

Federal Employees Salary Act of 1966 (effective July 3, 1966)

Grade	Waiting period 52 weeks			Waiting period 104 weeks			Waiting period 156 weeks			
	1	2	3	4	5	6	7	8	9	10
GS-1	$3,609	$3,731	$3,853	$3,975	$4,097	$4,219	$4,342	$4,463	$4,585	$4,707
GS-2	3,925	4,058	4,191	4,324	4,457	4,590	4,723	4,856	4,989	5,122
GS-3	4,269	4,413	4,557	4,701	4,845	4,989	5,133	5,277	5,421	5,565
GS-4	4,776	4,936	5,096	5,256	5,416	5,576	5,736	5,896	6,056	6,216
GS-5	5,331	5,507	5,683	5,859	6,035	6,211	6,387	6,563	6,739	6,915
GS-6	5,867	6,065	6,263	6,461	6,659	6,857	7,055	7,253	7,451	7,649
GS-7	6,451	6,664	6,877	7,090	7,303	7,516	7,729	7,942	8,155	8,368
GS-8	7,068	7,303	7,538	7,773	8,008	8,243	8,478	8,713	8,948	9,183
GS-9	7,696	7,957	8,218	8,479	8,740	9,001	9,262	9,523	9,784	10,045
GS-10	8,421	8,709	8,997	9,285	9,573	9,861	10,149	10,437	10,725	11,013
GS-11	9,221	9,536	9,851	10,166	10,481	10,796	11,111	11,426	11,741	12,056
GS-12	10,927	11,306	11,685	12,064	12,443	12,822	13,201	13,580	13,959	14,338
GS-13	12,873	13,321	13,769	14,217	14,665	15,113	15,561	16,009	16,457	16,905
GS-14	15,106	15,629	16,152	16,675	17,198	17,721	18,244	18,767	19,290	19,813
GS-15	17,550	18,157	18,764	19,371	19,978	20,585	21,192	21,799	22,406	23,013
GS-16	20,075	20,745	21,415	22,085	22,755	23,425	24,095	24,765	25,435	--------
GS-17	22,760	23,520	24,280	25,040	25,800	--------	--------	--------	--------	--------
GS-18	25,890	--------	--------	--------	--------	--------	--------	--------	--------	--------

Note.—Yearly salary divided by 2,080 counting ½ cent and over as a whole cent will give you the hourly rate. Hourly rate multiplied by 80 will give you the biweekly rate.

Let us make an analysis of this latest (1966) pay scale from a different approach and then compare the results of the 1965 pay scale.

A sampling of four different grades will give the spectrum desired and be compatible for comparison to past pay scales to determine what progress has been made. The following chart will illustrate.

1966 comparability pay	1966 actual pay	Gain (+) or loss (−)	Approximate percent of comparability	Approximate true percent of comparability due to time lag	Trailing percent
GS-1, $3,595	$3,975	+$380	110	106.5	--------
GS-6, $6,510	6,461	−49	99	95.5	−4.5
GS-13, $15,365	14,217	−1,148	93	89.5	−10.5
GS-17, $28,835	25,040	−3,795	87	83.5	−16.5

Grades 1 through 5 have achieved better than comparability. Beginning with Grade 6 and above the classified workers start to fall below the comparability line with the percentage ranging from a loss of 4.5% to a loss of 16.5%. The 1965 raise trailed by approximately 4 to 11.5%, an increase in the percentage loss of approximately .5 to 5% over the previous year. Will the story continue in the same VANE, or in VAIN?

Prospects in the future

As in most legislation the hard work on a bill or resolution is done at the Committee level. The Committee can use the hearing as a method of gathering information, points of view, and as a public information outlet. At present hearings are being held by the House Civil Service Committee on the 1967 pay proposals. In spite of the figures showing the graduated gap in comparable pay, the Administration has proposed an *across the board* raise of 4.5% this year but then proposed two successive raises of a slightly higher amount on a *sliding-scale* in 1968 and 1969, with the ultimate effect promising comparability in 1969. Those that recall the promise of comparability in 1962 might be pessimistically skeptical on that score. However, there may be some basis for cautious optimism. Hearings conducted on April 25, 1967, reportedly "produced surprisingly-strong backing for a two year plan and equality by mid-1968.[13] Additionally, a change in the timing of the BLS survey will lop off 3 months of the time lag and will result in figures being only 12 months old instead of 15 in the future surveys.

But getting back to reality, the Director of the Bureau of the Budget in testifying before the House Civil Service Committee put into the record the Proposed Classified rates and the comparability figures including percentage of comparability. Following is the chart: Note how it compares to my own figures worked up for the 1966 raise and it is easy to conclude what progress will be made if these scales are enacted.

Proposed classified rates[14]

	Comparable salaries	Proposed salaries	Percent of comparability	Sample percent comparison of 1966 scales using survey scales
GS-1	$3,745	$4,154	110.9	110
GS-2	4,255	4,519	106.2	--------
GS-3	4,810	4,913	102.1	--------
GS-4	5,415	5,493	101.4	--------
GS-5	6,075	6,123	100.8	--------
GS-6	6,790	6,752	99.4	99
GS-7	7,555	7,409	98.1	--------
GS-8	8,380	8,122	96.9	--------
GS-9	9,270	8,861	95.6	--------
GS-10	10,215	9,703	95.0	--------
GS-11	11,235	10,623	94.6	--------
GS-12	13,470	12,607	93.6	--------
GS-13	16,005	14,857	92.8	93
GS-14	18,870	17,425	92.3	--------
GS-15	22,115	20,243	91.5	--------
GS-16	25,810	23,079	89.4	--------
GS-17	30,040	25,850	86.1	87
GS-18	31,760	25,990	81.8	--------

Note.—Virtually no progress.

Footnotes at end of speech.

The story would not be complete unless *we considered in the legislative process the* feelings of the employees themselves.

Employee reactions

Those directly concerned with this matter of Equal Pay for Equal Work must certainly have feelings on the matter. In part the following pages reveal what some have indicated in writing to their representatives.[15]

In the first instance the thought being conveyed seems to be a rebuttal of the excuses given that a comparable wage cannot be paid because of budget problems and especially because of the Vietnam war.

THE PLIGHT OF THE FEDERAL EMPLOYEE

Today we are engaged in many wars. An extremely hot war in Vietnam, at home we are fighting a war on poverty, another is the cold war throughout the world, races in technology space programs, others in moral questions of individual rights. Each is costly, *far more costly than people wish them to be,* but nevertheless just as costly in human lives, suffering, tensions, anguish, and inevitably the most calculable, money.

Each of us fights his own little war of trying to be victorious in acquiring more of this calculable commodity for our own basic needs and then some for that better life, just as collectively we all strive to be victorious in all these wars, simultaneously. All, it appears to me, can conclude that the more that is attempted or necessary, the higher the aggregate cost will be. And, assumingly, the higher the cost to all as equally as is feasible. All Americans are involved in these wars, as individual citizens, groups, etc., and among those groups, is a particular group, and the subject of this message, the Federal employees. It might be mentioned that from one point of view, Federal employees, as a whole are to a degree more deeply involved in these wars than other citizens and taxpayers, by the additional privilege of actively and directly working in these endeavors. As a Federal employee and an advocate of their causes, and plight to attain individual and collective goals the following is offered for consideration by all those with a degree of control or influence over their fate.

It is a fact and necessarily so, that the Federal employee is handicapped in his bargaining position as opposed to other groups of employees, when seeking just benefits or wages, by the inability to strike or exercise other coercive means to drive home his views. Moreover, virtually the *only* means of effecting his goals is obtaining the sympathy of the nation's legislators and Chief Legislator, the President of the United States. It is to this group that this appeal is directed.

In all fairness we should be and are, in full understanding and sympathy with the overwhelming decisions that are burdening our Chief Executive and legislators. How do we accomplish all things to all people, and do it now? I do not wish to answer this. What we do ask, is that we give nothing less than any citizen is asked to give, whatever be decided by our elected representatives. What we further ask, however, is that we are not asked any longer to bear more than what is asked of every citizen and taxpayer. If everything Americans wish to accomplish will cost more than we are paying now, let all be assessed the same.

In 1962 President Kennedy instituted a policy of "Comparability" of remuneration for comparable jobs in government and industry, as manifested in the 1962 Federal Reform Pay Act. This was a giant step for the cause of the Federal employee, and more than that, a major step to change the attitudes of the more qualified to enter and stay in the Federal service instead of turning to private industry because the remuneration is higher. Since that time the Department of Labor through the Bureau of Labor Statistics has conducted studies to determine this comparability. The paramount point here is that *Comparability became a reality!* Positions and salaries could be compared and the difference could be seen! It was easy from there on. All that had to be done from that point was to pay the difference (or detract, but this has not been the case) because it was obviously an injustice to ask anyone to work for less wages than another person was getting at a comparable job. But was it done? The answer should be clear.

It was lately explained that comparability could not be promulgated now, because of the cost of the war in Vietnam, but as soon as the war was over comparability would be carried out. If you stop to think about it, *this puts the Federal employee in the position* of a second class citizen or to put it another way, subjected to a double standard. Consider that the Federal employee pays the same taxes as all other employees. These taxes are used to pay for the war in Vietnam, the Cold War, the Great Society programs *(guns and butter, if you will). Yet, the Federal* employee cannot receive as much salary. To any thinking being it becomes obvious that these Federal employees, in effect, are paying more than their share. Certainly, the Federal employee is willing to pay equally for everything the American people wish. *After all, he is also one of those people, he* is not unique. He has expenses of every day living, food, clothing, shelter, he pays equally other taxes, state, county, sales, etc. He has children to support and desires to provide the best he can for his family the same as anyone else. The former Postmaster General, J. Edward Day was recently quoted in the *Washington Star as saying:*

> "We must give up the idea that public employees can be treated as second class citizens when it comes to pay and working condition. . . . When we undertake public programs we mustn't later decide that the public employee must bear the brunt of the budget problems. The federal government in my opinion is going to have budget problems every year so long as you and I are around. But the pay check of the public employee should not always be the first thing sacrificed when the budget squeeze is on."

Should the cost of the Administration's programs operating today, exclude the salaries of the employees engaged in them? Should payment of prices (excluding salaries) for all other aspects of the Great Society programs be the going rate, while salaries lag behind?

Inequities have been perpetrated by both the Administration and the Congress. The last raise proposed by the Administration was within its so called 3.2% guide line that *everyone* was supposed to follow. Others, of course, did not but the Federal employee salaries did, making things further lopsided. Incidentally, Federal employees got 3.2% in 1966 as the cost of living rose 3.3%. Committee reports have shown the greatest lag in salaries is in the middle to upper grades. Knowing this the Administration proposed a graduated raise (although still not enough) to make the gap more uniform, at least. Congress ignored this aspect and voted for an across-the-board increase, again violating what was shown to be needed.

It seems fitting here to be practical and realistic in this discussion. As referred to above, each of us strives for his own place and betterment. Legislators are no exception. Re-election, understandably, is important to most as is the needs of their constituency. As a practical matter there is little doubt that there are more employees in the lower grades and it follows that there are more voters found in these areas also. To further illustrate, Administration has seen the need to ask for substantial increases in social security benefits to our older citizens *now,* regardless of a costly war or not, it recommends these benefits (approximately 20%). There are nearly 20 million recipients of social security. There are only 1.2 million Federal employees. This is perfectly understandable and is not, herein the intention to condemn anyone, but rather to provide a base for the following summation and suggestion.[15A]

The paper goes on to suggest that the pay for Federal employees be on an automatic basis from year to year based on the BLS surveys.

The second spells out in a more emotion evoking attempt to clarify in basic terms the problems encountered by the employee because of a lag in pay.

This refers to the Federal Employee Pay Legislation now pending action by your *Committee. I wish to go on record as being* in favor of legislation designed to eliminate the "comparability gap" for *all* employees *now,* and to request your support of any such measure. We believe particular attention should be given to those grades in the Federal service which the Bureau of Labor *Statistics studies show have suffered from* the "comparability gap" in the greater amount and for a longer time and that such action should not again be postponed.

1. If a system can be established whereby comparability can be measured, which was accomplished in the 1962 Federal Pay Reform Act, then paying anything less is a gross injustice to the Federal employee.

2. The Federal government would not be able to pay a less than comparable wage, and price for material, to a private organization in a contractual agreement, and tell them that "well this year work for less but in the future we will pay you a comparable wage."

3. Time is money. Federal employees are no exceptions to the cost of everyday living. He pays the same prices for goods and services as other Americans. As admitted by Administration officials, Congressional leaders and as shown by the Bureau of Labor Statistics surveys Federal employees in the middle and upper grades have been short changed by a far greater margin than employees in the lower grades for all these years. In the middle grades, to take a *conservative* example, an employee has been underpaid at least $1,250 (much more at the higher grades) each year since comparison was possible. If comparability was instituted *today* the Federal employee would still be behind, not only due to the lag of 15 months in the Bureau of Labor Statistics surveys but because (a) since 1962 he has already lost $6,250 in hard cash as a basic figure. An amount that could have been just what he needed for that downpayment on a home for his family, a start for his children's education, a newer automobile than the clunker he has been putting up with, etc. (b) he has lost potential interest on that $6,250 if he could have saved some of it for the future. On $6,250 the interest would have accumulated over another $1,250 which multiplies the injustice even further. The interest is lost forever, and so is the interest on the interest, which at this point totals a loss of over $7,300. (c) Had he received that extra $1,250 a year he might not have had to borrow so much money to buy the things his family needed, and thus avoiding being submerged deeper in the financial muck and mire forced upon him. These things are realistic. This is really the plight of the Federal employee. Amounts of money mean nothing in themselves, it is only the relative value that counts. If the employees do not receive equal salary for equal work they are placed squarely in the position of *second class citizens.* They are expected to do comparable work for less than comparable pay. Budgetary excuses are invalid for prolonging any further postponement. There will always be budgetary problems. If this be the case let all citizens bear the brunt equally. A Federal employee can-

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Footnotes at end of speech.

not be expected to subsidize all the public programs that the Government undertakes. Cost factors must include the *just* pay for those administering the programs. If the cost of the additional programs is too much, then the program should be cut, not the salaries of the employees. In recent years proposals by the Administration and Congress have been incongruous. In 1965 the President asked everyone to follow the now defunct wage guide post of 3.2%. Government salaries did, while private salaries leaped further ahead. In 1966 the Administration proposed within the guidelines a graduated increase while Congress saw fit to make it across the board and this year the Administration has proposed an across the board increase. As hearings are now in progress it is imperative that these views be brought to the fore.

Figures show that 11.6% is needed *now* to achieve this long overdue and just raise. Only the sympathy of key members of Congress showing strong determination to effectuate this now long established principle will the plight of the Federal employee be finally and justly remedied.[16]

In more general terms and not specifically aimed at the comparability scales the following article (in Part) by Vance Packard, illustrates from an outside point of view the problems that exist:

> Business consultants rationalize such relatively low pay by suggesting that public servants are more interested in "psychic" rewards. But a recruiter offers this explanation:
>
> "Executives in private companies or industries are judged by company stockholders on profits the company makes and by its growth. If things are going well, no one bothers much about executive salaries being high."
>
> However, university presidents, Government officials and military officers are running institutions owned by the people, and "it is very difficult for taxpayers to justify salaries considerably higher than their own earnings or earning capabilities." In short, a philosophy of egalitarianism is, apparently, more likely to influence the pay of leaders in situations where the people have an effective vote, with power of protest or veto.

In relating comparisons with leaders in industry verses governmental leaders he (V. Packard) points out the hazard is not simply that some leaders make high six-figure incomes. Rather the hazard is in the fact that many leaders—in Government, universities and other public or service institutions—make low-five-figure incomes; skilled natural leaders are not available in abundance. If most of the available supply gravitates to the private areas where we offer the greatest material rewards, then the leaders who will help us face the urgent social challenges of the coming years will have to be responsive to nonmonetary motivation including the indubitable appeal of public notice, prestige and power. Meanwhile, most Americans will continue to be upward strivers in a largely dollar-dominated society.[17]

The acceptable procedure in a presentation such as this would be to effectively summarize what has been stated in a well founded conclusion. In this instance, however, it would be idle to make a further conclusion since the information has already imparted an ample denouement.

A more appropriate and constructive ending to this disquisition would be to suggest possible solutions to the problems rather than leave the matter in a criticized state, as is so often done.

Of primary concern to any group desiring legislation to embrace their cause is the conveying of these desires to the Nation's legislators in persuasive petitions. As Stephen Bailey states "more legislators respond favorably to group interests because they find themselves 'simpatico' with them than ever respond to threats of reprisal." [18]

Suggestion: Federal employees should make use of employee organizations, their elected representatives, and take a little time to express their views where they will be most effective, and urge those apathetic individuals to do the same.

Labor groups have requested that because statistics have shown the private salary scales have risen a certain amount in the past, and the fact that the statistics are lagging about 15 months behind, that that percentage be included in the compilation of comparable salaries. Congress has not agreed with this approach because it is unknown what the future rates will do and if industry scales do not rise as expected Federal salaries could end up ahead.

Suggestion: As a practical matter the time lag should be cut as close as possible. It is apparent that it can be cut substantially from what it is now. When this has been accomplished a simple bonus system could take care of any inequities the surveys show to exist. For example, if the lag is 12 months and the percentage difference shows a certain grade to lag by 1%, a bonus of 1% for the past year could make up the inequity without the fear of overpayment.

Donald Matthews, in describing committees in "U.S. Senators and their World," terms the seniority system of committee selection, the *Committee Caste System*. He observes one indication of the differences in committee prestige is the continual movement of senators from one committee to another during the course of their careers and that it is a rare senator, indeed, who is content to sit on a committee to which he was initially assigned during the entire length of service. Each senator normally serves on two standing committees; a few receive a third seat on a minor committee as well. (A footnote in the book states "the minor committees, as stipulated in Rule XXV, are the committees on the District of Columbia, Government Operations, and *Post Office and Civil Service*.) In a chart showing committee member movements the Foreign Relations Committee gained sixteen members and Appropriations fifteen, while the Post Office and Civil Service suffered the highest loss, nineteen members. Ergo, "When compared with the high ranking committees, those which are less desirable are often woefully weak in parliamentary skill, prestige, and experience. Moreover [the] members rarely hold other positions of power in the Senate.[19]

So, besides other disadvantages such as apathy of some Federal employees themselves, the usual adamant public opinion against raises for public servants, the cause for comparable Federal salaries is championed, by a committee whose members, for the most part, serve their apprenticeship and move on as quickly as possible, and understandably so, to more important committee assignments.

Suggestion: Since there has been a start in the 1962 Pay Reform Act toward annual review of salaries, the trend should be expanded even further by additional laws with the purpose of making comparable salary adjustments on an automatic basis. As the BLS surveys show that salaries have changed the salary scales of the Federal employees should be adjusted to comply with the new rates. There are thousands of bills introduced each session of Congress and much work to be done that could be better handled by those now concerned with the perennial chores of the pay raise bills. If our Federal employees are unequaled anywhere in the world, honest, intelligent, efficient and above all, dedicated as President Johnson has stated, why not take care of them and pay them an equal wage? Why not make the Federal service attractive to all Americans and by doing so attract the best possible people to serve the country? Why not help Americans to help America?

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NOTE: Opinions, inferences, analyses and conclusions, except where footnoted, are those of author.

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[15A] Source material contributed by Federal employees who had taken time to express their feelings regarding pay comparability.

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The Only Road Left for the Negro

EXTENSION OF REMARKS
OF

HON. RICHARD T. HANNA

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 28, 1967

Mr. HANNA. Mr. Speaker, for the better part of the last year those who relish in disseminating predictions of doom and despair have forecast a long, violent summer of rioting within America's teeming urban ghettos. Although the veracity of many of these self-ordained prophets can be legitimately questioned, what is not in dispute is the harrowing and destructive series of ghetto riots that have characterized the month of June 1967.

I have refrained from joining the haunting chorus of gloomy prophets because indulgence in such practices rarely contributes constructively to the problems which need to be solved. I have tried to limit my past comments on the position of the Negro American to those questions with which I could honestly offer something constructive.

The most recent events in Atlanta, Boston, Tampa, Dayton, and Cincinnati are vivid reminders of the smouldering animosity, and pungent frustration permeating the ghetto.

Tuesday's Washington Post reported the preliminary results of a study recently completed by Brandeis University's Lemberg Center for the Study of Violence. The center's conclusion, according to the Post, indicated that—

> Negroes are shifting to the opinion that only intense forms of social protest—riots—can bring relief from social injustice.

With these present circumstances etched in our mind, I believe this is the most appropriate time to express a point of view toward the Negro American, all too rarely recognized in Congress.

Mr. Speaker, on an earlier occasion, I indicated to the Members of the House one important aspect of the problems of the Negro American. In our previous presentation the importance of a sense of pride and an acceptable recognition of personal identity was stressed. It now is increasingly important in the struggle of the Negro for a larger participation in the mainstream of American life for him to emphasize his proud background and racial heritage as a vehicle for the improvement of his present situation.

It is difficult to contemplate a Negro making a substantial advance as an American if at the same time he cannot be aware and proud of himself as a Negro.

The present national Negro leadership has only been able to identify the problem of the black race in modern America. However, beyond mere identification, very little of what the Negro leaders most acceptable to the white community do and say really addresses itself to the basic social requirements for improvement. Recently I ran across three separate threads of cogent comment on the underlying problem and I should like to bring these diverse but yet similar comments to the attention of thoughtful and concerned Americans.

The first comment is from Negro minister James H. Hargett, of the Congregational Church of Christian Fellowship. In a recent letter to the editor of the Los Angeles Times, Mr. Hargett said in part the following:

> I am not so naive as to suggest that we do not need police presence patrolling Los Angeles. I rest much easier at night knowing the police are patrolling my neighborhood . . .
>
> What I am concerned about is the vast difference between law enforcement and order enforcement. In the final analysis, order can only be maintained by a community from within and not through pressure from without . . .
>
> If there is a real sense of community, there is order, and the police may make arrests within that community, but it is very seldom persons of that community. If there is little or no sense of community, then it becomes necessary for the police to make frequent arrests of people who live in a given area.
>
> Negro leaders must face the fact that what is sometimes referred to as the Negro community is in reality an amorphous mass of humanity in search of a sense of community.
>
> A community by definition is a place where people are genuinely and sincerely concerned about each other's problems. A community is a place where people seek to provide care for the sick, food for the hungry, clothes for the naked, education for the illiterate and religious training for the young and spiritual guidance for the adults and also employment.
>
> It is this simple but fundamental concern for the whole person that nurtures a sense of a reciprocity of concern and mutuality of support.
>
> Negro leaders have been struggling so desperately and so sincerely for integration over the last 12 years, until their vision has been reduced to vertical vision. My desperate appeal is for both vertical and horizontal vision.
>
> The vision of a community must be primarily horizontal. The vision of the individual in that community must be primarily vertical.
>
> We must, through a commitment to order, reduce the function of policemen to protecting us primarily from outsiders rather than the need to protect us from one another. Only racial pride and self-love can accomplish that. When that happens on a large scale, we will discover for the first time what it means to have law and order in our community. A community has law and order when there is a minimum need for law enforcement . . .
>
> Any community that has self order enforced from within narrows the policeman's job to protecting it rather than prosecuting it.
>
> Let us give no legitimate excuse for a fearful or bigoted policeman to do anything but patrol the black community.
>
> JAMES H. HARGETT,
> *Minister, Congregational Church of Christian Fellowship, Los Angeles.*

Although Rev. Hargett was talking narrowly about the problem of self-imposed order as an ingredient in healthy law enforcement, he properly brings the focus of concern within the proper perspective. The Negro community's most important responsibility is the creation of its own self-image. Developing the consciousness of the Negro America's own proud and rich culture, and an understanding of the need not to apologize for being black, is the major challenge facing the Negro leadership. Here is where the major effort on the part of all who hope to serve the problem should now be applied.

This is largely, but not solely, the black American's problem.

Although a very controversial figure, and a white man, Mr. Saul Alinsky has more successfully attacked the problem of community building and self-identification in the Negro ghetto than most of the national Negro leadership.

His methods have not always led to smooth and happy handling, and perhaps should not serve as a model, yet who will say this problem can ever lend itself to orthodox treatment? The important fact is that he is successfully building a most important handhold. A recent article in the Economist points to Mr. Alinsky's methods. We include it as point two in our brief.

PLATO ON THE BARRICADES

> NEW YORK.—Mr. Saul Alinsky is that rare specimen, a successful radical. He has been organizing the have-nots in America for twenty-five years but only recently has the country caught up to him. In the early days Mr. Alinsky found himself working with Mexican-Americans and with Poles, Lithuanians, and Italians; the poor in those ethnic groups were at the bottom rung of the ladder, without a bargaining voice in the system. Mr. Alinsky, strength then, as now, lay in his ability to organize a community so that it could stand on its own feet, with its own leaders, fight effectively for its own demands—and go on doing so after he had left it on its own as he always did.
>
> Today, he and his twenty helpers are still mobilising those who live outside the power structure in urban America; only today the people who request his help and tend to come from the Negro ghettos—in Chicago, in Buffalo, in Rochester. Mr. Alinsky (white, middle class, son of immigrant Russian Jews) seems to be the only radical who has succeeded in organising the Negro communities. For, when he and his staff have left, the organisation continues functioning with its own leaders while, by and large, the Negro civil rights groups have failed to create this staying power. When Mr. Stokely Carmichael or Dr. Martin Luther King and their aides have pulled out of communities in Alabama and Mississippi, the people have quickly fallen back into apathy and servitude.
>
> This explains the interest in the Alinsky approach, an interest that has affected a diverse set of observers. Negro groups in the urban north are impressed by the gains that Chicago's Woodlawn community (organised by Mr. Alinsky and now operating on its own) has been able to make. When he arrives to help the Negroes in Oakland, California, or in Rochester, New York, invariably they discover that the press, the political and business leaders, in fact all the bodies that seem to represent the establishment, immediately begin to attack him and to put pressure on the local middle-class Negro leaders to denounce him. As Mr. Alinsky likes to explain, the Negroes may have distrusted him—a white man and an outsider—at first; but the frightened reaction of their opponents usually serves as convincing proof that he must be on their side.
>
> Oddly enough church groups—Catholic, Episcopalian, Lutheran, Presbyterian—are strong supporters of Mr. Alinsky. In the past they have contributed financially to his activities and often it is one of the churches that is responsible for inviting him into a community to help the poor. He contends that they understand him because he avoids religious and spiritual nonsense and deals with the poor, and the church, on a realistic plane, that is in terms of power and self-interest. However, he is very ready to attack those members of the church hierarchy who

line up with the opposition, calling a conservative Los Angeles Cardinal, for example, an "un-Christian prehistoric mutton-head."

In the early days of the New Frontier some of the bright young men in government were interested in the Alinsky tactics. They borrowed some of the ideas, some of the phrases, for the Peace Corps ("help people to help themselves") and for the community action projects in the poverty programme. But Mr. Alinsky, who has a habit of firing off outrageous statements about those who look as if they are intent on co-opting him into their organisation, sees the government programmes as welfare projects, paternal forms of colonialism peddled out to the docile and the cooperative poor, while the social workers push up their salaries and glamorise their positions in the bureaucracy. To him the poverty programme stands as "a prize piece of political pornography." And such views put an end to a very brief romance with the government.

Essentially what Mr. Alinsky objects to is the consensual nature of government projects. A modern day Hobbesian, he believes that men with power try to retain their power, at the least, and generally exert all their energy to increase it. Those who lack power, the apathetic masses, the poor, are neither noble nor deserving merely because they are poor. But they can be mobilized to fight for their interests and in the process they can gain a voice and with it a share of the power. Since they lack money and status, the resources that they must harness are numbers and discipline.

The question is, of course, why Mr. Alinsky is concerned with the plight of have-nots. He is neither a religious man nor a sentimentalist. He does, however, believe in a democracy in which the masses participate, with all the tension and instability that this entails, something that many liberals in America today are uneasy about. Mr. Alinsky, however, is a radical, not a liberal. And while he holds to a Jeffersonian view he rarely permits ideology to get in the way of tactics. To wrest power away from the establishment entails conflict and battle and his first goal is to win the battle.

Thus in the past Mr. Alinsky has attacked slum landlords by sending Negro tenants to picket the owners' exclusive suburban houses. He has fought opposition on a local board of education by dispatching Negro mothers to sit-in at the business office of a board member who was also a vice president of a major steel company. (Shortly after this the man resigned from the board of education.) He is now demanding that the philanthropic foundations, particularly Ford and Rockefeller, use their investments as a way of forcing industry to go along with social change. It requires little imagination to discover why he is so disliked by his opponents. He cannot be bought; he cannot be intimidated; and he breaks all the rules.

Despite his new found prominence, and despite the fact that his work often is cited as a model for community action projects, Mr. Alinsky has never received a major grant from any of the large foundations, or the government. Lacking such financial help, his programmes might be expected to fail simply for lack of funds. But he has his own non-profit-making Industrial Areas Foundation; set up in 1940 with the assistance of several small contributions from the Roman Catholic church and from Chicago philanthropists, this is a self-sustaining operation. When Mr. Alinsky is invited into a community he insists that his hosts must finance their own fight and pay the salary of his organiser (as well as covering his travel and telephone expenses).

To raise additional funds to cover his expenses, Mr. Alinsky takes to the road. He criss-crosses the country, speaking to groups at Harvard, Columbia, Stanford and other universities; business organisations now invite him to address their executives; and church and educational bodies are eager to line him up as a guest speaker or as a consultant. For in addition to his skill as an organiser extraordinary, Mr. Alinsky is a man of exceptional charm and humor. He is a witty, well-read humanist, although one who delights in describing the action of friends and opponents alike in salty, four-letter phrases. His charm lies in his ability to commit himself completely to the people in the room with him. In a shrewd though subtle way he often manipulates them while speaking directly to their experience. Still he is a man totally at ease with himself, mainly because he loves his work, which always seems to be changing—new communities, new contests, new fights.

Now he is on the verge of shifting to a new environment. He is about to dissolve his own foundation and move into education in a formal way. Backed by several church groups, he is launching a school to train community organisers. It is to be a fourteen-month course and will be attached to one of the universities in the San Francisco area. Work projects in the surrounding communities will be included as part of the academic programme. Expenses, Mr. Alinsky expects, will come to $11,000 a person and he anticipates that about 70 per cent of the students will fail to complete the course; that is the figure that experience has taught him to expect. At last count, though, he had received nearly 3,000 applications for some 60 places. It will be, everyone believes, an education that combines Plato and the barricades.

When history finally records the results of this period's handling of what is America's major domestic problem, the assimilation on equal terms of the black American into American life, one of the names apt to loom large is likely to be that of Saul Alinsky.

Seeing clearly the need to build what Reverend Hargett termed the horizontal base of true community in order to support the vertical climb of the individual Negro who successfully finds himself, Saul Alinsky is one of the few effectively providing a reliable ladder to climb.

Finally, Eric Hoffer, the workingman's philosopher, offers insight into the confidence crisis of black America. In his latest work, "The Temper of Our Times," Hoffer hits all of us right in our predilections, and at the same time deals a stinging rebuke to many of the so-called leaders of the Negro movement. The Black Muslim movement, Hoffer declares, really deals with the fundamental issue. Hoffer says:

> Alone of all the Negro leaders, Elijah Mohammad has a vivid awareness of the vital need of a new birth in any drastic human transformation, and he alone has mastered the technique of staging a new identity. In one sense, the Black Muslim movement is trying to do to the Negro what America automatically did to the millions of immigrants from Europe. By joining the nation of Islam, the Negro is stripped of his habits, attitudes, opinions, beliefs, etc. He is given a new name, a new religion, and a new way of life. He is processed into a new man. The fact is that the Black Muslim movement can point to many solid achievements. It has transformed idlers, criminals, junkies, and drunkards into clean living, purposeful human beings.

The knowledge of self-identification, self-acceptance, and self-improvement all must come before any real extensive and meaningful participation by the black man in the American mainstream can realistically be expected. Until America's black people understand and have pride in their own identity, in their culture, and in their race, the circumstances for equal participation for Negroes in America will be tenuous, frustrating, and incomplete.

It is exceedingly difficult for a white man to have any real comprehension of the circumstances of ghettoized depression that weigh heavily on millions of black Americans. After a brutal and dehumanizing history of involuntary servitude, and the frustration of the second-class citizenship available after the Emancipation Proclamation, many of America's black people today are on a continuing treadmill of shattered hopes and expectations long tarnished with disillusionment.

Multiple and overwhelmingly complicated welfare programs reinforce the defeatist subculture evident in the black ghetto. White-administered welfare is a continual and cynical reminder to the black recipient that white America considers him unable to take care of himself.

The reaction of government to crisis in the ghetto most often takes the form of money. Apparently unlimited dollars are not the answer. In the last year more than $46 million in Federal funds alone have been spent in Watts, the black ghetto in south-central Los Angeles. Despite the great infusion of financial assistance, the ghetto is still a desolate, despairing, and isolated tinderbox capable of erupting into irrational rioting reminiscent of the horrible days in August–September 1965.

Mr. Speaker, the three men quoted in this statement suggest what is perhaps a revolutionary view of the circumstances of the black American. I believe, however, it is a far more realistic view than the often demeaning and patronizing program that is presently the most widely accepted and practiced approach.

To the Negro leaders who are capable of making black America proud of itself, its culture, its triumphs, and its goals, will go the most meaningful successes. The black man must be consciously proud of his color, never apologizing for it. He must understand his identity and never prostitute it. When he is capable of exercising the legitimate strength of his community for the betterment of his community and each individual who is part of it the black American will have arrived and taken his place.

There are indications that this is beginning to happen. Mr. Alinsky's progress and a few other examples offer encouragement. However, to be successful and meaningful, the primary thrust that develops self-pride and self-identity in the black community must come from within. Well-meaning whites must not smother with good intentions such effort since their activities may be self-defeating. Self-pride comes from self-identification, and self-help. The black American does not need, nor should he want the white man telling him who he is or how he should do things. This has been precisely the problem for too long.

The black American is capable of building his own community and selecting those white institutions he feels will enhance his own needs. Assistance from the white community should be available and given when asked for. As the black community builds, it will be able to exercise its own potent strength. When this occurs, the black community will be able to compete with the other diverse interests that have learned to operate and prosper within the American system.

We are well aware that referring to a controversial figure as Mr. Alinsky and a controversial movement such as the Muslims is an invitation for emotional reaction. This reaction may even be tied to what could be legitimate distaste for certain aspects of Mr. Alinsky's presentations and pronouncements, or the uncalled for extremism of the Muslims. However, the risk that we might be misunderstood has been borne because the point to be made is so important.

The point tells the well-meaning white American that his efforts, where appropriate, must be applied at the place where the Negro American in fact is in the most trouble, and effort must be bent and subordinated to a constructive self-help and self-improvement approach. Our point tells the Negro leaders there can only be ladders for vertical rise, not a forced imposition of a lowered standard for accommodation of a minority. The ladders out of the ghetto must be broadly available to all, but must be supported by a self-improved horizontally built base of community improvement.

More violence and more destructive protest may give momentary relief from frustrations and from pressure, but it may also reduce the cooperation and tolerance which feeds the combined efforts of all Americans to accommodate and assist all citizens to enjoy the full fruits of the United States.

Socrates' ancient admonition to his students is applicable to today's circumstances. Socrates told his aspiring students that if they wanted to improve, the first step was "Know thyself."

Eric Hoffer succinctly concludes with this observation:

> The only road left for the Negro is community building. Whether he wills it or not, the Negro in America belongs to a distinct group, yet he is without the values and satisfactions which people usually obtain by joining a group. When we become members of a group, we acquire a desirable identity and derive a sense of worth and usefulness by sharing in the efforts and achievements of the group. Clearly, it is the Negro's chief task to convert this formless and purposeless group to which he is irrevocably bound into a genuine community capable of effort and achievement and which can inspire its members with pride and hope.

Twin Industries

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

Mr. McCARTHY. Mr. Speaker, present Government regulations for contracts to foreign firms are blind to the loss of millions of dollars in tax revenue to the U.S. Treasury, and correspondingly to the American taxpayer.

Recently, Twin Industries Corp. of Cheektowaga, N.Y., lost out on a defense contract to Canadair Ltd. of Montreal, Quebec. The Twin Industries' bid was $1,495,000 higher than Canadair's, but the loss in tax revenue to the U.S. Treasury was in excess of $3 million. The net loss to the American people was, therefore, over $1.5 million.

To correct this inadequacy, Mr. Speaker, I have introduced today a bill which will require Federal agencies to take into consideration tax losses to the U.S. Treasury in the awarding of Government contracts to foreign bidders.

An Analysis of the Investment Picture in Latin America

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

Mr. HANNA. Mr. Speaker during the latter part of March, I joined Representative WIDNALL and Federal Home Loan Bank Board Chairman Horne in attending an Inter-American Conference on the savings and homebuilding industry in Latin America. The Conference was held in Buenos Aires, Argentina, and en route, Mr. Horne, Representative WIDNALL and I had the opportunity to review housing programs in Peru and Chile.

My previous and most recent experience with the savings and housing industry in Latin America has provided me with a reasonable perspective from which to view the question of investing in the 19 Latin Republics. My purpose today is to set forth my analysis of the present investment picture in Latin America, and suggest some of the causes contributing to the immediate circumstances.

I want to make clear that while my analysis is critical it should not be viewed as pessimistic. A great deal of meaningful progress is evident throughout Latin America. The potential for even greater progress is promising. There are, however, firmly rooted and acutely serious conditions causing impediments to the pace of progress. My remarks will center upon the impediments which are straining the vitality of investment in long-range programs within the region.

FLOW AND OUTFLOW

One of the most difficult obstacles attendant to attracting foreign capital into Latin America is the stance of the region's own capital flow. If we expect American capital resources to assist the Latin American housing program some effort must be made by local investors to reverse the flow out of the region of substantial sums of Latin American investment capital.

If Latin Americans demonstrate such little faith in the investment potential of their own nations, it is not unreasonable to expect U.S. investors to take a jaundiced view toward Latin American investment.

While specific data on the amount of private money leaving the 19 Republics is difficult to obtain, there is some agreement that $8 billion of Latin American money is invested abroad. A legitimate questioning of the conditions forcing local private money abroad must be made before encouraging American capital to fill the vacuum. Such questioning is particularly appropriate in light of the undeveloped circumstances of much of the 8 million square miles comprising the region. With an average per capita gross national product of $384, and in one instance as low as $70 per capita, the region is in need of vast investment, both in capital projects and human resources.

But the investment picture of Latin America would suggest that its most wealthy and leading citizens either do not have faith in the local investment climate, or do not care enough to improve local circumstances. I tend to believe the former is the more probable case.

The factors mitigating against more substantial local support for local investment are particularly discouraging to the development of a durable housing industry. The foundations of a savings and housing industry must be built first and foremost upon a local base. If the local base is nonexistent, or at best unsure, the chances of success are substantially reduced. In housing and savings, long-term commitments are necessary. An industry of this nature cannot, nor should it be allowed to rely on the vagaries of foreign resources for its strength.

What I am suggesting is that while foreign investment is desirable, it should not become a crutch upon which the Republics should depend for the development of vitally needed housing. Expectations of private U.S. resources for the housing finance needs of the Latin Republics should not preclude or diminish in intensity any effort to keep local money home.

The importance of developing a climate of faith in the investment portfolio of the Latin Republics economies cannot be stressed enough. This faith is not now present and its absence is a significant factor in the slow and extremely painful progress of Latin American development.

INFLATION AND INSTABILITY

A number of factors in the political and economic spheres have eroded the faith of local capital in local investment. Foremost among the problems facing most of the Republics is inflation, and the inability of the various governments to control or abate soaring prices and the deterioration of the value of local currencies. Unless, and until the Republics can solve their respective inflationary conditions, substantial amounts of local capital will go abroad, and attraction of foreign capital into the region will be tenuous.

Inflation is particularly devastating to a fledgling savings and housing industry. Few areas in an economy have such great need for assurances of stability. These assurances cannot now be given, and there is little in the present to suggest that the future is any more reassuring if present policies are not reexamined with a view toward reform.

The Inter-American Council for Commerce and Production recently prepared an excellent analysis of the causes of inflation in Latin America. Because I consider the analysis important to the theme of my discussion, I am including a brief of the Council's conclusions.

The inflation evident in the important countries of Latin America, found in some of them as in Chile for 100 years, while in others only since World War II, is due to a wide variety of causes.

The first and major cause of inflation within the region is large fiscal deficits financed by currency issued by the central bank. For countries with a relatively simple economy and without capital or security markets, there is a close relationship between the increase in means of payment beyond the growth of production of goods and services—and the incorporation of new sectors into the money economy—and the rise of prices. As a result, the elasticity of production for the domestic market is low.

In several important South American countries fiscal deficits reach a quarter, a third, or even a half of the national expenditure. Governments have been forced to apply to central banks for loans, and the balance sheets of these institutions show clearly that such loans represent the most important part of their "assets."

Fiscal deficits are attributable to the following causes: First deficits of state-owned enterprises, due to inefficiency, excess personnel, or the sale of goods and services below cost—a notorious case in point is the state railroad in Argentina; second, Government investment in excess of amounts obtained from taxes and loans, even if such investments are good in themselves; third, excessive bureaucracy—too frequently jobs for political reasons are given to those in favor with the regime; fourth, deficiencies in the tax structure and its administration.

A second cause of inflation within the region is the often unwarranted and excessive expansion of bank credit at the request of businessmen who wish to finance investments, imports, or sales on credit. This credit expansion is secondary, as it requires a previous primary expansion of the money put in circulation by the central bank. Thus, the frequency and the magnitude of fiscal deficits financed by the central bank produces an excessive credit expansion. As a result, monetary authorities are faced with the alternatives either restricting the credit to the private sector, which in the long run is harmful for economic growth and does not provide financial stability, or of allowing such expansion, thus increasing the inflationary pressures.

Union demands for salary and wage increases completely out of proportion to the growth productivity are conceded or encouraged by political parties and the Government, either by demogoguery or a desire to redistribute national income is a third cause of inflation.

A fourth cause results from exaggerated or defective social legislation passed with a knowledge of costs and of financial implications, and usually contrary to the rules of specialized bodies like the International Labor Office. There are many instances when social benefits—vacations with pay, termination benefits, bonuses, pensions, health and old-age insurance, family allowances, and so forth—mount to 60 percent, 80 percent, or even 100 percent of direct remuneration. This in effect means a lower take-home pay because both elements are added when labor costs are ascertained, and these must be related to productivity. In turn, this leads to new demands to raise wages, thus entering into a wage spiral.

In some instances, if the tax burden is excessive, costs and prices are affected. There are countries such as Argentina, Chile, Colombia, and Peru where taxes represent 20 percent or more of national income. This is too much for an underdeveloped country with a small tax potential. Under these conditions, inflationary pressures are severely aggravated.

In some countries within the region, tariff duties exceed 100 percent as an average, with many duties considerably higher. Such policies have been criticized consistently, even by ECLA. They affect domestic price levels, push up production costs generally, hamper exports, and produce inflationary pressure.

A seventh cause is the lack of incentive for increasing agriculture production. This is due to a large extent to an excessive emphasis on industrial development, and explains why food production has not increased at a pace required by the growing demand of increasing population, and urbanization. Food prices go up when demand increases ahead of production.

Distortions created by controls on prices, foreign trade, and foreign exchange provide the eighth cause for inflation. Price ceilings set on basic goods and services—food stuffs, house rents, electricity rates, transportation fares, and so forth—have depressed these activities, and an overvalued rate of exchange has produced a similar effect on exports.

The attached charts—exhibits 1 and 2—point up the problems faced within the region. With the exception of Mexico and Venezuela, the more advanced countries are plagued with runaway inflation. The costs of living have risen by more than 200 percent within 4 years in two—Brazil, Chile—of the four countries I visited in late March. The other two Republics, Argentina and Peru, had an increase in their cost of living, over the past 4 years, of 150 percent and 70 percent, respectively.

A comparison of the two charts shows that with the exception of Mexico and Venezuela, the more advanced Republics suffer from inflation, while the less advanced Republics reflect a history of depression.

And Venezuela, of course, is suffering from civil insecurity. An effective terrorist organization, the FALN, is causing the democratically elected government no end of grief and uncertainty.

Political uncertainty and instability within the region accounts, to a large measure, for the lack of faith on the part of local capital investors. Few of the Republics have a recent history of stability. Brazil, Argentina, Bolivia, Guatemala, El Salvador, Venezuela, Colombia, Peru, and Paraguay have all fallen victims to varying degrees of recent unrest. Uruguay, in the past one of the region's most stable Republics, is now in the grip of an agonizing reevaluation of its system of government.

While I will not dwell any further on the obvious history of Latin American political uncertainty, I do want to stress the continuing interruption of state stability has eroded local confidence in administrative security for investment.

HARD REALITIES

The hard realities existing within the Latin American Republics suggest the need for substantial internal reform. Fiscal and monetary reform, tooling up managerial and technical skills in government, and certainty in civil administration are all quantities necessary to keeping capital at home and attracting capital from abroad.

My colleague, Representative HENRY REUSS, has suggested one approach worth considering. He suggests:

> A combination of inflation, civil insecurity, and lack of patriotism causes many wealthy Latin Americans to send their capital abroad rather than invest it at home. This writer has urged for some years that the IDB could tap this capital resource by issuing IDB hard currency bonds—both purchased and repayable in hard currencies—to wealthy Latin Americans. The bonds could bear an attractive rate of interest, and could be sold in each of the Latin American countries, using the techniques developed by the Israel bond drives in the United States. The combined lure of a hedge against domestic inflation and default, and an appeal to the patriotism of the investor, seems well worth trying. The IDB could well earmark the proceeds, including the capital costs of land reform. Every dollar that could be returned to Latin America in this way would be a dollar devoted to Latin American economic development.

The Reuss proposal has much merit and aims at the heart of the problem facing Latin American development. Based on existing circumstances it appears more reasonable to stress and emphasize to each of the Republics that their particular problems be dealt with before encouraging private U.S. capital into a savings and housing industry facing so many internal obstacles.

Control of inflation, civil stability, and attracting local capital to local programs must be the items first scheduled on the agenda. Attraction of U.S. capital into the various Latin American savings and housing programs should come after the foundations of local initiative have paved the way.

My critique of present investment possibilities within Latin America does not preclude a knowledge and understanding of the reform and progress now taking place. The Alliance for Progress has been of assistance, and under the leadership of farsighted and skilled democratically elected leaders, many of the Republics are building firm foundations for improvement. The painful and discouraging history of the past has provided an agonizing lesson which the present leadership of many of the Republics do not want repeated. Skilled leaders, time, patience, and appropriate assistance will hopefully write an optimistic history for the future.

My statement today is meant to be a small addition to a constructive chapter in the future history of Latin America.

The exhibits referred to follow:

EXHIBIT NO. 1

Cost of living of Latin American countries, 1961–66 [1]

[1958=100]

Country	1962	1963	1964	1965	1966
Argentina	395	491	600	771	1,020
Bolivia	152	151	167	172	[2] 198
Brazil	390	684	1,270	2,050	3,000
Chile	190	274	400	512	632
Colombia	124	164	192	199	239
Costa Rica	107	111	114	114	114
Dominican Republic	102	110	112	110	119
Ecuador	109	115	120	123	130
El Salvador	97	98	100	100	[3] 99
Guatemala	100	100	100	99	[3] 100
Honduras	102	105	110	114	[3] 118
Jamaica	115	117	119	123	[3] 127
Mexico	110	111	114	118	123
Nicaragua	96	96	100	103	107
Panama	102	103	105	105	106
Paraguay	143	146	148	154	158
Peru	139	148	164	191	208
Uruguay	263	317	454	710	[4] 1,360
Venezuela	105	106	107	109	[3] 111

[1] Where months are indicated end of month date and not yearly average.

[2] October.

[3] December.

[4] August.

Source: International Financial Statistics, vol. 20, April 1967.

EXHIBIT NO. 2

Latin America today

Country	Population (1966)			Area			GNP and power		
	Total (millions)	Rate growth (percent)	Density per square mile	Thousands of square miles	Percent cultivated	Agricultural acres per capita	GNP (millions)	GNP per capita	Power per capital (kilowatt-hours per year)
19 Republics	236.9	2.9	31	7,710	25.0	5.0	88,286	384	400
Argentina	22.7	1.6	26	1,084	50.0	17.0	16,050	718	690
Bolivia	4.2	2.4	10	424	13.0	8.0	599	145	130
Brazil	84.0	3.0	26	3,280	15.0	4.0	21.970	270	410
Chile	9.0	2.4	30	286	17.0	3.0	4,257	485	690
Colombia	18.5	3.0	40	440	17.0	3.0	5,103	284	320
Costa Rica	1.6	3.8	80	20	30.0	2.0	593	395	430
Dominican Republic	3.7	3.6	200	19	26.0	1.0	960	265	140
Ecuador	5.2	3.4	50	112	19.0	3.0	1,128	222	110
El Salvador	3.0	3.2	360	8	51.0	1.0	795	273	140
Guatemala	4.8	3.3	110	42	19.0	1.0	1,410	305	90
Haiti	4.8	2.3	450	11	31.0	.4	327	70	19
Honduras	2.3	3.1	50	43	38.0	4.0	504	223	80
Mexico	44.2	3.5	60	760	52.0	6.0	19,415	455	400
Nicaragua	1.7	3.5	30	57	13.0	3.0	588	355	190
Panama	1.3	3.2	40	29	18.0	3.0	617	495	400
Paraguay	2.1	2.6	13	157	27.0	14.0	443	221	60
Peru	12.0	3.1	23	514	16.0	4.0	4,281	367	330
Uruguay	2.8	1.4	40	72	86.0	14.0	1,555	573	640
Venezuela	9.0	3.4	26	352	21.0	5.0	7,691	882	920
Other:									
British Honduras	.1	3.1	12	9	2.0	1.0	39	370	170
Guyana	.7	2.8	8	83	13.0	10.0	193	298	230
Jamaica	1.8	2.6	420	4	45.0	.7	873	489	450
Surinam	.4	2.9	7	55	.3	.4	139	392	690
Trinidad and Tobago	1.0	3.0	500	2	35.0	.4	630	646	930

President Johnson and the First Amendment

EXTENSION OF REMARKS

OF

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 28, 1967

Mr. BROOKS. Mr. Speaker, President Lyndon Johnson yesterday addressed the national convention of the junior chamber of commerce meeting in Baltimore, Md. The main import of his remarks was a defense of the first amendment to our Constitution and the basic right of free speech which all Americans enjoy.

The President told the Jaycees that criticism to be effective must be constructive. He stated:

> It is good that we have a system where we can freely talk about what is wrong because when we have the proper information, we make the proper judgments. We can only get information by communication.

He assumed that his listeners had heard some of the things that are supposedly wrong with our country. He then took the opportunity to tell them some of the things that are right with America.

The President further stressed the importance of communication by citing his recent discussion with Chairman Kosygin at Hollybush. In the spirit of communication, I include the text of the President's remarks, which highlight some of the right things about our country, in the RECORD at this time:

REMARKS OF THE PRESIDENT AT THE NATIONAL CONVENTION OF THE JUNIOR CHAMBER OF COMMERCE, BALTIMORE, MD.

President Suttle; Governor Agnew; Senators Brewster and Tydings; Congressmen Garmatz, Fallon, Machen, Long, and Friedel; Mayor McKeldin; Mr. D'Alesandro; Mr. Shriver; distinguished J.C.'s and your ladies, I am glad that you asked me to come here today and I am so happy that I could come.

Someone said recently that "I am for the future. I expect to live the rest of my life there."

So all of us here this morning are going to live the rest of our lives in the future—most of us in this country. Not only are we going to live our lives in the future, what is more important, our children and our grandchildren are.

We can give them a country where crime is commonplace, where strife is certain, where free enterprise is frowned upon, where the state is everything—or we can invest our money and our efforts wisely enough to make the next generation freer and happier than ours has been.

A former President of the United States once said—when he was speaking about our living under the First Amendment and exercising the freedoms that go with it—that "Criticism is no doubt good for the soul." But we must beware that it does not upset our confidence in ourselves.

You would hardly expect a man who has had an automobile for sale to tell you that the motor heated, the wheels had not been put on properly, the horn wouldn't blow, that the automobile itself had a very short life—and then expect you to buy it.

But we hear other nations say so many things about our own in criticism—and we say so many things ourselves—that I sometimes wonder if the rest of the world hears only what is wrong with America.

It is good that we have a system where we can freely talk about what is wrong because when we have the proper information, we make the proper judgments. We can only get information by communication.

Proceeding on the assumption this morning that you young leaders of America have heard some of the things about what is wrong with this country, I am going to assume that I may be permitted to talk about some of the things that are right with America.

I should like to ask each person here to engage in a little introspection for the next few minutes I am privileged to be with you. I would like you to ask yourselves to count your own blessings—to ask yourself "What do I have to be thankful for; what do I have to appreciate; what do I have to be proud of; what do I have to look forward to? What do I have that my grandfather did not have—or that my father did not have—or that my brother did not have?"

Let us compare some of the present day conditions to—and I quote—"the good old days".

Or if we could—and still be polite—we might compare some of our conditions in America to some of the conditions in other countries that we have had pointed up to us from time to time.

Let us look at our educational system—because the very basis of a great nation is an educated mind, a healthy body, and a free enterprise system.

Fifty years ago in our educational system, only 10 percent of our boys and girls graduated from high school. Today that figure is not 10 percent. It is 75 percent. That is more than double that of France or West Germany, Italy or Great Britain.

Fifty years ago only about four percent of our young people went to college. Today that figure is about 40 percent. Only 10 percent of the young people of Great Britain and France go to institutions of higher learning.

Let us look at some other education we are getting from protesting and expressing dissent in this country. During a week a short time ago, our newspapers and our T.V. programs, our radio commentators, informed us fully about the protesters and the "peace-niks" who invaded the Pentagon.

They came there to stay—they walked over the tulips; they sat down on the steps; they slept in the halls. After we had analyzed it all carefully and the reports had been given—sometimes dramatically and occasionally emotionally—the "sleep-ins" numbered 12, a bare dozen.

During that very same week, there were 10,000 young Americans who voluntarily—on their own—walked into the military enlistment centers directed by the Pentagon and volunteered their services and their lives for America.

Let me repeat, there were over 10,000 first term enlistments in one week.

Unfortunately, a student carrying a sign or protester wearing a beard, or an attention-seeker burning a draft card in front of a camera can get more attention—and more billing—than all 10,000 of these volunteers.

So we will continue to have those visit the Pentagon to speak their mind. We will continue to have those visit the enlistment stations to give their lives—but let us keep the two in perspective.

In exercising our freedoms, let us check on them as we go along—and be sure that we never abuse them.

Americans are the best fed, the best paid, and the best educated people in the world. That is something we ought to be proud of in America. I know what we do when we are not the best fed, or the best read, or the best paid.

All we have to do is look back to the situation in Washington when I first came there in 1931—when the Bonus Marchers were driven down Pennsylvania Avenue—and look back to the emergency legislation which was required in the days following.

The banks had to be closed—and reopened again. Our farm commodities were being burned, and our soup kitchens stretched for half a mile in some of the main centers of our towns.

So much for our employment and our education. What about our health conditions?

Deaths from the dread diseases have been cut in half in the last 50 years. Life expectancy has doubled in the last 100 years. Infant mortality rates have been cut in half in the last 30 years. Artificial kidneys now in use soon will be joined by the artificial heart.

Measles have been retired in the pages of history. Polio is no longer the fear of every mother in the land—thanks to our great medical profession, and thanks to a country which has concentrated on trying to do what is right—and correct what is wrong.

Medical care has recently forged an extraordinary partnership. We have almost 20 million elderly persons. We have over 200,000 doctors working with this group. Under the Medical Care Program, over five million Americans in the last year—and the first anniversary is coming up very soon—have received physician services. Almost three million have received hospital care.

I have not come here to say to you that all is right and perfect. We still have many problems. We are facing up to them. We are recommending measures to deal with them. We won't get them all. We may just get a fraction of them—but we are not ignoring them—we are not running away from them—and we are not cutting out on them.

I saw in some report from some great university yesterday something about how we had cut back on our Poverty Programs, and how we had denied our people education programs and health programs because we were defending our country.

Well, that is just not true. That is just not so.

A little over three years ago—when I became President—we had no poverty program. We were in Vietnam, but we had no poverty program. We started one—and we have increased it every year since.

This year, we are increasing it by 25 percent—without tucking tail and running in Vietnam.

More money will be spent on poverty in the United States in trying to do something about it this year by the Federal Government than we spend in Vietnam.

In our educational program—when I became President a little over three years ago—we were spending $4 billion a year. This year our budget is $12 billion—three times as much for education in three years—and we are still doing our duty in Vietnam.

In our health program three years ago, we were spending a little over $4 billion a year in the Federal Government for health needs. This year our budget is a little over $12 billion—three times as much for health in three years as we were spending three years ago.

We still have many problems of unemployment and poverty. Even though America's poorest housing is in a luxury class for the masses of some other countries, we do have slums. We want to do something about them. We are doing something about them.

We passed our Model Cities program this year. That is the most far-reaching step in that direction that this nation has ever taken.

Today there are seven million fewer people living in poverty than there were seven years ago. The unemployment rate has dropped from 5.7 to in the neighborhood of 3.7. Operation Head Start has already given three-quarters of a million children from the poor families a leg up on education. It is growing every day.

More than a million persons are receiving job training under Federal programs compared to none seven years ago.

Almost one million people are going to college this year because of higher educational programs enacted under our Administration and passed by our Congress.

We all owe a debt to the Congress which has enacted this legislation for us.

So when you go back and talk about something that went wrong—how a motor failed—or how a red light stuck—or how someone looked on television—or how long they spoke—or what they didn't say—ask yourself to remember some of the good things that you have produced.

Our educational system—summarizing—is second to none anywhere in the world. Our prosperity is second to none anywhere in the world. Our standard of living is second to none anywhere in the world.

We produce more goods; we transport more goods; we use more goods than anyone in the world.

We own almost a third of the world's railroad tracks. We own almost two-thirds of the world's automobiles—and we don't have to wait three years to get a new one either.

I shouldn't be surprised—if you are anxious enough right now—but what some people on this very floor will take your orders.

The Baltimore New Car Dealers Association had better be careful or they will get outfigured. Someone will make you a cut rate proposition.

We own half the trucks in the world. We own almost half of all of the radios in the world. We own a third of all of the electricity that is produced in the world. We own a fourth of all of the steel. Our health conditions rank favorably with those of other countries in the world. Although we have only about six percent of the population of the world, we have half of its wealth.

Bear in mind that the other 94 percent of the population would like to trade with us.

Maybe a better way of saying it would be that they would like to exchange places with us.

I would like to see them enjoy the blessings that we enjoy. But don't you help them exchange places with us—because I don't want to be where they are.

Instead, I believe we are generous enough—I believe we are compassionate enough—and I believe we are grateful enough that we would like to see all of them enjoy the blessings that are ours.

I say to you young business leaders of America, there never has been a time when the business groups of this country—the young leaders of this country—the employees and the labor leaders of this country have cooperated with their Government more than now. Your President is grateful for it.

I want to leave one thought with you. If you forget everything else I say, please remember this when you go back to your own community to provide them with the leadership that I want to provide you—that I am trying so hard to provide you.

You say to them that it is not absolutely essential—it is not a prerequisite—and it is not required that you tear our country down, and our flag down, in order to lift them up.

I want to conclude now by just quietly saying a word to you about this larger world that we all live in. I think it is on your mind and in your heart—as it is on mine and in mine.

We are in South Vietnam today because we want to allow a little nation self-determination. We want them to be able to go and vote for the kind of leaders they want and select the type of Government they want. We want them to be free of terror and aggression in doing that—as we want it for ourselves.

We made a contract. We had an agreement. We entered into a treaty that was confirmed by our Senate, 82 to 1, saying that in the face of common danger, we would come and help.

We came. We are helping. We are doing our best. I solicit the cooperation of each of you to the extent that you can give it.

We Americans are deeply concerned about the recognition of the right of self-determination. That is what each of you demands for yourself. So let us help your fellow man in other parts of the world enjoy it, too.

Self-determination is really the right to live. That is what we ask for all of the nations of the Middle East—not just for some of them.

We believe that for the peoples of the 122 nations of the world, speaking now of the under-developed nations of the world specifically, real self-determination only comes when hunger and disease and ignorance and poverty are overcome. We believe that the peoples of all of these nations are entitled to that self-determination. They won't have it until we can conquer those ancient enemies—illiteracy, ignorance, disease and poverty.

Just as it is here in our home, we believe in the First Amendment, in free speech and in a free press. We believe in the Bill of Rights. We believe what matters abroad is also freedom from fear and freedom from want—the freedom to make choices and not just to submit to a brutal destiny.

Two days ago, not very far from here, I met with Chairman Kosygin of the Soviet Union. The nations we spoke for are two of the most powerful nations in all of the world. In the family of nations, two of the strongest have two of the greatest responsibilities.

For my part, and for your nation, that responsibility involves helping other nations to choose their own futures as they see it.

We seek as well maximum understanding between these two great powers. For 10 hours we looked at each other with only the interpreters present in a very small room.

Though our differences are many, and though they run very deep, we knew that in the world's interest it was important that we understand, if we could, the motivations as well as the commitments of each other. We religiously, dedicatedly, and determinedly worked at that assignment for those two days.

That is why we met in the house called Hollybush. To bring about better understandings, and to discuss respective goals and commitments, we came there.

When we left I believe we had achieved that. We agreed we would continue to maintain contact through diplomatic channels, through other means of communication, and direct contact.

In Saigon, in Sinai, at Hollybush in New Jersey, in the slums of our cities, in the prairies of our land, in the hollows of Appalachia, in scores of underdeveloped countries all around the world where men struggle to make their own future and to secure their little families, that is what we are about.

If the young leadership of our country supports us over the long hard pull that lies ahead, if you can endure the tensions, if you can understand that the air is going to be rough and the road is going to be bumpy, you can, in the words of your own creed, "Help us unlock earth's great treasure—human personality."

Then the cussers and the doubters will be relegated to the rear; the doers and the builders will take up the front lines.

Now you are going to return to your homes. You have engaged in looking at yourselves and at your country. I have been able to discuss it for only a very brief time.

I am going back to attend a one o'clock meeting with Secretary Rusk and Secretary McNamara and others who are giving everything they have to your country. We are not only going to talk and plan and work and pray to develop ways and means of keeping your country and your families secure, but we are going to do our dead level best to bring peace to every human being in the world.

Our problems are many. Our solutions are few. I am not as concerned about the individual differences which we have with other nations—because with few exceptions I think those can be reconciled—but I am concerned that every boy and girl, that every man and woman who enjoys citizenship and freedom and prosperity and the blessings of this land know what they have and are determined to build upon it, to improve it—and by all means to keep it.

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